



## **CITY OF ROLLINGWOOD SPECIAL CITY COUNCIL MEETING MINUTES**

**Wednesday, May 22, 2024**

The City Council of the City of Rollingwood, Texas held a special meeting, open to the public, in the Municipal Building at 403 Nixon Drive in Rollingwood, Texas on May 22, 2024. Members of the public and the City Council were able to participate in the meeting virtually, as long as a quorum of the City Council and the presiding officer were physically present at the Municipal Building, in accordance with the Texas Open Meetings Act. A video recording of the meeting was made and will be posted to the City's website and available to the public in accordance with the Texas Public Information Act upon written request.

### **CALL SPECIAL CITY COUNCIL MEETING TO ORDER**

1. Roll Call

**Mayor Gavin Massingill called the meeting to order at 6:00 p.m.**

**Present Members:** Mayor Gavin Massingill, Mayor Pro Tem Sara Hutson, Council Member Phil McDuffee, Council Member Alec Robinson, Council Member Brook Brown and Council Member Kevin Glasheen

**Also Present:** City Administrator Ashley Wayman, City Attorney Charles Zech, Development Services Manager Nikki Stautzenberger, and Assistant to the City Administrator Makayla Rodriguez

### **PUBLIC COMMENTS**

No individuals spoke during public comments.

### **REGULAR AGENDA**

2. Discussion and possible action regarding an amendment to the City's Code of Ordinances Part I, Chapter 24 Signs and Advertising and Part II, Chapters 101 Buildings and Construction, 103 Environmental Protection and Control, and 107 Zoning related to aligning the City's codes with the recommendations in the City's Comprehensive Plan for the commercial corridor and other matters in connection therewith

*Mayor Gavin Massingill called up item 3 to be discussed in conjunction with this item.*

Gene Feit, 5100 Rollingwood Drive, explained that he addressed the Planning and Zoning Commission at their meeting to express the intent to rezone his property to residential. He explained the history of the property and that it has been treated as a residential property.

The City Council and Mr. Feit discussed the history of the property, the zoning of the property, and the commercial zone height limit.

Mayor Gavin Massingill asked what the process for this rezoning would be, and City Attorney Charles Zech explained the noticing process.

The Mayor and Council and City Attorney Charles Zech discussed the process for city initiated rezoning, the motion by the Planning and Zoning Commission to initiate the rezoning of the property.

City Attorney Charles Zech and staff agreed that staff could move forward with city initiated rezoning of this property and Mayor Gavin Massingill stated that there was nothing more that Mr. Feit needed to do for this process to begin.

Mayor Gavin Massingill recognized Council Member Brown to introduce items 2 and 3.

Council Member Brown explained that the Planning and Zoning Commission recommended approval of the text amendment with a small change, and that the zoning map and dark sky resolution were also here for discussion tonight. She explained that any changes requested tonight could be incorporated into the document and brought back at the meeting next week for adoption.

Council Member Brown walked through the proposed “Exhibit A” to see if the City Council had any proposed changes or corrections they would like made.

Council Member Brown introduced pages 1-8, the miscellaneous sections. There were no changes on pages 1-8.

Council Member Brown introduced pages 8-16, the sign ordinance.

The City Council discussed page 9, (c)(1)(a) and no changes were made.

Mayor Gavin Massingill asked whether the intent was to include drawings in the code and explained that he generally didn’t agree with having depictions in the code because they were difficult to amend. He and the City Council discussed how these should be incorporated.

Mayor Pro Tem Sara Hutson asked how the banner sign restrictions on page 15, (b)(2) would be enforced and Bryce Cox, with DNRBSZ, discussed the intent of this section, which is so that banner signs weren’t used to subvert permanent sign requirements.

Council Member Alec Robinson asked generally if these sign requirements would apply to existing properties and Council Member Brown and Bryce Cox explained that as signs are changed out they will need to be brought into compliance.

Council Member Brown introduced pages 17-20, site plan requirements. There were no changes to these pages.

Council Member Brown introduced page 20, where the zoning sections begin, and driveways which begin on page 21.

The City Council and Bryce Cox discussed the proposed driveway section, requirements of joint use and cross lot access in the driveway section, and access to properties.

