

MINUTES OF A STUDY SESSION OF THE TOWN COUNCIL OF THE TOWN OF HIGHLAND PARK, TEXAS, HELD AT THE TOWN HALL, 4700 DREXEL DRIVE, HIGHLAND PARK, TX, 75205, AT 8:09 A.M. ON TUESDAY, MAY 16, 2023.

Mayor Will C. Beecherl, Mayor Pro Tem Craig Penfold, and Town Council Members Lydia Novakov, Don Snell, and Leland White were present at the meeting. Council Member Marc Myers was absent.

Future Agenda Discussion

Review, discuss, and consider referring to the Zoning Commission a request to amend the site plan of Highland Park Shopping Village. Hugh Pender, Director of Development Services, explained that the request is a result of the Ralph Lauren store, previously located in Building E, Suite 58, in the Highland Park Village (“HPV”), relocating to a portion of the former Village Theater in Building C. Christian Dior (“Dior”), located in Building B, Suite 12, leased the vacated Ralph Lauren space (14,944 square feet). Dior intends to include a Dior Café (“Café”) comprising 1,924 square feet with its operations. The Dior lease is slated to be used primarily for designer fashion, with the Café accessible only to Dior customers. The current parking model shows the peak time of a café to be 8:00 a.m. and would require the Café to have 77 spaces based on the square footage of the Café in Dior. Due to the peak time at the HPV being weekdays at 2:00 p.m., the shared parking model only requires an additional 33 spaces for the Café. The 33 spaces for the Café, plus the 20 spaces for the designer fashion component of Dior, totals the proposed increase of 53 spaces for Dior. According to HPV management, another café tenant in Building G, Suite 100-104, will leave the HPV when their lease expires in early 2024. This café tenant currently occupies 2,607 square feet of space, requiring 45 parking spaces in the shared parking model. After the current tenant leaves in early 2024, Suite 100-104 is slated to be released as designer fashion, requiring only five parking spaces. The shared parking model has a deficit of 26 parking spaces when considering all the existing uses and the proposed Dior project. The shared parking model would have a surplus of 62 spaces when considering all the current uses and vehicle stacking by the valet in both the drive aisles of the reconfigured north lot and the underground parking garage. Chief Paul Sandman, Director of the Department of Public Safety, discussed the changes to the north parking lot and vehicle stacking does not violate any regulations; however, it still poses a tactical response concern for ambulances and fire engines when responding to emergencies in that area. After much discussion about parking and the new parking plans, several of the Town Council Members remarked that they could not refer the request to the Zoning Commission without having received the Nelson Nygaard updated Shared Parking Model and the Kimley-Horn HPV Parking Study, to which the Town Council requested the full study and supporting data. Dallas Cothrum, President of Master Plan, agreed to provide the full study and supporting data in a timely manner. Mayor Beecherl and other Council Members noted that according to the executive summary, it did not appear that the Kimley-Horn HPV Parking Study considered the impact of HPV parking on the surrounding residential areas. On a motion made by Mayor Pro Tem Craig Penfold, and seconded by Council Member Don Snell, the Town Council unanimously agreed to table the request until the Town Council receives both the updated Nelson Nygaard Shared Parking Model and the Kimley-Horn HPV Parking Study in its entirety, and adequate time to review the materials. The Mayor also asked the HPV management to go back to Dior to discuss options 1) not including the Café, 2) not opening the Café for another year or two, or 3) moving forward with the proposed plan for Town Council consideration after they have had time to review the Nelson Nygaard Shared Parking Model and the Kimley-Horn HPV Parking Study. Mayor Beecherl asked if there were any questions, to which there were none.

