

AGENDA
Irving City Council Regular Meeting
Thursday, June 20, 2019 at 7:00 PM
City Hall, First Floor, Council Chambers
825 W. Irving Blvd., Irving, Texas 75060

Organizational Service Announcements

Invocation

Dr. Bill LaBarr, Plymouth Park United Methodist Church

Pledge of Allegiance

Proclamations and Special Recognitions

Administer Oath of Office and Statement of Elected Official to Council Members Place 1, Place 2, and Place 7

Reception for Elected Officials

Proclamations and Special Recognitions

Citizens' Forum

Citizens are invited to speak for three (3) minutes on matters relating to City government and on items not listed on the regular agenda.

Public Hearing: Items 1 through 43

CITY COUNCIL AGENDA

- 1 City Operations Update**
 - A. Irving Golf Club Update
 - B. Millennium Park Fountain Update

This meeting can be adjourned and reconvened, if necessary, the following regular business day.

Any item on this posted agenda could be discussed in executive session as long as it is within one of the permitted categories under sections 551.071 through 551.076 and section 551.087 of the Texas Government Code.

This facility is physically accessible and parking spaces for the disabled are available. Accommodations for people with disabilities are available upon request. Requests for accommodations must be made 48 hours prior to the meeting. Contact the City Secretary's Office at 972-721-2493 or Relay Texas at 7-1-1 or 1-800-735-2988.

2 Public Hearing - Public Hearing #2 on the 2019-20 City of Irving Fiscal Year Budget

Administrative Comments

1. This item is recommended by the Financial Services Department.
2. In accordance with Fiscal Year 2019-20 Budget Calendar, public hearings have been scheduled for June 6, 2019 and June 20, 2019 City Council meetings.
3. Notice of the public hearings have been published in the City Spectrum and on the City's website.
4. Public comments can also be submitted through the city website.

Recommendation

Input be taken under advisement.

CONSENT AGENDA

3 Approving Work Session Minutes for Wednesday, June 05, 2019

4 Approving Regular Meeting Minutes for Thursday, June 06, 2019

5 Resolution - Approving a Special Events Agreement Between the City of Irving and Dallas-Fort Worth (DFW) International Airport Board for the Provision of K-9 Explosive Detection Services

Administrative Comments

1. This item is recommended by the Police Department. It supports Strategic Goal No. 4.1: Safeguard public safety, security and health.
2. **Impact:** This Interlocal Agreement (ILA) is entered between the City of Irving on behalf of the Irving Police Department (IPD) and DFW Airport, for use of DFW K9 services during special events held in Irving.
3. The City of Irving agrees to reimburse the DFW Airport board the current overtime hourly wage rate of \$70.28 for K9 services.
4. Funding is available in the Police Department budget within the General Fund.

Recommendation

The resolution be approved.

6 Resolution - Approving an Educational Services Agreement Between the City of Irving and Dallas County Community College District on Behalf of Brookhaven College and El Centro College for Emergency Medical Services Student Internships with the Irving Fire Department

Administrative Comments

1. This item is recommended by the Fire Department.
2. **Impact:** This opportunity provides internship locations/slots to students of Brookhaven College School of Emergency Medical Services and El Centro College School of Emergency Medical Services.
3. This Agreement has a five-year term from June 6, 2019 through June 5, 2024.

Recommendation

The resolution be approved.

7 Resolution - Awarding a Contract to SYB Construction Company, Inc. in the Amount of \$3,371,323.50 for the Betsy Lane Wastewater Interceptor Improvements Project

Administrative Comments

1. This item is recommended by the Capital Improvement Department. This item supports Objective 2.4: Maintain and extend water, wastewater and storm water systems.
2. **Impact: This work is part of the Road to the Future Program.** This work is part of the Water Utilities Department Wastewater System Improvements. This project impacts 35 commercial and residential properties along Betsy Lane from State Highway 183 to Grauwlyer Road and will improve the wastewater system.
3. **This project has been previously presented to the Transportation and Natural Resources Committee on July 19, 2017 for award of design services and previously presented to the Transportation and Natural Resources Committee on June 6, 2019.**
4. This project will replace the wastewater, a water main and provide a complete street restoration along Betsy Lane from State Highway 183 to Grauwlyer Road. The pavement condition index for Betsy ranges between the low to mid 60's.
5. Bids were received from one bidder. SYB Construction Company, Inc. submitted the lowest responsive responsible bid of \$3,371,323.50. This is \$225,601.50 (6.27%) below the funding allocated for this project.
6. Minority and/or Women-owned Business (M/WBE) participation in this award is 100%.
7. Funding in the amount of \$1,376,083.22 is available within the Sanitary Sewer Bond

Fund and Funding in the amount of \$1,995,240.28 is available within the Street Improvement Bond Fund.

Recommendation

The resolution be approved.

8 Resolution - Awarding a Contract to SYB Construction Company, Inc. in the Amount of \$1,620,984.00 for the Promenade Court/Promenade Parkway Medians Paving, Drainage, Water & Wastewater Improvements Project

Administrative Comments:

1. This item is recommended by the Capital Improvement Program Department. It supports Strategic Objective 2.4 - Maintain and extend water, wastewater and storm water systems.
2. **Impact:** The work to be performed under this contract will install complete in place approximately four hundred fifty (450) linear feet of 9-inch thick reinforced paved vehicular drop off for the Irving Convention Center DART Orange Line Light Rail Station. Six (6) parallel parking spaces will be available on the west side and eighteen (18) angle parking spaces and two (2) ADA compliant angle parking places will be available on the east side. Twenty four inch and 18-inch storm system extensions will be included. Seven feet wide sidewalks on each side of Promenade Court will be installed. Stairs and pedestrian ramps to the train platform will be included.
3. The Escrow agreement was approved in Resolution 2019-19 on January 31, 2019 in the amount of \$284,925.00.
4. As within the escrow agreement with Mission Bay Properties, the following items have been included: four hundred (400) linear feet of 18-inch storm pipe, four hundred thirty linear (430) feet of eight-inch PVC wastewater main and one hundred (100) linear feet of water main.
5. Bids were received from 2 bidders. SYB Construction, Co., Inc., submitted the lowest responsive responsible base bid of \$1,239,604.00. Add alternate bid of \$381,380.00. The total bid is \$1,620,984.00. This is \$155,952.00 (8.78%) below the project estimate.
6. Minority- and/or Women-owned Business (M/WBE) participation in this award is 100%.
7. Funding in the amount of \$1,620,984.00 is available within the Gateway Bond Fund.

Recommendation

The resolution be approved.

9 Resolution - Awarding Change Order No. 1 to Thalle Construction Company, Inc. in the Amount of \$727,105.50 for the Southwest Interceptor Improvements Project

Administrative Comments

1. This item is recommended by the Capital Improvement Department. This item supports Objective 2.4: Maintain and extend water, wastewater and storm water systems.
2. **Impact:** This work is part of the Water Utilities Department Wastewater Master Plan to provide additional capacity to the wastewater system serving Southwest Irving. This project impacts 292 residential and 19 commercial properties and will improve the wastewater system within District 1 and 4.
3. **This project has been previously presented to the Transportation and Natural Resources Committee on June 7, 2017 for award and on October 3, 2018 as part of the September 21 & 22 flash flooding damage across the city.**
4. On June 8, 2017, the City Council awarded the Southwest Interceptor Improvements Project to Thalle Construction Company, Inc. in the amount of \$6,330,139.00.
5. This change order No. 1 provides additional funding for costs incurred on the project to address design and scope changes during construction, damage caused by severe storms, and damage to and extra preventive measures taken to protect public and private property improvements due to extremely loose soils encountered.
6. This change order increases the contract amount by 11.50% and contract time by 51 calendar days to the original contract for a new contract amount of \$7,057,244.50.
7. Funding in the amount of \$727,105.50 is available within the Water and Sewer System Non-Bond CIP Fund.

