



## **AGENDA**

### **REGULAR MEETING OF THE CITY COUNCIL**

**City of Garland  
Council Chambers, City Hall  
200 North Fifth Street  
Garland, Texas  
September 17, 2013  
7:00 p.m.**

The City Council extends to each visitor a sincere welcome. We value your interest in your community and your participation in the meetings of this governing body. Regular meetings of the City Council are held the 1st and 3rd Tuesdays of each month, beginning at 7:00 p.m.; the City Council meets regularly in work sessions at 6:00 p.m. the Monday preceding each regular meeting.

The Garland City Hall and Council Chambers are wheelchair accessible. Special parking is available on the north side of City Hall and the building may be accessed by a sloped ramp from the parking area to the door facing Fifth Street. Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services must contact the City Secretary's Office at (972) 205-2404 at least two working days prior to the meeting so that appropriate arrangements can be made. **BRILLE IS NOT AVAILABLE.**

### **CITY COUNCIL GOALS 2020**

- Sustainable quality development and redevelopment
- Financially stable government with tax base that supports community needs
- Embrace diversity
- Fully informed and engaged citizenry
- Consistent and safe delivery of reliable City services
- Safe, family-friendly neighborhoods
- Defends rightful powers of municipalities

## MAYORAL PROCLAMATIONS, RECOGNITIONS AND ANNOUNCEMENTS

The Mayor may present proclamations and recognize attendees or award winners, and may make announcements regarding upcoming City events and matters of interest to citizens. There will be no Council deliberations or votes on these matters.

## CONSENT AGENDA

All items under this section are recommended for approval by a single motion of Council, without discussion. Council has been briefed on these items at a previous work session and approval of the consent agenda authorizes the City Manager to implement each item. The Mayor will announce the agenda and provide an opportunity for members of the audience and the City Council to request that an item be removed and considered separately.

1. Consider approval of the minutes of the August 29, 2013 Special Meeting and September 3, 2013 Regular Meeting.
  
2. Consider approval of the following bids:

a. **Overhead Transmission Line Construction** **Bid No. 3717-13**

|                             |                              |
|-----------------------------|------------------------------|
| <b>Chapman Construction</b> | <b>\$1,485,155.25</b>        |
| <b>Optional Contingency</b> | <b><u>148,515.75</u></b>     |
| <b>TOTAL</b>                | <b><u>\$1,633,671.00</u></b> |

*This request is to provide all labor and equipment necessary for the construction of a second transmission line circuit for the Denton 138kV Loop, Phase 2. Due to the complex nature of the project an optional contingency is included for unforeseen additional material or labor that may be required.*

**b. Northwest Highway Paving and Reconstruction** **Bid No. 3720-13**

**Tiseo Paving Co.** **\$5,335,525.19**

*This request is to provide for the removal of approximately 6,086 linear feet of Northwest Highway from Centerville Road to La Prada and reconstruction of a three-lane, divided thoroughfare with associated pavement markings, sidewalks, drainage, water, sanitary sewer, street light conduit, street light foundations, irrigations, and landscaping improvements in medians and parkways. Funding for this project was approved in the 2013 Capital Improvement Program.*

**c. Crushed Limestone Surfacing Rock** **Bid No. 3766-13**

**David Copeland Sand Gravel, Inc** **\$109,200.00**

*This request is to provide crushed limestone as the surfacing rock for the Garland Power and Light Substation located in Nevada, Texas. Funding for the project was approved in the 2013 Capital Improvement Program.*

**3. Public hearings were previously conducted for the following zoning cases. Council approved the requests and instructed staff to bring forth the following ordinances for consideration.**

**a. Zoning File No. 13-22, Oak Ridge Investments**

*Consider an ordinance amending the zoning laws of the City of Garland, by approving a change in zoning from Agricultural (AG) District to a Planned Development (PD) District for Single Family Uses and a Detail Plan for Single-Family Homes on a 28.28-acre tract of land located northwest of the intersection of West Campbell Road and Callejo Road.*

**b. Zoning File No. 13-26, Oaks Properties, LLC**

*Consider an ordinance amending the zoning laws of the City of Garland, by approving a change in zoning from Central Area 1(CA-1) District to Planned Development (PD) District for Central Area 1 (CA-1) Uses and a Detail Plan for Multi-Family on 1.76-acre and 0.162-acre tracts of land located southeast of the intersection of Austin Street and North Fifth Street and 203 North fifth Street, west of North Fifth Street and north of State Street.*

**c. Zoning File No. 13-30, Hutton Growth One, LLC**

*Consider an ordinance amending the zoning laws of the City of Garland, by approving a Detail Plan for Retail Sales/Personal Services, on a 1.033-acre tract of land zoned Planned Development (PD) District 99-04 for Shopping Center Uses and in the SH 190 Overlay located at 5550 Lavon Drive.*

**d. Zoning File No. 13-31, RaceTrac**

*Consider an ordinance amending the zoning laws of the City of Garland, by approving an amendment to the Planned Development (PD) District 12-28 for Shopping Center Uses, a Detail Plan and a Specific Use Permit on a 6.6-acre tract of land located at 3401 South Garland Avenue, west of South Garland Avenue, east of South Shiloh Road, and north of McCree Road.*

**e. Zoning File No. Mitchell Planning Group, LLC**

*Consider an ordinance amending the zoning laws of the City of Garland, by approving an amendment to the Planned Development (PD) District 09-20 for Freeway Uses and an amended Concept Plan on a 24.5-acre tract of land located south of IH 30, west of Broadway Boulevard.*

**4. Consider approval by minute action the reappointment of Ben Williamson as the point of contact for the National Incident Management System.**

*At the September 3, 2013 Work Session, Council considered appointing Ben Williamson, Senior Emergency Management Specialist in the Office of Emergency Management, as the point of contact for the National Incident Management System (NIMS) implementation/maintenance for the City of Garland. The NIMS has annual implementation requirements which are reported to the Federal Emergency Management Agency. One of these requirements is for jurisdictions to appoint a NIMS point of contact who is responsible for coordinating NIMS implementation and reporting within the jurisdiction.*

5. **Consider approval by minute action authorizing the City Manager, or his representative, to execute Change Order No. 1 to BL 05289 GP&L Asbestos Abatement in the amount of \$60,245.30 (a 63% increase) to provide for the additional insulation requirements. The BL 05289 original amount of \$95,000 will be increased to \$155,245.30.**

*This item was scheduled for consideration at the September 17, 2013 Work Session. Council is requested to consider authorizing Change Order No. 1 to BL 05289 in the amount of \$60,245.30 (a 63% increase) with Intercon Environmental for unforeseen failed expansion joint damages and turbine re-insulation which resulted in an increased insulation need.*

6. **Consider a resolution rescheduling the October 1, 2013 Regular Meeting of the City Council to October 2, 2013.**

*At the September 3, 2013 Work Session, Council considered rescheduling the October 1, 2013 Regular Meeting to October 2, 2013 in order to allow the Mayor and Council Members the opportunity to participate in local National Night Out activities in the community.*

7. **Consider approval by minute action the execution of a consulting services agreement with Focused Advocacy for a term of two years.**

*At the August 19, 2013 Work Session Council considered authorizing a consulting services agreement with Focused Advocacy, an Austin-based governmental affairs consulting group. The group provides governmental affairs support of legislative and regulatory matters specific to GP&L, including those issues relating to TMPA. The City has previously retained the group on a year-to-year basis. The current agreement ended in August.*

8. **Consider approval by minute action authorizing the Mayor and City Secretary to enter into a joint Election Services Agreement/Contract providing election services for the November 5, 2013 Special Election between and among the City of Garland, Dallas County, and other participating political subdivisions for an amount not to exceed \$60,000.**

*This item was scheduled for consideration at the September 17, 2013 Work Session. It is necessary to enter into a Joint Election Service Agreement and Contract to secure election services for the November 5, 2013 Special Election between and among the City of Garland, Dallas County, and other participating Dallas County political subdivisions.*

9. **Consider approval by minute action authorizing the Mayor and City Secretary to enter into an Election Services Contract providing election services for the November 5, 2013 Special Election between the City of Garland and Collin County Elections for an amount not to exceed \$5,000.**

*This item was scheduled for consideration at the September 17, 2013 Work Session. Texas Election Code §42.002 and §42.062 require that political subdivisions holding an election on the November uniform election date must use county election precincts and polling places. Therefore, it is necessary to contract with Collin County Elections in addition to Dallas County Elections to secure election services for all Garland registered voters for the November 5, 2013 Special Election.*

## **ITEMS FOR INDIVIDUAL CONSIDERATION**

### **Speaker Regulations:**

**Anyone wishing to speak for, against, or on agenda items must fill out a speaker card and give it to the City Secretary before speaking (cards located at the entrance to the Council Chambers). The Mayor will recognize speakers; he may impose a time limit and may provide for rebuttal. All comments and testimony are to be presented from the podium.**

10. **Hold a public hearing to receive citizen input regarding modifications to Chapter 32 as it relates to junked motor vehicle regulations and consider an ordinance amending Chapter 32, "Neighborhood Sanitation and Housing Services", of the Code of Ordinances of the City of Garland.**

*This item was considered at the September 3, 2013 Work Session. The current definitions in Chapter 32 of junked vehicles do not include trailers. Staff proposes changing Section 32.81 and Section 32.82 to include the terms "trailer" and "junked trailer."*

11. **Hold a public hearing to receive citizen input regarding parking restrictions and consider an ordinance amending Chapter 33, "Transportation" and Chapter 24, "Municipal Court and Administration Adjudication" of the Code of Ordinances of the City of Garland.**

*This item was considered at the September 3, 2013 Work Session. This new section will restrict any portion of a vehicle parked on the street from extending more than 102 inches into the street from the curb face or edge of pavement.*

12. **Hold public hearings on the following zoning cases:**

- a. **Consider the application of Discount Tire Company, requesting approval of 1) a Detail Plan and 2) a Specific Use Permit for Tire Dealer, No Outside Storage on a property zoned Planned Development (PD) District 06-37 for Freeway Uses and in the IH 635 Overlay District. The property is located at 1500 Eastgate Drive. (File 13-33)**

*The proposal is to develop the subject property with a Discount Tire Store. At the August 26, 2013 meeting, the Plan Commission recommended approval per staff recommendation.*

- b. **Consider the application of Joann Tran, requesting approval of 1) an amendment to Planned Development (PD) District 74-65 for Townhouse Uses and 2) an amended Detail Plan. This property is located at 2100 Windy Drive, north of Stoneleigh Drive and east of Windy Drive. (File 13-34)**

*The proposal is to allow the existing clubhouse to be occupied as a single family home. At the August 26, 2013 meeting, the Plan Commission recommended approval per staff recommendation.*

- c. **Consider the application of Loveth/Tony, requesting approval of a Specific Use Permit for a Reception Facility on property zoned Shopping Center (SC) District. The property is located at 219 West Kingsley Road, Suite 322. (File 13-36)**

*The proposal is for approval of the existing reception facility to continue operating from Suite 322 under a new ownership. At the August 26, 2013 meeting, the Plan Commission recommended approval per staff recommendation.*

- d. Consider the application of Willis Early Learning Center, requesting approval of a Specific Use Permit for a Kindergarten, Preschool, or Child Care Center on property zoned Single Family (SF-7) District. The property is located at 2600 Broadway Boulevard. (File 13-37)**

*The proposal is to operate a daycare within an existing church building. At the August 26, 2013 Plan Commission recommended approval per staff recommendation.*

**13. Consider appointments to Boards and Commissions.**

*Board members are selected for two-year terms by the City Council in August. Terms are usually staggered whereby at least half of the membership has board experience. Board members are appointed based on qualifications.*

*Al Kraft – Housing Standards Board (Athas)  
Bruce Austin – Board of Adjustment (Dodson)  
Fran Grove Brown – CENAC (Dodson)  
Barbara Chick – Library Board (Dodson)  
Gregory Davis – Parks and Recreation Board (Dodson)  
Ricardo Roche – Community Multicultural Commission (Dodson)  
Myron Craig Wright – Garland Cultural Arts Commission (Dodson)*

**14. Citizen comments.**

*Persons wishing to address issues not on the agenda may have three minutes to address Council at this time. Council is prohibited from discussing any item not posted according to the Texas Open Meetings Act.*

**15. Adjourn.**

*All Regular Council meetings are broadcast live on CGTV, Time Warner Cable Channel 16, and Verizon FIOS TV 44. Meetings are rebroadcast at 9:00 a.m. and 7:00 p.m. on Wednesday-Sunday and at 7:30 p.m. on Thursday. Live streaming and on-demand videos of the meetings are also available online at [www.garlandtx.gov](http://www.garlandtx.gov). Copies of the meetings can be purchased through the City Secretary's Office – audio CD's are \$1 each and DVD's are \$3 each.*

The City Council of the City of Garland, Texas convened in special session at 7:00 PM on Thursday, August 29, 2013, in the Council Chambers at City Hall with the following members present:

|               |                       |
|---------------|-----------------------|
| Mayor         | Douglas Athas         |
| Councilmember | Marvin 'Tim' Campbell |
| Councilmember | Anita Goebel          |
| Councilmember | B.J. Williams         |
| Councilmember | John Willis           |
| Councilmember | Scott LeMay           |
| Councilmember | Jim Cahill            |

|                |               |                     |
|----------------|---------------|---------------------|
| MEMBERS ABSENT | Mayor Pro Tem | Lori Barnett Dodson |
|                | Councilmember | Stephen W. Stanley  |

|                |                |                   |
|----------------|----------------|-------------------|
| STAFF PRESENT: | City Manager   | William E. Dollar |
|                | City Attorney  | Brad Neighbor     |
|                | City Secretary | Lisa Palomba      |

CALL TO ORDER: The meeting was called to order by Mayor Douglas Athas.

1. HELD Mayor Athas opened the public hearing to accept public comment for or against any items contained in the FY 2013-2014 Proposed Budget. No one spoke during the hearing. Mayor Athas closed the public hearing.

2. HELD Mayor Athas opened the public hearing to accept public comment regarding the FY 2013-2014 Proposed Tax Rate. No one spoke during the public hearing. Mayor Athas closed the public hearing.

There being no further business to come before the City Council, Mayor Athas adjourned the meeting at 7:02 p.m.

CITY OF GARLAND

Signed:

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Mayor

Attest:

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City Secretary

The City Council of the City of Garland, Texas convened in regular session at 7:00 PM on Tuesday, September 3, 2013, in the Council Chambers at City Hall with the following members present:

|               |                       |
|---------------|-----------------------|
| Mayor         | Douglas Athas         |
| Mayor Pro Tem | Lori Barnett Dodson   |
| Councilmember | Marvin 'Tim' Campbell |
| Councilmember | Anita Goebel          |
| Councilmember | Stephen W. Stanley    |
| Councilmember | B.J. Williams         |
| Councilmember | John Willis           |
| Councilmember | Scott LeMay           |
| Councilmember | Jim Cahill            |

|                |                     |                   |
|----------------|---------------------|-------------------|
| STAFF PRESENT: | City Manager        | William E. Dollar |
|                | City Attorney       | Brad Neighbor     |
|                | Recording Secretary | Courtney Vanover  |

CALL TO ORDER: The meeting was called to order by Mayor Douglas Athas. District 4 Councilman Williams led the Invocation and Pledge of Allegiance.

ANNOUNCEMENTS: Mayor Athas commented on the following: 1) The H-2-0 5K is scheduled for Saturday, Sept. 21 as part of Garland's Healthy Living Expo; 2) Garland's annual Neighborhood Summit; and 3) The Landmark Museum Depot is tentatively scheduled to move to the Walnut Pedestrian Corridor September 5, 2013.

CONSENT AGENDA: All items marked with asterisks (\*\*) on the Consent Agenda were voted on in a single motion at the beginning of the meeting. A motion was made by Councilman Williams, seconded by Councilman Willis, to approve Items: 1, 2, 3a, 3b, 4, 5, 6, 7, 8, and 9. A vote was cast and the motion carried with 9 Ayes; 0 Nays.

1. APPROVED\*\* City Council minutes of the August 20, 2013 Regular Meeting.

2. APPROVED\*\* Award of Bid No. 3686-13 to Lexington Insurance Company in the amount of \$676,669.50; Travelers Property Casualty Company in the amount of \$501,287; Genesis in the amount of \$455,115; and Safety National in the amount of \$179,433 for a total award of \$1,812,544.50 to secure commercial property insurance coverage for City buildings, contents and appropriate infrastructure; insurance coverage for City boilers and machinery; excess insurance for auto, general, law enforcement, and public safety liability exposures; and excess workers compensation insurance.

- 3a. APPROVED\*\* Ordinance No. 6635 amending the zoning laws of the City of Garland, by approving a Specific Use Permit for a Kindergarten, Preschool or Childcare Center on a 10.321-acre tract of land zoned Planned Development (PD) District 69-31 for General Business Uses Located at 1430 Northwest Highway. (Zoning File No. 13-24, Stella Aluko)
- 3b. APPROVED\*\* Ordinance No. 6636 amending the zoning laws of the City of Garland, by approving a Specific Use Permit for a Charter School on property zoned Single-Family-7 (SF-7/E/3) District on a 20.5-acre tract of land located at 2302 Firewheel Parkway. (Zoning File No. 13-29, Cosmo Foundation)
4. APPROVED\*\* Approve by minute action the reappointment of Dr. Timothy Lambert for a two-year term as Garland Health Officer.
5. APPROVED\*\* Approve by minute action revisions to City Council Policy No. OPNS-05, Council Travel and Business Expense.
6. APPROVED\*\* Approve by minute action authorizing the City Manager to execute an Engineering Services Agreement with Black & Veatch for an amount not to exceed \$108,900.
7. APPROVED\*\* Approve by minute action authorizing the City Manager to execute an Engineering Services Agreement with R-Delta Engineers, Inc. for an amount not to exceed \$210,000.
8. APPROVED\*\* Resolution No. 10119 authorizing the City Manager to accept a State of Texas Department of Transportation (TxDOT) Selective Traffic Enforcement Program (STEP) Grant for FY 2013-2014 in the amount of \$457,362.09.
9. APPROVED\*\* Ordinance No. 6637 amending the Tax Roll of the City of Garland.

ITEMS FOR INDIVIDUAL CONSIDERATION:

- 10a. HELD & APPROVED Director of Planning Anita Russelmann provided background information regarding the application Hutton Growth One, LLC, requesting approval of a Detail Plan for Retail Sales/Personal Service on property zoned Planned Development (PD) District 99-04 for Shopping Center Uses within the SH190 Overlay. The property is located at 5550 Lavon Drive. (File 13-30) The proposal is for approval of a

Detail Plan to develop the subject property with an O'Reilly Auto Parts store.

Mayor Athas opened the public hearing to accept public input. Frank Youmans, Hutton Growth One, LLC, provided information. No other persons spoke during the public hearing.

Councilman Campbell, seconded by Councilwoman Goebel, made a motion to close the public hearing and to approve the request as recommended by the Planning Commission. Staff will bring forth an ordinance for formal consideration at a future meeting. A vote was cast and the motion to approve carried with 9 ayes, 0 nays.

**10b. HELD & APPROVED** Director of Planning Anita Russelmann provided background information regarding the application of RaceTrac, requesting approval of 1) an amendment to Planned Development (PD) District 12-28 for Shopping Center Uses, 2) a Detail Plan and 3) a Specific Use Permit for Retail Sales with Gas. The property is located at 3401 S. Garland Road. (File 13-31) The proposal is for approval of an amendment to Planned Development (PD) District 12-28 including the Detail Plan and Specific Use Permit to change the layout of the previously approved RaceTrac gas station, and revise the elevations, landscape plan and signage.

Mayor Athas opened the public hearing to accept public input. Dean Cunningham and Mark Housewright, representing the applicant, spoke during the hearing.

Councilman Willis made a motion, seconded by Councilman Stanley, to close the public hearing and approve the application as recommended by the Plan Commission. Staff will bring forth an ordinance for formal approval at a future meeting. A vote was cast and the motion to approve carried with 9 ayes, 0 nays.

**10c. HELD & APPROVED** Director of Planning Anita Russelmann provided background information regarding the application Mitchell Planning Group, LLC, requesting approval of 1) an amendment to Planned Development (PD) District 09-20 for Freeway Uses and 2) an amended Concept Plan. The property is located south of IH30, west of Broadway Boulevard. (File 13-32) The proposal is for approval of an amendment to Planned Development (PD) District 09-20 to revise the allowable uses on a portion of the subject property.

Mayor Athas opened the public hearing to accept public input. Karen Mitchell, representing Mitchell Planning Group spoke on behalf of the applicant. No other person spoke during the public hearing.

Councilman Williams made a motion, seconded by Councilwoman Goebel, to close the public hearing and approve the application as recommended by the Plan Commission. Staff will bring forth an ordinance for formal approval at a future meeting. A vote was cast and the motion to approve carried with 9 ayes, 0 nays.

10d. HELD & APPROVED Director of Planning Anita Russelmann provided background information regarding the application of Oak Ridge Investments, requesting approval of 1) a change in zoning from Agriculture (AG) District to Planned Development (PD) District for Single Family Uses, 2) a Detail Plan for approximately 43 single family homes and 3) a waiver to Section 31.27 of the Code of Ordinances regarding the requirement of alleys. The property is located northwest of the intersection of West Campbell Road and Callejo Road. (File 13-22) The proposal is for approval of a change in zoning to allow for the development of a residential subdivision with approximately 43 single family homes with a minimum lot size of 5,500 square feet.

Mayor Athas opened the public hearing to accept public input. The following persons provided public comment in favor of the request: Richard Ferrara spoke representing the applicant. The following persons spoke in opposition to the request: Lori Scaglione; Polly Whittle; Jeff Whittle; Christie Gard; Kelly Reynolds; Don Ingram; Jillian Bliss; Jeanne Thoes; Dennis Von Fossen; Andrew McElyia; Lynn Corey; and Christy McLeod. The following persons registered a position against the request: Melanie Davis; Tony Thoes; Laralee Van Fossen; Holly McCoy; Laura Burke; Haley Burke; Roger Burke; Nike Seeber; James Barron; Nancy Files; Bailey Brown; Denise Turnbull; Frederic Mann; Alicia Morrison; Amy Giselle; Paula Bliss; Easton Sinclair; Sophie Barron; Jan Strakele; Cathy White; Laura Campbell; Wanda Mann; Marlene Christensen; Melanie Willett; Lisa Morrison; Linda Brunson; Jenny Peterson; Ellie Peterson; Jan Kelley; Anna Srakele; Sarah Lamar; Emily Truong; Mary Crow Miller; Taylor Henigsman; Chloe Files; Susan Rodder; Emily Morrison; Anne Kniffen; Sarah Bruyere; Ron Sullivan Jo El Sullivan; April Miller; Jon Jones; Frank Seeber; Margie Morgan; Mike Foley; Linda

Gibbons; Sidney Gibbons; Mary Beth Travis; Alana Harrison; Tricia Harrison; Suzanne Andrews; Linda Dewan; Mary Lamar; Laura Henigsmann; Julie Nullve; Anthony Moore; Jay Volk; and Jeff Poole.

Discussion was held among councilmembers. Councilman Campbell made a motion, seconded by Councilmeman Willis, to approve the request as recommended by staff. A vote was cast and the motion carried with 5 ayes, 4 nays (Athas, Williams, Dodson, LeMay)

11. HELD

Mayor Athas opened the public hearing to receive input regarding the 2013-2014 Proposed Budget and Tax Rate. No one spoke during the public hearing. Mayor Athas closed the public hearing.

12. APPROVED

Ordinance No. 6638 fixing the tax rate and tax levy for the City of Garland for Fiscal Year 2013-2014 upon all taxable property in the City of Garland in conformity with the laws of the State of Texas and the Charter provisions and ordinances of the City of Garland; repealing all ordinances, or parts of ordinances, in conflict therewith.

Councilman Stanley made a motion, "Mayor, I move that the property tax rate be increased by the adoption of a tax rate of 70.46 cents per \$100 of valuation, which is effectively four hundredths of a percent increase in the tax rate." and, "Mayor I move first that the rate for debt service be approved in the amount of thirty-one and six hundreds of a cent." Mayor Pro Tem Dodson seconded the motion. A vote was cast and the motion carried with 9 ayes, 0 nays.

A second motion was made by Councilman Stanley, "I move now that the rate for maintenance and operations be approved in the amount of thirty-nine and forty hundredths of a cent." Mayor Pro Tem Dodson seconded the motion. A vote was cast and the motion carried with 9 ayes, 0 nays.

13. APPROVED

Ordinance No. 6639 adopting the budget for Fiscal Year 2013-2014, providing budgetary appropriations for the various funds of the City, amending the current budget as revised, and authorizing the City Manager to make adjustments.

Mayor Pro Tem Dodson made a motion, "Mayor, I move to ratify the property tax rate reflected in this budget." Mayor Pro

tem Dodson seconded the motion. A vote was cast and the motion carried with 9 ayes, 0 nays.

Mayor Pro Tem Dodson made a motion, “I move to approve the budget as submitted.” Councilman Cahill seconded the motion.

Councilman Willis made a motion, seconded by Councilman Cahill, to amend the budget by providing \$10,000 to the Landmark Historical Preservation Society Museum in support of their mission of preserving and conserving local Garland history. A vote was cast and the amendment failed with 4 ayes, and 5 nays (Athas, Campbell, Goebel, Stanley, Dodson).

A vote was cast on the original motion. The motion carried with 9 ayes, 0 nays.

14. APPROVED

Mayor Pro Tem Dodson made a motion, seconded by Councilman LeMay, to approve Ordinance No. 6640 amending various sections of Chapter 50, “Utility Rates and Fees” of the code of Ordinances of the City of Garland, relating to fees charged for various services provided by the City. A vote was cast and the motion carried with 9 ayes, 0 nays.

15. APPROVED

Mayor Pro Tem Dodson made a motion, seconded by Councilman Stanley, to approve Ordinance No. 6641 amending various sections of the code of Ordinances of the City of Garland relating to fees for various services provided by the City. A vote was cast and the motion carried with 9 ayes, 0 nays.

16. APPROVED

Mayor Pro Tem Dodson made a motion, seconded by Councilman Williams, to approve Ordinance No. 6642 establishing Civil Service classifications within the Police and Fire Departments; prescribing the number of positions in each classification; prescribing the base salary and types of pay for those classifications. A vote was cast and the motion carried with 9 ayes, 0 nays.

17. APPOINTMENTS

The following names were placed in nomination:

Preston Edwards – South TIF (Athas)

Reta Day – Garland Cultural Arts Commission (Stanley)

Jerry DeFeo – Board of Adjustment (Stanley)

Marcie Adame – Community Multicultural Commission (LeMay)

Terri Chepregi – Library Board (LeMay)

Rick Johnson – Downtown TIF (Cahill)  
Christopher Ott – Plan Commission (Cahill)

A vote was cast and the nominations carried with 9 ayes, 0 nays.

18. CITIZEN COMMENTS No citizen comments.

There being no further business to come before the City Council, Mayor Athas adjourned the meeting at 10:20 p.m.

CITY OF GARLAND

Signed:

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Secretary



## Purchasing Report

### OVERHEAD TRANSMISSION LINE CONSTRUCTION OPEN MARKET

**PURCHASE JUSTIFICATION:**

The purpose of this contract is to provide all labor and equipment necessary for the construction of a second transmission line circuit for the Denton 138 kV Loop, Phase 2. Due to the complex nature of the project, an optional contingency is included for unforeseen additional material or labor that may be required. Expenditures will not exceed appropriated funding.

**AWARD RECOMMENDATION:**

| <u>Vendor</u>        | <u>Item</u>   | <u>Amount</u>         |
|----------------------|---------------|-----------------------|
| Chapman Construction | All           | \$1,485,155.25        |
| Optional Contingency |               | 148,515.75            |
|                      | <b>TOTAL:</b> | <b>\$1,633,671.00</b> |

**BASIS FOR AWARD:**

**Best Value**

Submitted by:  
  
 Gary L. Holcomb, CPPO, C.P.M.  
 \_\_\_\_\_  
 Director of Purchasing

Reviewed by:  
  
 William E. Dollar  
 \_\_\_\_\_  
 City Manager

Date: 09/06/13

Date: 09/10/13

| <b><u>FINANCIAL SUMMARY:</u></b>              |   |
|---|---|
| Total Project/Account: \$ <u>2,500,000</u>    | Operating Budget: <input type="checkbox"/> CIP: <input checked="" type="checkbox"/> Year: <u>2013</u>   |
| Expended/Encumbered to Date: <u>262,242</u>   | Document Location: <u>Page E01</u>  |
| Balance: \$ <u>2,237,758</u>                  | Account #: 215-3542-3141501-7011<br>(EC-T5414-001-1-7111)   |
| This Item: <u>1,633,671</u>                   | Fund/Agency/Project – Description:<br>Electric CIP / Transmission Lines   |
| Proposed Balance: \$ <u>604,087</u>           | Comments: Contract provides for labor and equipment necessary for the construction of a second transmission line circuit for the Denton 138 kV Loop, Phase 2, and includes an optional contingency for additional labor or materials as required. |
| Trent Schulze 09/06/13<br>Budget Analyst Date |   |
| Ron Young 09/09/13<br>Budget Director Date    |   |

|  |  |  |                                    |                     |   |                              |
|--|--|--|------------------------------------|---------------------|---|------------------------------|
| <b>CITY OF GARLAND - BID RECAP SHEET</b><br>OPENED: 08/22/2013<br>REQ. NO. 31779<br>BID NO. 3717-13<br>PAGE: 1 of 2<br>BUYER: R.Berger |  |  | Chapman<br>Construction<br>Co., LP | Team Power<br>Group | Great<br>Southwestern<br>Construction, Inc. | American<br>Site<br>Builders |
|--|--|--|------------------------------------|---------------------|---|------------------------------|

| ITEM              | QTY | UNIT | DESCRIPTION              | UNIT PRICE    | TOTAL          | UNIT PRICE | TOTAL          | UNIT PRICE | TOTAL          | UNIT PRICE | TOTAL          |
|-------------------|-----|------|--------------------------|---------------|----------------|------------|----------------|------------|----------------|------------|----------------|
| 1                 | 1   | lot  | Bid Price for Evaluation |               | \$1,485,155.25 |            | \$1,621,337.28 |            | \$2,002,812.91 |            | \$2,070,556.85 |
|                   |     |      | Evaluation Criteria:     |               |                |            |                |            |                |            |                |
|                   |     |      | Price                    | Maximum = 40  | 40             | 36         |                | 26         |                | 24         |                |
|                   |     |      | Experience               | Maximum = 30  | 30             | 30         |                | 30         |                | 27         |                |
|                   |     |      | Primary Contractor       | Maximum = 20  | 17             | 15         |                | 16         |                | 20         |                |
|                   |     |      | Safety and Training      | Maximum = 5   | 5              | 5          |                | 5          |                | 5          |                |
|                   |     |      | Past Relationship        | Maximum = 5   | 5              | 0          |                | 5          |                | 0          |                |
|                   |     |      | Total Score:             | Maximum = 100 | 97             | 86         |                | 82         |                | 76         |                |
| TOTAL GROSS PRICE |     |      |                          |               | \$1,485,155.25 |            | \$1,621,337.28 |            | \$2,002,812.91 |            | \$2,070,556.85 |
| CASH DISCOUNT     |     |      |                          |               |                |            |                |            |                |            |                |
| TOTAL NET PRICE   |     |      |                          |               |                |            |                |            |                |            |                |
| F.O.B.            |     |      |                          |               | DELIVERED      |            | DELIVERED      |            | DELIVERED      |            | DELIVERED      |
| DELIVERY          |     |      |                          |               |                |            |                |            |                |            |                |

**NEXT LOW:** \$1,621,337.28  
**LOW:** \$1,485,155.25  
**SAVINGS:** \$136,182.03

777 # BidSync Notifications  
 20 # BidSync HUBS  
 8 # Direct Contact HUBS  
 0 # HUBS Responded

All bids submitted for the designated project are reflected on this bid tab sheet. However, the listing of a bid on this sheet should not be construed as a comment on the responsiveness of such bid or as any indication that the city accepts such bid as responsive. The City will notify the successful bidder upon award of the contract and, according to the law, all bids received will be available for inspection at that time.



# **GARLAND**

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## **PURCHASING**

### **Executive Summary** **Bid 3717-13** **Overhead Transmission Line Construction**

**Recommended Vendor:**

Chapman Construction

**Total Recommended Award:**

\$1,633,671.00

**Basis for Award:**

Best Value

**Purpose:**

The purpose of this bid is to provide all labor and equipment associated with the installation of a second transmission line circuit and OPGW for the Denton 138kV Loop Phase 2.

**Evaluation:**

A request for bids was issued per Purchasing procedures. Eight (8) bids were received and evaluated based on price, experience with similar projects in the electrical industry, percentage of work completed by the primary contractor, established safety training program and past relationship with the City of Garland. Chapman Construction received the highest evaluated score offering the best value to the City. Chapman Construction also submitted the lowest overall bid.

**Recommendation:**

Staff recommends awarding the contract to Chapman Construction as the best value provider meeting all requirements of the specification.

**Funding Information:**

CIP Account 215-3542-3141501-7111 (EC-T5415-001-1-7111)

**Department Director:**

Tommy Weathersbee, Interim Transmission & Distribution Director, 972-205-3532



## Purchasing Report

### NORTHWEST HIGHWAY PAVING AND RECONSTRUCTION OPEN MARKET

**PURCHASE JUSTIFICATION:**

This purchase is for the removal of approximately 6,086 linear feet of Northwest Highway from Centerville Road to La Prada Drive and reconstruction of a three-lane, divided thoroughfare with associated pavement markings, sidewalks, drainage, water, sanitary sewer, street light conduit, street light foundations, irrigation, and landscaping improvements in medians and parkways. Funding for this project was approved in the 2013 Capital Improvement Program.

**AWARD RECOMMENDATION:**

| <u>Vendor</u>    | <u>Item</u> | <u>Amount</u>         |
|------------------|-------------|-----------------------|
| Tiseo Paving Co. | All         | \$5,335,525.19        |
| <b>TOTAL:</b>    |             | <u>\$5,335,525.19</u> |

**BASIS FOR AWARD:**

**Straight Low Bid**

Submitted by:

Reviewed by:

Gary L. Holcomb, CPPO, C.P.M.  
\_\_\_\_\_  
Director of Purchasing

William E. Dollar  
\_\_\_\_\_  
City Manager

Date: 09/05/13

Date: 09/10/13

| <b><u>FINANCIAL SUMMARY:</u></b>                   |   |
|--|---|
| Total Project/Account: \$ <u>7,553,060</u>         | Operating Budget: <input type="checkbox"/> CIP: <input checked="" type="checkbox"/> Year: <u>2013</u>   |
| Expended/Encumbered to Date: <u>273,053</u>        | Document Location: <u>Pages ST17, W02, &amp; WW08</u>   |
| Balance: \$ <u>7,280,007</u>                       | Account #: 624-1409-1427904-9011 \$4,989,465<br>227-4049-3019100-9214 109,560<br>237-4149-3215700-9305 236,500  |
| This Item: <u>5,335,525</u>                        | Fund/Agency/Project – Description:<br>Street / Northwest Hwy. - Centerville to La Prada<br>Water / Distribution Lines (Up to 14-Inch)<br>Wastewater / Relocation of Mains Prior to Paving |
| Proposed Balance: \$ <u>1,944,482</u>              | Comments:   |
| Matt Watson <u>09/06/13</u><br>Budget Analyst Date |   |
| Ron Young <u>09/06/13</u><br>Budget Director Date  |   |

CITY OF GARLAND - BID RECAP SHEET  
 OPENED: 09/05/13  
 REQ. NO. PR 31789  
 BID NO. 3720-13  
 PAGE: 1 of 1  
 BUYER: T. Smith

Tiseo Paving Co.

Tricon Services, Inc.

McMahon Contracting

Quality Excavation

Lone Star Civil Construction, Inc.

Omega Contracting Inc.

| ITEM              | QTY | UNIT | DESCRIPTION  | UNIT PRICE     | TOTAL          |
|-------------------|-----|------|--|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|
| 1                 | 1   | Lt.  | Northwest Hwy. Reconstruction<br>Paving, Drainage and Sanitary<br>Sewer from Centerville Rd. to<br>La Prada Drive. | \$5,335,525.19 | \$5,335,525.19 | \$5,504,000.00 | \$5,504,000.00 | \$6,019,490.76 | \$6,019,490.76 | \$6,652,305.40 | \$6,652,305.40 | \$6,684,177.50 | \$6,684,177.50 | \$7,841,339.00 | \$7,841,339.00 |
| TOTAL GROSS PRICE |     |      |  | \$5,335,525.19 | \$5,335,525.19 | \$5,504,000.00 | \$5,504,000.00 | \$6,019,490.76 | \$6,019,490.76 | \$6,652,305.40 | \$6,652,305.40 | \$6,684,177.50 | \$6,684,177.50 | \$7,841,339.00 | \$7,841,339.00 |
| CASH DISCOUNT     |     |      |  |                |                |                |                |                |                |                |                |                |                |                |                |
| TOTAL NET PRICE   |     |      |  | \$5,335,525.19 | \$5,335,525.19 | \$5,504,000.00 | \$5,504,000.00 | \$6,019,490.76 | \$6,019,490.76 | \$6,652,305.40 | \$6,652,305.40 | \$6,684,177.50 | \$6,684,177.50 | \$7,841,339.00 | \$7,841,339.00 |
| F.O.B.            |     |      |  | DELIVERED      |
| DELIVERY          |     |      |  |                |                |                |                |                |                |                |                |                |                |                |                |

NEXT LOW: \$5,504,000.00  
 LOW: \$5,335,525.19  
 SAVINGS: \$168,474.81

3857 # BidSync Notifications  
 73 # BidSync HUBS  
 18 # Direct Contact HUBS  
 0 # HUBS Responded

All bids submitted for the designated project are reflected on this bid tab sheet. However, the listing of a bid on this sheet should not be construed as a comment on the responsiveness of such bid or as any indication that the city accepts such bid as responsive. The City will notify the successful bidder upon award of the contract and, according to the law, all bids received will be available for inspection at that time.



# **GARLAND**

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## **PURCHASING**

### **Executive Summary** **Bid 3720-13** **Northwest Highway Paving and Reconstruction**

**Recommended Vendor:**

Tiseo Paving Co.

**Total Recommended Award:**

\$5,335,525.19

**Basis for Award:**

Straight Low Bid

**Purpose:**

The purpose of this contract is to remove approximately 6,086 linear feet of Northwest Highway from Centerville Road to La Prada Drive and reconstruct to a three-lane, divided thoroughfare with associated pavement markings, sidewalks, drainage, water, sanitary sewer, street light conduit, street light foundations, irrigation and landscaping improvements in medians and parkways.

**Evaluation:**

Requests for bids were issued in accordance with Purchasing procedures. Six (6) bids were received and evaluated. Tiseo Paving Co. submitted the lowest bid and met all requirements of the specifications.

**Recommendation:**

Staff recommends awarding the project to Tiseo Paving Co.

**Funding Information:**

227-4049-3019100-9214, 237-4149-3215700-9305, 624-1409-1427904-9011

**Department Director:**

Michael C. Polocek, P.E., 972-205-2178



## Purchasing Report

### CRUSHED LIMESTONE SURFACING ROCK OPEN MARKET

**PURCHASE JUSTIFICATION:**

The purpose of this contract is to provide crushed limestone as the surfacing rock for the Garland Power and Light Substation located in Nevada, Texas. Funding for this project was approved in the 2013 Capital Improvement Program.

**AWARD RECOMMENDATION:**

| <u>Vendor</u>                    | <u>Item</u> | <u>Amount</u>       |
|----------------------------------|-------------|---------------------|
| David Copeland Sand Gravel, Inc. | All         | \$109,200.00        |
| <b>TOTAL:</b>                    |             | <u>\$109,200.00</u> |

**BASIS FOR AWARD:**

**Straight Low Bid**

Submitted by:

Reviewed by:

Gary L. Holcomb, CPPO, C.P.M.  
\_\_\_\_\_  
Director of Purchasing

William E. Dollar  
\_\_\_\_\_  
City Manager

Date: 09/05/13

Date: 09/10/13

| <b><u>FINANCIAL SUMMARY:</u></b>                     |   |
|--|---|
| Total Project/Account: \$ <u>3,577,000</u>           | Operating Budget: <input type="checkbox"/> CIP: <input checked="" type="checkbox"/> Year: <u>2013</u> |
| Expended/Encumbered to Date: <u>2,157,199</u>        | Document Location: <u>Page E11</u>  |
| Balance: \$ <u>1,419,801</u>                         | Account #: <u>210-3799-3175101-6051</u>   |
| This Item: <u>109,200</u>                            | Fund/Agency/Project – Description:<br>Electric CIP / Substations Upgrades                             |
| Proposed Balance: \$ <u>1,310,601</u>                | Comments:<br>Contract provides crushed limestone as surfacing rock for GP&L Substation                |
| Trent Schulze <u>09/06/13</u><br>Budget Analyst Date |   |
| Ron Young <u>09/09/13</u><br>Budget Director Date    |   |





# **GARLAND**

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## **PURCHASING**

### **Executive Summary** **Bid 3766-13**

### **Crushed Limestone Surfacing Rock for the GP&L Nevada Substation**

**Recommended Vendor:**

David Copeland Sand Gravel, Inc.

**Total Recommended Award:**

\$109,200.00

**Basis for Award:**

Straight Low Bid

**Purpose:**

The purpose of this contract is to provide crushed limestone surfacing rock required at the Garland Power and Light Nevada Switching Station.

**Evaluation:**

Requests for bids were issued in accordance with Purchasing procedures. Two (2) bids were received and evaluated. David Copeland Sand Gravel, Inc. submitted the lowest bid and met all requirements of the specifications.

