



File No. 14-10/District 2

Meeting: City Council

Date: May 6, 2014

Planning Report

Jaime Pineda

200 Rayburn Street

REQUEST

Approval of a Specific Use Permit for Contractor Equipment and Storage on a property zoned Commercial 2 (C-2) District.

This request was postponed by City Council on April 15, 2014.

OWNER

Regions Electric

PLAN COMMISSION RECOMMENDATION

On March 24, 2014 the Plan Commission, by a vote of nine (9) to zero (0), recommended approval of a Specific Use Permit for Contractor Equipment and Storage for a period of five years on property zoned Commercial 2 (C-2) District.

STAFF RECOMMENDATION

Approval of a Specific Use Permit for Contractor Equipment and Storage for a period of 5 years and tied to Jaime Pineda provided all storage is limited to indoor storage. The proposed Contractor Equipment and Storage operation will not represent a nuisance to the adjacent properties given that all storage will be indoors and the commercial activity in the surrounding area is comparable with the proposed operation. The utilization of the subject property for the storage of contractor equipment and vehicles is appropriate and consistent with the surrounding land use pattern.

BACKGROUND

The subject property was developed in 1985 with a metal building that was previously occupied by an auto repair shop and retail sales/personal service. The applicant is seeking a Specific Use Permit to utilize the building as Contractor Equipment and Storage.

SITE DATA

The subject property contains approximately 0.2 acres and has frontage of approximately 85 linear feet along Rayburn Street, 100 linear feet along Avenue

A and Avenue B. The property can be accessed from Rayburn Street and Avenue B.

USE OF PROPERTY UNDER CURRENT ZONING

The subject property is zoned Commercial 2 (C-2) District which allows a broad range of commercial sales, service and repair activities, many of which are not appropriate in a retail or office environment. Contractor Equipment and Storage is only allowed with the approval of a Specific Use Permit.

CONSIDERATIONS

1. The applicant is requesting a Specific Use Permit to utilize the building for office and indoor storage of contractor equipment and vehicles associated with an electrician business. The applicant has indicated that no outside storage will take place at this location. The site consists of a 2,990 square foot metal building with 2 overhead doors facing Rayburn Street, parking area and a yard adjacent to Avenue A that is enclosed by a chain link fence.
2. The applicant is not proposing any improvements on the subject property and existing signage will remain as is.
3. Section 10-200 of the Comprehensive Zoning Ordinance stipulates a minimum parking ratio of 1 parking space for every 500 square feet of gross floor area. The minimum parking requirement for a 2,990 square foot building is 6 parking spaces; the site has 11 parking spaces.
4. The applicant is requesting a Specific Use Permit for a period of 5 years and tied to Jaime Pineda.

COMPREHENSIVE PLAN

The Future Land Use Map of the Envision Garland Plan recommends Business Centers for the subject property. Business Centers represent clusters of business offices and/or clean industry whose development and operations result in minimal negative effects to adjacent development types. The proposed contractor equipment and storage is congruent with the above recommendation in that it will have a minimal negative visual impact on the surrounding properties and thoroughfares given that all storage will be indoors.

COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

The properties to the north and northeast are zoned Industrial 1 (I-1) District while the properties to the south and west are zoned Commercial 2 (C-2) District with a Specific Use Permit 08-08 for Contractor Equipment and Storage. The surrounding properties are developed with buildings that are similar in character

as the building on the subject property and used for auto sales, auto repair, warehousing and other heavy commercial operations. Given the heavy commercial character of the surrounding area, the subject property is a suitable location for the proposed contractor equipment and storage.

Prepared By:

Josue De La Vega
Development Planner

Date: April 25, 2014, 2014

Reviewed By:

Anita Russelmann
Director of Planning

Date: April 25, 2014

Reviewed By:

William E. Dollar
City Manager

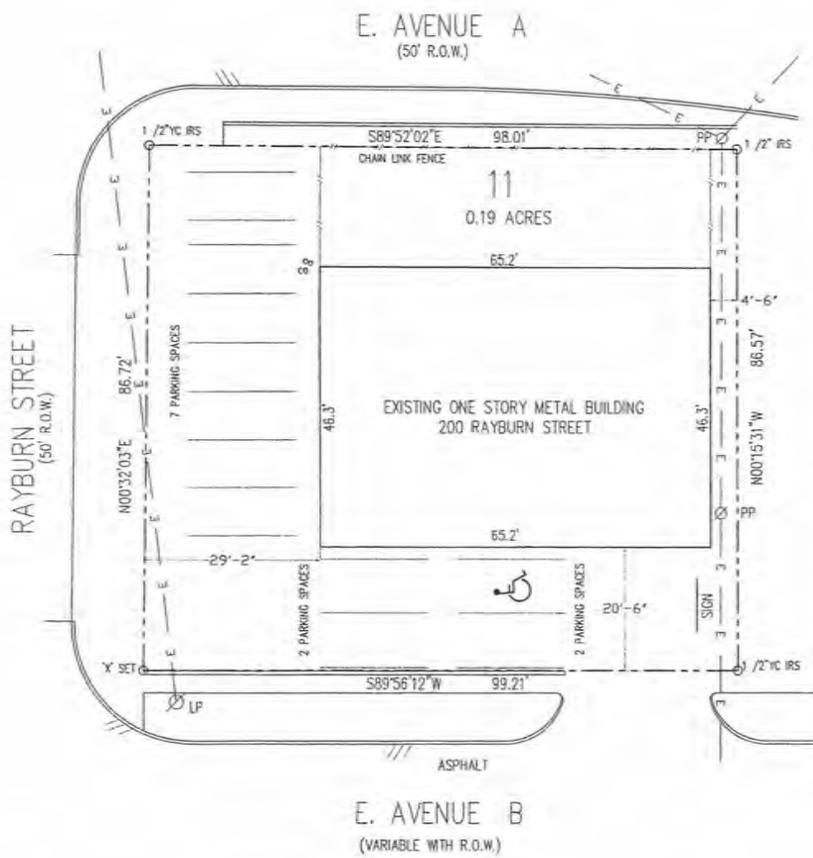
Date: April 28, 2014

SPECIFIC USE PERMIT CONDITIONS

ZONING FILE 14-10

200 Rayburn Street

- I. **Statement of Purpose:** The purpose of this Specific Use Permit is to permit the use of Contractor Equipment and Storage.
- II. **Statement of Effect:** The Specific Use Permit shall not affect any regulation found in the Comprehensive Zoning Ordinance, Ordinance No. 4647, as amended prior to adoption of this ordinance, except as specifically provided herein.
- III. **General Regulations:** All regulations of the Commercial-2 (C-2) District set forth in Section 26 and Section 33 of the Comprehensive Zoning Ordinance are included by reference and shall apply, except as otherwise specified by this ordinance.
- IV. **Specific Regulations:**
 - A. Time Period: The Specific Use Permit shall be in effect for a period of 5 years and shall apply to **Jaime Pineda**.
 - B. Storage: All contractor equipment, material and vehicles shall be stored within the building.

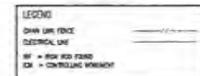


01 SITE PLAN
SCALE: 1" = 10'-0"



LOCATION MAP
(NOT TO SCALE)

PARKING ANALYSIS			
USE	AREA(SQFT)	RATIO	REQUIRED
OFFICE	418	333	2
WAREHOUSE AREA	2,600	1000	3
	3,018		
TOTAL PARKING SPACES REQUIRED			5
TOTAL PARKING SPACES PROVIDED			11



CONTRACTOR SHALL VERIFY ALL CONDITIONS AND DIMENSIONS OF EXISTING UTILITIES AND STRUCTURES IN THE ARCHITECT'S PLAN. THE ARCHITECT OR AN ENGINEER, ARCHITECT, OR ENGINEER SHALL BE RESPONSIBLE FOR VERIFYING THE ACCURACY OF ALL INFORMATION AND FOR OBTAINING ANY NECESSARY PERMITS FROM THE LOCAL GOVERNMENT.

F&L
DESIGN & CONSTRUCTION L.L.C.
8302 Woodside Rd. Englewood, CO 80110
Rowlett, TX 75088 214-227-0884 214-473-1485

OWNER:
JAIME PINEDA
214-769-2456 jp-pineda@reinc.net

PROJECT NAME:
REGIONS ELECTRIC, INC
200 RAYBURN STREET
GARLAND, TEXAS

ARCHITECT'S SEAL

REVISION DATE

SHEET NUMBER

A-1
PLOT DATE
02/23/14

REPORT & MINUTES

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

Consideration of the application of Jaime Pineda, requesting approval of a Specific Use Permit for Contractor Equipment and Storage on a property zoned Commercial 2 (C-2) District. The property is located at 200 Rayburn Street. (File 14-10)

The applicant, Jaime Pineda, 200 Rayburn, Garland, TX, gave a brief overview of the establishment. He explained that business trucks are driven home by the employees and if the trucks need to remain overnight, they will be parked inside the building. The accessible parking will be relocated to the west side of the building. The applicant remained available for questions.

Motion was made by Commissioner Johnson, seconded by Commissioner Dalton to close the Public Hearing and **approve** the request per staff recommendation with the stipulation that all storage shall be inside the building. Motion **carried: 9 Ayes, 0 Nays.**



O = IN FAVOR
X = AGAINST

0 100 200 Feet

ZONING Z 14-10

INDICATES AREA OF REQUEST

We did not receive any notification letters for this case.



Planning Report

Masterplan

On the south side of Broadway Boulevard, approximately 500 linear feet southeast from the intersection of Colonel Drive and Broadway Boulevard

REQUEST

Approval of 1) a change of zoning from Planned Development (PD) District 95-42 and Planned Development (PD) District 06-38, both for General Business Uses, to a Planned Development (PD) District for Limited General Business Uses and Self-Storage Units, 2) a Detail Plan for Self-Storage Units, and 3) a variance to Section 25-500 of the Zoning Ordinance regarding lot coverage.

OWNER

Fino Sameer

PLAN COMMISSION RECOMMENDATION

On April 14, 2014 the Plan Commission, by a vote of six (6) to zero (0), recommended approval of 1) a change of zoning from Planned Development (PD) District 95-42 and Planned Development (PD) District 06-38, both for General Business Uses, to a Planned Development (PD) District for Limited General Business Uses and Self-Storage Units per Staff recommendation, 2) a Detail Plan for Self-Storage Units, and 3) a variance to Section 25-500 of the Zoning Ordinance to allow a maximum lot coverage of 55 percent.

Additionally, the Plan Commission approved a variance to Section 5.0 of the Screening and Landscape Standards to allow an alternative screening method from the adjacent residential properties consisting of the exterior elevations of the buildings, masonry walls and 1 large tree every 30 linear feet plus shrubs planted along the exterior of the screen.

STAFF RECOMMENDATION

Approval of a change of zoning to a Planned Development (PD) District for Limited General Business Uses and Self-Storage Units. The introduction of self-storage units along this sector of the Broadway Boulevard corridor will not negatively alter the character of the surrounding area since the commercial

intensity is similar or less than the commercial activity generated by the established retail/personal service land uses.

Approval of a Detail Plan for Self-Storage Units. The various components, such as site layout, scale, façade materials, and building design being employed will make the proposed self-storage unit complex suitable for a site that is adjacent to residential properties while providing an adequate buffer between the commercial activity along Broadway Boulevard and these residential properties.

Approval of a variance to Section 25-500 of the Zoning Ordinance to allow a maximum lot coverage of 55 percent. The proposed lot coverage does not have a negative impact on the site layout and all required setbacks and clearances are met.

BACKGROUND

The subject property is presently undeveloped and consists of 2 platted lots that are zoned Planned Development (PD) District 95-42 with a Detail Plan for a Restaurant with Drive-Through and Planned Development (PD) District 06-38, both Planned Development (PD) Districts for General Business Uses. The applicant seeks approval of a change of zoning to a Planned Development (PD) District and a Detail Plan to develop the subject property with self-storage units. Additionally, the applicant is requesting approval of a variance to exceed the maximum allowable lot coverage.

SITE DATA

The proposed self-storage units will be constructed on a 3.53-acre site that has approximately 180 linear feet of frontage along Broadway Boulevard. The site is accessed from Broadway via a common access drive that is shared with the bank site located immediately to the north. Access to the buildings housing the self-storage units will be gained through a gated vehicle entrance.

USE OF PROPERTY UNDER CURRENT ZONING

Planned Development (PD) District 95-42 and Planned Development (PD) District 06-38 limit the permitted uses on the subject property to those listed under General Business (GB) District, which excludes Self-Storage Units. The applicant proposes a change of zoning to a Planned Development (PD) District that allows limited General Business Uses and Self-Storage Units (see PD Condition (V)(A) for permitted and excluded uses).

CONSIDERATIONS

- Zoning Change:** The applicant is proposing to develop self-storage units on a tract of land consisting of two lots that are zoned Planned Development (PD) District 95-42 and Planned Development (PD) District 06-38, both for General Business Uses. A Detail Plan was approved with Planned Development (PD) District 95-42 to develop one of the lots with a 5,725 square foot restaurant with a drive-through; however, the site was not developed. Planned Development (PD) District 06-38 was created to eliminate a Detail Plan previously approved on the second lot. The applicant is proposing a Planned Development (PD) District for Limited General Business Uses that includes Self Storage Units. Self-Storage Units are only allowed in the Commercial 1 (C-1), Commercial 2 (C-2) and Industrial 1 (I-1) which are more commercial intensive in character than General Business (GB) District.
- Detail Plan:** The applicant proposes a Detail Plan to develop the site with 85,300 square feet of self-storage units and 2,200 square feet of office/custodial quarters. The self-storage units will be distributed among 8 buildings that range in size from 2,800 square feet to 16,925 square feet (minus office/custodial quarters). Six of the buildings are 1-story and two buildings are 2-stories. The two 2-story buildings are setback approximately 90 feet from the residential properties to the southwest, 145 feet from the residential properties to the southeast and 270 feet from Broadway Boulevard. The parking ratio for a Self-Storage Units is 4 per complex. The Detail Plan provides 6 parking spaces.
- Variance to lot coverage:** Section 25-500 of the Comprehensive Zoning Ordinance estates that buildings or structures cannot be erected, altered, or placed so as to cover more than 40 percent of the lot area. The applicant requests approval of a variance to allow the buildings to cover up to 54 percent of the subject property.
- Screening and Landscape:** All applicable screening and landscape standards are met with the exception of the prescribed methods of screening non-residential side and rear yards from residential districts. The Plan Commission approved a variance to allow an alternative side yard and rear yard screening method consisting of the exterior elevations of the buildings, masonry walls and 1 large tree every 30 linear feet plus shrubs planted along the exterior of the screen. This alternative screening method results in a superior and more secure screen than some of the prescribed screening methods that consist of vegetation and an open fence.
- Elevations:** The proposed building elevations consist of brick and stone with EIFS bands and molding.
- Signage:** The only signage being proposed is one monument sign that is in full compliance with the Sign Ordinance.

COMPREHENSIVE PLAN

The Envision Garland Plan designates the subject property as Neighborhood Center. Neighborhood Centers provide a mix of retail, services and community gathering places. These areas should be appropriately scaled to adjacent residential areas. The proposed self-storage units are consistent with the recommendation of the Envision Garland Plan in that the scale and architectural style of the overall complex is suitable with the surrounding residential developments.

COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

Most of the surrounding properties are zoned Single Family (SF) District and are developed with single family homes and South Garland High School, with the exception of the properties near the intersection of Colonel Drive and Broadway Boulevard. These properties are zoned Shopping Center (SC) District and with a range of Planned Development (PD) Development Districts for Shopping Center Uses and General Business Uses and developed with a number of retail and personal service uses

-

Although self-storage units are only allowed in more commercially intensive districts such as Commercial 1 (C-1) and Commercial 2 (C-2) District, their commercial intensity is comparable with the retail and personal service uses present in the surrounding. Furthermore, the proposed self-storage units have an enhanced architectural design that makes them a suitable development for a site that is adjacent to residential properties.

