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## AGENDA

### REGULAR MEETING OF THE CITY COUNCIL

AND / OR

### WORK SESSION OF THE CITY COUNCIL

6:00 PM

APRIL 9, 2013

TOWN HALL

ADDISON TOWN HALL, 5300 BELT LINE, DALLAS, TX 75254

STARTING TIMES: WORK SESSION 6:00PM, REGULAR  
MEETING 7:30PM

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### WORK SESSION

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Item  
#WS1 - Presentation and discussion of an update on the completion schedule for the Surveyor Elevated Storage Tank.

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Item  
#WS2 - Discussion regarding placement of sculpture within the Town and the Public Art Policy.

Attachment(s):

1. AAF - 12-13 Budget Request

2. TOA Public Art Policy
3. Sculpture Proposal - Marsh - Bird's Eye View
4. Sculpture Proposal - Marsh - North View

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## REGULAR MEETING

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### **Pledge of Allegiance**

Item #R1- Announcements and Acknowledgements regarding Town and Council Events and Activities

Introduction of Employees

Discussion of Events/Meetings

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Item #R2- Consent Agenda.

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#2a- Approval of the Minutes for the March 26, 2013 Regular Council Meeting Agenda.

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Item #R3 Discussion and consideration of approval of appointment of  
- a Member to the Planning and Zoning Commission.

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Item #R4 **PUBLIC HEARING** Case 1665-SUP/Blue Mesa.  
- Public hearing, discussion, and consideration of approval of an ordinance changing the zoning on property located at 14866 Montfort Drive, which property is currently zoned PD – Planned Development through Ordinance 084-076, by approving for that property a Special Use Permit for a restaurant and a Special Use Permit for the sale of alcoholic beverages for on-premises consumption only, on application from Blue Mesa Restaurant, represented by Mr. Duc Le, General Manager.

The Addison Planning and Zoning Commission, meeting in regular session on March 28, 2013, voted to approve the request for approval of an ordinance changing the zoning on property located at 14866 Montfort Drive, which property is currently zoned PD – Planned Development through Ordinance 084-076, by approving for that property a Special Use Permit for a restaurant and a Special Use Permit for the sale of alcoholic beverages for on-premises consumption only, subject to the following conditions:

The applicant shall revise the landscaping plans for the center to reflect the following changes/additions:

- 1 Street frontage on Montfort requires three additional trees
- 1 Perimeter parking lot, northeast of proposed Blue Mesa site, requires four shade trees and 45 shrubs
- 1 Show existing conditions and removal for the patio to be added
- 1 Railroad-tie planter bed adjacent to proposed patio shall be a minimum of 2'-0" wide
- 1 Include enlargements of proposed landscape beds around the building
- 1 Replace dead Photinia north of proposed patio.

Voting Aye: Doherty, Groce, Hewitt, Hughes, Oliver, Stockard, Wheeler

Voting Nay: none

Absent: none

Attachment(s):

1. docket map, staff report, and commission findings

Recommendation:

Administration recommends approval.

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Item #R5 Discussion and consideration of approval of the installation  
- of a sculpture piece in Les Lacs Park on the northeast corner of Marsh Lane and Beltway Drive.

See attachments from WS2 related to this item.

Recommendation:

Staff reviewed the design layout and site location for the work and recommends approval.

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Item #ES1 - Closed (executive) session of the Addison City Council, pursuant to Section 551.072, Texas Government Code, to deliberate the purchase or value of certain real property located within the Town and concerning Addison Airport.

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Item #R6 Discussion and consideration of approval of any action  
- regarding the purchase or value of certain real property located within the Town and concerning Addison Airport.

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Item #R7 Discussion of and take action on a resolution expressing  
- the Town's intent to reimburse current expenditures from future tax-exempt obligations.

Attachment(s):

1. Resolution Letter
- 

Adjourn Meeting

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Posted:

Chris Terry, 04/05/13, 5:00pm

**THE TOWN OF ADDISON IS ACCESSIBLE TO PERSONS  
WITH DISABILITIES. PLEASE CALL (972) 450-2819 AT LEAST  
48 HOURS IN ADVANCE IF YOU NEED ASSISTANCE.**

## Council Agenda Item: #WS1

**AGENDA CAPTION:**

Presentation and discussion of an update on the completion schedule for the Surveyor Elevated Storage Tank.

**FINANCIAL IMPACT:**

N/A

**BACKGROUND:**

N/A

**RECOMMENDATION:**

N/A

**COUNCIL GOALS:**

Mindful Stewardship of Town Resources, Maintain and enhance our unique culture of creativity and innovation, Infrastructure improvement and maintenance

**ATTACHMENTS:**

Description:

Type:

No Attachments Available

## Council Agenda Item: #WS3

**AGENDA CAPTION:**

Discussion regarding placement of sculpture within the Town and the Public Art Policy.

