



**MINUTES OF THE
TOWN OF WESTLAKE, TEXAS
TOWN COUNCIL MEETING**

January 25, 2016

PRESENT: Mayor Laura Wheat, Council Members, Michael Barrett, Alesa Belvedere, Carol Langdon, Rick Rennhack and Wayne Stoltenberg.

ABSENT:

OTHERS PRESENT: Town Manager Thomas Brymer, Town Secretary Kelly Edwards, Town Attorneys Stan Lowry and Cathy Cunningham, Fire Chief Richard Whitten, Director of Public Works Jarrod Greenwood, Finance Director Debbie Piper, Planning and Development Director Eddie Edwards, Director of Human Resources & Administrative Services Todd Wood, Director of Facilities and Parks & Recreation Troy Meyer, Director of Information Technology Jason Power, Communications Specialist Susan McFarland and Intern Joel Enders.

Work Session

1. CALL TO ORDER

Mayor Wheat called the work session to order at 5:28 p.m.

2. PLEDGE OF ALLEGIANCE

Mayor Wheat led the pledge of allegiance to the United States and Texas flags.

3. REVIEW OF CONSENT AGENDA ITEMS FOR THE TOWN COUNCIL REGULAR MEETING AGENDA.

Town Secretary Edwards provided an overview of the Early Voting times provided by Denton County as listed in the ordinance.

Mayor Wheat asked for clarification regarding the Interlocal Agreement with the City of Frisco for purchasing.

4. REPORTS

- a. Report of Quarterly Financial Dashboard and Analysis as well as Capital Projects for the Quarter ended December 31, 2015.

5. DISCUSSION ITEMS

- a. Presentation and Discussion Regarding Status of Developing a Transfer of Development Square Footage Ordinance.

Town Manager Brymer provided an overview of the item.

Mr. Robin McCaffrey, Mesa Planning, provided a presentation and overview of the proposed ordinance.

Discussion ensued regarding the implementation timeframe, collecting additional property data, meetings with property owners, density, and previous development negotiations.

- b. **Standing Item:** Update and discussion regarding the Granada Development, including items posted on the regular session agenda.
- c. **Standing Item:** Update and discussion regarding the Entrada Development, including items posted on the regular session agenda.

Town Manager Brymer provided an update regarding the installation of infrastructure in Phase I.

Director Edwards provided architect renderings of the Commercial Corner.

Discussion ensued regarding the Northwest 'Commercial Corner', the area proposed for restaurants, bell tower location, gas well pad site, off-site sewer, commercial to residential development ratio, and a construction schedule.

6. EXECUTIVE SESSION

The Council convened into executive session at 6:16 p.m.

The Council will conduct a closed session pursuant to Texas Government Code, annotated, Chapter 551, Subchapter D for the following:

- a. Sec. 551.071. Consultation with Attorney (2) on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter: Ordinance 691
- b. Section 551.087 Deliberation Regarding Economic Development Negotiations (1) to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or (2) to deliberate the offer of a financial or other incentive to a business prospect described by Subdivision (1). Maguire Partners-Solana Land, L.P., related to Centurion's development known as Entrada and Granada
- c. Section 551.087 Deliberation Regarding Economic Development Negotiations (1) to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or (2) to deliberate the offer of a financial or other incentive to a business prospect described by Subdivision (1). Hillwood Properties: Project Blizzard
- d. Section 551.087 Deliberation Regarding Economic Development Negotiations (1) to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or (2) to deliberate the offer of a financial or other incentive to a business prospect described by Subdivision (1). Project Lynx
- e. Section 551.072 to deliberate the purchase, exchange, lease of value of real property regarding Town Hall offices
- f. Section 551.072 to deliberate the purchase, exchange, lease, or value of real property regarding possible fire station sites

7. RECONVENE MEETING

Mayor Wheat reconvened the meeting at 7:16 p.m.

8. COUNCIL RECAP / STAFF DIRECTION

No additional discussion.

9. ADJOURNMENT

Mayor Wheat adjourned the work session at 7:16 p.m.

Regular Session

1. CALL TO ORDER

Mayor called the regular session to order at 7:16 p.m.

2. ITEMS OF COMMUNITY INTEREST

Fire Department Badge Pinning Ceremony – Marcus Lopez. Chief Whitten stated this item would be postponed until the February meeting.

3. CITIZEN COMMENTS

No one addressed the Council.

