

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50

MINUTES

ROCKWALL CITY COUNCIL

Tuesday, July 05, 2016
4:00 p.m. Regular City Council Meeting
City Hall - 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

Mayor Pruitt called the public meeting to order at 4:00 p.m. Present were Mayor Jim Pruitt, Mayor Pro Tem Mike Townsend, and Councilmembers David White, John Hohenshelt, Scott Milder, Kevin Fowler and Dennis Lewis. Also present were City Manager Rick Crowley, Assistant City Managers Mary Smith and Brad Griggs, and City Attorney Frank Garza.

II. WORK SESSION

1. Hold a work session to hear presentation from TxDOT's engineer (Halff Associates, Inc.) regarding the various TxDOT alternate alignments for SH-205 through the City of Rockwall and provide an opportunity for City Council to give input and direction prior to the Public Meetings scheduled for July 7, 2016 and July 12, 2016

Mayor Pruitt opened discussion of this item, pointing out that there will be two, upcoming public meetings held on July 7 and July 12. He clarified that these are not public hearings. Instead, they will be an opportunity for members of the public to attend, ask questions, view maps and provide written comments to TXDOT. Mayor Pruitt then introduced Stan Hall, Manager for Advanced Planning at TXDOT. Mr. Hall came forth and introduced the Nancy Parone, Project Manager with TXDOT, and Jeremy McGahan from Halff Associates. Ms. Parone indicated that Mr. McGahan will be giving a presentation this evening, and this will be the same presentation / information that will be presented at the upcoming public meetings.

Jeremy McGahan with Halff Associates, Inc. came forth and gave a presentation to the City Council. Mr. McGahan indicated that a public hearing will be held at some point, but it will be later on (not on July 7 or July 12 public meetings). He shared that this project is been going on for a little over a year now, and five previous stakeholder meetings have been held. Other entities, including Terrell, McLendon Chisholm, Lavon, Kaufman, County, Rockwall County, Collin Counties, the North Central TX Council of Governments, and DWU (has control over Lake Ray Hubbard, and a small section goes over the lake) have all been involved in those stakeholder meetings.

Mr. McGahan then briefed the council on the SH-205 project, which will essentially address the northern portion of design and reconstruction of SH-205 (north of the existing downtown couplet).

During the presentation Mayor Pruitt asked Mr. McGahan to speak a little more in depth regarding the John King Boulevard route possibility. Mr. McGahan indicated that John King is twice as long, so it basically represents phase 5 and Phase 6. He explained that it is anticipated to be more expensive because of costs that will be associated with things like overlaying the pavement, adding sidewalks, widening the right-of-way by about 5-6' on either side, and putting in a grade separation at the railroad crossing near Airport Road (the road would actually end up going underneath the existing railroad line). He indicated that if John King is selected, it would be done, moving forward, in a phased manner (not all at

51 once). He clarified that all of these things would need to be done to JKB in order to bring it
52 up to today's (current) TxDOT roadway standards.

53
54 Councilmember Fowler commented that he has received several comments from other
55 people suggesting that an impact study, traffic analysis, population growth and long range
56 planning studies need to be conducted. He asked what informational sources are
57 referenced in order to determine, for example, how wide a roadway needs to be or what
58 capacity it needs to accommodate in order to meet future growth. Mr. McGahan indicated
59 that when planning for future growth and deciding how wide a roadway needs to be, two
60 sources are utilized – (1) The NCTCOG's (North Central TX Council of Governments)
61 regional traffic model that addresses a long range plan (through the year 2040) for future
62 growth and traffic; and (2) information from TxDOT's Transportation, Planning and
63 Programming Division (which he explained develops traffic-related information that is used
64 on the project itself. He indicated that TxDOT uses a steady growth type model, and the
65 NCTCOG's information is regional). Mr. McGahan explained that the COG's "2040 traffic
66 model" has led the planners to evaluate two other revised concepts utilizing a computer
67 model. He shared that by the year 2040, John King Blvd. needs to be six lanes, and the
68 existing SH-205 needs to be four lanes. Additional discussion took place related to
69 sidewalks, bike lanes, number of lanes, curbs, traffic signals and other design
70 characteristics of John King Boulevard if it is selected by the state. He generally explained
71 that it would be curbed, there would be traffic signals at some intersections, and it would
72 have a modern, urban feel.

73
74 Councilmember Milder asked what year John King Boulevard was built. Mr. Tumulty
75 indicated that it was built around 2007 – 2008. Mr. Crowley indicated that by the time it was
76 constructed, it did not meet TxDOT's standards since the design criteria had changed by
77 the time it was actually constructed (compared to the standards that were in place when it
78 was in the conceptual and planning stages). Milder clarified the understanding that the
79 original intent of the roadway was that it would be designed to TxDOT standards so that
80 there could be a swap and it could be designated as a bypass for SH-205. Mr. Crowley
81 concurred with this clarification. Some additional, clarifying comments were then provided
82 by Mr. McGahan related to the various roadway alternatives / options and associated,
83 potential impacts. Mr. Crowley asked for clarification regarding TxDOT's storm water-
84 related studies. He asked if they look at a "25 year storm" as part of the design for drainage
85 facilities and also if they look upstream and downstream when evaluating the 100 year
86 flood. Mr. McGahan indicated that, yes, these things are evaluated to check for
87 'overtopping' on the roadway, generally indicating that additional study will ensue as the
88 process continues.

