

## OFFICIAL ACTIONS OF THE ADDISON CITY COUNCIL

May 10, 2005  
7:30 p.m. - Council Chambers  
5300 Belt Line Road

Present: Mayor Wheeler, Councilmembers Braun, Hirsch, Mellow, Niemann,  
Ryland, Turner  
Absent: None

Item #R1 - Consideration of Old Business.

The following employees were introduced to the Council: Sandra Scarborough (Human Resources), and Jerry Neighbors (Fire).

Item #R2 - Consent Agenda.

Item #2b was considered separately.

#2a – Approval of the Minutes for the April 26, 2005 Council Meeting and Work Session. (Approved as written)

Councilmember Niemann moved to duly approve the above listed items.  
Councilmember Ryland seconded. Motion carried.

Voting Aye: Wheeler, Braun, Hirsch, Mellow, Niemann, Ryland, Turner  
Voting Nay: None  
Absent: None

#2b – Consideration and approval of Resolution to award bid to Jim Bowman Construction Co., L.P. in the amount of \$33,149.04 for Miscellaneous Pavement Improvements to various streets.

Councilmember Niemann moved to duly pass Resolution No. R05-051 awarding bid to Jim Bowman Construction Co., L.P. in the amount of \$33,149.04 for Miscellaneous Pavement Improvements to various streets. Councilmember Turner seconded. Motion carried.

Voting Aye: Wheeler, Braun, Hirsch, Mellow, Niemann, Ryland, Turner  
Voting Nay: None  
Absent: None

Item #R3 - **PUBLIC HEARING** and consideration of an Ordinance approving a Special Use Permit for the sale of alcoholic beverages for on-premises consumption, located at 4950 Belt Line Road, Suite 100, on application from the Asian Fusion Restaurant, represented by Mr. Le Lu.

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 Turner moved to duly pass Ordinance No. 005-016 approving a Special Use Permit for the sale of alcoholic beverages for on-premises consumption, located at 4950 Belt Line Road, Suite 100, on application from the Asian Fusion Restaurant subject to the following conditions:

-the applicant shall not use the term “bar,” “tavern,” or any equivalent terms or graphic depictions related to the sale of alcoholic beverages in any exterior signs.

Councilmember Ryland seconded. Motion carried.

Voting Aye: Wheeler, Braun, Hirsch, Mellow, Niemann, Ryland, Turner  
Voting Nay: None  
Absent: None

Item #R4 - **PUBLIC HEARING** and consideration of an Ordinance approving an amendment to an existing Special Use Permit for a restaurant, and approval of a Special Use Permit for the sale of alcoholic beverages for on-premises consumption, located at 15615 Quorum Drive (Addison Circle), on application from Greenz Restaurant, represented by Ms. Casie Caldwell.

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 Niemann moved to duly pass Ordinance No. 005-017 approving an amendment to an existing Special Use Permit for a restaurant, and approval of a Special Use Permit for the sale of alcoholic beverages for on-premises consumption, located at 15615 Quorum Drive (Addison Circle), on application from Greenz Restaurant subject to the following conditions:

-The property management company (Post Properties) shall renew its responsibility for grease trap maintenance, and commit to increasing the frequency for pumping to at least once per month. Staff recommends that commitment be made in writing through a letter from Post Properties.

-The applicant shall not use the term “bar,” “tavern,” or any equivalent terms or graphic depictions related to the sale of alcoholic beverages in any exterior signs.

Councilmember Turner seconded. Motion carried.

Voting Aye: Wheeler, Braun, Hirsch, Mellow, Niemann, Ryland, Turner  
Voting Nay: None  
Absent: None

**Item #R5 - PUBLIC HEARING** and consideration of an Ordinance approving an amendment to the Appendix A, Zoning, of the Code of Ordinances, Article XIX, UC Urban Center District Regulations, Section 4, Use regulations; commercial subdistrict, Subsection B, *Permitted uses*, Paragraph 1. *Residential*, in order to add townhouse/condominium as allowed uses in the commercial sub-district, and Section E, *General conditions*, Paragraph 3, *Maximum residential mix*, in order to provide that greater than 30 percent of the acreage east of Spectrum Drive may be put to residential or mixed use with residential uses, on application from the Town of Addison.

