

**AGENDA**  
**MEETING OF THE IRVING CITY COUNCIL**  
**THURSDAY, MARCH 23, 2017**  
**COUNCIL CHAMBER - CIVIC CENTER COMPLEX**  
**825 WEST IRVING BOULEVARD**  
**IRVING, TEXAS**

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1:00 P.M. -- CITY COUNCIL WORK SESSION -- WEDNESDAY, MARCH 22, 2017 -- FIRST FLOOR CITY COUNCIL CONFERENCE ROOM -- CIVIC CENTER COMPLEX -- 825 WEST IRVING BOULEVARD -- IRVING, TEXAS

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6:15 P.M. -----Pre-Council Briefing (If Necessary) 1st Floor  
City Council Conference Room Or City Council  
Chamber Conference Room, Civic Center  
Complex

7:00 P.M.----- Organizational Service Announcements

Invocation

Pastor Dennis King, Hope Fellowship Church

Pledge Of Allegiance

Proclamations, Announcements, 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 26

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.

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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.

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# CITY COUNCIL AGENDA

## 1 City Operations Update

- a. Sam Houston Trail Re-opens
- b. Innovation Center Update
- c. Las Colinas Blvd. Construction Update

## CONSENT AGENDA

### 2 Approving Work Session Minutes for Wednesday, March 01, 2017

### 3 Approving Regular Meeting Minutes for Thursday, March 02, 2017

### 4 Resolution - Approving an Amended and Restated Ground Lessor Agreement with Westin Operator LLC and Starwood Hotels & Resorts Worldwide, LLC Relating to the Convention Center Headquarters Hotel Agreements

#### Administrative Comments

1. This item is recommended by the City Manager's Office. It supports Strategic Objective 3.4 – Complete “signature projects.”
2. **Impact:** This resolution approves an amended and restated Ground Lessor agreement that reflects the provisions of the recently approved amended and restated ground lease and city facilities lease for the convention center hotel.
3. On January 12, 2017, RES-2017-7 approved the Ground Lessor agreement among Westin Operator LLC, the Convention Center Headquarter Hotel operator, Starwood Hotels & Resorts Worldwide LLC and the City. In the event of a default by Provident Group-Irving Properties LLC (PGIP) under the Ground Lease or City Facilities Lease, Westin Operator may continue as operator of the hotel under the terms of the four Hotel Agreements.
4. On March 2, 2017 both leases were amended and restated to reflect revisions to certain definitions and the legal descriptions of the premises.
5. Westin Operator and PGIP have amended their Hotel Operating Agreement to reflect the changes. Staff has reviewed the amendment, and finds it acceptable under the MDA.
6. Westin Operator and Starwood Hotels & Resorts Worldwide LLC have requested the City enter an amended and restated Ground Lessor agreement that comports with the amended and restated leases.

#### Recommendation

The resolution be approved.

**5 Resolution - Awarding a Contract to Flow-Line Construction, Inc., in the Amount of \$962,030.00 for the East Pioneer Wastewater Improvement 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 project will replace the wastewater mains for approximately seven commercial properties including Brakebush, Austin Commercial, Shermco Industries, and Bilbo Transport.
3. The work will include replacing the existing 8” clay pipe wastewater line with a 15” PVC wastewater line.
4. Bids were received from six bidders. Flow-Line Construction, Inc., submitted the lowest responsive responsible bid of \$962,030.00. This is \$42,030.00, (4.37%) above the project estimate.
5. Funding in the amount of \$962,030.00 is available within the Sanitary Sewer Bond Fund.

**Recommendation**

The resolution be approved.

**6 Resolution - Approving Addendum No. 2 to the Engineering Services Agreement Between the City of Irving and Halff Associates, Inc., in the Amount of \$262,300.00 for Project Agreement Negotiations with the TxDOT Corridor Developer for the SH 183 Improvement Project.**

**Administrative Comments**

1. This item is recommended by the Capital Improvement Program Department and Water Utilities Department. It supports Strategic Objective 2.4 – Maintain and extend water, wastewater and storm water systems.
2. **Impact:** Halff Associates, Inc. is assisting staff with negotiating project agreements with TxDOT and their SH 183 corridor developer for the relocation and reconstruction of the City’s infrastructure, associated with the SH 183 project. Halff Associates is also assisting with plan reviews, construction related assistance and utility easement acquisitions.
3. **This item will be presented to the Transportation and Natural Resources Committee on March 22, 2017.**

4. An additional \$262,300.00 in project assistance is estimated to be needed through the end of the fiscal year as the utility relocations along this phase of the interim project comes to a close. Deliverables covered under this addendum include:
  - Project Management Assistance
  - Negotiation Services
  - Plan Review of Water/Wastewater/Storm
  - Easement Documents
  - Easement Acquisition Assistance
  - Web Site Maintenance of Document Tracking System
5. The funding will also assist with:
  - Review of SouthGate invoices
  - Review and negotiation with SouthGate regarding field design changes
  - Additional easement preparation and acquisition for fire line vaults for unmetered commercial fire lines discovered during construction
  - Final walk through inspections as each package is completed
  - Reviewing accuracy of record drawings when submitted by SouthGate
  - Continued maintenance of web-based document exchange and tracking server
6. Funding in the amount of \$262,300.00 is available within the Street Improvement Bond Fund.

