

DRAFT

OFFICIAL ACTIONS OF THE ADDISON CITY COUNCIL

March 14, 2023

Addison Treehouse
14681 Midway Road, Suite 200, Addison, Tx 75001
5:30 p.m. Executive Session & Work Session
7:30 Regular Meeting

Present: Mayor Joe Chow; Deputy Mayor Pro-Tempore Lori Ward (arrived 5:37pm); Council Member Tom Braun; Council Member Darren Gardner; Council Member Guillermo Quintanilla; Council Member Eileen Resnik

Absent: Mayor Pro-Tempore Kathryn Wheeler

Call Meeting to Order: Mayor Chow called the meeting to order at 5:30 PM.

Pledge of Allegiance: Mayor Chow led the Pledge of Allegiance.

EXECUTIVE SESSION

Closed (Executive) Session of the Addison City Council pursuant to authorization contained in Texas Government Code as follows:

- **Section 551.071(2). Consultations with 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.
 - Discuss Town Charter and relevant authorities related to administering Town elections.
 - **Section 551.087(1). Deliberation Regarding Economic Development Negotiations** - to discuss commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, state, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations.
 - Transit Oriented Development (TOD) Project
 - Status of the Economic Development Agreement for the Addison Grove Development
-

Mayor Chow closed the Regular Meeting at 5:32 PM to convene the City Council into Closed Executive Session.

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 Regular Session at 7:30 PM. No action taken as a result of Closed Executive Session.

REGULAR MEETING

Announcements and Acknowledgments Regarding Town and Council Events and Activities

Discussion of Meetings / Events

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.*

There were no Citizens wishing to address the City Council.

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.*

1. **Consider Action on the Minutes from the February 28, 2023 City Council Meeting.**
2. **Consider Action on a Resolution to Approve a Contract Services Agreement with Shag Carpet Productions, Inc. for Decor Services for Addison Special Events and Authorize the City Manager to Execute the Agreement in an Amount not to Exceed \$122,233.41.**
3. **Consider Action on a Resolution to Approve a Contract Services Agreement with CES Power LLC for Electrical Services and Rentals for Addison Special Events and Authorize the City Manager to Execute the Agreement in an Amount not to Exceed \$178,432.**
4. **Consider Action on a Resolution to Approve a Contract Services Agreement with ACT Event Services, Inc. for Trash and Cleaning Services for Addison Special**

Events and Authorize the City Manager to Execute the Agreement in an Amount not to Exceed \$115,318.55.

Mayor Chow called for any requests to remove an item from the *CONSENT AGENDA* to discuss separately. Council Member Gardner requested to remove *CONSENT AGENDA Item 4* to be discussed separately.

MOTION: Council Member Resnik moved to approve *CONSENT AGENDA Items 1, 3 and 4* as presented. Deputy Mayor Pro-Tempore Ward seconded the motion. Motion carried unanimously.

*** * * CONSENT AGENDA ITEM #2 * * ***

Council Member Gardner inquired as to the procedures followed for the Contract Services Agreement - Décor Services for Addison Special Events Bid #23-33. Interim Special Events Coordinator Yesenia Saldivar advised on January 5, 2023, the Town advertised a Request for Proposal (RFP) from qualified vendors for decor services at Addison special events through BidSync proposal number 23-33. One submission was received due to the size, scope, and specialized nature of the events. Shag Carpet Productions, Inc. has successfully provided decor services for Taste Addison, Addison Kaboom Town!, Addison Oktoberfest, and Addison After Dark events. Decor services include but are not limited to all personnel, equipment, decor elements, installation/setup, and tear down. This proposed contract is for an initial term of two (2) years with up to three (3) additional one-year renewal terms as was the previous contract with Shag Carpet Productions, Inc.

Council Member Gardner wished to go on the record to inform and explain the bidding process staff must legally follow and reveal that the City Council is not just ‘rubber stamping’ these expenditures.

MOTION: Council Member Gardner moved to approve CONSENT AGENDA ITEM 2 as presented. Council Member Braun seconded the motion. Motion carried unanimously.

Resolution No. R23-016: Shag Carpet Productions, Inc. décor services contract Special Events.

Resolution No. R23-017: CES Power LLC electrical services/rentals contract Special Events.

Resolution No. R23-018: ACT Event Services, Inc. trash/cleaning services Special Events.

Regular Items

5. **Hold a Public Hearing, Present, Discuss, and Consider Action on an Ordinance Amending the Development Plans for Planned Development (PD) District Ordinance No. O22-27 for a 1.47 Acre Property located at 3820 Belt Line Road, to Allow for the Construction of a proposed Bank with a Drive-Through and associated Site Improvements. Case 1871-Z/3820 Belt Line Road (Frost Bank).** [Ken Schmidt, Development Services Director]

This request is specific to the 1.470-acre property located at 3820 Belt Line Road. The property

is currently occupied by a vacant restaurant building and associated parking, formerly known as Humperdink's Restaurant and Brewpub.

On November 10, 2020, City Council approved the rezoning of the property to Planned Development (PD) District, through Ordinance O20-54. This rezoning allowed for the development of a new two-story retail and office building on the eastern portion of the site while maintaining the existing restaurant building on the western portion. This PD District (Ordinance O20-54) was based on the Belt Line (BL) District standards with modifications to block length requirements, established a minimum lot size of 2.034 acres, and allowing the south façade of the new building to have only 73% brick or stone and 17% glazing.

On October 12, 2021, City Council approved an amendment to this PD, through Ordinance O21-37, to eliminate a previously adopted minimum lot size requirement that would have prohibited subdivision of the subject property.

On September 13, 2022, City Council approved a rezoning to a new PD with Local Retail (LR) district standards, through Ordinance O22-27. The request also included a Special Use Permit (SUP) for a restaurant with a drive-through, to allow the development of Salad & Go. Shortly thereafter, the initial 2.034-acre property was replatted into Lots 1R1 and 2, Block A, within the Printemps Addition No. 2. The replat resulted in a 0.564-acre lot for the Salad & Go restaurant at 3810 Belt Line Road and the 1.470-acre lot, proposed to be the site of Frost Bank at 3820 Belt Line Road.

The applicant, Frost Bank, proposes to amend the existing zoning to adopt updated development plans. The plans include a new site design and associated site improvements for a proposed bank with drive-through services. If approved, this request would amend the development plans, which previously identified a two-story office and retail building and former restaurant building. The existing, former restaurant building is proposed to be demolished and the office and retail building is not intended to be constructed by the property owner.

With this request, Frost Bank proposes to amend the development plans previously approved for an office and retail building on the subject property. The proposal includes demolishing the existing vacant building and construct a two-story, 11,842 square foot bank with a four-lane drive-through motor bank. Site improvements will include new pavement and curbing for the parking areas, drive-through, and site access drives, a solid waste enclosure, pedestrian connectivity to the existing sidewalk on Belt Line Road, new landscape to support the site, and four electric vehicle charging stations. The first floor is comprised primarily of the bank lobby, offices, and motor bank facilities. The second floor provides additional offices, training rooms, and employee amenities. The drive-through provides four covered lanes at the rear of the building. The site can be accessed via a cross access easement from Business Avenue to the west and at two points along Commercial Drive to the east. All of the site access points are private driveways that provide connectivity to signalized intersections at Belt Line Road.

Parking: The off-street parking requirement for a bank within the LR district include 1 space for each 300 square feet of floor area. The development plan submitted for Frost Bank identifies 43 parking spaces being provided to serve the 11,842 square foot office. This exceeds the

requirement by 5 spaces. The applicant is also proposing to provide electric vehicle charging stations to serve 4 of the provided parking spaces. The applicant does not propose additional driveway connections to this site.

Exterior Facades: The proposed facades are comprised primarily of masonry, glazing, and aluminum panels. The façade consists of neutral colors. The focal point of the building is the Frost Room, which provides floor to ceiling windows on the east façade of the building. Aluminum awnings will cover building entrances. The drive-through motor bank will also be covered with an awning. At 31 feet in height, the building exceeds the maximum height within the LR district of 29 feet. Staff feels the increase height allows the building to achieve a more prominent scale, which is a desirable treatment at the Belt Line Road frontage.

All mechanical equipment will be screened for the public rights-of-way, primarily within the mechanical yard along the south side of the structure. The proposed solid waste enclosure will be positioned at the southwest corner of the site and constructed to match the building façade.

Landscaping and Open Space: Frost Bank has met or exceeded Town requirements for the provision of landscape area, landscape buffer, tree plantings, and parking lot interior landscaping. It was not possible for Frost Bank to plant required street trees at the Belt Line frontage due to the presence of public drainage and sewer lines at the front of the subject property. Those required plantings were achieved at other locations on the property.

Public Outreach: Due to this site being situated adjacent to the Asbury Circle neighborhood, Frost Bank conducted a meeting via Zoom with members of the Asbury Circle Homeowners Association on January 23, 2023. Traffic flow was identified as an area of concern. It was suggested that traffic flow be addressed through directional signage on site.

The Addison Planning and Zoning Commission, meeting in regular session on February 21, 2023, voted to recommend approval of an ordinance amending the development plan for Planned Development (PD) District Ordinance No. O22-27, for a 1.47-acre property located at 3820 Belt Line Road, to allow for the construction of a proposed bank with a drive-through and associated site improvements, subject to the following condition:

- ❖ Directional signage, as permitted by the Town's Sign Ordinance, shall be provided on site.

To best accommodate the proposed 31-foot building height and to remove previously adopted development conditions that are no longer applicable, staff recommends additional approval conditions for City Council consideration. These include:

- A. The maximum building height established by PD O22-27 shall be changed from 29 feet to 35 feet to accommodate the proposed 31-foot-tall building and to be more consistent with typical retail zoning standards.
- B. PD O22-27 shall be amended to remove obsolete development conditions related to past development proposals.

Public Hearing: None

MOTION: Council Member Resnik moved to approve Case 1871-Z/3820 Belt Line Road (Frost Bank as presented. Council Member Gardner seconded the motion. Motion carried unanimously.

Ordinance O23-15: Case 1871-Z/3820 Belt Line Road (Frost Bank) Amended PD District.

6. **Hold a Public Hearing, Present, Discuss, and Consider Action on an Ordinance Adopting a Development Plan for Block C of the Addison Grove Addition, including a Site Plan, Landscape Plan, Facade and Floor Plans for 34 townhomes and one open space lot in an existing Planned Development District (PD), through Ordinance O16-003, on 1.8± acres generally located at the Southeast Corner of Oak Street and Runyon Road, approximately 500 feet south of Belt Line Road. Case 1865-Z/Addison Grove, Block C.** *[Ken Schmidt, Development Services Director]*

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 now 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. In August 2022, the Development Plan for Block D was approved, which included 54 townhome units. Permit review is ongoing for Block D.

Block C 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. At this time, InTown Homes is ready to proceed with Block C, and 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 C, as well as representative building elevations and floor plans for the 34 townhomes units that comprise this block. The plan accommodates eight, four-story buildings, and two, three-story buildings. The architectural character continues the traditional appearance of the Addison Grove neighborhood, with primarily brick façades. Units range in size from three to four-bedroom units that accommodate 2,154 square feet to 4,588 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.

Uses: The applicant is proposing 34 townhome units and one open space lot in Block C. The proposed uses meet the standards in the ordinance.

Development Standards: PD O16-003 established development standards defining required setbacks, building heights, lot sizes, and minimum and maximum floor area of certain uses. The development plan follows all development standards, as detailed below:

- Street Build-to Line: The development standards require that at least 70% of the building be at the build-to line along Type A streets. This has been met.
- Other Setbacks: There are no minimum side yard or rear yard requirements. There is a perimeter setback of 10 feet, which has been met.
- Building Height: The development standards require a minimum building height of two stories (23 feet) and a maximum height of 60 feet for the townhome units. The townhomes range from three to four stories, with the tallest unit measuring 60 feet to the midpoint of the roof. All buildings meet this requirement.

Minimum Area per Dwelling Unit: The development standards require that townhomes be at least 1,350 square feet. All proposed units in Block C meet or exceed these requirements.

Maximum Lot Coverage: The development standards require a maximum lot coverage of 95%. This has been met.

Landmark Buildings: The development standards require that buildings at the corners or end of streets be designated as landmark buildings and should include unique architectural features. The representative elevations provided reflect landmark corners where Runyon Road intersects Holly Street and Oak Street. Buildings 7 and 8 comply with the landmark building requirement through the provision of unique articulation and design elements.

The proposed plans comply with the development standards in the ordinance.

- Open Space: PD O16-003 requires open space to be provided to support residential uses and is calculated to require two acres for every 1,000 residents up to 2,250, and then 1.5 acres per 1,000 residents above 2,250. The PD ordinance assumes 1.5 persons per dwelling unit. When applied to the entire project, 1.52 acres of open space is required. This requirement was met through dedication of 1.5606 acres of public open space for the full 17.4-acre development site, as prescribed by Ordinance O16-020 and depicted in the Addison Grove plat. The proposed plans comply with the open space standards in the ordinance.
- Parking: PD O16-003 requires that two off-street parking spaces be provided for each townhome, which may be provided through tandem parking. Each unit has a minimum of two garage parking spaces. The proposed plans comply with the parking standards in the ordinance.
- Exterior Appearance: PD O16-003 requires at least 80 percent of the exterior walls to be of masonry construction. The representative building elevations show masonry counts exceeding 80% for all effected facades. The front façade for building 8 has the lowest masonry percentage within Block C at 85.9%. The elevations show a mixture of brick, stucco, and minimal amounts of siding. The proposed plans comply with the exterior

appearance standards in the ordinance. Further compliance will be assessed during the building permit review process.