Recommendation

The resolution be approved.

10 Resolution - Approving Payment to Xerox Corporation in the Estimated Amount of \$98,000.00 for Managed Print Services

Administrative Comments

1. This item is recommended by the Information Technology Department.
2. **Impact:** Xerox provides city-wide enterprise print management for the lease of 90 multi-function copiers and two print shop high-capacity production copiers. Additionally they provide support for 165 city-owned networked printers, a part-time support technician and all supplies and consumables exclusive of paper.

3. The current five year contract approved by City Council on June 4, 2015 by RES-2015-189 included a master services agreement and three sub orders riding beneath it for copier leases and other support services. The June 4, 2015 agenda item requested estimated expenditures over the five year period of \$2,440,000 up to June 7, 2019, which was the expiration of the master services agreement. However, the sub orders do not expire until June 30, 2019. Since funding appropriation also ended on June 7, 2019 per the original agenda item; this is a request for additional appropriation to pay the remaining payments for services rendered through June 30, 2019, estimated to be \$98,000.00. This will complete this five year contract.
4. Funding in the amount of \$98,000.00 is available in the Information Technology Department budget within the General Fund.

Recommendation

The resolution be approved.

11 Resolution - Approving a One Year Contract with Xerox Corporation for Managed Print Services in the Total Estimated Amount of \$730,000.00 through the National Intergovernmental Purchasing Alliance Company (National IPA)

Administrative Comments

1. This item is recommended by the Information Technology Department.
2. **Impact:** Approving this contract allows for citywide enterprise print management services, continuation of the lease of 106 multi-function copiers, two print shop high capacity production copiers, and 170 networked printers, toner and consumables. Xerox also provides one outsourced support technician who works part-time to concentrate on resolving copier support calls, allowing city IT staff to concentrate on other duties.
3. The attached Services Master Agreement will be for a period of one year and will be governed by the National IPA Contract No. R171406 for Managed Print Services.
4. Funding for Fiscal Year 2018-19 is available in the Information Technology Department budget within the General Fund, while funding for Fiscal Year 2019-20 is subject to budget appropriation.

Vendor	Contract Term	Total Estimated Amount	Fiscal Year(s)
Xerox Corporation	6/21/2019 – 6/30/2020	\$182,500.00	2018-19
		\$365,000.00	2019-20
TOTAL		\$730,000.00	

Recommendation

The resolution be approved.

12 Resolution - Approving the Purchase from GTS Technology Solutions, Inc., in the Total Estimated Amount of \$163,800.00 for the Purchase of 160 Mobile Routers through the State of Texas Department of Information Resources (DIR)

Administrative Comments

1. This item is recommended by the Information Technology Department.
2. **Impact:** As part of the Information Technology Department’s 5-year strategic plan, this item will provide for the replacement of the Police Department’s existing mobile routers that are at the end of product life cycle. These new mobile routers will be needed to support the video and computer hardware projected to be replaced.
3. This purchase is supported by a Vendor/Member contract between the City of Irving and GTS Technology Solutions, Inc. utilizing DIR-TSO-3652 which expires on November 4, 2019. The contract was approved by Administrative Award No. 6221 on April 17, 2019.
4. Funding in the amount of \$163,800.00 is available in the Radio Communications System Bond Fund.

Recommendation

The resolution be approved.

13 Resolution - Approving a Single Source Purchase Agreement with Municipal Valve & Equipment, in an Amount Not to Exceed \$100,023.00 for Three Check Valves for the MacArthur Pump Station

Administrative Comments

1. This item is recommended by the Water Utilities Department. It supports Strategic Objective 2.4 – Maintain and extend water, wastewater and storm water systems.
2. **Impact:** The three new check valves will replace existing check valves at the MacArthur Pump Station that are worn, cannot be repaired and at risk of failure. The check valves keep the pump station operating properly by preventing water from flowing backwards through the pumps.
3. Crispin check valves from Municipal Valve & Equipment are in use at the Hackberry Pump Station and Northgate Pump Station.
4. Crispin check valves have proven to be of high quality and are easy to maintain.
5. Crispin check valves are the City's standard at water pump station facilities.
6. Funding in the amount of \$100,023.00 is available in the Water Utilities budget within the Water and Sewer System Fund.

Recommendation

The resolution be approved.

**Bids & Purchasing Items
Items 14-21**

14 Resolution - Authorizing Additional As-Needed Purchases Pursuant to a Cooperative Purchasing Agreement Between the City of Irving and Galls, LLC, through an Interlocal Agreement with the City of Frisco in a Total Estimated Amount of \$275,000.00 for the Police Department and Other City Departments for Law Enforcement Uniforms and Other Related Duty Gear

Administrative Comments

1. This item is recommended by the Police Department, Municipal Court, Code Enforcement, Information Technology, and Inspections.
2. **Impact:** Authorizing additional as-needed expenditures will allow the Police Department to continue purchasing law enforcement uniforms and other related duty gear. In addition, this contract will support the uniform needs of the other departments listed above.
3. These purchases are supported by a Vendor/Member contract between the City of Irving and Galls, LLC utilizing Contract No. 1804-060 which has been renewed and now expires on August 6, 2020. This Vendor/Member contract was approved by

Resolution No. 2018-399 on October 10, 2018.

4. Funding for Fiscal Year 2018-19 is available in various departmental budgets within various funds, while funding for Fiscal Year 2019-20 is subject to budget appropriation.

Vendor	Spending Term	Total Estimated Amount	Fiscal Year(s)
Galls, LLC	6/21/19 - 8/6/20	\$ 68,750.00	2018-19
		\$206,250.00	2019-20
TOTAL		\$275,000.00	

Recommendation

The resolution be approved.

15 Resolution - Approving and Accepting the Bid of Greener Pastures, LLC, in the Total Estimated Amount of \$247,601.90 for Mowing & Litter Control on TxDOT Rights of Way

Administrative Comments

1. This item is recommended by the Parks & Recreation Department.
2. **Impact:** This contract provides for mowing and litter control services on TxDOT rights of way along Interstate 635, Loop 12, and State Highway 114.
3. Rights of way areas to be serviced by this contract are as follows: Item # 1.1 – Mowing, litter control & string trimming for Interstate 635 TxDOT right-of way – 171.27 acres per mowing cycle for three (3) mowing cycles annually; Item # 1.2 - Mowing, litter control & string trimming for Loop 12 TxDOT right-of way – 70.77 acres per mowing cycle for three (3) mowing cycles annually; Item # 2.1 – Litter control only for Interstate 635 TxDOT right-of-way – 171.27 acres per litter control cycle for nine (9) litter control cycles per year; Item # 2.2 – Litter control only for Loop 12 TxDOT right-of-way – 70.77 acres per litter control cycle for nine (9) litter control cycles per year; and Item # 3.1 –Mowing, litter control & string trimming for State Highway 114 TxDOT right-of way – 82.21 acres per mowing & litter control cycle for nine (9) cycles annually.

