



AGENDA

**REGULAR MEETING OF THE CITY COUNCIL
City of Garland
Duckworth Building, Goldie Locke Room
217 North Fifth Street
Garland, Texas
October 21, 2014
7:00 p.m.**

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

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

CITY COUNCIL GOALS 2020

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

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

**MAYORAL PROCLAMATIONS,
RECOGNITIONS, AND ANNOUNCEMENTS**

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

CONSENT AGENDA

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

1. Consider approval of the minutes of the October 6, 2014 Regular Meeting.

2. Consider approval of the following bids:

a. **Underground Cable Replacement** **Bid No. 4706-14**

Infratech Corporation	\$541,570.41
Optional Contingency	<u>50,000.00</u>
TOTAL	<u>\$591,570.41</u>

This request is to provide labor and equipment necessary for the replacement of five underground cable loops as part of Garland Power & Light's maintenance operations.

b. **Materials for 138kV Transmission Line** **Bid No. 4768-14**

Techline, Inc.	\$263,883.17
Refundable Reel Deposit	4,800.00
Optional Contingency	<u>27,000.00</u>
TOTAL	<u>\$295,683.17</u>

This request is to provide steel monopoles and apparatus required for the Olinger Wylie East Circuit Project.

c. Emergency Replacement of Auto Transformer

Bid No. 4821-15

City Transformer Service	\$550,000.00
Black & Veatch Engineers	49,050.00
G2 Electrical Testing & Consulting	<u>14,800.00</u>
TOTAL	<u>\$613,850.00</u>

This request is to provide transportation, crane services, transformer services, engineering services, and all associated incidentals necessary to replace a failed transformer at the TMPA-Gibbons Creek Substation. This is a TMPA transmission purchase and will be 100% reimbursed to the City of Garland.

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

Zoning File No. 14-36, Shearer Design and Associates

Consider an ordinance amending the zoning laws of the City of Garland by approving a change of zoning from Office 1 (O-1) District to a Planned Development (PD) District for Office 1 Uses with Retail Sales/Personal Service (allowed by Specific Use Permit) on a 0.3454-acre tract of land located on the west side of Murphy Road, approximately 480 feet south of the intersection of Murphy Road and Campbell Road.

- 4. Consider a resolution supporting the development of the Interstate Highway 30 and East Corridor Project.**

At the October 6, 2014 Work Session, Council considered a draft resolution supporting the development of IH-30 and East Corridor Project.

- 5. Consider a resolution changing the date of the regular meeting scheduled for November 4, 2014 to November 3, 2014.**

The first regular Council meeting in November 2014 is on Tuesday, November 4, which is also the date of the statewide general election in Texas. At the October 20 Work Session, Council was scheduled to consider moving the date of the first regular meeting in November to Monday, November 3.

6. **Consider an ordinance amending Sections 10 and 38 of Ordinance No. 4647 relating to the creation of a zoning classification for smoke shops.**

At the October 6, 2014 Regular Meeting, Council held a public hearing to consider an amendment of the Comprehensive Zoning Ordinance regarding the regulation of smoke shops.

7. **Consider by minute action approval of revisions to City Council Policy No. OPNS-23, Council Committees.**

At the October 20, 2014 Work Session, Council was scheduled to consider a revised recommendation from the Administrative Services Committee for changes to City Council Policy OPNS-23, Council Committees.

ITEMS FOR INDIVIDUAL CONSIDERATION

Speaker Regulations:

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

8. **Hold public hearings on the following zoning cases:**
 - a. **Consider the application of Israel Tirado requesting approval of a Specific Use Permit for a Restaurant, Drive-Through on property zoned Office 2 (O-2) District. This property is located at 3300 Broadway Boulevard. (File No. 14-37, District 3)**

The proposal is to allow approval of a Specific Use Permit to operate a restaurant with a drive-through from an existing building.
 - b. **Consider the application of The Dimension Group requesting approval of a Specific Use Permit for 1) a Specific Use Permit for Retail Sales with Gas Pumps and 2) variances to Section 34.18 (B)(2) [Exterior walls] and Section 34.19 (A)(2) [Building Setbacks] of the SH 190 Development Standards on property zoned Shopping Center (SC) District within the SH 190 Overlay. This property is located at 3464 W. Campbell Road. (File No. 14-40, District 7)**

The proposal is to allow approval of a Specific Use Permit for retail sales with gas pumps to add an enclosed compressed natural gas system to the existing gas station.

9. Consider appointments to Boards and Commissions.

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

10. Citizen comments.

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

11. Adjourn.

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

The City Council of the City of Garland convened in regular session at 7:00 p.m. on Monday, October 6, 2014, in the Goldie Locke Room, 217 North Fifth Street, Garland, Texas, with the following members present:

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

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

CALL TO ORDER: Mayor Athas called the meeting to order. District 3 Council Member Stephen Stanley led the Invocation followed by the Pledge of Allegiance.

ANNOUNCEMENTS: Mayor Athas announced the following: 1) The 2014 Garland Neighborhood Summit is set for Saturday, October 25, 2014 from 8 a.m. to 2 p.m. at the Hyatt Place in Garland; 2) The Pace House will be moved October 15, 2014 to its new, permanent location at 317 South 11th Street in Garland's Travis College Hill Historic District and returned to private ownership. 3) Register for Garland E-news at GarlandTx.gov and click on the E-News link at the top of the page.

District 2 Council Member Anita Goebel announced the following: A Town Hall Meeting will be held on October 16, 2014 at 7:00 p.m. at 217 N. Duckworth Street in the Goldie Locke Room. Garland ISD Superintendent Bob Morrison will be in attendance.

CONSENT AGENDA: All items marked with asterisks (**) on the Consent Agenda were voted on at the beginning of the meeting. Mayor Athas noted Items 2b, 5 and 6 were pulled for individual consideration. Mayor Athas read the items into the record. A motion was made by Council Member Stanley, seconded by Council Member B.J. Williams, to approve items: 1; 2a; 2c; 2d; 3a; 3b; and 4. A vote was cast and the motion carried with 9 ayes, 0 nays.

1. APPROVED** Minutes of the September 11, September 18, and September 25, 2014 Special Joint Meetings of the Garland City Council and Plan Commission and the September 16, 2014 Regular Meeting.
- 2a. APPROVED** Bid No. 4684-14 in the amount of \$600,000 to Asplundh Tree Expert Company, Inc. to provide tree trimming and vegetation management services for Garland Power & Light and Texas Municipal Power Agency.
- 2b. PULLED Bid No. 4716-14 was pulled from the Consent Agenda for individual consideration.
- 2c. APPROVED** Bid No. 4738-14 in the amount of \$150,246 to TEC Electric Utility Supply for the purchase of wood utility poles as part of the Warehouse Department's inventory to be used to support Garland Power & Light's Transmission and distribution lines.
- 2d. APPROVED** Bid No. 4785-14 in the amount of \$675,550 to CSG/Data Prose, Inc. to provide utility and tax billing services including printing, insertion, and mailing.
- 3a. APPROVED** Ordinance No. 6736 amending the zoning laws of the City of Garland by approving a Specific Use Permit for Retail Sales with Gas Pumps on a 1.087-acre tract of land zoned Planned Development District 10-05 for Central Area 2 Uses and located at 509 West Avenue D. (Zoning File No. 14-33 Nandanvan One, Inc.)
- 3b. APPROVED** Ordinance No. 6737 amending the zoning laws of the City of Garland by approving a Specific Use Permit for Retail Sales with Gas Pumps on a 1.706-acre tract of land zoned Shopping Center District and located at 2435 West Miller Road. (Zoning File No. 14-35, INU USA, Inc.)
4. APPROVED** Ordinance No. 6738 authorizing the issuance of "City of Garland, Texas, General Obligation Refunding Bonds, Series 2014A"; specifying the terms and features of said bonds; levying a continuing direct annual ad valorem tax for the payment of said bonds; providing for the redemption of certain outstanding obligations of the City; and resolving other matters incident and related to the issuance, sale, payment and delivery of said bonds, including the approval and execution of a Paying Agent/Registrar Agreement and

an Escrow Agreement and the approval and distribution of a Preliminary Official Statement and an Official Statement.

- 5. PULLED This item was pulled from the Consent Agenda for Individual consideration.
- 6. PULLED This item was pulled from the Consent Agenda for Individual consideration.

ITEMS FOR INDIVIDUAL CONSIDERATION

- 2b. APPROVED Managing Director of Parks, Recreation, and Cultural Services Jim Stone and Senior Park Planner Ann McGinnes presented information to Council regarding the proposed playground at Central Park. District 2 Council Member Goebel made a motion to approve, seconded by Council Member Stanley, Bid No. 4716-14 to Core Construction in the amount of \$470,000 with an optional contingency of \$10,000 for a total award of \$480,000 for construction of a new playground in Central Park. The project incorporates enhanced universal access design elements that will improve wheelchair access throughout the play area.
- 5. APPROVED Assistant City Manager Bryan Bradford presented information to Council regarding the proposed amendment to the 2014-2015 Operating Budget (Budget Amendment No. 1) providing for supplemental appropriation of funds in the General Fund and the infrastructure Repair & Replacement Fund. Council Member Dodson moved to approve Ordinance No. 6739 as presented. Council Member Billy Mack Williams seconded the motion. A vote was cast and the motion carried with 9 ayes, 0 nays.
- 6. APPROVED Mayor Athas recognized the following persons who spoke in opposition to Item 6: Christy Young, 721 Briar Way; Karen Wilson, 1030 Creekwood; Greg Yearsley, 523 Butternut Drive; Larry Jeffus 5926 Hillside Lane; Dorothy Zimmerman, 4802 Vera Cruz; Randall Dunning, 257 Bellwood Drive; Paul Zimmerman, 4802 Vera Cruz Drive; Julie Boirk, 502 Rivercove Drive; Reggie Boirk, 502 Rivercove Drive; and Gail Belton, 1005 Briar Way.

Council Member Cahill made a motion seconded by Council Member Stanley, to refer proposed revisions to City Council Policy OPNS-23, Council Committees, to the Administrative

Services Committee for further review. A vote was cast and the motion carried with 9 ayes, 0 nays.

7. APPROVED

Director of Code Compliance Steve Killen presented information regarding proposed revisions to Chapter 32, "Neighborhood Sanitation and Housing Services", of the Code of Ordinances of the City of Garland. Mayor Athas opened the public hearing. No one spoke. Mayor Athas closed the public hearing. Council Member Campbell made a motion, seconded by Council Member B.J. Williams, to approve Ordinance No. 6740 as presented. A vote was cast and the motion carried with 9 ayes, 0 nays.

