



City of Grand Prairie

City Hall
300 W. Main Street
Grand Prairie, Texas

Minutes - Final

City Council

Tuesday, January 21, 2020

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 Greg Giessner
Deputy Mayor Pro Tem Jorja Clemson
Council Member Jeff Copeland
Council Member Mike Del Bosque
Council Member Cole Humphreys
Council Member John Lopez
Council Member Jim Swafford
Council Member Jeff Wooldridge

Staff Presentations

1 Prairie Lights 2019 Recap - Presented by Cheryl DeLeon, Parks, Arts and Recreation Director

Whitney Walters, Special Events Manager, gave an update on Prairie Lights. Ms. Walters stated that gait revenue was \$1.3 million; visitors came from 41 states and five countries. She added that Cyclin' with the Mayor had record attendance. Ms. Walters then went over media coverage.

Council Member Lopez commented on fee hikes this year and asked what drove this increase. Cheryl DeLeon, Parks, Arts and Recreation Supervisor, stated that cost to the city drives fees and that funds generated go back to the Parks Enterprise Fund. She said that \$45 is a price point that most people can afford. Mayor Jensen said it would be good if prices did not increase next year.

Deputy Mayor Pro Tem Clemson said it was not such a significant price increase since it included the shows and the walk-thru. Council Member Copeland praised staff for their great attitude day after day. He suggested the possibility of posting prices on mobile signs with the information that the price includes everything inside the park and accepting payment at the Fast Pass gate.

Presented

Agenda Review

Mayor Pro Tem Giessner asked if Council had any questions on the Consent Agenda. Deputy City Manager Steve Dye asked that Item 16 (Memorandum of Understanding with Bolder Adventure Park) be tabled. Mayor Jensen referred to Item 28 (Case SU181004A) asked if staff was okay with a 2:00 a.m. closing time. Deputy City

Manager Dye said staff had met with the owner and agreed that they could stay open later than midnight for special events. He said the later hours could set a precedent for billiard halls in the future and other entities. Bill Crolley, Deputy City Manager, said it is staff's recommendation to leave closing at midnight and the Planning and Zoning Commission approved closing at midnight.

Council Member Humphreys referred to Item 30 (SU191201) and stated he had met with the owner and there was a miscommunication at the Planning and Zoning Commission so they were not in attendance. Council Member Swafford suggested denying without prejudice. Council Member Copeland asked how the case got this far without the parking worked out. Mr. Crolley said staff could not recommend approval of this case and the Planning and Zoning Commission voted to deny it. The applicant chose to come forward with the case regardless of the Planning and Zoning Commission denial.

Mayor Jensen referred to Item 31 (S200101) and stated that Council could only deny a site plan for something that does not meet the zoning ordinance. Mayor Jensen asked if the gas station could sell liquor. David Jones, Chief City Planner, said they could sell beer and wine, but liquor is questionable.

Executive Session

Mayor Jensen convened a closed session at 5:00 p.m. pursuant to Chapter 551, Subchapter D of the Government Code, V.T.C.A., Section 551.072 "Deliberation Regarding Real Property," and Section 551.087 "Deliberations Regarding Economic Development Negotiations." Mayor Jensen adjourned the closed session at 5:26 p.m.

Recess Meeting

Mayor Jensen recessed the meeting at 5:26 p.m.

6:30 PM Council Chambers

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

The Invocation was given by Pastor Jordan Villanueva, Indian Hills Baptist Church. The Pledge of Allegiance to the US Flag and to the Texas Flag were led by Mayor Pro Tem Greg Giessner.

Presentations

Mayor Jensen recognized Gateway Church for their donation of \$100,000 for bullet proof vests for the Police Department.

Jewell, GFOA Representative

Ms. Jewell presented the GFOA award recognizing the city for going above and beyond the requirements of the Comprehensive Annual Financial Report. She stated this was the 33rd year the city had received this award.

Presented

3 Grand Prairie Complete Census Count Committee Proclamation

Council Member Lopez read a proclamation for the Complete Census Count Committee.

Presented

4 Recognition of Miss Grand Prairie Hispana Latina Jocelyn Carrasquillo

Mayor Jensen recognized Miss Grand Prairie Hispana Latina, Jocelyn Carrasquillo and presented her with a gift from the city.

Presented

Consent Agenda

Mayor Pro Tem Giessner moved, seconded by Council Member Del Bosque, to approve Items 5 through 15 on the Consent Agenda, table Item 16, and approve items 17 and 18. The motion carried unanimously.

