



# City of Grand Prairie

City Hall  
317 College Street  
Grand Prairie, Texas

## Minutes - Final

### City Council

---

Tuesday, June 21, 2016

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** 9 - Mayor Ron Jensen  
Council Member Jim Swafford  
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  
Deputy Mayor Pro Tem Jeff Wooldridge

#### Staff Presentations

**1** Lake Parks Update - Presented by Rick Herold, Parks, Arts and Recreation Director

*Duane Strawn, Parks, Arts and Recreation Manager, updated Council on the lake parks. He said that year to date there have been 28,138 visitors to Lynn Creek Park; 83,039 visitors to Loyd Park; and 1,466 to Britton Park. The new Loyd Home is a replica of a 1920's farm occupied by the Loyd family. It has two bedrooms and a fully equipped kitchen. Loyd Park has 8 cabins and 221 campsites. The Loyd Park camp store opened July 4, 2014. Mr. Strawn said because of flooding in 2015, the park was closed for almost three months. Upcoming improvements include taking campsites from 30 amp electric to 50 amp connections; design in progress for all campsites to have sewer connections; new signage at Loyd Park; new sand on the beach and addition of playground approved mulch at the playground. He said activities during the summer include movies at the beach as well as other activities for kids. Mr. Strawn announced the retirement of Bob McGlothlin in July and hiring of Paul Brown as the new Lake Parks Superintendent.*

*Council Member Copeland commented that the park staff does an outstanding job and added that he is a heavy user of Lynn Creek and Loyd Park and the parks are always kept very clean. Deputy Mayor Pro Tem Wooldridge asked about the possibility of a dog beach. Mr. Strawn said there is a good place at Lynn Creek to have a dog beach but staff had not proceeded with that. Council Member Swafford asked when the last time the cabins were remodeled. Mr. Strawn said as things wear out, there is a maintenance budget to change things out and repair floors, etc. Council Member Copeland said there is a need for many more 50 amp plugs. He said he had purchased an adapter for the 220 to a 110. Mr. Strawn said when doing some of the flooding repairs, some of the sites were upgraded from a 30 to a 50 amp. He said all will eventually be converted starting with the next budget year and will depend on the funding. City Manager Tom Hart asked if a lack of 50 amp was*

costing the city to lose the big campers. Mr. Strawn said that was most likely the case. Council Member Copeland said it would be good to identify 50 amp sites so that campers would know which sites were equipped with the upgrade.

**Presented**

**2**

Atmos Energy Safety and Integrity Program - Presented by Gina Alley, Senior Assistant to the City Manager

*Gina Alley, Senior Assistant to the City Manager, updated Council on Atmos cross bore issues. She said there is a situation when boring horizontally that a gas line may mistakenly cut through a sewer line. Atmos is working with the Public Works Department to detect cross bores and to make repairs if necessary. Ms. Alley said Atmos is making infrastructure investments at major intersections in Grand Prairie at MacArthur & I-20; Pioneer Pkwy. and Great Southwest Parkway; and Southwood Trail & Kildeer Trail. These improvements are expected to be completed by June 30 depending on weather. Ms. Alley then introduced Atmos representatives who were present.*

**Presented**

**Agenda Review**

*Mayor Pro Tem Clemson asked if the Council had any questions on the Consent Agenda Items 4 through 13. Council Member Swafford stated that the staff report for Consent Agenda #7 (Change Order No. 2 for Fire Station 10) stated that the Finance and Government Committee had recommended approval at the July 12, 2016 meeting and that could not be the date since that meeting had not yet been held. Deputy City Manager Tom Cox said he would check with staff to see at which Finance and Government meeting that had been discussed.*

*Council Member Swafford referred to Consent Agenda Item #9 (price agreement for electrical services) and stated that Ed's Electrical is the only one out of 37 who bid for this price agreement.*

*Council Member Swafford noted that on Consent Agenda Item #10 (Contract for remodel of the Housing and Neighborhood Services Building) the low bid was \$35,943, but Council was being asked to approve \$68,437. Bill Hills, Housing and Neighborhood Services Director, said staff tries to stay within the HUD 10% high/low of the estimated department bid which was \$60,000. This is done to make sure the contractor can handle the project and lessen the chances of them defaulting. Council Member Shotwell asked if this was for the the remodel of a city building. He suggested using HUD money somewhere else for helping citizens so we do not have to use the 10% high/low rule. Mr. Hills said the building was purchased with federal funds and HUD requires use of the 10% rule. Mayor Jensen said he would like to check into this a little deeper and asked to table this item. Mayor Jensen asked Don Postell, City Attorney, to see if this is a rule rather a guideline.*

