



City of Grand Prairie

City Hall
317 College Street
Grand Prairie, Texas

Minutes - Final

City Council

Tuesday, December 15, 2015

4:30 PM

Council Chambers
317 College Street

Call to Order

Mayor Jensen called the meeting to order at 6:30 p.m.

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

Staff Presentations

- 1** Overview of the SH360 South Extension Project - Presented by Jason McLear, Project Manager, and Keith Bilbrey, Public Information Coordinator, 360 South Project

Keith Bilbrey, Public Information Coordinator, SH360 South Project, was present to update Council on the SH360 south extension project. Mayor Jensen asked Mr. Bilbrey when the bridge at Camp Wisdom would be completed. Mr. Bilbrey said it should be complete by Fall 2016. Mayor Pro Tem Swafford asked about the design of the main lanes. Mr. Bilbrey said they will be four lanes divided to SH287 with crossovers at all main intersections. He said SH360 will go under SH287 with a frontage road onto SH287. Council Member Copeland asked if all the financing was done for the Grade A bridges. Mr. Bilbrey said they were all designed.

Presented

- 2** Open Carry Video - Presented by Chief Steve Dye, Lisa Norris, Human Resources Director, and Megan Mahan, Assistant City Attorney

Chief Steve Dye showed a video on the new open carry law that all employees have viewed. He said the video had been shared with many cities in the Metroplex. Chief Dye said the concealed handgun license has worked for many years and this is an extension of that law. If someone chooses to openly carry it must be in a belt or shoulder holster. Police officers can ask for the CDL license and Grand Prairie officers will ask in two different scenarios: a potential criminal offense; or if there is a safety issue. Megan Mahan, Assistant City Attorney, distributed a chart on "Where Can a Handgun be Carried?"

Chief Dye said a citizen can carry in a police station except in secure areas and signs have been placed there. Also, the City Manager has bolstered the security of

buildings and employees are being trained, particularly on the first points of contact and explaining the open carry law. Ms. Mahan said that Don Johnson will be working on a video for the public. Council Member Copeland asked if a business has to either allow open carry or post a sign. Ms. Mahan said a private business can post "no gun" signs. There are two separate signs; one for open carry and one for concealed, but to do both a business must post both signs. She said the specific language from the statute has to be on the sign. If only the concealed carry is wanted, the business must post the open carry. Council Member Copeland asked if a person openly carries a gun but they move it to conceal it and they have an empty holster, is that allowed. Chief Dye replied there is no law against an empty holster.

Presented

Agenda Review

Mayor Pro Tem Swafford asked if there were any questions on the Consent Agenda. There were no questions. He went over several items on the consent agenda including Item 6 for an oncall electrician. Mr. Swafford noted that former Council Member Roy Owings had been the city's oncall electrician for several years and has retired. He said staff has recommended using the City of Hurst Interlocal Agreement to hire Ed's Electrical for the next six months. He said the Finance and Government Committee would like to bid to electrical contractors in the city. Mr. Swafford then asked that Item 18 Library Furniture be amended to add a workstation in the amount of \$9,321. With regard to Item 23, Ikea incentive, Mr. Swafford said this had been discussed at length a few months ago but the Council has had no discussion since that time. He said he spoke with Bob O'Neal, Economic Development Director, and asked him to make a presentation on this item.

Mr. O'Neal stated that one of the things Ikea considered to locate here was the incentive agreement. This agreement is performance based for a 250,000 sq. ft. facility and Ikea is now planning 297,000 sq. ft. He said the rebate is 50% of General Fund sales tax dollars received until a total of \$6,000,000 has been distributed. At this point, the incentive would end.

Council Member Copeland asked when Ikea would get their payment. Mr. O'Neal said it would be paid on an annual basis when they meet their \$500,000 and at the end of the quarter where this is done, they will get their 50%.

Mayor Pro Tem Swafford said Item 50 (Appeal of Case SU141002/S141003) was denied by the Planning and Zoning Commission and has now been appealed to Council.

Mayor Jensen stated that Items 40 and 41 on the Planning and Zoning Consent Agenda can be voted on together.

Mayor Jensen announced that Council Member Giessner's mother-in-law passed away from a stroke. Council Member Giessner stated this his wife, Kelly, loves the city and has adopted Grand Prairie as her home town and very much appreciates the support that Grand Prairie has shown her.