4. The city received one response to this Invitation to Bid from Greener Pastures, LLC. This contractor has extensive experience in maintaining TxDOT rights of way throughout the Dallas-Fort Worth Metroplex and is recommended for award.
5. This award establishes an annual contract for the continuation of providing mowing and litter control for TxDOT rights of way. The contract is subject to two, two-year renewal options.
6. A contingency amount of \$20,000.00 has been specified and unit pricing has been provided as part of this bid to accommodate unforeseen maintenance needs for rights of way not specifically identified in the specifications.
7. Funding for Fiscal Year 2018-19 is available in the Parks & Recreation Department Budget within the General Fund, while funding for Fiscal Year 2019-20 is subject to budget appropriation.

Vendor	Contract Term	Total Est. Expenditure	Fiscal Year(s)
Greener Pastures, LLC	7/1/19 – 6/30/20	\$ 70,155.50	2018-19
		\$177,446.40	2019-20
TOTAL		\$247,601.90	

Recommendation

The resolution be approved.

16 Resolution - Approving and Accepting the Proposals of Green Planet, Inc., US Ecology Houston, Inc., and W. Two Plus, Inc., in the Estimated Annual Amount of \$110,700.00 for Regulated Environmental Risk Services

Administrative Comments

1. This item is recommended by the Human Resources Department – Risk Management Division.
2. **Impact:** Regulated Environmental Risk Services are necessary to the City of Irving’s field operations and are required to keep the City of Irving safe and compliant with hazardous substances regulations per the Texas Commission on Environmental Quality (TCEQ) and Texas State Department of Health Services (TSDHS).
3. A Request for Proposals was issued for these services which are comprised of the following: Component A, hazardous waste pickup, transport, and disposal; Component B, emergency standby response for hazardous materials incidents; and Component C, fuel storage tank regulatory testing, maintenance, and management. Three responses were received.

4. Risk Management recommends award of these components to the respondents scoring the highest points based on evaluation criteria established in the RFP as follows: Component A – Green Planet, Inc., Component B – US Ecology Houston, Inc., and Component C – W. Two Plus, Inc.
5. Minority- and/or Woman Owned Business participation in this award is 9.67%.
6. Funding for Fiscal Year 2018-19 for Components A and C is available in various departmental budgets within various funds, and in the Municipal Drainage Utility, Garage, and Self-Insurance funds; funding for Fiscal Year 2018-19 for Component B is available in the Self-Insurance Fund; while funding for Fiscal Years 2019-20 through 2021-22 is subject to budget appropriation.

Vendor	Component	Contract Term	FY 2018-19 Est. Amt.	FY 2019-20 Est. Amt.	FY 2020-21 Est. Amt.	FY 2021-22 Est. Amt.	TOTAL ESTIMATED AMOUNT
Green Planet, Inc.	A	6/26/19–6/25/22	\$ 2,675	\$ 10,700	\$ 10,700	\$ 8,025	\$ 32,100.00
US Ecology Houston, Inc.	B		Emergency Basis	Emergency Basis	Emergency Basis	Emergency Basis	Emergency Basis
W. Two Plus, Inc.	C		\$25,000	\$100,000	\$100,000	\$75,000	\$300,000.00
TOTAL			\$27,675	\$110,700	\$110,700	\$83,025	\$332,100.00

Recommendation

The resolution be approved.

17 Resolution - Awarding a Contract to MSB Constructors, Inc., in the Total Estimated Amount of \$1,572,100.00 for the Construction of a Fire Apparatus Storage Building

Administrative Comments

1. This item is recommended by the Capital Improvement Program Department and the Fire Department. It supports Strategic Objective 2.5: Support strategic investments in city facilities.
2. **Impact:** The fire apparatus storage building will provide weather protection for second line firefighting apparatus that are now being stored out of doors and exposed to the weather. The facility will also allow for the use of the second line equipment in training exercises conducted at the adjacent drill field.
3. **This item was presented to the Transportation & Natural Resources Committee on June 5, 2019, and will be presented to the Public Safety Committee on June 20, 2019.**

4. Bids were received from seven contractors. MSB Constructors, Inc., submitted the lowest responsive, responsible base bid of \$1,257,100.00 and is recommended for award in the total estimated amount of \$1,572,100.00, which also includes Alternate 1 for finish-out of interior offices/rooms and Alternate 4 for concrete paving which will allow access to the rear (north side) of the building.
5. Funding in the amount of \$1,192,895.71 is available in the Fire Station Bond Fund, and funding in the amount of \$379,204.29 is available in the Non-Bond CIP Fund.

Recommendation

The resolution be approved.

18 Resolution - Approving and Accepting the Bid of Knight Restoration Services, L.P., in the Total Estimated Amount of \$99,930.00 for City Hall Duct Cleaning

Administrative Comments

1. This item is recommended by the Capital Improvement Program Department.
2. **Impact:** The HVAC ductwork is in need of cleaning in order to efficiently provide heating and cooling through the City Hall building in a clean and healthy manner.
3. Bids were received from four vendors, one of which was an M/WBE or HUB vendor. Knight Restoration Services, L.P., provided the lowest responsive, responsible bid of \$99,930.00 and is recommended for award.
4. Funding in the amount of \$99,930.00 is available in the Capital Improvement Program Department budget within the General Fund.

Recommendation

The resolution be approved.

19 Resolution - Approving As-Needed Expenditures with Motorola Solutions, Inc., in the Total Estimated Amount of \$750,000.00, for Radio Communication, Emergency Response, and Mobile Interoperability Equipment through an Interlocal Agreement with the Houston-Galveston Area Council (H-GAC)

Administrative Comments

1. This item is recommended by the Information Technology Department, Police Department and Fire Department.
2. **Impact:** This will be used by all three departments equally. Information Technology for Public Safety communications infrastructure and miscellaneous hardware. Police and Fire will purchase additional radios and miscellaneous hardware that allows them to use the Public Safety radio system to provide lifesaving services to residents, visitors, and businesses.
3. A Vendor/Member Contract utilizing H-GAC Contract No. RA05-18 Radio Communication, Emergency Response, & Mobile Interoperability Equipment between the City of Irving and Motorola Solutions, Inc., which expires on April 30, 2021, was approved on May 23, 2019 through Administrative Award No. 6363. Approval of this item will allow the city to continue purchasing this equipment.
4. Funding for Fiscal Year 2018-19 is available in various departmental budgets within various funds, while funding for Fiscal Years 2019-20 and 2020-21 is subject to budget appropriation.
5. Because this spending amount is requested for the period of June 2019 through April 2021, it is possible that more than the estimated amounts shown in the chart below may be spent in one operating year or the other as long as there are budget funds available to accommodate that year's additional purchases and the total amount is not exceeded.

Vendor	Contract Term	Total Estimated Amount	Fiscal Year(s)
Motorola Solutions, Inc.	6/21/2019 – 4/30/2021	\$100,000.00	2018-19
		\$546,000.00	2019-20
		\$104,000.00	2020-21
TOTAL		\$750,000.00	

Recommendation

The resolution be approved.

