

**IRVING CITY COUNCIL  
WORK SESSION  
April 16, 2008**

The Irving City Council met in work session on April 16, 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

Sam Smith

Councilwoman Beth Van Duyne was not in attendance.

Mayor Herbert Gears called the meeting to order at 12:45 pm. He stated that the Council will consider the work session items prior to the review of the regular agenda.

**2 DISCUSSION: DART Quarterly Update**

Public Works Director Jim Cline introduced the DART Board Chairman and Irving DART Board representative Randall Chrisman.

DART President/CEO Gary Thomas gave a report the Green Line and the Orange Line status. He stated that the Orange Line will be presented before the state legislature this session for the approval of the funding strategies. His presentation also included details of the RFP process which will conclude with a construction contract awarded in December or January of 2009. Mr. Thomas noted that the right-of-way acquisition has started as well as utility relocation and the Record of Decision is expected in July from the FTA.

Mayor Herbert Gears asked if the Orange Line proposal is expected to be successful in the legislature.

Mr. Thomas confirmed that DART is expecting a positive outcome.

Councilman Sam Smith questioned why the state was reluctant in the beginning to approve long term funding.

Mr. Thomas noted that transit was a new concept in Texas 25 years ago, but DART has been consistently in good standing.

The Council commended the DART representatives and City staff for the efforts in this project.

**4 DISCUSSION: Museum Presentation**

Managing Director Paul Gooch presented the concept idea for the proposed museum. His presentation included a history of the Museum Board, the funding available and a description of the multipurpose building to exhibit Irving's history and compliment the McDougal redevelopment in the Heritage District. He clarified the possible sites as a property south of the Senior Center or on the Heritage Park property and defined the timeline with a completion date in 2011. Mr. Gooch also showed a video of the Heritage District.

Councilman Smith encouraged staff to develop the audio visual concepts.

Councilwoman Rose Cannaday asked what groups had been involved in the concept.

Managing Director Gooch stated that current involvement has been from the Museum Board and the Fire Fighter Association with plans to include the Preservation and Redevelopment Board and a citizen input committee.

Councilman Joe Philipp suggested including the Heritage Group and the Downtown Association as well as designing the property with the flexibility and quality for indoor and outdoor events.

The Council agreed to move forward.

**1 DISCUSSION: Review Of Regular Agenda**

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

**1 City Manager's Report**

City Manager Tommy Gonzalez presented a video on the staff emergency response efforts from the April 10, 2008 storms.

Councilman Philipp suggested adopting a policy on mobilizing City staff in a disaster and to include addressing going on private property for safety purposes if residents have requested assistance.

City Manager Gonzalez noted that an agreement between the City of Irving and the town of Hugo, Oklahoma for the purchase of water reserves has been completed.

Councilman Rick Stopfer commended the staff and clarified the contract process.

**5 DISCUSSION: Code Enforcement/Public Safety - Focus On Tudor Lane**

Police Chief Larry Boyd introduced the cross-departmental safety team working on Tudor Lane.

Sergeant Jason Mullins gave an overview of the progress on Tudor Lane which included city initiatives and zero tolerance policies while detailing

each property. He noted City efforts had resulted in over 341 citations and 65 arrests.

Councilwoman Cannaday questioned the location of a halfway house on Tudor Lane and why they would choose this area.

Chief Boyd stated that staff is working with TORI to relocate them as it is not zoned for this use.

Sergeant Mullins described the lower crime statistics in the area and the future plans with increase lighting and possible structure removal.

City Manager Gonzalez clarified that some properties will go before the Buildings and Standards Commission and others could be available for the City to purchase.

**3 DISCUSSION:** Irving Boulevard Enhancement Study - Phase 1 Presentation On Assessment/Analysis, Issues Development And Goals/Visioning/Branding

Russ Butler with EDAW Consulting described the Irving Boulevard corridor.

Leland Consulting representative Bill Cunningham described the initial market assessment, area demographics and identified the neighborhood centers and retail.

Mayor Gears noted his disagreement with limiting the area to local markets and stated that residents want regional marketing.

Mr. Butler described the vision for Irving Boulevard which included landscaping, pedestrian areas and 24/7 initiatives.

Councilman Smith noted his support for the proposed linear park to replace the large ditches.

Mayor Gears questioned the infrastructure agreement.

City Manager Gonzalez clarified that staff has been working with TxDot on taking over the highway maintenance.

Managing Director Gooch stated that the next step is to get more citizen input and bring a schematic design back to Council.

Mayor Gears suggested focusing on Plymouth Park Center to attract regional marketing.

**1 DISCUSSION:** Review Of Regular Agenda

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

- 7** Resolution -- Authorizing The Mayor To Execute An Agreement Between The City Of Irving And The Texas Department Of Transportation To Transfer \$11,000,000.00 In Brimer Tax Funds To Advance Access Improvements To The Texas Stadium Site

Public Works Director Jim Cline described the construction plans for Loop 12 and advised that funds raised by the Brimer tax will be used.

Mayor Gears stated that he wanted to be sure this was a legal use.

Managing Director David Leininger stated that accelerating work on the road ways around Texas Stadium is a legal use.

Deputy City Attorney Brenda McDonald clarified that the improvements are to access the Texas Stadium Site.