- Landscape: PD O16-003 prescribes landscape standards for the street edge as well as private landscaping. The full landscape plan for the development was previously approved through the Block B Development Plan Approval and further refined as part of the full civil construction review. The landscape plan provided in this submittal addresses the open space lot that is in the center of Block C, situated between buildings 5 and 6. This landscape plan has been reviewed by the Parks Department and no issues were identified. The proposed plans comply with the landscape standards in the ordinance.
- Screening of Mechanical Equipment: PD O16-003 requires that mechanical equipment as well as loading, service, and trash storage areas be screened from view of all public roadways. All mechanical equipment, as represented on the provided plans, is shown to be screened accordingly. The proposed plans comply with the screening standards in the ordinance.
- General Requirements: When the zoning was approved, several conditions were added and became part of the regulations for the development. These conditions include:
 - Fencing: The front yards of the townhomes which face towards Beltway Drive shall be delineated from the public green space with a short, wrought iron or decorative fence. These improvements are reflected in these plans and will need to be installed following construction of the townhome units in this phase.
 - Courtyard Design Standards: Courtyards shown on the Concept Plan will be designed and constructed with enhanced architectural and landscaping features, including such elements as water features, landscaping, and art features. The proposed plans confirm that the private courtyards in Block C will include enhanced landscaping.

The proposed plans comply with all general requirements in the ordinance. Staff will continue to monitor the project through the construction phase to ensure that required interior materials and appliances are provided.

The Addison Planning and Zoning Commission, meeting in regular session on February 21, 2023, voted to recommend approval of an ordinance adopting a development plan for Block C of the Addison Grove Addition, including a site plan, landscape plan, façade and floor plans for 34 townhomes and one open space lot in an existing Planned Development (PD) District, through Ordinance O16-003, on 1.8± acres generally located at the Southeast Corner of Oak Street and Runyon Road, approximately 500 feet south of Belt Line Road, subject to conditions:

- A. A replat and associated air rights easements shall be approved by the Town and filed in the real property records for Dallas County, Texas prior to release of any Block C building permits in order to account for required street and alley name modifications and off-lot building aerial encroachments at alley entryways.
- B. The public parks situated within Blocks B, C, and D shall be completed and accepted by the Town prior to the release of any Block C building permits.
- C. No portion of the existing screening wall fronting towards Beltway Drive may be removed without providing at least two (2) weeks of prior written notice to the Town.
- D. A temporary 8-foot-tall solid wooden construction fence, maintained in good condition by the developer, will be installed along Beltway Drive in front of the lots

adjacent thereto. These lots include those currently under construction within Block B and the Beltway Drive adjacent lots within Blocks C and D where construction has yet to commence. The temporary construction fence shall be installed in segments, as applicable, immediately following the removal of any segment of the wall and shall be removed upon substantial completion of exterior improvements associated with those lots.

Public Hearing: Bryan East, InTown Homes Construction Supervisor, addressed and answered Council questions.

MOTION: Deputy Mayor Pro-Tempore Ward moved to approve Case 1865-Z/Addison Grove, Block C with conditions A-D as noted in the proposed ordinance with the following amendments:

- E. A temporary 8-foot-tall solid wooden construction fence, maintained in good condition by the developer, will be installed across Magnolia Street, south of the proposed bollards. This temporary construction fence shall be removed upon substantial completion of exterior improvements associated with Buildings 2, 5, and 6 of Block D.
- F. A temporary wind screen fence will be installed at locations where Block B, C, and D public parks are fronted by incomplete townhome lots, prior to acceptance of those public parks by the Town. The wind screen fence shall be maintained in good condition by the developer and shall be removed upon completion of construction of park fronting lots on each block.

Council Member Gardner seconded the motion. Motion carried unanimously.

Ordinance No. O23-16: Case 1865-Z/Addison Grove, Block C Development Plan.

Adjourn Meeting

There being no further business to come before the City Council, Mayor Chow adjourned the meeting at 7:18 PM.

TOWN OF ADDISON, TEXAS

Joe Chow, Mayor

ATTEST:

Irma G. Parker, City Secretary