**FINANCIAL IMPACT:**

N/A

**BACKGROUND:**

N/A

**RECOMMENDATION:**

N/A

**COUNCIL GOALS:**

Brand Protection and Enhancement, Fully integrate the Arts as part of our brand

**ATTACHMENTS:**

Description:

- ▢ [AAF - 12-13 Budget Request](#)
- ▢ [TOA Public Art Policy](#)
- ▢ [Sculpture Proposal - Marsh - Bird's Eye View](#)
- ▢ [Sculpture Proposal - Marsh - North View](#)

Type:

Backup Material  
Backup Material  
Backup Material  
Backup Material

## Addison Arbor Foundation Budget Request 2012-2013

Addison Arbor Foundation is requesting funding for the 2012-2013 fiscal year from the Recycling Fund for the following projects:

1. Installation of Loop the Loop and Alphabet D sculptures	\$2,300.
2. Planting bed refreshing along Beltline/Tollway	\$1,800.
3. Planting bed and sculpture installation Wiley Post island	\$8,000.
4. North Addison Park refresh	\$5,200.
5. Package store median refresh	\$1,600.
6. Signage	\$1,400.

### Detail

Loop the Loop and Alphabet D sculptures are presently undergoing restoration. AAF funding is being provided for the restoration of these sculptures, along with assistance from Addison Midday Rotary grant. Estimated completion is September 2012.

Planting bed refresh along Beltline and Tollway. Through meetings with TOA Parks Department, AAF is looking at refreshing the intersection along the west face of the Dallas Parkway. This will improve the aesthetic appearance of this intersection in conjunction with the renewal of the Village on the Parkway and Whole Foods location.

Planting bed and sculpture installation on Wiley Post island. AAF has received support from StingRay Graphics for the design and construction of an aeronautical sculpture to be installed on the Wiley Post island. Planting beds and the installation of the sculpture are in this request to bring a “wow factor” to this nondescript portion of Addison Airport development.

North Addison Park refresh is needed to improve the park and to replace aging and overgrown plants. This request is to bring color planting to the area along with pocket parks and possible future sculpture installation.

Package store median refresh. High visibility island needing updating and signage replacement.

Signage. AAF Brand signage to be redesigned to bring it up to date with a lighter background color to highlight the leaf design. These identifiers enhance AAF planted spaces and adds to the Addison Branding.

Funding will be matched with existing AAF funds to ensure sufficient dollars are allocated to these projects.

In addition, AAF has other projects in the planning stages to expand the sculpture gardens and to work with the business community in sponsoring “adopt an island” and existing garden projects such as the Earth Kind demonstration rose garden to be maintained long term by community groups.

### SPECIAL PROJECT REQUEST

Addison Arbor Foundation seeks separate funding for 2012-2013 for the restoration of the Chris Byars sculpture that was located at Liberty Plaza. AAF has a quote for \$8,500 plus an additional amount of \$1,000 for welding repairs to restore the work to it’s original appearance. AAF in conjunction with the TOA would identify a location to install the work that would highlight it within the Addison Park system. Ideally, due to the monumental size of the work, it would need placement in an area such as the new Vitruvian lake area. A work of art in this location would add to the community, serve as a focal point for future art venues, and activities in this vibrant environment. Coupled with the other two sculptures, an art trail will be created that ties together the trail system and provides Addison with another destination for residents, the business community and visitors alike.

Funding requested \$9,500 restoration and \$3,500 for foundation work.

## TOWN OF ADDISON POLICY ON PUBLIC ART

The Town of Addison recognizes the cultural importance of public art and its impact on our Town's identity, economy, and community. The Town will continue to maintain a policy of encouraging donated works for public display. Policies and guidelines included in this document provide a general direction when the Town is making decisions about public art; however, the policies and guidelines are intended to be flexible, are not absolute, and may be changed or modified by the Town Council as deemed appropriate.

### I. PUBLIC ART PURPOSE AND GOALS

- a. The goal of this public art policy is to update our current standards of conservation and bring public art back to its original intent: making art accessible to the citizens of the Town, improving public spaces in Addison visually, and supporting the arts community in general.
- b. In keeping with the long-range vision for the Town, as set forth by the 2020 and 2030 Vision Plans, public art will improve our parks and central nodes, be integrated into new developments, and encourage a walkable, urban feel.

### II. GENERAL GUIDELINES FOR ACCEPTING DONATED WORKS OF ART – In evaluating the acceptance of a donated work of art, the following will serve as general guidelines:

- a. A citizen or group of citizens, such as the Addison Arbor Foundation, may bring forth an original work of art to be considered for acceptance and public display by the Town. The Town shall make no financial commitment when acquiring legal ownership of the work. Prior to accepting a work of art, the Town shall require the Donor to provide recent appraisal documentation, or valuation by the artist.
- b. Works of art should be accessible and appropriate for viewing by all citizens, and be of high, enduring quality and reflect the values of the community and the Addison Way, inviting visitors and making residents feel at home.
- c. The quality of work and cost of maintenance will be considered by the Town when evaluating acceptance of a work of art.
- d. The Town will have discretion in determining whether or not to accept, where to locate, how to maintain, and all other matters pertaining to donated works of art. A specific location and placement of the work may be proposed along with the donation. Donated works of art should visually enhance and complement the area of proposed placement, including the relation to other works of art in the space, such as a Town park, trail, or gateway into the community.

### III. GENERAL GUIDELINES FOR PURCHASING PUBLIC ART

- a. The Town of Addison may purchase existing works of art or commission new works of art through an artist selection process.
- b. Payment for works of art will be in accordance with State and Town purchasing guidelines.

- c. The same general guidelines for accepting donated works of art apply to purchased or commissioned works; however, other guidelines and standards may be applied.

