

DRAFT

OFFICIAL ACTIONS OF THE ADDISON CITY COUNCIL

July 12, 2022

**6:00 p.m. Executive Session & Work Session
7:30 p.m. Regular Meeting**

**Addison TreeHouse
14681 Midway Rd., Addison, TX 75001**

The Addison City Council conducted its Regular Council Meeting on Tuesday, July 12, 2022, at the Addison TreeHouse with a quorum of the City Council physically present. Limited seating for members of the public was available. Interested parties were able to make public comments and address the Council via emailed comments submitted to the City Secretary at iparker@addisontx.gov by 3:00 p.m. on the meeting day. The meeting was live streamed on Addison's website at www.addisontexas.net.

Present: Mayor Joe Chow; Mayor Pro Tempore Kathryn Wheeler; Deputy Mayor Pro Tempore Lori Ward; Council Member Tom Braun; Council Member Guillermo Quintanilla; Council Member Eileen Resnik

Virtual Attendance: Council Member Darren Gardner

Call Meeting to Order: Mayor Chow called the meeting to order.

Pledge of Allegiance: Mayor Chow led the Pledge of Allegiance

EXECUTIVE SESSION

Closed (Executive) Session of the Addison City Council pursuant to:

Section 551.071, Tex. Gov. Code, to conduct a private consultation with its attorney pertaining to:

- Interlocal Agreement for Jail Services

Mayor Chow closed the Open Session to convene the City Council into Closed Executive Session at 6:03PM.

Reconvene into Regular Session: In accordance with Texas Government Code, Chapter 551, the City Council will reconvene into Regular Session to consider action, if any, on matters discussed in Executive Session.

Mayor Chow reconvened the City Council into Open Session at 6:42 p.m. No action was taken as a result of Executive Session.

WORK SESSION

1. Present and Discuss Public Works and Engineering Operations and Project Updates.

Shannon Hicks, Director of Public Works and Engineering Services, presented this item. He provided an overview of projects of the Public Works and Engineering Services department, as well as an overview of the department's responsibilities by each Division:

- Streets Division- road and bridge repair, street lighting, pavement markings, scheduled road closures, traffic signals, signs and bulk trash pickup
- Utilities Division- emergency water main and line repairs, sewer manhole maintenance, ordinance updates, fire hydrant inspections and painting, valve maintenance, oversight of contracted utility repairs
- Stormwater Division- host Earth Day and Sustainability Day events, repair of damaged inlet tops, drainage ditch and stormwater inlet maintenance; also completed year three of the Town's five-year Municipal Separate Storm Water System (MS4) permit with the Texas Commission on Environmental Quality
- Capital Improvement Projects- details included purpose, timeline, status, budget and funding sources for the following projects:
 - Rawhide Creek Drainage Improvements
 - Winnwood Bridge Armoring Project
 - Lake Forest Drive Water and Sewer Improvements
 - Surveyor Pump Station Electrical Improvements
 - Kellway Lift Station Bypass Project
 - Surveyor Chloramine Booster Station
 - Celestial Ground Storage Tank Rehabilitation
 - Alpha Road Connector
 - Bella Lane North Connector
 - Traffic Signal and ADA Improvements
 - Vitruvian Park Public Infrastructure Phase 9, Block 701 Sewer and Water Improvements
- Major Bond Projects- details included scope of project, schedule, property acquisitions, budget and funding sources for the following projects:
 - Midway Road Reconstruction
 - Keller Springs Road Reconstruction
 - Airport Parkway Reconstruction
 - Airport Parkway and Keller Springs Reconstruction

- Upcoming Reconstruction Projects- budgets and anticipated design start dates (2023 and 2024)
 - Quorum Drive
 - Montfort Road

Mr. Hicks provided a visual depiction of the final Airport Parkway and Keller Springs Reconstruction Project so attendees could see the proposed finished project. He advised that the Town contracted with an outside engineering firm to produce the high-quality visuals to communicate the project vision to the public and property owners. This visual and other project updates and maps may be found on Addison's website at addisontx.net/projects.

Brief comments were offered by Council.

REGULAR MEETING

Announcements and Acknowledgements regarding Town and Council Events and Activities

Mayor Chow read a Proclamation recognizing City Manager Wes Pierson for his service as City Manager and designating July 12, 2022 as Wes Pierson Day in the Town of Addison. Mr. Pierson was also presented a commemorative street sign. It was noted that this is his last meeting with the Town of Addison, and he will soon assume the role of City Manager for the City of Frisco.

