



# City of Grand Prairie

City Hall  
317 College Street  
Grand Prairie, Texas

## Minutes - Final City Council

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Tuesday, February 18, 2014

4:30 PM

City Hall - Briefing Room  
317 College Street

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### Call to Order

**Mayor Pro Tem Giessner called the meeting to order at 4:30 p.m.**

**Present** 8 - Mayor Pro Tem Greg Giessner  
Deputy Mayor Pro Tem Richard Fregoe  
Council Member Jorja Clemson  
Council Member Jeff Copeland  
Council Member Tony Shotwell  
Council Member Jim Swafford  
Council Member Lila Thorn  
Council Member Jeff Wooldridge

**Absent** 1 - Mayor Ron Jensen

### Staff Presentations

- 1** Parks and Recreation Year End Report - Presented by Rick Herold, Parks and Recreation Director

*This item was postponed to the March 4, 2014 meeting.*

#### Postpone

- 2** Library Remodel - Presented by Amy Sprinkles, Marketing/Library Director

*Amy Sprinkles, Marketing/Library Director, stated that there is currently \$570,000 budgeted for upgrades at the Main Library. An item will be placed on the March 4 agenda to use \$500,000 of those funds. Ms. Sprinkles introduced Library Managers Lenore St. John and Jennifer Walker. Ms. St. John said that in 2007 the north side of the library was updated and in the 2013-14 CIP there is a budget of \$570,000 for carpet, ceiling and lighting. Ms. Walker said that staff work areas and offices have not been updated with the exception of carpet since 1999. The current furniture is not ergonomic and was built for typewriters rather than computers. The staff area remodel is not to exceed \$220,000 including \$94,000 for the remodel; \$110,000 for furniture; and \$11,000 to replace shelving to carts. This leaves \$100,000 unallocated and staff would like that to be appropriated in the amount of \$35,000 to hire Komatsu to design the next phase of the public area renovation. Ms. Sprinkles distributed photos of the staff work areas.*

*Council Member Copeland asked about a breakdown on the remodel. Ms. Sprinkles said that \$94,000 was for the remodel. The furniture is estimated at \$110,000 and includes a small contingency. In addition, the carpet will be replaced, vinyl wall covering will be removed and walls painted, and lighting will be updated. Mr. Hart said the goal is to take the library to a new level.*

Mayor Pro Tem Giessner commented that San Antonio went to an e-library. Council Member Shotwell asked for copy of the breakdown for the remodel. Council Member Swafford stated he and his wife were recently in the library and watched the operation and it seemed very antiquated. Ms. Sprinkles stated that a portion of next year's CIP request is for a self-check system where books are inventoried as they are checked out. Council Member Shotwell said he was in the library a few weeks ago and even though the equipment and setup could be better, the staff interaction with people is fabulous.

#### **Presented**

### **Agenda Review**

Deputy Mayor Pro Tem Fregoe asked for any questions or comments on the Consent Agenda. Council Member Wooldridge referred to Item 10 (emergency asbestos abatement) and asked if this was the cap on the asbestos abatement. Mr. Postell replied that this contract was done on an emergency basis to get the abatement started.

Mr. Hart asked Council if they had questions regarding modifications to the language on the ordinance calling the special election. Council Member Shotwell said he originally had a concern with the proposed ballot language being open-ended and asked if there could be a time-constraint and a specific dollar number and he had worked with bond counsel and staff to include these caps. Mr. Hart said when he made the presentation to Council two weeks ago he thought \$65,000,000 was appropriate for phase one based on some assumptions at this time, but rates could go up or down before the bonds are issued. He said the city could possibly cash flow any other additions. He said that wording had been added to the ballot language stating that the sales tax would continue until January 1, 2040, unless earlier terminated, and may be used to fund not more than \$75,000,000 principal amount of bonds to fund additions and improvements to Central Park. This means the sales tax will go away then and also that bonds will be capped at \$75 million, but we may not issue \$75,000,000 at one time. For instance, in 2015 we might issue \$60,000,000 and five years later we could issue a 20-year bond for \$15,000,000. In the proposed ballot language, there are two caps: one on time and one on the dollar amount. Mr. Hart said a master plan will be developed but it may end up that we may not be able to afford all the components at one time. He said we would need a cost estimate on the master plan and operational side costs. A firm has been retained to do a feasibility analysis on the water side (not on the recreation side). The reason for this is that we need this data before the architect starts on the master plan. The study may say there are some optimal sizes on the aquatic side and we need those numbers. Mr. Hart said staff has researched large centers around the Metroplex and found that the more we use for operating, the less there will be for future expansion so we must do as much cost recovery as we can. He said the Council may have some concerns about rates and may prefer more subsidy rather than high rates. Other centers in the Metroplex range from no subsidy to what Plano does at \$800,000. Mr. Hart said Frisco's rates net them \$250,000 but Frisco has different demographics than Grand Prairie. Council Member Clemson asked what percentage of total expense was the \$800,000 subsidy. Mr. Hart said their cost is \$2.2 million and the revenue is \$1.4 million. He said he would have some reliable numbers before Phase I begins.

