

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

July 9, 2013

5:30 PM - Town Hall

Addison Town Hall, 5300 Belt Line Rd., Dallas, TX 75254 | 5:30pm

Work Session | 7:30pm Regular Agenda

Upstairs Conference Room

Council Members Present:

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

Absent:

None

Work Session

Item #WS1 - Discussion of the Town Budget and Strategic Plan,
including Council goals, objectives and visioning.

Mayor-Todd Meier

Attest:

City Secretary-Chris Terry

OFFICIAL ACTIONS OF THE ADDISON CITY COUNCIL REGULAR MEETING

July 9, 2013

5:30 PM - Town Hall

Addison Town Hall, 5300 Belt Line Rd., Dallas, TX 75254 | 5:30pm

Work Session | 7:30pm Regular Agenda

Chris Terry, 07/05/13, 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 June 25, 2013 Work Session and Regular Council Meeting.

Council Member Resnik pulled this item to correct the printed minutes from the June 25th Regular Council Meeting, to reflect vote of "nay" on Item #R8 (Pedestrian Crossing Improvements at Beltway and Les Lacs). The minutes available to the public for the June 25th meeting have since been changed to reflect the correct vote.

A motion to Approve w/ Conditions 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

#2b - Approval authorizing HVJ associates to perform preliminary geotechnical investigation for the Belt Line Rd Electrical Undergrounding project in an amount not to exceed \$50,000.

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 #R3 - Presentation of a proclamation honoring Polka Dot Bakery.

Mayor Meier presented a proclamation to Polka Dot Bakery proprietor, Nancy Gonzalez. Ms. Gonzalez spoke on this item.

There was no action taken.

Item #R4 - Presentation, discussion and consideration of action regarding a proposal from the Addison Arbor Foundation for acquisition and placement of sculptures within the Town.

Matt McCombs, Assistant to the City Manager, Mary Jo Carter, President of the Arbor Foundation, and Jay Ihrig, Vice President, presented this item.

The first art piece for consideration, Plane Sculpture, was approved.

The motion was made by Council Member Resnik and seconded by Council Member Gunther.

The second art piece for consideration, Green Sculpture, was approved. The motion was made by Council Member Resnik and seconded by Council Member DeFrancisco.

The third art piece for consideration, Blue Sculpture, was approved. The motion was made by Council Member Arfsten and seconded by Council Member Gunther.

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

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 #R5 - PUBLIC HEARING, Case 1671-SUP/Chuy's Mexican Food. Public hearing, discussion and consideration of approval of an ordinance changing the zoning on property located at 4440 Belt Line Road, which property is currently zoned LR – Local Retail, 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 Chuy's Mexican Food, represented by Mr. Bill Pounds of Parkway Construction and Associates. COMMISSION FINDINGS: The Addison Planning and Zoning Commission, meeting in regular session on June 27, 2013, voted to recommend approval of the request for approval of an ordinance changing the zoning on property located at 4440 Belt Line Road, which property is currently zoned LR-Local Retail, 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, on application from Chuy's Mexican Food, subject to the following conditions. The site plan shall be revised to provide the required parking of one space per 70 square feet, with a total of 165 parking spaces. -The applicant shall submit a revised landscaping plan which addresses the following items: - The design team shall develop a landscape plan for the perimeter of the building. The landscape plan shows the existing foundation plantings to remain but these plantings will probably be destroyed through the demolition and

construction process. - The irrigation system will need to be modified to a drip irrigation system in all bed areas. - There are existing trees on the site which are in poor condition and will need to be removed and replaced. - All shrubs shall be 5 gallon size. - All ornamental grasses may be 3 gallon. - Trees shall be staked below grade. - The Town recommends the use of native plant material where possible. - Shrubs and plant material may be grouped to create areas of interest and increase visibility to the building in lieu of hedgerows.-The applicant shall not use any terms or graphic depictions that relate to alcoholic beverages in any exterior signs. Voting Aye: Doherty, Groce, Hewitt, Hughes, Oliver, Stockard, Wheeler Voting Nay: none Absent: none

Carmen Moran, Director of Development Services, presented this item.