8. APPROVED

Director of Planning Anita Russelmann provided information related to the creation of a zoning classification for Smoke Shops. Discussion was held among Council Members. City Attorney Brad Neighbor provided further explanation. Council Member B.J. Williams moved to adopt, seconded by Council Member Stanley, draft number 2 with the last sentence of Section 2 reading as follows: "This definition does not include, and categorically excludes, commercial establishments that derive more than 75% of their revenue from the sale of the following tobacco products contained in the original manufacturer package: cigarettes, cigars, pipe tobacco, snuff, or chewing tobacco." A vote was cast and the motion carried with 9 ayes, 0 nays.

9. APPROVED

Director of Planning Anita Russelmann provided information related to the application of Shearer Design and Associates requesting approval of a change in zoning from Office 1 District to a Planned Development District for Office 1 Uses with Retail Sales/Personal Service (allowed by Specific Use Permit) on a property located in the SH 190 Overlay. This property is located at the west side of Murphy Road, approximately 480 feet south of the intersection of Murphy Road and Campbell Road (Lot 7, Block 1, Campbell Crossing Office Park). (District 1, File 14-36)

Mayor Athas opened the public hearing to accept comment. Applicant Charlie Shearer appeared before Council to answer questions. No one spoke during the hearing. Mayor Athas closed the public hearing.

Council Member Campbell, seconded by Council Member Dodson, moved to approve the request and directed staff to bring forth an ordinance for formal consideration. A vote was cast and the motion carried with 9 ayes, 0 nays.

10. APPOINTMENTS: A vote was cast and the motion carried with 9 ayes, 0 nays as the following name was placed in nomination:

- Allen "Mike" McCorstin – Library Board (District 3)

11. COMMENTS: The following persons spoke: Christine Hubley, 131 Squirrel Ridge, Wylie, consider resolution against Northeastern Gateway Project; Rede Beitman, 208 K, Wylie, consider resolution against Northeastern Gateway Project; Christopher Hubley, 131 Squirrel Ridge, Wylie, against Northeastern Gateway Project and support IH-30 improvements; Mary Ann Wickersham, 405 Wildbriar, Garland, Animal Shelter concerns, Dawn Haney, Dallas County Precinct 2, consider passing resolution against Northeastern Gateway Project; and Jerry Shaffer, 401 Fox Hollow Drive, Wylie, opposed to Northeastern Gateway Project.

There being no further business to come before the City Council, Mayor Athas adjourned the meeting at 9:19 p.m.

CITY OF GARLAND

Signed:

Douglas Athas, Mayor

ATTEST:

Lisa Palomba, City Secretary



Purchasing Report

UNDERGROUND CABLE REPLACEMENT OPEN MARKET

PURCHASE JUSTIFICATION:

The purpose of this contract is to provide the labor and equipment necessary for the replacement of five (5) underground cable loops as part of Garland Power & Light's maintenance operations. Due to the complex nature of the project, an optional contingency is included for any unforeseen additional work that may be required. This is an approved Capital Improvement project, and expenses will not exceed appropriated funds.

AWARD RECOMMENDATION:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
Infratech Corporation	All	\$541,570.41
Optional Contingency		50,000.00
	TOTAL:	\$591,570.41

BASIS FOR AWARD:

Best Value

Submitted by:

Reviewed by:

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

William E. Dollar
 City Manager

Date: 10/10/14

Date: 10/13/14

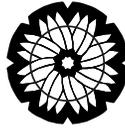
<u>FINANCIAL SUMMARY:</u>	
Total Project/Account: \$ 4,500,632	Operating Budget: <input type="checkbox"/> CIP: <input checked="" type="checkbox"/> Year: 2014
Expended/Encumbered to Date: 1,520,707	Document Location: Page E10
Balance: \$ 2,979,925	Account #: 215-3299-3162501-7111 (EC-D5627)
This Item: 591,570	Fund/Agency/Project – Description: Electric CIP – Distribution Lines - Underground
Proposed Balance: \$ 2,388,355	Comments: Labor and equipment necessary for replacement of 5 underground cable loops as part of GP&L's maintenance operations. Includes optional contingency.
Trent Schulze 10/13/14 Budget Analyst Date	
Ron Young 10/13/14 Budget Director Date	

CITY OF GARLAND - BID RECAP SHEET OPENED: 9/23/14 REQ. NO 33477 BID NO 4706-14 PAGE: 1 of 1 BUYER: R.Berger			Infratech Corporation	T & D Solutions	The Fishel Company	
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ITEM	QTY	UNIT	DESCRIPTION	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
			Bid Price for Evaluation		\$541,570.41		\$597,850.00		\$901,899.35		
			Evaluation Criteria:								
			Price	Maximum = 40	40.00		35.80		13.40		
			Experience	Maximum = 20	20.00		20.00		20.00		
			Primary Contractor	Maximum = 20	15.00		14.00		18.00		
			Additional Item Sheet	Maximum = 10	10.00		3.00		6.00		
			Past Relationship	Maximum = 5	4.00		3.00		4.30		
			Established Safety & Training	Maximum = 5	5.00		5.00		5.00		
			Total Score:	Maximum = 100	94.00		80.80		66.70		

TOTAL GROSS PRICE			\$541,570.41	\$597,850.00	\$901,899.35
CASH DISCOUNT					
TOTAL NET PRICE			\$541,570.41	\$597,850.00	\$901,899.35
F.O.B.			DELIVERED	DELIVERED	DELIVERED
DELIVERY					

NEXT LOW:	\$597,000.00	1660 # BidSync Notifications	All bids submitted for the designated project are reflected on this bid tab sheet. However, the listing of a bid on this sheet should not be construed as a comment on the responsiveness of such bid or as any indication that the city accepts such bid as responsive. The City will notify the successful bidder upon award of the contract and, according to the law, all bids received will be available for inspection at that time.
LOW:	\$541,570.41	2 # BidSync HUBS	
SAVINGS:	\$55,429.59	11 # Direct Contact HUBS	
		2 # HUBS Responded	



GARLAND

PURCHASING

Executive Summary **Bid 4706-14** **Underground Cable Replacement**

Recommended Vendor:

Infratech Corporation

Total Recommended Award:

\$591,570.41

Basis for Award:

Best Value

Purpose:

The purpose of this contract is to provide the labor and equipment necessary for the replacement of five (5) underground cable loops as part of Garland Power & Light's maintenance operations.

Evaluation:

Requests for bids were issued in accordance with Purchasing procedures. Three (3) bids were received and evaluated based on the criteria of: price; experience with similar projects; percentage of work to be completed by primary contractor; summation of additional items; safety and training programs; bidder's past relation with the City. Infratech Corporation was the lowest overall bidder and received the highest evaluated score, offering the best value to the City.

Recommendation:

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

Funding Information:

CIP Project 215-3299-3162501-7111 (EC-D5627).

Department Director:

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



Purchasing Report

MATERIALS FOR 138 kV TRANSMISSION LINE OPEN MARKET

PURCHASE JUSTIFICATION:

The purpose of this contract is to provide steel monopoles and apparatus required for the Olinger Wylie East Circuit Project. Due to the complex nature of the project, an optional contingency is included for any unforeseen additional work that may be required. This is an approved Capital Improvement project, and expenses will not exceed appropriated funds.

AWARD RECOMMENDATION:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
Techline, Inc.	All	\$263,883.17
Refundable Reel Deposit		4,800.00
Optional Contingency		27,000.00
	TOTAL:	\$295,683.17

BASIS FOR AWARD:

Lowest Responsible Bid

Submitted by:

Reviewed by:

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

William E. Dollar
 City Manager

Date: 10/10/14

Date: 10/12/14

<u>FINANCIAL SUMMARY:</u>	
Total Project/Account: \$	856,110
Expended/Encumbered to Date:	-0-
Balance: \$	856,110
This Item:	295,683
Proposed Balance: \$	560,427
Trent Schulze	10/13/14
Budget Analyst	Date
Ron Young	10/13/14
Budget Director	Date
Operating Budget: <input type="checkbox"/>	CIP: <input checked="" type="checkbox"/> Year: 2014
Document Location:	Page E01
Account #:	210-3599-3140901-6051 \$158,941.00 (EC-T0409-001-1-6051) 217-3599-3140901-6051 136,742.17 (EC-T7409-001-1-7051)
Fund/Agency/Project – Description:	Electric CIP – Transmission Lines
Comments:	Steel monopoles and apparatus required for Olinger Wylie East Circuit Project. Includes an optional contingency.



GARLAND

PURCHASING

Executive Summary **Bid 4768-14** **Materials for 138kV Transmission Line**

Recommended Vendor:

Techline, Inc.

Total Recommended Award:

\$295,683.17

Basis for Award:

Lowest Responsible Bid

Purpose:

The purpose of this contract is to provide steel monopoles and apparatus required for the Olinger Wylie East Circuit Project.

Evaluation:

Requests for bids were issued in accordance with Purchasing procedures. Two (2) bids were received and evaluated. Although National Pole & Structure was low bid on item 1, they did not quote all of the required materials. Techline, Inc. was selected as the lowest responsible bidder quoting all items.

Recommendation:

Staff recommends awarding the contract to Techline, Inc. as the lowest responsible bidder.

Funding Information:

CIP project 210-3599-3140901-6051 (EC-T0409-001-1-6051) and 217-3599-3140901-6051 (EC-T7409-001-1-6051) Olinger Wylie East Circuit Transmission Project.

Department Director:

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



Purchasing Report

EMERGENCY REPLACEMENT OF AUTO TRANSFORMER OPEN MARKET

PURCHASE JUSTIFICATION:

The purpose of this contract is to provide transportation, crane services, transformer services, engineering services, and all associated incidentals necessary to replace a failed transformer at the TMPA-Gibbons Creek Substation. This is a TMPA Transmission purchase and will be 100% reimbursed to the City of Garland.

