

AGENDA
Irving City Council Regular Meeting
Thursday, October 3, 2019 at 7:00 PM
City Hall, First Floor, Council Chambers
825 W. Irving Blvd., Irving, Texas 75060

Organizational Service Announcements

Invocation

Pastor Leo Adkins, Berean Memorial Church, Irving

Pledge of Allegiance

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 27

CITY COUNCIL AGENDA

1 City Operations Update

CONSENT AGENDA

2 Approving Work Session Minutes for Wednesday, September 18, 2019

3 Approving Regular Meeting Minutes for Thursday, September 19, 2019

4 Resolution - Approving the Use of the Dallas County Election Department Voting Tabulation Systems and Services to be Used in All Joint and Special Elections Conducted by Dallas County on Behalf of the City of Irving

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.

A member of the public may address the City Council regarding an item on the agenda either before or during the Council's consideration of the item, upon being recognized by the presiding officer or the consent of the Council.

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.

Administrative Comments

1. This item is recommended by the City Secretary's Office.
2. **Impact:** The Texas Election Code requires the city to adopt Dallas County's voting system for use in joint and special elections where the Dallas County Elections Department provides election services.
3. Dallas County purchased the Election Systems & Software (ES&S) ExpressVote Universal Voting System (Ballot Marking Devices), EVS 6.0.2.0, Firmware 2.4.0.0; the ES&S DS200 Digital Precinct Scanner, EVS 6.0.2.0, Firmware 2.17.0.0.; and ES&S' Model DS850 High-Speed Scanner and Tabulator, Version 1, EVS 6.0.2.0., along with the required ancillary parts and services required for this voting tabulation system equipment. The Dallas County Commissioners Court adopting these voting tabulation systems and services on September 17, 2019
4. This system was certified by the Texas Secretary of State on November 11, 2018, and by the United States Election Assistance Commission on October 4, 2018.
5. This equipment and accompanying services will be utilized in all elections in Dallas County, including joint contracted elections.

Recommendation

The resolution be approved.

5 Resolution - Approving a Texas Traffic Safety Program Grant Agreement Between the City of Irving and the State of Texas, Acting by and through the Texas Department of Transportation, for a Selective Traffic Enforcement Program (STEP) Grant for Fiscal Year 2019-2020

Administrative Comments

1. This item is recommended by the Police Department. It supports Strategic Objective No. 4.1: Safeguard public safety, security and health.
2. **Impact:** This grant provides overtime expenses to increase safety belt usage, increase driver compliance with posted speed limits, and decrease impaired driving and alcohol-related crashes.
3. The grant becomes effective October 1, 2019, and terminates on September 30, 2020, unless terminated or otherwise modified.
4. The STEP grant is reimbursable up to \$147,821.20 with the City's match being covered by a cash match of \$60,259.50 and "in kind" contributions of \$36,385.50.
5. Funding in the amount of \$60,259.50 is available in the Police budget within the

General Fund

Recommendation

The resolution be approved.

6 Resolution - Approving Amendment No. 2 to the Household Hazardous Waste Interlocal Agreement Between Dallas County and City of Irving to Provide a Program in Which Residents Can Properly Dispose of Household Chemicals, in the Amount Not to Exceed \$110,000.00

Administrative Comments

1. This item is recommended by Solid Waste Services.
3. **Impact:** This contract provides an environmentally sound method to dispose of the household hazardous waste such as pesticides, fertilizers, etc., thus ensuring the proper disposition of these materials.
4. Agreement was originally executed on 09/21/17 with four one-year renewals. This is renewal number two.
5. This agreement will provide service from October 1, 2019 through September 30, 2020. Dates of the events are as follows: 10/26/19, 2/22/20, and 6/27/20.
6. Funding in the amount of \$110,000.00 is in FY 2019-20 Solid Waste Budget and is available in the Municipal Drainage Utility Fund.

Recommendation

The resolution be approved.

7 Resolution - Approving the FY2019-20 Annual Service Plan Update to the Service and Assessment Plan and Assessment Roll for the Public Improvements for the Bridges of Las Colinas Public Improvement District in Accordance with Chapter 372, Texas Local Government Code, as Amended and Providing an Effective Date