**Recommendation:**

Staff recommends awarding the contract for crushed limestone to David Copeland Sand Gravel, Inc.

**Funding Information:**

210-3799-3175101-6051

**Department Director:**

Tommy Weathersbee, Interim Transmission & Distribution Director, 972-205-3532



# City Council Item Summary Sheet

Work Session

Date: September 17, 2013

Agenda Item

## Zoning Ordinance

### Summary of Request/Problem

Zoning Ordinance 13-22 Oak Ridge Investments

### Recommendation/Action Requested and Justification

Consider adoption of attached ordinance.

**Submitted By:**

**Anita Russelmann  
Director of Planning & Community  
Development**

**Approved By:**

**William E. Dollar  
City Manager**

**ORDINANCE NO.**

AN ORDINANCE AMENDING THE ZONING LAWS OF THE CITY OF GARLAND, TEXAS, BY APPROVING A CHANGE IN ZONING FROM AGRICULTURE (AG) DISTRICT TO A PLANNED DEVELOPMENT (PD) DISTRICT FOR SINGLE FAMILY USES AND A DETAIL PLAN FOR SINGLE FAMILY HOMES ON A 28.28-ACRE TRACT OF LAND LOCATED NORTHWEST OF THE INTERSECTION OF WEST CAMPBELL ROAD AND CALLEJO ROAD; PROVIDING FOR CONDITIONS, RESTRICTIONS, AND REGULATIONS; AND PROVIDING FOR A PENALTY AND AN EFFECTIVE DATE.

**WHEREAS**, at its regular meeting held on the 8th day of July, 2013, the City Plan Commission did consider and make recommendations on a certain request for zoning change made by **Oak Ridge Investments**, and

**WHEREAS**, The City Council, after determining all legal requirements of notice and hearing have been met, has further determined the following amendment to the zoning laws would provide for and would be in the best interest of the health, safety, morals, and general welfare:

**Now, therefore, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GARLAND, TEXAS, that:**

**Section 1.**

Ordinance No. 4647 is hereby amended by approving a change in zoning from Agriculture (AG) District to a Planned Development (PD) District for Single Family Uses and a Detail Plan for single family homes, on a 28.28-acre tract of land located northwest of the intersection of West Campbell Road and Callejo Road, and being more particularly described in Exhibit A, attached hereto and made a part hereof.

**Section 2.**

Development shall be in conformance with the conditions, restrictions, and regulations set forth in Exhibit B, attached hereto and made a part hereof.

**Section 3.**

Ordinance No. 4647, as amended, shall remain in full force and effect, save and except as amended by this Ordinance.

**Section 4.**

Violation of this Ordinance shall be a misdemeanor punishable in accordance with Section 10.05 of the Code of Ordinances, City of Garland, Texas.

**Section 5.**

This Ordinance shall become and be effective on and after its adoption and publication as required by law.

**PASSED AND APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

**THE CITY OF GARLAND, TEXAS**

By:

\_\_\_\_\_  
Mayor

**ATTEST:**

\_\_\_\_\_  
City Secretary

Published:

## EXHIBIT A

### LEGAL DESCRIPTION

#### Zoning File 13-22

Being a 28.279 Acre tract of land situated in the DELILAH C. MANNING SURVEY, ABSTRACT NO. 945, City of Garland, Dallas County, Texas. Said 28.279 acre tract of land being a portion of that certain 20.87 acre tract of land and that certain 8.22 acre tract of land as conveyed to MLWR Investments, LLC, as recorded in County Clerks File No. 201300052410, Real Property Records, Dallas County, Texas. Said 28.279 acre tract of land, being more particularly described by metes and bounds as follow:

BEGINNING at an "X" found in concrete, being in the North line of W. Campbell Road, a variable width Public Right-of-Way, also being the most Southeasterly corner of that certain Crystal Falls Addition, an addition to the City of Garland, as recorded in Volume 2001196, Page 85, Map Records, Dallas County, Texas (M.R.D.C.T.);

THENCE North 58 degrees 54 minutes 39 seconds West, along the East line of the said Crystal Falls Addition, a distance of 277.61 feet to a set 1/ 2 inch iron rod found;

THENCE South 87 degrees 38 minutes 28 seconds West, along the North line of the said Crystal Falls Addition, a distance of 333.15 feet to a found Aluminum Disc Monument, as published in said Crystal Falls Addition, Grid Coordinates confirmed Northing = 7042314.312, Easting = 2528931.411;

THENCE South 15 degrees 47 minutes 19 seconds West, along the Northwest line of the said Crystal Falls Addition, a distance of 159.32 feet to a set 1/ 2 inch iron rod with cap stamped RDS INC., being the most Northeast corner of Lot 1R, Block 1 of the Big Springs Addition as recorded in Volume 99086, Page 00004 (M.P.R.D.C.T.);

THENCE South 87 degrees 32 minutes 34 seconds West, departing said Crystal Falls Addition and along the North line of the said Big Springs Addition, a distance of 369.57 feet to a point being in the centerline of Spring Creek, said point also being the most Southeasterly corner of the Common Area B of Springpark Central 7<sup>th</sup> Addition as recorded in Volume 77245, Page 3155 (M.R.D.C.T.);

THENCE following along the meanders of the centerline of Spring Creek, the following courses and distances:

North 14 degrees 02 minutes 21 seconds East a distance of 158.81 feet to a point for corner;

North 23 degrees 16 minutes 19 seconds East a distance of 273.68 feet to a point for corner;

North 65 degrees 18 minutes 31 seconds West a distance of 320.83 feet to a point for corner;

North 24 degrees 32 minutes 59 seconds East a distance of 263.32 feet to a point for corner;

North 38 degrees 32 minutes 59 seconds East a distance of 208.41 feet to a point for corner;

North 09 degrees 41 minutes 09 seconds East a distance of 246.66 feet to a point for corner;

South 49 degrees 26 minutes 14 seconds East a distance of 218.12 feet to a point for corner;

North 74 degrees 34 minutes 28 seconds East a distance of 54.50 feet to a point for corner;

North 14 degrees 10 minutes 28 seconds East a distance of 134.50 feet to a point for corner;

North 46 degrees 40 minutes 28 seconds East, passing at an estimated distance of 45 feet, being the approximate line of the said Springpark Central 7th Addition, and the approximate common line of that certain common Area "A" of Springpark Central Number 10, as recorded in Volume 85087 Page 2182 (M.R.D.C.T.), and continuing a total distance of 126.70 feet to a point for corner;

South 75 degrees 49 minutes 32 seconds East a distance of 167.30 feet to a point for corner;

North 70 degrees 40 minutes 28 seconds East a distance of 135.50 feet to a point for corner;

South 37 degrees 51 minutes 32 seconds East a distance of 168.80 feet to a point for corner;

North 85 degrees 10 minutes 28 seconds East a distance of 191.60 feet to a point for corner;

South 39 degrees 49 minutes 32 seconds East, passing at an estimated distance of 25 feet the common line of the said Springpark Central Number 10, and the approximate Northwest corner of that certain tract of land as conveyed to Springpark Homeowners Association, INC. as recorded in Volume 92238, Page 6649, Deed Records, Dallas County, Texas (D.R.D.C.T.), and continuing a total distance of 57.40 feet to a point for corner;

South 15 degrees 10 minutes 28 seconds West a distance of 245.10 feet to a point for corner;

South 19 degrees 36 minutes 32 seconds East a distance of 164.30 feet to a point for corner;

South 54 degrees 23 minutes 32 seconds East a distance of 160.90 feet to a point for corner;

South 16 degrees 19 minutes 36 seconds East a distance of 366.17 feet to a point for corner, being the most Southwest corner of the said Springpark Homeowners

Association tract, and being in the aforementioned North Right-of-Way line of W. Campbell Road;

THENCE South 60 degrees 10 minutes 19 seconds West, along the North Right-of-Way line of said W. Campbell Road, and departing the Centerline of said Spring Creek, a distance of 252.97 feet to a set 1/2 inch iron rod with cap stamped RDS INC.;

THENCE South 17 degrees 02 minutes 31 seconds West, along the North line of said W. Campbell Road, a distance of 35.20 feet to a set 1/2 inch iron rod with cap stamped RDS INC.;

THENCE South 49 degrees 43 minutes 53 seconds West, a distance of 16.03 feet to a set 1/2 inch iron rod with cap stamped RDS INC., being the beginning of a curve to the right whose radius is 750.00 feet and whose long chord bears South 53 degrees 35 minutes 17 seconds West, 100.89 feet;

THENCE along said curve to the right and along said W. Campbell Road through a central angle of 07 degrees 42 minutes 49 seconds, an arc length of 100.97 feet to an "X" set in concrete drive, being the end of said curve;

THENCE South 57 degrees 26 minutes 42 seconds West a distance of 22.53 feet to the POINT OF BEGINNING, and containing 28.279 Acres of land, more or less.

## PLANNED DEVELOPMENT CONDITIONS

### ZONING FILE 13-22

#### Northwest of the intersection of West Campbell Road and Callejo Road

- I. **Statement of Purpose:** The purpose of this Planned Development District is to permit the development of a single-family subdivision subject to conditions.
- II. **Statement of Effect:** This Planned Development shall not affect any regulation found in the Comprehensive Zoning Ordinance. Ordinance No. 4647, as amended prior to adoption of this ordinance, except as specifically provided herein.
- III. **General Regulations:** All regulations of the Single Family Dwelling (SF/7/D/3) District set forth in Section 17-510, Section 18, 18-300 and 32 of the Comprehensive Zoning Ordinance are included by reference and shall apply, except as specified in this ordinance
- IV. **Development Plans:**

Detail Plan: Development shall be in general conformance with the Detail Plan set forth in Exhibit C.
- V. **Specific Regulations:**
  - A. Permitted uses: Only a single-family residential development shall be permitted.
  - B. Minimum lot size: The minimum lot size is 5,500 square feet.
  - C. Minimum dwelling unit size: A minimum dwelling unit area of 2,000 square feet shall be required and the square footage of dwelling units shall be as follows:
    - At least 25% at no less than 2,000 square feet
    - At least 25% at no less than 2,400 square feet
    - At least 25% at no less than 2,600 square feet
    - At least 25% at no less than 2,800 square feet
  - D. Minimum lot width: Fifty (50) feet at the building line.
  - E. Minimum lot depth: One hundred (110) feet.
  - F. Maximum lot coverage: 55%
  - G. Building setbacks:

Minimum front yard setback: Twenty (20) feet.

Minimum side yard setback (interior): Five (5) feet on each side.

Minimum side yard setback adjacent to street (interior streets): Fifteen (15) feet; except that on key lots, the street facing side yard setback shall match the front setback of the adjacent lot.

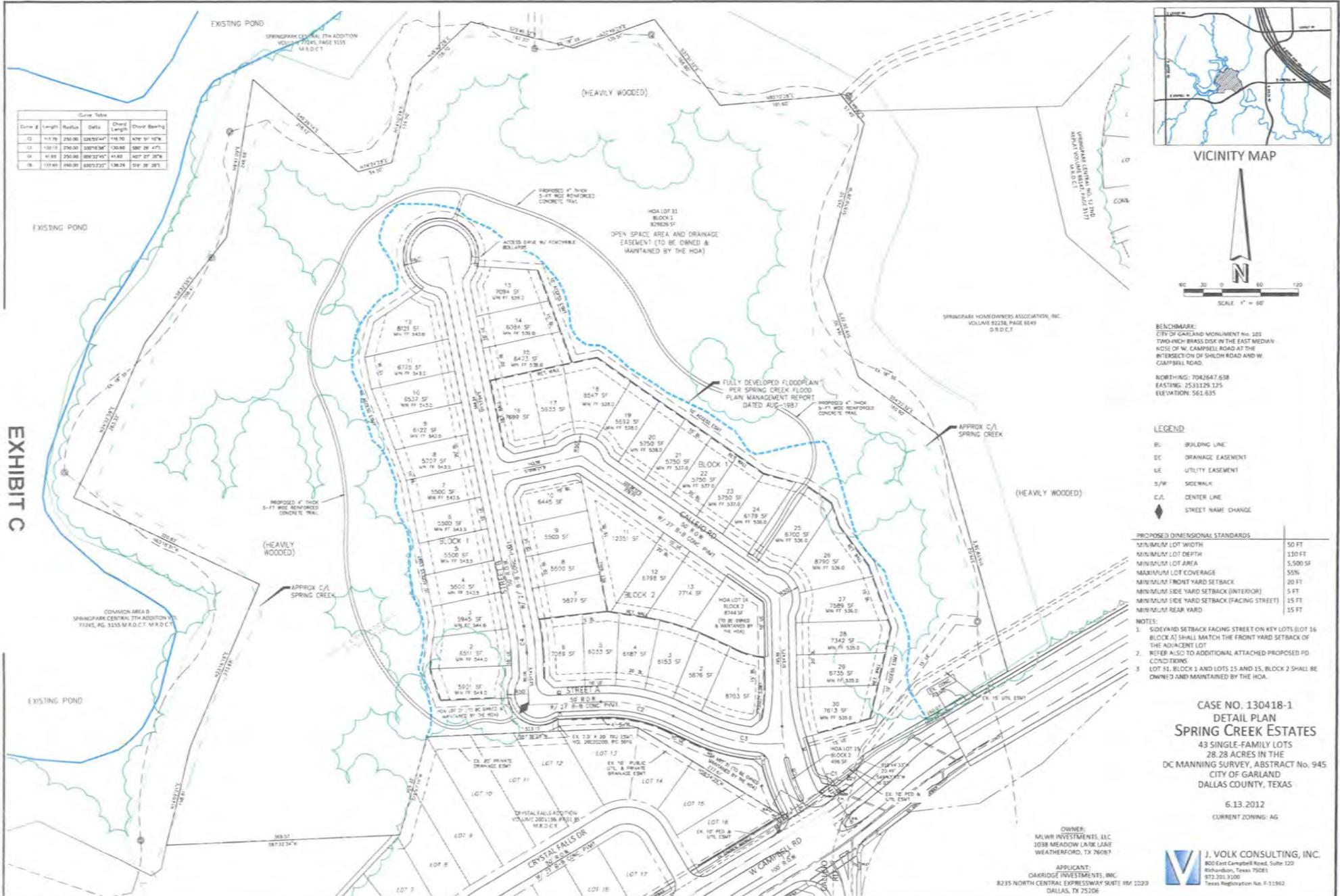
Minimum rear yard setback: Fifteen (15) feet.

- H. Minimum number of design elements: A minimum of three (3) of the following elements must be incorporated into the design of each dwelling unit:
- a) Multiple pane (divided light and simulated divided light) windows;
  - b) Decorative columns (min. 6" diameter) and 30" minimum height railings enclosing the front porch area;
  - c) Gable with window;
  - d) Dormer;
  - e) Bay windows with a minimum projection of twenty-four inches (24");
  - f) Minimum 8:12 roof pitch;
  - g) Split garage doors (i.e., a separate door for each vehicle bay).
  - h) Wood garage doors
  - i) Lot fencing adjacent to open space areas shall be ornamental iron (or similar material)
- I. Minimum number of elevations: No single building elevation shall be duplicated with the next two houses adjacent to it on either side. (ex: house A, house B, house C, house A, house B, house C, etc.)
- J. Garages: A minimum two-car garage shall be required for each dwelling unit.
- K. Building materials: The minimum masonry requirement for houses within the subdivision shall consist of 80% masonry for each elevation. Masonry shall be defined as brick, cast stone or stone.
- L. Screening/Landscaping: A screening wall shall be installed along the perimeter of the residential lot adjacent to West Campbell Road. The proposed screening wall shall be ornamental iron or masonry fence with landscaping in accordance with engineering requirements. The landscaping within the utility easement shall be small/ornamental trees and shrubs. Any trees within a visibility easement must be maintained at a minimum clearance of eight (8) feet. Two (2) large trees shall be

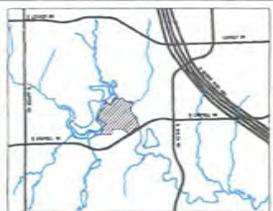
installed on each individual residential lot. The screening wall and landscaping shall be consistent with Exhibit D and Exhibit E.

- M. Private/Public Street System: All streets within the subdivision will be public streets.
- N. Alleys: Alleys shall not be required with this development.
- O. Common Area: A minimum of 16 acres of common areas and open spaces shall be provided with pedestrian access and a concrete trail around the large open space area adjacent to the creek.
- P. Homeowners Association: A Homeowners Association shall be incorporated and each lot/homeowner shall be a mandatory member. The bylaws of this association shall establish a system of payment of dues; a system of enforcement of its rules and regulations; shall provide a clear and distinct definition of the responsibility of each member; and other provisions as deemed appropriate to secure a sound and stable association. The Bylaws for this association shall be submitted to the Director of Planning for review prior to commencement of construction of any infrastructure improvements within the subdivision.
- Q. Maintenance of Open Space, Landscaped Areas, Entry Features and Other Amenities: Maintenance of all open space, common areas, landscaped areas and all entry features including any allowed within the street medians, irrigation, perimeter fencing and other amenities shall be the responsibility of the Homeowner's Association.

**EXHIBIT C**



| Curve # | Length | Radius | Delta    | Chord Length | Chord Bearing |
|---------|--------|--------|----------|--------------|---------------|
| 12      | 117.76 | 250.00 | 228.924° | 116.70       | 476° 51' 10"W |
| 13      | 130.18 | 250.00 | 228.924° | 130.80       | 300° 38' 47"W |
| 14      | 41.88  | 250.00 | 800.312° | 41.83        | 107° 57' 38"W |
| 15      | 119.83 | 250.00 | 800.312° | 118.29       | 51° 52' 28"E  |



**BENCHMARK:**  
 CITY OF GARLAND MONUMENT No. 323  
 TWO-INCH BRASS DISK IN THE EAST MEDIAN  
 NOSE OF W. CAMPBELL ROAD AT THE  
 INTERSECTION OF SILCH ROAD AND W.  
 CAMPBELL ROAD.  
 NORTHING: 7042647.638  
 EASTING: 253129.125  
 ELEVATION: 561.635

**LEGEND**

- BL: BUILDING LINE
- DE: DRAINAGE EASEMENT
- UE: UTILITY EASEMENT
- S/W: SIDEWALK
- C/L: CENTER LINE
- ▲: STREET NAME CHANGE

**PROPOSED DIMENSIONAL STANDARDS**

|   |          |
|---|----------|
| MINIMUM LOT WIDTH                         | 50 FT    |
| MINIMUM LOT DEPTH                         | 130 FT   |
| MINIMUM LOT AREA                          | 5,500 SF |
| MAXIMUM LOT COVERAGE                      | 55%      |
| MINIMUM FRONT YARD SETBACK                | 20 FT    |
| MINIMUM SIDE YARD SETBACK (INTERIOR)      | 5 FT     |
| MINIMUM SIDE YARD SETBACK (FACING STREET) | 15 FT    |
| MINIMUM REAR YARD                         | 15 FT    |

- NOTES:**
- SIDEYARD SETBACK FACING STREET ON KEY LOTS (LOT 16 BLOCK A) SHALL MATCH THE FRONT YARD SETBACK OF THE ADJACENT LOT
  - REFER ALSO TO ADDITIONAL ATTACHED PROPOSED PD CONDITIONS
  - LOT 31, BLOCK 3 AND LOTS 15 AND 15, BLOCK 2 SHALL BE OWNED & MAINTAINED BY THE HOA.

**CASE NO. 130418-1**  
**DETAIL PLAN**  
**SPRING CREEK ESTATES**  
 43 SINGLE-FAMILY LOTS  
 28.28 ACRES IN THE  
 DC MANNING SURVEY, ABSTRACT No. 945  
 CITY OF GARLAND  
 DALLAS COUNTY, TEXAS

6.13.2012  
 CURRENT ZONING: AG

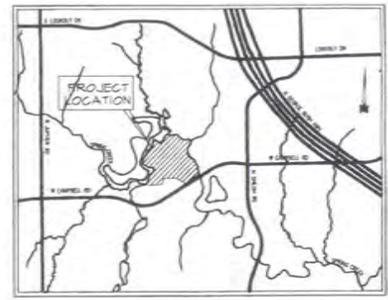
**OWNER:**  
 MLWR INVESTMENTS, LLC  
 1038 MEADOW LAKE LANE  
 WEATHERFORD, TX 76087

**APPLICANT:**  
 OAKRIDGE INVESTMENTS, INC.  
 8735 NORTH CENTRAL EXPRESSWAY SUITE 1029  
 DALLAS, TX 75206

**J. VOLK CONSULTING, INC.**  
 800 East Campbell Road, Suite 120  
 Richardson, Texas 75081  
 972.301.3100  
 Texas Registration No. F-11961

Drawing: S:\Projects\JVC003\JVC003-Landscape\Concept\Site\Site.dwg, 6/11/2013, 2:00 PM  
 Printed by: Catherine Hild, Date: 6/11/2013, 2:00 PM

# EXHIBIT D



LOCATION MAP  
NOT TO SCALE

### LANDSCAPE LEGEND

- EXISTING TREE TO BE PRESERVED  
REFER TO TREE SURVEY FOR DETAILS
- PROPOSED LARGE SHADE TREE  
(4" CALIPER, SPECIES T.B.D.)
- PROPOSED SMALL ORNAMENTAL TREE  
(2" CALIPER, SPECIES T.B.D.)
- 1'-0" HT. STONE COLUMN
- 6'-0" HT. BRICK THINWALL IV  
6'-6" HT. BRICK THINWALL COLUMNS
- 6'-0" HT. STONE SIGN WALL

COMMON BERBERIS SURF GRASS SHALL COVER ALL COMMON AREAS.

PER DESIGN STANDARDS SECTIONS 5.0-5.0. THE FOLLOWING HAS BEEN PROVIDED:

- A CONTINUOUS 6'-0" HT. HAZARDY SCREENING WALL WITH 12" WIDTH CONCRETE MOW STRIP ALONG LOT 52, BLOCK A.
- A MINIMUM 6'-0" WIDTH LANDSCAPE AREA IS PROVIDED.
- TEN (10) SMALL ORNAMENTAL TREES ARE PROVIDED ADJACENT TO THE SCREENING WALL.
- SEVEN (7) LARGE SHADE TREES ARE PROVIDED ADJACENT TO THE SCREENING WALL.
- FIFTY (50) CALIPER INCHES OF MITIGATION IS SATISFIED AND PROVIDING 100 - 4" CALIPER TREES IN ADDITION TO THE SCREENING AND BUFFERING REQUIREMENTS ABOVE.

**OWNER:** MLWR INVESTMENTS, LLC  
1038 MEADOW PARK LANE  
WEATHERFORD, TEXAS 76087

**APPLICANT:** OAKRIDGE INVESTMENTS, INC.  
8235 NORTH CENTRAL EXPRESSWAY  
SUITE #M 1020  
DALLAS, TEXAS 75206

**LANDSCAPE ARCHITECT:** STUDIO 13 DESIGN GROUP, PLLC.  
519 BENNETT LANE  
SUITE 203  
LEWISVILLE, TEXAS 75057  
PH. (469) 635-1900  
CONTACT: CODY JOHNSON, ASLA, PLA. LI

Studio 13 Design Group, PLLC  
415 Central Exp. Suite 203  
Lewisville, Texas 75057  
469-635-1900

THESE DOCUMENTS ARE FOR EXTERNAL REVIEW ONLY AND NOT INTENDED FOR CONSTRUCTION OR BIDDING PURPOSES

Issued: 6-10-2013

NORTH

1" = 50' - 0"

0 25 50

One Inch

Please see each sheet original drawing. If not over-scale on this sheet, adjust scale as necessary.

**LANDSCAPE AND SCREENING**

Overall Concept Plan

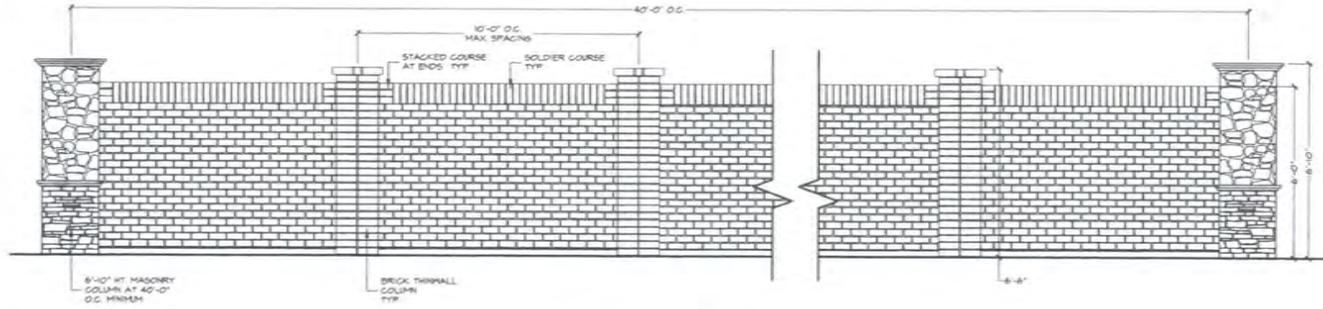
Spring Creek Estates

City of Garland, Dallas County, Texas

| REV | DATE | DESCRIPTION |
|-----|------|-------------|
|     |      |             |
|     |      |             |
|     |      |             |
|     |      |             |

PROJECT: JVC003

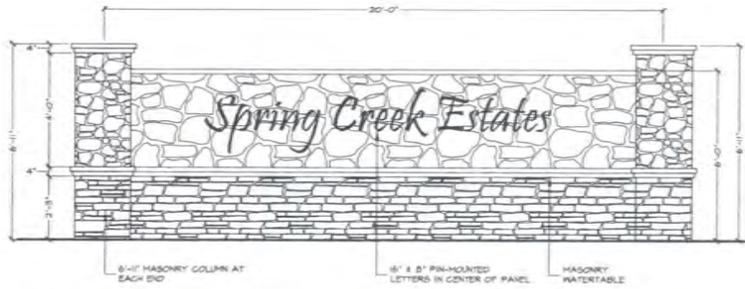
SHEET: LS1 of 2



**1**  
LS2 PERIMETER  
ELEVATION

**PARTIAL BRICK THINWALL AND COLUMNS**

SCALE: 1/2"=1'-0"



**2**  
LS2 PRIMARY  
ELEVATION

SCALE: 1/2"=1'-0"

**STUDIO**  
DESIGN GROUP

8401 W. Pleasanton, P.O. Box 107  
Lubbock, Texas 79403  
806-765-1786

THESE DOCUMENTS ARE FOR INTERIM REVIEW ONLY AND NOT INTENDED FOR CONSTRUCTION OR BIDDING PURPOSES

Submittal 6-19-2013

Do not use any or any part of these drawings if not approved in writing by the architect. All work shall be in accordance with the contract documents.

**LANDSCAPE AND SCREENING**  
Overall Concept Plan  
Spring Creek Estates  
City of Garland, Dallas County, Texas

| PLAN REVIEW REVISIONS | REV | DATE |
|-----------------------|-----|------|
|                       |     |      |
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PROJECT  
JVC003  
SHEET  
LS2 of 2



# City Council Item Summary Sheet

Work Session

Date: September 17, 2013

Agenda Item

## Zoning Ordinance

### Summary of Request/Problem

Zoning Ordinance 13-26 Oaks Properties, LLC

### Recommendation/Action Requested and Justification

Consider adoption of attached ordinance.

**Submitted By:**

**Neil Montgomery  
Senior Managing Director of  
Development Services**

**Approved By:**

**William E. Dollar  
City Manager**

**ORDINANCE NO.**

AN ORDINANCE AMENDING THE ZONING LAWS OF THE CITY OF GARLAND, TEXAS, BY APPROVING A CHANGE IN ZONING FROM CENTRAL AREA 1 (CA-1) DISTRICT TO PLANNED DEVELOPMENT (PD) DISTRICT FOR CENTRAL AREA 1 (CA-1) USES AND A DETAIL PLAN FOR MULTI-FAMILY ON 1.76-ACRE AND 0.162 ACRE TRACTS OF LAND LOCATED SOUTHEAST OF THE INTERSECTION OF AUSTIN STREET AND NORTH FIFTH STREET AND 203 NORTH FIFTH STREET, WEST OF NORTH FIFTH STREET AND NORTH OF STATE STREET; PROVIDING FOR CONDITIONS, RESTRICTIONS, AND REGULATIONS; AND PROVIDING FOR A PENALTY AND AN EFFECTIVE DATE.

**WHEREAS**, at its regular meeting held on the 8th day of July, 2013, the City Plan Commission did consider and make recommendations on a certain request for zoning change made by **Oaks Properties, LLC.** and

**WHEREAS**, The City Council, after determining all legal requirements of notice and hearing have been met, has further determined the following amendment to the zoning laws would provide for and would be in the best interest of the health, safety, morals, and general welfare:

**Now, therefore, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GARLAND, TEXAS, that:**

**Section 1.**

Ordinance No. 4647 is hereby amended by approving a change of zoning from Central Area 1 (CA-1) District to a Planned Development (PD) District for Central Area 1 Uses and a Detail Plan for multi-family, on 1.76-acre and 0.162-acre tracts of land, located southeast of the intersection of Austin Street and North Fifth Street and 203 North Fifth Street, west of North Fifth Street and north of State Street, and being more particularly described in Exhibit A, attached hereto and made a part hereof.

**Section 2.**

Development shall be in conformance with the conditions, restrictions, and regulations set forth in Exhibit B, attached hereto and made a part hereof.

**Section 3.**

Ordinance No. 4647, as amended, shall remain in full force and effect, save and except as amended by this Ordinance.

**Section 4.**

Violation of this Ordinance shall be a misdemeanor punishable in accordance with Section 10.05 of the Code of Ordinances, City of Garland, Texas.

**Section 5.**

This Ordinance shall become and be effective on and after its adoption and publication as required by law.

**PASSED AND APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

**THE CITY OF GARLAND, TEXAS**

By:

\_\_\_\_\_  
Mayor

**ATTEST:**

\_\_\_\_\_  
City Secretary

Published:

## EXHIBIT A

### LEGAL DESCRIPTION

#### Zoning File 13-26

Being a 1.726 acre tract of land situated in the Joel Crumpacker Survey, Abstract No. 328, Dallas County, Texas; said tract being part of Blocks 13 and 14, Duck Creek Addition, an addition to the City of Garland, Dallas County, Texas according to the plat recorded in Volume 82, Page 352, Deed Records of Dallas County, Texas, part of Museum Street (formerly known as Fourth Street), part of Austin Street (a 70-foot wide right-of-way) and part of Lot 1, Block 1, Performance Arts Center Addition, an addition to the City of Garland, Texas according to the plat recorded in Volume 2001217, Page 83 of said Deed Records; said 1.726 acre tract being more particularly described as follows:

BEGINNING, at a 3-inch aluminum disk stamped "CITY OF GARLAND" set for corner; said point being North 00 degrees, 33 minutes, 02 seconds West, a distance of 10.00 feet from the intersection of the south line of said Austin Street and the east right-of-way line of Fifth Street (a 70-foot wide right-of-way);

THENCE, North 89 degrees, 34 minutes, 23 seconds East, 10.00 feet from and parallel to the north line of said Blocks 13 and 14, passing at a distance of 371.62 feet, the east terminus line of said Austin Street and a west line of said Lot 1, Block 1, continuing over and across said Lot 1, Block 1 and 10.00 feet from and parallel to said north line of Blocks 13 and 14, for a total distance of 567.38 feet to a 3-inch aluminum disk stamped "CITY OF GARLAND" set for corner in the northwest right-of-way line of the Kansas City Southern Railroad (a 100-foot right-of-way);

THENCE, South 30 degrees, 10 minutes, 51 seconds West, along the said northwest line of the Kansas City Southern Railroad, a distance of 363.36 feet to a 3-inch aluminum disk stamped "CITY OF GARLAND" set for corner; said point being at the intersection of said northwest line of Kansas City Southern Railroad and the north right-of-way line of State Street (a variable width right-of-way);

THENCE, South 89 degrees, 36 minutes, 11 seconds West, departing the said northwest line of Kansas City Southern Railroad and along the said north line of State Street and the south line of said Block 14, a distance of 63.75 feet to a point for corner in the right-of-way of Museum Street;

THENCE, departing the said north line of State Street and into and across the said right-of-way of Museum Street, the following three (3) calls:

North 00 degrees, 23 minutes, 49 seconds West, a distance of 10.53 feet to a point for corner;

North 89 degrees, 36 minutes, 18 seconds East, a distance of 18.50 feet to a point for corner;

North 00 degrees, 23 minutes, 42 seconds West, a distance of 262.00 feet to a point for corner;

THENCE, departing the said right-of-way of Museum Street and into and across said Block 13, the following five (5) calls:

South 89 degrees, 36 minutes, 18 seconds West, a distance of 122.00 feet to a point for corner;

South 00 degrees, 23 minutes, 42 seconds East, a distance of 74.00 feet to a point for corner;

South 89 degrees, 36 minutes, 18 seconds West, a distance of 8.33 feet to a point for corner;

South 00 degrees, 23 minutes, 42 seconds East, a distance of 12.20 feet to a point for corner;

South 89 degrees, 34 minutes, 23 seconds West, a distance of 206.56 feet to a point for corner in the said east line of Fifth Street;

THENCE, North 00 degrees, 33 minutes, 02 seconds West, along the said east line of Fifth Street and the west line of said Block 13, a distance of 126.27 feet to a the POINT OF BEGINNING; CONTAINING, 75,185 square feet or 1.726 acres of land, more or less;

AND being a 0.162 acre tract of land described as a portion of Lots 6-10, Block 12, Duck Creek Addition, additions to the City of Garland, Dallas County Texas as recorded in Volume 82, Page 352, Plat Records, Dallas County, Texas.

The properties are located southeast of the intersection of Austin Street and North Fifth Street, and 203 North Fifth Street, west of North Fifth Street and north of State Street.

## PLANNED DEVELOPMENT CONDITIONS

### ZONING FILE 13-26

#### **Southeast of the intersection of Austin Street and North Fifth Street and 203 North Fifth Street, west of North Fifth Street and north of State Street**

- I. **Statement of Purpose:** The purpose of this Planned Development District is to permit the development of a Central Area 1 Uses (multi-family development) subject to conditions.
- II. **Statement of Effect:** This Planned Development shall not affect any regulation found in the Comprehensive Zoning Ordinance. Ordinance No. 4647, as amended prior to adoption of this ordinance, except as specifically provided herein.
- III. **General Regulations:** All regulations of the Central Area-1 (CA-1) District set forth in Sections 27, 32 and 50 of the Comprehensive Zoning Ordinance, Ordinance No. 4647, are included by reference and shall apply, except as specified in this ordinance.
- IV. **Development Plans:**
  - A. **Detail Plan:** Development shall be in conformance with the approved Detail Plan set forth in Exhibit C. In the event of a conflict between the Detail Plan and the conditions, the conditions shall prevail.
- IV. **Specific Regulations:**
  - A. **Permitted Uses:** All uses permitted within the Central Area 1 (CA-1) District shall be allowed.
  - B. **Future Phases:** No Detail Plan is required for future phases on the property west of Fifth Street if the development is in general conformance with the Planned Development conditions and consistent in design and scope of the overall development as determined by the Director of Planning.
  - C. **Landscape Plan:** Landscaping shall be in general conformance with the approved Landscape Plan set forth in Exhibit D.
  - D. **Elevations:** Elevations shall be in general conformance with the approved elevations set forth in Exhibit E. Metal is permitted on the façade facing Austin Street and Fifth Street as indicated on Exhibit E.
  - E. **Building Setbacks:** There shall be no required building setback along property lines adjacent to a street and the building setback adjacent to the west and south property lines shall be as shown on Exhibit C.

- NOTES:**
- REFER TO CIVIL ENGINEERING DRAWINGS PREPARED BY BACHCO KOCH CONSULTING ENGINEERS CONSULTING FOR THE CITY OF GARLAND FOR GRADING, ADDITIONAL DIMENSIONAL CONTROL, UTILITIES, ROADWAY PAVING SPECIFICATIONS AND ANY PARKING QUANTITIES AND/OR LAYOUT DETAILS.
  - REFER TO PROJECT GEOTECHNICAL CONSULTANT FOR SOIL PREP REQUIREMENTS OF SUBGRADE.
  - REFER TO LANDSCAPE ARCHITECT'S DRAWINGS PREPARED BY P2500-OUTSIDE FOR ALL INFORMATION RELATING TO DETAILING, SIGNAGE, FENCING, PLANTING AND SCREENING AREAS.
- INDICATES MUNICIPAL PARKING SPACES, VERIFY W/ CIVIL DRWG'S FOR SURFACE PARKING
  - INDICATES SPRINKLER CLOSET LOCATION
  - INDICATES LEADING/AMENITY AREAS
  - INDICATES FIRE WALL
  - INDICATES BUILDING NUMBER
  - INDICATES BUILDING AREA
  - INDICATES EXISTING PROPERTY LINES

**01** Site Plan Notes and Legend  
NTS

**AGGREGATE SQUARE FOOTAGE**

|                             |                          |
|-----------------------------|--------------------------|
| EXISTING BUILDING           | 0 SF                     |
| PROPOSED BUILDING           | 152,004 SF MF            |
| <b>PARKING</b>              |                          |
| REQUIRED                    | 212 (1/2BEDROOM)         |
| PROVIDED BY GARAGE (N.A.C.) | 339 #P                   |
| <b>BUILDING HEIGHT</b>      |                          |
| REQUIRED                    | 85'-0" MAX               |
| PROVIDED                    | -56'-0"                  |
| <b>LOT COVERAGE</b>         |                          |
| REQUIRED                    | NO MAX REQUIRED          |
| PROVIDED (MF/NET ACRE)      | (49.587 GSF/145.104 NSF) |

\*APPROXIMATED BASED ON 3.4 NET ACRES  
**03** Development Details  
Scale: NTS

**PROJECT TABULATION**

| Description                   | Unit | 1 Bedroom |     |     |     |     |     | 2 Bedroom |       |       |       | Total |
|-------------------------------|------|-----------|-----|-----|-----|-----|-----|-----------|-------|-------|-------|-------|
|                               |      | E1        | E1  | E1  | A1  | A1  | A1  | E2        | E2    | E2    | E2    |       |
| Small Storage                 |      | 212       | 303 | 342 | 726 | 324 | 603 | 1,380     | 1,076 | 1,226 | 1,128 |       |
| Percentage of Site            |      | 15%       |     |     | 15% |     |     | 20%       |       |       |       |       |
| <b>Total Units per Family</b> |      | 33        | 64  | 8   | 8   | 3   | 30  | 7         | 3     | 3     | 3     | 142   |
| <b>Parking Required</b>       |      | 33        | 64  | 8   | 8   | 3   | 3   | 52        | 14    | 8     | 9     | 132   |

**JHP**  
 JHP Architecture / Urban Design  
 8340 Meadow Road Suite 150  
 Dallas, Texas 75251  
 Telephone: 214-363-5687  
 Fax: 214-363-9583

FOR REGULATORY APPROVAL: NOT FOR CONSTRUCTION.  
 J. MARK WOLF  
 Registered Architect of the State of TEXAS  
 Registration Number: 9173

Garland City Center  
 Garland, TX

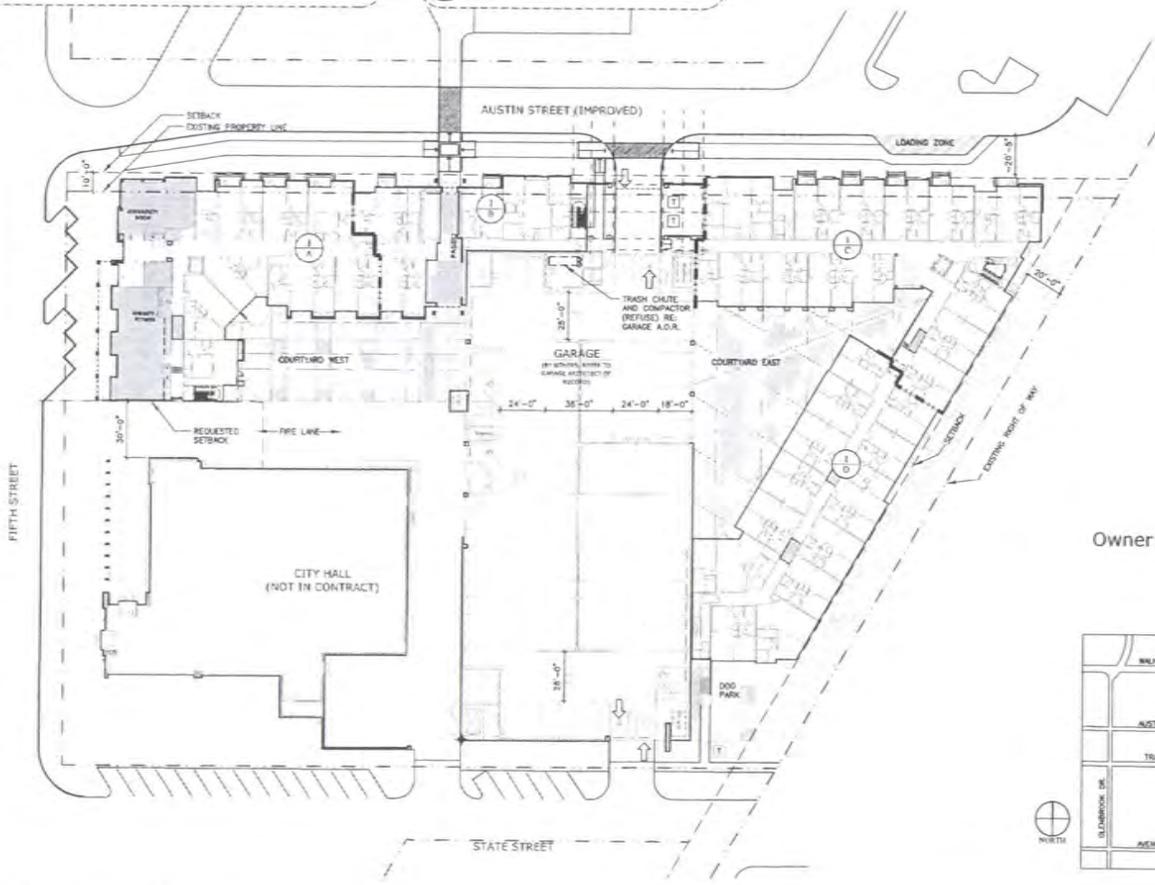
Owner: Oaks Properties, LLC  
 401 Groveland Avenue  
 Minneapolis, MN 55403  
 P (612) 874-1102  
 F (612) 874-1054



**20** Vicinity Map  
NTS

Project Number: 2012007  
 Drawn By: LA  
 Issue For: Revised Plan Approval 04.27.2013  
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 Revision: \_\_\_\_\_ Date: \_\_\_\_\_

Sheet: **DP-01**



**16** Development Detail Plan - Central Area-1 District (CA-1)  
Scale: 1" = 30'-0"







FOR REGULATORY  
 APPROVAL; NOT FOR  
 CONSTRUCTION.

