



City of Rowlett

Meeting Minutes

City Council

4000 Main Street
Rowlett, TX 75088
www.rowlett.com

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Tuesday, April 17, 2012

5:30 P.M.

Municipal Building – 4000 Main Street

As authorized by Section 551.071 of the Texas Government Code, this meeting may be convened into closed Executive Session for the purpose of seeking confidential legal advice from the City Attorney on any agenda item herein.

The City of Rowlett reserves the right to reconvene, recess or realign the Regular Session or called Executive Session or order of business at any time prior to adjournment.

Present: Mayor Gottel, Mayor Pro Tem Phillips, Deputy Mayor Pro Tem Kilgore, Councilmember Davis, Councilmember Pankratz, Councilmember Miller and Councilmember Gallops

1. **CALL TO ORDER**

Mayor Gottel called the meeting to order at 5:30 p.m.

CONVENE INTO EXECUTIVE SESSION

2. **EXECUTIVE SESSION**

There were no Executive Session items to consider.

RECONVENE INTO OPEN SESSION

Convened into the Work Session at 5:30 p.m.

3. **WORK SESSION ITEMS (5:30 P.M.)**

- 3A. Presentation on several Dallas Area Rapid Transit (DART) topics by Gary Thomas, DART CEO. (30 minutes)

Mr. Thomas gave a PowerPoint presentation and provided the Council with an update on DART.

Mr. Thomas gave an overview of service of Rowlett. Stated DART will have a live-wire test for the Rowlett rail segment on April 25th. Spoke regarding Rowlett's Transit Vision. Stated Rowlett was among 20 cities and one county to hold the DART election in 1983; DART initiated non-stop express bus service between Rowlett and Downtown Dallas in 1984; and DART began light rail construction in Rowlett in 2009 and will open the Downtown Rowlett Station in December 2012.

Mr. Thomas provided several facts about Rowlett. Stated sales tax contributions for FY11 was \$5,442,903 (1.35% of total); there is one Rail Station and one Transit Center. Stated the Rowlett Park & Ride has 326 free parking spaces. For FY11, Rowlett averaged 429 riders each weekday with a yearly total of 108,840 riders.

Spoke regarding the DART Service Overview. Stated Rowlett has the Paratransit, Fixed-Route Bus, Light Rail (in December 2012), Flex and Vanpool services. Spoke regarding the Rail System Connections.

Spoke regarding security enhancements within the system. Stated initial enhancements were put into place last Fall. Stated "hotspots" were targeted by additional police presence. The end of the line stations and transfer centers were swept at the end of service and additional police presence has been applied where needed.

Stated the current enhanced security initiatives are responses to recent incidents on the DART system in early 2012. Stated there is now uniformed security presence on board every train and the initiative has no scheduled end date.

Stated a new texting program has been added for security purposes. Customers simply can text DART Police their message and DART will respond accordingly.

Stated the growing region has caused a challenge as most of the growth is happening outside of the service area.

Mr. Thomas spoke regarding the history of the regional transit expansion efforts. Spoke regarding the bus service to the City of Mesquite. Stated with the opening of DART's Lawnview Station on the Green Line in late 2012, the City of Mesquite approached DART with a desire to connect to the light rail system. Stated after much discussion and a Board Retreat focused on regionalism, the DART Board amended an existing policy to allow contracting for express bus service to non-Service Area cities in 2011. The DART Board and Mesquite City Council approved an Interlocal Agreement and the bus service began in March 2012. The agreement requires for Mesquite to pay for the cost for two buses that provide non-stop operations from the Mesquite Park & Ride and the Lawnview Station.

A member of Council asked what the value of 1% tax would be for the City of Mesquite.

Mr. Thomas stated it would be approximately \$19M.

A member of Council stated the arrangement with the City of Mesquite reduces the number of parking spaces for people coming to the station from outside of the area.

A question was asked regarding DART charging people outside of the area to park.

