



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

AGENDA

REGULAR MEETING OF THE CITY COUNCIL

AND / OR

WORK SESSION OF THE CITY COUNCIL

6:00 PM

JANUARY 10, 2012

TOWN HALL

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

WORK SESSION

Item
#WS1 - Discussion regarding development plans at the Methodist Hospital for Surgery.

Item
#WS2 - Discussion regarding development plans at Village on the Parkway.

Item
#WS3 - Discussion regarding the process for conducting the City Manager's annual evaluation.

REGULAR MEETING

Pledge of Allegiance

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

Introduction of Employees

Discussion of Events/Meetings

Item #R2- Consent Agenda.

#2a- Approval of Minutes for the December 13, 2011 Regular Council Meeting.

Item #R3 Presentation to the City Council of the Built Award for 2011 -
- from the Greater Dallas Planning Council, which was awarded to Vitruvian Park on December 7, 2011.

Item #R4 **PUBLIC HEARING** Case 1647-SUP/Patton's Corner.

- Requesting approval of a Special Use Permit for a Christmas Tree Lot, located at 14345 Dallas Parkway, on application from Patton's Corner, represented by Mr. Jeff Patton.

COMMISSION FINDINGS: The Addison Planning and Zoning Commission, meeting in regular session on December 15, 2011, voted to recommend approval of a Special Use Permit for a Christmas Tree Lot for a period of five years, with the permit to expire on January 30, 2016, on application from Patton's Corner, subject to no conditions.

Voting Aye: Angell, Doherty, Groce, Hewitt, Wheeler,

Voting Nay: none

Absent: Gunther, Oliver

Attachment(s):

1. docket map, staff report, and commission findings

Recommendation:

Administration recommends approval.

Item #R5 **PUBLIC HEARING** Case 1648-Z/Village on the Parkway.

-

Discussion and consideration of a recommendation for approval of (i) the rezoning of a tract of land containing approximately 31 acres of land located at the southeast corner of Belt Line Road and Dallas Parkway and generally known as the Village on the Parkway and comprising all of Lots 1A, 1B and 2A of the Amended Replat of Lot 1A, Lot 1B and Lot 2A, Village on the Parkway recorded in Volume 2001019, Page 914, Official Public Records, Dallas County, Texas, from PD Planned Development District as described in Ordinance Nos. 096-003, 096-028, 002-001, and 005-024, to PD Planned Development District for office, retail, and restaurant uses, and, subject to the approval of a special use permit, the sale of beer and wine for off-premises consumption only, a movie picture theater, and a hotel, on application from VOP, LP, represented by Mr. Matt Balsman of Good, Fulton & Farrell Architects.

COMMISSION FINDINGS: The Addison Planning and Zoning Commission, meeting in regular session on December 15, 2011, voted to recommend approval of a rezoning and approval of development plans from PD, Planned Development District as described in Ordinance Nos. 096-003, 096-028, 002-001, and 005-024, to PD Planned Development District for office, retail, and

restaurant uses, and ,subject to the approval of a special use permit, the sale of beer and wine for off-premises consumption only, a movie picture theater, and a hotel, subject to the following conditions:

- The proposed development plans shall be revised to reflect the addition of trees to the west side and front of the grocery store building (as shown in the video)

- The proposed development plans shall be revised to indicate that all glass on the west side of the building shall be “vision glass” which allows views into and out of the store

- The proposed development plans shall be revised to include a 5-foot wide sidewalk along the entire street frontage against Belt Line Road

- The plans shall be revised to change the cable-railings on the south façade of the garage to pre-cast concrete panels matching the panels on the north side of the garage

- The applicant shall conduct a traffic impact analysis on the site to determine the possible need for a traffic signal on Montfort Drive

- In accordance with the Town's Landscaping Ordinance (Appendix A, Article XXI, Landscaping Regulations, Section 8, Paragraph B, Subparagraph 4.), the applicant shall pay a one-time fee to the Town in lieu of tree replacements in an approximate amount of \$592,411.36. The amount includes a credit for trees planted in the redevelopment. The staff will work with the applicant to determine the exact amount of the one-time fee

Voting Aye: Angell, Doherty, Groce, Hewitt, Wheeler,

Voting Nay: none

Absent: Gunther, Oliver

Attachment(s):

1. Staff Report

Recommendation:

Administration recommends approval with the following additional comments:

1. We continue to be concerned about the development plans for the corner of Belt Line and the Tollway. We have discussed on numerous occasions the need for this to be an attractive and active part of the project. The developer has placed retail on the back of the grocery store to address this concern. It is difficult from the plans we have seen to determine if it is in fact a positive addition to the center that creates a point of interest. In its present form it seems to be under parked and not particularly inviting. Add to that scenario that they are virtually eliminating all of the trees off of the front of the site and there is limited green space between the parking and the street and you can understand my concern. They are required to plant trees, but they will be significantly different than what is there now. This is one of our most important corners in town and I hope it feels like it once the project is developed. We do not want to design the developer's project, but we do feel an obligation to express this concern to them again.

2. I would recommend that the town fund the Traffic Study for the site and that we direct that process so that we get

all of the aspects of potential problems and opportunities addressed.

3. The number of parking spaces on the site is adequate. The placement of those spaces to accommodate the development should be left to the developer. I am recommending that the Town not participate in the cost of providing parking on site.

4. I am recommending that access to Sakowitz Drive be provided to the three adjoining property owners and they can provide parking at their cost as they see fit to accommodate their development. This would be accomplished through a ground lease with the town.

5. I would also recommend that the developer and adjacent property owners provide for the left hand turn lane off of Belt Line and construct the necessary improvements.

Item #R6 **PUBLIC HEARING** Case 1649-SUP/Village on the Parkway. Discussion and consideration of a recommendation for approval of a change in zoning, from PD 002-001 by recommending approval of a Special Use Permit for the sale of beer and wine for off-premises consumption on a tract of land containing approximately 31 acres located at the southeast corner of Belt Line Road and Dallas Parkway and generally known as the Village on the Parkway and comprising all of Lots 1A, 1B and 2A of the Amended Replat of Lot 1A, Lot 1B and Lot 2A, Village on the Parkway recorded in Volume 2001019, Page 914, Official Public Records, Dallas County, Texas, on application from VOP, LP, represented by Mr. Matt Balsman of Good, Fulton & Farrell Architects.

COMMISSION FINDINGS: The Addison Planning and

Zoning Commission, meeting in regular session on December 15, 2011, voted to recommend approval of a change in zoning by recommend approval of a Special Use Permit for the sale of beer and wine for off-premises consumption, subject to no conditions.

Voting Aye: Angell, Doherty, Groce, Hewitt, Wheeler,

Voting Nay: none

Absent: Gunther, Oliver

Attachment(s):

1. docket map, staff report, and COmmission findings

Recommendation:

Administration recommends approval.

Item #R7 **PUBLIC HEARING** Case 1650-SUP/Village on the Parkway. Discussion and consideration of a recommendation for approval of a change in zoning, from PD 002 by recommending approval of a Special Use Permit for a movie picture theater on a tract of land containing approximately 31 acres located at the southeast corner of Belt Line Road and Dallas Parkway and generally known as the Village on the Parkway and comprising all of Lots 1A, 1B and 2A of the Amended Replat of Lot 1A, Lot 1B and Lot 2A, Village on the Parkway recorded in Volume 2001019, Page 914, Official Public Records, Dallas County, Texas, on application from VOP, LP, represented by Mr. Matt Balsman of Good, Fulton & Farrell Architects.

COMMISSION FINDINGS: The Addison Planning and Zoning Commission, meeting in regular session on

December 15, 2011, voted to recommend approval of a change in zoning by recommend approval of a Special Use Permit for a movie picture theater, subject to no conditions.

Voting Aye: Angell, Doherty, Groce, Hewitt, Wheeler,

Voting Nay: none

Absent: Gunther, Oliver

Recommendation:

Adminstration recommends approval.

Item #R8 - Consideration and discussion of approval of a personnel realignment of City Manager's Office.

Recommendation:

Staff recommends approval.

Item #ES1 - Closed (Executive) session of the Addison City Council pursuant to Section 551.071, Texas Government Code, to conduct a private consultation with its attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter, regarding the Addison Municipal Court of Record No. 1.

Item #ES2 - Closed (Executive) session of the Addison City Council pursuant to Section 551.087, Texas Government Code, to discuss or deliberate regarding commercial or financial information that the City Council has received from a

business prospect or business prospects that the City Council seeks to have locate, stay, or expand in or near the territory of the Town of Addison and with which the City Council is conducting economic development negotiations, and/or to deliberate the offer of a financial or other incentive to such business prospect or business prospects.

Item #R9 - Consideration of any action regarding commercial or financial information that the City Council has received from a business prospect or business prospects that the City Council seeks to have locate, stay, or expand in or near the territory of the Town of Addison and with which the City Council is conducting economic development negotiations, and/or any action regarding the offer of a financial or other incentive to such business prospect or business prospects.

Adjourn Meeting

Posted:

Chris Terry, 1/6/2012, 5:00 PM

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

Council Agenda Item: #WS1

AGENDA CAPTION:

Discussion regarding development plans at the Methodist Hospital for Surgery.

FINANCIAL IMPACT:

n/a

BACKGROUND:

n/a

RECOMMENDATION:

n/a

COUNCIL GOALS:

N/A

ATTACHMENTS:

Description:

Type:

No Attachments Available

Council Agenda Item: #WS2

AGENDA CAPTION:

Discussion regarding development plans at Village on the Parkway.

FINANCIAL IMPACT:

n/a

BACKGROUND:

n/a

RECOMMENDATION:

n/a

COUNCIL GOALS:

N/A

ATTACHMENTS:

Description:

Type:

No Attachments Available

Council Agenda Item: #WS3

AGENDA CAPTION:

Discussion regarding the process for conducting the City Manager's annual evaluation.

FINANCIAL IMPACT:

n/a

BACKGROUND:

n/a

RECOMMENDATION:

n/a

COUNCIL GOALS:

N/A

ATTACHMENTS:

Description:

Type:

No Attachments Available

Council Agenda Item: #R 2a

AGENDA CAPTION:

Approval of Minutes for the December 13, 2011 Regular Council Meeting.

FINANCIAL IMPACT:

N/A

BACKGROUND:

N/A

RECOMMENDATION:

N/A

COUNCIL GOALS:

N/A

ATTACHMENTS:

Description:

[December 13 Minutes](#)

Type:

Backup Material

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

December 13, 2011

5:30 PM - Town Hall

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

Upstairs Conference Room

Council Members Present:

Arfsten, Clemens, DeFrancisco, Lay, Meier, Resnik

Absent:

Mellow

Work Session

Item #WS1 - Presentation and discussion of an incentive proposal for the Village on the Parkway.

Item #WS2 - Discussion and consideration of action regarding a committee of citizens, known as the Community Partner's Bureau, to serve as liaisons to various non-profit entities with which the Town has contracts for services.

Mayor-Todd Meier

Attest:

City Secretary-Chris Terry

OFFICIAL ACTIONS OF THE ADDISON CITY COUNCIL REGULAR MEETING

December 13, 2011

5:30 PM - Town Hall

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

Chris Terry, 12/8/2011, 5:00 PM

Council Members Present:

Arfsten, Clemens, DeFrancisco, Lay, Meier, Resnik

Absent:

Mellow

REGULAR MEETING

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

The following employees were introduced: Randy King, Information Technology; Shawn Ainsworth, Fire Department.

There was no action taken.

Item #R2 - Consent Agenda

#2a - Approval of Minutes for the November 22, 2011 Regular Council Meeting.

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

Voting Aye: Arfsten, Clemens, DeFrancisco, Lay, Meier, Resnik
Voting Nay: None

Absent: Mellow

#2b - Approval of an amended interlocal agreement between the Town of Addison and the City of Farmers Branch for the provision of library services, subject to the final review and approval of the City Manager and City Attorney.

A motion to Approve was made by Council Member Blake Clemens.
The motion was seconded by Council Member Neil Resnik.

The motion result was: Passed

Voting Aye: Arfsten, Clemens, DeFrancisco, Lay, Meier, Resnik
Voting Nay: None

Absent: Mellow

#2c - Approval of a resolution approving, and authorizing the City Manager to execute an interlocal agreement with the City of Carrollton entitled "Agreement for Cooperative Purchasing" for the purpose of allowing the Town to engage the services of a tree trimming /pruning company, and approval of authorizing the Town to enter into an agreement with the company to provide tree trimming/pruning services to the Town.

A motion to Approve was made by Council Member Blake Clemens.
The motion was seconded by Council Member Neil Resnik.

The motion result was: Passed

Voting Aye: Arfsten, Clemens, DeFrancisco, Lay, Meier, Resnik
Voting Nay: None

Absent: Mellow

#2d - Council approval is requested for the purchase of (1) 2012 Aerial Signs & Signal Truck, (1) 2012 Hybrid Electric Vehicle (HEV), (1) 2012

Cab & Chassis Dump Body Truck and (1) 2012 Loader Backhoe under the Town's Inter-local Agreement with the Texas Local Government Purchasing Cooperative - known as BuyBoard in the amount of \$167,286.75 and the Houston Galveston Area Council (HGAC) in the amount of \$84,303.00.

A motion to Approve was made by Council Member Blake Clemens. The motion was seconded by Council Member Neil Resnik.

The motion result was: Passed

Voting Aye: Arfsten, Clemens, DeFrancisco, Lay, Meier, Resnik

Voting Nay: None

Absent: Mellow

Item #R3 - PUBLIC HEARING Case 1646-SUP/Johnny's Pizza House. Public hearing, discussion and consideration of approval of an ordinance providing for a change of zoning on a tract of land generally located within the Town at 4145 Belt Line Road, Suite 218, which tract of land is currently zoned Local Retail by approving for that tract a Special Use Permit for a restaurant, a Special Use Permit for the sale of alcoholic beverages for on-premises consumption, and a Special Use Permit for an arcade, on application from Johnny's Pizza House, represented by Mr. Scott Lay of AR Lay Construction, LLC. The Addison Planning and Zoning Commission, meeting in regular session on November 17, 2011, voted to recommend approval of a Special Use Permit for a restaurant, a Special Use Permit for the sale of alcoholic beverages for on-premises consumption only, and a Special Use Permit for an arcade, on application from Johnny's Pizza House, subject to the following condition:-The applicant shall not use the term "bar", "tavern" "saloon" or any equivalent terms in exterior signs. Voting Aye: Angell, Doherty, Groce, Gunther, Hewitt, Oliver, Wheeler Voting Nay: none Absent: none

Ordinance 011-074 was approved.

A motion to Approve was made by Council Member Kimberly Lay.

The motion was seconded by Council Member Chris DeFrancisco.
The motion result was: Passed
Voting Aye: Arfsten, Clemens, DeFrancisco, Lay, Meier, Resnik
Voting Nay: None

Absent: Mellow

Item #R4 - Consideration and approval authorizing the City Manager to execute change order number 2 in the amount not to exceed \$138,144 and the addition of 60 days to remove and replace 5,000 linear feet of curbs for the Belt Line Median improvements.

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

Absent: Mellow

Item #R5 - Consideration of approval authorizing the City Manager to execute a contract with the City of Dallas for the purchase of wholesale treated water from Dallas Water Utilities, subject to final review and approval by the City Manager and City Attorney.

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

Absent: Mellow

Item #R6 - Discussion and consideration of approval of (i) a Consulting Services Agreement in the amount of \$174,750 between the Town and iXP Corporation to conduct a study regarding the

possible integration and cooperative use of the emergency services dispatch systems of the Town and the cities of Carrollton, Coppell and Farmers Branch, and (ii) an Interlocal Agreement between those four cities regarding equal sharing by the cities of the cost of the iXP study.

