



**City of Lucas
City Council Meeting
April 16, 2020
Video Conference Meeting
7:00 P.M.**

City Hall - 665 Country Club Road – Lucas Texas

MINUTES

Call to Order

Mayor Olk called the video conference meeting to order at 7:00 p.m.

City Councilmembers Present:

Mayor Jim Olk
Mayor Pro Tem Kathleen Peele
Councilmember Wayne Millsap
Councilmember Tim Baney
Councilmember Steve Duke
Councilmember Philip Lawrence
Councilmember Debbie Fisher

City Staff Present:

City Manager Joni Clarke
City Secretary Stacy Henderson
Development Services Director Joe Hilbourn
City Engineer Stanton Foerster

Mayor Olk determined that a quorum was present. Everyone was reminded to silence their cell phones and the Pledge of Allegiance was recited.

This meeting was conducted via video conference.

Citizen Input

1. Citizen Input.

There was no citizen comment at this meeting.

Community Interest

2. Items of Community Interest.

Mayor Olk explained that the City was still under a Declaration of Public Health Emergency and outlined the Declaration rules in place. He also noted that City Council and Planning and Zoning meetings were being held via Ring Central webinar during the declaration of public health emergency, and the City had also postponed the May 2, 2020 election until November 3, 2020.

Consent Agenda

3. Consent Agenda:

- A. Approval of the minutes of the March 26, 2020 City Council meeting.

B. Approval of the minutes of the April 2, 2020 City Council meeting.

MOTION: A motion was made by Councilmember Millsap, seconded by Councilmember Lawrence to approve the Consent Agenda as presented. The motion passed unanimously by a 7 to 0 vote.

Public Hearing Agenda

4A. Public hearing to consider adopting Ordinance 2020-04-00908 approving a specific use permit submitted by property owner Bill Shipley on behalf of Home Run Alley for indoor batting cages and an outdoor baseball infield for practice facilities on a 3.08 acre tract of land in the William Snider Survey, Abstract Number 821, situated in the City of Lucas, Collin County, Texas.

Development Services Director Joe Hilbourn gave a presentation discussing details of the specific use permit. He noted that Home Run Alley was proposing a 15,950 square foot indoor batting cage facility with an area for outdoor batting cages, and an outdoor infield for practice. Mr. Hilbourn stated that the building was located north of the storage facility and east of the pet hospital on Angel Parkway. Mr. Hilbourn stated that the Planning and Zoning Commission approved the specific use permit by a 4 to 1 vote with the following conditions:

- Infield area to be used for defensive practice only, no live batters on the infield
- Chain link fence, six feet in height, to be placed on the north, south and west sides of the property with limited access gates
- No infield lighting allowed without amending the specific use permit
- Hours of operation from 6 am to 10 pm
- 40" wainscot of stone around the perimeter of the building.

Mayor Pro Tem Peele expressed her concern with the potential for inadequate parking, and customers using Allison Lane to enter the property from the back in order to reach the practice field.

Mr. Hilbourn stated that there was a masonry wall between the Allison Lane and the property, and the roadway ends with the building so no vehicular traffic would be available on Allison Lane.

The Council discussed how the batting cages and infield area were available by reservations only, and therefore, a limited number of vehicles would be on site.

The Council discussed fencing recommended around the site, the definition of live batter, and noise levels from the outdoor batting cages and the infield practice area.

Mr. Hilbourn noted that two batting cages were proposed and were located away from the residential area closer to the building and Angel Parkway.

Matt Moore with Clay Moore Engineering stated that the building was secluded and not visible from the roadway. The field was positioned in its current location to allow the facility to grow. Mr. Moore stated that there was a detention pond to mitigate stormwater drainage and create a buffer between the facility and the residential neighborhood. Mr. Moore stated that the building was designed so

that anyone renting a batting cage or the practice facility would have to enter the building from the front and check in first.

Councilmember Fisher expressed her concern with the outdoor activities located near a residential area and asked if the applicant would consider a higher fence or repositioning the building.

Mr. Moore stated that he would consider a higher fence, and that the way drainage flows on the property, all drainage flows towards the back corner of the property which is where the detention pond is located. Mr. Moore stated that if the building were to be repositioned, it would interrupt the natural flow and hinder drainage in the area.

Councilmember Lawrence asked the distance from home plate to the nearest residence.

