



AGENDA

**REGULAR MEETING OF THE CITY COUNCIL
City of Garland
Duckworth Building, Goldie Locke Room
217 North Fifth Street
Garland, Texas
December 16, 2014
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 Duckworth Building is wheelchair accessible. Special parking is available on the north side of the building on Austin Street and may be accessed by a sloped ramp from the street 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

(Adopted by Resolution No. 9402 on December 20, 2005)

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

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 December 2, 2014 Regular Meeting.

2. Consider approval of the following bids:

a. **Spencer Unit No. 4 Cooling Tower Repairs** **Bid No. 4818-15**

Master Tech Services	\$160,941.00
Optional Contingency	<u>16,094.10</u>
TOTAL	<u>\$177,035.10</u>

This request is to provide all labor, equipment, and materials for cooling tower repairs at the Spencer Power Plant.

b. **Steel Structures for Transmission Line Rebuild** **Bid No. 4824-15**

National Pole & Structure	\$172,110.00
Optional Contingency	<u>17,211.00</u>
TOTAL	<u>\$189,321.00</u>

This request is to provide 20 steel structures as part of the TMPA Greenville to Shelby 138 kV Transmission Line Rebuild project. Due to the complex nature of the project, an optional contingency is included for any unforeseen work that may be required.

c. Professional Architectural Services for Granger Recreation Center Renovation and Expansion **Bid No. 4906-15**

Ron Hobbs Architects **\$202,262.00**

This request is for a professional architectural services contract with Ron Hobbs Architects for the Granger Recreation Center renovation and expansion.

d. Professional Architectural Services for Audubon Recreation Center Renovation and Expansion **Bid No. 4978-15**

Brown Reynolds Watford Architects **\$243,000.00**

This request is for a professional architectural services contract with Brown Reynolds Watford Architects for the Audubon Recreation Center renovation and expansion.

e. Pure Flash Storage Array **Bid No. 4985-15**

EST Group **\$141,955.08**

This request is for a second flash storage array for the City's Storage Area Network (SAN) that will provide expanded flash storage space and redundancy for critical servers.

f. Water Line and Paving Improvements **Bid No. 4853-15**

Barson Utilities, Inc. **\$599,402.00**

This request is to provide water system improvements for Ninth Street, Main Street, and Avenue C.

3. A public hearing was previously conducted for the following zoning case. Council approved the request and instructed staff to bring forth the following ordinance for consideration.

Zoning File No. 14-42, Apartment Development Services

Consider an ordinance amending the zoning laws of the City of Garland by approving a Detail Plan for a 198-unit Multi-Family Development on property

zoned Planned Development District 13-35 for Multi-Family Uses on a 10.826-acre tract of land located on the northwest intersection of Bobtown Road and Waterhouse Boulevard providing for conditions, restrictions, and regulations.

- 4. Consider a resolution accepting a Texas Department of Transportation Selective Traffic Enforcement Program – Impaired Driving Mobilization grant in the amount of \$25,630.56.**

At the December 15, 2014 Work Session, Council was requested to consider accepting a Texas Department of Transportation (TxDOT) Selective Traffic Enforcement Program (STEP) – Impaired Driving Mobilization (IDM) Grant in the amount of \$25,630.56 to provide increased holiday DWI enforcement for FY 2014-15. If accepted, TxDOT will reimburse the City \$17,976.43. The grant requires the City to provide \$7,654.13 in matching funds which will be accomplished in part through fringe benefits expenditures, indirect costs, and administrative time spent on grant related paperwork.

- 5. Consider by minute action authorizing the City Manager to execute a Chapter 380 Economic Development Grant Agreement with Cali Saigon Mall, LLC.**

At the December 15, 2014 Work Session, Council was scheduled to consider a request from Cali Saigon Mall for approval of a Chapter 380 Economic Development Grant Agreement (sales tax rebate) not to exceed \$210,000.

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.

- 6. Consider a request to waive payment of the Reforestation and Tree Management Fund.**

Fourth Avenue Investment is requesting a waiver of the required payment to the Reforestation and Tree Management Fund of Tree Preservation Ordinance 5731.

7. Hold public hearings on the following zoning cases:

- a. Consider the application of Masterplan requesting approval of 1) a Specific Use Permit for a Recycling Center on property zoned Industrial-1 (I-1) District and 2) a variance to Section 10-200 of the Comprehensive Zoning Ordinance regarding parking requirements. This property is located at 2801 Wood Drive. (File Z 14-43, District 5)**

The applicant requests approval of a Specific Use Permit and associated variance to use the existing building and entire site for a metal recycling center.

- b. Consider the application of Verizon Wireless requesting approval of 1) a Specific Use Permit for an Antenna, Commercial Type 2 on a property zoned Freeway (FW) District and in the IH-30 Overlay. This property is located at 825 East I-30. (File Z 14-44, District 3)**

The applicant requests approval of a Specific Use Permit to allow the construction of a cell tower and associated equipment.

- c. Consider the application of INZI, Inc. requesting approval of a Specific Use Permit for Retail Sales with Gasoline Pumps on property zoned Planned Development (PD) District for General Business Uses. This property is located at 1102 Lavon Drive. (File Z14-45, District 2)**

The applicant requests approval to allow for the continued operation of the existing 2,700 square foot gas station under new ownership.

8. 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.

- *Paul Hartman Cross – Parks and Recreation Board (District 3)*

9. 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.

10. 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. 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 convened in regular session at 7:00 pm on Tuesday, December 2, 2014 in the Goldie Locke Room, 217 North Fifth Street, Garland, Texas, with the following members present.

Mayor	Douglas Athas
Mayor Pro Tem	Jim Cahill
Deputy Mayor Pro Tem	Marvin 'Tim' Campbell
Council Member	Anita Goebel
Council Member	Stephen Stanley
Council Member	B.J. Williams
Council Member	Billy Mack Williams
Council Member	Lori Barnett Dodson
Council Member	Scott LeMay

STAFF PRESENT:	City Manager	William E. Dollar
	City Attorney	Brad Neighbor
	Interim City Secretary	Debra Booth

CALL TO ORDER: Mayor Athas called the meeting to order. District 7 Council Member Scott LeMay led the invocation followed by the Pledge of Allegiance.

CEREMONIALS: Mayor Athas recognized Leadership Garland Class 34.

CONSENT AGENDA: All items marked with asterisks (**) on the Consent Agenda were voted on at the beginning of the meeting. Mayor Athas read those items into the record. Motion was made by Council Member Scott LeMay, seconded by Council Member Dodson, to approve items 1, 2a, 2b, 2c, 2d, 3, 4, and 5. Motion carried, 9 ayes, 0 nays.

1. APPROVED ** Minutes of the November 18, 2014 Regular Meeting of the City of Garland City Council.

2a. APPROVED ** Bid No. 4764-14 in the amount of \$3,500,000.00 to Mitsubishi Electric for a term contract with four renewal options for the purchase of circuit breakers for Garland Power & Light and the Texas Municipal Power Agency.

- 2b. APPROVED ** Bid No. 4826-15 in the amount of \$120,170.00 to Techline, Inc (\$104,010.00) and Hughes Supply (\$16,160.00) for a term contract with four renewal options for fault indicators for warehouse inventory to be used by Garland Power & Light for locating faults in the electrical system.
- 2c. APPROVED ** Bid No. 4952-15 in the amount of \$150,000.00 to Pipeline Analysis, LLC to provide professional engineering services to install, calibrate, provide O & M, perform data analysis, and prepare an Annual Wastewater Flow Monitoring Report. This report is essential to produce an updated Wastewater Management Plan to the Texas Commission on Environmental Quality.
- 2d. APPROVED ** Bid No. 4885-15 in the amount of \$371,455.00 to Altec, Inc for the purchase of three aerial bucket trucks to be used by Garland Power & Light and the Transportation Department in their daily operations.
3. APPROVED ** Resolution No. 10167 authorizing the Mayor to execute the abandonment of an existing variable width slope easement adjacent to Roan Road in anticipation of lots being developed in the new Hillside on the Lake subdivision at Roan Road and Rowlett Road.
4. APPROVED** Resolution No. 10168 approving the sale of vacant residential property at 2918 O'Henry Drive; and authorizing the Mayor to execute a deed conveying the property to David Lam for \$23,000.00. The City acquired the property through tax foreclosure in 2012; the appraisal district's fair market value for the property is \$23,000.00
5. APPROVED ** Resolution No. 10169 approving the sale of real property, 501 Edgefield Drive for \$14,000.00; authorizing the Mayor to execute a deed conveying the property to Bailey Family Builders, Inc. for the public purpose of affordable housing with the Housing and Community Services Department.

6. APPROVED

Consider a resolution authorizing the execution of a Chapter 380 Economic Development Agreement by and between Carroll Company and the City of Garland.

Speaking on this item was Paul Mayer, Chief Executive Officer of Chamber of Commerce.

Motion was made by Council Member Billy Mack Williams, seconded by Council Member Dodson to approve Resolution No. 10170 authorizing the execution of a 380 Economic Development Agreement by and between Carroll Company and the City of Garland. The Carroll Company consolidated 185,000 sq ft of manufacturing and distribution from Maryland to Garland this year and is evaluating another consolidation of 75,000 sq ft from their California facility. Motion carried; 9 ayes, 0 nays.

7. APPROVED

Consider the application of Apartment Development Services requesting approval of a 1) Detail Plan for a 198 unit multi-family development on property zoned Planned Development (PD) District 13-35 for Multi-Family Uses, 2) a variance to Section 10-200 of the Comprehensive Zoning Ordinance to reduce the minimum parking requirement, and 3) a variance to the IH 30 Development Standards including Section 34.18(D)(4) regarding storage facilities for multi-family, (File No. 14-42, District 3)

The applicant requests approval of a Detail Plan to construct a 198 unit multi-family development and variances to reduce the parking requirement and the amount of storage facilities for each dwelling unit.

Mayor Athas opened the public hearing at 7:09 PM; speakers on this item were Anita Russelmann, Director of Planning, Karen Mitchell, Jarrett Woods, and Dr. Richard Roberts. Motion was made by Council Member Stanley, seconded by Council Member Anita Goebel, to close the public hearing at 8:32 PM and approve the Detail Plan, approve the reduction in parking requirements and approve

the reduction in storage facilities at 75% of the number of apartments. Motion carried, 9 ayes, 0 nays.

8. BOARD &
COMMISSIONS

The following names were placed in nomination,

Scott Roberts – Plan Commission (District 1)

Harlen Ray Seagren – Garland Cultural Arts Comm. (District 1)

Deo Sookdeo- Community Multicultural Commission (District 1)

Motion carried, 9 ayes, 0 nays.

9. CITIZEN COMMENTS None

There being no further business to come before the Council, Mayor Athas adjourned the meeting at 8:33 PM.

CITY OF GARLAND, TEXAS

APPROVED: _____
Douglas Athas, Mayor

ATTEST: _____
Interim City Secretary



Purchasing Report

SPENCER UNIT 4 COOLING TOWER REPAIRS OPEN MARKET

PURCHASE JUSTIFICATION:

The purpose of this contract is to provide all labor, equipment, and materials for Cooling Tower Repairs at the Spencer Power Plant. Due to the complex nature of the project, an optional contingency is included for any unforeseen additional work that may be required. Expenses will not exceed appropriated funds.

AWARD RECOMMENDATION:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
Master Tech Services	All	\$160,941.00
Optional Contingency		16,094.10
	TOTAL:	\$177,035.10

BASIS FOR AWARD:

Best Value

Submitted by:

Reviewed by:

Gary L. Holcomb, CPPO, C.P.M.

Director of Procurement

William E. Dollar

City Manager

Date: 12/05/14

Date: 12/08/14

<u>FINANCIAL SUMMARY:</u>	
Total Project/Account: \$	835,095
Expended/Encumbered to Date:	298,435
Balance: \$	536,660
This Item:	177,035
Proposed Balance: \$	359,625
Trent Schulze	12/05/14
Budget Analyst	Date
Ron Young	12/05/14
Budget Director	Date

Operating Budget: CIP: Year: FY 2014-15

Document Location: Page 212

Account #: 211-3457-7111

Fund/Agency/Project – Description:
Electric Utility Operating Fund – Spencer Plant
Unit 4 Cooling Tower Repairs

Comments:

CITY OF GARLAND - BID RECAP SHEET
OPENED: 11/06/14
REQ. NO 33636
BID NO 4818-15
PAGE: 1 of 1
BUYER: Rose Berger

Master Tech Services

Midwest Cooling Towers, Inc.

OBR Cooling Towers Inc.

ITEM	QTY	UNIT	DESCRIPTION	Master Tech Services		Midwest Cooling Towers, Inc.		OBR Cooling Towers Inc.			
				UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
1	1	lot	Bid Price for Evaluation		\$160,941.00		\$184,480.00		\$238,459.00		
			Evaluation Criteria:								
			Price	Maximum = 40	40	34	21				
			Full range of services	Maximum = 25	25	25	25				
			Reputation & Experience	Maximum = 20	25	25	23				
			Compliance to specifications	Maximum = 10	8	10	8				
			Total Score:	Maximum = 100	98	94	77				
TOTAL GROSS PRICE					\$160,941.00		\$184,480.00		\$238,459.00		
CASH DISCOUNT											
TOTAL NET PRICE					\$160,941.00		\$184,480.00		\$238,459.00		
F.O.B.				DELIVERED		DELIVERED		DELIVERED		DELIVERED	
DELIVERY											

NEXT LOW: \$184,480.00
LOW: \$160,941.00
SAVINGS: \$23,539.00

2009 # BidSync Notifications
 49 # BidSync HUBS
 52 # 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

PURCHASING

Executive Summary **Bid 4818-15** **Spencer Unit 4 Cooling Tower Repairs**

Recommended Vendor:

Master Tech Services

Total Recommended Award:

\$177,035.10

Basis for Award:

Best value

Purpose:

The purpose of this contract is to provide all labor, equipment, and materials for cooling tower repairs at the Spencer Power Plant.

Evaluation:

Requests for bids were issued in accordance with Purchasing procedures. Three (3) bids were received and evaluated on the published criteria of price, contractor's range of services, reputation and experience, and compliance to specifications. Master Tech Services offered the lowest price and received the highest evaluated score, offering the best value to the City.

Recommendation:

Staff recommends awarding the contract to Master Tech Services as the vendor offering best value to the City.

Funding Information:

211-3457-7111 Spencer Power Plant operating budget

Department Director:

Dan Bailey, Energy Services Director, 972-205-2203



Purchasing Report

STEEL STRUCTURES FOR TRANSMISSION LINE REBUILD OPEN MARKET

PURCHASE JUSTIFICATION:

The purpose of this contract is to provide twenty (20) Steel Structures as part of the TMPA Greenville to Shelby 138 kV Transmission Line Rebuild project. Due to the complex nature of the project, an optional contingency is included for any unforeseen additional work that may be required. This is an approved Capital Improvement project, and expenses will not exceed appropriated funds.

AWARD RECOMMENDATION:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
National Pole & Structure	All	\$172,110.00
Optional Contingency		17,211.00
	TOTAL:	\$189,321.00

BASIS FOR AWARD:

Best Value

Submitted by:

Reviewed by:

Gary L. Holcomb, CPPO, C.P.M.
Director of Procurement

William E. Dollar
City Manager

Date: 12/04/14

Date: 12/08/14

<u>FINANCIAL SUMMARY:</u>	
Total Project/Account: \$	864,389
Expended/Encumbered to Date:	290,792
Balance: \$	573,597
This Item:	189,321
Proposed Balance: \$	384,276
Trent Schulze	12/05/14
Budget Analyst	Date
Ron Young	12/05/14
Budget Director	Date
Operating Budget: <input type="checkbox"/> CIP: <input checked="" type="checkbox"/> Year: 2014	
Document Location: Page E01	
Account #: 215-3591-3141001-6051 (EC-T5410-003-1-6051)	
Fund/Agency/Project – Description: Electric Cash-Funded CIP – Transmission Lines	
Comments: Provides 20 steel structures as part of TMPA Greenville to Shelby 138 kV Transmission Line Rebuild project and includes an optional contingency for any unforeseen work required.	

CITY OF GARLAND - BID RECAP SHEET
 OPENED: 11/13/2014
 REQ. NO. PR 33487
 BID NO. 4824-15
 PAGE: 1 of 1
 BUYER: Rose Berger

National Pole and Structure

Techline Inc.

TEC Utility Supply

Stuart C. Irby

Trinity Meyer

VSI Sales

I T E M	QTY	U N I T	DESCRIPTION	National Pole and Structure		Techline Inc.		TEC Utility Supply		Stuart C. Irby		Trinity Meyer		VSI Sales	
				UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
			Bid Price for evaluation		\$172,110.00		\$192,219.00		\$217,578.00		\$227,563.00		\$248,681.00		\$277,243.00
			Evaluation Criteria:												
			Price	Maximum = 50	50	44	37	34	28						\$19.46
			Experience on simlap projects	Maximum = 20	20	20	20	20	20						\$20.00
			Mfg. capabilities & references	Maximum = 15	14	14	14	14	15						\$14.00
			Lead time scale (10-20 weeks)	Maximum = 10	10	5	5	8	2						\$2.00
			Past experience with Garland	Maximum = 5	5	5	4	5	4						\$2.00
			Total Score:	Maximum = 100	99	88	80	81	69						57.46
TOTAL GROSS PRICE					\$172,308.00		\$192,395.32		\$217,737.58		\$227,724.78		\$248,818.58		\$277,357.92
CASH DISCOUNT															
TOTAL NET PRICE					\$172,308.00		\$192,395.32		\$217,737.58		\$227,724.78		\$248,818.58		\$277,357.92
F.O.B.					DELIVERED		DELIVERED		DELIVERED		DELIVERED		DELIVERED		DELIVERED
DELIVERY															

NEXT LOW: \$192,395.32
 LOW: \$172,308.00
 SAVINGS: \$20,087.32

510 # BidSync Notifications
 21 # BidSync HUBS
 1 # 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

PURCHASING

Executive Summary **Bid 4824-15** **Steel Structures for Transmission Line Rebuild**

Recommended Vendor:

National Pole & Structure

Total Recommended Award:

\$189,321.00

Basis for Award:

Best value

Purpose:

The purpose of this contract is to provide twenty (20) steel structures as part of the TMPA Greenville to Shelby 138kV Transmission Line Rebuild.

Evaluation:

Requests for bids were issued in accordance with Purchasing procedures. Six (6) bids were received and evaluated on the published criteria of price, experience, manufacturer's references, lead time and past experience with Garland. National Pole & Structure offered the lowest price and received the highest evaluated score offering the best value to the City.

Recommendation:

Staff recommends awarding the contract for steel structures to National Pole & Structure offering best value to the City.

Funding Information:

CIP 215-3591-3141001-6051 (EC-T5410-003-1-6051)

Department Director:

Ross Owen, Transmission & Distribution Director, 972-205-3532



Purchasing Report

PROFESSIONAL ARCHITECTURAL SERVICES FOR GRANGER RECREATION CENTER RENOVATION AND EXPANSION OPEN MARKET

PURCHASE JUSTIFICATION:

The purpose of this contract is to award Professional Architectural Services to Ron Hobbs Architects for the Granger Recreation Center renovation and expansion. Ron Hobbs Architects was selected as the most qualified firm for this project through a previous Request for Qualifications. This contract will include the preparation of construction documents and project administration during the construction phase.

AWARD RECOMMENDATION:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
Ron Hobbs Architects	All	\$202,262.00
	TOTAL:	\$202,262.00

BASIS FOR AWARD:

Most Qualified

Submitted by:

 Gary L. Holcomb, CPPO, C.P.M.
 Director of Procurement

Reviewed by:

 William E. Dollar
 City Manager

Date: 12/04/14

Date: 12/08/14

<u>FINANCIAL SUMMARY:</u>	
Total Project/Account: \$	380,000
Expended/Encumbered to Date:	60,839
Balance: \$	319,161
This Item:	202,262
Proposed Balance: \$	116,899
Matt Watson	12/05/14
Budget Analyst	Date
Ron Young	12/05/14
Budget Director	Date

Operating Budget: <input type="checkbox"/> CIP: <input checked="" type="checkbox"/> Year: 2014 Document Location: Page P06 Account #: 614-2499-1832004-7101 Fund/Agency/Project – Description: Parks 2004 GO / Granger Recreation Center & Annex Renovation Comments:
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GARLAND

PURCHASING

Executive Summary **Bid 4906-15** **Professional Architectural Services for** **Granger Recreation Center Renovation and Expansion**

Recommended Vendor:

Ron Hobbs Architects

Total Recommended Award:

\$202,262.00

Basis for Award:

Most Qualified

Purpose:

The purpose of this contract is to award professional architectural services to Ron Hobbs Architects for the Granger Recreation Center renovation and expansion.

Evaluation:

Ron Hobbs Architects was selected as the most qualified firm for this project through a previous Request for Qualifications. Ron Hobbs Architects has provided the programming and conceptual design for this project under a separate contract. The new contract will include the preparation of construction documents and project administration during the construction phase.

Recommendation:

Staff recommends awarding the professional architectural services contract to Ron Hobbs Architects in the amount of \$202,262.00.

Funding Information:

CIP Account 614-2499-1832004-7101

Department Director:

Ginny Holliday, Director of Facilities Management, 972-205-4080



Purchasing Report

PROFESSIONAL ARCHITECTURAL SERVICES FOR AUDUBON RECREATION CENTER RENOVATION AND EXPANSION OPEN MARKET

PURCHASE JUSTIFICATION:

The purpose of this contract is to award Professional Architectural Services to Brown Reynolds Watford Architects for the Audubon Recreation Center renovation and expansion. Brown Reynolds Watford Architects was prequalified as a professional services provider through a previous Request for Qualifications. They were selected as the most qualified architectural firm for this project.

AWARD RECOMMENDATION:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
Brown Reynolds Watford Architects	All	\$243,000.00
	TOTAL:	\$243,000.00

BASIS FOR AWARD:

Most Qualified

Submitted by:

 Gary L. Holcomb, CPPO, C.P.M.
 Director of Procurement

Reviewed by:

 William E. Dollar
 City Manager

Date: 12/04/14

Date: 12/08/14

<u>FINANCIAL SUMMARY:</u>	
Total Project/Account: \$ 243,000	Operating Budget: <input type="checkbox"/> CIP: <input checked="" type="checkbox"/> Year: 2014
Expended/Encumbered to Date: -0-	Document Location: Page P08
Balance: \$ 243,000	Account #: 614-2499-1832504-7101
This Item: 243,000	Fund/Agency/Project – Description: Parks 2004 GO / Audubon Recreation Center Expansion
Proposed Balance: \$ -0-	Comments: Approval will commit funds scheduled for inclusion in the 2015 CIP. However, actual expenditures will not exceed the 2014 CIP amount.
Matt Watson 12/05/14 Budget Analyst Date	
Ron Young 12/05/14 Budget Director Date	



GARLAND

PURCHASING

Executive Summary **Bid 4978-15** **Professional Architectural Services for** **Audubon Recreation Center Renovation and Expansion**

Recommended Vendor:

Brown Reynolds Watford Architects

Total Recommended Award:

\$243,000.00

Basis for Award:

Most Qualified

Purpose:

The purpose of this contract is to award professional architectural services to Brown Reynolds Watford Architects for the Audubon Recreation Center renovation and expansion.