**Recommendation**

The resolution be approved.

**7 Resolution - Approving a Special Event Permit for the 2017 Volunteers of America Texas Shootout Tournament to be Held at the Las Colinas Country Club on April 24-30, 2017**

**Administrative Comments**

1. This item is recommended by the Economic Development Department.

2. **Impact:** The 2017 Volunteers of America Texas Shootout Tournament is an LPGA sanctioned golf tournament that promotes the City of Irving and provides the economic benefit of hosting a major sporting event at the Las Colinas Country Club on April 24-30, 2017.
3. **A report on this item was included in the Planning and Development Committee meeting packet for March 2, 2017.**
4. The City's Special Event Permit Application requires City Council approval for all events with time periods that exceed four and one-half hours or occur outside the hours of 7:00 a.m. to 1:00 p.m.
5. The City's Special Event Permit Application requires City Council approval for all events that occur on days other than Saturday or Sunday.
6. The City's Special Event Permit Application requires City Council approval for all events with 3,500 or more participants and/or spectators. The total attendance is expected to be approximately 64,200, with peak attendance expected on Saturday and Sunday.
7. Event organizers, as part of the Special Event Permit process, coordinate with various city departments including Police, Fire, Inspections, Traffic and Transportation, and others as necessary.
8. This agenda item is for the Special Event Permit only and therefore has no fiscal impact.

**Recommendation**

The resolution be approved.

**8 Resolution - Approving an Addendum to the Single Source Proposal No. 11514 with Siemens Industry, Inc., in an Estimated Amount of \$59,616.00 for a Medium Voltage Electrically Operated Input Controller for the Hackberry Pump Station**

**Administrative Comments**

1. This item is been recommended by the Water Utilities Department. It supports Strategic Objective 2.4 - Maintain and extend water, wastewater and storm water systems.
2. **Impact:** Water Utilities obtained a single source proposal for an additional piece of equipment required as part of the replacement project of a 600 HP medium voltage Variable Frequency Drive (VFD) at the Hackberry Pump Station.

3. The City Council approved a single source agreement with Siemens Industry, Inc., on September 22, 2016, for the supply, installation and commissioning of a new 600 HP VFD for the Hackberry Pump Station.
4. This proposal provides a piece of equipment needed to fully satisfy all code requirements stipulating the requirement of an upstream tripable device and avoids utilizing the current upstream electrical breaker.
5. Siemens Industry, Inc., is offering this item to the city at a discount of \$7,311.00 off the base price.
6. This is the first VFD of three at the Hackberry Pump Station that requires replacement due to age, obsolete parts and loss of preventative maintenance.
7. Funding in the amount of \$59,616.00 is available in the Water Utilities budget within the Water and Sewer Non-Bond CIP Fund.

**Recommendation**

The resolution be approved.

**9 Resolution - Approving an Interlocal Agreement with the City of Dallas and University of Texas at Arlington (UTA) for Regional Assessment of Fair Housing in the Amount not to exceed \$13,000.00**

**Administrative Comments**

1. This item is recommended by the Planning and Community Development Department.
2. **Impact:** This project will cost effectively aid the City of Irving in completing its HUD-mandated Affirmatively Furthering Fair Housing report.
3. In July 2015, the U.S. Department of Housing and Urban Development (HUD) issued its new rule of Affirmatively Furthering Fair Housing (the "AFFH Rule") that requires an Assessment of Fair Housing (AFH) to include a regional analysis. HUD encourages regional collaboration to develop a regional assessment. The plan will identify the barriers which clients experience as they search for affordable housing and recommend solutions to overcome the barriers.
4. This agreement will allow Irving to partner with the City of Dallas and the University of Texas at Arlington for the development of a regional plan. The regional working group for the study includes twenty-two cities and housing authorities sharing the total cost of \$734,430.00. The City of Irving's share of the cost would be no more than \$13,000.00.

5. Should the City choose to not participate in this agreement, the City of Irving will be required to perform its own independent Assessment of Fair Housing, the cost of which would likely exceed \$13,000.00.
6. Funding in the amount of up to \$13,000.00 is available in the HOME Investment Partnerships Grant Fund.

### **Recommendation**

The resolution be approved.