*Mayor Jensen stated Council could make one motion for Public Hearing Consent Agenda Items 14 through 27.*

## Executive Session

*Mayor Jensen convened a closed session at 5:05 p.m. pursuant to Chapter 551, Subchapter D of the Government Code, V.T.C.A., to discuss Section 551.087 "Deliberations Regarding Economic Development Negotiations." The closed session was adjourned at 5:29 p.m.*

## Recess Meeting

**Mayor Jensen recessed the meeting at 5:29 p.m.**

---

## 6:30 PM Council Chambers

---

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

**Chaplain Glenn Cato gave the invocation. The Pledge of Allegiance to the US Flag and to the Texas Flag were led by Council Member Fregoe.**

## Presentations

- 3** Presentation and Recognition of Candace Payne, best known as viral sensation "Chewbacca Mom"
- Mayor Jensen read a proclamation honoring Candace Payne and presented the proclamation to Ms. Payne.*
- Presented**

## Consent Agenda

- Mayor Pro Tem Jorja Clemson moved, seconded by Council Member Fregoe, to approve Items 4 through 9 on the Consent Agenda, table Item 10, and approve Items 11 through 13. The motion carried unanimously.**
- 4** Minutes of the June 7, 2016 Meeting
- Approved on the Consent Agenda**
- 5** Professional Engineering Services Contract with Halff Associates, Inc. for Floodplain Permitting Assistance Associated with TxDOT I-30 Improvements in Grand Prairie in the amount of \$68,000
- Approved on the Consent Agenda**
- 6** Purchase of Security Equipment for Municipal Court from Knight Security in the amount of \$108,594.96

**Approved on the Consent Agenda**

- 7 Change Order No. 2 to the Fire Station No. 10 Contract with Pogue Construction in the amount of \$44,227.97

**Approved on the Consent Agenda**

- 8 Authorize city manager to execute a management agreement with American Resort Management Inc. to operate Epic Waters for an initial term of five (5) years with the option to renew for two (2) additional five (5) year terms

**Approved on the Consent Agenda**

- 9 Price agreement for electrical installation, maintenance and repairs from Ed's Electric Services for up to \$750,000 annually for one (1) year with the option to renew for four (4) additional one year periods totaling \$3,750,000 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**

- 10 Ordinance of the City of Grand Prairie, Texas, amending the 2016 Calendar Year Section 8 Administrative Budget by transferring and appropriating \$68,437.95 from the Section 8 unobligated fund balance to the Section 8 Administrative Budget (300192 63010 64016009) and approving a contract with Johnson Construction Services for a general remodel of the Housing and Neighborhood Services Building

**Tabled**

- 11 Ordinance amending the FY 2015/2016 Capital Improvement Projects Budget; Amendment/Change Order No. 1 with Interstate Trailers, Inc. for purchase/installation of dual spring assist ramps in the amount of \$2,750

**Adopted**

Enactment No: ORD 10066-2016

- 12 Ordinance amending the Unified Development Code, Article 22, "Fee Schedule," Section 22.2.3.8 "Vacating fees," to add a fee of \$25 for abandonment of unused alleyways to adjacent property owners in residential areas that are no longer being used by utility companies or private individuals for existing rear entry access to their property

**Adopted**

Enactment No: ORD 10067-2016

- 13** Ordinance amending the FY 2015/2016 Capital Improvement Projects Budget; and a Professional Contract with Birkhoff, Hendricks & Carter, LLP for engineering services for the State Highway 360 Utility Relocations Project in the amount of \$81,930 with 5% contingency of \$4,096, for a total request of \$86,026

**Adopted**

Enactment No: ORD 10068-2016

### **Public Hearing Consent Agenda**

**Mayor Pro Tem Clemson moved, seconded by Council Member Thorn, to close the public hearings and table Item 14, and approve Items 15 through 27 on the Public Hearing Consent Agenda. The motion carried unanimously.**

- 14** SU160504 - Specific Use Permit - 2248 Poulin Ave (City Council District 5). A request for a Specific Use Permit on a 2,400 square foot major auto repair facility and a 893 square foot addition to an existing auto repair facility on one lot on 0.459 acre. The property is zoned Light Industrial (LI) and lies within the Central Business Corridor District No. 3; generally located at the southeast corner of Poulin Avenue and Jere Street. The agent is E.D. Hill and the owner is Mauricio and Flor Figueroa. (On June 6, 2016, the Planning and Zoning Commission tabled this case by a vote of 9 to 0).