AWARD RECOMMENDATION:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
City Transformer Service		\$550,000.00
Black & Veatch Engineers		49,050.00
G2 Electrical Testing & Consulting		14,800.00
	TOTAL:	<u>\$613,850.00</u>

BASIS FOR AWARD:

Emergency

Submitted by:

Reviewed by:

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

William E. Dollar
City Manager

Date: 10/13/14

Date: 10/13/14

<u>FINANCIAL SUMMARY:</u>	
Total Project/Account: \$ <u>770,000</u>	Operating Budget: <input checked="" type="checkbox"/> CIP: <input type="checkbox"/> Year: <u>FY 2014-15</u>
Expended/Encumbered to Date: <u>31,723</u>	Document Location: <u>Page D-64 (Proposed Budget)</u>
Balance: \$ <u>738,277</u>	Account #: <u>211-3542-7111</u>
This Item: <u>613,850</u>	Fund/Agency/Project – Description: <u>GP&L – Electric Transmission</u>
Proposed Balance: \$ <u>124,427</u>	Comments: Provides transportation; crane, transformer, and engineering services; and all associated incidentals necessary to replace a failed transformer at TMPA-Gibbons Creek Substation. This is a TMPA Transmission purchase and will be reimbursed at 100%.
Trent Schulze <u>10/13/14</u>	
Budget Analyst <u>Date</u>	
Ron Young <u>10/13/14</u>	
Budget Director <u>Date</u>	



GARLAND

PURCHASING

Executive Summary Bid 4821-15 Emergency Replacement of Auto Transformer

Recommended Vendors:

City Transformer Service	\$550,000.00
Black & Veatch Engineers	49,050.00
G2 Electrical Testing & Consulting	<u>14,800.00</u>

Total Recommended Award: \$613,850.00

Basis for Award:

Emergency

Purpose:

The purpose of this contract is to provide transportation, crane services, transformer services, engineering services, and all associated incidental necessary to replace a failed transformer at the TMPA-Gibbons Creek Substation.

Evaluation:

The TMPA-Gibbons Creek Substation auto transformer failed in service and must be replaced as soon as possible to maintain the integrity of the electrical system. The selected vendors have been chosen based on qualifications and previous experience with the City.

Recommendation:

Staff recommends awarding the emergency auto transformer replacement contract to the selected vendors.

Funding Information:

TMPA Transmission Operating & Maintenance Account 211-3542-7111.
This is a TMPA Transmission purchase and will be reimbursed at 100%.

Department Director:

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



City Council Item Summary Sheet

Work Session

Date: October 21, 2014

Agenda Item

Zoning Ordinance

Summary of Request/Problem

Zoning Ordinance 14-36 Shearer Design and Associates

Recommendation/Action Requested and Justification

Consider adoption of attached ordinance.

Submitted By:

**Anita Russelmann
Director of Planning**

Approved By:

**William E. Dollar
City Manager**

ORDINANCE NO.

AN ORDINANCE AMENDING THE ZONING LAWS OF THE CITY OF GARLAND, TEXAS, BY APPROVING A CHANGE OF ZONING FROM OFFICE 1 (O-1) DISTRICT TO A PLANNED DEVELOPMENT (PD) DISTRICT FOR OFFICE 1 USES WITH RETAIL SALES/PERSONAL SERVICE (ALLOWED BY SPECIFIC USE PERMIT) ON A 0.3454-ACRE TRACT OF LAND LOCATED ON THE WEST SIDE OF MURPHY ROAD, APPROXIMATELY 480 FEET SOUTH OF THE INTERSECTION OF MURPHY ROAD AND CAMPBELL ROAD; PROVIDING FOR CONDITIONS, RESTRICTIONS, AND REGULATIONS; AND PROVIDING FOR A PENALTY AND AN EFFECTIVE DATE.

WHEREAS, at its regular meeting held on the 8th day of September, 2014, the City Plan Commission did consider and make recommendations on a certain request for zoning change made by **Shearer Design and Associates**; and

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

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

Section 1.

Ordinance No. 4647 is hereby amended by approving a change of zoning from Office 1 (O-1) District to a Planned Development (PD) District for Office 1 Uses with Retail Sales/Personal Service (allowed by Specific Use Permit) on a 0.3454-acre tract of land located on the west side of Murphy Road, approximately 480 feet south of the intersection of Murphy Road and Campbell Road and being more particularly described in Exhibit A, attached hereto and made a part hereof.

Section 2.

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

Section 3.

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

FILE NO. 14-36

Section 4.

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

Section 5.

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

PASSED AND APPROVED this _____ day of _____, 2014.

THE CITY OF GARLAND, TEXAS

By:

Mayor

ATTEST:

City Secretary

Published:

EXHIBIT A

LEGAL DESCRIPTION

Zoning File 14-36

Being approximately a 0.3454-acre tract of land and identified as Lot 7, Block 1, Campbell Crossing Office Park, an addition to the City of Garland as shown on the Plat recorded in instrument No. 20070287500 of the Map Records of Dallas County, Texas.

PLANNED DEVELOPMENT CONDITIONS

ZONING FILE 14-36

On the west side of Murphy Road, approximately 480 feet south of the intersection of Murphy Road and Campbell Road (Lot 7, Block 1, Campbell Crossing Office Park)

- I. **Statement of Purpose:** The purpose of this Planned Development is to allow Office 1 Uses and Retail Sales/Personal Service by Specific Use Permit 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 Office 1 (O-1) District set forth in Sections 20, 32 and 46 of the Comprehensive Zoning Ordinance, Ordinance No. 4647, are included by reference and shall apply, except as specified in this ordinance.
- V. **Specific Regulations:**
 - A. Permitted Uses: No use shall be permitted except those allowed in the Office 1 (O-1) District in the SH 190 Overlay and Retail Sales/Personal Service by Specific Use Permit only.



City Council Item Summary Sheet

Work Session

Date: October 6, 2014

Agenda Item

Resolution Supporting the Development of IH-30 and East Corridor

Summary of Request/Problem

At the October 6, 2014 Work Session, Council considered a draft resolution supporting the development of IH-30 and East Corridor Project.

Recommendation/Action Requested and Justification

Council discussion and direction.

Submitted By:

Approved By:

William E. Dollar
City Manager

RESOLUTION NO.

A RESOLUTION OF THE CITY OF GARLAND SUPPORTING THE DEVELOPMENT OF THE INTERSTATE HIGHWAY 30 AND EAST CORRIDOR PROJECT; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the population of the Dallas/Fort Worth Metroplex will be over 9.8 million residents by the year 2035, straining the North Texas transportation system;

WHEREAS, Interstate Highway 30 is one of the City's major transportation corridors, and is essential to the future of the City of Garland, enhancing mobility, safety, and creating economic development opportunities;

WHEREAS, the portion of IH-30 within the City of Garland is contemplated to be developed as part of the Texas Department of Transportation's East Corridor Project which currently includes:

- IH-30 from Downtown Dallas to Dalrock Road
- US 80 from IH-30 in Mesquite to Forney, Texas

WHEREAS, the City of Garland is actively involved in the Transportation EXcellence for the 21st Century (TEX-21) IH-30 Corridor Task Force, working to better IH-30 from Aledo, Texas to North Little Rock, Arkansas;

WHEREAS, at the September 25, 2014 East Corridor Stakeholder Forum, over forty East Corridor Stakeholders participated and a growing consensus emerged from the meeting to see the project developed expediently and effectively;

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

Section 1

That the City of Garland is supportive of the efforts to have IH-30 and the East Corridor project developed to relieve congestion, enhance mobility and safety for the portion from downtown Dallas to Royse City.

That the City of Garland is supportive of efforts to have the East Corridor project developed with the following preferences;

- Expand main lane capacity
- Enhanced access

- Reconfigure local interchanges to optimize economic vitality
- Continuous frontage roads
- Improve corridor aesthetics
- Designation as a Comprehensive Development Agreement for the 85th Legislative Session

Section 2

That the City of Garland will work collaboratively with the project's stakeholders, including, but not limited to, the United States Department of Transportation, Texas Transportation Commission, the Texas Department of Transportation, regional partners, cities and counties affected by improvements on IH-30 and US 80 within the East Corridor parameters; and the City of Garland will support coalition building efforts to see the project come to fruition, including support for future Legislative Sessions.

Section 3

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

PASSED AND APPROVED this the ____ day of _____, 2014.

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary



City Council Item Summary Sheet

Work Session

Date: October 20, 2014
October 21, 2014

Agenda Item

Rescheduling of First Regular Council Meeting in November

Summary of Request/Problem

The first regular Council meeting in November 2014 is on Tuesday, November 4, which is also the date of the statewide general elections in Texas. In order to allow the citizens of Garland and the members of the City Council a full opportunity to vote and otherwise participate in election matters, Council is requested to consider moving the date of the first regular meeting in November to Monday, November 3.

Recommendation/Action Requested and Justification

Council discussion and direction.

Submitted By:

Approved By:

William E. Dollar
City Manager

RESOLUTION NO.

A RESOLUTION CHANGING THE DATE OF THE REGULAR COUNCIL MEETING SCHEDULED FOR NOVEMBER 4, 2014 TO NOVEMBER 3, 2014; AND PROVIDING AN EFFECTIVE DATE.

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

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

WHEREAS, the first regular meeting for November, 2014 will fall on Tuesday, November 4;

WHEREAS, November 4 is the date of the State-wide general election in Texas; and

WHEREAS, in order to allow the citizens of Garland and the members of the City Council a full opportunity to vote and otherwise participate in election matters, the City Council desires to move the date of the first regular meeting in November;

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

Section 1

That the City Council hereby establishes Monday, November 3, 2014 as the date of its first regular meeting for the month of November, 2014.

Section 2

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

PASSED AND APPROVED this the _____ day of October, 2014.

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary



City Council Item Summary Sheet

Work Session

Date: October 21, 2014

Agenda Item

Zoning Ordinance

Summary of Request/Problem

On October 6, 2014 City Council held a public hearing to consider amendment of the Comprehensive Zoning Ordinance regarding the regulation of Smoke Shops.

Recommendation/Action Requested and Justification

Consider adoption of the attached ordinance.

Submitted By:

**Anita Russelmann
Director of Planning**

Approved By:

**William E. Dollar
City Manager**

ORDINANCE NO.

AN ORDINANCE AMENDING SECTIONS 10 AND 38 OF ORDINANCE NO. 4647 RELATING TO THE CREATION OF A ZONING CLASSIFICATION FOR SMOKE SHOPS; PROVIDING A PENALTY CLAUSE, A SAVINGS CLAUSE AND A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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

Section 1

That the schedule of uses contained in Section 10-200 of Ordinance No. 4647, the comprehensive zoning ordinance of the City of Garland, Texas is hereby amended by adding, as a land use allowed under the division "Office and Retail" a land use for "Smoke Shop" and designating such use as allowed by specific use permit in the Industrial - I-1 zoning district.

Section 2

That Section 38, "Definitions" of Ordinance No. 4647, the comprehensive zoning ordinance of the City of Garland, Texas is hereby amended by adding the following definition:

"212-A. Smoke Shop - A commercial establishment to which the public is admitted or invited which: (i) as its principal business purpose, offers for sale, distribution or exchange, for any form of consideration, any items, instruments, devices, equipment, accessories, or products that are intended, designed or marketed for use in the smoking or inhaling of any substance, including but not limited to tobacco, salts, incense, marijuana, hashish, hashish oil, cocaine or other controlled substances as defined in the Texas Health and Safety Code; and (ii) holds itself out, taking into account its business operations, its general inventory, and its commercial promotions whether on or off-premise, as encouraging or promoting the use of cannabis, illegal or controlled substances, or on which controlled substances are sold, marketed, or displayed even if marked as being sold for "novelty" or not for human consumption purposes. This definition does not include, and categorically excludes, commercial establishments that derive more than 75% of their revenue from the sale of the following tobacco products contained in the original manufacturer package: cigarettes, cigars, pipe tobacco, snuff, or chewing tobacco."

