

OFFICIAL ACTIONS OF THE ADDISON CITY COUNCIL

February 10, 2004
7:30 p.m. - Council Chambers
5300 Belt Line Road

Present: Mayor Wheeler, Councilmembers Chow, Hirsch, Mallory, Niemann, Silver,
Turner
Absent: None

Item #R1 – Consideration of Old Business

The following employee was introduced to the Council: Betsy Sterns (Parks and Recreation).

Ron Whitehead, City Manager, announced upcoming events: Council Work session on February 12, 2004; EAC Employee party at Conference Centre on February 13, 2004; Black History Night on February 21, 2004; WaterTower Theatre Gala on February 21, 2004; Texas Chamber Orchestra on February 21, 2004 and State of the City Address on February 25, 2004.

Item #R2 – Consent Agenda

Item #2a – Approval of the Minutes for the January 27, 2004 Council Meeting. (Approved)

Item #2b – Consideration of approval and authorization of a partial payment in the amount of \$392,229.01 to Abstract Construction for the construction of Addison Circle Park. (Approved)

Item #2c – Consideration of a Resolution authorizing the City Manager to enter into a contract in the amount of \$45,365.00 with Illuminations by Greenlee for the installation of landscape lighting in the Oaks North Subdivision common areas. (Approved) (R04-008)

Item #2d – Consideration of an Ordinance calling for a general election to be held on May 15, 2004, for the purpose of electing three (3) Councilmembers for two (2) year terms each; designating two polling places within the Town; establishing other procedures for the conduct of the election; and establishing a date for canvassing returns. (Approved) (004-009)

Councilmember Silver moved to duly approve the above items. Councilmember Mallory seconded. The motion carried.

Voting Aye: Wheeler, Chow, Hirsch, Mallory, Niemann, Silver, Turner
Voting Nay: None
Absent: None

Item #R3 – Presentation to John Salih of Solly’s Barbecue.

Mayor Wheeler presented a Proclamation to George Salih and John Salih of Solly’s Barbecue in recognition of its service to the Town of Addison.

Item #R4 – Appointment of two members to the Planning and Zoning Commission.

Councilmember Hirsch moved to re-appoint Carol Doepfner, 4006 Bobbin Lane, to a third term on the Planning and Zoning Commission. Councilmember Silver seconded. The motion carried.

Voting Aye: Wheeler, Chow, Hirsch, Mallory, Niemann, Silver, Turner
Voting Nay: None
Absent: None

Councilmember Mallory moved to appoint Elizabeth Knott to the Planning and Zoning Commission. Councilmember Silver seconded. The motion carried.

Voting Aye: Wheeler, Chow, Hirsch, Mallory, Niemann, Silver, Turner
Voting Nay: None
Absent: None

Item #R5 – **PUBLIC HEARING** and consideration of an Ordinance approving an amendment to an existing Special Use Permit for a private school in an R-1 (Residential-1) district, in order to make amendments to the master plan for the school, located at 4141 Spring Valley Road, on application from Greenhill School, represented by Ms. Melissa Orth of Greenhill School.

Mayor Wheeler opened the meeting as a public hearing. The following persons spoke in favor of Greenhill School:

- Scott Griggs, Head of Greenhill School
- Rich Beckert (Addison Resident), 15004 Bellbrook
- Ann Sudduth (Addison Resident), 3919 Winter Park
- Edward Barnhill (Business Owner), 14275 Midway Road
- Tom Tibideaux (Addison Resident), 14612 Vintage Lane
- Business owner, 14679 Midway Road
- George Watson, Watson & Taylor, 4015 Belt Line Road
- Melissa Orth, Chief Financial Officer, Greenhill School
- Susie Hickman (Addison Resident), 3823 Azure Lane
- Johnny Gibbs (Business Owner), 14285 Midway Road

The following persons spoke against Greenhill School:

- Edward Bennett (Addison Resident), 4052 Old Town Road
- Steven Buck (Addison Resident), 14617 Lakecrest Drive

- Lance Aldridge (Addison Resident), 14609 Heritage Lane
- Bob Baumann (Addison Resident), 4004 Sherry Lane
- Virginia Summerall (Addison Resident), 4048 Old Town Road

Mayor Wheeler closed the meeting as a public hearing.