Prepared By:

Josue De La Vega
Development Planner

Date: April 25, 2014

Reviewed By:

Anita Russelmann
Director of Planning

Date: April 28, 2014

Reviewed By:

William E. Dollar
City Manager

Date: April 29, 2014

PLANNED DEVELOPMENT CONDITIONS

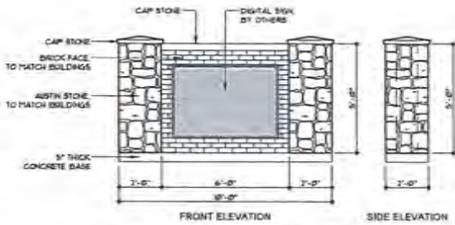
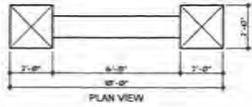
ZONING FILE 04-14

On the south side of Broadway Boulevard, approximately 500 linear feet southeast from the intersection of Colonel Drive and Broadway Boulevard

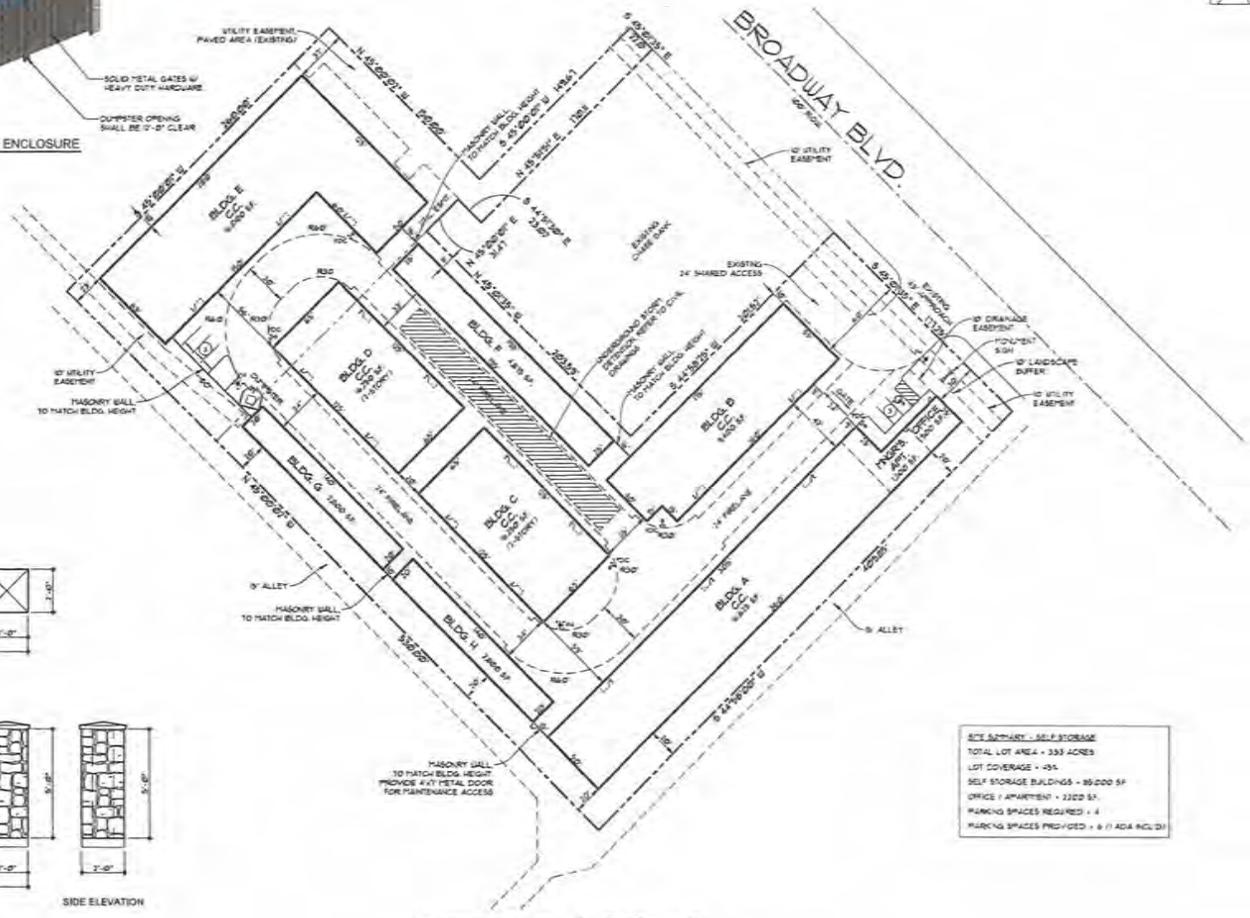
- I. **Statement of Purpose:** The purpose of this Planned Development is to allow for self storage units on the property subject to conditions.
- II. **Statement of Effect:** This Planned Development shall not affect any regulation found in the Comprehensive Zoning Ordinance. Ordinance No. 4647, as amended prior to adoption of this ordinance, except as specifically provided herein.
- III. **General Regulations:** All regulations of the General Business (GB) District set forth in Section 25 and 32 of the Comprehensive Zoning Ordinance, Ordinance No. 4647, are included by reference and shall apply, except as specified in this ordinance.
- IV. **Development Plans:**
 - A. Detail Plan: Development shall be in conformance with the approved Detail Plan set forth in Exhibit C.
- V. **Specific Regulations:**
 - A. Permitted Uses: Self-Storage Units and all the Uses as permitted in the General Business District with the exception of the following Uses:
 - Ambulance Service
 - Animal Clinic
 - Bingo Hall
 - Convention Facility
 - Flea Market, Indoor
 - B. Screening and Landscaping: Screening and landscaping shall be in general conformance with Exhibit D.
 - C. Screening from Residential Districts: The screening of side and rear yards from adjacent residential districts shall be accomplished with an alternative method consisting of the exterior elevations of the buildings, masonry walls, 1 large tree every 30 linear feet and shrubs planted on a 20-foot landscape buffer along the exterior of the screen; the minimum height of this screen shall be at least 12 feet.
 - D. Lot Coverage: The maximum allowable lot coverage is 55 percent.
 - E. Building Height, Number of Stories: All buildings are limited to one story with the exception of Building "C" and Building "D". Building "C" and Building "D" may be two stories in height provided the exterior building material on the second story is comprised of a minimum of

90% primary masonry materials, excluding fenestration. Both the second story of the northeast and southwest elevations of Building "C" and Building "D" must have the architectural elements and differing exterior masonry materials as generally provided on the exterior building elevations plan. Building "C" and Building "D" must be located a minimum of 70 feet from the southwest property line and 110 feet from the southeast property line.

- F. Exterior Elevations: Exterior elevations shall be constructed as generally shown on Exhibit E.
- G. Outdoor Storage: The storage of automobiles, trucks or recreational vehicles, or equipment on the temporary patron and staff parking area is prohibited.



2 MONUMENT SIGN
36' x 12'



SITE SUMMARY - SELF STORAGE
 TOTAL LOT AREA = 3.98 ACRES
 LOT COVERAGE = 95%
 SELF STORAGE BUILDINGS = 40,000 SF
 OFFICE / APARTMENT = 2,225 SF
 PARKING SPACES REQUIRED = 4
 PARKING SPACES PROVIDED = 6 (7 ADA COMPL.)

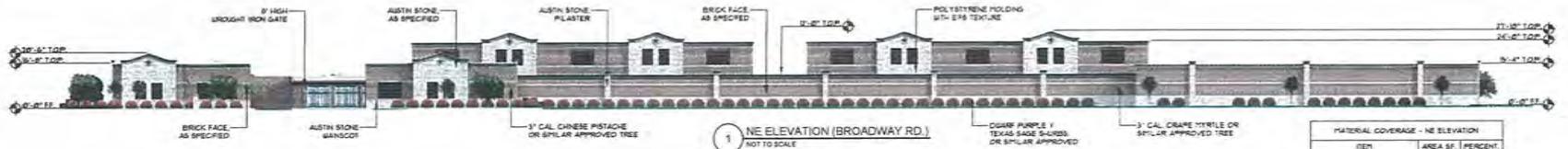


PRELIMINARY - NOT FOR CONSTRUCTION

REVISION	NO

POSED NEW FACILITY:
LF-STORAGE
 ADWAY BLVD. (@ COLONEL DR.)
 AND, TEXAS

JL BUILDING SERVICES, LLC	
DETAIL PLAN	
Date	04-29-2014
Scale	As Shown
Drawn	JL
Job	13081
Sheet	A0



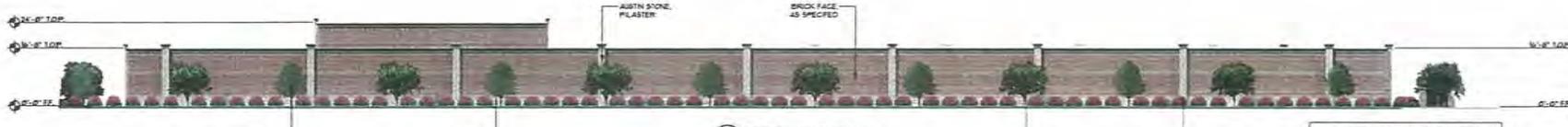
1 NE ELEVATION (BROADWAY RD.)
NOT TO SCALE

MATERIAL COVERAGE - NE ELEVATION		
ITEM	AREA SF	PERCENT
ELEVATION AREA	8554	
DOORS & WINDOWS (DED.)	750	
ACCOUNTABLE AREA	7802	100%
MASONRY (STONE)	7375	95%
MASONRY (BRICK FACE)	426	5%
EPS BANDS & MOLDING	697	9%



2 SW ELEVATION (ALLEY)
NOT TO SCALE

MATERIAL COVERAGE - SW ELEVATION		
ITEM	AREA SF	PERCENT
ELEVATION AREA	5633	
DOORS & WINDOWS (DED.)	436	
ACCOUNTABLE AREA	5197	100%
MASONRY (STONE)	7344	75%
MASONRY (BRICK FACE)	6100	64%
EPS BANDS & MOLDING	750	8%



3 SE ELEVATION (ALLEY)
NOT TO SCALE

MATERIAL COVERAGE - SE ELEVATION		
ITEM	AREA SF	PERCENT
ELEVATION AREA	6471	
DOORS & WINDOWS (DED.)	0	
ACCOUNTABLE AREA	6471	100%
MASONRY (STONE)	3771	2%
MASONRY (BRICK FACE)	4960	76%
EPS BANDS & MOLDING	340	8%

BUILDING & MASONRY FENCE HEIGHTS		
ITEM	HEIGHT	MAX HEIGHT
BUILDING A	10'-0"	20'-0"
BUILDING B	10'-0"	20'-0"
BUILDING C	14'-0"	21'-0"
BUILDING D	14'-0"	21'-0"
BUILDING E	10'-0"	18'-0"
BUILDING F	10'-0"	18'-0"
BUILDING G	10'-0"	18'-0"
BUILDING H	10'-0"	18'-0"
MASONRY FENCE - BLDG. B & F	10'-0"	18'-0"
MASONRY FENCE - BLDG. E & G	10'-0"	18'-0"
MASONRY FENCE - BLDG. C & D	14'-0"	21'-0"
MASONRY FENCE - BLDG. H & A	10'-0"	18'-0"

MATERIAL COVERAGE - NW ELEVATION		
ITEM	AREA SF	PERCENT
ELEVATION AREA	6471	
DOORS & WINDOWS (DED.)	768	
ACCOUNTABLE AREA	6203	100%
MASONRY (STONE)	3354	2%
MASONRY (BRICK FACE)	4355	70%
EPS BANDS & MOLDING	340	8%



4 NW ELEVATION
NOT TO SCALE

PRELIMINARY - NOT FOR CONSTRUCTION

REVISION	NO.

EW FACILITY
STORAGE
LVD. (@ COLONEL DR.)
XAS

EXHIBIT E

ADDRESS: 8711
P.O. BOX 13119-2
FAX: 817-558-8333
WWW.JLCONCRETE.COM

BUILDING & FENCE, LLC

ELEVATIONS	
Date	04-09-2014
Scale	As Noted
Drawn	JL
Job	12051
Sheet	

A1

CASE NUMBER: 131119-2

REPORT & MINUTES

P.C. Meeting, April 14, 2014 (6 Members Present)

Consideration of the application of Masterplan, requesting approval of 1) a change of zoning from Planned Development (PD) District 95-42 and Planned Development (PD) District 06-38, both for General Business Uses, to a Planned Development (PD) District for Limited General Business Uses and Self-Storage Units, 2) a Detail Plan for Self-Storage Units, and 3) variances to Sections 25-500 of the Zoning Ordinance and 5.0 of the Screening and Landscape Standards regarding lot coverage and methods of screening non-residential side and rear yards from residential districts. The property is located on the south side of Broadway Boulevard, approximately 500 linear feet southeast from the intersection of Colonel Drive and Broadway Boulevard. (File 14-04)

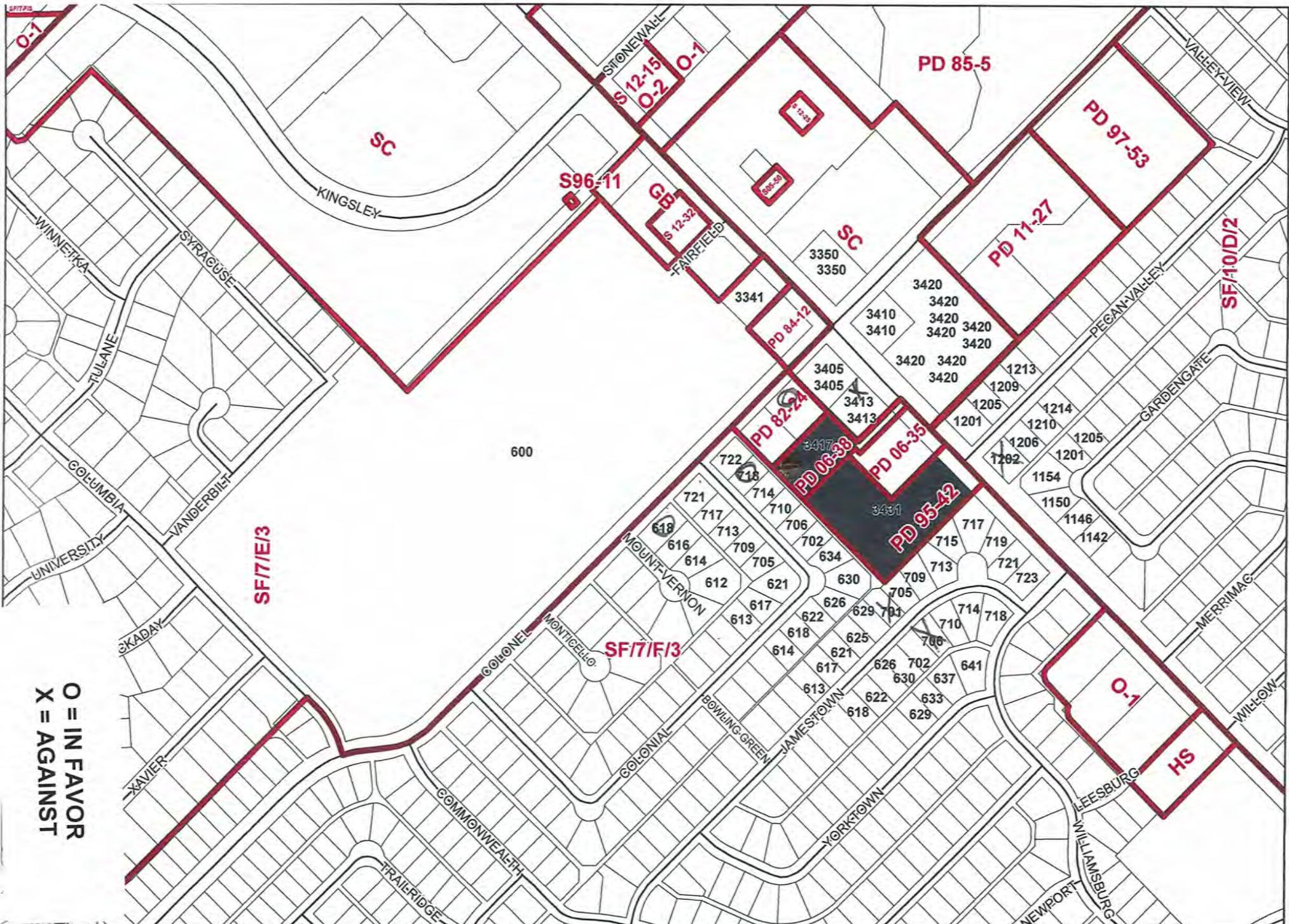
The applicant Dallas Cothrum, 900 Jackson, Dallas, TX gave an overview of the application request. He also outlined concerns citizens expressed from a neighborhood meeting that was held by the applicant. The applicant remained available for questions.

Commissioner Dalton questioned if there would be outdoor storage and asked if the applicant was still willing to repair the fencing that had fallen into disrepair.

Mr. Cothrum stated there would be no outside storage. He spoke with the adjacent property owner, Mr. Getz, regarding the existing fence and the possibility of replacing it with certain conditions. The land owner stated he was going to replace the fencing with something similar to what is already there.

Jim Medley, 718 Colonial Dr, Garland, Texas, spoke in support of the request, but had concerns regarding the fencing in its current state.