Council Member Swafford said he was comfortable with the proposed ballot language changes. He said once we have a concept plan and master plan the project can be divided into phases, then we can get into hard numbers for operation and subsidy. The current 1/8 cent sales tax at the Summit and the Ballpark will come out with \$2

million or so. As we get into debt on the Epic, we may sell \$70 million, or we may not sell all the bonds at once because we would not build it all at one time. Mr. Swafford said operating costs will be a major component in this project. In every bond issue the first year you only pay interest. He said there would be \$3 million in the bank before the first phase is begun. Mayor Pro Tem Giessner asked Mr. Swafford if he was comfortable with the re-wording of the ballot language. Mr. Swafford replied that he was. Council Member Shotwell clarified at the end of the 1/8 sales tax that is currently being collected, the excess \$2 million will be going to the Ballpark and Summit. Mr. Hart said the Ballpark will have a balance of \$3,000,000 and the Summit about \$300,000 and it has to be kept in those two venues. Council Member Shotwell said he was concerned about the cost and timeframe and the voters should have that information. He said he did not want the ¼ cent sales tax to be tied up for an extended period of time for one project. Mr. Hart said one of the ramifications of these caps is that we have tied future councils' hands because the sales tax goes away in 25 years and they will have to find a new revenue source for operation. However, the park venue ¼ cent is 13 years from paying off so there would be some capacity at that time. Also, by putting a time limit on the sales tax, if we wanted to refinance that out for 20 years, we cannot do that.

Council Member Copeland asked what would happen if voters pass the proposition and we get into planning and decide we are going to build a \$50 million facility which will require a \$2 million subsidy, but Council does not want to do that. Council Member Swafford said we would have to look at scaling the project back to scale operating costs back. There are two sides to the revenue stream--the fee side and the supplemental side from the sales tax. The project could be put on the shelf for two years. Mr. Hart said he would not bring that to Council because the city could not afford a large subsidy. Council Member Shotwell pointed out that just because we have this vote does not mean we have to do it. Mr. Postell said that was correct, but once bonds are issued that would be different. Council Member Copeland said there are many options to start working the numbers, and there should not be decisive information that causes us to cease the project. Mr. Hart said the information he is looking for is there might be something on the aquatic side that could be included that would add revenue and drop operational costs. Council Member Shotwell said there is a Central Park Master Plan and asked if that would be redone. Mr. Hart said there is a Central Park Master Plan and it would need to be revised some, but all of this was in the master plan. Council Member Shotwell said that since the telephone survey was done, he has had phone calls that say they do not want kids put in front of the Summit but I told them it would be on the other side of the lake. Ms. Sprinkles said there was a 69% approval after education on the phone survey.

Council Member Copeland asked why Item No. 23 (Zoning Case Z140201 Grand Prairie Apartments) was being tabled. Mayor Pro Tem Giessner said Mayor Jensen had spoken with the applicant and they wanted a full council to consider it (NOTE: Mayor Jensen was absent at this meeting). Council Member Wooldridge noted that in Item 18 (Case S131001A Dairy Queen sign variance) the Development Review Committee and staff recommended denial but the Planning and Zoning Commission approved the case.

Mayor Pro Tem Giessner complimented Deputy Mayor Pro Tem Fregoe on the Unity Coalition dinner and thanked him for his hard work to build up this event over the past ten years. Council Member Shotwell stated that the First Baptist Church had given the keys to their former church on Main Street to the Uplift School today.

## Executive Session

Mayor Pro Tem Giessner convened an executive session at 5:18 p.m. pursuant to Chapter 551, Subchapter D of the Government Code, V.T.C.A., to discuss Section 551.076 "Deliberations Regarding Security Devices or Security Audits". The executive session was adjourned at 5:42 p.m.