89
90 Mr. McGahan indicated that, while this project is not yet funded, it is included in the long
91 range Metropolitan Transportation Plan (MTP) and the state's Transportation Improvement.
92 So, what that means is that it is anticipated to be funded prior to construction, but there is
93 no allocated funding (yet) at this time.

94
95 Mayor Pruitt pointed out that citizens will have an opportunity to come talk to Half
96 Associates and TxDOT during the public meetings on July 7 and July 12. Staff has made
97 TxDOT comment forms available online, and forms will also be available at each of the
98 upcoming meetings. Mr. McGahan indicated that written public comment (via these forms)
99 will be accepted up until 10 days after the second meeting, which is slated for July 12. He
100 shared that residents can even mail them in for up to 10 days following the last (July 12)
101 meeting.

102

- 103 2. Hold a work session to hear proposed strategic plan for the Internal Operations
104 Department.

105 **Joey Boyd, Director of Internal Operations, came forth and briefed the Council on his**
106 **proposed strategic plan.**

107
108 **1. City Facilities Initiatives**

109 *Develop Comprehensive Facilities Evaluation & Maintenance Plan - The*
110 *Department has conducted an initial evaluation of current facility capacity levels,*
111 *HVAC, flooring, and roof systems.*

112
113 *Implement Facilities Maintenance work order / work flow system that allows the*
114 *department to better track what maintenance issues more significantly impact the staff*
115 *and the budget.*

116
117 **2. Information Technology Initiatives**

118 *Review the current configuration, sizing, capabilities, tools, and support structure of*
119 *the IT Department.*

120
121 **3. Public Safety Radio System Initiatives**

122 *Prepare for and acquire equipment and services necessary for transition to the new*
123 *County-wide system.*

124
125 **4. Public Information / Marketing Initiatives**

126 *Increase Citizen Interaction Through Multiple Media Opportunities: press releases,*
127 *social media, partnerships with local media, electronic and print marketing, and live*
128 *streaming of meetings. FY 2017*

129
130 *Develop plan to provide video streaming of public meeting upon reaching 50,000 in*
131 *Population*

132
133 *Support leadership team in defining City's role in retail recruitment FY 2017*

134
135 **5. Ralph M. Hall / Rockwall Municipal Airport Initiatives**

136 *Implement the adopted Airport Development Plan by working with the Airport Advisory*
137 *Board to recommend a plan for land acquisition, expansion, and funding in 3 Phases*

138
139 *Identify and Implement Best Practices related to airport operations - FY 2017*

140 *Develop plan to address future operational challenges - FY 2017*

141
142 **Councilmember Lewis pointed out his observation that most IT-related requests seem to**
143 **come from the Police Department. Mr. Boyd pointed out that the Police Department already**
144 **has two IT-related personnel, and his staff works very closely with those individuals.**

145
146 **Councilmember Hohenshelt expressed a need to more concretely identify what the Public**
147 **Information/Marketing Initiatives will be focusing on moving forward. Mr. Boyd shared that**
148 **providing information to citizens on a day-to-day basis, coupled with some more strategic**
149 **initiatives (i.e. encouraging external visitors to come to our city and spend money, including**
150 **promoting and encouraging attendance at Concerts by the Lake as well as downtown-**
151 **related events) are likely both valid things for the new PIO to be focusing on. Mr. Crowley**
152 **generally indicated that more information about this topic will be forthcoming when the**
153 **Administration Department presents its strategic plan at the next city council meeting.**

155 Councilmember Townsend suggested that perhaps Mr. Boyd could develop a few specific
156 strategic goals associated with each of the five initiatives he has identified. This would help
157 budget requests and potential approval of budget requests to be aligned with pre-identified
158 goals.

159
160 Councilmember Milder thanked Mr. Boyd for helping to get a new, full-time staff person
161 hired to fill the role of Public Information Officer (PIO) for the city. He agreed that there
162 does need to be a good action plan in place that identifies how this role will begin to be
163 proactive, rather than reactive, when it comes to creating and disseminating public
164 information on behalf of the city.

165
166 Mayor Pruitt expressed that he tends to work a little more closely with Joey and the new
167 PIO, Laurie. He asked if council members have any specific input regarding how they think
168 things are going with the new PIO, including what they might feel about information that has
169 been being conveyed. Councilman Milder suggested that the Council should consider
170 letting the PIO's roles and responsibilities evolve, moving forward, utilizing Laurie Dodd's
171 (new PIO) expertise to help during this evolution process.

172
173 Mayor Pruitt then read the below listed discussion items into the record before recessing
174 the public meeting into Executive Session at 4:51 p.m.