Motion was made by Commissioner O'Hara, seconded by Commissioner Welborn to close the public hearing and **approve** the request per staff recommendation. **Motion carried: 6 Ayes, 0 Nays.**



ZONING Z 14-04

INDICATES AREA OF REQUEST



GARLAND

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

April 3, 2014

HEARING DATE/TIME: Plan Commission: April 14, 2014 – 7:00 PM

APPLICANT: Masterplan

File Z 14-04

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 14, 2014, in the Council Chambers of City Hall, 200 North Fifth Street, to consider the application of **Masterplan** requesting approval of 1) a change of zoning to a Planned Development (PD) District for Limited General Business Uses and Self Storage Units, 2) a Detail Plan for Self Storage Units, and 3) variances to Sections 25-500 of the Zoning Ordinance and 5.0 of the Screening and Landscape Standards regarding lot coverage and methods of screening non-residential side and rear yards from residential districts. The property is shown on the enclosed sketch and is described as follows:

Being approximately a 3.53 tract of land and identified as all of Lot 5, Block 4, Colonial Acres No. 3 Replat of Lot 4, Block 4 and all of Lot 3R, Block 4, Replat of part of Lot 3, Block 4 Colonial Acres No. 3, two additions to the City of Garland, Texas according to the final plats recorded in instrument No. 200600275736 and at Volume 2005003, Page 105 of the Dallas County Clerk's Records. The property is located on the south side of Broadway Boulevard, approximately 500 linear feet southeast from the intersection of Colonel Drive and Broadway Boulevard, Garland, TX. (District 4)

Note: The applicant requests approval of a change of zoning and a Detail Plan to develop the property with self-storage units. Additionally, the applicant request variances to exceed the maximum percentage of the lot area that is allowed to be occupied by buildings and employ an alternative method consisting of masonry walls and the building elevations to screen the rear and side yards from the residential properties.

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.

(Please complete the following information)

Your Property Address

Jennifer Parker

Printed Name

746 Colonel Dr Garland TX 75043

Address

Suite 26

City, State

Zip

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

Signature

Jennifer Parker

Title

owner

Date:

4/10/14



April 3, 2014

HEARING DATE/TIME: Plan Commission: April 14, 2014 – 7:00 PM

APPLICANT: Masterplan

File Z 14-04

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 14, 2014, in the Council Chambers of City Hall, 200 North Fifth Street, to consider the application of **Masterplan** requesting approval of 1) a change of zoning to a Planned Development (PD) District for Limited General Business Uses and Self Storage Units, 2) a Detail Plan for Self Storage Units, and 3) ~~variances to Sections 25-500 of the Zoning Ordinance and 5.0 of the Screening and Landscape Standards regarding lot coverage and methods of screening non-residential side and rear yards from residential districts.~~ The property is shown on the enclosed sketch and is described as follows:

Being approximately a 3.53 tract of land and identified as all of Lot 5, Block 4, Colonial Acres No. 3 Replat of Lot 4, Block 4 and all of Lot 3R, Block 4, Replat of part of Lot 3, Block 4 Colonial Acres No. 3, two additions to the City of Garland, Texas according to the final plats recorded in instrument No. 200600275736 and at Volume 2005003, Page 105 of the Dallas County Clerk's Records. The property is located on the south side of Broadway Boulevard, approximately 500 linear feet southeast from the intersection of Colonel Drive and Broadway Boulevard, Garland, TX. (District 4)

Note: The applicant requests approval of a change of zoning and a Detail Plan to develop the property with self-storage units. Additionally, the applicant request variances to exceed the maximum percentage of the lot area that is allowed to be occupied by buildings and employ an alternative method consisting of masonry walls and the building elevations to screen the rear and side yards from the residential properties.

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 am in favor of the request as long as the fence, set back, upkeep and the plans that were discussed with Commissioner Williams and the Masterplan reps.
(Please complete the following information)

Your Property Address

Printed Name Jim Medley

Address 718 Colonial Dr City, State Garland TX Zip 75043

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

Signature Jim Medley Title _____

Date: 4-11-2014



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

April 3, 2014

HEARING DATE/TIME: Plan Commission April 14, 2014 – 7:00 PM

APPLICANT: Masterplan

File Z 14-04

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 14, 2014, in the Council Chambers of City Hall, 200 North Fifth Street, to consider the application of **Masterplan** requesting approval of 1) a change of zoning to a Planned Development (PD) District for Limited General Business Uses and Self Storage Units, 2) a Detail Plan for Self Storage Units, and 3) variances to Sections 25-500 of the Zoning Ordinance and 5.0 of the Screening and Landscape Standards regarding lot coverage and methods of screening non-residential side and rear yards from residential districts. The property is shown on the enclosed sketch and is described as follows:

Being approximately a 3.53 tract of land and identified as all of Lot 5, Block 4, Colonial Acres No. 3 Replat of Lot 4, Block 4 and all of Lot 3R, Block 4, Replat of part of Lot 3, Block 4 Colonial Acres No. 3, two additions to the City of Garland, Texas according to the final plats recorded in instrument No. 200600275736 and at Volume 2005003, Page 105 of the Dallas County Clerk's Records. The property is located on the south side of Broadway Boulevard, approximately 500 linear feet southeast from the intersection of Colonel Drive and Broadway Boulevard, Garland, TX. (District 4)

Note: The applicant requests approval of a change of zoning and a Detail Plan to develop the property with self-storage units. Additionally, the applicant request variances to exceed the maximum percentage of the lot area that is allowed to be occupied by buildings and employ an alternative method consisting of masonry walls and the building elevations to screen the rear and side yards from the residential properties.

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 BELIEVE THIS IMPROVEMENT WILL BE A BAD IDEA
CAUSING PROBLEMS WITH HOME OWNERS GETTING IN & OUT OF DRIVES
AND CAUSING A BAD VISUAL SITUATION TO SEE BURGLARS OR VANDALS IN
(Please complete the following information)

Your Property Address

701 JAMESTOWN

Printed Name

TC CALLAWAY III

GARLAND TX

75043

Address

City, State

Zip

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

Signature

TC Callaway III

OWNER 4/12/14

Title

Date: _____

APPLICANT: Masterplan

File Z 14-04

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 14, 2014, in the Council Chambers of City Hall, 200 North Fifth Street, to consider the application of Masterplan requesting approval of 1) a change of zoning to a Planned Development (PD) District for Limited General Business Uses and Self Storage Units, 2) a Detail Plan for Self Storage Units, and 3) variances to Sections 25-500 of the Zoning Ordinance and 5.0 of the Screening and Landscape Standards regarding lot coverage and methods of screening non-residential side and rear yards from residential districts. The property is shown on the enclosed sketch and is described as follows:

Being approximately a 3.53 tract of land and identified as all of Lot 5, Block 4, Colonial Acres No. 3 Replat of Lot 4, Block 4 and all of Lot 3R, Block 4, Replat of part of Lot 3, Block 4 Colonial Acres No. 3, two additions to the City of Garland, Texas according to the final plats recorded in instrument No. 200600275736 and at Volume 2005003, Page 105 of the Dallas County Clerk's Records. The property is located on the south side of Broadway Boulevard, approximately 500 linear feet southeast from the intersection of Colonel Drive and Broadway Boulevard, Garland, TX, (District 4)

Note: The applicant requests approval of a change of zoning and a Detail Plan to develop the property with self-storage units. Additionally, the applicant request variances to exceed the maximum percentage of the lot area that is allowed to be occupied by buildings and employ an alternative method consisting of masonry walls and the building elevations to screen the rear and side yards from the residential properties.

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.

(Please complete the following information)

Your Property Address

GARY SCHWARZ

Printed Name

750 COLONEL DR STE 1A GARLAND 75043

Address City, State Zip

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

Gary Schwarz Owner

Signature Title

Date: 4/11/14



GARLAND

April 3, 2014

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

HEARING DATE/TIME: Plan Commission; April 14, 2014 – 7:00 PM

APPLICANT: Masterplan

File Z 14-04

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 14, 2014, in the Council Chambers of City Hall, 200 North Fifth Street, to consider the application of **Masterplan** requesting approval of 1) a change of zoning to a Planned Development (PD) District for Limited General Business Uses and Self Storage Units, 2) a Detail Plan for Self Storage Units, and 3) variances to Sections 25-500 of the Zoning Ordinance and 5.0 of the Screening and Landscape Standards regarding lot coverage and methods of screening non-residential side and rear yards from residential districts. The property is shown on the enclosed sketch and is described as follows:

Being approximately a 3.53 tract of land and identified as all of Lot 5, Block 4, Colonial Acres No. 3 Replat of Lot 4, Block 4 and all of Lot 3R, Block 4, Replat of part of Lot 3, Block 4 Colonial Acres No. 3, two additions to the City of Garland, Texas according to the final plats recorded in instrument No. 200600275736 and at Volume 2005003, Page 105 of the Dallas County Clerk's Records. The property is located on the south side of Broadway Boulevard, approximately 500 linear feet southeast from the intersection of Colonel Drive and Broadway Boulevard, Garland, TX. (District 4)

Note: The applicant requests approval of a change of zoning and a Detail Plan to develop the property with self-storage units. Additionally, the applicant request variances to exceed the maximum percentage of the lot area that is allowed to be occupied by buildings and employ an alternative method consisting of masonry walls and the building elevations to screen the rear and side yards from the residential properties.

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.

(Please complete the following information)

Your Property Address

ROBERT PLACE, JR.
 Printed Name
618 COLONIAL GARLAND, TX 75043
 Address City, State Zip

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

Robert Place Jr.
 Signature Title PROPERTY OWNER
 Date: April 10, 2014



GARLAND

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

April 3, 2014

HEARING DATE/TIME: Plan Commission: April 14, 2014 – 7:00 PM

APPLICANT: Masterplan

File Z 14-04

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 14, 2014, in the Council Chambers of City Hall, 200 North Fifth Street, to consider the application of **Masterplan** requesting approval of 1) a change of zoning to a Planned Development (PD) District for Limited General Business Uses and Self Storage Units, 2) a Detail Plan for Self Storage Units, and 3) variances to Sections 25-500 of the Zoning Ordinance and 5.0 of the Screening and Landscape Standards regarding lot coverage and methods of screening non-residential side and rear yards from residential districts. The property is shown on the enclosed sketch and is described as follows:

Being approximately a 3.53 tract of land and identified as all of Lot 5, Block 4, Colonial Acres No. 3 Replat of Lot 4, Block 4 and all of Lot 3R, Block 4, Replat of part of Lot 3, Block 4 Colonial Acres No. 3, two additions to the City of Garland, Texas according to the final plats recorded in instrument No. 200600275736 and at Volume 2005003, Page 105 of the Dallas County Clerk's Records. The property is located on the south side of Broadway Boulevard, approximately 500 linear feet southeast from the intersection of Colonel Drive and Broadway Boulevard, Garland, TX. (District 4)

Note: The applicant requests approval of a change of zoning and a Detail Plan to develop the property with self-storage units. Additionally, the applicant request variances to exceed the maximum percentage of the lot area that is allowed to be occupied by buildings and employ an alternative method consisting of masonry walls and the building elevations to screen the rear and side yards from the residential properties.

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.

(Please complete the following information)

Your Property Address 1202 Pecan Valley

Printed Name LARRY DOBBINS GARLAND, TX 75043

Address 1202 Pecan Valley City, State Zip

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

Signature [Signature] Title OWNER

Date: 4-8-14



GARLAND

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

April 3, 2014

HEARING DATE/TIME: Plan Commission: April 14, 2014 – 7:00 PM

APPLICANT: Masterplan

File Z 14-04

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 14, 2014, in the Council Chambers of City Hall, 200 North Fifth Street, to consider the application of **Masterplan** requesting approval of 1) a change of zoning to a Planned Development (PD) District for Limited General Business Uses and Self Storage Units, 2) a Detail Plan for Self Storage Units, and 3) variances to Sections 25-500 of the Zoning Ordinance and 5.0 of the Screening and Landscape Standards regarding lot coverage and methods of screening non-residential side and rear yards from residential districts. The property is shown on the enclosed sketch and is described as follows:

Being approximately a 3.53 tract of land and identified as all of Lot 5, Block 4, Colonial Acres No. 3 Replat of Lot 4, Block 4 and all of Lot 3R, Block 4, Replat of part of Lot 3, Block 4 Colonial Acres No. 3, two additions to the City of Garland, Texas according to the final plats recorded in instrument No. 200600275736 and at Volume 2005003, Page 105 of the Dallas County Clerk's Records. The property is located on the south side of Broadway Boulevard, approximately 500 linear feet southeast from the intersection of Colonel Drive and Broadway Boulevard, Garland, TX. (District 4)

Note: The applicant requests approval of a change of zoning and a Detail Plan to develop the property with self-storage units. Additionally, the applicant request variances to exceed the maximum percentage of the lot area that is allowed to be occupied by buildings and employ an alternative method consisting of masonry walls and the building elevations to screen the rear and side yards from the residential properties.

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.

It could reduce property values

(Please complete the following information)

Your Property Address

STAMPES LLC by John Stampes

Printed Name

706 Jamestown Garland 75043

Address

City, State

Zip

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

Signature

[Signature] Manager

Title

Date:

4/10/14



Planning Report

Merriwood Ranch

Southeast of the intersection of East Miller Road and East Centerville Road

REQUEST

Approval of 1) an amendment to Planned Development Districts (04-10 and 02-03) for Single Family Uses, Design Center, Stables and Barns, and 2) a Detail Plan for a Riding Academy/Stables and Day Camp.

OWNER

Sooner Ranch Properties

PLAN COMMISSION RECOMMENDATION

On April 14, 2014 the Plan Commission, by a vote of five (5) to zero (0), recommended approval of 1) an amendment to Planned Development Districts (04-10 and 02-03) for Single Family Uses, Design Center, Stables and Barns, and 2) a Detail Plan for a Riding Academy/Stables and Day Camp.

STAFF RECOMMENDATION

Approval of 1) an amendment to Planned Development Districts (04-10 and 02-03) for Single Family Uses, Design Center, Stables and Barns, and 2) a Detail Plan for a Riding Academy/Stables and Day Camp. The proposed request is consistent with the recommendation of Envision Garland in that a portion of the property will be developed with single family homes. The nature of the riding academy and day camp is such that the uses are compatible within a ranch style single family residential area desired to be within an agricultural setting.

BACKGROUND

The subject property is currently zoned Planned Development (PD) Districts 02-03 and 04-10 for Single Family, Stables, Office and Accessory Uses and has never developed. The entire property was originally incorporated into PD 02-03 with a detail plan that reflected eight single family lots on the original Tract 1, a design center, stables and barns on Tract 3, and future office on Tract 2. In 2004, a revised detail plan was approved under PD 04-10 which included a Detail Plan for twelve single family lots on Tract 1, and a design center, stables, barns and 2 residences on Tract 3. Tract 2 was not included in the PD 04-10.

The applicant requests amendments to the existing Planned Developments to add riding academy and day camp uses and amend the Detail Plan to reflect the new building locations for a clubhouse, barns and shade structures to be used in

association with the proposed uses. The 7.39-acre portion originally identified as twelve single family lots will be subject to future Detail Plan approval.

SITE DATA

The subject property contains 33.06-acres with approximately 1,644 feet of frontage along East Miller Road.

USE OF PROPERTY UNDER CURRENT ZONING

The subject property is currently zoned Planned Development (PD) Districts 02-03 and 04-10 for Single Family, Stables, Office and Accessory Uses (Design Center, Barns). The intent of the original PD 02-03 was to create a single family subdivision with horse stables and barns to create a ranch style development. The subsequent PD 04-10 further refined that vision by putting into place conditions related to the development of single family homes on a portion of the property and still allow for stables, barns and the relocation of the existing homes on the property at the time. While the current Planned Development Districts allow for stables, the request to amend the uses to allow riding academy and day camp solidifies the proposed use as more commercial in nature than the originally intended private stable/ranch style development.

CONSIDERATIONS

1. Merriwood Ranch, formerly located in north Garland, is a riding academy that offers riding lessons and summer camps for children ages 7 to 14 years old. The applicant intends to continue this operation on the subject property with approval of the request. Riding lessons are offered Tuesday through Saturday, during the school year, in the morning and afternoon. The summer camp is typically held during June and July, Monday through Friday from 9:00am to 4:00pm.
2. The proposed 1,950 square foot clubhouse/office reflected on the Detail Plan will be utilized for restroom facilities, changing rooms, and a common area for games and other activities. The proposed 1,600 square foot barn will house the equipment necessary for the proposed use (saddles, bridles, reins, tractor, and mower) and include a small office of administrative tasks. Due to the use of the property as a summer camp and nature of outdoor activities, the applicant proposes to construct approximately 4 shade structures. There will also be some accessory structures constructed for operation with the horses (loafing sheds). There is a single family home, currently permitted, that will be constructed at the southern end of the property that will be occupied as a caretaker's quarters.
3. The current Planned Development conditions added provisions for building materials of the clubhouse, barns and single family homes. The applicant is proposing to maintain those conditions which allow for the clubhouse to be constructed of wood siding and the barn to be constructed of architecturally designed metal.

