



City of Grand Prairie

City Hall
317 College Street
Grand Prairie, Texas

Minutes - Final

City Council

Tuesday, July 16, 2019

4:30 PM

City Hall - Briefing Room
317 College Street

Call to Order

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

Present 8 - Mayor Ron Jensen
Mayor Pro Tem Greg Giessner
Deputy Mayor Pro Tem Jorja Clemson
Council Member Mike Del Bosque
Council Member Cole Humphreys
Council Member John Lopez
Council Member Jim Swafford
Council Member Jeff Wooldridge

Absent 1 - Council Member Jeff Copeland

Staff Presentations

- 1** Legislative Update - Presented by Brandon Aghamalian, President, Focused Advocacy
- Brandon Aghamalian, stated there was a concentrated effort on the part of the Texas Legislature to interfere with city finances (i.e. revenue caps, issuance of debt and municipal regulatory authority; strong push to slice ability to lobby that failed). He stated there was a noticeable increase in legislative action (7,324 bills introduced bills; 1,429 bills passed; 2300 city-related bills, of which 338 passed).*
- Mr. Aghamalian stated that property tax reform was major on the leadership of the state. He said SB 2 (Revenue Caps) reduced the rollback rate from 8% to 3.5% and anything over 3.5% would require an election. The bill does not affect debt rates and will go into effect January 2020. Cable and Telecom providers now will only pay the highest of the two right-of-way fees, however, existing lawsuits will challenge the "small cell" statute on constitutional grounds.*
- HB 477 requires a disclosure on the ballot that "taxes will be used to pay the debt" and requires a voter guide and SB 30 requires a specific description for each bond proposition.*
- HB 2439 preempts cities from enforcing regulations that restrict the type of building material or restrictive aesthetic methods in construction. HB852 requires that building permit fees must be cost based. HB347 requires "vote to be annexed". HB3167 requires cities to approve/disapprove subdivision plat applications within 30 days or they would be considered approved. Preemptive bills include: no new red light cameras; no regulating weapons of any type; electric bikes; dogs allowed in outdoor portions of restaurants.*

HB3143 reauthorized property tax abatements for another 10 years. Also, abatements and 380 agreements were made more difficult due to SB2.

HB4347 removes the 2019 sunset date of the hotel public finance bill and qualifies the city for the program. It authorizes the city to qualify for more than one hotel project and qualifies the city to receive a rebate of the state sales tax collected at restaurants, bars and retail if located on land within 1000 feet of the hotel or convention center.

Chief Dye updated Council on CBD Oil, THC, Marijuana and Hemp. He said hemp has less THC than marijuana. THC oil is illegal in any form. CBD oil is derived from the hemp plant with less than .3% THC. HB1325 Hemp Bill was done agriculturally for farmers. The State must determine if it is hemp rather than marijuana. All marijuana must be tested before it goes to court but most labs are not set up to test THC level and are already at capacity.

Presented

Agenda Review

Mayor Pro Tem Giessner stated that at its earlier meeting today the Finance and Government Committee reviewed Items 20-24, 30, 33, 34 36 and 37. He asked if Council wished to remove any items from the Consent Agenda. He referred to Item 7 (contract with Dave's Hi-Way Wrecker) and said the Finance and Government Committee were comfortable with that contract. Mayor Pro Tem Giessner went over items on the Public Hearing Consent Agenda Items 38-48 and said that Items 38 and 39 would be tabled, no action would be taken on Items 40 and 41, and Items 42-48 would be approved.

Council Member Wooldridge stated he had a conflict of interest on Items 53 and 54 and had filed the required paperwork.

Executive Session

Mayor Jensen convened a closed session at 5:20 p.m. pursuant to Chapter 551, Subchapter D of the Government Code, V.T.C.A., Section 551.072 "Deliberation Regarding Real Property" and Section 551.087 "Deliberations Regarding Economic Development Negotiations." Mayor Jensen adjourned the closed session at 5:58 p.m.

Recess Meeting

Mayor Jensen recessed the meeting at 5:58 p.m.

6:30 PM Council Chambers

Mayor Jensen reconvened the meeting at 6:31 p.m.

The Invocation was given by Pastor David Awe, Redeemed Christian Church of God, House on the Rock. The Pledge of Allegiance to the US Flag and to the Texas Flag were led by Council Member Del Bosque.

Presentations

- 2** Recognition of Grand Prairie Fine Arts Academy Students (Faith Najar, Heavenly Najar and Jarod Lee) who painted the memorial portrait of Officer A. J. Castaneda

Mayor Jensen recognized Faith Najar, Heavenly Najar and Jarod Lee for their completion of a memorial painting of Officer A. J. Castaneda.