### Recess Meeting

Mayor Pro Tem Giessner recessed the meeting at 5:42 p.m.

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### 6:30 PM Council Chambers

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Mayor Pro Tem Giessner reconvened the meeting at 6:30 p.m.

Rev. Leonardo Haro, Associate Pastor, First United Methodist Church, gave the invocation. The Pledge of Allegiance to US Flag and to the Texas Flag was led by Council Member Tony Shotwell

### Consent Agenda

Deputy Mayor Pro Tem Fregoe moved, seconded by Council Member Clemson, to approve Item 3 through Item 10 on the Consent Agenda. The motion carried unanimously.

- 3** Ordinance adopting the Housing Choice Voucher (Section 8) Funds 3001, 3002, and 3004 operating budgets for (calendar year) CY 2014
- Adopted**
- Enactment No: ORD 9665-2014
- 4** Resolution supporting the eighteenth-year continuation of the Police Department's Victim Assistance Program grant in the amount of \$80,000
- Adopted**
- Enactment No: RES 4676-2014
- 5** Ordinance amending the FY 2013/2014 Capital Improvement Projects Budget for the purchase of Mobile Laptop Units and Dispatch Equipment for Patrol and Fire Response from ARC and Dell Computers for a total of \$296,466.31
- Adopted**
- Enactment No: ORD 9666-2014
- 6** Construction contract with Mart Inc. for Oasis Lift Station Improvements, in the amount of \$46,850, plus a contingency amount of \$2,342.50, for a total project cost of \$49,192.50

**Approved on the Consent Agenda**

- 7 Purchase of 45 P25 APX 6000 Motorola Radios (Urban Shield Demo Radios) and related equipment/parts from Motorola Solutions, in the amount of \$148,432.50, through an inter-local agreement with Houston-Galveston Area Council (HGAC)

**Approved on the Consent Agenda**

- 8 Construction contract with Humphrey & Morton Construction Company, Inc. for Cedar Creek and Prairie Creek Miscellaneous Erosion Project in the total amount of \$943,558.80; material testing with Team Consultants, Inc. in the amount of \$20,638; in-house engineering in the amount of \$47,177.94; and 5% construction contract contingency in the amount of \$47,177.94; for a total project cost of \$1,058,552.68

**Approved on the Consent Agenda**

- 9 Minutes of the February 4, 2014 Council Meeting

**Approved on the Consent Agenda**

- 10 Ratify the \$61,508 contract with One Priority for emergency asbestos abatement of 326 W. Main Street

**Approved on the Consent Agenda**

### **Public Hearing Consent Agenda**

**Deputy Mayor Pro Tem Fregoe moved, seconded by Council Member Swafford, to close the public hearings and act on Public Hearing Consent Agenda Items 11 through 16 as recommended by the Planning and Zoning Commission. The motion carried unanimously.**

- 11 SU140201/S140201 - Specific Use Permit/Site Plan - 4412 E Jefferson St (City Council District 5). Approval of a Specific Use Permit and Site Plan for an Auto Salvage facility on 4.215 acres. The property, zoned Heavy Industrial (HI) and within the Central Business District No. 4, is located north of East Jefferson Street and east of Woodland Drive. The agent is Adel Zantout, JEA HydroTech Engineering, Inc. and the owner is Michael Miller. (On February 3, 2014, the Planning and Zoning Commission tabled this case by a vote of 8 to 0 until the applicant reactivates the case.)

**Tabled**

- 12 SU140204/S140207 - Specific Use Permit/Site Plan - 1215 E Main St (City Council District 5). Approval of a Specific Use Permit and Site Plan for a auto repair business primarily engaged in minor auto repair, including: tire sales, tire repair, oil changing, and inspections on a 0.806 acres. The property, zoned Commercial (C) and within Central Business District No. 3, is located

north of E. Pacific Avenue and west of N.E. 14th Street. The owner is Jose Garcia. (On February 3, 2014, the Planning and Zoning Commission tabled this case by a vote of 8 to 0 until the applicant reactivates the case.)

**Tabled**

- 13** Z140202 - Zoning Change - 1001 Shady Grove Road (City Council District 1). Approval of a Zone Change from Planned Development 221 (PD-221) to Planned Development for a truck stop. The property, zoned PD-221 and within the S.H. 161 Overlay District, is located north of Trinity Boulevard and east of State Highway 161. The agent is Tim Attlee, BMG Commercial and the owner is Tom Stanton, Bernard & Audre Rapoport Foundation. (On February 3, 2014, the Planning and Zoning Commission tabled this case by a vote of 8 to 0 until the applicant reactivates the case.)

