



Post Office Box 9010 Addison, Texas 75001-9010 5300 Belt Line Road
(972) 450-7000 Fax: (972) 450-7043

AGENDA

WORK SESSION OF THE CITY COUNCIL

6:00 P.M.

AND

REGULAR MEETING OF THE CITY COUNCIL

7:30 P.M.

SEPTEMBER 9, 2008

TOWN HALL

5300 BELT LINE ROAD

WORK SESSION

Item #WS1 - Discussion regarding the design of the Town's new elevated storage tank.

Item #WS2 - Discussion regarding potential participation in a hospital development.

REGULAR SESSION

Item #R1 - Consideration of Old Business.

Item #R2 - Consent Agenda.

#2a - Approval of the Minutes for:

August 21, 2008, Special Meeting and Work Session

August 25, 2008, Special Meeting and Work Session

August 26, 2008, Regular City Council Meeting and Work Session

Item #R3 - Discussion and consideration of approval of a Proclamation recognizing October 7, 2008, as National Night Out and encouraging all Addison residents to participate.

Attachment:

1. Proclamation

Administrative Recommendation:

Administration recommends approval.

Item #R4 - **PUBLIC HEARING**, discussion and consideration of approval of an ordinance of the Town of Addison, Texas, approving and adopting the annual budget for the fiscal year beginning October 1, 2008, and ending September 30, 2009; providing that said expenditures for said fiscal year shall be made in accordance with said budget; providing for a repeal clause.

Attachments:

1. Council Agenda Item Overview
2. Ordinance
3. 2008-2009 Annual Budget

Administrative Recommendation:

Administration recommends approval.

Item #R4a - Consideration and approval of a resolution ratifying the property tax increase reflected in the annual budget for the fiscal year beginning October 1, 2008, and ending September 30, 2009.

Attachments:

1. Council Agenda Item Overview
2. Resolution

Administrative Recommendation:

Administration recommends approval.

Item #R5 - Discussion and consideration of approval of an ordinance levying taxes for the Town of Addison, Texas, and fixing and adopting the tax rate on all taxable property for the year 2008 at a rate of \$0.4535 per one hundred dollars (\$100.00) valuation on all taxable property within the corporate limits of the Town of Addison as of January 1, 2008; providing for a penalty and interest for delinquent taxes; declaring an emergency and providing an effective date.

Attachments:

1. Council Agenda Item Overview
2. Ordinance

Administrative Recommendation:

Administration recommends approval.

Item #R6 - Discussion and consideration of approval of an ordinance of the Town of Addison, Texas, amending Chapter 82 of the Code of Ordinances of the Town by amending sewage rates and water rates for all customer classifications; providing a savings clause; providing a severability clause, providing an effective date.

Attachments:

1. Council Agenda Item Overview
2. Ordinance

Administrative Recommendation:

Administration recommends approval.

Item #R7 - Discussion and consideration of approval of an ordinance of the Town of Addison, Texas, amending Chapter 67 (Special Events), Article II (District and Non-District Events) of the Code of Ordinances of the City by amending Section 67-17 by stating space rental fees for various Town of Addison facilities; providing a savings clause, providing a severability clause and providing an effective date.

Attachments:

1. Council Agenda Item Overview
2. Ordinance

Administrative Recommendation:

Administration recommends approval.

Item #R8 - Discussion and consideration of approval of an ordinance amending the Code of Ordinances by amending Chapter 66 (Solid Waste) Article II (Collection and Disposal), Division 2 (Service Charge), by amending Section 66-52, increasing from \$10.67 to \$11.65 the monthly fee for single family residential garbage and recycling collection.

Attachments:

1. Council Agenda Item Overview
2. Ordinance
3. Waste Management Letter Re Increase

Administrative Recommendation:

Administration recommends approval.

Item #R9 - REPLAT/Lot 1R4, Block A, Addison Storage Addition. Discussion and consideration of approval of a replat of one lot, located west of Addison Road, between Glenn Curtiss Drive and Ratliff Road, on application from Mr. George Kelly, represented by Stovall Associates.

Attachments:

1. Docket map
2. Staff report
3. Plat

COMMISSION FINDINGS:

The Addison Planning and Zoning Commission, meeting in regular session on August 28, 2008, voted to recommend approval of the final plat on application from Mr. George Kelly, subject to no conditions.

Voting Aye: Daseke, Gaines, Hewitt, Jandura, Lay, Wood
Voting Nay: None
Absent: Bernstein

Administrative Recommendation:

Administration recommends approval.

Item #R10 - FINAL PLAT/Vitruvian Park. Discussion and consideration of approval of a final plat for Lots 1 and 2, Block A, of the Vitruvian Park I subdivision within the Town located on approximately 10.32 acres at 3900 and 4010 Brookhaven Club Drive (south side of Brookhaven Club Drive), on application from UDR, Inc., represented by Mr. Bruce Dunne of Icon Consulting Engineers.

Attachments:

1. Docket map
2. Staff report
3. Plat

COMMISSION FINDINGS:

The Addison Planning and Zoning Commission, meeting in regular session on August 28, 2008, voted to recommend approval of the final plat on application from Icon Consulting Engineers, subject to the following conditions:

-
1. Revise plat to show dedication of required street easements as shown in PD.
 2. Revise plat to show dedication of Lot 2 as right-of-way dedication to town, including right-of-way dedication language.

Voting Aye: Daseke, Gaines, Hewitt, Jandura, Lay, Wood,
Voting Nay: None
Absent: Bernstein

Administrative Recommendation:

Administration recommends approval.

Item #R11 - **PUBLIC HEARING** Case 1561-SUP/Blue Mesa Grill. Public hearing, discussion, and consideration of approval of an ordinance amending an existing Special Use Permit for a restaurant, and an existing Special Use Permit for the sale of alcoholic beverages for on-premises consumption, for property located at 5100 Belt Line Road, Suite 500, on application from Blue Mesa Grill, represented by Mr. Jason Romano.

Attachments:

1. Docket map
2. Staff report
3. Plans

COMMISSION FINDINGS:

The Addison Planning and Zoning Commission, meeting in a rescheduled session on August 28, 2008, voted to recommend approval of the amendment to a Special Use Permit for a restaurant and the Special Use Permit for the sale of alcoholic beverages for on-premises consumption, subject to no conditions.

Voting Aye: Daseke, Gaines, Hewitt, Jandura, Lay, Wood,
Voting Nay: None
Absent: Bernstein,

Administrative Recommendation:

Administration recommends approval.

Item #R12 - **PUBLIC HEARING** Case 1562-Z/Meridian Square. Public hearing, discussion, and consideration of approval of a concept plan for 48 townhomes and approximately 90 condominium units, located in the UC (Urban Center) district, Residential Subdistrict, located on approximately 3.98 acres at the southeast corner of Airport Parkway and Quorum Drive, on application from Addison Urban Development partners, LLC, represented by Mr. Matt Alexander of Dowdey, Anderson & Associates.

Attachments:

1. Docket map
2. Staff report
3. Letter from David Misko, President of the District A, HOA Board
4. Plans

COMMISSION FINDINGS:

The Addison Planning and Zoning Commission, meeting in regular session on August 28, 2008, voted to recommend approval of the concept plan, on application from Addison Urban Development Partners, LLC, subject to no conditions.

Voting Aye: Daseke, Gaines, Hewitt, Jandura, Lay, Wood,
Voting Nay: None
Absent: Bernstein

Administrative Recommendation:

Administration recommends approval.

Item #R13 - Discussion and consideration of approval of the Official Ballot for Texas Municipal League Intergovernmental Risk Pool Board of Trustees Election to elect officials to serve a six-year term on the TML Intergovernmental Risk Pool (Workers' Compensation, Property and Liability) Board of Trustees.

Attachment:

1. Ballot

Administrative Recommendation:

Administration recommends approval.

EXECUTIVE SESSION

Item #ES1 - Closed (executive) session of the 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: **Cause No. 07-11965; AN Collision Center of Addison, Inc. d/b/a Bankston Collision Center v. Dallas Area Rapid Transit (DART), The Town of Addison, Regional Rail Right-Of-Way Company, Explorer Pipeline Company, and Sprint Communications Company L.P.**, in the 14th District Court of Dallas County, Texas.

Item #R14 -Consideration to authorize the City Manager to enter into settlement negotiation, by and through mediation, in **Cause No. 07-11965; AN Collision Center of Addison, Inc. d/b/a Bankston Collision Center v. Dallas Area Rapid Transit (DART), The Town of Addison, Regional Rail Right-Of-Way Company, Explorer Pipeline Company, and Sprint Communications Company L.P.**, in the 14th District Court of Dallas County, Texas.

Adjourn Meeting

Posted:
September 5, 2008 at 5:00 P.M.
Mario Canizares - City Secretary

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

ITEM #WS1

There are no attachments for this Item.

ITEM #WS2

There are no attachments for this Item.

**OFFICIAL ACTIONS OF SPECIAL MEETING AND WORKSESSION
OF THE CITY COUNCIL**

August 21, 2008
6:00 P.M.
Council Chambers
5300 Belt Line Road

Present: Mayor Chow, Councilmembers Braun, Hirsch, Kraft, Meier, Mellow and Niemann

Absent: None

Item #S1 was moved to follow Item #S3.

Item #S2 - Presentations by the Cavanaugh Flight Museum and the WaterTower Theatre.

Steve Ryan, representing Cavanaugh Flight Museum, made a presentation to the City Council.

Dan Dawlins, Dawlins Group, made a presentation regarding the business plan of the Cavanaugh Flight Museum.

Don Daseke, President of WaterTower Theatre, made the presentation regarding the WaterTower Theatre expansion.

No action was taken.

Item #S3 - Consideration of an Ordinance of the Town of Addison Calling a Bond Election to be held within the Town, Making Provisions for the Conduct of Election and Other Provisions Incident and Related Thereto.

Jennifer Taffe of Vinson & Elkins presented to the Council the option of calling a bond election with either a single proposition or two propositions.

Councilmember Niemann moved to approve Ordinance 008-028, calling a bond election for a combined proposition for issuing \$58 million in bonds for an aviation museum and conference facilities, theatre and conference facilities, and a parking garage.

Councilmember Mellow seconded the motion.

Voting Aye: Chow, Braun, Hirsch, Niemann and Mellow
Voting Nay: Kraft, Meier
Absent: None

Item #S1 - City Council Discussion Regarding Fiscal Year 2008/09 Budget.

Ron Whitehead led the discussion regarding Fiscal Year 2008/09 Budget.

Randy Moravec presented the sustainability goal.

No action was taken.

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

Mayor-Joe Chow

Attest:

City Secretary-Mario Canizares

**OFFICIAL ACTIONS OF SPECIAL MEETING AND WORKSESSION
OF THE CITY COUNCIL**

August 25, 2008
6:00 P.M.
Finance Conference Room
5350 Belt Line Road

Present: Mayor Chow, Councilmembers Braun, Kraft, Meier, Mellow and Niemann

Absent: Councilmember Hirsch

Item #S1 - City Council Discussion Regarding Fiscal Year 2008/09 Budget.

Ron Whitehead led discussion regarding Fiscal Year 2008/09 Budget.

No action was taken.

Item #S2 - Presentation of the Recommendations on the Non-Profit Agency Budget Request.

Angela Ramirez made the presentation of the recommendations on the Non-Profit Agency Budget Request.

No action was taken.

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

Mayor-Joe Chow

Attest:

City Secretary-Mario Canizares

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

August 26, 2008
6:00 P.M. – Town Hall
5300 Belt Line Road
Council Chambers

Regular Session

Council Members Present:

Mayor Chow, Councilmembers Braun, Kraft, Meier, Mellow and Niemann

Absent: Councilmember Hirsch

Regular Session

Item #R1 - Consideration of Old Business.

The following employees were introduced to the Council: Nick Keen with the Fire Department, Doniqua Ewing with the Police Department, Linda Hicks with Human Resources and Whitney Traylor with the Finance Department.

Item #R2 - Consent Agenda.

#2a - Approval of the Minutes for:

August 12, 2008, Regular City Council Meeting and Work Session
August 18, 2008, Special Meeting and Work Session
August 19, 2008, Special Meeting and Work Session

Mayor Braun moved to duly approve the Minutes for:

August 12, 2008, Regular City Council Meeting and Work Session
August 18, 2008, Special Meeting and Work Session
August 19, 2008, Special Meeting and Work Session

Councilmember Niemann seconded. Motion carried.

Voting Aye: Chow, Braun, Kraft, Meier, Mellow and Niemann

Voting Nay: None

Absent: Hirsch

Item #R3 - Presentation by the Richardson Regional Medical Center Foundation regarding the Richardson Regional Cancer Center-UT Southwestern Medical Center.

The presentation by the Richardson Regional Medical Center Foundation regarding the Richardson Regional Cancer Center-UT Southwestern Medical Center was made by the following representatives from RRMC:

Cynthia Noah, Board Member
Martha Reeder, Board Member
Anant Jain, Board Member

No action was taken.

Item #R4 - Fiscal Year 2008/2009 Budget Discussion: City Manager's Airport Fund and Utility Fund Recommendation.

Joel Jenkinson made the Airport Fund Presentation. Randy Moravec presented the Utility Fund.

There was no action taken.

Item #R5 - **PUBLIC HEARING** on a proposal to increase total tax revenues from properties on the tax roll in the preceding tax year by 13.17 percent (percentage by which proposed tax rate exceeds lower of rollback tax rate or effective tax calculated under Chapter 26, Tax Code).

Mayor Chow opened the meeting as a public hearing.

The following residents spoke:

- Jan Salin, 14877 Oaks North
- Cindy Salin, 14877 Oaks North
- Al Angell, 14540 Winnwood
- Holland Hernandez, 3792 Waterford
- Ian Marks, 4128 Rive

The Town Council announced that it will vote on the proposed tax rate at its meeting to be held on Tuesday, September 9, 2008 at 7:30 p.m. in the Council Chambers of the Addison Town Hall, 5300 Belt Line Road, Dallas, Texas 75254.