A motion to Approve was made by Council Member Neil Resnik. The motion was seconded by Council Member Bruce Arfsten. The motion result was: Passed
Voting Aye: Arfsten, Clemens, DeFrancisco, Gunther, Meier, Moore, Resnik
Voting Nay: None

Item #R6 - PUBLIC HEARING, Case 1672-Z/UDR. Public hearing, discussion and consideration of approval of an ordinance amending Ordinance No. 007-034, that zones as PD Planned Development District #007-034 that area of the Town known as Vitruvian Park and containing approximately 99.176 acres of land (generally located south of Spring Valley Road, west of the City of Farmers Branch, north of Brookhaven Community College and the City of Farmers Branch, and east of Marsh Lane) for certain residential, retail, office, home office, civic, and mixed use uses, and special and accessory uses, by (I) amending the Property Description of Ordinance No. 007-034 to add four tracts of land into Planned Development District 007-034 (which tracts are generally located at (A) 14248 Marsh Lane

(approximately .14 mile south of the intersection of Marsh Lane and Spring Valley Road and containing approximately 0.5 acres), (B) 3710 Spring Valley Road (approximately .06 mile east of the intersection of Spring Valley Road and Marsh Lane and containing approximately 0.7 acres), (C) 14280 Marsh Lane (generally at or about the southeast corner of the intersection of Spring Valley Road and Marsh Lane and containing approximately 17.9 acres), and (D) 4000 Spring Valley Road (generally at or about the southeast intersection of Spring Valley Road and Vitruvian Way and containing approximately 2.7 acres)), (II) amending the Planned Development Conditions and Standards of Ordinance No. 007-034 by adding pet grooming and pet boarding, including overnight pet boarding; to the list of allowed retail uses, by adding the sale of beer and wine for off-premises consumption to the list of special uses allowed with the issuance of a special use permit, providing that retail is an allowed use in the tracts described in (I)(A), (B), and (C) above, and providing for the application or non-application of other conditions or standards to those tracts, (III) changing the zoning on the above described four tracts of land from LR-Local Retail to PD Planned Development #007-034 in accordance with the terms, conditions and provisions included therein, and (IV) amending the Concept Plan adopted by Ordinance No. 007-034 by approving a revised Concept Plan for approximately 121 acres of property (being all of the land included in Ordinance No. 007-034, as amended, including the four tracts described above), on application by UDR, represented by Mr. Tom Lamberth.

COMMISSION FINDINGS:The Addison Planning and Zoning Commission, meeting in regular session on June 27, 2013, voted to recommend approval of the Ordinance presented to the Commission, as written, amending Ordinance No. 007-034, that zones as PD Planned Development District #007-034 that area of the Town known as Vitruvian Park and containing approximately 99.176 acres of land (generally located south of Spring Valley Road, southeast and northwest of Vitruvian Way, west and north of the City of Farmers Branch, and east of Marsh Lane) for certain residential, retail, office, home office, civic, and mixed use uses, and special and accessory

uses, as described and according to the standards set forth therein, by (I) amending Exhibit A (“Property Description”) of Ordinance No. 007-034 in order to add four additional tracts of land into the Planned Development District 007-034 (which tracts of land are generally located (i) at 14248 Marsh Lane (being approximately .14 mile south of the intersection of Marsh Lane and Spring Valley Road and containing approximately .485 acres of land), (ii) 3710 Spring Valley Road (being approximately .06 mile east of the intersection of Spring Valley Road and Marsh Lane and containing approximately .672 acres of land) (iii) 14280 Marsh Lane (being generally at or about the southeast corner of the intersection of Spring Valley Road and Marsh Lane and containing approximately 17.893 acres of land), and (iv) 4000 Spring Valley Road (being generally at or about the southeast intersection of Spring Valley Road and Vitruvian Way and containing approximately 2.684 acres of land), (II) amending Exhibit B (“Planned Development Conditions and Standards”) of Ordinance No. 007-034, by amending Section 5 (“Uses”), Subsection 2 (“Retail”) thereof, in order to add “pet grooming and overnight boarding” to the list of allowed retail uses, (III) changing the zoning on the above described four tracts of land from LR-Local Retail to PD Planned Development #007-034 in accordance with the terms, conditions and provisions included therein, and (IV) amending Exhibit C (“Concept Plan”) of Ordinance No. 007-034 by approving a revised Concept Plan for 120.91 acres of property bounded on the north by Spring Valley Road, on the east by the City of Farmers Branch, on the south by Brookhaven Community College and the City of Farmers Branch, and on the west by Marsh Lane (and being all of the land included in Ordinance No. 007-034, as amended), on application by UDR, represented by Mr. Tom Lamberth, subject to no conditions. Voting Aye: Doherty, Groce, Hewitt, Hughes, Oliver, Stockard, Wheeler Voting Nay: none Absent: none