Review and discuss major residential building permit extension fees and time frames. Hugh Pender, Director of Development Services, explained that during the review of a permit application, if a construction schedule indicates that construction cannot be completed within two years, the applicant is required to request the Town Council for an exception to the building permit time limit. Any permit extension authorized by the Town Council requires a permit extension fee of 50% of the original calculated permit fee. During the construction of the project, the Building Official is authorized to approve no more than one 90-day extension of time for construction beyond two years. Any permit extension authorized by the Building Official currently requires a permit extension fee of 25% of the original calculated permit fee. Since 2014, 271 new single-family home permits have been issued, of which 68 were granted permit extensions. Fourteen of those extensions were approved by the Town Council, and 54 were approved by the Building Official. The Town Council previously discussed amending the current percentage of permit extension fees to a system that would provide a rate assessing penalties for staff and Town Council-approved extensions. In response to Council Member Leland White's question, Matthew Boyle, Town Attorney, confirmed that the Town may assess a stop order at the most, and a citation at the least. Issuing stop orders may leave the Town with unfinished lots when the goal is to motivate builders and owners to complete the work within the permitted time period. The Town Council discussed data of extensions within the Town since 2014, and decided it should move forward with the fee structure of \$250/day for staff-approved permit extensions, and \$500/day for Town Council-approved permit extensions, with permit extensions approved by the Town Council that exceed 90-days resulting in a penalty of \$22,500 for the first 90-days and \$500/day thereafter. Hugh Pender stated that he would work with Matthew Boyle to draft an ordinance for Town Council approval. Mayor Beecherl asked if there were any questions, to which there were none.

Review, discuss, and consider the opportunity for a Town Council Member to request an item to be placed on a future Town Council meeting agenda. The Mayor asked if any Town Council Member would like to request an item be placed on a future Town Council study session agenda for discussion or consideration. No item was brought forward for discussion.

Reports

There were no reports given.

CLOSED SESSION

1. In accordance with the Texas Government Code Chapter 551, Subchapter D, Section 551.071 – CONSULTATION WITH ATTORNEY – the Town Council will convene into closed session for consultation with and legal advice from the Town Attorney regarding pending or contemplated litigation: USAI, LP v. Town of Highland Park (Cause No. DC-20-80213).
2. In accordance with the Texas Government Code Chapter 551, Subchapter D, Section 551.074, – PERSONNEL MATTERS – the Town Council will convene into closed session to deliberate the appointment, employment, and duties of the Town Administrator.

Mayor Beecherl recessed the study session at 9:20 a.m.

Mayor Beecherl convened a closed session at 9:20 a.m., pursuant to: (1) In accordance with the Texas Government Code Chapter 551, Subchapter D, Section 551.071 – CONSULTATION WITH ATTORNEY – the Town Council will convene into closed session for consultation with and legal advice from the Town Attorney regarding pending or contemplated litigation: USAI, LP v. Town of Highland Park (Cause No. DC-20-80213); and (2) In accordance with the Texas Government Code Chapter 551, Subchapter D, Section 551.074, – PERSONNEL MATTERS – the Town Council will convene into closed session to deliberate the appointment, employment, and duties of the Town Administrator.

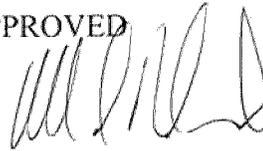
Mayor Beecherl ended the closed session at 9:27 a.m., and reconvened the study session in the open session at 9:27 a.m. No final action, decision, or vote was taken during the closed session. The Council made the following motions:

1. On a motion made by Mayor Pro Tem Craig Penfold and seconded by Council Member Don Snell, the Town Council unanimously approved the resolution of USAI v. Highland Park consistent with our discussion in Executive Session and authorize the Town Administrator and legal counsel to take all necessary action.
2. On a motion made by Council Member Don Snell and seconded by Council Member Lydia Novakov, the Town Council unanimously approved the designation of Steve Alexander as Acting Town Administrator.

Mayor Beecherl adjourned the meeting at 9:28 a.m.

APPROVED on this 6th day of June 2023.

APPROVED



Will C. Beecherl
Mayor

ATTEST



Holly Russell
Interim Town Secretary