175
176 **III. EXECUTIVE SESSION.**

177
178 THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS
179 THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT
180 CODE:

- 181
182 1. Discussion regarding Economic Development incentives, procedures and possible
183 projects pursuant to Section 551.087 (Economic Development)
- 184 2. Discussion regarding proposed renegotiation of City v. Primary Media settlement
185 agreement pursuant to Section §551.071 (Consultation with Attorney)
- 186 3. Discussion regarding the lease of land in the vicinity of the downtown area pursuant
187 to Section §551.072 (Real Property).
- 188 4. Discussion regarding the status of negotiations for an ambulance services contract
189 pursuant to Section §551.071 (Consultation with Attorney)
- 190 5. Discussion regarding lawsuit: Jason Manley and the Manley Grandchildren's Trust
191 FBO Jason Manley v. the City of Rockwall, Texas and Board of Adjustments of the
192 City of Rockwall, Texas (Cause No. 1-16-0580, 382nd District Court) pursuant to
193 Section §551.071 (Consultation with Attorney)
- 194 6. Discussion regarding legal options available to the City pertaining to possible
195 violations of drainage and detention development standards pursuant to Section
196 §551.071 (Consultation with Attorney)

197
198 **IV. ADJOURN EXECUTIVE SESSION**

199
200 **Executive Session was adjourned at 5:51 p.m.**

201
202

203
204
205
206
207
208
209
210
211
212
213
214
215
216
217
218
219
220
221
222
223
224
225
226
227
228
229
230
231
232
233
234
235
236
237
238
239
240
241
242
243
244
245
246
247
248
249
250
251
252
253
254

V. RECONVENE PUBLIC MEETING

Mayor Pruitt reconvened the public meeting at 6:00 p.m. All seven city council members were present.

VI. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

No action was taken as a result of Executive Session.

VII. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER WHITE

Councilmember White delivered the invocation and led the Pledge of Allegiance.

VIII. PROCLAMATIONS / AWARDS

1. Parks and Recreation Month

Mayor Pruitt called forth Andy Hesser, Parks and Rec. Manager, Andrew Ainsworth, Recreation Coordinator, and Mike Carmack, Parks Superintendent. Mayor Pruitt thanked these gentlemen and their staff for all of the work they do on the city’s special events and programs, including the 4th of July fireworks show that was held yesterday. He then read and presented staff with a proclamation, naming July as “Parks and Recreation Month” in the City of Rockwall.

IX. OPEN FORUM

**Donna Dorman
1093 Shady Lane
Rockwall, TX 75087**

Mrs. Dorman urged the city council to leave John King Boulevard ‘as is’ and find another option for the realignment of SH-205. She also asked the Council to consider incorporating into its “best practices” more communication with its citizens, including quarterly town hall meetings, especially to focus on major proposals such as the one pertaining to the future of John King Boulevard. Mrs. Dorman went on to share several thoughts related to her desire for the Council to consider another option related to John King Boulevard. She urged the Council to have the proposed town hall meetings consist of two-way, open dialogue and communication.

**Mr. Mark Fake
1403 White Water Lane
(Caruth Lakes subdivision)
Rockwall, TX 75087**

Mr. Fake came forth and spoke regarding the proposals concerning SH-205 / John King Boulevard and a possible “swap” of these roadways with TxDOT. He indicated that he is not in favor of any of the proposed routes for SH-205. He then shared a map showing subdivisions that might be affected associated with the various route proposals. He indicated that, if he had to choose one of these proposed routes, he would choose the current route where SH-205 is already located. He pointed out that it is already heavily commercialized, so for this reason, he believes it would make the most sense out of the

255 possible options. He then shared comments related to the various commercial businesses
256 and schools that are currently located along the existing SH-205 and along the current John
257 King Boulevard. He went on to share with the Council an image from Google Earth,
258 pointing out his observations pertaining to the rights-of-ways, including drainage culverts,
259 located along the existing SH-205. He went on to comment on the numbers of property
260 owners who would potentially be impacted if the route stayed at its current location
261 compared to those who would potentially be impacted if the route were to change to John
262 King Boulevard. He thanked the Council for hearing his comments and allowing him to go
263 over the three minute time limit.

264
265 **Mr. David Cavalli**
266 **721 Calm Crest Drive**
267 **Rockwall, TX 75087**
268

269 **Mr. Cavalli indicated that he lives in a subdivision that backs up to John King Boulevard**
270 **(JKB). He shared that he moved into his home last April, and he acknowledged that**
271 **discussion of this roadway have been taking place long before that time. Therefore, he**
272 **clarified that his comments are directed to this current city council as well as past city**
273 **councils. He explained that he did not purchase his home with the understanding that JKB**
274 **would be a future state highway, but, rather, a bypass. He indicated that he is strongly**
275 **against JKB being turned into the future SH-205 in the upcoming realignment. He pointed**
276 **out that the city's 2012 Master Plan spelled out that John King is a four-lane with the**
277 **possibility of becoming a six-lane road someday. However, he indicated that the 2012 plan**
278 **did not identify JKB as a future state highway. He commented about the walking, biking,**
279 **and running along this roadway that takes place daily. He believes that his quality of life**
280 **and his property values will be adversely affected if the JKB does become SH-205 in the**
281 **future. He believes that if it were going to be turned into a state highway, then the city**
282 **should have encouraged commercial development along this thoroughfare rather than**
283 **housing developments. He suggested that city should make some strong**
284 **recommendations to TxDOT related to the Wylie Intermodal, encouraging that fees be**
285 **waived for drivers who want to exit and go East on IH-30.**

286
287 **Amanda Warner**
288 **890 Pleasant View Drive**
289 **Rockwall, TX**
290

291 **Mrs. Warner indicated that she moved to Rockwall from Dallas to get away from the hustle**
292 **and bustle. She purchased a home in Breezy Hill because it was set back and quiet,**
293 **although they knew that it would grow as residents moved in. She acknowledged knowing**
294 **that there was a nearby bypass (John King Boulevard); however, she indicated she did not**
295 **realize that it would be considered as a future SH-205 route. She indicated that there is not**
296 **near enough of an easement present to allow for a significant enough division between the**
297 **subdivisions and the roadway. In addition, she questioned where the money to do this**
298 **potential "swap" may be coming from. She generally urged the Council to consider all**
299 **factors when evaluating this potential 'road swap.'**

