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.

Organizational Service Announcements

Invocation

Reverend Shane Webb, Woodhaven Presbyterian 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 38

CITY COUNCIL AGENDA

1 City Operations Update

CONSENT AGENDA

2 Approving Work Session Minutes for Thursday, July 11, 2024

3 Approving Regular Meeting Minutes for Thursday, July 11, 2024

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 Ordinance - Amending Ordinance No. 2023-10795 Providing Budget Adjustment #7 to the 2023-24 Fiscal Year Budget

Administrative Comments:

1. This item has been recommended by the Financial Services Department. It supports Future in Focus - Government Sustainability, protect the city’s financial integrity and credibility.


3. The adjustments have been proposed by city staff and have been reviewed and recommended by Financial Services.

4. Total Budgeted Revenues = ($34,953,598) Total Budgeted Expenditures = ($33,742,083) and Total Fund Balance Net Impact = ($1,211,515).

Recommendation:

The ordinance be adopted.

5 Resolution - Approving a First Amended and Restated Interlocal Agreement for Security and Peace Officer Services Between the City of Irving and the Irving Independent School District (IISD) to Maintain the School Resource Officer Program at IISD Campuses

Administrative Comments

1. This item is recommended by the Police Department. It supports Future in Focus: Safeguard public safety, security and health.

2. Impact: This Interlocal Agreement with Irving Independent School District (“IISD”) will allow Irving Police Department to continue providing School Resource Officers (“SRO”) at IISD schools to protect the safety and welfare of IISD students and personnel.

3. This is an annual agreement which takes effect August 1, 2024 and expires on July 31, 2025. This agreement is subject to additional one-year renewal terms.

4. The Irving Independent School District shall pay the City 55% of the costs for 18 School Resource Officers’ and at least 2, but not more than 3 Sergeants’ salaries, retirement, health insurance, workers compensation insurance, and unemployment
insurance. The City’s portion is estimated at $1,631,649.15 not including overtime. The funds are available in the Police Department budget.

5. Payments will be in three equal payments as compensation due on December 1, April 1, and August 1, in each year which this agreement is effective.

**Recommendation**

The resolution be approved.

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6. **Resolution - Approving an Interlocal Agreement for School Resource Officers Between the City of Irving and the Carrollton-Farmers Branch Independent School District (CFB ISD) to Maintain the School Resource Officer Program at CFB ISD Campuses Located in the City of Irving**

**Administrative Comments**

1. This item is recommended by the Police Department. It supports Future in Focus: Safeguard public safety, security and health.

2. **Impact**: This agreement will provide security and peace officer services to protect Carrollton - Farmers Branch ISD (CFB ISD) property and the safety and welfare of CFB ISD students and personnel.

3. This is an annual agreement which takes effect August 1, 2024, and expires July 31, 2025, subject to additional renewal by the parties.

4. The Carrollton – Farmers Branch Independent School District shall pay the City 55% of the costs for two School Resource Officers’ salaries, retirement, health insurance, workers compensation insurance, and unemployment insurance. The City’s portion is estimated at $139,282.00, not including overtime. The funds are available in the Police Department budget.

5. Payments will be in three equal payments as compensation due on December 1, April 1, and August 1, in each year which this agreement is effective.

**Recommendation**

The resolution be approved.
7 Resolution - Approving and Adopting the Tarrant County 9-1-1 District 2024-25 Annual Budget

Administrative Comments

1. This item is recommended by the Police Department. It supports Strategic Objective No. 4.1: Safeguard public safety, security and health.

2. **Impact:** The Tarrant County 9-1-1 District is requesting its’ members to approve and adopt the district’s annual operating budget for 2024-25. District boundaries include all of Tarrant County, all areas outside Tarrant County included in the corporate limits of a member city, plus DFW International Airport and the City of Irving.

3. As a member city, Irving receives logistical services from the Tarrant County 9-1-1 District to interface Irving’s Public Safety Answering Point (PSAP) with phone carriers.

4. The Tarrant County 9-1-1 District Board of Managers approved the 2024-25 annual operating budget at their board meeting on June 17, 2024.

**Recommendation**

The resolution be approved.

8 Resolution - Approval of the Irving Arts and Culture Board of Directors Revised Bylaws

Administrative Comments

1. This item has been recommended by the Irving Department of Arts and Culture and supports Future in Focus Sense of Community – Provide exceptional recreational, cultural and educational opportunity.

2. **Impact:** Revising the Irving Department of Arts and Culture’s Bylaws promotes a sound government with fiscal responsibility.

3. Section 38-13 of Article I “General” of Chapter 38 “Boards, Commissions, and Committee” of the Code of Civil and Criminal Ordinances of the City of Irving, Texas, provides that the bylaws adopted by a City Board are not effective unless they are approved by the City Council.

4. The revised bylaws were approved unanimously at the June 17, 2024 Board meeting.
5. There are no funding implications with this resolution.

**Recommendation**

The resolution be adopted.

9  Resolution - Approving an Expenditure with Mart, Inc. in the Amount of $150,975.00 for the Trinity Railway Express (TRE) O’Connor Road Bridge Lead-Based Paint Stabilization, Encapsulation and Re-Painting Project through the Interlocal Purchasing System (TIPS) Program

**Administrative Comments**

1. This item is recommended by the Capital Improvement Program Department and supports Future in Focus: Safe and Beautiful City - Safeguard public safety, security, and health.

2. **Impact:** This project provides a painted finish of the TRE bridge at O’Connor Road.

3. The scope of work includes the removal, collection, and proper disposal of loose paint and rust. An epoxy paint will encapsulate the remaining lead-based paint to provide a painted, finished surface. This project will complement a future mural painting of adjacent concrete bridge abutments and retaining walls.

4. Pending the Dallas Area Rapid Transit (DART) Board approval, funding for half the cost of this work would be reimbursed from DART.

5. A Vendor/Member contract between the City of Irving and Mart Inc., was approved on June 8, 2023, by RES-2023-223. The contract supports utilization of TIPS Contract No. 23010402 for Trades, Labor, and Materials (JOC), which expires on April 30, 2025.

6. Funding in the amount of $150,975.00 is available in the General Non Bond CIP Fund.

**Recommendation**

The resolution be approved.
10 Resolution - Approving an Expenditure with Mart, Inc. in the Amount of $165,665.00 for the Refurbished Economic Development Office Space through the Interlocal Purchasing System (TIPS)

Administrative Comments

1. This item is recommended by the Capital Improvement Program Department and the Economic Development Division. It supports Future in Focus: Infrastructure Investment - Support strategic investment in city facilities.

2. Impact: This project located on the 1st floor of Irving City Hall, supports the construction of a new working environment and offices, including business development meeting rooms for the Economic Development Division.

3. This project will consequently generate usable space in City Hall for repurposing and use by other departments.

4. This contract will renovate approximately 1,900 square feet of office space. Areas will include the Waiting Area, Conference Rooms, Break Room, Copy Room, and Offices with new glass fronts, ceilings, lighting, flooring and paint.

5. A Vendor/Member contract between the City of Irving and Mart, Inc., was approved on June 8, 2023, by RES 2023-223. The contract supports the utilization of TIPS Contract No. 23010402, for trades, labor, and materials (JOC), which expires April 30, 2025.

6. Funding for this project, in the amount of $165,665.00 is available through the City Hall Complex Bond Fund.

Recommendation

The resolution be approved.

11 Resolution - Awarding a Contract to Austin Filter Systems, Inc. in the Amount of $2,554,183.00 for the Hux Court, Irving Mall Drainage Flume and Jaycee Park Drainage Improvements Project

Administrative Comments

1. This item is recommended by the Capital Improvement Program Department and the Water Utilities Department. It supports Future in Focus: Infrastructure Investment – Maintain water, wastewater and drainage infrastructure.

2. Impact: This contract supports Drainage Solutions for a Better Tomorrow. This project will make drainage improvements at three (3) locations and will provide flood protection at Hux Court and East Irving Heights Drive, and properties along Pocatello Street behind the Irving Mall, and Jaycee Park Pond improvements.
3. This project includes installation and construction of about 500 linear feet of channel with Verti-block wall and concrete/stone riprap and a 21-inch PVC wastewater line improvement, 540 linear feet of concrete drainage flume, and reconstruction of a sidewalk for flood mitigation, and the new retaining wall and spillway on Jaycee Park Pond.

