

**AGENDA**  
**Irving City Council Work Session**  
**Thursday, September 14, 2023 at 1:00 PM**  
**City Hall, First Floor, Council Conference Room**  
**825 West Irving Boulevard, Irving, TX 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).

**DISCUSSION TOPIC**

- 1 Citizen Comments on Items Listed on the Agenda
- 2 City Operations Update  
-Recognizing Irving Service Excellence (R.I.S.E.) Program
- 3 Entertainment Center Update
- 4 Review of Regular Agenda
- 5 Corridor Enhancement Incentive Grant - 642 E. Second Street
- 6 Solid Waste Services Proposed Ordinance Changes and Rate Increases
- 7 Proposed UDC Amendments: Uses by Conditional Use Permit (CUP)

**EXECUTIVE SESSION**

- 8 Real Estate Negotiations, Economic Development Negotiations, and Legal Advice - Entertainment Center - Open Meetings Act § 551.072, § 551.087, and § 551.071
- 9 Economic Development Negotiations and Legal Advice - the Dwyer Group, Inc. - Open Meetings Act § 551.087 and § 551.071

**CERTIFICATION**

I, the undersigned authority, do hereby certify that this Notice of Meeting was posted on the Kiosk at the City Hall of the City of Irving, Texas, a place convenient and readily accessible to the general public at all times, and said Notice was posted by the following date and time: **Friday, September 8, 2023 at 5:00 p.m.**, and remained so posted at least 72 hours before said meeting convened.

\_\_\_\_\_  
Shanae Jennings, City Secretary/ Chief Compliance Officer

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Date Notice Removed

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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.

## AGENDA ITEM SUMMARY – WORK SESSION

**Meeting:** 9/14/2023

**DOC ID:** 13867

**Recommending Department:** Economic Development

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### Entertainment Center Update

**DISCUSSION:**

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**ATTACHMENTS:**

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**REVISION INFORMATION:**

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Prepared: 7/13/2023 03:44 PM by Jennifer Ramirez

Last Updated: 8/22/2023 12:50 PM by Jennifer Ramirez

## AGENDA ITEM SUMMARY – WORK SESSION

**Meeting:** 9/14/2023

**DOC ID:** 13997

**Recommending Department:** Housing and Redevelopment

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### **Corridor Enhancement Incentive Grant - 642 E. Second Street**

**DISCUSSION:**

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**ATTACHMENTS:**

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**REVISION INFORMATION:**

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Prepared: 8/23/2023 01:26 PM by Jocelyn Murphy

Last Updated: 9/7/2023 02:18 PM by Kevin Kass

## AGENDA ITEM SUMMARY – WORK SESSION

**Meeting:** 9/14/2023

**DOC ID:** 14040

**Recommending Department:** Solid Waste Services

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### **Solid Waste Services Proposed Ordinance Changes and Rate Increases**

**DISCUSSION:**

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**ATTACHMENTS:**

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**REVISION INFORMATION:**

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Prepared: 9/1/2023 08:29 AM by Sarah Perkins

Last Updated: 9/1/2023 08:29 AM by Sarah Perkins

## AGENDA ITEM SUMMARY – WORK SESSION

**Meeting:** 9/14/2023

**DOC ID:** 14003

**Recommending Department:** Planning

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### **Proposed UDC Amendments: Uses by Conditional Use Permit (CUP)**

#### **DISCUSSION:**

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#### **ATTACHMENTS:**

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Conditional Use Permit CUP uses CCws 9 14 23 (PDF)

#### **REVISION INFORMATION:**

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Prepared: 8/25/2023 04:28 PM by Jocelyn Murphy

Last Updated: 9/7/2023 11:01 AM by Jocelyn Murphy

# Unified Development Code Amendments: Uses by Conditional Use Permit



City Council  
Work Session  
September 14, 2023

# Purpose

- Identify appropriate land uses to be regulated by the new Conditional Use Permit

# Background

- The CUP/Conditional Use Permit tool was created on February 9, 2023.
- The CUP provides additional abilities to:
  - Set time limits on certain uses if preferred, and
  - Revoke the use in predetermined situations
- Next step is to define and set the uses to be regulated by CUP.




