

**MINUTES OF THE WORK SESSION AND REGULAR MEETING  
OF THE CITY COUNCIL OF THE CITY OF NORTH RICHLAND HILLS, TEXAS  
HELD IN THE CITY HALL 4301 CITY POINT DRIVE  
JANUARY 28, 2019**

WORK SESSION

The City Council of the City of North Richland Hills, Texas met in work session on the 28th day of January at 6:00 p.m. in the City Council Workroom prior to the 7:00 p.m. regular Council meeting.

Present:	Oscar Trevino	Mayor
	Mike Benton	Mayor Pro Tem
	Rita Wright Oujesky	Council, Place 2
	Tom Lombard	Council, Place 3
	Brent Barrow	Council, Place 4
	Scott Turnage	Council, Place 6
	Tim Welch	Council, Place 7
Absent:	Tito Rodriguez	Council, Place 1
Staff Members:	Mark Hindman	City Manager
	Paulette Hartman	Deputy City Manager
	Karen Bostic	Assistant City Manager
	Jimmy Perdue	Director of Public Safety
	Mike Curtis	Managing Director
	Alicia Richardson	City Secretary
	Maleshia B. McGinnis	City Attorney

**CALL TO ORDER**

Mayor Trevino called the meeting to order at 6:00 p.m.

**1. DISCUSS ITEMS FROM REGULAR CITY COUNCIL MEETING.**

Mayor Trevino announced that he would be abstaining from items C.8 and D.1, due to his wife owning property adjacent to request (C.8) and his son owning property for item D.1.

Mayor Trevino asked staff to explain the 500' distance requirement from churches and schools, when the proposed use for blood plasma collection facilities requires a special use permit.

Director of Planning Clayton Comstock informed Council staff's recommendation to

include the distance requirement is to minimize this type of use next to residences, churches, or schools. Staff considered the compatibility of the proposed use with adjacent properties. The recommended zoning districts, with a special use permit, include C-1 commercial, C-2 commercial, I-1 light industrial, and I-2 medium industrial.

Mr. Hindman commented the proposed definition and development standards are for Council's consideration.

Mr. Comstock informed Council the applicant for item C.1, ZC 2018-25, has taken ill and will not be present at the meeting tonight. The item was previously postponed by Council at their January 14, 2019 meeting due to the applicant not being present.

Mr. Comstock provided Council with a revised Exhibit B for Ordinance No. 3565 (item C.4). The revision clarifies the storage lot for new vehicle inventory is tied to the dealership.

## **2. WELCOME AND INTRODUCTION - PUBLIC OFFICIAL, PUBLIC EMPLOYEE OR CITIZEN.**

There was no one present to introduce at the meeting.

### **EXECUTIVE SESSION**

#### **1. SECTION 551.072: DELIBERATE THE PURCHASE, EXCHANGE, LEASE OR VALUE OF REAL PROPERTY - (1) 9000 HAWK, (2) 9111 HAWK AND (3) 6020 WALKER BOULEVARD**

Mayor Trevino announced at 6:05 p.m. that the Council would adjourn into Executive Session as authorized by Chapter 551, Texas Government Code, specifically Section 551.072: Deliberate the purchase, exchange, lease or value of real property - (1) 9000 Hawk, (2) 9111 Hawk and (3) 6020 Walker Boulevard. Executive Session began at 6:08 p.m. and concluded at 6:21 p.m.

Mayor Trevino announced at 6:21 p.m. that Council would convene to the regular City Council meeting.

### **REGULAR MEETING**

#### **A. CALL TO ORDER**

Mayor Trevino called the meeting to order January 28, 2019 at 7:00 p.m.

Present:	Oscar Trevino	Mayor
	Mike Benton	Mayor Pro Tem

Rita Wright Oujesky	Council, Place 2
Tom Lombard	Council, Place 3
Brent Barrow	Council, Place 4
Scott Turnage	Council, Place 6
Tim Welch	Council, Place 7

Absent: Tito Rodriguez Council, Place 1

Staff Members: Mark Hindman City Manager  
Alicia Richardson City Secretary  
Maleshia B. McGinnis City Attorney

#### **A.1 INVOCATION**

Council member Barrow gave the invocation.

#### **A.2 PLEDGE**

Council member Barrow led the pledge to the United States and Texas flags.

#### **A.3 SPECIAL PRESENTATION(S) AND RECOGNITION(S)**

There were no items for this category.

#### **A.4 CITIZENS PRESENTATION**

There were no requests to speak from the public.

#### **A.5 REMOVAL OF ITEM(S) FROM CONSENT AGENDA**

No items were removed from the consent agenda.

