



City of Grand Prairie

City Hall
317 College Street
Grand Prairie, Texas

Minutes - Final

City Council

Tuesday, May 17, 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
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 Automated Secure Alarm Protocol (ASAP) - Presented by Chief Steve Dye

Aubry Insco, Police Department, gave a presentation on the Automated Secure Alarm Protocol which is bilateral communication between the alarm monitoring company and the emergency dispatch center. She said the goal is to eliminate the phone calls between the alarm monitoring company and the emergency communications center. The system decreases processing and response times to alarm-related calls for service. Ms. Insco said the goal is to have 90% of alarm companies participating in the program as soon as possible.

Chief Dye said that video alarm is not the same as a surveillance alarm. He said any alarm system can be retrofitted so that when an alarm goes off the video system starts taking video. Council Member Copeland asked how a citizen would know if they have one of the companies that are not online with this program. Ms. Insco said the goal is to have as many online as soon as possible and the names of participating companies would be published. Chief Dye said citizens can email him and he will let them know which companies are currently online. Council Member Copeland asked if there was any way to permit only those who are part of the ASAP system. Ms. Insco said they do not refuse any calls even if they do not have a permit. Council Member Copeland asked if the city is permitting, why not require them to be part of this system. Chief Dye said the big alarm companies will have 90% of the business.

Presented

2 City Manager's Special Projects Update - Gina Alley, Senior Assistant to the City Manager; Andrew Fortune, Assistant to the City Manager; and Erica Paige, Assistant to the City Manager

Erica Paige, Assistant to the City Manager, stated that each year there are 14 kids

ages 9 to 11 in the DEFY (Drug Education for Youth) program. The program provides kids with tools to resist drugs and gangs and build healthy relationships. Andrew Fortune, Assistant to the City Manager, said the Sister Cities board has been building partnership with GPISD. They held an art competition to promote international interest in the schools. The board members visited with members of the Fort Worth Sister Cities program. Gina Alley, Senior Assistant to the City Manager, stated that IMPACT is a youth drug and alcohol prevention program in all middle schools throughout GPISD and has partnered with GPISD, the Police Department, the Dallas County Agency of Drug and Alcohol, and Helping Us Help Her. Ms. Alley explained activities which have been held throughout the year to get across the drug-free message. She said all 27,000 students were impacted in some way by Impact. Ms. Alley said that she and the Assistants to the City Manager serve as representatives to various committee and advisory boards. City Manager Tom Hart said Ms. Paige, Mr. Fortune and Ms. Alley have become passionate about these programs and are touching lives. He thanked them for the great job they are doing.

Presented

Agenda Review

Mayor Pro Tem Swafford asked if anyone had questions on the Consent Agenda. Ms. DiMaggio stated that official results had been received for the canvass of the May 7, 2016 election and a corrected spreadsheet with election results was distributed.

Anna Doll, Deputy City Manager, introduced Keshnel Penny as the new IT Director. Tom Cox, Deputy City Manager, introduced Andy Henning as the new Facilities Construction Manager.

Executive Session

Mayor Jensen convened a closed session at 5:04 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." Mayor Jensen adjourned the closed session at 5:40 p.m.

Recess Meeting

Mayor Jensen recessed the meeting at 5:40 p.m.

6:30 PM Council Chambers

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

Lawrence Marshall, Integrity Mentors, Founder & Executive Director, gave the invocation. The Pledge of Allegiance to the US Flag and to the Texas Flag were led by Council Member Jeff Copeland.

Council Member Wooldridge moved, seconded by Council Member Copeland, to approve a resolution canvassing the May 7, 2016 with the following results:

Council Member, District 4

Richard J. Fregoe 319 votes

John Lopez 197 votes

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: RES 4816-2016

4

Administer Oath of Office to Mayor Ron Jensen; Council Member Jim Swafford, District 2; and Council Member Richard Fregoe, District 4

Council Member Fregoe thanked the citizens who came out to vote and his supporters who assisted with his campaign in many ways. He thanked his wife, Gisela, for her patience for the several years he has served on Council. Mr. Fregoe said he was thankful for the opportunity to continue to serve the city with passion and purpose. He said he was fortunate to work with an excellent Council and staff and expressed his appreciation to John Lopez for running a very dignified campaign. He said he would continue to serve to the best of his ability.

