



City of Grand Prairie

City Hall
317 College Street
Grand Prairie, Texas

Minutes - Final

City Council

Tuesday, February 5, 2019

4:30 PM

City Hall - Briefing Room
317 College Street

Call to Order

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

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

Staff Presentations

1 Airport Update - Presented by Mark Divita, Airport Director

Mark Divita, Airport Director, went over Monthly and Annual Fuel Sales for FY2018; Airport Operation Counts (takeoffs and landings) and rankings with other airports in Texas and the nation. Mr. Divita pointed out the impact of Skymates flight school on gas sales and operations count. He said the Airport Café has had a monthly sales average of \$9,120. Mr. Divita then went over Planned Capital Improvements: taxiway Alpha extension; replace security fence; design two hangar rows; construct two hangar rows; and design and construction of three box hangars. Mr. Divita showed the FY19 South development taxiways, run-up area, the DeBaun Hangar Development and future city hangar locations.

Council Member Wooldridge asked if hangars could be built on the other side of the airport. Mr. Divita said that area is the fence line and there is no room to build because of FAA restrictions. Council Member Fregoe noted that in the Counts by Month there were dramatic ups and downs. Mr. Divita replied that typically bad weather decreases counts. Council Member Swafford asked how long the CareFlite lease was. Mr. Divita replied that it is a 30-year lease and they have the headquarters for all of CareFlite located there.

Presented

2 Tax Credit Discussion - Presented by Bill Hills, Director of Housing and Neighborhood Services

Bill Hills, Housing and Neighborhood Services Director, explained what the HTC

Program is, how it is funded and how tax credits are awarded. He said most private nonprofits and private for-profit developers can apply for tax credits. He explained the two ways of financing: 9% credit applications are submitted through a competitive process; and 4% tax credit are accepted year round as long as funds are available inducements to bond financed projects. Mr. Hills went through the 9% tax credit structure for new construction and rehabilitation of existing buildings. He said there are limited funds for the 9% tax credit. He said the 4% Tax Credit is roughly equal to 30% of the qualified basis of a newly constructed building and they are not in competition with projects seeking the 9% tax credit allocations. Mr. Hills said investors can begin claiming tax credits only after the buildings are placed in service and occupied by qualified tenants. He said the buildings must remain affordable for at least 30 years. Mr. Hills showed Dallas and Tarrant County Income Limits for tax credit housing and explained the difference between Section 8 and HTC Units.

Mayor Pro Tem Copeland referred to the tax credit for seniors, and said the company that is building in Westchester is not just investors. Mr. Hills said if they are the investor and the builder, these would be projects the city would want to consider. Deputy Mayor Pro Tem Giessner commented on taking existing facilities and rehabbing them. Mr. Hills added that the affordable housing that currently exists in the city is full. Chief Dye said the rehabilitation of current buildings is a great deal for the city. He then showed a comparison of Prairie Ranch and Arioso Apartments where Prairie Ranch generated 52% higher calls for service and had a 78% higher arrest rate.

Presented

3

Clean Prairie Program - Presented by Chief Dye

Postpone

Agenda Review

Mayor Pro Tem Copeland asked if anyone had questions on the Consent Agenda items. There were none.

Mayor Jensen referred to Item 27, an amendment to industrial standards. He reminded Council that the warehouse moratorium was done to allow time to look at ways to improve ordinances for warehouses. He said after reading the proposed amendments, he had an issue with two items: 1) the SUP requirement (Grand Prairie would be the only city that would have this requirement). He stated that the city needed to be fair to property owners; 2) Mayor Jensen said he agreed with raising the articulation standards but raising the landscape requirement from 4-15% did not seem reasonable when the requirement is 10% for offices. He said he could support the amended ordinance by deleting the SUP requirement and reducing the required landscaping to 10%.

Executive Session

Mayor Jensen convened a closed session at 5:13 p.m. pursuant to Chapter 551, Subchapter D of the Government Code, V.T.C.A., to Section 551.071 "Consultation with Attorney," Section 551.072 "Deliberation Regarding Real Property" and Section 551.087 "Deliberations Regarding Economic Development Negotiations." Mayor Jensen adjourned the closed session at 6:00 p.m.

Recess Meeting

Mayor Jensen recessed the meeting at 6:00 p.m.

