

**RICHLAND HILLS CITY COUNCIL
REGULAR MEETING
JULY 8, 2024
MINUTES**

Roll Call:

Council present

Curtis Bergthold, Mayor
Douglas Knowlton, Mayor Pro Tem
Travis Malone, Place 2
Theresa Bledsoe, Place 3
John Skier, Place 4
G.W. Estep, Place 5
Roland Goveas, Place 6

Council absent

Staff present

Candice Edmondson, City Manager
Lindsay Rawlinson, City Secretary
Elizabeth Yelverton, City Attorney

CITY COUNCIL WORK SESSION – 6:30 PM

1. **Executive Session:** Pursuant to the Open Meetings Act, Chapter 551, Texas Government Code, Sections 551.071, 551.072, 551.073, 551.074, 551.076, 551.087, 418.183(f) and 418.106(d) & (e). Executive Session may be held, under these exceptions, at any time during the meeting that a need arises for the City Council to seek advice from the City Attorney as to the posted subject matter of this City Council meeting.

None.

2. **Presentation by Tarrant Appraisal District Chief Appraiser Joe Don Bobbitt**

Tarrant Appraisal District (TAD) Executive Director and Chief Appraiser Joe Don Bobbitt introduced himself and spoke on the recent ransomware attack on TAD and how it was addressed. Additionally, he spoke on improvements to processes and customer experiences that he has implemented since he began on February 1, 2024

Joyce Fiaccone, 3800 Labadie, expressed her appreciation to the improvements made. She recently visited their office and was met with friendly workers and a short wait time.

3. **Discuss items listed on tonight's City Council agenda. No action will be taken and each item will be considered during the Regular Session.**

None.

Mayor Bergthold adjourned the work session at 6:43 p.m.

REGULAR SESSION – Mayor Bergthold Called to Order – Time 7:00 p.m.

INVOCATION AND PLEDGES OF ALLEGIANCE – Councilmember Estep

PRESENTATIONS

1A. Employee Service Award

City Manager Candice Edmondson announced the employee service award and expressed congratulations to the following employee on reaching an employment milestone with the City of Richland Hills:

5 Years of Service

Administrative Services Manager Ashley Meine

1B. Citizen Appearances/Public Comments

None.

CONSENT AGENDA

2A. Approved minutes from the June 24, 2024 City Council Regular Meeting

Motion: Motion was made by Councilmember Skier and seconded by Councilmember Malone to approve the consent agenda.

Motion carried by a vote of 7-0.

PUBLIC HEARINGS, MEETINGS, AND OTHER RELATED ITEMS

3A. Tabled Ordinance 1503-24 a Planned Development (2024-0183) to construct Townhomes or Single-family residences for the property described as Lot 1AR1, Slagle Commercial Addition, otherwise known as 7212 Baker Boulevard, Richland Hills, Texas 76118 PUBLIC HEARING

Director of Planning and Development Services JP Ducay presented the item to the City Council and advised that on March 11, 2024, an application was submitted by Nathan Parrott with Pape Dawson Engineers (applicant) on behalf of Megma LLC (owner) requesting to rezone the subject property to PD, Planned Development with a base zoning of MF-2. The subject 4.67-acre property addressed as 7212 Baker Boulevard is currently zoned LC, Light Commercial. The applicant is requesting to rezone the property to PD, Planned Development with a base zoning of MF-2 to allow for the construction of

either a townhome or single-family housing product with approximately 57 reduced square-footage homes. The proposed name of the development is Richland Hills Square.

The Richland Hills Square proposal has gone through three review cycles with the City's Development Review Committee. Pursuing a Planned Development grants the applicant flexibility to establish standards outside of Richland Hills development standards. However, all preliminary fire and safety related requirements have been addressed throughout this review process. Included in their planned development package is a chart showing the existing MF-2 standards alongside the proposed development standards.

Additionally, the Planning and Zoning Commission recommended approval with two conditions by a vote of 5-0 at their June 25, 2024 meeting. The conditions were as follows:

1. Fiber-reinforced cementitious board shall be limited to 75 percent per building façade.
2. Screening along the western and southern boundaries shall be six feet in height and consist of masonry material in lieu of wood.

The Council Development Committee met with the applicant on June 27, 2024. The Committee asked that the following items be considered:

1. Redesign to allow for additional parking options.
2. Focus on a single-family product in lieu of townhomes.
3. Additional architectural elements to ensure quality building design.
4. Masonry screening along western and southern boundaries.