Executive Session

Mayor Jensen convened a closed session at 5:04 .m. :pursuant to Chapter 551, Subchapter D of the Government Code, V.T.C.A., to discuss Section 551.074 "Personnel Matters" - City Manager's Contract; and Section 551.087 "Deliberations Regarding Economic Development Negotiations." The closed session was adjourned at 5:42 p.m.

Recess Meeting

Mayor Jensen recessed the meeting at 5:42 p.m.

6:30 PM Council Chambers

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

Pastor Perry Crenshaw gave the invocation. The Pledge of Allegiance to the US Flag and to the Texas Flag were led by Deputy Mayor Pro Tem Clemson.

Consent Agenda

Mayor Pro Tem Swafford moved, seconded by Deputy Mayor Pro Tem Clemson, to approve items 3 through 17, amend Item 18 to add \$9,321 to the total for library furnishings; and approve items 19 through 39 on the Consent Agenda. The motion carried unanimously.

- 3** Minutes of the November 17, 2015 Council Meeting
Approved on the Consent Agenda
- 4** Annual Software Support and Maintenance to Sungard Public Sector for NaviLine Applications in the amount of \$51,015.59
Approved on the Consent Agenda
- 5** Award a professional services contract to Brandstetter Carroll Inc., in the amount of \$130,000 and approve a 5% contingency of \$6,500, total cost of \$136,500 for architectural services updating of the Parks, Recreation and Open Space Master Plan
Approved on the Consent Agenda
- 6** Price agreement for electrical install, maintenance and repairs from Ed's Electric Service in the amount of \$200,000 for six (6) months with the option to renew for three (3) one year periods totaling \$1,400,000 if all extensions are

exercised utilizing the Master Inter-local agreement with the City of Hurst; 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

- 7 License for Natitex, Ltd., to construct an 8-inch sanitary sewer line in a specific 20-foot wide location on the east side of SH161 at Desco Lane and Dickey Road for an initial term of 29 years

Approved on the Consent Agenda

- 8 Contract with LandWorks for Landscape Maintenance for \$109,872 in Forum Estates PID (Council District 4)

Approved on the Consent Agenda

- 9 Contract with LandWorks for Landscape Maintenance for \$119,619 in High Hawk PID (City Council District 6)

Approved on the Consent Agenda

- 10 Contract with Site Landscape Development for landscape maintenance (\$366,617.54) in Westchester PID (Council District 6)

Approved on the Consent Agenda

- 11 Purchase of three (3) 2016 CATERPILLAR INC Model: 430F2 Backhoe Loaders for Public Works (Streets) and Public Works (Water/Wastewater) through a national, interlocal agreement with Buyboard from Holt Cat in the amount of \$320,967

Approved on the Consent Agenda

- 12 Purchase five (5) units: two (2) Toro Groundsmaster 4500-D, two (2) Toro Groundsmaster 360, and one (1) Toro Groundsmaster 5900, totaling \$265,975.94 from Professional Turf Products, L.P. through Buy Board Cooperative Purchase Agreement

Approved on the Consent Agenda

- 13 Purchase one (1) 2017 Freightliner M2-106 Water Tank Truck from Houston Freightliner in the amount of \$92,310 through an Interlocal Agreement with Houston-Galveston Area Council (HGAC)

Approved on the Consent Agenda

- 14 Purchase of one (1) Komatsu Wheel Loader-Model: WA 320 from Kirby-Smith Machinery in the amount of \$194,990 through an Interlocal Agreement with Houston-Galveston Area Council (HGAC)

Approved on the Consent Agenda

- 15** Purchase of one (1) 2016 Dodge Ram 4500, 1 1/2 ton crew cab pickup with utility body, one (1) 2016 Dodge Ram 3500, 1-ton pickup with utility body, two (2) 2016 Dodge Ram 3500 1-ton flatbed pickups, and, two (2) 2016 Dodge Ram 3500 1-ton pickups with dumpbeds from Freedom Dodge in the amount of \$240,162 through an Interlocal Agreement with Houston-Galveston Area Council (HGAC)

Approved on the Consent Agenda

- 16** Award bid to Freedom Chevrolet (\$37,000) for the purchase of one 1-ton cutaway van with utility body; Sam Pack's Five Star Ford (\$93,490) for five mid-size sedans, and, (\$127,342) for the purchase of four 3/4 ton pickups with utility bodies; and to Longhorn Harley-Davidson (\$66,004.05) for three Police pursuit vehicles (PPV) motorcycles, for a combined total of \$323,836.05

Approved on the Consent Agenda

- 17** Lease Option - 24 South B - Timeless Hangars, Inc.

