



Post Office Box 9010 Addison, Texas
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5300 Belt Line Road
(972) 450-7000 Fax: (972) 450-7043

AGENDA

REGULAR MEETING OF THE CITY COUNCIL

AND / OR

WORK SESSION OF THE CITY COUNCIL

6:00 PM

January 14, 2014

ADDISON TOWN HALL

5300 BELT LINE RD., DALLAS, TX 75254

6:00PM WORK SESSION

7:30PM REGULAR MEETING

WORK SESSION

WS1 Update from Fred Hill, former State Representative, concerning legislative issues.

WS2 Discussion regarding the contract and compensation of Lea Dunn, Deputy City Manager, as City Manager.

REGULAR MEETING

Pledge of Allegiance

R1 Announcements and Acknowledgements regarding Town and Council Events and Activities

 Introduction of Employees

 Discussion of Events/Meetings

R2 Consent Agenda.

2a Approval of the Minutes for the December 2, 2013 Work Session and Special Council Meeting.

RECOMMENDATION:

Administration recommends approval.

Attachments

12-2-2013 Minutes

2b Approval of the Minutes for the December 10, 2013 Work Session and Regular Council Meeting.

RECOMMENDATION:

Administration recommends approval.

Attachments

12-10-2013 Minutes

2c Approval of the Minutes for the January 6, 2014 Work Session and Special Council Meeting.

RECOMMENDATION:

Administration recommends approval.

Attachments

01-06-2014 Minutes

-
- 2d Approval of annual contract landscape planting throughout the Town not to exceed \$150,000 for new landscaping and refurbishment projects.

RECOMMENDATION:

Administration recommends approval.

Attachments

Unit Cost Plant Summary

-
- 2e Approval of a design contract with Mesa Design Group Landscape Architecture totaling \$229,490 to provide construction documents and bid specifications, as well as, construction observation for the Beltway Drive and Proton Drive pedestrian connectivity improvements.

RECOMMENDATION:

Administration recommends approval.

Attachments

Mesa Design Services Proposal

-
- 2f Approval of annual contract with The Margulies Communications Group for immediate media relations issues for the Town of Addison and including Addison Airport.

RECOMMENDATION:

Administration recommends approval.

Attachments

Margulies Memo

Margulies Contract 2013- 2014

Letter from Margulies

- 2g Approval of annual contract with Shiroma Southwest for public relations and media publicity programs to promote the Town of Addison's events and selected special projects.

RECOMMENDATION:

Administration recommends approval.

Attachments

Shiroma Public Relations Recap FY 2013
Shiroma Letter of Agreement

Regular Items

- R3 REPLAT/Beltway-Quorum Lots 2A, 3A and 4, Block A. Discussion, consider and take action regarding approval of a replat for three lots totaling 6.5422 acres generally located at the northeast corner of Belt Line Road and Addison Road, on application from Beltway Commercial Real Estate, represented by Ms. Alison Potter of Piburn and Carson.

COMMISSION FINDINGS:

The Addison Planning and Zoning Commission, meeting in regular session on December 19, 2013, voted to recommend approval of the request for approval of a final replat for Beltway-Quorum Lots 2A, 3A and 4, Block A, subject to the following condition:

1. The plat should be relabeled from a Preliminary Replat to a Final Replat.

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

Voting Nay: None

Absent: Hewitt, Hughes

RECOMMENDATION:

Administration recommends approval.

Attachments

docket map, staff report, and commission findings

R4

PUBLIC HEARING Case 1680-SUP/The Market Hall. Public hearing, discussion, consider and take action regarding approval of an ordinance changing the zoning on property located at 3875 Ponte Avenue, which property is currently zoned PD – Planned Development through Ordinance 007-034, by approving for that property a Special Use Permit for a convenience store, a Special Use Permit for a restaurant, a Special Use Permit for the sale of alcoholic beverages for on-premises consumption, and a Special Use Permit for the sale of beer and wine for off-premises consumption, on application from Primo Hospitality Group, represented by Mr. Ellis Whitman.

COMMISSION FINDINGS:

The Addison Planning and Zoning Commission, meeting in regular session on December 19, 2013, voted to recommend approval of the request for approval of an ordinance changing the zoning on property located at 3875 Ponte Avenue, which property is currently zoned PD – Planned Development through Ordinance 007-034, by approving for that property a Special Use Permit for a convenience store, a Special Use Permit for a restaurant, a Special Use Permit for the sale of alcoholic beverages for on-premises consumption, and a Special Use Permit for the sale of beer and wine for off-premises consumption, subject to the following condition:

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

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

Voting Nay: none

Absent: Hewitt, Hughes

RECOMMENDATION:

Administration recommends approval.

Attachments

docket map, staff report, commission findings

R5 **PUBLIC HEARING** Case 1681-SUP/TGI Fridays. Public hearing, discussion, consider and take action regarding approval of an ordinance changing the zoning on property located at 4951 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 TGI Fridays, represented by Mr. Damon Drennan of Poole + Drennan Design Studio.

COMMISSION FINDINGS:

The Addison Planning and Zoning Commission, meeting in regular session on December 19, 2013, voted to recommend approval of the request for approval of an ordinance changing the zoning on property located at 4951 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, subject to the following conditions:

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

15 additional shrubs shall be added on Belt Line Road
6 trees and 68 shrubs shall be added along Quorum Drive.
The interior planting areas are 6,076 short of the requirement.
Additional plantings shall be added to the interior of the site.

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

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

Voting Nay: none

Absent: Hewitt, Hughes

RECOMMENDATION:

Administration recommends approval.

Attachments

docket map staff report, and commission findings

R6 **PUBLIC HEARING** Case 1682-SUP/hopdoddy Burger Bar. Public hearing, discussion, consider and take action regarding approval of an ordinance changing the zoning on property located at 5100 Belt Line Road, Suite 502, which property is currently zoned PD, Planned Development, through Ordinance 012-001, 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 hopdoddy Burger Bar, a division of Guy and Larry Restaurants, represented by Mr. Mitch Liggett, Director of Development.

COMMISSION FINDINGS:

The Addison Planning and Zoning Commission, meeting in regular session on December 19, 2013, voted to recommend approval of the request for approval of an ordinance changing the zoning on property located 5100 Belt Line Road, Suite 502, which property is currently zoned PD, Planned Development, through Ordinance 012-001, 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 no conditions.

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

Voting Nay: none

Absent: Hewitt, Hughes

RECOMMENDATION:

Administration recommends approval.

Attachments

docket map, staff report, and commission findings

R7 **PUBLIC HEARING** Case 1683-SUP/Vernon's Gastropub. Public hearing, discussion, consider and take action regarding approval of an ordinance changing the zoning on property located at 5290 Belt Line Road, Suite 142, by approving for that property an amendment to Ordinance 012-040, Section 2, Paragraph 9, which amended Ordinance 087-001, in order to delete a Special Condition from 012-040, Section 2, Paragraph 9 prohibiting the use of any terms or graphic depictions which relate to alcoholic beverages in any exterior signs, on application from Vernon E. Garcia, Inc., represented by Mr. Christopher Myrick.

COMMISSION FINDINGS:

The Addison Planning and Zoning Commission, meeting in regular session on December 19, 2013, voted to recommend approval of an ordinance changing the zoning on property located at 5290 Belt Line Road, Suite 142, by approving for that property an amendment to Ordinance 012-040, Section 2, Paragraph 9, which amended Ordinance 087-001, in order to delete a Special Condition from 012-040, Section 2, Paragraph 9 prohibiting the use of any terms or graphic depictions which relate to alcoholic beverages in any exterior signs, subject to no conditions.

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

Voting Nay: none

Absent: Hewitt, Hughes

RECOMMENDATION:

Administration recommends approval.

Attachments

docket map staff report and commission findings

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- R8 Presentation of the Planning and Zoning Commission Annual Report for 2013 by Planning and Zoning Chairman, Ralph Doherty.

RECOMMENDATION:

There is no administrative recommendation for this item.

Attachments

Memo to Council & Attendance Report

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- R9 Presentation, discussion, consider and take action regarding approval of an ordinance amending Chapter 62, Signs of the Code of Ordinances of the Town by providing for a Meritorious Exception to Article IV, Division 3, Attached Signs, Sec. 62-163 Item (5) to provide for a sign with letters 27" in height on the east facade of the building and to Article V , Prohibited Signs, Sec. 62-270 Outline and skeleton lighting to provide for LED luminaries that outline the elements of the building facade on an application from TGI Friday's

located at 4951 Belt Line Rd.

RECOMMENDATION:

Administration recommends denial.

Attachments

Application, Drawings, Property Owner Approval Letter

- R10 Presentation, discussion, consider and take action regarding 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.61-162 Premises Signs, Item (c) and Sec. 62-163 Area, Item (1) and Item (5) in order to provide for a sign on the west facade with letters 32" in height, a sign on the north facade with letters 36" in height and an area of approximately 41 Sq. Ft. and an additional sign on the north facade with a logo 6' 4" in height and an area of approximately 46.5 Sq. Ft. at Pollo Tropical located at 5290 Belt Line Rd Suite 100.

RECOMMENDATION:

Administration recommends denial.

Attachments

Application, Plans, Property Owner Approval Letter

- R11 Presentation, discussion and consider and take action on a resolution relating to the giving of notice of intention to issue Town of Addison, Texas Combination Tax and Revenue Certificates of Obligation, Series 2014; providing an effective date.

RECOMMENDATION:

Administration recommends approval.

Attachments

Notice of Intent 2014
2014 Schedule of Events

R12 Presentation, discussion, consider and take action regarding authorizing the City Manager to enter into a Professional Services Agreement with CH2M Hill, Inc., to provide project management services related to the revitalization of Midway Road for an amount not to exceed \$545,000.

RECOMMENDATION:

Administration recommends approval.

R13 Presentation, discussion, consider and take action regarding authorizing the City Manager to enter into an Engineering Design and Professional Services agreement between the Town of Addison and LNV, Inc., for year 2 of the Sanitary Sewer System Evaluation and Study in an amount not to exceed \$320,633.

RECOMMENDATION:

Administration recommends approval.

R14 Presentation, discussion, consider and take action regarding adoption of an incentive policy for existing hotels considering expanding their facilities.

RECOMMENDATION:

Administration recommends approval.

Attachments

Hotel Incentive Policy

Executive Session

ES1 Closed (executive) session of the Addison City Council pursuant to Section 551.071, Texas Government Code, to conduct a private consultation with its attorney(s) to seek the advice of its attorney(s) about pending litigation, to wit: *Town of Addison, Texas v. ProAir Developments, L.P.*, Cause No. DC-13-15164, 14th District Court, Dallas County, Texas.

ES2 Closed (executive) session of the Addison City Council pursuant to Section 551.071, Texas Government Code, to conduct a private consultation with its attorney(s) on matters in which the duty of the attorney(s) 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 and pertaining to Addison Airport and certain real property located at and within the Airport.

ES3 Closed (Executive) session of the Addison 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 our 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.

ES4 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 within the Town located in that area generally known as Office in the Park.

ES5 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 adjacent to and concerning Addison Airport.

Regular Items Continued

R15 Discussion, consider and take 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.

RECOMMENDATION:

Administration recommends approval.

- R16 Presentation, discussion, consider and take action regarding authorizing the City Manager to negotiate for the Town, as tenant, a lease of office space described as Suite 200, 14681 Midway Road (within the development generally known as Office in the Park), comprised of approximately 14,800 rentable square feet and owned by 14671-14683 Midway Road LP.

RECOMMENDATION:

Administration recommends approval.

- R17 Discussion, consider and take action regarding pending litigation, to wit: *Town of Addison, Texas v. ProAir Developments, L.P.*, Cause No. DC-13-15164, 14th District Court, Dallas County, Texas.
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- R18 Discussion, consider and take action regarding and pertaining to property located at and within Addison Airport.
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- R19 Discussion, consider and take action regarding the purchase or value of certain real property located within the Town and adjacent to and concerning Addison Airport.
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- R20 Discussion, consider and take action regarding the contract and compensation of Lea Dunn, Deputy City Manager as City Manager.
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Adjourn Meeting

Posted:

Matthew McCombs, January 10, 2014, 5:00pm

**THE TOWN OF ADDISON IS ACCESSIBLE TO PERSONS WITH DISABILITIES.
PLEASE CALL (972) 450-7090 AT LEAST
48 HOURS IN ADVANCE IF YOU NEED ASSISTANCE.**

Combined Meeting

WS1

Meeting Date: 01/14/2014

Council Goals: N/A

AGENDA CAPTION:

Update from Fred Hill, former State Representative, concerning legislative issues.

FINANCIAL IMPACT:

N/A

BACKGROUND:

N/A

RECOMMENDATION:

Combined Meeting

WS2

Meeting Date: 01/14/2014

Council Goals: N/A

AGENDA CAPTION:

Discussion regarding the contract and compensation of Lea Dunn, Deputy City Manager, as City Manager.

FINANCIAL IMPACT:

N/A

BACKGROUND:

N/A

RECOMMENDATION:

Combined Meeting

2a

Meeting Date: 01/14/2014

Council Goals: N/A

AGENDA CAPTION:

Approval of the Minutes for the December 2, 2013 Work Session and Special Council Meeting.

FINANCIAL IMPACT:

N/A

BACKGROUND:

N/A

RECOMMENDATION:

Administration recommends approval.

Attachments

12-2-2013 Minutes

DRAFT

OFFICIAL ACTIONS OF THE ADDISON CITY COUNCIL SPECIAL MEETING

December 2, 2013

6:00 PM

Addison Town Hall, 5300 Belt Line Rd., Dallas, TX 75254

6:00 PM Special Meeting

Posted by: Matthew McCombs, November 27, 2013, 5:00 pm

Present: Arfsten; Clemens; DeFrancisco; Gunther; Meier; Moore; Resnik

WORK SESSION

s1 Discussion and consideration of action regarding succession of the City Manager.

Rollie Waters, Waters Consulting Group, presented and spoke regarding this item. Council Members Arfsten and Clemens, Mayor Meier, all other Council Members, and City Manager Ron Whitehead also spoke regarding this item.

Motion made by Meier

Seconded by Moore to proceed with a search for a City Manager, as well as exploring "some means" of increasing the trust between Council and the Deputy City Manager, potentially including a contract.

AYE: Clemens, Meier, Moore

NAY: Arfsten, DeFrancisco, Gunther, Resnik

Failed

Following the previous motion, Council Member Clemens expressed concern with the posted notice of the meeting, which did not contain the meeting location in the area where such information is most commonly found. Clemens asked City Attorney John Hill if the meeting ought to continue in light of these concerns. Hill recommended to Council that the meeting be adjourned.

Meeting adjourned.

ES1 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 within the Town located in that area generally known as Office in the Park.

Meeting was adjourned during item S1. No action was taken.

ES2 Closed (executive) session of the Addison City Council pursuant to Section 551.074, Texas Government Code, to deliberate the employment and compensation of the Deputy City Manager, including as City Manager.

Meeting was adjourned during item S1. No action was taken.

s2 Presentation, discussion, and consideration of any action regarding authorizing the City Manager to negotiate for the Town, as tenant, a lease of office space described as Suite 200, 14681 Midway Road (within the development generally known as Office in the Park), comprised of approximately 14,800 rentable square feet and owned by 14671-14683 Midway Road LP.

Meeting was adjourned during item S1. No action was taken.

s3 Discussion and consideration of action regarding employment and compensation of a new City Manager for the Town, such employment and compensation to commence upon the retirement of current City Manager Ron Whitehead.

Meeting was adjourned during item S1. No action was taken.

Adjourn Meeting

Mayor-Todd Meier

Attest:

City Secretary-Matthew McCombs

Combined Meeting

2b

Meeting Date: 01/14/2014

Council Goals: N/A

AGENDA CAPTION:

Approval of the Minutes for the December 10, 2013 Work Session and Regular Council Meeting.

FINANCIAL IMPACT:

N/A

BACKGROUND:

N/A

RECOMMENDATION:

Administration recommends approval.

Attachments

12-10-2013 Minutes

DRAFT

OFFICIAL ACTIONS OF THE ADDISON CITY COUNCIL WORK SESSION

December 10, 2013

Addison Town Hall, 5300 Belt Line Rd., Dallas, TX 75254

6:00 PM Work Session | 7:30 PM Regular Meeting

Present: Arfsten; Clemens; DeFrancisco

Absent:

OFFICIAL ACTIONS OF THE ADDISON CITY COUNCIL REGULAR MEETING

December 10, 2013

Addison Town Hall, 5300 Belt Line Rd., Dallas, TX 75254

6:00 PM Work Session | 7:30 PM Regular Agenda

Posted by: Matthew McCombs, December 6, 2013, 5:00pm

Present: Arfsten; Clemens; DeFrancisco; Gunther; Meier; Moore

Absent: Resnik

WORK SESSION

WS1 Presentation and discussion regarding the rebranding campaign for the Town of Addison.

RECOMMENDATION:

There is no administrative recommendation for this item.

Carrie Rice, Director of Marketing and Communications, and Laura Schieber, Vivanti Group, presented and spoke regarding this item.

There was no action taken on this item.

WS2

Presentation and discussion regarding the Town of Addison's 60th Anniversary Celebration.

RECOMMENDATION:

There is no administrative recommendation for this item.

Mayor Todd Meier, Mayor Pro Tem Blake Clemens, and Lea Dunn Deputy City Manager, spoke regarding this item.

There was no action taken on this item.

WS3

Discussion regarding the Town of Addison's Holiday Brunch held on December 1, 2013.

RECOMMENDATION:

There is no administrative recommendation for this item.

Rob Bourestom, Conference Center Manager, and Lea Dunn, Deputy City Manager, spoke regarding this item.

There was no action taken on this item.

REGULAR MEETING

Pledge of Allegiance

Announcements and Acknowledgements regarding Town and Council Events and Activities

Introduction of Employees

Discussion of Events/Meetings

Consent Agenda.

- 2a Approval of the Minutes for the October 14, 2013 Work Session and Special Council Meeting.

RECOMMENDATION:

Administration recommends approval.

Motion made by Clemens to approve, as submitted

Seconded by DeFrancisco

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

Passed

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- 2b Approval of the Minutes for the October 28, 2013 Work Session and Special Council Meeting.

RECOMMENDATION:

Administration recommends approval.

Motion made by Clemens to approve, as submitted

Seconded by DeFrancisco

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

Passed

-
- 2c Approval of the Minutes for the November 26, 2013 Work Session and Regular Council Meeting.

RECOMMENDATION:

Administration recommends approval.

Motion made by Clemens to approve, as submitted

Seconded by DeFrancisco

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

Passed

2d

Approval for the City Manager to sign a termination of easement agreement between The Village on the Parkway (VOP, LP), and the Town of Addison regarding termination of a parking easement in the Village on the Parkway.

RECOMMENDATION:

Administration recommends approval of the termination of easement agreement.

Motion made by Clemens to approve, as submitted
Seconded by DeFrancisco

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

Passed

2e

Approval authorizing the City Manager to execute a cooperative purchasing agreement with the City of Cedar Hill, subject to final review and approval by the City Attorney and City Manager.

RECOMMENDATION:

Administration recommends approval.

Motion made by Clemens to approve, as submitted
Seconded by DeFrancisco

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

Passed

Regular Items

R3

Presentation of the Certificate of Achievement for Excellence in Financial Reporting for the Comprehensive Annual Financial Report for the fiscal year ended September 30, 2012.

RECOMMENDATION:

There is no administrative recommendation for this item.

Eric Cannon, Chief Financial Officer, presented and spoke regarding this item.

There was no action taken on this item.

R4

PUBLIC HEARING. Public Hearing regarding the City Council process for selecting a person to serve as the new City Manager upon the retirement of the current City Manager.

RECOMMENDATION:

There is no administrative recommendation for this item.

John Hill, City Attorney, spoke regarding this item.

The following individuals spoke at the public hearing:

Morris Norwood, 14593 Longfellow
Ivan Hughes, 14925 Oaks North
Mary Carpenter, 4006 Winter Park
Sue Halpern, 14800 Le Grande
Billy Dreis, 4025 Morman
Justin Pierce, Addison Police Association
Robert Haddock, Fire Department
Bunny Summerlin, 4000 Morman
Linda Groce, 4102 Pokolodi
Mike Devereaux, 15032 Winwood
Al Angell, 14540 Winwood
Randy Smith, 14933 Havenshire
Liz Oliphant, 14700 Marsh
Denise Fansler, 3725 Chatham
Ralph Doherty, 14718 Celestial
Susanne Oliver, 14605 Hemingway
Robert Jacoby, 4016 Rive
Tom Hunse, 14784 Winwood
Dan Basso, 14916 Bellbrook

There was no action taken on this item.

R5

Presentation by Billy Dreis and discussion regarding the Town of Addison's dog parks.

RECOMMENDATION:

There is no administrative recommendation for this item.

Billy Dreis, 4025 Morman, presented and spoke regarding this item.

There was no action taken on this item.

R6

PUBLIC HEARING Case 1675-Z/Town of Addison. Public Hearing, discussion and consideration of approval of an ordinance amending the Code of Ordinances of the Town by amending Appendix A – Zoning, thereof, the same being the Comprehensive Zoning Ordinance, by amending Article XX (Special Uses), Section 1, Subsection A, by adding to the list of Special Uses a microbrewery in any district other than a Planned Development District and in any Planned Development District where a microbrewery is allowed (New Subsection A.(39)), subject to the adoption of an ordinance authorizing the same, and amending Section XXX (definitions) by adding thereto a definition of microbrewery, on application from the Town of Addison, represented by Carmen Moran.

COMMISSION FINDINGS:

The Addison Planning and Zoning Commission, meeting in regular session on November 21, 2013, voted to recommend approval of an ordinance amending the Code of Ordinances of the Town by amending Appendix A – Zoning, thereof, the same being the Comprehensive Zoning Ordinance, by amending Article XX (Special Uses), Section 1, Subsection A, by adding to the list of Special Uses a microbrewery in any district other than a Planned Development District and in any Planned Development District where a microbrewery is allowed (New Subsection A. (39), subject to the adoption of an ordinance authorizing the same, all in accordance with the terms, conditions and restrictions set forth in this ordinance and in any other ordinance of the Town and with applicable laws, rules and regulations; and amending Section XXX (definitions) by adding thereto a definition of microbrewery.

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

Voting Nay: none

Absent: none

RECOMMENDATION:

Administration recommends approval.

Carmen Moran, Director of Development Services, presented and spoke regarding this item.

There were no individuals who spoke at the public hearing.

Motion made by DeFrancisco to approve, as submitted

Seconded by Moore

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

Passed

R7

PUBLIC HEARING Case 1676-SUP/BodyGuard Sports, LLC.

Public hearing, discussion and consideration of approval of an ordinance changing the zoning on property located at 4949 Belt Line Road, which is currently zoned Commercial-1 (C-1) approving for that property a Special Use Permit for a form of commercial amusement (an indoor weapons training and shooting facility) (C-1), at 4949 Belt Line Road, on application from BodyGuard Sports, LLC, represented by Mr. William M. Brandenburg.

COMMISSION FINDINGS:

The Addison Planning and Zoning Commission, meeting in regular session on November 21, 2013, voted to recommend approval of an ordinance amending the zoning on a property located at 4949 Belt Line Road by approving for that property a Special Use Permit for a form of commercial amusement (an indoor weapons training and shooting facility) located in a Commercial-1 district (C-1), subject to the following conditions:

- The applicant shall provide calculations and quantities for the site so the staff can determine if the required 20% site landscaping has been met.
- Four new shade trees shall be added to the Quorum Drive frontage.
- Additional shrubs shall be planted along the Quorum Drive frontage following the removal of the temporary leasing sign.

- The parking lot islands shall be filled in with additional plant material to meet the requirements of the landscaping ordinance.
- The Bradford pear trees along the north side of the building shall be replaced with 4" caliper trees (which shall be approved by the Town prior to installation).

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

Voting Nay: none

Absent: none

RECOMMENDATION:

Administration recommends approval.

Carmen Moran, Director of Development Services, and Bill Brandenburg, BodyGuard Sports, LLC, presented and spoke regarding this item.

The following individuals spoke at the public hearing:

Darryl Snadon, 15280 Addison

Mark Summer, 15280 Addison

Gary Rochelle, BodyGuard Sports, LLC

Mike Devereaux, 15032 Winwood

Bill Brandenburg, BodyGuard Sports, LLC

Motion made by Meier to continue the public hearing to January 14, 2014 at 7:30 PM at Town Hall

Seconded by Clemens

Motion made by Meier

to amend the original motion to change the date to January 6, 2014

Seconded by Clemens

Voting AYE: Arfsten, Clemens, Gunther, Meier, Moore

NAY: DeFrancisco

Passed

Voting Aye on the original motion as amended.

Voting AYE: Arfsten, Clemens, Gunther, Meier, Moore

NAY: DeFrancisco

Passed

R8

PUBLIC HEARING Case 1677-SUP/Home 2 Suites by Hilton.

Public Hearing, discussion and consideration of approval of an ordinance changing the zoning on property located at 4901 Belt Line Road, which is currently zoned Commercial C-2, by approving for that property a Special Use Permit for a hotel, on application from Magnolia Lodging Development, LLC, represented by Mr. Matthew W. Newton.

COMMISSION FINDINGS:

The Addison Planning and Zoning Commission, meeting in regular session on November 21, 2013, voted to recommend approval of an ordinance amending the zoning on a piece of property located at 4901 Belt Line Road, which is currently zoned Commercial-2 (C-2) by approving for that property a Special Use Permit for a hotel, subject to the following conditions:

- The applicant shall provide the Town of Addison an official height determination from the FAA (form 7460-1) before a building permit is issued.
- The property owner shall provide an Avigation Easement to the Town prior to the issuance of a building permit for the project.
- The applicant shall confirm where the future water/sewer/drainage connections are going to be made to this site, and clarify whether they will be in the proposed parking lot or on the hotel site. The applicant must submit drainage calculations and drawings to “prove up” the detention requirements.
- This site and the retail building site for Potbelly/Taco Diner must be re-platted to accommodate the moved property lines and moving of parking areas between this site and the retail building site. This re-plat shall be completed prior to the issuance of a building permit for the hotel.

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

Voting Nay: none

Absent: none

RECOMMENDATION:

Administration recommends approval.

Carmen Moran, Director of Development Services, and Matthew Newton, Magnolia Lodging Development, LLC, presented and spoke regarding this item.

There were no individuals who spoke at the public hearing.

Motion made by Arfsten to approve, as submitted, with the conditions listed

Seconded by Gunther

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

Passed

R9

PUBLIC HEARING Case 1678-SUP/Gloria's Restaurant. Public hearing, discussion and consideration of approval of an ordinance changing the zoning on property located at 5100 Belt Line, Suite 864, which property is currently zoned PD, Planned Development, through Ordinance 012-001, 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 Gloria's Restaurant, represented by Mr. Matthew Crittenden of MSC Design, LLC.

COMMISSION FINDINGS:

The Addison Planning and Zoning Commission, meeting in regular session on November 21, 2013, voted to recommend approval of the request for approval of an ordinance changing the zoning on property located at 5100 Belt Line, Suite 864, which property is currently zoned PD, Planned Development, through Ordinance 012-001, 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 Gloria's Restaurant, subject to no conditions, as the landscaping plan the staff had requested was submitted before the meeting.

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

Voting Nay: none

Absent: none

RECOMMENDATION:

Administration recommends approval.

Carmen Moran, Director of Development Services, presented and spoke regarding this item.

The following individual spoke at the public hearing:

Matthew Crittenden, MSC Design, LLC

Motion made by Clemens to approve, as submitted
Seconded by DeFrancisco

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

Passed

R10

PUBLIC HEARING Case 1679-SUP/Greenhill School. Public hearing, discussion and consideration of approval of an ordinance changing the zoning on property located at 4141 Spring Valley Road, located in a Residential-1 (R-1) district by approving for that property an amendment to an existing Special Use Permit for a private school, on application from Greenhill School, represented by Mr. Milton Powell of Page Southerland Page Architects.

COMMISSION FINDINGS:

The Addison Planning and Zoning Commission, meeting in regular session on November 21, 2013, voted to recommend approval of an ordinance changing the zoning on property located at 4141 Spring Valley Road, located in a Residential-1 (R-1) district by approving for that property an amendment to an existing Special Use Permit for a private school, on application, subject to the following conditions:

- The landscaping plans should be revised to include the following items:
 1. The landscape buffer along Spring Valley should include a mixture of various shade trees instead of a monoculture of one type of tree.
 2. The Lacebark Elm trees should be replaced with a different

variety of shade tree due to the Cotton Root Rot that is found in many parts of Addison.

3. Decomposed granite in the swale plantings should not be installed on slopes greater than 2% due to wash-out.
 4. The plan should ensure that turf replacement covers all areas disturbed by construction (vegetative swale on P-AS 101 versus P-L 201).
 5. The plans should label the contours on the south side of the PAAC building and identified as a landscape berm (P-AS 101).
- The applicant shall provide specification sheets on the pavers proposed so that the Town can be sure they will support the weight of the Fire Department equipment. In addition, the school must provide the Town with a letter from a registered Engineer certifying that the pavers are suitable for use as a fire lane.
 - The applicant shall provide the Town's Engineering staff with information proving that the proposed rain gardens/bioswales will act as stormwater detention and that there is sufficient capacity as required by the Addison Stormwater Manual.
 - The school site shall be re-platted to include the sports fields at the southeast corner back in with the school property prior to the issuance of a building permit for the Performing Arts and Assembly Center.

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

Voting Nay: none

Absent: none

RECOMMENDATION:

Administration recommends approval.

Carmen Moran, Director of Development Services, presented and spoke regarding this item. Scott Griggs, Greenhill School, also spoke regarding this item.

There were no individuals who spoke at the public hearing.

Motion made by DeFrancisco to approve, as submitted, with the conditions listed

Seconded by Arfsten

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

Passed

R11

Presentation, discussion, and consideration of approval of amendment number 6 to the Program/Project Management Professional Services agreement between the Town of Addison and R.H. Shackelford, Inc. in the amount not to exceed \$402,870.74.

