

The City Council of the City of Garland, Texas convened in regular session at 7:00 PM on Tuesday, October 18, 2011, in the Council Chambers at City Hall with the following members present:

Mayor	Ronald E. Jones
Mayor Pro Tem	Preston Edwards
Councilmember	Douglas Athas
Councilmember	Laura Perkins Cox
Councilmember	Larry Jeffus
Councilmember	John Willis
Councilmember	Lori Barnett Dodson
Councilmember	Rick Williams
Councilmember	Jim Cahill

STAFF PRESENT:	City Manager	William E. Dollar
	City Attorney	Brad Neighbor
	City Secretary	Mary J. Kayser
	Recording Secretary	Yvonne Naser

CALL TO ORDER: The meeting was called to order by Mayor Ronald E. Jones. Mayor Pro Tem Edwards led the invocation and the pledge.

CEREMONIALS: Mayor Jones presented a Special Recognition to Representatives of the Brazil Administrator Exchange Program. He also recognized Lakeview Centennial High School for hosting the exchange.

Mayor Jones presented a proclamation for Domestic Violence Awareness Month.

CONSENT AGENDA: All items marked with asterisks (**) on the Consent Agenda were voted on at the beginning of the meeting. Motion was made by Councilmember Chick, and second by Councilmember Williams to approve Consent Agenda Item #'s: 1, 2a, 2b, 2c, 3a, 3b, 3c, 4 and 5. Motion carried: 9 Ayes; 0 Nays; and 0 Abstentions.

1. Approved** Approve the minutes of the October 3, 2011 Regular Meeting.

2a. Approved** Award the bid for Wood Utility Poles for Warehouse Inventory (Bid No. 2405-11) to Texas Electric Cooperatives in the amount of \$151,088.00.

2b. Approved** Award the bid for Fault Indicators for Warehouse Inventory (Bid No. 2585-11) to Techline, Inc. in the amount of \$11,500.00 and to Stuart Irby in the amount of \$114,600 for a total award of \$126,100.00.

2c. Approved** Award the bid for the repair of Ray Olinger Plant Unit 2 Generator (Bid No. 2599-11) to Regenco in the amount of \$235,625.00.

2d. Withdrawn Spring Creek Trail – Spring Creek Greenbelt Bid No. 2401-11
Turf Establishment

Northstar Construction, Inc.	\$579,976.00
Owner’s Allowance for Extended Vegetation	<u>20,000.00</u>
	\$599,976.00

This request is for the construction of the Spring Creek Trail and owner’s allowance for additional turf establishment.

3a. Approved** Ordinance 6489 amending the zoning laws of the City of Garland by approving a Specific Use Permit for a Recycling Center on a 7.81-acre tract of land located at 209 Range Drive, northwest of the intersection of Range Drive and North First Street. (Zoning File No. 11-22, Frank Vu)

3b. Approved** Ordinance 6490 amending the zoning laws of the City of Garland by approving a Specific Use Permit for a convenience store on a 0.053-acre tract of land located at 961 West Centerville Road, northeast of the intersection of Marketplace Drive and West Centerville Road. (Zoning File No. 11-23, DAOUD Investments, Inc.)

3c. Approved** Ordinance 6491 amending the zoning laws of the City of Garland by approving a Detail Plan for Single Family Homes on a 20.610-acre tract of land located north of Belt Line Road, east of Wagon Wheel Road and southwest of North Garland Avenue. (Zoning File No. 11-24, Fourth Avenue Investments)

4. Approved** Resolution 10018 authorizing the City Manager to execute Change Order No. 16 with Hill & Wilkinson, Ltd., reducing

the construction contract by the amount of \$239,948.00 for the Utility Services Building general construction contract.

5. Approved**

Minute action authorizing the City Manager to execute an engineering services design contract with Civil Associates, Inc. for an estimated amount of \$160,095.00 for the scheduled removal/replacement of pipe materials that are near or have exceeded the design capacity. The project location is Colgate Lane – Forest Ridge Drive to N. Yale Drive (including Colgate Circle, Colgate Court, and Park Forest Drive) and Fairdale Street – N. Shiloh Road east to end.

6a. Approved

Consider the application of Linnie Ford & Joyce Whitaker, requesting approval of a Specific Use Permit for a Kindergarten, Preschool or Child Care Center on property zoned Planned Development (PD) District 00-41 for General Business Uses. The property is located at 4702 Saturn Road. (File 11-25)

The proposal is for approval of a Specific Use Permit for a Kindergarten, Preschool or Child Care Center. At the September 26, 2011 meeting, the Plan Commission (by an 8 to 0 vote) recommended approval of the request for a period of ten years tied to Linnie Ford and Joyce Whitaker.

Neil Montgomery, Senior Managing Director of Development Services presented the staff report. Mayor Jones opened the public hearing at 7:18 pm. There were no speakers.

Motion was made by Councilmember Willis and second by Councilmember Dodson to close the public hearing at 7:18 pm and to approve the application of Linnie Ford & Joyce Whitaker, requesting approval of a Specific Use Permit for ten years for a Kindergarten, Preschool or Child Care Center on property zoned Planned Development (PD) District 00-41 for General Business Uses. Motion carried: 9 Ayes; 0 Nays; and 0 Abstentions.

6b. Approved

Consider the application of FMB Sports Inc, requesting approval of 1) a change of zoning from Freeway (FW) District to a Planned Development (PD) District for Freeway Uses to allow Vehicle Sales, Service and Repair as an ancillary use, and 2) a Detail Plan with conditions. The property is located at 354 East I-30 Freeway. (File 11-26)

The proposal is for approval of a change of zoning from Freeway (FW) District Uses to a Planned Development for Freeway Uses to allow for Boat Sales, Service and Repair as an ancillary use, and a Detail Plan with conditions. At the September 26, 2011 meeting, the Plan Commission (by an 8 to 0 vote) recommended approval of the requests as recommended by staff with the addition of allowing a maximum of four boats to be displayed in front during business hours.