4. CONSENT AGENDA

- a. Consider approval of the minutes from the December 14, 2015, meeting.
- b. Consider approval of **Ordinance 764**, Calling the May 7, 2016, General Election to elect a Mayor and two Council Members for two (2) year terms.
- c. Consider approval of **Resolution 16-01**, Approving an Interlocal Agreement with the City of Frisco for Fire Department Purchasing.
- d. Consider approval of **Resolution 16-02**, Authorizing the Town Manager to execute a contract with RJN, Inc. in the amount of \$39,271.00 for flow monitoring of sanitary sewer lines.

MOTION: Council Member Rennhack made a motion to approve the consent agenda. Council Member Langdon seconded the motion. The motion carried by a vote of 5-0.

Mayor Wheat moved to item 10 of the agenda.

5. EXECUTIVE SESSION

The Council convened into executive session at 8:57 p.m.

The Council will conduct a closed session pursuant to Texas Government Code, annotated, Chapter 551, Subchapter D for the following:

- a. Sec. 551.071. Consultation with Attorney (2) on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter: Ordinance 691
- b. Section 551.087 Deliberation Regarding Economic Development Negotiations (1) to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or (2) to deliberate the offer of a financial or other incentive to a business prospect described by Subdivision (1). Maguire Partners-Solana Land, L.P., related to Centurion's development known as Entrada and Granada
- c. Section 551.087 Deliberation Regarding Economic Development Negotiations (1) to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or (2) to deliberate the offer of a financial or other incentive to a business prospect described by Subdivision (1). Hillwood Properties: Project Blizzard
- d. Section 551.087 Deliberation Regarding Economic Development Negotiations (1) to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or (2) to deliberate the offer of a financial or other incentive to a business prospect described by Subdivision (1). Project Lynx
- e. Section 551.072 to deliberate the purchase, exchange, lease of value of real property regarding Town Hall offices
- f. Section 551.072 to deliberate the purchase, exchange, lease, or value of real property regarding possible fire station sites

6. RECONVENE MEETING

Mayor Wheat reconvened the meeting at 9:40 p.m.

7. TAKE ANY ACTION, IF NEEDED, FROM EXECUTIVE SESSION ITEMS.

The Council took no action.

8. CONDUCT A PUBLIC HEARING AND CONSIDERATION OF ORDINANCE 765, APPROVING A ZONING CHANGE FROM NON-ZONED TO R-5 "COUNTRY RESIDENTIAL DISTRICT" FOR TWO NEWLY ANNEXED TRACTS OF LAND COMMONLY KNOWN AS 2205 AND 2217 PEARSON LANE, 5.28 ACRES IN TOTAL FROM NON-ZONED TO R-5 "ESTATE RESIDENTIAL" FOR TWO NEWLY ANNEXED

TRACTS OF LAND COMMONLY KNOWN AS 2205 AND 2217 N. PEARSON LANE, WESTLAKE TEXAS.

Management Intern Enders provided a presentation and overview of the item and proposed property use.

Mayor Wheat opened the public hearing.

No one addressed the Council.

Mayor Wheat closed the public hearing.

MOTION: Council Member Rennhack made a motion to approve **Ordinance 765**. Council Member Langdon seconded the motion. The motion carried by a vote of 5-0.

9. CONDUCT A PUBLIC HEARING AND CONSIDERATION ORDINANCE 766, APPROVING SPECIFIC USE PERMIT TO ALLOW THE SALE OF BEER, LIQUOR, AND WINE PACKAGE SALES AT THE CVS PHARMACY STORE TO BE LOCATED AT 35 ARTA DRIVE, BEING LOT 3, BLOCK N, OF THE WESTLAKE ENTRADA SUBDIVISION.

Director Edwards provided a presentation and overview of the item and proposed property use.

Discussion ensued regarding the ability to purchase alcohol from other CVS locations.

Mayor Wheat opened the public hearing.

No one addressed the Council.

Mayor Wheat closed the public hearing.

MOTION: Council Member Rennhack made a motion to approve **Ordinance 766**. Council Member Barrett seconded the motion. The motion carried by a vote of 5-0.

Mayor Wheat moved to item 5 of the agenda.

10. CONDUCT A PUBLIC HEARING AND CONSIDERATION ORDINANCE 767, AMENDING ORDINANCE 691, THE ORDINANCE THAT AMENDED THE PD1 PLANNED DEVELOPMENT ZONING DISTRICT, CREATING AND REGULATING PD 1-1 PLANNING AREA. THE PROPERTY IS PARTIALLY DEVELOPED AND INCLUDES MULTIPLE PARCELS OF LAND INCLUDING THE PROPERTY COMMONLY KNOWN AS SOLANA. THE PROPERTY IS GENERALLY LOCATED SOUTH OF HWY 114 EXTENDING FROM DAVIS BLVD. EASTWARD TO THE TOWN

BORDER, AND IS BOUNDED BY THE GRANADA SUBDIVISION TO THE WEST, AND GLENWYCK FARMS, CARLYLE, AND TERRA BELLA SUBDIVISIONS TO THE SOUTH. THIS IS A TOWN INITIATED AMENDMENT AND THE PROPOSED AMENDMENTS ARE LIMITED TO THE DEVELOPMENT REGULATIONS AND DO NOT CHANGE THE PERMITTED USES OR ALLOWED DENSITY WITHIN THE DEVELOPMENT.