RECOMMENDATION:

Administration recommends approval.

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

Motion made by Arfsten to approve, as submitted
Seconded by Gunther

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

Passed

R12

Discussion, review, and consideration of action regarding attendance by members of the City Council at City Council meetings.

RECOMMENDATION:

There is no administrative recommendation for this item.

John Hill, City Attorney, presented and spoke regarding this item.

Motion made by Meier to produce an annual report of attendance by City Council members at regular council meetings in a similiar fashion to the Planning and Zoning Commission

Seconded by Moore

Voting AYE: Clemens, Meier, Moore

NAY: Arfsten, DeFrancisco, Gunther

Failed

Executive Session

ES1

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 within the Town located in that area generally known as Office in the Park.

RECOMMENDATION:

There is no administrative recommendation for this item.

Item was pulled and no closed session was held.

There was no action taken on this item.

Regular Items Continued

R13

Presentation, discussion, and consideration of any action regarding authorizing the City Manager to negotiate for the Town, as tenant, a lease of office space described as Suite 200, 14681 Midway Road (within the development generally known as Office in the Park), comprised of approximately 14,800 rentable square feet and owned by 14671-14683 Midway Road LP.

RECOMMENDATION:

Administration recommends approval.

Item was pulled.

There was no action taken on this item.

Adjourn Meeting

Mayor-Todd Meier

Attest:

City Secretary-Matthew McCombs

Combined Meeting

2c

Meeting Date: 01/14/2014

Council Goals: N/A

AGENDA CAPTION:

Approval of the Minutes for the January 6, 2014 Work Session and Special Council Meeting.

FINANCIAL IMPACT:

N/A

BACKGROUND:

N/A

RECOMMENDATION:

Administration recommends approval.

Attachments

01-06-2014 Minutes

DRAFT

OFFICIAL ACTIONS OF THE ADDISON CITY COUNCIL SPECIAL MEETING

January 6, 2014

6:00 pm

Addison Town Hall, 5300 Belt Line Rd., Dallas, TX 75254

6:00 pm Special Meeting

Posted by: Matthew McCombs, January 3, 2014, 5:00 pm

Present: Arfsten; Clemens; DeFrancisco; Gunther; Meier; Moore; Resnik

SPECIAL MEETING

- S1 **PUBLIC HEARING** Case 1676-SUP/BodyGuard Sports, LLC. Public hearing, discussion and consideration of approval of an ordinance changing the zoning on property located at 4949 Belt Line Road, which is currently zoned Commercial-1 (C-1) by approving for that property a Special Use Permit for a form of commercial amusement (an indoor weapons training and shooting facility) (C-1), at 4949 Belt Line Road, on application from BodyGuard Sports, LLC, represented by Mr. William M. Brandenburg.

COMMISSION FINDINGS:

The Addison Planning and Zoning Commission, meeting in regular session on November 21, 2013, voted to recommend approval of an ordinance amending the zoning on a property located at 4949 Belt Line Road by approving for that property a Special Use Permit for a form of commercial amusement (an indoor weapons training and shooting facility) located in a Commercial-1 district (C-1), subject to the following conditions:

- The applicant shall provide calculations and quantities for the site so the staff can determine if the required 20% site landscaping has been met.

- Four new shade trees shall be added to the Quorum Drive frontage.
- Additional shrubs shall be planted along the Quorum Drive frontage following the removal of the temporary leasing sign.
- The parking lot islands shall be filled in with additional plant material to meet the requirements of the landscaping ordinance.
- The Bradford pear trees along the north side of the building shall be replaced with 4” caliper trees (which shall be approved by the Town prior to installation).

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

Voting Nay: none

Absent: none

RECOMMENDATION:

Administration recommends approval.

Mark Sommer, Beltway Commercial Real Estate, and Bill Bradenburg, BodyGuard Sports, LLC, presented and spoke regarding this item.

The following individuals spoke at the public hearing:

Mark Sommer, 15280 Addison

Emily Durham, 14913 Oaks North

Lisa Kittredge, 4108 Rive

David Pells, 3829 Canot

Chris Mulvaney, 3867 Lakeview

Josh Napieralski, 16300 Ledgemont

Jerry Stephens, 4067 Beltway

Rick Witherspoon, 3891 Lakeview

Holland Hernandez, 3792 Waterford

Judy Zipkes, 4101 Rive

Mary Carpenter, 4606 Winter Park

Ray Higgins, Parker, TX

Beth Henderson, 3780 Waterside

Scott Eckstein, 806 Scottsdale, Richardson, TX

Ann Sudduth, 3919 Winter Park

Betty Price, 4114 Leadville

A motion was made by Council Member Clemens to deny the request of Case-1676-SUP/BodyGuard Sports, LLC.

Motion made by Clemens

Seconded by Moore

AYE: Arfsten, Clemens, Gunther, Meier, Moore, Resnik

NAY: DeFrancisco

Passed

- S2 Discussion and consideration of action regarding the process to determine the new City Manager following the retirement of the current City Manager.

RECOMMENDATION:

There is no administrative recommendation for this item.

A motion made by Council member Clemens to initiate a search process to determine the next city manager following the retirement of the current city manager.

Motion made by Clemens

Seconded by Moore

AYE: Clemens, Meier, Moore

NAY: Arfsten, DeFrancisco, Gunther, Resnik

Failed

EXECUTIVE SESSION

- ES1 Closed (executive) session of the Addison City Council pursuant to Section 551.074, Texas Government Code, to deliberate the appointment, employment and compensation of the Deputy City Manager, including as City Manager.

RECOMMENDATION:

There is no administrative recommendation for this item.

The Deputy City Manager Lea Dunn, filed a request with the Council that this item be held in open session; therefore this item was deliberated in open session and there was no closed session for this item.

ES2 Closed (executive) session of the Addison City Council pursuant to Section 551.074, Texas Government Code, to deliberate the appointment and employment of a new City Manager.

RECOMMENDATION:

There is no administrative recommendation for this item.

Council entered Executive Session at 6:59pm.

Council exited Executive Session at 7:15pm.

SPECIAL MEETING CONTINUED

S3 Discussion and action regarding the selection, employment and compensation of a new City Manager for the Town, such employment and compensation to commence upon the retirement of the current City Manager.

RECOMMENDATION:

There is no administrative recommendation for this item.

A motion was made by Council Member Gunther to appoint Lea Dunn as the City Manager effective March 1st, subject to reaching agreement on the terms of her employment as City Manager.

Motion made by Gunther

Seconded by DeFrancisco

AYE: Arfsten, DeFrancisco, Gunther, Resnik

NAY: Clemens, Meier, Moore

Passed

ADJOURN MEETING

Mayor-Todd Meier

Attest:

City Secretary-Matthew McCombs

Combined Meeting

2d

Meeting Date: 01/14/2014

Council Goals: Mindful stewardship of Town Resources.
Raise property values
Brand Protection and Enhancement
Infrastructure improvement and maintenance
Promote Sustainability

AGENDA CAPTION:

Approval of annual contract landscape planting throughout the Town not to exceed \$150,000 for new landscaping and refurbishment projects.

FINANCIAL IMPACT:

The parks department is requesting approval to fund various landscape projects budgeted and funded out of the Parks Department operations budget for a one year period.

BACKGROUND:

Last year, the Council approved a unit cost annual contract with American Landscape Systems, which precludes the Parks Department from having to repetitively request pricing each time landscape work is needed. The contract can be renewed annually for four additional years if agreeable to both parties. Staff expects work over the next twelve months to exceed the \$50,000 threshold requiring Council approval.

RECOMMENDATION:

Administration recommends approval.

Attachments

Unit Cost Plant Summary

Scope of Services for Unit Cost Annual Contract - Parks Operations Budget FY 2014-2015

- | | | | |
|---|--|--|--|
| | | | |
| 1. Restore right-of-way turf along Beltway Drive, Proton Drive from Marsh Lane to the Athletic Club | | | |
| 2. Re-sod all turf areas at Town Hall to eliminate labor intensive annual seeding of fescue grass. | | | |
| 3. Refurbish the lawn area with ground cover in front of the Celestial Pump Station. | | | |
| 6. Re-plant the south side of Town Park where the perimeter fence was removed and replaced. | | | |
| 7. Refurbish ground cover on the Arapaho Road medians from Surveyor Road to Marsh Lane. | | | |
| 8. Plant new ground cover on the Quorum Drive medians where grass has receded due to maturing | | | |
| 9. Refurbish common areas in Oaks North and Winnwood Entry | | | |
| 10. Re-plant Montfort Medians | | | |
| 11. Other miscellaneous plant as needed. | | | |

Bid Tabulation Form

Description	American Landscape Systems	Smith Lawn & Tree	All Around Lawn Care
1-gallon Weeping Love Grass	\$5.95	\$3.78	\$9.00
1- gallon Mexican Feather Grass	\$5.95	\$3.78	\$9.00
3-gallon Gulf Stream Nandina	\$16.50	\$21.00	\$21.00
5-gallon Gulf Stream Nandina	\$27.50	\$29.40	\$38.00
3-gallon Compact Nandina	\$17.00	\$21.00	\$13.50
3-gallon Moonbay Nandina	\$27.50	\$24.00	\$28.00
5-gallon Moonbay Nandina	\$37.50	\$29.50	\$46.00
3-gallon Endless Summer Hydrangea	\$34.50	\$24.50	\$38.00
3-gallon Oakleaf Hydrangea	\$37.50	\$24.50	\$27.00
3-gallon Encore Azaleas (selected varieties)	\$29.50	\$25.50	\$28.00
2-gallon Holly Fern	\$7.95	\$19.40	\$24.50
1-gallon Asian Jasmine	\$2.95	\$3.78	\$3.00
1-gallon Purple Winter Creeper	\$2.95	\$3.78	\$6.25
2-gallon Dwarf Yaupon	\$13.25	\$14.50	\$6.50
3-gallon Dwarf Yaupon	\$13.25	\$16.50	\$16.00
3-gallon Knockout Rose	\$27.50	\$25.60	\$24.50
2-gallon Fairy Rose	\$14.50	\$16.50	\$24.50
2-gallon Drift Rose	\$22.95	\$18.50	\$21.00
3-gallon Dwarf Burford Holly	\$13.25	\$16.50	\$12.65
3-gallon Chinese Holly	\$13.25	\$16.50	\$21.00
3-gallon Carrisa Holly	\$13.25	\$16.50	\$16.00
3-gallon Cleyera	\$13.25	\$16.50	\$24.50
3-gallon Dwarf Abelia	\$13.25	\$18.50	\$24.50
3-gallon Anthony Waterer Spirea	\$13.25	\$18.50	\$17.75
3-gallon Variegated Pittosporum	\$17.50	\$16.50	\$21.00
3-gallon Wintergreen Boxwood	\$13.25	\$16.50	\$17.75
3-gallon Leatherleaf Mahonia	\$23.50	\$17.50	\$21.00
3-gallon Rosemary	\$19.50	\$17.50	\$24.50

1-gallon Giant Liriope	\$2.95	\$14.50	\$7.50
1-gallon Standard Green Liriope	\$4.65	\$3.75	\$4.25
1-gallon Variegated Liriope	\$3.25	\$4.50	\$4.25
1-gallon Silver Dragon Liriope	\$4.65	\$5.25	\$6.00
1-gallon Dwarf Mondo Grass	\$3.95	\$3.75	\$4.50
1-gallon Standard Mondo Grass	\$3.95	\$4.25	\$4.25
2-gallon Plum Delight Loropetalum	\$13.25	\$18.50	\$21.00
5-gallon Miniature Weeping Crape Myrtle	\$37.50	\$32.00	\$29.50
3-gallon Gulf Muhly Grass	\$16.50	\$24.00	\$21.00
3-gallon Russian Sage	\$21.50	\$18.50	\$21.00
5-gallon Red Yucca	\$21.50	\$21.50	\$19.00
5-gallon Soft Leaf Yucca	\$23.50	\$21.50	\$38.00
1-gallon Aspidistra-Cast Iron Plant	\$7.95	\$7.50	\$9.25
1-gallon Texas Gold Columbine	\$7.85	\$7.50	\$7.00
1-gallon Farfugium Leopard Plant	\$9.75	\$8.50	\$7.50
1-gallon Turks Cap	\$7.95	\$8.50	\$9.25
1-gallon Purple Wantering Jew	\$7.95	\$7.50	\$9.50
1-gallon Purple Heart Plant	\$7.95	\$7.50	\$7.50
1-gallon Tradescantia Pallida	\$7.95	\$8.50	\$7.50
1-gallon Heuchera Coral Bells	\$7.75	\$8.50	\$7.50
1-gallon Bearded Iris (selected varieties)	\$9.50	\$9.50	\$9.25
1-gallon Cannas (selected varieties)	\$7.75	\$9.25	\$10.95
2-gallon American Beautyberry	\$21.50	\$16.50	\$29.50
2-gallon Butterfly Ginger	\$23.75	\$16.50	\$11.00
1-gallon Saxifraga	\$9.95	\$8.50	\$7.50
2-gallon Pavonia	\$24.75	\$8.50	\$7.50
1-gallon John Fanick Phlox	\$9.95	\$7.25	\$7.50
1-gallon Victoria Phlox	\$8.75	\$7.50	\$7.50
1-gallon Blackeyed Susan	\$7.75	\$8.50	\$7.50
1-gallon Lindheimers Gaura	\$7.75	\$8.50	\$7.50
1-gallon Purple Coneflower	\$7.75	\$8.50	\$6.25
1-gallon Hardy Hibiscus	\$9.95	\$10.50	\$7.50
1-gallon Mystic Spires Blue Salvia	\$7.75	\$9.25	\$6.50
1-gallon Henry Duelberg Salvia	\$8.95	\$9.25	\$6.25
1-gallon Stella dOro Daylily	\$8.95	\$9.50	\$6.25
1-gallon Orange Crush Daylily	\$11.25	\$9.50	\$6.50
Common Bermuda	\$0.50	\$0.27	\$0.32
Tex-Turf 10 Hybrid Bermuda	\$0.65	\$0.35	\$0.75
CT-2 Hybrid Bermuda	\$0.65	\$0.48	\$0.65
Celebration Bermuda	\$0.95	\$0.61	\$0.65
Raleigh St. Augustine	\$0.65	\$0.61	\$0.65
Palisades Zoysia	\$1.05	\$1.02	\$0.75
El Toro Zoysia	\$1.05	\$1.15	\$0.75
Zeon Zoysia	\$1.05	\$1.25	\$0.75
Buffalo	\$0.95	\$0.78	\$0.65
Groundcovers, perennials, shrubs	\$0.45	\$16.50	\$12.50
Roses	\$0.75	\$21.00	\$12.50

Grass sod	\$0.05	\$0.45	\$0.32
3/16 steel edging	\$2.75	\$2.90	\$5.50
TOTAL	\$917.70	\$936.89	\$1,011.34

\$10.00	\$12.50	
\$10.00	\$12.50	
\$11.00	\$12.50	
\$12.00	\$12.50	
\$11.00	\$12.50	
\$11.00	\$12.50	
\$17.00	\$31.00	
\$30.00	\$51.00	
\$24.00	\$39.50	
\$26.00	\$29.80	
\$30.00	\$64.00	
\$30.00	\$64.00	
\$11.00	\$22.00	
\$11.00	\$25.60	
\$11.00	\$14.50	
\$11.00	\$12.50	
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\$11.00	\$18.40	
\$11.00	\$11.40	
\$18.00	\$16.70	
\$18.00	\$24.60	
\$11.00	\$17.00	
\$18.00	\$19.30	
\$11.00	\$15.70	
\$11.00	\$15.70	
\$11.00	\$9.50	
\$11.00	\$14.10	
\$11.00	\$15.00	
\$11.00	\$15.00	
\$11.00	\$11.20	
\$11.00	\$11.20	
\$11.00	\$11.20	
\$11.00	\$11.20	
\$0.30	\$0.27	
\$0.30	\$0.29	
\$0.32	\$0.29	
\$0.32	\$0.29	
\$0.42	\$0.27	
\$0.48	\$0.29	
\$0.48	\$0.29	
\$0.48	\$0.29	
\$0.50	\$0.31	
\$0.90	\$12.40	
\$1.15	\$42.00	

\$0.05	\$0.29	
\$2.70	\$17.80	
\$1,158.40	\$1,706.10	

Combined Meeting

2e

Meeting Date: 01/14/2014

Council Goals: Maintain and enhance our unique culture of creativity and innovation.

Raise property values

Brand Protection and Enhancement

Infrastructure improvement and maintenance

Fully integrate the Arts as part of our brand

Implement bond propositions

Promote Sustainability

AGENDA CAPTION:

Approval of a design contract with Mesa Design Group Landscape Architecture totaling \$229,490 to provide construction documents and bid specifications, as well as, construction observation for the Beltway Drive and Proton Drive pedestrian connectivity improvements.

FINANCIAL IMPACT:

This contract will be funded out of the \$3.5 million 2012 Bond Program - Proposition 6. To date, the Town has funded \$47,370 for completion of the schematic design and probable cost estimates for the pedestrian connectivity improvements related to the Beltway and Proton pedestrian connectivity project. The total landscape architecture design fees comprising the schematic and construction document phases, excluding surveying, is 9.2 percent of the estimated \$3 million construction cost. This is a consistent design fee range based on the staff's experience with previous design services fees for projects with a similar scope of work.

The \$3 million estimated construction cost includes the improvements presented in the November 2013 Work Session (\$2.4 million), in addition to the section extending from Belt Line Road to Arapaho Road (\$600,000).

The attachment Exhibit "A" summarizes the scope of work and design services fee. The total fee of \$229,490 includes the base services and the construction observation services.

BACKGROUND:

In November 2013 staff presented the schematic design improvements and probable cost estimates for the Redding Trail extension from Fire Station II to Belt Line Road, Beltway Drive parkway and lighting improvements and Proton Drive pedestrian lighting.

The Council recommended approval to proceed with construction document preparation, and requested that the documents include extension of the trail north of Belt Line Road to Arapaho Road within the existing Oncor electric transmission right-of-way. Additionally, Council requested that staff include connection of pedestrian crossings at Beltway Drive and Les Lacs Drive, Addison Athletic Club, LeGrande Drive and a speed table crossing at the existing Redding Trail crossing where the trail intersects Proton Drive.

The time line for completion of the Redding Trail extension and Proton Drive lighting is slated for December 2014. The Beltway Drive parkway improvements will follow in 2015.

RECOMMENDATION:

Administration recommends approval.

Attachments

Mesa Design Services Proposal

Exhibit "A"

January 7, 2014

Michael Kashuba
Parks, Recreation and Landscape Development
Town of Addison
P.O. Box 9010
Addison, TX 75001

Project: Pedestrian Connection Project: Beltway-Proton-Easement Park Construction Documents
Addison, Texas

Dear Mr. Kashuba,

We are pleased to present this letter of proposal describing landscape architectural services to be provided by MESA, the costs of these services and general conditions under which these services would be executed. This proposal addresses the construction documents, specifications, bidding assistance, and construction observation services to implement the design proposed under previous contract. These services will be bid in three separate packages:

1. Easement Park from Fire Station #2 to Arapaho Road (Part 1)
2. Beltway Road Parkway and Lighting Improvements (Part 2)
3. Proton Road Street and Pedestrian Lighting (Part 3)

SCOPE OF SERVICES:

Task One: Project Initiation and Initial Design Charrette Review (Completed)

MESA will coordinate a kick-off meeting with the Town of Addison to discuss final deliverables, schedules, and critical milestones regarding the construction documents. At this meeting, the final design scope, budget and priorities will be determined.

Product: None

Meetings: One (1) kickoff meeting.

Task Two: Interim Construction Documents (50% Review Set)

Based upon the approved schematic design submittal (from previous contract) and within the established Client's budget, MESA will finalize the design program with input from the Client. This input will include budgetary considerations, site programming, and Project Team comments received from the presentation at the end of the previous Task. This level of development will deal with more detailed and refined aspects of the design, such as material selections and specific design element layouts and dimensions. The design documents will serve as an interim progress review and pricing package and will be presented to the Client for review and comment to confirm the final design and establish budget priorities (bid alternates).

It is understood by MESA and Town Staff that Oncor or their agents shall provide load information, connection and footing details, and connection locations for inclusion into MESA's plans.

Preparation of documentation shall include refinement of the following areas:

1. Finalize hardscape designs, review paving material, patterns and textures and coordinate solutions with Architect.
2. Street sections and ROW Improvement for Town Traffic Engineer/Public Works review.

3. Coordinate preliminary grading plans with project architect and civil engineer including intended site spot elevations and slope
4. Preliminary planting plans including layout plans, plant selections and details.
5. Preliminary landscape irrigation system plans including water source, sleeving and selection of equipment.
6. Update projections of probable costs based on progress of work.
7. Coordinate irrigation plans with civil consultant for water supply, meter zones, and water saving concepts. Coordinate with electrical consultant controller locations.
8. Presentation to Town staff
9. Light fixture and sleeving layout in coordination with information provided by Oncor.

Product: CAD based site master plan depicting hardscape and landscape designs. Preliminary sections indicating critical dimensions, materials, and finishes.

Meetings: One (1) progress meeting and one (1) final coordination meeting with the Town.

Task Three: Final Construction Documents (100% Review Set and Bid Set)

Upon completion and written authorization of interim construction documents approval (Architect, Town), MESA will proceed with construction documentation. MESA construction document scope shall be as follows:

1. Layout plans for all hardscape elements that include, but are not limited to, sidewalks, fences, and planter beds. Plans will locate site furnishings and special paving.
2. Hardscape details for paving and hardscape appurtenances within scope. Structural details for pole mounted lighting will be by Oncor or Town of Addison Standard details. Details will depict dimensional control, materials, and aesthetics.
3. Irrigation plans and details.
4. Landscape plan for all areas identified above.
5. Lighting design, MESA will coordinate locations with Town Staff and Oncor representatives as needed. All sleeving and wiring layouts are to be coordinated with MESA to avoid any conflicts with landscape or irrigation design. Engineer will specify fixture and sleeve locations.
6. Grading and drainage coordination (MESA will prepare conceptual grading approaches for incorporation by project Civil will produce final grading plans including drainage methods).
7. Technical specifications and bid documents.
8. Final construction cost projection, based on bid history and interface with potential contractors.
9. Final coordination with Town of Addison and consultants as required and provide documents for plan check submission with architectural plans. Landscape plans shall be based on Town approved and signed documents, along with previously approved site plan drawings by municipal agencies.
10. TAS/TDLR submission and plan review by licensed agency.

Product: MESA will provide the following sets for the project throughout the construction phase:

1. Three (3) final 100% sets: three (3) set of specifications, 100% construction documents and cost projection.
2. One (1) electronic file drawing in AutoCAD format
3. Five (5) final Bid Sets including all specifications, construction documents and bid forms.

Meetings: Assumes up to four (4) meetings/presentations to discuss the design and coordinate with the design team that will last approximately one day. Additional meetings will be billed on a per meeting basis.

Task Four: Bidding

MESA will assist the Town Staff with the selection of the general contractor and sub-contractors in breaking down the scope of work and associated elements for preparation of bid packages. Additionally, MESA will assist the Town Staff in verifying and evaluating bid completeness, negotiations, and award of the project to successful bidders. This task includes:

1. Prepare unit bid forms for contractors to submit identifying unit cost, materials, installation, guarantees, and maintenance periods.
2. Advise Town on qualified bidders (subcontractors underneath general contractor scope) who are capable of completing a project of this magnitude in each area of sub-contracting.

3. Assist Town in releasing bids, addenda and analyzing bids submitted by sub-contractors.
4. Recommend contractor selection.

Meetings: Assumes up to two (2) meetings to meet with the Town and/or bidding contractors, in Dallas.

Task Five: Construction Observation

As requested by the Town, MESA will provide optional construction observation and field technical assistance for the construction phase of the work. These services are supplemental to the duties of the Town's landscape architect. The following construction activities for landscape architectural services are optional and will be agreed upon prior and billed at an hourly rate:

1. Attendance in weekly or monthly progress meetings.
2. Review submittals, shop drawings, mock-ups and RFI's.
3. Plan substitutions not noted in the original construction documents or specifications.
4. Review layout of hardscape elements within scope of service.
5. Observe hardscape construction activities.
 - a. Tree pruning, removal, and protection placement and monitoring throughout construction.
 - b. Final rough grading and excavation – grades to be confirmed by surveyor to identify compliance/ conflict with plan set prior to any forming work.
 - c. Layout of sidewalks, sleeving, and transformer pads, and other hardscape elements within scope.
 - d. Locations for security or street lighting poles prior to pouring concrete.
 - e. Response to contractor's questions for clarification of the landscape architectural construction documents.
6. Observe landscape and irrigation installation.
 - a. Review submittals and shop drawings as required.
 - b. Tree selection and tagging.
 - c. Review grading prior to seeding /sodding, and planting.
 - d. Review bed preparation procedures for conformance with specifications.
 - e. Review plant materials, bed layout, and plant placement prior to installation of all plant materials. Flag canopy and ornamental tree locations.
7. Review of all warranties' and bonds

Note: It is imperative that the Town's landscape architect consults with MESA throughout the bidding and construction processes to alleviate potential costs to the Town due to change orders and repairs resulting from design conflicts or misinterpretation of the design intent. Field changes to the construction plans without the landscape architect's written approval invalidates the landscape architect's responsibility to the built work. MESA is not responsible for changes/ revisions resulting from the continuation of construction activities without reviews/ input from MESA regarding the aforementioned observations. Plan revisions resulting from lack of review opportunities may be billed as an additional service.

Product: Site visits during the construction process with the Town's landscape architect or Town staff as requested by the Town. All field visits will be documented with a field report distributed to the Town and the Town's landscape architect.

COST OF SERVICES

The below scope of services will be billed on a percentage completion basis as applicable (in accordance with the fee schedule specified below) with the total cost of services not to exceed the amount specified for each without a written addendum to this contract. The fees provided are based on the component parts of the project moving forward sequentially without delays between delivery of the packages.

1. Easement Park from Fire Station #2 to Arapaho Road (Part 1)
2. Beltway Road Parkway and Lighting Improvements (Part 2)
3. Proton Road Street and Pedestrian Lighting (Part 3)

TDLR Fees for plan review and inspection are included in the fee structure below.

	Part 1	Part 2	Part 3
Base Services			
Task One: Project Initiation and Initial Design Charrette Review (Completed) <i>Lump Sum</i>	\$500.00	\$500.00	\$500.00
Task Two: Interim Construction Documents (50% Review Set) <i>Lump Sum</i>	\$23,900.00	\$48,650.00	\$12,700.00
Task Three: Final I Construction Documents (100% Review & Bid Set) <i>Lump Sum</i>	\$37,090.00	\$63,230.00	\$17,310.00
Task Four: Bidding <i>Lump Sum</i>	\$5,000.00	\$3,500.00	\$3,500.00
Task Five: Construction Observation <i>Hourly, per Client's request (Allowance)</i>	\$3,020.00	\$6,190.00	\$3,900.00
Total Cost of Base Services:	\$69,510.00	\$122,070.00	\$37,910.00
Total Cost of Base Services Parts 1, 2, and 3:	\$229,490.00		

** Fees for sub consultants (Civil Engineer, Structural Engineer, and Irrigation) are **estimated and included** from the Lump Sum Fees above. We estimate consultant's fees as follows:

1. Civil Engineer:	\$91,390.00
2. Structural:	\$2,500.00
3. Irrigation:	\$2,500.00
Total	\$99,390.00

Final fees will be determined after kick-off meeting, and an amended proposal, if necessary, will be submitted to the Town for approval.

*Sales tax will be applied to fee if applicable

ADDITIONAL SERVICES/HOURLY FEE SCHEDULE

Services requested, but not specifically included in the scope of services listed above, will be considered additional services. Modifications to drawings, after approval by Town, as a result of changes requested by Town or other consultant will be considered additional services and billed at an hourly rate as follows:

Senior Principal	\$235.00
Principal	\$180.00
Associate Principal	\$150.00
Associate	\$130.00
Senior Project Manager	\$110.00

Project Manager	\$100.00
Senior Designer	\$ 90.00
Designer	\$ 75.00
Intern	\$ 50.00
Marketing/Acct./Admin	\$ 75.00

The following is a listing of contractual conditions that apply to this proposal:

1. The Client will provide the following and MESA has the right to rely on this information and rely on any information provided by others:
 - a. Architectural Site Plan on AutoCAD file.
 - b. Budgetary Considerations.
 - c. Soils and/or Geotechnical Report (if required)

2. Not included are the following:
 - a. Utilities (water, sewer, storm, electrical, cable, telephone, etc.)
 - b. Mechanical engineering
 - c. Landscape lighting plans (MESA will provide the lighting locations and selections. Electrical consultant to provide electrical layout)
 - d. Project signage environmental graphics.
 - e. Tree mitigation plans or application.
 - f. Roof garden/building waterproofing and associated appurtenances of any kind
 - g. Design of any related off-site improvements
 - h. Illustrative plans, models, and drawings not specifically described in Scope of Services.
 - i. Redesign of elements due to site plan changes (i.e., buildings relocate, site grading changes)
 - j. Subsurface detention design
 - k. Geotechnical information.
 - l. As Built Drawings

Respectfully submitted,
MESA Design Associates, Inc.

Acceptance of Proposal and Contract Terms and
Conditions:

Stan Cowan, ASLA
Principal

By: _____
Town of Addison

Fred Walters, ASLA
Principal

Date

Note: Please return a signed copy to MESA for execution.

Combined Meeting

2f

Meeting Date: 01/14/2014

Council Goals: Mindful stewardship of Town Resources.

AGENDA CAPTION:

Approval of annual contract with The Margulies Communications Group for immediate media relations issues for the Town of Addison and including Addison Airport.

FINANCIAL IMPACT:

The Public Safety budget accounts for the \$42,000 annual contract with Margulies.

BACKGROUND:

The Margulies partnership with the Town of Addison dates back to the 1980s when they were retained to assist with crisis management issues.

