



PLANNING AND ZONING COMMISSION AGENDA

TUESDAY, MAY 18, 2021

6:00 P.M.

ADDISON TREEHOUSE

14681 MIDWAY ROAD, SUITE 200, ADDISON, TX 75001

Notice is hereby given that the Addison Planning & Zoning Commission will conduct its REGULARLY SCHEDULED MEETING at 6:00 pm on Tuesday, May 18, 2021, at the Addison TreeHouse with a quorum of the Planning and Zoning Commission physically present. The Town will utilize telephone or videoconference for public meetings to facilitate public participation to mitigate the spread of COVID-19 by avoiding meetings that bring people into a group setting. Telephonic or videoconferencing capabilities will be utilized to allow individuals to address the Commission. Email comments for Planning and Zoning Commission meetings may also be submitted to kschmidt@addisontx.gov by 3:00 pm the day of the meeting. Members of the public are entitled to participate remotely via Toll-Free Dial-in Number: 877-853-5247; Meeting ID: 409.327.0683#, Participant ID: #. For more detailed instructions on how to participate in this meeting visit our Agenda Page. The meeting will be live-streamed on Addison's website at www.addisontexas.net.

Call Meeting to Order

Pledge of Allegiance

Regular Agenda:

1. Consider action to approve the minutes from the April 20, 2021 Planning and Zoning Commission meeting.

2. **PUBLIC HEARING** Case 1828-SUP/District. Public hearing, discussion, and take action on a recommendation regarding an ordinance changing the zoning on property located at 5100 Belt Line Road, Suite 544, which property is currently zoned PD, Planned Development, through Ordinances O12-002 and O20-08, by approving a Special Use Permit for a new restaurant with the sale of alcoholic beverages for on premises consumption only.

3. Present and discuss key outcomes of a review of the adopted Planning and Zoning Commission Rules, Regulations, and Procedures.

Adjourn Meeting

NOTE: The Planning & Zoning Commission reserves the right to meet in Executive Session closed to the public at any time in the course of this meeting to discuss matters listed on the agenda, as authorized by the Texas Open Meetings Act, Texas Government Code, Chapter 551, including §551.071 (private consultation with the attorney for the City). Any decision held on such matters will be taken or conducted in Open Session following the conclusion of the Executive Session.

**THE TOWN OF ADDISON IS ACCESSIBLE TO PERSONS WITH
DISABILITIES. PLEASE CALL (972) 450-7017 AT LEAST 48 HOURS IN
ADVANCE IF YOU NEED ASSISTANCE.**

POSTED BY: _____
Irma G. Parker, City Secretary

DATE POSTED: _____

TIME POSTED: _____

DATE REMOVED FROM BULLETIN BOARD: _____

REMOVED BY: _____

Planning & Zoning Commission

2.

Meeting Date: 05/18/2021

Agenda Caption:

Consider action to approve the minutes from the April 20, 2021 Planning and Zoning Commission meeting.

Attachments

April 20, 2021 Planning and Zoning Commission Minutes

DRAFT

OFFICIAL ACTIONS OF THE ADDISON PLANNING AND ZONING COMMISSION

April 20, 2021

6:00 P.M. - Council Chambers

Addison Town Hall, 5300 Belt Line Road

Present: Chair Eileen Resnik; Vice Chair Tom Souers; Commissioner Robert Catalani; Commissioner Nancy Craig; Commissioner Chris DeFrancisco; Commissioner Denise Fansler; Commissioner John Meleky

Call Meeting to Order

Pledge of Allegiance

Regular Agenda:

1. Discuss and take action regarding approval of the minutes of the March 21, 2021 Planning and Zoning Commission meeting.

Motion: Approval of the minutes as amended in the Work Session.

Moved by Commissioner Chris DeFrancisco, Seconded by Commissioner Robert Catalani

AYE: Chair Eileen Resnik, Vice Chair Tom Souers, Commissioner Robert Catalani, Commissioner Nancy Craig, Commissioner Chris DeFrancisco, Commissioner Denise Fansler, Commissioner John Meleky

Passed

2. **PUBLIC HEARING** Case 1826-SUP/Jeni's Splendid Ice Creams. Public hearing, discussion, and take action on a recommendation regarding an ordinance changing the zoning on property located at 5290 Belt Line Road, Suite 112B, which property is currently zoned PD, Planned Development, through Ordinance O19-22, by approving a Special Use Permit for a new restaurant.

Discussion:

Olga Chernomorets, Planning and Development Manager, presented the Staff Report.

Commissioner Robert Catalani inquired whether the ice cream ingredients will be sourced locally or in Ohio, where Jeni's is based. The applicant, Sarah Moore with Jeni's Splendid Ice Creams, indicated that most ingredients are sourced in Ohio; however, as their supply chain grows, they will look engage Texas suppliers.

Commissioner Chris DeFrancisco inquired about the planned opening date for the business. Sarah Moore with Jeni's Splendid Ice Creams, indicated that they hope to be open by the Fall of 2021.

Vice Chair Tom Souers inquired about the background of the business. Sarah Moore with Jeni's Splendid Ice Creams, shared details on the history and product offerings of Jeni's Splendid Ice Creams.

Chair Resnik inquired about the design of the patio. Sarah Moore with Jeni's Splendid Ice Creams, confirmed that the patio is fully covered.

Chair Resnik opened the meeting as a public hearing.

Public Hearing: There were no speakers on this item.

Chair Resnik closed the public hearing.

Motion: Recommend approval of the request without conditions.

Moved by Vice Chair Tom Souers, Seconded by Commissioner Denise Fansler

AYE: Chair Eileen Resnik, Vice Chair Tom Souers, Commissioner Robert Catalani, Commissioner Nancy Craig, Commissioner Chris DeFrancisco, Commissioner Denise Fansler, Commissioner John Meleky

Passed

3. **PUBLIC HEARING** Case 1827-SUP/Greenhill School Temporary Classrooms. Public hearing, discussion, and take action on a recommendation regarding an ordinance changing the zoning on property addressed as 4141 Spring Valley Road and 14101 Midway Road, currently zoned Residential-1 (R-1) and Planned Development (PD), through Ordinance 084-092, with a Special Use Permit for a private school, by approving a Special Use Permit for seven portable school buildings.

Discussion:

Olga Chernomorets, Planning and Development Manager, presented the Staff Report.

Commissioner Robert Catalani inquired whether the applicant has conducted outreach to the surrounding property owners. The applicant, Mike Willis with the Greenhill School, confirmed that outreach has been conducted and that this request and the future construction to the north will comply with Town construction requirements.

Commissioner Nancy Craig inquired about the exterior appearance of the temporary buildings. The applicant, Mike Willis with the Greenhill School, confirmed that the buildings will have sheet metal facades painted with a neutral color, and that the buildings will be completely underpinned.

Vice Chair Tom Souers inquired about what was currently on the site where the temporary classroom buildings are proposed to be located. The applicant, Mike Willis with the Greenhill School, confirmed that is currently an open meadow that is used as a play area for students. This area was previously used for temporary classroom buildings while the reconstruction of the lower schools and pre-school buildings was underway. The services for those previous temporary classroom buildings were capped and retained, and will be used again for these temporary buildings.

Chair Resnik opened the meeting as a public hearing.

Public Hearing:

For: Tim and Kate Wegener, 14609 Heritage Ln, Addison TX 75001. Mr. and Mrs. Wegener submitted comments in support of the request which were read into the record at the meeting.

Against: none

On: none

Commissioner Robert Catalani shared recent experience with similar trailers during recent office construction and confirmed that the quality of these buildings has improved significantly from past practices.

Chair Resnik closed the public hearing.

Motion: Recommend approval of the request with the following conditions:

- The SUP shall be subject to review and reconsideration at least every 18 months following the date of authorization, and shall automatically expire - requiring removal of the buildings - by the earlier of:
 - Within thirty (30) days of issuance of a Certificate of Occupancy for the new science building, or;
 - January 1, 2024.

Moved by Commissioner Chris DeFrancisco, Seconded by Robert Catalani

AYE: Chair Eileen Resnik, Vice Chair Tom Souers, Commissioner Robert Catalani, Commissioner Nancy Craig, Commissioner Chris DeFrancisco, Commissioner Denise Fansler, Commissioner John Meleky

Passed

4. Discuss and take action regarding the proposed tree mitigation and replacement plan for Case 1824-Z/TCA Middle School Addition.

Discussion:

Ken Schmidt, Director of Development Services, presented the Staff Report.

Motion: Recommend approval of the request without conditions.

Moved by Vice Chair Tom Souers, Seconded by Commissioner John Meleky

AYE: Chair Eileen Resnik, Vice Chair Tom Souers, Commissioner Robert Catalani, Commissioner Nancy Craig, Commissioner Chris DeFrancisco, Commissioner Denise Fansler, Commissioner John Meleky

Passed

5. Discuss whether the Planning and Zoning Commission prefers to continue holding meetings virtually or return to in person meetings.

The Commission discussed continuing to meet virtually for work sessions and returning to in-person meetings for regular meetings, beginning with the May 18th regular meeting of the Planning and Zoning Commission.