Administrative Comments

1. This item is recommended by the Financial Services Department.

2. **Impact:** The assessments will be updated to reflect the 2019-2020 levy against property within the Bridges PID to pay for the annual debt service of bonds issued for the public improvements plus collection costs of the Bridges of Las Colinas PID.
3. The Bridges of Las Colinas is a single family residential development consisting of approximately 122 acres located near the northeast corner of SH114 and Belt Line Road. The development consists of 401 residential lots. The 2019 taxable assessed value of the Bridges development is \$190,111,791.
4. In 2013, the City issued Series 2013A City of Irving Combination Tax and Revenue Certificates of Obligation in the aggregate principal amount of \$8,984,348.75 to finance the public improvements within the development. This debt is serviced through the allocation of a Tax Increment Reinvestment Zone payment of 50% of the Maintenance and Operation portion of the city's tax rate on the incremental value created by the development and any shortfall in the debt service is covered by an assessment on the benefited properties within the district on a square footage basis.
5. This year, each benefitted property (residential lot) will be assessed \$0.015239 per square foot. The development offers various lot sizes. The largest lot size is 19,715 square feet and would be assessed at \$300.43 while the smallest lot size is 5,693 and would be assessed at \$86.75. Each lot is assessed individually based on the square footage of the lot.
6. The Annual Service Plan Update has been prepared setting forth the budget and the 2019-2020 Annual Installment for assessed properties in the Bridges PID.

Recommendation

The resolution be approved.

8 Resolution - Approving the FY2019-20 Annual Service Plan Update to the Service and Assessment Plan and Assessment Roll for the Public Improvement for the Ranchview Public Improvement District in Accordance with Chapter 372, Texas Local Government Code, as Amended and Providing an Effective Date

Administrative Comments

1. This item is recommended by the Financial Services Department.
2. **Impact:** Assessments will be updated to reflect the 2019-2020 levy against property within the Ranchview PID to pay for the annual debt service of bonds issued for the public improvements plus collection costs of the Ranchview PID.

3. The Ranchview Development (Campion Hollows) is a single family residential development consisting of approximately 37 acres located at the intersection of IH635 and Valley Ranch Parkway East. The development consists of 121 single family residential lots. The 2019 taxable value is \$47,085,724.
4. In 2013, the City issued Series 2013B City of Irving Combination Tax and Revenue Certificates of Obligation in the aggregate principal amount of \$3,293,426.55 to finance the public improvements within the development. This debt is serviced through the allocation of a Tax Increment Reinvestment Zone payment of 50% of the Maintenance and Operation portion of the city's tax rate on the incremental value created by the development and any shortfall in the debt service is covered by an assessment on the benefited properties within the district on a square footage basis.
5. This year, each benefitted property (residential lot) will be assessed \$0.180724 per square foot. The development offers various lot sizes. The largest lot size is 11,868 square feet and will be assessed \$2,144.84 while the smallest lot size is 5,707 and will be assessed \$1,031.40. Each lot is assessed individually based on the square footage of the lot.
6. The Annual Service Plan Update has been prepared setting forth the budget and the 2019-2020 Annual Installment for assessed properties in the Ranchview PID.

Recommendation

The resolution be approved.

9 Resolution - Approving the FY2019-20 Annual Service Plan Update to the Service and Assessment Plan and Assessment Roll for Public Improvements for the Parkside Public Improvement District in Accordance with Chapter 372, Texas Local Government Code, as Amended and Providing an Effective Date

Administrative Comments

1. This item is recommended by the Financial Services Department.
2. **Impact:** Assessments will be updated to reflect the 2019-2020 levy against property within the Parkside PID to pay for the annual debt service of bonds issued for the public improvements plus collection costs of the Parkside PID.
3. The Parkside Development is a single family residential development consisting of approximately 275 acres located at the along the south side of SH114 at the intersection of Belt Line Road. Parkside consists of 888 residential lots to be

developed with single family residences. Although on track for full build out in 2020, the 2019 taxable value of the Parkside development is \$329,596,124.

4. In 2014, the City issued Series 2014 City of Irving Combination Tax and Revenue Certificates of Obligation in the aggregate principal amount of \$22,211,340.30 to finance the public improvements within the development. This debt is serviced through the allocation of a Tax Increment Reinvestment Zone payment of 50% of the Maintenance and Operation portion of the city's tax rate on the incremental value created by the development and any shortfall in the debt service is covered by an assessment on the benefited properties within the district on a square footage basis.
5. This year, each benefitted property (residential lot) will be assessed \$0.145007 per square foot. The development offers various lot sizes. The largest lot size is 16,255 square feet and would be assessed at \$2,356.99 while the smallest lot size is 3,571 and would be assessed at \$517.81. Each lot is assessed individually based on the square footage of the lot.
6. The Annual Service Plan Update has been prepared setting forth the budget and the 2019-2020 Annual Installment for assessed properties in the Parkside PID.

Recommendation

The resolution be approved.

10 Resolution - Awarding a Professional Services Agreement to Garver, LLC, in the Amount of \$1,979,181.00, for the Reconstruction Design of Irving Blvd. from Sowers Road to Strickland Plaza Project

Administrative Comments

1. This item is recommended by the Capital Improvement Program. This item supports Strategic Goal No. 2.5: Support strategic investments in city facilities.
2. **Impact:** This consulting contract will provide professional services for the roadway reconstruction of Irving Boulevard from Sowers Road to Strickland Plaza.
3. **This item will be presented at the Transportation and Natural Resource Committee on October 2, 2019.**
4. Irving Boulevard is proposed to be reduced to two traffic lanes one-way (west bound), to include bike lanes and sidewalks and be designed as a complete streets urban designed project.