Presented

- 3** Girl Scout Gold Award Certificate - Presented to Becky Bender Jutzi

Mayor Jensen presented a certificate to Becky Bender Jutzi recognizing her achievement of the Girl Scout Gold Award.

Presented

- 4** Proclamation recognizing Esmeralda Rodriguez, Lions Club President

Mayor Jensen read a proclamation honoring Esmeralda Rodriguez for her achievements in the Lions Club and for her many volunteer efforts in the community.

Presented

- 5** Presentation of Keep Texas Beautiful Sadie Ray Graff Environmental Educator Award to Amber Bermudez, Educator from South Grand Prairie High School; and presentation of 3rd Place Keep Texas Beautiful Governor's Community Achievement Award to The City of Grand Prairie - Presented by Amanda Lindbergh, Keep Grand Prairie Beautiful Coordinator

Amanda Lindbergh, Keep Grand Prairie Beautiful Coordinator, presented Keep Texas Beautiful Awards to Amber Bermudez and the City of Grand Prairie.

Received and Filed

Consent Agenda

Mayor Pro Tem Giessner moved, seconded by Deputy Mayor Pro Tem Clemson, to approve Consent Agenda Item 6 through 37. The motion carried unanimously.

- 6** Minutes of the June 18, 2019 Meeting

Approved on the Consent Agenda

- 7** Price Agreement for wrecker services from Dave's Hi-Way Wrecker (up to \$750,000 annually) for one year with the option to renew for nine additional

one-year periods totaling \$7,500,000 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

Greg Joyner, 1511 E. Main Street, submitted a speaker card in support of this item.

Approved on the Consent Agenda

- 8** Price agreement for asbestos abatement services from 1 Priority Environmental Services, Inc. (\$100,000 annually) for one year with the option to renew for four additional one year periods totaling \$500,000 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** Price agreement for traffic signal cabinets from Traffic Ware, Inc. at an annual cost of \$146,925 for one year with the option to renew for four additional one year periods totaling \$734,625, 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 term. The traffic signal controllers will not be awarded, but purchased through the current agreement with Iteris, Inc.

Approved on the Consent Agenda

- 10** Price agreement for alteration services from Amy's Alterations (not to exceed \$14,000 annually), CK Alterations (not to exceed \$14,000 annually), and Sylvia's Alterations (not to exceed \$14,000 annually) for one year with the option to renew for four additional one year periods each totaling \$70,000 (\$210,00 total for all three) if all extension 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

- 11** Grant of Six Permanent Sanitary Sewer Easements and Temporary Construction Easements to the Trinity River Authority (TRA) for its Mountain Creek Interceptor Segments MC7 and MC8.

Approved on the Consent Agenda

- 12 Trinity River Authority MCRWS, CRWS and LRWS Advisory Committee Appointments
Approved on the Consent Agenda
- 13 Contract with Masix Construction, LLC for Wall Construction in the amount of \$174,584.30 - Westchester PID (Council District 6)
Approved on the Consent Agenda
- 14 Authorize the execution of a quitclaim deed to The Grand Prairie Community Housing Organization of a tax foreclosure lot located at 2105 Beaumont in Dalworth Park Addition
Approved on the Consent Agenda
- 15 Change order #1 for temporary bar & support staff from KMP Services, Inc. dba Vine Group in the amount of \$20,000 annually increasing the cumulative total to \$600,000 if all extensions are exercised
Approved on the Consent Agenda
- 16 Professional Services Contract for Sales/Use Tax Compliance Review and Recovery Services from TexasCityServices, LLC. (up to \$150,000 annually) through an interlocal agreement with the City of Dallas for three years with the option to renew for two additional one year periods totaling \$750,000 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
- 17 Purchase of networking equipment for a communication network infrastructure upgrade at the Public Safety Building in the amount of \$198,231.91 from Flair Data Systems through their national interlocal cooperative agreement with DIR
Approved on the Consent Agenda
- 18 Purchase of network equipment from Flair Data Systems in the amount of \$53,746.83 for the New City Hall Complex through a national interlocal with DIR
Approved on the Consent Agenda
- 19 Master Service Agreement for EP-LAN (Fiber Internet), Coaxial Television Service, and Public Wi-Fi service from Spectrum Enterprise, a sole source provider (up to \$180,000.00 annually); and authorize the continued use of this agreement up to five years estimated not to exceed \$900,000 (additional years beyond the five specified can be authorized however will require additional City Council approval at

that time)

Approved on the Consent Agenda

- 20** Change Order/Amendment No. 4 with Hill & Wilkinson General Contractors for the New City Hall Complex in the amount of \$138,964.73 for structural foundation revisions, structural steel adjustments, glazing changes, landscape preparation revisions, interior finish changes, exterior finish deletion, flooring material change, added electrical provisions, additional guardrail requirements and low voltage coordination.