Mr. Thomas stated the Paid Parking Pilot Program has started. Stated DART will continue to monitor the new program and will be prepared to react quickly if problems arise. Customers who reside in the service area can park for free once they register their vehicle.

A member of Council voiced concerns regarding police presence, pay lots, and noise issues within subdivisions.

Mr. Thomas stated DART looks at the proximity of the rail to the area homes. Stated when certain criteria are met, a sound wall is installed.

Staff stated DART has worked extensively with the City and neighborhoods in the City.

- 3B.** Discuss amending the Code of Ordinances by amending Chapter 34, Miscellaneous Offenses – Article 1, and add Sections 34-1, 34-2 and 34-3 prohibiting the public consumption of alcoholic beverages; prohibiting loitering, aggressive panhandling and sleeping in certain public places within the city. (15 minutes)

Staff spoke concerning the need to be prepared for the future. Stated the department has contacted several cities, which are served by the Dallas Area Rapid Transit (DART) Light Rail, regarding various issues they have encountered. Stated it is proactive to adopt the ordinance before issues occur.

A member of Council asked if there would be video surveillance in the parking lot.

Staff answered in the affirmative, stating DART would have cameras in the parking lots.

A member of Council questioned staff regarding downtown loitering.

Staff stated loitering must be dealt with appropriately. Spoke regarding the four criteria of loitering; stated students will be dealt with separately unless they meet the loitering criteria. Stated Council will be asked to approve a “disruptive behavior” ordinance in the near future.

A member of Council questioned the City Attorney regarding profiling.

The City Attorney stated the proposed ordinance is profiled after the City of Chicago’s ordinance. Stated Chicago’s ordinance has been successfully tested; stated the ordinance is

intended not to target specific categories of the population. Stated the Police Department will impose appropriate controls in manner in which they enforce the ordinance

- 3C. Discuss interim traditional neighborhood design (TND) and multifamily standards in order to provide staff with the resources to protect the intent of the Comprehensive Plan and ensure consistency post adoption of the Realize Rowlett 2020 Phase II Form Based Codes. (60 minutes)

Staff gave the background of this item. Stated residential interests have increased with the opening of the turnpike. Stated there is a small amount of land left to make an impact on residential stock.

Anne Richer with Richer-Cunningham began her presentation speaking about National Market Forces. Stated this is the first time in this country that rental demand exceeds ownership demand; the size of the average single family home has continuously declined over the last five years (2,400 square feet); household make-up is different married couples with children are now only 21.6% of American households, traditional (one-worker) families are now less than 10% of all households, and 59% of all U.S. households contain either one or two persons; 38.6% of home purchasers are made by non-traditional households; 61.4% of home purchases are made by couples; 60% of all U.S. households have no children under age 18 residing at home; and large lot housing, defined as greater than 7,000 square feet, as of 2007, it was 53% of U.S. housing stock and that the U.S. had 23 million more of these units than will be in demand by 2030, yet the builders keep adding to the inventory.

A member of Council asked why builders keep adding to the same housing stock.

Ms. Richer stated money was not expensive; builders could afford to build inventory and wait for a buyer.

Spoke regarding the Housing Market (Existing Inventory)

- The median home value among single family detached units in Rowlett declined by 3.2% in 2011, compared to a 0.2% decline in the larger Rowlett Market Area (Trade Area) and 2.6% decline in the Metroplex
- Market area home sale prices continue to be approximately 20% lower than list prices
- Among a sample of other Metroplex communities with a greater diversity in ownership and rental housing products, the decline in home values during this same period was 20% to 30% less

Ms. Richer continued speaking regarding the existing inventory:

- Of the approximately 75 active subdivisions in the Rowlett Market Area, only 1 offered a single family attached product.
- Predominance of closings occurred within relatively narrow price and unit size bands
- 2011 closings show that most subdivisions are selling units at a pace less than 1 per month.