Chair Resnik noted that future in person meetings will need to be conducted at the Addison Tree House to support social distancing for in person meeting attendees and technology needs for meeting attendees participating virtually.

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

Planning & Zoning Commission

3.

Meeting Date: 05/18/2021

Agenda Caption:

PUBLIC HEARING Case 1828-SUP/District. Public hearing, discussion, and take action on a recommendation regarding an ordinance changing the zoning on property located at 5100 Belt Line Road, Suite 544, which property is currently zoned PD, Planned Development, through Ordinances O12-002 and O20-08, by approving a Special Use Permit for a new restaurant with the sale of alcoholic beverages for on premises consumption only.

Attachments

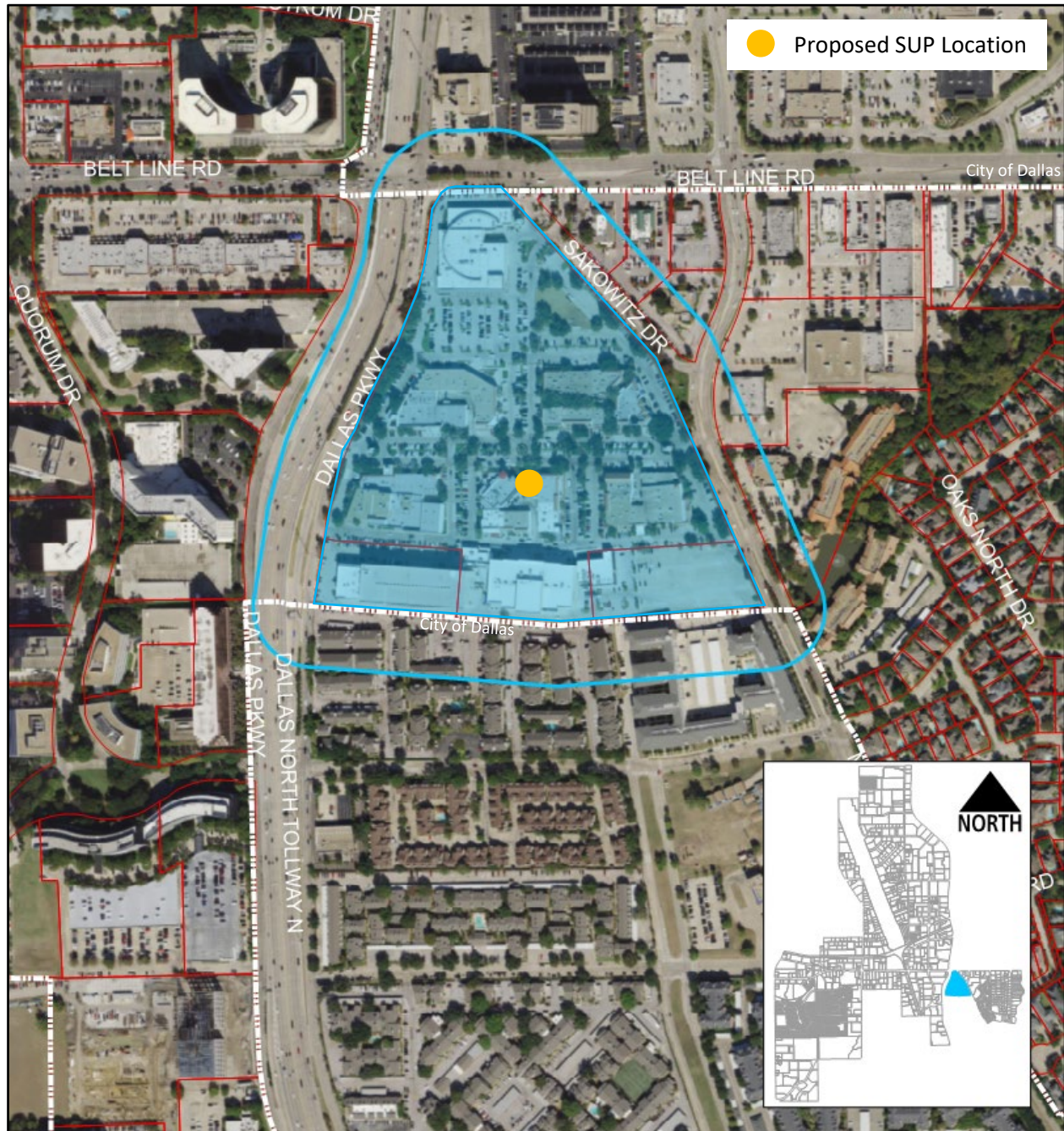
1828-SUP P&Z Packet

1828-SUP Plans

1828-SUP

PUBLIC HEARING Case 1828-SUP/District. Public hearing, discussion, and take action on a recommendation regarding an ordinance changing the zoning on property located at 5100 Belt Line Road, Suite 544, which property is currently zoned PD, Planned Development, through Ordinances O12-002 and O20-08, by approving a Special Use Permit for a new restaurant with the sale of alcoholic beverages for on premises consumption only.

LOCATION MAP





May 13, 2021

STAFF REPORT

RE: 1828-SUP/District

LOCATION: 5100 Belt Line Road, Suite 544

REQUEST: Approval of a Special Use Permit for a restaurant with the sale of alcoholic beverages for on-premises consumption only, to permit a new restaurant with a patio.

APPLICANT: Polo Padilla, ID Studio4, LLC

DISCUSSION:

Background: This proposed restaurant is situated within the Village on the Parkway shopping center, which is located at the southeast corner of Belt Line Road and Dallas Parkway. This center is zoned PD, Planned Development, through Ordinance 012-002, and as recently amended by Ordinance O20-08, which allowed for the construction of an additional nonresidential building and associated mobility, landscape, and parking improvements.

A new restaurant tenant, District, has requested to improve and occupy Suite 544, a 3,824 square foot lease space located in the southern quadrant of the center, situated between Lazy Dog and Stirr. This space is now vacant, but it was previously occupied by Mercy. District is a restaurant that will include the sale of alcoholic beverages for on premises consumption only. For the previous tenant, a Special Use Permit (SUP) was first granted in 2002 for the establishment of the restaurant and to permit the sale of alcoholic beverages for on premises consumption. An additional SUP was granted in 2011, to permit the sale of beer and wine for off-premises consumption. Due to changes proposed to the interior floor plan, a new SUP is required.

District was founded in Northern California in February 2007 and it has locations in San Francisco, Oakland, and San Jose. The dining concept pairs globally inspired shareable plates with an extensive and diverse wine and whiskey program. The proposed operating hours for the Addison location are 11 am – 10 pm, with closing extending to midnight on Fridays and Saturdays.

Proposed Plan: The applicant is requesting approval of a new SUP for a restaurant with the sale of alcoholic beverages for on-premises consumption only. The restaurant space would total 3,824 square feet, inclusive of a 716 square-foot uncovered, outdoor patio area. The floor plan shows a large open concept dining area, with a central bar area and a small lounge dining area adjacent to the bar. The interior dining room seats 94 and the outdoor patio seats 40.

Parking: This property is zoned PD, which requires a mixed-use parking ratio of 1 space per 225 square feet of gross floor area across all uses, with the exception of the movie theatre, which shall be parked at 1 space per three theatre seats. Based on the center’s total square footage,

inclusive of this tenant space, it requires 2,049 parking spaces. There are currently 2,268 parking spaces provided on site, exceeding the minimum parking required by the PD district.

Exterior Facades: The façade plans largely retain the design of the existing façade, with minor refinements being made via painting and the provision of new patio furnishings. The applicant does plan to remove the existing patio cover.

Landscaping and Open Space: This tenant space is fronted by three mature street trees and is adjacent to a large landscape area situated between the patio and an adjacent restaurant. No additional landscape or open space improvements are required to support this existing tenant space.

RECOMMENDATION: **APPROVAL WITH CONDITIONS**

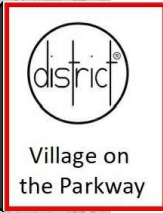
As pandemic conditions continue to improve, Addison will continue to see a decline in restaurant vacancies throughout the Town. District is symbolic of this trend, offering a vibrant and communal dining experience that will further diversify the Village on the Parkway dining offerings.