300
301 **Linda Shindoll**
302 **1415 Crescent Cove Drive**
303 **Rockwall, TX**
304

305 **Mrs. Shindoll came forth and indicated that she lives in a subdivision along John King as**
306 **well. She wanted to 'echo' a lot of what everyone else has already come forward to say.**

307 She is concerned about the quality of life and home values if more traffic (especially
308 truckers) begins traversing this roadway. She wanted to know what citizens can do to work
309 with the city council to encourage working with Wylie to find an alternate route for SH-205.
310

311 Patrick Trowbridge
312 601 Parks Avenue
313 Rockwall, TX 75087
314

315 Mr. Trowbridge came forth to speak about Z2016-017 (re: zoning requirements related to
316 used car dealerships in the city's Unified Development Code (UDC))). He pointed out that
317 the city's Planning & Zoning Commission voted against these proposed changes to the
318 city's UDC. He pointed out that there is very limited availability of land that fronts IH-30
319 within the city. He shared that car dealerships take up an exorbitant amount of commercial
320 real estate space, and he believes that space should be preserved for other commercial
321 uses that contribute more to the city's tax base, thus lessening the tax burden for residents.
322 He generally urged the Council to consider voting against approval of this item upon
323 second reading.
324

325 Kim Fake
326 1403 White Water Lane
327 Rockwall, TX 75087
328

329 Mrs. Fake came forth and indicated that she would like to restate what others have said in
330 that she is against John King Boulevard being named the future SH-205 preferred route.
331 She urged the Council to ensure it considers the effects on property values, quality of life,
332 and the environment. She wants to be sure the city has really and truly studied future
333 growth, including where that growth is projected to take place, before making a decision on
334 this topic.
335

336 X. CONSENT AGENDA
337

- 338 1. Consider approval of the minutes from the June 20, 2016 regular city council
339 meeting, and take any action necessary.
- 340 2. **Z2016-018** - Consider a request by Jeff Parker of the Skorburg Company on
341 behalf of BH Balance IV, LLC for the approval of an **ordinance** for a zoning
342 amendment to Planned Development District 74 (PD-74) to amend the
343 concept plan to allow for additional single-family residential lots and for the
344 purpose of incorporating changes to the development standards contained in
345 Exhibit 'C' of Ordinance 14-26 for a 405.184-acre tract of land identified as
346 the Breezy Hill Subdivision and situated within the J. Strickland Survey,
347 Abstract No. 187, Rockwall, Rockwall County, Texas, generally located north
348 of FM-552 and west of Breezy Hill Road, and take any action necessary
349 **[2nd Reading]**.

350 Mayor Pruitt pulled item #2 for further discussion.
351

352 Councilmember Lewis made a motion to approve Consent Agenda item #1 (approval of the
353 minutes). Mayor Pro Tem Townsend seconded the motion, which passed by a vote of 7
354 ayes to 0 nays.
355
356

357 Mayor Pruitt indicated that Consent Agenda item #2 was actually not approved unanimously
358 at the last council meeting. Therefore, this should have been put on the agenda as an
359 Action Item. Mr. Crowley indicated that the applicant has asked the Council to consider
360 allowing this request to be withdrawn at this time. Councilman Lewis indicated that he
361 voted against this item last time, mainly, because he did not agree with the reduction in the
362 proposed amount of commercial area.
363

364 The City Attorney, Frank Garza, advised the Council concerning the various options that it
365 has with regards to handling either approval or denial of this case, as well as potentially
366 allowing the applicant to withdraw.
367

368 Councilmember Fowler made a motion to deny the ordinance as written (with the 60' lots
369 having been reflected/incorporated). Councilmember Milder seconded the motion.
370 Councilmember Lewis clarified that if this particular motion is approved tonight, the Council
371 will basically be denying a proposed 50' or 60' lots. Mr. Garza clarified that if the applicant
372 comes back, he would have to bring back a proposal that reflects a substantive change
373 from that which he originally proposed (he clarified that the applicant could come back with,
374 for example, 60' lots, since that was not what he proposed...he had proposed 50' lots, but
375 the Council changed it and approved 60' lots). Councilman White indicated that he believes
376 the Council should consider allowing the applicant to withdraw the case so that he (the
377 developer) does not have to wait a year before coming back with a proposal. He believes it
378 would be most fair to allow the applicant to withdraw so that he can come back sooner.
379

380 The motion to deny approval of the ordinance passed by a vote of 4 in favor with 3 against
381 (Pruitt, Townsend, and White).
382

383 XI. APPOINTMENTS

- 384
- 385 1. Appointment with the Planning and Zoning Chairman to discuss and answer
386 any questions regarding cases on the agenda and related issues and take
387 any action necessary.

388 Patrick Trowbridge from the city's Planning & Zoning Commission came forth and provided
389 brief comments to Council on this agenda item. Chairman Craig Renfro was not present at
390 the meeting to address the Council on this topic. The Council took no action concerning
391 this agenda item.

- 392 2. Appointment with Rockwall County Emergency Management Coordinator,
393 Joe DeLane, to hear overview of the countywide draft Hazard Mitigation Plan
394 and associated process, and take any action necessary.