Mayor Pro Tem Jim Swafford congratulated Council Member Fregoe on his election. He said this was an exciting to serve on this Council, and he was now entering his 18th year. Mr. Swafford thanked his fellow Council Members for their support and constructive input. He also thanked his wife, Judy, to whom he had been married for 55 years. He thanked the citizens and voters of Grand Prairie. He said he would do the best he can do to represent the citizens.

Mayor Jensen stated that now is the right time for him to be Mayor and to be with this Council and that he was excited about what is happening in Grand Prairie at this time. He said the citizens are supportive of what the Council is doing. Mayor Jensen said he was trying to impact citizens' attitudes about the city and their support lifts him up. He said he had been married to his wife, Rebecca, for 44 years and his son, Eric, is running his company which gives him time to do the things he needs to do as Mayor.

Donald Postell, City Attorney, administered the oath of office to Ron Jensen, Mayor; Jim Swafford, Council Member, District 2; and Richard J. Fregoe, Council Member, District 4.

Presentations

5

Recognition of Animal Shelter Advisory Board Members - Introduction by Danielle Tate, Animal Services Manager

Danielle Tate, Animal Services Manager, introduced members of the Animal Shelter Advisory Board who were present: Maston Sillin, Michelle Steppe, Roxcie McCuller, Debra Danhof, Debiorah Barclay, Virginia Stinchfield, and Jesse Fox. Mayor Jensen stated it takes collective wisdom to run the city and he thanked the members of the board for their service. Mayor Jensen presented each member with a city lapel pin.

Presented**6** Recognition of Dung Dao, Grand Prairie Fine Arts Academy Student

Amy Francis, Director of Fine Arts, Grand Prairie ISD, introduced Dung Dao, Fine Arts Academy Student, who will be receiving an award for her art at Carnegie Hall. Ms. Dao is only one of 35 students nationwide to receive this award.

Presented**7** Dr. Charles Dell Proclamation

Mayor Pro Tem Swafford read a proclamation recognizing Dr. David Dell for his many years of service to the community. Deputy Mayor Pro Tem Clemson thanked Dr. Dell on behalf of the many families he had served throughout the past several years.

Presented**8** Motorcycle Safety and Awareness Month Proclamation - Presented to Brandon Clark

Mayor Jensen read a proclamation for Motorcycle Safety and Awareness month and presented the proclamation to Brandon Clark.

Presented**9** Lupus Foundation of America Proclamation

Council Member Thorn read a proclamation recognizing the Lupus Foundation of America. Mayor Jensen presented the proclamation to Tessie Holloway, Lupus Foundation of America, Lone Star Chapter.

Presented**10** Asian American Heritage Month Proclamation

Council Member Wooldridge read a proclamation for Asian American Heritage Month and presented the proclamation to Mr. Thiagarajan Suryanarayanan.

Presented

Consent Agenda

Mayor Pro Tem Swafford moved, seconded by Deputy Mayor Pro Tem Clemson, to approve Items 11 through 17 on the Consent Agenda. The motion carried unanimously.

11 Minutes of the May 3, 2016 Meeting**Approved on the Consent Agenda****12** Price agreement for landscape maintenance materials which include ball field clay, volleyball/beach sand, and washed pea gravel from HJG Trucking (up to \$27,607 annually); cushion screened sand and crushed granite from Lowery

Sand & Gravel (up to \$53,325 annually); class A1 rock, rip rap, and screened sandy loam from Texas Sand & Gravel (up to \$133,620 annually); infield conditioner and silica top dressing golf sand from Turf Materials (up to \$29,105 annually) for one year with the option to renew for four additional one year periods totaling \$1,218,286 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

- 13** Price agreement for Screen Printing Services from Proforma A-Z (up to \$30,000 annually) for one year with the option to renew for four additional one year periods totaling \$150,000 if all extensions are exercised and authorize the City Manager to execute the renewal options with the 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

Approved on the Consent Agenda

- 14** Remodel of Fire Stations #2 at a cost of \$71,383 and #8 at a cost of \$71,047 by Gallagher for a total amount of \$142,430 through a national inter-local agreement with TIPS/TAPS

Approved on the Consent Agenda

- 15** Private Fueling Agreement - Rodney DeBaun - Grand Prairie Municipal Airport

Approved on the Consent Agenda

- 16** Change Order/Amendment Nos. 5 and 6 to the Briefing Room/CMO Renovations Contract with Mart, Inc.