Evaluation:

Brown Reynolds Watford Architects was prequalified as a professional services provider through a previous Request for Qualifications. They were selected as the most qualified architectural firm for this project.

Recommendation:

Staff recommends awarding the professional architectural services contract to Brown Reynolds Watford Architects in the amount of \$243,000.00.

Funding Information:

CIP Account 614-2499-1832504-7101

Department Director:

Ginny Holliday, Director of Facilities Management, 972-205-4080



Purchasing Report

PURE FLASH STORAGE ARRAY OPEN MARKET

PURCHASE JUSTIFICATION:

As the City's enterprise application's resource requirements grow, the need for ultra-fast server storage increases as well. In order to ensure the performance level of these applications, adding a second flash storage array to the City's Storage Area Network (SAN) has become a necessity. This second array will provide expanded flash storage space and redundancy for critical servers. The Pure Flash array is available from EST Group through the BuyBoard Cooperative Contract 409-12.

AWARD RECOMMENDATION:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
EST Group	All	\$141,955.08
	TOTAL:	<u>\$141,955.08</u>

BASIS FOR AWARD:

Cooperative Purchase

Submitted by:

Reviewed by:

Gary L. Holcomb, CPPO, C.P.M.
 Director of Procurement

William E. Dollar
 City Manager

Date: 12/05/14

Date: 12/08/14

<u>FINANCIAL SUMMARY:</u>	
Total Project/Account: \$	335,000
Expended/Encumbered to Date:	120,226
Balance: \$	<u>214,774</u>
This Item:	141,955
Proposed Balance: \$	<u>72,819</u>
Matt Monedero	12/05/14
Budget Analyst	Date
Ron Young	12/05/14
Budget Director	Date

Operating Budget: CIP: Year: FY 2014-15

Document Location: Page 135

Account #: 413-3197-9029

Fund/Agency/Project – Description:
 IT Replacement Fund – Add second flash array to City's Storage Area Network (SAN)

Comments:



GARLAND

PURCHASING

Executive Summary Bid 4985-15 Pure Flash Storage Array

Recommended Vendor:

EST Group

Total Recommended Award:

\$141,955.08

Basis for Award:

Cooperative Purchase

Purpose:

As the City's enterprise application's resource requirements grow, the need for ultra-fast server storage increases as well. In order to ensure the performance level of these applications, adding a second flash storage array to the City's Storage Area Network (SAN) has become a necessity. This second array will provide expanded flash storage space and redundancy for critical servers.

Evaluation:

The Information Technology department researched and evaluated several flash storage solutions, which resulted in the selection of the Pure Flash storage array in May of 2014. The Pure Flash array has proven its value in the City's technical environment and is available from EST Group through the BuyBoard Cooperative Contract 409-12.

Recommendation:

Staff recommends awarding the Pure Flash array to EST Group.

Funding Information:

411-4515-9029

Department Director:

Steven Niekamp, Chief Information Officer, 972-781-7216



Purchasing Report

WATER LINE AND PAVING IMPROVEMENTS OPEN MARKET

PURCHASE JUSTIFICATION:

The purpose of this contract is to provide water system improvements for Ninth Street, Main Street, and Avenue C. The construction will include open cut and bore of approximately 2,100 linear feet of 8-inch water line and approximately 2,500 square yards of 9-inch concrete paving with a 2-inch overlay. The quantities are estimated and may be more or less based on actual needs. All work performed will be in accordance with the unit pricing. Funding was approved in the 2013-14 Capital Improvement Program.

AWARD RECOMMENDATION:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
Barson Utilities, Inc.	All	\$599,402.00
	TOTAL:	\$599,402.00

BASIS FOR AWARD:

Lowest Responsible Bidder

Submitted by:

Gary L. Holcomb, CPPO, C.P.M.
 Director of Procurement

Date: 12/09/14

Reviewed by:

William E. Dollar
 City Manager

Date: 12/10/14

<u>FINANCIAL SUMMARY:</u>	
Total Project/Account: \$ 2,830,321	Operating Budget: <input type="checkbox"/> CIP: <input checked="" type="checkbox"/> Year: 2014
Expended/Encumbered to Date: 2,206,870	Document Location: Page W08
Balance: \$ 623,451	Account #: 227-4049-3020700-9129 (CW-207-RB-1-9129)
This Item: 599,402	Fund/Agency/Project – Description: Water CIP / Upgrade Undersized Water Mains
Proposed Balance: \$ 24,049	Comments:
Matt Watson 12/09/14 Budget Analyst Date	
Ron Young 12/09/14 Budget Director Date	



GARLAND

PURCHASING

Executive Summary **Bid 4853-15** **Water Line and Paving Improvements**

Recommended Vendor:

Barson Utilities, Inc.

Total Recommended Award:

\$599,402.00

Basis for Award:

Lowest Responsible Bidder

Purpose:

The purpose of this contract is to provide water system improvements for Ninth Street, Main Street and Avenue C. The construction will include open cut and bore of approximately 2,100 linear feet of 8 inch water line and approximately 2,500 square yards of 9 inch concrete paving with a 2 inch overlay.

Evaluation:

Request for bids were issued in accordance with Purchasing procedures. Four (4) bids were received and evaluated. Barson Utilities, Inc. submitted the lowest overall bid for the specified line items.

Recommendation:

Staff recommends awarding the contract to Barson Utilities, Inc.

Funding Information:

227-4049-3020700-9129 / CW-207-RB-1-9129

Department Director:

Michael C. Polocek, P.E., Director of Engineering, 972-205-2178



City Council Item Summary Sheet

Work Session

Date: December 16, 2014

Agenda Item

Zoning Ordinance

Summary of Request/Problem

Zoning Ordinance 14-42 Apartment Development Services

Recommendation/Action Requested and Justification

Consider adoption of attached ordinance.

Submitted By:

**Anita Russelmann
Director of Planning**

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 A 198 UNIT MULTI-FAMILY DEVELOPMENT ON PROPERTY ZONED PLANNED DEVELOPMENT (PD) DISTRICT 13-35 FOR MULTI-FAMILY USES ON A 10.826 ACRE TRACT OF LAND LOCATED ON THE NORTHWEST INTERSECTION OF BOBTOWN ROAD AND WATERHOUSE BOULEVARD PROVIDING FOR CONDITIONS, RESTRICTIONS, AND REGULATIONS; AND PROVIDING FOR A PENALTY AND AN EFFECTIVE DATE.

WHEREAS, at its regular meeting held on the 10th day of November, 2014, the City Plan Commission did consider and make recommendations on a certain request for approval of a Detail Plan made by **Apartment Development Services**; 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 a 198 unit multi-family development on property zoned Planned Development (PD) District 13-35 for Multi-Family Uses, on a 10.826 acre tract of land, located on the northwest intersection of Bobtown Road and Waterhouse 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.

FILE NO. 14-42

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 _____, 2014.

THE CITY OF GARLAND, TEXAS

By:

Mayor

ATTEST:

City Secretary

Published:

EXHIBIT A

LEGAL DESCRIPTION

Zoning File 14-42

BEING a tract of land situated in the J. Smith Survey, Abstract No. 1360, and the John L. Anderson Survey, Abstract No. 25 and being part of a 10.826 acre tract of land conveyed to Phillip J. Naab as recorded in Volume 78115, Page 0450, of the Deed Records of Dallas County, Texas. The property is located on the north west intersection of Bobtown Road and Waterhouse Boulevard.

ZONING FILE 14-42

Northwest intersection of Bobtown Road and Waterhouse Boulevard

PLANNED DEVELOPMENT CONDITIONS

- I. **Statement of Purpose:** The purpose of this Planned Development District is to permit the development of Multi-Family Uses 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 Multi-Family-18 District set forth in Section 19, 32 and 48 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 general conformance with the Detail Plan set forth in Exhibit C. Any conflicts between the Detail Plan and the following conditions, the conditions shall apply.
- V. **Specific Regulations:**
 - A. Permitted Uses: Uses shall be as permitted within the Multi-Family (MF) District within the IH 30 Overlay.
 - B. Density: The total density of multi-family shall be limited to approximately 19 dwelling units per acre.
 - C. Screening and Landscaping: Screening and landscaping shall be provided as reflected on Exhibit D.
 - D. Exterior Elevations: The exterior elevations of the buildings and structures shall be in conformance with Exhibit E. Additionally, the clubhouse shall be constructed to meet the building design criteria of the IH 30 Development Standards.
 - E. Parking: The development shall contain 375 parking spaces, 49 of these spaces shall be within a garage.
 - F. Storage Facilities: Storage facilities shall not be directly accessed from each unit. Storage facilities shall be provided within common breezeways at a minimum size of twenty-five (25) square feet, no less than 175 cubic feet. The site shall provide seventy-five percent of the required storage facilities or one (1) storage facility per every one and a half (1.5) dwelling units.

- G. Building Placement: The buildings facing Bobtown Road and Waterhouse Boulevard shall be parallel with the right of way.
- H. Multi-Family Development Standards: The site shall comply with all regulations found in the Multi-Family Development Standards Ordinance 5129, and the IH30 Development Standards Ordinance 5655 unless otherwise noted in these PD conditions.

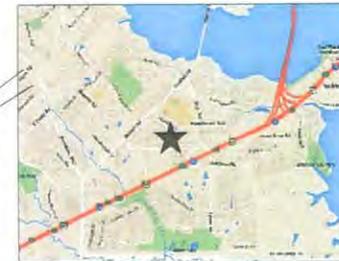
UNIT TABULATIONS (SQUARE FOOTAGES)

WATERHOUSE RD MF #13174					
UNIT TABULATION	TYPE	AREA	NO.	%	TOTAL AREA
ONE BEDROOM APARTMENT UNITS 50.51%					
A1	714	50	25.25%		35,700
A2	610	58	29.29%		46,980
A2.1	887	1	0.51%		887
A2.2	862	1	0.51%		862
A2.3	854	8	4.04%		8,832
A2.4	955	1	0.51%		955
A2-ANSI	799	1	0.51%		799
TWO BEDROOM APARTMENT UNITS 39.39%					
B1	1,029	30	15.15%		30,870
B2	1,105	15	7.58%		16,575
B2.1	1,181	4	2.02%		4,724
B2.2	1,204	4	2.02%		4,816
B2-ANSI	1,112	1	0.51%		1,112
B3	1,176	24	12.12%		28,224
TOTAL		198	100.00%		179,366

AVERAGE UNIT SIZE: 905.89

BUILDING TABULATIONS (SQUARE FOOTAGES)

BUILDING ANALYSIS					
BUILDING	FLOOR	GROSS SF	NET LEASABLE SF	STORAGE SF	
BUILDING A	1ST FLOOR	9,970	6,040	72	
	2ND FLOOR	9,357	7,812	106	
	3RD FLOOR	9,478	7,858	106	
TOTAL		28,803	21,701	284	
BUILDING A WITH ANSI UNIT AND HANDICAP GARAGE	1ST FLOOR	10,055	6,047	72	
	2ND FLOOR	9,431	7,889	106	
	3RD FLOOR	9,561	8,085	106	
TOTAL		29,047	22,021	284	
TWO TYPE A BLDG.S TOTAL		57,850	43,722	568	
BUILDING B	1ST FLOOR	10,368	6,324	154	
	2ND FLOOR	9,862	8,032	154	
	3RD FLOOR	9,869	8,032	154	
TOTAL		30,099	22,388	462	
TWO TYPE "B" BLDG.S TOTAL		60,148	44,776	924	
BUILDING C (NO CHAGE AT BUILDING C WITH ANSI UNIT)	1ST FLOOR	8,674	5,106	120	
	2ND FLOOR	8,238	6,534	58	
	3RD FLOOR	8,238	6,534	58	
TOTAL		25,150	18,174	236	
FIVE TYPE "C" BLDG.S TOTAL			90,870	1,175	
CLUB HOUSE TOTAL		1ST FLOOR	4,724	N/A	N/A



VICINITY MAP
LOCATION
1300 WATERHOUSE BLVD., GARLAND, TX 75043

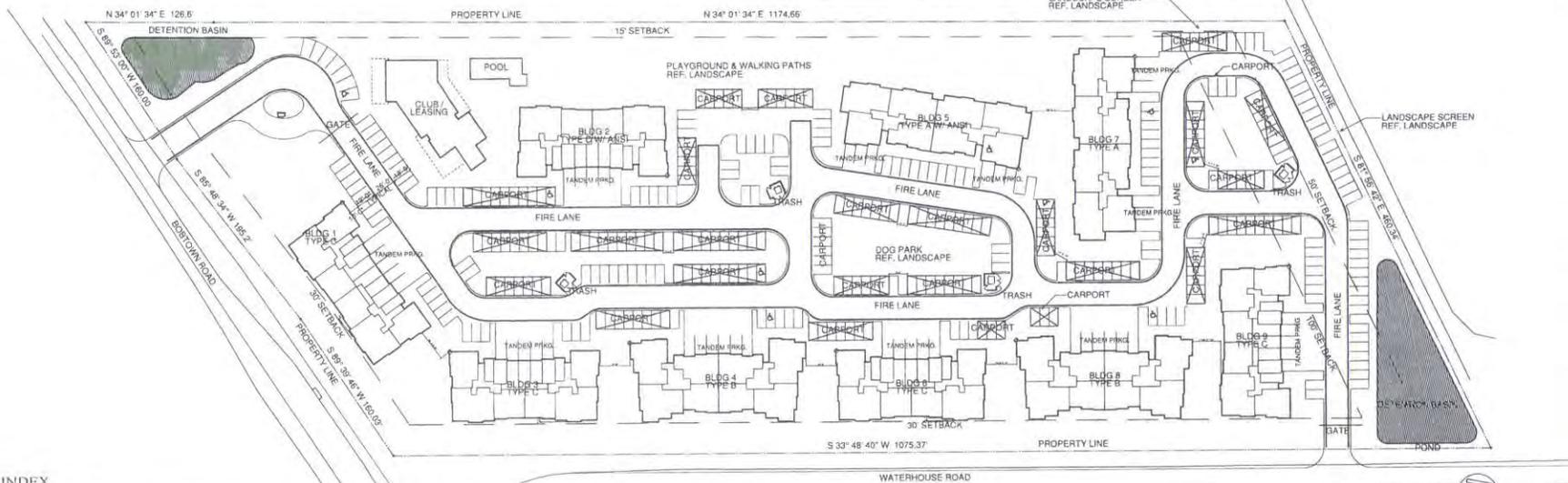


EXHIBIT C

INDEX

10-02-14	A1-01 SITE PLAN
10-02-14	A2-10 A1-A2 UNIT PLANS
10-02-14	A2-11 B1-B2 UNIT PLANS
10-02-14	A2-12 B3 UNIT PLAN
10-02-14	A2-13 ANSI UNIT PLANS
10-02-14	A2-14 GARAGE UNIT PLANS
10-02-14	A3-01 BUILDING 'A' 1ST FLOOR PLAN
10-02-14	A3-02 BUILDING 'A' 2ND FLOOR PLAN
10-02-14	A3-03 BUILDING 'A' 3RD FLOOR PLAN
10-02-14	A4-00 BUILDING 'A' ELEVATIONS
10-02-14	A3-11 BUILDING 'B' 1ST FLOOR PLAN
10-02-14	A3-12 BUILDING 'B' 2ND FLOOR PLAN
10-02-14	A3-13 BUILDING 'B' 3RD FLOOR PLAN
10-02-14	A4-10 BUILDING 'B' ELEVATIONS
10-02-14	A3-21 BUILDING 'C' 1ST FLOOR PLAN
10-02-14	A3-22 BUILDING 'C' 2ND FLOOR PLAN
10-02-14	A3-23 BUILDING 'C' 3RD FLOOR PLAN
10-02-14	A4-20 BUILDING 'C' ELEVATIONS
10-02-14	A2-20 CLUB PLAN
10-02-14	A2-21 CLUB ELEVATION
10-02-14	A3-30 DUMPSTER

1 ARCHITECTURAL SITE PLAN

SCALE: 1/8" = 1'-0"

PARKING ANALYSIS

REQUIRED PARKING: 198 APARTMENTS X 2 SPACES PER APARTMENT = 396 SPACES (8' WIDE X 16' DEEP)

PROVIDED PARKING:

	TOTAL PROVIDED	SURFACE	CARPORT > 50%	GARAGE AT 50%	TANDIEM AT 50%
PROVIDED PARKING:	400	173	178	49/2 = 24.5	49/2 = 24.5
ACCESSIBLE PARKING INCLUDED:		4	4		

LOT COVERAGE ANALYSIS

SITE AREA	10.826 ACRES = 471,580.56 SQUARE FEET
FLOOR AREA RATIO (FAR)	APARTMENT BUILDINGS (244,806 SF) + CLUBHOUSE (4,724 SF) = 249,530 / 468467.8 (10.755 ACRES) = .533
BUILDING COVERAGE	BLDG.s A (20,825) + BLDG.s B (20,735) + BLDG.s C (43,370) + CLUB HOUSE (4,724) = 89,655 SF
PARKING AND DRIVEWAYS	APPROXIMATELY 159,589 SF, REFER TO CIVIL ENGINEER'S DOCUMENTS.
POOL AND DECK	APPROXIMATELY 3,267 SF, REFER TO LANDSCAPE ARCHITECT'S DOCUMENTS.
OTHER IMPERVIOUS AREAS	REFER TO LANDSCAPE ARCHITECT'S DOCUMENTS.

PROJECT CONTACT INFORMATION:

OWNER/DEVELOPER:	APPLICANT:	ARCHITECT:	CIVIL ENGINEER:	LANDSCAPE ARCHITECT:
HWR, LLC 3603 HIGH MESA DR. DALLAS, TX 75234	JARRETT R. WOODS 2010 VALLEY VIEW LANE, STE. 130 DALLAS, TX 75234	BEFLER GUEST OWENS ARCHITECTS 4202 BELTWAY ADDISON, TX 75001 V-214-520-8878 F-214-524-8122	GLENN ENGINEERING CORP. 105 DECKER COURT, SUITE 910 IRVING, TEXAS 75062 V-972-717-5151	MECKS DESIGN GROUP 1755 N COLLINS BLVD., SUITE 300 RICHARDSON, TX 75080 V-972-690-7414

NOTES
DEVELOPER ACKNOWLEDGES THAT THEY ARE RESPONSIBLE FOR IMPROVING THEIR HALF OF BOTTOMWATER AND WATERHOUSE ROADS TO CURRENT CITY STANDARDS PER SECTION 31.21 OF THE CODE OF ORDINANCES.
THIS IN NO WAY PRECLUDES DEVELOPER FROM PURSUING A DEVELOPMENT AGREEMENT WITH THE CITY NOR DOES IT WAIVE ANY OFFSETS OR CREDITS AGAINST IMPACT FEES THAT MAY BE DUE UNDER THE CODE.

GENERAL:
- FOR BUILDING HEIGHT INFORMATION REFER TO BUILDING ELEVATIONS.
- FOR SIGNAGE INFORMATION REFER TO LANDSCAPE DRAWINGS.
- FOR TRASH ENCLOSURE INFORMATION REFER DUMPSTER DRAWING, SHEET A3-30.
- FOR ADDITIONAL SCREENING REFER TO LANDSCAPE DRAWINGS.
- DEVELOPER ACKNOWLEDGES THAT ROADWAY IMPACT FEES WILL BE DUE PER SECTION 31, ARTICAL XI OF THE GARLAND CODE OF ORDINANCES.

- LEGAL ZONING FILE 13-35:
BEING A TRACT OF LAND SITUATED IN THE J. SMITH SURVEY, ABSTRACT NO. 1360, AND THE JOHN L. ANDERSON SURVEY, ABSTRACT NO. 25, AND BEING PART OF A 10.826 ACRE TRACT OF LAND CONVEYED TO PHILLIP J. NOBIS AS RECORDED IN VOLUME 78115, PAGE 0450, OF THE DEED RECORDS OF DALLAS COUNTY, TEXAS CONTAINING 10.755 ACRES OF LAND.

REVISIONS

Waterhouse Road

1300 WATERHOUSE BLVD.
GARLAND, TX 75043
APPLICANT: JARRETT R. WOODS
ZONING FILE: E-1442

BGO architects

4202 Beltway Drive
Addison, TX 75001
214.520.8878
bgo@bgoarchitects.com

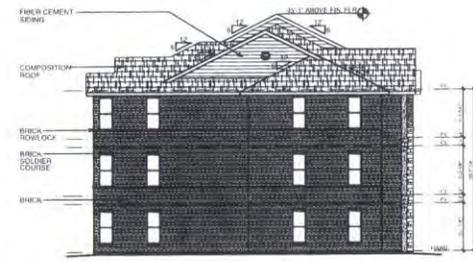
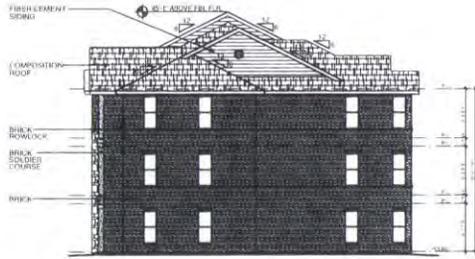
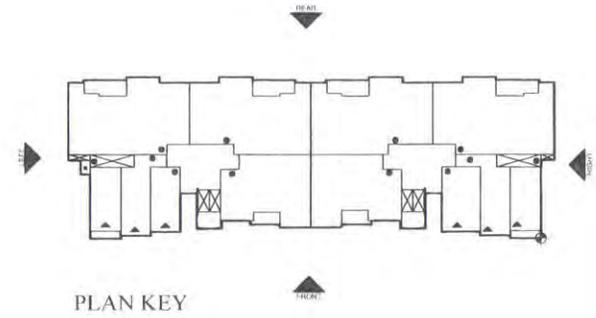
DATE
10-28-14

PROJECT
13174

SHEET NUMBER

A1-01
ARCHITECTURAL
SITE PLAN

COPYRIGHT © Blair Guest Owens Architects. ALL RIGHTS RESERVED.