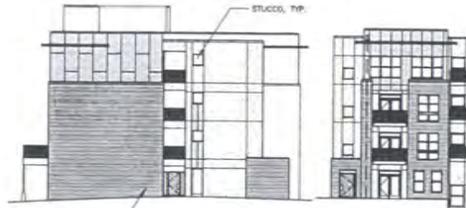
J. MARK WOLF

Registered Architect in the State of TEXAS  
 Registration Number: 5179



01 Elevation - West  
 Scale: 1/16" = 1'-0"

MTL 593 SF  
 BRICK 1,607 SF  
 STUCCO 932 SF  
 PANEL 752 SF  
 TOT. 3,887 SF



03 Elevation - South  
 Scale: 1/16" = 1'-0"

MTL 0 SF  
 BRICK 1,330 SF  
 STUCCO 1,015 SF  
 CEMENT 437 SF  
 TOT. 3,092 SF

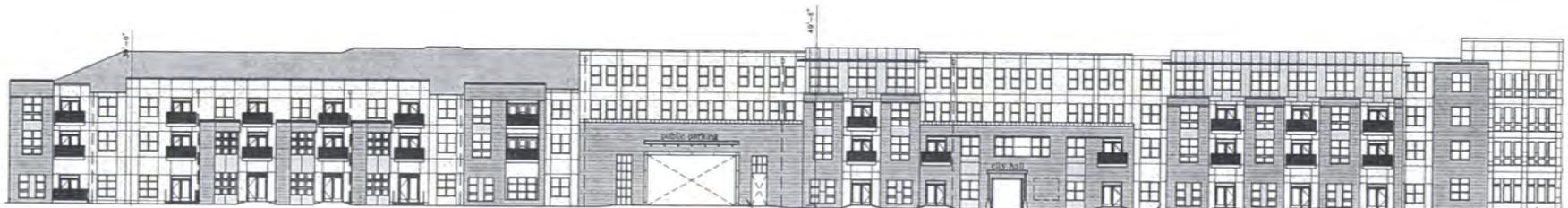


04 Elevation - East  
 Scale: 1/16" = 1'-0"

MTL 0 SF  
 BRICK 420 SF  
 STUCCO 701 SF  
 CEMENT 240 SF  
 TOT. 1,361 SF

05 Elevation - South  
 Scale: 1/16" = 1'-0"

MTL 0 SF  
 BRICK 1,136 SF  
 STUCCO 1,001 SF  
 CEMENT 779 SF  
 TOT. 2,916 SF



07 Elevation - North  
 Scale: 1/16" = 1'-0"

MTL 842 SF  
 BRICK 5,117 SF  
 STUCCO 8,718 SF  
 CEMENT 1,821 SF  
 TOT. 15,298 SF

STUCCO, TYP.

METAL PANEL, TYP.

## Garland City Center Garland, TX



Project Number: 2012007  
 Drawn By: LA  
 Issue For: Revision  
 Revised Plan Approval: 04.27.2013

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 All materials and methods are subject to change without notice. The architect does not represent, display or otherwise use the work or complete production until based on the work without the express written consent of the copyright owner.

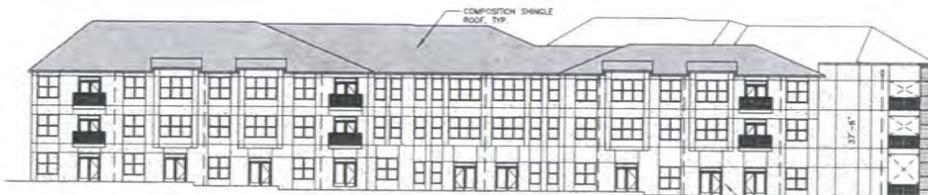
Revision Date

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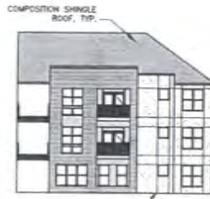
DP-02

EXHIBIT E



12 Elevation - South East  
 Scale: 1/16" = 1'-0"

MTL 0 SF  
 BRICK 5,441 SF  
 STUCCO 5,470 SF  
 TOT. 10,911 SF



14 Elevation - South  
 Scale: 1/16" = 1'-0"

MTL 0 SF  
 BRICK 411 SF  
 STUCCO 557 SF  
 CEMENT 133 SF  
 TOT. 1,101 SF

15 Elevation - North  
 Scale: 1/16" = 1'-0"

MTL 0 SF  
 BRICK 0 SF  
 STUCCO 0 SF  
 CEMENT 408 SF  
 TOT. 408 SF



16 Elevation - South  
 Scale: 1/16" = 1'-0"

SIDING PANEL 1,302 SF  
 STUCCO 1,912 SF  
 TOT. 3,214 SF



18 Elevation - North West  
 Scale: 1/16" = 1'-0"

PANEL SIDING 836 SF  
 STUCCO 2,761 SF  
 TOT. 3,597 SF

### PUBLIC FACED MATERIAL PERCENTAGES (ELEVATIONS 01, 07)

|                    |      |
|--------------------|------|
| METAL PANEL        | 8%   |
| BRICK              | 40%  |
| STUCCO             | 40%  |
| CEMENTITIOUS PANEL | 12%  |
| TOTAL              | 100% |

### SDM - PUBLIC MATERIAL PERCENTAGES (ELEVATIONS 03, 04, 05, 12, 14)

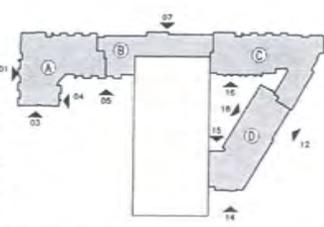
|                    |      |
|--------------------|------|
| BRICK              | 24%  |
| STUCCO             | 62%  |
| CEMENTITIOUS PANEL | 13%  |
| TOTAL              | 100% |

### COURTYARD MATERIAL PERCENTAGES (ELEVATIONS 15, 16, 18)

|                     |      |
|---------------------|------|
| CEMENTITIOUS PANEL  | 40%  |
| CEMENTITIOUS SIDING | 60%  |
| TOTAL               | 100% |

### TOTAL PROJECT MATERIAL PERCENTAGES

|                     |      |
|---------------------|------|
| METAL PANEL         | 8%   |
| BRICK               | 28%  |
| STUCCO              | 40%  |
| CEMENTITIOUS SIDING | 12%  |
| CEMENTITIOUS PANEL  | 12%  |
| TOTAL               | 100% |



20 Key Plan  
 Scale: 1/16" = 1'-0"

DEVELOPMENT PLAN - ELEVATIONS



# City Council Item Summary Sheet

Work Session

Date: September 17, 2013

Agenda Item

## Zoning Ordinance

### Summary of Request/Problem

Zoning Ordinance 13-30 Hutton Growth One, LLC

### Recommendation/Action Requested and Justification

Consider adoption of attached ordinance.

**Submitted By:**

**Anita Russelmann  
Director of Planning & Community  
Development**

**Approved By:**

**William E. Dollar  
City Manager**

**ORDINANCE NO.**

AN ORDINANCE AMENDING THE ZONING LAWS OF THE CITY OF GARLAND, TEXAS, BY APPROVING A DETAIL PLAN FOR RETAIL SALES/PERSONAL SERVICE, ON A 1.033-ACRE TRACT OF LAND ZONED PLANNED DEVELOPMENT (PD) DISTRICT 99-04 FOR SHOPPING CENTER USES AND IN THE SH 190 OVERLAY LOCATED AT 5550 LAVON DRIVE; PROVIDING FOR CONDITIONS, RESTRICTIONS, AND REGULATIONS; AND PROVIDING FOR A PENALTY AND AN EFFECTIVE DATE.

**WHEREAS**, at its regular meeting held on the 12th day of August, 2013, the City Plan Commission did consider and make recommendations on a certain request for zoning change made by **Hutton Growth One, LLC**; and

**WHEREAS**, The City Council, after determining all legal requirements of notice and hearing have been met, has further determined the following amendment to the zoning laws would provide for and would be in the best interest of the health, safety, morals, and general welfare:

**Now, therefore, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GARLAND, TEXAS, that:**

**Section 1.**

Ordinance No. 4647 is hereby amended by approving a Detail Plan for Retail Sales/Personal Service, on a 1.033-acre tract of land zoned Planned Development (PD) District 99-04 for Shopping Center Uses and in the SH 190 Overlay located at 5550 Lavon Drive, and being more particularly described in Exhibit A, attached hereto and made a part hereof.

**Section 2.**

Development shall be in conformance with the conditions, restrictions, and regulations set forth in Exhibit B, attached hereto and made a part hereof.

**Section 3.**

Ordinance No. 4647, as amended, shall remain in full force and effect, save and except as amended by this Ordinance.

**Section 4.**

Violation of this Ordinance shall be a misdemeanor punishable in accordance with Section 10.05 of the Code of Ordinances, City of Garland, Texas.

FILE NO. 13-30

**Section 5.**

This Ordinance shall become and be effective on and after its adoption and publication as required by law.

**PASSED AND APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

**THE CITY OF GARLAND, TEXAS**

By:

\_\_\_\_\_  
Mayor

**ATTEST:**

\_\_\_\_\_  
City Secretary

Published:

**EXHIBIT A**

**LEGAL DESCRIPTION**

**Zoning File 13-30**

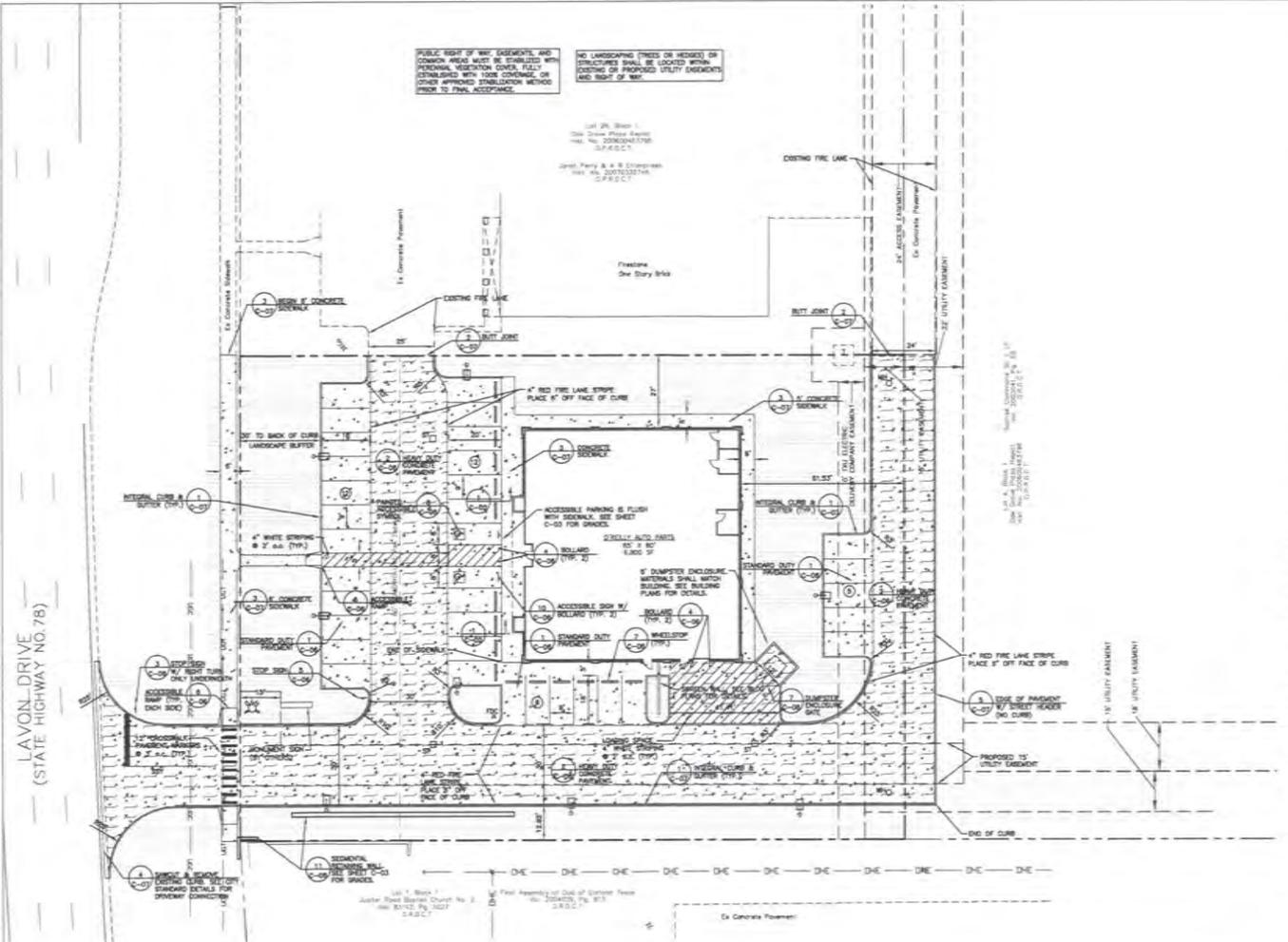
Being a 1.033-acre lot identified as Lot 3, Block 1 of the Oak Grove Plaza Replat, an addition to the City of Garland as shown on the Plat recorded in Instrument No. 200600463796 of the Map Records of Dallas County, Texas. The property is located at 5550 Lavon Drive, Garland, TX.

## PLANNED DEVELOPMENT CONDITIONS

### ZONING FILE 13-30

#### 5550 Lavon Drive

- I. **Statement of Purpose:** The purpose of this Planned Development is to approve a Detail Plan of a retail building subject to conditions.
- II. **Statement of Effect:** This Planned Development (PD) District shall not affect any regulation found in the Comprehensive Zoning Ordinance, Ordinance No. 4647, as amended prior to adoption of this ordinance, except as specifically provided herein.
- III. **General Regulations:** All regulations of the Shopping Center (SC) District set forth in Section 24, 32 and 46 of the Comprehensive Zoning Ordinance are included by reference and shall apply, except as otherwise specified by this ordinance.
- IV. **Development Plans:**
  - A. Detail Plan: Development shall be in conformance with the approved Detail Plan labeled Exhibit C. In the event of conflict between the conditions and Detail Plan, the conditions listed below shall prevail.
- V. **Specific Regulations:**
  - A. Permitted Uses: Permitted land uses are listed in the Shopping Center (SC) District within the State Highway 190 Overlay District.
  - B. Landscape Plan: Screening and Landscaping shall be in general conformance with the approved Landscape Plan labeled as Exhibit D.
  - C. Building Elevations: Exterior building elevations shall be in conformance with the approved elevations labeled as Exhibit E.
  - D. Signs: Freestanding signage shall be limited to one (1) monument sign.



PUBLIC RIGHT OF WAY, EASEMENTS, AND EASEMENTS MUST BE ESTABLISHED WITH THE CITY OF GARLAND AND THE STATE OF TEXAS PRIOR TO FINAL ACCEPTANCE.

NO LANDSCAPING (TREES OR HERBES) OR STRUCTURES SHALL BE LOCATED WITHIN THE PUBLIC RIGHT OF WAY OR ANY EASEMENT OR EASEMENTS WITHIN THE PROJECT AREA PRIOR TO FINAL ACCEPTANCE.

Lot 1, Block 1  
356 Drive Plaza Center  
Map No. 200600010700  
SUBJECT

John Perry & A. B. Corporation  
Map No. 200600010700  
SUBJECT

**PARKING AND PAVING NOTES**

1. ALL WORK SHALL COMPLY WITH ALL APPLICABLE CODES, REGULATIONS AND/OR LOCAL STANDARDS IMPOSED BY LOCAL, STATE, COUNTY, AND STATE. IT IS THE CONTRACTOR'S RESPONSIBILITY THAT ALL THE CONSTRUCTION BE IN ACCORDANCE WITH THE CITY OF GARLAND AND TDDP STANDARD SPECIFICATIONS AND SPECIFICATIONS.
2. CONTRACTOR SHALL COMPLY WITH ALL PERTINENT PROVISIONS OF THE MANUAL OF ACCIDENT PREVENTION IN CONSTRUCTION ISSUED BY AACE OF AMERICA, INC. AND THE SAFETY AND HEALTH REGULATIONS FOR CONSTRUCTION ISSUED BY THE U.S. DEPARTMENT OF LABOR.
3. CONTRACTOR SHALL PROVIDE ALL NECESSARY WARNING, SUFFICIENT LIGHTS, SIGNS, AND OTHER TRAFFIC CONTROL MEASURES AS MAY BE NECESSARY FOR THE PROTECTION AND SAFETY OF THE PUBLIC AND SHALL BE PROVIDED AND MAINTAINED THROUGHOUT ALL CONSTRUCTION ACTIVITIES TO AND WHEN ALL WORK IS COMPLETED CONTRACTOR SHALL SUBMIT TRAFFIC CONTROL PLAN TO CITY AND STATE FOR APPROVAL.
4. THE CONTRACTOR SHALL TAKE NECESSARY MEASURES TO ADVISOR WORK AREAS FROM PEDESTRIAN TRAFFIC AND TO INSURE SAFE PEDESTRIAN PASSAGE AT ALL TIMES.
5. ALL SIGNS, PAVEMENT MARKINGS, AND OTHER TRAFFIC CONTROL DEVICES SHALL CONFORM TO THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES. A MINIMUM CLEARANCE OF TEN FEET SHALL BE MAINTAINED BETWEEN THE FACE OF CURB AND ANY PART OF A TRAFFIC SIGN OR LIGHT POLE. CONTRACTOR SHALL COORDINATE INSTALLATION OF ALL SIGNS, PAVEMENT MARKINGS, AND OTHER TRAFFIC CONTROL DEVICES WITH OTHER CONTRACTORS ON SIGNS OR LIGHT POLES.
6. CONTRACTOR SHALL FURNISH AND INSTALL ALL PAVEMENT MARKINGS AS SHOWN. ALL PAVEMENT MARKINGS SHALL BE FOUR (4) INCH WIDE UNLESS INDICATED OTHERWISE ON THE DRAWINGS. PAINT SHALL BE APPLIED IN TWO COATS FOR A MINIMUM DRY FILM THICKNESS OF 10 MIL. THERMOPLASTIC STRIPING IF REQUIRED SHALL BE SPRAY TYPED, APPLIED IN ACCORDANCE WITH DOT SPECIFICATIONS. CONTRACTOR SHALL RE-STRIP ALL PAVEMENT MARKINGS 200 FEET BEFORE SIGNING OFF WORK.
7. CONTRACTOR SHALL SAN-CUT TE-ING AT EXISTING CURBS AS NECESSARY TO ENSURE SMOOTH TRANSITIONS. CONTRACTOR SHALL SAN-CUT AND TRANSITION TO MEET EXISTING PAVEMENT AS NECESSARY AND AS DIRECTED BY INSPECTOR TO PREVENT POISSON DRAINAGE (TYPICAL @ ALL INTERSECTIONS).
8. PAVING CONTRACTOR SHALL INSTALL PAPER IMBEDDING EDGES AT 90 DEGREE OF SAW-CUT IS REQUIRED TO INSURE A STRAIGHT-FULL-DEPTH JOINT FACE IMMEDIATELY PRIOR TO INSTALLING ANY OTHER ASPHALT.
9. ALL DIMENSIONS ARE TO FACE OF CURB UNLESS INDICATED OTHERWISE.
10. CONTRACTOR SHALL BE RESPONSIBLE FOR COST OF PAVEMENT REPLACEMENT WHERE UTILITY LINES ARE EXTENDED ACROSS EXISTING ASPHALT.
11. ASPHALT SURFACE COURSE SHALL BE LAD WITH THE DIRECTION OF TRAFFIC IN ALL DRIVE LINES WITHIN PARKING FEELS.
12. BASE AND ASPHALT THICKNESSES ARE MINIMUM REQUIRED. REFER TO SPECIFICATIONS FOR TYPE OF PAVING AND BASE TO BE USED.
13. ALL CONCRETE PAVING SHALL BE CLASS C 4000 P.S.I. INCLUDING IN FRONT OF THE BUILDING. ALL CONCRETE SIDEWALKS SHALL BE CLASS A 4000 P.S.I. UNLESS NOTED OTHERWISE. DO NOT POUR ANY CONCRETE BEFORE FORMS ARE INSTALLED AND APPROVED BY THE INSPECTOR.
14. ALL RAMP CONCRETES ARE NOT TO EXCEED A SLOPE OF 1:12. ALL SIDEWALKS SHALL NOT HAVE A CROSS-SLOPE GREATER THAN 1:40.
15. CONCRETE DAMPER JOINTS TO BE FLUSH WITH PAVEMENT UNLESS INDICATED OTHERWISE.
16. SEE SHEET C-02 FOR ADDITIONAL DETAILS ON STRIPING, SIGNS, ETC.

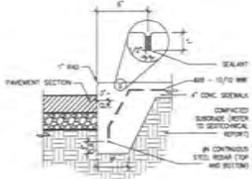
**SITE DATA**

|                      |  |
|----------------------|--|
| PROJECT DESCRIPTION: | NEW CONSTRUCTION OF AN O'REILLY AUTO PARTS LAVON DRIVE (STATE HIGHWAY 78) GARLAND, TEXAS |
| LOCATION:            |  |
| ZONE:                | P09904 (SHOPPING CENTER BASE DISTRICT)   |
| FLOOD ZONE:          | ZONE X AS SHOWN ON FEMA MAP NO. 4811300220L DATED AUGUST 23, 2007.                       |
| SITE AREA:           | 1.033 ACRES  |
| DISTURBED AREA:      | 1.23 ACRES   |
| LOT COVERING:        | 8,800 SF   |
| BUILDING AREA:       | 0.981 ACRES  |
| BUILDING SETBACKS:   | REQUIRED PROVIDED  |
| FRONT (WEST):        | 60' 103.5'   |
| REAR (EAST):         | 15' 61.5'  |
| SIDE (NORTH):        | 15' 27'  |
| SIDE (SOUTH):        | 15' 65.9'  |
| PARKING SUMMARY:     | REQUIRED PROVIDED  |
| STANDARD:            | 12 33  |
| ACCESSIBLE:          | 2 3  |
| TOTAL:               | 34 35  |

PLAN SYMBOL LEGEND  
 1. CONCRETE CURB  
 2. EXISTING CURB & CUTTER  
 3. DIRECTIONAL MARK PAINTED WHITE  
 4. TRAFFIC SIGN  
 5. LANDSCAPES/GRASSED AREA (SEE LANDSCAPE PLAN)  
 6. STANDARD DUTY CONCRETE  
 7. HEAVY DUTY CONCRETE PAVEMENT (FIRE LANE)  
 8. WHITE STOP LINE (WSL) (24" WIDE)  
 9. STRIPING:  
 10. SINGLE SOLID WHITE (SSW)  
 11. SINGLE SOLID YELLOW (SSY)  
 12. LIGHT POLE (SEE SITE ELECTRICAL PLANS)  
 13. TRANSFORMER (SEE SITE ELECTRICAL PLANS)

**PARKING & PAVING LEGEND**

|  |       |
|--|-------|
| PROPERTY LINE                                | ---   |
| CONCRETE CURB                                | ===== |
| EXISTING CURB & CUTTER                       | ----- |
| DIRECTIONAL MARK PAINTED WHITE               | →     |
| TRAFFIC SIGN                                 | +     |
| LANDSCAPES/GRASSED AREA (SEE LANDSCAPE PLAN) | ~     |
| STANDARD DUTY CONCRETE                       | ▨     |
| HEAVY DUTY CONCRETE PAVEMENT (FIRE LANE)     | ▩     |
| WHITE STOP LINE (WSL) (24" WIDE)             | —     |
| STRIPING:                                    |       |
| SINGLE SOLID WHITE (SSW)                     | —     |
| SINGLE SOLID YELLOW (SSY)                    | —     |
| LIGHT POLE (SEE SITE ELECTRICAL PLANS)       | ⊙     |
| TRANSFORMER (SEE SITE ELECTRICAL PLANS)      | ⊕     |



**1 SIDEWALK TURNDOWN**  
N.T.S.

**BERRY ENGINEERS LLC**  
 CIVIL ENGINEER  
 1400 W. WYATT STREET, SUITE 100  
 CHATTANOOGA, TN 37402  
 TEL: 423.263.8800

**THE HUTTON COMPANY**  
 736 CHERRY STREET  
 CHATTANOOGA, TN 37402

**Reilly AUTO PARTS**  
 5550 LAVON DRIVE (HWY 78)  
 GARLAND, TX 75042

**EXHIBIT C**

**REVISIONS**

|    |  |
|----|--|
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**SHEET NAME:** SITE LAYOUT & PAVING PLAN

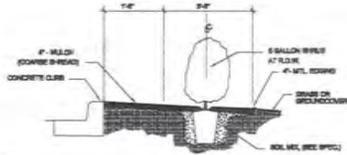
**DATE:** 08/01/2013

**DRAWN BY:** VMT

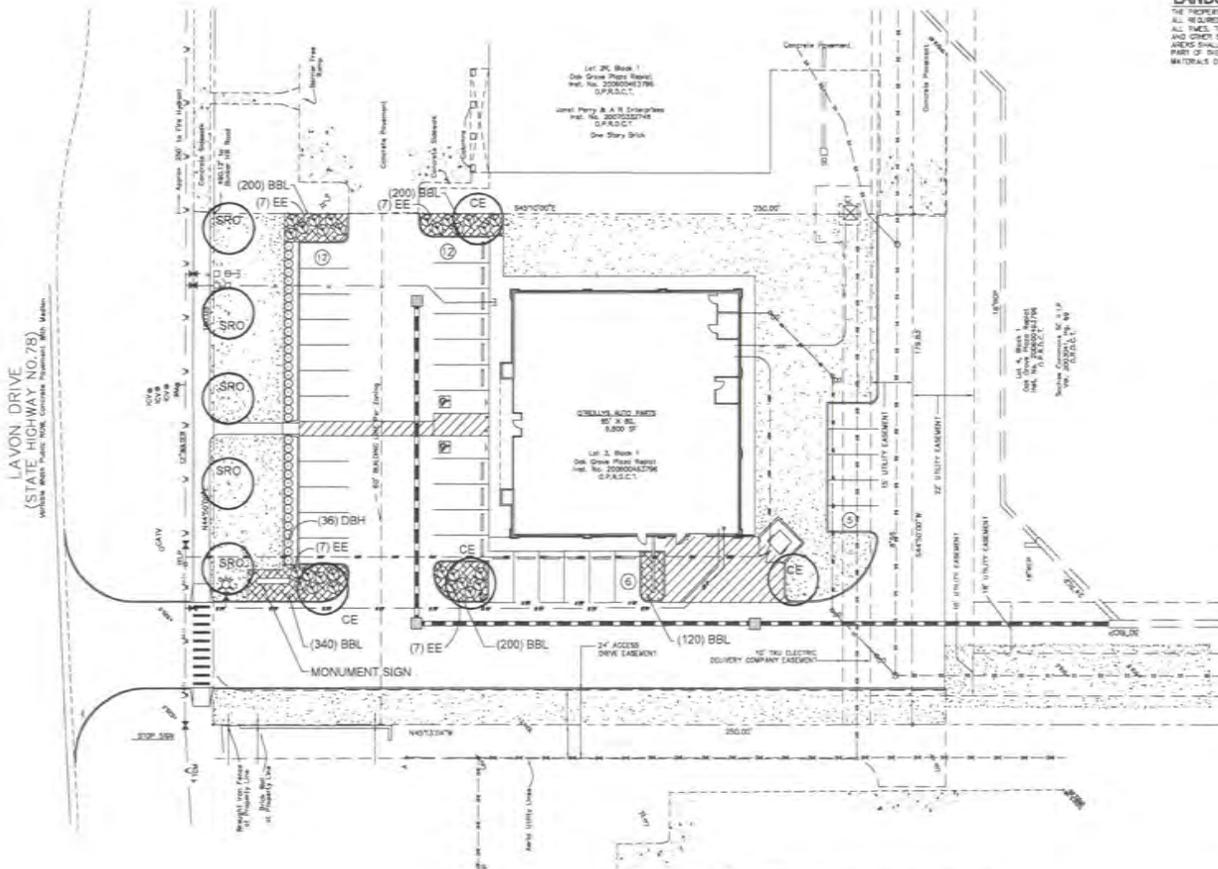
**CHECKED BY:** BMB

**PROPERTY NO.:** 13025

**SHEET NUMBER:** C-02



2 SHRUB PLANTING - ADJ. TO PARKING  
NOT TO SCALE



1 LANDSCAPE PLANTING PLAN  
1" = 20'

| KEY                            | QUANTITY | COMMON NAME         | SCIENTIFIC NAME                     | SPECIFICATIONS                         |
|--------------------------------|----------|---------------------|-------------------------------------|--|
| <b>PLANT MATERIAL SCHEDULE</b> |          |                     |                                     |  |
| <b>CANOPY TREES</b>            |          |                     |                                     |  |
| CE                             | 14       | CEBARIUM            | <i>Cebaria sp.</i>                  | 2" cal. 7' tall min. 1.800/1.000/1.000 |
| SRO                            | 5        | SHAWNEE RED OAK     | <i>Quercus shumardii</i>            | 4" cal. 8' tall min. 1.800/1.000/1.000 |
| <b>SHRUBS</b>                  |          |                     |                                     |  |
| DBH                            | 36       | DWARF BURFORD HOLLY | <i>Ilex cornuta - Burford holly</i> | 24" H. min. 36" cal.                   |
| EE                             | 38       | CLAYTONIA EBENEA    | <i>Claytonia ssp. 'Ebena'</i>       | 24" H. min. 48" cal.                   |
| <b>GROUNDCOVERS</b>            |          |                     |                                     |  |
| BBL                            | 100      | BIG BLUE EBROE      | <i>Linum catharticum 'Big Blue'</i> | 4" cal. 12" H.                         |
| <b>GRASS</b>                   |          |                     |                                     |  |
| CEG                            | 1        | BERNALDA GRASS      | <i>Cynodon dactylon</i>             | hydrachina, 1000 sq. ft.               |

NOTES:  
EACH INDIVIDUAL PLANT SHALL BE THE MINIMUM REQUIRED SIZE AS NOTED.  
TREE CALIPER SHALL BE MEASURED AT 50 INCHES FROM THE TOP OF ROOT FLARE.

**LANDSCAPE MAINTENANCE NOTE:**  
THE PROPERTY OWNER, TENANT OR AGENT SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF ALL REQUIRED LANDSCAPE IN A HEALTHY, NEAR SHEDDLE AND LIVE-SPOILING CONDITION AT ALL TIMES. THIS SHALL INCLUDE WATERING, EDGING, PRUNING, WEEDING, PROTECTION, WEEDING AND OTHER SUCH ACTIVITIES NECESSARY TO THE MAINTENANCE OF LANDSCAPE. LANDSCAPE AREAS SHALL BE NOTIFIED BY TOWN, UTILITY, NEEDS AND OTHER SUCH MATERIALS NOT A PART OF THE LANDSCAPE. PLANT MATERIALS THAT BE SHALL BE REPLACED WITH PLANT MATERIALS OF SIMILAR VARIETY AND SIZE.

- LANDSCAPE NOTES:**
- ALL LANDSCAPE REQUIREMENTS AND UNDERGROUND IRRIGATION SYSTEM WILL CONFORM TO THE LOCAL CITY ORDINANCE AND DESIGN STANDARDS AND ANY REQUIREMENTS OF THE STATE IF APPLICABLE.
  - NO PLANT MATERIAL SHALL BE PLANTED UNTIL THE LANDSCAPE IRRIGATION SYSTEM HAS BEEN INSTALLED AND IS OPERATING WITH FULL COVERAGE OF PROPOSED LANDSCAPE AREAS.
  - THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR MAKING HIMSELF FAMILIAR WITH ALL UNDERGROUND UTILITIES, RECORDS, STRUCTURES AND LINE PLANS.
  - THE CONTRACTOR IS RESPONSIBLE FOR VERIFICATION OF ALL QUANTITIES BASED ON THE DRAWINGS AND ACTUAL FIELD DIMENSIONS. PLANT QUANTITIES HAVE BEEN PROVIDED AS AN APPROXIMATE GUIDE TO THE OWNER AND SHALL NOT BE CONSIDERED ABSOLUTE. CONTRACTOR SHALL FOLLOW DESIGN INTENT.
  - ALL PROPOSED SUBSTITUTIONS MUST BE APPROVED BY THE LANDSCAPE ARCHITECT BEFORE INSTALLATION.
  - NOTIFY THE LANDSCAPE ARCHITECT IF LAYOUT OF TREES, BEDS AND/OR PLANTS REQUIRE REVISION FROM THE LANDSCAPE PLAN. NOTIFICATION WILL BE REQUIRED PRIOR TO ALTERING THE LAYOUT.
  - TREES SHALL BE HANDLED BY ROOT BALLS ONLY. DO NOT DAMAGE BARK, TRUNK OR LOWER BRANCHES FROM SWAYING, TRIPPING AND TO BE PLANTED STRAIGHT AND MAY BE REQUIRED BY THE OWNER AND/OR THE LANDSCAPE ARCHITECT TO BE STAKED.
  - ALL TREES REQUIRED TO BE STAKED AND STAKES SHALL CONTINUE TO BE SO "TIED" TO THE MAIN TRUNK BY WIRE TIES. THE OWNER AND/OR THE LANDSCAPE ARCHITECT SHALL DETERMINE IF REMOVAL IS APPROPRIATE.
  - ALL TREE LOCATIONS SHALL BE APPROVED BY THE OWNER OR OWNER'S REPRESENTATIVE PRIOR TO PLANTING.
  - AT NO TIME WILL ANY PLANT MATERIAL BE ALLOWED TO SETTLE BEYOND THE TOP OF THE ROOT FLARE OR POTTED SOIL LINE. SHOULD PLANT MATERIAL SETTLE, THE PLANTS WILL BE REPLANTED AT THE PROPER HEIGHT AND/OR REPLACED IF NECESSARY AT THE CONTRACTOR'S COST.
  - ALL PROPOSED BED AREAS SHALL BE FILLED TO A DEPTH OF SIX INCHES (6") ABOVE THE FINISHED GRADE. ALL BEDS SHALL BE 12" DEEP. THE LEVEL OF THE BED AREAS SHOULD BE 12" ABOVE FINISHED GRADE TO ALLOW FOR COMPACTION AND SETTLEMENT.
  - ALL BED AREAS SHALL BE SEPARATED FROM DRIVE AREAS USING 1/2" x 4" STEEL EDGING. PAINTED GREEN. ALL ENDS OF STEEL EDGING SHALL HAVE A RADIUS OR AN ADJUSTABLE RADIUS TO ELIMINATE SHARP EDGES. HAND FUND MAY BE REQUIRED TO ACHIEVE A SMOOTH BEAD.
  - THE STEEL EDGING AT A 45 DEGREE ANGLE WHEN EDGING INTERSECTS WITH A RADIUS OF 6" OR MORE. DO NOT INSTALL EDGING ALONG CURBS OR WALLS.
  - ALL LANDSCAPE BEDS SHALL RECEIVE A TWO INCH (2") TOP DRESS LAYER OF HORTICULTURAL MULCH AND ALL TREE BEDS SHALL RECEIVE A THREE INCH (3") LAYER OF SHADY-TOLERANT MULCH. DO NOT COVER ROOT FLARE.
  - DRIVE AREAS SHALL BE CLEAN OF DEBRIS AND NAMED (TOPIC) SMOOTH PRIOR TO UNDERGROUND OR SOLE INSTALLATION. LANDSCAPE CONTRACTOR TO RECEIVE DRAINAGE WITHIN APPROX. 1/2" OF FINAL GRADE.
  - OWNER RESPONSIBLE TO PROVIDE ELECTRICAL SERVICE FOR THE IRRIGATION SYSTEM, WHICH INCLUDES A MINIMUM OF TWO VOLTS AT MINIMUM FOR THE CONTROLLER.
  - ALL LANDSCAPING LOCATED WITHIN THE VISIBILITY TRIANGLE SHALL COMPLY WITH THE VISIBILITY TRIANGLE REQUIREMENTS AS PER THE CITY STANDARDS.
  - ALL TREES TO BE UNIFORM IN SPECIES WITH STRAIGHT TRUNKS AND MATCHING CHARACTER AND BRANCHING STRUCTURE.
  - ALL PLANTS AND TREES ARE TO CONFORM TO AMERICAN ASSOCIATION OF HORTICULTURE AND RESEARCH ASSOCIATION OF HORTICULTURE STANDARDS.
  - THE LANDSCAPE ARCHITECT RESERVES THE RIGHT TO REMOVE ANY LANDSCAPE MATERIAL ON-SITE.

**LANDSCAPE CALCULATIONS**  
AREA OF SITE = 44,880 SQ. FT. - 1,028 = 4,450 SQ. FT. - REQUIRED LANDSCAPE AREA.  
1,028 SQ. FT. = 20% = PROPOSED LANDSCAPE AREA.  
STREET BUFFER = 30 FT. REQUIRED BY (1) SHAWNEE RED OAK PER 20 FT. 100' WIDENING APPROACH = 137 SQ. FT. = (5) TREES (20' H) TREES PROVIDED.  
PARKING LOT LANDSCAPING: 5% OF PARKING LOT TO BE LANDSCAPED.  
1,028 SQ. FT. = PARKING AREA: 200 SQ. FT. = 10 TREES (20' H).  
1,028 SQ. FT. = 10% = PROPOSED LANDSCAPE AREA.  
(1) TREE PER (10) SPACES REQ'D. 25/10 = (4) TREES REQ'D. (4) TREES PROVIDED. ALL SPACES WITHIN 500 FT. OF TREE.  
PARKING SPACES SCREENED FROM STREET THERE IS NOT ANY RESIDENTIAL ADJACENCY.