Approved on the Consent Agenda

- 18** Purchase of library furniture, signage and general furnishings from Cultural Surroundings (\$273,244), Intelligent Interiors (\$108,691), Adagio (\$168,124), Southern Aluminum (\$5,886), GL Seaman (\$287,919), Libra-Tech (\$98,525), and Contrax (\$56,108) for a total of \$998,497

An amendment was made to this item to add \$9,321 for a workstation, bringing the total to \$1,007,818.

Approved on the Consent Agenda

- 19** One year price agreement with Touch Them All Inc. dba First Check Applicant Screening to perform pre and post- employment background check services city-wide effective December 27, 2015 to December 26, 2016, in the amount of \$15,883 with the option to execute four one-year renewal options, resulting in a total estimated 5-year contract value of \$79,415; and authorize the City Manager to renew the agreement so long as the total contract value does not increase by more than \$50,000 or 25% or the original contract value and that such funds are appropriated annually in the city's budget

Approved on the Consent Agenda

- 20** Purchase of twenty (20) CF-31 Panasonic "Toughbook" mobile laptops from Austin Ribbon and Computer (ARC), a State approved Department of Information Resources (DIR) vendor, in the amount of \$99,489.40 for the Police Department

Approved on the Consent Agenda

- 21** Purchase of twenty-three (23) units of the Mobile Video Recording System from L-3 Communications Mobile-Vision, Inc., (L-3) at a cost of \$115,125 through an Inter-Local Agreement with the City of Dallas, Texas.

Approved on the Consent Agenda

- 22** Professional Engineering Services contract with Teague, Nall and Perkins, Inc. for paving, drainage and waterline design of Seeton Road between Grand Peninsula Parkway and Day Miar Road in the amount of \$424,800

Approved on the Consent Agenda

- 23** Resolution granting a 380 Incentive Agreement for IKEA Property, Inc. in the amount of \$6,000,000

Adopted

Enactment No: RES 4793-2015

- 24** Resolution authorizing the City Manager to apply for and accept, if awarded, funding from the Tarrant County 9-1-1 District's "2016 P25 Radio Interoperability Assistance Program" to purchase Project 25 (P25) compliant radios, system software and equipment in the estimated amount of \$151,349

Adopted

Enactment No: RES 4794-2015

- 25** Resolution authorizing the City Manager to accept a Selective Traffic Enforcement (STEP) grant from the Texas Department of Transportation (TxDOT) for the enforcement of safety belt, child safety seat, speed, intersection traffic control, distracted driving and DWI laws in the amount of \$427,823.85

Adopted

Enactment No: RES 4795-2015

- 26** Resolution updating the City's Financial Management Policy

Adopted

Enactment No: RES 4796-2015

- 27** Resolution authorizing the City Manager to execute a Master Inter-local agreement between the City of Grand Prairie and the Educational & Institutional Cooperative Services, Inc. (E&I)

Adopted

Enactment No: RES 4797-2015

- 28** Resolution appointing members to Boards of Directors for two Tax Increment Financing (TIF) Zones, TIF #1 and TIF #3

Adopted

Enactment No: RES 4798-2015

- 29** Ordinance amending the FY 2015/2016 Capital Improvement Projects Budget for the purchase of hi-tech equipment from Cantus Computor Company of Carrollton, Texas to enhance the wireless signal allowing field input of work orders by maintenance/repair crews

Adopted

Enactment No: ORD 9977-2015

- 30** Ordinance amending the FY 2015/2016 Capital Improvement Projects Budget in the amount of \$1,094 and approval of Change Order No. 2 to the Aerofirma Corporation contract for construction of taxilanes associated with a development by Staggerwing Development #4, LLC

Adopted

Enactment No: ORD 9978-2015

- 31** Ordinance amending the FY 2015/2016 Capital Improvement Projects Budget in the amount of \$26,282 to reimburse Timeless Hangars, Inc., and Aerofirma Corporation for leasehold improvements

Adopted

Enactment No: ORD 9979-2015

- 32** Ordinance amending the FY 2015/2016 Capital Improvement Projects Budget; Change Order No. 4 with Texas Standard Construction in the amount of \$16,656.25 for Fargo Outfall Rehab project.