Mr. Moore stated approximately 350 feet. Mr. Moore also discussed how the batting cages would have interior netting to help absorb some of the sound from the bat and balls hitting the cage.

The Council discussed batting on the infield area, noting that only coaches should be allowed to hit balls to team members and team members would not be holding batting practice. The Council also discussed using a wooden bat rather than an aluminum bat on the infield area to cut back on noise.

Mayor Olk opened the public hearing at 7:36 pm.

Russell Menche, 435 Pennington, asked to speak via video conference. He stated that he was opposed to the request as it would create a noise nuisance and the hours of operation being open until 10 pm with the outdoor batting cages was also a concern.

Mayor Olk read the following emails received in opposition to the request noting that the outdoor batting cages would create noise, additional traffic, and lighting for the facility that would be intrusive to the surrounding neighborhood.

- Stacy and Steve Geipe, 420 Pennington
- Erika Busey, 425 Pennington
- Karen and Terry Denham, 2085 Claremont
- Ken Judd, President of Foxglen Homeowners Association
- Julie Judd, 445 Pennington
- Marc Keller

Mr. Moore clarified several items such as the detention pond being located on the inside the fenced area, there would be no stadium lighting on the infield area, the only lighting proposed was security lighting on the building, and they were in compliance with the dark sky ordinance. Mr. Moore also noted that there would be no access to the site from Allison Lane.

Mr. Mulholland, property owner of Home Run Alley stated that the infield practice area would be used for defensive practices only, no batting practice would take place and he would provide wooden bats for the coaches to use if the Council wanted to make that a condition of the specific use permit. Mr. Mulholland stated that the outdoor batting cages would be coach pitch behind a net, no pitching machines would be located within the batting cage area. During the school year, the outdoor area would only be open from 3 pm to 9 pm.

There being no one else wanting to speak, Mayor Olk closed the public hearing at 8 pm.

Councilmember Lawrence discussed his experience with batting cage facilities during his time coaching and noted that with the outdoor batting cages using coach pitch would not be as busy and would be more of a controlled environment.

MOTION: A motion was made by Mayor Olk, seconded by Councilmember Lawrence to adopt Ordinance 2020-04-00908 approving the specific use permit submitted by Home Run Alley for indoor batting cages and an outdoor baseball infield for practice facilities on a 3.08 acre tract of land in the William Snider Survey, Abstract Number 821, in the City of Lucas with the following conditions outlined below. The motion passed by a 6 to 1 vote with Councilmember Fisher voting in opposition.

1. The property shall be developed in accordance with the site plan attached as Exhibit "B" and made a part hereof for all purposes.
2. Hours of operation shall be as follows:
 - a. For the indoor facility from 6:00 a.m. to 10:00 p.m.
 - b. Outside batting cages from 9 a.m. to 8 p.m. or sundown.
 - c. Infield practice area from 9 a.m. to 8 p.m. or sundown.
3. The infield shall be for defensive practice only. Live batters, batting practice and metal bats shall not be allowed in the infield.
4. Outdoor lighting for the infield practice area and batting cages shall not be permitted. No lighting glare, via a bulb lens or luminaire shall be visible from Allison Lane right of way.
5. A 6-foot (6') chain link fence located on the north, south and west side with limited gate access shall be required for safety and security purposes.

4B. Public hearing to consider adopting Ordinance 2020-04-00909 approving a specific use permit submitted by the property owner Walmart Real Estate on behalf of Ladera Properties for a 11,838 square foot tenant building to include a drive through window and outdoor dining area on a 1.426 acre tract of land in the William Snider Survey, Abstract Number 821, situated in the City of Lucas, Collin County, Texas, otherwise known as 2650 West Lucas Road, Lot 4, Block A of the Walmart Addition.

Development Services Director Joe Hilbourn gave a presentation explaining aspects of the specific use permit request. Mr. Hilbourn noted that the request included a 11,838 square foot tenant building with a drive through window and outdoor dining area. The Planning and Zoning Commission approved the specific use permit with the condition that the dining area on the west end of the building did not encroach into the required five-foot sidewalk area.

Mayor Olk asked if signage was included on the north elevation of the building. Mr. Hilbourn stated that signage was not included on that elevation at this time but may change when the site plan is brought forward for approval.

Mayor Olk opened the public hearing at 8:25 pm, there being no one wishing to speak, the public hearing was closed.