Staff recommends approval of the request, subject to the following condition:

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

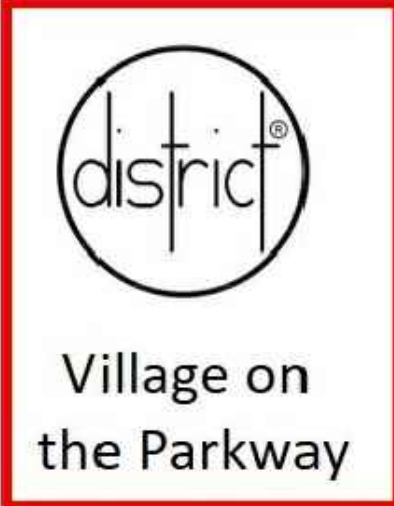
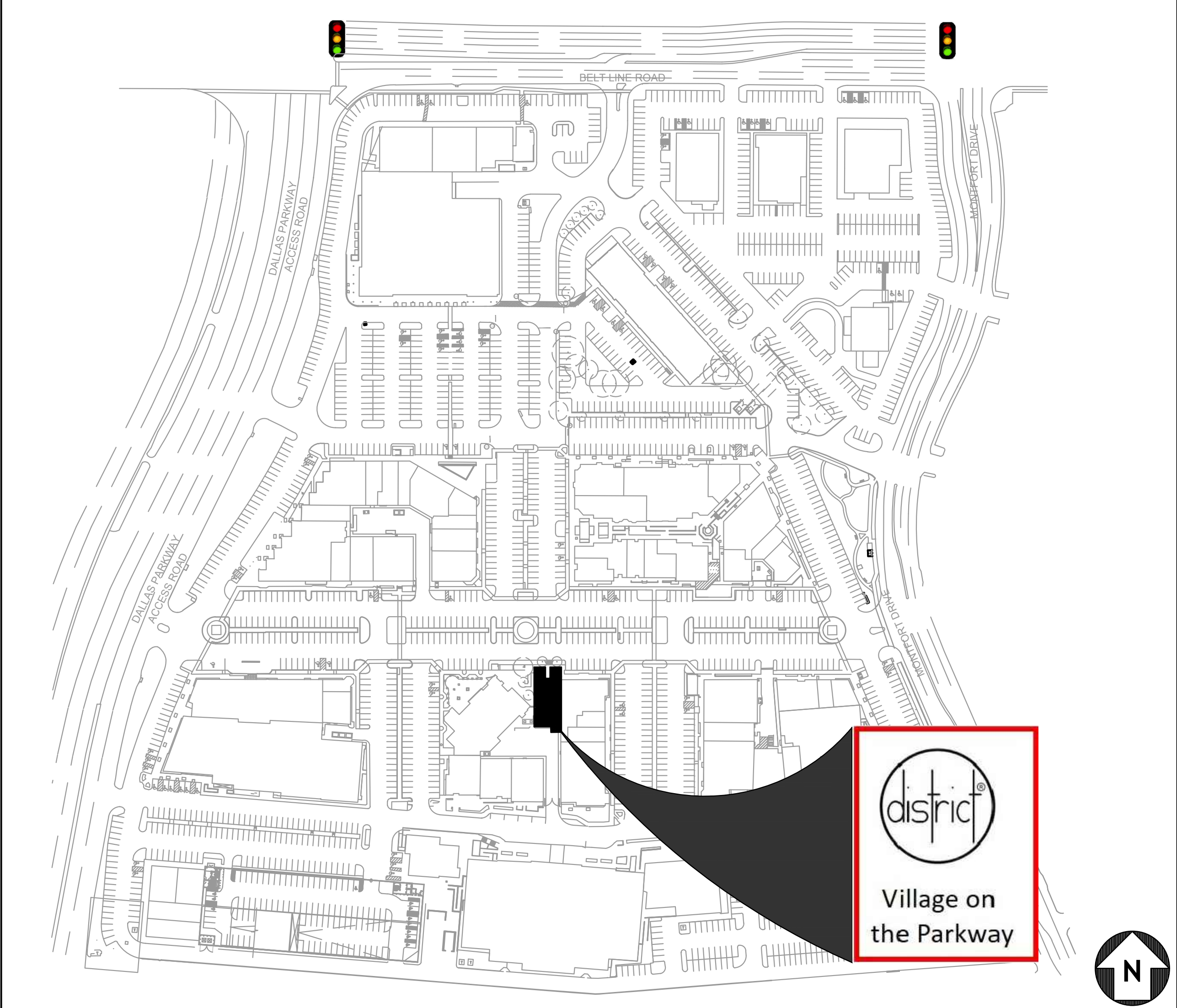
TOWN OF ADDISON SITE PLAN NOTES:

1. ANY REVISION TO THIS PLAN WILL REQUIRE TOWN APPROVAL AND WILL REQUIRE REVISIONS TO ANY CORRESPONDING PLANS TO AVOID CONFLICTS BETWEEN PLANS.
2. OPEN STORAGE, WHERE PERMITTED, SHALL BE SCREENED IN ACCORDANCE WITH THE ZONING ORDINANCE.
3. BUILDINGS WITH AN AGGREGATE SUM OF 5,000 SQUARE FEET OR GREATER ON A LOT SHALL HAVE AUTOMATIC FIRE SPRINKLERS INSTALLED THROUGHOUT ALL STRUCTURES. ALTERNATIVE FIRE PROTECTION MEASURES MAY BE APPROVED BY THE FIRE DEPARTMENT.
4. ALL SIGNAGE IS SUBJECT TO TOWN APPROVAL.
5. ALL FENCES AND RETAINING WALLS SHALL BE SHOWN ON THE SITE PLAN AND ARE SUBJECT TO BUILDING INSPECTION DIVISION APPROVAL.

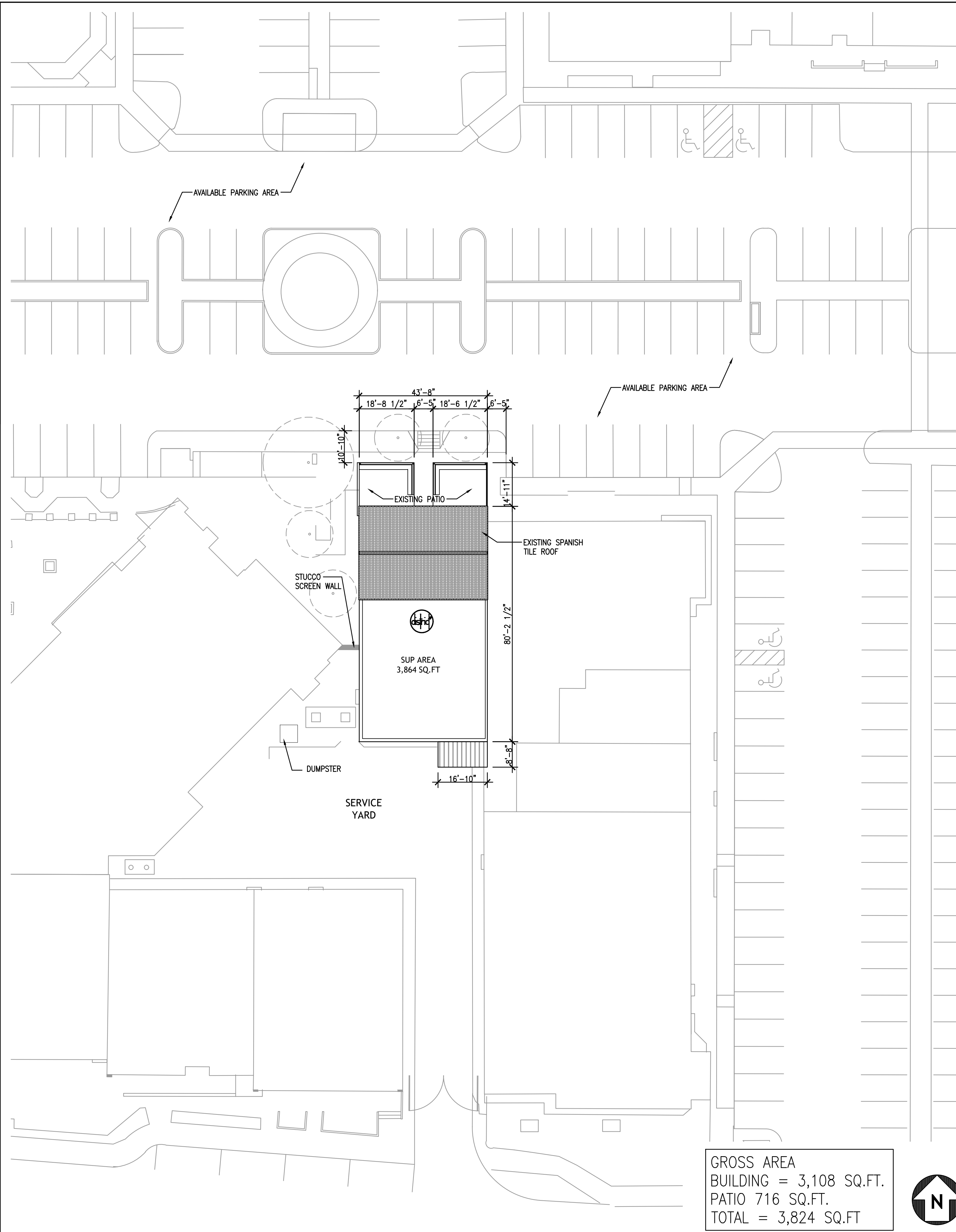


DEVELOPMENT SITE PLAN
NOT TO SCALE **3**

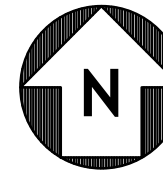
SITE DATA SUMMARY	
ZONING	PD (PLANNED DEVELOPMENT)
SITE AREA	31.61 ACRES
PROPOSED USE	RESTAURANT
BUILDING AREA	3,821 SQ FT
BUILDING HEIGHT (1 STORY)	22'-0" MAX ROOF HEIGHT
BY LANDLORD - VILLAGE ON THE PARKWAY DEVELOPMENT	
TOTAL BUILDING AREA INCLUDING GARAGE	626,112 SF
GROSS - LEASABLE AREA (GLA) TOTAL	408,382 SF
GLA UNDER PD	364,677 SF
GLA THEATER	43,705 SF
PD: 1 SPACE / 225 SF OF AREA - REGARDLESS OF USE	
EXCLUDING THEATER PARKING REQUIRED W/PATIO	1,621 SPACES
THEATER PARKING	
1 SPACE / 3 SEATS	
THEATER SEAT COUNT	1,282 SEATS
PARKING REQUIRED	428 SPACES
TOTAL PROJECT PARKING TABULATIONS	
REQUIRED:	
PD USES = 1 SPACE / 225 SF	1,621 SPACES
THEATER	428 SPACES
TOTAL REQUIRED:	2,049 SPACES
EXISTING:	
SURFACE	1,646 SPACES
GARAGE	622 SPACES
TOTAL PROVIDED:	2,268 SPACES
NOTE: HANDICAP PARKING IS PROVIDED IN ACCORDANCE WITH ADA STANDARDS	