**Tabled**

- 15** SU150201A/S150201A - Specific Use Permit/Site Plan Renewal - 2233 E Main Street (City Council District 5). Renewal of a specific use permit and site plan for used auto sales within a Light Industrial (LI) District and also within Central Business District No. 3 (CBD 3). The subject property is located at 2233 E. Main St. (On June 6, 2016, the Planning and Zoning Commission recommended approval to renew this SUP by a vote of 9-0).

**Adopted**

Enactment No: ORD 10069-2016

- 16** SU140205A - Specific Use Permit Renewal - 3402 S Gilbert Rd - Environmental Cleanup (City Council District 1). Renewal of a Specific Use Permit for an environmental cleanup company on 1.893 acres. The property, zoned Light Industrial (LI), is located east of S. Gilbert Road and north of E. Shady Grove Road. (On June 6, 2016, the Planning and Zoning Commission recommended approval to renew this SUP by a vote of 9-0).

**Adopted**

Enactment No: ORD 10070-2016

- 17** SU150301A - Specific Use Permit Renewal - 3435 Roy Orr Blvd (City Council District 1). Renewal of a of a Specific Use Permit for Used Auto

Sales in a Light Industrial (LI) District, within the SH 161 Corridor Overlay District, and located at 3435 Roy Orr Blvd. (On June 6, 2016, the Planning and Zoning Commission recommended approval to renew this SUP by a vote of 9-0).

**Adopted**

Enactment No: ORD 10071-2016

- 18** SU130702B/S130702B - Specific Use Permit/Site Plan Renewal- Wells Enterprise (City Council District 5).Renewal of a Specific Use Permit and Site Plan for outside storage on 2.98 acres at 202, 305 and 307 N.E. 19th Street. The subject property is zoned Light Industrial-Limited Standards (LI-LS) District. The property is located in Central Business District No. 3 Overlay District. (On June 6, 2016, the Planning and Zoning Commission recommended approval to renew this SUP by a vote of 9-0).

**Adopted**

Enactment No: ORD 10072-2016

- 19** SU140403A - Specific Use Permit Renewal- Tiger Auto (City Council District 5). Renewal of a Specific Use Permit for an Auto sales lot with general auto repair and auto body and painting. The property is zoned Heavy Industrial (HI) District. The property is generally located on the east side of Camden Drive south of E. Jefferson Street. (On June 6, 2016, the Planning and Zoning Commission recommended approval to renew this SUP by a vote of 9-0).

**Adopted**

Enactment No: ORD 10073-2016

- 20** SU150401A/S150401A - Specific Use Permit/Site Plan Renewal - 2755 E Main St (City Council District 5). Renewal of a Specific Use Permit for Used Auto Sales, Villa Real Motors, and a Site Plan to develop 0.5 acres of non-residential property. The subject site is address as 2755 E Main St., generally located on the south side of E Main St. and east of SE 27th St., and is zoned Light Industrial (LI) District within Central Business District 4 (CBD 4). (On June 6, 2016, the Planning and Zoning Commission recommended approval to renew this SUP by a vote of 9-0).

**Adopted**

Enactment No: ORD 10074-2016

- 21** SU150402A/S150403A - Specific Use Permit/Site Plan Renewal - 201 W Jefferson Street (City Council District 5). Renewal of a Specific Use Permit for a drive-through restaurant, Taco Hut. The subject site is addressed as 201 W. Jefferson St., located generally south of W. Main St. and west of Center St., and is zoned Central Area (CA) district within Central Business District 2 (CBD 2). (On June 6, 2016, the Planning and Zoning Commission

recommended approval to renew this SUP by a vote of 9-0).

**Adopted**

Enactment No: ORD 10075-2016

**22**

SU150403A - Specific Use Permit Renewal - 1700 W. Polo Rd. Ste 190, "So Amazing" Day Programs Inc. (City Council District 6). Renewal of a Specific Use Permit for an Adult Day Care facility, "So Amazing" Day Programs Inc. The subject site is addressed as 1700 W. Polo Rd., specifically Suite 190, generally located on the north side of Polo Rd. and east of Matthew Rd., and zoned Planned Development 115 (PD-115) District. (On June 6, 2016, the Planning and Zoning Commission recommended approval to renew this SUP by a vote of 9-0).