6:30 PM Council Chambers

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

The Invocation was given by Pastor Arthur James, Transparent Church. The Pledge of Allegiance to the US Flag and to the Texas Flag were led by Council Member Jorja Clemson.

Presentations

- 4 National School Counselor's Week Proclamation - Presented by Mayor Ron Jensen
- Deputy Mayor Pro Tem Giessner read the National School Counselor's Week Proclamation. Mayor Jensen presented the proclamation to the school counselors who were present.*
- Presented**
- 5 Proclamation for the Texas Bluebonnet Chapter DAR 50th Anniversary - Presented to Dr. Patricia Redfearn
- Council Member Clemson read the Texas Bluebonnet Chapter DAR 50th Anniversary proclamation. Mayor Jensen presented the proclamation to Dr. Patricia Redfearn and other members of the Texas Bluebonnet Chapter.*
- Presented**

Consent Agenda

Mayor Pro Tem Copeland moved, seconded by Council Member Fregoe, to approve Items 6 through 26 on the Consent Agenda. The motion carried unanimously.

- 6 Minutes of the January 22, 2019 meeting
- Approved on the Consent Agenda**
- 7 Price agreement for large water meter testing and repairs from UWS, Inc. (\$24,950 annually) through a Master Interlocal Agreement with the City of Richardson for one year with the option to renew for ----four additional one-year periods totaling \$124,750 if all extensions are exercised; and authorize the City Manager to execute the renewal options with aggregate price fluctuations of the lesser of up to \$50,000

or 25% of the original maximum price so long as sufficient funding is appropriated by the City Council to satisfy the City's obligation during the renewal terms

Approved on the Consent Agenda

- 8** Price Agreement for portable toilet rentals from United Rentals through a national interlocal agreement with TXMAS at an estimated annual cost of \$45,000.00. This agreement will be for one year with the option to renew for one additional one year period totaling \$90,000.00 if all extensions are exercised. Authorize the City Manager to execute the renewal options with aggregate price fluctuations of the lesser of up to \$50,000 or 25% of the original maximum price so long as sufficient funding is appropriated by the City Council to satisfy the City's obligation during the renewal terms

Approved on the Consent Agenda

- 9** Price agreement for Epic's Landscape Maintenance with Sprinkle 'N Sprout for one year at an estimated annual cost of \$179,950

Approved on the Consent Agenda

- 10** Price agreement with Iron T Construction for Drainage Ditch Maintenance (up to \$441,125 annually) for one year with the option to renew for four additional one year periods totaling \$2,220,625 if all extensions are exercised; and authorize the City manager to execute the renewal options with aggregate price fluctuations of the lesser of up to \$50,000 or 25% of the original maximum price so long as sufficient funding is appropriated by the City Council to satisfy the City's obligation during the renewal terms

Approved on the Consent Agenda

- 11** Purchase of Panasonic "Toughbook" mobile laptops, tablets and accessories for the Police Department from GTS Technology Solutions (GTS) in the amount of \$93,052, through a state interlocal agreement with the Department of Information Resources (DIR)

Approved on the Consent Agenda

- 12** One-Year Contract with Site Landscape Development for landscape maintenance \$426,005 in Westchester PID (Council District 6)

Approved on the Consent Agenda

- 13** Contract with Vision Communities Management, Inc. (VCM, Inc.) for Wall Repairs in the amount of \$50,000 - Westchester PID (Council District 6)

Approved on the Consent Agenda

- 14** Contract with The Home Depot in the amount of \$164,128.61 for Phase II of RJC

Interior Renovation through their national inter-local agreement with U.S. Communities and include a 5% contingency in the amount of \$8,207 for a grand total of \$172,335.61

Approved on the Consent Agenda

- 15** Contract with LandWorks for Landscape Maintenance for \$123,807 in Forum Estates PID (Council District 4)

Approved on the Consent Agenda

- 16** Warmack Library Change Order/Amendment No. 4 with Pogue Construction in the amount of \$58,945.22 for equipment lift rental, window tinting, millwork revisions, hardware changes, added painting, expansion of cement board, extension of wall construction, brick infill, art panel adjustments, electrical connections, wall framing revisions, carpet type change, protective corner guards, emergency lighting and new louver credit