RECOMMENDATION:

Administration recommends approval.

Attachments

Margulies Memo

Margulies Contract 2013- 2014

Letter from Margulies

Addison Media Relations Issues

Our partnership with the Town of Addison dates back to the 1980s when our firm was retained to assist with crisis management issues following the death of the city's mayor and an investigation into Town business practices. These issues were successfully resolved.

Our Current Role:

Currently our team provides five highly-trained media relations experts who are on call 24/7 to deal with immediate media relations issues for the Town of Addison and Addison Airport. This includes being the Town's on-camera spokesperson for the police department, fire department, airport and Town Hall when appropriate. This process assures that sworn personnel are available in a crisis and not diverted to dealing with the media. Our firm is also part of the Town's overall crisis management plan for emergencies.

Who is Calling:

Dallas/Fort Worth is now the nation's fifth largest media market with seven television stations, two news radio stations, The Dallas Morning News and Dallas Business Journal. Emergencies generate five to seven calls from the media. Larger incidents such as the Mary Kay fire generate 10 -20 calls.

In 2013 MCG assisted with the following issues:

Addison Airport

- Alert One (minor difficulties) - 16
- Alert Two (major difficulties) - 38
- Alert Three (crash) - 1

- Other issues: Major reconfiguration of airspace in D/FW region.
- Damage to aircraft
- Review strategic plan

Police

- National and local inquiries concerning death of VA worker
- Special event security following Boston bombing
- Road rage shooting
- Domestic violence/fatal stabbing – pertinent information on suspect to Houston media
- Arrests during loud party and scavenger hunt
- Media inquiries concern lack of an arrest in cold case
- Theft of ring from jewelry store
- Continued research and discussion on national Taser issues
- New Years enforcement issues
- Full time staffing of police sub-station for Kaboomtown

Fire

- Handled media relations for inquiries on fire calls. Twenty-three building fires in 2013 including one multi-alarm fire.



This letter, when signed by you, will confirm that the Town of Addison (Client) has retained The Margulies Communications Group (MCG), a Texas Corporation as public relations counsel to provide the services described below. Such services shall be provided beginning on October 1, 2013.

Services

MCG will, at Client's request from time to time and to the Client's satisfaction, assist Client in responding to media inquiries concerning crisis communications issues as well as other assignments (non-crisis matters and other matters) given to MCG by Client. MCG shall submit such responses and other work prepared by MCG for Client's review and consideration of approval prior to release to the media or any other third party, except when MCG is called upon by Client to be its representative and spokesperson in connection with an incident or matter and the then existing circumstances do not permit MCG adequate time to submit such responses or other work to Client for its review and consideration prior to its release. MCG will work with Client to develop strategies to minimize any negative publicity during crisis situations and will assist the Client in providing accurate and timely information to the news media. In providing such services, MCG shall comply with all applicable federal, state and local laws, rules and regulations.

For the services described above, Client will pay MCG a monthly retainer of \$3,500 for each calendar month during the term hereof (the "Monthly Fee"). If incurred, MCG will bill Client for reimbursement of out-of-pocket expenses incurred on Client's behalf when these expenses have been approved by Client in advance.

MCG shall submit to Client, on or before the fifth day of each month, an invoice for the Monthly Fee. Each such invoice shall include (i) a description of the work performed for the month preceding the date of the invoice, (ii) time reports for that month for all MCG personnel who work under this contract, (iii) an itemized statement of any reimbursable expenses incurred; (iv) true and correct copies of any and all receipts, invoices, and other documents and materials in support of the invoice, and (v) any such additional documents or materials as Client may request in connection with the invoice and/or the compensation paid to MCG. Client shall pay the Monthly Fee set forth in the invoice for service properly performed and all expenses properly incurred by MCG and set forth in the invoice within thirty (30) days following Client's receipt of the invoice.

This contract shall last for one year from October 1, 2013, subject however to the earlier termination of this contract as provided for herein and subject to the annual appropriation and budgeting of funds by Client to make payments under this contract. If funds to make any payment or payments under this contract during the said term are not appropriated and budgeted by the Town, this contract shall terminate on the last day of the Client's fiscal period in which funds were appropriated and budgeted without penalty or expense to client of any kind whatsoever.

Either party may terminate this contract at any time and for any reason by giving to the other party at least 30 days written notice of such termination. Termination shall have no effect upon the rights and obligations of the parties arising out of any transaction occurring prior to the effective date of such termination. In the event of termination, all finished or unfinished reports and other materials and items (whether kept electronically, in writing, or otherwise) prepared by MCG shall be and become the property of Client, and MCG shall promptly deliver such items to Client. MCG shall be paid for all work satisfactorily completed prior to the effective date of said termination.

If MCG, MCG's agents or employees fail to exercise good behavior either during or outside of working hours that is of such a nature as to bring discredit upon the Client, then Client shall have the right to terminate this contract effective immediately upon the Client giving written notice thereof to MCG. Termination shall have no effect upon the rights and obligations of the parties arising out of any transaction occurring prior to the effective date of such termination. In the event of termination, all finished or unfinished reports and other materials and items (whether kept electronically, in writing, or otherwise) prepared by MCG shall be and become the property of the Client and MCG shall promptly deliver such items to the Client. MCG shall be paid for all work satisfactorily completed prior to the effective date of such termination.

In connection with this Agreement, MCG shall provide and maintain in full force and effect during the term of this Agreement:

- (i) Workers Compensation insurance at statutory limits, including Employers Liability coverage a minimum limits of \$500,000 each-occurrence each accident/\$500,000 by disease each-occurrence/\$500,000 by disease aggregate;
- (ii) Commercial general liability insurance at minimum combined single limits of \$1,000,000.00 per occurrence and \$2,000,000 general aggregate for bodily injury and property damage, which coverage shall include products/completed operations (\$1,000,000 products/ completed operations aggregate) and contractual liability (covering, but not limited to, the liability assumed under the indemnification provisions of this Agreement).
- (iii) Commercial Automobile Liability insurance at minimum combined single limits of \$1,000,000_per-occurrence for bodily injury and property damage, including owned, non-owned, and hired car coverage.
- (iv) Professional Liability coverage at minimum limits of \$1,000,000. This coverage must be maintained for at least two (2) years after the termination of this letter agreement. If coverage is written on a claims-made basis, a policy retroactive date equivalent to the inception date of the contract (or earlier) must be maintained during the full term of this agreement or any extensions or renewals thereof.

With reference to the foregoing insurance requirement, MCG shall specifically endorse applicable insurance policies as follows:

- (a) The Town of Addison shall be named as an additional insured with respect to General Liability and Automobile Liability.
- (b) All liability policies shall contain no cross liability exclusions or insured versus insured restrictions.
- (c) A waiver of subrogation in favor of the Town of Addison shall be contained in the Workers Compensation and all liability policies.
- (d) All insurance policies shall be endorsed to require the insurer to immediately notify the Town of Addison of any material change in the insurance coverage.
- (e) All insurance policies shall be endorsed to the effect that the Town of Addison will receive at least sixty (60) days notice prior to cancellation or non-renewal of the insurance.
- (f) All insurance policies, which name the Town of Addison as an additional insured, must be endorsed to read as primary coverage regardless of the application of other insurance.
- (g) Required limits may be satisfied by any combination of primary and umbrella liability insurances.
- (h) MCG may maintain reasonable and customary deductibles, subject to approval by the Town of Addison.
- (i) Insurance must be purchased from insurers that are financially acceptable to the Town of Addison.

All insurance must be written on forms filed with and approved by the Texas Department of Insurance. Certificates of Insurance, satisfactory to Client, shall be prepared and executed by the insurance company or its authorized agent and shall contain provisions representing and warranting the following:

- (a) Sets forth all endorsements and insurance coverages according to requirements and instructions contained herein.
- (b) Shall specifically set forth the notice-of-cancellation or termination provisions to the Town of Addison.
- (c) Upon request, MCG shall furnish the Town of Addison with certified copies of all insurance policies.

MCG AGREES TO AND SHALL DEFEND (TO THE EXTENT INSURANCE COVERAGE IS AVAILABLE), INDEMNIFY AND HOLD HARMLESS THE TOWN OF ADDISON, TEXAS, ITS OFFICIALS, OFFICERS, AGENTS AND EMPLOYEES (EACH AN "INDEMNITEE") FROM AND AGAINST ANY AND ALL SUITS, ACTIONS, JUDGMENTS, LIABILITIES, PENALTIES, FINES, EXPENSES, FEES AND COSTS (INCLUDING REASONABLE ATTORNEY'S FEES AND OTHER COSTS OF DEFENSE), AND DAMAGES (TOGETHER, "DAMAGES") ARISING OUT OF OR IN CONNECTION WITH (A) MCG'S PERFORMANCE OF THIS AGREEMENT, (B) ANY BREACH OR DEFAULT IN THE PERFORMANCE OF MCG'S OBLIGATIONS UNDER THIS AGREEMENT, AND (C) WITHOUT LIMITING ANY OF THE FOREGOING, ANY ACT OR OMISSION OF MCG, ITS OFFICERS, EMPLOYEES, AGENTS, CONTRACTORS, AND SUBCONTRACTORS UNDER, RELATED TO, OR IN CONNECTION WITH, THIS AGREEMENT (AND INCLUDING, WITHOUT LIMITATION, ANY CLAIM OR DAMAGES RELATING TO COPYRIGHT OR ANY OTHER INTELLECTUAL PROPERTY RIGHT), INCLUDING DAMAGES CAUSED BY THE INDEMNITEE'S OWN NEGLIGENCE, EXCEPT AS SPECIFICALLY LIMITED HEREIN.

With respect to MCG's indemnity obligation set forth above, MCG shall have no duty to indemnify an Indemnitee for any Damages caused by the sole negligence of the Indemnitee. If an Indemnitee suffers Damages arising out of or in connection with the performance of this Agreement that are caused by the concurrent negligence of both MCG and the Indemnitee, MCG's indemnity obligation will be limited to a fraction of the total Damages equivalent to MCG's own percentage of responsibility. With respect to MCG's duty to defend set forth herein in subsection, MCG shall have the duty, at its sole cost and expense, through counsel of its choice (subject to the Client's reasonable consent), to litigate, defend, settle or otherwise attempt to resolve any claim, lawsuit, cause of action, or judgment arising out of or in connection with this Agreement. In the event that MCG fails or refuses to provide a defense to any claim, lawsuit, judgment, or cause of action arising out of or in connection with this Agreement, the Client shall have the right to undertake the defense, compromise, or settlement of any such claim, lawsuit, judgment, or cause of action, through counsel of its own choice, on behalf of and for the account of, and at the risk of MCG, and MCG shall be obligated to pay the reasonable and necessary costs, expenses and attorneys' fees incurred by the Client in connection with handling the prosecution or defense and any appeal(s) related to such claim, lawsuit, judgment, or cause of action. The terms and provisions of this defense and indemnity set forth above shall survive the expiration or termination of this Agreement.

Client agrees to indemnify and hold harmless MCG from and against all losses which MCG may incur, based on information, representations, reports or data (together, "information") negligently furnished by Client in writing to MCG under this letter agreement, to the extent that (i) such information is accurately provided by MCG to the media and accurately disclosed by the media to the public, and (ii) the Client is legally liable for making such information available to the public; provided, however, that this indemnity and hold harmless is given by Client subject to and without waiving (i) any immunity available to Client, (ii) any tort limitation and any of its rights under, and the indemnity and hold harmless provided for herein is subject to and shall not exceed the monetary limitations of damages as set forth in, the Texas Tort Claims Act (Chapter 101, Tex. Civ. Prac. & Rem. Code, as amended) or any successor statute thereto, and (iii) any defenses afforded by law or otherwise; and further, in no event shall this indemnity and hold harmless apply to punitive or exemplary damages of whatever kind or nature.

MCG shall keep complete and accurate records for the services performed pursuant to this Contract and any records required by law or government regulation and shall make such records available to Town upon request. MCG shall assure the confidentiality of any records that are required by law to be so maintained. MCG shall prepare and forward such additional or supplementary records as Town may reasonably request.

Inasmuch as this contract is intended to secure the_____specialized services of MCG, MCG has no authority or power to and may not assign, transfer, delegate, subcontract or otherwise convey any interest herein without the prior written consent of Client, and any such assignment, transfer, delegation, subcontract or other conveyance without the Client's prior written consent shall be considered null and void.

Where the terms of this contract require that notice in writing be provided, such notice shall be deemed received by the party to whom it is directed upon being hand-delivered or upon three (3) days following the deposit of the notice in the United States mail, postage pre-paid, and sent by certified mail, return receipt requested and properly addressed as follows:

To Client:

5300 Belt Line Road Dallas, Texas
75254 Attn: Chris Terry

To MCG:

6210 Campbell Road Suite 200
Dallas, Texas 75248

No reports, information, documents, or other materials given to or prepared by MCG under this contract which Client requests to be kept confidential shall be made available to any individual or organization by MCG without the prior written approval of Client.

This letter agreement is entered into for the sole benefit of MCG and Client. Nothing in this letter agreement shall be construed as giving any benefits, rights, remedies or claims to any other person, firm, corporation or other entity, including, without limitation, the general public or any member thereof.

The reports, documents and materials prepared by MCG under this contract shall be the sole property of Client upon payment by Client to MCG for the fees earned under this contract in connection with the preparation and delivery of such reports, documents and materials.

If any clause, paragraph, section or portion of this contract shall be found to be illegal, unlawful, unconstitutional or void for any reason, the balance of the contract shall remain in full force and effect and the parties shall be deemed to have contracted as if said clause, section, paragraph or portion had not been in the contract initially.

Any rights and remedies either party may have with respect to the other arising out of the performance of services during the term of this contract shall survive the cancellation, expiration or termination of this contract. Obligations of either party hereunder arising prior to the termination or cancellation of this contract allocating responsibility or liability of or between Client and MCG shall survive the completion of this services hereunder and termination or cancellation of this contract.

The undersigned officers and/or agents of the parties hereto are the properly authorized officials and

have the necessary authority to execute this contract on behalf of the parties hereto, and each party hereby certifies to the other that any necessary resolutions or other act extending such authority have been duly passed and are now in full force and effect.

In the event of any action under this contract, venue for all causes of action shall be instituted and maintained in Dallas County, Texas. The parties agree that the laws of the State of Texas shall govern and apply to the interpretation, validity and enforcement of this Contract; and, with respect to any conflict of law provisions, the parties agree that such conflict of law provisions shall not affect the application of the law of Texas (without reference to its conflict of law provisions) to the governing, interpretation, validity and enforcement of this contract.

MCG shall, during the entire term of the contract, be construed to be an independent contractor and nothing in this contract is intended nor shall be construed to create an employer relationship, a joint venture relationship or to allow the Town to exercise discretion or control over the professional manner in which MCG performs the services which are the subject matter of the contract; provided, however, that the services to be provided by MCG shall be provided in a manner consistent with the highest ethical standards and applicable laws and regulations governing such services.

This contract supersedes all previous contracts and constitutes the entire understanding of the parties hereto. MCG shall be entitled to no other benefits than those specified herein. No changes, amendments or alterations shall be effective unless in writing and signed by both parties.

Margulies Communications Group, Inc.



David S. Margulies, President

Date: _____

Accepted and Approved:

Town of Addison

By: _____
Name Title

Date: _____



January 8, 2014

Carrie Sloan Rice
Town of Addison
5300 Belt Line Road
Addison, TX 75254

Dear Carrie:

This letter, when signed by you, will confirm that the Town of Addison (Client) has retained The Margulies Communications Group (MCG) as crisis management and media relations counsel.

I. Services

As public relations counsel, we will provide client with the following services:

- 24/7 response for public safety media calls and issues for Addison Airport, Police and Fire Departments and other departments as needed
- Strategic counsel for all city departments
- Media relations
- Media monitoring and follow-up
- Crisis management planning, staffing and response

II. Effective Dates: January 1, 2014 – January 31, 2014.

BUDGET & MISCELLANEOUS

A. Billing and Invoicing.

Client will pay MCG a monthly retainer of \$3,500 for professional services. Any expenses incurred on behalf of the client will be approved in advance are billed in addition to the retainer.

B. Confidential Information. Client and MCG acknowledge that during the term of this Agreement, MCG may have access to, or may come into possession of, various Client confidential materials including without limitation: trade secrets, customer lists, marketing plans, financial information, and security and operational procedures (“Confidential Information”). With respect to such Confidential Information, MCG agrees to protect the Confidential Information in a commercially reasonable manner, use Confidential Information only to perform its obligations under this Agreement, and reproduce Confidential Information only as required to perform its obligations under this Agreement.

Town of Addison

Page Two

- C. Choice of Laws. The laws of the State of Texas shall govern this agreement.
- D. Independent Contractor. Each party undertakes performing its obligations pursuant to this Agreement as an independent contractor. Nothing contained herein or done pursuant to this Agreement shall make any party or its agents or employees the legal representative, agent or employee of any other party for any purpose whatsoever.
- E. Miscellaneous. This Agreement, which may be executed in counterparts, contains the entire understanding of the parties with respect to the transactions and matters contemplated hereby, supersedes all previous communications, understandings and agreements (whether oral or written), and cannot be amended or waived except by a writing signed by all of the parties. No failure or delay on the part of any party in exercising any right or remedy provided in this Agreement shall operate as a waiver thereof; nor shall any single or partial exercise of or failure to exercise any such right or remedy preclude any other or further exercise thereof or the exercise of any other right or remedy under this Agreement.

You have our assurance of our best efforts on your behalf.

Sincerely,



David S. Margulies, President

By: _____ **Date:** _____

Combined Meeting

2g

Meeting Date: 01/14/2014

Council Goals: Mindful stewardship of Town Resources.

AGENDA CAPTION:

Approval of annual contract with Shiroma Southwest for public relations and media publicity programs to promote the Town of Addison's events and selected special projects.

FINANCIAL IMPACT:

The annual contract is for \$82,349.

BACKGROUND:

Shiroma Southwest has worked with the Town of Addison help promote our special events like Worldfest, Vitruvian Lights, Taste Addison, Summer Series, Kaboom Town, and Oktoberfest in Fiscal Year 2013.

Shiroma Southwest will develop and execute public relations and media publicity programs to promote the Town of Addison's events and selected projects for Fiscal Year 2014:

Out of the Loop

Taste Addison

Summer Series

Kaboom Town

Oktoberfest

Special Events Social Media

RECOMMENDATION:

Administration recommends approval.

Attachments

Shiroma Public Relations Recap FY 2013

Shiroma Letter of Agreement

shiroma | southwest

Town of Addison

Hot Chocolate Run - January 15, 2011

TELEVISION/RADIO				
	Outlet	Program	Date	Viewers
1	KTVT-TV (CBS) CH 11, Dallas/Fort Worth	CBS 11 News This Morning	1/13/11	52,022
2	KTVT CH. 11 (CBS) - DFW	Get Healthy Texas	1/17/11	45,726
TV Total			2	97,748
PRINT				
	Outlet	Title	Date	Circulation
1	Dallas Morning News	Finish a road race and get a mug for hot cocoa	1/4/11	315,101
2	DMN Briefing	Finish a road race and get a mug for hot cocoa	1/6/11	200,000
Print Total			2	515,101
Grand Total			4	612,849

shiroma | southwest

Super Bowl Recap

Addison

TELEVISION/RADIO				
	Outlet	Program	Date	Viewers
1	WFAA - CH 8 (ABC)	News 8 at Five	1/12/11	109,144
2	KDFW - CH 4 (FOX)	Fox 4 News at 5:30	1/12/11	89,812
3	WFAA - CH 8 (ABC)	News 8 Daybreak 5 a.m. to 6 a.m.	1/14/11	44,808
4	WFAA - CH 8 (ABC)	News 8 Daybreak 6 a.m. to 7 a.m.	1/14/11	73,222
5	KTXA - CH 21 (IND)	Jody Dean and The Morning team	1/17/11	NA
6	WFAA - CH 8 (ABC)	News 8 Update	1/18/11	205,900
7	WFAA - CH 8 (ABC)	News 8 Daybreak	1/19/11	10,500
8	KTVT - CH 11 (CBS)	CBS 11 News This Morning 5 a.m. to 6 a.m.	1/19/11	35,851
9	WFAA - CH 8 (ABC)	News 8 Daybreak	1/19/11	44,808
10	KTVT - CH 11 (CBS)	CBS 11 News This Morning 6 a.m. to 7 a.m.	1/19/11	48,401
11	Texas Cable News Network	TXCN Overnight News	1/19/11	NA
12	KTVT - CH 11 (CBS)	CBS 11 News at Ten	1/19/11	188,330
13	KTVT - CH 11 (CBS)	CBS 11 News This Morning 5 a.m. to 6 a.m.	1/20/11	35,851
14	KTVT - CH 11 (CBS)	CBS 11 News This Morning 6 a.m. to 7 a.m.	1/20/11	48,401
15	WFAA - CH 8 (ABC)	News 8 Update	1/20/11	205,900
16	KXAS - CH 5 (NBC)	Weekend Report	1/23/11	123,972
17	KDAF - CH 33 (CW)	The 33 News	1/23/11	33,661
18	KXAS - CH 5 (NBC)	NBC 5 Today	1/24/11	50,497
19	KDFW - CH 4 (FOX)	Fox 4 News at 5:30	1/24/11	89,812
20	KDFW - CH 4 (FOX)	Fox 4 News at Nine	1/24/11	133,291
21	KDFW - CH 4 (FOX)	Good Day	1/25/11	17,832
22	KTVT - CH 11 (CBS)	Morning	1/26/11	35,851
23	KDFW - CH 4 (FOX)	Good Day	1/26/11	93,386
24	WFAA - CH 8 (ABC)	News 8 Daybreak 5 a.m. to 6 a.m.	1/31/11	44,808
25	WFAA - CH 8 (ABC)	News 8 Daybreak 6 a.m. to 7 a.m.	1/31/11	73,222

26	KDFW - CH 4 (FOX)	Good Day	1/31/11	93,386
27	WFAA - CH 8 (ABC)	Local Cut-in	1/31/11	69,489
28	WFAA - CH 8 (ABC)	Good Morning Texas	1/31/11	37,929
29	WFAA - CH 8 (ABC)	News 8 Midday	1/31/11	80,633
30	Texas Cable News Network	TXCN Midday News 2 p.m. to 3 p.m.	1/31/11	NA
31	Texas Cable News Network	TXCN Midday News 4 p.m. to 5 p.m.	1/31/11	NA
32	WFAA - CH 8 (ABC)	News 8 at Six	1/31/11	141,955
33	KDAF - CH 33 (CW)	The 33 News	1/31/11	24,505
34	KDFW - CH 4 (FOX)	Fox 4 News at Nine	2/2/11	133,291
35	Texas Cable News Network	TXCN Midday News 2 p.m. to 3 p.m.	2/4/11	NA
36	KTVT - CH 11 (CBS)	CBS 11 News at 4 PM	2/4/11	45,153
37	Texas Cable News Network	TXCN Midday News 4 p.m. to 5 p.m.	2/4/11	NA
38	KDAF - CH 33 (CW)	The 33 News	2/7/11	24,505
TV Total			38	2,488,106
ONLINE				
	Website	Title	Date	Circulation
1	DFW.com	Usher hosts Super Bowl after party in Addison	1/27/11	NA
Online Total			1	NA
Grand Total			39	2,488,106

shiroma | southwest

Town of Addison

Hotel/Restaurants

TELEVISION				
	Outlet	Program/Segment	Date	Viewers
1	KTVT-TV (CBS) CH 11 - DFW	Kitrrell Riffkind	12/7/10	52,022
2	KTVT-TV (CBS) CH 11 - DFW	J. Dorian	12/8/10	20,796
3	KTVT-TV (CBS) CH 11 - DFW	Cantina Laredo	12/9/10	36,427
4	KTVT-TV (CBS) CH 11 - DFW	Crowne Plaza and BlackFinn	1/12/11	54,377
5	KTVT-TV (CBS) CH 11 - DFW	Greenz- Healthy Start to 2011	1/12/11	52,022
6	KDFW-TV (FOX) CH 4 - DFW	Champs	1/22/11	124,444
7	KTVT-TV (CBS) CH 11 - DFW	Healthy Start to 2011	1/23/11	124,089
8	KXAS-TV (NBC) CH 5 - DFW	Vernon's	1/23/11	109,944
9	KTVT-TV (CBS) CH 11 - DFW	Humperdink's	1/26/11	54,377
10	KTVT-TV (CBS) CH 11 - DFW	Intercontinental and 300 Dallas	1/27/11	35,501
11	WFAA -TV (ABC) CH 8 - DFW	Good Morning Texas - Black Finn	1/31/11	37,929
12	KDAF-TV (CW) CH 33 - DFW	Astoria's Valentine's Day promotion	2/6/11	26,683
13	KTVT-TV (CBS) CH 11 - DFW	Ferarri's Gnocchi	2/11/11	48,401
14	KTVT-TV (CBS) CH 11 - DFW	Mardi Gras/Fat Tuesday at Nate's Seafood	3/8/11	112,992
TV Total			14	890,004

3/8 – CBS 11 News: Mardi Gras/Fat Tuesday at Nate's

Seafood

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Town of Addison

Out of the Loop Festival - March 3 - 13, 2011

TELEVISION				
	Outlet	Program	Date	Viewers
1	WFAA-TV (ABC) CH 8 Dallas/Fort Worth	Good Morning Texas	3/11/11	34,821
TV Total			1	34,821
PRINT				
	Outlet	Title	Date	Circulation
1	Dallas Voice	Be Out of the Loop by being in it	2/25/11	14,500
2	Quick	Out of the Loop Fringe Festival	3/3/11	150,000
3	Carrollton Neighbors	Out of the Loop Fringe Festival	3/4/11	12,140
Print Total			3	176,640
Grand Total			4	211,461

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Town of Addison

St. Patrick's Day 2011

TELEVISION				
	Outlet	Program/Segment	Date	Viewers
1	WFAA - CH. 8 (ABC) - DFW	News 8 Daybreak	3/17/11	78,614
2	KTVT CH. 11 (CBS) - DFW	CBS 11 News This Morning	3/17/11	52,022*
TV Total			2	130,636
ONLINE				
	Website	Title	Date	Viewers
1	D Magazine	Where to Have McFun For St. Patrick's Day in Dallas	NA	NA
2	D Magazine	St. Patrick's Day at the Londoner	NA	NA
3	The Killdares	March Madness begins now!	NA	NA
4	St. Ann Parish	Singles Event-St. Patrick's Day Celebration	NA	NA
5	NBCdfw.com	St. Patrick's Day Drink Specials & Events	NA	NA
6	Meetup.com	LetSt. Patrick's Day Celebration and Social 's	NA	NA
7	BlackFinn	St. Patrick's Day	NA	NA
8	The Lion and the Crown	The Lion & Crown Events	NA	NA
9	Shite'n'Onions	2011 St. Patricks	NA	NA
10	Pegasus News	The Killdares	NA	NA
11	Pegasus News	Buffalo Blues Band	NA	NA
12	Pegasus News	North Texas Firefighter Pipe & Drum Band	NA	NA
Online Total			12	NA
Grand Total			14	130,636

* Confirmed, but cancelled due to reporter's schedule change.

shiroma | southwest

Town of Addison

Orlando Campos

PRINT			
Outlet	Title	Date	Circulation
1 Carrollton Neighbors	Addison selects Orlando Campos to create, lead new department	4/22/11	12,140
Print Total		1	12,140

shiroma | southwest

Town of Addison

Total PR Values October 1, 2012 - September 30, 2013

	Event	Total Outlets	Circulation/ Viewers	Ad Value	PR Value
1	Worldfest	21	1,826,005	\$17,168	\$51,504
2	Vitruvian Lights	53	2,990,903	\$7,076	\$21,229
3	Taste Addison	113	11,592,765	\$40,963	\$120,536
4	Summer Series	53	5,211,250	\$8,987	\$26,958
5	Kaboom	215	20,151,764	\$263,777	\$791,360
6	Oktoberfest	135	7,166,837	\$85,847	\$303,740
Total Media Value		590	48,939,524	\$423,818	\$1,315,327

NOTE 1: Not all viewership/circulations are included in the total (online publications cannot be reported). So the total is higher than the number quoted. NOTE 2: Most radio segments are not recorded so this number so it is not included in the recaps.

shiroma | southwest

17311 North Dallas Parkway, Suite 110 Dallas, TX 75248 972-732-6100 info@shiromasouthwest.com

November 15, 2013

**LETTER OF AGREEMENT BETWEEN THE TOWN OF ADDISON
AND SOUTHWEST SPEAKERS BUREAU, INC., D.B.A. SHIROMA/SOUTHWEST, FOR
EVENT PUBLIC RELATIONS AND PUBLICITY**

This Letter confirms the agreement between the Town of Addison (the client) and Southwest Speakers Bureau, Inc., d.b.a., Shiroma/Southwest (the agency):

SERVICES:

Shiroma Southwest will develop and execute public relations and media publicity programs to promote the Town of Addison's events and selected projects:

EVENTS AND PROJECTS ARE AS FOLLOWS:

Out of the Loop
Taste Addison/Fork and Cork
Summer Series
Kaboom Town
Oktoberfest
Special Events Social Media

ANNUAL FEE: The annual fee is \$75,000 with fees allotted proportionately to each event, based on the amount of hours required. The fee will be billed monthly, as follows:

October, 2013-August, 2014: \$6,363.63
September, 2014: \$5,100.00

SPECIAL PROJECT FEE, VITRUVIAN LIGHTS: \$3,500.00

SPECIAL PROJECT FEE, BRANDING LAUNCH: \$3,750.00

SPECIAL PROJECT FEE, BIG D EVENT: \$125.00/hour

If the client elects to add a special project or pilot program beyond the programs mentioned above, an addendum will be drafted to cover the additional agency services required.