5 January 7, 2020 Council Minutes

Approved on the Consent Agenda

6 Ratify and approve previous change orders to the price agreement with UBM Enterprise, Inc. for janitorial services in the cumulative amount of \$83,163.57, and authorize the City Manager to execute Change Order #6 to current and future renewal terms in the cumulative amount of \$161,769.19

Approved on the Consent Agenda

7 Ratify and approve the previous renewals to the city's Wellness Program Agreement with NS412, LLC DBA Naturally Slim in the cumulative amount of \$132,685; authorize the addition of four one-year renewal options in the estimated cumulative amount of \$66,340.00; and authorize the City Manager to execute those additional renewals 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 term(s)

Approved on the Consent Agenda

8 Ratify the contract for the Fire Department's Policy Manual Subscription agreement

with Lexipol, LLC, a sole source provider, in the cumulative amount of \$56,015 for an initial one-year term with successive one-year renewals beginning in May of 2015, and is requested to be ratified for its previous expenditures and authorized to be renewed for an additional one-year term in the annual amount of \$10,578 with the addition of four additional one-year renewal options, for a total not to exceed \$52,890 if all renewal options are exercised; and authorize the City Manager to execute any additional renewal options with aggregate price fluctuations of the lesser of up to \$50,000 or 25% of the original contract amount so long as sufficient funding is appropriated by the City Council to satisfy the City's obligation during the renewal term(s)

Approved on the Consent Agenda

- 9 Contract with Arbor Masters Tree Service for tree services for one year in the amount of \$85,000 in Westchester PID (Council District 6)

Approved on the Consent Agenda

- 10 Award a contract for the installation of an above-ground fuel tank and remodel at the Lynn Creek Park fueling station to Stovall Commercial Contractors, LLC in the amount of \$96,881 through a national interlocal agreement with BuyBoard

Approved on the Consent Agenda

- 11 Contract with Bright Star Construction and Design for Brick Wall Repairs in the amount of \$193,322.68 - Peninsula PID (Council Districts 4 and 6)

Approved on the Consent Agenda

- 12 Assignment of Contract for EZ-IO Intraosseous Vascular Access System Price Agreement from ARROW INTERNATIONAL, INC to TELEFLEX, LLC; this sole source agreement was for \$35,000 annually for one year initially with the option to renew for four additional one-year periods totaling \$175,000 if all renewal options are exercised; and authorize the City Manager to execute any additional renewal options with aggregate price fluctuations up to \$50,000 or 25% of the original contract value so long as sufficient funding is appropriated by the City Council to satisfy the City's obligation during the renewal term(s)

Approved on the Consent Agenda

- 13 Purchase of state mandated water well capping and plugging services at various sites from Advanced Water Well Technologies in the amount \$214,560.28 with a 5% contingency of \$10,728.01, for a total amount of \$225,288.29 through an inter-local agreement with BuyBoard

Approved on the Consent Agenda

- 14 Interlocal purchasing agreement with the City of Cedar Hill, Texas, with Readiness

Group of Ft. Worth, Texas for mental health support for the period of the grant, beginning on the Agreement Effective Date and terminating on December 31, 2020, unless renewed at that time at no cost to the City of Grand Prairie, Texas

Approved on the Consent Agenda

- 15 Non-binding Memorandum of Understanding to lease acreage fronting EpicCentral to Chicken N Pickle.

Approved on the Consent Agenda

- 16 Non-binding Memorandum of Understanding with Bolder Adventure Park for lease and operation of 7+ acres in EpicCentral (This item was tabled at the January 21, 2020 Council meeting.)

Tabled

- 17 Resolution authorizing an Economic Development Agreement and Ten-Year Tenant Lease with Option to Renew for two Five-Year Terms with National BBQ Management (or related assignee), for the Operation of a Restaurant at EpicCentral for 8% of Gross Sales and 50% of Net Operating Income

Adopted

Enactment No: RES 5068-2020

- 18 Resolution authorizing the City Manager to submit an application for FY 2020 Emergency Management Performance Grant (EMPG) and accept grant award from the Texas Department of Public Safety/Texas Division of Emergency Management, in an anticipated amount of \$57,581

Adopted

Enactment No: RES 5069-2020

Public Hearing Consent Agenda

Mayor Pro Tem Giessner moved, seconded by Deputy Mayor Pro Tem Clemson, to close the public hearing and approve items 19 through 27 on the Public Hearing Consent Agenda. The motion carried unanimously.

