

The City Council of the City of Garland convened in regular session at 7:00 p.m. on Tuesday, December 15, 2015, in the Goldie Locke Room at The Duckworth Building, 217 North Fifth Street, Garland, Texas, with the following members present:

COUNCIL PRESENT:	Mayor	Douglas Athas
	Mayor Pro Tem	B. J. Williams
	Deputy Mayor Pro Tem	Lori Dodson
	Council Member	Anita Goebel
	Council Member	Stephen Stanley
	Council Member	Billy Mack Williams
	Council Member	Scott LeMay
	Council Member	James Cahill

STAFF PRESENT:	City Manager	Bryan L. Bradford
	City Attorney	Brad Neighbor
	City Secretary	Eloyce René Dowl

ABSENT:	Council Member	Marvin 'Tim' Campbell
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CALL TO ORDER: The meeting was called to order by Mayor Douglas Athas. Council Member James Cahill led the invocation and Pledge of Allegiance.

CEREMONIALS: Neil Montgomery, Sr. Managing Director of Economic Development, presented the Mayor with an award from the Greater Dallas Planning Council for the preparation of the Forest / Jupiter Transit Oriented Redevelopment Plan.

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 Cahill to approve the agenda as presented with the exception of: Council Member Billy Mack Williams not voting on Item No. 3b, to avoid conflict of interest, and the request by Council Member Goebel to pull Item No. 4 for discussion, seconded by Deputy Mayor Pro Tem Dodson, to approve items 1, 2a, 2b, 2c, 2d, 2e, 2f, 3a, 3b, and 5. Motion carried, 8 ayes, 0 nays.

1. APPROVED** Approval of the Minutes of the December 1, 2015 Regular Meeting.

2a. APPROVED**

Bid No. 5925-16 to SYB Construction Company, Inc. in the amount of \$474,195.55 for Water System Improvements.

This request is to provide water system improvements at Celeste Drive, Commonwealth Drive, and Mayfield Avenue. The construction will include approximately 3,494 linear feet of 6-inch water line along with pavement removal and all incidentals.

2b. APPROVED**

Bid No. 6016-16 to Agilent Technologies, Inc. in the amount of \$180,385.59 for Inductively Coupled Plasma Mass Spectroscopy.

This request is to replace the dated ICP-MS 7500 equipment. This equipment is at its 10-year life limit and has been experiencing various mechanical failures.

2c. APPROVED**

Bid No. 6067-16 to Grantham & Associates, Inc. in the amount of \$363,550.00 for Professional Engineering and Surveying Services.

This request is to provide Professional Engineering and Surveying Services associated with the replacement and/or rehabilitation of damaged street and sidewalk pavement on Centerville Road between Broadway Boulevard and S.H. 66.

2d. APPROVED**

Bid No. 6076-16 to Binkley & Barfield – C&P, Inc. in the amount of \$203,000.00 for Professional Engineering and Design Services.

This request is to provide Professional Engineering and Design Services for drainage, water, and sanitary sewer improvements.

2e. APPROVED**

Bid No. 5948-16 to Electrical Power Products, LLC in the amount of \$642,964.00 which includes and Optional Contingency of \$64,296.40, for a total bid of \$707,260.40 for the GP&L Wylie Switchyard Control Building.

This request is to provide for the procurement of a Switchyard Control Building with relay panels and landings necessary for the construction of the GP&L Wylie Switchyard. Due to the complex nature of the project, an Optional Contingency is included for any unforeseen additional materials that may be required.

2f. APPROVED**

Bid No. 6026-16 to Larrett, Inc. in the amount of \$3,392,351.12 which includes an Optional Contingency of \$339,235.11, for a total bid of \$3,731,586.23 for the GP&L Lookout Substation Civil Site Improvements.

This request is to provide civil site development of the GP&L 138 kV Lookout Substation including earthwork, grading and excavation, flex base subgrade with drainage, driveways, and perimeter fencing and gates. Due to the complex nature of the project, an Optional Contingency is included for any unforeseen additional work that may be required.