## **10 Resolution - Approving a Community Housing Development Agreement with Bear Creek Development Corporation in the Amount of \$27,975.00**

### **Administrative Comments**

1. This item is recommended by the Planning and Community Development Department.
2. **Impact:** This operating assistance will assist Bear Creek Development Corporation (BCDC) with their organization's production of affordable housing options to low and moderate income residents of Irving.
3. The City partners with community housing development organizations as part of its participation in the HOME Investment Partnerships Grant program funded by the U.S. Department of Housing and Urban Development (HUD). These funds have been awarded in years past to the community housing development organizations to assist with the completion of projects.
4. Currently BCDC is working on two projects with the City of Irving. BCDC will be constructing a single family residence on Gilbert Street and has acquired and begun rehabilitating a four-plex unit on Shufford Street. Although BCDC has contracted with the City to complete these projects, BCDC must bear the initial costs and be reimbursed after the projects are completed. Recently, the organization completed the urgent and unplanned retrofit and leasing of the property located at 200 Alpine.
5. This funding will provide for interim financial assistance which includes staff salaries, training, office rent, utilities, equipment, materials and supplies required for routine business operations for the organization pending future income from rent payments and the sale of a new home being constructed on Gilbert. The award of operating assistance is an allowable cost as defined by HUD guidelines.
6. The Housing and Human Services Board approved this item at its March 15, 2017 meeting.

7. Funding in the amount of \$27,975.00 is available in the HOME Investment Partnerships Program Fund. No General Fund monies are involved.

**Recommendation**

The resolution be approved.

**11 Resolution - Amending a HOME Investment Partnerships Program Grant Agreement Between the City of Irving and Brighter Tomorrows, Inc. to Include Specific Language Regarding Common Space**

**Administrative Comments**

1. This item is recommended by the Planning and Community Development Department.
2. **Impact:** This amendment will specify the exclusive availability of areas designated as common space to benefit residents of the transitional housing facility and their guests.
3. Brighter Tomorrows is a non-profit organization which provides housing and counseling services to victims of domestic violence in Irving. The City previously awarded Brighter Tomorrows \$800,000.00 to complete renovations at their existing facility (RES-2013-359).
4. As part of the renovations, two (2) units were designated as common space which would provide residents space than can be used as a play area, storage, and general usage space.
5. The U.S. Department of Housing and Urban Development (HUD) has requested that these units be clearly identified within the agreement as being available exclusively to residents of the facility and their guests for the full period of affordability, which in this case will be for 15 years. The attached amendment addresses those concerns.
6. The Housing and Human Services Board approved the amendment to this agreement at its January 18, 2017 meeting.

**Recommendation**

The resolution be approved.



## Bids & Purchasing Items

### Items 12 - 16

#### 12 **Resolution - Approving Funds for a Rental Uniform Pilot Program and Additional Funds for the As-Needed Purchase of Uniforms, and Rental of Shop Towels, Mops and Mats from G&K Services, Inc., in the Estimated Amount of \$140,500.00 through the State of Texas Local Government Statewide Purchasing Cooperative (BuyBoard)**

##### **Administrative Comments**

1. This item is recommended by the Financial Services Department – Purchasing Division.
2. **Impact:** Standardized uniforms improve employees' overall appearance, make them more recognizable to citizens, and ensure consistency among departments, and rental of shop towels, mops and mats ensures that these necessary implements are readily available for staff use and maintained in optimum condition.
3. A Vendor/Member contract between the City of Irving and G&K Services was approved on June 8, 2016 by Administrative Award #4937. This contract supports utilization of BuyBoard Contract No. 507-16 Uniforms & Accessories for Various Areas which expires on May 31, 2017.
4. The city is entering into a one-year pilot program for the rental of uniforms for employees in Fleet Operations, Solid Waste Services, Streets Operations, and Water Utilities whose uniforms are exposed to grease, asphalt, sewage, garbage, etc. and will benefit from cleaning at high temperatures and automatic replacement by the vendor for normal wear and tear. This pilot program will begin on or about April 17, 2017 at an estimated annual cost of \$110,500.00 and is anticipated to provide a better value to the city than purchases for these groups.
5. Other departments and divisions who purchase uniforms will continue to purchase through this vendor. Shop towels, mops and mat rental will continue to be included under this contract as well. Additional funds in the estimated amount of \$30,000.00 through May 31, 2017 are also being requested, after which time a new Vendor/Member Contract will be presented for approval.
6. Funding for Fiscal Year 2016-17 in the amount of \$140,500.00 is available in various departmental budgets within various funds, while funding for Fiscal Year 2017-18 is subject to budget appropriation.

##### **Recommendation**

The resolution be approved.

**13 Resolution - Approving and Accepting the Bid of F & F Concrete LLC, in an Amount Not To Exceed \$1,100,000.00 for an Annual Contract to Provide Concrete Repair Services**

**Administrative Comments**

1. This item is recommended by the Traffic and Transportation Department – Streets.
2. **Impact:** 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. This bid award will also assist staff in repairing the street network as part of the \$100 million roadway infrastructure improvement in the next five years.
3. This award establishes an annual contract for the continuation of providing concrete repair services. The contract is subject to two one-year renewal options.
4. M/WBE participation in this award is 100%.
5. **This will be presented to the Transportation and Natural Resources Committee on March 22, 2017.**
6. Funding for Fiscal Year 2016-17 is available within the Traffic and Transportation budget within the General Fund and in the Street Improvement and Non-Bond CIP Funds, while funding for Fiscal Year 2017-18 is subject to budget appropriation.

