

AGENDA
Irving City Council Regular Meeting
Thursday, March 1, 2018 at 7:00 PM
City Hall, First Floor, Council Chambers
825 W. Irving Blvd., Irving, Texas 75060

Organizational Service Announcements

Invocation

Dr. Steve Nutter, Community Bible 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 24

CITY COUNCIL AGENDA

1 City Operations Update

CONSENT AGENDA

2 Approving Work Session Minutes for Wednesday, February 14, 2018

3 Approving Regular Meeting Minutes for Thursday, February 15, 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.

4 Resolution - Approving a Memorandum of Agreement Between the City of Irving and the City of North Richland Hills for the Purpose of Reimbursement of Overtime Salary Costs Directly Related to Work Performed by Officer(S) in Providing Resources to Assist the North Texas Anti-Gang Center Task Force.

Administrative Comments

1. This item is recommended by the Police Department. It supports Strategic Goal No. 4.1: Safeguard public safety, security and health.
2. **Impact:** This Memorandum of Agreement (MOA) is entered between the City of Irving Police Department and the City of North Richland Hills to participate in the North Texas Anti-Gang Center Task Force.
3. Participation in this MOA allows the Irving Police Department to provide resources to assist the North Texas Anti-Gang Center Task Force (TAG). TAG offers a centralized point of coordination for law enforcement agencies to focus on the activities of organized gangs, and engage in investigative and preventative efforts in the region and community of Irving.
4. This item requires no funding.

Recommendation

The resolution be approved.

5 Resolution - Designating the Mayor as the Authorized Official and Authorizing the Mayor to Apply For, Accept, Reject, Alter or Terminate Funding through the Office of the Governor, Criminal Justice Division, for a One-Year Period to Fund Two Part Time Bilingual Play Therapy Trauma Counselor Positions at the Irving Family Advocacy Center

Administrative Comments

1. This item is recommended by the Police Department. It supports Strategic Goal No. 4.1: Safeguard public safety, security and health.
2. **Impact:** The approval of this grant application will ensure that child victims of abuse who are in need of Spanish language services will have staff available for crisis intervention, safety planning, as well as individual and family therapy.
3. The grant will provide one year of funding for two part-time bilingual play therapy trauma counselor positions.
4. The funding period for this grant begins on October 1, 2018 through September 30, 2019.

5. The grant, in the amount of \$37,287.08 would require an in-kind match from the City in the amount of \$9,321.77 (provided by volunteer intern services), for a total grant amount of \$46,608.85. There is no cash match required.

Recommendation

The resolution be approved.

6 Resolution - Approval of an Updated Schedule of Library Fees

Administrative Comments

1. This item is recommended by the Library Department.
2. **Impact:** The resolution covers all library fees charged by the library including the addition of a \$5.00 monthly computer-use only fee. The authorization of this resolution will be revenue neutral and assist in maintaining the current level of Library services.
3. Staff is recommending the approval of the current Schedule of Library Fees and the implementation of the following fee:
 - \$5.00 monthly computer-use only fee for non-Irving residents.
4. The addition of the \$5.00 monthly computer-use fee was approved by the Library Board on January 22, 2018 and reviewed by the Community Services Committee on February 15, 2018

Recommendation

The resolution be approved.

7 Resolution - Approving an Addendum to the Agreement for Legal Services with Bickerstaff Heath Delgado Acosta LLP

Administrative Comments

1. This item is recommended by the City Attorney's Office.
2. **Impact:** This addendum will allow the City to continue the engagement of Bickerstaff Heath Delgado Acosta LLP in a number of critical areas, including water law, environmental law, and voting rights.
3. Attorneys at Bickerstaff Heath Delgado Acosta LLP have represented the City for many years. The schedule of hourly rates has not been revised since October 2013.

4. This addendum adopts revised billing rates for services. The billing rates for the firm range from \$225 – \$410 per hour.
5. In 2017, the City spent \$6,357.20 on legal services from this firm.

Recommendation

The resolution be approved.