**BERRY ENGINEERS LLC**  
736 CHERRY STREET  
CHATTANOOGA, TN 37402  
TEL: 423.762.9000  
FAX: 423.762.9000

**THE HUTTON COMPANY**  
736 CHERRY STREET  
CHATTANOOGA, TN 37402

**Reilly AUTO PARTS**  
LAVON DRIVE (HWY 78)  
GARLAND, TX 75040

**LANDSCAPE ARCHITECT**  
DON C. WHEELER  
STATE OF TEXAS  
36-69-11

| NO. | REVISIONS |
|-----|-----------|
| 1   |           |
| 2   |           |
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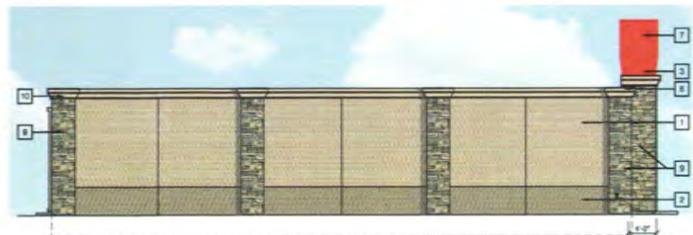
**LANDSCAPE PLAN**  
DATE: 08/01/2013  
DRAWN BY: DCW  
CHECKED BY: DCW  
PROJECT NO: 13025  
SHEET NUMBER: **L-01**

**Don C. Wheeler Landscape Architect**  
2012 Wacker Drive, Suite 100, The Woodlands, TX 77380  
Tel: 281.363.8888 Fax: 281.363.8888

EXHIBIT D



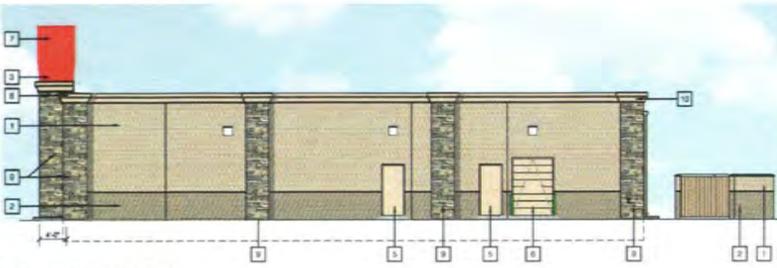
**1 FRONT ELEVATION**  
SCALE: 1/8" = 1'-0"



**2 SIDE ELEVATION**  
SCALE: 1/8" = 1'-0"



**3 REAR ELEVATION**  
SCALE: 1/8" = 1'-0"



**4 SIDE ELEVATION**  
SCALE: 1/8" = 1'-0"

| MATERIAL SUMMARY |   |
|------------------|---|
| FACADE           | MATERIAL AMOUNT (%)                       |
| FRONT (WEST)     | BRICK - 37%<br>EIF.S - 20%<br>STONE - 20% |
| SIDE (NORTH)     | BRICK - 80%<br>EIF.S - 0%<br>STONE - 15%  |
| REAR (EAST)      | BRICK - 80%<br>EIF.S - 0%<br>STONE - 20%  |
| SIDE (SOUTH)     | BRICK - 80%<br>EIF.S - 0%<br>STONE - 20%  |

NOTE: AREA OF FRONT WALL ARTICULATION = 42% OF FRONT FACADE AREA

| EXTERIOR FINISH SCHEDULE  |  |  |
|---|--|--|
| TYPE  | COMPANY TYPE   | COLOR  |
| BRICK   | ACME BRICK (OR APPROVED EQUAL)                         | BRICK COLOR: BL 30/20VE GRAY<br>MORTAR COLOR: MATCH BRICK COLOR<br>SIZE: MODULAR<br>COLORING: RUNNING<br>ACCENT BRICK COLOR: BL 688<br>COLORING: BROWN<br>MORTAR COLOR: NATURAL<br>SIZE: MODULAR<br>COLORING: RUNNING                    |
| EXTERIOR INSULATION AND FINISH SYSTEM (EIF.S)                   | DRYVIT - OUTSULATION PLUS MD SANDBLAST FINISH          | CUSTOM RED MIX BY SHERWIN WILLIAMS ORAP112206 WITH DRYVIT STRUTOTONE HIGH PERFORMANCE COLORANT (FACTORY BRICK ONLY)  |
| STOREFRONT (NO SUBSTITUTES)                                     | EPCO<br>KAMNEER<br>VISTA WALL                          | IVY<br>DARK IVY<br>INTERSTATE GREEN  |
| BOLLARDS  | IN FIELD   | CUSTOM GREEN MIX BY SHERWIN WILLIAMS<br>GLIDDEN EXTERIOR SEMI-GLOSS LATEX<br>BASE: 6421 - 2000<br>TDC: 5P2<br>TFL: 4P2<br>GRN: 5P4<br>BHT: 2P2<br>COLOR: CUSTOM  |
| EXTERIOR DOORS  | OWNER  | PERFINISHED BIRCH WHITE  |
| OVER-HEAD DOOR  | OWNER  | FACTORY PRIME FIELD PAINTED BOYTER TAN   |
| SHEET METAL CAP FLASHING AT EIF.S                               | BY METAL BUILDING MFG'R<br>FACTORY PRIME FIELD PAINTED | CUSTOM RED MIX BY SHERWIN WILLIAMS (VERIFY MIX BY: LOW MP/TCHES E.I.F.S. COLOR)<br>SHERWIN WILLIAMS MIX<br>BASE - 680282 BRNDG-GALLON FORMULA<br>TY: 15<br>CLEAR COAT - DIAMOND GLAD CLEAR COAT-PRIME<br>M81708W3V105BESC105-3 COMPONENT |
| PRE-FINISHED SHEET METAL CAP FLASHING                           | BY METAL BUILDING MFG'R                                | COOL BIRCH WHITE   |
| STACKED STONE VENEER  | (TO BE SELECTED)                                       | (TO BE SELECTED)   |
| EXTERIOR INSULATION AND FINISH SYSTEM (EIF.S) (LOCATOR CORNICE) | DRYVIT - OUTSULATION PLUS MD SANDBLAST FINISH          | SWR156 "LATEX"   |

REVISIONS:

---

**Buddy D. Webb**  
Architect - Consultant  
100 East Sam Houston - Suite 1  
Springfield, Missouri 65804

PROJECT:  
**NEW O'REILLY AUTO PARTS STORE**  
**5550 LAVON DRIVE**  
**GARLAND, TEXAS**

235 South Parkway  
Springfield, MO 65802  
Phone: (417) 862-2074

O'Reilly AUTO PARTS

EXTERIOR ELEVATIONS

A3

DRAWN: \_\_\_\_\_  
CHECKED: \_\_\_\_\_  
DATE: 06/06/13  
JOB NO. GA7  
SHEET: \_\_\_\_\_

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# City Council Item Summary Sheet

Work Session

Date: September 17, 2013

Agenda Item

## Zoning Ordinance

### Summary of Request/Problem

Zoning Ordinance 13-31 RaceTrac

### Recommendation/Action Requested and Justification

Consider adoption of attached ordinance.

#### Submitted By:

Anita Russelmann  
Director of Planning & Community  
Development

#### Approved By:

William E. Dollar  
City Manager

**ORDINANCE NO.**

AN ORDINANCE AMENDING THE ZONING LAWS OF THE CITY OF GARLAND, TEXAS, BY APPROVING AN AMENDMENT TO PLANNED DEVELOPMENT (PD) DISTRICT 12-28 FOR SHOPPING CENTER USES, A DETAIL PLAN AND A SPECIFIC USE PERMIT ON A 6.6-ACRE TRACT OF LAND LOCATED AT 3401 SOUTH GARLAND AVENUE, WEST OF SOUTH GARLAND AVENUE, EAST OF SOUTH SHILOH ROAD, AND NORTH OF MCCREE ROAD; PROVIDING FOR CONDITIONS, RESTRICTIONS, AND REGULATIONS; AND PROVIDING FOR A PENALTY AND AN EFFECTIVE DATE.

**WHEREAS**, at its regular meeting held on the 12th day of August, 2013, the City Plan Commission did consider and make recommendations on a certain request for zoning change made by **Racetrac**, and

**WHEREAS**, The City Council, after determining all legal requirements of notice and hearing have been met, has further determined the following amendment to the zoning laws would provide for and would be in the best interest of the health, safety, morals, and general welfare:

**Now, therefore, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GARLAND, TEXAS, that:**

**Section 1.**

Ordinance No. 4647 is hereby amended by approving an amendment to Planned Development (PD) District 12-28 for Shopping Center Uses, a Detail Plan, and a Specific Use Permit for Retail Sales with Gas Pumps., on a 6.6-acre tract of land located at 3401 South Garland Avenue, west of South Garland Avenue, east of South Shiloh Road, and north of McCree Road, and being more particularly described in Exhibit A, attached hereto and made a part hereof.

**Section 2.**

Development shall be in conformance with the conditions, restrictions, and regulations set forth in Exhibit B, attached hereto and made a part hereof.

**Section 3.**

Ordinance No. 4647, as amended, shall remain in full force and effect, save and except as amended by this Ordinance.

**Section 4.**

Violation of this Ordinance shall be a misdemeanor punishable in accordance with Section 10.05 of the Code of Ordinances, City of Garland, Texas.

**Section 5.**

This Ordinance shall become and be effective on and after its adoption and publication as required by law.

**PASSED AND APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

**THE CITY OF GARLAND, TEXAS**

By:

\_\_\_\_\_  
Mayor

**ATTEST:**

\_\_\_\_\_  
City Secretary

Published:

## EXHIBIT A

### LEGAL DESCRIPTION

#### Zoning File 13-31

Being a 6.59 acre tract of land situated in the John Casey Survey, Abstract No. 351, in the City of Garland, Dallas County, Texas, and being all of Lot 1, Block 1, Myers Addition, an addition to the City of Garland, according to the plat thereof recorded in Volume 90009, Page 3142 Map Records, Dallas County, Texas, and more particularly described as follows:

BEGINNING at 1/2 inch iron rod found with cap at the northwest corner of said Lot 1, Block 1, Myers Addition, said point being the southwest corner of Lot 8R, Block 1, Walmart Super Center 2 Addition, an addition to the City of Garland, according to the plat thereof recorded in Volume 87242, Page 5919, Map Records, Dallas County, Texas, said point being in the east line of South Shiloh Road (a 100.0 foot right-of-way);

THENCE North 89 degrees 59 minutes 51 seconds East, departing the east line of said South Shiloh Road, and along the common line of said Lot 8R, Block 1 Walmart Super Center 2 Addition and Lot 1, Block 1, Myers Addition, a distance of 376.07 feet to a 1/2 inch iron rod set for corner, said point being the most southerly southeast corner of said Lot 8R, Block 1, Walmart Super Center 2 Addition, said point being the southwest corner of Lot 1, Block 1, Wysong Addition, an addition to the City of Garland, according to the plat thereof recorded in Volume 74230, Page 1216, Map Records, Dallas County, Texas;

THENCE South 58 degrees 45 minutes 51 seconds East, along the common line of said Lot 1, Block 1, Myers Addition and said Lot 1, Block 1, Wysong Addition, a distance of 200.00 feet to a Punch Mark found for corner, said point being the northeast corner of said Lot 1, Block 1, Myers Addition and southeast corner of said Lot 1, Block 1, Wysong Addition, same point being in the west line of South Garland Avenue (State Highway 78) (a variable width right-of-way);

THENCE South 31 degrees 13 minutes 49 seconds West, along the west line of said South Garland Avenue (State Highway 78), a distance of 404.53 feet to an "X" cut found for corner;

THENCE South 33 degrees 25 minutes 41 seconds West, continuing along the west line of said South Garland Avenue (State Highway 78), a distance of 597.68 feet to a 1/2 inch iron rod found with cap for corner, said point being the southeast corner of said Lot 1, Block 1, Myers Addition, same point being at the intersection of the west line of

said South Garland Avenue (State Highway 78) and the east line of said South Shiloh Road;

THENCE North 58 degrees 43 minutes 37 seconds West, along the intersection of said South Garland Avenue (State Highway 78) and the east line of said South Shiloh Road, a distance 9.45 feet to a 1/2 inch iron rod found with cap for corner;

THENCE North 00 degrees 00 minutes 00 seconds East, along the east line of said South Shiloh Road, a distance of 943.51 to the POINT of BEGINNING and containing 286,962 square feet or 6.59 acres of computed land.

The subject property is located west of Garland Avenue, east of Shiloh Road, north of McCree Road.

## PLANNED DEVELOPMENT CONDITIONS

### ZONING FILE 13-31

#### West of S. Garland Avenue, east of S. Shiloh Road, and north of McCree Road

- I. **Statement of Purpose:** The purpose of this Planned Development District is to allow compatible retail, personal service and entertainment uses according to an overall development plan, subject to conditions.
- II. **Statement of Effect:** This Planned Development shall not affect any regulation found in the Comprehensive Zoning Ordinance, Ordinance No. 4647, as amended prior to adoption of this ordinance, except as specifically provided herein.
- III. **General Regulations:** All regulations of the Shopping Center (SC) District set forth in Section 31, 32 and 47 of the Comprehensive Zoning Ordinance are included by reference and shall apply, except as otherwise specified by this ordinance.
- IV. **Development Plans:**
  - A. Concept Plan: Development shall be in general accordance with the Concept Plan identified as Exhibit D.
  - B. Detail Plan: Development shall be in general accordance with the Detail Plan identified as Exhibit E. Prior to issuance of a building permit for new development on any tract or portion thereof, a Detail Plan and conditions shall be approved through the public hearing process for Lots 2 and 3.
- V. **Specific Regulations:**
  - A. Permitted Uses: All uses of the Shopping Center (SC) District within the IH 635 Overlay District shall be permitted with the following modifications:
    1. The following uses shall not be permitted:  
Automobile Repair, Minor  
Equipment Leasing, Indoor  
Office Equipment Sales, Repair and Maintenance  
Tire Dealer, No Outside Storage  
Used Goods or Products Collection Point, Temporary  
Wrecker Service (one)
    2. The following uses shall be permitted in addition to those permitted in the Shopping Center District:

### EXHIBIT B

Commercial Amusement, Indoor  
Commercial Amusement, Outdoor\*  
Hotel/Motel, Full Service  
Hotel/Motel, Limited Service\*

\*Permitted with approval of a Specific Use Permit

- B. Landscape Plan: The screening and landscaping shall be generally provided as shown on the landscape plan identified as Exhibit F.
1. Landscape Buffer: The width of the landscape buffer along both Shiloh Road and Garland Avenue shall be decreased from the minimum 30-ft to a variable width buffer as generally shown on Exhibit F.
  2. Landscape Buffer Tree Plantings: A minimum of 11 Shumard Red Oak trees are required within the South Garland Avenue landscape buffer. A minimum of 15 Crape Myrtle trees, of a variety and spacing approved by the Director of Planning are required within the Shiloh Road landscape buffer. Refer to Exhibit F for general placement of trees.
  3. Landscape and Hardscape Features: Landscaped and hardscape amenity features shall be provided as shown on Exhibit F.
    - 3.1 Hardscape Feature: The southernmost hardscape feature shall be sloped upward from south to north to maximize visual exposure from a southern vantage point and shall be designed as reflected on Exhibit F-1.
- C. Maintenance of Landscape and Hardscape Features: All installation and maintenance of the landscape and hardscape features, including the entryway monument sign, shall be the responsibility of the property owner.
- D. Development Standards: All new development shall be in compliance with the IH 635 Development Standards.
- E. Exterior Building Materials: Exterior building materials shall be in general conformance with Exhibit G.
- E. Building Setbacks Adjacent to a Street: Minimum front, side and rear yards adjacent to a street shall be thirty (30) feet.
- F. Sidewalk Waiver: Construction of a 6-foot sidewalk along Shiloh Road is required unless waived by the Plan Commission in conjunction with a subsequent development application.

## EXHIBIT B

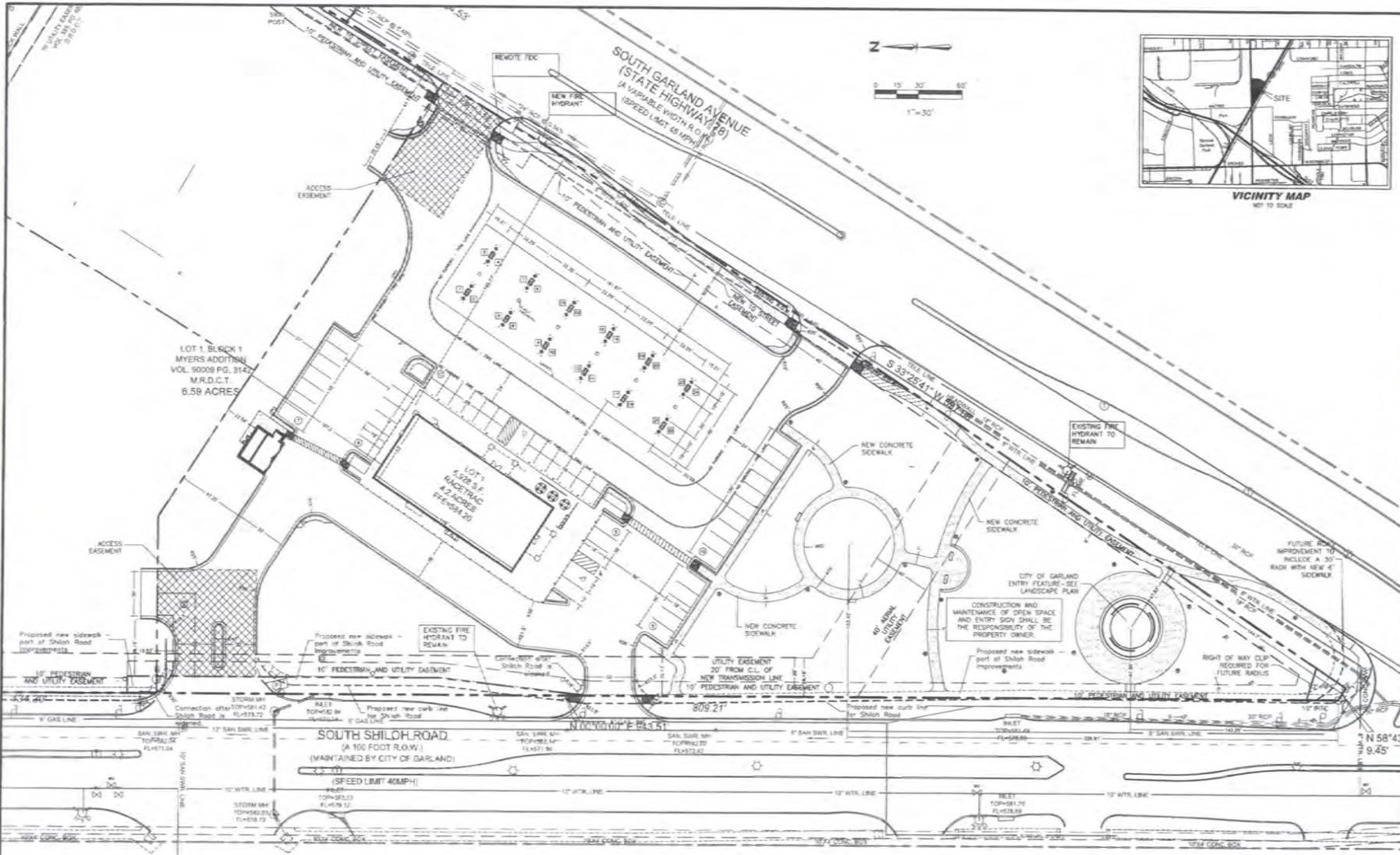
- G. Existing Ford Sign: Prior to issuance of a certificate of occupancy for the RaceTrac facility, the freestanding pole sign reflecting "Ford" shall be removed from the property.

## SPECIFIC USE PERMIT CONDITIONS

### West of S. Garland Avenue, east of S. Shiloh Road, and north of McCree Road

- I. **Statement of Purpose:** The purpose of this Specific Use Permit is to allow a Retail Sales with Gas Pumps subject to conditions.
- II. **Statement of Effect:** This permit shall not affect any regulation found in the Comprehensive Zoning Ordinance, as amended, except as specifically provided herein.
- III. **General Regulations:** All regulations of the Shopping Center (SC) District set forth in Sections 24, 33, and 47 of the Comprehensive Zoning Ordinance are included by reference and shall apply, except as otherwise specified in this ordinance.
- IV. **Specific Regulations:**
  - A. Time Period: The Specific Use Permit shall be in effect for a period of thirty (30) years tied to **RaceTrac Petroleum Inc.**
  - B. Site/Detail Plan: Development shall be in general conformance with the Detail Plan identified as Exhibit E.
  - C. Development: Development is subject to the specific conditions of Planned Development (PD) District 13-31.
  - D. Freestanding Signs: Freestanding signs shall adhere to the IH635 Development Standards identified as Exhibit H.
  - E. Attached Signs: The maximum amount of attached sign area shall be set at 255 square feet and shall be generally distributed as shown on Exhibit I.
  - F. Trespass Affidavit. The owner of the retail store agrees to execute the trespass affidavit contemplated under Section 26.161 of the Code of Ordinances of the City of Garland permitting enforcement of all applicable trespass laws on the owner's behalf at such property, and to post a copy of the affidavit in accordance with the requirements of Section 26.161.





LOT 1, BLOCK 1  
MYERS ADDITION  
VOL. 90009 PG. 314  
M.R.D.C.T.  
6.58 ACRES

| SITE SUMMARY       |  |
|--------------------|--|
| PROPOSED USE       | RACETRAC CONVENIENCE STORE WITH FUEL SALES |
| EXISTING ZONING    | PD 12-28 / 1-1-215 OVERLAY                 |
| TOTAL LOT AREA     | 186,000 SF                                 |
| TOTAL ACRES        | 4.26 AC                                    |
| OPEN AREA          | 52,224 SF                                  |
| IMPROVEMENT AREA   | 110,875 SF                                 |
| % IMPROVED         | 59.58                                      |
| REQUIRED OPEN AREA | 18,200 SF                                  |
| PROPOSED OPEN AREA | 73,220 SF                                  |

| PARKING SUMMARY           |           |
|---------------------------|-----------|
| REQUIRED PARKING (1/2008) | 30 SPACES |
| PARKING PROVIDED          | 48        |
| NET PARKING PROVIDED      | 18 SPACES |
| NET TRUCKING PROVIDED     | 2 SPACES  |

| BUILDING SUMMARY         |          |
|--------------------------|----------|
| NO. OF STORES            | 1        |
| BUILDING AREA            | 4,508 SF |
| BUILDING COVERAGE        | 3.2%     |
| BUILDING HEIGHT ALLOWED  | 30 FT    |
| PROPOSED BUILDING HEIGHT | 27 FT    |

PLEASE SEE ARCHITECTURAL PLANS FOR EXACT BUILDING DIMENSIONS. CONTRACTOR TO VERIFY DIMENSIONS / DIMENSIONS 1' SHORTER OF ANY DISCREPANCIES IN DIMENSIONS SHOWN.

CASE NO. 130530-1

**Masterplan**  
Lloyd Alan Compton  
200 Avenue Street, Ste. 404  
Dallas, TX 75202  
214.767.8167

**DEVELOPMENT PLAN**  
**RACETRAC MARKET**  
Lot 1, Block 1, Myers Addition  
S. Garland Ave. @ S. Shiloh Ave  
Garland, Texas

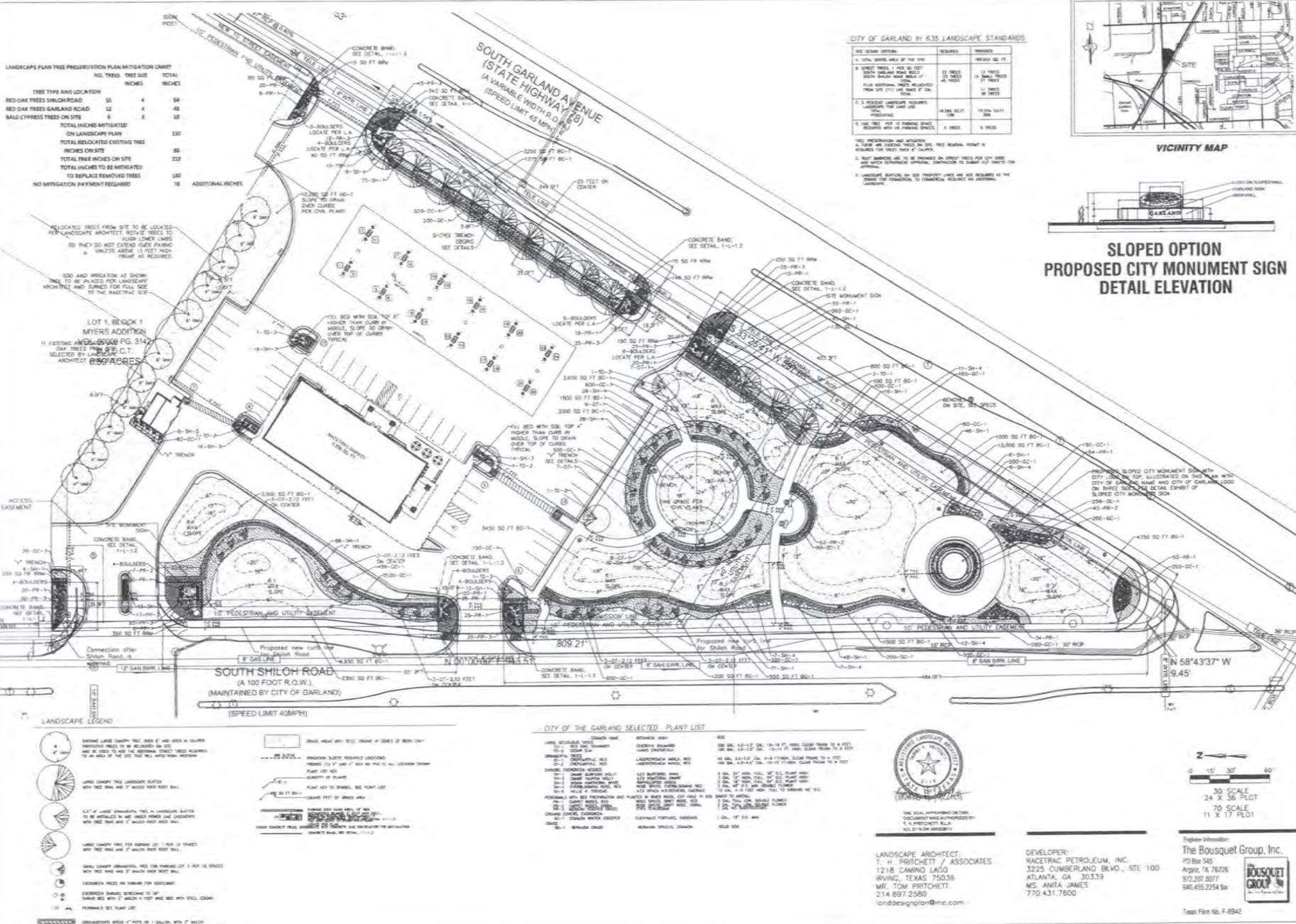
**C-1.1**

SHEET NO. / VERSION

DATE: \_\_\_\_\_  
SCALE: \_\_\_\_\_  
DRAWING BY: \_\_\_\_\_  
DRAWING NAME: \_\_\_\_\_

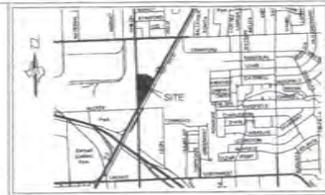
**RaceTrac**  
RACETRAC PETROLEUM, INC.  
3225 CUMBERLAND BOULEVARD  
SUITE 100 ATLANTA, GA 30339  
(770) 431-7600

**The Bouquet Group, Inc.**  
501 S. Canal Blvd.  
DENVER, CO 80202  
303.733.0000  
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303.733.0006  
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303.733.0100



**CITY OF GARLAND BY 635 LANDSCAPE STANDARDS**

| SECTION                           | REQUIREMENTS | MINIMUM | MAXIMUM |
|-----------------------------------|--------------|---------|---------|
| A. TOTAL NUMBER OF TREES          | ...          | ...     | ...     |
| B. SPECIES MIXTURE                | ...          | ...     | ...     |
| C. MINIMUM LANDSCAPE REQUIREMENTS | ...          | ...     | ...     |
| D. TREE SIZE                      | ...          | ...     | ...     |



**Racetrac**  
 RACETRAC PETROLEUM, INC.  
 3725 CUMBERLAND BLVD.  
 SUITE 100  
 GARLAND, TEXAS 75043  
 (727) 431-7800

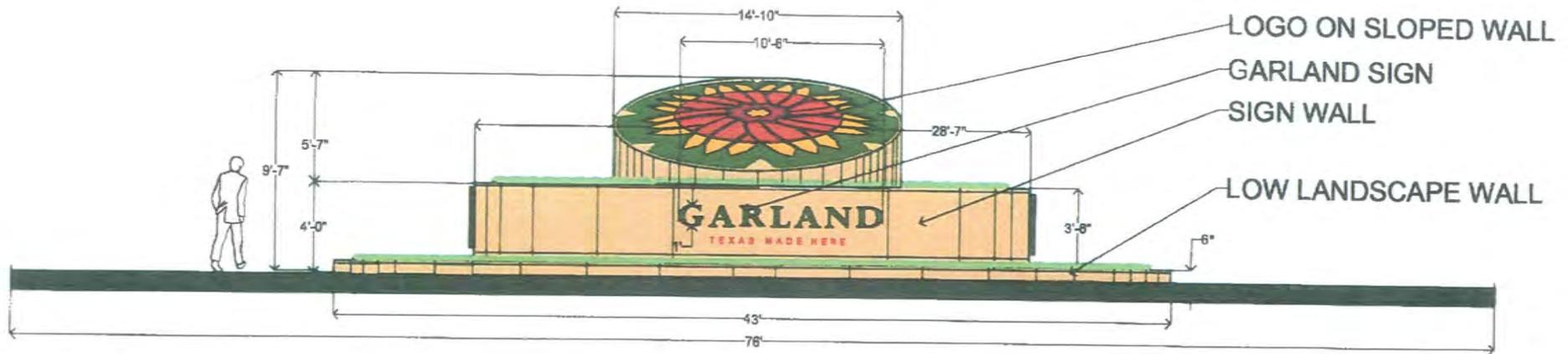
**LANDSCAPE PLAN**  
 RACETRAC SERVICE STATION  
 SHILOH AND GARLAND (HWY 78)  
 GARLAND, TX

**Scale:** 7/8" = 1'-0"  
**Date:** 08/07/13  
**Drawn by:** JTB  
**Checked by:** JTB  
**Project No.:** 13-001

**THE BOUSQUET GROUP, INC.**  
 3225 CUMBERLAND BLVD., STE 100  
 ATLANTA, GA 30339  
 404.555.2574

**Scale:** 1/4" = 1'-0"  
**Date:** 08/07/13  
**Drawn by:** JTB  
**Checked by:** JTB  
**Project No.:** 13-001

**L-2.0**



DETAIL ELEVATION

**SIGN:**

SIGN TEXT AND GRAPHICS TO BE USED WITH PERMISSION OF THE CITY OF GARLAND.

SIGN TO BE .5" ALUMINUM, LASER LETTERS, FLUSH MOUNTED AND ELECTRIC STATIC PAINTED TO MATCH CITY LOGO COLORS AND LETTERING STYLE.

**SIGN WALL:**

POURED IN PLACED CONCRETE. WITH INTEGRAL COLOR ADDITIVE, WARM BEIGE TONES. CONSTRUCTION JOINTS IN 1.5' DEEP REVEALS. FINISH TO BE LIGHT SAND BLASTED AND SEALED WITH SURFACE COLOR ENHANCER AND PROTECTOR.

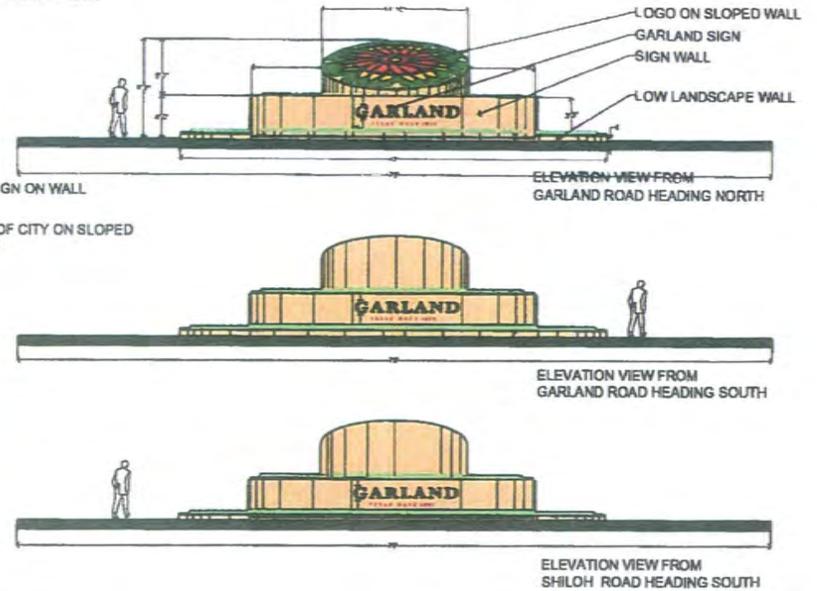
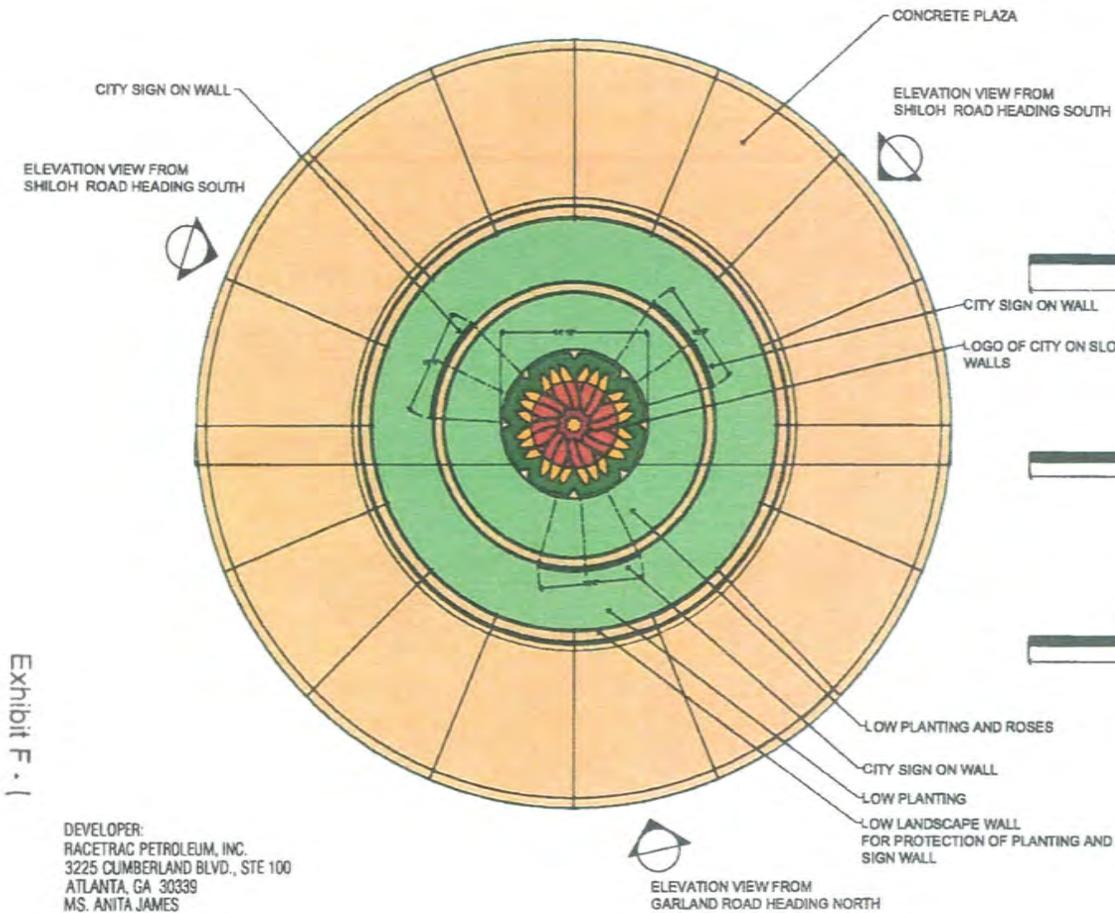
DEVELOPER  
 RACETRAC PETROLEUM, INC  
 3225 CUMBERLAND BLVD, STE 100  
 ATLANTA, GA 30339  
 MS. ANITA JAMES  
 770.431.7600

LANDSCAPE ARCHITECT  
 T. H. PRITCHETT / ASSOCIATES  
 1218 CAMINO LAGO  
 IRVING, TEXAS 75039  
 214.697.2580

CIVIL ENGINEER  
 THE BOUSQUET GROUP  
 PO BOX 545  
 ARGYLE, TEXAS 76226  
 972.207.8077

**SLOPED OPTION  
 PROPOSED CITY MONUMENT SIGN  
 DETAIL ELEVATION**

RACETRAC RETAIL STORE & STATION  
 SHILOH AND GARLAND (HWY 78)  
 GARLAND, TX



**SLOPED OPTION  
PROPOSED CITY MONUMENT SIGN  
AND ARRIVAL PLAZA**

RACETRAC RETAIL STORE & STATION  
SHILOH AND GARLAND (HWY 78)  
GARLAND, TX

Exhibit F - 1

DEVELOPER:  
RACETRAC PETROLEUM, INC.  
3225 CUMBERLAND BLVD., STE 100  
ATLANTA, GA 30339  
MS. ANITA JAMES  
770.431.7600

LANDSCAPE ARCHITECT:  
T. H. PRITCHETT / ASSOCIATES  
1218 CAMINO LAGO  
IRVING, TEXAS 75039  
214.697.2580

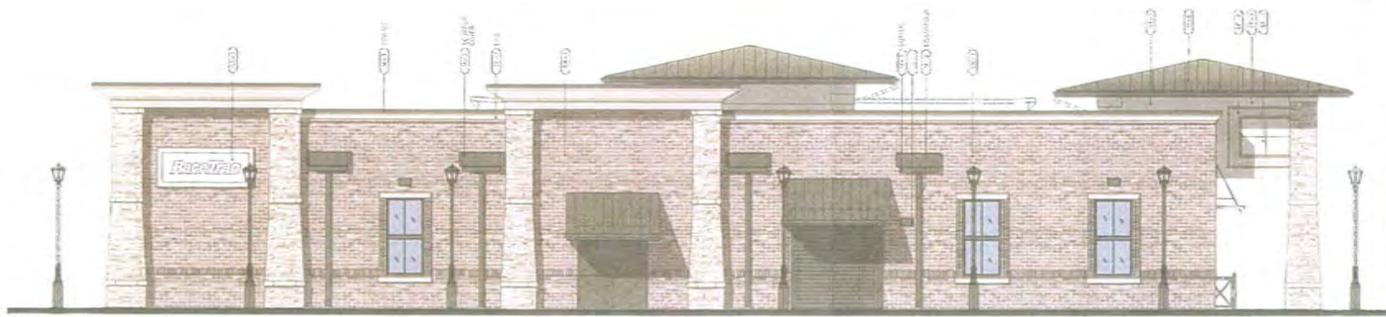
CIVIL ENGINEER:  
THE BOUSQUET GROUP  
PO BOX 545  
ARGYLE, TEXAS 76226  
972.207.8077



RIGHT EXTERIOR ELEVATION



LEFT EXTERIOR ELEVATION



REAR EXTERIOR ELEVATION



FRONT EXTERIOR ELEVATION

GENERAL NOTES

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND SPECIFICATIONS AND THE LATEST EDITIONS OF THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) CODES.
2. ALL MATERIALS SHALL BE OF THE HIGHEST QUALITY AVAILABLE.
3. ALL MATERIALS SHALL BE OF THE HIGHEST QUALITY AVAILABLE.

EXTERIOR MATERIAL LEGEND

| EXTERIOR MATERIAL LEGEND |  |
|--------------------------|--|
| EXTERIOR PAINT           |  |
| 1-14                     | EXTERIOR PAINT - SEE NOTES FOR SPECIFICATIONS AND COLOR MATCHING       |
| SHEET METAL              |  |
| 1-14                     | EXTERIOR SHEET METAL - SEE NOTES FOR SPECIFICATIONS AND COLOR MATCHING |
| GLASS                    |  |
| 1-14                     | EXTERIOR GLASS - SEE NOTES FOR SPECIFICATIONS AND COLOR MATCHING       |
| WOOD                     |  |
| 1-14                     | EXTERIOR WOOD - SEE NOTES FOR SPECIFICATIONS AND COLOR MATCHING        |
| STONE                    |  |
| 1-14                     | EXTERIOR STONE - SEE NOTES FOR SPECIFICATIONS AND COLOR MATCHING       |
| BRICK                    |  |
| 1-14                     | EXTERIOR BRICK - SEE NOTES FOR SPECIFICATIONS AND COLOR MATCHING       |
| ROOFING                  |  |
| 1-14                     | EXTERIOR ROOFING - SEE NOTES FOR SPECIFICATIONS AND COLOR MATCHING     |
| LANDSCAPE                |  |
| 1-14                     | EXTERIOR LANDSCAPE - SEE NOTES FOR SPECIFICATIONS AND COLOR MATCHING   |
| LIGHTING                 |  |
| 1-14                     | EXTERIOR LIGHTING - SEE NOTES FOR SPECIFICATIONS AND COLOR MATCHING    |

EXHIBIT G



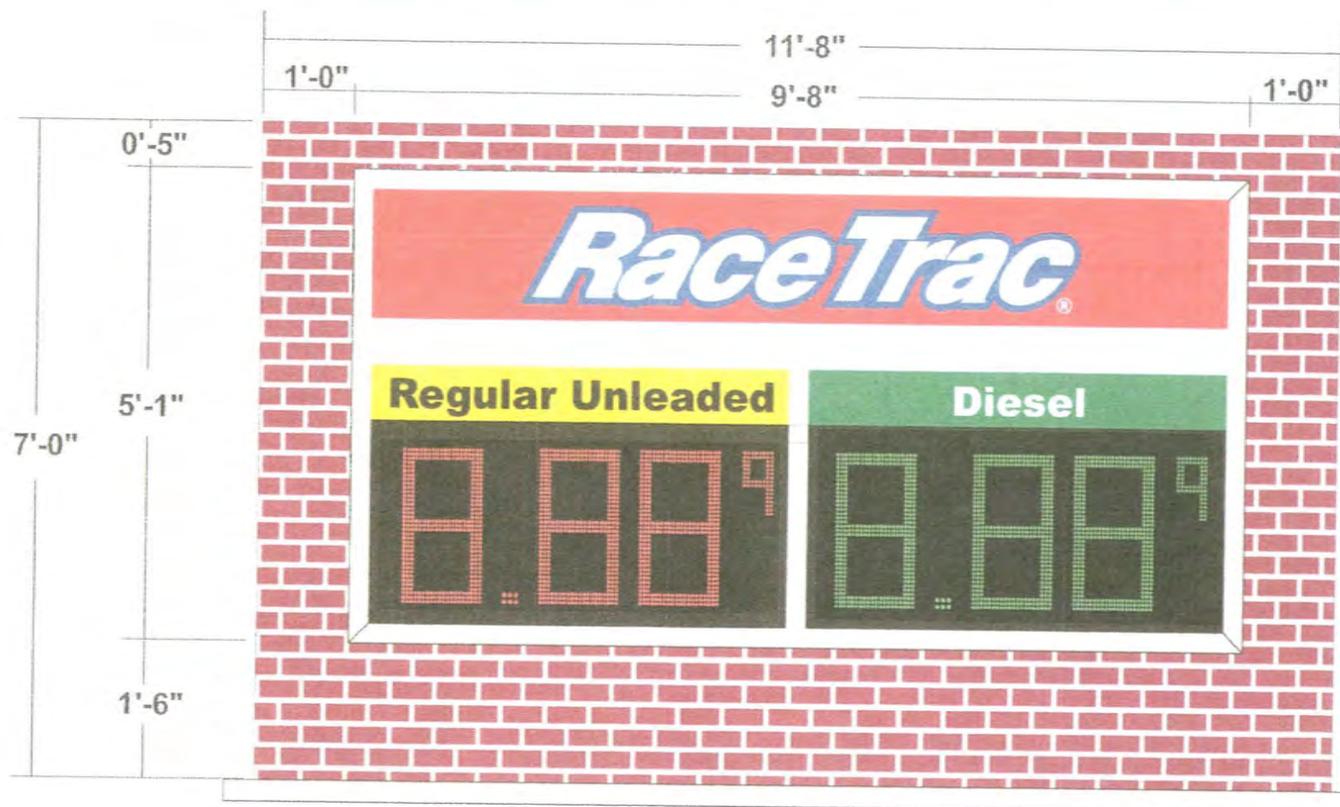


EXHIBIT H

**COLORS:**

- Black
- White
- PMS 485 Red
- PMS 280 Blue
- PMS 123 3630-25 3M Sunflower Yellow
- PMS 349 3630-26 3M Green
- Sherwin Williams "RaceTrac" Light Gray

**SPECIFICATIONS:**

Cabinet Frame - 2" Welded Tube Steel Frame 30" Deep  
 Cabinet Skin - .063 painted alum  
 Cabinet Faces - Cooley-Brite II with Coolthane Top Coat  
 2283 Red, 20 ounce Membrane, 10 year material  
 Cabinet Retainers - SignComp 2115 Covers Painted Light Gray  
 Sign Support - to be determined by location (direct burial)  
 Sign Foundation - to be determined by location  
 Price Changers - Sunshine LED RT50-SS20RG  
 \*All sign components to be U.L. Listed. All wiring to be U.L. Specs.  
 Installation to be per NEC. All signs to have U.L. Labels.