#### IV. PROCESS

- a. The Addison Arbor Foundation will review proposals from potential donors. They will work with citizens and groups to ensure the proposed work of art is appropriate and aligns with Town goals and guidelines for public art. Residents, businesses, or nonprofits interested in donating a sculpture to the Town shall contact the Addison Arbor Foundation regarding donation.
- b. The Parks Department and the Addison Arbor Foundation will determine an appropriate location for the work, subject to Council approval.
- c. If both the acceptance and site plan for a work of art are approved, the Parks Department (or a contractor approved by the Town) will install the work, and oversee administration and general maintenance once the art piece is accessioned.

#### V. INSTALLATION AND MAINTENANCE GUIDELINES

- a. The Addison Arbor Foundation (or other person or entity, pursuant to an agreement with the Town) should be responsible for the cost of installation. The Parks Department (or a contractor approved by the Town) will install the work.
- b. The Town shall be responsible for the general administration, maintenance and care of works once installed.
- c. The Parks Department shall keep proper records of inventory, including an accession ledger, artist information sheet, and catalogue sheet per the standards of the American Alliance of Museums (American Alliance of Museums, 2013).
- d. A sign or plaque may be placed permanently near the work to identify the artist, title, year made, and materials (if known). The identifying sign should not detract from the work visually.
- e. The Parks Department shall conduct an inventory of public art every five years.
- f. The Town of Addison may insure the work.

#### VI. DE-ACCESSION AND STORAGE GUIDELINES

- a. De-accessioning an art piece means removing it from the collection permanently. The decision to remove a piece should not be taken lightly. De-accessioning may be considered when one or more of the following is true:
  - 1. The art piece is damaged beyond reasonable repair, destroyed, or stolen.
  - 2. The art piece is believed to be fraudulent.
  - 3. The art piece is a safety liability.
  - 4. The art piece has been in storage for more than two years with no plans to display it in the future.

- b. The Parks Department may recommend that a work of art be de-accessioned, and shall present their recommendations for consideration of approval by the Town Council.
  - 1. Should de-accession be approved, the artist, if known, may be notified in writing of the de-accession and provided an opportunity to acquire the work of art.
  - 2. The Town may seek professional guidance to sell the art piece, subject to the rules and regulations for the disposal of property set forth in the Town Purchasing Manual.
  
- c. A work of art on public display may be put into storage by the Parks Department if it requires repair or restoration. It may also be moved to storage if the site where it is located must be renovated or altered and the renovation or alteration cannot be made without moving the art piece.
  - 1. The storage facility must maintain proper standards of security and shelter for the art piece.
  - 2. When an art piece must go into storage, a timeline should be in place for its eventual return to public view. An art piece should not go to storage indefinitely; once the art piece has reached the maximum time of two years in storage, it is eligible for de-accession.

#### References:

American Alliance of Museums. (2013, February 14). *Collections Stewardship*. Retrieved from The American Alliance of Museums: <http://www.aam-us.org/resources/ethics-standards-and-best-practices/characteristics-of-excellence-for-u-s-museums/collections-stewardship>



**BIRDS EYE**  
PERSPECTIVE



**PERSPECTIVE**  
(VIEW DRIVING NORTH ON MARSH)

## Council Agenda Item: # R 2a

**AGENDA CAPTION:**

Approval of the Minutes for the March 26, 2013 Regular Council Meeting Agenda.

**FINANCIAL IMPACT:**

N/A

**BACKGROUND:**

N/A

**RECOMMENDATION:**

N/A

**COUNCIL GOALS:**

N/A

**ATTACHMENTS:**

Description:

 [March 26 Minutes](#)

Type:

Backup Material

**OFFICIAL ACTIONS OF THE ADDISON CITY  
COUNCIL  
WORK SESSION**

March 26, 2013

6:00 PM - Town Hall

Addison Town Hall, 5300 Belt Line, Dallas, TX 75254 Starting Times:

Work Session 6PM, Regular Meeting 7:30PM

Upstairs Conference Room

Council Members Present:

Arfsten, Clemens, DeFrancisco, Gunther, Meier, Moore, Resnik

Absent:

None

**Work Session**

Item #WS1 - Status update on Accelerated Ventures Program, and how the program can be a catalyst for entrepreneurial development in the Town of Addison.

Item #WS2 - Discussion and consideration of the April 16, 2013 Town Hall presentations and format.

\_\_\_\_\_

Mayor-Todd Meier

Attest:

\_\_\_\_\_

City Secretary-Chris Terry

## **OFFICIAL ACTIONS OF THE ADDISON CITY COUNCIL REGULAR MEETING**

March 26, 2013

6:00 PM - Town Hall

Addison Town Hall, 5300 Belt Line, Dallas, TX 75254 Starting Times:

Work Session 6PM, Regular Meeting 7:30PM

Chris Terry, 3/22/13, 5:00pm

Council Members Present:

Arfsten, Clemens, DeFrancisco, Gunther, Meier, Moore, Resnik

Absent:

None

### **REGULAR MEETING**

Item #R1 - Announcements and Acknowledgements regarding Town and Council Events and Activities

Item #R2 - Consent Agenda

#2a - Approval of the Minutes for the March 12, 2013 Regular Council Meeting Agenda.

A motion to Approve was made by Council Member Neil Resnik.

The motion was seconded by Council Member Blake Clemens.