Approved on the Consent Agenda

- 21** Purchase and installation of all audio/video equipment for phase one of the new City Hall project from Infinity Sound, Ltd. in the amount of \$216,780 through a national interlocal agreement with BuyBoard

Approved on the Consent Agenda

- 22** Purchase and installation of all security and door access control equipment for phase one of the new City Hall project from Videotronix, Inc. (dba VTI Security) in the amount of \$112,380.74 through a national interlocal purchasing agreement with the State of Minnesota

Approved on the Consent Agenda

- 23** Purchase and installation of all network infrastructure equipment for phase one of the new City Hall project from Facility Solutions Group (FSG) in the amount of \$99,627.93 through a national interlocal agreement with BuyBoard

Approved on the Consent Agenda

- 24** Authorize the City Manager to enter into an exterior improvement incentive Chapter 380 Agreement with Theo's Grill and Bar (107 NW 8th Street, Grand Prairie) in an amount not to exceed \$50,000, with Grand Prairie Credit Union (209 N Center St, Grand Prairie, TX) in an amount not to exceed \$50,000, and with Southern Maid Donuts (810 W. Main Street, Grand Prairie) in an amount not to exceed \$50,000, for a total amount not to exceed \$150,000

Approved on the Consent Agenda

- 25** Resolution authorizing compensation to Mayor per City Charter

Adopted

Enactment No: RES 5029-2019

- 26** Resolution authorizing the sale of two tax foreclosure properties located at 1617 Avenue C and 1605 Emerald Street to the Grand Prairie Community Housing Development Organization, Inc., a Texas nonprofit corporation; authorize the City

Manager or his designee to execute the related quitclaim deeds

Adopted

Enactment No: RES 5030-2019

27

Resolution authorizing the use, by the power of eminent domain for public use to acquire right-of-way parcels located on Ragland Road, east to Mirabella Blvd.

Adopted

Enactment No: RES 5031-2019

28

Resolution authorizing the City Manager to apply for a grant from the Office of the Governor, Public Safety Office - Criminal Justice Division's Internet Crimes Against Children Grant Program to purchase forensic examination equipment and cover additional related expenses for investigating internet crimes against children in the amount of \$17,793

Adopted

Enactment No: RES 5032-2019

29

Resolution authorizing the use of the power of eminent domain for public use to acquire easement parcels required for construction of a new City water main from Robinson Road, east to Southeast 4th Street.

Adopted

Enactment No: RES 5033-2019

30

Resolution authorizing the City Manager to enter into a Local Project Advanced Funding Agreement (LPAFA) with Texas Department of Transportation (TxDOT) for bridge replacement/renovation of the Duncan Perry Road Bridge over Johnson Creek as part of the Federal Off-System Bridge Program Project

Adopted

Enactment No: RES 5034-2019

31

Resolution authorizing the use of the power of eminent domain for public use to acquire easement parcels required for construction of a new City water main from Robinson Road, east to Southeast 4th Street.

Adopted

Enactment No: RES 5035-2019

32

Ordinance authorizing the partial abandonment of an un-needed utility easement located at 2521 Pinnacle Point Drive to Karen Ann Fitch Tesmer for \$250; and authorize the City Manager to sign a quitclaim deed on behalf of the City

Adopted

Enactment No: ORD 10655-2019

- 33** Ordinance amending the FY 2018/2019 Risk Fund and Airport Capital Improvement Projects budget; approve the emergency purchase with Cozart Metal Building Systems for phase two's repair & installation work in the amount of \$1,027,375; approve \$55,000 freight for the Higher Power Hydraulic Doors; additionally, final repairs for the perimeter fence by Llano River Fence Company, LLC in the amount of \$6,545.49, Structural Engineering Inspection both Post and Pre with Lakes Engineering in the amount of \$60,090 for a total of \$1,149,010.49 and brings the total estimated Grand Prairie Airport Disaster Recovery up to \$1,879,260.74

Adopted

Enactment No: ORD 10656-2019

- 34** Ordinance amending the FY 2018/2019 Capital Improvement Projects Budget; approve a \$65,000 appropriation in the Municipal Facilities Capital Projects Fund for Service Center Security Fencing.