1 MONUMENT ELEVATION  
 A.1 SCALE: 3/16"=1'-0"

Sign Square Footage - 50 Sq Ft

RaceTrac #975 Garland  
 Shiloh Rd. at Garland Ave.  
 Garland, TX



# Marketing Signage – Sizes

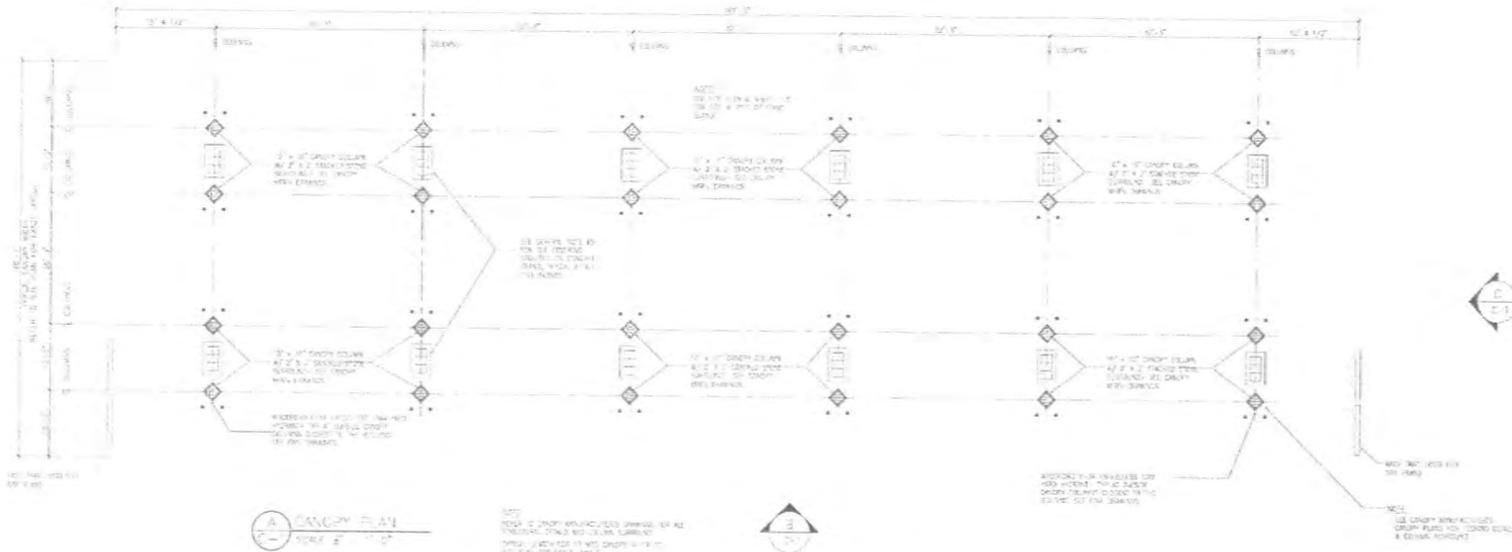
DEPARTMENT OF TRANSPORTATION  
 STATE OF CALIFORNIA  
 DIVISION OF HIGHWAYS  
 444001

EXHIBIT I

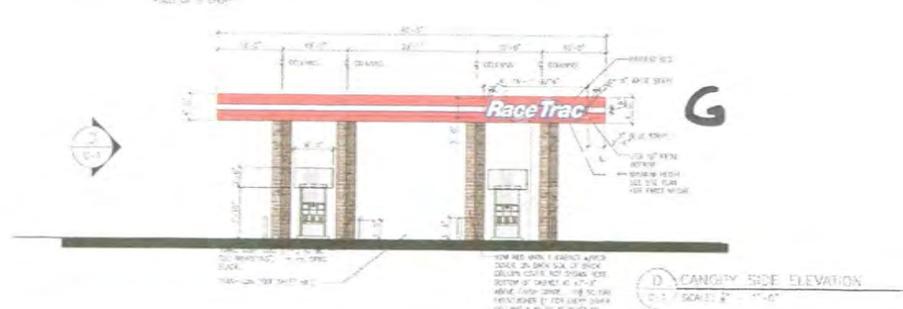
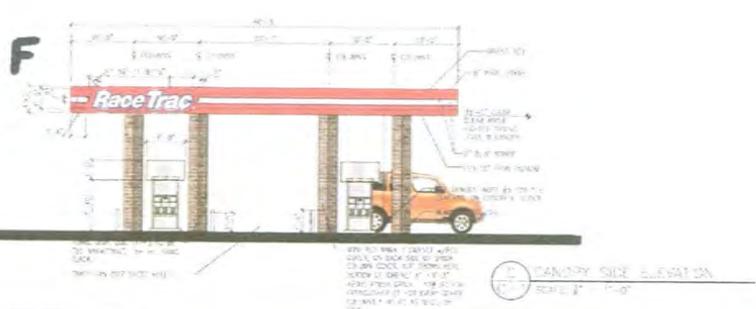
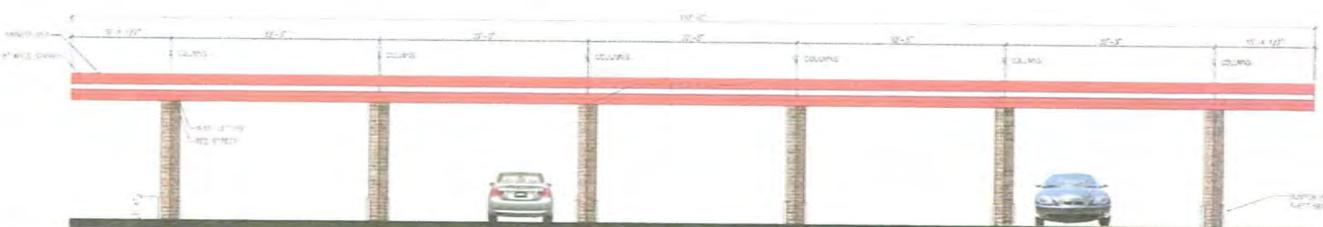
| Sign Label             | Sign Type          | Length    | Height    | Total Area |
|------------------------|--------------------|-----------|-----------|------------|
| A                      | Tower Logo Sign    | 14' – 10" | 2' – 9"   | 41 sf      |
| B                      | Tower Logo Sign    | 14' – 10" | 2' – 9"   | 41 sf      |
| C                      | Building Face Sign | 10' - 0"  | 2' - 3 ½" | 22.5 SF    |
| D                      | Coffee Signage     | 10' – 0"  | 2' – 11"  | 14.5 SF    |
| E                      | Logo Sign          | 10' – 0"  | 2' – 0"   | 20 SF      |
| F                      | Canopy Logo Sign   | 17' – 5"  | 3' – 3"   | 58 SF      |
| G                      | Canopy Logo Sign   | 17' – 5"  | 3' – 3"   | 58 SF      |
| Total Sign Face Area   |                    |           |           | 255 sf     |
| Front Elevation Length |                    |           |           | 116 sf     |



**EXHIBIT I**



- ENDNOTES:**
1. ALL DIMENSIONS UNLESS OTHERWISE NOTED ARE TO FACE UNLESS OTHERWISE INDICATED.
  2. ALL DIMENSIONS UNLESS OTHERWISE NOTED ARE TO FACE UNLESS OTHERWISE INDICATED.
  3. ALL DIMENSIONS UNLESS OTHERWISE NOTED ARE TO FACE UNLESS OTHERWISE INDICATED.
  4. ALL DIMENSIONS UNLESS OTHERWISE NOTED ARE TO FACE UNLESS OTHERWISE INDICATED.
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  6. ALL DIMENSIONS UNLESS OTHERWISE NOTED ARE TO FACE UNLESS OTHERWISE INDICATED.
  7. ALL DIMENSIONS UNLESS OTHERWISE NOTED ARE TO FACE UNLESS OTHERWISE INDICATED.
  8. ALL DIMENSIONS UNLESS OTHERWISE NOTED ARE TO FACE UNLESS OTHERWISE INDICATED.
  9. ALL DIMENSIONS UNLESS OTHERWISE NOTED ARE TO FACE UNLESS OTHERWISE INDICATED.
  10. ALL DIMENSIONS UNLESS OTHERWISE NOTED ARE TO FACE UNLESS OTHERWISE INDICATED.



**RaceTrac**  
RaceTrac Petroleum, Inc  
3225 Cumberland Blvd, Suite 100  
Atlanta, Georgia 30339

RACETRAC - GARLAND & SHILOH



# City Council Item Summary Sheet

Work Session

Date: September 17, 2013

Agenda Item

## Zoning Ordinance

### Summary of Request/Problem

Zoning Ordinance 13-32 Mitchell Planning Group, LLC

### Recommendation/Action Requested and Justification

Consider adoption of attached ordinance.

**Submitted By:**

**Anita Russelmann  
Director of Planning & Community  
Development**

**Approved By:**

**William E. Dollar  
City Manager**

**ORDINANCE NO.**

AN ORDINANCE AMENDING THE ZONING LAWS OF THE CITY OF GARLAND, TEXAS, BY APPROVING AN AMENDMENT TO PLANNED DEVELOPMENT (PD) DISTRICT 09-20 FOR FREEWAY USES AND AN AMENDED CONCEPT PLAN ON A 24.5-ACRE TRACT OF LAND LOCATED SOUTH OF IH 30, WEST OF BROADWAY BOULEVARD; PROVIDING FOR CONDITIONS, RESTRICTIONS, AND REGULATIONS; AND PROVIDING FOR A PENALTY AND AN EFFECTIVE DATE.

**WHEREAS**, at its regular meeting held on the 12th day of August, 2013, the City Plan Commission did consider and make recommendations on a certain request for zoning change made by **Mitchell Planning Group, LLC**, and

**WHEREAS**, The City Council, after determining all legal requirements of notice and hearing have been met, has further determined the following amendment to the zoning laws would provide for and would be in the best interest of the health, safety, morals, and general welfare:

**Now, therefore, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GARLAND, TEXAS, that:**

**Section 1.**

Ordinance No. 4647 is hereby amended by approving an amendment to Planned Development (PD) District 09-20 for Freeway Uses and an amended Concept Plan, on a 24.5-acre tract of land located south of IH 30, west of Broadway Boulevard, and being more particularly described in Exhibit A, attached hereto and made a part hereof.

**Section 2.**

Development shall be in conformance with the conditions, restrictions, and regulations set forth in Exhibit B, attached hereto and made a part hereof.

**Section 3.**

Ordinance No. 4647, as amended, shall remain in full force and effect, save and except as amended by this Ordinance.

**Section 4.**

Violation of this Ordinance shall be a misdemeanor punishable in accordance with Section 10.05 of the Code of Ordinances, City of Garland, Texas.

**Section 5.**

This Ordinance shall become and be effective on and after its adoption and publication as required by law.

**PASSED AND APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

**THE CITY OF GARLAND, TEXAS**

By:

\_\_\_\_\_  
Mayor

**ATTEST:**

\_\_\_\_\_  
City Secretary

Published:

## **EXHIBIT A**

### **LEGAL DESCRIPTION**

#### **Zoning File 13-32**

Being a total of 24.5-acres identified as Lot 1, Block 1 and Lots 1-3, Block 2, Belt Line-30 Shopping Center No. 3 Addition Replat, an addition to the City of Garland, Dallas County, Texas, recorded in Instrument No. 200900265772, Plat Records, Dallas County, Texas. The property is located south of IH30, west of Broadway Boulevard.

## PLANNED DEVELOPMENT REQUIREMENTS

### ZONING FILE 13-32

#### South of IH30, west of Broadway Boulevard

- I. **Statement of Purpose:** The purpose of this Planned Development District is to amend the permitted uses of Planned Development (PD) 09-20 and to permit limited freeway uses on the property subject to conditions.
- II. **Statement of Effect:** This Planned Development District shall not affect any regulation found in the Comprehensive Zoning Ordinance, Ordinance No. 4647, as amended prior to adoption of this ordinance, except as specifically provided herein.
- III. **General Regulations:** All regulations of Planned Development (PD) District 09-20 for Freeway Uses, and all regulations of the Freeway (FW) District set forth in Sections 31, 32, 33 and 48 of the Comprehensive Zoning Ordinance are included by reference and shall apply, except as otherwise specified by this ordinance.

IV. **Development Plans:**

Concept Plan: Development shall be in general conformance with the amended Concept Plan set forth in Exhibit C.

Detail Plan: Prior to development on the subject property or portion thereof, a Detail Plan and conditions shall be approved through the public hearing process.

V. **Specific Regulations:**

- A. Development Requirements, Detail Plan, and Specific Use Permit: Refer to Planned Development (PD) 09-20 for development requirements, approved Detail Plan, Specific Use Permit and general conditions and exhibits.
- B. Permitted Uses: All uses shall be permitted as outlined within Planned Development (PD) District 09-20 with the exception that the uses allowed on Lot 10 are as stated below:

- Antenna, Commercial Type 1
- Antenna, Commercial Type 2\*
- Antenna, Private
- Automobile Repair, Minor\* (not within 500 feet of residential district)
- Drug Store/Pharmacy\*\*
- Financial Institution
- Furniture and Appliance Sales (SUP required if less than 50,000 square feet of building)
- Laundry or Cleaners (SUP if more than 10% of platted lot, pick up/drop off only)

Pet Sales and Grooming\*\*  
Printer, Small Scale\*\*\*  
Restaurant  
Restaurant, Drive-Through\*  
Retail Sales/Personal Service\*\*

- \* Allowed by Specific Use Permit only
- \*\* Requires a Specific Use Permit if the use consists of more than 20% of a platted lot
- \*\*\* Requires a Specific Use Permit if the use consists of more than 25% of a platted lot





# City Council Item Summary Sheet

Work Session

Date: September 17, 2013

Agenda Item

## National Incident Management System Point of Contact

### Summary of Request/Problem

At the September 3, 2013 Work Session, Council considered appointing Ben Williamson, Senior Emergency Management Specialist in the Office of Emergency Management, as the point of contact for the National Incident Management System (NIMS) implementation/maintenance for the City of Garland. The NIMS has annual implementation requirements which are reported to the Federal Emergency Management Agency. One of these requirements is for jurisdictions to appoint a NIMS point of contact who is responsible for coordinating NIMS implementation and reporting within the jurisdiction.

### Recommendation/Action Requested and Justification

Approve by minute action the appointment of Ben Williamson as the point of contact for the National Incident Management System.

**Submitted By:**

**Mollie Rivas  
Office of Emergency Management**

**Approved By:**

**William E. Dollar  
City Manager**



# City Council Item Summary Sheet

Work Session

Date: September 17, 2013

Agenda Item

## **CHANGE ORDER NUMBER 1 TO BL 05289 GP&L ASBESTOS ABATEMENT**

### **Summary of Request/Problem**

Council is requested to consider authorizing Change Order No. 1 to BL 05289 in the amount of \$60,245.30 (a 63% increase) with Intercon Environmental for unforeseen failed expansion joint damages and turbine re-insulation which resulted in an increased insulation need. The original Blanket Order for this work was thought to have one optional renewal left, when it was discovered that it did not, the services were rebid but awarded to a different vendor. This resulted in a need for a change order to the contract amount for the original vendor since the repairs and re-insulation had already been performed. This item was scheduled for consideration at the September 16, 2013 Work Session.

### **Recommendation/Action Requested and Justification**

It is recommended that the Council, by minute action, authorize the City Manager, or his representative, to execute Change Order Number 1 to BL 05289 in the amount of \$60,245.30 (a 63% increase) to provide for the additional insulation requirements. The BL 05289 original amount of \$95,000.00 will be increased to \$155,245.30.

#### **Submitted By:**

**Jeff Janke  
GP&L Sr. Managing Director**

#### **Approved By:**

**William E. Dollar  
City Manager**

## CHANGE REQUEST/ORDER RECOMMENDATION

|   |   |                           |                      |                   |  |   |
|---|---|---------------------------|----------------------|-------------------|--|---|
| Date:   | 8/8/13  | Requested By:             | Randy Hooks, x6490   |                   | Change Order #:  | 1 |
| 1   |   |                           |                      |                   |  |   |
| PR #:   | 31537   |                           |                      |                   |  |   |
| PO #:   | BL 5289   | Original PO Amount        | \$95,000.00          | Budget Account #: | 451-6999   |   |
| Vendor:   | Intercon Environmental  |                           |                      |                   |  |   |
| Project/Job:  | Reinsulating of Unit 2 / Boiler 3 expansion   |                           |                      |                   |  |   |
| Project/Job Manager:  | Randy Hooks   |                           |                      |                   |  |   |
| General Contractor:   |   |                           |                      |                   |  |   |
| Architect/Engineer:   |   |                           |                      |                   |  |   |
| <b>Pricing</b>  |   |                           |                      |                   |  |   |
| Original Contract Amt   | \$95,000.00   | This CR/CO                | \$60,245.30          |                   |  |   |
| CR/CO Amt Proposed  | \$60,245.30   | Total of All CR/CO        | \$60,245.30          |                   |  |   |
| New Contract Amount   | \$155,245.30  | Percentage of Original PO | 63%                  |                   |  |   |
| Is Original PO > \$ 100,000   |   | Yes                       | X                    | No                | If <u>Yes</u> , Change Order Request Must Go To Council. Policy Report Required. |   |
| Is Original PO plus Change Order Request > \$ 100,000   | X   | Yes                       |                      | No                | If <u>Yes</u> , Change Order Request Must Go To Council. Policy Report Required. |   |
| Did Scope of Work changes increase the PO/Contract > 25%                                      | X   | Yes                       |                      | No                | If <u>Yes</u> , Change Order Request Must Go To Council. Policy Report Required. |   |
| <b>If No, This form must be sent to Managing Director or Assistant Director for Signature</b> |   |                           |                      |                   |  |   |
|   | A/E or E & O Change   | Scope Revision            | Unforeseen Condition | Other             |  |   |
| Reason For Change   |   |                           | X                    |                   |  |   |
| Description of Change Requested:  | <p>Unforeseen failed expansion joint damages and turbine re insulation resulted in an increased insulation need. The original Blanket Order for this work was thought to have one optional renewal left, when it was discovered that it did not, the services were rebid but awarded to a different vendor. This resulted in a need for a change order to the contract amount for the original vendor since the repairs and re-insulation had already been performed.</p> |                           |                      |                   |  |   |
| Cost Basis (Firm, T&M, Estimate):   |   |                           |                      |                   |  |   |
| Justification:  | Insulation needs exceeded normal outage scheduled repairs due to failed expansion joint that was found during the outage. This BL contract has been re bid.   |                           |                      |                   |  |   |
| Time/Schedule Impact:   |   |                           |                      |                   |  |   |
| A/E Fee Impact:   |   |                           |                      |                   |  |   |
| Department Head   | Dan Bailey  |                           |                      | Date : 9/3/13     |  |   |
| Managing Director or Assistant Director   | Jeff Janke  |                           |                      | Date : 9/3/13     |  |   |
| Assistant City Manager  |   |                           |                      | Date :            |  |   |

|              |  |        |
|--------------|--|--------|
| City Manager |  | Date : |
|--------------|--|--------|



# City Council Item Summary Sheet

Work Session

Date: September 17, 2013

Agenda Item

## Rescheduling of October 1 City Council Meeting

### Summary of Request/Problem

This year Texas will celebrate National Night Out on Tuesday, October 1, 2013 which is also the first regularly scheduled Council meeting in October. At the September 3, 2013 Work Session, Council considered rescheduling the October 1, 2013 Regular Meeting to October 2, 2013 in order to allow the Mayor and Council Members the opportunity to participate in local National Night Out activities in the community.

### Recommendation/Action Requested and Justification

Approve a resolution rescheduling the October 1, 2013 Regular Meeting of the City Council to October 2, 2013.

Submitted By:

Approved By:

**William E. Dollar**  
City Manager

**RESOLUTION NO.**

**A RESOLUTION RESCHEDULING THE OCTOBER 1, 2013 REGULAR MEETING OF THE CITY COUNCIL; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Sec. 8, Article V of the City Charter requires the City Council to prescribe by ordinance or resolution the time for its regular meetings; and

**WHEREAS**, Sec. 10.14 of the Code of Ordinances provides that regular meetings of the City Council shall be held on the first and third Tuesdays of each month; and

**WHEREAS**, in order to allow the members of the City Council to participate in the National Night Out Against Crime, the usual schedule for the meeting of the City Council that would be held on October 1, 2013 is impracticable;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GARLAND, TEXAS:**

**Section 1**

That the City Council hereby establishes October 2, 2013 as the date of its first regular meeting for the month of October, 2013.

**Section 2**

That this Resolution shall be and become effective immediately upon and after its adoption and approval.

**PASSED AND APPROVED** this the \_\_\_\_\_ day of September, 2013.

**CITY OF GARLAND, TEXAS**

\_\_\_\_\_  
Mayor

**ATTEST:**

\_\_\_\_\_  
City Secretary



# City Council Item Summary Sheet

Work Session

Date: September 17, 2013

Agenda Item

## Approval of a Consulting Services Agreement with Focused Advocacy

### Summary of Request/Problem

At the August 19, 2013 Work Session, Council considered authorizing a consulting services agreement with Focused Advocacy, an Austin-based governmental affairs consulting group. The group provides governmental affairs support of legislative and regulatory matters specific to GP&L, including those issues relating to TMPA. The City has previously retained the group on a year-to-year basis. The current agreement ended in August. It is recommended that the City Council approve a renewal of the consulting services agreement for a two year period in order to carry forward the City's legislative and regulatory agenda into the next session of the Texas Legislature, which will begin in 2015.

### Recommendation/Action Requested and Justification

Approve by minute action the execution of a consulting services agreement with Focused Advocacy for a term of two years.

**Submitted By:**

**Brad Neighbor  
City Attorney**

**Approved By:**

**William E. Dollar  
City Manager**



## CONTRACT FOR GOVERNMENTAL AFFAIRS CONSULTING SERVICES

### (Garland Power and Light)

This contract is made the \_\_\_\_ day of August, 2013, between **Garland Power and Light** ("GP&L"), having its principal place of business at 217 N. Fifth St., Garland, Texas (hereinafter "Client") and **Focused Advocacy, LLC** having its principal place of business at 823 Congress Avenue, Suite 1200, Austin, Texas 78701 (hereinafter "Consultant") for the provision of state governmental and public affairs consulting services.

1. **Services.** Consultant will provide the professional services described below, as may be requested and directed by the client.
  1. Assist in the development of a comprehensive strategic governmental affairs plan for GP&L. As part of the governmental affairs plan Consultant will work with Client in an attempt to reach specific goals and objectives related to GP&L's internal business plan that can be impacted by legislative and regulatory actions.
  2. Represent GP&L's interests before the legislative and executive branches of Texas state government in furtherance of the passage or defeat of legislation as directed by GP&L.
  3. Assist in the development and implementation of strategies and initiatives to support GP&L's business and legislative agendas, including:
    - a. Protecting GP&L's territorial rights and privileges;
    - b. Pursuing new opportunities and rights for GP&L;
    - c. Promoting public power interests; and
    - d. Assisting in the development of strategies for GP&L to remain competitive as a vertically-integrated utility.
  4. Use best efforts to provide information to and educate key decision makers, legislative leaders, and agency executives (and their staffs) with regards to Client's areas of interest, services, and governmental affairs objectives. Client will work to ensure Consultant has appropriate information and data to assist efforts in this regard. It is understood and agreed Consultant will not make representations or statements on Client's behalf without prior authorization to do so.

# FOCUSED ADVOCACY

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5. Advise and assist GP&L in gaining support for its public policy initiatives and objectives from key governmental and non-governmental stakeholders.
6. Assist GP&L with the preparation and drafting of legislative and regulatory advocacy/educational materials.
7. Provide analysis of legislative actions, decisions, or proposals that could have an affect on the business and/or regulatory operations of GP&L.
8. Advise GP&L on matters relating to political, grass roots and communications strategy.
9. Consult with Client regarding the effectiveness of its relationships with elected officials, processes and the political environment in Texas. Identify and implement strategies to enhance client profile with targeted individuals and entities including the arrangement of periodic visits and/or functions with key legislators, executives, and staff.
10. Monitor, by attendance at meetings and otherwise, public hearings and/or rulemakings that would impact GP&L's objectives and interests.
11. As part of a customized communications plan Consultant will provide GP&L with timely reports and updates on matters affecting their stated interests.
12. Attend meetings and conference calls with GP&L officials and staff, as requested.
13. Consultant will provide general advice and counsel on all matters related to the governmental and public affairs needs of GP&L.
2. **Client Support and Communications.** Consultant will provide Client both written and verbal status reports on matters affecting their stated interests. Consultant will attend Client meetings, as requested and schedule permitting, to assure timely and effective communications. **Curt Seidlits, Russell Mullins & Snapper Carr** will serve as the primary contacts on behalf of the Consultant. *In order to ensure the appropriate level of coordination between GP&L and Consultant all updates and essential communications will be shared with the GP&L General Manager, the City Manager, and the City Attorney.* Consultant will perform services in a professional manner consistent with the highest recognized standard of care applicable to consultants performing services similar in scope and nature to the services.
3. **Legal Services.** It is understood and agreed that Consultant is being retained hereunder to provide governmental consulting services and *not to provide legal*



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*advice or services to Client.* In the event that legal opinions or financial analysis are needed at any time with respect to Client's interests, consultant will notify client and the decision to seek additional professional advice and services, and from whom, shall rest exclusively with Client.

4. **Expansion and Scope of Work.** Should Consultant's services on behalf of Client expand significantly beyond the scope outlined in this Agreement, the parties agree to discuss additional compensation for the added services.
5. **Term.** This Agreement is effective for the period from August 1, 2013 through July 31, 2015 **(24 months)**.
6. **Compensation.** In consideration for the performance of services, Client shall pay fees as follows:
  - a. \$8,000.00 (eight thousand dollars) per month for the duration of the Agreement. The fee shall be paid by the client upon receipt of an invoice on or about the 1<sup>st</sup> day of each month, beginning August 1, 2013.
  - b. All notices and invoice shall be made in writing and may be given by personal delivery, by regular mail, or electronic mail. The following individuals shall serve as primary points of contact for receipt of notices:

|  |  |
|--|--|
| Mr. Curtis Seidlits<br>Founder and CEO<br>823 Congress Avenue<br>Suite 1200<br>Austin, Texas 78701<br><a href="mailto:curt@focusedadvocacy.com">curt@focusedadvocacy.com</a> | Jeff Janke<br>General Manager<br>Garland Power & Light<br>217 North Fifth St<br>Garland, Texas<br><a href="mailto:jjanke@garlandpower-light.org">jjanke@garlandpower-light.org</a> |
|--|--|
  - c. Payment shall be made to Focused Advocacy, 823 Congress Avenue, Suite 1200, Austin, Texas 78701.
7. **Independent Contractor Relationship.** It is understood by the parties that Consultant is an independent contractor for the purposes of any federal and/or state laws including tax laws, and that Consultant is not in any way an employee, full or part-time of Client.
8. **Expenses.** Consultant agrees to cover routine business expenses out of the compensation provided to them under this contract. However, Client agrees to pay for Consultant's *travel expenses* if the Client requests their presence or the requirements of this agreement require the Consultant to attend a meeting outside of Austin, Texas. Prior approval by the client shall be necessary before the

Consultant incurs any out of town expense. Allowable travel expenses are those incurred from airfare, hotel, shuttle, taxi, car service, rental car and/or meals associated with out-of-town trips taken on Client's behalf or at Client's request. Client agrees to pay invoices within thirty (30) days of receipt. Consultant will itemize travel expenses on invoices and provide supporting materials as needed.

9. **State Law.** Under Texas and federal law there are various requirements imposed on persons and organizations that interact with state officials, especially where an attempt is made to influence legislation or contracts. Additionally, several local governments in Texas have adopted ordinances dealing with lobbying disclosure and registration. In this regard, Consultant will promptly inform Client when any such filings are necessary and shall seek registration with respect to the services to be performed on Client's behalf. Consultant agrees to perform its obligations under this contract in compliance with all applicable federal, state, and local laws reporting requirements. Client agrees to full comply with all necessary federal, state, and local laws associated with the scope of services provided under this Agreement.
10. **Texas Lobby Law and reporting Requirement.** The Texas ethics law and rules adopted by the Texas Ethics Commission require the Consultant to report compensation or reimbursement paid to Consultant for the purpose of directly communicating with members of the legislative or executive branches of government. Texas Ethics Commission Rules provide that a registrant receiving compensation or reimbursement for purposes other than lobbying activities may reasonably determine the amount of compensation attributable to lobby activities and report only that amount. Based upon Consultant's experience representing other clients, the Consultant believes 50 (fifty) percent will be a reasonable estimate of the monthly retainer attributable to "lobby activities." However, it is agreed that the Consultant will continually monitor the amount of time spent on lobby activities as defined by Texas Ethics Laws and Rules to ensure compliance with this reporting requirement.
11. **Confidentiality.** If a party provides information or materials indicated to be confidential, the receiving party will maintain the confidentiality of such matters and not disclose any such information except in proper performance of this contract and as required by law.
12. **Conflicts of Interest.** By signing this Agreement, Client is consenting to the representation of multiple clients by the Consultant and Consultant is confirming that no direct conflicts of interest currently exist. If any such conflict should develop, Consultant agrees to bring that fact immediately to the attention of both Clients for resolution. Consultant will exercise extreme care to avoid conflicts, unintended or otherwise, which arise, if ever, in the future.



13. **Termination.** Either party may terminate this Agreement, with or without cause, upon ninety (90) days written notice to the other party.
14. **Entire Agreement and Modifications.** This Agreement contains the entire agreement and understandings of the parties with respect to the subject matter hereof and supersedes all prior or contemporaneous agreements or understandings, whether oral or written, negotiations and discussions. This Agreement may not be modified, rescinded or terminated orally, and no modification, rescission, termination attempted waiver of any provision hereof (including this section) shall be valid unless in writing and signed by the parties hereto.

IN WITNESS WHEREOF, the parties have executed this Agreement through their duly authorized officers, as of the date set forth above.

**GP&L LLP**

**Focused Advocacy, LLC**

By: \_\_\_\_\_

By: \_\_\_\_\_

Jeff Janke,  
General Manager

Curtis Seidlits,  
Founder and CEO

Date: \_\_\_\_\_

Date: \_\_\_\_\_



# City Council Item Summary Sheet

Work Session

Date: September 17, 2013

Agenda Item

## Election Services Agreement with Dallas County Elections

### Summary of Request/Problem

At the September 17, 2013 Work Session, Council was scheduled to consider approval of a Joint Election Services Agreement and Contract to provide Election Services for the November 5, 2013 Special Election between and among the City of Garland, Dallas County, and other participating Dallas County political subdivisions for an amount not to exceed \$60,000.

### Recommendation/Action Requested and Justification

Approve by minute action authorizing the Mayor and City Secretary to execute an election services agreement/contract with Dallas County Elections in an amount not to exceed \$60,000.

**Submitted By:**

**Lisa Palomba  
City Secretary**

**Approved By:**

**William E. Dollar  
City Manager**



# City Council Item Summary Sheet

Work Session

Date: September 17, 2013

Agenda Item

## Election Services Agreement with Collin County Elections

### Summary of Request/Problem

At the September 17, 2013 Work Session, Council was scheduled to consider approval of a Contract for Election Services for the November 5, 2013 Special Election between the City of Garland and Collin County Elections in an amount not to exceed \$5,000.

Texas Election Code §42.002 and 42.062 require that political subdivisions holding an election on the November uniform election date must use county election precincts and polling places. Therefore, it is necessary to contract with Collin County Elections in addition to Dallas County Elections to secure election services for all Garland registered voters for the November 5, 2013 Special Election.

### Recommendation/Action Requested and Justification

Approve by minute action authorizing the Mayor and City Secretary to execute an election services contract with Collin County Elections in an amount not to exceed \$5,000.

**Submitted By:**

**Lisa Palomba  
City Secretary**

**Approved By:**

**William E. Dollar  
City Manager**



# City Council Item Summary Sheet

Work Session

Date: September 17, 2013

Agenda Item

## Changes to the Junk Vehicle Ordinance (Chapter 32)

### Summary of Request/Problem

The current definitions in Chapter 32 of junked vehicles do not include trailers. Staff proposes changing Section 32.81 and Section 32.82 to include the terms "trailer" and "junked trailer."

Staff presented to Council at the September 3, 2013 Work Session a draft ordinance replacing the current sections in Chapter 32 of the Code of Ordinances as it relates to junked motor vehicles. The Community Services Committee had previously endorsed the changes at their July 16, 2013 meeting.

### Recommendation/Action Requested and Justification

Hold a Public Hearing to receive citizen input regarding the modifications to Chapter 32 and consider an ordinance changing the junked motor vehicle regulations.

**Submitted By:**

**Richard T. Briley  
Managing Director of Health &  
Code Compliance**

**Approved By:**

**William E. Dollar  
City Manager**

ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER 32, "NEIGHBORHOOD SANITATION AND HOUSING SERVICES", OF THE CODE OF ORDINANCES OF THE CITY OF GARLAND, TEXAS; PROVIDING A PENALTY UNDER THE PROVISIONS OF SEC. 10.05 OF THE CODE OF ORDINANCES OF THE CITY OF GARLAND, TEXAS; PROVIDING A SAVINGS CLAUSE AND A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GARLAND, TEXAS:

Section 1

That Sec. 32.81 of Chapter 32, "Neighborhood Sanitation and Housing Services" of the Code of Ordinances of the City of Garland, Texas is hereby amended by inserting, in appropriate alphabetic order, the following additional definitions:

"Junked trailer. A trailer that is wrecked, dismantled, partially dismantled or inoperable.

Trailer. A vehicle without motive power that is designed, adapted or used to carry property or passengers on its own structure exclusively."

Section 2

That Sec. 32.81 of Chapter 32, "Neighborhood Sanitation and Housing Services" of the Code of Ordinances of the City of Garland, Texas is hereby amended by amending the definition of "violating vehicle" to read as follows:

"Violating vehicle. Includes a junked vehicle, junked all-terrain vehicle, junked boat, junked trailer or junked off-road motorcycle or part thereof that is in violation of this division."

Section 3

That Sec. 32.82(B) of Chapter 32, "Neighborhood Sanitation and Housing Services" of the Code of Ordinances of the City of Garland, Texas is hereby amended to read as follows:

"(B) A person commits an offense if the person causes, suffers, allows or permits the parking or standing of a motor vehicle or a trailer in a residential zone within ordinary public view on private property owned or controlled by that person if the vehicle:

- (1) Has one or more flat tires;
- (2) Is missing one or more wheels; or
- (3) Is supported by one or more jacks, jack stands, blocks or similar means."

**Section 4**

That a violation of any provision of this Ordinance shall be a misdemeanor punishable in accordance with Sec. 10.05 of the Code of Ordinances of the City of Garland, Texas.

**Section 5**

That Chapter 32, "Neighborhood Sanitation and Housing Services", of the Code of Ordinances of the City of Garland, Texas, as amended, shall be and remain in full force and effect save and except as amended by this Ordinance.

**Section 6**

That the terms and provisions of this Ordinance are severable and are governed by Sec. 10.06 of the Code of Ordinances of the City of Garland, Texas.

**Section 7**

That this Ordinance shall be and become effective immediately upon and after its passage and approval.

**PASSED AND APPROVED** this the \_\_\_\_ day of \_\_\_\_\_, 2013.

**CITY OF GARLAND, TEXAS**

\_\_\_\_\_  
Mayor

**ATTEST:**

\_\_\_\_\_  
City Secretary



# City Council Item Summary Sheet

Work Session

Date: September 17, 2013

Agenda Item

## Parking Distance from Curb Ordinance (Section 33.53)

### Summary of Request/Problem

Dual rear wheel pickup trucks with a width of 8 feet (96 inches) and a weight less than 9,000 pounds are not defined as oversized vehicles and may park on residential streets. A vehicle is legally parked if the right tires are within 18 inches of the curb. Unfortunately, two dual-wheeled vehicles parked 18 inches from the curb and adjacent to each other will not allow the passage of fire apparatus.

To lessen this potential public safety issue, staff is recommending adding Section 33.53 to the Code of Ordinances. This new section will restrict any portion of a vehicle parked on the street from extending more than 102 inches into the street from the curb face or edge of pavement.

The ordinance also provides a \$75.00 penalty.

A draft ordinance creating Section 33.53 of the Code of Ordinances was presented to Council at the September 3, 2013 Work Session. The Community Services Committee had previously endorsed the changes at their August 19, 2013 meeting.

### Recommendation/Action Requested and Justification

Hold a Public Hearing to receive citizen input regarding the parking restrictions and consider an ordinance adding Section 33.53 to the Code of Ordinances.

#### Submitted By:

**Richard T. Briley**  
Managing Director of Health &  
Code Compliance

#### Approved By:

**William E. Dollar**  
City Manager

# DRAFT

- For Discussion Purposes Only -

Additions are indicated by double-underlining  
Deletions are indicated as ~~strike-throughs~~

## ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER 33, "TRANSPORTATION" AND CHAPTER 24, MUNICIPAL COURT AND ADMINISTRATIVE ADJUDICATION OF THE CODE OF ORDINANCES OF THE CITY OF GARLAND, TEXAS; PROVIDING A PENALTY UNDER THE PROVISIONS OF SEC. 10.05 OF THE CODE OF ORDINANCES OF THE CITY OF GARLAND, TEXAS; PROVIDING A SAVINGS CLAUSE AND A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GARLAND, TEXAS:

### Section 1

That Chapter 33, "Transportation" of the Code of Ordinances of the City of Garland, Texas, is hereby amended by adding a new section, Sec. 33.53, to read as follows:

#### "Sec. 33.53. Maximum allowed parking distance from curb face

A vehicle is unlawfully parked if the vehicle is parked in a manner such that any portion of the vehicle extends more than 102 inches from the face of the immediately adjacent curb, if the street has a curb, or edge of pavement, if the street does not have a curb."

### Section 2

That Sec. 24.44 of Chapter 24, "Municipal Court and Administrative Adjudication" of the Code of Ordinances of the City of Garland, Texas, is hereby amended by adding a new subsection (E) to read as follows:

"(E) If no specific penalty amount is provided in 24.44(A), the general civil penalty for a parking violation enforced under the provisions of this chapter shall be \$75.00."

### Section 3

That a violation of any provision of this Ordinance shall be a misdemeanor punishable in accordance with Sec. 10.05 of the Code of Ordinances of the City of Garland, Texas.

**DRAFT**

**- For Discussion Purposes Only -**

Additions are indicated by double-underlining  
Deletions are indicated as ~~strike-throughs~~

**Section 4**

That Chapter 33, "Transportation" of the Code of Ordinances of the City of Garland, Texas, as amended, shall be and remain in full force and effect save and except as amended by this Ordinance.

**Section 5**

That the terms and provisions of this Ordinance are severable and are governed by Sec. 10.06 of the Code of Ordinances of the City of Garland, Texas.

**Section 6**

That this Ordinance shall be and become effective immediately upon and after its passage and approval.

**PASSED AND APPROVED** this the \_\_\_\_ day of \_\_\_\_\_, 2013.

**CITY OF GARLAND, TEXAS**

\_\_\_\_\_  
Mayor

**ATTEST:**

\_\_\_\_\_  
City Secretary



# Planning Report

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## **Discount Tire Company**

**1500 Eastgate Drive**

### **REQUEST**

Approval of 1) a Detail Plan and 2) a Specific Use Permit for Tire Dealer, No Outside Storage on a property zoned Planned Development (PD) District 06-37 for Freeway Uses and in the IH 635 Overlay District.

### **OWNER**

Garland Eastgate LP

### **PLAN COMMISSION RECOMMENDATION**

On August 26, 2013 the Plan Commission, by a vote of nine (9) to zero (0), recommended approval of 1) a Detail Plan for a Discount Tire and 2) a Specific Use Permit for Tire Dealer, No Outside Storage per staff recommendation on a property zoned Planned Development (PD) District 06-37 for Freeway Uses and in the IH 635 Overlay District.

### **STAFF RECOMMENDATION**

Approval of a Detail Plan with conditions. The layout of the proposed Discount Tire building reflected on the Detail Plan is in accordance with the intent and regulations of the Freeway (FW) District and IH 635 Development Standards as well as being a layout that complements the surrounding development.

Approval of a Specific Use Permit for Tire Dealer, No Outside Storage provided a condition is added prohibiting the outdoor display of merchandise including tires. The primary functions of the Discount Tire will be retail and personal service given that all operations will be indoors and limited to the sale of automobile and truck tires and ancillary operations such as mounting, balancing and repair of tires.