20 Resolution - Approving and Accepting the Bid of Lofton Innovation LLC, in the Total Estimated Amount of \$90,040.00 for the Purchase and Installation of Eaton Uninterruptible Power Source (UPS) Systems

Administrative Comments

1. This item is recommended by the Information Technology Department.
2. **Impact:** This purchase satisfies an IT Strategic Plan initiative. This one-time purchase provides for a new Eaton Uninterruptible Power Supply (UPS) system to the city’s Disaster Recovery data center (DR) site at the Hackberry location and an additional new UPS system at the primary data center site at City Hall, allowing for increased power load capacity and redundancy to be maintained during outages.
3. Minority and Women-Owned Business Enterprise participation in this award is 100%.
4. Funding for Fiscal Year 2018-19 is available in the Infrastructure Bond Fund.

Vendor	Description	Total Est. Expenditure	Fund
Lofton Innovation LLC	2 each Eaton Uninterruptible Power Supply systems and installation services	\$90,040.00	Infrastructure Bond

Recommendation

The resolution be approved.

21 Resolution - Approving and Accepting the Bid of Atlas Utility Supply Company in the Total Estimated Amount of \$962,852.00 for Water Meter Boxes

Administrative Comments

1. This item is recommended by the Water Utilities Department.
2. **Impact:** This annual contract allows the department to purchase water meter boxes that are specially manufactured for the electronic radio transmitters (ERTs) that are required for the Advanced Metering Infrastructure (AMI) Project.
3. This award establishes an annual contract for the continuation of supplying water meter boxes. This contract is for one year with two one-year renewal options. The current contract expires June 30, 2019.
4. Funding for Fiscal Year 2018-19 is available in the Water and Sewer System Fund while funding for the Fiscal Year 2019-20 is subject to budget appropriation.

Vendor	Contract Term	Total Est. 2018-19	Total Est. 2019-20	Total Est. Expenditure
Atlas Utility Supply Company	7/1/2019 – 6/30/2020	\$320,950.00	\$641,902.00	\$962,852.00

Recommendation

The resolution be approved.

End of Bids

22 Ordinance - First Reading -- Granting a Franchise to B & B Waste Transit, Inc., for Solid Waste Collection Services Beginning on June 10, 2019 and Ending on June 9, 2022 Pursuant to Chapter 33 of the Code of Civil and Criminal Ordinances of the City of Irving, Texas

Administrative Comments

1. This item has been recommended by Solid Waste Services.
2. **Impact:** The franchise will authorize B & B Waste Transit, Inc. to provide waste hauling services to various business throughout the City of Irving.
3. This franchise agreement establishes operational guidelines for dumpster cleanliness, litter control, limits service times near residential areas, requests coordination of collection times in school zones and, in general, sets in place some common industry practices.
4. Franchise Agreement is for three (3) years beginning on June 10, 2019 and ending on June 9, 2022. The franchise fee to be assessed is 5% of gross revenues for business generated in servicing dumpsters, roll-off containers, compactor containers, or collecting and hauling in open top trucks on waste collected within the City of Irving.

Recommendation

The ordinance be adopted.

23 Ordinance - First Reading -- Granting a Franchise to Bubba Tugs Corporation for Solid Waste Collection Services Beginning on June 10, 2019 and Ending on June 9, 2022 Pursuant to Chapter 33 of the Code of Civil and Criminal Ordinances of the City of Irving, Texas

Administrative Comments

1. This item has been recommended by Solid Waste Services.

2. **Impact:** The franchise will authorize Bubba Tugs Corporation to provide waste hauling services to various business throughout the City of Irving.
3. This franchise agreement establishes operational guidelines for dumpster cleanliness, litter control, limits service times near residential areas, requests coordination of collection times in school zones and, in general, sets in place some common industry practices.
4. Franchise Agreement is for three (3) years beginning on June 10, 2019 and ending on June 9, 2022. The franchise fee to be assessed is 5% of gross revenues for business generated in servicing dumpsters, roll-off containers, compactor containers, or collecting and hauling in open top trucks on waste collected within the City of Irving.

Recommendation

The ordinance be adopted.

24 Ordinance - First Reading -- Granting a Franchise to Champion Waste & Recycling Services, LLC, for Solid Waste Collection Services Beginning on June 10, 2019 and Ending on June 9, 2022 Pursuant to Chapter 33 of the Code of Civil and Criminal Ordinances of the City of Irving, Texas

Administrative Comments

1. This item has been recommended by Solid Waste Services.
2. **Impact:** The franchise will authorize Champion Waste & Recycling Services, LLC to provide waste hauling services to various business throughout the City of Irving.
3. This franchise agreement establishes operational guidelines for dumpster cleanliness, litter control, limits service times near residential areas, requests coordination of collection times in school zones and, in general, sets in place some common industry practices.
4. Franchise Agreement is for three (3) years beginning on June 10, 2019 and ending on June 9, 2022. The franchise fee to be assessed is 5% of gross revenues for business generated in servicing dumpsters, roll-off containers, compactor containers, or collecting and hauling in open top trucks on waste collected within the City of Irving.

Recommendation

The ordinance be adopted.

25 Ordinance - First Reading -- Granting a Franchise to Community Waste Disposal, L.P., for Solid Waste Collection Services Beginning on June 10, 2019 and Ending on June 9, 2022 Pursuant to Chapter 33 of the Code of Civil and Criminal Ordinances of the City of Irving, Texas

Administrative Comments

1. This item has been recommended by Solid Waste Services.
2. **Impact:** The franchise will authorize Community Waste Disposal, L.P. to provide waste hauling services to various business throughout the City of Irving.
3. This franchise agreement establishes operational guidelines for dumpster cleanliness, litter control, limits service times near residential areas, requests coordination of collection times in school zones and, in general, sets in place some common industry practices.
4. Franchise Agreement is for three (3) years beginning on June 10, 2019 and ending on June 9, 2022. The franchise fee to be assessed is 5% of gross revenues for business generated in servicing dumpsters, roll-off containers, compactor containers, or collecting and hauling in open top trucks on waste collected within the City of Irving.

Recommendation

The ordinance be adopted.

26 Ordinance - First Reading -- Granting a Franchise to Empire Disposal, Ltd., for Solid Waste Collection Services Beginning on June 10, 2019 and Ending on June 9, 2022 Pursuant to Chapter 33 of the Code of Civil and Criminal Ordinances of the City of Irving, Texas

Administrative Comments

1. This item has been recommended by Solid Waste Services.
2. **Impact:** The franchise will authorize Empire Disposal, Ltd. to provide waste hauling services to various business throughout the City of Irving.
3. This franchise agreement establishes operational guidelines for dumpster cleanliness, litter control, limits service times near residential areas, requests coordination of collection times in school zones and, in general, sets in place some common industry practices.
4. Franchise Agreement is for three (3) years beginning on June 10, 2019 and ending on June 9, 2022. The franchise fee to be assessed is 5% of gross revenues for

business generated in servicing dumpsters, roll-off containers, compactor containers, or collecting and hauling in open top trucks on waste collected within the City of Irving.

Recommendation

The ordinance be adopted.