4. Single Family Development: As previously stated, the approximately 7.39-acre portion of the property that currently allows for single family residences is still proposed for that use. However, a new Detail Plan shall be approved to reflect a revised lot configuration given the changes created with the proposed riding academy/day camp. The applicable conditions that were approved under PD 04-10 have been retained to ensure the original nature of the single family portion of the development is maintained.
5. Access: Access to the site will be from East Miller Road. There is an existing access easement that extends from the alley to the south which can be used to access the single family home at the southern end of the property (caretaker's quarters).
6. Screening/Landscaping: There were specific conditions approved within PD 04-10 and 02-03 regarding fencing and screening features on the site. Those provisions have been maintained and slightly modified to reflect a change from wood fence to wrought iron fence for the portion of fence along the west property line. Details of the screening wall, landscaping, and entry features of the future single family development will be provided at the time of Detail Plan approval. The portion of the property that will be developed with the clubhouse, barn, shade structures and parking area will meet the requirements of the Screening and Landscape Ordinance including landscape buffer and required trees, parking lot landscaping and screening.
7. The site is a known former landfill and an environmental report has been completed on the portion of the property to be developed with the riding academy and day camp. Based on those findings, the applicant shall be required to satisfy the City of Garland Health Department and TCEQ requirements prior to disturbing the landfill area or issuance of a site and/or building permit as a condition of the Planned Development.

COMPREHENSIVE PLAN

The Future Land Use Map of the Envision Garland Plan recommends Traditional Neighborhoods for the subject property. Traditional neighborhoods provide areas for low to moderate density single-family detached residential housing. Traditional neighborhoods also accommodate convenience retail (goods and services), office space, and public services. The Traditional Neighborhood development type is primarily characterized as low density, single-family detached (between one and six dwelling units per acre). The proposed request is consistent with the recommendation of Envision Garland in that a portion of the property will be developed with single family homes. The nature of the riding academy and day camp is such that the uses are compatible within a ranch style single family residential area desired to be within an agricultural setting.

COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

The surrounding area is primarily zoned for and developed with single family residences. The property to the north, across East Miller Road, is zoned Planned Development (PD) 13-01 for Single Family uses. Properties to the east and northeast across East Miller Road are zoned Agriculture (AG) District and are

undeveloped. Properties at the intersection of Miller and Centerville Roads are zoned Shopping Center District and Planned Development 85-24 for Shopping Center Uses and are undeveloped.

The use of the property for low to medium density residential is consistent with the existing development pattern in the surrounding area. In addition, the conditions proposed will encourage future development of the single family development to be designed in a manner compatible with the proposed equestrian use on the remaining portion of property. The riding academy and day camp, while more commercial in nature than the originally approved stables and barns, add to the original vision of the site as a more agricultural setting.

Prepared By:

Chasidy Allen, AICP
Principal Planner

Date: April 24, 2014

Reviewed By:

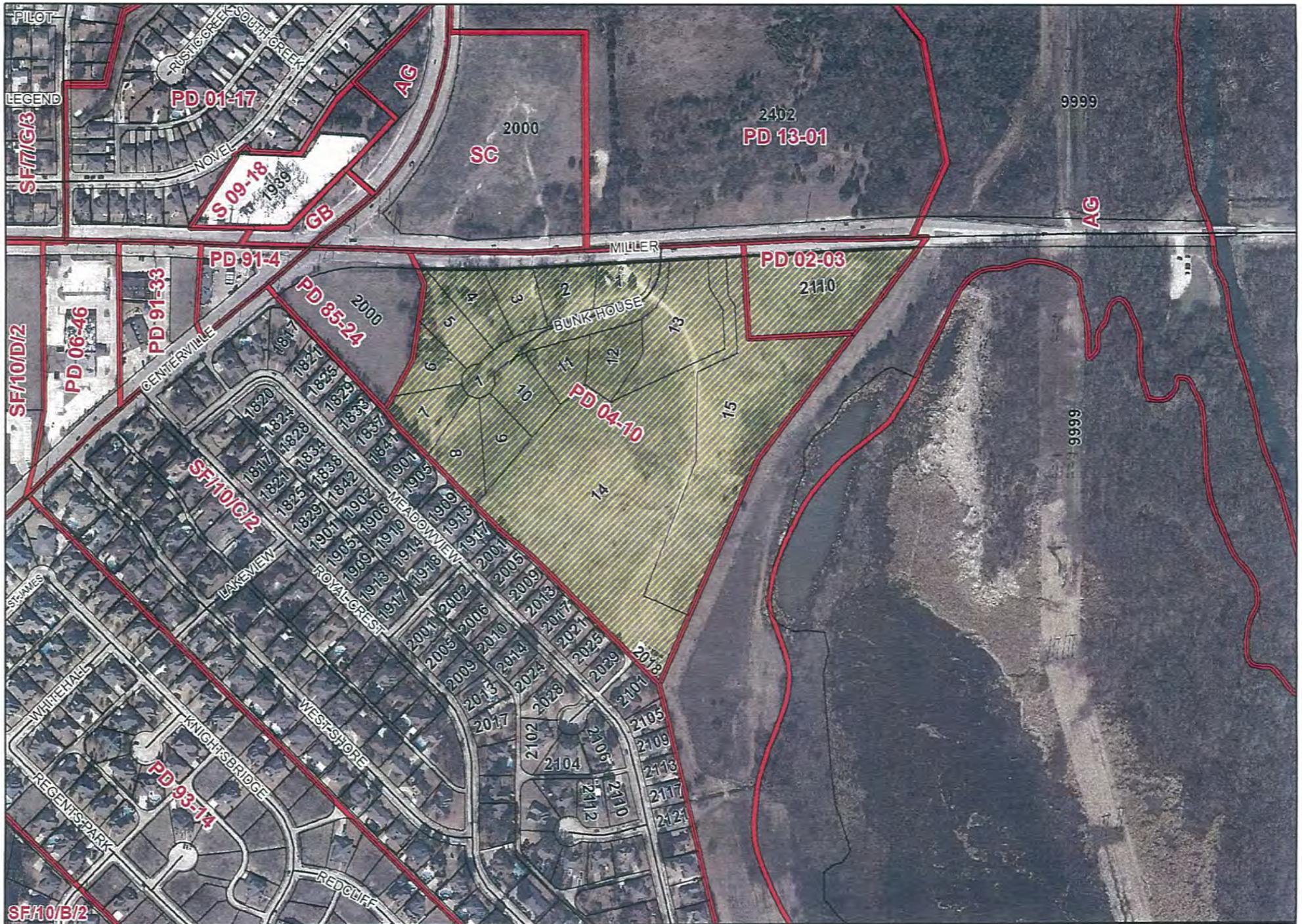
Anita Russelmann
Director of Planning

Date: April 25, 2014

Reviewed By:

William E. Dollar
City Manager

Date: April 28, 2014



0 200 400 Feet

ZONING Z 14-11

 INDICATES AREA OF REQUEST

PLANNED DEVELOPMENT CONDITIONS

ZONING FILE 14-11

South of East Miller Road and east of Centerville Road Tract 1- Single Family Subdivision

- I. **Statement of Purpose:** The purpose of this PD (Planned Development) District is to permit the development of a single family subdivision. The residential subdivision shall be an integral part of the of the Planned Development (PD) District which also permits the development of a stables, a barn, and accessory uses.
- II. **Statement of Effect:** This Planned Development District shall not affect any regulation found in the Comprehensive Zoning Ordinance, Ordinance No. 4647 as amended prior to adoption of this ordinance, except as specifically provided herein.
- III. **General Regulations:** All regulations of the SF/16/A/1 {Single Family Dwelling) District set forth at Sections 18, and 32 of the Comprehensive Zoning Ordinance are included by reference and shall apply, except as otherwise specified in this ordinance.
- IV. **Development Plans:**
 - A. Detail Plan: Prior to development on Tract 1 of the subject property or portion thereof, a Detail Plan and conditions shall be approved through the public hearing process.
- V. **Specific Regulations:**
 - A. Permitted Uses: Only single family detached residential homes shall be permitted on the property.
 - B. Minimum Lot Size: The minimum lot size shall be 27,000 square feet.
 - C. Minimum Dwelling Unit Size: The minimum dwelling unit size shall be 2,800 square feet.
 - D. Minimum Lot Width: The minimum lot width shall be 70 feet measured at the front building line setback.
 - E. Minimum Front Yard Setback: The minimum front yard setback shall be 50 feet.
 - F. Minimum Interior Rear Yard Setback: The minimum rear yard setback shall be 20 feet.
 - G. Minimum Rear Yard Setback Adjacent to a Street: The minimum rear yard setback adjacent to a street shall be 30 feet.
 - H. Building Materials: Materials used for the exterior walls and chimney construction of

each residential unit is proposed to be 80% brick, stone, or stucco.

- I. Garages: A minimum 2-car garage shall be provided for each house. The driveways shall be J-drives or swing drives so that no garage faces the street.
- J. Lot Coverage: The maximum lot coverage shall be 50%.
- K. Homeowners Association: A homeowners association shall be incorporated and each lot/homeowner shall be a mandatory member. The bylaws of the association shall establish a system of payment of dues; a system of enforcement of its rules and regulations; shall establish a clear and distinct definition of the responsibility of each member; and other provisions as deemed appropriate to secure a sound and stable association. The Bylaws for this association shall be submitted to the Director of Planning for review and approval prior to commencement of construction of any infrastructure improvements within the subdivision.
- L. Maintenance of Private Streets, Landscape Areas, Entry Features, Screening Walls and Other Amenities: Maintenance of the private street, landscaped medians, entry features, screening wall, irrigation, and other amenities shall be the responsibility of the homeowners association.
- M. Alleys: Alleys shall be waived for the residential development.
- N. Sidewalks: Sidewalks internal to the subdivision shall be waived.
- O. Screening Features: A minimum 6-foot high masonry stone wing wall shall be installed along the entryway of the residential development. The stone wing wall shall transition into a PVC rail fence along the common area lot adjacent to Miller, which shall transition into a 6-foot high thin brick wall along the rear property line of the residential lots. Tree planting shall be provided adjacent to the screen walls along Miller Road. A minimum 6-foot high wood privacy fence shall be permitted along the west and southwest perimeter of the property. A privacy fence shall also be permitted along the interior yards. Those lots contained within the view corridor of the lake and the nature area (Lots 8-12) shall be permitted 6-foot high privacy fences transitioning into 4-foot high fences in order to maximize the view of Lake Ray Hubbard and the Woodland Basin Nature Area to the south of the property. The fencing shall consist of wrought iron or PVC rail fencing or a fence material which is similar in appearance.
- P. Street Design Specifications: The street would be constructed to public street standards with a minimum of 60 feet dedicated for street, utility, access easement. The minimum pavement width shall be 27 feet and shall be constructed with concrete in accordance with City standards. Curb and gutter shall not be required.
- Q. Landfill Issues: The applicant shall be required to satisfy the City of Garland Health Department, TCEQ and TNRCC requirements prior to disturbing the landfill or issuance of a site permit and/or building permit.

- R. Information Clause: The applicant shall be required to inform all prospective developers and homeowners that the subject property is located on or near a closed landfill and that there are no written records available on the type of materials buried on the site.

PLANNED DEVELOPMENT REQUIREMENTS

ZONING FILE 14-11

South of East Miller Road and east of Centerville Road Tract 2 – Riding Academy/Stables, Day Camp, Barns, Stables and One Single Family Home

- I. **Statement of Purpose:** The purpose of this PD (Planned Development) District is to permit the development of a riding academy/stables, day camp, barns and accessory uses. In addition, one single family residence shall be located on the subject property.
- II. **Statement of Effect:** This Planned Development District shall not affect any regulation found in the Comprehensive Zoning Ordinance, Ordinance No. 4647, as amended prior to adoption of this ordinance, except as specifically provided herein.
- III. **General Regulations:** All regulations of the Office 1 (0-1) District set forth at Sections 20, and 32 of the Comprehensive Zoning Ordinance are included by reference and shall apply, except as otherwise specified in this ordinance, to the Clubhouse, Day Camp, Barn and Riding Academy/Stables development. The single family residence shall be required to comply with the Single Family Dwelling (SF/16/A/1) District set forth in Section 18-100 of the Comprehensive Zoning Ordinance are included by reference and shall apply, except as otherwise specified in the this ordinance.

IV. **Development Plans:**

Detail Plan: Development shall be in general conformance with the Detail Plan as set forth in Exhibit C.

V. **Specific Regulations:**

A. Permitted Uses: Only the following uses shall be permitted;

- Riding Academy/Stables
- Day Camp
- One Single Family Residence

The structures permitted in conjunction with the permitted uses include:

- Clubhouse
- Two Barns
- Three Loafing Sheds
- Four Shade Structures

B. Minimum Dwelling Unit Area: The minimum dwelling unit area of the single family home shall be 1,100 square feet.

C. Exterior Elevation Requirements:

Clubhouse: The elevations of the design center shall consist of wood siding with either a composition or standing seam metal roof.

Barn: The elevations of the barn shall consist of architecturally designed metal.

One New Single Family Residence: The elevations of the single family home shall consist of siding with a composite shingle roof.

D. Signage: Attached and freestanding signage shall be in compliance with residential signage requirements as specified in the City of Garland Sign Ordinance.

E. Screening and Landscaping: Screening and Landscaping shall comply with the City of Garland Screening and Landscaping Standards. In addition, a minimum 6-foot high wrought iron fence has been provided along a portion of the west property line, where the new home is located and transition into a 4-foot high wrought iron/PVC/Pipe rail fence up to the wood fence abutting the residential portion of the Planned Development. A wrought iron fence/PVC/Pipe rail fence or a fence similar in appearance is being proposed along the interior perimeter of the property. The general location of the fencing shall be as reflected on the Detail Plan labeled Exhibit C.

F. Sidewalks: Sidewalks shall be waived for this portion of the development.

G. Lighting: The development would be required to comply with the City of Garland Glare and Illumination Ordinance.

H. Landfill Issues: The applicant shall be required to resolve the City of Garland Health Department, TCEQ, and TNRCC requirements prior to disturbing the landfill or issuance of a site permit and/or building permit.

I. Screening Requirements:

Single Family Residences: A minimum 6-foot high wood fence is being proposed along a portion of the west property line. The wood fence shall transition into a minimum 4-foot high wrought iron fence along the west property line up to the wood fence abutting the residential portion of the Planned Development. A wrought iron fence shall be provided along the interior perimeter of the properties.

J. Lift Station: The Detail Plan reflects the existing lift station along the eastern interior perimeter of Tract 2.

K. Animals Housed on Site: The applicant shall coordinate efforts with the Health Department to verify which animal species shall be permitted on site (Tract 2).

Merriwood Ranch

Historical Information

Merriwood Ranch was established in Garland, by Marilou "Moey" Rutledge as a summer camp with 5 horses and 8 campers in the spring of 1956. Today, Merriwood offers full-time English hunter/jumper and equitation riding lessons on Tuesday through Saturdays, during the school year, with lessons in the morning and afternoon. During the months of June and July Merriwood Summer Camp is attended by children ages 7 to 14. The daily camp runs from 9 am to 4 pm Monday through Friday each week. This year will be the 58th Summer Camp at Merriwood

For students interested in competition, we host student schooling shows and attend recognized North Texas Hunter Jumper Club horseshows. With plenty of space for a long canter over our cross-country jumps, a lesson in one of our arenas, or a relaxing trail ride, you'll feel perfectly at home on a horse at Merriwood.

Building Uses

Merriwood Ranch utilizes two buildings in order to accommodate the riders, campers and the riding equipment. The primary structure is the Clubhouse, 1,950 sq ft, which contains restroom facilities, changing rooms, refrigerators for bag-lunch storage and a central room for games and other activities. Primary use of the Clubhouse is during Summer Camp and during other times it is only used for restroom facilities. The other structure is a Barn (40'x40'), which consists of a tack room (saddles, bridles, reins, blanket storage), equipment storage (tractor, mower, implements) and a small office for daily administrative tasks. Due to the lack of trees on the property, we are proposing to utilize shade structures (post with fabric roofs or cedar pavilions). These shade structures will be used during Summer Camp to provide shade during horsemanship lessons, lunch time, as well as during riding competitions for spectators.