Due to the recommendations received by the Planning and Zoning Commission and the Development Committee, Mr. Ducay advised that it is staff's recommendation for the City Council to open the public hearing and table consideration of the item until the next City Council meeting scheduled to be held Monday, July 22, 2024. This will allow staff and the applicant additional time to discuss the recommended changes.

Mayor Bergthold opened the public hearing at 7:15 p.m. and asked to hear from any proponents followed by opponents of the case.

Gordon Slagle, 7186 Baker Boulevard, Richland Hills, advised that his property is next door to the applicant property and he does not feel that the development is in the best interest of the City in regard to potential property tax received. Additionally, he expressed concern regarding the fencing between the two properties.

Motion: Motion was made by Mayor Pro Tem Knowlton and seconded by Councilmember Skier to table consideration of Ordinance 1503-24 for a Planned Development (2024-0183) to construct Townhomes or Single-Family residences for the property described as Lot 1AR1, Slagle Commercial Addition, otherwise known as 7212 Baker Boulevard, Richland Hills, Texas 76118 until Monday, July 22, 2024.

Motion carried by a vote of 7-0.

Mayor Bergthold advised that the public hearing will remain open until the next scheduled City Council meeting to be held Monday, July 22, 2024.

**3B. Approved Ordinance 1504-24 a Planned Development (2024-0428) to construct Office Showrooms or other Heavy Commercial uses for the property described as Lot A1A, Block 2, Midway Industrial PK Addition, otherwise known as 2805 Handley Ederville Rd, Richland Hills, Texas 76118
PUBLIC HEARING**

Director of Planning and Development Services JP Ducay presented the item to the City Council and advised that on May 16, 2024, an application was submitted by Phill Arnett with Phil Arnett Commercial Properties (applicant) on behalf of DCP Properties LLC (owner) requesting to rezone the subject property to PD, Planned Development with a base zoning of HC, Heavy Commercial and R, Retail. The intent of this request is to reflect the existing Dogwood PD, Planned Development located directly north of the subject site.

The subject 1.33-acre property addressed as 2805 Handley Ederville is currently zoned R, Retail. The applicant is requesting to rezone the property to PD, Planned Development with a base zoning of HC, Heavy Commercial and R, Retail to allow for the construction of "Office Showrooms" or other heavy commercial related uses. The applicant has indicated that if developed as proposed, there will also be an element of "Outside Storage (Incidental use)". The use of outside storage is not permitted by right in either HC, Heavy Commercial or R, Retail. Subsequently, the applicant is requesting an additional condition to the PD, Planned Development to allow for the use of "Outside Storage (Incidental use)" by right. According to the applicant, the intent is to deliver two buildings on the site with screened outside storage areas. The buildings would be pre-engineered steel made up of stucco and prefinished R-panel metal facades.

Additionally, the Planning and Zoning Commission considered the item at their June 25, 2024 meeting and recommended approval by a vote of 5-0.

Discussion ensued regarding an access easement and height restrictions in the outside storage area.

Mayor Bergthold opened the public hearing at 7:36 p.m. and asked to hear from any proponents followed by opponents of the case.

Bill Garretson, 3616 Landy Lane, Richland Hills, expressed his support for the Planned Development as it will help to increase sales tax revenue for the City.

Mayor Bergthold closed the public hearing at 7:37 p.m.

Motion: Motion was made by Councilmember Malone and seconded by Councilmember Estep to approve Ordinance 1504-24 a Planned Development (2024-0428) to construct Office Showrooms or other Heavy Commercial uses for the property described as Lot A1A, Block 2, Midway Industrial PK Addition, otherwise known as 2805 Handley Ederville Rd, Richland Hills, Texas 76118.

Motion carried by a vote of 7-0.

3C. Approved Ordinance 1505-24 amending Chapter 90 “Zoning”, Section 1.06 “Nonconforming uses, structures and lots” and Section 6.13 “Zoning Special Exception” in order to update processes pertaining to the expansion of legal-nonconforming structures PUBLIC HEARING

Director of Planning and Development Services JP Ducay presented the item to the City Council and advised that according to the City’s Zoning Code, the term “legal nonconforming” is described as uses, structures, or lots that in whole or part are not in conformance with current zoning standards but were legally established at a prior date at which time they were in conformance with applicable standards. The code goes on to state that such uses, structures or lots may be maintained or potentially altered subject to the provisions of this subsection. However, the provisions of this code limit the ability for such structures to expand.