5. This is the second step of a two-step process for awarding an agreement. An authority to negotiate was approved by Council RES-2019-285 on August 1, 2019.
6. The Capital Improvement Program Department recommends selecting Garver for the following reasons: their team has a proven track record with other area cities for the design of roadway paving with utilities, their team did an exceptional job identifying several project opportunities; their team recognized constraints with the existing right-of-way and storm water conditions, they provided design considerations regarding traffic control and construction phasing. Their team has an exceptional experience in regard to paving, water and wastewater mains, drainage, traffic control, construction phasing and public outreach. The Garver team has a strong reputation for performing this type of work.
7. The contract is structured into Basic Engineering Services (7.5% of current construction estimate), and Additional Services (i.e. surveying, SUE "Level "A" and "B", Traffic Control, Geotechnical Investigation, Landscape Architecture, and Public Involvement. The overall complete services are 9.9% of the construction estimate. The Professional Services Contract total is \$1,979,181.00.
8. Construction is anticipated to be funded in the FY2021-22.
9. Funding in the amount of \$1,597,000.00 within the Gateway Development Bond Fund and funding in the amount of \$382,181.00 within the Water and Sewer System Non-Bond CIP Fund.

Recommendation

The resolution be approved.

11 Resolution - Approving the Acquisition of a Public Utility Easement on Parcel 115-49AC, Located at 1039 N. Walton Walker Blvd. in the Amount of \$23,090.00

Administrative Comments

1. This item is recommended by the Capital Improvement Program Department and Water Utilities Department. It supports Strategic Objective 2.4 - Maintain and extend water, wastewater and storm water systems.
2. **Impact:** Approval of this item will provide an essential easement related to the Diamond Interchange Project.
3. **This item will be presented to the Transportation and Natural Resource Committee on October 2, 2019.**
4. To accommodate the Texas Department of Transportation's (TxDOT) Diamond Interchange Expansion Project, the City of Irving will need to relinquish existing

utility easements that will conflict with the Diamond Interchange project design.

5. Therefore, the City must acquire several new easements on adjacent privately owned lands. The purpose of this agenda item is for acquisition of a 0.118 acre utility easement, across Parcel 115-49AC, situated at 1039 N. Walton Walker Blvd.
6. Funding in the amount of \$23,090.00 is available within the Water and Sewer System Non-Bond CIP Fund.

Recommendation

The resolution be approved.

12 Resolution - Approving an Interlocal Agreement with Dallas County Health and Human Services for Control of Communicable Disease Services in the Total Estimated Amount of \$81,906.00

Administrative Comments

1. This item is recommended by the Code Enforcement Department. This item supports Strategic Objective 4.1: Safeguard public safety, security and health.
2. **Impact:** Providing preventative health services helps to promote a healthier lifestyle and improved quality of life for Irving residents.
3. This agreement establishes the continuation of an annual contract to provide control of communicable disease services. This contract includes services for tuberculosis control, sexually transmitted diseases, laboratory tests, immunizations, and well-baby exams.
4. This contract cost is based on the prior year amount with no increase.
5. There are no changes to service levels or deliverables.
6. Funding in the amount of \$81,906.00 is available in the Code Enforcement budget with the Health Board Program Fund. Funding the Fiscal Year 2019-20 is available and subject to approval of FY19-20 budget.

Recommendation

The resolution be approved.

13 Resolution - Approving a Vendor/Member Contract Pursuant to a Cooperative Purchasing Agreement Between the City of Irving and DataProse, LLC, in an Amount Not to Exceed \$255,432.00 for Utility Bill Printing and Mailing Services through an Interlocal Cooperative Purchasing Agreement with the City of Allen

Administrative Comments

1. This item is recommended by the Water Utilities Department. It supports Strategic Objective 1.1 – Contain costs and increase operational efficiency.
2. **Impact:** This contract provides city bill printing and mailing services to ensure revenues are collected efficiently.
3. Prior to outsourcing, city staff printed, folded and stuffed bill statements into envelopes with a bill sorter in the Print Shop that was twelve (12) years old and had no parts available for repairs. A major investment in new equipment would have been required for the city to continue providing these services.
4. Water Utilities has been very pleased with the services DataProse has provided since the original contract that started on October 1, 2015. It is recommending that spending in the amount of \$255,432.00 be awarded for a one-year term.
5. The contract period begins on date of award and ends on September 30, 2020. Funding will be available in the Water Utilities Department budget within the Water and Sewer System Fund.
6. The contract has an option for four (4) additional one-year renewals.

Recommendation

The resolution be approved.