### **BACKGROUND**

The site is zoned Planned Development (PD) District 06-37 for Freeway Uses which stipulates that prior to the development of the subject site, a Detail Plan is required to be approved through the public hearing process. Furthermore, the proposed use, Tire Dealer, No Outside Storage, is allowed on the subject property by Specific Use Permit only. The applicant requests approval of a Detail Plan and a Specific Use Permit to develop the site with a Discount Tire.

## **SITE DATA**

The proposed Discount Tire building will be constructed on a 1.41-acre site that has approximately 210 linear feet of frontage along Eastgate Drive. The site will be access from Eastgate Drive and Marketplace Drive via access drives that will be shared with adjacent properties.

## **USE OF PROPERTY UNDER CURRENT ZONING**

Planned Development (PD) District 06-37 for limited Freeway Uses. A number of uses typically allowed on properties zoned Freeway (FW) District and in the IH 635 Overlay were removed from the list of allowable uses as they were deemed to be in contradiction with the envisioned development for the overall area in Planned Development (PD) District 06-37. Some of the uses retained, including Tire Dealer, No Outside Storage, are only allowed with an approved Specific Use Permit.

## **CONSIDERATIONS**

1. The purpose of Planned Development (PD) District 06-37 was to allow the development of a Wal-Mart Supercenter located on the northern sector of the overall site and to subdivide the remaining area into 14 pad sites. The approved Concept plan reflected the general development pattern; however, approval of a Detail Plan is required before the development of each site. No specific land uses were determined for the pad sites; however, development of a mix of retail and restaurant land uses was projected.
2. **Detail Plan:** The applicant proposes a Detail Plan to develop the site with a 7,322 square feet building on a 1.41-acre site. The Discount Tire will engage in the sale of automobile and truck tires and it will include facilities for the mounting, balancing and repair of tires but with no outside storage of parts, equipment or inventory. The Discount Tire store will operate Monday through Saturday from 8:00 a.m. to 6:00 p.m. The parking ratio for Tire Dealer, No Outside Storage is 1 parking space per bay plus 1 parking space for every 400 square feet of gross floor area. With 6 bays and at 7,322 square feet, the Discount Tire store requires 22 parking spaces, 39 parking spaces are provided on the Detail Plan.
3. The properties adjacent to the subject property have developed with restaurants as originally projected. However, the feasibility of developing the subject property with a restaurant is highly hindered by the site limitations which become evident in the fact that the site lacks the necessary surface area to accommodate the number of parking spaces required for a restaurant that is comparable in size with the existing establishments. Although automotive in nature, the commercial intensity of the proposed Discount Tire will be equal to the commercial activity already present in the area. The operations of the Discount Tire will be limited to the sale, mounting, balancing and repair of tires, of which all will be indoors. Furthermore, the proposed Discount Tire will increase the range of services nearby residents and customers can find in this commercial area.

4. **Screening and Landscape:** The proposed landscape plan exceeds the screening and landscape requirements of the IH 635 Development Standards. In addition to the required landscaping, the applicant will plant a large tree at a mid-point along the westernmost row of parking spaces with the intent of reducing the visibility of the bay doors on the west elevation from the adjacent restaurant site.
5. **Exterior Elevations:** The proposed facades consist of brick veneer, cast stone and EIFS. The facades are in compliance with IH 190 Development Standards regarding the exterior walls requirements.
6. **Signage:** Planned Development (PD) District 06-37 limits the number of signs on Tract 2, which includes the subject property, to one freestanding sign and eight monument signs 8 feet in height and 55 square feet in area. There are currently 1 multi-tenant freestanding sign and 4 monument signs. The applicant is proposing 1 monument sign that meets the minimum required setback and it is within the maximum allowable height and square footage. Furthermore, the proposed attached signage is within the maximum allowable square footage.
7. The applicant requests approval of a Specific Use Permit for 25 years tied to **Discount Tire Company**.

## **COMPREHENSIVE PLAN**

The Future Land Use Map of the Envision Garland Plan recommends Community Centers for the subject site. Community centers are areas with compact development, primarily non-residential, serving a collection of neighborhoods. This type of development consists of a mix of uses, including retail, services, office use, multi-family residential, and entertainment. Community centers may be developed at the intersections of major arterial streets and along major arterials, highways, and turnpike corridors. This type of area is served by numerous roads and transit routes, providing a variety of connections between neighborhoods and Community Centers for pedestrians, bicycles, motorized vehicles, and transit. The development standards employed to create Community Centers should enhance gateways and corridors as well as to provide attractive, modern developments that create desirable destinations within the city. As a use that is compatible with the existing surrounding commercial establishments, the development of the Discount Tire at the proposed location will help increase the range of services nearby residents and patrons can find in this area. The proposed Discount Tire is in line with the Comprehensive Plan recommendation.

## **COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES**

The properties surrounding the subject site are zoned Planned Development District (PD) District 08-36, Planned Development District (PD) District 07-52, Planned Development District (PD) District 11-28, and Planned Development District (PD) District 11-08, all these zoning districts for Freeway Uses. These properties are developed with 3 restaurants and a centrally located open green space. These properties, including the subject site, encompassed Tract 2 on the

Concept Plan approved under Planned Development District (PD) District 06-37 in an effort to develop this area in a coherent and consistent pattern.

The proposed Discount Tire building will be consistent with the established architectural character of the immediate area by employing façade materials comparable to the façade materials on the surrounding restaurant buildings. The Discount Tire will provide a retail and personal service, though automotive in nature, to nearby residents and patrons of neighboring businesses; however, no major auto repair will be performed and all the operations will be indoors making the Discount Tire a suitable complementary use to the adjacent restaurants and future development in the surrounding area.

Prepared By:

Josue De La Vega  
Development Planner

Date: September 5, 2013

Reviewed By:

Anita Russelmann  
Director of Planning

Date: September 9, 2013

Reviewed By:

William E. Dollar  
City Manager

Date: September 10, 2013



## PLANNED DEVELOPMENT CONDITIONS

### ZONING FILE 13-33

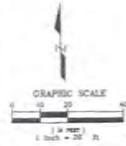
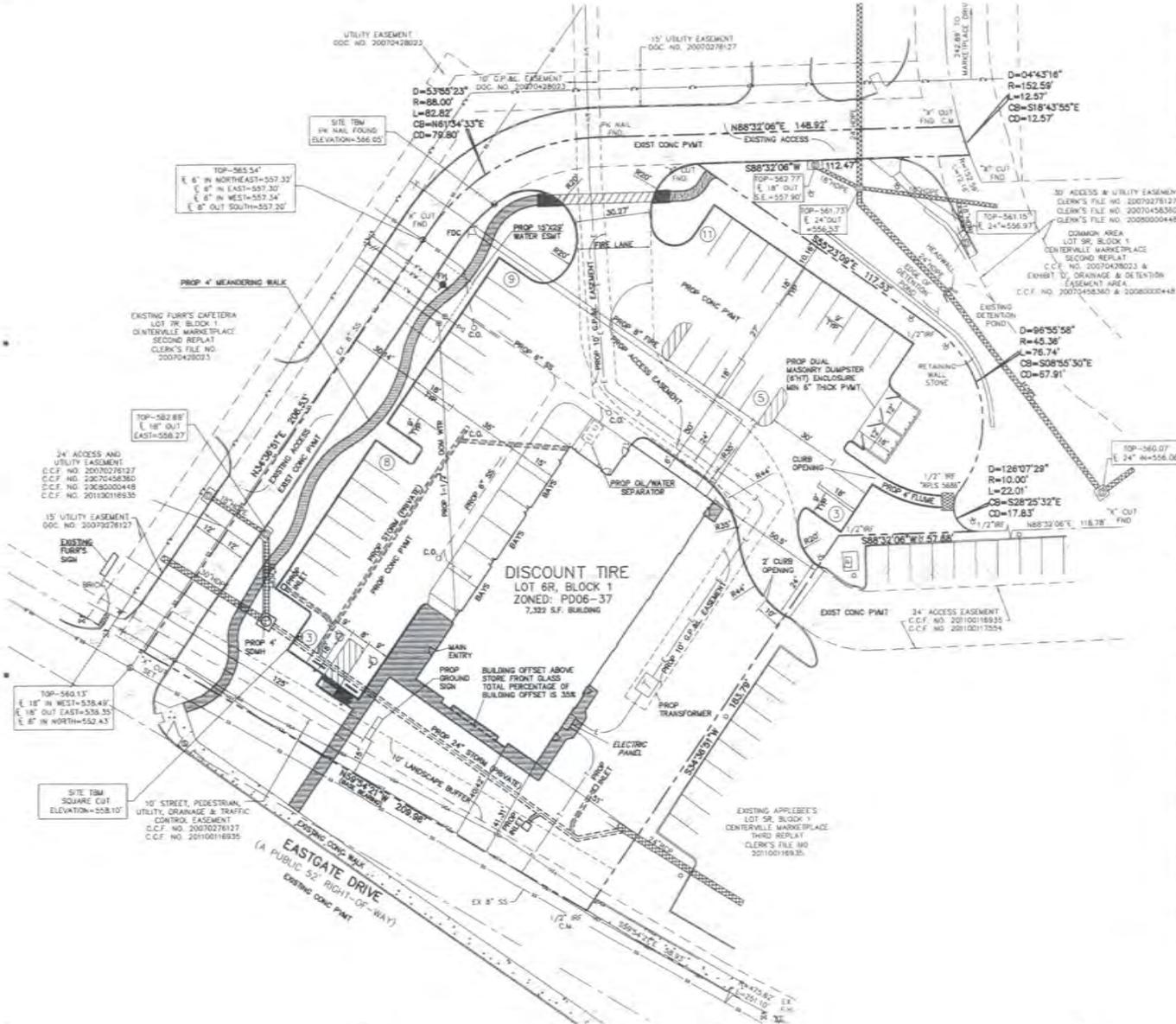
#### 1500 Eastgate Drive

- I. **Statement of Purpose:** The purpose of this Planned Development is to approve a Detail Plan of a Tire Dealer, No Outside Storage.
- II. **Statement of Effect:** This Planned Development (PD) District shall not affect any regulation found in the Comprehensive Zoning Ordinance, Ordinance No. 4647, as amended prior to adoption of this ordinance, except as specifically provided herein.
- III. **General Regulations:** All regulations of the Freeway (FW) District set forth in Section 31, 32 and 47 of the Comprehensive Zoning Ordinance are included by reference and shall apply, except as otherwise specified by this ordinance.
- IV. **Development Plans:**
  - A. Detail Plan: Development shall be in conformance with the approved Detail Plan labeled Exhibit C. In the event of conflict between the conditions and Detail Plan, the conditions listed below shall prevail.
- V. **Specific Regulations:**
  - A. Permitted Uses:
    - Antenna, Commercial Type 2\*
    - Athletic Club/Instruction, Indoor Facilities
    - Automobile Repair, Minor\*
    - Commercial Amusement, Indoor\*
    - Convention Facility
    - Drug Store/Pharmacy
    - Financial Institution
    - Furniture and Appliance Sales
    - Grocery/Supermarket
    - Home Improvement Center
    - Hospital
    - Hotel/Motel, Full Service
    - Hotel/Motel, Limited
    - Kindergarten, Preschool or Child Care Center
    - Library
    - Massage Therapy/Physical Therapy
    - Medical and Surgical Appliances
    - Movie Theater/Theater\* (not within 500 feet of residential district)
    - Museum or Art Gallery
    - Office Equipment Sales, Repair and Maintenance
    - Office, General
    - Optical Dispensary
    - Parking Garage or Lot, Commercial (ancillary use only)
    - Pet Sales and Grooming

Printer, Small Scale  
Radio, TV, Recording Studio  
Repair and Service Shop (Indoor)  
Restaurant, General  
Restaurant, Drive Through\*  
Retail Sales with Gas Pumps  
Retail Sales/Personal Service  
Tire Dealer, No Outside Storage\* (not within 500 feet of residential district)  
Transit Station

\* Requires Specific Use Permit

- B. Building Height: Retail land uses shall have a maximum height of 50 feet; all other uses shall have a maximum height of 75 feet.
- C. Landscape Plan: Screening and Landscaping shall be in general conformance with the approved Landscape Plan labeled as Exhibit D.
- D. Building Elevations: Exterior building elevations shall be in conformance with the approved elevations labeled as Exhibit E.
- E. Signs: Freestanding signage shall be limited to one (1) monument sign with a maximum height of 8 feet and a maximum area of 55 square feet.



| EXISTING | LEGEND                | PROPOSED |
|----------|-----------------------|----------|
| ---      | PROPERTY LINE         | ---      |
| ---      | PAVEMENT              | ---      |
| ---      | SIDEWALK              | ---      |
| ---      | SUBSTITUTED FREE BARR | ---      |
| ---      | GAS                   | ---      |
| ---      | TELEPHONE             | ---      |
| ---      | ELECTRIC              | ---      |
| ---      | WATER                 | ---      |
| ---      | SANITARY SEWER        | ---      |
| ---      | STONE SNIER           | ---      |

- BENCHMARK:**  
ELEVATIONS ARE BASED ON THE CITY OF GARLAND GPS CONTROL POINTS:  
PROJECT NUMBER SP-973, GPS 70, 2" BARS 03M STAMPED 73 IS LOCATED IN THE TOP OF CONCRETE OVERFLOW W/V AT THE N.W. END OF PLAYERSWAY AT REACH ELEM. SCHOOL ACROSS THE ALLEY AT THE REAR OF 4534 GREENSBORO, ELEVATION = 569.80709' - GARLAND NEUMBANK GPS AZ224038, NORTH RIGHT-OF-WAY LINE OF EAST GATE.
- NOTES:**
- BOUNDARY & TOPOGRAPHIC BASED ON SURVEY BY PETER & MARSH SURVEY, L.L.C., DATED JUNE 11, 2013.
  - INCLUDING 16 PARALLEL AND HEBERPOLAR TO THE NORTHWEST AND SOUTHEAST PROPERTY LINE.
  - ALL DIMENSIONS ARE TO EDGE OF PAVEMENT, FACE OF BUILDING OR FACE OF CURB, UNLESS OTHERWISE NOTED.
  - ALL CURB RADIUS NOT CALLED OUT ARE 2" MEASURED AT FACE OF CURB.
  - FLOOD CERTIFICATE AS DETERMINED BY THE FLOOD INSURANCE RATE MAPS FOR SHALLAS COUNTY, THE SUBJECT PROPERTY DOES NOT APPEAR TO LIE WITHIN A SPECIAL FLOOD HAZARD AREA (100 YEAR FLOOD). MAP DATE 02/05/13 COMMUNITY PANEL NO. 4813023608 SUBJECT LOT IS LOCATED IN ZONE "X".

**SITE SUMMARY TABLE**

|                        |                                  |
|------------------------|----------------------------------|
| Site Address           | 1306 EASTGATE DRIVE              |
| County                 | SHALLAS                          |
| Project Name           | DISCOUNT TIRE - GARLAND          |
| Zoning District        | PD 06-07                         |
| Proposed Use           | RETAIL TIRE STORE                |
| Site Area              | 1.41 ACRES 67,435 S.F.           |
| Building Area          | 7,322 S.F.                       |
| Building Height        | 1 STORY                          |
| Lot Coverage           | 7,322 / 67,435 = 10.9%           |
| Floor Area Ratio:      | 7,322 S.F. / 67,435 = 1:10.0     |
| Parking Required:      | TIRE DEALER (NO OUTSIDE STORAGE) |
|                        | 1 SPG/BAY = 1/400 SF = 23 SPACES |
| Parking Provided:      | Neglect = 37 SPACES              |
|                        | Handicap = 2 SPACES              |
|                        | Handicap = 28 SPACES             |
| Impervious Area:       | 61,809 S.F.                      |
| Impervious Area Ratio: | 61,809 S.F. / 67,435 = 91.5%     |
| Permeous Area Ratio:   | 19,826 S.F. / 67,435 = 29.4%     |

VASQUEZ ENGINEERING L.L.C.  
705 W. Dallas St.  
Garland, Texas 75040  
Ph: 972-272-4610  
TX Registration # F-12266

**DISCOUNT TIRE**  
GARLAND, TEXAS

LOT 6R, BLOCK 1  
CENTERVILLE MARKETPLACE  
THIRD REPLAT  
CITY CASE #130709-2

CONSTRUCTION DOCUMENT

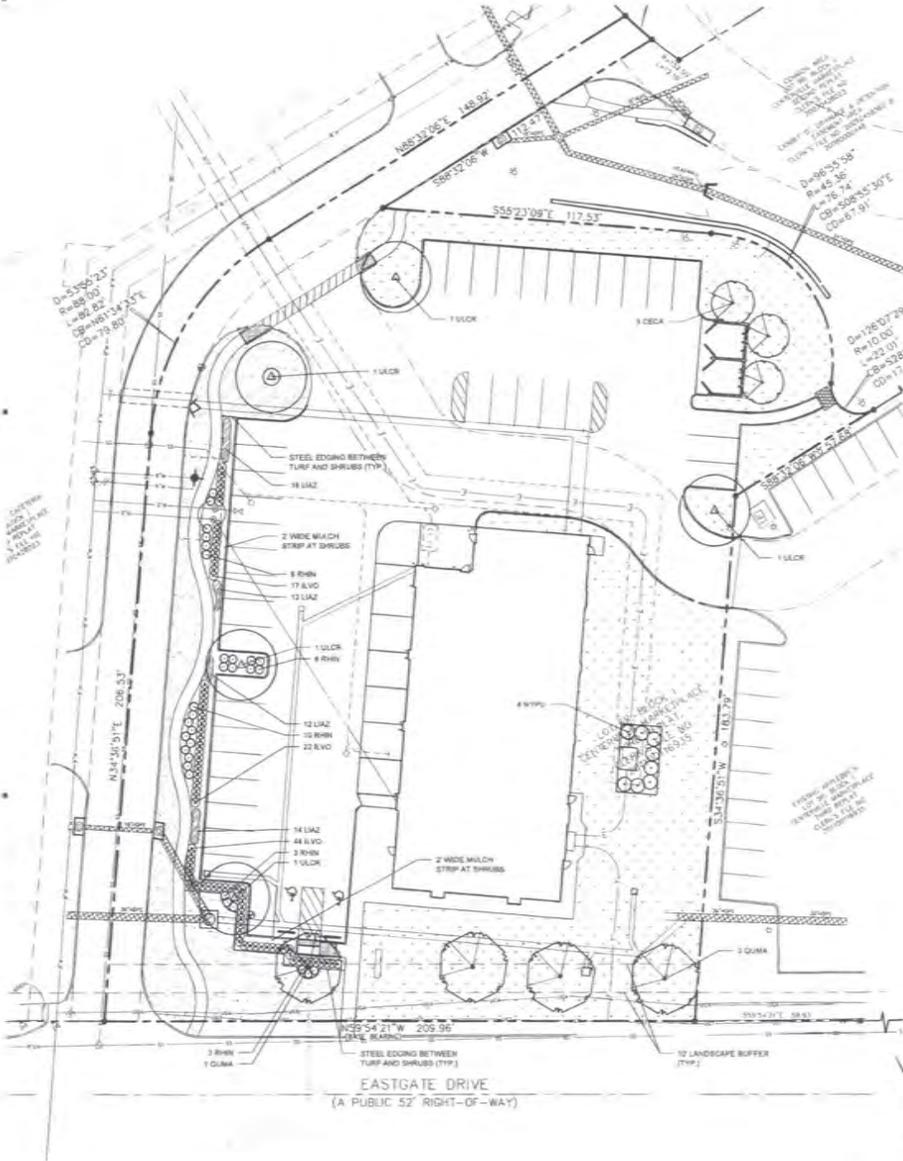
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08/20/2013  
TAC  
JLV

THIS DOCUMENT IS FOR  
INTERIM REVIEW AND IS  
NOT INTENDED FOR  
CONSTRUCTION, PERMITTING  
OR RECORD PURPOSES  
JAVAN J. VASQUEZ, P.E.  
TEXAS NO. 85852  
DATED 07/13/13  
VASQUEZ ENGINEERING, L.L.C.  
TX REG. # F-12266

DETAIL PLAN

SP1

Exhibit C



**PLANTING LEGEND**

| SYMBOL                       | BOTANIC NAME                | COMMON NAME              | SIZE        | SPACING  | QUANTITY | REMARKS/DETAILS           |
|------------------------------|-----------------------------|--------------------------|-------------|----------|----------|---------------------------|
| <b>TREES</b>                 |                             |                          |             |          |          |                           |
| CECA                         | Carya (sp.) var. leucocarpa | Texas Redcedar           | 2" cal. B&B | Per plan | 7        | 8-12' high min.           |
| GUAMA                        | Quercus macrocarpa          | Burr Oak                 | 2" cal. B&B | Per plan | 4        | 12-14' high min.          |
| UCLR                         | Ulmus (sp.)                 | Cedar Elm                | 2" cal. B&B | Per plan | 5        | 12-14' high min.          |
| <b>SHRUBS AND PERENNIALS</b> |                             |                          |             |          |          |                           |
| ALCO                         | Red Yucca filifera          | Sheff Yucca-filifera     | 8" cal.     | 2' x 1'  | 83       | Min. 24" high at planting |
| LAZ                          | Ligularia (sp.)             | Actual Grass             | 8" cal.     | 5' x 4'  | 86       |                           |
| WYPU                         | Yucca puberula              | Sheff Yucca filifera     | 8" cal.     | 2' x 1'  | 8        | Min. 24" high at planting |
| WNY                          | Rhaphiophloeos (sp.)        | Florida Indian Hawthorne | 8" cal.     | 2' x 1'  | 30       |                           |
| <b>TURF AND SEED</b>         |                             |                          |             |          |          |                           |
|                              | Buffalo grass/seed 500      | 500 Buffalo Grass        | 500         | ---      | ---      |                           |
|                              | Buffalo grass/seed 500      | 500 Buffalo Grass        | 10000000    | ---      | ---      |                           |

**BUFFALO GRASS INSTALLATION**

CONTRACTOR SHALL VERIFY WITH THE SOIL SUPPLIER THE WATERING SCHEDULE FOR NEWLY INSTALLED BUFFALO GRASS SOIL. THE CONTRACTOR SHALL REPLACE ANY SECTIONS OF SOIL AT NO CHARGE TO THE PROPERTY OWNER WHICH FAIL TO THRIVE DUE TO IMPROPER WATERING.

**LANDSCAPE CALCULATIONS**

| IN 606 OVERLAY ZONE                  |                                   |
|--------------------------------------|-----------------------------------|
| GENERAL                              |                                   |
| TOTAL SITE AREA                      | 41,530 SF                         |
| TOTAL LANDSCAPE AREA REQUIRED        | 8,153 SF (20%)                    |
| TOTAL LANDSCAPE AREA PROVIDED        | 22,488 SF (54.4%)                 |
| <b>BUFFER LANDSCAPE</b>              |                                   |
| EASTGATE DRIVE (CLASS 1 THROUGHFARE) | 1,581 SF                          |
| BUFFER TREES REQUIRED                | 4 TREES (1 LARGE TREE PER 600 SF) |
| BUFFER TREES PROVIDED                | 4 TREES                           |
| <b>PARKING LOT</b>                   |                                   |
| TOTAL PARKING AREA                   | 27,087 SF                         |
| LANDSCAPE AREA REQUIRED              | 1,254 SF (5%)                     |
| LANDSCAPE AREA PROVIDED              | 1,399 SF (5.1%)                   |
| TOTAL PARKING SPACES                 | 33 SPACES                         |
| TREES REQUIRED                       | 4 TREES (1 TREE PER 10 SPACES)    |
| TREES PROVIDED                       | 0 TREES                           |

**GENERAL PLANTING NOTES**

- THE GENERAL CONTRACTOR IS RESPONSIBLE FOR REMOVING ALL EXISTING VEGETATION (EXCEPT WHERE NOTED TO REMAIN), BEFORE STARTING WORK. THE LANDSCAPE CONTRACTOR SHALL VERIFY THAT THE GRADE OF ALL LANDSCAPE AREAS ARE WITHIN +0.1 OF FINISH GRADE. THE LANDSCAPE CONTRACTOR SHALL NOTIFY THE OWNER IMMEDIATELY SHOULD ANY DISCREPANCIES EXIST. SEE SPECIFICATIONS FOR MORE DETAILED INSTRUCTION ON TURF AREA AND PLANTING BED PREPARATION.
- THE LANDSCAPE CONTRACTOR SHALL CONSTRUCT AND MAINTAIN FINISH GRADE AS SHOWN ON GRADING PLANS, AND CONSTRUCT AND MAINTAIN SLOPES AS RECOMMENDED BY THE GEOTECHNICAL REPORT. ALL LANDSCAPE AREAS SHALL HAVE POSITIVE DRAINAGE AWAY FROM STRUCTURES AT THE MINIMUM SLOPE SPECIFIED IN THE REPORT AND AREAS OF POTENTIAL FLOODING SHALL BE REGRADED TO BLEND IN WITH THE SURROUNDING GRADES AND ELIMINATE FLOODING POTENTIAL. SHOULD ANY CONFLICTS AND/OR DISCREPANCIES ARISE BETWEEN THE GRADING PLANS, GEOTECHNICAL REPORT, THESE NOTES AND ACTUAL CONDITIONS, THE CONTRACTOR SHALL IMMEDIATELY BRING SUCH ISSUES TO THE ATTENTION OF THE LANDSCAPE ARCHITECT AND OWNER.
- CONTRACTOR SHALL ENSURE THAT THE GRADE IN SOO AREAS SHALL BE 1" BELOW FINISH GRADE AFTER INSTALLING SOIL, AMENDMENTS, AND 2" BELOW FINISH GRADE IN SHRUB AREAS AFTER INSTALLING SOIL, AMENDMENTS, MULCH COVER WITHIN 4" OF CONCRETE WALKS AND CURBS SHALL NOT PROTRUDE ABOVE THE FINISH SURFACE OF THE WALKS AND CURBS. MULCH COVER WITHIN 12" OF WELLS SHALL BE AT LEAST 2" LOWER THAN THE TOP OF WALL.
- INSTALL 5 DUNCE WOVEN, NEEDLE-PUNCHED POLYPROPYLENE FABRIC UNDER ALL MULCHED AREAS AND NONMULCH TREE RINGS.
- INSTALL 1/4" LIMESTONE GRAVEL MULCH TOPDRESSING, 2" DEPTH, IN ALL PLANTING BEDS AND TREE RINGS. DO NOT INSTALL MULCH WITHIN 6" OF TREE ROOT FLARE.
- NO EXPOSED GROUND SHALL REMAIN AFTER INSTALLATION OF MULCH.
- HYDROMULCH ALL DISTURBED AREAS OUTSIDE OF PROPERTY LIMITS (UNLESS SHOWN AS SOO).
- ALL PLANT LOCATIONS ARE DIAGRAMMATIC. ACTUAL LOCATIONS SHALL BE VERIFIED WITH THE LANDSCAPE ARCHITECT OR DESIGNER PRIOR TO PLANTING. THE LANDSCAPE CONTRACTOR SHALL ENSURE THAT ALL REQUIREMENTS OF THE PERMITTING AUTHORITY ARE MET (E.G., MINIMUM PLANT QUANTITIES, PLANTING METHODS, TREE PROTECTION METHODS, ETC.).
- THE LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR DETERMINING PLANT QUANTITIES. PLANT QUANTITIES SHOWN ON LEGENDS AND CALLOUTS ARE FOR GENERAL INFORMATION ONLY. IN THE EVENT OF A DISCREPANCY BETWEEN THE PLAN AND THE PLANT LEGEND, THE PLANT QUANTITY AS SHOWN ON THE PLAN (FOR INDIVIDUAL SYMBOLS) OR CALLOUT (FOR GROUNDCOVER PATTERNS) SHALL TAKE PRECEDENCE.
- NO SUBSTITUTIONS OF PLANT MATERIALS SHALL BE ALLOWED. IF SOME OF THE PLANTS ARE NOT AVAILABLE, THE LANDSCAPE CONTRACTOR SHALL NOTIFY THE LANDSCAPE DESIGNER IN WRITING (VIA PROPER CHANNELS).
- PLANTS MAY BE INSPECTED AND APPROVED OR REJECTED BY THE OWNER OR OWNER'S REPRESENTATIVE.
- THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF ALL WORK SHOWN ON THESE PLANS FOR 90 DAYS BEYOND FINAL ACCEPTANCE OF ALL LANDSCAPE WORK BY THE OWNER. LANDSCAPE MAINTENANCE SHALL INCLUDE WEEKLY SITE VISITS FOR THE FOLLOWING ACTIONS (AS APPROPRIATE): PROPER PRUNING, RESTORATION OF TREES, RESETTING OF PLANTS THAT HAVE SETTLED, MOVED, AND SEVERATION OF LIMBS, WEEDING, RESEEDING AREAS WHICH HAVE NOT GERMINATED WELL, TREATING FOR INSECTS AND DISEASES, REPLACEMENT OF MULCH, REMOVAL OF LITTER, REPAIRS TO THE IRRIGATION SYSTEM DUE TO FAULTY PARTS AND/OR WORKMANSHIP AND THE APPROPRIATE WATERING OF ALL PLANTINGS. THE LANDSCAPE CONTRACTOR SHALL MAINTAIN THE IRRIGATION SYSTEM IN PROPER WORKING ORDER, WITH 2" REGULAR ADJUSTMENTS BY REASON TO MAINTAIN WATER DISTRIBUTION.
- SHOULD SEEDING AND/OR SOODED AREAS NOT BE COVERED BY AN AUTOMATIC IRRIGATION SYSTEM, THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR WATERING THESE AREAS AND OBTAINING A FULL STAND OF GRASS AT NO ADDITIONAL COST TO THE OWNER.
- TO ACHIEVE FINAL ACCEPTANCE AT THE END OF THE MAINTENANCE PERIOD, ALL OF THE FOLLOWING CONDITIONS MUST OCCUR:
  - THE LANDSCAPE SHALL SHOW ACTIVE, HEALTHY GROWTH (WITH EXCEPTIONS MADE FOR SEASONAL DORMANCY). ALL PLANTS NOT MEETING THIS CONDITION SHALL BE REJECTED AND REPLACED BY HEALTHY PLANT MATERIAL PRIOR TO FINAL ACCEPTANCE.
  - ALL HARDSCAPE SHALL BE CLEANED PRIOR TO FINAL ACCEPTANCE.
  - SOODED AREAS MUST BE ACTIVELY GROWING AND MUST REACH A 4" BUNKING HEIGHT OF 1 1/2" INCHES BEFORE FIRST MOWING. HYDROMULCHED AREAS SHALL SHOW ACTIVE, HEALTHY GROWTH. BARE AREAS LARGER THAN 1/2" WIDE SCATTER INCHES MUST BE RESEEDED OR RESEEDED (AS APPROPRIATE) PRIOR TO FINAL ACCEPTANCE. ALL SOODED TURF SHALL BE NEATLY MOWED.
- SEE SPECIFICATIONS AND DETAILS FOR FURTHER REQUIREMENTS.

VASQUEZ ENGINEERING L.L.C.  
705 W. Avenue B  
Suite 316  
Garland, Texas 75040  
TX Registration #1-1226

**DISCOUNT TIRE**  
GARLAND, TEXAS



CONSTRUCTION DOCUMENT  
500.45  
07/12/2013

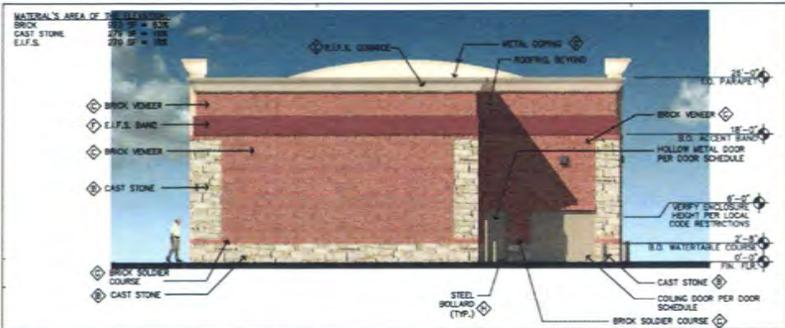


PLANTING PLAN

LP1

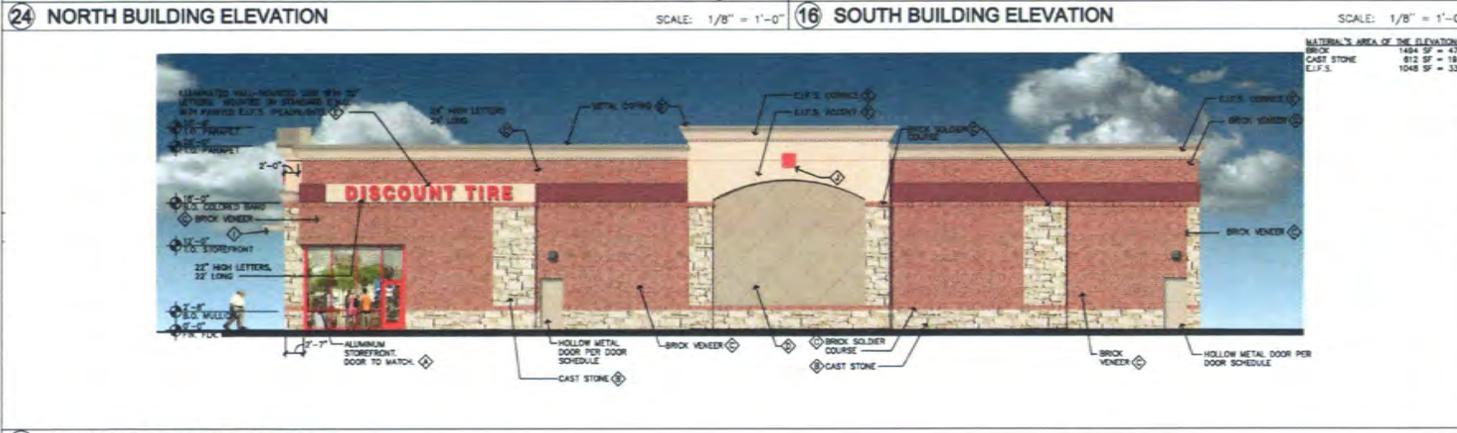
EXHIBIT D

Scale 1" = 20'

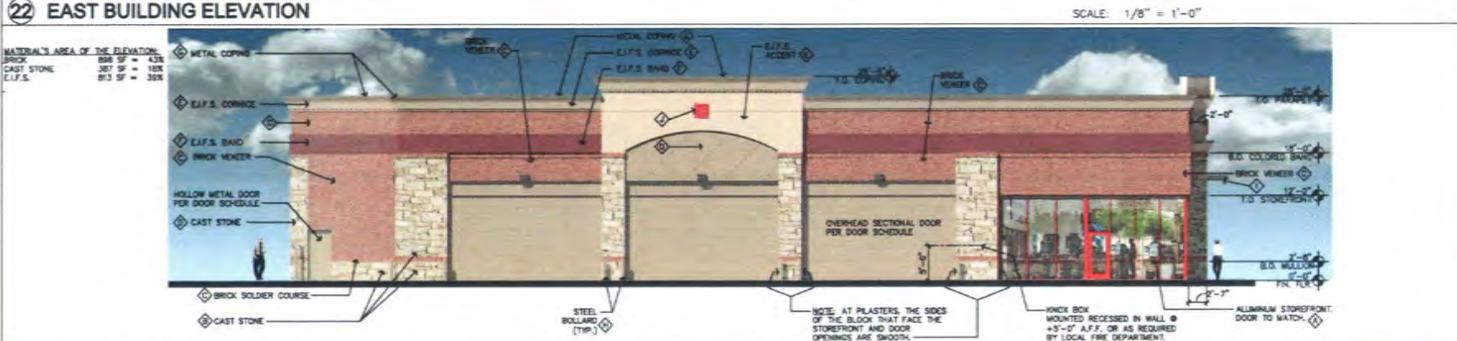


1. CAST STONE BASE COURSE
  2. BRICK (SOLDER) WATERTABLE COURSE
  3. BRICK MAIN BODY
  4. ALUMINUM STOREFRONT, TO BE FACTORY FINISH
  5. E.I.F.S.: PROVIDE AS NOTED PER COLOR/PAIN NOTES. MATERIALS AND INSTALLATION PER PROJECT MANUAL SPECIFICATIONS, TO PROVIDE DURABLE, WEATHER RESISTANT WALL FINISH.
  6. OVERHEAD DOORS, TO BE FACTORY FINISH. SEE DOOR SCHEDULE.
  7. ALL EXPOSED STRUCTURAL STEEL TO BE FACTORY FINISH AND PAINTED ON THE JOB SITE.
- GENERAL NOTE:  
 A. DISCOUNT TIRE BUILDING SIGNAGE UNDER SEPARATE PERMIT.  
 B. ADDRESS SIGN AND LOCATION PER LOCAL CITY CODE.

- 4 GENERAL FINISH NOTES
- MANUFACTURER'S STANDARD COLOR TO MATCH "BANNER RED"
  - CAST STONE, CORONADO-COUNTRY BUBBLE-TEXAS CREAM
  - BRICK VENEER TO MATCH MPF'S STANDARD "BANNER RED"
  - INTERNAL COLOR E.I.F.S. TO MATCH PAINT COLOR "WORSTED TAN"
  - INTERNAL COLOR E.I.F.S. TO MATCH PAINT COLOR "PEACHLIGHT"
  - INTERNAL COLOR E.I.F.S. TO MATCH PAINT COLOR "BURGLANDY"
  - METAL COPING, FACTORY PAINTED/FINISHED COLOR "WORSTED TAN"
  - EXPOSED STEEL, PAINTED TO MATCH "WORSTED TAN"
  - EXPOSED STEEL, PAINTED TO MATCH "PEACHLIGHT"
  - GLAZED ACCENT TILE, 12" X 12" - "BANNER RED"
- MATERIAL AREA PERCENTAGES (BRICK, CAST STONE, E.I.F.S. ONLY):  
 BRICK = 33% CAST STONE = 19% E.I.F.S. = 48%



- 3 MATERIAL KEY NOTES
- 
- BRICK VENEER  
 BRICK SOLDIER COURSE  
 CAST STONE
- TRASH ENCLOSURE, REFER TO THE SITE PLAN FOR LOCATION.
- TRASH ENCLOSURE, REFER TO THE SITE PLAN FOR LOCATION.
- BOLLARD EACH SIDE AND IN CENTER



- 1 TRASH ENCLOSURE  
 SCALE: 1/8" = 1'-0"
- 
- BRICK VENEER  
 BRICK SOLDIER COURSE  
 CAST STONE
- TRASH ENCLOSURE, REFER TO THE SITE PLAN FOR LOCATION.
- TRASH ENCLOSURE, REFER TO THE SITE PLAN FOR LOCATION.
- BOLLARD EACH SIDE AND IN CENTER

21 WEST BUILDING ELEVATION

DISCLAIMER: THIS DRAWING IS AN INSTRUMENT OF SERVICE AND THE PROPERTY OF DISCOUNT TIRE COMPANY AND SHALL REMAIN SUCH. THE USE OF THIS DRAWING SHALL BE RESTRICTED TO THE ORIGINAL SITE FOR WHICH IT WAS PREPARED. PUBLICATION THEREOF IS EXPRESSLY LIMITED TO SUCH.

| NO. | REVISION | DATE |
|-----|----------|------|
|     |          |      |
|     |          |      |
|     |          |      |
|     |          |      |

Architectural Services, Inc.  
 50 East Virginia Ave, Suite 200  
 Phoenix, Arizona 85004  
 602.974.0010  
 www.architects.com

ARCHITECT'S SEAL: \_\_\_\_\_  
 FIRM'S SEAL: \_\_\_\_\_  
 ENGINEER'S SEAL: \_\_\_\_\_

ARCHITECTS  
 PLANNERS & INTERIORS



DISCOUNT TIRE STORE  
 SATURN ROAD & I-635  
 GARLAND, TEXAS

ISS NUMBER: 1380  
 PROJECT NUMBER: -  
 DRAWN BY: SWA/TJ  
 CHECKED BY: P/RYAN C. REBE  
 DATE: JUL 8, 2013

SHEET TITLE: EXTERIOR ELEVATIONS  
 DETAILS  
 MATERIAL KEY NOTES  
 GENERAL FINISH NOTES

SHEET NUMBER: A4.1b

EXHIBIT E

## SPECIFIC USE PERMIT CONDITIONS

### ZONING FILE 13-33

#### 1500 Eastgate Drive

- I. **Statement of Purpose:** The purpose of this Specific Use Permit is to allow the development of Tire Dealer, No Outside Storage on the subject property.
- II. **Statement of Effect:** This permit shall not affect any regulation found in the Comprehensive Zoning Ordinance, Ordinance No. 4647, as amended prior to adoption of this ordinance, except as specifically provided herein.
- III. **General Regulations:** All regulations of the Freeway (FW) District set forth in Section 31, 33 and 47 of the Comprehensive Zoning Ordinance are included by reference and shall apply, except as otherwise specified by this ordinance.
- IV. **Specific Regulations:**
  - A. Time Period: The Specific Use Permit shall be in effect for a 25 year time period and shall be tied to **Discount Tire Company**.

## REPORT & MINUTES

P.C. Meeting, August 12, 2013 (9 Members Present)

Consideration of the application of Discount Tire Company, requesting approval of 1) a Detail Plan and 2) a Specific Use Permit for Tire Dealer, No Outside Storage on a property zoned Planned Development (PD) District 06-37 for Freeway Uses and in the IH 635 Overlay District. The property is located at 1500 Eastgate Drive. (File 13-33)

Representing the applicant Tommy Mann, 500 Winstead Bldg, Dallas, TX. Mr. Mann gave a brief overview of the plans for this property and remained available to answer any questions.