Approved on the Consent Agenda

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

Adopted

Enactment No: RES 4817-2016

Public Hearing Consent Agenda

Mayor Pro Tem Swafford moved, seconded by Council Member Shotwell, to table Items 18 through 21, approve Items 22 and 23, and table Item 24 for two weeks. The motion carried unanimously.

- 18** SU160501 - Specific Use Permit - Cinco Technologies (City Council District 2). Consider a request to 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.
City Council Action: June 21, 2016
Tabled
- 19** SU160503/S160504 - Specific Use Permit/Site Plan - Q Speed Wash (City Council District 4). Consider a request for an SUP to allow for an automatic Car Wash Commercial/Detail facility with multiple outdoor self-service vacuum stations on 1.23 acres. The property is zoned PD-45 and lies within the I-20 Corridor Overlay District; and is generally located west of Great Southwest Parkway and 320 ' south of Bardin Road. The applicant is Viran Nana and the owner is Don Silverman, GSW Bardin LLC. (On May 2, 2016, the Planning and Zoning Commission tabled this case by a vote of 8 to 0)
Tabled
- 20** SU160401/S160402 - Site Plan - 1628 E Main St (City Council District 5). Consider a request to approve a specific use permit and site plan to construct and operate a warehouse facility. The 0.89-acre property, located at 1612 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.
City Council Action: June 21, 2016
Tabled
- 21** Z160402 - Zoning Change - 1628 E. Main Street (City Council District 5). Consider a request to 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.
City Council Action: June 21, 2016
Tabled
- 22** CPA160501 - Comprehensive Plan Amendment - Approve amendments to the 2010 Comprehensive Plan. The annual update is a review of zoning changes, text amendments, annexations, and dis-annexations that have taken place in the past year. The annual update also includes revisions to the Future Land Use Map of the Comprehensive Plan Amendment. The owner/applicant is the

City of Grand Prairie Planning Department. (On May 2, 2016, the Planning and Zoning Commission recommended approval of this request by a vote of 8-0).

Adopted

Enactment No: ORD 10049-2016

23

CPA160502 - Comprehensive Plan Amendment - 1720 S Carrier Pkwy. (City Council District 1). Approve an amendment to the 2010 Comprehensive Plan and Future Land Use Map to change the designation from Open Space/Drainage (OS/D) to High Density Residential (HDR) uses. The 5.42-acre property, zoned Multifamily-One (MF-1) District, is located at 1720 S. Carrier Parkway and is within the State Highway-161 (SH-161) Corridor Overlay District. The owner/applicant: Shelly Atkins, Atkins Bros. Equipment Co. (On May 2, 2016, the Planning and Zoning Commission recommended approval of this request by a vote of 8-0).

Adopted

Enactment No: ORD 10050-2016

24

SU160202/S160201 - Specific Use Permit/Site Plan - 2478 W. Main St. (City Council District 1). Approve a specific use permit/site plan to construct a two-story motel. The 1.08-acre property, located at 2478 W. Main Street, zoned Light Industrial, is within District 1 of the Central Business Overlay District. The agent is John Watson and the owner is Ajay Patel. (On May 2, 2016, the Planning and Zoning Commission recommended approval of this request by a vote of 8-0).

John Watson, Irving, TX, submitted a speaker card in support of this item.