Mr. Pierson expressed his appreciation and fondness for his years with the Town of Addison and all the City Councils he has had the opportunity to work with over the years. He also expressed his appreciation for the staff he has worked with. Mayor Chow expressed high regard for Mr. Pierson and wished him well. Several other Council Members offered appreciative comments to Mr. Pierson as well.

Discussion of Events/Meetings

Public Comment: *The City Council invites citizens to address the City Council on any matter, including items on the agenda, except public hearings that are included on the agenda. Comments related to public hearings will be heard when the specific hearing starts. Citizen comments are limited to **three (3) minutes**, unless otherwise required by law. To address the Council, please fill out a **City Council Appearance Card** and submit it to a staff member prior to the Public Comment item on the agenda. The Council is not permitted to take any action or discuss any item not listed on the agenda. The Council may choose to place the item on a future agenda.*

Kimberly Hamilton, 13939 Noel Rd., Dallas, TX addressed the Council regarding panhandling issues along North Dallas Tollway. She volunteered her assistance with the program.

Consent Agenda: *All items listed under the Consent Agenda are considered routine by the City Council and will be enacted by one motion with no individual consideration. If individual consideration of an item is requested, it will be pulled from the Consent Agenda and discussed separately.*

2. Consider Action on the Minutes from the June 14, 2022 City Council Meeting.

3. **Consider Action on the Minutes from the June 28, 2022 City Council Meeting.**
4. **Consider Action on a Resolution for the Financial Plan and Rate Model for Water and Sewer Utility Rates.**
5. **Consider Action on an Ordinance Revising Sec. 78-175 'Overnight Parking of Certain Vehicles Within Residential Areas Prohibited' of the Code of Ordinances to Clarify Language for Enforcement of Commercial Vehicle Parking.**
6. **Consider Action on a Resolution Authorizing the Use of Eminent Domain for the Acquisition of Permanent Right-of-Way, Utility Easements, and Temporary Construction Easements for the Reconstruction of Keller Springs Road and Airport Parkway from Dallas North Tollway to Addison Road, and Authorizing the City Manager to Execute all Documents.**

Mayor Chow asked if there were any requests to remove an item from the Consent Agenda for separate discussion. There were none.

MOTION: Council Member Resnik moved to approve Consent Agenda Items 2, 3, 4, 5 and 6 as submitted. Deputy Mayor Pro Tempore Ward seconded the motion. Motion carried unanimously.

Resolution No. R22-045: Adopt Financial Plan and Rate Model for Water and Sewer Utility Rates.

Ordinance No. O22-20: Revise Code of Ordinances, Section 78-175 'Overnight Parking of Certain Vehicles Within Residential Areas Prohibited'

Resolution No. R22-046: Authorize Use of Eminent Domain for the Acquisition of Permanent Right-of-Way, Utility Easements, and Temporary Construction Easements for the Reconstruction of Keller Springs Road and Airport Parkway

Regular Items

7. **Hold a Public Hearing, Present, Discuss, and Consider Action on an Ordinance Adopting a Development Plan for Block D of the Addison Grove Addition, Including a Site Plan, Landscape Plan, Building Elevations, and Floor Plans for 54 Townhome Lots and One Open Space Lot in an Existing Planned Development District (PD), Through Ordinance O16-003, Located on Approximately 2.08 Acres at the Southwest Corner of Magnolia Street and Runvon Road, Approximately 400 Feet South of Belt Line Road. Case 1833-Z/Addison Grove, Block D.**

Ken Schmidt, Director of Development Services, presented this item. He reviewed the history of this project and summarized the request as follows:

Background: Block D is part of the Addison Grove Addition, an approximately 17.4 acre site situated on the south side of Belt Line Road and 350 feet west of Midway Road. In 1991, this property was zoned Planned Development, through Ordinance O91-066, to accommodate the

development of a Sam's Wholesale Club, which was constructed the following year. In anticipation of redevelopment, a special area study was initiated by the Town in 2014. This visioning process culminated in the adoption of a new Planned Development district, PD O16-003, in early 2016, establishing standards for a mixed-use redevelopment plan with townhomes, live/work units, and a multifamily component with ground floor retail uses.

In May 2016, InTown Homes received Development Plan approval for the townhome and live/work units in Addison Grove and has continued to advance through the permitting and construction process for the 57 townhome units that comprise Block B. In December 2017, Greystar received Development Plan approval for the development of the multifamily and retail component, Elan Addison Grove, which has been constructed and occupied. In April 2021, the Development Plan for Block A was approved, which included 16 townhomes and 17 live/work units. Permit review and lot construction is ongoing in Block A.