Summer Camp is attended by a specific group of children on a weekly basis. The maximum number of children attending each week is 55, but rarely does enrollment achieve these levels due to the number of horses available. Upon arrival the children will place their riding gear, bag lunch and other clothing items (swim suits, shorts, etc) in their designated area. Children are grouped based on riding experience into groups of no more than 15. Each group will participate in of a variety of activities centered around

hunter/jumper riding, horsemanship, swimming, crafts and other miscellaneous activities on a rotation throughout the day. While the children are in an out of the Clubhouse multiple times each day to change their attire, all activities are outside activities unless there is inclement weather. The children are picked up shortly after 4 pm each day. At the conclusion of each camp week, parents are invited to attend a riding demonstration.

Daily riding lessons are offered during the school year. Typically daily lessons include less than 30 people, except Saturdays, when the number could reach as many as 50. Riders are grouped based on experience, typically less than 10 per class, and participate in a one-hour-riding lesson. Due to the majority of our riders being school-aged children there is only one lesson each day Tuesday through Friday starting at 4:15 pm and then on Saturday multiple lesson times, 10 am to 1:30 pm, are available with children coming and going throughout the day. Although there may actually be 50 people that come on site on a given Saturday it is highly unlikely that they would all be there at the same time. Merriwood also has a 10 am session, Tuesday through Friday, which is typically attended by less than 10 adults.

There are two other buildings on the property which are not associated with the Summer Camp or daily lessons. Merriwood has a full time caretaker which oversees the facility and resides on site. We plan to build a caretaker's house, 1,451 sq ft, and a 50'x30' hay barn to store hay and feed for the horses located near the caretaker house at the south end of the property.

REPORT & MINUTES

P.C. Meeting, April 14, 2014 (6 Members Present)

Consideration of the application of Merriwood Ranch, requesting approval of 1) amendments to Planned Development Districts (04-10 and 02-03) for Single Family Uses, Design Center, Stables and Barns, and 2) a Detail Plan for a Riding Academy/Stables and Day Camp. This property is located southeast of the intersection of East Miller Road and East Centerville Road. (File 14-11)

Representing the applicant Tracy Evans, 9 Hob Hill Ln, Lucas, TX, gave a brief overview of the application request. The applicant remained available for questions.

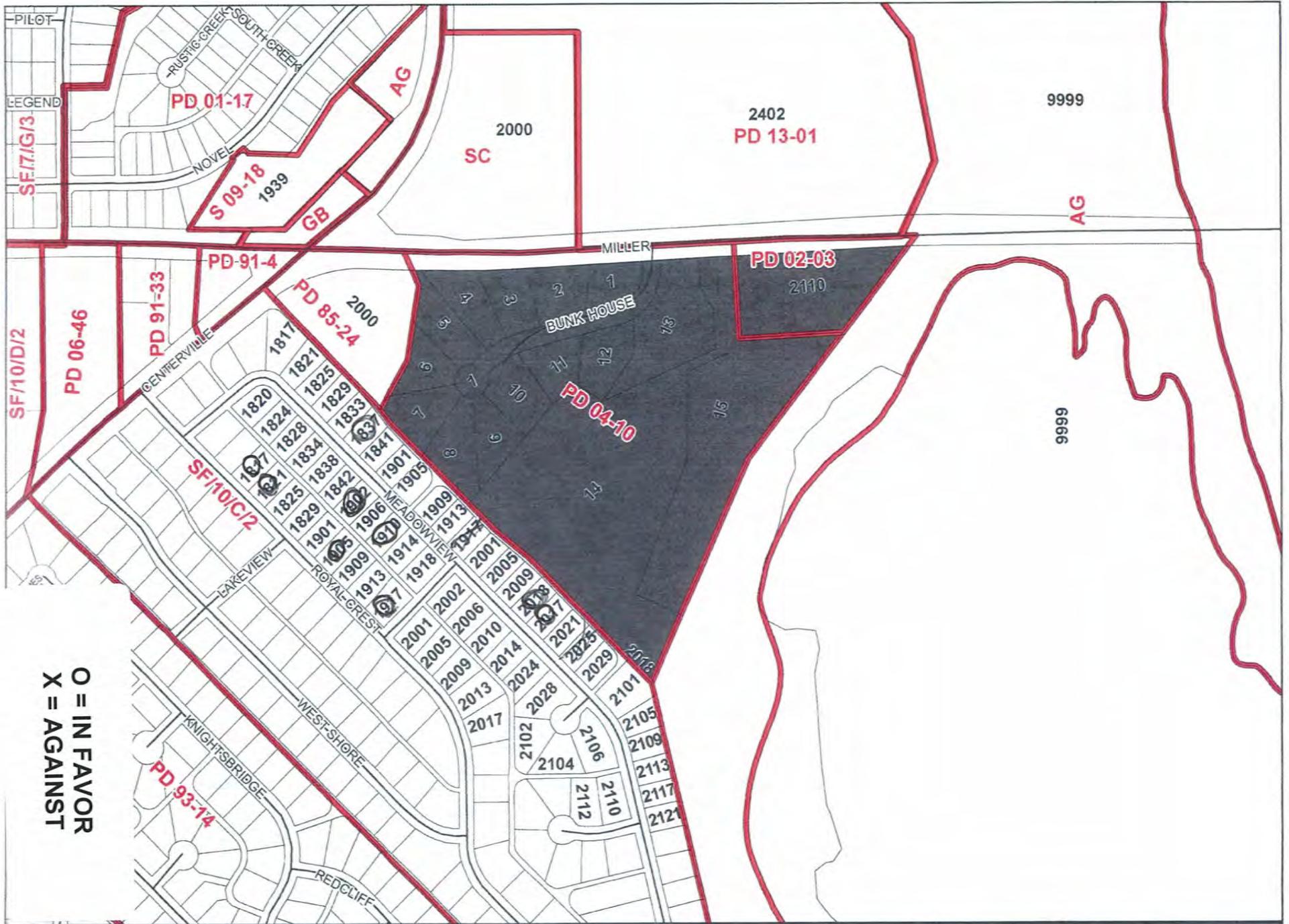
Pauketta Schrick, 1917 Meadowview, Garland, TX, spoke in opposition and expressed concern with the proximity of the fence to the alley and the possible noise from the day camp.

Albert Mandeville, 2028 Meadowview Cir, Garland, TX, spoke in opposition with concerns that he was not notified of a change in zoning, the number of horses that will be residing on site and the potential odor of horse manure.

The applicant stated that the location of the fence is not directly up against the alley, but two to three feet back from the alley.

Staff, Chasidy Allen, stated the city has ordinances in place to address the concerns of Mr. Mandeville.

Motion was made by Commissioner Welborn, seconded by Commissioner Ott to close the Public Hearing and **approve** the request per staff recommendation. Motion **carried: 5 Ayes, 0 Nays**. Commissioner Roberts recused himself from this case.



O = IN FAVOR
 X = AGAINST

0 200 400 Feet

ZONING Z 14-11

 INDICATES AREA OF REQUEST



GARLAND

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

April 2, 2014

HEARING DATE/TIME: Plan Commission: April 14, 2014 – 7:00 PM

APPLICANT: Merriwood Ranch

File 14-11

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 14, 2014, in the Council Chambers of City Hall, 200 North Fifth Street, to consider the application of **Merriwood Ranch**, requesting approval of 1) an amendment to Planned Development Districts (04-10 and 02-03) for Single Family Uses, Design Center, Stables and Barns, and 2) a Detail Plan for a Riding Academy/Stables and Day Camp. The property is shown on the enclosed sketch and is described as follows:

BEING a 29.95-acre tract of land, being all of Lots 1-16, Block 1, Chiesa Ranch, an Addition to the City of Garland, Dallas County, Texas, according to the plat thereof recorded in Volume 2004180, Page 107 of the Map Records of Dallas County, Texas and a 2.88-acre tract of land situated in the John Little Abstract No. 764, Dallas County, Texas. This property is located southeast of the intersection of East Miller Road and East Centerville Road. (District 3)

Note: The applicant requests the amendment to the Planned Developments and a Detail Plan to allow a riding academy/stables and day camp to operate on a portion of the property. An approximately 7.39-acre portion of the property will remain undeveloped for future development of a single family subdivision, subject to Detail Plan approval.

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

(Please Check One Below)

I am in favor of the request.

I am opposed to the request.

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

(Please complete the following information)

Your Property Address

Susie Wing
Printed Name

1902 Meadowview Dr. Garland
Address City, State

75043
Zip

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

Susie Wing
Signature Title

Date: _____



GARLAND

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

April 2, 2014

HEARING DATE/TIME: Plan Commission: April 14, 2014 – 7:00 PM

APPLICANT: Merriwood Ranch

File 14-11

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 14, 2014, in the Council Chambers of City Hall, 200 North Fifth Street, to consider the application of **Merriwood Ranch**, requesting approval of 1) an amendment to Planned Development Districts (04-10 and 02-03) for Single Family Uses, Design Center, Stables and Barns, and 2) a Detail Plan for a Riding Academy/Stables and Day Camp. The property is shown on the enclosed sketch and is described as follows:

BEING a 29.95-acre tract of land, being all of Lots 1-16, Block 1, Chiesa Ranch, an Addition to the City of Garland, Dallas County, Texas, according to the plat thereof recorded in Volume 2004180, Page 107 of the Map Records of Dallas County, Texas and a 2.88-acre tract of land situated in the John Little Abstract No. 764, Dallas County, Texas. This property is located southeast of the intersection of East Miller Road and East Centerville Road. (District 3)

Note: The applicant requests the amendment to the Planned Developments and a Detail Plan to allow a riding academy/stables and day camp to operate on a portion of the property. An approximately 7.39-acre portion of the property will remain undeveloped for future development of a single family subdivision, subject to Detail Plan approval.

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

(Please Check One Below)

I am in favor of the request.

I am opposed to the request.

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

(Please complete the following information)

Your Property Address 2017 Meadowview Dr Garland, TX 75043

Printed Name Robert & Ana Marti

Address _____ City, State _____ Zip _____

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

Robert C. Marti & Ana Ingrid Marti
Signature _____ Title _____

Date: 4-8-14



GARLAND

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

April 2, 2014

HEARING DATE/TIME: Plan Commission: April 14, 2014 – 7:00 PM

APPLICANT: Merriwood Ranch

File 14-11

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 14, 2014, in the Council Chambers of City Hall, 200 North Fifth Street, to consider the application of **Merriwood Ranch**, requesting approval of 1) an amendment to Planned Development Districts (04-10 and 02-03) for Single Family Uses, Design Center, Stables and Barns, and 2) a Detail Plan for a Riding Academy/Stables and Day Camp. The property is shown on the enclosed sketch and is described as follows:

BEING a 29.95-acre tract of land, being all of Lots 1-16, Block 1, Chiesa Ranch, an Addition to the City of Garland, Dallas County, Texas, according to the plat thereof recorded in Volume 2004180, Page 107 of the Map Records of Dallas County, Texas and a 2.88-acre tract of land situated in the John Little Abstract No. 764, Dallas County, Texas. This property is located southeast of the intersection of East Miller Road and East Centerville Road. (District 3)

Note: The applicant requests the amendment to the Planned Developments and a Detail Plan to allow a riding academy/stables and day camp to operate on a portion of the property. An approximately 7.39-acre portion of the property will remain undeveloped for future development of a single family subdivision, subject to Detail Plan approval.

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

(Please Check One Below)

I am in favor of the request.

I am opposed to the request.

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

THIS DEVELOPMENT WILL NOT ONLY BE A GREAT ADDITION TO OUR NEIGHBORHOOD, BUT A GREAT ADDITION TO THE CITY OF GARLAND.
(Please complete the following information)

Your Property Address

MARK WATLER

Printed Name

1817 ROYAL CREST DRIVE

Address

GARLAND, TX

City, State

75043

Zip

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

Mark J. Watler

Signature

4-8-14

Date

Title



GARLAND

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

April 2, 2014

HEARING DATE/TIME: Plan Commission: April 14, 2014 – 7:00 PM

APPLICANT: Merriwood Ranch

File 14-11

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 14, 2014, in the Council Chambers of City Hall, 200 North Fifth Street, to consider the application of **Merriwood Ranch**, requesting approval of 1) an amendment to Planned Development Districts (04-10 and 02-03) for Single Family Uses, Design Center, Stables and Barns, and 2) a Detail Plan for a Riding Academy/Stables and Day Camp. The property is shown on the enclosed sketch and is described as follows:

BEING a 29.95-acre tract of land, being all of Lots 1-16, Block 1, Chiesa Ranch, an Addition to the City of Garland, Dallas County, Texas, according to the plat thereof recorded in Volume 2004180, Page 107 of the Map Records of Dallas County, Texas and a 2.88-acre tract of land situated in the John Little Abstract No. 764, Dallas County, Texas. This property is located southeast of the intersection of East Miller Road and East Centerville Road. (District 3)

Note: The applicant requests the amendment to the Planned Developments and a Detail Plan to allow a riding academy/stables and day camp to operate on a portion of the property. An approximately 7.39-acre portion of the property will remain undeveloped for future development of a single family subdivision, subject to Detail Plan approval.

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

(Please Check One Below)

I am in favor of the request.

I am opposed to the request.

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

(Please complete the following information)

Your Property Address Patrick P. McLaughlin
Printed Name
1905 Royal Crest Garland 75043
Address City, State Zip

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

Signature Patrick P. McLaughlin Title Owner
Date: 4-9-14



GARLAND

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

April 2, 2014

HEARING DATE/TIME: Plan Commission: April 14, 2014 – 7:00 PM

APPLICANT: Merriwood Ranch

File 14-11

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 14, 2014, in the Council Chambers of City Hall, 200 North Fifth Street, to consider the application of **Merriwood Ranch**, requesting approval of 1) an amendment to Planned Development Districts (04-10 and 02-03) for Single Family Uses, Design Center, Stables and Barns, and 2) a Detail Plan for a Riding Academy/Stables and Day Camp. The property is shown on the enclosed sketch and is described as follows:

BEING a 29.95-acre tract of land, being all of Lots 1-16, Block 1, Chiesa Ranch, an Addition to the City of Garland, Dallas County, Texas, according to the plat thereof recorded in Volume 2004180, Page 107 of the Map Records of Dallas County, Texas and a 2.88-acre tract of land situated in the John Little Abstract No. 764, Dallas County, Texas. This property is located southeast of the intersection of East Miller Road and East Centerville Road. (District 3)

Note: The applicant requests the amendment to the Planned Developments and a Detail Plan to allow a riding academy/stables and day camp to operate on a portion of the property. An approximately 7.39-acre portion of the property will remain undeveloped for future development of a single family subdivision, subject to Detail Plan approval.

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

(Please Check One Below)

I am in favor of the request.

I am opposed to the request.

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

A RIDING ACADEMY IN OUR NEIGHBORHOOD, MANY COMMUNITIES CAN ONLY DREAM OF THAT. THIS IS A GREAT ADDITION TO OUR NEIGHBORHOOD AND CITY.

(Please complete the following information)

Your Property Address

1821 ROYAL CREST DRIVE, GARLAND 75043

Printed Name

SANDRA WAITER

Address

City, State

Zip

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

Sandra Waiter

Signature

Title

Date:

4-9-14



GARLAND

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

April 2, 2014

HEARING DATE/TIME: Plan Commission: April 14, 2014 – 7:00 PM

APPLICANT: Merriwood Ranch

File 14-11

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 14, 2014, in the Council Chambers of City Hall, 200 North Fifth Street, to consider the application of **Merriwood Ranch**, requesting approval of 1) an amendment to Planned Development Districts (04-10 and 02-03) for Single Family Uses, Design Center, Stables and Barns, and 2) a Detail Plan for a Riding Academy/Stables and Day Camp. The property is shown on the enclosed sketch and is described as follows:

BEING a 29.95-acre tract of land, being all of Lots 1-16, Block 1, Chiesa Ranch, an Addition to the City of Garland, Dallas County, Texas, according to the plat thereof recorded in Volume 2004180, Page 107 of the Map Records of Dallas County, Texas and a 2.88-acre tract of land situated in the John Little Abstract No. 764, Dallas County, Texas. This property is located southeast of the intersection of East Miller Road and East Centerville Road. (District 3)

Note: The applicant requests the amendment to the Planned Developments and a Detail Plan to allow a riding academy/stables and day camp to operate on a portion of the property. An approximately 7.39-acre portion of the property will remain undeveloped for future development of a single family subdivision, subject to Detail Plan approval.

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

(Please Check One Below)

I am in favor of the request.