395 Joe DeLane, Rockwall County EMC, came forth and briefed the Council on a Hazard
396 Mitigation Plan that has been in the works for about a year now.

397 He indicated that in the summer of 2015, Rockwall County received word that its grant
398 application had been approved, which allowed the County the opportunity to hire a
399 consultant to assist in developing a countywide Hazard Mitigation Plan. He then went on to
400 share with the Council details about the planning efforts and team members who have
401 assisted in development of the plan thus far. He pointed out that a public survey and past
402 public meetings have taken place, and input from these sources has been taken into
403 consideration during the development of the draft plan. He indicated that Kristy Cole had
404 sent out eleven proposed Mitigation Actions to the city council, via email, and that those
405 actions are really the only substantive things that the city council might wish to submit
406 input regarding. Mr. DeLane went on to express that a draft of the mitigation plan will be

407 placed on various countywide websites soon for public comment and that any staff
408 members or council members are also welcome to and encouraged to submit commentary.
409 Thereafter, the plan will be sent to the State and FEMA for review/input/approval, with all of
410 the entities and the county itself being asked to formally approve the plan thereafter.

411 There being no questions, the Council took no action following Mr. DeLane's presentation.

412 **XII. ACTION ITEMS**

- 413
414 1. **Z2016-017** - Discuss and consider a City initiated zoning request for the
415 approval of an **ordinance** for a text amendment to Section 1, Land Use
416 Schedule, and Section 2.1.8, Auto and Marine-Related Use Conditions, of
417 Article IV, Permissible Uses, of the Unified Development Code for the
418 purpose of changing the requirements for Used Motor Vehicle Dealerships,
419 and take any action necessary [**2nd Reading**].

420 **Planning Director Ryan Miller provided brief comments related to this agenda item,**
421 **indicating that at the last meeting, approval of this item reflected a 3-2 vote.**

422
423 **Councilmember Lewis made a motion to approve Z2016-017. Councilmember White**
424 **seconded the motion.**

425
426 **Mayor Pro Tem Townsend pointed out that approval of this ordinance would give the**
427 **Council the option of evaluating future zoning cases / applicants and utilizing its discretion**
428 **when deciding on potentially granting a Specific Use Permit (SUP) to those future**
429 **applicants/cases. He knows that Echo Park came to the Council and talked to members;**
430 **however, he is not even sure that approval for Echo Park would be granted if it came forth**
431 **formally. Mayor Pruitt indicated that he cannot think of a scenario when he would be in**
432 **favor of a used car dealership along IH-30. He indicated that he agrees with Mr. Trowbridge**
433 **and the Planning & Zoning Commission. Councilmember White commented that Echo Park,**
434 **whose representatives previously came before the Council, likely still would not meet the**
435 **desired aesthetic standards; however, he believes that passage of this ordinance would at**
436 **least give an applicant, such as Echo Park, an opportunity to try and secure Council**
437 **approval of an SUP if they wanted to open up a pre-owned car dealership. Councilmember**
438 **Fowler pointed out that the Council already establishes zoning regulations for other types**
439 **of businesses that it, generally, feels are undesirable, and he does not see how this**
440 **particular topic differs.**

441
442 **After additional, brief comments, the ordinance was read as follows:**

443
444 **CITY OF ROCKWALL**
445 **ORDINANCE NO. 16-44**

446
447 **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL,**
448 **TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO.***
449 ***04-38*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY**
450 **AMENDING SECTIONS 1.1 & 2.1.8 OF ARTICLE IV, *PERMISSIBLE USES*;**
451 **PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO**
452 **THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A**
453 **SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE;**
454 **PROVIDING FOR AN EFFECTIVE DATE.**

455
456 **The motion failed by a vote of three (3) in favor with four (4) against (Hohenshelt, Pruitt,**
457 **Milder and Fowler).**

459 2. Discuss and consider a request from Ms. Julia Dowdy for a special permit on
460 a front yard fence to be located at 1200 Bayshore Dr., and take any action
461 necessary.

462 **Building Official, Jeffrey Widmer, came forth and briefed the Council on this agenda item.**
463 **He indicated that Ms. Dowdy would like to build a 42" wood split rail fence within the front**
464 **yard of the property and plant landscaping parallel to it to act as a sound barrier to reduce**
465 **the amount of traffic noise heard along Lakeshore Drive. He pointed out that any front yard**
466 **fence in a residentially zoned area requires City Council approval.**

467 **Mr. and Mrs. Dowdy came forth and provided comments to the Council concerning this**
468 **proposed front yard fence. They indicated that they would like to plant vegetation in order**
469 **to provide a sound buffer related to the noise along Lakeshore. They shared that they plan**
470 **to put three gates in, including one that would allow visitors to the front of their home.**

471 **Mayor Pruitt suggested that the Council might want to consider having staff notify**
472 **neighbors in the future if / when a homeowner is approaching the city to request approval**
473 **of a front yard fence.**

474 **Councilmember White made a motion to approve this proposed front yard fence. Mayor Pro**
475 **Tem Townsend seconded the motion. Councilmember White generally spoke in opposition**
476 **of the city requiring that neighbors be notified if/when the city is approached by a**
477 **homeowner who would like to build a font yard fence. He pointed out that he has never**
478 **been contacted in the past by any disappointed neighbors if/when Council has granted**
479 **approval for construction of a front yard fence in the past.**

480 **After the comments, the motion to approve passed by a vote of 7 ayes to 0 nays.**

481 3. Discuss and consider a request from Ms. Debbie Coffey for a special permit
482 on a front yard fence to be located at 319 Portview Place, and take any
483 action necessary.