8 Resolution - Approving a Payment in Lieu of Tax Agreement and Authorizing the Mayor to Executed a Letter of Support for Crane Worldwide Logistics, to Received Foreign Trade Zone Designation

Administrative Comments

1. This item is recommended by the Economic Development Department.
2. **Impact:** Approval of the agreement will allow the City to continue to collect the same level of tax revenue while accommodating Crane Worldwide Logistics in receiving Foreign Trade Zone (FTZ) designation.
3. Crane Worldwide Logistics has requested the assistance of the City of Irving for the creation of a foreign trade zone designation for their parts warehouse facility located at 4050 Valley View Lane. Because certain imported inventory and inventory held for export will be exempt from ad valorem taxation within the FTZ, it is necessary to implement the Payment in Lieu of Tax Agreement so that Irving will continue to collect the same level of payments as if the inventory were taxable.

Recommendation

The resolution be approved.

9 Resolution - Approving a Special Event Permit Application for the 2018 Irving Marathon, Half Marathon, 10K, 5K and Fun Run to be Held April 7, 2018 at the Toyota Music Factory, Las Colinas Boulevard, La Villita Boulevard and Riverside Drive, Irving, Texas

Administrative Comments

1. This item is recommended by the Irving Convention and Visitors Bureau. It supports Strategic Objectives 3.1: Promote revitalization of targeted areas and 3.2: Create a thriving downtown.
2. **Impact:** The Irving City Council has indicated its desire to bring more special events and activities to the City of Irving. The 2018 Irving Marathon is in its sixth year and the Irving Healthcare Foundation is a beneficiary of event proceeds; the

event is also a Boston Marathon Qualifying race.

3. The City's Special Event Permit Application requires City Council approval for all events with time periods that exceed four and one-half hours anytime between 7:00 a.m. and 1:00 p.m. This event begins its set-up at 4:00 a.m.
4. If the estimated number of participants and spectators exceeds 500 during the special event, or there will be any street closures, the City's Special Event Permit Application requires the applicant to, at least 30 days prior to the start of the event, deliver written notices to all owners or occupants of real property abutting the event site, including all owners or occupants of real property abutting the route of a progressive event, such as a parade, walk/run or triathlon. The event anticipates 2,000 participants and another 500 spectators.
5. The following City departments have reviewed the Special Event Permit Application from the 2018 Irving Marathon for their respective departments' requirements: Police, Fire, Traffic and Transportation, and Convention and Visitors Bureau.
6. The event will begin at the Toyota Music Factory heading north along Las Colinas Blvd. Sub-events will run along marathon course. Street impacts are as follows: Las Colinas north (west lanes) from Toyota Music Factory. At La Villita, runners would head east using southern lanes, through Riverside gaining access to Champion Trails before Hwy 635 on La Villita. Runners will navigate the trail system to the south, towards California Crossing. At California Crossing, runners will turn around and retrace previous course layout towards Toyota Music Factory.
7. The event routes have been developed to have minimal residential impact.
8. No funding is required.

Recommendation

The resolution be approved.

10 Resolution - Approving Special Event Permit for the 2018 Playtri Triathlon Festival Produced by AAZ Event Productions Dba Playtri Racing on June 3, 2018 at the Irving Marriott Las Colinas Located at 223 West Las Colinas Boulevard, Irving, Texas

Administrative Comments

1. This item is recommended by the Irving Convention and Visitors Bureau. It supports Strategic Objectives 3.1: Promote revitalization of targeted areas and 3.2: Create a thriving downtown.