- 19 CPA191201- Comprehensive Plan Amendment - 161 Townhomes (Commissioner Fisher/City Council District 1). A request to change the Future Land use Map from Mixed use to Medium Density Residential. Located at 1325 Robinson Road, and 852 Robinson Court. Legally described as 4.39 acres out of the Charles Gibbs Abstract 534 Pg 372 and Lots 5, Block 1, out of the Robinson Court Replat Addition, City of Grand Prairie, Dallas County, Texas. (On January 6, 2020, the Planning and Zoning Commission recommended approval of this request by a vote of 8-0).

Michael Wright, 8233 Mid-Cities Blvd., North Richland Hills; Kelvin Haorb, 12777 Merit

Drive, Dallas; and Greg Edwards, 1621 Amanda Court, Ponder, submitted speaker cards in support of this item.

Adopted

Enactment No: ORD 10790-2020

20

Z191201/CP191201 - Zoning Change/Concept Plan - 161 Townhomes (Commissioner Fisher/City Council District 1). A request to change the zoning from PD 102 to a Planned Development for Townhomes. The concept plan depicts 40 units with green space areas. Located at 1325 Robinson Road and 852 Robinson Court. Legally described as 2.95 acres out of the Charles Gibbs Abstract 534 Pg 372 and Lot 5, Block 1, out of the Robinson Court Replat Addition, City of Grand Prairie, Dallas County, Texas. The applicant is Michael Wright, M. J. Wright Architects and the owner is Kelvin Hoang, Clouda Development LLC. (On January 6, 2020, the Planning and Zoning Commission recommended approval of this request by a vote of 8-0).

Adopted

Enactment No: ORD 10791-2020

21

CPA200101 - Comprehensive Plan Amendment - Mountain Creek Lake Park (Commissioner Carranza/City Council District 3). To establish a Future Land Use designation of '**Parks and Recreation**' for Mountain Creek Lake Park, consisting of 86.109 acres out of the Alex Cockrell Survey, Abstract no. 245, City of Grand Prairie, Dallas County, Texas. The applicant is David Jones, City of Grand Prairie Planning. (On January 6, 2020, the Planning and Zoning Commission recommended approval of this request by a vote of 8-0).

Adopted

Enactment No: ORD 10792-2020

22

Z200101 - Zoning Change - Mountain Creek Lake Park (Commissioner Carranza/City Council District 3). Establish zoning of '**AG, Agricultural**' for Mountain Creek Lake Park, consisting of 86.109 acres out of the Alex Cockrell Survey, Abstract no. 245, City of Grand Prairie, Dallas County, Texas. The applicant is City of Grand Prairie Planning. (On January 6, 2020, the Planning and Zoning Commission recommended approval of this request by a vote of 8-0).

Adopted

Enactment No: ORD 10793-2020

23

Z200102 - Zoning Change - SF-6 on Avenue C (Commissioner Carranza/City Council District 3). A request to change the zoning from SF-4 to SF-6. Located at 2006, 2010 & 2014 Avenue C, Legally described as Lots 2, 3, & 4, Block B, Warlick Addition, City of Grand Prairie, Dallas County, Texas. The owner is Saul Zuniga. (On January 6, 2020, the Planning and Zoning Commission recommended

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

Adopted

Enactment No: ORD 10794-2020

24

S200103 - Site Plan - Hamilton HQ (Commissioner Fisher/City Council District 1). Site plan request for proposed single-story, 41,880 sq. ft. office-showroom and warehouse on two lots on 4.738 acres. 4.78 acres property consisting of (Farmers Industrial Addition, Block 3, Lots 4R & 5R) situated in the Dudley F. Pearson Survey, Abstract No. 1130 City of Grand Prairie, Texas, Dallas County located southeast of Farmers Road and W. Trinity Blvd., more specifically addressed at 1205 & 1207 Farmers Road. The property is zoned Light Industrial (LI) District and is located within the State Highway 161 (SH-161) Overlay Corridor District. The consultant is Alexander Camunez, Pacheco Koch and the owner is Hamilton Peck, Hamilton Commercial. (On January 6, 2020, the Planning and Zoning Commission recommended approval of this request by a vote of 8-0).