Section 3

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

Section 4

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

Section 5

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

Section 6

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

PASSED AND APPROVED this the _____ day of October, 2014.

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary



City Council Item Summary Sheet

Work Session

Date: October 21, 2014

Agenda Item

Revisions to City Council Policy No. OPNS-23, Council Committees

Summary of Request/Problem

At the October 20, 2014 Work Session, Council was scheduled to consider a revised recommendation from the Administrative Services Committee for changes to City Council OPNS-23, Council Committees.

Recommendation/Action Requested and Justification

Approve by minute action revisions to City Council Policy No. OPNS-23, Council Committees.

Submitted By:

Approved By:

William E. Dollar
City Manager

OPNS-23

9. COUNCIL COMMITTEES

Due to the complexity and diversity of City government issues, a closer view of some issues is required by the Council. In order to provide a mechanism for continuous evaluation and discussion of these various issues beyond the limited time available at regularly scheduled work sessions, the Council desires to develop a policy regarding the set up and use of Council Committees.

Agenda items requested may be assigned to a committee by the Mayor, or by a Council Member, with the concurrence of at least one other Council Member, may be assigned to a committee by a majority of the Council consent of the Council.

The Council shall have the following standing committees, aligned with the management responsibilities assigned to City Staff by the City Manager:

- Administrative Services Committee
- Audit Committee
- Community Services Committee
- Development Services Committee
- Public Safety Committee

Each committee, after receiving an assignment from the Council, Mayor, will consider policy decisions and actions; study issues; evaluate options; and develop recommendations. The committees shall serve in an advisory capacity only, and no committee shall have any authority to make final decisions regarding the merits or resolution of any matter assigned to or considered by it.

- a. Standing Committee Responsibilities** - The standing committees identified below shall have the following general responsibilities:

Administrative Services Committee

Items that may typically be directed to the Administrative Services Committee include, but are not limited to:

- Additions/revisions to Council policies
- Review of local, state and national legislative changes
- Updates on internal procedural modifications
- Specific budget items

Audit Committee

The Audit Committee shall assist the Council in fulfilling the Council's oversight responsibilities for the Internal Audit Department, reporting practices, internal control, and compliance with laws, regulations and ethics within the limits described in the City Charter. The Internal Audit Department shall have access to all information necessary to perform its functions under the City Charter (to the extent permitted by law), and shall operate independently of management and free of organizational impairments.

The Audit Committee will consist of seven members, three of which shall be City Council members appointed by the Mayor, and three of which shall be appointed by the City Manager. The Internal Auditor shall serve as a member and provide staff support to the committee. Only Council members may vote.

The Audit Committee shall meet at least quarterly, or more frequently as needed, and shall:

- Review and approve the Internal Audit Charter
- Approve the Internal Audit Department Annual Plan
- Receive and consider special written requests for audits from Council members and the City Manager
- Adjust the Annual Audit Plan as necessary to accommodate changes in the operating environment
- Review the results and performance of the Internal Audit Department on a quarterly and annual basis
- Review proposed Internal Audit budget in light of available resources
- Review summary of findings and recommendations of audit reports
- Review the annual external audit results and findings

Community Services Committee

Items that may typically be directed to the Community Services Committee include, but are not limited to:

- Creating new or modifying existing codes and ordinances related to parks and recreation, public health and code compliance
- Reviewing grant program applications
- Considering incentive programs for neighborhood revitalization

Development Services Committee

Items that may typically be directed to the Development Services Committee include, but are not limited to:

- Creation of new, or modification to existing codes and ordinances related to zoning, platting and building, engineering and transportation standards and requirements

Public Safety Committee

Items that may typically be directed to the Public Safety Committee include, but are not limited to:

- Additions and revisions to Council policies as they relate to public safety
- Review of local, state and national legislative changes as they relate to or may affect public safety
- Updates on policy modifications relating to public safety

- b. Ad Hoc Committees** - Ad hoc committees ~~of the Council shall~~ may be created ~~by a majority of~~ by the Mayor or the Council, with the consent of the Council and its members appointed by the Mayor. ~~The Council shall be informed of the creation of, and appointments to any such committees. Ad hoc committees shall be appointed~~ for a specific purpose, project or issue. The committee and shall continue until the project is completed, at which time it will be dissolved, unless earlier dissolved by the Mayor, or Council, with the consent of the Council. To the extent not inconsistent with the nature of Ad hoc committees, Ad hoc committees shall comply with the rules applicable to standing committees.
- c. Committee Recommendation and Council Consideration** - Each committee shall prepare reports and make recommendations to the City Council at a Work Session regarding every matter assigned or considered.
- d. Composition of Committees** - Each committee shall be composed of three members of the City Council. The Mayor shall serve as an ex officio member on each committee with the right to discuss any matter that is under consideration, but shall have no vote nor serve as chair at the committee level. Any Council member may attend any committee meeting, but only appointed members may participate in deliberations and voting. Testimony from someone not on the committee shall be permitted at the pleasure of the chair.

- e. **Appointments and Vacancies** - After the annual Council election, Council Committee Interest Forms (see sample attached) shall be completed by each Council Member. Following that, Appointments to committees will be recommended made by the Mayor as soon as practicable, after the annual Council election, with the consent of the Council. A Council Committee Interest Form may be used (see sample attached). Final committee nominees shall be approved by a majority of Tthe Council will be notified of committee appointments. The Mayor shall make new appointments as needed to fill vacancies in order to assure continuity on the committees.
- f. **Term** - The term of office of any member of a standing committee shall begin upon appointment by the Mayor and approval of notice to the City consent of the Council. The term shall continue until a replacement is appointed or until a committee member no longer holds a position on the City Council.
- g. **Chair** - The Chair of each committee shall be selected by the Mayor.
- hi. **Convening meetings** - The committee chair shall have the responsibility for convening the committee as necessary.
- ij. **Minutes** - Committees shall keep minutes of their meetings. Minutes shall provide a summary of all business discussed or considered, action taken, the outcome of any votes, and those persons present at committee meetings. When completed, the minutes shall be signed by the chair and filed with the City Secretary and promptly posted on the City's website.
- jk. **Agenda Postings** - Notice of all committee meetings shall be posted in accordance with the Texas Open Meetings Act. ~~and a~~Any such notices shall be posted in a manner that contemplates the attendance of a quorum of the City Council., and participation in, agenda items by a quorum of the City Council.
- kl. **Recommendation Regarding Continuation of Committees** - The Mayor shall annually review the activity of existing committees to identify inactive committees and provide a report to the Council recommending which committees should be continued and which dissolved.

OPNS-23

9. COUNCIL COMMITTEES

Due to the complexity and diversity of City government issues, a closer view of some issues is required by the Council. In order to provide a mechanism for continuous evaluation and discussion of these various issues beyond the limited time available at regularly scheduled work sessions, the Council desires to develop a policy regarding the set up and use of Council Committees.

Agenda items may be assigned to a committee by the Mayor, with the consent of the Council.

The Council shall have the following standing committees, aligned with the management responsibilities assigned to City Staff by the City Manager:

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- Review of local, state and national legislative changes
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- Specific budget items

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The Audit Committee shall assist the Council in fulfilling the Council's oversight responsibilities for the Internal Audit Department, reporting

practices, internal control, and compliance with laws, regulations and ethics within the limits described in the City Charter. The Internal Audit Department shall have access to all information necessary to perform its functions under the City Charter (to the extent permitted by law), and shall operate independently of management and free of organizational impairments.

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Items that may typically be directed to the Development Services Committee include, but are not limited to:

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- c. **Committee Recommendation and Council Consideration** - Each committee shall prepare reports and make recommendations to the City Council at a Work Session regarding every matter assigned or considered.
- d. **Composition of Committees** - Each committee shall be composed of three members of the City Council. The Mayor shall serve as an ex officio member on each committee with the right to discuss any matter that is under consideration, but shall have no vote nor serve as chair at the committee level. Any Council member may attend any committee meeting, but only appointed members may participate in deliberations and voting. Testimony from someone not on the committee shall be permitted at the pleasure of the chair.
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- h. Convening meetings** - The committee chair shall have the responsibility for convening the committee as necessary.
- i. Minutes** - Committees shall keep minutes of their meetings. Minutes shall provide a summary of all business discussed or considered, action taken, the outcome of any votes, and those persons present at committee meetings. When completed, the minutes shall be signed by the chair and filed with the City Secretary and promptly posted on the City's website.
- j. Agenda Postings** - Notice of all committee meetings shall be posted in accordance with the Texas Open Meetings Act. Any such notices shall be posted in a manner that contemplates the attendance of a quorum of the City Council.
- k. Recommendation Regarding Continuation of Committees** - The Mayor shall annually review the activity of existing committees to identify inactive committees and provide a report to the Council recommending which committees should be continued and which dissolved.



Planning Report

Israel Tirado

3300 Broadway Boulevard

REQUEST

Approval of a Specific Use Permit for a Restaurant, Drive-Through on property zoned Office 2 (O-2) District.

OWNER

J & B Rental Inc.

PLAN COMMISSION RECOMMENDATION

On September 22, 2014 the Plan Commission, by a vote of nine (9) to zero (0), recommended approval of a Specific Use Permit for a Restaurant, Drive-Through per Staff recommendation.

STAFF RECOMMENDATION

Approval of a Specific Use Permit for Restaurant, Drive-Through for a period of 25 years. The proposed Pollo Regio restaurant is a fitting use for a site that is highly accessible from Broadway Boulevard, yet buffered from residential properties by the surrounding office uses. Furthermore, the proposed fast food restaurant is expected to be equally intensive as the Chicken Express restaurant approved with the current Specific Use Permit.

BACKGROUND

The subject property was developed in 1976 as an office building and was previously occupied by a bank. In 2012, City Council approved a zoning change from Office 1 (O-1) District to Office 2 (O-2) District and a Specific Use Permit for a Restaurant, Drive-Through tied to Chicken Express. However, Chicken Express never occupied the subject property which has remained unoccupied.

SITE DATA

The subject property contains 0.6 acres with approximately 167 feet of frontage along Broadway Boulevard and 160 feet of frontage along Stonewall Street. The subject property is located at the corner of Broadway Boulevard and Stonewall; the site can be accessed from both streets.