Adopted

Enactment No: ORD 10657-2019

- 35** Ordinance amending the FY 2018/2019 Capital Improvements Projects Fund; authorize a contract with Northstar Construction in the amount of \$429,777 and approve a 5% contingency of \$21,489 for a total of \$451,266 for construction of Fish Creek Linear Park "Central Segment"

Adopted

Enactment No: ORD 10658-2019

- 36** Ordinance amending the FY 2018/2019 Capital Improvement Projects Budget for the Local Project Advanced Funding Agreement (LPAFA) with Texas Department of Transportation (TxDOT) for bridge replacement of the Duncan Perry Road Bridge over Johnson Creek as part of the Federal Off-System Bridge Program Project in the amount of \$24,031

Adopted

Enactment No: ORD 10659-2019

- 37** Ordinance amending the FY 2018/2019 Capital Improvement Projects Budget; Professional Planning Services contract with Kendig Keast Collaborative for planning, corridor studies, and urban design of Pioneer Parkway from the City Limits at Asia Times Square to Belt Line Road in the total amount \$90,575.50

Adopted

Enactment No: ORD 10660-2019

Public Hearing Consent Agenda

Mayor Pro Tem Giessner moved, seconded by Council Member Humphreys, to close the public hearing and table Items 38 and 39 on the Public Hearing Consent Agenda, take no action on Items 40 and 41, and approve Items 42 through 48. The motion carried unanimously.

- 38** SU190703/S190703 - Specific Use Permit/Site Plan - Hyatt Place (City Council District 4). Specific Use Permit and Site Plan for Hyatt Place, a hotel located on 2.6 acres. Tract 2B02, Charles D Ball Survey, Abstract No. 197, City of Grand Prairie, Tarrant County, Texas, zoned PD-29, within IH-20 Corridor Overlay District, generally located north of I-20, south of Sara Jane Pkwy, and west of Bob Smith Pkwy. The agent is Dayne Ram, ADR Designs LLC, the applicant is Dilip Patel, and the owner is Arpen Patel.

City Council Action: August 20, 2019

Tabled

- 39** Z060902A - Planned Development - Crescent Heights Amendment (City Council District 2). Zoning Change and PD Amendment to allow for front-entry garages on 16 of 89 lots intended for single-family detached residential development in the Crescent Heights Subdivision. Crescent Heights Addition, 13.107 acres out of the Edward B. Wooton Survey, Abstract No. 1519, City of Grand Prairie, Dallas County, Texas, zoned Planned Development (PD-14B) and addressed as 203 Freetown Road. The owner is Yigal Lelah, Casa Bella Homes.

City Council Action: August 20, 2019

Tabled

- 40** SU120404E - Specific Use Permit Renewal 886D- 2502 Central Avenue (City Council District 5). A Specific Use Permit renewal for an auto body shop with general auto repair on 1.026 acres. The subject property, zoned Commercial (C) District, is located at the northeast corner of Central Avenue and N.E. 25th Street. The subject property is located within the Central Business District-Four (CBD-4) Corridor Overlay District.

City Council Action: August 20, 2019

Withdrawn

- 41** SU980303A - Specific Use Permit Renewal 674 - 2302 S Carrier Parkway (City Council District 2). A Specific Use Permit renewal for an Automotive Repair Facility being an approximately 0.516 acre tract of land, Tract 11, Charles Gibbs Survey, Abstract 534, City of Grand Prairie, Dallas County, Texas.

City Council Action: August 20, 2019

Withdrawn

- 42** S190606 - Site Plan - IH-30 MacArthur Warehouse (TCC MacArthur Addition, Blk 1, Lt 1) (City Council District 1). Site plan request for proposed two-story, 376,000 sq. ft. office/showroom warehouse facility on 22.42 acres, situated in the Milton H. Graham Survey, Abstract No. 507 and Joseph Graham Survey, Abstract No. 506, City of Grand Prairie, Texas, Dallas County located northwest of Interstate Highway 30 WB Service Road and MacArthur Blvd. The property is zoned Light Industrial (LI) District and is located within the IH-30 Overlay Corridor District. The agent is Dennis Chovan, Half Associates, Inc. The applicant is Jake Marks, Trammell Crow Company, and the owner is G L Harris. (On July 1, 2019, the Planning and Zoning Commission recommended approval of this request by a vote of 7-0).

Jake Marks, 2100 McKinney Avenue, Suite 800, Dallas, submitted a speaker card in support of this item.

Approved

- 43** SU190704/S190704 - Specific Use Permit/Site Plan - Wendy's (City Council District 2). A Specific Use Permit to allow for a restaurant with a drive-through. Addressed as 1130 Arkansas Lane and SH 161 legally described as Lot 4, Block A, Bush & Pioneer Centre Addition, Dallas County, City of Grand Prairie, Texas, Zoned P-351. The applicant is Robin Ersfeldt, Watermark Engineering and the owner is Nicholas Rhoads, Heritage Partners and Stonewall Road Restaurant Group. (On July 1, 2019, the Planning and Zoning Commission recommended approval of this request by a vote of 7-0).

Adopted

Enactment No: ORD 10661-2019

- 44** SU190705/S190701 - Specific Use Permit/Site Plan - Taco Bell at Epic East Towne Crossing (City Council District 2). Specific Use Permit and Site Plan for a restaurant with a drive-through on 1.227 acres. Epic East Towne Crossing, Lot 6, Block A, City of Grand Prairie, Dallas County, Texas, zoned PD-364, within the SH 161 Corridor Overlay District, and addressed as 3192 S Highway 161. The agent is William Winkelmann, Winkelmann & Associates, the applicant is Gabriela Marks, and the owner is Mark Davis, Epic East Towne Crossing, L.P. (On July 1, 2019, the Planning and Zoning Commission recommended approval of this request by a vote of 7-0).

Adopted

Enactment No: ORD 10662-2019

- 45** SU190602/S190602 - Specific Use Permit/Site Plan - Raising Cane's at Epic West Towne Crossing, 3158 S. HWY 161 (City Council District 2). Specific Use Permit and Site Plan for a 3,639 sq. ft. Restaurant with a Drive-Through on 1.47 acres. Lot 1, Block B, Epic West Towne Crossing Phase 1, City of Grand Prairie, Dallas

County, Texas, zoned PD-364, within SH-161 Corridor Overlay District, and addressed as 3158 S HWY 161. The agent is Lauren Nuffer, Kimley-Horn & Associates, Inc., the applicant is Luaron McCormack, Raising Cane's Restaurants, LLC, and the owner is Mark Davis, Epic West Towne Crossing LP. (On July 1, 2019, the Planning and Zoning Commission recommended approval of this request by a vote of 7-0).

Adopted

Enactment No: ORD 10663-2019

46

Z180602 - Zoning Change - EpicCentral (City Council District 2). Zoning Change Plan for EpicCentral, creating a planned development district for hotel, restaurant, and entertainment uses. Lots 1-4, Block 1, Lots 1-4, Block 2, Lots 1-2, Block 3, and Lot 1, Block 4, Central Park Addition and TR 7 of Jose A Gill Abstract No. 1714, City of Grand Prairie, Dallas County, Texas, zoned PD-187 and PD-194, within the SH 161 Overlay District, and addressed as 1525 Arkansas Ln, 2100 W Warrior Trl, 2222 W Warrior Trl, 2252 W Warrior Trl, 2940 Esplanade, 2955 Esplanade, 2960 Esplanade, 2975 Esplanade, 2980 Esplanade, 2945 Epic Pl, 2958 Epic Pl, 2960 Epic Pl, 2970 Epic Pl, and 2975 Epic Pl. The owner/applicant is the City of Grand Prairie. (On July 1, 2019, the Planning and Zoning Commission recommended approval of this request by a vote of 7-0).

Mike Hutchins, 2213 Florida Court, submitted a speaker card in support of this item.

Adopted

Enactment No: ORD 10664-2019

47

TA180601A - Text Amendment - Amending article 9, "Sign Standards" of the Unified Development Code of the City of Grand Prairie, Texas, to clarify certain regulations regarding the procedure removal or repair of unsafe or nuisance signs. (On July 1, 2019, the Planning and Zoning Commission recommended approval of this request by a vote of 7-0).

Adopted

Enactment No: ORD 10665-2019

48

TA190701 - Text Amendment - Ordinance amending Article 2, Section 5, "Zoning Board of Adjustments and Appeals," of the Unified Development Code of the City of Grand Prairie, Texas to clarify term limits of Board Members. (On July 1, 2019, the Planning and Zoning Commission recommended approval of this request by a vote of 7-0).

Adopted

Enactment No: ORD 10666-2019

Public Hearing on Zoning Applications

49

SU190702/S190702 - Specific Use Permit/Site Plan - Hogan Truck Rental (City Council District 1). A request for a Specific Use Permit and Site Plan for Commercial Truck Leasing/Rental Services & Equipment Sales on 7.0 acres. The subject property is zoned Light Industrial (LI) District & Planned Development-124 l (PD-124) District and is located within State Highway 161 (SH-161) Overlay Corridor District. Durable Inc. Addition, Block 1, Lots 1 and a portion of Lot 2, City of Grand Prairie, Dallas County. The property is generally located northeast of Roy Orr Blvd at Oakdale Lane, addressed at 3001 Roy Orr Blvd. The agent is Walter Nelson, Walter Nelson and Associates and the owner is Phil Mumford, Contractors Access. (On July 1, 2019, the Planning and Zoning Commission recommended approval of this request by a vote of 7-0).