Approved

25

S200104 - Site Plan - Spec's on Ragland Road (Commissioner Connor/City Council District 4). Site Plan for Spec's, authorizing the construction of a 11,180 sq. ft. retail building on 1.509 acres. A portion of Lot 1, Block 1, Prairie Waters-Southgate Development, City of Grand Prairie, Tarrant County, Texas, zoned PD-352, within the SH-360 Corridor Overlay District, and generally located east of S HWY 360 on the southwest corner of Ragland Rd and N Day Miar Rd. The applicant is applicant: John McClure, McClure Partners and the owner is Charles Anderson, TA Southgate Land Partners. (On January 6, 2020, the Planning and Zoning Commission recommended approval of this request by a vote of 8-0).

Approved

26

S200105 - Site Plan - Office Warehouse on Warrior Trail (Commissioner Hedin/City Council District 2). Site plan request for proposed two-story, 176,670 sq. ft. office/warehouse on one lots on 10.506 acres. 10.506- acre property consisting of (Warrior Trail Addition, Block 1, Lot 2) situated in the Jose Gill Survey, Abstract No. 567 City of Grand Prairie, Texas, Tarrant County, generally located at northeast of S. Great Southwest Parkway and W. Warrior Trail., more specifically addressed at 2590 W. Warrior Trail. The property is zoned Light Industrial (LI) District and is located within the Great Southwest (GSW) Overlay Corridor District. The applicant is Robert W. Rice, Ironwood Realty Partners, the consultant is Alexander Camunez, Pacheco Koch, and the owner is Ahmad Khammash. (On January 6, 2020, the Planning and Zoning Commission recommended approval of this request by a vote of 8-0).

Approved

- 27 S200106 - Site Plan - Twin Peaks at Epic West Towne Crossing (Commissioner Hedin/City Council District 2). Site Plan for Twin Peaks, an 8,152 sf restaurant. Lot 7R (proposed), Block B, Epic West Towne Crossing Phase 1, in the C. J. Babcock Survey, Abstract 59, City of Grand Prairie, Dallas County, Texas, 1.917 acres zoned PD-364 and located in the SH-161 Corridor Overlay District. The agent is William Winkelmann, Winkelmann & Associates, the applicant is Paul Stevens, Twin Peaks Restaurant, and the owner is Mark Davis, Epic West Towne Crossing LP. (On January 6, 2020, the Planning and Zoning Commission recommended approval of this request by a vote of 8-0).

Approved

Public Hearing on Zoning Applications

- 28 SU181004A - Specific Use Permit Renewal - 2625 W. Pioneer Parkway (Commissioner Fisher/City Council District 1). Specific Use Permit Renewal for a Billiard Room at Asia Times Square along with a request to extend operating hours to 2 a.m. Addressed as 2625 W. Pioneer Pkwy., Suite 900. Lot 2, Sam's Properties Addition, City of Grand Prairie, Tarrant County, Texas, 13.71 acres zoned LI, Light Industrial. The owner is Matthew Loh, Asia Times Square. (On January 6, 2020, the Planning and Zoning Commission recommended approval of this request by a vote of 7-0).

Mr. Jones reviewed Case SU181004A, a renewal for a billiard hall. Mr. Jones said the applicant requested extended hours from midnight to 2:00 a.m. but all other aspects of the permit remain the same. Staff did not recommend changing hours but Mr. Jones stated there may be an opportunity to have later closings for special events.

Deputy Mayor Pro Tem Clemson moved, seconded by Council Member Swafford, to close the public hearing and approve Case SU191004A with a 12:00 midnight closing. The motion carried unanimously.

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

Enactment No: ORD 10795-2020

- 29 Z200103/S200107 - Zoning Change/Site Plan - Wildlife Commerce Park Building 8 (Commissioner Fisher/City Council District 1). A request to amend the zoning and site plan amendment on PD-217C & PD-217 Districts to allow for office warehouse uses and building expansion. The existing site plan depicts an office/warehouse building (Wildlife Commerce Bldg. 8) extending onto planned development district boundary line. 1.602 acres-Zoning Amendment, and 9.028 acres-Site Plan Amendment out of the Benjamin S Reed Survey, Abstract 1225 City of Grand Prairie, Dallas County, Texas. Located at the southwest corner of N. Belt Line Road and E. Wildlife Parkway. The applicant is William Munding, III, Chi/Acquisitions, LLC and the owner is Cynthia Irving. (On January 6, 2020, the