PRIMARY MASONRY = 60% BRICK (>50%)
 SECONDARY MASONRY = 25% STONE (<50%)
 NON-MASONRY = 15% SIDING (<20%)
 EXTERIOR CALCULATIONS ARE EXCLUSIVE
 OF DOORS AND WINDOWS

REVISIONS



1300 WATERHOUSE BLVD
 DENTON, TX 76201
 APPLICANT: WATERHOUSE WOODS
 ZONING FILE Z-14-42



4202 Bellway Drive
 Addison, TX 75001
 214-520-8878
 bgoarchitects.com

DATE
 10-28-14

PROJECT
 13174

SHEET NUMBER

A4-00
 BLDG TYPE 'A'
 ELEVATIONS

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City Council Item Summary Sheet

Work Session

Date: December 16, 2014

Agenda Item

TxDOT Selective Traffic Enforcement Program Grant 2015 Impaired Driving Mobilization (IDM) Grant”

“FY

Summary of Request/Problem

Council is requested to adopt a resolution authorizing the City Manager to accept a State of Texas Department of Transportation (TxDOT) Selective Traffic Enforcement Program (STEP) – Impaired Driving Mobilization Grant related to Driving While Intoxicated (DWI) enforcement in the amount of \$25,630.56 for FY 2014 – 2015.

The required enforcement periods are scheduled to be conducted on the following dates:

- Christmas/New Year’s Wave – December 19, 2014 to January 2, 2015;
- Spring Break Wave – March 7, 2015 to March 22, 2015;
- Independence Day Wave – June 26, 2015 to July 7, 2015; and
- Labor Day Wave – August 21, 2015 to September 7, 2015.

The grant will be utilized to provide a greater level of traffic safety for the citizens of the City of Garland. The goal of this grant is to increase the effective enforcement and adjudication of traffic safety-related laws; to reduce the overall number of fatal and serious crashes; and to reduce the number of DWI-related crashes, injuries, and fatalities.

This item was scheduled for Council’s consideration at the December 15, 2014 Work Session.

Recommendation/Action Requested and Justification

Approve a resolution authorizing the City Manager to accept the State of Texas Department of Transportation (TxDOT) Selective Traffic Enforcement Program (STEP) – Impaired Driving Mobilization Grant for FY 2014 - 2015 in the amount of \$25,630.56.

Submitted By:

Mitchel L. Bates
Chief of Police

Approved By:

William E. Dollar
City Manager

RESOLUTION NO. _____

A RESOLUTION ACCEPTING A TEXAS DEPARTMENT OF TRANSPORTATION (TxDOT) SELECTIVE TRAFFIC ENFORCEMENT PROGRAM (STEP) - IMPAIRED DRIVING MOBILIZATION (IDM) GRANT IN THE AMOUNT OF \$25,630.56; AND PROVIDING AN EFFECTIVE DATE.

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

Section 1

That the Garland City Council hereby accepts a Texas Department of Transportation (TxDOT) Selective Traffic Enforcement Program - Impaired Driving Mobilization Grant in the amount of \$25,630.56 for the purpose of enforcing Driving While Intoxicated (DWI) violations during the following four (4) separate enforcement waves:
Christmas/New Year's Wave - December 19, 2014 to January 2, 2015;
Spring Break Wave - March 7, 2015 to March 22, 2015;
Independence Day Wave - June 26, 2015 to July 7, 2015; and
Labor Day Wave - August 21, 2015 to September 7, 2015.

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 _____, 2014.

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary



City Council Item Summary Sheet

Work Session

Date: December 16, 2014

Agenda Item

Cali Saigon Mall – Chapter 380 Economic Development Agreement

Summary of Request/Problem

At the December 15, 2014 Work Session, Council was scheduled to consider a request from Cali Saigon Mall for approval of a Chapter 380 Economic Development Grant Agreement (sales tax rebate) not to exceed \$210,000.

Recommendation/Action Requested and Justification

Approve by minute action authorizing the City Manager to execute a Chapter 380 Economic Development Grant Agreement with Cali Saigon Mall.

Submitted By:

Martin E. Glenn
Deputy City Manager

Approved By:

William E. Dollar
City Manager

CHAPTER 380
ECONOMIC DEVELOPMENT GRANT AGREEMENT

This Chapter 380 Economic Development Agreement (the “Agreement”) is made and entered into by and between Cali Saigon Mall, LLC (the “Developer”), a Texas limited liability corporation, and the CITY OF GARLAND, TEXAS (“Garland” or the “City”), a Texas home-rule city.

WHEREAS, Developer recently purchased a parcel of property located at 3212 North Jupiter Road, Garland, Texas, containing approximately 102,000 square feet of interior space (the “Mall”); and

WHEREAS, the Mall has served the Garland community for approximately eight (8) years as an Asian-oriented retail mall, containing separate interior retail spaces operated independently of one another in the sense of a traditional interior mall; and

WHEREAS, the Mall has played an important role in revitalizing a formerly vacant building, the adjacent shopping area, and the City as a whole; and

WHEREAS, the City desires to provide an appropriate incentive toward the continued revitalization of the Mall, the adjacent shopping area, and the City as a whole; to promote development and diversification of the economy of the State and the City; to eliminate unemployment and underemployment in the State and the City; and

WHEREAS, pursuant to the authority of Article III, Section 52-a of the Texas Constitution and Chapter 380, Texas Local Government Code, which authorize municipalities to make grants of public funds in furtherance of municipal public purposes;

NOW, THEREFORE, the City and Developer agree as follows:

Section 1. Developer Responsibilities.

Developer shall operate the Mall in accordance with the terms of this Agreement. The Mall shall consist of at least 102,000 square feet of floor area containing independent tenant spaces of mixed retail, service, and restaurant uses. During the term of this Agreement, the Developer shall operate the mall on a continuous basis, providing opening and operating hours similar to other retail malls in the vicinity.

Section 2. Sales Tax Rebate.

(A) Beginning on the date of execution of this Agreement, and continuing on the seventy-fifth (75th) day after the end of each succeeding calendar quarter, the City shall make a payment to the Developer in an amount not less than 100% of such portion of the sales tax received by the City from taxable sales that occur at the Mall (not including sales that occur through internet sales or other “mail order” sales, or anywhere other than on-site at

the Mall) during the immediately preceding calendar quarter as may be remitted to the City by the State of Texas during the immediately preceding calendar quarter (the “Sales Tax Rebates”). The Developer shall provide the City with any and all information made available to the Developer regarding gross sales and sales taxes paid by its tenants and operators at the Mall. The City shall calculate the amount of each such Sales Tax Rebate in reliance on the information furnished to the City by the Developer and such information as the City is reasonably able to obtain from the State of Texas with respect thereto, if any. If the City is not provided with, or is otherwise unable, through reasonable efforts, to obtain reliable information from any such sources with respect to the amount of sales tax receipts that should be the basis of Sales Tax Rebates, the City may estimate the amount due and such estimate (and the amount of the Sales Tax Rebates based thereon) shall be conclusive in the absence of manifest error.

- (B) The Sales Tax Rebates shall be made only from annual appropriations from such funds of the City as may be legally set aside by the City for the implementation of Article III, Section 52-a of the Texas Constitution or Chapter 380 of the Texas Local Government Code or any other economic development or financing programs authorized by statute or the home-rule powers of the City under any applicable laws. The Sales Tax Rebates to be made by the City to the Developer shall be limited as described in this Section 2 and shall in no event exceed those amounts as are actually received in hand by the City from the sales tax revenues, if any, described in Section 2(A) above.
- (C) The Developer may contest the amount of any Sales Tax Rebate by giving written notice to the City not more than ten (10) days following the Developer’s receipt of such Sales Tax Rebate.
- (D) The City shall maintain books and records as otherwise kept in the normal course of the City’s business showing sales taxes paid to the State or remitted to the City by the State from taxable sales that occur at the Developer’s Mall and receipts or disbursements, as the case may be, of all Sales Tax Rebates. Such books and records shall be kept in accordance with generally acceptable accounting principles as applied to Texas municipalities. Such books and records shall be available for examination during normal business hours upon request made not less than ten (10) business days prior to the date of such examination.
- (E) Unless sooner terminated as provided herein, the City shall have no obligation to make Sales Tax Rebates after the fifth (5th) anniversary of the execution of this Agreement. Notwithstanding the foregoing sentence or anything contained in this Agreement to the contrary, the maximum amount of Sales Tax Rebates to be made by the City under this Agreement is \$210,000.00, and the City shall have no obligation to makes Sales Tax Rebates to Developer in excess of such maximum amount.

Section 3. Default; Termination.

(A) Developer shall be deemed to be in default upon the expiration of fifteen (15) days from receipt of written notice from the City as provided in this Agreement describing the nature of the Developer's failure to perform the obligations of this Agreement unless, prior to the expiration of the applicable period, Developer has cured the default described in that notice. However, Developer shall not be deemed to be in default if such failure cannot be cured within that fifteen (15) day period despite its good faith efforts to do so, and Developer has commenced to cure the default within that fifteen (15) days and diligently pursues such cure until completed. Notwithstanding the foregoing or any other provision of this Agreement, Developer shall be deemed in uncured default of this Agreement if the Mall has not been in operation at least eight (8) hours per day for a continuous period of fifteen (15) or more days.

(B) In the event of Developer's uncured default under this Agreement, the City may terminate this Agreement and immediately discontinue the payment of all Sales Tax Rebates other than a Sales Tax Rebate attributable to a calendar quarter that occurred prior to the date of notice of default under subsection (A), above, that has not been calculated and paid in accordance with Section 2.

Section 4. Notices. Any notice required or described to be given from one party to the other party to this Agreement shall be in writing and shall be given and shall be deemed to have been served and received (whether actually received or not) if (i) delivered in person to the address set forth below; (ii) deposited in an official depository under the regular care and custody of the United States Postal Service located within the confines of the United States of America and sent by certified mail, return receipt requested, and addressed to such party at the address hereinafter specified; or (iii) delivered to such party by courier receipted delivery. Either party may designate another address within the confines of the continental United States of America for notice, but until written notice of such change is actually received by the other party, the last address of such party designated for notice shall remain such party's address for notice.

Section 5. No Assignment. Neither party shall have the right to assign that party's interest in this Agreement without the prior written consent of the other party.

Section 6. Severability. If any term or provision of this Agreement is held to be illegal, invalid, or unenforceable, the legality, validity, or enforceability of the remaining terms or provisions of this Agreement shall not be affected thereby, and in lieu of each such illegal, invalid, or unenforceable term or provision, there shall be added automatically to this Agreement a legal, valid, or enforceable term or provision as similar as possible to the term or provision declared illegal, invalid, or unenforceable.

Section 7. Waiver. Either City or Developer shall have the right to waive any requirement contained in this Agreement, which is intended for the waiving party's benefit, but, except as otherwise provided herein, such waiver shall be effective only if in writing and executed by the party for whose benefit such requirement is intended. No waiver of any breach or violation of any term of this Agreement shall be deemed or construed to constitute a waiver of any other

breach or violation, whether concurrent or subsequent, and whether of the same or of a different type of breach or violation.

Section 8. Governing Law; Venue. This Agreement and all of the transactions contemplated herein shall be governed by and construed in accordance with the laws of the State of Texas. The provisions and obligations of this Agreement are performable in Dallas County, Texas such that exclusive venue for any action arising out of this Agreement shall be in Dallas County, Texas.

Section 9. Paragraph Headings; Construction. The paragraph headings contained in this Agreement are for convenience only and shall in no way enlarge or limit the scope or meaning of the various and several paragraphs hereof. Both parties have participated in the negotiation and preparation of this Agreement and this Agreement shall not be construed either more or less strongly against or for either party.

Section 10. Binding Effect. Except as limited herein, the terms and provisions of this Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, devisees, personal and legal representatives, successors and assigns.

Section 11. Gender. Within this Agreement, words of any gender shall be held and construed to include any other gender, and words in the singular number shall be held and construed to include the plural, unless the context otherwise requires.

Section 12. Counterparts. This Agreement may be executed in multiple counterparts, each of which shall be deemed an original, and all of which shall constitute but one and the same instrument.

Section 13. Exhibits. All exhibits to this Agreement are incorporated herein by reference for all purposes wherever reference is made to the same.

Section 14. Computation of Deadlines. If any deadline contained herein ends on a Saturday, Sunday, or a legal holiday recognized by the Texas Supreme Court, such deadline shall automatically be extended to the next day that is not a Saturday, Sunday, or legal holiday.

Section 15. Entire Agreement. It is understood and agreed that this Agreement contains the entire agreement between the parties and supersedes any and all prior agreements, arrangements, or understandings between the parties relating to the subject matter. No oral understandings, statements, promises, or inducements contrary to the terms of this Agreement exist. This Agreement cannot be changed or terminated orally and no written modification of this Agreement shall be effective unless executed by both parties.

Section 16. Relationship of Parties; No Third-Party Beneficiaries. Nothing contained in this Agreement shall be deemed or construed by the parties hereto or by any third party to create the relationship of principal and agent or of partnership, joint venture, or employment, it being expressly understood and agreed that no provision contained in this Agreement nor any act or

acts of the parties hereto shall be deemed to create any relationship between the parties other than the relationship of independent parties contracting with each other solely for the purpose of effecting the provisions of this Agreement. Neither party has the authority to enter into contracts or to assume any obligation for the other, nor to make warranties or representations on behalf of the other except in accordance with the express terms of this Agreement or as otherwise authorized in writing by the other. There are no third-party beneficiaries to this Agreement and no third-party beneficiaries are intended by implication or otherwise.

Section 17. Dispute Resolution. In accordance with the provisions of Subchapter I, Chapter 271, Texas Local Government Code, the parties agree that, prior to instituting any lawsuit or other proceeding arising from a dispute under this Agreement, the parties will first attempt to resolve the dispute by taking the following steps: (1) A written notice substantially describing the nature of the dispute shall be delivered by the dissatisfied party to the other party, which notice shall request a written response to be delivered to the dissatisfied party not less than five (5) days after receipt of the notice of dispute. (2) If the response does not reasonably resolve the dispute, in the opinion of the dissatisfied party, the dissatisfied party shall give notice to that effect to the other party whereupon each party shall appoint a person having authority over the activities of the respective parties who shall promptly meet, in person, in an effort to resolve the dispute. (3) If those persons cannot or do not resolve the dispute, then the parties shall each appoint a person from the highest tier of managerial responsibility within each respective party, who shall then promptly meet, in person, in an effort to resolve the dispute.

Section 18. No Waiver of Immunity or Defense. No party, by execution of this Agreement, waives nor shall be deemed to have waived any immunity or defense that would otherwise be available to it including, without limitation, immunity from liability and suit for damages to one another or to any third-party except as otherwise provided by law.

[Signature Page Follows]

EXECUTED this the _____ day of _____, 2014.

CITY OF GARLAND, TEXAS:

By: _____

Name: _____

Title: _____

EXECUTED this the _____ day of _____, 2014.

DEVELOPER

By: _____

Name: _____

Title: _____

EXHIBIT "A"

ADDRESSES FOR NOTICE

CITY

City of Garland
200 North Fifth Street
P.O. Box 469002
Garland, Texas 75046-9002
Attn: City Manager

With a Copy to its City Attorney

DEVELOPER



Meeting: Regular Meeting

Date: December 16, 2014

Policy Report

FOURTH AVENUE INVESTMENTS

North of the intersection of Apollo Road and West Brand Road

ISSUE

Consider a request to waive a required payment to the Reforestation and Tree Management Fund of Tree Preservation Ordinance 5731.

OPTIONS

1. Waive the required payment to the Tree Fund.
2. Grant partial relief from the required payment to the Tree Fund.
3. Deny the request.

RECOMMENDATION

Deny the request to grant partial relief from the required payment to the Reforestation and Tree Management Fund of Tree Preservation Ordinance 5731. The amount due should be placed into the Tree Replacement Fund for future off-site tree placement on public property. The outstanding amount should be deposited into the Tree Fund, to foster the planting, growth and preservation of new and existing trees for the benefit of the community as set forth in Tree Preservation Ordinance 5731.

COUNCIL GOAL

Sustainable Quality Development and Redevelopment

BACKGROUND

On November 3, 2014, City Council approved a change in zoning from Planned Development (PD) Districts 84-25 and 99-43 for General Business Uses and Neighborhood Service Uses to a Planned Development (PD) District for Single Family Uses and a Detail Plan for approximately 35 single family dwelling units. A tree survey and landscape plan were submitted and approved as a part of the Detail Plan indicating compliance with the Tree Preservation Ordinance by replanting trees onsite and payment into the tree fund for the remaining caliper inches that would be removed but not replanted. The applicant is now requesting a partial waiver of the required mitigation funds to be paid to the Reforestation and Tree Management Fund.

CONSIDERATIONS

1. Tree Preservation Ordinance, Section 34.50 (C) of Ordinance No. 5731 states that if the size, shape or topography of an intended site of development is unworkable, the Director of Planning may approve an alternative. One option is that the Director of Planning may approve a tree management plan that provides for the mitigation of protected trees through either planting of replacement trees at an off-site location in private open spaces, or the payment to a Tree Management Fund. Payment into the fund would be an amount equal to 100% of the replacement cost. Based on this requirement, the developer must pay to the City of Garland \$100 for each inch of tree that is unable to be mitigated on-site. The money would be deposited into a fund to be used for future off-site tree plantings. The applicant requests partial relief from the replacement cost fee as provided below.
2. The applicant is requesting that the amount paid into the tree fund exclude the mitigation fee for Hackberry and Cottonwood trees. The applicant contends the project is an infill site and heavily wooded. Per the submitted tree survey the applicant is removing a total of 1,405 caliper inches from the site. Based on the species of the trees, the required mitigation is 762.4 caliper inches. The applicant is proposing to plant 76 inches onsite. Therefore, 686.4 caliper inches will not be replanted and must be mitigated by paying \$68,640 into the tree fund.
3. By excluding the mitigation of Hackberry and Cottonwood trees from the total caliper inches to be mitigated, the applicant would be required to mitigate for 293.2 caliper inches. The applicant requests a partial waiver of the mitigation fee and requests to contribute \$29,320 into the tree fund. All other species of trees are proposed to be mitigated by replanting onsite per the submitted Landscape Plan and payment into the tree fund.
4. The replacement rate set forth in the Tree Preservation Ordinance for protected trees varies by species from 100% to 20%, depending on their desirability. The Ordinance requires replacement of only 40% of the caliper inches lost for Hackberry and Cottonwood trees. Nonetheless, all species have intrinsic value with regard to public health, environmental quality, heat and wind moderation, wildlife habitat and community appearance.

ATTACHMENT(S)

Request from Fourth Avenue Investments

Submitted By:

Anita Russelmann
Director of Planning

Date: December 3, 2014

Approved By:

William E. Dollar
City Manager

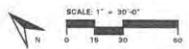
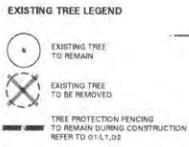
Date: December 5, 2014

Tree Preservation Variance

Winchester Commons is a single family development planned for the NWC of Brand and Apollo Roads located on 6.6+/- acres. The project is infill and is burdened by a heavily wooded creek. The tree mitigation expense under the current ordinance is a financial burden on the project.

We are requesting that the tree mitigation requirements for Winchester Commons be approved so that Hackberry and Cottonwood trees are not required to be protected and/or mitigated. The plan we have include with the variance application details the difference in the mitigation requirement for the project using the current ordinance and that which would be required by eliminating the requirement to include Hackberry and Cottonwood trees.

All other specimen trees will be mitigated per the current ordinance.



BELLE FIRMA

4245 North Central Express
 Suite 501
 Dallas, Texas 75205
 214.865.7192



REVISIONS	DATE
CITY COMMENTS	10/08/14
COORDINATION	11/24/14

NDM NATHAN D. MAIER
 CONSULTING ENGINEERS, INC.
 8030 Park Lane, Suite 400
 Dallas, Texas 75231 | 214.739.4741

TREE PRESERVATION PLAN
 APOLLO & BRAND TRACT
 CITY OF GARLAND, DALLAS COUNTY, TEXAS

SHEET NO.
LT.01

CURRENT ORDINANCE

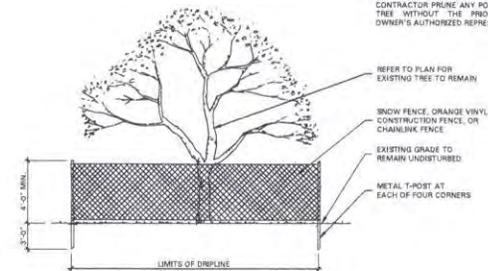
TREE SURVEY FIELD DATA						
No.	Di.	Species	Status	Remarks	Req'd Mitigation	Actual
(Foot)	(Inches)	(Common Name)			(Inches)	
386	18	OKA	TO BE REMOVED	PROTECTED	18	
386	36	OKA	TO BE REMOVED	PROTECTED	36	
387	8	HACKBERRY	TO BE REMOVED	PROTECTED	3.3	
388	18	HACKBERRY	TO BE REMOVED	PROTECTED	4	
389	18	HACKBERRY	TO BE REMOVED	PROTECTED	4	
400	8	HACKBERRY	TO BE REMOVED	PROTECTED	2.2	
407	18	HACKBERRY	TO BE REMOVED	PROTECTED	4	
407	18	HACKBERRY	TO BE REMOVED	PROTECTED	8	
408	18	HACKBERRY	TO BE REMOVED	PROTECTED	7.2	
404	12	HACKBERRY	TO BE REMOVED	PROTECTED	4.8	
408	8	OKA	TO BE REMOVED	PROTECTED	8	
408	18	OKA	TO BE REMOVED	PROTECTED	15	
410	12	OKA	TO BE REMOVED	PROTECTED	12	
411	18	OKA	TO REMAIN	PROTECTED		
412	36	OKA	TO REMAIN	PROTECTED		
413	18	OKA	TO REMAIN	PROTECTED		
418	8	HACKBERRY	TO REMAIN	PROTECTED		
420	14	OKA	TO REMAIN	PROTECTED		
421	7	HACKBERRY	TO REMAIN	PROTECTED		
423	36	OKA	TO REMAIN	PROTECTED		
424	8	OKA	TO BE REMOVED	PROTECTED	8	
437	28	COTTONWOOD	TO BE REMOVED	PROTECTED	1-3	
438	29	COTTONWOOD	TO BE REMOVED	PROTECTED	8	
438	15	COTTONWOOD	TO BE REMOVED	PROTECTED	8	
440	24	COTTONWOOD	TO BE REMOVED	PROTECTED	9.8	
441	30	COTTONWOOD	TO BE REMOVED	PROTECTED	12	
442	30	COTTONWOOD	TO BE REMOVED	PROTECTED	12	
449	30	COTTONWOOD	TO BE REMOVED	PROTECTED	12	
450	10	OKA	TO BE REMOVED	PROTECTED	10	
450	10	OKA	TO BE REMOVED	PROTECTED	9	
458	8	HACKBERRY	TO BE REMOVED	PROTECTED	3.7	
457	8	HACKBERRY	TO BE REMOVED	PROTECTED	3.2	
468	12	HACKBERRY	TO BE REMOVED	PROTECTED	4.8	
469	18	HACKBERRY	TO BE REMOVED	PROTECTED	8	
470	18	HACKBERRY	TO BE REMOVED	PROTECTED	8	
471	18	HACKBERRY	TO BE REMOVED	PROTECTED	4	
472	18	HACKBERRY	TO BE REMOVED	PROTECTED	8	
481	13	OKA	TO BE REMOVED	PROTECTED	13	
482	12	ELM	TO BE REMOVED	PROTECTED	9.8	
482	18	HACKBERRY	TO BE REMOVED	PROTECTED	4	
484	18	OKA	TO BE REMOVED	PROTECTED	10	
484	18	HACKBERRY	TO BE REMOVED	PROTECTED	8.4	
486	15	HACKBERRY	TO BE REMOVED	PROTECTED	6	
486	18	HACKBERRY	TO BE REMOVED	PROTECTED	4	
486	36	HACKBERRY	TO BE REMOVED	PROTECTED	10.4	
486	14	ELM	TO BE REMOVED	PROTECTED	11.2	
487	12	HACKBERRY	TO BE REMOVED	DAMAGED		
482	12	HACKBERRY	TO BE REMOVED	DAMAGED		
486	8	HACKBERRY	TO BE REMOVED	PROTECTED	2.4	
486	30	HACKBERRY	TO BE REMOVED	PROTECTED	3.2	
487	12	OKA	TO BE REMOVED	PROTECTED	8	
488	18	OKA	TO BE REMOVED	PROTECTED	8	
489	12	OKA	TO BE REMOVED	PROTECTED	9.6	
Total Caliper Inches on Site					1584	
Total Caliper Inches Required					1466	
Total Mitigation Inches Required					782.4	
Total Mitigation Inches Provided On-Site					78	