- Rowlett subdivisions are at the lower end of both price and unit size ranges.
- In 2011, new single family neighborhoods in Rowlett saw 6 home sales through October and 17 sales through December 2011.

Spoke regarding Housing Consumer Groups. Stated various housing preference categories including: Entry Level, Feature & Location, Simple Life, Family Life, Elite, Active Adult Entry Level, Active Adult Feature & Location, and Active Adult Elite. Stated this information is important because everyone does not need or can afford the same thing. Stated it is important not to be confused by the housing supply available in the City; stated the supply is not necessarily the demand.

Staff spoke regarding a subdivision in North Richland Hills that was diversified. Stated it included patio and townhomes across the street from custom built houses.

Ms. Richer spoke regarding Rowlett's Residential Land Inventory. Stated the City is 65% developed. Stated single family detached development comprises nearly 77% of existing developed property in Rowlett and will comprise 65% of all property at build-out under current zoning. At build-out, less than 10% of property will be available to accommodate residential products other than single family detached.

Stated the intent of the new residential standards are to:

- Protect the vision
- Raise standards of development
- Capitalize on existing and forecasted demographic changes
- Improve City's fiscal position
- Allow residents to age in place
- Increase housing values (through diversity and integration of open spaces)

Stated the differences between Conventional Suburban Development and New Neighborhood Development include:

- Separation versus integration of uses
- Diversity of product types
- Average lot size is smaller, but community spaces are larger
- Greater proximity to open space
- Safe, walk able and bike-friendly streets
- Shaded walkways

Stated the Principles of New Neighborhood Development includes:

- Greater integration of uses (different residential unit types and non-residential)
- Civic uses are at the core of neighborhoods
- Shops and offices are located at the edges
- Schools are walk-able or bike-able
- Parks and playgrounds are within walking distance

Stated the Value of New Neighborhood Development includes:

- Communities and neighborhoods are created rather than projects
- Greater independence is provided at every stage of life
- Alternative modes of transportation (pedestrian and bicycle) become more viable
- More revenue for schools
- Stronger profile of residents making greater diversity of retailers more feasible
- Infrastructure costs are reduced (more units per acre and appropriate street widths)
- Home values are higher and sustained
- Stronger fiscal balance sheet
- Consistent with the Comprehensive Plan (Realize Rowlett 2020)

A member of Council shared concerns regarding the available property in the outlying areas. Another member stated the Council is charged with doing right by the citizens; stated the City must diversify for future citizens. Stated the City's vision cannot be disregarded.

Mayor Gottel adjourned the Work Session at 7:25 p.m. to begin the Regular meeting.

The discussion continued following the Consent Agenda.

Mayor Pro Tem Phillips called the Work Session back to order at 8:15 p.m. (Mayor Gottel returned to the Work Session at 8:31 p.m. after meeting with a citizen.)

A member of Council questioned staff regarding the Northshore District.

Staff stated the Northshore District is its own standalone zoning district; which is mixed-use but does not allow residential.

A member of Council asked about the risks in allowing the Northshore District to develop commercial versus residential.

Ms. Richer stated the more successful the City is with other primary job generating locations, potentially Signature Gateway, that might be something that would elevate and speed up what happens in the Northshore District. Stated there is an issue with frontage road. Stated the vision that was expressed would be for there to be a business park on both sides of the turnpike but there would be room for a similar alternative neighborhood product as what is proposed for Woodside Living. If the Northshore District is allowed to be the same as the current housing trend, we can expect to receive more of the same.

A member of Council stated he did not agree with the market analysis; voice concern regarding defining what the market is. Stated sustainable communities can exist in a single family zoning with the right amenities.

Mayor Gottel joined the meeting at 8:31 p.m.

Members of Council voiced concerns with the overall stability of single family homes; having a mix of homes will help the City stay as a community; stating the City needs exclusivity; concerns were voiced regarding the potential density; and it is difficult to get back an image once it is lost.