Item approved subject to both 1) the approval and execution by Coppell, Farmers Branch, and Carrollton of the interlocal agreement and 2) execution by Addison and iXP of the consulting services agreement between Addison and iXP Corporation.

A motion to Approve was made by Council Member Kimberly Lay.

The motion was seconded by Council Member Bruce Arfsten.

The motion result was: Passed

Voting Aye: Arfsten, Clemens, DeFrancisco, Lay, Meier, Resnik

Voting Nay: None

Absent: Mellow

Item #R7 - Consideration and discussion of the Department of Financial & Strategic Services Quarterly Review for the quarter and year-to-date ended September 30, 2011.

There was no action taken.

Item #ES1 - Closed (Executive) session of the Addison City Council pursuant to Section 551.087, Texas Government Code, to discuss or deliberate regarding commercial or financial information that the City Council has received from a business prospect or business prospects that the City Council seeks to have locate, stay, or expand in or near the territory of the Town of Addison and with which the City Council is conducting economic development negotiations, and/or to deliberate the offer of a financial or other incentive to such business prospect or business prospects.

Council entered executive session at 8:26 pm.

Council left executive session at 9:03 pm.

There was no action taken.

Item #R8 - Consideration of any action regarding commercial or financial information that the City Council has received from a business prospect or business prospects that the City Council seeks to have locate, stay, or expand in or near the territory of the Town of Addison and with which the City Council is conducting economic development negotiations, and/or any action regarding the offer of a financial or other incentive to such business prospect or business prospects.

There was no action taken.

Mayor-Todd Meier

Attest:

City Secretary-Chris Terry

Council Agenda Item: #R3

AGENDA CAPTION:

Presentation to the City Council of the Built Award for 2011 from the Greater Dallas Planning Council, which was awarded to Vitruvian Park on December 7, 2011.

FINANCIAL IMPACT:

NA

BACKGROUND:

NA

RECOMMENDATION:

COUNCIL GOALS:

N/A

ATTACHMENTS:

Description:

Type:

No Attachments Available

Council Agenda Item: #R4

AGENDA CAPTION:

PUBLIC HEARING Case 1647-SUP/Patton's Corner. Requesting approval of a Special Use Permit for a Christmas Tree Lot, located at 14345 Dallas Parkway, on application from Patton's Corner, represented by Mr. Jeff Patton.

COMMISSION FINDINGS: The Addison Planning and Zoning Commission, meeting in regular session on December 15, 2011, voted to recommend approval of a Special Use Permit for a Christmas Tree Lot for a period of five years, with the permit to expire on January 30, 2016, on application from Patton's Corner, subject to no conditions.

Voting Aye: Angell, Doherty, Groce, Hewitt, Wheeler,

Voting Nay: none

Absent: Gunther, Oliver

FINANCIAL IMPACT:

NA

BACKGROUND:

N/A

RECOMMENDATION:

Administration recommends approval.

COUNCIL GOALS:

N/A

ATTACHMENTS:

Description:

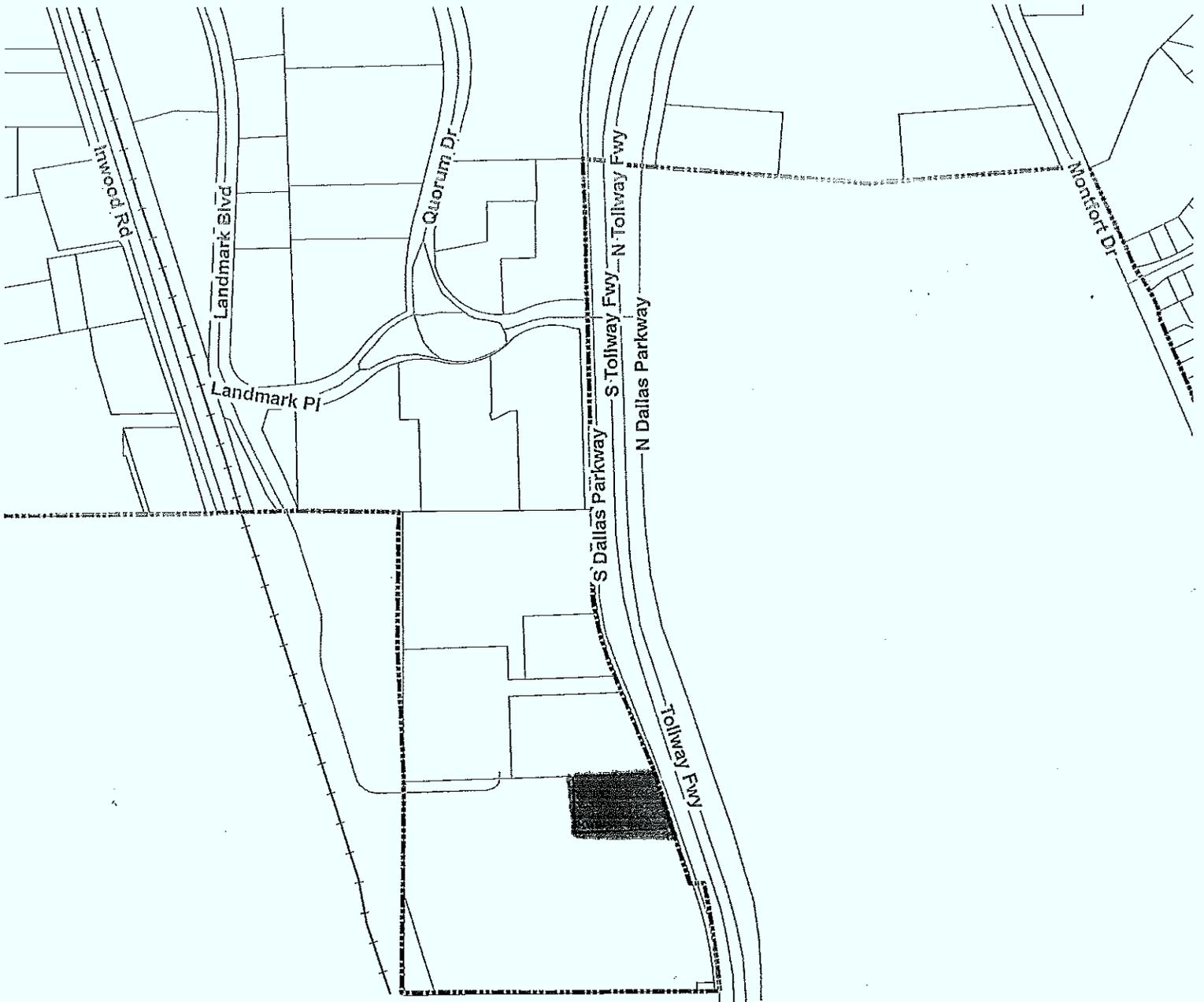
[docket map, staff report, and commission findings](#)

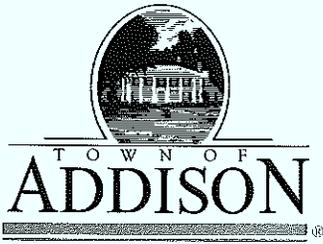
Type:

Backup Material

1647-SUP

PUBLIC HEARING Case 1647-SUP/Patton's Corner. Requesting approval of a Special Use Permit for a Christmas Tree Lot, located at 14345 Dallas Parkway, on application from Patton's Corner, represented by Mr. Jeff Patton.





November 29, 2011

STAFF REPORT

RE: Case 1647-SUP/Patton's Corner
LOCATION: 14345 Dallas Parkway
REQUEST: Requesting approval of a Special Use Permit for a Christmas tree lot
APPLICANT: Mr. Jeff Patton

DISCUSSION:

In Addison Christmas tree lots are required to obtain a Special Use Permit. Mr. Patton has operated a Christmas tree lot at this same location for several years. Mr. Patton typically has done a good job cleaning up the lot. In 2009, the staff felt that since Mr. Patton had operated a lot at the same location for several years, it would extend a 2-year Special Use Permit. Mr. Patton had a lot on the site in 2009 and 2010.

This year, Mr. Patton did not realize that his 2-year permit had expired, and did not file a request for a Special Use Permit in October. The staff felt that since this is the only Christmas tree lot in Addison, it would be appropriate to allow Mr. Patton to go ahead and open the lot, and run the paperwork through the process in December.

The staff feels, given Mr. Patton's track record as a good operator, that the permit could be extended for a period of five years. This would save Mr. Patton having to pay the \$650.00 fee and go back through the process for the next four years if he chooses to have a lot in the same location.

RECOMMENDATION:

Staff recommends approval of this request for a Special Use Permit for a Christmas Tree Lot for five years. The permit will expire on January 30, 2016.

Respectfully submitted,

Carmen Moran
Director of Development Services

COMMISSION FINDINGS:

The Addison Planning and Zoning Commission, meeting in regular session on December 15, 2011, voted to recommend approval of a Special Use Permit for a Christmas Tree Lot for a period of five years, with the permit to expire on January 30, 2016, on application from Patton's Corner, subject to no conditions.

Voting Aye: Angell, Doherty, Groce, Hewitt, Wheeler,

Voting Nay: none

Absent: Gunther, Oliver

Council Agenda Item: #R5

AGENDA CAPTION:

PUBLIC HEARING Case 1648-Z/Village on the Parkway.

Discussion and consideration of a recommendation for approval of (i) the rezoning of a tract of land containing approximately 31 acres of land located at the southeast corner of Belt Line Road and Dallas Parkway and generally known as the Village on the Parkway and comprising all of Lots 1A, 1B and 2A of the Amended Replat of Lot 1A, Lot 1B and Lot 2A, Village on the Parkway recorded in Volume 2001019, Page 914, Official Public Records, Dallas County, Texas, from PD Planned Development District as described in Ordinance Nos. 096-003, 096-028, 002-001, and 005-024, to PD Planned Development District for office, retail, and restaurant uses, and, subject to the approval of a special use permit, the sale of beer and wine for off-premises consumption only, a movie picture theater, and a hotel, on application from VOP, LP, represented by Mr. Matt Balsman of Good, Fulton & Farrell Architects.

COMMISSION FINDINGS: The Addison Planning and Zoning Commission, meeting in regular session on December 15, 2011, voted to recommend approval of a rezoning and approval of development plans from PD, Planned Development District as described in Ordinance Nos. 096-003, 096-028, 002-001, and 005-024, to PD Planned Development District for office, retail, and restaurant uses, and ,subject to the approval of a special use permit, the sale of beer and wine for off-premises consumption only, a movie picture theater, and a hotel, subject to the following conditions:

- The proposed development plans shall be revised to reflect the addition of trees to the west side and front of the grocery store building (as shown in the video)
- The proposed development plans shall be revised to indicate that all glass on the west side of the building shall be “vision glass” which allows views into and out of the store
- The proposed development plans shall be revised to include a 5-

foot wide sidewalk along the entire street frontage against Belt Line Road

·The plans shall be revised to change the cable-railings on the south façade of the garage to pre-cast concrete panels matching the panels on the north side of the garage

·The applicant shall conduct a traffic impact analysis on the site to determine the possible need for a traffic signal on Montfort Drive

·In accordance with the Town's Landscaping Ordinance (Appendix A, Article XXI, Landscaping Regulations, Section 8, Paragraph B, Subparagraph 4.), the applicant shall pay a one-time fee to the Town in lieu of tree replacements in an approximate amount of \$592,411.36. The amount includes a credit for trees planted in the redevelopment. The staff will work with the applicant to determine the exact amount of the one-time fee

Voting Aye: Angell, Doherty, Groce, Hewitt, Wheeler,

Voting Nay: none

Absent: Gunther, Oliver

FINANCIAL IMPACT:

NA

BACKGROUND:

NA

RECOMMENDATION:

Administration recommends approval with the following additional comments:

1. We continue to be concerned about the development plans for the corner of Belt Line and the Tollway. We have discussed on numerous occasions the need for this to be an attractive and active part of the project. The developer has placed retail on the back of the grocery store to address this concern. It is difficult from the plans we have seen to determine if it is in fact a positive addition to the center that creates a point of interest. In its present

form it seems to be under parked and not particularly inviting. Add to that scenario that they are virtually eliminating all of the trees off of the front of the site and there is limited green space between the parking and the street and you can understand my concern. They are required to plant trees, but they will be significantly different than what is there now. This is one of our most important corners in town and I hope it feels like it once the project is developed. We do not want to design the developer's project, but we do feel an obligation to express this concern to them again.

2. I would recommend that the town fund the Traffic Study for the site and that we direct that process so that we get all of the aspects of potential problems and opportunities addressed.

3. The number of parking spaces on the site is adequate. The placement of those spaces to accommodate the development should be left to the developer. I am recommending that the Town not participate in the cost of providing parking on site.

4. I am recommending that access to Sakowitz Drive be provided to the three adjoining property owners and they can provide parking at their cost as they see fit to accommodate their development. This would be accomplished through a ground lease with the town.

5. I would also recommend that the developer and adjacent property owners provide for the left hand turn lane off of Belt Line and construct the necessary improvements.

COUNCIL GOALS:

N/A

ATTACHMENTS:

Description:

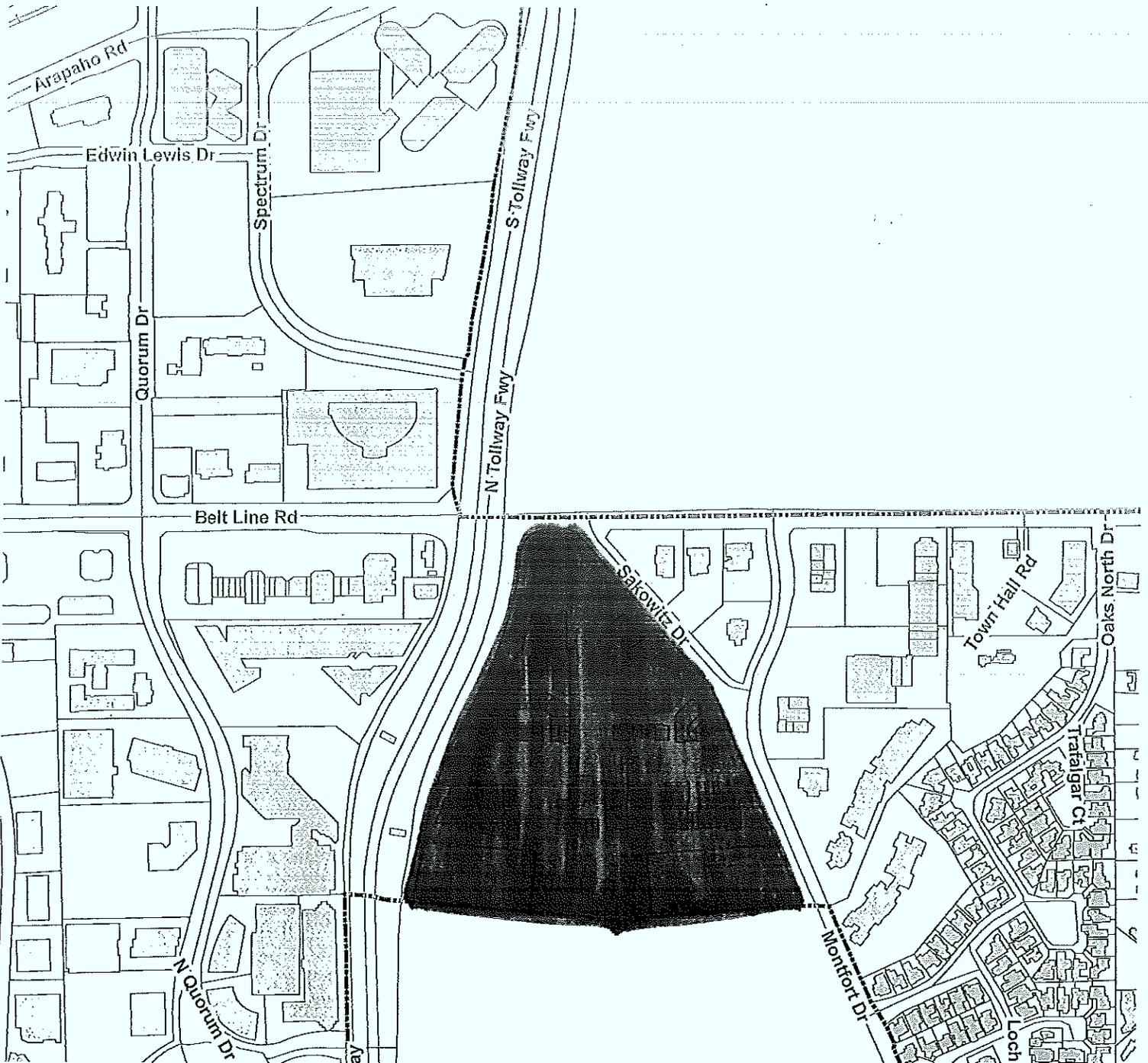
[Staff Report](#)