#### **B. CONSIDER APPROVAL OF CONSENT AGENDA ITEMS**

##### **APPROVED**

**A MOTION WAS MADE BY COUNCIL MEMBER TURNAGE, SECONDED BY COUNCIL MEMBER LOMBARD TO APPROVE THE CONSENT AGENDA.**

**MOTION TO APPROVE CARRIED 6-0.**

**B.1 APPROVE MINUTES OF THE REGULAR JANUARY 14, 2019 CITY COUNCIL MEETING.**

- B.2 APPROVE RESOLUTION NO. 2019-007, SUPPORTING THE FORT WORTH TRANSPORTATION AUTHORITY'S APPLICATION TO THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ) FOR A MUNICIPAL SETTING DESIGNATION (MSD) ON PROPERTY LOCATED AT 2417 E. LONG AVENUE, FORT WORTH, TEXAS.**
- B.3 APPROVE PURCHASE OF A FAIRWAY MOWER AND UTILITY TRACTOR FOR THE IRON HORSE GOLF COURSE FROM DEERE & COMPANY IN THE AMOUNT OF \$79,203.96 THROUGH A BUYBOARD COOPERATIVE CONTRACT.**
- B.4 APPROVE RESOLUTION NO. 2019-008, AUTHORIZING SUBMISSION AND APPLICATION FOR THE TEXAS GOVERNOR'S OFFICE 2019 STATE HOMELAND SECURITY PROGRAM COMPETITIVE GRANT #37288-01.**
- B.5 CONSIDER RESOLUTION NO. 2019-010 AUTHORIZING SUBMISSION OF THE GRANT APPLICATION FOR THE 2019 STATE HOMELAND SECURITY PROGRAM (SHSP) GRANT FOR THE NORTH EAST FIRE DEPARTMENT ASSOCIATION (NEFDA) EXPLOSIVE ORDINANCE DEVICE (EOD) TEAM.**
- B.6 AUTHORIZE THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH THE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS FOR THE CLEAN FLEETS NORTH TEXAS 2018 GRANT PROGRAM FOR THE PURCHASE OF A NEW QUINT FIRE TRUCK USING BUY BOARD CONTRACT #571-18 AWARDED TO SIDDONS MARTIN EMERGENCY GROUP.**
- C. PUBLIC HEARINGS**
- C.1 ZC 2018-25, ORDINANCE NO. 3556, PUBLIC HEARING AND CONSIDERATION OF A REQUEST FROM CHARLES G. STARNES FOR A ZONING CHANGE FROM AG AGRICULTURAL TO R-1 SINGLE-FAMILY RESIDENTIAL AT 8708 AMUNDSON DRIVE, BEING 0.7495 ACRES DESCRIBED AS TRACT 2D, TK MARTIN SURVEY, ABSTRACT 1055 (CONTINUED FROM THE JANUARY 14, 2019, CITY COUNCIL MEETING).**

**CONTINUED**

Mayor Trevino announced the applicant is not able to attend tonight's meeting. Pursuant to City Council policy, if the applicant is not in attendance to present their item, Council will not take action.

**A MOTION WAS MADE BY MAYOR PRO TEM BENTON, SECONDED BY COUNCIL MEMBER WRIGHT OUJESKY TO CONTINUE ORDINANCE NO. 3556 TO THE FEBRUARY 11, 2019 CITY COUNCIL MEETING.**

**MOTION TO CONTINUE CARRIED 6-0.**

**C.2 TR 2018-02, ORDINANCE NO. 3563, PUBLIC HEARING TO CONSIDER AMENDMENTS TO SECTION 118-1 (DEFINITIONS), SECTION 118-631 (TABLE OF PERMITTED USES), AND SECTION 118-633 (SPECIAL LAND USE REGULATIONS) OF THE NORTH RICHLAND HILLS ZONING ORDINANCE REGARDING BLOOD PLASMA COLLECTION FACILITIES.**

**APPROVED**

Mayor Trevino opened the public hearing and called on Director of Planning Clayton Comstock to introduce the item.

Mr. Comstock informed Council text revisions to the City's Code are generally proposed by staff. Staff received an inquiry in October 2018 for a blood plasma center. Staff determined the use is not identified in the current table of permitted uses in the zoning ordinance. Pursuant to Section 118-126, the applicant is requesting consideration of the proposed use. The text revision before Council this evening is for the entire city and not specific to one business or property.

Applicant representative Bill Dahlstrom with Jackson Walker LLP, 2323 Ross Avenue, Suite 600, Dallas, Texas presented request. Mr. Dahlstrom commented they were directed by staff to draft conditions that would be attached to the use. He commented they are seeking a use that is allowed by right. During the review by staff and the Planning and Zoning Commission, the conditions were attached to a special use permit. They are seeking a change to the hours of operations and propose Monday-Saturday, 6:00 a.m. - 8:00 p.m. and Sunday, 8:00 a.m. - 5:00 p.m. Mr. Dahlstrom introduced Jeff Tarris with JCW Development to discuss the plasma facilities.

Mr. Tarris, 100 Tower Drive, Beaver Dam, WI informed Council BioLife operates over 100 centers across the country. The centers stay in their community a minimum of ten years. The facilities are safe, provide ample parking, do not carry cash, and utilize online appointment schedule to avoid lines. The plasma collected at the centers are utilized to treat serious disorders and traumatic injuries. On average, BioLife centers employ 50-80 employees. The remodel cost for this site is approximately 3 to 3.5 million. He reviewed economic benefits related to the facility.