14 Resolution - Approving an Engineering Services Agreement with Black & Veatch Corporation in a Total Amount Not to Exceed \$399,696.00 for the Completion of the America’s Water Infrastructure Act Risk & Resilience Assessment and Emergency Response Plan

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: This item supports the city’s Investing in our Future initiative.** This project will ensure compliance with the America’s Water Infrastructure Act of 2018 (AWIA).
3. **This item was presented to the Transportation and Natural Resources Committee on September 4, 2019 and will be presented again on October 2, 2019.**
4. Section 2013 of the AWIA requires community water systems to complete a risk

and resilience assessment and develop an emergency response plan. The city does not have an existing plan that meets the new requirements.

5. The Environmental Protection Agency (EPA) requires certification of completion of the Risk & Resilience Assessment by March 30, 2020, and the Emergency Response Plan by September 30, 2020.
6. The Risk & Resilience Assessment will evaluate risk to the system from malevolent acts, including cyber security threats, as well as natural hazards. The resilience of our pipes, facilities, electronic, computer, and other automated systems will also be assessed.
7. The Emergency Response Plan will identify strategies and resources to implement in response to an emergency and will also develop emergency plans and procedures, risk mitigation actions, and detection strategies.
8. City staff administered a Request for Qualifications (RFQ) to select an engineering firm for these services. Nine RFQ responses were received and evaluated by staff. Black & Veatch Corporation (B&V) was determined to be the most highly qualified provider for the services solicited.
9. The Water Utilities Department recommends selecting B&V based on their proposed team, experience in completing similar projects, their approach and other content provided in their submittal.
10. This is the second step of a two-step process. An Authority to Negotiate was provided by City Council Resolution 2019-332 on September 5, 2019.
11. Funding in the amount of \$399,696.00 is available in the Water Utilities Budget within the Water and Sewer System Fund.

Recommendation

The resolution be approved.

Bids & Purchasing Items

Items 15 – 17

15 Resolution - Renewing the Contract with PST Services Inc., (A McKesson Company) for Billing and Collection of Emergency Medical Services

Administrative Comments

1. This item is recommended by the Financial Services Department and the Fire Department.
2. **Impact:** This contract allows the city to have continuity of billing and collection services in connection with emergency medical services provided by the Fire Department.
3. The vendor will receive 4.3% commission on the collection of billed accounts.
4. Revenue received as a result of this contract for Billing and Collection of Emergency Medical Services will be deposited in the city's lockbox and recorded in the Fire Department budget within the General Fund; average collections in the past have been approximately \$2,100,000.00 per year. Commissions are paid out of gross revenues received.

Recommendation

The resolution be approved.

16 Resolution - Approving and Accepting the Bid of Earth Haulers, Inc., in the Total Estimated Amount of \$384,530.00 for Road Maintenance Materials

Administrative Comments

1. This item is recommended by the Traffic & Transportation Department – Streets Division and the Water Utilities Department.
2. **Impact:** This contract supports the Road to the Future Program. Road maintenance materials are necessary for the Streets Division to provide cushion sand, top soil and crushed concrete aggregate. Water Utilities uses road maintenance materials for backfill and embedment on water and sewer main repairs. These materials are used to maintain the safety of the transportation network within the City of Irving.

3. This award establishes an annual contract for providing the following road maintenance materials: Item 1– top soil, Item 2 – cushion sand, Item 3 – standard crushed stone and Item 4 - black sandy loam. The contract will be shared with the Water Utilities department. The contract includes two one-year renewal options.
4. MWBE participation in this award is 100%.
5. Funding is available in the Traffic & Transportation Department budget within the Streets Fund and the Water Utilities Department budget within the Water and Sewer System Fund.

Vendor	Contract Term	Total Estimated Amount	Fund	Fiscal Year(s)
Earth Haulers, Inc.	10/04/19 – 9/30/20	\$188,020.00	Streets	2019-20
		\$196,510.00	Water Utilities	2019-20
TOTAL		\$384,530.00		

Recommendation

The resolution be approved.

17 Resolution - Approving and Accepting the Bid of Ferguson Enterprises, LLC, in the Total Estimated Amount of \$96,500.00 for Dechlorinating Tablets

Administrative Comments

1. This item is recommended by the Water Utilities Department.
2. **Impact:** Dechlorinating tablets are used during the flushing of fire hydrants and dead-end water mains to ensure the chlorine is removed from the water as it is discharged from the system. This is required by the TCEQ to prevent any harm to fish and other aquatic life if this water reaches a nearby stream or pond.
3. This award establishes an annual contract for the continuation of providing dechlorinating tablets to be used by the Water Utilities Department. The current contract expires October 1, 2019.

4. Funding for Fiscal Year 2019-20 is subject to budget appropriation in the Water Utilities Department budget with the Water and Sewer System Fund.

Vendor	Contract Term	Total Est. Amount	Fiscal Year
Ferguson Enterprises, LLC	10/3/19 – 9/30/20	\$96,500.00	2019-20

Recommendation

The resolution be approved.