Adopted

Enactment No: ORD 9980-2015

- 33** Ordinance amending the FY 2015/2016 Capital Improvement Projects Budget; Engineering contract with Dannenbaum Engineering Company in the amount of \$63,958.99, plus a 5% staff controlled contingency in the amount of \$3,197.95 for a total project amount of \$67,156.94 for the preparation of engineering plans and environmental assessment for four (4) segments of Safe Routes to School sidewalks selected in the 2014 Transportation Alternative Program (TAP) call for project

Adopted

Enactment No: ORD 9981-2015

- 34** Ordinance amending the FY2015/16 Capital Improvement Projects Budget and ratification of a construction contract with North Rock Construction for Emergency Repair and Replacement of the failed concrete drainage channel wall at 811 SE 4th Street (Indian Hill Branch) in the amount of \$244,244.56 with 5% contingency of \$12,212 for a total request of \$256,456.56
- Adopted**
- Enactment No: ORD 9982-2015
- 35** Ordinance amending the FY 2015/2016 Capital Improvement Projects Budget; Electrical Improvements Project at the Grand Prairie Municipal Airport
- Adopted**
- Enactment No: ORD 9983-2015
- 36** An ordinance amending the FY 2015/2016 Capital Improvement Projects Budget for a Texas Department of Transportation - Aviation Division (TxDOT-Aviation) Grant for a Wildlife Hazard Assessment Study
- Adopted**
- Enactment No: ORD 9984-2015
- 37** Ordinance amending the FY 2015/2016 Capital Improvement Projects Budget; Change Order/Amendment No. 4 with S.J. Louis Construction of Texas, Ltd. in the amount of \$183,563.30 for Avenue K Street Relief Trunk Sewer construction project
- Adopted**
- Enactment No: ORD 9985-2015
- 38** Ordinance amending Schedule II of the Traffic Register to establish a regulatory construction speed zone reduction for the existing SH 360 travel lanes, throughout the limits of the SH 360 Design Build Project, in the City of Grand Prairie.
- Adopted**
- Enactment No: ORD 9986-2015
- 39** Ordinance amending the Code of Ordinances, Chapter 15, "Library," amending Section 15-8 "Fines and Penalties," to allow staff to set fines and fees with Council approval during the annual budget process
- Adopted**

Public Hearing Consent Agenda

Council Member Wooldridge moved, seconded by Mayor Pro Tem Swafford, to close the public hearing and approve Items 40 and 41 on the Public Hearing Consent Agenda. The motion carried unanimously.

40

SU151002/S151002 - Specific Use Permit/Site Plan - Gables at Green Oaks (City Council District 1). Approve a specific use permit and site plan to construct and operate a restaurant with drive-through. The 1.05-acre property, zoned General Retail-1 (GR-1) District, is located at 2150 N. State Highway 360 (SH 360), is within the State Highway 360 (SH 360) Corridor Overlay District. The agent is Martin Schelling, Conifer Real Estate, the applicant is Edward Eckart, Goodwin & Marshall, Inc., and the owner is Dennis Rainosek, Gables Realty LTD. (On December 7, 2015, the Planning and Zoning Commission recommended approval of this request by a vote of 8-0).

Martin Schelling, 260 Miron Drive, #108, Southlake, submitted a speaker card in support of this item.

Adopted

Enactment No: ORD 9987-2015

41

SU151201/S151203 - Specific Use Permit/Site Plan - Raising Cane's (City Council District 4). Approval of a specific use permit and site plan to construct and operate a restaurant with drive-through. The 0.72-acre Property, zoned Planned Development District-114A (PD-114A), is located at 2960 W. Camp Wisdom Road. The agent is Lauren Nuffer, Kimley-Horn & Associates, Inc., the applicant is Robert Montgomery, Raising Cane's restaurant, and the owner is Dave Carter, Life In the Fast Food Lane. (On December 7, 2015, the Planning and Zoning Commission recommended approval of this request by a vote of 8-0).

Adopted

Enactment No: ORD 9988-2015

Public Hearing on Zoning Applications

42

S151201 - Site Plan - Ikea (City Council District 2). Approve a Site Plan authorizing the development of a 296,836 sq. ft. IKEA, an international retail store that specializes in selling ready to assembly furniture, home appliances and décor, on Lot 1 (a 31.5908 acre tract) of the proposed Mayfield Road Retail Addition. The Site Plan includes a 13.7544 acre out lot, Lot 2 of the proposed Mayfield Road Retail Addition that is being reserved for future development. The subject 45.3452 acre property, zoned Planned Development 294 (PD-294) for General Retail (GR) District uses, is located at the southeast corner of S.H. 161 and Mayfield Road. The property is also located within the S.H. 161 Corridor Overlay District. The applicant is Michael Doggett, Winkelmann and Associates and the owner is Rick O'Brien, Campbell-Mayfield Road LP. (On December 7, 2015, the Planning and Zoning Commission recommended approval of this request by a vote of 8-0).