4. Bids were received from two (2) bidders. Austin Filter Systems, Inc. submitted the lowest responsive, responsible bid of $2,554,183.00, which is $1,133,241.00, (44%) above the engineer’s estimate.

5. Minority and/or Women-owned Business (M/WBE) participation in this award is 30%.

6. Funding in the amount of $2,554,183.00 is available within the Municipal Drainage Utility Non Bond CIP Fund.

**Recommendation**

The resolution be approved.

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12  **Resolution - Awarding a Contract to Greeniverse Construction, LLC, in the Amount of $296,666.22 for the Riverside Drive and North O’Connor Blvd Intersection Improvement Project**

**Administrative Comments**

1. This item is recommended by the Capital Improvement Program Department and supports Future in Focus: Infrastructure Investment – Maintain roadways, sidewalks and transportation infrastructure.

2. **Impact:** This contract supports The ROAD TO THE FUTURE Program. The work to be performed under this contract includes pavement addition and replacement.

3. This project is part of the Road to the Future Program, and is needed to enhance safety, rideability, and have a better-quality street.

4. Bids were received from four (4) bidders. Greeniverse Construction, LLC submitted the lowest responsive responsible bid of $296,666.22. This is $136,333.78 (31%) below the probable cost estimate.

5. Minority and/or Women-owned Business (M/WBE) participation in this award is 30%. Greeniverse Construction, LLC is a certified M/WBE entity.

6. Funding in the amount of $296,666.22 is available within the Street Improvement Bond Fund.
**Recommendation**

The resolution be approved.

### 13 Resolution - Approving the Standard Contract and Federal Funds Addendum with Sole Source Provider Catalis Public Works & Citizen Engagement, LLC for Purchase of Customer Relationship Management (CRM) and Customer Service Management Software for a Two-Year Period in the Total Amount of $140,000.00

**Administrative Comments**

1. This item is recommended by the Communications Department.

2. **Impact**: The CRM/Customer Service Management software is an interactive, user-friendly tool on the city website that will enhance resident engagement, automate workflows and elevate the customer service experience for front and back-end users. This CRM/Customer Service Management software will launch along with the new website redesign.

3. The Communications Department secured ARPA funding to purchase software that will provide a CRM portal on the city website, along with a 311 App, that will allow residents to quickly and easily report issues to the city. This will be a significant improvement to the existing resident inquiries process.

4. The software will also capture customer service touchpoints by using assistive technology that logs enterprise-wide phone inquiries. This feature will provide analytics (reports) about customer service calls and help improve request management and response. The customer service platform would be available to all employees who answer phones from outside the organization. IT’s new phone system integrates with the platform, so a caller’s information would pop up on the screen and any history of calls would be captured within the system.

5. This is a single-source agreement with Catalis.

6. The funds for the purchase of CRM/Customer Service Management Software in the amount of $80,000 for Fiscal Year 2023-2024, and in the amount of $60,000 for Fiscal Year 2024-2025, subject to the appropriation of funds, and authorizes the City Manager or designee to execute the attached agreement and addendum.

7. Funding for this expenditure is available from the American Rescue Plan Act (ARPA) Fund and funding for this expenditure in Fiscal Year 2024-2025 will be available in the IT Software Maintenance account 60277500-620007, subject to annual budget appropriations.

**Recommendation**
Resolution - Approving and Accepting the Bid of SYB Construction, Inc., in the Amount of $2,656,254.66 for the Rebid of the Freeport No. 2 Lift Station Rehabilitation Project

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 rehabilitate the Freeport No. 2 Lift Station and will extend the life of the facility.

3. The Freeport No. 2 Lift Station, which was built in 1980, was identified in the Wastewater Master Plan as a priority for rehabilitation or retirement which would require other system improvements. Rehabilitation was determined to be the most cost-efficient solution.

4. The project includes rehabilitation of the wet well, replacement of the existing pumps, and installation of a new precast concrete valve vault. Replacement of two 10-inch wastewater lines just upstream of the lift station are also included.

5. This project was originally bid in January 2024, but the bids were rejected due to receipt of only one responsive responsible bid that exceeded the budget.

6. The plans were revised and the project was rebid in July 2024.

7. One responsive responsible bid was received from SYB Construction Company, Inc., in the amount of $2,656,254.66.

8. Funding in the amount of $2,656,254.66 is available in the Water Utilities budget within the Sanitary Sewer Bond Fund.

Recommendation

The resolution be approved.
Bids and Purchasing Items
Items 15-23

15 Resolution - Renewing the Annual Contract with Andrew B. Veitch dba Camsecplus in the Total Estimated Amount of $105,800.00 for Maintenance of Jail Electronics

Administrative Comments

1. This item is recommended by the Police Department. It supports Future in Focus: Safe and Secure City – Safeguard public safety, security and health.

2. Impact: Services provided under this contract include maintenance, service, repair, installation, and removal of jail electrical, electronic, and/or mechanical equipment. Camsecplus provides primary support for all equipment and subcomponents and coordinates with jail staff, other city staff, manufacturers, etc. for service and maintenance.

3. This renewal establishes an annual contract for the continuation of providing maintenance of jail electronics. This is the first of four, one-year renewal options. The current contract expires August 31, 2024.

4. Funding for Fiscal Year 2023-24 is available in the Police Department budget within the General Fund, while funding for Fiscal Year 2024-25 is subject to budget appropriation.

<table>
<thead>
<tr>
<th>Vendor</th>
<th>Contract Term</th>
<th>Total Estimated Expenditure</th>
<th>Fiscal Year(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Andrew B Veitch dba</td>
<td>9/1/24 – 8/31/25</td>
<td>$ 15,000.00</td>
<td>2023-24</td>
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<tr>
<td>Camsecplus</td>
<td></td>
<td>$ 90,800.00</td>
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<td><strong>TOTAL</strong></td>
<td></td>
<td><strong>$105,800.00</strong></td>
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Recommendation

The resolution be approved.

16 Resolution - Approving and Accepting the Bid of Lone Star Trucking and Excavation, LLC in the Total Estimated Amount of $190,000.00 for Demolition Services for Code Enforcement for a Two-Year Period

Administrative Comments

1. This item is recommended by the Code Enforcement Department and the Capital Improvement Program (CIP) Department - Municipal Drainage Utility Division. It supports Future in Focus: Safe and Beautiful City - Improve property conditions.
and overall appearance of the city.

2. **Impact:** This contract allows the Code Enforcement Department to provide the following services: demolition of residential properties as required by either the Building and Standards process or exigent circumstances; other demolitions as needed by either the Code Enforcement or Capital Improvement Program departments.

3. An Invitation to Bid (ITB) was issued for these services which closed on June 3, 2024. Staff recommends awarding this contract to Lone Star Trucking and Excavation, LLC, as the lowest responsive, responsible bidder.

4. This award establishes a contract to provide as-needed demolition services for the Code Enforcement or Capital Improvement Program departments. The contract is for two years with three, one-year renewal options.

5. Funding for Fiscal Year 2023-24 is available in the Code Enforcement Department budget within the General Fund and in the Municipal Drainage Utility Operating Fund, while funding for Fiscal Years 2024-25 and 2025-26 is subject to budget appropriation.

<table>
<thead>
<tr>
<th>Vendor</th>
<th>Contract Term</th>
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<td>Lone Star Trucking and Excavation, LLC</td>
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<td>2023-24</td>
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<td></td>
<td></td>
<td>$79,000.00</td>
<td>2025-26</td>
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<tr>
<td><strong>TOTAL</strong></td>
<td></td>
<td><strong>$190,000.00</strong></td>
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</tbody>
</table>

**Recommendation**

The resolution be approved.

17 Resolution - Approving Execution of an Emergency Construction Contract Between the City of Irving and Cousin’s Waterproofing, LLC dba Next Gen Construction in the Estimated Amount of $744,600.00 for Emergency Roof Replacement at the North Police Station

**Administrative Comments**

1. This item is recommended by the Capital Improvement Program and Human Resources Departments. It supports Future in Focus: Infrastructure Investment – Support strategic investment in City Facilities.
2. **Impact**: Approval of this item will allow for execution of the necessary construction contract for commencing with the roof replacement at the North Police Station located at 5992 Riverside Drive, Irving, Texas, 75039.

3. The existing standing seam metal roof system of the North Police Station sustained damage on June 1, 2024 when a severe storm picked up a neighboring structure and blew it onto the police station roof. Temporary repairs were made to provide a short-term fix which were completed on June 11, 2024; however, an emergency was declared on July 8, 2024 due to the need for a full roof replacement to prevent further damage to the structure and for the well-being of the employees who occupy that facility.