End of Bids

18 Ordinance - Authorizing the Abandonment and Vacation of Certain Portions of Sanitary Sewer Easements in the Henry Gough Survey, Abstract No. 494, Delaware Creek Heritage Crossing Development, in the City of Irving

Administrative Comments

1. This item is recommended by the Capital Improvement Program Department.
2. **Impact:** The abandonment of three sanitary sewer easements will facilitate the Planning Department in filing the plat that is necessary for the development of the Heritage Crossing Community.
3. **This item will be discussed at the Transportation and Natural Resource Committee on October 2, 2019.**
4. The sanitary sewer easements are not currently in use and are located where proposed residential lots will be located in the new development.
5. The Seventh Street Right of Way (as shown on the exhibits) was abandoned previously under Resolution No. 2019-10170 at the City Council Meeting on March 21, 2019.
6. Everything on the ground as it pertains to these specific three sanitary sewer easements is the same as it was at the time of original submittal.

Recommendation

The resolution be approved.

19 Ordinance - Approving a Development Agreement with Vaquero Ventures Management, LLC for the Sale of 313 W. Irving Boulevard

Administrative Comments

1. This item is recommended by the Economic Development Department. It supports Strategic Objective 3.1 – Promote Revitalization of Targeted Areas.
2. **Impact:** The sale of this vacant 0.45 acre tract will allow for the proposed redevelopment of the land into a national coffee brand store.
3. **The sale of the property was presented to the Planning and Development Committee on September 5, 2019.**
4. Vaquero Ventures Management, LLC intends to redevelop the city's property by building a Starbucks coffee store with indoor seating, patio, and drive through.
5. The sale price of the City land is \$119,390.00. The Development Agreement includes certain criteria that must be included at the time of closing. Those criteria include (i) an executed lease with Starbucks to operate a Starbucks store with an initial term of not less than five (5) years; (ii) a Performance Bond in the full amount of the Purchase Price, guaranteeing the purchaser will take all actions reasonably necessary and required by the City to construct and occupy a minimum 2,100 square foot Starbucks coffee store on or before the Date of Occupancy; (iii) if necessary, obtain proper Zoning for the site plan; and, (iv) obtain a building permit for the construction of the coffee store.
6. The City will close on the property with Vaquero Ventures Management by February 7, 2020 and Starbucks will have to occupy the building by December 31, 2020.
7. This property is located in the Irving Boulevard TIF (TIF #2). The TIF's Project and Financing Plan includes the development of vacant properties and diversification of retail in the corridor. This project is consistent with the purpose of the TIF and will sell at fair market value using the Dallas County Appraisal District (DCAD) market value; therefore, the property can be sold without any bids.

Recommendation

The resolution be adopted.

ZONING CASES AND COMPANION ITEMS

- 20 **Ordinance - Zoning Change #ZC19-0035 - Considering a Zoning Change from S-P-2 (Generalized Site Plan) District for C-C (Community Commercial) Uses to S-P-2 (Generalized Site Plan) District for C-C (Community Commercial) and Hotel Uses - Approximately 3.1 Acres Located at 8230 Esters Road - Ritzway Construction & Design Group, Applicant - DFW Joseph Investments, LLC, Owner**

Administrative Comments

1. The Planning and Zoning Commission Hearing Date and Recommendation: September 3, 2019 – Favorable 6-1 (Commissioner Spurlock, nay; Commissioners Cronenwett and Richards, absent), subject to the site plan being corrected to show the number of parking spaces required and to provide a minimum 10 ft. deep landscape buffer along all street frontages. The stipulation of the Planning and Zoning Commission has been met.
2. **The applicant is requesting a zoning change to allow the development of a five-story hotel, with exceptions to the Hotel Development Standards for less than 200 rooms and less than 5,000 sq. ft. of conference/meeting space.**
3. The 2017 Imagine Irving Comprehensive Plan recommends *Business District* uses for the subject property, which is a flexible use district for retail, office and commercial uses. These are predominantly mid-rise with a mix of surface and structured parking. The proposed use is in conformance with the Comprehensive Plan.
4. The applicant is seeking approval to develop the property with a 5-story, 180-room full-service Radisson Hotel. The site is currently vacant.
5. The proposed new hotel provides a total of 180 rooms. The hotel will have approximately 1,435 square feet of lobby/lounge area, approximately 2,730 square feet of meeting space, a 2,730 square feet fitness center, and a 69-seat full service restaurant.
6. The rooms range in size from 308 square feet to 436 sq. feet, which exceeds the minimum room size requirement of 300 sq. ft.; however the site plan did not provide a breakdown of how many rooms of each size will be built.
7. A total of 215 parking spaces are required, calculated at:
 - One (1) space per room: 180
 - One (1) space per each five (5) restaurant or lounge area seats: 14
 - One (1) space for each one hundred twenty-five (125) square feet of meeting/conference room area: 21
8. The site plan includes 171 parking spaces. This is a variance of 44 spaces, or 20% of the required parking. The applicant is providing a shuttle service to the airport

three (3) times an hour. The City has typically supported up to a 20% variance to the parking requirement for a hotel when shuttle service is provided.