EXPENSE REIMBURSEMENT:

Expenses will be billed monthly. Agency will provide the client with a budget of anticipated charges. Client agrees to provide any necessary collateral pieces, if possible, to reduce the need for additional expenses. Agency will be reimbursed for all expenses pertaining to the programs, which may include copies, long distance phone, faxes, postage, printing, messenger services, overnight deliveries, press kit materials and assembly, photo reproduction, print and electronic clipping services, etc. All outside purchases are made only under the authorization of the client and inasmuch, the client agrees to accept full responsibility for all obligations and

holds the agency harmless from all liability and payment of such charges as ordered under the client's authorization.

All amounts are due in Dallas, Dallas County, Texas. Balances that are more than sixty (60) days past due are subject to a finance charge of 1.33% per month (16% annually) or the current amount allowable by law.

This agreement is effective immediately upon signing and shall remain in effect through October 31, 2014.

FOR TOWN OF ADDISON

**FOR SOUTHWEST SPEAKERS BUREAU, INC.
D.B.A. SHIROMA/SOUTHWEST**

BY: _____

BY: _____

ITS: _____

ITS: _____

DATE: _____

DATE: _____

Combined Meeting

R3

Meeting Date: 01/14/2014

Council Goals: N/A

AGENDA CAPTION:

REPLAT/Beltway-Quorum Lots 2A, 3A and 4, Block A. Discussion, consider and take action regarding approval of a replat for three lots totaling 6.5422 acres generally located at the northeast corner of Belt Line Road and Addison Road, on application from Beltway Commercial Real Estate, represented by Ms. Alison Potter of Piburn and Carson.

COMMISSION FINDINGS:

The Addison Planning and Zoning Commission, meeting in regular session on December 19, 2013, voted to recommend approval of the request for approval of a final replat for Beltway-Quorum Lots 2A, 3A and 4, Block A, subject to the following condition:

1. The plat should be relabeled from a Preliminary Replat to a Final Replat.

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

Voting Nay: None

Absent: Hewitt, Hughes

FINANCIAL IMPACT:

N/A

BACKGROUND:

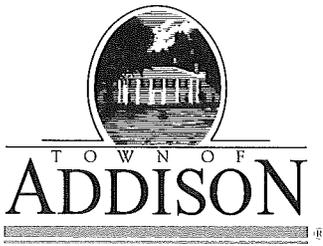
N/A

RECOMMENDATION:

Administration recommends approval.

Attachments

docket map, staff report, and commission findings



ENVIRONMENTAL SERVICES
(972) 450-2821 Fax: (972) 450-2837

16801 Westgrove Drive
Post Office Box 9010 Addison, Texas 75001-9010

December 11, 2013

STAFF REPORT

RE: REPLAT/Beltway-Quorum Lots
2A, 3A and 4, Block A

LOCATION: Three lots totaling 6.5422 acres
generally at the northeast corner
of Belt Line Road and Addison
Road

REQUEST: Approval of a final replat

APPLICANT: Beltway Commercial real Estate,
represented by Ms. Alison Potter
of Piburn and Carson

DISCUSSION:

Background. This replat supports the redevelopment of the 6.5422 acres so that a new lot can be created for a proposed Home2 Suites by Hilton (Case 1677-SUP). In order for Lot 3A to be created, the developer will replace some parking on the east side of the hotel site with a newly-created parking lot on the south side of the site. The hotel developer has been working with the applicant on the engineering and civil work required to replat the property.

Infrastructure Services and Support Review. The plat is labeled as a preliminary plat. In some instances, such as in a residential subdivision, a preliminary plat is necessary to work out all drainage easements and rights-of-way. A Preliminary Plat has to go through the same 45-day process as a Final Plat, which means staff review and review by P&Z and Council.

In some instances, the plat is not complex enough to have to take through the Preliminary Plat process and then back through the Final Plat process. Infrastructure Support and Services has reviewed the proposed plat and believes it is not necessary to go through the Preliminary Plat, and recommends the plat be relabeled as a Final Replat.

RECOMMENDATION:

Staff recommends approval of the proposed replat subject to the following condition:

1. The plat should be relabeled from a Preliminary Replat to a Final Replat.

Respectfully submitted,

A handwritten signature in black ink that reads "CMORAN". The letters are stylized and connected.

Carmen Moran
Director of Development Services

FINAL REPLAT/Beltway-Quorum Lots 2A, 3A and 4, Block A
December 20, 2013

COMMISSION FINDINGS:

The Addison Planning and Zoning Commission, meeting in regular session on December 19, 2013, voted to recommend approval of the request for approval of a final replat for Beltway-Quorum Lots 2A, 3A and 4, Block A, subject to the following condition:

1. The plat should be relabeled from a Preliminary Replat to a Final Replat.

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

Voting Nay: None

Absent: Hewitt, Hughes

Combined Meeting

R4

Meeting Date: 01/14/2014

Council Goals: N/A

AGENDA CAPTION:

PUBLIC HEARING Case 1680-SUP/The Market Hall. Public hearing, discussion, consider and take action regarding approval of an ordinance changing the zoning on property located at 3875 Ponte Avenue, which property is currently zoned PD – Planned Development through Ordinance 007-034, by approving for that property a Special Use Permit for a convenience store, a Special Use Permit for a restaurant, a Special Use Permit for the sale of alcoholic beverages for on-premises consumption, and a Special Use Permit for the sale of beer and wine for off-premises consumption, on application from Primo Hospitality Group, represented by Mr. Ellis Whitman.

COMMISSION FINDINGS:

The Addison Planning and Zoning Commission, meeting in regular session on December 19, 2013, voted to recommend approval of the request for approval of an ordinance changing the zoning on property located at 3875 Ponte Avenue, which property is currently zoned PD – Planned Development through Ordinance 007-034, by approving for that property a Special Use Permit for a convenience store, a Special Use Permit for a restaurant, a Special Use Permit for the sale of alcoholic beverages for on-premises consumption, and a Special Use Permit for the sale of beer and wine for off-premises consumption, subject to the following condition:

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

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

Voting Nay: none

Absent: Hewitt, Hughes

FINANCIAL IMPACT:

N/A

BACKGROUND:

N/A

RECOMMENDATION:

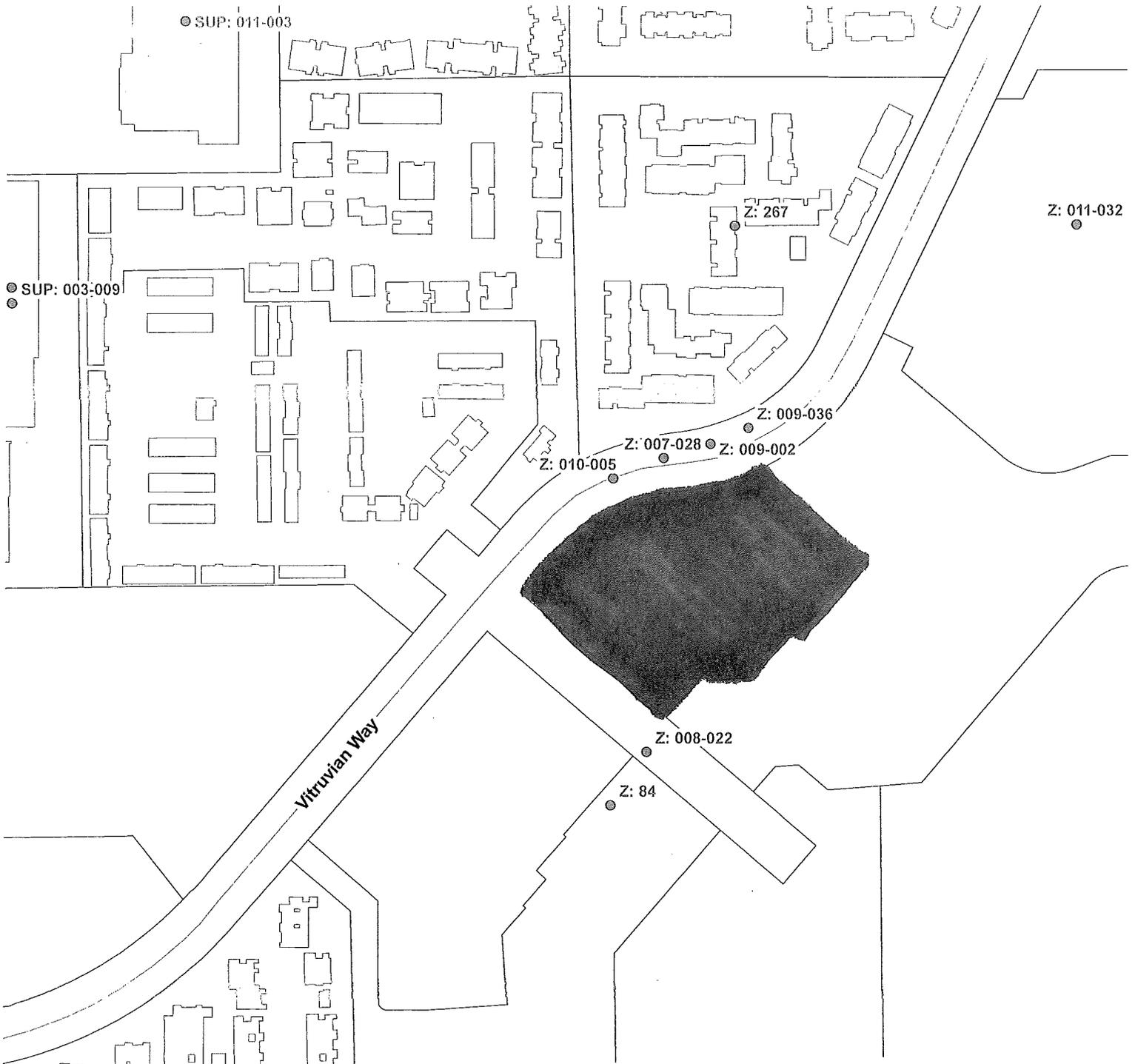
Administration recommends approval.

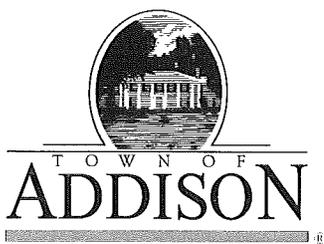
Attachments

docket map, staff report, commission findings

1680-SUP

PUBLIC HEARING Case 1680-SUP/The Market Hall. Public hearing, discussion, and consideration of approval of an ordinance changing the zoning on property located at 3875 Ponte Avenue, which property is currently zoned PD – Planned Development through Ordinance 007-034, by approving for that property a Special Use Permit for a convenience store, a Special Use Permit for a restaurant, a Special Use Permit for the sale of beer and wine for on-premises consumption, and a Special Use Permit for the sale of beer and wine for off-premises consumption, on application from Primo Hospitality Group, represented by Mr. Ellis Whitman.





December 12, 2013

STAFF REPORT

RE: Case 1680-SUP/The Market Hall

LOCATION: 3875 Ponte Avenue, Suite 410

REQUEST: Approval of a Special Use Permit for a convenience store, a Special Use Permit for a restaurant, a Special Use Permit for the sale of alcoholic beverages for on-premises consumption, and a Special Use Permit for the sale of beer and wine for off-premises consumption,

APPLICANT: Primo Hospitality Group, represented by Mr. Ellis Whitman

DISCUSSION:

Background. This lease space is located in the ground floor of the Savoye 2 Apartment building, which is the second phase of the Vitruvian Park development. It will be located at the corner of Vitruvian Way and Ponte Avenue. The Market Hall will be a convenience store that will also sell beer and wine, similar to the Addison Market in Addison Circle. However, this Market will also offer a small restaurant/sandwich shop and will sell beer and wine for on-premises consumption.

Proposed Plan. The floor plan indicates a total space 5,909 square feet. The convenience store portion of the space will take 3,989 square feet, and the restaurant portion of the space will take 1,920 square feet. The space has a "leave-out" which causes it to be long and thin, and causes the kitchen to be located at the opposite end of the space than the dining area, but those are constraints the operator is aware that he will have to work with.

Façade. The applicant is not proposing any changes to the existing façade of the tenant space, but will add a small patio on the north side of the building.

Noise. The applicant and owners of the property should be aware that noise generated on restaurant patios is a concern in mixed-use situations. In this situation, UDR has

offices on the second floor immediately above this space, but the third floor and other floors above will have residents, who are also UDR tenants. The staff does not believe that this space will cause a noise issue due to the small size of the patio and the limited menu proposed for the shop.

Parking. The parking requirement for this facility is 1/200 for the convenience store and 1/100 for the restaurant. The total space will require 39 spaces. The Savoye 2 required 576 parking spaces for all uses, and provided 655 spaces, so there are 79 extra spaces on the site (surface and garage) available to this store/restaurant. It is also anticipated that most of the customers to the convenience store will be residents in the neighborhood and will walk to the store.

Landscaping. There are no landscaping requirements for this use. The landscaping in Vitruvian Park is maintained by the Town with the exception of color beds against the buildings, which are maintained by the landlord.

Food Service Code. This restaurant will require a grease trap, and the applicant should be advised that the restaurant will be subject to all regulations contained in the Addison Food Service Ordinance.

Signs. The applicant did not show any signs on the facades. 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. However, the term "ice house" is not a prohibited term.

RECOMMENDATION:

Staff recommends approval of the Special Use Permit for a convenience store, a Special use Permit for a restaurant, a Special Use Permit for the sale of alcoholic beverages for on-premises consumption, and a Special Use Permit for the sale of beer and wine for off-premises consumption, subject to the following condition:

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

Respectfully submitted,



Carmen Moran
Director of Development Services

Land Use Analysis

Attributes of Success Matrix

3875 Ponte Avenue, Suite 410

1680-SUP

Attribute	Comment	Score
Competitive	This proposed convenience store will be a great amenity for the Vitruvian Park Development.	
Safe	Vitruvian Park is a safe neighborhood.	
Functional	The design and location of the space are functional and will be a welcome addition to the neighborhood.	
Visually Appealing	The proposed store will be built within the Savoye 2 apartment building, and will be appealing.	
Supported with Amenities	Vitruvian Park has a couple of amenities already, one restaurant and the health club. This will provide another amenity.	
Environmentally Responsible	All of Vitruvian Park is under a sustainability plan. This facility will be required by the management to recycle and follow sustainable practices.	
Walkable	The store will go a long way toward making Vitruvian Park a more walkable neighborhood, as it will provide a convenience for both shopping and dining.	
Overall Assessment	This proposed Market is a great amenity for the Vitruvian Park area and will be much welcomed by the residents of the neighborhood.	

Case 1680-SUP/The Market Hall
December 20, 2013

COMMISSION FINDINGS:

The Addison Planning and Zoning Commission, meeting in regular session on December 19, 2013, voted to recommend approval of the request for approval of an ordinance changing the zoning on property located at 3875 Ponte Avenue, which property is currently zoned PD – Planned Development through Ordinance 007-034, by approving for that property a Special Use Permit for a convenience store, a Special Use Permit for a restaurant, a Special Use Permit for the sale of alcoholic beverages for on-premises consumption, and a Special Use Permit for the sale of beer and wine for off-premises consumption, subject to the following condition:

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

Voting Aye: Doherty, Groce, Oliver, Stockard, Wheeler
Voting Nay: none
Absent: Hewitt, Hughes

Combined Meeting

R5

Meeting Date: 01/14/2014

Council Goals: N/A

AGENDA CAPTION:

PUBLIC HEARING Case 1681-SUP/TGI Fridays. Public hearing, discussion, consider and take action regarding approval of an ordinance changing the zoning on property located at 4951 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 TGI Fridays, represented by Mr. Damon Drennan of Poole + Drennan Design Studio.

COMMISSION FINDINGS:

The Addison Planning and Zoning Commission, meeting in regular session on December 19, 2013, voted to recommend approval of the request for approval of an ordinance changing the zoning on property located at 4951 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, subject to the following conditions:

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

15 additional shrubs shall be added on Belt Line Road

6 trees and 68 shrubs shall be added along Quorum Drive.

The interior planting areas are 6,076 short of the requirement. Additional plantings shall be added to the interior of the site.

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

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

Voting Nay: none

Absent: Hewitt, Hughes

FINANCIAL IMPACT:

N/A

BACKGROUND:

N/A

RECOMMENDATION:

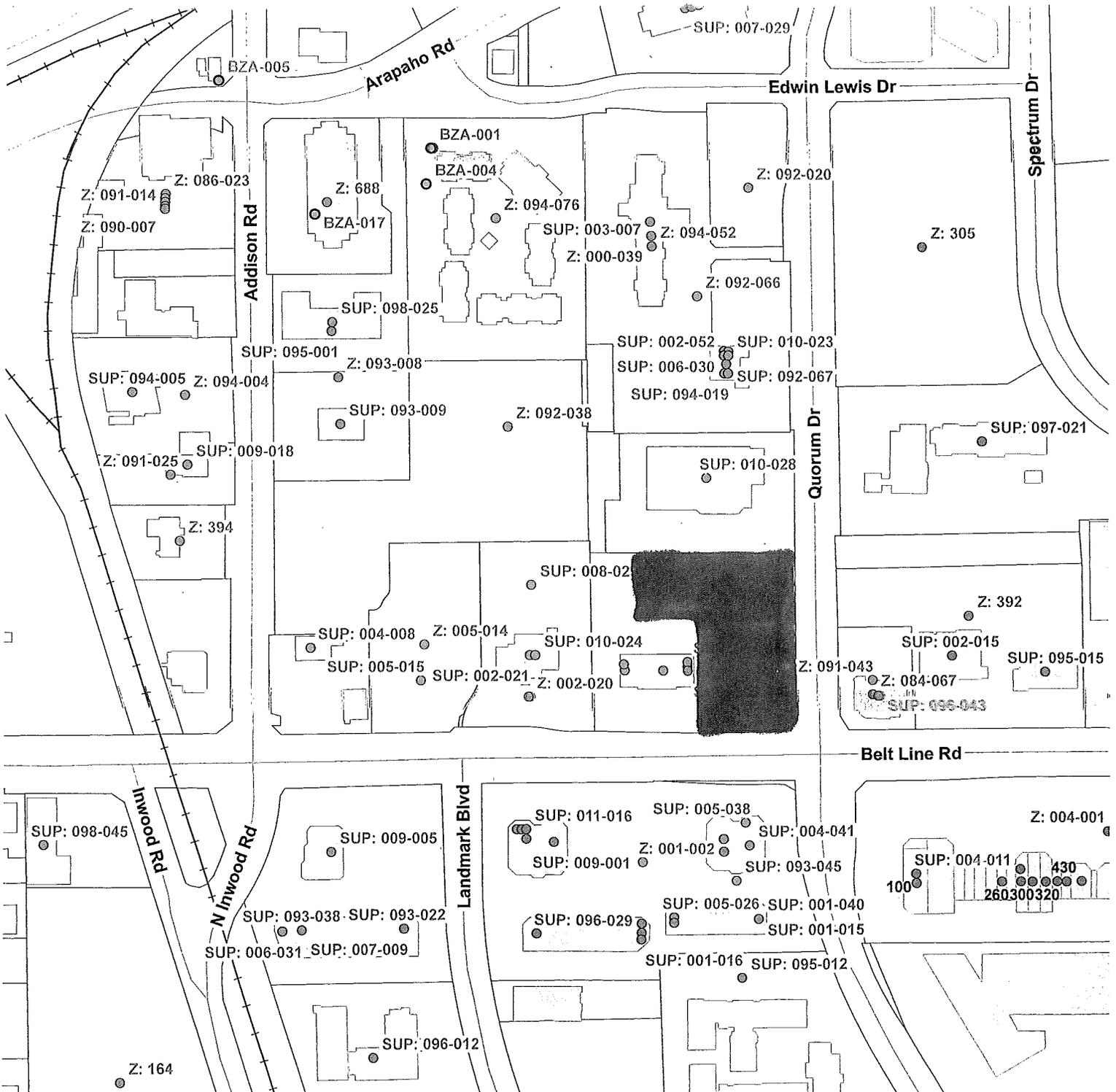
Administration recommends approval.

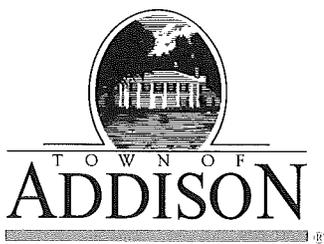
Attachments

docket map staff report, and commission findings

1681-SUP

PUBLIC HEARING Case 1681-SUP/TGI Fridays. Public hearing, discussion, and consideration of approval of an ordinance changing the zoning on property located at 4951 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 TGI Fridays, represented by Mr. Damon Drennan of Poole + Drennan Design Studio.





December 12, 2013

STAFF REPORT

RE: Case 1681-SUP/TGI Fridays Restaurant

LOCATION: 4951 Belt Line Road

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 only

APPLICANT: TGI Fridays, represented by Mr. Damon Drennan of Poole + Drennan Design Studio

DISCUSSION:

Background. TGI Fridays is proposing to tear down the existing restaurant building on this space and construct a totally new TGI Fridays restaurant. The new concept for Fridays is part of a massive rebranding and reinvention effort, and this will be the first store in this area to feature the new plan and a new menu. This site has an interesting history. This property is zoned LR – Local Retail. It was originally developed with the Rusty Scupper Restaurant, which was approved through Ordinance 631 on October 28, 1980.

There was an amendment to the original SUP approved for a Key West Grill (Ordinance 088-001), but Key West Grill never pursued the remodel. On November 14, 1989, the Council approved an amendment to the SUP for Ralph & Kacoo’s, a seafood restaurant (Ordinance 089-036). Ralph and Kacoo’s tore down the original restaurant and built a completely new restaurant on the site. Ralph and Kacoo’s operated on the site until 1994, when the restaurant was remodeled and taken over by Champ’s Americana (Ordinance 094-034, April 12, 1994). Champ’s operated on the site until June of 2013. This proposed restaurant will be the third restaurant building to be constructed on this site.

Proposed Plan. TGI Fridays is proposing a new building of 7,333 square feet with a 952 square foot patio extending across the front (south) side of the building. The restaurant will provide seating for 291 customers in the restaurant/bar and an additional 54 on the patio.

Exterior Facades. TGI Fridays has undertaken a completely new design for this building, and the exterior materials will be a combination of brick, EIFS (Engineered Insulating Finish System), Alucobond and Nichiha (simulated porcelain tile products) horizontal corrugated metal (on the dumpster and cooler enclosure only), medium bronze anodized metal (on the roof cornice), black tile, and cedar trellis for the patio and cover above the entrance. The signature Fridays striped awnings will not be used anymore, but will be replaced with red awnings on some windows and on the patio cover. As the property is zoned Local Retail, there is a requirement for 80% brick facades, however, that can be varied through the approval of the Special Use Permit.

Parking. The new plans indicate the restaurant, with the existing patio and the new deck, will total 8,796 square feet, which at a parking ratio of 1/70 square feet, will require 126 parking spaces. Because the proposed restaurant is smaller than the previous restaurant, the applicant is able to add more parking. The site provides 154 parking spaces, which is 28 spaces more than are required.

Food Service Code. The restaurant will be required to meet all the requirements of the current food service code.

Landscaping. The Parks Department has reviewed the proposed landscaping plan and finds that there are some deficiencies in the plans as follows:

- Site landscape area is 18.5% landscaping, which falls short of the required 20% landscaping. However, the city took property off of this site in the 1990s to widen the intersection and provide two left-turns and a free right-turn lane on southbound Quorum Drive. The Town typically “grandfathers” sites where the Town takes property for road widening projects.
- The site is 15 shrubs short of the required number of shrubs on Belt Line Road
- The site is 6 trees and 68 shrubs short of the required number of trees and shrubs along Quorum Drive.
- The interior planting areas are 6,076 short of the requirement. Additional plantings will need to be added to the interior of the site.

Mechanical Equipment. The applicant should be aware that if any new mechanical equipment is added to the roof of the restaurant, it must be screened from all adjacent properties. The screening mechanism shall be architecturally compatible, and the Building Official shall make the determination of “architecturally compatible”.

Signs. The applicant did not show any signs on the building. 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.

RECOMMENDATION:

The staff is excited to have the first restaurant for the reinvented TGI Fridays built in Addison. Staff recommends approval of the request for a 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 revised landscaping plan which addresses the following items:

- 15 additional shrubs shall be added on Belt Line Road
- 6 trees and 68 shrubs shall be added along Quorum Drive.
- The interior planting areas are 6,076 short of the requirement. Additional plantings shall be added to the interior of the site.

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

Respectfully submitted,

A handwritten signature in black ink that reads "C MORAN". The "C" is a large, stylized loop, and "MORAN" is written in a simple, blocky font.

Carmen Moran
Director of Development Services



WE'RE GLAD YOU'RE HERE

Landscape Site Plan Review

December 12th, 2013

Landscape Site Plan Review for 4951 Belt Line Road, Addison, Texas (TGI Fridays)

- Overall Site

- The overall site plan is proposing a total of approximately 18.5% landscaping (16,680 sf.). This number does not meet the required 20% site landscaping. *This property was in compliance with the required site landscaping square footage until the Town of Addison's road widening project.*
- The overall site has a landscape buffer ranging between 17' and 30'. *This property was in compliance with the required landscape buffers until the Town of Addison's road widening project.*

- Street Frontage

- Belt Line Road (165 LF)
 - Required
 - 6 Shade Trees and 55 Shrubs
 - Proposed
 - 6 Shade Trees and 40 Shrubs
- Quorum Drive (325 LF)
 - Required
 - 11 Trees and 108 Shrubs
 - Proposed
 - 5 Trees and 40 Shrubs

Based on the calculations, additional plant material will be needed along the Belt Line Road and Quorum Drive street frontage. Bradford Pears do not count towards the shade tree quantities and can be replaced with a 4" caliper shade tree.

- Parking Lot Screening

- Parking lot screening requirements for the north and west property lines are not applicable. (North property line is in the middle of a drive lane and the west property line is adjacent to the neighboring 'Potbelly' building).

- Interior Planting Areas

- Required
 - 7,196 SF (8% of 89,952 sf)
- Proposed
 - 1,120 SF

Based on the calculations, additional plant material will be needed interior to the site.

- Additional Comments

- Landscape plans shall contain the seal of a landscape architect licensed in the State of Texas that such plans have been reviewed by such architect and satisfy all requirements of these landscape regulations.
- Minimum sizes for shrub containers shall be five (5) gallon. Minimum caliper size for shade trees is four (4) inches.

- Ensure that the visibility triangles are shown on the plans (30'x30', per the landscaping regulations)

Land Use Analysis

Attributes of Success Matrix

4951 Belt Line Road

1681-SUP

Attribute	Comment	Score
Competitive	This proposed new restaurant will help restore the luster back to Addison's "bull's eye", the intersection of Belt Line and Quorum Drive. The former Truluck's site (northeast corner) should have a new tenant soon.	
Safe	The neighborhood is safe.	
Functional	The design and location of the new restaurant are functional.	
Visually Appealing	The proposed restaurant is visually appealing and will offer an attractive street front to Belt Line Road.	
Supported with Amenities	The restaurant is going into a neighborhood that is well supported with amenities.	
Environmentally Responsible	Most major companies are heading in a more sustainable direction. TGI Fridays intends to recycle as many boxes and containers as possible.	
Walkable	The proposed restaurant is in one of the more walkable areas of Addison, and will provide a welcome restaurant for hotel guests in the new Home2 Suited by Hilton.	
Overall Assessment	This proposed restaurant will be a great amenity for the area and a welcome addition to this corner.	

Addison!

Case 1681-SUP/TGI Fridays
December 26, 2013

COMMISSION FINDINGS:

The Addison Planning and Zoning Commission, meeting in regular session on December 19, 2013, voted to recommend approval of the request for approval of an ordinance changing the zoning on property located at 4951 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, subject to the following conditions:

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

- 15 additional shrubs shall be added on Belt Line Road
- 6 trees and 68 shrubs shall be added along Quorum Drive.
- The interior planting areas are 6,076 short of the requirement. Additional plantings shall be added to the interior of the site.

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

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

Voting Nay: none

Absent: Hewitt, Hughes

Combined Meeting

R6

Meeting Date: 01/14/2014

Council Goals: N/A

AGENDA CAPTION:

PUBLIC HEARING Case 1682-SUP/hopdoddy Burger Bar. Public hearing, discussion, consider and take action regarding approval of an ordinance changing the zoning on property located at 5100 Belt Line Road, Suite 502, which property is currently zoned PD, Planned Development, through Ordinance 012-001, 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 hopdoddy Burger Bar, a division of Guy and Larry Restaurants, represented by Mr. Mitch Liggett, Director of Development.

COMMISSION FINDINGS:

The Addison Planning and Zoning Commission, meeting in regular session on December 19, 2013, voted to recommend approval of the request for approval of an ordinance changing the zoning on property located 5100 Belt Line Road, Suite 502, which property is currently zoned PD, Planned Development, through Ordinance 012-001, 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 no conditions.

