

AGENDA
Irving City Council Regular Meeting
Thursday, February 15, 2018 at 7:00 PM
City Hall, First Floor, Council Chambers
825 W. Irving Blvd., Irving, Texas 75060

Organizational Service Announcements

Invocation

Pastor Dennis King, Hope Fellowship 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 33

CITY COUNCIL AGENDA

1 City Operations Update

CONSENT AGENDA

2 Approving Special Meeting Minutes for Friday, January 26, 2018

3 Approving Work Session Minutes for Wednesday, January 31, 2018

4 Approving Regular Meeting Minutes for Thursday, February 01, 2018

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.

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.

5 Resolution - Approving a 3% Increase in Salary for the City Manager

Administrative Comments

1. This item is recommended by the City Council.
2. **Impact:** This agenda item, if approved, authorizes a 3% increase for the City Manager, and is in conformity with the employment contract.
3. Funding is available in the City Manager's budget within the General Fund.

Recommendation

The resolution be approved.

6 Resolution - Authorizing the Mayor to Enter into an Agreement with Dallas County Elections Department in an Amount Not to Exceed \$120,000.00 to Administer the Regular Municipal Election to be Held on Saturday, May 5, 2018, for the Purpose of Electing City Council Places Four (4), Six (6) and Eight (8) and Subsequent Run-Off Election If Necessary

Administrative Comments

1. This item is recommended by the City Secretary's Office.
2. **Impact:** The Dallas County Elections Department contract streamlines the election process, reduces cost by splitting fees amongst all Dallas County entities; including school districts, community college districts and hospital authorities, and reaches the broadest spectrum of Irving voters due to various early voting polling locations available throughout Dallas County.
3. The standard contract that the City will enter into with Dallas County Elections Department is in compliance with the Texas Election Code and has been reviewed by the City Secretary's Office and the City Attorney's Office.
4. Council has approved up to \$120,000.00 for the May election and run-off election, if needed; these funds are available in the General Fund.
5. City of Irving's total contract amount due is subject to increase pending cancellation of various entity elections throughout Dallas County.

Recommendation

The resolution be approved.

7 Resolution - Selecting PGAL, Inc., as the Most Highly Qualified Provider of Professional Services for the Senter Recreation Center Renovation Project and Authorizing Staff to Negotiate an Agreement with the Provider

Administrative Comments

1. This item is recommended by the Capital Improvement Program Department and Parks and Recreation Department. It supports Strategic Objective 4.5 Implement improvements to cultural and recreational facilities.
2. **Impact:** This renovation project will establish a new and expanded upstairs gym and exercise room with complete adjacent locker room facilities, the current exercise and weight rooms will become new activity room space, improvements to both 1st level restroom-locker room areas so they will comply with ADA requirements, create an open and inviting main reception area with expanded office space, establish a conference room in place of the current Sports Hall of Fame that would relocate to the new Irving Museum.
3. **This will be presented to the Community Services Committee on February 15, 2018.**
4. Requests for qualifications were solicited for these services. Qualifications were received from 9 firms and 4 were chosen to be interviewed. PGAL, Inc., was determined to be the most highly qualified provider for the services solicited.
5. Staff recommends selecting PGAL, Inc., based on experience, submittal content and a face-to-face interview. This firm has presented a solid team for this project which include M/WBE participants. They demonstrated through past projects, as well as submission and presentation material, their ability to understand the project. They maintain a hands on approach to schematic design, the construction document and bidding process while keeping a clear vision for successful completion of the project.
6. This project will be funded through the Community Development Block Grant as administered by Planning and Community Development.
7. Minority- and/or Women-owned Business (M/WBE) participation in this award is 20%

Recommendation

The resolution be approved.

8 Resolution - Selecting Komatsu Architecture, as the Most Highly Qualified Provider of Professional Services for the Fire Station No. 4 Architectural Design, Permitting & Construction Oversight, including an Apparatus Storage Building, and Authorizing Staff to Negotiate an Agreement with the Provider

Administrative Comments

1. This item is recommended by the Capital Improvement Program Department and Fire Department. It supports Strategic Objective 4.5 Implement improvements to Public Safety Infrastructure.
2. **Impact:** This replaces Fire Station No. 4 with state of the art facilities to allow the Fire Department to continue to provide excellent fire prevention services to the central portion of Irving.
3. **This item will be presented to the Public Safety Committee on February 15, 2018.**
4. Requests for qualifications were solicited for these services. Qualifications were received from 7 firms and 3 were chosen to be interviewed. Komatsu Architecture was determined to be the most highly qualified provider for the services solicited.
5. Staff recommends selecting Komatsu Architecture, based on experience, submittal content and a face-to-face interview. This firm has presented a solid team for this project which include M/WBE participants. They demonstrated through past projects, as well as submission and presentation material, their ability to understand the project.
6. Their design process includes extensive input from the Fire Department Staff, detailed construction documents while keeping a clear vision for successful completion of the project.
7. This project will be funded through the General Obligation Bond Funds.
8. Minority- and/or Women-owned Business (M/WBE) participation in this award is 100%

Recommendation

The resolution be approved.

9 Resolution - Awarding a Contract to Flow-Line Construction, Inc., in the Amount of \$920,498.00, for the Singleton Water and Wastewater Improvements Project

Administrative Comments

1. This item is recommended by the Capital Improvement Program Department. It supports Strategic Objective 2.4 – Maintain and extend water, wastewater and storm water systems.
2. **Impact:** This work is part of the priority replacements for the Water Utilities Department. This project will replace the wastewater main along Singleton, which serves over 100 acres in southeast Irving, and is in poor condition requiring frequent maintenance. The water main is also being replaced in conjunction with the wastewater work.
3. This project will replace water and/or wastewater mains along Singleton Drive from 1,300 feet south of Shady Grove Road to 400 feet north of Shady Grove Road.
4. The wastewater main being replaced along these limits of Singleton is a clay pipe installed in 1955 and the water main is a cast iron pipe installed in 1960, which both have exceeded their life expectancy.
5. Bids were received from 7 responsive bidders and 1 non- responsive bidder. Flow-Line Construction, Inc., submitted the lowest responsive responsible bid of \$920,498.00. This is \$279,636.00, (23.3%) below the project estimate.
6. Minority- and/or Women-owned Business (M/WBE) participation in this award is 100%.
7. Funding in the amount of \$191,197.00 is available within the Water Improvement Bond Fund and funding in the amount of \$729,301.00 is available within the Sanitary Sewer Bond Fund.

Recommendation

The resolution be approved.

10 Resolution - Approving Addendum No. 5 to the Engineering Services Agreement Between the City of Irving and Freese and Nichols, Inc., in the Amount of \$308,058.00 for Additional Engineering Services for the Delaware Creek Channel Improvements Project

Administrative Comments

1. This item is recommended by the Capital Improvement Program Department. It supports Strategic Objective 2.4 – Maintain and extend water, wastewater and storm water systems.

2. **Impact:** This addendum provides funding for additional design services to the contract's existing scope, for storm drainage associated with the SH183 Reconstruction, requested of the Engineer.
3. **This item will be presented to the City Council Work Session on February 14, 2018.**
4. At a public project meeting, the citizens of the Sleepy Hollow subdivision expressed much concern about the proposed loss of 62 trees within the city drainage easement on the west side of Delaware Creek with the proposed Delaware Creek channel improvements. They requested the city to consider alternate wall designs, channel widths, and moving the channel design east if possible to save as many trees as possible. Staff has worked with the Engineer regarding many alternatives and have a design proposal that will save 44 of the 62 trees on the west side. This will require additional underground easements on the east side of the channel which the 13 residents on that side have expressed willingness to convey.
5. The Engineer is to run hydraulic models for multiple alignments and capacities, perform additional geotechnical structural engineering analysis for permanent soil nail wall design, modifications to plans, additional surveying, prepare additional easement documents, and the design of a new drainage system from Ichabod Court for the Lower Delaware Creek phase of the project that was not in original scope of work.
6. The Engineer will also revise design of 500 feet of Brockbank Channel for construction cost savings, revise the design of storm drain pipe penetrations through the block wall for the Upper Delaware Creek phase to provide additional upstream capacity for those systems per staff requests, and revisions to the proposed wastewater main crossing SH 183 based on as-built utility work done by TxDOT's highway improvements.
7. Per staff request, the Engineer will incorporate easement sheets and geotechnical profile sheets into the plans for all four phases, which was not in the original contract scope.
8. Funding is needed for a second and final review of the 90% plans for Upper Delaware Creek phase and funding on an hourly basis to address any new comments and incorporate "lessons learned" from previous two projects.
9. Staff has negotiated a fair and reasonable addendum agreement with Freese and Nichols, Inc., for these services and recommends approval.
10. Funding in the amount of \$308,058.00 is available within the Storm Sewer Bond Fund.

Recommendation

The resolution be approved.

11 Resolution - Approving the Single-Source Purchase from Cinesys Inc., in the Total Amount of \$75,677.84 for the Upgrade and Replacement of the Storage Area Network (SAN) Management and Control Systems for Irving Community Television Network

Administrative Comments

1. This item is recommended by the Communications Department.
2. **Impact:** The upgraded equipment will be used to improve the production and quality of Irving Community Television Network (ICTN) programming.
3. Equipment is being purchased with the one percent PEG fee collected from cable providers.
4. Equipment must be purchased from Cinesys Inc. or the warranty and obligations set by Cinesys Inc. for the entire Storage Area Network and video editing stations will be void. All maintenance, additions or changes to Storage Area Network and stations must be performed and purchased from Cinesys.
5. Funding in the amount of \$75,677.84 is available in the PEG Fund.

Recommendation

The resolution be approved.

**Bids & Purchasing Items
Items 12-21**

12 Resolution - Approving an Agreement with All City Management Services in the Total Estimated Amount of \$1,062,989.00 for School Crossing Guard Services

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 School Crossing Guard program provides a critical safety service to the children and adult residents of Irving by assisting in providing a safe environment going to and from school. The outsourcing of this service will enhance our ability to provide adequate coverage, training, and supervision at all designated school crossings within the City of Irving.
3. **This item was presented at the Community Services and Public Safety Committee meeting on June 26, 2017.**
4. Two submissions were received in response to a Request for Proposals. All City Management Services scored the highest points based on the evaluation criteria established in the RFP and is being recommended for award.

5. This award establishes an annual contract to provide school crossing guard services. This contract is for one year with four one-year renewal options.
6. Funding for Fiscal Year 2017-18 is available in the Police Department budget within the General Fund while funding for Fiscal Year 2018-19 is subject to budget appropriation.
7. Because this contract term runs April 2018 through September 2019, it is possible that more than the estimated amounts shown in the chart below may be spent in one operating year or the other as long as there are budget funds available to accommodate that year's additional purchases and the total contract award amount is not exceeded.

Vendor	Contract Term	Total Estimated Amount	Fiscal Year(s)
All City Management Services	4/2/18 – 9/30/19	\$ 319,324.00	2017-18
		\$ 743,665.00	2018-19
TOTAL		\$1,062,989.00	

Recommendation

The resolution be approved.

13 Resolution - Approving and Accepting the Bid of Community Waste Disposal in the Total Estimated Amount of \$105,404.56 for Collection of Containerized Refuse for City Facilities

Administrative Comments

1. This item is recommended by the by Solid Waste Services Department.
2. **Impact:** This service helps to improve the appearance of city facilities by providing regular refuse collection.
3. The award establishes an annual contract for the collection of containerized refuse for city facilities. The award is for one year with two, two-year renewal options. The current contract expires February 28, 2018.
4. Funding for Fiscal Year 2017-18 is available in the Solid Waste Enterprise Fund, while funding for Fiscal Year 2018-19 is subject to budget appropriation.
5. Because this annual contract runs from March 2018 through February 2019, it is possible that more than the estimated amounts shown in the chart below may be spent in one operating year or the other as long as there are budget funds available to accommodate that year's additional purchases and the total contract award

amount is not exceeded.

Vendor	Contract Term	Estimated Expenditure	Fiscal Year(s)
Community Waste Disposal	3/1/18 – 2/28/19	\$61,488.00	2017-18
		\$43,916.56	2018-19
TOTAL		\$105,404.56	

Recommendation

The resolution be approved.

14 Resolution - Renewing the Contract with Whitmore & Sons, Inc., in the Total Estimated Amount of \$239,717.00 Annually for Landscape Maintenance of Medians, Parkways, and Public Grounds

Administrative Comments

1. This item is recommended by the Parks and Recreation Department.
2. **Impact:** Landscape maintenance services help to enhance the visual impression of the city by sustaining medians, parkways, and selected public grounds.
3. Examples of City properties that are maintained by this contract include medians such as Beltline Road, MacArthur Blvd., O’Connor Road, and Story Road; and public building grounds such as the Criminal Justice Center, Police and Fire Training Academy, and West Irving Library.
4. This renewal establishes the continuation of a contract to provide landscape maintenance of medians, parkways, and public grounds. The original contract was awarded on the basis of competitive proposals. This is the second and final of two two-year renewal options. The current contract expires on February 28, 2018.
5. Funding for Fiscal Year 2017-18 is available in the Parks and Recreation Department budget within the General Fund, while funding for Fiscal Years 2018-19 and 2019-20 are subject to budget appropriation.
6. Because this annual contract runs from March 2018 through February 2020, it is possible that more than the estimated amounts shown in the chart below may be spent in one operating year or the other as long as there are budget funds available to accommodate that year’s additional purchases and the total contract award amount is not exceeded.

Vendor	Contract Term	Estimated Expenditure	Fiscal Year(s)
Whitmore & Sons, Inc.	3/1/18 – 2/28/20	\$185,649.00	2017-18
		\$239,717.00	2018-19
		\$ 54,068.00	2019-20
TOTAL		\$479,434.00	

Recommendation

The resolution be approved.

15 Resolution - Renewing the Contract with Cowtown Redi-Mix Concrete in the Total Estimated Amount of \$362,880.00 for Redi-Mix Concrete

Administrative Comments

1. This item is recommended by the Traffic and Transportation Department – Streets Division.
2. **Impact: This service contract will be utilized as part of the Road to the Future Program.** Concrete is utilized by the Traffic and Transportation Department - Streets Division to maintain and enhance mobility for the safe and effective transit of motorists and pedestrians throughout the City of Irving. This contract will provide the necessary resources to expedite repair of damaged existing roadways and sidewalks and other locations in need of concrete repair.
3. This renewal establishes the continuation of a contract to provide Redi-Mix concrete. The original contract was awarded on the basis of competitive bids. This is the first of two one-year renewal options. The current contract expires February 28, 2018.
4. **This item was presented to the Transportation and Natural Resources Committee on January 31, 2018.**
5. Funding for the Fiscal Year 2017-18 is available in the Traffic and Transportation Department budget within the General Fund, while funding for Fiscal Year 2018-19 is subject to budget appropriation.
6. Because this annual contract runs from March 2018 through February 2019, it is possible that more than the estimated amounts shown in the chart below may be spent in one operating year or the other as long as there are budget funds available to accommodate that year’s additional purchases and the total contract award amount is not exceeded.

Vendor	Contract Term	Estimated Expenditure	Fiscal Year(s)
Cowtown Redi-Mix Concrete	3/1/18 – 2/28/19	\$211,680.00	2017-18
		\$151,200.00	2018-19
TOTAL		\$362,880.00	

Recommendation

The resolution be approved.

16 Resolution - Renewing the Contract with F & F Concrete LLC, in an Amount Not To Exceed \$1,100,000.00 for an Annual Contract to Provide Concrete Repair

Administrative Comments

1. This item is recommended by the Traffic and Transportation Department – Streets Division.
2. **Impact: This service contract will be utilized as part of the Road to the Future Program.** This contract will supplement the Streets Operations staff in the as-needed concrete repair and maintenance of sidewalks, utility cuts, streets and alleys required for structural integrity and to enhance safety for citizens and motorists.
3. This renewal establishes the continuation of a contract to provide concrete repair services. The original contract was awarded on the basis of competitive bids. This is the first of two one-year renewal options. The current contract expires February 28, 2018.
4. **This was presented to the Transportation and Natural Resources Committee on January 31, 2018.**
5. Funding for Fiscal Year 2017-18 is available in the Non-Bond CIP Fund, while funding for Fiscal Year 2018-19 is subject to budget appropriation.
6. Because this annual contract runs from March 2018 through February 2019, it is possible that more than the estimated amounts shown in the chart below may be spent in one operating year or the other as long as there are budget funds available to accommodate that year’s additional purchases and the total contract award amount is not exceeded.

Vendor	Contract Term	Total Estimated Amount	Fiscal Year(s)
F&F Concrete LLC	3/1/2018 – 2/28/19	\$ 700,000.00	2017-18
		\$ 400,000.00	2018-19
TOTAL AMOUNT NOT TO EXCEED		\$1,100,000.00	

Recommendation

The resolution be approved.

17 Resolution - Approving and Accepting the Proposal of Commdex Consulting, LLC, in an Amount Not To Exceed \$750,000.00 for Fiber Optic Network Maintenance and Locate Services

Administrative Comments

1. This item is recommended by the Information Technology Department.
2. **Impact:** The city will maintain a high level of resiliency for the city’s 26-mile fiber optic network ring by maintaining a service contract that will provide for state mandated TX811 locating services, set pricing for fiber optic parts and repairs, and replacements/new installations. The fiber optic infrastructure is critical for the day-to-day operations of the Public Safety radio network and general government daily network operations.
3. This award establishes an annual contract for the continuation of providing fiber optic network maintenance and locate services. The current contract expires February 28, 2018.
4. This contract provides an emergency mechanism to address and repair the system as timely as possible should fiber damage occur. The fiber network supports essential data systems such as radio communications, fiber optic network, outdoor warning system, fire station alert system, public safety cad, as well as multiple general government applications. The requested spending amount also supports the fiber locate costs. We have an average of 460 locates per month.
5. Funding for Fiscal Year 2017-18 is available in the Information Technology Department budget within the General Fund and the Technology Fund, while funding for Fiscal Year 2018-19 is subject to budget appropriation.
6. Because this annual contract runs from March 2018 through February 2019, it is possible that more than the estimated amounts shown in the chart below may be spent in one operating year or the other as long as there are budget funds available to accommodate that year’s additional purchases and the total contract award

amount is not exceeded.

Vendor	Contract Term	Total Amount Not To Exceed	Fiscal Year(s)
Commdex Consulting, LLC	3/1/18 – 2/28/19	\$437,500.00	2017-18
		\$312,500.00	2018-19
TOTAL		\$750,000.00	

Recommendation

The resolution be approved.

18 Resolution - Authorizing City Council to Take Appropriate Action Related to Acceptance or Rejection of Bids for Sale of Property - 215 E. Airport Freeway

Administrative Comments

1. **Impact:** The development of this vacant land tract, located at the northeast corner of SH183 and Wingren, could positively impact the State Highway 183 Corridor by providing for the construction of a new, high quality commercial development in compliance with the SH183 Overlay District.
2. An Invitation to Bid for the sale of 215 E. Airport Freeway was issued on October 13, 2017. One response was received.
3. Pursuant to direction provided by Council at the Work Session on January 17, 2018, this item is presented for consideration by the City Council for either acceptance or rejection.
4. In the event Council elects to accept the bid, staff will work with the bidder to negotiate a Purchase and Sale agreement for final consideration by City Council. The Purchase and Sale Agreement can stipulate the development requirements per City Council’s direction.
5. In the event City Council rejects the bid, staff would request additional direction from Council as to the appropriate use Council might accept prior to offering the property for sale and such uses would be included in the property offering.
6. The options available to City Council related to the regulation of the land uses are as follows:
 - a. The property can be re-zoned to SP-2 – Generalized Site Plan
 - i. Can stipulate allowable uses
 - ii. Can stipulate prohibited uses

The SP-2 Zoning overrides the SH183 Overlay District and the base zoning of the property. Changes to the zoning would require consideration by the Planning and Zoning Commission with final approval by City Council.

- b. The property can be deed restricted to prohibit or allow certain uses as Council may direct. Changes to the deed restrictions would be subject to City Council approval.

Recommendation

The resolution be approved as per Council direction.

19 Resolution - Approving the Purchase of a Sany Hydraulic Excavator from Landmark Equipment, Inc., in the Amount of \$73,109.00 through the State of Texas Local Government Statewide Purchasing Cooperative (BuyBoard)

Administrative Comments

- 1. This item is recommended by the Water Utilities Department and approved by the Building & Equipment Services Department - Fleet Operations Division. It supports Strategic Objective 2.4: Maintain and Extend Water, Wastewater and Storm Water Systems.
- 2. **Impact:** The Sany hydraulic excavator is very suitable for complex operating conditions such as excavating and exposing pipelines in confined locations. It will be utilized for water and wastewater repairs in tight areas with limited access and in areas with saturated soil conditions.
- 3. The purchase is supported by a Vendor/Member contract between the City of Irving and Landmark Equipment, Inc., which was approved by Administrative Award No. 5684 on January 19, 2018, utilizing BuyBoard Contract No. 515-16 which expires on November 30, 2018.
- 4. Funding is available in the Water & Sewer System Fund.

Vendor	Item Description	Total Expenditure
Landmark Equipment, Inc.	Sany SY75C hydraulic excavator	\$73,109.00

Recommendation

The resolution be approved.

20 Resolution - Approving a Vendor/Member Contract Pursuant to a Cooperative Purchasing Agreement between the City of Irving and Sam Pack's Five Star Ford through the State of Texas Cooperative Purchasing Program

Administrative Comments

1. This item is recommended by the by the Fire Department and approved by the Building & Equipment Services Department – Fleet Operations Division and the Financial Services Department – Purchasing Division.
2. **Impact:** Establishment of a Vendor/Member contract between the City of Irving and Sam Pack's Five Star Ford for utilization of State of Texas Contract No. 072-A1 which expires October 31, 2018 will allow the city to procure fleet trucks under the best possible terms and conditions for the city.
3. Approval of this contract supports the purchase of various vehicles as presented in the following item on this agenda as well as any future purchases from this vendor through the designated State of Texas Term Contract for the specified contract term.

Recommendation

The resolution be approved.

21 Resolution - Approving the Purchase from Sam Pack's Five Star Ford for Seven 2018 Ford F-150 Supercrew Cab Trucks and a 2018 Ford F-350 SRW Long Wheel Base Truck in the Total Amount of \$297,487.93 through the State of Texas Cooperative Purchasing Program

Administrative Comments

1. This item is recommended by the Fire Department and approved by the Building & Equipment Services Department – Fleet Operations Division.
2. **Impact:** Purchase of these vehicles will allow for replacement of older vehicles in order to reduce vehicle downtime as well as providing vehicles to support additional personnel. This will ensure that the Fire Department is able to maintain a high level of customer service for Irving residents.
3. These purchases are budgeted replacements in accordance with the city's equipment replacement policy for five F-150 City Tag No. #05106, #05109, #05110, #05113, and 05115; a F-350 will replace City Tag #05105. Once purchased these vehicles will be retired from service. Two of the F-150 vehicles are additions to the Fire Department Fleet due to the approval of two new Fire Department Inspectors.

4. This purchase is supported by a Vendor/Member Contract Pursuant to a Cooperative Purchasing Agreement between the City of Irving and Sam Pack's Five Star Ford utilizing State of Texas Term Contract No. 072-A1 which expires on October 31, 2018 as presented in the previous item on this agenda.
5. Funding in the amount of \$297,487.93 is available in the Equipment Replacement Fund.

Vendor	Item Description	Total Estimated Expenditure	Fund
Sam Pack's Five Star Ford	(7) Ford F-150 Supercrew Cab	\$245,707.34	Equipment Replacement
	(1) Ford F-350 SRW Long Wheel Base	\$ 51,780.59	Equipment Replacement
TOTAL		\$297,487.93	

Recommendation

The resolution be approved.

End of Bids

22 Ordinance - Amending Chapter 16 of the Code of Civil and Criminal Ordinances of the City of Irving, Texas by Amending Section 16-27 Relating to the Approval of Certain Agreements; and Providing a Severability Clause

Administrative Comments

1. This item has been recommended by the City Manager's Office and the City Attorney's Office.
2. **Impact:** The proposed ordinance revisions would allow for all contracts that do not exceed \$50,000.00 to be processed administratively. The proposed amendments specifically address grant agreements, agreements permitting use of city property, and municipally-owned service pole collocation attachment license agreements.

Recommendation

The resolution be approved.

INDIVIDUAL CONSIDERATION

23 Ordinance - Public Hearing and Ordinance Authorizing the City of Irving to Participate in the Texas Enterprise Zone Program and Nominating the Neiman Marcus Group, LLC to the Office of the Governor, Economic Development and Tourism through the Economic Development Bank for Designation as a Qualified Business and an Enterprise Project Under the Texas Enterprise Zone Act, Chapter 2303, Texas Government Code

Administrative Comments

1. This item is recommended by the Economic Development Department.
2. **Impact:** This ordinance defines tax incentives available in the City of Irving and nominates The Neiman Marcus Group, LLC to the Office of the Governor, Economic Development and Tourism through the Economic Development Bank for designation as a qualified business and an enterprise project under the Texas Enterprise Zone Act, Chapter 2303, Texas Government Code.
3. This ordinance updates the tax incentives available in the City of Irving to allow Irving businesses to take full advantage of the points allocated for local municipality incentives under the Texas Enterprise Zone Act.
4. The Texas Enterprise Zone Act allows a governing body to nominate projects within its jurisdiction to the Office of the Governor for incentives provided by the State of Texas. Should The Neiman Marcus Group, LLC be selected for the Enterprise Project designation, they will receive a State sales tax reimbursement (State portion) that will be reinvested in the Irving facility.
5. On August 9, 2012, the Irving City Council nominated Neiman-Marcus Group, Inc., for Triple Jumbo enterprise project status by RES-2012-222. Neiman Marcus estimated an approximate \$250 million capital investment in their Irving distribution center during the five year term. The Triple Jumbo enterprise project took effect on September 4, 2012, and terminated on September 4, 2017. On October 26, 2017, the Irving City Council approved RES-2017-399 certifying a Texas enterprise project designation name change from Neiman Marcus Group, Inc., to The Neiman Marcus Group, LLC.
6. On November 9, 2017, the Irving City Council nominated The Neiman-Marcus Group, LCC for Enterprise Project status by RES-2017-422. Neiman Marcus estimated an approximate \$19 million capital investment in their Irving facilities over the next five years.
7. Neiman Marcus is a national retailer and exporter of luxury merchandise with facility entrances for Neiman Marcus Direct located at 5950 Colwell Blvd. and 111 Customers Way and Neiman Marcus Online located at 400 East Royal Lane.
8. With this application, The Neiman Marcus Group, LLC anticipates spending over \$19 million in capital investments to renovate and upgrade its Irving locations.

Neiman Marcus is requesting benefit for the retention of 500 jobs with an annual average salary of \$79,075.

9. Neiman Marcus also commits to hiring at least 35% economically disadvantaged individuals and/or veterans for new or replacement personnel as required by the Texas Enterprise Zone Statute.
10. The Enterprise Zone designation will terminate on March 1, 2023.

Recommendation

The resolution be approved.

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

Administrative Comments

1. This item is recommended by the Economic Development Department.
2. **Impact:** Nomination of American Bottling Company for participation in the Texas Enterprise Zone Program will allow for approximately \$8.4 million of capital investment over the next five years.
3. The Texas Enterprise Zone Act allows a governing body to nominate projects within its jurisdiction to the Office of the Governor for incentives provided by the State of Texas. Should American Bottling Company be selected for the Enterprise Project designation, they will receive a State sales tax reimbursement (State portion) that will be reinvested in the Irving facility.
4. The American Bottling Company is a subsidiary of Dr. Pepper Snapple Group, Inc. With one location in Irving, Texas, American Bottling manufactures, markets and distributes beverages across the United States, Canada, Mexico and the Caribbean.
5. On August 7, 2014, the Irving City Council nominated The American Bottling Company for enterprise project status by RES-2014-259. However, this application was never approved by the State.
6. On November 9, 2017, the Irving City Council nominated The American Bottling Company for enterprise project status by RES-2017-420. However, this application was never approved by the State.

7. With the current application, The American Bottling Company estimates that it will invest approximately \$8.4 million over the next five years and retain 500 jobs with an average annual salary of \$78,697 for benefit throughout the five year designation at the qualified business site in the Irving facility located at 2304 Century Center Blvd. The investment will be to upgrade equipment, improve operating efficiencies and replace equipment at the Irving facility. These improvements will significantly expand The American Bottling Company's ability to manufacture, market and distribute beverages across North America.
8. American Bottling Company also commits to hiring at least 25% economically disadvantaged individuals, and/or veterans for its new personnel as required by the Texas Enterprise Zone Statute.
9. The Enterprise Zone designation will terminate on March 1, 2023.

Recommendation

The resolution be adopted.

25 Resolution - Nominating Pacific Dental Services, LLC to the Office of the Governor, Economic Development and Tourism through the Economic Development Bank for Designation as a Qualified Business and an Enterprise Project Under the Texas Enterprise Zone Act, Chapter 2303, Texas Government Code

Administrative Comments

1. This item is recommended by the Economic Development Department.
2. **Impact:** Nomination of Pacific Dental Services, LLC for participation in the Texas Enterprise Zone Program will allow for approximately \$8.0 million of capital investment for the creation of new Regional Headquarters and National Operations Center over the next five years.
3. The Texas Enterprise Zone Act allows a governing body to nominate projects within its jurisdiction to the Office of the Governor for incentives provided by the State of Texas. Should Pacific Dental Services, LLC be selected for the Enterprise Project designation, they will receive a State sales tax reimbursement (State portion) that will be reinvested in the Irving facility.
4. Pacific Dental Services, LLC is a national provider of medical office administrative services.
5. Pacific Dental expects the creation of a new Regional Headquarters and National Operations Center would require an approximate \$8.0 million investment in tenant improvements and personal property and equipment. The company plans to add

253 jobs with an annual average salary of \$65,000 as part of its expansion to Irving.

6. Pacific Dental also commits to hiring at least 25% economically disadvantaged employees and/or veterans for its new personnel as required by the Texas Enterprise Zone Statute.
7. The Enterprise Zone designation will terminate on March 1, 2023.

Recommendation

The resolution be approved.

ZONING CASES AND COMPANION ITEMS

26 Resolution - Temporary Use Permit G1801-0002 - to Allow a Temporary Parking Lot for TxDot Projects - Property Located at 3123 Tom Braniff Drive - SouthGate Constructors, Applicant - 183 Land Corporation, Owner

Administrative Comments

1. The applicant is seeking approval of a Temporary Use Permit to allow a crushed concrete parking lot on undeveloped property.
2. SouthGate Construction is the principal contractor for the Midtown Express project, and is in need of temporary parking for employees working on the project. In July 2017, the City Council approved a six-month Temporary Use Permit for a parking lot on the east side of Tom Braniff Drive, across from the SouthGate Construction field office. The permit was granted for October 1, 2017 through March 31, 2018.
3. This portion of the property was previously used as a parking lot for the former Texas Stadium. No trees are located within the area of the proposed parking lot. The temporary parking lot is constructed with a crushed concrete roadbase material. The crushed concrete will be completely removed within 30 days of the termination of the Temporary Use Permit.
4. The applicant has a Temporary Parking License Agreement with the property owner.
5. SouthGate understands that each Temporary Use Permit may be granted only for a maximum of 180 days.

Recommendation

The resolution be approved.

27 Resolution - Approving Sign Variance and Special Sign Permit Case #S1712-0001 to Allow Two Electronic Message Signs - Property Located at 1401 North Belt Line Road - Barnett Signs, Applicant - Big Diamond Inc., Owner.

Administrative Comments

1. The applicant is seeking approval of a Sign Variance to the required setback of a two existing nonconforming pole signs, and a Special Sign Permit to allow digital faces on the signs.
2. The nonconforming pole sign on the W. Pioneer Drive side is 7'6" from the property line and is 20 feet tall, with an overall sign face 6 feet x 8 feet (48 square feet). The digital component would take up approximately half of the sign face.
3. The nonconforming pole sign on the N. Belt Line Road side is 24' from the property line and is 25 feet tall. The proposed digital component would actually reduce the overall sign area to 90 square feet, with the digital portion covering approximately half of that area.
4. The applicant is not proposing any other upgrades or changes to either sign.
5. The applicant's justification for the variances includes (1) the proposed changes are improvements to the existing signs, (2) digital signs are safer for the employees to change, (3) the proposed change meets the intent of the Sign Ordinance, and (4) new conforming signs would be difficult to place on the site due to a 15-ft wide utility easement.
6. Staff advised the applicant that it could not support the continuation of both nonconforming signs. In particular, staff believes the pole sign on W. Pioneer Drive is unnecessary, and the pole sign on N. Belt Line Road could be replaced with a monument sign.
7. Since no effort has been made by the property owner to upgrade the existing sign structures (other than adding the proposed digital numbers) or to replace one or both signs with a monument sign, staff cannot support this request.

Recommendation

The resolution be denied.

28 Ordinance - Zoning Case #ZC17-0083 - Comprehensive Plan Amendment to Change the Recommended Land Use from "Business District" to "Residential Neighborhood", and Granting S-P-2 (Generalized Site Plan) for R-6 (Single Family) District Uses - Approximately 13.46 Acres Located at 4951, 4961 and 4971 Courtside Drive - Harlan Properties, Applicant - Max Larsen Revocable Trust, Owner.

Administrative Comments

1. The Planning and Zoning Commission Hearing Date and Recommendation: February 5, 2018 - Denial 4-3 (Commissioners Hoedebeck, Patrick, Taylor and McPhail, voting to deny the application; Commissioners Patel and Zeske, absent).
2. The Imagine Irving Comprehensive Plan Future Land Use Map recommends *Business District* uses for this property. This land use is for the highest intensity areas of Irving containing a variety of uses in multi-story buildings, pedestrian-design streets and buildings, high quality design and materials, and reduced parking requirements. Net units per acre: 60 or more. The request is not in conformance with the Comprehensive Plan. The applicant is requesting a Comprehensive Plan amendment for *Residential Neighborhood* uses to allow low density residential uses, which are consistent with surrounding development.
3. The Comprehensive Plan includes seven criteria for transitioning from non-residential to residential uses; the City should require the following:
 - a. The area should be physically appropriate (i.e., size, shape, etc.) for residential use.
 - b. The area is an extension of a residential neighborhood shown on the Generalized Future Land Use Map and is not separated from the neighborhood by a major thoroughfare (or larger).
 - c. The rezoning will not create a situation where non-residential traffic will negatively impact established and proposed future neighborhoods.
 - d. The rezoning would not result in a shortage of land designated for non-residential development.
 - e. The proposed rezoning is not for traditional multi-family development. New multi-family development would be permitted only as outlined in the Mixed Use guidelines.
 - f. The rezoning would not leave a residual tract of non-residentially zoned property which would not conform to the Generalized Future Land Use Map or which would negatively affect the proposed residential use.
 - g. The rezoning would provide 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 positive integration of residential and non-residential land use is not achievable.

Staff believes the proposal meets these requirements.

4. Additionally, the property is adjacent to Dallas/Fort Worth International Airport, and the Comprehensive Plan proposes the following strategies to protect land designated for commercial and industrial uses along major corridors, highways, or adjacent to the airport from residential encroachment.
 - a. Land Use Goal 7-Work with the Dallas Fort Worth International Airport to protect the interests and enhance the growth and economic success of both the airport and the city.
 - b. Land Use Strategy 7.1: Promote appropriate land uses adjacent to the airport to reduce conflicts with airport operations
 - c. Land Use Strategy 7.1.1: Restrict residential development in the flight path and high noise zones

Staff believes the development is consistent with these recommendations.

5. The site plan proposes 81 single family lots on five internal streets with two cul-de-sacs. Two entrances from Courtside Drive are provided.
6. The site plan proposes the following exceptions to the R-6 (Single Family) district:
 - a. Front Yard Setback Required: 25 ft.; Provided: 20 ft.
 - b. Rear Yard Setback Required: 20 ft.; Provided: 10 ft.
 - c. Minimum Lot Width Required: 50 ft.; Provided: 40 ft.
 - d. Minimum Lot Size Required: 6,000 sq. ft.; Provided: 4,200 sq. ft.
 - e. Maximum Lot Coverage by Principal Building Required: 40%; Provided: 80%

These development standards are consistent with other recently approved single family detached developments in the immediate area including the Dominion, Dominion Estates and Broadmoor Hills Ph. 4.

7. Since the development is adjacent to Dallas/Fort Worth International Airport, the following requirements are listed on the site plan:
 - a. An Avigation Easement holding the City and DFW International Airport harmless for any airport-related impact shall be provided by plat on all lots within this development and will be tied to the deed of each lot to ensure disclosure to subsequent buyers
 - b. Developer shall provide full disclosure to all potential purchasers of housing units in this development regarding airport proximity, and that the property is subject to an Avigation Easement.
 - c. A sign shall be posted in a conspicuous location until all lots are sold to homeowners advising all buyers that the property is subject to an Avigation Easement as a result of Airport proximity.
 - d. Homes shall be constructed in a manner that complies with all City of Irving

building codes (including local amendments) regarding noise attenuation.

8. The site plan also notes that the minimum air conditioned living area of each dwelling shall be 1,700 sq. ft., and the exterior wall surface must be 70% masonry.
9. A total of 30 public notices were mailed. Staff received one (1) response in support. Staff received three (3) responses and a petition with 67 signatures in opposition to this request. The opposition represents 15.29% of the land within 200 feet of the subject property. Since this is less than 20%, per state law a $\frac{3}{4}$ -vote is not required for approval.
10. Since the property has no frontage or direct access to either Valley View Lane or Carbon Road, commercial development is not likely on this site. It also is adjacent to property owned by DFW Airport, but not adjacent to the airport itself, and will not interfere with airport operations.
11. This item supports Strategic Objective 3.5 - Effectively plan and manage land use.

Recommendation

The ordinance be adopted.

29 Ordinance - Zoning Case #ZC17-0084 - Granting S-P-2 (Generalized Site Plan) for R-ZLa (Zero Lot Line) District Uses - Approximately 7.115 Acres Located on the South Side of West Sixth Street and the West Side of South Ohio Street - Hines Interest, L.P., Applicant - City of Irving, Owner (Postponed from the January 18, 2018 City Council Meeting)

Administrative Comments

1. The Planning and Zoning Commission Hearing Date and Recommendation: January 2, 2018 – Favorable 5-4 (Commissioners Hoedebeck, McPhail, Taylor and Spurlock, nay), subject to providing corrections and additional notes as directed by staff.
2. The applicant is requesting to rezone the property to develop new single family homes. This property is owned by the City, having been acquired through the Heritage Crossing land banking initiative. The previous apartment development was demolished several years ago. The City requested bids from developers to develop the property in 2013, and began working with the successful bidder, Hines, to design a unique infill single family development that would stimulate additional development in the Heritage Crossing area.
3. The applicant is requesting to develop the property with 47 single family homes and five (5) open space lots with the following modifications to the R-ZLa district

requirements:

	Required	Provided
Front Yard Setback	15 feet	3 feet
Side Yard Setback	8 inches on one side, 10 feet on opposite side	0 ft. on one side, 10-ft. on opposite side
Minimum Rear Yard Setback	10-feet – 1-story 15-feet - 2-story	3-feet
Minimum Lot Depth	90 feet	50 feet
Land Area Per Dwelling Unit	4,000 square feet	2,400 square feet
Garage Door Setback	25 feet	8 feet
Maximum Lot Coverage By Principal Building	60 percent	70 percent

These are unique standards designed specifically to maximize the development opportunity of this site.

4. The following notes have been added to the site plan in addition to the City’s standard notes:

Under *Allowed Uses Notes*:

- 3) A 3-ft. wide access/maintenance/aerial overhang easement adjacent to zero lot property line will be granted and dedicated to the zero lot property owner for the purposes of construction, reconstructing and perpetually maintaining the zero lot line structure. Said property owner shall have the full right of ingress/egress by procuring permission from the HOA under normal circumstances.
- 4) If the zero lot side of a building is adjacent to open space, right of way, or public access area of adjoining property, then windows shall be allowed. If a lot is adjacent to a waterway or public open space, then a covered patio shall be allowed.
- 5) No dwelling unit shall be closer than ten (10) feet between the face of exterior wall of neighboring dwelling units in an “R-ZLa” District, and no closer than three (3) feet to the boundary of any other zoning district or classification.

5. Under *General Notes*:

- 4) Lots may be allowed to front open space, fire lane and access easement and

not required to front a public right-of-way as shown on the current plan.

- 5) Garages may not be converted into living spaces.
 - 6) All manicured turf areas shall be irrigated with a fully automated sprinkler system.
 - 7) Each dwelling unit shall have a minimum 2-car garage.
 - 8) All paved surfaces are mutual ingress/egress access easements except for driveways within private lots.
 - 10) All open space areas and alleys outside individual lots are mutual access/common areas owned and maintained by the Home Owners Association.
 - 11) There is no minimum size for open space areas.
 - 12) Fire lanes shall be a minimum of 24 feet in width and shall be painted with stripes stating "No Parking Fire Lane."
 - 13) A minimum of 14 feet of clear height shall be available for all fire lanes.
 - 14) Fire lanes shall be constructed of an all-weather driving surface having the capacity to support an 80,000 pound vehicle.
 - 15) All gas meters adjacent to pavement shall be protected by the installation of bollards per City of Irving Fire Code.
 - 16) This plan will conform to the City of Irving landscape requirements.
 - 17) No corner clip or additional visibility sight easements will be required.
 - 18) A 4 ft. decorative metal fence may be permitted within the front setback no closer than three (3) feet to the street right-of-way.
 - 19) A pergola, patio cover, arbor, and awning will be allowed on every lot within the 10-ft. side yard and may encroach up to 7-ft. into the side yard setback. These exterior structures may be of any material as long as the structure is at least 5-ft. from any adjoining structure or residence. The structure may encroach up to 7-ft. as long as it is constructed with fire rated materials such as 30 year composition shingles, Hardie-board soffit, fascia and brick columns.
 - 20) A turn-around feature right-of-way dedication at the west end of existing W. 7th Street shall not be required.
6. Additionally, notes have been added stating:
- That parking spaces encroaching into the right-of-way are the responsibility of the Homeowners Association;
 - No building permits shall be issued until "No Parking" signs are posted along the east side of the proposed Street A;
 - Sidewalks a minimum of three feet in width shall be provided from the public

street through the mews areas with a direct connection to each residential lot;

- Sidewalks a minimum of 3 ft. in width shall be provided from the fire lanes to the mews within an access area at least 10 ft. wide between lots 10 and 11, 11 and 12, 21 and 22, 30 and 31, 39 and 40, and 43 and 50. Said sidewalks shall connect to the sidewalks within the respective mews; and
 - Address numbers meeting the requirements of Section 8-14(c), 8-15 and 8-16 of the Code of Ordinances shall be provided on both the front and rear of each home, and be visible from the street or alley the respective façade faces.
 - All garages shall have a minimum depth of 20 feet as measured from the interior walls.
7. The stipulations of the Planning and Zoning Commission have been met. Platting will be required prior to development.
 8. Staff believes this to be an appropriate use for this property and can support this request
 9. A total of 33 public notices were mailed. Staff received no responses in support and one (1) response in opposition. The opposition represents 2.47% of the land within 200 feet of the subject property. Since this is less than 20%, a 3/4-vote is not required.
 10. This item was postponed at the January 18, 2018 City Council meeting to allow the applicant time to revise the site plan to address access and parking issues.
 11. On February 7, 2018 the applicant submitted a revised site plan which decreased the number of lots from 50 to 47. The three lots which were eliminated have been replaced with an additional 16 guest parking spaces. The revised site plan also removed one parking space within the "Open Space and Access Area Easement #2".
 12. This item supports Strategic Objective 3.5 – Effectively plan and manage land use.