USE OF PROPERTY UNDER CURRENT ZONING

The Office 2 (O-2) District provides for general office and professional service uses. This district also accommodates limited services for office activities such as restaurants, personal services and specialized retail. Restaurant, Drive-Through in Office 2 (O-2) District, as in the other zoning districts where it may be approved, is only allowed by Specific Use Permit.

CONSIDERATIONS

1. The applicant is proposing to operate a Pollo Regio restaurant from the existing 4,225 square feet building (including area under existing drive-through canopy). The exterior and the interior of the building will be remodeled; however, the footprint of the building will remain essentially the same. The remodeling of the building would include covering the existing brick veneer with stucco, the addition of attached signage and an architectural feature to highlight the main entrance of the building. The restaurant would operate from 10:00 a.m. to 10:00 p.m. 7 days a week.
2. The proposed attached signage and drive-thru menu board sign will fully comply with the Sign Ordinance. The applicant would utilize the existing freestanding pole sign and proposes no modifications to the height or square footage; however, the cabinet will be refaced with a sign identifying the building as a Pollo Regio restaurant.
3. Parking: The parking ratio as specified in Section 10-200 of the City of Garland Comprehensive Zoning Ordinance requires a minimum of 8 parking spaces plus 1 parking space for every 50 square feet of dining area for a Restaurant with Drive Through. The applicant has indicated that the dining area would be approximately 630 square feet; therefore, the total required parking for the site would be 21 parking spaces; 21 parking spaces will be provided.
4. The existing Specific Use Permit includes a condition designating the driveway off of Stonewall Street closest to Broadway Boulevard as an entrance only driveway and the other driveways off of Stonewall Street for exiting only. This condition was created to minimize the impact vehicles exiting the site would have on the traffic flow at the intersection of Broadway Boulevard and Stonewall Drive. This condition is being carried forth under the new Specific Use Permit.
5. The applicant is requesting approval of the Specific Use Permit for a period of 25 years.

COMPREHENSIVE PLAN

The Future Land Use Map of the Envision Garland Plan recommends Neighborhood Centers for the subject property. Neighborhood centers provide a mix of retail, services and community gathering places appropriately scaled to adjacent residential areas. The proposed Restaurant with Drive-Through is consistent with the recommendation of the Comprehensive Plan in that it will provide a daily service to the surrounding businesses and nearby residential neighborhoods.

COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

Properties to the north across Stonewall Street, to the east and immediately to the south are zoned Office 1 (O-1) District and are developed with office buildings. The property further south is zoned Shopping Center (SC) District and is developed with a multi-tenant commercial building and a pad site building. Properties to the west and southwest across Broadway Boulevard are zoned Shopping Center (SC) District and General Business (GB) District; these properties are developed with a McDonald's restaurant, a Valero gas station, a medical office, a Sonic restaurant, and a Golden Chick restaurant.

The applicant's proposal is to revitalize a building that has remained vacant for a number of years and operate a Pollo Regio restaurant that is compatible with the surrounding land uses and will expand the array of services patrons from nearby businesses and residents from nearby neighborhoods can find along Broadway Boulevard.

Prepared By:

Josue De La Vega
Development Planner

Date: October 10, 2014

Reviewed By:

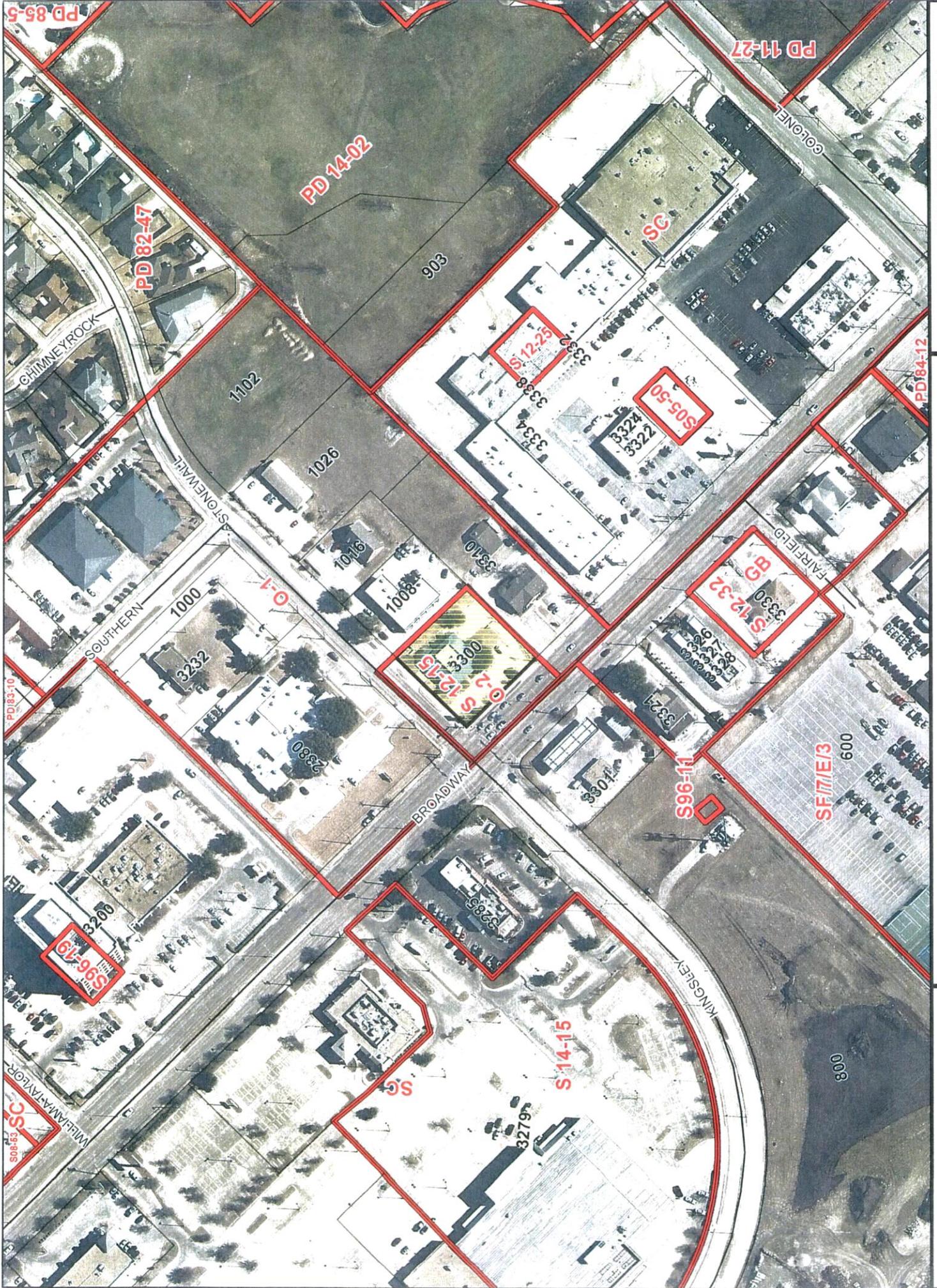
Anita Russelmann
Director of Planning

Date: October 13, 2014

Reviewed By:

William E. Dollar
City Manager

Date: October 14, 2014



INDICATES AREA OF REQUEST



ZONING Z 14-37



SPECIFIC USE PERMIT CONDITIONS

ZONING FILE 14-37

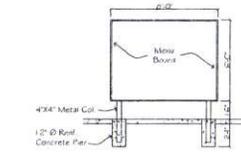
3300 Broadway Boulevard

- I. **Statement of Purpose:** The purpose of this Specific Use Permit is to allow for Restaurant, Drive-Through subject to conditions.
- II. **Statement of Effect:** This permit shall not affect any regulation found in the Comprehensive Zoning Ordinance, as amended, except as specifically provided herein.
- III. **General Regulations:** All regulations of the Office 2 (O-2) District set forth in Section 21, 33 and 34 of the Comprehensive Zoning Ordinance, Ordinance No. 4647 are included by reference and shall apply, except as otherwise specified in this ordinance.
- IV. **Specific Regulations:**
 - A. Time Period: The Specific Use Permit shall be in effect for a 25 year time period.
 - B. Site Plan: Subject property shall remain in conformance with site plan labeled Exhibit C.
 - C. Circulation: The driveway off of Stonewall Street closest to Broadway Boulevard shall be designated for entrance only. The other driveways off of Stonewall Street shall be designated for exit only.

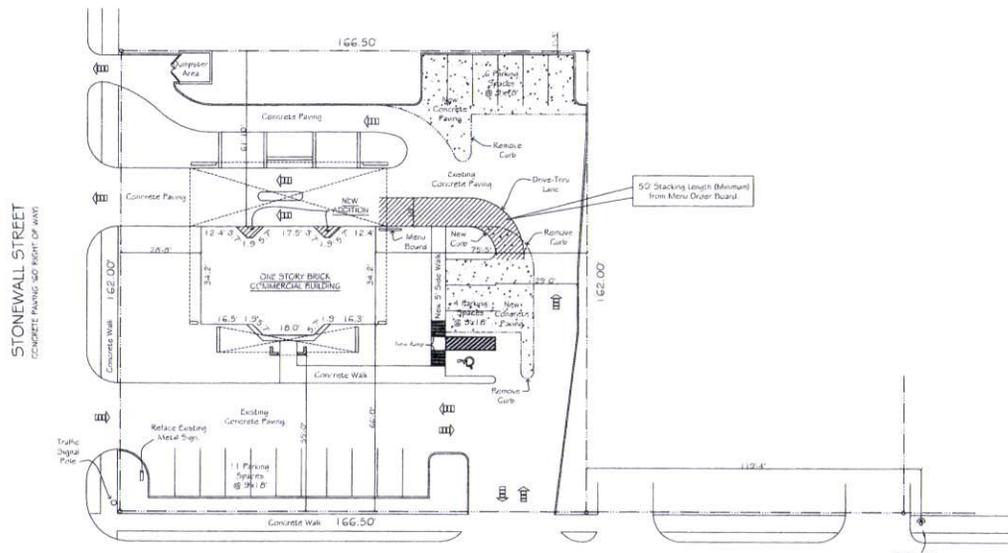
North



THESE PLANS ARE INTENDED TO PROVIDE BASIC CONSTRUCTION INFORMATION NECESSARY TO COMPLETE THIS PROJECT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS, INCLUDING PLUMBING, MECHANICAL, AND ELECTRICAL. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS, INCLUDING PLUMBING, MECHANICAL, AND ELECTRICAL. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS, INCLUDING PLUMBING, MECHANICAL, AND ELECTRICAL.



MENU BOARD DETAIL N.T.S.