**Tabled**

- 14** SU140205 - Specific Use Permit - 3402 S Gilbert Rd - Environmental Cleanup (City Council District 1). Approval of a Specific Use Permit for an environmental cleanup company on 3.37 acres. The property, zoned Light Industrial (LI), is located east of S. Gilbert Road and north of E. Shady Grove Road. The agent is Jeremmy McEntire, ES&H of Dallas, LLC, the applicant is Lawrence Boucvalt, ES&H of Dallas, LLC, and the owner is Lawrence Boucvalt. (On February 3, 2014, the Planning and Zoning Commission recommended approval of this request by a vote of 8-0.)

**Adopted**

Enactment No: ORD 9667-2014

- 15** CPA140101 - Comprehensive Plan Amendment - Comprehensive Plan Annual Update. Approval of 2010 Comprehensive Plan amendments for the City of Grand Prairie. 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. Development must be reviewed with consideration to the goals, objectives, policies and strategies of the Comprehensive Plan. The owner/applicant is The City of Grand Prairie Planning Department. (On February 3, 2014, the Planning and Zoning Commission recommended approval of this request by a vote of 8-0.)

**Adopted**

Enactment No: ORD 9668-2014

- 16** SU140202/S140205 - Specific Use Permit/Site Plan - The Olive Branch Express (City Council District 6). Approval of a Specific Use Permit and Site Plan to add a drive-through to the Olive Branch Express Restaurant. The property, zoned PD-267 and within the State Highway 360 Overlay District, is located east of State Highway 360 and south of West Camp Wisdom Road.

The agent is Norman Patten, the applicant is Kathryn Avant, and the owner is Douglas Schooly, Kimco Lake Prairie Town Crossing LP. (On February 3, 2014, the Planning and Zoning Commission recommended approval of this request by a vote of 8-0.)

**Adopted**

Enactment No: ORD 9669-2014

## Public Hearing on Zoning Applications

17

SU140101 - Specific Use Permit - Acker Transportation (City Council District 1). Approval of a Specific Use Permit for Truck Equipment Sales and Service with Outside Storage on 2.696 acres. The subject property is zoned Light Industrial (LI) District and located west of N. Belt Line Road on the north side of E. Oakdale Road. The agent is Michael Stanley, EmJay Consultant Group, the applicant is Randy Acker, Acker Enterprises, LLC, and the owner is Stephen Acker, Acker Investments. (On February 3, 2014, the Planning and Zoning Commission recommended denial of this request by a vote of 7-1.) This case is being appealed per Article 1 Section 1.11.5.9 of the Unified Development Code. The applicant has requested this case be tabled to the March 18, 2014.

**Deputy Mayor Pro Tem Fregoe moved, seconded by Council Member Thorn to Table Item 17, Case SU140101 until March 4, 2014. The motion carried unanimously.**

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

18

S131001A - Site Plan Amendment - 2640 W Interstate 20 - Dairy Queen (City Council District 4). Approval of a Site Plan Amendment to add a digital sign to a previously approved Dairy Queen pole sign on 1.29 acres. The property, zoned PD -32 and within the I-20 Overlay District, is located north of Interstate Highway 20 and west of Great Southwest Parkway. The agent is Jim Dewey, JDJR Engineers & Consultants, Inc. and the owner is James Shindler II, Grand Prairie DQ, LLC. (On February 3, 2014, the Planning and Zoning Commission recommended approval of this request by a vote of 6-2.)

*Jim Hinderaker, Chief City Planner, stated this case was for an amendment to the Dairy Queen site plan to add a digital sign to a previously approved pole sign. He said Dairy Queen has requested a 4'6" x 7'3" digital sign in lieu of the the reader board. Mr. Hinderaker stated that the I-20 Corridor Overlay District does not allow this. He said it was staff's recommendation to deny this request, but the Planning and Zoning Commission recommended approval.*

*Deputy Mayor Pro Tem Fregoe asked what staff's main objection was to the digital sign. Mr. Hinderaker said aesthetics was the main objection, but also it was to limit the proliferation of pole signs and the I-20 Corridor Overlay District does not allow pole signs, but it does allow digital on monument signs. He said Dairy Queen could*

have had a digital monument sign. Jim Dewey, 2225 Cedar Elm Terrace, Westlake, TX, representing the applicant, showed an example of the sign. He said it was a critical aspect of advertising along this corridor and the monument sign is ineffective at this location because it is too low. Council Member Copeland asked what types of messages would be shown on the sign. Mr. Dewey said it would advertise daily specials. Mr. Copeland commented that this would be different from advertising the price of fuel. Council Member Shotwell asked if the operator intended the sign for his use only or would he be leasing it out. Mr. Dewey said it was for the operator's use only.