The motion result was: Passed

Voting Aye: Arfsten, Clemens, DeFrancisco, Gunther, Meier, Moore, Resnik

Voting Nay: None

#2b - Approval of a resolution that authorizes The Town of Addison to be or remain a member of a 167-member city coalition known as the Atmos Cities Steering Committee (ACSC). The resolution approves the assessment of a five cent (\$0.05) per capita fee to fund the activities of the Steering Committee.

A motion to Approve was made by Council Member Neil Resnik.

The motion was seconded by Council Member Blake Clemens.

The motion result was: Passed

Voting Aye: Arfsten, Clemens, DeFrancisco, Gunther, Meier, Moore, Resnik

Voting Nay: None

#2c - Consideration of approval of an Ordinance amending the budget for the fiscal year ending September 30, 2013 in the amount of \$22,500 for the Festival Consulting Agreement with the World Affairs Council.

A motion to Approve was made by Council Member Neil Resnik.

The motion was seconded by Council Member Blake Clemens.

The motion result was: Passed

Voting Aye: Arfsten, Clemens, DeFrancisco, Gunther, Meier, Moore, Resnik

Voting Nay: None

#2d - Consideration and approval of a bid for Portable Restroom Services (Bid No. 13-18) submitted by United Site Services in the amount of \$14,549.00 annually for a three year period beginning 2013 with the option to renew for two additional one year terms.

A motion to Approve was made by Council Member Neil Resnik.

The motion was seconded by Council Member Blake Clemens.

The motion result was: Passed

Voting Aye: Arfsten, Clemens, DeFrancisco, Gunther, Meier, Moore, Resnik

Voting Nay: None

#2e - Consideration and approval of a bid for Miscellaneous Rentals (Bid No. 13-17) submitted by M & M The Special Event Company in the amount of \$50,783.79 annually for a three year period beginning 2013 with the option to renew for two additional one year terms.

A motion to Approve was made by Council Member Neil Resnik.

The motion was seconded by Council Member Blake Clemens.

The motion result was: Passed

Voting Aye: Arfsten, Clemens, DeFrancisco, Gunther, Meier, Moore, Resnik

Voting Nay: None

#2f - Consideration and approval of a bid for Temporary Fence Services (Bid No. 13-14) submitted by Cain Fence Company in the amount of \$16,760.45 annually for a three year period beginning 2013 with the option to renew for two additional one year terms.

A motion to Approve was made by Council Member Neil Resnik.

The motion was seconded by Council Member Blake Clemens.

The motion result was: Passed

Voting Aye: Arfsten, Clemens, DeFrancisco, Gunther, Meier, Moore, Resnik

Voting Nay: None

#2g - Consideration and approval of a bid for Temporary Electrical Services (Bid No. 13-13) submitted by CAT Entertainment Services in the amount of \$136,500 annually for a three year period beginning 2013 with the option to renew for two additional one year terms.

A motion to Approve was made by Council Member Neil Resnik.

The motion was seconded by Council Member Blake Clemens.

The motion result was: Passed

Voting Aye: Arfsten, Clemens, DeFrancisco, Gunther, Meier, Moore, Resnik

Voting Nay: None

#2h - Consideration and approval of a bid for Dumpster Services (Bid No. 13-12) submitted by Moore Disposal in the amount of \$10,700 annually for a three year period beginning 2013 with the option to renew for two additional one year terms.

A motion to Approve was made by Council Member Neil Resnik.

The motion was seconded by Council Member Blake Clemens.

The motion result was: Passed

Voting Aye: Arfsten, Clemens, DeFrancisco, Gunther, Meier, Moore, Resnik

Voting Nay: None

#2i - Consideration and approval of a bids for Stage, Sound & Lighting Services (Bid No. 13-16) submitted by Onstage Systems in the amount of \$77,050 annually for Taste Addison and Executive Lighting & Sound Productions in the amount of \$34,854 annually for Summer Series and Oktoberfest. Bids are for a three year period beginning 2013 with the option to renew for two additional one year terms.

A motion to Approve was made by Council Member Neil Resnik.

The motion was seconded by Council Member Blake Clemens.

The motion result was: Passed

Voting Aye: Arfsten, Clemens, DeFrancisco, Gunther, Meier, Moore, Resnik

Voting Nay: None

#2j - Consideration and approval of a bid for Tent Rental Services (Bid No. 13-19) submitted by Mike Sandone Productions in the amount of \$136,745.00 annually for a three year period beginning 2013 with the option to renew for two additional one year terms.

A motion to Approve was made by Council Member Neil Resnik.

The motion was seconded by Council Member Blake Clemens.

The motion result was: Passed

Voting Aye: Arfsten, Clemens, DeFrancisco, Gunther, Meier, Moore, Resnik

Voting Nay: None

#2k - Consideration and approval of a bid for Trash Pick-up Services (Bid No. 13-20) submitted by ACT Event Services in the amount of \$72,637.20 annually for a three year period beginning 2013 with the option to renew for two additional one year terms.

A motion to Approve was made by Council Member Neil Resnik.

The motion was seconded by Council Member Blake Clemens.

The motion result was: Passed

Voting Aye: Arfsten, Clemens, DeFrancisco, Gunther, Meier, Moore, Resnik

Voting Nay: None

Item #R3 - Presentation of a proclamation honoring the community support of Raising Cane's restaurant.