Neil Montgomery, Senior Managing Director of Development Services presented the staff report. Mayor Jones opened the public hearing at 7:22 pm. Fred Barthold and Jack Birdsong were available for questions.

Motion was made by Mayor Pro Tem Edwards and second by Councilmember Willis to close the public hearing at 7:23 pm and to approve the application of FMB Sports Inc, requesting approval of 1) a change of zoning from Freeway (FW) District to a Planned Development (PD) District for Freeway Uses to allow Vehicle Sales, Service and Repair as an ancillary use, and 2) a Detail Plan with conditions. The PD will be modified to note that only Watercraft sales will be allowed at this location. Motion carried: 9 Ayes; 0 Nays; and 0 Abstentions.

6c. Approved

Consider the application of 714 N. Watson LLC, requesting approval of 1) a change in zoning from Planned Development (PD) District 98-50 for Care of Psychiatric Patients, Residential to a Planned Development (PD) District for Multi-Family (Assisted Living Facility), 2) a Specific Use Permit for Assisted Living, and 3) a Detail Plan. The property is located east of Colonel Drive and 350' north of Broadway Boulevard. (File 11-27)

The proposal is for approval of 1) a Planned Development for an Assisted Living Facility, 2) a Specific Use Permit for Assisted Living, and 3) a Detail Plan. At the September 26, 2011 meeting, the Plan Commission (by an 8 to 0 vote) recommended approval of the request for a period of fifty years tied to Avalon Residential Care Homes.

Neil Montgomery, Senior Managing Director of Development Services presented the staff report. Mayor Jones opened the public hearing at 7:28 pm. There were no speakers.

Motion was made by Mayor Pro Tem Edwards and Councilmember Dodson to close the public hearing at 7:28 pm and to approve the application of 714 N. Watson LLC, requesting approval of 1) a change in zoning from Planned Development (PD) District 98-50 for Care of Psychiatric Patients, Residential to a Planned Development (PD) District for Multi-Family (Assisted Living Facility), 2) a Specific Use Permit for fifty years for Assisted Living, and 3) a Detail Plan. Motion carried: 9 Ayes; 0 Nays; and 0 Abstentions.

6d. Approved

Consider the application of Golden Corral, requesting approval of a change of zoning from Planned Development (PD) District 06-37 and 07-52 for Freeway Uses to a Planned Development (PD) District for Freeway Uses, 2) an amended Concept Plan, 3) a Detail Plan for a Restaurant, and 4) a variance to Section 31.424 of the Comprehensive Zoning Ordinance 4647 regarding building setbacks from a public street. The property is located at the northwest corner of Eastgate Drive and Saturn Road. (File 11-28)

The proposal is for approval of 1) a Planned Development for Freeway Uses, 2) an amended Concept Plan, 3) a Detail Plan for a Golden Corral, and 4) a variance regarding building setbacks from a public street. At the September 26, 2011 meeting, the Plan Commission (by an 8 to 0 vote) recommended approval of the request as recommended by staff with the addition of approving one additional monument sign.

Neil Montgomery, Senior Managing Director of Development Services presented the staff report. Mayor Jones opened the public hearing at 7:31 pm. Speaking on this item was Glen Kinkade (in favor).

Motion was made by Councilmember Willis and second by Councilmember Jeffus to close the public hearing at 7:35 pm and to approve the application of Golden Corral, requesting approval of a change of zoning from Planned Development (PD) District 06-37 and 07-52 for Freeway Uses to a Planned Development (PD) District for Freeway Uses, 2) an amended Concept Plan, 3) a Detail Plan for a Restaurant, and 4) a variance to Section 31.424 of the Comprehensive Zoning Ordinance 4647 regarding building setbacks from a public street. Motion carried: 9 Ayes; 0 Nays; and 0 Abstentions.

6e. Approved

Consider the application of SMR Construction Inc, requesting approval of a change of zoning from Single Family-7 (SF/7/G/3) District and Planned Development (PD) District 03-40/41 for Commercial Uses to a Planned Development (PD) District for Health Services to allow a parking lot associated with a Medical Office/Clinic and 2) a Detail Plan with conditions. The property is located on the south side of Hopkins, east of First Street. (File 11-29)

The proposal is for approval of a change of zoning from Single Family-7 District and Planned Development 03-40/41 for Commercial Uses to a Planned Development for Health Services to allow for a parking lot associated with the Parkland Health Center at 802 Hopkins. At the September 26, 2011 meeting, the Plan Commission (by an 8 to 0 vote) recommended approval of the requests as recommended by staff.

Neil Montgomery, Senior Managing Director of Development Services presented the staff report. Mayor Jones opened the public hearing at 7:38 pm. Joshua Pettijohn was available for questions.

Motion was made by Councilmember Cox and second by mpt Edwards to close the public hearing at 7:38 pm and to approve the application of SMR Construction Inc, requesting approval of a change of zoning from Single Family-7 (SF/7/G/3) District and Planned Development (PD) District 03-40/41 for Commercial Uses to a Planned Development (PD) District for Health Services to allow a parking lot associated with a Medical Office/Clinic and 2) a Detail Plan with conditions. Motion carried: 9 Ayes; 0 Nays; and 0 Abstentions.

7.

Consider appointments to Boards and Commissions.

None.

8. Citizen comments.

Andrew Castillo

There being no further business to come before the City Council, Mayor Jones adjourned the meeting at 7:43 pm.

CITY OF GARLAND

Signed:

Mayor Ronald E. Jones

Attest:

Mary J. Kayser, City Secretary