Mayor Chow closed the meeting as a public hearing.

Item #R6 - **PUBLIC HEARING** and consideration of action regarding the proposed Town of Addison's Annual Budget for the fiscal year beginning October 1, 2008, and ending September 30, 2009.

Mayor Chow opened the meeting as a public hearing.

No one spoke.

Mayor Chow closed the meeting as a public hearing.

Motion by Councilmember Niemann that an item to allow the City Council to consider adoption of the Town of Addison's Annual Budget for the fiscal year beginning October 1, 2008 and ending September 30, 2009 be placed on the City Council's agenda for its meeting to be held on Tuesday, September 9, 2008 at 7:30 p.m. in the Council Chambers of the Addison Town Hall, 5300 Belt Line Road, Dallas, Texas 75254. Councilmember Mellow seconded the motion. Motion carried.

Voting Aye: Chow, Braun, Kraft, Meier, Mellow and Niemann
Voting Nay: None
Absent: Hirsch

Item #R7 - Consideration and approval of an ordinance granting a meritorious exception to Section 62-163, Area, of the Addison Signs Ordinance, requested by BJ's Restaurant located at 4901 Belt Line Road.

Councilmember Mellow moved to approve Ordinance 008-029, granting a meritorious exception to Section 62-163, Area, of the Addison Signs Ordinance, requested by BJ's Restaurant located at 4901 Belt Line Road.

Councilmember Kraft seconded. Motion carried.

Voting Aye: Chow, Braun, Kraft, Mellow and Niemann
Voting Nay: Meier
Absent: Hirsch

Item #R8 - Consideration and approval authorizing the City Manager to enter into an agreement with Krause Advertising for the production of the 2009 Addison calendar.

Jim Krause presented the concepts for the 2009 Addison calendar.

Councilmember Mellow moved to duly approve an agreement with Krause Advertising for the production of the 2009 Addison calendar.

Councilmember Kraft seconded. Motion carried.

Voting Aye: Chow, Braun, Kraft, Mellow and Mellow
Voting Nay: Meier
Absent: Hirsch

Item #R9 - Consideration and approval of a contract with DocuNav Solutions, for the purchase and installation of a Document Management System in the amount of \$107,241.75, subject to the City Attorney's final approval.

Councilmember Niemann moved to duly approve a contract with DocuNav Solutions, for the purchase and installation of a Document Management System in the amount of \$107,241.75, subject to the City Attorney's final approval.

Councilmember Meier seconded. Motion carried.

Voting Aye: Chow, Braun, Kraft, Meier, Mellow and Niemann
Voting Nay: None
Absent: Hirsch

Item #R10 - Consideration and approval of a contract with Striping Technology, L.P., for the installation of pavement markings at various locations in the amount of \$43,923.65.

Councilmember Mellow moved to duly approve a contract with Striping Technology, L.P., for the installation of pavement markings at various locations in the amount of \$43,923.65.

Councilmember Kraft seconded. Motion carried.

Voting Aye: Chow, Braun, Kraft, Meier, Mellow and Niemann
Voting Nay: None
Absent: Hirsch

Item # R11 - Consideration and approval authorizing the City Manager to execute Work Order No. 1 for \$225,000.00, and Work Order No. 2 for \$67,675.00, with HNTB, Inc., for the engineering design of Belt Line Road re-design.

Councilmember Braun moved to duly approve Work Order No. 1 for \$225,000.00, and Work Order No. 2 for \$67,675.00, with HNTB, Inc., for the engineering design of Belt Line Road re-design, subject to City Attorney and City Manager review and approval.

Councilmember Mellow seconded. Motion carried.

Voting Aye: Chow, Braun, Kraft, Meier, Mellow and Niemann
Voting Nay: None
Absent: Hirsch

Item #R12 - Consideration and approval of an ordinance amending Chapter 42, regarding Flood Damage Prevention, of the Code of Ordinances, to allow the Town of Addison to join the National Flood Insurance Program.

Councilmember Niemann moved to duly approve Ordinance No. 008-030, amending Chapter 42, regarding Flood Damage Prevention, of the Code of Ordinances, to allow the Town of Addison to join the National Flood Insurance Program.

Councilmember Mellow seconded. Motion carried.

Voting Aye: Chow, Braun, Kraft, Meier, Mellow and Niemann

Voting Nay: None

Absent: Hirsch

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

Mayor-Joe Chow

Attest:

City Secretary-Mario Canizares

WHEREAS, *NATIONAL NIGHT OUT AGAINST CRIME* will be celebrated in Texas on Tuesday, October 7, 2008; and

WHEREAS, *NATIONAL NIGHT OUT AGAINST CRIME* is designed to generate support for, and participation in local anticrime programs; and

WHEREAS, *NATIONAL NIGHT OUT AGAINST CRIME* has proven to be an effective, enjoyable program to promote neighborhood spirit and police-community partnerships in our fight for a safer community; and

WHEREAS, neighbors and friends are encouraged to participate in *NATIONAL NIGHT OUT AGAINST CRIME* by hosting neighborhood gatherings to meet your neighbors and show that we as a community take a strong stand against crime;

NOW, THEREFORE, I, Joe Chow, Mayor of the Town of Addison, Texas, do hereby proclaim October 7, 2008, as

NATIONAL NIGHT OUT AGAINST CRIME

in the Town of Addison and encourage all citizens to participate in this worthwhile and enjoyable program by hosting neighborhood gatherings on October 7, 2008,

dutifully executed this day September 9, 2008, by

Joe Chow, Mayor
Town of Addison
State of Texas

Council Agenda Item: #R4

SUMMARY:

Council approval is requested of an ordinance adopting the Town of Addison annual budget for the fiscal year 2008-09.

FINANCIAL IMPACT:

The budget appropriates \$81,135,650, applying \$59,750,570 in revenues and \$21,385,080 in reduction of combined fund balances. The significant reduction in fund balances is primarily due to capital expenditures, especially those related to the Vitruvian Park Project.

BACKGROUND:

Exhibit A provides a summary of the FY 2008-09 City Council's Proposed Budget. Changes to the City Manager's Recommended FY 2008-09 Budget are summarized as follows:

	Original City Manager's Budget	City Council Proposed Budget	Variance
Revenues	\$60,732,345	\$59,750,570	(\$981,775)
Total Appropriations	\$84,351,860	\$81,135,650	(\$3,216,210)

Major changes made to the budget include:

Revenues:

- Adjustment of the property tax rate from City Manager Recommended of \$.4692 to \$.4535.
- A reduction in increased revenue from the proposed water and sewer rates from 15% to 9%.
- A proposed increase in Conference Centre rental rates.

Expenditures:

- Removal of \$3 million in the Hotel fund for the initial expansion of the Theatre pending outcome of November 2008 bond election.
- Reduction of proposed new personnel from 11.5 FTE's to 5.5 FTE's.
- Reduction of proposed 5% merit based pay increase to 3% for all employees.

RECOMMENDATION:

It is recommended that the council approve the budget and tax rate ordinances for the 2008-09 fiscal year. Due to §102.007(c) of the Texas Statutes (Local Government Code), the council needs to take three votes: one on the budget, one ratifying the tax rate that will result in increased tax revenues, and one establishing the tax rate.

ORDINANCE NO. _____

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS APPROVING AND ADOPTING THE ANNUAL BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2008 AND ENDING SEPTEMBER 30, 2009; PROVIDING THAT SAID EXPENDITURES FOR SAID FISCAL YEAR SHALL BE MADE IN ACCORDANCE WITH SAID BUDGET; PROVIDING FOR A REPEAL CLAUSE

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

WHEREAS, the City Manager of the Town of Addison, Texas has heretofore filed with the City Secretary a proposed general budget for the city covering the fiscal year aforesaid; and

WHEREAS, during a public hearing, all interested persons were given the opportunity to be heard for or against any item contained in said budget, and all said persons were heard, after which said public hearing was closed; and

WHEREAS, the City Council, upon full consideration of the matter, is of the opinion that the budget hereinafter set forth is proper and should be approved and adopted; and

WHEREAS, the City Council has recognized and acknowledged that the tax rate to be levied will increase the total tax revenues of the Town of Addison from properties on the tax roll in the preceding year by 11.86 percent,

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

SECTION 1. That the sum of \$81,135,650 is hereby appropriated for budget expenditures and that expenditures during the fiscal year shall be made in accordance with the budget approved by this ordinance unless otherwise authorized by a duly enacted ordinance of the City.

SECTION 2. The budget as adopted shall be deemed the official budget for the Town of Addison, Texas for the said fiscal year and a copy of the same marked as "Exhibits A through G" shall be kept on file with the City Secretary and shall be open to inspection by any interested persons.

SECTION 3. That all ordinances of the City in conflict with the provisions of this ordinance be, and the same are hereby repealed and all other ordinance 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 9th day of September 2008.

Mayor Joe Chow

ATTEST:

APPROVED AS TO FORM:

Mario Canizares, City Secretary

John Hill, City Attorney

Council Agenda Item: #R4a

SUMMARY:

Council is requested to pass a resolution ratifying the increase in property tax revenue reflected in the annual budget for fiscal year 2008-2009.

FINANCIAL IMPACT:

The 2008-2009 budget includes a gross property tax levy of \$16,892,090 which exceeds last year's gross levy of \$15,100,750.

BACKGROUND:

Section 102.007 of the Local Government Code requires a governing body that adopts a budget which raises more revenue from property taxes than in the previous year to ratify, by a separate vote, the property tax increase reflected in the budget. A vote under this subsection is in addition to and separate from the vote to adopt the budget or a vote to set the tax rate required by Chapter 26, Tax Code, or other law.

The proposed fiscal year 2008-09 tax rate of \$0.4535 exceeds the calculated effective tax rate of \$0.4146 and will generate property tax revenue in excess of that generated the previous year.

RECOMMENDATION:

It is recommended council pass a resolution ratifying the property tax increase.

TOWN OF ADDISON, TEXAS

RESOLUTION NO. _____

**A RESOLUTION OF THE TOWN OF ADDISON, TEXAS
RATIFYING THE PROPERTY TAX INCREASE REFLECTED
IN THE FISCAL YEAR 2008-2009 BUDGET; PROVIDING
AN EFFECTIVE DATE.**

WHEREAS, Section 102.007 of the Texas Local Government Code provides in part that the adoption of a budget that will require raising more revenue from property taxes than in the previous year requires a separate vote of the governing body to ratify the property tax increase reflected in the budget; and

WHEREAS, Section 102.007 of the Texas Local Government Code requires that this ratification be in addition to and separate from the vote to adopt the budget or a vote to set the tax rate required by Chapter 26, Tex. Tax Code, or other law; and

WHEREAS, the Fiscal Year 2008-2009 City Council Proposed Budget, as adopted, requires raising more revenue from property taxes than in the previous year, and the City Council desires by adoption of this Resolution to ratify the property tax increase reflected in the City's Fiscal Year 2008-2009 Annual Budget.

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

Section 1. The Addison City Council, as the governing body of the Town of Addison, Texas, having adopted the Fiscal Year 2008-2009 Annual Budget that will require raising more revenue from property taxes than in the previous year, hereby ratifies the property tax increase reflected in the Fiscal Year 2008-2009 Annual Budget.

Section 2. The above and foregoing premises are true and correct and are incorporated herein and made a part hereof.

Section 3. This Resolution shall be in full force effective from and after its passage and approval.

PASSED AND APPROVED by the City Council of the Town of Addison, Texas this 9th day of September, 2008.

Joe Chow, Mayor

ATTEST:

APPROVED AS TO FORM:

Mario Canizares, City Secretary

John Hill, City Attorney

Council Agenda Item: #R5

SUMMARY:

Council approval is requested of an ordinance adopting the property tax rate for the fiscal year 2008-2009. The proposed FY09 property tax rate is \$0.4535 which compares to a FY08 property tax rate of \$0.4337.

FINANCIAL IMPACT:

The budget appropriates \$81,135,650 using \$59,750,570 in revenues, of which \$16,509,800 is supported by property taxes.

BACKGROUND:

Because the rate recommended for the budget exceeds the net effective tax rate of \$0.4146, the Town had to publish its intent to raise taxes and conduct public hearings. Subsequent to the public hearings and council budget meetings, the rate has been reduced from the \$0.4692 proposed in the city manager's budget to the \$0.4535 in the budget to be approved by Council. Following state law, because the tax rate generates approximately \$26,000 more for maintenance and operations (General fund portion), the ordinance must contain a section recognizing this fact and the impact the levy has on a home valued at \$100,000. However because the actual M&O rate of \$0.2828 is less than the calculated rate M&O rate of \$0.2857, the required wording on the affect on a \$100,000 home is a *negative* \$2.90.

Note that the proposed ordinance includes, as it does each year, a provision that the necessity for setting the tax rates creates an urgency and emergency, so that the ordinance takes effect immediately upon its adoption and publication. This language is included at least in part in order to satisfy the provisions of Section 2.12 of the Town Charter. That section provides that when an ordinance includes a penalty provision, it must be published in the Town's official newspaper, and it does not take effect until 10 days after its publication. However, if a penal ordinance is passed as an emergency measure, it takes effect immediately upon its publication.

RECOMMENDATION:

It is recommended that the Council approve the property tax rate ordinance for the 2008-09 fiscal year. The City Attorney has suggested the following wording for the motion: "I move that property taxes be increased by the adoption of a tax rate of \$0.4535."