9. The applicant is requesting the following exceptions to the hotel development standards:

	<u>Required</u>	<u>Provided</u>
Minimum number of rooms	200	180 as shown on site plan Exception requested for difference of 20 rooms
Minimum conference/meeting area	5,000 sq. ft.	2,730 sq. ft. Exception requested for difference of 2,270 sq. ft.
Minimum parking spaces	215	171 spaces as shown on site plan Exception requested for difference of 44 spaces or 20%

10. Comments made by CIP, Traffic and Transportation, TxDOT, Fire, and Water Department staff cannot be waived through the S-P-1 or S-P-2 site plan approval process. Approval of the zoning site plan does not constitute the acceptance of conditions and may need to be amended to match the applicable code and engineering standards.
11. The proposed development meets most of the Hotel Design Standards, including having a full-service restaurant, minimum room size, minimum recreation space, and minimum lobby space. The exceptions that are being requested are reasonable given the size and location of the property. Accordingly, staff can support this request.
12. A total of 14 public notices were mailed. Staff received no responses in support and one (1) response in opposition to this request. The opposition represents 0.1% 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.
13. 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.

21 Ordinance - Zoning Case #ZC19-0048 - Considering a Zoning Change from S-P-2 (Generalized Site Plan) District for IP-AR (Industrial Park-Airport Related Uses) to S-P-1 (Detailed Site Plan) District for C-C (Community Commercial) and Hotel Uses - Approximately 0.6887 Acres Located at 4500 Plaza Drive - Mayse & Associates, Applicant - Rigel Lodging, LLC, Owner

Administrative Comments

1. The Planning and Zoning Commission Hearing Date and Recommendation: September 16, 2019 – Favorable 7-2 (Commissioners Spurlock and Taylor, nay).
- 2. The applicant is seeking approval to develop the property with a 6-story, 130 room Hampton Inn & Suites hotel. The site is a currently vacant 0.68 acre area adjacent to a Home2 Suites hotel owned and operated by the applicant.**
3. The 2017 Imagine Irving Comprehensive Plan Future Land Use Map recommends *Business District* uses for this property. This is a flexible use district for retail, office and commercial uses. It has predominantly mid-rise with a mix of surface and structured parking. The requested zoning is in conformance with the Comprehensive Plan.
4. The proposed new hotel provides a total of 130 rooms and 104 parking spaces in two levels of underground parking. The hotel will have approximately 701 square feet of lobby/waiting area, approximately 1,398 square feet of guest breakfast area, a 1,006 square foot fitness center, and 2,239 square feet of meeting/conference area. An outdoor patio is provided.
5. All guest rooms will exceed the minimum required 300 sq. ft. room size.
6. A total of 148 parking spaces are required. The applicant is providing 104 spaces; one surface space and two levels of underground parking. This is a 44 space or 30% reduction in parking. The site plan includes a note stating that shuttle service to the airport will be provided.
7. Access to the site is limited to one drive off Plaza Drive leading into the underground parking and a proposed shared driveway with the adjacent hotel. Although a porte-cochere is provided for drop-off in front, there is no surface level guest parking.
8. The property has almost 100% of lot coverage. Three small areas in front are provided for landscaping and permeable space. Four (4) trees will be provided on the lot, with shrubs. Additional landscaping shown on adjacent property is not part of this zoning case.
9. Comments made by CIP, Traffic and Transportation, TxDOT, Fire, and Water Department staff cannot be waived through the S-P-1 or S-P-2 site plan approval process. Approval of the zoning site plan does not constitute the acceptance of conditions and may need to be amended to match applicable code and engineering standards.
- 10. The applicant is requesting the following variances to the hotel development**

and landscaping and screening standards:

	Required	Requested Exception
Sleeping Rooms	200 Minimum	130 rooms Exception requested for difference of 70 rooms or 35%
Restaurant	Full-service restaurant with full kitchen, cooking and service staff on the premise and be open to the general public for breakfast and dinner (minimum) daily	Breakfast for hotel guests only
Meeting Or Conference Rooms	Combined minimum area of five thousand (5,000) square feet	2,239 sq. ft. Exception requested for 2,761 sq. ft. or 55%
Parking	148 spaces 1 space/130 rooms = 130 spaces 1 space for each 125 sf for meeting room = 18 spaces	104 parking spaces Exception requested for difference of 44 spaces or 30%
Landscaping and Setbacks	30-foot parking setback and landscape buffer along Plaza Drive	Parking and canopy extends into front setback. Providing a minimum 15-ft interior parkway and four required trees

11. A total of nine (9) public notices were mailed. Staff has not received any responses in support of or in opposition to this request.