Council Member Copeland asked if this opens up this option for the McDonald's to ask for a digital sign and if this sets a precedent. Mr. Crolley replied that it would.

**Deputy Mayor Pro Tem Fregoe moved, seconded by Council Member Wooldridge, to close the public hearing and deny Case S131001A. The motion carried.**

**Ayes:** 7 - Mayor Pro Tem Greg Giessner; Deputy Mayor Pro Tem Richard Fregoe; Council Member Jorja Clemson; Council Member Jeff Copeland; Council Member Tony Shotwell; Council Member Lila Thorn and Council Member Jeff Wooldridge

**Nays:** 1 - Council Member Jim Swafford

19

S140202 - Site Plan - Seventh Day Adventist (City Council District 6). Approval of a Site Plan for a religious facility located on 6.237 acres. The property, zoned SF-1 and within the Lake Ridge Parkway Overlay District, is located south of W. Interstate Highway 20 and east of Lake Ridge Parkway. The agent is Mark Hickman, Hickman Consulting Engineers, the applicant is Danail Tchakarov, and the owner is Roger Mekelberg, TX Conf. Association of SDA. (On February 3, 2014, the Planning and Zoning Commission recommended approval of this request by a vote of 8-0.)

*Mr. Hinderaker reviewed Case S140202, a site plan for a new sanctuary for the Seventh Day Adventist Church which is located in the Lake Ridge Overlay District. He said the entire application meets UDC and Overlay District requirements with one exception. The UDC requires religious institutions to erect a "Type 2" fence (wrought iron with masonry columns) along all property lines adjacent to any property which is zoned for single-family detached, single family attached or two-family residential uses. The subject property abuts SF-1 zoning along its northeast border. The applicant has asked not to be required to build a fence. Mr. Hinderaker showed the type of fence that would be required.*

*Mark Hickman, 3094 CR 1094, Farmersville, TX, the applicant, stated he was in support of this case and was present to answer questions. He said they had tried to maintain as many trees as possible.*

**Council Member Wooldridge moved, seconded by Council Member Copeland, to close the public hearing and adopt Case S140202. The motion carried unanimously.**

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

20

SU140207/S140204 - Specific Use Permit/Site Plan - First Baptist Church of

Grand Prairie - 3220 Robinson Road (City Council District 2). Approve a Specific Use Permit and Site Plan to allow construction and operation of a religious institution with a child care center. The 29.36-acre property, located at 3220 Mayfield Rd., is zoned Planned Development 91 (PD-91) for Multi-Family and General Retail uses and is within the Interstate Highway 20 (I-20) and State Highway 161 (HWY 161) Corridor Overlay Districts. The applicant is Brandon O'Donald, Bannister Engineering and the owner is Bill Skaar, First Baptist Church. (On February 3, 2014, the Planning and Zoning Commission recommended approval of this request by a vote of 8-0.)

*Mr. Hinderaker reviewed Case SU140207/S140204 for a new sanctuary for the First Baptist Church at 3220 Robinson Road. He said the church owns all 29 acres but this case is for the first phase only. The sanctuary will be a 44,000 sq. ft. single story building with 196 parking spaces. There is a 30' landscape buffer. The elevations meet requirements with the exceptions of: additional building height to maximum of 40'; waive the requirement for covered walkways on primary façade; waive roof profile requirement for curvilinear, domed, or arched roof formations; waive requirement for 25% of structure to include stone. He said staff recommended approval subject to the conditions in the Planning and Zoning Commission recommendation for appeals.*

*Council Member Copeland said that 196 parking spaces seemed like a lot. Mr. Hinderaker said the parking spaces are based on a seating capacity of 500.*

*Mayor Pro Tem Giessner read the names of those who submitted speaker cards in support of this case: Fred and Pat Young, 4138 Robinson Road; and Bill Skaar, 613 Queens Way.*