VARIANCE REQUEST
HACKBERRY AND COTTONWOOD TREES TO BE
EXCLUDED FROM MITIGATION REQUIREMENTS

TREE SURVEY FIELD DATA						
No.	Di.	Species	Status	Remarks	Req'd Mitigation	Actual
(Foot)	(Inches)	(Common Name)			(Inches)	
385	18	OKA	TO BE REMOVED	PROTECTED	18	
386	36	OKA	TO BE REMOVED	PROTECTED	36	
387	8	HACKBERRY	TO BE REMOVED	PROTECTED		
388	18	HACKBERRY	TO BE REMOVED	PROTECTED		
389	18	HACKBERRY	TO BE REMOVED	PROTECTED		
400	8	HACKBERRY	TO BE REMOVED	PROTECTED		
401	18	HACKBERRY	TO BE REMOVED	PROTECTED		
402	18	HACKBERRY	TO BE REMOVED	PROTECTED		
403	18	HACKBERRY	TO BE REMOVED	PROTECTED		
404	12	HACKBERRY	TO BE REMOVED	PROTECTED		
405	8	OKA	TO BE REMOVED	PROTECTED		
406	18	OKA	TO BE REMOVED	PROTECTED		
407	18	OKA	TO BE REMOVED	PROTECTED		
408	18	OKA	TO REMAIN	PROTECTED		
409	12	OKA	TO REMAIN	PROTECTED		
410	12	OKA	TO REMAIN	PROTECTED		
411	18	OKA	TO REMAIN	PROTECTED		
412	20	OKA	TO REMAIN	PROTECTED		
413	18	OKA	TO REMAIN	PROTECTED		
418	8	HACKBERRY	TO REMAIN	PROTECTED		
420	14	OKA	TO REMAIN	PROTECTED		
421	7	HACKBERRY	TO REMAIN	PROTECTED		
423	36	OKA	TO REMAIN	PROTECTED		
424	8	OKA	TO BE REMOVED	PROTECTED		
437	28	COTTONWOOD	TO BE REMOVED	PROTECTED		
438	29	COTTONWOOD	TO BE REMOVED	PROTECTED		
438	15	COTTONWOOD	TO BE REMOVED	PROTECTED		
440	24	COTTONWOOD	TO BE REMOVED	PROTECTED		
441	30	COTTONWOOD	TO BE REMOVED	PROTECTED		
442	30	COTTONWOOD	TO BE REMOVED	PROTECTED		
449	30	COTTONWOOD	TO BE REMOVED	PROTECTED		
450	10	OKA	TO BE REMOVED	PROTECTED		
450	10	OKA	TO BE REMOVED	PROTECTED		
458	8	HACKBERRY	TO BE REMOVED	PROTECTED		
457	8	HACKBERRY	TO BE REMOVED	PROTECTED		
468	12	HACKBERRY	TO BE REMOVED	PROTECTED		
469	18	HACKBERRY	TO BE REMOVED	PROTECTED		
470	18	HACKBERRY	TO BE REMOVED	PROTECTED		
471	18	HACKBERRY	TO BE REMOVED	PROTECTED		
472	18	HACKBERRY	TO BE REMOVED	PROTECTED		
471	16	HACKBERRY	TO BE REMOVED	PROTECTED		
481	13	OKA	TO BE REMOVED	PROTECTED		
482	12	ELM	TO BE REMOVED	PROTECTED		
483	18	HACKBERRY	TO BE REMOVED	PROTECTED		
484	18	OKA	TO BE REMOVED	PROTECTED		
485	18	HACKBERRY	TO BE REMOVED	PROTECTED		
486	15	HACKBERRY	TO BE REMOVED	PROTECTED		
486	18	HACKBERRY	TO BE REMOVED	PROTECTED		
486	36	HACKBERRY	TO BE REMOVED	PROTECTED		
486	14	ELM	TO REMAIN	PROTECTED		
487	12	HACKBERRY	TO BE REMOVED	DAMAGED		
482	12	HACKBERRY	TO BE REMOVED	DAMAGED		
486	8	HACKBERRY	TO BE REMOVED	PROTECTED		
486	30	HACKBERRY	TO BE REMOVED	PROTECTED		
487	12	OKA	TO BE REMOVED	PROTECTED		
488	18	OKA	TO BE REMOVED	PROTECTED		
489	12	OKA	TO BE REMOVED	PROTECTED		
Total Caliper Inches on Site					1584	
Total Caliper Inches Required					1466	
Total Mitigation Inches Required					782.4	
Total Mitigation Inches Provided On-Site					78	

TREE PRESERVATION NOTES

- EXISTING TREES TO REMAIN SHALL BE PROTECTED DURING CONSTRUCTION. TREE STRUCTURE DAMAGE AND COMPACTING OF SOIL UNDER AND AROUND DRIP LINE (CANOPY) OF TREE.
- IF ANY ROOT STRUCTURE IS DAMAGED DURING ADJACENT EXCAVATION / CONSTRUCTION, NOTIFY OWNER'S AUTHORIZED REPRESENTATIVE IMMEDIATELY. IT IS RECOMMENDED THAT A LICENSED ARBORIST BE SECURED FOR THE TREATMENT OF ANY POSSIBLE TREE WOUNDS.
- NO DISTURBANCE OF THE SOIL, GREATER THAN 4" SHALL BE LOCATED CLOSER TO THE TREE TRUNK THAN 1/2 THE DISTANCE OF THE DRIP LINE TO THE TREE TRUNK. A MINIMUM OF 15% OF THE DRIP LINE AND ROOT ZONE SHALL BE PRESERVED AT NATURAL GRADE.
- ANY FINE GRADING DONE WITHIN THE CRITICAL ROOT ZONE OF THE PROTECTED TREES MUST BE DONE WITH LIGHT MACHINERY SUCH AS A ROBOCAT OR LIGHT TRACTOR. NO EARTH MOVING EQUIPMENT WITH TRACKS IS ALLOWED WITHIN THE CRITICAL ROOT ZONE OF THE TREES.
- NO MATERIALS INTENDED FOR USE IN CONSTRUCTION OR WASTE MATERIALS ACCUMULATED DUE TO EXCAVATION OR DEMOLITION SHALL BE PLACED WITHIN THE LIMITS OF THE DRIP LINE OF ANY TREE.
- NO EQUIPMENT MAY BE CLEANED OR TOXIC SOLUTIONS OR OTHER LIQUID CHEMICALS SHALL BE DEPOSITED WITHIN THE LIMITS OF THE DRIP LINE OF A TREE, INCLUDING BUT NOT LIMITED TO, PAINT, OIL, SOLVENTS, ASPHALT, CONCRETE, MORTAR, PRIMERS, ETC.
- NO SIGNS, WHISPS OR OTHER ATTACHMENTS, OTHER THAN THOSE OF A PROTECTIVE NATURE, SHALL BE ATTACHED TO ANY TREE.
- NO VEHICULAR / CONSTRUCTION EQUIPMENT TRAFFIC OR PARKING IS ALLOWED WITHIN THE LIMITS OF THE DRIP LINE OF TREES.
- BORING OF UTILITIES MAY BE PERMITTED UNDER PROTECTED TREES IN CERTAIN CIRCUMSTANCES. THE MINIMUM LENGTH OF THE BORE SHALL BE THE WIDTH OF THE TREE'S CANOPY AND SHALL BE A MINIMUM DEPTH OF FORTY-EIGHT (48") INCHES.
- IRRIGATION TRENCHING WHICH MUST BE DONE WITHIN THE CRITICAL ROOT ZONE OF A TREE SHALL BE DUG BY HAND AND ENTER THE AREA IN A RADIAL MANNER.
- ALL TREES TO BE REMOVED FROM THE SITE SHALL BE FLAGGED BY THE CONTRACTOR WITH BRIGHT RED VINYL TAPE 2" WIDTH WRAPPED AROUND THE MAIN TRUNK AT A HEIGHT OF FOUR (4') FEET ABOVE GRADE. FLAGGING SHALL BE APPROVED BY OWNER'S AUTHORIZED REPRESENTATIVE PRIOR TO ANY TREE REMOVAL. CONTRACTOR SHALL CONTACT OWNER'S AUTHORIZED REPRESENTATIVE WITH 72 HOURS NOTICE TO SCHEDULE ON-SITE MEETING.
- ALL TREES TO REMAIN, AS NOTED ON DRAWINGS, SHALL HAVE PROTECTIVE FENCING LOCATED AT THE TREE'S DRIP LINE. THE PROTECTIVE FENCING MAY BE COMPOSED OF 500V FENCING, ORANGE VINYL CONSTRUCTION FENCING, MAIN LINE FENCE OR OTHER SIMILAR FENCING WITH A FOUR (4') FOOT APPROPRIATE HEIGHT. PROTECTIVE FENCING SHALL BE LOCATED AS INDICATED ON THE TREE PROTECTION DETAIL.
- WHEN A LOW HANGING LIMB IS BROKEN DURING THE COURSE OF CONSTRUCTION, THE CONTRACTOR SHALL NOTIFY THE OWNER'S AUTHORIZED REPRESENTATIVE IMMEDIATELY. UNDER NO CIRCUMSTANCES SHALL THE CONTRACTOR PRUNE ANY PORTION OF THE DAMAGED TREE WITHOUT THE PRIOR APPROVAL BY THE OWNER'S AUTHORIZED REPRESENTATIVE.



01 TREE PROTECTIVE FENCING
NOT TO SCALE



4245 North Central Express
Suite 501
Dallas, Texas 75205
214.865.7182



REVISIONS	DATE
CITY COMMENTS	10/09/14
COORDINATION	11/24/14

NDM NATHAN D. MAIER
CONSULTING ENGINEER, INC.
15245 WEBB ROAD, SUITE 100
DALLAS, TEXAS 75244
WWW.NDM-INC.COM

TREE PRESERVATION NOTES
APOLLO & BRAND TRACT
CITY OF GARLAND, DALLAS COUNTY, TEXAS

SHEET NO. **L1.02**

DATE: 11/25/14

JOB NUMBER: 14003.0



Planning Report

Masterplan

2801 Wood Drive

REQUEST

Approval of 1) a Specific Use Permit for a Recycling Center on property zoned Industrial-1 (I-1) District and 2) a variance to Section 10-200 of the Comprehensive Zoning Ordinance regarding parking requirements

OWNER

Emmanuel Holdings, LLC

PLAN COMMISSION RECOMMENDATION

On November 24, 2014 the Plan Commission, by a vote of five (5) to two (2), recommended approval of 1) a Specific Use Permit for a Recycling Center on property zoned Industrial-1 (I-1) District and 2) a variance to Section 10-200 of the Comprehensive Zoning Ordinance regarding parking requirements with the following conditions:

- Security be provided onsite during business hours
- Recyclable materials must be brought onsite in a motorized vehicle

Additionally, Plan Commission approved a variance to Section 9.3 of the Screening and Landscape Standards to provide a metal fence as screening in lieu of the landscape requirements.

STAFF RECOMMENDATION

Denial of 1) a Specific Use Permit for a Recycling Center on property zoned Industrial-1 (I-1) District and 2) a variance to Section 10-200 of the Comprehensive Zoning Ordinance regarding parking requirements.

The introduction of facilities within an industrial area that begin to diminish the overall intent and character of the industrial park could negatively impact the surrounding area. Industrial and office uses should continue to be encouraged and supported within this area to maintain a stable employment center for industrial and commercial sector businesses.

Incompatibility would be generated from conflicts with the increase of non-industrial traffic and vehicles. Staff has concerns regarding the cross traffic of trucks loading and unloading and those vehicles entering the site that may lead to on-street traffic impacts and conflicts with commercial vehicles and passenger vehicles essentially navigating the same space.

BACKGROUND

The applicant is requesting approval of a Specific Use Permit to operate a metal recycling center within an approximately 17,640 square foot building with additional outdoor area for material processing and storage. The site was previously occupied by SST Trucking. The associated variances are to reduce the number of required parking spaces and to provide an alternative screening method to those required per the Screening and Landscape Standards.

SITE DATA

The subject property is composed of approximately 6.80 acres with approximately 21.27 acres with 1,369 feet of frontage along Wood Drive. The site can only be accessed from Wood Drive.

USE OF PROPERTY UNDER CURRENT ZONING

The property is zoned Industrial-1 (I-1) District. Industrial-1 (I-1) District provides for a wide range of industrial uses which generate few objectionable conditions. Such uses include manufacturing, processing, assembling, research and development, and warehousing and distribution.

CONSIDERATIONS

1. The applicant proposes to operate a metal recycling center on the subject property. The proposed facility would purchase ferrous and non-ferrous metal products as well as appliances and smaller consumer items for recycling. The facility would be open to commercial recyclers as well as patrons in passenger vehicles.
2. The applicant has provided a vehicle circulation plan that indicates the circulation path for inbound and outbound traffic on the site. The vehicles would be directed to enter the drive furthest to the east and stack within the site. The traffic would then exit the drive furthest to the west. There are both small vehicle and large vehicle weigh scales that are accessed as vehicles enter the site. There is an area for loading and unloading on the north side of the existing building. All other areas outside of the driving aisles are indicated as material storage and processing.

While the vehicle circulation plan seems to indicate the property has the capacity to allow vehicles to queue on-site, Staff still has concerns regarding the cross traffic of trucks loading and unloading and those vehicles entering the site that may lead to on-street traffic impacts. Additionally, there is potential for conflicts with commercial vehicles and passenger vehicles essentially navigating the same space.

3. The subject property and surrounding area has primarily served as an industrial and office park for decades. The zoning of the subject property is Industrial-1 and the uses permitted within this district are intensive in nature and seemingly compatible with a recycling center. However, there are

potential conflicts in functionality of the proposed recycling center and existing and future industrial uses within the area. The nature of the surrounding uses is employment based industries, manufacturing and light industrial. A recycling center introduces activity of a nature that contributes to the degeneration of available industrial space within a viable industrial sector employment center.

4. It is important that there be a preservation of remaining industrial sites for uses that maximize economic development potential and existing and future employment base. The industrial sector has continued to thrive within the city due to the existing industrial areas that have provided supporting industries within close proximity and compatibility of uses that protect and reinforce industrial businesses within those areas.
5. The larger unpaved area on the site, on both the west and east side of the existing improvements, is not proposed to be used at this time. The applicant has indicated that material processing and storage would be expanded into this area in the future. At that time, the area would be required to be paved in compliance with the City of Garland paving requirements which is concrete. The applicant is proposing to include this area within the boundary of the Specific Use Permit acknowledging it cannot be used without meeting the paving standards. However, the applicant would like the ability to not require an amendment to the Specific Use Permit at the time that area is paved and used for outdoor storage and processing.
6. The applicant is proposing to install a ten (10) foot metal fence around the boundary of the outdoor storage and processing area. A variance was granted by Plan Commission to Section 9.3 of the Screening and Landscape Standards to allow the metal fence to serve as screening in lieu of the required six (6) foot tall masonry wall, earthen berm with landscaping or a chain link fence with a six (6) foot tall hedgerow of evergreen shrubs.
7. Section 10-200 of the Zoning Ordinance requires one (1) parking space for each 300 square feet of office and one space for each 1,000 square feet of site area for a Recycling Center. The site area consists of the area used for processing and storing of recycling materials, which would include the indoor and outdoor storage areas surrounding the building. Based on the size of the outdoor area and building, approximately 986 parking spaces would be required.

The applicant requests a variance to the parking requirement to provide 89 parking spaces. The applicant contends the existing parking area is adequate based on the number of employees and customers. Most of the customers will proceed to the vehicle weigh area or unloading area without having to park within the designated parking area.

8. In 2009, City Council approved Specific Use Permits for Recycling Centers at 201 S. Shiloh and 301 S. Shiloh Road. The recycling centers are currently operating. 301 S. Shiloh is operated by Encore Recyclers which would be the operator of the proposed recycling center. There are no plans at this time to consolidate the recycling centers into one location. Other recycling centers approved within the city have been included in an attached list.

9. The Zoning Ordinance defines a recycling center as a facility that is not a salvage yard and in which recoverable resources such as newspapers, glassware and metal products are collected, stored, flattened, crushed or bundled. Any sales of whole parts or units of automobiles and/or machinery shall be classified as a salvage yard use and are expressly prohibited.
10. The applicant is requesting approval of the Specific Use Permit for a period of twenty (20) years.

COMPREHENSIVE PLAN

The Future Land Use Map of the Envision Garland Plan recommends Industry Center for the subject property. Industry Centers provide a cluster of trade and industry that cumulatively employ large numbers of people. Operations may include such elements as semi-truck traffic, loading docks, and outdoor storage. Overall, the architecture, character, scale, and intensity should be compatible with adjacent development types. Industry centers range in scale and intensity based on the surrounding vicinity and may consist of one or more buildings. This development type includes a variety of primary and secondary uses that support the industry employment sector.

COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

The subject property is located within an area that is primarily zoned Industrial 1 (I-1) District and developed with buildings that are currently utilized for manufacturing, light industrial and heavy commercial uses.

The nature of the surrounding area is currently primarily heavy commercial and industrial. The compatibility of the proposed recycling center should be evaluated based on the impact of the overall operation, function, and character of the use to the surrounding properties. The use of the site for a recycling center contributes to the degeneration of available industrial space within a viable industrial sector employment center. There are potential conflicts in functionality of the proposed recycling center and existing and future industrial uses in the area.

Prepared By:

Chasidy Allen, AICP
Principal Planner

Date: December 3, 2014

Reviewed By:

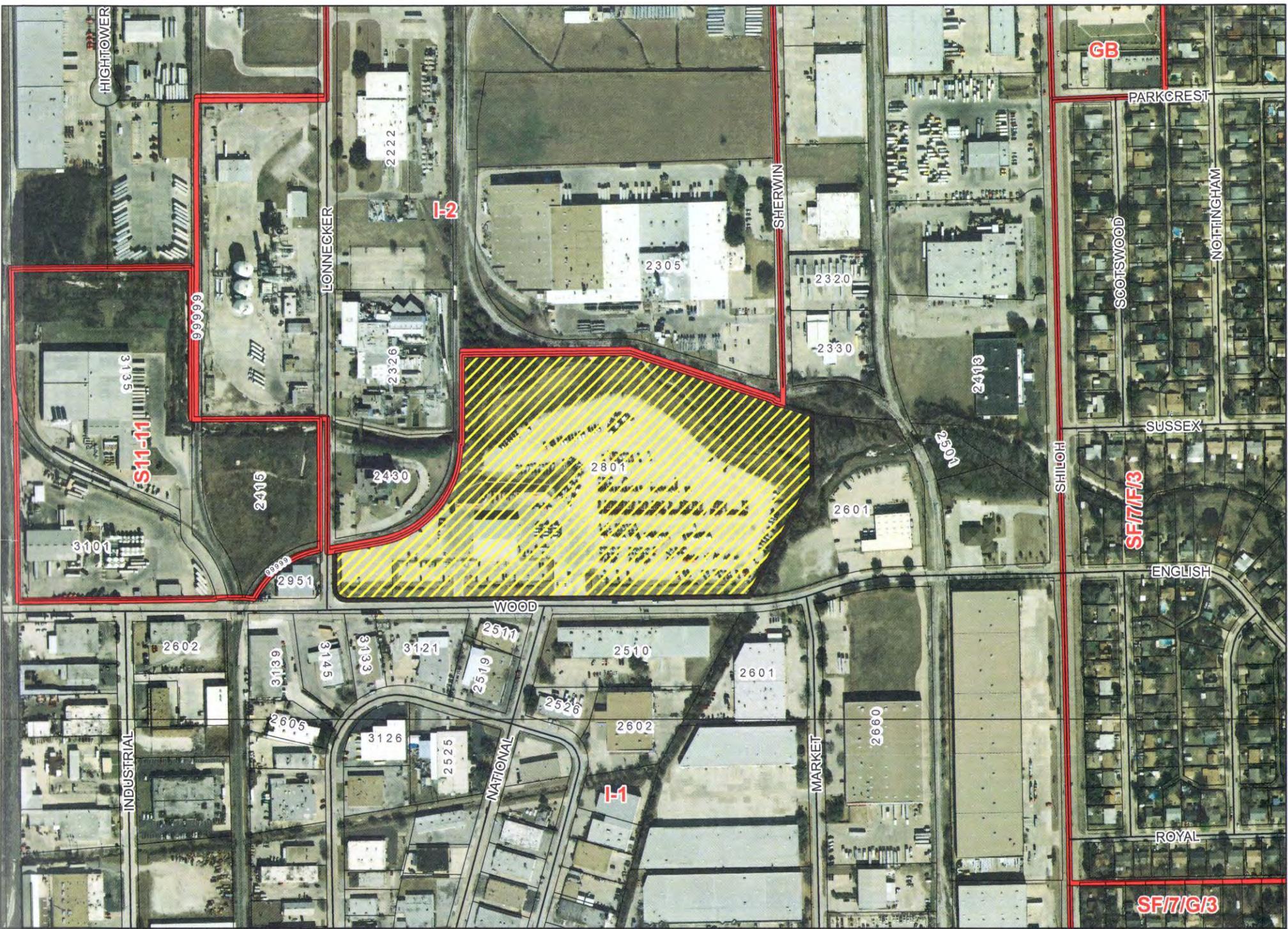
Anita Russelmann
Director of Planning

Date: December 4, 2014

Reviewed By:

William E. Dollar
City Manager

Date: December 5, 2014



0 200 400 Feet

ZONING Z 14-43

 INDICATES AREA OF REQUEST

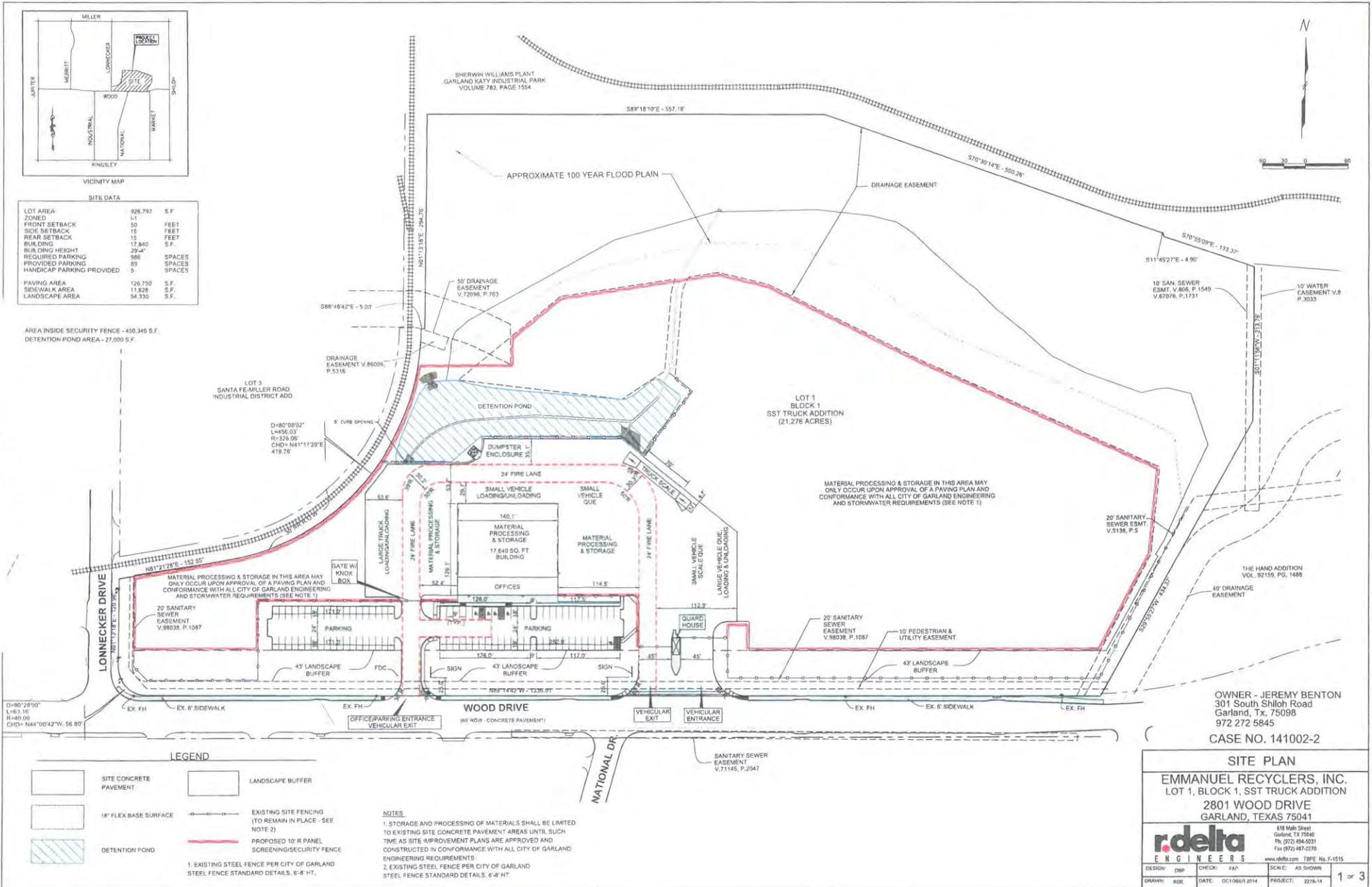
SPECIFIC USE PERMIT CONDITIONS

ZONING FILE 14-43

2801 Wood Drive

- I. **Statement of Purpose:** The purpose of this Specific Use Permit is to allow a Recycling Center 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 Industrial-1 (I-1) District set forth in Sections 29 and 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 twenty (20) year time period.
 - B. Site Plan: The site plan shall be in general conformance with Exhibit C.
 - C. Landscape Plan: Screening and landscaping shall be provided as shown on Exhibit D.
 - D. Parking: A minimum of 89 parking spaces shall be provided on the site and shall be made available to customers and employees.
 - E. Outdoor Storage: The storage of materials shall be placed in such a manner as to not be visible from thoroughfares, abutting properties or above the fence.
 - F. Outdoor Storage, Prohibited: Outdoor storage or processing is prohibited on the unpaved portion of the site. Prior to use of these areas identified on Exhibit C, concrete paving shall be installed in compliance with the City of Garland standards.
 - G. Fencing: A ten (10) foot tall solid metal fence shall be placed around all outside storage areas.

- H. Vehicle Circulation: On-site truck circulation shall be maintained and the route shall remain free from obstruction, as generally shown on the Truck Circulation Plan, Exhibit E.



SITE DATA

LOT AREA	926,797	S.F.
ZONED	L-1	
FRONT SETBACK	50	FEET
SIDE SETBACK	15	FEET
REAR SETBACK	15	FEET
BUILDING HEIGHT	17,840	S.F.
BUILDING HEIGHT	29'-4"	
REQUIRED PARKING	886	SPACES
PROVIDED PARKING	89	SPACES
HANDICAP PARKING PROVIDED	5	SPACES
PAVING AREA	126,759	S.F.
SIDEWALK AREA	11,828	S.F.
LANDSCAPE AREA	54,330	S.F.

AREA INSIDE SECURITY FENCE - 450,340 S.F.
 DETENTION POND AREA - 27,000 S.F.

LOT 3
 SANTA FE MILLER ROAD
 INDUSTRIAL DISTRICT ADD

LOT 1
 BLOCK 1
 SST TRUCK ADDITION
 (21.276 ACRES)

MATERIAL PROCESSING & STORAGE IN THIS AREA MAY ONLY OCCUR UPON APPROVAL OF A PAVING PLAN AND CONFORMANCE WITH ALL CITY OF GARLAND ENGINEERING AND STORMWATER REQUIREMENTS (SEE NOTE 1)

MATERIAL PROCESSING & STORAGE IN THIS AREA MAY ONLY OCCUR UPON APPROVAL OF A PAVING PLAN AND CONFORMANCE WITH ALL CITY OF GARLAND ENGINEERING AND STORMWATER REQUIREMENTS (SEE NOTE 1)

OWNER - JEREMY BENTON
 301 South Shiloh Road
 Garland, Tx, 75098
 972 272 5845

CASE NO. 141002-2

LEGEND

	SITE CONCRETE PAVEMENT		LANDSCAPE BUFFER
	18' FLEX BASE SURFACE		EXISTING SITE FENCING (TO REMAIN IN PLACE - SEE NOTE 2)
	DETENTION POND		PROPOSED 10' R PANEL SCREENING SECURITY FENCE

1. EXISTING STEEL FENCE PER CITY OF GARLAND STEEL FENCE STANDARD DETAILS, 6'-8" HT.
 2. EXISTING STEEL FENCE PER CITY OF GARLAND STEEL FENCE STANDARD DETAILS, 6'-8" HT.

NOTES

1. STORAGE AND PROCESSING OF MATERIALS SHALL BE LIMITED TO EXISTING SITE CONCRETE PAVEMENT AREAS UNTIL SUCH TIME AS SITE IMPROVEMENT PLANS ARE APPROVED AND CONSTRUCTED IN CONFORMANCE WITH ALL CITY OF GARLAND ENGINEERING REQUIREMENTS.

2. EXISTING STEEL FENCE PER CITY OF GARLAND STEEL FENCE STANDARD DETAILS, 6'-8" HT.

SITE PLAN

EMMANUEL RECYCLERS, INC.
 LOT 1, BLOCK 1, SST TRUCK ADDITION
 2801 WOOD DRIVE
 GARLAND, TEXAS 75041

r. delta
 ENGINEERS

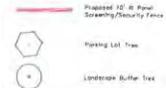
618 Main Street
 Garland, TX 75042
 Ph: (972) 484-5331
 Fax: (972) 482-5370
 www.rdelta.com EBPE No. F-1515

DESIGN: ZBP	CHECK: FAP	SCALE: AS SHOWN
DRAWN: RBE	DATE: OCTOBER 2014	PROJECT: 2276-14

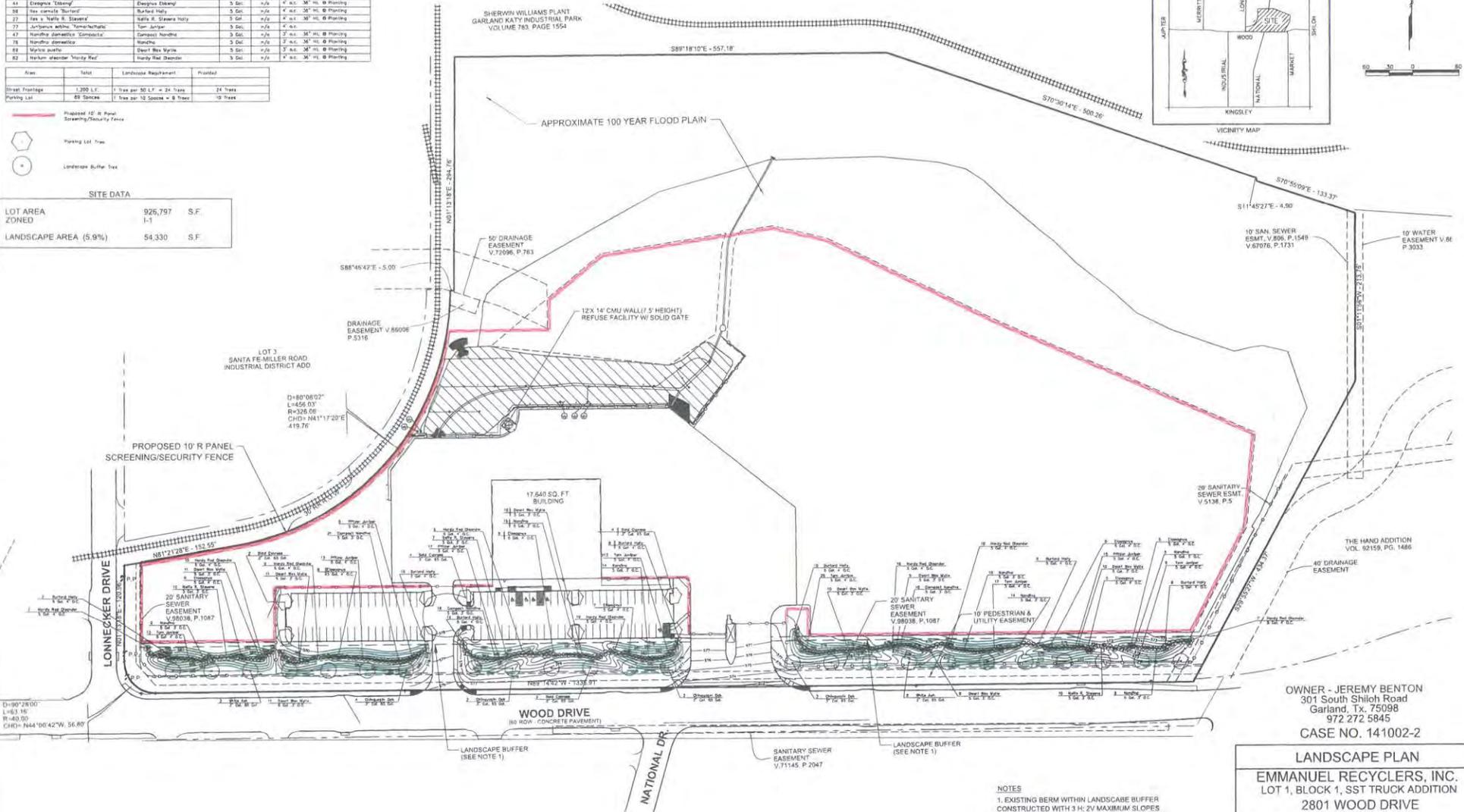
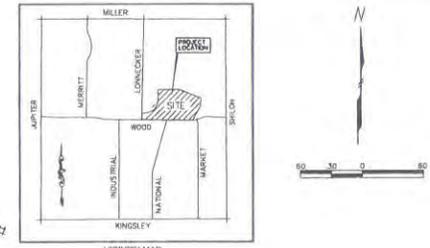
1 of 3

SPT.	SCIENTIFIC NAME	COMMON NAME	QUANTITIES	CALIPER	REMARKS
11	<i>Quercus imbricariifolia</i>	Chickadee Oak	85 Gal.	2" Cal. x 12" Ht. Min. @ Spread	
11	<i>Fragaria americana</i>	White Ann	85 Gal.	2" Cal. x 12" Ht. Min. @ Spread	
12	<i>Fragaria virginiana</i>	Red Cayenne	85 Gal.	2" Cal. x 12" Ht. Min. @ Spread	
43	<i>Juniperus horizontalis</i>	Prostr. Juniper	3 Gal.	4" a.c.	
44	<i>Juniperus chinensis</i>	Emerald Gem	3 Gal.	4" a.c.	
58	<i>Thuja occidentalis</i>	Blue Jay	3 Gal.	4" a.c.	
22	<i>Yucca filamentosa</i>	Yucca	3 Gal.	4" a.c.	
27	<i>Juniperus sibirica</i>	Blue Star	3 Gal.	4" a.c.	
47	<i>Hamamelis virginica</i>	Witch Hazel	3 Gal.	4" a.c.	
18	<i>Hamamelis virginica</i>	Witch Hazel	3 Gal.	4" a.c.	
82	<i>Hamamelis virginica</i>	Witch Hazel	3 Gal.	4" a.c.	

Area	Plant	Landscaping Requirement	Planted
Street Frontage	1,200 L.F.	1 Tree per 50 L.F. = 24 Trees	24 Trees
Parking Lot	80 Spaces	1 Tree per 10 Spaces = 8 Trees	10 Trees



SITE DATA		
LOT AREA ZONED	926,797 S.F.	I-1
LANDSCAPE AREA (5.9%)	54,330 S.F.	



- NOTES**
- EXISTING BERM WITHIN LANDSCAPE BUFFER CONSTRUCTED WITH 3:1; 2% MAXIMUM SLOPES TO A MINIMUM 5 FOOT HEIGHT ABOVE ADJACENT WOOD DRIVE TOP OF CURB.
 - THIS EXHIBIT BASED ON SST TRUCKING FACILITY LANDSCAPE PLAN PREPARED BY DUNKIN, SIMS, & STOFFELS, INC. DATED DEC. 21, 2006

OWNER - JEREMY BENTON
 301 South Shiloh Road
 Garland, Tx. 75098
 972.272.5845
 CASE NO. 141002-2

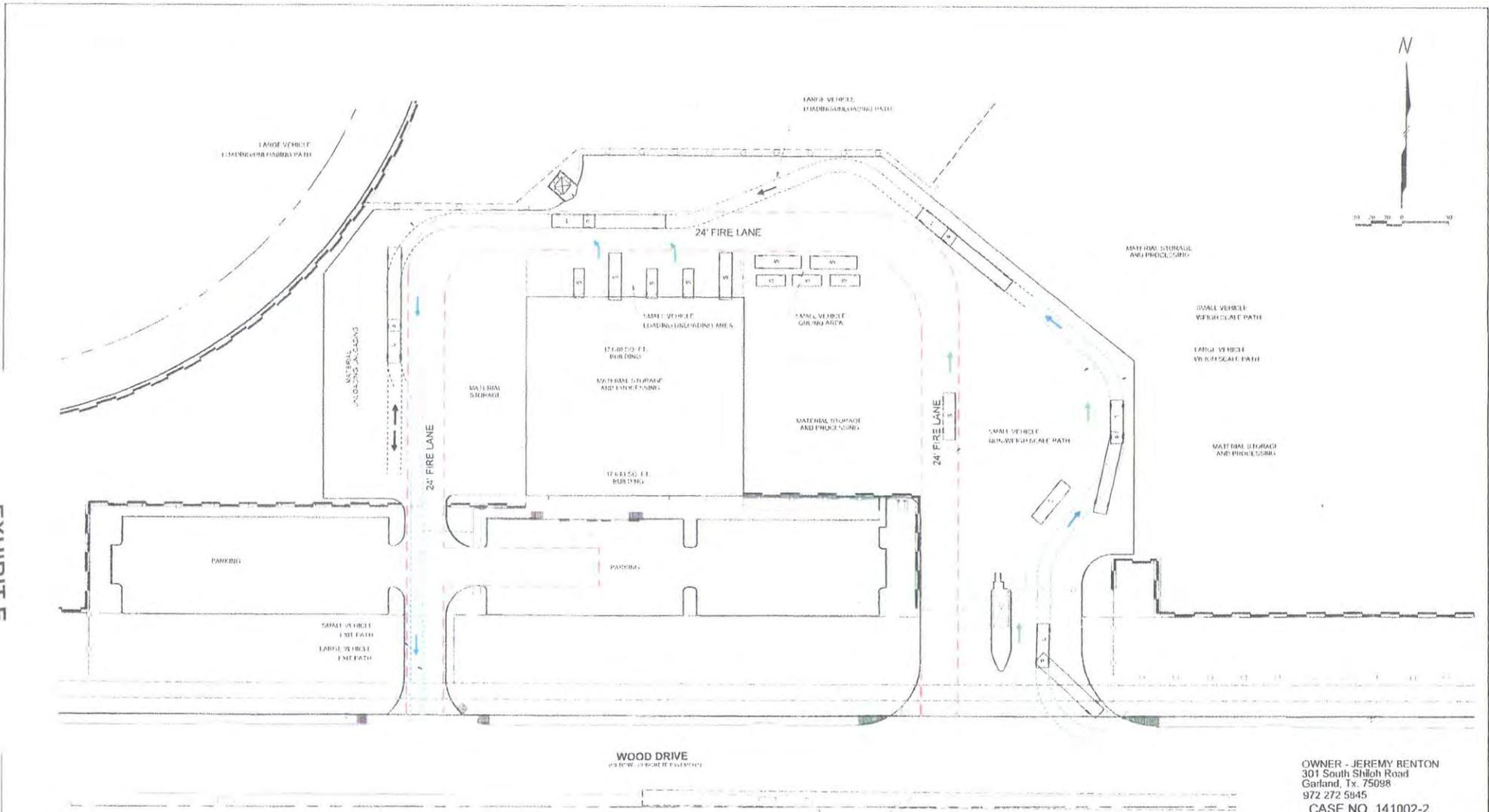
LANDSCAPE PLAN
EMMANUEL RECYCLERS, INC.
 LOT 1, BLOCK 1, SST TRUCK ADDITION
 2801 WOOD DRIVE
 GARLAND, TEXAS 75041

r.d. delta
ENGINEERS
 618 Main Street
 Garland, TX 75040
 Ph. (972) 494-0331
 Fax (972) 493-3378
 www.rdelta.com TWE No. E-1515

DESIGN:	DSP	CHECK:	FAP
DRAWN:	RND	DATE:	OCTOBER 2014
PROJECT:	2278-14	SCALE:	AS SHOWN

EXHIBIT D

EXHIBIT E



OWNER - JEREMY BENTON
 301 South Shiloh Road
 Garland, Tx. 75098
 972 272 5845
 CASE NO. 141002-2

VEHICLE CIRCULATION PLAN
 EMMANUEL RECYCLERS, INC.
 LOT 1, BLOCK 1, SST TRUCK ADDITION
 2801 WOOD DRIVE
 GARLAND, TEXAS 75041

		31814th Street Garland, TX 75041 PH: (972) 491-0593 FAX: (972) 491-0225	
DESIGN	DATE	BY	DATE
DRYAN	04/11/2014	DRYAN	04/11/2014
PROJECT		PROJECT	
2801 WOOD DRIVE		2801 WOOD DRIVE	
3 OF 3		3 OF 3	

NO.	Zoning File No	Expiration Date	Address	Number years approved for	Tied To	CO under
1	11-22	10/18/2031	209 Range Dr	20	Frank Vu	Phoenix Recycling, Inc
2	11-17	7/19/2016	704 E Walnut Circle	5	Alloy Right Recyclers	Alloy Right Recyclers
3	11-06	4/5/2021	6850 N Shiloh Ste R2	10	Reimagine Beverage Containers	Reimagine Beverage Containers
4	10-30	12/7/2020	521 & 523 Shepherd	10	Ocean Star Metals, Inc	Ocean Star Metals, Inc
5	09-29	9/15/2029	301 S Shiloh	20	Encore Recyclers Inc	Encore Recyclers Inc
6	08-43	9/16/2028	201 S Shiloh Rd	20	Alan Eisenber, Jay Eisenberg and Pat Benton	Garland Recyclers
7	07-14	3/20/2027	2610 McCree	20	Mid-America Recycling	Mid-America Recycling
8	06-44	8/22/2016	222 E Buckingham	10	Jesus Arellano	The Recycling Bin
9	06-15	5/16/2031	1340 Hebron Dr	15	Corrugated Services	CSI Garland Recycling

REPORT & MINUTES

P.C. Meeting, November 24, 2014 (9 Members Present)

Consideration of the application of Masterplan, requesting approval of 1) a Specific Use Permit for a Recycling Center on property zoned Industrial-1 (I-1) District, 2) a variance to Section 10-200 of the Comprehensive Zoning Ordinance regarding parking requirements and 3) a variance to Section 9.3 of the Screening and Landscape Standards regarding screening of outdoor storage areas. This property is located at 2801 Wood Drive. (District 5) (File Z 14-43)

Representing the applicant, Dallas Cothrum, 900 Jackson, #640, Dallas, TX, gave an overview of the request and addressed security, screening, traffic, noise levels and property values.

Garland residents and business owners speaking in opposition:

Wayne Martin, 2109 Ridgecrest Dr., Garland, TX

Michael Tieu, 2514 National Dr., Garland, TX

Neal Lampel, 2511 National Dr., Garland, TX

Concerns were raised regarding the nature of the business, increase of consumer traffic, overloaded trucks, scavenging in the nearby neighborhood, potential loss of business sales, security, and decline in property value.

Registering their position as opposed but not speaking:

Brent Jones, 2219 English Drive, Garland, TX

Diana Holland, 2426 Royal Drive, Garland, TX

Lucian A. Giambasu, 2203 English Drive, TX

Linda Orr, 2608 Scotswood Drive, Garland, TX

The applicant, Jeremy Benton, 301 S. Shiloh, Garland, TX, provided an overview of his company's business practices and remained available for questions.

Commissioner Vera questioned the reasoning behind the on-duty police officer during the hours of operation.

Mr. Benton stated it is a deterrent due to the nature of the business.