Council Member Brown and Bryce Cox further discussed the cross access requirements.

Council Member Brown introduced pages 22-25, lighting regulations, and described the intent of the lighting regulations. She explained the major requirement of lights to be shielded and explained that these requirements would not apply to existing fixtures, only new ones. She also discussed Planning and Zoning Commission member Jerry Fleming's proposed changes to the lighting ordinance.

The City Council and Bryce Cox discussed some of the current language regarding lighting requirements at service stations, and the foot candle measurement.

Council Member Brook Brown stated some research would be brought back regarding the foot candle measurement.

The City Council and Bryce Cox discussed the hours of operations that apply to service stations.

City Administrator Ashley Wayman and Bryce Cox further discussed some of the proposed changes by Mr. Fleming and staff recommendation regarding these proposed changes.

Bryce Cox stated that staff would get more information regarding the 25,000 to 100,000 lumens and Council Member Brown stated that she would ask Mr. Fleming why he made this recommendation.

Council Member Brook Brown introduced pages 26-29, beginning specific zoning changes. She explained the impervious cover increase covered on page 27, the section dealing with building setbacks.

The City Council discussed the depths of the right-of-way on Bee Cave Road, the landscape buffer requirements.

Council Member Glasheen discussed instances where property lines go into the middle of the street and Bryce Cox discussed his experience with TXDOT and how these regulations will apply.

The City Council further discussed the right of way needs and requirements for the TXDOT project on Bee Cave Road.

Bryce Cox stated that staff would bring back information about TXDOT right of way widths.

The City Council and Bryce Cox further discussed development on Bee Cave Road, TXDOT right of way, and the impact of bringing buildings closer to the road.

Bryce Cox discussed what information could be brought back.

Council Member Brook Brown introduced pages 29-31, buffers, and described the provisions of these sections. There were no comments on these pages.

Council Member Brook Brown introduced page 31, dealing with parking.

Bryce Cox explained that the task force was okay with removing all parking requirements. He also discussed the current proposal that softens parking requirements.

The City Council and Bryce Cox discussed parking requirements and whether to lower them, as the proposed draft does, or to eliminate them, as was a suggestion of the task force. For the purposes of bringing back a draft at the next meeting, the City Council was in general agreement to leave the parking requirements as proposed.

Council Member Brook Brown described the provision regarding outdoor dining on page 32.

Council Member Brook Brown introduced the impervious cover section on pages 33 and 34, and described the provisions as proposed.

The Mayor and City Council discussed the impervious cover section and provisions related to stormwater runoff volume or rate of flow.

Council Member Brown introduced the compatibility standards section beginning on page 34, which includes screening, roof design and landscape buffers. She discussed the provisions of this section. No changes were proposed to this section.

Council Member Brown introduced the uses sections beginning on page 36. She explained that anything that could have been done in C-1 or C-2 was combined and included in the permitted uses section for C.

The City Council discussed the uses allowed in the proposed C district. The City Council discussed the uses listed in this district and provided direction to add in an allowance for a gym or fitness center, to bring “camera or photography supply stores” and “art and photography studios” from special uses to permitted uses, and to remove “veterinarian services” from the prohibited uses.

Council Member Brown introduced the tree canopy management section beginning on page 39, explaining that this will be moved to a section where it can apply to all zoning districts other than residential and will be retitled appropriately. She explained that this change will more closely align with the recommendation from the Comprehensive Plan.

Council Member Brown discussed the tree protections provided for in this section based on the size of a tree.

The Mayor and City Council discussed the provisions in this section, whether there was an allowance for moving heritage trees, how removal could occur for different types of trees and the conditions in existing lots in Rollingwood. They also discussed the regulations in neighboring cities.

Council Member Brook Brown discussed the remaining miscellaneous sections. She highlighted pages 44-46, removing the prior C-1 uses because they were changed to C, page 47, parking adjustment for storage and warehouse areas, page 48, maintaining the existing landscape requirements for zones other than residential and commercial, and page 49, the prohibition on clearing of vegetation in the FEMA Floodplain. She also discussed other areas where sections were amended to be consistent with the new zoning designations.