TOWN OF ADDISON, TEXAS

ORDINANCE NO. _____

AN ORDINANCE LEVYING TAXES FOR OF THE TOWN OF ADDISON, TEXAS AND FIXING AND ADOPTING THE TAX RATE ON ALL TAXABLE PROPERTY FOR THE YEAR 2007 AT A RATE OF \$0.4535 PER ONE HUNDRED DOLLARS (\$100.00) VALUATION ON ALL TAXABLE PROPERTY WITHIN THE CORPORATE LIMITS OF THE TOWN OF ADDISON AS OF JANUARY 1, 2008; PROVIDING FOR A PENALTY AND INTEREST FOR DELINQUENT TAXES; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to V.T.C.A. Tax Code Sections 26.04 through 26.06, the Tax Assessor-Collector for the Town of Addison, Texas (the "City") has calculated the tax rate for the fiscal year 2008-09 which cannot be exceeded without requisite publications and public hearings; and

WHEREAS, the tax rate for the fiscal year 2008-09 as contemplated by the City Council and adopted herein did exceed the rate calculated by the Tax Assessor-Collector; and

WHEREAS, THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE; AND

WHEREAS, THE TAX RATE WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY -\$2.90; AND

WHEREAS, the Town of Addison complied with the State of Texas Truth-in-Taxation laws and advertised the proposed tax rate and conducted two public hearings on the tax rate, and all notices and hearings and other applicable steps required by law as a prerequisite to the passage, approval, and adoption of this Ordinance have been timely and properly given and held; and

WHEREAS, upon full review and consideration of the matter, the City Council is of the opinion that the tax rate for the year 2008 set, fixed and adopted herein below is proper.

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

Section 1. That there is hereby levied and ordered to be assessed and collected an ad valorem tax rate of \$0.4535 on each One Hundred Dollars (\$100.00) of assessed valuation for all

taxable property located in the Town of Addison the 1st day of January 2008, and not exempted from taxation by the constitution and laws of the State of Texas to provide for the expenses of the Town of Addison for the Fiscal Year beginning October 1, 2008 and ending September 30, 2009. The said tax is made up of two components, as set forth in Section 2 and Section 3 of this Ordinance.

Section 2. That \$0.2828 of said taxes shall be for the purposes of General Fund maintenance and operations of the Town of Addison.

Section 3. That \$0.1707 of said taxes shall be for the purpose of paying interest and principal on the General Obligation and Certificate of Obligation debt for the Town of Addison.

Section 4. THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATION THAN LAST YEAR'S TAX RATE. THIS TAX RATE WILL DECREASE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$2.90.

Section 5. That the Tax Assessor-Collector, or his/her designee is hereby authorized to assess and collect the tax rates and amounts herein levied.

Section 6. Taxes that are and remain delinquent on July 1, 2009 incur an additional penalty not to exceed twenty percent (20%) of the amount of delinquent taxes, penalty and interest collected; such additional penalty is to defray the costs of collection due to pursuant to the contract with the Town's attorney authorized by Section 6.30 of the Texas Tax Code, as amended.

Section 7. That the necessity for setting taxes as required by the laws of the State of Texas creates an urgency and an emergency and requires that this Ordinance shall take effect and be in force from and after its adoption and immediately upon its publication as may be required by applicable law, including the Town Charter.

PASSED AND APPROVED by the City Council of the Town of Addison, Texas on this 9th day of September 2008.

Joe Chow, Mayor

ATTEST:

APPROVED AS TO FORM:

Mario Canizares, City Secretary

John Hill, City Attorney

Council Agenda Item: #R6

SUMMARY:

Council adoption of ordinance establishing new water and wastewater (sewer) rates is requested.

FINANCIAL IMPACT:

The new rates are expected to increase operating revenues in the Utility fund by approximately \$788,000, or nine percent more than what the existing rate structure generates.

BACKGROUND:

The Town's water and sewer rates were last increased in fiscal year 2006. The rates need to be increased again to fund retirement of the debt service associated with the planned \$5 million overhead water storage facility and the \$1.3 million for Vitruvian Park water and sewer lines, as well as higher costs charged by the City of Dallas for water purchases and treatment of wastewater. The proposed rates will increase the average single-family residential monthly bill (10,000 gallons consumption) by \$6.66, while the average small commercial bill will go up \$12.60. These amounts represent an approximate 11% increase in average billing. Attached is a table and charts that illustrate Addison's average billing with those of neighboring cities. The comparisons with other cities is based on their existing rates, although most have indicated that they will be increasing their rates as well.

The new rates will be delayed until the November billing cycle, which will include water consumed during the month of October. Staff plans to include with the September bills a notice informing Addison's consumers of the change in rates, giving them time to adjust their consumption patterns. Attached is the ordinance that establishes the new rates.

RECOMMENDATION:

It is recommended Council adopt the attached ordinance.

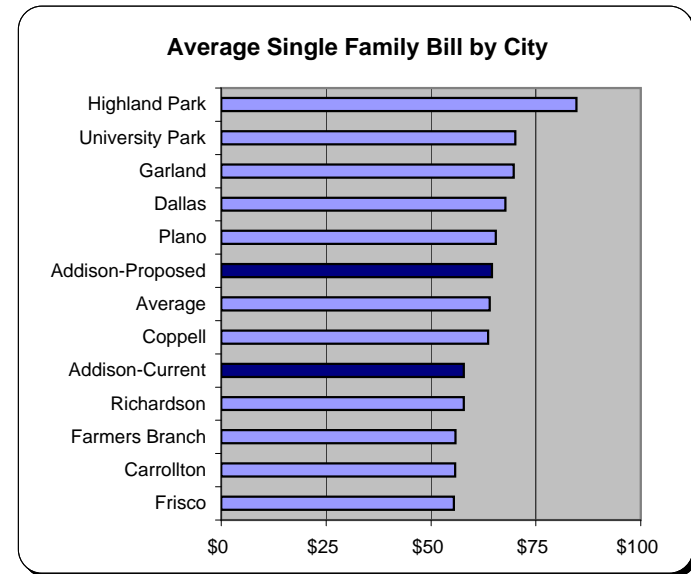
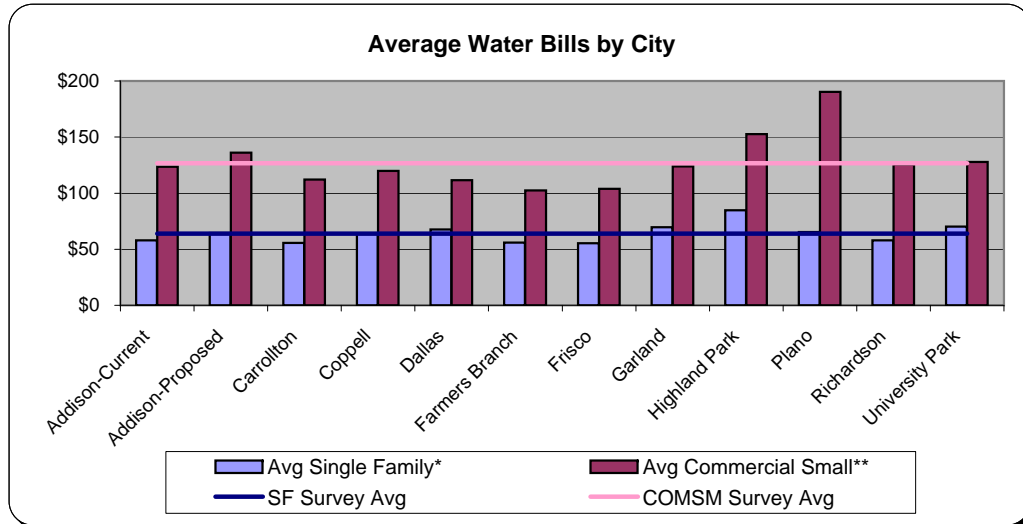
Town of Addison 2008-09 Budget Process Utility Rate Survey

City	Avg Single Family*	Avg Commercial Small**	FY 2009 Proposed Rate Change^
Addison - Current	\$ 57.84	\$ 123.40	
Addison - Proposed	\$ 64.50	\$ 136.00	Average bills increase 11%
Carrollton	\$ 55.77	\$ 112.14	None
Coppell	\$ 63.60	\$ 119.85	None
Dallas	\$ 67.75	\$ 111.67	6.3% increase for water/sewer
Farmers Branch	\$ 55.83	\$ 102.53	12% increase for water/sewer
Frisco	\$ 55.47	\$ 103.97	Did not provide
Garland	\$ 69.71	\$ 123.96	10% increase for water; 7% increase for sewer
Highland Park	\$ 84.70	\$ 152.76	10.76% increase for water; 22.1% increase for sewer
Plano	\$ 65.42	\$ 190.35	9% increase for water; 7.25% increase for sewer
Richardson	\$ 57.83	\$ 125.61	9.5% increase for sewer
University Park	\$ 70.07	\$ 127.83	10% increase for water/sewer
Average	\$ 64.04	\$ 127.51	8% increase for water; 10.77% increase for sewer

*Assumes 10,000 gallons for a 5/8" meter for water and sewer service at current rates.

**Assumes 20,000 gallons for a 1 1/2" meter for water and sewer service at current rates.

^Obtained from City Manager's Recommended budgets online or telephone survey. Rates pending consideration and approval by governing bodies.



ORDINANCE NO. _____

**AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS
AMENDING CHAPTER 82 OF THE CODE OF ORDINANCES OF
THE TOWN BY AMENDING SEWAGE RATES AND WATER
RATES FOR ALL CUSTOMER CLASSIFICATIONS;
PROVIDING A SAVINGS CLAUSE; PROVIDING A
SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the Town of Addison, Texas water and sewer utility rates have not been adjusted in the last three years; and,

WHEREAS, water and sewer rates need to be adjusted to support the operating, maintenance, and capital needs of the Town of Addison Utility system,

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

Section 1. The Code of Ordinances (the "Code") of the Town of Addison, Texas (the "City") is hereby amended as follows:

A. Chapter 82 (Utilities), Article I (In General), Division 5 (Rates and Charges) of the Code is hereby amended in part as follows:

1. Section 82-76 (Sewage rates) is amended by amending subsections (1) (Sewer minimum bills) and (2) (Sewer volume rate) to hereafter read as follows:

(1) *Sewer minimum bills*. Minimum monthly bill shall be applied to all customers based upon customer classification and shall include an allowance for volume based upon water consumed as follows:

Customer Classification	Minimum Monthly Bill	Volume Included (Gallons)
Single-Family Residential	\$ 13.50	2,000
Multi-Family Residential	\$ 68.75	15,000
Municipal/Schools	\$ 90.00	20,000
Commercial Large (meter size greater than or equal to 2 inches)	\$ 162.25	37,000
Commercial Small (meter size less than 2 inches)	\$ 17.75	3,000
Industrial Large (meter size greater than or equal to 2 inches)	\$ 345.00	80,000
Industrial Small (meter size less than 2 inches)	\$ 17.75	3,000
Hotel/Motel	\$ 345.00	80,000

(2) *Sewer volume rate.* All volume, which exceeds the amount allowed in the minimum bill, shall be charged at a rate of \$4.25 per 1,000 gallons of water consumed for all customer classifications.

2. Section 82-77 (Water rates) is amended by amending subsections (1) (Water minimum bills) and (2) (Water volume rate) and by adding new subsection (3) (Water conservation volume rate) to hereafter read as follows:

(1) *Water minimum bills.* Minimum monthly bill shall be applied to all customers based upon customer classification and shall include an allowance for volume based upon water consumed as follows:

Customer Classification	Minimum Monthly Bill	Volume Included (Gallons)
Single-Family Residential	\$ 9.10	2,000
Multi-Family Residential	\$ 35.75	15,000
Municipal/Schools	\$ 46.00	20,000
Commercial Large (meter size greater than or equal to 2 inches)	\$ 80.85	37,000
Commercial Small (meter size less than 2 inches)	\$ 11.15	3,000
Industrial Large (meter size greater than or equal to 2 inches)	\$ 169.00	80,000
Industrial Small (meter size less than 2 inches)	\$ 11.15	3,000
Hotel/Motel	\$ 169.00	80,000
Sprinkler Large (meter size greater than or equal to 2 inches)	\$ 115.70	27,000
Sprinkler Small (meter size less than 2 inches)	\$ 25.50	5,000
Fire Meters	\$ 21.40	8,000

(2) *Water volume rate.* All volume, which exceeds the amount allowed in the minimum bill, shall be charged at a rate of \$2.05 per 1,000 gallons of water consumed for all customer classifications, with the exceptions as noted in subsection (3) below.

(3) *Water conservation volume rate.* Single-family residential customers shall be charged a rate of \$4.10 per 1,000 gallons of water for all water consumed in excess of 15,000 gallons. Sprinkler (Large and Small) customers shall be charged for all volume, which exceeds the amount allowed in the minimum bill, at a rate of \$4.10 per 1,000 gallons of water consumed.

Section 2. This Ordinance shall be cumulative of all other ordinances of the City and shall not repeal any of the provisions of those ordinances except in those instances where the provisions of those Ordinances are in direct conflict with the provisions of this Ordinance.

Section 3. Severability. The sections, paragraphs, sentences, phrases, clauses and words of this Ordinance are severable, and if any section, paragraph, sentence, phrase, clause or word in this Ordinance or application thereof to any person or circumstance is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this Ordinance, and the City Council hereby declares that it would have passed such remaining portions of this Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

Section 4. Effective Date. This Ordinance shall become effective from and after its date of passage as provided by law and be applied to monthly customer bills beginning with the November 2008 billing cycle.

DULY PASSED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS on this the 9th day of September 2008.

Mayor R. Joe Chow

ATTEST:

By: _____
Mario Canizares, City Secretary

APPROVED AS TO FORM:

By: _____
John Hill, City Attorney

Council Agenda Item: #R7

SUMMARY:

Staff requests approval of an ordinance amending the Conference Center rates for the Addison Conference and Theatre Centre (“ACTC”).

FINANCIAL IMPACT:

The proposed increase is 20% in corporate rates and 25% in social rates. The additional revenue generated from the proposed increase is estimated at \$83,854.20.

BACKGROUND:

As part of the budget development process staff reviewed the current ACTC fee structure to identify any changes that may need to be made to stay consistent with the area market. The last increase in rental rates at the ACTC was adopted in 2006.