STONEWALL STREET
CONCRETE PAVING 50' RIGHT OF WAY

3300 BROADWAY BOULEVARD
CONCRETE PAVING 115' RIGHT OF WAY

PARKING ANALYSIS	
Restaurant w/ Drive Thru	2,207 SF.
Spaces Required	= 8
630 sf / 50	= 13
Total Parking Required	= 21
Total Parking Provided	= 21

SITE PLAN

SCALE: 1" = 20'-0"

3300 BROADWAY BLVD.
Block A SW PT Lot 3
Garland, Texas 75043

Date
AUGUST, 2014
Sheet Title
SITE PLAN
Scale
1" = 20'-0"
Sheet No.

1

of 10

EXHIBIT C

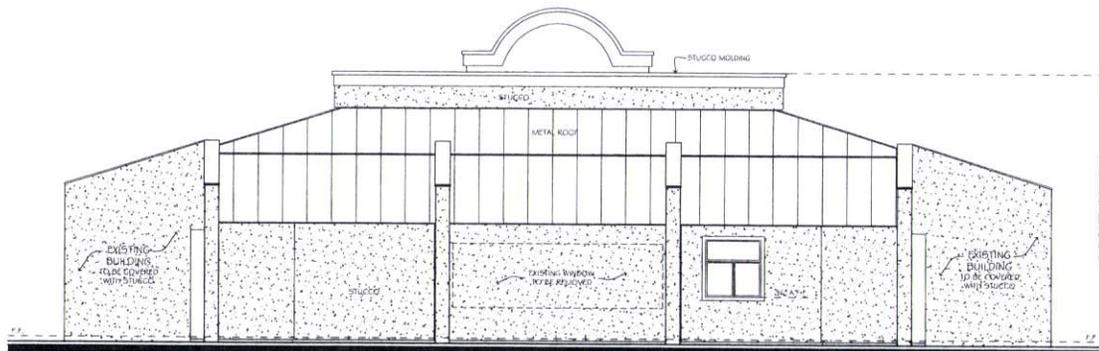


SIGN DIMENSIONS SCALE: 1/4" = 1'-0"

- GENERAL NOTES**
1. ALL WORK MUST BE DONE ACCORDING TO MANUFACTURER'S SPECIFICATIONS & INDUSTRY STANDARDS.
 2. ALL WORK MUST BE DONE ACCORDING TO ALL CONCERNED CODE & REGULATIONS.
 3. A STRUCTURAL ENGINEER MUST BE CONSULTED FOR ALL CONSTRUCTION DETAILS.
 4. CONTRACTOR TO FIELD VERIFY BUILDING ELEVATIONS AND EXISTING UTILITIES.
 5. VERIFY CLEARANCES ARE REQUIRED FOR ALL EQUIPMENT.
 6. BEFORE PROCEEDING WITH ANY WORK OR ORDERING ANY MATERIALS, THE CONTRACTOR AND/OR SUBCONTRACTOR SHALL VERIFY ALL MEASUREMENTS AND LOCATIONS OF BUILDING COMPONENTS AND THEIR INTERRELATIONSHIP AT THE BUILDING SITE, AND SHALL BE RESPONSIBLE FOR THEIR CORRECTNESS.
 7. CONTRACTOR AND/OR SUBCONTRACTOR IS ULTIMATELY RESPONSIBLE FOR VERIFYING AND MAKING ADJUSTMENTS TO ANY DISCREPANCIES BETWEEN THE PLANS AND THE BUILDING SITE.



PROPOSED FRONT ELEVATION SCALE: 1/4" = 1'-0"



PROPOSED REAR ELEVATION SCALE: 1/4" = 1'-0"

North



NEW PLANS ARE INTENDED TO PROVIDE ONLY CONSTRUCTION/LOCATION INFORMATION NECESSARY TO COMPLETE THE CONSTRUCTION OF THE WORK. INCLUDING PLUMBING, MECHANICAL AND ALL PORTIONS OF THE WORK. ANY LOCAL, COUNTY, STATE AND FEDERAL APPLICABLE CODES, ORDINANCES, REGULATIONS AND STANDARDS SHALL BE OBTAINED BY THE CONTRACTOR AND/OR SUBCONTRACTOR. THE CONTRACTOR AND/OR SUBCONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING AND MAKING ADJUSTMENTS TO ANY DISCREPANCIES BETWEEN THE PLANS AND THE BUILDING SITE.

3300 BROADWAY BLVD.
Block A SW PT Lot 3
Garland, Texas 75043

Date
AUGUST, 2014

Sheet Title

INDICATES

Scale
1/4" = 1'-0"

Sheet No.

5

of 10

REPORT & MINUTES

P.C. Meeting, September 22, 2014 (9 Members Present)

Consideration of the application of Israel Tirado, requesting approval of a Specific Use Permit for a Restaurant, Drive-Through on property zoned Office 2 (O-2) District. This property is located at 3300 Broadway Boulevard. (District 3) (File Z 14-37)

The applicant, Israel Tirado, 2200 FM 2727, Kaufman, TX, gave a brief overview of the request and remained available for questions.

Commissioner Dalton asked the applicant questions regarding the interior remodel and also expressed concern regarding traffic entering the site and trash.

The applicant stated the vault would be removed, the drive-through would compose approximately fifty percent of the business and the traffic direction would remain the same.

Speaking in opposition of the request, Lisa Garner MD, 3310 Broadway Blvd, Garland, TX expressed concern regarding trash from the restaurant on her property and parking.

Motion was made by Commissioner Dalton, seconded by Commissioner O'Hara to close the public hearing and open discussion. **Motion carried: 9 Ayes, 0 Nays.**

Commissioners expressed general support of the renovation of a vacant, deteriorating building by the applicant and reiterated the need for ongoing property maintenance by the property owner.

Motion was made by Commissioner Dalton, seconded by Commissioner Moore to approve the request per staff recommendation. **Motion carried: 9 Ayes, 0 Nays.**



GARLAND

September 11, 2014

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

HEARING DATE/TIME: Plan Commission: September 22, 2014 – 7:00 PM

APPLICANT: Israel Tirado

File Z 14-37

Dear Property Owner:

A public hearing will be held by the Plan Commission of the City of Garland, Texas, at 7:00 P.M. Monday, September 22, 2014, in the Goldie Locke Room of the Duckworth Utility Services Building, 217 North Fifth Street, to consider the application of **Israel Tirado** requesting approval of a Specific Use Permit for a Restaurant, Drive-Through. The property is shown on the enclosed sketch and is described as follows:

Being an approximate 0.6-acre parcel and identified as a portion of Lot 3, Block A, South Garland Professional Development No.3 Addition, an addition to the City of Garland as shown on the Plat recorded in Volume 73028, Page 1931 of the Map Records of Dallas County, Texas. The property is located at 3300 Broadway Boulevard. (District 3)

Note: The applicant requests approval of a Specific Use Permit to operate a restaurant with a drive-thru from an existing building.

To convey any concerns or opinions regarding the aforementioned request, please complete the below-listed section and return to **City of Garland, Planning Department, P.O. Box 469002, Garland, TX 75046-9002**. 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 do NOT ruin the one professional zone we have in South Garland

(Please complete the following information)

Your Property Address

Printed Name	Philipp M. Dunn DDS		
Address	1016 Stonewall Street		
	Garland, TX 75043	City, State	Zip

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

Signature	<u>Philipp M. Dunn DDS</u>	Title	<u>Dentist / property owner</u>
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Date: 9/13/2014



GARLAND

September 11, 2014

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

HEARING DATE/TIME: Plan Commission: September 22, 2014 – 7:00 PM

APPLICANT: Israel Tirado

File Z 14-37

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Being an approximate 0.6-acre parcel and identified as a portion of Lot 3, Block A, South Garland Professional Development No.3 Addition, an addition to the City of Garland as shown on the Plat recorded in Volume 73028, Page 1931 of the Map Records of Dallas County, Texas. The property is located at 3300 Broadway Boulevard. (District 3)

Note: The applicant requests approval of a Specific Use Permit to operate a restaurant with a drive-thru from an existing building.

To convey any concerns or opinions regarding the aforementioned request, please complete the below-listed section and return to **City of Garland, Planning Department, P.O. Box 469002, Garland, TX 75046-9002**. 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 extremely concerned about our property value. The property in question is the opening of a new professional area and it doesn't represent the area in a positive light.
(Please complete the following information)

Your Property Address

Traci Dunn

Printed Name

1016 Stonewall Street
Address

Garland, TX
City, State

75043
Zip

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

Traci Dunn
Signature

Title

Date: 9/13/14.



GARLAND

September 11, 2014

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

HEARING DATE/TIME: Plan Commission: September 22, 2014 – 7:00 PM

APPLICANT: Israel Tirado

File Z 14-37

Dear Property Owner:

A public hearing will be held by the Plan Commission of the City of Garland, Texas, at 7:00 P.M. Monday, September 22, 2014, in the Goldie Locke Room of the Duckworth Utility Services Building, 217 North Fifth Street, to consider the application of **Israel Tirado** requesting approval of a Specific Use Permit for a Restaurant, Drive-Through. The property is shown on the enclosed sketch and is described as follows:

Being an approximate 0.6-acre parcel and identified as a portion of Lot 3, Block A, South Garland Professional Development No.3 Addition, an addition to the City of Garland as shown on the Plat recorded in Volume 73028, Page 1931 of the Map Records of Dallas County, Texas. The property is located at 3300 Broadway Boulevard. (District 3)

Note: The applicant requests approval of a Specific Use Permit to operate a restaurant with a drive-thru from an existing building.

To convey any concerns or opinions regarding the aforementioned request, please complete the below-listed section and return to **City of Garland, Planning Department, P.O. Box 469002, Garland, TX 75046-9002**. 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 would strongly prefer to have that remain a professional business.

(Please complete the following information)

Your Property Address

Adam Preece, DDS 3232 Broadway Blvd Ste J C

Printed Name

Garland 75043

Address

City, State

Zip

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

Adam Preece

Signature

Pediatric Dentist

Title

Date: *9/15/14*



GARLAND

September 11, 2014

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

HEARING DATE/TIME: Plan Commission: September 22, 2014 – 7:00 PM

APPLICANT: Israel Tirado

File Z 14-37

Dear Property Owner:

A public hearing will be held by the Plan Commission of the City of Garland, Texas, at 7:00 P.M. Monday, September 22, 2014, in the Goldie Locke Room of the Duckworth Utility Services Building, 217 North Fifth Street, to consider the application of **Israel Tirado** requesting approval of a Specific Use Permit for a Restaurant, Drive-Through. The property is shown on the enclosed sketch and is described as follows:

Being an approximate 0.6-acre parcel and identified as a portion of Lot 3, Block A, South Garland Professional Development No.3 Addition, an addition to the City of Garland as shown on the Plat recorded in Volume 73028, Page 1931 of the Map Records of Dallas County, Texas. The property is located at 3300 Broadway Boulevard. (District 3)

Note: The applicant requests approval of a Specific Use Permit to operate a restaurant with a drive-thru from an existing building.