**Adopted**

Enactment No: ORD 10076-2016

**23**

SU150406A/S150407A - Specific Use Permit/Site Plan Renewal - Fresh Meal Restaurant (City Council District 5). Renewal of a Specific Use Permit/Site Plan to permit the construction and operation of a 1,270 sq. ft. restaurant with drive through known as the Fresh Meal Restaurant. The 0.34-acre property, zoned Commercial (C) District, is located immediately east of SE 9th Street and approximately 150-feet south of E. Main Street. The property is also located within Central Business District No. 3. (On June 6, 2016, the Planning and Zoning Commission recommended approval to renew this SUP by a vote of 9-0).

**Adopted**

Enactment No: ORD 10077-2016

**24**

SU150405A/S150409A - Specific Use Permit/Site Plan Renewal - Hi-Tech Manufacturing Co. (City Council District 5). Renewal of a Specific Use Permit and Site Plan permitting Hi-Tech Manufacturing Company, a "small job" metal fabrication and machine business, to relocate their shop and offices into the building formally occupied by the Shamrock Cake Company. The 0.57-acre property, zoned Commercial (C) District, is located south of NW Dallas Street and between NW 14th Street and NW 15th Street. The property is also located within Central Business District No. 1 and the SH 161 Corridor Overlay District. (On June 6, 2016, the Planning and Zoning Commission recommended approval to renew this SUP by a vote of 9-0).

**Adopted**

Enactment No: ORD 10078-2016

**25**

SU160501 - Specific Use Permit - Cinco Technologies (City Council District 2). Approve a specific use permit to operate an indoor computer salvage

center. The 13.70-acre property, located at 2725 State Highway 360 (SH-360), is zoned Light Industrial (LI) District and is within the SH-360 Corridor Overlay District. The applicant is Rob King, Cinco Technologies. (On June 6, 2016, the Planning and Zoning Commission recommended approval of this request by a vote of 9-0).

*Rob King, 2725 S. State Hwy. 360, submitted a speaker card in support of this case.*

**Adopted**

**26**

SU160506/S160502 - Specific Use Permit/Site Plan - 2011 Airport Street (City Council District 5). Approve a Specific Use Permit and Site Plan for 4,800 square foot major auto repair & auto paint and body shop on one property on 0.48 acre. The property is zoned Light Industrial-Limited Standards (LI-LS) zoning district and is located at 2011 Airport Street, approximately 105' west of Industrial Avenue. The agent is Angelo Chokas and the owner is Billy Suggs. (On June 6, 2016, the Planning and Zoning Commission recommended approval of this request by a vote of 9-0).

*Angelo Chokas, 101 NW 8th Street, submitted a speaker card in support of this case.*

**Adopted**

Enactment No: ORD 10079-2016

**27**

SU160507/S160503 - Specific Use Permit/Site Plan - 2012 Young Ave (City Council District 5). Approve a Specific Use Permit and a Site Plan for a 4,800 square foot major auto repair facility on one property on 0.321 acre. The property is zoned Light Industrial-Limited Standards (LI-LS) zoning district and is located at 2012 Young Street, approximately 178' west of Industrial Avenue. The agent is Angelo Chokas and the owner is Billy Suggs. (On June 6, 2016, the Planning and Zoning Commission recommended approval of this request by a vote of 9-0).

*Angelo Chokas, 101 NW 8th Street, submitted a speaker card in support of this case.*

**Adopted**

Enactment No: ORD 10080-2016

## **Public Hearing on Zoning Applications**

**28**

SU160401/S160402 - Site Plan - 1628 E Main St (City Council District 5). Approve a specific use permit and site plan to construct and operate a warehouse facility. The 0.89-acre property, located at 1611 Small Street and 1628 E. Main Street, is split-zoned General Retail (GR) and Light Industrial (LI) Districts and is within District 3 of the Central Business Overlay District. The applicant is Abraham Khajeie, Eagle Auto Parts, the owner is Abraham, and the surveyor is Luke Keeton, Keeton Surveying Co. (On June 6, 2016, the Planning and Zoning Commission recommended approval of this request by a



vote of 9-0).

