

**AGENDA**  
**Irving City Council Regular Meeting**  
**Thursday, May 4, 2023 at 7:00 PM**  
**City Hall, First Floor, Council Chambers**  
**825 W. Irving Blvd., Irving, Texas 75060**

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Citizens that would like to provide a presentation to Council must submit their presentation(s) to Information Technology no later than 2:00 p.m. on the Tuesday prior to the work session or council meeting at [councilpubpres@cityofirving.org](mailto:councilpubpres@cityofirving.org).

Organizational Service Announcements

Invocation

Pastor Tyler Armstrong, Plymouth Park Baptist Church

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 43

**CITY COUNCIL AGENDA**

**1 City Operations Update**

**CONSENT AGENDA**

**2 Approving Work Session Minutes for Thursday, April 20, 2023**

**3 Approving Regular Meeting Minutes for Thursday, April 20, 2023**

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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.

#### 4 **Resolution - Appointment to the Tarrant County 9-1-1 District Board of Managers**

##### **Administrative Comments**

1. This item is recommended by the City Manager's Office.
2. **Impact:** The Tarrant County 9-1-1 District Board of Managers provides leadership on topics of legislation, regulation and technology related to the emergency communication networks and services of the member jurisdictions, including the City of Irving.
3. City Manager Chris Hillman recommends the appointment of Assistant Police Chief Sam Hall to the Tarrant County 9-1-1 District Board.

##### **Recommendation**

The resolution be approved.

#### 5 **Resolution - Approving Amendment No. 2 to Management Agreement Between the City of Irving and Elite at Irving Golf Club, LLC, Adding a Performance Incentive Fee Not to Exceed \$100,000.00 Per Fiscal Year.**

##### **Administrative Comments**

1. This item is recommended by the Parks and Recreation Department and supports Future in Focus: Sense of Community – Provide exceptional recreational, cultural, and educational opportunities.
2. **Impact:** Approval of Amendment No. 2 provides for the addition of a performance incentive fee to Amendment No. 1 of the existing Management Agreement for the management and operations of Irving Golf Club to include golf course maintenance, clubhouse and restaurant operations. This service is essential in providing for the professional management of Irving Golf Club that is essential in enhancing the City's recreational facilities.
3. Elite has performed in accordance with all management agreement specifications and Parks staff recommends renewal of this agreement. They are responsible for providing an on-site general manager, employing competent management and operating staff that is trained in the necessary facets of golf course facility management, purchasing supplies and equipment, maintaining inventory, overseeing advertising and marketing, assuring operations are in compliance with applicable laws, coordinating with the City on all aspects of this agreement and overseeing all other matters reasonably necessary for the efficient performance of operations in connection with Irving Golf Club. Elite is paid a monthly management fee of \$4,000.00 per month for these services, for a total of \$96,000.00 for the two-

year renewal term.

4. In addition to the management fee, the city is contractually obligated to set aside funds equal to the established operating budget each year.
5. Amendment No. 2 stipulates Elite shall be entitled to earn a performance incentive fee based on the amount of the golf course facility's annual gross revenue, in an amount not to exceed \$100,000 for each fiscal year of this term.
6. Amendment No. 2 applies to Amendment No. 1, approved on September 14, 2022, for the term of FY2022-23 through FY2023-24, to the original agreement entered into on August 1, 2019.
7. Funding for this term is available in the Irving Golf Club Fund for FY2022-23. Funding and will be available in the Irving Golf Club Fund subject to budget appropriation for FY2023-24.

### **Recommendation**

The resolution be approved.

## **6 Resolution - Approving a Promotional Agreement with the Irving Arts Center and KERA, KXT 91.7 FM and WRR FM to Advertise Exhibits, Performances and Events at the Irving Arts Center in the Amount of \$120,000.00**

### **Administrative Comments**

1. This item is recommended by the Irving Arts Center and the purchase was approved as part of the budget for FY22-23 by the Irving Arts Board at their meeting on June 20, 2022.
2. **Impact:** The promotional package includes digital ads on Art & Seek and supports events providing high quality cultural programs and attracting visitors to Irving. The goals of this advertising buy are to drive website response and attendance for scheduled events, offer unique value and experience for visitors and reach an educated and cultural audience.
3. **Total Annual Value:** Based on net rates (direct advertiser) the buy includes a discount of 64% on Sponsorship messaging with a total media value of \$178,000.00 and includes 780 on air messages on KERA, 1092 air messages on WRR and 600,000 guaranteed digital impressions on Art & Seek.
4. Funding of this item has been requested from the American Rescue Plan Act (ARPA) funds received by the City; the City's ARPA team has reviewed this request and recommends the use of ARPA funds for this expenditure.

5. Funding in the amount of \$120,000.00 is available in the American Rescue Plan Act (ARPA) Fund.

### **Recommendation**

The resolution be approved.

## **7 Resolution - Approving Event Support Agreement with A-Kon LLC In the Amount of \$19,809.00 for the 2023 A-Kon 32 Anime Convention**

### **Administrative Comments**

1. This item is recommended by the Irving Convention & Visitors Bureau and supports Future in Focus: Vibrant Economy – Market Irving as a destination.
2. **Impact:** Approval of this resolution will provide financial resources to event organizers to bring the 2023 A-Kon 32 Anime Convention to Irving, June 1 – June 4, 2023, for an economic impact to Texas estimated at \$1,993,757 million.
3. This annual four-day anime convention is North America’s longest running convention primarily focused on anime. Convention attendance is expected to be approximately 20,000 and will take place at the Irving Convention Center, The Westin Irving Convention Center at Las Colinas, The Texican, and the Toyota Music Pavilion as their primary venues and using several other hotels within a three-mile radius of the Irving Convention Center.
4. While the focus of the convention was originally centered on anime fandom and screenings of films and television series, the event has come to include many other activities encompassing various segments of geek and Japanese pop culture. These events include panels with American authors and artists, a console gaming room, tabletop gaming room, cosplay, scavenger hunts, martial arts demonstrations as art chow and concerts by Japanese and SteamPunk bands.
5. As an entertainment event, A-Kon provides a unique mix of events tailored to create memorable fan experiences which includes shopping, gaming, previews, industry meet and greets, autographs, specialized programming, fans can choose how they immerse themselves into their anime fandom.
6. Each year, A-Kon reviews applications and proposals from various cities seeking to host the event and decides where the next annual event will be held. In 2022, the event was held for the first time in Irving after a two-year hiatus for COVID concerns.

7. For 2023, A-Kon considered locations in Anaheim, California; San Diego, California, Las Vegas, Nevada; Chicago, Illinois; Dallas, Texas; Houston, Texas; New Orleans, Louisiana; Nashville, Tennessee; and Orlando, Florida.
8. The Office of the Governor, Economic Development & Tourism has determined that the estimated incremental increase in tax receipts to the State of Texas attributable to the 2023 A-Kon 32 Anime Convention Event is \$1,993,757.00. The ICVB will prepare an analysis through an independent third party of the event-related projected revenues after the event.
9. The Events Trust Fund is created by the Office of the Governor, Economic Development & Tourism with contributions from the state and endorsing municipalities. The City, through the ICVB budget, will contribute \$19,809.00 and the State will contribute \$123,808.00.
10. Funding in the amount of \$19,809.00 is available in the ICVB budget within the General Fund.

**Recommendation**

The resolution be approved.

**8 Resolution - Authorizing the Short-Term Land Lease Agreement for a Portion of Property Located at 300 Hanover Lane, Situated in the John Spoon Survey, Abstract Number 1328, Owned by Woodhaven Presbyterian Church of Irving**

**Administrative Comments**

1. This item is recommended by the Capital Improvement Program Department and Parks and Recreations Department. It supports Future in Focus: Vibrant Economy – Effectively plan and manage land use.
2. **Impact:** Woodhaven Park has been operating as a public park on this property for over 56 years with an expired lease agreement. Reinstating this short-term lease will protect both parties while the city continues conversations with the property owner concerning the future use of the property.
3. The lease term will begin on the commencement date and terminate in two years without the option to renew. This lease agreement will be at no cost to the City for the two years.

**Recommendation**

The resolution be approved.

**9 Resolution - Approving an Expenditure with Air Conditioning Innovative Solutions, in the Amount of \$295,422.45 for Replacement of HVAC Equipment at the Heritage Senior Center through the Interlocal Purchasing System (TIPS)**

**Administrative Comments**

1. This item is recommended by the Capital Improvement Program Department and supports Future in Focus: Infrastructure Investment - Support strategic investment in city facilities.
2. **Impact:** This project will replace HVAC equipment at the Heritage Senior Center, providing for more efficient and more effective heating and cooling of this facility.
3. Approval of this contract will provide replacement of 10 RTUs that have surpassed their service life and are no longer able to reliably condition the air at the Heritage Senior Center, resulting in excessive maintenance resources being expended.
4. This project will be fulfilled by Air Conditioning Innovative Solutions, Inc., through use of their TIPS Contract No. 23010402 for Trades, Labor & Materials (NON-JOC) which expires on April 30, 2025.
5. Funding for this project, in the amount of \$295,422.45 is available in the Park Improvement Bond Fund.

**Recommendation**

The resolution be approved.

**10 Resolution - Approving an Agreement Between the City of Irving and Garver, LLC, in the Amount of \$2,342,413.00, for the Design of Valley View Lane Pavement Project**

**Administrative Comments**

1. This item is recommended by the Capital Improvement Program Department and supports Future in Focus: Infrastructure Investment - Support strategic investment in city facilities.
2. **Impact: This item supports the Road To The Future Initiative.** The design of this project supports the roadway infrastructure improvements to be constructed at a future date.
3. The Project is divided into three (3) sections:
  - Valley View Lane (W. Northgate Drive to W. Walnut Hill Drive) – 3,800 LF
  - Valley View Lane (800 feet north of Carbon Road to N. Belt Line Road) – 5,800 LF

- Valley View Lane (N. Belt Line Road to 700 feet east of DART Belt Line Road Station) – 2,000 LF
4. This project will improve the driving comfort and expand the roadway from a two-lane divided roadway to either a four-lane divided or four lane non-divided roadway and is needed to enhance drainage along the roadway with curb and gutters.
  5. Requests for qualifications were solicited for these services. Qualifications were received from 10 firms, of which 4 were chosen to be interviewed. Garver LLC, was determined to be the most highly qualified provider for the services solicited.
  6. Minority- and/or Women-owned Business (M/WBE) participation in this award is 14.6%.
  7. Funding in the amount of \$2,342,413.00 is available in the Street Improvement Bond Fund.

**Recommendation**

The resolution be approved.