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

Mr. Jones reviewed Case Z200103/S200107 to amend the current site plan to add 1.602 acres at the corner of Beltline and Wildlife Parkway to allow for construction of an additional 147,000 sq. ft. warehouse building at that corner. Mr. Jones showed current landscaping and amended landscaping. He went over requested variances: 8% landscaping in lieu of the required 10%; requesting to remove existing trees while Appendix X requires preservation of 30% of existing trees. Mr. Jones then went over the Development Review Committee recommendations: 1) the elevations within the 1.6 acre rezoning area that are visible from the corner of Beltline and Wildlife Parkway should fully conform to Appendix X guidelines for a primary facade; 2) if the elevations do not conform with Appendix guidelines, the developer should comply with Appendix X landscaping requirements. Mr. Jones said the Planning and Zoning Commission voted to approve the case with the applicant to provide accent lighting along 50% of the new portion of the building.

Council Member Wooldridge asked if what was approved by the Planning and Zoning Commission agreed with the requirements of Appendix X. Mr. Jones replied it did not agree with Appendix X.

Brad Cooper, 3819 Maple Avenue, Dallas, Crow Holdings, requested that Council approve this case as it was recommended by the Planning and Zoning Commission. He said there were enhancements on the corner and accent lighting will be provided along 50% of the building. Mr. Cooper said there are 33 existing corners and he would like this to fit in with those corners which are not in agreement with Appendix X. Mayor Jensen asked Mr. Cooper if he would do 100% lighting. Mr. Cooper replied that he would. Mr. Cooper added he would include an attractive monument sign.

Deputy Mayor Pro Tem Clemson asked Mr. Jones if the picture being shown agreed with requirements for current warehouses. Mr. Jones said it did not. Deputy Mayor Pro Tem Clemson asked Mr. Jones if there were other things that could be done. Mr. Jones said the applicant could choose from various items to be in conformance to Appendix X such as additional windows, awnings along 50% of the length of the façade; articulation; cornice projection, etc. Mr. Cooper stated that on the front there is a building adjacent to this and by adding some of these features, it would not be conducive to maintaining the look that is currently there. He said there is some articulation on each of the entrances. Mr. Cooper said he was trying to keep continuity of the park. He said the applicant is proposing lighting and heavy landscaping. He said they would be doing 10% which is required on the 1.6 acres. There will be trees lining Wildlife Parkway and Beltline.

Deputy Mayor Pro Tem Clemson asked Mr. Jones if he was okay as it was presented to match existing buildings. Mr. Jones replied that he thought there were additional things they could do but he understood that Crow wants to keep continuity.

Deputy Mayor Pro Tem Clemson moved, seconded by Council Member Copeland to close the public hearing and approve Case Z200103/S200107 as approved by the Planning and Zoning Commission, with 100% accent lighting. The motion carried unanimously.

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

Enactment No: ORD 10796-2020

30

SU191201 - Specific Use Permit - Tire Shop at 3106 E Main Street (Commissioner Moser/City Council District 5). A request to consider a Specific Use Permit to allow for Auto Tire/Wheels, Sales & Installation (Indoor) and Auto Repair (Minor) uses on one lot on 0.46 acres. The subject property is zoned Commercial (C) District and is located within Central Business District Four (CBD-4). The property is generally located northeast of E. Main Street and NE 31st Street, specifically 3106 E. Main Street. The existing lots are platted as Burbank Gardens, Unit 1, Lots 442 & 443. (On January 6, 2020, the Planning and Zoning Commission recommended denial of this request by a vote of 8-0). This case is being appealed per Article 1 Section 1.11.5.9 of the Unified Development Code (This case was tabled at the January 21, 2020 Council meeting.)

Mr. Jones reviewed Case SU191201 for a partial remodel of a tire shop with minor auto repair and internal storage. He said the majority of business would come in from Main Street. Mr. Jones said staff had a concern of loading and unloading inventory. Parking spaces have been removed in front of the building to create a staging area. Mr. Jones said six spaces are required and the applicant has four spaces available to the public. Mr. Jones showed proposed elevations with canopies and adding overhead doors.

Mr. Jones said the Development Review Committee and the Planning and Zoning Commission recommended denial. He said the current owner has owned the building for a few years and has added a sprinkler system.