484 **Jeffrey Widmer, Building Official, provided brief comments related to this proposed front**
485 **yard fence.**

486
487 **The applicant, Mr. Coffey, came forth and indicated that this fence would be wrought iron,**
488 **and their dog would be able to go out front and utilize the front yard. Mr. Coffey indicated**
489 **that the Homeowner's Association has been notified of this proposed front yard fence, and**
490 **it is his understanding that the HOA would like to see what the City Council is going to do**
491 **prior to deciding whether or not it will allow construction of the fence. Councilmember**
492 **White shared that the HOA has made the City Council aware that it does not plan to grant**
493 **approval of construction of this front yard fence, and it will be formally making that**
494 **decision tomorrow.**

495 **Councilmember Lewis indicated that the Chandler's Landing subdivision does not**
496 **traditionally grant front yard fences, and the City Council received emails from all five**
497 **members of the HOA's Environmental Committee members indicating that they plan to vote**
498 **against approval of this proposed fence. Councilmember Lewis indicated that he**
499 **personally is opposed to a front yard fence in Chandler's Landing.**

500 **Councilmember Lewis made a motion to deny approval of this front yard fence.**
501 **Councilmember Hohenshelt seconded the motion, which passed by a vote of 5 in favor with**
502 **2 against (White and Townsend).**

503

- 504 4. Discuss and consider a proposal from Primary Media regarding a billboard
505 generally located just east of the intersection of Horizon Road and Ridge
506 Road, and take any action necessary.

507 **Richard Martin**
508 **Primary Media**

509
510 **Mr. Martin came forth and indicated that his company has several billboard signs located**
511 **within Rockwall. His company would like the Council to consider entering into negotiations**
512 **with Primary Media for either 30, 60 or 90 days regarding possibly allowing Primary Media to**
513 **upgrade an existing billboard sign to a digital sign instead. He offered that his company is**
514 **willing to donate 'time' to the city so that it too may advertise on the digital sign.**

515
516 **Mayor Pruitt pointed out that there was a lawsuit, and there was previously a settlement**
517 **agreement put into place that called for this billboard sign to ultimately be removed / come**
518 **down.**

519
520 **Mr. Martin asked the Council to consider suspending removal of the sign for a period of 30,**
521 **60 or 90 days in order to allow time for the two parties to renegotiate the settlement**
522 **agreement.**

523
524 **Councilman White pointed out that Primary Media was supposed to approach the city**
525 **on/before April 15, 2016 with a plan for removing the sign in accordance with the settlement**
526 **agreement. However, that did not happen. Therefore, two weeks thereafter, the City of**
527 **Rockwall sent a letter to Primary Media notifying the company that it was supposed to have**
528 **contacted the city with a plan for removing the sign and that the sign needs to come down.**
529 **Councilmember White indicated that Primary Media did not hold up its end of the bargain.**
530 **Therefore, he personally, is not in favor of granting Primary Media its request for any sort of**
531 **negotiations. White expressed general dissatisfaction with associated with the Primary**
532 **Media lawsuit costing taxpayers a lot of money in legal fees, to which Mr. Martin generally**
533 **replied that Primary Media may be willing to reimburse the city the cost of those legal fees**
534 **during the requested negotiations, if granted.**

535
536 **After additional, brief comments, Councilmember White made a motion to deny this request**
537 **(to re-enter into negotiations with Primary Media and instead move forward with the terms**
538 **outlined in the original settlement agreement). Councilmember Fowler seconded the**
539 **motion. The motion passed by a vote of 7 ayes to 0 nays.**

540
541 **Mayor Pruitt called for a brief break at this point (at 7:31 p.m.).**

542
543 **Mayor Pruitt called the meeting back to order at 7:42 p.m.**

- 544
545 5. **SP2016-014 - Discuss and consider a request by Ron Valk of Platinum**
546 **Storage Rockwall, LLC on behalf of Shawn Valk of Platinum Construction for**
547 **the approval of variances to the four (4) sided architecture and secondary**
548 **materials requirements stipulated by Article V, District Development**
549 **Standards of the Unified Development Code in conjunction with an approved**
550 **site plan for a multi-tenant office/warehouse facility on a 2.692-acre parcel of**
551 **land identified as Lot 3, Block A, Platinum Storage Addition, City of Rockwall,**
552 **Rockwall County, Texas, zoned Commercial (C) District, situated within the**
553 **IH-30 Overlay (IH-30 OV) District, located on the west side of T. L.**