SITE VICINITY MAP
NOT TO SCALE **2**



GROSS AREA
BUILDING = 3,108 SQ.FT.
PATIO 716 SQ.FT.
TOTAL = 3,824 SQ.FT



1"=20'-0" **SITE PLAN** **1**

ACTION		
STAFF	Date	Initials
COUNCIL	Date	Initials

See the Staff Approval Letter or Council Resolutions Memo for any conditions associated with the approval of the project.

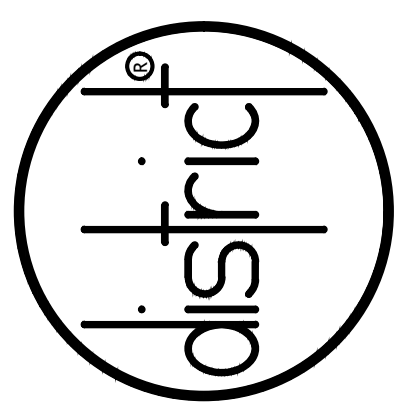


CORPORATE:
DISTRICT RESTAURANT GROUP
ADDRESS:
Website: www.districtsj.com
Contact: Jon D'Angelica



04.15.21

DISTRICT - ADDISON
VILLAGE ON THE PARKWAY
5100 Belt Line Road, Suite 544
Addison, Texas 75254
CLIENT: DISTRICT RESTAURANT GROUP
Jon D'Angelica

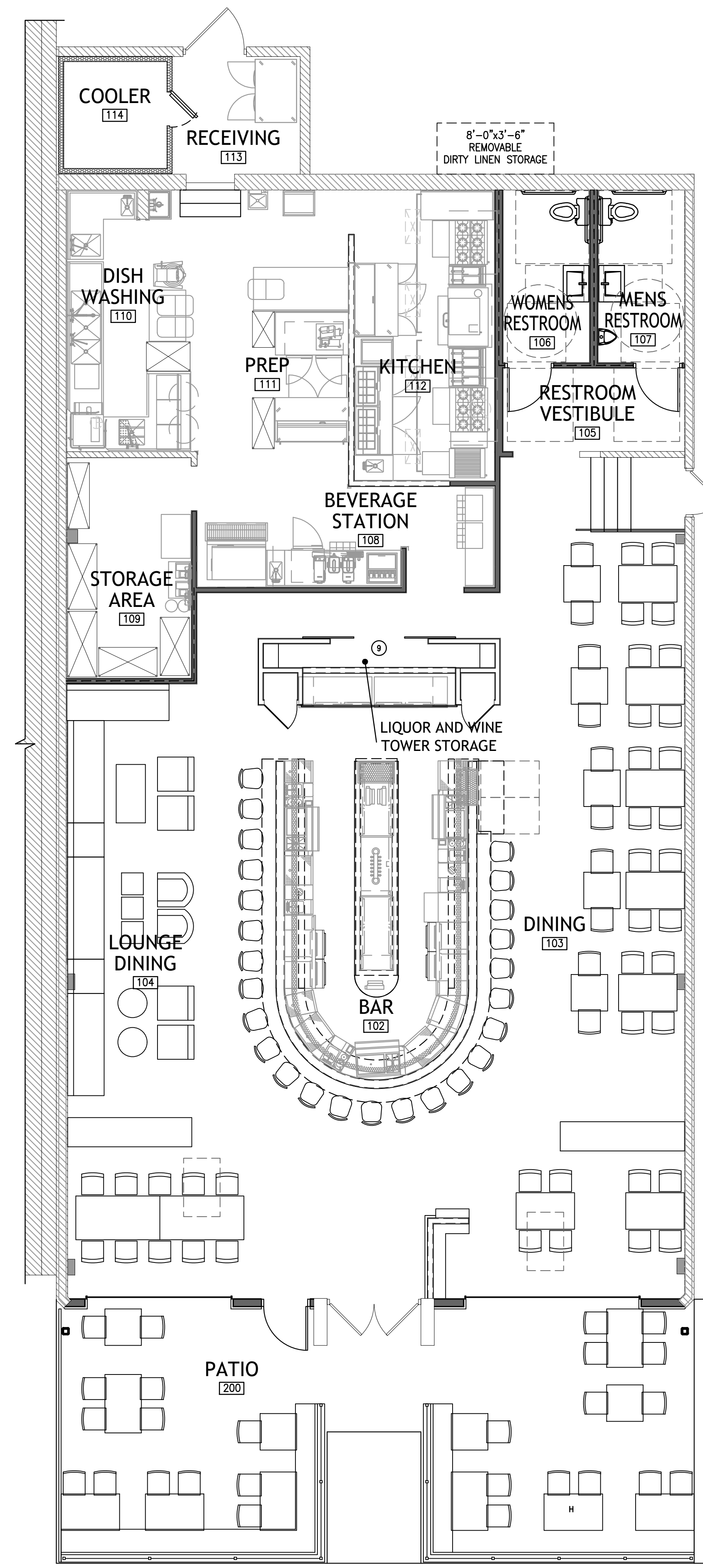


DOCUMENT ISSUES	
DATE	DESCRIPTION
04.05.21	SPECIFIC USE PERMIT

SHEET TITLE:
Exb1-A0.4
SUP
SITE PLAN

SHEET NUMBER:

A0.4



GENERAL NOTES:		ACTION	
RENOVATION TO EXISTING SPACE INCLUDES REMOVAL OF MEZZANINE STRUCTURE AND FLOOR		STAFF	Date
BUILDING DATA		COUNCIL	Initials
GROSS BUILDING AREA	3,108/SQ. FT.	Date	Initials
PATIO AREA	716/SQ. FT.	See the Staff Approval Letter or Council Results Memo for any conditions associated with the approval of the project	
TOTAL:	3,824/SQ. FT.		
SEATING COUNT			
2 TOP TABLE x	5	=	10
4 TOP TABLE x	7	=	28
10 TOP TABLE x	1	=	10
LOUNGE DINING SEATING		=	19
BARSTOOL CHAIRS x		=	27
TOTAL INTERIOR DINING:			94
2 TOP TABLE x	2	=	4
4 TOP TABLE x	2	=	8
2 TOP BANQUETTE x	2	=	4
4 TOP BANQUETTE x	6	=	24
TOTAL PATIO DINING:			40
AREA PER ROOM			
TOTAL INTERIOR DINING:	SQUARE FOOTAGE		
DINING ROOM	1707		
BAR	390		
KITCHEN	862		
RESTROOMS	149		
TOTAL INTERIOR	3108		
TOTAL EXTERIOR DINING AREA:			
PATIO	716		
TOTAL SQUAR FOOTAGE	3,824		

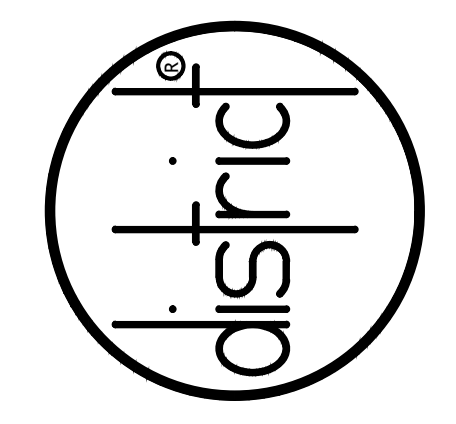


CORPORATE:
 DISTRICT RESTAURANT GROUP
 ADDRESS:
 Website: www.districtsj.com
 Contact: Jon Dangelica



04.15.21

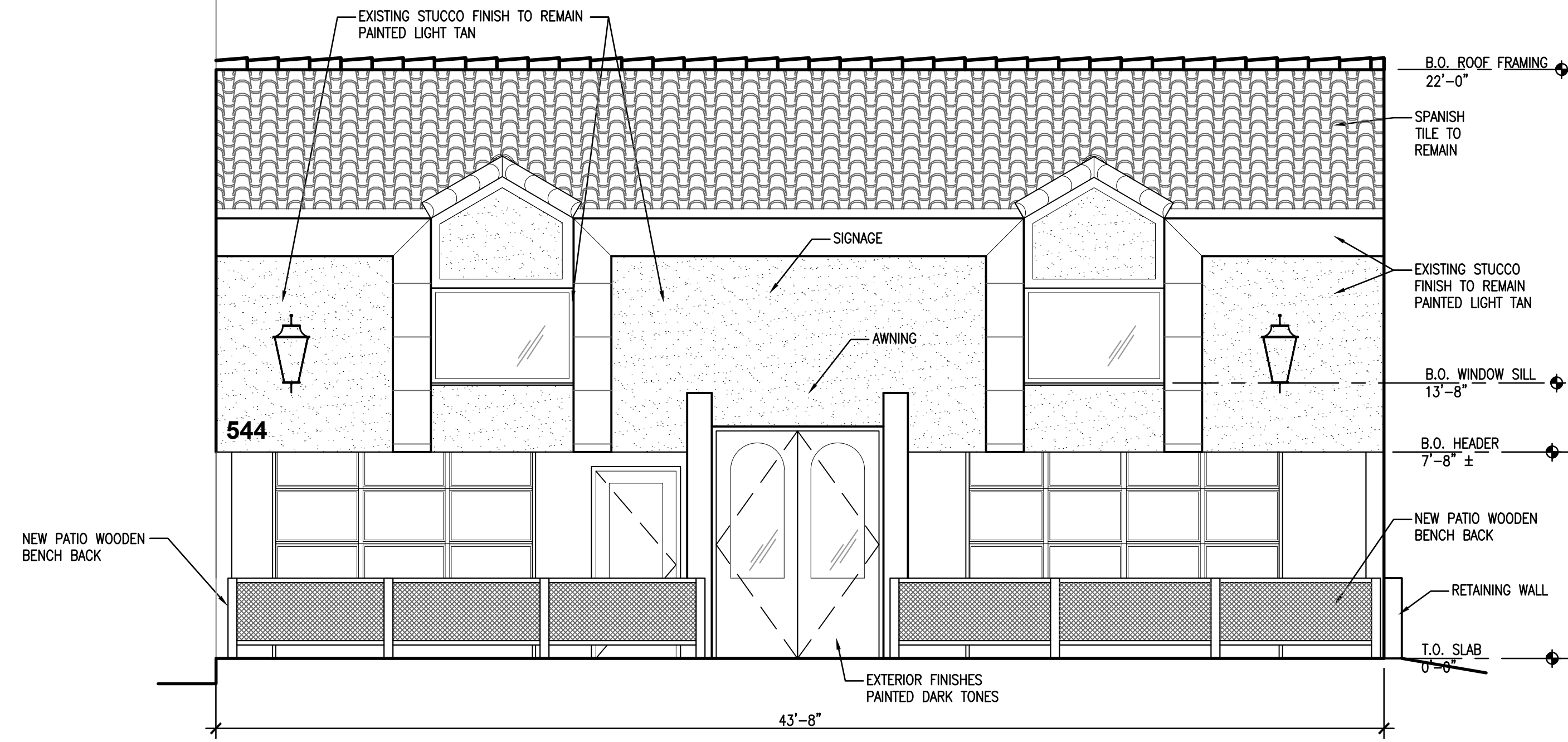
DISTRICT - ADDISON VILLAGE ON THE PARKWAY
 5100 Belt Line Road, Suite 544
 Addison, Texas 75254
 CLIENT: DISTRICT RESTAURANT GROUP
 Jon D'Angelica



DOCUMENT ISSUES	
DATE	DESCRIPTION
04.05.21	SPECIFIC USE PERMIT

EXB2-A1.2
 FURNISHING
 PLAN

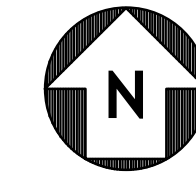
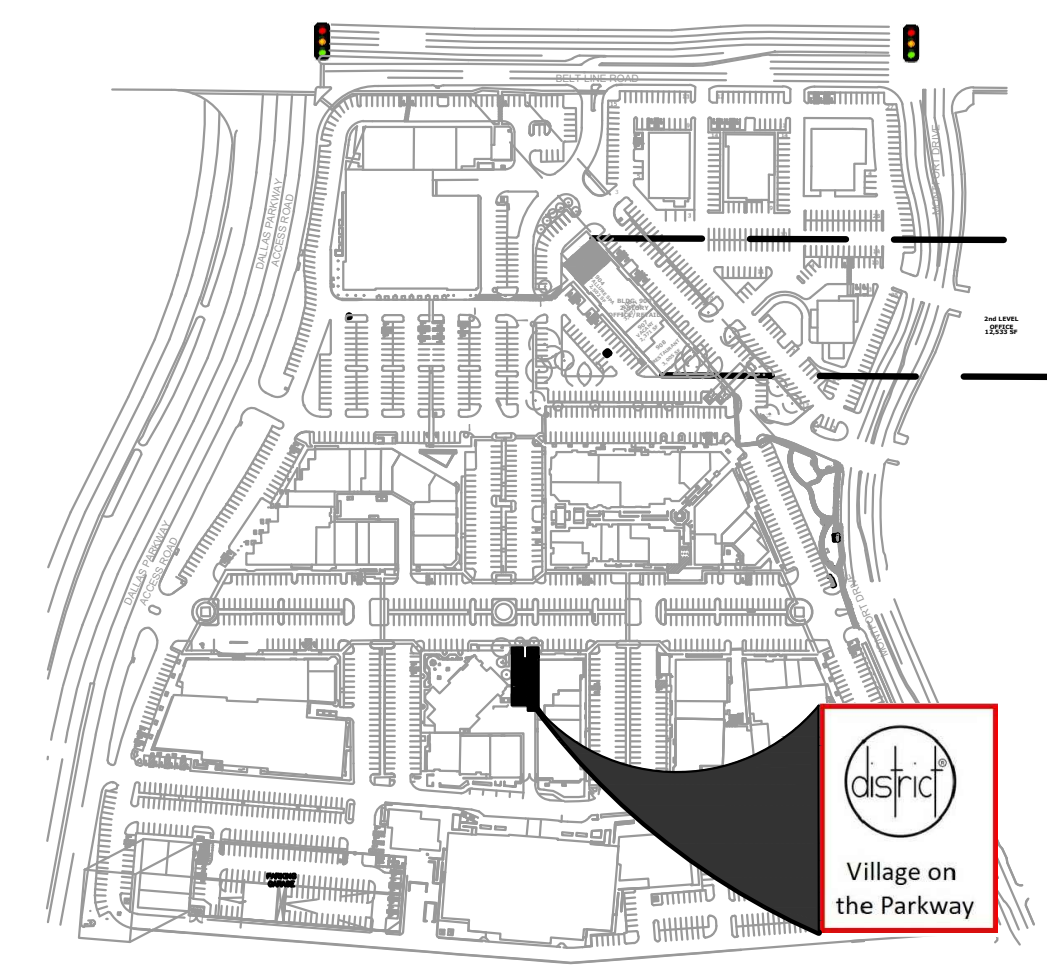
A1.2



MATERIAL CALCULATIONS NORTH ELEVATION		
MATERIAL	AREA PER SQFT.	PERCENTAGE
STUCCO - TEXTURE	208	26
STUCCO - SMOOTH	143	15
WOOD	208	21
GLASS	105	11
METAL	4	0
ROOF TILE	240	25
TOTAL	977.7	100 %

1/4"=1'-0" NORTH EXTERIOR ELEVATION 1
1/4"=1'-0"

SITE LOCATION MAP



TOWN OF ADDISON FAÇADE PLAN NOTES

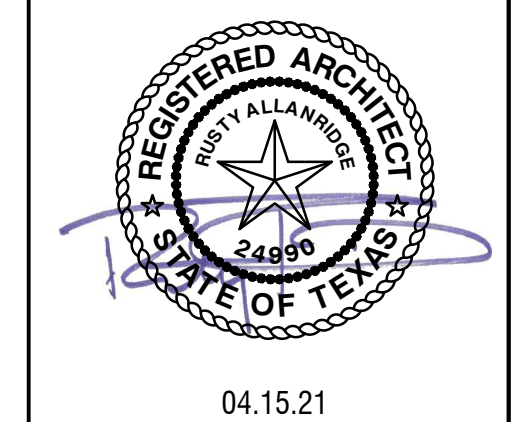
FAÇADE PLAN IS FOR CONCEPTUAL PURPOSES ONLY. ALL BUILDING PLANS REQUIRE REVIEW AND APPROVAL BY DEVELOPMENT SERVICES.

1. ALL MECHANICAL UNITS SHALL BE SCREENED FROM PUBLIC VIEW AS REQUIRED BY THE ZONING ORDINANCE
2. WHEN PERMITTED, EXPOSED UTILITY BOXES AND CONDUITS SHALL BE PAINTED TO MATCH THE BUILDING
3. ALL SIGNAGE AREAS AND LOCATIONS ARE SUBJECT TO APPROVAL BY DEVELOPMENT SERVICES
4. ROOF ACCESS SHALL BE PROVIDED INTERNALLY, UNLESS OTHERWISE PERMITTED BY THE CHIEF BUILDING OFFICIAL

ACTION
STAFF _____ Date _____ Initials _____
COUNCIL _____ Date _____ Initials _____
See the Staff Approval Letter or Council Results Memo for any conditions associated with the approval of the project.

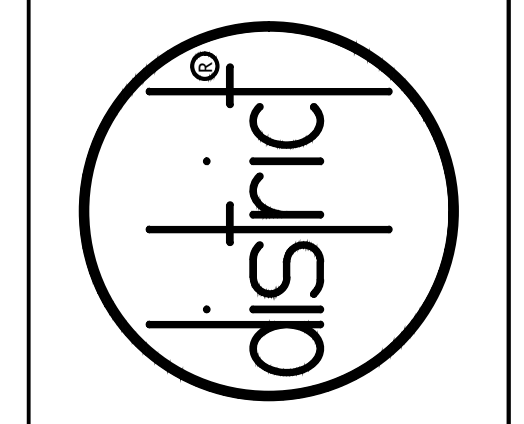
1431 GREENWAY RD. SUITE 510
IRVING, TEXAS 75038
TEL: 972.870.1288
WWW.IDSTUDIO.COM

CORPORATE:
DISTRICT RESTAURANT GROUP
ADDRESS _____
Website: www.districtsj.com
Contact: Jon D'Angelica



04.15.21

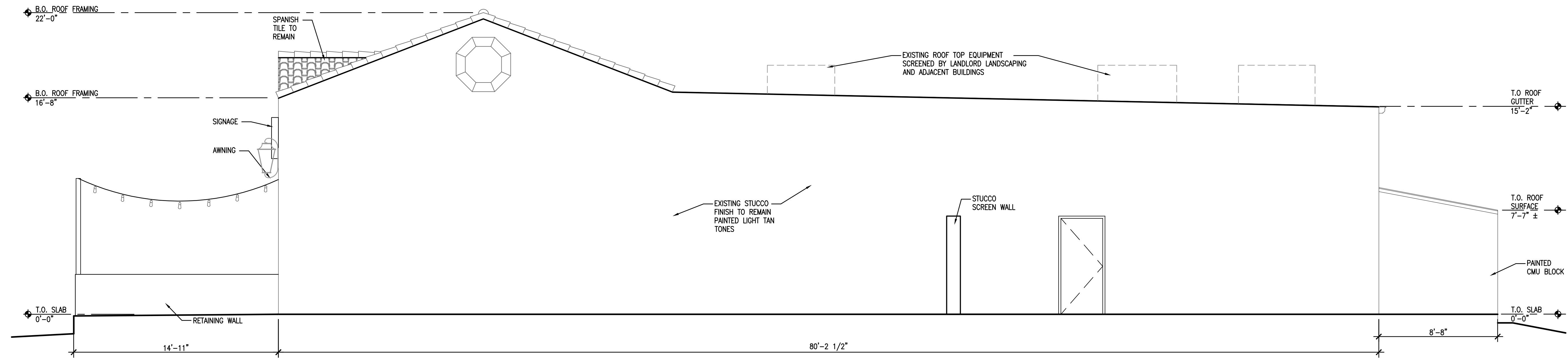
**DISTRICT - ADDISON
VILLAGE ON THE PARKWAY**
5100 Belt Line Road, Suite 544
Addison, Texas 75254
CLIENT: DISTRICT RESTAURANT GROUP
Jon D'Angelica



DOCUMENT ISSUES	
DATE	DESCRIPTION
04.05.21	SPECIFIC USE PERMIT

EXB3-A2.0
EXTERIOR
ELEVATIONS

A2.0



MATERIAL CALCULATIONS EAST ELEVATION		
MATERIAL	AREA PER SQFT.	PERCENTAGE
STUCCO	140	91
CMU BLOCK	70	5
CONCRETE	44	3
ROOF TILE	14	1
TOTAL	1474	100 %

1/4"=1'-0" EAST PATIO ELEVATION 2
1/4"=1'-0"

Meeting Date: 05/18/2021

Agenda Caption:

Present and discuss key outcomes of a review of the adopted Planning and Zoning Commission Rules, Regulations, and Procedures.

Staff Report:

With the recent presentation of the Planning and Zoning Commission Annual Report, the Commission identified a need to review and make necessary updates to the Commission's Rules, Regulations, and Procedures document, which was last updated in 2004. At the April 19, 2021 Commission Work Session, this process was initiated, with Development Services staff receiving initial feedback and programming time for the May meeting to engage in a more detailed discussion of the existing policy document.

For this discussion, staff has provided an analysis of the existing procedures document for Commission consideration and further feedback. With receipt of any additional feedback, staff proposes to make needed updates and present a draft updated procedures document for Commission consideration at the July Commission meeting.

Recommendation:

Provide direction on needed updates to the Planning and Zoning Commission's Rules, Regulations and Procedures document.

Attachments

Analysis of the Planning and Zoning Commission Rules, Regulations, and Procedures

Rules, Regulations, and Procedures of the Planning and Zoning Commission

TOWN OF ADDISON

RULES, REGULATIONS, AND PROCEDURES OF THE PLANNING AND ZONING COMMISSION

Feedback on Cover Page, Table of Contents, Document Formatting, and Update Process

- Update cover page to include a Town logo and imagery that reflects the P & Z process.
- The table of contents page numbering is wrong beginning at page 5.
- There is an appendix listed in the Table of Contents but there is not an appendix in the actual document.
- Is a table of contents needed for a 7-page document?
- Pronoun usage – use his/her instead of the current practice of only using masculine pronouns.
- Update Process – This is a Planning and Zoning Commission document that does not require action by City Council; however, it does have content that is taken directly from the zoning ordinance. If changes are desired for that content, it may require ordinance amendments to maintain consistency.
- Overall, the document needs to be reviewed thoroughly for grammar and formatting refinements.

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Appendix.....**Error! Bookmark not defined.**

Rules, Regulations, and Procedures
of the
Planning and Zoning Commission

ARTICLE I - AUTHORITY AND POWERS OF THE COMMISSION

The authority and powers of the Addison Planning and Zoning Commission are contained in Appendix A, "Zoning," of the Code of Ordinances of the Town of Addison, Texas, the same being Ordinance No. 66 of the City.

ARTICLE II - ORGANIZATION AND STRUCTURE OF THE COMMISSION

A. Membership

The Planning and Zoning Commission consists of seven (7) members, each appointed by a majority of the City Council for a term of two (2) years and removable for cause by the City Council. Vacancies are filled by the appointment by the City Council of a suitable person to serve a term of two (2) years. Members may not be appointed to serve more than three consecutive terms. If any member misses three (3) consecutive meetings, the Commission may recommend to the City Council that a new Commissioner be appointed to the position in question. Such a recommendation shall require a majority vote of the Commission.

Members of the Commission shall be compensated (\$25.00) per bi-weekly pay period.

B. Officers and Duties of Officers

The Commission shall hold an organizational meeting in January of each year and shall elect a Chair and Vice-Chair from among its members before proceeding to any other matters of business. The City Manager of the City shall assign a staff representative to perform as Secretary to the Commission. The Secretary may appoint an Assistant Secretary to serve in the absence of or on behalf of the Secretary.

The Chair, or in his absence or disability, the Vice-Chair, shall, as presiding officer, preside at all meetings and hearings of the Commission, and shall be entitled to vote on all matters coming before the Commission. In the absence or disability of both the Chair and Vice-Chair, an Acting Chair shall be selected by members present to preside at the meeting where elected.

The presiding officer shall decide all points of order and procedure, subject to these rules, unless otherwise directed by a majority of the members of the Commission present.

The Chair or Vice-Chair shall report at any meeting on any official business taking place that has not come to the attention of the Commission.

The Secretary shall be responsible for all routine correspondence and, subject to these rules and the direction of the Commission, all correspondence regarding zoning amendments, site plans, subdivision developments and other matters. The Secretary shall be responsible for all notices, attend all meetings or hearings of the Commission, keep the minutes, compile the records and maintain the files and indexes.

C. Rules of Order

Roberts Rules of Order, latest revision, shall be the Commission's final authority on all questions of procedure and parliamentary law not covered by these Rules of Procedure.

D. Suspension of Rules

Any provision of these rules not governed by City Ordinance may be temporarily suspended by a favorable two-thirds vote of all members of the Commission, which vote shall be entered upon the minutes.