Councilmember Fisher asked if music would be playing from the building. Mr. Hilbourn responded that he was unaware if any music would be playing from the building, but the City does have a noise ordinance in place to maintain music at appropriate levels.

MOTION: A motion was made by Councilmember Millsap, seconded by Councilmember Duke to adopt Ordinance 2020-04-00909 approving a specific use permit by Ladera Properties for a 11,838 square foot tenant building to include a drive through window and outdoor dining area on a 1.426 acre tract of land in the William Snider Survey, Abstract Number 821 located at 2650 West Lucas Road with the condition the dining area on the west end of the building did not encroach into the required five-foot sidewalk area. The motion passed unanimously by a 7 to 0 vote.

Regular Agenda

5. **Consider an application for a preliminary plat submitted by the property owner Bill Shipley on behalf of Home Run Alley for use as indoor batting cages and an outdoor baseball infield for practice facilities on a 3.08 acre tract of land in the William Snider Survey, Abstract Number 821, situated in the City of Lucas, Collin County, Texas.**

Development Services Director Joe Hilbourn gave a presentation explaining the preliminary plat had no road frontage, the property would be accessed through a fire lane between Lucas Plaza Phase 1 and Phase 2. The lot exceeded the minimum size lot in the district of 30,000 square feet, and provides easements for drainage, utilities and stormwater detention. Mr. Hilbourn stated that the plat meets all City's requirements and was approved by the Planning and Zoning Commission.

MOTION: A motion was made by Councilmember Millsap, seconded by Councilmember Lawrence to approve the preliminary plat for Home Run Alley for an indoor batting cage and outdoor baseball infield for practice facilities on a 3.08 acre tract of land in the William Snider Survey, Abstract Number 821, situated in the City of Lucas. The motion passed unanimously by a 7 to 0 vote.

6. **Consider an application for a site plan, landscape plan, and elevations submitted by the property owner Bill Shipley on behalf of Home Run Alley for use as indoor batting cages and an outdoor baseball infield for practice facilities on a 3.08 acre tract of land in the William Snider Survey, Abstract Number 821, situated in the City of Lucas, Collin County, Texas.**

Development Services Director Joe Hilbourn reviewed aspects of the site plan that included the following:

- Twenty-seven (27) parking spaces
- Adequate stormwater runoff detention, minimal impervious cover, and complies with the City's site plan requirements, including lighting
- 100,431 square feet of landscape provided
- 627 square feet of parking lot coverage provided or 7.5 percent

- Perimeter parking lot requirements of one tree and eight shrubs for every 20 lineal feet of perimeter edge, and 150 lineal feet of parking lot perimeter requires eight shade trees and 64 shrubs. Landscaping was moved from the west side of the property to the east side to help with buffering
- Building materials proposed comply with the requirements in the 2015 International Building Code

Councilmember Fisher reiterated her concerns about the number of parking spaces provided and believed there may not be enough to support the use of the facility.

MOTION: A motion was made by Councilmember Millsap, seconded by Councilmember Lawrence to approve the site plan, landscape plan, and elevations submitted by Home Run Alley for indoor batting cages and an outdoor baseball infield for practice facilities on a 3.08 acre tract of land in the William Snider Survey, Abstract Number 821, situated in the City of Lucas. The motion passed unanimously by a 7 to 0 vote.

7. **Consider an application for a site plan, landscape plan, and elevations submitted by property owner Walmart Real Estate on behalf of Ladera Properties consisting of an 11,838 square foot tenant occupied restaurant, which will include a drive-through window and an outdoor dining space on a 1.426 acre tract of land in the William Snider Survey, Abstract Number 821, situated in the City of Lucas, Collin County, Texas, otherwise known as 2650 West Lucas Road, Lot 4, Block A of the Walmart Addition.**

Mr. Hilbourn asked that this item be withdrawn and placed on a future agenda as the applicant was not ready to move forward with the site plan at this time.

No action was taken on this item, it was withdrawn.

8. **Consider transferring funds from FY 19/20 in the amount of \$85,000 from account 11-8210-420 Public Works Equipment to account 11-8210-421 Public Works Vehicles in the amount of \$45,000 and account 11-8209-421 Engineering Vehicles in the amount of \$40,000 to purchase one truck for the Engineering and one truck for Public Works.**

Mr. Hilbourn explained that staff was requesting to purchase two trucks scheduled for replacement in FY 2020-2021 as part of the vehicle replacement schedule, one truck for Engineering and one truck for Public Works using funds originally budgeted for the purchase of the Gradall equipment that was no longer needed as this work was being contracted out.