Mr. Dahlstrom reviewed their original request for addition of a plasma center to be permitted by right with the following conditions:

- Definition: “a facility used in the collection of blood plasma”
- No processing, testing or fractionation of human plasma to be permitted on site
- Minimum floor area: 10,000 square foot
- Cannot be within one-half mile of another plasma center
- All equipment, samples, and products must be stored inside the building
- Facilities must provide and follow a management plan for handling litter, outdoor queueing, security, and loitering
- Facilities shall include a waiting and departure lounge sufficient in size, but a minimum of 500 square foot, to accommodate all scheduled donors and anticipated drop-in customers. Such waiting areas must include restroom facilities.
- No cash transactions permitted, but debit card transactions allowed
- Off-street parking is required at a rate of one parking space per bed
- All loading and unloading shall be performed at the rear of the building. At least one designated location for loading and unloading shall be provided
- Hours of operation: Monday-Saturday: 9:00 a.m.-7:00 p.m.; Sunday: 12:00 p.m.-7:00 p.m.
- All plasma center uses require fully sprinklered buildings

Mr. Dahlstrom reviewed staff's recommendation that included use to be permitted by special use permit in C-1, C-2, I-1, and I-2 with the following criteria:

- Definition: “A building or area used primarily for the performance of plasmapheresis, which is the procedure whereby whole blood is removed from the plasma donor by venipuncture or phlebotomy, the plasma is separated from the whole blood for sale or transfer, and the formed elements of the blood are returned to the donor. This definition does not include “blood bank” as defined by Texas Health and Safety Code Section 162.001.”
- Must not be located within 500 feet of a residence, religious assembly, public or private school, public park, or day care center
- Customers are not permitted to queue outside of the facility
- Separate restroom facilities for customers and staff must be provided
- In addition to one parking space per bed, provide one space per 200 sf of administrative and office space
- The facility must have its primary driveway access on an arterial roadway, as identified on the Thoroughfare Plan

In response to Mayor Pro Tem Benton's question, Mr. Tarris informed Council the Federal Drug Administration monitors these types of facilities.

Council member Lombard asked if facilities are typically a new build or remodel. Mr. Tarris informed Council it depends on the availability of vacant retail.

In response to Council member Welch's question, Mr. Tarris informed Council a donor is allowed to donate several times a month, but no more than twice a week.

Mr. Comstock presented staff's report. He showed a map of all plasma facilities located in North Texas. The locations include Arlington, Carrollton, Garland, Mesquite, Grand Prairie and Haltom City. The theme for these type of facilities is to integrate themselves into retail centers. When the application was originally submitted to the city, the proposed use did not meet the definition of medical office use. The determination was made that it was not a permitted use in North Richland Hills. Staff worked with applicant to arrive at a definition for a blood plasma collection facility. Staff proposes, and the Planning and Zoning Commission recommended the use for a blood plasma collection facility with a special use permit in zoning districts C-1, C-2, I-1, and I-2. The Planning and Zoning Commission, at their January 17, 2019 meeting, with a vote of 7-0 proposed the following development standards for Council's consideration:

- A blood plasma collection facility must not be located within one-half mile radius of another blood plasma collection facility.
- A blood plasma collection facility must not be located within 500 feet of a residence, religious assembly, public or private school, public park, or day care center. The distance is measured along the property lines of the street fronts and from front door to front door, and in direct line across intersections.
- The minimum number of off-street parking spaces is one space per bed plus one space per 200 square feet of administrative and office space.
- The facility must have its primary driveway access on an arterial roadway, as identified on the Thoroughfare Plan.
- Facilities must be located in a building or space that contains an automatic sprinkler system for fire protection purposes.
- The minimum floor area for the facility is ten thousand (10,000) square feet.
- Facilities must include a waiting and departure area of at least five hundred (500) square feet in area to accommodate all customers. Customers are not permitted to queue outside of the facility.
- Separate restroom facilities for customers and staff must be provided.
- Hours of operation are limited to 9:00 a.m. to 7:00 p.m. Monday through Saturday and 12:00 p.m. to 7:00 p.m. Sunday.
- Facilities must develop and follow a management plan for handling litter, security, and loitering. A copy of the plan must be provided to the City.
- Cash transactions between the facility and customers are prohibited.

Mr. Comstock outlined options for Council's consideration.

(1) Deny the "blood plasma collection facility" use in North Richland Hills.

- (2) Approve the use in certain zoning districts with special use permit approval.
  - a. include development standards
  - b. exclude development standards
- (3) Approve the use in certain zoning districts by right
  - a. include development standards
  - b. exclude development standards

Council member Rita Wright Oujesky inquired about the hours of operation.

Mr. Comstock informed Council the hours as proposed by the applicant are Monday-Saturday: 9:00 a.m.-7:00 p.m. and Sunday: 12:00 p.m.-7:00 p.m. The applicant has mentioned the industry standard indicates different hours. He advised it is the discretion of City Council.

Council member Lombard clarified the ordinance proposed tonight includes the options as outlined in 2a. Mr. Comstock confirmed the proposed ordinance includes the options as outlined in 2a.

Mayor Trevino asked the City Secretary to call on those who completed a public meeting appearance form to speak during the public hearing. The following people spoke in support: Jim Ryffel, 3113 S. University Drive, #600, Fort Worth and Mojoy Haddad, 2500 NE Green Oaks, Arlington, Texas.