After reviewing the findings staff recommends a rental fee increase of 20% to the corporate rate and 25% to the social rate. These proposed rate adjustments are in line with current market rates. Staff is not proposing any increases to the Theatre Centre, Stone Cottage, or Boardroom rates at this time.

RECOMMENDATION:

Staff recommends approval of the attached ordinance.

TOWN OF ADDISON, TEXAS

ORDINANCE NO. _____

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS AMENDING CHAPTER 67 (SPECIAL EVENTS), ARTICLE III (DISTRICT AND NON-DISTRICT EVENTS) OF THE CODE OF ORDINANCES OF THE CITY BY AMENDING SECTION 67-17 BY STATING SPACE RENTAL FEES FOR VARIOUS TOWN OF ADDISON FACILITIES; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE AND PROVIDING AN EFFECTIVE DATE.

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

Section 1. Amendment. Chapter 67 (Special Events), Article III (District and Non-District Events), Section 17 (Site Use, Space and Commission Fees) of the Code of Ordinances (the “Code”) of the Town of Addison, Texas is hereby amended in the following particulars, and all other chapters, articles, section, subsections, paragraphs and words are not amended but are ratified and confirmed.

(a) *Site use fees.* For district events, site use fees shall be required. Site use fees include district space rental fees and commission fees (Addison Circle Park only).

(b) *Space rental fees.* Rental fees for space within the district shall be as established by the town. The City Manager or his/her designee may authorize the waiving or reducing of these fees to attract additional business or to provide exposure to industry professionals. The Conference Centre Manager may provide complimentary space by providing financial support from the Conference Centre based on the ability to achieve additional future business by these actions. The rental/services fees for functions held at the Addison Conference and Theatre Centre are as follows.

Corporate Functions

<i>Room</i>	<i>Hotel Rate</i>	<i>Walk Up Rate</i>	<i>24 Hour Hold</i>
Buckthorn, Sycamore, Juniper, Acacia	\$195.00	\$260.00	\$330.00
Two of the above rooms (2,400 sq ft)	\$400.00	\$530.00	\$670.00
Two of the above rooms and Sophora (4,200 sq ft)	\$690.00	\$920.00	\$1,160.00
Sophora	\$290.00	\$385.00	\$485.00
Entire Facility	\$1,620.00	\$2,160.00	\$2,720.00
Deposit	\$100.00	\$100.00	\$100.00

Social Functions (all rates are for eight hours.)

<i>Room</i>	<i>Hotel Rate</i>	<i>Walk Up Rate</i>
Buckthorn, Sycamore, Juniper, Acacia	\$225.00	\$295.00
Two of the above rooms (2,400 sq ft)	\$450.00	\$595.00
Two of the above rooms and Sophora (4,200 sq ft)	\$785.00	\$1,030.00
Sophora	\$340.00	\$445.00
Entire Facility	\$1,840.00	\$2,450.00/\$3,675*
Deposit	Up to \$750.00	Up to \$750.00
Kitchen*	\$150.00	\$150.00

* Kitchen is included with the entire facility, mandatory with any social function.

Theatre Centre

<i>Room</i>	<i>Corporate</i>	<i>Social</i>	<i>Theatre*</i>
Lobby	\$250.00	\$400.00	
Main Space	\$700.00	\$1,200.00	
Rehearsal Space	\$100.00	\$200.00	\$200.00
Lobby and Main Space			\$650.00

* Non-resident theatre company

Stone Cottage

	<i>Corporate</i>	<i>Social</i>	<i>Theatre*</i>
Non-Hotel Rate	\$300.00	\$500.00	\$120.00
Hotel Rate	\$210.00	\$350.00	

* Non-resident theatre company

Board Room

	<i>Corporate</i>	<i>Social</i>
Non-Hotel Rate	\$240.00	N/A
Hotel Rate	\$170.00	

Rental fees may also be applicable to non-district events held on public property. The Conference Centre Manager has the authority to establish rates for items such as copies, transparencies, faxes, notary services, audio-visual services and telephone usage. This information can be obtained from the Conference Centre Manager.

(c) *Commission fees at Addison Circle Park.* For a district event, a commission equal to ten percent of all food and beverage concessions sold during the event by a vendor whose business is located within the Town of Addison and 15 percent of all food and beverage concessions sold during the event by a vendor whose business is located outside of the Town of Addison must be paid to the town within 30 days after the closing date of the district event. The security deposit required by section 67-16(b)(8) shall not be released until the commission has been received by the town.

Section 2. Effective Date of Increase. The changes in the fees are set forth in Section 1 above shall be effective as of October 1, 2008.

Section 3. Savings. This Ordinance shall be cumulative of all other ordinances of the City and shall not repeal any of the provisions of those ordinances except in those instances where the provisions of those Ordinances are in direct conflict with the provisions of this Ordinance.

Section 4. Severability. The sections, paragraphs, sentences, phrases, clauses and words of this Ordinance are severable, and if any section, paragraph, sentence, phrase, clause or word in this Ordinance or application thereof to any person or circumstance is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portion of this Ordinance, and the City Council hereby declares that it would have passed such remaining portion of this Ordinance despite such invalidity, which remaining portion shall remain in full force and effect.

Section 5. Effective Date. This Ordinance shall become effective from and after its date of passage and publication as provided by law.

PASSED AND APPROVED by the City Council of the Town of Addison, Texas this 9th day of September, 2008.

Joe Chow, Mayor

ATTEST:

By: _____
Mario Canizares, City Secretary

APPROVED AS TO FORM:

By: _____
John Hill, City Attorney

Council Agenda Item: #R8

SUMMARY:

This item is to amend the Code of Ordinance of the City by amending Chapter 66 (Solid Waste) Article II (Collection And Disposal), Division 2 (Service Charge) by amending Section 66-52 increasing from \$10.67 to \$11.65 the monthly fee for single family residential garbage and recycling collection.

FINANCIAL IMPACT:

Budgeted Amount: \$0

Cost: \$0

There is no impact to the Street Department operations budget.

BACKGROUND:

The Town has a five-year contract with Waste Management to provide residential garbage and recycling collection to all single-family homes. This contract started October 1, 2000 and automatically renews for additional five-year periods if neither party requests termination.

Our contract rate adjusts up or down each year based on the Producer Price Index (PPI). This increase or reduction, tied to the PPI, has proven to be a fair method of establishing the collection rate while eliminating the need for the Town Council to hear an annual rate increase request.

The Town Finance Department informs the Public Works Department what the PPI should be. If Waste Management concurs, they're free to request a rate increase. In the event of a decrease in the PPI, the Town would request a rate reduction.

The current PPI increased by 9.2%. See the attached letter from WM requesting this increase. A 9.2% increase will raise the monthly garbage/recycling rate from its current \$10.67 per home, per month, to \$11.65. This increase will take effect October 1, 2008 and be reflected on the November water bill.

RECOMMENDATION:

Staff recommends passage of this amendment increasing the residential garbage/recycling collection rate to \$11.65.

TOWN OF ADDISON, TEXAS

ORDINANCE NO. _____

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS AMENDING THE CODE OF ORDINANCES OF THE CITY BY AMENDING CHAPTER 66 (SOLID WASTE), ARTICLE II (COLLECTION AND DISPOSAL), DIVISION 2 (SERVICE CHARGE) BY AMENDING SECTION 66-52 THEREOF BY INCREASING THE MANDATORY MONTHLY FEE FOR GARBAGE COLLECTION, HAULING AND DISPOSAL (CURBSIDE PICKUP) FROM EACH SINGLE DWELLING UNIT WITHIN THE CITY FROM \$10.67 TO \$11.65; PROVIDING THAT SUCH INCREASED RATE SHALL TAKE EFFECT ON OCTOBER 1, 2008; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

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

Section 1. Amendment. Chapter 66 (Solid Waste), Article II (Collection and Disposal), Division 2 (Service Charge) of the Code of Ordinances (the "Code") of the Town of Addison, Texas (the "City") is hereby amended as set forth below, and all other chapters, articles, sections, subsections, paragraphs, sentences, phrases and words of the Code are not amended but are hereby ratified and affirmed.

A. Section 66-52 (Single dwelling units) of Chapter 66, Article II, Division 2 of the Code is hereby amended to read as follows (additions are underlined, deletions are ~~struck through~~):

All owners, lessees or persons in possession or residential property shall be charged a mandatory monthly fee for garbage collection, hauling and disposal from residences situated within the corporate limits of the town as follows:

Curbside pickup for each single dwelling unit, exclusive of sales tax and applicable state fees . . . \$11.65~~\$10.67~~.

Section 2. Effective Date of Increase. The change in the mandatory monthly fee for garbage collection, hauling and disposal from residences as set forth in Section 1 above shall be effective as of October 1, 2008.

Section 3. Savings. This Ordinance shall be cumulative of all other ordinances of the City and shall not repeal any of the provisions of those ordinances except in those instances

where the provisions of those Ordinances are in direct conflict with the provisions of this Ordinance.

Section 4. Severability. The sections, paragraphs, sentences, phrases, clauses and words of this Ordinance are severable, and if any section, paragraph, sentence, phrase, clause or word in this Ordinance or application thereof to any person or circumstance is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portion of this Ordinance, and the City Council hereby declares that it would have passed such remaining portion of this Ordinance despite such invalidity, which remaining portion shall remain in full force and effect.

Section 5. Effective Date. This Ordinance shall become effective from and after its passage and adoption and its publication as may be required by law.

PASSED AND APPROVED by the City Council of the Town of Addison, Texas this ___ day of _____, 2008.

Joe Chow, Mayor

ATTEST:

By: _____
Mario Canizares, City Secretary

APPROVED AS TO FORM:

By: _____
John Hill, City Attorney



WASTE MANAGEMENT

1600-C South Railroad St.
PO Box 276
Lewisville, TX 75067

July 25, 2008

Mr. Robin Jones
Town of Addison
16801 Westgrove
Addison, Texas 75001

Dear Robin:

Waste Management values its relationship with the Town of Addison, and will continue to provide you with an outstanding combination of pricing, service, and community support.

As you know, our contract provides for annual adjustment of prices based upon the Producer Price Index (PPI). Your Finance Department staff has advised of an upward change of 9.2% over the past twelve months. We concur with this assessment, and therefore, are sending this notice of a change in the residential rates. Effective October 1, 2008, the rate will increase from \$10.67 per home, per month to \$11.65 per home, per month. We ask that the Town make this adjustment with the utility bills that will be mailed in September of 2008.

We thank you for your continued confidence in Waste Management, and please contact me if we can be of service in the future.

Sincerely,

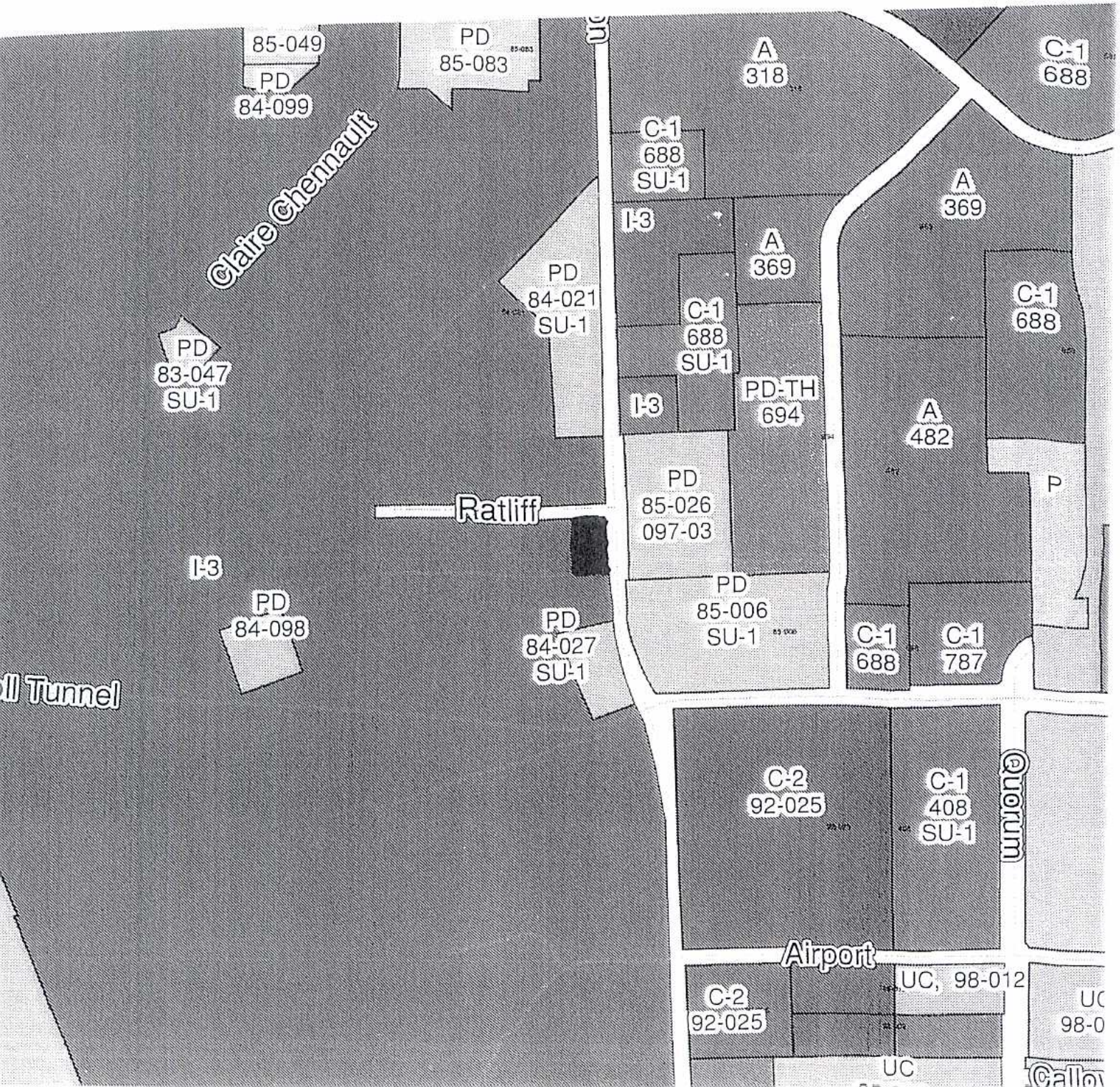
A handwritten signature in black ink, appearing to read 'John L. Klaiber'.