Vendor	Contract Term	Total Estimated Amount	Fiscal Year(s)
F&F Concrete LLC	3/24/2017 – 2/28/18	\$600,000.00	2016-17
		\$500,000.00	2017-18
<b>TOTAL AMOUNT NOT TO EXCEED</b>		<b>\$1,100,000.00</b>	

**Recommendation**

The resolution be approved.

**14 Resolution - Approving an Agreement with DC Strategic Consulting/Taylor Collective Solutions in the Amount of \$90,000.00 for Meeting & Event Planning Services for the City’s 2017 Transportation Investment Summit**

**Administrative Comments**

1. This item is recommended by the Traffic & Transportation Department.
2. **Impact:** Meeting and event planning services for the city’s 2017 Transportation Investment Summit will allow the city to pursue strategic legislative, transportation, water, and economic development objectives.

3. A selection team consisting of members of the City Manager's Office and Traffic & Transportation Department reviewed seven responses to the Request for Qualifications for meeting and event planning services for the city's 2017 Transportation Investment Summit in January, 2016. Three firms were selected for interviews.
4. Authority to negotiate with U.S.-Mexico Cultural and Educational Foundation and with DC Strategic Consulting/Taylor Collective Solutions for this work was granted by Resolution No. 2016-47. Both firms were offered the opportunity to update their original submittals in anticipation of a meeting with the negotiation team on January 30, 2017 to enter into negotiations.
5. Based upon the results of this meeting and additional clarifications provided by both firms after the meetings, the negotiation team recommends award of this contract to DC Strategic Consulting/Taylor Collective Solutions.
6. The attached agreement includes two one-year renewal options subject to staff review and recommendation after each Summit event.
7. If this recommendation is approved, an additional item will be forthcoming to enter into a contract with the Irving Convention Center to secure that facility as the venue for the 2017 Transportation Investment Summit.
8. Funding in the amount of \$90,000.00 is available in the Traffic & Transportation Department budget within the General Fund.

#### **Recommendation**

The resolution be approved.

### **15 Resolution - Approving the Purchase from Sam Pack's Five Star Ford in the Total Amount of \$262,934.63 for Ford Vehicles for Various Departments through the State of Texas Term Contract**

#### **Administrative Comments**

1. This item is recommended by the Building & Equipment Services Department – Fleet Operations, for the Traffic & Transportation, Inspections and Water Utilities Departments.
2. **Impact:** Replacement of identified vehicles in accordance with the city's equipment replacement policy will ensure that all departments maintain adequate fleet to provide exceptional services in performance of their duties by reducing down time and repair costs.

3. Due to high mileage and ongoing maintenance issues each vehicle has surpassed its useful life. The new vehicles will be more fuel efficient with lower emissions. All of the vehicles being replaced will be retired.
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 #072-A1 which expires August 31, 2017. The contract was approved on November 17, 2016 by Administrative Award #5182.

Department	Item Description	Qty	Replaces City Tag #	Extended Total	Fund(s)
Traffic & Transportation	2017 Ford F-250 Regular Cab with Utility Body	1	21038	\$ 34,124.20	Vehicle & Equipment Replacement
Inspections	2017 Ford F-150 Regular Cab with Short Bed	1	11073	\$ 24,678.05	
Water Utilities	2017 Ford F-150 Extended Cab Short Bed	2	32236 32179	\$ 58,090.00	Water & Sewer System
	2017 Ford F-350 Extended Cab with Utility Body	2	32177 32175	\$108,300.00	
	2017 Ford F-250 Extended Cab with Long Bed	1	32121	\$ 37,742.38	
<b>TOTAL</b>				<b>\$262,934.63</b>	

**Recommendation**

The resolution be approved.

**16 Resolution - Approving a Vendor/Member Contract Pursuant to a Cooperative Purchasing Agreement between the City of Irving and FleetCor Technologies dba Fuelman, in the Total Estimated Amount of \$230,000.00 Annually for the Fleet Fuel Card Program through the National Intergovernmental Purchasing Alliance Company (National IPA)**

**Administrative Comments**

1. This item is requested by the Police, Fire and Water Utility departments and recommended by Building & Equipment Services Department – Fleet Operations.
2. **Impact:** Establishment of a Vendor/Member Contract between the City of Irving and FleetCor Technologies dba Fuelman, for utilization of National IPA Contract No. R161501, which expires on March 31, 2020, will allow the city to purchase fuel from affiliated stations under the best possible terms and conditions for the city.

3. City vehicles can be fueled at different locations throughout the city with less travel time to sites thus reducing fuel consumption and vehicle out of service time. Fleet fuel cards are issued primarily for vehicles used by Police and Fire personnel.
4. Funding for Fiscal Year 2016-17 is available within the Garage Fund, while funding for Fiscal Year 2017-18, Fiscal Year 2018-19 and Fiscal Year 2019-20 are subject to budget appropriation.
5. Because this contract runs April 1, 2017 through March 31, 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 Estimated Amount	Fiscal Year(s)
FleetCor Technologies dba Fuelman	4/1/17 – 3/31/20	\$115,000.00	2016-17
		\$230,000.00	2017-18
		\$230,000.00	2018-19
		\$115,000.00	2019-20
<b>TOTAL</b>		<b>\$690,000.00</b>	

**Recommendation**

The resolution be approved.

