

**IRVING CITY COUNCIL
WORK SESSION
March 12, 2008**

The Irving City Council met in work session March 12, 2008. The following members were present:

Mayor

Herbert A. Gears

Council members

Thomas D. Spink

Rose Cannaday

Allan Meagher

Rick Stopfer

Joe Philipp

Lewis Patrick

Beth Van Duyne

Sam Smith

Mayor Herbert Gears called the meeting to order at 2:30 pm.

2 DISCUSSION: Update On The Texas Stadium Site By Forest City

Forest City representative Jim Truitt updated the Council on the development plans which included corporate campus comparisons from around the country, concept plans and infrastructure plans. He also noted that the proposed agreement would begin infrastructure work in twelve to eighteen months.

Councilman Lewis Patrick noted that the City of Dallas major water line on this property would need to be relocated.

Councilman Joe Philipp applauded the corporate campus idea and a signature site development on the property. He stated his support for the creation of a Tax Increment Finance District or a Public Improvement District, which would include mutual guarantees, time phasing and connection to the planned DART station.

City Manager Tommy Gonzalez clarified that action steps would be brought back to Council for approval.

Mayor Herbert Gears noted that the City owns the property, and Council would be involved in the zoning restrictions.

Deputy City Attorney Brenda McDonald stated that staff will bring back an interim agreement with Forest City to market plans to developers.

Councilman Sam Smith questioned the future plans of the third property owner.

Deputy City Attorney McDonald stated that staff will be meeting with the owner in the next 30 days.

Managing Director David Leininger noted that staff has previously worked with the owner regarding securing right of way.

Mr. Truitt clarified that the City will be able to oversee the design plans on site.

Councilman Rick Stopfer clarified the right of way plans.

Public Works Director Jim Cline defined "deferred station" and stated that the City is trying to advance the development of the station by the Texas Stadium site.

Councilwoman Beth Van Duyne questioned if the station could be skipped due to financial instability from DART.

Director Jim Cline stated that staff is working closely with DART to assure that the station will be included.

Managing Director David Leininger confirmed that the bridge plans around the site will need to be addressed in the next few weeks.

1 DISCUSSION: Review Of Regular Agenda

The Council reviewed the agenda and the following directions were noted.

1 City Manager's Report

City Manager Gonzalez deferred the Manager's Report to the regular Council meeting.

University of Dallas representative Bob Galecke described the Tanger retail plans that are proposed for the university's land tract adjacent to the Texas Stadium site.

Councilwoman Van Duyne asked if parks would be included in the retail plans.

Mr. Galecke confirmed that the proposed plans included open spaces and pedestrian areas.

4 Resolution -- Authorizing Staff To Negotiate An Engineering Services With Haston Associates For The Annual Compliance Monitoring At The Hunter Ferrell Landfill

Councilman Philipp requested a presentation on this item.

Managing Director Paul Gooch described the annual contract which includes ground water sampling and analysis which will be reported to TCEQ.

7 Resolution -- Approving The Purchase Of Certain Apartment Complexes By Heritage District, LLC

Mayor Gears requested a presentation on this item.

Deputy City Attorney McDonald clarified that the City will extend the line of credit to Heritage District, LLC through Comerica Bank and noted that this item will be discussed in more detail in Executive Session.

Councilman Philipp noted that this will lower the number of substandard apartment complexes in this area.

9 Resolution -- Approving Settlement Of Two Lawsuits With SPT Apartments, LLC

Deputy City Attorney McDonald stated that the complex will fully comply with City ordinances and clarified that the district court will monitor the code compliance on the property.

Councilwoman Van Duyne asked if the crime statistics could be included in the grading system of apartment properties so that newer complexes that have issues can be monitored more closely.

Deputy City Attorney McDonald clarified that the current grading system involves mainly minimum building standards.

21 Ordinance -- Amending Chapter 6 Entitled "Animal Services" Of The Civil And Criminal Ordinances Of The City Of Irving, Texas, By Adding Definitions; Providing For Registration Of Dogs And Cats; Providing Disposition Of Impounded Animals; Providing For Spaying Or Neutering Of Adopted Animals; Requiring Vaccinations; Providing Animal Shelter Fees; And Providing A Severability Clause

Managing Director Gooch described the pet registration ordinance and noted that it will go into affect in June 2008.

Animal Services Manager Fredi Sanderson described the process with Pet Data, Inc and City staff.

25 Ordinance -- Special Fence Plan ZC07-0055 -- Approving A Variance To The Screening Fence Requirements Of Ordinance No. 8032 (Zoning Case #5261) -- An Approximately 4.5 Acre Tract Located At The Northwest Corner Of West Country Club Drive And Las Brisas Drive -- Head Construction, Applicant

Urban Development Manager Steven Reed presented this item.