12. Staff recognizes the difficulty of developing this small site and its proximity to other hotels in the area. However, staff cannot support this request due to the multiple exceptions requested from the Hotel Standards:

- Minimum number of rooms – Staff cannot support a hotel that has 35% less than 200 rooms, per the adopted Hotel Development Standards. The 130 proposed rooms represent just 65% of the required room count.
- Full service restaurant – Staff cannot support not providing a full service restaurant.
- Minimum meeting space – Staff cannot support a new hotel that has a nearly 55% reduction in the required meeting space, per the adopted Hotel Development Standards.

- Parking – Staff cannot support a 30% parking variance. This is a much larger variance than has been proposed or approved by the City Council in other recent hotel zoning cases.
- Landscaping and Setbacks – Staff cannot support development on a vacant site that has such a significant encroachment into the front setback and virtually no landscaping.

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

Recommendation

The ordinance be denied.

22 Ordinance - Zoning Case #ZC19-0055 - Considering a Zoning Change from R-6 (Single Family) District to S-P-2 (Generalized Site Plan) District for R-6 (Single Family) Uses- Approximately 0.20 Acres Located at 2413 LaSalle Drive - Precise Contracting Services, Applicant - Charles and Marilyn Wolford, Owners

Administrative Comments

1. The Planning and Zoning Commission Hearing Date and Recommendation: September 3, 2019 – Favorable 5-2 (Commissioners Spurlock and Burns, nay; Commissioners Cronenwett and Richards, absent).
2. The owner is requesting a zoning change to allow a 20-foot by 24-foot carport attached to the overhang of the main house. **An exception is being requested for the carport encroaching into the required 25-foot front setback by 19 feet, resulting in a 6 ft. front yard.**
3. The 2017 Imagine Irving Comprehensive Plan recommends *Residential Neighborhood* uses for the subject property, which allows predominantly single-family detached homes or duplexes with some mix of non-residential uses, particularly in-home businesses. The proposed use is in conformance with the Comprehensive Plan.
4. The front wall of the existing dwelling on this property is approximately 33 feet from the front property line. The applicant has indicated the proposed carport would be

attached to the eave which appears to be at the 30 ft. platted setback. A 24-foot long carport attached to the eave of the home would only be 6 feet from the front property line.

	Required in R-6	Proposed
Front Setback	30 ft. Platted building line 25 ft. front yard in zoning district	6 ft.

5. A total of 29 public notices were mailed. Staff received one (1) response in support and no responses in opposition to this request.
6. Since no other carports have been approved for this street, staff cannot support the encroachment of a carport into the front setback at this location.
7. This items supports Strategic Objective 3.5 – Effectively plan and manage land use.

Recommendation

The ordinance be denied.

23 Ordinance - Zoning Case #ZC19-0064 - Considering a Zoning Change from ML-20 (Light Industrial) District Uses to S-P-2 (Generalized Site Plan) District for ML-20 (Light Industrial) District and Equipment Sales and Rental Uses - Approximately 4.49 Acres Located at 3010 and 3034 E. Grawuyler Road, and 3250 E. John Carpenter Freeway - Big Red Dog, Applicant - Proffutt, LP, Owner

Administrative Comments

1. The Planning and Zoning Commission Hearing Date and Recommendation: September 16, 2019 – Favorable 9-0.
2. **The applicant is requesting a zoning change allow equipment rental, sales, repair, and display, with an exception to the State Highway 183 Overlay District to allow a 15-foot front yard.**
3. The 2017 Imagine Irving Comprehensive Plan recommends *Commercial Corridor* uses for the subject property. This is an auto-oriented land use district for retail, office and commercial uses. Typically, it includes low to mid-rise buildings with parking in front. The proposed use is in conformance with the Comprehensive Plan.

4. The proposed rezoning would allow an expansion of the existing equipment rental, sales, repair, and display operating on the rest of the 10-acre tract, previously approved by Ordinance number 6916. The site will include a new 36,540 sq. ft. dealership office, warehouse, and a repair/maintenance building.
5. The building will have a one-story, 5,000 sq. ft. office space, 9,900 sq. ft. of warehouse space, and 17,000 sq. ft. of service bays, with 10 overhead doors in front facing E. John W. Carpenter Freeway and 11 doors in back. The maximum building height is 3-stories or 50 feet, per the ML-20 zoning district requirements. Three (3) existing buildings will be demolished for the redevelopment.
6. The ML-20 zoning district and the State Highway 183 Overlay District require a 30-foot front setback for landscaping. No parking, structures or fencing are allowed in the setback. **The applicant is requesting to reduce the requirement to 15 feet and place a wrought-iron security fence on the 15-foot setback, with equipment display behind the fence.**
7. The 30-foot setback has been consistently maintained along Airport Freeway per the State Highway 183 Overlay District; however, the freeway is now elevated along this section to cross over the Trinity River and Grauwylar Road. The State Highway 183 service road continues beneath the highway in front of the subject property. The 15-foot landscape setback, if approved, will not be visible from the highway.
8. A total of seven (7) public notices were mailed. Staff has not received any responses in support of or in opposition to this request.
9. Since the site is already being used for equipment sales and storage, and since the setback area is no longer visible from the elevated highway, staff has no objection to the redevelopment of this site to expand the existing use, or the reduction of the required 30-foot setback at this location.
10. 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.