Over 60 percent of the existing housing market in Richland Hills was built between 1950-1979. Over time, new zoning districts have been overlayed on top of these older areas. In many cases, the structures and or lots are inherently not in conformance with current regulations. The Zoning code is currently written in a way that limits the ability for such structures to expand. According to Chapter 90 “Zoning”, Section 1.06 “Nonconforming uses, structures and lots”:

Buildings or structures that do not conform to the area regulations or development standards in this Ordinance but where the uses are deemed conforming shall not increase the gross floor area greater than ten percent from the date when the building became nonconforming. The expansion must be conforming.

The City Attorney has interpreted this language to mean any expansion of a nonconforming structure that is not in conformance with current regulations is expressly prohibited and no variance processes can be requested. The proposed language in Ordinance 1505-24 will amend this language in order to eliminate prohibitions and establish processes pertaining to the expansion of legal-nonconforming structures.

Additionally, the Planning and Zoning Commission considered the item at their June 25, 2024 meeting and recommended approval by a vote of 5-0.

Mayor Bergthold opened the public hearing at 7:53 p.m. and asked to hear from any proponents followed by opponents of the case.

Brian Mathis, 5205 Saint Croix Lane, Fort Worth, owns the property located at 2816 Fir Park and has dealt with this nonconforming use issue with his property. He would like to renovate the property to provide amenities that buyers are seeking in today's market and is in favor of the proposed ordinance.

Discussion ensued regarding roof pitch requirements. Mr. Ducay advised that any changes would be required to meet current design standards and zoning requirements.

Jen Clark, 6973 Hardisty Street, Richland Hills, inquired about inspections on remodel projects between the old and new portions of properties.

Mayor Bergthold closed the public hearing at 8:00 p.m.

Motion: Motion was made by Councilmember Skier and seconded by Councilmember Goveas to approve Ordinance 1505-24 amending Chapter 90 "Zoning", Section 1.06 "Nonconforming uses, structures and lots" and Section 6.13 "Zoning Special Exception" in order to update processes pertaining to the expansion of legal-nonconforming structures.

Motion carried by a vote of 7-0.

ORDINANCES & RESOLUTIONS AND OTHER RELATED ITEMS

4. None.

CONTRACTS, AGREEMENTS, BID AWARDS AND OTHER RELATED ITEMS

5. None.

OTHER ITEMS FOR CONSIDERATION

6. None.

REPORTS & DISCUSSIONS

7A. 2023 Annual Drinking Water Quality Report

Director of Public Works and Capital Projects Kip Dernovich presented the 2023 Annual Drinking Water Quality Report and advised that the City is rated as a superior water system.

Discussion ensued regarding the capacity for new homes on the water system.

7B. Capital Improvement Projects Update

Director of Public Works and Capital Projects Kip Dernovich presented an update regarding Public Works Capital Improvement Projects (CIP) including updated signage throughout the City, illuminated street signs, water tank maintenance, street sweeping, fencing, and a recently released Request for Qualifications for the Glenview Drive project.

Assistant City Manager and Police Chief Kimberly Sylvester presented the CIP project update at the Police Department and the Animal Shelter including a new HVAC system at the police station and drainage improvements, a parking lot expansion, and turf installation at the animal shelter.

City Manager Candice Edmondson presented the CIP project update for City Hall including the renovation of the Council Chambers and the Conference Room. Additionally, she advised of issues concerning the Fire Administration Building, the water feature at The Link, the gym floor at The Link, and recently completed bathrooms at the library.

COMMUNITY INTEREST ITEMS

8. Councilmember Estep advised of several upcoming events:

- Wednesday, July 10, 2024, The Creature Teacher, Public Library;
- Thursday, July 11, 2024,
 - Senior Lunch Bunch and Bingo, The Link, 12:00 to 2:00 p.m.;
 - Tarrant County Food Pantry, The Link parking lot, 5:30 to 7:00 p.m.;
- Every Thursday, Coffee Talk, Public Library, 10:00 to 11:30 a.m.

EXECUTIVE SESSION

9. **Executive Session:** Pursuant to the Open Meetings Act, Chapter 551, Texas Government Code, Sec. 551.071, Sec. 551.072, Sec. 551.073, Sec. 551.074, Sec. 551.076, Sec. 551.087 and Sec. 418.0183 (f) and 418.106 (d) & (e) of the Texas Government Code (Texas Disaster Act).

None.

ADJOURNMENT

- 10.** There being no further business to come before the City Council, Mayor Bergthold declared the meeting adjourned at 8:41 p.m.

ATTEST:

APPROVED:

Lindsay Rawlinson, City Secretary

Curtis Bergthold, Mayor