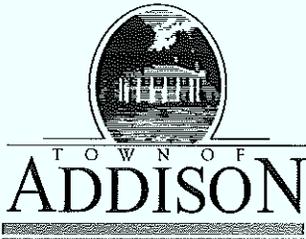
Type:

Backup Material

1648-Z

PUBLIC HEARING Case 1648-Z/Village on the Parkway. Discussion and consideration of a recommendation for approval of (i) the rezoning of a tract of land containing approximately 31 acres of land located at the southeast corner of Belt Line Road and Dallas Parkway and generally known as the Village on the Parkway and comprising all of Lots 1A, 1B and 2A of the Amended Replat of Lot 1A, Lot 1B and Lot 2A, Village on the Parkway recorded in Volume 2001019, Page 914, Official Public Records, Dallas County, Texas, from PD Planned Development District as described in Ordinance Nos. 096-003, 096-028, 002-001, and 005-024, to PD Planned Development District for office, retail, and restaurant uses, and, subject to the approval of a special use permit, the sale of beer and wine for off-premises consumption only, a movie picture theater, and a hotel, on application from VOP, LP, represented by Mr. Matt Balsman of Good, Fulton & Farrell Architects.





DEVELOPMENT SERVICES

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

16801 Westgrove

Post Office Box 9010 Addison, Texas 75001-9010

November 30, 2011

STAFF REPORT

RE: Case 1648-Z/Village on the Parkway

LOCATION: Approximately 31 acres of land located at the southeast corner of Belt Line Road and Dallas Parkway and generally known as the Village on the Parkway and addressed as 5100 Belt Line Road

REQUEST: Requesting approval of a rezoning from PD, Planned Development District as described in Ordinance Nos. 096-003, 096-028, 002-001, and 005-024, to PD Planned Development District for office, retail, and restaurant uses, and ,subject to the approval of a special use permit, the sale of beer and wine for off-premises consumption only, a movie picture theater, and a hotel

APPLICANT: VOP, LP, represented by Mr. Matt Balsman of Good Fulton & Farrell Architects

DISCUSSION:

Background. This property was developed in the late 1970's as the Sakowitz Village Shopping Center. The Sakowitz store occupied the 3-story building on the corner of Dallas Parkway and Belt Line Road until 1986, when all Sakowitz stores, except the store in Houston, closed. The shopping center was renamed the Village on the Parkway, and the big building sat vacant for several years, but was later occupied by Bed Bath and Beyond.

In 1991 there was a Price Club (competitor of Sam's Club) warehouse store proposed for this site and the rest of the site was to remain intact. The plan was approved by the Planning and Zoning Commission on September 26, 1991, but the case was withdrawn before going to Council.

In 1996, Southwest Properties rezoned the center from Local Retail to Planned Development (Ordinance 096-003) in order to change some development standards and adopt a mixed use parking ratio of 1 space per 250 square feet for all uses, but it did not make any structural changes to the center. It later amended the PD zoning district (096-028) to make minor amendments to development standards, but did not make any structural changes.

In 2000, the center was purchased by Dunhill Properties, which subdivided the property to create two separate lots on the southwest and southeast corners of the shopping center. Those lots provided required parking for the shopping center, but were seldom used. Dunhill contracted to sell the two lots to a development group that wanted to build two residential towers on the parking lots. In January of 2001, KS Development, which was a group headed by an architect named Sam Ng, proposed to develop an apartment tower on the western lot, adjacent to the Tollway, and a condominium building on the east side of the property. The condominium building was planned to contain 122 units with an average size of 1,919 square feet. It also had retail uses on the ground floor and a four-level garage with a pool and terrace on top of the garage. The building also proposed to have a 21,750 square-foot office space on the ground floor of the project on the Montfort Drive side.

The staff supported amending the Comprehensive Plan to allow the KS Development plan to be built. At that time, the staff evaluated that project against the goals of Addison's Comprehensive Plan, and found it was consistent with those goals. Staff recommended the Comprehensive Plan be amended to designate this area as a mixed-use district that would allow for retail, condominium, and multi-family uses. The rezoning for KS Development was approved by the City Council through Ordinance 002-001 on January 8, 2002. KS Development tried for many months to secure financing, but could not, and although the project was not built, the zoning remained in place.

Mockingbird Properties Plan. In March of 2003, Mockingbird Properties proposed to amend the zoning on the property. Mockingbird Properties' first plan was to develop the property with two residential towers in the same locations that KS Development had proposed. It proposed to build one apartment tower and one condominium tower. The plans indicated that the condominium tower on the west (Tollway) side would contain 251 tower units and 16 townhouse units. The apartment tower on the east (Montfort) side of the property was to contain 272 tower units and 16 town homes. There was no ground floor retail in either building. The plan went to a Planning and Zoning Commission in March and was tabled. A revised plan was submitted in April, which eliminated the tower on the west side of the site and replaced it with a 4-story, wood-frame building similar in form to the apartment buildings in Addison Circle. There was still a tower proposed on the east side that would be built to the FAA approved maximum height and would contain 256 units. The plan returned to the P&Z in May. The Planning and Zoning Commission recommended denial of the plan, which required a 3/4ths (six out of seven) vote for it to be approved by the Council. The request was denied by the Council through a 5-2 vote on June 10, 2003.

Amalfi Condominiums Plan. In 2005, Redwood Residential requested approval of an amendment to Ordinance 002-001, which approved the KS Development plan. Redwood Residential proposed to build only one tower on the east side of the property. Redwood Residential planned to build an 11-story condominium building containing 81 units. The building was to fit in the same footprint as the condominium building proposed by KS Development. It was approximately 779 feet above mean sea level, which was 15 feet shorter than the height approved by KS Development, and 15 feet shorter than the 794 height that the FAA will approve. The plan eliminated all retail and office uses at the ground floor that were part of the previous plan. The zoning for the Amalfi Condominiums was approved through Ordinance 005-024 on June 28, 2005. The project was never built, and the two lots continued to be owned by Dunhill Properties.

Proposed Plan. At this point, the center has been sold again and the new owner is VOP, LP, a partnership entity formed between The Retail Connection and Lincoln Properties. The new owners have purchased the two separate lots from Dunhill Properties and are proposing to replat the two separate lots back in to the shopping center to again make it one property. VOP,LP is dropping all plans for a mixed-use development and plans to redevelop the property as a shopping center. They are planning to bring in two anchor tenants: Whole Foods Grocery Store, and a 12-screen movie theater.

The grocery store is an allowed use under standard retail zoning, but the applicant indicated Whole Foods will want to sell beer and wine for off-premises consumption, and there is a Special Use Permit required for the sale of beer and wine for off-premises consumption. There is also a Special Use Permit required for a movie picture theater. The applicant wants to develop both the grocery store, and movie picture theater at this time, so there are companion cases, 1649-SUP and 1650-SUP that go with this case to separately approve those uses.

The applicant also indicated that it wants to add a hotel to the site at some point in the future. A hotel also requires a Special Use Permit, so the staff proposes to include a hotel on the list of allowed uses, subject to the approval of a Special Use Permit. This will allow the applicant to apply for a Special Use Permit for a hotel in the future without having to amend the PD zoning for the property.

The plans call for large-scale changes to the north and south ends of the center while keeping the middle of the center as it is now. The plans call for demolishing the Sakowitz building and replacing it with the Whole Foods Store. In addition, the southernmost building on the site will be demolished and replaced with a 12-screen movie theater and two restaurant spaces. The parking lot on the west side of the site will be covered with a 3-level parking structure.

Facades and orientation of grocery store. The applicant is proposing to construct the grocery store and theater out of painted, tilt-wall, concrete. The buildings also feature a variety of tower elements, ranging in height from 38 to 60 feet, as accent elements. The

buildings will be trimmed in cement plaster, manufactured stone veneer, synthetic wood, and clay tile roofing. The clay tile roofing might be an effort to match the trim on the existing shopping center and provide some common materials between the existing and new parts of the center. There is also some manufactured stone on the Blue Mesa building which might resemble the stone being proposed for the grocery store and theater. The architectural style of the new buildings will be more modern than the existing Mediterranean-styled buildings. However, the staff would note that the existing buildings have been so modified in the past that it could not be determined that there is a consistent style to them.

The plans indicate the former Bed Bath and Beyond store, and the parking lot in front of the existing store, will be demolished and the grocery store placed in that location. The front of the grocery store will face south, and the back will face Belt Line Road. The staff has expressed concern about the back of a grocery store facing the Town's "Main and Main" corner, and the long blank side of the grocery store facing Dallas Parkway. The applicant has placed some "liner" retail on the back of the store against the Belt Line frontage to partially solve the issue. However, the retail store-front lacks architectural detail and mass. The retail has a height of 22 feet. The cementitious screen behind the retail is set back 70 feet from the front façade of the retail, and it is 25 feet tall. In contrast, the existing Bed Bath and Beyond building is 52 feet tall. The staff feels that the proposed liner retail facing Belt Line Road does not provide enough height and mass to hold the Town's signature corner.

In addition, the west side of the grocery store provides approximately 160 feet of blank wall on the Dallas Parkway side. The building offers some manufactured stone veneer panels and some glazing (the architect did not know whether the glazing would be vision glass or opaque glass) to break up the long expanse, but it does not provide any activity or openings against the Parkway.

The staff has expressed to the applicant on several occasions that it did not want the corner of Belt Line and the Tollway to look and feel like the back of something. The applicant has indicated that it is important to face the front of the store to the south in order to put a field of parking in front of the store and visibly open up the retail that is in the core of the shopping center.

Screening of Mechanical Equipment. The plans do not indicate mechanical equipment on any buildings. However, the staff recommends that all mechanical equipment on top of and around all buildings be screened with a sight-barring material.

Parking. The redeveloped center will contain less retail square footage than the original center. The original center contained approximately 385,783 square feet of retail and restaurant space, and the redeveloped center will contain 319,500 square feet of retail and restaurant uses with a 50,000 square foot cinema. The 369,500 square foot shopping center is parked at a mixed use parking ratio of one space per 250 square feet for all uses.

The staff recommended the mixed use ratio in 1996 because in a large shopping center, it is very difficult to keep up with a required parking count when office, retail, and restaurant uses are figured separately, and in a large center there is generally an "economy of scale" that works to provide sufficient parking, though it may not be in as convenient a location as shoppers would prefer. The 369,500 square foot center requires:

Retail at a ratio of 1/250 for 319,500 square feet:	1,278 spaces
Theater at a ratio of one per four seats for 1,800 seats:	<u>450 spaces</u>
<hr/>	
Total	1,728 spaces

The plans show the center will provide 2,240 spaces, which is 512 spaces over the required number. 500 of those additional spaces will be a 4-level parking structure adjacent to the theater. The applicant has indicated that the theater operators require a one per three seat ratio, and the applicant also wants to be sure there is sufficient parking to provide for the two large restaurants it is proposing on either side of the theater entrance.

The parking structure is 4-levels and will be visible from the north and south sides. The north façade will have painted pre-cast panels on the upper three levels, but does not show any material or screening on the ground floor. The garage shows cable rails on the south side. This side is not readily visible from Addison or from Dallas Parkway frontage heading northbound. However, it is directly adjacent to an apartment complex in Dallas. The staff is opposed to cable rail parking garages in that they do not provide any screening for parked cars. Typically, the staff only has a concern when the garage is visible from public right-of-way. However, this proposed garage will be immediately adjacent to an apartment complex and will allow car lights to shine directly into the apartment windows. While that is a nuisance to the existing residents next door, staff has a further concern. At some point, the adjacent property will redevelop, and the staff does not want to hinder the redevelopment of the adjacent site by allowing a cable-rail garage to run a length of 350 feet down the north property line.

Landscaping. The applicant has provided a tree mitigation plan. The new development will take out trees on the north and south ends of the site, but will leave the center buildings, and all the landscaping associated with those buildings, intact. The plan shows that 180 trees on the north and south ends of the site, totaling 2,105 caliper inches of trees, will be removed in order to accommodate the new buildings. The plan also shows that 83 new 4-inch caliper trees, totaling 332 caliper inches, will be planted on the site. The redevelopment plan will leave a net reduction of 97 trees, or 1,815 caliper inches of growth. Slade Strickland notes that the existing trees on the site, many of which were planted more than 30 years ago, range in size from 7 to 28 caliper inches. The Town commissioned a *Tree Appraisal Report*, conducted by a Board-Certified Master Arborist at TreeConsult, LLC (attached), to assess the value of the existing trees on the site. The Arborist individually evaluated every tree that is proposed to be removed. While he found many of the trees on the site that were damaged and in

poor condition, he also noted that there are some "specimen Live Oaks" as large as 20 caliper inches.

The Town works stringently to see that trees, once planted, are maintained. However, there is a provision in the zoning ordinance for replacement of trees that are damaged or removed:

Article XXI, Landscaping Regulations, Section 8, Paragraph B, states:

B. Replacement Trees

1. Every property owner shall be responsible for replacing dead or missing trees within 30 days after notification by the Town. This provision shall also apply to trees that have been severely damaged, disfigured or topped. In addition to this section, replacement tree size and configuration shall comply with the standards set forth in Section 9 of this ordinance.
2. Any tree removed without the prior written approval of the Town's Director of Parks (as reflected in a Tree Permit issued pursuant to subsection C. of this section) shall be replaced caliper inch for caliper inch. For example, if a 15 inch caliper tree is removed, it shall be replaced with a 15 inch caliper tree.
3. Acceptable types of replacement trees are designated in Section 9. Landscape Standards and Specifications.
4. If the physical limitations of the subject property are such that all of the replacement trees cannot be properly placed on the subject property, the property owner shall locate any extra trees, with the approval of the Town of Addison, in the following locations: public rights-of-way, medians, or public park land. Such location of extra trees shall be performed at the direction of the Town. The property owner may pay a one-time fee per site to the Town in lieu of tree replacements, as approved by the Town Council.