Councilmember Silver moved to duly pass an Ordinance approving an amendment to an existing Special Use Permit for a private school in an (Residential-1) district, in order to make amendments to the master plan for the school, located at 4141 Spring Valley Road, on application from Greenhill School, subject to the following conditions.

1. The applicant shall extend the backstop netting down the third-base line, to a length that is at least past the dugout on the third base side of the field, to a height of 28 feet (which is equal to the height of the existing back stop). The netting shall be installed prior to June 1, 2004. The applicant shall also install signs advising users of the field against trespassing or throwing balls onto the private property to the north. In addition, the applicant shall install signs at the maintenance facility advising the staff against making noise with equipment.
2. The applicant shall install a landscaping buffer of eastern red cedar trees, (or an equivalent tree approved by the Parks Director) planted 12-feet on center and at least 10 feet in height when planted, between the batting cage and the residences to the north. The trees shall be installed prior to June 1, 2004.
3. No lights or sound systems shall be installed on the two baseball fields at the north end of the property.
4. The applicant shall install a landscaping buffer of eastern red cedar trees, (or an equivalent tree approved by the Parks Director) planted 12 feet on center and at least 10 feet in height when planted, on the north property line across from the new Upper School to further shield light from the new building. The trees shall be installed prior to the issuance of a Certificate of Occupancy for the upper school.
5. The building footprint for the future Performing Arts Center and Theater shall be deleted from the plan.
6. Civil plans and specifications must be submitted for approval regarding the proposed drive extension adjacent to Spring Valley Road. Specifically, the proposed drainage culvert must be designed in accordance with NCTCOG and Town of Addison Standard Construction Specifications and be designed to meet the 100-year flood frequency. Drainage and grading plans must accompany the design drawings.
7. Upstream and design erosion control must be included with the Civil plans.

8. All public, on-site water and sewer relocations must be incorporated into the civil drawings, and must include proposed metering and double detector check valves.

Councilmember Mallory seconded. Councilmember Mallory's second was rescinded. The motion failed.

Councilmember Mallory moved to duly pass Ordinance No. 004-010 approving an amendment to an existing Special Use Permit for a private school in an (Residential-1) district, in order to make amendments to the master plan for the school, located at 4141 Spring Valley Road, on application from Greenhill School, subject to the following conditions:

1. The applicant shall extend the backstop netting down the third-base line, to a length that is at least past the dugout on the third base side of the field, to a minimum height of 28 feet (which is equal to the height of the existing back stop) with final height to be approved by the City Manager. The netting shall be installed prior to June 1, 2004. The applicant shall also install signs advising users of the field against trespassing or throwing balls onto the private property to the north. In addition, the applicant shall install signs at the maintenance facility advising the staff against making noise with equipment.
2. The applicant shall install a landscaping buffer of eastern red cedar trees, (or an equivalent tree approved by the Parks Director) planted 12-feet tall, 10 feet apart when planted, between the batting cage and the residences to the north. The trees shall be installed prior to June 1, 2004.
3. No lights or sound systems shall be installed on the two baseball fields at the north end of the property.
4. The applicant shall install a landscaping buffer of eastern red cedar trees, (or an equivalent tree approved by the Parks Director) planted 10 feet on center and at least 12 feet in height when planted, on the north property line across from the new Upper School to further shield light from the new building. The trees shall be installed prior to the issuance of a Certificate of Occupancy for the upper school.
5. The building footprint for the future Performing Arts Center and Theater shall be deleted from the plan.
6. Civil plans and specifications must be submitted for approval regarding the proposed drive extension adjacent to Spring Valley Road. Specifically, the proposed drainage culvert must be designed in accordance with NCTCOG and Town of Addison Standard Construction Specifications and be designed to meet the 100-year flood frequency. Drainage and grading plans must accompany the design drawings.

7. Upstream and design erosion control must be included with the Civil plans.
8. All public, on-site water and sewer relocations must be incorporated into the civil drawings, and must include proposed metering and double detector check valves.
9. Buses are not to be parked along the north property line.