Jim Hinderaker, Chief City Planner, stated that the Ikea Store will be located at the Southeast corner of SH161 and Mayfield Road and is in the I20 Overlay District.

Phase I will be 296,836 sq. ft. and Phase 2 will consist of a 40,222 sq. ft. expansion and additional parking. Phase I will include private streets, internal drive and parking, and landscaping and signage. Mr. Hinderaker said there is a lot of vacant land adjacent to this site and there are several PD's. Because of the residential adjacency on Robinson there were some concerns with traffic. He said that a Traffic Impact Analysis had been done and he went over the proposed access points. Mr. Hinderaker said the loading docks will be oriented on the north side of the building with a landscape buffer. This will be an insulated steel building. He said the applicant had requested an appeal for masonry standards and articulation standards because of this.

Council Member Copeland asked what the address would be. Mr. Hinderaker said it will be "Ikea Place."

Chuck Coker, 420 Alan Wood Road, Conshohocken, PA, real estate manager with Ikea, stated that Ikea stores are unique inside and out and feature the Sweden colors of blue and yellow, and the brand is recognized worldwide. There will be a 350 seat restaurant and a supervised children's area. Mr. Coker said the store will be a major benefit to the economy with 500 construction jobs and significant real estate and sales tax revenue. He said Ikea has global partnerships with many charitable organizations. He said they will break ground in the summer or early fall in 2016 with a grand opening in the Fall of 2017.

Mayor Jensen said the city could not be more excited about this project and this is the 4th location in Texas.

Michael Doggett, Winkelmann & Associates, 6750 Hillcrest Plaza Drive #325, Dallas; John Denholm, 3030 LBJ Frwy., Suite 1660, Dallas; and Keith Johnston, Somerset, NJ, submitted speakers cards in support of this item.

Mayor Pro Tem Swafford moved, seconded by Council Member Thorn, to close the public hearing and approve Case S151201 as recommended by the Planning and Zoning Commission and staff including appeals. The motion carried unanimously as follows.

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

43

USP151201 - Unified Signage Plan - Ikea (City Council District 2). Approve a Unified Signage Plan for IKEA, a proposed 296,836 sq. ft. international retail store that specializes in selling ready to assembly furniture, home appliances and décor. The signage plan includes a request for an off-premise sign to be located approximately 100 feet east of the SH 161 right-of-way line and approximately 1,150 feet south of the S. Forum Drive right-of-way line. The subject 45.3452 acre property, zoned Planned Development 294 (PD-294) for General Retail (GR) District uses, is located at the southeast corner of S.H. 161 and Mayfield Road. The property is also located within the S.H. 161 Corridor Overlay District. The applicant is Michael Doggett, Winkelmann and Associates and the owner is Rick O'Brien, Campbell-Mayfield Road LP. (On December 7, 2015, the Planning and Zoning Commission recommended approval of this request by a vote of 8-0).

Mr. Hinderaker showed drawings of each type of sign for Site 1 and Site 2 including

the off-premise navigation sign; multi-tenant sign; directional and information signage and wall signage.

Mayor Pro Tem Swafford moved, seconded by Council Member Wooldridge, to close the public hearing and approve Case USP151201 as recommended by staff. The motion carried unanimously as follows.

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

44

SU030102B - Specific Use Permit Amendment - 1100 W Pioneer Pkwy (City Council District 2). Amendment to Specific Use Permit 726A and its corresponding site plan for Used Auto Sales. The property is 1.29 acres and is zoned Commercial (C) District with the S.H. 161 Corridor Overlay District. The property is addressed 1100 W Pioneer Pkwy, west of Robinson Rd. The agent is E.D. Hill and the owner is Heather and Ronnie Moreno. (On December 7, 2015, the Planning and Zoning Commission recommended approval of this request by a vote of 8-0).

Mr. Hinderaker reviewed Case SU030102B for used auto sales. He stated that the applicant will be adding an 8' screening fence with a gate on Robinson Road. The applicant requested a reduced setback of the masonry screening fence from 25' to 10'. Mr. Hinderaker said the Planning and Zoning Commission recommended approval of this case.

E. D. Hill, 204 Skye Lane, Midlothian, stated the applicant will tear down 2 or 3 bays.

Mayor Pro Tem Swafford moved, seconded by Council Member Shotwell, to close the public hearing and approve Case SU030102B, as recommended by the Planning and Zoning Commission with the appeal for setback and the screening fence. The motion carried unanimously.

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

Enactment No: ORD 9989-2015

45

SU150502/S150504 - Specific Use Permit/Site Plan - 1519 E Main Street (City Council District 5). Approval of a specific use permit for used auto sales within a Light Industrial (LI) District and within Central Business District No. 3 (CBD 3) and to codify any non-conforming uses. The subject site is located at 1519 E. Main St. The agent is Alfonso Lopez and the owner is Ricardo Flores. (On December 7, 2015, the Planning and Zoning Commission recommended approval of this request by a vote of 8-0).

Mr. Hinderaker reviewed Case SU150502/S150504 and stated this case was for an existing auto related business and the applicant wants to add used auto sales with 11 display spaces. He said the SUP revocation has occurred in the past under a different operator. The current owner of the property will now operate the facility. There will be no autobody or paint or major repairs. Mr. Hinderaker said the Planning and Zoning Commission recommended that this case come back for review in one year and staff recommended approval with conditions.

Ricardo Flores, 1519 E. Main Street, submitted a speaker card in support of this item.

Council Member Shotwell asked if there would be access off 16th street. Mr. Hinderaker replied there would.

Council Member Shotwell moved, seconded by Deputy Mayor Pro Tem Clemson, to close the public hearing and approve with the Planning and Zoning recommendations except this case will come back in six months and again in one year. The motion carried unanimously.

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

Enactment No: ORD 9990-2015

46

SU151101 - Specific Use Permit - 2000 E Pacific Ave (City Council District 5). Approve a Specific Use Permit permitting the operation of small trucking company w/fleet truck maintenance (including major truck repair) AND permitting the operation of major truck repair of non-fleet vehicles. The 0.55375 acre property, zoned Light Industrial (LI) District and located within the Central Business District No. 3 (CBD-3), is addressed as 2000 E. Pacific Avenue. The property is located at the northeast corner of E. Pacific Avenue and Industrial Avenue. The agent is Angelo Chokas, the applicant is David Ramirez, Ramco Logistics, and the owner is Billy Suggs. (On December 7, 2015, the Planning and Zoning Commission recommended approval of this request by a vote of 8-0).

Mr. Hinderaker reviewed Case SU151101, and stated the applicant will construct a new metal building on the property. He said the applicant has proposed a truck dispatch company, maintenance of fleet trucks, parking and storing of fleet trucks, truck and heavy equipment repair and major auto repair. Mr. Hinderaker said the main issue with this case is in order to park trucks they had to pull into the property on the east which is gravel and they are requesting this to remain gravel. He said the Planning and Zoning Commission waived the concrete paving for up to two years. Staff recommended no more than five semis; no more than five semi tractor trailers; and no more than ten passenger vehicles.

Angelo Chokas, 101 NW 8th Street, stated he was present to answer questions. Council Member Copeland asked Mr. Chokas about the two-year waiver on concrete. Mr. Chokas said he would like to extend the paving further because he was not sure what the property owner wants to do with the property. Mr. Copeland asked what the cost estimate was for paving. Mr. Chokas said it would cost in excess of \$65,000. He said the trucks are gone 3 or 4 weeks at a time and stay only 1-2 days. The metal fence is all the way around that yard. Mr. Copeland asked Mr. Hinderaker what staff thought about the gravel. Mr. Hinderaker said staff asks all development to put in concrete and if staff supports a waiver, it sets a precedent for all development.

Council Member Shotwell asked Mr. Hinderaker if Council allows the applicant five years for paving and the situation with the owner changes, could the applicant request a further extension. Mr. Hinderaker replied the applicant could apply for a further extension.

Max Coleman, 9 Heritage Court, submitted a speaker card in support of this item.

Council Member Shotwell moved, seconded by Council Member Copeland, to close the public hearing and approve Case SU151101 and approve a five-year extension for the paving requirement, with the option to review for a further extension. The motion carried unanimously.

Enactment No: ORD 9991-2015

47

S151104 - Site Plan - Lakeridge Village Lot 2.3 (City Council District 4). Approval of a site plan of 0.54 acres located in the Lake Ridge Overlay District, to be developed for office/retail purposes. The property is generally located west of Lake Ridge Pkwy and north of Camp Wisdom Rd. The site is zoned PD-283 for general retail uses. The agent is Pann Sribhen, PSA Engineering and the owner is Gregg Guion III. (On December 7, 2015, the Planning and Zoning Commission recommended approval of this request by a vote of 8-0).

Mr. Hinderaker reviewed Case S151104, a proposed 5,000 sq. ft retail building. He said the new building will match the exiting architecture. The property is landlocked with an easement but no street access. He said there were appeals for building articulation on the south façade; covered walkways; and glazing. Mr. Hinderaker said the Planning and Zoning Commission recommended approval.

Pann Bribhen, 17819 Davenport Road, Dallas, submitted a speaker card in support of this item.

Mayor Pro Tem Swafford asked how many appeals were approved by the Planning and Zoning Commission. Mr. Hinderaker replied that all requested appeals were approved.

Council Member Fregoe moved, seconded by Mayor Pro Tem Swafford, to close the public hearing and approve Case S151104. The motion carried unanimously.

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

48

S151202 - Site Plan - 5030 S Highway 360 (City Council District 4). Approval of a site plan for a 0.65 acre retail development. The site is zoned Planned Development 114A (PD-114A) and is located within the S.H. 360 Corridor Overlay District. The property is addressed 5030 S. Highway 360, south of Equestrian Ln. The agent is David, Bannister Engineering and the owner is Heath Debaun, BLVD 26 LLC. (On December 7, 2015, the Planning and Zoning Commission recommended approval of this request by a vote of 8-0).

Mr. Hinderaker reviewed Case S151202 for a strip center with a masonry building with some EFIS on the front of the building. The Overlay District requires 85% masonry and the applicant has met the articulation requirements. Mr. Hinderaker went over requested appeals including reduction of the landscape buffer to 16'; multiple roof profiles - the applicant is proposing a flat roof with cornices; cornices must extend 18". Mr. Hinderaker said articulation has been provided, but the case does not meet all minimum standards: there are no doors or access on the side of

the building and they are required to have an entry. He said staff recommended approval and the Planning and Zoning Commission recommended approval with appeals.

Rodney DeBaun, 516 Estate Drive, stated he was present to answer questions. He said this is a small lot to develop and retail is in high demand in that area. He said the building will be 7200 sq. ft and he had made it as attractive as possible.

Council Member Wooldridge said the staff report showed that Mr. DeBaun had requested a metal façade. Mr. Hinderaker said that was an error in the staff report.

Council Member Fregoe moved, seconded by Council Member Copeland, to close the public hearing and approve Case S151202 as recommended by the Planning and Zoning Commission. The motion carried unanimously as follows.

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

49

S151204 - Site Plan - (City Council District 4). Approve a Site Plan authorizing the development of an approximately 16,250 sq. ft. retail strip center on 2.081 acres. The property, zoned Planned Development 12 (PD-12) for General Retail (GR) District uses, is located at the northwest corner of S. Carrier Parkway and Desco Lane. The property is located within the S. H. 161 Corridor Overlay District. The property is owned by Carrier Retail, LLC. (On December 7, 2015, the Planning and Zoning Commission recommended approval of this request by a vote of 8-0).

Mr. Hinderaker reviewed Case S151204 for a retail center at Carrier and Desco. He said the building will be oriented to Carrier. Mr. Hinderaker said the façade on Desco should have a door and glazing, but the applicant is exceeding the arcade feature on Carrier. Appeals include reduction of the landscape buffer to 10'; glazing at 25% of primary facade; covered walkway at 50% of the length of the primary facade; and the cornices at 18".

Rod DeBaun, 516 Estate Drive, and Chase DeBaun, 8314 Summerset Drive, Dallas, submitted speaker cards in support of this item.

Council Member Fregoe moved, seconded by Council Member Thorn, to close the public hearing and approve Case S151204 as recommended by the Planning and Zoning Commission. The motion carried unanimously as follows.

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

50

SU141002/S141003 - Specific Use Permit/Site Plan - 4125 E Jefferson Street (City Council District 5). Approval of a Specific Use Permit and Site Plan to permit an Auto Salvage Yard. The 35.62-acre property, zoned Heavy Industrial (HI) District, is located immediately south of E. Jefferson Street and approximately 1,600 feet west of N. Merrifield Road (Dallas). The property is also located within the Central Business District No. 4. The agent is Adel

Zantout, JEA HydroTech Engineering, Inc. and the owner is Michael Miller. (On October 5, 2015, the Planning and Zoning Commission denied this request by a vote of 8-1). This case is being appealed per Article 1 Section 1.11.5.9 of the Unified Development Code, City Council action is scheduled for November 17, 2015. The applicant has requested this case be tabled to the December 15, 2015 Council meeting.