Chairman Roberts questioned whether or not the company would be receiving a higher number of semis at the proposed new location and the type of recyclable materials accepted.

Mr. Benton stated there is the potential of additional semi traffic, no vehicles are accepted with fluids and very little processing is conducted at the facility.

Commissioner Moore expressed concern regarding the number of recyclers in the immediate area.

Motion was made by Commissioner Welborn, seconded by Commissioner O'Hara to close the Public Hearing and open the case for discussion. Motion carried: 7 Ayes, 0 Nays.

Commissioner Vera stated disagreement with the use being allowed in this area.

Commissioner Ott stated this is a reputable business operation and denying the request would not allow them to grow as a business.

Commissioner Dalton commented on the decibel levels that would be present and potential traffic issues.

Chairman Roberts noted concern regarding the potential use of vacant land for storage.

Commissioner O'Hara expressed concern regarding the impact of recycling businesses on surrounding homeowners.

Motion was made by Commissioner Welborn, seconded by Commissioner Vera to deny the application. Motion failed: 2 Ayes, 5 Nays from Commissioner Moore, Dalton, O'Hara, Roberts, and Ott.

Motion was made by Commissioner Ott, seconded by Commissioner Moore to approve the application as presented with the provision of only motorized vehicle delivery of recyclable materials and on-site security during business hours. Motion carried: 5 Ayes, 2 Nays from Commissioner Vera and Welborn. Commissioners Luckie and Fisher recused themselves from this case.



GARLAND

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

November 13, 2014

HEARING DATE/TIME: Plan Commission; November 24, 2014 – 7:00 PM

APPLICANT: Masterplan

File 14-43

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, November 24, 2014, in the Goldie Locke Room of the Duckworth Utility Services Building, 217 North Fifth Street, to consider the application of Masterplan, requesting approval of 1) a Specific Use Permit for a Recycling Center on property zoned Industrial-1 (I-1) District, 2) a variance to Section 10-200 of the Comprehensive Zoning Ordinance regarding parking requirements and 3) a variance to Section 9.3 of the Screening and Landscape Standards regarding screening of outdoor storage areas. The property is shown on the enclosed sketch and is described as follows:

Being a 21.276 acre tract being known as Lot 1, Block 1, SST Truck Addition, an addition to the City of Garland as shown on the Plat recorded in Instrument Number 20070132656, of the Plat Records of Dallas County, Texas. This property is located at 2801 Wood Drive. (District 5)

Note: The applicant requests the Specific Use Permit and associated variances to use the existing building and entire site for a metal recycling center.

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.

(Please complete the following information)

Your Property Address

3133 NATIONAL CIRCLE, GARLAND TX, 75041.

Printed Name

JON SIMIKIC

Address

City, State

Zip

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

Signature

Date

J. Simikic
11/17/2014

PRESIDENT

Title



GARLAND

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

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(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.

Having A Metal Recycling Business Adjacent To our
Property would bring our Property Value Down.
I have contacted 3 different Commercial Real Estate Brokers.

(Please complete the following information) All had the same opinion

Your Property Address 2601 Wood Drive R&B ROOFING I.I.C.
Printed Name Douglas A. Reader 2601 WOOD DRIVE
Address Douglas A. Reader, Manager GARLAND, TX 75041-2441 11-17-14
City, State Zip

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

Douglas A. Reader
Signature Title
Date: 11-17-14



GARLAND

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

November 13, 2014

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(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.

Traffic entering & existing adjacent to my property.

Anticipated property devaluation & loss of

higher end tenants due to excessive noise, unsightly operation

(Please complete the following information)

Your Property Address

2511 National Dr Dallas Tarrant County, Texas

Printed Name

Neal Lampe

Address

City, State

Zip

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

Neal Lampe
Signature

Prop
Title

Date: *11/19/2014*



GARLAND

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

November 13, 2014

HEARING DATE/TIME: Plan Commission: November 24, 2014 - 7:00 PM

APPLICANT: Masterplan

File 14-43

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(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.

THE PROPOSED ZONING WILL LOWER MY PROPERTY VALUE AND
CREATE AN EYE SORE FROM MY BUILDING. IT WILL ATTRACT
VAGRANTS AND INCREASE CRIME. I STRONGLY OBJECT!

(Please complete the following information)

Your Property Address

345 NATIONAL CR, GARLAND, TX 75041

Printed Name

BENJAMIN BOYD PO BOX 472364 GARLAND TX 75047

Address

City, State

Zip

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

Benjamin Boyd

Signature

Title

Date:

11-24-14



GARLAND

November 13, 2014

HEARING DATE/TIME: Plan Commission: November 24, 2014 – 7:00 PM

APPLICANT: Masterplan

File 14-43

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(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.

(Please complete the following information)

Your Property Address GAO YI INC

Printed Name 3121 wood dr. Garland

Address _____ City, State _____ Zip _____

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

Signature [Signature]
Date: 11-20-14

Title _____

~~Head Lampel
2511 National Dr
214-354-7007~~

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



GARLAND

November 13, 2014

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

HEARING DATE/TIME: Plan Commission: November 24, 2014 – 7:00 PM

APPLICANT: Masterplan

File 14-43

Dear Property Owner:

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Being a 21.276 acre tract being known as Lot 1, Block 1, SST Truck Addition, an addition to the City of Garland as shown on the Plat recorded in Instrument Number 20070132656, of the Plat Records of Dallas County, Texas. This property is located at 2801 Wood Drive. (District 5)

Note: The applicant requests the Specific Use Permit and associated variances to use the existing building and entire site for a metal recycling center.

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.

more noise, pollution and crime comes out
of recycle yards. We have a lot of
Criminal Activity at the end of our street and railroad
tracks

(Please complete the following information)

Your Property Address

Jeff Hardage
Printed Name
2320 & 2330 Sherwin St. Garland, TEXAS 75041
Address City, State Zip

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

[Signature]
Signature
Date: 11/18/14

[Signature]
Title



GARLAND

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

November 13, 2014

HEARING DATE/TIME: Plan Commission: November 24, 2014 – 7:00 PM

APPLICANT: Masterplan

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(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.

BUSINESSES IN THIS AREA ALREADY HAVE A LOT OF THEFT
THERE WILL BE MORE TRAFFIC AND
MORE THEFT.

(Please complete the following information)

Your Property Address

LINARD POCKETT

Printed Name

2602 INDUSTRIAL CANE GARLAND TEXAS 75041
Address City, State Zip

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

Linard Pockett
Signature

President
Title

Date: 11-18-14



GARLAND

CITY OF GARLAND
PLANNING DEPARTMENT
P.O. BOX 489002
GARLAND, TX 75046-9002

November 13, 2014

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(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.

NOT A DESIRABLE use for the property, will cause my property to diminish in value, will increase traffic of "scrappers" in the neighborhood

(Please complete the following information)

Your Property Address

LARRY HUTTON

Printed Name

3126 NATIONAL Cir

Address

Garland TX

City, State

75041

Zip

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

Larry Hutton

Signature

Owner

Title

Date: 11/18/14



GARLAND

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

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(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.

Will cause heavy additional traffic on National Dr & create the possibility of local break-ins as have been experienced recently

(Please complete the following information)

Your Property Address *2526 National Dr.*

Printed Name *William L. Swearingen*

Address *4016 Azure Lane* City, State *ADRIAN TX* Zip *75001*

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

Signature *William L. Swearingen*
Date: *11-20-14*

Partner
Title



GARLAND

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

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(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.

I just bought the building on 2514 National Dr. Garland. Had I know this I would not have purchased it! This recycling center will be noisy creating traffic on small street, crime activity. 30% of our employees

work in office environment, we can not afford the noise

Your Property Address

Printed Name

Mike Viera - Vespro Corp. 2514 National Dr. Garland TX 75041

Address

City, State

Zip

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

Signature

Date:

11/18/14

Property owner

Title

My phone # (214) 229-8808

outside of notification area



GARLAND

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

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(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.

Too much Junk Traffic + too many criminal types in this business of hauling scrap metal etc

(Please complete the following information)

Your Property Address

Donald J. Fuller

Printed Name

2605 Madrienas Circle Garland TX 75041

Address

City, State

Zip

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

Donald J. Fuller

Owner

Signature

Title

Date: *11-18-2014*

Outside modification area

Neal Kumpel
2511 National Dr
214-354-7007



GARLAND

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

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(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.

See Attached

(Please complete the following information)

Your Property Address

Keith Gerow
Printed Name
2623 NATIONAL CIR GARLAND, TX 75041
Address City, State Zip

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

Keith Gerow
Signature Title
Date: 11-20-14

1 of 3 outside of notification area

I have already had the catalytic converters cut off my trucks, most likely sold as scrap metal. My neighbor's business has had metal stolen out of his back lot, most likely sold as scrap. Another business near by had their electrical supply cable cut down and stolen. We do not support this kind of business that encourage criminal activity.

The proposed Metal recycling center will add additional criminal elements to our neighborhood and devalue the surrounding properties with the blight of a junk yard. Also, spilling debris and causing road hazards on our streets.

We do not need Junk yards in the city limits of Garland.

*Keith Gerow, OWNER
Keith Gerow
2623 NATIONAL Cir.
GARLAND, TX 75041*

Outside of notification area

GARLAND

PLEASE PRINT NAME AND ADDRESS OF THE PERSON TO WHOM THIS CHECK IS TO BE MAILED

APPLICABLE TO:

FIELD:

DATE CHECK MADE:

A check is being made for the amount of \$100.00 for the month of November 1954. The check is being made for the amount of \$100.00 for the month of November 1954. The check is being made for the amount of \$100.00 for the month of November 1954.

NAME OF THE PERSON TO WHOM THIS CHECK IS TO BE MAILED
City: _____
State: _____

Note: The check is being made for the amount of \$100.00 for the month of November 1954. The check is being made for the amount of \$100.00 for the month of November 1954.

To cover any amount of \$100.00 for the month of November 1954. The check is being made for the amount of \$100.00 for the month of November 1954. The check is being made for the amount of \$100.00 for the month of November 1954.

Please Check One Below:

- If it is a check
- If it is a cash payment

Please check the appropriate box if the check is being made for the amount of \$100.00 for the month of November 1954.

NAME OF THE PERSON TO WHOM THIS CHECK IS TO BE MAILED
Mike Smith

AMOUNT OF CHECK
\$100.00 Not over \$1000

Mike Smith

NOV 24 1954

Allmendinger, Tracy

From: Russelmann, Anita
Sent: Tuesday, December 02, 2014 2:21 PM
To: Allmendinger, Tracy
Cc: Allen, Chasidy
Subject: FW: We are opposed to zoning file number 14-43.

Tracy – please include this with the replies when this goes to Council. Thanks.

From: Council5
Sent: Tuesday, December 02, 2014 1:31 PM
To: Williams, Councilman Billy Mack
Cc: Russelmann, Anita
Subject: FW: We are opposed to zoning file number 14-43.

*Outside of the
notification area*

From: Wayne D. Martin [mailto:martinwd@yahoo.com]
Sent: Monday, December 01, 2014 9:30 PM
To: Council5
Subject: We are opposed to zoning file number 14-43.

- November 24, 2014 the Zoning and Planning Commission approved the Special Use Permit with variants for Encore Recycling in an industrial area for which it is not zoned.
- As a resident and the president of the Ridgecrest/English Estates Neighborhood Association, I would like to voice my concerns and the concerns I have heard from the neighborhood residents. The Ridgecrest/English Estates Neighborhood Association represents the area South of Miller and East of Shiloh. The industrial area in question is just West of Shiloh from our neighborhood. The proposed recycling site is located on Wood that is in line to English in our neighborhood. We are outside the official notification area for this zoning request but we feel we will be affected by it.
- If you accept the un-stated policy that "anything is better than nothing" and you need to place a recycling business in a industrial area for which it is not zoned close to a residential neighborhood, I would admit that Encore Recycling is a good choice. It appears to be a well managed, responsible recycling business. I do not accept this assumptions.
- Garland has a disproportionately large number of recycling businesses. Choose the basis: per capital, per acre. Garland has a disproportionately large number of recycling businesses. This proposed new recycling site will not replace an existing site. It will be an additional recycling site. What new label is Garland giving itself: "recycle here"?
- In the Planning meeting, the Encore representative used the recycling sites along Lamar Ave in Dallas as an example of how recycling centers have not deterred the development of the South Side on Lamar area. In line with that example, I would agree that another recycling center in West/Central Garland will not have a significantly negative impact on the development of the Fire Wheel area of Garland. But do we want to share the perception of Garland that the Encore representative has when he compares the South Dallas flood plains to West/Central Garland?
- This recycling site will bring much closer to my neighborhood the specter of overly loaded and poorly loaded cars, pick-ups, and trailers queued up to a recycling site with the accompanying clutter and litter.
- The neighborhood already has too much cut-over traffic on English and Royal between Shiloh and Garland Road. The residents along these streets feel this could add more traffic within the neighborhood.
- The recycling site near our neighborhood would facilitate scavenging in our neighborhood. Scavenging is already a problem. Scavenging does not need to be made more convenient.
- What perceptions and labels does Garland give itself: Garland is car land, recycle here, anything is better than nothing, Garland is Okay if you go far enough out past the older parts of town? There is the perception both

internal and external to the City that Garland is substandard. How can we improve those perceptions if we do not adhere to our own standards? A recycling center is not zoned for this industrial area.

- The City planning staff recommend the SUP not be approved.
- The neighborhood near the proposed recycling site recommend the SUP not be approved.
- Several of the businesses near the proposed recycling site recommend the SUP not be approved.
- We ask that the City Council not approve the SUP for the proposed recycling site.

Your consideration and support for Not approving SUP 14-43 will be greatly appreciated.

Sincerely,

Wayne D. Martin
2109 Ridgecrest Dr.
214-448-6643



GARLAND

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

Duplicate

November 13, 2014

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APPLICANT: Masterplan

File 14-43

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(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.

THE PROPOSED REZONING WILL LOWER MY PROPERTY VALUE AND
CREATE AN EYE SORE FROM MY BUILDING. IT WILL ATTRACT
VAGRANTS AND INCREASE CRIME. I STRONGLY OBJECT!

(Please complete the following information)

Your Property Address

345 NATIONAL CR, GARLAND, TX 75041

Printed Name

BENJAMIN BOYD PO BOX 47231A GARLAND TX 75047

Address

City, State

Zip



Planning Report

Verizon Wireless

825 E. I-30 Freeway

REQUEST

Approval of a Specific Use Permit for an Antenna, Commercial Type 2 on a property zoned Freeway (FW) District and in the IH 30 Overlay District.

OWNER

Wilder Thad Et Al

PLAN COMMISSION RECOMMENDATION

On November 24, 2014 the Plan Commission, by a vote of nine (9) to zero (0), recommended approval of a Specific Use Permit for an Antenna, Commercial Type 2 on a property zoned Freeway (FW) District and in the IH 30 Overlay District per Staff recommendation.

Additionally, Plan Commission approved a variance to Section 34.19(A)(2)(a)(i) of the IH 30 Development Standards to allow the proposed cell tower compound to be located within the 15 foot setback along the northwest and northeast interior property lines.

STAFF RECOMMENDATION

Approval of a Specific Use Permit for an Antenna, Commercial Type 2 on property zoned Freeway (FW) District and in the IH 30 Overlay for a period of 50 years. The proposed stealth cell tower will provide a much needed service in an area that is currently underserved.

BACKGROUND

The subject property, with an area of approximately 2.3 acres, is developed with a 10,842 square feet (footprint) motel. The applicant is proposing to lease a 1,080 square foot portion of the subject property to construct a stealth cell tower, associated equipment and screening wall at the rear of the motel building. The proposed cell tower is 100 feet in height.

SITE DATA

The proposed lease area is 1,080 square feet. The subject property can be accessed from the service road of Interstate Highway 30.

USE OF PROPERTY UNDER CURRENT ZONING

The Freeway (FW) District accommodates a broad range of nonresidential land uses including office, retail sales/personal service, commercial, industrial and institutional activities. The land uses permitted on the subject property are those uses listed under the Freeway (FW) District in the IH 30 Overlay, which only permits cell towers with approval of a Specific Use Permit.

CONSIDERATIONS

1. The applicant requests approval of a Specific Use Permit to allow the construction of a stealth cell tower. The cell tower compound consists of 3 pole structures with vertical array antennas concealed within an obelisk structure, ground equipment, and a split face CMU screening wall. The maximum height of the cell tower, including the obelisk, is 100 feet. Verizon Wireless intends to install approximately nine antennas and allow for co-location of additional carriers. The associated ground equipment, screening wall, and cell tower are proposed to be located at the rear of the existing building, between the existing wood fence and the parking area.
2. Section 10-306.4(B) of the Comprehensive Zoning Ordinance states that freestanding wireless telecommunication antennas must be located a minimum distance of three times the height of the tower from a single-family residential district boundary line. Based on this ratio, a 100-foot tall tower must be placed a minimum of 300 lineal feet from a single-family zoning district boundary line. The proposed cell tower is approximately 850 feet from the nearest single-family zoning district boundary line, which is south of Interstate Highway 30.
3. The applicant contends that a stealth tower designed to appear as an obelisk is aesthetically pleasing and will add to the appearance of the site. A triangular shaped outer structure such as an obelisk allows the applicant to install vertical array antennas which typically provide better coverage than a "flagpole" cell tower with interior canisters. The outside of the obelisk structure would be constructed with RF foam panels.
4. Section 10-306.4(B) of the Comprehensive Zoning Ordinance states that equipment and buildings, associated with an Antenna, Commercial Type 2, must be screened by a chain link fence or wrought iron fence with vegetation, or a masonry wall. The applicant is proposing to construct an 8-foot high split face CMU screening wall to secure the equipment. The screening wall will be painted

in a color that is compatible with the colors of the EIFS exterior walls of the motel building.

5. Section 10-306.4(C) of the Comprehensive Zoning Ordinance allows cell tower sites to be located less than 5,000 feet but not less than 3,000 feet from another cell tower site provided that (i) the tower will be used for two or more wireless communications providers; or (ii) the tower is designed and built so as to be capable of use by two or more wireless communications providers and the owner of the tower certifies to the City that the antenna is available for use by another wireless communications provider on a reasonable and non-discriminatory basis and at a cost not exceeding the actual prorated share of the design, construction and maintenance costs of the facilities.

The applicant contends that the closest cell tower to the subject property is approximately 4,535 feet away and does not meet the needs of the provider for co-location. The proposed tower will be constructed to allow for the co-location of up to 27 antennas.

6. The propagation maps indicate cellular coverage before and after the construction of the proposed cell tower. The applicant contends that the proposed cell tower will provide service for an extensive area that has insufficient coverage.

7. The construction of the stealth cell tower on the site will eliminate 2 parking spaces to allow the gates to open at a 90 degree angle from the screening wall without any vehicular obstruction. Based on the provided parking analysis, the site requires 63 parking spaces and the site will provide 63 parking spaces after the elimination of the two parking spaces.

8. The applicant is requesting that the Specific Use Permit be granted for a period of 50 years.

COMPREHENSIVE PLAN

The Future Land Use Map of the Envision Garland Plan recommends Neighborhood Centers for the subject property. Neighborhood centers provide a mix of retail, services and community gathering places. This center should be appropriately scaled to adjacent residential areas. This type of center is predominantly, but not exclusively, non-residential. Neighborhood Centers are served by local roads and transit routes.

The recommended land use type reflects a longer term vision for future redevelopment of the subject property. The land use pattern in the immediate surrounding area is characterized by scattered and disjointed development of single family, multi-family and an array of commercial uses such as a gas station, a motel, office buildings, retail, and self-storage. Although, the proposed stealth

cell tower does not necessarily promote the recommendation of the Comprehensive Plan, it does not represent an impediment to redevelopment in accordance with the Comprehensive Plan.

COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

The surrounding properties are zoned Freeway (FW) District with Specific Use Permits for Retail Sales with Gas Pumps and Child Care Center, Planned Development (PD) Districts 82-37 and 82-32 for Freeway Uses, Planned Development (PD) District 97-39 for Shopping Center Uses, Multifamily (MF-18) District and Single Family (SF-7) District. These properties are developed with an array of uses such as single family residences, gas station, office, retail sales/personal service, motel, apartment complexes, and self-storage units.

The proposed stealth cell tower would provide a valuable communication service to nearby commercial and residential developments. The subject property is situated adjacent to where State Highway 190 connects to Interstate Highway 30, making it a highly visible site from both thoroughfares. However, the stealth cell tower as proposed should not have a negative visual impact as supporting structures and antennas will be concealed within an obelisk structure.