Councilman Patrick stated his support for staff's recommendation.

Councilman Rick Stopfer questioned the drainage issues on the property.

Planning and Inspections Director Gary Miller stated that the engineer has addressed the drainage issues.

26 Ordinance -- Zoning Case ZC07-0011 -- Granting S-P-2 (Generalized Site Plan) For C-O (Commercial Office), Assisted Living Facilities, Independent Living Facilities, And Related Uses -- An approximately 7.977 Acre Tract Located At 1101 Kinwest Parkway (Approximately 400 Feet South Of The

Kinwest Boulevard And Bradford Pear Intersection) -- TCI Woodmont Group, Applicant

The applicant has requested postponement.

- 27** Ordinance -- Zoning Case ZC07-0068 -- Granting S-P-2 (Generalized Site Plan) For R-MF-2 (Multifamily) Uses And Approving Multifamily Concept Plan #MF08-0002 -- A 26.855 Acre Tract Located On The South Side Of Royal Lane Approximately 1,800 Feet East Of Belt Line Road At The South End Of Ridgepoint Drive -- Sharon Barbosa-Crain, Applicant

The applicant has requested indefinite postponement.

- 28** Ordinance -- Zoning Case ZC07-0069 -- Granting TOD (Transit Oriented Development) District Uses -- An Approximately 3.4 Acre Tract Located On The West Side Of Lake Carolyn Parkway, Approximately 1,100 Feet South Of O'Connor Road -- Intervest Companies, Applicant

Manager Steven Reed presented this item.

Managing Director Gooch clarified that the building standards have been established by City staff, DCURD and the Las Colinas Association and is being communicated to developers in the area.

Councilman Philipp asked if this property is included in the multifamily cap.

Staff noted that Transit Oriented Development is not subject to the cap.

Councilman Philipp noted his support for the proposed public art area on the property, and he will ask the applicant about this at the regular meeting.

Bobbie Stewart with CSC Commercial Investments clarified that the property owner of the proposed public art area is unknown at this time.

- 29** Ordinance -- Zoning Case ZC08-0001 -- Granting S-P-1 (Detailed Site Plan) For R-7.5 (Single Family) And Guest Quarters Uses -- An Approximately 1.0944 Acre Tract Located At 1202 North Irving Heights Drive -- Ray Crumby Design Group, Applicant

Manager Steven Reed presented this item and noted the applicant requested to withdraw the case; however the Planning and Zoning Commission denied that request.

Council discussed the accessory building restriction options and the future ordinance changes.

Councilwoman Van Duyne requested the language on the item caption to exclude "Guest Quarters Uses".

- 36** Resolution -- Approving A Chapter 380 Economic Development Incentive Agreement With SanMar Corporation On Designated "Freeport" Eligible Inventory

Chief Financial Officer Max Duplant described the terms of abatement agreement and rebate grant.

- 37** Resolution -- Public Hearing -- Failure Of Circle Spur Bar And Grille To Meet The Requirements Of Section 52-49 Of Ordinance No. 1144 "Restaurants With Attendant Use Of The Sale Of Alcoholic Beverages For On-Premises Consumption"

Councilman Patrick asked if the case must come back to Council to revoke the Certificate of Occupancy or if staff has that authority.

City Attorney Charles Anderson stated that Council may choose to have automatic revocation or Council action.

Councilman Philipp suggested requiring a rolling 90 day report, received monthly to study any trends. He also requested staff contact restaurant owners and state the importance of the required quarterly reports.

- 41** Resolution -- Appointment Of A Chairman To The Irving's Green Advisory Committee

Mayor Gears suggested appointing Karen Harmon as Chair of the committee.

Councilwoman Van Duyne suggested appointing a Vice Chair as well.

Mayor Gears recommended the committee establish a Vice Chair within the committee.

- 3** **DISCUSSION:** Greater Irving-Las Colinas Chamber - Economic Development Update On Strategic Goal Accomplishments And Market Activity

This discussion items was postponed.

- 4** **DISCUSSION:** Presentation Of The Guide To Using Native Texas Plants - Irving's Top 50

This discussion items was postponed.

- 5** **DISCUSSION:** Code Enforcement Initiative Update

Code Enforcement Director Teresa Adrian described the current tools the department uses and presented a report on commercial pole signs that have been removed voluntarily along the major thoroughfares, which had been an issue.

EXECUTIVE SESSION

City Attorney Charles Anderson read the Mayor and Council into Executive Session at 5:20 p.m.

7 Water Supply Purchase Discussions

Mayor Gears announced that the Council will now reconvene in Open Session.
The time was 6:40 p.m.

The meeting adjourned at 6:41 p.m.

Herbert A. Gears, Mayor

ATTEST:

Janice Carroll, TRMC
City Secretary