Feedback on Articles I and II

- Commissioner appointment process – the Town’s practice is for individual Council members to nominate residents for appointment; with the formal appointment action occurring through a majority vote of the Council. The language currently in this document is correct, but we could add more detail to better capture the nomination and appointment process.
- The first paragraph of Section B is partially in conflict with language included in the zoning ordinance as Article XXIX (Changes and Amendments), Section 18 (Same – Officers).
- Staff needs to ensure that the organizational meeting that is referenced in Section B becomes a consistent practice based on recent direction from the Commission.
- Recommend that the Director of Development Services to serve as the Secretary and the Planning and Development Manager will serve as the Assistant Secretary.
- Can amend the last paragraph of Section B to more generically describe files, and remove the term “indexes”.
- Discussion to confirm the Commission’s preference for Robert’s Rule of Order is needed. If that direction is confirmed, staff will provide the commission with appropriate reference materials

ARTICLE III - DUTIES OF THE COMMISSION

A. Duties Invested by Council

The Planning and Zoning Commission is charged by ordinance with the following duties and invested with the authority to:

- (a) Inspect property and premises at reasonable hours where required in the discharge of its responsibilities under the laws of the State of Texas and of the City.
- (b) Formulate and recommend to the City Council for its adoption a City Plan for the orderly growth and development of the City and its environs, and from time to time recommend such changes in the Plan as it finds will facilitate the movement of people and goods, and the health, recreation, safety and general welfare of the citizens of the City.
- (c) Formulate a zoning plan as may be deemed best to carry out the goals of the City Plan; hold public hearings and make recommendations to the City Council relating to the creation, amendment, and implementation of zoning regulations and districts as provided in Chapter 211 of the Texas Local Government Code, as amended, authorizing cities and incorporated villages to pass regulations; all powers granted under said Act are specifically adopted and made a part hereof.
- (d) Exercise all the powers of a commission as to approval or disapproval of plans, plats or replats and vacations of plans, plats or replats, as set out in Chapter 211 of the Texas Local Government Code.
- (e) Study and recommend on the location, extension and planning of public rights-of-way, parks or other public places, and on the vacating or closing of same.
- (f) Study and recommend on the general design and location of public buildings, bridges, viaducts, street fixtures and other structures and appurtenances. Study and recommend on the design or alteration and on the location or relocation of works of art which are, or may become, the property of the city.
- (g) Initiate, in the name of the City, for consideration at public hearing all proposals: (1) for the original zoning of annexed areas; and (2) for the change of zoning district boundaries on an area-wide basis. No fee shall be required for the filing of any such proposal in the name of the City.
- (h) Formulate and recommend to the City Council for its adoption policies and regulations consistent with the adopted City Plan governing the location and/or operation of utilities, public facilities and services owned or under the control of the City.
- (i) Keep itself informed with reference to the progress of city planning in the United States and other countries and recommend improvements in the adopted plans of the City.
- (j) Submit each year a progress report to the City Council summarizing its activities, major accomplishments for the past year, and a proposed work program for the coming year. The report shall contain for the year the attendance record of all members and the identity of Commission officers.

Feedback on Article III

- This Article mirrors language included in the zoning ordinance as Article XXIX (Changes and Amendments), Section 19 (Same – Duties). If modifications to this language is desired, additional ordinance amendments may be needed.
- As this Article is written, it seems to blend Commission and staff duties and responsibilities. Generally, this is appropriate, as staff resources are committed to support the needs of the Commission. If further delineation is desired, that can be addressed.
- There are several broad long-range planning and zoning related duties referenced here (b, c, e, f, and h). The Town prepares a general plan that broadly addresses the planning items. This is the Comprehensive Plan, which the Commission is required to review and act on prior to City Council action. The Town's comprehensive plan has a bit less detail than what you may typically see from cities; however, with future updates, there may be more need to have the Commission explore these topics in more detail. The Town also prepares very detailed master planning documents, such as the Park and Trail Master Plans and the Master Transportation Plan. The Commission is a stakeholder in these planning processes, but does not typically maintain a more formal review and approval role. For item "c", that is referencing the Town's zoning ordinance and other associated development codes. The Commission will have an opportunity to perform this duty through the review and adoption of the Unified Development Code.
- The term "City Plan" should be changed to "Comprehensive Plan".
- Item "c" should also make reference to the official zoning map.
- Item "d" references the incorrect local government code chapter. It should be Chapter 212.
- City staff needs to work with the Commission to develop a work program as described in item "j".
- There is inconsistency in language between this document and the zoning ordinance regarding the usage of Town and City.

ARTICLE IV - MEETINGS

A. Quorum

A quorum shall consist of four (4) members.

B. Agenda

An agenda shall be prepared by the Secretary for each meeting of the Commission. There shall be attached to each agenda a report of matters pending further action by the Commission. A copy of the agenda shall be posted as required by law at least 72 hours before the scheduled time of the meeting, except as otherwise provided by law.

C. Regular Meetings

Regular meetings shall be held on the fourth (4th) Thursday of each month in the Council Chambers of the City Hall, unless otherwise determined by the Commission.

D. Special Meetings

Special meetings for any purpose may be held: (1) on the call of the Chair, or (2) on request of two or more members and by giving written notice to all members deposited in the mail at least 48 hours before the meeting, or (3) as may be scheduled by a majority of the Commission at any previous meeting. The time and place of the special meeting shall be determined by the convening authority.

E. Public Meetings

All meetings shall be held in full compliance with the provision of state law, ordinances of the City and these Rules of Procedure. Any party in interest may appear in his own behalf or be represented by counsel or agent.

F. Planning Sessions

The Commission may be convened as a committee of the whole in the same manner as prescribed for the calling of a special meeting for the purpose of holding a planning session, provided that no official business shall be conducted thereafter and no quorum shall be required.

Feedback on Article IV

- Section C – the Commission’s regular meeting date should be revised to reflect the third Tuesday of each month. May want to add “or the Secretary” to account for instances where staff may need to adjust the date, time, or location of meetings based on unique conditions.
- Section D – As noted above, may also want to include the Secretary in this as calling special meetings is frequently a staff function. The timing of the notice and the form of the notice needs to be revised. As described above, meeting agendas need to be posted 72 hours out, thus 48 hours as noted here is insufficient. The form of the notice should be amended to allow for email communication.
- Section F - The formal term used by City Council and most cities is “Work Session”. This is also how staff currently posts the agenda for the Monday meetings. Recommend changing “Planning Sessions” to “Work Sessions”.

ARTICLE V - OFFICIAL RECORDS

A. Official Records - Definition

The official records shall be these rules and regulations and the minutes of the Commission together with all findings, decisions and other official records of the Commission.

B. Recording of Vote

The minutes of the Commission's proceeding shall show the vote of each member, or if absent or failing to vote shall indicate that fact.

C. Files - Retention

All matters coming before the Commission shall be filed in the City's records. Original papers of all requests and proposals shall be retained as a part of the permanent record.

D. Public Record

The official records and citizen requests filed for Commission action shall be on file in the office of the Secretary to the Commission and shall be open to public inspection during customary working hours.

Feedback on Article V

- Section C – Given that the Town digitizes its records to allow for improved access to the records, staff will confirm with the City Secretary if the reference to “original papers” is still applicable.
- Section D – As noted above, this language may need to be refined to account for access to digital records, which is the most frequent form of information dispersal that is currently practiced.

ARTICLE VI - APPLICATION PROCEDURES

A. Written Request Required

Every proposal submitted for Commission action shall be made in writing by the appropriate application forms which are provided by the City. The proposal shall be filed on said forms, shall be accompanied by all prescribed fees, and shall be complete in all respects before being accepted for filing.

B. Schedules and Instructions

Every proposal or request for Commission action or recommendation shall be filed, processed and considered in accordance with specific schedules and instructions established by the Secretary.

C. Submission of Supporting Information

Information supporting a request or recommendation to approve or disapprove any proposal before the Commission shall be submitted only through the Secretary in writing or to the Commission in public meeting.

D. Withdrawal of Proposal

When any applicant desires to withdraw his proposal he may do so by filing a written request to that effect with the Secretary. Such request shall be effective upon the date of its official receipt, provided, however, that no such request shall be valid after notices have been mailed, except on action of the Commission. Withdrawal of a proposal at any stage of its processing shall terminate all consideration of it by the City, and the case file thereon shall be closed.

Feedback on Article VI

- Section A – Given that the Town allows for and encourages electronic application submittals, this language should be refined to account for those submittal options.
- Section B – These schedules are established and are being reviewed for any needed refinements.

ARTICLE VII - HEARINGS AND DECISIONS

A. Order of Business

The Chair shall call the Commission to order, and the members present and absent shall be recorded. The minutes of any preceding meeting shall be submitted for approval. The public shall be advised of the procedures to be followed in the meeting; The Secretary shall publicly advise the Commission of any communications received pertaining to any matter before the Commission.

The Commission shall then hear and act upon those proposals scheduled for consideration or public hearing together with such other matters of business and the findings and considerations of the Commission shall be reported by the Commission or the Secretary.

B. Presentation or Hearing of Proposals

1. The Commission shall call, or cause to be called by the Chair each proposal in such order as to be in accord, as near as practicable, with the hearing time specified in the notice of public hearing.
2. The Chair shall next call on the staff for a factual summary and presentation relative to the proposal and shall afford the staff an opportunity to call to the attention of the Commission any additional pertinent communications.
3. The Chair shall then call on persons present who wish to speak to the proposal and shall direct that they speak in the following order:
 - 1) The applicant or his representative
 - 2) Those persons in support
 - 3) Those persons in opposition

Whenever necessary the Chair shall direct that all remarks shall be germane to the proposal. No rebuttal shall be permitted by either side, but the Commission may direct questions to any speaker in order to clarify statements and facts presented.