The staff understands that it is not possible to keep all the trees on the site and still construct the proposed buildings. If the Council determines that a one-time fee is an acceptable alternative, the staff believes the *Tree Appraisal Report* provides an accurate value for the trees that will be removed. The report states that the total caliper inches of trees that will be removed is 2,105.7 caliper inches at an assessed value of \$658,811.36. The applicant is proposing to plant 83 new 4-inch caliper trees on the site. However, Slade Strickland recommends that all replacement trees be up-sized to 6-inch trees to help offset the overall site tree reduction. Slade estimates the cost of nursery-grown 6-inch tree at \$800.00, and the applicant is proposing to plant 83 trees, which would give the applicant a \$66,400.00 credit. Therefore, an appropriate one-time fee, if approved by the Council, would be \$592,411.36.

In addition, the applicant is proposing to keep the existing street landscape buffer that is currently on the site. The street landscape buffer is 5-foot wide, with no screening, for a length of 280 feet down the Dallas Parkway side of the site, and is 16-foot wide for a length of 350 feet along the Belt Line frontage. The extremely narrow street landscape buffer against Dallas Parkway is non-conforming or "grandfathered" because the Dallas North Tollway and Dallas Parkway frontage road were extended north past this site after the shopping center was constructed. The property owner was compensated for the land that was taken to build Dallas Parkway, and the property enjoys the "grandfathered" status as long as it is kept in the same condition as it was before the land was taken. However, a redevelopment of the site requires it to conform to the Town's current standards for landscaping, which state:

Article XXI, Section 7, Section A:

A. Street Landscape Buffer. In all Districts, a (20) twenty-foot wide landscape buffer strip shall be provided along the entire length of the portion of the perimeter of the lot where a public or private street exists, exclusive of driveways and access ways to points of ingress and egress to and from the lot.

1. The property owner shall be responsible for landscaping, irrigation, and maintenance of any right-of-way area between the property line and the curb line. Town right-of-way shall be in the (20) twenty-foot wide buffer and shall reduce the amount of required landscaping area of the lot by the amount (square foot for square foot).
2. The minimum requirement for street landscape buffers shall be one four-inch caliper shade tree for each (30) thirty linear feet of frontage and evergreen shrubs planted (3-3 1/2) three to three and one half feet on center depending on the species selected. Plant material planted in the street landscape buffer strip can be massed together to create visual interest at key entry points or focal points.

Additionally, the site does not include a sidewalk, which is required of all new construction. Slade Strickland recommends the required 5-foot wide sidewalk be added to the back side of the 20-foot wide street landscape buffer parking lot curb to create a pedestrian buffer between the sidewalk and the street.

Slade Strickland also notes that the Town has a goal of redeveloping Belt Line Road to provide a more pedestrian-friendly environment. The Town had a plan that enhanced the crossing on the Tollway bridge and provided a pedestrian island on the northwest corner of this site. The Town was not able to implement the plan because it did not get cooperation from the City of Dallas; however, the Town still has the goal and will attempt to come up with another plan. Toward that end, the Town would like a pedestrian/landscape easement on the northwest corner of the site at the intersection of Dallas Parkway and Belt Line Road for future intersection streetscape improvements.

The Town is only requesting an easement. There may not be any improvements made, but the Town would at least like to get an easement when this property is replatted.

Traffic. The staff asked Lee Engineering to review the proposed site plan and provide written comments to the staff. Lee's report estimates the redeveloped shopping center would generate approximately 8,000 to 9,000 trips on a typical weekday and approximately 800-900 trips during a typical peak hour between 4 pm and 6 pm. In conversations with Lee staff members, they noted that a theater generates approximately the same number of trips as a retail use per square foot, but the peak times are different, with a theater generating a higher number of trips in the evening and on weekends.

The Lee report offered several comments on the development proposal. It recommended that deceleration lanes be added at the driveways on Dallas Parkway and at the new drive opening on Belt Line Road. The staff feels that given the volume and speed of traffic on Dallas Parkway and Belt Line, deceleration lanes at those driveways are appropriate.

The report also notes that an access directly south out of the site to Verde Valley would take some traffic pressure off of Montfort Drive. The staff has long wanted to make a connection directly south to Noel Road, but it would involve going through properties in the City of Dallas, and those properties have not redeveloped.

The report recommends that a traffic study be conducted to assess six traffic concerns ranging from trip generation to a signal along Montfort Drive. The staff did not require a traffic study with the initial application, but it feels that the issues raised by the Lee Engineering report warrant a study at this point.

Proposed Left-turn lane. Access to this site has always been hampered by the lack of a left-turn into the site for westbound Belt Line traffic. In order to improve access to the center, the new owners are proposing to add a left-turn lane on Belt Line Road that will allow west-bound traffic on Belt Line to turn left (south) into the center. In order to fit the left-turn lane into the gap between Montfort and the Tollway, the access into the center, which is currently Sakowitz Drive, needs to be shifted to the east. Sakowitz Drive is a public right-of-way owned by the Town, but the applicant is proposing that the Town either abandon the street, or sell it to the applicant so that it can be redeveloped as a private drive.

The Town asked the applicant to discuss the proposal to privatize Sakowitz Drive with the adjacent neighbors: Original Pancake House, Twin Peaks, El Fenix, and The Flying Saucer. The neighbors seem to see the benefit of having a left-turn into the site and are willing to go along with the change to the street. The applicant has obtained written consent from all the affected neighbors, and the consent letters are attached (Twin Peaks and Original Pancake House are both operated by Front Burner Restaurants).

The addition of the left-turn lane will eliminate the landscaped median between Montfort and the Tollway, and will take out 14 mature trees. In this location, Belt Line Road belongs to the City of Dallas, and it is the Dallas traffic engineering department that will have to approve the median cut. However, Addison planted the trees in the median and maintains them through a license agreement with the City of Dallas. Therefore, the 14 trees were included in the Tree Appraisal Report for the site.

RECOMMENDATION:

The Staff has a lot of concerns about this plan. The long history of the zoning actions on this site was included to illustrate that this key corner in our Town has been reviewed many times for a variety of development possibilities. Some were very exciting and offered mixed-use possibilities in keeping with the mixed-use, high-density and walkable environment the Town is working to create. Those ideas didn't work out, and now the Town is presented with another possibility. While it is a less exciting possibility, it does bring the Town a quality grocery store, which its residents have long desired, and a movie theater.

The staff welcomes the new uses, but as noted, it has concerns about the following items:

- The orientation of the grocery store on the Town's Main and Main corner and the long blank façade of the store against Dallas Parkway
- The appearance of the parking structure, particularly the cable-railed south side of the structure
- The non-mitigated removal of 97 mature trees totaling 1,773 inches of caliper growth
- The lack of a conforming street landscape buffer against Belt Line Road and Dallas Parkway
- The lack of a sidewalk on Belt Line Road and Dallas Parkway
- Traffic issues, particularly the need for deceleration lanes at the proposed driveways on Dallas Parkway and Belt Line Road, and the possible need for a new traffic signal on Montfort Road.

The Staff wants this development to happen, but it does not feel we are "there yet" on the development plans. The applicant has indicated that it has to have the grocery store face the south so that it can open up a field of parking and visibly expose the retail in the core of the shopping center. The Town understands those needs, but the Town also has needs. The staff feels that the Town needs to have a quality development on this important corner that clearly indicates that Addison is a special Town with a quality environment. It does not want the Town's signature corner to look like the back of a grocery store. The Town also needs to protect its existing trees. The trees on this site, while not all wonderful, have been growing for 30 years, and all that growth is lost if they are taken out and replaced with new, smaller trees.

The staff does not feel that all design possibilities have been considered for this site, and recommends the request be tabled in order to give the staff time to work with the applicant toward a more site-sensitive design solution that the Town could embrace.

Respectfully submitted,

Handwritten signature of Carmen Moran in black ink.

Carmen Moran
Director of Development Services

COMMISSION FINDINGS:

The Addison Planning and Zoning Commission, meeting in regular session on December 15, 2011, voted to recommend approval of a rezoning and approval of development plans from PD, Planned Development District as described in Ordinance Nos. 096-003, 096-028, 002-001, and 005-024, to PD Planned Development District for office, retail, and restaurant uses, and ,subject to the approval of a special use permit, the sale of beer and wine for off-premises consumption only, a movie picture theater, and a hotel, subject to the following conditions:

- The proposed development plans shall be revised to reflect the addition of trees to the west side and front of the grocery store building (as shown in the video)
- The proposed development plans shall be revised to indicate that all glass on the west side of the building shall be "vision glass" which allows views into and out of the store
- The proposed development plans shall be revised to include a 5-foot wide sidewalk along the entire street frontage against Belt Line Road
- The plans shall be revised to change the cable-railings on the south façade of the garage to pre-cast concrete panels matching the panels on the north side of the garage
- The applicant shall conduct a traffic impact analysis on the site to determine the possible need for a traffic signal on Montfort Drive
- In accordance with the Town's Landscaping Ordinance (Appendix A, Article XXI, Landscaping Regulations, Section 8, Paragraph B, Subparagraph 4.), the applicant shall pay a one-time fee to the Town in lieu of tree replacements in an approximate amount of \$592,411.36. The amount includes a credit for trees planted in the redevelopment. The staff will work with the applicant to determine the exact amount of the one-time fee

Voting Aye: Angell, Doherty, Groce, Hewitt, Wheeler,

Voting Nay: none

Absent: Gunther, Oliver

Memorandum

Date: November 18, 2011
To: Carmen Moran, Director of Development Services
From: Slade Strickland, Director of Parks and Recreation
Subject: **Village on the Parkway Landscape Plan Recommendations**

1. The landscape regulations require that trees be replaced diameter inch for diameter inch. The conceptual landscape plan calls for the following tree removals and replacements with 4 inch diameter trees:

Proposed Tree Removals

• Existing Trees Removed	180
• Diameter Inches Removed	2,105

(Trees range in size from 3 inches to 27 inches in diameter)

Proposed Mitigation Plan

• 4" Diameter Replacement Trees	83
• Diameter Inches Replaced	332

Non-Mitigated Trees

• Total Trees	97
• Diameter Inches	1,773

Staff hired a consulting arborist, TreeConsult, to determine the estimated value of the trees as a means to determine a reasonable trade off for their removal. TreeConsult provided a detailed appraisal report, which is attached to this memorandum. The total appraised value is \$658,811.36..

2. Staff recommends that the applicant more aggressively evaluate the site to preserve more of the existing trees, particularly the live oaks, by possibly eliminating parking spaces.
3. All proposed mitigation trees shall be 6 inch diameter trees, to help offset the overall site tree reduction.
4. In accordance with the planned development district landscape regulations, provide a 20 foot wide landscape buffer along Belt Line Road, and along Dallas Parkway. Additionally, provide a 5 foot wide sidewalk, back of the parking lot curb, to create a pedestrian landscape buffer between sidewalk and the street.
5. Provide a pedestrian/landscape easement on the northwest corner of the site at the intersection of Dallas Parkway and Belt Line Road for future intersection streetscape improvements.



Village on the Parkway City of Addison, Texas



Tree Appraisal Report

November 25, 2011

Prepared for:

Mr. Slade Strickland
Director – Parks and Recreation
City of Addison

16801 Westgrove Drive
Addison, Texas 75001

Prepared by:

Gregory P. David, RCA/BCMA

TreeConsult, LLC

PO Box 9

Muenster, Texas 76252

940.759.2526 tel | 866.892.5010 fax

ASCA Registered Consulting Arborist

ISA Board-Certified Master Arborist



**Village on the Parkway
City of Addison, Texas**

Gregory P. David, RCA/BCMA/CFC
ASCA Registered Consulting Arborist
ISA Board-Certified Master Arborist
ACFEI Certified Forensic Consultant

Tree Appraisal Report
November 25, 2011

Prepared for:
Mr. Slade Strickland
Director – Parks and Recreation
City of Addison
16801 Westgrove Drive
Addison, Texas 75001

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Arboricultural
Consultation

Forensic
Analysis

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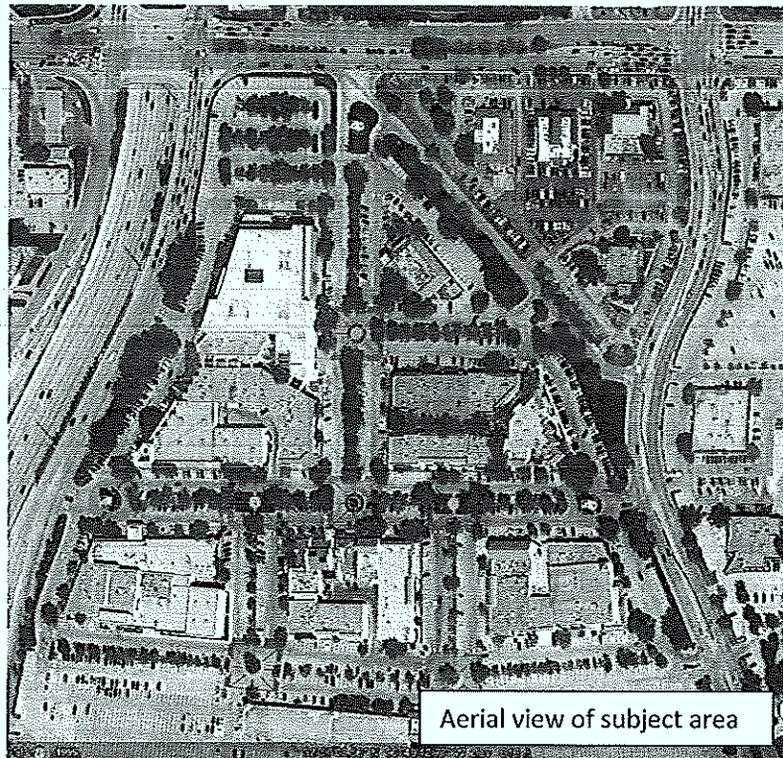
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1.0 Assignment / Scope of Work

The undersigned has been retained by the City of Addison, Texas. The scope-of-work for this report includes an examination, evaluation, and appraisal of one hundred and eighty trees to be impacted during proposed construction and redevelopment activities at the Village on the Parkway retail development situated on the southeast corner of Belt Line Road and the Dallas North Tollway.

2.0 Site History and Background Information

The subject trees are located on a 28 acre retail development originally built approximately 30 years ago. All of the trees on-site were purposely-planted, and are situated primarily in parking lot islands, parkways, sidewalk cutouts, and in the Beltline Road median.



Aerial view of subject area

3.0 Site Examination

The observations and opinions offered in this report are based upon a site inspection conducted on November 23rd, 2011.

4.0 Health and Condition of Subject Trees

Each tree was examined to determine its health and condition. Factors influencing the assignment of the Condition rating for each tree include the current overall vitality and vigor of the tree; past and present growth rates; presence of internal decay, canker, or significant cavities; amount and distribution of deadwood, stubs, or storm damage; indication of structural defects that impact tree safety; condition and integrity of the trunk, buttress roots, and root collar area; overall canopy configuration and scaffold structure; safe-useful-life-expectancy, and other observational details.

In most cases, the canopies of the subject trees have been thinned significantly, probably in an effort to reduce nuisance bird infestation and to improve the visibility of signage. Many of the trees have been planted in narrow or small planting beds between parking spaces and within sidewalks. In some cases, trees are situated below or directly adjacent to power lines. Other trees, specifically a row of Cedar Elm trees in the southeast quadrant of the property, appear to have gotten dry this past summer, possibly due to an irrigation outage.

4.1 Tree Size Measurements

Each subject tree was measured in accordance with ANSI Z60 and CTLA standards. Significant discrepancies between measured tree sizes and sizes shown on the submitted landscape plans have been highlighted in the attached, "Tree Appraisal Worksheet".