Councilmember Niemann second. The motion carried.

Voting Aye: Wheeler, Chow, Hirsch, Mallory, Niemann, Turner

Voting Nay: Silver

Absent: None

Item #R6 – **PUBLIC HEARING** and consideration of an Ordinance approving an amendment to an existing Special Use Permit for a restaurant and an existing Special Use Permit for the sale of alcoholic beverages for on-premises consumption only, located at 4440 Belt Line Road, Red Baron, (formerly Landry's), on application from 4440 Belt Line Road, Ltd., represented by Ms. Susie Russell.

Mayor Wheeler opened the meeting as a public hearing. Councilmember Niemann moved to table this item, subject to final staff approval of a landscaping plan. Councilmember Mallory seconded. The motion carried.

The Public Hearing will be continued to the February 24, 2004 Council meeting.

Voting Aye: Wheeler, Chow, Hirsch, Mallory, Niemann, Silver, Turner

Voting Nay: None

Absent: None

Item #R7 – **PUBLIC HEARING** and consideration of an Ordinance approving a Special Use Permit for a restaurant and a Special Use Permit for the sale of alcoholic beverages for on-premises consumption only, located at 5000 Belt Line Road, Suite 100, Buffalo Wild Wings Grill Bar, on application from Texas BWW Restaurants, Inc. represented by Mr. Joel Rich, Attorney at Law.

Mayor Wheeler opened the meeting as a public hearing. There were no questions or comments. Mayor Wheeler closed the meeting as a public hearing.

Councilmember Mallory moved to duly pass Ordinance No. 004-011 approving a Special Use Permit for a restaurant and a Special Use Permit for the sale of alcoholic beverages for on-premises consumption only, located at 5000 Belt Line Road, Suite 100, Buffalo Wild Wings Grill Bar, on application from Texas BWW Restaurants, Inc., subject to the following conditions:

1. The new landscaping for the site shall be installed and the irrigation system for the site inspected prior to the issuance of a Certificate of Occupancy for this restaurant.

2. The applicant shall not use any terms, including the term “bar”, “tavern” or any graphic depictions that denote alcoholic beverages in exterior signs.

Councilmember Turner seconded. The motion carried.

Voting Aye: Wheeler, Chow, Hirsch, Mallory, Niemann, Silver, Turner

Voting Nay: None

Absent: None

Item #R8 – **PUBLIC HEARING** and consideration of an Ordinance approving a Special Use Permit for a restaurant, located at 3713 Belt Line Road, Cold Stone Creamery, on application from MCCR Management, LLC, represented by Mr. Chris Reynolds.

Councilmember Turner moved to duly pass Ordinance No. 004-012 approving a Special Use Permit for a restaurant, located at 3713 Belt Line Road, Cold Stone Creamery, on application from MCCR Management, LLC., subject to no conditions. Councilmember Chow seconded. The motion carried.

Voting Aye: Wheeler, Chow, Hirsch, Mallory, Niemann, Silver, Turner

Voting Nay: None

Absent: None

Item #R9 – Consideration of a Resolution approving and adopting an amendment to the Town of Addison Emergency Management Plan in order to enhance the Town of Addison emergency preparedness.

Councilmember Silver moved to duly pass Resolution No. R04-009 approving and adopting an amendment to the Town of Addison Emergency Management Plan in order to enhance the Town of Addison emergency preparedness, subject to edits and comments made by the Mayor. Councilmember Chow seconded. The motion carried.

Voting Aye: Wheeler, Chow, Hirsch, Mallory, Niemann, Silver, Turner

Voting Nay: None

Absent: None

Item #R10 – Consideration of a Resolution authorizing the City Manager to enter into a contract in an amount not to exceed \$100,000.00 with Uretek USA, Inc. for the lifting and stabilizing of pavement on Midway Road.

This item was withdrawn by staff.

Item #R11 – Consideration of approval of schematic park design related to the Arapaho Road Phase III multi-use pedestrian trail pocket parks.

This item was withdrawn by staff.

There being no further business before the Council, the meeting was adjourned.

Mayor

Attest:

City Secretary