27 Ordinance - First Reading -- Granting a Franchise to Evergreen Disposal Services of Fort Worth, LLC for Solid Waste Collection Services Beginning on June 10, 2019 and Ending on June 9, 2022 Pursuant to Chapter 33 of the Code of Civil and Criminal Ordinances of the City of Irving, Texas

Administrative Comments

1. This item has been recommended by Solid Waste Services.
2. **Impact:** The franchise will authorize Evergreen Disposal Services to provide waste hauling services to various business throughout the City of Irving.
3. This franchise agreement establishes operational guidelines for dumpster cleanliness, litter control, limits service times near residential areas, requests coordination of collection times in school zones and, in general, sets in place some common industry practices.
4. Franchise Agreement is for three (3) years beginning on June 10, 2019 and ending on June 9, 2022. The franchise fee to be assessed is 5% of gross revenues for business generated in servicing dumpsters, roll-off containers, compactor containers, or collecting and hauling in open top trucks on waste collected within the City of Irving.

Recommendation

The ordinance be adopted.

28 Ordinance - First Reading -- Granting a Franchise to Hurricane Waste Systems, LLC, for Solid Waste Collection Services Beginning on June 10, 2019 and Ending on June 9, 2022 Pursuant to Chapter 33 of the Code of Civil and Criminal Ordinances of the City of Irving, Texas

Administrative Comments

1. This item has been recommended by Solid Waste Services.
2. **Impact:** The franchise will authorize Hurricane Waste Systems, LLC to provide waste hauling services to various business throughout the City of Irving.
3. This franchise agreement establishes operational guidelines for dumpster cleanliness, litter control, limits service times near residential areas, requests coordination of collection times in school zones and, in general, sets in place some common industry practices.
4. Franchise Agreement is for three (3) years beginning on June 10, 2019 and ending on June 9, 2022. The franchise fee to be assessed is 5% of gross revenues for business generated in servicing dumpsters, roll-off containers, compactor containers, or collecting and hauling in open top trucks on waste collected within the City of Irving.

Recommendation

The ordinance be adopted.

29 Ordinance - First Reading -- Granting a Franchise to Moore Disposal Corporation for Solid Waste Collection Services Beginning on June 10, 2019 and Ending on June 9, 2022 Pursuant to Chapter 33 of the Code of Civil and Criminal Ordinances of the City of Irving, Texas

Administrative Comments

1. This item has been recommended by Solid Waste Services.
2. **Impact:** The franchise will authorize Moore Disposal Corporation to provide waste hauling services to various business throughout the City of Irving.
3. This franchise agreement establishes operational guidelines for dumpster cleanliness, litter control, limits service times near residential areas, requests coordination of collection times in school zones and, in general, sets in place some common industry practices.
4. Franchise Agreement is for three (3) years beginning on June 10, 2019 and ending on June 9, 2022. The franchise fee to be assessed is 5% of gross revenues for

business generated in servicing dumpsters, roll-off containers, compactor containers, or collecting and hauling in open top trucks on waste collected within the City of Irving.

Recommendation

The ordinance be adopted.

30 Ordinance - First Reading -- Granting a Franchise to Republic Waste Services of Texas, Ltd., for Solid Waste Collection Services Beginning on June 10, 2019 and Ending on June 9, 2022 Pursuant to Chapter 33 of the Code of Civil and Criminal Ordinances of the City of Irving, Texas

Administrative Comments

1. This item has been recommended by Solid Waste Services.
2. **Impact:** The franchise will authorize Republic Services of Texas, Ltd. to provide waste hauling services to various business throughout the City of Irving.
3. This franchise agreement establishes operational guidelines for dumpster cleanliness, litter control, limits service times near residential areas, requests coordination of collection times in school zones and, in general, sets in place some common industry practices.
4. Franchise Agreement is for three (3) years beginning on June 10, 2019 and ending on June 9, 2022. The franchise fee to be assessed is 5% of gross revenues for business generated in servicing dumpsters, roll-off containers, compactor containers, or collecting and hauling in open top trucks on waste collected within the City of Irving.

Recommendation

The ordinance be adopted.

31 Ordinance - First Reading -- Granting a Franchise to S & H Waste Disposal Services, LLC for Solid Waste Collection Services Beginning on June 10, 2019 and Ending on June 9, 2022 Pursuant to Chapter 33 of the Code of Civil and Criminal Ordinances of the City of Irving, Texas

Administrative Comments

1. This item has been recommended by Solid Waste Services.
2. **Impact:** The franchise will authorize S & H Waste Disposal Services, LLC to provide waste hauling services to various business throughout the City of Irving.
3. This franchise agreement establishes operational guidelines for dumpster cleanliness, litter control, limits service times near residential areas, requests coordination of collection times in school zones and, in general, sets in place some common industry practices.
4. Franchise Agreement is for three (3) years beginning on June 10, 2019 and ending on June 9, 2022. The franchise fee to be assessed is 5% of gross revenues for business generated in servicing dumpsters, roll-off containers, compactor containers, or collecting and hauling in open top trucks on waste collected within the City of Irving.

Recommendation

The ordinance be adopted.

32 Ordinance - First Reading -- Granting a Franchise to Waste Connections Lone Star, Inc. Dba Waste Connections of TX for Solid Waste Collection Services Beginning on June 10, 2019 and Ending on June 9, 2022 Pursuant to Chapter 33 of the Code of Civil and Criminal Ordinances of the City of Irving, Texas

Administrative Comments

1. This item has been recommended by Solid Waste Services.
2. **Impact:** The franchise will authorize Waste Connections Lone Star, Inc., dba Waste Connections of TX to provide waste hauling services to various business throughout the City of Irving.
3. This franchise agreement establishes operational guidelines for dumpster cleanliness, litter control, limits service times near residential areas, requests coordination of collection times in school zones and, in general, sets in place some common industry practices.
4. Franchise Agreement is for three (3) years beginning on June 10, 2019 and ending

on June 9, 2022. The franchise fee to be assessed is 5% of gross revenues for business generated in servicing dumpsters, roll-off containers, compactor containers, or collecting and hauling in open top trucks on waste collected within the City of Irving.

Recommendation

The ordinance be adopted.

33 Ordinance - First Reading -- Granting a Franchise to Waste Management of Texas, Inc., for Solid Waste Collection Services Beginning on June 10, 2019 and Ending on June 9, 2022 Pursuant to Chapter 33 of the Code of Civil and Criminal Ordinances of the City of Irving, Texas

Administrative Comments

1. This item has been recommended by Solid Waste Services.
2. **Impact:** The franchise will authorize Waste Management of Texas, Inc. to provide waste hauling services to various business throughout the City of Irving.
3. This franchise agreement establishes operational guidelines for dumpster cleanliness, litter control, limits service times near residential areas, requests coordination of collection times in school zones and, in general, sets in place some common industry practices.
4. Franchise Agreement is for three (3) years beginning on June 10, 2019 and ending on June 9, 2022. The franchise fee to be assessed is 5% of gross revenues for business generated in servicing dumpsters, roll-off containers, compactor containers, or collecting and hauling in open top trucks on waste collected within the City of Irving.

Recommendation

The ordinance be adopted.