Prepared By:

Josue De La Vega
Development Planner

Date: December 5, 2014

Reviewed By:

Anita Russelmann
Director of Planning

Date: December 8, 2014

Reviewed By:

William E. Dollar
City Manager

Date: December 9, 2014

PD 98-04
00-08

WATERHOUSE

5026

5026 5026

FW

MF-18

4800

PD 97-39

ZION

825

130-SERVICE

130

GEORGE BUSH

130-ZION

ZION-SERVICE-FEEDER

S07-49

1801

4817

PD 82-37

82-28

MF-18

S 94-45

880

4800

906

806

SEAPORT

SF7/D13

AG

0 100 200 Feet

ZONING Z 14-44

 INDICATES AREA OF REQUEST

SPECIFIC USE PERMIT CONDITIONS

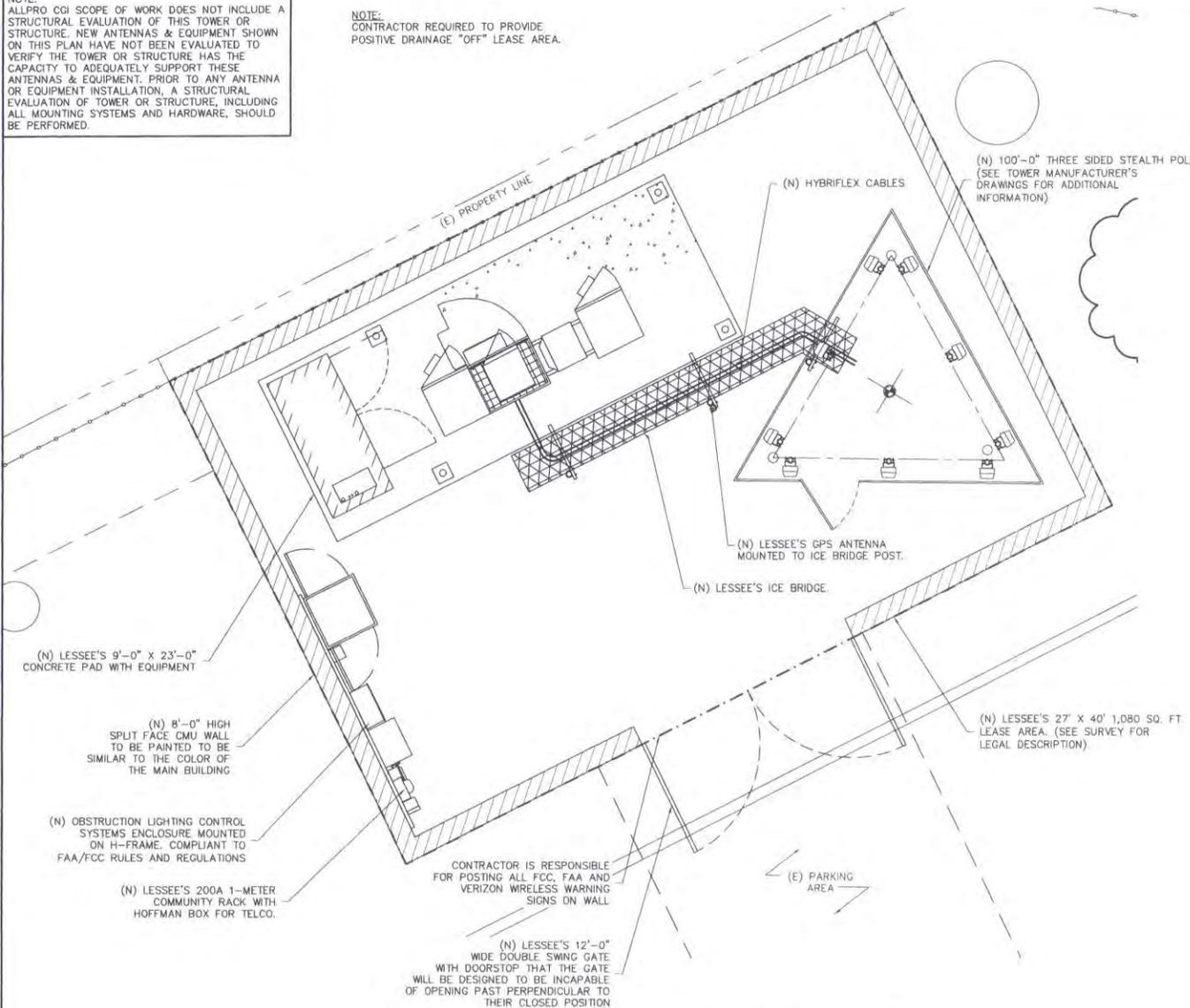
ZONING FILE 14-44

825 E. I-30 Freeway

- I. **Statement of Purpose:** The purpose of this Specific Use Permit is to permit a 100-foot tall, 'Antenna, Commercial Type 2' (freestanding tower) subject to conditions.
- II. **Statement of Effect:** This Specific Use Permit shall not affect any regulations 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 as set forth in Sections 31, 33, and 48 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 50 years.
 - B. Site Plan: Development shall be in general conformance with the approved site plan identified as Exhibit C.
 - C. Stealth Cell Tower Design: The design of the stealth tower shall be in general conformance with the elevation drawings identified as Exhibit D.
 - D. Stealth Cell Tower Height: The height of the stealth cell tower, including the obelisk outer structure, shall not exceed 100 feet.
 - E. Security Fencing/Screening: The tower and ground equipment shall be entirely enclosed by a screening wall constructed of split face CMU.
 - F. Additional Antennas: The tower shall be made available for additional antennas.
 - G. Building Placement: The stealth cell tower compound shall be permitted within the 15-foot setback along the northwest and northeast interior property lines.

NOTE:
ALLPRO CGI SCOPE OF WORK DOES NOT INCLUDE A STRUCTURAL EVALUATION OF THIS TOWER OR STRUCTURE. NEW ANTENNAS & EQUIPMENT SHOWN ON THIS PLAN HAVE NOT BEEN EVALUATED TO VERIFY THE TOWER OR STRUCTURE HAS THE CAPACITY TO ADEQUATELY SUPPORT THESE ANTENNAS & EQUIPMENT. PRIOR TO ANY ANTENNA OR EQUIPMENT INSTALLATION, A STRUCTURAL EVALUATION OF TOWER OR STRUCTURE, INCLUDING ALL MOUNTING SYSTEMS AND HARDWARE, SHOULD BE PERFORMED.

NOTE:
CONTRACTOR REQUIRED TO PROVIDE POSITIVE DRAINAGE "OFF" LEASE AREA.



1 ENLARGED SITE PLAN
SCALE: 3/16" = 1'-0"



NOTE 1:
THE CONTRACTOR WILL, UPON BECOMING AWARE OF SUBSURFACE OR LATENT PHYSICAL CONDITIONS DIFFERING FROM THOSE DISCLOSED BY THE ORIGINAL SOIL INVESTIGATION WORK, PROMPTLY NOTIFY THE OWNER VERBALLY TO PERMIT VERIFICATION OF THE DIFFERING CONDITIONS, AND IN WRITING, AS TO THE NATURE OF THE DIFFERING CONDITIONS. NO CLAIM BY THE CONTRACTOR FOR ANY CONDITIONS DIFFERING FROM THOSE ANTICIPATED IN THE PLANS AND SPECIFICATIONS AND DISCLOSED BY THE SOIL STUDIES WILL BE ALLOWED UNLESS THE CONTRACTOR HAS SO NOTIFIED THE OWNER, VERBALLY AND IN WRITING, AS REQUIRED ABOVE, OF SUCH DIFFERING SUBSURFACE CONDITIONS.

NOTE 2:
ANY AREA ALTERED FROM CONSTRUCTION TO BE RETURNED TO ITS ORIGINAL STATE. GRASS AREA SHALL BE SEEDED AND MAINTAINED UNTIL SEEDS HAVE GERMINATED

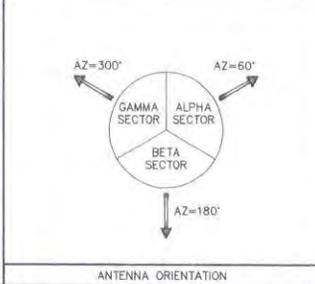
NOTE 3:
CONTRACTOR SHALL VERIFY ALL UNDERGROUND UTILITIES PRIOR TO CONSTRUCTION.

NOTE 4:
CONTRACTOR TO INSTALL EROSION CONTROL MEASURES ALONG PERIMETER OF ALL CONSTRUCTION SUFFICIENT TO PREVENT STORM WATER RUNOFF CONTAMINATION. SEE 1/C-6.

NOTE 5:
THE CONTRACTOR SHALL CLEAN-UP AND REMOVE FROM THE WORK SITE ON A DAILY BASIS (OR SOONER IF DIRECTED BY THE VERIZON WIRELESS PROJECT MANAGER) ALL RUBBISH AND CONSTRUCTION DEBRIS, RESULTING FROM HIS OWN WORK. THE CONTRACTOR SHALL SUPPLY A DUMPSTER OR SIMILAR TRASH STORAGE/REMOVAL DEVICE AT JOBSITES WHERE CONSTRUCTION DEBRIS OR GARBAGE IS GENERATED.

NOTE 6:
THE CONTRACTOR SHALL REMOVE AND DISPOSE OF ALL SURFACE GROWTH, INCLUDING TREES, VEGETATION, RUBBISH, UNDERGROWTH, STUMP AND ROOT STRUCTURES, SURFACE BOULDERS, AND ANY OTHER OBJECTIONABLE MATERIAL FROM THE TOWER BASE, GUYS PATHS, GUY ANCHOR AREA, BUILDING AREA, AND ROADS.

0° = TRUE NORTH



NO.	DATE	REVISION
1	08/25/14	ISSUED FOR REVIEW
2	08/25/14	ISSUED FOR REVIEW
3	08/25/14	ISSUED FOR REVIEW

VERIZON WIRELESS
1 VILLAGE CIRCLE SUITE #400
WESTLAKE, TEXAS 75225

DATE DRAWN: 04/17/14	DRAWN BY: SN/RJ/CR/JV	APPROVED BY: J. GEORGE
-------------------------	--------------------------	---------------------------

NEW SITE BUILD
WINDSOR PARKWAY
SITE # ID 279963
825 EAST I-30
GARLAND, TEXAS 75043
DALLAS COUNTY

ALLPRO
CONSULTING GROUP, INC.
9221 LYNDON B JOHNSON FREEWAY
SUITE 200 DALLAS, TX 75241
PHONE: 972-231-8893
FAX: 972-231-8895
WWW.ALLPROCG.COM
FIRM REGISTRATION # 4243
ACOR #427816

PROJECT NO:	14-2758
SHEET NAME	ENLARGED SITE PLAN
SHEET NUMBER	C-2

EXHIBIT C



Google earth

feet
meters



Case No. 140522-1
Z 14-14 300' radius around tower



Google earth

feet 4000
km 1

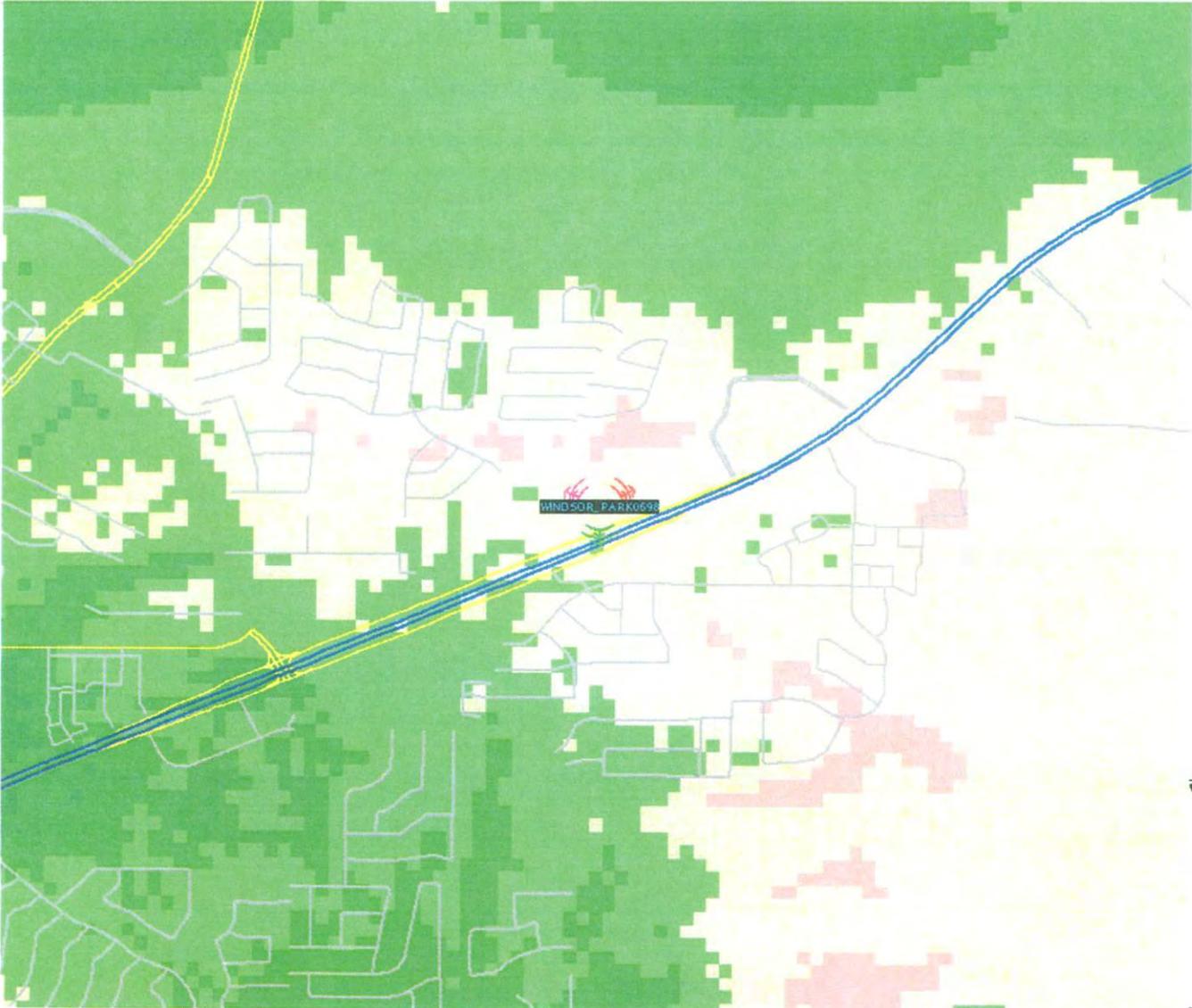


Case No. 140522-1
Z 14-14

Distance from tower to closest tower
4,535'



Windsor Park – LTE 700MHz RSRP Current Coverage



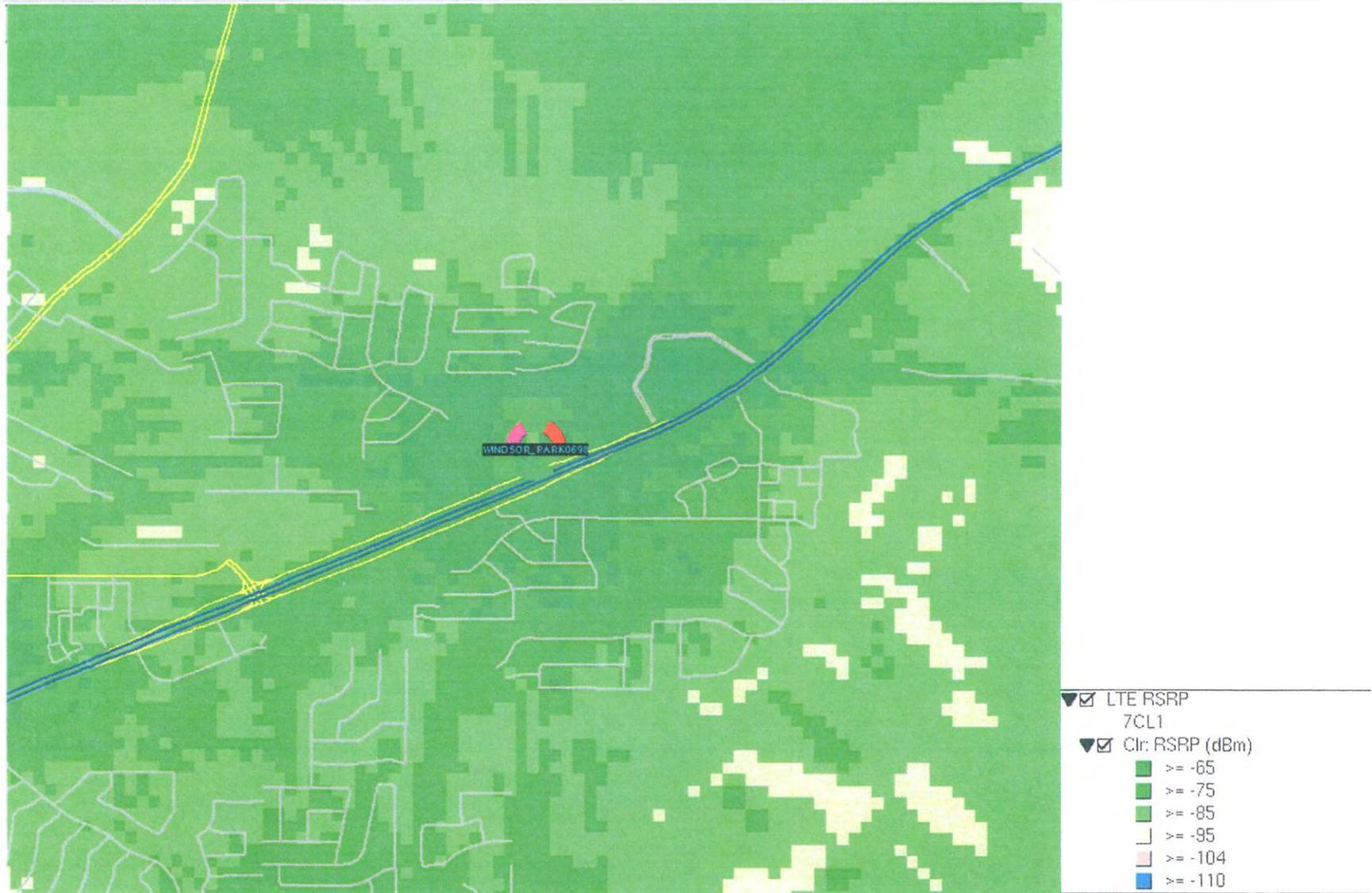
▼ LTE RSRP
7CL1

▼ Clr: RSRP (dBm)

- ≥ -65
- ≥ -75
- ≥ -85
- ≥ -95
- ≥ -104
- ≥ -110



Windsor Park – LTE 700MHz RSRP New Coverage



REPORT & MINUTES

P.C. Meeting, November 24, 2014 (9 Members Present)

Consideration of the application of Verizon Wireless, requesting approval of 1) a Specific Use Permit for an Antenna, Commercial Type 2 on a property zoned Freeway (FW) District and in the IH 30 Overlay District and 2) a variance to Section 34.19(A)(2)(a)(i) of the IH 30 Development Standards regarding building placement. This property is located at 825 East I30. (District 3) (File Z 14-44)

Representing the applicant, Kathy Zibilich, 8150 N. Central Expy, #1475, Dallas, TX, 75206, gave a brief overview of the request and remained available for questions.

The applicant was available for questions. There were no questions of this applicant.

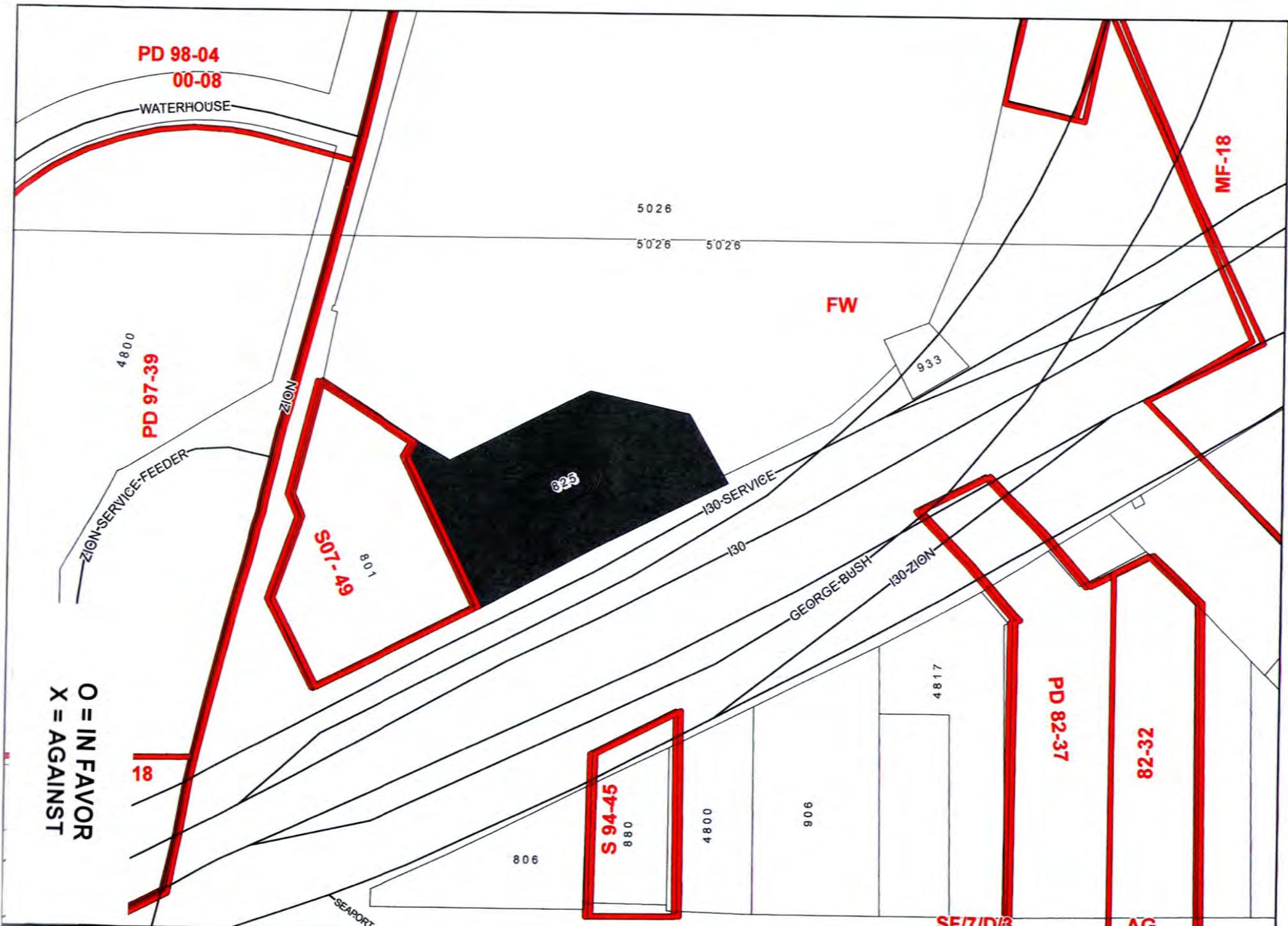
Commissioner Dalton asked for clarification on the design of the cell tower.

Ms. Zibilich stated the tower design would be a triangular tower design encased within an obelisk structure.

Commissioner Vera asked for clarification on the ownership of the property where the cell tower will be located.

Ms. Zibilich stated the property is currently owned by Mr. & Mrs. Wilder and his father's estate and Verizon would lease the area for the tower.

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



PD 98-04
00-08

WATERHOUSE

4800
PD 97-39

ZION

S07-49

801

825

5026

5026 5026

FW

933

130-SERVICE

130

GEORGE-BUSH

130-ZION

MF-18

O = IN FAVOR
X = AGAINST

18

S94-45

880

4800

906

4817

PD 82-37

82-28

SEAPORT

SF17/D13

AG

0 100 200 Feet

ZONING Z 14-44

INDICATES AREA OF REQUEST



GARLAND

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

November 13, 2014

HEARING DATE/TIME: Plan Commission: November 24, 2014 – 7:00 PM

APPLICANT: Verizon Wireless

File Z 14-44

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, November 24, 2014, in the Goldie Locke Room of the Duckworth Utility Services Building, 217 North Fifth Street, to consider the application of **Verizon Wireless**, requesting approval of 1) a Specific Use Permit for an Antenna, Commercial Type 2 on a property zoned Freeway (FW) District and in the IH 30 Overlay District and 2) a variance to Section 34.19(A)(2)(a)(i) of the ~~SH 190 Development Standards~~ regarding building placement. The property is shown on the enclosed sketch and is described as follows:

Being an approximate 0.0248-acre parcel and identified as a portion of Lot 1, Block 1, Wilder Addition, an addition to the City of Garland, Dallas County, Texas, according to the final plat recorded in Volume 94063, Page 1716 of the Dallas County Clerk's Records. The subject property is located at 825 E. I-30 Freeway, Garland, TX. (District 3)

Note: The applicant requests approval of a Specific Use Permit to allow the construction of a cell tower compound. Additionally, the applicant seeks a variance to reduce the required setback between the proposed cell tower compound and the rear property line.