**Council Member Swafford moved, seconded by Council Member Clemson, to approve Case SU140207/S140204 as recommended by staff with appeals. The motion carried unanimously.**

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

Enactment No: ORD 9670-2014

21

SU140203 - Specific Use Permit/Concept Plan - Stripe-A-Zone (City Council District 1). Approval of a Specific Use Permit and Concept Plan for the expansion of an existing Contractor Shop with Heavy Equipment, Outside Storage, and a low production Concrete Batch Plant on 7.38 acres. The subject property, zoned Commercial Office (CO) and within Central Business District No. 1, is located south of Jefferson Avenue and west of Cox Drive. The owner/applicant is David Sargent, Stripe-A-Zone. (On February 3, 2014, the Planning and Zoning Commission recommended approval of this request by a vote of 7-1.)

*Mr. Hinderaker reviewed Case SU140203 and pointed out there is some property that is part of site plan but is not part of this review because it is in the City of Arlington. He said this site is in the Central Business District and is an existing legal non-conforming use. He said commercial office zoning does not allow this type of use, but the applicant wants to expand to stay in Grand Prairie. He said the applicant will have to come back with a finalized site plan and replatting into a single lot. Mr.*

*Hinderaker showed pictures of the existing facility that has a lot of outside storage and industrial uses. The applicant is seeking to expand existing uses including a 12,000 sq. ft. storage building with 10 bays; an 18,000 sq. ft. sign manufacturing facility; a 3,200 sq. ft. retail sales building of striping supplies; 3,600 sq. ft. to rebuild shop; and a 24-month concrete paving phasing plan. The applicant is seeking to abandon Hines and replat. There will be a secondary access off of E. Abram. He said the SUP/Concept plan meets all UDC standards except the screening fence and setback on Cox Road. The applicant is asking for an existing wrought iron fence rather than the required wood fence for outside storage and they want to extend it along the entire length of Cox Drive to the south side of Abram with a screening component to the wrought iron and staff agrees. A masonry wall is required between the main facility and the apartments that are in Grand Prairie but the applicant is asking for relief on the west end for retail components to have the wrought iron with mesh. Staff wanted a berm on the Abram Street side but the applicant has a concern that it eats up a lot of space and they are asking to put a masonry wall on Abram which requires a 25' setback. This must be gated 100' back from the street where large trucks enter. Mr. Hinderaker said the applicant will come back with a detailed site plan.*

*Mr. Hinderaker said the main thing is to consider approval of a use for a contractor shop and outside storage in the Commercial Office and Central Business District One. One other appeal is that their existing property line and structure on Cox is 12' from the property line and the applicant is asking to continue this setback on Cox (the front setback requirement is 25'). Staff had some concern that this would be an impact on that stretch of roadway. There is a 24-month concrete paving plan in place.*

*Adam Ross, 1756 Sunset Ridge Drive; Susie Sargent, 3101 Shadow Drive, Arlington; David Sargent Sr., 3101 Shadow Drive, Arlington; Danny Wood, 2530 Huntwick submitted speaker cards in support of this item. David Sargent, 2714, was present to answer questions if needed.*

*Council Member Swafford asked if staff supported closing Hines Street. Mr. Hinderaker stated that staff is supporting that but it would require council approval at a later time, and the applicant would not ask for the closing if this case did not get approved.*

**Council Member Clemson moved, seconded by Council Member Swafford, to close the public hearing and adopt Case SU140203 as presented with appeals. The motion carried unanimously.**

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

Enactment No: ORD 9671-2014

22

SU140206/S140206 - Specific Use Permit/Site Plan - 900 S. Carrier Pkwy. - Golden Chick (City Council District 2). Approval of a Specific Use Permit and Site Plan for a drive-through restaurant on 0.899 acres. The property, zoned PD-12 and within the State Highway 161 Overlay District, is located north of Desco Lane and west of South Carrier Parkway. The applicant is Chase Debaun, AeroFirma Corp. and the owner is Rodney Debaun, Nicklas Foundation. (On February 3, 2014, the Planning and Zoning Commission recommended approval of this request by a vote of 7-1.)