Mayor Trevino called for anyone else wishing to speak for or against the request to come forward. There being no one else wishing to speak, Mayor Trevino closed the public hearing.

**A MOTION WAS MADE BY COUNCIL MEMBER WRIGHT OUJESKY, SECONDED BY COUNCIL MEMBER TURNAGE TO APPROVE ORDINANCE NO. 3563, WITH OPTION 2A AS OUTLINED BY STAFF, REQUIRING A SPECIAL USE PERMIT, TO INCLUDE THE 500' DOOR TO DOOR DISTANCE, AND THE CHANGE IN HOURS OF OPERATION FOR MONDAY-SATURDAY, 6:00 A.M. - 8:00 P.M. AND SUNDAY, 8:00 A.M. - 5:00 P.M.**

**MOTION TO APPROVE CARRIED 6-0.**

**C.3 ZC 2018-04, ORDINANCE NO. 3564, PUBLIC HEARING AND CONSIDERATION OF A REQUEST FROM DRENNER GROUP FOR A ZONING CHANGE FROM O-1 OFFICE TO R-7-MF MULTIFAMILY AT 8851 BUD JENSEN DRIVE, BEING 13.815 ACRES DESCRIBED AS LOT 1R, BLOCK 1, U.I.C.I ADDITION.**

**DENIED**



Mayor Trevino opened the public hearing and called on Director of Planning Clayton Comstock to introduce the item.

Mr. Comstock informed Council the applicant is requesting a zoning change for 13.815 acres located at 8851 Bud Jensen Drive. The area is designated on the Comprehensive Land Use Plan as office and the current zoning is O-1 office. The applicant is requesting R-7-MF multifamily zoning. Mr. Comstock presented site photos of the property.

Applicant representative Steve Drenner with the Drenner Group located at 200 Lee Barton Drive, Austin, presented request. Mr. Drenner commented the property is currently vacant. He commented that they are flexible with use, density, product type and access. They are requesting Council provide them a use for their property. The request is for a 192 garden-style apartments with an average square footage of 1,012 per unit. The request provides 29% of area site to be devoted to landscaping and 15% devoted to common space.

Mr. Comstock reviewed with Council the minimum submission requirements that must accompany zoning requests for R-7-MF district. The applicant has provided a site plan and elevation renderings that meet the R-7-MF standards. The proposed development has access along shared common access easement on Bud Jensen Drive. There is a connection located on the southern portion of the development from Grand that does not have any entry point and will need to be provided in the future. The most recent comprehensive land use plan (2012) shows the property designated as office. Previous comprehensive land use plans show the property designated as commercial (1991), retail (2001) and office (2007 and 2012). The Planning and Zoning Commission, at their January 17, 2019 meeting, recommended denial with a vote of 7-0. Mr. Comstock informed Council staff was asked about the number of units in the area and occupancy rates. There are 1,185 existing and planned multi-family units in the area bound by Mid Cities Boulevard, Precinct Line Road, Boulevard 26 and Walker Creek Corridor. At the Planning and Zoning Commission meeting, he commented the occupancy rates were in the mid 90s. The Venue at Hometown occupancy is 96%, The Enclave at Hometown occupancy is 92%, and The Dolce Phase I occupancy is 76% and The Dolce Phase II occupancy is 71%.

Mayor Trevino asked the City Secretary to call on those who completed a public meeting appearance form to speak during the public hearing. The following people spoke in opposition: Steve Koons, 6054 Lake Way Mews; Jaylon Buie, 8621 Nichols Way; William Walters, 6101 Lake Wa; Sam Akins, 8600 Beetlenut Lane; Ronald and Margie Brensinger, 8605 Passion Vine Street; and Lynda Rallsback, 6058 Lake Way Mews. The following residents did not wish to speak, but asked that their opposition be recorded George and Kay Stevens, 6112 Winter Park Drive and Pat Franklin, 5801 Arbor Road.

Mayor Trevino called for anyone else wishing to speak for or against the request to come forward. There being no one else wishing to speak, Mayor Trevino closed the public hearing.

**A MOTION WAS MADE BY COUNCIL MEMBER TURNAGE, SECONDED BY COUNCIL MEMBER LOMBARD TO DENY ORDINANCE NO. 3564.**

**MOTION TO DENY, CARRIED 6-0.**

**C.4 ZC 2018-20, ORDINANCE NO. 3565, PUBLIC HEARING AND CONSIDERATION OF A REQUEST FROM MULTATECH FOR A ZONING CHANGE FROM C-2 COMMERCIAL TO PD PLANNED DEVELOPMENT FOR A VEHICLE INVENTORY STORAGE LOT AT 4500 BOOTH CALLOWAY ROAD, BEING 10.3186 ACRES DESCRIBED AS LOT 1R, BLOCK CR, LYNNCREST ADDITION.**

**APPROVED**

Mayor Trevino opened the public hearing and called on Principal Planner Clayton Husband to introduce the item.

Mr. Husband informed Council the applicant is requesting a zoning change for 10.3186 acres located at 4500 Booth Calloway Road. The area is designated on the Comprehensive Land Use Plan as commercial and the current zoning is C-2 commercial. Mr. Husband presented site photos of the property.