**11 Resolution - Approving an Expenditure with Insituform Technologies, LLC, in the Amount of \$1,933,559.25 for Adams, Lincoln, Monroe and Cypress Water and Wastewater Improvement Project through the State of Texas Local Government Statewide Purchasing Cooperative Agreement (BuyBoard)**

**Administrative Comments**

1. This item is recommended by the Capital Improvement Department and Water Utilities Department. It supports Future in Focus: Infrastructure Investment-Maintain water, wastewater and drainage infrastructure.
2. **Impact:** This work is part of the Water Utilities Department water system improvements. This project impacts residential properties along Adams Court, Lincoln Street, Monroe Court and Cypress Drive.
3. This project will replace 3,172-feet of deteriorated 6 and 8-inch water and wastewater pipe with a new 8- inch Fusible Polyvinyl Chloride (PVC) pipe via pipe bursting, which is a trenchless method.
4. This project utilizes State of Texas Local Government Statewide Purchasing Cooperative Agreement (BuyBoard) Contract #635-21 for Cured in Place Pipe for Pipeline Rehabilitation which expires on March 31, 2024. The \$1,933,559.25 price is \$463,655.90 (24%) below the engineer’s estimate.
5. Funding in the amount of \$860,579.67 is available in the Water Improvements Bond Fund; funding in the amount of \$358,968.00 is available in the Sanitary Sewer Bond Fund; and funding in the amount of \$714,011.58 is available in the Water and

Sewer System Non-Bond CIP Fund.

**Recommendation**

The resolution be approved.

**12 Resolution - Awarding a Contract to North Rock Construction, LLC, in the Amount of \$1,236,028.55 for the Keeler Park Improvement Project**

**Administrative Comments**

1. This item is recommended by the Capital Improvement Department and Parks and Recreation Department. It supports Future in Focus: Infrastructure Investment – Support strategic investment in city facilities.
2. **Impact:** This project will renovate and add amenities at Keeler Park.
3. The project will add a lighted concrete walking trail, swings, shade-covered picnic tables, benches, double lighted pickleball courts, exercise stations and complete landscape and irrigation.
4. **This item was presented to the Parks and Recreation Board on August 8, 2022.**
5. Competitive sealed proposals were received from two bidders. North Rock Construction, LLC, submitted the lowest responsive responsible proposal with a base bid of \$979,893.64.
6. It is recommended to award the following Bid Alternates:
  - (2) Cool topper with picnic table on concrete pad
  - Exercise station A with equipment on turf surfacing with concrete border
  - Type-C sport court light on pole
  - Playground Swings with concrete border
  - Engineered wood fiber safety surface including sub-surface drainage
  - Crepe Myrtle Trees, 100 gal at 10-12 height and associated irrigation bubblers
7. A \$60,000 contingency will be added to make the recommended award \$1,236,028.55 which is (2%) below the project estimate.

8. Funding in the amount of \$1,236,028.55 is available in the Park Improvement Bond Fund.

### **Recommendation**

The resolution be approved.

## **13 Resolution - Nominating the American Bottling Company to the Office of the Governor, Economic Development and Tourism through the Economic Development Bank for Designation as a Qualified Business and an Enterprise Project Under the Texas Enterprise Zone Act, Chapter 2303, Texas Government Code**

### **Administrative Comments**

1. This item is recommended by the Office of Economic Development and **supports Future In Focus: Vibrant Economy – Support business retention and recruitment.**
2. **Impact:** Nomination of American Bottling Company for participation in the Texas Enterprise Zone Program will allow for approximately \$25.0 million of capital investment over the next five years.
3. The Texas Enterprise Zone Act allows a governing body to nominate projects within its jurisdiction to the Office of the Governor for incentives provided by the State of Texas. Should American Bottling Company be selected for the Enterprise Project designation, they will receive a State sales tax reimbursement (State portion) that will be reinvested in the Irving facility.
4. The American Bottling Company is a subsidiary of Dr. Pepper Snapple Group, Inc. With one location in Irving, Texas, American Bottling manufactures, markets and distributes beverages across the United States, Canada, Mexico and the Caribbean.
5. On August 7, 2014, the Irving City Council nominated The American Bottling Company for enterprise project status by RES-2014-259. However, this application was never approved by the State.
6. On November 9, 2017, the Irving City Council nominated The American Bottling Company for enterprise project status by RES-2017-420. However, this application was never approved by the State.
7. On February 15, 2018, the Irving City Council nominated The American Bottling Company for enterprise project status by RES-2018-64. However, this application was never approved by the State.

8. With the current application, The American Bottling Company estimates that it will invest approximately \$25.0 million over the next five years and retain 500 jobs with an average annual salary of approximately \$95,850, throughout the five-year designation at the qualified business site in the Irving facility located at 2304 Century Center Blvd. The investment will be to upgrade equipment, improve operating efficiencies and replace equipment at the Irving facility. These improvements will significantly expand The American Bottling Company's ability to manufacture, market and distribute beverages across North America.
9. American Bottling Company also commits that at least 35% of its new hires will be residents of enterprise zones, economically disadvantaged individuals, or veterans as required by the Texas Enterprise Zone Statute.
10. The Enterprise Zone designation will terminate on June 1,2028.

### **Recommendation**

The resolution be adopted.

## **14 Resolution - Approving and Accepting the Bid of Felix Construction Company in the Amount of \$1,822,000.00 for the Doe Branch Discharge Improvements Project on the Lake Chapman Water Pipeline**

### **Administrative Comments**

1. This item is recommended by the Water Utilities Department. It supports Irving Future in Focus: Infrastructure Investment – Maintain Water, wastewater, and drainage infrastructure.
2. **Impact:** This item supports the city's Investing in our Future Initiative. This project will make valve and vault improvements at the Area 6 – Doe Branch Discharge of the Chapman Raw Water Supply System. The improvements will increase operational flexibility and extend the life of the facility.
3. **This item will be presented to the Transportation and Natural Resources Committee on May 4, 2023.**
4. Area 6 – Doe Branch Discharge is the facility that controls raw water flow into Doe Branch Creek which flows to Lake Lewisville. These improvements will increase operational flexibility and extend the life of the facility.
5. In November 2022, Water Utilities made an emergency repair to replace the failed sleeve valve at the facility with a temporary butterfly valve. The temporary butterfly valve allows the system to discharge at 45 million gallons per day (MGD).

6. This project will consist of replacing the temporary butterfly valve with four multiple orifice valves that were pre-purchased by Water Utilities. The new valves will provide a flow range from 10 MGD up to 104 MGD. The project also includes miscellaneous vault improvements.
7. Bids were received from one bidder. Felix Construction submitted the lowest responsive, responsible bid of \$1,822,000.00. This is \$367,040 (25%) above the engineer's estimate of \$1,454,960 for this project.
8. Funding in the amount of \$1,822,000.00 is available in the Water Utilities budget within the Water and Sewer System Non-Bond CIP Fund.

**Recommendation**

The resolution be approved.

**15 Resolution - Approving Sole Source Purchases in the Amount of \$107,288.52 with Eaton Corporation for UPS Batteries**

**Administrative Comments**

1. This item is recommended by the Information Technology Department and supports Future in Focus: Government Sustainability – Improve efficiency through data, technology and thoughtful, innovative approaches.
2. **Impact:** The City relies on Eaton Corporation's UPS equipment and support maintenance to effectively support critical infrastructure, including (3) Data Centers and (3) Public Safety Communications sites, which include Animal Services and (2) Water Utilities SCADA network sites. The vendor provides preventative maintenance and support services through a contract with the City, ensuring uninterrupted operation of these essential systems.
3. Without proper UPS equipment and maintenance, a power failure caused by failed batteries could result in the loss of power to the City's various data and network systems. This would cause these systems to become unavailable, which would impact the ability of City departments to access critical information. Therefore, the reliability of the UPS equipment and its maintenance are crucial in ensuring that the City's infrastructure remains operational during power outages.
4. Funding in the amount of \$107,288.52 is available in the Technology Fund.

**Recommendation**

The resolution be approved.

**16 Resolution - Renewing Agreement between the City of Irving and AT&T in the Total Estimated Annual Amount of \$340,000 for Switched Ethernet Services**

**Administrative Comments**

1. This item is recommended by the Information Technology Department and supports Future in Focus: Government Sustainability – Improve efficiency through data, technology, and thoughtful, innovative approaches.
2. **Impact:** Network data access and phone service will continue to be provided to remote city facilities, such as Police and Fire stations, library branches, and recreation centers.
3. These managed data circuits consist of fifty dedicated fiber optic connections that provide critical redundancy services for the city-wide radio communication system. The fiber optic circuits connect to the five towers located within the city, ensuring reliable radio communications for Public Safety and General Government services.
4. The annual estimated amount is \$340,000.00 for this two-year agreement and funding is available in the Technology Fund.

Vendor	Contract Term	Total Annual Estimated Amt	Fiscal Year(s)
AT&T	11/1/22 – 10/31/24	\$ 312,000.00	2022-23
		\$ 340,000.00	2023-2024
<b>TOTAL ESTIMATED AMOUNT</b>		<b>\$ 652,000.00</b>	

**Recommendation**

The resolution be approved.

**17 Resolution - Authorizing Payment to Tyler Technologies in the Amount of \$350,303.00 for Munis Enterprise Resource Planning (ERP) Software Annual Maintenance**

**Administrative Comments**

1. This item is recommended by the Information Technology Department.
2. **Impact:** Software maintenance for Munis will allow for continued legal licensed use of the software, software support and updates.
3. The original contract was awarded as the result of a negotiated agreement with the vendor receiving the highest evaluation criteria score through a Request for Proposals process.
4. Funding in the amount of \$350,303.00 is available in the Technology Fund.

**Recommendation**

The resolution be approved.

**Bids & Purchasing Items  
Items 18-29**

**18 Resolution - Renewing the Annual Contracts with Turf Aggregates, LLC, dba Turf Materials, and SiteOne Landscape Supply, LLC, in the Total Estimated Amount of \$120,000.00 for Parks Ground Maintenance Materials**

**Administrative Comments**

1. This item has been recommended by Parks & Recreation and Capital Improvement Program departments. It supports Future In Focus: Safe and Beautiful City – Improve property conditions and overall appearance of the city.
2. **Impact: This item supports the Drainage Solutions for a Better Tomorrow program.** Approval of this item will allow the city to purchase grounds maintenance materials for the maintenance of park grounds, athletic fields, and drainage channels to meet the standards established for the long-term sustainability for each department’s specific areas of responsibilities.
3. This renewal establishes the continuation of a contract to provide park grounds maintenance materials. The is the first of two, one-year renewal options. The current term expires on May 31, 2023.
4. Funding for Fiscal Year 2022-23 is available in the Parks & Recreation Department budget within the General Fund and in the Municipal Drainage Utility Operating Fund, while funding for Fiscal Year 2023-24 is subject to budget appropriation.

<b>Vendor</b>	<b>Item#</b>	<b>Contract Term</b>	<b>Est. Expenditure FY 2022-23</b>	<b>Est. Expenditure FY 2023-24</b>	<b>Total Estimated Expenditure</b>
Turf Aggregates, LLC dba Turf Materials	2, 5, 6, 9-13	6/1/23 – 5/31/24	\$26,532.00	\$53,868.00	\$80,400.00
SiteOne Landscape Supply, LLC	1, 4, 7-8		\$13,068.00	\$26,532.00	\$39,600.00
<b>TOTAL</b>			<b>\$39,600.00</b>	<b>\$80,400.00</b>	<b>\$120,000.00</b>

**Recommendation**

The resolution be approved.