Ms. Richer stated at the current zoning the population for the City will be 76,000 residents; what the Realize Rowlett 2020 build out proposes is a population of 85,000 but at the end of the day, the market will decide.

A question was posed as to why the large tracts of land are not used for commercial purposes.

Staff stated a strategic decision was made for the Realize Rowlett 2020 journey to include a real estate economist to assure the quality of development; to maximize the development to build out and to make good decisions on what that looks like.

Concern was voiced regarding personal property rights.

A member of Council stated the way Realize Rowlett 2020 is proposed, it will give the Council an opportunity to make correct decisions on a case by case basis. This will add flexibility and raise the bar.

Ms. Richer stated standards are not saying "no", its saying "better".

It was further stated that a discussion is needed for each Planned Development that comes before the Council and the standards must be followed.

Ms. Richer spoke regarding the Community Return on Investment:

- Despite larger project population, the New Neighborhood development adds more net value to the community at build-out.
- While larger population requires higher municipal services, these costs are offset by higher property values and support for local commercial space (and demand a greater variety).
- Net annual surplus to the City is approximately 13% higher under the New Neighborhood scenario.
- Perhaps more importantly, the New Neighborhood provides a faster return on investment to the City.
- Faster absorption of housing products results from targeting multiple products to multiple buyer segments simultaneously. Value premiums will be realized from proximity to open space.
- Net annual surplus to the City for the first 10 years of development is approximately 35% higher under the New Neighborhood scenario.

Staff stated there is a willingness to see if the building type works.

Ms. Richer stated if the Council chooses not to have standards, you will equally send a message to developers.

Dennis Wilson with Townscapes, spoke regarding creating homes which are unique.

Spoke concerning the intent of Form-Based Codes Interim Standards.

- Stated the intent is to provide a broad complement of neighborhood choices, identities and amenities to establish Rowlett as an intergenerational community with a strong and diverse tax base.

This should create neighborhoods that have a different character.

- Provides a variety of housing type within Rowlett to balance the large amount of existing single family and garden apartments, which will serve to both enhance existing property values and provide housing for the complete life cycle – young professional, professional couples, empty nesters, retirees and seniors.

Spoke about Waterview, the Hometown community in North Richland Hills, and Tucker Hill in McKinney.

Comments were made regarding alleys and fences.

Mr. Wilson spoke how the design and layout of Hometown creates identity, closure, slows traffic down and makes it interesting to drive through. When speaking about Tucker Hill, it was mentioned the views are controlled, making it comfortable to drive or walk through.

- Provide the ability for Rowlett residents to move to appropriate housing within their neighborhood or community when changes occur in their life without having to move to another community or city to find appropriate housing.

Mr. Wilson stated the need for housing changes over time. Most homeowners choose to move to another neighbor instead of reinvesting in the same house by updating or modifying it. Stated these results in low reinvestment rates, aging housing stock, not knowing neighbors and lack of commitment to the community. Spoke regarding the building placemaking.

- Enhance Rowlett's sense of community through providing opportunities for citizens to meet and visit with each other in a comfortable, friendly, walk able environment.
- Maximize the sense of identity, image and value-creation that can result from the provision of smaller public open spaces and trails that are integrated into new neighborhoods which can provide for neighborhood gatherings and recreation.

Mr. Wilson stated there would be a standard of requiring a minimum of a developed area to have 10% open space, as well as maximizing the sense of identity, image and value with public open spaces and trails that connect the entire community together.

- Distribute complementary housing types throughout comprehensively planned neighborhoods.

- Encourage the best possible projects for the City through strong standards and facilitating the approval process by working with the development community.

A member of Council spoke regarding fences being an eyesore.

Mr. Wilson stated neighborhoods should be considered living organisms. They should have the basic elements to allow for flexibility, evolution, and reinvention over time. Each should have its own personality determined by the land, the developer, the builder and the residents (which will change over time). And with the right "bones", neighborhoods can blossom and flourish.