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

Voting Nay: none

Absent: Hewitt, Hughes

FINANCIAL IMPACT:

N/A

BACKGROUND:

N/A

RECOMMENDATION:

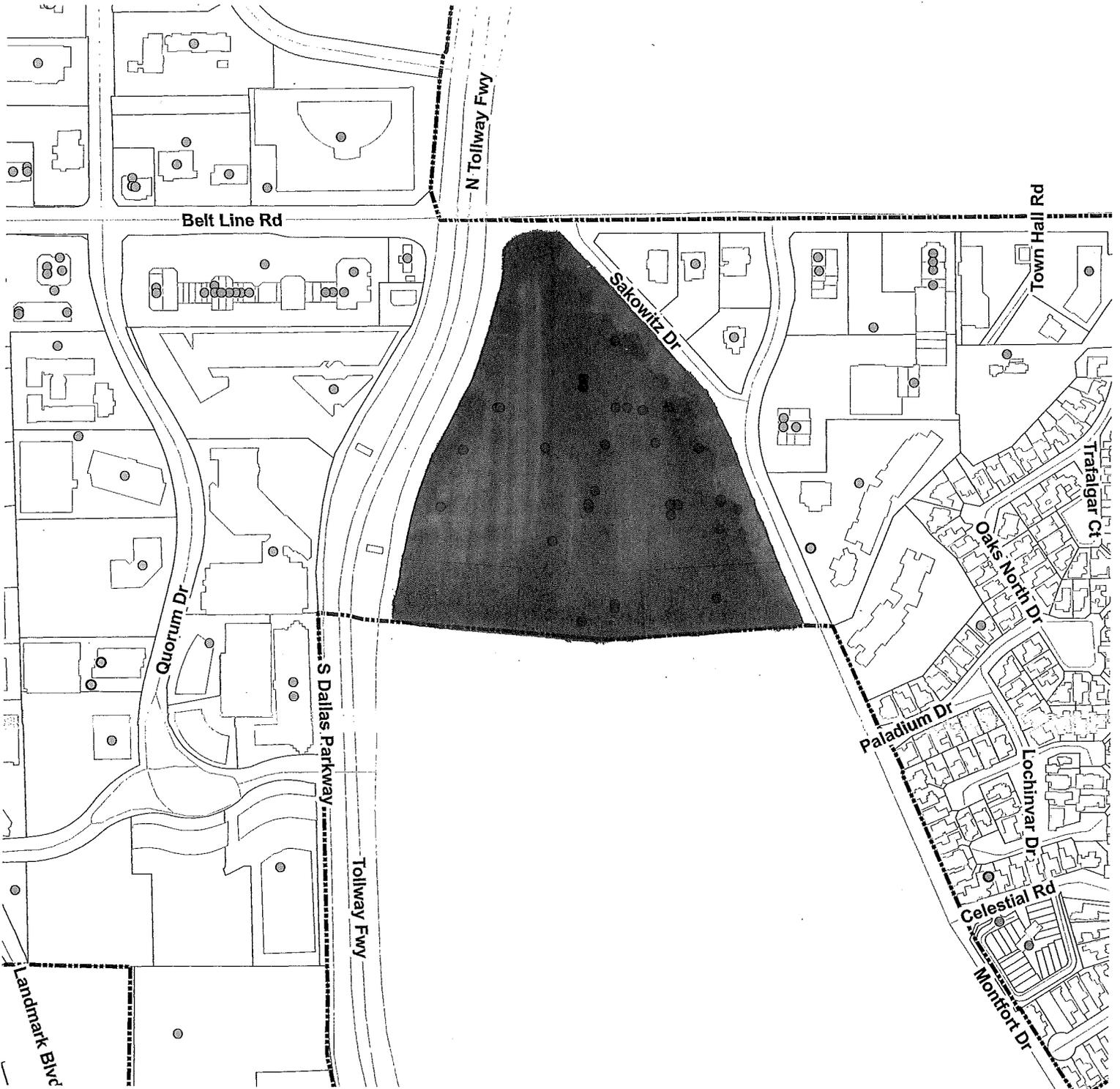
Administration recommends approval.

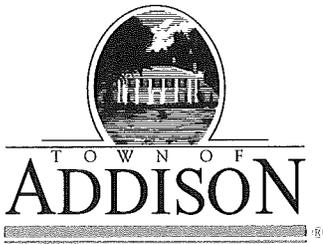
Attachments

docket map, staff report, and commission findings

1682-SUP

PUBLIC HEARING Case 1682-SUP/hopdoddy Burger Bar. Public hearing, discussion and consideration of approval of an ordinance changing the zoning on property located at 5100 Belt Line Road, Suite 502, which property is currently zoned PD, Planned Development, through Ordinance 012-001, 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 hopdoddy Burger Bar, a division of Guy and Larry Restaurants, represented by Mr. Mitch Liggett, Director of Development.





December 11, 2013

STAFF REPORT

RE: Case 1682-SUP/hopdoddy Burger Bar

LOCATION: 5100 Belt Line Road, Suite 502

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 only

APPLICANT: hopdoddy Burger Bar, a division of Guy and Larry Restaurants, represented by Mr. Mitch Liggett, Director of Development

DISCUSSION:

Background. This lease space was formerly occupied by Ernie's restaurant. It is a part of the Village on the Parkway redevelopment. It will sit directly north of the entrance to the new AMC Theatre when it is completed in May of 2014. Pluckers Wing Bar, which is currently under construction, is the tenant on the other end of the building.

hopdoddy Burger Bar is a concept out of Scottsdale, Arizona. It currently has one location in Scottsdale, two locations in Austin, Texas, and one location in Dallas at 6030 Luther Lane, Suite 100. The menu features gourmet burgers with organically-grown Angus beef and buns that are baked on-site twice daily. The restaurant also features "craft beer from local small-batch artisanal brewers."

Proposed Plan. The floor plan features an space of 4,000 square feet, including an exterior covered patio. The floor plan shows a bar in the center of the main dining area and seating for 108 in the dining area and an additional 68 seats on the patio.

Exterior Facades. The new restaurant will feature a contemporary décor with glass store-front on the front (south) and west sides of the space. The patio area will retain all existing landscaping, but will add a site screening wall of ½" x 4" steel fins. .

Parking. The parking requirement for the Village on the Parkway is at a mixed-use ratio of one space per 250 square feet, regardless of how the space is used. The plans show the center will provide 2,240 spaces, which is 512 spaces over the required number. 500 of those additional spaces will be a 4-level parking structure on the west end of the theatre and across the drive from this restaurant. Under the approved plan for the center, the parking spaces can be provided anywhere on the site, and do not have to be provided immediately in front of the tenant's lease space. This 4,000 square-foot space will require 16 parking spaces, which are provided on the site.

Landscaping. The staff had some early problems with the installation of the landscaping of the shopping center. However, the new landscaping has been installed and that problem has been resolved

Food Service Code. The kitchen installation must meet all requirements of the Food Service Code. The Environmental Services Official has noted that the plans indicate a full-sized and good quality kitchen.

Fire and Building Code. Based on the occupancy, the building will have to be provided with fire sprinklers. This is a code requirement and does not need to be included as a condition.

Mechanical Equipment. The applicant should be aware that if any new mechanical equipment is added to the roof of the restaurant, it must be screened from all adjacent properties. The screening mechanism shall be architecturally compatible, and the Building Official shall make the determination of "architecturally compatible".

Signs. The applicant has not shown signs on the facades. While signs are not approved through this process, the staff would note that the term "Bar" is a prominent part of this restaurant's identity. While the staff typically follows direction from the Town and recommends denial of the use of the term "bar" in exterior signs, the staff recently recommended approval of the use of the term Bar on the exterior signs for the Pluckers Wing Bar based on two criteria, which also exist for this space:

- This site is interior to the Village on the Parkway shopping center, and the signs on the west and south facades will not be visible from outside the Village on the Parkway property.
- Hopdoddy advertises itself as a Burger Bar, similarly to the way Pluckers advertised itself as a Wing Bar.

Given those points, the staff does not recommend that the term "bar" be eliminated from the restaurant's exterior signs.

RECOMMENDATION:

The Town is pleased to have hopdoddy Burger Bar come to Addison, and recommends approval of this request subject to no conditions.

Respectfully submitted,

A handwritten signature in black ink that reads "CMORAN". The letters are written in a cursive, slightly slanted style.

Carmen Moran
Director of Development Services

Land Use Analysis

Attributes of Success Matrix

5100 Belt Line Road, Suite 502

1682-SUP

Attribute	Comment	Score
Competitive	This proposed restaurant will be a new restaurant for Addison and will help the Village on the Parkway become a destination for dining	
Safe	The project will be safe	
Functional	The restaurant will be directly across from the new AMC Theater and in the shopping center and will be functional.	
Visually Appealing	The restaurant will be visually appealing.	
Supported with Amenities	The site is in a very amenity-rich area.	
Environmentally Responsible	The site will be a remodel of a very old and tired restaurant space and will provide more energy efficient appliances.	
Walkable	The project is extremely walkable..	
Overall Assessment	This is a good-quality restaurant and will be an asset to the Town.	

Addison!

Case 1682-SUP hopdoddy Burger Bar
December 26, 2013

COMMISSION FINDINGS:

The Addison Planning and Zoning Commission, meeting in regular session on December 19, 2013, voted to recommend approval of the request for approval of an ordinance changing the zoning on property located 5100 Belt Line Road, Suite 502, which property is currently zoned PD, Planned Development, through Ordinance 012-001, 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 no conditions.

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

Voting Nay: none

Absent: Hewitt, Hughes

Combined Meeting

R7

Meeting Date: 01/14/2014

Council Goals: N/A

AGENDA CAPTION:

PUBLIC HEARING Case 1683-SUP/Vernon's Gastropub. Public hearing, discussion, consider and take action regarding approval of an ordinance changing the zoning on property located at 5290 Belt Line Road, Suite 142, by approving for that property an amendment to Ordinance 012-040, Section 2, Paragraph 9, which amended Ordinance 087-001, in order to delete a Special Condition from 012-040, Section 2, Paragraph 9 prohibiting the use of any terms or graphic depictions which relate to alcoholic beverages in any exterior signs, on application from Vernon E. Garcia, Inc., represented by Mr. Christopher Myrick.

COMMISSION FINDINGS:

The Addison Planning and Zoning Commission, meeting in regular session on December 19, 2013, voted to recommend approval of an ordinance changing the zoning on property located at 5290 Belt Line Road, Suite 142, by approving for that property an amendment to Ordinance 012-040, Section 2, Paragraph 9, which amended Ordinance 087-001, in order to delete a Special Condition from 012-040, Section 2, Paragraph 9 prohibiting the use of any terms or graphic depictions which relate to alcoholic beverages in any exterior signs, subject to no conditions.

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

Voting Nay: none

Absent: Hewitt, Hughes

FINANCIAL IMPACT:

N/A

BACKGROUND:

N/A

RECOMMENDATION:

Administration recommends approval.

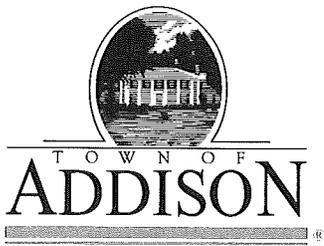
Attachments

docket map staff report and commission findings

1683-SUP

PUBLIC HEARING Case 1683-SUP/Vernon's Gastropub. Public hearing, discussion, and consideration of approval of an ordinance changing the zoning on property located at 5290 Belt Line Road, Suite 142, by approving for that property an amendment to Ordinance 012-040, Section 2, Paragraph 9, which amended Ordinance 087-001, in order to delete a Special Condition from 012-040, Section 2, Paragraph 9 prohibiting the use of any terms or graphic depictions which relate to alcoholic beverages in any exterior signs, on application from Vernon E. Garcia, Inc., represented by Mr. Christopher Myrick.





December 11, 2013

STAFF REPORT

RE: Case 1683--SUP/Vernon's Gastropub

LOCATION: 5290 Belt Line Road, Suite 142

REQUEST: Consideration of approval of an ordinance by approving an amendment to Ordinance 012-040, Section 2, Paragraph 9, which amended Ordinance 087-001, in order to delete a Special Condition from 012-040, Section 2, Paragraph 9 prohibitin the use of any terms or graphic depictions which relate to alcoholic beverages in any exterior signs

APPLICANT: Vernon's Grille, represented by Mr. Christopher Myrick.

DISCUSSION:

Background. Vernon's Grille has been in business in the same location since 1987. It was originally approved through Ordinance 087-001 on January 20th of 1987. When it sought original approval, it was proposed as Vernon's Bar and Grill. However, the Town placed a condition on the approval, in Section 3, paragraph 2 of the ordinance, that the term "Bar" be eliminated from the exterior sign.

In December of 2012, Mr. Christopher Myrick, the current manager, requested that he be allowed to add a patio to the front of the restaurant. His argument was that a patio would allow his restaurant to sell more food because non-smoking guests could eat on the patio. He mentioned that he needed his smoking customers to keep his business operating, but would like to increase his food sales, and felt that adding the patio would allow him to increase food sales. That amendment to the original ordinance was approved through Ordinance 012-040 on December 11 of 2013. That amending ordinance carried the typical condition that all restaurant ordinances carry in Section 2, Paragraph 9, which states:

The applicant shall not use any term or graphic depiction that relates to alcoholic beverages in any exterior signs.

Current Request. At this point, Mr. Myrick is returning with a request to be allowed to use the term "Gastropub" in his exterior sign. The Commission and Council dealt with a similar request in January of 2013 when LaZaranda came forward and asked to add the term "tequila" to its exterior sign. That request was approved by the P&Z and Council through Ordinance 013-004 on February 12, 2013. The P&Z and Council have also dealt with the use of the term Bar in exterior signs for Pluckers Wing Bar and hopdoddy Burger Bar (on the agenda for December 19, 2014). The Pluckers Wing Bar request was approved based on the conditions that it was interior to the Village on the Parkway and referred to a wing bar, similar to way that a restaurant might promote a salad bar.

The staff looked up the definition of a "gastropub" and according to Wikipedia, a gastropub is defined as follows:

Gastropub or gastrolounge refers to a bar and restaurant that serves high-end beer and food.

Wikipedia further notes:

The term "gastropub" was coined in 1991 when David Eyre and Mike Belben took over The Eagle pub in Clerkenwell, London. ¹The concept of a restaurant in a pub reinvigorated both pub culture and British dining, though it has occasionally attracted criticism for potentially removing the character of traditional pubs. "Gastropub" was added to the 2012 update of Merriam Webster's Collegiate Dictionary in August 2012.

Mr. Myrick lists roughly the same reasons in the letter that accompanied his application. It seems that by incorporating the term "gastropub" into his sign, he is actually seeking to promote his food business as opposed to his bar business. The staff finds that motivation consistent with his request to add a patio to accommodate non-smoking guests and improve his lunch business.

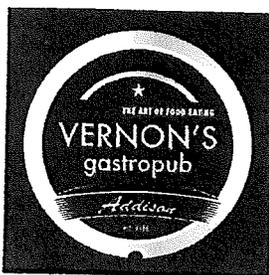
RECOMMENDATION:

Staff recommends approval of the request to amend Ordinance 012-040, Section 2, Paragraph 9, which in order to delete a Special Condition from 012-040 prohibiting the use of any terms or graphic depictions which relate to alcoholic beverages in any exterior signs, subject to no conditions.

Respectfully submitted,



Carmen Moran
Director of Development Services



Dear Sir or Madam,

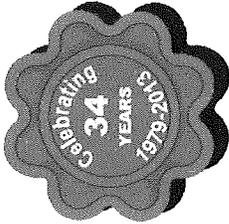
I am applying for a change in the ordinances regarding our Special Use Permit to allow us to incorporate the word Gastropub in our sign. With many changes among us we are currently in a rebranding phase and have changed our dba from "Vernon's Grille" to "Vernon's Gastropub" to give much more attention and focus on our quality, made from scratch food. A gastropub is a pub that serves alcoholic beverages but has an emphasis on high quality food. We feel that this change would better position us for success in the future for many more years and move us away from the tired branding of the "Irish style" pub through the use of "Grille". Thank you for your consideration for the change in our dba name and sign.

Sincerely,

Christopher Myrick

President/ GM

signs manufacturing
 Corporation
 (214) 339-2227 (817) 861-1234
 (972) 850-3300 fax (214) 339-9987



Vernon's Gastropub

5290 Bellline Road #132
 Addison TX

11/25/2013

Customer Representative:
Charles Russell

Customer Approval



Underwriters Laboratories



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THIS IS A PRELIMINARY DRAWING. SOME DETAILS MAY BE MODIFIED IN PRODUCTION.

107 IN
VERNON'S
gastropub
 38 IN
 12.5 IN
 15 IN



36 IN

36 IN



2. CHANNEL LETTERS ON BACKPLATE



3. THREE FOOT LOGO

ORDINANCE NO. 087-001

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AS HERETOFORE AMENDED, SO AS TO GRANT A SPECIAL USE PERMIT FOR A RESTAURANT AND THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISES CONSUMPTION ON APPLICATION FROM VERNON GARCIA, LOCATED AT 5290 BELT LINE ROAD, AND BEING MORE PARTICULARLY DESCRIBED IN THE BODY OF THIS ORDINANCE: PROVIDING FOR SPECIAL CONDITIONS: PROVIDING FOR A PENALTY CLAUSE: PROVIDING FOR A NO SEVERABILITY CLAUSE; AND DECLARING AN EMERGENCY.

WHEREAS, application was made to amend the Comprehensive Zoning Ordinance of the Town of Addison, Texas, by making application for the same with the Planning and Zoning Commission of the Town of Addison, Texas, as required by State Statutes and the zoning ordinance of the Town of Addison, Texas, and all the legal requirements, conditions and prerequisites having been complied with, the case having come before the City Council of Addison, Texas, after all legal notices, requirements, conditions and prerequisites having been complied with; and

WHEREAS, the City Council of the Town of Addison, Texas, does find that there is a public necessity for the zoning change, that the public demands it, that the public interest clearly requires the amendment, and it is in the best interest of the public at large, the citizens of the Town of Addison, Texas, and helps promote the general welfare and safety of this community, now, therefore,

Published 1/29/87

BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF ADDISON,
TEXAS:

SECTION 1. The Comprehensive Zoning Ordinance of the Town of Addison, Texas, as heretofore amended, be amended, by amending the zoning map of the Town of Addison, Texas, so as to grant a special use permit for a restaurant and the sale of alcoholic beverages for on-premises consumption to Vernon Garcia. Said special use permit shall be granted subject to the special conditions on the following described property, to-wit:

BEGINNING at the intersection of the South line of Belt Line Road (a 100' R.O.W.), with the East line of Montfort Drive (a proposed 80' R.O.W.), an iron stake for corner;

THENCE, N 89 deg 49' 50" E, along said Belt Line Road South line, a distance of 609.11 feet to an iron stake for corner;

THENCE, S 0 deg 10' 10" E, leaving said Belt Line Road South line, a distance of 366.58 feet to an iron stake for corner;

THENCE, S 89 deg 49' 50" W, a distance of 604.08 feet to a point on the said Montfort Drive East line, an iron stake for corner;

THENCE, along the said Montfort Drive East line, the following:

Around a curve to the left, having a central angle of 28 deg 22' 34" and a radius of 540.00 feet, a distance of 267.44 feet to the end of said curve and the beginning of a curve to the right, having a central angle of 12 deg 48' 08" and a radius of 460.00 feet, an iron stake for corner;

Around said curve, a distance of 102.78 feet to the PLACE OF BEGINNING and containing 5.00 acres of land.

SECTION 2. That the Special Use Permit is granted subject to the following conditions:

1. That prior to the issuance of a Certificate of Occupancy, said property shall be improved in accordance with the site plan, landscape plan, and the elevation drawings showing four exterior walls which are attached hereto and made a part hereof for all purposes. The landscaping shall be maintained in the condition as set forth in such drawings.
2. That the Special Use Permit granted herein shall be limited to a restaurant and the sale of alcoholic beverages for on-premises consumption only and to that particular area designated on the final site plan as being outlined in red and encompassing a total area not to exceed 3,500 sq. ft.
3. No signs advertising sale of alcoholic beverages shall be permitted other than those authorized under the Liquor Control Act of the State of Texas, and any sign ordinance of the Town of Addison, Texas, and all permitted signs must be shown on the elevation drawings.
4. That the sale of alcoholic beverages under this special use permit shall be permitted in restaurants. Restaurants if hereby defined as establishments which receives at least sixty percent (60%) of their gross revenues from the sale of food.
5. Said establishment shall make available to the city or its agents, during reasonable hours its bookkeeping records for inspection, if required, by the city to insure that the conditions of Paragraph 4 are being met.
6. The use of gaming devices, such as billiards (pool) tables, pinball machines, marble table, and other coin operated amusement machines, other than machines for music are hereby prohibited.
7. Where the sale or serving of alcoholic beverages is permitted, dancing is hereby prohibited.
8. Any use of property considered as a nonconforming use under the Comprehensive Zoning Ordinance of the Town of Addison shall not be permitted to receive a license or permit for the sale of alcoholic beverages.
9. That if the property for which the special use permit is granted and is not used for the purposes for which said permit was granted within one (1) year after the adoption of this ordinance, the City Council may authorize hearings.

10. That if a license or permit to sell alcoholic beverages on property covered by this special use permit is revoked, terminated or cancelled by proper authorities, the City Council may authorize hearings to be held for the purpose of considering a change of zoning.

SECTION 3. The following Special Conditions are placed on the above described property:

1. The landscaping along Belt Line Road be installed prior to a Certificate of Occupancy.
2. The word "BAR" be deleted from the name and signage of this restaurant.
3. The sidewalks be installed along Belt Line Road and Montfort Drive prior to a Certificate of Occupancy.

SECTION 4. That any person, firm, or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the city, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of One Thousand Dollars (\$1,000.00) and not less than Five Hundred Dollars (\$500.00) for each offense and that each day such violation shall continue to exist shall constitute a separate offense.

SECTION 5. It is the intention of the City Council that this ordinance be considered in its entirety, as one ordinance, and should any portion of this ordinance be held to be void or unconstitutional, then said ordinance shall be void in its entirety, and the City Council would not have adopted said ordinance if any part or portion of said ordinance should be held to be unconstitutional or void.

SECTION 6. The importance of this ordinance creates an emergency and an imperative public necessity, and the ordinance shall take effect and be in force from and after its adoption.

DULY PASSED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS, on this the 20th day of January, 1987.

MAYOR

ATTEST:

Jacqueline Kruse
CITY SECRETARY

CASE NO. 999-SUP

APPROVED AS TO FORM:

C. TURNER 1-27-87

TOWN OF ADDISON, TEXAS

ORDINANCE NO. 012-040

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING SPECIAL USE ORDINANCE NO.087-001, BY AMENDING THE SITE PLAN TO PROVIDE FOR A PATIO AREA, ON APPLICATION WITH VERNON'S GRILLE, LOCATED AT 5290 BELT LINE ROAD, SUITE 142; PROVIDING FOR SPECIAL CONDITONS; PROVIDING FOR A PENALTY CLAUSE; PROVIDING FOR A NO SEVERABILITY CLAUSE; AND PROVIDING FOR A REPEAL CLAUSE.

WHEREAS, application was made to amend the Comprehensive Zoning Ordinance of the Town of Addison, Texas, by making application for the same with the Planning and Zoning Commission of the Town of Addison, Texas, as required by State Statutes and the zoning ordinance of the Town of Addison, Texas, and all the legal requirements, conditions and prerequisites having been complied with, the case having come before the City Council of Addison, Texas, after all legal notices, requirements, conditions and prerequisites having been complied with; and

WHEREAS, the City Council of the Town of Addison, Texas, does find that there is a public necessity for the zoning change, that the public demands it, that the public interest clearly requires the amendment, and it is in the best interest of the public at large, the citizens of the Town of Addison, Texas, and helps promote the general welfare and safety of this community, now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS:

SECTION 1. That Ordinance No. 087-001, passed by the Addison City Council on the 20th day of January, 1987, is hereby amended by amending Section 2 to read as follows:

SECTION 2. That the Special Use Permit is granted subject to the following conditions:

1. That prior to the issuance of a Certificate of Occupancy, said property shall be improved in accordance with the site plan and floor plan, which are attached hereto and made a part hereof for all purposes.
2. That the Special Use Permit granted herein shall be limited to a restaurant only

and to that particular area designated on the final site plan as outlined and encompassing a total area not to exceed 3,979 square feet.

3. No signs advertising the sale of alcoholic beverages shall be permitted other than those authorized under the Liquor Control Act of the State of Texas, and any sign ordinance of the Town of Addison Texas. No terms such as "bar", "tavern" or any terms or graphic depictions that relate to the sale of alcoholic beverages shall be used in any exterior signs.
4. That the sale of alcoholic beverages under this special use permit shall be Permitted in restaurants. Restaurants are hereby defined as establishments that receive at least sixty percent (60%) or their gross revenues from the sale of food.
5. Said establishment shall make available to the city or its agents, during reasonable hours its bookkeeping records for inspection, if required, by the city to insure that the conditions of Paragraph 7 are being met.
6. Any use of property considered as a nonconforming use under the Comprehensive Zoning Ordinance of the Town of Addison shall not be permitted to receive a license or permit for the sale of alcoholic beverages.
7. That if the property for which the special use permit is granted is not used for the purposes for which said permit was granted within one (1) year after the adoption of this ordinance, the City Council may authorize hearings to be held for the purpose of considering a change of zoning.
8. That if a license or permit to sell alcoholic beverages on property covered by this special use permit is revoked, terminated, or canceled by proper authorities, the City Council may authorize hearings to be held for the purpose for considering a change of zoning.
9. The applicant shall not use any term or graphic depiction that relates to alcoholic beverages in any exterior signs.

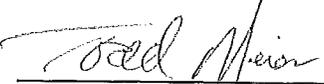
SECTION 3. That any person, firm, or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the city, as heretofore amended, and upon conviction shall be punished by a fine set in accordance with Chapter 1, General Provisions, Section 1.10, General penalty for violations of Code; continuing violations, of the Code of Ordinances for the Town of Addison.

SECTION 4. It is the intention of the City Council that this ordinance be considered in its entirety, as one ordinance, and should any portion of this ordinance be held to be void or

unconstitutional, then said ordinance shall be void in its entirety, and the City Council would not have adopted said ordinance if any part or portion of said ordinance should be held to be unconstitutional or void.

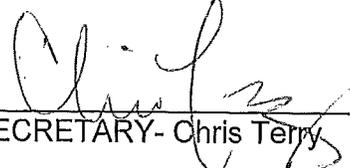
SECTION 5. That all ordinances of the City in conflict with the provisions of this ordinance be, and the same are hereby repealed and all other ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

DULY PASSED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS, on this the 11TH day of December, 2012.



MAYOR- Todd Meier

ATTEST:



CITY SECRETARY- Chris Terry

CASE NO. 1658-SUP/Vernon's Grille

APPROVED AS TO FORM:



DIRECTOR OF DEVELOPMENT SERVICES-
Carmen Moran

PUBLISHED ON: _____

Case 1683-SUP/Vernon's Gastropub
December 26, 2013

COMMISSION FINDINGS:

The Addison Planning and Zoning Commission, meeting in regular session on December 19, 2013, voted to recommend approval of an ordinance changing the zoning on property located at 5290 Belt Line Road, Suite 142, by approving for that property an amendment to Ordinance 012-040, Section 2, Paragraph 9, which amended Ordinance 087-001, in order to delete a Special Condition from 012-040, Section 2, Paragraph 9 prohibiting the use of any terms or graphic depictions which relate to alcoholic beverages in any exterior signs, subject to no conditions.

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

Voting Nay: none

Absent: Hewitt, Hughes

Combined Meeting

R8

Meeting Date: 01/14/2014

Council Goals: N/A

AGENDA CAPTION:

Presentation of the Planning and Zoning Commission Annual Report for 2013 by Planning and Zoning Chairman, Ralph Doherty.

FINANCIAL IMPACT:

N/A

BACKGROUND:

N/A

RECOMMENDATION:

There is no administrative recommendation for this item.

Attachments

Memo to Council & Attendance Report

Memorandum

January 14, 2014

TO: Mayor Meier and the Members of the Addison City Council

FROM: Ralph Doherty, Chair, Planning and Zoning Commission, Town of Addison

COPY: Planning and Zoning Commissioners, Town of Addison, Mr. Ron Whitehead, City Manager, Town of Addison, Ms. Lea Dunn, City Manager designee, Town of Addison, Ms. Carmen Moran, Director of Development Services, Town of Addison, and Mr. Charles Goff, Assistant to the City Manager, Town of Addison

SUBJECT: 2013 Planning and Zoning Commission's Annual Report to the Council

ATTACHMENT: 2013 Planning and Zoning Commission's Meeting and Attendance Statistics

The Planning and Zoning Commission is governed by the Rules, Regulations, and Procedures of the Town of Addison. These Rules stipulate under Article III, DUTIES OF THE COMMISSION, Paragraph (j) that the Commission shall:

"Submit each year a progress report to the City Council summarizing its activities, major accomplishments for the past year, and a proposed work program for the coming year. The report shall contain for the year the attendance record of all members and the identity of Commission officers."

Please let this document serve as the Commission's progress report, and the attendance record of all members is also attached for your review and use.

Overview

The role of Addison's Planning and Zoning Commission is often described as one of providing guidance to the Town Council and Staff on the "Highest and Best" use of the Town's land resources. I frame it also as one of providing **Opportunities** and **Support for Addison's:**

- **Residents** to represent their interests
- **Land Owners and/or Developers** to initiate or to extend their footprint within the Town
- **Staff** to demonstrate their expertise and professionalism, and finally
- **Administration and Council** to exercise leadership and forward thinking when focusing on preserving the economic health, the Addison Way, and the quality of life in our Town.

Given that background, 2013 was another busy year in Planning and Zoning. In addition to the typical cases reviewed during a "normal" year, which I will outline below, last year marked the completion of the eighteen-month-long landmark study resulting in a complete revision of the Town's 1991 Comprehensive and Strategic Land Use Plan.

The Commission

For the first time in several years the Commission experienced no turnover in 2013, as seven individuals, in total, served on the Commission during the year. This relatively rare occurrence allowed the team to hone their skills and knowledge of P&Z, the needs of the Town, as well as to focus intently on the cases, educational opportunities, etc. presented during the year.

A review of 2013 P&Z meeting statistics reveals that individual meeting attendance averaged 90%, up from 79% in 2012. We held eleven meetings during the year, as opposed to the normal twelve, as we had no cases in September. Individual meeting attendance ranged from 71% to 100%, with perfect attendance in five monthly meetings – March, June, July, October, and November. Commissioners Groce, Stockard, and Wheeler had perfect attendance in 2013, and they deserve our admiration and recognition for this record.

I chaired the Commission in 2013, and Ms. Kathryn Wheeler again assisted me by serving as Vice-Chair. As always, the P&Z was more than ably supported by Ms. Carmen Moran, Addison's Director of Development Services, and also by staff members Charles Goff and Ben Magill. As stated in previous reports, Carmen remains the intellectual conscience of P&Z in Addison, and the valued counselor for all of the Town's administrators, executives, and professionals. She is also the repository of much of the development history of the Town, and her work on and numerous contributions to the Comprehensive and Strategic Land Use Plan revision has been, quite frankly, invaluable and unmatched.