4. The Chair shall then declare the public presentation or hearing closed, as to that proposal.

C. Motions

A motion may be made by any member other than the presiding officer. Except as otherwise provided by law or these Rules, a motion to approve any matter before the Commission or to recommend approval of any request requiring Commission action shall require the majority of the votes of the members present.

D. Disqualification from Voting

1. A member shall disqualify himself from voting whenever he finds that he has a personal or monetary interest in the property that is the subject of the matter under consideration, or that he will be directly affected by the decision of the Commission.
2. A member may disqualify himself from voting whenever any applicant, or his agent, has sought to influence the vote of the member on his application, other than in the public hearing, and the member determines that he cannot be independent and impartial in his decision.

Feedback on Article VII

- Some cities will have a standard message on meeting process and decorum that the chair shares with the public prior to business commencing. If this is something the Commission is interested in, staff can draft language for consideration.
- Section B.1 – due to the nature of the process, adhering to a strict time for each item is not practical, and thus that language should be amended. The Chair has the discretion to seek feedback from the Commission to amend the order of items during the meeting in the event that there is a specific item that needs to be prioritized.
- Section B.2 – this period should also account for Commission opportunity to pose questions to staff.
- Section B.3 – to facilitate the order of items 2 and 3, cities often require speakers to fill out speaker cards upon arrival to the meeting. The card will provide their name and address for the record and will also require the speaker to indicate if they are for, against, or neutral to the item. This does not always capture every speaker, but it helps. This is a bit more challenging for the virtual meeting format, but it can be achieved. If the Commission would like to explore a speaker card approach, staff can facilitate that.
- Section B.3 – refine language to ensure that the option of rebuttal is clearly not available to any public hearing participant. Further clarification may only be achieved as a result of questions and points of clarification directed by the Commission to any participating party.
- Section C - there may be times where a member or members are absent, and the possibility of a tie vote is present. It may be beneficial to confirm the outcomes of action that results in a tie vote.
- Section D.1 – more discussion is needed with the Commission as it relates to the term “directly affected by the decision of the Commission”. Some cities treat this as an issue if the Commissioner owns property within the 200-foot notice boundary for the zoning case.

ARTICLE VIII - CERTIFICATION AND AMENDMENTS

A. Copy Filed With City Secretary

A copy of these Rules of Procedure and of any amendments thereto shall be filed in the office of the City Secretary within ten days following their date of adoption.

B. Repealing Clause

All previously adopted Rules of Procedure of the Commission shall be and the same are hereby expressly repealed.

C. Amendments

Except as otherwise provided, amendments to these Rules of Procedure may be adopted by the Commission at any meeting upon the affirmative vote of a majority of the entire membership, provided such amendment is proposed at a preceding meeting and recorded in the minutes of such meeting. By unanimous vote of the entire Commission membership, amendments may be adopted at the meeting at which such amendments are introduced, but shall not become effective until the next regular meeting.

ADOPTED

This ____ day of _____ 2004.

Chair

ATTESTED:

Commission Secretary

* * * * *

Filed in the Office of the City Secretary this _____ day of _____, 2004.

City Secretary

Town of Addison, Texas

Feedback on Article VIII

- Section C – Confirm if unanimous vote on amendments is desired. Other options include a supermajority or simple majority.

TOWN OF ADDISON

RULES, REGULATIONS,
AND PROCEDURES
OF THE
PLANNING AND ZONING
COMMISSION

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Rules, Regulations, and Procedures
of the
Planning and Zoning Commission

ARTICLE I - AUTHORITY AND POWERS OF THE COMMISSION

The authority and powers of the Addison Planning and Zoning Commission are contained in Appendix A, "Zoning," of the Code of Ordinances of the Town of Addison, Texas, the same being Ordinance No. 66 of the City.

ARTICLE II - ORGANIZATION AND STRUCTURE OF THE COMMISSION

A. Membership

The Planning and Zoning Commission consists of seven (7) members, each appointed by a majority of the City Council for a term of two (2) years and removable for cause by the City Council. Vacancies are filled by the appointment by the City Council of a suitable person to serve a term of two (2) years. Members may not be appointed to serve more than three consecutive terms. If any member misses three (3) consecutive meetings, the Commission may recommend to the City Council that a new Commissioner be appointed to the position in question. Such a recommendation shall require a majority vote of the Commission.

Members of the Commission shall be compensated (\$25.00) per bi-weekly pay period.

B. Officers and Duties of Officers

The Commission shall hold an organizational meeting in January of each year and shall elect a Chair and Vice-Chair from among its members before proceeding to any other matters of business. The City Manager of the City shall assign a staff representative to perform as Secretary to the Commission. The Secretary may appoint an Assistant Secretary to serve in the absence of or on behalf of the Secretary.

The Chair, or in his absence or disability, the Vice-Chair, shall, as presiding officer, preside at all meetings and hearings of the Commission, and shall be entitled to vote on all matters coming before the Commission. In the absence or disability of both the Chair and Vice-Chair, an Acting Chair shall be selected by members present to preside at the meeting where elected.

The presiding officer shall decide all points of order and procedure, subject to these rules, unless otherwise directed by a majority of the members of the Commission present.

The Chair or Vice-Chair shall report at any meeting on any official business taking place that has not come to the attention of the Commission.

The Secretary shall be responsible for all routine correspondence and, subject to these rules and the direction of the Commission, all correspondence regarding zoning amendments, site plans, subdivision developments and other matters. The Secretary shall be responsible for all notices, attend all meetings or hearings of the Commission, keep the minutes, compile the records and maintain the files and indexes.

C. Rules of Order

Roberts Rules of Order, latest revision, shall be the Commission's final authority on all questions of procedure and parliamentary law not covered by these Rules of Procedure.

D. Suspension of Rules

Any provision of these rules not governed by City Ordinance may be temporarily suspended by a favorable two-thirds vote of all members of the Commission, which vote shall be entered upon the minutes.

ARTICLE III - DUTIES OF THE COMMISSION

A. Duties Invested by Council

The Planning and Zoning Commission is charged by ordinance with the following duties and invested with the authority to:

- (a) Inspect property and premises at reasonable hours where required in the discharge of its responsibilities under the laws of the State of Texas and of the City.
- (b) Formulate and recommend to the City Council for its adoption a City Plan for the orderly growth and development of the City and its environs, and from time to time recommend such changes in the Plan as it finds will facilitate the movement of people and goods, and the health, recreation, safety and general welfare of the citizens of the City.
- (c) Formulate a zoning plan as may be deemed best to carry out the goals of the City Plan; hold public hearings and make recommendations to the City Council relating to the creation, amendment, and implementation of zoning regulations and districts as provided in Chapter 211 of the Texas Local Government Code, as amended, authorizing cities and incorporated villages to pass regulations; all powers granted under said Act are specifically adopted and made a part hereof.
- (d) Exercise all the powers of a commission as to approval or disapproval of plans, plats or replats and vacations of plans, plats or replats, as set out in Chapter 211 of the Texas Local Government Code.
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- (g) Initiate, in the name of the City, for consideration at public hearing all proposals: (1) for the original zoning of annexed areas; and (2) for the change of zoning district boundaries on an area-wide basis. No fee shall be required for the filing of any such proposal in the name of the City.
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- (i) Keep itself informed with reference to the progress of city planning in the United States and other countries and recommend improvements in the adopted plans of the City.

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

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A. Quorum

A quorum shall consist of four (4) members.

B. Agenda

An agenda shall be prepared by the Secretary for each meeting of the Commission. There shall be attached to each agenda a report of matters pending further action by the Commission. A copy of the agenda shall be posted as required by law at least 72 hours before the scheduled time of the meeting, except as otherwise provided by law.

C. Regular Meetings

Regular meetings shall be held on the fourth (4th) Thursday of each month in the Council Chambers of the City Hall, unless otherwise determined by the Commission.

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Special meetings for any purpose may be held: (1) on the call of the Chair, or (2) on request of two or more members and by giving written notice to all members deposited in the mail at least 48 hours before the meeting, or (3) as may be scheduled by a majority of the Commission at any previous meeting. The time and place of the special meeting shall be determined by the convening authority.

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All meetings shall be held in full compliance with the provision of state law, ordinances of the City and these Rules of Procedure. Any party in interest may appear in his own behalf or be represented by counsel or agent.

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B. Repealing Clause

All previously adopted Rules of Procedure of the Commission shall be and the same are hereby expressly repealed.

C. Amendments

Except as otherwise provided, amendments to these Rules of Procedure may be adopted by the Commission at any meeting upon the affirmative vote of a majority of the entire membership, provided such amendment is proposed at a preceding meeting and recorded in the minutes of such meeting. By unanimous vote of the entire Commission membership, amendments may be adopted at the meeting at which such amendments are introduced, but shall not become effective until the next regular meeting.

ADOPTED

This _____ day of _____, 2004.

Chair

ATTESTED:

Commission Secretary

* * * * *

Filed in the Office of the City Secretary this _____ day of _____, 2004.

City Secretary

Town of Addison, Texas.