At this time, InTown Homes is ready to proceed with Block D, and in order to receive the necessary building permits, they must first obtain Development Plan Approval from the Town.

Proposed Plan: The development plans include the site plan and landscape plan for the entirety of Block D, as well as representative building elevations and floor plans for the 54 townhomes units that comprise this block. The plan accommodates four, four-story buildings, with all other buildings being three stories in height. The architectural character continues the traditional appearance of the Addison Grove neighborhood, with primarily brick façades. Units range in size from two to five-bedroom units that accommodate 1,350 square feet to 4,115 square feet of floor area.

Staff Review: Development Plan approval differs from a typical zoning case. While zoning is a legislative decision that is discretionary in nature, Development Plan approval is a ministerial function that is more like plat approval. The purpose of the Development Plan approval process is to review the proposal in the context of the existing zoning requirements for the site. If the proposal meets the requirements, then it must be approved. The proposed uses meet the standards in the ordinance.

It was noted that the concept plan for this project was approved by a prior Council.

Mr. Schmidt provided an overview of the site plan, landscaping and open space, parking, and exterior façade. He noted that alleyways on this project will be named (similar to streets) for addressing purposes.

Mr. Schmidt advised that the developer is proposing to remove the existing screening wall in phases, which will be replaced with a 6 foot temporary wood fence to remain in place during the duration of the construction. This will facilitate the installation of a water line in this same area. He noted that buildings along Beltway would be constructed first in order to screen the view of the remaining construction.

Mr. Schmidt advised that 116 public notices were sent to adjacent property owners with no responses received either FOR or AGAINST this project. The Planning and Zoning Commission

voted unanimously to approve this application at their July meeting. The recommendation is to include these conditions:

- A replat and associated air rights easements are approved and filed prior to release of any Block D building permits in order to account for required street and alley name modifications and off-lot building aerial encroachments at alley entryways.
- An 8-inch waterline connection is made between existing waterlines within the Magnolia Street and Beltway Drive rights-of-way prior to release of any Block D building permits.
- The required public safety connection and associated bollards that are co-located at this location may be installed concurrently or at the time of construction of the closest adjacent lots.
- The public park situated within Block A is completed and accepted by the Town prior to the release of any Block D building permits.
- No portion of the existing screening wall fronting towards Beltway Drive may be removed without providing at least two weeks of prior notice to the Town.

Mr. Schmidt advised that while the Town cannot dictate the length of time a project should take, this project has taken much longer than originally anticipated. There have been construction challenges that have required the Town to re-approve some plans. A new construction manager is on staff with InTown Homes to address some of the issues.

Discussion followed among Council members regarding the construction timelines, the current and requested future screening wall, the condition of the adjacent proposed park grounds.

Mayor Chow opened the public hearing. Stephen Klimas with InTown Homes was available via teleconference to answer Council's questions. He responded to questions regarding the order of the buildings to be constructed, advising that Buildings 1, 2, and 3 in Block B should be completed by the middle of November or December this year. He advised that in Block D, each building should take approximately eight (8) months.

Mr. Schmidt reviewed that the foundation design for buildings in Block B were not done as originally permitted which contributed to the construction delays. Mr. Klimas advised that the delays that have occurred for Building B include grading and retaining walls, which the Town is currently reviewing.

Mr. Klimas advised that the new project manager is currently on vacation, but he will confer with him on Council's question and responses will be provided to Mr. Schmidt regarding the schedule for completion of the park.

Considerable discussion followed regarding the proposed wood fence and how/when it will be installed. The water line will be installed, and the fence replaced prior to the planned roadway.

Mayor Chow closed the public hearing.

MOTION: Council Member Quintanilla moved to Table this item until the requested information is received from the developer. Motion was seconded by Council Member Resnik.

Council Member Braun inquired whether a partial approval could be made in order to begin installation of the water line. Mr. Schmidt responded that the water line has already been approved; the screening wall is the issue as it must be moved in order to install the water line. He added that he recommends installation of the bollards be approved at the same time. After discussion and clarification from Mr. Schmidt the following motion was made.

MOTION – WITHDRAWN: Council Member Quintanilla withdrew his motion. Council Member Resnik withdrew her second to the motion.

MOTION: Council Member Braun moved to Table this item with direction to staff to allow for removal of the screening wall for the portion on the east that is required to install the water line and the bollards. Mayor Pro Tempore Wheeler seconded the motion. Motion carried unanimously.

Adjourn Meeting

There being no further business to come before the Council, Mayor Chow adjourned the meeting.

TOWN OF ADDISON, TEXAS

Joe Chow, Mayor

ATTEST:

Irma G. Parker, City Secretary