The annual election for the 2014 Chair of the Commission will be held on January 23rd, and I will again ask my colleagues to elect me to represent them and to serve the Town in that capacity during my last full calendar year on the Commission.

Highlighted 2013 cases

Let me now briefly highlight some important 2013 achievements and cases as follows:

Comprehensive and Strategic Land Use Plan

Responding to the Mayor's 2012 challenge, the Commission continued and completed its hard work on revising the Comprehensive and Strategic Land Use Plan during 2013. Ongoing activities included background briefings, individual and group study, field trips, and in-depth, spirited discussions focused on answering the somewhat rhetorical question – *“What is the most strategic, highest, and best use for Addison's scarce land resources?”* The Commission defined a set of “Addison Land Use Attributes of Success”, a Land Use Assessment Methodology, and Land Use Decision process to assist the P&Z and Council in our tasks. Taken together, the success factors and land use assessment process will guide the Commission and the Town for decades to come.

UDR/Vitruvian

In recognition of its current and projected record of success, Addison's signature development project was rezoned last summer to allow for additional parcels of land, including the existing shopping center at Spring Valley and Marsh. Vitruvian has come to anchor Southwest Addison and serves as an example for all as to “how to do it right.” The partnership established by UDR management with Addison's Council, Administration, Staff, and the Professionals in

Development Services has enabled this years long and very complex project to proceed with nary a "hitch."

Hilton 2

The first new hotel property planned for Addison since 1996 was approved in November. The "Hilton 2" will be an early example of a new brand being developed by Hilton and its franchisees in order to better serve its younger professional customer set. The P&Z, joined by several Council Members, toured their H2 property in Frisco and came away quite favorably impressed. The property features new and creative ways to enhance guest security, as well as additional business processes and policies that combine to offer and increase target market focus.

Performance Hall for Greenhill School

One of Addison's most prominent educational assets will expand its footprint by adding a Performance Hall on campus. The project will require moving existing parking and perhaps athletic facilities in order to make room for the new building, but should be accomplished with little/no disruption to area residents. The significant commitment to the arts will serve to dramatically improve both Addison's educational and fine arts environments.

Looking Ahead

2014 will surely bring new cases, challenges, and opportunities to the Commission and to the Town. Most economists' forecast another busy year in land development, and we'll have the opportunity to put into practice the processes and procedures that we defined in the Comp Plan revision project. The multi-year LBJ Freeway improvement project (LBJ Express) continues and may cause additional residents and businesses to consider Addison as a "driveway to desk" or safe haven community going forward. As in the past, should they decide to move in, the Commission stands ready to facilitate their decision with respect to community needs and, of course, the Addison Way.

Summary

As stated in previous several years, I view the Commission as a dedicated, professionally experienced, and dynamic group of citizens that work quite well together, enjoying increasing their knowledge of Planning and Zoning theory and practice. It may be of interest to the council to learn that the average Commissioner has resided in Addison for over sixteen years, again clear evidence of the level of commitment to the Town. Finally, it is a matter of pride that we now count five among the Council as "P&Z alums", specifically Councilmembers Arfsten, DeFrancisco, Gunter, and Resnik, as well as Mayor Meier.

In closing, the Commission will lose a key resource and asset early in the New Year, as Ms. Carmen Moran, Addison's Director of Development Services has announced her retirement. As everyone knows, you simply cannot replace Carmen's knowledge, skills, dedication to Addison, and sphere of influence. However and regardless, the Commissioners are committed to Addison and to working closely with the Staff, Administration, and the Council alike in order to sustain and improve the "Addison Way" for everyone who lives, works, or plays in our community.

Planning and Zoning Commissioner Attendance Record - 2013

Commissioner	Present	Absent	Eligible	% Attended	Attendance by Month												
					January	February	March	April	May	June	July	August	September	October	November	December	
Doherty, Ralph	10	1	11	91%	Present	Present	Present	Absent	Present	Present	Present	Present	Present	Present	Present	Present	Present
Groce, Linda	11	0	11	100%	Present	Present	Present	Present	Present	Present	Present	Present	Present	Present	Present	Present	Present
Hewitt, Jennifer	8	3	11	73%	Present	Absent	Present	Present	Present	Present	Present						
Hughes, Ivan	10	1	11	91%	Present	Present	Present	Present	Present	Present	Present	Present	Present	Present	Present	Present	Present
Oliver, John	8	3	11	73%	Absent	Absent	Present	Present	Present	Present	Absent						
Stockard, Roy	11	0	11	100%	Present	Present	Present	Present	Present	Present	Present	Present	Present	Present	Present	Present	Present
Wheeler, Kathryn	11	0	11	100%	Present	Present	Present	Present	Present	Present	Present	Present	Present	Present	Present	Present	Present
Averages	10	1	11	90%	86%	71%	100%	86%	86%	100%	100%	100%	86%	N/A	100%	100%	71%

Combined Meeting

R9

Meeting Date: 01/14/2014

Council Goals: Brand Protection and Enhancement

AGENDA CAPTION:

Presentation, discussion, consider and take action regarding approval of an ordinance amending Chapter 62, Signs of the Code of Ordinances of the Town by providing for a Meritorious Exception to Article IV, Division 3, Attached Signs, Sec. 62-163 Item (5) to provide for a sign with letters 27" in height on the east facade of the building and to Article V , Prohibited Signs, Sec. 62-270 Outline and skeleton lighting to provide for LED luminaries that outline the elements of the building facade on an application from TGI Friday's located at 4951 Belt Line Rd.

FINANCIAL IMPACT:

N/A

BACKGROUND:

Sec. 62-163 Item (5) of the sign ordinance allows a base letter of logo height of 16" with 50% of the letters or logos a height up to 20" when located less than 100' from the street curb. Sec. 62-270 prohibits luminaries of any type from outlining the building facade.

RECOMMENDATION:

Administration recommends denial.

Attachments

Application, Drawings, Property Owner Approval Letter



BUILDING INSPECTION DEPARTMENT 16801 Westgrove Dr Addison Texas 75001 972/450-2881 fax: 972/450-2837

Application for Meritorious Exception to the Town of Addison Sign Ordinance

Application Date: 12/27/13

Filing Fee: \$200.00

Applicant: TGI Friday's

Address: 4201 Marsh Lane Suite#:

Carrollton TX 75007 Phone#: 972-662-5433
City State Zip

Fax#:

Status of Applicant: Owner Tenant X Agent

Location where exception is requested:

4951 Belt Line Road

Reasons for Meritorious Exception:

We are requesting a meritorious exception to allow the use of red and white "skeleton outlining" of the exterior. The new TGIF design uses a juxtaposition of red and white building lighting to accentuate planar differences of both height and building face. Additionally, the red and white lighting, while being corporate colors, offers a preamble to the interior energy with a decorative nod to the brands roots.

CONTINUED ON NEXT PAGE

YOU MUST SUBMIT THE FOLLOWING:

1 COPIES OF THE PROPOSED SIGN SHOWING:

- 1. Lot Lines 2. Names of Adjacent Streets 3. Location of Existing Buildings 4. Existing Signs 5. Proposed Signs 6. Sketch of Sign with Scale and Dimensions Indicated (8.5 x 11 PLEASE)

Date Fees Paid 12-27-13 Check # 1589 Receipt # 542093



BUILDING INSPECTION DEPARTMENT 16801 Westgrove Dr Addison Texas 75001 972/450-2881 fax: 972/450-2837

Application for Meritorious Exception to the Town of Addison Sign Ordinance

Application Date: 12/27/13

Filing Fee: \$200.00

Applicant: TGI Friday's

Address: 4201 Marsh Lane Suite#:

Carrollton TX 75007 Phone#: 972-662-5433

City State Zip Fax#:

Status of Applicant: Owner Tenant X Agent

Location where exception is requested:

4951 Belt Line Road

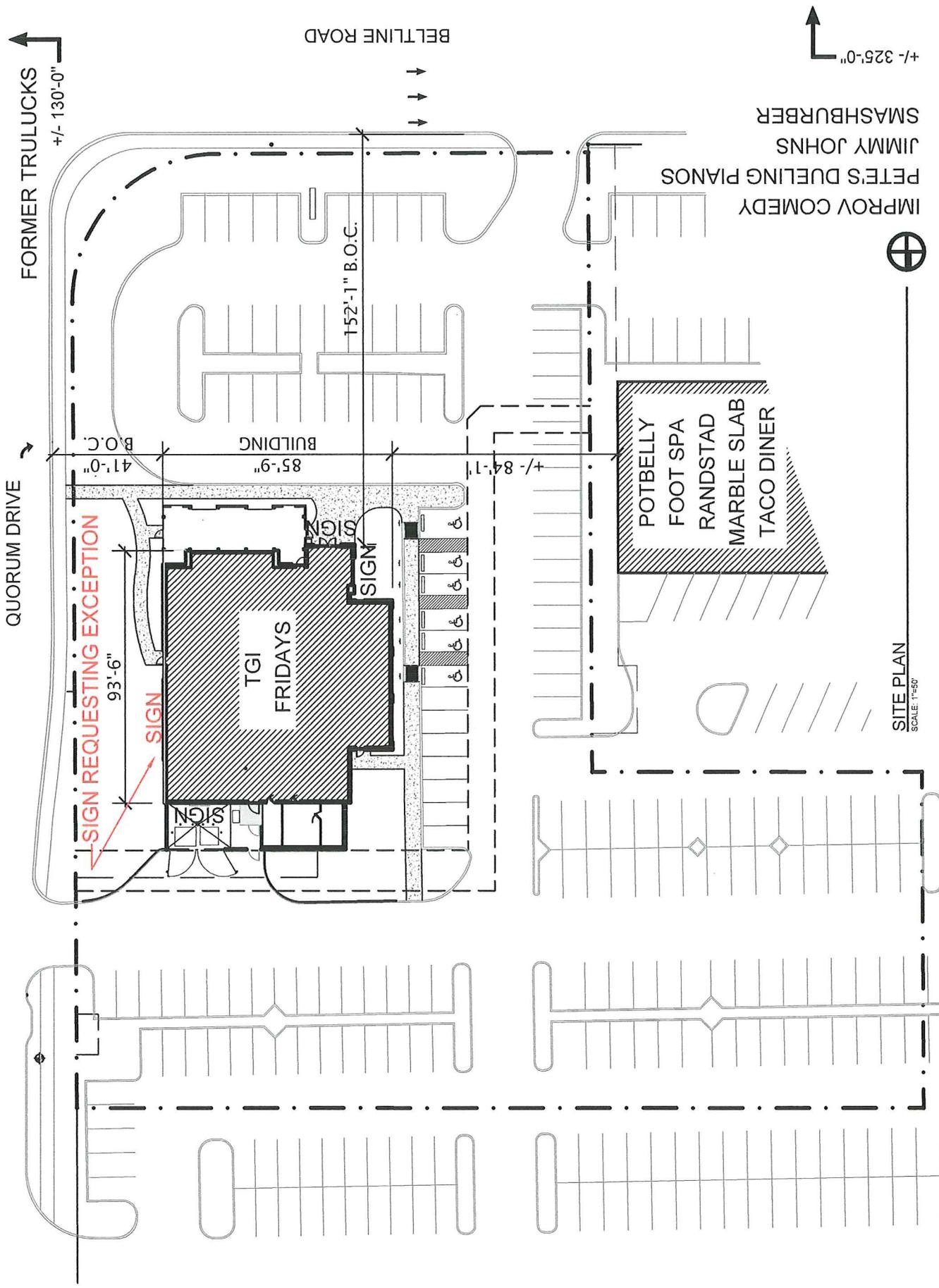
Reasons for Meritorious Exception:

We are requesting an increase in maximum letter height from 16 inches to 27 inches. The side feature wall is designed to add a splash to the elevation through the use of multi-colored panels and to relate back to the entry tower. This design uses rectangular proportions which are shared by the multi-color material, dark background and rectangular sign. The dark recess and sign are sized to give balance between the materials and eliminate the possibility of any one material or element overwhelming the design. Using a smaller sign forces the elements to resize which loses the original proportions and forces the multi-color material to dominate.

1 COPIES OF THE PROPOSED SIGN SHOWING:

- 1. Lot Lines 5. Proposed Signs
2. Names of Adjacent Streets 6. Sketch of Sign with Scale and Dimensions Indicated (8.5 x 11 PLEASE)
3. Location of Existing Buildings
4. Existing Signs

Date Fees Paid 12-27-13 Check # 1589 Receipt # 542093



FORMER TRULUCKS
+/- 130'-0"

QUORUM DRIVE

SIGN REQUESTING EXCEPTION
93'-6"
SIGN

41'-0" B.O.C.
85'-9" BUILDING
152'-1" B.O.C.

41'-0" B.O.C.

SIGN
SIGN
SIGN

TGI
FRIDAYS

SIGN

POTBELLY
FOOT SPA
RANDSTAD
MARBLE SLAB
TACO DINER

+/- 84'-1"

FORMER OFFICE DEPOT
+/- 204'-0"

BELTLINE ROAD

JIMMY JOHNS
SMASHBURBER
PETER'S DUELING PIANOS
IMPROV COMEDY

±

SITE PLAN
SCALE: 1"=50'

FRIDAYS

p+d

CARLSON
RESTAURANTS WORLDWIDE

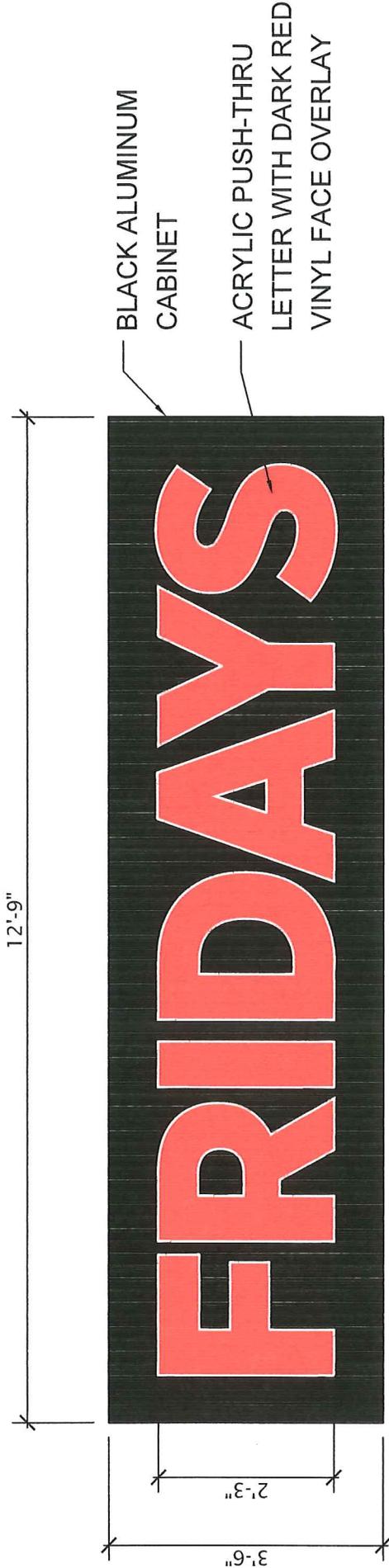
4951 BELTLINE ROAD

BUILDING SITE PLAN
DECEMBER 27, 2013



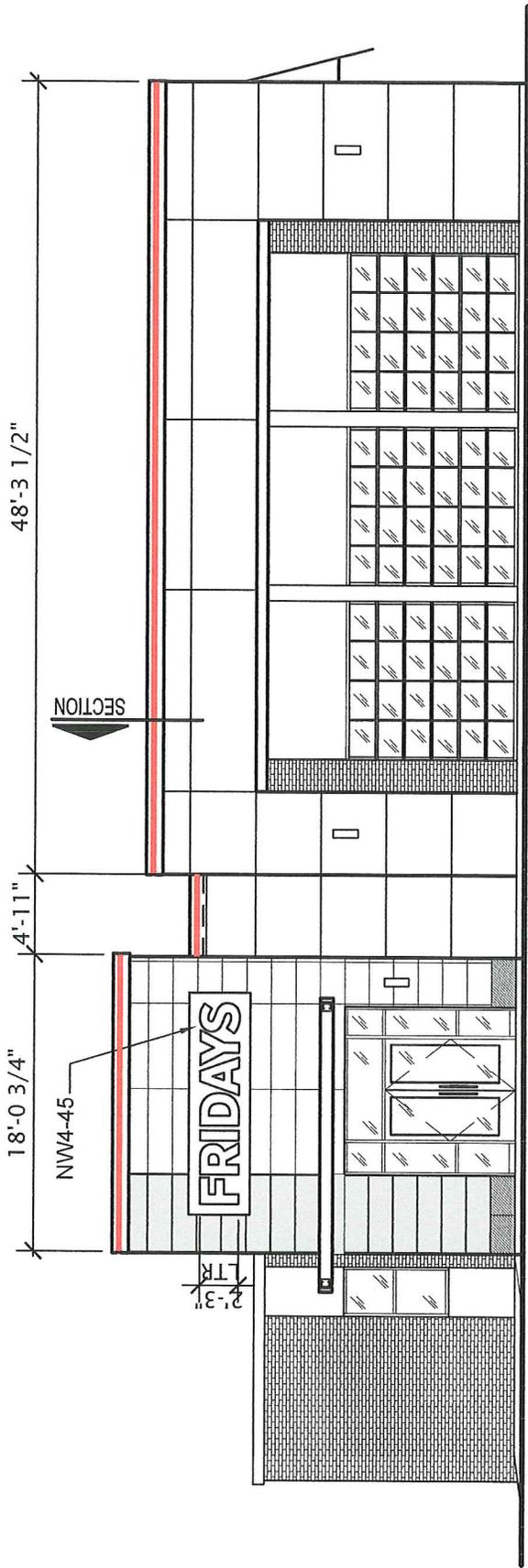
4951 BELTLINE ROAD





NW4-45 PUSH THRU SIGN
 SCALE: 3/4"=1'-0"

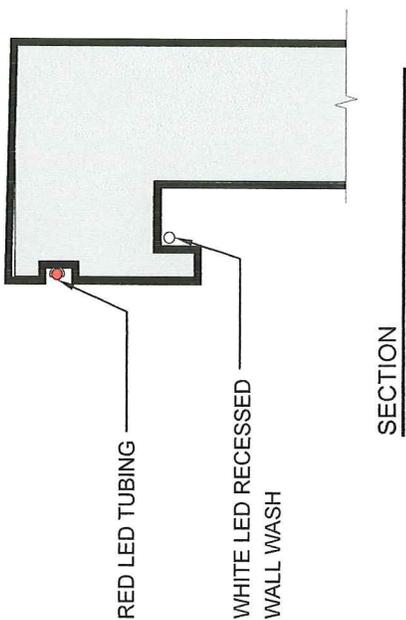
NW4-45
SIZE: 3'-6" X 12'-9" AREA: 44.64 SQ. FT QUANTITY: 2 @ ENTRY TOWER 1 @ SIDE FEATURE WALL

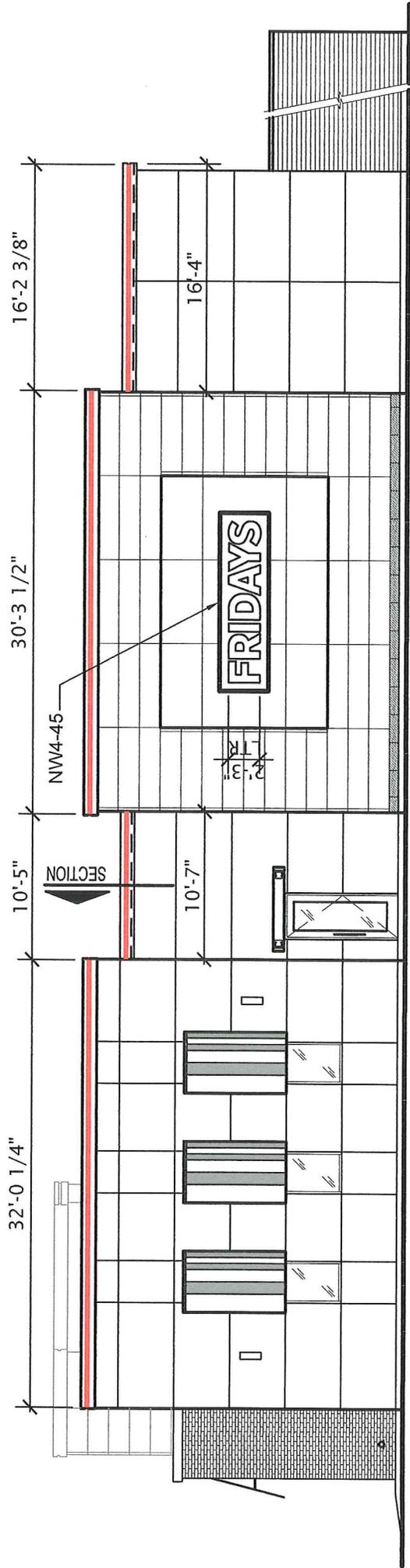


BELTLINE ROAD ELEVATION

SCALE: 3/32"=1'-0"

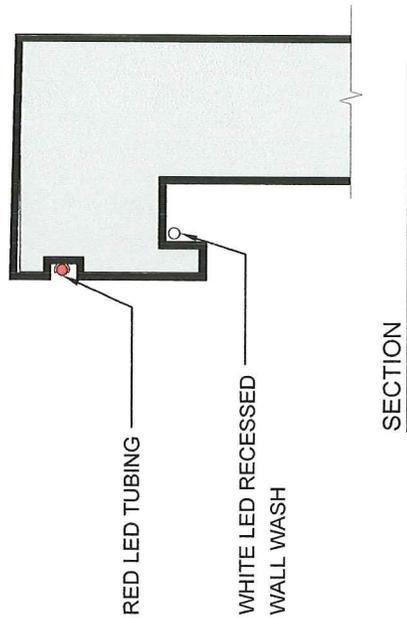
LEGEND	
	RED LED TUBING
	WHITE LED RECESSED WALL WASH





QUORUM DRIVE ELEVATION

SCALE: 3/32"=1'-0"



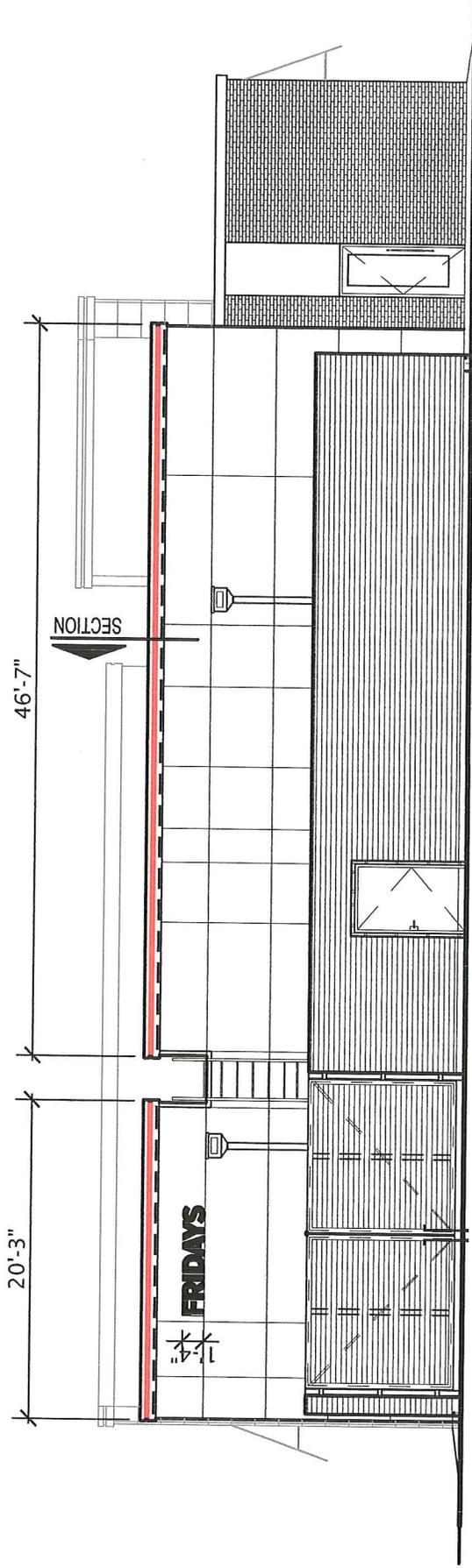
LEGEND

RED LED TUBING

WHITE LED RECESSED
WALL WASH

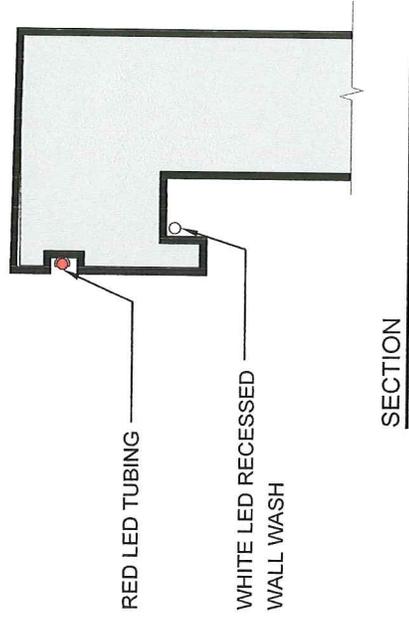
RED LED TUBING

WHITE LED RECESSED
WALL WASH



BACK ELEVATION

SCALE: 3/32"=1'-0"



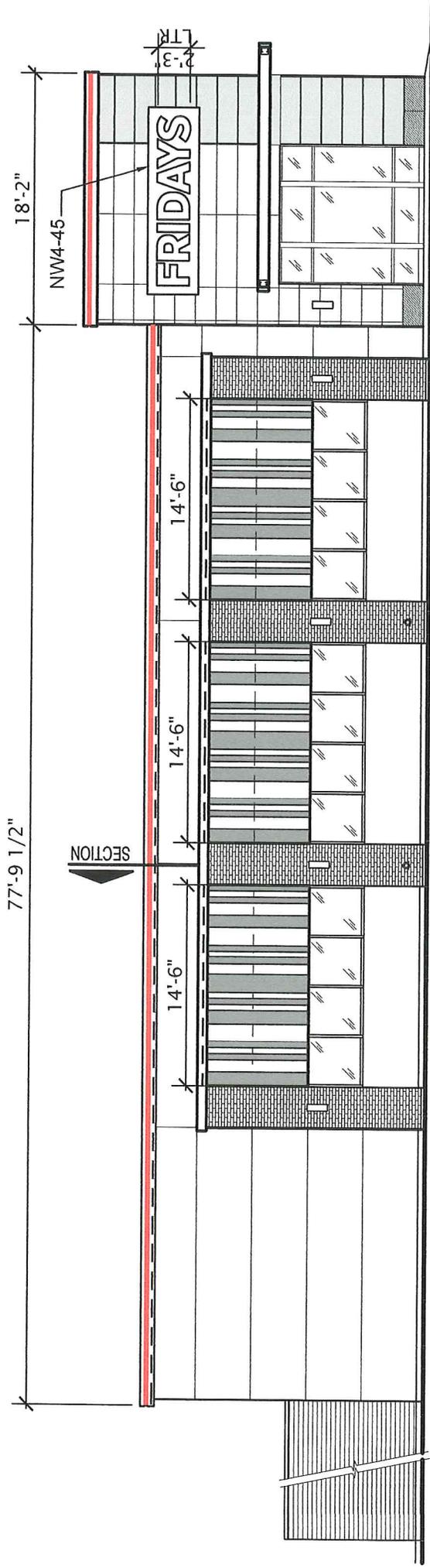
LEGEND

RED LED TUBING

WHITE LED RECESSED
WALL WASH

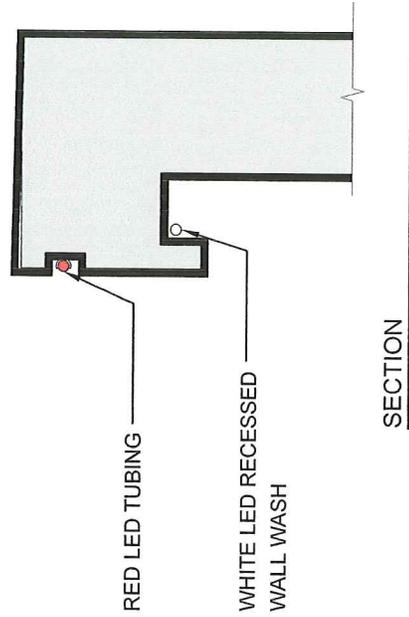
RED LED TUBING

WHITE LED RECESSED
WALL WASH



SIDE ELEVATION

SCALE: 3/8\"/>



SECTION

LEGEND

	RED LED TUBING
	WHITE LED RECESSED WALL WASH



4951 BELTLINE ROAD

BUILDING OUTLINING
NOVEMBER 25, 2013



Lynn Chandler

From: Cole Snadon [cole@snadon.com]
Sent: Monday, December 30, 2013 10:30 AM
To: Lynn Chandler
Subject: FW: TGI Friday's, 4951 Belt Line Rd, Meritorious Exception
Attachments: 2013.12.27 TGIF Addison Meritorious Exception Application Pkg.pdf

Lynn - we are fine with the below. Do you need anything else from me?

From: "<Damon A. Drennan>", AIA <ddrennan@pooledrennan.com<<mailto:ddrennan@pooledrennan.com>>>
Date: Friday, December 27, 2013 at 11:50 AM
To: Cole Snadon <cole@snadon.com<<mailto:cole@snadon.com>>>
Cc: JUNK BYPASS 42 <MScow@Carlson.com<<mailto:MScow@Carlson.com>>>, "Coker, Robert" <rcoker@Carlson.com<<mailto:rcoker@Carlson.com>>>, "CSantaCruz@Carlson.com<<mailto:CSantaCruz@Carlson.com>>" <CSantaCruz@Carlson.com<<mailto:CSantaCruz@Carlson.com>>>, "scott.young@carlson.com<<mailto:scott.young@carlson.com>>" <scott.young@carlson.com<<mailto:scott.young@carlson.com>>>
Subject: TGI Friday's, 4951 Belt Line Rd, Meritorious Exception

Cole,

Friday's has asked that I apply for a Meritorious Exception for a maximum letter size increase of the sign on Quorum from 16 inches to 27 inches and for red and white LED decorative building outlining. Lynn Chandler asked that I get a letter from you approving Friday's to apply for the exception. Lynn said you can email him a copy of the letter if that would be easier for you.