5.0 Viable Root Space

Each tree was examined to determine its potential for survival during construction and redevelopment activities. Viable Root Space is shown as either "Good", "Fair", or "Poor", and generally relates to the amount of root injury that would be expected during pavement demolition activities. Trees with a "Good" amount of Viable Root Space have a high probability of surviving carefully-implemented demolition activities. Viable Root Space impacts the appraised value of a tree if it significantly constrains the remaining safe-useful-life-expectancy of the tree.

6.0 Tree Appraisal Methodology

The **Depreciated Replacement Cost** approach to tree appraisal has been used to determine tree values for this appraisal project.

6.1 Depreciated Replacement Cost

The Depreciated Replacement Cost approach utilizes the Trunk Formula Method to calculate the cost to replace the trees, less adjustments for factors related to undesirable species characteristics, pre-incident health and condition of each tree, life expectancy, and site-related components.

Species factors for each tree have been determined by the Regional Plant Appraisal Committee of the Texas Chapter, International Society of Arboriculture. Species ratings used in this report are found in "Texas Supplement to Guide for Plant Appraisal, 3rd Approximation", published in January, 2011 by the Texas Chapter, ISA. The Species rating for Live Oak has been reduced due to the proximity of Oak Wilt disease in the area.

Condition ratings have been determined by an examination of each tree. Factors influencing Condition ratings have been previously outlined in Section 4.0 of this report. In determining the Condition rating for each tree, the subject tree is compared to a high-quality nursery-grown tree, and adjustments are made accordingly. As such, the subject tree need not be a perfect tree to be assigned a high Condition rating, but it should have qualities similar to a nursery-grown tree in order to be given a relatively-high Condition rating.

6.2 Unit Tree Cost

The Unit Tree Cost utilized in this appraisal report is \$76.00 per square inch of trunk cross-sectional-trunk-area, as stipulated by the Texas Chapter, International Society of Arboriculture, in the "Texas Supplement to the Guide for Plant Appraisal, Third Approximation", published in January, 2011.

6.3 Observational Data and Appraisal Calculations

Observational detail and appraisal calculations are offered in the attached spreadsheet entitled, "Village on the Parkway – City of Addison - Tree Appraisal Worksheet".

6.4 Opinion of Value

The Depreciated Replacement Costs of the one hundred and eighty subject trees are shown on the attached, "Village on the Parkway – City of Addison – Tree Appraisal Worksheet". A summary of the appraised values are shown in Section 6.5, below.

6.5 Summary of Appraised Tree Values

Tag #	Type of Tree	Size per plan	Measured Size	Appraised Value	Viability
2501	Cedar Elm	14.5	14.8	\$ 6,014.05	Good
2502	Cedar Elm	12.7	12.5	\$ 4,970.00	Good
2503	Live Oak	12.7	12.4	\$ 3,581.57	Good
2504	Live Oak	11.5	11.9	\$ 3,949.77	Good
2505	Live Oak	13.9	13.6	\$ 4,326.51	Fair
2506	Live Oak	10.1	10.0	\$ 2,757.59	Good
2507	Cedar Elm	12.9	12.3	\$ 5,495.26	Good
2508	Cedar Elm	11.8	11.5	\$ 4,786.08	Good
2509	Cedar Elm	13.7	13.8	\$ 4,345.92	Fair
2510	Cedar Elm	14	13.5	\$ 4,155.26	Good
2511	Live Oak	12.2	12.2	\$ 4,156.92	Good
2512	Live Oak	13	12.7	\$ 4,513.63	Good
2513	Live Oak	12.3	12.7	\$ 5,265.91	Good
2514	Cedar Elm	11.2	11.0	\$ 3,821.17	Good
2515	Cedar Elm	14.9	15.1	\$ 1,044.10	Poor
2516	Cedar Elm	13.3	13.1	\$ 0	Good
2517	Cedar Elm	13.8	13.3	\$ 4,030.48	Good
2518	Cedar Elm	11.7	11.4	\$ 4,113.18	Good
2519	Cedar Elm	12.7	12.0	\$ 4,570.76	Good
2520	Cedar Elm	12.4	12.1	\$ 2,656.75	Fair
2521	Cedar Elm	9.5	11.1	\$ 1,112.34	Poor
2522	Cedar Elm	11.3	11.2	\$ 1,699.66	Good
2523	Cedar Elm	14	14.7	\$ 6,920.24	Good
2524	Live Oak	14	14.2	\$ 4,724.76	Good
2525	Live Oak	9.1	9.1	\$ 2,265.07	Good
2526	Live Oak	11.5	11.3	\$ 4,142.77	Good
2527	Live Oak	9.5	9.4	\$ 2,424.09	Good
2528	Cedar Elm	11.4	11.3	\$ 4,039.20	Good
2529	Cedar Elm	12.3	12.3	\$ 4,808.35	Good
2530	Cedar Elm	15	13.4	\$ 4,911.17	Good
2531	Cedar Elm*	17	18.3	\$ 8,064.39	Good
2532	Cedar Elm	13	13.2	\$ 4,762.55	Good
2533	Cedar Elm	11.5	11.1	\$ 3,337.02	Good

Tag #	Type of Tree	Size per plan	Measured Size	Appraised Value	Viable Root Space
2534	Cedar Elm	12.5	12.0	\$ 4,570.76	Good
2535	Live Oak	12	10.4	\$ 2,492.82	Fair
2536	Live Oak	10.6	10.5	\$ 2,542.72	Fair
2537	Live Oak	13.1	14.1	\$ 7,451.51	Good
2538	Live Oak	10.7	10.2	\$ 2,394.45	Good
2539	Live Oak	9.9	10.2	\$ 2,394.45	Fair
2540	Live Oak	8.3	8.2	\$ 1,515.81	Fair
2541	Live Oak	14.5	14.5	\$ 3,944.27	Poor
2542	Live Oak	16	15.7	\$ 4,636.49	Poor
2543	Cherry Laurel	12.5	10.4	\$ 810.17	Poor
2544	Live Oak	8.6	8.7	\$ 1,374.05	Poor
2545	Live Oak	15.2	15.2	\$ 4,341.38	Poor
2546	Live Oak	14.3	14.2	\$ 6,614.67	Good
2547	Live Oak	10.3	10.1	\$ 1,876.79	Poor
2548	Live Oak	16.8	16.3	\$ 5,003.23	Poor
2549	Live Oak	14.3	14.1	\$ 7,451.51	Good
2550	Live Oak	12.5	12.8	\$ 2,293.35	Good
2551	Cedar Elm	13	12.9	\$ 3,029.21	Poor
2552	Cedar Elm	11.6	11.2	\$ 1,133.11	Poor
2553	Cedar Elm	12.5	13.7	\$ 3,425.52	Poor
2554	Cedar Elm	11.6	11.4	\$ 2,350.39	Poor
2555	Cedar Elm	11.9	11.8	\$ 2,523.22	Poor
2556	Cedar Elm	13.6	13.9	\$ 4,410.40	Poor
2557	Cedar Elm	13.5	13.4	\$ 0	Poor
2558	Cedar Elm	12	12.2	\$ 4,053.00	Poor
2559	Live Oak	16	15.3	\$ 7,699.36	Good
2560	Live Oak	17	15.7	\$ 6,954.73	Good
2561	Live Oak	12.5	12.5	\$ 728.21	Good
2562	Italian Cypress*	4	28'	\$ 950.00	Good
2563	Italian Cypress*	4	20'	\$ 695.63	Good
2564	Italian Cypress*	4	25'	\$ 950.00	Good
2565	Italian Cypress*	4	25'	\$ 950.00	Good
2566	Italian Cypress*	3	18'	\$ 795.00	Good
2567	Italian Cypress*	3	18'	\$ 795.00	Good
2568	Italian Cypress*	5	26'	\$ 950.00	Good

Tag #	Type of Tree	Size per plan	Measured Size	Appraised Value	Viability	Root Space
2569	Italian Cypress*	6	28'	\$ 950.00	Good	
2570	Italian Cypress*	3	18'	\$ 795.00	Good	
2571	Italian Cypress*	3	18'	\$ 496.88	Good	
2572	Italian Cypress*	3	20'	\$ 795.00	Good	
2573	Live Oak	23	21.9	\$ 11,361.62	Good	
2574	Cedar Elm	18	18.0	\$ 5,964.08	Good	
2575	Live Oak	16.5	16.1	\$ 8,539.04	Good	
2576	Live Oak	21.8	21.4	\$ 17,351.52	Good	
2577	Cedar Elm	14.3	14.6	\$ 7,799.72	Good	
2578	Live Oak	25.5	24.8	\$ 8,757.10	Good	
2579	Live Oak	17.5	17.9	\$ 1,512.11	Good	
2580	Live Oak	20	20.2	\$ 11,583.37	Fair	
2581	Live Oak	12.4	11.8	\$ 3,881.87	Good	
2582	Cedar Elm	14.5	13.8	\$ 3,476.73	Fair	
2583	Live Oak	16.8	16.7	\$ 1,313.84	Good	
2584	Live Oak	14.7	14.7	\$ 3,041.87	Good	
2585	Live Oak	10	10.1	\$ 1,407.59	Good	
2586	Live Oak	14.1	14.2	\$ 3,779.81	Good	
2587	Cedar Elm	15	14.7	\$ 5,931.64	Good	
2588	Live Oak	17.7	17.7	\$ 8,868.65	Good	
2589	Live Oak	27.6	27.9	\$ 22,194.98	Fair	
2590	Cedar Elm	13.2	13.0	\$ 3,077.45	Poor	
2591	Live Oak	15	14.7	\$ 3,041.87	Fair	
2592	Live Oak	11.4	11.3	\$ 1,775.47	Poor	
2593	Live Oak	14	12.4	\$ 3,581.57	Good	
2594	Live Oak	8.2	7.7	\$ 795.60	Good	
2595	Live Oak	8.8	8.9	\$ 1,801.61	Poor	
2596	Live Oak	8.5	8.2	\$ 1,818.97	Poor	
2597	Live Oak	7.8	8.1	\$ 1,476.89	Poor	
2598	Live Oak	15.5	14.3	\$ 4,792.81	Poor	
2599	Live Oak	10.6	10.1	\$ 2,345.98	Poor	
2600	Live Oak	12	12.0	\$ 2,009.13	Poor	
2601	Live Oak	8.7	8.7	\$ 687.03	Poor	
2602	Live Oak	9.5	9.6	\$ 2,110.80	Poor	
2603	Live Oak	12.5	11.9	\$ 3,291.48	Poor	

Tag #	Type of Tree	Size per plan	Measured Size	Appraised Value	Viable Root Space
2604	Live Oak	18.2	17.7	\$ 2,956.22	Poor
2605	Sweetgum	12.3	12.1	\$ 2,852.60	Poor
2606	Live Oak	12.5	13.0	\$ 2,367.27	Poor
2607	Live Oak	13.2	13.1	\$ 2,404.66	Poor
2608	Sweetgum	10.2	16.1	\$ 7,151.45	Poor
2609	Yaupon Holly	8	8.0	\$ 675.00	Poor
2610	Live Oak	21	20.4	\$ 13,785.35	Good
2611	Live Oak	16.6	16.4	\$ 8,864.95	Good
2612	Live Oak	18.2	17.7	\$ 10,346.75	Good
2613	Live Oak	19.6	19.0	\$ 10,235.60	Good
2614	Live Oak	13.5	13.6	\$ 6,057.11	Good
2615	Live Oak	18	17.8	\$ 10,465.42	Good
2616	Live Oak	16.7	16.7	\$ 10,510.72	Good
2617	Live Oak	12.7	12.4	\$ 3,581.57	Good
2618	Sweetgum	9.3	9.2	\$ 970.46	Poor
2619	Sweetgum	11.5	10.6	\$ 2,171.72	Poor
2620	Sweetgum	12.4	11.9	\$ 2,756.61	Poor
2621	Live Oak	9.2	9.1	\$ 1,887.56	Poor
2622	Cedar Elm	7.7	7.6	\$ 1,005.78	Poor
2623	Cedar Elm	8.6	8.6	\$ 326.87	Poor
2624	Cedar Elm	6.2	6.4	\$ 346.45	Poor
2625	Cedar Elm	7.8	7.9	\$ 273.09	Poor
2626	Cedar Elm	7.2	7.0	\$ 210.66	Poor
2627	Cedar Elm	6.3	6.5	\$ 0	Poor
2628	Cedar Elm	9	10.9	\$ 0	Poor
2629	Cedar Elm	9	8.6	\$ 1,307.48	Poor
2630	Live Oak	13.3	13.2	\$ 3,256.45	Poor
2631	Live Oak	6.9	6.9	\$ 1,047.12	Poor
2632	Sweetgum	9.3	9.0	\$ 1,853.57	Poor
2633	Sweetgum	10	10.2	\$ 2,406.42	Poor
2634	Sweetgum	8.6	8.2	\$ 1,523.39	Poor
2635	Sweetgum	7.5	10.2	\$ 2,406.42	Poor
2636	Sweetgum	8.5	8.5	\$ 1,643.61	Poor
2637	Live Oak	12	12.0	\$ 3,348.54	Good
2638	Live Oak	12.5	12.4	\$ 2,865.26	Good

Tag #	Type of Tree	Size per plan	Measured Size	Appraised Value	Viable Root Space
2639	Cedar Elm	11.4	11.1	\$ 2,224.68	Poor
2640	Cedar Elm	9	8.8	\$ 1,715.36	Poor
2641	Cedar Elm	7.2	7.3	\$ 691.90	Poor
2642	Cedar Elm	8.8	8.5	\$ 318.91	Poor
2643	Cedar Elm	9.1	9.1	\$ 1,104.22	Poor
2644	Cedar Elm	9.5	9.3	\$ 1,155.62	Poor
2645	Cedar Elm	7.6	7.4	\$ 949.91	Poor
2646	Live Oak	13.3	13.4	\$ 5,037.10	Good
2647	Live Oak	12.2	12.1	\$ 5,449.74	Good
2648	Live Oak	11.6	11.4	\$ 3,615.99	Poor
2649	Live Oak	15.3	15.5	\$ 4,517.30	Poor
2650	Live Oak	12.6	12.2	\$ 4,156.92	Poor
2651	Live Oak	13.5	13.9	\$ 3,618.79	Fair
2652	Live Oak	14.7	14.2	\$ 3,779.81	Fair
2653	Live Oak	7.8	8.4	\$ 957.05	Fair
2654	Live Oak	12.8	12.0	\$ 2,678.83	Fair
2655	Live Oak	10	15.8	\$ 4,696.66	Good
2656	Live Oak	11.6	11.5	\$ 2,454.40	Poor
2657	Live Oak	6.7	6.7	\$ 589.31	Poor
2658	Live Oak	8	8.0	\$ 575.38	Poor
2659	Live Oak	15.5	15.0	\$ 3,169.51	Poor
2660	Live Oak	18.2	17.8	\$ 7,475.30	Poor
2661	Live Oak	13	12.8	\$ 3,057.80	Poor
2662	Live Oak	14.5	14.6	\$ 3,999.85	Poor
2663	Live Oak	17.8	17.4	\$ 7,139.12	Poor
2664	Yaupon Holly	6.2	6.0	\$ 675.00	Poor
2665	Live Oak	18	17.6	\$ 4,383.75	Poor
2666	Live Oak	10	9.9	\$ 2,250.48	Fair
2760	Holly		6.8	\$ 675.00	Good
2761	Texas Ash*		14.5	\$ 5,916.41	Good
2762	Texas Ash*		16.5	\$ 7,692.79	Good
2763	Texas Ash*		14.1	\$ 4,657.20	Good
2764	Chinese Pistache*		6.7	\$ 1,478.18	Good
2765	Chinese Pistache*		6.9	\$ 1,575.92	Good
2766	Chinese Pistache*		11.7	\$ 4,784.07	Good

Tag #	Type of Tree	Size per plan	Measured Size	Appraised Value	Viable Root Space
2767	Chinese Pistache*		8.5	\$ 2,812.94	Good
2768	Chinese Pistache*		8.3	\$ 2,006.21	Good
2769	Chinese Pistache*		11.2	\$ 4,372.63	Good
2770	Chinese Pistache*		7.6	\$ 1,940.64	Good
2771	Chinese Pistache*		10.9	\$ 3,543.76	Good
2772	Chinese Pistache*		10.3	\$ 3,677.31	Good
2773	Chinese Pistache*		11.4	\$ 3,887.19	Good
2774	Chinese Pistache*		12.2	\$ 5,213.48	Good

* = Corrected Tree Species

7.0 Certificate of Performance

I, Gregory P. David, certify:

- That I have personally inspected the tree(s) and/or the property referred to in this report, and have stated my findings accurately;
- That I have no current or prospective interest in the vegetation or the property that is the subject of this report, and that I have no personal interest or bias with respect to the parties involved;
- That the analysis, opinions, and conclusions stated herein are my own, and are based upon current scientific procedures and facts;
- That my compensation is not contingent upon the reporting of a predetermined conclusion that favors the cause of the client or any other party, nor upon the results of the assessment, the attainment of stipulated results, or the occurrence of any subsequent events;
- That my analysis, opinions, and conclusions were developed and this report has been prepared according to commonly-accepted arboricultural practices;
- That no one provided significant professional assistance to this consultant during this investigation and analysis, except as indicated within this report.