554 Townsend Drive, south of the intersection of T. L. Townsend Drive and IH-
555 30, and take any action necessary.

556 **Planning Director, Ryan Miller, provided brief background information regarding this**
557 **agenda item. He generally explained that the applicant is requesting approval of a variance**
558 **in conjunction with an approved site plan for the purpose of constructing two (2)**
559 **office/warehouses (one ~ 9,180 sq. ft. and the other 11,300 sq. ft.). The 2.692-acre parcel is**
560 **zoned Commercial (C) District, is within the IH-30 Overlay (IH-30 OV) District, and is**
561 **generally located on the west side of T. L. Townsend Drive, south of the intersection of T. L.**
562 **Townsend Drive and IH-30. A summary of the density and dimensional requirements for the**
563 **subject property and the approved site plan's conformance to these requirements was**
564 **provided to the Council in its informational meeting packet. These are truck docks and will**
565 **not be visible from any public rights-of-way. Mr. Miller indicated that approval of this item**
566 **and the associated variance requests will require a ¾ majority vote of Council. The**
567 **Architectural Review Board and Planning & Zoning Commission did review this case and**
568 **have recommended approval to the Council by a vote of 6-0.**

569
570 **Paul Craigan**
571 **2080 N. Hwy 360**
572 **Grand Prairie, TX**

573
574 **Mr. Craigan indicated that due to the topography, this location sits lower than Shenaniganz**
575 **and the nearby car dealership, so visibility from IH-30 or the frontage road will very minimal.**

576
577 **Mayor Pro Tem Townsend made a motion to approve SP2016-014. Councilmember**
578 **Hohenshelt seconded the motion, which passed unanimously of those present (7 ayes to 0**
579 **nays).**

580
581 **6. Discuss and consider the minimum square footage required for residential**
582 **dwelling units in various zoning districts as stipulated by Article V, "District**
583 **Development Standards" of the Unified Development Code, and take any**
584 **action necessary.**

585 **Planning Director, Ryan Miller, provided brief background information concerning this**
586 **agenda item. At the work session meeting on June 20, 2016, the City Council directed staff**
587 **to return with proposed modifications to the minimum square footage requirements for**
588 **dwelling units in the Single Family 10 (SF-10), Single Family 16 (SF-16) and Agricultural (AG)**
589 **Districts. In accordance with this direction staff proposes the following minimum square**
590 **footage requirements:**

- 591 **• Single Family 16 (SF-16) District: 2,000 SF (currently 1,800)**
- 592 **• Single Family 10 (SF-10) District: 1,800 SF (currently 1,500)**
- 593 **• Agricultural (AG) District: 1,600 SF (currently no minimum)**

594 **Mr. Miller explained that these square footages were derived from a comparison of other**
595 **city's square footage requirements in similar zoning districts. He indicated that staff is open**
596 **to any further direction or clarification by the City Council at this time. A comparable cities**
597 **analysis and a simplified chart of the current density and dimensional requirements for the**
598 **City's residential zoning districts have been provided to the City Council for review and**
599 **consideration.**

600
601 **Councilmember Milder indicated that he would like to speak on this, as he is the one who**
602 **originally brought this item forth for discussion. He suggested the Council consider**

603 increasing the minimum square footages even more. He then suggested the following
604 minimums:

- 605 • SF10: 2,200 square feet
- 606 • SF 16: 2,400 square feet
- 607 • AG at 1,600 square feet

608
609
610 Councilmember Hohenshelt commented that the Council may wish to use caution and keep
611 in mind older residents who may wish to downsize their homes as they age.

612
613 Councilmember Milder made a motion to move forward with the following, minimum square
614 footages for the following zoning designations:

- 615 • SF10: 2,200 square feet
- 616 • SF 16: 2,400 square feet
- 617 • AG at the 1,600 square feet

618
619
620 Mayor Pruitt seconded the motion, which passed by a vote of 5 ayes to 2 nays (White and
621 Lewis).

- 622
623 7. Discuss and consider approval of a resolution regarding the median
624 openings/left turn lane locations for the FM-3549 (IH-30 to SH-66) Project,
625 and take any action necessary.

626 Mr. Crowley, City Manager, provide background information concerning this agenda item.
627 He explained that Rockwall County and the Texas Department of Transportation (TxDOT)
628 are currently performing the engineering design to improve FM 3549 from IH 30 to SH 66
629 from a two-lane asphalt roadway to a four lane, divided, concrete roadway. The City of
630 Rockwall's responsibilities associated with the project are related to cost of relocation of
631 City utilities to avoid any conflicts with the proposed construction. Over the past year,
632 TxDOT provided a Public Meeting and a Public Hearing to obtain public input from the
633 adjacent property owners. During the engineering design, median openings/left turn lanes
634 must be established along the entire limits of the roadway. TxDOT's first priority is to
635 provide median breaks for public roads and streets. Then, where space allows, median
636 breaks that serve multiple developments or residential areas will be allowed. It was pointed
637 out that the costs to provide median breaks/left turn lanes to commercial developments
638 cannot be funded by TxDOT. The proposed layout of the median openings/left turn lanes
639 for FM 3549 Roadway and Drainage Improvements were provided to the Council for review.
640 Indication was given that the median opening/left turn lane to the Eastridge Church of
641 Christ has been established and will be constructed as part of the project and that there are
642 two remaining locations that will accommodate potential median openings/left turn lanes.

643
644 Mr. Crowley stated that notifications were sent out to property owners located along this
645 roadway. He suggested that if the Council is not comfortable moving forward at this time, it
646 may wish to consider postponing approval of this resolution for a period of two weeks (until
647 the next city council meeting) to allow any affected property owners a little more time to
648 approach the city with comments.

649
650 Mayor Pruitt made a motion to approve the resolution. Councilmember Lewis seconded the
651 motion, which passed by a vote of 7 ayes to 0 nays.