*Mr. Hinderaker said the specific use permit is required for a restaurant with a drive-thru. He said this is located in the SH161 Overlay District and complies with the UDC and Overlay requirements except for the requirement for glazing across 50% of all primary facades. He said staff was comfortable with that exception. He said the applicant requested an appeal for a pole sign initially, but the Planning and Zoning Commission recommended against the pole sign and asked staff to establish a monument sign. The maximum height of a monument sign is 8 ft. and the applicant asked staff to let them increase the height of the sign from 8 ft. to 12 ft. The proposed use of stucco on the sign does not meet requirements but the applicant has agreed to use brick as on the building.*

*Rodney DeBaun, 516 Estate Drive, was present to answer questions and thanked staff. He said the company would be making donations to Hearts and Hoses and will do a company-wide organ donation campaign.*

*Council Member Swafford asked Mr. DeBaun what he would do with the south part of property and if anything else was going in there between the building and Desco. Mr. DeBaun said there was nothing planned at this time.*

**Council Member Swafford moved, seconded by Council Member Thorn, to close the public hearing and approve Case SU140206/S140206 with staff recommendations to include the revised sign outlined by staff. The motion carried unanimously.**

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

Enactment No: ORD 9672-2014

**23**

Z140201 - Zoning Change - Grand Prairie Apartments (City Council District 4). Approval of a Zone Change from Planned Development 37 (PD-37) to Planned Development District for multi-family uses. The property, zoned PD-37 and within the S.H. 360 Overlay District, is located north of Outlet Parkway and east of State Highway 360. The applicant is David West, Ventures Development Group and the owner is George Watson, Twenty Three Sixty, LTD. (On February 3, 2014, the Planning and Zoning Commission recommended approval of this request by a vote of 5-3.)

*Council Member Shotwell asked staff to notify those who had submitted speaker cards to speak on this case and to those who had completed cards to speak at the February 3, 2014 Planning and Zoning Meeting to let them know that the case was tabled and would be heard at the March 4, 2014 Council Meeting.*

*Mario Lopez, 2947 Paladin Drive, submitted a speaker card in support of this item.*

*Tom Hoffman, 3622 Colosseum Way; Cecile Holt, 3456 Daisy Lane; and Jason and Alexandra Lynch, 3514 Daisy Lane, submitted a speaker card to speak in opposition of this item.*

*The following submitted cards in opposition to this item, but did not wish to speak: Carl Allen, 3411 Daisy Lane; Billy Bell, 3484 Daisy Lane; Stephanie Bell, 3484 Daisy Lane; Donna Brown, 3160 Atrium Drive; Jerry and Georgia Burgess, 3419 Paladium Drive; Leroy Champion, 3502 Daisy Lane; Gordon Holt, 3456 Daisy Lane; Donnell Ivy, 3036 Lotus Court; Carlos Leggett, 3480 Daisy Lane; Annette Leggett, 3480 Daisy*

*Lane; Joseph Love, 3463 Daisy Lane; and Robert Pate, 3518 Daisy Lane*

**Deputy Mayor Pro Tem Fregoe moved, seconded by Council Member Thorn to Table Item 23, Case Z140201 until March 4, 2014. The motion carried unanimously.**

### Items for Individual Consideration

24

Public Hearing and Ordinance - Street Name Change Case Number SNC140101: W. North Carrier Parkway (City Council District 1) - Street Name Change for the purpose of changing W. North Carrier Parkway to W. Carrier Parkway. The public street runs in an east-west direction and extends from N. Highway 360 to Roy Orr Boulevard.

*Bill Crolley, Planning Director, said staff worked with the Police and Fire Department to make this street name change because of confusion on the north side of the city. He said that the post office will deliver any mail coming to the former address and notices will be sent to all property owners notifying of the street name change.*

*Council Member Wooldridge asked how many people were notified of this hearing. Mr. Crolley said approximately 60 notifications were sent and only one person showed up at the public meeting that was held. There were no speaker cards submitted on this item.*

**Council Member Clemson moved, seconded by Deputy Mayor Pro Tem Fregoe, to close the public hearing and adopt Case SNC140101 as presented. The motion carried unanimously.**

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

Enactment No: ORD 9673-2014

25

Ordinance calling the May 10, 2014 General Election

*Council Member Giessner stated that this item was to call the General Election for May 10, 2014 to elect Council Members for District One, District Three, and Place 7 at large for three-year terms.*

**Council Member Shotwell moved, seconded by Deputy Mayor Pro Tem Fregoe, to adopt an ordinance calling the May 10, 2014 General Election. The motion carried unanimously.**