**End of Bids**

**INDIVIDUAL CONSIDERATION**

**17 Resolution - Confirming the Appointment of Jeffery Spivey as Police Chief for the City of Irving**

**Administrative Comments**

1. This item is recommended by the City Manager's Office and supports Strategic Goal No. 4.1: Safeguard public safety, security, and health.
2. **Impact:** The selection of Jeffery Spivey for Police Chief followed an extensive search process in which the City engaged the services of Strategic Government Resources that produced a strong slate of top candidates. The appointment of Jeffery Spivey ensures that the Irving Police Department will be overseen by an experienced leader with strong operational and command knowledge and a commitment to continued community engagement.
3. On January 1, 2017, the position of Police Chief became vacant following the retirement of Chief Larry Boyd.

4. Under Section 143.013 of the Texas Local Government Code, the City Manager appoints the head of the Police Department and the City Council confirms the appointment.
5. Jeffery Spivey is a 30-year employee of the Irving Police Department, where he started his service in Irving as a Public Service Officer in 1986, and has served in various leadership roles, ranging from Police Sergeant in 2001, Police Lieutenant in 2005, and Police Captain in 2008, to Assistant Chief in 2011.

**Recommendation**

The resolution be approved.

**18 Resolution - Approving Preliminary/Final Plat - PL16-0040 - Parkside West Phase 2C Addition - Approximately 39.622 Acres Located on the South Side of State Highway 114 Between Cabell Drive and Esters Boulevard - Jacobs Engineering Group, Inc., Applicant - Parkside Land West, LP, Owner.**

**Administrative Comments**

1. The Planning and Zoning Commission Hearing Date and Recommendation: March 6, 2017 Technical Denial 8-0 (Commissioner Patel, absent).
2. This items supports Strategic Objective 3.5 – Effectively plan and manage land use.
3. The applicant is requesting to plat a 39.622-acre tract into 76 single family lots with 1 public open space lot.
4. This plat dedicates the following:
  - 5-ft. wide utility easements on Lot 40, Block L, Lots 3, 9, 10, 13, 21, and 27, Block M, Lots 1 and 12, Block N.
  - 5-ft. wide wall maintenance easements on Lots 6, 7, 12, 13, 22-25, Block M and Lots 1-12, Block N.
  - 5-ft. wide sight easements on Lot 40, Block L, Lots 3, 9, 10, 13, 21 and 27, Block M and Lots 1 and 12, Block N.
  - 20-ft. wide utility easements on Lots 20 and 21, and Lots 34 and 35, Block L.
  - 10-ft. wide utility easements along all street frontages.

5. The following exception to the Subdivision Ordinance requires this case to be forwarded to the City Council for approval:
  - Section 35-26 of the Subdivision Ordinance requires installation of drainage channels of reinforced concrete pipe or concrete lining. The applicant is proposing to leave an open drainage channel in its natural state within an open space lot. The channel will be owned and maintained by the homeowners association.
6. The plat complies with all other requirements of the Subdivision Ordinance and the approved zoning.

**Recommendation**

The resolution be approved.

**19 Resolution - Approving Sign Variance Case #S1702-0013 to Allow the Installation of Four Directional Signs that Exceed the Height and Area Requirements - Property Located at 351 Phelps Drive - Kimberly-Clark Corporation., Applicant/Owner**

**Administrative Comments**

1. This item supports Strategic Objective 3.5 – Effectively plan and manage land use.
2. **Impact:** Approval of this sign variance will allow four (4) new directional signs with variances to height and area requirements.
3. The subject property is zoned PUD (Planned Unit Development) and S-P-1 (Detailed Site Plan) for C-O (Commercial Office) uses, and is Kimberly-Clark’s World Headquarters. The property has two entrances on Phelps Drive which dead-ends past the second entrance.
4. The applicant is requesting a variance to have directional signs 4 feet in height and a maximum area of 20 square feet. The sign ordinance limits directional signs to not exceed 5 square feet in area, and not to exceed a height of 2 ½ feet from the ground or top of curb, whichever provides the greatest visibility, to the top of the sign.
5. Three of the four signs are internal to the parking lot, with the fourth sign placed near the second entrance on Phelps Drive. The applicant states that the signs will be below sight lines, would not obstruct or take away from neighboring properties, would enhance the legacy signs currently in place, and enhance safety by clearly directing global visitors and truck deliveries to correct site entrances. In addition, the applicant states that the enhanced signage will help way-finding and the corporate brand as the signs would “reach a balance between city requirements and what Kimberly-Clark Corporate identity recommends for global brand standards (which are larger).”