**Motion** was made by Commissioner Welborn, seconded by Commissioner Johnson, to close the Public Hearing and **approve** the request per staff recommendation. **Motion carried: 9 Ayes, 0 Nays**





**GARLAND**

CITY OF GARLAND  
PLANNING DEPARTMENT  
P.O. BOX 469002  
GARLAND, TX 75046-9002

**August 15, 2013**

**HEARING DATE/TIME:** Plan Commission: August 26, 2013 – 7:00 PM

**APPLICANT:** Discount Tire Company

**File Z 13-33**

Dear Property Owner:

A public hearing will be held by the Plan Commission of the City of Garland, Texas, at 7:00 P.M. Monday, August 26, 2013, in the Council Chambers of City Hall, 200 North Fifth Street, to consider the application of **Discount Tire Company** requesting approval of 1) a Detail Plan and 2) a Specific Use Permit for Tire Dealer, No Outside Storage on a property zoned Planned Development (PD) District 06-37 for Freeway Uses. The property is shown on the enclosed sketch and is described as follows:

Being a 1.410-acre lot identified as Lot 6R, Block 1 of the Centerville Marketplace Third Replat, an addition to the City of Garland as shown on the Plat recorded in Instrument No. 201100116935 of the Map Records of Dallas County, Texas. The property is located at 1500 Eastgate Drive, Garland, TX. (District 5)

**Note: The applicant requests approval of a Detail Plan and a Specific Use Permit to develop the subject property with a Discount Tire store.**

To convey any concerns or opinions regarding the aforementioned request, please complete the below-listed section and return to **City of Garland, Planning Department, P.O. Box 469002, Garland, TX 75046-9002 or by fax to 972-205-2474**. Should you have any questions, please contact Josue De La Vega at 972-205-2445.

(Please Check One Below)

- I am in favor of the request.
- I am opposed to the request.

Please include any comments you wish to provide supporting your position in the space provided below.

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(Please complete the following information)

Your Property Address AMERICAN CARRIERS, TX

Printed Name 1411 EASTGATE DR GARLAND TX 75041

Address 1411 EASTGATE DR City, State Garland TX Zip 75041

The above statements reflect my (our) opinion regarding the proposed request(s).

Signature Josue De La Vega Title COMPTROLLER

Date: 8/20/13



**File No. 13-34/District 7**

**Agenda Item:**

**Meeting: City Council**

**Date: September 17, 2013**

# Planning Report

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**Joann Tran**

**2100 Windy Drive, north of Stoneleigh Drive and east of Windy Drive**

## **REQUEST**

Approval of 1) an amendment to Planned Development (PD) District 74-65 for Townhouse Uses and 2) an amended Detail Plan.

## **OWNER**

Joann Tran

## **PLAN COMMISSION RECOMMENDATION**

On August 26, 2013 the Plan Commission, by a vote of nine (9) to zero (0), recommended approval of 1) an amendment to Planned Development (PD) District 74-65 for Townhouse Uses and 2) an amended Detail Plan.

## **STAFF RECOMMENDATION**

Approval of an amendment to Planned Development (PD) District 74-65 for Townhouse Uses and an amended detail plan. By amending the PD and detail plan the applicant can reuse the vacant clubhouse as a single family home. This will assist in the stabilization of the neighborhood by the occupancy of a vacant building that will be maintained and improved by the property owner. The use of the property for a single family home is consistent with the uses in the subdivision.

## **BACKGROUND**

In 1974, Planned Development (PD) District 74-65 was approved for a single family attached development that included a community center/HOA clubhouse on the subject property. The clubhouse was sold by the Park North Homeowner's Association in May, 2013 to the applicant to be occupied as a single family home. The Planned Development and Detail Plan identify the subject property as a clubhouse; therefore, the applicant is requesting the amendment to the PD and Detail Plan to allow for the conversion of the clubhouse to a single family home.

## **SITE DATA**

The overall subject property contains approximately 0.578 acres in area, fronting approximately 117 feet along Windy Drive and approximately 195 feet along Stoneleigh Drive.

## **USE OF PROPERTY UNDER CURRENT ZONING**

Planned Development (PD) District 74-65 allows for single family dwellings and a community center. The properties within the PD were developed with single family attached units with the exception of the subject property which was developed with a community center/clubhouse which is a single structure.

## **CONSIDERATIONS**

1. The subject property was developed and previously used as a community center for the Park North Townhome subdivision. In May, the approximately 1,800 s.f. clubhouse was sold to the applicant with the intent to occupy it as a single family home. The Planned Development and Detail Plan identified the site as a clubhouse, therefore requiring the amendment to remove this provision from the Planned Development. The Planned Development does not require a community center/clubhouse be provided in the subdivision.
2. There is a swimming pool and tennis court on the subject property that will be maintained by the property owner. There is no garage on the subject property; however there are paved parking spaces adjacent to the site along Stoneleigh Drive, which will be used by the applicant. The applicant will only be making interior renovations to the structure.

## **COMPREHENSIVE PLAN**

The Future Land Use Map of the Envision Garland Plan recommends Compact Neighborhoods for the subject property. Compact neighborhoods provide areas for moderate increases in residential density, including single-family attached and single-family detached housing. These areas provide transitions between traditional residential neighborhoods and higher density residential neighborhoods and non-residential developments. These areas accommodate uses such as convenience retail (goods and services), office space, and public services. The use of the property for a single family home is aligned with the recommended use in Envision Garland.

## **COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES**

The properties to the north and west of the subject property are zoned Planned Development (PD) District 74-65 for Townhouse Uses and are developed with single family attached units. Property to the south is zoned Planned Development (PD) District 82-38 for Multi-Family Uses and is developed with

apartments. The property to the east is zoned Single Family (SF/10/D/2) District and is developed with North Garland High School.

The surrounding area is primarily residential in nature. The use of the property for low to medium density residential is consistent with the existing development pattern in the surrounding area. In addition, the maintenance and occupancy of the subject property by the property owner will be a benefit to the subdivision.

Prepared By:

Chasidy Allen, AICP  
Principal Planner

Date: September 3, 2013

Reviewed By:

Anita Russelmann  
Director of Planning

Date: September 4, 2013

Reviewed By:

William E. Dollar  
City Manager

Date: September 6, 2013



- 2205
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- 2104

0 100 200 Feet

**ZONING Z 13-34**

 INDICATES AREA OF REQUEST

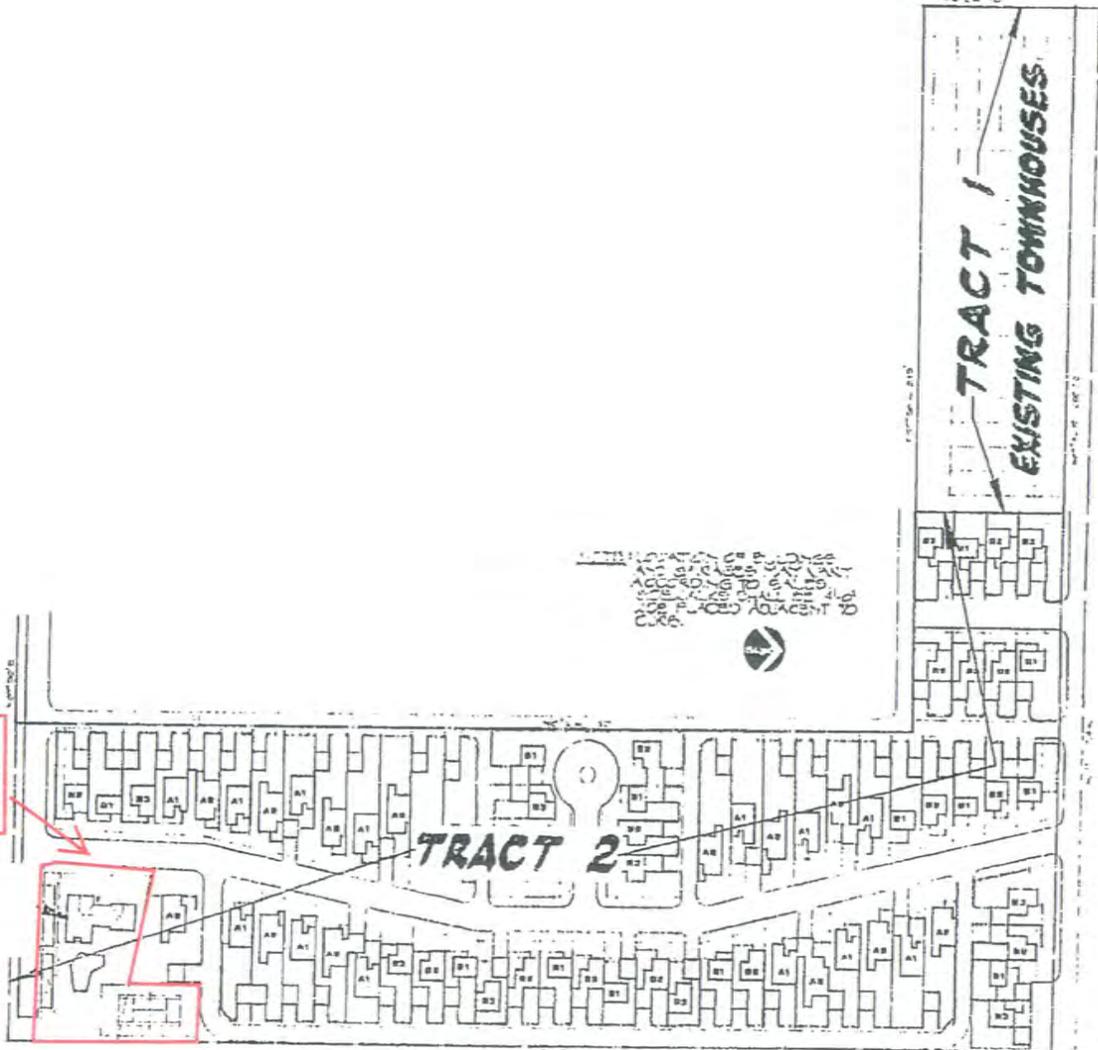
## PLANNED DEVELOPMENT CONDITIONS

### ZONING FILE 13-34

#### 2100 Windy Drive, north of Stoneleigh Drive and east of Windy Drive

- I. **Statement of Purpose:** The purpose of this Planned Development District is to allow the subject property to be used as a single family home subject to conditions.
- II. **Statement of Effect:** This Planned Development shall not affect any regulation found in the Comprehensive Zoning Ordinance. Ordinance No. 4647, as amended prior to adoption of this ordinance, except as specifically provided herein.
- III. **General Regulations:** All regulations of the Single Family Dwelling (SF/7) District set forth in Section 18 of the Comprehensive Zoning Ordinance are included by reference and shall apply, except as specified in this ordinance
- IV. **Development Plans:**  
Detail Plan: Development shall be in general conformance with the Detail Plan set forth in Exhibit C.
- V. **Specific Regulations:**
  - A. Permitted uses: Only a single-family residential use shall be permitted.

SUBJECT  
PROPERTY



SITE PLAN



## REPORT & MINUTES

P.C. Meeting, August 26, 2013 (9 Members Present)

Consideration of the application of Joann Tran, requesting approval of 1) an amendment to Planned Development (PD) District 74-65 for Townhouse Uses and 2) an amended Detail Plan. This property is located at 2100 Windy Drive, north of Stoneleigh Drive and east of Windy Drive. (File 13-34)

**Motion** was made by Commissioner Fisher, seconded by Commissioner Vera to close the Public Hearing and **approve** the request per staff recommendation. **Motion carried: 9 Ayes, 0 Nays.**



O = IN FAVOR  
X = AGAINST

# ZONING Z 13-34

INDICATES AREA OF REQUEST



# GARLAND

CITY OF GARLAND  
PLANNING DEPARTMENT  
P.O. BOX 469002  
GARLAND, TX 75046-9002

August 14, 2013

HEARING DATE/TIME: Plan Commission: August 26, 2013 – 7:00 PM

APPLICANT: Joann Tran

**File 13-34**

Dear Property Owner:

A public hearing will be held by the Plan Commission of the City of Garland, Texas, at 7:00 P.M. Monday, August 26, 2013, in the Council Chambers of City Hall, 200 North Fifth Street, to consider the application of **Joann Tran**, requesting approval of 1) an amendment to Planned Development (PD) District 74-65 for Townhouse Uses and 2) an amended Detail Plan. The property is shown on the enclosed sketch and is described as follows:

Being approximately 0.578-acres identified as Lot 1, Block 3, Park North Patio Townhomes No. 6, an addition to the City of Garland, Dallas County, Texas, recorded in Volume 78074, Page 3, Plat Records, Dallas County, Texas. The property is located at 2100 Windy Drive, north of Stoneleigh Drive and east of Windy Drive. (District 7)

**Note: The applicant requests approval of an amendment to Planned Development (PD) District 74-65 and an amended Detail Plan to allow the existing clubhouse to be occupied as a single family home.**

To convey any concerns or opinions regarding the aforementioned request, please complete the below-listed section and return to **City of Garland, Planning Department, P.O. Box 469002, Garland, TX 75046-9002** or by fax to **972-205-2474**. Should you have any questions, please contact Chasidy Allen at 972-205-2445.

(Please Check One Below)

I am in favor of the request. PROVISIONAL Yes

I am opposed to the request.

Please include any comments you wish to provide supporting your position in the space provided below.

IF IT IS TRULY FOR SINGLE FAMILY HOME, THEN Yes.  
she has talked @ a business when questioned by our HOA managing agent. No to Business, duplex, etc.

(Please complete the following information)

Your Property Address HARRY CARR

Printed Name

Address 2116 WINDY DR City, State GARLAND TX Zip 75041

The above statements reflect my (our) opinion regarding the proposed request(s).

Signature Harry Carr Title Homeowner

Date: 8/16/13

8/17/13

File #13-34

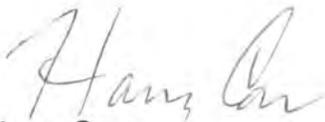
Regarding 2100 Windy Drive application for single family home.

I have been told that the applicant, when speaking to the PNHOA Managing Agent, talked about the site as a business. I do NOT know in what context that comment was made but the applicant has had new striping done on the north side of the property where several parking spots have been marked off for the clubhouse.

I am given to understand that this kind of parking area would not be allowable for a single family home. I ask the Plan Commission to consider that.

I write, on the main, to ask the Plan Commission to be sure the applicant is solely intending to use/rent/sell the 2100 Windy Drive property as a single family home, and NOT as a duplex, apartment or as any kind of profit or non-profit business except as allowed by Garland city ordinance. Our neighborhood is small and quiet (with Holford Park on the north end) and not a place for a business.

Sincerely,

A handwritten signature in cursive script that reads "Harry Carr".

Harry Carr  
2116 Windy Drive  
Garland TX 75044



# GARLAND

CITY OF GARLAND  
PLANNING DEPARTMENT  
P.O. BOX 469002  
GARLAND, TX 75046-9002

August 14, 2013

HEARING DATE/TIME: Plan Commission: August 26, 2013 – 7:00 PM

APPLICANT: Joann Tran

**File 13-34**

Dear Property Owner:

A public hearing will be held by the Plan Commission of the City of Garland, Texas, at 7:00 P.M. Monday, August 26, 2013, in the Council Chambers of City Hall, 200 North Fifth Street, to consider the application of **Joann Tran**, requesting approval of 1) an amendment to Planned Development (PD) District 74-65 for Townhouse Uses and 2) an amended Detail Plan. The property is shown on the enclosed sketch and is described as follows:

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**Note: The applicant requests approval of an amendment to Planned Development (PD) District 74-65 and an amended Detail Plan to allow the existing clubhouse to be occupied as a single family home.**

To convey any concerns or opinions regarding the aforementioned request, please complete the below-listed section and return to **City of Garland, Planning Department, P.O. Box 469002, Garland, TX 75046-9002 or by fax to 972-205-2474**. Should you have any questions, please contact Chasidy Allen at 972-205-2445.

(Please Check One Below)

I am in favor of the request.

I am opposed to the request.

Please include any comments you wish to provide supporting your position in the space provided below.

A benefit to have the property effectively occupied.

(Please complete the following information)

Your Property Address 2114 Windy Drive Garland TX 75044

Printed Name James C. Woodard

Address \_\_\_\_\_ City, State \_\_\_\_\_ Zip \_\_\_\_\_

The above statements reflect my (our) opinion regarding the proposed request(s).

James C. Woodard \_\_\_\_\_ owner

Signature \_\_\_\_\_  
Date: 8/16/2013

Title



# GARLAND

CITY OF GARLAND  
PLANNING DEPARTMENT  
P.O. BOX 469002  
GARLAND, TX 75046-9002

August 14, 2013

HEARING DATE/TIME: Plan Commission: August 26, 2013 – 7:00 PM

APPLICANT: Joann Tran

**File 13-34**

Dear Property Owner:

A public hearing will be held by the Plan Commission of the City of Garland, Texas, at 7:00 P.M. Monday, August 26, 2013, in the Council Chambers of City Hall, 200 North Fifth Street, to consider the application of **Joann Tran**, requesting approval of 1) an amendment to Planned Development (PD) District 74-65 for Townhouse Uses and 2) an amended Detail Plan. The property is shown on the enclosed sketch and is described as follows:

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**Note: The applicant requests approval of an amendment to Planned Development (PD) District 74-65 and an amended Detail Plan to allow the existing clubhouse to be occupied as a single family home.**

To convey any concerns or opinions regarding the aforementioned request, please complete the below-listed section and return to **City of Garland, Planning Department, P.O. Box 469002, Garland, TX 75046-9002 or by fax to 972-205-2474**. Should you have any questions, please contact Chasidy Allen at 972-205-2445.

(Please Check One Below)

I am in favor of the request.

I am opposed to the request.

Please include any comments you wish to provide supporting your position in the space provided below.

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(Please complete the following information)

Your Property Address 2122 Windy Dr. Garland Tx, 75044  
Printed Name LAURA A. FOEHAND  
Address City, State Zip

The above statements reflect my (our) opinion regarding the proposed request(s).

Laura A. Foehand homeowner  
Signature Title  
Date: 8-16-2013



# GARLAND

CITY OF GARLAND  
PLANNING DEPARTMENT  
P.O. BOX 469002  
GARLAND, TX 75046-9002

August 14, 2013

HEARING DATE/TIME: Plan Commission: August 26, 2013 – 7:00 PM

APPLICANT: Joann Tran

**File 13-34**

Dear Property Owner:

A public hearing will be held by the Plan Commission of the City of Garland, Texas, at 7:00 P.M. Monday, August 26, 2013, in the Council Chambers of City Hall, 200 North Fifth Street, to consider the application of **Joann Tran**, requesting approval of 1) an amendment to Planned Development (PD) District 74-65 for Townhouse Uses and 2) an amended Detail Plan. The property is shown on the enclosed sketch and is described as follows:

Being approximately 0.578-acres identified as Lot 1, Block 3, Park North Patio Townhomes No. 6, an addition to the City of Garland, Dallas County, Texas, recorded in Volume 78074, Page 3, Plat Records, Dallas County, Texas. The property is located at 2100 Windy Drive, north of Stoneleigh Drive and east of Windy Drive. (District 7)

**Note: The applicant requests approval of an amendment to Planned Development (PD) District 74-65 and an amended Detail Plan to allow the existing clubhouse to be occupied as a single family home.**

To convey any concerns or opinions regarding the aforementioned request, please complete the below-listed section and return to **City of Garland, Planning Department, P.O. Box 469002, Garland, TX 75046-9002 or by fax to 972-205-2474**. Should you have any questions, please contact Chasidy Allen at 972-205-2445.

(Please Check One Below)

I am in favor of the request.

I am opposed to the request.

Please include any comments you wish to provide supporting your position in the space provided below.

*This will be more congruent with other properties on the block.*

(Please complete the following information)

Your Property Address

|                         |                         |                  |
|-------------------------|-------------------------|------------------|
| 2125 Windy Dr.          | Garland TX              | 75044            |
| Printed Name            | Dallas                  | 75252            |
| Michael Eager           | <del>Garland</del> , TX | <del>75044</del> |
| Address 6635 Mirams Dr. | City, State             | Zip              |

The above statements reflect my (our) opinion regarding the proposed request(s).

|                              |              |
|------------------------------|--------------|
| <i>Mary E Eager</i>          | <i>Owner</i> |
| Signature                    | Title        |
| Date: <i>August 23, 2013</i> |              |



# GARLAND

CITY OF GARLAND  
PLANNING DEPARTMENT  
P.O. BOX 469002  
GARLAND, TX 75046-9002

August 14, 2013

HEARING DATE/TIME: Plan Commission: August 26, 2013 – 7:00 PM

APPLICANT: Joann Tran

**File 13-34**

Dear Property Owner:

A public hearing will be held by the Plan Commission of the City of Garland, Texas, at 7:00 P.M. Monday, August 26, 2013, in the Council Chambers of City Hall, 200 North Fifth Street, to consider the application of **Joann Tran**, requesting approval of 1) an amendment to Planned Development (PD) District 74-65 for Townhouse Uses and 2) an amended Detail Plan. The property is shown on the enclosed sketch and is described as follows:

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**Note: The applicant requests approval of an amendment to Planned Development (PD) District 74-65 and an amended Detail Plan to allow the existing clubhouse to be occupied as a single family home.**

To convey any concerns or opinions regarding the aforementioned request, please complete the below-listed section and return to **City of Garland, Planning Department, P.O. Box 469002, Garland, TX 75046-9002 or by fax to 972-205-2474**. Should you have any questions, please contact Chasidy Allen at 972-205-2445.

(Please Check One Below)

I am in favor of the request.

I am opposed to the request.

Please include any comments you wish to provide supporting your position in the space provided below.

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(Please complete the following information)

Your Property Address

Michelle Muaster

Printed Name

2103 Windy Dr Garland, TX 75044

Address

City, State

Zip

The above statements reflect my (our) opinion regarding the proposed request(s).

[Signature]

Signature

Title

Date: 8-28-13



**File No. 13-36/District 5**

**Agenda Item:**

**Meeting: City Council**

**Date: September 17, 2013**

# Planning Report

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**Loveth/Tony**

**219 West Kingsley Road, Suite 322**

## **REQUEST**

Approval of a Specific Use Permit for a Reception Facility on property zoned Shopping Center (SC) District.

## **OWNER**

Hoppenstein Properties, Inc.

## **PLAN COMMISSION RECOMMENDATION**

On August 26, 2013 the Plan Commission, by a vote of nine (9) to zero (0), recommended approval of a Specific Use Permit for a Reception Facility per staff recommendation.

## **STAFF RECOMMENDATION**

Approval of a Specific Use Permit for Reception Facility for a period of 10 years and tied to Loveth/Tony. The approval of the Specific Use Permit will allow the applicants to continue operating a reception facility from Suite 322 as it has since 2007. The applicants propose to operate the reception facility in the same fashion as the previous reception facility and propose no significant changes.

## **BACKGROUND**

The subject property is currently zoned Shopping Center (SC) District. The 10.35-acre tract of land is developed with the Ridgewood Shopping Center constructed in 1958 and contains approximately 125,900 square feet of retail space. In 2007, City Council approved a Specific Use Permit to operate a reception facility from Suite 310. In 2009, the same applicant obtained a Specific Use Permit to relocate the reception facility from Suite 310 to the adjacent Suite 322. In June of 2013 City Council approved a Specific Use Permit to allow the existing reception facility at Suite 322 to be operated under different ownership; however, the change of ownership never materialized. The reception facility has ceased operating and the applicants, Loveth/Tony, request approval of a Specific Use Permit that would allow them to operate a reception facility from Suite 322.

At the January 18, 2005 meeting, the City Council adopted Ordinance 5873, which created a new land use identified as Reception Facility. The use is described by the ordinance as a facility that is open to the general public or

made available for private uses, designed and used for social events, which may include but are not limited to parties, dances, receptions, banquets or similar social events. The Reception Facility use is only allowed by Specific Use Permit in a range of non-residential zoning districts including the Shopping Center (SC) District.

## **SITE DATA**

The subject property contains approximately 10.35-acres in total area; however, the applicant is only proposing to utilize a 5,922 square foot tenant space within the existing retail complex (Ridgewood Shopping Center). The shopping center site has approximately 623-feet of frontage along South First Street, 503-feet along West Kingsley Road and 667-feet along South Fifth Street. Primary access to the site is available from both South First Street and West Kingsley Road. Secondary access is also available from South Fifth Street.

## **USE OF PROPERTY UNDER CURRENT ZONING**

Development of this property is restricted to only the uses permitted in the Shopping Center (SC) District which permits a broad range of non-residential land uses providing convenient retail and personal service activities by grouping compatible uses in a single center. The purpose of the Shopping Center (SC) District is to provide a neighborhood or community service area. A Specific Use Permit is required in the Shopping Center (SC) District in order to permit a Reception Facility.

## **CONSIDERATIONS**

1. The applicants request approval of a Specific Use Permit tied to their names to operate a reception facility from Suite 322. The existing buildings and paving are in generally good condition.
2. The applicants have indicated that the main function of the reception facility will be the same as the previous reception facility, for private events including, but not limited to weddings, birthdays, baby showers, and graduations. The reception facility would operate on weekends (Friday, Saturday and Sunday) from 7:00 p.m. to 1:00 a.m.
3. The Specific Use Permits previously granted for Reception Facility at this location contained a condition stipulating that security be provided for every event where alcohol is sold and for any events held after 8:00 pm. The applicants have indicated that security will be provided at every event and agree a condition be added to the Specific Use Permit reflecting this security measure. It should be noted that the most recently approved Specific Use Permits granted for reception facilities, all have a condition requiring security to be provided either at every event or any evening event.
4. The Comprehensive Zoning Ordinance No. 4647 states that the required parking for a reception facility is 1 parking space for each 100 square feet of gross floor area. The reception facility will not expand and will continue to operate within the 5,922 square feet tenant space. Therefore, the minimum

parking requirement for the reception facility will continue to be 60 parking spaces. Based upon the information supplied by the applicant, 692 parking spaces are required for the existing and vacant tenant spaces which include a variety of retail sales/personal service uses, two restaurants and the existing reception facility. The site provides 706 parking spaces.

5. The applicants are not proposing any improvements to the site. Moreover, the applicants have indicated that the existing signage will only be refaced.

6. The applicants request approval of a Specific Use Permit for a 10 year period tied to **Loveth/Tony**. The previous Specific Use Permits were granted for a time period of 5 years.

## **COMPREHENSIVE PLAN**

The Future Land Use Map of the Envision Garland Plan recommends Compact Neighborhoods for the subject site. Compact neighborhoods provide areas for moderate increase in residential density, including single-family attached and single-family detached housing. It expands housing options through infill and redevelopment, while continuing walkable development patterns. These areas provide transitions between traditional residential neighborhoods and higher density residential neighborhoods and non-residential developments; moreover, they accommodate uses such as convenience retail (goods and services), office space, and public services.

The subject property is developed with a multi-tenant shopping center and in this instance the recommendation of the Comprehensive Plan is more applicable to a proposal involving a complete redevelopment of the subject property. Therefore, given the existing retail and commercial character of the site, the location is suitable and appropriate for the continual operation of a reception facility.

## **COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES**

The properties to the north are zoned Multi-Family (MF-18) District and Shopping Center (SC) District; these properties are developed with an apartment complex and a church. The property to the east, located across South First Street, is zoned Shopping Center (SC) District and is developed with a shopping center. The property to the south, located across West Kingsley Road, is also zoned Shopping Center (SC) District and is developed with a shopping center. The properties to the west, located across South Fifth Street, are zoned General Business (GB) District; these properties are developed with various retail and office uses. A church is also located on one of these properties. The properties further to the west are zoned Single Family (SF/7/E/2) District and are developed with single family residences.

The Shopping Center (SC) District provides convenient retail and personal service uses. The reception facility will operate from a suite in a multi-tenant retail center (Ridgewood Shopping Center) that is surrounded by retail and commercial uses. It should be noted that there are two existing residential areas in the vicinity. One is the Ridgewood Estates subdivision that is located to the

west, approximately 260 feet from Suite 322. The subdivision is separated from the Ridgewood Shopping Center by not only South Fifth Street, but an existing retail center. The other residential area is the apartment complex that is located to the northwest, approximately 300 feet from Suite 322. The apartment complex is also separated from the Ridgewood Shopping Center by an existing retail building.

Prepared By:

Josue De La Vega  
Development Planner

Date: September 5, 2013

Reviewed By:

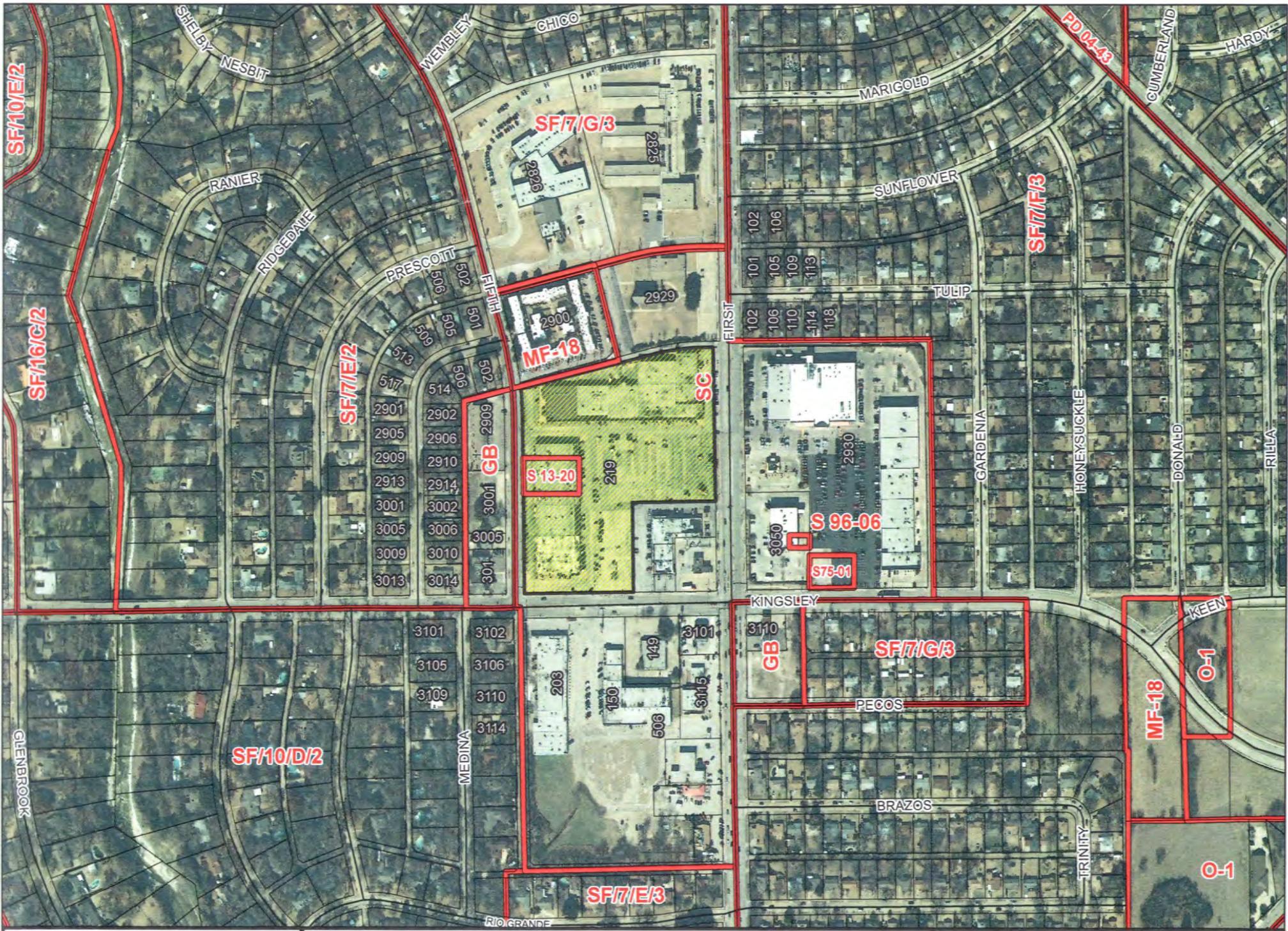
Anita Russelmann  
Director of Planning

Date: September 9, 2013

Reviewed By:

William E. Dollar  
City Manager

Date: September 10, 2013



# ZONING Z 13-36



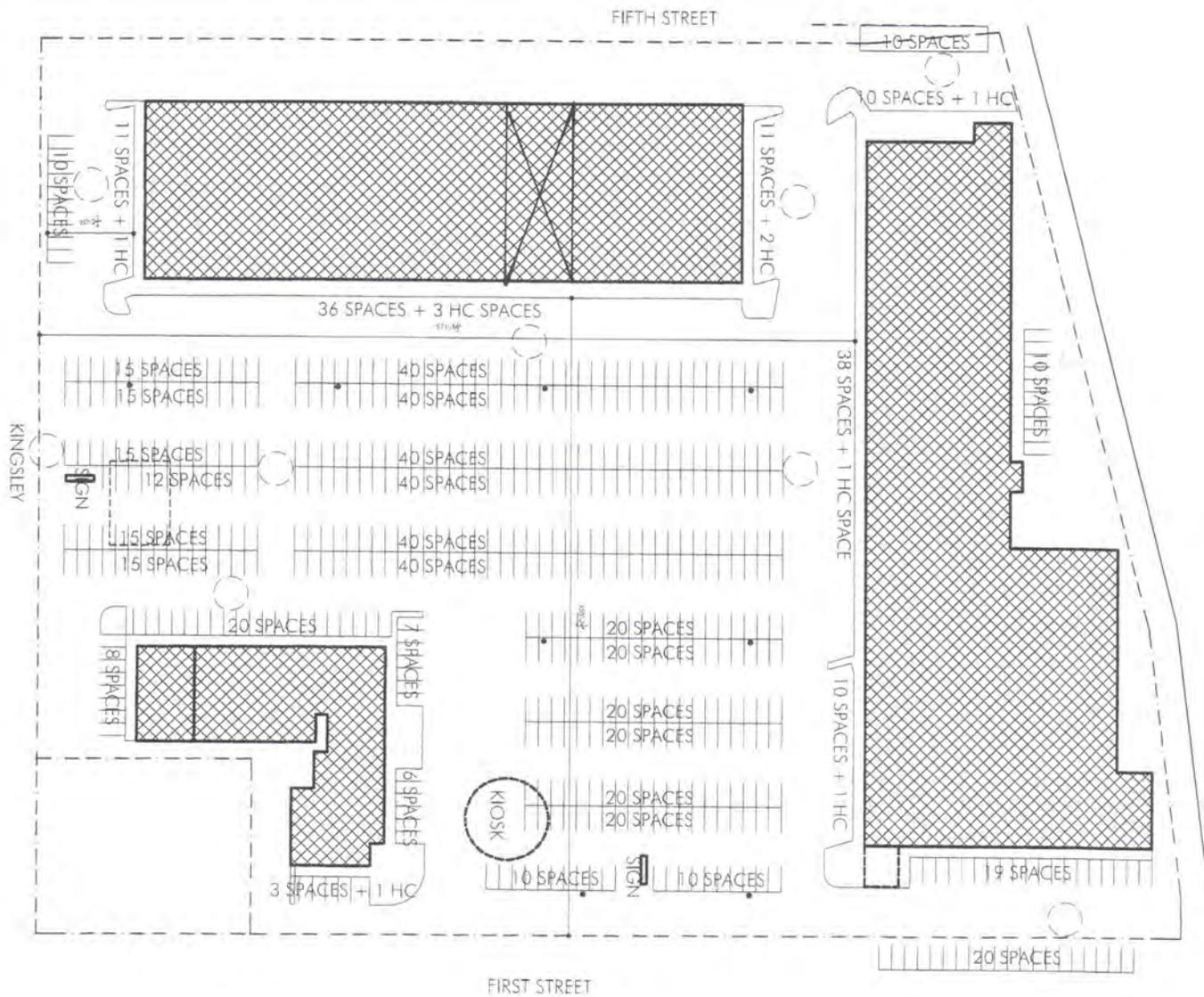
 INDICATES AREA OF REQUEST

## SPECIFIC USE PERMIT CONDITIONS

### ZONING FILE 13-36

219 West Kingsley Road, Suite 322

- I. **Statement of Purpose:** The purpose of this Specific Use Permit is to allow a Reception Facility subject to conditions.
- II. **Statement of Effect:** This permit shall not affect any regulation found in the Comprehensive Zoning Ordinance, Ordinance No. 4647, as amended prior to adoption of this ordinance, except as specifically provided herein.
- III. **General Regulations:** All regulations of the SC (Shopping Center) District set forth in Section 24 and Section 33 of the Comprehensive Zoning Ordinance are included by reference and shall apply, except as otherwise specified by this ordinance.
- IV. **Specific Regulations:**
  - A. Time Period: The Specific Use Permit shall be in effect for a 10 year time period and shall be tied to **Loveth/Tony**.
  - B. Parking: There shall be a minimum of 60 parking spaces available for Reception Facility patrons and staff.
  - C. Hours Of Operation: Weekends (Friday, Saturday and Sunday) from 7:00 p.m. to 1:00 a.m.
  - D. Security: Security shall be provided at every event. Security will be provided by a person authorized to provide private security under Chapter 1702 of the Texas Occupations Code.
  - E. Loitering: No congregation or loitering will be allowed to occur outside the facility.
  - F. Noise Mitigation: The applicant will add noise mitigation to the existing building if noise levels are such that it is deemed necessary by the City.



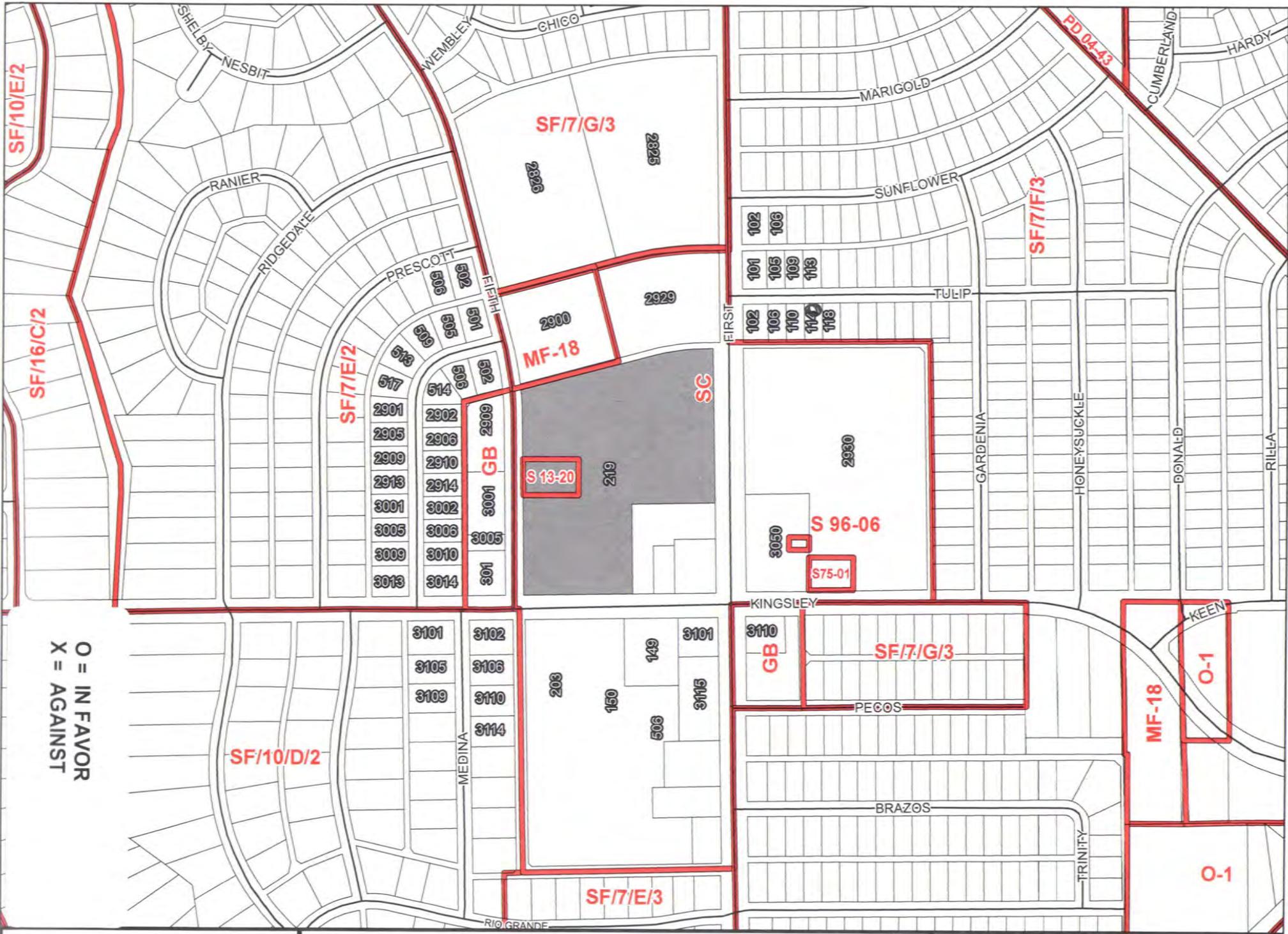
## REPORT & MINUTES

**P.C. Meeting, August 26, 2013 (9 Members Present)**

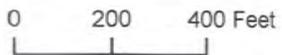
**Consideration of the application of Loveth/Tony, requesting approval of a Specific Use Permit for a Reception Facility on property zoned Shopping Center (SC) District. The property is located at 219 West Kingsley Road, Suite 322. (File 13-36)**

The applicant Tony Celestine/Loveth, 5207 Wedgewood Trail was available for questions. There were no questions of this applicant

**Motion** was made by Commissioner Welborn, seconded by Commissioner O'Hara to close the Public Hearing and **approve** the request per staff recommendation. **Motion carried: 9 Ayes, 0 Nays.**



O = IN FAVOR  
X = AGAINST



# ZONING Z 13-36

 INDICATES AREA OF REQUEST



**GARLAND**

CITY OF GARLAND  
PLANNING DEPARTMENT  
P.O. BOX 469002  
GARLAND, TX 75046-9002

August 15, 2013

HEARING DATE/TIME: Plan Commission: August 26, 2013 – 7:00 PM

APPLICANT: Loveth/Tony

File Z 13-36

Dear Property Owner:

A public hearing will be held by the Plan Commission of the City of Garland, Texas, at 7:00 P.M. Monday, August 26, 2013, in the Council Chambers of City Hall, 200 North Fifth Street, to consider the application of Loveth/Tony requesting approval of a Specific Use Permit for a Reception Facility on property zoned Shopping Center (SC) District. The property is shown on the enclosed sketch and is described as follows:

Being a portion of Tract 20, William H. Keen Survey, Abstract 734, Page 082, City of Garland, Dallas County, Texas and containing approximately 0.13 acres. This property is located at 219 West Kingsley Road, Suite 322. (District 5)

**Note: The approval of this request will allow the existing reception facility to continue operating from Suite 322 under a new ownership.**

To convey any concerns or opinions regarding the aforementioned request, please complete the below-listed section and return to **City of Garland, Planning Department, P.O. Box 469002, Garland, TX 75046-9002** or by fax to **972-205-2474**. Should you have any questions, please contact Josue De La Vega at 972-205-2445.