To convey any concerns or opinions regarding the aforementioned request, please complete the below-listed section and return to **City of Garland, Planning Department, P.O. Box 469002, Garland, TX 75046-9002**. 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

Don A. Herbert

Printed Name

1008 Stonewall Suite E Garland, TX. 75043

Address

City, State

Zip

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

Signature

Owner Don Herbert Ins.

Title

Agency

Date: 9-15-14



GARLAND

September 11, 2014

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

HEARING DATE/TIME: Plan Commission: September 22, 2014 – 7:00 PM

APPLICANT: Israel Tirado

File Z 14-37

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A public hearing will be held by the Plan Commission of the City of Garland, Texas, at 7:00 P.M. Monday, September 22, 2014, in the Goldie Locke Room of the Duckworth Utility Services Building, 217 North Fifth Street, to consider the application of **Israel Tirado** requesting approval of a Specific Use Permit for a Restaurant, Drive-Through. The property is shown on the enclosed sketch and is described as follows:

Being an approximate 0.6-acre parcel and identified as a portion of Lot 3, Block A, South Garland Professional Development No.3 Addition, an addition to the City of Garland as shown on the Plat recorded in Volume 73028, Page 1931 of the Map Records of Dallas County, Texas. The property is located at 3300 Broadway Boulevard. (District 3)

Note: The applicant requests approval of a Specific Use Permit to operate a restaurant with a drive-thru from an existing building.

To convey any concerns or opinions regarding the aforementioned request, please complete the below-listed section and return to **City of Garland, Planning Department, P.O. Box 469002, Garland, TX 75046-9002**. 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

Printed Name

Address

City, State

Zip

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

Signature

Title

Date:

JERRY L. MCGILL (McGill Insurance)
1008 Stonewall St. Ste. E Garland, TX 75043
OWNER
9-15-14



GARLAND

September 11, 2014

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

HEARING DATE/TIME: Plan Commission: September 22, 2014 – 7:00 PM

APPLICANT: Israel Tirado

File Z 14-37

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Being an approximate 0.6-acre parcel and identified as a portion of Lot 3, Block A, South Garland Professional Development No.3 Addition, an addition to the City of Garland as shown on the Plat recorded in Volume 73028, Page 1931 of the Map Records of Dallas County, Texas. The property is located at 3300 Broadway Boulevard. (District 3)

Note: The applicant requests approval of a Specific Use Permit to operate a restaurant with a drive-thru from an existing building.

To convey any concerns or opinions regarding the aforementioned request, please complete the below-listed section and return to **City of Garland, Planning Department, P.O. Box 469002, Garland, TX 75046-9002**. 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.

Adamately appossed !!

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

We do not want S. Garland High School kids hanging next to our business.

They already have enough problems at McDonalds

Your Property Address

LINDSAY THORPE

Printed Name

1008 Stonewall, B-1 Garland TX 75043

Address

City, State

Zip

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

Signature

[Handwritten Signature]

Title

owner, Virgin Couriers

Date:

9/15/14



Planning Report

The Dimension Group

3464 W Campbell Road

REQUEST

Approval of a Specific Use Permit for Retail Sales with Gas Pumps on property zoned Shopping Center (SC) District within the SH 190 Overlay.

OWNER

SCThreeStar Investment, LLC

PLAN COMMISSION RECOMMENDATION

On September 22, 2014 the Plan Commission, by a vote of nine (9) to zero (0), recommended approval of a Specific Use Permit for Retail Sales with Gasoline Pumps on property zoned Shopping Center (SC) District with the condition of replacing the drive east of the CIAB enclosure with additional green space, landscape and screening.

The applicant has provided additional green space, landscaping and screening of above ground pipes as recommended by the Plan Commission.

Additionally, Plan Commission approved variances to Section 34.18 (B)(2) [Exterior walls] and Section 34.19 (A)(2) [Building Setbacks] of the SH 190 Development Standards to eliminate the required architectural articulation on the front façade and reduce the rear setback to six (6) feet, two (2) inches.

STAFF RECOMMENDATION

Staff recommendation is to approve the request for a Specific Use Permit for Retail Sales with Gas Pumps. The proposed modification will not establish a new use to the area but serve only to provide compressed natural gas sales to the existing business. The subject site is adjacent to an existing automotive repair building to the south. As such the site will remain otherwise consistent with the Future Land Use Map, and compatible with surrounding uses in the area.

BACKGROUND

The subject site is zoned Shopping Center (SC) and contains an existing use categorized by the chart of permitted uses as Retail Sales with Gas Pumps. The SH 190 Overlay District requires a Specific Use Permit for Retail Sales with Gas Pumps in the SC district. The applicant's request includes the demolition of an existing car wash structure. The applicant will construct in its place a 540 square foot [Compressed Natural Gas (CNG)-in-a-box] CIAB enclosure.

The current Retail Sales with Gas Pumps use is considered legally non-conforming due to the current requirement that Retail Sales with Gas Pumps

receive Specific Use Permit approval; the site was established prior to the current requirements.

SITE DATA

The subject site contains approximately .8963 acres and can be accessed from W. Campbell Road and N. Jupiter Road.

USE OF PROPERTY UNDER CURRENT ZONING

The property is zoned Shopping Center (SC) District within the SH 190 Overlay. The Shopping Center District is intended for convenient retail and personal service activities by grouping compatible uses in a single center. Retail Sales with Gas Pumps are permitted in the Shopping Center (SC) District with approval of a Specific Use Permit.

CONSIDERATIONS

1. The proposed modifications will include an additional Compressed Natural Gas (CNG) dispenser under the existing canopy. According to the applicant, the CNG will be self-service and is on demand at the dispenser. The CNG will be supplied to the vehicle from underground tanks through buffer tanks housed inside the ([CNG]-in-a-box) CIAB enclosure. When the buffer tank gets low enough, the compressor motor turns on and draws in more gas from the underground lines and refills the buffer tanks ready for the next use.
2. The applicant has indicated that the compressor will create noise at a level of approximately 65 dB; however the sound attenuation panels installed within the CIAB enclosure will reduce the sound to between 45-50 dB.
3. The applicant was granted variances from the SH 190 Development Standards that require a building of any kind be located no less than 15 feet from rear and side property lines. The proposed CIAB will be 6.2 feet from the south property line. The south property line is adjacent to an existing commercial site. The applicant was also granted a variance from the SH 190 Development Standards to eliminate the required nine (9) foot "architectural articulation" on the front façade of the CIAB enclosure.
4. The applicant is requesting that the Specific Use Permit be granted for a period of twenty (25) years.
5. The site plan as submitted reveals an additional 8 foot curb to support the new CNG dispenser. The additional curb is expected to match the existing curb. Bollards will be placed in front of the existing drive access to the CIAB structure to block vehicular access. The site modifications are not expected to have an effect on current parking and circulation. The applicant will provide green space in place of the rear exit drive of the previous carwash facility. Landscaping will screen the above ground pipes in this area. The applicant has been advised to consider evergreen shrubs (Sec 5.7.3), or small ornamental trees (Sec 5.7.2) chosen from the varieties listed in the City of Garland Screening and Landscape Standards.

COMPREHENSIVE PLAN

The Future Land Use Map of the Envision Garland Plan designates the subject property as Neighborhood Centers. Neighborhood centers serve the needs of the nearby residents and are compatible in a neighborhood setting. Neighborhood centers tend to be located nearby areas of residential use, generally along and at the intersection of frequently used thoroughfares. Neighborhood centers offer a mix of shops, services, amenities and gathering places. Retail Sales with Gas Pumps are consistent with the intent of a neighborhood center by providing a service to nearby residential areas.

COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

The properties to the west across Jupiter Road are within the City of Richardson. The areas immediately adjacent to the subject site are zoned for Shopping Center (SC), Single Family (SF) and Agriculture (AG) Districts and are mostly developed. Immediately to the north across Campbell Road is an existing Retail Sales with Gas Pumps use. The area further north along Jupiter Road consists of Shopping Center, Single Family and Agriculture Districts and uses. The area south of the site along Jupiter Road is zoned Shopping Center. Big Springs Court single family subdivision is east and adjacent to the subject site within a Planned Development (PD) District 92-40 for Single Family Uses.

The request would not introduce any new uses to the area. Review of the application has found that the applicant has taken measures to mitigate any adverse impact to the surrounding area including sound and aesthetics. Sound from the compressing process has been approximated at 45-50 dB with the sound attenuation panels in the enclosure (60 dB is the sound level for an average air conditioner and conversational speech). The proposed CIAB enclosure is expected to replace the existing car wash facility, but contain a smaller footprint and a brick veneer façade.

Prepared By:

Isaac Williams
Development Planner

Date: October 10, 2014

Reviewed By:

Anita Russelmann
Director of Planning

Date: October 13, 2014

Reviewed By:

William E. Dollar
City Manager

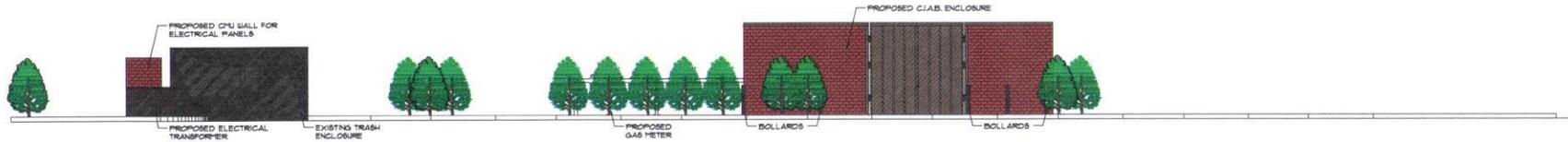
Date: October 14, 2014

SPECIFIC USE PERMIT CONDITIONS

ZONING FILE 14-40

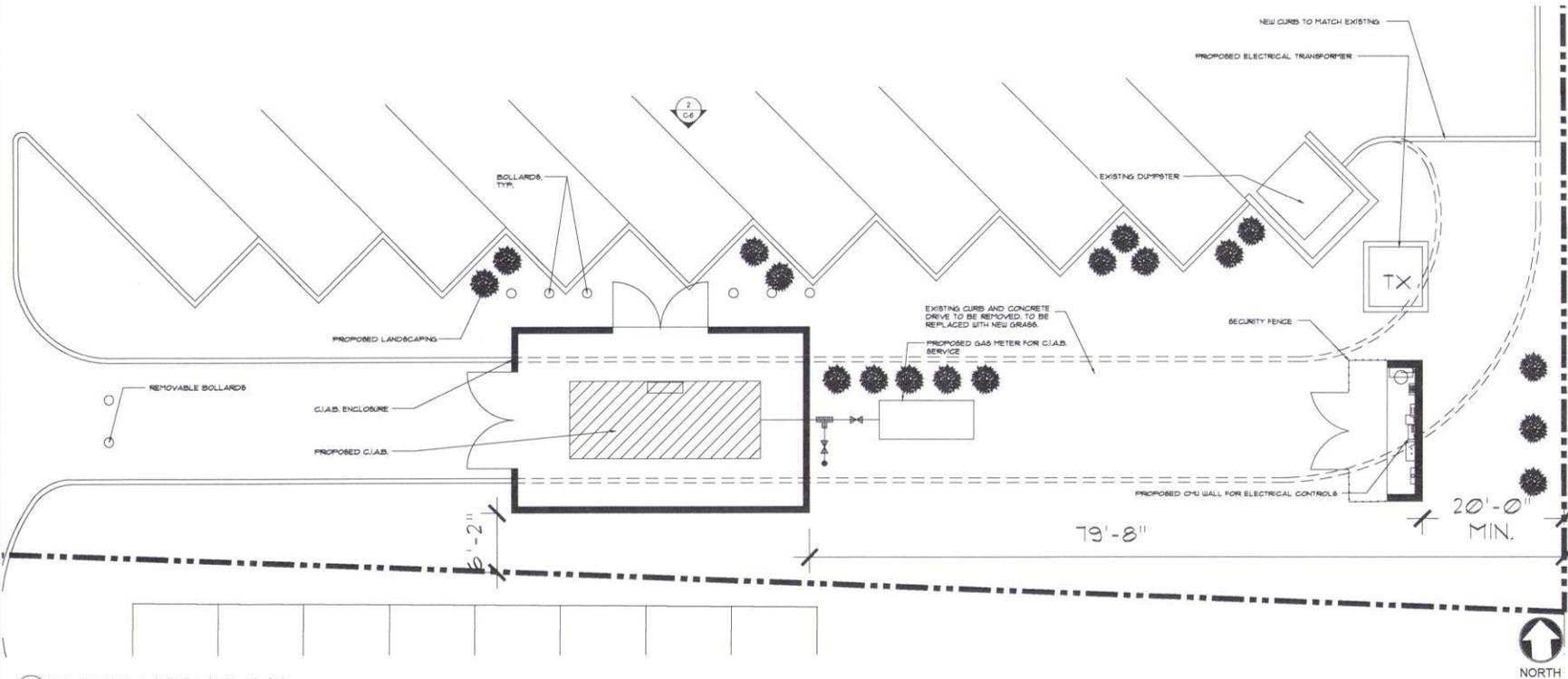
3464 W Campbell Road

- I. Statement of Purpose:** The purpose of this Specific Use Permit is to allow an existing Retail Sales with Gas Pumps modified by the installation of a [Compressed Natural Gas (CNG)-in-a-box] CIAB enclosure and dispenser.
- II. Statement of Effect:** This permit shall not affect any regulation found in the Comprehensive Zoning Ordinance, as amended, except as specifically provided herein.
- III. General Regulations:** All regulations of Section 10-309 and the Shopping Center (SC) District set forth in Section 24 and 33 of the Comprehensive Zoning Ordinance, and Ordinance 5565 (Development Standards for SH 190) are included by reference and shall apply, except as otherwise specified in this ordinance.
- IV. Specific Regulations:**
- A. Time Period: The Specific Use Permit shall be in effect for a 25 year time period
 - B. Site Plan: Development shall be in general conformance with site plan labeled Exhibit C.
 - C. Building Design and Location:
 - i) Variance to allow an unarticulated façade along the W Campbell Road frontage.
 - ii) Variance to allow a 6.2 south side yard setback
 - D. Elevations: CNG-In-a-box (CIAB) and the new dispenser pump shall be in general conformance with the elevations labeled Exhibit D.
 - E. Surety Bond: The owner/operator shall provide a \$40,000 surety bond or similar security to the City to ensure the removal of all buildings, equipment, above-ground and underground storage tanks and/or other improvements in the event the business operations (retail sales with gas pumps) ceases operation for a period of two or more years, Section 10-309(c) of the Comprehensive Zoning Ordinance.



2 LANDSCAPE ELEVATION

3/16" = 1'-0"



1 ENLARGED LANDSCAPE PLAN

3/16" = 1'-0"



TYPE FIRM REGISTRATION #F-8396

FOR REVIEW ONLY; NOT FOR REGULATORY APPROVAL, PERMITTING OR CONSTRUCTION.

09/12/14

PRELIMINARY CASE #140711-1
 SUB CASE #4293, 14-40

VNG.CO
 EQUIPMENT INSTALLATION
 EXISTING TEXACO STATION
 3800 W. TEXACO ROAD
 GARLAND, TX 75044

ENLARGED LANDSCAPE



DATE ISSUED
 OWNER REVIEW 08/26/2014

DRAWN BY NF
 CHECKED BY JF
 JOB NO. 14391

C-6

REPORT & MINUTES

P.C. Meeting, September 22, 2014 (9 Members Present)

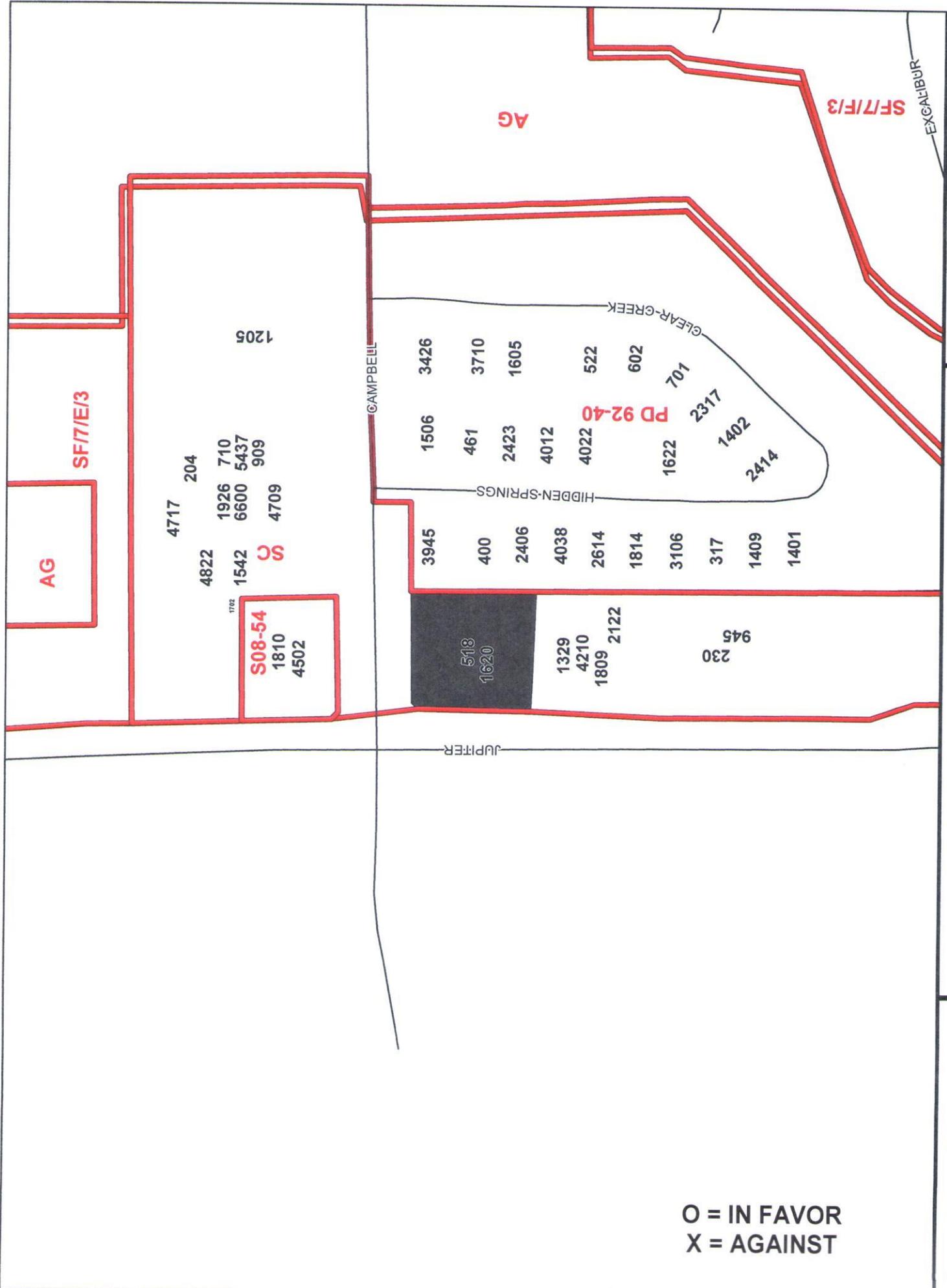
Consideration of the application of The Dimension Group, requesting approval of a Specific Use Permit for 1) a Specific Use Permit for Retail Sales with Gas Pumps and 2) variances to section 34.18 (B)(2) [Exterior walls] and section 34.19 (A)(2) [Building Setbacks] of the SH 190 Development Standards on property zoned Shopping Center (SC) District within the SH 190 Overlay. This property is located at 3464 W. Campbell Road. (District 7) (File Z 14-40).

Representing the applicant, Nick Flores, 10755 San Hill Rd., Dallas, TX gave a brief overview of the request and remained available for questions.

Commissioner Fisher questioned the need for the articulation requirement and suggested additional landscaping be provided behind the enclosure.

Commissioners Welborn and Vera questioned the regulation of the facility and whether the generator would be enclosed. The applicant stated the generator would be enclosed and there would be removable bollards in front of the dispensing station.

Motion was made by Commissioner Fisher, seconded by Commissioner Vera to close the Public Hearing and **approve** the Specific Use Permit, the variances to the exterior articulation requirement and building setback and to work with staff regarding additional landscaping. **Motion carried: 9 Ayes, 0 Nays.**



INDICATES AREA OF REQUEST



ZONING Z 14-40



O = IN FAVOR
X = AGAINST

AG

SF7/E/3

AG

SF7/E/3

EXCALIBUR

CAMPBELL

JUPITER

GLEAR-GREEK

PD 92-40

HIDDEN-SPRINGS

1702

S08-54
1810
4502

S

4717 204
4822
1542
1926 710
6600 5437
909
4709

1205

3945

518
1620

1329
4210
1809 2122

230
945

1506 3426
461 3710
2423 1605

522

602

107

1137

1402

2414

4012

4022

1622

3106

317

1409

1401

400

2406

2614

1814

3106

317

1409

1401

We did not receive any responses for this case.