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.

A discreet tower will be an asset to our community that has been plagued with poor/limited cellular and data reception.

(Please complete the following information)

Your Property Address

DISCOVERY INN

Printed Name

825 E. Interstate 30 *Garland, TX* *75043*

Address

City, State

Zip

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

Mark Wilder

Owner

Signature

Title

Date: *11/18/14*



File No. 14-45/District 2

Meeting: City Council

Date: December 16, 2014

Planning Report

INZI, Inc.

1102 Lavon Drive

REQUEST

Approval of a Specific Use Permit for Retail Sales with Gasoline Pumps on property zoned Planned Development (PD) District for General Business Uses.

OWNER

MAS Brothers, Inc.

PLAN COMMISSION RECOMMENDATION

On November 24, 2014 the Plan Commission, by a vote of nine (9) to zero (0), recommended approval of a Specific Use Permit for Retail Sales with Gasoline Pumps on property zoned Planned Development (PD) District for General Business (GB) Uses.

STAFF RECOMMENDATION

Approval of a Specific Use Permit for Retail Sales with Gas Pumps for a period of 25 years. The gas station is appropriately located along a major thoroughfare and its service is compatible with the surrounding area.

BACKGROUND

In 1977 City Council approved a Specific Use Permit to develop the site with a "Combination Drive-in and Service Station" use. Amendments of the Zoning Ordinance since 1977 have changed the land use classification to the current classification of Retail Sales with Gas Pumps. In 1994 the City Council approved the existing Specific Use Permit for Retail Sales with Gas Pumps for the subject property (S94-03). The subject property is changing ownership and the applicant is requesting approval of a Specific Use Permit to allow for continued operation of the facility.

SITE DATA

The subject property contains approximately 21,501 square feet and is developed with a 2,700 square foot building containing a convenience store with gas pumps. Primary access to the convenience store/gas station is from Lavon Drive, which provides two points of access. A single access point provided from Castle Drive serves as secondary access.

USE OF PROPERTY UNDER CURRENT ZONING

The subject property is zoned Planned Development (PD) District for General Business Uses and is restricted to the uses permitted in the General Business District. The General Business District provides for a variety of retail, service and business establishments. The General Business districts are commonly found along major thoroughfares and their intersections. Permitted uses include a broad range of office, retail, commercial, and institutional activities. Retail Sales with Gas Pumps is permitted within the General Business District with approval of a Specific Use Permit.

CONSIDERATIONS

1. The applicant is requesting a Specific Use Permit for Retail Sales with Gas Pumps to continue the operation of an existing gas station under new ownership. Currently there are no plans for expansion or for any improvements to the subject property, except the applicant has indicated they will screen the existing dumpster located on the north side of the building so that it complies with the Screening and Landscape Standards.
2. Section 10-200 of the Comprehensive Zoning Ordinance requires 1 parking space per 200 square feet for Retail Sales with Gas Pumps. The existing convenience store contains 2,700 square feet and thus the site is required to have 14 parking spaces. There are currently 16 parking spaces on the subject property.
3. The existing signage will remain unaltered and will continue to bear the name and logo of the existing gas station operator.
4. As a condition of the Specific Use Permit approval, the owner/operator shall provide a \$40,000 surety bond or similar security to the City to ensure the removal of all buildings, equipment, above-ground and underground storage tanks and/or other improvements in the event the business operations (retail sales with gas pumps) ceases operation for a period of two or more years, Section 10-309(c) of the Comprehensive Zoning Ordinance.
5. The applicant requests approval of the Specific Use Permit for a period of twenty-five (25) years.

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. The architectural character and scale of these areas are compatible with adjacent residential development. Developments within this category are predominantly residential, but may include compatible non-residential uses.

The land use recommendation within Envision Garland reflects a long term redevelopment effort that would include the subject property and adjacent properties transitioning from non-residential to residential. The existing gas station is consistent with the existing development pattern in the area.

COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

The land use pattern within the area surrounding the subject property is a mixture of a limited amount of retail, commercial and institutional uses. The use of the site for a convenience store with gasoline sales is compatible with the surrounding zoning and existing land uses.

Prepared By:

Isaac Williams
Development Planner

Date: December 4, 2014

Reviewed By:

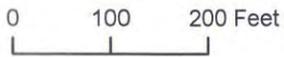
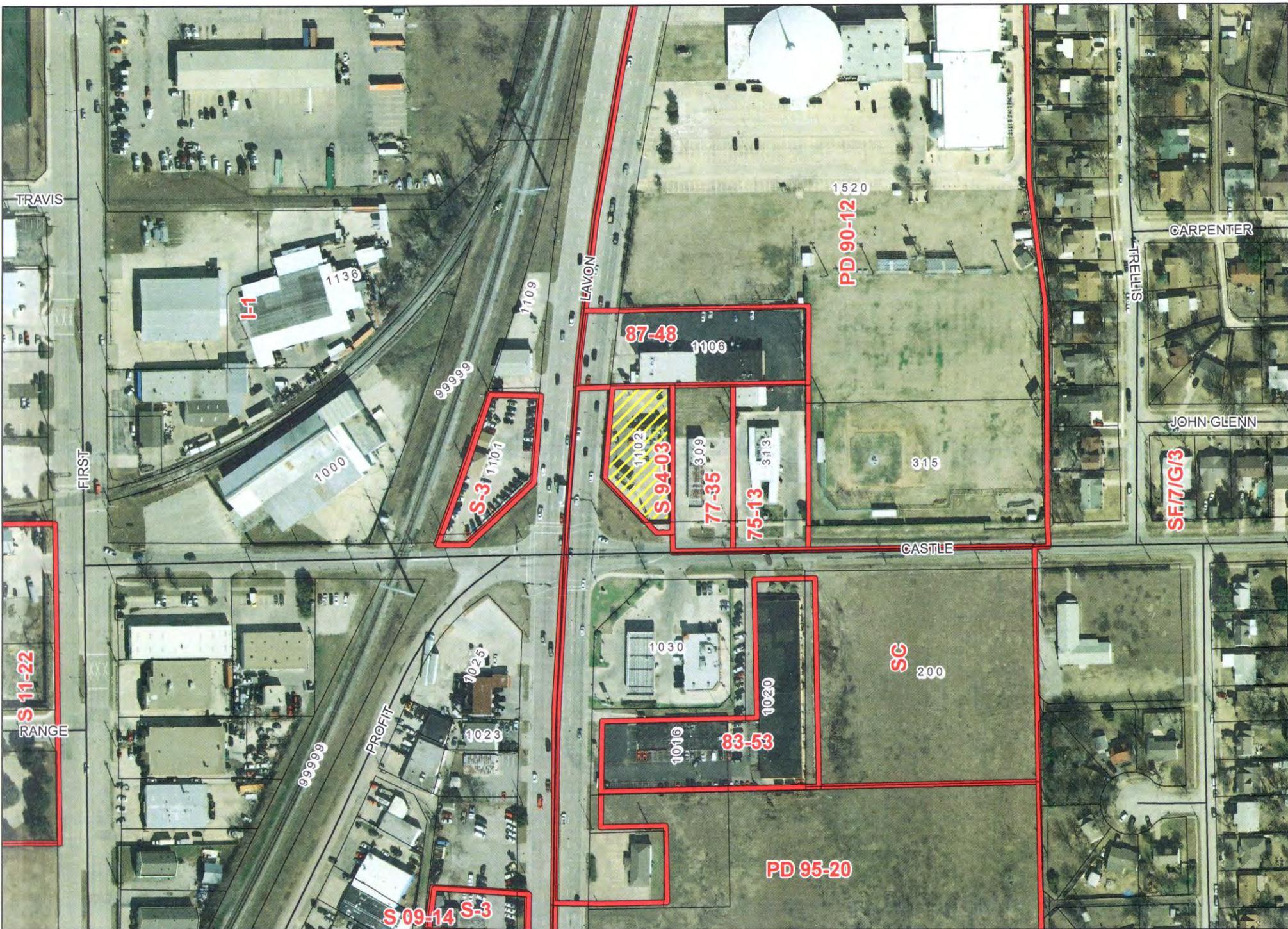
Anita Russelmann
Director of Planning

Date: December 5, 2014

Reviewed By:

William E. Dollar
City Manager

Date: December 8, 2014



ZONING Z 14-45

 INDICATES AREA OF REQUEST

SPECIFIC USE PERMIT CONDITIONS

ZONING FILE 14-45

1102 Lavon Drive

- I. **Statement of Purpose:** The purpose of this Specific Use Permit is to permit the operation of a gas station under new ownership.
- 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 Section 10-309 and the Shopping Center (SC) District set forth in Section 24 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 25 year time period.
 - B. Site Plan: Subject property shall remain in general conformance with site plan labeled Exhibit C.
 - C. Surety Bond: The owner/operator shall provide a \$40,000 surety bond or similar security to the City to ensure the removal of all buildings, equipment, above-ground and underground storage tanks and/or other improvements in the event the business operations (retail sales with gas pumps) ceases operation for a period of two or more years, Section 10-309(c) of the Comprehensive Zoning Ordinance.
 - D. Dumpster Enclosure: The existing dumpster enclosure will be screened to comply with the Landscape and Screening requirements.

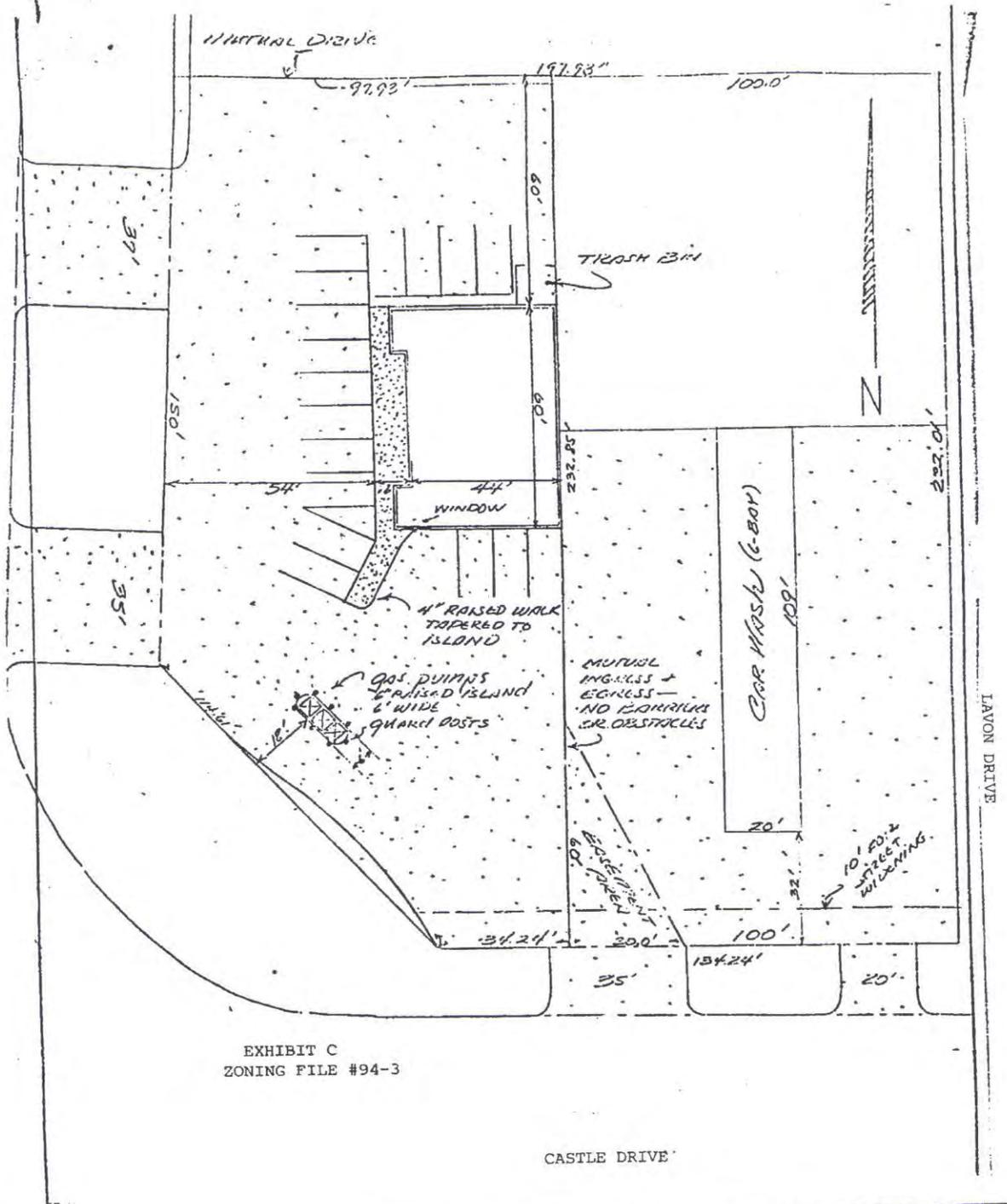


EXHIBIT C
ZONING FILE #94-3

CASTLE DRIVE

LAVON DRIVE

REPORT & MINUTES

P.C. Meeting, November 24, 2014 (9 Members Present)

Consideration of the application of INZI Inc, requesting approval of a Specific Use Permit for Retail Sales with Gasoline Pumps on Property Zoned Planned Development (PD) District for General Business Uses This property is located at 1102 Lavon Drive. (District 2)(File Z14-45)

There was discussion regarding the dumpster enclosure. Staff stated that the dumpster is currently non-conforming and is required to be enclosed.

The applicant, Nida Irfan, 616 Pine Valley, Richardson, TX 75081, stated, they would be willing to enclose the dumpster.

Motion was made by Commissioner Moore, seconded by Commissioner Fisher 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 14-45

INDICATES AREA OF REQUEST



GARLAND

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

November 13, 2014

HEARING DATE/TIME: Plan Commission: November 24, 2014 – 7:00 PM

APPLICANT: INZI, Inc.

File Z 14-45

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, November 24, 2014, in the Goldie Locke Room of the Duckworth Utility Services Building, 217 North Fifth to consider the application of **INZI, Inc.**, requesting approval of a Specific Use Permit for Retail Sales with Gas Pumps on property zoned Planned Development (PD) District for General Business Uses with a Specific Use Permit for Retail Sales with Gas Pumps (S94-03). The property is shown on the enclosed sketch and is described as follows:

Being all of Lot 3, Block 1 of the Star Crest Shopping Center No. 3 Addition, an addition to the City of Garland, Volume 84202, Page 3503, of the Deed Records of Dallas County, Texas. This property is located at 1102 Lavon Drive, northeast of the intersection of Lavon Drive and Castle Drive. (District 2)

Note: Approval of this request will allow for the continued operation of the existing 2,700 square foot gas station under 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 Isaac Williams at 972-205-2459.

(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.

(Please complete the following information)

Your Property Address

1102 LAVON DRIVE GARLAND TX 75040

Printed Name

SHABBIR SAWANT

Address

5 WILCHURN

City, State

GARLAND TX

Zip

75044

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

Signature

Date:

11-17-14

Title

PRESIDENT



GARLAND

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

Duplicate

November 13, 2014

HEARING DATE/TIME: Plan Commission: November 24, 2014 - 7:00 PM

APPLICANT: INZI, Inc.

FILE NO: 14-45

DEVELOPER/PROPERTY OWNER:

A public hearing will be held by the Plan Commission of the City of Garland, Texas, at 7:00 P.M. Monday, November 24, 2014, in the Goldie Locke Room of the Duakworth Utility Services Building, 217 North Fifth Street, to consider the application of **INZI, Inc.**, requesting approval of a Specific Use Permit for Retail Sales with Gas Pumps on property zoned Planned Development (PD) District for General Business Uses with a Specific Use Permit for Retail Sales with Gas Pumps (S94-03). The property is shown on the enclosed sketch and is described as follows:

Being all of Lot 3, Block 1 of the Star Crest Shopping Center No. 3 Addition, an addition to the City of Garland, Volume 84202, Page 3503, of the Deed Records of Dallas County, Texas. This property is located at 1102 Lavon Drive, northeast of the intersection of Lavon Drive and Castle Drive. (District 2)

NOTE: Approval of this request will allow for the continued operation of the existing 2,700 square foot gas station under new ownership.

To convey any concerns or opinions regarding the aforementioned request, please complete the below 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 Isaac Williams at **972-205-2459**.

(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.

(Please complete the following information)			
Yor	Property Address	1102 LAVON DRIVE GARLAND TX 75040	
Pr	Name	SHABIR SAWANT	
Ad	City, State	Garland TX	Zip
			75044
The above statements reflect my (our) opinion regarding the proposed request(s).			
Sig		PRESIDENT	
Date	11-17-14	Title	



GARLAND

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

November 13, 2014

HEARING DATE/TIME: Plan Commission: November 24, 2014 – 7:00 PM

APPLICANT: INZI, Inc.

File Z 14-45

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, November 24, 2014, in the Goldie Locke Room of the Duckworth Utility Services Building, 217 North Fifth to consider the application of **INZI, Inc.**, requesting approval of a Specific Use Permit for Retail Sales with Gas Pumps on property zoned Planned Development (PD) District for General Business Uses with a Specific Use Permit for Retail Sales with Gas Pumps (S94-03). The property is shown on the enclosed sketch and is described as follows:

Being all of Lot 3, Block 1 of the Star Crest Shopping Center No. 3 Addition, an addition to the City of Garland, Volume 84202, Page 3503, of the Deed Records of Dallas County, Texas. This property is located at 1102 Lavon Drive, northeast of the intersection of Lavon Drive and Castle Drive. (District 2)

Note: Approval of this request will allow for the continued operation of the existing 2,700 square foot gas station under 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 Isaac Williams at 972-205-2459.

(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.

No Negative Comments.

(Please complete the following information)

Your Property Address

Printed Name

VICTOR BALLAS
4936 RADBROOK PLACE

1016 Lavon Dr. #

Address

DALLAS, TEXAS 75019 State

1020 Lavon Dr.

Zip

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

Signature

Date:

Victor Ballas

11/18/2014

Title



GARLAND

November 13, 2014

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

HEARING DATE/TIME: Plan Commission: November 24, 2014 – 7:00 PM

APPLICANT: INZI, Inc.

File Z 14-45

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, November 24, 2014, in the Goldie Locke Room of the Duckworth Utility Services Building, 217 North Fifth to consider the application of **INZI, Inc.**, requesting approval of a Specific Use Permit for Retail Sales with Gas Pumps on property zoned Planned Development (PD) District for General Business Uses with a Specific Use Permit for Retail Sales with Gas Pumps (S94-03). The property is shown on the enclosed sketch and is described as follows:

Being all of Lot 3, Block 1 of the Star Crest Shopping Center No. 3 Addition, an addition to the City of Garland, Volume 84202, Page 3503, of the Deed Records of Dallas County, Texas. This property is located at 1102 Lavon Drive, northeast of the intersection of Lavon Drive and Castle Drive. (District 2)

Note: Approval of this request will allow for the continued operation of the existing 2,700 square foot gas station under 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 Isaac Williams at 972-205-2459.

(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.

None

(Please complete the following information)

Your Property Address

Printed Name	VICTOR BALLAS	1016 Lavon
Address	4936 RADBROOK PLACE	1020 Lavon
	DALLAS, TEXAS 75220	
	City, State	Zip

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

Signature: Victor Ballas
Date: 11/17/2014

Owner
Title



GARLAND

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

November 13, 2014

HEARING DATE/TIME: Plan Commission: November 24, 2014 – 7:00 PM

APPLICANT: INZI, Inc.

File Z 14-45

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, November 24, 2014, in the Goldie Locke Room of the Duckworth Utility Services Building, 217 North Fifth to consider the application of **INZI, Inc.**, requesting approval of a Specific Use Permit for Retail Sales with Gas Pumps on property zoned Planned Development (PD) District for General Business Uses with a Specific Use Permit for Retail Sales with Gas Pumps (S94-03). The property is shown on the enclosed sketch and is described as follows:

Being all of Lot 3, Block 1 of the Star Crest Shopping Center No. 3 Addition, an addition to the City of Garland, Volume 84202, Page 3503, of the Deed Records of Dallas County, Texas. This property is located at 1102 Lavon Drive, northeast of the intersection of Lavon Drive and Castle Drive. (District 2)

Note: Approval of this request will allow for the continued operation of the existing 2,700 square foot gas station under 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 Isaac Williams at 972-205-2459.

(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.

(Please complete the following information)

Your Property Address

Garcon, Inc 200 Castle Dr.

Printed Name

12015 Shiloh Rd Dallas TX

Address

City, State

Zip

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

Signature

[Signature]
Date: 11/18/14

Title

✓



City Council Item Summary Sheet

Work Session

Date: December 16, 2014

Agenda Item

Appointments to Boards and Commissions

Summary of Request/Problem

Council is requested to consider appointments to Boards and Commission.

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

Full Name: PAUL HARTMAN CROSS

Home Address: 6310 SASAKI WAY Bus. Address: 9241 LBJ FWY., SUITE 211

City, State, Zip: GARLAND, TEXAS 75043 City, State, Zip: DALLAS, TEXAS 75243

Home Phone: 214.926.5734 Phone (Other): 214.926.5734

Email Address: phelease@msn.com

Resident of Garland for 19 years Resident of Texas for 29 years

Are you a registered voter in Dallas County? Yes No

Voter Registration No. 1082384309 Precinct No. 3701 City Council District No. 3

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.
HAVE HANDLED CASES BEFORE CITY COUNCILS AND BOARDS OF ADJUSTMENT
AM REGULAR HIKER AND WALKER

If you have served on a City Board or Commission, please specify and list dates of service.
NOT APPLICABLE

List civic or community endeavors with which you have been involved.
CRYSTAL LAKE HOMEOWNERS' ASSOCIATION BOARD OF DIRECTORS (2013-PRESENT)
OUR SAVIOR LUTHERAN CHURCH, MESQUITE, TEXAS (MEMBER 1985-PRESENT) (COUNCIL 1998-2002)

What is your educational background? A.B., ILLINOIS COLLEGE (1979), HISTORY & POL. SCI.
MASTER'S IN URBAN PLANNING, UNIV. OF ILLINOIS (1981)
J.D., UNIV. OF TULSA (1985), MEMBER OF TULSA LAW JOURNAL

What is your occupational experience? LICENSED ATTORNEY SINCE OCTOBER 1985;
URBAN PLANNER 1981-82

* Plan Commission members must own property within the city.

I hereby affirm that all statements herein are true and correct. Paul Hartman Cross
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
CV 12-1-14
Tax Clerk
CV 11-26-14
Accounting Clerk
CV 11-26-14
City Secretary

Date Appointed _____
Appointed By Stephen Stanley
Date Notified _____
Date Disclosure Form Filed _____

CITY OF GARLAND
RECEIVED
NOV 25 2014
Revised 4/2008
CITY SECRETARY