Attached is a copy of the application for your reference. I have submitted the package today in an effort to get on the 1/14/14 council agenda to coincide with the SUP approval. Please let me know if you have any questions.

Sincerely,

Damon Drennan

Damon A. Drennan, AIA, NCARB | Principal
poole+drennan design studio
428 W. Davis St | Studio 4 | Dallas, Texas 75208
Ph: 888.707.0104 ext 102 | Direct: +1 214.865.6932 | Fax: +1 214.948.5530
Email: ddrennan@pooledrennan.com<<mailto:ddrennan@pooledrennan.com>> | Skype Name: pdds_damon

Combined Meeting

R10

Meeting Date: 01/14/2014

Council Goals: Brand Protection and Enhancement

AGENDA CAPTION:

Presentation, discussion, consider and take action regarding 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.61-162 Premises Signs, Item (c) and Sec. 62-163 Area, Item (1) and Item (5) in order to provide for a sign on the west facade with letters 32" in height, a sign on the north facade with letters 36" in height and an area of approximately 41 Sq. Ft. and an additional sign on the north facade with a logo 6' 4" in height and an area of approximately 46.5 Sq. Ft. at Pollo Tropical located at 5290 Belt Line Rd Suite 100.

FINANCIAL IMPACT:

None.

BACKGROUND:

Sec. 62-162. Premises Signs, Item (c) only allows one sign for each facade for each tenant. Sec. 62-163. Area. Item (1) allows one square foot of sign per linear foot of building frontage and Item (5) limits the base height of letters or logos on the north facade to 16" but allows 50% of the letters or logos a maximum height of 20" when located less than 100' from the street curb and limits the height of the letters and logos on the west facade to a maximum height of 24" when located 100' to 150' from the street curb.

RECOMMENDATION:

Administration recommends denial.

Attachments

Application, Plans, Property Owner Approval Letter



BUILDING INSPECTION DEPARTMENT 16801 Westgrove Dr Addison Texas 75001 972/450-2881 fax: 972/450-2837

Application for Meritorious Exception to the Town of Addison Sign Ordinance

Application Date: 12.20.13

Filing Fee: \$200.00

Applicant: Barnett Signs, Inc. - Zeke Bullock

Address: 4250 Action Dr. Suite#: _____

Mesquite TX 75150 Phone#: 972-681-8800
City State Zip Fax#: 972-681-8824

Status of Applicant: Owner _____ Tenant _____ Agent X

Location where exception is requested:

Pollo Tropical - 5290 Belt Line Rd. #1028

Reasons for Meritorious Exception:

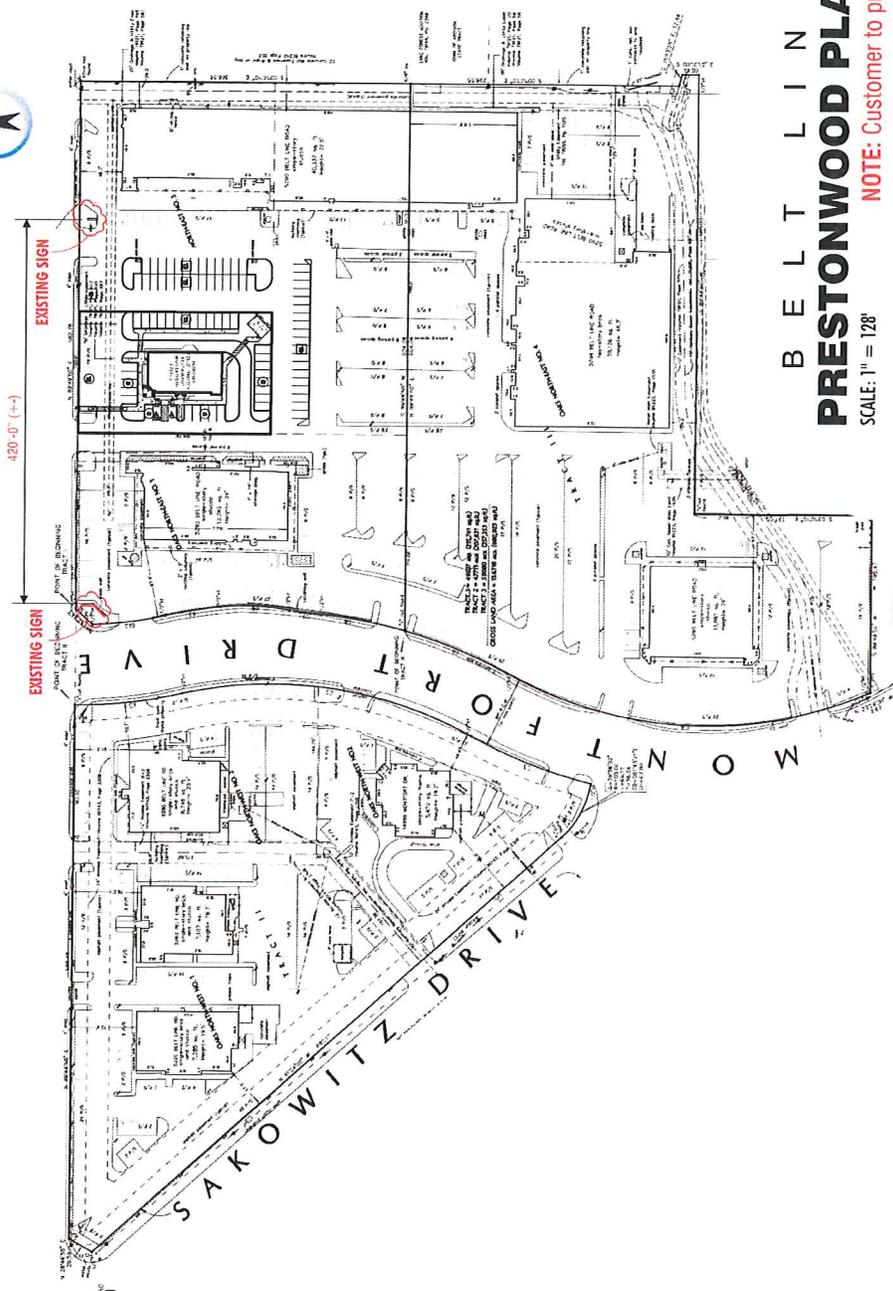
Pollo Tropical wishes for an exception to the Sign Ordinance in order to install building signs that adequately meet the visibility requirements of motorists traveling down Belt Line Rd. and that is aesthetically complimentary to their building. Pollo Tropical feels that the ordinance restriction of a 16" maximum letter height for the sign located on the North Front Elevation does not offer sufficient visibility to motorists and does not compliment the appearance of the building. In addition, the restriction of a 24" max letter height for the sign located on the West Side Elevation does not offer sufficient visibility or proper building aesthetics. Based on the distance of the building from the road and the speed of the traffic, they feel a 36" letter height for the North Front Elevation and a 32" letter height for the West Side Elevation best serves the public and the city.

YOU MUST SUBMIT THE FOLLOWING:

12 COPIES OF THE PROPOSED SIGN SHOWING:

- 1. Lot Lines
- 2. Names of Adjacent Streets
- 3. Location of Existing Buildings
- 4. Existing Signs
- 5. Proposed Signs
- 6. Sketch of Sign with Scale and Dimensions Indicated (8.5 x 11 PLEASE)

Date Fees Paid 12-20-13 Check # 40499 Receipt # 502109



BELT LINE ROAD PRESTONWOOD PLACE SITE PLAN

NOTE: Customer to provide new building plan
SCALE: 1" = 128'

FEDERAL HEALTH SIGN COMPANY
www.FederalHealth.com
12704 DuPont Circle Tampa, FL 33626
(813) 855-4415 (800) 284-3284 Fax (813) 854-3037

Manufacturing Plants:
Orem, UT; Dallas, TX; Jacksonville, FL; Delaware, OH
Chicago, IL
Orem, UT; Dallas, TX; Jacksonville, FL; San Antonio, TX
Houston, TX; Corpus Christi, TX; Indianapolis, IN
Columbus, OH; Fort Worth, TX; Atlanta, GA
Tampa, FL; Daytona Beach, FL; Orlando, FL
Building Quality Signage Since 1901

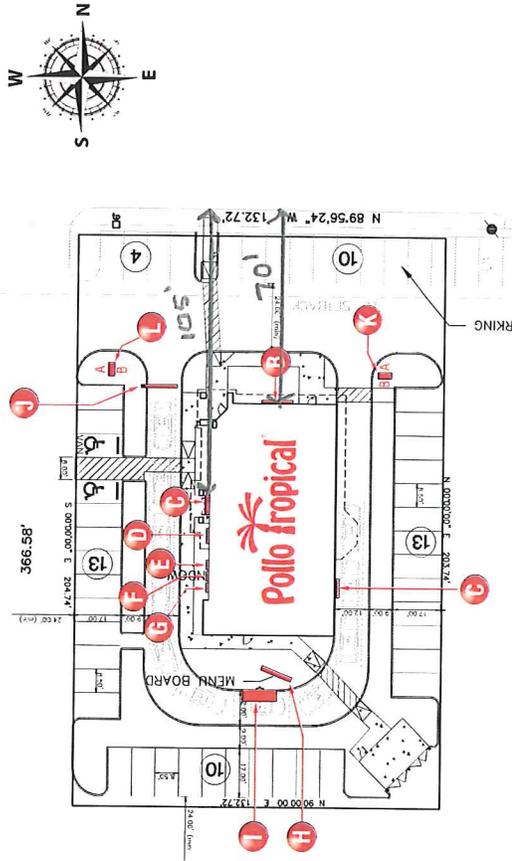
Revisions: R1 JLF 11/4/13 Deleted Sign A, updated elevations and all other signs
R2 D.B. 11/8/13 Add shutters to drive thru elevation, delete 3 POP displays
R3 D.R. 11/28/13 delete 3 POP displays add shutters North elev. Update menu.
Client Approval/Date: _____
Landlord Approval/Date: _____

Account Rep: **MIKE ST ONGE**
Project Manager: **DENNIS RADTKE**
Drawn By: **J. CARPENTER**
Underwriters: **LABORATORIES INC.**
Laboratories Inc. (UL) ELECTRONICALLY USE ALL LISTED ARTICLES WITH UL STANDARD APPROVAL AND LISTING. THE PROPER GROUNDING AND BONDING OF ALL SIGNS.

Project / Location:
Pollo Tropical
5290 BELT LINE ROAD # 1028
ADDISON, TX 75254

Job Number: **23-18858-10**
Date: **APRIL 23, 2013**
Sheet Number: **1** Of **9**
Design Number: **23-18858-10-R3**

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SIGN SCHEDULE

- A** Not Used
- B** 3'-0" WALL LETTERS (1)
- C** 2'-8" WALL LETTERS (1)
- D** ENTRY DISPLAY
- E** POP DISPLAY
- F** POP DISPLAY
- G** POP DISPLAY
- H** DRIVE THRU MENU BOARD
- I** ORDER POINT SPEAKER
- J** CLEARANCE BAR (LEFT FACING)
- K** DIRECTIONAL (DO NOT ENTER -THANK YOU)
- L** DIRECTIONAL (DRIVE THRU)

SITE PLAN - NTS

NOTE: Customer to provide new building plan



www.FederalHealth.com

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 (813) 855-4415 (800) 284-3284 Fax (813) 854-3037

Manufacturing Facilities:
 Ocala, FL; Dallas, TX; Jacksonville, FL; Houston, TX; Orlando, FL; Phoenix, AZ
 Office Locations:
 Orlando, CA; Los Angeles, CA; Las Vegas, NV; Laguna Hills, CA; San Antonio, TX; San Jose, CA; Dallas, TX; Jacksonville, FL; San Antonio, TX; San Diego, CA; Houston, TX; Louisville, KY; Knoxville, TN; Columbia, SC; Phoenix, AZ; Tampa, FL; Orlando, FL; Birmingham, AL; Atlanta, GA; Miami, FL; Cary, NC; Raleigh, NC; Charlotte, NC

Building Quality Signage Since 1901

Revisions: R1 JLF 11/4/13 Deleted Sign A, updated elevations and all other signs
 R2 DR 11/8/13 Add shutters to drive thru elevation, delete 3 POP displays.
 R3 DR 11/28/13 delete 3 POP displays add shutters North elev. Update menu.
 Client Approval/Date: _____
 Landlord Approval/Date: _____

Account Resp: **MIKE ST. ONGE**
 Project Manager: **DENNIS RADTKE**
 Drawn By: **J. CARPENTER**
 Underwriters: **Underwriters Inc.**
 Electrical to use all listed ALE, N.E.C. STANDARDS ATTACHED TO THIS SET TO COMPLY WITH ALL APPLICABLE CODES AND ORDINANCES FOR THE PROPER GROUNDING AND BONDING OF ALL SIGNS.

Project / Location: **Pollo Tropical**
5290 BELT LINE ROAD, #1028
ADDISON, TX 75234

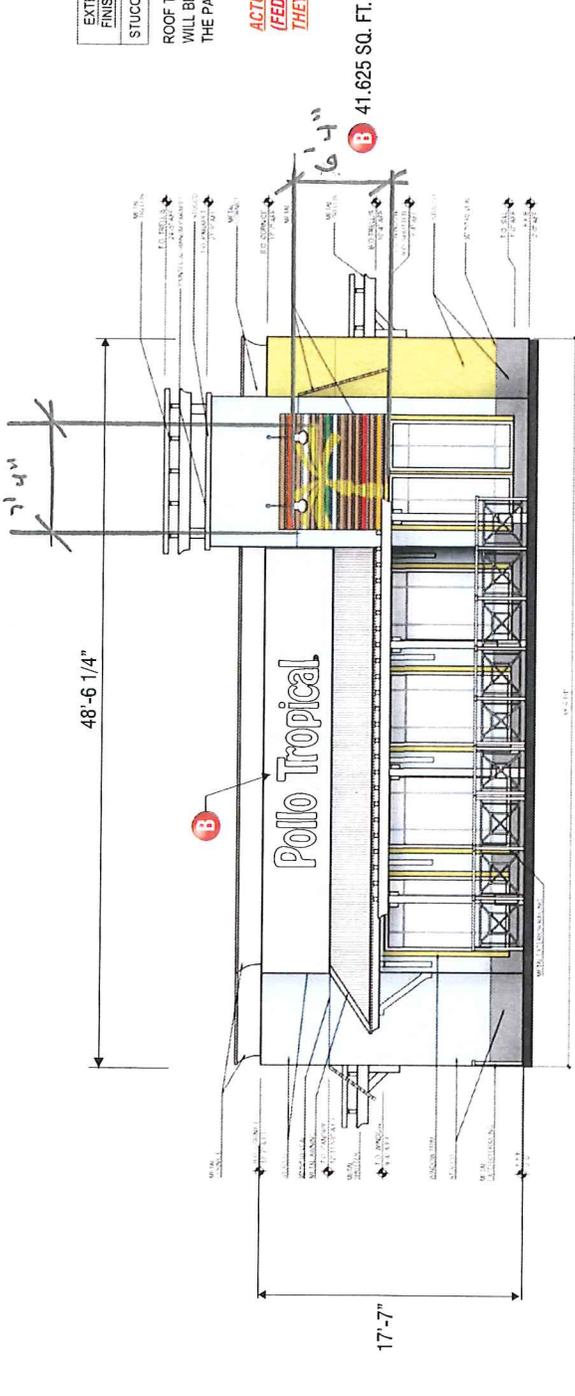
Job Number: **23-18858-10**
 Date: **APRIL 23, 2013**
 Sheet Number: **2** of **9**
 Design Number: **23-18858-10-02**

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EXTERIOR MATERIAL FINISH PERCENTAGES	100
STUCCO	100

ROOF TOP EQUIPMENT WILL BE SCREENED BY THE PARAPET

ACTUAL ELEVATION DRAWINGS ARE REQUIRED FOR DIMENSIONS (FEDERAL HEALTH WILL NOT BUILD FROM THESE DRAWINGS). THEY ARE USED FOR DESIGN INTENT ONLY.



NORTH ELEVATION

SCALE: 1/8" = 1'-0"

NORTH ELEVATION

84'-2 1/2"



WEST ELEVATION

SCALE: 1/8" = 1'-0"

C 32,658 SQ. FT.
D 10.0 SQ. FT.

FEDERAL HEALTH
SIGN COMPANY
www.FederalHealth.com
12704 DuPont Circle Tampa, FL 33626
(813) 855-4415 (800) 294-3284 Fax (813) 854-3037

Manufacturing Facilities:
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Lima, OH
Owensville, CA, Los Vegas, NV, Livingston, AZ
Lago Vista, ID, Tampa, TX, Jacksonville, TX, San Antonio, TX
Lubbock, TX, Houston, TX, Dallas, TX, Phoenix, AZ
Birmingham, AL, Tampa, MS, Atlanta, GA
Tallahassee, FL, Daytona Beach, FL, Orlando, FL
Building Quality Signage Since 1901

Revisions: R1 JUL 11/4/13 Deleted Sign A, updated elevations and all other signs
R2 D.R. 11/8/13 Add shutters to 10 drive thru elevation, delete 3 POP displays
R3 D.R. 11/26/13 delete 3 POP displays add shutters North elev. Update manual.
Note: The cost of the flashing may vary depending on the 13' x 24' panel. Refer to the building department for flashing details.
Client Approval/Date: _____
Landlord Approval/Date: _____

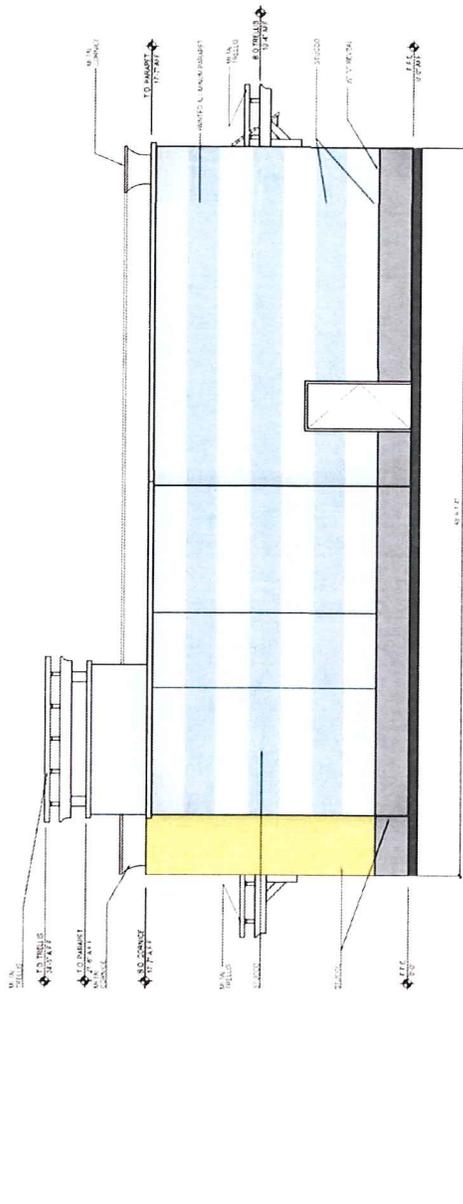
Account Rep: **MIKE ST. ONGE**
Project Manager: **DENNIS RADTKE**
Drawn By: **J. CARPENTER**
Underwriters Laboratories Inc. (UL) Electrical, to use UL LISTED ALE N.E.C. STANDARDS ARTICLES ARE OF THE U.S.C. STANDARDS INCLUDING THE PROPER GROUNDING AND BONDING OF ALL SIGNS.

Project / Location: **Pollo tropical**
5790 BELT LINE ROAD #1028
ADDISON, TX 75254

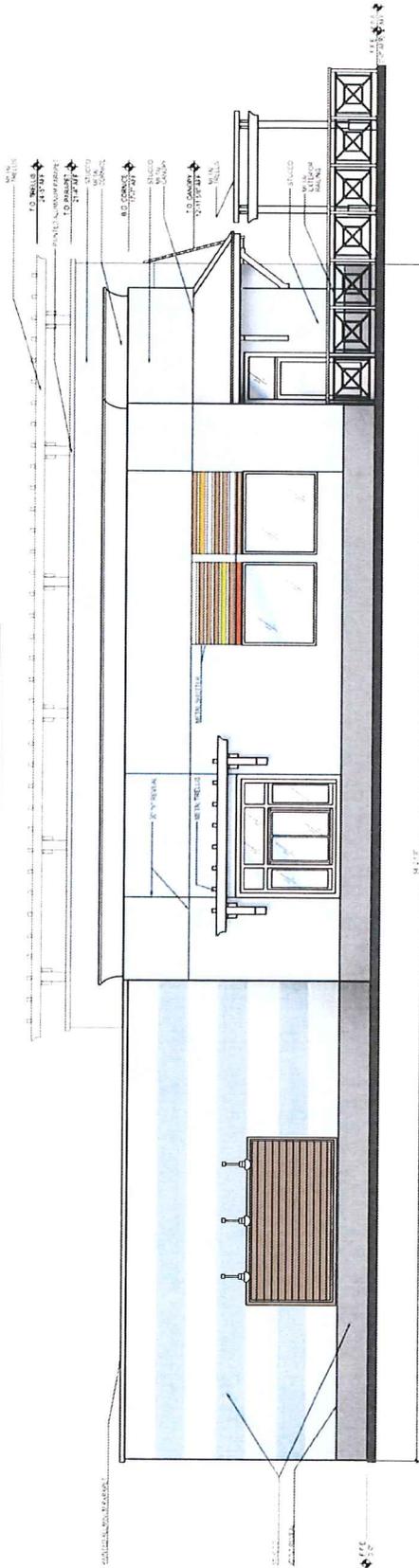
Job Number: **23-18858-10**
Date: **APRIL 23, 2013**
Sheet Number: **3** Of **9**
Design Number: **23-18858-10-R3**
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EXTERIOR MATERIAL FINISH PERCENTAGES	
STUCCO	100

ROOF TOP EQUIPMENT WILL BE SCREENED BY THE PARAPET



SOUTH ELEVATION



EAST ELEVATION

FEDERAL HEALTH SIGN COMPANY
 www.FederalHealth.com
 12704 DuPont Circle Tampa, FL 33626
 (813) 855-4415 (800) 284-3284 Fax (813) 854-3037

Manufacturing Facilities:
 Orlando, FL; Fort Worth, TX; Houston, TX; Phoenix, AZ
 Office Locations:
 Orlando, FL; Fort Worth, TX; Houston, TX; Phoenix, AZ
 Tampa, FL; Dallas, TX; San Antonio, TX
 Fort Worth, TX; Corpus Christi, TX; San Antonio, TX
 Houston, TX; Dallas, TX; San Antonio, TX
 Tampa, FL; Orlando, FL; Phoenix, AZ; Houston, TX

Building Quality Signage Since 1901

Revisions: RT JLF 11/4/13 Deleted Sign A, updated elevations and all other signs
 R2 D.R. 11/8/13 Add shutters to drive thru elevation, delete 3 POP displays.
 R3 D.R. 11/28/13 delete 3 POP displays and shutters North view, Update menu.
 Notes: Checked in Title Block using MyView Match Actual Finish Material. Verify Product Samples for Exact Color Match.
 Client Approval/Date: _____
 Landlord Approval/Date: _____

Account Rep: **MIKE ST. ONGE**
 Project Manager: **DENNIS RADTKE**
 Drawn By: **J. CARPENTER**
 J. Carpenters Inc. 
 ALL ELECTRICAL WORK MUST BE COMPLETED PER ALL APPLICABLE CODES AND STANDARDS FOR THE PROPER GROUNDING AND BONDING OF ALL THINGS.

Project Location:
Pollo Tropical
 5290 BELT LINE ROAD # 102B
 ADDISON, TX 75254

Job Number: **23-18858-10**
 Date: **APRIL 23, 2013**
 Sheet Number: **4** Of **9**
 Design Number: **23-18858-10-R3**

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13'-8"

Pollo Tropical®

1'-0"-C

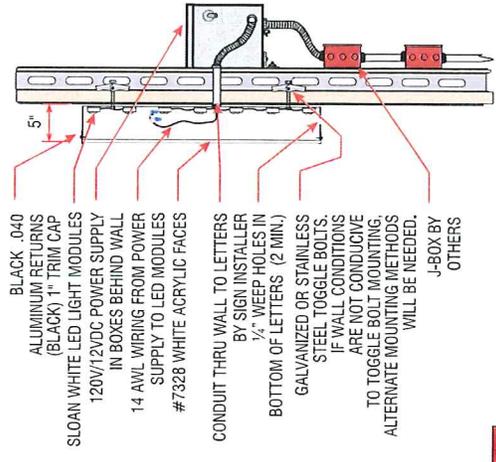
SQ. FT. TOTAL: 41

SCALE: 1/2" TO 1'-0"

LETTER SET ELEVATION
ONE (1) SET REQ'D

COLOR SPECIFICATIONS	
RETURNS BLACK	TRIM CAP 1" BLACK
FACES #7328 WHITE ACRYLIC	

SLOAN LED LOW VOLTAGE LIGHTING SYSTEM
U.L. LISTED - CLASS 2 - CONFORMS TO U.L. 48 - N.E.C. 600 STANDARDS



- BLACK .040 ALUMINUM RETURNS (BLACK) 1" TRIM CAP
- SLOAN WHITE LED LIGHT MODULES 120V/12VDC POWER SUPPLY IN BOXES BEHIND WALL
- 14 AWG WIRING FROM POWER SUPPLY TO LED MODULES
- #7328 WHITE ACRYLIC FACES
- CONDUIT THRU WALL TO LETTERS BY SIGN INSTALLER
- 1/4" WEEP HOLES IN BOTTOM OF LETTERS (2 MIN.) GALVANIZED OR STAINLESS STEEL TOGGLE BOLTS IF WALL CONDITIONS ARE NOT CONDUCTIVE
- TO TOGGLE BOLT MOUNTING; ALTERNATE MOUNTING METHODS WILL BE NEEDED.
- J-BOX BY OTHERS

TYPICAL REMOTE L.E.D. CHANNEL LETTER
SCALE: 3/4" TO 1'-0"

GENERAL NOTES:

- CONTRACTOR SHALL VERIFY WALL CONDITIONS IN THE FIELD.
- TYPE, SIZE & NUMBER OF FASTENERS TO BE DETERMINED.
- ALL BOLT TO BE DRILLED AND OR PUNCHED.
- ISOLATE ALUMINUM FROM STEEL.

ELECTRICAL REQUIREMENTS
Total: T.B.D. Amps
(T.B.D.) 120V 20A Circuit Required.
ALL BRANCH CIRCUITS SHALL BE PROTECTED TO LOADS INCLUDING CIRCUIT BREAKERS, FUSES, AND OTHERS.

CUSTOMER TO PROVIDE:

- ALL BRANCH ELECTRICAL SERVICE, CIRCUITS & FINAL CONNECTION TO EACH SIGN (WITHIN 5 FT.) TO BE BY CERTIFIED ELECTRICIAN!
 - All branch circuits for signs must be totally dedicated to signs (including dedicated ground and dedicated neutral per circuit).
 - Sign circuits must not be shared with other loads such as lighting, air conditioning, and other equipment.
 - Properly sized ground wire that can be traced back to the breaker panel must be provided.
 - Number and size of circuits for each sign to meet Federal Health Sign's requirement.
- Any deviation from the above recommendations may result in:
- Damage to or improper operation of the sign(s).
 - Delays and additional costs.

INSTALLER IS RESPONSIBLE FOR:

- ELECTRICAL NOTES:
- INSTALLATION OF THESE ELECTRICAL SIGNS SHALL CONFORM TO THE REQUIREMENTS OF ARTICLE 600 OF THE N.E.C., U.L. 48 AND /OR OTHER APPLICABLE LOCAL CODES.
- THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN.
- PROVIDING ALL NEEDED INSTALLATION HARDWARE AS DETERMINED BY LOCAL CODE AND SITE CONDITIONS.

FEDERAL HEALTH SIGN COMPANY
www.FederalHealth.com
12704 DuPont Circle Tampa, FL 33626
(813) 855-4415 (800) 284-3284 Fax (813) 854-3037

Manufacturing Plants:
Orem, UT; Dallas, TX; Houston, TX; Oklahoma, OK
Office Locations:
Ocala, FL; Fort Worth, TX; Jacksonville, FL; San Antonio, TX
Houston, TX; Corpus Christi, TX; Washington, DC
Louisville, KY; Dallas, TX; Atlanta, GA
Tampa, FL; Orlando, FL; Chicago, IL

Building Quality Signage Since 1901

Revisions: R1 JLF 11/4/13 Deleted Sign A, updated elevations and all other signs
R2 D.R. 11/8/13 Add shutters to drive thru elevations, delete 3 POP displays
R3 D.R. 11/26/13 delete 3 POP displays add shutters North elev. Update menu.

Client Approval/Date: _____
Landed/Approval/Date: _____

Account Rep: **MIKE ST. ONGE**
Project Manager: **DENNIS RADTKE**
J. CARPENTER
Underwriters Laboratory Inc. Electrical to use U.L. LISTED ALL N.E.C. STANDARDS FOR THE PROPER GROUNDING AND BONDING OF ALL SIGNS.