3a. APPROVED**

Ordinance No. 6812 amending the zoning laws of the City of Garland by approving a Specific Use Provision for a restaurant with drive-through on a 17,554 square-foot tract of land zoned Community Retail (CR) District and located at 1436 Belt Line Road; providing for conditions, restrictions, and regulations; providing for a penalty and an effective date. (File No. 15-28 Pop Holdings, LP, District 7)

3b. APPROVED**

Ordinance No. 6813 amending the zoning laws of the City of Garland by approving a Master Concept Plan, a Detail Plan and a Specific Use Provision for an electrical substation on a property zoned Planned Development (PD) District 15-20 for mixed use on 19.998 acres located northeast of the intersection of Telecom Parkway and Lookout Drive providing for conditions, restrictions, and regulations; and providing for a penalty and an effective date. (File No. 15-32 R-Delta, District 1)

4. APPROVED

Resolution No. 10228 approving the sale of designated tax foreclosed real property, 504 and 508 Kaiser Street (the "Properties") to Lyon Construction Company (the "Buyer"); authorizing a deed conveying the property to the buyer; and providing an effective date.

At the November 30, 2015 Work Session, Council considered the sale of City-owned residential properties located at 504 and 508 Kaiser Street to Lyon Construction Company. Council approval is required to authorize the Mayor to execute a deed without warranty conveying the property to the buyer.

Mayor Athas opened the discussion at 7:11 p.m. Mona Woodard was the speaker on this item. Motion was made by Council Member Goebel to approve the resolution, seconded by Council Member Stanley to close the discussion at 7:13 p.m. Motion carried 8 ayes, 0 nays.

5. APPROVED**

Resolution No. 10229 adopting and approving the 2015 Neighborhood Vitality Matching Grant Guidelines.

At the November 30, 2015 Work Session, Council considered the proposed updates to the Neighborhood Vitality Matching Grant guidelines.

6a. DENIED

Consider the application of Best Storage, LLC, requesting approval of 1) an amendment of Planned Development (PD) 08-52 for Community Retail uses, 2) a Detail Plan for a Self-Storage and (Indoor) Athletic Events Facility, and 3) a Specific Use Provision for Self-Storage. This property is located at 3159 South Garland Avenue (former Hypermart site only). (File No. 15-26, District 5) (This request was postponed from the November 17, 2015 City Council Meeting).

The applicant requests approval of a Concept Plan and a Detail Plan as part of an amendment to Planned Development (PD) 08-52 for Community Retail (CR) to redevelop the former "Hypermart" building with indoor athletic events facility, self-storage and retail/office space.

Mayor Athas opened the public hearing at 7:24 p.m. Speakers on this item were Will Guerin, Director of Planning, Dallas Cothrum, speaking for the applicant, Jason Crispin, and Robin Parsley. Citizens speaking on this item were: Lucian Giambasu, former Council Member John Willis, Andres Oscar Esparza, Sandy Carlton, Richard Aubin, Donna Nelson, and Susan Costen Owens. Citizens registering a position against the application but not testifying were: Pat Aldrich, Aurelia Drake, Diana Holland, Nancy Johnson, Steven Johnson, Glenda Lane, Linda Orr, and Mary Helen Smith. Motion was made by Council Member Billy Mack Williams to deny the application, seconded by Deputy Mayor Pro Tem Dodson to close the hearing at 9:36 p.m. Motion carried 7 ayes, 1 nay (Mayor Athas).

RECESS: The Mayor called for a ten minute recess at 9:45 p.m.

RECONVENED: The Council reconvened at 9:55 p.m.

A request was made to address Item 6b ahead of Item 6a. Deputy Mayor Pro Tem Dodson did not have an objection to addressing Item 6b first, which is in her district.

6b. APPROVED

Consider the application of Jerry DeFeo, requesting approval of a Specific Use Provision for Automobile Sales, New or Used on property zoned Industrial (IN) District. This property is located at 923 S. Jupiter Road. (File No. 15-38, District 6)

Mayor Athas opened the public hearing at 7:14 p.m. Speakers on this item were Will Guerin, Director of Planning and Jerry DeFeo, representing the applicant. Motion was made by Deputy Mayor Pro Tem Dodson to approve the

application based on staff and Plan Commission recommendation, seconded by Council Member Billy Mack Williams to close the hearing at 7:23 p.m. Motion carried 8 ayes, 0 nays.

6c. APPROVED

Consider the application of Wilbow Corporation, Inc., requesting approval of a 1) change of zoning from Single-Family-7 (SF-7) District and Planned Development (PD) District 68-63 to a Planned Development (PD) District for Single-Family-5 (Detached) Uses, Single-Family (Attached) Uses, Neighborhood Office (NO) Uses, Neighborhood Services (NS); and 2) a Concept Plan for Single-Family (Detached) Uses, Single-Family (Attached) Uses and Retail. This property is located on the southwest corner of West Buckingham Road and North Shiloh Road. (File No. 15-41, District 6).

The applicants request is to establish a Planned Development (PD) District and Concept Plan for the development of a subdivision with Single-Family (Detached) dwelling units, Townhouse dwelling units as well as a commercial tract and a second tract for potential commercial use. A subsequent Detail Plan must be approved prior to any construction.

Mayor Athas opened the public hearing at 9:56 p.m. Speakers on this item were Will Guerin, Director of Planning, Chas Fitzgerald, Applicant and Mark Harris, Kimley Horn. Citizens speaking on this item were: Jane Duren, Richard Whittington, Richard Aqui, Patsy Gowan and Diana Chiles, not speaking but registering a position for, with reservations. Motion was made by Deputy Mayor Pro Tem Dodson to approve the Concept Plan based on staff recommendation, seconded by Council Member LeMay to close the hearing at 10:46 p.m. Motion carried 8 ayes, 0 nays.

6d. APPROVED

Consider the application of Western Rim Investors, requesting approval of 1) amendment to Planned Development (PD) District 12-41 for Mixed-Uses and 2) a

Detail Plan for Dwelling, Multi-Family. This property is located east of Shiloh Road, northwest of Holford Road, north of the Spring Creek Greenbelt and south of the future expansion of Naaman Forest Boulevard. (File No. 15-42, District 7).

Mayor Athas opened the public hearing at 10:47 p.m. Speakers on this item were Will Guerin, Director of Planning, and Matthew Hiles, Western Rim and Ben Luedtke, Hanover Property Company. Citizens speaking on this item were: Barbara Baynham and Dana Wilson. Motion was made by Council Member LeMay to approve the application based on staff and Plan Commission recommendation with the condition of working with the Spring Creek Preservation Society and Parks department on the selection of trees planted along the preserve, seconded by Deputy Mayor Pro Tem Dodson to close the hearing at 11:17 p.m. Motion carried 8 ayes, 0 nays.

6e. APPROVED

Consider the application of Western Rim Investors, requesting approval of 1) amendment to Planned Development (PD) District 12-41 for Mixed-Uses and 2) a Detail Plan for Mixed-Uses. This property is located southwest of PGBT/SH 190, northwest of Holford Road, north of future expansion of Naaman Forest Boulevard and east of Shiloh Road. (File No. 15-43, District 7).

The applicant requests approval of a Detail Plan to develop the subject property with an apartment complex, a restaurant and retail.

Mayor Athas opened the public hearing at 11:18 p.m. Speakers on this item were Will Guerin, Director of Planning and Matthew Hiles, Western Rim. Motion was made by

Council Member LeMay to approve the application based on staff and Plan Commission recommendation, seconded by Deputy Mayor Pro Tem Dodson to close the hearing at 11:36 p.m. Motion carried 8 ayes, 0 nays.

6f. APPROVED

Consider the application of Jacobs Engineering Group, Inc., requesting approval of 1) a zoning change from Agriculture (AG) District to Planned Development (PD) District for Single-Family-5 Uses, Multi-Family Uses and Limited Community Office Uses and 2) a Concept Plan for Dwelling, Single-Family Detached; Dwelling, Multi-Family; Elder Care-Independent Living and Restaurant.

This property is bound by Holford Road to the northwest, Spring Creek Forest Preserve to the northeast, North Garland Avenue to the southeast and Arapaho Road to the southwest. (File No. 15-45, District 7).

The applicant requests approval of a zoning change and a Concept Plan, to develop the site with a single family subdivision, apartment complexes, a senior living facility and a restaurant.

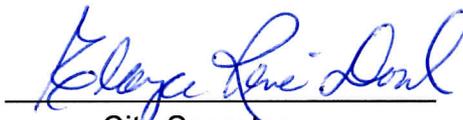
Mayor Athas opened the public hearing at 11:37 p.m. Speakers on this item were Will Guerin, Director of Planning, and Michael Holigan, Developer. Barbara Bayhnam and Dana Wilson submitted speaker cards but did not wish to comment. Motion was made by Council Member LeMay to approve the application based on staff and Plan Commission recommendation, seconded by Deputy Mayor Pro Tem Dodson to close the hearing at 11:52 p.m. Motion carried 8 ayes, 0 nays.

7. CITIZEN COMMENTS: None

8. ADJOURN: There being no further business to come before the City Council, Mayor Athas adjourned the meeting at 11:53 p.m.

CITY OF GARLAND, TEXAS

APPROVED: 
Douglas Athas, Mayor

ATTEST: 
City Secretary