Applicant representative Eric Canales, 2821 West 7th Street, Fort Worth presented request. The existing location is an inventory site that serves AutoNation, Chrysler, Dodge, and Wrangler. The project includes replacement of old pavement, removal of the older building, installation of new sidewalks and canopies for protection of vehicles on the lot. The green area located in the center of the development will remain. He informed Council there are plans for a future distribution center that will serve AutoNation located across the street. They requested, and the Planning and Zoning Commission approved, the masonry requirement for the columns be applied only to the exterior columns.

AutoNation General Manager Paul Solomon, 7740 NE Loop 820, looks forward to modernizing their site. At the Planning and Zoning Commission, there was discussion regarding storage of vehicles for other dealers. Mr. Solomon informed Council the inventory lot will only store his dealership's vehicles.

Council member Wright Oujesky asked applicant to clarify which columns would be wrapped with masonry.

Mr. Canales confirmed the columns located on the perimeter would be wrapped with masonry.

Mr. Husband presented staff's report. The landscaping plan focuses on the northern portion of the property, along the frontage road. The requirement for parking lot landscaped islands has been waived. The applicant is providing parking lot trees. The removal of pavement (Blackman Road and Lynn Terrace) along the frontage road will be removed and reestablished to grade. This is subject to Texas Department of Transportation. City Council was provided an updated Exhibit B that ties in this lot with the dealership located across the street. The Planning and Zoning Commission, at their January 17, 2019 meeting, recommended approval with a vote of 7-0.

In response to Council member Lombard's question, Mr. Husband informed Council the existing building located on the property will be removed.

Mayor Trevino asked the City Secretary to call on those who completed a public meeting appearance form to speak during the public hearing. There being no forms submitted, Mayor Trevino asked if there was anyone in the audience wishing to speak on the item to come forward. There being no one wishing to speak, Mayor Trevino closed the public hearing.

**A MOTION WAS MADE BY COUNCIL MEMBER WELCH, SECONDED BY COUNCIL MEMBER BARROW TO APPROVE ORDINANCE NO. 3565.**

**MOTION TO APPROVE CARRIED 6-0.**

**C.5 SUP 2018-10, ORDINANCE NO. 3566, PUBLIC HEARING AND CONSIDERATION OF A REQUEST FROM DYNAMIC ENGINEERING CONSULTANTS, PC FOR A SPECIAL USE PERMIT FOR A WAIVER OF THE MASONRY STANDARDS AT 7724 AND 7740 NE LOOP 820, BEING 23.97 ACRES DESCRIBED AS LOTS A3, AR1A, B1B, AND B1A, CALLOWAY PARK ADDITION; AND LOT 1C, BLOCK E, CALLOWAY FARM ADDITION.**

**APPROVED**

Mayor Trevino opened the public hearing and called on Principal Planner Clayton Husband to introduce the item.

Mr. Husband informed Council the applicant is requesting a special use permit for 23.97 acres located at 7724 and 7740 Northeast Loop 820. The request is a waiver of the masonry requirement for new auto shade structures. The area is designated on the Comprehensive Land Use Plan as commercial and the current zoning is C-2 commercial.

Mr. Husband presented site photos of the property.

Applicant representative Warren Hilla, 1301 Central Expressway, Allen, presented request. The purpose of the request is to install hail canopies. They are seeking a waiver of the masonry requirement to provide masonry wrap on all shade structure columns. They are requesting to provide masonry wrap on columns located on the perimeter of the property.

Mr. Wade White with Vehicle Protection Structures, 8505 Chancellor Row Dallas, informed Council he installed the shade structures located at Huggins Honda. He advised that he will do the same work for AutoNation. He commented that the applicant is motivated to meet staff's recommendation.

Mr. Husband presented staff's report. The proposal covers two automobile dealerships for installation of automobile hail net covers. Ten shade covers at the AutoNation Hyundai lot and 9 shade covers at the AutoNation Chrysler Dodge Jeep Ram lot. Masonry wrap is proposed on the perimeter columns and a waiver is requested for interior columns. The special use permit includes the following lighting standards: light fixtures adjacent to Northeast Loop 820 and Booth Calloway Road positioned or shielded to minimize light trespass and light poles on both properties painted the same color.

Mayor Trevino asked the City Secretary to call on those who completed a public meeting appearance form to speak during the public hearing. There being no forms submitted, Mayor Trevino asked if there was anyone in the audience wishing to speak on the item to come forward. There being no one wishing to speak, Mayor Trevino closed the public hearing.

**A MOTION WAS MADE BY COUNCIL MEMBER LOMBARD, SECONDED BY COUNCIL MEMBER WELCH TO APPROVE ORDINANCE NO. 3566.**

**MOTION TO APPROVE CARRIED 6-0.**

**C.6 RP 2018-07 PUBLIC HEARING AND CONSIDERATION OF A REQUEST FROM TEAGUE NALL AND PERKINS, INC. FOR A REPLAT OF LOTS 8R1-8R7, BLOCK 3, WOODBERT ADDITION, BEING 2.143 ACRES LOCATED AT 8120 SAYERS LANE.**

**APPROVED**

Mayor Trevino opened the public hearing and called on Principal Planner Clayton Husband to introduce item and companion items E.3 and E.4.