*Jim Hinderaker, Chief City Planner, suggested that Council consider Items 28 and 29 together since they involve the same piece of property. He said the purpose for the rezoning was that the surrounding property is General Retail and owner is agreeable to zone it to GR for warehouse space. The applicant proposed to expand to the west. Mr. Hinderaker said the dumpster enclosure shown on the southeast corner of the property was being moved to the northeast corner. He said the masonry structure was in compliance with standards. The Planning and Zoning Commission recommended approval of both cases.*

*Abraham Khajeie, 1628 E. Main Street, submitted a speaker card in support of this case.*

**Council Member Shotwell moved, seconded by Council Member Wooldridge, to close the public hearing and approve Case SU160401/S160402. The motion carried unanimously.**

**Ayes:** 9 - Mayor Ron Jensen; Council Member Jim Swafford; 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 Deputy Mayor Pro Tem Jeff Wooldridge

Enactment No: ORD 10081-2016

**29**

Z160402 - Zoning Change - 1628 E. Main Street (City Council District 5). Change the zoning on 0.59 acres from Light Industrial (LI) District to General Retail (GR) District. The 0.59-acre property, located at 1611 Small Street, is zoned Light Industrial (LI) District and is within District 3 of the Central Business Overlay District. The applicant is Alex Daredia, Lucky Texan Stores and the owner is James Bouldin, Laticrete International Inc., and the surveyor is Luke Keeton, Keeton Surveying Co. (On June 6, 2016, the Planning and Zoning Commission recommended approval of this request by a vote of 9-0).

**Council Member Shotwell moved, seconded by Council Member Wooldridge, to close the public hearing and approve Case Z160402. The motion carried unanimously.**

**Ayes:** 9 - Mayor Ron Jensen; Council Member Jim Swafford; 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 Deputy Mayor Pro Tem Jeff Wooldridge

Enactment No: ORD 10082-2016

**30**

SU160601 - Specific Use Permit - Wheel N MHP (City Council District 1). Approval of an expansion to the existing Wheel N Mobile Home Park adding twelve (12) mobile home spaces to the existing fifteen (15) mobile spaces all situated on 3.58 acres within the John C Read Survey, Abstract No. 1183, Dallas County, Texas. The property, zoned Planned Development 4 (PD-4) District and within the SH 161 Corridor Overlay District, is located west of Hardrock Road and north of Parker Road. The owner is Kim Shultz-Rainford, Hardrock Park LLC. (On June 6, 2016, the Planning and Zoning Commission recommended approval of this request by a vote of 6-3).

*Mr. Hinderaker reviewed Case SU160601 for the expansion of a mobile home park*

north of Shady Grove (Wheel N Mobile Home Park). The park was established in 1970. Mr. Hinderaker said this case was reviewed under current mobile home standards. The applicant proposed to add 11 spaces, two new parking spaces, a new concrete fire lane and fire hydrant, connect new units to city water/sewer, new fencing, and a masonry dumpster enclosure. There will be a 30' landscape buffer along Hard Rock. Mr. Hinderaker said the lots meet minimum lot size. He said all homeowners support the expansion. Appeals include the required minimum land area of 25 acres down to 3.58 acres; masonry screening; and landscape buffer. The applicant would like to add a volleyball court until Hard Rock is rebuilt. The Planning and Zoning Commission recommended approval by a vote of 6 to 3.

Council Member Copeland asked when the volleyball court would be ended. Mr. Hinderaker said the court would be removed prior to construction starts. Deputy Mayor Pro Tem Wooldridge asked if these would be new homes. Mr. Hinderaker said they would be new or newer models.

Kim Shultz-Rainford, 2740 Quail Ridge Court, Highland Village, 75077, stated that she intended the lots to be for brand new homes.

Mayor Pro Tem Clemson asked Ms. Shultz-Rainford what her definition was of "newer" homes. Ms. Schultz-Rainford said less than five years old.

Clyde Rainford, 2740 Quail Ridge Court, Highland Village, submitted a speaker card in support of this case.

**Mayor Pro Tem Clemson moved, seconded by Council Member Thorn, to close the public hearing and approve Case SU160601. The motion carried unanimously.**

**Ayes:** 9 - Mayor Ron Jensen; Council Member Jim Swafford; 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 Deputy Mayor Pro Tem Jeff Wooldridge

Enactment No: ORD 10083-2016

**31**

SU160603 - Specific Use Permit - 2315 W. Jefferson Street (City Council District 1). Approval of a request for a Specific Use Permit (SUP) allowing for a multi-purpose special event center to operate within an existing building that was formally occupied by the Hi-Ho Ballroom. The 2.142-acre property, located at 2315 W. Jefferson Street and within the Central Business District No. 1 (CBD-1), is zoned Commercial (C) District. The property is located south of W. Jefferson and west of SW 23rd Street. The Applicant is Jessie Aguilar. (On June 6, 2016, the Planning and Zoning Commission recommended approval of this request by a vote of 9-0).