2. **Impact:** The Irving City Council has indicated its desire to bring more special events and activities to the City of Irving. The recruitment and retention of the Playtri Festival 2018 event for Irving will have a positive impact on the City by bringing more than 1,100 event participants and spectators into Irving on a weekend, when the City's hotels and restaurants need the activity most. An independent Economic Impact study of the 2012 event reported the total economic gain to the City of Irving of \$1.4 million.
3. The Irving Convention and Visitors Bureau has worked with Playtri Racing since 2007 to bring its annual Playtri Triathlon Festival to Irving. The Irving Marriott Las Colinas will serve as the headquarters hotel for this event.
4. The City's Special Event Permit Application requires City Council approval for all events with more than 3,500 participants and/or spectators and for time periods that exceed four and one-half hours anytime between 7:00 a.m. and 1:00 p.m.
5. If the estimated number of participants and spectators exceeds 2,500 during any day of the special event or any portion of the event is to take place on City property, the applicant shall procure and keep in full force and effect for the duration of the event insurance written by an insurance company approved by the State of Texas and acceptable to the City and issued in the standard form approved by the Texas Department of Insurance.
6. If the estimated number of participants and spectators exceeds 500 during the special event, or there will be any street closures, the City's Special Event Permit Application requires the applicant to, at least 30 days prior to the start of the event, deliver written notices to all owners or occupants of real property abutting the event site, including all owners or occupants of real property abutting the route of a progressive event, such as a parade, walk/run or triathlon.
7. The following departments have reviewed the Special Event Permit Application from Playtri Racing for their respective departments' requirements: Police, Fire, Traffic and Transportation, Corporate Communications, and Convention and Visitors Bureau.
8. The event route has been developed to provide the greatest safety for the participants.
9. The event routes have been developed to have minimal residential impact and minimal impact on scheduled events at the Irving Convention Center.
10. No funding is required.

Recommendation

The resolution be approved.

**Purchasing & Bid Items
Items 11-16**

11 Resolution - Approving a Vendor/Member Contract Pursuant to Cooperative Purchasing Agreement Between the City of Irving and Plano Office Supply in the Total Estimated Amount of \$150,000.00 for As-Needed Purchases of Office Furniture through the Collin County Community College District Interlocal Cooperative Purchasing Program

Administrative Comments

1. This item is recommended by the Financial Services Department – Purchasing Division.
2. **Impact:** Establishment of a Vendor/Member contract between the City of Irving and Plano Office Supply for utilization of Collin County Community College District Contract No. 3629, which expires on January 31, 2019, will allow the city to purchase office furniture under the best possible terms and conditions for the city.
3. Approval of this contract supports as-needed purchase and installation of office furniture manufactured by HON, Allsteel, Body Built and other manufacturers through the designated Collin County Community College District contract for the specified contract term.
4. Funding for Fiscal Year 2017-18 is available in various departmental budgets within various funds, while funding for Fiscal Year 2018-19 is subject to budget appropriation.
5. Because this contract runs from March 2018 through January 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)
Plano Office Supply	3/2/18 – 1/31/19	\$95,500.00	2017-18
		\$54,500.00	2018-19
TOTAL		\$150,000.00	

Recommendation

The resolution be approved.

12 Resolution - Approving and Accepting the Bids of M&M Rental Holding Corporation and At Once Party Rental, Inc., in an Amount Not To Exceed \$66,000.00 for Tents and Furnishings

Administrative Comments

1. This item is recommended by the Parks and Recreation Department.
2. **Impact:** Services to provide the delivery, installation and removal of tents and furnishings are used at citywide special events to provide cover, seating, decor and to ensure a safe environment for staff and attendees.
3. The City of Irving does not own the necessary equipment, nor do Parks & Recreation staff have the necessary training, to provide these services at the scale required by our large festivals and concerts.
4. Approval of this award establishes an annual contact for tents and furnishings for special events. This is a one year contract with the option of two one-year renewals.
5. Funding for Fiscal Year 2017-18 is available in the Parks and Recreation 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	Items Awarded	Contract Term	FY 2017-18 Total Amount Not To Exceed	FY 2018-19 Total Amount Not To Exceed	Total Amount Not To Exceed
M&M Rental Holding Corporation	3-44, 49,51,61, 67,76-79	3/2/18 – 2/28/19	\$37,700.00	\$3,500.00	\$41,200.00
At Once Party Rental Inc.	2,45-48, 50,52-60, 62-66,68-75, 78-79		\$20,500.00	\$4,300.00	\$24,800.00
TOTAL			\$58,200.00	\$7,800.00	\$66,000.00

Recommendation

The resolution be approved.

13 Resolution - Cancellation of Current Contract with Concentra Medical Centers for Medical & Occupational Health Fitness Services

Administrative Comments

1. This item is recommended by the Human Resources Department.
2. **Impact:** Human Resources has requested this contract be cancelled due to insufficiency of awarded contract funds to fulfill the contract. In order to provide seamless coverage for these important services, award of a new contract as a result of a Request for Proposals process is presented as the following item on this agenda.
3. This contract with Concentra Medical Centers for medical and occupational health fitness services was approved for renewal by Council on July 21, 2016 in the amount of \$60,000.00 for a two year period, and a request for additional spending in the amount of \$49,969.00 was approved by Administrative Award on August 30, 2017. It has since been determined that additional spending capacity will be required for these services.
4. Usage of this contract continues to be greater than anticipated due to the following: pre-employment testing and immunizations required to fill the positions of an increasing number of civil service and general government retirees; the addition of new positions; and expanded immunization requirements for EMT trainees, all of which are in addition to the need to fill positions due to normal attrition. Because of this increase in usage, a Request for Proposals was issued which incorporated the greater number of anticipated services which will continue to be required through this contract.

Recommendation

The resolution be approved.

14 Resolution - Approving and Accepting the Proposal of Concentra Medical Services in the Estimated Amount of \$87,500.00 Annually for Medical & Occupational Health Fitness Services

Administrative Comments

1. This item is recommended by the Human Resources Department.
2. **Impact:** Health services include DOT and non-DOT pre-employment and random drug screening, pre-employment and promotional physical examinations, and immunizations for civil service and general government city employees in compliance with all applicable laws, statutes, and regulations to enhance employee health and safety. These services ensure that applicants and employees meet the physical and environmental requirements of the position for which they are being considered.

3. A Request for Proposals (RFP) was issued on October 15, 2017. Four responses were received. Concentra Medical Centers (Concentra) is recommended for award based on qualifications, services provided, and associated service costs.
4. As the result of a request for best and final offers, Concentra is extending the same pricing for services as that of their current contract with the city except in the case of influenza immunizations, which have increased nationally. In addition, Concentra is guaranteeing that any pricing escalation required at the time of contract renewal will not exceed 5%.
5. This award establishes a two-year contract for the continuation of providing medical and occupational health fitness services. The contract includes two, two-year renewal options.
6. Funding for Fiscal Year 2017-18 in the amount of \$43,750.00 is available in various departmental budgets within the General Fund, while funding for Fiscal Years 2018-19 and 2019-20 is subject to budget appropriation.
7. Because this contract runs April 2018 through March 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	Total Est. Expenditure	Fund(s)	Fiscal Year(s)
Concentra Medical Centers	4/1/18 – 3/31/20	\$ 43,750.00	General	2017-18
		\$ 87,500.00		2018-19
		\$ 43,750.00		2019-20
TOTAL NOT TO EXCEED AMOUNT		\$175,000.00		

Recommendation

The resolution be approved.

15 Resolution - Approving and Accepting the Bid of Standard Utility Construction, Inc., in the Total Estimated Amount of \$350,230.46 for Freeway and Street Lighting Maintenance and On-Call Services

Administrative Comments

1. This item is recommended by the Traffic and Transportation Department.
2. **Impact:** This maintenance and on-call services contract will provide monthly maintenance and as-needed emergency services for the freeway and street lighting systems within the City of Irving.

3. **This item will be presented to the Transportation and Natural Resources Committee on February 28, 2018.**
4. This award establishes an annual contract for the continuation of providing freeway, street lighting maintenance and on call services. This contract is subject to two one-year renewal options.
5. MWBE participation in this award is 100%.
6. Funding for Fiscal Year 2017-18 is available in the Traffic and Transportation Department budget within the General Fund and the Street Improvement Bond Fund, while funding for Fiscal Year 2018-19 is subject to budget appropriation.
7. 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	Description	FY 2017-18 Total Amount Not To Exceed	FY 2018-19 Total Amount Not To Exceed	Total Amount Not To Exceed
Standard Utility Construction, Inc.	3/2/18 – 2/28/19	Street Light Maintenance	\$ 65,592.87	\$46,852.05	\$112,444.92
		Street Light On-Call Services	\$138,708.23	\$99,077.31	\$237,785.54
TOTAL			\$204,301.10	\$145,929.36	\$350,230.46

Recommendation

The resolution be approved.

16 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.