David Jones, Chief City Planner, reviewed Case SU190702/S190702 for a truck leasing and private vehicle repair shop in an existing 9000 sq. ft. shop building. There are 7 acres over three properties. He said this facility would fall under the auto-related business (ARB) ordinance and will be built in four phases. Mr. Jones said this case was for Phases 1 and 2. Mr. Jones went over what would be done in each of the four phases. He said the current site is mostly unpaved with some pavement at the rear of the site. He said the natural screening would remain in place adjacent to where the trucks will park. The applicant has proposed to shift the access driveway to get it off the main intersection of Roy Orr and Oakdale, however, many large oak trees would have to be removed. Mr. Jones said the Development Review Committee (DRC) recommended approval subject to compliance with ARB regulations; Phase 1 and 2 only; phases 3-4 shall require an SUP amendment; no salvage or inoperable vehicles to be stored on site; repair and maintenance operations will be limited to contract vehicles only; and replat to establish a single property for the business. Mr. Jones said the Planning and Zoning Commission recommended approval per the DRC recommendations and the maintenance of the vegetation between the chain link fence to be installed adjacent to the mobile home park to the east and the existing wood fence, which is to remain, would be the responsibility of the applicant.

Walter Shumac, Transportation Director, stated that leaving the driveway where it is now creates an unsafe condition and his opinion is that the driveway should be moved. Mr. Jones said the current driveway alignment is an existing asphalt driveway and that would not be their primary drive. He clarified that Mr. Shumac was saying that by using the existing driveway it creates a situation where trucks turning off Roy Orr may get stuck waiting for the light to change if more than a few cars are there. The Transportation Department requested moving the driveway but this would cause losing the trees. Mayor said there is a dilemma about whether to move the drive and lose trees or not to move the drive and save the trees.

Council Member Humphreys stated he was unclear about the option to save the trees. Deputy Mayor Pro Tem Clemson stated she would include wording in her motion that the driveway would not be moved.

Walter Nelson, 3012 Hobble Court, was present to speak if needed.

Mayor Pro Tem Clemson moved, seconded by Council Member Del Bosque, to close the hearing and approve Case SU190702/S190702 which the stipulations

that the driveway would not be moved and the applicant would be responsible for maintenance between the existing wood fence and the chain link fence.

Ayes: 8 - Mayor Ron Jensen; Mayor Pro Tem Greg Giessner; Deputy Mayor Pro Tem Jorja Clemson; Council Member Mike Del Bosque; Council Member Cole Humphreys; Council Member John Lopez; Council Member Jim Swafford and Council Member Jeff Wooldridge

Enactment No: ORD 10672-2019

50

SU151004E - Specific Use Permit Renewal or Revocation 987D- 309 SE 14th Street (City Council District 5). Specific Use Permit renewal or revocation of Major Auto Repair and Auto Body and Paint Uses in the Commercial District. The property is located on Lots 5, 6, 7 & the north 1/2 of Lot 8, Penman Addition, City of Grand Prairie, Dallas County, Texas, zoned C - Commercial District in the Central Business District no. 3 Overlay and located at 309 SE 14th Street. The owner is Vincent Duan. (On July 1, 2019, the Planning and Zoning Commission recommended revocation of this request by a vote of 7-0).

Mr. Jones reviewed Case SU151004E for an SUP revocation. He said this case had been before Council several times and on December 11, 2018 Council extended the SUP contingent upon there being no violations during this extension. However, violations have occurred during the extension. The Planning and Zoning Commission voted unanimously to revoke the SUP. The Code Compliance division had gone out again on July 6, 2019 and found inoperable vehicles exceeding their limit of two and excessive vehicles parked in the building (11 vs. 13). Mr. Jones said staff recommended revocation of the SUP.

Vincent Duan, 2812 Montell Court, Plano, 75021, stated he was the property owner. He said during the past six months Code has come out 3 or 4 times and there were no issues before the Planning and Zoning Commission meeting. He said both cars parked in front were in working operation. Mr. Duan said Code came again after the Planning and Zoning Commission meeting. He said the city required that there be no violations. He said he was applying for a new sign for the business. Mr. Duan said he would like to work with the city and he had spoken to the business owner as well who would like to stay in the city.

Miguel Zuniga, 2828 Forest Ave., Fort Worth, said there were a few problems with Code Enforcement. He said the truck is driveable that Mr. Jones referred to and with regard to parking outside, he had pulled the blue car inside on Monday.

Council Member Humphreys asked Mr. Jones how many ARBs there were in the city. Mr. Jones replied there are around 600. Council Member Humphreys said he could not recall having a case come back this many times. He added that staff and Council try to work with ARB's.

Council Member Humphreys moved, seconded by Mayor Pro Tem Giessner, to close the public hearing and approve Case SU151004E to revoke the SUP. The motion carried unanimously.