4. Cousin’s Waterproofing, LLC dba Next Gen Construction has provided a quote for the roof replacement necessary for a long-term solution for this facility and is able to mobilize to complete the repair as soon as the necessary materials arrive. A purchase order has already been issued so that materials orders could be placed.

5. Funding in the estimated amount of $744,600.00 per the attached quote is available in the Property and Casualty Insurance Fund

**Recommendation**

The resolution be approved.

---

18 Resolution - Authorizing Expenditures with Air Conditioning Innovative Solutions, Inc., in the Total Estimated Amount of $900,000.00 for HVAC Maintenance and Replacement Services for City Facilities through The Interlocal Purchasing System (TIPS) Program Administered by the Region VII Education Service Center

**Administrative Comments**

1. This item is recommended by the Capital Improvement Program (CIP) Department. It supports Future in Focus: Infrastructure Investment – Support strategic investment in city facilities.

2. **Impact**: Approval of this item supports as-needed HVAC maintenance and replacement services for many of the City’s facilities. It ensures that funding is available for known and unknown expenses associated with the City’s HVAC systems. This contract allows timely repair/replacement of City equipment at prices that are favorable to the City.

3. A Vendor/Member Contract utilizing TIPS Contract No. 24010401 for Trades, Labor
& Material (NON-JOC), between the City of Irving and Air Conditioning Innovative Solutions, Inc., which expires on April 30, 2029, was approved on June 24, 2024, by Administrative Award No. 9270.

4. Funding for Fiscal Year 2023-24 is available in various departmental budgets within various funds, while funding for Fiscal Year 2024-25 is subject to budget appropriation.

<table>
<thead>
<tr>
<th>Vendor</th>
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<td>Air Conditioning Innovative Solutions, Inc.</td>
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<td>2023-24</td>
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<tr>
<td><strong>TOTAL</strong></td>
<td></td>
<td><strong>$900,000.00</strong></td>
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</table>

**Recommendation**

The resolution be approved.

19 Resolution - Revising City Council Resolution No. 2024-263 to Include an Additional Funding Source for the Annual Contract with CCGMG, LLC Series B, for Concrete Repair of Sidewalks, Utility Cuts, Streets, and Alleys

**Administrative Comments**

1. This item is recommended by the Traffic & Transportation Department. It supports Future in Focus – Infrastructure Investment: Maintain roadways, sidewalks and transportation infrastructure.

2. **Impact:** This contract supports the city’s Road to the Future program. The addition of the General Non-Bond CIP Fund as a fourth funding source as noted below will provide the appropriate funding to move forward with critical infrastructure improvements. There is no change to the contract value at this time.

3. This contract, which was awarded by Council Resolution No. 2024-263 on July 11, 2024, supplements 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. Utilizing a contractor for these maintenance operations removes the need to maintain these items with additional staff and does not require additional expensive pieces of equipment.

4. Funding for Fiscal Year 2023-24 is available in the General Non-Bond CIP Fund in addition to the previously identified Traffic and Transportation Department budget within the General Fund and the Street Improvement Bond and Municipal Drainage Utility Non-Bond CIP funds as noted in the original contract award, while funding for
Fiscal Year 2024-25 is subject to budget appropriation.

**Recommendation**

The resolution be approved.

**20 Resolution - Rejecting any and All Bids Relative to 133LF-24F for Concrete Repair of Sidewalks, Utility Cuts, Streets, and Alleys**

**Administrative Comments**

1. This item is recommended by the Traffic & Transportation and Economic Development departments. It 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. Traffic & Transportation has determined that quantities need to be revised and the contract value needs to be increased and therefore recommends rejecting all responses so that the contract can be rebid.

**Recommendation**

The resolution be approved.

**21 Resolution - Approving and Accepting the Bid of Virginia Transformer in the Total Amount of $1,338,774.00 for Unit Substation Transformers for the Princeton Pump Station Expansion Project**

**Administrative Comments**

1. This item is recommended by the Water Utilities Department. It supports Future in Focus: Infrastructure Investment – Provide an adequate water supply now and in the future.

2. **Impact**: Approval of this item will allow Water Utilities to procure critical pieces of equipment with a long lead-time for the Princeton Pump Station Expansion Project.

3. Upper Trinity Regional Water District (Upper Trinity) is providing funding for improvements to the Princeton Pump Station on Irving's Lake Chapman Raw Water
Supply System. The improvements will increase the pumping capacity from 65 million gallons per day (MGD) to 104 MGD to accommodate the additional flow from Upper Trinity’s new Lake Ralph Hall.

4. The existing pump station utility transformers are not large enough to handle the proposed electrical load for the pump station improvements. The contract includes fabrication, delivery, and field services for two new 4,160-volt transformers to replace the existing utility transformers. Installation of the transformers will be included in the Princeton Pump Station Expansion Project construction.

5. The estimated lead-time for the transformers is 1.5 to 2 years. Pre-purchasing the transformers is critical to meet the necessary construction schedule for the pump station improvement and meet Upper Trinity’s expected flow demands.

6. Three responses were received for ITB No. 083D-24F on March 22, 2024, two of which were non-responsive. The bid from Virginia Transformer meets technical specifications, offers reasonable pricing, and is recommended for award.

7. Minority- and/or Woman-Owned Enterprise (MWBE) participation in this award is 100%.

8. Funding in the total amount of $1,338,774.00 is available in the Water Improvement Bond Fund. Upper Trinity will provide funding in the amount of $1,338,774.00 for the transformers.

**Recommendation**

The resolution be approved.

---

**Resolution - Renewing the Contract with Nunnelee Trans Inc., dba Eagle Transmissions in the Total Estimated Amount of $220,000.00 for Automotive Transmission Repair, Rebuild and Exchange Services**

**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:** The city equipment will be repaired and maintained with minimum downtime, keeping service levels high and enhancing Fleet Services.

3. This renewal establishes the continuation of a two-year contract for providing automotive transmission repair, rebuild and exchange services on an as-needed basis. This is the first, two-year renewal options.
4. Funding for Fiscal Year 2023-24 is available in the Garage Fund, while funding for Fiscal Years 2024-25 and 2025-26 is subject to budget appropriation.

<table>
<thead>
<tr>
<th>Vendor</th>
<th>Contract Term</th>
<th>Total Estimated Amount</th>
<th>Fiscal Year(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nunnelee Trans Inc., dba Eagle Transmissions</td>
<td>9/1/24 – 8/31/26</td>
<td>$10,000.00</td>
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<td>2025-26</td>
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<td><strong>TOTAL</strong></td>
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<td><strong>$220,000.00</strong></td>
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**Recommendation**

The resolution be approved.

23 Resolution - Authorizing Payment to Recon Infosec, Inc., in the Amount of $228,330.00 for Managed Security Operations Center Annual Maintenance

**Administrative Comments**

1. This item is recommended by the Information Technology Department. It supports Future in Focus: Safe and Beautiful City – safeguard public safety, security and health.

2. **Impact:** This item allows the continuation of a managed Security Operations Center (SOC) staffed with IT experts solely focused on the organization's security augment the IT Department's ability to better manage cyber risk by improving the process of detecting, analyzing, and responding to threats. Recon Infosec, a 3rd party vendor, will provide 24/7/365 monitoring of our environment, real-time visibility in operations, better insight on threat intelligence, and improve our overall security posture without significantly increasing our operating expenses.

3. Recon Infosec, Inc., has been an exemplary resource and additional layer of security for our organization. They have granted us further visibility into our environment and assisted in mitigating potential security incidents. We have completed the on-boarding process and look forward to maturing the capabilities of their services. Their security tools and seasoned practitioners allow the rest of the IT team to focus on day-to-day operations and rely on their expertise to identify know threats or disregard false positives.

4. This is the second of four, one-year renewal options and is paid in advance of the service year. The current term expires on August 3, 2024.

5. Funding in the amount of $228,330.00 is available in the Technology Fund.

**Recommendation**
The resolution be approved.

End of Bids

24 Ordinance - Amending the Code of Civil and Criminal Ordinances of the City of Irving, Texas by Repealing Section 34-2.4, "Closing of Streets for Neighborhood Block Parties; Application; Fee" of Chapter 34 "Streets and Sidewalks" of Article I. "In General"; Providing a Penalty; Providing a Savings Clause Providing a Severability Clause; Providing for Conflict Resolution; and Establishing an Effective Date.