Recommendation

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

- 30 **Ordinance - Zoning Case #ZC17-0088 - Comprehensive Plan Amendment to Change the Recommended Land Use from "Compact Neighborhood" to "Residential Neighborhood", and Granting R-6 (Single Family) District Uses - Approximately 0.6093 Acres Located at the Northwest Corner of Tudor Lane and Crandall Road - JDJR Engineers and Consultants, Inc., Applicant - ZKB Properties, Ltd., Owner.**

Administrative Comments

1. The Planning and Zoning Commission Hearing Date and Recommendation: February 5, 2018 – Favorable 7-0 (Commissioners Patel and Zeske, absent).
2. The Imagine Irving Comprehensive Plan Future Land Use Map currently designates this property for *Compact Neighborhood* uses. This category is for “predominantly single family homes with a diverse mix of building types including small lot cottage homes, clustered courtyard homes, townhomes, rowhouses and small-scale apartment buildings.” The net density per acre for this category is between 10 and 40 units per acre.
3. This zoning request does not conform to the Comprehensive Plan. The *Residential Neighborhood* future land use category allows for “predominantly single family detached homes or duplexes” at a density of 5 to 20 units per acre.
4. The applicant has submitted a letter justifying the change in future land use designation based on the property’s proximity to other single family homes, nearby R-6 (Single Family) zoning, and overall fit into the neighborhood.
5. A total of 21 public notices were mailed. Staff has not received any responses in support of or in opposition to this request.
6. Since the applicant is not seeking any variances, Staff can support this request.
7. This item supports Strategic Objective 3.5 – Effectively plan and manage land use.

Recommendation

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

31 Ordinance - Zoning Case #ZC18-0003 - Granting S-P-1 (Detailed Site Plan) for R-AB (Restaurant with the Attendant Accessory Use of the Sale of Alcoholic Beverage for On-Premises Consumption) and Hotel Uses - Approximately 5.834 Acres Located at 4850 W. Royal Lane - Woolley's Classic Suites, Applicant/Owner.

Administrative Comments

1. The Planning and Zoning Commission Hearing Date and Recommendation: February 5, 2018 – Favorable 7-0 (Commissioners Patel and Zeske, absent), subject to minor corrections as directed by staff. The stipulation of the Planning and Zoning Commission has been met.
2. The 2017 Imagine Irving Comprehensive Plan Future Land Use Map recommends Business District uses for this property. The Business District land use category is a flexible use district for retail, office and commercial uses with predominantly mid-rise structures with a mix of surface and structured parking. The proposed zoning change is in conformance with the Comprehensive Plan.
3. On February 5, 2015 the City Council approved Ordinance No. 2015-9661 for S-P-1 (Detailed Site Plan) for R-AB (Restaurant with the Attendant Accessory use of the Sale of Alcoholic Beverages for On-Premises Consumption) and Hotel uses to develop a 238 room six-story full service hotel.
4. The applicant is requesting to rezone the property to reduce the hotel to 4-stories and the room count to 230 rooms. This would reduce the height by 2-stories and eliminate eight (8) rooms, but would still exceed the 200-room minimum required by the Hotel Development Standards.
5. The proposed 4-story full-service hotel meets all the requirements of the Hotel Development Standards, including 230 guest rooms, 5,875 square feet of meeting/conference space, a pool area, fitness/exercise room, business center and a 75-seat restaurant which includes a bar/lounge area. A minimum of 320 parking spaces are required; 362 spaces are being provided.
6. The hotel will be constructed of glass, stone, stucco and stone veneer with a tile roof and decorative metal accents. Architectural variety is provided through significant building articulation, ornamentation, balcony railings, and a mix of materials, textures and colors on all exterior sides.
7. Alcoholic beverages will be served and consumed throughout the hotel, and includes mini-bars in the rooms. No alcoholic beverages are permitted to be taken off the property for off-premises consumption.
8. A total of six (6) public notices were mailed. Staff has not received any responses in support of or in opposition to this request.
9. Since the proposed plan only decreases the height of the hotel with only a reduction of eight rooms, staff can support this request.
10. This item supports Strategic Objective 3.5 – Effectively plan and manage land use.

Recommendation

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

32 Ordinance - Public Hearing and Adopting an Ordinance Amending Section 52-35A. Landscaping and Tree Preservation of Comprehensive Zoning Ordinance No. 1144 Regarding Minimum Landscaping and Tree Preservation Requirements (Postponed from the July 20, 2017, August 10, 2017, September 7, 2017, October 12, 2017, November 9, 2017, December 14, 2017 and February 1, 2018 City Council Meetings)

Administrative Comments

1. The Planning and Zoning Commission Hearing Date and Recommendation: July 17, 2017 – Postpone to August 7, 2017. August 7, 2017 – Postpone to August 21, 2017. August 21, 2017 – Postpone to September 5, 2017. September 5, 2017 – Postpone to September 18, 2017. September 18, 2017 – Postpone to October 2, 2017. October 2, 2017 – Postpone to October 16, 2017. October 16, 2017 – Postpone to December 4, 2017. December 4, 2017 – Postpone to January 15, 2018. January 15, 2018 – Favorable 6-3 (Commissioners Patrick, Spurlock and McPhail, nay).
2. This item was discussed at the July 6, 2017 Planning and Development Committee meeting, and at the January 17 and January 31, 2018 City Council work sessions.
3. In early 2017, the City Council directed staff to update the landscaping ordinance. The update was to focus on three items:
 - a. Providing for healthy growing conditions for new landscaping trees;
 - b. Providing ways to reduce the amount of clear-cutting of existing trees with new development; and
 - c. Providing tree mitigation options.
4. This ordinance consolidates the requirements for new landscaping for new development, so that the City has one set of general landscaping standards.
5. Additionally, this ordinance establishes a new requirement for tree mitigation that encourages tree preservation.
6. Staff initially advertised this amendment for a July 20, 2017 City Council date. However, staff postponed work on the ordinance until after the State Legislature completed its work in the special legislative session.

7. An initial draft ordinance was presented to the Planning and Zoning Commission on October 2, 2017. The Commission reviewed multiple drafts of the ordinance and suggested several changes that were incorporated into the final ordinance.
8. On February 6, 2018, staff made two minor changes to the draft ordinance:
 - a. Staff added the ability for an applicant to appeal the decision of the Planning and Zoning Commission to the City Council within ten (10 business days of the denial; and
 - b. Staff clarified the Implementation Date.
9. Staff believes the proposed ordinance meets the goals set forth by the City Council, and represents consensus and compromise on the key issues.
10. This item supports Strategic Objective 3.5 – Effectively plan and manage land use.

Recommendation

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

APPOINTMENTS AND REPORTS

33 Mayor's Report

Adjournment