ZONING CASES AND COMPANION ITEMS

- 34 Ordinance - Zoning Case #ZC15-0085 - Considering a Zoning Change from PUD (Planned Unit Development) District for FWY (Freeway) Uses TO PUD (Planned Unit Development) for S-P-1 (R-AB) (Site Plan for Restaurant with the Attendant Accessory Use of the Sale of Alcoholic Beverages for On-Premises Consumption) Uses - Approximately 1,814 Sq. Ft. Located at 901 West Royal Lane, Suite 120 - Fusion Concepts, Applicant - City One Properties, LLC, Owner.**

Administrative Comments

1. The Planning and Zoning Commission Hearing Date and Recommendation: June 3, 2019 – Favorable 7-0 (Commissioners Zeske and Richards, absent).
2. The 2017 Imagine Irving Comprehensive Plan Future Land Use Map recommends *Business Corridor* District uses for this property. The *Business Corridor* District is a flexible use district for retail, office and commercial uses. Predominantly mid-rise with a mix of surface and structured parking. The proposed zoning change is in conformance with the Comprehensive Plan.
3. The applicant is requesting rezoning to allow an existing Southern Spice restaurant the attendant accessory use of the sale of alcoholic beverages for on-premises consumption.
4. The subject property is a lease space in a multi-tenant retail building. The restaurant is 1,814 square feet in area with a total of 24 seats. Parking is being provided within the surface parking lot and is calculated at 1 space per 2.5 seats.
5. The proposed request meets all the requirements of the R-AB zoning regulations.
6. A total of 11 public notices were mailed. Staff has not received any responses in support or in opposition to this request.
7. This item supports Strategic Objective 3.5 – Effectively plan and manage land use.

Recommendation

The ordinance be adopted per the recommendation of the Planning and Zoning Commission.

35 Ordinance - Zoning Case #ZC19-0007 - Considering a Zoning Change from R-6 (Single Family) District Uses to S-P-2 (Generalized Site Plan) District for R-6 (Single Family) District Uses - Approximately 0.16 Acres Located at 434 W. Scotland Drive - Karen Trejo and Cipriano Nino, Applicants/Owners

Administrative Comments

1. The Planning and Zoning Commission Hearing Date and Recommendation: June 3, 2019 – Favorable 7-0 (Commissioners Zeske and Richards, absent), subject to adding notes to the site plan stipulating that (1) the cover will have a gutter system to direct the run-off away from the adjacent property, and (2) that the cover will be constructed with the same materials to match the roof of the house. The stipulations of the Planning and Zoning Commission have been met.
2. The 2017 Imagine Irving Comprehensive Plan Future Land Use Map recommends *Residential Neighborhood* uses for this property. The *Residential Neighborhood* land use category is described as “Predominantly single-family detached homes or duplexes with some mix of non-residential uses, particularly in-home businesses.” The proposed zoning change is in conformance with the Comprehensive Plan.
3. The applicants are requesting to rezone the property to maintain an existing accessory structure and to construct a cover connecting the house to the existing accessory structure. No permits could be found for the existing accessory structure; however, aerial photos show the structure has existed since at least 1994. The current owners purchased the property in 2006.
4. The applicants constructed an addition to the house and now wish to construct a cover between the house and the existing accessory structure.

	Required	Provided
Side yard setback		
Cover connected to primary structure	5 ft.	3 ft.
Accessory structure	5 ft.	1.1 ft.
Rear yard setback		
Cover connected to primary structure	20 ft.	Complies
Accessory structure	20 ft.	14.5 ft.
Size of structure		
Cover connected to primary structure		10-ft. X 19-ft.
Accessory structure		Complies

5. The proposed site plan shows cover connected to the house and existing accessory structure 3-feet from the side property line. It also notes a 1.1-foot side yard setback and a 14.5-foot rear yard setback for the existing accessory structure. Building code regulations require the accessory structure to install a 1-hour wall for the wall adjacent to the west property line prior to the issuance of a permit for the

proposed cover. The site plan notes a 1-hour wall to be installed on west wall of existing accessory structure prior to issuance of a building permit for the proposed cover.

6. A total of 40 public notices were mailed. Staff has received two (2) letters in support and one (1) letter in opposition. The opposition represents 4.82% of the land within 200 feet of the subject property. Since this is less than 20%, per state law a $\frac{3}{4}$ vote is not required for approval.
7. Staff cannot support this request with the existing carport and accessory structure at this location on the site, since a covered patio area which meets the required setbacks could be constructed elsewhere on the site.
8. This items supports Strategic Objective 3.5 – Effectively plan and manage land use.

Recommendation

The ordinance be denied.

36 Ordinance - Zoning Case #ZC19-0027 - Considering a Zoning Change from ML-20 (Light Industrial) District Uses to R-6 (Single Family) District Uses - Approximately 0.938 Acres Located at 4110 Jackson Street - Shantae Haymer and Shannon Beasley, Applicants/Owners

Administrative Comments

1. The Planning and Zoning Commission Hearing Date and Recommendation: June 3, 2019 – Favorable 7-0 (Commissioners Zeske and Richards, absent).
2. The 2017 Imagine Irving Comprehensive Plan Future Land Use Map recommends *Residential Neighborhood* uses for the property. This land use category is for a “Predominantly single-family detached homes or duplexes with some mix of non-residential uses, particularly in-home businesses. Net units per acre: 5-20.” This request is in conformance with the plan.
3. The property is currently developed with a single story residence. The applicant is requesting a zoning change to allow the existing home to be demolished and replaced with a new single family residence.
4. The property was rezoned to ML-20 in 1970 as part of an area-wide City-initiated rezoning. Since that time, many properties in this area have been developed with commercial uses; however, this property and the adjacent property to the east have remained residential. The West Irving TRE rail station is approximately 800 feet to the west, with the parking lot at 400 feet. The land uses in the area existed before the development of the station.

5. In the 2017 Imagine Irving Comprehensive Plan, this item was designated “Residential Neighborhood” to reflect the ongoing use of the property.
6. All requirements of the R-6 District regulations will be met.
7. A total of 17 public notices were mailed. Staff received no responses in support and 3 responses in opposition to this request. The opposition represents 36.29% of the land within 200 feet of the subject property. Since this is greater than 20%, a ¾ vote is required for approval.
8. Since the proposed use will be in conformance with the future land use map and will result in the construction of a new single family home, staff can support this request.
9. This item supports Strategic Objective 3.5 – Effectively plan and manage land use.

Recommendation

The ordinance be adopted per the recommendation of the Planning and Zoning Commission.

37 Ordinance - Zoning Case #ZC19-0028 - Considering a Zoning Change from R-7.5 (Single Family) District Uses to S-P-2 (Generalized Site Plan) for R-6 (Single Family) District Uses - Approximately 2.97 Acres Located at 1501 S. Story Road - Planning Developing and Estimating Solutions, LLC, Applicant - Glacier, Fund, Ltd., Owner

Administrative Comments

1. The Planning and Zoning Commission Hearing Date and Recommendation: June 3, 2019 – Favorable 7-0 (Commissioners Zeske and Richards, absent).
2. The applicant is requesting to rezone the property in order to build 16 new single family detached homes which will meet the R-6 (Single Family) district regulations, with exceptions to the lot area for two lots and lot depth for four lots.
3. The Comprehensive Plan recommends Residential Neighborhood uses for this property. The Residential Neighborhood land use category is described as being “Predominantly single family detached homes or duplexes with some mix of non-residential uses, particularly in-home businesses.” The net units per acre is recommended to be between five (5) and twenty (20) units. The density of the proposed project is approximately six (6) units per acre. The request is in conformance with the Comprehensive Plan.
4. The Comprehensive Plan also includes recommendations regarding redevelopment of existing neighborhoods and infill housing such as:

- a. The vision for Irving suggests that much of the new growth will occur in the form of infill development, which is the addition of new or rehabilitated buildings into existing urban areas;
 - b. Increase the number of well-designed and affordable housing types that respond to residents' preferences and incomes. This should include smaller lot single-family homes such as cottage and courtyard homes;
 - c. Provide for a variety of single family residential types and densities; and
 - d. Create and adopt new zoning districts that permit cottage housing, townhomes, and other small lot (compact) housing types by right.
5. A zoning case for this property was previously heard by the City Council on September 21, 2017. At that time the applicant was proposing 18 lots. The Council asked for an exhibit showing the lot layout due to questions of storm water detention and drainage. Since this required an engineer's analysis, the case was withdrawn after a second postponement. The engineer's report has been completed, and it shows that detention areas adjacent to Story Road are required; therefore, a maximum of 16 residential lots can be built.
 6. A second zoning case for this property was heard by the City Council on September 6, 2018. The applicant requested R-ZLa zoning and 16 lots on the proposed cul-de-sac. A lot layout was provided as an exhibit, but since the development did not require any variances, a site plan was not required. The case received 15.21% property owner opposition, and there were two speakers in opposition at the City Council hearing. A motion to approve the case was made, but failed with a 4-5 vote.
 7. The site plan shows that 12 of the 16 residential lots meet the R-6 requirements. The remaining four lots need exceptions to the lot depth and area requirements due to their location on the cul-de-sac.

	Required R-6 Standard	Requested
Minimum Depth Lots 7, 8, 9, and 10	100 ft.	90 ft. (Exception Required)
Minimum Area Lots 7 and 10	6,000 sq. ft.	5,024 sq. ft. (Exception Required)

8. A Homeowner's Association will be required to maintain the two detention area/open space lots. These areas must be shown as separate lots on the plat.
9. The proposed lots are in character with the developed residential lots to the north, east and west, and the proposed development provides a good opportunity for infill development. Of the proposed lots, 14 meet all of the area requirements of the R-6 district (6000 sq. ft.), and the requested exceptions are only due to the required size of a residential cul-de-sac. The proposed development complies with all other

development requirements for a single family neighborhood, and complies with the goals and strategies of the 2017 Imagine Irving Comprehensive Plan.

10. Property owners on Strawberry Circle have concerns about drainage and easements. The proposed lot layout has been designed by an engineer, and reviewed by City engineers. A plat will still be necessary, prepared by the engineer and approved by City engineers. Staff believes the issues on the opposition notice have been addressed. Additionally, Strawberry Circle, as well as the other surrounding residential development, were originally two-acre lots that were subdivided into R-7.5 lots.
11. A total of 49 public notices were mailed. Staff received no responses in support and three (3) responses in opposition. The opposition represents 6.47% of the land within 200 feet of the subject property. Since this is less than 20%, a $\frac{3}{4}$ vote is not required for approval.
12. This item supports Strategic Objective 3.5 – Effectively plan and manage land use.

Recommendation

The ordinance be adopted per the recommendation of the Planning and Zoning Commission.

38 Ordinance - Zoning Case #ZC19-0029 - Considering a Comprehensive Plan Amendment from "Commercial Corridor" Uses to "Residential Neighborhood" Uses, and Consideration of a Zoning Change from R-6 (Single Family) District Uses to S-P-2 (Generalized Site Plan) for R-6 (Single Family) District Uses - Approximately 13,200 Square Feet Located at 2424 E Shady Grove Road - Jackie Brown, Applicant/Owner

Administrative Comments

1. The Planning and Zoning Commission Hearing Date and Recommendation: June 3, 2019 – Favorable 7-0 (Commissioners Zeske and Richards, absent).
2. The owner is requesting a Comprehensive Plan amendment and a zoning change to allow exceptions to the maximum square footage and materials for an existing detached accessory building.
3. Comprehensive Plan Amendment:

The Comprehensive Plan currently designates this area for *Commercial Corridor* uses.

The *Commercial Corridor* category is described as an auto-oriented district for retail, office and commercial uses, with parking in front and with buildings set back

from the street.

The *Residential Neighborhood* category is described as being predominantly single-family detached homes or duplexes with some mix of non-residential uses, particularly in-home businesses.

- a. The property fronts Shady Grove Rd., a Minor Arterial on the City's Thoroughfare Plan. While single family uses typically do not front arterial streets, other homes front the street on the north and south sides, therefore the single family home is consistent with the current uses.
- b. The 2017 Imagine Irving Comprehensive Plan states that, if an area that is designated and/or developed as non-residential desires to transition to a residential use, the City of Irving should require the following:
 - The area is physically appropriate (i.e., size, shape, etc.) for residential use.
 - The area is adjacent to a residential neighborhood shown on the generalized Future Land Use Map and is not separated from the neighborhood by a major thoroughfare (or larger), or the residential use is a part of a mixed-use development.
 - The rezoning will not result in a shortage of land designated for non-residential development.
 - The rezoning does not leave a residual tract of non-residentially zoned property that does not conform to the generalized Future Land Use Map, or that negatively affects the proposed residential use.
 - The rezoning provides for an appropriate transition between residential and non-residential uses through separation by distance, screening, or land use, if integration of residential and non-residential land uses into a mixed use environment is not achievable.

Since the property is already zoned and used for single family uses and abuts two residential lots to the west, staff believes a Comprehensive Plan Amendment is appropriate.

4. Exception Requests for Accessory Building:

- a. In January 2017, the applicant's neighbor to the west applied for a rezoning for S-P-2 (Generalized Site Plan) for R-6 (Single Family) District uses. The request was also to allow exceptions for a large, metal accessory building. The building had been constructed to replace an older building that was removed and the owner did not realize that a building permit was required. The owner self-reported the issue to the City after realizing a permit was needed and was told that she could apply for a rezoning to request the necessary exceptions. The rezoning was approved by the City Council on October 12, 2017. The owner informed her brother, who owns the adjacent

subject property, told him that he should also apply for a rezoning for his accessory building to bring it into compliance.

- b. The owner of the subject property built a home on the property in 1986. The accessory building was erected many years ago and was done without a permit. His family also owns the business that operates on the adjacent property just to the south.

	Requirement	Existing/Request
Maximum size of accessory building	Section 52-40(f) of the Zoning Ordinance states, "The footprint of any detached accessory building in an "R" district other than a detached garage shall not exceed a maximum of twenty-five (25) percent of the footprint of the main building or two hundred fifty (250) square feet, whichever is greater." Main structure = 2,100 sq. ft. 25% = 525 sq. ft.	1,700 sq. ft. Exceeds allowable by 1,175 sq. ft. (Exception Required)
Building Material	Section 52-43(i) states that, "Any detached accessory building of one hundred fifty (150) square feet or larger in an "R" district shall be constructed with commonly-used residential building materials that constitute a finished, weather-proof exterior in accordance with the building code including, but not limited to, masonry, veneer, stucco, durable all-weather stone, and wood, vinyl or cementitious siding, but specifically excluding any type or metal exterior.	Metal panel siding (Existing) (Exception Required)

- 5. The owner has added a note to the site plan stipulating that the accessory building shall be keyed to match the house and cannot be used for temporary or permanent dwelling purposes. A note has also been added specifying that the accessory building may not have a separate utility meter of any type.
- 6. A total of 16 public notices were mailed. Staff has received three (3) responses in support and none in opposition to this request.
- 7. Generally speaking, staff would not support the approval of such a large metal accessory building on a residential lot. However, since the Council approved a similar case on the adjacent property in late 2017, and since all the surrounding land (including the commercial property) is under the same family ownership, staff can support this request.