Mayor Meier presented this proclamation honoring Raising Cane's restaurant in Addison for their community support with the Addison Arbor Foundation. Anders Grove, General Manager for Raising Cane's, accepted the proclamation.

There was no action taken.

Item #R4 - Discussion and consideration of approval of appointment of a Member to the Planning and Zoning Commission.

Council Member Resnik made a motion to approve the reappointment of his representative on the Planning & Zoning Commission, Linda Groce.

A motion to Approve was made by Council Member Neil Resnik.

The motion was seconded by Mayor Todd Meier.

The motion result was: Passed

Voting Aye: Arfsten, Clemens, DeFrancisco, Gunther, Meier, Moore, Resnik

Voting Nay: None

Item #R5 - Presentation, discussion, and consideration of an ordinance amending Chapter 62, Signs, of the Code of Ordinances of the Town by providing for a Meritorious Exception to Article IV. Requirements for Specific Types of Signs, Division 3. Attached Signs, Sec. 62-163. Area, Item (4) in order to provide for an additional attached sign on application from Systemware.

Lynn Chandler, Building Official, spoke on this item. John J. Leonard, Senior V.P., C.B. Richard Ellis, also spoke on this this item representing the tenant, Systemware.

A motion to Approve was made by Council Member Blake Clemens. The motion was seconded by Council Member Chris DeFrancisco. The motion result was: Passed

Voting Aye: Arfsten, Clemens, DeFrancisco, Gunther, Meier, Moore, Resnik

Voting Nay: None

Item #R6 - Presentation, discussion and consideration of approval of Engineering Design and Professional Services agreement between the Town of Addison and LNV Engineering, Inc., in an amount not to exceed \$225,000 for Wastewater System Inspection and Evaluation.

Lisa Pyles, Director of Infrastructure Operations and Services, spoke on this item.

A motion to Approve was made by Council Member Bruce Arfsten. The motion was seconded by Council Member Margie Gunther.

The motion result was: Passed

Voting Aye: Arfsten, Clemens, DeFrancisco, Gunther, Meier, Moore,

Resnik

Voting Nay: None

Item #R7 - Presentation, discussion and consideration of approval of the establishment of a Multi-Family Recycling Pilot Program.

Council Member DeFrancisco spoke on this item.

A motion to Approve was made by Council Member Chris DeFrancisco.

The motion was seconded by Council Member Neil Resnik.

The motion result was: Passed

Voting Aye: Arfsten, Clemens, DeFrancisco, Gunther, Meier, Moore, Resnik

Voting Nay: None

Item #R8 - Report and update by the Economic Development Department to Town Council on departmental endeavors.

Orlando Campos, Director of Economic, spoke on this item.

A motion to was made by .

The motion result was:

Voting Aye: Arfsten, Clemens, DeFrancisco, Gunther, Meier, Moore, Resnik

Voting Nay: None

Item #R9 - Discussion and consideration of approval to authorize the City Manager to release the Fiscal Year 2012 Comprehensive Annual Financial Report.

Eric Cannon, Chief Financial Officer, spoke on this item.

A motion to Approve was made by Council Member Neil Resnik.

The motion was seconded by Council Member Blake Clemens.

The motion result was: Passed

Voting Aye: Arfsten, Clemens, DeFrancisco, Gunther, Meier, Moore, Resnik

Voting Nay: None

Item #R10 - Presentation of the Town of Addison's Financial and Strategic Services Department.

Eric Cannon, Chief Financial Officer, spoke on this item.

A motion to was made by .

The motion result was:

Voting Aye: Arfsten, Clemens, DeFrancisco, Gunther, Meier, Moore, Resnik

Voting Nay: None

Item #ES1 - Closed (executive) session of the City Council pursuant to Section 551.071, Tex. Gov. Code, to conduct a private consultation with its attorney on a matter in which the duty of the attorney to the City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551, Tex. Gov. Code, regarding the ratio of food-to-alcohol sales for restaurants.

Council entered into Executive Session at 8:41pm.

A motion to was made by .

The motion result was:

Voting Aye: None

Voting Nay: None

Item #ES2 - Closed (executive) session of the City Council pursuant to Section 551.071, Tex. Gov. Code, to conduct a private consultation with its attorney on a matter in which the duty of the attorney to the

City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551, Tex. Gov. Code, regarding the Texas Open Meetings Act.

A motion to was made by .

The motion result was:

Voting Aye: None

Voting Nay: None

Item #ES3 - Closed (executive) session of the Addison City Council, pursuant to Section 551.072, Texas Government Code, to deliberate the lease or value of certain real property located within the Town.

Orlando Campos, Director of Economic Development, spoke on this item.

A motion to was made by .

The motion result was:

Voting Aye: None

Voting Nay: None

Item #ES4 - Closed (executive) session of the City Council, pursuant to Section 551.087, Texas Government Code, to discuss or deliberate regarding commercial or financial information that the City Council has received from a business prospect or business prospects that the City Council seeks to have locate, stay, or expand in or near the territory of the Town of Addison and with which the City Council is conducting economic development negotiations, and/or to deliberate the offer of a financial or other incentive to such business prospect or business prospects.

Orlando Campos, Director of Economic Development, spoke on this item.

There was no action taken.