Mr. Husband informed Council the applicant is requesting a replat for 2.143 acres

located at 8120 Sayers Lane. The property is located on the south side of Sayers and west of Davis Boulevard. The area is designated on the Comprehensive Land Use Plan as low density residential and the current zoning is R-2 single family residential. Mr. Husband provided site photos of the property.

Applicant representative Mike Wilson, 5237 North Riverside Drive, Suite 100, Fort Worth, was present to answer questions from Council. Mr. Wilson informed Council, the developer Oakmark Custom Homes will comply with incorporating the open space lot into the street right-of-way.

Mr. Husband presented staff's report. The proposed development includes six single family lots. Lot 8R-1 incorporates a proposed abandonment of Sayers Lane (item E.4). There is an additional abandonment of a drainage easement (item E.3). The Planning and Zoning Commission, at their January 17, 2019 meeting, recommended approval of the plat with a vote of 7-0.

Mayor Trevino asked the City Secretary to call on those who completed a public meeting appearance form to speak during the public hearing. There being no forms submitted, Mayor Trevino asked if there was anyone in the audience wishing to speak on the item to come forward.

Mr. Clint Holly, 8124 Sayers Lane, adjacent property owner, commented that he does not support the request. He asked Council to place a requirement on applicant to place a fence or barrier along the street that will be adjacent to his property line. The request affects his privacy and changes his property into a corner lot.

There being no one else wishing to speak, Mayor Trevino closed the public hearing.

In response to Mayor Trevino's question, Mr. Husband showed Council where Mr. Holly's property is located in relation to the proposed replat and addition of the new street Oakmark Court. Mr. Husband informed Council there is no method in subdivision ordinance to require a fence in this particular instance. The homeowner and developer could work together to address homeowner's concern.

Mayor Trevino asked Mr. Wilson if the developer would be willing to work with the homeowner. Mr. Wilson informed Council the original purpose of the open space lot was to install a decorative metal fence. Staff advised them that a decorative metal fence could not be installed in the right-of-way. Mayor Trevino asked if developer would be willing to work with the homeowner to place fence on side property line. The City Council can not require the fence, but the developer and homeowner can hopefully work something out.

**A MOTION WAS MADE BY MAYOR PRO TEM BENTON, SECONDED BY COUNCIL MEMBER LOMBARD TO APPROVE RP 2018-07.**

**MOTION TO APPROVE CARRIED 6-0.**

**E.3 APPROVE ORDINANCE NO. 3567, ABANDONING A PORTION OF A DRAINAGE EASEMENT IN BLOCK 3 OF THE WOODBERT ADDITION.**

**APPROVED**

This item was presented in conjunction with items C.6 and E.4.

**A MOTION WAS MADE BY COUNCIL MEMBER TURNAGE, SECONDED BY COUNCIL MEMBER LOMBARD TO APPROVE ORDINANCE NO. 3567.**

**MOTION TO APPROVE CARRIED 6-0.**

**E.4 CONSIDER ORDINANCE NO. 3568, ABANDONING A PORTION OF SAYERS LANE RIGHT-OF-WAY.**

**APPROVED**

This item was presented in conjunction with items C.6 and E.3.

**A MOTION WAS MADE BY COUNCIL MEMBER LOMBARD, SECONDED BY COUNCIL MEMBER TURNAGE TO APPROVE ORDINANCE NO. 3568.**

**MOTION TO APPROVE CARRIED 6-0.**

**C.7 SECOND PUBLIC HEARING ON THE JUVENILE CURFEW ORDINANCE AND APPROVE ORDINANCE NO. 3561.**

**APPROVED**

Mayor Trevino opened the public hearing and called on Director of Public Safety Jimmy Perdue to introduce the item.

Director of Public Safety Jimmy Perdue informed Council tonight is the second public hearing for the juvenile curfew ordinance. State law requires before the third anniversary of the date of adoption, a municipality shall review the ordinance, conduct public hearings, and either abolish, continue, or modify the ordinance. Staff recommends approval of Ordinance No. 3561.

Mayor Trevino asked the City Secretary to call on those who completed a public meeting appearance form to speak during the public hearing. There being no forms submitted, Mayor Trevino asked if there was anyone in the audience wishing to speak on the item to come forward. There being no one wishing to speak, Mayor Trevino closed the public hearing.

**A MOTION WAS MADE BY COUNCIL MEMBER WRIGHT OUJESKY, SECONDED BY COUNCIL MEMBER LOMBARD TO APPROVE ORDINANCE NO. 3561.**

**MOTION TO APPROVE CARRIED 6-0.**

**C.8 RP 2018-08 PUBLIC HEARING AND CONSIDERATION OF A REQUEST FROM BEATEN PATH DEVELOPMENT FOR A REPLAT OF URBAN TRAILS ADDITION PHASE 1, BEING 2.679 ACRES LOCATED AT THE NORTHWEST CORNER OF MID-CITIES BOULEVARD AND HOLIDAY LANE.**

**APPROVED**

*Mayor Trevino announced that he has a conflict of interest for items C.8 and D.1. He announced that he would abstain from discussion on both items. He filed an affidavit of disqualification with the city secretary stating his conflict for each item.*

*Mayor Trevino left the dais at 8:50 p.m.*

Mayor Pro Tem Benton opened the public hearing and called on Director of Planning Clayton Comstock to present the item.