**19 Resolution - Approving and Accepting the Bid from First Student, Inc., in the Total Estimated Amount of \$70,000.00 for Bus Transportation Services for City of Irving Recreation Centers**

**Administrative Comments**

1. This item is recommended by the Parks and Recreation Department. It supports Future in Focus: Sense of Community - Provide exceptional recreational, cultural, and educational opportunities.
2. **Impact:** Approval of this contract will provide a cost effective and safe bus transportation service to and from recreation center field trips for school-aged children.
3. A Solicitation for Best Value bids was issued on March 24, 2023, seeking responses from qualified providers. Two submissions were received. Staff recommends awarding this contract to First Student, Inc, who meets the specifications based on the evaluation criteria in the solicitation.
4. This award establishes an annual contract to provide bus transportation services for City of Irving recreation centers. The contract term is for one year with two, one-year renewal options.
5. Funding for Fiscal Year 2022-23 is available in the Parks and Recreation Department budget within the General Fund, while funding for Fiscal Year 2023-24 is subject to budget appropriation.

Vendor	Contract Term	Total Estimated Amount	Fiscal Year(s)
First Student, Inc.	5/5/23 - 4/30/24	\$50,000.00	2022-23
		\$20,000.00	2023-24
<b>TOTAL</b>		<b>\$70,000.00</b>	

**Recommendation**

The resolution be approved.

**20 Resolution - Approving and Accepting the Bid of Talk Nerdy to Me, LLC, dba The Event Nerd in the Total Estimated Amount of \$100,000.00 for Stage, Sound, Lighting, Video and Special Effects for 4th of July Production at Levy Park**

**Administrative Comments**

1. This item is recommended by the Parks & Recreation Department. It supports Future In Focus: Sense of Community – Provide exceptional recreational, cultural and education opportunities.
2. **Impact:** This contract provides complete and professional stage production, AV, and lighting for the city's 4<sup>th</sup> of July Event. Services include all aspects of technical direction, production management, stage and scenic design, and unique lighting elements designed to enhance event space.
3. A Request for Proposals (RFP) was issued on March 16, 2023, seeking responses from qualified providers for these services. Staff recommends awarding this contract to Talk Nerdy to Me, LLC dba The Event Nerd as the respondent receiving the highest scores based on the evaluation criteria established in the RFP.
4. This award establishes an annual contract for the continuation of providing stage, sound, lighting, video and special effects for 4<sup>th</sup> of July Production at Levy Park. This award is for one year with two, one-year renewal options.
5. Funding for this project, in the amount of \$100,000 is available within the Parks and Recreation Department budget within the General Fund.

**Recommendation**

The resolution be approved.

**21 Resolution - Approving an Expenditure with Air Conditioning Innovative Solutions, in the Amount of \$1,854,070.55 for Replacement of HVAC Equipment at the Irving Arts Center through Interlocal Purchasing System (TIPS)**

**Administrative Comments**

1. This item is recommended by the Irving Arts Center (IAC) and supports Future in Focus: Infrastructure Investment - Support strategic investment in city facilities.
2. **Impact:** The current HVAC equipment has reached its end of life and is no longer cost effective to repair, and the current refrigerant (R22) is being phased out due to being environmentally unfriendly and is therefore no longer viable. This replacement will allow the IAC to upgrade to more energy efficient equipment and reduce the facility's overall carbon footprint.

3. Approval of this purchase will allow the IAC to reliably and efficiently provide the heating and cooling necessary for the continued comfort of our staff, clients and patrons. It will also provide the ability to better control, monitor and record the humidity levels in the gallery spaces required for the maintenance of our current exhibits as well as meeting the environmental requirements for touring exhibitions as well.
4. This project will be fulfilled by Air Conditioning Innovative Solutions, Inc., through use of their TIPS Contract No. 23010402 for Trades, Labor & Materials (NON-JOC) which expires on April 30, 2025.
5. Funding for this project, in the amount of \$1,854,070.55 is available in the Irving Arts Center General Fund.

**Recommendation**

The resolution be approved.

**22 Resolution - Approving an Expenditure with Garland/DBS, Inc., in the Amount of \$3,247,405.00, for Irving Arts Center Roof Replacement, through a Master Intergovernmental Cooperative Purchasing Agreement (MICPA) with the National Intergovernmental Purchasing Alliance Company dba Omnia Partners, Public Sector (Omnia Partners)**

**Administrative Comments**

1. This item is recommended by the Irving Arts Center. It supports Future in Focus: Infrastructure Investment – Support strategic investment in city facilities.
2. **Impact:** The roof at the Irving Arts Center has exceeded its useful life and is in need of replacement. Replacing the roof will protect the structure of the building and will maintain the building’s integrity for years to come.
3. The contract allows 90 days for completion of this project.
4. This project utilizes a MICPA with Racine County, Wisconsin and Omnia Partners, Contract #PW1925 for Roofing Supplies and Services, Waterproofing, and Related Products and Services, which expires on October 14, 2024.
5. Funding is available in the Arts Center Facilities and Infrastructure Bond Fund in the amount of \$3,000,000.00 and in the Irving Arts Center General Fund in the amount of \$247,405.00.

**Recommendation**

The resolution be approved.

**23 Resolution - Approving Amendment No. 1 to Renew the Annual Engineering Services Agreement (IDIQ) Between the City of Irving and DFW Consulting Group Inc., In the Total Estimated Amount of \$500,000.00 for Professional Services for Mechanical, Electrical and Plumbing (MEP) Engineering**

**Administrative Comments**

1. This item is recommended by the Capital Improvement Program Department. It supports Future in Focus: Infrastructure Investment – Support strategic investment in city facilities.
2. **Impact:** Utilization of this contract will ensure continuous, efficient design solutions for needed repairs and/or replacements of Mechanical, Electrical, and Plumbing systems or their components at various city facilities in a timely manner.
3. This first amendment will renew the annual engineering services agreement to provide MEP engineering services and identify a cost limitation. This is the first of two, one-year renewal options.
4. Funding for Fiscal Year 2022-23 is available in various departmental budgets within various funds, while funding for Fiscal Year 2023-24 is subject to budget appropriation.

Vendor	Contract Term	Estimated Expenditure	Fiscal Year(s)
DFW Consulting Group, Inc.	5/5/23 - 5/4/24	\$125,000.00	2022-23
		\$375,000.00	2023-24
<b>TOTAL</b>		<b>\$500,000.00</b>	

**Recommendation**

The resolution be approved.

**24 Resolution - Approving and Accepting the Bid from HD Way Concrete Service, LLC, in the Total Estimated Amount of \$1,000,000.00 for Concrete & Drainage Repair**

**Administrative Comments**

1. This item is recommended by the Capital Improvement Program Department. It supports Future in Focus: Infrastructure Investment – Maintain water, wastewater, and drainage infrastructure.
2. **Impact: This contract supports the Drainage Solutions for a Better Tomorrow program.** It will assist the Municipal Drainage Utility Division with operations and maintenance of the City’s drainage infrastructure.

3. This award establishes an annual contract to provide concrete and drainage repair services. This contract is for one year with two, one-year renewal options.
4. Funding for Fiscal Year 2022-23 is available in various departmental budgets within various funds, while funding for Fiscal Year 2023-24 is subject to budget appropriation.

Vendor	Contract Term	Total Estimated Amount	Fiscal Year(s)
HD Way Concrete Service, LLC	5/5/23 – 4/30/24	\$ 300,000.00	2022-23
		\$ 700,000.00	2023-24
<b>TOTAL</b>		<b>\$1,000,000.00</b>	

**Recommendation**

The resolution be approved.

**25 Resolution - Renewing the Contract with CCGMG, LLC Series B in the Total Estimated Amount of \$1,500,000.00 for Concrete Repair of Sidewalks, Utility Cuts, Streets, and Alleys**

**Administrative Comments**

1. This item is recommended by the Traffic & Transportation Department – Streets Division. This supports Future in Focus: Infrastructure Investment – Maintain roadways, sidewalks, and transportation infrastructure.
2. **Impact: This contract supports the Road to the Future program.** It will supplement the Streets Operations staff for as-needed concrete repair and maintenance of sidewalks, utility cuts, streets and alleys required for structural integrity and to enhance safety for citizens and motorists.
3. This renewal establishes the continuation of an annual contract to provide concrete repair services. This is the second and final, one-year renewal option.
4. Minority- and/or Women-Owned Business participation in this award is 100%.
5. Funding for Fiscal Year 2022-23 is available in the Street Improvement Bond Fund and in the Traffic and Transportation Department budget within the General Fund, while funding for Fiscal Year 2023-24 is subject to budget appropriation.

Vendor	Contract Term	Total Estimated Amount	Fiscal Year(s)
CCGMG, LLC Series B	5/5/23 – 4/30/24	\$ 625,000.00	2022-23
		\$ 875,000.00	2023-24
<b>TOTAL</b>		<b>\$ 1,500,000.00</b>	

**Recommendation**

The resolution be approved.

**26 Resolution - Renewing the Annual Contracts with Core & Main LP, and APSCO Supply in the Total Estimated Amount of \$270,000.00 for Brass Fittings**

**Administrative Comments**

1. This item is recommended by the Water Utilities Department. It supports Future in Focus: Infrastructure Investment - Maintain water, wastewater, and drainage infrastructure.
2. **Impact:** Brass fittings are used for meter and service line repairs in the city’s water distribution system.
3. Despite rising costs due to materials and shipping resulting in price escalation, Core & Main and APSCO Supply continue to provide excellent service while still maintaining competitive pricing.
4. This renewal establishes the continuation of a contract to provide brass fittings. This is the second and final, one-year renewal. The current contract expires on May 31, 2023.
5. Funding for Fiscal Year 2022-23 is available in the Water-Sewer Operating Fund and the Non-Bond CIP Fund, while funding for Fiscal Year 2023-24 is subject to budget appropriation.

Vendor	Groups	Contract Term	Total Est. Amount
Core & Main LP	I-II, IV-VIII	6/1/23-5/31/24	\$ 270,000.00
APSCO Supply	III, IX-XIII		

**Recommendation**

The resolution be approved.

**27 Resolution - Approving a Two-Year Contract with Taylor Smith Consulting, LLC, in the Total Estimated Amount of \$440,000.00 for Temporary Personnel Services for Refuse and Landfill Workers**

**Administrative Comments**

1. This item is recommended by the Solid Waste Services Department. It supports Future in Focus: Safe and Beautiful City – Promote environmental stewardship.
2. **Impact:** Approval of this contract will enable the Solid Waste Services Department to respond to fluctuating program needs and demands in an efficient and cost effective manner.
3. A Request for Proposals (RFP) was issued for these services; responses were received from five firms, four of which from MWBE or HUB vendors. Staff recommends awarding this contract to Taylor Smith Consulting, LLC, as the firm scoring the highest points based on the evaluation criteria established in the RFP.
4. This award establishes a contract for the continuation of providing temporary personnel for refuse and landfill workers. The contract term is two years, with two, two-year renewal options.
5. Minority- and/or Women-Owned Business participation in this award is 100%.
6. Funding for Fiscal Year 2022-23 is available in the Solid Waste Services Operating Fund, while funding for Fiscal Years 2023-24 and 2024-25 is subject to budget appropriation.