# Specific Uses

## 1. Expand ability to request a CUP for certain specific uses

<i>Existing Use Description</i>	<i>Proposed Use Description</i>	<i>Districts to be Allowed</i>
Public or private storage garages, yards or lots	<b>Parking lot for passenger vehicles as a primary use</b>	By CUP in P-O, C-O, C-N, C-C, and FWY* <i>(Currently by right as a permanent use in C-OU-1 – will remain)</i>
Public storage garages	<b>Public or Private parking garage as a primary use</b>	By right in P-O, C-O, C-N, C-C, and FWY and C-OU-1 <i>(Currently by right as a permanent use in C-C)</i>
<b>Outdoor Storage as a primary use</b>	No change	By CUP in C-N, C-C, C-OU-1, C-OU-2, C-OU-3, and FWY* <i>(Currently by right as a permanent use in CW, ML20, ML40, ML 120 – will remain)</i>

\* = Use is not particularly preferred in the districts, but provides CUP as an option in lieu of a permanent S-P Site Plan zoning 4

# Specific Uses

Existing Use Description	Proposed Use Description	Districts to be Allowed
Automobile washing business; automatic, coin-operated or moving line wash	No change	By CUP in C-N, C-C, C-OU-1, C-OU-3, and FWY* <i>(Currently by right as a permanent use in C-OU-2 – will remain)</i>
NA	<b>Farmers' Market as a primary use</b> 	By right in C-N, C-C and FWY CUP required when within 500 feet of an "R" Single Family District, measured property line to property line An office or pavilion with permanent public restroom facilities shall be constructed.
NA	<b>Farmers' Market as a temporary use</b>	Refer to the Temporary Use section; Allow for up to 180 days with a temporary use permit

\* = Use is not particularly preferred in the districts, but provides CUP as an option in lieu of a permanent S-P Site Plan zoning

# Specific Uses


Existing Use Description	Proposed Use Description	Districts to be Allowed
NA	<b>Community Home Residential Assisted Living</b> As defined and licensed by the state	By CUP in all R districts
Veterinarian clinic or hospital, and/or boarding completely <u>within an enclosed building</u>	<i>Add use: Veterinarian clinic or hospital, <u>with outside runs or boarding kennels</u></i>	By CUP only <i>Allows ability to request CUP for the outdoor use not available currently</i>
Kennels	<b>Kennels, Outdoor</b>	By CUP in C-N, C-C and FWY districts <i>(Currently by right in AG only - will remain)</i>