6. The directional sign cabinets will have a base clad in limestone to match the existing stone at the entry and on monument sign walls. Sign cabinets will be painted bronze to coordinate with graphics on the monument sign walls.
7. Since the signs are located within the interior of the campus site, will not affect sight visibility, and will not impact surrounding properties, staff can support this request.

### **Recommendation**

The resolution be approved.

## **ZONING CASES AND COMPANION ITEMS**

- 20 Ordinance - Zoning Case #ZC16-0086 - 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) Uses - Approximately 2.05 Acres Located at the Northwest Corner of Regent Boulevard and Springwood Drive - Adams Hill, LLC, Applicant - Stampede Crossing, LTD, Owner.**

### **Administrative Comments**

1. The Planning and Zoning Commission Hearing Date and Recommendation: Favorable 8-0 (Commissioner Patel, absent), subject to minor corrections as directed by staff. The stipulation of the Planning and Zoning Commission has been met.
2. The 2008 Comprehensive Plan Future Land Use Map recommends *Commercial* uses for this property. This use is in conformance with the Comprehensive Plan.
3. The applicant is proposing a new *Whiskey Cake* restaurant and is requesting rezoning to allow the accessory use of the sale of alcoholic beverages for on-premises consumption.
4. The restaurant will have a total of 308 seats, including 231 indoor seats and a patio with 77 seats. A total of 123 parking spaces are required at one space per 2.5 seats. The applicant is providing 152 total parking spaces. An additional 171 spaces are shown in the gray area on the site plan and can be built with the restaurant, provided that the property is not replatted prior to the construction of the second building.
5. The restaurant's building design is reflective of a repurposed warehouse. Exterior materials include primarily brick, board-formed concrete and Cypress wood with a clear sealer finish. While the use of wood represents a variance from the Commercial Design standards, the use of wood has been approved for certain restaurants in a limited capacity to maintain a restaurant's theme.



6. A cross-access easement and cross-parking easement will be provided between the Whiskey Cake site and the adjacent future restaurant site, and is noted on the site plan that this shall be required on the final plat.
7. An outdoor patio is located on the east side of the restaurant and is not near any residential uses.
8. The request meets all of the requirements of the R-AB ordinance.
9. A total of five (5) public notices were mailed. Staff did not receive any responses in support or in opposition to 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.

**21 Ordinance - Zoning Case #ZC16-0109 - Granting S-P-2 (Generalized Site Plan) for R-6 (Single Family) Uses - Approximately 43.48 Acres Located South of Belt Line Road and East of South Northlake Road - Kimley-Horn & Associates, Inc., Applicant - Billingsley Yorkshire Partners, LTD, Town Center of Austin Ranch No. 1, Inc., Henry Land, LTD, and Thomas Wesley Dailey, Owners.**

**Administrative Comments**

1. The Planning and Zoning Commission Hearing Date and Recommendation: March 6, 2017 – Favorable 8-0 (Commissioner Patel, absent), subject to revising the site plan to remove “D)” in note 1 from the site plan. The stipulation of the Planning and Zoning Commission has been met.
2. The 2008 Comprehensive Plan Future Land Use Map recommends *Low Density Residential* uses for this property. This request is in conformance with the Comprehensive Plan.
3. The applicant is proposing to rezone the property to develop it with up to 203 single family homes with 12 common area lots with exceptions to the R-6 (Single Family) requirements.
4. A portion of the property was rezoned April 7, 2011 for single family uses and included one lot for religious uses. The remainder of the property is zoned R-40 (Single Family).
5. The following modifications to the R-6 (Single Family) district requirements are requested:

	Required	Provided
Minimum Lot Area	6,000 square feet	5,000 square feet
Minimum Lot Width	50 feet	40 feet at Cul-de-sacs, Elbows and Curved streets
Minimum Lot Depth	100 feet	90 feet
Rear Yard Setback	20 feet	5 feet
Front Yard Setback	25 feet	15 feet (22 feet to Garage)
Side Yard Setback on Corner Lots	20 feet	15 feet (22 feet to Garage)
Maximum Lot Coverage by Principal Building	40 percent	65 percent

6. While water and sewer utilities will be accessed from the south through the City of Irving, the only way to access the site is by S. Northlake Road, which is a City of Dallas street. The developer is aware of the issues with access to the property and has chosen to bring access through another city, rather than through the City of Irving.
7. Roadway issues are normally addressed during the platting process; however, the City of Irving has no jurisdiction over S. Northlake Road. Since the ability to develop the subject property at the requested density is dependent on improvements to S. Northlake Road and a second point of access "Street A" being first constructed and accepted by the City of Dallas, stipulations regarding S. Northlake Road and "Street A" are a zoning issue.
8. The Fire Code requires two points of access for a development with this many lots, that these roads be constructed to a standard acceptable to the City of Irving and the City of Dallas, and that they be built in a timely fashion. At the request of staff the applicant has added the following notes pertaining to the access:
  - Second point of access shall be a roadway able to support fire and emergency vehicles. The roadway shall be an extension of Street A and shall connect to Belt Line Road approximately 840 feet west of Northlake Road. The roadway may be realigned in the future depending on future site planning.
  - No building permits shall be issued for any habitable structures until Northlake Road and Street A have been constructed meeting the minimum standards of the City of Dallas and such construction of Northlake Road and

Street A has been accepted by the City of Dallas, and until such roads meet the City of Irving requirements for a second point of access.