A member of Council asked what could be done to ensure the homes built would be quality homes and hold their value.

Mr. Wilson stated what maintains value is that each home is unique. Stated you do not have 500 homes that are the same size and are on the same size lot. Stated each home has a different profiles.

Ms. Richer stated because all homes face the street, the sidewalk becomes part of the community space.

Comments were made regarding alleys and fences.

Mr. Wilson spoke regarding the garages being closer to the alley.

A member of Council spoke regarding the beauty of Rowlett, Public Improvement Districts, water conservation, and the requirement for building types and housing mix.

A member of Council asked for the Garden Apartment type of housing to be removed from the building types.

Concerns were voiced regarding density and housing mix.

Mr. Wilson stated the interim standards are a starting point. Stated the new standards will be for new neighborhoods and multi-family homes. When property is zoned to the Form Based Code, there will be a framework plan that is approved that will have basically the mixtures of uses laid out on it.

Staff stated the interim standards are a planned development where Council will set the guidelines and have the ability to control what is developed.

A member of Council spoke regarding the height of the fences, senior-friendly entry grades, heights and sizes of accessory building, and underground utilities.

Another member of Council asked for the removal of the word "shall" and replace that word with "should"

Ms. Richer stated the word "shall" is essential. Stated Mr. Wilson will create a memo stating what should be "shall" and what should be "should".

Mr. Wilson stated the language is necessary. The language provides a distinction between the more important elements and less important elements.

Staff stated it will be helpful to developers, who have filed a case for a new type of development, to have a commitment from the Council to have work sessions to debate the "shall" and "should" expectations.

The City Attorney cautioned the Council on making promises to developers. Stated the City cannot guarantee the success of any project.

A member of Council spoke regarding balconies and signage.

Mr. Wilson stated by having balconies that extend beyond the face of the façade, it creates texture for the building. Stated the sign categories needs to be expanded.

A member of Council spoke regarding cul-de-sacs and j-driveways.

Mr. Wilson stated cul-de-sacs prevent interconnectivity and walk-ability as cul-de-sacs are dead-end streets; stated they do not build a sense of community. Stated the j-driveways cause the front yard to become mostly concrete.

A member of Council stated that 10% of open space is not enough. Stated open space should have a 20% requirement. Spoke regarding the street standards.

Staff stated the City Engineer will meet with Kimley-Horn on Wednesday, April 18th to discuss the street standards.

Mr. Wilson stated streets will be tested to ensure the streets are functional.

A member of Council encouraged staff to research the subject of water conservation.

At this time, the Mayor adjourned the meeting.

- 3D. Staff from the Planning Division will provide an update regarding the Realize Rowlett 2020 Phase II process. (10 minutes)

This item was not discussed.

4. DISCUSS CONSENT AGENDA ITEMS

No items were removed from the Consent Agenda to be considered individually.

CONVENE INTO THE COUNCIL CHAMBERS (7:30 P.M.)

Convened into the Council Chambers at 7:37 p.m.

INVOCATION

The invocation was led by Pastor Michael Hankins, Church in the City.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Pro Tem Phillips.

TEXAS PLEDGE OF ALLEGIANCE

The Texas Pledge of Allegiance was led by Deputy Mayor Pro Tem Kilgore.

5. PRESENTATIONS AND PROCLAMATIONS

- 5A.** Proclamation recognizing the week of April 29 through May 5, 2012 as Municipal Clerks Week.

Mayor Pro Tem Phillips presented a proclamation recognizing Municipal Clerks Week.

- 5B.** Receive the Comprehensive Annual Financial Report for the fiscal year ended September 30, 2011, which includes the independent auditors' report.

Staff spoke regarding the Comprehensive Annual Financial Report for the fiscal year ended September 30, 2011.