Director Edwards provided a presentation and overview of the item and proposed property use.

Discussion ensued regarding the comp plan, buildable area restoring the 500 foot setback as set in the 1992 ordinance, tree preservation ordinance, and entitlements reinstated as it was prior to the error.

Mayor Wheat opened the public hearing.

Brian Driesse, 2311 Cedar Springs Road, Ste. 300, Dallas, Equity Office, spoke in opposition.

Neal McNabney, 1815 Broken Bend Drive, spoke in favor of correcting the typographical error and stated that he believes the intent for the property was to be a buffer or greenspace.

Michael Grandfield, 1827 Broken Bend Drive, spoke in favor of correcting the typographical error and restoring what he believes is a greenbelt.

Baiju Jacob, 1801 Copperfield Court, spoke in favor to retain the verbiage and to be consistent with the Town's vision.

Yair Lotan, 1809 Broken Bend Drive, spoke in favor of correcting the typographical error, stating that he was told by Realtor it was a greenspace/buffer.

Roberto Arandia, 1819 Broken Bend Drive, spoke in favor of correcting the typographical error stating that he was told that there would be a greenspace behind his home.

Biswajit Dasgupta, 1811 Broken Bend Drive, spoke in favor of correcting the typographical error and commented on the lack of privacy should the property be developed.

Pat Cockrum, 1825 Broken Ben Drive, spoke in favor of correcting the typographical error, thanked the Council and that he believes it was greenspace.

Ken Kraska, 1812 Broken Bend Drive, spoke in favor of correcting the typographical error providing clarity for residents and stated that he believes this to be open greenspace.

Colin Stevenson, 1823 Broken Bend Drive, spoke in favor of correcting the typographical error but believes that the property to be a greenbelt and spoke about the lot coverage ratio regarding PD1-1.

Mayor Wheat closed the public hearing.

Mayor Wheat recessed the meeting 8:18 p.m.

Mayor Wheat reconvened the meeting at 8:35 p.m.

Attorney Cunningham clarified that there was no change to the 10% maximum building footprint rule.

Discussion ensued regarding the intent for the property based on the Comprehensive Plan.

Town Manager Brymer stated that staff recommends bifurcating the zoning case by taking action on the 500 foot setback adjacent to Glenwyck and Terra Bella and continuing the discussion regarding the setbacks of Granada until the February 22, 2016, meeting allowing time for additional discussions.

MOTION: Council Member Langdon made a motion to separate this case in regard to the property adjacent to Glenwyck Farms and Terra Bella in PD 1-1 and property adjacent to Granada and Entrada: 1) First, that we amend ordinance 691, to clarify and establish that there is a 500 foot building setback for principal and accessory buildings for the southern area of PD 1-1 adjacent to residential property near or adjoining Glenwyck Farms and Terra Bella; and 2) Second, that we re-open and continue the public hearing as it relates to setbacks in PD 1-1 adjacent to Granada and Entrada to the Town Council meeting on February 22, 2016, in order to allow for continued discussions for those areas near Granada and Entrada. Council Member Stoltenberg seconded the motion approving and amending **Ordinance 767**. The motion carried by a vote of 5-0.

Mayor Wheat moved to items 8 and 9 of the agenda.

11. FUTURE AGENDA ITEMS

Council Member Rennhack - Discuss public/private partnership to attract retail, restaurants etc. to Entrada and other Westlake developments.

Council Member Langdon seconded the request.

Council Member Langdon – Discuss pet registrations and pet safety.

Council Member Stoltenberg seconded the request.

12. ADJOURNMENT

There being no further business before the Council, Mayor Wheat asked for a motion to adjourn the meeting.

MOTION: Council Member Rennhack made a motion to adjourn the meeting. Council Member Langdon seconded the motion. The motion carried by a vote of 5-0.

Mayor Wheat adjourned the meeting at 9:41 p.m.

APPROVED BY THE TOWN COUNCIL ON FEBRUARY 22, 2016.

ATTEST:



Laura Wheat, Mayor



Kelly Edwards, Town Secretary