Council Member Brook Brown discussed the miscellaneous changes on pages 50-53 and the enforcement provisions on page 54. She also discussed the new special exception provision on page 55 and discussed how this relates to the recommendation in the Comprehensive Plan.

Mayor Gavin Massingill requested to move forward with removing the depictions from this code and placing them in a Commercial Lighting and Signage Manual and the City Council was in general agreement.

Council Member Brook Brown asked if everyone was okay with the zoning map. The City Council discussed the tail near the church that appears to be unzoned on the map, and Mayor Gavin Massingill stated that staff would go back and look at why this was presented that way.

Council Member Brook Brown stated that the next step will be to bring these back with the changes discussed today and that it could be adopted next week in ordinance form.

3. Discussion and possible action regarding the rezoning of the following parcels of land from Professional and Business Office District (C-1) and Business District (C-2) to Commercial District (C): 5100 Rollingwood Dr.; 2901 Bee Cave Rd.; 3160 Bee Cave Rd.; 3144 Bee Cave Rd.; 3102 Bee Cave Rd.; 2900 Bee Cave Rd.; 3103 Bee Cave Rd.; 2826 Bee Cave Rd.; 3101 Bee Cave Rd.; 2829 Bee Cave Rd.; 1015 Bee Cave Woods Dr.; 2824 Bee Cave Rd.; 3012 Bee Cave Rd.; 2814 Bee Cave Rd.; 3010 Bee Cave Rd.; 2808 Bee Cave Rd.; 3008 Bee Cave Rd.; 2802 Bee Cave Rd.; 3001 Bee Cave Rd.; 2800 Bee Cave Rd.; 3006 Bee Cave Rd.; 2724 Bee Cave Rd.; 2720 Bee Cave Rd.; 2714 Bee Cave Rd.; 2712 Bee Cave Rd.; 2710 Bee Cave Rd.; 2708 Bee Cave Rd.; 2706 Bee Cave Rd.; 2700 Bee Cave Rd.; Travis County Appraisal District Property ID #'s 721173 and 105621

*This item was discussed in conjunction with item 2.*

4. Discussion and possible action on a resolution affirming the City's intent to become certified as a Dark Sky Community by the International Dark Sky Association as part of the International Dark Sky Places Program

Bryce Cox discussed the requirement for the proposed resolution to be approved for the city to regulate lighting.

Mayor Gavin Massingill discussed that this allows the Council to move forward with this proposed amendment but that there would need to be much more public input before considering becoming a Dark Sky Community.

**Council Member Brook Brown moved to adopt the resolution for intent to become a Dark Sky community. Mayor Pro Tem Sara Hudson seconded the motion. The motion carried with 5 in favor and 0 against.**

5. Discussion and possible action to authorize the Mayor in coordination with the MoPac South Expansion Task Force to determine acceptable project evaluation criteria for the City of Rollingwood and communicate those criteria to CTRMA and others and report back to the City Council

Mayor Gavin Massingill discussed that the City's comments on the MoPac South project from letters past will need to be molded into suggested criteria to be considered by CTRMA. He

discussed the ongoing Technical Working Group meetings and that it is important for us to be able to communicate the city's suggested criteria in those meetings. He explained that he and staff would work with Amy Pattillo and her history and understanding of this project.

Council Member Sara Hutson asked for the complete list of criteria currently being considered and Mayor Gavin Massingill discussed the kind of amendments that we would be asking to be made to this criteria. He explained how this information has been communicated to the Task Force and that staff would be sure to send that criteria to Council.

City Administrator Ashley Wayman stated that she would work on making necessary updates to the city's MoPac South webpage.

**Council Member Phil McDuffee moved to give Mayor Gavin Massingill authority to work with the Task Force on evaluation criteria. Council Member Kevin Glasheen seconded the motion. The motion carried with 5 in favor and 0 against.**

**ADJOURNMENT OF MEETING**

Mayor Gavin Massingill adjourned the meeting at 8:29 p.m.

Minutes Adopted on the 12<sup>th</sup> day of June, 2024.



Gavin Massingill, Mayor

ATTEST:



Desiree Adair, City Secretary