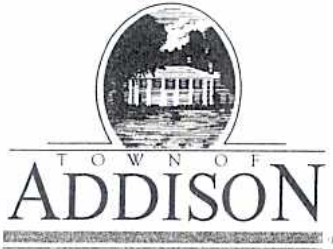
John L. Klaiber
Manager – Public Sector Services

From everyday collection to environmental protection, Think Green® Think Waste Management.

REPLAT/Lot 1, R4, Block A Addison Storage Addition

REPLAT/Lot 1R4, Block A, Addison Storage Addition. A replat of one lot, located west of Addison Road, between Glenn Curtiss Drive and Ratliff Road, on application from Mr. George Kelly, represented by Stovall Associates.





August 22, 2008

STAFF REPORT

RE: REPLAT/Lot 1R4, Block A,
Addison Storage Addition

LOCATION: One lot of .456 acres, located
At the southwest corner of
Ratliff Lane and Addison Road

REQUEST: Approval of a replat

APPLICANT: Mr. George Kelly, represented
By Stovall Associates

DISCUSSION:

Background. In June of 2007, one lot out of this property, Lot 1R, Block A, was platted as a single lot. In April of 2008, the property was platted again from one small lot and one large lot into four separate lots and the lots were sold to separate owners. When the lots were subdivided, there were already buildings built on them, and those buildings went to the property lines.

The building on this particular lot had door and windows directly on the new property line, which did not meet the building and fire code. The owner had the option of providing a fire wall and eliminating the openings, entering into a unity agreement with the adjacent property, or buying additional property and moving the property line 10 feet away from the building. The Town would have been fine with any option, but the owner did not want to eliminate the openings, and the lender did not want a unity agreement. Therefore, the owner purchased 10 feet of additional property and is not replatting the lot to move the property line 10 feet away from the building.

Public Works Review. Public Works reviewed the proposed plat and has no comments. All comments have been handled with the previous plats of the property.

RECOMMENDATION:

Staff recommends approval of the replat of Lot 1R4, Block A, Addison Storage Addition, on application from Mr. George Kelly, subject to no conditions.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "C Moran". The signature is written in a cursive, somewhat stylized font.

Carmen Moran
Director of Development Services

FINAL PLAT/Lot 1R4, Block A,
Addison Storage Addition
August 29, 2008

Page 3

COMMISSION FINDINGS:

The Addison Planning and Zoning Commission, meeting in regular session on August 28, 2008, voted to recommend approval of the final plat on application from Mr. George Kelly, subject to no conditions.

Voting Aye: Daseke, Gaines, Hewitt, Jandura, Lay, Wood

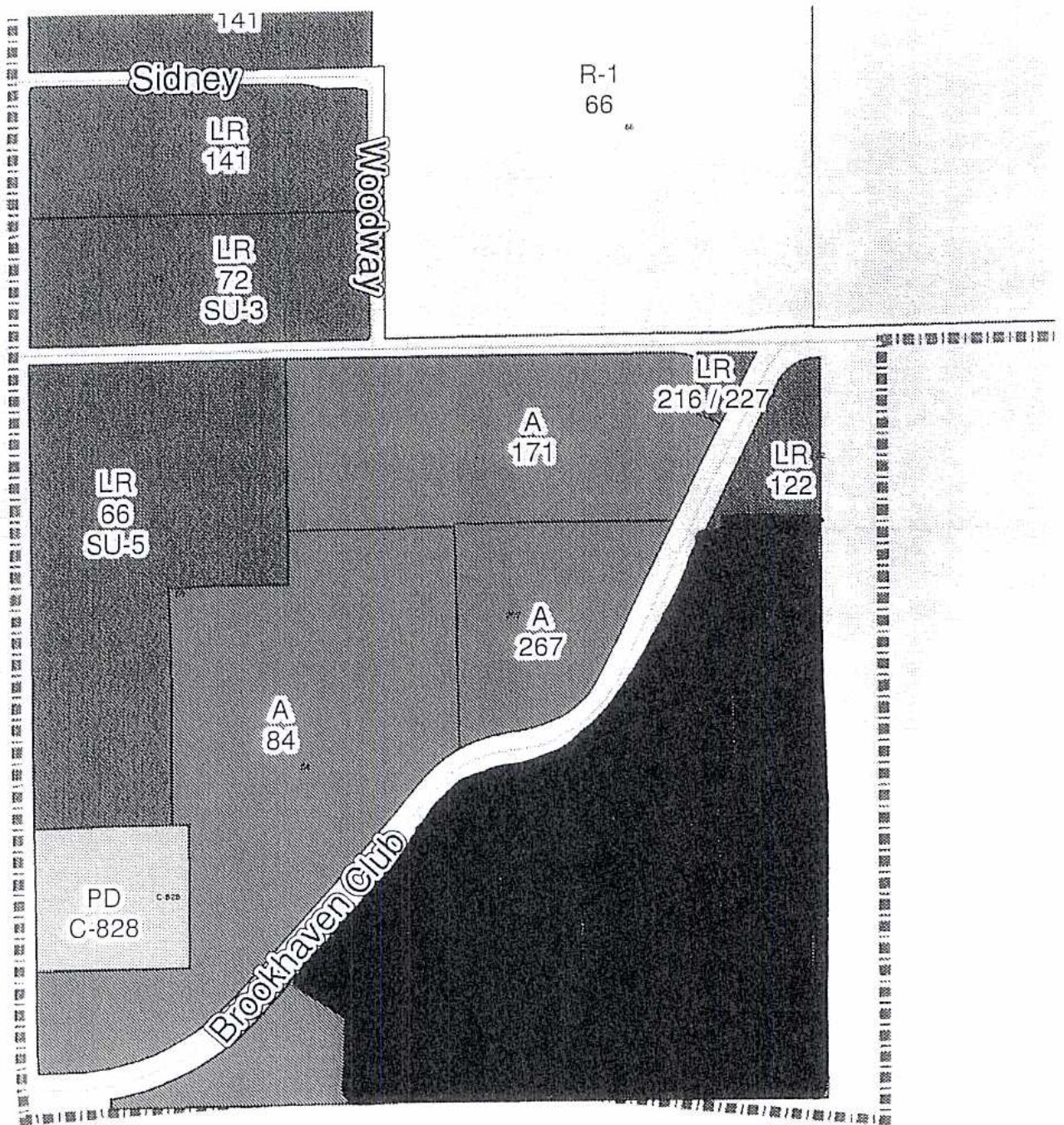
Voting Nay: None

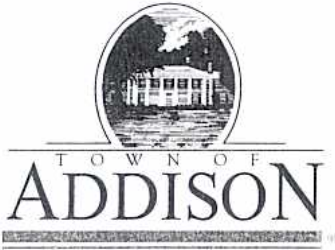
Absent: Bernstein

April 28, 2008

FINAL PLAT/Vitruvian Park I

FINAL PLAT/Vitruvian Park I, Requesting approval of a final plat for Lots 1 and 2, Block A, located on 10.32 acres at 3900 and 4010 Brookhaven Club Drive (south side of Brookhaven Club Drive), on application from UDR, Inc., represented by Mr. Bruce Dunne of Icon Consulting Engineers.





DEVELOPMENT SERVICES

(972) 450-2880 Fax: (972) 450-2837

16801 Westgrove

Post Office Box 9010 Addison, Texas 75001-9010

August 21, 2008

STAFF REPORT

RE: FINAL PLAT/Vitruvian Park I

LOCATION: Lots 1 and 2, Block A, located at 3900 and 4010 Brookhaven Club Drive, and containing 10.320 acres of land

REQUEST: Approval of a final plat

APPLICANT: UDR, Inc., represented by Mr. Bruce Dunne of Icon Consulting Engineers

DISCUSSION:

Background. In May of this year, the City reviewed the Preliminary Plat for Vitruvian Park I. At this point, the applicant is returning with the Final Plat. It contains Lots 1 and 2 of Block A. The Town, through a Master Facilities Agreement with UDR, is supervising the design of the streets and parks in this development. Icon Engineers has been working with the Public Works staff on the design of the infrastructure and platting, and will continue to work with the staff through final design and construction.

In the preliminary plat, the applicant indicated proposed street names. Those names have been reviewed by the staff and the Council, and have been approved. Once the final plat is approved, the staff will begin the process of changing the official name of Brookhaven Club Drive to Vitruvian Way.

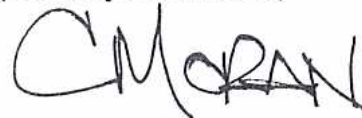
Public Works Review. The Public Works Department has noted that most of the items on the plat will be worked out through the design process. However, the staff had the following comments on the final plat.

1. Revise plat to show dedication of required street easements as shown in PD.
2. Revise plat to show dedication of Lot 2 as right-of-way dedication to Town, including right-of-way dedication language.

RECOMMENDATION:

Staff recommends approval of the Final Plat for Vitruvian Park I, subject to the conditions listed above.

Respectfully submitted,

A handwritten signature in black ink that reads "CMORAN". The letters are stylized and connected, with a large "C" and "M" at the beginning.

Carmen Moran
Director of Development Services

COMMISSION FINDINGS:

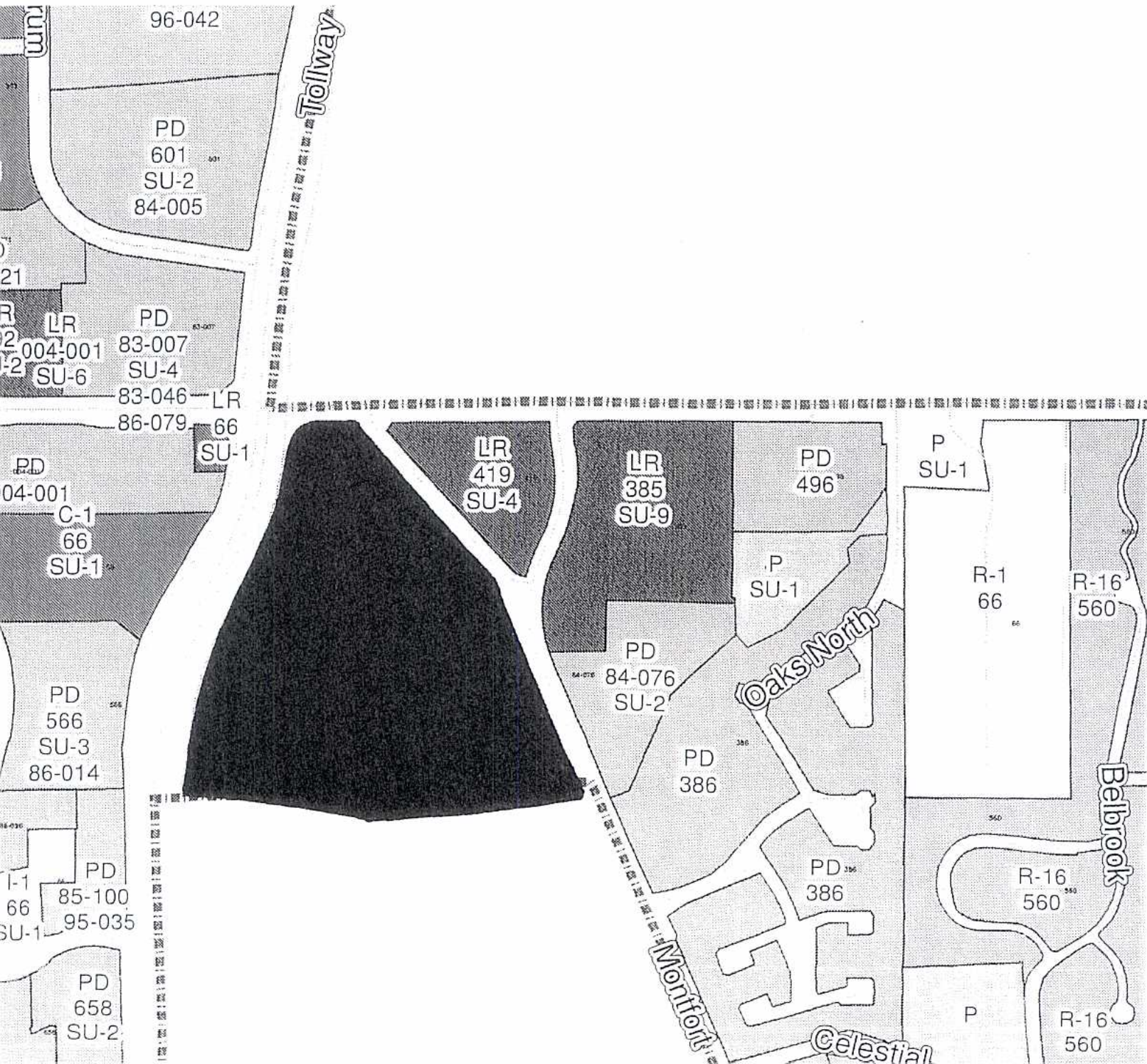
The Addison Planning and Zoning Commission, meeting in regular session on August 28, 2008, voted to recommend approval of the final plat on application from Icon Consulting Engineers, subject to the following conditions:

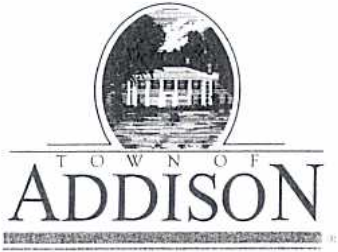
1. Revise plat to show dedication of required street easements as shown in PD.
2. Revise plat to show dedication of Lot 2 as right-of-way dedication to Town, including right-of-way dedication language.