- No utilities or other City of Irving services shall be provided to any property located outside the City of Irving city limits.
9. In addition to the notes regarding the access for services noted above, and the City's standard notes, the applicant has also noted the following on the site plan:
- Lots denoted with an \* are considered key lots and are subject to fence restrictions per Section 15-12 of the City's Land Development Code.
  - Corner lot side yard setback applies to all structures, including accessory buildings.
  - Two mini roundabouts shall be used as traffic calming features. They will be located at the Kingfisher/Otter intersection and the Wood Duck/Clear View intersection. The landscaping and irrigation within the roundabouts shall be maintained by the Homeowner's Association.
10. Eleven (11) open space lots will be located within the City of Irving. Part of the site was previously graded and filled. While a number of existing trees will be removed, the site plan stipulates that each residential lot shall have two (2) 4"-caliper trees prior to final inspection. This will result in a minimum of 406 new trees.
11. All other requirements of the R-6 district will be met. Platting will be required prior to development
12. The following departments have reviewed this site plan and can support this request, as related to each department's issues:
- Fire
  - Water Utilities
  - Traffic
  - Inspections
  - Solid Waste Services
  - CIP
13. A total of 21 public notices were mailed. Staff received four (4) responses in support and none in opposition to this item.
14. This item supports Objective 3.5 – Effectively plan and manage land use.

### **Recommendation**

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

**22 Ordinance - Zoning Case #ZC17-0002 - Granting S-P-1 (Detailed Site Plan) for C-C (Community Commercial) District Uses - Approximately 1.96 Acres Located at 2845 West Airport Freeway - Matthew King Architect, Applicant - Greenfield Partners LLC, Owner.**

**Administrative Comments**

1. The Planning and Zoning Commission Hearing and Recommendation: February 20, 2017 – Postpone to March 6, 2017 8-0 (Commissioner Richards, absent). March 6, 2017 – Favorable 8-0 (Commissioner Patel, absent).
2. The 2008 Comprehensive Plan Future Land Use Map recommends *State Highway 183 Redevelopment Corridor* uses. This request is in conformance with the Comprehensive Plan.
3. The applicant is seeking approval for outside dining in conjunction with a 2,741 square foot restaurant with drive-through lane.
4. The property is currently zoned C-C (Community Commercial) district, and is in Segment “C” of the State Highway 183 Overlay District, both of which allow the restaurant and drive-through lanes but do not allow outside dining by right.
5. This site was previously occupied by a building used for office and commercial services. The building was demolished as part of the Midtown Express project.
6. The proposed restaurant has limited outside dining, and the property is not adjacent to any residential uses. No other variances or exceptions are being requested.
7. Staff believes this will be a positive redevelopment of vacant property along the State Highway 183 corridor.
8. This case was postponed from the February 20th Planning and Zoning Commission meeting due to zoning sign not being posted. The sign has since been properly posted.
9. A total of five (5) public notices were mailed. Staff has not received any responses in support or in opposition to 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.

**23 Ordinance - Zoning Case #ZC17-0003 - Granting S-P-1 (Detailed Site Plan) for C-O (Commercial Office) Including Assisted Living Uses - Approximately 5.73 Acres Located at 2203 West Royal Lane - Palace at Park Central, LLC, Applicant/Owner.**

**Administrative Comments**

1. The Planning and Zoning Commission Hearing Date and Recommendation: March 6, 2017 – Favorable 8-0 (Commissioner Patel, absent), subject to the concept plan and zoning case becoming an S-P-1 Detailed Site Plan. The stipulation of the Planning and Zoning Commission has been met.
2. The 2008 Comprehensive Plan Future Land Use Map recommends *Office* uses for this property. This request is in conformance with the Comprehensive Plan.
3. The entire property is undeveloped and was rezoned December 9, 2004 to S-P-2 (Generalized Site Plan) for C-O (Commercial Office) uses. That zoning case excluded all of the nursing home, hospital, medical and dental lab uses.
4. The current owner wants to develop a 3.72-acre portion of the property with a rehabilitation hospital with an outpatient clinic and assisted living. The owner has not determined how the remaining two acres will be developed, but has included it to reinstate the medical uses for future development. Should they in the future wish to develop that portion with assisted living uses it will require the property to be rezoned to add the use.
5. The 3.72-acre portion of the site will be developed with a 65,000 square foot rehabilitation hospital with an outpatient clinic and assisted living component. The rehabilitation hospital will be 3-stories tall with 53,000 square feet; the outpatient clinic will be 1-story with 6,000 square feet, and the 1-story assisted living portion will be 6,000 square feet.
6. The facility will have a maximum of 42 hospital beds and 12 assisted living units. A total of 84 parking spaces will be provided, which is based on 1 space per bed for the rehabilitation hospital, 1 space per 200 square feet of floor area for the outpatient clinic and 1 space per unit for the assisted living component.
7. The applicant has included on the site plan the definition for an “Assisted Living Facility” and the city’s standard notes.
8. The following additional notes are provided on the site plan relative to the assisted living use:
  - Services provided will include assistance with bathing, dressing medication, meal preparation, or other functions, and may provide convenience services, such as meals, housekeeping, transportation, and community facilities, such as central dining rooms and activity rooms.
  - The facility will have a maximum of 12 assisted living units.
  - The parking ratio of the assisted living portion of the facility will be a minimum of

1 space per unit. All other uses permitted on the property must provide the parking at ratios required by the ordinance.