Approved on the Consent Agenda

- 17** Change Order/Amendment No. 2 for Fire Station 6 with Key Construction in the amount of \$105,183.26 for Fire Station 6 plumbing revisions, increased electrical provisions/adjustments, permit/weather delays, sanitary sewer manhole abandonment/new location installation, overhead door notification lights with power and implementation of a fire protection system for the area of new construction

Approved on the Consent Agenda

- 18** Personal Services Contract with with Don Roper (not-to-exceed \$16,000 annually) to live broadcast, tape and archive public meetings from the City Council Chambers as assigned; this contract will be for an initial term of one year with the option to renew for four additional one-year periods totaling \$80,000.00 if all extensions are exercised; as funded; 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

- 19** Professional Engineering Services contract for Brent Street Storm Drain Improvements with Multatech in the amount of \$64,350, 5% contingency of \$3,217 for a total request of \$67,567

Approved on the Consent Agenda

- 20** Professional Engineering Services contract with Teague Nall and Perkins for the design of Stadium Drive from Tarrant Road to I-30 Service Road, in the amount of \$133,000, 5% contingency of \$6,650, for a total request of \$139,650

Approved on the Consent Agenda

- 21** Professional Engineering Services contract with Pacheco Koch, LLC for the design of Dickey Road Storm Drain Improvements, West of SW 3rd Street, in the amount of \$122,369, 5% contingency of \$6,118.45, for a total request of \$128,487.45

Approved on the Consent Agenda

- 22** Professional Services Contract with CMJ Engineering, Inc. (CMJ) for geotechnical engineering services for the Epic Central project in the amount of \$69,700

Approved on the Consent Agenda

- 23** Professional architectural design services contract with Brown Reynolds Watford (BRW) Architects in the amount of \$759,900 for complete programming, planning, design, documentation and construction administration services for all elements associated with the new Fire Station 3 facility to be located at the northeast corner of State Highway 161 and West Marshall Drive and 5% design contingency of \$37,995 for in a total request of \$797,895

Approved on the Consent Agenda

- 24** Ordinance amending the FY 2017/2018 Municipal Court Judicial Efficiency Fund incremental increase of \$1,049 for insurance verification.

Adopted

Enactment No: ORD 10591-2019

- 25** Ordinance amending the FY 2018/2019 Capital Improvement Projects Budget; Change Order/Amendment No. 2 with Hill & Wilkinson General Contractors for the City Hall Project in the amount of \$176,260.93 for structural revisions, 8" sanitary sewer piping, utility plan changes, water line replacement, lightning protection elimination and storm drainage adjustments

Adopted

Enactment No: ORD 10592-2019

- 26** Ordinance amending the FY 2018/2019 Capital Improvement Projects Budget; Change Order/Amendment No. 1 with Salcedo Group, Inc. for Professional Engineering Services for the Line Condition Assessment of the 60" Camp Wisdom Water Supply Line in the amount of \$486,385

Adopted

Enactment No: ORD 10593-2019

Items for Individual Consideration

27

TA180701B - Amendment to Article 4 ("Permissible Uses"), Article 6 ("Density and Dimensional Requirements"), Article 8 ("Landscaping and Screening"), and adopting Appendix X ("Industrial Development Standards") of the Unified Development Code of the City of Grand Prairie for the purpose of creating additional standards and revising existing standards for new industrial development and amending the zoning use charts to establish new definitions and uses related to industrial development. (On February 4, 2019, the Planning and Zoning Commission recommended approval of this request by a vote of 9-0).

David Jones, Chief City Planner, presented Case TA180701B for upgraded standards for industrial development. He said staff looked at other cities' industrial standards to look at best developments in each city. Staff met with the Planning and Zoning Commission on December 3 to discuss standards to increase the visual appearance. Mr. Jones showed standards from other cities. Proposed standards include 100% masonry with 30% volume of glass depending on which side faces the street; menu-style additional design features where the developer would pick three. Mr. Jones said there would be no truck docks allowed facing a street and a limit of two rows of parking between the street and building front. He said 15% landscaping was proposed but Council requested 10% at briefing. Landscaping would include screening the base of the building; parking lot perimeter landscaping with islands; and tree-lined pedestrian paths. One tree is required per 250 sq. ft. and 1 shrub for 50 sq. ft.; an additional tree is required for every 5th truck dock; credits toward some architectural or planting requirements may be granted for saving 25 or more existing trees. For large (250,000 or more or 20+ acres) and multi-phase developments, they need to show where truck docks would be located; all building entrances within 500'; paved trails; shaded seating areas; active water feature; and gardens. There is also a requirement for coordinated signage plan and a landscaped corner feature. Changes to the use charts include: remove industrial uses from the Commercial District (warehouse, transfer and storage fabrication, etc.); require an SUP for most industrial uses or industrial buildings within Overlay Corridors or adjacent to Residential. These were added to Use Charts for Warehouses. A new category was created for warehouse/distribution center and warehouse/e-commerce distribution centers. New categories were created for light manufacturing and advanced manufacturing (such as Bell Helicopter Lockheed Martin, etc.); and for flex industrial.