ZONING CASES AND COMPANION ITEMS

- 17 Resolution - Granting Temporary Use Permit G1802-0003 - to Allow Outdoor Alcoholic Beverage Sales for On-Premises Consumption - Property Located at 1100 Marketplace Boulevard - James Fracht, Applicant - Realty Corp., BPR, Owner**

Administrative Comments

1. The applicant is seeking approval of a Temporary Use Permit to allow outdoor consumption of alcoholic beverages.
2. **Impact:** Approval of this Temporary Use Permit allows an established restaurant to have additional temporary activities during St. Patrick's Day weekend.
3. The owner of Boston's Restaurant is requesting a Temporary Use Permit to allow the sale of food and alcoholic beverages in a portion of their parking lot which will be temporarily fenced and partially covered by a tent on the east side of their building. Food and beverages will be served inside the gated area between the hours of 11:00 am to 2:00 am from March 15, 2018 through March 17, 2018.

4. Additional activities include a basketball hoop and “corn hole” games.
5. The resolution stipulates that the applicant must have two off-duty police officers on site for security during operational hours, along with two doormen from 4:00 pm to closing.
6. No single family or multifamily properties are in the area.
7. The restaurant is zoned S-P-1 (R-AB) which allows alcoholic beverage sales within the building. Since the proposed area of alcoholic beverage consumption for this event will be outside the limits of the area permitted for alcoholic beverage service in the existing zoning case, a temporary use permit is required.

Recommendation

The resolution be approved.

18 Resolution - Approving Special Sign Permit Case #S1711-0050 to Allow an Electronic Message Sign on a Pole Sign - Property Located at 4125 West Airport Freeway - Prince Signs, LLC., Applicant - King Fuel, Owner.

Administrative Comments

1. The applicant is seeking approval of a Special Sign Permit to allow digital faces on a pole sign and a new monument sign.
2. The pole sign along W. Airport Freeway is 26’6” from the property line and is approximately 85 square feet. The digital component will take up approximately 38 square feet.
3. Currently, a nonconforming pole sign exists along Esters Boulevard. The applicant is proposing to replace the pole sign with a monument sign located 9’2” from the property line. The monument sign will have a two (2) foot tall masonry base and will have a sign area of approximately 96 square feet, with the digital component taking up approximately 38 square feet.
4. The applicant will comply with all requirements of the Special Sign Permit for digital signs.
5. Since the applicant is removing a nonconforming pole sign and replacing it with a conforming monument sign, and since the other sign is a legal conforming sign, staff can support this request.

Recommendation

The resolution be approved.

19 Resolution - Approving Replat - PL17-0051 - Intown at Las Colinas Station Addition - Approximately 4.289 Acres Located on the Southeast Corner of Lake Carolyn Parkway and O'Connor Boulevard - CSE, Applicant - Intown Homes, Owner.

Administrative Comments

1. The Planning and Zoning Commission Hearing Date and Recommendation: February 19, 2018 – Technical Denial.
2. The purpose of this replat is to develop the property with eighty-one (81) townhouse lots and one (1) common area lot.
3. The City Council approved Ordinance No. 2017-9951 on July 6, 2017 amending the Comprehensive Plan and rezoning the property for Transit Oriented Development to allow townhouse uses.
4. This plat dedicates the following:
 - A. 8-ft. wide utility easements along all streets.
 - B. All streets are 31 ft. wide private street and public utility easements.
 - C. A 5-ft. wide utility easement on Lots 12 and 13, and along the rear of Lots 7-18, Block A.
 - D. 2-ft. wide private drainage easements on Lot 1 and 26, and a 5-ft. wide private drainage easement on Lots 21, 22, and 23, Block B.
 - E. A 5-ft. wide utility easement on, and between, Lots 5 and 6, Block B.
 - F. A 10-ft. wide private drainage easement across Lots 9-22 and 5-ft. wide private drainage easement on, and between, Lots 8 and 9, Lots 15 and 16, Lots 22 and 23, Lots 28 and 29, and Lots 28 and 29, Block C.
5. The following exception to the Subdivision Ordinance requires this plat to be forwarded to the City Council for action:
 - a. Section 35-25 of the Subdivision Ordinance requires all lots to front onto public streets. All the streets within this subdivision are private.
6. The plat complies with all other requirements of the Subdivision Ordinance and the approved TOD detailed site plan zoning.
7. A total of five (5) public notices were mailed. Staff has not received any responses in support of or in opposition to this replat.
8. This item supports Strategic Objective 3.5 – Effectively plan and manage land use.

Recommendation

The resolution be approved.

20 Resolution - ZC18-0002 - Street Name Change - Renaming a Portion of Cabell Road Between Belt Line Road, North and Shorthorn Drive to Campus Circle Drive, East - City of Irving, Applicant

Administrative Comments

1. This request is to rename the **portion of Cabell Road** between Belt Line Road, North and Shorthorn Drive to **Campus Circle Drive, East**.
2. This street name change is being requested in order to minimize confusion to motorists.
3. This segment of Cabell Road has been reconstructed and realigned. It no longer aligns properly with the other segments of Cabell Road, but it does align with the other portions of Campus Circle Drive, East. Renaming this segment will help minimize the confusion that occurs when misaligned street segments share a name.
4. Staff has no concerns regarding this new proposed name.
5. There are four (4) properties addressed from this portion of Cabell Road. These parcels are dedicated landscape areas.
6. Public notice was sent to the thirteen (13) properties adjacent to this street. No letters have been received either in support of or opposition to this request.

Recommendation

The resolution be approved.

21 Ordinance - Zoning Change #ZC16-0093 - Granting S-P-1 (Generalized Site Plan) for C-C (Community Commercial) District Uses - Approximately 0.89 Acres Located on 1916 Edgewood Drive and 1917 East Irving Boulevard - Williams Truck Service - Applicant - Maranot Real Estate Services, Owner.

Administrative Comments

1. The Planning and Zoning Commission Hearing Date and Recommendation: February 19, 2018 – Denial 6-1 (Commissioner Hoedebeck, nay; Commissioners Richards and Patel, absent).
2. Williams Truck Service has operated on Irving Boulevard for many years as a truck repair business on the tract zoned C-C (Community Commercial), but has expanded its paving and truck parking onto the adjacent R-6 (Single Family) tract to its north, without proper zoning, since there is no physical barrier between the commercial and residential tracts.
3. The applicant is requesting rezoning of the entire subject property to S-P-1 (Detailed Site Plan) district for C-C (Community Commercial) uses to continue the truck repair use and parking uses on both the 1917 E. Irving Blvd. property and the 1916 Edgewood Drive property.

4. The site plan proposes truck parking uses on the tract zoned R-6, fronting Edgewood Drive. Edgewood Drive is still largely a residential street, except for three lots adjacent to Loop 12. The proposed zoning change is adjacent to single family on the east side and across the street. This has prompted complaints from the neighbors about trucking uses taking place on the subject tract.
5. The applicant has constructed a seven (7) ft. tall wood screening fence around the perimeter of the tract on Edgewood Drive, set 25 ft. back from the front property line. The applicant proposes to move that fence back to 30 ft. from the front property line and provide a 30-ft. deep landscaped buffer area on Edgewood Drive.
6. Although the Comprehensive Plan recommends this be used for eventual transition to commercial uses, staff cannot support this case due to the continuing residential uses adjacent to the subject R-6 tract. The landscape area and screening fence do not adequately mitigate this commercial use on a residential street with residential neighbors.
7. A total of 28 public notices were mailed. Staff has received no responses in support and four (4) responses in opposition to this request. The opposition represents 19.92% of the land within 200 feet of the subject property. Since this is less than 20%, a $\frac{3}{4}$ -vote is not required for approval.
8. This item supports Strategic Objective 3.5 – Effectively plan and manage land use.

Recommendation

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

- 22 Ordinance - Zoning Case #ZC17-0079 - Granting 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) on Tract 1, and S-P-1 (Detailed Site Plan) for C-N (Neighborhood Commercial) and Banquet Hall Uses on Tract 2 - Approximately 3.647 Acres Located at the Northwest Corner of North Belt Line Road and World Cup Way - Emperia Enterprises, Applicant - Kayam Joshi, Owner.**

Administrative Comments

1. The Planning and Zoning Commission Hearing Date and Recommendation: February 19, 2018 – Favorable 7-0 (Commissioners Richards and Patel, absent), subject to corrections to the site plan as noted by staff.
2. The applicant is seeking approval to build a banquet hall, a retail center, and a restaurant with the attendant accessory use of the sale of alcoholic beverages for on-premises consumption.

3. The Imagine Irving Comprehensive Plan recommends *Business District* uses for this property. This land use category is a flexible use district for retail, office and commercial uses. The proposed uses are in conformance with the Comprehensive Plan.
4. Tract 1 will be a “Sports Bar and Grill” restaurant with 107 seats, including 15 seats on an outdoor terrace. A total of 43 parking spaces are required and provided.
5. The menu includes a variety of appetizers, pizzas, burgers and salads.
6. Tract 2 will be utilized for a banquet hall and a retail building. The banquet hall will be 11,000 square feet, and the retail building will be 4,000 square feet.
7. The banquet hall requires 110 parking spaces which are provided on site. The retail building requires 16 parking spaces. Only 12 of the 16 parking spaces are provided; however, since the parking is shared with the banquet hall which will have intermittent use, staff can support the four-space variance.
8. The buildings will have primarily stone veneer and stucco. The building designs will conform to the Commercial Building Design Standards.
9. All required landscaping will be provided.
10. While the applicant has verbally agreed to the Planning and Zoning Commission stipulations, staff has not received a revised site plan reflecting these changes.
11. A total of 17 public notices were mailed. Staff has not received any responses in support of or in opposition to this request.
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.

23 Ordinance - Zoning Change #ZC18-0001 - Granting S-P-2 (Generalized Site Plan) for C-N (Neighborhood Commercial) Uses Including Parking for Rental Buses - Approximately 3.6 Acres Located on the North Side of State Highway 183 and West of MacArthur Boulevard at 1145 W. Airport Freeway - Master's Transportation Inc., Applicant - MacArthur Levy LP, Owner

Administrative Comments

1. The Planning and Zoning Commission Hearing Date and Recommendation: February 19, 2018 – Favorable 7-0 (Commissioners Richards and Patel, absent), subject to the following: (1) placing “No bus parking” signs along the northern wall, (2) noting on the site plan the maximum vehicle length shall be 42 feet, (3) adding a note prohibiting ingress/egress of buses from the rear (northern) driveway behind the shopping center, and (4) noting that the bus parking area shall be re-stripped.

The stipulations of the Planning and Zoning Commission have been met.

2. The applicant is seeking approval to have bus parking and storage in the northwest section of the parking lot as an accessory use to a bus rental office.
3. The Imagine Irving Comprehensive Plan Future Land Use Map recommends *Commercial Corridor* uses for this property. This is an “auto-oriented district for retail, office and commercial uses.” The proposed use is in conformance with the Comprehensive Plan.
4. The applicant operates a bus rental office in the shopping center, which is a permitted use. The applicant needs a pickup, drop off and storage area for rental buses and vans. The applicant would restripe approximately 60 auto parking spaces to accommodate this use.
5. Parking would only be in the parking spaces, and would not block any drive aisle or fire lane. The parking and storage is in an area of the parking lot that historically has been lightly used. The dock area for the supermarket faces this area.
6. The bus parking area is approximately 42 feet from the adjacent single family residential uses. This is more than double the required parking distance from adjacent residential uses for new development or redevelopment (20 feet).
7. No parking, drop off or storage would occur in the parking spaces along the northern property line, adjacent to the residential uses. Additionally, the site plan notes that pickup may only occur between 6:00 am and 6:00 pm, though drop off may occur at any time.
8. A concrete wall along the perimeter of the shopping center does screen the area from the adjacent properties.
9. A total of 35 public notices were mailed. Staff received no responses in support and two (2) responses in opposition to this request. The opposition represents 2.77% 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. Staff believes the proposed accessory use will not have any negative impacts on the adjacent residential or commercial properties, and will not negatively impact the automobile parking situation in the shopping center. Accordingly, staff can support this request.
11. This item supports Strategic Objective 3.5 – Effectively plan and manage land use.

Recommendation

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

APPOINTMENTS AND REPORTS

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Adjournment