Mr. Hinderaker reviewed Case SU160603 for an event center with catered food only. Mr. Hinderaker said parking was an issue but the owner has agreed to a maximum occupancy of 552 with 184 on-site parking spaces. Hours will be from Monday through Sunday 6:00 am to 2:00 am. He said the applicant will close existing bars located within the building, clean up the outside of building and add a dumpster enclosure. Mr. Hinderaker said the biggest issue is the noise standards because of residential uses and a church in the area. The event center will fall into Noise Zone 2. The Planning and Zoning Commission recommended approval with staff conditions and compliance with Noise Zone 2 standards. There will be no alcohol sales and no food sales.

*Jessie Aguilar, 1046 Capetown Drive, the applicant, stated she was present to answer questions. Council Member Copeland asked if they would keep the Hi Ho sign. Ms. Aguilar stated she would keep the sign but would add "Event Center" and remove the word "strip."*

*Melissa Aguilar, 1041 Capetown Drive, submitted a speaker card in support of this case.*

**Mayor Pro Tem Clemson moved, seconded by Council Member Shotwell, to close the public hearing and approve Case SU160603. The motion carried unanimously.**

**Ayes:** 9 - Mayor Ron Jensen; Council Member Jim Swafford; 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 Deputy Mayor Pro Tem Jeff Wooldridge

Enactment No: ORD 10084-2016

**32**

Z160601/CP160601 - Zoning Change - Lakeway Estates (City Council District 6). Rezone and approve a concept plan for a 19.27 acres from Single Family-4 (SF-4) District to a Planned Development District for single-family residential uses. The 19.27-acre property, located at 1231 E. Seeton Rd., is zoned Single Family-4 (SF-4) District and is within the Lakeridge Parkway Overlay District. The agent is USA Professional Services Group, the applicant is J Waymon Levell, First Southwest Properties Management Co. The owners are Rodney Mellott, Beacon E&P Company, LLC and Mike Martinez, Edge Barnett, LLC. (On June 6, 2016, the Planning and Zoning Commission recommended approval of this request by a vote of 9-0).

*Mr. Hinderaker reviewed Case Z160601/CP160601 to change the zoning for a Planned Development District for single family residential uses. The applicant has requested front entry style garages rather than J-Swing. The developer is proposing to increase the home size to 3,000 sq. ft. rather than having J-Swing garage entries and staff supports that request. Mr. Hinderaker said there would be 57 lots with access off Seeton Road. The Planning and Zoning Commission and recommended approval.*

*Deputy Mayor Pro Tem Wooldridge asked if there would be community mailboxes. Mr. Hinderaker stated community mailboxes would be required. Tom Hart, City Manager, asked if there would be long term maintenance of the mailboxes. Mr. Hinderaker replied the HOA is responsible for maintenance of the mailboxes.*

*Waymon Levell, 2331 Gus Thomasson #126, Dallas, TX 75228, stated he was present to answer questions.*

*David Schnurbusch, 1525 Viceroy Drive, Dallas, TX 75235, engineer for the project, stated he was present to answer questions.*

**Deputy Mayor Pro Tem Wooldridge moved, seconded by Council Member Thorn, to close the public hearing and approve Case Z160601/CP160601. The motion carried unanimously.**

**Ayes:** 9 - Mayor Ron Jensen; Council Member Jim Swafford; 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 Deputy Mayor Pro Tem Jeff Wooldridge

Enactment No: ORD 10085-2016

**33**

SU151004A - Specific Use Permit Renewal - 309 SE 14th Street (City Council District 5). Renewal of a Specific Use Permit for Major Auto Repair uses, including mechanical repairs and auto body repairs. The site is 0.3 acres and is zoned Commercial (C) within Central Business District 3 (CBD 3). The property is generally located south of Jefferson St. and east of Belt Line Rd. (On June 6, 2016, the Planning and Zoning Commission recommended approval to renew this SUP by a vote of 9-0).

*Mr. Hinderaker reviewed Case SU151004A, renewal of an SUP. He showed pictures of the garage and storage of vehicles and stated that a 6-month renewal is required. Code Enforcement had some issues with cars parked where they should not be as well as outside storage. The applicant's Certificate of Occupancy states they can have new and used car parts but this is something that is not allowed. Mr. Hinderaker said staff looked at the property today at 3:00 p.m. and everything was in compliance. The Planning and Zoning Commission recommended a 90-day approval and staff agrees. Mayor Jensen stated he recommended spot checks between now and that 90 days.*