Mr. Comstock informed Council the applicant is requesting a replat for 2.679 acres located at the northwest corner of Mid Cities Boulevard and Holiday Lane. The area is designated on the Comprehensive Land Use Plan as transit oriented development and the current zoning is transit oriented development. Mr. Comstock presented site photos of the property.

Mr. Edward Chadwick with Baird, Hampton and Brown, representing Beaten Path Development presented request. The plat meets the special development plan previously approved by City Council.

Mr. Comstock presented staff's report. The purpose of the request is to plat fifteen (15) townhome lots for this phase of Urban Trails. There is a lot along the Cotton Belt Trail that will be dedicated to the city for a public park. The Planning and Zoning Commission, at their January 17, 2019 meeting, recommended approval with a vote of 5-0-1, with Commissioner Welborn abstaining.

In response to Council member Welch's question, Ms. Waggoner informed Council she anticipates the updated Federal Emergency Management Agency (FEMA) floodplain map will go into effect in March of this year. She does not anticipate the floodplain being an issue for the development of Lots 3, 4, and 5.

Mayor Pro Tem Benton asked the City Secretary to call on those who completed a public meeting appearance form to speak during the public hearing. There being no forms submitted, Mayor Pro Tem Benton asked if there was anyone in the audience wishing to speak on the item to come forward. There being no one wishing to speak, Mayor Pro Tem Benton closed the public hearing.

**A MOTION WAS MADE BY COUNCIL MEMBER WELCH, SECONDED BY COUNCIL MEMBER WRIGHT OUJESKY TO APPROVE RP 2018-08.**

**MOTION TO APPROVE CARRIED 6-0.**

**D. PLANNING AND DEVELOPMENT**

**D.1 AP 2018-08 CONSIDERATION OF A REQUEST FROM SPRY SURVEYORS FOR AN AMENDED PLAT OF LOTS 1R1 AND 2R3, BLOCK 1, DOUBLE K RANCH ADDITION, BEING 4.750 ACRES LOCATED AT 7300 BURSEY ROAD AND 7229 LONDONDERRY DRIVE.**

**APPROVED**

*Due to a conflict of interest, Mayor Trevino abstained from discussion on this item. An affidavit of disqualification was filed with the city secretary stating that his son is a property owner.*

Mayor Pro Tem Benton asked Principal Planner Clayton Husband to introduce the item.

Mr. Husband informed Council the applicant is requesting an amended plat for 4.750 acres located at 7300 Bursey and 7229 Londonderry Drive. The area is designated on the Comprehensive Land Use Plan as low density residential and the current zoning is R-1-S special single family. Mr. Husband presented site photos of the property.

Applicant representative Joel Roebeck, 8241 Mid Cities Boulevard, Suite 102, presented request and was available to answer questions from Council.

Mr. Husband presented staff's report. The Planning and Zoning Commission, at their January 17, 2019 meeting, recommended approval with a vote of 6-0.



**A MOTION WAS MADE BY COUNCIL MEMBER LOMBARD, SECONDED BY COUNCIL MEMBER BARROW TO APPROVE AP 2018-08.**

**MOTION TO APPROVE CARRIED 6-0.**

**E. PUBLIC WORKS**

**E.1 CONSIDER RESOLUTION NO. 2019-009, RECOMMENDING THE AWARD OF A CONSTRUCTION CONTRACT BY TARRANT COUNTY TO MCCLENDON CONSTRUCTION COMPANY FOR THE SCHILLER DRIVE STREET IMPROVEMENT PROJECT FOR THE 44TH ANNUAL COMMUNITY DEVELOPMENT BLOCK GRANT PROJECT IN THE TOTAL CONTRACT AMOUNT OF \$254,224.00.**

**APPROVED**

*Mayor Trevino returned to the dais at 9:01 p.m.*

Director of Public Works Caroline Waggoner informed Council the item before them this evening is to award a construction contract by Tarrant County to McClendon Construction Company for the Schiller Drive improvement project. The project consists of reconstructing Schiller Drive from an asphalt street section to a concrete street section and installation of sidewalks. Construction is anticipated to begin in March and will take 150 calendar days to complete.

**A MOTION WAS MADE BY COUNCIL MEMBER WRIGHT OUESKY, SECONDED BY COUNCIL MEMBER WELCH TO APPROVE RESOLUTION NO. 2019-009.**

**MOTION TO APPROVE CARRIED 6-0.**

**E.2 CONSIDER AWARD OF BID NO. 19-006 TO MHB CONSTRUCTION, INC., FOR CONSTRUCTION OF THE CALLOWAY BRANCH CHANNEL IMPROVEMENTS - PHASE II (DR1503) IN THE AMOUNT OF \$321,063.50, AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE AGREEMENT AND APPROVE ASSOCIATED BUDGET REVISIONS.**

**APPROVED**

Director of Public Works Caroline Waggoner informed Council a portion of the Calloway Branch Channel is experiencing bank stability issues. The contract with MHB Construction, if approved, provides for the installation of concrete piers to secure the west bank and protect the adjacent residential properties. Staff proposes to utilize available funds from the Walker Branch Channel repair project and authorize the city manager to execute agreement and approve associated budget revisions.