Administrative Comments

1. This item has been recommended by the Inspections Department.

2. Request: Repeal of Section 34-2.4 "Closing of Streets for Neighborhood Block Parties; Application; Fee" of Chapter 34 "Streets and Sidewalks" of Article I "In General" from the Code of Civil and Criminal Ordinances of the City of Irving, Texas.

3. Purpose: In 2021, Chapter 33B, "Special Events," was adopted to establish regulations for event permits on city-owned property, including street closings. This makes Section 34-2.4, "Neighborhood Block Party Permits," redundant and no longer necessary.

4. Background: Ordinance 2358, adopted in 1972, provided for the closing of public streets for neighborhood block parties, creating an application process fee and required insurance. Section 34-2.4(b) was amended in 1995 by Ordinance 6634 to increase the application fee to cover liability insurance. In 2021, Ordinance 2021-10527 established regulations for events on city-owned property, including street closings, making the previous block party permit section redundant.

5. Impact: Repealing Section 34-2.4 will eliminate redundant regulations and streamline the permitting process under the comprehensive Special Events regulations established in Chapter 33B.

Recommendation

The ordinance be adopted.
INDIVIDUAL CONSIDERATION

Resolutions - Approving the Submission of the Fiscal Year 2024-2025 Action Plan to the United States Department of Housing and Urban Development for the Use of Federal Funds (Community Development Block Grant, Home Investment Partnerships Grant, and Emergency Solutions Grant)

Administrative Comments

1. This item is recommended by the Housing and Redevelopment Division and supports Future In Focus: Safeguard public safety, security and health and improve property conditions and overall appearance of the city.

2. **Impact:** This action will set priorities, goals, and resource allocations for the use of grant funding from the United States Department of Housing and Urban Development (HUD) to provide community development services to the residents of Irving.

3. As a HUD-funded community, Irving will receive $2,198,776.00 in Community Development Block Grant (CDBG), $757,189.00 in Home Investment Partnerships Grant (HOME), and $190,903.00 in Emergency Solutions Grant funds for the 2024 Program Year, which runs from October 1, 2024 to September 30, 2025.

4. In order to receive these funds, the City of Irving is required to submit a Consolidated Plan every five years, which serves as a strategic plan for the use of these HUD funds. In addition, the City of Irving is required to annually submit an Action Plan to HUD no later than August 15 of any given year. The Action Plan outlines the specific programs and services that will be funded to address Irving’s strategies as stated in the five-year 2024-2028 Consolidated Plan.

5. Citizen input regarding the Fiscal Year 2024-2025 Action Plan was solicited through the conduct of two advertised public hearings as well as through website posting and an online survey. The Housing and Human Services Board approved its recommended allocation of Fiscal Year 2024-2025 funds and approved the Action Plan as a whole at their July 17, 2024 meeting. The Board’s recommendation for this funding is based on Consolidated Plan priorities, non-profit organization applications and interviews, and recommendations from the Housing and Redevelopment staff.

6. The proposed resolution adopts the Fiscal Year 2024-2025 Action Plan, with associated budgets for the use of CDBG, HOME, and ESG funds; its designated HOME and ESG matching contributions; and all applicable priorities and goals in the Consolidated Plan.

7. **This item was approved by Housing and Human Services Board on July 17, 2024.**
Recommendation
The resolution be approved.

26 Resolution - Approving the Fiscal Year 2024-2025 Community Development Block Grant Public Service Allocations to Area Non-Profit Organizations in the Amount of $325,812.00

Administrative Comments

1. This item is recommended by the Housing and Redevelopment Division and supports Future In Focus: Safeguard public safety, security and health and Improve property conditions and overall appearance of the city.

2. Impact: This action will provide funding to local non-profit organizations to improve services to Irving residents.

3. As a recipient of funds from the United States Department of Housing and Urban Development (HUD), the City of Irving will receive $2,198,776.00 in Community Development Block Grant (CDBG) funds, Fiscal Year 2024-2025. The City of Irving may allocate up to 15% of CDBG funds to public services.

4. The Housing and Redevelopment Division solicited applications from non-profit agencies from March 4 through April 5, 2024. The Housing and Human Services Board interviewed applicants at its May 9, 2024 meeting and approved the budgets for CDBG expenditures, including allocations to the non-profit organizations, at its June 19, 2024 meeting.

5. Community input regarding public services allocations was solicited through a public comment period and through the conduct of two public hearings.

6. Funding in the amount of $325,812 will be available in the Outside Services budget within the Community Development Block Grant Fund.

Recommendation
The resolution be approved.

27 Ordinance - Public Hearing and Designating Approximately 5.731 Acres of Land Located at 2203 W. Royal Lane as Tax Abatement Reinvestment Zone No. 61

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: This ordinance will designate land as Tax Abatement Reinvestment Zone No. 61.
3. This item was discussed at the April 11, 2024, Executive Session of the Irving City Council Work Session meeting.

4. Fox Television Stations, LLC. and/or its Company Affiliate(s), plans to purchase the site located at 2203 W. Royal Lane, and the designation of a tax abatement reinvestment zone will allow for the construction of one (1) new office building/broadcast studio totaling approximately 53,000 SF at the site.

5. The planned developments on the property are intended to bring new private investment leading to new tax base and additional employment to Irving.

6. State law requires that notice of a public hearing to consider a tax abatement agreement must be provided at least thirty (30) days before the scheduled time of the meeting. A notice was published in accordance with Chapter 551, Government Code, on Saturday, June 29, 2024.

7. Designation of the reinvestment zone is reasonably likely to contribute to the retention or expansion of primary employment and attract major investment in the zone that would benefit the property and contribute to the economic development of the City.

**Recommendation**

The ordinance be adopted.

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28 Resolution - Approving a Tax Abatement Agreement Between the City of Irving, Fox Television Stations, LLC, NW Communications of Texas Inc. (D/B/A KDFW), Fox Stations Sales Inc., New Fox Services LLC, and FoxCorp Holdings, LLC., in an Amount Dependent Upon Annual Qualifications

**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: Approval of this tax abatement agreement will assist Fox Television Stations, LLC, NW Communications of Texas Inc. (D/B/A KDFW), Fox Stations Sales Inc., New Fox Services LLC, and FoxCorp Holdings, LLC (“Company”) in the development of a new office building/broadcast studio in the City of Irving.

3. This economic development incentive agreement was discussed at the Irving City Council Work Session meetings on April 11, 2024.

4. Under this Agreement, the required Minimum Qualifications to be achieved by the Company are as follows: (i) Purchase the real property at 2203 W. Royal Lane, Irving,
Texas ("Premises") by September 30, 2024; (ii) Construct at least one (1) new office building/ broadcast studio, totaling at least 53,000 SF, at the Premises by December 31, 2026; (iii) Occupy at least 53,000 square feet of the newly constructed office building/ broadcast studio at the Premises by December 31, 2026, and maintain for at least ten (10) continuous years; and (iv) Increase the taxable value of the Real Property Improvements owned by the Company, at the Premises by at least $30,000,000 over the 2024 Dallas County Appraisal District certified taxable value by January 1, 2027. (iv) Increase the combined taxable value of the Business Personal Property owned by the Company and/or Company Affiliates, at the Premises by at least $20,000,000 over the 2024 Dallas County Appraisal District certified taxable value by January 1, 2027.

5. Upon achievement of Minimum Qualifications, the Company would be eligible to receive a 50% property tax abatement on the net new Maintenance and Operations (M&O) taxable value of Real Property Improvements (land value is not included in this abatement) owned by the Company, at 2203 W. Royal Lane, Irving, Texas. The abatement could be available for up to ten (10) consecutive years upon achievement of all Minimum Qualifications annually.

6. Should the Company fail to maintain its obligations for which the incentives were received, the company shall be required to repay the total value of all incentives received plus interest.

7. State law requires that a notice of a public hearing to consider a tax abatement agreement must be provided at least thirty (30) days before the scheduled time of the meeting. A notice was published in accordance to Chapter 551, Government Code, on Saturday, June 29, 2024.

**Recommendation**

The resolution be approved.

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**ZONING CASES AND COMPANION ITEMS**

29 Resolution - 2024-06-5306 - Considering a Request for a Temporary Use Permit to Allow Operation of a Circus to Exceed the Maximum Allowed 30 Days Within a Calendar Year - 3602 W. Airport Freeway

**Administrative Comments**

1. Owner: Mall Ground Portfolio, LLC (Irving Mall)

   Applicant: Delman Circus
2. The applicant is seeking approval of a Temporary Use Permit to operate a Circus that **exceeds the maximum 30 days** in a calendar year at 3602 W. Airport Freeway in the parking lot between Irving Mall and State Highway 183.

3. Section 1.19 of the Unified Development Code regulates Temporary Uses.
   a. Section 1.19.2 states that temporary use permits may be administratively issued for carnivals, circuses, and fairgrounds for up to 30 days.
   b. Section 1.19.3 states that the City Council can grant temporary uses for uses over 30 days and up to 180 days.

4. The 30 days are measured on a rolling calendar. **In October, Irving Mall will have eight (8) available days in the rolling year where 21 days are needed, exceeding the maximum allowed by 13 days.**

5. The applicant, Delman Circus, intends to occupy the site for 21 days from October 8, 2024 to October 29, 2024, with performances from October 11, 2024 through October 28, 2024.

6. The group’s attendance projections are for a total of approximately 3,375 people over the duration of the Temporary Use Permit, with peak attendance being approximately 375 people over 3 shows on each Sunday (October 13, 20, and 27).

7. The site plan is anchored by a "big top" styled tent and a series of eleven (11) "RVs" for staff accommodations, with indoor and outdoor experiences throughout the venue. One on-site concession trailer will be available; however, there will be no alcohol sales.

8. All fire lanes will be maintained for the duration of the event. Additionally, all parking must be contained on-site and off of any state or local roadways.

9. Five temporary restrooms will be available.

10. Separate permits will be required for the tents.

11. Staff from Fire, Police, Inspections, and Traffic and Transportation have reviewed the application.

**Recommendation**

Approval of the Resolution
Ordinance - CP23-0016 - Considering a Comprehensive Plan Amendment Changing the Future Land Use Category from "Local Commercial" and "Traditional Neighborhood" to "Compact Neighborhood" - Approximately 1.31 Acres Located at 1221 and 1225 Senter Road

Administrative Comments

1. The Planning and Zoning Commission recommended denial on July 1, 2024 by a vote of 8-0.

Commissioners in support of recommendation for denial: Skinner, Prichard, Haacke, Vigliante, Myrick, Lightfoot, Reyes, Sanguino

Commissioner absent: Denny

2. Owners/Applicant: Metro RealEdge LLC (Milan and Indra Poudel)

3. The subject property is an approximately 182 ft. wide by 316 feet deep, 1.31-acre vacant tract. The Imagine Irving Comprehensive Plan Future Land Use Map recommends Traditional Neighborhood (1221 Senter Rd.) and Local Commercial (1225 Senter Rd.) uses for the subject property.

4. The Traditional Neighborhood land use category is described as a “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.

5. The Local Commercial land use category is described as a “Neighborhood serving commercial areas along collector or minor arterial roads in close proximity and safely walkable from nearby residences.” This category was likely chosen due to the location of commercial property to the northeast of the site, and the proximity to the intersection with Shady Grove Road.

6. In conjunction with the companion zoning case (ZC23-0047), the applicant seeks to change the future land use to Mid-density Residential, being described as a “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.” The companion zoning case seeks to rezone the property to allow multi-unit townhouse style development.

7. Half of the property has a non-residential Future Land Use category (“Local Commercial”); however, all of the surrounding property is categorized as “Traditional Neighborhood” or “Compact Neighborhood” or is zoned for residential uses. Therefore, evaluation of the amendment to the Future Land Use Map is based on both the residential-to-residential and the non-residential-to-residential criteria.
8. 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 residential desires to transition to another residential use, the City of Irving should require the following:

   a. The area is **physically appropriate** (i.e., size, shape, etc.) for the proposed residential use.
   
   b. The area **provides adequate access and parking capacity** required for the proposed residential development.
   
   c. The rezoning **does not create any foreseeable negative impacts on the adjacent uses**.

9. The applicant’s letter of justification states that the proposed change meets these stipulations, with corresponding staff comments as follows:

   a. The property is suited in size, shape, and location for residential use.
   
   b. The property is to the rear of two recently constructed single-family residences and part of a larger predominantly residential area.
   
   c. The rezoning does not result in a shortage of land available in the immediate area for non-residential development.
   
   d. There is no remaining residual property left from this development and it continues the expansion of residential housing in the area.

10. The Future Land Use Map shows the developed properties to the north and developed as duplexes categorized as “Compact Neighborhood”. Vacant properties to the north are categorized as “Local Commercial” but are zoned for single family and have recently been sold to BCDC for residential homes. Developed property with homes and a church to the west and south is categorized as “Traditional Neighborhood”. The nearest properties categorized as “Mid-density Residential” are over ¼-mile away to the southwest along Hilltop Drive. Accordingly, staff does not believe the proposed future land use category is appropriate at this location.

11. Since the proposed amendment does not meet the criteria in the adopted Imagine Irving Comprehensive Plan, staff cannot support this request.

12. A total of 36 public notices were mailed. Staff received no responses in support and one (1) response in opposition.

13. **On July 18, the applicant submitted a request to withdraw this case.**

    **Staff Recommendation**
The Council accept the applicant's request to withdraw the case.

31 Ordinance - ZC23-0047 and MF23-0005 - Considering a Zoning Change from R-6 “Single-Family Residential 6” and R-3.5 “Two-Family Residential 3.5” to S-P-1 (R-2.5) “Detailed Site Plan – Four-Family Residential” with Variances to Sections 2.4.14 and 3.13 of the Unified Development Code Including But Not Limited to Minimum Side Yard Setback, Minimum Rear Yard Setback, and Minimum Landscaping Requirements - Approximately 1.31 Acres Located at 1221 and 1225 Senter Road

Administrative Comments

1. The Planning and Zoning Commission recommended denial on July 1, 2024 by a vote of 8-0.

   Commissioners in support of recommendation for denial: Skinner, Prichard, Haacke, Vigliante, Myrick, Lightfoot, Reyes, Sanguino

   Commissioner absent: Denny

2. Owner/Applicant: Metro RealEdge LLC

Zoning Case ZC23-0047

3. The applicant is requesting a zoning change and approval of a Multifamily Concept Plan to develop a vacant lot with two multi-unit townhouse-style buildings on a 1.31-acre site. The property is near the intersection of West Shady Grove Road and Senter Rd. It is a strip of land between duplex uses to the north, single family to the south, and a church to the west. A portion of Fritz Park is located to the east across Senter Road.

4. The applicant is proposing one four-plex and one five-plex on the same lot for a total of nine (9) units. This will result in a density of seven (7) units per acre. The R-MF-2 district allows a maximum density of 18 units per acre. All nine units will have three bedrooms and be approximately 1,400 square feet. The units will be designed similar to townhomes where each will have a front door on the ground level and the upper levels will be part of the same unit. These are multifamily because all the units are on one lot with one ownership and are not intended to be divided into separate lots or sold individually.

5. No variances to the R-MF-2 standards are required. Other variances from the multifamily standards are listed in the evaluation of the Multifamily Concept Plan (MFCP) section of this report.

Community Framework Plan
6. The applicant provided a required Community Framework Plan (CFP) with the purpose of evaluating the location of any proposed multifamily development in context with the location of amenities and services that are necessary to accommodate such a development.

7. The CFP shows there are several recreation centers, parks, retail, and schools within one to two miles of the subject property.

**Multifamily Concept Plan MF23-0005**

8. The Multifamily Concept Plan (MFCP) ensures compliance with Section 3.13 (Multifamily Development Standards). Variances from these standards may be requested as part of the MFCP.

9. The applicant is proposing a **2-story four-plex** (“Block A” on the Multifamily Concept Plan) and a **two-story five-plex building** (“Block B” on the Multifamily Concept Plan) on 1.31 acres, with a **total lot density of 7 units per acre**.

10. Based on the unit mix, a minimum of 23 parking spaces are required. The proposed Multifamily Concept Plan establishes a requirement that each unit will have a 20-ft. by 20-ft. two-car garage and will meet the required parking count. Additionally, 13 guest parking spaces will be located adjacent to the five-plex (“Block B”). A total of 31 parking spaces are provided for the nine units (2 per each in 9 units = 18 + 13).

11. As the development is not a typical multi family configuration, the following variances are being requested from the Multifamily Development Standards (Section 3.13 of the Unified Development Code).

<table>
<thead>
<tr>
<th>Standard</th>
<th>Required</th>
<th>Provided</th>
<th>Requested Variance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum North Side Setback from Single-family Zoned Property Sec. 3.13.2(d)(5)(d)</td>
<td>75 Feet from single-family or 3x height, whichever is greater</td>
<td>40 Feet</td>
<td>-35 Feet</td>
</tr>
<tr>
<td>Minimum East Side Setback from Single-family Zoned Property Sec. 3.13.2(d)(5)(d)</td>
<td>75 Feet from single-family or 3x height, whichever is greater</td>
<td>55 Feet</td>
<td>-20 Feet</td>
</tr>
<tr>
<td>Minimum Rear Setback from Single-family Zoned Property Sec. 3.13.2(d)(5)(d)</td>
<td>75 Feet from single-family or 3x height, whichever is greater</td>
<td>18 Feet</td>
<td>-57 Feet</td>
</tr>
<tr>
<td>Landscape Buffer Adjacent to Principle Buildings Sec. 3.13.2 (8)(d)</td>
<td>12 feet</td>
<td>0 feet</td>
<td>12 feet</td>
</tr>
</tbody>
</table>

12. Staff from Traffic and Transportation, Fire, Water Utilities, CIP, and Inspections
have reviewed the request and have no comments.

13. While the proposed density is compatible with the adjacent uses, the design of the project does not overall fit with the existing neighborhood. The applicant’s plan as currently construed includes extensive paving, and requires several variances to the landscaping, open space and single-family residential setback requirements. Furthermore, the project does not comply with the Comprehensive Plan Future Land Use Map, nor can Staff support the requested Future Land Use Amendment (Case # CP23-0016). Additionally, the development is not a good transition of use between single-family residential uses in the area. Therefore, staff cannot support this case.

14. A total of 36 public notices were mailed. Staff received no responses in support and one (1) in opposition to this request.

15. On July 18, the applicant submitted a request to withdraw this case.

Staff Recommendation
The City Council accept the applicant’s request to withdraw this case.

Ordinance - 2024-186-CP - Considering a Comprehensive Plan Amendment Changing the Future Land Use Category from “Business/Office” to “Community Village” - 900 Byron Nelson Way (Also Known as 701 Mills Lane) - Postponed from June 27, 2024

Administrative Comments
1. The Planning and Zoning Commission recommended approval on June 3, 2024 by a vote of 6-2.
   Commissioners in support: Skinner, Haacke, Vigliante, Myrick, Lightfoot, Reyes,
   Commissioners in opposition: Prichard, Denny
   Commissioner absent: Sanguino

2. Owner: DLC Hotel Owner, LLC
   Applicant: Koa Partners

3. The subject property is an approximate 7.22-acre lot that is developed with a self-storage/mini warehouse facility constructed in 1983. The applicant requests a zoning change to S-P-2 (C-C) “Generalized Site Plan – Community Commercial” with variances to Sec. 3.16 “Self Storage – Mini Warehouses” to allow construction of a new two story storage building.
4. The subject property is a 5.67-acre tract. The Imagine Irving Comprehensive Plan Future Land Use Map recommends Business/Office uses for the subject property. The Business/Office land use category is described as a “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.

5. In conjunction with the companion zoning case (2024-109-ZC), the applicant seeks to change the future land use to Community Village, being described as a “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. Typical net units per acre: 8 – 30 units/acre.” The companion zoning case seeks to rezone the property to allow a mixed use development, with approximately 24 units per acre in Phase 1.

6. The property is not located within one-half mile of a rail station or high frequency bus station; therefore, the “Transit Oriented Development” future land use category is not appropriate for this location. Likewise, the property is not in the Heritage District, so the “Main Street/Downtown” future land use category is also not applicable. The Comprehensive Plan currently does not have a future land use category for high-density multifamily residential or high-intensity mixed uses other than the above-referenced categories. The “Community Village” classification was created in 2023 to identify areas for low intensity mixed use development and was therefore chosen as the closest category for the proposed use.

7. The Future Land Use Map designates the surrounding properties as follows:

<table>
<thead>
<tr>
<th>Direction</th>
<th>Future Land Use Classification</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>Open Space</td>
</tr>
<tr>
<td>East</td>
<td>Open Space</td>
</tr>
<tr>
<td>Southeast</td>
<td>Mid-Density Residential</td>
</tr>
<tr>
<td>South</td>
<td>Traditional Neighborhood and Compact Neighborhood</td>
</tr>
<tr>
<td>Southwest</td>
<td>Open Space</td>
</tr>
<tr>
<td>West</td>
<td>Local Commercial</td>
</tr>
</tbody>
</table>

8. The property is bounded by the following roads:

<table>
<thead>
<tr>
<th>Roadway</th>
<th>Master Thoroughfare Plan Designation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Byron Nelson Way</td>
<td>Local Road</td>
</tr>
<tr>
<td>Leland Boulevard</td>
<td>Minor Arterial</td>
</tr>
</tbody>
</table>

9. The proposed mixed use product is primarily multifamily residential in Phase 1, and will have an unknown mix of uses in Phase 2. Since no evaluation standards
currently exist for mixed use, the justification for a change in the future land use map is being evaluated based on the considerations for a change from “non-residential” to primarily “residential” uses. Accordingly, the Comprehensive Plan states that 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 a 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.

10. The applicant submitted a response letter to staff stating:

a. The Ritz Condominium project, being adjacent to the Country Club, is an appropriate use and size project.

b. The existing parcel is adjacent to a grocery store-anchored retail center to the west and is separated from single-family residential by Leland Boulevard to the south.

c. The site has sufficient room for residential and non-residential development.

d. The rezoning does not leave a residual tract.

e. The use provides an appropriate transition between residential and non-residential uses. Screening of structured parking and service areas will be provided.

11. Given the property’s location near a mix of residential and commercial uses and the potential for infill development complimentary to the nearby country club and golf course, **staff believes the Community Village future land use designation is appropriate for this property.**

12. A total of 377 public notices were mailed. Staff received six (6) responses in support and thirteen (13) responses in opposition to this request, plus a petition in opposition with 184 names (163 addresses). The opposition represents 5.32% of the land within 200 feet of the subject property.

13. This case was postponed from the June 27, 2024 City Council meeting at the
applicant’s request.

**Staff Recommendation**

The ordinance be adopted per the recommendation of the Planning and Zoning Commission.

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**Ordinance - 2024-109-ZC - Considering a Zoning Change from PUD 1 (C-N) "Planned Unit Development No. 1 for Neighborhood Commercial Uses" to S-P-2 (Mixed Use) "Generalized Site Plan - Mixed Use" and Establishing Development Standards for Urban Style Development - 900 Byron Nelson Way (Also Known as 701 Mills Lane) - Postponed from June 27, 2024**

**Administrative Comments**

1. The Planning and Zoning Commission recommended approval on June 3, 2024 by a vote of 5-3.

   **Commissioners in support:** Haacke, Vigliante, Myrick, Lightfoot, Reyes,
   
   **Commissioners in opposition:** Skinner, Prichard, Denny
   
   **Commissioner absent:** Sanguino

2. **Owner:** DLC Hotel Owner, LLC

   **Applicant:** Koa Partners

3. The subject property is a 5.67-acre vacant tract. The applicant is requesting a zoning change to allow a mixed use development built in two-phases, including up to 89 multifamily units.

4. While the property is currently in PUD 1 (Planned Unit Development 1), the proposed project does not fit into the PUD 1 structure. The PUD does not allow for a “mixed use” product, nor does it have any remaining multifamily capacity. Accordingly, staff recommended that the applicant submit a zoning change request to remove the property from the PUD and be rezoned as a S-P-2 “Site Plan” zoning and set the standards for the Urban Mixed Use development.

5. The development is proposed to be in two phases. Phase 1 will be on the northern 3.6 acres of the property and is expected to consist of multifamily and restaurant uses, most likely in a single structure. The applicant’s letter states that they anticipate it will "consist of a branded condominium tower sitting atop of a structured parking garage with the garage roof serving as an amenity/pool deck", with "either an exclusive club/lounge at the top of the tower for use by the residences or a fine dining restaurant (tenant space) that is open to the general public".
6. The applicant’s letter states that Phase 2 “is anticipated to be a mix of Commercial/Entertainment, and additional condominium uses,” and the site plan states it could include multifamily, hotel, office, retail, restaurant, indoor amusement, and/or other commercial uses.

   a. “Indoor Amusement” uses would require a Conditional Use Permit to be approved by the City Council prior to issuance of a Certificate of Occupancy, as the property is within 500 feet of single-family residential property. Staff has requested that the applicant add a clarifying note on the site plan.

   b. Restaurants requesting to sell alcoholic beverages will still require S-P-1 (R-AB) zoning, per Section 3.3 of the Unified Development Code

7. The city’s Unified Development Code (UDC) does not provide a definition of “Mixed Use” outside of a Transit-Oriented Development (TOD) District or the State Highway 161 Overlay. Additionally, the Irving Unified Development Code does not have an existing zoning district that provides standards for a mixed use development such as the one being proposed; the TOD/Transit Oriented Development district provides for an urban form, high intensity mixed use in proximity to a rail station, which is not appropriate nor applicable at this location. Therefore, the applicant is establishing the standards for this mixed use development through the S-P-2 process.

8. The proposal is a “Mixed Use” product and not purely a multifamily product and therefore Multifamily Concept Plan standards that create “garden style” apartments are not appropriate. The proposed site plan includes a note that Section 3.13 “Multifamily Development” does not apply for this development, nor is a Multifamily Concept Plan required. However, the standards in 3.13 were used, in part, to evaluate the standards for the proposed mixed use development. Many of the standards listed on page 2 of the site plan are informed by the multifamily development standards but they are not required “variances”.

9. The applicant proposes the following development standards:
<table>
<thead>
<tr>
<th><strong>Standard</strong></th>
<th><strong>Proposed</strong></th>
</tr>
</thead>
</table>
| Min. Front Building Setback  
  - From Byron Nelson Way  
  - From Leland Blvd | 10 feet  
  20 feet |
| Min. Side and Rear Building Setbacks | 10 feet |
| Minimum Separation Between Buildings (end-to-end) | 30 feet |
| Maximum Building Length | 365 feet |
| Minimum Height  
  Residential: 7 stories or 80 feet (excl. levels of podium garage)  
  Non-residential: no minimum |  
| Maximum Height | 20 stories or 250 feet |
| Hotel (as part of mixed use building) | Does not need to comply with Sec. 3.10 “Hotel Development Standards” |
| Hotel (stand-alone building) | Shall comply with Sec. 3.10 “Hotel Development Standards” |
| Max. Lot Coverage  
  - Buildings  
  - Buildings, Driveways, and Parking | 80%  
  90% |
| Dwelling Unit Size | Will comply with standards in Sec. 3.13.2 (d)(6) “Multifamily Development” |
| Street Trees  
  - Minimum  
  - Maximum | 1 tree per 30 feet on center  
  1 tree per 50 feet on center |
| Minimum Landscape Buffer  
  - Side/Rear adjacent to other non-residential structures  
  - Abutting public streets  
  - Adjacent to principal buildings | 8 feet  
  10 feet  
  8 feet |

10. Parking for all uses will comply with those established in Sections 4.4.3 “Off-Street Parking Requirements” and in Section 3.10 “Hotel Development Standards of the Unified Development Code. Multifamily uses will have the following parking requirements:

<table>
<thead>
<tr>
<th><strong>Required Parking</strong></th>
<th><strong>Multifamily Standards (Sec 3.13.2)</strong></th>
<th><strong>Proposed</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>One Bedroom</td>
<td>1.5 spaces/unit</td>
<td>1.5 spaces/unit (no variance)</td>
</tr>
<tr>
<td>Two Bedrooms</td>
<td>1.8 spaces/unit</td>
<td>1.8 spaces/unit (no variance)</td>
</tr>
<tr>
<td>Three Bedrooms</td>
<td>2.5 spaces/unit</td>
<td>2.5 spaces/unit (no variance)</td>
</tr>
<tr>
<td>Four Bedrooms</td>
<td>3.0 spaces/unit</td>
<td>2.5 spaces/unit (0.5 space variance)</td>
</tr>
</tbody>
</table>
11. Staff from Traffic and Transportation, Fire, Water Utilities, Inspections and CIP have reviewed the request and have made the following comments:

   a. The **Fire Department** stated that future development must comply with all IFD codes and ordinances.

   b. The **Traffic Department** stated that a Traffic Impact Analysis (TIA) shall be required and approved prior to the issuance of a building permit. The developer should contact the Traffic and Transportation Department for requirements and scope of the TIA.

   c. The **Water Utilities Department** stated that it is unclear if capacity exists in the sanitary sewer system for this development. A sewer capacity study, and possibly infrastructure upgrades, will be required prior to approval of any plats or building permits. Additionally, the department noted that utility easements cannot be abandoned by plat or through zoning.

   d. The **CIP Department** stated that the City will require a 10-foot utility easement along Leland Boulevard during the platting process, and that the City will keep the existing 10-foot utility easement along Byron Nelson Way.

12. With a location next to a large hotel, golf course, retail center, multifamily (condo) uses and single family residential, the site has the opportunity to showcase how mid-density mixed use projects can be completed at appropriate infill locations. Residents will have access to ample retail, restaurant and recreation uses within walking distance, adjacent to the property. Finally, development is anticipated to provide a more walkable environment adjacent to the property. For these reasons, staff can support this request.

13. A total of 377 public notices were mailed. Staff received six (6) responses in support and thirteen (13) responses in opposition to this request, plus a petition in opposition with 184 signatures (163 addresses). The opposition represents 5.32% of the land within 200 feet of the subject property. Since this is less than 20%, per state law a ¾-vote is not required for approval.

14. This case was postponed from the June 27, 2024 City Council meeting at the applicant’s request.

**Staff Recommendation**

The ordinance be adopted per the recommendation of the Planning and Zoning Commission.
Ordinance - 2024-198-ZC - Considering a Zoning Change from R-6 "Single-Family Residential 6" to S-P-2 (R-6) "Generalized Site Plan - Single-Family Residential 6" with a Variance to the Minimum Front Yard Setback for a Carport - 3709 Canary Dr.

Administrative Comments

1. The Planning and Zoning Commission recommended approval on July 1, 2024 by a vote of 6-2.
   
   Commissioners in support: Skinner, Haacke, Vigliante, Myrick, Lightfoot, Reyes
   
   Commissioners in opposition: Prichard, Sanguino
   
   Commissioner absent: Denny

2. Owner/Applicant: Ronald Holbrook

3. The subject property is a 0.17-acre lot with an existing single-family house. The applicant is requesting a zoning change to allow a front carport to encroach 14 feet into the established 30-foot front yard setback.

4. The proposed carport is proposed to be 13 feet tall (as measured to the peak of roof) and will measure 18 feet in length by 19 feet in width. The carport has not been built.

5. Per Section 8.4.2 “Established Front Yard”, the front yard setback shall be the same as the average front yard line of the street if thirty (30) percent or more of the street’s frontage has an observed front yard line. While the R-6 district currently requires a minimum 25-foot front yard setback, the houses fronting this side of Canary Dr. were built following a 30-foot front yard setback, as was required in the R-6 district at the time.

6. The following variance is being requested:

<table>
<thead>
<tr>
<th>Standard</th>
<th>Required</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Established Front Yard Setback (Sec. 8.4.2)</td>
<td>30 feet</td>
<td>16 feet</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(14-foot variance)</td>
</tr>
</tbody>
</table>

7. The applicant states they are requesting a carport to protect an antique car that they inherited from weather damage.

8. Two (2) zoning cases approving variances for front carports have been approved within approximately ¼-mile of the subject property. One case was approved in 1995 on Flamingo Lane, northwest of the subject property. The second case was approved in 1996 on Whippoorwill Lane, also to the northwest of the subject property. No carports have been approved on Canary Drive.

9. Staff from Traffic and Transportation, Fire, Water Utilities, and CIP have reviewed...
the request and have no objections to this request.

10. A total of 41 public notices were mailed. Staff has received three (3) responses in support and none 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 8.4.2 (Established Front Yard) in the Unified Development Code.

**Ordinance - 2024-216-CP - Considering a Comprehensive Plan Amendment Changing the Future Land Use Category from "Business/Office" to "Mid-Density Residential" - 519 Joffre Dr.**

**Administrative Comments**

1. The Planning and Zoning Commission recommended **denial** on July 1, 2024 by a vote of 7-1.

   **Commissioners in support:** Skinner, Spurlock, Vigliante, Myrick, Lightfoot, Reyes, Sanguino

   **Commissioner in opposition:** Haacke

   **Commissioner absent:** Denny

2. Owner/Applicant: Joffre519 LLC, individual series of Cori Ardo LLC

3. The subject property is a 0.74-acre vacant tract. The Imagine Irving Comprehensive Plan Future Land Use Map recommends **Business/Office** uses for the subject property. The **Business/Office** land use category is described as an “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.” The Business/Office district was formerly the “Business District”; it is unknown why this category was chosen for this property. It may have been with the intention of including it in the adjacent commercial development or could have been in error during the Imagine Irving Comprehensive Plan process.