# Heritage Crossing District

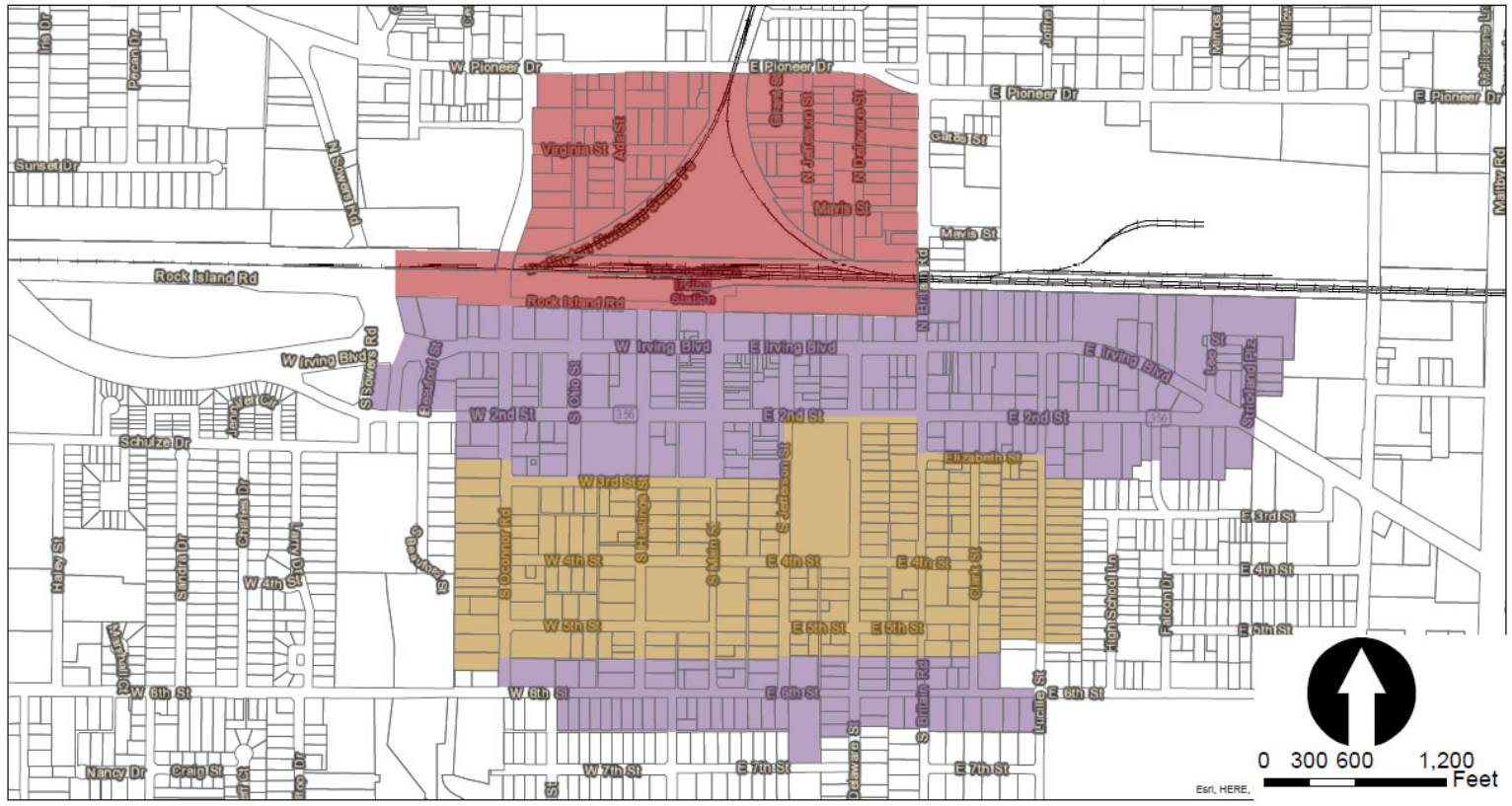
2. Use the CUP in the HCD district primarily as a **transitional tool** to allow existing uses to remain until the area is ready for redevelopment

Existing Use Description(s)	Proposed Use Description	Districts to be Allowed
Commercial off-street parking New surface parking lots shall be permitted as an interim use of property if they are the primary use of property and part of a phased development	<b>Commercial off-street parking <u>as a primary use</u></b> Add that allowed also if providing <u>public parking</u> as an interim use pending area development	By CUP in Transit Mixed-Use (TMU) and Corridor Mixed-Use (CMU) <i>(Current by right zoning has no time limit or reversion)</i>
Construction sales and services	<b>Construction sales and services <u>office</u></b> Clarify office only and <u>not to include</u> equipment or materials storage yard	By right in Transit Mixed-Use (TMU) and Corridor Mixed-Use (CMU) <i>(Currently by right in CMU only)</i>
Construction sales and services	<b>Construction sales and services <u>office</u></b> <u>With</u> equipment or materials storage yard	By CUP in Transit Mixed-Use (TMU) and Corridor Mixed-Use (CMU) <i>(Currently by right in CMU only)</i>
<b>Vehicle rentals, repair, sales and washing</b>	No change	By CUP in Transit Mixed-Use (TMU) and Corridor Mixed-Use (CMU) <i>Retain by right east of Britain</i>

# Heritage Crossing District

Existing Use Description(s)	Proposed Use Description	Districts to be Allowed
NA	<b>Farmers' Market as a primary use</b> 	By right in Transit Mixed-Use (TMU) and Corridor Mixed-Use (CMU) An office or pavilion with permanent public restroom facilities shall be constructed.
Industrial <b>manufacturing and warehousing</b>	No change	By CUP in Transit Mixed-Use (TMU) and Corridor Mixed-Use (CMU) <i>(Currently allowed by right in TMU and in CMU east of Britain only.            Remove by right east of Britain)</i>
<b>Outside Storage</b>	No change	By CUP in Transit Mixed-Use (TMU) and Corridor Mixed-Use (CMU) <i>(Currently allowed by right in TMU and in CMU east of Britain only.            Remove by right east of Britain)</i>

# Heritage Crossing District Subdistricts



**GATEWAYPLANNING**  
 Design • Implementation • Value Capture  
 A VIALTA GROUP PARTNER



## Heritage Crossing District: Regulating Plan

- Corridor Mixed Use
- Transit Mixed Use
- Neighborhood Mixed Use

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. This data has been produced by the City of Irving for the sole purpose of geographic reference. No warranty is made by the City of Irving regarding specific accuracy or completeness.