Tabled

Public Hearing on Zoning Applications

25

Z160401/CP160401 - Zoning Change/Concept Plan - Lake Forest Development (City Council District 4). To change the zoning on 7.096 acres from Agriculture District to a Planned Development District for single family detached residential uses. The 7.09-acre property, zoned Agriculture (A) District, is located at 2901 Doryn Drive. The agent is Jim Dewey, JDJR Engineers & Consultants, Inc. the applicant is Mike Nawar, and the owner is Rajan Vishwanathan. (On April 4, 2016, the Planning and Zoning Commission recommended denial of this request by a vote of 5-3). (This case was tabled to the City Council meeting of May 17, 2016).

Jim Hinderaker, Chief City Planner, stated that the Planning and Zoning Commission recommended denial of this case by a vote of 5 to 3. He said the request was to create 33 residential lots. Deviations from requirements include: Minimum Lot size

of 6,500 sq. ft. and the applicant proposed 6,000 sq. ft. Minimum lot depth is 100 ft. and applicant has requested 70 ft. Mr. Hinderaker said staff did not oppose the 6,000 sq. ft. lots because the applicant has agreed to all J-swing garages on the 33 homes. He said the applicant had requested a cul-de-sac of 667 ft. which is 67 ft. more than the limit set by the UDC and staff did not oppose this request. Mr. Hinderaker said there was significant opposition from the Somerton Village HOA and on April 21 the HOA met with the developer

Mr. Hinderaker went over items from a revised proposal: decrease ROW to 40'; increase rear lot setback to 20'; eliminate connection to Lynn Creek Hills; establish a pocket park; and installation of a new 8 ft. wood fence abutting Somerton Village HOA.

Mr. Hinderaker said there are 283 homes adjacent to this site and the HOA informed all citizens but most homeowners did not respond; some were okay with what was proposed; however, many homeowners who are directly adjacent to the proposed development were opposed. Mr. Hinderaker said the HOA chose not to provide a formal response. He said the HOA was probably willing to accept this development into Somerton HOA but a formal vote would be required to approve (2/3 needed for approval).

Jim Dewey, 2500 Texas Drive, Suite 100, Irving, Engineering Consultant, stated he was representing the developer. He stated this property is very narrow and deep and the lots are shallow at 70' deep. He said the smallest lot is 6,200 sq. ft. and the largest around 10,000 sq. ft.. Mr. Dewey said with wide shallow lots it will make a more salable home. He said there was no opposition from Lynn Creek subdivision at the Planning and Zoning meeting or written opposition. He said the most compatible use is single family detached rather than single family attached. The minimum square footage of homes is 1800 sq. ft. but the average will be over 2000 sq. ft.. Mr. Dewey said he had met with the HOA and homeowners. He said the homeowners did not want the connection to existing development so the developer will put in a pocket park in that area. He said significant changes have been made to the plans to get adjacent homeowners' approval.

Larry Pugh, 2795 Sun Rise Lane, stated he lives at the corner of Candlelight and Sun Rise, so the proposed houses will sit at the back of the subdivision. He said that strip of land is narrow and thought it would be better to make it a park. He added if this case is approved, they should have their own HOA.

Steve Montefusco, 5807 Candlelight, said he was unaware of the changes that are being proposed. He said this is not ideal and he bought a house with an agricultural lot behind it. He said he would like 100' lots. He asked Council to vote for the citizens and not the developer. Mr. Montefusco said the applicant was asking for too many deviations.

The following citizens submitted speaker cards in opposition to this case, but did not wish to speak: Tommy Provost, 5832 Midnight Lane; D'Lynn Beck- Provost, 5832 Midnight Lane; and Margie Marguez, 5836 Midnight Lane.
In opposition but not wishing to speak (get cards).

Council Member Wooldridge asked staff about the history of this property. Bill Crolley, Executive Director, stated this tract was owned by Mansfield ISD and they originally purchased it to have a bus barn at this location. The City was concerned about this use next to residential and asked them not to build it. Approximately two years ago the school put the property out for bid. He said the shape of the property does not allow a standard type of development and staff felt this development had

merit. He said a meeting had been held with the HOA to determine what the issues were with adjacent homeowners. Mr. Crolley said the residential use is much more compatible than a bus barn. Council Member Wooldridge asked if the developer would have to have his own HOA. Mr. Crolley said that an HOA is mandatory for this property.

Council Member Copeland asked what the sales price was for this property. Mr. Crolley said he did not know.