I further certify that I am currently a Registered Consulting Arborist under the auspices of the American Society of Consulting Arborists and that I am currently a Board-Certified Master Arborist under the auspices of the International Society of Arboriculture. I have been involved in the practice of arboriculture and the care and study of trees since 1974.

Village on the Parkway - City of Addison - Tree Appraisal Worksheet



November 25, 2011

10000 Lakeshore Blvd. Suite 1000
Dallas, TX 75243-1000
Phone: 972.382.2222
www.treeconsult.com

Tree ID#	Species	Size		Species Rating	Condition Rating	Appraised Value	Viability	Comments
		On Plan (inches)	Measured (inches)					
2501	Cedar Elm	14.5	14.8	78	60	\$ 6,014.05	Good	Tight low fork
2502	Cedar Elm	12.7	12.5	78	70	\$ 4,970.00	Good	
2503	Live Oak	12.7	12.4	80	50	\$ 3,581.57	Good	Stubby, storm damage
2504	Live Oak	11.5	11.9	80	60	\$ 3,949.77	Good	Possible girdling root
2505	Live Oak	13.9	13.6	80	50	\$ 4,326.51	Fair	
2506	Live Oak	10.1	10.0	80	60	\$ 2,757.59	Good	Possible girdling roots
2507	Cedar Elm	12.9	12.3	78	80	\$ 5,495.26	Good	
2508	Cedar Elm	11.8	11.5	78	80	\$ 4,786.08	Good	
2509	Cedar Elm	13.7	13.8	78	50	\$ 4,345.92	Fair	
2510	Cedar Elm	14	13.5	78	50	\$ 4,155.26	Good	Sparse, sucker growth, mistletoe
2511	Live Oak	12.2	12.2	80	60	\$ 4,156.92	Good	Sparse, stubby
2512	Live Oak	13	12.7	80	60	\$ 4,513.63	Good	Slightly stubby
2513	Live Oak	12.3	12.7	80	70	\$ 5,265.91	Good	Storm damage
2514	Cedar Elm	11.2	11.0	78	70	\$ 3,821.17	Good	Mistletoe
2515	Cedar Elm	14.9	15.1	78	10	\$ 1,044.10	Poor	Storm damage, mistletoe, large codominant trunk
2516	Cedar Elm	13.3	13.1	78	0	\$ -	Good	Codominant, storm damage, decay, recommend removal
2517	Cedar Elm	13.8	13.3	78	50	\$ 4,030.48	Good	Heavy mistletoe, high codominant fork
2518	Cedar Elm	11.7	11.4	78	70	\$ 4,113.18	Good	Mistletoe
2519	Cedar Elm	12.7	12.0	78	70	\$ 4,570.76	Good	Mistletoe
2520	Cedar Elm	12.4	12.1	78	40	\$ 2,656.75	Fair	Heavy mistletoe
2521	Cedar Elm	9.5	11.1	78	20	\$ 1,112.34	Poor	Low trunk removed, stubby, mistletoe
2522	Cedar Elm	11.3	11.2	78	30	\$ 1,699.66	Good	Stubby, scattered small deadwood, mistletoe, poor vigor
2523	Cedar Elm	14	14.7	78	70	\$ 6,920.24	Good	Mistletoe
2524	Live Oak	14	14.2	80	50	\$ 4,724.76	Good	Poor flare, stubby
2525	Live Oak	9.1	9.1	80	60	\$ 2,265.07	Good	Flat one side

Village on the Parkway - City of Addison - Tree Appraisal Worksheet



3000 W. UNIVERSITY AVE. DALLAS, TEXAS 75201-2800

November 25, 2011

Tree ID#	Species	Size		Measured Size (inches)	Species Rating	Condition Rating	Appraised Value	Space	Comments	Viability
		Shown (inches)	On Plan (inches)							
2526	Live Oak	11.5	11.3	11.3	80	70	\$ 4,142.77	Good	Overpruned	
2527	Live Oak	9.5	9.4	9.4	80	60	\$ 2,424.09	Good	Stubby	
2528	Cedar Elm	11.4	11.3	11.3	78	70	\$ 4,039.20	Good	Mistletoe	
2529	Cedar Elm	12.3	12.3	12.3	78	70	\$ 4,808.35	Good	Mistletoe	
2530	Cedar Elm	15	13.4	13.4	78	60	\$ 4,911.17	Good	Poor scaffold structure	
2531	Cedar Elm*	17	18.3	18.3	68	60	\$ 8,064.39	Good	Codominant, will need bolts and cable	
2532	Cedar Elm	13	13.2	13.2	78	60	\$ 4,762.55	Good	Codominant, mistletoe	
2533	Cedar Elm	11.5	11.1	11.1	78	60	\$ 3,337.02	Good		
2534	Cedar Elm	12.5	12.0	12.0	78	70	\$ 4,570.76	Good	Mistletoe	
2535	Live Oak	12	10.4	10.4	80	50	\$ 2,492.82	Fair	Storm damage	
2536	Live Oak	10.6	10.5	10.5	80	50	\$ 2,542.72	Fair		
2537	Live Oak	13.1	14.1	14.1	80	80	\$ 7,451.51	Good		
2538	Live Oak	10.7	10.2	10.2	80	50	\$ 2,394.45	Good	Suppressed by Live Oak #2537, poor canopy shape	
2539	Live Oak	9.9	10.2	10.2	80	50	\$ 2,394.45	Fair		
2540	Live Oak	8.3	8.2	8.2	80	50	\$ 1,515.81	Fair	Stunted	
2541	Live Oak	14.5	14.5	14.5	80	40	\$ 3,944.27	Poor	Near building	
2542	Live Oak	16	15.7	15.7	80	40	\$ 4,636.49	Poor	Near building	
2543	Cherry Laurel	12.5	10.4	10.4	65	20	\$ 810.17	Poor	Situated in very narrow planter - overgrown	
2544	Live Oak	8.6	8.7	8.7	80	40	\$ 1,374.05	Poor	Near building, flat one side	
2545	Live Oak	15.2	15.2	15.2	80	40	\$ 4,341.38	Poor	Lifting sidewalk	
2546	Live Oak	14.3	14.2	14.2	80	70	\$ 6,614.67	Good	Flat one side, near building - in large bed area	
2547	Live Oak	10.3	10.1	10.1	80	40	\$ 1,876.79	Poor		
2548	Live Oak	16.8	16.3	16.3	80	40	\$ 5,003.23	Poor		
2549	Live Oak	14.3	14.1	14.1	80	80	\$ 7,451.51	Good		
2550	Live Oak	12.5	12.8	12.8	80	30	\$ 2,293.35	Good	Storm damage, sparse	

Village on the Parkway - City of Addison - Tree Appraisal Worksheet



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November 25, 2011

Size
Shown Measured

Tree ID#	Species	On Plan (inches)	Size (inches)	Species Rating	Condition Rating	Appraised Value	Space	Comments
2551	Cedar Elm	13	12.9	78	40	\$ 3,029.21	Poor	Heavy mistletoe, grade change between pavement
2552	Cedar Elm	11.6	11.2	78	20	\$ 1,133.11	Poor	Very heavy mistletoe, grade change between pavement
2553	Cedar Elm	12.5	13.7	78	40	\$ 3,425.52	Poor	Very heavy mistletoe, grade change between pavement
2554	Cedar Elm	11.6	11.4	78	40	\$ 2,350.39	Poor	Heavy mistletoe, grade change between pavement
2555	Cedar Elm	11.9	11.8	78	40	\$ 2,523.22	Poor	Heavy mistletoe, grade change between pavement
2556	Cedar Elm	13.6	13.9	78	50	\$ 4,410.40	Poor	Mistletoe, codominant, grade change between pavement
2557	Cedar Elm	13.5	13.4	78	0	\$ -	Poor	Storm damage, mistletoe, codominant, grade change
2558	Cedar Elm	12	12.2	78	60	\$ 4,053.00	Poor	Mistletoe, grade change
2559	Live Oak	16	15.3	80	70	\$ 7,699.36	Good	Flat one side
2560	Live Oak	17	15.7	80	60	\$ 6,954.73	Good	Flat one side
2561	Live Oak	12.5	12.5	80	10	\$ 728.21	Good	Sparse, stubby, poor canopy shape
2562	Italian Cypress*	4	28'	100	80	\$ 950.00	Good	
2563	Italian Cypress*	4	20'	100	70	\$ 695.63	Good	Still guyed
2564	Italian Cypress*	4	25'	100	80	\$ 950.00	Good	
2565	Italian Cypress*	4	25'	100	80	\$ 950.00	Good	
2566	Italian Cypress*	3	18'	100	80	\$ 795.00	Good	
2567	Italian Cypress*	3	18'	100	80	\$ 795.00	Good	
2568	Italian Cypress*	5	26'	100	80	\$ 950.00	Good	
2569	Italian Cypress*	6	28'	100	80	\$ 950.00	Good	
2570	Italian Cypress*	3	18'	100	80	\$ 795.00	Good	
2571	Italian Cypress*	3	18'	100	50	\$ 496.88	Good	Deadwood
2572	Italian Cypress*	3	20'	100	80	\$ 795.00	Good	
2573	Live Oak	23	21.9	80	50	\$ 11,361.62	Good	Under power line
2574	Cedar Elm	18	18.0	78	40	\$ 5,964.08	Good	Near power line, codominant
2575	Live Oak	16.5	16.1	80	70	\$ 8,539.04	Good	Under power line

Village on the Parkway - City of Addison - Tree Appraisal Worksheet



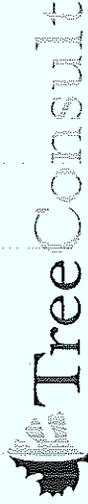
November 25, 2011

Size

Shown Measured

Tree ID#	Species	On Plan (Inches)	Measured Size (Inches)	Species Rating	Condition Rating	Appraised Value	Space	Comments
2576	Live Oak	21.8	21.4	80	80	\$ 17,351.52	Good	Under power line
2577	Cedar Elm	14.3	14.6	78	80	\$ 7,799.72	Good	Near power line, mistletoe
2578	Live Oak	25.5	24.8	80	30	\$ 8,757.10	Good	Under power line, future decay issue due to low cut
2579	Live Oak	17.5	17.9	80	10	\$ 1,512.11	Good	Under power line, codominant, sparse, sucker growth
2580	Live Oak	20	20.2	80	60	\$ 11,583.37	Fair	Fiat one side, near storm drain
2581	Live Oak	12.4	11.8	80	60	\$ 3,881.87	Good	Poor canopy shape
2582	Cedar Elm	14.5	13.8	78	40	\$ 3,476.73	Fair	Near power line, mistletoe
2583	Live Oak	16.8	16.7	80	10	\$ 1,313.84	Good	Under power line
2584	Live Oak	14.7	14.7	80	30	\$ 3,041.87	Good	Under power line
2585	Live Oak	10	10.1	80	30	\$ 1,407.59	Good	Under power line
2586	Live Oak	14.1	14.2	80	40	\$ 3,779.81	Good	
2587	Cedar Elm	15	14.7	78	60	\$ 5,931.64	Good	Mistletoe, old cavity
2588	Live Oak	17.7	17.7	80	60	\$ 8,868.65	Good	Stubby
2589	Live Oak	27.6	27.9	80	60	\$ 22,194.98	Fair	Close to curb
2590	Cedar Elm	13.2	13.0	78	40	\$ 3,077.45	Poor	Heavy mistletoe, mistletoe wilting
2591	Live Oak	15	14.7	80	30	\$ 3,041.87	Fair	Under power line, stubby
2592	Live Oak	11.4	11.3	80	30	\$ 1,775.47	Poor	Slightly stubby
2593	Live Oak	14	12.4	80	50	\$ 3,581.57	Good	Suppressed by #2594
2594	Live Oak	8.2	7.7	80	30	\$ 795.60	Good	Stubby, storm damage
2595	Live Oak	8.8	8.9	80	50	\$ 1,801.61	Poor	
2596	Live Oak	8.5	8.2	80	60	\$ 1,818.97	Poor	
2597	Live Oak	7.8	8.1	80	50	\$ 1,476.89	Poor	
2598	Live Oak	15.5	14.3	80	50	\$ 4,792.81	Poor	
2599	Live Oak	10.6	10.1	80	50	\$ 2,345.98	Poor	
2600	Live Oak	12	12.0	80	30	\$ 2,009.13	Poor	Scattered small deadwood