Mr. Jones said some amendments had been made to the ordinance since the Planning and Zoning meeting. 1) Warehouse Distribution and Freight Transfer Terminal be allowed by right in LI and HI if not in an Overlay or within 300 ft. of residential zoning; 2) that a building face not be considered a primary facade based on the number of public parking spaces that it faces; 3) specify that trees used for truck dock screening in Section 5.3 be 8:" evergreen and screening will apply for PD's not solely intended for industrial development; 4) Specify landscape island minimum size (162 sq. ft.); 5) remove reference to truck docks and loading areas from Section 5.1.e.

Mr. Jones said the Planning and Zoning Commission recommended approval as presented by staff.

Deputy Mayor Pro Tem Giessner asked if this would require an SUP for LI or other commercial. Mr. Jones said it applies to Transfer Terminals and tightens up the

definition for Transfer Terminals and they are allowed by right in LI. Council Member Humphreys noted that the requirements are upgrading facades then covering with landscaping. He said there was nothing said about trucks driving on old streets. Steve Norwood, Planning Director, said this amendment is focused on zoning and building standards. Streets would be addressed when they come in with a site plan. Mayor Pro Tem Copeland said there had been some discussion on landscape requirements going from 4 to 15%, but he asked if the 8' evergreen and landscape island minimum size was included in that requirement. Mr. Jones said these are all part of the landscaping but what is not included is the one tree for every 5 docks.

Council Member Swafford suggested a credit for saving 25 or more existing trees or specifying a percentage of trees on the property rather than a specific number. Mr. Jones said staff could look at it as saving a certain number or a percentage. Mr. Swafford said each site is different and the number of trees is different.

Tony Shotwell, 309 NE 31st, said this amendment was a good forward step and agreed with the percentage up to 25 trees would be good. He said requiring trees at loading docks was a good idea. Mr. Shotwell said speakers from the development side may say their normal plans do not comply with these new requirements. Grand Prairie is in an ideal location for industrial development. In some other cities, these same developers have built to these standards. He said Grand Prairie needs to keep moving forward.

Barry Barnes, 3409 High Prairie Road, said he has a company (Daylight) that has good business and has outgrown its current facility and they are looking to buy a larger facility between Roy Orr and Hard Rock for a terminal. They would like to move their corporate office from California and Grand Prairie looks like it would be a good home. Mr. Barnes said he read the proposed changes and Daylight will comply or exceed. He said his only concern is the requirement of an SUP in LI. He said if the intent of this ordinance is to discourage, they would like to know that.

Will Muninger, 3819 Maple, Dallas, said when buildings are started the developer does not know who will occupy the building. It appears that the SUP will go away in LI or HI, but will be required in an Overlay for a Freight Transfer Terminal. He said he was okay with increasing the standards but he thought these standards go too far and they make development unfeasible in some area. He added there are also physical limitations including where loading docks are located (not facing public roads); 30% window coverage on street facing façade (would not look right); open space requirements (does not work with large developments); utility placement; and screening requirements (there is no reason to do a triple screen between adjacent properties).

Bob Rice, 3030 LBJ Frwy, Dallas, stated he agreed with Mr. Muninger. He said the pond requirement is concerning and there is an issue with maintaining the water in the pond. Mr. Rice said the glass requirement is a security issue for tenants. Council Member Swafford said there are specific design requirements such as the pond and glass. He asked Mr. Rice if an SUP would not be a positive thing for him to change things from the standard ordinance. There is a clause in the ordinance to use an SUP when it is reasonable to do so. Mr. Rice said he would come and ask for some variances. Mr. Jones said there is a variance process in the ordinance. Mr. Rice said the land that is left to develop in Grand Prairie is difficult because of floodplain and other issues. Mayor Pro Tem Copeland asked Mr. Rice about the windows and the security issues. He said he thought the curtain wall makes the building very attractive. Mr. Rice said in a current building he is putting glass on the corners. Mayor Pro Tem Copeland asked Mr. Muninger about his open space issues with regard to water