Voting Aye: Daseke, Gaines, Hewitt, Jandura, Lay, Wood,
Voting Nay: None
Absent: Bernstein

1561-SUP

Case 1561-SUP/Blue Mesa Grill. Requesting approval of an ordinance amending an existing Special Use Permit for a restaurant, and an existing Special Use Permit for the sale of alcoholic beverages for on-premises consumption, located at 5100 Belt Line Road, Suite 500, on application fro Blue Mesa Grill, represented by Mr. Jason Romano.





August 21, 2008

STAFF REPORT

RE: Case 1561-SUP/Blue Mesa Grill

LOCATION: 5100 Belt Line Road, Suite 500

REQUEST: Approval of an amendment to an existing Special Use Permit for a restaurant, and an existing Special Use Permit for the sale of alcoholic beverages for on-premises consumption only

APPLICANT: Blue Mesa Grill, represented by Mr. Jason Romano

DISCUSSION:

Background. Blue Mesa Grill has been in continuous operation at this location since 1988. The space was originally opened as a Tequila Willy's Restaurant. However, a Special Use Permit amendment was approved by the Council on January 12, 1988, (Ordinance 088-002) which converted the restaurant to Blue Mesa Grill and added an exterior patio. Then in 1990, Blue Mesa converted its existing patio on the west side to interior space and added a new patio on the west side (Ordinance 090-033, approved on 7-10-1990). At this point, Blue Mesa Grill would like to convert a landscaping area in front of the building to a patio, and take in an existing gap between this restaurant and the adjacent Mercy Restaurant in order to add patio space.

Proposed Plan. The plan indicates that a 1,991 square-foot patio will be added to the front and east side of the building. There will also be some modifications made to the restrooms. The additional patio will be in front of the existing building and will fill in a gap between this building and the Mercy Restaurant. The new patio will be adjacent to the existing bar in the restaurant, and will most likely be used to accommodate guests who smoke.

Parking. The patio will add 1,991 square feet to the existing restaurant and will require an additional 20 parking spaces. All uses in this shopping center park at a mixed use

ratio of one space per 250 square feet. There is sufficient parking in this center to accommodate this patio.

Façade. The applicant will not be making any changes to the façade with this addition. A railing will be added around the patio that is a combination of metal and glass panels.

Fire Occupancy. The Fire Prevention Chief does not have any objections to the SUP request, but would note that the new patio will have a fire occupancy of 15 square foot per person.

Building Code Issues. The Building Official notes that the gates must be hinged gates which open in the direction of egress, and that if the gates latch, they must be equipped with panic hardware.

Landscaping Review. Slade Strickland notes that the applicant is removing 750 square feet of landscaped area and one tree. The tree recommends that the tree be removed, as it is overcrowding the area. Slade notes that in general, the landscaping in this area contains many well-maintained mature trees, and the center in general is well-maintained. Therefore, the staff does not recommend that the applicant be required to mitigate the landscaping that is being taken out to accommodate the new patio.

Signs. The applicant did not show any signs on the elevations, and the staff does not anticipate that any changes to the signs will occur as a result of this request.

RECOMMENDATION:

Staff recommends approval of the request for an amendment to an existing Special Use Permit for a restaurant, and an amendment to an existing Special Use Permit for the sale of alcoholic beverages for on-premises consumption only, subject to no conditions.

Respectfully submitted,

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

Carmen Moran
Director of Development Services

COMMISSION FINDINGS:

The Addison Planning and Zoning Commission, meeting in a rescheduled session on August 28, 2008 voted to recommend approval of the amendment to a Special Use Permit for a restaurant and the Special Use Permit for the sale of alcoholic beverages for on-premises consumption, subject to no conditions.

Voting Aye: Daseke, Gaines, Hewitt, Jandura, Lay, Wood,

Voting Nay: None

Absent: Bernstein,

Memorandum

Date: August 20, 2008
To: Carmen Moran, Director of Development Services
From: Slade Strickland, Director of Parks and Recreation
Subject: **Case 1561-SUP/Blue Mesa Grill**

The plan shows removal of approximately 570 square feet of landscaped area. This area consists primarily of a few shrubs and gravel mulch. One tree is also proposed for removal; however, staff recommends its removal due to overcrowding. Overall this center has many well maintained mature trees and landscaping, including the space surrounding Blue Mesa. With this in mind, staff recommends that the applicant not be required to replace the landscape area proposed for removal to accommodate the new patio.

Memorandum

To: Carmen Moran, Director of Development Services
From: Gordon C. Robbins, Deputy Fire Chief
Date: Monday, August 18, 2008
Re: Case 1561-SUP / Blue Mesa Patio



The Fire Department has no objection to this SUP. However you may wish to inform the applicant that a separate occupant load will be set for the new patio at a factor of 15-square feet per person (same as that used inside the restaurant).

Thank you.

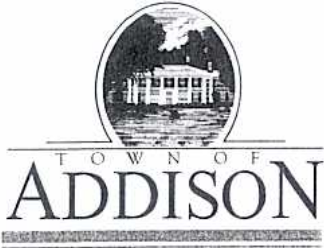
To: Carmen Moran, Director Development Services

From: Lynn Chandler, Building Official

Date: August 12, 2008

Subject: Blue Mesa Outdoor Patio

The iron-gate shown at the front of the space shall not be a sliding gate. It shall be a hinged type gate opening in the direction of egress. Both gates from the patio shall be equipped with panic hardware if they latch.



DEVELOPMENT SERVICES
(972) 450-2880 Fax: (972) 450-2837

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

August 27, 2008

AMENDED STAFF REPORT

RE: Case 1563-Z/Meridian Square

LOCATION: 3.98 acres at the southeast corner of Quorum Drive and Airport Parkway

REQUEST: Approval of a concept plan for 48 Townhomes and 90 condominiums

APPLICANT: Addison Urban Development Partners, LLC, represented by Mr. Matt Alexander of Dowdey, Anderson & Associates

DISCUSSION:

Background. The staff sent out an initial staff report that raised some issues about the parking, setbacks, and cross section for Meridian Way. The staff has met further with the applicant and resolved some of those issues. For the sake of clarity, the staff is re-writing the staff report; however, there are not changes to all sections. **Comments in this staff report that are changed from the previous report are in bold print.**

The zoning on this property was changed from UC – Commercial subdistrict to UC – Residential subdistrict on June 12, 2007 through Ordinance 007-016. A final development plan for 83 townhomes was approved through that ordinance. The original request was filed by Intervest Ventures Group.

In November of 2007, David Weekley Homes brought forward a revision to the proposed plan. The site plan for the property was not changed, but David Weekley Homes proposed different elevations for the townhomes. A copy of the site plan and elevations approved for David Weekley Homes is attached. David Weekley also got approval for several waivers to the design standards for the district. Those waivers included:

Waiver of design standards in order to allow lot widths to be 20 feet as opposed to the 25 feet required by the ordinance.

Waiver to design standards in order to allow depths of 45 feet as opposed to the 55 feet required by the ordinance.

Waiver to design standards in order to allow lot coverage of 100% of the lot as opposed to the 65% of the lot required by the ordinance.

Waiver to design standards in order to allow a minimum two-foot setback against the Category C, (Residential) Streets, as opposed to the five-foot setback required by the ordinance, and a waiver to design standards in order to allow a seven-foot setback against the Category D (Quorum, Spectrum, Airport Parkway) streets, as opposed to the ten-foot setback required by the ordinance.

Waiver to design standards in order to use hardi-plank siding as a siding material on an exterior façade.

Waiver to design standards in order to use composition shingles as a roofing material.

Although the zoning was approved for the David Weekley Homes product, David Weekley did not purchase the land, and it was later sold to another home builder, Savannah Homes.

Current Plan. At this point, Savannah Homes and David Weekley Homes are working together on a "hybrid" plan for the tract that would contain 48 of the original David Weekley townhomes, and approximately 90 flat condominium units. Both builders are working together to request approval of a concept plan. While not all the details of the site have been worked out, Savannah and David Weekley would like an indication from the Town as to whether it is willing to approve a final plan that includes this proposed mix of townhome and condominium product in generally the site lay-out being proposed.

Townhomes. David Weekley is proposing to lay out the townhomes in approximately the same pattern that they were proposed in the original approval. However, it is proposing to move the small lawn area/private open space to the interior of the project. The staff's wants to be sure that the revised layout will still relate, in mass and feel, to the existing townhomes across Calloway Drive (the CityHomes product). In the original plan, there were six units that fronted onto Calloway Drive and four units that sided to Calloway. In this plan, there will be 11 units that front onto Calloway Drive and three units that side to Calloway. The staff believes that the revised plan still provides a reasonable relationship between this product and the CityHomes product.

In addition, the views down the alleys have been improved. In the original plan, the residents on the south side would see alleys that ran the length of the project (much like the alleys that CityHomes has on the south side). In this revised plan, the alley on the

west end of the project is shorter and is capped with a screening hedge at the north end. The alley on the east end is capped, with a screening hedge at the Calloway end. Staff believes the shortening and capping of the alleys is an improvement to the plan.

David Weekley is proposing to use the same facades that were approved in the previous zoning application. It appears that the waivers requested from David Weekley in the original application (listed above) are all still being requested. However, there is a change to the waiver of design standards that allowed lot widths to be 20 feet as opposed to the 25 feet. David Weekley is now proposing a 16-foot wide, tandem garage unit. The unit is designed for the single buyer who does not own two cars. The "C" units are the 16-foot wide units, and they are always built side-by-side in twos. Twenty-two of the 48 townhome units proposed are the 16-foot wide units. The staff would have a concern about the narrower units if the proposed facades were like the CityHomes facades and were different for each unit. However, David Weekley is proposing the same brick and stone façade for all units in a building. Therefore, the staff does not believe there will be a noticeable difference in the width of the units.

In the original approval, there was a concern about the impact the noise from the chiller unit at the Madison office building would have on the units that were close to it. There was a condition placed on the original approval that read:

-Units in Block C, units 9-16, (as shown on the approved final development plan) shall be constructed using noise mitigation methods so that outside noise levels, measured within the habitable space of the dwelling unit, do not exceed 45 DNL. A certified acoustical engineer shall approve the construction plans for units 9-16 to assure they will provide a 45 DNL noise level, and a certified acoustical engineer shall inspect the units, once they are constructed, and verify that the required noise level has been attained. The applicant shall bear all costs for hiring the certified acoustical engineer.

While this is a concept plan, the staff would remind David Weekley Homes that the above condition will be included in any recommendations on a final development plan.

Condominiums. Savannah Homes is proposing to build 90 condominium units above 1 level of parking. The condominium units will range in size from 897 square feet to 1,476 square feet. All unit sizes are above the minimum required size for the UC district of 700 square feet. The breakdown for unit size is as follows:

1 bedroom 1 bath	1 bedroom, den, 1 bath	2 bedrooms 2 baths	2 bedrooms, 2 baths	2 bedrooms den, 2 baths
18 units	12 units	16 units	36 units	6 units
897 square feet	897 square feet	1,161 square feet	1,265 square feet	1,476 square feet

Minimum Width/Depth of Lot. The minimum width and minimum depth for a lot for a stacked/flat condominium use is the same as the width/depth for multifamily, which is 200 feet. Savannah Homes is proposing three separate lots that are approximately

171.60 x 144.15, 174.53 x 162.59, and 129.04 x 121.75. Staff realizes that we are down to the last tract in Addison Circle, and it is getting to difficult to fit product on a confined site. Staff also realizes that while the condominiums along Airport Parkway will be three separate lots, it will "read" visually as one lot. Staff would support a waiver for minimum lot width and depth.

Height. The height proposed for the condominium units is 48 feet, which meets the requirements of the UC – Residential district.

Private Open Space. Savannah Homes is proposing a pool and lawn area, along with three roof-top decks, that would serve as private open space for both the condominium owners and the Townhome owners. The private open space totals about 16,000 square feet. The space would be maintained by the homeowners in this development. **It would not be the Town's to maintain and although Savannah Homes has indicated the lawn area would not be fenced or gated, the development is not required to make the lawn area available to the general public.**

Facades. Savannah Homes did not submit elevations for all sides of the buildings, so the staff could not determine if Savannah is requesting a variance to the 90% brick standard. **However, Savannah Homes has indicated it is fine with the 90% brick façade requirement and will not request a waiver to 90% brick.**

Roofs. Savannah Homes is proposing a flat-roofed product, similar to the CityHomes product. It does not appear Savannah will need a waiver for roofing materials.

Parking. Under the Urban Center regulations, one parking space must be provided for each bedroom. According to the staff's calculations, the project requires 150 parking spaces. The plans indicate there will be 132 parking spaces in the garage, and 15 surface spaces. However, the surface parking spaces that are shown on the Savannah Homes site plan are not on the site plan provided by Dowdey, Anderson & Associates, nor do the parking spaces show up in the proposed cross section for Meridian Lane, which is on the Dowdey, Anderson site plan.

Even if the 15 spaces indicated on the Savannah Homes site plan were on the Dowdey, Anderson site plan, they would be in public right-of-way and could not be counted toward the required parking for the Savannah Homes condos. Therefore, the Savannah Homes plan is 18 spaces short of having the required amount of parking. Although there is not any information requesting a waiver on required parking, Savannah Homes

may have a waiver in mind. The staff does not support any sort of waiver on required parking. Parking spaces in all of Addison Circle are already scarce, and the staff does not believe it makes sense to offer a condominium unit for sale, and then rely on the public street to provide parking for that unit.