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

Enactment No: ORD 9674-2014

26

Resolution providing for the planning, acquisition, establishment, development, construction, operation and maintenance of a venue project at Central Park subject to approval at an election to be held May 10, 2014

*Tom Hart, City Manager, said that the master plan for the Central Park project has*

contained a companion project to the Summit. The new facility will be a recreational and lifestyle center for all ages. He said the Summit and Ballpark bonds are paying off in the near future because we have been able to pay off the bonds early. Mr. Hart said by calling this election we are taking a proposition to the voters that would take the two 1/8 cent sales tax at their stopping point and approve a new 1/4 cent sales tax that would start October 1, 2015 to build, equip, and operate this facility and some amenities around Central Park. He said some elements are still being worked on and staff has received many ideas from citizens. Many cities have built the mega facilities but Grand Prairie does not have one of these. Mr. Hart said some of the components being considered are an Indoor and outdoor aquatic facility; track, weights; spa; classrooms for aerobics; indoor things for kids; library component; music; videography; sound studio; and stage to name a few. Mr. Hart said that Rick Herold, Parks and Recreation Director, thinks there is a way to partner with Dubiski High School students with the culinary component, garden/landscaping, and also youth programs such as boxing. On May 10 voters will decide whether to approve a 1/4 cent sales tax for this project that would begin on October 1, 2015 at the termination of the two 1/8 cent sales taxes. He said that there will be two parameters included in the ballot language: 1) not to issue any more than \$75 million in bonds; and 2) the sales tax has to terminate at the end of 25 years. Some of the operational costs will be subsidized from this sales tax and some would come from fees. He added that most of these types of facilities are subsidized in many cities. The revenue from the sales tax would stop in 25 years or earlier if terminated. Some of the park bonds already sold will be paying off in around 13 years and this will free up funds for future Councils to operate the facility.

Council Member Clemson clarified that this is not a tax increase, it is just a continuation. Mr. Hart said most cities have 2% sales tax that they use for various things. If this proposition is approved, this will keep Grand Prairie at the 2% level as we have been for many years. He said a significant portion of our sales tax comes from out-of-city visitors. Council Member Copeland stated in preparation for the election there was a telephone survey, and there was a 69% positive response to this project. Mayor Pro Tem Giessner said there was a 75% approval for the Summit election. He said this is an exciting project and was initially included in the Park Master Plan and the initial debt has been paid earlier and has freed the sales tax for these exciting projects. Council Member Swafford said as Chairman of the Finance and Government Committee, it has been a pleasure working with Mr. Hart for the past month or so planning this project and they had looked at numbers and they feel this project will work. There are things that still need to be done to ensure that we do this correctly and it will be done. He said this is an exciting project and it will set our city apart from others and he was pleased to support the project. Mayor Pro Tem Giessner thanked Mr. Swafford for his work on the Finance and Government Committee.

Council Member Shotwell asked Mr. Hart in the last year or so, how much revenue would 1/4 cent sales tax bring in annually. Mr. Hart said approximately \$6 million. Mr. Shotwell said that if the sales tax runs for 25 years at \$6 million a year that would be much more than \$75 million. He said the bonds could be paid off early and he projected the sales tax will increase each year and this will probably be paid off before 25 years. The 1/4 cent sales tax is a catalyst to get other projects done. He said he did not want to tie the sales tax up for too long a period of time, but needed enough time for it to be financially feasible.

**Council Member Thorn moved, seconded by Council Member Wooldridge, to adopt a resolution providing for the planning, acquisition, establishment, development, construction, operation and maintenance of a venue project at Central Park subject to approval at an election to be held May 10, 2014. The motion carried unanimously.**

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

Enactment No: RES 4677-2014

**27**

Ordinance calling the May 10, 2014 Special Election on the question of authorizing a venue project at Central Park

*Mr. Hart clarified that the \$75,000,000 cap contained in the ballot language is a cap on the amount of bonds that can be sold for the project, not a cap on the total project.*

**Council Member Swafford moved, seconded by Council Member Clemson, to adopt an ordinance calling the May 10, 2014 Special Election on the question of authorizing a venue project at Central Park. The motion carried unanimously.**

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

Enactment No: ORD 9675-2014

### **Citizen Comments**

*There were no citizen comments.*

### **Adjournment**

**Mayor Pro Tem Giessner adjourned the meeting at 7:55 p.m.**

*The foregoing minutes were approved at the March 4, 2014 meeting.*

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*Catherine E. DiMaggio, City Secretary*