Council Member Swafford asked why they are they putting in overhead doors. Mr. Jones said they will take cars in for minor repairs. Council Member Swafford asked if these could be put in on the NE31st Street side. Mayor Jensen said some residents have expressed concern about cars going in and out on 31st Street. Council Member Swafford asked if there was a vacant lot north of this building. Mr. Jones said he believed that building was zoned residential and if used for parking for this business, it would have to be rezoned. Council Member Swafford suggested they may be able to lease and pave it. Council Member Copeland asked Mr. Jones if the applicant had given him any indication how they would load and unload inventory such as tires. Mr. Jones replied they would pull in the back of the building.

Lila Thorn, 6445 Love Drive, #2008, stated there had been a communications breakdown during the holidays and the public hearing was not on their calendar so they missed the Planning and Zoning hearing and that prompted the denial. Ms. Thorn said the owner has been a resident for 30+ years and owns another business in Grand Prairie and several other properties in Grand Prairie. She said the owner purchased this property in 2018 and had a tenant interested at that time. She said this area is auto related businesses on the whole. The prospective tenant has run a tire shop in Grand Prairie for the past ten years.

Mario Villegas, 1701 Avenue F, was present to answer questions. Council Member Humphreys said he had spoken with Mr. Villegas and he seems willing to comply but there are some issues that need to be worked out with staff. He suggested bringing the case back to Council at the next meeting.

Jorge A. Rodriguez, 1302 Falcon Drive, submitted a speaker card in support of this

item.

Council Member Humphreys moved, seconded by Council Member Del Bosque to table Case SU191201 and bring back to Council at the next meeting. The motion carried unanimously.

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

Items for Individual Consideration

31

S200101 - Site Plan - Camp Wisdom Plaza (Commissioner Connor/City Council District 4). A Site Plan for a Gas Station, Convenience Store, and Retail. Located at 2800 W Camp Wisdom, legally described as 3.915 acres out of the Harwood, John W Survey Abstract 661, City of Grand Prairie, Tarrant County, Texas, Zoned PD-130. The consultant is Houshang Jahvani, Jahvani, Consulting Engineers Inc. and the owner is Anil Pathak. (On January 6, 2020, the Planning and Zoning Commission recommended approval of this request by a vote of 8-0).

Mr. Jones reviewed Case S200101 a Site Plan with a total 9,919 sq. ft., a 4,275 Convenience Store with a Gas station and retail. Mr. Jones showed the phases of the project. He said the case meets density and dimensional requirements. He said the applicant has depicted tower elements on corners which are higher than allowed (33 ft. in lieu of the allowed 25 ft.). He said the case meets landscaping and screening requirements. He said a wall is required if platted as a single lot or when Phase II is developed. An SUP will be required for beer and wine sales because of the 1980's zoning. Mr. Jones said the Development Review Committee and the Planning and Zoning Commission recommended approval of this case.

Council Member Lopez asked if the screening fence with Phase II against residential would be wood or masonry. Mr. Jones said it would be a 6 ft. masonry fence. Council Member Lopez asked if it could be raised to 8 ft. Mr. Jones said Council could request that.

Council Member Wooldridge asked which portion of the wall would be built in Phase I. Mr. Jones replied that they would not be required to build a wall in Phase I. Mayor Jensen stated that this was a site plan review which meant the applicant has the right to build on that site if they meet requirements of the zoning. He said most gas stations require an SUP and the Council could deny an SUP, but this gas station did not require an SUP because this PD is old and it was done prior to requiring SUP's for gas stations. And, it was done before gas stations were allowed to sell beer and wine. But with a site plan, if they meet all requirements, the council cannot deny it, but can negotiate with the developer.

Becky Peacock, 2717 White Oak, said she moved here when there were trees at this site. She asked what her rights are. She asked what could be done to slow down beer and wine sales. Mayor Jensen said when the case comes up when the applicant requests an SUP for beer and wine sales, neighbors should come and express their opinion. Ms. Peacock asked if there was anything homeowners can do that can slow down the process of beer and wine sales. Mayor Jensen again encouraged the homeowners to get together and express their opinion.

Council Member Copeland advised the homeowners present to be sure to listen to what the Mayor has said. He added this is never going to be a nature preserve so neighbors should ask what other types of things can go there.

Council Member Lopez thanked Ms. Peacock for coming and stated she could submit a petition for those who cannot attend.