Savannah Homes has reworked the garage floor plans to provide more parking, and has changed some units from two bedroom units to one bedroom/den units to meet the parking requirement. However, the staff is not sure that the parking garage revisions will work. Savannah Homes has indicated that it understands that it is important that this product meet the one-space-per-bedroom parking requirement, and will not be requesting a parking variance. The staff is comfortable with a concept plan that allows for 90 units, but with the requirement that all required parking has to be provided on-site. Savannah Homes understands that the on-site parking requirement may cause it to have to reduce the number of units that can be built on the site

Parking Under the Building. Staff expressed a concern early on about the parking beneath the building. Staff has seen many instances where "podium garages" provide dark, gray, gaping holes at the street level. Due to the topography of the site, the applicant is able to hide a portion of the garage on the Quorum Drive side, but the garage will be partially exposed on the Airport Parkway side, and completely exposed on Spectrum Drive. There are parking garages across the street on both the Airport Parkway and Spectrum Drive side, so the staff is not as concerned as it might be if the garages were against Calloway Drive. In addition, the entrances to the garage (which are large gaping holes in the street frontage), are all hidden on interior streets. The plans show some landscaping screen walls that will hide the garage, but the staff still would like to see all elevations of all buildings, with a planting plan for landscaping, to be sure that the garage is being screened as well as possible. **Savannah Homes has indicated it can provide a two-foot wide planting bed along the southwest corner of the building on Lot D in order to provide vines or screening material against the garage façade at that corner.**

Setbacks. In the UC district, the minimum setback is defined as a "build-to" line. The build-to line for Category D streets, which include Spectrum Drive and Quorum Drive, is ten (10) feet. These condo buildings are proposed with a 7-foot setback on Quorum Drive and a 5-foot setback on Spectrum.

While the staff supported allowing the David Weekley townhome units to be placed closer to Quorum and Spectrum, the staff has a concern about placing a 48-foot tall building seven feet from the right-of-way on Quorum Drive and five feet from the right-of-way on Spectrum. Staff believes that the condominium buildings should be set 10 feet back from the street, and that the 10 feet between the building and the street should be used to enhance the landscaping so that it screens the parking garage.

The staff has met further with the applicant on the setbacks. The applicant has agreed to provide at 10-foot setback against Quorum Drive, and a 7-foot setback against Spectrum Drive. In addition, the applicant is going to furnish additional details about the landscaping treatment between the sidewalk and the parking garage. The staff is comfortable with the 10-foot and 7-foot setbacks in the revised plan, and would recommend a waiver of design standards for those setbacks.

Street Sections. When the Addison Circle standards were adopted, streetscape cross sections for all streets were designed by the staff and included as an Appendix to the ordinance. However, when the Addison Circle district was created, it did not extend to Airport Parkway. This 3.9-acre tract was added to the district later, and when it was added, there was not a cross section developed for Airport Parkway. The staff and the applicant have worked together on the Airport Parkway cross section that is reflected on the site plan. Staff recommends approval of the cross section for Airport Parkway. Once this project has final development plan approval, the staff will amend the Appendix to the UC district ordinance to add Airport Parkway in as an approved cross section.

The Meridian Lane section is being proposed as a new section by the applicant, and the staff has some concerns about it. It is proposing two, 10-foot wide travel lanes. The other travel lanes in Addison Circle are 11-foot wide, and those seem narrow with the on-street parallel parking. In addition, the typical residential street has parallel parking down both sides of the street. This street has parallel parking down only the south side, with a long tree-shaded curb along the north side. The staff is concerned that the north side will be used as "temporary" parking for both cars and delivery vehicles, particularly since there is no visitor parking being provided in the condominium buildings. Temporary parking will be particularly problematic in that area because the traffic lanes are already narrower than the standard Addison Circle lanes. Staff would like to work with the applicant further on this cross section and is not ready to recommend approval of it at this point.

The staff has met further with the applicant. The section proposed is actually two, 11-foot travel lanes, not two 10-foot travel lanes as the staff thought originally. In addition, the staff is now more comfortable that the design of the Meridian Lane section will discourage parking on the north side. However, the staff is recommending the addition of bollards at the street edge to further discourage cars from "jumping the curb" and parking along this street. Staff recommends approval of the proposed cross section for Meridian Lane.

Parks Department Review. The Parks Department has reviewed the landscaping of the sections proposed, and finds that it generally meets the standards for tree spacing, etc. of the UC district.

Public Works Review. The Public Works Department has reviewed the proposed site plan, and notes the following:

1. Please provide turn-around area for dead-end alleys. **The staff is looking for a “dead head” space that can be used for backing into. A “dead head” is being provided on the alleys by the applicant.**
2. Please delineate the parking spaces on Meridian Lane more clearly. **Additional striping can be added to the plan.**
3. Driveway being added for alley just west of Breedlove Place off of Calloway Drive affects the on-street parking for Calloway. Please submit revised parking lay-out with engineering plans for approval. **A revised plan will be submitted.**

Building Inspection Review. The Building Official notes that there may be a unity agreement required between the townhomes. The requirement for a unity agreement is a code item and is required by the Building Code.

Fire Department Review. The Fire Department has worked with the applicant on the layout. However, the Department will need confirmation from the developer that the fire lane turn radii are sufficient. In addition, there were no fire hydrants shown on the plan. There must be hydrants placed at 300-foot intervals along streets and fire lanes serving the property. The Fire Department also notes that the alleys may be capped as they are not intended for emergency access use, and the condo buildings will be 3-story metal frame buildings on top of a one-story concrete parking garage. The requirements listed above are code items and are required by the Fire Code.

RECOMMENDATION:

As this is a request for a concept plan, there is another opportunity to work out the details of the site. However, the staff did want the applicant to be aware that there are concerns (notably parking and setbacks). **While the concern over setbacks has been addressed, the staff has not seen a final plan that provides sufficient parking for 90 units.** As this is a deviation from the approved plan for 83 townhomes, the applicant wants to know if a hybrid plan combining townhomes and condominiums will work on this site before going on to more detailed design.

The staff feels there are several things about this plan that have merit. The staff had some concerns with the Intervest, and then the David Weekley plan that are remedied in this plan. The staff felt that Airport Parkway and Spectrum Drive were less-than-wonderful edges for a townhome product because they both contained parking garages.

This plan takes some of the townhomes off of Spectrum Drive and takes all of the townhomes off of Airport Parkway. The staff feels that the condominium product is a better fit against Airport Parkway because it will not require the front doors or side walls of any townhome units to face Airport Parkway. The taller buildings will serve to "buffer" the townhomes from Airport Parkway. The plan also maintains a townhome edge against Calloway Drive, which makes it compatible with the existing CityHomes townhomes to the south.

Staff also feels that a taller, higher-density product at the north edge of the district provides a better "end-cap" for the district. The staff has noticed the difference in mass and height between the apartment product and the CityHomes townhome product, and it would like to see this taller, more massive condominium building form an architectural edge to the north entrance to Addison Circle.

The staff also believes the condominiums provide a product niche that is missing in Addison Circle. The staff has heard time and again from our residents that aging baby boomers (which are an ideal market for a condominium product in an urban district like Addison Circle), don't like the stairs of a townhome unit. The town had approved a condominium building to be built by Fairfield Residential at 15777 Quorum, but that building did not make and has since been replaced by apartments. Savannah Homes believes that its flat condominium unit is ideal for the aging baby-boomer market because it's more efficient floor plan that "lives larger" because it does not have to sacrifice floor space for stairwells. In addition, the buildings have been laid out to provide as many units as possible with windows on two sides. These "two exposures" allow more light and air to the interior of the unit than an interior lot townhome. The staff also likes the fact that this condominium product provides a pool and amenity area for its residents that can also be shared by the townhome residents.

Staff recommends approval of the concept plan for 48 townhomes and 90 condominium units. However, staff would note that it is not recommending approval of these specific condominium buildings, or of this specific site plan. **The staff needs to see the parking revised on the condominium buildings, and the elevations of all sides clarified.** There will also be several development conditions that will be part of the final development plan. However, the staff is comfortable that this hybrid plan, combining townhomes and condominiums in this general layout, is an appropriate plan for this north entrance to Addison Circle.

Respectfully submitted,



Carmen Moran
Director of Development Services

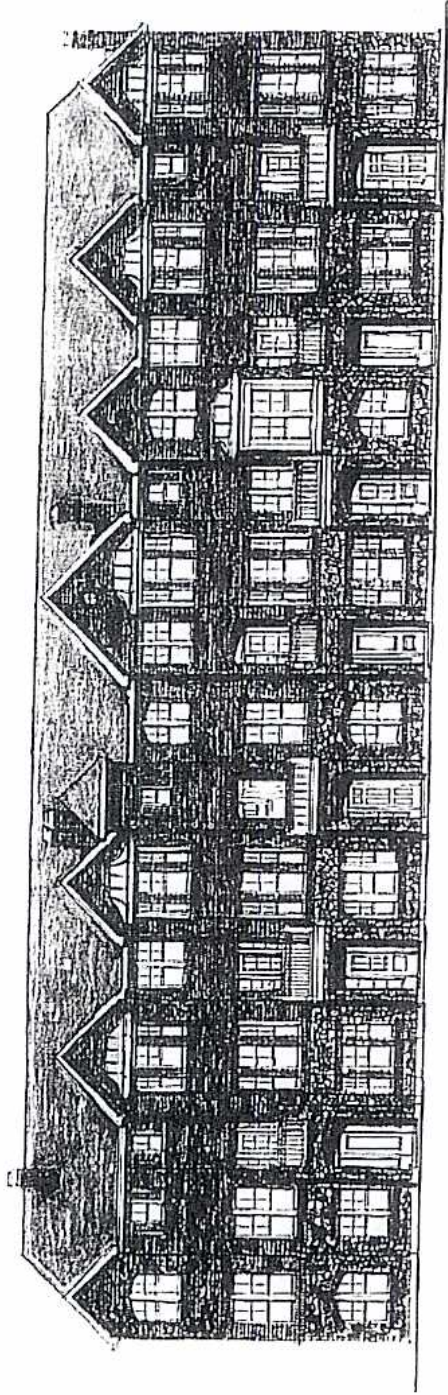
COMMISSION FINDINGS:

The Addison Planning and Zoning Commission, meeting in regular session on August 28, 2008, voted to recommend approval of the concept plan, on application from Addison Urban Development Partners, LLC, subject to no conditions.

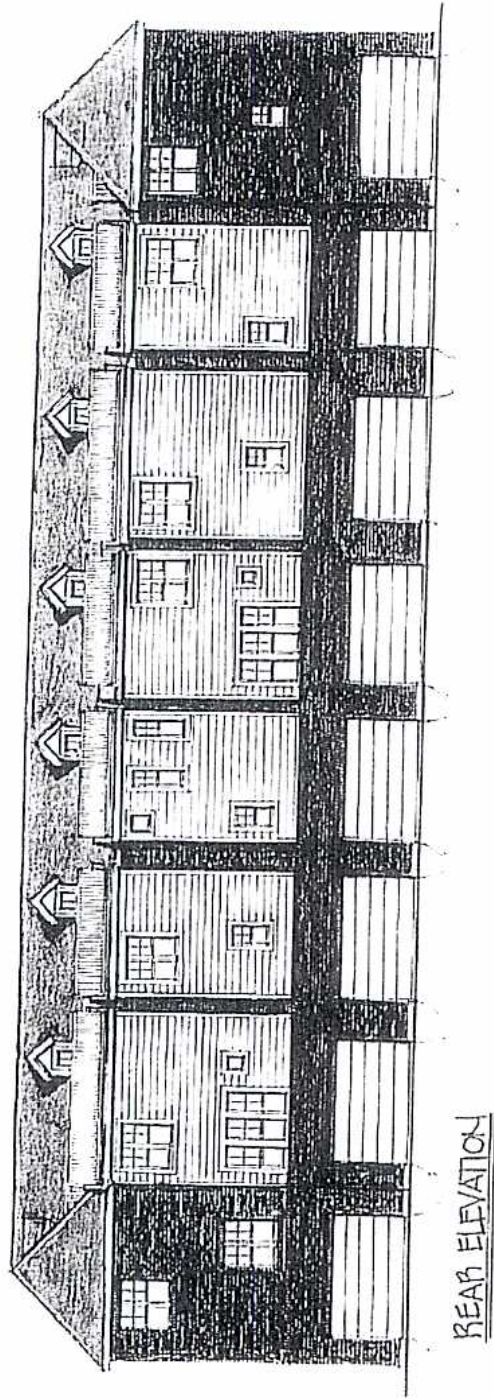
Voting Aye: Daseke, Gaines, Hewitt, Jandura, Lay, Wood,