<b>Vendor</b>	<b>Contract Term</b>	<b>Estimated Expenditure</b>	<b>Fiscal Year(s)</b>
Taylor Smith Consulting, LLC	5/5/23 – 4/30/25	\$ 92,000.00	2022-23
		\$220,000.00	2023-24
		\$128,000.00	2024-25
<b>TOTAL</b>		<b>\$440,000.00</b>	

**Recommendation**

The resolution be approved.

**28 Resolution - Approving and Accepting the Bid of Herco Equipment, Inc., in the Total Estimated Amount of \$120,000.00 for Motor Vehicle Hydraulic Repairs & Optional Parts Only Purchases**

**Administrative Comments**

1. This item is recommended by the Fleet Services Division. It supports Future in Focus: Infrastructure Investment – Maintain roadways, sidewalks and transportation infrastructure.

2. **Impact:** Approval of this item will allow the city to repair fleet vehicles with minimum downtime while maintaining a high level of service for the residents, businesses, and visitors of Irving.
3. A solicitation for Best Value bids was issued on March 15, 2023, seeking responses from qualified providers. One submission was received. Staff recommends awarding this contract to Herco Equipment, Inc., who meets the specifications based on the evaluation criteria in the solicitation.
4. This award establishes an annual contract to continue providing as-needed motor vehicle hydraulic parts and repairs. Repairs performed under this contract supplement the routine preventive maintenance services provided by the Fleet Services Division. This award is for one year with two, two-year renewal options.
5. Funding for Fiscal Year 2022-23 is available in the Garage Fund, while funding for Fiscal Year 2023-24 is subject to budget appropriation.

Vendor	Contract Term	Total Est. Expenditure	Fiscal Year(s)
Herco Equipment, Inc.	5/5/23-4/30/24	\$ 60,000.00	2022-23
		\$ 60,000.00	2023-24
<b>TOTAL</b>		<b>\$120,000.00</b>	

**Recommendation**

The resolution be approved.

**29 Resolution - Approving the Expenditure with SHI Government Solutions, Inc., for Firewall Infrastructure Upgrades in the Amount of \$373,564.00 through the State of Texas Local Government Statewide Cooperative Purchasing Program (BuyBoard)**

**Administrative Comments**

1. This item is recommended by the Information Technology Department. It supports Future in Focus: Government Sustainability – Improve efficiency through data, technology, and thoughtful, innovative approaches.
2. **Impact:** Planned upgrades to the city’s internet connections will allow for faster speeds and increased capacity; however, in order to accommodate this increased throughput, upgrades to the existing firewall structure are necessary in order to provide the newer security technologies required to ensure the security of the city’s network environments.

3. This purchase, which includes the necessary equipment, software and software support for the firewall upgrade, is supported by a Vendor/Member contract between the City of Irving and SHI Government Solutions, Inc., which was approved by RES-2022-8 on February 24, 2022 for utilization of BuyBoard Contract No. 661-22 for Technology Equipment, Products, Services & Software which has been renewed through December 31, 2023.
4. Funding in the amount of \$373,564.00 is available in the Technology Fund.

**Recommendation**

The resolution be approved.

**End of Bids**

**30 Ordinance - Authorizing the Abandonment and Vacation of Certain Portions of a 20-Foot Utility Easement, and 10 Feet of a 30-Foot Utility Easement Along a Portion of Property Located at 7000 Las Colinas Blvd., Part of the Antonio Hernandez Survey, Abstract 550, and the Oakley Glass Survey, Abstract 537, Owned by Avadene Development, LLC**

**Administrative Comments**

1. This item has been recommended by the Capital Improvement Program and Water Utilities Department. It supports Future in Focus: Infrastructure Investment – Maintain water, wastewater, and drainage infrastructure.
2. **Impact:** The abandonment of a 20 foot Utility Easement and 10 feet of a 30 foot Utility Easement is requested to allow for the development of the property.
3. The existing infrastructure associated with the 20-foot (11,913 S.F.) Utility Easement and 10 feet of the 30 foot (5,714 S.F.) Utility Easement are being demolished and removed within the subject property and will serve no purpose for the proposed development.
4. Capital Improvement Program and Water Utilities Department supports the requested abandonment of both Utility Easements.

**Recommendation**

The ordinance be adopted.

**31 Ordinance - Authorizing the Abandonment and Vacation of an Aerial Portion of Promenade Parkway Right-Of-Way Located Adjacent to 300 W. John Carpenter Freeway and 501 West Las Colinas Boulevard in the City of Irving, Providing for the Conveyance and Quitclaim Thereof, Providing Release of the City of Irving Against Damages Arising Out of Certain Matters Related to Abandonment, and Providing for Consideration to be Paid to the City of Irving; and Providing an Effective Date**

**Administrative Comments**

1. This item has been recommended by Capital Improvement Program, Economic Development and Traffic and Transportation Departments. It supports Focus in Future: Infrastructure Investment – Maintain roadways, sidewalks and transportation infrastructure.
2. **Impact:** The abandonment of the aerial portion of the Promenade Parkway right-of-way will allow for the development of an aerial pedestrian bridge connecting adjacent sites for the proposed project.
3. The aerial portion runs perpendicular to Promenade Parkway for approximately 116 feet long and the proposed bridge will be approximately 32 feet wide. All that certain aerial space beginning at an elevation of 449.54' (17'9") and extending up to and ending at an elevation of 470.79' (39'1"), both from the top of pavement crest of Promenade Parkway at the west and east boundary of the air space area. The abandonment of this aerial portion of right-of-way will allow the owner to proceed with the development of the sites.
4. In consideration of abandoning the aerial portion of the right-of-way, the owner will pay \$21,847.00 and hold the City harmless from claims regarding the use or occupancy of the aerial portion being abandoned.
5. The Capital Improvement Program, Economic Development, and Traffic and Transportation Departments support the requested abandonment of the aerial portion of the Promenade Parkway right-of-way.

**Recommendation**

The ordinance be adopted.

## ZONING CASES AND COMPANION ITEMS

### 32 Resolution - PL23-0023 - Considering a Final Plat for Avadene Single Family Addition - Approximately 22.10 Acres Located at 6700 Las Colinas Boulevard - Spiars Engineering, Applicant; Avadene Development LLC, Owner

#### Administrative Comments

1. The Planning and Zoning Commission Hearing Date and Recommendation – May 1, 2023 – Approve with Conditions
2. The purpose of this request is to plat a residential subdivision with 73 single family lots and 10 Homeowners Association (HOA) lots. The 10 HOA lots are designated with an “X” (indicating they are unbuildable lots) and will be used for open space and private streets.
3. The access point to Las Colinas Boulevard shall be utilized as “Emergency Access Only” and gated per the requirements of the Traffic and Transportation Department and the Fire Department.
4. Per Section 5.3.1(f) of the Unified Development Code (UDC), all lots shall abut a dedicated public street. However, per Section 5.4.10, the **City Council may allow private streets** to be constructed in accordance with the provisions of Chapter 5 of the UDC. Accordingly, this plat was forwarded from the May 1, 2023 Planning and Zoning Commission meeting for final action.
5. Several utility easements on the property must be abandoned to accommodate the new lot and street layout that will be established by the proposed plat. The Subdivision Ordinance requires the abandonment of easements dedicated to the City complete a separate abandonment process subject to City Council approval. The applicant is currently working with the Capital Improvements Program (CIP) department to abandon the easements.

**Until the easements can be abandoned, the applicant has marked the affected lots with an “X” indicating they are “unbuildable,” and they will be replatted once the easements are abandoned.** The lots that contain the existing easements are: Lots 4-X, 5-X, 6-X, and 7-X, Block B and Lots 1-X and 2-X, Block C.

6. The plat dedicates the following:
  - a. Lot 10-X, Block X is dedicated as a private street and public underground utility easement that will serve all lots within the subdivision.
  - b. A 20-foot public utility easement around the perimeter adjacent to Las Colinas Blvd. and La Villita Blvd.
  - c. A 10-foot public sidewalk and utility easement along all interior private street frontages.

- d. A 10-foot public sewer easement along all interior private street frontages.
- 7. Staff can support this plat, and it complies with all other requirements of the City of Irving Unified Development Code.

**Recommendation**

The resolution be approved

**33 Ordinance - SFP23-0001 - Considering Special Fence Project Plan to Allow a Variance to Chapter 15 of the City of Irving Land Development Code to Allow a 23-Foot Tall Concrete Wall to be Located 27 Feet from the Property Line Along Shorthorn Drive and 15 Feet from the Property Line Along Angus Drive - Property Located at 6431 Longhorn Drive - Kimley-Horn, Applicant; Quality Investment Properties, Inc., Owner**

**Administrative Comments**

1. The Planning and Zoning Commission recommendation: Pending (May 1, 2023 meeting).
2. The subject property is a 22.91-acre lot developed with a data center. The lot includes its own Oncor substation. **The applicant is requesting a special fence project plan to construct a 23-foot tall concrete wall to be located 27 feet from the property line along Shorthorn Drive, and to be located 15 feet from the property line along Angus Drive.**
3. The existing Oncor substation needs to be expanded to serve both this property and the site being constructed on the east side of Longhorn Drive.
4. To accommodate the expansion, the existing 23-foot tall screening wall also needs to be extended three (3) feet into the 30-foot front yard setback along Shorthorn Drive and 15 feet into the 30-foot front yard setback along Angus Drive. The wall will include two 20-foot opaque sliding gates for maintenance access.

Section	Required	Proposed
Sec. 15-10 (Fence Height – Front Yards)	Fence within front yard setback cannot exceed four (4) feet in height or allow less than 50% through-visibility	<b>23-foot tall concrete wall</b> , located 27 feet from property line along Shorthorn Dr. and 15 feet from property line along Angus Dr.

5. Nonresidential uses abut Shorthorn and Angus Drive. Therefore, the proposed

screening walls will have no impact on any residential uses.

6. This Special Fence Project Plan would only approve the variance to the fence height and location. It would not approve any other items shown on the site plan, including proposed driveway locations.
7. Section 15-17(b) of the Land Development Code allows for variances to the height and setback regulations for fences. Section 15-17(c) states that, in order to grant a variance, it must be determined that:
  - a. The requested variance does not violate the intent of this chapter;
  - b. The requested variance **will not adversely affect surrounding properties**;
  - c. The requested variance **will not adversely affect public safety**; and
  - d. **Special conditions exist which are unique** to this applicant or property.
8. Because the type of development on the property necessitates its own electric substation, and the expansion of the development necessitates a corresponding expansion of the substation, staff finds that special conditions do exist which are unique to this applicant and property. The request also will not affect the surrounding properties or affect public safety.