Carmen Moran presented this item.

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

The motion was seconded by Council Member Janelle Moore.

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 a final payment to UDR, Inc in the amount of \$1,100,226 for the construction of certain public infrastructure (including streetscape, screening walls, public restrooms and improvements to Farmers Branch Creek) within that area of the Town generally known as Vitruvian Park (Vitruvian Park Public Infrastructure Phase 3).

Lea Dunn, Deputy City Manager, presented this item. The motion was made by Council Member Clemens and amended to reflect the actual amount of \$1,010,226. The \$90,000 difference was already paid by the Town at an earlier date.

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

The motion was seconded by Council Member Janelle Moore.

The motion result was: Passed

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

Voting Nay: None

Item #R8 - Presentation and discussion regarding Celestial Pump Station and Surveyor Pump Station.

Lisa Pyles, Director of Infrastructure Services and Operations, presented this item. Jason Shroyer, Assistant Director of IOS, also spoke on this item.

There was no action taken.

Item #R9 - Discussion and consideration of adoption of a resolution supporting the creation and implementation of a Consolidated Emergency Dispatch Center serving the Metrocrest cities and authorizing the City Manager's office to enter into an interlocal agreement with the cities of Farmers Branch, Carrollton and Coppell with respect to the construction, operation and management of a Consolidated Emergency Dispatch Center.

Ron Whitehead, City Manager, presented this item. John O'Neal, Fire Chief, spoke on this item.

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

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 #R10 - Presentation regarding Sanitary Sewer and Storm Sewer repairs at Village on the Parkway.

Alison Ream, Assistant to the City Manager, presented this item.

There was no action taken.

Item #R11 - Discussion and consideration of approval of an Ordinance amending the Code of Ordinances, Chapter 2 (Administration), Article IV (Finance), Division 3 (Investment Policy), Section 2-204(b) (Delegation of authority) by removing the requirement that a fidelity bond for the Chief Financial Officer and designees be at least five (5%) percent of the investment portfolio and by adding the requirement that a fidelity bond be in at least the amount of \$250,000.

Eric Cannon, Chief Financial Officer, presented 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, DeFrancisco, Gunther, Meier, Moore, Resnik

Voting Nay: Clemens

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 generally at 4308-4310 Wiley Post within the Town and concerning Addison Airport.

Council entered Executive Session at 9:04pm.

There was no action taken.

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 to seek the advice of its attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551, Tex. Gov. Code, regarding certain real property located within Addison Airport, and pursuant to Section 551.072, Tex. Gov. Code, to deliberate the purchase, lease, or value of real property located within Addison Airport.

Council closed Executive Session at 10:38pm.

There was no action taken.

Item #R12 - Discussion and consideration of approval of any action regarding the purchase or value of certain real property located generally at 4308-4310 Wiley Post within the Town and concerning Addison Airport.

John Hill, City Attorney, presented this item. A motion was made to approve the item as discussed in the Executive Session, including the

Resolution authorizing the City Manager and City Attorney to negotiate as discussed under the terms and conditions.

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 #R13 - Discussion and consideration of any action regarding the purchase, lease, or value of certain real property located within Addison Airport.

A motion was made to authorize the City Attorney and City Manager to proceed as discussed in the Executive Session.

A motion to Approve was made by Council Member Blake Clemens. The motion was seconded by Council Member Bruce Arfsten.

The motion result was: Passed

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

Voting Nay: None

Mayor-Todd Meier

Attest:

City Secretary-Chris Terry

