



**CITY OF DENISON
CITY COUNCIL MEETING
MINUTES**

Monday, July 15, 2024

Announce the presence of a quorum.

Mayor Robert Crawley called the meeting to order at 6:00 p.m. Council Members present were Michael Courtright, James Thorne, Joshua Massey, and Aaron Thomas. Mayor Pro Tem Adams and Council Member Redwine were absent. Staff present were Assistant City Manager, Renee Waggoner, Assistant City Attorney, Heather Shankle, City Clerk, Christine Wallentine, and Deputy City Clerk, Karen Avery. Interim City Manager, Bobby Atteberry, and City Attorney, Julie Fort, were absent. Department Directors were also present.

1. INVOCATION, PLEDGE OF ALLEGIANCE AND TEXAS PLEDGE

Corey Battle, Pastor of Great Commission Baptist Church gave the invocation which was followed by the Pledge of Allegiance and Texas Pledge led by members of the Denison 6U All Stars.

2. PUBLIC COMMENTS

Mayor Crawley called for any public comments at this time and reminded those wanting to comment of the guidelines established by the City Council. Christine Wallentine, City Clerk, confirmed there were no Request to Speak Cards received by this point in the meeting. Therefore, no public comments were received.

4. CONSENT AGENDA

- A. Receive a report, hold a discussion, and take action on approving the Minutes from the Regular City Council Meeting held on July 1, 2024.
- B. Receive a report, hold a discussion and take action on an agreement with Garver to provide As-Needed Construction Inspection Services for the City of Denison's CIP projects in the amount of \$150,000, Contract No. 2024-0089) and authorize the Interim City Manager to execute all related documents.
- C. Receive a report, hold a discussion, and take action on approval of a streets overlay services purchase proposal in the amount of \$371,336.00 from Area Wide Paving, LLC and authorize the Interim City Manager to execute any associated documents.
- D. Receive a report, hold a discussion, and take action on a Written Services Agreement to allow services for a Voluntary Annexation Petition for property containing

approximately 2.8 acres, legally described Lots 1, 2, and 3, Block A, ROS Estates, Grayson County, Texas; being further identified as GCAD Property ID Nos. 449977, 449978, and 449979; and being generally known as 4836 Theresa Drive, 4858 Theresa Drive, and 4890 Theresa Drive to allow for residential uses.

- E. Receive a report, hold a discussion and take action on a Revocable License Agreement between the City of Denison and 3Nineteen, LLC, for use of a portion of certain land behind City Hall at 300 W. Main Street, which is adjacent to certain property owned by 3Nineteen, LLC, to allow for restaurant seating and food and alcohol sales, and authorize the Interim City Manager to execute the same.
- F. Receive a report, hold a discussion and take action on an Ordinance amending Chapter 25, "Traffic", Article I, "In General", to amend Section 25-1, "Definitions", Section 25-19, "Truck Routes" and Section 25-20 "Trucks, Etc. Restricted to Portion of U.S. Highway 75 Designated for Thru-Traffic" and to add Section 25.22, "Affirmative Defenses" to the City of Denison Code of Ordinances.

Council Action

On motion by Council Member Courtright, seconded by Council Member Thorne, the City Council unanimously approved Ordinance No. 5356, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DENISON, TEXAS, AMENDING CHAPTER 25, "TRAFFIC", ARTICLE I "IN GENERAL", TO AMEND SECTION 25-1 "DEFINITIONS", SECTION 25-19, "TRUCK ROUTES" AND SECTION 25-20 "TRUCKS, ETC., RESTRICTED TO PORTION OF U.S. HIGHWAY 75 DESIGNATED FOR THRU-TRAFFIC" AND TO ADD SECTION 25.22 "AFFIRMATIVE DEFENSES" TO THE CITY OF DENISON CODE OF ORDINANCES; PROVIDING FOR A MAXIMUM PENALTY OF \$500 FOR EACH OFFENSE; PROVIDING SEVERABILITY, REPEALER AND SAVINGS CLAUSES; PROVIDING AN EFFECTIVE DATE; AND FINDING AND DETERMINING THE MEETING AT WHICH THIS ORDINANCE IS ADOPTED TO BE OPEN TO THE PUBLIC AS REQUIRED BY LAW"; and the rest of the Consent Agenda as presented.

4. PUBLIC HEARINGS

- A. Receive a report, hold a discussion, conduct a public hearing, and take action on an Ordinance annexing tract of land legally described as Lots 1, 2, and 3, Block A, ROS Estates, Grayson County, Texas; being further identified as Grayson County Appraisal District Property ID Nos. 449977, 449978, and 449979; and being generally known as 4836 Theresa Drive, 4858 Theresa Drive, and 4890 Theresa Drive to allow for residential use. (Case No. 2024-046A)

Council Action

Dianne York, Planner, introduced this agenda item and stated that the applicant is seeking to voluntarily annex the properties located at 4836, 4858 and 4890 Therasas Drive in order to connect to City utilities. The subject property consists of approximately 2.8

acres. The applicant has constructed three single family residential structures on the property. In addition to submitting a voluntary annexation petition, the applicant has also submitted a zoning application requesting initial zoning of Single Family 7.5. The zoning request is a companion item to the voluntary annexation. Staff recommends approval of the request.

Mayor Crawley then asked if there was anyone present who wished to speak on this agenda item, to which there were none. With that, the Mayor closed the public hearing.

There was no discussion or questions from Council.

On motion by Council Member Massey, seconded by Council Member Courtright, the City Council unanimously approved Ordinance No. 5357, "AN ORDINANCE OF THE CITY OF DENISON, TEXAS, ADOPTING THE ANNEXATION OF CERTAIN TERRITORY LOCATED IN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF DENISON, TEXAS, TO WIT: BEING A TRACT OF LAND LEGALLY DESCRIBED AS LOTS 1, 2 AND 3, BLOCK A, ROS ESTATES, GRAYSON COUNTY, TEXAS; BEING FURTHER IDENTIFIED AS GRAYSON COUNTY APPRAISAL DISTRICT PROPERTY ID NOS. 449977, 449978, AND 449979; BEING MORE PARTICULARLY DESCRIBED AND GRAPHICALLY DEPICTED IN EXHIBIT "A", PROVIDING FOR INCORPORATION OF PREMISES, AMENDING OF THE OFFICIAL CITY MAP, AND ACKNOWLEDGING A SERVICE PLAN; REQUIRING THE FILING OF THIS ORDINANCE WITH THE COUNTY CLERK; PRESCRIBING FOR EFFECT ON TERRITORY, GRANTING AS APPROPRIATE TO ALL THE INHABITANTS OF SAID PROPERTY ALL THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID INHABITANTS BY ALL OF THE ACTS, ORDINANCES, RESOLUTIONS, AND REGULATIONS OF THE CITY OF DENISON, TEXAS; PROVIDING CUMULATIVE REPEALING, SEVERABILITY AND SAVINGS CLAUSES; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; AND PROVIDING AN EFFECTIVE DATE."

- B. Receive a report, hold a discussion, conduct a public hearing, and take action on an Ordinance initially zoning a tract of land legally described as Lots 1, 2, and 3, Block A, ROS Estates, Grayson County, Texas; being further identified as Grayson County Appraisal District, Property ID Nos. 449977, 449978, and 449979; and being generally known as 4836 Theresa Drive, 4858 Theresa Drive and 44890 Theresa Dive to a Single-Family (SF-7.5) District, to allow for residential use. (Case No. 2024-047Z).

Council Action

Dianne York, Planner, reported now that the property has been annexed, it needs to be zoned. As previously mentioned, the applicant has requested the initial zoning of Single Family 7.5 residential. The applicant has constructed three single family homes on the subject property. The homes do comply with the development standards listed within the Single Family 7.5 for parking and square footage requirements. Additionally, the lots meet all the requirements for lot size dimension and width. This request does comply

with the Comprehensive Plan as the Future Land Use Plan does designate this area to be developed in a single-family manner. The Planning and Zoning Commission recommended approval of this request at their meeting held on July 9, 2024, and staff also recommends approval.

Mayor Crawley then asked if there was anyone present who wished to speak on this agenda item, to which there were none. With that, the Mayor closed the public hearing.

There was no discussion or questions from Council.

On motion by Council Member Massey, seconded by Council Member Thorne, the City Council unanimously approved Ordinance No. 5358, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DENISON, TEXAS, AMENDING CHAPTER 28 OF THE CODE OF ORDINANCES OF THE CITY OF DENISON, THE SAME BEING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF DENISON, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY BY ESTABLISHING THE INITIAL ZONING CLASSIFICATION OF SINGLE-FAMILY (SF-7.5) DISTRICT, BEING LEGALLY DESCRIBED AS LOTS 1, 2 AND 3, BLOCK A, ROS ESTATES, GRAYSON COUNTY, TEXAS; BEING FURTHER IDENTIFIED AS GRAYSON COUNTY APPRAISAL DISTRICT PROPERTY ID NOS. 449977, 449978, AND 449979; AND MORE COMMONLY KNOWN AS 4836 THERESA DRIVE, 4858 THERESA DRIVE AND 4890 THERESA DRIVE, CITY OF DENISON, GRAYSON COUNTY, TEXAS; PROVIDING THAT THE OFFICIAL ZONING MAP OF THE CITY SHALL REFLECT THE SINGLE-FAMILY (SF-7.5) DISTRICT; PROVIDING THAT THE PROPERTY SHALL BE USED IN ACCORDANCE WITH THE REQUIREMENTS OF THE COMPREHENSIVE ZONING ORDINANCE AND ALL OTHER APPLICABLE ORDINANCES OF THE CITY; PROVIDING REPEALING, SEVERABILITY, AND SAVINGS CLAUSES; PROVIDING A PENALTY; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE; AND FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS ADOPTED SHALL BE OPEN TO THE PUBLIC AS REQUIRED BY LAW."

- C. Receive a report, hold a discussion, conduct a public hearing, and take action on an Ordinance to rezone approximately 1.693 acres legally described as being part of the Ramon Rubio Survey, being Lot 2R, Block A, Replat of a part of Blocks 1 and 4 and a portion of those abandoned alleys and street lying within said blocks of North Side Addition, Abstract No. 996 an addition to the City of Denison, Grayson County, Texas as per plat of record in Doc. No. 2021-189; GCAD Property ID No. 438877, from the Commercial (C) District to the Single-Family (SF-5) Residential District to allow for residential use. (Case No. 2024-048Z).

Dianne York, Planner, reported the applicant is requesting a rezone of the subject property located along N. Lamar Avenue and E. Washington Street, east of Austin Avenue from the Commercial Zoning District to the Single-Family 5 Zoning District. Ms. York then provided a map showing the aerial view of the zoning for the subject

property and surrounding lots. On June 6, 2022, the City Council approved a rezone of the property now known as Lots 1 – 6, Block A, Century Ridge Addition, Phase I. Approval of this rezoning request will provide consistent zoning for the lots at the corner of E. Washington Street and N. Lamar Avenue. Additionally, the applicant submitted a replat and the proposed plat of the subject property was conditionally approved by the Planning and Zoning Commission at their meeting held on July 9, 2024, pending zoning and civil plans. Approval of this zoning request will allow the applicant to move forward with submitting these civil plans and ultimately allowing for residential development. There are significant infrastructure needs in this area – water, sewer and roadway improvements. Before staff can file the replat, they will need to make sure the infrastructure is accepted by the City. This request does comply with the Future Land Use Plan as the area is designated as Neighborhood and single family complies with this designation. The Planning and Zoning Commission recommended approval of the request at their meeting held on July 9, 2024. Staff also recommends approval.

Mayor Crawley then asked if there was anyone present who wished to speak on this agenda item. Mr. Hughlett came forward and provided the following information for the record:

Name: Ken Hughlett

Address: 177 Timberbrook Circle
Denison, TX

Mr. Hughlett stated they are just going through and crossing all the T's and dotting all the I's to complete this project and move on with the civil plans portion.

There were no questions from the Council for the applicant.

Mayor Crawley then asked if there was anyone else present who wished to speak on this agenda item, to which there were none. With that, Mayor Crawley closed the public hearing.

On motion by Council Member Massey, seconded by Council Member Courtright, the City Council unanimously approved Ordinance No. 5359, "AN ORDINANCE OF THE CITY OF DENISON, TEXAS, AMENDING CHAPTER 28 OF THE CODE OF ORDINANCES OF THE CITY, THE SAME BEING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY, BY CHANGING THE ZONING CLASSIFICATION ON A CERTAIN TRACT OF LAND LEGALLY DESCRIBED AS THE REMAINDER OF LOT 2R, BLOCK A, OF NORTH SIDE ADDITION TO THE CITY OF DENISON, GRAYSON COUNTY, TEXAS, AND MORE PARTICULARLY DESCRIBED AND DEPICTED IN EXHIBIT "A", FROM ITS ZONING CLASSIFICATION OF COMMERCIAL (C) DISTRICT TO SINGLE FAMILY-5 (SF-5) DISTRICT; PROVIDING THAT SUCH TRACT OF LAND SHALL BE USED IN ACCORDANCE WITH THE REQUIREMENTS OF THE COMPREHENSIVE ZONING ORDINANCE

AND ALL OTHER APPLICABLE ORDINANCES OF THE CITY; PROVIDING THAT THE ZONING MAP SHALL REFLECT THE SINGLE FAMILY-5 (SF-5) DISTRICT FOR THE PROPERTY; PROVIDING A PENALTY; PROVIDING REPEALING, SEVERABILITY, AND SAVINGS CLAUSES; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.”

- D. Receive a report, hold a discussion, conduct a public hearing, and take action on an Ordinance to rezone a tract being approximately .2066 of an acre legally described as Lot 1, Block 1, of the H Tones First, an addition to the City of Denison, Grayson County, Texas, as shown by plat of record in Volume 67, Page 75, Deed Records, Grayson County, Texas; being commonly known as 129 E. Johnson Street, GCAD Property ID No. 142394, from the Commercial (C) District to the Single-Family, (SF-5) Residential District to allow for residential use. (Case No. 2024-056Z)

Council Action

Dianne York, Planner, said the applicant is requesting a zoning change for the property located at 129 E. Johnson Street from the Commercial District to the Single Family5 Residential District. Ms. York provided an aerial map of the subject property showing N. Houston to the west. The applicant wishes to develop the property in a residential manner. There are single family homes adjacent to the subject property to the west and also to the south. The Future Land Use Plan designates this area as neighborhood, which SF-5 does comply with this designation. The proposed lot does meet the lot depth, width and square footage requirements listed within the SF-5 Zoning District. Staff recommends approval and the Planning and Zoning Commission recommended approval at their meeting held on July 9, 2024.

Mayor Crawley then asked if there was anyone present who wished to speak on this agenda item, to which there were none. With that, Mayor Crawley closed the public hearing.

Council Member Massey asked Ms. York if the subject property complied with Single Family 7.5 zoning, to which Ms. York replied, it did not.

There were no further questions or discussion from Council.

On motion by Council Member Massey, seconded by Council Member Courtright, the City Council unanimously approved Ordinance No. 5360, “AN ORDINANCE OF THE CITY OF DENISON, TEXAS, AMENDING CHAPTER 28 OF THE CODE OF ORDINANCES OF THE CITY, THE SAME BEING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY, BY CHANGING THE ZONING CLASSIFICATION ON A CERTAIN 0.2066 ACRE TRACT OF LAND LEGALLY DESCRIBED AS LOT 1, BLOCK 1, H TONES FIRST ADDITION OF DENISON, GRAYSON COUNTY, TEXAS, ACCORDING TO PLAT RECORDED IN VOLUME 67, PAGE 75, DEED RECORDS OF GRAYSON COUNTY, TEXAS, COMMONLY REFERRED TO AS

129 E JOHNSON ST, DENISON, TX, AND MORE PARTICULARLY DESCRIBED AND DEPICTED IN EXHIBIT "A", FROM ITS ZONING CLASSIFICATION OF COMMERCIAL (C) DISTRICT TO SINGLE FAMILY-5 (SF-5) DISTRICT; PROVIDING THAT SUCH TRACT OF LAND SHALL BE USED IN ACCORDANCE WITH THE REQUIREMENTS OF THE COMPREHENSIVE ZONING ORDINANCE AND ALL OTHER APPLICABLE ORDINANCES OF THE CITY; PROVIDING THAT THE ZONING MAP SHALL REFLECT THE SINGLE FAMILY-5 (SF-5) DISTRICT FOR THE PROPERTY; PROVIDING A PENALTY; PROVIDING REPEALING, SEVERABILITY, AND SAVINGS CLAUSES; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE."

- E. Receive a report, hold a discussion, conduct a public hearing, and take action on an Ordinance to amend Section 28.46.- HO – Highway Oriented and Corridor District. (Case No. 2024-060ZO)

Council Action

Dianne York, Planner, stated this item is a City initiated request. City Staff is requesting to amend the "Authorized Uses" listed under Section 28.46.2 of the Highway Oriented and Corridor Overlay District in order to remove language pertaining to the Use Regulation Chart that is no longer applicable and to allow for the use of Warehouse (mini)/self-storage with an approved Conditional Use Permit. Back in 2021, the Use Regulation Chart was amended by a previous Director. Prior to the amendment, all of the uses were categorized by use and when the amendment was made it was read alphabetically and the subsections no longer listed within the ordinance. Within the past year, we've had a planned development come through for a single use for storage units and this is not good zoning to do a planned development for a single use. So, by amending the language to allow for the conditional use permit, this will take away a planned development for a single use. The Planning and Zoning Commission recommended approval at their meeting held on July 9, 2024, and staff also recommends approval.

There was no discussion or questions from Council.

Mayor Crawley then asked if there was anyone present who wished to speak on this agenda item, to which there were none. With that, Mayor Crawley closed the public hearing.

On motion by Council Member Massey, seconded by Council Member Courtright, the City Council unanimously approved Ordinance No. 5361, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DENISON, TEXAS, AMENDING CHAPTER 28 OF THE CODE OF ORDINANCES OF THE CITY OF DENISON, BEING THE COMPREHENSIVE ZONING ORDINANCE, AMENDING ARTICLE III ZONING DISTRICTS, SECTION 28.46. HO – HIGHWAY ORIENTED AND CORRIDOR DISTRICT, 28.46.2. AUTHORIZED USES, SUBSECTION (B) PROHIBITED USES AND CREATING SUBSECTION (C) ALLOWED USES WITH AN APPROVED

CONDITONAL USE PERMIT (CUP) PROVIDING A PENALTY; PROVIDING SAVINGS, REPEALING AND SEVERABILITY CLAUSES; PROVING FOR PUBLICATION; PROVIDING FOR AN EFFECTIVE DATE; AND FINDING AND DETERMINING THE MEETING AT WHICH THIS ORDINANCE IS ADOPTED TO BE OPEN TO THE PUBLIC AS REQUIRED BY LAW.”

- F. Receive a report, hold a discussion, conduct a public hearing, and take action on an Ordinance for a Conditional Use Permit (CUP), for property zoned Local Retail (LR) and within the Austin Avenue Overlay (AO) District, to allow for the use of Bar, for SLUSH Premium Daiquiris located on property consisting of ±.1481 acres, Lot 1, Block 38, out of the OTP Denison Survey, 150 X 43 (C), 6,450 SQ FT., GCAD Property ID No. 143046, commonly known as 221 North Austin Avenue. (Case No. 2024-062CUP)

Council Action

Dianne York, Planner, reported this request is for a Conditional Use Permit. The applicant is requesting a CUP for a bar for the property located at 221 N. Austin Avenue. The property is located at the corner of W. Gandy and N. Austin Avenue. Ms. York provided an aerial map of the subject property. The property is zoned Local Retail and falls within the Austin Avenue Overlay District. The applicant intends to sell alcoholic and non-alcoholic frozen drinks for both on and off premise consumption for Slush Premium Daquiris. Seating will be provided at the business and will also have a drive thru entering off of Gandy and exiting into the alley. This is a conditional use permit that was previously approved by the City Council at their meeting held on July 11, 2022, and the CUP has expired due to a clause in the CUP that required a certificate of occupancy be requested within 180 days of the approval of the CUP. Staff is now bringing this before Council for approval once again. This request does comply with the Comprehensive Plan. The subject property is located in the downtown center which should be engaged in mixed use activities with retail, restaurants, entertainment, offices and some medium density residential. With the exception of expanded hours, this CUP is the same as the one previously approved. Staff recommends approval of the request. The Planning and Zoning Commission recommended approval of this request at their meeting held on July 9, 2024.

Council Member Thomas asked if there was an expected completion date. Ms. York responded the applicant can answer this better, but she said the date of August 8 was mentioned as the target opening date.

Mayor Crawley then asked if there was anyone present who wished to speak on this agenda item. Ms. LaRosa came forward and provided the following information for the record:

Name: Heather LaRosa
Address: 2018 Norwood Street
Sherman, TX

Ms. LaRosa stated she and her sister plan to open Slush. The only thing left is to have the parking lot striped. They are looking at doing a soft opening with friends and family the first week of August and then opening the next week. They are anxious to get it open as it's been a long road.

Mayor Crawley then asked if there was anyone else present who wished to speak on this agenda item, to which there were none. With that, Mayor Crawley closed the public hearing.

There was no further discussion or questions from Council.

On motion by Council Member Thomas, seconded by Council Member Massey, the City Council unanimously approved Ordinance No. 5362, "AN ORDINANCE OF THE CITY OF DENISON, TEXAS, PROVIDING FOR SPECIFIED CHANGES IN THE OFFICIAL ZONING MAP OF THE CITY OF DENISON, TEXAS; PROVIDING FOR A CONDITIONAL USE PERMIT FOR A BAR IN THE LOCAL RETAIL DISTRICT WITHIN THE COMMERCIAL HISTORIC OVERLAY AND AUSTIN AVENUE OVERLAY ON THE PROPERTY DESCRIBED IN EXHIBIT A, BEING APPROXIMATELY 0.4683 ACRES, AND BEING LEGALLY DESCRIBED AS LOT 1 AND LOT 2, BLOCK 38, ORIGINAL TOWN PLAT, DENISON, GRAYSON COUNTY, TEXAS, AND COMMONLY KNOWN AS 221 N AUSTIN AVENUE, CITY OF DENISON, GRAYSON COUNTY, TEXAS; PROVIDING A PENALTY CLAUSE; PROVIDING REPEALER, SEVERABILITY AND SAVINGS CLAUSES; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE."

Prior to announcing Item G below, Council Member Massey advised of a potential conflict of interest with the agenda item and recused himself from the dais at 6:21 p.m.

- G. Receive a report, hold a discussion, conduct a public hearing, and take action on an Ordinance for a Conditional Use Permit (CUP), for property zoned Central Area (CA) and within the Commercial Historic Overlay (CH) District to allow for the use of Bar, for Copacetic Cowboy located on property consisting of Lots 17, 18, and 19 of the Original Town Plat of Denison, Texas, GCAD Property ID No. 143144, being commonly known as 120 S. Burnett Avenue (Case No. 2024-064CUP)

Council Action

Dianne York, Planner, introduced this agenda item. This is a request for a Conditional Use Permit for the use of a bar for Copacetic Cowboy, previously approved as Champagne Charlie's, for property located at 120 S. Burnett. Copacetic Cowboy is a new cocktail house that will occupy the suites of 101 and 102 of 120 S. Burnett. The applicant wishes to establish a stylish and comfortable atmosphere with an approachable food and beverage menu by providing a variety of specialty crafted cocktails, beers and wines, as well as a limited bar menu. The applicant has provided their business model as well as a floor plan, and both are consistent with the use of bar. The property is currently zoned Central Area. Within the use regulations chart designates a bar requiring

a conditional use permit within the zoning district. This was a previously approved conditional use permit. It was approved by the City Council at their meeting held on April 4, 2022. The change of the name as well as the similar issue of not having a certificate of occupancy within 180 days of approval of the conditional use permit has prompted that we have to bring this conditional use permit back before the Council for approval. The request complies with the Comprehensive Plan. The Planning and Zoning Commission recommended approval of this request at their meeting held on July 9, 2024. Staff also recommends approval.

Mayor Crawley then asked if there was anyone present who wished to speak to this agenda item. Mr. Riggs came forward and provided the following information for the record:

Name: Cody Riggs

Address: 1021 W. Bond Street
Denison, TX

Mr. Riggs stated he was the owner of Copacetic Cowboy. Due to trademark issues, they changed the name and also due to some contractor issues it took them a little bit longer to get ready, but they are ready to open. Upon approval of the CUP, they can apply for their final certificate of occupancy.


There was no discussion or questions from the Council.

Mayor Crawley then asked if there was anyone else present who wished to speak to this agenda item, to which there were none. With that, Mayor Crawley closed the public hearing.

On motion by Council Member Thomas, seconded by Council Member Courtright, the City Council approved Ordinance No. 5363, "AN ORDINANCE OF THE CITY OF DENISON, TEXAS, PROVIDING FOR SPECIFIED CHANGES IN THE OFFICIAL ZONING MAP OF THE CITY OF DENISON, TEXAS; PROVIDING FOR A CONDITIONAL USE PERMIT FOR A BAR IN THE CENTRAL DISTRICT (CA) WITHIN THE HISTORICAL OVERLAY DISTRICT BEING LEGALLY DESCRIBED AS LOT 17, LOT 18 AND LOT 19, BLOCK 51 OF THE ORIGINAL TOWN PLAT, DENISON, GRAYSON COUNTY, TEXAS, AND MORE COMMONLY KNOWN AS 120 S. BURNETT STREET, CITY OF DENISON, GRAYSON COUNTY, TEXAS; PROVIDING A PENALTY CLAUSE; PROVIDING REPEALER, SEVERABILITY AND SAVINGS CLAUSES; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE."

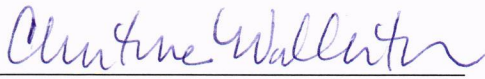
Council Member Massey returned to the dais at 6:24 p.m.

There being no further business to come before the Council, the meeting was adjourned at 6:24 p.m.



ROBERT CRAWLEY, Mayor

ATTEST:



Christine Wallentine, City Clerk