Mr. Hinderaker stated there were several issues regarding this property; it is entirely within the 100-year floodplain; 23 ½ acres are within the floodway; the applicant had submitted an unrealistic flood mitigation plan and is seeking a waiver of concrete parking and drive aisles and requesting use of flex base instead. He said staff had no issues with the buildings themselves. Mr. Hinderaker went over appeals for the concrete, dumpster enclosure; and the floodplain mitigation elements are unacceptable. The Planning and Zoning Commission recommended denial of this case by a vote of 8 ayes, to 1 nay. He said staff was not recommending approval of this appeal because the floodplain mitigation plan is not finalized and is unrealistic; the lack of concrete paving and a history of non-compliance by the applicant.

Council Member Copeland asked if the engineering company presented a plan to staff. Mr. Hinderaker said they provided plans at the Development Review Committee (DRC) meeting that addressed staff issues and their mitigation plan is to strap down vehicles. Mr. Copeland asked if there was any evidence that this has been done successfully anywhere else. Mr. Hinderaker said he had not seen it used successfully anywhere in the United States.

Troy Lynn Lovell, Halff Associates, asked Council to approve this appeal. He said the applicant is staying out of the floodway with the salvage operations. Mr. Lovell said the historical use of this site has been for a salvage yard and it is the highest and best use for this site and is probably the only practical land use for this site. He added there have been no records of flooding of the buildings in 35 years. He went over some enhanced features of the buildings and a process for anchoring salvage vehicles. Mr. Lovell said there are two main issues: a variance with concrete to use flex base and flood mitigation issues (not requesting a floodplain variance). The requested use of 19" Flex base is an engineered crushed gravel pavement designed for heavy loads. Mr. Lovell went over the DRC comments to reduce flood hazards, remove existing fill from the floodway; flood-proof buildings; new drainage easement, excavate the channel, no salvage in the FEMA floodway; anchor salvage autos to the ground. He pointed out that the existing building was permitted before the floodway was drawn.

Edward Gutierrez, 6825 Manhattan Blvd., Ft. Worth, and James Kellum, 123 W. Main Street, submitted speaker cards in support of this item.

Council Member Copeland referred to the channel and asked if the road that runs through it would be elevated. Mr. Lovell stated it would be at flat grade. Mr. Copeland asked if there was a floodplain situation, would access be lost. Mr. Copeland said the applicant had made some very good points but he had an issue seeing how the salvaged vehicles could be strapped down and still be operational. Mr. Lovell showed a drawing of how the cars would be anchored down. Mr. Copeland asked how the cable would get through from one end of the row of cars to the other. Mr. Lovell said these are basically stripped cars that are stored temporarily.

Council Member Shotwell moved, seconded by Jim Swafford, to close the public hearing and deny the appeal for Case SU141002/S141003. The motion carried as follows:

Ayes: 8 - Mayor Ron Jensen; Mayor Pro Tem Jim Swafford; Deputy Mayor Pro Tem Jorja Clemson; Council Member Richard Fregoe; Council Member Greg Giessner; Council Member Tony Shotwell; Council Member Lila Thorn and Council Member Jeff Wooldridge

Nays: 1 - Council Member Jeff Copeland

Citizen Comments

Trina Hall, 926 S. Center Street, stated there needed to be a solution to an animal problem with too many dogs running loose in the streets. She said she has called the animal control office and had spoken to Jim Cummings, Environmental Services Director. Ms. Hall said the only solution she could see was to register dogs in the city. She said the dogs were getting into trash and chasing people. She asked that the city either register the dogs or increase fines for loose dogs.

Adjournment

Council Member Wooldridge stated that on Friday night Lake Ridge High School would be playing for the State championship and the game would be televised.

Deputy Mayor Pro Tem Clemson remarked on this year's city Christmas card which had a pen and ink drawing of the historic Uptown Theater. She encouraged residents to go to the Outlet Mall and spend their tax dollars in the city.

Mayor Jensen adjourned the meeting at 7:57 p.m.

The foregoing minutes were approved at the January 5, 2016 Council Meeting.

Catherine E. DiMaggio, City Secretary