I am opposed to the request.

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

We would like to see the entire property used as a riding academy.
(Please complete the following information)

Your Property Address

Raymond & Lois Thomas

Printed Name

1917 Royal Crest Dr, Garland, TX 75043

Address

City, State

Zip

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

Lois Thomas

Owner

Signature

Title

Date: *4-8-14*



GARLAND

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

April 2, 2014

HEARING DATE/TIME: Plan Commission: April 14, 2014 – 7:00 PM

APPLICANT: Merriwood Ranch

File 14-11

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 14, 2014, in the Council Chambers of City Hall, 200 North Fifth Street, to consider the application of **Merriwood Ranch**, requesting approval of 1) an amendment to Planned Development Districts (04-10 and 02-03) for Single Family Uses, Design Center, Stables and Barns, and 2) a Detail Plan for a Riding Academy/Stables and Day Camp. The property is shown on the enclosed sketch and is described as follows:

BEING a 29.95-acre tract of land, being all of Lots 1-16, Block 1, Chiesa Ranch, an Addition to the City of Garland, Dallas County, Texas, according to the plat thereof recorded in Volume 2004180, Page 107 of the Map Records of Dallas County, Texas and a 2.88-acre tract of land situated in the John Little Abstract No. 764, Dallas County, Texas. This property is located southeast of the intersection of East Miller Road and East Centerville Road. (District 3)

Note: The applicant requests the amendment to the Planned Developments and a Detail Plan to allow a riding academy/stables and day camp to operate on a portion of the property. An approximately 7.39-acre portion of the property will remain undeveloped for future development of a single family subdivision, subject to Detail Plan approval.

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

(Please Check One Below)

I am in favor of the request.

I am opposed to the request.

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

WE BOUGHT THIS HOUSE BECAUSE NOTHING WAS EVER TO BE BUILT BEHIND US. NOW WE HAVE A FENCE BEHIND OUR DRIVE THAT IS SO CLOSE, IT KEEPS US BLOCKED

(Please complete the following information)

Your Property Address

RONNIE & PAULETTA SCHRICK
Printed Name
1917 MEADOWVIEW DR GARLAND TX 75043
Address City, State Zip

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

Pauletta Schrick

Signature

Title

Date: *4-14-14*

THEY WANT TO ADD MORE NOISE ON TOP OF THE INCURVED AND INCURVED SECTION OF THE RESIDENTS THAT HAVE BEEN HERE

A HOT WINGER THAW THEM

INDIVIDUAL TIMES IT ICES NOW



GARLAND

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

April 2, 2014

HEARING DATE/TIME: Plan Commission: April 14, 2014 – 7:00 PM

APPLICANT: Merriwood Ranch

File 14-11

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 14, 2014, in the Council Chambers of City Hall, 200 North Fifth Street, to consider the application of **Merriwood Ranch**, requesting approval of 1) an amendment to Planned Development Districts (04-10 and 02-03) for Single Family Uses, Design Center, Stables and Barns, and 2) a Detail Plan for a Riding Academy/Stables and Day Camp. The property is shown on the enclosed sketch and is described as follows:

BEING a 29.95-acre tract of land, being all of Lots 1-16, Block 1, Chiesa Ranch, an Addition to the City of Garland, Dallas County, Texas, according to the plat thereof recorded in Volume 2004180, Page 107 of the Map Records of Dallas County, Texas and a 2.88-acre tract of land situated in the John Little Abstract No. 764, Dallas County, Texas. This property is located southeast of the intersection of East Miller Road and East Centerville Road. (District 3)

Note: The applicant requests the amendment to the Planned Developments and a Detail Plan to allow a riding academy/stables and day camp to operate on a portion of the property. An approximately 7.39-acre portion of the property will remain undeveloped for future development of a single family subdivision, subject to Detail Plan approval.

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

(Please Check One Below)

I am in favor of the request.

I am opposed to the request.

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

I AM CONCERNED ABOUT FOUL SMELLING HORSE MANURE IN LARGE PILES IMMEDIATELY BEHIND MY HOME. IN CONJUNCTION WITH THE SEWAGE PUMPING STATION IN THE SAME AREA, MY PROPERTY

VALUE HAS BEEN VIRTUALLY ELIMINATED!!! (Please complete the following information)

Your Property Address 2025 MEADOWVIEW DR., GARLAND, TX 75043

Printed Name DAVID TURNER

Address SAME City, State Zip

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

Signature David Turner Title RESIDENT/OWNER

Date: 4/14/2014



GARLAND

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

April 2, 2014

HEARING DATE/TIME: Plan Commission: April 14, 2014 – 7:00 PM

APPLICANT: Merriwood Ranch

File 14-11

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 14, 2014, in the Council Chambers of City Hall, 200 North Fifth Street, to consider the application of **Merriwood Ranch**, requesting approval of 1) an amendment to Planned Development Districts (04-10 and 02-03) for Single Family Uses, Design Center, Stables and Barns, and 2) a Detail Plan for a Riding Academy/Stables and Day Camp. The property is shown on the enclosed sketch and is described as follows:

BEING a 29.95-acre tract of land, being all of Lots 1-16, Block 1, Chiesa Ranch, an Addition to the City of Garland, Dallas County, Texas, according to the plat thereof recorded in Volume 2004180, Page 107 of the Map Records of Dallas County, Texas and a 2.88-acre tract of land situated in the John Little Abstract No. 764, Dallas County, Texas. This property is located southeast of the intersection of East Miller Road and East Centerville Road. (District 3)

Note: The applicant requests the amendment to the Planned Developments and a Detail Plan to allow a riding academy/stables and day camp to operate on a portion of the property. An approximately 7.39-acre portion of the property will remain undeveloped for future development of a single family subdivision, subject to Detail Plan approval.

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

(Please Check One Below)

I am in favor of the request.

I am opposed to the request.

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

THIS TRACT HAS BEEN UNDEVELOPED SINCE WE PURCHASED OUR HOME, WE ARE PLEASED THAT THE PROPOSED DEVELOPMENT LEAVES MOST OF THE PROPERTY UNDEVELOPED.
(Please complete the following information)

Your Property Address

Printed Name RICHARD KNAGG / BEA KNAGG

Address 2013 MEADOWVIEW DR City, State GARLAND, TX Zip 75043

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

Signature ROD A KNYG Date: 14 April 2014 Title BEA KNYG HOMEOWNERS



GARLAND

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

April 2, 2014

HEARING DATE/TIME: Plan Commission: April 14, 2014 – 7:00 PM

APPLICANT: Merriwood Ranch

File 14-11

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 14, 2014, in the Council Chambers of City Hall, 200 North Fifth Street, to consider the application of **Merriwood Ranch**, requesting approval of 1) an amendment to Planned Development Districts (04-10 and 02-03) for Single Family Uses, Design Center, Stables and Barns, and 2) a Detail Plan for a Riding Academy/Stables and Day Camp. The property is shown on the enclosed sketch and is described as follows:

BEING a 29.95-acre tract of land, being all of Lots 1-16, Block 1, Chiesa Ranch, an Addition to the City of Garland, Dallas County, Texas, according to the plat thereof recorded in Volume 2004180, Page 107 of the Map Records of Dallas County, Texas and a 2.88-acre tract of land situated in the John Little Abstract No. 764, Dallas County, Texas. This property is located southeast of the intersection of East Miller Road and East Centerville Road. (District 3)

Note: The applicant requests the amendment to the Planned Developments and a Detail Plan to allow a riding academy/stables and day camp to operate on a portion of the property. An approximately 7.39-acre portion of the property will remain undeveloped for future development of a single family subdivision, subject to Detail Plan approval.

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

(Please Check One Below)

I am in favor of the request.

I am opposed to the request.

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

(Please complete the following information)

Your Property Address

Candie C. Nelson

Printed Name

1837 Meadowview Dr. Garland TX 75043

Address

City, State

Zip

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

Candie C. Nelson

Property Owner

Signature

Title

Date: April 13, 2014



GARLAND

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

April 2, 2014

HEARING DATE/TIME: Plan Commission: April 14, 2014 - 7:00 PM

APPLICANT: Merrwood Ranch

File 14-11

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 14, 2014, in the Council Chambers of City Hall, 200 North Fifth Street, to consider the application of Merrwood Ranch, requesting approval of 1) an amendment to Planned Development Districts (04-10 and 02-03) for Single Family Uses, Design Center, Stables and Barns, and 2) a Detail Plan for a Riding Academy/Stables and Day Camp. The property is shown on the enclosed sketch and is described as follows:

BEING a 29.95-acre tract of land, being all of Lots 1-16, Block 1, Chiesa Ranch, an Addition to the City of Garland, Dallas County, Texas, according to the plat thereof recorded in Volume 2004180, Page 107 of the Map Records of Dallas County, Texas and a 2.88-acre tract of land situated in the John Little Abstract No. 784, Dallas County, Texas. This property is located southeast of the intersection of East Miller Road and East Centerville Road. (District 3)

Note: The applicant requests the amendment to the Planned Developments and a Detail Plan to allow a riding academy/stables and day camp to operate on a portion of the property. An approximately 7.39-acre portion of the property will remain undeveloped for future development of a single family subdivision, subject to Detail Plan approval.

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

(Please Check One Below)

I am in favor of the request.

I am opposed to the request.

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

As long as this is a DAY CAMP ONLY, then this seems good for everyone. I just don't want have 55 teenagers spending the night there with nothing to do but make mischief.

(Please complete the following information)

Your Property Address

1910 Meadowview, Garland, TX

Printed Name

WARRAN HAMRICK for ROTA PROPERTIES LLC

Address

City, State

Zip

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

Warren Hamrick

Member

Signature

Title

Date:

4/24/14



Planning Report

Capital Telecom

Approximately 450 feet northeast of the intersection of Crist Road and Naaman School Road, behind the Home Depot located at 3261 North President George Bush Highway.

REQUEST

Approval of 1) a Specific Use Permit for an Antenna, Commercial Type 2 on property zoned Planned Development (PD) District 97-23 for Shopping Center Uses and in the SH 190 Overlay and 2) variances to Sections 10-306.4(C) and 24-432 of the Zoning Ordinance regarding the minimum required distance between two cell towers and the minimum required setback from the public right-of-way.

OWNER

HD Development Properties, LP

PLAN COMMISSION RECOMMENDATION

On April 14, 2014 the Plan Commission, by a vote of six (6) to zero (0), recommended approval of 1) a Specific Use Permit for an Antenna, Commercial Type 2 on property zoned Planned Development (PD) District 97-23 for Shopping Center Uses and in the SH 190 Overlay and 2) variances to Sections 10-306.4(C) and 24-432 of the Zoning Ordinance to allow the proposed cell tower to be located less than 3,000 feet from the nearest existing cell tower and to reduce the setback to the right-of-way of Crist Road to 25 feet.

STAFF RECOMMENDATION

Denial of 1) a Specific Use Permit for an Antenna, Commercial Type 2 and 2) variances to Sections 10-306.4(C) and 24-432 of the Zoning Ordinance. With a height of 140 feet and located just 25 feet from the right-of-way of Crist Road, the proposed cell tower will have a negative visual impact on the public thoroughfare and any future development that will have frontage along Crist Road, making this site less than a suitable location for a cell tower.

BACKGROUND

The subject property was developed in 1995 with a Home Depot. The applicant is proposing to lease a portion of the subject property to construct a cell tower, associated equipment and enclosure. The applicant proposes to place the cell tower at a distance less than the minimum required between two cell tower sites and to have a reduced setback from the proposed cell tower improvements and the public right-of-way along Crist Road.

SITE DATA

The proposed lease area is 0.0599 acres and has a frontage along Crist Road of approximately 130 feet. The site can be accessed from Crist Road through an existing paved access easement.

USE OF PROPERTY UNDER CURRENT ZONING

The intent of Planned Development (PD) District 97-23, which originally encompassed the subject property and the surrounding commercial sites, was to permit the development of a variety of retail, restaurant and commercial services while ensuring compatibility with the proposed surrounding land uses. Allowable uses are those listed in the Shopping Center District in the SH 190 Overlay; however, Antenna, Commercial Type 2 is only allowed with an approved Specific Use Permit.

CONSIDERATIONS

1. The applicant proposes to lease 0.0599 acres from the 11.661-acre Home Depot site and develop a cell tower compound that will consist of a 140-foot tall stealth “flagless flag pole” cell tower, associated ground equipment and a 6-foot high split face CMU wall enclosure. The site of the proposed cell tower compound is currently a grassy area located behind the existing Home Depot building, between the rear driveway and the public right-of-way of Crist Road. Cell towers are classified as Antenna, Commercial Type 2 and they should only be allowed at locations where they will not dominate the view from the public right-of-way or adjacent residential properties.
2. The applicant requests a variance to Section 10-306.4(C) of the Comprehensive Zoning Ordinance which requires all cell towers designed and built to be capable of use by two or more wireless communications providers to be separated from another cell tower by a minimum distance of 3,000 linear feet. The proposed cell tower will be approximately 870 linear feet from the nearest existing cell tower which is located at 3271 North President George Bush Highway, on the same site as the Chili’s Restaurant. The applicant contends

that co-location of their antennas on the nearest existing cell tower is not an option since the 70-foot height of the existing cell tower is not adequate to provide the desired coverage which can be provided with a 140-foot tall cell tower constructed on the subject site.

3. The applicant seeks a variance to Section 24-432 of the Comprehensive Zoning Ordinance which stipulates a minimum setback of 60 feet from the public right-of-way to any structure. The proposed cell tower compound will be located 25 feet from the public right-of-way of Crist Road.

4. The applicant requests approval of a Specific Use Permit for 30 years.

COMPREHENSIVE PLAN

The Future Land Use Map of the Envision Garland Plan recommends Community Centers for the subject site. Community centers are areas with compact development, primarily non-residential, serving a collection of neighborhoods. This type of development consists of a mix of uses, including retail, services, office use, multi-family residential, and entertainment. Community centers may be developed at the intersections of major arterial streets and along major arterials, highways, and turnpike corridors. This type of area is served by numerous roads and transit routes, providing a variety of connections between neighborhoods and Community Centers for pedestrians, bicycles, motorized vehicles, and transit. The development standards employed to create Community Centers should enhance gateways and corridors as well as to provide attractive, modern developments that create desirable destinations within the city.

The proposed cell tower site is not consistent with the recommendation of the Future Land Use Map in that its proximity to the public right-of-way and size will negatively impact the streetscape of Crist Road, a highly trafficked thoroughfare leading from the nearby residential developments to the President George Bush Turnpike and Firewheel Town Center.

COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

The surrounding properties are zoned with a variety of Planned Development (PD) Districts and developed with a cluster of retail, personal service, restaurant and office uses that front on President George Bush Turnpike, Naaman School Road, Crist Road, Firewheel Parkway, and Lavon Drive. The properties further south, across Naaman School Road and Mars Drive, are zoned with various Planned Development (PD) Districts and developed with single family residences.

Cell towers provide a valuable communication service to nearby commercial and residential developments. However, if placed on the proposed site, the cell tower will be highly conspicuous from the public right-of-way and will have a negative visual impact on any future development on the vacant tract of land across Crist Road whose frontage will most likely be oriented towards the cell tower site. A less visible site from which the same level of coverage can be provided would make a more adequate location for a cell tower.