Additionally, the screening design will match the existing screening walls on the site, and the encroachments do not impact sight visibility for drivers on Angus Drive or Shorthorn Drive.
9. A total of 19 public notices were mailed. Staff has not received any responses in support or in opposition.

### **Staff Finding**

Staff finds that the request meets the variance criteria set forth in 15-17 of the Fence Ordinance.

**34 Ordinance - SFP23-0002 - Considering Special Fence Project Plan to Allow a Variance to Chapter 15 of the City of Irving Land Development Code to Allow a Six-Foot Tall Wrought Iron Fence to be Located 2.5 Feet from the South Property Line and to be Located Along the West Property Line - Property Located at 2700 Rawhide - Inspire Communities, Applicant; Granite Cimarron Meadows LLC, Owner**

**Administrative Comments**

1. The Planning and Zoning Commission recommendation: Pending (May 1, 2023 meeting).
2. The subject property is a 22.44-acre lot developed with a manufactured housing park. **The applicant is requesting a special fence project plan to construct a six (6)-foot tall wrought iron fence 1.5 feet from the property line along Hunter Ferrell Road, and along the property line of Glenwick Lane.**
3. The property owner is in the midst of a major renovation to an existing manufactured home park, including replacement of water and sewer lines, repaving internal streets, and replacing old manufactured homes with new ones.
4. The existing site does not have any security or perimeter fencing. The applicant wants to provide a six-foot tall wrought iron fence around the property. The fence would be located within the 30-foot front setbacks for Hunter Ferrell Road and Glenwick Lane. The fence would be 2½ feet from the front property line along Hunter Ferrell Road and along the front property line of Glenwick Lane. The fence along Glenwick Lane would maintain a 10-foot setback from the city’s lift station.
5. **No gates are proposed at this time.** Should gates be requested at a later date, the fence will need to be altered to meet the required 80-ft gate depth for queueing.
6. The Special Fence Project Plan would approve the following variances:

Section	Required	Proposed
Sec. 15-10 (Fence Height – Front Yards)	Fence within front yard setback cannot exceed four (4) feet in height or allow less than 50% through-visibility	<b>Six (6)-foot tall wrought iron fence,</b> located 2.5 feet from property line along Hunter Ferrell Rd. and on the property line along Glenwick Lane

7. The fence along Glenwick Lane will move into the property such that it is 10 feet from the City of Irving Glenwick Lift Station.
8. Section 15-17(b) of the Land Development Code allows for variances to the height and setback regulations for fences. Section 15-17(c) states that, in order to grant a variance, it must be determined that:

- a. The requested variance does not violate the intent of this chapter;
  - b. The requested variance **will not adversely affect surrounding properties**;
  - c. The requested variance **will not adversely affect public safety**; and
  - d. **Special conditions exist which are unique** to this applicant or property.
9. Because the applicant is providing major renovations to the property without moving/removing home pads, the only place for security fencing is along or near the property lines, resulting in a special condition unique to this property. Additionally, the fence does not violate the intent of the chapter and does not adversely affect surrounding properties or public safety.
10. A total of 83 public notices were mailed. Staff has not received any responses in support or in opposition.

**Staff Finding**

Staff finds that the request meets the variance criteria set forth in 15-17 of the Fence Ordinance

**35 Ordinance - ZC22-0069 - Considering a Zoning Change from C-O "Commercial Office" and S-P-2 (C-O) "Generalized Site Plan – Commercial Office" to ML-20A "Light Industrial 20A" - Approximately 10.54 Acres Located at 7810 and 7815 Jetstar Drive - Hopewell Development II, LP, Applicant; Jetstar Development Partners, Ltd., Owner (Postponed Indefinitely from the February 23, 2023 Public Hearing)**

**Administrative Comments**

1. The Planning and Zoning Commission recommended **Denial** on February 6, 2023 by a vote of 6-2.

Commissioners in support: Cronenwett, Burns, Haacke, Spurlock, Prichard, Skinner

Commissioners in opposition: Collins, Vigilante

Commissioners absent: Joy

2. The subject property consists of two tracts of land located on either side of Jetstar Drive that total 10.54 acres. Tract 1, on the east side of Jetstar Drive, contains 6.13 acres and Tract 2, on the west side of Jetstar Drive, contains 4.41 acres. Both tracts are undeveloped. **The applicant is asking to rezone the both tracts to ML-20a "Light Industrial 20a" to allow for warehouse and distribution, light manufacturing, and office showroom uses.**

- a. Tract 1: The current S-P-2 (C-O) “Generalized Site Plan – Commercial Office” uses on Tract 1 was approved in 1999 with variances to the rear yard setback, maximum lot coverage, and minimum setback for parking from the right-of-way. The intended use never developed on the site.
  - b. Tract 2: The current C-O “Commercial Office” zoning on Tract 2 was approved in 1994. The intended use never developed on the site.
3. The 2017 Imagine Irving Comprehensive Plan Future Land Use Map recommends **Business District** uses for this property. This land use category is described as a flexible use district for retail, office and commercial uses. Predominantly mid-rise with a mix of surface and structured parking. **The requested zoning is in conformance with the Comprehensive Plan.**
4. Since this request for ML-20a “Light Industrial 20a” zoning on both tracts **does not include any variances to the minimum zoning requirements**, a site plan is not required. All development will comply with the ML-20a standards.
5. The requested rezoning is consistent with the zoning districts in the area; properties to the north and west are currently zoned ML-20a “Light Industrial 20a”. The adjacent property to the east is zoned C-O “Commercial Office”.
6. Water Utilities will require detailed information on any proposed uses to determine whether the water/wastewater demand falls within the existing master plan. An engineering study and master plan update may be required for more intense uses. Upgrades to the public utilities could be required.
7. The proposed zoning is in conformance with the Future Land Use Map of the City’s Comprehensive Plan. It is also compatible with the surrounding zoning districts and uses that have developed near DFW Airport. For these reasons, staff can support this request.
8. A total of 10 public notices were mailed. Staff has not received any responses in support or in opposition.
9. On February 23, 2023, the City Council postponed this case indefinitely at the applicant’s request. The applicant has now chosen to move forward with the case, and new public notification has been made in accordance with state law.

### **Staff Recommendation**

Approval

**36 Ordinance - CP23-0004 - Considering a Comprehensive Plan Amendment Changing the Future Land Use Category from "Neighborhood Commercial" to "Mid-Density Residential" - Approximately 3.63 Acres Located at 8000 Walton Boulevard - Palladium USA International, Inc., Applicant; Eastwest Capital, LLC, Owner**

1. The Planning and Zoning Commission recommendation: Pending (May 1, 2023 meeting).
2. The subject property is a 3.64-acre vacant tract with a parking lot. The 2017 Imagine Irving Comprehensive Plan Future Land Use Map recommended **Business District** uses for the subject property. The use designation was changed to **Neighborhood Commercial** in 2018 for an Assisted Living project that was not constructed. This land use category is described as *"Mixed-use commercial areas along major corridors. Opportunities for residential and commercial infill and reinvestment."*
3. In conjunction with the companion zoning case (ZC23-0012), the applicant seeks to change the future land use to **Mid-Density Residential**, being described as *"Moderate density residential areas with some mix of uses. Predominantly two and three-story buildings, either entirely residential or residential with ground floor non-residential uses. Pedestrian-designed buildings and streets."*
4. The property fronts Walton Boulevard, which is designated on the Master Thoroughfare Plan (2021) as a "Major Collector".
5. Directly abutting the subject property to the south is an existing Wal-Mart retail store. The side directly to the north is developed with a parking lot, and a lot used for entertainment/theater purposes is just to the north. To the east is retail including a Sam's Club and the city's Hackberry Pump Station for water storage and distribution. The entirety of Walton Boulevard from IH-635 to Ranchview Drive is designated on the Future Land Use Map for non-residential uses.
6. A water and wastewater capacity study will be required prior to any permit approvals. **The proposed plan increases sanitary load beyond existing zoning and wastewater master plan, which is based in part on the existing Comprehensive Plan Future Land Use Map and the existing zoning.**
7. The Future Land Use Map Interpretation Policies under Goal 1 of the Land Use + Urban Design Section of the 2017 Imagine Irving Comprehensive Plan requires 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:**
  - a. The area is physically appropriate (i.e., size, shape, etc.) for residential use.
  - b. 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 part of a mixed-use

development.

- c. The rezoning will not result in a shortage of land designated for non-residential development.
  - d. 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.
  - e. The rezoning provides for an appropriate transition between residential and non-residential uses through separation by distance, screening or land use (i.e., creek, four-lane roadway, etc.), if integration of residential and non-residential land uses into a mixed-use environment is not achievable.
8. The **applicant's letter of justification** states that the proposed change meets these conditions. It is Staff's opinion that the proposal does remove land for nonresidential development, item (c) above. The proposed tract is a key component of a larger area originally designated and developed to meet the growing retail and commercial needs of North Irving and the surrounding area and needs to be reserved for such use. Additionally, this would be a residential use that is surrounded on three sides by land designated for nonresidential uses on the Future Land Use Map, having existing commercial development adjacent to the north and south property lines. Accordingly, staff cannot support this request.
9. A total of 33 public notices were mailed. Staff has not received any responses in support or in opposition to this request.

### **Staff Recommendation**

Denial of the Comprehensive Plan Amendment

- 37 **Ordinance - ZC23-0012 - Considering a Zoning Change from S-P-2 (C-N) “Generalized Site Plan – Neighborhood Commercial” and Assisted and Senior Living to S-P-2 (R-MF-2) “Generalized Site Plan – Multi-Family Residential 2” with Variances to Sections 2.4.14 and 3.13 of the Unified Development Code, Including Maximum Building Height, Maximum Building Length, Minimum Landscape Buffer, Minimum Side Yard Setback, Maximum Density, Minimum Parking, and Parking Location, and Multifamily Concept Plan MF23-0001 - Approximately 3.64 Acres Located at 8000 Walton Boulevard - Palladium USA International, Inc., Applicant; Eastwest Capital, LLC, Owner**

**Administrative Comments**

1. The Planning and Zoning Commission recommendation: Pending (May 1, 2023 meeting).
2. The subject property is an approximately 3.67-acre vacant site. **The applicant is requesting a zoning change and approval of a Multifamily Concept Plan to construct a 90-unit multifamily building.**
3. The 2017 Imagine Irving Comprehensive Plan Future Land Use Map recommends **Neighborhood Commercial** uses. A companion case, CP23-0004, would change the Future Land Use Map to **Mid-Density Residential** if approved. If CP23-0004 is not approved, this zoning case is moot, and no action is required.

**Zoning Case**

4. The **S-P-2 “Generalized Site Plan”** includes variances to the R-MF-2 standards to **increase the maximum density** and to **permit parking in the required front yard**, as provided below. Other variances to the multifamily standards are listed in the applicable Multifamily Concept Plan (MFCP) section.

<b>Standard</b>	<b>Required</b>	<b>Provided</b>	<b>Requested Variance</b>
<b>Maximum Density</b> (Sec. 2.4.14(d)(6))	18 units/acre	<b>24.5 units/acre</b>	+6.5 units/acre
<b>Parking</b> (Sec. 2.4.14(c))	No parking in required front yard	<b>17 spaces six (6) feet from front property line</b>	17 spaces with a 9-foot encroachment

**Community Framework Plan:**

5. The purpose of the Community Framework Plan (CFP) is to evaluate the location of any proposed multifamily development in context with the location of amenities and services that are necessary to accommodate such a development.
6. The CFP shows there are several recreation centers, sports fields, golf courses,

and schools within two to three miles of the subject property.

7. There are several nearby DART bus stations along Walton Boulevard as well as multiple restaurants and retail establishments within 0.1 to 0.5 mile.
8. A water and wastewater capacity study will be required prior to any permit approvals. **The proposed plan increases sanitary load beyond existing zoning and wastewater master plan, which is based in part on the existing Comprehensive Plan Future Land Use Map and the existing zoning.**

Multifamily Concept Plan

9. The applicant is proposing a **3-story, 90-unit apartment building** on 3.67 acres, with a **density of 24.5 units per acre.**

The unit breakdown is as follows:

<b>Unit Type</b>	<b>Minimum Unit Size</b>	<b># Units</b>
<b>1 Bedroom</b>	750 sq. ft.	27
<b>2 Bedroom</b>	980 sq, ft,	45
<b>3 Bedroom</b>	1,165 sq. ft.	18
<b>TOTAL</b>		<b>90</b>

All units meet or exceed the minimum required area.

10. Amenities include a clubhouse, an outdoor pool, dog park, and several open space areas. The development appears to comply with all the requirements for open space.
11. **The parking lot will have 167 total spaces, a reduction of 6% of the required 157 spaces.** 17 spaces would be encroaching nine (9) feet into the front property line and would be a separate variance on the Site Plan as noted above.

Of those spaces, 91 (55%) would be required to be covered with carports per the Multifamily Concept Plan.

12. The City requires development of this size to have at least two points of ingress/egress for emergency access. Due to the width of the property at the street (approximately 325 feet), only one point of access off Walton Boulevard is possible. This access point will connect to the main drive through the property, which will also be required to be striped as a 26-foot fire lane at the time of development. To provide a second point of access, the applicant proposed a private shared access easement from the adjacent property to the south that is the site of a Walmart Supercenter.

For the City to consider this a valid second point of access, this would have to be secured through a **private shared access easement at time of platting or by separate instrument before a building permit is approved**, and the fire lane on the adjacent property would need to be constructed to City standards. **Even if this**

**zoning request is approved, a building permit could not be granted if a second access point cannot be obtained.**

13. The applicant is requesting several variances from the Multifamily Development Standards (Section 3.13 of the Unified Development Code) as follows:

<b>Standard</b>	<b>Required</b>	<b>Provided</b>	<b>Requested Variance</b>
<b>Maximum Density</b> (Sec. 2.4.14(d)(6) and 2.13.2(e)(4))	18 units/acre	<b>24.5 units/acre</b>	+6.5 units/acre
<b>Parking</b> (Sec. 3.13.2(d)(3))	167 spaces 1.5 per 1 bed 1.8 per 2 bed 2.5 per 3 bed	<b>157 spaces</b> <b>1.5 per 1 bed</b> <b>1.5 per 2 bed</b> <b>2.5 per 3 bed</b> <b>0.7 per bedroom</b>	-10 spaces (-6%)
<b>Parking in front yard</b> (Sec. 3.13.2(d)(3))	Not permitted	<b>17 spaces six (6) feet from the front property line</b>	17 spaces with a 9-foot encroachment
<b>Building length</b> (Sec. 3.13.2(d)(5))	200 feet	<b>430 feet</b>	+230 feet
<b>Height</b> (Sec. 3.13.2(d)(5))	36 feet	<b>40 feet</b>	+4 feet
<b>Building setback (from non-residential)</b> (Sec. 3.13.2(d)(5))	25 feet	<b>10 feet</b>	-15 feet
<b>Landscaping</b> (Sec. 3.13.2(d)(8))			
Landscape buffer from other multifamily or nonresidential property	8 feet	<b>1 to 8 feet variable on south side</b>	-1 to -7 feet variable on south side
Minimum landscape area around buildings	12 feet	<b>1 foot</b>	-11 feet
Landscape buffer from streets	25 feet	<b>6 to 15 feet variable</b>	-10 to -19 feet variable

14. No variance is required for the Usable Open Space or Youth-Oriented Open Space.

15. The applicant has provided a letter of support from State House Rep. Julie

Johnson, which is included in this packet.

16. **The applicant has not provided a parking analysis to justify the requested parking variance, as requested by staff.** However, the applicant did provide a chart showing parking counts from three other developments they have completed in the DFW metro area. The document lists the number of cars counted at each complex on two different days at 2:00 a.m. The list shows an average of 0.7 cars per bedroom but does not list how many parking spaces are provided . It also assumes that the proposed development will have the same average of 0.7 cars per bedroom. This data fails to make a correlation between the number of spaces that are proposed versus how many may be needed.

#### Summary

17. As stated in the companion Comprehensive Plan Future Land Use Amendment case CP23-0004, the property is within an area that is a key component of a larger area originally designated and developed to meet the retail and commercial needs of North Irving.
18. Given staff's concerns regarding the appropriateness of the location of this use and the number of variances being requested, staff cannot support this request.
19. A total of 33 public notices were mailed. Staff has not received any responses in support or in opposition to this request.

#### Staff Recommendation

The ordinance be **denied**.

- 38 **Ordinance - ZC23-0013 - Considering a Zoning Change from C-OU-2 "Commercial Outdoor 2" to S-P-1 (C-OU-2) "Detailed Site Plan - Commercial Outdoor 2" and Outside Storage of Trucks and Cars as a Primary Use, and a Variance to Use Gravel or Crushed Concrete ("Road Base") in Lieu of the Required Paving - Approximately 0.28 Acres Located at 204 N. Britain Road - Sergey Monastyrskiy, Applicant/Owner**

#### Administrative Comments

1. The Planning and Zoning Commission recommendation: Pending (May 1, 2023 meeting).
2. The subject property is an approximately 0.28-acre vacant site. The applicant is requesting a zoning change to **(1) allow outside storage of cars and trucks under 15,000 lbs. gross weight, and (2) allow the use of gravel or crushed stone ("road base") in lieu of the required paving materials.**

3. The 2017 Imagine Irving Comprehensive Plan Future Land Use Map recommends **Business District** for this property. This use is described as a flexible use district for retail, office and commercial uses. While the proposed zoning is not in conformance with the Comprehensive Plan Future Land Use Map, it would not be an increase in the nonconformity with the Future Land Use Map since the existing zoning and the proposed base zoning are the same.
4. The property was previously developed with a warehouse that was demolished in 2016. The property is across the railroad tracks and northeast from the Heritage Crossing District and planned multifamily construction on the former lumberyard property. Adjacent land uses include auto sales and small light industrial buildings with some residential uses north of the subject property. No other outside storage lots are in the area.
5. The C-OU-2 district does not allow outside storage as a primary use. The applicant is seeking approval to use the site to store cars and trucks with less than 15,000 lbs. of gross weight.
6. The storage area would be behind an eight (8)-foot tall wood fence with a rolling gate, located approximately 25.5 feet from N. Britain Road. Some of the buildings to the north, east and south are along the property line. The applicant proposes installing the wood fence on the north and south property lines only wherever a building is not present. Should the buildings ever be demolished, it would be the applicant's responsibility to build additional screening fence to fill the gaps.
7. The applicant is also seeking a **variance to the paving and striping requirements:**

Section	Requirement	Proposed
Parking Location, Layout and Design (Sec. 4.4.6(b)(2))	<b>Parking lots, automobile display lots, internal driveways, vehicle circulation areas, and any non-residentially zoned property used for parking or storage of vehicles, trucks, trailers, or motorized equipment of any kind</b> shall be paved with a minimum of five (5) inches of three thousand (3,000) pounds per square inch concrete with #3 rebar on eighteen-inch center both ways, or an equivalent standard of asphalt	Gravel or Crushed Concrete ("Road Base")

8. The applicant states that the "road base" is a structural equivalent of the required paving, and provides engineering letters from 2006 and 2008, included in the packet. **A careful reading of these letters, however, include several conditions**

**that are not being provided at the subject property:**

- a. **The 2006 letter** to Big City Crushed Concrete by TQD Group **refers to “Flexible Base (Crushed Concrete)” only in terms of a base to be used under pavement**, relative to the use of “lime or cement stabilized material”.
  - b. **The 2008 letter** to the applicant from Osborne Engineering refers to a driveway base option for a different property. It specifies that it must be **“at least 6 inches after compaction** and must be placed on top of the existing {pea gravel} driveway...which also must be compacted in place before the new base is placed.” It further notes that **“drainage at the site around the driveway and the driveway itself must be maintained”** so that surface water does not stand within 20 feet one hour after a rain” and should be checked annually.
9. **The applicant does not request or stipulate any similar specific conditions for the use of the “road base” material, including compaction and drainage, and no engineering letter is provided for this specific site** to determine whether the “road base” material is appropriate, or under what conditions. There is also no indication of how dust will be controlled on or off the site.
10. The applicant’s letter states that they are “just wanting to conform to other properties around us that have the same usage that was approved in previous zoning cases” and has referenced the properties at 300/301/302 N. Jefferson Street and 208 Mavis Street when speaking with staff.
- The zoning case covering 301 N. Jefferson Street (on the west side of N. Jefferson Street) approved “Outside Storage”, which does not generally require a paved surface. The portion of the case covering 300/302 N. Jefferson Street and 208 Mavis Street, however, only approved C-C “Community Commercial” zoning, which was to include the “parking” of automobiles, not “outside storage”. Additionally, the adopting ordinance (Ordinance #7964) specifically states that the properties at 300 and 302 N. Jefferson Street shall be “paved and striped for parking spaces”.
11. Furthermore, variances to paving requirements in recent years have typically been only for situations involving heavy construction equipment (such as the Hoss Equipment or Holt Cat properties near SH 161). In this zoning case, the applicant is seeking a variance for the storage of cars and trucks by contract and available to the public, not for heavy equipment or trailers for specific businesses.
12. The applicant’s letter further states that the only reason for the request is economic; they state that they intend to develop the site someday, so they do not want to pave the property at this time.
13. The Traffic and Transportation Department has stated that it cannot support the variance to the paving requirements.
14. Staff does not believe that outside storage of any type should be a permanent use

on the property; a Conditional Use Permit (CUP) is not an option until allowed by ordinance amendment. Additionally, staff does not find any undue hardship. Accordingly, staff cannot support this request.

15. A total of 14 public notices were mailed. Staff has not received any responses in support or in opposition to this request.