- 652
653 8. Discuss and consider a resolution requesting financial assistance from the
654 Texas Department of Transportation related to drainage and asphalt repairs

655 at the Ralph M. Hall / Rockwall Municipal Airport and naming the Texas
656 Department of Transportation Aviation Division as its agent for the purposes
657 of applying for, receiving and disbursing all funds for these improvements
658 and for the administration of contracts necessary for the implementation of
659 these improvements, and take any action necessary.

660 **Joey Boyd, Director of Internal Operations, provided brief background information**
661 **concerning this agenda item which is related to a matching grant funds application. Mayor**
662 **Pro Tem Townsend made a motion to approve the resolution. Councilmember White**
663 **seconded the motion, which passed by a vote of 7 ayes to 0 nays.**
664

665 **XIII. CITY MANAGER'S REPORT TO DISCUSS CURRENT CITY ACTIVITIES, UPCOMING MEETINGS,**
666 **FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.**
667

- 668 1. Departmental Reports
669 Building Inspections Monthly Report - May 2016
670 Fire Dept. Monthly Reports - May 2016
671 Harbor PD Monthly Report - May 2016
672 Fire Marshal's Division Monthly Report - May 2016
673 GIS Department Monthly Report - May 2016
674 Internal Operations Department Monthly Report - May 2016
675 Meals on Wheels Senior Services Quarterly Report
676 Police Department Monthly Report - May 2016
677 Recreation Monthly Report - May 2016
678 Rockwall Animal Adoption Center Monthly Report - May 2016

679 2. City Manager's Report
680

681 **City Manager Rick Crowley pointed out that departmental reports have been provided, and**
682 **staff is prepared to answer any questions the Council may have at this time. He went on to**
683 **point out that there may have been as many as 20,000 people in attendance at last night's**
684 **city-sponsored 4th of July fireworks display. Mr. Crowley provided additional comments,**
685 **indicating that staff had ordered a plaque for the downtown improvements project;**
686 **however, the vendor inadvertently sent (and staff subsequently installed) a version of the**
687 **plaque that contained incorrect information. Therefore, the vendor will be sending the city a**
688 **replacement plaque containing the correct information at no cost to the city since this**
689 **mistake was their error.**
690

691 **He pointed out that Jim Rosenberg has provided some preliminary information to the**
692 **Council concerning a letter he plans to send out to residents and property owners located**
693 **around and nearby this proposed marina. He would like any feedback from the City Council**
694 **prior to Mr. Rosenberg sending out a letter to neighboring residents. Said feedback was**
695 **requested to be sent to the City Manager or to Mr. Rosenberg directly on/before this Friday.**
696 **Mayor Pruitt suggested that Mr. Rosenberg make clear in this letter that he has not yet**
697 **approached the city with a formal proposal and that, prior to him doing so, he would like to**
698 **inform residents and obtain their feedback in advance. Councilmember White asked if Mr.**
699 **Rosenberg will be including the overhead plan that he previously provided to the city**
700 **council within the mailing he plans to send out. Mr. Crowley indicated that, yes, it is his**
701 **understanding that it will be included along with a comment card. Councilmember Lewis**
702 **pointed out that an initial list of those to whom Mr. Rosenberg planned to mail a letter did**
703 **not include Chandlers Landing; however, that may have changed since he saw the list. Mr.**
704 **Crowley indicated that it Mr. Rosenberg's mailer should include Chandlers as well as its**
705 **HOA.**

706
'07
'08
'09
710
711
712
713
714
715
716
717
718
719
720
721
722
723
724
725
726
727
728
'29
'30
731
732
733
734
735
736
737
738
739
740
741
742
743
744
745
746
747
748
749
'50
'51

Mr. Crowley indicated that an examination of all of the city's streets and sidewalks has begun to evaluate their condition.

No further discussion took place, and no action was taken concerning departmental and city manager reports.

XIV. EXECUTIVE SESSION

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding Economic Development incentives, procedures and possible projects pursuant to Section 551.087 (Economic Development)
2. Discussion regarding proposed renegotiation of City v. Primary Media settlement agreement pursuant to Section §551.071 (Consultation with Attorney)
3. Discussion regarding the lease of land in the vicinity of the downtown area pursuant to Section §551.072 (Real Property).
4. Discussion regarding the status of negotiations for an ambulance services contract pursuant to Section §551.071 (Consultation with Attorney)
5. Discussion regarding lawsuit: Jason Manley and the Manley Grandchildren's Trust FBO Jason Manley v. the City of Rockwall, Texas and Board of Adjustments of the City of Rockwall, Texas (Cause No. 1-16-0580, 382nd District Court) pursuant to Section §551.071 (Consultation with Attorney)
6. Discussion regarding legal options available to the City pertaining to possible violations of drainage and detention development standards pursuant to Section §551.071 (Consultation with Attorney)

XV. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

The Council did not reconvene in Executive Session following the close of the public meeting agenda.

XVI. ADJOURNMENT

The meeting was adjourned at 8:06 p.m.

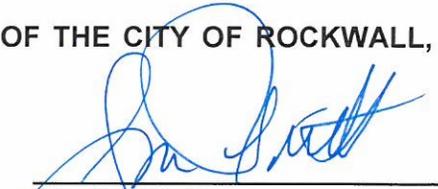
PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 18th day of July, 2016.

ATTEST:



Kristy Cole, City Secretary





Jim Pruitt, Mayor

17