Ayes: 8 - Mayor Ron Jensen; Mayor Pro Tem Greg Giessner; Deputy Mayor Pro Tem Jorja Clemson; Council Member Mike Del Bosque; Council Member Cole Humphreys; Council Member John Lopez; Council Member Jim Swafford and Council Member Jeff Wooldridge

Enactment No: ORD 10667-2019

51

CPA190601 - Comp Plan Amendment - Forum Villas (City Council District 4). Comprehensive Plan Amendment to change the Future Land Use Map from Commercial to Med-Density Residential for 18.92 acres. Tracts 5 and 5A of E. Roland Survey, Abstract No. 1313, City of Grand Prairie, Tarrant County, Texas, zoned PD-361, and located on the northwest corner of S. Forum Drive and S. Great Southwest Pkwy. (On July 1, 2019, the Planning and Zoning Commission recommended approval of this request by a vote of 7-0).

Mr. Jones reviewed Case CPA190601 and Case Z190601/CP190601 together. He said the site is located at the northwest corner of Great Southwest Parkway and Forum. He said the case is consistent with goals, policies and objectives of the Comp Plan. He said with apartments on one side and a school on other side of Great Southwest Parkway, it makes it difficult to market to single family, so staff did not have any issues with changing to medium density. Mr. Jones said the applicant must build a full masonry wall. There will be a mix of one-bedroom, 2-bedroom and 3-bedroom units.

Mr. Jones said the applicant has requested 25% enclosed garages which is less than required. The proposed standard is Multi-Family One and the units will be for rent. A minimum lot size is required. The TIA indicates that there will be an impact for internal traffic turning left during school drop-off and pick-up. This development will be opening after Great Southwest Parkway is finished. The applicant is proposing three driveways and the northernmost driveway is an exit only but the Great Southwest Parkway project would close the median cut but staff proposes to keep it open and the applicant is willing to do that.

Mr. Jones went over the Planning and Zoning recommendations:

- 1. For perimeter buildings along Great Southwest Pkwy and Forum Dr, facades that face, or are mostly parallel to the street, shall be clad in 100% stone or brick;*
- 2. Back yard fences that are parallel to open space areas or sidewalks shall be constructed of wrought iron;*
- 3. Amenities shall include, at a minimum, a pool, spa, arbor, and usable open space and shall meet Appendix W requirements for Multi-Family Residential development;*
- 4. The areas depicted on the Concept Plan as reserved parking shall remain as green space and shall only be converted to additional parking once the development is 100% leased and parking demand requires additional parking spaces;*
- 5. The applicant shall provide Staff with an exhibit that shows the elevation type, materials, and colors for units that will allow Staff to assess the architectural variation within the development with the intent of avoiding architectural duplication among adjacent units;*
- 6. Individual units shall be fire sprinklered; and*
- 7. Screening walls along Great Southwest Parkway and Forum Drive shall be constructed to Forum PID specifications.*

Mayor Pro Tem Giessner asked if this development would be gated. Mr. Jones replied that it would be gated and there were no age restrictions. Council Member Humphreys asked about the zoning title. Mr. Jones said this is hybrid housing at 12 units per acre which is different from single family density. Council Member Lopez asked where school children who live near Great Southwest Parkway would exit. Mr. Jones said there would be a crosswalk at Forum and there will be sidewalks.

Rich Darragh, 8214 Westchester Drive, Suite 716, Dallas 75225, stated he was the applicant. He said there is an entrance and exit on Forum Drive with a deceleration lane; the northernmost drive is exit only. Mr. Darragh said he agreed with staff to keep the median open at the north exit. The units will be 100% brick or stone on units that back up to Great Southwest Parkway and Forum. There are 2.2 acres of private open space; 7.5 acres of community space with an amenity center, pool and open space. Mr. Darragh showed the product that will be built.

Mayor Pro Tem Giessner asked Mr. Darragh what the rental price would be. Mr. Darragh said the rental is \$2.00/sq. ft. and each unit has a backyard. Mr. Jones said that is what standard multi-family is getting per sq. ft. Steve Norwood, Planning Director said rentals are running \$1.70 to \$1.80. Council Member Humphreys asked who would be managing. Mr. Darragh said they will either set up a subsidiary company or hire a company.

Council Member Lopez moved, seconded by Council Member Del Bosque, to close the public hearing and approve Case CPA190601 as presented by staff. The motion carried unanimously.

Ayes: 8 - Mayor Ron Jensen; Mayor Pro Tem Greg Giessner; Deputy Mayor Pro Tem Jorja Clemson; Council Member Mike Del Bosque; Council Member Cole Humphreys; Council Member John Lopez; Council Member Jim Swafford and Council Member Jeff Wooldridge

Enactment No: ORD 10668-2019

52

Z190601/CP190601 - Planned Development Request/Concept Plan - Forum Villas (City Council District 4). Planned Development Request and Concept Plan for 219 single-story homes with a mixture of detached and attached units on a single 18.92-acre common lot. Tracts 5 and 5A of E. Roland Survey, Abstract No. 1313, City of Grand Prairie, Tarrant County, Texas, zoned PD-361, and located on the northwest corner of S. Forum Drive and S. Great Southwest Pkwy. The agent is Rich Darragh, Skorburg Company, the applicant is Daniel Satsky, Ashton Woods - Dallas Division, and the owner is Dan Luby, ECOM Real Estate Mgmt. (On July 1, 2019, the Planning and Zoning Commission recommended approval of this request by a vote of 7-0).