**A MOTION WAS MADE BY COUNCIL MEMBER LOMBARD, SECONDED BY COUNCIL MEMBER WRIGHT OUJESKY TO APPROVE THE ITEM.**

**MOTION TO APPROVE CARRIED 6-0.**

**F. GENERAL ITEMS**

**F.1 CONSIDER RESOLUTION NO. 2019-006, APPOINTING MEMBERS TO THE CAPITAL IMPROVEMENTS PROJECT COMMITTEE (CIP).**

**APPROVED**

City Secretary Alicia Richardson informed Council the item before this evening is to consider the recommendation of Mayor Trevino to appoint members to the Capital Improvement Projects Committee. The current membership includes a vacancy in Place 1, Council member Wright Oujesky, Place 2, Council member Turnage, Place 3 (Chair), and Council member Lombard, Alternate.

Mayor Trevino is recommending Council member Rodriguez fulfill vacancy created by Dr. Barth in Place 1 and Council member Barrow as Alternate.

**A MOTION WAS MADE BY MAYOR PRO TEM BENTON, SECONDED BY COUNCIL MEMBER WRIGHT OUJESKY TO APPROVE RESOLUTION NO. 2019-006.**

**MOTION TO APPROVE CARRIED 6-0.**

**F.2 APPROVE RESOLUTION NO. 2019-005, CALLING THE MAY 4, 2019 CITY COUNCIL ELECTION, AUTHORIZING A JOINT ELECTION AGREEMENT WITH OTHER TARRANT COUNTY POLITICAL SUBDIVISIONS AND CONTRACT WITH TARRANT COUNTY FOR ELECTION SERVICES.**

**APPROVED**

City Secretary Alicia Richardson informed Council the request before them this evening is to take action on Resolution No. 2019-005. The resolution provides the required elements outlined by state law to call the May 4, 2019 City General Election to elect persons to City Council Places 1, 3, 5, and 7 for a term of two years. Early voting by personal appearance will be conducted April 22 through April 30, 2019. North Richland Hills has two early voting locations--Public Library and Dan Echols Center--as well as the main early voting location at the Tarrant County Elections Center, located at 2700 Premier, Fort Worth, Texas. Registered voters may also vote at any early voting site located in Tarrant County. The City Secretary's Office is accepting candidate applications through 5:00 p.m., Friday, February 15, 2019.

**A MOTION WAS MADE BY COUNCIL MEMBER TURNAGE, SECONDED BY COUNCIL MEMBER BARROW TO APPROVE RESOLUTION NO. 2019-005.**

**MOTION TO APPROVE CARRIED 6-0.**

**F.3 AUTHORIZE THE CITY MANAGER TO EXECUTE A MASTER OPEN-END VEHICLE LEASE AGREEMENT BETWEEN THE CITY OF NORTH RICHLAND HILLS AND COMMERCIAL VEHICLE LEASING, LP, D/B/A D&M LEASING, FOR THE CRIME VICTIM ASSISTANCE PROGRAM USING A BUYBOARD CONTRACT.**

**APPROVED**

Assistant Police Chief Mike Young informed Council that staff proposes a lease agreement with Commercial Vehicle Leasing, LP, doing business as D&M Leasing. The agreement provides three vehicles for the Crime Assistance Program to provide transportation for the victim assistance coordinator and two victim assistance specialists.

**A MOTION WAS MADE BY COUNCIL MEMBER LOMBARD, SECONDED BY MAYOR PRO TEM BENTON TO APPROVE THE ITEM.**

**MOTION TO APPROVE CARRIED 6-0.**

**G. EXECUTIVE SESSION ITEMS - CITY COUNCIL MAY TAKE ACTION ON ANY ITEM DISCUSSED IN EXECUTIVE SESSION LISTED ON WORK SESSION AGENDA**

Mayor Trevino announced there was no action necessary as the result of Executive Session.

**H. INFORMATION AND REPORTS**

**H.1 ANNOUNCEMENTS**

Council member Turnage made the following announcements.

Join us for a free Spring Gardening Seminar this Saturday, February 2, from 10:00 a.m. until noon in the Community Room at the NRH Library, 9015 Grand Avenue. A variety of topics will be covered. You can find more information on the city's website.

Applications are being accepted now for our next Citizens Police Academy and the Citizen Fire Academy. Both programs provide a great opportunity for NRH citizens to

learn about local government and public safety. You can sign up and get more information online.

Kudos Korner - Caroline Waggoner, Public Works Director - A citizen shared her appreciation for the manner in which Caroline responded to her concerns during TEXRail construction. She said, "Kudos for patiently answering all my questions through this process. It has not been a fun process, but today the first passenger run has been fine." Caroline demonstrates high standards of customer service in all that she does and is an asset to our community.

I. ADJOURNMENT

Mayor Trevino adjourned the meeting at 9:13 p.m.

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Oscar Trevino, Mayor

ATTEST:

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Alicia Richardson, City Secretary