- The following amenities and/or services will be provided to all residents:
    - Physical therapy;
    - Cognitive therapy;
    - Speech therapy;
    - Medication management;
    - Community space for social interaction and recreational activities;
    - The residents will perform activities of daily living skills that will include light cooking and laundry;
9. The remaining 2.01 acres would allow hospital and medical uses, but not assisted living uses at this time.
10. A total of 12 public notices were mailed. Staff received no responses in support and 2 responses in opposition. The opposition represents 21.96% of the surrounding land within 200 feet of the subject property. Since this exceeds 20%, a  $\frac{3}{4}$ -vote is required for approval.
11. Since the applicant is only proposing to reinstate uses that are typically allowed under the C-O (Commercial Office) district with a limited assisted living component, will meet all other applicable ordinances for the landscaping, and will be limited to what is approved on the Detailed Site Plan, staff can support this case.
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.

**24 Ordinance - Zoning Case #ZC17-0005 - Granting C-C (Community Commercial) District Uses- Approximately 8,158 Square Feet Located at 2305 West Airport Freeway - D.E. Ritter, Architects, Applicant - Union Gospel Mission of Dallas, Inc., Owner.**

**Administrative Comments**

1. The Planning and Zoning Hearing Date and Recommendation: March 6, 2017 – Postpone to March 20, 2017 8-0 (Commissioner Patel, absent). The March 20, 2017 Commission recommendation will be provided to the City Council at the March 22, 2017 work session.
2. The 2008 Comprehensive Plan Future Land Use Map recommends *State Highway 183 Redevelopment Corridor* uses for this property. This request is in conformance with the Comprehensive Plan.
3. The City Council approved Ordinance No. 4560 (Zoning Case 84-3354) on November 8, 1984, rezoning this property from C-C (Community Commercial) district to 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) uses to allow the El Chico Restaurant the accessory use of the sale of alcoholic beverages for on-premises consumption.
4. The widening of State Highway 183 required the demolition of the former El Chico restaurant and on August 11, 2015 a permit was issued for a total demolition of the building and its parking lot. However the S-P-1 (R-AB) zoning remains in place until removed by a subsequent zoning case. A permit was issued for a parking lot to support the remaining retail center on February 2, 2017 and is awaiting completion of zoning case ZC17-0005 for final inspection.
5. Approval of this case would allow the property to revert to the previous zoning, which would allow the use of the site as a parking lot for the adjacent retail center.
6. This case was postponed from the March 6, 2017 Planning and Zoning Commission meeting due to the applicant's failure to appear.
7. A total of seven (7) public notices were mailed. Staff has not received any responses in support or in opposition to this request.
8. This item supports Strategic Objective 3.5 – Effectively plan and manage land use.

**Recommendation**

The ordinance be adopted.

**25 Ordinance - Zoning Case #ZC17-0011 - Granting C-O (Commercial Office) District Uses - Approximately 1.06 Acres Located at 2010 South MacArthur Boulevard - Mershawn Architects, Applicant - Great Corner Stone Fellowship Church, Owner.**

**Administrative Comments**

1. The Planning and Zoning Commission Hearing Date and Recommendation: March 20, 2017 – Pending. The recommendation of the Planning and Zoning Commission will be provided at the March 22 work session.
2. The 2008 Comprehensive Plan recommends *Office* uses for this property. This request is in conformance with the Comprehensive Plan.
3. The subject tract is zoned R-MF-2 (Multifamily) and was being developed several years ago for religious institution uses. The existing R-MF-2 (Multifamily) zoning on the property requires a 25-ft. rear yard setback. The foundation for the proposed building was mistakenly constructed with an encroachment into the required rear yard setback. The owner at the time intended to modify the foundation to allow construction to continue. The project was subsequently abandoned.
4. Another religious institution would like to utilize the existing foundation to construct a new facility. The requested C-O (Commercial Office) zoning district requires a 15-ft. rear yard setback, and would allow the foundation to remain in its current location and still meet the required rear yard setback.
5. A total of 106 public notices were mailed. Staff received no responses in support and no responses in opposition.
6. This item supports Strategic Objective 3.5 – Effectively plan and manage land use.

**Recommendation**

The ordinance be adopted.

## **APPOINTMENTS AND REPORTS**

**26 Mayor's Report**