*Council Member Shotwell asked how Mr. Hinderaker proposed to take care of the issue with the Certificate of Occupancy. Mr. Hinderaker said staff would work with the owner and tenant to remove the sale of new and used autos. Council Member Shotwell asked about the legal mechanism with an existing CO. City Attorney Don Postell said if Council votes to issue the CO as it should be, it can be reissued by staff. Deputy Mayor Pro Tem Wooldridge said staff would need to make sure the corrected CO is hand delivered to the tenant to make sure he knows what the CO approves.*

*Yubana Leal-Lozano, 309 SE 14th Street, stated she was the owner of the subject property. She said when she applied for this CO, the city employee said they could sell parts, but she decided not to sell.*

*Deputy Mayor Pro Tem Wooldridge asked Mr. Leal-Lozano if she had parts for sale on Craig's List. Mr. Leal-Lozano replied that she did.*

*Council Member Shotwell asked where the business moved from. Ms. Leal-Lozano replied she moved from 2502 Central. Council Member Shotwell stated this is next to Village Cleaner and the neighbors did not have problems with it as long as they meet requirements. The owners have only been there for a few months and already have code issues. He said staff needs to make sure the property owner and tenants get the regulations and give them one more chance.*

**Council Member Shotwell moved, seconded by Deputy Mayor Pro Tem Wooldridge, to close the public hearing and approve Case SU151004A as recommended by the Planning and Zoning Commission with a 90-day extension with the Automotive Related Business team to make spot checks during the next 90 days and to correct the Certificate of Occupancy to match the zoning that is in place. The motion carried unanimously.**

Enactment No: ORD 10086-2016

34

SU120404C - Specific Use Permit Renewal - 2502 Central Avenue (City Council District 5). Renewal of a Specific Use Permit 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. (On June 6, 2016, the Planning and Zoning Commission denied this SUP renewal by a vote of 9-0).

*Mr. Hinderaker reviewed Case SU120404C for a general auto repair and auto body shop which was renewed in November 2015. There were outstanding issues so Council approved a 6 month review. He said there are four businesses operating out of two buildings. The businesses have been using Central Avenue to park vehicles waiting to be worked on. They are allowed to have inoperable vehicles but they must be behind the screening fence or inside. There have been cars being worked on outside and parts laying around outside. The Planning and Zoning Commission recommended denial of this renewal. After that denial, the tenants have made an effort to come into compliance. Staff recommends no parking signs on Central Avenue. Mr. Hinderaker said it must be made clear to the four businesses what they are allowed to do on this property. He said staff did not have a specific recommendation.*

*Council Member Shotwell asked if a specific ordinance would be required to make a "No Parking/Tow Away Zone" on Central Avenue. Walter Shumac, Transportation Director, said that it would need to be an ordinance. Council Member Shotwell asked to have such an ordinance on the next agenda.*

*Carlos Rodriguez, 2502 Central Avenue, stated he was present to ask for the SUP to be renewed. He said there were four businesses on the property and each business has its own workers and their families live off that business. He said each time Code came they were told what to do and they did it. At this time the building is completely clean. Mr. Rodriguez said every vehicle is parked appropriately on the property. He said they were currently in compliance, and if the SUP does not get renewed there will be families out of work.*

*Vincent Duan, 2812 Manzell Court, Plano, TX 75028, stated he was the owner and was present to answer questions. He said he realized there were some issues with parking and he would be assigning certain parking spaces for each business.*

*Council Member Shotwell asked Mr. Duan if he was the property owner in the previous case. Mr. Duan stated that he was. Council Member Shotwell stated that the tenant in that case was at this property that is being discussed now. Mr. Shotwell said that made him wonder how often Mr. Duan checks his properties to make sure they are in compliance. Mr. Duan said he had a meeting with the city and there will be no cars on the driveway. Council Member Shotwell said non-compliance seems to be a continuing issue. Mr. Duan said there are over 15 families that depend on these businesses. Council Member Shotwell said they would have to be in compliance just like other businesses. Mr. Duan said he had met with tenants to tell them they must comply.*

*Deputy Mayor Pro Tem Wooldridge said there were four businesses in two buildings. Mr. Duan said that was correct. Mr. Wooldridge asked if they were split up in four different ways. Mr. Duan said there were really three buildings. Council Member Copeland said Mr. Duan had talked about these 15 families and he did not appreciate*

*Mr. Duan putting the burden on the city for these families. He said the city did not want to see any families put out. Mr. Copeland said the Planning and Zoning Commission sent a clear signal for Mr. Duan to come into compliance. He said if the city has to shut down these businesses, he would not vote for any other SUP's on this property in the future. Mr. Duan said he would work to get a plan with the consultants to make sure the tenants know the requirements and would all work together.*