- 16** Ordinance -- Providing For The Issuance And Sale Of City Irving, Texas General Obligation Bonds, Series 2008, In The Aggregate Principal Amount Of \$32,725,000.00; Awarding The Sale Of Bonds; Levying A Tax In Payment Thereof; Prescribing The Form Of Said Bonds; Approving The Official Statement; And Enacting Other Provisions Relating Thereto

Mayor Gears noted that the City of Irving has received a AAA bond rating.

- 17** Ordinance -- Providing For The Issuance And Sale Of City Irving, Texas Waterworks And Sewer System New Lien Revenue Funding And Improvement Bonds, Series 2008, In The Aggregate Principal Amount Of \$21,180,000.00; Authorizing The Execution And Delivery Of A Paying Agent/Registrar Agreement And An Escrow Agreement; Prescribing The Form Of Said Bonds; Approving The Official Statement; And Enacting Other Provisions Relating Thereto

Chief Financial Officer Max Duplant advised that they will not do the bond refinancing.

- 18** Ordinance -- Amending The Comprehensive Zoning Ordinance No. 1144 Of The City Of Irving, Texas By Comprehensively Regulating Accessory Buildings Including But Not Limited To Maximum Size, Locations, Uses, Numbers And Exterior Building Material Requirements In Residential Zoning Districts

Councilman Lewis Patrick noted the ordinance is geared toward standard size lots and was concerned with limiting accessory buildings on large lots. He requested exceptions for large lots and more definitions of terms.

Councilman Allan Meagher stated that Council needs to address the large metal buildings quickly even if they continue to review the ordinance.

Managing Director David Leininger stated that the Planning & Inspections Department will bring forward clearer definitions of accessory buildings which would exclude small structures, such as dog houses, but he does not recommend exempting all large lots from a limitation.

Urban Development Manager Steven Reed stated that staff recommended postponing the item to May 22, 2008 after the public hearing.

- 19** Resolution -- Postponing to May 1, 2008 The Consideration Of An Ordinance Amending The Comprehensive Plan To Change The Recommended Land Use From "Single Family Detached, Low Density

Residential" To "Single Family Attached Medium Density Residential" Uses; Amending PUD No. 1 To Allow Additional Multifamily Acreage; And Approving Development Plan #48 - Four Seasons Residences - Requesting R-MF-1 (Multifamily) Uses And A Multifamily Concept Plan On A 7.73 Acre Tract Located On The South Side Of O'Connor Ridge Road, North Of Lena Lane -- Sharon Barbosa-Crain, Applicant

Mayor Gears noted that this item has been postponed.

- 20** 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

Urban Development Manager Steven Reed noted that this item has been postponed until May 22, 2008

- 21** Ordinance -- Zoning Case ZC07-0079 -- Granting S-P-2 (Generalized Site Plan) For C-N (Neighborhood Commercial) Uses -- A 20.62 Acre Tract Located On The North Side Of Interstate Highway 635, West Of East Valley Ranch Parkway -- O'Brien And Associates, Applicant

Urban Development Manager Reed presented this item.

Councilman Stopfer requested staff inform the applicant that they must get approval from the Valley Ranch Association as well.

Council discussed signage on the property and Mercer Crossing as the property owner.

Manager Reed stated staff's recommendation is to approve the ordinance with limitations regarding off-site advertising.

City Attorney Charles Anderson discussed the Council's options regarding signage restrictions.

- 22** Ordinance -- Repealing Ordinance Nos. 6898, 6982 And 8373 That Granted PUD (Planned Unit Development) For S-P-1 (Detailed Site Plan) For R-AB (Restaurant Including The Accessory Use Of The Sale Of Alcoholic Beverages For On-Premise Consumption) To Reinstate The Previous PUD (Planned Unit Development) For C-N (Neighborhood Commercial) Uses In Zoning Case #ZC08-0012 -- Approximately 6,850 Square Feet Located At 8600 North MacArthur Boulevard, Suite 138 -- City Of Irving, Applicant

Urban Development Manager Reed presented this item and described the staff's recommendations and the property owner's objections. He noted that the applicant is requesting postponement, but if written opposition is submitted by the property owner then a  $\frac{3}{4}$  vote is required by the Council.

Council agreed that zoning that allows for the sale of alcohol be revoked.

**23** Resolution -- Request For Certificate Of Occupancy By Rocco Sofio For 8600 North MacArthur Boulevard

City Attorney Anderson clarified the request for occupancy for non-alcoholic uses only.

Councilman Meagher asked if the applicant has brought in the requested sales report.

Urban Development Manager Reed stated that the applicant has not complied.

Councilman Smith noted his concern with reinstating an occupant that has not complied with the City ordinances.

Deputy City Attorney Brenda McDonald stated that this item will be discussed in Executive Session.

**EXECUTIVE SESSION**

City Attorney Charles Anderson read the Mayor and Council into Executive Session at 4:25 p.m.

**6** Land Acquisition - State Highway 183

**23** Resolution -- Request For Certificate Of Occupancy By Rocco Sofio For 8600 North MacArthur Boulevard

Mayor Gears announced that the Council will now reconvene in Open Session. The time was 4:40 p.m.

The meeting adjourned at 4:41 p.m.

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Herbert A. Gears, Mayor

ATTEST:

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Janice Carroll, TRMC  
City Secretary