Council Member Fregoe said there seemed to be less than total communication with residents in the area. Mr. Hinderaker said the HOA Board has not taken a position. Council Member Fregoe asked if the HOA meeting was well attended. Mr. Hinderaker said there was a single meeting following the Planning and Zoning meeting between the HOA and the developer and about 20 people attended out of the 283 homeowners. He said he had spoken with the secretary of the HOA board and was communicating the proposals by the developer. Mr. Hinderaker said the developer took notes from those in attendance at the meeting to revise the proposed plan. He said the developer has spoken with the board, but he was not sure what communication took place between the HOA board and homeowners. The original notice of the hearings went to neighboring homeowners.

Council Member Wooldridge asked what the ration of J-swing garages would be on back and front.

Mr. Dewey stated he had a meeting with the HOA after the Planning and Zoning Commission recommended denial. He said he went back and made changes and was in contact with board members and they had a subsequent meeting but not sure who was in that meeting. With reference to Mr. Wooldridge's question regarding the J-Swing garages, he said he would like not to be limited to a certain amount of front or back J Swings and would like the homeowner to decide.

Mayor Pro Tem Swafford asked if the developer had this property on contract subject to zoning. Mr. Dewey replied that it was subject to zoning.

Council Member Fregoe said he was concerned with some of the comments from citizens and asked if one row of houses could be done. Mr. Dewey said it can be done either way, but thought it was better the way it has been proposed.

Council Member Fregoe said there was no question that something is going to be built there and Council has to try to decide what is best for citizens and the city and this seems like the best use.

Council Member moved, seconded by Council Member Copeland, to close the public hearing and approve Case Z160401/CP160401. The motion carried.

Nayes: 1 - Mayor Pro Tem Jim Swafford

Enactment No: ORD 10051-2016

26

SU160502 - Specific Use Permit - TNT Equipment (City Council District 1). Approval of a Specific Use Permit permitting the operation of a commercial scaffolding contractor shop with outdoor storage. The 3.8-acre property, zoned Light Industrial (LI) District, is located at the southwest corner of Avenue J East and 113th Street. The agent is Tony Callaway, Callaway Architecture, the applicant is Mike McCoy, and the owner is Anthony Valentine, TNT Equipment Co. (On May 2, 2016, the Planning and Zoning

Commission recommended approval of this request by a vote of 8-0).

Mr. Hinderaker reviewed Case SU160502, an SUP for a commercial scaffolding contractor with outdoor storage. Mr. Hinderaker said the applicant proposes to add a masonry wall on 113th street to mitigate concerns that occurred with the previous owner with regard to screening. There is an existing driveway on 113th Street that will be closed. The SUP is required for outside storage and this area must be screened. The masonry wall will be on on East Avenue J and down 113th Street and then wrapped around on the south side of the site for 25'. The Planning and Zoning Commission recommended allowing the chain link fence with vinyl slats on the remaining site. The main office building will be oriented toward Avenue J which will be improved. On 113th street the applicant can not store any higher than the 10' masonry fence. Mr. Hinderaker went over conditions for approval including the masonry wall; and incorporation of sound deadening materials to the back of the masonry wall to reduce noise. He said staff recommended approve with the added condition to place no parking signs to be placed per city standard on 113th Street.

Scott Stone, 1207 Hampshire, Callaway Architecture, stated he was present to answer questions. He asked Council not to uphold the condition of the sound deadening on the fence. He said City staff did a sound study during work hours but it complied with sound requirements.

Deputy Mayor Pro Tem Clemson said there had been many problems with the previous owner from adjacent homeowners because of the noise of trucks next to Hidden Creek. This application is going to be a great improvement with what they have proposed with the masonry screening wall and a limit as to how high they can stack materials.