John Manning, a representative from Pattillo, Brown and Hill gave an overview of the report. Stated the City received an unqualified opinion, the highest level of assurance.

- 5C.** Hear presentation of the Monthly Financial report for the period ending February 29, 2012.

Staff gave a presentation regarding the Monthly Financial report for the period ending February 29, 2012. Spoke regarding Revenues, Sales Taxes; Property Taxes; Water Fees; Sewer Fees; Expenditures and various Funds.

- 5D. Update from the City Council and Management: Financial Position, Major Projects, Operational Issues, Upcoming Dates of Interest and Items of Community Interests.

Members of Council and Management gave a brief update to the Council on the various activities in the City including introduction of the new Police Chief Michael Brodnax; the City Council and Planning and Zoning Commission will have a Joint Work Session on April 19th in the Annex Conference Room beginning at 6:00 p.m.; the Annual Kid Fish Outdoor Extravaganza will be held on April 21st at Community Park beginning at 9:00 a.m.; Diversity Day will be held on April 28th at the Rowlett Community Centre beginning at 1:00 p.m.; the Animal Shelter will host low-cost vaccination clinics on April 21st beginning at 12:30 p.m.; the Animal Shelter has new operating hours: Monday – Friday from 10:00 a.m. to 5:00 p.m. and Saturday from 12:00 p.m. to 5:00 p.m.; the City Manager's Book Club will meet at the Library on April 19th; the deadline for submitting entries for the Arts and Humanities Commission annual writing contest is April 23rd; April 30th is the last day to register to vote for the May 29th Primary Election; and a special recognition was given to the Rowlett CERT and Explorers for their efforts in helping neighboring cities with their tornado recovery efforts.

6. CITIZENS' INPUT

1. LaDarien Spencer, 10318 Waterview Parkway, Rowlett – Spoke regarding the upcoming programs at Faith Missionary Baptist Church.

7. CONSENT AGENDA

No items were removed from the Consent Agenda to be considered individually.

The Interim City Secretary read the items into the record.

- 7A. Consider approving minutes from the March 29, 2012 City Council Special Work Session and the April 3, 2012 City Council Regular Meeting.

This item was approved on the Consent Agenda.

- 7B. Consider a resolution approving an Interlocal Agreement between the City of Rowlett and Rockwall County establishing Rowlett's subdivision regulatory authority over Rowlett's extra-territorial jurisdiction in Rockwall County.

This item was approved as RES-043-12 on the Consent Agenda.

- 7C. Consider a resolution approving an Alternative Landscape Plan for property located at Chiesa Road, at the southeast corner of Chiesa Road and Liberty Grove Road. (DP12-578)

This item was approved as RES-044-12 on the Consent Agenda.

Passed The Consent Agenda

A motion was made by Mayor Pro Tem Phillips, seconded by Councilmember Gallops, including all the preceding items marked as having been approved on the Consent Agenda. The motion carried by the following vote:

Ayes: 7 Mayor Gottel, Mayor Pro Tem Phillips, Deputy Mayor Pro Tem Kilgore, Councilmember Davis, Councilmember Pankratz, Councilmember Miller and Councilmember Gallops

Convened into a short recess at 8:06 p.m. Continued Item 3C at 8:15 p.m.

8. ITEMS FOR INDIVIDUAL CONSIDERATION

There were no Individual Consideration items to consider.

TAKE ANY NECESSARY OR APPROPRIATE ACTION ON CLOSED/EXECUTIVE SESSION MATTERS

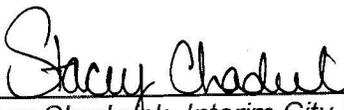
There were no Executive Session items to consider.

9. ADJOURNMENT

Mayor Gottel adjourned the meeting at 10:50 p.m.



Todd W. Gottel, Mayor



Stacey Chadwick, Interim City Secretary

Date Approved: May 1, 2012