features and benches. Mr. Jones said the feature requirements are based on the size of the building and it requires only one water feature per development. Mayor Pro Tem Copeland said he applauded Mr. Jones for writing this ordinance. Mr. Norwood said this is the same as changes in requirements for Multi-family and Single-Family and there are always unintended consequences and staff would always go back and rectify any of these. Mr. Jones pointed out it was not necessary to have a pond, a fountain or waterfall feature could be used instead.

Mayor Jensen stated the city wanted better standards but we also understand that property owners have rights.

Steve Koldyke, 2100 McKinney Avenue, Suite 700, Dallas, stated he was a liaison with developers and tenants, and usually they develop over what the city requires. He said there was an issue with dock doors because sometimes the employees need to see the dock doors. Steve Norwood, Planning Director, said he had met with an industrial developer with 300,000 sq. ft. where all the docks would be in the rear of the building. Mayor Jensen said developers could come in and ask for a variance. Mr. Koldyke said if a building sits vacant for six months, it would require an SUP. Mr. Jones said staff is recommending that only if a building is outside the Overlay or within 300' of residences. It would apply to new Freight Transfer Facilities within the Overlay or 300' of residences. He said that is already in the ordinance. Mayor Jensen said if it did not require an SUP two years ago a vacancy would not trigger it now. Mr. Jones said that would depend on the use (warehouse or fulfillment center) or a major expansion and that is in the current requirements. Mayor Jensen clarified that there is some confusion with the current ordinance and the ordinance that the Planning and Zoning Commission reviewed last night and the amendments that have been made.

Ahmad Khammash, 2411 Garden Park Court, Arlington, said he owned a small parcel on Great Southwest Parkway. He said the staff presentation today was different than what was presented to the Planning and Zoning Commission at last night's meeting.. This ordinance appears to be more stringent than other cities they looked at. Mr. Khammash noted that the Freese & Nichols study has not been completed. He said there seemed to be contradictions about what is being considered. He said a developer walked away from the deal on his property because of these proposed standards which seem to be prohibitive to development. He asked Council to carefully consider the impact of these standards.

The following submitted speaker cards in opposition to this item but did not wish to speak: Jacob Milligan, 2021 McKinney Blvd, Dallas; Brian Gilchrist, 2100 McKinney Avenue, Dallas; and Michael Flowers, 2021 McKinney Avenue, Dallas.

Mayor Jensen said he could approve what the Planning and Zoning Commission recommended but he had an issue with the SUP requirement and the landscaping requirement increasing from 4% to 15% when only 10% is required for office zoning. He said the wording in the ordinance may need to be tweaked to clarify certain requirements.

Mayor Pro Tem Copeland asked if developers and staff tweak the amendment, how does that ensure the changes would be made. Mayor Jensen said we give them our word and trust the staff and Council. They can come in with a variance request. Deputy Mayor Pro Tem Giessner said he did not have a problem with asking for additional SUP's, and he supported property owners' rights but we have desirable locations. He said he would like to see better developments in Grand Prairie. Mr. Giessner said he had no issue with passing it the way the Planning and Zoning Commission recommended the ordinance. He said there is not much land left and we

should not let these requirements slip through. Mayor Jensen said we do not require an SUP for multi-family and that is what is being done with these requirements. He stated that Council could vote down an SUP for no reason.

Mayor Jensen moved, seconded by Council Member Del Bosque, to close the public hearing and approve TA180718 as presented by staff with the following amendments:

- 1) the required base landscaping be reduced from 15% to 10%**
- 2) an SUP be required for "Freight Transfer Terminal" only when such developments occur within a corridor overlay or within 300' of a property zoned residential and that all other warehouse, distribution, and manufacturing uses listed in section 1 of the ordinance that are currently allowed by right continue to be allowed by right. The motion carried unanimously.**

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

Enactment No: ORD 10590-2019

Citizen Comments

There were no speakers under Citizen Comments.

Adjournment

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

The foregoing minutes were approved at the February 19, 2019 meeting.

Catherine E. DiMaggio, City Secretary