MOTION: A motion was made by Councilmember Baney, seconded by Councilmember Fisher to approve transferring funds from FY 19/20 in the amount of \$85,000 from account 11-8210-420 Public Works Equipment to account 11-8210-421 Public Works Vehicles in the amount of \$45,000 and account 11-8209-421 Engineering Vehicles in the amount of \$40,000 to purchase one truck for the Engineering and one truck for Public Works. The motion passed unanimously by a 7 to 0 vote.

9. **Consider adopting Ordinance 2020-04-00910 continuing the Declaration of Local Disaster for Public Health Emergency for the City of Lucas issued March 26, 2020.**

Mayor Olk noted that the difference between the Resolution previously adopted to the proposed ordinance was giving authority to the Mayor to discontinue the declaration rather than having to bring back to the City Council. The same restrictions are still in place with the proposed ordinance.

MOTION: A motion was made by Mayor Pro Tem Peele, seconded by Councilmember Fisher to adopt Ordinance 2020-04-00910 continuing the Declaration of Local Disaster of Public Health Emergency for the City of Lucas issued March 26, 2020. The motion passed unanimously by a 7 to 0 vote.

10. Discuss and consider halting the Winningkoff construction project and consider evaluating funding for other projects outlined in the Capital Improvement Plan.

Councilmember Fisher noted that there had been several setbacks with recent road projects on Blondy Jhune and Stinson Road and would like a report of what caused those challenges from staff as well as the Project Management company. Councilmember Fisher noted that before proceeding with other projects, the Council should review the project reports to determine if process changes need to be made. Councilmember Fisher also discussed current funding dedicated to the Winningkoff Road project totaling \$1.9 million and questioned if there would be adequate funding available to construct the Stinson Road bridge as well. Councilmember Fisher suggested reviewing the CIP timeline to consider reprioritization of scheduled roadway projects.

Ms. Fisher confirmed with the City Engineer that when reviewing contracts, the amount of days referenced pertained to calendar days and not workdays, and that rain days could be added to the contract at the discretion of the City.

Mr. Foerster also clarified that delays associated with the Stinson Road project were due to utility conflicts related to power poles and gas lines, TxDOT construction delays, maintenance of the two-way operation between Caymen Park and Shiloh, as well as the contractor that had requested additional days be added to the project.

Mayor Pro Tem Peele also expressed concern about moving forward with new projects when the Council didn't fully understand what delays occurred on previous projects and how to keep from occurring again.

Councilmember Fisher stated that she would like to see as part of the report why the elevations on Blondy Jhune were missed until after the project was complete and City staff noticed the elevation change during inspection.

Mayor Olk suggested staff prepare a summary report for Blondy Jhune, Stinson and the Winningkoff reverse curve, that outlined progress on the project and would allow for self-evaluation of what could be improved upon for the next Council meeting. Mayor Olk also asked that an item be prepared for the next meeting regarding CIP projects and their priority such as West Lucas Road, Winningkoff Road and the Stinson bridge.

Chris Meszler, with Lakes Engineering stated that he would have a report ready by the next Council meeting for Stinson Road and Blondy Jhune. The City Engineer could prepare the report for the Winningkoff reverse curve since Lakes Engineering was not part of that project.

There was no formal action taken on this item, only direction to staff.

Executive Session

11. Executive Session.

An Executive Session was not held at this meeting.

12. Reconvene from Executive Session and take any action necessary as a result of the Executive Session.

An Executive Session was not held at this meeting, and no action was taken.

Adjournment

13. Adjournment.

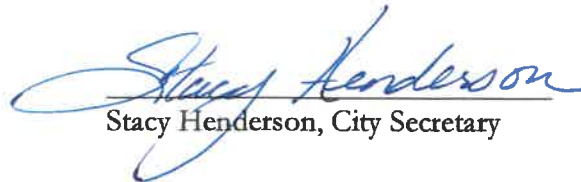
MOTION: A motion was made by Councilmember Millsap, seconded by Mayor Olk to adjourn the meeting at 9:09 pm. The motion passed unanimously by a 7 to 0 vote.

APPROVED:



Mayor Jim Olk

ATTEST:



Stacy Henderson, City Secretary