(Please Check One Below)

- I am in favor of the request.
- I am opposed to the request.

Please include any comments you wish to provide supporting your position in the space provided below.

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(Please complete the following information)

Your Property Address ~~114 TULIP DR~~ BALDENA MARTINEZ

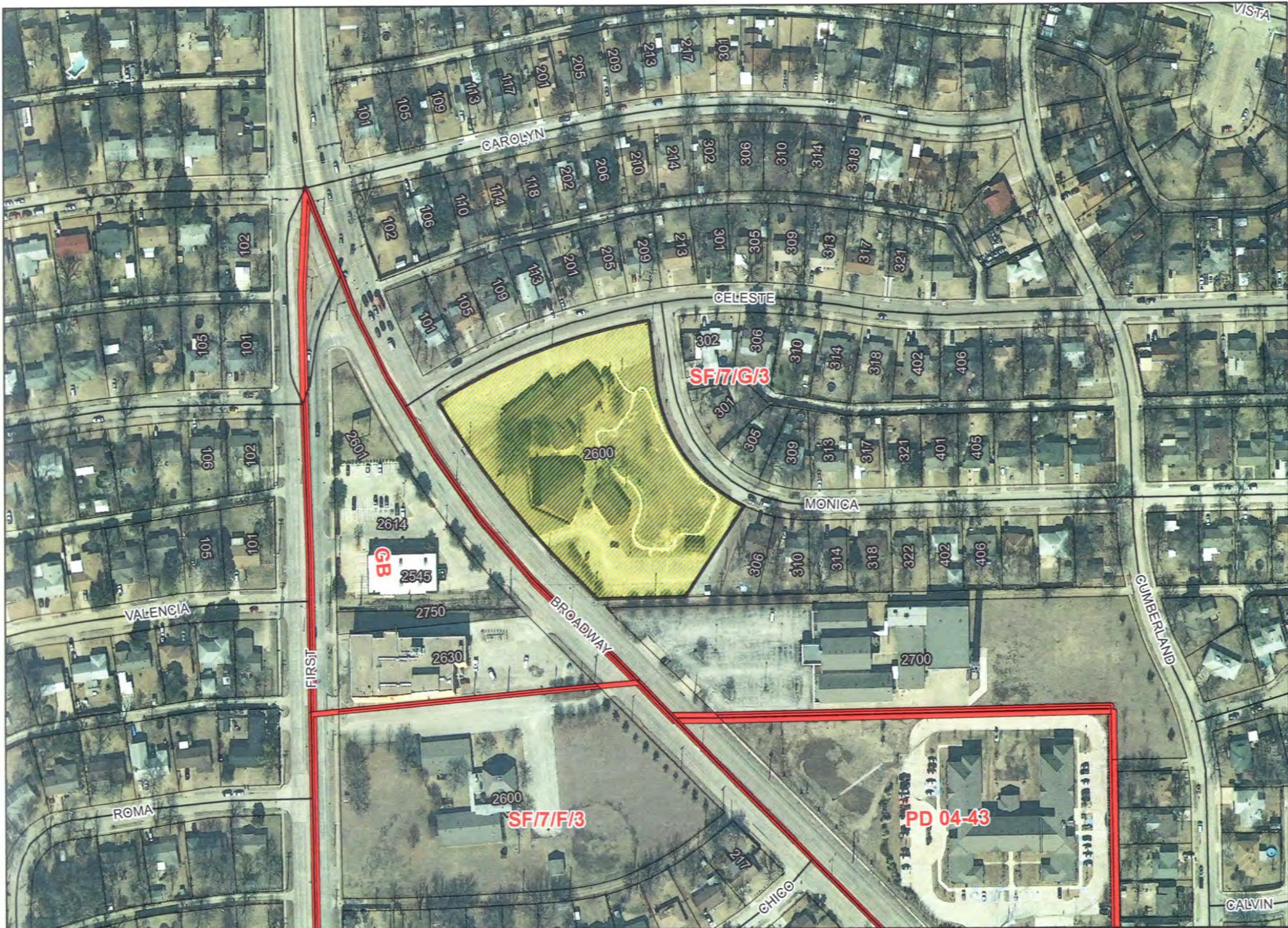
Printed Name BALDENA MARTINEZ

Address 114 TULIP DR City, State GARLAND TX Zip 75041

The above statements reflect my (our) opinion regarding the proposed request(s).

Signature Baldena Martinez Title OWNER

Date: 8-16-2013



**ZONING Z 13-37**

 INDICATES AREA OF REQUEST

0 100 200 Feet

## SPECIFIC USE PERMIT CONDITIONS

### ZONING FILE 13-37

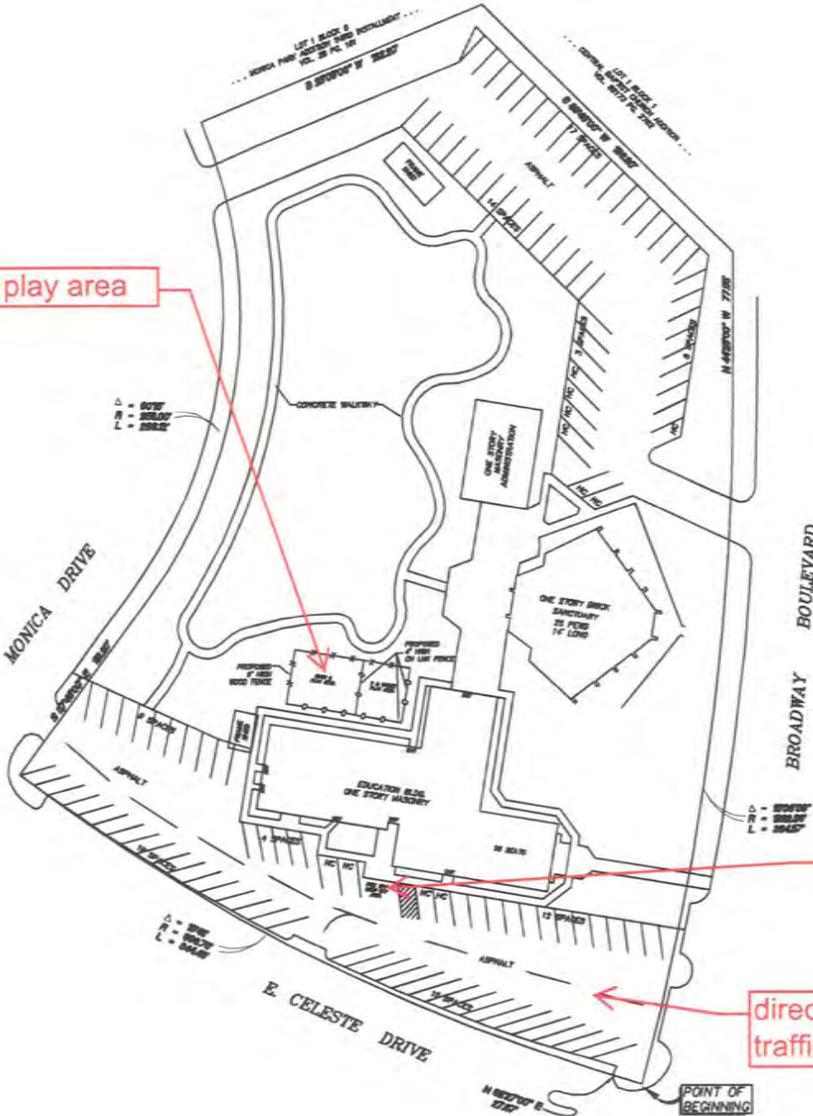
#### 2600 Broadway Boulevard

- I. **Statement of Purpose:** The purpose of this Specific Use Permit is to permit a Kindergarten, Preschool or Child Care Center on the subject property.
- II. **Statement of Effect:** This permit shall not affect any regulation found in the Comprehensive Zoning Ordinance, as amended, except as specifically provided herein.
- III. **General Regulations:** All regulations of the Single Family (SF-7) District set forth in Section 15, 18, and 33 of the Comprehensive Zoning Ordinance, Ordinance No. 4647 are included by reference and shall apply, except as otherwise specified in this ordinance.
- IV. **Specific Regulations:**
  - A. Time Period: The Specific Use Permit shall be in effect for a 20 year time period and tied to **Willis Early Learning Center**.
  - B. Days and Hours of Operation: The child care center will operate from 7:00 a.m. to 7:00 p.m. Monday through Friday.
  - C. Parking Requirement: Should the enrollment of students increase, parking for the child care center shall meet the parking ratio established by the Comprehensive Zoning Ordinance.



MONICA PARK CHRISTIAN CHURCH

outdoor play area



pick-up/drop-off area

direction of on-site traffic circulation

**RECORD**

BEING a tract of land situated in the JAMES MILLS SURVEY, ABSTRACT NO. 951, Garland, Dallas County, Texas, and being all of a tract of land described in deed to Monica Park Christian Church as recorded in Deed Records, Dallas County, Texas, and being more particularly described as follows:

RESERVING at a 1/2" diameter iron rod found at the intersection of the East line of Broadway Boulevard and the Southeast line of E. Celeste Drive

THENCE North 43 degrees 27 minutes 00 seconds East, 27.87 feet, with the said Southeast line of E. Celeste Drive, to a 1/2" diameter iron rod found at the beginning of a curve to the right having a radius of 886.75 feet and a central angle of 18 degrees 48 minutes

THENCE with said curve in a westerly direction and with the said Southeast line of E. Celeste Drive, an arc distance of 246.45 feet to a 1/2" diameter iron rod found in the West line of Monica Drive

THENCE South 07 degrees 42 minutes 00 seconds East, 113.20 feet, with the said West line of Monica Drive to a 1/2" diameter iron rod found at the beginning of a curve to the left having a radius of 553.00 feet and a central angle of 30 degrees 18 minutes

THENCE with said curve in a westerly direction and with the Southeast line of said Monica Drive, an arc distance of 288.12 feet to a 1/2" diameter iron rod found at the Northwest corner of Lot 1, Block 2 of Monica Park Addition, Third Subdivision, and section to the City of Garland, Texas, according to the plat recorded in Volume 26, Page 101, Plat Records, Dallas County, Texas

THENCE South 23 degrees 09 minutes 00 seconds West, 182.85 feet, with the Northwest line of said Lot 1, to a 1/2" diameter iron rod found in the North line of Lot 1, Block 1 of Central United Church Addition, as section to the City of Garland, Texas according to the plat recorded in Volume 26773, Page 2762, Deed Records, Dallas County, Texas

THENCE South 09 degrees 42 minutes 00 seconds West, 185.20 feet, with the said North line of addition, to a 1/2" diameter iron rod found in the Northeast line of said Broadway Boulevard

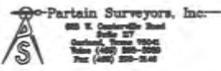
THENCE North 44 degrees 38 minutes 00 seconds West, 77.20 feet, with the said Northeast line of Broadway Boulevard, to a 1/2" diameter iron rod found at the beginning of a curve to the right having a radius of 1382.38 feet and a central angle of 15 degrees 06 minutes 00 seconds

THENCE with said curve in a westerly direction and with the said Northeast line of Broadway Boulevard, an arc distance of 264.27 feet to the PLACE OF BEGINNING and containing 138,532 square feet (3.18 acres) of land, more or less.

OWNER: Monica Park Christian Church  
ZONING: SF/7

|            |          |
|------------|----------|
| OWNER      | MPC/CC   |
| CREATED BY | ME       |
| DATE       | 07-06-18 |
| REVISION   | 08-05-18 |
| REVISION   | 08-14-18 |
| JOB NO.    | MPTOPO   |

**SITE PLAN**  
MONICA PARK CHRISTIAN CHURCH  
2800 BROADWAY BOULEVARD  
J. MILLS SURVEY - ABST. NO. 951  
GARLAND, DALLAS COUNTY, TEXAS



## REPORT & MINUTES

**P.C. Meeting, August 26, 2013 (9 Members Present)**

**Consideration of the application of Willis Early Learning Center, requesting approval of a Specific Use Permit for a Kindergarten, Preschool, or Child Care Center on property zoned Single Family (SF-7) District. The property is located at 2600 Broadway Boulevard. (File 13-37)**

Representing the applicant Cassie Willis, 2325 Royal Drive and Eddie Hill, 2501 Northridge Drive, Garland, TX were available for questions. There were no questions of this applicant.

**Motion** was made by Commissioner Johnson, seconded by Commissioner Fisher to close the Public Hearing and **approve** the request per staff recommendation. **Motion carried: 9 Ayes, 0 Nays.**



File No. 13-37/District 2

Agenda Item:

Meeting: City Council

Date: September 17, 2013

# Planning Report

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**Willis Early Learning Center/Monica Park Christian Church**

**2600 Broadway Boulevard**

## **REQUEST**

Approval of a Specific Use Permit for a Kindergarten, Preschool, or Child Care Center on property zoned Single Family (SF-7) District.

## **OWNER**

Monica Park Christian Church

## **PLAN COMMISSION RECOMMENDATION**

On August 26, 2013 the Plan Commission, by a vote of nine (9) to zero (0), recommended approval of a Specific Use Permit for a Kindergarten, Preschool, or Child Care Center per staff recommendation.

## **STAFF RECOMMENDATION**

Approval of a Specific Use Permit for Child Care Center for a period of 20 years and tied to Willis Early Learning Center. The proposed child care center will be located along Broadway Boulevard, a major thoroughfare, allowing the applicant to provide a valuable and conveniently located service to nearby residents and patrons within the area.

## **BACKGROUND**

The applicant seeks approval of a Specific Use Permit to operate a child care center within the existing church building. The church will continue to operate concurrently with the proposed child care center; however, the church services and the proposed child care center operations will not coincide.

## **SITE DATA**

The subject property is developed with a church complex consisting of 3 buildings; a sanctuary building, an administration building and an education building. The site contains approximately 3 acres and has frontage of approximately 415 linear feet along Broadway Boulevard, 375 linear feet along East Celeste Drive and 365 linear feet along Monica Drive. The property has two access points along Broadway Boulevard and two access points along Monica Drive.

## **USE OF PROPERTY UNDER CURRENT ZONING**

The subject property is zoned Single Family (SF-7) District which provides for a variety of single family housing in safe and comfortable neighborhood environments. Single Family (SF-7) District also permits the establishment of appropriate institutions and community facilities necessary to create an integral residential environment.

The proposed child care center is in line with the type of services typically found in a residential district. A child care center is a fundamental service for those residents that live in the nearby neighborhoods.

## **CONSIDERATIONS**

1. The applicant is proposing to operate a child care center from the 8,829 square feet education building. The child care center will operate from 7:00 a.m. to 7:00 p.m. Monday through Friday. The school expects an enrollment of 68 children ranging in age from 4 weeks old to 14 years old. There will be a designated drop-off and pick-up location in the north parking lot with an attendant stationed outside during the pick-up and drop-off hours.
2. The parking requirement for a Kindergarten, Preschool or Child Care Center is 1 parking space for every 10 students; the requirement for a Church is 1 parking space for every 4 seats. The church requires 59 parking spaces and the child care center will require 7 parking spaces; therefore, the site will require a total of 66 parking spaces. 109 parking spaces are provided on site.
3. The vehicular traffic generated by the proposed child care center will access the site from the north drive on Broadway Boulevard and they will exit the site from the north drive on Monica Drive.
4. Per Section 10-304.2 of the Comprehensive Zoning Ordinance No. 4647 the outdoor recreational area for a child care center, when adjacent to a residential district, shall be enclosed at all times. The applicant proposes a 6-foot tall wood fence along the east and south side of the outdoor play area which are the sides facing the single family residences and a chain link fence to complete the enclosure. The choice of a chain link fence is to make the outdoor play area visible from outside the enclosure and allow staff to monitor the children.
5. The applicant is not proposing any building additions and is not adding any new signage.
6. The applicant is requesting the Specific Use Permit for a period of 20 years tied to **Willis Early Learning Center**.

## **COMPREHENSIVE PLAN**

The Future Land Use Map of the Envision Garland Plan recommends Traditional Neighborhoods for the subject property. Traditional neighborhoods provide areas for low to moderate density single-family detached residential housing. Traditional neighborhoods also accommodate convenience retail (goods and

services), office space, and public services. The Traditional Neighborhood development type is primarily characterized as low density, single-family detached (between one and six dwelling units per acre)

Child care centers are an integral part of residential neighborhoods and as such the proposed child care center is in agreement with the Comprehensive Plan.

## **COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES**

The properties to the north and east of the subject property are zoned Single Family (SF-7) District and developed with single family residences. The properties to the south are zoned Single Family (SF-7) District and Planned Development (PD) District 04-43 for Independent Senior Living Facility; these properties are developed with a church building and an independent senior living facility. The properties to the west, across Broadway Boulevard and First Street, are zoned General Business (GB) District and Single Family (SF-7) District; these properties are developed with a retail building, an office building, a church building and single family residences.

The proposed child care center is compatible with the surrounding uses. A child care center does not pose an increase in commercial activity. On the contrary, it represents a valuable service to the nearby residents; hence, the importance of its proximity to the surrounding residential communities. The traffic generated by the proposed child care center will be insignificant and less than the traffic generated during the church services which will not be held simultaneously with the child care center operations. Furthermore, since the site can be accessed from Broadway Boulevard, the local streets will be minimally impacted by the traffic generated by the proposed child care center.

Prepared By:

Josue De La Vega  
Development Planner

Date: September 5, 2013

Reviewed By:

Anita Russelmann  
Director of Planning

Date: September 9, 2013

Reviewed By:

William E. Dollar  
City Manager

Date: September 10, 2013



O = IN FAVOR  
X = AGAINST

0 100 200 Feet

# ZONING Z 13-37

INDICATES AREA OF REQUEST



**GARLAND**

CITY OF GARLAND  
PLANNING DEPARTMENT  
P.O. BOX 469002  
GARLAND, TX 75046-9002

**August 15, 2013**

**HEARING DATE/TIME:** Plan Commission: August 26, 2013 – 7:00 PM

**APPLICANT:** Willis Early Learning Center/Monica Park Christian Church

**File Z 13-37**

Dear Property Owner:

A public hearing will be held by the Plan Commission of the City of Garland, Texas, at 7:00 P.M. Monday, August 26, 2013, in the Council Chambers of City Hall, 200 North Fifth Street, to consider the application of **Willis Early Learning Center/Monica Park Christian Church** requesting approval of a Specific Use Permit for a Child Care Center on property zoned Single Family (SF-7) District. The property is shown on the enclosed sketch and is described as follows:

Being approximately a 3-acre tract of land out of the J. Mills Survey, Abstract 951 and most commonly known as 2600 Broadway Boulevard. (District 2)

**Note: The applicant requests approval of a Specific Use Permit to operate a daycare within an existing church building.**

To convey any concerns or opinions regarding the aforementioned request, please complete the below-listed section and return to **City of Garland, Planning Department, P.O. Box 469002, Garland, TX 75046-9002** or by fax to **972-205-2474**. Should you have any questions, please contact Josue De La Vega at 972-205-2445.

(Please Check One Below)

I am in favor of the request.

I am opposed to the request.

Please include any comments you wish to provide supporting your position in the space provided below.

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(Please complete the following information)

Your Property Address 101 EAST CAROLYN DR  
JULIA-ANN ASHCRAFT  
Printed Name  
101 EAST CAROLYN DR. GARLAND TX 75041  
Address City, State Zip

The above statements reflect my (our) opinion regarding the proposed request(s).

Julia-Ann Ashcraft  
Signature Title

Date: 8-17-13



**GARLAND**

CITY OF GARLAND  
PLANNING DEPARTMENT  
P.O. BOX 469002  
GARLAND, TX 75046-9002

**August 15, 2013**

**HEARING DATE/TIME:** Plan Commission: August 26, 2013 – 7:00 PM

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To convey any concerns or opinions regarding the aforementioned request, please complete the below-listed section and return to **City of Garland, Planning Department, P.O. Box 469002, Garland, TX 75046-9002** or by fax to 972-205-2474. Should you have any questions, please contact Josue De La Vega at 972-205-2445.

(Please Check One Below)

I am in favor of the request.

I am opposed to the request.

Please include any comments you wish to provide supporting your position in the space provided below.

*Pre-School, day care - I'm in favor!*

(Please complete the following information)

Your Property Address

Printed Name NELLIE TISDALE  
Address 1205 Pecan Valley, Garland, TX 75043  
City, State Zip

The above statements reflect my (our) opinion regarding the proposed request(s).

Signature *Nellie Tisdale* Title \_\_\_\_\_

Date: 8/20/13

*outside of notification area*



**GARLAND**

CITY OF GARLAND  
PLANNING DEPARTMENT  
P.O. BOX 469002  
GARLAND, TX 75046-9002

**August 15, 2013**

**HEARING DATE/TIME:** Plan Commission: August 26, 2013 – 7:00 PM

**APPLICANT:** Willis Early Learning Center/Monica Park Christian Church

**File Z 13-37**

Dear Property Owner:

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**Note: The applicant requests approval of a Specific Use Permit to operate a daycare within an existing church building.**

To convey any concerns or opinions regarding the aforementioned request, please complete the below-listed section and return to **City of Garland, Planning Department, P.O. Box 469002, Garland, TX 75046-9002** or by fax to **972-205-2474**. Should you have any questions, please contact Josue De La Vega at 972-205-2445.

(Please Check One Below)

I am in favor of the request.

I am opposed to the request.

Please include any comments you wish to provide supporting your position in the space provided below.

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(Please complete the following information)

Your Property Address 402 Monica Dr.

Printed Name KAY SIMS

Address 402 MONICA DR City, State GARLAND TX Zip 75041

The above statements reflect my (our) opinion regarding the proposed request(s).

Signature [Handwritten Signature]

Title

Date: 8/17/13



# City Council Item Summary Sheet

Work Session

Date: September 17, 2013

Agenda Item

## Boards and Commissions

### Summary of Request/Problem

Council is requested to consider appointments to Boards and Commissions.

### Recommendation/Action Requested and Justification

Submitted By:

Approved By:

William E. Dollar  
City Manager



# Board & Commission Application



Please Print or Type. **PLEASE DO NOT SEND RESUME.** Return completed application to:

City Secretary's Office, 200 North Fifth Street, Garland, Texas 75040

Board or Commission of first, second, and third choice: (Utility Advisory Board has a separate application)

- Board of Adjustment
- Building and Fire Codes Board
- Citizens Environmental and Neighborhood Advisory Committee
- Community Multicultural Commission
- Electrical Board
- Garland Cultural Arts Commission
- Garland Youth Council
- Housing Standards Board
- Library Board
- Parks and Recreation Board
- Plan Commission \*
- Plumbing and Mechanical Codes Board
- Senior Citizens Advisory Committee

CITY OF GARLAND RECEIVED

SEP 06 2013

CITY SECRETARY

Full Name: Albert Kraft

Home Address: 7405 Sugarbush Drive

Bus. Address: N/A

City, State, Zip: Garland, Texas 75044

City, State, Zip: N/A

Home Phone: 972-530-3549

Phone (Other): 214-417-3396

Email Address: [albert.kraft@gmail.com](mailto:albert.kraft@gmail.com)

Resident of Garland for 16 years

Resident of Texas for 65 years

Are you a registered voter in Dallas County? Yes

Voter Registration No. 1180895184 Precinct No. 2702 City Council District No. 1

Have you ever been convicted of a felony? No

Have you ever been convicted of a Class A misdemeanor? No

**Please list any experience that qualifies you to serve in the areas you have indicated.** 40 years of experience working in the building materials industry working with single family builders.

**If you have served on a City Board or Commission, please specify and list dates of service.** No

**List civic or community endeavors with which you have been involved.** Served as Garland HOA Board member. President of HOA for 4years. Successfully championed two City of Garland Grant Request.

**What is your educational background?** 4 Year Degree from the University of Texas, Arlington.

Six Sigma certified from GE.

**What is your occupational experience?** Assistant Treasurer (International Paper AKA Slaughter Industries). Call Center Manager, Credit Manager, Sales Manager, Director (GE).

\* Plan Commission members must own property within the city.

I hereby affirm that all statements herein are true and correct.

### FOR OFFICE USE ONLY

Signature of Applicant

Ad Valorem Tax Status

Current  Past Due

Signatures

CV 9/9/13

Status of Utility Accounts

Current  Past Due

CV 9/9/13

Suit/Claim Filed in City Secretary's Office

Yes  No

CV 9/9/13

City Secretary

Date Appointed

Appointed By

Date Notified

Date Disclosure Form Filed



**GARLAND**  
TEXAS MADE HERE

# Board & Commission Application

Please Print or Type. PLEASE DO NOT SEND RESUME

Return completed application to: City Secretary's Office, 200 North Fifth Street, Garland, Texas 75040

Board or Commission of first, second, and third choice: (\*\*Garland Youth Council has a separate application)

- Board of Adjustment
- Building and Fire Codes Board
- Citizens Environmental and Neighborhood Advisory Committee
- Community Multicultural Commission
- Electrical Board
- Garland Cultural Arts Commission
- Garland Youth Council \*\*
- Housing Standards Board
- Library Board
- Parks and Recreation Board
- Plan Commission \*
- Plumbing and Mechanical Codes Board
- Senior Citizens Advisory Committee

JUL 01 2013

CITY SECRETARY

Full Name: Bruce L Astin

Home Address: 1706 Timbercreek Dr Bus. Address: \_\_\_\_\_

City, State, Zip: Garland, TX 75042 City, State, Zip: \_\_\_\_\_

Home Phone: 972-272-6290 Phone (Other): 972-345-6746

Email Address: bastin@tx.rr.com

Resident of Garland for 24 years Resident of Texas for 24 years

Are you a registered voter in Dallas County?  Yes  No

Voter Registration No. 1081536165 Precinct No. 1704 City Council District No. 6

Have you ever been convicted of a felony?  Yes  No

Have you ever been convicted of a Class A misdemeanor?  Yes  No

Please list any experience that qualifies you to serve in the areas you have indicated.

I have served on this board since July 2005

If you have served on a City Board or Commission, please specify and list dates of service.

List civic or community endeavors with which you have been involved.

Have been an adult leader for Boy Scout troop 884 since 2007

What is your educational background?

High School & 2yrs College

What is your occupational experience?

Currently retired

\* Plan Commission members must own property within the city.

I hereby affirm that all statements herein are true and correct. \_\_\_\_\_

Signature of Applicant

### FOR OFFICE USE ONLY

|   |   |  |                  |           |
|---|---|--|------------------|-----------|
| Ad Valorem Tax Status                       | Current <input checked="" type="checkbox"/> | Past Due <input type="checkbox"/>      | Signatures       | <u>CN</u> |
|   |   |  | Tax Clerk        |           |
| Status of Utility Accounts                  | Current <input checked="" type="checkbox"/> | Past Due <input type="checkbox"/>      |                  | <u>CN</u> |
|   |   |  | Accounting Clerk |           |
| Suit/Claim Filed in City Secretary's Office | Yes <input type="checkbox"/>                | No <input checked="" type="checkbox"/> |                  | <u>CN</u> |
|   |   |  | City Secretary   |           |

Date Appointed \_\_\_\_\_  
 Appointed By \_\_\_\_\_  
 Date Notified \_\_\_\_\_  
 Date Disclosure Form Filed \_\_\_\_\_

PAGE 02/82  
CITY SECRETARY  
1/1

# GARLAND

## Board & Commission Application

Please Print or Type. **PLEASE DO NOT SEND RESUME.**

Return completed application to: City Secretary's Office, 200 North Fifth Street, Garland, Texas 75040

Board or Commission of first, second, and third choice: (Utility Advisory Board has a separate application)

- Board of Adjustments
- Building and Fire Codes Board
- Citizens Environmental and Neighborhood Advisory Committee
- Community Multicultural Commission
- Electric Board
- Garland Cultural Arts Commission
- Garland Youth Council
- Housing Standards Board
- Library Board
- Parks and Recreation Board
- Plan Commission
- Planning and Mechanical Codes Board
- Senior Citizens Advisory Committee

CITY OF GARLAND  
RECEIVED  
JUL 30 2013

Full Name: FRAN GROVE BROWN  
 Home Address: 2914 W. WALNUT #120 Bus. Address: 3020 W. WALNUT #117  
 City, State, Zip: GARLAND TX 75042 City, State, Zip: GARLAND TX 75042  
 Home Phone: 972-272-7338 Phone (Other): 469-503-1447  
 Email Address: FBrownD123@AOL.COM

Resident of Garland for 40 years Resident of Texas for 68 years

Are you a registered voter in Dallas County?  Yes  No

Voter Registration No. 1081216511 Precinct No.      City Council District No. 6

Have you ever been convicted of a felony?  Yes  No

Have you ever been convicted of a Class A misdemeanor?  Yes  No

Please list any experience that qualifies you to serve in the areas you have indicated.

HELPING ALL OVER CITY KEEP GARLAND BEAUTIFUL ETC.

If you have served on a City Board or Commission, please specify and list dates of service.

CENAC BOARD SINCE 2007

List civic or community endeavors with which you have been involved.

POLICE ALUMI, FIRE ALUMI, REHAB TEAM, CERT., GARLAND PARKLAND BOARD, WEST GARLAND N. GROUP, CRIME WATCH COOR, SAFA, POLICE APT. MANAGER GROUP

What is your educational background?

BUSINESS COLLEGE

What is your occupational experience?

APT. MANAGER

\* Plan Commission members must own property within the city.

I hereby affirm that all statements herein are true and correct.

Fran Grove Brown  
Signature of Applicant

### FOR OFFICE USE ONLY

Ad Valorem Tax Status

Current  Past Due

Signatures

Tax Clerk

Status of Utility Accounts

Current  Past Due

Accounting Clerk

Suit/Claim Filed in City Secretary's Office

Yes  No

City Secretary

Date Appointed \_\_\_\_\_

Appointed By \_\_\_\_\_

Date Notified \_\_\_\_\_

Date Disclosure Form Filed \_\_\_\_\_

4/26/1945



# Board & Commission Application

Please Print or Type. **PLEASE DO NOT SEND RESUME.**

Return completed application to: City Secretary's Office, 200 North Fifth Street, Garland, Texas 75040

Board or Commission of first, second, and third choice: (Utility Advisory Board has a separate application)

- Board of Adjustment
- Building and Fire Codes Board
- Citizens Environmental and Neighborhood Advisory Committee
- Community Multicultural Commission
- Electrical Board
- Garland Cultural Arts Commission
- Garland Youth Council
- Housing Standards Board
- Library Board
- Parks and Recreation Board
- Plan Commission \*
- Plumbing and Mechanical Codes Board
- Senior Citizens Advisory Committee

Full Name: Barbara Chick

Home Address: 114 South Bullock Bus. Address: NA

City, State, Zip: Metairie LA 70002 City, State, Zip: \_\_\_\_\_

Home Phone: 972-276-2524 Phone (Other): \_\_\_\_\_

Email Address: barbarac39@verizon.net

Resident of Garland for 62 years Resident of Texas for 73 years

Are you a registered voter in Dallas County?  Yes  No

Voter Registration No. 1080295155 Precinct No. \_\_\_\_\_ City Council District No. 6

Have you ever been convicted of a felony?  Yes  No

Have you ever been convicted of a Class A misdemeanor?  Yes  No

Please list any experience that qualifies you to serve in the areas you have indicated.

current member

If you have served on a City Board or Commission, please specify and list dates of service.

Planning & Zoning Commission 2003-2005

List civic or community endeavors with which you have been involved.

City Council 2005-2011

What is your educational background?

What is your occupational experience?

\* Plan Commission members must own property within the city.

I hereby affirm that all statements herein are true and correct.

Barbara Chick  
Signature of Applicant:

### FOR OFFICE USE ONLY

Ad Valorem Tax Status

Current  Past Due \_\_\_\_\_

Signatures

Tax Clerk

Status of Utility Accounts

Current  Past Due \_\_\_\_\_

Accounting Clerk

Suit/Claim Filed in City Secretary's Office

Yes \_\_\_\_\_ No

CITY OF GARLAND  
RECEIVED  
CITY SECRETARY

Date Appointed \_\_\_\_\_

Appointed By \_\_\_\_\_

Date Notified \_\_\_\_\_

Date Disclosure Form Filed \_\_\_\_\_

JUN 24 2013

Revised 4/2008

CITY SECRETARY



**GARLAND**  
TEXAS MADE HERE

# Board & Commission Application

Please Print or Type. PLEASE DO NOT SEND RESUME.

Return completed application to: City Secretary's Office, 200 North Fifth Street, Garland, Texas 75040

Board or Commission of first, second, and third choice: (\*\*Garland Youth Council has a separate application)

- |   |   |  |
|---|---|--|
| <input type="checkbox"/> Board of Adjustment  | <input type="checkbox"/> Garland Cultural Arts Commission   | <input checked="" type="checkbox"/> Parks and Recreation Board |
| <input type="checkbox"/> Building and Fire Codes Board                              | <input type="checkbox"/> Garland Youth Council **           | <input type="checkbox"/> Plan Commission *                     |
| <input type="checkbox"/> Citizens Environmental and Neighborhood Advisory Committee | <input checked="" type="checkbox"/> Housing Standards Board | <input type="checkbox"/> Plumbing and Mechanical Codes Board   |
| <input type="checkbox"/> Community Multicultural Commission                         | <input type="checkbox"/> Library Board                      | <input type="checkbox"/> Senior Citizens Advisory Committee    |
| <input checked="" type="checkbox"/> Electrical Board                                |   |  |

Full Name: GREGORY B DAVIS  
 Home Address: 4129 Windsor dr Bus Address: N/A  
 City, State, Zip: Garland, TX 75042 City, State, Zip: ---  
 Home Phone: 214-607-3000 Phone (Other): 214-607-3000  
 Email Address: gdavisgarland@aol.com

Resident of Garland for 10 years Resident of Texas for 45 years

Are you a registered voter in Dallas County?  Yes  No

Voter Registration No. 1177372234 Precinct No. 1706 City Council District No. 6A6

Have you ever been convicted of a felony?  Yes  No

Have you ever been convicted of a Class A misdemeanor?  Yes  No

Please list any experience that qualifies you to serve in the areas you have indicated.

I am on Park & Rec Board now - Dist 6

If you have served on a City Board or Commission, please specify and list dates of service.

2012-2013 PARK & REC Board

List civic or community endeavors with which you have been involved.

Park and Rec

What is your educational background?

High School Graduate

What is your occupational experience?

Manager, Supervisor, Self Employed

\* Plan Commission members must own property within the city.

I hereby affirm that all statements herein are true and correct.

Signature of Applicant

### FOR OFFICE USE ONLY

Ad Valorem Tax Status

Current  Past Due

Status of Utility Accounts

Current  Past Due

Suit/Claim Filed in City Secretary's Office

Yes  No

Date Appointed \_\_\_\_\_

Appointed By \_\_\_\_\_

Date Notified \_\_\_\_\_

Date Disclosure Form Filed \_\_\_\_\_

Signatures

Tax Clerk OK

Accounting Clerk OK

City Secretary OK

CITY OF GARLAND RECEIVED

JUN 27 2013

CITY SECRETARY

Revised 10/2011



# Board & Commission Application

Please Print or Type. **PLEASE DO NOT SEND RESUME.**

Return completed application to: City Secretary's Office, 200 North Fifth Street, Garland, Texas 75040

Board or Commission of first, second, and third choice: (Utility Advisory Board has a separate application)

- Board of Adjustment
- Building and Fire Codes Board
- Citizens Environmental and Neighborhood Advisory Committee
- Community Multicultural Commission
- Electrical Board
- Garland Cultural Arts Commission
- Garland Youth Council
- Housing Standards Board
- Library Board
- Parks and Recreation Board
- Plan Commission \*
- Plumbing and Mechanical Codes Board
- Senior Citizens Advisory Committee

Full Name: Ricardo Roche

Home Address: 4013 Justice Ln Bus. Address: \_\_\_\_\_

City, State, Zip: Garland, Tx 75042 City, State, Zip: \_\_\_\_\_

Home Phone: 214 501 4758 Phone (Other): 214-929-7237

Email Address: ricardoroche@apple.network.com

Resident of Garland for 22 years Resident of Texas for 29 years

Are you a registered voter in Dallas County?  Yes  No

Voter Registration No. 1041424934 Precinct No. \_\_\_\_\_ City Council District No. 6

Have you ever been convicted of a felony?  Yes  No

Have you ever been convicted of a Class A misdemeanor?  Yes  No

Please list any experience that qualifies you to serve in the areas you have indicated.

If you have served on a City Board or Commission, please specify and list dates of service.

Current member of CMC.

List civic or community endeavors with which you have been involved.

Big Bros Big Sis/West Garland Neighborhood Association

What is your educational background?

Bachelors/work on Masters in Public Admin

What is your occupational experience?

Community Services

\* Plan Commission members must own property within the city.

I hereby affirm that all statements herein are true and correct.

Signature of Applicant

### FOR OFFICE USE ONLY

Ad Valorem Tax Status Current  Past Due \_\_\_\_\_

Status of Utility Accounts Current  Past Due \_\_\_\_\_

Suit/Claim Filed in City Secretary's Office Yes \_\_\_\_\_ No

Signatures CR 8-21-13

Tax Clerk \_\_\_\_\_

Accounting Clerk CR

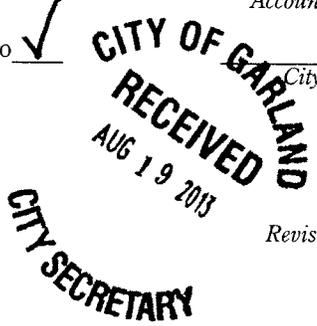
City Secretary CR

Date Appointed \_\_\_\_\_

Appointed By \_\_\_\_\_

Date Notified \_\_\_\_\_

Date Disclosure Form Filed \_\_\_\_\_





# Board & Commission Application

Please Print or Type. PLEASE DO NOT SEND RESUME

Return completed application to: City Secretary's Office, 200 North Fifth Street, Garland, Texas 75040

Board or Commission of first, second, and third choice: (Utility Advisory Board has a separate application)

- Board of Adjustment
- Building and Fire Codes Board
- Citizens Environmental and Neighborhood Advisory Committee
- Community Multicultural Commission
- Electrical Board
- Garland Cultural Arts Commission
- Garland Youth Council
- Housing Standards Board
- Library Board
- Parks and Recreation Board
- Plan Commission \*
- Plumbing and Mechanical Codes Board
- Senior Citizens Advisory Committee

CITY OF GARLAND RECEIVED JUL 01 2013

CITY SECRETARY

Full Name: Myron Craig Wright  
 Home Address: 4313 Sweetbriar Dr. Bus. Address: \_\_\_\_\_  
 City, State, Zip: Garland, Tx 75042 City, State, Zip: \_\_\_\_\_  
 Home Phone: 972.742.0859 Phone (Other): \_\_\_\_\_  
 Email Address: cdubya22@verizon.net

Resident of Garland for 38 years Resident of Texas for 41 years

Are you a registered voter in Dallas County?  Yes  No

Voter Registration No. 1081267420 Precinct No. 2/20 City Council District No. 6

Have you ever been convicted of a felony?  Yes  No

Have you ever been convicted of a Class A misdemeanor?  Yes  No

Please list any experience that qualifies you to serve in the areas you have indicated  
20 years of video production, photography, supporter of the arts,  
4 years Arts Commission

If you have served on a City Board or Commission, please specify and list dates of service.

Arts Commission, Aug 2009 - Present

List civic or community endeavors with which you have been involved.

YMCA volunteer - coach/adventure guide leader - 6 years  
Advisor for College Ministry, church volunteer

What is your educational background?

BA - Radio/TV/Film, UNT, Microsoft Certified Professional (MCTS)

What is your occupational experience?

20 yrs - Video Production, emphasis in post production systems

\* Plan Commission members must own property within the city.

I hereby affirm that all statements herein are true and correct.

Myron Craig Wright  
Signature of Applicant

### FOR OFFICE USE ONLY

Ad Valorem Tax Status Current  Past Due \_\_\_\_\_

Status of Utility Accounts Current  Past Due \_\_\_\_\_

Suit/Claim Filed in City Secretary's Office Yes \_\_\_\_\_ No

Signatures \_\_\_\_\_  
 Tax Clerk \_\_\_\_\_  
 Accounting Clerk \_\_\_\_\_  
 City Secretary \_\_\_\_\_

CV  
CV  
CV

Date Appointed \_\_\_\_\_  
 Appointed By \_\_\_\_\_  
 Date Notified \_\_\_\_\_  
 Date Disclosure Form Filed \_\_\_\_\_