Prepared By:

Josue De La Vega
Development Planner

Date: April 25, 2014

Reviewed By:

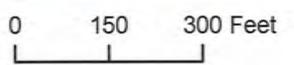
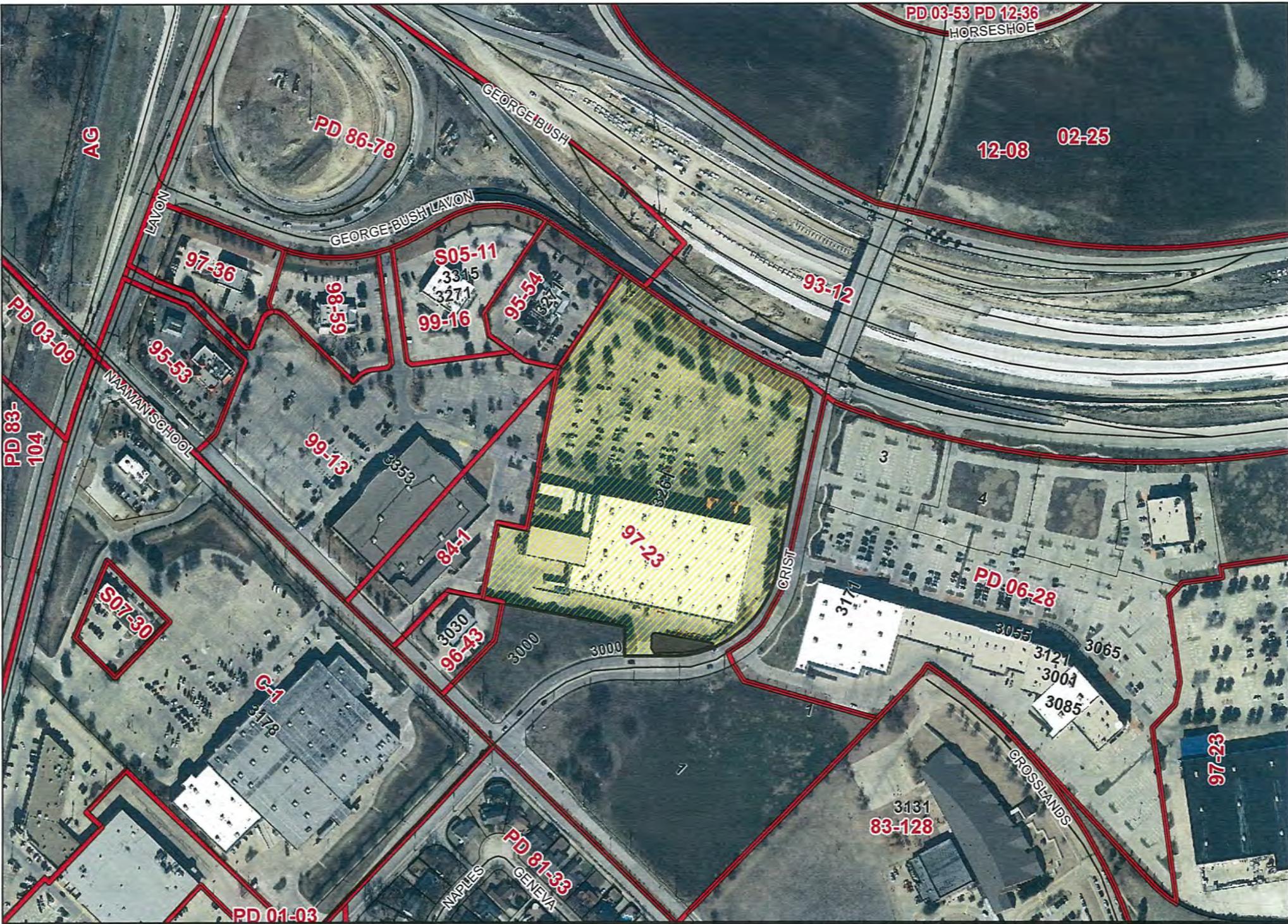
Anita Russelmann
Director of Planning

Date: April 28, 2014

Reviewed By:

William E. Dollar
City Manager

Date: April 29, 2014



ZONING Z 14-12

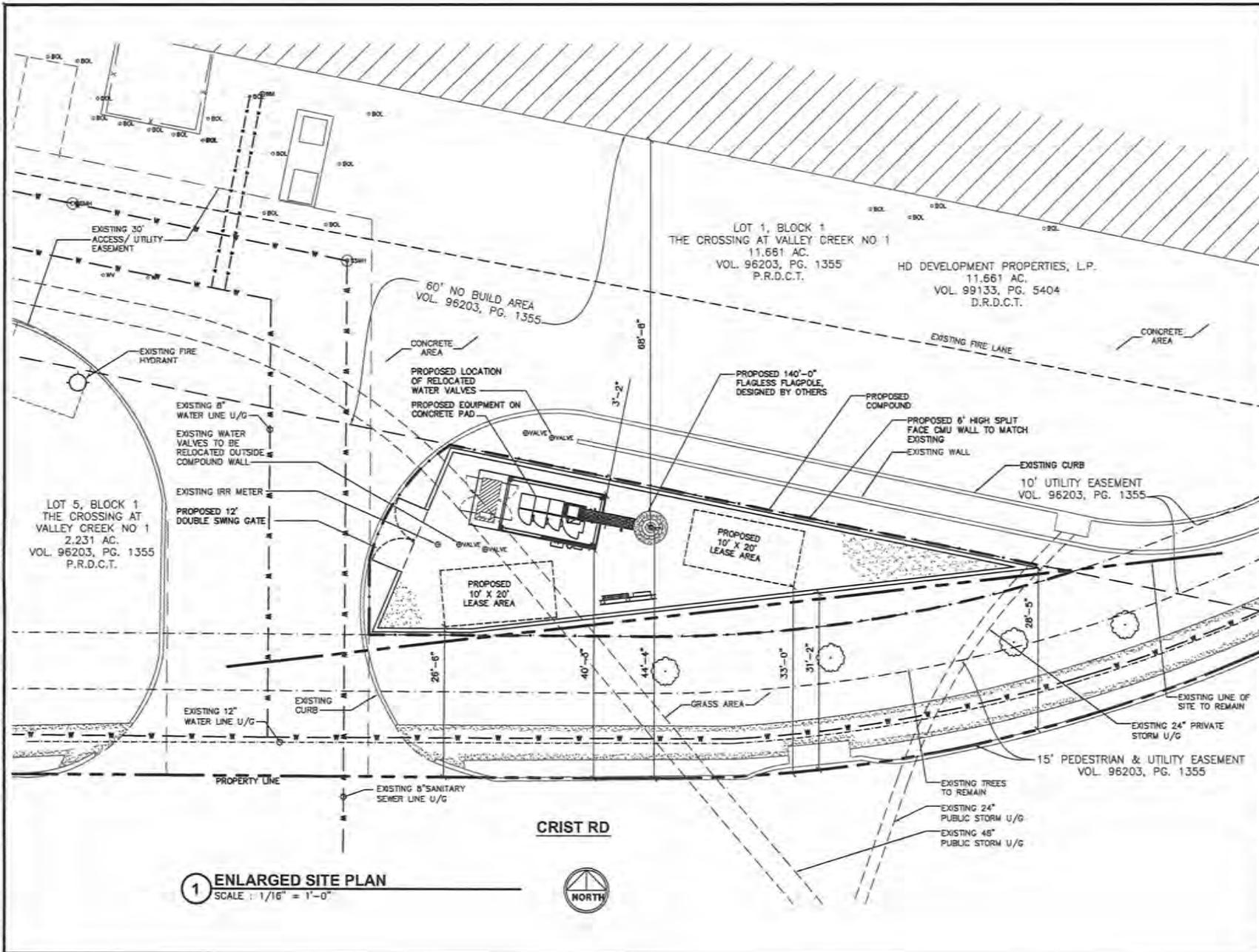
 INDICATES AREA OF REQUEST

SPECIFIC USE PERMIT CONDITIONS

ZONING FILE 14-12

Approximately 450 feet northeast of the intersection of Crist Road and Naaman School Road, behind the Home Depot located at 3261 North President George Bush Highway

- I. **Statement of Purpose:** The purpose of this Specific Use Permit is to allow Antenna, Commercial Type 2 subject to conditions.
- II. **Statement of Effect:** This permit shall not affect any regulation found in the Comprehensive Zoning Ordinance, as amended, except as specifically provided herein.
- III. **General Regulations:** All regulations in Section 10-306.4 and the Shopping Center (SC) District as set forth in Section 24 and 33 of the Comprehensive Zoning Ordinance are included by reference and shall apply, except as otherwise specified by this ordinance.
- IV. **Specific Regulations:**
 - A. Time Period: The Specific Use Permit shall be in effect for a period of 30 years from the date of passage.
 - B. Antenna Tower (Exhibit D):
 1. Height: Maximum height of the antenna tower shall be 140 feet.
 2. Antenna Type: The only type antenna tower authorized by this Specific Use Permit is a stealth "flagless flag pole" cell tower.
 - C. Site Plan: Development of the antenna tower shall be in accordance with the site plan on Exhibit C.
 - D. Distance Between Two Cell Towers: The proposed cell tower shall not be closer than 870 feet from the nearest existing cell tower, see Exhibit E.
 - E. Setback From The Public Right-Of-Way: The setback between the public right-of-way on Crist Road and the masonry wall enclosing the cell tower site cannot be less than 25 feet.



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



CAPITAL TELECOM
CAPITAL TELECOM ACQUISITION, LLC
1500 MT. KEMBLE, SUITE 203
HOBOKEN, NJ 07030
PH: (973) 425-0050 FAX: (973) 425-1616

APPROVALS

SAC MGR:	
SAC:	
OPER:	
PM:	
RF:	
CONST:	
A & E:	

NO.	DATE	REVISION DESCRIPTION
3	4/25/14	ISSUED FOR FINAL
2	4/2/14	REVISED FOR REVIEW
1	1/21/14	ZONING FOR REVIEW

W-T
W-T COMMUNICATION DESIGN GROUP, LLC.
WIRELESS INFRASTRUCTURE
331 Hudson Parkway, Ste. 200
Lakeland, TN 37022
PH: (615) 226-0101 FAX: (615) 706-4102
www.wtengr.com
Team One Registration No. T-11254 Exp. 03/26/14
COPYRIGHT © 2014 W-T COMMUNICATION DESIGN GROUP, LLC

PROJECT NO: T133374

DRAWN BY: SXC

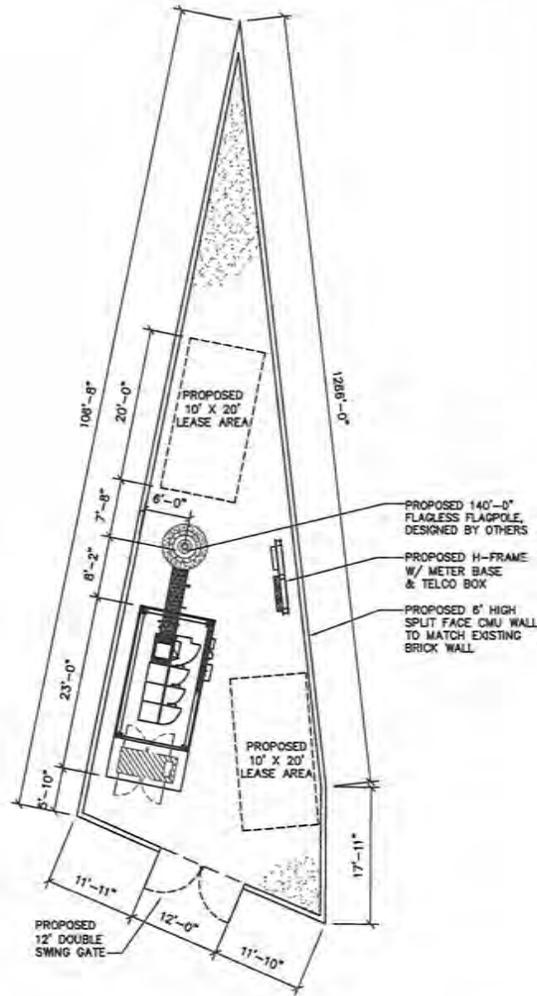
CHECKED BY: AG

SITE NAME: GARLAND, TX
GEORGE BUSH HWY
3001 CRIST ROAD
GARLAND, TX 75040
THE CROSSING AT VALLEY CREEK NO.1 LOT 1 BLOCK 1

SHEET TITLE
ENLARGED SITE PLAN

SHEET NUMBER
C-2

Exhibit C



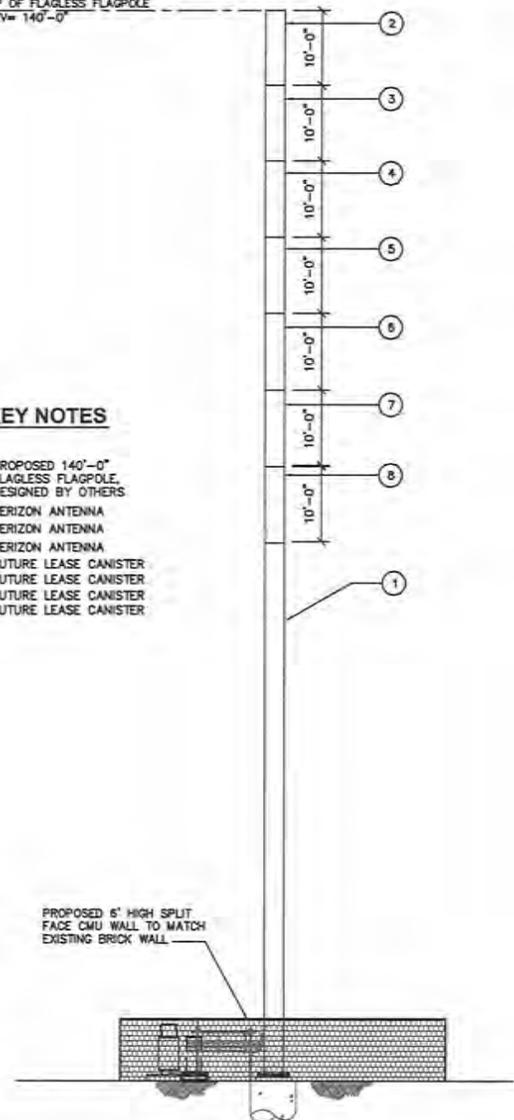
1 SITE PLAN
SCALE : 1/16" = 1'-0"



TOP OF FLAGLESS FLAGPOLE
ELEV= 140'-0"

KEY NOTES

1. PROPOSED 140'-0" FLAGLESS FLAGPOLE, DESIGNED BY OTHERS.
2. VERIZON ANTENNA
3. VERIZON ANTENNA
4. VERIZON ANTENNA
5. FUTURE LEASE CANISTER
6. FUTURE LEASE CANISTER
7. FUTURE LEASE CANISTER
8. FUTURE LEASE CANISTER



2 TOWER ELEVATION
SCALE : 1/16" = 1'-0"

CAPITAL TELECOM
CAPITAL TELECOM ACQUISITION, LLC
1500 MT. KEMBLE, SUITE 203
MORRISTOWN, NJ 07960
PH: (973) 425-0900 FAX: (973) 425-1616

APPROVALS

SAC MGR:	
SAC:	
OPER:	
PM:	
RF:	
CONST:	
A & E:	

NO.	DATE	REVISION
3	4/25/04	ISSUED FOR FINAL
2	4/2/04	REVISED
1	1/27/04	ZONING

W-T COMMUN DESIGN GRO
WIRELESS SPECIALISTS
751 Collins Parkway
Garland, Texas
PH: (972) 284-2161 FAX: (972) 284-2162
© 2014 W-T COMMUN

PROJECT NO:

DRAWN BY: SXC

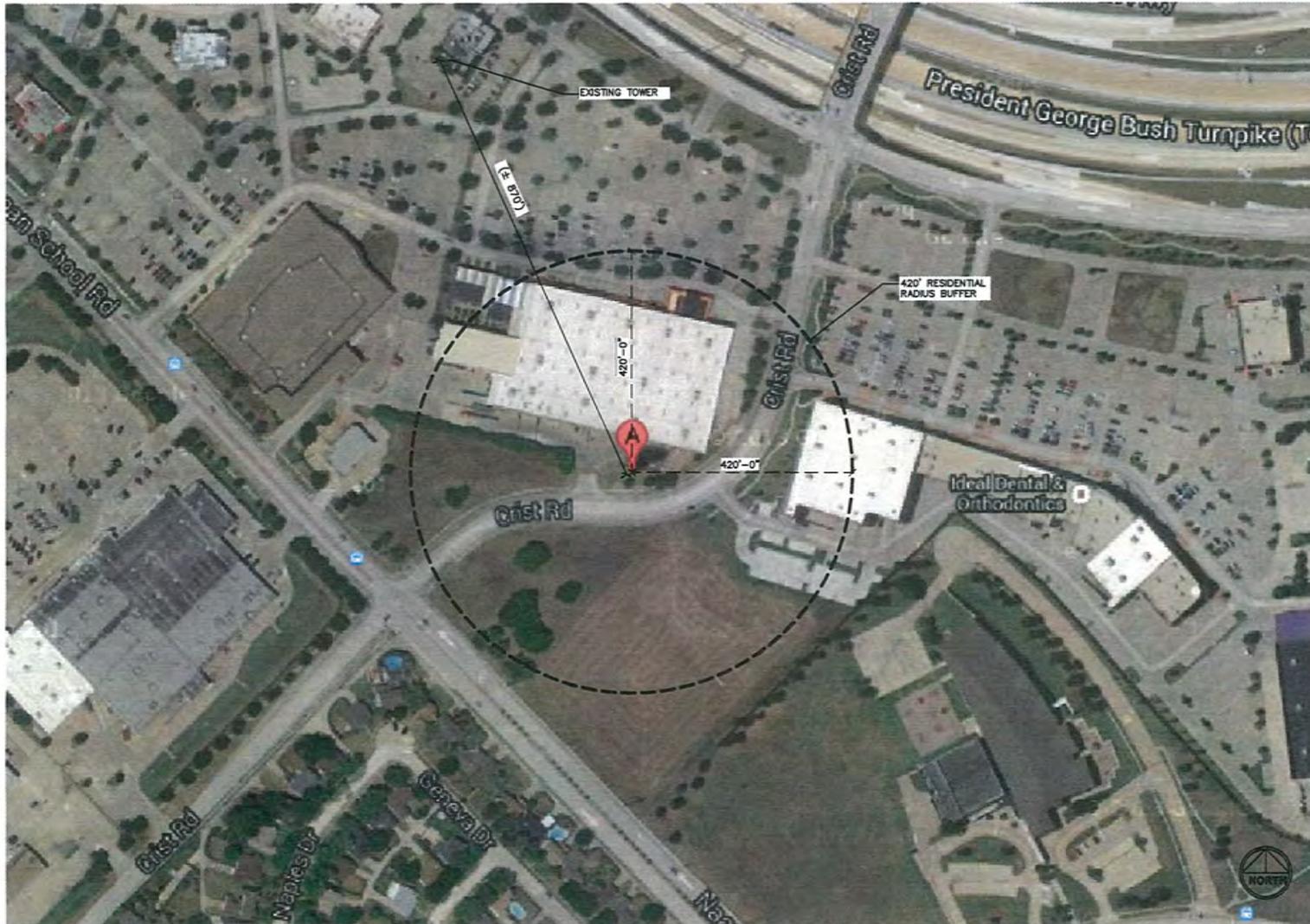
CHECKED BY: AG

SITE NAME: GARLAND, TX
GEORGE BUSH HWY
3001 CRIST ROAD
GARLAND, TX 75040
THE CROSSING AT VALLEY
CREEK NO.1 LOT 1 BLOCK 1

SHEET TITLE
GEOMETRIC SITE PLAN
& TOWER ELEVATION

SHEET NUMBER
C-3

EXHIBIT D



CAPITAL TELECOM
 CAPITAL TELECOM ACQUISITION, LLC
 1500 MT. KEMBLE, SUITE 203
 MORRISTOWN, NJ 07960
 PH: (973) 425-0006 FAX: (973) 425-1818