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 Ryland moved to duly pass Ordinance No. 005-018 approving the following amendments to the Addison Zoning Ordinance:

-Approval of an amendment to Appendix A, Zoning, of the Code of Ordinances, Article XIX, UC – Urban Center District Regulations, Section 4, Use regulations; commercial subdistrict, Subsection B, *Permitted uses*, Paragraph 1. *Residential*, in order to add townhouse/condominium as an allowed use in the commercial sub-district

-Approval of an amendment to Appendix A, Zoning, of the Code of Ordinances, Article XIX, UC – Urban Center District Regulations, Section 4, Use regulations; commercial subdistrict, Subsection E, *General conditions*, Paragraph 3, *Maximum residential mix*, in order to provide that 50 percent of the acreage east of Spectrum Drive may be put to residential or mixed-use with residential uses.

Councilmember Turner seconded. Motion carried.

Voting Aye: Wheeler, Braun, Hirsch, Mellow, Niemann, Ryland, Turner  
Voting Nay: None  
Absent: None

Item #R6 - **PUBLIC HEARING** and consideration of an Ordinance approving a concept plan for a mixed-use with residential project in the Commercial subdistrict of the Urban Center District (Addison Circle), located on 6.53 acres bounded by Spectrum Drive on the west, the Madison Office building on the north, the Dallas North Tollway on the east, and a parcel of raw land on the south, on application from SNK Realty, represented by Mr. Derrick Turnball.

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 Ryland moved to duly pass Ordinance No. 005-019 approving a concept plan for a mixed-use with residential project in the Commercial subdistrict of the Urban Center District (Addison Circle), located on 6.53 acres bounded by Spectrum Drive on the west, the Madison Office building on the north, the Dallas North Tollway on the east, and a parcel of raw land on the south, on application from SNK Realty subject to no conditions. Councilmember Turner seconded. Motion carried.

Voting Aye: Wheeler, Braun, Hirsch, Mellow, Niemann, Ryland, Turner  
Voting Nay: None  
Absent: None

Item #R7 – Consideration and approval for the City Manager to enter into a Contract Agreement with TXU Electric Delivery, in the amount of \$420,115.00 for the relocation and installation of electrical services in connection with the widening of Addison Road, from Belt Line Road to Arapaho Road.

Councilmember Niemann recused himself and left the Chamber.

Councilmember Braun moved to duly approve the City Manager to enter into a Contract Agreement with TXU Electric Delivery, in the amount of \$420,115.00 for the relocation and installation of electrical services in connection with the widening of Addison Road, from Belt Line Road to Arapaho Road. Councilmember Turner seconded. Motion carried.

Voting Aye: Wheeler, Braun, Hirsch, Mellow, Ryland, Turner  
Voting Nay: None  
Absent: None  
Abstaining: Niemann

Councilmember Niemann returned.

Item #R8 – Consideration of a Resolution consenting to the sublease of certain property located at Addison Airport, the address of which is 4505 Claire Chennault and which is generally referred to as the Addison Jetport, by the

tenant, Addison Airport of Texas, Inc., to a subtenant, FirstAIR Group, Inc., and authorizing the City Manager to execute a Consent to Sublease.

Councilmember Niemann moved to duly approve Resolution No. R05-052 consenting to the sublease of certain property located at Addison Airport, the address of which is 4505 Claire Chennault and which is generally referred to as the Addison Jetport, by the tenant, Addison Airport of Texas, Inc., to a subtenant, FirstAIR Group, Inc., and authorizing the City Manager to execute a Consent to Sublease. Councilmember Turner seconded. Motion carried.

Voting Aye: Wheeler, Braun, Hirsch, Mellow, Niemann, Ryland, Turner  
Voting Nay: None  
Absent: None

Item #R9 – Consideration of a Resolution approving a Ground Lease Termination Agreement terminating a ground lease between the Town of Addison, Texas, as landlord, and Addison Express IV, LP (formerly known as Keith Partner II, Ltd.), as tenant of certain property located at the existing fuel farm facility within the Addison Airport, and authorizing the City Manager to execute the Termination Agreement.

Councilmember Niemann moved to duly approve Resolution No. R05-053 approving a Ground Lease Termination Agreement terminating a ground lease between the Town of Addison, Texas, as landlord, and Addison Express IV, LP (formerly known as Keith Partner II, Ltd.), as tenant of certain property located at the existing fuel farm facility within the Addison Airport, and authorizing the City Manager to execute the Termination Agreement. Councilmember Ryland seconded. Motion carried.

Voting Aye: Wheeler, Braun, Hirsch, Mellow, Niemann, Ryland, Turner  
Voting Nay: None  
Absent: None

Councilmember Hirsch requested a moment of silence in honor of Jim Pierce.

Item #R10 – Presentation and discussion of Town's quarterly financial report for period ending March 2005.

No action taken.

Item #R11 – 2005-06 Budget Process Presentation.

No action taken.

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

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Mayor

Attest:

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City Secretary