*John Guariccia, 2518 Central, stated he was a business owner at this address for a year and a half. He said he was just learning many aspects of being a business owner and he needs direction on what is required. He said the four businesses are working together. Mr. Guariccia said Mr. Duan had been proactive in trying to remain in compliance. He said If the city gives us a chance, you will see a big improvement.*

*Zenon Garcia, 2502 Central Avenue, stated he was present to answer questions.*

*Savi Dominquez, 2502 Central Avenue, asked for Council to approve this renewal to keep them working.*

*Tim Kiv, 2107 N. Kirbywood Trail, stated he was a business owner and that he realized they have not met code. He added that the owners have hired a consultant to assist the owners to know what is required of them keep in compliance.*

*Council Member Copeland asked Mr. Kiv what he would do if he saw someone doing mechanical work outside. Mr. Kiv replied if he knew the Code, he would ask him to move inside and that is why the consultant was hired to make the tenants aware of what is required.*

*Council Member Shotwell said there are four businesses there and we think one has moved to 14th Street. He said this seems to be an ownership problem because the owner is ultimately responsible. Mr. Shotwell said that Code Officers tag a car and then the owner moves them and puts a different car there.*

*Adam Mansel, 2518 Central Avenue, submitted a speaker card in support of this case, but did not wish to speak.*

**Council Member Shotwell moved, seconded by Council Member Copeland, to close the public hearing and renew SU120404C for a 90-day period with ARB staff making unannounced spot checks and to set up a meeting for the Twin Airports area to provide a copy of restrictions for their particular zoning; and to direct staff to place an ordinance on the next agenda to institute a no parking/tow away zone for Central Avenue.**

**Council Member Copeland asked for an amendment to extend for six months because then if there were 8 or 9 violations, the decision would be easier. He said he thought 90 days was too short of a time to see if the applicant would be in compliance. Council Member Shotwell agreed to an amendment to renew for 90 days and if the ARB staff does not have any complaints, the SUP would be given an automatic 90-day extension and the ARB staff can use their discretion.**

**The motion carried unanimously.**

**Ayes:** 9 - Mayor Ron Jensen; Council Member Jim Swafford; 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 Deputy Mayor Pro Tem Jeff Wooldridge

Enactment No: ORD 10087-2016

## Items for Individual Consideration

35

Second reading and adoption of an ordinance approving a negotiated settlement between the Atmos Cities Steering Committee and Atmos Energy Corp., Mid-Tex Division regarding the company's 2016 Rate Review Mechanism Filings

*Gina Alley, Senior Assistant to the City Manager, stated this was the second and final reading of an ordinance approving a negotiated settlement with Atmos Energy that would change the consumption charge from \$.09931 per Ccf to \$.11378 per Ccf and would result in an increase of \$1.26 for residential bills and \$3.81 for commercial customers.*

*Council Member Shotwell stated he could not support this settlement because in FY 2015 Atmos profits were \$300 million and this is the 5th rate hike in 12 years. Mr. Shotwell said Atmos had record profits that were supposed to be used for infrastructure. He said that gas wells are sitting around not being used because gas prices are at a record low, so why should the price of gas go up. Council Member Shotwell said he thought it was because Atmos is a monopoly.*

**Council Member Fregoe moved, seconded by Council Member Thorn to approve the second and final reading of an ordinance approving a negotiated settlement with Atmos Energy. The motion carried.**

**Nayes:** 3 - Council Member Jim Swafford; Council Member Jeff Copeland and Council Member Tony Shotwell

## Citizen Comments

*Trina Hall, 926 S. Center, stated that there were a lot of homeless people in Grand Prairie and suggested that the city find a place for a dormitory style homeless shelter.*

## Adjournment

*Mayor Pro Tem Clemson announced that Mayor Jensen was recently elected as Chairman of the Regional Transportation Council and Deputy Mayor Pro Tem Wooldridge received a Crime Commission award.*

*Council Member Copeland stated that the Planning and Zoning Commission had voted 9-0 not to extend the SUP (Item 34) and Council voted 9-0 to extend it. He stated that while Council does not always agree with Planning and Zoning recommendation, they appreciate the time and effort of the Planning and Zoning Commission members. He added that the Citizens on Patrol were hosting the State convention in Grand Prairie.*

*The foregoing minutes were approved at the July 12, 2016 meeting.*

---

*Catherine E.DiMaggio, City Secretary*