Project / Location:
Pollo Tropical
5290 BEIT LINE ROAD # 1028
ADDISON, TX 75254

Job Number: **23-18858-10**
Date: **APRIL 23, 2013**
Sheet Number: **5** Or **9**
Design Number: **23-18858-10-R3**

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12'-1/2"

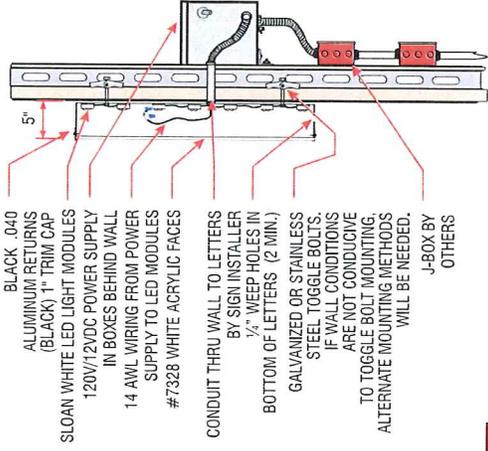
Pollo Tropical

2'-8"

SIGN TYPE: ONE (1) SET RECD
LETTER SET ELEVATION
 SQ. FT. TOTAL: 32.1
 SCALE: 1/2" to 1'-0"

COLOR SPECIFICATIONS	
RETURNS BLACK	TRIM CAP 1" BLACK
FACES: #7328 WHITE ACRYLITE	

SLOAN LED LOW VOLTAGE LIGHTING SYSTEM
 U.L. LISTED - CLASS 2 - CONFORMS TO U.L. 48 - N.E.C. 800 STANDARDS



- BLACK .040 ALUMINUM RETURNS (BLACK) 1" TRIM CAP
- SLOAN WHITE LED LIGHT MODULES
- 120V/12VDC POWER SUPPLY IN BOXES BEHIND WALL
- 14 AWG WIRING FROM POWER SUPPLY TO LED MODULES
- #7328 WHITE ACRYLIC FACES
- CONDUIT THRU WALL TO LETTERS BY SIGN INSTALLER
- 1/4" WEEP HOLES IN BOTTOM OF LETTERS (2 MIN.)
- GALVANIZED OR STAINLESS STEEL TOGGLE BOLTS.
- IF WALL CONDITIONS ARE NOT CONDUVE TO TOGGLE BOLT MOUNTING, ALTERNATE MOUNTING METHODS WILL BE NEEDED.
- J-BOX BY OTHERS

ELECTRICAL REQUIREMENTS	
Total: T.B.D.	Amps
(T.B.D.) 120V 20A Circuit Required	
ALL BRANCH CIRCUITS SHALL BE PROTECTED TO SIGNS INCLUDING GROUND AND NEUTRAL AND SHALL NOT BE SHARED WITH OTHER LOADS.	

TYPICAL REMOTE L.E.D. CHANNEL LETTER
 SCALE: 3/4" to 1'-0"

GENERAL NOTES:

- CONTRACTOR SHALL VERIFY WALL CONDITIONS IN THE FIELD.
- TYPE SIZE & NUMBER OF FASTENERS TO BE DETERMINED.
- ALL BOLT TO BE DRILLED AND/OR PUNCHED.
- ISOLATE ALUMINUM FROM STEEL.

CUSTOMER TO PROVIDE:

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 - Sign circuits must not be shared with other loads such as lighting, air conditioning, and other equipment.
 - Properly sized ground wire that can be traced back to the breaker panel must be provided.
 - Number and size of circuits for each sign to meet Federal Health Sign's requirement.
- Any deviation from the above recommendations may result in:
- Damage to or improper operation of the sign(s).
 - Delays and additional costs.

INSTALLER IS RESPONSIBLE FOR:

- ELECTRICAL NOTES
- INSTALLATION OF THESE ELECTRICAL SIGNS SHALL CONFORM TO THE REQUIREMENTS OF ARTICLE 600 OF THE N.E.C., U.L. 48 AND / OR OTHER APPLICABLE LOCAL CODES.
- THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN, PROVIDING ALL NEEDED INSTALLATION HARDWARE AS DETERMINED BY LOCAL CODE AND SITE CONDITIONS.

FEDERAL HEALTH SIGN COMPANY
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Manufacturing facilities:
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 Houston, TX; Corpus Christi, TX; Indianapolis, IN
 Louisville, KY; Columbus, OH; Columbus, OH
 Tampa, FL; Dayton, OH; Ft. Collins, CO
Building Quality Signage Since 1901

Revisions: R1 JLF 11/4/13 Deleted Sign A, updated elevations and all other signs
 R2 D.R. 11/8/13 Add shutters to drive thru elevation, delete 3 POP displays.
 R3 D.R. 11/26/13 delete 3 POP displays add shutters North elev. Update menu.
 L&S: Design of this sign may vary. No mechanical input or material. Refer to Product Service Center for L&S Match.
 Client Approval/Date: _____
 Landlord Approval/Date: _____

Account Rep: **MIKE ST. ONGE**
 Project Manager: **DENNIS RADTKE**
 Drawn By: **J. CARPENTER**

 Project / Location:
Pollo Tropical
 5290 Belt Line Road, #102B
 Addison, TX 75254

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Job Number: **23-18858-10**
 Date: **APRIL 23, 2013**
 Sheet Number: **6** Of **9**
 Design Number: **23-18858-10-R3**

Lynn Chandler

From: Keith, Mitch [mkeith@frgi.com]
Sent: Monday, January 06, 2014 11:44 AM
To: Lynn Chandler
Subject: FW: Addison Signs: Please email me back Landlord's approval for Signage Submission: See Email regarding request.

Lynn,

This is an email from the landlord indicating their approval. Please let me know if they need to send anything to you directly.

The awning with the palm logo is 88" x 92". The palm portion of the awning is 76" x 88".

Thank you,

Mitch

Mitch Keith

Sr. Construction Manager
Fiesta Restaurant Group, Inc.
972.795.0005

From: Smith, Brad
Sent: Monday, January 06, 2014 11:24 AM
To: Keith, Mitch
Subject: FW: Addison Signs: Please email me back Landlord's approval for Signage Submission: See Email regarding request.

From our Landlord

From: Marc Reinisch [<mailto:MReinisch@rushmoreproperties.com>]
Sent: Monday, January 06, 2014 11:23 AM
To: Smith, Brad
Subject: RE: Addison Signs: Please email me back Landlord's approval for Signage Submission: See Email regarding request.

Your requested changes to the size of the signage is fine with us.

From: Smith, Brad [<mailto:bsmith@tacocabana.com>]
Sent: Monday, January 06, 2014 10:59 AM
To: Marc Reinisch
Cc: Keith, Mitch
Subject: Addison Signs: Please email me back Landlord's approval for Signage Submission: See Email regarding request.

Marc,

I left you a VM on this...sorry for the rush....Addison has requested we submit today w/ LL's approval regarding the building's Channel Letter signage. This is same size as the shown on pg 6 the Aug 7th email I sent you previously that you approved. We need in essence your approval to proceed w/ our Meritorious Exception Application.

We are seeking what is called a Signage Meritorious Exception which is City is allowing us to proceed with submitting, but that requires Landlord's approval to enable our submission.

The channel letters proposed for the submission are shown on the attachment.

North elevation proposed is 36" code is 20"

West elevation proposed is 32" code is 24"

Please email me back **today** (sorry for the short notice...the City requested it today) Landlord's acceptance of Pollo Tropical's Signage Meritorious Exception so we can proceed accordingly.

Thank you,

Bradley D. Smith

Vice President, Real Estate

P 210-283-5510

bsmith@tacocabana.com



From: Keith, Mitch

Sent: Monday, January 06, 2014 10:27 AM

To: Smith, Brad

Subject: Addison Signs

Brad,

Here's the package.

Combined Meeting

R11

Meeting Date: 01/14/2014

Council Goals: Mindful stewardship of Town Resources.
Infrastructure improvement and maintenance

AGENDA CAPTION:

Presentation, discussion and consider and take action on a resolution relating to the giving of notice of intention to issue Town of Addison, Texas Combination Tax and Revenue Certificates of Obligation, Series 2014; providing an effective date.

FINANCIAL IMPACT:

The debt service payments for the proposed certificates of obligation, series 2014 will be supported by the Utility Fund.

BACKGROUND:

As discussed in the FY2014 budget process the Town will be issuing Certificates of Obligations (\$7,500,000) for the purpose of water and wastewater capital projects to improve or maintain existing infrastructure. The proposed Certificates of Obligation bonds for the purpose of water and wastewater improvements will be self-supporting; therefore, this obligation will be funded through utility rates. The financial impacts of the Certificates of Obligation were included in the FY2014 budget and our reflecting in the FY2014 utility rates.

The proposed resolution provides notice that the Town intends to issue certificates of obligation in an amount not to exceed \$8,000,000; that amount encompasses the proposed utility certificates of obligation and the costs incurred in issuing the certificates. The resolution also requires that the notice be published two consecutive weeks at least 30 days before the proposed sale.

RECOMMENDATION:

Administration recommends approval.

Attachments

Notice of Intent 2014

2014 Schedule of Events

TOWN OF ADDISON, TEXAS

RESOLUTION NO. _____

A RESOLUTION RELATING TO THE GIVING OF NOTICE OF INTENTION TO ISSUE TOWN OF ADDISON, TEXAS COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 2014; PROVIDING AN EFFECTIVE DATE

WHEREAS, the Town of Addison, Texas (the "Town"), pursuant to Chapter 271, Subchapter C, Texas Local Government Code, as amended, is authorized to issue its certificates of obligation for the purpose of paying contractual obligations to be incurred for the purposes set forth below; and

WHEREAS, the City Council of the Town has found and determined that a notice of intention to issue certificates of obligation should be published in accordance with the requirements of applicable law;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS, THAT:

Section 1. The findings and determinations set forth in the preambles hereto are hereby incorporated by reference for all purposes.

Section 2. The City Secretary of the Town is hereby authorized and directed to issue a notice of intention to issue certificates of obligation in substantially the form attached hereto as Exhibit A.

Section 3. The foregoing notice shall be published once a week for two consecutive weeks, the date of the first publication being before the thirtieth (30th) day prior to the date set forth in the foregoing notice for passage of the ordinance authorizing the Combination Tax and Revenue Certificates of Obligation. Such notice shall be published in a newspaper of general circulation in the area of the Town of Addison, Texas.

Section 4. That this resolution shall take effect from and after the date of its passage.

FINALLY PASSED, APPROVED AND EFFECTIVE this 14th day of January, 2014.

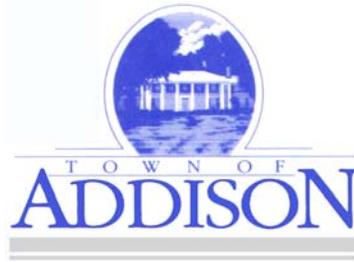
EXHIBIT A

**NOTICE OF INTENTION TO ISSUE TOWN OF ADDISON, TEXAS COMBINATION
TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 2014**

NOTICE IS HEREBY GIVEN that on February 25, 2014, the City Council of the Town of Addison, Texas, at 7:30 p.m. at a regular meeting of the City Council to be held in the Council Chambers at the Addison Town Hall, 5300 Belt Line Road. Dallas, Texas 75254, the regular meeting place of the City Council, intends to pass an ordinance authorizing the issuance of not to exceed \$8,000,000 principal amount of Certificates of Obligation for the purpose of paying contractual obligations to be incurred for the following purposes, to wit: (a) designing, constructing, installing, acquiring and equipping additions, extensions and improvements to the Town's water and wastewater system, and the acquisition of land and interests in land for such projects, (the "Project") and (b) paying professional services of attorneys, financial advisors and other professionals in connection with the Project and the issuance of the Certificates. The Certificates shall be issued in one or more series, shall bear interest at a rate not to exceed ten percent (10%) per annum, and shall have a maximum maturity date of not later than twenty-five (25) years after their date. Said Certificates shall be payable from the levy of a direct and continuing ad valorem tax against all taxable property within the Town sufficient to pay the interest on this series of Certificates as due and to provide for the payment of the principal thereof as the same matures, as authorized by Chapter 271, Subchapter C, Texas Local Government Code, as amended, and from all or a part of the surplus revenues of the Town's waterworks and sewer system, such pledge of surplus revenues being limited to \$1,000.

THIS NOTICE is given in accordance with law and as directed by the City Council of the Town of Addison, Texas.

GIVEN THIS January 14, 2013
/s/ Matt McCombs, City Secretary
Town of Addison, Texas



General Obligation Bonds, Series 2014

General Obligation Refunding Bonds, Series 2014

Combination Tax and Revenue Certificates of Obligation, Series 2014

Projected Schedule of Events

Jan-14							Feb-14							Mar-14						
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
			1	2	3	4							1							1
5	6	7	8	9	10	11	2	3	4	5	6	7	8	2	3	4	5	6	7	8
12	13	14	15	16	17	18	9	10	11	12	13	14	15	9	10	11	12	13	14	15
19	20	21	22	23	24	25	16	17	18	19	20	21	22	16	17	18	19	20	21	22
26	27	28	29	30	31		23	24	25	26	27	28		23	24	25	26	27	28	29
														30	31					

Complete By	Day	Event
14-Jan-14	Tuesday	City Council passes resolution authorizing Notice of Intent Publication for Certificates of Obligation
16-Jan-14	Thursday	Provide initial draft of Preliminary Official Statement ("POS") to Town and Bond Counsel for comments and modifications
23-Jan-14	Thursday	Receive POS information from Town & Bond Counsel First Publication of Notice of Intent to Issue Certificates <u>(no later than January 25, 2014)</u>
24-Jan-14	Friday	Send revised draft Preliminary Official Statement to Town and Bond Counsel for comments and modifications and to credit rating agencies
30-Jan-14	Thursday	Second Publication of Notice of Intent to Issue Certificates <u>(same day of the week following 1st publication)</u>
3-Feb-14	Week of	Rating calls with Moody's and S&P
12-Feb-14	Wednesday	Receive credit ratings
13-Feb-14	Thursday	Distribute Preliminary Official Statement electronically through i-Deal Prospectus
24-Feb-14	Monday	Potential Bond Pricing
25-Feb-14	Tuesday	Bond Sale: City Council awards Bonds
27-Mar-14	Thursday	Closing and delivery of funds

Combined Meeting

R12

Meeting Date: 01/14/2014

Council Goals: Mindful stewardship of Town Resources.
Infrastructure improvement and maintenance
Implement bond propositions

AGENDA CAPTION:

Presentation, discussion, consider and take action regarding authorizing the City Manager to enter into a Professional Services Agreement with CH2M Hill, Inc., to provide project management services related to the revitalization of Midway Road for an amount not to exceed \$545,000.

FINANCIAL IMPACT:

This item is budgeted in the Town's 2012 bond program budgets.

BACKGROUND:

In 2012, the voters approved a bond project to revitalize Midway Road from Spring Valley to Keller Springs Road. The roadway is in various stages of failure due to age, heavy truck traffic, and a subgrade soil saturated with water. The revitalization will include paving, drainage, lighting, ADA compliance improvements, and landscaping improvements.

CH2M Hill is a global leader in consulting, design, design-build, operations, and program management. The company was established in 1946, and has a global presence of 28,000 employees in regional offices worldwide with gross revenue of \$7 billion in 2012. The project manager for this contract is in their Dallas office.

CH2M Hill will act as the Town's representative during all phases of the design and construction of the improvements. They will assist the staff in writing the scope of work for the design engineer, negotiating the fee for engineering services, management of the design engineer's activities throughout design, utility coordination oversight, bidding services, and construction and administration phase services to include project close-out.

The contract will be on a time and materials basis with a not to exceed amount of \$545,000.

RECOMMENDATION:

Administration recommends approval.

Combined Meeting

R13

Meeting Date: 01/14/2014

Council Goals: Mindful stewardship of Town Resources.
Infrastructure improvement and maintenance

AGENDA CAPTION:

Presentation, discussion, consider and take action regarding authorizing the City Manager to enter into an Engineering Design and Professional Services agreement between the Town of Addison and LNV, Inc., for year 2 of the Sanitary Sewer System Evaluation and Study in an amount not to exceed \$320,633.

FINANCIAL IMPACT:

Funding for the Engineering Design and Professional Service is allocated to the Town's Wastewater Management Plan Capital Projects Fund.

BACKGROUND:

The last Wastewater Master Plan conducted for the Town was completed in 1996. With new EPA/TCEQ regulations, advancement in technology and methodology combined with the age of the system, it is critical to fully investigate the current condition and capacity of the system. This will allow the Town to develop strategic cost effective solutions for the Master Plan, Capital Improvement Plan (CIP), and Operations and Maintenance (O&M) practices.

The first year of the Sanitary Sewer System Evaluation has now been completed. Last year's focus was on the known trouble spots throughout the Town, and LNV has provided the Town with an initial Capital Improvement Plan, O&M recommendations, GIS updates, and study results. This year the focus will be targeted into a more defined area and will include:

- Temporary Flow Monitoring
- Manhole inspections and survey
- Identification and verification of the Town's wastewater basins
- Closed Circuit Televised inspection
- Line maintenance and cleaning

This year the Town of Addison Airport will also be incorporated into the study. At the end of the study the Town will receive:

1. Updated Master Plan
2. Manhole and Sewer Improvement Alternatives and Recommended Solutions
3. Updated GIS Map for study area

4. Capital Improvement Plan (CIP) Update
5. CIP Phasing and Future Planning

RECOMMENDATION:

Administration recommends approval.

Combined Meeting

R14

Meeting Date: 01/14/2014

Council Goals: Increase Revenues by at least 10% while holding the tax rate to \$0.58 or less and reserves to at least 30%.
Create raving fans of the Addison Experience.
Maintain and enhance our unique culture of creativity and innovation.
Raise property values
Attract new businesses to Addison

AGENDA CAPTION:

Presentation, discussion, consider and take action regarding adoption of an incentive policy for existing hotels considering expanding their facilities.

FINANCIAL IMPACT:

Varies on a case by case project basis.

BACKGROUND:

In January 2010 the City Council approved an incentive package for the expansion of the Crowne Plaza under the purview of a proposed incentive policy developed by staff at the time. The policy developed at the time provided support to existing hotels that were considering expanding their facilities to help increase hotel stays and visitors to Addison. This increase would translate into increased tax revenue for the community. Unanimous approval of the Crowne Plaza request by the City Council in 2010 under the proposed policy set precedence on how to provide support to local hotels through the state's Chapter 380 Local Government Code. Despite the Crowne Plaza's incentive approval in 2010, the actual proposed policy was not adopted by City Council. During the work session council revisited the proposed incentives policy developed in 2010. This policy will help provide guidance to staff on hotels seeking support from the Town for possible facility expansions as a way of generating a win-win program for local hotels and the Town. No upfront funding would be provided for projects that fit the criteria in the policy. Proposed incentive payments for project supported by the city council would be made on an annual basis following an agreed timeline after the hotel meets milestones defined in each project agreement.

RECOMMENDATION:

Administration recommends approval.

Attachments

Hotel Incentive Policy



MEMO

To: Ron Whitehead, City Manager
From: Randy Moravec, Chief Financial Officer
Re: Proposed Hotel
Public/Private Partnership (HP³) Policy
Date: January 27, 2010

Introduction

The Town of Addison has been approached by two of its hotels with requests for public participation in expansion of their meeting room facilities. The requests are based on the premise that public incentives are needed to make the projects financially feasible. It is in the Town's interests to have hotels that are competitive in the business and tourist travel market. The Town's mission is to "maintain a dynamic, progressive quality atmosphere in which to work, play and live with an emphasis on balanced growth." In support of this mission is the city goal to "provide for a diversified business climate" by pursuing "economic development through the use of innovative programs of work that seek to emphasize retention and the expansion of existing businesses." A vibrant and robust hotel market in Addison will also benefit Addison's many restaurants and retail establishments. In summary, it is in Addison's interests to develop a program to protect and enhance the economic viability of its hotels in the extremely competitive Dallas / Ft. Worth regional hospitality market.

Legal Basis

Home rule cities in Texas have been given broad latitude to encourage economic development. One statute, Chapter 380 of the Local Government Code, gives cities the ability to establish and provide for the administration of programs for "making loans and grants of public money and providing personnel and services of the municipality, to promote state or local economic development and to stimulate business and commercial activity in the municipality." Chapter 380 was enacted pursuant to Article 3, Section 52-a of the Texas Constitution, which authorizes the legislature to "provide for the creation of programs and the making of loans and grants of public money, other than money otherwise dedicated by this constitution to use for a different purpose, for the public purposes of development and diversification of the economy of the state, the elimination of unemployment or underemployment in the state... or the development or expansion of transportation or commerce in the state."

In the past, to encourage a major tenant to move into a retail site, the Town participated in a program to provide an economic development grant equivalent to 50 percent of the sales tax

above a minimum threshold amount to a retailer. The Town is currently considering an economic development incentive to a significant commercial enterprise to locate its offices within the Town. Subject to certain conditions (e.g., entering into an agreement to provide an economic development grant which includes, among other things, provisions to ensure that the economic development purpose of the grant is carried out), the Town could certainly use general property tax or sales tax to encourage development.

However, it is less clear that the Town can use hotel occupancy tax revenue to facilitate private economic development. Chapter 351 of the Tax Code details the use of hotel occupancy tax revenue. While this tax can be used to finance public convention and conference facilities, it generally does not allow for the use of hotel occupancy tax funds to expand or improve hotel facilities. Because of this limitation, the Town would facilitate development with property or sales taxes from the General fund.

Scope of Public Investment in Hotel Projects

The scope of the HP³ program in Addison is limited to existing hotels that strive to attract additional business through the expansion of their facilities. Eligible projects include addition of guest rooms and/or expansion of meeting or ballroom spaces to enhance a hotel's ability to host conferences. The program does not include rehabilitation or renovation of existing facilities.

Process for Public Funding of Private Hotel Development

Critical to the decision to direct public funding of private developments is the determination of the minimum level of benefits the Town hopes to achieve with any public/private partnership. For example, with the Addison Circle and Vitruvian Park developments, in which the Town funded supporting public infrastructure, the Town sought and achieved a 20:1 ratio of private investment to public investment. With the Vitruvian Park development, it was projected that the Town would receive a net present value benefit of \$5.3 million over a 25-year period with total property and sales tax revenue exceeding the costs of servicing debt associated with \$40 million of infrastructure investment.

It is anticipated that owners/managers of hotel properties will consider facility expansion if they believe that the project will generate additional income to the property. Expanded properties should generate additional guest room rentals, meeting space rentals, equipment rentals and catering/bar fees. The Town would also benefit from the additional revenue generated by the project. The Town would receive seven percent of guest room rentals through the hotel occupancy tax and one percent of revenues generated by meeting room rentals and catering fees. Because facility expansion is expected to increase the hotel's property value, the Town would receive additional property tax.

A hotel applying to the Town's HP³ program must indicate in its application the amount of additional revenue, by category, it expects to receive from the expansion project. The minimum threshold for public investment in the HP³ program is calculated on a net present value (NPV) over a ten-year period. The Town will not invest in projects that fail to return a minimum ten percent increase in average annual occupancy and sales tax revenues generated by the property. The level of public investment will also not exceed 20 percent of the hotel's capital investment.

Distribution of Public Investment

The demands on the Town's General fund limit the Town's ability to make initial investments in hotel expansion projects. Therefore, it is anticipated that the Town's investment will be distributed to the hotel as an annual payment from the General fund. The economic development payment will be remitted to the participating hotel following, among other things, receipt of a certified report from the hotel that confirms income generated by the hotel in excess of a base agreed to by the hotel and the Town from annual income statements preceding the facility expansion. The provision of such a report will be reflected in an agreement between the Town and the hotel, which agreement will include other provisions regarding the payment and use of the funds, including provisions for reimbursement of the funds if the hotel fails to comply with the terms of the agreement. The payments can be an amount equivalent to up to 50 percent of the actual *additional* tax revenue the Town received from the expansion project. The payments will be for a period not to exceed ten years and be remitted only to the hotel property owners approved in the original application. Transfer of ownership of the hotel property voids the HP³ program hotel occupancy tax remittances.

Combined Meeting

ES1

Meeting Date: 01/14/2014

Council Goals: N/A

AGENDA CAPTION:

Closed (executive) session of the Addison City Council pursuant to Section 551.071, Texas Government Code, to conduct a private consultation with its attorney(s) to seek the advice of its attorney(s) about pending litigation, to wit: *Town of Addison, Texas v. ProAir Developments, L.P.*, Cause No. DC-13-15164, 14th District Court, Dallas County, Texas.

FINANCIAL IMPACT:

N/A

BACKGROUND:

N/A

RECOMMENDATION:

Combined Meeting

ES2

Meeting Date: 01/14/2014

Council Goals: N/A

AGENDA CAPTION:

Closed (executive) session of the Addison City Council pursuant to Section 551.071, Texas Government Code, to conduct a private consultation with its attorney(s) on matters in which the duty of the attorney(s) 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 and pertaining to Addison Airport and certain real property located at and within the Airport.

FINANCIAL IMPACT:

N/A.

BACKGROUND:

N/A

RECOMMENDATION:

Combined Meeting

ES3

Meeting Date: 01/14/2014

Council Goals: Increase Revenues by at least 10% while holding the tax rate to \$0.58 or less and reserves to at least 30%.
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

AGENDA CAPTION:

Closed (Executive) session of the Addison 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 our 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.

FINANCIAL IMPACT:

N/A

BACKGROUND:

N/A

RECOMMENDATION:

Combined Meeting

ES4

Meeting Date: 01/14/2014

Council Goals: Increase Revenues by at least 10% while holding the tax rate to \$0.58 or less and reserves to at least 30%.
Create raving fans of the Addison Experience.
Maintain and enhance our unique culture of creativity and innovation.
Raise property values
Attract new businesses to Addison

AGENDA CAPTION:

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 within the Town located in that area generally known as Office in the Park.

FINANCIAL IMPACT:

N/A

BACKGROUND:

N/A

RECOMMENDATION:

Combined Meeting

ES5

Meeting Date: 01/14/2014

Council Goals: N/A

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 adjacent to and concerning Addison Airport.

FINANCIAL IMPACT:

N/A

BACKGROUND:

N/A

RECOMMENDATION:

Combined Meeting

R15

Meeting Date: 01/14/2014

Council Goals: Increase Revenues by at least 10% while holding the tax rate to \$0.58 or less and reserves to at least 30%.
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

AGENDA CAPTION:

Discussion, consider and take 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.

FINANCIAL IMPACT:

N/A

BACKGROUND:

N/A

RECOMMENDATION:

Administration recommends approval.

Combined Meeting

R16

Meeting Date: 01/14/2014

Council Goals: Increase Revenues by at least 10% while holding the tax rate to \$0.58 or less and reserves to at least 30%.
Create raving fans of the Addison Experience.
Maintain and enhance our unique culture of creativity and innovation.
Raise property values
Attract new businesses to Addison
Brand Protection and Enhancement
Develop Next Great Idea

AGENDA CAPTION:

Presentation, discussion, consider and take action regarding authorizing the City Manager to negotiate for the Town, as tenant, a lease of office space described as Suite 200, 14681 Midway Road (within the development generally known as Office in the Park), comprised of approximately 14,800 rentable square feet and owned by 14671-14683 Midway Road LP.

FINANCIAL IMPACT:

Annual Lease: \$185,000 which may be offset by revenues generated by the Dallas Entrepreneur Center (DEC).
One time Tenant Improvements (TI's) and Furniture, Fixtures, and Equipment (FF&E): \$300,000.

BACKGROUND:

An important strategy addressed in the 2010 Economic Development Strategic Plan is an emphasis to attract and support small, fast-growing entrepreneurial firms. The document, which has served as the Economic Development Department's guiding plan for a successful program, mentions that fostering entrepreneurship is important for multiple reasons. In general, according to the plan, small businesses are responsible for a significant portion of jobs created. Local businesses that have matured in a community often have much stronger ties to the region and require less effort to retain. Entrepreneurial enterprises add to those elements: they contribute to economic vitality through their creativity and innovation. In other words, they create a center of gravity for talent and capital essential for a community to be economically competitive.

In May 2013, City Council authorized the City Manager to negotiate and execute a lease with the landlord of Office in the Park on Midway Road for 3,478 square feet

to house the Town's Economic Development Department along with the business startups emanating from Baylor University's Accelerated Ventures Program. This was the first attempt to address the strategy highlighted in the Town's Economic Development Strategic Plan. Funding for Accelerated Ventures Program was approved by City Council in September 2013. Since our initial agreement with Baylor, an opportunity to work with the Dallas Entrepreneur Center began to flourish.

This meant an opportunity to work with a reputable organization in the development of a satellite business incubator that would not only leapfrog the Town's chances to attract more entrepreneurs to Addison, but that would also generate qualitative and essential educational programs for the local entrepreneurial ecosystem on a broader scale.

Increasing the amount of space originally approved by City Council to 14,800 SF at Office in the Park will help attract more business start-ups that would be incubated in Addison thereby generating a stronger, local economy.

RECOMMENDATION:

Administration recommends approval.

Combined Meeting

R17

Meeting Date: 01/14/2014

Council Goals: N/A

AGENDA CAPTION:

Discussion, consider and take action regarding pending litigation, to wit: *Town of Addison, Texas v. ProAir Developments, L.P.*, Cause No. DC-13-15164, 14th District Court, Dallas County, Texas.

FINANCIAL IMPACT:

N/A

BACKGROUND:

N/A

RECOMMENDATION:

Combined Meeting

R18

Meeting Date: 01/14/2014

Council Goals: N/A

AGENDA CAPTION:

Discussion, consider and take action regarding and pertaining to property located at and within Addison Airport.

FINANCIAL IMPACT:

N/A

BACKGROUND:

N/A

RECOMMENDATION:

Combined Meeting

R19

Meeting Date: 01/14/2014

Council Goals: N/A

AGENDA CAPTION:

Discussion, consider and take action regarding the purchase or value of certain real property located within the Town and adjacent to and concerning Addison Airport.

FINANCIAL IMPACT:

N/A

BACKGROUND:

N/A

RECOMMENDATION:

Combined Meeting

R20

Meeting Date: 01/14/2014

Council Goals: N/A

AGENDA CAPTION:

Discussion, consider and take action regarding the contract and compensation of Lea Dunn, Deputy City Manager as City Manager.

FINANCIAL IMPACT:

N/A

BACKGROUND:

N/A

RECOMMENDATION:
