



## **AGENDA**

**REGULAR MEETING OF THE CITY COUNCIL  
City of Garland  
Duckworth Building, Goldie Locke Room  
217 North Fifth Street  
Garland, Texas  
May 3, 2016  
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 April 19, 2016 Regular Meeting.

2. Consider approval of the following bids:

a. Northwest Highway Reconstruction **Bid No. 3720-13**

Tiseo Paving Company, Inc. **\$56,755.00**

*This request is to provide for additional work necessary to complete the Northwest Highway Reconstruction Project.*

b. TMPA Gibbons Creek Reactive Support **Bid No. 5254-15**

Lambda Construction LTD **\$94,450.00**

*This request is to provide for additional work on the TMPA Gibbons Creek Substation Project.*

**c. Expansion of Hinton Landfill Gas Collection & Control System** **Bid No. 6379-16**

**SCS Field Services** **\$149,147.50**

*This request is to expand the Hinton Landfill Gas Collection and Control System (GCCS) to ensure continued regulatory compliance with the Texas Commission on Environmental Quality (TCEQ).*

**d. Underground Loop Cable Replacement** **Bid No. 6398-16**

<b>Infratech Corporation</b>	<b>\$450,429.02</b>
<b>Optional Contingency</b>	<b><u>58,000.00</u></b>
<b>TOTAL</b>	<b><u>\$508,429.02</u></b>

*This request is to provide for the replacement of underground cable on five distribution loops as part of GP&L's maintenance operations. An Optional Contingency is included for any unforeseen additional work that may be required.*

**e. Garland Police Department Ammunition** **Bid No. 6449-16**

<b>GT Distributors</b>	<b>\$72,273.30</b>
<b>Precision Delta Corp.</b>	<b><u>73,774.00</u></b>
<b>TOTAL</b>	<b><u>\$146,047.30</u></b>

*This request is to provide for the training of Garland Police Officers in the use of firearms to perform their civil duties.*

**3. Public hearing(s) were previously conducted for the following zoning case(s). Council approved the request(s) and instructed staff to bring forth the following ordinance(s) for consideration.**

**a. Zoning File No. 16-05, Dayne Ram**

*Consider an ordinance amending the Garland Development Code of the City of Garland, Texas by approving 1) an amendment to Planned Development (PD) District 06-79 for Community Retail Uses and Concept Plan, 2) a detail plan for Hotel/Motel, Limited Service and Office, General and 3) a Specific Use Provision for Hotel/Motel, Limited Service on a 2.388-acre tract zoned Planned Development (PD) District 06-79 for Community Retail Uses and*

*located on the north corner of Naaman Forest Boulevard and Elliott Avenue; providing for conditions, restrictions, and regulations; providing a penalty under the provisions of Sec. 10.05 of the Code of Ordinances of the City of Garland, Texas; providing a Savings Clause and a Severability Clause; and providing an effective date.*

**b. Zoning File No. 16-06, Kimley-Horn & Associates**

*Consider an ordinance amending the Garland Development Code of the City of Garland, Texas, by approving 1) an amendment to Planned Development (PD) 15-40 and 2) a Detail Plan for Multi-Family on property zoned Planned Development (PD) 15-40 for Multi-Uses on a 30.038-acre tract of land located south and west of Bunker Hill Road and north and west of Miles Road; providing for conditions, restrictions, and regulations; providing a penalty under the provisions of Sec. 10.05 of the Code of Ordinances of the City of Garland, Texas; providing a Savings Clause and a Severability Clause; and providing an effective date.*

**4. Consider an ordinance approving the sale of Certificates of Obligation, Series 2015 to fund a portion of the approved 2016 CIP.**

*At the March 15, 2016 Work Session, Council considered authorizing a Certificates of Obligation (CO) bond sale in the approximate amount of \$23.5 million to fund a portion of the approved 2016 CIP.*

**5. Consider a resolution authorizing the acceptance of a Texas Department of Transportation (TxDOT) Selective Traffic Enforcement Program (STEP) – Click It or Ticket (CIOT) Grant in the amount of \$10,879.40; and providing an effective date.**

*At the May 2, 2016 Work Session, Council considered adopting a resolution authorizing the City Manager to accept a State of Texas Department of Transportation (TxDOT) Selective Traffic Enforcement Program (STEP) Grant – “Click It or Ticket” campaign – consisting of conducting intense vehicle occupant protection enforcement in the amount of \$10,879.40. The required enforcement period will be May 23, 2016 – June 5, 2016. The grant will be utilized to provide a greater level of traffic safety for the citizenry of the City of Garland by potentially changing the driving habits of those who violate the laws related to vehicle occupant protection and child safety seat enforcement thereby reducing the number of injuries and fatalities related to motor vehicle accidents.*

6. **Consider by minute action authorizing the City Manager to execute a contract with David D. Baldwin, Inc. regarding professional services for the Downtown Square Design project.**

*Council is requested to consider a contract with David C. Baldwin, Inc. for consulting services for the Downtown Square Design project.*

### **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 are 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.**

7. **Consider an ordinance of the City of Garland, Texas, adopting Standards of Care for Youth Programs offered by the City of Garland Parks, Recreation, and Cultural Arts Department; providing a Severability Clause; and providing an effective date.**

*At the May 2, 2016 Work Session, Council is requested to adopt an ordinance with public comments for Youth Programs Standards of Care to meet requirements of Texas Human Resource Code, Section 42.041(b)(14) to exempt recreational programs for children operated by municipalities from state child care licensing.*

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

- a. **Consider the application of OM Housing, LLC requesting approval of a 1) an amended Concept Plan and Planned Development (PD) and 2) a Detail Plan for Multi-Family on property zoned Planned Development (PD) 11-32 for Multi-Family and Community Retail Uses. This property is located north of Marketplace Drive and West of Saturn Road. (File No. Z 16-01, District 5)**

*This request is to amend Planned Development (PD) 11-32, amend the Concept Plan, and establish a Detail Plan for the development of a 262-unit apartment complex. The Detail Plan will establish a future commercial site.*

- b. Consider the application of Linda Waller requesting approval of a Major Waiver for General Office and Retail Store use of property located in the InTown Residential (IR) sub-district of the Downtown (DT) district (Garland Development Code, Section 7.06 Land and Building Use Table 7-1: Downtown District Land Use Matrix) and for a monument sign (Garland Development Code, Section 7.24(B)(2)(b)), on a property zoned Downtown (DT) District. This property is located at 1229 E. Main Street. (File No. DD 16-02, District 2)**

*The applicant requests a Major Waiver to the Downtown District standards to allow General Office and Retail Store use for a monument sign.*

- c. Consider the application of Asm Ferozur Rahman requesting approval of a Specific Use Provision for Fuel Pumps, Retail on a property zoned Community Retail (CR) District. This property is located at 775 West Buckingham Road.**

*The applicant seeks approval of a Specific Use Provision to continue the operation of an existing gas station.*

**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](http://www.garlandtx.gov). Copies of the meetings can be purchased through the City Secretary's Office – audio CD's are \$1 each and DVD's are \$3 each.*

The City Council of the City of Garland convened in regular session at 7:00 p.m. on Tuesday, April 19, 2016, 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	Marvin 'Tim' Campbell
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

**CALL TO ORDER:**

The meeting was called to order by Mayor Douglas Athas. Council Member LeMay led the pledge and invocation.

**CEREMONIALS:**

Mayor Athas, along with former Council Member Barbara Chick, presented a Special Recognition to Davis and Sons (one of the oldest businesses in Garland, established May 28, 1949), a Proclamation was presented naming May as Motorcycle Safety Awareness Month, and David Riggs received the Proclamation naming April 22, April 29 and May 6 as MDA Fill the Boot Days.

Blue Cross Blue Shield of Texas presented a \$20,000.00 donation to the City of Garland. The Council accepted the donation on behalf of the #GarlandStrong Campaign.

**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 LeMay to approve the Consent Agenda as presented, seconded by Deputy Mayor Pro Tem Dodson, to approve items 1, 2a, 2b, 2c, 2d, 2e, 3a, 3b, 4, 5, 6, 7, and 8. Motion carried, 9 ayes, 0 nays.

**1. APPROVED\*\***

Approval of the Minutes of the April 5, 2016 Regular Meeting.

2a. APPROVED\*\*

Bid No. 5763-15 to AssetWorks in the amount of \$8,560.00 for FASuite Software Upgrade.

This request is to provide additional services, support, and training required to successfully complete the AssetWorks FASuite upgrade.

2b. APPROVED\*\*

Bid No. 6313-16 to Tiseo Paving Company, Inc. in the amount of \$3,347,525.65 for Water and Sewer Improvements.

This request is to provide Water and Sewer Improvements at South Country Club Road and Wendell Way.

2c. APPROVED\*\*

Bid No. 6354-16 to Asplundh Tree Expert Co. in the amount of \$1,000,000.00 for GP&L Vegetation Management.

This request is to provide Vegetation Management for Garland Power & Light's Transmission & Distribution systems. This will be a Term Contract with four optional renewals.

2d. APPROVED\*\*

Bid No. 6456-16 to Rush Truck Center in the amount of \$396,212.50 for a Hydro Excavation Truck.

This request is to purchase one Hydro Excavation Truck to be used by the Water Department in their daily operations.

2e. APPROVED\*\*

Bid No. 6460-16 to Caldwell Country Ford in the amount of \$117,876.56 for Fleet Replacement Vehicles.

This request is to purchase five SUVs and Pickup Trucks to be used by various City departments in their daily operations.

3a. APPROVED\*\*

Ordinance No. 6828 amending the zoning laws of the City of Garland, by approving a Specific Use Provision for Personal Services on a 0.3454-acre tract of land zoned Planned Development (PD) District 14-36 for Neighborhood Office Uses with Retail Store/Personal Services allowed by Specific Use Provision only and located at 1234 Thomasville Court; providing for conditions, restrictions, and regulations; providing a penalty under the Provisions of Sec. 10.05 of the

Code of Ordinances of the City of Garland; providing a Savings Clause and a Severability Clause; and providing an effective date. (Charlie Shearer File No. 16-04, District 1)

3b. APPROVED\*\*

Ordinance 6829 amending the zoning laws of the City of Garland, by approving 1) an amendment to Planned Development (PD) District 92-21 for Industrial Uses and 2) a Concept Plan for the development of a Warehouse, Office/Showroom (indoor) building on property zoned PD 92-21 for Industrial Uses on a 25.41-acre tract of land located at the northeast intersection of Leon Road and Towngate Drive; providing conditions, restrictions, and regulations; and providing for a penalty and an effective date. (IDI Gazeley File No. 16-07, District 5)

4. APPROVED\*\*

Resolution No. 10240 authorizing the City Manager to enter into a Real Property Transaction with the State of Texas (TxDOT) for the purchase of a 10.00 acre tract of land located in and around State Highway 66, east of N. Country Club Road; and providing an effective date.

Approval of a resolution authorizing the City Manager to purchase a ten acre tract of land located on State Highway 66 from the Texas Department of Transportation (TxDOT) for future development.

5. APPROVED\*\*

Resolution No. 10241 approving the abandonment, release, and conveyance of a portion of a utility easement in the Highcrest addition; authorizing the Mayor of the City of Garland to execute a deed conveying the property to David and Kayla Scott; and providing an effective date.

At the April 4, 2016 Work Session, Council was requested to consider the abandonment of 5' wide by 70' long Utility Easement on Lot 23, Block 4 of the Highcrest Addition.

6. APPROVED\*\*

Resolution No. 10242 authorizing the City Manager to execute a Project Specific Agreement with Dallas County for the repair of bridges over Type B Thoroughfares within the City of Garland, Dallas County District 1; and providing an effective date.

At the April 4, 2016 Work Session, Council was requested to consider entering into a Project Specific Agreement (PSA) with Dallas County for participation in remediation repairs of bridges over Type B thoroughfares within Dallas County District 1.

7. APPROVED\*\*

Minute action authorizing the City Manager to proceed with the sale of an electric utility and access easement located in the City of Denton, Texas in the 1700 block of Spencer Road at the City of Garland Spencer Electric Generation Facility.

Consider the sale of an electric utility and access easement located in the City of Denton, Texas in the 1700 block of Spencer Road at the City of Garland Spencer Electric Generation Facility. The City was approached by the City of Denton for the purchase of an electric utility and access easement across the City's Spencer Generation Facility located in Denton, Texas. The City of Denton is requesting the easement for the purpose of constructing electric transmission and distribution lines across the City's property. City staff has held multiple meeting with the City of Denton staff and representatives to discuss issues with construction activities and access to the Spencer Electric Generation Facility property. City staff worked with the City of Denton staff and representatives to satisfactorily address City staff's concerns regarding access and construction activities, which are reflected in the easement documents requested for Council approval.

8. APPROVED\*\*

Minute action appointing a member to the Animal Services Advisory Committee.

The Animal Services Advisory Committee (ASAC) is a six-person committee authorized by Section 22.23 of the Code of Ordinances to provide advice to the City Council and Managing Director of Health on the operation of the Animal Shelter. The Animal Services Advisory Committee meets at a minimum of three times per year. Staff recommends Chuck Dumas, Rowlett's Environmental Services Manager, to fill the vacant position of "public health official" on the ASAC.

9. APPROVED

Roadway Impact Fee Waiver for Steve and Gina Runnels

Steve and Gina Runnels are requesting a waiver of the roadway impact fee for development of a property located at 1234 Thomasville Court.

Mayor Athas opened the discussion at 7:28 p.m. Speakers on this item were Will Guerin, Director of Planning and Steve Runnels, Applicant. Motion was made by Mayor Pro Tem B. J. Williams to approve 80 percent of the impact fee. Motion failed due to lack of a second. Motion was made by Council Member Campbell to waive all impact fees, seconded by Council Member Stanley to close the discussion at 7:42 p.m. Motion carried 9 ayes, 0 nays.

10a. APPROVED

Consider the application of Dayne Ram requesting approval of 1) an amendment to Planned Development (PD) District 06-79 for Community Retail Uses and Concept Plan, 2) a Detail Plan for Hotel/Motel, Limited Service and Office, General, 3) a Specific Use Provision for Hotel/Motel, Limited Service 4) variances to Section 2.41 of the Garland Development Code regarding maximum lot coverage and maximum building height. This property is located on the north corner of Naaman Forest Boulevard and Elliott Avenue. (File No. Z-16-05, District 1)

Mayor Athas opened the hearing at 7:43 p.m. Speakers on this item were Will Guerin, Director of Planning, Dayne Ram, Applicant, Ted Pittman, and Ryan Patterson. Motion was made by Council Member Campbell to approve the request as presented and approved by the Plan Commission recommendation, seconded by Council Member Goebel to close the hearing at 7:51 p.m. Motion carried 9 ayes, 0 nays.

10b. APPROVED

Consider the application of Kimley-Horn and Associates requesting approval of 1) an amendment to Planned Development (PD) 15-40 and 2) a Detail Plan for Multi-Family on property zoned Planned Development (PD) 15-40 for Multi-Family Uses. This property is located south and west of Bunker Hill Road and north and west of Miles Road. (File No. Z-16-06, District 1)

The request is to amend Planned Development (PD) District 15-40 and approve a Detail Plan for Phase 1 of a multi-family development.

Mayor Athas opened the hearing at 7:52 p.m. Speakers on this item were Will Guerin, Director of Planning, Mark Denyer, Archo Residential, and Donna Chalker. Motion was made by Council Member Campbell to approve the request as per Plan Commission and staff recommendation, seconded by Council Member Goebel to close the hearing at 8:06 p.m. Motion carried 9 ayes, 0 nays.

11. CITIZEN COMMENTS: None

12: ADJOURN:

There being no further business to come before the City Council, Mayor Athas adjourned the meeting at 8:07 p.m.

CITY OF GARLAND, TEXAS

/s/ Douglas Athas, Mayor

/s/ Eloyce, René Dowl, City Secretary



# Purchasing Report

## NORTHWEST HIGHWAY RECONSTRUCTION OPEN MARKET

**PURCHASE JUSTIFICATION:**

The purpose of this Change Order is to provide for additional work necessary to complete the Northwest Highway Reconstruction Project. The additional work includes removal and disposal of eleven (11) trees, addition of one hundred fifty (150) square yards of 6" driveway pavement, addition of six hundred fifty (650) square yards of 6" street paving, and addition of twenty-three (23) cubic yards of retaining wall. Funding was approved in the 2016 Capital Improvement Program.

**AWARD RECOMMENDATION:**

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
Tiseo Paving Company, Inc.	All	\$56,755.00
<b>TOTAL:</b>		\$56,755.00

**BASIS FOR AWARD:**

**Change Order**

Submitted by:

Reviewed by:

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

Bryan L. Bradford  
\_\_\_\_\_  
City Manager

Date: 04/21/16

Date: 04/27/16

<b><u>FINANCIAL SUMMARY:</u></b>	
Total Project/Account: \$ <u>5,666,000</u>	Operating Budget: <input type="checkbox"/> CIP: <input checked="" type="checkbox"/> Year: <u>2016</u>
Expended/Encumbered to Date: <u>5,435,756</u>	Document Location: <u>Page ST12</u>
Balance: \$ <u>230,244</u>	Account #: <u>624-1409-1427904-9011</u>
This Item: <u>56,755</u>	Fund/Agency/Project – Description: GO 2004 Bonds / Engineering / Northwest Highway - Centerville to La Prada
Proposed Balance: \$ <u>173,489</u>	Comments:
Matt Watson <span style="float: right;">04/25/16</span>	
Budget Analyst <span style="float: right;">Date</span>	
Ron Young <span style="float: right;">04/25/16</span>	
Budget Director <span style="float: right;">Date</span>	





# **GARLAND**

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## **PURCHASING**

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

**Recommended Vendor:**

Tiseo Paving Company, Inc.

**Total Recommended Award:**

\$56,755.00

**Basis for Award:**

Change Order

**Purpose:**

The purpose of this Change Order is to provide for additional work necessary to complete the Northwest Highway Reconstruction Project. The additional work includes removal and disposal of eleven (11) trees, addition of one-hundred fifty (150) square yards of 6" driveway pavement, addition of six-hundred fifty (650) square yards of 6" street paving, and addition of twenty-three (23) cubic yards of retaining wall.

**Evaluation:**

Tiseo Paving Company, Inc. was awarded the original contract for the Northwest Highway Reconstruction. This Change Order #2 represents a 1.06% increase to the original Purchase Order.

**Recommendation:**

Staff recommends the approval of Change Order #2 to Purchase Order 21396.

**Funding Information:**

624-1409-1427904-9011 / CA4279-G4-9011

**Department Director:**

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



## Purchasing Report

### **TPMA GIBBONS CREEK REACTIVE SUPPORT OPEN MARKET**

**PURCHASE JUSTIFICATION:**

The purpose of the Change Order is to provide for additional work on the TPMA Gibbons Creek Substation Project. The additional work includes breaker addition, switch removal and installation, and control cable installation at the Substation Autotransformer #2. This Change Order represents a 17.9% cumulative increase to the original awarded amount.

**AWARD RECOMMENDATION:**

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
Lambda Construction LTD	All	\$94,450.00
<b>TOTAL:</b>		<u>\$94,450.00</u>

**BASIS FOR AWARD:**

**Change Order**

Submitted by:

Reviewed by:

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

Bryan L. Bradford  
 City Manager

Date: 04/20/16

Date: 04/27/16

<b><u>FINANCIAL SUMMARY:</u></b>	
Total Project/Account: \$ <u>16,000,000</u>	Operating Budget: <input type="checkbox"/> CIP: <input checked="" type="checkbox"/> Year: <u>2016</u>
Expended/Encumbered to Date: <u>3,654,579</u>	Document Location: <u>Page E01</u>
Balance: \$ <u>12,345,421</u>	Account #: <u>215-3542-3175501-7111</u>
This Item: <u>94,450</u>	Fund/Agency/Project – Description: Electric CIP / Transmission Lines
Proposed Balance: \$ <u>12,250,971</u>	Comments:
Trent Schulze <u>04/21/16</u> Budget Analyst Date	
Ron Young <u>04/21/16</u> Budget Director Date	





# **GARLAND**

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## **PURCHASING**

### Executive Summary Bid 5254-15 TMPA Gibbons Creek Reactive Support

**Recommended Vendor:**

Lambda Construction LTD

**Total Recommended Award:**

\$ 94,450.00

**Basis for Award:**

Change Order

**Purpose:**

The purpose of the Change Order is to provide for additional work on the TMPA Gibbons Creek Substation Project. The additional work includes breaker addition, switch removal and installation, and control cable installation at the Substation autotransformer #2.

**Evaluation:**

Lambda Construction, Ltd originally submitted the lowest responsible bid and received the highest evaluated score, offering the best value to the City. This Change Order represents a 17.9% cumulative increase to the original awarded amount.

**Recommendation:**

Staff recommends the approval of change order #2 to Purchase Order 23219.

**Funding Information:**

215-3542-3175501-7111 (EC-S5755-003-1-7111)

**Department Director:**

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



## Purchasing Report

### EXPANSION OF HINTON LANDFILL GAS COLLECTION AND CONTROL SYSTEM OPEN MARKET

**PURCHASE JUSTIFICATION:**

The purpose of this project is to expand the Hinton Landfill Gas Collection and Control System (GCCS) to ensure continued regulatory compliance with the Texas Commission on Environmental Quality (TCEQ). The existing GCCS was commissioned more than six (6) years ago and requires a 12 to 15-acre expansion to complete the construction of Waste Cell #7 and additional cell developments for landfill waste disposal. If Council concurs, funding for this project will come from available funds remaining from the Waste Cell #7 project approved in the 2016 Capital Improvement Program. No additional funding is required to complete this project.

**AWARD RECOMMENDATION:**

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
SCS Field Services	All	\$149,147.50
	<b>TOTAL:</b>	\$149,147.50

**BASIS FOR AWARD:**

**Best Value**

Submitted by:

Reviewed by:

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

Bryan L. Bradford  
\_\_\_\_\_  
City Manager

Date: 04/21/16

Date: 04/27/16

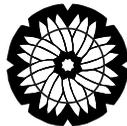
<b><u>FINANCIAL SUMMARY:</u></b>	
Total Project/Account: \$ <u>3,550,000</u>	Operating Budget: <input type="checkbox"/> CIP: <input checked="" type="checkbox"/> Year: <u>2016</u>
Expended/Encumbered to Date: <u>2,510,417</u>	Document Location: <u>Page EW03</u>
Balance: \$ <u>1,039,583</u>	Account #: <u>635-1609-1715900-7111</u>
This Item: <u>149,148</u>	Fund/Agency/Project – Description: Landfill Sinking Fund / EWS Group - Disposal / Hinton Landfill / Expansion of Hinton Landfill Gas Collection for Additional Cell Development
Proposed Balance: \$ <u>890,435</u>	Comments: Funding from cash reserved for waste cell development and expansion.
Matt Watson <u>04/25/16</u> Budget Analyst Date	
Ron Young <u>04/25/16</u> Budget Director Date	

<b>CITY OF GARLAND - BID RECAP SHEET</b> OPENED: 04/07/16 REQ. NO. PR 35970 BID NO. 6379-16 PAGE: 1 of 1 BUYER: T. Smith			SCS Field Services	Tri-Con Works	Advance One Development, LLC	Wells Products, LLC
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I T E M	QTY	U N I T	DESCRIPTION	SCS Field Services		Tri-Con Works		Advance One Development, LLC		Wells Products, LLC	
				UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
1	1	Lt.	Bid Price for Evaluation		\$149,147.50		\$169,650.50		\$282,857.50		\$300,000.00
			Evaluation Criteria:								
			Price	Maximum = 45	45	39.6	23.7	22.4			
			Previous Work Experience	Maximum = 25	25	25	20	0			
			Completion Schedule	Maximum = 20	20	20	13.3	0			
			Equipment and Personnel List	Maximum = 8	4	0	8	0			
			Pre-Bid Conference Attendance	Maximum =2	0	0	0	0			
			Total Score:	Maximum = 100	94	84.6	65	22.4			

TOTAL GROSS PRICE	\$149,147.50	\$169,650.50	\$282,857.50	\$300,000.00
CASH DISCOUNT				
TOTAL NET PRICE	\$149,147.50	\$169,650.50	\$282,857.50	\$300,000.00
F.O.B.	DELIVERED	DELIVERED	DELIVERED	DELIVERED
DELIVERY				

<b>NEXT LOW: \$169,650.50</b> <b>LOW: \$149,147.50</b> <b>SAVINGS: \$20,503.00</b>	145 # IonWave Notifications # IonWave HUBS 2 # 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. <u>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.</u>
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# **GARLAND**

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## **PURCHASING**

Executive Summary  
Bid 6379-16

Expansion of Hinton Landfill Gas Collection and Control System

**Recommended Vendor:**

SCS Field Services

**Total Recommended Award:**

\$149,147.50

**Basis for Award:**

Best Value

**Purpose:**

The purpose of this project is to expand the Hinton Landfill Gas Collection and Control System (GCCS) to ensure continued regulatory compliance with the Texas Commission on Environmental Quality (TCEQ). The existing GCCS was commissioned more than six (6) years ago and requires a 12 to 15 acre expansion as additional areas are developed for landfill waste disposal. This will minimize the potential for emission of odor causing landfill methane gas to adjacent properties.

**Evaluation:**

Requests for bids were issued in accordance with Purchasing procedures. Four (4) bids were received and evaluated on the published criteria of: price; previous work experience; equipment and personnel; projected completion schedule; pre-bid attendance. SCS Field Services offered the lowest overall bid and received the highest evaluated score, offering the best value to the City.

**Recommendation:**

Staff recommends awarding the Expansion Project to SCS Field Services.

**Funding Information:**

635-1609-1715900-7111

**Department Director:**

Lonnie R. Banks, Director of Environmental Waste Services, 972-205-3424



## Purchasing Report

### UNDERGROUND LOOP CABLE REPLACEMENT OPEN MARKET

**PURCHASE JUSTIFICATION:**

The purpose of this contract is to provide for the replacement of underground cable on five (5) distribution loops as part of GP&L's maintenance operations. An Optional Contingency is included for any unforeseen additional work that may be required. This is an approved 2016 Capital Improvement project, and expenses will not exceed appropriated funds.

**AWARD RECOMMENDATION:**

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
Infratech Corporation	All	\$450,429.02
Optional Contingency		58,000.00
	<b>TOTAL:</b>	<b>\$508,429.02</b>

**BASIS FOR AWARD:**

**Best Value**

Submitted by:

Reviewed by:

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

Bryan L. Bradford  
\_\_\_\_\_  
City Manager

Date: 04/21/16

Date: 04/27/16

<b><u>FINANCIAL SUMMARY:</u></b>	
Total Project/Account: \$	4,756,439
Expended/Encumbered to Date:	1,669,529
Balance: \$	3,086,910
This Item:	508,429
Proposed Balance: \$	2,578,481
Trent Schulze	04/25/16
Budget Analyst	Date
Ron Young	04/25/16
Budget Director	Date

Operating Budget:  CIP:  Year: 2016

Document Location: Page E09

Account #: 215-3299-3162501-7111

Fund/Agency/Project – Description:  
Electric CIP / Distribution Lines - Underground

Comments:

<b>CITY OF GARLAND - BID RECAP SHEET</b> OPENED: 04/12/16 REQ. NO. PR 35965 BID NO. 6398-16 PAGE: 1 of 1 BUYER: T. Smith			Infratech Corporation	The Fishel Company		
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I T E M	QTY	U N I T	DESCRIPTION								
				UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
1	1	Lt.	Bid Price for Evaluation		\$450,429.02		\$639,974.00				
			Evaluation Criteria:								
			Price	Maximum = 40	40		28				
			Experience	Maximum = 20	20		20				
			Work Completed by Primary	Maximum = 20	14		12				
			Past Relationship with the City	Maximum = 5	5		5				
			Itemized Bid Sheet	Maximum = 5	5		5				
			Safety	Maximum = 5	5		5				
			Pre-Bid Meeting Attendance	Maximum = 5	5		5				
			Total Score:	Maximum = 100	94		80				

TOTAL GROSS PRICE			\$450,429.02	\$639,974.00		
CASH DISCOUNT						
TOTAL NET PRICE			\$450,429.02	\$639,974.00		
F.O.B.			DELIVERED	DELIVERED	DELIVERED	DELIVERED
DELIVERY						

<b>NEXT LOW:</b> \$639,974.00 <b>LOW:</b> \$450,429.02 <b>SAVINGS:</b> \$189,544.98	166 # IonWave Notifications # IonWave HUBS 0 # 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.
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# **GARLAND**

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## **PURCHASING**

### **Executive Summary** **Bid 6398-16** **Underground Loop Cable Replacement**

**Recommended Vendor:**

Infratech Corporation

**Total Recommended Award:**

\$508,429.02

**Basis for Award:**

Best Value

**Purpose:**

The purpose of this contract is to provide labor associated with the replacement of five (5) underground distribution loops as part of Garland Power and Light's maintenance operations.

**Evaluation:**

Requests for bids were issued in accordance with Purchasing procedures. Two (2) bids were received and evaluated based on the published criteria of: price; experience; work performed by primary contractor; past relationship with Garland; itemized bid sheet; safety; pre-bid conference attendance. Infratech Corporation had the lowest overall bid price and received the highest evaluated score, offering the best value for the City.

**Recommendation:**

Staff recommends awarding the contract to Infratech Corporation.

**Funding Information:**

215-3299-3162501-7111

**Department Director:**

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



## Purchasing Report

### GARLAND POLICE DEPARTMENT AMMUNITION OPEN MARKET

**PURCHASE JUSTIFICATION:**

The purpose of this purchase is to provide ammunition for the training of Garland Police Officers in the use of firearms to perform their civil duties. The firearms proficiency test is mandated by the Texas Commission on Law Enforcement (TCOLE), a regulatory agency for the State of Texas. Funding was approved in the 2015-16 Operating Budget.

**AWARD RECOMMENDATION:**

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
GT Distributors	1	\$ 72,273.30
Precision Delta Corp.	2	73,774.00
	<b>TOTAL:</b>	<b>\$146,047.30</b>

**BASIS FOR AWARD:**

**Cooperative Purchase**

Submitted by:

Reviewed by:

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

Bryan L. Bradford  
 City Manager

Date: 04/20/16

Date: 04/27/16

<b><u>FINANCIAL SUMMARY:</u></b>			
Total Project/Account: \$	151,445	Operating Budget: <input checked="" type="checkbox"/>	CIP: <input type="checkbox"/> Year: 2015-16
Expended/Encumbered to Date:	4,827	Document Location: Page 248	
Balance: \$	146,618	Account #: 100-1271-6077 921-9211-6077	
This Item:	146,047	Fund/Agency/Project – Description: Police – Ammunition	
Proposed Balance: \$	571	Comments:	
Budget Analyst	Date		
Ron Young	04/21/16		
Budget Director	Date		





# **GARLAND**

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## **PURCHASING**

### **Executive Summary** **Bid 6449-16** **Garland Police Department Ammunition**

#### **Recommended Vendors:**

GT Distributors	\$72,273.00
Precision Delta Corp.	73,744.00

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**Total Recommended Award:** \$146,047.30

#### **Basis for Award:**

Cooperative Purchase

#### **Purpose:**

The purpose of this purchase is to provide ammunition for the training of Garland Police Officers in the use of firearms to perform their civil duties. The firearms proficiency test is mandated by the Texas Commission on Law Enforcement (TCOLE), a regulatory agency for the State of Texas.

#### **Evaluation:**

The requested ammunition for the Police Department will be purchased from GT Distributors and Precision Delta Corp. through the BuyBoard Purchasing Cooperative Contract 680-A1.

#### **Recommendation:**

Staff recommends awarding the purchase of ammunition to GT Distributors and Precision Delta Corp.

#### **Funding Information:**

100-1271-6077, 921-9211-6077, 100-1221-6077 and 100-1255-6077

#### **Department Director:**

Mitch Bates, Chief of Police, 972-205-2011



# City Council Item Summary Sheet

Work Session

Date: May 3, 2016

Agenda Item

## Item 3a - Zoning Ordinance

### Summary of Request/Problem

Zoning Ordinance 16-05 Dayne Ram

### Recommendation/Action Requested and Justification

Consider adoption of attached ordinance.

**Submitted By:**

**Will Guerin**  
Director of Planning

**Approved By:**

**Bryan L. Bradford**  
City Manager

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING THE GARLAND DEVELOPMENT CODE OF THE CITY OF GARLAND, TEXAS, BY APPROVING 1) AN AMENDMENT TO PLANNED DEVELOPMENT (PD) DISTRICT 06-79 FOR COMMUNITY RETAIL USES AND CONCEPT PLAN, 2) A DETAIL PLAN FOR HOTEL/MOTEL, LIMITED SERVICE AND OFFICE, GENERAL AND 3) A SPECIFIC USE PROVISION FOR HOTEL/MOTEL, LIMITED SERVICE ON A 2.388-ACRE TRACT ZONED PLANNED DEVELOPMENT (PD) DISTRICT 06-79 FOR COMMUNITY RETAIL USES AND LOCATED ON THE NORTH CORNER OF NAAMAN FOREST BOULEVARD AND ELLIOTT AVENUE; PROVIDING FOR CONDITIONS, RESTRICTIONS, AND REGULATIONS; PROVIDING A PENALTY UNDER THE PROVISIONS OF SEC. 10.05 OF THE CODE OF ORDINANCES OF THE CITY OF GARLAND, TEXAS; PROVIDING A SAVINGS CLAUSE AND A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, at its regular meeting held on the 28<sup>th</sup> day of March, 2016, the Plan Commission did consider and make recommendations on a certain request for approval of a Specific Use Provision made by **Dayne Ram**; 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 Garland Development Code 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**

The Garland Development Code is hereby amended by approving 1) an amendment to Planned Development (PD) District 06-79 for Community Retail Uses and Concept Plan, 2) a Detail Plan for Hotel/Motel, Limited Service and Office, General and 3) a Specific Use Provision for Hotel/Motel, Limited Service on a 2.388-acre tract zoned Planned Development (PD) District 06-79 for Community Retail Uses and located on the north corner of Naaman Forest Boulevard and Elliott Avenue 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**

That a 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 4**

That the Garland Development Code, as amended, shall be and remain in full force and effect save and except as amended by this Ordinance.

**Section 5**

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

**Section 6**

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

**PASSED AND APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

**CITY OF GARLAND, TEXAS**

\_\_\_\_\_  
Mayor

**ATTEST:**

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

**Published:**

**EXHIBIT A**

**LEGAL DESCRIPTION**

**Zoning File 16-05**

Being approximately a 2.388-acre tract of land and identified as Lot 4, Block 3, Firewheel Hotel Addition, an addition to the City of Garland as shown on the Plat recorded in instrument No. 20070204435 of the Map Records of Dallas County, Texas. The property is located on the north corner of Naaman Forest Boulevard and Elliott Avenue, Garland, TX.

**PLANNED DEVELOPMENT CONDITIONS**

**ZONING FILE Z 16-05**

- I. Statement of Purpose:** The purpose of this Planned Development is to permit the development of Hotel/Motel, Limited Service and Office, General subject to conditions.
- II. Statement of Effect:** This Planned Development shall not affect any regulation found in the Garland Development Code, Ordinance No. 6773, as amended prior to adoption of this ordinance, except as specifically provided herein.
- III. General Regulations:** All regulations of the Community Retail (CR) District as set forth in Chapter 2 of the Garland Development Code are included by reference and shall apply, except as otherwise specified by this ordinance.
- IV. Detail Plan:** Development shall be in general conformance with the Detail Plan labeled Exhibit C. In the event there is conflict between the approved Detail Plan and the Specific Regulations below, the Specific Regulations shall apply.
- V. Specific Regulations:**
- A. Permitted Uses: Only those uses as permitted in the Community Retail (CR) District. Restaurant with Drive Through, however, is not a permitted use on the subject property.
  - B. Screening and Landscaping: Screening and landscaping shall be in general conformance with the landscape plan labeled Exhibit D.
  - C. Elevations: Building elevations shall be in general conformance with the elevations labeled Exhibit E.
  - D. Building Height: The maximum building height permitted for the hotel is 55 feet.
  - E. Lot Coverage: The maximum allowed lot coverage is 45 percent
  - F. Signage: Freestanding signage shall be limited to one monument sign. Freestanding signage and attached

signage shall comply with the applicable regulations  
in the Garland Development Code.

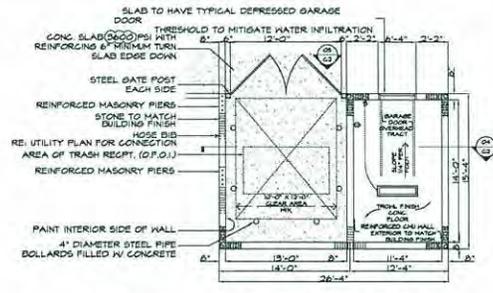
**SPECIFIC USE PROVISION CONDITIONS**

**ZONING FILE Z 16-05**

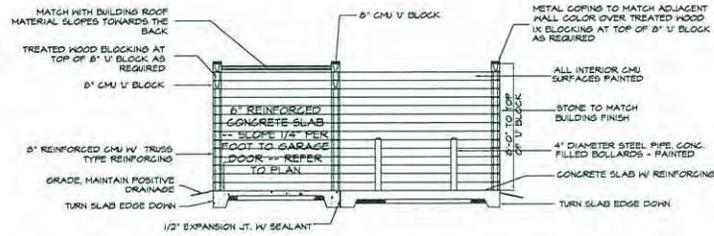
- I. Statement of Purpose:** The purpose of this Specific Use Provision is to permit the development of Hotel/Motel, Limited Service.
- II. Statement of Effect:** This Specific Use Provision shall not affect any regulation found in the Garland Development Code, Ordinance No. 6773, as amended prior to adoption of this ordinance, except as specifically provided herein.
- III. General Regulations:** All regulations of the Community Retail (CR) District as set forth in Chapter 2 of the Garland Development Code are included by reference and shall apply, except as otherwise specified by this ordinance.
- IV. Specific Regulations:**
  - A. Specific Use Provision:** The Specific Use Provision shall be effective for a period of 45 years.



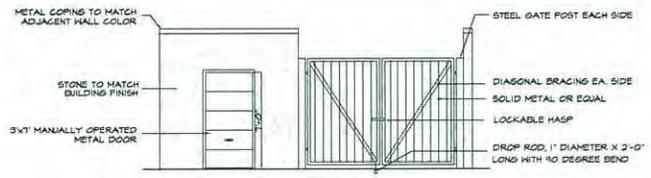
- NOTES:**
1. VERIFY DRAINAGE REQUIREMENTS WITH HEALTH INSPECTOR
  2. PROVIDE CEILING MOUNTED LIGHT AND DUPLEX OUTLET IN STORAGE
  3. DAMPSTER ENCLOSURE EXTERIOR FINISH TO MATCH BUILDING FINISH.



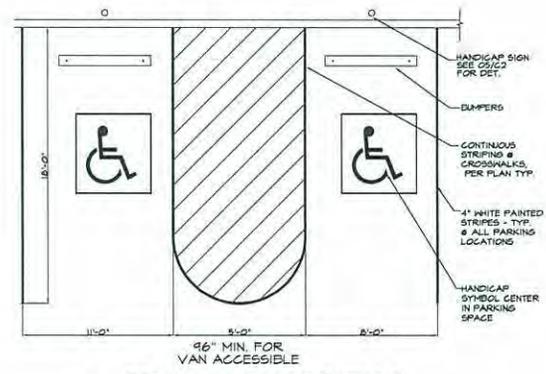
**01 STORAGE & TRASH ENCLOSURE PLAN**  
SCALE: NONE



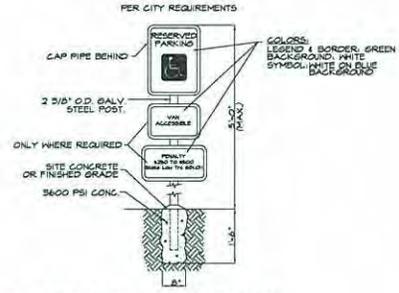
**02 STORAGE & TRASH ENCLOSURE SECTION**  
SCALE: NONE



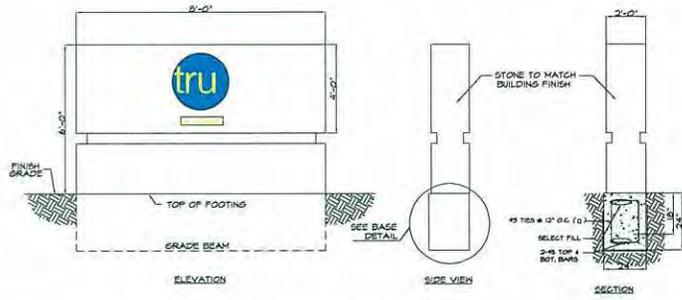
**03 STORAGE & TRASH ENCLOSURE ELEVATION**  
SCALE: NONE



**04 DETAIL - HANDICAP PARKING**  
SCALE: NONE



**05 DETAIL - HANDICAP SIGN**  
SCALE: NONE



**06 MONUMENT SIGN**  
SCALE: NONE

EXHIBIT C

PROJECT STATUS:  
PRELIMINARY  
PROJECT MANAGER:  
DSR  
DESIGN MANAGER:  
RCM  
PROJECT DATE:  
12/16  
REVISION DATE:  
03/16

**MANNY SINGH**  
438 CAVE RIVER DR.  
MCKINNEY, TEXAS 75069  
PH: 972-283-1333 FAX: 972-287-2887  
manny@mobobility.com

**ADR-DESIGNS-LLC**  
TOTAL DESIGN MANAGERS  
801 SADDLE HILL DRIVE, GRAND PRAIRIE, TX 75050  
PH: 972-283-1333 FAX: 972-287-2887  
E: info@adrdesigns.com  
POR: JOHN C. SARGEANT

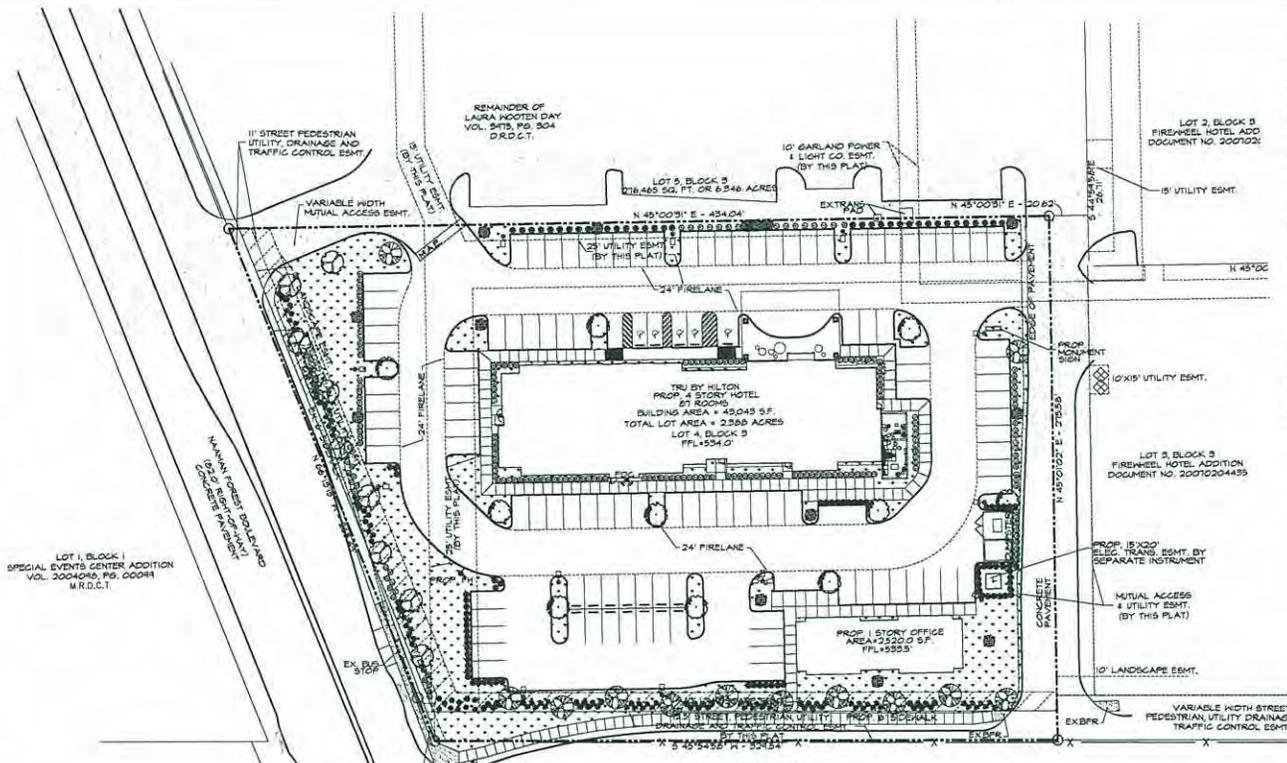
**TRU by HILTON**  
LOT 4R, BLOCK 3, FRENCHMEL HOTEL ADD.  
MANNING FOSTER BLVD, EL DORTO AVE.  
CITY OF GARLAND, TEXAS



**UJ Engineering**  
New Construction City Working - Design with Integrity  
7963 PINKERTON COURT  
PLANO, TEXAS 75025 PH: 972-797-3003  
E: info@ujengineering.com FAX: 972-797-3003  
FIRM # E-F-9928

JOB NUMBER:  
TMM-16432

SHEET NUMBER  
**C2**



- GENERAL LANDSCAPE NOTES:**
1. ALL PLANT MATERIALS SHALL CONFORM TO THE STANDARDS OF THE APPROVED PLANT LIST FOR THE CITY OF GARLAND, TEXAS.
  2. AS UNDERGROUND AUTOMATIC LANDSCAPE IRRIGATION SYSTEM SHALL BE INSTALLED TO WATER ALL LANDSCAPE AREAS, INCLUDING RIGHT-OF-WAY AREAS, UNLESS NOTED OTHERWISE.
  3. ADDITIONAL PLANT MATERIAL MAY BE INSTALLED ON SITE AT OWNER'S DISCRETION AND ACCORDING TO CITY REQUIREMENTS.
  4. ALL PLANT MATERIAL SHALL BE MAINTAINED BY OWNER IN A HEALTHY AND GROWING CONDITION AND REPLACED WITH PLANT MATERIAL OF SIMILAR SIZE AND VARIETY IF DAMAGED, DESTROYED, OR REMOVED.
  5. LANDSCAPE AREAS SHALL BE KEPT FREE OF TRASH, LITTER, AND WEEDS.
  6. ALL LANDSCAPE AREAS SHALL BE CONSTRUCTED, INSTALLED AND MAINTAINED SO AS NOT TO OBSTRUCT VIEW OF MOTORIST BETWEEN THE STREET AND ACCESS DRIVE. VISIBILITY EASEMENTS SHALL REMAIN UNOBTURATED AT ALL TIMES.
  7. ALL PERMISSIBLE SURFACES NOT OCCUPIED BY TREES, SHRUBS, PLANTING BEDS OR OTHER PERMITTED ITEMS OR FEATURES SHALL BE BERRY A DEGRADED LAWN AREAS UNLESS OTHERWISE NOTED.
  8. ALL TREES TO BE INSTALLED OUTSIDE FIRE HYDRANT, SANITARY SEWER, AND UTILITY EASEMENTS.
  9. REFERENCE ENGINEERING PLANS FOR PROPOSED GRADES.
  10. THE CONTRACTOR SHALL PLACE A 3 INCH THICK OF ROOT MULCH, SHREDDED HARDWOOD BARK MULCH OR DECORATIVE STONE TO A DIAMETER OF 5 FEET AROUND TREES AND SHRUBS OVER POLYETHYLENE IN ALL AREAS THAT WILL NOT BE SEEDED OR SODDED.
  11. HERBICIDE TO BE USED UNDER MULCH WHEN POLYETHYLENE IS NOT TO BE USED.
  12. THE LOCATION OF ALL PLANT MATERIAL IS APPROXIMATE. THE FINAL LOCATION SHALL BE DETERMINED IN THE FIELD.
  13. ALL DISTURBED AREAS SHALL BE PLANTED AS LAWN. APPLY 4 INCHES OF TOPSOIL, SEED, FERTILIZE AND MULCH PERMANENT SEEDING SHALL BE AS PER SHOWN ON THE SOIL CONSERVATION PLAN.
  14. THE CONTRACTOR SHALL COMPLY WITH ALL THE REQUIRED RULES AND REGULATIONS OF AGENCIES HAVING JURISDICTION OVER THE PROPOSED WORK.

- IRRIGATION NOTES:**
1. ALL LANDSCAPE AREAS TO BE IRRIGATED WITH AN AUTOMATIC IRRIGATION SYSTEM.
  2. IRRIGATION SYSTEM WILL BE EQUIPPED WITH A RAIN SENSOR AND FREEZE GUARD.
- TREE NOTES:**
1. AT THE TIME OF PLANTING, TREES SHALL BE A MINIMUM OF THREE INCHES CALIPER, MEASURED 12" ABOVE GROUND AND A MINIMUM OF SEVEN FEET IN HEIGHT.
  2. APPLY THREE INCHES (3") LAYER OF MULCH ON TOP OF ROOT BALL AFTER PLANTING, KEEP MULCH NINE INCHES (9") FROM BASE OF THE TRUNK.
  3. PRUNE EACH TREE TO CORRECT STRUCTURAL DEFECTS AND REMOVE BROKEN BRANCHES CAUSED DURING TRANSPORT AND PLANTING.
  4. EVERY OCTOBER APPLY TWO AND A HALF (2 1/2 LB.) POUNDS OF 10-10-10 FERTILIZER PER TEN SQUARE FEET OF

**MAINTENANCE**  
THE OWNER, TENANT AND FOR THEIR AGENT, IF ANY, SHALL BE JOINTLY AND GENERALLY RESPONSIBLE FOR THE MAINTENANCE OF ALL LANDSCAPING. ALL REQUIRED LANDSCAPING SHOULD BE MAINTAINED TO A SIZE AND ORDERLY MAINTAIN AT ALL TIMES. THIS SHALL INCLUDE, BUT NOT TO BE LIMITED TO: WEEDING, GRASSING, INSTALLING WATER LINES, PRUNING, AND OTHER SUCH ACTIVITIES COMMON TO THE MAINTENANCE OF LANDSCAPING. ALL PLANT MATERIAL SHALL BE MAINTAINED IN A HEALTHY AND GROWING CONDITION AS IN APPROPRIATE FOR THE SEASON OF THE YEAR. PLANT MATERIALS WHICH DIE SHALL BE REPLACED WITH MATERIAL SIMILAR VARIETY AND SIZE.

**LANDSCAPING**  
NOTE: THE CONTRACTOR WILL ABIDE WITH THE CITY ZONING ORDINANCE REQUIREMENTS FOR TREE PLANTING AS NECESSARY TO CONFORM TO PLANTING SPECIAL TREES TO ENHANCE THE FACILITY. REVISED LANDSCAPE PLANS WILL FOLLOW AFTER APPROVAL OF THE ENGINEERING DRAWINGS OF THIS PROJECT SITE.

**PLANTING LEGEND**

- RED OAK
- LIVE OAK
- CEDAR ELM
- GRAPE MYRTLE
- DWARF YAUPOIN HOLLY
- NANDINA
- VINCA
- LIRIOPE
- GRASS TURF (BERMUDA)



**PLANT LIST:**

QTY.	COMMON NAME	BOTANICAL NAME	SIZE/SPACING
12	RED OAK	QUERCUS SHUMARDII	3" CALIPER
01	LIVE OAK	QUERCUS VIRGINIANA	3" CALIPER
14	CEDAR ELM	ULMUS CRASSIFOLIA	3" CALIPER
10	GRAPE MYRTLE	LASERSTROEMIA INDICA	5' HEIGHT, 3-5 CANES 14 1/2" EACH
206	DWARF YAUPOIN HOLLY	NANDINA DOMESTICA	3' HEIGHT, 3 GALLON 36" O.G.
125	NANDINA	ILEX VOMITORIA 'NANA'	3' HEIGHT, 3 GALLON 36" O.G.
135	VINCA	Vinca minor	3' HEIGHT, 3 GALLON 36" O.G.
51	LIRIOPE	Liriope muscari	3' HEIGHT, 3 GALLON 36" O.G.

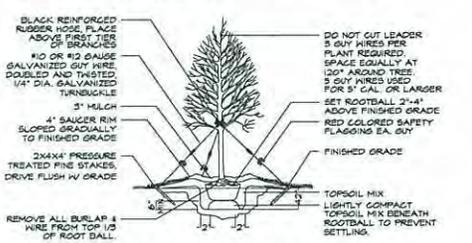
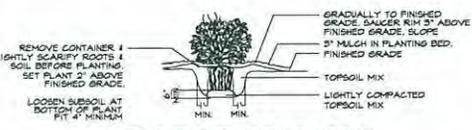
BENCHMARK: CITY OF GARLAND MONUMENT NO. 8 NW CORNER OF ELLIOTT AVENUE & NAAMAN FOREST BOULEVARD (ELEVATION: 528.4)

NO PARKING SPACE IS GREATER THAN 60 FEET FROM A REQUIRED TREE

NOTE: GROUNDCOVER MUST BE ARRANGED IN A CURVILINEAR PATTERN THROUGHOUT THE LANDSCAPE BUFFER

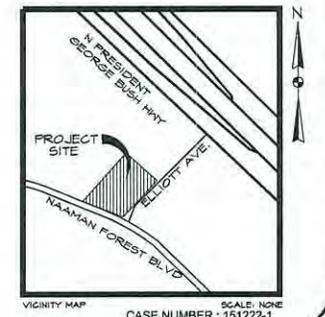
**LANDSCAPING**

LANDSCAPING	REQUIRED	PROVIDED	REMARKS
TOTAL LOT AREA	104,075.65 S.F.	104,075.65 S.F.	
LANDSCAPE AREA	REQUIRED (24.0% OF SITE)	25,072.44 S.F.	PROVIDED
STREET TREES	REQUIRED (533.21/30) LF OF FRONT	10	3" CALIPER PROVIDED
STREET SCREEN SHRUBS	REQUIRED (533.21/30x7) LF OF FRONT	125	5 GALLON PROVIDED
GROUNDCOVER (TURF/GRASS)	REQUIRED (75% OF LANDSCAPE BUFFER) PROVIDED (71.8% OF LANDSCAPE BUFFER)	5,016.07 S.F. 4,809.20 S.F.	
PARKING LOT LANDSCAPE	REQUIRED (5% OF PARKING LOT AREA) PROVIDED (7.40% OF PARKING LOT AREA)	1,026.01 S.F. 1,621.62 S.F.	
PARKING LOT LANDSCAPE	REQUIRED (1/10 PARKING SPACE) PROVIDED	12 5 GALLON 14	



**LANDSCAPE SUMMARY**

STREET YARD L.S. AREA	15,956.08 S.F.
TOTAL L.S. AREA	25,072.44 S.F.
TOTAL LOT AREA	104,075.65 S.F.
% OF LOT STREET YARD L.S.	15.33%
% OF LOT TOTAL L.S.	24.04%



PROJECT STATUS: PRELIMINARY

PROJECT MANAGER: USER

DESIGN MANAGER: RCM

PROJECT DATE: 12/15

REVISION DATE: 03/18/16

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**MANNY SINGH**  
438 CAVE RIVER DR., ARLINGHAM, TEXAS 75001  
PH: 972-992-1333 FAX: 972-992-2987  
manny@adrdesignsllc.com

---

**ADR-DESIGNS-LLC**  
TOTAL DESIGN MANAGERS

601 SADDLE HILL DRIVE, GRAND PRAIRIE, TX 75050  
PH: 972-992-1333 FAX: 972-992-2987  
E: info@adrdesignsllc.com  
POR: JOHN G. SARGENT

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**TRU by HILTON**  
LOT 4-R, BLOCK 3, FIREWHEEL HOTEL ADD. NAAMAN FOREST BOULEVARD AT ELLIOTT AVE. CITY OF GARLAND, TEXAS

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STATE OF TEXAS  
COUNTY OF TARRANT  
REGISTERED PROFESSIONAL ENGINEER  
NO. 38537  
DANIEL S. HARRIS

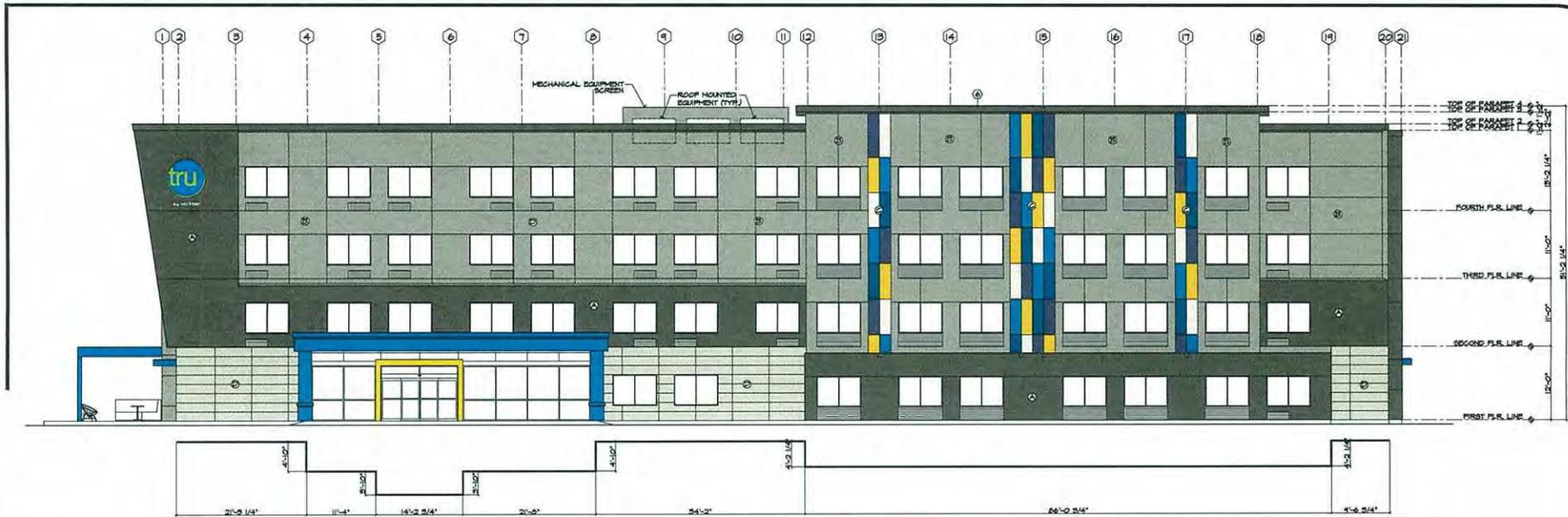
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**Engineering**  
New Construction Engineering & Construction Services  
7953 PINKNETT COURT  
PLANO, TEXAS 75025  
TEL: (972) 546-1550 FAX: (972) 767-5003  
E: info@engineering.com FIRM E: E-9928

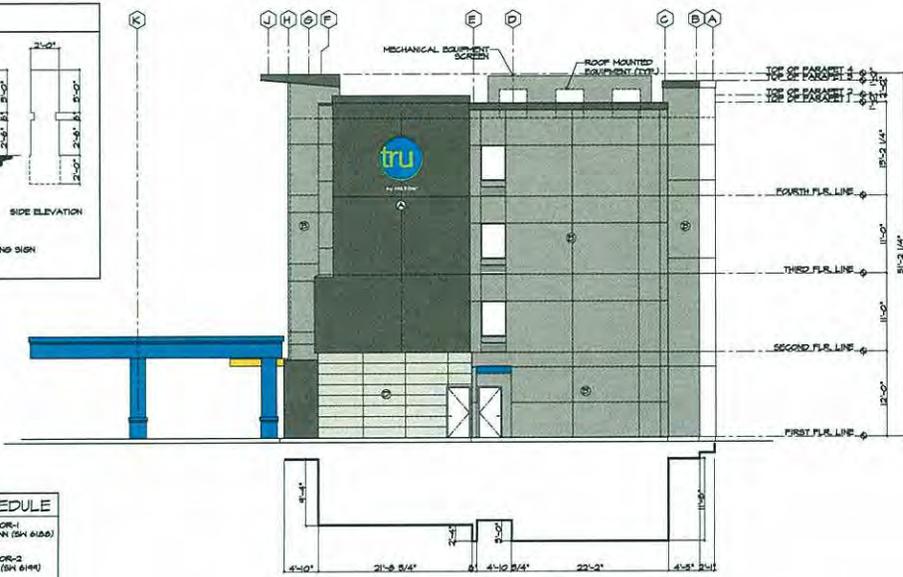
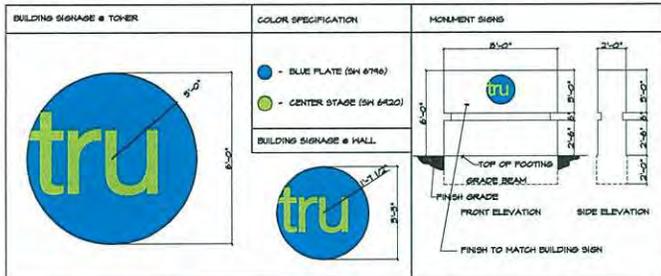
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JOB NUMBER: TNH-16432

SHEET NUMBER: **L1**



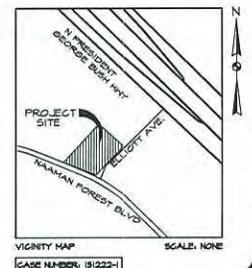
01 NORTH ELEVATION (FRONT)  
SCALE: 1/8"=1'-0"



02 WEST ELEVATION (RIGHT)  
SCALE: 1/8"=1'-0"

NOTE	ARCHITECTURAL ELEMENTS
*ALL STUCCO INSTALLATIONS TO COMPLY WITH ASTM C1066	1. CANOPIES
MAXIMUM HALL PANEL AREA = 144 SQ. FT.	2. DISPLAY WINDOWS
MAXIMUM DISTANCE BETWEEN JOINTS = 10 FT.	3. TRANSOM
MINIMUM LENGTH TO WIDTH RATIO = 2:3 TO 1	4. VARIED ROOF HEIGHTS
*NO INCREASE ALLOWED UNLESS APPROVED BY ARCHITECT.	5. PLANTERS
	6. BENCHES FOR OUTDOOR SEATING

MATERIAL CALCULATION SCHEDULE	FINISH SCHEDULE			
	NORTH ELEVATION	WEST ELEVATION	SOUTH ELEVATION	EAST ELEVATION
TOTAL FACADE AREA (EXCLUSIVE OF DOORS & WINDOWS)	7,284 S.F.	2,820 S.F.	6,992 S.F.	2,865 S.F.
MATERIAL				
STUCCO	6,241 S.F. (85%)	2,326 S.F. (82%)	4,471 S.F. (64%)	2,626 S.F. (91%)
STONE	643 S.F. (9%)	234 S.F. (8%)	819 S.F. (12%)	224 S.F. (8%)
TOTAL	7,284 S.F. (100%)	2,820 S.F. (100%)	6,992 S.F. (100%)	2,865 S.F. (100%)



PROJECT STATUS: PRELIMINARY  
PROJECT MANAGER: DBR  
DESIGN MANAGER: RCM  
PROJECT DATE: 020316  
REVISION DATE: 031816

MANNY SINGH  
438 CAVE RIVER DR.  
HOUSTON, TEXAS 77044  
PHONE: 832.555.5400  
manny@mochospitality.com

TRU by HILTON  
NAAMAN FOREST BOULEVARD  
GARLAND, TEXAS

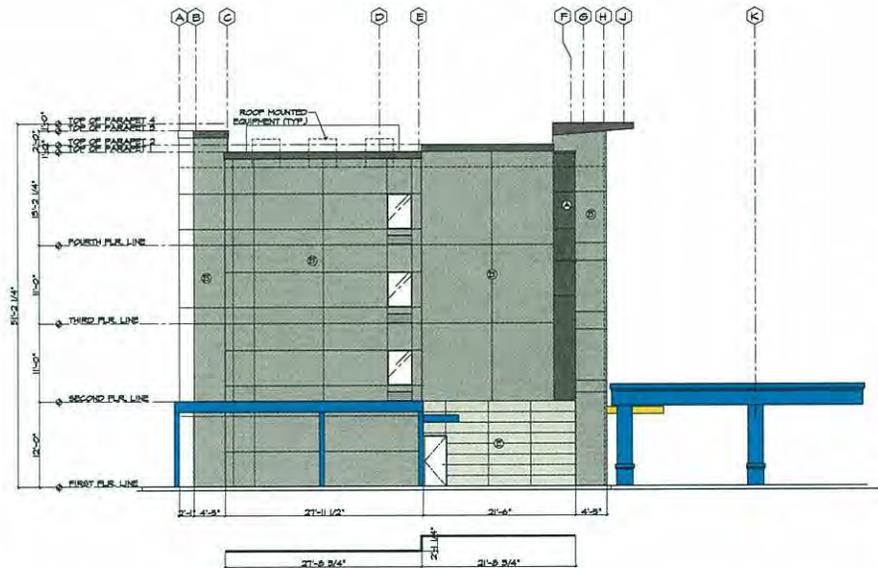
ADR-DESIGNS-LLC  
TOTAL DESIGN MANAGERS  
601 SADDLE HILL DRIVE, GRAND PRairie, TX 75050  
PH: 972.252.1333 FAX: 972.252.2897  
E: info@adr-designs.com  
POB: JOHN C. BARRETT

JOB NUMBER: TN8-16434

SHEET NUMBER: A310



01 SOUTH ELEVATION (REAR)  
SCALE: 1/8"=1'-0"

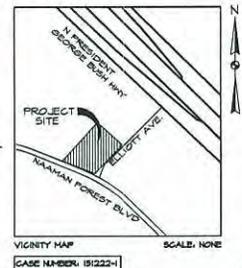


02 EAST ELEVATION (LEFT)  
SCALE: 1/8"=1'-0"

NOTE:	ARCHITECTURAL ELEMENTS:
ALL STUCCO INSTALLATIONS TO COMPLY WITH ASTM C1088	1. CANOPIES
MAXIMUM WALL PANEL AREA = 144 SQ. FT.	2. DISPLAY WINDOWS
MAXIMUM DISTANCE BETWEEN JOINTS = 10 FT.	3. TRANSOM
MAXIMUM LENGTH TO WIDTH RATIO = 2.5 TO 1	4. VARIOUS ROOF HEIGHTS
NO INCREASE ALLOWED UNLESS APPROVED BY ARCHITECT.	5. PLANTERS
	6. BENCHES FOR OUTDOOR SEATING

MATERIAL CALCULATION SCHEDULE	NORTH ELEVATION	WEST ELEVATION	SOUTH ELEVATION	EAST ELEVATION
TOTAL FACADE AREA (EXCLUSIVE OF DOORS & WINDOWS)	1,254 S.F.	2,820 S.F.	6,492 S.F.	2,868 S.F.
MATERIAL				
STUCCO	6,241 S.F. (42%)	2,806 S.F. (42%)	6,471 S.F. (43%)	2,856 S.F. (42%)
STONE	643 S.F. (20%)	254 S.F. (9%)	515 S.F. (7%)	224 S.F. (8%)
TOTAL	7,224 S.F. (100%)	2,820 S.F. (100%)	6,492 S.F. (100%)	2,868 S.F. (100%)

FINISH SCHEDULE
STUCCO COLOR-1 SHACC-GROWN (SH 6186)
STUCCO COLOR-2 RARE GRAY (SH 6144)
STUCCO ACCENT WALL SH 6825, SH 7104, SH 6407, SH 6952, & SH 6501
STONE SLATE STONE (SH 754)



PROJECT STATUS:  
PRELIMINARY  
PROJECT MANAGER:  
DSE  
DESIGN MANAGER:  
RCM  
PROJECT DATE:  
020316  
REVISION DATE:  
031816

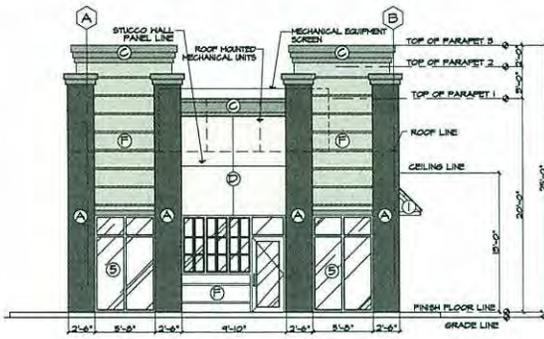
MANNY SINGH  
438 CAVE RIVER DR.  
MCKINNEY, TX 75069  
PHONE: 936-555-5400  
manny@mchoospitalty.com

TRU by HILTON  
NAAMAN FOREST BOULEVARD  
GARLAND, TEXAS

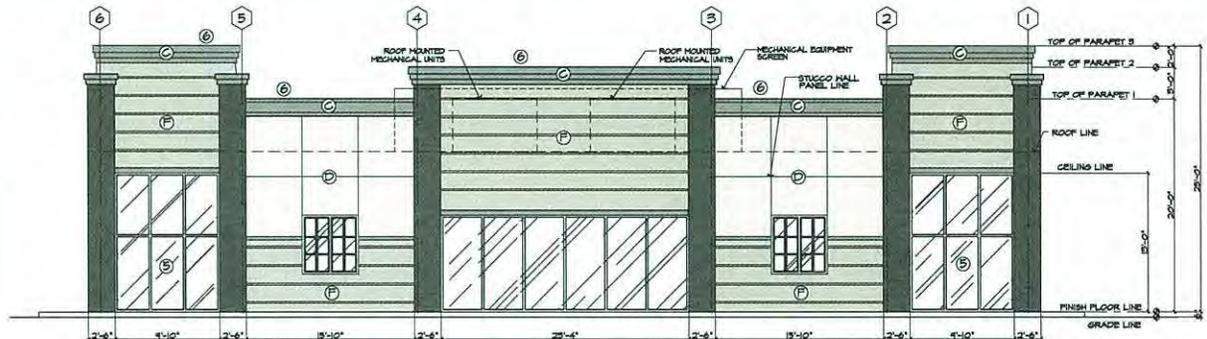
ADR-DESIGNS-LLC  
TOTAL DESIGN MANAGERS  
801 SADDLE HILL DRIVE, GRAND PRAIRIE, TX 76250  
PH: 972-203-1333 FAX: 972-272-2889  
E: info@adr-designs.com  
PO: JOHN C. BANGERT

JOB NUMBER:  
TN-16434

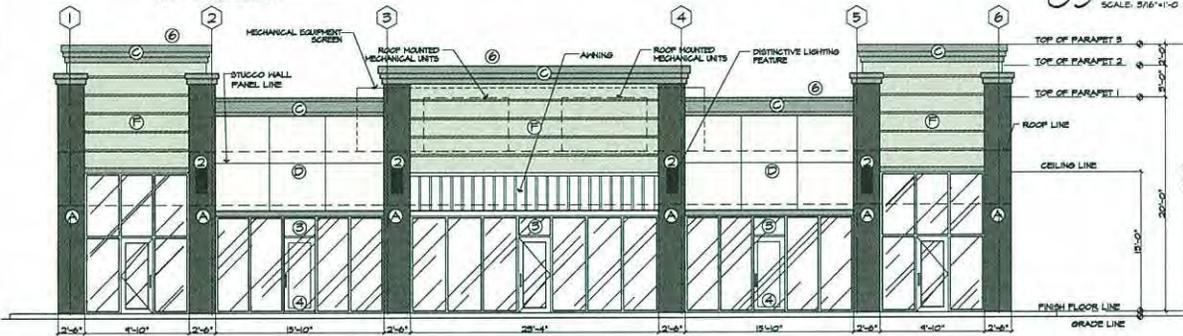
SHEET NUMBER  
A311



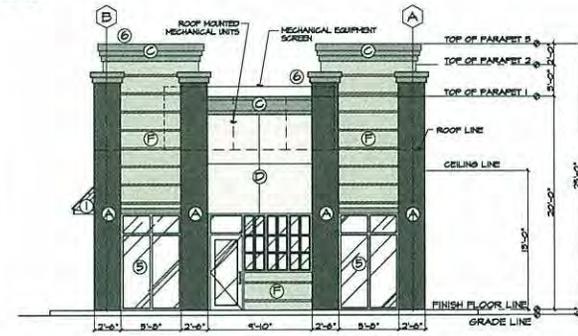
04 LEFT ELEVATION  
SCALE: 5/8"=1'-0"



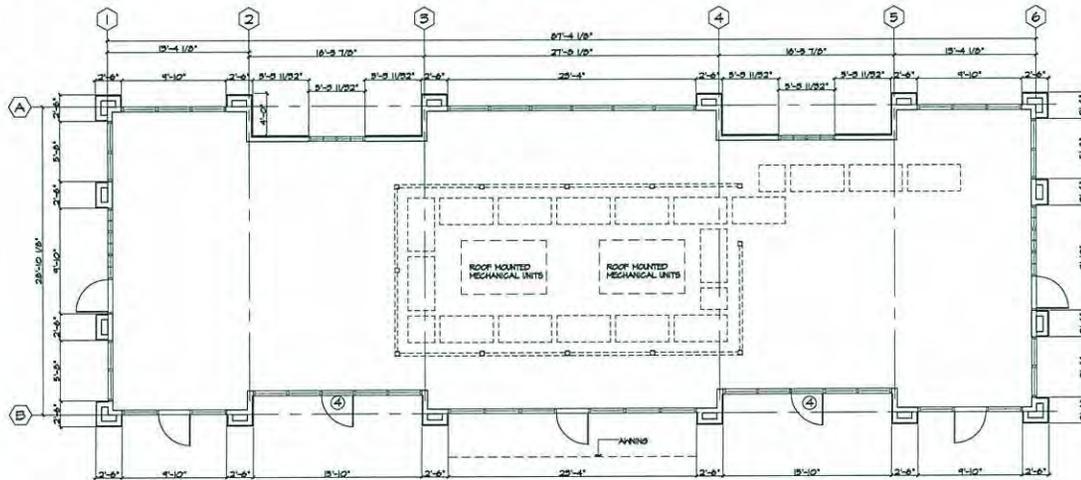
05 REAR ELEVATION  
SCALE: 5/8"=1'-0"



02 FRONT ELEVATION  
SCALE: 5/8"=1'-0"



03 RIGHT ELEVATION  
SCALE: 5/8"=1'-0"



FLOOR PLAN  
SCALE: 5/8"=1'-0"

- ARCHITECTURAL ELEMENTS (A-F)
- ANNINGS OR CANOPIES
  - DISTINCTIVE LIGHTING FEATURE
  - TRANSOMS
  - RECESSED ENTRIES
  - DISPLAY HINGERS
  - VARIED ROOF HEIGHTS

NOTE:  
ALL STUCCO INSTALLATIONS TO COMPLY WITH ASTM C685  
MASONRY HALL PANEL AREA 1144 SQ. FT.  
MAXIMUM DISTANCE BETWEEN JOINTS = 18 IN.  
MINIMUM LENGTH TO HEIGHT RATIO = 25 TO 1  
NO INCREASE ALLOWED UNLESS APPROVED BY ARCHITECT.

FINISH SCHEDULE	
A	STUCCO COLOR-1 SHADE-BROWN (SH 6160)
C	STUCCO COLOR-3 DANISH (SH 6800)
D	STUCCO COLOR-4 COTTON WHITE (SH 7024)
F	STONE SLATE STONE

	EXTERIOR FINISH SCHEDULE			
	FRONT ELEVATION	RIGHT ELEVATION	LEFT ELEVATION	REAR ELEVATION
TOTAL STUCCO	1424 S.F.	128 S.F.	128 S.F.	2020 S.F.
TOTAL STUCCO (EXCLUSIVE OF DOORS & WINDOWS)	1170 S.F.	88 S.F.	88 S.F.	1411 S.F.
* DOORS & WINDOWS	254 S.F.	40 S.F.	40 S.F.	609 S.F.
MATERIALS				
* STONE	240 S.F. (67%)	104 S.F. (81%)	104 S.F. (81%)	692 S.F. (44%)
* STUCCO	180 S.F. (67%)	24 S.F. (19%)	24 S.F. (19%)	849 S.F. (56%)

PROJECT STATUS:  
PRELIMINARY  
PROJECT MANAGER:  
DOR  
DESIGN MANAGER:  
RCM  
PROJECT DATE:  
02/21/16  
REVISION DATE:  
02/19/16

MANNY SINGH  
10000 HWY 175 UNIT 1004  
MURPHY, TEXAS 75154  
PHONE: 936-535-6400  
manny@mchocspatiality.com

PROPOSED OFFICE  
MULAM FOREST BOULEVARD  
GARDLAND, TEXAS

ADR-DESIGNS-LLC  
TOTAL DESIGN MANAGERS  
601 SADDLE HILL DRIVE, GRAND PRairie, TX 75050  
PH: 972-280-1333 FAX: 972-280-1334  
E: info@adr-designs.com  
FOR: JOHN C. SARGENT

JOB NUMBER:  
TNH - 16432B

SHEET NUMBER  
A310



# City Council Item Summary Sheet

Work Session

Date: May 3, 2016

Agenda Item

## Item 3b - Zoning Ordinance

### Summary of Request/Problem

Zoning Ordinance 16-06 Kimley-Horn & Associates

### Recommendation/Action Requested and Justification

Consider adoption of attached ordinance.

**Submitted By:**

**Will Guerin**  
Director of Planning

**Approved By:**

**Bryan L. Bradford**  
City Manager

**ORDINANCE NO.**

**AN ORDINANCE AMENDING THE GARLAND DEVELOPMENT CODE OF THE CITY OF GARLAND, TEXAS, BY APPROVING 1) AN AMENDMENT TO PLANNED DEVELOPMENT (PD) 15-40 AND 2) A DETAIL PLAN FOR MULTI-FAMILY ON PROPERTY ZONED PLANNED DEVELOPMENT (PD) 15-40 FOR MULTI-FAMILY USES ON A 30.038-ACRE TRACT OF LAND LOCATED SOUTH AND WEST OF BUNKER HILL ROAD AND NORTH AND WEST OF MILES ROAD; PROVIDING FOR CONDITIONS, RESTRICTIONS, AND REGULATIONS; PROVIDING A PENALTY UNDER THE PROVISIONS OF SEC. 10.05 OF THE CODE OF ORDINANCES OF THE CITY OF GARLAND, TEXAS; PROVIDING A SAVINGS CLAUSE AND A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, at its regular meeting held on the 28th day of March, 2016, the Plan Commission did consider and make recommendations on a certain request for zoning change made by **ArchCo Residential, LLC**; and

**WHEREAS**, The City Council, after determining all legal requirements of notice and hearing have been met, has further determined the following amendment to the Garland Development Code 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.**

The Garland Development Code is hereby amended by approving 1) an amendment to Planned Development (PD) 15-40 and 2) a Detail Plan for Multi-Family on property zoned Planned Development (PD) 15-40 for Multi-Family Uses 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.**

FILE NO. 16-06

That a 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 4.**

That the Garland Development Code, as amended, shall be and remain in full force and effect save and except as amended by this Ordinance.

**Section 5.**

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

**Section 6.**

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

**PASSED AND APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_,  
2016.

**THE CITY OF GARLAND, TEXAS**

By:

\_\_\_\_\_  
Mayor

**ATTEST:**

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

**Published:**

**EXHIBIT A  
LEGAL DESCRIPTION  
ZONING FILE 16-06**

BEING an approximate 50-acre tract of a portion of that tract of land situated in Dallas County, Texas, out of the Daniel Crist Survey, Abstract 226, and being a part of that called 95 acres, 19.8 acres, and 68.73 acres described in a deed to Elizabeth H. Wilkins as recorded in Volume 93115, Page 592 of the Deed Records of Dallas County, Texas and being a portion of that tract of land described in a deed to W.T. Limerick as recorded in Volume 2121, Page 126 of the Deed Records of Dallas County. This property is located south and west of Bunker Hill Road and north and west of Miles Road.

**PLANNED DEVELOPMENT CONDITIONS**

**ZONING FILE 16-06**

**South and west of Bunker Hill Road and north and west of  
Miles Road**

- I. Statement of Purpose:** The purpose of this Planned Development 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 Garland Development Code, Ordinance No. 6773, as amended prior to adoption of this ordinance, except as specifically provided herein.
- III. General Regulations:** All regulations of the Planned Development (PD) District 15-40 for Multi-Family Uses are included by reference and shall apply, except as otherwise specified by this Ordinance.

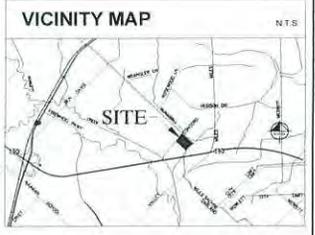
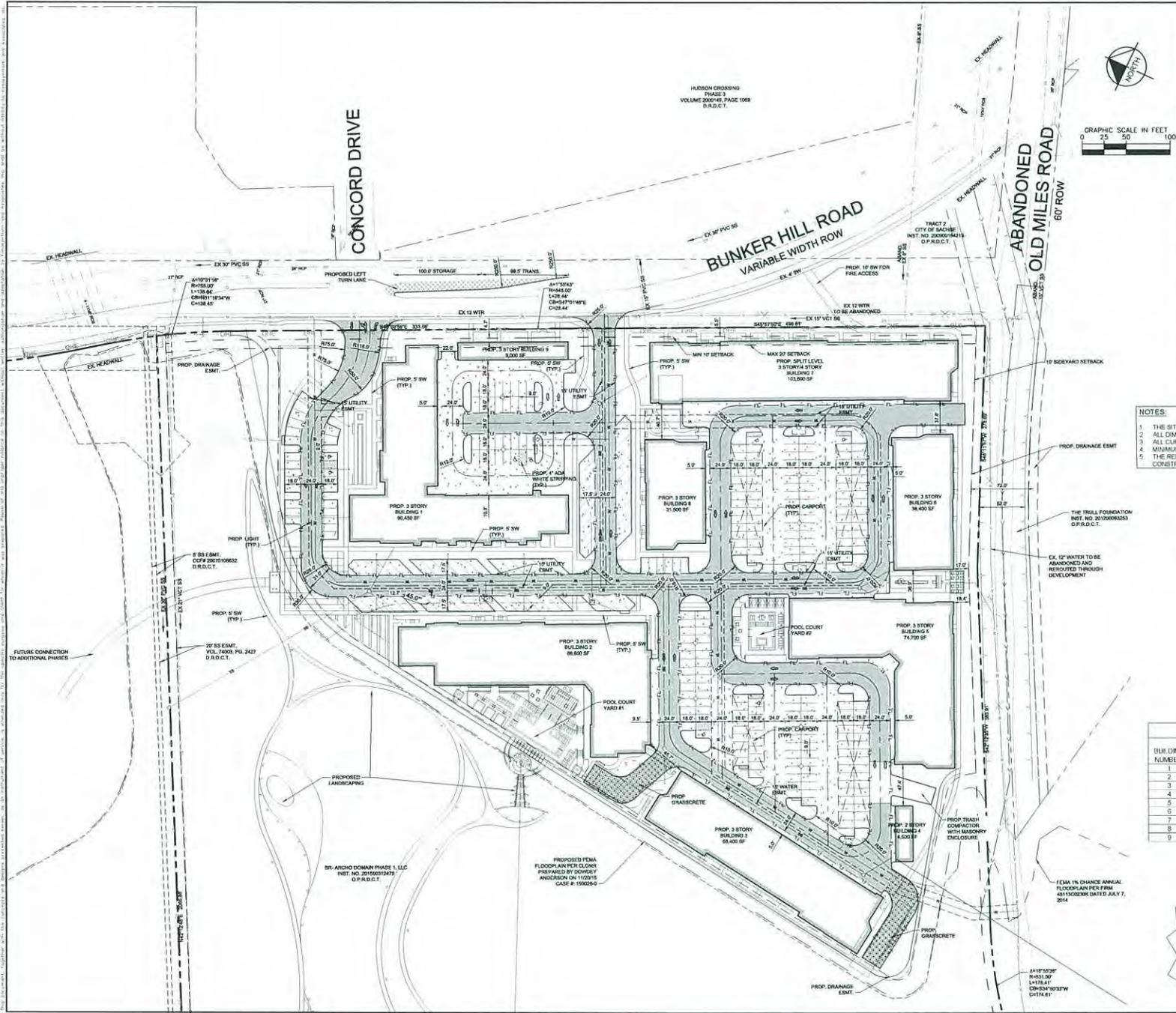
**IV. Development Plans:**

Detail Plan: Development shall be in general conformance with the Detail Plan set forth in Exhibit C; however, in the event of conflict between the Detail Plan and the written conditions in Planned Development (PD) District 15-40 of this Ordinance, the written conditions shall apply.

**V. Specific Regulations:**

- A. Permitted Uses: Uses shall be as permitted within the Multi-Family (MF) District.
- B. Parking: Parking shall be generally located as shown on the Detail Plan (Exhibit C) and provided at a ratio of 1.5 parking spaces per dwelling unit.
- C. Screening and Landscaping: Screening and landscaping shall be in general conformance with the approved landscape plan labeled Exhibit D.
- D. Building Elevations: Building elevations shall be in conformance with Exhibit E.
- E. Storage Facilities: External storage shall be provided within internal corridors and within attached garages at a minimum size of twenty-five (25) square feet, no less than 175 cubic feet. The

external storage areas are not required to be directly accessed from each unit. The site shall provide a minimum of 216 external storage areas available through lease or as part of the attached garage.



**LEGEND**

- [Symbol] EXISTING CONCRETE PAVEMENT
- [Symbol] PROPOSED CONCRETE FIRE LANE
- [Symbol] PROPOSED CONCRETE PAVEMENT
- [Symbol] BUNKER HILL ROAD TURN LANE IMPROVEMENTS
- [Symbol] PROPOSED HIGH STRENGTH PAVEMENTS
- [Symbol] PROPOSED GRASSCRETE
- [Symbol] TRAFFIC FLOW ARROW
- [Symbol] BUILDING SETBACK LINE
- [Symbol] ORANGE OPEN CHANNEL TOP OF BANK

- NOTES:**
1. THE SITE IS ZONED MFD 12-13
  2. ALL DIMENSIONS ARE TO FACE OF CURB UNLESS OTHERWISE NOTED
  3. ALL CURB RADI ARE 3' UNLESS SHOWN OTHERWISE
  4. MINIMUM FIRE LANE RADIUS TO BE 20'
  5. THE REFUSE FACILITY IS TO BE 2' L X 17' W X 5' H, HAND CONSTRUCTED WITH ACME BRICK - BROOKSHIRE

**SITE TABLE**

TOTAL SITE AREA	30.038	ACRES
TOTAL NET FLOORPLAN AREA	18,443	ACRES
TOTAL FLOOR AREA RATIO	1.12	
TOTAL IMPERVIOUS AREA	343,962	SF
PERC. OF IMPERVIOUS COVER	75.50%	
BUILDING COVERAGE	106,890	SF
TOTAL UNITS	299	UNITS

**PARKING REQUIREMENT TABLE**

UNITS	299
PARKING REQUIRED	
RATIO	1.76
TOTAL	527
COVERED (50%)	264
PARKING PROVIDED	
TOTAL	454
COVERED	238
RATIO	1.52

\*Ratio shown in PIR(C) space per unit

**BUILDING TABLE**

BUILDING NUMBER	GROSS SQUARE FOOTAGE (SQ)	HEIGHT OF BUILDING (W)	NUMBER OF STORES	FRESHED FLOOR ELEVATION (H)
1	90,450	44	3	477.474
2	88,800	44	3	475.5-474.5
3	88,400	44	3	474.5-473.5
4	4,500	44	2	473.5
5	74,700	44	3	475.5-474.5
6	38,400	44	3	476
7	103,000	44	3M	486.5-476.5
8	31,500	44	3	476
9	9,000	44	2	477

**WARNING:** EXISTING UTILITIES SHOWN ARE BASED ON AVAILABLE RECORD DRAWINGS AND ABOVE GROUND FIELD SURVEY DATA. THEREFORE THERE MAY BE UTILITIES PRESENT THAT ARE NOT SHOWN ON THESE CONSTRUCTION PLANS. CONTRACTOR TO FIELD VERIFY PRESENCE AND EXACT LOCATION OF ALL UTILITIES PRIOR TO CONSTRUCTION AND USE CAUTION DURING CONSTRUCTION. NOTIFY ENGINEER AND OWNER OF ANY DISCREPANCIES.

**EXHIBIT C**

**Kimley»Horn**

© 2014 KIMLEY-HORN AND ASSOCIATES, INC.  
12705 ROCKWELL ROAD, SUITE 100  
DALLAS, TEXAS 75244-3800  
PHONE: 972.767.1300 FAX: 972.258.8200  
WWW.KIMLEY-HORN.COM TX F-978

**EXHIBIT C**

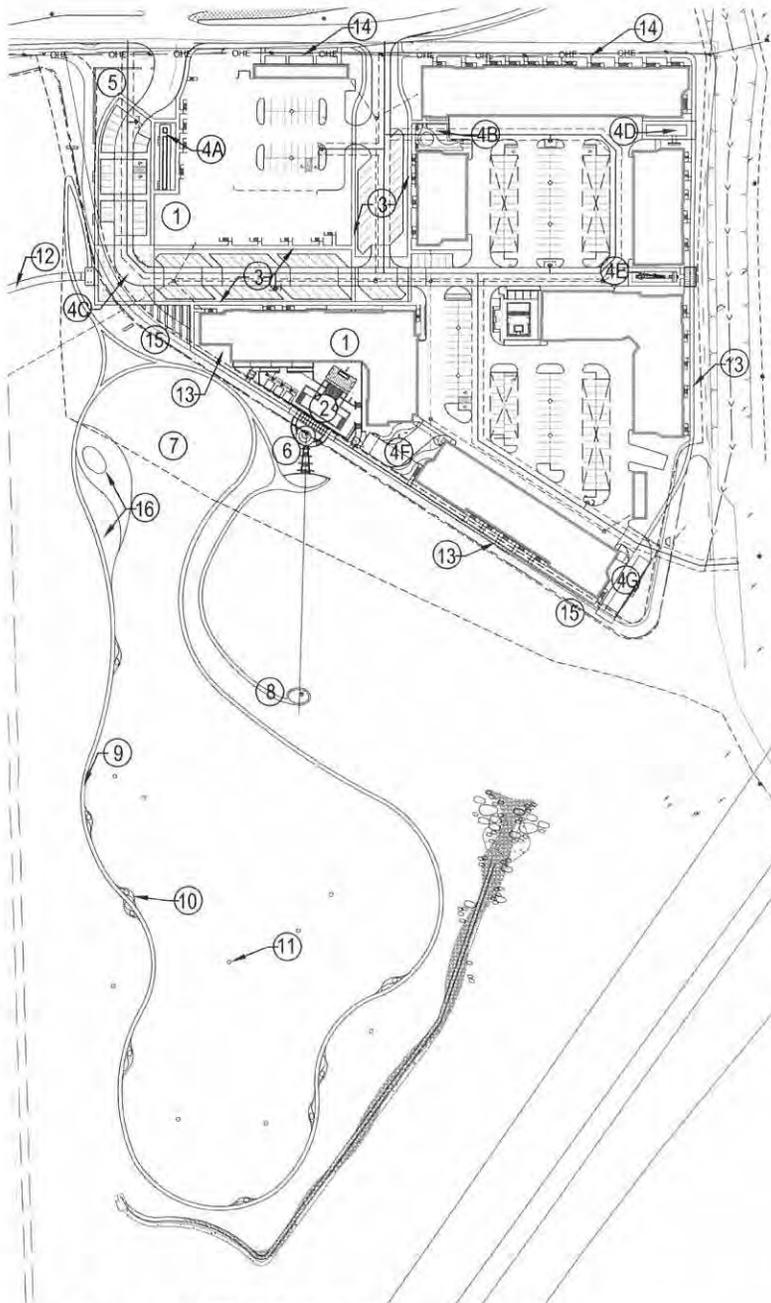
**SITE PLAN**

**DOMAIN**  
CITY OF GARLAND  
DALLAS COUNTY, TX

CASE # 150827-2

SHEET NUMBER  
D-01

DATE: \_\_\_\_\_  
REVISED: \_\_\_\_\_  
SCALE: AS SHOWN  
DRAWN BY: \_\_\_\_\_  
CHECKED BY: \_\_\_\_\_  
DATE: \_\_\_\_\_



1. LEASING / AMENITY
2. POOL AMENITY
3. TREE-LINED SIDEWALKS
- 4A. LEASING COURT / POCKET PARK
- 4B. POCKET PARK / DOG PARK
- 4C. POCKET PARK / OVERLOOK / FUTURE TRAIL BRIDGE CONNECTOR
- 4D. POCKET PARK
- 4E. POCKET PARK / OVERLOOK
- 4F. POCKET PARK / DOG PARK
- 4G. POCKET PARK / YOGA LAWN
5. POCKET PARK WITH IDENTITY SIGNAGE
6. SEATING OVERLOOK WITH STEPS TO TRAIL AND POND
7. OPEN MANICURED LAWN / AMPHITHEATER LAWN
8. POND OVERLOOK / TRAIL
9. FLOODPLAIN HIKE / BIKE TRAIL
10. POSSIBLE FITNESS STATIONS
11. POSSIBLE FRISBEE GOLF STATIONS
12. FUTURE HIKE AND BIKE TRAIL CONNECTION / BRIDGE
13. PROMENADE / SIDEWALK ALONG MAINTENANCE ACCESS; UNIT ACCESS TO SIDEWALK WHERE FEASIBLE
14. SIDEWALKS WITH UNIT ACCESS WHERE FEASIBLE
15. LANDSCAPE TRANSITION ZONE TO FLOODPLAIN
16. POSSIBLE GOLF CHIPPING GREEN

OVERALL OPEN SPACE AND AMENITY AREA:

	TOTAL ACREAGE	PERCENT OF TOTAL DEVELOPMENT SITE	DEVELOPABLE LAND THAT IS NET RECLAIMED FLOODPLAIN	NET DEVELOPABLE LAND PERCENT OF TOTAL SITE	ACREAGE FOR OPEN SPACE AND AMENITY AREA OF PARCEL SITE	OPEN SPACE AND AMENITY PERCENT OF PARCEL SITE(S)	OPEN SPACE AND AMENITY PERCENT OF TOTAL DEVELOPMENT SITE
PARCELS I, II AND III	135.9 ACRES	100%	37.84 ACRES	27.85%	98.06 ACRES	72.16%	100.00%
PARCEL I	30.038 ACRES	22.11%	10.43 ACRES	34.72%	19.608 ACRES *	65.27% *	20%
PARCELS II AND III	105.855	77.89%	27.41 ACRES	25.89%	78.445 ACRES	74.10%	80%

NOTE: AN ADDITIONAL 33.9% OF THE DEVELOPABLE NET AREA RECLAIMED IS ALSO OPEN SPACE. REFER TO THE LANDSCAPE SHEETS FOR LANDSCAPE DATA TABLE.



2915 Woodside St  
Dallas, Texas 75204  
P: 817-247-8226



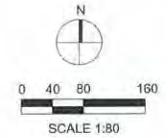
**The Domain at Firewheel**  
 Garland, Texas  
 Site Landscape Plan  
**EXHIBIT D**



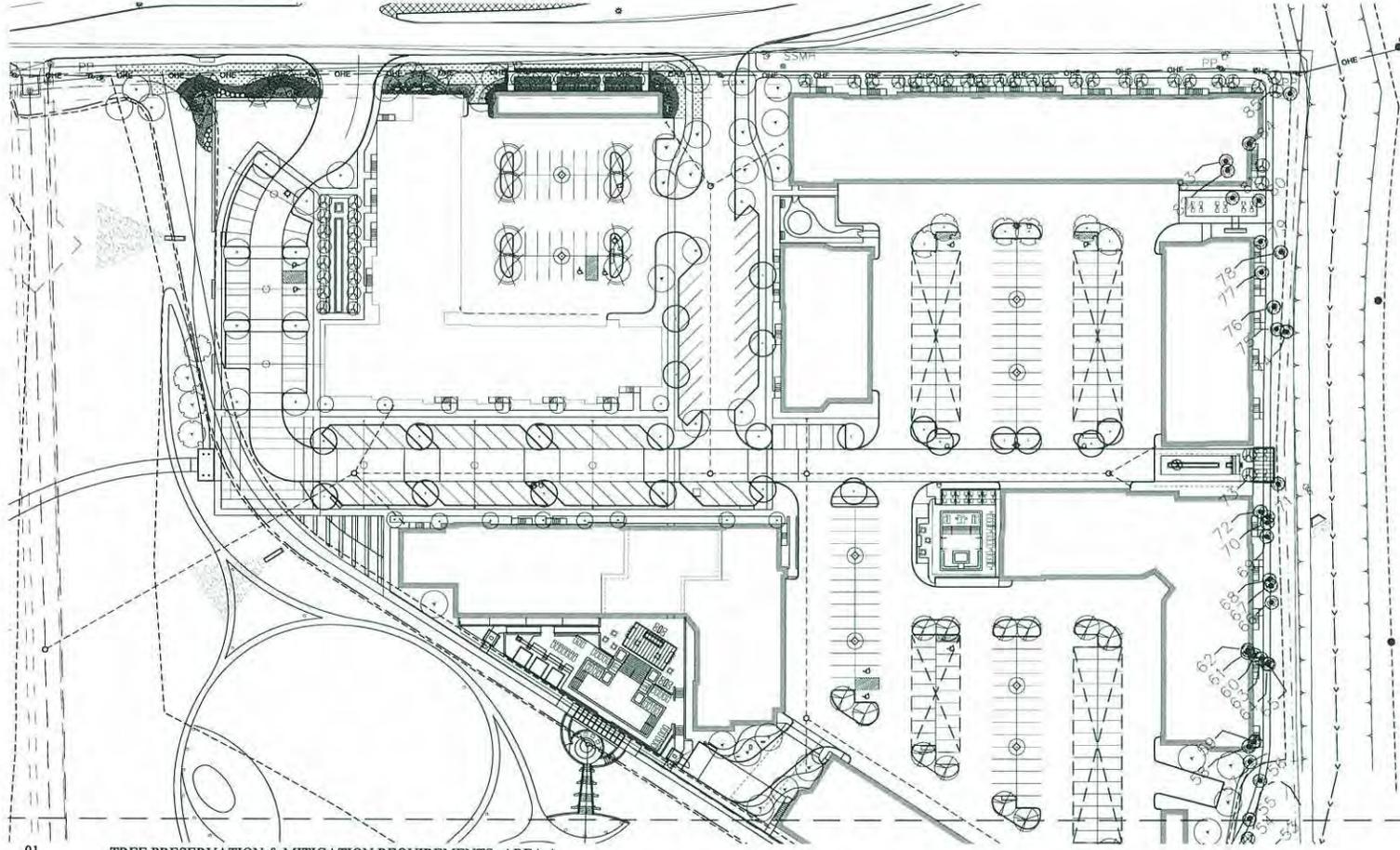
Project Number: 10-010  
 Drawn By: g  
 Site Landscape Plan 02.17.2016  
 Revision: \_\_\_\_\_ Date: \_\_\_\_\_  
 City Site Plan 03-04-201  
 Comment Response

**TRAIL & OPEN  
SPACE AMENITY  
PLAN**

**LP 10.00**

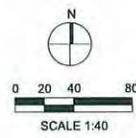
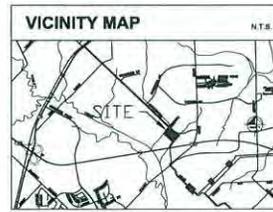
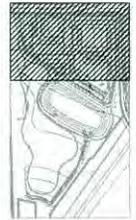






01 TREE PRESERVATION & MITIGATION REQUIREMENTS- AREA A  
 SCALE: 1" = 40'  
 CASE NUMBER 150827-2

TREE NO.	DESCRIPTION	REMOVAL/RETAIN												
1	...	...	1	...	...	1	...	...	1	...	...	1	...	...
2	...	...	2	...	...	2	...	...	2	...	...	2	...	...
3	...	...	3	...	...	3	...	...	3	...	...	3	...	...
4	...	...	4	...	...	4	...	...	4	...	...	4	...	...
5	...	...	5	...	...	5	...	...	5	...	...	5	...	...
6	...	...	6	...	...	6	...	...	6	...	...	6	...	...
7	...	...	7	...	...	7	...	...	7	...	...	7	...	...
8	...	...	8	...	...	8	...	...	8	...	...	8	...	...
9	...	...	9	...	...	9	...	...	9	...	...	9	...	...
10	...	...	10	...	...	10	...	...	10	...	...	10	...	...
11	...	...	11	...	...	11	...	...	11	...	...	11	...	...
12	...	...	12	...	...	12	...	...	12	...	...	12	...	...
13	...	...	13	...	...	13	...	...	13	...	...	13	...	...
14	...	...	14	...	...	14	...	...	14	...	...	14	...	...
15	...	...	15	...	...	15	...	...	15	...	...	15	...	...
16	...	...	16	...	...	16	...	...	16	...	...	16	...	...
17	...	...	17	...	...	17	...	...	17	...	...	17	...	...
18	...	...	18	...	...	18	...	...	18	...	...	18	...	...
19	...	...	19	...	...	19	...	...	19	...	...	19	...	...
20	...	...	20	...	...	20	...	...	20	...	...	20	...	...
21	...	...	21	...	...	21	...	...	21	...	...	21	...	...
22	...	...	22	...	...	22	...	...	22	...	...	22	...	...
23	...	...	23	...	...	23	...	...	23	...	...	23	...	...
24	...	...	24	...	...	24	...	...	24	...	...	24	...	...
25	...	...	25	...	...	25	...	...	25	...	...	25	...	...
26	...	...	26	...	...	26	...	...	26	...	...	26	...	...
27	...	...	27	...	...	27	...	...	27	...	...	27	...	...
28	...	...	28	...	...	28	...	...	28	...	...	28	...	...
29	...	...	29	...	...	29	...	...	29	...	...	29	...	...
30	...	...	30	...	...	30	...	...	30	...	...	30	...	...
31	...	...	31	...	...	31	...	...	31	...	...	31	...	...
32	...	...	32	...	...	32	...	...	32	...	...	32	...	...
33	...	...	33	...	...	33	...	...	33	...	...	33	...	...
34	...	...	34	...	...	34	...	...	34	...	...	34	...	...
35	...	...	35	...	...	35	...	...	35	...	...	35	...	...
36	...	...	36	...	...	36	...	...	36	...	...	36	...	...
37	...	...	37	...	...	37	...	...	37	...	...	37	...	...
38	...	...	38	...	...	38	...	...	38	...	...	38	...	...
39	...	...	39	...	...	39	...	...	39	...	...	39	...	...
40	...	...	40	...	...	40	...	...	40	...	...	40	...	...



2916 Woodside St.  
 Dallas, Texas 75204  
 P. 972-247-8226

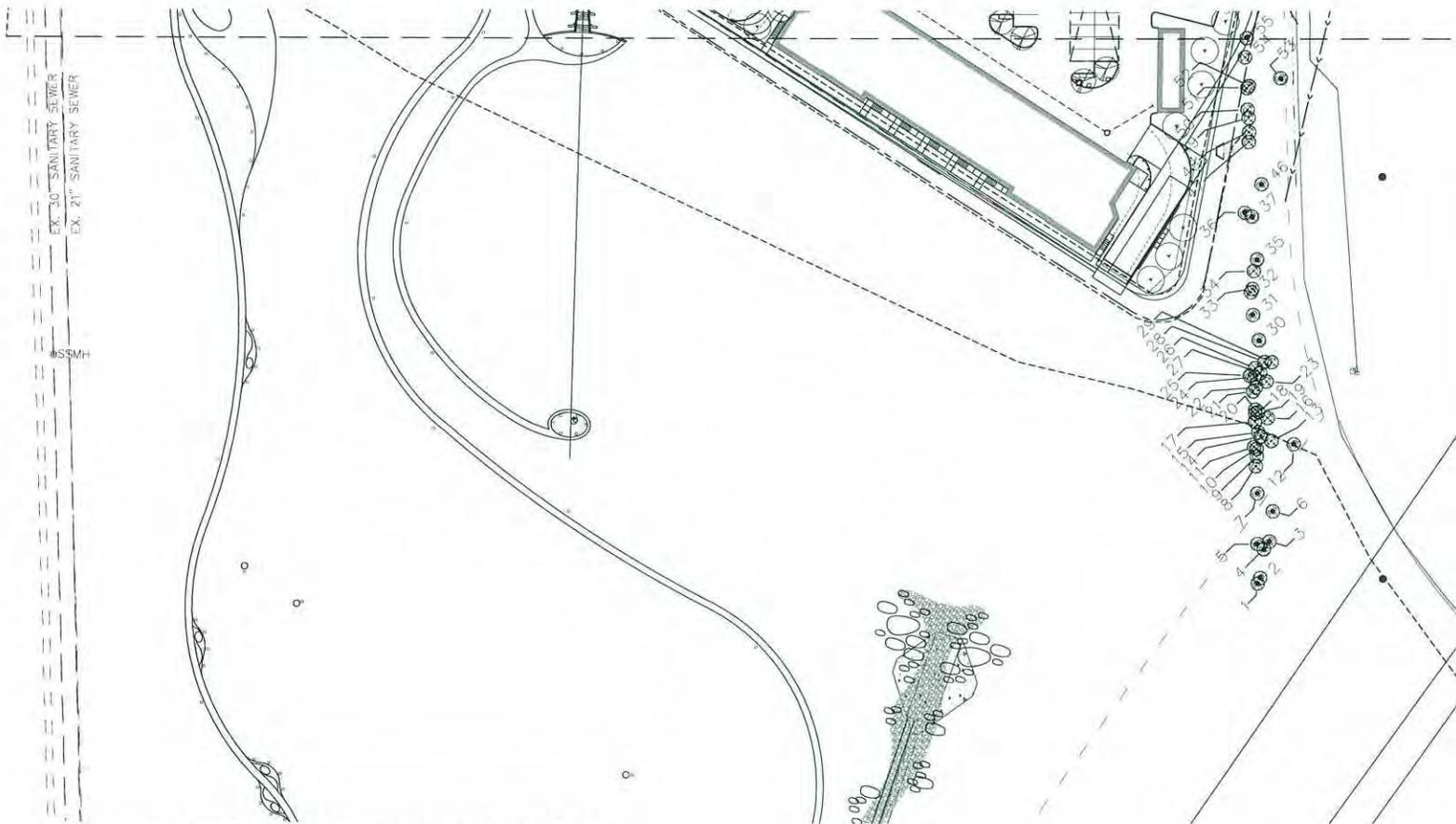


The Domain at Firewheel  
 Garland, Texas  
 Site Landscape Plan  
**EXHIBIT D**



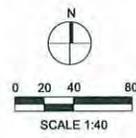
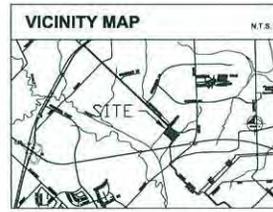
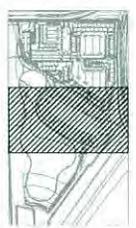
Project Number: 10-010.0  
 Drawn By: BL  
 Site Landscape Plan 02.17.2016  
 Revision: Date  
 City Site Plan 03-04-2016  
 Comment Response

TREE PLAN  
 LT 10.00



01 TREE PRESERVATION & MITIGATION REQUIREMENTS- AREA B  
 SCALE: 1" = 40'  
 CASE NUMBER 150827-2

TREE NO.	DESCRIPTION	HEIGHT/DBH												
1	...	...	11	...	...	21	...	...	31	...	...	41	...	...
2	...	...	12	...	...	22	...	...	32	...	...	42	...	...
3	...	...	13	...	...	23	...	...	33	...	...	43	...	...
4	...	...	14	...	...	24	...	...	34	...	...	44	...	...
5	...	...	15	...	...	25	...	...	35	...	...	45	...	...
6	...	...	16	...	...	26	...	...	36	...	...	46	...	...
7	...	...	17	...	...	27	...	...	37	...	...	47	...	...
8	...	...	18	...	...	28	...	...	38	...	...	48	...	...
9	...	...	19	...	...	29	...	...	39	...	...	49	...	...
10	...	...	20	...	...	30	...	...	40	...	...	50	...	...



2916 Woodside St.  
 Dallas, Texas 75204  
 P. 817-247-8226



The Domain at Firewheel  
 Garland, Texas  
 Site Landscape Plan  
**EXHIBIT D**

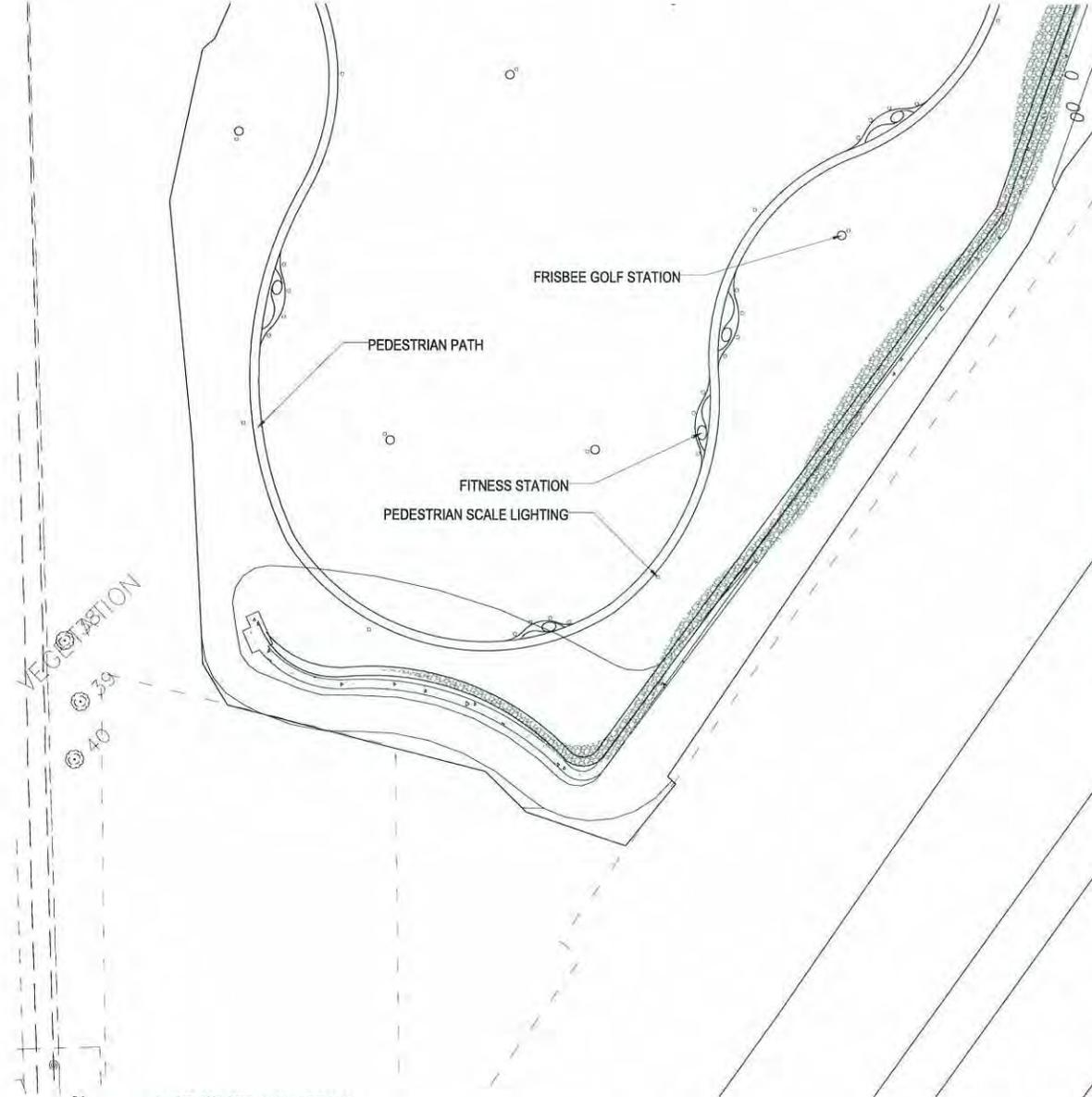


Project Number: 10-016.0  
 Drawn By: BL  
 Site Landscape Plan 02.17.2016

Revision Date  
 City Site Plan 03-04-2016  
 Comment Response

TREE PLAN

LT 10.01



**LANDSCAPE DATA TABLE**

ZONING REFERENCE NUMBER- 150827-2

LANDSCAPE AREA	TOTAL SITE AREA	IMPERVIOUS	LANDSCAPE	PER PD 12-13
		BIKE/PARKING	AREA PROVIDED	LANDSCAPE
SITE AREA:	1,308,456sf = 30.034 Acres	300,425	77.1%	REQUIRED
DEVELOPMENT SITE:	454,331sf = 10.43 Acres	300,425	33.9%	20% MIN.

LANDSCAPE BUFFER- BUNKER HILL ROAD

REQUIRED BUFFER LENGTH: 492'

492/70= 16.4 TREES REQUIRED

TREES PROVIDED: 20 TREES

(3 TREES SUBSTITUTED W/ 3 ORNAMENTAL TREES EACH)

7 SHRUBS/ORNAMENTAL GRASSES

308 EACH REQUIRED BUFFER TREE:

270 SHRUBS

270/16.4= 16.4

7 SHRUBS PER REQUIRED TREE

**PARKING LOT SCREENING**

PARKING SPOTS	TREES PROVIDED
P1 28	8
P2 45	11
P3 9	4
P4 11	4
P5 32	8
P6 92	12
P7 111	15
328	62

TOTAL PARKING SPACES: 328

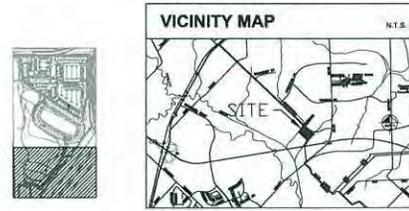
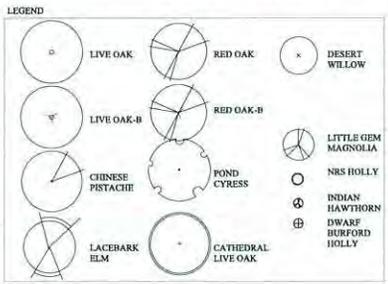
REQUIRED 1 TREE FOR EVERY 10 SPACES: 33 TREES REQ. 62 TREES PROVIDED

-8 ORNAMENTAL TREES AT PARKING DIAMONDS

-70 TREES PROVIDED

**PLANT LIST**

QTY.	COMMON NAME	SCIENTIFIC NAME	SIZE/REMARKS
20	LIVE OAK	Quercus virginiana	4" caliper H& B 11'- 13' HT., 7'-8" SP.
26	LIVE OAK-B	Quercus virginiana	3" caliper H& B 10'- 12' HT., 5'-6" SP.
17	RED OAK	Quercus shumardii	4" caliper H& B 11'- 13' HT., 7'-8" SP.
5	RED OAK-B	Quercus shumardii	3" caliper H& B 10'- 12' HT., 5'-6" SP.
3	CHINESE PISTACHE	Pistacia chinensis	4" caliper H& B 11'- 13' HT., 7'-8" SP.
11	LACEBARK ELM	Ulmus parvifolia	4" caliper H& B 11'- 13' HT., 7'-8" SP.
22	CATHEDRAL LIVE OAK	Quercus virginiana 'Nymphaea'	4" caliper H& B 8'- 9' HT., 4'-5" SP.
6	POND CYPRRESS	Taxodium ascendens	3" caliper H& B 8'- 9' HT., 4'-5" SP.
54	LITTLE GEM MAGNOLIA	Magnolia grandiflora	1.5" caliper 5'- 6' HT., 3'- 4' SP.
22	DESERT WILLOW	Chilopsis	1.5" caliper 5'- 6' HT., 3'- 4' SP.
12	N.R.S. HOLLY	Ilex cornuta 'Nellie E. Stevens'	30 gal. 48" HT., full, spaced 48" o.c.
70	DWARF BURFORD HOLLY	Ilex cornuta 'Dwarf Burford'	10 gal. 24" HT., full, spaced 36" o.c.
87	INDIAN HAWTHORN	Raphiophora indica	10 gal. 20" HT., full, spaced 36" o.c.
171	DWARF MAIDEN GRASS	Masculinus sinensis 'Adagio'	5 gal., full, spaced 24" o.c.
1,333	ASIAN JASMINE	Trachelospermum asiaticum	4" pot, full, spaced 18" o.c.
1,913	MONDO GRASS	Ophiopogon japonicus	4" pot, full, spaced 6" o.c.



The Domain at Firewheel  
Garland, Texas  
Site Landscape Plan  
**EXHIBIT D**

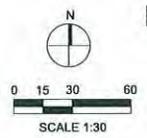
**ARCHCO RESIDENTIAL**

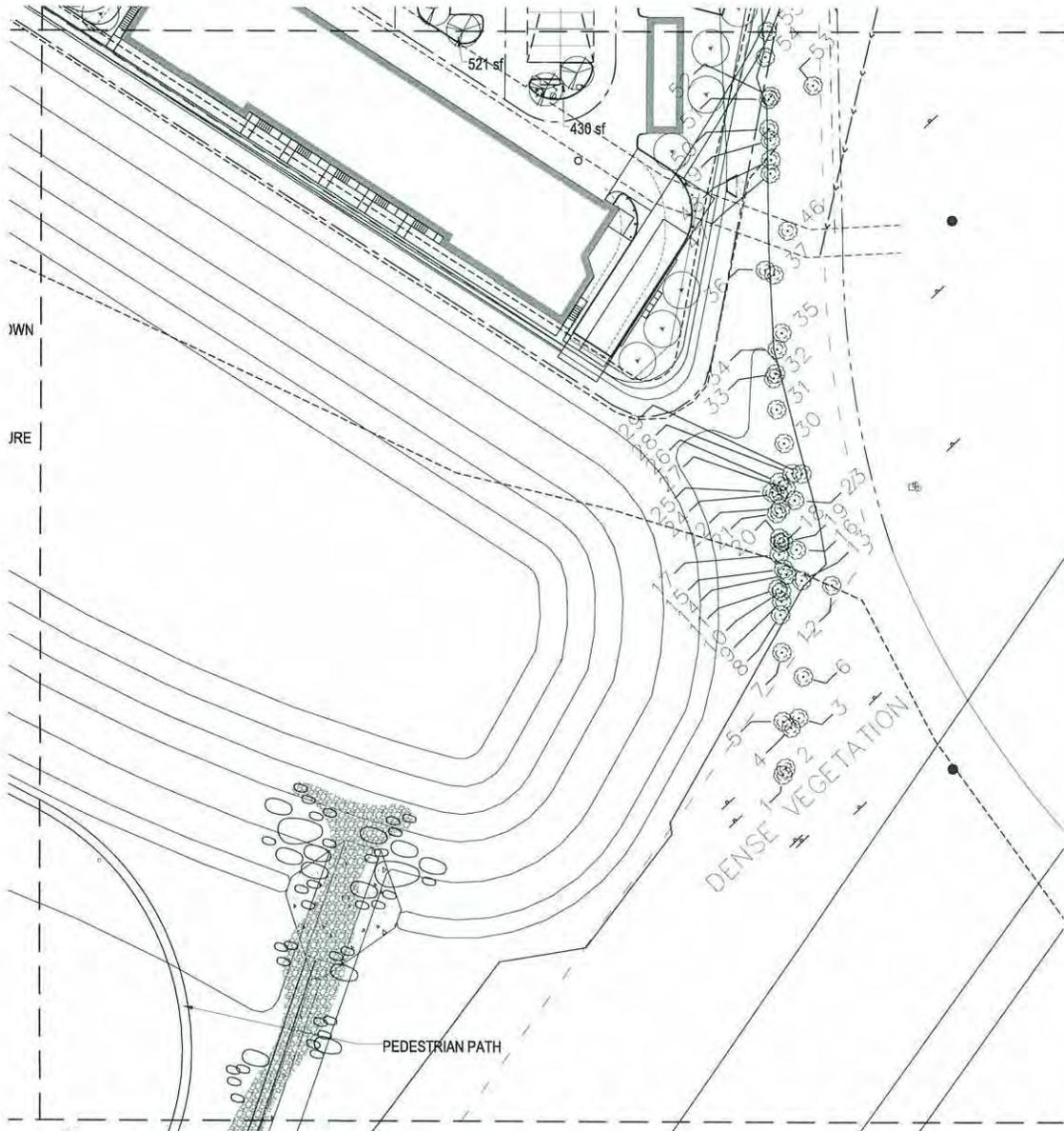
Project Number: 10-010.0  
 Drawn By: BL  
 Site Landscape Plan 02.17.2016

Revisor: \_\_\_\_\_ Date: \_\_\_\_\_  
 City Site Plan 03-04-2016  
 Comment Response

**LANDSCAPE PLAN**

L 10.04





01

LANDSCAPE PLAN- AREA D

SCALE: 1" = 30'

CASE NUMBER 150827-2

LANDSCAPE DATA TABLE

ZONING REFERENCE NUMBER: 150827-2

LANDSCAPE AREA	TOTAL SITE AREA	IMPERVIOUS	LANDSCAPE	PER PD 12-13
		HLDC/PARKING	AREA PROVIDED	LANDSCAPE AREA
SITE AREA:	1,308,456sf - 30.038 Acres	300,425	77.1%	0
DEVELOPMENT SITE:	454,311sf - 10.43 Acres	300,425	33.9%	20% MIN.

LANDSCAPE BUFFER- BUNKER HILL ROAD

REQUIRED BUFFER LENGTH: 492'  
 492/30 = 16.4 TREES REQUIRED  
 TREES PROVIDED: 20 TREES  
 (3 TREES SUBSTITUTED W/ 3 ORNAMENTAL TREES EACH)

7 SHRUBS/ORNAMENTAL GRASSES  
 FOR EACH REQUIRED BUFFER TREE:  
 270/16.4 = 16.4  
 270 SHRUBS  
 7 SHRUBS PER REQUIRED TREE

PARKING LOT SCREENING

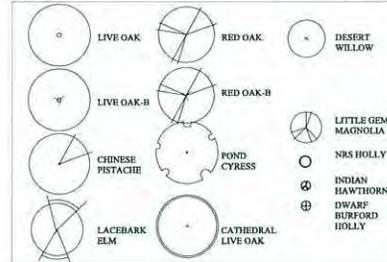
PARKING SPOTS	TREES PROVIDED
P1 28	8
P2 45	11
P3 9	4
P4 11	4
P5 32	8
P6 92	12
P7 111	15
	328

TOTAL PARKING SPACES: 328  
 REQUIRED 1 TREE FOR EVERY 10 SPACES: 33 TREES REQ. 62 TREES PROVIDED  
 -8 ORNAMENTAL TREES AT PARKING DIAMONDS  
 -70 TREES PROVIDED

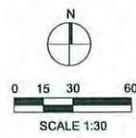
PLANT LIST

QTY.	COMMON NAME	SCIENTIFIC NAME	SIZE/REMARKS
20	LIVE OAK	Quercus virginiana	4" caliper B&B 11'-13' HT., 7'-8" SP.
26	LIVE OAK-B	Quercus virginiana	3" caliper B&B 10'-12' HT., 5'-6" SP.
17	RED OAK	Quercus shumardii	4" caliper B&B 11'-13' HT., 7'-8" SP.
5	RED OAK-B	Quercus shumardii	3" caliper B&B 10'-12' HT., 5'-6" SP.
3	CHINESE PISTACHE	Pistacia chinensis	4" caliper B&B 11'-13' HT., 7'-8" SP.
11	LACEBARK ELM	Ulmus parvifolia	4" caliper B&B 11'-13' HT., 7'-8" SP.
23	CATHEDRAL LIVE OAK	Quercus virginiana 'varia'	4" caliper B&B 8'-9' HT., 4'-5" SP.
6	POND CYPRESS	Taxodium ascendens	3" caliper B&B 8'-9' HT., 4'-5" SP.
54	LITTLE GEM MAGNOLIA 'Little Gem'	Magnolia grandiflora	1.5" caliper 5'-6' HT., 3'-4" SP.
22	DESERT WILLOW	Chilopsis	1.5" caliper 5'-6' HT., 3'-4" SP.
12	N.R.S. HOLLY	Ilex cornuta 'Nellie R. Stevens'	30 gal. 48" HT., full, spaced 48" o.c.
70	DWARF BURFORD HOLLY	Ilex cornuta 'Dwarf Burford'	10 gal. 24" HT., full, spaced 36" o.c.
87	INDIAN HAWTHORN	Raphiolepis indica 'Majestic Beauty'	10 gal. 20" HT., full, spaced 36" o.c.
171	DWARF MAIDEN GRASS	Miscanthus sinensis 'Adagio'	5 gal., full, spaced 24" o.c.
1,333	ASIAN JASMINE	Trachelospermum asiaticum	4" pot, full, spaced 18" o.c.
1,913	MONDO GRASS	Ophiopogon japonicus	4" pot, full, spaced 6" o.c.

LEGEND



VICINITY MAP



2916 Woodside St.  
 Dallas, Texas 75204  
 P: 817-247-8226



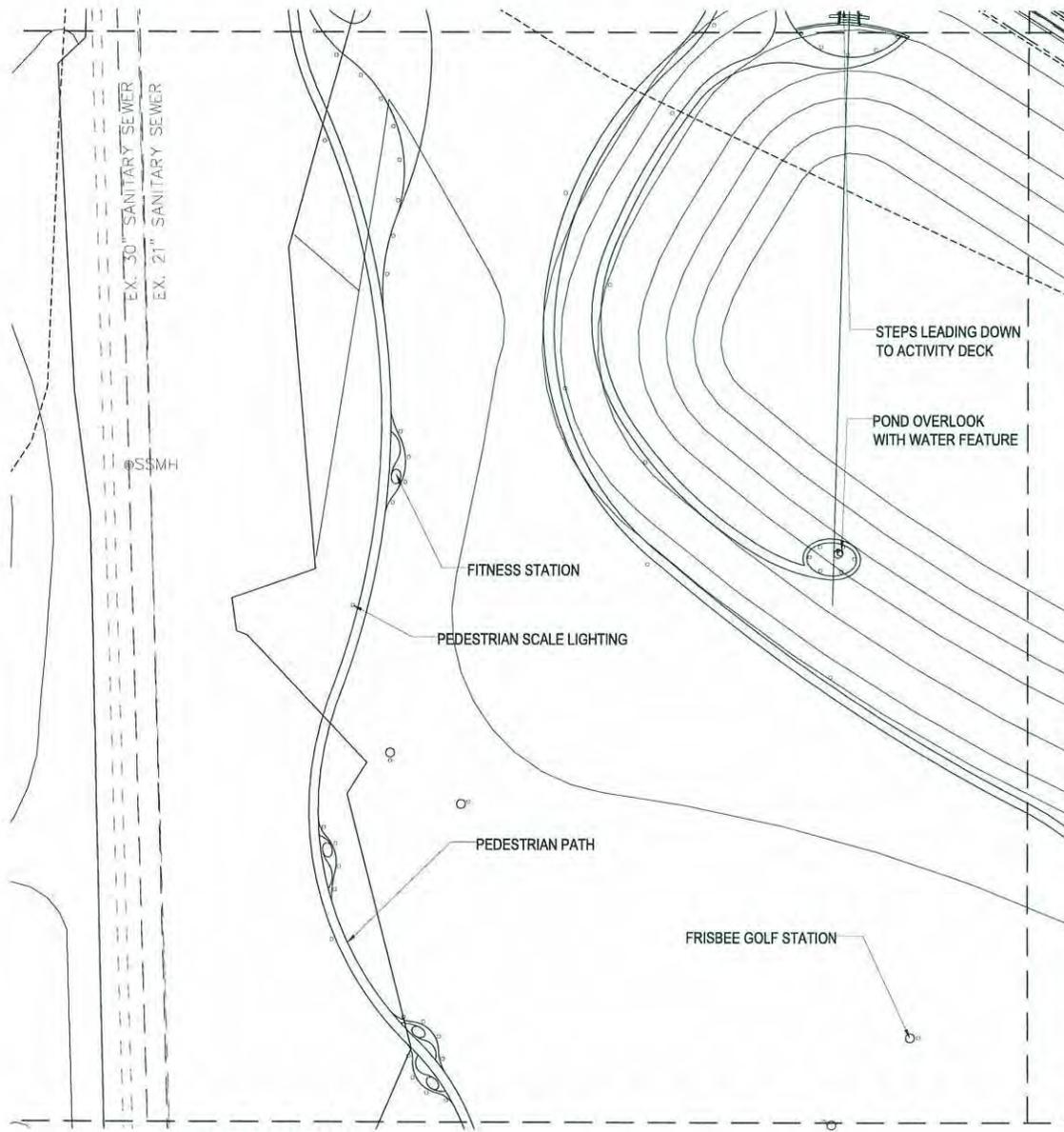
The Domain at Firewheel  
 Garland, Texas  
 Site Landscape Plan  
**EXHIBIT D**



Project Number: 10-010.0  
 Drawn By: BL  
 Site Landscape Plan 02.17.2016  
 Revision Date  
 City Site Plan 03-04-2016  
 Comment Response

LANDSCAPE PLAN

L 10.03



01 LANDSCAPE PLAN- AREA C

SCALE: 1" = 30'

CASE NUMBER 150827-2

LANDSCAPE DATA LABEL

ZONING REFERENCE NUMBER: 150827-2				
LANDSCAPE AREA	TOTAL SITE AREA	IMPERVIOUS	LANDSCAPE	PER PD 12-13
	BLDG/PARKING AREA PROVIDED		REQUIRED	LANDSCAPE AREA
SITE AREA:	1,308,455sf = 30.038 Acres	390,425	77.1%	REQUIRED
DEVELOPMENT SITE:	454,331sf = 10.43 Acres	300,425	33.9%	20% MIN.

LANDSCAPE BUFFER- BUNKER HILL ROAD

REQUIRED BUFFER LENGTH:	492'
492/30=	16.4 TREES REQUIRED
TREES PROVIDED:	20 TREES
(3 TREES SUBSTITUTED W/ 3 ORNAMENTAL TREES EACH)	
3 SHRUBS/ORNAMENTAL GRASSES	
FOR EACH REQUIRED BUFFER TREE:	
	270 SHRUBS
270/16.4=16.4	7 SHRUBS PER REQUIRED TREE

PARKING LOT SCREENING

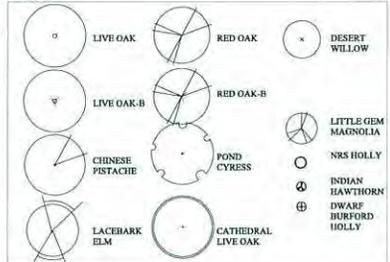
PARKING SPOTS:	TREES PROVIDED
P1 28	8
P2 45	14
P3 9	4
P4 11	4
P5 32	8
P6 92	12
P7 111	15
328	62

TOTAL PARKING SPACES:	328
REQUIRED 1 TREE FOR EVERY 10 SPACES:	33 TREES REQ.
	62 TREES PROVIDED
	-4 ORNAMENTAL TREES AT PARKING DIAMONDS
	-70 TREES PROVIDED

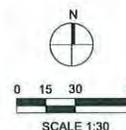
PLANT LIST

QTY.	COMMON NAME	SCIENTIFIC NAME	SIZE/REMARKS
20	LIVE OAK	Quercus virginiana	4" caliper 0&B 11' - 13' HT., 7-8" SP.
26	LIVE OAK-B	Quercus virginiana	3" caliper 0&B 10' - 12' HT., 5-6" SP.
17	RED OAK	Quercus shumardii	4" caliper 0&B 11' - 13' HT., 7-8" SP.
3	RED OAK-B	Quercus shumardii	3" caliper 0&B 10' - 12' HT., 5-6" SP.
3	CHINESE PISTACHE	Pistacia chinensis	4" caliper 0&B 11' - 13' HT., 7-8" SP.
11	LACEBARK ELM	Ulmus parvifolia	4" caliper 0&B 11' - 13' HT., 7-8" SP.
22	CATHEDRAL LIVE OAK	Quercus virginiana 'Quint'	4" caliper 0&B 8' - 9' HT., 4-5" SP.
6	POND CYPRUS	Taxodium ascendens	3" caliper 0&B 8' - 9' HT., 4-5" SP.
34	LITTLE GEM MAGNOLIA	Magnolia grandiflora	1.5" caliper 5' - 6' HT., 3' - 4" SP.
22	DESERT WILLOW	Chilopsis	1.5" caliper 5' - 6' HT., 3' - 4" SP.
12	N.R.S. HOLLY	Ilex cornuta 'Nellie R. Stevens'	30 gal. 48" HT., full, spaced 48" o.c.
70	DWARF BURFORD HOLLY	Ilex cornuta 'Dwarf Burford'	10 gal. 24" HT., full, spaced 36" o.c.
87	INDIAN HAWTHORN	Kapfelschloepia indica	10 gal. 20" HT., full, spaced 36" o.c.
171	DWARF MAIDEN GRASS	Miscanthus sinensis 'Adagio'	5 gal., full, spaced 24" o.c.
1,333	ASIAN JASMINE	Trachelospermum asiaticum	4" pot, full, spaced 18" o.c.
1,913	MONDO GRASS	Ophiopogon japonicus	4" pot, full, spaced 6" o.c.

LEGEND



VICINITY MAP



2916 Woodside St.  
Dallas, Texas 75204  
P. 817-247-8226



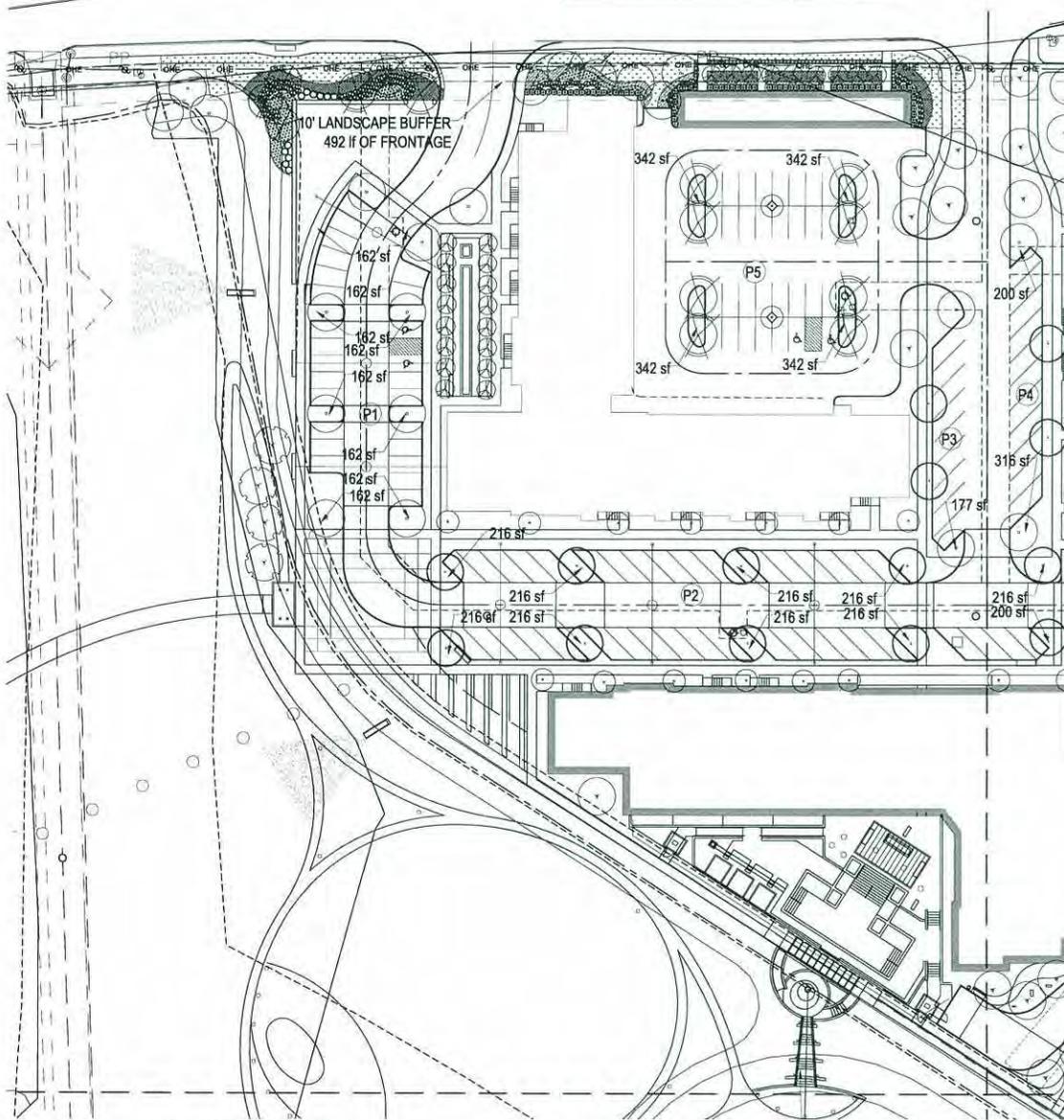
The Domain at Firewheel  
Garland, Texas  
Site Landscape Plan  
EXHIBIT D



Project Number:	10-010.0
Drawn By:	AL
Site Landscape Plan	02.17.2016
Revision	Date
City Site Plan	03-04-2016
Comment Response	

LANDSCAPE PLAN

L 10.02



01 LANDSCAPE PLAN- AREA A

SCALE: 1" = 40'

CASE NUMBER 150827-2

LANDSCAPE DATA TABLE

ZONING REFERENCE NUMBER: 150827-2				
LANDSCAPE AREA	TOTAL SITE AREA	IMPERVIOUS	LANDSCAPE	PER PD 12-13
		BUILDING/PARKING	AREA PROVIDED	LANDSCAPE AREA
SITE AREA: 1,308,455sf = 30.038 Acres	306,425	77.1%	0	REQUIRED
DEVELOPMENT SITE: 454,331sf = 10.43 Acres	306,425	53.9%	20% MIN.	

LANDSCAPE BUFFER- BUNKER HILL ROAD

REQUIRED BUFFER LENGTH: 492'  
 492/30 = 16.4 TREES REQUIRED  
 20 TREES PROVIDED  
 (3 TREES SUBSTITUTED W/ 3 ORNAMENTAL TREES EACH)

1 SHRUB/ORNAMENTAL GRASSES FOR EACH REQUIRED BUFFER TREE:  
 270 SHRUBS  
 270/16.4 = 16.4  
 1 SHRUBS PER REQUIRED TREE:

PARKING LOT SCREENING

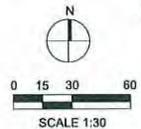
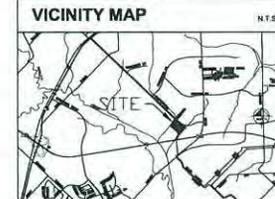
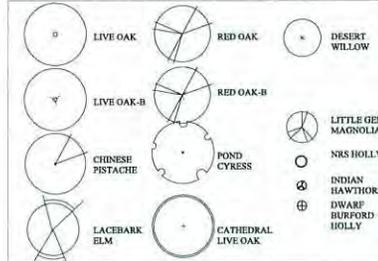
PARKING SPOTS	TREES PROVIDED
P1 28	8
P2 45	13
P3 9	4
P4 11	4
P5 25	8
P6 92	12
P7 111	15
328	62

TOTAL PARKING SPACES: 328  
 REQUIRED 1 TREE FOR EVERY 10 SPACES: 33 TREES REQ. 62 TREES PROVIDED  
 -2 ORNAMENTAL TREES AT PARKING DIAMONDS  
 -70 TREES PROVIDED

PLANT LIST

QTY.	COMMON NAME	SCIENTIFIC NAME	SIZE/REMARKS
20	LIVE OAK	Quercus virginiana	4" caliper B&B H 11' - 13' HT., 7'-8" SP.
26	LIVE OAK-B	Quercus virginiana	3" caliper B&B H 10' - 12' HT., 5'-6" SP.
17	RED OAK	Quercus shumardii	4" caliper B&B H 11' - 13' HT., 7'-8" SP.
5	RED OAK-B	Quercus shumardii	3" caliper B&B H 10' - 12' HT., 5'-6" SP.
3	CHINESE PISTACHE	Putania chinensis	4" caliper B&B H 11' - 13' HT., 7'-8" SP.
11	LACEBARK ELM	Ulmus parvifolia	4" caliper B&B H 11' - 13' HT., 7'-8" SP.
22	CATHEDRAL LIVE OAK	Quercus virginiana 'Cyma'	4" caliper B&B H 9' - 9' HT., 4'-5" SP.
6	POND CYPRRESS	Taxodium ascendens	3" caliper B&B H 8' - 9' HT., 4'-5" SP.
54	LITTLE GEM MAGNOLIA 'Little Gem'	Magnolia grandiflora	1.5" caliper 5' - 6' HT., 3' - 4" SP.
22	DESERT WILLOW	Chilopsis	1.5" caliper 5' - 6' HT., 3' - 4" SP.
12	N.R.S. HOLLY	Ilex cornuta 'Nellie R. Stevens'	30 gal. 48" HT., full, spaced 48" o.c.
70	DWARF BURFORD HOLLY	Ilex cornuta 'Dwarf Burford'	10 gal. 24" HT., full, spaced 36" o.c.
87	INDIAN HAWTHORN	Raphiolepis indica 'Majestic Beauty'	10 gal. 20" HT., full, spaced 30" o.c.
171	DWARF MAIDEN GRASS	Miscanthus sinensis 'Adagio'	5 gal. full, spaced 24" o.c.
1,333	ASIAN JASMINE	Trachelospermum asiaticum	4" pot, full, spaced 18" o.c.
1,913	MONDO GRASS	Ophiopogon japonicus	4" pot, full, spaced 6" o.c.

LEGEND



2916 Woodside St.  
 Dallas, Texas 75204  
 P: 972-247-9226



The Domain at Firewheel  
 Garland, Texas  
 Site Landscape Plan  
 EXHIBIT D



Project Number: 10-010.0  
 Drawn By: BL  
 Site Landscape Plan 02.17.2016

Revision: \_\_\_\_\_ Date: \_\_\_\_\_  
 City Site Plan 03-04-2016  
 Comment Response

LANDSCAPE PLAN

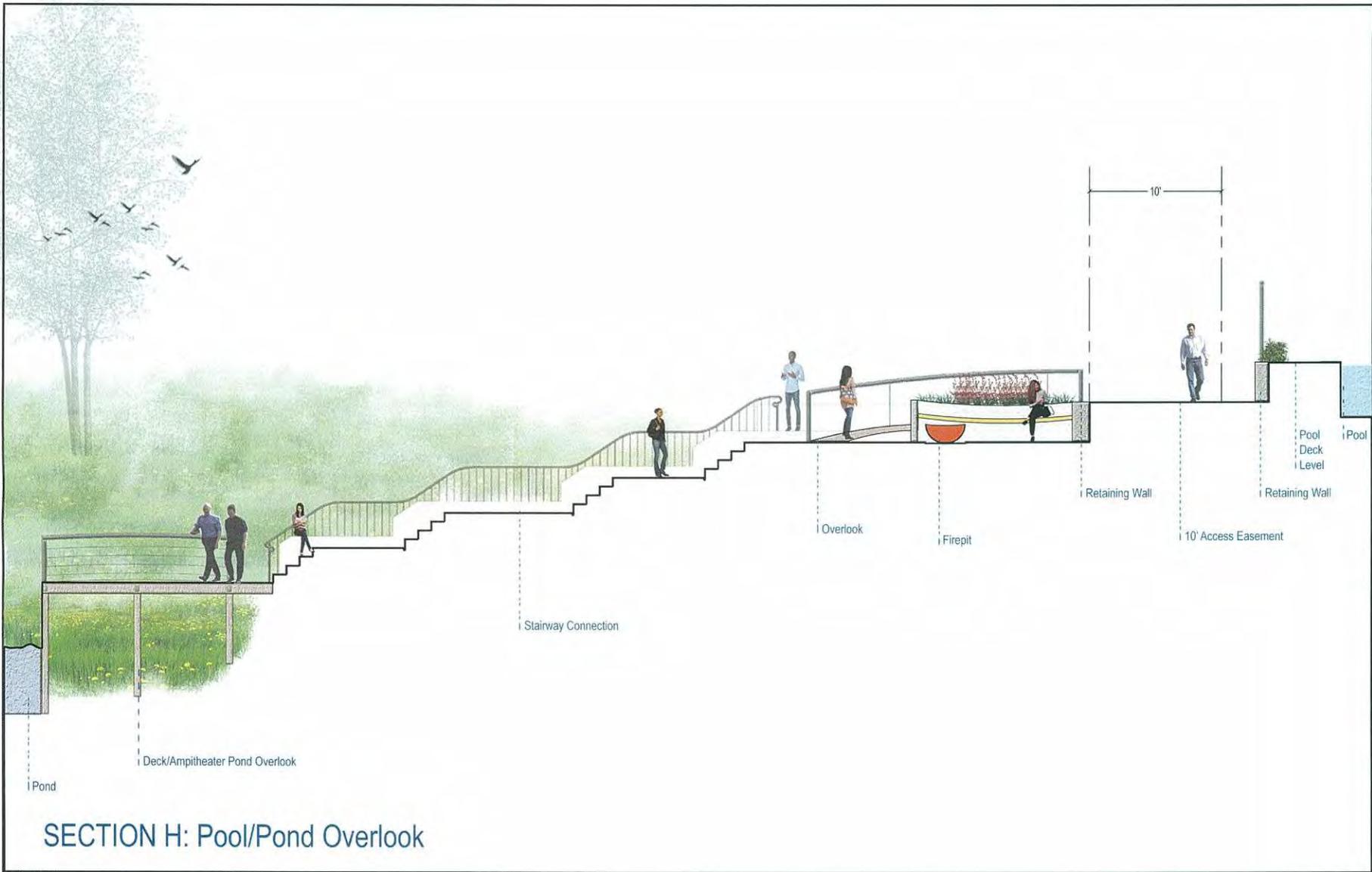
L 10.00



Revision	Date
△	
△	
△	
△	

SECTION G

Landscape  
Section



NOT FOR PERMIT, OR CONSTRUCTION.

Mike L. Arbock  
 Registered Architect of the State of Texas  
 Registration Number: 11958



01 Building I Parking Court

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

Material Percentages  
 Brick - 62% — Masonry Total - 73%  
 Stucco (3 coat) - 11%  
 Cementitious Siding (panel or lap) - 27%



04 Building VIII Parking Court

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

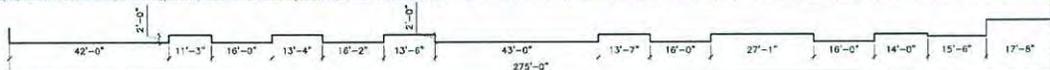
Material Percentages  
 Brick - 54% — Masonry Total - 71%  
 Stucco (3 coat) - 17%  
 Cementitious Siding (panel or lap) - 29%



06 Building I Back Elevation

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

Material Percentages  
 Brick - 62% — Masonry Total - 77%  
 Stucco (3 coat) - 15%  
 Cementitious Siding (panel or lap) - 23%



09 Building VIII Front Elevation

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

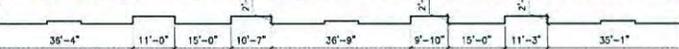
Material Percentages  
 Brick - 70% — Masonry Total - 70%  
 Stucco (3 coat) - 0%  
 Cementitious Siding (panel or lap) - 30%



11 Building I Front Elevation

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

Material Percentages  
 Brick - 60% — Masonry Total - 75%  
 Stucco (3 coat) - 10%  
 Cementitious Siding (panel or lap) - 25%



16 Building IX Elevation

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



15 Key Plan



16 Building IX Front Elevation

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

Material Percentages  
 Brick - 70% — Masonry Total - 70%  
 Stucco (3 coat) - 0%  
 Cementitious Siding (panel or lap) - 30%



19 Building IV Front Elevation

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

Material Percentages  
 Brick - 70% — Masonry Total - 70%  
 Stucco (3 coat) - 0%  
 Cementitious Siding (panel or lap) - 30%



19 Building IV Elevation

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

BLDG I MASONRY PERCENTAGE

Front Elevation - 75%  
 Parking Court - 73%  
 Parking Court 2 - 71%  
 Back Elevation - 77%  
 Side Elevation - 70%

73% AVERAGE MASONRY

BLDG VIII MASONRY PERCENTAGE

Front Elevation - 70%  
 Parking Court - 73%  
 Side Elevation (x2) - 73%

72% AVERAGE MASONRY

BLDG IX MASONRY PERCENTAGE

Front Elevation - 70%  
 Parking Court - 73%  
 Pool Court 1 - 73%  
 Pool Court 2 - 73%

73% AVERAGE MASONRY

19 Material Averages

- 1 CEMENTITIOUS PANEL ACCESSIBLE BEDGE SW 7038
- 2 CEMENTITIOUS PANEL/SIDING BASKET BEIGE SW 6143
- 3 STUCCO BASKET BEIGE SW 6143
- 4 CEMENTITIOUS PANEL CONNECTED GREY SW 6165
- 5 BRICK ACME BROOKSHIRE
- 6 BRICK ACME WESTCHESTER

20 Material List

EXHIBITE  
 Garland Domain  
 PHASE I  
 Garland, Texas

ARCHO RESIDENTIAL LLC

Project Number: 2015045.00  
 Drawn By: SM  
 Issued: 04.25.2016

At 20.0.00  
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NOTES:

1. Material area percentage is exclusive of door, window and entry openings.
2. Masonry includes brick and stucco.
3. All dimensions are approximate.

Sheet:

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Mike L. Arbour  
 Registered Architect of the State of Texas  
 Registration Number: 11918

**EXHIBIT E**  
**Garland Domain**  
**PHASE I**  
**Garland, Texas**

ARCHO RESIDENTIAL LLC

Project Number: 2015045.01

Drawn By: SF

Issued: 03.23.2014

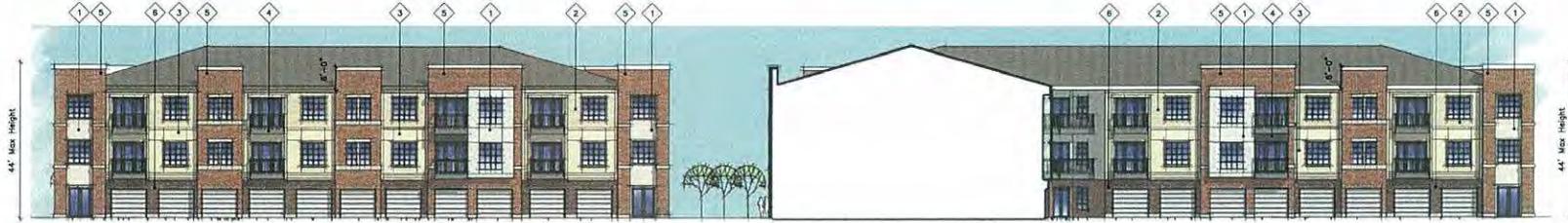
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**NOTES:**

1. Material area percentage is exclusive of door, window and entry openings.
2. Masonry includes brick and stucco
3. All dimensions are approximate.

Sheet:

**A102**



**01 Buildings VI Parking Court**  
 Scale: 1/16" = 1'-0"  
 Material Percentages: Brick - 52% — Masonry Total - 71%  
 Stucco (3 coat) - 19%  
 Cementitious Siding (panel or lap) - 28%

**03 Buildings V Parking Court**  
 Scale: 1/16" = 1'-0"  
 Material Percentages: Brick - 52% — Masonry Total - 71%  
 Stucco (3 coat) - 19%  
 Cementitious Siding (panel or lap) - 29%



**06 Buildings V Front Elevation**  
 Scale: 1/16" = 1'-0"  
 Material Percentages: Brick - 72% — Masonry Total - 72%  
 Stucco (3 coat) - 0%  
 Cementitious Siding (panel or lap) - 28%



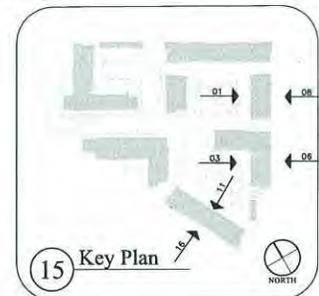
**08 Buildings VI Front Elevation**  
 Scale: 1/16" = 1'-0"  
 Material Percentages: Brick - 72% — Masonry Total - 72%  
 Stucco (3 coat) - 0%  
 Cementitious Siding (panel or lap) - 28%



**11 Building III Parking Court**  
 Scale: 1/16" = 1'-0"  
 Material Percentages: Brick - 52% — Masonry Total - 70%  
 Stucco (3 coat) - 18%  
 Cementitious Siding (panel or lap) - 30%



**16 Building III Front Elevation**  
 Scale: 1/16" = 1'-0"  
 Material Percentages: Brick - 70% — Masonry Total - 70%  
 Stucco (3 coat) - 0%  
 Cementitious Siding (panel or lap) - 30%



**15 Key Plan**

**19 Material Averages**

BLDG V MASONRY PERCENTAGE	
Front Elevation	- 72%
Parking Court	- 71%
Parking Court 2	- 72%
Parking Court 3	- 71%
72% AVERAGE MASONRY	
BLDG VI MASONRY PERCENTAGE	
Front Elevation	- 72%
Parking Court	- 71%
Side Elevation (x2)	- 70%
71% AVERAGE MASONRY	
BLDG III MASONRY PERCENTAGE	
Front Elevation	- 70%
Parking Court	- 70%
Side Elevation (x2)	- 75%
73% AVERAGE MASONRY	

**20 Material List**

1	CEMENTITIOUS PANEL ACCESSIBLE BEIGE SW 7036
2	CEMENTITIOUS PANEL/SIDING BASKET BEIGE SW 8143
3	STUCCO BASKET BEIGE SW 8143
4	CEMENTITIOUS PANEL CONNECTED GREY SW 8165
5	BRICK ACME BROOKSHIRE
6	BRICK ACME WESTCHESTER

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Mike L. Arbour  
 Registered Architect of the State of Texas  
 Registration Number: 11018

EXHIBITE  
 Garland Domain  
 PHASE I  
 Garland, Texas

ARCHO RESIDENTIAL LLC



01 Building VII Parking Court  
 Scale: 1/16" = 1'-0"

Material Percentages  
 Brick - 43% — Masonry Total - 70%  
 Stucco (3 coat) - 23%  
 Cementitious Siding (panel or lap) - 30%



06 Building VII Front Elevation  
 Scale: 1/16" = 1'-0"

Material Percentages  
 Brick - 72% — Masonry Total - 72%  
 Stucco (3 coat) - 0%  
 Cementitious Siding (panel or lap) - 28%



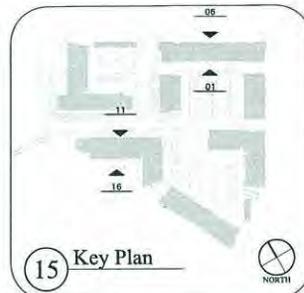
11 Building II Front Elevation  
 Scale: 1/16" = 1'-0"

Material Percentages  
 Brick - 70% — Masonry Total - 70%  
 Stucco (3 coat) - 0%  
 Cementitious Siding (panel or lap) - 30%



16 Building II Pool Court  
 Scale: 1/16" = 1'-0"

Material Percentages  
 Brick - 78% — Masonry Total - 78%  
 Stucco (3 coat) - 0%  
 Cementitious Siding (panel or lap) - 22%



**19 Material Averages**

BLDG VI MASONRY PERCENTAGE  
 Front Elevation - 71%  
 Parking Court - 70%  
 Side Elevation (x2) - 70%  
 70% AVERAGE MASONRY

BLDG II MASONRY PERCENTAGE  
 Front Elevation - 70%  
 Parking Court - 71%  
 Pool Court 1 - 78%  
 Pool Court 2 - 71%  
 72% AVERAGE MASONRY

**20 Material List**

- 1 CEMENTITIOUS PANEL ACCESSIBLE BEIGE SW 7035
- 2 CEMENTITIOUS PANEL/SIDING BASKET BEIGE SW 6143
- 3 STUCCO BASKET BEIGE SW 6143
- 4 CEMENTITIOUS PANEL CONNECTED GREY SW 6165
- 5 BRICK ACME BROOKSHIRE
- 6 BRICK ACME WESTCHESTER

Project Number: 2015045 01  
 Drawn By: SA  
 Issued: 03.23.2011

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**NOTES:**

1. Material area percentage is exclusive of door, window and entry openings.
2. Masonry includes brick and stucco
3. All dimensions are approximate.

Sheet:

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Mike L. Arbour  
 Registered Architect of the State of Texas  
 Registration Number: 11958

ARCHO RESIDENTIAL LLC

Project Number: 2015045.01  
 Drawn By: SJ  
 Issued: 03.21.2016

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NOTES:

1. Material area percentage is exclusive of door, window and entry openings.
2. Masonry includes brick and stucco.
3. All dimensions are approximate.

Sheet:



**01 Building II Pool Courtyard 2**  
 Scale: 1/16" = 1'-0"  
 Material Percentages  
 Brick - 70% — Masonry Total - 70%  
 Stucco (3 coat) - 0%  
 Cementitious Siding (panel or lap) - 30%



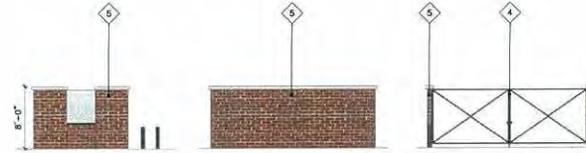
**06 Building I Parking Court 2**  
 Scale: 1/16" = 1'-0"  
 Material Percentages  
 Brick - 46% — Masonry Total - 71%  
 Stucco (3 coat) - 25%  
 Cementitious Siding (panel or lap) - 29%



**11 Building V Parking Court 2**  
 Scale: 1/16" = 1'-0"  
 Material Percentages  
 Brick - 54% — Masonry Total - 72%  
 Stucco (3 coat) - 18%  
 Cementitious Siding (panel or lap) - 28%



**16 Building II Parking Court**  
 Scale: 1/16" = 1'-0"  
 Material Percentages  
 Brick - 63% — Masonry Total - 71%  
 Stucco (3 coat) - 8%  
 Cementitious Siding (panel or lap) - 29%



**04 Refuse Container Elevations**  
 Scale: 1/8" = 1'-0"

Masonry - 80% at Building Elevations Viewed by Public  
 35% at Internal Parking Court Elevations  
 Other Materials: Cementitious Panels - 20% at Building Elevations Viewed by Public  
 Cementitious Panels - 15% at Internal Parking Court Elevations  
 Cementitious Siding - 50% at Internal Parking Court Elevations

Sloped Roofs to be at the Minimum Slope of 3.5/12 with Parapet Elements to Emphasize Urban Aesthetics Required by GDC.  
 Composition Shingles to be Architectural Grade Asphalt Shingles per Item C in Item 3. "Required Features" under Building Standards Zoning File 12-13 of Ordinance 6539.

Elevations comply with Articulation Requirements of Section (C) "Facade Articulation" in Chapter 4 of GDC.  
 Elevations meet Standards Established by Building Standards Item 3, "Required Features" under Building Standards Zoning File 12-13 of Ordinance 6539 except the following:  
 Item a: In Compliance except one 3 story over basement condition at building VII. Street facing elevation is 3 story, Parking Court Elevation has a basement on the lower level with Tuck under Garages and 2 living Units. Items n, p, q, r, s, t & u are Not Applicable  
 Item 4: "Optional Features" under Building Standards Zoning File 12-13 of Ordinance 6539.  
 Each Structure incorporates following items from this section to meet at least 4 of following features combinations: a, b, c, e, h, o.

Alternatively Elevations comply with GDC Chapter 4 Section 4.63 Item (B) Architectural Elements in combination of min 6 elements such as (a), (g), (i), (j), (k), (l), (n), (o), (p).

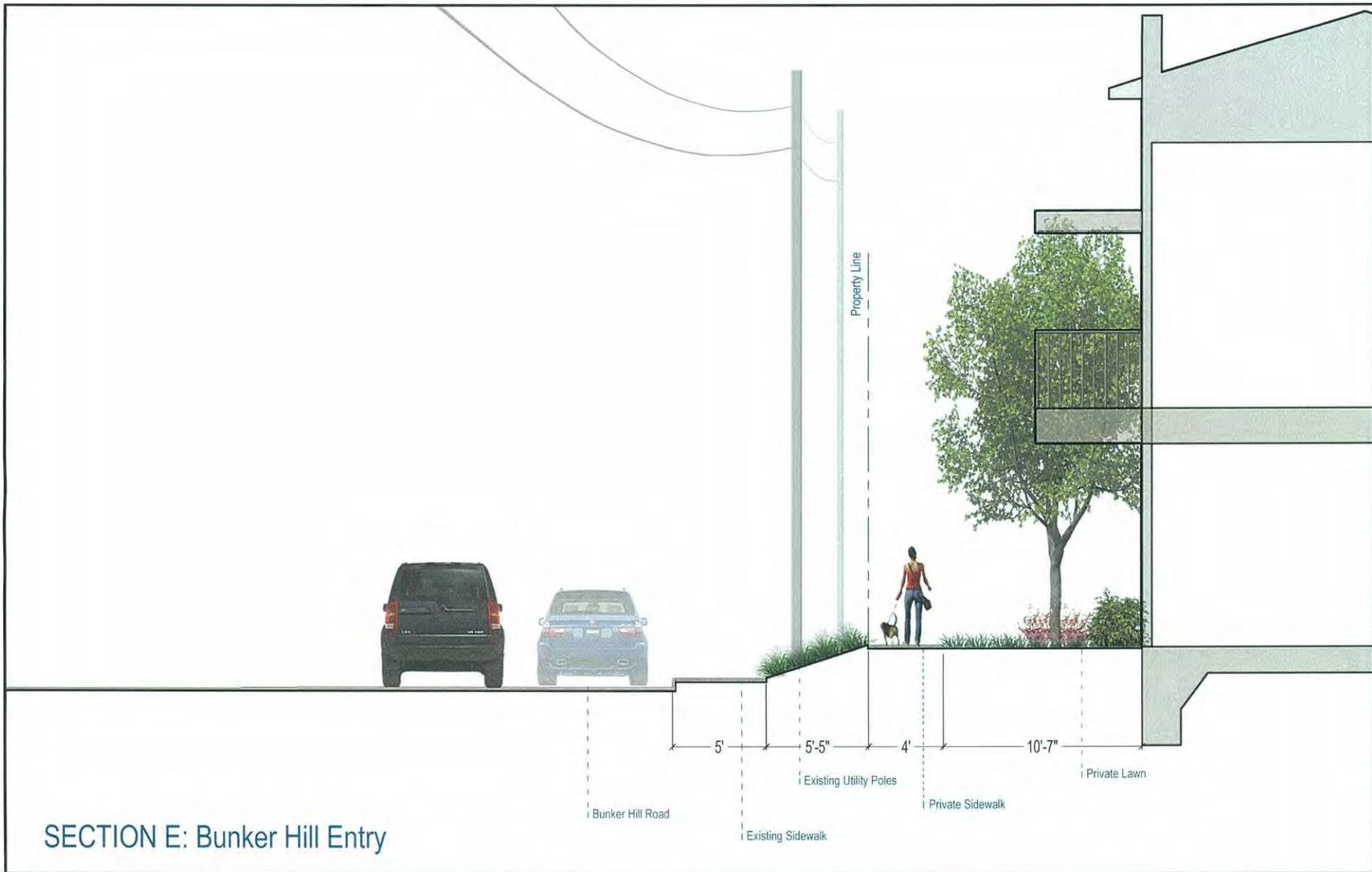
All dimensions are approximate.

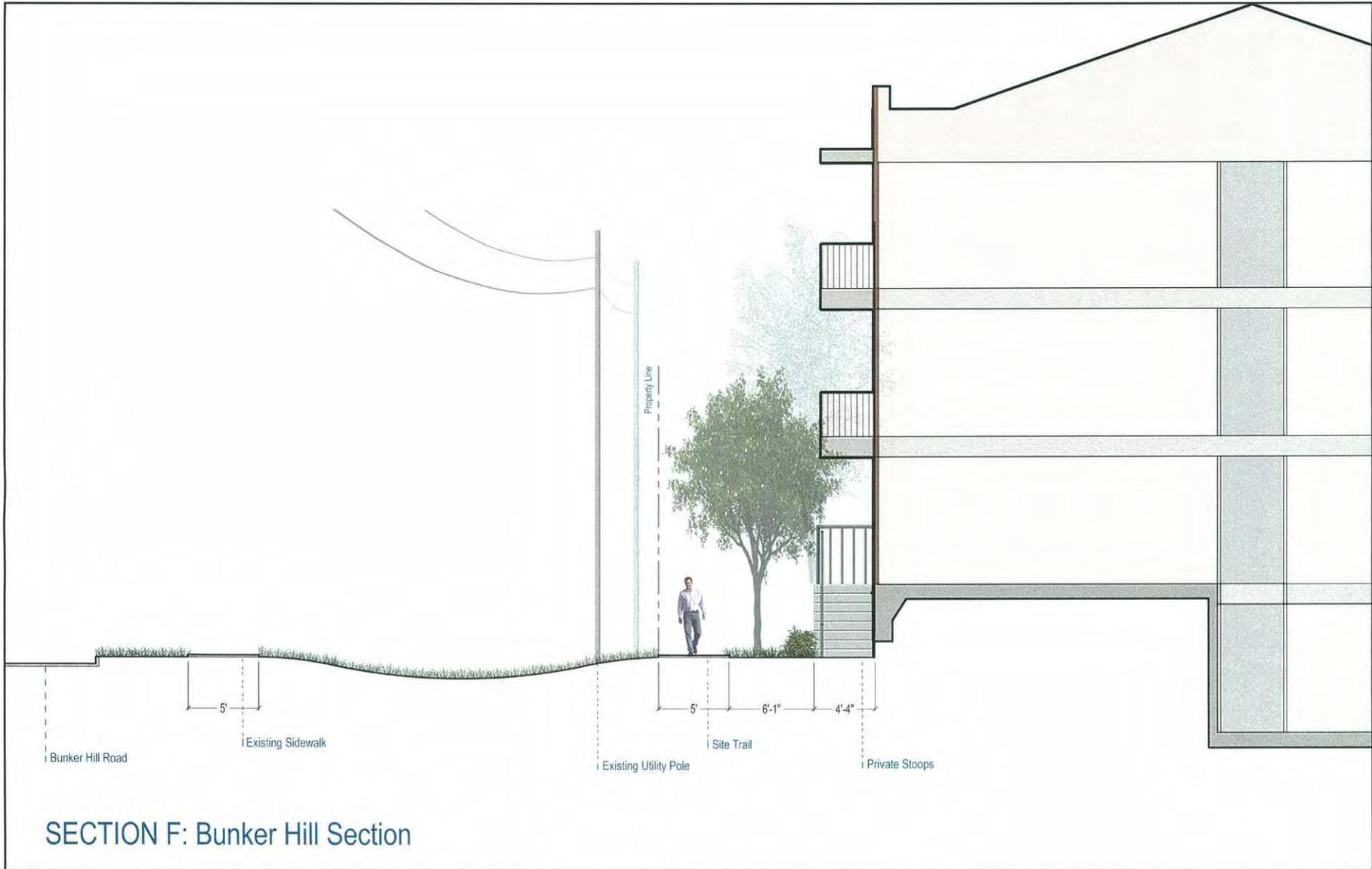
**18 General Notes**



**15 Key Plan**

- 20 Material List**
- 1 CEMENTITIOUS PANEL ACCESSIBLE BEIGE SW 2036
  - 2 CEMENTITIOUS PANEL/SIDING BASKET BEIGE SW 6143
  - 3 STUCCO BASKET BEIGE SW 6143
  - 4 CEMENTITIOUS PANEL CONNECTED GREY SW 6165
  - 5 BRICK ACME BROOKSHIRE
  - 6 BRICK ACME WESTCHESTER





SECTION F: Bunker Hill Section



# City Council Item Summary Sheet

Work Session

Date: May 3, 2016

Agenda Item

## Item 4 - Bond Sale – Certificates of Obligation

### Summary of Request/Problem

At the March 15, 2016 Work Session, Council considered authorizing a Certificates of Obligation (CO) bond sale in the approximate amount of \$23.5 million to fund a portion of the approved 2016 CIP.

### Recommendation/Action Requested and Justification

By Ordinance, approve the sale of Certificates of Obligation, Series 2015 to fund a portion of the approved 2016 CIP.

#### Submitted By:

David Schuler  
Chief Financial Officer

#### Approved By:

Bryan L. Bradford  
City Manager



# City Council Item Summary Sheet

Work Session

Date: May 3, 2016

Agenda Item

## Item 5 - TxDOT Selective Traffic Enforcement “Click It or Ticket”

### 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) Grant – “Click It or Ticket” campaign – consisting of conducting intense vehicle occupant protection enforcement in the amount of \$10,879.40. The required enforcement period will be May 23, 2016 – June 5, 2016. The grant will be utilized to provide a greater level of traffic safety for the citizenry of the City of Garland by potentially changing the driving habits of those who violate the laws related to vehicle occupant protection and child safety seat enforcement thereby reducing the number of injuries and fatalities related to motor vehicle accidents.

This item was considered by Council at the May 2, 2016 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) Grant “Click It or Ticket” for May 23, 2016 – June 5, 2016 in the amount of \$10,879.40.

**Submitted By:**  
Mitchel L. Bates  
Chief of Police  
Garland Police Department

**Approved By:**  
Bryan Bradford  
City Manager  
City of Garland, TX

# **Texas Traffic Safety eGrants**

## **Fiscal Year 2016**

**Organization Name:** City of Garland - Police Department

**Legal Name:** City of Garland

**Payee Identification Number:** 17560005344000

**Project Title:**

**ID:** 2016-GarlandPD-CIOT-00037

**Period:** 04/28/2016 to 06/06/2016

## TEXAS TRAFFIC SAFETY PROGRAM GRANT AGREEMENT

THE STATE OF TEXAS  
THE COUNTY OF TRAVIS

THIS AGREEMENT IS MADE BY and between the State of Texas, acting by and through the Texas Department of Transportation, hereinafter called the Department and the, **City of Garland** hereinafter called the Subgrantee, and becomes effective then fully executed by both parties. For the purpose of this agreement, the Subgrantee is designated as a(n) **Local Government**.

AUTHORITY: Texas Transportation Code, Chapter 723, the Traffic Safety Act of 1967, and the Highway Safety Performance Plan for the Fiscal Year 2016.

**Name of the Federal Agency: National Highway Traffic Safety Administration**

CFDA Number: **20.616**

CFDA Title: **National Priority Safety Programs**

Funding Source: Section **405B**

DUNS: **801609462**

Project Title: **STEP - Click It Or Ticket**

To increase occupant restraint use in all passenger vehicles and trucks by conducting an intense occupant protection enforcement and public information and education effort during the Enforcement period.

Grant Period: This Grant becomes effective on **04/28/2016** or on the date of final signature of both parties, whichever is later, and ends on **06/06/2016** unless terminated or otherwise modified.

Total Awarded: **\$10,879.40**

Amount Eligible for Reimbursement: **\$10,879.40**

Match Amount: **\$0**

**TEXAS TRAFFIC SAFETY PROGRAM GRANT AGREEMENT**

The signatory of the Subgrantee hereby represents and warrants that she/he is an officer of the organization for which she/he has executed this agreement and that she/he has full and complete authority to enter into this agreement on behalf of the organization.

THE SUBGRANTEE

THE STATE OF TEXAS

**City of Garland**

Executed for the Executive Director and Approved for the Texas Transportation Commission for the purpose and effect of activating and/or carrying out orders, established policies or work programs approved and authorized by the Texas Transportation Commission

By:

By:

\_\_\_\_\_  
[Authorized Signature]

\_\_\_\_\_  
[District Engineer Texas Department of Transportation]

\_\_\_\_\_  
[Name]

\_\_\_\_\_  
[Name]

\_\_\_\_\_  
[Title]

\_\_\_\_\_  
[Title]

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

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

Under the authority of Ordinance or Resolution Number (for local government):  
(If Applicable)

By:

\_\_\_\_\_  
Director, Traffic Operations Division Texas Department of Transportation (Not required for local project grants under \$100,000.00)

\_\_\_\_\_  
[Resolution Number]

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

## GRANT AGREEMENT GENERAL TERMS AND CONDITIONS

### ARTICLE 1. COMPLIANCE WITH LAWS

The Subgrantee shall comply with all federal, state, and local laws, statutes, codes, ordinances, rules and regulations, and the orders and decrees of any courts or administrative bodies or tribunals in any matter affecting the performance of this agreement, including, without limitation, workers' compensation laws, minimum and maximum salary and wage statutes and regulations, nondiscrimination laws and regulations, and licensing laws and regulations. When required, the Subgrantee shall furnish the Department with satisfactory proof of compliance.

### ARTICLE 2. STANDARD ASSURANCES

The Subgrantee assures and certifies that it will comply with the regulations, policies, guidelines, and requirements, including 2 CFR, Part 200; and the Department's Traffic Safety Program Manual, as they relate to the application, acceptance, and use of federal or state funds for this project. Also, the Subgrantee assures and certifies that:

A. It possesses legal authority to apply for the grant; and that a resolution, motion, or similar action has been duly adopted or passed as an official act of the applicant's governing body, authorizing the filing of the application, including all understandings and assurances contained in the application, and directing and authorizing the person identified as the official representative of the applicant to act in connection with the application and to provide any additional information that may be required.

B. It and its subcontractors will comply with Title VI of the Civil Rights Act of 1964 (Public Law 88-352), as amended, and in accordance with that Act, no person shall discriminate, on the grounds of race, color, sex, national origin, age, religion, or disability.

C. It will comply with requirements of the provisions of the Uniform Relocation Assistance and Real Property Acquisitions Act of 1970, as amended; 42 USC (United States Code) §§4601 et seq.; and United States Department of Transportation (USDOT) regulations, "Uniform Relocation and Real Property Acquisition for Federal and Federally Assisted Programs," 49 CFR, Part 24, which provide for fair and equitable treatment of persons displaced as a result of federal and federally assisted programs.

D. It will comply with the provisions of the Hatch Political Activity Act, which limits the political activity of employees. (See also Article 25, Lobbying Certification.)

E. It will comply with the federal Fair Labor Standards Act's minimum wage and overtime requirements for employees performing project work.

F. It will establish safeguards to prohibit employees from using their positions for a purpose that is or gives the appearance of being motivated by a desire for private gain for themselves or others, particularly those with whom they have family, business, or other ties.

G. It will give the Department the access to and the right to examine all records, books, papers, or documents related to this Grant Agreement.

H. It will comply with all requirements imposed by the Department concerning special requirements of law, program requirements, and other administrative requirements.

I. It recognizes that many federal and state laws imposing environmental and resource conservation requirements may apply to this Grant Agreement. Some, but not all, of the major federal laws that may affect the project include: the National Environmental Policy Act of 1969, as amended, 42 USC §§4321 et seq.; the Clean Air Act, as amended, 42 USC §§7401 et seq. and sections of 29 USC; the Federal Water Pollution Control Act, as amended, 33 USC §§1251 et seq.; the Resource Conservation and Recovery Act, as amended, 42 USC §§6901 et seq.; and the Comprehensive Environmental Response, Compensation, and Liability Act, as amended, 42 USC §§9601 et seq. The Subgrantee also recognizes that the U.S. Environmental Protection Agency, USDOT, and other federal agencies have issued, and in the future are expected to issue, regulations, guidelines, standards, orders, directives, or other requirements that may affect this Project. Thus, it agrees to comply, and assures the compliance of each contractor and each subcontractor, with any federal requirements that the federal government may now or in the future promulgate.

J. It will comply with the flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973, 42 USC §4012a(a). Section 102(a) requires, on and after March 2, 1975, the purchase of flood insurance in communities where that insurance is available as a condition for the receipt of any federal financial assistance for construction or acquisition purposes for use in any area that has been identified by the Secretary of the Department of Housing and Urban Development as an area having special flood hazards. The phrase "federal financial assistance" includes any form of loan, grant, guaranty, insurance payment, rebate, subsidy, disaster assistance loan or grant, or any form of direct or indirect federal assistance.

K. It will assist the Department in its compliance with Section 106 of the National Historic Preservation Act of 1966 as amended (16 USC 470 et seq.), Executive Order 11593, and the Antiquities Code of Texas (National Resources Code, Chapter 191).

L. It will comply with Chapter 573 of the Texas Government Code by ensuring that no officer, employee, or member of the Subgrantee's governing board or the Subgrantee's subcontractors shall vote or confirm the employment of any person related within the second degree of affinity or third degree by consanguinity to any member of the governing body or to any other officer or employee authorized to employ or supervise that person. This prohibition shall not apply to the employment of a person described in Section 573.062 of the Texas Government Code.

M. It will ensure that all information collected, assembled, or maintained by the applicant relative to this project shall be available to the public during normal business hours in compliance with Chapter 552 of the Texas Government Code, unless otherwise expressly provided by law.

N. If applicable, it will comply with Chapter 551 of the Texas Government Code, which requires all regular, special, or called meetings of governmental bodies to be open to the public, except as otherwise provided by law or specifically permitted in the Texas Constitution.

### ARTICLE 3. COMPENSATION

A. The method of payment for this agreement will be based on actual costs incurred up to and not to exceed the limits specified in the Project Budget. The amount included in a Project Budget category will be deemed to be an estimate only and a higher amount can be reimbursed, subject to the conditions specified in paragraph B of this Article. If the Project Budget specifies that costs are based on a specific rate, per-unit cost, or other method of payment, reimbursement will be based on the specified method.

B. All payments will be made in accordance with the Project Budget.

1. The Subgrantee's expenditures may overrun a budget category (I, II, or III) in the approved Project Budget without a grant (budget) amendment, as long as the overrun does not exceed a total of five (5) percent of the maximum amount eligible for reimbursement (TxDOT) in the attached Project Budget for the current fiscal year. This overrun must be off-set by an equivalent underrun elsewhere in the Project Budget.

2. If the overrun is five (5) percent or less, the Subgrantee must provide written notification to the Department, through the TxDOT Electronic Grants Management System (eGrants), prior to the Request for Reimbursement being approved. The notification must indicate the amount, the percent over, and the specific reason(s) for the overrun.

3. Any overrun of more than five (5) percent of the amount eligible for reimbursement (TxDOT) in the attached Project Budget requires an amendment of this Grant Agreement.

4. The maximum amount eligible for reimbursement shall not be increased above the Grand Total TxDOT Amount in the approved Project Budget, unless this Grant Agreement is amended, as described in Article 5 of this agreement.

5. For Selective Traffic Enforcement Program (STEP) grants only: In the Project Budget, Subgrantees are not allowed to use underrun funds from the TxDOT amount of (100) Salaries, Subcategories A, "Enforcement," or B, "PI&E Activities," to exceed the TxDOT amount listed in Subcategory C, "Other." Also, Subgrantees are not allowed to use underrun funds from the TxDOT amount of (100) Salaries, Subcategories A, "Enforcement," or C, "Other," to exceed the TxDOT amount listed in Subcategory B, "PI&E Activities." The TxDOT amount for Subcategory B, "PI&E Activities," or C, "Other," can only be exceeded within the five (5) percent flexibility, with underrun funds from Budget Categories II or III.

C. To be eligible for reimbursement under this agreement, a cost must be incurred in accordance with the Project Budget, within the time frame specified in the Grant Period of this Grant Agreement, attributable to work covered by this agreement, and which has been completed in a manner satisfactory and acceptable to the Department.

D. Federal or TxDOT funds cannot supplant (replace) funds from any other sources. The term "supplanting," refers to the use of federal or TxDOT funds to support personnel or an activity already supported by local or state funds.

E. Payment of costs incurred under this agreement is further governed by the cost principles outlined in 2 CFR Part 200.

F. The Subgrantee agrees to submit monthly Requests for Reimbursement, as designated in this Grant Agreement, within thirty (30) days after the end of the billing period. The Request for Reimbursement and appropriate supporting documentation must be submitted through eGrants.

G. The Subgrantee agrees to submit the final Request for Reimbursement under this agreement within forty-five (45) days of the end of the grant period.

H. Payments are contingent upon the availability of appropriated funds.

I. Project agreements supported with federal or TxDOT funds are limited to the length of this Grant Period specified in this Grant Agreement. If the Department determines that the project has demonstrated merit or has potential long-range benefits, the Subgrantee may apply for funding assistance beyond the initial agreement period.

Preference for funding will be given to projects based on (1) proposed cost sharing and (2) demonstrated performance history.

#### **ARTICLE 4. LIMITATION OF LIABILITY**

Payment of costs incurred under this agreement is contingent upon the availability of funds. If at any time during this Grant Period, the Department determines that there is insufficient funding to continue the project, the Department shall notify the Subgrantee, giving notice of intent to terminate this agreement, as specified in Article 11 of this agreement. If at the end of a federal fiscal year, the Department determines that there is sufficient funding and performance to continue the project, the Department may notify the Subgrantee to continue this agreement.

#### **ARTICLE 5. AMENDMENTS**

This agreement may be amended prior to its expiration by mutual written consent of both parties, utilizing the Grant Agreement Amendment in eGrants. Any amendment must be executed by the parties within the Grant Period, as specified in this Grant Agreement.

#### **ARTICLE 6. ADDITIONAL WORK AND CHANGES IN WORK**

A. If the Subgrantee is of the opinion that any assigned work is beyond the scope of this agreement and constitutes additional work, the Subgrantee shall promptly notify the Department in writing through eGrants. If the Department finds that such work does constitute additional work, the Department shall advise the Subgrantee and a written amendment to this agreement will be executed according to Article 5, Amendments, to provide compensation for doing this work on the same basis as the original work. If performance of the additional work will cause the maximum amount payable to be exceeded, the work will not be performed before a written grant amendment is executed.

B. If the Subgrantee has submitted work in accordance with the terms of this agreement but the

Department requests changes to the completed work or parts of the work which involve changes to the original scope of services or character of work under this agreement, the Subgrantee shall make those revisions as requested and directed by the Department. This will be considered as additional work and will be paid for as specified in this Article.

C. If the Subgrantee submits work that does not comply with the terms of this agreement, the Department shall instruct the Subgrantee to make any revisions that are necessary to bring the work into compliance with this agreement. No additional compensation shall be paid for this work.

D. The Subgrantee shall make revisions to the work authorized in this agreement that are necessary to correct errors or omissions, when required to do so by the Department. No additional compensation shall be paid for this work.

E. The Department shall not be responsible for actions by the Subgrantee or any costs incurred by the Subgrantee relating to additional work not directly associated with or prior to the execution of an amendment.

## **ARTICLE 7. REPORTING AND MONITORING**

A. Not later than thirty (30) days after the end of each reporting period, the Subgrantee shall submit a performance report through eGrants. Reporting periods vary by project duration and are defined as follows:

1. For short term projects, the reporting period is the duration of the project. Subgrantee shall submit a performance report within 30 days of project completion.

2. For longer projects, the reporting period is monthly. Subgrantee shall submit a performance report within 30 days of the completion of each project month and within 30 days of project completion.

3. For Selective Traffic Enforcement Program (STEP) Wave projects, the reporting period is each billing cycle. Subgrantee shall submit a performance report within 30 days of the completion of each billing cycle.

B. The performance report will include, as a minimum: (1) a comparison of actual accomplishments to the objectives established for the period, (2) reasons why established objectives and performance measures were not met, if appropriate, and (3) other pertinent information, including, when appropriate, an analysis and explanation of cost underruns, overruns, or high unit costs.

C. The Subgrantee shall promptly advise the Department in writing, through eGrants, of events that will have a significant impact upon this agreement, including:

1. Problems, delays, or adverse conditions, including a change of project director or other changes in Subgrantee personnel, that will materially affect the ability to attain objectives and performance measures, prevent the meeting of time schedules and objectives, or preclude the attainment of project objectives or performance measures by the established time periods.

This disclosure shall be accompanied by a statement of the action taken or contemplated and any Department or federal assistance needed to resolve the situation.

2. Favorable developments or events that enable meeting time schedules and objectives sooner than anticipated or achieving greater performance measure output than originally projected.

D. The Subgrantee shall submit the Final Performance Report through eGrants within thirty (30) days after completion of the grant.

## **ARTICLE 8. RECORDS**

The Subgrantee agrees to maintain all reports, documents, papers, accounting records, books, and other evidence pertaining to costs incurred and work performed under this agreement (called the "Records"), and shall make the Records available at its office for the time period authorized within the Grant Period, as specified in this Grant Agreement. The Subgrantee further agrees to retain the Records for four (4) years from the date of final payment under this agreement, until completion of all audits, or until pending litigation has been completely and fully resolved, whichever occurs last.

Duly authorized representatives of the Department, the USDOT, the Office of the Inspector General, Texas State Auditor, and the Comptroller General shall have access to the Records. This right of access is not limited to the four (4) year period but shall last as long as the Records are retained.

## **ARTICLE 9. INDEMNIFICATION**

A. To the extent permitted by law, the Subgrantee, if other than a government entity, shall indemnify, hold, and save harmless the Department and its officers and employees from all claims and liability due to the acts or omissions of the Subgrantee, its agents, or employees. The Subgrantee also agrees, to the extent permitted by law, to indemnify, hold, and save harmless the Department from any and all expenses, including but not limited to attorney fees, all court costs and awards for damages incurred by the Department in litigation or otherwise resisting claims or liabilities as result of any activities of the Subgrantee, its agents, or employees.

B. To the extent permitted by law, the Subgrantee, if other than a government entity, agrees to protect, indemnify, and save harmless the Department from and against all claims, demands, and causes of action of every kind and character brought by any employee of the Subgrantee against the Department due to personal injuries to or death of any employee resulting from any alleged negligent act, by either commission or omission on the part of the Subgrantee.

C. If the Subgrantee is a government entity, both parties to this agreement agree that no party is an agent, servant, or employee of the other party and each party agrees it is responsible for its individual acts and deeds, as well as the acts and deeds of its contractors, employees, representatives, and agents.

## **ARTICLE 10. DISPUTES AND REMEDIES**

This agreement supersedes any prior oral or written agreements. If a conflict arises between this agreement and the Traffic Safety Program Manual, this agreement shall govern. The Subgrantee shall be responsible for the settlement of all contractual and administrative issues arising out of procurement made by the Subgrantee in support of work under this agreement. Disputes concerning performance or payment shall be submitted to the Department for settlement, with the Executive Director or his or her designee acting as final referee.

## **ARTICLE 11. TERMINATION**

A. This agreement shall remain in effect until the Subgrantee has satisfactorily completed all services and obligations described in this agreement and these have been accepted by the Department, unless:

1. This agreement is terminated in writing with the mutual consent of both parties; or
2. There is a written thirty (30) day notice by either party; or
3. The Department determines that the performance of the project is not in the best interest of the Department and informs the Subgrantee that the project is terminated immediately.

B. The Department shall compensate the Subgrantee for only those eligible expenses incurred during the Grant Period specified in this Grant Agreement that are directly attributable to the completed portion of the work covered by this agreement, provided that the work has been completed in a manner satisfactory and acceptable to the Department. The Subgrantee shall not incur nor be reimbursed for any new obligations after the effective date of termination.

## **ARTICLE 12. INSPECTION OF WORK**

A. The Department and, when federal funds are involved, the USDOT, or any of their authorized representatives, have the right at all reasonable times to inspect or otherwise evaluate the work performed or being performed under this agreement and the premises in which it is being performed.

B. If any inspection or evaluation is made on the premises of the Subgrantee or its subcontractor, the Subgrantee shall provide and require its subcontractor to provide all reasonable facilities and assistance for the safety and convenience of the inspectors in the performance of their duties. All inspections and evaluations shall be performed in a manner that will not unduly delay the work.

## **ARTICLE 13. AUDIT**

The state auditor may conduct an audit or investigation of any entity receiving funds from the state directly under this agreement or indirectly through a subcontract under this agreement.

Acceptance of funds directly under this agreement or indirectly through a subcontract under this agreement acts as acceptance of the authority of the State Auditor, under the direction of the legislative audit committee, to conduct an audit or investigation in connection with those funds. An entity that is the subject of an audit or investigation must provide the state auditor with access to any information the state auditor considers relevant to the investigation or audit.

#### **ARTICLE 14. SUBCONTRACTS**

A subcontract in excess of \$25,000 may not be executed by the Subgrantee without prior written concurrence by the Department. Subcontracts in excess of \$25,000 shall contain all applicable terms and conditions of this agreement. No subcontract will relieve the Subgrantee of its responsibility under this agreement.

#### **ARTICLE 15. GRATUITIES**

A. Texas Transportation Commission policy mandates that employees of the Department shall not accept any benefit, gift, or favor from any person doing business with or who, reasonably speaking, may do business with the Department under this agreement.

The only exceptions allowed are ordinary business lunches and items that have received the advanced written approval of the Department's Executive Director.

B. Any person doing business with or who reasonably speaking may do business with the Department under this agreement may not make any offer of benefits, gifts, or favors to Department employees, except as mentioned here above. Failure on the part of the Subgrantee to adhere to this policy may result in termination of this agreement.

#### **ARTICLE 16. NONCOLLUSION**

The Subgrantee warrants that it has not employed or retained any company or person, other than a bona fide employee working solely for the Subgrantee, to solicit or secure this agreement, and that it has not paid or agreed to pay any company or person, other than a bona fide employee, any fee, commission, percentage, brokerage fee, gift, or any other consideration contingent upon or resulting from the award or making of this agreement. If the Subgrantee breaches or violates this warranty, the Department shall have the right to annul this agreement without liability or, in its discretion, to deduct from the agreement price or consideration, or otherwise recover the full amount of such fee, commission, brokerage fee, contingent fee, or gift.

#### **ARTICLE 17. CONFLICT OF INTEREST**

The Subgrantee represents that it or its employees have no conflict of interest that would in any way interfere with its or its employees' performance or which in any way conflicts with the interests of the Department. The Subgrantee shall exercise reasonable care and diligence to prevent any actions or conditions that could result in a conflict with the Department's interests.

#### **ARTICLE 18. SUBGRANTEE'S RESOURCES**

A. The Subgrantee certifies that it presently has adequate qualified personnel in its employment to perform the work required under this agreement, or will be able to obtain such personnel from sources other than the Department.

B. All employees of the Subgrantee shall have the knowledge and experience that will enable them to perform the duties assigned to them. Any employee of the Subgrantee who, in the opinion of the Department, is incompetent or whose conduct becomes detrimental to the work, shall immediately be removed from association with the project.

C. Unless otherwise specified, the Subgrantee shall furnish all equipment, materials, supplies, and other resources required to perform the work.

#### **ARTICLE 19. PROCUREMENT AND PROPERTY MANAGEMENT**

The Subgrantee shall establish and administer a system to procure, control, protect, preserve, use, maintain, and dispose of any property furnished to it by the Department or purchased pursuant to this agreement in accordance with its own procurement and property management procedures, provided that the procedures are not in conflict with (1) the Department's procurement and property management standards and (2) the federal procurement and property management standards provided by 2 CFR §§ 200.310-.316, 200.318-.324.

#### **ARTICLE 20. OWNERSHIP OF DOCUMENTS AND INTELLECTUAL PROPERTY**

Upon completion or termination of this Grant Agreement, whether for cause or at the convenience of the parties, all finished or unfinished documents, data, studies, surveys, reports, maps, drawings, models, photographs, etc. prepared by the Subgrantee, and equipment and supplies purchased with grant funds shall, at the option of the Department, become the property of the Department. All sketches, photographs, calculations, and other data prepared under this agreement shall be made available, upon request, to the Department without restriction or limitation of their further use.

A. Intellectual property consists of copyrights, patents, and any other form of intellectual property rights covering any databases, software, inventions, training manuals, systems design, or other proprietary information in any form or medium.

B. All rights to Department. The Department shall own all of the rights (including copyrights, copyright applications, copyright renewals, and copyright extensions), title and interests in and to all data, and other information developed under this contract and versions thereof unless otherwise agreed to in writing that there will be joint ownership.

C. All rights to Subgrantee. Classes and materials initially developed by the Subgrantee without any type of funding or resource assistance from the Department remain the Subgrantee's intellectual property. For these classes and materials, the Department payment is limited to payment for attendance at classes.

## **ARTICLE 21. SUCCESSORS AND ASSIGNS**

The Department and the Subgrantee each binds itself, its successors, executors, assigns, and administrators to the other party to this agreement and to the successors, executors, assigns, and administrators of the other party in respect to all covenants of this agreement. The Subgrantee shall not assign, sublet, or transfer interest and obligations in this agreement without written consent of the Department through eGrants.

## **ARTICLE 22. CIVIL RIGHTS COMPLIANCE**

A. Compliance with regulations: The Subgrantee shall comply with the regulations relative to nondiscrimination in federally-assisted programs of the United States Department of Transportation (USDOT): 49 CFR, Part 21; 23 CFR, Part 200; and 41 CFR, Parts 60-74, as they may be amended periodically (called the "Regulations"). The Subgrantee agrees to comply with Executive Order 11246, entitled "Equal Employment Opportunity," as amended by Executive Order 11375 and as supplemented by the U.S. Department of Labor regulations (41 CFR, Part 60).

B. Nondiscrimination: The Subgrantee, with regard to the work performed during the period of this agreement, shall not discriminate on the grounds of race, color, sex, national origin, age, religion, or disability in the selection and retention of subcontractors, including procurements of materials and leases of equipment.

C. Solicitations for subcontracts, including procurement of materials and equipment: In all solicitations either by competitive bidding or negotiation made by the Subgrantee for work to be performed under a subcontract, including procurements of materials and leases of equipment, each potential subcontractor or supplier shall be notified by the Subgrantee of the Subgrantee's obligations under this agreement and the regulations relative to nondiscrimination on the grounds of race, color, sex, national origin, age, religion, or disability.

D. Information and reports: The Subgrantee shall provide all information and reports required by the Regulations, or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Department or the USDOT to be pertinent to ascertain compliance with the Regulations or directives. Where any information required of the Subgrantee is in the exclusive possession of another who fails or refuses to furnish this information, the Subgrantee shall certify that to the Department or the USDOT, whichever is appropriate, and shall set forth what efforts the Subgrantee has made to obtain the requested information.

E. Sanctions for noncompliance: In the event of the Subgrantee's noncompliance with the nondiscrimination provision of this agreement, the Department shall impose such sanctions as it or the USDOT may determine to be appropriate.

F. Incorporation of provisions: The Subgrantee shall include the provisions of paragraphs A. through E. in every subcontract, including procurements of materials and leases of equipment, unless exempt by the regulations or directives. The Subgrantee shall take any action with respect to any subcontract or procurement that the Department may direct as a means of enforcing those provisions, including sanctions for noncompliance. However, in the event a Subgrantee becomes involved in, or is threatened with litigation with a subcontractor or

supplier as a result of such direction, the Subgrantee may request the Department to enter into litigation to protect the interests of the state; and in addition, the Subgrantee may request the United States to enter into such litigation to protect the interests of the United States.

#### **ARTICLE 23. DISADVANTAGED BUSINESS ENTERPRISE (DBE) PROGRAM**

A. The parties shall comply with the DBE Program requirements established in 49 CFR Part 26.

B. The Subgrantee shall adopt, in its totality, the Department's federally approved DBE program.

C. The Subgrantee shall set an appropriate DBE goal consistent with the Department's DBE guidelines and in consideration of the local market, project size, and nature of the goods or services to be acquired. The Subgrantee shall have final decision-making authority regarding the DBE goal and shall be responsible for documenting its actions.

D. The Subgrantee shall follow all other parts of the Department's DBE program referenced in TxDOT Form 2395, Memorandum of Understanding Regarding the Adoption of the Texas Department of Transportation's Federally-Approved Disadvantaged Business Enterprise by Entity and attachments found at web address <http://www.txdot.gov/business/partnerships/dbe.html>

E. The Subgrantee shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of any USDOT-assisted contract or in the administration of its DBE program or the requirements of 49 CFR Part 26. The Subgrantee shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure non-discrimination in award and administration of USDOT-assisted contracts. The Department's DBE program, as required by 49 CFR Part 26 and as approved by USDOT, is incorporated by reference in this agreement. Implementation of this program is a legal obligation and failure to carry out its terms shall be treated as a violation of this agreement. Upon notification to the Subgrantee of its failure to carry out its approved program, the Department may impose sanctions as provided for under 49 CFR Part 26 and may, in appropriate cases, refer the matter for enforcement under 18 USC 1001 and the Program Fraud Civil Remedies Act of 1986 (31 USC 3801 et seq.).

F. Each contract the Subgrantee signs with a contractor (and each subcontract the prime contractor signs with a sub-contractor) must include the following assurance: The contractor, sub-recipient, or sub-contractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of USDOT-assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this agreement, which may result in the termination of this agreement or such other remedy as the recipient deems appropriate.

#### **ARTICLE 24. DEBARMENT AND SUSPENSION**

A. The Subgrantee certifies, to the best of its knowledge and belief, that it and its principals:

1. Are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from covered transactions by any federal department or agency;

2. Have not within the three (3) year period preceding this agreement been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a federal, state, or local public transaction or contract under a public transaction; violation of federal or state antitrust statutes; or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

3. Are not presently indicted or otherwise criminally or civilly charged by a federal, state, or local governmental entity with commission of any of the offenses enumerated in paragraph A. 2. of this Article; and

4. Have not, within the three (3) year period preceding this agreement, had one or more federal, state, or local public transactions terminated for cause or default.

B. Where the Subgrantee is unable to certify to any of the statements in this Article, the Subgrantee shall attach an explanation to this agreement.

C. The Subgrantee is prohibited from making any award or permitting any award at any tier to any party which is debarred or suspended or otherwise excluded from or ineligible for participation in federal assistance programs under Executive Order 12549, "Debarment and Suspension." By executing this agreement, the Subgrantee certifies that it is not currently debarred, suspended, or otherwise excluded from or ineligible for participation in Federal Assistance Programs under Executive Order 12549 and further certifies that it will not do business with any party that is currently debarred, suspended, or otherwise excluded from or ineligible for participation in Federal Assistance Programs under Executive Order 12549.

D. The Subgrantee shall require any party to a subcontract or purchase order awarded under this Grant Agreement to certify its eligibility to receive federal grant funds, and, when requested by the Department, to furnish a copy of the certification.

## **ARTICLE 25. LOBBYING CERTIFICATION**

In executing this agreement, each signatory certifies to the best of that signatory's knowledge and belief that:

A. No federally appropriated funds have been paid or will be paid by or on behalf of the Subgrantee to any person for influencing or attempting to influence an officer or employee of any federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.

B. If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of

Congress in connection with this federal contract, grant, loan, or cooperative agreement, the party to this agreement shall complete and submit Standard Form - LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

C. The Subgrantee shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, sub-grants, and contracts under grants, loans and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Title 31 USC §1352. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

#### **ARTICLE 26. CHILD SUPPORT CERTIFICATION**

Under Section 231.006, Texas Family Code, the Subgrantee certifies that the individual or business entity named in this agreement is not ineligible to receive the specified grant, loan, or payment and acknowledges that this agreement may be terminated and payment may be withheld if this certification is inaccurate. If the above certification is shown to be false, the Subgrantee is liable to the state for attorney's fees and any other damages provided by law or the agreement. A child support obligor or business entity ineligible to receive payments because of a payment delinquency of more than thirty (30) days remains ineligible until: all arrearages have been paid; the obligor is in compliance with a written repayment agreement or court order as to any existing delinquency; or the court of continuing jurisdiction over the child support order has granted the obligor an exemption from Subsection (a) of Section 231.006, Texas Family Code, as part of a court-supervised effort to improve earnings and child support payments.

#### **ARTICLE 27. FEDERAL FUNDING ACCOUNTABILITY AND TRANSPARENCY ACT REQUIREMENTS**

A. Any recipient of funds under this agreement agrees to comply with the Federal Funding Accountability and Transparency Act and implementing regulations at 2 CFR Part 170, including Appendix A. This agreement is subject to the following award terms:  
<http://edocket.access.gpo.gov/2010/pdf/2010-22705.pdf> and  
<http://edocket.access.gpo.gov/2010/pdf/2010-22706.pdf>.

B. The Subgrantee agrees that it shall:

1. Obtain and provide to the State a System for Award Management (SAM) number (48 CFR subpt. 4.11) if this award provides for more than \$25,000 in Federal funding. The SAM number may be obtained by visiting the SAM web-site at: <https://www.sam.gov>
2. Obtain and provide to the State a Data Universal Numbering System (DUNS) number, a unique nine-character number that allows the Federal government to track the distribution of federal money. The DUNS number may be requested free of charge for all businesses and entities required to do so by visiting the Dun & Bradstreet (D&B) on-line registration website <http://fedgov.dnb.com/webform>; and

3. Report the total compensation and names of its top five (5) executives to the State if:

i. More than 80% of annual gross revenues are from the Federal government, and those revenues are greater than \$25,000,000; and

ii. The compensation information is not already available through reporting to the U.S. Securities and Exchange Commission.

#### **ARTICLE 28. SINGLE AUDIT REPORT**

A. The parties shall comply with the requirements of the Single Audit Act of 1984, P.L. 98-502, ensuring that the single audit report includes the coverage stipulated in 2 CFR Part 200.

B. If threshold expenditures of \$750,000 or more are met during the Subgrantee's fiscal year, the Subgrantee must submit a Single Audit Report and Management Letter (if applicable) to TxDOT's Audit Office, 125 East 11th Street, Austin, TX 78701 or contact TxDOT's Audit Office at [singleaudits@txdot.gov](mailto:singleaudits@txdot.gov)

C. If expenditures are less than \$750,000 during the Subgrantee's fiscal year, the Subgrantee must submit a statement to TxDOT's Audit Office as follows: "We did not meet the \$750,000 expenditure threshold and therefore, are not required to have a single audit performed for FY —."

D. For each year the project remains open for federal funding expenditures, the Subgrantee will be responsible for filing a report or statement as described above. The required annual filing shall extend throughout the life of the agreement, unless otherwise amended or the project has been formally closed out and no charges have been incurred within the current fiscal year.

#### **ARTICLE 29. BUY AMERICA ACT**

The Subgrantee will comply with the provisions of the Buy America Act (49 U.S.C. §5323(j)), which contains the following requirements:

Only steel, iron and manufactured products produced in the United States may be purchased with Federal funds unless the Secretary of Transportation determines that such domestic purchases would be inconsistent with the public interest, that such materials are not reasonably available and of a satisfactory quality, or that inclusion of domestic materials will increase the cost of the overall project contract by more than 25 percent. Clear justification for the purchase of non-domestic items must be in the form of a waiver request submitted to and approved by the Secretary of Transportation.

#### **ARTICLE 30. RESTRICTION ON STATE LOBBYING**

None of the funds under this program will be used for any activity specifically designed to urge or influence a State or local legislator to favor or oppose the adoption of any specific legislative proposal pending before any State or local legislative body. Such activities include both direct and indirect (e.g., "grassroots") lobbying activities, with one exception. This does not preclude

a State official whose salary is supported with NHTSA funds from engaging in direct communications with State or local legislative officials, in accordance with customary State practice, even if such communications urge legislative officials to favor or oppose the adoption of a specific pending legislative proposal.

#### **ARTICLE 31. NONGOVERNMENTAL ENTITY'S PUBLIC INFORMATION**

*[This article applies only to non-profit entities.]*

The Subgrantee is required to make any information created or exchanged with the Department pursuant to this Grant Agreement and not otherwise excepted from disclosure under the Texas Public Information Act, available in a format that is accessible by the public at no additional charge to the Department. [SB-1368, 83rd Texas Legislature, Regular Session, Effective 9/1/13]

### RESPONSIBILITIES OF THE SUBGRANTEE

- A. Carry out all performance measures established in the grant, including fulfilling the law enforcement objectives by implementing the Operational Plan contained in this Grant Agreement.
- B. Submit all required reports to the Department (TxDOT) fully completed with the most current information, and within the required times, as defined in Article 3 and Article 7 of the General Terms and Conditions of this Grant Agreement. This includes reporting to the Department on progress, achievements, and problems in monthly Performance Reports and attaching necessary source documentation to support all costs claimed in Requests for Reimbursement (RFR).
- C. Attend Department-approved grant management training.
- D. Attend meetings according to the following:
  - 1. The Department will arrange for meetings with the Subgrantee to present status of activities and to discuss problems and the schedule for the following quarter's work.
  - 2. The project director or other appropriate qualified persons will be available to represent the Subgrantee at meetings requested by the Department.
- E. Support grant enforcement efforts with public information and education (PI&E) activities. Salaries being claimed for PI&E activities must be included in the budget.
- F. When applicable, all newly developed PI&E materials must be submitted to the Department for written approval, through the TxDOT Electronic Grants Management System (eGrants) system messaging, prior to final production. Refer to the Traffic Safety Program Manual regarding PI&E procedures.
- G. For out of state travel expenses to be reimbursable, the Subgrantee must have obtained the written approval of the Department, through eGrants system messaging, prior to the beginning of the trip. Grant approval does not satisfy this requirement. For Department district-managed grants, the Subgrantee must have obtained written Department district approval, through eGrants system messaging, for travel and related expenses if outside of the district boundaries.
- H. Maintain verification that all expenses, including wages or salaries, for which reimbursement is requested is for work exclusively related to this project.
- I. Ensure that this grant will in no way supplant (replace) funds from other sources. Supplanting refers to the use of federal funds to support personnel or any activity already supported by local or state funds.
- J. Ensure that each officer working on the STEP project will complete an officer's daily report form. The form should include at a minimum: name, date, badge or identification number, type of grant worked, grant site number, mileage (including starting and ending mileage),

hours worked, type of citation issued or arrest made, officer and supervisor signatures.

- K. All STEP agencies must provide the following provision in all daily activity report forms:  
"I understand that this information is being submitted to support a claim against a federally-funded grant program. False statements on this form may be prosecutable under 18 USC 1001. This information on this form is true, correct, and complete to the best of my knowledge and ability."
- L. Ensure that no officer above the rank of Lieutenant (or equivalent title) will be reimbursed for enforcement duty, unless the Subgrantee received specific written authorization from the Department, through eGrants system messaging, prior to incurring costs.
- M. Subgrantee may work additional STEP enforcement hours on holidays or special events not covered under the Operational Plan. However, additional work must be approved in writing by the Department, through eGrants system messaging, prior to enforcement. Additional hours must be reported in the Performance Report for the time period for which the additional hours were worked.
- N. If an officer makes a STEP-related arrest during the shift, but does not complete the arrest before the shift is scheduled to end, the officer can continue working under the grant to complete that arrest.
- O. Subgrantees with a traffic unit will utilize traffic personnel for this grant, unless such personnel are unavailable for assignment.
- P. Prior to conducting speed enforcement, the Subgrantee must select and survey enforcement sites that comply with existing state mandated speed limits in accordance with the Texas Transportation Code, Sections 545.352 through 545.356.
- Q. Officers assigned to speed sites should be trained in the use of radar or laser speed measurement devices.
- R. The Subgrantee should have a safety belt use policy. If the Subgrantee does not have a safety belt use policy in place, a policy should be implemented, and a copy maintained for verification during the grant year.
- S. Officers working DWI enforcement must be trained in the National Highway Traffic Safety Administration/International Association of Chiefs of Police Standardized Field Sobriety Testing (SFST). In the case of a first year subgrantee, the officers must be trained, or scheduled to be SFST trained, by the end of the grant year. For second or subsequent year grants, all officers working DWI enforcement must be SFST trained.
- T. The Subgrantee should have a procedure in place for contacting and using drug recognition experts (DREs) when necessary.
- U. The Subgrantee is encouraged to use the DWI On-line Reporting System available through the Buckle Up Texas Web site at [www.buckleuptexas.com](http://www.buckleuptexas.com).

### RESPONSIBILITIES OF THE DEPARTMENT

- A. Monitor the Subgrantee's compliance with the performance obligations and fiscal requirements of this Grant Agreement using appropriate and necessary monitoring and inspections, including but not limited to:
  - 1. review of periodic reports
  - 2. physical inspection of project records and supporting documentation
  - 3. telephone conversations
  - 4. e-mails and letters
  - 5. quarterly review meetings
  - 6. eGrants
  
- B. Provide program management and technical assistance.
  
- C. Attend appropriate meetings.
  
- D. Reimburse the Subgrantee for all eligible costs as defined in the project budget. Requests for Reimbursement will be processed up to the maximum amount payable as indicated in the project budget.
  
- E. Perform an administrative review of the project at the close of the grant period to:
  - 1. Ascertain whether or not the project objectives were met
  - 2. Review project accomplishments (performance measures completed, targets achieved)
  - 3. Document any progress towards self-sufficiency
  - 4. Account for any approved Program Income earned and expended
  - 5. Identify exemplary performance or best practices

### **Goals & Strategies**

**Goal:** To increase effective enforcement and adjudication of traffic safety-related laws to reduce fatal and serious injury crashes

**Strategies:** Increase enforcement of traffic safety-related laws.  
Increase public education and information campaigns.

**Goal:** To increase occupant restraint use in all passenger vehicles and trucks

**Strategy:** Increase enforcement of occupant protection laws.

X I agree to the above goals and strategies.

**Law Enforcement Objective/Performance Measure**

1. Number and type of citations/arrests to be issued during the CIOT Operation	
a. Safety Belt Citations	390
b. Child Safety Seat Citations	30
c. Increase the safety belt usage rate among drivers and front seat passengers, between pre & post survey results, by at least the following percentage points	1%
2. Total Number of Enforcement Hours	200
Step Indicator	3.15

**Note:**

Nothing in this agreement shall be interpreted as a requirement, formal or informal, that a peace officer issue a specified or predetermined number of citations in pursuance of the Subgrantee's obligations hereunder.

In addition to the STEP enforcement activities, the subgrantee must maintain baseline non-STEP funded citation and arrest activity due to the prohibition of supplanting.

**PI&E Objective/Performance Measure**

- 1. Support Grant efforts with a public information and education (PI&E) program
  - a. Conduct a minimum of one (1) presentations 1
  - b. Conduct a minimum of two (2) media exposures (e.g. news conferences, news releases, and interviews) 2
  - c. Conduct a minimum of one (1) community events (e.g. health fairs, booths) 1
  - d. Distribute the following number of public information and education materials (if applicable) 250

**Budget Summary**

Budget Category		TxDOT	Match	Total
<b>Category I - Labor Costs</b>				
(100)	Salaries	\$10,879.40	\$0	\$10,879.40
(200)	Fringe Benefits	\$0	\$0	\$0
	Category I Sub-Total	\$10,879.40	\$0	
<b>Category II - Other Direct Costs</b>				
(300)	Travel	\$0	\$0	\$0
(400)	Equipment	\$0	\$0	\$0
(500)	Supplies	\$0	\$0	\$0
(600)	Contractual Services	\$0	\$0	\$0
(700)	Other Miscellaneous	\$0	\$0	\$0
	Category II Sub-Total	\$0	\$0	\$0
<b>Total Direct Costs</b>		<b>\$10,879.40</b>	<b>\$0</b>	<b>\$10,879.40</b>
<b>Category III - Indirect Costs</b>				
(800)	Indirect Cost Rate	\$0	\$0	\$0
<b>Summary</b>				
	Total Labor Costs	\$10,879.40	\$0	\$10,879.40
	Total Direct Costs	\$0	\$0	\$0
	Total Indirect Costs	\$0	\$0	\$0
	<b>Grand Total</b>	<b>\$10,879.40</b>	<b>\$0</b>	<b>\$0.00</b>
	Fund Sources (Percent Share)	100.00%	0.00%	

### CIOT Operational Plan

X I agree to the following

**Comments:**

Site Description	Occupant Protection Jurisdiction Wide
Pre Surveys	April 26, 2016 - April 28, 2016
Pre-Media Efforts before Enforcement period	May 20, 2016 - May 22, 2016
Enforcement Period (Minimum # of enforcement days: 4) (day or nighttime)	May 23, 2016 - June 5, 2016
Post Surveys	June 6, 2016- June 8, 2016
Post-Media Efforts after Enforcement period	June 9, 2016- June 11, 2016
Reporting Period	June 6, 2016- July 8, 2016

### Description of Activities

Pre-Surveys	<p>Prior to conducting any wave enforcement activity, agencies must conduct pre-observational surveys to establish safety belt usage rates.</p> <p>The cities of Arlington, Austin, Corpus Christi, Dallas, El Paso, Fort Worth, Garland, Houston, Lubbock, and San Antonio are scheduled to have their surveys conducted by the Texas Transportation Institute (TTI).</p> <p>All other agencies must conduct their own pre-observational surveys using the Texas Department of Transportation's (TxDOT) survey protocol and instructions that can be found at <a href="http://www.buckleuptexas.com">www.buckleuptexas.com</a>. Click on the "Survey Tools" link.</p>
Pre-Media Campaign	<p>Conduct local media events immediately before the enforcement effort to maximize the visibility of enforcement to the public. These media events tell the public when, where, how and why the safety belt laws are being enforced.</p>
Enforcement Period	<p>Intensify enforcement through an overtime STEP that places primary emphasis on increasing the number of citations for non-use of occupant restraints during the peak holiday traffic.</p>
Post-surveys	<p>Conduct post-observational surveys to determine safety belt usage. Measure the impact of the media/enforcement effort. The cities of Arlington, Austin, Corpus Christi, Dallas, El Paso, Fort Worth, Garland, Houston, Lubbock, and</p>

San Antonio are scheduled to have their surveys conducted by the Texas Transportation Institute (TTI).

All other agencies must conduct their own post-observational surveys using the Texas Department of Transportation's (TxDOT) survey protocol and instructions that can be found at [www.buckleuptexas.com](http://www.buckleuptexas.com). Click on the "Survey Tools" link.

**Post-media Campaign**

Conduct local media events to tell the public why the safety belt laws are important and the results of the wave.

**Reporting Period**

Agencies will submit a performance report during this time period.

**Note:**

The Survey and Media dates above are to be used as a guide. Late grant execution may result in a subgrantee conducting pre-survey and pre-media activities at a later date.

These activities must occur prior to enforcement activities beginning.

The Post-media Campaign may begin immediately after the post observational surveys are conducted.

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION AUTHORIZING THE ACCEPTANCE OF A TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) SELECTIVE TRAFFIC ENFORCEMENT PROGRAM (STEP) - CLICK IT OR TICKET (CIOT) GRANT IN THE AMOUNT OF \$10,879.40; AND PROVIDING AN EFFECTIVE DATE.

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

**Section 1**

That the City of Garland Police Department, by and through Police Chief Mitch Bates, is hereby authorized to accept a Texas Department of Transportation (TXDOT) Selective Traffic Enforcement Program - Click It Or Ticket (CIOT) Grant in the amount of \$10,879.40, for the purpose of vehicle occupant restraint enforcement during the period from May 23, 2016 through June 5, 2016.

**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 \_\_\_\_\_, 2016.

**CITY OF GARLAND, TEXAS**

\_\_\_\_\_  
Mayor

**ATTEST:**

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



**Meeting: City Council**

**Date: May 3, 2016**

# Policy Report

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## **ITEM 6 - DOWNTOWN SQUARE DESIGN CONTRACT**

### **ISSUE**

Consider a contract with David C. Baldwin, Inc. for consulting services for the Downtown Square design project.

### **OPTIONS AND RECOMMENDATION**

If so directed by City Council, the City Manager will enter into an agreement with David C. Baldwin Inc. for landscape architectural design and consulting services in the amount of \$159,350.00 for the Downtown Square design project.

### **COUNCIL GOAL**

Sustainable Quality Development and Redevelopment

### **BACKGROUND**

The Downtown Square project was approved by Garland voters as a part of the 2004 Bond Fund and was included in the 2010 Capital Improvement Program as a funded project (Project 10043). The project scope included the redesign of the Downtown Square to create a more functional and inviting public space for large gatherings, as well as individual activity. In 2012, professional design services were completed with a consultant team led by David C. Baldwin, Inc. providing a comprehensive assessment of the project area. An extensive public engagement process concluded with the identification of three (3) design concepts for consideration.

The 2016 Capital Improvement Program lists the Downtown Square Design and Construction as a funded project. As indicated at the Council at the March 14, 2016 work session, a scope of services has been prepared to complete further refinement of the concepts identified in 2012. In addition, the proposal addresses potential architectural opportunities to the eastern half of the project area and impacts to the design of the western half of the site. The project aims to conclude with the identification of a preferred design and the development of construction drawings prepared in order to bid the project in 2018.

## CONSIDERATIONS

1. The 2012 Downtown Square design project completed a field inventory and evaluation of existing conditions within the project area. Base data was collected and evaluated resulting in the identification of three alternative design concepts. There was an extensive public engagement process, which included stakeholder interviews with Downtown user groups and public meetings with Downtown merchants, organizations, and property owners.
2. The scope of work for this proposal and fees represents a further refinement (or design development) of concepts developed under the original scope of work. However, the previously prepared concepts looked at two options for the eastern half of the site. One option was to keep the former Civic Theater Building intact (as is). The second option was to remove the Civic Theater Building entirely and replace it with a completely new building located along the interface with Fifth Street; however, there was no previously prepared concept(s) that looked at maintaining all, a portion or western edge of the existing Civic Theater Building, combined with other modifications/ additions. These will be completely new concepts included as part of the new scope of work.

## ATTACHMENTS

Proposal for professional services with David C. Baldwin, Inc. for the Downtown Square Design Project.

Submitted By:

Will Guerin, AICP  
Director of Planning

Date: April 21, 2016

Approved By:

Bryan L. Bradford  
City Manager

Date: April 27, 2016



April 12, 2016

**PROPOSAL FOR PROFESSIONAL SERVICES FOR THE  
DOWNTOWN SQUARE REDEVELOPMENT  
PHASE 3 SERVICES  
GARLAND • TEXAS**

This proposal is for landscape architectural design and consulting services by **DAVID C. BALDWIN INC.** (the Landscape Architect / Prime Consultant) for the **CITY OF GARLAND, TEXAS** (The Client).

**1.0 SCOPE**

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**1.1 PROJECT BOUNDARY** - The boundaries of the study area (see Attachment A) are:

- NORTH - Building facades facing State Street.
- WEST - Building facades facing 6<sup>th</sup> Street. Including State Street and 6<sup>th</sup> Street intersection.
- SOUTH - Building facades facing Main Street. Including 6<sup>th</sup> Street and Main Street intersection.
- EAST - East curb of 5<sup>th</sup> Street. Included Main Street and 5<sup>th</sup> Street intersection and excludes previously improved 5<sup>th</sup> Street and State Street intersection.

**1.2 PROJECT GOALS** - The Project goals are as follows:

- 1.2.1 Work with the Client to develop conceptual options for the re-development of the City of Garland's historic Downtown Square block to strengthen its draw as a "destination" and gathering space for the downtown's increasing residential population.
- 1.2.2 Maintain or possibly enlarge the Square's open space to serve public functions.
- 1.2.3 Create a market-supportive, mixed-use development on the eastern side of the block that enhances the Downtown as well as use of the existing Square.

- 1.2.4 Maintain an “historical” east edge to define the Square.
- 1.2.5 Create a style that enhances the “authentic, historic, small-town, urban setting”.

1.3 Subconsultants for the services shall include:

**BASIC SERVICES**

- RVI Planning (David Retzsch)\_\_\_\_\_ General Consultation
- PGAL\_\_\_\_\_ Architecture
- R-Delta Engineers\_\_\_\_\_ Civil Engineering  
Consultation
- Syska Hennessey Group Inc.\_\_\_\_\_ Electrical Engineering  
Consultation
- M2 Studio\_\_\_\_\_ Computer  
Visualization

**SPECIAL SERVICES**

- Tree Source\_\_\_\_\_ Professional Arborist  
Consultation

1.3 The **BASIC SERVICES** included in this proposal are as follows:

- Task 1: Initial Input Meetings
- Task 2: Square Design Development
- Task 3: Architectural Services
- Task 4: Combined Master Plan Option
- Task 5: Opinion of Probable Cost

**2.0 BASIC SERVICES**

Working with the Client, the Landscape Architect’s Basic Services shall consist of the following four (4) tasks as described in Paragraphs 2.1 through 2.4 as follows:

2.1 **TASK 1: INITIAL INPUT MEETINGS** - The Landscape Architect shall attend meetings over the course of TASK 1 phase which are in addition to task specific meetings defined in separate sections of this scope. Meetings may include but shall not be limited to events such as the following.

2.1.1 Project Kick-off with Key City staff and primary project team representatives. As determined by the Client, this meeting may include representatives of the Economic Development staff,

Visitors and Convention staff, district City Council member, and Mayor (maximum 2 meetings).

2.1.2 Input meeting with downtown stakeholders such as merchants, downtown task force and other interested people or groups (maximum 2 meetings).

2.2 **TASK 2: SQUARE DESIGN DEVELOPMENT** - Utilizing the previously prepared design options for the square prepared under separate contract, the Landscape Architect will further develop the square design. In addition, the Landscape Architect will also:

- Reevaluate the included program elements for the previously prepared design options for current suitability, additions, and/or deletions.
- Develop new options for the square and streetscape design based on the previously conducted Initial Input Meetings (maximum 2 options)

2.2.1 The Landscape Architect will develop a maximum of three (3) options for the square development for presentation to the public. The options may be selected from previously prepared scenarios or newly introduced options.

2.3 **TASK 3: ARCHITECTURAL SERVICES** - The Landscape Architect (along with the Architecture subconsultant) shall collaborate with the Client to provide the following:

2.3.1 **Measured Drawings:** The Architect will measure the existing buildings to create basic plan, section and elevation CADD drawings to be used as a foundation for this conceptual work. The level of detail will be commensurate with the information needed to accomplish the tasks herein, but will not involve forensic investigation or destruction of any existing components. Details will primarily be limited to walls, ceilings, openings and exterior facades, and will not include lighting, power, HVAC, plumbing or other similar building systems.

2.3.2 **Conceptual Plans:** Develop three (3) conceptual architectural options for the adaptive reuse and/or replacement of the existing "historical" buildings at the east portion of the block. Preliminary sketches for each floor level will be reviewed with the Client for feedback and refinement. Then final conceptual floor plans will be created. Possible architectural options include:

1. Renovate the existing buildings' west façade in its current location and create additional development facing N. 5th Street.
2. Replace the existing buildings with new development, but maintain current western building edge.
3. Replace the existing buildings with new development, but move western building edge toward N. 5<sup>th</sup> Street to increase size of open space.

2.3.3 **Conceptual 3-D Design:** The three (3) concepts will be further developed to include 3-dimensional massing and elevations. These will be presented to the Client for refinement and approval.

2.3.4 **Final Conceptual Design Deliverables:** The Landscape Architect will provide the following "presentation" drawings to illustrate the approved three (3) conceptual designs:

- Site Plan with proposed building footprint. Note: Floor plan will be formed in order to develop a realistic footprint only (based on possible building uses).
- Building Elevations
- SketchUp aerial view(s) showing the proposed building massing

2.3.5 **Computer-generated Renderings:** The Architect will work with the visualization firm to create a context-based computer model illustrating the proposed redevelopment conceptual design options.

## 2.4 **TASK 4: COMBINED MASTER PLAN OPTION**

2.4.1 The Landscape Architect will work with the Architecture subconsultant to develop a master plan of the full project area combining the preferred square option with the preferred architectural option.

2.4.2 **Public Input Presentation No. 1** - The Landscape Architect shall prepare materials (i.e. PowerPoint, boards, etc.) for a formal public presentation. The Landscape Architect will conduct this presentation at a time and location designated by the Client.

2.4.3 **Final Combined Master Plan Option** - Based on input from staff and the Public Input Presentation No. 1, the Landscape Architect shall modify and make changes to the preliminary plan. The Landscape Architect shall prepare a maximum of six (6) computer-

generated visualization perspectives of the Final Combined Master Plan Option. Preliminary suggestions for visualization views are:

- Bird's-eye (aerial) day view (Quantity = 1)
- Ground-level day view (Quantity = 1)
- Day views TBD (Quantity: = 4)

2.4.4 **Public Input Presentation No. 2** - The Landscape Architect shall prepare materials for a second Public Input Presentation and conduct this presentation in conjunction with City Staff.

2.5 **TASK 5: OPINION OF PROBABLE COST** - Working with other design team members (i.e. architect, civil engineer, electrical engineer) the Landscape Architect shall develop a detailed Opinion of Probable Cost for the Building improvements based on current area or unit costs, historical construction data, and building square footage costs. Specific services and items for cost development include the following:

- Existing square, street, and building demolition
- Preliminary drainage analysis to identify drainage improvements required for the various concepts
- Conceptual layout of new or additional sanitary sewer and water mains
- Quantity takeoffs for drainage, wet utilities, roadway paving and sidewalk paving improvements
- Study the existing electrical services of the plaza and existing former Theater Building to see what is available to the project area for future development
- Review possible AV and security infrastructure needs
- Costs for the site and landscape improvements such as specialty items (i.e. fountains, stage), site furnishings, landscaping, irrigation, etc.
- Projected soft costs for future design and consulting services (i.e. Design Development, Construction Documents, Bidding, and Contract Administration)

### **3.0 SPECIAL SERVICES**

3.1 **SPECIAL SERVICE No. 1 / EXISTING TREE EVALUATION** - If needed and at the Client's approval, the Landscape Architect shall retain the services of a certified arboricultural consultant to evaluate the existing trees within the project boundary. The scope of work for this service would include:

- Examine and evaluate approximately 24 mature trees within the project boundary that may be impacted by renovation and construction activities.
- Provide a written report detailing the current health, structure, and remaining safe-useful-life-expectance (SULE) of trees to be impacted by the project.
- Provide specific recommendations regarding the feasibility of preservation versus removal of trees to be impacted by the project.
- Attend one public meeting to discuss the report and answer questions from City officials, City staff, and the public.

#### 4.0 FEES

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4.1 For the **BASIC SERVICES and SPECIAL SERVICES** as outlined under 2.0 and 3.0 above, the City agrees to pay the Landscape Architect fees as follows:

4.1.1 **BASIC SERVICES** - a lump sum fee (exclusive of Reimbursable Expenses allowance listed below) of **one hundred fifty-nine thousand three hundred fifty dollars and no cents (\$159,350.00)** to be billed monthly at a percentage of the work completed. The fee is broken down per task as follows:

- TASK 1: Initial Input Meetings \_\_\_\_\_ \$ 10,680.00
- TASK 2: Square Design Development \_\_\_\_\_ \$ 35,194.00
- TASK 3: Architectural Services \_\_\_\_\_ \$ 35,386.00
- TASK 4: Combined Master Plan Option \_\_\_\_\_ \$ 54,710.00
- TASK 5: Opinion of Probable Cost \_\_\_\_\_ \$ 23,380.00

**TOTAL: \$159,350.00**

4.1.2 For **SPECIAL SERVICES No. 1/ EXISTING TREE EVALUATION** - a lump sum fee of **two thousand eight hundred seventy-five dollars and no cents (\$2,875.00)** to be billed monthly at a percentage of the work completed.

Note: The Landscape Architect shall not proceed with this Special Service without prior written approval of the Client.

4.1.3 **REIMBURSABLE EXPENSES** - In addition to the fees outlined above, direct Expenses such as printing, plotting, delivery services, hotel, mileage, and other out-of-pocket expenses relating solely to the project will be invoiced in addition to the previously outlined fees at our direct expense times a multiplier of 1.10. Our reimbursables are charged at the following rates:

• Mileage	\$ .575 / mile
• Large scale plotting & printing (B&W)	\$2.10 / S.F.
• Large scale plotting & printing (Color)	\$3.25 / S.F.
• 8.5" x 11" color print	\$2.50 / each
• 11" x 17" color print	\$5.00 / each

Estimated allowance for BASIC SERVICES reimbursables is **seven thousand one hundred seventy dollars and no cents (\$7,170.00).**

## 5.0 LIMITATIONS

5.1 Basic Services do not include the following:

- Traffic studies or traffic engineering.
- Geotechnical soils engineering/testing including earthwork compaction criteria and pavement design.
- Materials testing
- Appearances before regulatory agencies other than the City.
- Assistance to the Client as an expert witness in any litigation with third parties arising from the development or construction of the Project.
- Special investigations involving detailed consideration of operation, maintenance and overhead expenses; preparation of rate schedules; earnings and expense statements; special feasibility studies, appraisals, valuations, and material audits or inventories required for certification of force account construction performed by the Client.
- Preparation of applications and supporting documents for government grants or planning advances for public works projects.
- Environmental assessment services preparation of environmental statements and assistance to the City in preparing for and attending public (environmental) hearings.
- Establish and monument property corners.
- Acquisition of individual federal or state permits that may be required. (Note: This does not apply to federal or state general permits.)
- Texas Accessibility Standards (TAS) plan review or inspection fees.
- Legal services.
- Zoning services and representation at public hearings (regarding zoning).
- Construction surveying or staking for any improvements.
- Advertising and associated costs for stakeholder's public involvement meetings.

## 6.0 GENERAL CONDITIONS

This agreement is subject to the "**General Conditions of Agreement**" as follows:

**6.1 Definitions:**

**LANDSCAPE ARCHITECT:** Wherever the term LANDSCAPE ARCHITECT is used in this agreement, those terms are understood to reference the firm of David C. Baldwin Inc. and to include all of the various design professions, registrations, disciplines, and related services which might be provided or performed under this contract for the CLIENT by David C. Baldwin Inc. or any of David C. Baldwin Inc.'s subcontractors including, but not limited to, Professional Engineering services, Landscape Architecture services, Structural Engineering services, etc.

**CLIENT:** Wherever the term CLIENT is used in this agreement, that term is understood to refer to the CITY OF GARLAND.

- 6.2 STATUS OF CONSULTANT** - The Landscape Architect acknowledges that the Landscape Architect is an independent contractor of the Client and the Landscape Architect is not an employee, agent, official or representative of the Client. The Landscape Architect shall not represent, either expressly or through implication, that the Landscape Architect is an employee, agent official or representative of the Client. Income taxes, self-employment taxes, social security taxes and the like are the sole responsibility of the Landscape Architect.
- 6.3 PROFESSIONAL LIABILITY INSURANCE** - Prior to the commencement of the professional services described under this Contract, the Landscape Architect shall obtain standard comprehensive professional liability insurance coverage in an amount of at least \$500,000.00 aggregate per year, covering the services provided under this Contract, including contractual liability. The Landscape Architect shall maintain such coverage during all phases of services under this Contract for one (1) year after substantial completion of the project. The Client shall be supplied with a certificate of such coverage, which shall provide for a thirty (30) day notice to the Client, by certified or registered mail, of cancellation or non-renewal.
- 6.4 COMPLIANCE WITH LAWS** - The Landscape Architect shall comply with all applicable Federal, State, and local laws, statutes, ordinances, rules and regulars and the orders and decrees of any courts or administrative bodies in any manner affecting the performance of this Contract, including, without limitation, worker's compensation laws, minimum and maximum salary and wage statutes and regulations, and licensing laws and regulations.
- 6.5 INDEMNIFICATION** - Consultant agrees to indemnify and hold harmless the Client, and all of its present, future and former agents,

employees, and representatives in their official, individual and representative capacities from and against any and all claims, demands, causes of action, judgment, liens and expenses (including attorney's fees, whether contractual or statutory), costs and damages (whether common law or statutory, and whether actual, punitive, consequential or incidental), or any conceivable character, due to or arising from injuries to persons (including death) or to property (both real and personal) to the extent arising from the negligent acts, errors, or omissions of the Consultant in the performance of professional services under this contract. The indemnity provided by this section expressly excludes any indemnity for any claim caused by the negligence or other fault of any indemnified party, to the fullest extent consistent with the provisions of Sec. 271.904 of the Texas Local Government Code.

- 6.6 **LANDSCAPE ARCHITECT'S Obligation to CLIENT only:** It is noted that nothing in the performance of the LANDSCAPE ARCHITECT'S service in connection with this project implies any undertaking for the benefit of, or which may be enforced by any third party, including other owners of subject or adjacent tracts, the CONTRACTOR(S), its SUBCONTRACTOR(S), or the surety of any of them, it being understood that the LANDSCAPE ARCHITECT'S obligations are solely to the CLIENT and that, in meeting such obligations to the CLIENT, the LANDSCAPE ARCHITECT may increase the burdens and expenses of the CONTRACTOR(S), its SUBCONTRACTOR(S), or the surety of any of them.
- 6.7 **Opinions of Probable Construction Cost:** LANDSCAPE ARCHITECT has no control over the cost of labor, materials, equipment or services furnished by others, or over the CONTRACTOR(S)' methods of determining prices, or over competitive bidding or market conditions. Therefore, his OPINIONS OF PROBABLE PROJECT COST AND/OR CONSTRUCTION COST, if any, provided for herein are to be made on the basis of his experience and qualifications and represent his best judgment as an experienced and qualified professional LANDSCAPE ARCHITECT, familiar with the construction industry. However, LANDSCAPE ARCHITECT cannot and does not guarantee that proposals, bids, or actual project cost and construction cost will not vary from OPINIONS OF PROBABLE PROJECT COST AND/OR CONSTRUCTION COST prepared by him. If, prior to the bidding or negotiating, CLIENT wishes greater assurance as to project or construction cost, he shall employ an independent cost estimator.
- 6.8 **Standard of Practice:** LANDSCAPE ARCHITECT will strive to perform services under this AGREEMENT in a manner consistent with that level of care and skill ordinarily exercised by members of the appropriate profession currently practicing in the same locality under

similar conditions. No other representation, expressed or implied, and no warranty or guarantee is included or intended in this AGREEMENT, or in any report, opinion, document or otherwise.

6.9 **Risk Allocation/Limitation of Landscape Architect's Liability:** The LANDSCAPE ARCHITECT has evaluated the risks, rewards and benefits of the project and the LANDSCAPE ARCHITECT'S total fee for the services. The risks have been allocated such that the CLIENT agrees that to the fullest extent permitted by law, the LANDSCAPE ARCHITECT'S total liability to CLIENT for any and all injuries, claims, losses, expenses, damages or claim expenses arising out of this agreement from any cause or causes, shall not exceed the total amount of **one hundred thousand dollars (\$100,000)**. Such causes include but are not limited to the LANDSCAPE ARCHITECT'S negligence, errors, omissions, strict liability, breach of contract or breach of warranty. CLIENT agrees not to bring action against LANDSCAPE ARCHITECT under the provision of the Texas Deceptive Trade Practices Act which provides for treble damages.

6.10 All fees are due and payable upon receipt at the office of **David C. Baldwin Inc., 730 East Park Boulevard, Suite 100, Plano, Collin County, Texas 75074.**

6.11 **CHANGES TO WORK:**

The Landscape Architect shall make such revisions in the work included in this Contract, which has been completed as are necessary to correct any errors when required to do so by the Client. No additional compensation shall be paid for such work. If the Client finds it necessary to request changes to previously satisfactorily completed work or parts thereof, the Landscape Architect shall make such revisions if requested and as directed by the Client and such services will be considered as additional work and paid for as specified under following paragraph.

6.12 Hourly rates of additional services or work requested by Client not under this contract agreement are as follows:

**DAVID C. BALDWIN INC.**

Principal/Landscape Architect	\$ 175.00/hour
Registered Landscape Architect / Project Manager	\$ 125.00/hour
Senior Landscape Designer	\$ 115.00/hour
Junior Landscape Architect	\$ 103.50/hour
Junior Landscape Designer	\$ 95.00/hour
Technical (CAD drafting)	\$ 80.00/hour
Administrative	\$ 57.50/hour

**RVI PLANNING INC.**

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Project Director (David Retzsch) \$ 195.00/hour

**PGAL ARCHITECTURE**

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Principal \$ 265.00/hour

Project Manager V \$ 250.00/hour

Senior Architect VI / Designer VI /  
Interior Designer VI / Engineer VI \$ 250.00/hour

Architect III / Designer III / Interior  
Designer III / Engineer III \$ 150.00/hour

**R-DELTA ENGINEERS**

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Principal \$ 195.00/hour

Structural Engineer \$ 155.00/hour

Electrical Engineer \$ 155.00/hour

Civil Engineer \$ 145.00/hour

Senior Lead Designer \$ 95.00/hour

CADD Technician \$ 85.00/hour

High Definition Laser Scanning (LiDAR) \$ 275.00/hour

Survey Field Crew (3 man) \$ 155.00/hour

Survey Field Crew (2 man) \$ 130.00/hour

GPA Field Crew (1 man) \$ 110.00/hour

Surveyor (RPLS) \$ 110.00/hour

Surveyor in Training (SIT) \$ 95.00/hour

Survey Technician \$ 85.00/hour

Clerical \$ 40.00/hour

**SYSKA HENNESSEY GROUP**

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Project Executive \$ 370.00/hour

Principal in Charge \$ 315.00/hour

Project Manager \$ 255.00/hour

Project Engineer / Supervising Engineer \$ 255.00/hour

Supervising Designer \$ 230.00/hour

Senior Engineer \$ 205.00/hour

Senior Designer \$ 195.00/hour

Engineer \$ 185.00/hour

Designer \$ 160.00/hour

Cad Specialist \$ 135.00/hour

Engineering Aide or Project Administrator \$ 90.00/hour

**M2 STUDIO**

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- Additional visualization perspectives typically range from \$900.00 to \$1,650.00 each.

**TREE SOURCE**

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Principal \$ 165.00/hour

**7.0 STATEMENT OF JURISDICTION**

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The Texas Board of Architectural Examiners has jurisdiction over complaints regarding the professional practices of persons registered as Landscape Architects in Texas. The Board's address and phone is P. O. Box 12337, Austin, TX 78711, phone: 512-305-9000, fax: 512-305-8900. The Board's web site address is [www.tbac.state.tx.us](http://www.tbac.state.tx.us).

**8.0 TERMINATION**

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This Contract shall remain in full force and effect until the above referenced work has been completed. If either party defaults in the performance of this agreement or materially breaches any of its provisions, the non-defaulting or non-breaching party shall have the right to terminate this agreement by giving written notice of termination within fourteen (14) days of the default or breach. Upon receipt of said notice, the defaulting or breaching party shall have fourteen (14) days to cure such default or breach. If said default or breach is not cured, the agreement shall terminate automatically. All notices shall be mailed certified, return receipt requested, to the following:

Martin Glenn, Deputy City Manager  
CITY OF GARLAND  
200 N. Fifth  
Garland, TX 75040

David C. Baldwin  
DAVID C. BALDWIN INC.  
730 East Park Blvd., Suite 100  
Plano, Texas 75074

Additionally, Client may terminate this agreement, without cause and at will, by giving the Landscape Architect not less than 30 days written notice; provided that if this agreement is terminated, Landscape Architect shall be paid a lump sum equal to the unpaid portion of the fee for services performed prior to termination, together with reimbursement for reimbursable expenses.

**AUTHORIZATION:**

**CITY OF GARLAND, TEXAS**

Signature: \_\_\_\_\_

Printed Name/Title: \_\_\_\_\_

\_\_\_\_\_

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

**DAVID C. BALDWIN INC.**



David C. Baldwin, President

Date: 4.12.16



# City Council Item Summary Sheet

Work Session

Date: 5/3/16

Agenda Item

## Item 7 - Youth Programs Standards of Care Ordinance

### Summary of Request/Problem

Council is requested to adopt an ordinance with public comments for Youth Programs Standards of Care to meet requirements of Texas Human Resource Code, Section 42.041(b)(14) to exempt recreational programs for children operated by municipalities from state child care licensing.

In order to receive exempt status for elementary age (ages 5-13) and teen recreation programs, a municipality must adopt a youth programs standards of care ordinance after a public hearing. Parks, Recreation and Cultural Arts Department staff has formulated standards of care for youth programs that includes staffing ratios, minimum staff, qualifications, minimum facilities, health and safety standards, and a mechanism for monitoring and enforcing the local standards; and further provides for notifying parents that the program is not licensed by the state and that the program may not be advertised as a day care facility.

This item was considered by Council at the May 2, 2016 Work Session

### Recommendation/Action Requested and Justification

Adopt an ordinance with public comments for Youth Programs Standards of Care.

**Submitted By:**  
**Warren Bird**  
**Recreation Director**  
**Parks, Recreation and Cultural Arts**

**Approved By:**  
**Bryan L. Bradford**  
**City Manager**  
**City of Garland**



**GARLAND**

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**PARKS, RECREATION  
& CULTURAL ARTS**

# **YOUTH PROGRAMS STANDARDS OF CARE**

**Approved (date)**

*City of Garland recreation programs are not licensed  
child care programs.*

## **I. General Administration**

### **A. Organization**

1. The governing body of the City of Garland Parks, Recreation and Cultural Arts Department (PRCAD) is the Garland City Council.
2. The City of Garland is responsible for the operation of youth recreation programs in compliance with the Standards of Care implemented by PRCAD and approved by City Council ordinance.
3. Implementation of the Standards of Care is the responsibility of PRCAD.
4. A copy of the Standards of Care will be made available at each program site for public and staff review.

## **II. Staffing - Qualifications, Responsibilities and Training**

- A. All staff working in Department programs must meet and adhere to the required position qualifications. Position descriptions and qualifications will be available through the Department of Human Resources.
- B. A criminal background check will be conducted on all prospective City of Garland employees. Applicants may be disqualified if they have a criminal conviction.
- C. In accordance with the position qualifications, staff will:
  1. Participate in orientation and training programs designed to educate staff in working with participants and inform them of specific job responsibilities. Each staff person will be provided with a policy and procedures manual specific to the program in which they were employed.
  2. Be familiar with the policies, procedures, discipline, guidance, and release of program participants as illustrated in the program manual.
  3. Be trained in appropriate procedures to handle emergencies.
  4. Be trained in areas including City, Departmental, and program policies and procedures, provision of recreation activities, safety issues, and organization.
  5. Be required to sign an acknowledgment that they received the required training.
- D. Additional staff responsibilities:
  1. Staff must relate to the participants with courtesy, respect, tolerance, and patience.
  2. Staff will be responsible to provide participants with an environment in which they can feel safe, can enjoy wholesome recreation activities, and can participate in appropriate social opportunities with their peers.

## **III. Inspection / Monitoring / Enforcement**

- A. Policies and procedures established by the City of Garland will be monitored and enforced by City Departments responsible for their respective areas as identified. Health and safety standards will be monitored and enforced by the Garland Fire Department, Garland Police Department, Department of Health, and the Department of Code Enforcement. Staff and program issues will be monitored and enforced by PRCAD.

- B. Emergency evacuation and relocation plans will be posted.
- C. Buildings, grounds, and equipment on the site will be inspected, cleaned, repaired, and maintained to protect the health of the participants.
- D. Program equipment and supplies must be safe for the participants' use.
- E. Staff must have first aid supplies readily available at each site, during transportation to an off-site activity, and for the duration of any off-site activity.
- F. Staff must have an immediately accessible guide to first aid and emergency care.
- G. Complaints regarding enforcement of the Standards of Care will be directed to the program supervisor. The program supervisor will be responsible for taking the necessary steps to resolve the problem. The program supervisor will record complaints regarding enforcement of the Standards of Care and their resolution.

#### **IV. Operations**

- A. Before a participant can be enrolled, a parent/guardian must sign registration forms that contain:
  - 1. Participant's name, address, and home telephone number
  - 2. Name and address of parent/guardian and telephone number during program hours
  - 3. The names and telephone numbers of people to whom the child can be released
  - 4. A list of special accommodations needed
  - 5. Emergency medical authorization
  - 6. A liability waiver
- B. Suspected Abuse
  - 1. Program employees will report suspected abuse or neglect in accordance with Texas Family Code.
  - 2. In the case where a City employee is involved in an incident with a child that could be construed as child abuse, the incident must be reported immediately to the program supervisor. The program supervisor will immediately notify the Police Department and any other agency as may be appropriate.
  - 3. Texas state law requires the staff of youth programs to report any suspected abuse or neglect of a child to the Texas Department of Protective and Regulatory Services or a law enforcement agency. Confidential reports may be made by calling 1-800-252-5400.
- C. The standard ratio of participants to staff will be 15 to 1 (15:1). In the event a staff person is unable to report to a program site, a replacement will be assigned.
- D. Discipline and Guidance
  - 1. Discipline and guidance of participants must be consistent and based on an understanding of individual needs and development.
  - 2. There shall be no harsh, cruel, or unusual treatment.
  - 3. Staff may use brief, supervised separation from the group if necessary.
  - 4. As necessary, staff will initiate discipline reports to the parent(s) of participants. Parents will be asked to sign discipline reports to indicate they have been advised about specific problems or incidents.

5. A sufficient number and/or severe nature of discipline reports may result in a participant being suspended from the program.
6. In instances where there is danger to participants or staff, offending participants will be removed from the program site as soon as possible.

E. Programming

1. Activities appropriate to each participant's developmental needs will be provided.
2. Activities will be appropriate to the participant's health, safety and well-being.
3. Staff will be attentive and considerate of the participant's safety on field trips and during any transportation provided by the program.
  - a) During trips, staff must have immediate access to emergency medical forms and emergency contact information for each participant.
  - b) Staff must have a written list of the participants in the group and check the roll frequently.
  - c) Staff must have first aid supplies and a guide to first aid and emergency care available on field trips.
  - d) Staff will be equipped with communication devices (i.e. two-way radios and cellular phones).

F. Illness or Injury

1. The City of Garland shall not be responsible for pre-existing medical conditions of participants who register in a municipal recreation program.
2. Parents shall be notified in cases of illness and injury.
3. An ill participant will not be allowed to participate if one of the following exists:
  - a) The illness prevents the participant from participating comfortably in program activities.
  - b) The illness results in a greater need for care than the staff can provide without compromising the health, safety, and supervision of the other participants.
4. A participant who is considered to be a health and safety concern to other participants or employees will not be admitted to the program.
5. Illnesses and injuries will be handled in a manner to protect the health of all participants and employees.
6. Staff will follow the recommendation of the Texas Department of Health concerning the admission or re-admission of any participant after a communicable disease.
7. In the event an injury cannot be administered through basic first aid staff shall notify the Fire Department Paramedics (call 911).

G. Dispensing of medication - Staff will administer medication only if:

1. Parent/Guardian completes and signs a medication form that provides authorization for staff to dispense medication with details as to time and dosages. The form will include a hold harmless clause to protect the City.
2. Prescription medications are in original containers labeled with the participants name, a date, directions, and the physician's name. Staff will administer the medication only as stated on the label. Staff will not administer medication after the expiration date.
3. The medication sent to the program MUST be the daily dosage. Staff are not permitted to accept larger doses.
4. Non-prescription medications are labeled with the participants name and the date the medication was brought to the site/facility. Non-prescription medication must be in the original container. Program employees will administer it only according to label direction.
5. Program employees must ensure medications are inaccessible to participants or, if it is necessary to keep medications in the refrigerator (when available), medications will be kept separate from food.

**ORDINANCE NO.**

**AN ORDINANCE OF THE CITY OF GARLAND, TEXAS, ADOPTING STANDARDS OF CARE FOR YOUTH PROGRAMS OFFERED BY THE CITY OF GARLAND PARKS, RECREATION, CULTURAL ARTS DEPARTMENT; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Texas Human Resource Code, Section 42.041(b)(14) establishes requirements to exempt recreational programs operated by municipalities for children from State child care licensing;

**WHEREAS**, in order to receive exempt status for an elementary age (ages 5-13) and teen recreation programs, a municipality must adopt standards of care ordinance after a public hearing for the program, then submit a copy of the standards, a notice of the public hearing for the program and a copy of the program and a copy of the ordinance adopting the standards to the state;

**WHEREAS**, the City of Garland, Texas, has formulated standards of care that at a minimum includes staffing ratios, minimum staff, qualifications, minimum facilities, health and safety standards, and a mechanism for monitoring and enforcing the local standards; and further provides for notifying parents that the program is not licensed by the state and that the program may not be advertised as a day care facility; and

**WHEREAS**, the City Council after conducting a public hearing and affording a full and fair hearing to all citizens, and in the exercise of legislative discretion, has concluded that the attached standards of care should be approved.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF GARLAND, TEXAS;**

**Section 1.**

The City Of Garland, Texas, hereby adopts the standards of care for an elementary age recreation program, which is attached as Exhibit "A" and incorporated herein by reference, pursuant to section 42.041 (b)(14), Texas Human Resources Code.

**Section 2.**

That should any word, sentence, clause, paragraph or provision of this ordinance be held to be invalid or unconstitutional, the remaining provisions of this ordinance shall remain in full force and effect.

**Section 3.**

This Ordinance shall become effective immediately upon its passage and approval.

**PASSED AND APPROVED** this the \_\_\_\_\_ day of \_\_\_\_\_, 2016.

**CITY OF GARLAND, TEXAS**

\_\_\_\_\_  
Mayor

**ATTEST:**

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



# Planning Report

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## OM Housing, LLC

### North of Marketplace Drive and West of Saturn Road

#### REQUEST

Approval of a 1) an amended Concept Plan and Planned Development (PD) and 2) a Detail Plan for Multi-Family on property zoned Planned Development (PD) 11-32 for Multi-Family and Community Retail Uses.

#### OWNER

Garland Eastgate, LP

#### PLAN COMMISSION RECOMMENDATION

On April 11, 2016, the Plan Commission by a vote of seven (7) to zero (0) recommended approval of 1) an amended Concept Plan and Planned Development (PD) District and 2) a Detail Plan for Multi-Family on property zoned Planned Development (PD) 11-32 District for Multi-Family and Community Retail Uses.

#### STAFF RECOMMENDATION

Staff recommendation is to approve the Concept Plan amendment to reduce the number of dwelling units, density and parking spaces. Staff recommends to approve the additional retail pad site with the condition that each retail pad establishes a Detail Plan to guide development.

Staff recommendation is to approve the Detail Plan for a 262-unit multi-family development. Staff finds the development consistent with the intent of the Concept Plan, and compatible with the overall redevelopment strategy of the Centerville Marketplace Catalyst Area.

#### BACKGROUND

In 2012, City Council approved a change in zoning from Planned Development (PD) Districts 06-37 and 07-07 for Freeway Uses to a Planned Development (PD) District for Multi-Family and Freeway Uses, and a Concept Plan for Multi-Family Uses and Community Retail Uses for the development of approximately 380 dwelling units. Development variances to roof pitch and vaulted ceilings, multi-family building placement and landscape buffers along thoroughfares were approved. The Concept Plan reflects the development of two retail pad sites. The multi-family and future retail use are intended to contribute to a more comprehensive redevelopment and revitalization of the surrounding area.

The applicant requests approval of an amendment to the Concept Plan and a Detail Plan for the development of the "Marketplace Village" multi-family development containing approximately 262 dwelling units. The request also establishes an additional retail pad site along Marketplace Drive.

## **SITE DATA**

The subject property contains approximately 15 undeveloped acres; 11.12 acres are dedicated for the multi-family development. The property fronts along Saturn Road for approximately 415 feet and approximately 245 feet along Marketplace Drive. The multi-family development is one of five tracts identified for development: three non-residential tracts, the multi-family tract and a tract located at the northwest corner and identified as "lot 5." "Lot 5" will remain undeveloped but under common management with the multi-family development.

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

The subject property is zoned Planned Development (PD) District 11-32 for Multi-Family and Community Retail Uses. Uses are as permitted within the conditions of Planned Development (PD) 11-32 District.

## **CONSIDERATIONS**

1. The Concept Plan for PD 11-32 reflects the development of seven urban-style three-story multi-family buildings containing approximately 380 dwelling units. The development is configured with a pedestrian-oriented design of sidewalks along Saturn Road and internal driveways with minimized walks between buildings. The Concept Plan provides a central access drive oriented north and south through the development. The central access drive represents the first stage of a conceptual corridor connecting Marketplace Drive with a parcel immediately to the north and ultimately to Northwest Highway. The multi-family buildings are oriented length-wise along the access drive, generally within twenty-feet (20) of the roadway to frame the pedestrian and automotive corridor common to urban-style developments.

The Concept Plan designates two tracts as retail pad sites, located at the Saturn Road and Marketplace Drive entrances. An existing Wells Fargo bank is located at the northwest corner of Saturn Road and Marketplace Drive. The Wells Fargo bank is not part of the overall development of the complex. The development criteria and correlated site layout of the Concept Plan was congruent with a larger redevelopment strategy.

2. **Detail Plan.** The proposed Detail Plan reflects a substantive update to the Concept Plan. Specifically, it introduces the creation of an additional retail pad site in the place where the pool, common area and club house were proposed along Marketplace Drive. The applicant indicates that a deed restriction prohibits two-story buildings within 150 feet of Marketplace Drive. The height restriction inhibits the ability to construct a viable multi-family building along Marketplace Drive consistent with the design goals of

the development. As an alternative to another undeveloped tract, the applicant proposes the development of additional retail pad site. The additional pad increases the site's overall retail designation from 1.8 acres to approximately 3.3 acres. The decrease of available area due to site constraints prompted the subsequent reconfiguration and reduction of the multi-family buildings and units. The dwelling units decreased from 380 to 262, contained within six (6) buildings instead of seven (7). Off-street parking space subsequently reduced from 545 to 415 spaces. The site will provide access points from Saturn Road to Marketplace Drive. All vehicular entrances into the development from the access drives are controlled. Notwithstanding the additional retail pad and dwelling unit reduction, the proposed Detail Plan is generally consistent with the approved Concept Plan.

- a. **Unit Mix.** The proposed Detail Plan is consistent with the unit mix established by the Concept Plan. The Planned Development maximum is forty (40) units per acre. As proposed the development expects to provide approximately twenty-four (24) units per acre; Marketplace Village will contain the following unit mix percentages and average sizes:
  - i. One-bedroom units: 68 units- 26%, average unit size equals 721 square feet.
  - ii. Two-bedroom units: 111 units- 42%, average unit size equals 1,020 square feet.
  - iii. Three-bedroom units: 83 units- 32%, average unit size equals 1,199 square feet.

The combined average unit size is approximately 980 square feet, exceeding the minimum average unit size of 725 square feet set forth in the Multi-Family (MF) District Standards in Chapter 2 of the GDC. The proposed Detail Plan (Exhibit C) provides a detailed matrix of apartment building sizes and unit mix and sizes.

3. **Building Design.** As proposed, less than 25% of the development faces a thoroughfare; therefore, a majority of the architecture will only be visible from within the development. Nonetheless, it is essential that the architecture of the six (6) proposed buildings are consistent with the design standards set forth in Chapter 4, Article 6 and PD 11-32 where applicable. Accordingly, each building provides at least six (6) architectural elements, (including but not limited to transoms, recessed entries and ornamental window headers), four-sided façade articulations, and rhythmic color and material patterns. Balconies, awnings, varied roof heights and building step backs create depth and a visually interesting urban aesthetic. The applicant proposes building elevations containing a minimum of 80% masonry materials consisting of a mixture of masonry products, stucco and brick (burnished and non-burnished), and non-masonry cementitious siding typically found in accent quantities within the building facades and more prominently in the balconies.
4. **Landscaping and Screening.** The previously approved Concept Plan reflects a variance of the minimum area devoted to landscaping and open space from the multi-family development standard 40% to 25%. The reduced landscape and open space was considered consistent with urban

multi-family layouts. The Concept Plan also reflects a decreased landscape buffer depth to accommodate the linear orientation of the street-fronting buildings. Conversely, the proposed Detail Plan illustrates an increase to the reduced landscaping area from 25% to 38% in response to an alternative building orientation. The increased landscape area will be primarily dedicated to onsite recreation facilities and amenities. The proposed Detail Plan also reflects a twenty-foot (20) landscape buffer containing an approximately 247-foot curvilinear row of ornamental grasses and nine (9) large canopy trees along Saturn Road. The portion of the site adjacent to Marketplace Drive primarily consists of the detention area. Mid to low level vegetation will border the detention area, but will also contain eight (8) large canopy trees.

Along the interior property lines, the applicant intends to enclose the site with fencing and low level vegetation. The fence is intended to help define the site from the adjacent non-residential parking. Staff supports the combination screening but also recommends the applicant provide gates of a type and frequency to accommodate on-site pedestrian transit to nearby goods and services. The remainder of the periphery will contain fencing but the development will contain a row of low to mid-level vegetation along property lines adjacent to non-residential. It is expected that with successful redevelopment of the surrounding area, the perimeter fencing will be eliminated, lending the development to integration with adjacent sites.

5. **Resident Services and Amenities.** Building 1 will contain 6,530 square feet of leasing and club area; the site will also provide a pool and playground area. The pool area must contain a minimum of 800 square feet of surface water and the play area must have a minimum area of 1,000 square feet with at least one item of play equipment. The proposed Detail Plan reflects compliance with the Multi-Family (MF) District resident services and amenities requirements.
6. **Off-Street Parking.** The previously Concept Plan illustrates 545 (ultimately reduced to 515 by variance within PD 11-32) parking spaces for 380 dwelling units, and reflects a ratio of 1.67 parking spaces per dwelling unit. This ratio was consistent with industry standards utilized in neighboring communities. The proposed Detail Plan modifies the parking provided in response to the reduced number of dwelling units. According to the requirements of PD 11-32, 262 dwelling units will yield 431 parking spaces based at a 1.67:1 ratio. The applicant proposes 465 parking spaces, increasing the rate to 1.76 spaces per unit.
7. **Storage Facilities.** Section 2.39 (l) (1) requires that each dwelling unit have corresponding and conveniently located enclosed storage facility. The storage facilities must contain at least twenty-five (25) square feet and no less than 175 cubic feet. The development will provide storage facilities; however, the applicant has requested to allow the storage units be detached from the dwelling units and be placed in separate areas within the hallways and that the storage placed within the units be less than twenty-five (25) square feet. These spaces will generally range between seven (7) and twelve (12) square feet. The exterior storage facilities are provided at a rate of one (1) storage facility for every 3.44 dwelling units and will contain an average size of 36.12 square feet. The

applicant has indicated that additional space within the dwelling units, typically found in closets, will mitigate the loss of storage facility space. Staff finds that an increase in dwelling area is an appropriate alternative to the loss of size and convenience of attached storage space. However, there should be a greater quantity of on-site storage area to help mitigate the overall loss of storage spaces.

## **COMPREHENSIVE PLAN**

The Envision Garland Future Land Use Map depicts the subject property as a Community Center within the Activity Center Building Block. Community Centers are described as areas with compact development, primarily non-residential, serving a collection of neighborhoods. This type of development consists of a mix of uses including retail, services, office use, multi-family residential and entertainment. In addition, the Envision Garland Plan identifies this property as part of the Centerville Marketplace Catalyst Area and states that the City's overall strategy for this area is to redevelop underutilized properties to increase density and quality. From a redevelopment perspective, the proposed multi-family development is consistent with the vision and recommendations set forth by the Envision Garland Plan. The Concept Plan as approved was an illustration of the City's desire to nurture a budding redevelopment trend in the area. The City's strategy for redevelopment of this portion of Saturn Road, as described in the Centerville Marketplace Revitalization Strategy, includes the development of a "spine" road connecting Marketplace and Northwest Highway. Buildings along the spine road will create the block edges and house the pedestrian environment. Pedestrian transit is given greater credence in this environment. As the leading edge of the "spine" and subsequent street edge, the subject site is the lynchpin of the redevelopment strategy. As proposed, the Detail Plan follows the guidance of the Concept Plan to fulfill the City's redevelopment goals specifically with the development of the "spine" road element. This feature positively impacts the overall feasibility of area revitalization.

The amended Concept Plan reflects an additional retail pad. This portion of the site has no immediate development plans. The general area currently contains several thousand square feet of vacant land and vacant retail space. The introduction of additional vacant land without defined uses may undermine the City's efforts to encourage the reuse of existing retail space and hinder local redevelopment. A collective effort is recommended to discourage incompatible uses and incoherent design as development of the retail sites becomes more imminent. The amendment to the Concept Plan reflects the additional retail pad site; the Detail Plan encompasses the multi-family portion of the site. Development of the retail sites must be accompanied with a Detail Plan.

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

The subject property is located within a large area of established and developing retail, restaurant and personal and professional service uses, and has proximity to existing and proposed multi-family residential development. It has frontage along a major thoroughfare (Saturn Road) which provides direct access to IH 635, making the site highly accessible to visitors entering Garland. The proposed use is compatible with the surrounding zoning and land uses.

Prepared By:

Isaac Williams  
Development Planner

Date: April 22, 2016

Reviewed By:

Will Guerin, AICP  
Director of Planning

Date: April 22, 2016

Reviewed By:

Bryan L. Bradford  
City Manager

Date: April 27, 2016



0 100 200 Feet  
 1 inch = 200 feet

**ZONING Z 16-01**

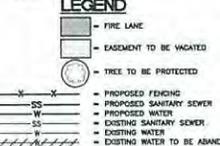
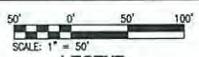
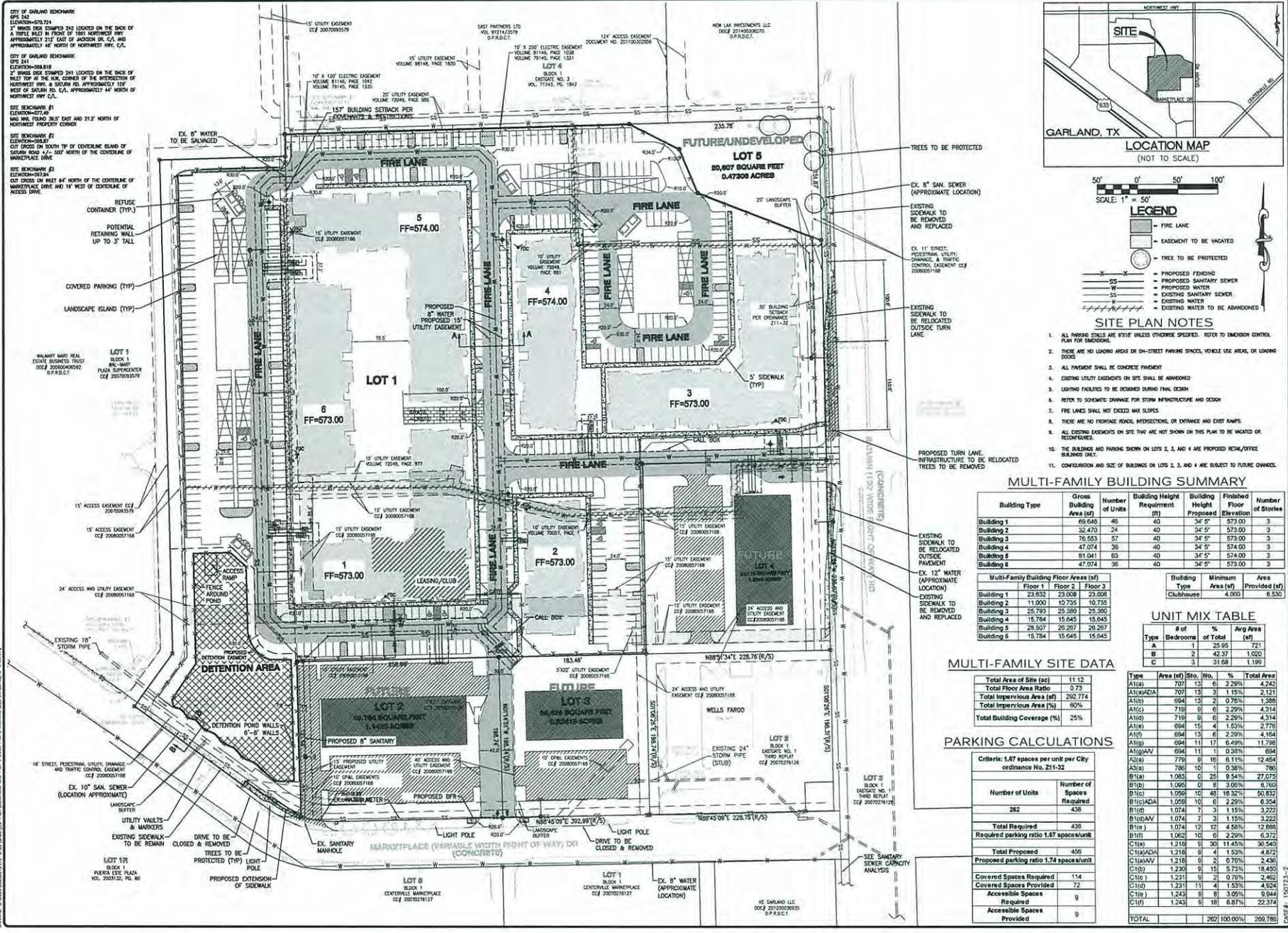
 INDICATES AREA OF REQUEST

**PLANNED DEVELOPMENT CONDITIONS**

**ZONING FILE Z 16-01**

**North of Marketplace Drive and West of Saturn Road**

- I. Statement of Purpose:** The purpose of this Planned Development 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 Garland Development Code, Ordinance No. 6773, as amended prior to adoption of this ordinance, except as specifically provided herein.
- III. General Regulations:** All regulations of the Planned Development (PD) District 11-32 for Multi-Family Uses 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 prevail.
- V. Specific Regulations:**
- A. Permitted Uses: Dwelling, Multi-Family.
- B. Parking: Parking shall be generally located as shown on the Detail Plan (Exhibit C) and provided at a ratio of 1.76 parking spaces per dwelling unit.
- C. Screening and Landscaping: The screening and landscaping shall be generally provided as shown on the Landscape Plan identified as Exhibit D.
- D. Building Elevations: Building elevations shall be in conformance with Exhibit E.
- E. Storage Facilities: Storage facilities are not required to be directly accessed from each unit. Storage facilities shall be provided within corridors 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.



**SITE PLAN NOTES**

1. ALL PAVING SHALL BE 5% SLOPE UNLESS OTHERWISE SPECIFIED. REFER TO EROSION CONTROL PLAN FOR DETAILS.
2. THERE ARE NO EXISTING OR ON-STREET PARKING SPACES, VEHICLE USE AREAS, OR LOADING DOORS.
3. ALL PAVEMENT SHALL BE CONCRETE PAVEMENT.
4. EXISTING UTILITY EASEMENTS ON THIS SITE SHALL BE ABANDONED.
5. LIGHTING FACILITIES TO BE DESIGNED BY THE FINAL DESIGN.
6. REFER TO SPECIFICATIONS FOR STORM INFRASTRUCTURE AND DESIGN.
7. FIRE LANES SHALL NOT BE OPENED BY SLOPES.
8. THERE ARE NO FUTURE SIGNAL INTERSECTIONS, OR ENTRANCE AND EXIT RAMP.
9. ALL EXISTING EASEMENTS ON THIS SITE THAT ARE NOT SHOWN ON THIS PLAN TO BE VACATED OR RECONVEYED.
10. THE BUILDINGS AND PARKING SHOWN ON LOTS 2, 3, AND 4 ARE PROPOSED RETAIL/RESTAURANT.
11. CONFIGURATION AND SIZE OF BUILDINGS ON LOTS 2, 3, AND 4 ARE SUBJECT TO FUTURE CHANGES.

**MULTI-FAMILY BUILDING SUMMARY**

Building Type	Gross Building Area (sq ft)	Number of Units	Building Height Requirement (ft)	Building Height Proposed	Finished Floor Elevation	Number of Stories
Building 1	69,648	46	40	34' 5"	573.00	3
Building 2	32,470	24	40	34' 5"	573.00	3
Building 3	76,563	57	40	34' 5"	573.00	3
Building 4	47,074	36	40	34' 5"	574.00	3
Building 5	31,041	63	40	34' 5"	574.00	3
Building 6	47,074	36	40	34' 5"	573.00	3

Multi-Family Building Floor Areas (sq ft)	Building Type	Minimum Area (sq ft)	Area Provided (sq ft)
Building 1	23,632	23,008	23,008
Building 2	11,000	10,756	10,756
Building 3	25,793	25,380	25,980
Building 4	15,784	15,645	15,645
Building 5	29,507	29,267	29,267
Building 6	15,784	15,645	15,645

Building Type	Minimum Area (sq ft)	Area Provided (sq ft)
Clubhouse	4,000	6,530

**UNIT MIX TABLE**

Type	# of Bedrooms	% of Total	Avg Area (sq ft)
A	1	25.66	721
B	2	42.37	1,020
C	3	31.68	1,199

**MULTI-FAMILY SITE DATA**

Total Area Site (ac)	11.12
Total Floor Area Ratio	0.73
Total Impervious Area (sq ft)	292,774
Total Impervious Area (%)	80%
Total Building Coverage (%)	25%

**PARKING CALCULATIONS**

Criteria: 1.47 spaces per unit per City ordinance No. 211-32

Number of Units	Number of Spaces Required
262	438
<b>Total Required</b>	<b>438</b>
Required parking ratio 1.67 space/unit	
<b>Total Proposed</b>	<b>456</b>
Proposed parking ratio 1.74 space/unit	
<b>Covered Spaces Required</b>	<b>114</b>
<b>Covered Spaces Provided</b>	<b>72</b>
<b>Accessible Spaces Required</b>	<b>9</b>
<b>Accessible Spaces Provided</b>	<b>9</b>

DATE: 04/05/2016

PROJECT: MARKETPLACE VILLAGE

CLIENT: COLE INVESTMENTS, L.P.

DESIGNED BY: AAR

DRAWN BY: AAR

CHECKED BY: SHS

OWNING SCALE: AS SHOWN

DATE: 04/05/2016

Job Number: 15-0123

Sheet Number: 1 OF 2

**COLE**

COLE INVESTMENTS, L.P. 2028 WILCOX LANE DALLAS, TX 75202

PH: 214-343-7600

WWW.COLEINVESTMENTS.COM

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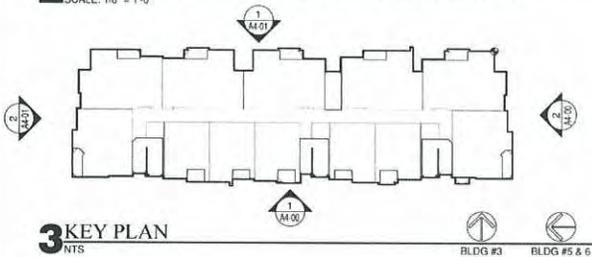




**1** BLDG #3 SOUTH  
BLDG #5 & 6 EAST  
SCALE: 1/8" = 1'-0"



**2** BLDG #3 EAST  
BLDG #5 & 6 NORTH  
SCALE: 1/8" = 1'-0"



**3** KEY PLAN  
NTS

C1 - CMU EXTERIOR: 4" UNIT TYPE 1 INTERIOR: COLUMN TIEBACK NO. 3 @ 18" TYP. (UNFINISHED) TYPICAL PLAN (SEE 1)	B1 - BRICK EXTERIOR: 4" FACE TYPE 1 INTERIOR: PER PLAN	P1 - PAINT ADHESIVE: 100% POLYURETHANE COLOR: WHITE FINISH: SMOOTH	P2 - PAINT ADHESIVE: 100% POLYURETHANE COLOR: DARK GREY FINISH: SMOOTH	P3 - PAINT ADHESIVE: 100% POLYURETHANE COLOR: DARK GREY FINISH: SMOOTH	P4 - PAINT ADHESIVE: 100% POLYURETHANE COLOR: DARK GREY FINISH: SMOOTH	P5 - PAINT ADHESIVE: 100% POLYURETHANE COLOR: DARK GREY FINISH: SMOOTH	S1 - SIDING ADHESIVE: 100% POLYURETHANE COLOR: DARK GREY FINISH: SMOOTH	W1 - WINDOWS FRAME: 1 1/2" x 2 1/2" x 1/2" GLASS: CLEAR FINISH: UNFINISHED	M1 - METAL ADHESIVE: 100% POLYURETHANE COLOR: DARK GREY FINISH: SMOOTH

EXHIBIT E

REVISIONS	<h2 style="margin: 0;">MARKETPLACE VILLAGE</h2> <p style="margin: 0;">APARTMENTS IN GARLAND, TEXAS FOR OM HOUSING</p>	ISSUED FOR: SITE PLAN SUBMITTAL 12-09-15	<p style="font-size: 8px; margin: 0;">4202 Beltway Drive Addicks, TX 75001 214.520.6979 bgomarkets.com</p>	DATE <b>12-09-15</b> PROJECT <b>15136</b>	SHEET NUMBER <b>A4-00</b> BUILDING 'A' ELEVATION
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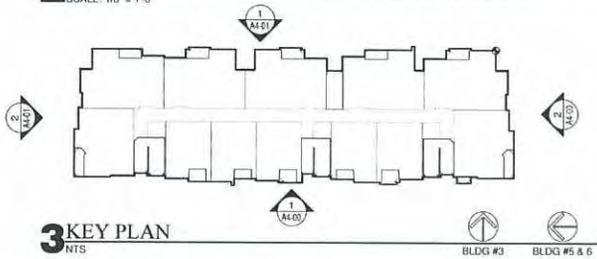
**1** BLDG #3 NORTH  
 BUILDING 'A' ELEVATION - BLDG #5 & 6 WEST  
 SCALE: 1/8" = 1'-0"



**2** BLDG #3 WEST  
 BUILDING 'A' ELEVATION - BLDG #5 & 6 SOUTH  
 SCALE: 1/8" = 1'-0"



EXHIBIT E



**3** KEY PLAN  
 NTS

REVISIONS	<b>MARKETPLACE VILLAGE</b> APARTMENTS IN GARLAND, TEXAS FOR OM HOUSING		ISSUED FOR: SITE PLAN SUBMITTAL 12-09-15	 4202 Beltway Drive Addison, TX 75001 214.502.1837 bgoarchitects.com	COPYRIGHT © Beeler Guest Design Architects ALL RIGHTS RESERVED DATE: 12-09-15	SHEET NUMBER: A4-01
					PROJECT: 15136	BUILDING 'A' ELEVATION



**1 BUILDING 'B' ELEVATION - BLDG #1 EAST**

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

<b>C1 - CMU</b> BRICKWORK, CLAY 1200 X 800 X 160 COLOR: RED SEE 8" X 16" FORM SPECIFICATIONS MORTAR: FLUSH GRAY	<b>B1 - BRICK</b> BRICKWORK, CLAY COLOR: CHARCOAL GRAY SEE 8" X 16" FORM SPECIFICATIONS MORTAR: FLUSH GRAY	<b>F1 - PAINT</b> FLUOROCARBON COLOR: CHARCOAL GRAY SEE 8" X 16" FORM SPECIFICATIONS MORTAR: FLUSH GRAY	<b>F2 - PAINT</b> FLUOROCARBON COLOR: DARK CHARCOAL SEE 8" X 16" FORM SPECIFICATIONS MORTAR: FLUSH GRAY	<b>F3 - PAINT</b> FLUOROCARBON COLOR: DARK CHARCOAL SEE 8" X 16" FORM SPECIFICATIONS MORTAR: FLUSH GRAY	<b>F4 - PAINT</b> FLUOROCARBON COLOR: DARK CHARCOAL SEE 8" X 16" FORM SPECIFICATIONS MORTAR: FLUSH GRAY	<b>F5 - PAINT</b> FLUOROCARBON COLOR: DARK CHARCOAL SEE 8" X 16" FORM SPECIFICATIONS MORTAR: FLUSH GRAY	<b>S1 - SIDING</b> SHINGLES, ASPHALT/FIBER COLOR: DARK CHARCOAL SEE 8" X 16" FORM SPECIFICATIONS MORTAR: FLUSH GRAY	<b>W1 - WINDOWS</b> ALUMINUM, CLAY COLOR: DARK CHARCOAL SEE 8" X 16" FORM SPECIFICATIONS MORTAR: FLUSH GRAY	<b>M1 - METAL</b> ALUMINUM, CLAY COLOR: DARK CHARCOAL SEE 8" X 16" FORM SPECIFICATIONS MORTAR: FLUSH GRAY



**2 BUILDING 'B' ELEVATION - BLDG #1 NORTH**

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



**3 KEY PLAN**

NTS

EXHIBIT E

REVISIONS	<b>MARKETPLACE VILLAGE</b>		ISSUED FOR SITE PLAN SUBMITTAL 12-09-15	<b>BGO</b> architects <small>4202 Beltway Drive Arkansas, TX 75001 214-302-8872 bgoarchitects.com</small>	DATE	SHEET NUMBER
	APARTMENTS IN GARLAND, TEXAS FOR OM HOUSING				12-09-15	A4-10
					PROJECT	BUILDING 'B1' ELEVATION
					15136	

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**1 BUILDING 'B1' ELEVATION - BLDG #1 WEST**

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

C1 - CMU CONCRETE BLOCK COLOR: LIGHT GREY SIZE: 16" X 16" FINISH: BURNISHED	B1 - BRICK BRICK COLOR: RED SIZE: 8" X 8" FINISH: BURNISHED	F1 - PAINT PAINT COLOR: LIGHT GREY FINISH: FLAT	F2 - PAINT PAINT COLOR: DARK GREY FINISH: FLAT	F3 - PAINT PAINT COLOR: DARK GREY FINISH: FLAT	F4 - PAINT PAINT COLOR: DARK GREY FINISH: FLAT	F5 - PAINT PAINT COLOR: DARK GREY FINISH: FLAT	S1 - SIDING SHINGLES COLOR: DARK GREY FINISH: FLAT	W1 - WINDOWS WINDOW COLOR: DARK GREY FINISH: FLAT	M1 - METAL METAL COLOR: DARK GREY FINISH: FLAT



**2 BUILDING 'B1' ELEVATION - BLDG #1 NORTH**

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



**3 KEY PLAN**

EXHIBIT E

REVISIONS	MARKETPLACE VILLAGE APARTMENTS IN GARLAND, TEXAS FOR OM HOUSING	ISSUED FOR SITE PLAN SUBMITTAL 12-09-15		DATE 12-09-15	SHEET NUMBER A4-11
			4202 Beltway Drive Addison, TX 75001 214.520.6879 tgoarchitects.com	PROJECT 15136	BUILDING 'B1' ELEVATION

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METAL AWNING  
 STUCCO  
 FIBER CEMENT SIDING  
 METAL CLADDING  
 BRICK  
 FIBER CEMENT SIDING  
 FINISHED BLOCK

**1 BUILDING 'B2' ELEVATION - BLDG #4 SOUTH**

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

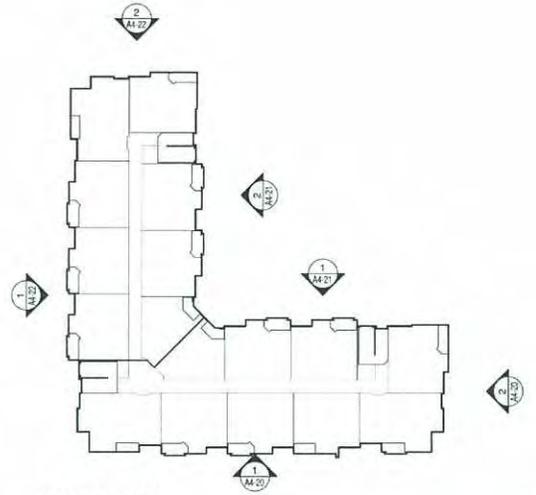
-   
**C1 - CMU**  
 MANUFACTURER: ALAN  
 FIN. COLOR: BIE  
 FINISH: BURGUNDY  
 SIZE: 8" X 16"  
 NUMBER: PLAIN/CKY
-   
**B1 - BRICK**  
 MANUFACTURER: H&B  
 COLOR: CHERRILL/CRK  
 SIZE: 8" X 16"  
 FINISH: PLAIN/CKY
-   
**P1 - PAINT**  
 MANUFACTURER: BEHR  
 COLOR: EQUUS  
 TYPE: SOLID  
 FINISH: BODY
-   
**P2 - PAINT**  
 MANUFACTURER: BEHR  
 COLOR: EQUUS  
 TYPE: SOLID  
 FINISH: BODY  
 BALCONY FASCIA
-   
**P3 - PAINT**  
 MANUFACTURER: BEHR  
 COLOR: EQUUS  
 TYPE: SOLID  
 FINISH: BODY  
 ACCENT FASCIA
-   
**P4 - PAINT**  
 MANUFACTURER: BEHR  
 COLOR: EQUUS  
 TYPE: SOLID  
 FINISH: BODY  
 MIN. GUARANTEE  
 BODY
-   
**P5 - PAINT**  
 MANUFACTURER: BEHR  
 COLOR: EQUUS  
 TYPE: SOLID  
 FINISH: BODY  
 FASCIA  
 BALCONY FASCIA  
 BALCONY SIDING
-   
**S1 - SIDING**  
 MANUFACTURER: WOODBRIDGE  
 COLOR: EQUUS  
 TYPE: SOLID  
 FINISH: BODY  
 ACCENT FASCIA
-   
**W1 - WINDOWS**  
 MANUFACTURER: WINDOOR  
 COLOR: EQUUS  
 TYPE: SOLID  
 FINISH: BODY  
 ACCENT FASCIA
-   
**M1 - METAL**  
 MANUFACTURER: METAL  
 COLOR: EQUUS  
 TYPE: SOLID  
 FINISH: BODY



METAL AWNING  
 METAL CLADDING  
 FIBER CEMENT SIDING  
 STUCCO  
 FINISHED BLOCK  
 BRICK

**2 BUILDING 'B2' ELEVATION - BLDG #4 EAST**

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



**3 KEY PLAN**

NTS

EXHIBIT E

REVISIONS	<h2 style="margin: 0;">MARKETPLACE VILLAGE</h2> <p style="margin: 0;">APARTMENTS IN GARLAND, TEXAS FOR OM HOUSING</p>	<p style="margin: 0;">ISSUED FOR: SITE PLAN SUBMITTAL 12-09-15</p>	<p style="margin: 0;"><b>BGO</b> architects</p> <p style="margin: 0; font-size: 8px;">4202 Beltway Drive Addicks, TX 75001 214.560.0878 bgoarchitects.com</p>	<p style="margin: 0;">DATE <b>12-09-15</b></p> <p style="margin: 0;">PROJECT <b>15136</b></p>	<p style="margin: 0;">SHEET NUMBER <b>A4-20</b></p> <p style="margin: 0; font-size: 8px;">BUILDING 'B2' ELEVATION</p>
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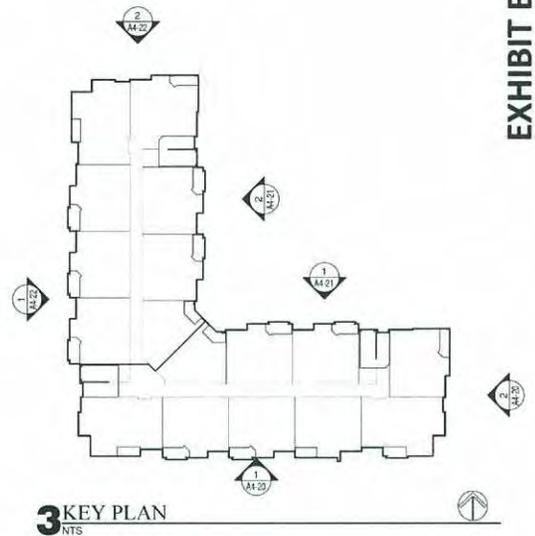


**1 BUILDING 'B2' ELEVATION - BLDG #4 NORTH**  
SCALE: 1/8" = 1'-0"

<b>C1 - CMU</b> MANUFACTURER NAME UNIT CLAUSTRAL COLOR FINISH FINISH NUMBER FINISH SAMPLE	<b>B1 - BRICK</b> MANUFACTURER NAME COLOR FINISH FINISH NUMBER FINISH SAMPLE	<b>F1 - PAINT</b> MANUFACTURER NAME COLOR FINISH FINISH NUMBER FINISH SAMPLE	<b>F2 - PAINT</b> MANUFACTURER NAME COLOR FINISH FINISH NUMBER FINISH SAMPLE	<b>F3 - PAINT</b> MANUFACTURER NAME COLOR FINISH FINISH NUMBER FINISH SAMPLE	<b>F4 - PAINT</b> MANUFACTURER NAME COLOR FINISH FINISH NUMBER FINISH SAMPLE	<b>F5 - PAINT</b> MANUFACTURER NAME COLOR FINISH FINISH NUMBER FINISH SAMPLE	<b>S1 - STUCCO</b> MANUFACTURER NAME COLOR FINISH FINISH NUMBER FINISH SAMPLE	<b>W1 - WINDOWS</b> MANUFACTURER NAME COLOR FINISH FINISH NUMBER FINISH SAMPLE	<b>M1 - METAL</b> MANUFACTURER NAME COLOR FINISH FINISH NUMBER FINISH SAMPLE



**2 BUILDING 'B2' ELEVATION - BLDG #4 EAST**  
SCALE: 1/8" = 1'-0"



**3 KEY PLAN**

EXHIBIT E

REVISIONS	<b>MARKETPLACE VILLAGE</b>		ISSUED FOR SITE PLAN SUBMITTAL 12-09-15	<b>BGO</b> architects <small>4208 Beltway Drive Addicks, TX 75001 214.250.6672 bgoarchitects.com</small>	DATE	SHEET NUMBER
	APARTMENTS IN GARLAND, TEXAS FOR OM HOUSING				12-09-15	A4-21
					PROJECT	BUILDING 'B2' ELEVATION
					15136	

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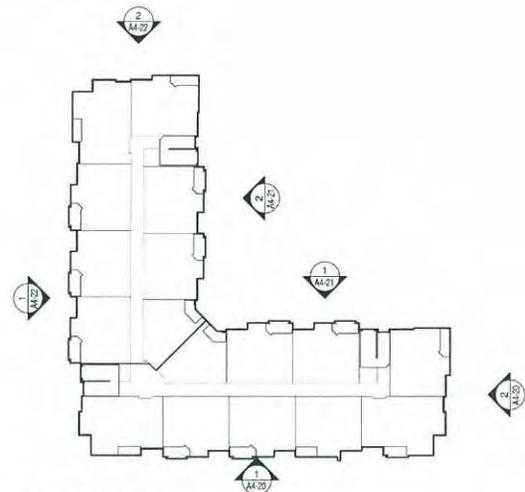
**1 BUILDING 'B2' ELEVATION - BLDG #4 WEST**

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



**2 BUILDING 'B2' ELEVATION - BLDG #4 NORTH**

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



**3 KEY PLAN**

NTS

EXHIBIT E

<p style="writing-mode: vertical-rl; transform: rotate(180deg);">REVISIONS</p>	<p style="text-align: center;"><b>MARKETPLACE VILLAGE</b></p> <p style="text-align: center;">APARTMENTS IN GARLAND, TEXAS FOR OM HOUSING</p>	<p style="text-align: center;">ISSUED FOR: SITE PLAN SUBMITTAL 12-09-15</p>	<p style="text-align: center;"><b>BGO</b> architects</p> <p style="text-align: center;">4202 Beltway Drive Addicks, TX 75001 214.520.8878 bgarchitects.com</p>	<p>DATE</p> <p style="text-align: center;">12-09-15</p>	<p>SHEET NUMBER</p> <p style="text-align: center;">A4-22</p>
				<p>PROJECT</p> <p style="text-align: center;">15136</p>	<p>BUILDING 'B2' ELEVATION</p>

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METAL AWNING  
 FIBER CEMENT SIDING  
 STUCCO  
 BRICK  
 METAL QUARNIAL  
 FINISHED BLOCK

**1 BUILDING 'C' ELEVATION - BLDG #2 EAST**  
 SCALE: 1/8" = 1'-0"



**2 BUILDING 'C' ELEVATION - BLDG #2 NORTH**  
 SCALE: 1/8" = 1'-0"



**3 KEY PLAN**

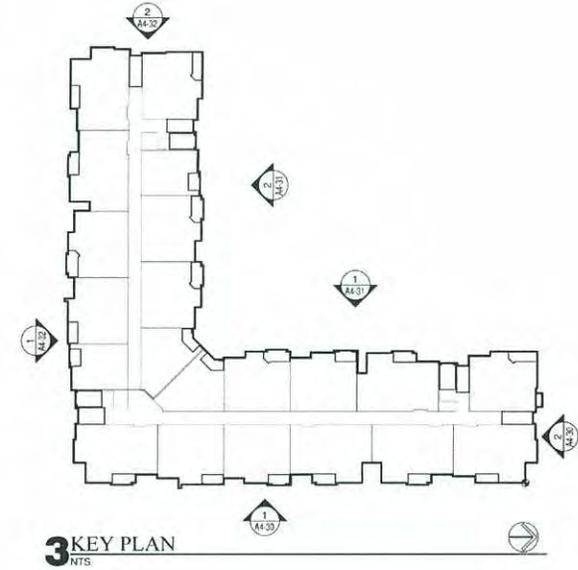
EXHIBIT E

REVISIONS	<b>MARKETPLACE VILLAGE</b>		ISSUED FOR: SITE PLAN SUBMITTAL 12-09-15		 4202 Beltway Drive Addison, TX 75001 214.250.8878 bgearchitects.com	DATE <b>12-09-15</b>	SHEET NUMBER <b>A4-30</b>
	APARTMENTS IN GARLAND, TEXAS FOR OM HOUSING					PROJECT <b>15136</b>	BUILDING 'C' ELEVATION

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**1 BUILDING 'C' ELEVATION - BLDG #2 WEST**  
SCALE: 1/8" = 1'-0"



**3 KEY PLAN**  
NTS

<b>C3 - CMU</b> MANUFACTURED ACME BLOCK (20" X 16" X 8") COLOR: SAND FINISH: BRUSHED	<b>B1 - BRICK</b> MANUFACTURED ACME CLAY BRICK (4" X 8" X 2") COLOR: RED FINISH: BRUSHED	<b>F1 - PAINT</b> MANUFACTURED EXTERIOR WALLING COLOR: LIGHT GRAY FINISH: STUCCO BODY	<b>F2 - PAINT</b> MANUFACTURED EXTERIOR WALLING COLOR: DARK GRAY FINISH: STUCCO BODY ACCENT PANELS	<b>F3 - PAINT</b> MANUFACTURED EXTERIOR WALLING COLOR: DARK GRAY FINISH: STUCCO BODY ACCENT PANELS	<b>F4 - PAINT</b> MANUFACTURED EXTERIOR WALLING COLOR: DARK GRAY FINISH: STUCCO BODY ACCENT PANELS	<b>F5 - PAINT</b> MANUFACTURED EXTERIOR WALLING COLOR: DARK GRAY FINISH: STUCCO BODY ACCENT PANELS	<b>F6 - PAINT</b> MANUFACTURED EXTERIOR WALLING COLOR: DARK GRAY FINISH: STUCCO BODY ACCENT PANELS	<b>S1 - SIDING</b> MANUFACTURED WOODSIDE COLOR: GRAY FINISH: SHINGLES	<b>W1 - WINDOWS</b> MANUFACTURED COLOR: GRAY FINISH: ALUMINUM	<b>M1 - METAL</b> MANUFACTURED COLOR: GRAY FINISH: BRUSHED



**2 BUILDING 'C' ELEVATION - BLDG #2 NORTH**  
SCALE: 1/8" = 1'-0"

EXHIBIT E

REVISIONS	<h2 style="margin: 0;">MARKETPLACE VILLAGE</h2> <p style="margin: 0;">APARTMENTS IN GARLAND, TEXAS FOR OM HOUSING</p>		<p style="font-size: 8px;">BGO architects</p> <p style="font-size: 8px;">4202 Beltway Drive Addicks, TX 75001 214.520.6878 bgoarchitects.com</p>	<p style="font-size: 8px;">DATE</p> <p style="font-size: 12px;">12-09-15</p> <p style="font-size: 8px;">PROJECT</p> <p style="font-size: 12px;">15136</p>	<p style="font-size: 8px;">SHEET NUMBER</p> <p style="font-size: 24px; font-weight: bold;">A4-31</p> <p style="font-size: 8px;">BUILDING 'C' ELEVATION</p>
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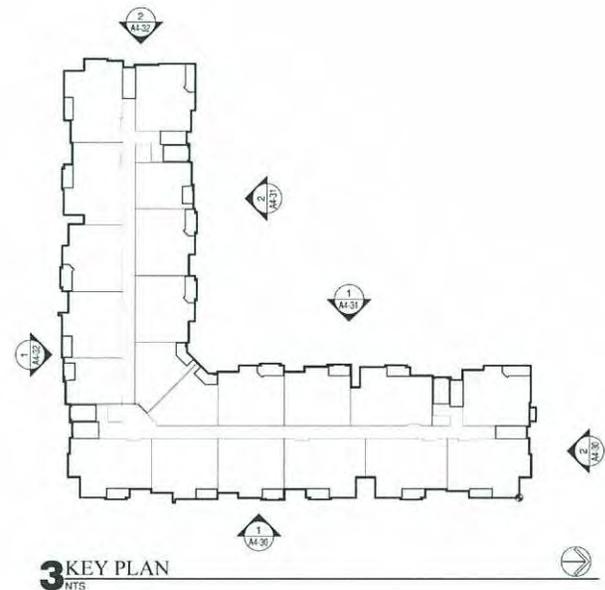
**1 BUILDING 'C' ELEVATION - FRONT**

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



**2 BUILDING 'C' ELEVATION - SIDE**

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



**3 KEY PLAN**

NTS

EXHIBIT E

REVISIONS	<h2 style="margin: 0;">MARKETPLACE VILLAGE</h2> <p style="margin: 0;">APARTMENTS IN GARLAND, TEXAS FOR OM HOUSING</p>	<p style="margin: 0;">ISSUED FOR: SITE PLAN SUBMITTAL 12.09.15</p>	<p style="margin: 0;"><b>BGO</b> architects</p> <p style="margin: 0; font-size: 8px;">4202 Beltway Drive Addicks, TX 75001 214.520.8878 bgoarchitects.com</p>	<p style="margin: 0;">DATE <b>12-09-15</b></p> <p style="margin: 0;">PROJECT <b>15136</b></p>	<p style="margin: 0;">SHEET NUMBER <b>A4-32</b></p> <p style="margin: 0; font-size: 8px;">BUILDING 'C' ELEVATION</p>
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## REPORT & MINUTES

### P.C. Meeting, April 11, 2016 (7 Members Present)

**Consideration of the application of OM Housing, LLC, requesting approval of 1) an amended Concept Plan and Planned Development (PD) and 2) a Detail Plan for Multi-Family on property zoned Planned Development (PD) 11-32 for Multi-Family and Community Retail Uses. This property is located north of Marketplace Drive and West of Saturn Road. (District 5) (File Z 16-01) (This item was postponed from the March 28, 2016 Plan Commission Meeting).**

Representing the applicant Michael Clark, 6750 Hillcrest Plaza #325, Dallas, TX, provided a brief overview of the request.

Representing the applicant Jason Lain, 2601 S. Glenbrook Dr. Garland, TX, gave a presentation outlining the specifics of the request and further explained LEEDs Certified project.

Representing the applicant Erik Earnshaw, 4202 Beltway Rd, Addison, TX, provided additional information regarding the building design, parking requirements and proposed storage.

Representing the applicant Sandy Stephens, 6175 Main Street, Frisco, TX provided information regarding the site plan.

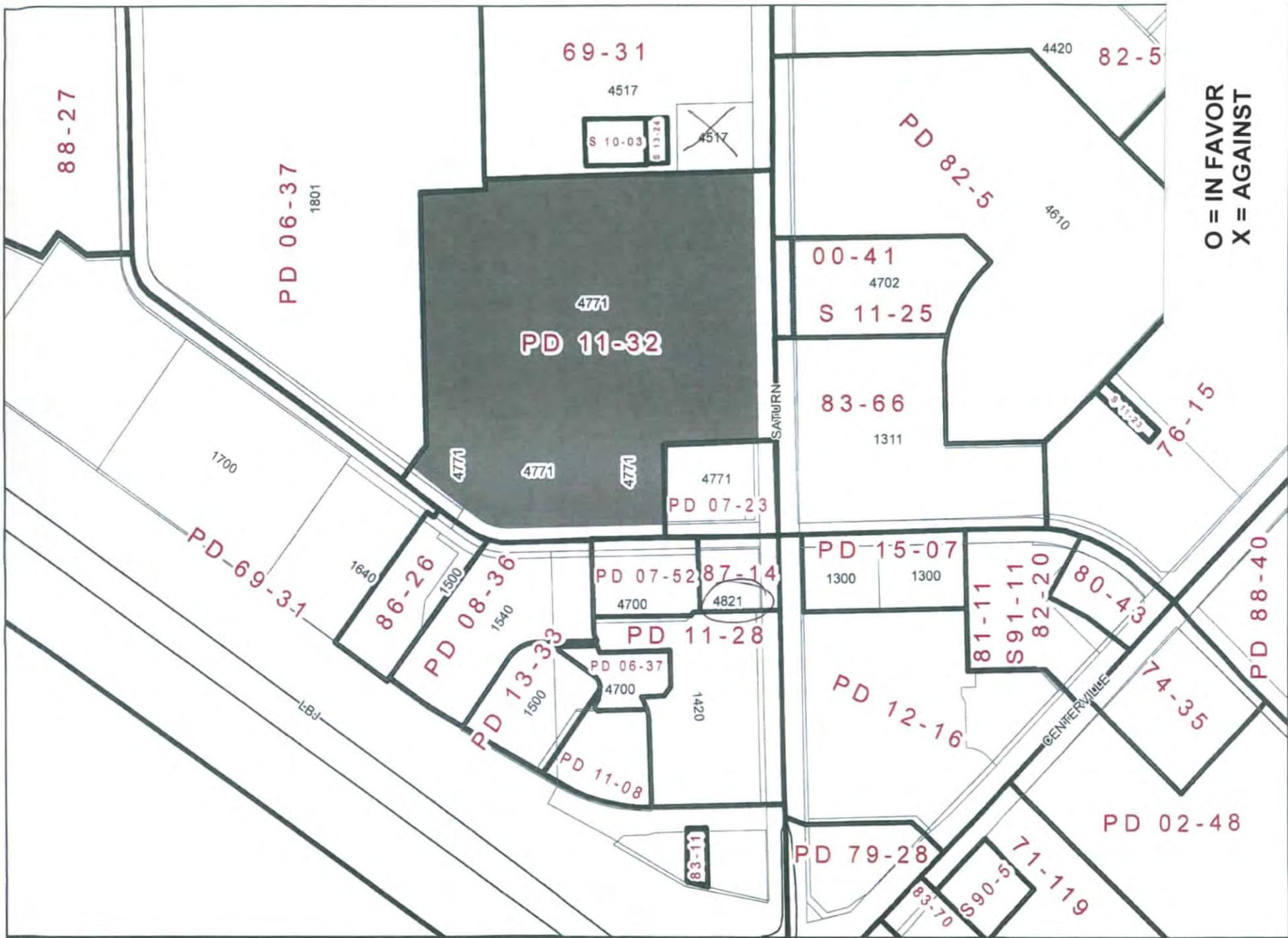
Commissioner Welborn inquired if the Retail Pads have already been leased.

Commissioner Luckie provided information to the panel regarding the style and category of project being proposed.

The applicant Deepak Sulakhe, 7328 Mimosa Lane, Dallas, TX 75230, provided information to the breakdown of 1, 2, and 3-bedroom apartments.

Speaking in support of the request Kimberly Rose Gardono, 800 W. Campbell Rd., Richardson, TX commented on design and LEED Certified building.

**Motion** was made by Commissioner Welborn, seconded by Commissioner Moore to close the Public Hearing and **approve** the request per staff recommendation. **Motion carried: 7 Ayes, 0 Nays.**



O = IN FAVOR  
X = AGAINST

**ZONING Z 16-01**

INDICATES AREA OF REQUEST



# GARLAND

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

March 17, 2016

HEARING DATE/TIME: Plan Commission: March 28, 2016 - 7:00 PM

APPLICANT: OM Housing, LLC

File: Z 16-01

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, March 28, 2016, in the Goldie Locke Room of the Duckworth Library Services Building, 217 North Fifth Street, to consider the application of **OM Housing, LLC**, request for approval of 1) an amended Planned Development (PD) 11-32 and Concept Plan; 2) a variance to Section 2.39 (l) (1) of the Garland Development Code regarding storage space size, location and quantity; and 3) a Detail Plan for Multi-Family Use on property zoned Planned Development (PD) 11-32 Multi-Family and Community Retail Uses. The property is shown on the enclosed sketch and is described as follows:

BEING an approximate 11.1228-acre tract of land located in the Soloman Dixon Survey, Abstract No. 408, being part of Lot 1R2, Block 1, part of Lot 2 and Lot 5, Block 1 and all of Lot 6, Block 1 of Eastgate No. 1 Fourth Replat, an addition to the City of Garland, Dallas County, Texas according to the plat thereof under County Clerk File No. 200857168, Map Records, Dallas County, Texas. This property is located north of Marketplace Drive and west of Return Road (District 5).

Note: The request is to amend Planned Development (PD) 11-32, amend the Concept Plan and establish a Detail Plan for the development of a 262-unit apartment complex including storage facilities. The Detail Plan will establish a future retail site.

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 972-205-2445.

(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 \_\_\_\_\_  
Printed Name Masoud Arami  
Address 4821 Saturn Rd Garland Tx 75041  
City, State Zip

The above statements reflect my (our) opinion regarding the proposed request(s)  
Signature [Signature] Title Property owner  
Date 3/24/16



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

# GARLAND

March 17, 2016

HEARING DATE/TIME: Plan Commission: March 28, 2016 – 7:00 PM

APPLICANT: OM Housing, LLC

File: Z 16-01

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, March 28, 2016, in the Goldie Locke Room of the Duckworth Utility Services Building, 217 North Fifth Street, to consider the application of **OM Housing, LLC**, requesting approval of 1) an amended Planned Development (PD) 11-32 and Concept Plan; 2) a variance to Section 2.39 .(1), (1) of the Garland Development Code regarding storage space size, location and quantity; and 3) a Detail Plan for Multi-Family Use on property zoned Planned Development (PD) 11-32 for Multi-Family and Community Retail Uses. The property is shown on the enclosed sketch and is described as follows:

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**Note: The request is to amend Planned Development (PD) 11-32, amend the Concept Plan and establish a Detail Plan for the development of a 262-unit apartment complex including a variance to reduce the size, location and quantity of on-site storage facilities. The Detail Plan will establish a future retail site.**

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 972-205-2445.

(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.

*There are already over crowded retail center which are vacant over 10 years. It looks like a ghost town. Apartment complex itself will be a great idea.*

(Please complete the following information)

Your Property Address

Bikal Dhakal (NEW LAX INVESTMENT)  
 Printed Name  
4517 Saturn Rd Garland TX 75041  
 Address City, State Zip

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

Signature [Signature] Title OWNER  
 Date: 03/24/16



**HOME**

---

Housing

PROPOSED  
**VILLAS AT MARKETPLACE**  
A Mixed-Use Development



**PROJECT DESCRIPTION**  
OM HOUSING





VILLAS AT MARKETPLACE SCHEMATIC SITE PLAN

GARLAND, TEXAS

# PROPOSED DEVELOPED CONDITIONS



### LEGEND

- EXISTING AREA BOUNDARY
- PROPOSED STREET ALIGN
- EXISTING STREET ALIGN
- EXISTING SLOPE TO CURB OR GROUND
- DRAINAGE AREA DESIGNATION AND COEFFICIENT

### RUNOFF VARIABLES

Urban Density			
Use	Runoff Coefficient	Impervious %	Time of Concentration (min)
Office	0.40	75-90	10-15
Residential	0.45	60-75	10-15
Commercial	0.50	70-85	10-15

### DEVELOPED RUNOFF CALCULATIONS

Subcatchment Area (ac)	Total Area (ac)	Runoff Coefficient (C)	T <sub>c</sub> (min)	Manual Method (Equation 10.2)		SWMM Method (Equation 10.2)		Design Flow (cfs)
				Q <sub>p</sub> (cfs)	C <sub>u</sub> (cfs)	Q <sub>p</sub> (cfs)	C <sub>u</sub> (cfs)	
I	0.39	0.40	10.00	4.80	5.52	3.20	1.48	0.5
II	0.61	0.40	10.00	4.80	5.52	3.20	1.48	1.0
III	0.23	0.45	10.00	4.80	6.57	3.20	1.54	0.5
IV	0.98	0.50	10.00	4.80	7.52	3.20	1.61	1.0
V	0.98	0.40	10.00	4.80	6.57	3.20	1.54	1.0
VI	1.07	0.50	10.00	4.80	7.52	3.20	1.61	1.0
VII	0.84	0.50	10.00	4.80	7.52	3.20	1.61	1.0
VIII	1.13	0.40	10.00	4.80	6.57	3.20	1.54	1.0
IX	0.07	0.40	10.00	4.80	5.52	3.20	1.48	0.5
X	0.10	0.40	10.00	4.80	5.52	3.20	1.48	0.5
XI-a	0.19	0.40	10.00	4.80	5.52	3.20	1.48	0.5
XI-b	0.10	0.40	10.00	4.80	5.52	3.20	1.48	0.5

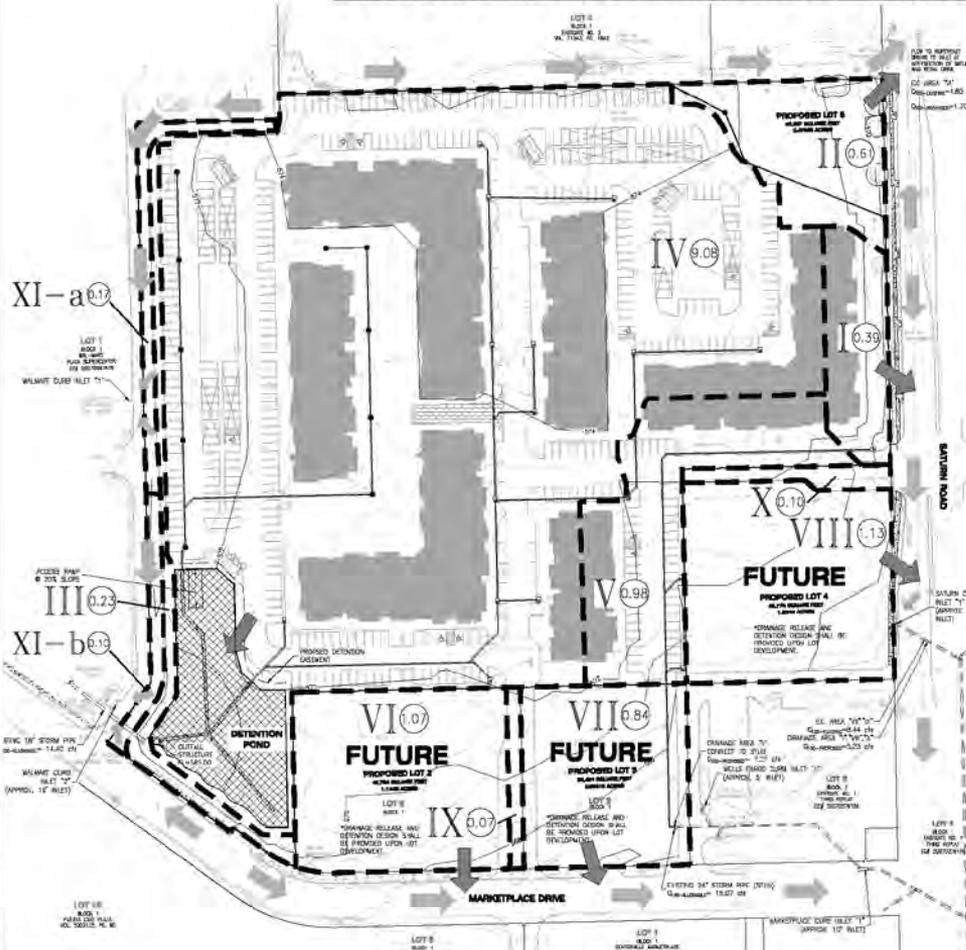
\* Average for all sub-catchments based on 0.40 Coefficient

### SITE DATA

NO. OF DEVELOPERS: 1115 ACRES  
 MARKETPLACE DRIVE: 100'

### NOTES

- PROPOSED DESIGN SHALL BE BASED ON THE LATEST DESIGN STANDARDS.
- LOCATIONS OF ALL UTILITY LINES SHALL BE SHOWN AND DEPTHS SHALL BE SHOWN ON THE SITE.
- EXISTING AND PROPOSED SLOPES SHALL BE SHOWN ON THE SITE.
- ALL PROPOSED SLOPES SHALL BE SHOWN ON THE SITE.
- ALL PROPOSED SLOPES SHALL BE SHOWN ON THE SITE.
- ALL PROPOSED SLOPES SHALL BE SHOWN ON THE SITE.



NO.	REVISION	DATE
1	ISSUED FOR PERMIT	03/20/2016

CONTRACT NO. 15-0123  
 SHEET NO. 2 OF 4



SCHEMATIC DRAINAGE PLANS FOR MARKETPLACE VILLAGE

**cole**  
 CONSULTING ENGINEERS, P.C.  
 1500 WEST 19TH STREET, SUITE 100  
 DENVER, COLORADO 80202  
 TEL: 303.733.8800  
 FAX: 303.733.8801  
 WWW.COLECONSULTANTS.COM

PROJECT NO. 15-0123  
 SHEET NO. 2 OF 4  
 DATE: 03/20/2016  
 15-0123  
 2 OF 4

## CONCEPT ONLY



**HOME**

---

Housing



# Planning Report

---

Linda Waller

1229 E. Main Street

## REQUEST

Approval of a Major Waiver for General Office and Retail Store use of property located in the InTown Residential (IR) sub-district of the Downtown (DT) district (Garland Development Code, Section 7.06 Land and Building Use Table 7-1: Downtown District Land Use Matrix) and for a monument sign (Garland Development Code, Section 7.24(B)(2)(b)), on a property zoned Downtown (DT) district.

## OWNER

Garland Main Street JV, LLC

## PLAN COMMISSION RECOMMENDATION

On April 25, 2016 the Plan Commission by a vote of nine (9) to zero (0), recommended approval of a Downtown Development Plan – Major Waiver regarding General Office and Retail Store use of property located in the InTown Residential (IR) sub-district of the Downtown (DT) district (Garland Development Code, Section 7.06 Land and Building Use Table 7-1: Downtown District Land Use Matrix) and to legally establish an existing monument sign including the requested additional sign area (Garland Development Code, Section 7.24(B)(2)(b)), on a property zoned Downtown (DT) district.

## STAFF RECOMMENDATION

Staff recommends approval of the Major Waivers. It should be noted that the existing office property and freestanding sign became nonconforming with the adoption of the 2015 GDC and zoning of the Downtown (DT) district. In addition, it is apparent that the InTown Residential (IR) sub-district boundaries or the Major Waiver requirement for commercial uses within the sub-district may need reexamination. In this case many of the buildings along Main Street on this block have a residential exterior appearance and are used for commercial purposes. These properties are developed with an open yard and setback that may not be typical of developments newly built under a downtown form-based code. Along this block of Main Street, of the eight properties fronting on Main Street, five have existing monument signs.

Staff suggested that the Council consider a redesign of the existing sign to better reflect a low profile monument-style sign, such as a reduction of the height by relocating the upper sign panel to a lower portion of the sign. If the existing sign framing is kept as requested by the applicant, staff also suggested that plantings such as flowers or small shrubs be added at the base of the sign.

## **BACKGROUND**

In May 2015, City Council unanimously approved adoption of the Garland Development Code (GDC) which included approval of the Downtown (DT) district – Form Based Code. The Downtown District encompasses land generally bound by North Garland Avenue to the west, West Avenue D to the south, North First Street to the east and includes some properties north of West Walnut Street to the north. The subject property was included in the Downtown District boundary and subject to all provisions introduced within Chapter 7 of the GDC. This action included new zoning for properties in this area.

The subject property and adjacent properties to the east, west, and north are zoned Downtown (DT) district with the InTown Residential (IR) sub-district. General Office and Retail Store uses are not permitted without approval of a Major Waiver. The General Office use was an existing use at the time of zoning in 2015, this proposal would remove the nonconforming use status.

The Downtown (DT) district contains design provisions including those for signage. Freestanding signs (monument signs) are not permitted without approval of a Major Waiver.

## **SITE DATA**

The subject property contains approximately 0.30 acres or 31,100 square feet, with approximately 75 feet of frontage along Main Street.

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

The current zoning of the subject property is Downtown (DT) district with the InTown Residential (IR) sub-district. The purpose of the Downtown (DT) district is to establish a pedestrian-oriented district with an infrastructure of streets and buildings that are flexible in terms of use and that will attract ongoing reinvestment. The intent of the district includes the goals of providing a comfortable and attractive environment for pedestrians that includes such elements as buildings that frame public space, windows on street walls, street trees, lighting and street furniture.

The InTown Residential (IR) sub-district is intended to recognize existing residential development adjacent to higher density mixed-use zones. Home occupations and outbuildings are allowed. Setbacks are relatively deep. Roads blend with the surrounding grid pattern and are characterized as heavily streetscaped; the sidewalk may be set back from the curb with a minimum of five feet of landscaping which includes street trees.

## CONSIDERATIONS

### 1. Use of Property

- a. The applicant proposes to continue the use of the property for General Office, legally establishing the General Office use and adding the Retail Store use through a Major Waiver.
- b. The application states that the building was built in 1930 as a residential structure. The building, however, is currently used for office purposes. The original interior bathing facilities, kitchen, and bedroom closets have been removed, resulting in limited opportunity and substantial reinvestment needs for use of the property as a residence in accordance with the Downtown (DT) district and InTown Residential (IR) sub-district zoning.
- c. The existing building includes five offices, a conference room, a lobby, a break room, an accessible-compliant restroom, and a smaller restroom. The proposed floor plan shows five retail rooms, a lobby/retail room, one office, a break room, two restrooms, and two storage rooms.
- d. The InTown Residential (IR) sub-district zoning is shown on the Downtown Framework Plan. The InTown Residential (IR) sub-district boundaries generally follow the location of buildings that exhibit residential characteristics or are used for residential use.
- e. The property is located along the north side of Main Street, between North 13th Street and North 12th Street. On the south side of Main Street along this block are two large commercially-used buildings. On the north side of Main Street along this block, there are six buildings of which four have single-family residential characteristics and two are commercial in appearance. To the north on this block, facing onto West State Street, there are seven buildings, all of which have residential characteristics and three are single-family residences while the remainder are commercial businesses.

### 2. Monument Sign

- a. A monument sign exists at the front of the property along Main Street. The applicant proposes to maintain the monument sign and add a sign face in the lower (currently empty) portion of the sign. The sign structure is approximately 12 feet in height, including the planter base, and has a size of 15 square feet (three feet by five feet total sign size). The addition of the sign into the bottom area would increase the size by up to 20 square feet (four additional one-foot by five foot panels).
- b. Section 7.23 of the GDC outlines the purpose and intent of the Downtown District signage recognizing the integral role signs play in identification of

- a business to both the driver and pedestrian, but establishes the intent to provide a higher aesthetic through the limitation of visual clutter and regulation of commercial and locational signage. The intended result is to orient signs towards pedestrians in terms of sign scale and legibility in order to reinforce the pedestrian character of the Downtown (DT) district.
- c. Section 7.24(B)(2)(b) states that monument signs are generally not appropriate for pedestrian-oriented districts such as the Downtown (DT) district. In addition, approval of any monument sign requires a Major Waiver in all sub-districts except the Suburban Corridor (SC) sub-district. In the Suburban Corridor (SC) sub-district a minor waiver application is required for a monument sign. Further, the GDC states that such signs shall be limited to one per lot frontage, subject to the limits and restrictions of the GDC. Limits and restrictions include development standards, visibility and safety areas, and similar conditions for sign placement. The subject property is within the InTown Residential (I-R) sub-district and therefore a major waiver is required for a monument sign on the property.
  - d. Section 4.78(L) of the GDC regulates monument signs including establishing a maximum height and square footage and minimum setback as that of the sign type on which it is attached. A monument sign is limited to seven (7) feet in height, fifty (50) square feet in sign area and a minimum setback of five (5) feet from the property line.
3. Section 7.30(C) of the GDC states that Major Waivers are material and substantial changes to the design standards in the Downtown (DT) district, or changes which may initially appear to be in conflict with the goals and intent of this district. Major Waivers may only be approved by the City Council, following a recommendation by the Planning Director and the Plan Commission in conjunction with a decision on an application for approval of a Downtown Development Plan. In order to approve a Major Waiver, the City Council shall find that the Waiver:
    - a. Meets the general intent of this district; and
    - b. Will result in an improved project which will be an attractive contribution to the Downtown District.
  4. Section 7.30(D) states the City may impose conditions in the granting of any Waiver in order to implement the Downtown Plan, and to mitigate negative impacts to neighboring properties, public streets or open space.

## **COMPREHENSIVE PLAN**

The Future Land Use Map for Envision Garland identifies this area as appropriate for Neighborhood Centers. 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.

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

The surrounding area is a mixture of residential, office, institutional and non-residential uses. The subject property is located along a major thoroughfare that serves as an entrance to the core of the Downtown (DT) district. There is an office and parking lot across Main Street to the south, an office to the east, a residence to the north, and a residence/commercial use to the west. There are monument signs on properties on each side of Main Street in this block.

Prepared By:

Kira Wauwie, AICP  
Principal Planner

Date: April 26, 2016

Reviewed By:

Will Guerin, AICP  
Director of Planning

Date: April 26, 2016

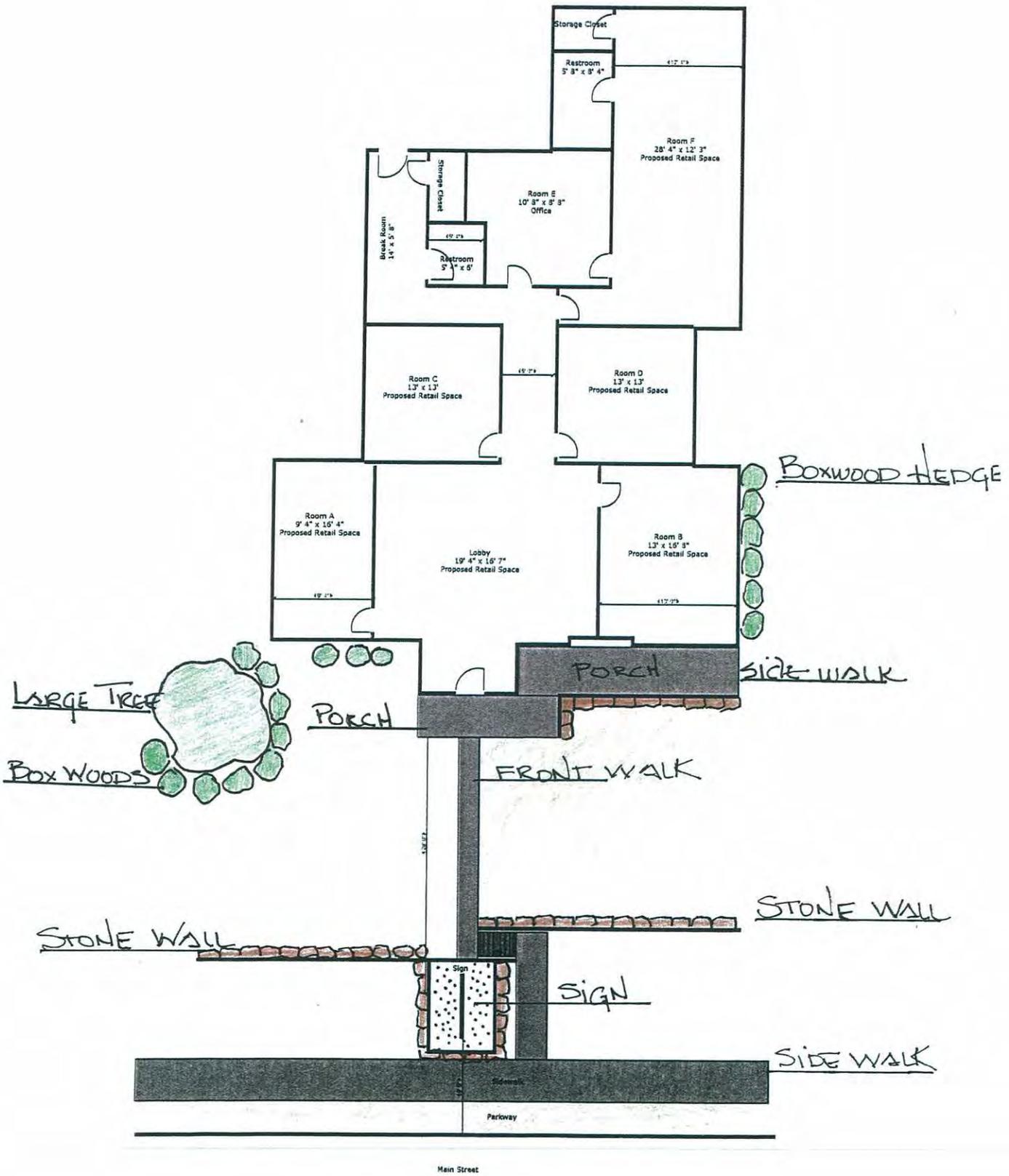
Reviewed By:

Bryan L. Bradford  
City Manager

Date: April 27, 2016



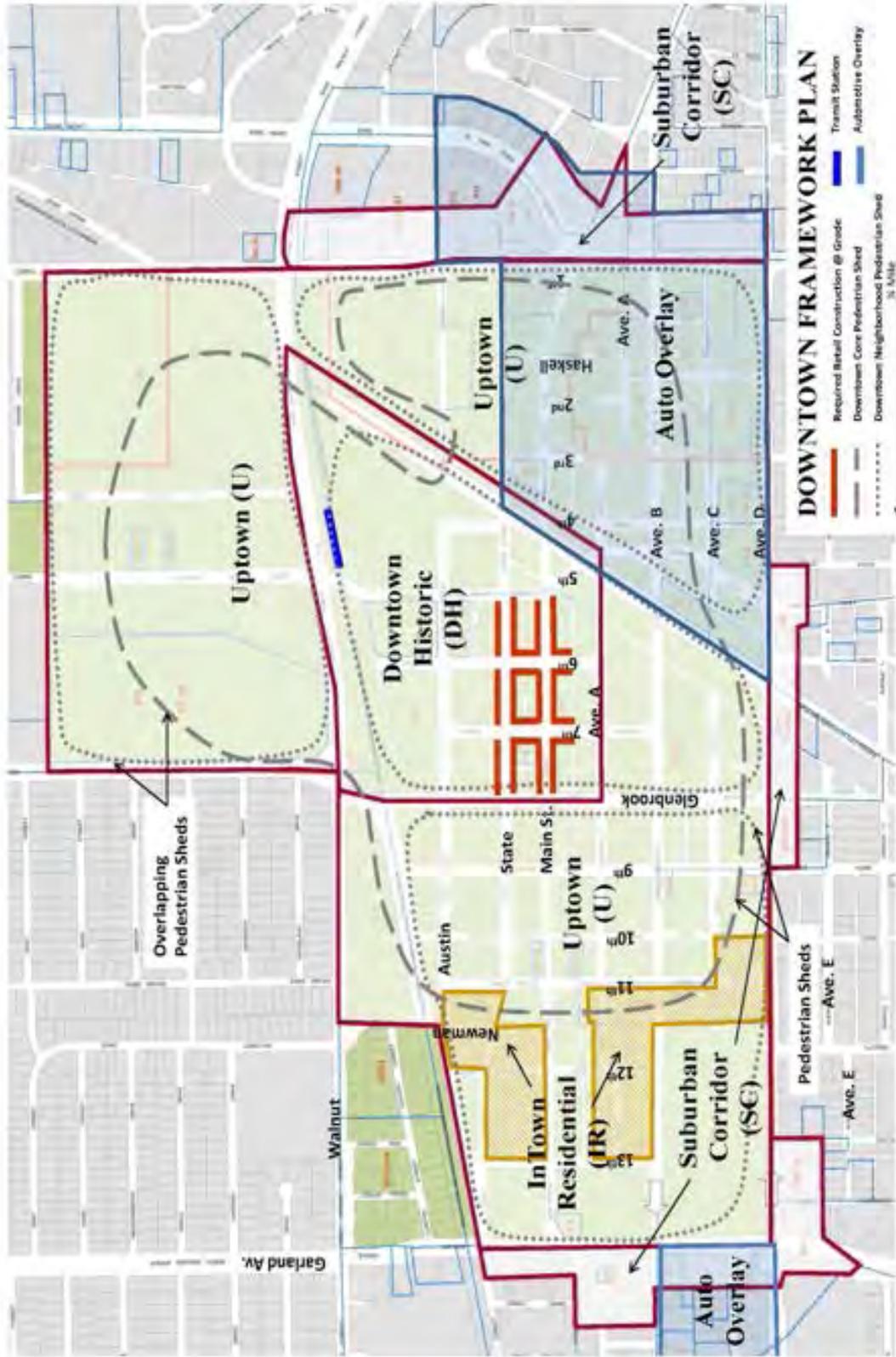
1229 Main Street Landscape and Sign Placement



Scale 1 inch = 12 feet

Scale 1 inch = 12 feet

**Appendix A**





Site at street front.



Existing monument sign on site.



Back of site, looking west.

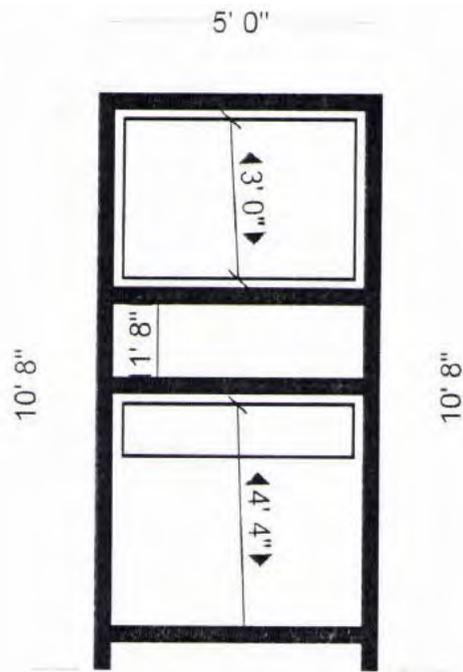


Back of site looking north.



View from subject site, down driveway and across Main Street.

**Site Photos**



Sign sketch, indicating width of sign, and height of sign from top of planter.

## REPORT & MINUTES

**P.C. Meeting, April 25, 2016 (9 Members Present)**

**Consideration of the application of Linda Waller, requesting approval of a Major Waiver for 1) General Office and Retail Store use of property located in the InTown Residential (IR) sub-district of the Downtown (DT) district (Garland Development Code, Section 7.06 Land and Building Use Table 7-1: Downtown District Land Use Matrix) and 2) a monument sign (Garland Development Code, Section 7.24(B)(2)(b)). This property is located at 1229 Main Street. (District 2) (File DD 16-02)**

The applicant Linda Waller, 1229 Main Street, Garland, TX 75040, provided a brief overview of the request and remained available for questions.

Speaking in support of the request Rena Taylor, 1235 Main Street, Garland, TX 75040, spoke in support of the request and expressed concern regarding the change in the zoning as a result in the approval of the Garland Development Code.

Christine Woodkins, 1229 Main Street, Garland, TX 75040 spoke in support of the request and thanked staff and the Plan Commission members for their effort regarding this request.

**Motion** was made by Commissioner Moore, seconded by Commissioner Luckie to close the Public Hearing and **approve** the request to approve the Major Waiver as requested. **Motion carried: 9 Ayes, 0 Nays.**





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

April 14, 2016

HEARING DATE/TIME: Plan Commission: April 25, 2016 – 7:00 PM

APPLICANT: Linda Waller

File DD 16-02

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, April 25, 2016, in the Goldie Locke Room of the Duckworth Utility Services Building, 217 North Fifth Street, to consider the application of **Linda Waller** requesting approval of a Major Waiver for General Office and Retail Store use of property located in the Downtown (D) Zoning District, within the In Town Residential (IR) Sub-District (Garland Development Code, Section 7.06 Land and Building Use Table 7-1 Downtown District Land Use Matrix), and for a monument sign (Garland Development Code, Section 7.24(B)(2)(b), on a property zoned Downtown (DT) District. The property is shown on the enclosed sketch and is described as follows:

Being Lot NO. 36 and the east 25-feet of Lot 37 in the James Terrace plat The subject property s located at 1229 Main Street, Garland, TX (File Number DD 16-02) (District 2).

**Note: The applicant requests a Major Waiver to the Downtown District standards to allow General Office and Retail Store use, and for a monument sign.**

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 Kira Wauwie at 972-205-2456

(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

*All of the referenced area should be Business or Residential. Special Zoning should not Be necessary.*  
(Please complete the following information)

Your Property Address

*Lynda Francis*

Printed Name

*1201 Main Street Garland TX 75040*

Address *200 N. 12<sup>th</sup> St Garland TX 75040* City State Zip

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

*Lynda Francis* Signature *Owner Happy Days School* Title

Date: *4/20/2016*



File No. Z 16-09/District 8

Agenda Item:

Meeting: City Council

Date: May 3, 2016

# Planning Report

---

Asm Ferozur Rahman

775 West Buckingham Road

## REQUEST

Approval of a Specific Use Provision for Fuel Pumps, Retail on a property zoned Community Retail (CR) District.

## OWNER

Iram Rashid

## PLAN COMMISSION RECOMMENDATION

On April 11, 2016 the Plan Commission, by a vote of seven (7) to zero (0), recommended approval of a Specific Use Provision for Fuel Pumps, Retail for a period of 25 years.

## STAFF RECOMMENDATION

Approval of a Specific Use Provision for Fuel Pumps, Retail for a period of 25 years.

## BACKGROUND

The subject property was developed in 1980 with a gas station. Through the years the site has experienced improvements and expansions, including the addition of a second building. In 2010 the gas station went through a change in business ownership and City Council approved a Specific Use Provision (S 10-16) for a period of 25 years tied to the new owner, Iram Rashid. The property is once again changing ownership and the applicant is seeking the approval of a new Specific Use Provision to allow the continued operation of the gas station under the new owner. The proposed Specific Use Provision conditions are not tied to the owner, but rather the property and use.

## **SITE DATA**

The subject property contains 0.774 acres and has approximately 200 lineal feet of frontage along Buckingham Road and 160 lineal feet of frontage along Glenbrook Drive. The site is accessed from Buckingham Road and Glenbrook Drive.

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

The Community Retail (CR) District is intended to accommodate a variety of retail, service, and business establishments that may or may not be designed in a shopping center configuration. The district may be used as a transition district between lower intensity retail or office uses and more intense uses. The Community Retail (CR) District is generally appropriate along major transportation corridors but is generally not appropriate in proximity to low density residential districts without significant buffering and screening features.

## **CONSIDERATIONS**

1. The applicant is proposing to continue the operation of the existing gas station under a new ownership. The site consists of a 2,680-square foot convenience store, a canopy covering four (4) pumps and a second 860-square foot building that is occupied by a barber shop. At this time the applicant is not proposing to increase the square footage of the existing structures or the number of gas pumps.
2. After the last expansion in 2010, the site required 18 parking spaces and the site currently provides 18 parking spaces.
3. The existing signage will remain unaltered and will continue to bear the name and logo of the existing gas station operator.
4. A Specific Use Provision for a period of 25 years is being requested by the applicant.

## **COMPREHENSIVE PLAN**

The Future Land Use Map of the Envision Garland Plan recommends Neighborhood Centers for the subject property. Neighborhood Centers serve the needs of the nearby residents and are compatible in a neighborhood setting. They offer a mix of shops, services, amenities and gathering places, are primarily non-residential uses, but may include a small proportion of residential use in a vertical mixed-use development. The overall area, scale and

architectural style should blend with adjacent residential areas and should strive to incorporate mobility options: by foot, bicycle, transit and private automobile.

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

Development in this area is predominantly single-family to the north, south, west and east with retail uses on the subject property and on the southwest corner of West Buckingham Road and North Glenbrook Drive. The site is not immediately adjacent to single-family uses; however, multi-family development abuts the subject property to the east. Along the eastern property line is an existing six (6) foot-tall live/landscape screening to lessen the visual impact on the adjacent multi-family use. The approval of the request will allow the continued operation of a gas station that provides a valuable service to the nearby residents and that is easily accessible as well as appropriately located at the intersection of two major thoroughfares.

Prepared By:

Josue De La Vega  
Development Planner

Date: April 22, 2016

Reviewed By:

Will Guerin, AICP  
Director of Planning

Date: April 22, 2016

Reviewed By:

Bryan L. Bradford  
City Manager

Date: April 27, 2016



0 80 160 Feet  
 1 inch = 165 feet

**ZONING**

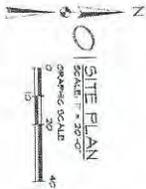
**Z 16-09**

 INDICATES AREA OF REQUEST

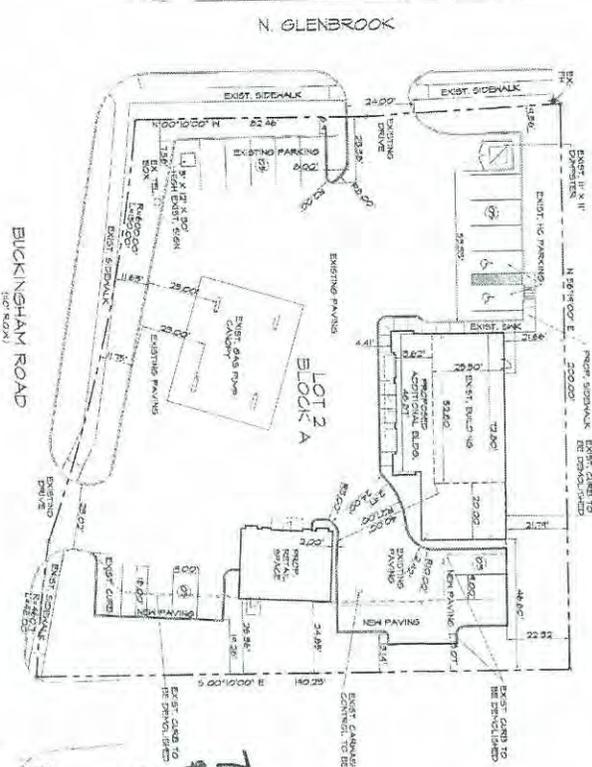
**SPECIFIC USE PROVISION CONDITIONS**

**ZONING FILE Z 16-09**

- I. Statement of Purpose:** The purpose of this Specific Use Provision is to permit the continued operation of Fuel Pumps, Retail subject to conditions.
- II. Statement of Effect:** This Specific Use Provision shall not affect any regulation found in the Garland Development Code, Ordinance No. 6773, as amended prior to adoption of this ordinance, except as specifically provided herein.
- III. General Regulations:** All regulations of the Community Retail (CR) District as set forth in Chapter 2 of the Garland Development Code are included by reference and shall apply, except as otherwise specified by this ordinance.
- IV. Specific Regulations:**
- A. Specific Use Provision: The Specific Use Provision shall be effective for a period of 25 years.
- B. Site Layout: The site layout shall remain in conformance with the site plan labeled Exhibit C.



**SITE PLAN**  
SCALE: 1" = 20'-0"  
GRAPHIC SCALE



**775 N. BUCKINGHAM RD.**  
**C-STORE ADDITION**  
**00-155**  
**LOT 1, BLOCK A**  
**GLENBROOK MEADOWS**

PARKING REQUIREMENTS			
LOT AREA	EXIST. BUILDINGS	PROJ. ADDITIONAL BUILDINGS	TOTAL
TOTAL BLDG. AREA	13,444 SQ. FT.	18,834 SQ. FT.	32,278 SQ. FT.
PARKING REQUIRED	1 SPACES	1 SPACES	2 SPACES
PARKING PROVIDED	1 SPACES	5 SPACES	6 SPACES
NET PARKING PROVIDED		2 SPACES (1 VAN)	

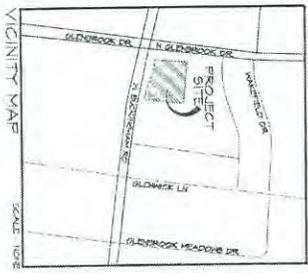
**775 N. BUCKINGHAM RD.**  
**RETAIL**  
**00-109**

**GENERAL NOTES:**

1. CONSTRUCTION OF WORK BY ANY CONTRACTOR SHALL BE IN ACCORDANCE WITH THE CITY OF DALLAS, TEXAS ORDINANCES AND ALL APPLICABLE REGULATIONS AND ORDINANCES.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF DALLAS, TEXAS.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF DALLAS, TEXAS.
4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF DALLAS, TEXAS.
5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF DALLAS, TEXAS.

**GENERAL NOTES:**

1. CONSTRUCTION OF WORK BY ANY CONTRACTOR SHALL BE IN ACCORDANCE WITH THE CITY OF DALLAS, TEXAS ORDINANCES AND ALL APPLICABLE REGULATIONS AND ORDINANCES.
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5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF DALLAS, TEXAS.



**LEGEND**

36"	SHARED DRIVE YANVLE
24"	STANDARD DRIVE YANVLE
18"	PIED PIEDANT
12"	ROCKER BOLT
6"	TELEPHONE BOX
3"	WATER VALVE
1"	WATER VALVE
0"	REGULATION SIGN/SHIELD
0"	VAULT ACCESSIBLE
0"	HANDICAPED PARKING
0"	VEHICLE LOCATION
0"	RIGHT OF WAY
0"	SET BACK
0"	CONCRETE ON LOT
0"	CONVENTIONAL JOINT
0"	CONV. LIGHT POLE
0"	SEWER/STORM UTILITY
0"	CONCRETE FLOOR JAMB
0"	TEMP. SIGN AREA
0"	ROAD SIGN
0"	600' WATER VALVE
0"	EXIST. WATER VALVE
0"	EXIST. CONCRETE
0"	PROPOSED CONCRETE
0"	PROPOSED DRIVE AND
0"	EXISTING DRIVE AND
0"	EXISTING ELECTRICAL
0"	EXISTING FIBER
0"	EXISTING CABLE

**GENERAL NOTES:**

1. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF DALLAS, TEXAS.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF DALLAS, TEXAS.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF DALLAS, TEXAS.
4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF DALLAS, TEXAS.
5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF DALLAS, TEXAS.

**GENERAL NOTES:**

1. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF DALLAS, TEXAS.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF DALLAS, TEXAS.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF DALLAS, TEXAS.
4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF DALLAS, TEXAS.
5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF DALLAS, TEXAS.

**PROJECT STATUS:**  
PROJECT MANAGER: IRAM RASHID  
DESIGNER: IRAM RASHID  
CHECKER: IRAM RASHID  
DATE: 08/15/2023

**MS. IRAM RASHID**  
692 BLUEBONNET DRIVE  
STEPHENVILLE, TX 78401  
PH: 254-965-5356

**ADR-DESIGNS-LLC**  
TOTAL DESIGN MANAGERS  
1001 WESTMAN ROAD GRAND PRAIRIE, TX 75049  
142727-787

**PROPOSED C-STORE**  
775 S BUCKINGHAM ROAD  
DARI AND TX 75040

**7953 PINKERTON COURT**  
PLANO, TEXAS 75025  
PH: (469) 544-8165 FAX: (972) 767-3003  
EMAIL: nkanan87@gmail.com  
FRM # F 4923

**EXHIBIT C**

## REPORT & MINUTES

**P.C. Meeting, April 11, 2016 (7 Members Present)**

**Consideration of the application of Asm Ferozur Rahman, requesting approval of a Specific Use Provision for Fuel Pumps, Retail on a property zoned Community Retail (CR) District. This property is located at 775 West Buckingham Road. (District 8) (File Z 16-09)**

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

**Motion** was made by Commissioner Ott, seconded by Commissioner Fisher to close the Public Hearing and **approve** the request per staff recommendation. **Motion carried: 7 Ayes, 0 Nays.**



SF-10

SF-7

SF-7

GR  
775  
S10-16

MF

93-13

S85-73

PD 15-22

PD 84-35

GLENNBROOK

BUCKINGHAM

508  
108

801

733

729

725

721

734

730

726

722

718

714

710

706

2025

2021

2017

2013

2009

2005

2001

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2018

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1914

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1910

1909

1905

1906

0.8

810

0.58



# GARLAND

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

March 31, 2016

HEARING DATE/TIME Plan Commission April 11, 2016 – 7:00 PM

APPLICANT: Asm Ferozur Rahman

**File 16-09**

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, April 11, 2016, in the Goldie Locke Room of the Duckworth Utility Services Building, 217 North Fifth Street, to consider the application of **Asm Ferozur Rahman** requesting approval of a Specific Use Provision for Fuel Pumps Retail on a property zoned Community Retail (CR) District. The property is shown on the enclosed sketch and is described as follows

Being a 0.774 acre parcel of land identified as Lot 2, Block A, Glenbrook Meadows Retail No. 2, an addition to the City of Garland, Dallas County, Texas according to the map of the plat recorded in Volume 80190 Page 1525, of the Plat Records of Dallas County, Texas. This property is located at 775 West Buckingham Road (District 8)

**Note: The applicant seeks approval of a Specific Use Provision to continue the operation of an existing gas station.**

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

*I think it is good to have a continuous running business at that location.*

(Please complete the following information)

Your Property Address  
 Printed Name Akram Abdullah  
 Address 805 Wakefield Dr. City, State Garland Texas Zip 75040

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

Signature Akram T. Abdullah Title MC.  
 Date 04/08/2016



# GARLAND

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

March 31, 2016

**HEARING DATE/TIME:** Plan Commission: April 11, 2016 – 7:00 PM

**APPLICANT:** Asm Ferozur Rahman

**File 16-09**

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, April 11, 2016, in the Goldie Locke Room of the Duckworth Utility Services Building, 217 North Fifth Street, to consider the application of **Asm Ferozur Rahman**, requesting approval of a Specific Use Provision for Fuel Pumps, Retail on a property zoned Community Retail (CR) District. The property is shown on the enclosed sketch and is described as follows.

Being a 0.774 acre parcel of land identified as Lot 2, Block A, Glenbrook Meadows Retail No. 2, an addition to the City of Garland, Dallas County, Texas according to the map of the plat recorded in Volume 80190 Page 1525, of the Plat Records of Dallas County, Texas. This property is located at 775 West Buckingham Road. (District 8)

**Note: The applicant seeks approval of a Specific Use Provision to continue the operation of an existing gas station.**

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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

Miles & Darla Gardner  
Printed Name

1913 Northwind Ct  
Address

Garland, TX 75040  
City, State ~~Garland, TX 75040~~

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

Darla Gardner  
Signature

homeowner  
Title

4/7/16  
Date