Voting Nay: None

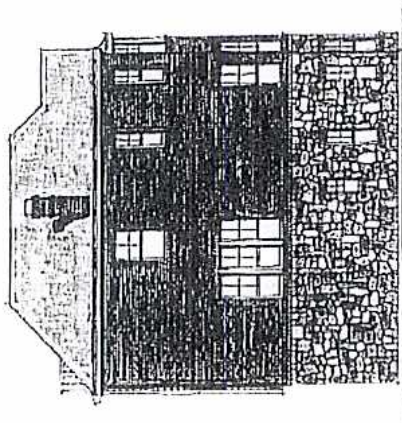
Absent: Bernstein



FRONT ELEVATION



REAR ELEVATION



SIDE ELEVATION

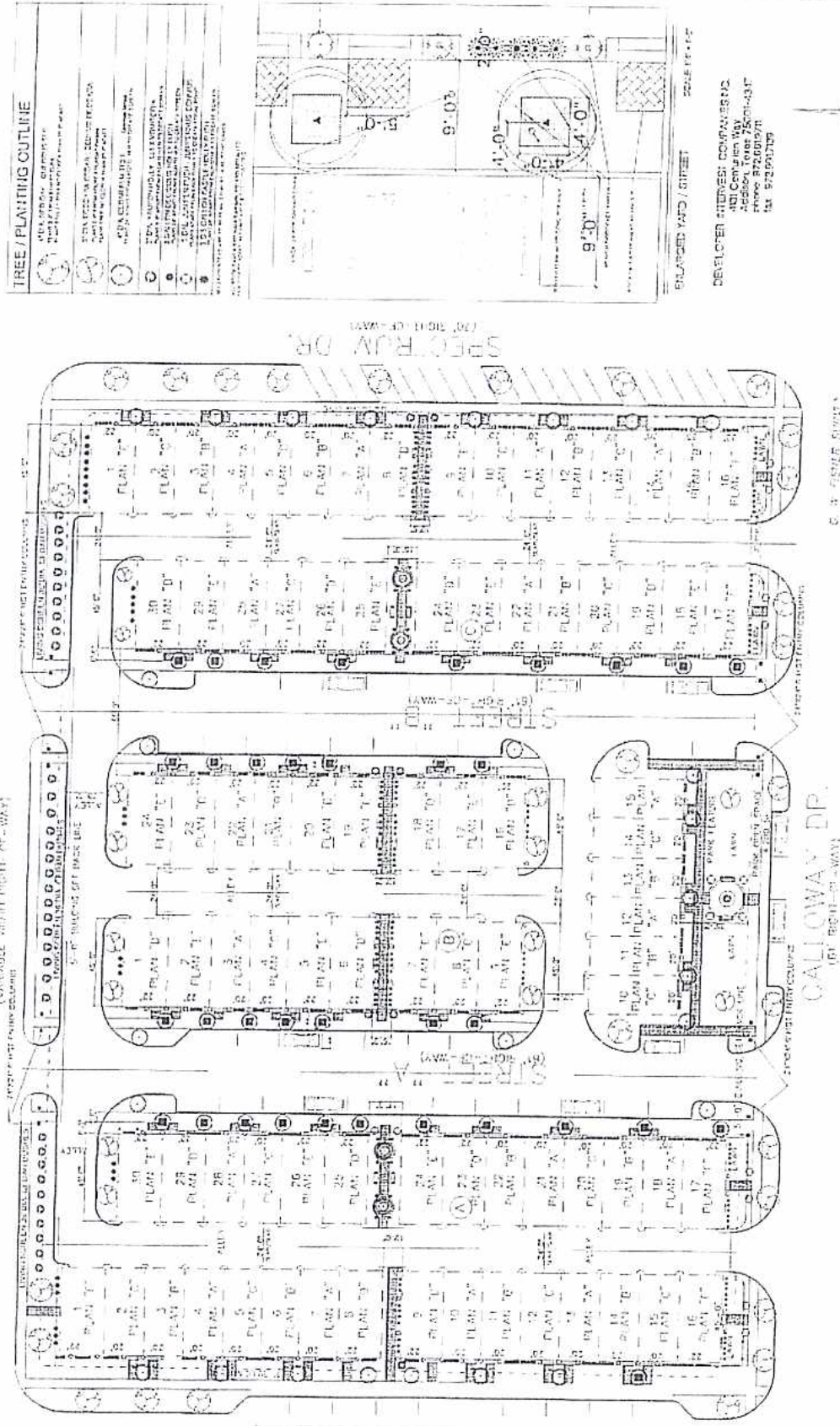
RESIDENCES OF ADDISON
BLOCKS A, B, C - LOT 1-B4
G.W. FISHER SURVEY ABSTRACT #48
CITY OF ADDISON, ORDINANCE NO. 007-040

OFFICE OF THE CITY SECRETARY

STRUCTURAL
LARRY G. SMITH ARCHITECT
2015 W. UNIVERSITY
SUITE 100
DALLAS, TEXAS 75201
PHONE 972.991.2000
FAX 972.991.2001

PROJECT # 0522
REVISED
DESIGN ISSUE
CONSTRUCTION
FINAL PLAN
RESIDENTIAL
UNIVERSITY HEIGHTS

AC.0



DEVELOPER: FISHER INVESTMENT COMPANY, INC.
401 Centiman Way
Addison, Texas 75001-4347
Phone: 972.991.9771
Fax: 972.991.9709

G.W. FISHER SURVEY #48
BLOCKS A, B, C - LOT 1-B4
G.W. FISHER SURVEY ABSTRACT #48
CITY OF ADDISON, TEXAS

FINAL DEVELOPMENT PLAN
SCALE 1/8" = 1'-0"

LANDSCAPING / SITE PLAN
SCALE 1/8" = 1'-0"

LANDSCAPING / SITE PLAN
SCALE 1/8" = 1'-0"

Memorandum

Date: August 19, 2008
To: Carmen Moran, Director of Development Services
From: Slade Strickland, Director of Parks and Recreation
Subject: **Case 1562 – Meridian Square**

The concept plan submitted by the applicant complies with the UC-Urban Center streetscape standards.

To: Carmen Moran, Director Development Services

From: Lynn Chandler, Building Official

Date: August 18, 2008

Subject: Meridian Square

The developer should be aware that he may need a unity agreement for the town homes depending on how close projections are to the property lines.

Memorandum



To: Carmen Moran, Director of Development Services
From: Gordon C. Robbins, Deputy Fire Chief
Date: Monday, August 18, 2008
Re: Case 1562 / Meridian Square

Emergency access appears to be acceptable, however we are waiting on final conformation from the developer that the fire lane turn radii are sufficient. In particular we have asked to see that an AASHTO WB-50 vehicle can make these turns:

Airport Parkway <--> Meridian Lane
Meridian <--> Meridian (90-degree turn)
Whisper <--> Meridian
Breedlove <--> Meridian
Meridian <--> Quorum

No fire hydrants were shown on the submittal. These will need to be placed at 300-foot intervals along streets and fire lanes serving the property.

Also, it is our understanding from previous meetings that:

- The alleys may be capped as they are not intended for emergency access use.
- The condo buildings will be 3-story metal frame on top of one-story concrete parking garage.

1

Carmen Moran

From: David Misko [dmisko@appliedtechgroup.net]
Sent: Tuesday, August 26, 2008 3:24 PM
To: Carmen Moran
Cc: Joe Stollo; Sarah McCrary; Gregg A Damiano; Gina Bender
Subject: District A meeting with Meridian Square Developers

Hello Carmen,

Recently some board members of the District A HOA met with representatives of Savannah Developers and Dowdy, Anderson & Assoc. for a briefing regarding the Meridian Square project. The information we received regarding the site development and the condominiums was interesting and we were pleased to see their plan.

One noteworthy point regarding property prices was that the anticipated listings of the condos will begin in the \$350,000 range. From a homeowner's perspective, this was important to us.

While we were disappointed there was no plan for a city-owned park, we were pleased to learn that the public will have open access to the green area adjacent to the pool. And a positive design element was that the parking garages for the condos will be within the buildings verses a standalone structure.

One more important aspect of the development was the David Weekly townhome portion, that we learned will begin shortly after the site preparation is completed. It is both of these developments together that comprise an overall plan for the property that the District A Board can support.

Thank you for your continued efforts to ensure a development near the Addison Circle area that supports the nearby homeowners' and Town of Addison's best interests.

David Misko
President – District A HOA Board
469-688-3800

OFFICIAL BALLOT

CITY MANAGER

**Texas Municipal League Intergovernmental Risk Pool
Board of Trustees Election**

Ballots must reach the office of David Reagan, Secretary of the Board, no later than September 30, 2008. Ballots received after September 30, 2008, cannot be counted. The ballot must be properly signed and all pages of the ballot must be mailed to: Trustee Election, David Reagan, Secretary of the Board, P. O. Box 149194, Austin, Texas 78714-9194.

The names of the officials listed on this ballot have been nominated to serve a six-year term on the TML Intergovernmental Risk Pool (Workers' Compensation, Property and Liability) Board of Trustees.

Each Member of the Pool is entitled to vote for Board of Trustee members. Please record your organization's choices by placing an "X" in the square beside the candidate's name. You can only vote for one candidate for each place.

PLACE 1

- E. 'Henry' Garcia.** City Manager for the City of Bracketville (Region 7). Mr. Garcia served in the U.S. Air Force in Southeast Asia during the Vietnam conflict. He worked for Pacific Bell/SBC for 31 years where he held various positions. At the time of retirement he was the area project manager for a 13-state area, responsible for standardizing methods and procedures for the outside installation and repair technician force.
- Robert T. Herrera** (Incumbent). City Manager of the City of Hondo (Region 7) since 2003. Mr. Herrera served as City Manager of La Porte from 1986 to 2002. He has served other Texas cities, including management positions with the cities of San Marcos, Missouri City and Woodway. He has been a Board member of the TML Intergovernmental Risk Pool since 1993 and has served as Chair and Vice Chair of the Board.
- Michael S. Nyren.** Risk Manager for Capital Metropolitan Transportation Authority in Austin (Region 10). Mr. Nyren has 26 years of experience in insurance and risk management. He was a claims adjuster with Liberty Mutual Insurance before joining Capital Metro 13 years ago. He has earned the Insurance Institute of America's designation of Associate in Risk Management (ARM) and Associate in Risk Management for Public Entities (ARM-P).

WRITE IN CANDIDATE:

PLACE 2

- Kevin Carruth.** City Manager for Paris (Region 15). Mr. Carruth has served as City Manager for Brownwood, Daingerfield, Hillsboro, and Prosper. He also served as Senior Program Analyst and Emergency Management Coordinator for Harris County Housing and Community Development Agency and on the Board of Directors for Fort Bend M.U.D. #41. He is an ICMA Credentialed Manager and active in the Texas City Management Association.
- Charles Cox.** Finance Director for Farmers Branch (Region 13). Mr. Cox has 23 years of government finance experience. He holds a master's degree in Finance from SMU and a Certificate from the Harvard University's J.F.K. School of Government Senior Executives in State and Local Government Program. He has served as President of the National GFOA and the Texas GFOA. In 2007 Mr. Cox received the Texas GFOA outstanding service award.
- Makia Epie (Incumbent).** Council Member for Cedar Hill (Region 13) since 1995. Mr. Epie is a hearing officer for the Texas Board of Pardons and Paroles, President of the North Central Texas Housing Finance Corporation, and an active participant on National League of Cities (Board of Directors 2005 – 2007) and Texas Municipal League committees. Mr. Epie has served on the Board of the TML Intergovernmental Risk Pool since 1997.
- Chris Jones.** Council Member for San Marcos (Region 10) since 2005. Mr. Jones serves on the Energy, Environment and Natural Resources Steering Committee for the National League of Cities. He completed undergraduate studies in public administration at Texas State University where he currently is a career advisor. He also worked as an intern for Lt. Governor Bill Ratliff and State Representative Patrick Rose.
- John Mitchiner.** Board of Directors of Galveston County W.C.I.D. #1 (Region 14) since 2004. Mr. Mitchiner served as Mayor for Dickinson from 1994 to 1999, as President for the Galveston County Mayors and Councilmen Association, as a Director for the North Galveston County Chamber of Commerce, as President of the Mainland Association of Life Underwriters, and as a Board Member of the Bay Area Harbour Playhouse.
- David L. Ragan.** Mayor of Richland Hills (Region 8) since 2006. Mr. Ragan served on the Richland Hills City Council from 1972 to 1978 and as Mayor from 1978 to 1986. He chairs the Richland Hills Development Corporation and has served on the Fort Worth Transportation Authority, the Tarrant County Transportation Coalition, the Tarrant County Mayor's Council, the Metroplex Partners in Mobility, and the Tarrant Regional Transportation Committee.
- Garry B. Watts.** Mayor of Shenandoah (Region 14). Mr. Watts served as a City Council member from 2006 until elected as Mayor in 2008. He retired as Senior Vice President of Marketing for AIG/American General in 2002, after more than 30 years in the insurance and banking industry. He is currently owner and President of G.B. Watts Investments, LLP. He has also received the designation of Certified Municipal Officer for the year 2008 from TML.

WRITE IN CANDIDATE:

PLACE 3



Paul Parker (Incumbent). City Manager for Lufkin (Region 16). He has served as City Manager of Mount Pleasant for five years and as Assistant City Manager and Director of Planning for Tyler for 15 years. He also served as Assistant City Manager for Fort Smith, Arkansas, and as Assistant Executive Director for the Kiamichi Economic Development District of Oklahoma. Mr. Parker is the current President of the Texas City Management Association.

WRITE IN CANDIDATE:

PLACE 4



Rickey C. Childers (Incumbent). City Manager for the City of Lancaster (Region 13). Mr. Childers has served as City Manager of Longview, Assistant City Manager of Abilene and Carrollton, and Deputy City Manager of Arlington. Mr. Childers is a past president of the Texas City Management Association and was on the Executive Board of ICMA. He has served on the TML Intergovernmental Risk Pool Board since 2002 and is its incoming Chair.



Doris Holtman. Finance Officer for the Waco Housing Authority and Affiliates (Region 9) for the past 11 years. Ms. Holtman is a 1975 graduate of the University of Mary Hardin-Baylor with a BBA in Accounting. She received her Certified Public Accounting license in 1991. She has served on the Girl Scouts of America – Waco Council Executive Board for the past several years.



Beverly Queen. City Manager for Bedford (Region 8) since 2006. Ms. Queen has served in municipal government for 30 years and has worked as a Finance Director, Director of Administrative Services, and Deputy City Manager. She has a Masters in Public Administration from the University of North Texas. She is a member of the National GFOA and has served GFOA of Texas as an At-Large Representative and Treasurer of the Board of Directors.

WRITE IN CANDIDATE:

BALLOT MUST BE SIGNED TO BE COUNTED

Certificate

I certify that the vote cast above has been cast in accordance with the will of the majority of the governing body of the public entity named below.

Witness by hand, this _____ day of _____, 2008.

Signature of Authorized Official

Title

Printed Name of Authorized Official

Printed name of Political Entity

Council Agenda Item **#ES1**

There are no attachments for this Item.

ITEM #R14

There are no attachments for this Item.