Item #ES5 - Closed (executive) session of the City Council, pursuant to Section 551.071 of the Texas Government Code, to conduct a private consultation with its attorney(s) to seek the advice of its attorney(s) regarding certain pending litigation, to wit: Town of Addison, Texas v. North Texas Contracting, Inc., Cause No. 12-6525-C, 68th Judicial District Court, Dallas County, Texas, and a settlement offer regarding the same.

This item was pulled from the Agenda.

Council closed Executive Session at 9:21pm.

There was no action taken.

Item #R11 - Discussion and consideration of any action regarding certain pending litigation, to wit: Town of Addison v. North Texas Contracting, Inc., Cause No. 12-6525, 68th Judicial District Court, Dallas County, Texas, and a settlement offer regarding the same.

This item was pulled from the Agenda.

There was no action taken.

Item #R12 - Discussion and consideration of approval of Change Order number 7 in connection with the contract for the Park and Streetscape improvements to be known as Vitruvian Park Public Infrastructure Phase 1C.

This item was pulled from the Agenda.

There was no action taken.

Item #R13 - Discussion and consideration of approval of Change Order number 1.3 and Change Order number 2.3 in connection with the contract for the Spring Valley Road Widening, Public Works #2010-05 and 2010-02, Bid Number 11-02, October 2010.

This item was pulled from the Agenda.

There was no action taken.

Item #R14 - Consideration of any action regarding commercial or financial information that the City Council has received from a business prospect or business prospects that the City Council seeks to have locate, stay, or expand in or near the territory of the Town of Addison and with which the City Council is conducting economic development negotiations, and/or any action regarding the offer of a financial or other incentive to such business prospect or business prospects.

A motion to Approve was made by Council Member Bruce Arfsten.

The motion was seconded by Council Member Margie Gunther.

The motion result was: Passed

Voting Aye: Arfsten, Clemens, DeFrancisco, Gunther, Meier, Moore, Resnik

Voting Nay: None

Item #R15 - Consideration of any action regarding certain real property located within the Town of Addison, including the lease or value of such property and related matters.

A motion to Approve was made by Council Member Blake Clemens.

The motion was seconded by Council Member Chris DeFrancisco.

The motion result was: Passed

Voting Aye: Arfsten, Clemens, DeFrancisco, Gunther, Meier, Moore, Resnik

Voting Nay: None

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Mayor-Todd Meier

Attest:

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City Secretary-Chris Terry

## **Council Agenda Item: #R3**

**AGENDA CAPTION:**

Discussion and consideration of approval of appointment of a Member to the Planning and Zoning Commission.

**FINANCIAL IMPACT:**

N/A

**BACKGROUND:**

Commissioner Kathryn Wheeler's appointment to her second term will expire on April 12, 2013. Commissioner Wheeler's appointment belongs to Council Member Arfsten.

**RECOMMENDATION:**

**COUNCIL GOALS:**

N/A

**ATTACHMENTS:**

Description:

Type:

No Attachments Available

## Council Agenda Item: #R4

### AGENDA CAPTION:

#### **PUBLIC HEARING** Case 1665-SUP/Blue Mesa.

Public hearing, discussion, and consideration of approval of an ordinance changing the zoning on property located at 14866 Montfort Drive, which property is currently zoned PD – Planned Development through Ordinance 084-076, by approving for that property a Special Use Permit for a restaurant and a Special Use Permit for the sale of alcoholic beverages for on-premises consumption only, on application from Blue Mesa Restaurant, represented by Mr. Duc Le, General Manager.

The Addison Planning and Zoning Commission, meeting in regular session on March 28, 2013, voted to approve the request for approval of an ordinance changing the zoning on property located at 14866 Montfort Drive, which property is currently zoned PD – Planned Development through Ordinance 084-076, by approving for that property a Special Use Permit for a restaurant and a Special Use Permit for the sale of alcoholic beverages for on-premises consumption only, subject to the following conditions:

The applicant shall revise the landscaping plans for the center to reflect the following changes/additions:

- 1 Street frontage on Montfort requires three additional trees
- 1 Perimeter parking lot, northeast of proposed Blue Mesa site, requires four shade trees and 45 shrubs
- 1 Show existing conditions and removal for the patio to be added
- 1 Railroad-tie planter bed adjacent to proposed patio shall be a minimum of 2'-0" wide
- 1 Include enlargements of proposed landscape beds around the building
- 1 Replace dead Photinia north of proposed patio.

Voting Aye: Doherty, Groce, Hewitt, Hughes, Oliver, Stockard, Wheeler

Voting Nay: none

Absent: none

**FINANCIAL IMPACT:**

N/A

**BACKGROUND:**

N/A

**RECOMMENDATION:**

Administration recommends approval.

**COUNCIL GOALS:**

N/A

**ATTACHMENTS:**

Description:

 [docket map, staff report, and commission findings](#)

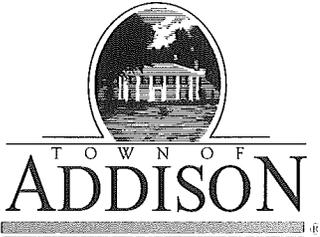
Type:

Backup Material

# 1665-SUP

**PUBLIC HEARING** Case 1665-SUP/Blue Mesa. Public hearing, discussion, and consideration of approval of an ordinance changing the zoning on property located at 14866 Montfort Drive, which property is currently zoned PD – Planned Development through Ordinance 084-076, by approving for that property a Special Use Permit for a restaurant and a Special Use Permit for the sale of alcoholic beverages for on-premises consumption only, on application from Blue Mesa Restaurant, represented by Mr. Duc Le, General Manager.





March 18, 2013

**STAFF REPORT**

**RE:** Case 1665-SUP/Blue Mesa

**LOCATION:** 14866 Montfort Drive

**REQUEST:** Approval of a Special Use Permit for a restaurant, and a Special Use Permit for the sale of alcoholic beverages for on-premises consumption

**APPLICANT:** Blue Mesa Restaurant, represented by Mr. Duc Le, General Manager

**DISCUSSION:**

Background. Blue Mesa has been in continuous operation in the Village on the Parkway at 5100 Belt Line Road, Suite 500, since 1988. It was originally opened as a Tequila Willy's Restaurant, but was converted to a Blue Mesa Restaurant (Ordinance 088-002) in 1988. At this point, Blue Mesa would like to move from the Village on the Parkway to a vacant restaurant at 14866 Montfort Drive. The vacant space was originally opened as a Bristol's Seafood Grill (Ordinance 084-087) in 1984. It was converted, through an administrative approval, to an Ounce Prime Steak house, but has been vacant for a couple of years.

Proposed Plan. Blue Mesa will make only cosmetic changes to the inside of the restaurant. However, they will be making changes to the façade. They will remove the existing porte-cochere and create a new plaza at the southwest corner of the building. They will also add a 2,000 patio to the west side of the building. The patio will take out existing landscaping.

Façade. Blue Mesa will be adding glass doors and windows to the west façade of the building, and may possibly add windows to the other facades. They will also had stone façade to a portion of the west wall and a tower element that similar to the tower element they have on other stores.

Noise. The staff has considered the possibility that noise from this patio could disrupt the adjacent Oaks North neighborhood. However, the patio is on the west side of the building, away from Oaks North. The patio is buffered not only by the building, but by the Prestonwood Pond office building that sits between this restaurant and the Oaks North neighborhood. In addition, Blue Mesa has been an operator in the Town for many years, and has never generated a noise complaint or issue on its patio.

Parking. The restaurant parks at a 1/100 ratio and will require 115.05 parking spaces. The adjacent Mi Piaci restaurant requires 128.45 spaces. The center can count the parking for the Prestonwood Pond office building, including the parking in the garages. There are 455 parking spaces provided, which is sufficient.

Landscaping. The staff has reviewed the proposed plan and finds that even though the site will still meet its overall percentage requirement for landscaping, there are some areas where plants are missing and need to be replaced. The Department notes the following items that need to be addressed in a landscaping plan prior to issuance of a C.O.:

- Street frontage on Montfort requires three additional trees
- Perimeter parking lot, northeast of proposed Blue Mesa site, requires four shade trees and 45 shrubs
- Show existing conditions and removal for the patio to be added
- Railroad-tie planter bed adjacent to proposed patio shall be a minimum of 2'-0" wide
- Include enlargements of proposed landscape beds around the building
- Replace dead Photinia north of proposed patio

Signs. The applicant showed signs on the west façade. The applicant should be aware that all signs must be permitted under the requirements of the Addison Sign ordinance, and cannot be approved through this process. The applicant should also be aware that the Town has a policy against the use of any terms, such as "bar" or "tavern", or any graphic depictions that denote alcoholic beverages, in exterior signs.

Building Code Items. The Building Official notes that there will be a second exit required off of the patio. This is an advisory comment to the applicant. The Building Code requires the second exit, so it does not need to be a condition for approval.

#### RECOMMENDATION:

Staff recommends approval of the Special Use Permit for a restaurant, and a Special Use Permit for the sale of alcoholic beverages for on-premises consumption, subject to the following conditions:

-The applicant shall submit a landscaping plan which provides the following items:

-The applicant shall submit a landscaping plan which provides the following items:

- Three additional trees on the Montfort Road frontage
- Four shade trees and 45 shrubs on the perimeter parking lot, northeast of site
- Existing conditions and removal for the patio to be added
- Railroad-tie planter bed adjacent to proposed patio shown to be a minimum of 2'-0" wide
- Enlargements of proposed landscape beds around the building
- Replacement of dead Photinia north of proposed patio

-The applicant shall not use any terms or graphic depictions that denote alcoholic beverages in exterior signs.

Respectfully submitted,

A handwritten signature in black ink that reads "C MORAN". The signature is written in a cursive, slightly stylized font.

Carmen Moran  
Director of Development Services



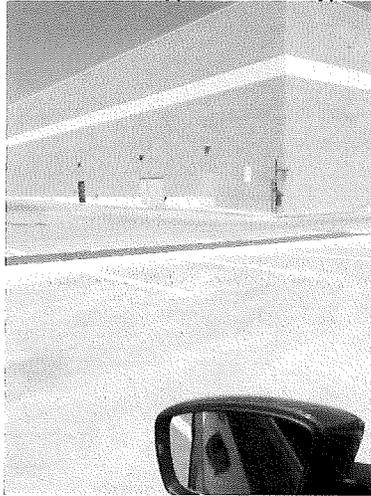
WE'RE GLAD YOU'RE HERE

## Landscape Site Plan Review

March 18, 2013

### Landscape Site Plan Review for 14866 Montfort Drive, Addison, Texas (Blue Mesa)

- Street frontage on Montfort
  - o Requires 3 additional trees (12 are currently provided – 15 are required)
- Perimeter Parking (Parking lot NE of proposed Blue Mesa site)
  - o Requires 150 LF of parking lot screening
    - Requires 4 shade trees (35'-0" O.C.) and 45 shrubs (credit given for the 5 Italian Cypress, bald cypress in the island, and existing photinia hedge)



- o Requires revitalization of existing parking lot island (Replace missing shrubs and install mulch)



- Additional Comments
  - o Show existing conditions and removal for the site
  - o Railroad-tie planter on NE corner of the building is to be landscaped
  - o Minimum planter bed adjacent to proposed patio shall be a minimum of 2'-0" wide
  - o Include enlargements of proposed landscape beds around the building
  - o Replace dead photinia north of Proposed Patio



## **Carmen Moran**

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**From:** Lynn Chandler  
**Sent:** Wednesday, March 20, 2013 8:18 AM  
**To:** Carmen Moran  
**Subject:** Blue Mesa Grill

The patio will be required to have two exits. The gates shall open in the direction of egress and if they latch shall be equipped with panic hardware.

Case 1665-SUP/Blue Mesa  
March 28, 2013

**COMMISSION FINDINGS:**

The Addison Planning and Zoning Commission, meeting in regular session on March 28, 2013, voted to approve the request for approval of an ordinance changing the zoning on property located at 14866 Montfort Drive, which property is currently zoned PD – Planned Development through Ordinance 084-076, by approving for that property a Special Use Permit for a restaurant and a Special Use Permit for the sale of alcoholic beverages for on-premises consumption only, subject to the following conditions:

Revise the landscaping plans for the center to reflect the following changes/additions:

- Street frontage on Montfort requires three additional trees
- Perimeter parking lot, northeast of proposed Blue Mesa site, requires four shade trees and 45 shrubs
- Show existing conditions and removal for the patio to be added
- Railroad-tie planter bed adjacent to proposed patio shall be a minimum of 2'-0" wide
- Include enlargements of proposed landscape beds around the building
- Replace dead photinia north of proposed patio

Voting Aye: Doherty, Groce, Hewitt, Hughes, Oliver, Stockard, Wheeler

Voting Nay: none

Absent: none

## **Council Agenda Item: #R5**

### **AGENDA CAPTION:**

Discussion and consideration of approval of the installation of a sculpture piece in Les Lacs Park on the northeast corner of Marsh Lane and Beltway Drive.

See attachments from WS2 related to this item.

### **FINANCIAL IMPACT:**

The Addison Arbor Foundation budgeted \$13,000 for the restoration and foundation work for the sculpture piece. The attached Addison Arbor Foundation 2012-2013 Budget Request further summarizes the project under "SPECIAL PROJECT REQUEST".

See attachments from WS2 related to this item.

### **BACKGROUND:**

The Arbor Foundation requested funding for FY2012-2013 to restore the Chris Byars sculpture, which was previously located at Liberty Plaza and stored by the Town for the past several years. The AAF in conjunction with the Parks Department identified the Les Lacs Park site as suitable location to accommodate the monumental size of the work.

The AAF was initially considering Vitruvian Park as a potential site; however, since this park is in the developmental stages for programming events, it was decided to look elsewhere.

See attachments for WS2 related to this item.

### **RECOMMENDATION:**

Staff reviewed the design layout and site location for the work and recommends approval.

### **COUNCIL GOALS:**

Create raving fans of the Addison Experience, Mindful Stewardship of Town Resources, Maintain and enhance our unique culture of creativity and innovation, Raise Property Values, Attract new businesses to Addison, Brand Protection and

Enhancement, Fully integrate the Arts as part of our brand,  
Enhance sense of community for all stakeholders/Expand  
Volunteer Opportunities

**ATTACHMENTS:**

Description:

Type:

No Attachments Available

## **Council Agenda Item: #ES7**

**AGENDA CAPTION:**

Closed (executive) session of the Addison City Council, pursuant to Section 551.072, Texas Government Code, to deliberate the purchase or value of certain real property located within the Town and concerning Addison Airport.

**FINANCIAL IMPACT:**

To be provided.

**BACKGROUND:**

To be provided.

**RECOMMENDATION:**

To be provided.

**COUNCIL GOALS:**

Create a vision for the airport to maximize the value

**ATTACHMENTS:**

Description:

Type:

No Attachments Available

## **Council Agenda Item: #R1**

**AGENDA CAPTION:**

Discussion and consideration of approval of any action regarding the purchase or value of certain real property located within the Town and concerning Addison Airport.

**FINANCIAL IMPACT:**

To be provided.

**BACKGROUND:**

To be provided.

**RECOMMENDATION:**

To be provided.

**COUNCIL GOALS:**

Create a vision for the airport to maximize the value

**ATTACHMENTS:**

Description:

Type:

No Attachments Available

## **Council Agenda Item: #R2**

**AGENDA CAPTION:**

Discussion of and take action on a resolution expressing the Town's intent to reimburse current expenditures from future tax-exempt obligations.

**FINANCIAL IMPACT:**

To be provided.

**BACKGROUND:**

To be provided.

**RECOMMENDATION:**

To be provided.

**COUNCIL GOALS:**

Create a vision for the airport to maximize the value

**ATTACHMENTS:**

Description:

Type: