



# City of Grand Prairie

City Hall  
317 College Street  
Grand Prairie, Texas

## Minutes - Final

### City Council

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Tuesday, October 16, 2018

4:30 PM

City Hall - Briefing Room  
317 College Street

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#### Call to Order

**Mayor Jensen called the meeting to order at 4:30 p.m.**

**Present** 9 - Mayor Ron Jensen  
Mayor Pro Tem Jeff Copeland  
Deputy Mayor Pro Tem Greg Giessner  
Council Member Jorja Clemson  
Council Member Mike Del Bosque  
Council Member Richard Fregoe  
Council Member Cole Humphreys  
Council Member Jim Swafford  
Council Member Jeff Wooldridge

#### Staff Presentations

- 1** Discussion of Warehouse Moratorium - Presented by Steve Norwood, Planning Director, and Megan Mahan, City Attorney
- Steve Norwood, Planning Director, explained the laws applicable to the moratorium law for commercial properties. He said SH161 is the main focus of the moratorium. Megan Mahan, City Attorney, outlined the timeline for enacting the moratorium. Council Member Swafford asked how long the moratorium would be in place. Ms. Mahan said it can be 90 days and a hard stop at 180 days. Mayor Jensen noted that the zoning cannot be changed but the moratorium would give some time for the city to discuss other options with property owners. Council Member Clemson said there will only be one chance to optimize the property along SH161. She said In District One the residents would like to have some amenities that require rooftops to bring them. Council Member Swafford asked if the moratorium would include the entire city. Mayor Jensen said the proposal would be to include the entire city for 90 days. Council Member Swafford said there is already property that we know will be warehouses and he said he was not sure why it has to be over the whole city. Mr. Norwood said staff would be looking at highest and best use along SH161 and the economic impact of warehouses. Mayor Pro Tem Copeland asked how often moratorium could be enacted. Ms. Mahan said she thought it was once a year. Mayor Pro Tem Copeland asked about the "temporary start" that was mentioned in the timeline. Ms. Mahan explained the reason for that is that owners/developers could start filing/get plans in as soon as they hear about the moratorium. Mr. Norwood stated that today was the deadline for this month's submittals. Council Member Swafford asked if staff would be looking at straight zoning vs. an SUP. He said if we do straight zoning for warehouses, most are built as spec, then they could come in and ask for outside storage which requires an SUP. He asked if that could be worked in upfront. Mr. Norwood replied that staff can look at that. Mayor Pro Tem Copeland said he thought the most efficient way would be*

to exclude some areas. Mayor Jensen said they may do that at the end of 90 days or may end the moratorium at that time. Council Member Clemson asked Marty Wieder's (Economic Development Director) opinion. Mr. Wieder said the 90-day moratorium could hurt the city because some deals are in the works right now. Mayor Jensen discussed the moratorium with some landowners/developers who were present. Council Member Humphreys said his constituents do not want warehouses. Ms. Mahan said the first public hearing will not require a vote. Tom Hart, City Manager, said the city would need to be careful with the message this is sending to developers. He said the city has been very proactive to be open for business. Mayor Jensen said staff can limit the scope of the moratorium.

**Presented**

- 2** Traffic Safety Improvements - Presented by Chief Dye

**Postpone**

- 3** Plastic Free Plan-It - Presented by Patricia Redfearn, Solid Waste Manager

Patricia Redfearn, Solid Waste Manager, announced a fundraising event at the Uptown on November in partnership with GPISD to raise funds to put recycling containers in all the schools. She said there would be a matinee in the morning at 11:00 a.m. and an evening Gala event at 6:00 p.m. GPISD will provide entertainment for the gala.

**Presented**

## **Agenda Review**

Mayor Pro Tem Copeland asked Council if they had any questions on Consent Agenda Items 6-46. There were no questions.

Mayor Pro Copeland stated there were three items on the Public Hearing Consent Agenda 47-49. Mr. Norwood pointed out that Item 47 would need to be tabled.

## **Executive Session**

Mayor Jensen convened a closed session at 5:01 p.m. pursuant to Chapter 551, Subchapter D of the Government Code, V.T.C.A., Section 551.087 "Deliberations Regarding Economic Development Negotiations." Mayor Jensen adjourned the closed session at 5:40 p.m.

## **Recess Meeting**

**Mayor Jensen recessed the meeting at 5:41 p.m.**

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## **6:30 PM Council Chambers**

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

**The Invocation was given by Council Member Clemson and Pastor Stanley Smith, Faith Fellowship Missionary Baptist. The Pledge of Allegiance to the US Flag and to the Texas Flag were led by Council Member Jeff Wooldridge.**

### **Presentations**

*Mayor Jensen recognized Johnny Le, an employee at Siemens Industries, who noticed that there were four cars stalled out because of flood water. Mr. Le swam to one of the cars with the headlights on, and rescued an elderly woman. He swam back to make sure that there was no one in the other cars. Mr. Lee then gave the elderly lady a ride to her home. Mr. Lee had received a gift card from the city in recognition of his efforts and he returned the gift card and matched it and asked that they be given to a charity in the city.*

- 4** Presentation to the Grand Prairie Police Department from the Federal Bureau of Investigation (FBI) by Mr. Eric Jackson, Special Agent in Charge, Dallas Field Office

*Eric Jackson, Special Agent in charge for Dallas Field Office of the FBI, presented a certificate from Christopher Wray, FBI Director, to Chief Steve Dye for the police department's assistance and support they provide to the FBI.*

**Presented**

- 5** Check Presentation to Special Olympics from proceeds of the Spring Classic Police Motorcycle Competition - Presented by Chief Steve Dye

*Sergeant Eric Hansen presented a \$5,500 check to Doug Ray, Special Olympics, from the proceeds of a motorcycle skills and training competition.*

**Presented**

### **Consent Agenda**

**Mayor Pro Tem Copeland moved, seconded by Council Member Fregoe, to approve Items 6 through 46 on the Consent Agenda. The motion carried unanimously.**

- 6** Minutes of the September 18, 2018 Meeting

**Approved on the Consent Agenda**

- 7** Price Agreement for Preventative Pond Maintenance at Summit, PSB, and EPIC Grounds from Pond Medics, Inc. (up to \$66,859.80 annually) for one year with the option to renew for four additional one year periods totaling \$334,299.00 if all extensions are exercised and authorize the City Manager to execute the renewal options with aggregate price fluctuations of the lesser of up to \$50,000 or 25% of

the original maximum price 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**

- 8 Price Agreement for purchase of products, installation and repair services for fire apparatus equipment from Siddons-Martin Emergency Group, LLC (\$50,000.00 annually) through a national inter-local agreement with BuyBoard for one (1) year with the option to renew four (4), one-year periods totaling \$250,000 if all extensions are exercised, and authorize the City Manager to execute the renewal options with aggregate price fluctuations of the lesser of up to \$50,000 or 25% of the original maximum price 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**

- 9 Engineering contract with Weaver Consultants Group for continued groundwater monitoring services for the Grand Prairie Landfill for two years, for a total cost of \$71,596

**Approved on the Consent Agenda**

- 10 Award Navia Benefit Solutions a one-year agreement for Flexible Spending and Dependent Care Account Administration Services (at a contracted rate of \$4.75 per participant per month; estimated at \$17,100 per year, approximately \$85,500 for five years) effective January 1, 2019 through December 31, 2019 with the option to renew annually unless terminated by either party, and authorize the City Manager to execute up to five annual renewal options for this agreement with aggregate price fluctuations of the lesser of up to \$50,000 or 25% of the original contract value so long as sufficient funding is appropriated by the City Council to satisfy the City's obligation during the renewal terms (renewal options beyond the five specified can be authorized however will require additional City Council approval)

**Approved on the Consent Agenda**

- 11 Award The Hartford a five-year agreement for Life Insurance effective January 1, 2019 through December 31, 2023 in the amount of \$2,616,647, with the option to renew for additional one-year increments. Additionally, award Hartford a five-year agreement for Long-Term Disability insurance effective January 1, 2019 through December 31, 2023 in the amount of \$564,186 with the option to renew for additional one-year increments, and authorize the City Manager to execute annual renewal options for both contracts with aggregate price fluctuations of the lesser of up to \$50,000 or 25%, per contract, of the original contract value 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**

- 12** Award Deer Oaks a five-year agreement for Employee Assistance Program services (at a Per Employee Per Month (PEPM) cost of \$1.37; estimated \$26,304 annually; approximately \$131,520 for five years; \$263,040 for ten years) effective January 1, 2019 through December 31, 2023 with the option to renew annually unless terminated by either party. Additionally, authorize the City Manager to execute up to five annual renewal options for this agreement with aggregate price fluctuations of the lesser of up to \$50,000 or 25% of the original contract value so long as sufficient funding is appropriated by the City Council to satisfy the City's obligation during the renewal terms. Renewal options beyond the five specified can be authorized however will require additional City Council approval.

**Approved on the Consent Agenda**

- 13** Contract between the City and the Grand Prairie Arts Council for promotion and facilitation of arts in the community from Oct. 1, 2018, through September 30, 2019, in exchange for \$74,000 from the FY 2018/2019 Hotel Motel fund as approved in the budget

**Approved on the Consent Agenda**

- 14** Purchase of one (1) 2019 International 4300 TYMCO model 500x from TYMCO totaling \$253,802 through an Interlocal Agreement with BuyBoard

**Approved on the Consent Agenda**

- 15** Purchase of the following for Parks and Recreation: three (3) 2019 Workman GTX (\$8,976.13 each), one (1) 2019 Toro Workman HDX (\$23,916.06) and one (1) 2019 Toro GM5910 (\$111,962.97) from Professional Turf Products for a combined total of \$162,807.42 through a national, interlocal agreement with BuyBoard

**Approved on the Consent Agenda**

- 16** Purchase of three (3) 2019 Dodge Ram 4500 diesel cab and chassis 4x2 at a cost of \$153,000 through HGAC contract from Mac Haik Dodge Chrysler Jeep of Houston, Texas; Type I ambulance boxes to be mounted on the Dodge 4500's at a cost of \$468,000 through the HGAC contract from Frazer through the licensed franchised dealer, Mac Haik Dodge Chrysler Jeep of Houston, Texas; and an estimated cost of \$130,349 for related replacement equipment

**Approved on the Consent Agenda**

- 17** Purchase of one (1) 2019 CATERPILLAR INC Model: 300.9D mini excavator for Public Works (Streets), two (2) 2019 CATERPILLAR INC Model: 430F2 backhoe loaders for Public Works (Water), two (2) 2019 CATERPILLAR INC

Model: 420F backhoe loaders for Parks and Recreation, one (1) 2019 CATERPILLAR INC Model: 725C articulated dump truck for Landfill, one (1) 2019 CATERPILLAR INC Model: 930M wheel loader for Landfill, one (1) 2019 CATERPILLAR Model: CP34 padfoot compactor for Public Works (Streets), and one (1) WEILER TT250 tack distributor for Public Works (Streets) from Holt CAT for a total of \$1,295,979 through a national, interlocal agreement with Sourcewell

**Approved on the Consent Agenda**

- 18** Purchase and prepayment of Fire Department Truck 9 from Siddons-Martin of Denton, Texas through BuyBoard cooperative agreement at a total cost of \$1,335,575 after a \$52,000 trade-in and \$40,699 prepayment discounts; and the purchase of related equipment at a total cost of \$116,425 through current price agreements, HGAC, and BuyBoard contracts according to City purchasing policies and procedures

**Approved on the Consent Agenda**

- 19** Authorize the City Manager to enter into grant applications with Texas Commission on the Arts (TCA) for Library programming in FY 2018/2019 not to exceed \$50,000

**Approved on the Consent Agenda**

- 20** Software Support and Maintenance Agreement with Superion, LLC for NaviLine Applications support and maintenance in the estimated annual amount of \$57,585.32 with 5% annual increase for one year with the option to renew for four additional one-year periods totaling approximately \$318,197.03 if all extensions are exercised, and authorize the City Manager to execute the renewal options with aggregate price fluctuations of the lesser of up to \$50,000 or 25% of the original maximum price 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**

- 21** Renewal of the annual Software Maintenance Agreement with Superion, LLC for support and maintenance of our Public Safety software in the estimated annual amount not to exceed \$241,068.88 with 5% annual increase; and authorize renewal options for this agreement for one year with the option to renew for four additional one year periods totaling approximately \$1,332,057.74 if all extensions are exercised and authorize the City Manager to execute the renewal options with aggregate price fluctuations of the lesser of up to \$50,000 or 25% of the original maximum price so long as sufficient funding is appropriated by the City Council to satisfy the City's obligation during the renewal terms (renewal options beyond the five specified can be authorized however will require additional City Council approval)

**Approved on the Consent Agenda**

- 22** Annual Software and Maintenance Agreement with the sole source provider, ESRI, in the amount of \$62,952.88 for the City's enterprise Geographic Information System software used by Public Works, Planning, Engineering, Transportation, and other departments, with the option to renew for four additional one-year periods totaling \$314,764.40 if all renewals are exercised; authorize the City Manager to execute up to four annual renewal options for this agreement with aggregate price fluctuations of the lesser of up to \$50,000 or 25% of the original contract value 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**

- 23** Annual software licenses and support renewal with North Central Texas Council of Governments (NCTCOG) for Lawson Financial and Human Resources applications in the amount of \$203,123

**Approved on the Consent Agenda**

- 24** Interlocal Agreement with North Central Texas Trauma Regional Advisory Council (NCTTRAC) for a Mobile Emergency Response Restroom Trailer to be provided at no cost by NCTTRAC, provided that the City pay for the cost of maintenance and insurance

**Approved on the Consent Agenda**

- 25** Change Order/Amendment No.2 for Vision Communities Management for Westchester PID management services and miscellaneous repairs in the total amount of \$31,250 (Council District 6)

**Approved on the Consent Agenda**

- 26** Change Order/Amendment No.1 for Arbor Masters Tree Service for Westchester PID tree services in the total amount of \$26,252.75 (Council District 6)

**Approved on the Consent Agenda**

- 27** Change Order (Amendment) No. 4 in the net amount of \$16,731.13 with Texas Standard Construction for the Main Street and Jefferson Area Storm Drain Improvements project

**Approved on the Consent Agenda**

- 28** Warmack Library Change Order/Amendment No. 3 with Pogue Construction in the amount of \$96,838.74 for added structural steel framing, metal stud wall framing adjustments, existing restroom renovations, floor drain provision in mechanical room, entry ramp and vestibule changes, mechanical unit concrete pad adjustments

with landscape changes, storm drainage realignment, partition wall allowance reimbursement credit, new acoustical ceiling tile support grid and insulation of piping at restrooms

**Approved on the Consent Agenda**

**29**

Interlocal Agreement with City of Irving, Texas for the construction of a trail that will provide a trail in Grand Prairie and connect to the Rock Island Road Bike and Pedestrian Facility in Irving

**Approved on the Consent Agenda**

**30**

Construction contract with Excel 4 Construction, LLC in the amount of \$1,234,327 for the FY19 Water and Wastewater Improvements; Material testing with Alliance Geotechnical Group in the amount of \$17,739.50; In-house labor distribution in the amount of \$61,716.35; 5% contract contingency in the amount of \$61,716.35; for a total project cost of \$1,375,499.20

**Approved on the Consent Agenda**

**31**

Interlocal Agreement with City of Arlington, Texas for the construction of Arlington's Avenue H Street rebuild project between State Highway 360 and Great Southwest Parkway and paving improvements at the intersection of Great Southwest Parkway and Avenue H East

**Approved on the Consent Agenda**

**32**

Fleet Service Center Change Order/Amendment No. 7 with Modern Contractors in the amount of \$28,953.39 for spiral ductwork, restroom air conditioning, natural gas connections, site grading changes, added demolition, wood furring, energy compliance additions, grouting of existing door frame, GFCI receptacles, air reel addition, canopy steel, door hardware changes, exterior painting/miscellaneous electrical changes adding power, temporary office trailer provisions and allowance reimbursement

**Approved on the Consent Agenda**

**33**

Change Order/Amendment No. 16 in the net amount of \$184,500.00 with HKS Architects, Dallas, Texas for the EPIC Recreation and Indoor Water Park Project

**Approved on the Consent Agenda**

**34**

Change Order/Amendment No. 13 with Lee Lewis Construction, Inc. in the amount of \$180,129 for multiple items including additional railing at the wave pools, Epic Murals package, additional electrical and insulation modifications

**Approved on the Consent Agenda**

**35**

Change Order/Amendment No. 1 with Hill & Wilkinson General Contractors in the amount of \$12,844,411 for the balance of construction cost for phase one



construction of the new Grand Prairie City Hall Complex and civic campus master plan work; 5% contingency in the amount of \$600,000; budget allowance of \$923,000 for owner-provided furniture/fixtures/equipment (FF&E); \$75,000 allowance for construction testing; \$185,000 allowance for audio/visual (A/V) provisions; \$100,000 allowance for IT/data design and installation; plus a \$110,000 allowance for door access and security systems for a total funding request in the amount of \$14,837,411

**Approved on the Consent Agenda**

- 36** Change Order/Amendment No. 2 with Hill & Wilkinson General Contractors in the amount of \$1,885,000 for the balance of construction cost for the Firehouse Gastro Park restaurant; 5% contingency in the amount of \$90,000; \$2,500 allowance for additional geotechnical consultation and construction testing; plus a \$5,000 allowance for audio/visual (A/V) provisions for a total funding request in the amount of \$1,982,500

**Approved on the Consent Agenda**

- 37** Ordinance authorizing the abandonment of 2-feet for the entire platted 10-foot utility easement at 4948 Marsh Harrier Avenue to John W. White for \$250; authorize the City Manager to sign a quitclaim deed on behalf of the City

**Adopted**

Enactment No: ORD 10542-2018

- 38** Ordinance amending the Code of Ordinances, Chapter 12 "Fire Protection and Emergency Management" by changing Section 12-10 from Reserved to "Third Party Inspections, International Fire Code Section 107.3, Recordkeeping" to become effective upon passage and approval

**Adopted**

Enactment No: ORD 10543-2018

- 39** Ordinance amending Schedules III and IV of the Traffic Register by extending the north end of an existing shared school zone for Kennedy Middle School and Milam Elementary School; establishing a new one-way section on Burleson Street for Austin Elementary School; and creating a school zone on Fish Creek Road for the new Harmony Innovation Charter School.

**Adopted**

Enactment No: ORD 10544-2018

- 40** Ordinance of the City of Grand Prairie, Texas, amending Ordinance 10430 to define the number of authorized positions within the Fire Department in each classification beginning October 17, 2018.

**Adopted**

Enactment No: ORD 10545-2018

- 41** Resolution supporting the two-year continuation of the Police Department's Victim Assistance Program grant from the Texas Criminal Justice Division of the Governor's Office in the amount of \$339,220

**Adopted**

Enactment No: RES 4974-2018

- 42** Resolution authorizing the City Manager to apply for funding to the Tarrant County 9-1-1 District Public Safety Answering Points Assistance Program (PSAP), in the amount of \$78,435 to purchase 9-1-1 related equipment and supplies

**Adopted**

Enactment No: RES 4975-2018

- 43** Resolution authorizing the filing of an application requesting financial assistance from the Texas Water Development Board in an amount not to exceed \$3,750,000 to provide costs of replacement of deteriorated sanitary sewer pipe, and designating authorized representatives for the CWSRF 2019 project

**Adopted**

Enactment No: RES 4976-2018

- 44** Resolution authorizing the City Manager to execute a master inter-local purchasing agreement between the City of Grand Prairie and the City of Carrollton, Texas

**Adopted**

Enactment No: RES 4977-2018

- 45** Resolution authorizing the City Manager to execute a master inter-local purchasing agreement between the City of Grand Prairie and the City of Heath, Texas

**Adopted**

Enactment No: RES 4978-2018

- 46** Resolution authorizing the City Manager to execute a master inter-local purchasing agreement between the City of Grand Prairie and the City of Lavon, Texas

**Adopted**

Enactment No: RES 4979-2018

## Public Hearing Consent Agenda

**Mayor Pro Tem Copeland moved, seconded by Council Member Clemson, to close the public hearings and table Item 47, and approve Items 48 and 49 on the Public Hearing Consent Agenda. The motion carried unanimously.**

**47**

SU181002/S181002 - Specific Use Permit/Site Plan - 901 W. Oakdale Road Industrial Building (City Council District 1). Specific Use Permit and Site Plan for a two-story 221,335 square foot Transfer and Storage Terminal and Warehouse with Outside Storage at 901 W. Oakdale Road. 12.58 acres out of the John C. Read Survey, Abstract No. 875, City of Grand Prairie, Dallas County, Texas, located at the southeast corner of W. Oakdale Road and Hardrock Road. Zoned Planned Development -39 (PD-39) District within the State Highway-161 (SH-161) Corridor Overlay. The agent is Mark Potter, Pritchard Associates and the owner is Jeffrey Cornwell, Airgas USA. (On October 1, 2018, the Planning and Zoning Commission tabled this request by a vote of 7-1).

**Tabled**

**48**

S181009 - Site Plan - Luxe at Grand Prairie (City Council District 4). Site Plan for Luxe Grand Prairie, approximately 315 multi-family residential units on 22.50 net acres. A portion of Tract 1, Memucan Hunt Survey, Abstract No. 757, City of Grand Prairie, Tarrant County, Texas, 23.39 acres zoned PD-378 in the IH-20 Corridor Overlay, addressed as 4115 S. Great Southwest Parkway and generally located south of the intersection of Bardin Road and Sgt. Greg L. Hunter Lane, approximately 750 feet east of Great Southwest Parkway. The agent is Jason Pyka, Manhard Consulting, the applicant is David Coldea, DLC Residential, and the owner is Mark Cope.(On October 1, 2018, the Planning and Zoning Commission recommended approval of this request by a vote of 8-0).

**Adopted**

**49**

SU181001/S181001 - Specific Use Permit/Site Plan - Avid Hotel (City Council District 1). Specific Use Permit and Site Plan for a 4-story, 110 room Avid hotel. Lot 1, Block 1, Golden Corral - 360 Addition, City of Grand Prairie, Tarrant County, Texas. 2.34 acres zoned Light Industrial within the State Highway 360 Corridor Overlay (SH 360), and addressed as 1102 N Highway 360. The agent is Paul Cragun, Cumulus Design and the applicant is Kalpesh Patel, Buffalo Lodging. (On October 1, 2018, the Planning and Zoning Commission recommended approval of this request by a vote of 8-0).

**Adopted**

Enactment No: ORD 10546-2018

## Public Hearing on Zoning Applications

50

Z180701/CP180701 - Zoning Change/Concept Plan - SWBC at Grand Prairie (City Council District 2). A request to change from Planned Development-294B (PD-294B) to a Planned Development (PD) to allow construction of a multi-family development on approximately 12 acres. Frederick Dohme Abst 395 Pg 110, City of Grand Prairie, Dallas County, Texas, zoned Planned Development-294B (PD-294B), and located within the Highway 161 (Hwy 161) Corridor and Interstate 20 (I 20) Corridor Overlay. The applicant is Spencer Byington, SWBC and the owner is Rick O'Brien, Campbell-Mayfield Road LP. (On September 10, 2018, the Planning and Zoning Commission denied this request by a vote of 1-7. Motion for approval failed 1-7). (On September 18, 2018 the City Council recommended this case to the P&Z for consideration of the revised Concept Plan). (On October 1, 2018, the Planning and Zoning Commission recommended approval of this request by a vote of 8-0).

*David Jones, Chief City Planner, stated the City Council had referred this item back to the Planning and Zoning Commission at their September 18, 2018 meeting because there was a substantial revision to the Concept Plan between the Planning and Zoning Commission meeting and the Council meeting. Mr. Jones said staff supported the request to zone only 12 acres in one phase.*

*Stuart Smith, 5949 Sherry Lane, #750, Dallas, submitted a speaker card in support of this item.*

**Council Member Swafford moved, seconded by Council Member Fregoe, to close the public hearing and approve Case Z180701/CP180701 as recommended by the Planning and Zoning Commission. The motion carried unanimously.**

**Ayes:** 9 - Mayor Ron Jensen; Mayor Pro Tem Jeff Copeland; Deputy Mayor Pro Tem Greg Giessner; Council Member Jorja Clemson; Council Member Mike Del Bosque; Council Member Richard Fregoe; Council Member Cole Humphreys; Council Member Jim Swafford and Council Member Jeff Wooldridge

Enactment No: ORD 10547-2018

51

S181006 - Site Plan - Andy's Frozen Custard with ATM (City Council District 6). Site Plan for a proposed Andy's Frozen Custard drive-in service restaurant with ATM. Lot 3R, Block 3, Westchester East Addition, City of Grand Prairie, Dallas County, Texas, and zoned Planned Development-173 (PD-173). The applicant is John Bezner, Civil Point Engineers and the owner is Aaron King, Andy's Frozen Custard. (On October 1, 2018, the Planning and Zoning Commission recommended approval of this request by a vote of 8-0).

*Mr. Jones reviewed Case S181006 for Andy's Frozen Custard with an ATM for drive-up service. The site will be accessible from Westchase Drive. Exceptions include: 1) required 75% of landscaping in front yard and applicant is proposing most of landscaping in the rear of the building; and 2) roof sign exceeding the maximum*

allowable height of four feet above the roofline. Mr. Jones said staff had no problem with either variance and the Planning and Zoning Commission recommended approval.

Council Member Wooldridge asked if the building would be red brick because Westchester HOA requires red brick. Mr. Jones said the Westchester HOA said that red banding would be okay. Deputy Mayor Pro Tem Giessner asked how many parking spaces this building would be taking out at this site. Mr. Jones replied that staff is comfortable with the number of remaining parking spaces.

**Council Member Wooldridge moved, seconded by Council Member Fregoe, to close the public hearing and approve Case S181006 to include red banding on the building. The motion carried unanimously.**

**Ayes:** 9 - Mayor Ron Jensen; Mayor Pro Tem Jeff Copeland; Deputy Mayor Pro Tem Greg Giessner; Council Member Jorja Clemson; Council Member Mike Del Bosque; Council Member Richard Fregoe; Council Member Cole Humphreys; Council Member Jim Swafford and Council Member Jeff Wooldridge

52

S181003 - Site Plan - Main Event at Epic West Towne Crossing (City Council District 2). Site Plan for Main Event, a 48,560 sq. ft. bowling center with restaurant and amusement services as accessory uses, on 4.62 acres. Lot 1, Block C, Epic West Towne Crossing Phase 1 and Lot 1, Block 5, Central Park Addition, City of Grand Prairie, Dallas County, Texas, zoned PD-364, within the SH 161 Overlay District, and addressed as 3106 S HWY 161. The agent is Michael Clark, Winkelmann & Associates, the applicant is Angel Robinson, Main Event Entertainment, and the owner is John Weber, Epic West Towne Crossing LP. (On October 1, 2018, the Planning and Zoning Commission recommended approval of this request by a vote of 8-0).

Mr. Jones reviewed Case S181003, for Main Event, a 49,000 sq. ft. entertainment facility within the SH161 Overlay District. He said the applicant requested the following exceptions:

1. Maximum Allowable Height: exception to the maximum allowable height in order to construct a building with a height of 28.3 ft. - 34.67 ft.
2. Metal Panels: exception to building materials to allow metal panels on 29.54% of the east façade, when 20% is allowed.
3. Covered Walkways along the South Façade: exception to covered walkways on the south façade which is deficient by about 8 ft.
4. Stone/Brick Accent on the South Façade: exception to the 20% stone/brick accent requirement for the south façade. The north and east façades exceed the required stone/brick accent. If this is applied towards the requirement for the south façade, the south façade is deficient by 186.86 sq. ft. Staff does not object to this request provided the applicant adds two additional brick columns to the north façade to be credited towards the south façade.

Mr. Jones said the Planning and Zoning Commission recommended approval of this case. He said staff had asked that dumpsters be moved from the north side of the building to another area, but the applicant said for employee safety they preferred keeping the dumpsters on the north side.

Angel Robinson, 5445 Legacy Drive, #400, Plano, submitted a speaker card in support of this item.

**Council Member Swafford moved, seconded by Council Member Del Bosque, to close the public hearing and approve Case S181003. The motion carried unanimously.**

**Ayes:** 9 - Mayor Ron Jensen; Mayor Pro Tem Jeff Copeland; Deputy Mayor Pro Tem Greg Giessner; Council Member Jorja Clemson; Council Member Mike Del Bosque; Council Member Richard Fregoe; Council Member Cole Humphreys; Council Member Jim Swafford and Council Member Jeff Wooldridge

**53**

SU181005/S181005 - Specific Use Permit/Site Plan - Grand Lakes Business Park Phase 4 (City Council District 5). Specific Use Permit & Site Plan for a two-story 297,000 square foot Transfer and Storage Terminal. Lot 1, Block B, Grand Lakes Business Park, Phase 4, City of Grand Prairie, Dallas County, Texas. 15.08 acres zoned Light Industrial (LI) District within the Interstate-30 (IH-30) Overlay Corridor District and addressed as 4025 E IH-30, Grand Prairie, Texas. The agent is Dan Gallagher and the owner is Douglas Drees, Transform Real Estate. (On October 1, 2018, the Planning and Zoning Commission recommended approval of this request by a vote of 8-0).

*Mr. Jones reviewed Case SU181005/S181005, for a transfer and storage facility. He said the applicant requested the following exceptions:*

- 1) exception to 30' landscape buffer;*
- 2) 15% stone accent on the articulation zone; and*
- 3) excess of 115% of required parking*

*Mr. Jones said staff had no issue with these exceptions and the Planning and Zoning Commission approved with the exceptions.*

*Drew Feagan and Cannon Green, 2001 Ross Avenue, Dallas, submitted speaker cards in support of this item.*

*Tom Hurley, 4011 E. I-30, asked about the relocation of a main water meter and cutoff and a 6" water line. Dan Gallagher said those facilities would be moved and they would work with Six and Mango. He said they were not relocating the drive, just widening it. He said the hydrant will also be relocated.*

**Council Member Humphreys moved, seconded by Council Member Clemson to close the public hearing and approve Case SU181005/S181005. The motion carried unanimously.**

**Ayes:** 9 - Mayor Ron Jensen; Mayor Pro Tem Jeff Copeland; Deputy Mayor Pro Tem Greg Giessner; Council Member Jorja Clemson; Council Member Mike Del Bosque; Council Member Richard Fregoe; Council Member Cole Humphreys; Council Member Jim Swafford and Council Member Jeff Wooldridge

Enactment No: ORD 10548-2018

**54**

SU181006/S181007 - Specific Use Permit/Site Plan - Grand Lakes Business Park Phase 3 (City Council District 5). Specific Use Permit and Site Plan for a two-story 182,000 square foot Transfer and Storage Terminal. 10.15 acres out of the Dudley

F. Pearson Survey, Abstract No. 1130 and James McLaughlin Survey, Abstract No. 846, City of Grand Prairie, Dallas County, Texas, to be platted as Lot 1, Block 1, Grand Lakes Business Park, Phase 3. The property is zoned Light Industrial (LI) District within the Interstate-30 (IH-30) Overlay Corridor District and addressed as 4000 E IH-30, Grand Prairie, Texas. The agent is Eric Swartz, Pacheco Koch and the owner is Bob Rice, Ironwood Interests, LLC. (On October 1, 2018, the Planning and Zoning Commission recommended approval of this request by a vote of 8-0).

*Mr. Jones said this case met all requirements with the exception of parking in excess of 115% of required parking. He said the Planning and Zoning Commission recommended approval.*

*Bob Rice, 3030 LBJ Freeway, Dallas, submitted a speaker card in support of this case and was present for questions*

**Council Member Humphreys moved, seconded by Mayor Pro Tem Copeland, to close the public hearing and approve Case SU181006/S181007. The motion carried unanimously.**

**Ayes:** 9 - Mayor Ron Jensen; Mayor Pro Tem Jeff Copeland; Deputy Mayor Pro Tem Greg Giessner; Council Member Jorja Clemson; Council Member Mike Del Bosque; Council Member Richard Fregoe; Council Member Cole Humphreys; Council Member Jim Swafford and Council Member Jeff Wooldridge

Enactment No: ORD 10549-2018

**55**

SU181003/S181004 - Specific Use Permit/Site Plan - Adonis Auto (City Council District 1). Specific Use Permit and Site Plan for Adonis Auto to operate a Major Auto Repair facility with Auto Body & Paint Shop. Site 3, Block 6, GISD Commercial #5, Phase 3, City of Grand Prairie, Tarrant County, Texas, 5.5 acres zoned Light Industrial (LI) District and addressed as 1908 110th Street, Grand Prairie, Texas. The owner is Vikki Pruitt. (On October 1, 2018, the Planning and Zoning Commission recommended approval of this request by a vote of 8-0).

*Mr. Jones reviewed Case SU181003/S181004, for an auto repair/body shop/make ready facility and administrative offices. He said the 6' masonry screening wall would screen vehicles brought in for repair. Mr. Jones said it was staff's recommendation that this case be brought back in one year for review. He said the exterior of the building would remain the same and all repair work would be done inside. The Planning and Zoning Commission approved per staff recommendation that all ARB type activities be performed inside the building and no more than two inoperable vehicles may be stored on site.*

*Jeff Mercer, 3030 LBJ Freeway, #1600, Dallas, submitted a speaker card in support of this item.*

**Council Member Clemson moved, seconded by Deputy Mayor Pro Tem Giessner, to close the public hearing and approve Case SU181003/S181004 as recommended by staff and the Planning and Zoning Commission. The motion carried unanimously.**

**Ayes:** 9 - Mayor Ron Jensen; Mayor Pro Tem Jeff Copeland; Deputy Mayor Pro Tem Greg Giessner; Council Member Jorja Clemson; Council Member Mike Del Bosque; Council Member Richard Fregoe; Council Member Cole Humphreys; Council Member Jim Swafford and Council Member Jeff Wooldridge

Enactment No: ORD 10550-2018

56

Z181001/CP181001 - Zoning Change/Concept Plan - Robinson and Forum Apartments (City Council District 2). A Zoning Change and Concept Plan for 329 multi-family units and 26,355 of retail on 17.4 acres. Tract 2, Frederick Dohme Survey, Abstract No. 395 and Tract 2, Stephen B McCommas Survey, Abstract No. 888, City of Grand Prairie, Dallas County, Texas, zoned PD-294 and PD-294B, within the SH 161 Overlay District and the I-20 Overlay District, and generally located south of Forum Dr between SH 161 and Robinson Rd. The agent is Jeff Linder, Bannister Engineering, the applicant is Chase Debaun, AeroFirma Corp and the owner is Rick O'Brien, Campbell-Belt Line LP. (On October 1, 2018, the Planning and Zoning Commission recommended approval of this request by a vote of 8-0).

*Mr. Jones reviewed Case Z181001/CP181001 for a multi-family development with 329 units and a 26,355 retail component. He said that recent multi-family developments in the area total 2,624 units including this request. There will be six multi-family buildings and a pool. The applicant is also proposing a dog park. Mr. Jones said the ordinance will exclude any payday lending in this area. There were no variances requested. The Planning and Zoning Commission and staff recommended approval.*

*Mayor Pro Tem Copeland said the gas well south of this site often burns off a flame of 6-7 feet. Mr. Jones said staff had not received any input from the neighbors.*

*Rod DeBaun, 2935 S. Beltline, was present to answer questions. Mr. DeBaun referred to the commercial/retail area and said developers are talking with a hotel and a sitdown restaurant. They are also looking at a bank. He said most apartments have been an urban type development. He said there are three acres of greenspace on this site where there will be a dog park, and walking/jogging trails. The average size of the units is over 1,000 sq. ft. and rents from \$1100 to \$1900/month.*

*Council Member Swafford said he appreciated Mr. DeBaun and his family for what they do in support of the city.*

**Council Member Swafford moved, seconded by Council Member Fregoe, to close the public hearing and approve Case Z181001/CP181001as presented by staff and recommended by the Planning and Zoning Commission. The motion carried unanimously.**

**Ayes:** 9 - Mayor Ron Jensen; Mayor Pro Tem Jeff Copeland; Deputy Mayor Pro Tem Greg Giessner; Council Member Jorja Clemson; Council Member Mike Del Bosque; Council Member Richard Fregoe; Council Member Cole Humphreys; Council Member Jim Swafford and Council Member Jeff Wooldridge

Enactment No: ORD 10551-2018



57

TA180701 - Text Amendment - Article 4, Use Chart Update and Article 22, Fee Schedule. Amendment to the Unified Development Code, Article 4, "Permissible Uses" to revise the use chart and to revise Article 22, Fee Schedule. An Amendment to the Unified Development Code to revise the use charts to define and establish applicable districts for certain auto-related uses, industrial uses, and freight/transport uses, and billiard parlors. (On October 1, 2018, the Planning and Zoning Commission recommend approval of changes to the use chart pertaining to billiard parlors and recommended postponing all other proposed changes to further evaluate their development impact.)

*Mr. Jones reviewed Case TA180701 to revise charts to define and establish applicable districts for billiard parlors by SUP.*

**Council Member Clemson moved, seconded by Council Member Wooldridge, to close the public hearing and approve Case TA180701. The motion carried unanimously.**

**Ayes:** 9 - Mayor Ron Jensen; Mayor Pro Tem Jeff Copeland; Deputy Mayor Pro Tem Greg Giessner; Council Member Jorja Clemson; Council Member Mike Del Bosque; Council Member Richard Fregoe; Council Member Cole Humphreys; Council Member Jim Swafford and Council Member Jeff Wooldridge

Enactment No: ORD 10552-2018

58

SU181004 - Specific Use Permit - 2625 W. Pioneer Parkway (City Council District 1). Specific Use Permit for a Billiard Room with 10 tables at Asia Times Square, 2625 W. Pioneer Pkwy., Suite 900. Lot 2, Sam's Properties Addition, City of Grand Prairie, Tarrant County, Texas, 13.71 acres zoned LI, Light Industrial and located at 2625 W. Pioneer Pkwy., Grand Prairie, Texas. The applicant is Peter Nguyen and the owner is Matthew Loh, LGSW Capital Investment. (On October 1, 2018, the Planning and Zoning Commission recommended approval of this request by a vote of 8-0).

*Mr. Jones reviewed Case SU101004, for a 3,300 sq. ft. billiard parlor and bar with 10 tables with hours from 8:00 a.m. to midnight. He said there would be security patrol and cameras at each table. There will be no food service. He said the Planning and Zoning Commission recommended that the SUP be reviewed after six months from date of occupancy and the rear exit and storage closet be configured to allow clear passage from the billiard room to the exit.*

*Council Member Clemson said she appreciated Matthew Loh and Asia Tims Square for their commitment to the Grand Prairie community.*

**Council Member Clemson moved, seconded by Deputy Mayor Pro Tem Giessner, to close the public hearing and approve Case SU181004 as recommended by the Planning and Zoning Commission. The motion carried unanimously.**

**Ayes:** 9 - Mayor Ron Jensen; Mayor Pro Tem Jeff Copeland; Deputy Mayor Pro Tem Greg Giessner; Council Member Jorja Clemson; Council Member Mike Del Bosque; Council Member Richard Fregoe; Council Member Cole Humphreys; Council Member Jim Swafford and Council Member Jeff Wooldridge

Enactment No: ORD 10553-2018

**59**

TA180601 - Text Amendment - Article 9, Sign Standards. Amendment to the Unified Development Code, Article 9, "Sign Standards". An Amendment to the Unified Development Code to replace existing standards for signage with new standards governing temporary and permanent signage on residential and non-residential property, defining prohibited signage, murals, billboards, and accent lighting on businesses. (On September 10, 2018, the Planning and Zoning Commission recommended approval of this request by a vote of 7-1).

*Mr. Jones reviewed Case TA180601, Sign Standards amendment for temporary and permanent signage on residential and non-residential property, defining prohibited signage, murals, billboards, and accept lighting on businesses. Mr. Jones said at its September 18, 2018 meeting, City Council voted to table the item for further review by legal staff.*

*Council Member Wooldridge said the Council Development Committee had reviewed these changes and recommended them to the Council for approval.*

**Council Member Wooldridge moved, seconded by Mayor Pro Tem Copeland, to close the public hearing and approve Case TA180601. The motion carried unanimously.**

**Ayes:** 9 - Mayor Ron Jensen; Mayor Pro Tem Jeff Copeland; Deputy Mayor Pro Tem Greg Giessner; Council Member Jorja Clemson; Council Member Mike Del Bosque; Council Member Richard Fregoe; Council Member Cole Humphreys; Council Member Jim Swafford and Council Member Jeff Wooldridge

Enactment No: ORD 10558-2018

## **Items for Individual Consideration**

**60**

Second reading and adoption of an ordinance modifying the solid waste collection franchise agreement with Republic Waste Services of Texas Ltd., dba Republic Services of Arlington to include a \$0.25 rate increase to residential service, per household, per month, a 7.25% increase to commercial service and a 3.5% increase to roll-off customers

*Jim Cummings, Environmental Services Director, said Items 60 and 61 are companion cases for the solid waste franchise and rates.*

**Council Member Swafford moved, seconded by Council Member Fregoe, to close the public hearing and adopt an ordinance modifying the solid waste collection franchise agreement. The motion carried unanimously.**

**Ayes:** 9 - Mayor Ron Jensen; Mayor Pro Tem Jeff Copeland; Deputy Mayor Pro Tem Greg Giessner; Council Member Jorja Clemson; Council Member Mike Del Bosque; Council Member Richard Fregoe; Council Member Cole Humphreys; Council Member Jim Swafford and Council Member Jeff Wooldridge

Enactment No: ORD 10554-2018

**61**

Second reading and adoption of an ordinance of the City of Grand Prairie, Texas, amending the Utilities and Services Chapter of the Code of Ordinance of the City of Grand Prairie, Texas by amendment of Article VI relating to the regulation of garbage collection and disposal within the city, making this amendment cumulative, repealing all ordinances in conflict herewith; and to become effective upon its passage, approval and publication

**Council Member Swafford moved, seconded by Council Member Fregoe, to close the public hearing and adopt an ordinance approving the solid waste rates. The motion carried unanimously.**

**Ayes:** 9 - Mayor Ron Jensen; Mayor Pro Tem Jeff Copeland; Deputy Mayor Pro Tem Greg Giessner; Council Member Jorja Clemson; Council Member Mike Del Bosque; Council Member Richard Fregoe; Council Member Cole Humphreys; Council Member Jim Swafford and Council Member Jeff Wooldridge

Enactment No: ORD 10557-2018

**62**

Public Hearing and an Ordinance amendment to Ordinance No. 6095, extending the Tax Increment Reinvestment Zone #1 boundary and term

*Marty Wieder, Economic Development Director, introduced David Pettit to explain the extension of TIF #1. Mr.*

*Pettit said the TIF Board had been briefed on the previous Friday. He then went over the law for changing boundaries or term of existing zones. Mr. Pettit pointed out that this only applies to the city's participation. The TIF expires December 2020 and has not reached full projections. He said there were eight development opportunities that were identified. The TIF originally was comprised of 4,468 acres and with the amendment it will be 7,582 acres with a termination of December 2041. On November 20, 2018 Council will consider the amended PFP and then they would go forward and meet with other taxing jurisdictions.*

**Council Member Swafford moved, seconded by Council Member Clemson, to close the public hearing and adopt an ordinance extending the Tax Increment Reinvestment Zone #1. The motion carried unanimously.**

Enactment No: ORD 10556-2018

**63**

Ordinance Amending the Code of Ordinances, Updating Water & Wastewater Impact Fees amending Article 22.3.16; Schedule 22.3-1a of Unified Development Code

*Gabe Johnson, Public Works Director, stated the update of water and wastewater impact fees was needed to make corrections to some calculation errors, particularly in the south sector. He said the Finance and Government Committee had reviewed the proposed changes at their September 4, 2018 meeting.*

**Council Member Wooldridge moved, seconded by Council Member Swafford, to adopt an ordinance updating water and wastewater impact fees. The motion carried unanimously.**

**Ayes:** 9 - Mayor Ron Jensen; Mayor Pro Tem Jeff Copeland; Deputy Mayor Pro Tem Greg Giessner; Council Member Jorja Clemson; Council Member Mike Del Bosque; Council Member Richard Fregoe; Council Member Cole Humphreys; Council Member Jim Swafford and Council Member Jeff Wooldridge

Enactment No: ORD 10555-2018

**64**

Rescind August 21, 2018 action of the City Council tabling of SU180805/S180803, the application of Travis Baxter, Pritchard Associates, for an SUP/Site Plan for 1113 W. Oakdale Road (if this item is passed, Council will hear the Case at the November 6, 2018 Council Meeting)

*Will Munding, 3819 Maple Avenue, submitted a speaker card in support of this item, and stated he would be present at the November 6, 2018 meeting.*

**Mayor Pro Tem Copeland moved, seconded by Council Member Clemson, to rescind the tabling of Case SU180805/S180803. The motion carried unanimously.**

**Ayes:** 9 - Mayor Ron Jensen; Mayor Pro Tem Jeff Copeland; Deputy Mayor Pro Tem Greg Giessner; Council Member Jorja Clemson; Council Member Mike Del Bosque; Council Member Richard Fregoe; Council Member Cole Humphreys; Council Member Jim Swafford and Council Member Jeff Wooldridge

### **Citizen Comments**

*There were no citizen comments.*

### **Adjournment**

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

*The foregoing minutes were approved at the November 6, 2018 meeting.*

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*Catherine E. DiMaggio, City Secretary*