8. This item supports Strategic Objective 3.5 – Effectively plan and manage land use.

Recommendation

The ordinance be adopted per the recommendation of the Planning and Zoning Commission.

39 Ordinance - Zoning Case #ZC19-0034 - Considering a Zoning Change from R-6 (Single Family) District Uses to S-P-2 (Generalized Site Plan) for R-6 (Single Family) District Uses - Approximately 9,581 Square Feet Located at 3006 New Haven Street - Kenneth Thompson, Applicant/Owner

Administrative Comments

1. The Planning and Zoning Commission Hearing Date and Recommendation: June 3, 2019 – Favorable 7-0 (Commissioners Zeske and Richards, absent).
2. The 2017 Imagine Irving Comprehensive Plan Future Land Use Map recommends *Residential Neighborhood* uses for this property. The *Residential Neighborhood* land use category is described as “Predominantly single-family detached homes or duplexes with some mix of non-residential uses, particularly in-home businesses.” The proposed zoning change is in conformance with the Comprehensive Plan.
3. The owner is requesting a zoning change to allow exceptions to the maximum square footage for a proposed detached accessory building.
4. The owner recently applied for a building permit for a detached accessory building to be placed in their rear yard for storage. Upon reviewing the plans, the applicant was informed that the size of the building exceeded maximum allowable square footage and would be required to apply for a zoning change to request a variance.

	Requirement	Proposed Building
Max. Size	Section 52-40 (f) of the Zoning Ordinance states, "The footprint of any detached accessory building in an "R" district other than a detached garage shall not exceed a maximum of twenty-five (25) percent of the footprint of the main building or two hundred fifty (250) square feet, whichever is greater." Main structure = 1, 068 sq. ft. 25% = 267 sq. ft. accessory	336 sq. ft. Exceed maximum by 69 sq. ft. (Exception Required)
Max. Height	15' (with existing 10' setback)	12'9" Complies
Building Materials		Smart panel siding with a metal roof Complies
Use	Storage	Storage
Other requirements for accessory structures in an R-6 District		Complies

5. The owner has added a note to the site plan stipulating that the accessory building shall be keyed to match the house and cannot be used for temporary or permanent dwelling purposes. A note has also been added specifying that the accessory building may not have a separate utility meter of any type.
6. A total of 23 public notices were mailed. Staff has received 1 response in support and none in opposition to this request.
7. Given the small size of the house on a regulation R-6 lot, the relatively small variance to the size of the accessory building, and the distance from adjacent residential properties, staff can support this request.
8. This item supports Strategic Objective 3.5 – Effectively plan and manage land use.

Recommendation

The ordinance be adopted per the recommendation of the Planning and Zoning Commission.

40 Ordinance - Zoning Case #ZC19-0036 - Considering a Zoning Change from S-P-2 (Site Plan) District for FWY (Freeway) District Uses and from S-P-1 (R-AB) Detailed Site Plan for Restaurant with the Attendant Accessory Use of the Sale of Alcoholic Beverages for On-Premises Consumption Uses to FWY (Freeway) District Uses - Approximately 6.85 Acres Located at the Northeast Corner of Highpoint Drive and Meridian Drive - Stantec, Applicant - Blue Star Land, LP; McKinney Corners, Owner

Administrative Comments

1. The Planning and Zoning Commissioner Hearing Date and Recommendation: June 3, 2019 – Favorable 7-0 (Commissioners Zeske and Richards, absent).
2. The 2017 Imagine Irving Comprehensive Plan Future Land Use Map recommends *Neighborhood Commercial* uses for this property. The *Neighborhood Commercial* land use category is described as “Mixed-use commercial areas along major corridors with opportunities for residential and commercial infill and reinvestment.” The proposed zoning change is in conformance with the Comprehensive Plan.
3. On September 6, 2001, City Council passed Ordinance No. 7887 rezoning the northern portion of this property to S-P-2 (Generalized Site Plan) for FWY (Freeway) to develop the property with a hotel and restaurants. On November 6, 2008, City Council passed Ordinance No. 2008-9014 rezoning the southern portion of the property to S-P-1 (Detailed Site Plan) for Hotel and R-AB (Restaurant with the attendant accessory use of the sale of alcoholic beverages for on-premises consumption) to develop the property with a hotel. The property is currently vacant and was never developed with any of the uses as proposed on the approved site plans.
4. The property owner is now wishing to develop the property as a commercial mixed use development which will meet the FWY (Freeway) district requirements as well as the State Highway 161 Overlay district requirements. To do so, the applicant is requesting that the entire property be under the same zoning classification.
5. No variances to the FWY (Freeway) or the State Highway 161 Overlay requirements are being requested.
6. A total of eight (8) public notices were mailed. Staff has not received any responses in support or opposition to this case.
7. Since this request is for a commercial mixed use development which complies with the City’s recommended land use for this area, staff can support this request.
8. This item supports Strategic Objective 3.5 – Effectively plan and manage land use.

Recommendation

The ordinance be adopted per the recommendation of the Planning and Zoning Commission.

41 Ordinance - Zoning Case #ZC19-0037 - Considering a Zoning Change from S-P-2 (Site Plan) District for FWY (Freeway) District Uses to FWY (Freeway) District - Approximately 3.67 Acres Located at 1300 Meridian Drive - Stantec, Applicant - Blue Star Land, LP; McKinney Corners, Owner

Administrative Comments

1. The Planning and Zoning Commission Hearing Date and Recommendation: June 3, 2019 – Favorable 7-0 (Commissioners Zeske and Richards, absent).
2. The 2017 Imagine Irving Comprehensive Plan Future Land Use Map recommends *Neighborhood Commercial* uses for this property. The *Neighborhood Commercial* land use category is described as “Mixed-use commercial areas along major corridors with opportunities for residential and commercial infill and reinvestment.” The proposed zoning change is in conformance with the Comprehensive Plan.
3. On June 21, 1984, City Council passed Ordinance No. 4446 rezoning this property to S-P-2 (Generalized Site Plan) for FWY (Freeway) to develop the property with mixed commercial uses. The property is currently vacant and has never been developed.
4. The property owner is now wishing to develop the property as a commercial mixed use development which will meet the FWY (Freeway) district requirements as well as the State Highway 161 Overlay district requirements.
5. No variances to the FWY (Freeway) or the State Highway 161 Overlay requirements are being requested.
6. A total of nine (9) public notices were mailed. Staff has not received any responses in support or in opposition to this request.
7. Since this request is primary for the same underlying zoning of the site plan zoning for a commercial mixed use development which complies with the city’s recommended land use for this area, staff can support this request.
8. This item supports Strategic Objective 3.5 – Effectively plan and manage land use.

Recommendation

The ordinance be adopted per the recommendation of the Planning and Zoning Commission.

APPOINTMENTS AND REPORTS

42 Resolution - Appointments to the Irving Flood Control District Section I and Irving Flood Control District Section III to Unexpired Terms

Administrative Comments

1. This item is recommended by the City Secretary's Office.
2. **Impact:** Appointment of Irving residents or qualified members to boards and commissions assures that our residents have a voice in city government.
3. The positions under consideration include one appointment to Irving Flood Control District, Section I (IFCD I) and one appointment to Irving Flood Control District, Section III (IFCD III).

Recommendation

The resolution be approved.

43 Mayor's Report

Adjournment