4. In conjunction with the companion zoning case (2024-199-ZC), the applicant seeks to change the future land use to **Mid-Density Residential**, being described as a “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. Likely Compatible Zoning: R-MF-1, R-MF-2, R-MF-O, R-XF.” The companion zoning case seeks to rezone the property to R-XF “Extra Family Residential” to allow extra family uses.

5. The Master Thoroughfare Plan categorizes Joffre drive as a local road. The closest intersection is with E Pioneer Dr., which is classified as a “5U (5-lane undivided) Minor Arterial”.

6. The Future Land Use Map Interpretation Policies under Goal 1 of the Land Use + Urban Design Section of the 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 a 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.

7. Likewise, it states that, if an area that is designated and/or developed as residential desires to transition to a different residential use (such as low density to medium density), the City of Irving should require the following:
   a. The area is physically appropriate (i.e., size, shape, etc.) for the proposed residential use.
   b. The area provides adequate access and parking capacity required for the proposed residential development.
   c. The rezoning does not create any foreseeable negative impacts on the adjacent uses.

8. In this case, since the property has historically been a single-family residence and generally been in low-density residential categories in past Future Land Use Maps, staff is evaluating this case on this second set of criteria.

9. Staff does not believe the requested change meets criteria (c) from the future land use criteria analysis regarding negative impacts for changing from a developed residential use to a different residential future land use.
of Joffre north of the intersection with E. Pioneer Drive includes large single-family residential lots, and the proposed change to multifamily is inconsistent with that use. Therefore, staff cannot support this future land use change. Staff will identify this area for possible re-classification to “Traditional Neighborhood” at a later date.

10. A total of 26 public notices were mailed. Staff received no responses in support and six (6) responses in opposition. Opposition within 200 feet is 41.34% for the companion zoning case; however the supermajority vote requirement does not apply to this comprehensive plan change request.

**Staff Recommendation**

The ordinance be **denied** per the recommendation of the Planning and Zoning Commission

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36 **Ordinance - 2024-199-ZC - Considering a Zoning Change from R-6 "Single-Family Residential 6" to R-XF "Extra Family Residential" - 519 Joffre Dr.**

**Administrative Comments**

1. The Planning and Zoning Commission recommended **denial** on July 1, 2024 by a vote of 7-1.
   
   Commissioners in support of recommendation for denial: Skinner, Prichard, Vigliante, Myrick, Lightfoot, Reyes, Sanguino
   
   Commissioner in opposition to recommendation for denial: Haacke
   
   **Commissioner absent:** Denny

2. Owner/Applicant: Joffre519 LLC, individual series of Cori Ardo LLC

3. The subject property is a 0.74-acre lot with a single-family home. **The applicant is requesting a zoning change to allow the operation of senior Rooming House/Boarding House uses under the R-XF “Extra Family Residential” district.**

4. The property is currently a three bedroom/two bathroom home built in 1945 in the R-6 “Single-family Residential 6” zoning district. The surrounding uses on other lots facing the block are single family.

5. This case is a companion item with Comprehensive Plan Amendment 2024-216-CP which, if approved, would change the classification of the property on the Future Land Use Map from “Business/Office” to “Mid-Density Residential”.

6. The applicant indicates the proposed development will comply with all requirements in the Unified Development Code, including the R-XF “Extra Family Residential”
district regulations and the minimum parking requirements. **As no variances are requested or conditions being stipulated, site plan zoning is not required.**

7. The applicant’s **Letter of Intent** states that they intend to develop the property “into a 55+ senior independent living facility with a selection of private bedrooms and shared bedrooms.” The existing house would be remodeled and expand an additional 16 rooming units to accommodate this use. The letter states that:

   a. Residents will be on a minimum 30-day lease
   b. Each resident will have a unique door code for secure, keyless entry
   c. The kitchen, bathrooms, and work/recreation areas will be shared by residents (no indication is made that any meals will be provided).
   d. The minimum bedroom size will be 70 sq. ft. per person for a private room, and 50 sq. ft. per person for a shared room.

8. Since this is not a site plan zoning case, none of the above statements could be enforced if approved as R-XF. Additionally, current or future owners could develop the property in conformance with any R-XF “Extra Family Residential” district uses, subject to all other requirements in the Unified Development Code. Such uses include:

   a. Rooming House
   b. Boarding Home
   c. Nursing Home

9. The applicant has referred to the proposal as Independent Living. **The operation will not include separate fully functioning living spaces and instead will provide shared kitchen and bathroom facilities.**

   The National Council on Aging (NCOA.org) lists the following typical characteristics of “Independent Living”:

   a. Most independent living communities offer the following services:
      i. Three meals a day
      ii. Regular, light housekeeping
      iii. Transportation to and from doctor’s appointments and nearby stores
      iv. Social activities, including planned outings to museums, restaurants, parks, and theaters
      v. On-site amenities, such as beauty salons, laundry facilities, libraries, and fitness centers
   b. Tend to attract active adults, so they may have larger campuses with more outdoor spaces
c. Usually offer more spacious apartment options. While small studios may be available, so are apartments with one to three bedrooms, multiple bathrooms, and full kitchens.

10. Staff from Traffic and Transportation, Fire, Water Utilities, Inspections and CIP have reviewed the request and have made the following comments:

   a. The Fire Department stated that future development must comply with all IFD codes and ordinances. Single-family homes and accessory units must be located within 150' of a street, or a fire lane will be required to be brought onto the site.

11. While providing senior housing within a single-family neighborhood is beneficial to the residents, it would be appropriate within a single-family home at a scale consistent with the area. Staff believes that a boarding or rooming house with shared restroom and bathroom facilities for up to 19 rooms (3 existing + 16 new) does not have the characteristics of an “independent living facility”. Furthermore, the uses allowed in R-XF are not compatible with the surrounding single-family residential area. Therefore, staff is unable to support this case.

12. A total of 26 public notices were mailed. Staff has received no responses in support and six (6) in opposition to this request. The opposition represents 41.34% of the land within 200 feet of the subject property. Since this is greater than 20%, per state law a ¾-vote is required for approval.

**Staff Recommendation**

The ordinance be **denied** per the recommendation of the Planning and Zoning Commission.
Applicant: Lively’s Carpentry Service

3. The subject property is a 0.22-acre lot with a single-family home and an accessory building in the rear yard. **The applicant is requesting a zoning change to allow an encroachment into the side yard setback adjacent to a street.**

4. In March 2024, the applicant applied for a building permit through the City’s Inspections Department to perform repair and reconstruction work on the foundation and roof of the existing garage. The applicant also requested to add four (4) feet to the exterior wall of the garage for additional storage space through this project.

5. Since this home is on a corner lot with double street frontage, **the side yard adjacent to the side street must be 20 feet or must have the same setback as the front yard, whichever is less.** In this case the front yard setback for the R-7.5 district is 25 feet, so **the side yard adjacent to the street must have a 20-foot setback.** It was also discovered during the permit review process that **the existing garage already encroaches three (3) feet into the 20-foot side yard setback.**

6. The current owners have been in the home for approximately 40 years, and they did not make any changes to the footprint during that time.

7. The following table summarizes the variance requested:

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Current Ordinance</th>
<th>Existing Encroachment</th>
<th>Request (Variance)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sec. 8.4.1 – Corner lots</td>
<td>Minimum side yard setback adjacent to a street shall be the same as the front building setback or 20 ft., whichever is less</td>
<td>17 ft. setback</td>
<td>13 ft. setback (7 ft. variance)</td>
</tr>
</tbody>
</table>

8. Staff from Traffic and Transportation, Fire, Water Utilities, Inspections and CIP have reviewed the request and have no objections to this zoning request.

9. A total of 39 public notices were mailed. Staff received one (1) response in support and one (1) response in opposition to the request. The opposition represents 7.58% of the land within 200 feet of the subject property. Since this is less than 20%, per state law a ¾-vote is not required for approval.

**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.
APPOINTMENTS AND REPORTS

38 Mayor's Report

Adjournment