



Minutes - Final  
City Council

---

Tuesday, April 21, 2015

4:30 PM

City Hall - Briefing Room  
317 College Street

---

**Call to Order**

**Mayor Pro Tem Fregoe called the meeting to order at 4:30 p.m.**

**Present** 9 - Mayor Ron Jensen  
Mayor Pro Tem Richard Fregoe  
Deputy Mayor Pro Tem Tony Shotwell  
Council Member Jorja Clemson  
Council Member Jeff Copeland  
Council Member Greg Giessner  
Council Member Jim Swafford  
Council Member Lila Thorn  
Council Member Jeff Wooldridge

**Staff Presentations**

**1** Fire Department 1st Quarter 2015 Update - Presented by Chief Robert Fite

*Chief Robert Fite stated that staff would be bringing to Council in the next few weeks a guaranteed price on Station 10. He said 18 people will be hired to staff that station. This station will enable a borderless system in the southern part of the city with Cedar Hill and Mansfield.*

*Chief Fite said that 65 people have now been certified in hazardous materials and he has assigned a Hazardous Material Team Coordinator. Equipment for this team has been paid for with grant funds. He said the Affordable Healthcare Act has presented a challenge for EMS. There is a growing trend toward community paramedics whereby hospitals pay local fire departments to check on patients who have been discharged from the hospital to ensure they are recovering as expected. Chief Fite said 42% of patients who call for an ambulance get treated and they do not need or refuse to be transported. He explained the process for treating possible heart attacks and the time from initial response to placing of a stent at the hospital.*

*Chief Fite provided data for number of calls for service, total fire loss and total value saved. Hearts and Hoses is the Fire Department's community link to support fire victims. Future focus of the department will be on staff health and fitness and planning needed renovations or relocations of Stations 3, 4, and 6; monitoring the EMS landscape; and Public Safety teamwork between Fire and Police Departments such as SWAT and the Dive Team.*

*Council Member Wooldridge asked about the timeline for turning over the joint station in Cedar Hill. Mr. Hart said the cities are discussing legal issues at this time. Mr. Hart told Chief Fite he was proud that he had exceeded expectations set for the department and that the department has responded positively. Council Member Giessner asked Chief Fite about improving the property protection class rating. Chief Fite said Kirby Almond, Battalion Chief, is attending the ISO conference and he is*

calling for an ISO evaluation in mid 2016. He said he would like to get the city to a 1.

**Presented**

**2**

2015 Emergency Management Update - Presented by Chief Robert Fite

*Chase Wheeler, Emergency Management Coordinator, updated Council on several aspects of the Emergency Management Division. He said some major milestones include accreditation with the State and Federal Governments; outdoor warning siren system upgrade; the Federal unaccompanied minors event (immigrants); Regional Ebola event; severe weather response (wind storm and winter weather storms); mass notification system upgrade; maintained state/federal grant eligibility.*

*Mr. Wheeler said the outdoor warning siren system should be completed late May/early June. The collaborative adaptive sensing system will be implemented and will provide a neighborhood level radar system. The mass notification system from Blackboard Inc. will soon be implemented. Emergency Management will be doing advertising to the citizens regarding the system.*

*Mr. Wheeler said EM must conduct three exercises annually and also participate in exercises throughout the state. He explained the various trainings for emergency management including storm spotters; incident command system training; emergency operations center training/regional SWAT/HazMat training. Mr. Wheeler said the Emergency Management Plans & Annexes required for certification must be updated every five years.*

*Council Member Clemson asked where the emergency shelter locations in Grand Prairie were located. Mr. Wheeler said emergency shelters are located at three recreation centers which have cots, blankets and pillows. Council Member Copeland asked if this was part of the Epic planning. Mr. Wheeler said emergencies could interfere with running the facility. Mr. Copeland asked what it means when the sirens go off. Mr. Wheeler said these are all hazards sirens for a range of things including hail over a certain size; winds over 70; a chemical incident, etc. The main message is to seek shelter and get information. Mayor Pro Tem Fregoe asked if there was an upsurge in 911 calls when the sirens go off. Mr. Wheeler said he tries to educate citizens about sources to find information. Council Member Giessner asked if residents will have to self enroll in the mass notification system and asked if the system would be capable of text messages. Mr. Wheeler said emails are not limited, but texts will be somewhat limited. The message can send a web address to the information portal. Council Member Wooldridge asked if messages could be directed to certain zip codes and zones. Mr. Wheeler said the system can pinpoint certain areas. Council Member Copeland asked if there would be a liability issue if residents did not get a warning. Mr. Wheeler said people may get two messages; one from the wireless emergency alert and one from the Blackboard system.*

**Presented**

**3**

"Live Life Grand" - Presented by Amy Sprinkles, Communications and Libraries Director

*Amy Sprinkles, Marketing Director, introduced Beth Owens from BrandEra who has developed a program to increase awareness outside the city and increase pride inside the city, named "Live Life Grand." The kickoff is scheduled for April 24, at 7:00 pm on at the Main Stage at Main Street Fest.*

**Presented**

## Agenda Review

*Deputy Mayor Pro Tem Shotwell asked if Council had any questions on Consent Agenda items. Council Member Swafford referred to Item 10 (Interlocal Agreement with the City of Irving for a joint fire training center) and asked if it would be possible for Irving to get out of the agreement and Grand Prairie still own the facility. Chief Fite replied yes. Council Member Giessner asked if there would be a facility board. Chief Fite said there will be an Operational Board which would oversee who uses the facility and when. There would also be a Management Board:*

*Deputy Mayor Pro Tem Shotwell asked who decides which cases go on the Planning and Zoning Consent Agenda. Jim Hinderaker, Chief City Planner, said staff decides to place cases on the consent agenda when the Planning and Zoning Commission has no issues on a case. Zoning cases will not appear on the consent agenda.*

## Executive Session

*Mayor Pro Tem Fregoe convened a closed session at 5:30 p.m. pursuant to Chapter 551, Subchapter D of the Government Code, V.T.C.A., Section 551.071 "Consultation with Attorney" Case 3:15-cv-00718-M Rodriguez v The City of Grand Prairie; and Great Southwest Golf Club and GSW Logistics Section 551.087 "Deliberations Regarding Economic Development Negotiations." The closed session was adjourned at 5:52 p.m.*

## Recess Meeting

**Mayor Pro Tem Fregoe recessed the meeting at 5:52 p.m.**

---

## 6:30 PM Council Chambers

---

**Mayor Jensen reconvened the meeting at 6:30 p.m.**

**Pastor Rodney Durr, Grand Prairie Family Church, gave the invocation. The Pledge of Allegiance to US Flag and to the Texas Flag were led by Council Member Wooldridge.**

## Consent Agenda

**Mayor Pro Tem Fregoe moved, seconded by Council Member Swafford, to approve Items 4 through 18 on the Consent Agenda. The motion carried unanimously.**

**4**

Minutes of the April 7, 2015 Council Meeting

**Approved on the Consent Agenda**

- 5 Contract with Flair Data Systems for \$57,033.25 through Department of Information Resources Contract number DIR-TSO-2542, to provide a video conferencing system for City Hall  
**Approved on the Consent Agenda**
- 6 Amendment to Shared Service Center Cooperative of North Texas Interlocal Agreement  
**Approved on the Consent Agenda**
- 7 Contract with NetSync Network Solutions through DIR-TSO-2542 for \$377,465.61 to expand equipment and software for Data Center  
**Approved on the Consent Agenda**
- 8 Contract with Absolute Consulting for Finance/Human Resource System Upgrade in the amount of \$104,760  
**Approved on the Consent Agenda**
- 9 Contract with Carnival Americana, Fort Worth, Texas, for one year; (with up to four renewal options) to provide carnival amusement rides, games and food for the Main Street Fest.  
**Approved on the Consent Agenda**
- 10 Interlocal cooperation agreement with the City of Irving, TX for a joint fire training center establishing the terms by which the Cities will jointly design, construct, maintain, operate, manage, and use the fire training facility on property owned by Irving for an initial term of 20 years commencing on the effective date and ending at 11:59:59 p.m. Central Time on the last day of the Fiscal Year following the twentieth (20th) anniversary of the Acceptance Date; after the end of the initial term the agreement shall extend automatically through each subsequent Fiscal Year  
**Approved on the Consent Agenda**
- 11 Engineering services amendment/Change Order No. 1 with Alliance Geotechnical, Team Consultants and Reed Engineering to provide engineering geotechnical and material testing services for a maximum contract of \$350,000 for each firm  
**Approved on the Consent Agenda**
- 12 Change Order/Amendment No.2 to the construction contract with GHB Equipment Co. in the amount of -\$2,546.20 for Central Park Pedestrian Bridges  
**Approved on the Consent Agenda**
- 13 Renewal No.1 to price agreement for hot-applied crack sealant material from

Crafco Texas, Inc. through an inter-local agreement with the City of Fort Worth at an estimated annual cost of \$15,000; and authorize the City Manager to execute the remaining renewal options with aggregate price fluctuations of up to \$50,000 so long as sufficient funding is appropriated by the City Council to satisfy the City's obligation during the renewal terms

**Approved on the Consent Agenda**

- 14** Contract amendment No. 8 with Birkhoff, Hendricks and Carter in the amount of \$72,541.14 for additional engineering services for the MacArthur Paving and Drainage Improvement Project

**Approved on the Consent Agenda**

- 15** Ordinance amending the FY 2014/2015 Capital Improvement Projects Budget; Construction contract with the apparent low bidder, Austin Bridge and Road, LP in the bid amount of \$14,707,420.34 for MacArthur Blvd Paving and Drainage improvements; material testing in the amount of \$247,720 (Alliance Geotechnical Group \$164,938.30; REED Engineering \$42,139.25; TEAM Consultants \$40,642.25); in-house engineering in amount of \$367,685; a 5% contingency in the amount of \$735,371; \$75,000 for Oncor street, bridge and sign lighting; and \$71,828 for signal equipment, for a total requested project cost amount of \$16,205,025.

**Adopted**

Enactment No: ORD 9844-2015

- 16** Ordinance authorizing the abandonment of a portion of an unneeded utility easement at rear of the lot located at 3104 Pamplona

**Adopted**

Enactment No: ORD 9845-2015

- 17** Ordinance amending the FY 2014/2015 Capital Improvement Projects Budget; Contract with Parkscape Construction, Inc. for improvements to the Summit Gardens at Central Park in the amount of \$56,379 for base bid and additive alternates 1, 2, 3 and 4 and a 5 % contingency in the amount of \$2,819, for a total project cost of \$59,197.95

**Adopted**

Enactment No: ORD 9846-2015

- 18** Ordinance amending the FY 2014/2015 Hotel Motel Building Fund for the completion of construction for the Loyd Park Cabin Project in the amount \$41,000

**Adopted**

Enactment No: ORD 9847-2015

## Public Hearing Consent Agenda

**Council Member Clemson moved, seconded by Mayor Pro Tem Fregoe, to close the public hearing and approve Items 19 through 26 on the Public Hearing Consent Agenda. The motion carried unanimously.**

- 19** S150404 - Site Plan - Wildlife Commerce Park Building 3 (City Council District 1). Approve a site plan to construct a 233,740-square-foot speculative warehouse building. The 11.82-acre property, generally located at the south of Wildlife Pkwy., and west of Belt Line Rd., is zoned Planned Development 217C (PD-217C) for Commercial, Retail, and Light Industrial and is partially within the Beltline Corridor Overlay District. The agent is Robert Pross, Pross Design Group, Inc. and the owner is Will Mundinger, Chi Wildlife Park, LP. (On April 6, 2015, the Planning and Zoning Commission recommended approval of this request by a vote of 9-0.)

*Will Mundinger, 3819 Maple, Dallas, 75219, submitted a speaker card in support of this item.*

**Adopted**

- 20** SU140403 - Specific Use Permit - Tiger Auto (City Council District 5). A request for a Specific Use Permit for an Auto sales lot with general auto repair and auto body and painting. The property is zoned Heavy Industrial (HI) District. The property is generally located on the east side of Camden Drive south of E. Jefferson Street. The owner is Hassan Alizaza. (On April 6, 2015, the Planning and Zoning Commission recommended approval of this request by a vote of 9-0.)

*Hassan Alizaza, 46 Camden Street, submitted a speaker card in support of this item.*

**Adopted**

Enactment No: ORD 9848-2015

- 21** SU150407/S150402 - Specific Use Permit/Site Plan - Comfort Suites (Paddock Way Drive) (City Council District 1). Approve a specific use permit/site plan to construct a four-story-58,456-square-foot-88-room hotel. The 1.84-acre property, located at 702 Paddock Way, zoned Light Industrial, is within the State Highway 360 (S.H. 360) Corridor Overlay District. The agent is Hugo Monsanto, Monsanto Architects, the applicant: Mike Patel, DITWIN II LLC, and the owner is Stephen Korkmas, Cedars Heritage, LTD. (On April 6, 2015, the Planning and Zoning Commission recommended approval of this request by a vote of 9-0.)

*Jared Meabon, 310 Castano Avenue, San Antonio, TX; Meena Patel, 9425 Sagrada Park, Ft. Worth, TX; and Hugo Monsanto, 200 S. Rogers, Waxahachie, TX submitted speaker cards in support of this item.*

**Adopted**

Enactment No: ORD 9849-2015

- 22** SU150401/S150401 - Specific Use Permit/Site Plan - 2755 E Main St (City Council District 5). Approval of a Specific Use Permit for Used Auto Sales, Villa Real Motors, and a Site Plan to develop 0.5 acres of non-residential property. The subject site is address as 2755 E Main St., generally located on the south side of E Main St. and east of SE 27th St., and is zoned Light Industrial (LI) District within Central Business District 4 (CBD 4). The agent is David De Anda and the owner is Gustavo De Anda. (On April 6, 2015, the Planning and Zoning Commission recommended approval of this request by a vote of 9-0.)

*David DeAnda, 12387 Mill Run Drive, Frisco, TX 75035, submitted a speaker card in support of this item.*

**Adopted**

Enactment No: ORD 9850-2015

- 23** SU150402/S150403 - Specific Use Permit/Site Plan - 201 W Jefferson Street (City Council District 2). Approval of a Specific Use Permit for a drive-through restaurant, Taco Hut. The subject site is addressed as 201 W. Jefferson St., located generally south of W. Main St. and west of Center St., and is zoned Central Area (CA) district within Central Business District 2 (CBD 2). The applicant is Jay Woo and the owner is Ozkan Ozturk, Ozmir Inc. (On April 6, 2015, the Planning and Zoning Commission recommended approval of this request by a vote of 9-0.)

**Adopted**

Enactment No: ORD 9851-2015

- 24** SU150403 - Specific Use Permit - 1700 W. Polo Rd. Ste 190, "So Amazing" Day Programs Inc. (City Council District 6). Consider the request from for approval of a Specific Use Permit for an Adult Day Care facility, "So Amazing" Day Programs Inc. The subject site is addressed as 1700 W. Polo Rd., specifically Suite 190, generally located on the north side of Polo Rd. and east of Matthew Rd., and zoned Planned Development 115 (PD-115) District. The applicant is Sonya Golden, So Amazing Day Programs Inc. (On April 6, 2015, the Planning and Zoning Commission recommended approval of this request by a vote of 9-0.)

*Sonya Golden, 1700 W. Polo Road, #100, submitted a speaker card in support of this item.*

**Adopted**

Enactment No: ORD 9852-2015

- 25** SU150405/S150409 - Specific Use Permit/Site Plan - Hi-Tech Manufacturing Co. (City Council District 5). Approval of a Specific Use Permit permitting Hi-Tech Manufacturing Company, a "small job" metal fabrication and machine business, to relocate their shop and offices into the building formally

occupied by the Shamrock Cake Company. The 0.57-acre property, zoned Commercial (C) District, is located south of NW Dallas Street and between NW 14th Street and NW 15th Street. The property is also located within Central Business District No. 1 and the SH 161 Corridor Overlay District. The applicant is Peggy Chrusciaki, Hi-Tech Manufacturing Co. and the owner is William Moser, Shamrock Cake Company. (On April 6, 2015, the Planning and Zoning Commission recommended approval of this request by a vote of 8-0.)

*Ron Venters, 302 Harrington Lane, Euless, TX; Mickey Powell, 2341 S. Beltline Road, and William Moser, 1041 NW 7th Street, submitted speaker cards in support of this item.*

**Adopted**

Enactment No: ORD 9853-2015

26

SU150406/S150407 - Specific Use Permit/Site Plan - Fresh Meal Restaurant (City Council District 5). Approval of a Specific Use Permit/Site Plan to permit the construction and operation of a 1,270 sq. ft. restaurant with drive through known as the Fresh Meal Restaurant. The 0.34-acre property, zoned Commercial (C) District, is located immediately east of SE 9th Street and approximately 150-feet south of E. Main Street. The property is also located within Central Business District No. 3. The owner/applicant is Fariborz Hadidi. (On April 6, 2015, the Planning and Zoning Commission recommended approval of this request by a vote of 9-0.)

**Adopted**

Enactment No: ORD 9854-2015

### **Public Hearing on Zoning Applications**

27

S140204A - Site Plan Amendment - FBC Bus Barn (City Council District 2). Consider a request to approve a site plan amendment to add an accessory structure (bus barn) to the existing First Baptist Church site. The 29.36-acre property, located at 950 Mayfield Rd., is zoned Planned Development 91 (PD-91) is partially within the State Highway 161 (S.H.161) Corridor Overlay District and the Interstate Highway 20 (I.H. 20) Corridor Overlay District. The owner/applicant is Bill Skaar, First Baptist Church. (On April 6, 2015, the Planning and Zoning Commission recommended approval of this request by a vote of 9-0.)

*Jim Hinderaker, Chief City Planner, stated this case was for an addition to the site plan for a bus barn. This will be a metal building 40' x 60' in size with a small amount of brick at the bottom. The Overlay District requires masonry. The distance from Robinson is 400' and from SH161 it is 1200'. Mr. Hinderaker said staff could not fully support this case because of the request for metal in lieu of the required masonry.*

*Dr. Bill Skaar, 613 Queens Way, spoke in support of this item and stated he was present to answer questions.*

*Pat and Freddy Young, 4138 Robinson Road, submitted a speaker card in support of this item.*

**Council Member Swafford moved, seconded by Council Member Thorn, to close the public hearing and approve Case S140204A as presented. The motion carried unanimously.**

**Ayes:** 9 - Mayor Ron Jensen; Mayor Pro Tem Richard Fregoe; Deputy Mayor Pro Tem Tony Shotwell; Council Member Jorja Clemson; Council Member Jeff Copeland; Council Member Greg Giessner; Council Member Jim Swafford; Council Member Lila Thorn and Council Member Jeff Wooldridge

28

S150405 - Site Plan - Bardin Road Warehouse (City Council District 4). Approval of a Site Plan to permit the construction and operation of a 430,180 sq. ft. speculative industrial warehouse intended to accommodate up to four (4) tenants. The 20.73-acre property, split zoned Planned Development 30 (PD-30) and Planned Development 55 (PD-55), is located at the northwest corner of Bardin Road and Matthew Road. The property is also located within the S.H. I-20 Corridor Overlay District. The agent is Lisa Swift, GSO Architects, the agent is Vanessa McElroy, RLG Engineering Inc. and the applicant is Gary Horn, Mohr Acquisitions LLC. (On April 6, 2015, the Planning and Zoning Commission recommended approval of this request by a vote of 9-0. The City Council tabled this case to the May 5, 2015 meeting.)

*Mr. Hinderaker presented Case S150405 and stated there were no requested appeals and the applicant had met all development standards within the I20 Corridor Overlay District. Mr. Hinderaker states that the Code requires separate entrance features for all tenants and they anticipate four tenants and have four articulations on each corner. There are two outlots for future development and a detention pond. The applicant has proposed two accesses on Bardin and two on Matthew.*

*Council Member Giessner asked if the applicant would need two accesses off Matthew. Mr. Hinderaker replied yes, and this is a local access.*

*Council Member Copeland stated that the Jason's Warehouse was supposed to have headers over their drive, but Matthew is not a designated truck route and trucks going to a property on that road can use Matthew for access. He asked if there were any traffic studies for this development because he was concerned about eastbound traffic on the I-20 frontage road and trucks leaving there and going northbound. Mr. Hinderaker said staff did not require a traffic study. Walter Shumac, Transportation Director, said staff did not require a Traffic Impact Study, but only local traffic is allowed on Matthew, but stated Mr. Copeland's concern was duly noted. Council Member Wooldridge asked if staff had estimated how much traffic there would be on this road because of the size of the warehouse. Mr. Hinderaker said staff did not go through that specific review and the thought was they were very close to Bardin and the I-20 frontage road so there was not a concern about a development of this size. Mr. Hinderaker said the proposed two accesses on Matthew and two on Bardin are so that individual users can fence their property. Council Member Wooldridge stated that residents to the east are totally against this. Council Member Copeland asked if the applicant would be amendable to removing the accesses on Matthew Road. Mr. Hinderaker said he was pretty sure they would want to maintain those access points.*

*Vanessa McElroy, 5445 LaSerra Drive, #300., Dallas, and Lisa Swift, 5310 Harvest*

*Hill, Dallas, stated they were the owner's representatives. Ms. Swift said the owner was called out of town, but she did not have the authority to answer the question regarding closing access off Matthew Road.*

**Council Member Giessner moved, seconded by Council Member Wooldridge, to close the public hearing and table Case S150405. The motion carried unanimously.**

**Ayes:** 9 - Mayor Ron Jensen; Mayor Pro Tem Richard Fregoe; Deputy Mayor Pro Tem Tony Shotwell; Council Member Jorja Clemson; Council Member Jeff Copeland; Council Member Greg Giessner; Council Member Jim Swafford; Council Member Lila Thorn and Council Member Jeff Wooldridge

29

S150406 - Site Plan - Uplift Grand Prep (City Council District 5). Approve a site plan to construct and operate a school. The 4.66-acre property, generally located at the southwest corner of the North St./NE 4th St. intersection, is split-zoned Central Area (CA) and Single Family District 2 (SF-2) and is within District 2 of the Central Business Overlay District. The agent is Jacob Sumpter, Mycoskie, Mcinnis & Associates and the owner is Ann Stevenson, UPLIFT Education. (On April 6, 2015, the Planning and Zoning Commission recommended approval of this request by a vote of 9-0.)

*Mr. Hinderaker stated this case was for the first phase to construct and operate a school and it meets minimum dimensional requirements. He said the applicant is trying to match existing buildings. With regard to overall parking requirements, staff has asked them to provide an analysis of other schools this size. However, many of these students do not drive. Mr. Hinderaker said special school functions will create traffic issues in the downtown area. However, for day to day parking needs, there should be sufficient parking. The applicant requested no appeals and the site plan meets all architectural standards. Staff has requested that car placards or stickers be required as a parking pass to display on cars to note if they park outside of their specified parking.*

*Council Member Copeland asked if they plan to have an open campus at lunch. Mr. Hinderaker said he was not aware of an open campus.*

*Brian Nelson, 350 N. St. Paul Street, Dallas, stated he was the architect for the project and stated that this will be a closed campus and students will have lunch provided at school.*

*Deputy Mayor Pro Tem Shotwell asked if parking will be alleviated in future phases. Mr. Hinderaker replied that the capacity of the school from Kindergarten through 12th grade will be 1500. Deputy Mayor Pro Tem Shotwell asked if the applicant had agreed to do a parking sticker. Mr. Hinderaker replied that the applicant had agreed to the parking sticker.*

**Deputy Mayor Pro Tem Shotwell moved, seconded by Council Member Thorn to close the public hearing and approve Case S150406, with the stipulation that parking stickers are to be issued to staff and students. The motion carried unanimously.**

**Ayes:** 9 - Mayor Ron Jensen; Mayor Pro Tem Richard Fregoe; Deputy Mayor Pro Tem Tony Shotwell; Council Member Jorja Clemson; Council Member Jeff Copeland; Council Member Greg Giessner; Council Member Jim Swafford; Council Member Lila Thorn and Council Member Jeff Wooldridge

30

Z150401 - Zoning Change - 3409 Hardrock Road (City Council District 1). A zone change of 2.13 acres of land from Single Family-One (SF-1) Residential District to Light Industrial (LI) District. The subject site is addressed as 3409 Hardrock Rd., generally located west of S.H. 161 and north of Shady Grove Rd. The applicant is Michael Forbes, Idiom Construction and the owner is Mohammad Seyed Ghandi. (On April 6, 2015, the Planning and Zoning Commission recommended approval of this request by a vote of 9-0.)

*Mr. Hinderaker stated that Case Z150401 is for the headquarters for Ameritex Movers. He said all the surrounding zoning to the west and north is LI and there is a pocket of single family. Mr. Hinderaker said staff supported this use. He said the applicant would need to meet the SH161 Corridor Overlay requirements when they bring a site plan.*

*Michael Forbes, 6404 Wilderness Court, Arlington, Texas, submitted a speaker card in support of this item.*

**Council Member Clemson moved, seconded by Council Member Giessner, to close the public hearing and approve Case Z150401. The motion carried unanimously.**

**Ayes:** 9 - Mayor Ron Jensen; Mayor Pro Tem Richard Fregoe; Deputy Mayor Pro Tem Tony Shotwell; Council Member Jorja Clemson; Council Member Jeff Copeland; Council Member Greg Giessner; Council Member Jim Swafford; Council Member Lila Thorn and Council Member Jeff Wooldridge

Enactment No: ORD 9855-2015

31

Z150202 - Zoning Change - 2505 S Great Southwest Pkwy (City Council District 4). Approval of a Zone Change from Planned Development 286 (PD-286) District for multi-family uses and Light Industrial (LI) District to a Planned Development District for all uses permitted by right and permitted by specific use permit within the General Retail (GR), General Retail-One (GR-1), Commercial (C), Commercial-One (C-1), Central Area (CA), Heavy Commercial (HC), and Light Industrial (LI) Districts, but excluded all check cashing, bail bond, piercing salon, and tattoo parlor uses. The subject properties (Lot 3, 5, 7, and 4-R, Block 1 of the Greenpoint Center Phase II Addition) are located at the southeast corner of S. Great Southwest Parkway and W. Pioneer Parkway. The owner/applicant is James Hosler. (On April 6, 2015, the Planning and Zoning Commission recommended approval of this request by a vote of 9-0.)

*Mr. Hinderaker said Case Z150202 was a PD for Multi-family to PD for Commercial Uses. Zoning excludes Check Cashing, Pay Check and Car Title Loan uses. Mr. Hinderaker said uses in place near this site are commercial uses.*

*Council Member Giessner stated that in addition to the cash checking and loan uses, bail bond, piercing, salon and tattoo parlor uses are also excluded. Council Member Wooldridge asked if the applicant would like to have light industrial for warehouses would that have to come back to council for approval. Mr. Hinderaker replied that it would.*

*Richard Jolly, 218 C.R. 541, Eastland, submitted a speaker card in support of this item.*

**Mayor Pro Tem Fregoe moved, seconded by Council Member Thorn, to close the public hearing and approve Case Z150202. The motion carried unanimously.**

**Ayes:** 9 - Mayor Ron Jensen; Mayor Pro Tem Richard Fregoe; Deputy Mayor Pro Tem Tony Shotwell; Council Member Jorja Clemson; Council Member Jeff Copeland; Council Member Greg Giessner; Council Member Jim Swafford; Council Member Lila Thorn and Council Member Jeff Wooldridge

Enactment No: ORD 9856-2015

**32**

Z150201/CP150201 - Zoning Change/Concept Plan - Walmart Store (City Council District 2). Approval of a Zone Change and Concept Plan from Commercial (C) District to a Planned Development District for Commercial (C) District uses, including a large box retailer w/gasoline sales. The subject 32.39 acres are located at the northeast corner of SH 161 and Arkansas Lane and within the SH 161 Corridor Overlay District. The applicant is Michael Allan, Wal-Mart Real Estate Business Trust and the agent is Richard Underwood, Kimley-Horn and Associates, Inc. (On April 6, 2015, the Planning and Zoning Commission recommended approval of this request by a vote of 9-0.)

*Mr. Hinderaker reviewed Case Z150201/CP150201 for a Walmart Store. He said the site is currently zoned commercial and has nine 9 outlots along Arkansas and the SH161 frontage road. He said the applicant requested to the SH161 Overlay requirements to allow more CMU which is currently not allowed on the front façade. Mr. Hinderaker noted if the ordinance is changed and Walmart does not build, this change would go with the site to the next owner. The applicant has also requested the outside displays be allowed, but will be looked at that during site plan review. The Development Review Committee recommended that outside displays be neither approved or disallowed but rather would be determined at site plan review and that no changes be made to architectural standards of the SH161 Overlay District.*

*Council Member Copeland clarified the area that Council would be voting on. Mr. Hinderaker said this case only applied to the Walmart lot and fueling island and a detention lot; not asking for zoning on the outlots. Mr. Hinderaker pointed out areas not included with this request.*

*Council Member Wooldridge asked for an example of what WalMart would like to display outside. Mayor Jensen said that would be discussed during site plan review.*

*Ryan Iisik, 3902 SW Ridgeway, Bentonville, AR 72712, Walmart Public Affairs, was present to answer questions. Council Member Copeland thanked Council Member Swafford and Mayor Jensen and asked Mr. Iisik if he was aware of Council concerns. Mr. Iisik thanked staff for working with them during the past several month and they understand the process and will continue to work with the city during the site plan review process. Richard Underwood, 23846 Misty Peak, San Antonio, Civil Engineer for this project, was available for questions.*

*Council Member Swafford stated he had met with Walmart representatives and the meeting was very positive and they discussed some issues that would be coming forward in the site plan review. He welcomed WalMart to the city.*

**Council Member Swafford moved, seconded by Mayor Pro Tem Fregoe, to close the public hearing and approve Case Z150201/CP150201 as presented. The motion carried unanimously.**

**Ayes:** 9 - Mayor Ron Jensen; Mayor Pro Tem Richard Fregoe; Deputy Mayor Pro Tem Tony Shotwell; Council Member Jorja Clemson; Council Member Jeff Copeland; Council Member Greg Giessner; Council Member Jim Swafford; Council Member Lila Thorn and Council Member Jeff Wooldridge

Enactment No: ORD 9857-2015

### **Items for Individual Consideration**

**33**

Action rejecting proposed CPI rate increase per telecommunication access line from the Public Utility Commission (PUC)

*Don Postell, City Attorney, stated if Council approves this item, it would reject the proposed increase. The increase would result in a two cent increase on access lines for residential; three cents on non-residential lines, and six cents on point-to-point access lines. The projected budget is currently \$57,175 less because the number of access lines is decreasing.*

**Deputy Mayor Pro Tem Shotwell moved, seconded by Council Member Wooldridge, to approve the rejection of the proposed PUC rate increase. The motion carried unanimously.**

**Ayes:** 9 - Mayor Ron Jensen; Mayor Pro Tem Richard Fregoe; Deputy Mayor Pro Tem Tony Shotwell; Council Member Jorja Clemson; Council Member Jeff Copeland; Council Member Greg Giessner; Council Member Jim Swafford; Council Member Lila Thorn and Council Member Jeff Wooldridge

**34**

Board and Commission Appointments

**Council Member Thorn moved, seconded by Council Member Swafford, to appoint Geneve Dundas, D.V.M. to the Animal Shelter Advisory Board. The motion carried unanimously.**

**Ayes:** 9 - Mayor Ron Jensen; Mayor Pro Tem Richard Fregoe; Deputy Mayor Pro Tem Tony Shotwell; Council Member Jorja Clemson; Council Member Jeff Copeland; Council Member Greg Giessner; Council Member Jim Swafford; Council Member Lila Thorn and Council Member Jeff Wooldridge

### **Citizen Comments**

*Maston Sillin, 529 Newberry Street, asked for Council support to encourage businesses, churches, schools and apartments complexes to prominently display their street address on their buildings. Mayor Jensen noted that Mr. Sillin was in charge of school crossing guards and thanked him for all that he does for the community.*

### **Adjournment**

*Council Member Clemson stated that the Dallas Business Journal held an awards banquet and Crow Holdings Wildlife Commerce Park was awarded best development*

*of the year.*

*Deputy Mayor Pro Tem Shotwell stated that he had recently represented the city to recognize returning service members from Afghanistan who were all first generation Americans from Camaroon. He urged everyone to attend Main Street Fest, Friday and Saturday, April 24 and 25. Mr. Shotwell said the Farmers Market would be open and there will be carnival rides, arts and crafts, entertainment areas, and a kid's zone.*

*Mayor Jensen asked Pastor Skaar to say a prayer for Mr. Hart and his family who recently lost their son, Travis Hart.*

**Mayor Jensen adjourned the meeting at 7:45 p.m.**

**The foregoing minutes were approved at the May 5, 2015 meeting.**

---

**Catherine E. DiMaggio, City Secretary**