24 Ordinance - Zoning Change #ZC19-0065 - Considering a Zoning Change from C-W (Commercial Warehouse) District to S-P-1 (Detailed Site Plan) District for C-W (Commercial Warehouse) Uses with an Environmentally Sensitive Land Use - Approximately 1.623 Acres Located at 2222 Century Circle - Original Texas Group LLC, Applicant - VMI Real Estate, Owner

Administrative Comments

1. The Planning and Zoning Commission Hearing Date and Recommendation: September 3, 2019 – Favorable 7-0 (Commissioners Cronenwett and Richards, absent).
2. **The applicant is requesting rezoning to allow for the development of an Environmentally Sensitive Land Use that will handle the processing and sterilization of medical waste.**
3. The 2017 Imagine Irving Comprehensive Plan Future Land Use Map recommends *Business District* for this property. This is described as a flexible use district for retail, office and commercial uses, with predominantly mid-rise buildings with a mix of surface and structured parking. This request is in conformance with the Comprehensive Plan.
4. The subject property is an existing, stand-alone building that is currently unoccupied. The owner is proposing to use the facility to house and operate a medical waste treatment system made by a company called STI BioSAFE. This system is planned to be installed and operated entirely within the existing building. The system receives sealed waste from medical facilities that is ground, sterilized, and shredded for proper disposal.
5. The facility has the necessary registration from the Texas Commission of Environmental Quality (TCEQ) and will be subject to their inspection and monitoring regulations. The applicant provided documentation from TCEQ regarding approval of the process.
6. The facility will have a chain link fence and sliding security gates to ensure secure ingress and egress. The gates will have Knox Box systems for access by the Fire Department.
7. Parking will be provided in accordance with City's requirements.
8. The proposed request meets all requirements of the zoning district requirements.
9. A total of 14 public notices were mailed. Staff received no responses in support and one (1) response in opposition to this request. The opposition represents 10.54% 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.
10. Since this is a clean use conducted completely indoors and without any noxious emissions, staff can support this request.
11. 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.

- 25 Ordinance - Zoning Case #ZC19-0067 - Considering a Zoning Change from PUD (Planned Unit Development) #2 for C-N (Neighborhood Commercial) Uses to PUD (Planned Unit Development) #2 for S-P-1 (Detailed Site Plan) for R-AB (Restaurant with the Attendant Accessory Use of the Sale of Alcoholic Beverages for On-Premises Consumption) Uses - Approximately 0.107 Acres Located at 5465 N. MacArthur Boulevard - All Tex Permits, LLC, Applicant - Tri Marsh Center, LLC, Owner**

Administrative Comments

1. The Planning and Zoning Commission Hearing Date and Recommendation: September 16, 2019 – Favorable 9-0.
2. The subject property is a 4,664 sq. ft. Himalayan Grill restaurant in a multi-tenant retail building. **The applicant is proposing rezoning to allow the restaurant to sell alcoholic beverages for on-premises consumption.**
3. The 2017 Imagine Irving Comprehensive Plan recommends *Neighborhood Commercial* uses for the subject property, which allows mixed-use commercial areas along major corridors, and opportunities for residential and commercial infill and reinvestment. The proposed use is in conformance with the Comprehensive Plan.
4. The multi-tenant building is part of a 6.4-acre retail center with shared parking.
5. The restaurant has 92 interior seats. A total of 37 parking spaces are required at one space for each 2.5 seats. The parking is provided as part of the retail center.
6. The request complies with all requirements of the S-P-1 for R-AB ordinance.
7. A total of seven (7) public notices were mailed. Staff has not received any responses in support of or in opposition to 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

26 Resolution - Nominating a Candidate to be a Member of the Board of Directors of Dallas Central Appraisal District

Administrative Comments

1. This item has been recommended by the City Council
2. **Impact:** The nomination is one step in ensuring that the City of Irving is locally represented on the Dallas Central Appraisal District Board of Directors (DCAD).
3. The member cities, with the exception of Dallas, have the opportunity to nominate a candidate to the Board. Once all the nominations are in, DCAD will ask the member cities to vote from the list of candidates by December 16, 2019.
4. Every agency will be advised of the final appointments and election results on January 1, 2020.
5. The member cities are currently represented by Michael Hurtt from the City of Desoto.

Recommendation

The resolution be approved.

27 Mayor's Report

Adjournment