Deputy Mayor Pro Tem Clemson moved, seconded by Council Member Thorn, to close the public hearing and approve Case SU160502, with the removal of the sound deadening condition. 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 10052-2016

27

SU160505/S160501 - Specific Use Permit/Site Plan - O'Neal Steel BTS (City Council District 5). Consider a request to approve a site plan to construct a 214,148-square-foot industrial business and operate a steel service center. The 16.90-acre property, located at 4000 Interstate Highway 30 (IH-30), is zoned Light Industrial (LI) District and is within the IH-30 Corridor Overlay District. The agent is Grayson Hughes, Bury, Inc., the applicant is Kerry Burden, Altera Development, and the owner is James Cornelius, South IH 30 LTD. (On May 2, 2016, the Planning and Zoning Commission recommended approval of this request by a vote of 8-0).

Mr. Hinderaker reviewed Case SU160505/S160501 for a steel facility proposing to build a 214,148 sq. ft. masonry building in the I-30 Overlay District and a 15,000 sq. ft. office space. The applicant has proposed outside storage (metal laydown yard on concrete and a 3 ft. earthen berm with evergreen trees for a total of 7 ft.). The elevation of I-30 is higher than this point and so this yard will be visible from I-30. He said there is some concern from an adjacent property owner with regard to the laydown yard. The applicant will be cutting metal to size and then shipping it out to

other manufacturing companies. Staff had an issue with screening from I-30 but there is no room to switch the laydown yard on the south side of the building. Mr. Hinderaker said the applicant met all dimensional standards. Have asked for a 5' buffer decreased from required 30' to 25'

Mr. Hinderaker said the applicant had requested an appeal for the required 30' landscape buffer along I-30 to 25 ft. He said staff recommended approval with directional signage to be posted limiting truck traffic to the I-30 service road.

Council Member Shotwell asked about access to the holding yard on the north side of the site. Mr. Hinderaker said they would be coming off Grand Lakes Blvd. off Grand Lakes Way and there is a cross access easement with the internal road. Council Member Shotwell asked if this facility would be addressed at 4000 I-30. Mr. Hinderaker replied that it would.

Grayson Hughes, 5310 Harvest Hill, Suite 100, Dallas, Stantec Engineers, stated he was the civil engineer on the project. He clarified that access to the laydown yard would only be in the internal site. The access from the Six and Mango property to Grand Lakes Blvd. is an access easement for Six and Mango to have access westbound to MacArthur. Council Member Shotwell asked about what appeared to be a 10' turn radius. Mr. Hinderaker stated that is actually a 30' turn radius.

Kerry Burden, 5910 N. Central Expressway, Alterior Development, stated that the applicant had met most of the requirements. He said the applicant had been asked to increase the height of screening to 10' and owner has agreed to that.

Council Member Wooldridge: okay with extra landscaping? Burden: yes, everything that staff recommended they've agreed to.

Council Member Shotwell: please write down agreements so it can be included in the motion.

Council Member Copeland: removing 5 ft. difference? Burden: not asking for an SUP any more. The laydown area on the plan will be at the 15%.

Kevin Maguire, 901 Main Street, Dallas, TX, submitted a speaker card in opposition to this item but did not speak.

Brad Wohlenberg, 27240 Turnberry Lane, #200, Valencia, CA 91355, stated he was general counsel for the applicant, and he was confirming the withdrawal of the SUP would drop opposition to this case.

Council Member Shotwell asked Mr. Wohlenberg when his clients intended to start the project. Mr. Wohlenberg stated it would probably start after a Memphis project and needs to come back to Council with a site plan.

Council Member Shotwell moved, seconded by Deputy Mayor Pro Tem Clemson, to close the public hearing and approve Case SU160505/S160501, with the removal of the SUP and as presented by staff and the Planning and Zoning Commission with the following changes: 15% of laydown area for storage; a 10' berm and living screen; and it is to be addressed off I-30. 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 10053-2016

Citizen Comments

John Stewart, 4315 Hampton Circle, stated that the transgender agenda is continuing to be pushed. He said the US Constitution has been misrepresented and misinterpreted. Mr. Stewart said this is not a civil rights or discrimination issue; it is simply a sexual preference issue. He said he did not support the LGBT agenda in any way. He asked Council to not give in to pressure from the federal government.

Adjournment

Mayor Jensen adjourned the meeting at 8:30 p.m.

The foregoing minutes were approved at the June 7, 2016 meeting.

Catherine E. DiMaggio, City Secretary