## Add Conditional Use Permit reference

3. Revise sections in the Overlays which refer to Site Plan zoning districts to also refer to Conditional Use Permits
  - SH 161 Overlay
  - SH 183 Overlay

# Definitions

## 4. Amend and add Definitions:

- New definitions:
  - **Farmers' Market** A permanent establishment providing individual spaces leased by farmers and other vendors for the offering for retail sale directly to the consumer of seasonal uncut fresh fruits and vegetables, flowers, herbs, or plants, processed food stuffs and nonperishable products such as jams, honey, pickled products, sauces, and baked goods. A Farmers' Market may include non food artisanal items such as candles, woodworking, crafts, and art, clothing and other cottage foods and goods where the vendors are primarily individuals who have raised the produce or created the product. A farmers' market shall not include the sale of used household goods or operate as a "flea market".
  - **Flea Market** An establishment or location providing individual spaces leased by individual vendors for the retail sale of new and used household goods, personal effects, tools, artwork, small household appliances, and similar merchandise, objects, or equipment in small quantities. Food service may be provided as an accessory use under regulations of Chapter 18 "Food and Food Establishments" of the City Code of Criminal and Civil Ordinances.



# Definitions

- **Parking** shall mean the short term storage of two axle passenger vehicles in designated spaces. The display of motor vehicles for sale as part of a retail auto sales business is not considered or counted as “parking”. Auto Sales inventory not on display to the public for sale, the long term storage of intact (not wrecked, dismantled or parted out) passenger vehicles and commercial vehicles or vehicles with over two axles are considered outside storage.
- Amend Definition for Parking Garage:
  - Existing: Garage, public storage or public storage garage shall mean a building or portion thereof, not a private garage, constructed or used for the storage or parking of passenger motor vehicles and trucks of less than one-ton capacity only, where the rental of space is on an hourly, weekly or monthly basis.
  - Proposed: **Garage, Parking** shall mean a public or private parking garage provided as a primary building or portion thereof, constructed or used for the storage or parking of passenger motor vehicles and trucks of less than one-ton capacity only, where the rental of space is on an hourly, weekly or monthly basis.

# Parking for newly defined use

## 5. Add Parking Ratio

- Farmers' Market

2 spaces per table or booth

## Next Steps

July 13	Concepts to Planning and Development Committee
August 7	Concepts to P&Z Work Session
September 14	Draft Ordinance to City Council Work Session
September 18	Draft Ordinance to P&Z Work Session
October 2	P&Z Hearing and Recommendation
October 26	Council Hearing and Consideration

# Discussion

CityofIrving.org



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## AGENDA ITEM SUMMARY – WORK SESSION

**Meeting:** 9/14/2023

**DOC ID:** 14001

**Recommending Department:** Economic Development

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**Real Estate Negotiations, Economic Development Negotiations, and Legal Advice - Entertainment Center - Open Meetings Act § 551.072, § 551.087, and § 551.071**

**DISCUSSION:**

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**ATTACHMENTS:**

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**REVISION INFORMATION:**

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Prepared: 8/25/2023 10:49 AM by Jennifer Ramirez

Last Updated: 9/8/2023 11:31 AM by Jennifer Ramirez

## AGENDA ITEM SUMMARY – WORK SESSION

**Meeting:** 9/14/2023

**DOC ID:** 14051

**Recommending Department:** Economic Development

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**Economic Development Negotiations and Legal Advice - the Dwyer Group, Inc. - Open Meetings Act § 551.087 and § 551.071**

**DISCUSSION:**

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**ATTACHMENTS:**

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**REVISION INFORMATION:**

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Prepared: 9/5/2023 08:33 PM by Bryan Haywood

Last Updated: 9/5/2023 08:37 PM by Bryan Haywood