Christian Brown, 5120 Garden Oak, said he lived right next to this property. He said he opposes the gas station because of noise traffic and lighting. He said there are issues with traffic coming up Garden Oak to avoid Camp Wisdom. Mr. Brown asked when the SUP would be coming before Council. Mayor Jensen said he was not sure, but added they could build without the SUP, but they cannot sell beer and wine without an SUP. Mr. Brown asked about hours of operation. Mr. Jones said there are no limits on hours of operation. He added there is a noise ordinance but it would be difficult to close a gas station because of noise.

Victoria Hess, 2721 White Oak Drive, submitted a petition of people who could not attend the meeting. Ms. Hess said there is a median for Garden Oaks and she was assured at the Planning and Zoning Commission hearing that it would not be removed. She said vehicles coming from SH360 would have to do a U-turn or come in through Garden Oaks and make a u-turn around the median. Ms. Hess said neighbors did not get notice of the hearing. She said this site should have been rezoned when this community was built. Mayor Jensen said the city could not rezone it because of state law it would be considered a taking.

Lori Rein, 2716 White Oak Drive, stated she was opposed to this case. She said that Fish Creek is across the road and she was not sure how long that water goes near that gas station. Mayor Jensen said this is far enough from the creek.

Robert Rain, 2716 White Oak Drive, stated he was opposed to this case.

Jennifer Potter, 2741 Timber Court, stated she had concerns about traffic coming into the neighborhood. She asked if there was any way to protect the street behind this site. Mayor Jensen asked Walter Shumac, Transportation Director, what could be done. Mr. Shumac said staff could do a speed study or perhaps consider speed bumps. Ms. Potter asked if the left turn could be blocked off to keep people from turning left off Camp Wisdom. Mr. Shumac said he could not support that. Mayor Jensen said if they do not build this, something will be built there and there will be more traffic. If the city can do corrective action after this is built, they will look into it.

Philip Peacock, 2717 White Oak Drive; and Magaly Lopez, 2825 Garden Oaks Place, submitted cards in opposition to this case.

Council Member Wooldridge said state laws require the city to send notices to those within 200 ft. and the city sends notices to those within 300 ft. and signs will be posted for next public hearing. Mayor Pro Tem Giessner said he understood what the citizens were saying. He said if there is vacant land near you, you can buy it. Otherwise, a developer can buy the vacant land and the zoning stays with the land unless the owner asks the city to change it.

Council Member Copeland said he would have to support this site plan but he would not support an SUP. He added it was difficult to vote yes on this site plan.

Houshang Jahvani, 2121 N. Josey Lane #200, Carrollton, engineer for the site plan, stated he was present to answer any questions. Council Member Lopez asked him about operating hours. The owner answered from the audience and said operating hours would be 6:00 a.m. to midnight.

Council Member Copeland stated that the site plan was going to be approved tonight because of the law. Mr. Jahvani said the site is zoned for this use.

Council Member Swafford asked about a fence. Mr. Jones said that is not applicable to this case.

Council Member Lopez moved, seconded by Council Member Wooldridge to close the public hearing and approve S201101 as presented by staff and as approved by the Planning and Zoning Commission. The motion carried unanimously.

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

Citizen Comments

Carol Harrison-Lafayette, 2311 Palmer Trail, stated she was an advocate for the mentally ill. She said she went to the police department and she was told she could not be in the meeting with the applicant. Ms. Harrison Layfayette said anyone can be an advocate which is a partnership between someone who is vulnerable and someone representing them. She said there were cases that Det. Martinez did not investigate. She said she had left messages with the Chief of Police. Ms. Harrison-Lafayette said she wanted to help bridge this gap. She said people have a right to advocate for the mentally ill and Community Step Up does this. Ms. Harrison Lafayette said she wanted to meet with the chief of police.

Trina Hall, 2646 Brady Lane, said she had made complaints to Code about trash, tall grass in the alleyway behind her that has major power lines. She said she would like to know who is in charge of maintaining this alleyway. Ms. Hall said there was a problem with drainage behind her. She said there is a car and an RV parked in this area.

Harold Willis, 538 Lindly, heard about the room named for Casteneda. He said Grand Prairie has had five officers killed from Grand Prairie who either lived in Grand Prairie or worked in Grand Prairie. Mr. Willis asked why the city was doing selected traffic enforcement on toll roads. He said he would like to see legislative action that would prevent working radar on toll roads. Mr. Willis said these are foreign investors who make money from the toll roads. He said he would like to meet with staff.

Adjournment

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

The foregoing minutes were approved at the February 4, 2020 meeting.

Catherine E. DiMaggio, City Secretary