APPROVALS	
SAC MGR:	
SAC:	
OPER:	
PM:	
RF:	
CONST:	
A & E:	

NO.	DATE	REVISION
2	4/2/14	REVISED ZONING F
1	1/21/14	ZONING F

W-T COMMUN DESIGN GROUP
 W-T COMMUN DESIGN GROUP
 7511 Historic Highway
 Charlotte, TN 37043
 PH: (615) 738-5351 FAX: (615) 738-5352
 www.wtcommundesign.com
 Terms: Per Registration No. F-1
 COPYRIGHT © 2014 W-T COMMUN

EXHIBIT E

PROJECT NO: T133374

DRAWN BY: SXC

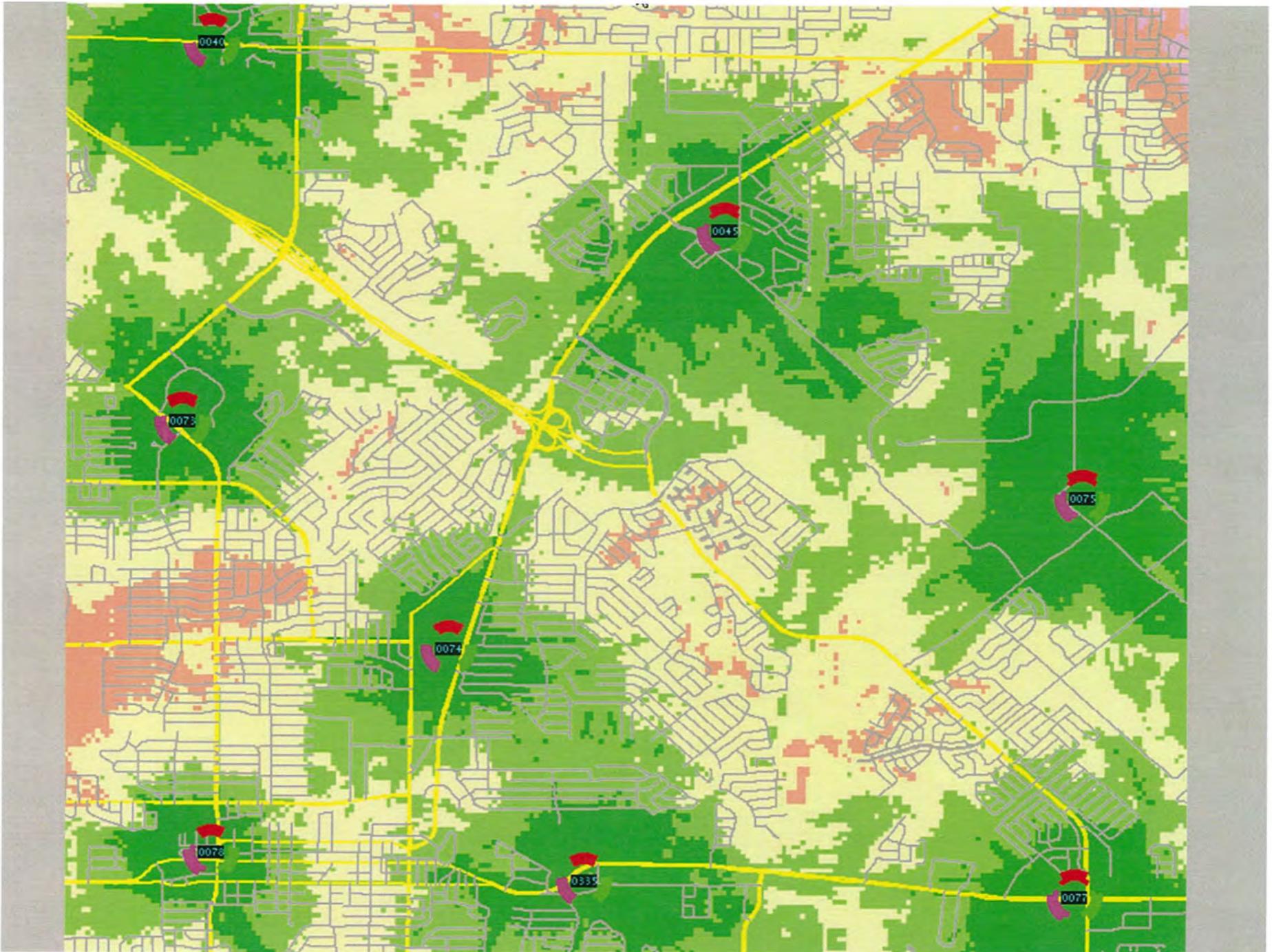
CHECKED BY: AG

SITE NAME: GARLAND, TX
 GEORGE BUSH HWY
 3001 CRIST ROAD
 GARLAND, TX 75040
 THE CROSSING AT VALLEY
 CREEK NO.1 LOT 1 BLOCK 1

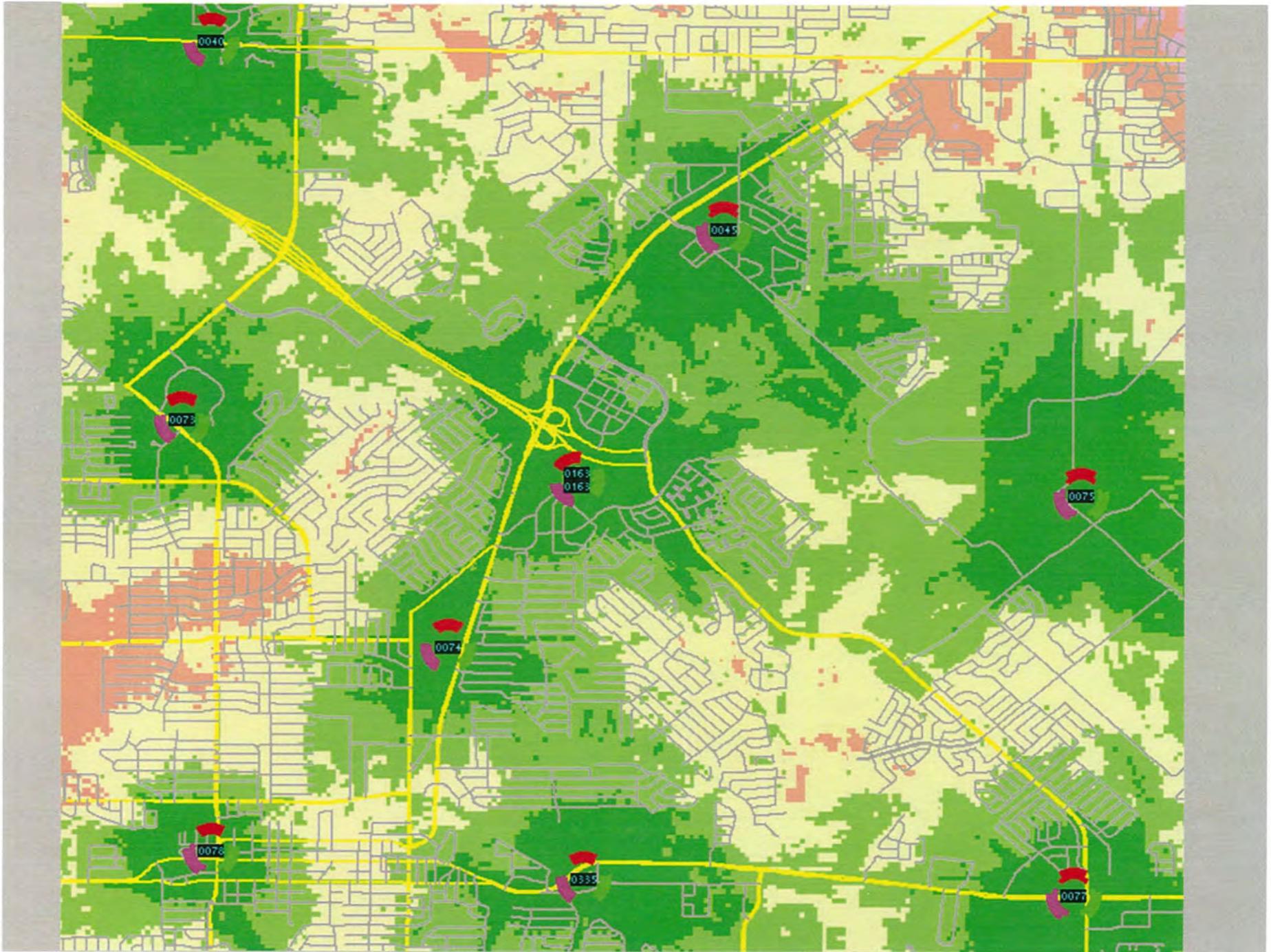
SHEET TITLE
 RESIDENTIAL RADIUS BUFFER

SHEET NUMBER
Z-4

Without Proposed Telecommunications Tower



With Proposed Telecommunications Tower



Z 14-12

Approval of a SUP for an Antenna, Commercial Type 2 and associated variances



Looking at the site for the proposed cell tower compound from Crist Road.



Looking at the site for the proposed cell tower compound from Crist Road.



Looking at Crist Road from the proposed cell tower site.



Looking at Crist Road and the opposite undeveloped tract of land from the proposed cell tower site.

REPORT & MINUTES

P.C. Meeting, April 14, 2014 (6 Members Present)

Consideration of the application of Capital Telecom, requesting approval of 1) a Specific Use Permit for an Antenna, Commercial Type 2 on property zoned Planned Development (PD) District 97-23 for Shopping Center Uses and in the SH 190 Overlay and 2) variances to Sections 10-306.4(C) and 24-432 of the Zoning Ordinance regarding the minimum required distance between two cell towers and the minimum required setback from the public right-of-way. The property is located at 3261 North President George Bush Highway. (File 14-12)

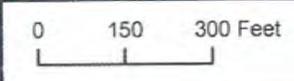
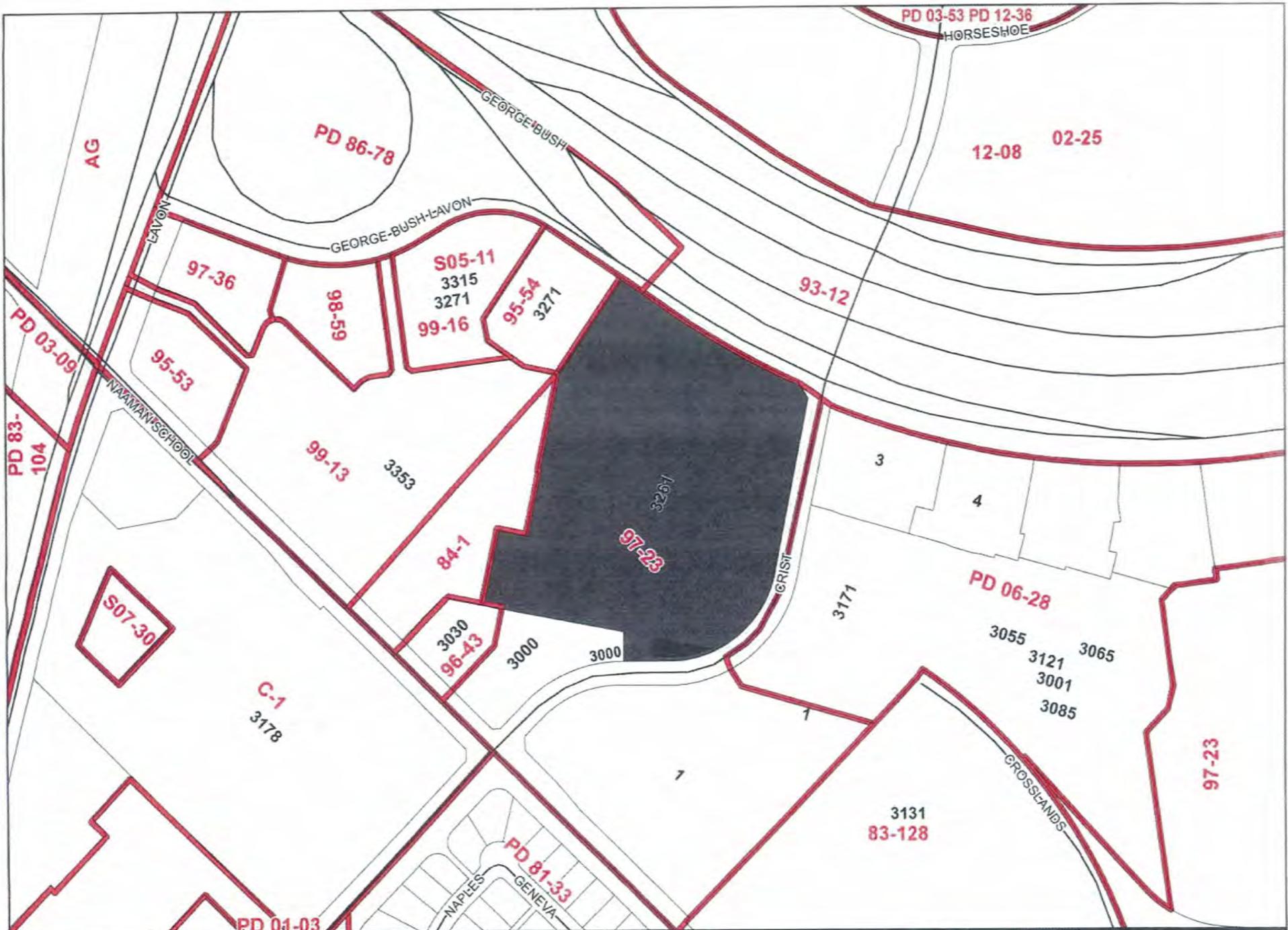
The applicant, William Francis, 112 E. Pecan, San Antonio, TX, gave a brief overview of the application request. The applicant remained available for questions.

Commissioner Dalton asked about the possibility of locating in the nearby switching yard and other colocation opportunities.

Steve Dunaway, 851 Mullvany Drive, Coppell, TX, explained the number of co-shares that could be placed on the antenna, the new security measures brought on by 9/11 and expressed concerns with locating the antenna in a parking lot.

Commissioners expressed concern regarding the current amount of visual pollution in the area, i.e. number of taller features such as electrical poles, emergency sirens, etc. and the need for additional coverage area.

Motion was made by Commissioner Dalton, seconded by Commissioner Welborn to close the Public Hearing and **approve** the application as presented. Motion **carried: 6 Ayes, 0 Nays.**



ZONING Z 14-12

 INDICATES AREA OF REQUEST

We did not receive any notification letters for this case.