### **Staff Recommendation**

The ordinance be **denied**.

- 39 Ordinance - ZC23-0017 - Considering a Zoning Change from S-P-2 (P-O) “Generalized Site Plan – Professional Office” and Sales and Service of New and Used Automobiles and State Highway 183 Overlay District to S-P-2 (C-C) “Generalized Site Plan – Community Commercial” and Sales and Service of New or Used Automobiles and State Highway 183 Overlay District - Approximately 3.944 Acres Located at 2001 and 2005 W. Airport Freeway - AutoNation, Applicant; Lucky Property One LLC, Owner**

### **Administrative Comments**

1. The Planning and Zoning Commission recommendation: Pending (May 1, 2023 meeting).
2. The subject property is a 3.944-acre tract that was formerly the Metro Volkswagen new and used automobile dealership. The applicant is requesting a zoning change to allow **used car sales and service as a permitted primary use**.
3. The 2017 Imagine Irving Comprehensive Plan Future Land Use Map recommends **Commercial Corridor** for this property. This use is described as an auto-oriented district for retail, office and commercial uses with parking in front and low to midrise buildings set back from the street. **The requested zoning is in conformance with the Comprehensive Plan.**
4. History:
  - a. On February 3, 2011, the City Council passed Ordinance No. 2011-9244 approving the State Highway 183 Overlay District. The reconstruction and expansion of State Highway 183 was seen by the City as an opportunity to **create a transportation corridor that is not only a pleasant environment for travelers but also serves as a diverse source of retail, entertainment and employment opportunities** for residents and visitors. Given the City’s investment in the reconstruction project, the City sought to help achieve this vision through the creation of the overlay district.

- b. **The overlay district includes limitations on used car dealerships that are not associated with franchised new car dealerships**, in an attempt to limit the number of additional used auto sales locations along the corridor.
  - c. The overlay district restricts “used car only” dealerships in an effort to ensure that any auto sales are from higher quality, large dealerships within the corridor. In establishing the Overlay, the City supported the continuous use of larger used car dealerships associated with a “national” brand in the corridor such as the CarMax which existed at the time. Subsequent requests for the primary sales of used cars include the Carlotz site approved on July 22, 2021 and the Autos of Dallas site approved on February 24, 2022.
5. The applicant is proposing to occupy this site for an AutoNation USA used car dealership that also provides automobile service and repair. The site includes two buildings on two different addresses that have been various auto dealerships in the past. Most of the existing layout would stay intact, with minor relocation of services.
  6. While new automobile sales would still be permitted and may also be the primary use, **this request would allow used automobile sales as a primary use** on the property. The following uses are being requested:

	Required	Requested
Permitted Uses Sec. 2.3.4(i)(4)a.2	Used auto sales permitted <u>only</u> in conjunction with a new auto sales franchise	Used auto sales permitted as a primary use (independent from a new auto sales franchise)

7. No variances are being requested and the proposed use will comply with the C-C “Community Commercial” district and all other State Highway 183 Overlay District requirements.
8. The site plan includes notes stating that no parking, display or storage of automobiles is permitted within 30 feet of the property line along State Highway 183, or within 15 feet of the property line along Texas Drive, in accordance with Section 2.3.4(i)(4) (State Highway 183 Overlay – Automobile Sales Lots) of the Unified Development Code and Chapter 33A-5 (Parking) of the Land Development Code.
9. The zoning case approved in 2011 included extensive landscaping, particularly in the landscape buffers along the south and west property lines. Most of this landscaping has died and been removed. The applicant has included a note stating that 31 trees will be planted on site prior to issuance of a Certificate of Occupancy.
10. The previous property owner striped parking spaces on a drainage easement along the western side of the property. The applicant has been made aware by the CIP Department that they will be required to remove those spaces regardless of the

outcome of this zoning case.

11. Staff from Traffic and Transportation, Fire, Water Utilities, and CIP have reviewed the request and have no objections to this request.
12. The proposed site plan makes used auto sales the primary use on the property. Approval of used car dealerships in the corridor does not follow the intent of the overlay district to limit such uses. While this is a 3.944-acre site that has previously been used for pre-owned autos, the use was accessory to and in association with a new car dealership, as required by the State Highway 183 Overlay District. Accordingly, staff cannot support this request.
13. A total of nine (9) public notices were mailed. Staff has not received any responses in support or in opposition to this request.

### **Staff Recommendation**

The ordinance be denied.

- 40 Ordinance - ZC23-0019 - Considering a Zoning Change from S-P-2 (R-6 and R-TH) “Generalized Site Plan – Single-Family Residential 6 and Townhouse Residential” and State Highway 161 Overlay District to S-P-2 (R-6) “Generalized Site Plan – Single-Family Residential 6” and State Highway 161 Overlay District with a Variance to the Minimum Side Yard Setback on a Reverse-Frontage Corner Lot- Approximately 0.22 Acres Located at 1319 Hasina Drive - JDJR Engineers and Consultants, Inc., Applicant; Segu Dawood Jameel, Owner**

### **Administrative Comments**

1. The Planning and Zoning Commission recommendation: Pending (May 1, 2023 meeting).
2. The subject property is an approximately 0.22-acre site with an existing vacant building. **The applicant is requesting a zoning change to allow a variance to the minimum side yard setback on a reverse frontage lot.**
3. The 2017 Imagine Irving Comprehensive Plan Future Land Use Map recommends ***Residential Neighborhood*** uses for this property, reflecting the approved zoning of the site. This 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 requested zoning is in conformance with the Comprehensive Plan.**

4. This property, along with the surrounding parcels, previously underwent a zoning change in 2016 (ZC16-0029) to S-P-2 (R-6 and R-TH) “Generalized Site Plan – Single-family Residential 6 and Townhouse Residential” and State Highway 161 Overlay District with applicable variances to the minimum lot depth, side yard setbacks adjacent to the street, and rear yard setbacks. **The property is located in the “R-6” portion of the development.**
5. The **current zoning** allows the following variances:

Standard	Required	Provided
Rear Yard Setback	20 feet	15 feet
Minimum Side Yard Setback adjacent to street	20 feet	15 feet

6. **Per Section 8.4.1 “Corner Lots”, the side yard setback on the street side shall be the same as the required front yard setback when an adjacent property fronts the side street.** The required front yard setback in an R-6 district is 25 feet, and the adjacent lot to the west faces Shemsa Way (the “side street” for the subject property). Therefore, the setback along Shemsa Way is also 25 feet.
7. The following **new** variance is being requested:

Standard	Required	Provided
Side yard setback on a reverse-frontage corner lot (Sec. 8.4.1)	25 feet	<b>15 feet</b> (10-foot variance)

8. The applicant’s letter of intent states that this property is the only lot within the subdivision that has a reverse frontage layout. It states that due to the 25-foot side yard setback, the maximum width of the proposed house is limited to 40 feet rather than the maximum of 50 feet which is possible for the remainder of the “R-6” portion of the subdivision.
9. Staff from Traffic and Transportation, Fire, Water Utilities, and CIP have reviewed the request and have no objections to this request.
10. Development of this lot will comply with all other requirements of Zoning Case ZC16-0029.
11. A total of 26 public notices were mailed. Staff has not received any responses in support or in opposition to this request.

**Staff Finding**

No undue hardship is evident, and the site plan does not comply with the development standards outlined in Section 8.4.1 (Corner Lots) in the Unified Development Code.

**41 Ordinance - CP23-0005 Consideration of an Ordinance Amending the City of Irving 2017 Imagine Irving Comprehensive Plan by Amending the Future Land Use Categories Included in Chapter 1: Land Use and Urban Design and Adopting Changes to the Future Land Use Map Designation for Twenty-Three Identified Areas of the City**

**Administrative Comments**

1. This item has been recommended by the Planning Department and supports Future in Focus: Vibrant Economy – Effectively plan and manage land use.
2. The Planning and Zoning Commission recommendation: Pending (May 1, 2023 meeting).
3. The purpose of this amendment is to adopt proposed changes to the Future Land Use categories and Future Land Use map that will be incorporated into the 5 year update of the Imagine Irving Comprehensive Plan.
4. The Imagine Irving Comprehensive Plan was adopted in July 2017. It provides a vision for the future of the City to guide development and City policies for the next twenty years. It is a best practice to update such plans every five years to ensure the data is accurate, that it still reflects the community's goals and that the plan provides the necessary guidance to staff. Chapter 1 provides specific guidance considered with each request to change a property's future land use.
5. The recommended changes to the Future Land Use categories better define and differentiate between the broad definitions in the original Imagine Irving Plan. In addition, 25 specific areas were reviewed and proposed to change the future land use on specific properties. These changes are of three types: some are meant to correct oversights in the original plan that fail to recognize a desired existing land use, others are logical reassignments based on amendments and clarifications to the land use categories, and the third type are active policy changes for an area.
6. The Planning and Zoning Commission held work sessions on September 19 and October 17, 2022, where each individual area was discussed and recommendations were provided to staff.
7. These changes were presented to the City Council at the February 23 and March 9, 2023 Work Sessions. Council requested that staff instead present these items to the Planning and Development Committee to allow time to discuss each item and address any potential concerns expressed by City Council members. On March 30, Staff presented the changes and any concerns expressed by the Planning and Zoning Commission. Staff received consensus direction on each to proceed for formal consideration of adoption for 23 areas, removing two areas for further review.