Council Member Lopez moved, seconded by Council Member Humphreys, to close the public hearing and approve Case Z190601/CP190601 as recommended by the Planning and Zoning Commission. The motion carried unanimously.

Ayes: 8 - Mayor Ron Jensen; Mayor Pro Tem Greg Giessner; Deputy Mayor Pro Tem Jorja Clemson; Council Member Mike Del Bosque; Council Member Cole Humphreys; Council Member John Lopez; Council Member Jim Swafford and Council Member Jeff Wooldridge

Enactment No: ORD 10671-2019

Items for Individual Consideration

53

Ordinance amending the FY 2018/2019 Capital Improvement Projects Budget; Contract with The Home Depot in the amount of \$118,740 for installation of new

sewer service for three properties - 802, 902, and 922 OUR Lane and an additional 4th tract for the Graft Property through their national inter-local agreement with U.S. Communities and include a 5% contingency in the amount of \$5,937 and 2.5% material testing \$2,968 for a grand total of \$127,645 (The City Council tabled this item at their May 7, 2019 meeting.)

Gabe Johnson, Public Works Director, stated that the Trinity River Authority main is being constructed along OUR Lane and there are four properties which will be taken off septic tanks and put on the city wastewater system.

NOTE: Council Member Wooldridge declared a conflict of interest on Items 53 and 54 and left the chambers during discussion and vote on these items.

Council Member Swafford moved, seconded by Deputy Mayor Pro Tem Clemson, to approve Items 53 and 54. The motion carried unanimously with Council Member Wooldridge declaring a conflict of interest).

Ayes: 7 - Mayor Ron Jensen; Mayor Pro Tem Greg Giessner; Deputy Mayor Pro Tem Jorja Clemson; Council Member Mike Del Bosque; Council Member Cole Humphreys; Council Member John Lopez and Council Member Jim Swafford

Excused: 1 - Council Member Jeff Wooldridge

Enactment No: RES 5036-2019

54

Ordinance amending the FY 2018/2019 Capital Improvements Project Budget; Amendment No. 6 to the Interlocal Agreement with Trinity River Authority for the construction of a 8" City Wastewater Line to serve Our Lane Residents in the amount of \$64,330

Adopted

Enactment No: ORD 10669-2019

55

Annual Board and Commission Appointments

Animal Shelter Advisory Board

Mayor Karen Tesmer

District 2 Rayna Ross

District 4 Robin Ghio

Building Advisory and Appeals Board

Mayor David Pomerantz

District 4 Starling Oliver

Civil Service Commission

Consensus Jerry King

Commission on Aging

Mayor Freddie Evans

District 4 Lorraine Rose

Housing & Community Improvement

Mayor Jenna Whitehead

District 2 Sven Bonander
District 4 Greg Wiggins

Housing Finance Corporation
Consensus Marshall Sutton
Consensus Buddy White

Keep Grand Prairie Beautiful

District 2 Marcela Gonzalez
District 4 Darren Ferrar

Library Board
Mayor Daniel Smith
District 2 Avi Nash
District 4 Deinna Mims Johnson

Park Board
Mayor John Stewart
District 2 B. J. Nichols
District 4 Greg Mullen

Planning & Zoning Commission
Mayor Cheryl Smith
District 2 Eric Hedin
District 4 Shawn Connor

Public Health Advisory Committee
Mayor Patricia Shull
District 2 Michael Sabat
District 4 Abraham Chukwu

Zoning Board of Adjustments
Mayor Debbie Hubacek
District 2 Timothy Ibidapo
District 4 Barry Sandacz
Consensus Ralph Castro (alternate)
Consensus David Baker (alternate)

Deputy Mayor Pro Tem Clemson moved, seconded by Mayor Pro Tem Giessner, to approve appointments to boards and commissions as presented. The motion carried unanimously.

Ayes: 8 - Mayor Ron Jensen; Mayor Pro Tem Greg Giessner; Deputy Mayor Pro Tem Jorja Clemson; Council Member Mike Del Bosque; Council Member Cole Humphreys; Council Member John Lopez; Council Member Jim Swafford and Council Member Jeff Wooldridge

Citizen Comments

There were no citizen comments.

Adjournment

Mayor Jensen adjourned the meeting at 7:31 p.m.

The foregoing minutes were approved at the August 6, 2019 meeting.

Catherine E. DiMaggio, City Secretary