Village on the Parkway - City of Addison - Tree Appraisal Worksheet

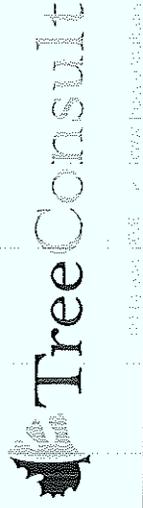


1111 Woodloch Lane • Brentwood, TN 37027

November 25, 2011

Tree ID#	Species	Size		Condition Rating	Appraised Value	Space	Comments	Viability
		On Plan (inches)	Measured (inches)					
2601	Live Oak	8.7	8.7	20	\$ 687.03	Poor	Dieback	
2602	Live Oak	9.5	9.6	50	\$ 2,110.80	Poor		
2603	Live Oak	12.5	11.9	50	\$ 3,291.48	Poor	Dieback	
2604	Live Oak	18.2	17.7	20	\$ 2,956.22	Poor		
2605	Sweetgum	12.3	12.1	50	\$ 2,852.60	Poor	Dieback	
2606	Live Oak	12.5	13.0	30	\$ 2,367.27	Poor	Possible girdling root, dieback	
2607	Live Oak	13.2	13.1	30	\$ 2,404.66	Poor		
2608	Sweetgum	10.2	16.1	70	\$ 7,151.45	Poor		
2609	Yaupon Holly	8	8.0	60	\$ 675.00	Poor		
2610	Live Oak	21	20.4	70	\$ 13,785.35	Good		
2611	Live Oak	16.6	16.4	70	\$ 8,864.95	Good		
2612	Live Oak	18.2	17.7	70	\$ 10,346.75	Good		
2613	Live Oak	19.6	19.0	60	\$ 10,235.60	Good	Suppressed	
2614	Live Oak	13.5	13.6	70	\$ 6,057.11	Good		
2615	Live Oak	18	17.8	70	\$ 10,465.42	Good		
2616	Live Oak	16.7	16.7	80	\$ 10,510.72	Good		
2617	Live Oak	12.7	12.4	50	\$ 3,581.57	Good	Leans, possible girdling roots	
2618	Sweetgum	9.3	9.2	30	\$ 970.46	Poor	Raised planter, sparse	
2619	Sweetgum	11.5	10.6	50	\$ 2,171.72	Poor	Raised planter	
2620	Sweetgum	12.4	11.9	50	\$ 2,756.61	Poor	Raised planter, dieback	
2621	Live Oak	9.2	9.1	50	\$ 1,887.56	Poor	Stunted	
2622	Cedar Elm	7.7	7.6	40	\$ 1,005.78	Poor	Heavy mistletoe	
2623	Cedar Elm	8.6	8.6	10	\$ 326.87	Poor	Very heavy mistletoe, dieback, stunted	
2624	Cedar Elm	6.2	6.4	20	\$ 346.45	Poor	Stunted, heavy mistletoe, wilting	
2625	Cedar Elm	7.8	7.9	10	\$ 273.09	Poor	Drought damage, dieback	

Village on the Parkway - City of Addison - Tree Appraisal Worksheet



November 25, 2011

Size

Tree ID#	Species	Size		Measured Size (inches)	Species Rating	Condition Rating	Appraised Value	Space	Comments	Viable Root
		Shown	On Plan							
2626	Cedar Elm	7.2	7.0	7.0	78	10	\$ 210.66	Poor	Drought damage, dieback	
2627	Cedar Elm	6.3	6.5	6.5	78	0	\$ -	Poor	Drought damage, possibly dead	
2628	Cedar Elm	9	10.9	10.9	78	0	\$ -	Poor	Drought damage, mostly dead	
2629	Cedar Elm	9	8.6	8.6	78	40	\$ 1,307.48	Poor	Heavy mistletoe	
2630	Live Oak	13.3	13.2	13.2	80	40	\$ 3,256.45	Poor	Stubby	
2631	Live Oak	6.9	6.9	6.9	80	50	\$ 1,047.12	Poor	Stubby	
2632	Sweetgum	9.3	9.0	9.0	67	60	\$ 1,853.57	Poor	Raised planter	
2633	Sweetgum	10	10.2	10.2	67	60	\$ 2,406.42	Poor	Raised planter	
2634	Sweetgum	8.6	8.2	8.2	67	60	\$ 1,523.39	Poor	Raised planter	
2635	Sweetgum	7.5	10.2	10.2	67	60	\$ 2,406.42	Poor	Raised planter	
2636	Sweetgum	8.5	8.5	8.5	67	60	\$ 1,643.61	Poor	Raised planter	
2637	Live Oak	12	12.0	12.0	80	50	\$ 3,348.54	Good	Stubby	
2638	Live Oak	12.5	12.4	12.4	80	40	\$ 2,865.26	Good	Sparse, sucker growth	
2639	Cedar Elm	11.4	11.1	11.1	78	40	\$ 2,224.68	Poor	Mistletoe	
2640	Cedar Elm	9	8.8	8.8	78	50	\$ 1,715.36	Poor	Mistletoe	
2641	Cedar Elm	7.2	7.3	7.3	78	30	\$ 691.90	Poor	Mistletoe, stunted	
2642	Cedar Elm	8.8	8.5	8.5	78	10	\$ 318.91	Poor	Mistletoe, wilted	
2643	Cedar Elm	9.1	9.1	9.1	78	30	\$ 1,104.22	Poor	Mistletoe, trunk wound	
2644	Cedar Elm	9.5	9.3	9.3	78	30	\$ 1,155.62	Poor	Mistletoe	
2645	Cedar Elm	7.6	7.4	7.4	78	40	\$ 949.91	Poor		
2646	Live Oak	13.3	13.4	13.4	80	60	\$ 5,037.10	Good	Stubby	
2647	Live Oak	12.2	12.1	12.1	80	80	\$ 5,449.74	Good		
2648	Live Oak	11.6	11.4	11.4	80	60	\$ 3,615.99	Poor	Close to curb, stubby	
2649	Live Oak	15.3	15.5	15.5	80	40	\$ 4,517.30	Poor		
2650	Live Oak	12.6	12.2	12.2	80	60	\$ 4,156.92	Poor		

Village on the Parkway - City of Addison - Tree Appraisal Worksheet



1114 W. BEARD ST. SUITE 1000 ADDISON, TX 75001

November 25, 2011

Tree ID#	Species	Size		Measured Size (inches)	Species Rating	Condition Rating	Appraised Value	Space	Comments	Viable	Root
		Shown	On Plan								
2651	Live Oak	13.5	13.9	13.9	80	40	\$ 3,618.79	Fair	Stubby		
2652	Live Oak	14.7	14.2	14.2	80	40	\$ 3,779.81	Fair	Close to curb		
2653	Live Oak	7.8	8.4	8.4	80	30	\$ 957.05	Fair	Poor canopy shape		
2654	Live Oak	12.8	12.0	12.0	80	40	\$ 2,678.83	Fair	Stubby		
2655	Live Oak	10	15.8	15.8	80	40	\$ 4,696.66	Good	Heavy vines		
2656	Live Oak	11.6	11.5	11.5	80	40	\$ 2,454.40	Poor	Vines		
2657	Live Oak	6.7	6.7	6.7	80	30	\$ 589.31	Poor	Close to walk, suppressed by #2656, vines		
2658	Live Oak	8	8.0	8.0	80	20	\$ 575.38	Poor	Near walk, poor canopy shape, stubby		
2659	Live Oak	15.5	15.0	15.0	80	30	\$ 3,169.51	Poor			
2660	Live Oak	18.2	17.8	17.8	80	50	\$ 7,475.30	Poor			
2661	Live Oak	13	12.8	12.8	80	40	\$ 3,057.80	Poor	Slightly stubby		
2662	Live Oak	14.5	14.6	14.6	80	40	\$ 3,999.85	Poor			
2663	Live Oak	17.8	17.4	17.4	80	50	\$ 7,139.12	Poor			
2664	Yaupon Holly	6.2	6.0	6.0	100	60	\$ 675.00	Poor	Stubby		
2665	Live Oak	18	17.6	17.6	80	30	\$ 4,383.75	Poor			
2666	Live Oak	10	9.9	9.9	80	50	\$ 2,250.48	Fair	Possible crown gall		
2760	Holly		6.8	6.8	100	60	\$ 675.00	Good	Beltline median, poor canopy shape		
2761	Texas Ash*		14.5	14.5	80	60	\$ 5,916.41	Good	Beltline median, deadwood		
2762	Texas Ash*		16.5	16.5	80	60	\$ 7,692.79	Good	Beltline median, deadwood		
2763	Texas Ash*		14.1	14.1	80	50	\$ 4,657.20	Good	Beltline median, deadwood, girdling root		
2764	Chinese Pistache*		6.7	6.7	86	70	\$ 1,478.18	Good	Beltline median		
2765	Chinese Pistache*		6.9	6.9	86	70	\$ 1,575.92	Good	Beltline median		
2766	Chinese Pistache*		11.7	11.7	86	70	\$ 4,784.07	Good	Beltline median, girdling root		
2767	Chinese Pistache*		8.5	8.5	86	80	\$ 2,812.94	Good	Beltline median		
2768	Chinese Pistache*		8.3	8.3	86	60	\$ 2,006.21	Good	Beltline median, girdling root		

Village on the Parkway - City of Addison - Tree Appraisal Worksheet



11501 0004 0000 - 11/11/11 10:41:00 AM

November 25, 2011

Size

Shown Measured

On Plan

Size (inches)

Species Rating

Condition Rating

Appraised Value

Viability

Root

Space

Comments

Tree ID#	Species	On Plan (inches)	Measured Size (inches)	Species Rating	Condition Rating	Appraised Value	Viability	Root	Space	Comments
2769	Chinese Pistache*		11.2	86	70	\$ 4,372.63	Good			Beltline median
2770	Chinese Pistache*		7.6	86	70	\$ 1,940.64	Good			Beltline median
2771	Chinese Pistache*		10.9	86	60	\$ 3,543.76	Good			Beltline median, girdling root
2772	Chinese Pistache*		10.3	86	70	\$ 3,677.31	Good			Beltline median
2773	Chinese Pistache*		11.4	86	60	\$ 3,887.19	Good			Beltline median
2774	Chinese Pistache*		12.2	86	70	\$ 5,213.48	Good			Beltline median, girdling root
Total						\$ 658,811.36				

Note: * = corrected species



CITY OF DALLAS

November 22, 2011

Mr. Robert Dozier
Executive Vice President
Lincoln Retail Group
2000 McKinney Avenue, Suite 1000
Dallas, Texas 75201

Re: Median Opening on Belt Line Road to allow left turns into Village on the Parkway

Dear Mr. Dozier:

The City of Dallas has no objections to the traffic study you submitted supporting a request for a hooded left turn pocket on westbound Belt Line Road between Dallas Parkway and Montfort Drive. The traffic study's title is "Feasibility Study for Median Opening on Belt Line Road between Dallas Parkway & Montfort Drive" and the study is dated March 24, 2011. The traffic study is sealed by Jignesh Thakkar, a professional engineer employed by DeShazo Group, Inc.

We understand that the Town of Addison is also in approval of the subject study and we are in receipt of the Town's letter dated September 8, 2011 stating as such.

Please feel free to contact me should any questions arise as you proceed with your project.

Sincerely,

Lloyd Denman, P.E.
Assistant Director
Sustainable Development and Construction

C: DeShazo Group
Steve Stoner, P.E.
400 S. Houston St, Suite 330
Dallas, Texas 75202



Lincoln Property Company Commercial, Inc.
2000 McKinney Avenue, Suite 1600
Dallas, Texas 75201-1954 T 214.740.3300
PO Box 1920 Dallas, Texas 75221-1920

May 20, 2011

Mr. Randy Dewitt
Front Burner Restaurants, GP, LLC
4803 Broadway Street
Addison, TX 75001

Via Email: randy.dewitt@fbrest.com

Dear Randy:

As we have discussed, a group I am involved with has purchased Village on the Parkway, which is the 28 acre shopping center just to the west of your Twin Peaks restaurant and the future location of Original Pancake House (OPH). In my discussions with the Town of Addison, they have indicated that they are amenable to abandoning Sakowitz Drive. Additionally, by way of our effort with the City of Dallas, we have uncovered the opportunity to install a hooded left turn lane so that westbound Belt Line Road traffic can enter our properties. This is a real opportunity for everyone involved with these two properties to significantly improve their access. The plan showing this turn lane, the proposed driveway, and the rework of Sakowitz Drive from roadway to parking lot stretching from Belt Line to Montfort is attached for your review.

If you are agreeable with these commitments, please sign where indicated below signifying your approval. Our obligation to perform any work is predicated on obtaining all necessary approvals from City of Dallas and City of Addison.

Sincerely,

LINCOLN PROPERTY COMPANY, INC.

Robert Dozier
Executive Vice President

Agreed to:
Front Burner Restaurants, GL, LLC

By: Randy Dewitt



Lincoln Property Company Commercial, Inc.
2000 McKinney Avenue, Suite 1000
Dallas, Texas 75201-1954 T 214.740.3300
PO Box 1920 Dallas, Texas 75221-1920

June 22, 2011

Mr. Michael Karns
El Fenix Corporation
11075 Harry Hines Blvd.
Dallas, Texas 75229

Via Email: mike@karnscommercial.com

Dear Michael:

As we have discussed, a group I am involved with has purchased Village on the Parkway, which is the 28 acre shopping center just to the west of your El Fenix restaurant. In my discussions with the Town of Addison, they have indicated that they are amenable to abandoning Sakowitz Drive. Additionally, by way of our effort with the City of Dallas, we have uncovered the opportunity to install a hooded left turn lane so that westbound Belt Line Road traffic can enter our properties. This is a real opportunity for everyone involved with these two properties to significantly improve their access. The plan showing this turn lane, the proposed driveway, and the rework of Sakowitz Drive from roadway to parking lot stretching from Belt Line to Montfort is attached for your review.

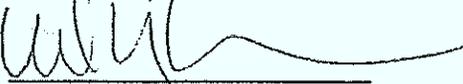
If you are agreeable with these commitments, please sign where indicated below signifying your approval. Our obligation to perform any work is predicated on obtaining all necessary approvals from City of Dallas and City of Addison.

Sincerely,

LINCOLN PROPERTY COMPANY, INC.


Robert Dozier
Executive Vice President

Agreed to:
El Fenix Corporation


By: Michael Karns



Lincoln Property Company Commercial, Inc.
2000 McKinney Avenue, Suite 1000
Dallas, Texas 75201-1954 T 214.740.3300
PO Box 1920 Dallas, Texas 75221-1920

August 2, 2011

Dear Shannon:

As we have discussed, a group I am involved with has purchased Village on the Parkway, which is the 28 acre shopping center just to the west of your Flying Saucer restaurant. In my discussions with the Town of Addison, they have indicated that they are amenable to abandoning Sakowitz Drive. Additionally, by way of our effort with the City of Dallas, we have uncovered the opportunity to install a hooded left turn lane so that westbound Belt Line Road traffic can enter our properties. This is a real opportunity for everyone involved with this property to significantly improve their access. The plan showing this turn lane, the proposed driveway, and the rework of Sakowitz Drive from roadway to parking lot stretching from Belt Line to Montfort is attached for your review.

If you are agreeable with these commitments, please sign where indicated below signifying your approval. Our obligation to perform any work is predicated on obtaining all necessary approvals from City of Dallas and City of Addison.

Sincerely,

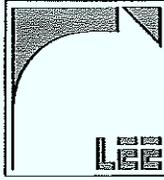
LINCOLN PROPERTY COMPANY, INC.

Robert Dozier
Executive Vice President

Agreed to:

By: Shannon Wynne

*Conditioned upon full access to cross
parking on new Sakowitz Drive
parking spaces by Flying Saucer guests.*



3030 LBJ FREEWAY
SUITE 1660
DALLAS, TEXAS 75234
972/248-3006 FAX 972/248-3855
TOLL FREE 888/298-3006

LEE ENGINEERING

December 2, 2011

Carmen Moran

Director of Development Services

Town of Addison

16801 Westgrove Drive

Addison, TX 75001

Lee Engineering has performed a brief review of the proposed site plan modifications for the Village on the Parkway development located on the southeast quadrant of the Dallas Parkway at Beltline Road Intersection. These changes include the construction of a new grocery store and cinema along with additional retail and restaurant developments. Other changes to the site include realigned driveways and site access roads along with the construction of a multilevel parking garage are also included in these site plan modifications.

Based on preliminary calculations the proposed new retail, restaurant, and cinema uses generate approximately 8,000 to 9,000 trips on a typical weekday and approximately 800-900 trips during a typical peak hour between 4PM and 6PM. This level of trip generation is roughly equivalent to 130,000 to 140,000 square feet of shopping center use.