8. Upon approval, these changes will be reflected in the Future Land Use map and incorporated into the updated 2023 Imagine Irving Comprehensive Plan after the City Council reviews the chapters and provides direction for formal consideration of adoption.
9. Recommended Changes to Category Definitions Chapter 1: Land Use and Urban Design as found in the 2017 Imagine Irving Plan, Pages 72 thru 74:

#### **Land Use Classification 1:**

Current Classification: **RESIDENTIAL NEIGHBORHOOD.** Predominantly single-family detached homes or duplexes with some mix of non-residential uses, particularly in-home businesses. Net units per acre: 5-20

Proposed Classification: **TRADITIONAL NEIGHBORHOOD.** Predominantly residential area with the appearance of traditional single-family detached homes or duplexes with some mix of non-residential uses at intersections of collector or arterial streets. Includes home-based businesses. Multi-unit structures compatible with the residences of the area are permitted. Net units per acre: 4-7 Likely Compatible Zoning: R-40, R-15, R-10, R-7.5, R-6, R-2.5, R-MH (at selected intersections: P-O, C-N)

#### **Land Use Classification 2:**

Current Classification: **COMPACT NEIGHBORHOOD.** Predominantly single-family homes with a diverse mix of building types including small lot cottage homes, clustered courtyard homes, townhouses, rowhouses, and small-scale apartment buildings. Some mix of non-residential uses, especially at intersections and commercial corners. Net units per acre: 10-40

Proposed Classification: **COMPACT NEIGHBORHOOD.** Predominantly single-family homes with a diverse mix of building types including small lot cottage homes, clustered courtyard homes, townhouses, rowhouses, and low-density multi-dwelling units. Some mix of neighborhood-serving non-residential uses at intersections and collector or arterial corners. Net units per acre: 8-20 Likely Compatible Zoning: R-ZLa, R-PH, R-ZL, R-SFA, R-3.5, R-2.5, R-TH (at selected intersections P-O, C-N)

#### **Land Use Classification 3**

Current Classification: **MID-DENSITY RESIDENTIAL.** Moderate density residential areas with some mix of uses. Predominantly two- and three-story buildings, either entirely residential, or residential with ground floor non-residential uses. Pedestrian-design buildings and streets. Net units per acre: 25-50

Proposed Classification: **MID-DENSITY RESIDENTIAL.** Medium density residential areas typically five stories or less. New structures should be high quality construction sited near public transportation nodes, arterial streets or in proximity to mixed use areas. Pedestrian-oriented buildings and streets are preferred. Net units per acre: 18-50 Likely Compatible Zoning: R-MF-1, R-MF-2, R-MF-O, R-XF

#### **Land Use Classification 4:**

Current Classification: **URBAN DISTRICT.** Highest intensity areas of Irving containing a variety of uses in multi-story buildings. Pedestrian-design streets and buildings, high quality design and materials, and reduced parking requirements. Net units per acre: 60 OR MORE

Proposed Classification: **URBAN CENTER.** Highest intensity areas of Irving containing a variety of uses in high-rise buildings. Pedestrian-oriented streets and buildings, high-quality design and materials. Primarily office and residential uses with regional destination retail, restaurant, hotel and entertainment uses. Building heights exceeding seven stories with shared and structured parking preferred. Sites should be located within a one-half mile of nearby rail stations. Net units per acre: 60 or more. Likely Compatible Zoning: R-MF-2, P-O, C-O, C-N, FWY, TOD

#### **Land Use Classification 5:**

Current Classification: **TRANSIT-ORIENTED DEVELOPMENT.** Mixed-use development serving nearby rail stations. Pedestrian-friendly streets and buildings, high quality design, and reduced parking requirements. Net units per acre: 25 OR MORE

Proposed Classification: **“TRANSIT ORIENTED DEVELOPMENT”** Mixed-use development served by rail stations or high frequency bus stations within one-half mile or less of the site. Includes pedestrian-oriented streets and buildings, high quality design, public open space, and reduced and/or shared parking. Structures are ideally mixed use mid-rise or high-rise buildings a minimum of seven stories in height containing both residential units and commercial uses within each structure. Such developments will serve as residential centers, major employment nodes, or as corporate campuses offering local destination retail, restaurant and entertainment uses. Residential developments should serve a mix of income levels and help expand options for low and moderate income households. Net units per acre: 60 or more. Likely Compatible Zoning: HCD-TMU, TOD, PUD 6.

#### **Land Use Classification 6:**

Current Classification: **COLLEGE DISTRICT.** Institutions of higher education and nearby mixed-use development serving student populations with a mix of housing, retail and services. Net units per acre: 25 OR MORE

Proposed Classification: **COMMUNITY VILLAGE:** Pedestrian-oriented mixed-use village with free standing structures ranging from two to four stories. Areas should contain a mix of live and work opportunities with retail, entertainment and housing within one-half mile of any residential unit. Ideally located near a variety of transportation options. Net units per acre: 8-30. Likely Compatible Zoning: R-MF-1, R-MF-2, P-O, C-O, C-N, R-2.5, R-3.5, R-ZLa, R-TH

#### **Land Use Classification 7:**

Current Classification: **NEIGHBORHOOD COMMERCIAL.** Mixed-use commercial areas along major corridors. Opportunities for residential and commercial infill and reinvestment. Net units per acre: 10-150

Proposed Classification: **LOCAL COMMERCIAL.** Neighborhood serving commercial areas along collector or minor arterial roads in close proximity and safely walkable from nearby residences. Likely Compatible Zoning: P-O, C-O, C-N

#### **Land Use Classification 8:**

Current Classification: **MAIN STREET.** Mixed-use walking district with single and multi-story buildings, continuous street wall, on-street parking, pedestrian-design streets and buildings. Net units per acre: 10-25

Proposed Classification: **MAIN STREET/DOWNTOWN.** Mixed-use walkable area with continuous building frontages, on-street and rear parking, oriented towards outdoor public spaces and activities. Uses should include retail, office, restaurant, entertainment with a focus on drawing visitors from other parts of the region and community to the site. Upper floor residential and/or office uses are encouraged. Net units per acre: 20-40. Likely Compatible Zoning: HCD

#### **Land Use Classification 9:**

Current Classification: **BUSINESS DISTRICT.** Flexible use district for retail, office and commercial uses. Predominantly mid-rise with a mix of surface and structured parking.

Proposed Classification: **BUSINESS/OFFICE.** Flexible use area for retail, office and commercial uses. Multi-story structures with a mix of surface and structured parking. Uses are primarily office oriented with some supportive services. Likely Compatible Zoning: P-O, C-O, C-N, C-C, FWY

#### **Land Use Classification 10:**

Current Classification: **COMMERCIAL CORRIDOR.** Auto-oriented district for retail, office and commercial uses. Parking in front with buildings set back from the street. Low to mid-rise buildings.

Proposed Classification: **REGIONAL COMMERCIAL.** Auto-oriented district for larger scale retail, office and commercial uses. This area provides destination services to multiple neighborhoods and the region and is dependent on automobile or transit rather than pedestrian access. It is generally appropriate for placement along major arterial roads and freeways. Likely Compatible Zoning: P-O, C-O, C-N, C-C, C-OU-1, C-OU-2, C-OU-3

#### **Land Use Classification 11:**

Current Classification: **INDUSTRIAL.** Light to heavy industrial and manufacturing

Proposed Classification: **INDUSTRIAL.** Industrial and manufacturing including accessory outside storage. Supportive commercial uses may be present. Likely

Compatible Zoning: FWY, C-OU-1, C-OU-2, C-OU-3, CW, ML-20, ML-20a, ML-40, ML-120, CP

**New Land Use Classification:**

Proposed Classification: **MANUFACTURING/WAREHOUSE**. Primarily light manufacturing, warehousing and storage inside a building, but with some supportive commercial uses present. Exterior design presenting an office park aesthetic rather than a purely functional appearance is preferred. Likely Compatible Zoning: FWY, CW, ML-20, ML-20a, CP

Public/Semi-Public, Open Space, and DFW International Airport classifications remain unchanged.

10. Recommended Changes to the Future Land Use Map Chapter 1: Land Use and Urban Design, Page 75 of the 2017 Imagine Irving Plan

**Area 1:** Airport Freeway West of Loop 12, approximately 35.2 acres. From **Neighborhood Commercial** to **Regional Commercial**

**Area 2:** South of Union Bower and West of Loop 12, approximately 3.3 acres. From **Business District** to **Traditional Neighborhood**

**Area 3:** Belt Line Road at Airport Freeway, approximately 335.4 acres. From **Neighborhood Commercial** to **Community Village** and **Regional Commercial**

**Area 4:** Rogers Road at Rock Island Road, approximately 7.2 acres. From **Business District** to **Local Commercial**

**Area 5:** No Change by direction of the City Council

**Area 6:** Heritage Crossing District Transit Mixed Use zone, approximately 36.2 acres. From **Urban District** to **Transit Oriented Development**

**Area 7:** West Irving Station area, approximately 53.4 acres. From **Transit Oriented Development** to **Community Village**

**Area 8:** Along SH 161 and SH 114 near the La Villita area, approximately 131.7 acres. From **Neighborhood Commercial** to **Regional Commercial, Compact Neighborhood** and **Mid-Density Neighborhood**

**Area 9:** Freeport area, approximately 1,317.25 acres. From **Business District** to **Business/Office, Manufacturing/Warehouse** and **Regional Commercial**

**Area 10:** Carbon Road west of SH 161, approximately 96.6 acres. From **Business District and Compact Neighborhood** to **Manufacturing/Warehouse, Industrial, Local Commercial, Regional Commercial** and **Traditional Neighborhood**

**Area 11:** West of SH 161 south of Airport Freeway, approximately 459.0 acres. From **Business District** to **Manufacturing/Warehouse**

- Area 12:** West of SH 161 north of Airport Freeway, approximately 231.7 acres. From **Business District to Manufacturing/Warehouse**
- Area 13:** No Change by direction of the City Council
- Area 14:** South of the intersection of SH 114 and SH 161, approximately 45.3 acres. From **Urban District to Business/Office**
- Area 15:** Urban Center between Promenade Way and Spur 348, approximately 7.1 acres. From **Transit Oriented Development to Urban Center**
- Area 16:** Shady Grove Rd at Story Rd, approximately 11.3 acres. From **Compact Neighborhood and Residential Neighborhood to Traditional Neighborhood and Compact Neighborhood**
- Area 17:** Conflans Road at Compton Avenue, approximately 4.5 acres. From **Compact Neighborhood to Traditional Neighborhood**
- Area 18:** La Villita Blvd at Las Colinas Blvd, approximately 0.80 acres. From **Compact Neighborhood to Traditional Neighborhood**
- Area 19:** Loop 12 North of Rock Island Railroad, approximately 71.9 acres. From **Business District to Manufacturing/Warehouse**
- Area 20:** Loop 12 South of Shady Grove, approximately 65.0 acres. From **Business District to Manufacturing/Warehouse**
- Area 21:** Jackson St at Belt Line Rd, approximately 17.8 acres. From **Commercial Corridor to Manufacturing/Warehouse**
- Area 22:** Oak Grove Memorial on Irving Blvd, approximately 27.9 acres. From **Local Commercial, Residential Neighborhood, Mid-Density Residential and Public/Semi-Public to Public/Semi-Public**
- Area 23:** Irving Blvd at Loop 12, approximately 3.8 acres. From **Neighborhood Commercial to Compact Neighborhood**
- Area 24:** Irving Blvd at Loop 12, approximately 107.4 acres. From **Neighborhood Commercial to Regional Commercial**
- Area 25:** Esters Blvd at Cheyenne Rd, approximately 3.7 acres. From **Commercial Corridor to Mid-Density Residential**

### **Recommendation**

The ordinance be adopted.

## APPOINTMENTS AND REPORTS

### 42 Resolution - Re-Appointments to the Dallas Area Rapid Transit Board of Directors to Terms Expiring July 2025

#### Administrative Comments

1. This item is recommended by the City Secretary's Office.
2. **Impact:** The City's representation on the Dallas Area Rapid Transit (DART) Board assures representation when decisions are being made that impact the City.
3. In accordance with state law, DART board members serve two-year terms. Currently, Rick Stopfer represents Irving (100%), Doug Hrbacek represents Irving (20%) and the City of Carrollton (80%). Terms for both representatives expire July 1, 2025.
4. The City of Carrollton is scheduled to reappointed Doug Hrbacek to the DART Board at its June 27, 2023 City Council meeting.

#### Recommendation

The resolution be approved.

### 43 Mayor's Report

#### Adjournment