Lee Engineering offers the following site plan comments for your consideration:

1. Provide right turn lane at the proposed southern driveway from Dallas Parkway.
2. The existing driveway located at the southern property boundary on Dallas Parkway has sight distance restrictions. Could this driveway be eliminated or the sight distance obstructions (fencing, landscaping, utilities) be mitigated if the drive is to remain open?
3. Provide right turn lane at the proposed new driveway from Beltline Road.
4. Is it possible to provide a vehicular access point to Noel Road or the housing developments directly south of the site? A primary roadway connection with Noel would be very beneficial.
5. The existing site has numerous one way parking aisles and traffic circulation to the right of all rotary islands at intersections. The proposed site appears to eliminate angle parking and install two way traffic flow in all previous one way parking aisles. This type

of operation, two way flow on both sides of a divided intersection, may complicate intersection operations at the circular intersections on the site.

6. Will the Whole Foods Parking lot be reserved for Whole Foods Patrons Only or will adjoining uses be able to park there?
7. Weaving maneuver from the Dallas North Tollway exit to the driveway serving Whole Foods is difficult during most hours of the day. The driveway should be wide enough and the curb radius large enough to accommodate high volume turning movements.

Lee Engineering recommends that a traffic study accompany the development application.

Items that should be addressed include the following items:

1. Trip Generation Comparison of Existing Site (Assuming maximum uses under existing zoning) with the trip generation of the proposed development.
2. Prepare a Site traffic figure for all trips entering and exiting the site. This should include all uses and driveways bounded by Dallas Parkway, Beltline Road, and Montfort.
3. Analyze existing AM, PM queue lengths for the westbound Beltline Road approach to Dallas Parkway to determine if they block the proposed hooded left turn lane.
4. Analyze the operations of the proposed hooded left turn to the realigned site driveway. Determine if queue lengths during AM, PM, or Saturday peaks exceed turn bay length and impact Beltline Road through traffic.
5. Determine if a signal is warranted or necessary along Montfort Drive.
6. Prepare a parking analysis of the proposed tenant mix. Parking analysis should take in to account the impact valet and reserved parking have on shared parking principles.

General Comment –

This project may provide an opportunity to build an additional approach lane on northbound Dallas Parkway at Beltline Road. An additional lane would allow a u-turn only, a left turn only lane, a shared left-thru lane, two dedicated thru lanes, and a dedicated right turn only lane.

If you have additional questions please contact me at 972-248-3006.

Sincerely,



Joseph T. Short, P.E., PTOE
President

Council Agenda Item: #R6

AGENDA CAPTION:

PUBLIC HEARING Case 1649-SUP/Village on the Parkway.

Discussion and consideration of a recommendation for approval of a change in zoning, from PD 002-001 by recommending approval of a Special Use Permit for the sale of beer and wine for off-premises consumption on a tract of land containing approximately 31 acres located at the southeast corner of Belt Line Road and Dallas Parkway and generally known as the Village on the Parkway and comprising all of Lots 1A, 1B and 2A of the Amended Replat of Lot 1A, Lot 1B and Lot 2A, Village on the Parkway recorded in Volume 2001019, Page 914, Official Public Records, Dallas County, Texas, on application from VOP, LP, represented by Mr. Matt Balsman of Good, Fulton & Farrell Architects.

COMMISSION FINDINGS: The Addison Planning and Zoning Commission, meeting in regular session on December 15, 2011, voted to recommend approval of a change in zoning by recommend approval of a Special Use Permit for the sale of beer and wine for off-premises consumption, subject to no conditions.

Voting Aye: Angell, Doherty, Groce, Hewitt, Wheeler,

Voting Nay: none

Absent: Gunther, Oliver

FINANCIAL IMPACT:

NA

BACKGROUND:

NA

RECOMMENDATION:

Administration recommends approval.

COUNCIL GOALS:

N/A

ATTACHMENTS:

Description:

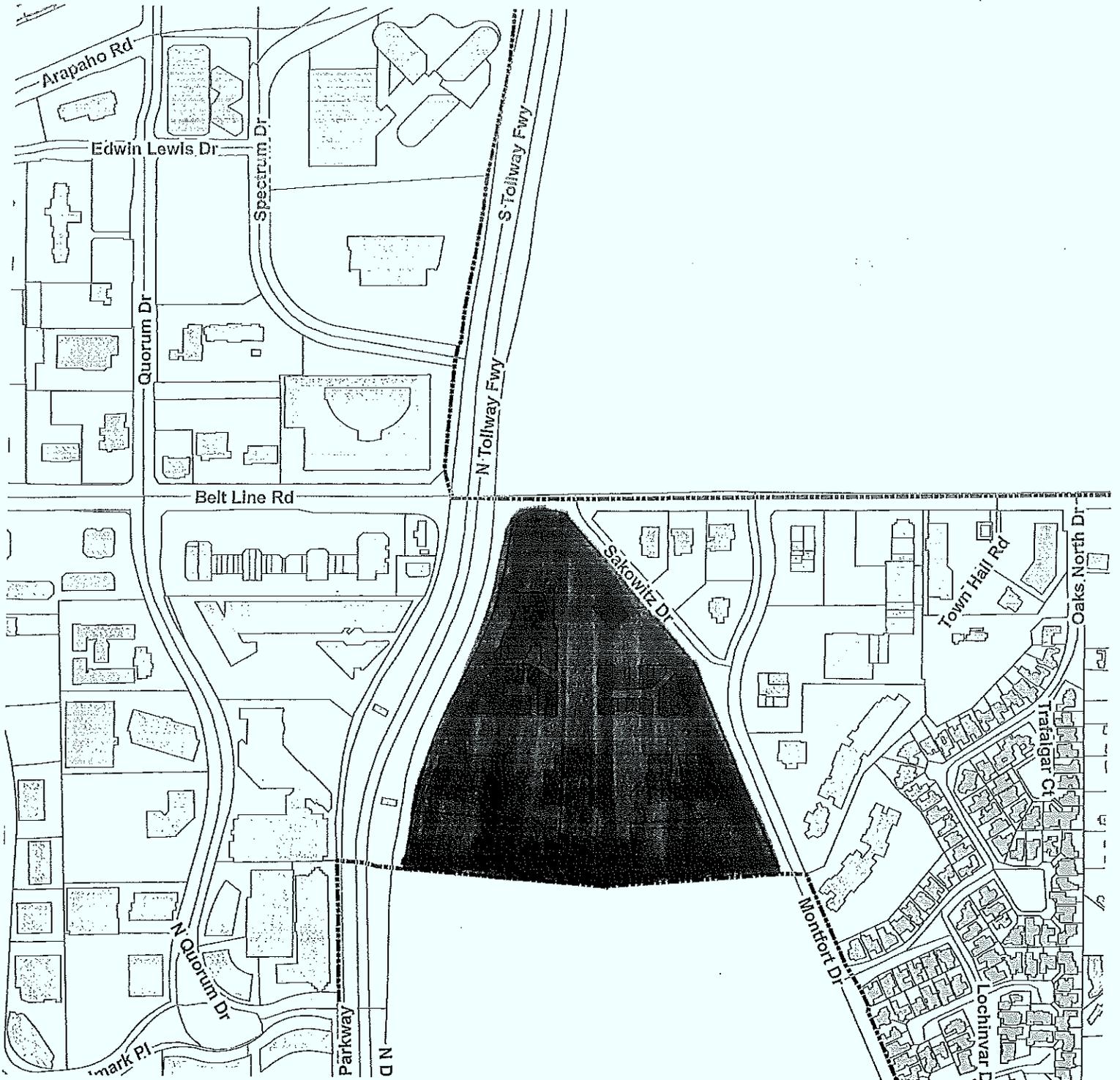
[docket map, staff report, and COmission findings](#)

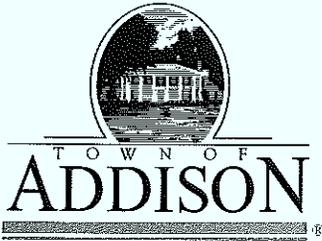
Type:

Backup Material

1649-SUP

PUBLIC HEARING Case 1649-SUP/Village on the Parkway. Discussion and consideration of a recommendation for approval of a change in zoning by recommending approval of a Special Use Permit for the sale of beer and wine for off-premises consumption on a tract of land containing approximately 31 acres located at the southeast corner of Belt Line Road and Dallas Parkway and generally known as the Village on the Parkway and comprising all of Lots 1A, 1B and 2A of the Amended Replat of Lot 1A, Lot 1B and Lot 2A, Village on the Parkway recorded in Volume 2001019, Page 914, Official Public Records, Dallas County, Texas, on application from VOP, LP, represented by Mr. Matt Balsman of Good, Fulton & Farrell Architects.





December 7, 2011

STAFF REPORT

RE: Case 1649-SUP/Village on the Parkway

LOCATION: Approximately 31 acres of land located at the southeast corner of Belt Line Road and Dallas Parkway and generally known as the Village on the Parkway and addressed as 5100 Belt Line Road

REQUEST: Requesting approval of a change in Zoning by recommending approval of a Special Use Permit for the sale of beer and wine for off-premises consumption

APPLICANT: VOP, LP, represented by Mr. Matt Balsman of Good Fulton & Farrell Architects

DISCUSSION:

Background. This case is a companion case to 1648-Z/Village on the Parkway. The big issues that affect this site: parking, landscaping, and traffic, are thoroughly discussed in the staff report for that case. This case will focus solely on the Special Use Permit for the sale of beer and wine in the proposed grocery store.

As discussed in case 1648-Z/Village on the Parkway, the shopping center has sold to VOP, LP, a partnership entity formed between The Retail Connection and Lincoln Properties. The new owners are proposing to redevelop the property as a shopping center. They are planning to bring in two anchor tenants: Whole Foods Grocery Store, and a 12-screen movie theater. The Whole Foods Grocery Store is an allowed use under standard retail zoning, but the applicant indicated Whole Foods will want to sell beer and wine for off-premises consumption which requires a Special Use Permit.

Special Use Permits for the sale of beer and wine for off-premises consumption are only allowed in Local Retail zoning districts, or in Planned Development zoning districts which specifically allow the sale of beer and wine for off-premises consumption (subject to approval of SUP). The companion case, 1648-Z/Village on the Parkway, seeks to amend the Planned Development zoning district in order to include the sale of beer and wine for off-premises consumption, subject to the approval of a Special Use Permit.

Proposed Plan. The applicant proposes to develop a 41,000 square-foot Whole Foods Grocery Store on the site. The former Bed Bath and Beyond store, and the parking lot in front of the existing store, will be demolished and the grocery store placed in that location. The front of the grocery store will face south, and the back will face Belt Line Road. The loading docks for the store will be on the northeast corner of the building, and the dock doors will face east. The staff has expressed concern about the back of a grocery store facing the Town's "Main and Main" corner, and the long blank side of the grocery store facing Dallas Parkway, and those concerns are discussed in the staff report for case 1648-Z/Village on the Parkway.

Floor Plan. The applicant is not far enough along in the design process with Whole Foods to provide a finished floor plan, so the floor plan for the store does not contain any detail. The elevations indicate there will be a small restaurant/snack bar on the southwest corner of the building, but the restaurant/snack bar space is not shown on the floor plan. However, the staff is familiar with Whole Foods Stores, and assumes this store will be laid out in a similar manner to other existing stores in the area. Whole Foods enjoys a good reputation as an operator, and the staff assumes the same quality operation will be developed in this store.

Parking, Landscaping, Traffic. As mentioned earlier, there are big issues with this site related to parking, landscaping, and traffic. However, it will be assumed that those issues will be resolved on Case 1648-Z. If the site plan for case 1648-Z is approved, then the parking, landscaping, and traffic plans are approved for this case. Therefore, the only issue to be settled is the Special Use Permit for the sale of beer and wine for off-premises consumption.

RECOMMENDATION:

The staff is comfortable recommending the sale of beer and wine for off-premises consumption in the Whole Foods store. However, as noted at length in the report for case 1648-Z, the Staff has a list of concerns about the proposed redevelopment plan. Given those concerns, the staff recommends this request be tabled in order to give the staff time to work with the applicant toward a more site-sensitive design solution that the Town could embrace.

However, should the Commission wish to approve the site plan as presented in Case 1648-Z, the staff would recommend approval of this request subject to no conditions.

Respectfully submitted,



Carmen Moran
Director of Development Services

COMMISSION FINDINGS:

The Addison Planning and Zoning Commission, meeting in regular session on December 15, 2011, voted to recommend approval of a change in zoning by recommend approval of a Special Use Permit for the sale of beer and wine for off-premises consumption, subject to no conditions.

Voting Aye: Angell, Doherty, Groce, Hewitt, Wheeler,
Voting Nay: none
Absent: Gunther, Oliver

Council Agenda Item: #R7

AGENDA CAPTION:

PUBLIC HEARING Case 1650-SUP/Village on the Parkway.

Discussion and consideration of a recommendation for approval of a change in zoning, from PD 002 by recommending approval of a Special Use Permit for a movie picture theater on a tract of land containing approximately 31 acres located at the southeast corner of Belt Line Road and Dallas Parkway and generally known as the Village on the Parkway and comprising all of Lots 1A, 1B and 2A of the Amended Replat of Lot 1A, Lot 1B and Lot 2A, Village on the Parkway recorded in Volume 2001019, Page 914, Official Public Records, Dallas County, Texas, on application from VOP, LP, represented by Mr. Matt Balsman of Good, Fulton & Farrell Architects.

COMMISSION FINDINGS: The Addison Planning and Zoning Commission, meeting in regular session on December 15, 2011, voted to recommend approval of a change in zoning by recommend approval of a Special Use Permit for a movie picture theater, subject to no conditions.

Voting Aye: Angell, Doherty, Groce, Hewitt, Wheeler,

Voting Nay: none

Absent: Gunther, Oliver

FINANCIAL IMPACT:

NA

BACKGROUND:

NA

RECOMMENDATION:

Adminstration recommends approval.

COUNCIL GOALS:

N/A

ATTACHMENTS:

Description:

Type:

No Attachments Available

Council Agenda Item: #R8

AGENDA CAPTION:

Consideration and discussion of approval of a personnel realignment of City Manager's Office.

FINANCIAL IMPACT:

TBD

BACKGROUND:

TBD

RECOMMENDATION:

Staff recommends approval.

COUNCIL GOALS:

Create Raving Fans of the "Addison Way", Maintain and Enhance our Unique Culture

ATTACHMENTS:

Description:

Type:

No Attachments Available

Council Agenda Item: #ES1

AGENDA CAPTION:

Closed (Executive) session of the Addison City Council pursuant to Section 551.071, Texas Government Code, to conduct a private consultation with its attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter, regarding the Addison Municipal Court of Record No. 1.

FINANCIAL IMPACT:

n/a

BACKGROUND:

n/a

RECOMMENDATION:

n/a

COUNCIL GOALS:

N/A

ATTACHMENTS:

Description:

Type:

No Attachments Available

Council Agenda Item: #ES2

AGENDA CAPTION:

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

FINANCIAL IMPACT:

TBD

BACKGROUND:

N/A

RECOMMENDATION:

N/A

COUNCIL GOALS:

Provide For A Diversified Business Climate

ATTACHMENTS:

Description:

Type:

No Attachments Available

Council Agenda Item: #R9

AGENDA CAPTION:

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

FINANCIAL IMPACT:

TBD

BACKGROUND:

N/A

RECOMMENDATION:

N/A

COUNCIL GOALS:

Provide For A Diversified Business Climate

ATTACHMENTS:

Description:

No Attachments Available

Type: