

AGENDA

REGULAR MEETING OF THE CITY COUNCIL

City of Garland

Council Chambers, City Hall

200 North Fifth Street, Garland, Texas

July 3, 2012

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 Garland City Hall and Council Chambers are wheelchair accessible. Special parking is available on the north side of City Hall and the building may be accessed by a sloped ramp from the parking area 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) 205-2403 at least two working days prior to the meeting so that appropriate arrangements can be made. **BRaille 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**

**CONDUCT THE SWEARING IN OF
DISTRICT 2 COUNCIL MEMBER**

**RECOGNIZE AND HONOR OUTGOING
DISTRICT 2 COUNCIL MEMBER**

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 June 19, 2012 Regular Meeting.

2. Consider approval of the following bids:

a. Duck Creek Wastewater Treatment Plant Sludge Transfer Station Bid No. 2863-12

Red River Construction Co.	\$2,029,900.00
Contingency	<u>250,000.00</u>
TOTAL	<u>\$2,279,900.00</u>

This request is for the construction of a new wastewater treatment sludge transfer pump station to replace aging infrastructure that is inefficient and deteriorated beyond reliable operation.

b. Steel Structures – Greenville to Olinger Transmission Upgrade Bid No. 2920-12

Techline, Inc.	\$3,738,394.00
Contingency	<u>261,606.00</u>
TOTAL	<u>\$4,000,000.00</u>

This request is to provide the necessary steel structures and related material required to erect steel poles to upgrade the Ray Olinger Plant to Greenville 138 kV electric transmission line.

4. **Consider a resolution approving the sale of real property, 612 Freeman, to Habitat for Humanity; authorizing the Mayor of the City of Garland to execute a deed conveying the property to the buyer.**

At the June 18, 2012 Work Session, Council considered the sale of a City-owned vacant lot at 612 Freeman Drive to Habitat for Humanity for \$9,100. This vacant lot was struck off the tax roll due to delinquent taxes.

5. **Consider a resolution approving the City of Garland Housing Agency Administrative Plan for the Housing Choice Voucher Program.**

The U. S. Department of Housing and Urban Development requires each Housing Agency to develop and adopt an Administrative Plan that identifies the policies the agency will follow to administer the Housing Choice Voucher Program Funds (better known as Section 8). At the June 18, 2012 Work Session, Council considered approving the updated Administrative Plan.

6. **Consider a resolution adopting and approving the Garland Housing Agency's second year update on the 2010-2014 Five-Year Plan.**

As part of the Quality Housing and Work Responsibility Act of 1998, the City of Garland Housing Agency is required by the U. S. Department of Housing and Urban Development (HUD) to submit an annual performance progress report on their five-year plan. At the June 18, 2012 Work Session, Council considered approving the accomplishments presented in the second year annual performance plan update for submission to HUD.

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.

7. **Hold public hearings on the following zoning cases:**
 - a. **Consider the application of Heights Venture Architects requesting approval of an amendment to a Specific Use Permit for Restaurant with Drive-Through on property zoned Freeway (FW) District and**

within the IH 30 Overlay. The property is located at 501 West Interstate 30 Freeway. (File 12-26)

The proposal is for approval of an amendment to a Specific Use Permit for a Wendy's Restaurant on property zoned S 00-30. This amendment is required because building elevations are a condition of the SUP. At the June 11, 2012 meeting, the Plan Commission (by an 8 to 0 vote) recommended approval of the request as recommended by staff.

- b. Consider the application of Brenda and Amy Reyes requesting approval of a change of zoning from Planned Development (PD) for Office 1 Uses to Planned Development (PD) for General Business Uses on property zoned Planned Development (PD) 06-23 for Office 1 (O-1) Uses. The property is located at 2829 Saturn Road. (File 12-27)**

The proposal is for approval of an amendment to a Planned Development for Office 1 Uses to a Planned Development for General Business Uses on property zoned PD 06-23. At the June 11, 2012 meeting, the Plan Commission (by an 8 to 0 vote) recommended denial of the amendment as recommended by staff.

- c. Consider the application of RaceTrac, requesting approval of an amendment to Planned Development District condition B.2 regarding the landscape buffer and buffer plantings on property zoned Planned Development District (PD 11-04) for Shopping Center Uses with a Specific Use Permit for Retail Sales with Gasoline Pumps. The property is located at 3401 South Garland Avenue. (File 12-28)**

The proposal is for approval of an amendment to Planned Development 11-04 regarding the landscape buffer and buffer plantings. At the June 11, 2012 meeting, the Plan Commission (by an 8 to 0 vote) recommended approval of the amendment as recommended by staff.

- d. Consider the application of Pink Consulting LP, requesting approval of an amendment to a Specific Use Permit for Restaurant, Drive-Through on property zoned Freeway (FW) District and within the IH 30 Overlay. The property is located at 509 West Interstate 30 Freeway. (File 12-29)**

The proposal is for approval of an amendment to a Specific Use Permit for a McDonald's Restaurant on property zoned S 00-53. This amendment is required allow the renovation of the façade and extend the time of the SUP. At the June 11, 2012 meeting, the Plan Commission (by an 8 to 0 vote) recommended approval of the request as recommended by staff.

- e. **Consider the application of TW Towing Co, Inc, requesting approval of a Specific Use Permit for Vehicle Pound on property zoned Industrial 1 (I-1) District. The property is located at 3806 Dividend Drive. (File 12-30)**

The proposal is for approval of a Specific Use Permit for a Vehicle Pound on property zoned Industrial 1. At the June 11, 2012 meeting, the Plan Commission (by an 8 to 0 vote) recommended approval as recommended by staff.

- f. **Consider the application of Harrison French & Assoc, requesting approval of a Specific Use Permit for Retail Sales with Gas Pumps on property zoned Shopping Center (SC) District. The property is located at 1426 Belt Line Road. (File 12-31)**

The proposal is for approval of a Specific Use Permit for Retail Sales with Gas Pumps on property zoned Shopping Center (SC). At the June 11, 2012 meeting, the Plan Commission (by an 8 to 0 vote) recommended approval of the Specific Use Permit for a period of 20 years tied to 7-Eleven as recommended by staff.

8. 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.

- *Douglas Alan Williams – Housing Standards Board (Dodson)*
- *Gabby Reed – Garland Youth Council (Cahill)*
- *Elizabeth Sinclair – Garland Youth Council (Cahill)*

9. Citizen comments.

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

10. Adjourn.

All Regular Council meetings are broadcast live on CGTV, Time Warner Cable Channel 16, and Verizon FIOS TV 44. Meetings are rebroadcast at 9:00 a.m. and 7:00 p.m. on Wednesday-Sunday and at 7:30 p.m. on

Thursday. Live streaming and on-demand videos of the meetings are also available online at www.garlandtx.gov. 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, Texas convened in regular session at 7:00 PM on Tuesday, June 19, 2012, in the Council Chambers at City Hall with the following members present:

Mayor	Ronald E. Jones
Mayor Pro Tem	Preston Edwards
Councilmember	Laura Perkins Cox
Councilmember	Marvin 'Tim' Campbell
Councilmember	John Willis
Councilmember	Lori Barnett Dodson
Councilmember	Rick Williams
Councilmember	Jim Cahill
Councilmember	B.J. Williams

STAFF PRESENT:	City Manager	William E. Dollar
	City Attorney	Brad Neighbor
	Interim City Secretary	Elaine Simpson
	Recording Secretary	Yvonne Naser

CALL TO ORDER: The meeting was called to order by Mayor Ronald E. Jones. Councilmember Tim Campbell led the invocation and the pledge.

CEREMONIAL: Mayor Ronald E. Jones and Councilmember B.J. Williams from District 4 presented Special Recognitions to the following Garland Police Officers: Officer Anthony T. Simon, Officer Billy S. Coffey and Officer Rafael R. Perez, Jr. for demonstrating the highest principles of courage, teamwork and professionalism on Sunday, May 20th in the case of the late Nancy Harris. Members of the Harris family were present for the ceremony.

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 Campbell and second by Councilmember Cox to approve items 1., 2.a., 2.b., 2.c., 2.d., 2.e., 3.b., 3.c., 4., 5. and 6. Item 3.a. was pulled from the

Consent Agenda. Motion carried unanimously: 9 Ayes; 0 Nays; and 0 Abstentions.

1. Approved ** Approval of the minutes of the June 5, 2012 Regular Meeting.
- 2.a. Approved ** Award Bid No. 2905-12 for Luminaries for Warehouse Inventory for warehouse inventory items to support Garland Power & Light's streetlight installation and replacement operations.
- 2.b. Approved ** Award Bid No. 2917-12 for EMS Billing and Collection Services to Municipal Computing Services, Inc. for \$354,500.00 for a term contract for third party services for EMS billing and collection.
- 2.c. Approved ** Award Bid No. 2960-12 for Garland Police Department Ammunition to GT Distributors for \$146,239.00 for the purchase of ammunition for training Garland Police Officers in the use of firearms to perform their duties.
- 2.d. Approved ** Award Bid No. 2911-12 for Fiber Optic Cable Expansion – Various Facilities to Superior Network Systems for bid price of \$217,967.05 for purchase of equipment and services necessary to install fiber optic communications and conduit infrastructure to tie various City facilities into the existing fiber optic network.
- 2.e. Approved ** Award Bid No. 2659-12 to Replace Cooling Towers at Justice Center Complex to Entech Sales & Service, Inc. for \$288,934.00 for replacement of the existing cooling towers that provide HVAC for the Justice Complex.
3. a. Approved Ordinance # 6552 (Zoning File No. 12-15 applicant; Wes Parnell, Chicken Express) amending the zoning laws of the City of Garland by approving a change in zoning from Office 1 (O-1) District to Office 2 (O-2) District, and a

Specific Use Permit for Restaurant, Drive-through on a 1.09-acre tract of land located at 3300 Broadway Boulevard.

Councilmember Rick Williams announced that although he had voted against the change at the last meeting, he now decided to vote with MPT Edwards, as this site is in District 3.

Mayor announced that although this was not a Public Hearing, that he would recognize the speakers who had signed up to speak.

Dr. Lisa Garner, 1830 Eastern Hills, Garland- spoke against.
Leah Black, 1609 James Good Lane, Garland - spoke against.
Elisabeth Kay, 1909 Merrimac TRL, Garland - spoke against.
Carlos Colburn, 1245 Garden Gate, Garland - spoke in favor.

MPT Edwards made a motion, seconded by Councilmember Campbell, to approve Ordinance as presented in item 3.a., Zoning File No. 12-15 approving a change in zoning from Office 1 (O-1) District to Office 2 (O-2) District, and a Specific Use Permit for Restaurant, with Drive-through on a 1.09-acre tract of land located at 3300 Broadway Boulevard.

Mayor Jones explained that a petition had been presented to City Council at the last meeting signed by 20% of the surrounding property owners in opposition to the change. Therefore, for the City Council to approve this zoning change there must be a super-majority of Council vote in favor.

Motion carried by a vote of 7 Ayes; 2 Nays and 0 Abstentions.

Ayes: Campbell, Cox, Edwards, Dodson, Rick Williams, Cahill, Jones

Nays: B.J. Williams and Willis

3. b. Approved **

Consider Ordinance # 6550 amending the zoning laws of the City of Garland by approving a Specific Use Permit for a Wrecker Service on property zoned commercial 2 (C-2) and Industrial 1 (I-1) District on a 1.13-acre tract located at 2521 Oakland Street. (Zoning File No. 12-22, United Towing and Transport, Inc.)

3. c. Approved ** Consider Ordinance# 6551 amending the zoning laws of the City of Garland by approving a Specific Use Permit for a Reception Facility on property zoned Shopping Center (SC) District on a 4.88-acre tract of land located at 3338 Broadway Boulevard, Suites 302 and 304. (Zoning File No. 12-25, Loveth/Tony; applicants)
4. Approved ** Consider Resolution # 10057 appointing members to the Board of Directors of the Dallas Area Rapid Transit Authority. At the June 5, 2012 Work Session, Council was notified that Mark Enoch and Michael Cheney's terms of office as the City of Garland's representatives on the Dallas Area Rapid Transit (DART) Board of Directors will expire on June 30, 2012. Information was posted on the City's website for 14 days in order to provide an opportunity for citizens to apply for the positions. Mark Enoch and Michael Cheney responded that they desired to be reappointed for another two-year term. No other citizens responded.
5. Approved** Consider Resolution # 10058 authorizing the Mayor to execute a utility easement agreement with Verizon and Oncor for underground duct bank improvements on City property adjacent to Walnut Street from Glenbrook Drive to Fifth Street. At the June 5, 2012 Work Session, Council considered authorizing a utility easement dedicated to Oncor and Verizon. In an effort to reduce the number of overhead utility lines in the downtown area in anticipation of the City's proposed improvements on the former DGNO and DART right-of-way, the City developed a project to relocate the existing overhead lines for Oncor and Verizon to an underground duct bank. Due to limited space, the duct bank will be located within the City property previously owned by DART.
6. Approved** Consider Resolution # 10059 approving the sale of real property, a portion of 524 S. First Street. The City of Garland improved South First Street in 1976. As part of the improvements, the City purchased a portion of Lot 1,

Block D for street right-of-way and now owns extraneous property fronting South First Street. The property is not conducive for individual development and can only be properly utilized by an adjacent property owner. Notifications were issued in accordance with purchasing procedures to the four adjoining property owners inviting them to bid on the property. The City advertised and auctioned the property through PublicSurplus.com and received 38 bids. The final high bid in the amount of \$19,950 was received by Tammy Tran, an adjacent property owner.

7. Appointed

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.

The Mayor announced that he would preside over the nomination and appointments of MPT Edwards appointees to the Garland Youth Council, then would turn over the chair to MPT Edwards, to preside over the appointment of the balance of the members, including the members nominated by the Mayor.

Mayor recognized MPT Edwards. MPT Edwards nominated the following members to the Garland Youth Council: Kylie Beene and Dylan Stooksberry. Motion carried unanimously 9 Ayes; 0 Nays and 0 Abstentions.

Mayor turned over chair duties to MPT Edwards who recognized the Mayor and then the other Council members so they could nominate their respective Garland Youth Council members. MPT suggested the nominations be considered as a slate and Council members agreed by consensus.

- Mayor nominated Alex Luna
- Councilman Campbell nominated Katie Brown
- Councilman B.J. Williams nominated Allen Capasgordo and Angela Starnes
- Councilman Willis nominated Aquila Runyan and

Seth Fernandez

- o Lori Dodson nominated Lexi Nelson and Mindy Le
- o Rick Williams nominated Kelsy Duke Kenison and Leah Gattus

MPT Edwards called for the vote to appoint the slate of nominees as presented. Motion carried unanimously by vote of 9 Ayes; 0 Nays; 0 Abstentions.

MPT Edwards relinquished the chair back to Mayor Jones.

8. Citizen comments.

Walter Hitchings, 516 Flook: introduced himself and declared his intention to run for Mayor in 2013.

There being no further business to come before the City Council, Mayor Jones adjourned the meeting at 7:32 p.m.

CITY OF GARLAND

Signed:

Mayor Ronald E. Jones

Attest:

Elaine Simpson, Interim City Secretary



Purchasing Report

DUCK CREEK WWTP SLUDGE TRANSFER STATION OPEN MARKET

PURCHASE JUSTIFICATION:

This project is for the construction of a new Wastewater Treatment sludge transfer pump station to replace aging infrastructure that is inefficient and deteriorated beyond reliable operation. Due to the complexity of an engineered project with potential design modifications, a contingency has been added. This is an approved 2012 Capital Improvement Project. Expenditures will not exceed appropriated funds.

AWARD RECOMMENDATION:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
Red River Construction Co.	All	\$2,029,900.00
	Contingency	250,000.00
	TOTAL:	\$2,279,900.00

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: 06/22/12

Date: 06/26/12

<u>FINANCIAL SUMMARY:</u>	
Total Project/Account: \$ 3,079,568	Operating Budget: <input type="checkbox"/> CIP: <input checked="" type="checkbox"/> Year: 2012
Expended/Encumbered to Date: 126,829	Document Location: Page WW21
Balance: \$ 2,952,739	Account #: 236-4239-3403800-9002 \$ 282,787 237-4239-3403800-9002 1,997,113
This Item: 2,279,900	Fund/Agency/Project – Description: Wastewater CIP Fund / Duck Creek WWTP Processes Improvements
Proposed Balance: \$ 672,839	Comments:
Matt Watson 06/22/12 Budget Analyst Date	
Ron Young 06/22/12 Budget Director Date	



GARLAND

PURCHASING

Executive Summary
Bid 2863-12

Duck Creek Wastewater Treatment Plant Sludge Transfer Station

Recommended Vendor:

Red River Construction Company

Total Recommended Award:

\$2,279,900.00

Basis for Award:

Best Value

Purpose:

Construction of new wastewater treatment sludge transfer pump station to replace aging infrastructure that is inefficient and deteriorated beyond reliable operation.

Evaluation:

Invitation to bid was issued in accordance with Purchasing Procedures. Five (5) bids were received and evaluated based on weighted criteria of: a) price; b) adherence to specifications; c) time of completion; d) general contractor experience; e) sub-contractor experience; f) litigation history and g) closeout procedures and warranty response history.

Red River Construction Company received the highest evaluated score of 97 out of a possible 100 offering the best value for the city. Red River Construction Company also offered the lowest cost.

Recommendation:

Award construction contract to Red River Construction Company in the amount of \$2,279,900.00.

Funding Information:

Funds for this Project were approved in the 2012 CIP Account #236-4239-3403800

Department Director:

Wes Kucera, Director of Wastewater, 972-205-2874



Purchasing Report

STEEL STRUCTURES – GREENVILLE TO OLINGER TRANSMISSION UPGRADE OPEN MARKET

PURCHASE JUSTIFICATION:

This contract is to provide steel structures and material necessary to erect the transmission structures for the project to upgrade the Ray Olinger Plant to Greenville 138 kV Transmission Line. Due to the nature of engineered design and structural modifications, the contract includes a contingency for unforeseen additional materials. This is an approved project in the 2011 Capital Improvement Program. Expenditures will not exceed appropriated funds.

AWARD RECOMMENDATION:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
Techline, Inc.	All	\$3,738,394.00
	Contingency	261,606.00
	TOTAL:	<u>\$4,000,000.00</u>

BASIS FOR AWARD:

Best Value

Submitted by:

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

Reviewed by:

 William E. Dollar
 City Manager

Date: 06/22/12

Date: 06/23/12

<u>FINANCIAL SUMMARY:</u>	
Total Project/Account: \$	7,500,000
Expended/Encumbered to Date:	-0-
Balance: \$	7,500,000
This Item:	4,000,000
Proposed Balance: \$	3,500,000
Trent Schulze	06/25/12
Budget Analyst	Date
Ron Young	06/25/12
Budget Director	Date
Operating Budget: <input type="checkbox"/>	CIP: <input checked="" type="checkbox"/> Year: 2011
Document Location:	Page E01
Account #:	217-3591-3141001-6051 (EC-T7401-00216051)
Fund/Agency/Project – Description:	Electric CIP / Transmission Lines
Comments:	Steel and materials required to construct transmission structures for project to upgrade 138 kV line from Olinger to Greenville.



GARLAND

PURCHASING

Executive Summary
Bid 2920-12

Steel Structures & Accessories for Transmission Line Upgrade

Recommended Vendor:

Techline, Inc.

Total Recommended Award:

\$4,000,000.00

Basis for Award:

Best Value

Purpose:

The purpose of this contract is to provide the necessary steel structures and related material required to erect steel poles to upgrade the Ray Olinger Plant to Greenville 138 kV electric transmission line.

Evaluation:

Notification of a pending Competitive Sealed Proposal was issued per Purchasing procedures. Three (3) bids were received and evaluated. Techline, Inc. quoted a first offer and an alternate bid. Kodiak America, LLC also submitted a proposal.

The proposals were evaluated based on the criteria of price, specification compliance, availability of resources, bidder's capabilities and reputation of bidder. Techline, Inc.'s first offer received an evaluated score of 100 out of a possible 100, offering the best value to the City. Techline, Inc.'s first offer was also the lowest bid.

Recommendation:

Staff recommends awarding the contract to Techline, Inc.

Funding Information:

2011 CIP Account 217-3591-3141001-6051 Job Cost #EC-T7410-00216051

Department Director:

Johnny Carlock, Transmission and Distribution Director, 972-205-3532



Purchasing Report

SOUTH GARLAND AVENUE WATER LINE IMPROVEMENTS OPEN MARKET

PURCHASE JUSTIFICATION:

This purchase is for the pipe bursting with pre-chlorination for water main replacement along South Garland Avenue from Main Street to Avenue D. Funding for this project was approved in the 2012 CIP budget. The total amount of the award is estimated based on unit pricing, and actual expenditures may be more or less depending on actual needs. Funds will be committed at time of invoicing, and expenditures will not exceed funds appropriated.

AWARD RECOMMENDATION:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
Insituform Technologies, LLC	1	\$246,279.00
TOTAL:		\$246,279.00

BASIS FOR AWARD:

Cooperative Purchase

Submitted by:

Reviewed by:

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

William E. Dollar
 City Manager

Date: 06/22/12

Date: 06/26/12

<u>FINANCIAL SUMMARY:</u>	
Total Project/Account: \$ 5,122,214	Operating Budget: <input type="checkbox"/> CIP: <input checked="" type="checkbox"/> Year: 2012
Expended/Encumbered to Date: 2,859,898	Document Location: Page W02
Balance: \$ 2,262,316	Account #: 227-4049-3019100-9214
This Item: 246,279	Fund/Agency/Project – Description: Water Bond Fund / Distribution Lines (up to 14-Inch)
Proposed Balance: \$ 2,016,037	Comments:
Matt Watson 06/25/12 Budget Analyst Date	
Ron Young 06/25/12 Budget Director Date	



GARLAND

PURCHASING

Executive Summary **Bid 2970-12** **South Garland Avenue Water Line Improvements**

Recommended Vendor:

Insituform Technologies, LLC

Total Recommended Award:

\$246,279.00

Basis for Award:

Cooperative Purchase

Purpose:

The purpose of this contract is to provide pipe bursting with pre-chlorination for water main replacement along South Garland Avenue from Main Street to Avenue D.

Evaluation:

These services are provided through the BuyBoard Purchasing Cooperative by Insituform Technologies, LLC, Contract #354-10.

Recommendation:

Staff recommends awarding the project to Insituform Technologies, LLC.

Funding Information:

227-4049-30191-00-9214/ CW-191-RB-5-9214

Department Director:

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



Purchasing Report

ENHANCEMENTS TO CODE COMPLIANCE SOFTWARE OPEN MARKET

PURCHASE JUSTIFICATION:

This request is to provide enhancements to the Code Compliance system that will allow the nuisance and revenue recovery modules to be implemented. Information Strategies, Inc., was awarded the initial contract to provide professional services for the implementation of the Code Compliance system.

AWARD RECOMMENDATION:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
Information Strategies, Inc.	ALL	\$158,419.76
	TOTAL:	\$158,419.76

BASIS FOR AWARD:

Professional Service

Submitted by:

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

Reviewed by:

 William E. Dollar
 City Manager

Date: 06/22/12

Date: 06/26/12

<u>FINANCIAL SUMMARY:</u>	
Total Project/Account: \$	440,421
Expended/Encumbered to Date:	282,000
Balance: \$	158,421
This Item:	158,420
Proposed Balance: \$	1
Matt Watson	06/22/12
Budget Analyst	Date
Ron Young	06/22/12
Budget Director	Date

Operating Budget: <input checked="" type="checkbox"/> CIP: <input type="checkbox"/> Year: 2011-12 Document Location: Page 132 Account #: 415-4599-2324609-9029 Fund/Agency/Project – Description: IT Project Fund / Code Compliance System Comments:
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GARLAND

PURCHASING

Executive Summary
Bid 2991-12

Provide Enhancements to Code Enforcement Software

Recommended Vendor:

Information Strategies, Inc.

Total Recommended Award:

\$158,419.76

Basis for Award:

Professional Service

Purpose:

This request is to provide enhancements to the Code Enforcement system that will allow the nuisance and revenue recovery modules to be implemented.

Evaluation:

Information Strategies, Inc. was awarded the initial contract to provide professional services for the implementation of the Code Enforcement system. They are very familiar with the system and our business requirements.

Recommendation:

Staff recommends executing a Statement of Work with Information Strategies, Inc. to provide the necessary enhancements.

Funding Information:

415-4599-2324609-9029

Department Director:

Steven L. Niekamp, Chief Information Officer, 972-781-7205



Purchasing Report

AERIAL FIRE TRUCK OPEN MARKET

PURCHASE JUSTIFICATION:

This request is for the purchase of an Aerial Fire Truck for the City of Garland Fire Department to be used in daily operations. This unit was approved in the 2012 CIP budget. This unit is being purchased from the BuyBoard Purchasing Cooperative, Contract 399-12.

AWARD RECOMMENDATION:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
Siddons-Martin Emergency Group	1	\$789,615.00
TOTAL:		\$789,615.00

BASIS FOR AWARD:

Cooperative Purchase

Submitted by:

Reviewed by:

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

William E. Dollar
 City Manager

Date: 06/22/12

Date: 06/26/12

<u>FINANCIAL SUMMARY:</u>	
Total Project/Account: \$ 830,000	Operating Budget: <input type="checkbox"/> CIP: <input checked="" type="checkbox"/> Year: 2012
Expended/Encumbered to Date: -0-	Document Location: Page PS06
Balance: \$ 830,000	Account #: 692-1399-1205812-9009
This Item: 789,615	Fund/Agency/Project – Description: Public Safety CIP / Replace Fire Apparatus – Aerial Fire Truck
Proposed Balance: \$ 40,385	Comments:
Trent Schulze 06/25/12 Budget Analyst Date	
Ron Young 06/25/12 Budget Director Date	



GARLAND

PURCHASING

Executive Summary
Bid 2992-12
Aerial Fire Truck

Recommended Vendor:

Siddons-Martin Emergency Group

Total Recommended Award:

\$789,615.00

Basis for Award:

Cooperative Purchase

Purpose:

The purpose of this contract is to purchase a new replacement Aerial Fire Truck for the City of Garland Fire Department for use in daily operations.

Evaluation:

This Fire Truck is being provided through the BuyBoard Purchasing Cooperative contract #323-09.

Recommendation:

Staff recommends awarding the bid for the Aerial Fire Truck to Siddons-Martin Emergency Group.

Funding Information:

692-1399120-5812-9009

Department Director:

Terry Anglin, Fleet Director, 972-205-3524



Purchasing Report

SEWER VACUUM TRUCK OPEN MARKET

PURCHASE JUSTIFICATION:

This request is for the purchase of a Sewer Vacuum Truck for the City of Garland Water Department to be used in daily operations. This unit was approved in the 2011-12 Equipment Replacement Fund and is being purchased from the Houston-Galveston Area Council (HGAC) Cooperative Purchasing Contract SC01-12.

AWARD RECOMMENDATION:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
GapVax, Inc.	1	\$223,846.00
TOTAL:		\$223,846.00

BASIS FOR AWARD:

Cooperative Purchase

Submitted by:

Reviewed by:

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

William E. Dollar
 City Manager

Date: 06/22/12

Date: 06/26/12

<u>FINANCIAL SUMMARY:</u>	
Total Project/Account: \$	550,371
Expended/Encumbered to Date:	120,371
Balance: \$	430,000
This Item:	223,846
Proposed Balance: \$	206,154
Ron Tiffany	06/25/12
Budget Analyst	Date
Ron Young	06/25/12
Budget Director	Date

Operating Budget: <input checked="" type="checkbox"/>	CIP: <input type="checkbox"/>	Year: 2011-12
Document Location:	Page 118	
Account #:	444-4122-9009	
Fund/Agency/Project – Description:		
Equipment Replacement Fund (ERF) – Sewer Vacuum Truck		
Comments:		



GARLAND

PURCHASING

Executive Summary Bid 2994-12 Sewer Vac Truck

Recommended Vendor:

GapVax, Inc.

Total Recommended Award:

\$223,846.00

Basis for Award:

Cooperative Purchase

Purpose:

The purpose of this contract is to purchase a new replacement Sewer Vac Truck to be used by the City of Garland Water Department in daily operations.

Evaluation:

This Sewer Vac Truck is being provided through the HGAC purchasing cooperative, contract SC01-12.

Recommendation:

Staff recommends awarding the Sewer Vac Truck to GapVax, Inc.

Funding Information:

444-4122-9009

Department Director:

Terry Anglin, Fleet Director, 972-205-3524



City Council Item Summary Sheet

Work Session

Date: July 3, 2012

Agenda Item

CANVASSING THE RETURNS OF THE DISTRICT 2 RUN OFF ELECTION

Summary of Request/Problem

Formal canvassing of the returns and declaring the results of the June 23, 2012 Run Off Election held for the purpose of electing a candidate to the office of the City Council of the City of Garland for District 2 will be conducted.

Recommendation/Action Requested and Justification

Approve an ordinance canvassing the results of a Run Off Election held for the purpose of electing a candidate to the office of City Council District 2 of the City of Garland, Texas, for an election having been held on June 23, 2012; declaring the results of that election.

Submitted By:

**Elaine Simpson
Interim City Secretary**

Approved By:

**William E. Dollar
City Manager**

ORDINANCE NO.

AN ORDINANCE CANVASSING THE RESULTS OF A RUN OFF ELECTION HELD FOR THE PURPOSE OF ELECTING A CANDIDATE TO THE OFFICE OF CITY COUNCIL DISTRICT 2, OF THE CITY OF GARLAND, TEXAS, FOR AN ELECTION HAVING BEEN HELD ON JUNE 23, 2012; DECLARING THE RESULTS OF THAT ELECTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on the 3rd of July, 2012, at a meeting of the City Council of the City of Garland, Texas, the City Council canvassed the results of an election held on the 23rd day of June, 2012 for the purpose of electing a candidate to the office of City Council District 2, of the City of Garland, Texas, such election having been duly ordered by the Mayor and City Council, under the authority of the Constitution and laws of this State; and

WHEREAS, the City Council has determined that the election officials of the voting district have, in compliance with the law, made returns to the City Council in the time and manner required, and the City Council, having canvassed the votes, does find the total number of ballots cast in the district is 514 and that the total number of votes cast for each candidate is as follows:

NAMES OF CANDIDATES	TOTAL NUMBER OF VOTES
Council Member, District 2	
Eric Redish	231
Anita Goebel	282

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

Section 1

That the election, having been duly called, and that notice of the election having been given in accordance with law, the following person was elected to the following position:

Council Member, District 2

Anita Goebel

and that the foregoing person is hereby declared elected to office subject to her taking of the oath of office, as provided by the Constitution of the State of Texas.

Section 2

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

PASSED AND APPROVED this the 3rd day of July, 2012.

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

Interim City Secretary



City Council Item Summary Sheet

Work Session

Date: 7/2/12

Agenda Item

Sale of City Property to Habitat for Humanity – 612 Freeman Drive

Summary of Request/Problem

At the June 18, 2012 Work Session, Council considered the sale of a City owned vacant lot at 612 Freeman Drive to Habitat For Humanity. Council approval is required to authorize the Mayor to execute a deed without warranty conveying the property to the buyer.

Recommendation/Action Requested and Justification

Approve a Resolution authorizing the Mayor to sell the property and execute a deed without warranty conveying the vacant lot to Habitat For Humanity.

Submitted By:

Michael C. Polocek
Director of Engineering

Approved By:

William E. Dollar
City Manager

RESOLUTION NO. _____

A RESOLUTION APPROVING THE SALE OF REAL PROPERTY, 612 FREEMAN (THE "PROPERTY"), TO HABITAT FOR HUMANITY (THE "BUYER"); AUTHORIZING THE MAYOR OF THE CITY OF GARLAND TO EXECUTE A DEED CONVEYING THE PROPERTY TO THE BUYER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Garland received the Property as a result of a Sheriff's Deed in October, 2007.

WHEREAS, Habitat for Humanity, a nonprofit organization, has offered to purchase the property from the City of Garland to use the property in a manner that promotes a public purpose—building and providing affordable housing.

WHEREAS, the City has determined that selling the property is in the public's best interest because it allows the buyer to develop the property and provide affordable housing, and it eliminates the City's expenses associated with maintaining the property.

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

Section 1

That the sale and conveyance of real property, 612 Freeman Drive, by the City of Garland to Habitat for Humanity is hereby approved.

Section 2

That the Mayor is hereby authorized to execute a Deed Without Warranty, the form and substance of which is attached as Exhibit "A" and incorporated herein by reference, conveying the Property to the Buyer.

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 June, 2012.

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary

DEED WITHOUT WARRANTY

THE STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF DALLAS §

That the **City of Garland**, a Texas home-rule municipality ("Grantor"), for and in consideration of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration to Grantor, the receipt and sufficiency of which is hereby acknowledged, paid in hand by **Habitat for Humanity of Greater Garland, Inc.**, a Texas nonprofit corporation ("Grantee"), has **GRANTED, SOLD and CONVEYED**, and by these presents does **GRANT, SELL and CONVEY** unto Grantee that certain lot, tract, or parcel of land situated in the County of Dallas, State of Texas, to wit:

Being Lot 8, Block J of Chandler Heights Addition, an addition to the City of Garland, Dallas County, Texas, according to the plat thereof recorded in Volume 12, Page 313, Map Records, Dallas County, Texas, more commonly known as 612 Freeman Drive. (the "Property").

The conveyance is subject to Grantee using the property for a public purpose—constructing and providing affordable housing. If the Grantee fails to use the Property for a public purpose, the Property will automatically revert to Grantor.

THIS DEED IS MADE WITHOUT WARRANTY, EXPRESS OR IMPLIED, AND GRANTOR EXPRESSLY DISCLAIMS, EXCEPTS AND EXCLUDES ANY AND ALL WARRANTIES OF TITLE OR OTHERWISE FROM THIS CONVEYANCE, INCLUDING—WITHOUT LIMITATION—ANY WARRANTIES ARISING UNDER COMMON LAW OR UNDER SECTION 5.023 OF THE TEXAS PROPERTY CODE OR OTHER STATUTE. BY ACCEPTANCE OF THIS DEED, GRANTEE ACKNOWLEDGES THA THE LAND IS CONVEYED “AS IS—WHERE IS, WITH ALL FAULTS”.

TO HAVE AND TO HOLD the Property, together with all and singular the rights and appurtenances thereto and in anywise belonging unto Grantee, his heirs, successors and assigns forever; **WITHOUT WARRANTY AND SUBJECT IN ALL RESPECTS TO THE DISCLAIMERS SET FORTH ABOVE.**

EXECUTED on the dates set forth in the acknowledgements below, to be EFFECTIVE on the _____ day of _____ 2012.

GRANTOR:

CITY OF GARLAND, a Texas home-rule
municipality

By: _____

Title: _____

THE STATE OF TEXAS §

§

COUNTY OF DALLAS §

The foregoing instrument was acknowledged before me on the ____ day of _____, 2012, by _____, in his capacity as Mayor of the City of Garland.

NOTARY PUBLIC, STATE OF TEXAS

PRINTED NAME OF NOTARY

MY COMMISSION EXPIRES:



City Council Item Summary Sheet

Work Session

Date: July 3, 2012

Agenda Item

Garland Housing Agency's Administrative Plan

Summary of Request/Problem

The U.S. Department of Housing and Urban Development (HUD) requires each Housing Agency to develop and adopt an Administrative Plan that identifies the policies the agency will follow to administer the Housing Choice Voucher Program Funds (better known as Section 8). At the June 18, 2012 Work Session, Council considered adopting the updated Administrative Plan.

Recommendation/Action Requested and Justification

Approve a resolution adopting the Garland Housing Agency's Administrative Plan for the Housing Choice Voucher Program (Section 8) (Attachment A)

Submitted By:

**Denish Wilson-Owens
Housing Administrator**

Approved By:

**William E. Dollar
City Manager**

RESOLUTION NO. _____

A RESOLUTION APPROVING THE CITY OF GARLAND HOUSING AGENCY ADMINISTRATIVE PLAN FOR THE HOUSING CHOICE VOUCHER PROGRAM AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, the City of Garland Housing Agency has been designated as the Public Housing Agency (PHA) and is authorized to operate the Section 8 Housing Choice Voucher Program within the City of Garland; and

WHEREAS, a PHA which operates the Section 8 Housing Choice Voucher Program must adopt an Administrative Plan which states local policies on matters for which the PHA has discretion; and

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

Section 1

That the Garland City Council hereby approves the City of Garland Housing Agency Administrative Plan for the Housing Choice Voucher Program, in the form and substance attached hereto as Exhibit "A" and incorporated herein by reference.

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 _____, 2012.

THE CITY OF GARLAND, TEXAS

By: _____
Mayor

ATTEST:

City Secretary



City Council Item Summary Sheet

Work Session

Date: July 3, 2012

Agenda Item

Annual Performance Update on Garland Housing Agency

Summary of Request/Problem

As part of the Quality Housing and Work Responsibility Act of 1998, the City of Garland Housing Agency (GHA) is required by the U.S. Department of Housing and Urban Development (HUD) to submit an annual performance progress report on their five-year plan. At the June 18, 2012 Work Session, Council considered adopting the accomplishments presented in the second year annual performance plan update for submission to HUD.

Recommendation/Action Requested and Justification

Approve a resolution adopting the Garland Housing Agency's second year on the five-year plan for submission to HUD (Attachment A).

Submitted By:

**Denish Wilson-Owens
Housing Administrator**

Approved By:

**William E. Dollar
City Manager**

RESOLUTION NO. _____

A RESOLUTION ADOPTING AND APPROVING THE GARLAND HOUSING AGENCY'S SECOND YEAR UPDATE ON THE 2010-2014 FIVE-YEAR PLAN; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, an annual update on the 2010-2014 five-year plan is required by the Department of Housing and Human Services (HUD) to examine the progress of the Garland Housing Agency in meeting the needs of those being served by housing assistance; and

WHEREAS, a Public Housing Agency that operates a Section 8 Housing Choice Voucher Program must adopt a Five-Year and Annual Plan every five years; and

WHEREAS, the Garland Housing Authority has prepared a second year update to the 2010-2014 five year plan for adoption and approval of the City Council, and the City Council desires to adopt and approve the plan.

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

Section 1

That the Garland City Council hereby adopts and approves the City of Garland Housing Agency's second year update on the Five-Year Annual Plan, in the form and substance attached hereto as Exhibit "1" and incorporated herein by reference.

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 _____, 2012.

THE CITY OF GARLAND, TEXAS

By: _____
Mayor

ATTEST:

City Secretary



Planning Report

File No. 12-26/District 4

Agenda Item:

Meeting: City Council

Date: July 3, 2012

Heights Venture Architects

501 West Interstate 30 Freeway

REQUEST

Approval of an amendment to a Specific Use Permit for Restaurant with Drive-Through.

OWNER

Wendy's International, Inc.

PLAN COMMISSION RECOMMENDATION

On June 11, 2012 the Plan Commission, by a vote of eight (8) to zero (0), recommended approval of an amendment to a Specific Use Permit for Restaurant with Drive-Through.

STAFF RECOMMENDATION

Approval of an amendment to a Specific Use Permit for Restaurant with Drive-Through to renovate the facades. The applicant is proposing to upgrade the existing building by redesigning the facades to a more urban and contemporary style.

BACKGROUND

The subject property is zoned Freeway (FW) District. In 2000, a Specific Use Permit (File 00-30) was obtained to allow for a Restaurant with Drive-Through Use. The subject site was developed in 2000 with a Wendy's Restaurant. The applicant will renovate the facades of the Wendy's restaurant with materials and a design different from the materials and design approved in the existing Specific Use Permit; therefore, an amendment to the Specific Use Permit is required.

SITE DATA

The subject site contains approximately 1.202 acres with nearly 245 linear feet of frontage along Broadway Boulevard and 200 linear feet of frontage along the Interstate 30 Freeway service road. The property can be accessed from Broadway Boulevard and the Interstate 30 Freeway service road.

CONSIDERATIONS

1. The applicant proposes an amendment to a Specific Use Permit for Restaurant with Drive-Through to renovate the facades of the Wendy's Restaurant located on the subject property. The amendment is required since the building elevations are a condition of the Specific Use Permit.
2. On June 11, 2012 the Plan Commission approved a variance to section 34.18(B)(2) of the IH 30 Development Standards regarding exterior walls which states that exterior walls shall be composed of a minimum of 50% primary masonry product, a maximum of 50% secondary masonry product; and not more than 20% other non-masonry materials, excluding doors, windows or window walls. The applicant is proposing to renovate the front elevation with 63% primary masonry (tile and stone) material and 37% non-masonry (metal) material; the back elevation with 65% primary masonry (brick) material, 18% secondary masonry (EIFS and CMU) material and 17% non-masonry (metal) material; the right elevation with 50% primary masonry (brick) material, 26% secondary masonry (EIFS and CMU) material and 24% non-masonry (metal) material; and the left elevation with 50% primary masonry (brick, tile and stone) material, 32% secondary masonry (EIFS and CMU) material and 18% non-masonry (metal) material.
3. The accumulative area of the proposed attached signs does not exceed the maximum allowable sign area. There will be no alteration or additions to the menu board signs or existing freestanding sign.
4. There will be no significant alterations to the footprint of the building, existing landscape or parking layout.
5. The proposed façade renovation will be on a building that is located on a site that has high visibility from Broadway Boulevard and Interstate 30. Moreover, the site is located at one of the most trafficked gateways into the City of Garland. The applicant is proposing to renovate the facades of the existing Wendy's Restaurant to transform the architectural style of the building to a more urban and contemporary design.

Prepared By:

Josue De La Vega
Development Planner

Date: June 20, 2012

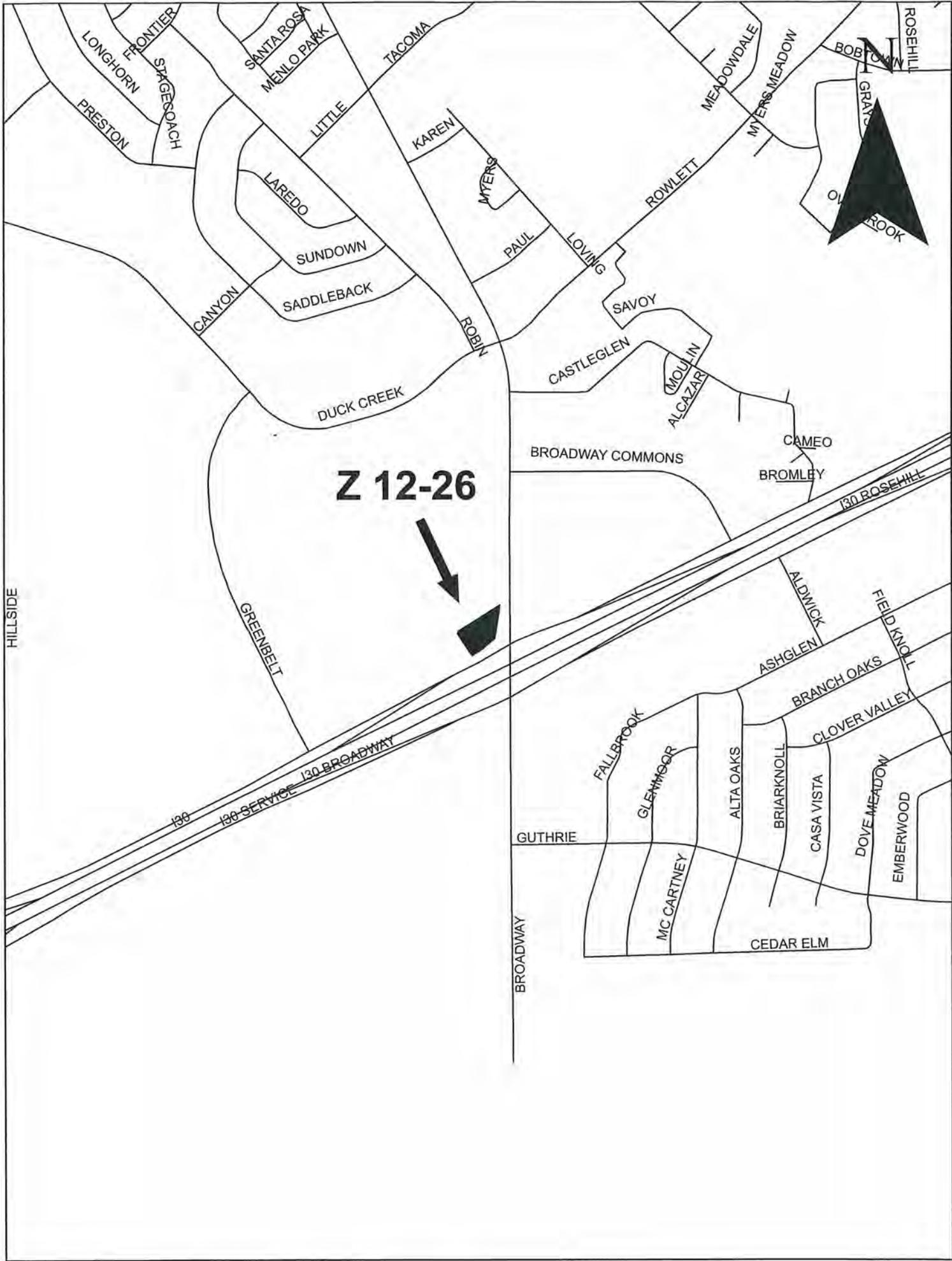
Reviewed By:

Neil Montgomery
Director of Planning

Date: June 22, 2012

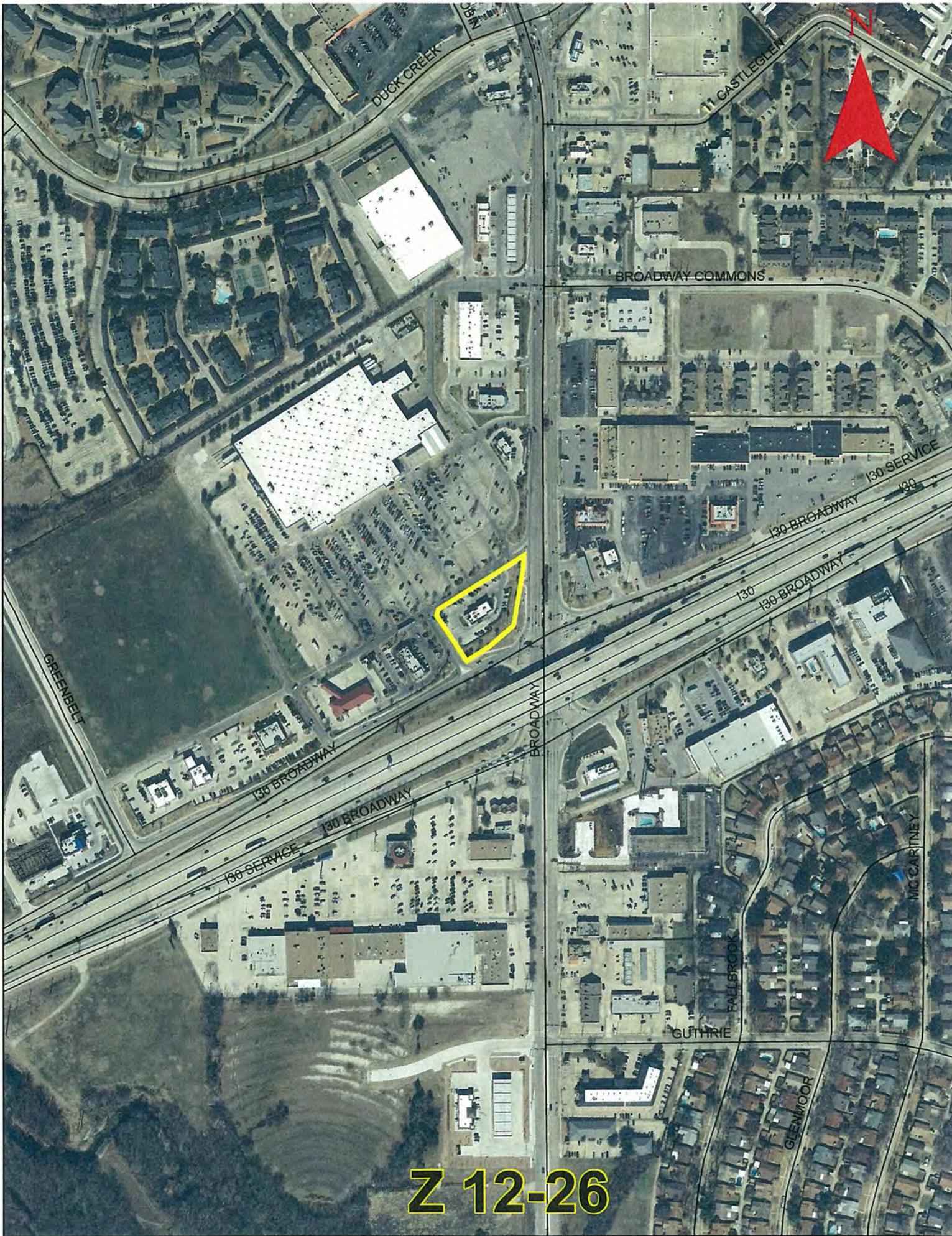
Reviewed By:

William E. Dollar
City Manager
Date: June 26, 2012



Z 12-26





Z 12-26

SPECIFIC USE PERMIT CONDITIONS

ZONING FILE 12-26

501 West Interstate 30 Freeway

- I. **Statement of Purpose:** The purpose of this Specific Use Permit is to amend the specific regulation regarding the elevations in an existing Specific Use Permit for a restaurant with drive-through.
- II. **Statement of Effect:** This permit shall not affect any regulation found in the Comprehensive Zoning Ordinance, Ordinance No. 4647, as amended prior to adoption of this ordinance, except as specifically provided herein.
- III. **General Regulations:** All regulations of the Freeway (FW) District set forth in Section 31 and 33 of the Comprehensive Zoning Ordinance are included by reference and shall apply, except as otherwise specified by this ordinance.
- IV. **Specific Regulations:**
 - A. Time Period: The Specific Use Permit shall be in effect for an 18 year time period and shall be tied to **Wendy's International, Inc.**
 - B. Site Plan: Development shall be in conformance with the approved site plan (Exhibit C)
 - C. Landscape Plan: Development shall be in conformance with the approved Landscape Plan (Exhibit D)
 - D. Elevations: Elevations shall be in conformance with the approved elevations (Exhibit E)
 - E. Signage: Freestanding signage shall be limited to one pole sign with a maximum square footage of 150 square feet and a maximum height of 35 feet, setback a distance of 25 feet.

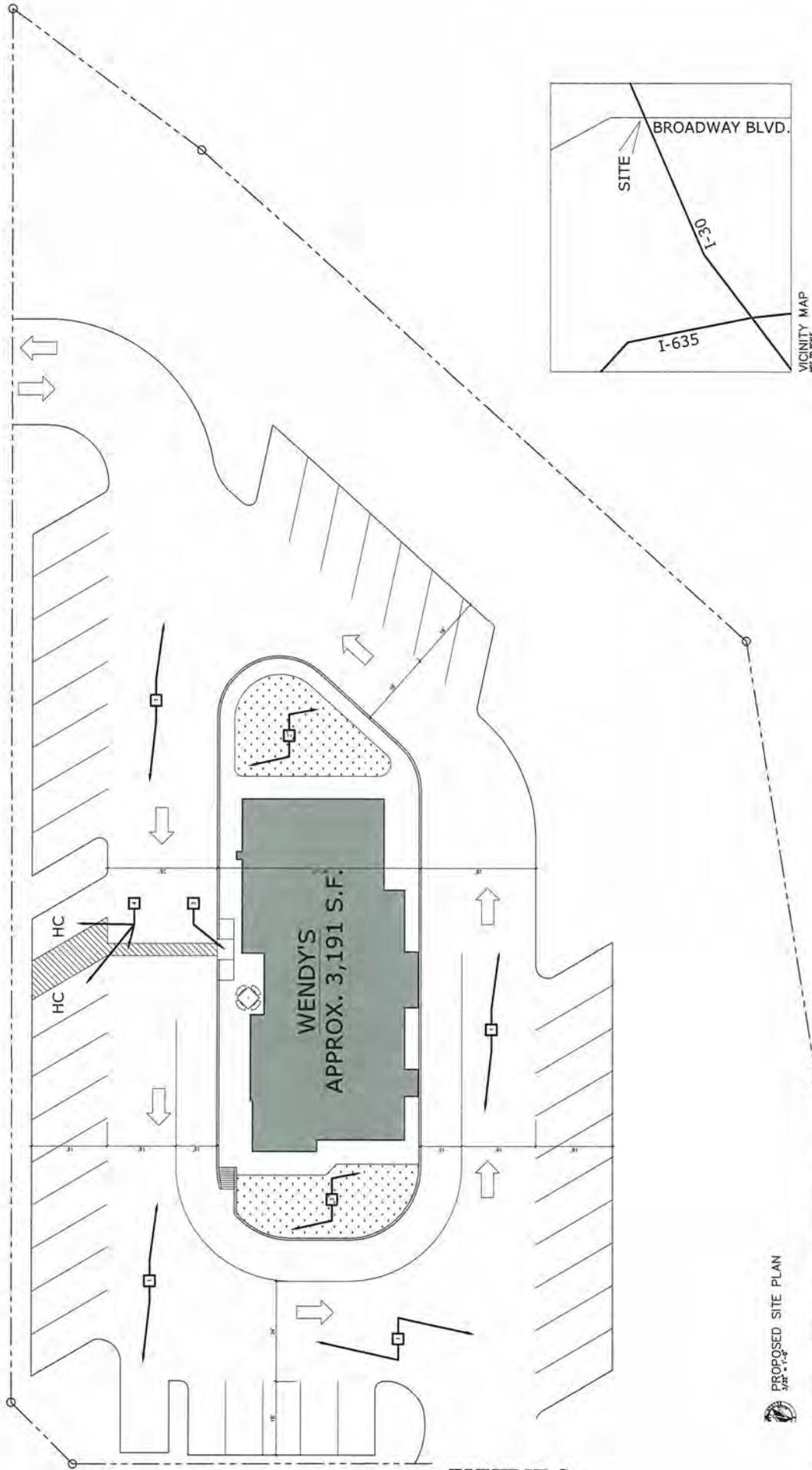


EXHIBIT C

PROPOSED SITE PLAN

OWNER
 WENDY'S INTERNATIONAL, INC.
 8600 FREEPORT PKWY., SUITE 100
 IRVING, TEXAS 75063

ARCHITECT
 HEIGHTS VENTURE ARCHITECTS, LP
 5717 LEGACY DRIVE, SUITE 240
 PLANO, TEXAS 75024

SITE PLAN
 WENDY'S - GARLAND

- SITE PLAN LEGEND:**
- = EXISTING LANDSCAPE IF AFFECTED BY REMODEL, TO BE REPLACED TO MATCH EXISTING CONDITIONS.
 - = EXISTING LANDSCAPE NOT IN SCOPE
 - = AREA OF WORK

SITE PLAN KEY NOTES:

1. EXISTING TO REMAIN.
2. EXISTING LANDSCAPE TO REMAIN.
3. NEW PARALLEL BAMP
4. NEW ADA STRIPING

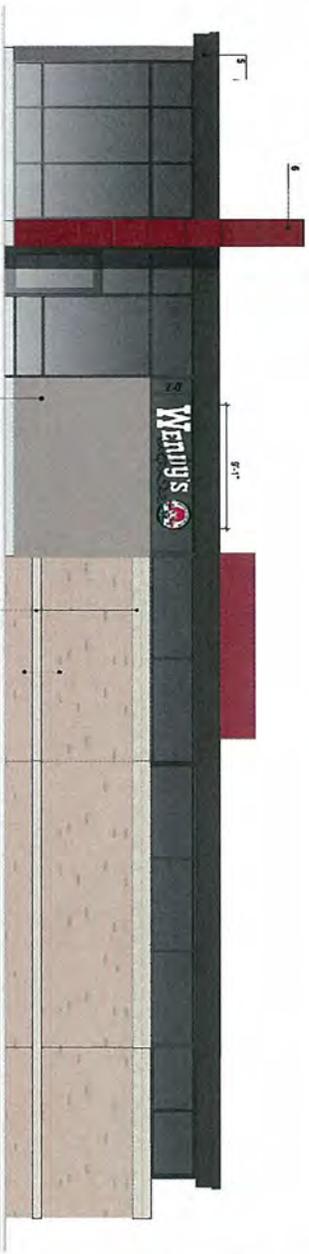
5-9-2012
 NOT FOR REGULATORY APPROVAL, PERMITTING, OR CONSTRUCTION
 ROBERT A. BULLOCH/ASDA

SITE DATA

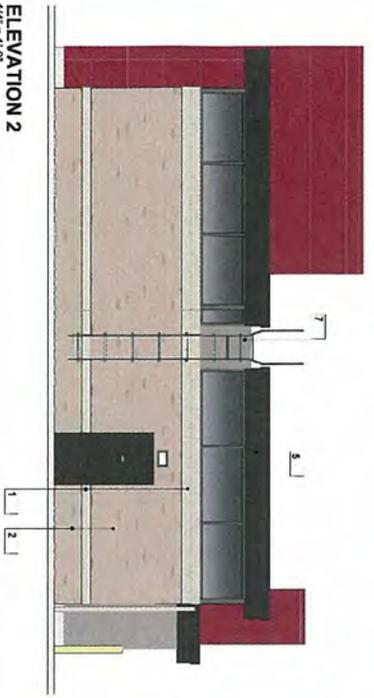
- EXISTING ZONING: LOTS, BLOCK 3, BROADWAY WAL-MART ADDITION / FW
- LOT SQUARE FOOTAGE: 52,349 S.F.
- LOT ACREAGE: 1.2018 AC
- PROPOSED USE: RESTAURANT (NO CHANGE)
- BUILDING AREA (EXISTING): APPROX. 3,202 S.F.
- BUILDING AREA (PROPOSED): APPROX. 3,191 S.F.
- SEATING AREA: 720 S.F.
- BUILDING HEIGHT: 18'-0" (MAIN PARAMET) / 22'-0" (TOWER)
- REQUIRED PROVIDED ZONING: (150 SEATING S.F.), 15 REQUIRED / 40 PROVIDED
- PROPOSED LOT COVERAGE: 6.1%



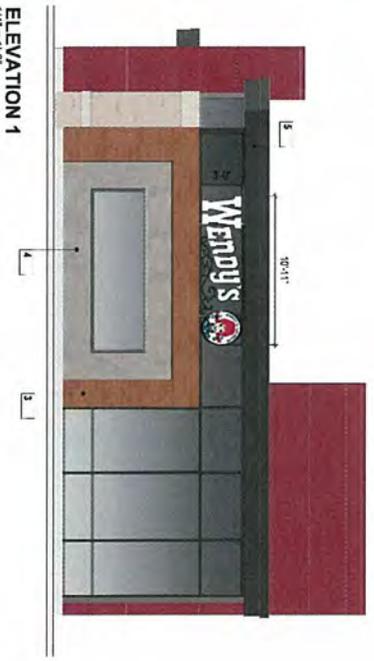
ELEVATION 4
1/4" = 1'-0"



ELEVATION 3
1/4" = 1'-0"



ELEVATION 2
1/4" = 1'-0"



ELEVATION 1
1/4" = 1'-0"

- 1. EXISTING CLAU
- 2. EXISTING BRICK/VENEER
- 3. NEW CERAMIC TILE
"NEWBURN"
"TRIFOLIUM"
- 4. NEW STONE VENEER
"GRANITE"
"DIRECTIONS"
- 5. NEW ARCHITECTURAL METAL
"BRONZE"
- 6. FES TO MATCH/AUTOBOND
"RED FINE COOL"
- 7. FES TO MATCH
"LIMESTONE COLOR"

MATERIAL LEGEND:

ITEM #	EXTERIOR TILE	WENDY'S SIGNIFICATION	WENDY'S SIGNIFICATION
M-2	GLAZED BRICK	ALUMINA TO MATCH CERAMIC BRICK	
SP-1	SP-1 (CONCRETE)	1/2" ALUMINA BRICK SET IN SAND BEDDING WITH 1/2" GROUT (COLORED GROUT)	
SP-2	SP-2 (CONCRETE)	1/2" ALUMINA BRICK SET IN SAND BEDDING WITH 1/2" GROUT (COLORED GROUT)	
LS-1	LINOLEUM	LINOLEUM LAMINATE - 600" x 36" x 1/8"	
BP-1	BP-1	COLOR TO MATCH EXISTING WINDOW	
BP-2	BP-2	COLOR TO MATCH AUTOBOND RED FINE COOL	

ELEVATION 1

ITEM #	ITEM	QUANTITY
1	NEW CERAMIC TILE "NEWBURN" "TRIFOLIUM"	138 S.F.
2	NEW STONE VENEER "GRANITE" "DIRECTIONS"	294 S.F.
3	NEW ARCHITECTURAL METAL "BRONZE"	114 S.F.
4	FES TO MATCH/AUTOBOND "RED FINE COOL"	114 S.F.
5	FES TO MATCH "LIMESTONE COLOR"	114 S.F.

ELEVATION 2

ITEM #	ITEM	QUANTITY
1	NEW CERAMIC TILE "NEWBURN" "TRIFOLIUM"	138 S.F.
2	NEW STONE VENEER "GRANITE" "DIRECTIONS"	294 S.F.
3	NEW ARCHITECTURAL METAL "BRONZE"	114 S.F.
4	FES TO MATCH/AUTOBOND "RED FINE COOL"	114 S.F.
5	FES TO MATCH "LIMESTONE COLOR"	114 S.F.

ELEVATION 3

ITEM #	ITEM	QUANTITY
1	NEW CERAMIC TILE "NEWBURN" "TRIFOLIUM"	138 S.F.
2	NEW STONE VENEER "GRANITE" "DIRECTIONS"	294 S.F.
3	NEW ARCHITECTURAL METAL "BRONZE"	114 S.F.
4	FES TO MATCH/AUTOBOND "RED FINE COOL"	114 S.F.
5	FES TO MATCH "LIMESTONE COLOR"	114 S.F.

ELEVATION 4

ITEM #	ITEM	QUANTITY
1	NEW CERAMIC TILE "NEWBURN" "TRIFOLIUM"	138 S.F.
2	NEW STONE VENEER "GRANITE" "DIRECTIONS"	294 S.F.
3	NEW ARCHITECTURAL METAL "BRONZE"	114 S.F.
4	FES TO MATCH/AUTOBOND "RED FINE COOL"	114 S.F.
5	FES TO MATCH "LIMESTONE COLOR"	114 S.F.

NOT FOR REGULATORY APPROVAL, PERMITTING, OR CONSTRUCTION.
1442113
ROBERT R. HOLTON #14938

WENDY'S INTER
6001 FREEPORT P
RIVN

HEIGHTS VENTURE A
STILLMEAD VTA

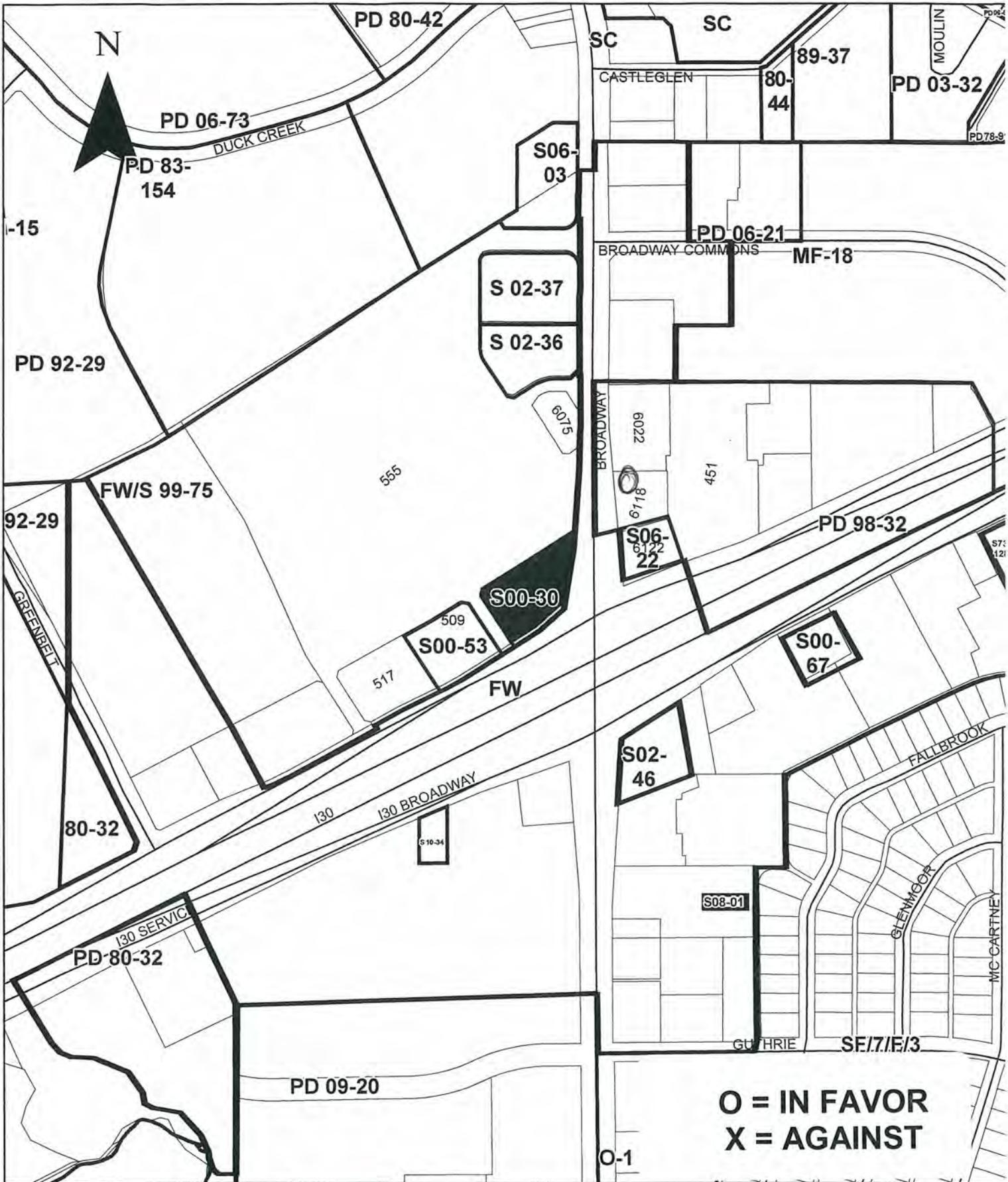
REPORT & MINUTES

P.C. Meeting, June 11, 2012 (8 Members Present)

Consideration of the application of Heights Venture Architects, requesting approval of 1) an amendment to a Specific Use Permit for Restaurant with Drive-Through and 2) a variance to Section 34.18(B)(2) of the IH 30 Development Standards regarding exterior walls on property zoned Freeway (FW) District and within the IH 30 Overlay. The property is located at 501 West Interstate 30 Freeway. (File 12-26)

William Lonsdale, Architect, 6798 Cortona Lane, Frisco, TX 75034 was available for questions.

Motion was made by Commissioner O'Hara, seconded by Commissioner Moore to **approve** the request as recommended by staff. **Motion carried: 8 Ayes, 0 Nays.**

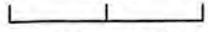


**O = IN FAVOR
X = AGAINST**

**ZONING
Z 12-26**

SCALE IN FEET

0 200 400 Feet



1" = 400'



**INDICATES
AREA OF REQUEST**



GARLAND

May 31, 2012

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

HEARING DATE/TIME: Plan Commission: June 11, 2012 – 7:00 PM

APPLICANT: Heights Venture Architects

File Z 12-26

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, June 11, 2012, in the Council Chambers of City Hall, 200 North Fifth Street, to consider the application of **Heights Venture Architects** requesting approval of 1) an amendment to a Specific Use Permit for Restaurant with Drive-Through and 2) a variance to section 34.18(B)(2) of the IH 30 Development Standards regarding exterior walls on property zoned Freeway (FW) District and within the IH 30 Overlay. The property is shown on the enclosed sketch and is described as follows:

Being an approximate 1.202-acre parcel shown as Lot 6 of Broadway Wal-Mart Addition, an addition to the City of Garland. The property is located at 501 West Interstate 30 Freeway. (District 4).

Note: The applicant requests approval of 1) an amendment to a Specific Use Permit and 2) a variance to section 34.18(B)(2) of the IH 30 Development Standards regarding exterior walls.

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 6118 BROADWAY
2444 LLC

Printed Name
614 N. BISHOP SUITE 3 DALLAS, TX 75208
Address City, State Zip

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

[Signature] PRESIDENT
Signature Title

Date: 6/5/12



Planning Report

File No. 12-27/District 5

Agenda Item:

Meeting: City Council

Date: July 3, 2012

Brenda & Amy Reyes

2829 Saturn Road

REQUEST

Approval of a change of zoning from Planned Development (PD) for Office 1 Uses to Planned Development (PD) for General Business Uses on property zoned Planned Development (PD) 06-23 for Office 1 Uses.

OWNER

Brenda & Amy Reyes

PLAN COMMISSION RECOMMENDATION

On June 11, 2012 the Plan Commission, by a vote of eight (8) to zero (0), recommended denial of a change of zoning from Planned Development (PD) for Office 1 Uses to Planned Development (PD) for General Business Uses on property zoned Planned Development (PD) 06-23 for Office 1 Uses.

STAFF RECOMMENDATION

Denial of a change of zoning from Planned Development (PD) for Office 1 Uses to Planned Development (PD) for General Business Uses. The subject property is located at a central point of an area that is developed with well established residential neighborhoods where many of the General Business Uses would generate a level of activity that is incompatible with the surrounding area. Furthermore, the subject site presents dimensional challenges to accommodate the required parking for some of the General Business Uses.

BACKGROUND

The subject property was developed in 1973 as a one story multi-tenant office building. The current zoning district only allows the uses listed under Office -1 (O-1) District with the exception of Retail Sales/Personal Service which can be allowed with the approval of a Specific Use Permit. The applicant is proposing to change the zoning district from Planned Development (PD) for Office 1 Uses to Planned Development (PD) for General Business Uses with the purpose of making the subject property more marketable and more immediately available for Retail Sales/Personal Service by eliminating the SUP requirement.

SITE DATA

The subject site is a mid-block property that contains approximately 0.73-acres and with nearly 190 feet of frontage along Saturn Road. The property can only be accessed from Saturn Road.

USE OF PROPERTY UNDER CURRENT ZONING

PD (Planned Development) District 06-23 restricts the permitted uses to only those uses listed under Office-1 (O-1) District, with the exception of Retail Sales/Personal Service which is permitted with the approval of a Specific Use Permit. The Office 1 (O-1) District provides for low-rise office and professional service development. This District is appropriately located adjacent to residential districts and may be used as a transition or buffer between residential uses and more intensive nonresidential activity.

SURROUNDING ZONING AND LAND USES

- North: With the exception of the three properties immediately to the north which are zoned Office-1 (O-1) District, the area to the north is zoned Single Family Dwelling (SF-7) District. These properties are developed with single family residences.
- East: Properties to the east across Saturn Road are zoned Single Family Dwelling (SF-10 and SF-7) Districts. The properties are developed with a church and single family residences.
- South: Properties to the south are zoned Office-1 (O-1) District and Office-2 (O-2) District with a Specific Use Permit (S 11-03) for Retail Sales/Personal Service. The property immediately to the south is vacant while the subsequent properties are developed with an office building that is being used as a training center, single family residences, and a church.
- West: Properties immediately to the west are zoned Single Family Dwelling (SF-7) District. With the exception of several church buildings, these properties are developed with single family residences.

COMPREHENSIVE PLAN

The Future Land Use Map of the Envision Garland Plan recommends Traditional Neighborhoods for the subject property. Traditional neighborhoods are currently found throughout Garland and provide areas for low to moderate density single family detached residential housing. Traditional neighborhoods also accommodate convenience retail (goods and services), office space and public services. Non-residential structures are compatible in architectural style and scale with adjacent residential development. Non-residential uses are typically located at the intersection of local streets or at local and secondary arterial

streets. Non-residential uses are within walking distance of the neighborhoods they serve and include minimal on-site parking.

CONSIDERATIONS

1. The applicant proposes a change of zoning from Planned Development (PD) for Office 1 Uses to Planned Development (PD) for General Business Uses. The applicant would like more intense commercial uses to be allowed at the subject property; consequently, making the property more marketable.
2. The subject site is located at a mid-block point within an area that is predominantly zoned with Single Family Districts and mostly developed with single family residences, churches and office uses. The attachment that lists the uses allowed in Office-1 (O-1) District reflects nonresidential uses with an intensity that is low enough to be located adjacent to a residential area, preferably at strategic locations providing a transition or buffer between residential uses and more intensive nonresidential activity. The attachment that lists the uses allowed in General Business (GB) District reflects an array of uses that range from Automobile Repair, Minor to Car Wash, many of these uses have a high level of intensity that is not appropriate within a predominantly residential area. The GB District allows Retail Sales/Personal Service by right.
3. The site currently contains 26 parking spaces which does not meet the parking requirement should the building be fully occupied with such uses like Retail Sales/Personal Service. The site could potentially accommodate additional parking in the back of the property; however, any level of vehicular traffic at this location of the property may be a nuisance to the adjacent residential properties. Moreover, due to the dimensional limitation of the site, the minimum parking requirement for certain General Business Uses such as Athletic Club/Instruction, Indoor Facilities and Restaurant would not be met.

COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

General Business Uses have a level of intense activity that is not suitable within an area that is largely zoned Single Family and developed with single family residences. The site is characterized by narrow side and rear yards that do not have the dimensions to accommodate the minimum parking requirement of some of the Uses allowed by right under the General Business District. The current Planned Development (PD) 06-23 District for Office Uses allows Retail Sales/Personal Service with the approval of a Specific Use Permit, allowing for evaluation of each proposed retail use on an individual basis. However, the General Business (GB) District would allow by right an array of uses, including Retail Sales/Personal Service, without an appropriate evaluation of the compatibility of the proposed use with the surrounding area or the suitability of the site to accommodate more intense commercial activities.

Prepared By:

Josue De La Vega
Development Planner

Date: June 20, 2012

Reviewed By:

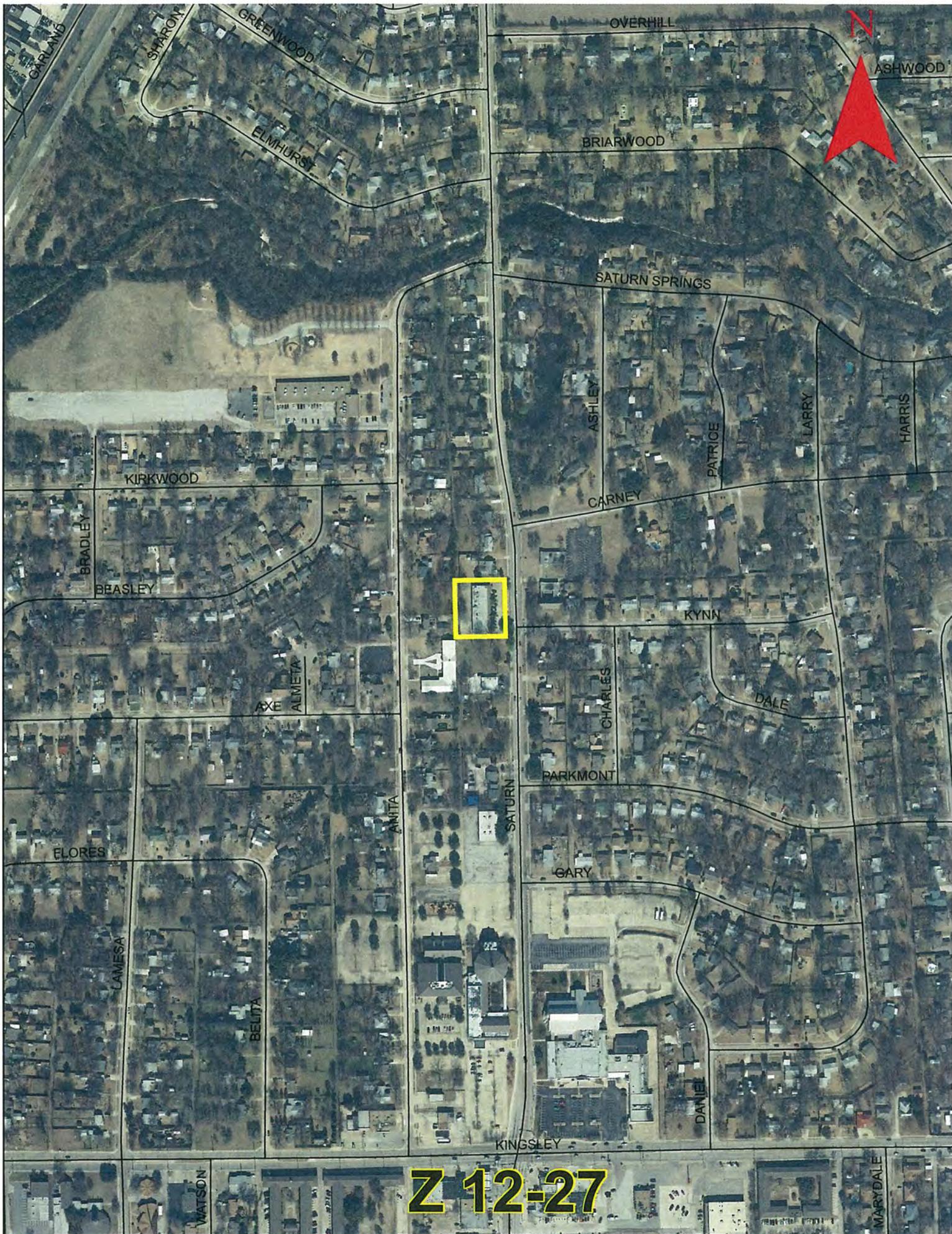
Neil Montgomery
Director of Planning

Date: June 22, 2012

Reviewed By:

William E. Dollar
City Manager

Date: June 26, 2012



Z-12-27

PLANNED DEVELOPMENT CONDITIONS

ZONING FILE 12-27

2829 Saturn Road

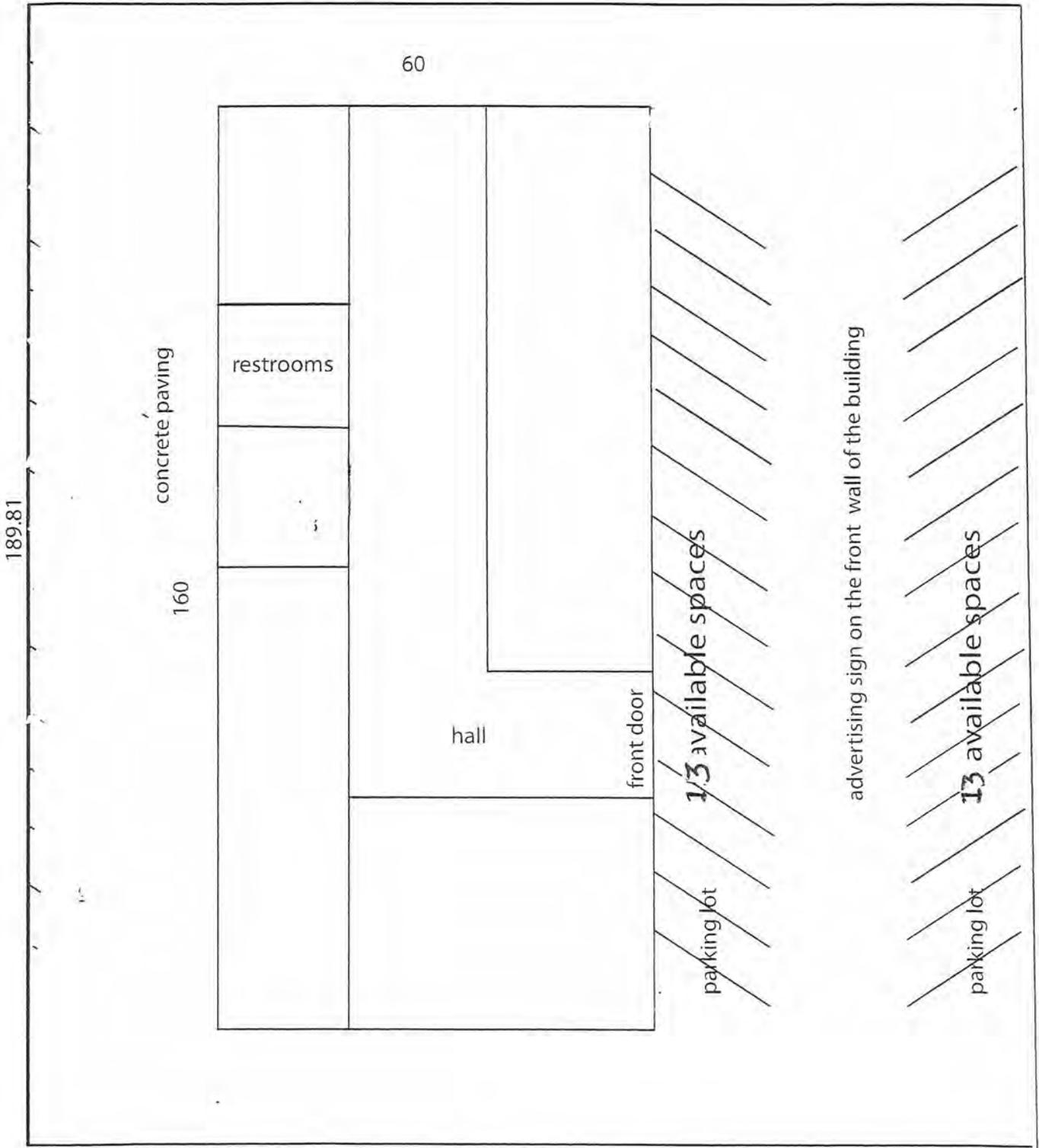
- I. **Statement of Purpose:** The purpose of this Planned Development District is to permit General Business Uses on the property subject to conditions.
- II. **Statement of Effect:** This Planned Development shall not affect any regulation found in the Comprehensive Zoning Ordinance. Ordinance No. 4647, as amended prior to adoption of this ordinance, except as specifically provided herein.
- III. **General Regulations:** All regulations of the General Business (GB) District set forth in Section 25 and 32 of the Comprehensive Zoning Ordinance, Ordinance No. 4647, are included by reference and shall apply, except as specified in this ordinance.
- IV. **Development Plans:**

Detail Plan: Should the existing building/site be redeveloped or expanded, a Detail Plan shall be required to be approved through the public hearing process, prior to the issuance of a building permit. Approval of a Detail Plan shall be based on general conformance with the regulations set forth in this ordinance.
- V. **Specific Regulations:**

Permitted Uses: No uses shall be permitted except for the uses listed under General Business (GB) District in Section 25-200 of the Comprehensive Zoning Ordinance.

2829 Saturn Road
One story Concrete -Brick

167.50



Units Square Feet

Uses Permitted in the O-1 (Office 1) District

Analytical Laboratory*
Antenna, Commercial Type 1*
Antenna, Private
Athletic Club/Instruction, Indoor Facilities*
Athletic Club/Instruction, Outdoor Facilities*
Batching Plant, Temporary
Charitable Boarding, Temporary*
Charter School*
Church
Civic Club/Fraternal Lodge
College or University*
Commercial School
Convention Facility*
Drug Store/Pharmacy**
Electric Generating Plant*
Electric Substation*
Financial Institution
Kindergarten, Preschool or Child Care Center*
Library
Massage Therapy
Medical and Surgical Appliances**
Medical Laboratory
Medical Office/Clinic
Mining*
Museum or Art Gallery
Neighborhood Assistance Center
Office Equipment Sales, Repair and Maintenance*
Office, General
Optical Dispensary**
Printer, Small Scale**
Radio, TV, Recording Studio*
Sanitary Landfill*
School, Public and Private
Sewage Treatment Plant*
Stadium, Arena, Athletic Field*
Water Reservoir or Well*
Water Treatment Plant*
Wind Generator*

* Allowed by Specific Use Permit only.

** Allowed as a Secondary Use only.

Uses Permitted in the GB (General Business) District

Ambulance Service
Animal Clinic
Antenna, Commercial Type 1
Antenna, Commercial Type 2*
Antenna, Private
Arcade*
Athletic Club/Instruction, Indoor Facilities
Athletic Club/Instruction, Outdoor Facilities
Automobile Repair, Minor
Batching Plant, Temporary
Bingo Hall*
Car Wash
Care of Alcoholic, Drug Dependent or Psychiatric Patients - Institutionalized*
Charitable Boarding, Temporary*
Charter School*
Church
Civic Club/Fraternal Lodge
College or University*
Commercial Amusement, Indoor
Commercial Amusement, Outdoor*
Commercial School
Convenience Store
Convention Facility
Custodial Quarters*
Drug Store/Pharmacy
Dry Cleaner
Electric Generating Plant*
Electric Substation*
Equipment Leasing, Indoor
Financial Institution
Firewood Bulk Sales*
Flea Market, Indoor*
Furniture and Appliance Sales
Furniture and Upholstery Cleaning and Repair/Reupholstering*
Grocery/Supermarket
Home Improvement Center
Kindergarten, Preschool or Child Care Center
Landscape Nursery
Laundromat
Library
Massage Therapy
Medical Laboratory
Medical Office/Clinic
Medical or Surgical Appliances
Mining*
Mortuary/Funeral Home
Movie Theater/Theater
Museum or Art Gallery
Neighborhood Assistance Center
Office Equipment Sales, Repair and Maintenance*
Office, General
Optical Dispensary

Uses Permitted in the GB (General Business) District
Page 2

Parking Garage or Lot, Commercial
Pet Sales and Grooming
Printer, Small Scale
Produce Stand, Outdoor
Radio, TV, Recording Studio
Reception Facility*
Recycling Center*
Repair and Service Shop
Restaurant
Restaurant, Drive-Through*
Retail Sales/Personal Service
Retail Sales with Gas Pumps*
Sanitary Landfill*
School, Public or Private
Sewage Treatment Plant*
Shooting Range, Indoor*
Stadium, Arena, Athletic Field*
Tattooing/Body Piercing Establishment*
Tire Dealer, No Outside Storage
Transit Station
Used Goods or Products Collection Point, Temporary*
Water Reservoir or Well*
Water Treatment Plant*
Wind Generator*
Wrecker Service (one)

* Allowed by Specific Use Permit only.

REPORT & MINUTES

P.C. Meeting, June 11, 2012 (8 Members Present)

Consideration of the application of Brenda and Amy Reyes, requesting approval of a change of zoning from Planned Development (PD) for Office 1 Uses to Planned Development (PD) for General Business Uses on property zoned Planned Development (PD) 06-23 for Office 1 (O-1) Uses. The property is located at 2829 Saturn Road. (File 12-27)

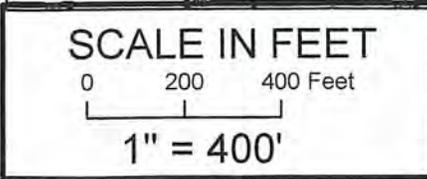
The applicant was not available for this hearing.

Representing nearby property owners opposed to the request were:

William Yocam, 2805 Saturn Road, Garland
Robert King, 1204 Saturn Springs, Garland
Shellye Scott, 2633 Ashley, Garland

Concerns that were presented included the unkept condition of the property (demonstrated with pictures), any increased traffic that some additional uses might cause and the decline of the neighborhood that has been caused by some uses that have been allowed to come in over the last few years. Also a petition with 55 signatures of citizens opposed to the request was presented to the Commission.

Motion was made by Commissioner Welborn, seconded by Commissioner O'Hara to **deny** the request per staff recommendation. **Motion carried: 8 Ayes, 0 Nays.**



INDICATES AREA OF REQUEST

ZONING
Z 12-27



GARLAND

May 31, 2012

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

HEARING DATE/TIME: Plan Commission: June 11, 2012 – 7:00 PM

APPLICANT: Brenda & Amy Reyes

File Z 12-27

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, June 11, 2012, in the Council Chambers of City Hall, 200 North Fifth Street, to consider the application of **Brenda & Amy Reyes** requesting approval of a change of zoning from Planned Development (PD) for Office 1 (O-1) Uses to Planned Development (PD) for General Business (GB) Uses on property zoned Planned Development (PD) 06-23 for Office 1 (O-1) Uses. The property is shown on the enclosed sketch and is described as follows:

Being an approximate 0.731-acre parcel shown as Lot 10, Block B of Bella Vista Addition, an addition to the City of Garland. The property is located at 2829 Saturn Road. (District 5).

Note: The applicant requests approval of a change of zoning.

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

2816 ALMETA PR.

Printed Name

John T. Butts

GARLAND, TX.

75041-2701

Address

City, State

Zip

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

Signature

Title

Date: 6-4-12



GARLAND

May 31, 2012

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

HEARING DATE/TIME: Plan Commission: June 11, 2012 – 7:00 PM

APPLICANT: Brenda & Amy Reyes

File Z 12-27

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, June 11, 2012, in the Council Chambers of City Hall, 200 North Fifth Street, to consider the application of **Brenda & Amy Reyes** requesting approval of a change of zoning from Planned Development (PD) for Office 1 (O-1) Uses to Planned Development (PD) for General Business (GB) Uses on property zoned Planned Development (PD) 06-23 for Office 1 (O-1) Uses. The property is shown on the enclosed sketch and is described as follows:

Being an approximate 0.731-acre parcel shown as Lot 10, Block B of Bella Vista Addition, an addition to the City of Garland. The property is located at 2829 Saturn Road. (District 5).

Note: The applicant requests approval of a change of zoning.

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.

Saturn Rd. already has too much traffic.
Development for General Business zoning would only
make Saturn Rd. busier. Please do not change.

(Please complete the following information)

Your Property Address

Jose Luis Rodriguez
Printed Name
2709 Saturn Rd. Garland, Tx 75041
Address City, State Zip

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

Jose L Rodriguez Home owner
Signature Title

Date: 6/5/12

The attached petition was presented to the Plan Commission meeting on June 11. It represents 55 residents near the subject property at 2829 Saturn. None of the addresses represented were within the 400 feet notification area.

Petition Opposing Approval of Zoning Change From Office 1 Uses to Planned Development for General Business Uses on Property zoned 06-23 for Office 1 Uses

1. Curt Scott 2633 Oakley Dr.
2. Shelly Scott 2633 Oakley Dr.
3. Chas. Paulson 1210 CARNEY DR.
4. Claudia Houston 1251 Carney
5. Pamele Hogan 1235 Carney
6. ~~Chris Hogan~~ 1235 Carney
7. Crystal Tatum 2614 Patricia Dr.
8. Scott Tatum 2614 Patricia Dr.
9. Priscilla Bell 2622 Patricia Dr.
10. Bryan Bell 2622 Patricia Dr.
11. Karen Bell 2622 Patricia Dr.
12. John Bell 2622 Patricia Dr.
13. ~~John Bell~~ 1211 Carney
14. Alison Brown 1217 Carney
15. ~~John Bell~~ 1211 Carney Drive
16. ~~John Bell~~ 1211 Carney Drive
17. Donna Shutt 1203 Carney Dr.
18. Blanca Ward 2027 Jany Dr.
19. ~~John Bell~~ - 2604 LARRY DRIVE
20. Robert & Mary 1204 SATURN SPRINGS
21. Maria & Jerry 1204 Saturn Springs
22. ~~Richard & Mary~~ 2613 HARRIS
23. Marsha Tierney 2613 Harris Drive
24. Albert Zolis 2608 Harris Dr
25. Alvandria Lopez 2608 Harris DR
26. Lorna B Lopez 2608 Harris DR
27. ~~Christy Zolis~~ 2612 Harris Dr
28. Craig Baughman 2612 Harris Dr
29. ~~Alger Murray~~ 1101 CARNEY
30. Jessica Childers Askins 1104 Carney Dr.
31. ~~Quinn Brown~~ 1100 Carney Dr.
32. ~~Sherrill Brown~~ 1000 Carney Dr.
33. ~~Sherrill Brown~~ 932 CARNEY
34. ~~Mark Cook~~ 2612 LOCKE DR
35. Wendy DeFoe 2608 Locke Drive
36. Eric DeFoe 2608 Locke Drive
37. R. Scott Ann 908 Saturn Springs
38. Fran Olson 908 Saturn Springs
39. ~~Paul Frank~~ 903 SATURN SPRINGS

Petition Opposing Approval of Zoning Change From Office 1 Uses to Planned Development for General Business Uses on Property zoned 06-23 for Office 1 Uses

- 40. Betty Roberts 901 Saturn Springs
- 41. Beverly Roberts 901 Saturn Springs
- 42. ~~Michelle~~ 905 Saturn Springs
- 43. Rachel Taylor 905 Saturn Springs Dr.
- 44. Judy Woods 1005 Saturn Springs Dr.
- 45. Jim Woods 1005 Saturn Springs Dr.
- 46. William W. Jones 1019 Saturn Springs
- 47. Andre Jones 1019 Saturn Springs
- 48. ~~Sharon~~ 1105 Saturn Springs
- 49. Susan Bright 1216 Saturn Springs
- 50. Beata Hall 1205 Saturn Springs
- 51. Nancy Jane Hall 1205 Saturn Springs 75041
- 52. Dorothy Cornhill 2609 Ashley Dr 75041
- 53. Margaret Bice 2617 Ashley Dr 75041
- 54. Buddy Houston 1251 CARNEY
- 55. Sharon Mowkey 1101 Carney Dr 75041
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Planning Report

File No. 12-28/District 5

Agenda Item:

Meeting: City Council

Date: July 3, 2012

RACETRAC

West of S. Garland Avenue, east of S. Shiloh Road, and north of McCree Road

REQUEST

Approval of an amendment to Condition B.2 regarding the Landscape Plan on property zoned Planned Development District (PD 11-04) for Shopping Center Uses with a Specific Use Permit for Retail Sales with Gasoline Pumps.

OWNER

Pecos Pointe, Inc.

PLAN COMMISSION RECOMMENDATION

On June 11, 2012 the Plan Commission, by a vote of eight (8) to zero (0), recommended approval of an amendment to Condition B.2 of PD 11-04 regarding the Landscape Plan as recommended by Staff.

STAFF RECOMMENDATION

Approval of an amendment of PD Condition B.2 and the Landscape Plan regarding the type and number of tree plantings within the Shiloh Road and South Garland Avenue landscape buffers. The proposed replacement of Shumard Red Oaks with Crape Myrtles in the Shiloh Road buffer and consequent reduction in the number of trees required, and the elimination of one Shumard Red Oak in the South Garland Avenue buffer is necessary to avoid conflict with GP&L utility lines.

BACKGROUND

On June 21, 2011 City Council adopted an ordinance approving a Concept Plan for Shopping Center Uses, and a Detail Plan and Specific Use Permit for Retail Sales with Gasoline Pumps (Racetrac) on the subject property. Due to the proposed relocation of GP&L transmission lines to the east side of Shiloh Road and the establishment of utility easements to accommodate them, amendment of PD Condition B.2 and Landscape Plan regarding the number and type of tree plantings within the required landscape buffers is necessary.

SITE DATA

The overall subject property contains 6.6 acres fronting approximately 990 feet on South Garland Avenue and 960 feet along South Shiloh Road. The property is triangular in shape with substantial frontage on both major thoroughfares. The Racetrac site contains approximately 4.2 of the 6.6 acres.

USE OF PROPERTY UNDER CURRENT ZONING

The subject property is governed by the adopted conditions, Concept Plan and Detail Plan of Planned Development (PD) District 11-04, by Specific Use Permit 11-04 and by the IH 635 Development Standards. The PD is based in the Shopping Center District of the IH 635 Overlay District, as modified by the PD and SUP conditions. The PD establishes a Concept Plan for the overall property and a Detail Plan and SUP with conditions for development of a Racetrac on the southern 4.2 acres of the property. The PD District requires an approved Detail Plan prior to any further re-development on the property.

SURROUNDING ZONING AND LAND USES

North: Properties to the north are zoned Planned Development 08-52 for Shopping Center Uses and are developed with various commercial and restaurant uses. The larger tract is developed with a vacant large retail building once occupied by Wal-Mart.

East: Properties to the east across South Garland Avenue and the Kansas City Southern Railroad are zoned Industrial-1 (I-1) District and are developed with motels (S96-8, S99-30) and an electric substation.

South: Property to the south across McCree Road is zoned Industrial-1 (I-1) District and is developed with J.L. Parker Plumbing.

West: Property to the west across South Shiloh Road, is zoned Industrial-1 (I-1) District and is developed with the Prestige Ford auto dealership (S95-15).

CONSIDERATIONS

The Planned Development (11-04) conditions and landscape plan adopted for this site reflect variances to the IH 635 Development Standards that were granted allowing a variable width landscape buffer and reduced tree plantings along both Shiloh Road and South Garland Avenue. These variances were necessitated by site constraints including location of required pedestrian and utility easements and the need to preserve site visibility. Further modification of the conditions and landscape plan is necessitated by the proposed relocation of GP&L transmission lines and supporting poles from the west side of Shiloh Road to the subject property along the east side of Shiloh Road. The applicant has accommodated the GP&L project by providing the required easement. The location of the lines and necessary easement impacts the approved landscape plan in terms of the number and type of trees that are planted within the landscape buffers, as GP&L requires that trees placed under overhead utility lines be of a species that grows to a height generally not exceeding 15 feet.

Shiloh Road Buffer: The Shiloh Road buffer is most heavily impacted by the GP&L project. The existing PD condition (B.2) requires a minimum of 16 Shumard Red Oaks within the Shiloh Road buffer. These are large trees which grow to a height far exceeding 15 feet. Instead, the applicant is proposing to

replace the 16 Shumard Red Oaks with 18 (6 clusters of 3 trees) Crape Myrtles. Section 34.20 (B)(1)(a)(i) of the IH 635 Development Standards requires that the buffer trees be Shumard Red Oaks. Furthermore, the Standards equate 1 large tree to 3 ornamental trees, thus 48 Crape Myrtles would be required to replace the 16 Shumard Oaks. A variance was granted by the Plan Commission regarding both the required type and number of trees.

South Garland Avenue Buffer: The existing PD condition (B.2) requires a minimum of 12 Shumard Red Oaks within the South Garland Avenue buffer. The southernmost tree as shown on the approved landscape plan would be under the overhead utility line and would be removed, reducing the number of trees provided from 12 to 11 and thus requiring a variance to the number of trees. This variance was granted by the Plan Commission as there is not sufficient room to replace this one tree with a cluster of 3 Crape Myrtles, nor would it complement the overall landscape design.

Prepared By:

Anita Russelmann
Assistant Director of Planning

Date: June 19, 2012

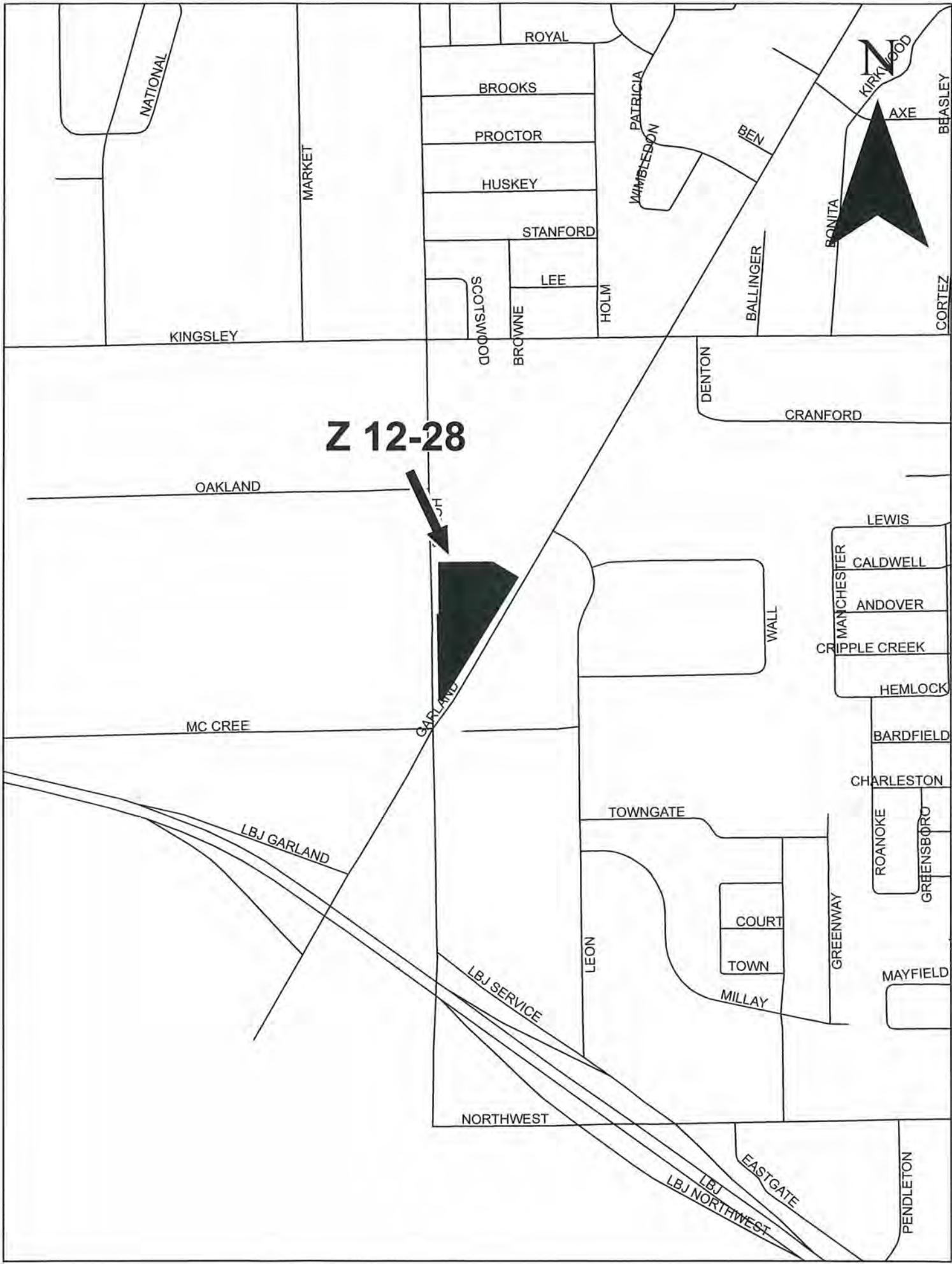
Reviewed By:

Neil Montgomery
Director of Planning

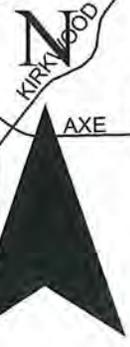
Date: June 20, 2012

William E. Dollar
City Manager

Date: June 25, 2012



Z 12-28



NORTHWEST

EASTGATE

LBJ
LBJ NORTHWEST

PENDLETON

MAYFIELD

ROANOKE
GREENSBORO

CHARLESTON

BARDFIELD

HEMLOCK

CRIPPLE CREEK

ANDOVER

CALDWELL

LEWIS

WALL

COURT

TOWN

MILLAY

TOWNGATE

LEON

NORTHWEST

LBJ SERVICE

LBJ GARLAND

MC CREE

OAKLAND

CRANFORD

DENTON

CORTEZ

RONITA

BEN

BALLINGER

PATRICIA
WAMBLEDON

HOLM

LEE

BROWNE

SCOTSWOOD

STANFORD

HUSKEY

PROCTOR

BROOKS

ROYAL

MARKET

NATIONAL

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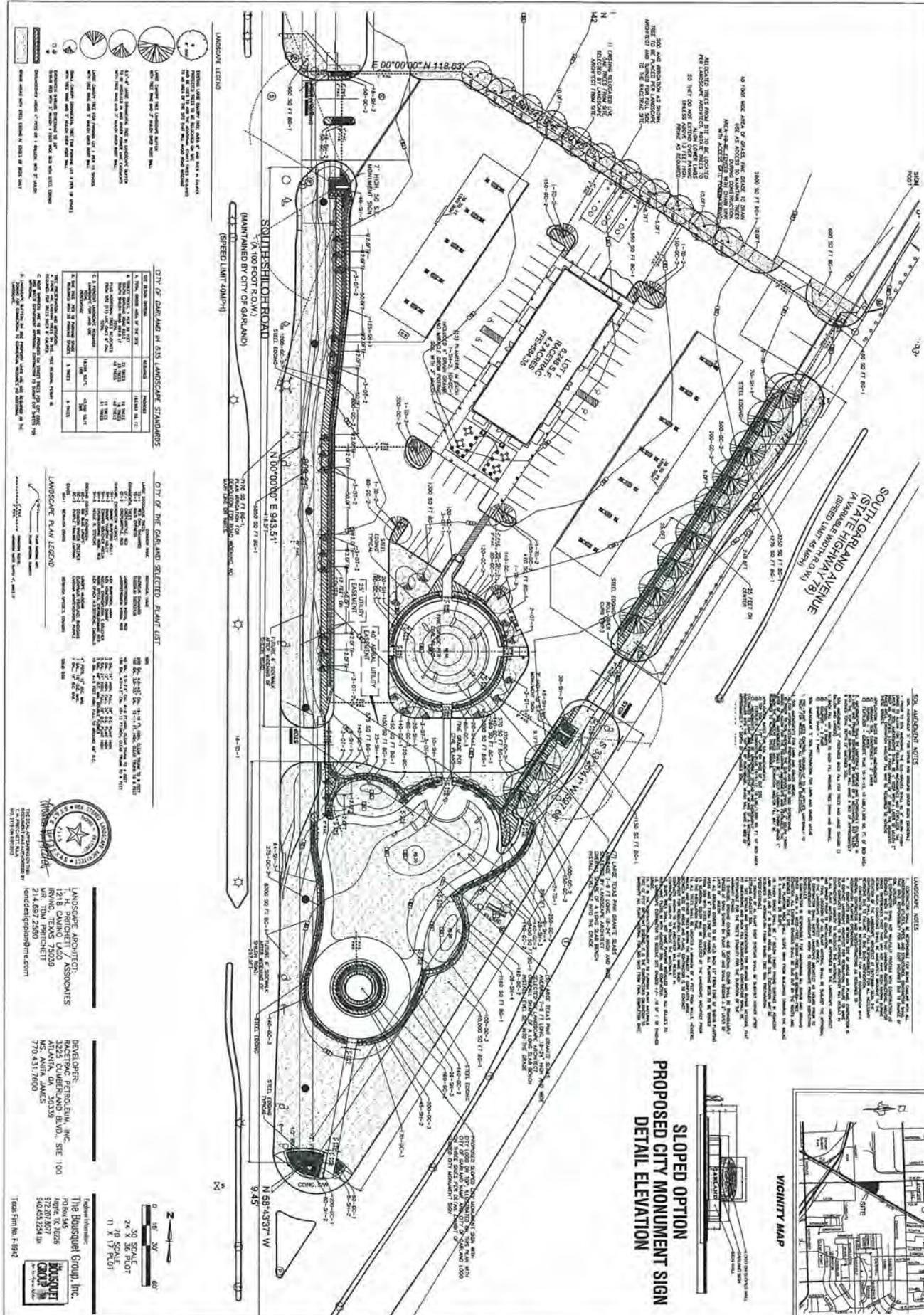


Z 12-28

PLANNED DEVELOPMENT REQUIREMENTS

West of South Garland Avenue, East of South Shiloh Road and North of McCree Road

- I. **Statement of Purpose:** The purpose of this Planned Development District is to amend certain requirements regarding landscape buffer tree plantings as identified on the associated Landscape Plan.
- II. **Statement of Effect:** This Planned Development District shall not affect any regulation found in the Comprehensive Zoning Ordinance, Ordinance No. 4647, as amended prior to adoption of this ordinance, except as specifically provided herein.
- III. **General Regulations:** All regulations of Planned Development (PD) District 11-04 for Shopping Center Uses, and all regulations of the Shopping Center (SC) District set forth in Sections 31, 32 and 47 of the Comprehensive Zoning Ordinance are included by reference and shall apply, except as otherwise specified by this ordinance.
- IV. **Specific Regulations:**
 - A. Development Requirements, Concept and Detail Plans, Specific Use Permit: Refer to Planned Development (PD) 11-04 for development requirements, approved Concept and Detail Plans, Specific Use Permit and general conditions and exhibits.
 - B. Landscape Plan: Screening and landscaping shall be generally provided as shown on the landscape plan identified as Exhibit F.
 1. Landscape Buffer: The width of the landscape buffer along both Shiloh Road and Garland Avenue shall be decreased from the minimum 30-ft to a variable width buffer as generally shown on Exhibit F.
 2. Landscape Buffer Tree Plantings: A minimum of 11 Shumard Red Oak trees are required within the South Garland Avenue landscape buffer. A minimum of 18 Crape Myrtle trees, of a variety and spacing approved by the Director of Planning are required within the Shiloh Road landscape buffer Refer to Exhibit F for general placement of trees.
 3. Landscape and Hardscape Features: Landscaped and hardscape amenity features shall be provided as shown on Exhibit F.
 - 3.1 Hardscape Feature: The southern most hardscape feature shall be sloped upward from south to north to maximize visual exposure from a southern vantage point and shall be designed as reflected on Exhibit F-1.



LANDSCAPE LEGEND

1. 1" = 1' SCALE
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LANDSCAPE ARCHITECT
 1218 CAMINO LINDO ASSOCIATES
 IRVING, TEXAS 75039
 LANDSCAPE ARCHITECT
 214.487.2580
 landdesign@texas.com

ENGINEER
 PETROLEUM, INC.
 3225 CUMBERLAND BLVD., STE. 100
 ATLANTA, GA 30339
 770.431.7600

THE BOUSQUET GROUP, INC.
 1000 N. W. 10TH ST., SUITE 100
 MIAMI, FL 33136
 305.575.1000

SCALE
 1" = 30' SCALE
 2" X 36" PLOT
 11" X 17" PLOT

DATE
 06/01/2012

PROJECT
 RACETRAC SERVICE STATION
 SHILOH AND GARLAND (HWY 78)
 GARLAND, TX

Racetrac
 RACETRAC PETROLEUM, INC.
 3225 CUMBERLAND BLVD., SUITE 100
 ATLANTA, GEORGIA 30339
 (770) 431-7600



LANDSCAPE NOTES

1. ALL PLANTING SHALL BE INSTALLED AND MAINTAINED IN ACCORDANCE WITH THE CITY OF GARLAND LANDSCAPE STANDARDS.

2. THE LANDSCAPE ARCHITECT HAS CONDUCTED VISUAL ANALYSES OF THE PROPOSED SIGN AND HAS DETERMINED THAT THE SIGN IS VISUALLY COMPATIBLE WITH THE SURROUNDING ENVIRONMENT.

3. THE SIGN SHALL BE MAINTAINED IN GOOD REPAIR AND CONDITION AT ALL TIMES.

4. THE SIGN SHALL BE REMOVED OR MODIFIED IF IT BECOMES VISUALLY OBTRUSIVE OR INCOMPATIBLE WITH THE SURROUNDING ENVIRONMENT.

5. THE SIGN SHALL BE REMOVED OR MODIFIED IF IT BECOMES A SAFETY HAZARD.

6. THE SIGN SHALL BE REMOVED OR MODIFIED IF IT BECOMES A PUBLIC NUISANCE.

7. THE SIGN SHALL BE REMOVED OR MODIFIED IF IT BECOMES A SOURCE OF POLLUTION.

8. THE SIGN SHALL BE REMOVED OR MODIFIED IF IT BECOMES A SOURCE OF NOISE.

9. THE SIGN SHALL BE REMOVED OR MODIFIED IF IT BECOMES A SOURCE OF LIGHT POLLUTION.

10. THE SIGN SHALL BE REMOVED OR MODIFIED IF IT BECOMES A SOURCE OF AIR POLLUTION.

11. THE SIGN SHALL BE REMOVED OR MODIFIED IF IT BECOMES A SOURCE OF WATER POLLUTION.

12. THE SIGN SHALL BE REMOVED OR MODIFIED IF IT BECOMES A SOURCE OF SOIL POLLUTION.

13. THE SIGN SHALL BE REMOVED OR MODIFIED IF IT BECOMES A SOURCE OF CLIMATE CHANGE.

14. THE SIGN SHALL BE REMOVED OR MODIFIED IF IT BECOMES A SOURCE OF SOCIAL INEQUITY.

15. THE SIGN SHALL BE REMOVED OR MODIFIED IF IT BECOMES A SOURCE OF CULTURAL APPROPRIATION.

16. THE SIGN SHALL BE REMOVED OR MODIFIED IF IT BECOMES A SOURCE OF RACIAL HATE.

17. THE SIGN SHALL BE REMOVED OR MODIFIED IF IT BECOMES A SOURCE OF SEXUAL HARASSMENT.

18. THE SIGN SHALL BE REMOVED OR MODIFIED IF IT BECOMES A SOURCE OF STALKING.

19. THE SIGN SHALL BE REMOVED OR MODIFIED IF IT BECOMES A SOURCE OF INTIMIDATION.

20. THE SIGN SHALL BE REMOVED OR MODIFIED IF IT BECOMES A SOURCE OF THREATS.

21. THE SIGN SHALL BE REMOVED OR MODIFIED IF IT BECOMES A SOURCE OF VIOLENCE.

22. THE SIGN SHALL BE REMOVED OR MODIFIED IF IT BECOMES A SOURCE OF DEATH.

23. THE SIGN SHALL BE REMOVED OR MODIFIED IF IT BECOMES A SOURCE OF DISCRIMINATION.

24. THE SIGN SHALL BE REMOVED OR MODIFIED IF IT BECOMES A SOURCE OF OPPRESSION.

25. THE SIGN SHALL BE REMOVED OR MODIFIED IF IT BECOMES A SOURCE OF INJUSTICE.

26. THE SIGN SHALL BE REMOVED OR MODIFIED IF IT BECOMES A SOURCE OF UNLAWFUL ACTS.

27. THE SIGN SHALL BE REMOVED OR MODIFIED IF IT BECOMES A SOURCE OF CRIMINAL ACTS.

28. THE SIGN SHALL BE REMOVED OR MODIFIED IF IT BECOMES A SOURCE OF TERRORISM.

29. THE SIGN SHALL BE REMOVED OR MODIFIED IF IT BECOMES A SOURCE OF WAR.

30. THE SIGN SHALL BE REMOVED OR MODIFIED IF IT BECOMES A SOURCE OF GENOCIDE.

31. THE SIGN SHALL BE REMOVED OR MODIFIED IF IT BECOMES A SOURCE OF SLAVERY.

32. THE SIGN SHALL BE REMOVED OR MODIFIED IF



May 15, 2012

MEMORANDUM

TO: Neil Montgomery, A.I.C.P.

FROM: Dallas Cothrum, Ph. D.

RE: Amendment to Ordinance #6471 (Planned Development District 11-04)

SUBJECT PROPERTY: 6.6-acre tract located east of Shiloh Road, west of Garland Avenue and north of McCree Road

As a result of a GP&L project, RaceTrac Petroleum seeks amendment of PD 11-04 regarding the required type and number of tree plantings within the buffer along Shiloh Road and Garland Avenue. RaceTrac, receiving zoning entitlement nearly a year ago, has been working with GP&L, Oncor and the City to provide utility easements on the subject property in conjunction with the adjacent electric substation and utility service lines. The proposed changes reflect the desired GP&L transmission alignment that RaceTrac would provide at no cost to GP&L.

In addition to the general re-development challenges, and the site's triangular shape, we have a number of on-site encumbrances. Of these encumbrances, the 25-foot utility easement running coincident with the proposed landscape buffer along Shiloh Road and the intersection of the 40-foot aerial utility easement intersecting with the buffer along Garland Avenue, pose conflicts with the city-approved buffer tree planting plan.

Garland Power & Light (GPL) prohibits and the Public Utility Commission strongly discourages the placement of large trees over 15 feet in height under overhead utility lines. Within the 40-foot wide easement intersecting with the Garland Avenue buffer, there is one large tree proposed under the utility line. Consequently, we request eliminating the southernmost tree decreasing the total number of required buffer trees from 12 to 11 along Garland Avenue. The PD conditions also stipulate a minimum of 16 large trees within the required landscape buffer along Shiloh Road. As such, these conflicts limit the type or size of buffer tree to ornamentals. In lieu of these 16 large trees, we propose planting a total of 18 ornamental trees placed in groups of three as reflected on the attached exhibit.

We intend to provide an aesthetically pleasing view of the site from Shiloh Road by planting clustered sets of Crepe Myrtle trees spaced 50 feet apart in addition to the planned shrubs and other plant material and ground cover. Of the encumbrances, we will have to contend with the visual obstructions created by 36- to 42-inch wide transmission poles in addition to the required buffer trees.

MASTERPLAN
Founders Square
900 Jackson St., Suite 640
Dallas, Texas 75202

Phone: (214) 761-9197
Fax: (214) 748-7114
Web: masterplanconsultants.com

If we had to adhere to the required ratio of three ornamentals for each 30 feet of spacing (as an alternative to the one large tree for each 30 feet as traditionally required by the IH635 Development Standards), it would severely limit the view of on-site facilities and signage critical for advertising both the brand and pricing of gasoline, or any other sundry of retail items. Despite the presence of the transmission line, we feel this planting scheme will provide an improved aesthetic at the street-to-site interface of the Shiloh Road corridor while maintaining key visibility corridors of the proposed freestanding monument signs and attached signage for motorists or prospective pedestrian customers.

In an effort to facilitate a timely completion of the GP&L project, we also request a double advertisement of this item so that we can be heard by the Plan Commission on June 11th and City Council on June 19th. Should you need additional information or have any questions, don't hesitate to email me at dallas@masterplanconsulting.com or call me at 214.761.9197.

REPORT & MINUTES

P.C. Meeting, June 11, 2012 (8 Members Present)

Consideration of the application of RaceTrac, requesting approval of 1) an amendment to Planned Development District condition B.2 regarding the Landscape Plan and 2) a variance to Section 34.20(B)(1)(a) of the IH635 Development Standards regarding landscape buffer tree plantings on property zoned Planned Development District (PD 11-04) for Shopping Center Uses with a Specific Use Permit for Retail Sales with Gasoline Pumps. The property is located at 3401 South Garland Avenue. (File 12-28)

Representing RaceTrac was Mark Housewright, 900 Jackson, Ste 640, Dallas, Texas 75202.

He showed pictures of the proposed changes to the landscape plan that need to be made to accommodate a utility easement on the property. The tall Shumard Red Oaks need to be replaced with smaller Crepe Myrtles to avoid low hanging lines. The species of the Crepe Myrtle will be determined and approved by staff at a later date.

Motion was made by Commissioner Welborn, seconded by Commissioner O'Hara to **approve** the request as recommended by staff. **Motion carried: 8 Ayes, 0 Nays.**



SCALE IN FEET
 0 200 400 Feet
 1" = 400'

INDICATES
 AREA OF REQUEST

O = IN FAVOR
 X = AGAINST

ZONING
Z 12-28

No replies were received for this case.



Planning Report

File No. 12-29/District 4

Agenda Item:

Meeting: City Council

Date: July 3, 2012

Pink Consulting LP

509 West Interstate 30 Freeway

REQUEST

Approval of an amendment to a Specific Use Permit for Restaurant, Drive-Through.

OWNER

Archland Property II LP

PLAN COMMISSION RECOMMENDATION

On June 11, 2012 the Plan Commission, by a vote of eight (8) to zero (0), recommended approval of an amendment to a Specific Use Permit for Restaurant with Drive-Through.

STAFF RECOMMENDATION

Approval of an amendment to a Specific Use Permit for Restaurant, Drive-Through to renovate the facades and extend the time period of an existing Specific Use Permit for Restaurant, Drive-Through. The proposed renovation will transform the facades from a conventional design to a more urban and contemporary style. The renovation to the facades will have a positive visual impact on the urban context of a highly visible area of the City.

BACKGROUND

The subject property is zoned Freeway (FW) District within the IH 30 Overlay. In 2000, a Specific Use Permit (File 00-53) was obtained to allow for a Restaurant, Drive-Through Use. The subject site was developed in 2001 with a McDonald's Restaurant. The applicant is proposing to extensively renovate the facades of the McDonald's Restaurant which requires an amendment to the specific regulation regarding the approved elevations under the existing Specific Use Permit. The applicant is also requesting an additional 20 years to the existing Specific Use Permit which remains in effect.

SITE DATA

The subject site contains approximately 1.007 acres and nearly 222 linear feet of frontage along the service road of Interstate 30 Freeway. The property can be accessed from Broadway Boulevard and the service road of Interstate 30 Freeway.

USE OF PROPERTY UNDER CURRENT ZONING

Freeway (FW) District with Specific Use Permit S 00-53 to allow Restaurant, Drive-Through Use.

SURROUNDING ZONING AND LAND USES

- North: Properties immediately to the north are zoned Freeway (FW) District with Specific Use Permit S 99-75 to allow Retail Sales, Retail Sales with Gas Pumps, and Automotive Repair, Minor; S 02-36 to allow Restaurant, Drive-Through; and S 02-37 to allow Restaurant, Drive-Through. This area is dominated by the Walmart and associated retail and restaurant development.
- East: The property immediately to the east is zoned Freeway (FW) District with Specific Use Permit S 00-30 to allow Restaurant, Drive-Through. The properties across Broadway Boulevard are zoned Freeway (FW) District with Specific Use Permit to allow Retail Sales with Gas Pumps and Planned Development (PD) 98-32 for Freeway Uses; these properties are developed with a gas station, a multi-tenant retail center, and a number of pad site buildings.
- South: Interstate 30 Freeway is located south of the subject property.
- West: Properties to the west to Greenbelt Parkway are zoned Freeway (FW) District and are developed with two banks, one restaurant, and one medical clinic.

CONSIDERATIONS

1. The applicant proposes an amendment to a Specific Use Permit for Restaurant, Drive-Through to renovate the facades of the McDonald's Restaurant located at the subject property.
2. There will be no significant alterations to the footprint of the building or the existing landscape. The applicant is proposing to remove 1 parking space located adjacent to the drive-through to meet corporate drive-through standards. Section 10-200 of the Comprehensive Zoning Ordinance states that the parking requirement for Restaurant, Drive-Through is 8 plus 1 for every 50 square feet of seating area. The minimum number of required parking spaces for the subject site is 37. The subject site will have 46 parking spaces after the removal of 1 parking space.
3. The proposed façade renovation will be on a building that is located on a site that has a high visibility from Interstate 30 Freeway. Moreover, the site is located at one of the most trafficked gateways into the City of Garland. The proposed materials are brick, stone and metal. The proposed elevations are in compliance with section 34.18(B)(2) of the IH 30 Development Standards regarding exterior walls which states that exterior walls shall be composed of a minimum of 50% primary masonry product, a

maximum of 50% secondary masonry product; and not more than 20% other non-masonry materials, excluding doors, windows or window walls.

4. The applicant is requesting a 20 year extension to the remaining 18 year time period. The Specific Use Permit for Restaurant, Drive-Through will be for 38 years and tied to **McDonald's International, Inc.**

COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

The nature of the surrounding area is one of a large lot developed with a Walmart and a number of site pad buildings used as restaurants and banks that function as auxiliary uses to the retail activity in the area. The McDonald's Restaurant continues to be an auxiliary use and remains compatible with the surrounding area. Although the renovated facades will have a more urban and contemporary style than the present facades, the design of the building will remain compatible with the style of the buildings located in the immediate area.

Prepared By:

Josue De La Vega
Development Planner

Date: June 20, 2012

Reviewed By:

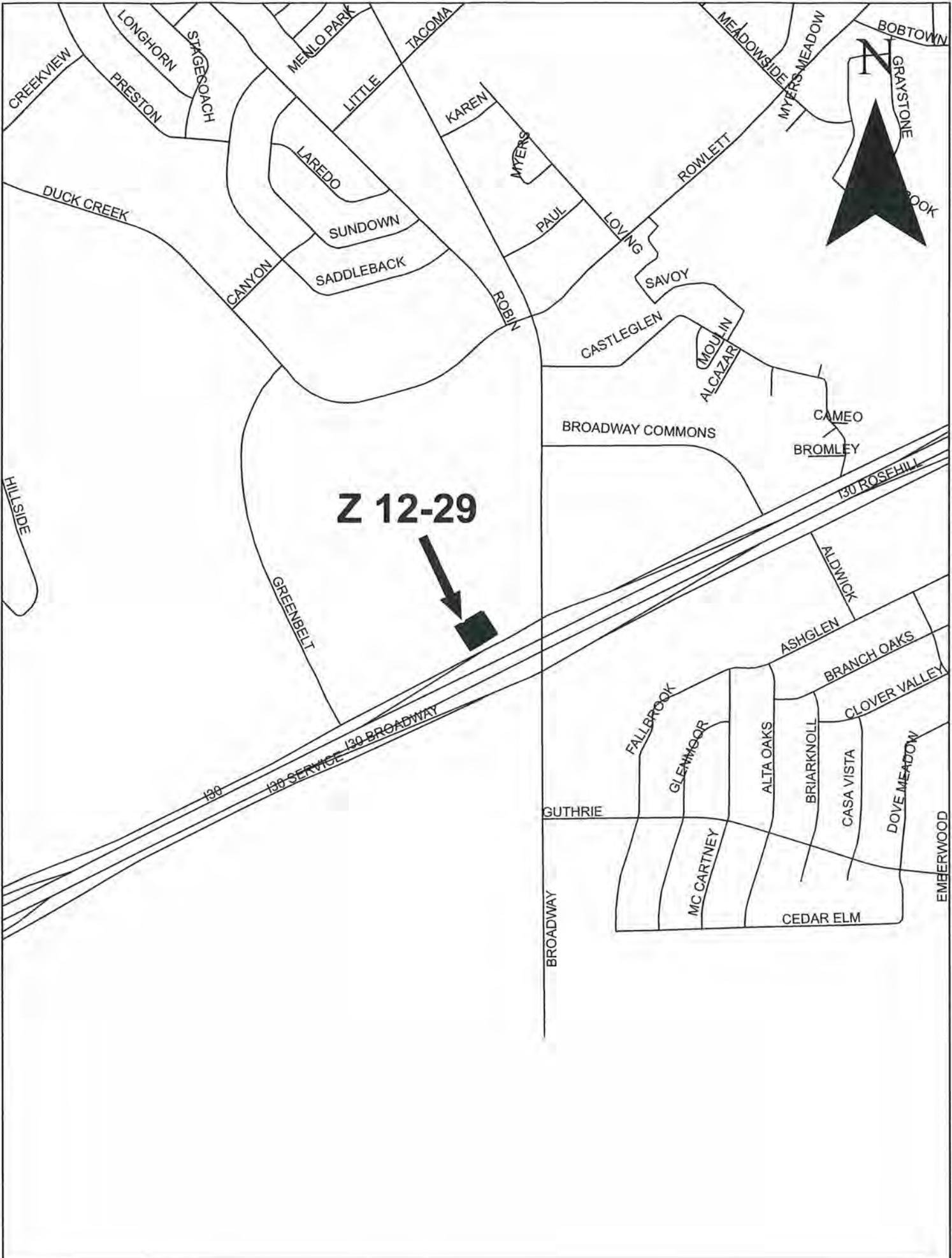
Neil Montgomery
Director of Planning

Date: June 22, 2012

Reviewed By:

William E. Dollar
City Manager

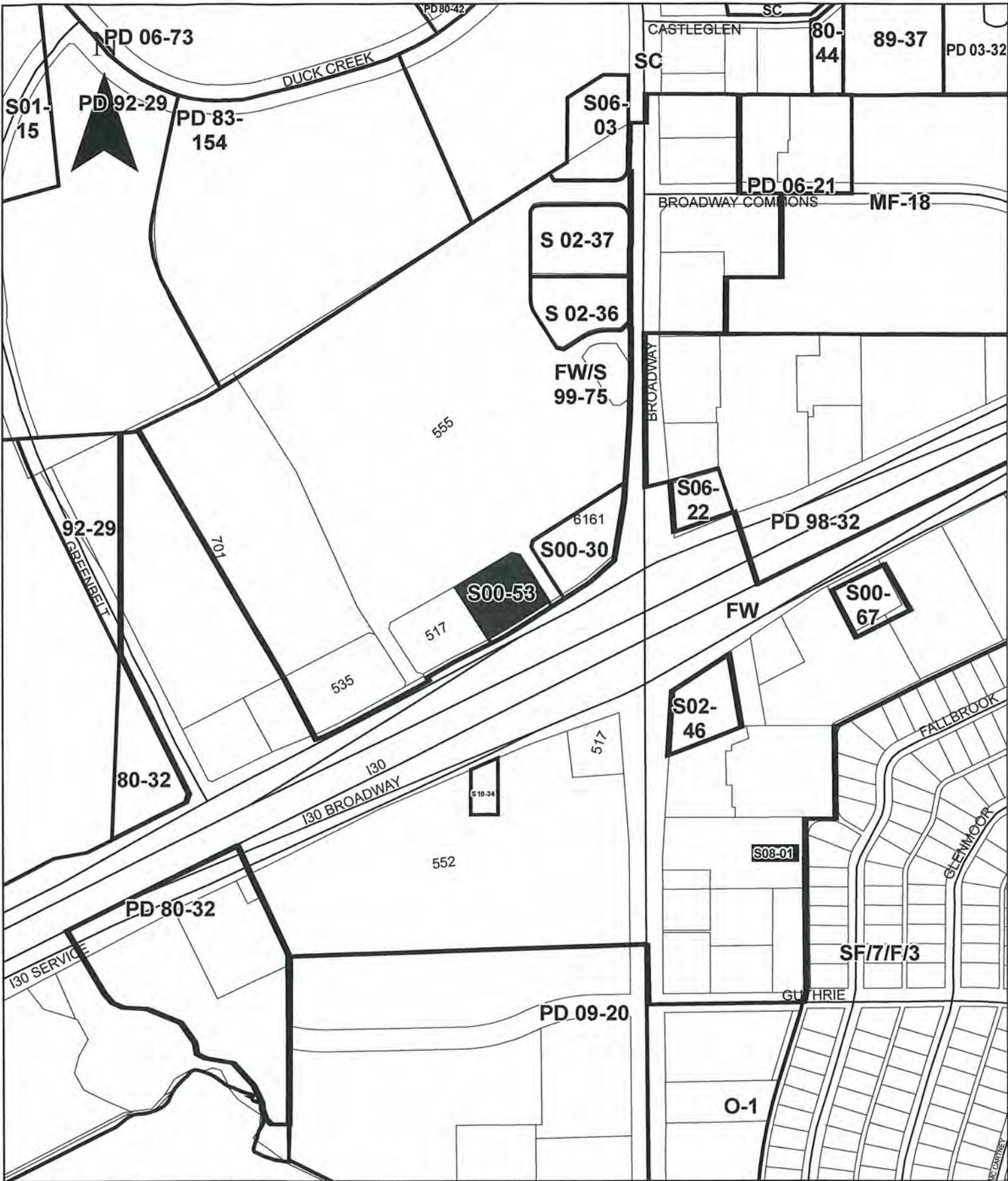
Date: June 26, 2012



Z 12-29



Map labels include: CREEKVIEW, LONGHORN, STAGESOACH, PRESTON, MENILO PARK, LITTLE, TACOMA, KAREN, MYERS, MEADOWSIDE, MYERS-MEADOW, BOBTOWN, GRAYSTONE, CREEK, SUNDOWN, PAUL, LOVING, ROWLETT, LAREDO, CANYON, SADDLEBACK, ROBIN, SAVOY, CASTLEGLLEN, MOULIN, ALCAZAR, DUCK CREEK, HILLSIDE, GREENBELT, BROADWAY COMMONS, CAMEO, BROMLEY, 130 ROSEHILL, ALDWICK, ASHGLEN, BRANCH OAKS, CLOVER VALLEY, FALLBROOK, GLENMOR, ALTA OAKS, BRIARKNOLL, CASA VISTA, DOVE MEADOW, GUTHRIE, MC CARTNEY, CEDAR ELM, BROADWAY, 130 BROADWAY, 130 SERVICE, and EMERWOOD.



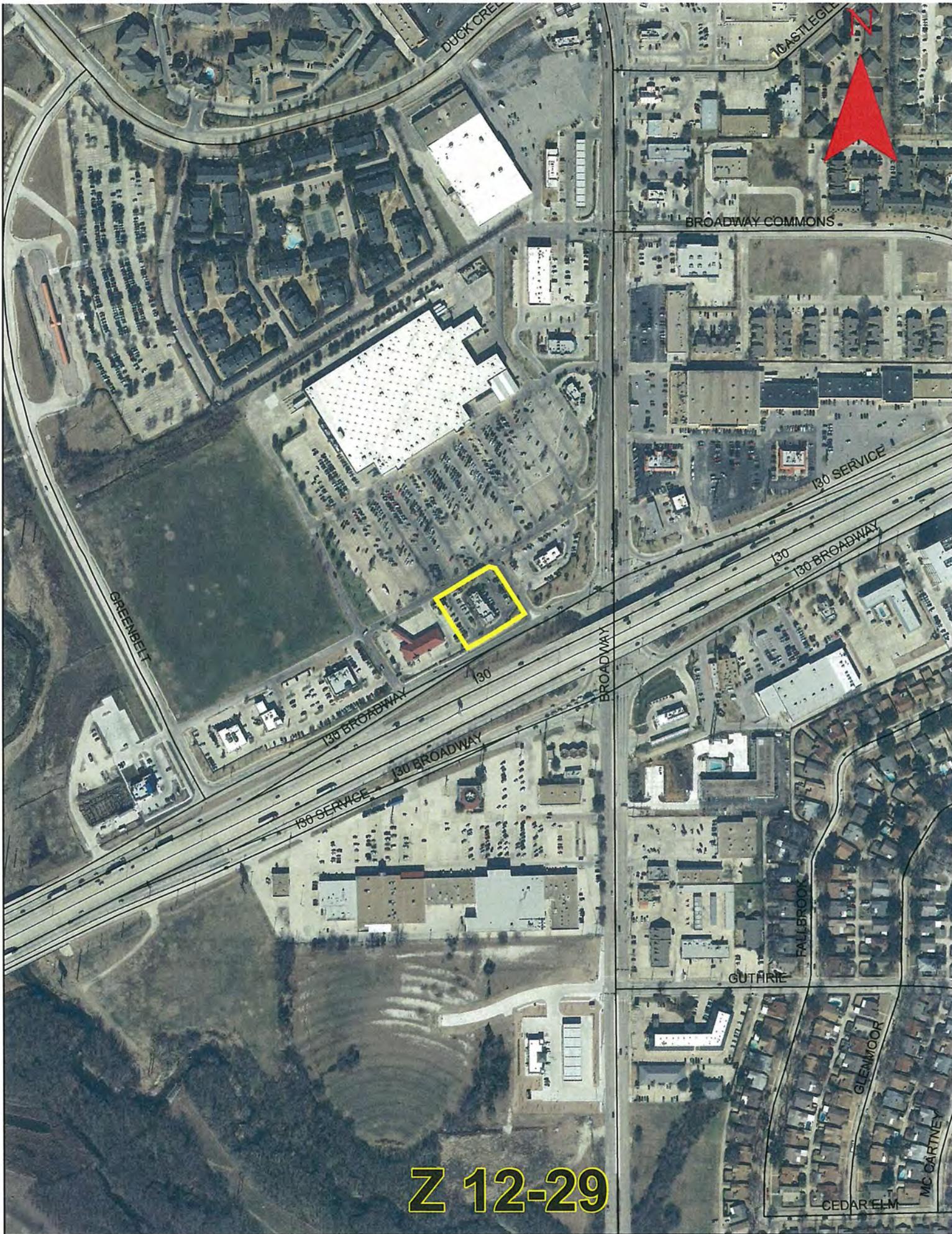
SCALE IN FEET

0 200 400 Feet

1" = 400'

■ INDICATES
AREA OF REQUEST

**ZONING
Z 12-29**



Z 12-29

SPECIFIC USE PERMIT CONDITIONS

ZONING FILE 12-29

509 West Interstate 30 Freeway

- I. **Statement of Purpose:** The purpose of this Specific Use Permit is to amend the approved elevations of the existing Specific Use Permit and extend by 20 years the time period of the existing Specific Use Permit.
- II. **Statement of Effect:** This permit shall not affect any regulation found in the Comprehensive Zoning Ordinance, Ordinance No. 4647, as amended prior to adoption of this ordinance, except as specifically provided herein.
- III. **General Regulations:** All regulations of the Freeway (FW) District set forth in Section 31 and 33 of the Comprehensive Zoning Ordinance and IH 30 Development Standards are included by reference and shall apply, except as otherwise specified by this ordinance.
- IV. **Specific Regulations:**
 - A. Time Period: The Specific Use Permit shall be in effect for a 38 year time period and shall be tied to **McDonald's International, Inc.**
 - B. Site Plan: Development shall be in conformance with the approved site plan (Exhibit C)
 - C. Landscape Plan: Development shall be in conformance with the approved Landscape Plan (Exhibit D)
 - D. Elevations: Elevations shall be in conformance with the approved elevations (Exhibit E)
 - E. Signage: Freestanding signage shall be limited to one pole sign with a maximum square footage of 150 square feet and a maximum height of 35 feet, setback a distance of 25 feet. Attached signage shall comply with the City of Garland Sign Ordinance.
 - F. Menu Signs: Menu signs shall not exceed 8 feet in height and 42 square feet in area.

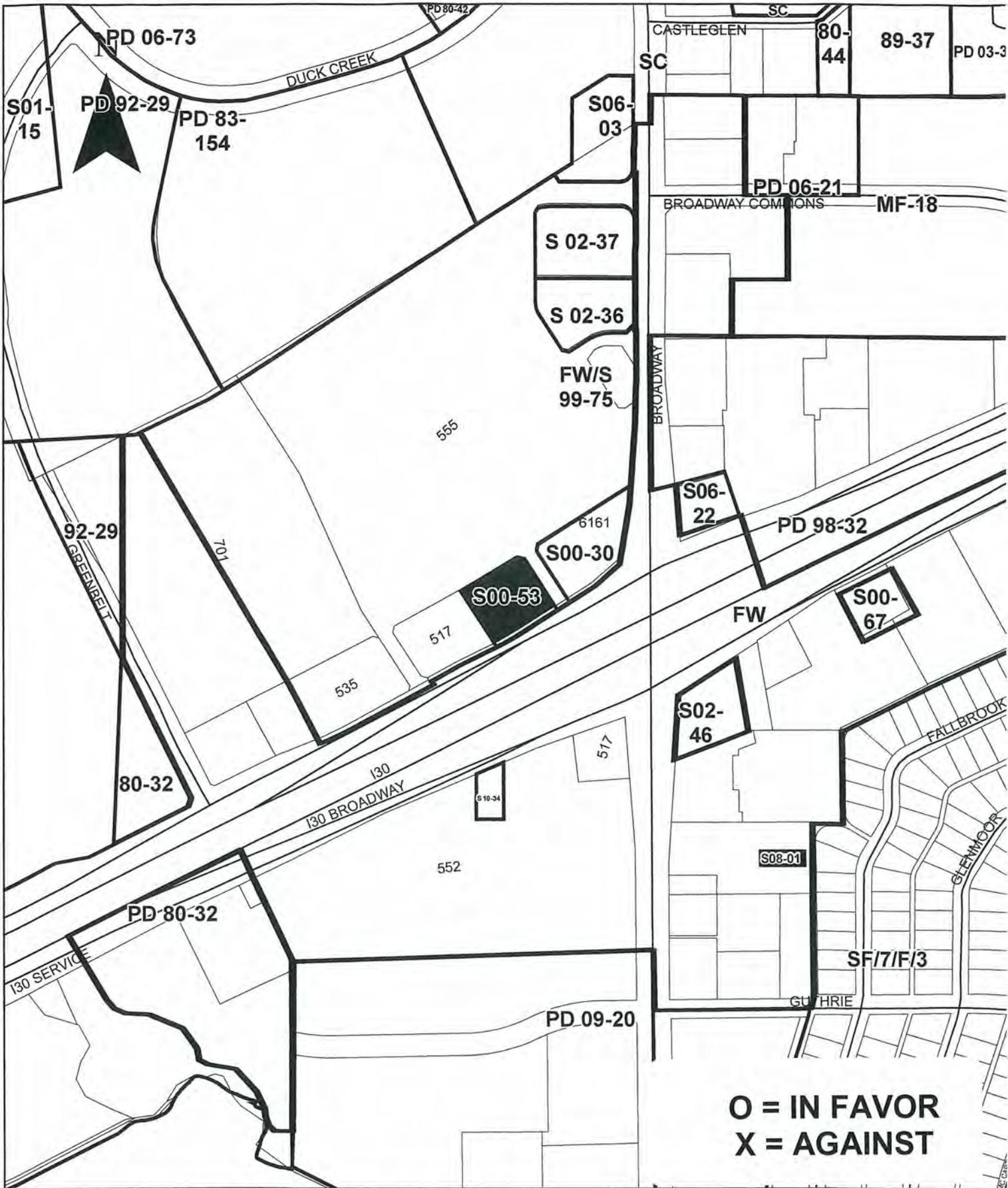
REPORT & MINUTES

P.C. Meeting, June 11, 2012 (8 Members Present)

Consideration of the application of Pink Consulting LP, requesting approval of 1) an amendment to a Specific Use Permit for Restaurant, Drive-Through, 2) a variance to Section 34.21(C)(3)(a)(i)(b) of the IH 30 Development Standards regarding Restaurants with Drive-through menu signs on property zoned Freeway (FW) District and within the IH 30 Overlay. The property is located at 509 West Interstate 30 Freeway. (File 12-29)

Phil Water with Rogue Architects, 513 Main St., Fort Worth was there representing McDonald's. He gave a short power point presentation outlining their request.

Motion was made by Commissioner O'Hara, seconded by Commissioner Luckie to **approve** the request as recommended by staff. **Motion carried: 8 Ayes, 0 Nays.**



O = IN FAVOR
 X = AGAINST

SCALE IN FEET
 0 200 400 Feet
 1" = 400'

■ INDICATES
 AREA OF REQUEST

**ZONING
 Z 12-29**

No replies were received for this case.



Planning Report

File No. 12-30/District 6

Agenda Item:

Meeting: City Council

Date: July 3, 2012

TW Towing Co., Inc.

3806 Dividend Drive

REQUEST

Approval of a Specific Use Permit for Vehicle Pound on property zoned Industrial 1 (I-1) District.

OWNER

Knopf Sidney L

PLAN COMMISSION RECOMMENDATION

On June 11, 2012 the Plan Commission, by a vote of eight (8) to zero (0), recommended approval of a Specific Use Permit for Vehicle Pound on property zoned Industrial 1 (I-1) District.

STAFF RECOMMENDATION

Approval of a Specific Use Permit for Vehicle Pound. The proposed Vehicle Pound Use will not introduce a more intense commercial activity than the commercial activity that is already present in the area; moreover, the subject property is situated at a point in the area where the impounded vehicles will not be visible from any major thoroughfare.

BACKGROUND

The subject property was developed in 1972 with a 7,200 square foot building which is composed of two tenant spaces and currently vacant. The applicant is proposing to occupy one of the tenant spaces and operate a vehicle pound in conjunction with a wrecker service. The applicant will store the impounded vehicles in a paved area that is approximately 8,100 square feet and located behind the building. The back area is enclosed with two wood fences and one chain link fence.

SITE DATA

The subject site is a mid-block property that contains approximately 0.493-acres and 100 feet of frontage along Dividend Drive. The property can only be accessed from Dividend Drive.

USE OF PROPERTY UNDER CURRENT ZONING

The Industrial 1 (I-1) District provides for a wide range of industrial uses which generate few objectionable conditions. Such uses include manufacturing, processing, assembling, research and development, and warehousing and distribution. The Industrial 1 (I-1) District also accommodates support services for industrial development such as office, commercial, personal and professional services, and limited retail activities. The Industrial 1 (I-1) District regulations are designed to ensure compatibility among the various uses allowed in the Industrial 1 (I-1) District and to protect adjacent non-industrial development from potentially incompatible uses and conditions.

SURROUNDING ZONING AND LAND USES

The surrounding area is zoned Industrial 1 (I-1) District and developed with numerous buildings that currently are being utilized for industrial and heavy commercial uses.

COMPREHENSIVE PLAN

The Future Land Use Map of the Envision Garland Plan recommends Industry Centers for the subject property. Industry centers provide a cluster of trade and industry that cumulatively employ large numbers of people. Operations within this development type may require substantial infrastructure and may result in more significant negative impacts (sound, air, traffic, outdoor lighting, storage, etc.). Operations may include such elements as semi-truck traffic, loading docks, and visible outdoor storage. Overall the architecture, character, scale and intensity should be compatible with adjacent development types.

CONSIDERATIONS

1. The applicant is requesting approval of a Specific Use Permit for a Vehicle Pound Use that will operate in conjunction with a Wrecker Service Use which is allowed by right in the Industrial 1 (I-1) District. The dual operation will operate 24 hours on Monday through Sunday. The applicant is proposing to occupy Suite 3806 and to use the back of the property to store impounded vehicles. The applicant has indicated that there will not be more than 30 vehicles stored at any given time.
2. The applicant is not proposing any changes or additions to the building; therefore, Screening and Landscape Standards are not applicable.
3. The property will not be operated as a salvage yard. Salvage Yard is defined by the Comprehensive Zoning Ordinance as a yard or building where automobiles or parts of automobiles or machinery are stored, dismantled or offered for sale in the open as whole units, as salvaged parts or as processed metal. Salvage yards are only allowed in the Industrial 2 District, and with approval of an SUP. A condition is included specifically prohibiting use of the property for such use.

4. A condition has been added to limit the storage of any vehicle to no more than 31 days. According to the applicant, the State law limits to 31 days the length of time a vehicle can remain impounded; however, according to her testimony during the June 11, 2012 Plan Commission meeting, most vehicles will not be stored longer than 2 days. Vehicles will be picked up and stored only long enough to be transported to a repair facility.
5. The applicant is requesting approval of a Specific Use Permit for Vehicle Pound Use for a 5 year period tied to **TW Towing Co., Inc.**

COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

The proposed Vehicle Pound Use does not represent a significant nuisance to an area that is zoned Industrial 1 (I-1) District and mostly developed with a mix of buildings that are being utilized for industrial and heavy commercial activities. The subject property is approximately 1,662 linear feet from Jupiter Road and 1,270 linear feet from Miller Road with a number of industrial buildings between the subject property and these major thoroughfares. The vehicle storage area is screened from Dividend Drive by the building. The proposed Vehicle Pound Use will generate a negligible increase of vehicular traffic to the surrounding area.

Prepared By:

Josue De La Vega
Development Planner

Date: June 20, 2012

Reviewed By:

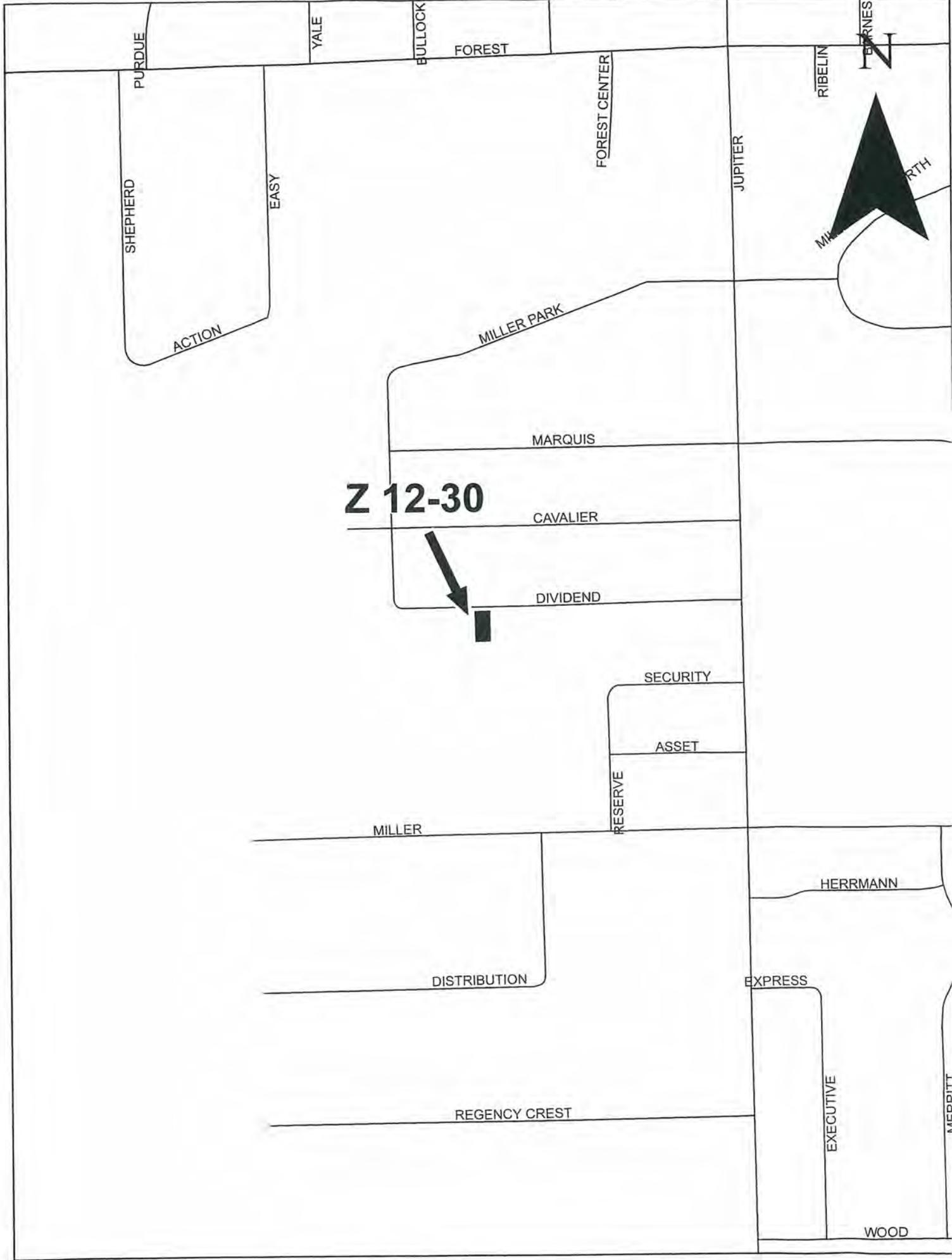
Neil Montgomery
Director of Planning

Date: June 22, 2012

Reviewed By:

William E. Dollar
City Manager

Date: June 26, 2012





MILLER PARK

MARQUIS

I-1

S76-61

CAVALIER

S-2

3826

3837 1283 3817 6083 1083 3737 3729 3719 3713

3814 3810 3744 3738 3730 3726

C-1

DIVIDEND

3830 3824 3822 3738 3730 3726 3714

S01-44

SECURITY

S09-17

3901

3737

ASSET

RESERVE

MILLER

DISTRIBUTION

SCALE IN FEET

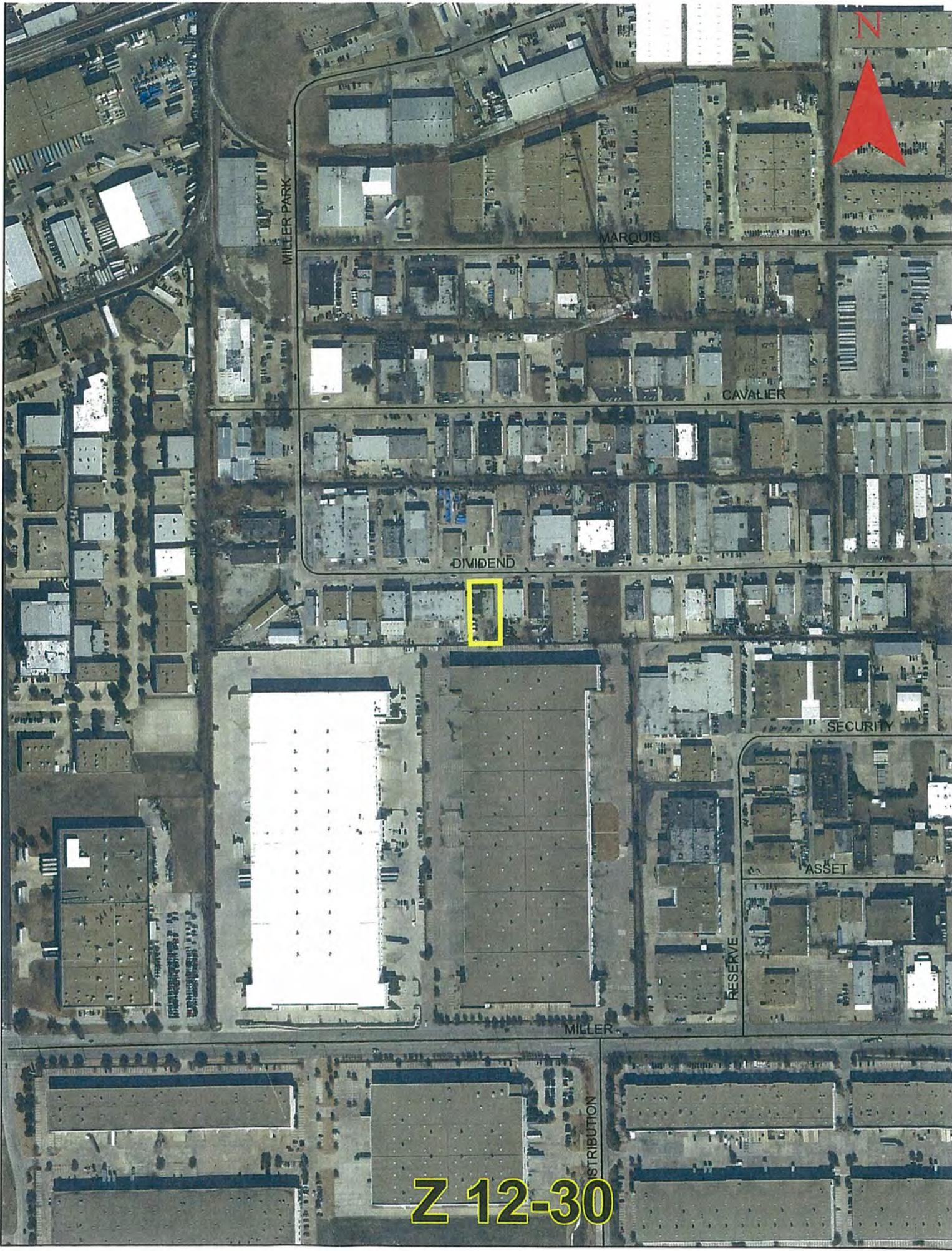
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1" = 400'

 INDICATES AREA OF REQUEST

ZONING

Z 12-30



Z 12-30

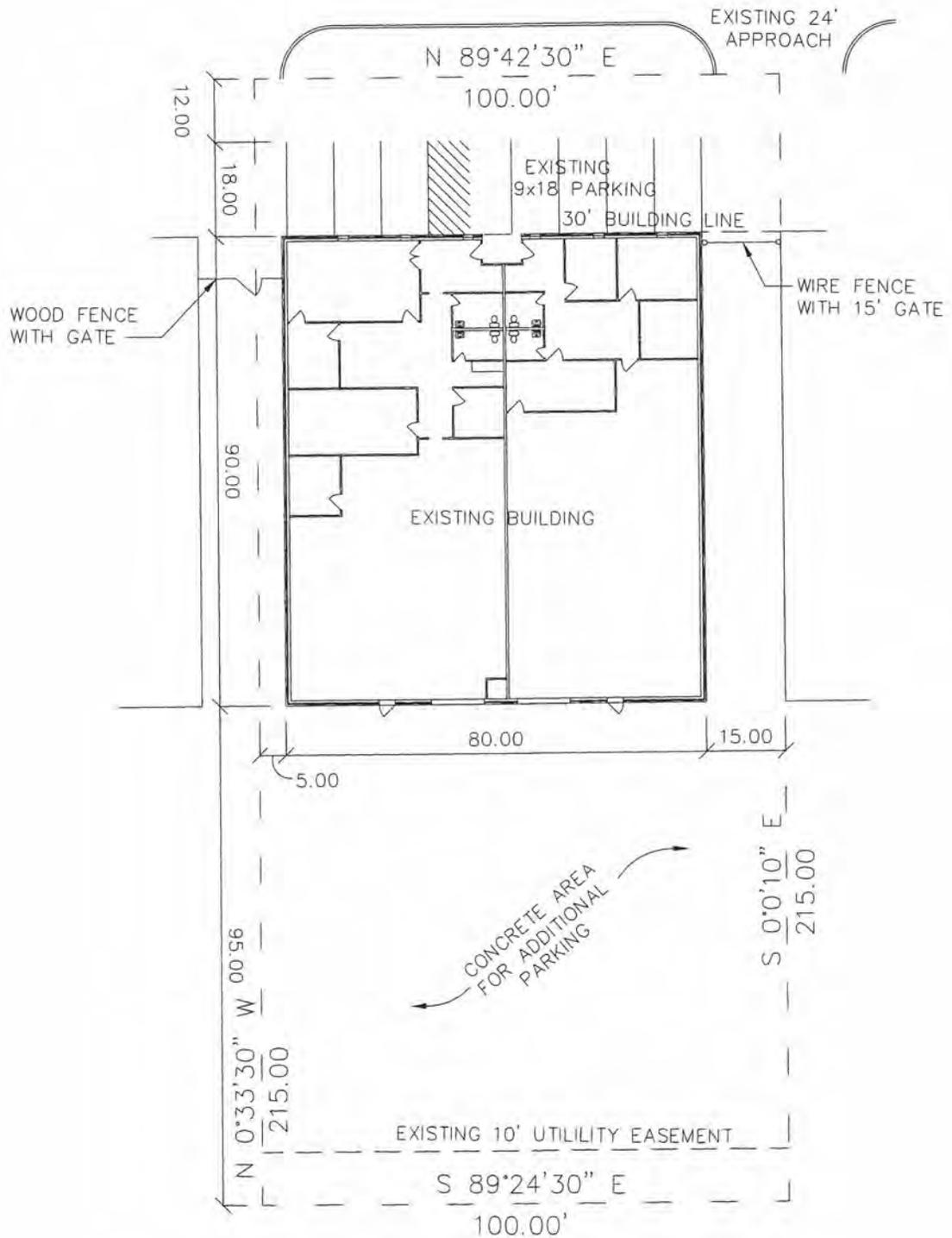
SPECIFIC USE PERMIT CONDITIONS

ZONING FILE 12-30

3806 Dividend Drive

- I. **Statement of Purpose:** The purpose of this Specific Use Permit is to allow a Vehicle Pound subject to conditions.
- II. **Statement of Effect:** This permit shall not affect any regulation found in the Comprehensive Zoning Ordinance, Ordinance No. 4647, as amended prior to adoption of this ordinance, except as specifically provided herein.
- III. **General Regulations:** All regulations of the Industrial 1 (I-1) District set forth in Section 29 and Section 33 of the Comprehensive Zoning Ordinance are included by reference and shall apply, except as otherwise specified by this ordinance.
- IV. **Specific Regulations:**
 - A. Time Period: The Specific Use Permit shall be in effect for a 5 year time period and shall be tied to **TW Towing Co., Inc.**
 - B. Prohibition of salvage yard operation: The subject property shall not operate as a yard or building where automobiles or parts of automobiles or machinery are stored, dismantled or offered for sale in the open as whole units, as salvaged parts or as processed metal.
 - C. Maximum number of stored vehicles: No more than 30 vehicles shall be stored at any given time on the subject property.
 - D. Maximum storage time: Vehicles shall not be stored on site for longer than 31 days.

3806 DIVIDEND DRIVE



REPORT & MINUTES

P.C. Meeting, June 11, 2012 (8 Members Present)

Consideration of the application of TW Towing Co, Inc, requesting approval of a Specific Use Permit for Vehicle Pound on property zoned Industrial 1 (I-1) District. The property is located at 3806 Dividend Drive. (File 12-30)

Speaking on behalf of the applicant were:
Beverly Blair, 2308 Owens Blvd., Richardson
Darwin Morrow, 7601 Churchill Way, Ste 1721, Dallas

They were both available for questions.

The discussion centered on the existing fencing surrounding the property and the storage of vehicles on the property. The storage would be short term when the companies they provide service to are closed, overnight and on weekends.

Motion was made by Commissioner Vera, seconded by Commissioner Moore to **approve** the request as recommended by staff with the condition that the chain link fence be replaced with a solid fencing. After some discussion, Commissioner Moore withdrew his second. Commissioner Vera made a 2nd motion, seconded by Commissioner Luckie to approve the request as recommended by staff with no condition added. **Motion carried: 8 Ayes, 0 Nays.**



MILLER PARK

MARQUIS

I-1

S76-61

CAVALIER

S-2

3826

3811

3810

3744

3738

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3837

3821

3817

3806

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3729

3719

3713

C

DIVIDEND

3830

3824

3822

3738

3730

3726

3714

S01-44

SECURITY

S09-17

3901

3737

ASSET

RESERVE

MILLER

DISTRIBUTION

O = IN FAVOR
X = AGAINST

SCALE IN FEET

0 200 400 Feet

1" = 400'

INDICATES
AREA OF REQUEST

ZONING
Z 12-30



GARLAND

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

May 31, 2012

HEARING DATE/TIME: Plan Commission: June 11, 2012 – 7:00 PM

APPLICANT: TW Towing Co., Inc.

File Z 12-30

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, June 11, 2012, in the Council Chambers of City Hall, 200 North Fifth Street, to consider the application of **TW Towing Co., Inc. requesting approval of a Specific Use Permit for Vehicle Pound** on property zoned Industrial 1 (I-1) District. The property is shown on the enclosed sketch and is described as follows:

Being an approximate 0.493-acre parcel shown as Lot 12, Block C of Garvon West No. 3, an addition to the City of Garland. The property is located at 3000 Dividend Drive. (District C).

Note: The applicant requests approval of a Specific Use Permit for a vehicle pound.

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.

We are concerned that many disabled cars may make area look like

a junk yard.

(Please complete the following information)

Your Property Address 3632 - 3634 Dividend, Garland, TX
Zephanglisten Ltd.

Printed Name 3632 Dividend Dr., Garland, TX 75042

Address _____ City, State _____ Zip _____

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

Chris J. Chen _____
 Signature Title

Date: 06/04/2012



GARLAND

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

May 31, 2012

HEARING DATE/TIME: Plan Commission: June 11, 2012 – 7:00 PM

APPLICANT: TW Towing Co., Inc.

File Z 12-30

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, June 11, 2012, in the Council Chambers of City Hall, 200 North Fifth Street, to consider the application of **TW Towing Co., Inc.** requesting approval of a Specific Use Permit for Vehicle Pound on property zoned Industrial 1 (I-1) District. The property is shown on the enclosed sketch and is described as follows:

Being an approximate 0.493-acre parcel shown as Lot 12, Block C of Garvon West No. 3, an addition to the City of Garland. The property is located at 3806 Dividend Drive. (District 8).

Note: The applicant requests approval of a Specific Use Permit for a vehicle pound.

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.

We are concerned that many disabled cars may make area look like _____

a junk yard especially during busy season cars may be parked along _____

Street.

(Please complete the following information)

Your Property Address 3817 - 3821 Dividend, Garland, TX

Printed Name Zephanglisten Ltd.

Address 3632 Dividend Dr., Garland, TX 75042 City, State Zip

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

Edwin Jr. Cole President

Signature Title

Date: 06/04/2012



GARLAND

May 31, 2012

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

HEARING DATE/TIME: Plan Commission: June 11, 2012 – 7:00 PM

APPLICANT: TW Towing Co., Inc.

File Z 12-30

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, June 11, 2012, in the Council Chambers of City Hall, 200 North Fifth Street, to consider the application of **TW Towing Co., Inc.** requesting approval of a Specific Use Permit for Vehicle Pound on property zoned Industrial 1 (I-1) District. The property is shown on the enclosed sketch and is described as follows:

Being an approximate 0.493-acre parcel shown as Lot 12, Block C of Garvon West No. 3, an addition to the City of Garland. The property is located at 3806 Dividend Drive. (District 6).

Note: The applicant requests approval of a Specific Use Permit for a vehicle pound.

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.

PARKING PROBLEMS - NOT ENOUGH ROOM - PAST
EXPERIENCE WITH OLD TENNENTS.

(Please complete the following information)

Your Property Address

3801 DIVIDEND ST. GARLAND, TX 75042

Printed Name

JOHNSON SUPPLY

Address

City, State

Zip

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

Douglas Hammond
Signature

V.P. of OPERATIONS
Title

Date: 6-8-12



GARLAND

May 31, 2012

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

HEARING DATE/TIME: Plan Commission: June 11, 2012 – 7:00 PM

APPLICANT: TW Towing Co., Inc.

File Z 12-30

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, June 11, 2012, in the Council Chambers of City Hall, 200 North Fifth Street, to consider the application of **TW Towing Co., Inc.** requesting approval of a Specific Use Permit for Vehicle Pound on property zoned Industrial 1 (I-1) District. The property is shown on the enclosed sketch and is described as follows:

Being an approximate 0.493-acre parcel shown as Lot 12, Block C of Garvon West No. 3, an addition to the City of Garland. The property is located at 3806 Dividend Drive. (District 6).

Note: The applicant requests approval of a Specific Use Permit for a vehicle pound.

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.

It would depreciate our property and bring in
undesirable traffic into the area

(Please complete the following information)

Your Property Address

Lee Roy Niklis

Printed Name

3726 Cavalier Drive Garland, Tx 75042

Address

City, State

Zip

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

[Signature] owner

Signature

Title

Date: 6-25-12



Planning Report

File No. 12-31/District 7

Agenda Item:

Meeting: City Council

Date: July 3, 2012

Harrison French & Associates

1426 Belt Line Road

REQUEST

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

OWNER

VRE Garland, LLC

PLAN COMMISSION RECOMMENDATION

On June 11, 2012 the Plan Commission, by a vote of eight (8) to zero (0), recommended approval of a Specific Use Permit for Retail Sales with Gasoline Pumps as recommended by Staff.

STAFF RECOMMENDATION

Approval of a Specific Use Permit for Retail Sales with Gasoline Pumps on property zoned Shopping Center (SC) District for a period of 20 years tied to 7-Eleven. The facility would be compatible with the prevailing zoning and land uses and would reoccupy and significantly upgrade an existing substandard development site. Reduction of the parking requirement from 15 to 12 spaces and allowance of a freestanding sign to be set back 12 feet from the property line is justified to provide for a more functional site.

BACKGROUND

The applicant requests approval of a Specific Use Permit for Retail Sales with Gasoline Pumps to renovate and reoccupy a vacant building with a 7-Eleven store. The property once operated as a convenience store with gasoline pumps, but has been vacant for several years. The applicant is not proposing to increase the size of the building, but is planning to reinstall gasoline pumps, replace the canopy and make substantial improvements to the building façade, landscaping and parking area. Retail Sales with Gasoline Pumps is only permitted by Specific Use Permit, and only in certain non-residential districts.

SITE DATA

The subject property is a 0.55-acre tract with approximately 172 feet of frontage along Belt Line Road and approximately 123 feet of frontage on North Garland Avenue. The property is a corner pad site within a larger shopping center development.

USE OF PROPERTY UNDER CURRENT ZONING

The property is zoned Shopping Center (SC) District. The SC District provides for the establishment of convenient retail and personal service activities by grouping

compatible uses in a single center which is designed in an integrated manner. The Shopping Center District accommodates development having a neighborhood or community service area. Retail Sales with Gasoline Pumps requires approval of Specific Use Permit in this district. This particular use is commonly found in Shopping Center Districts located at intersections of major thoroughfares, as is the subject property.

SURROUNDING ZONING AND LAND USES

North: Property to the north across Belt Line Road is zoned Shopping Center (SC) District with an SUP for Retail Sales with Gasoline Pumps. The corner property is developed as such, while the remaining property is undeveloped.

East: Property to the east across North Garland Avenue is zoned Shopping Center (SC) District and is developed with a shopping center and associated pad sites. A fast food restaurant is located immediately across the street from the subject property.

South/West: Property to the south and west is zoned Shopping Center (SC) District and is developed with various retail and restaurant uses in a shopping center configuration with associated pad sites. A minor automotive repair facility is located immediately adjacent to the south, and a fast food restaurant is adjacent to the west.

COMPREHENSIVE PLAN

The Envision Garland Plan designates the subject property within a Neighborhood Center. Neighborhood Centers provide a mix of retail, services and community gathering places and are predominantly non-residential. The proposed facility would be in keeping with this classification of the Comprehensive Plan.

CONSIDERATIONS

1. The applicant requests approval of a Specific Use Permit for Retail Sales with Gas Pumps to renovate and reoccupy a 2,945-square foot building built in 1986 with a 7-Eleven store. The applicant would remove the existing attached canopy and construct a new canopy over three fueling dispensers, as well as provide new parking, signage and landscaping.
2. Access and Parking: Access to the site would be provided from one location along Belt Line Road and one location along North Garland Avenue. The parking requirement is one parking space per 200 square feet of gross floor area. The size of the building requires 15 parking spaces with 12 spaces provided. Consequently the applicant is requesting a reduction of 3 spaces. The reinstallation of fuel pumps; site constraints due to its size, easements and the existing building; and upgrading the site to meet current landscape standards has limited the ability to meet the parking requirement. Provision of 12, instead of 15, spaces (80 % of requirement) would still accommodate customers adequately and would allow for more site area to be devoted to landscaping. The proposed landscape buffers and tree plantings at this

highly visible hard corner will significantly enhance not just this site, but the overall shopping center and thoroughfare corridor.

3. **Screening and Landscaping:** The subject property was developed prior to adoption of the Screening and Landscape Standards and the proposed improvements to the site do not require compliance. Nonetheless, the applicant is proposing to landscape the site according to the Standards. A 10-foot landscape buffer with the required tree plantings is provided along both Belt Line Road and North Garland Avenue. In addition, parking lot screening and landscaping is provided.
4. **Building Elevations:** The existing building façade is predominantly split face concrete masonry unit (CMU). The applicant is proposing to retain the existing façade materials and storefront. The building will be repainted and a new EIFS cornice will be added. The canopy columns will be wrapped in masonry and painted to match the building, as required by the Retail Sales with Gas Ordinance.
5. **Signage:** There is currently no signage on the existing site. The applicant is proposing to install one freestanding pylon sign at the northeast corner of the site adjacent to North Garland Avenue. Section 30.105(A)(1) of the Sign Ordinance restricts the total number of freestanding signs on a site such as this, having more than 300 feet of frontage on two thoroughfares, to no more than 4. As defined by the ordinance the site includes the overall shopping center which already has 4 freestanding signs. There are two freestanding signs along Belt Line Road; one advertising the adjacent Popeye's restaurant and one multi-tenant shopping center sign. There are also two signs along North Garland Avenue; one advertising the adjacent minor auto repair facility and one advertising the Burger Street restaurant. None of these signs are designed or located in a manner to be shared with the 7-Eleven.

The proposed pylon sign would be 22 feet in height and 134 square feet in area, in compliance with the height and size requirements of the ordinance. Section 30.105(B)(3) requires a sign of this size and height to be located no closer than 25 feet from the property line. The applicant is requesting a setback reduction to 12 feet to avoid conflict with on-site circulation.

Section 30.106(A)(1) limits the amount of attached signage to a maximum square footage equal to two times the width of the occupant space as measured along the main entrance or frontage. In this case, a total of 55 square feet of attached signage is allowed to be shared between the building and the canopy. The total proposed attached signage is in compliance with the requirements of the Sign Ordinance.

6. The applicant is requesting approval of a Specific Use Permit on the subject property for a twenty (20) year time period tied to 7-Eleven.

COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

Given the surrounding Shopping Center zoning and retail development, the site's location at the intersection of two major thoroughfares, and the nature of the existing development on the site the proposed facility would be compatible. The

proposed landscaping and building improvements would significantly enhance the subject property and surrounding area.

Prepared By:

Anita Russelmann
Assistant Director of Planning

Date: June 18, 2012

Reviewed By:

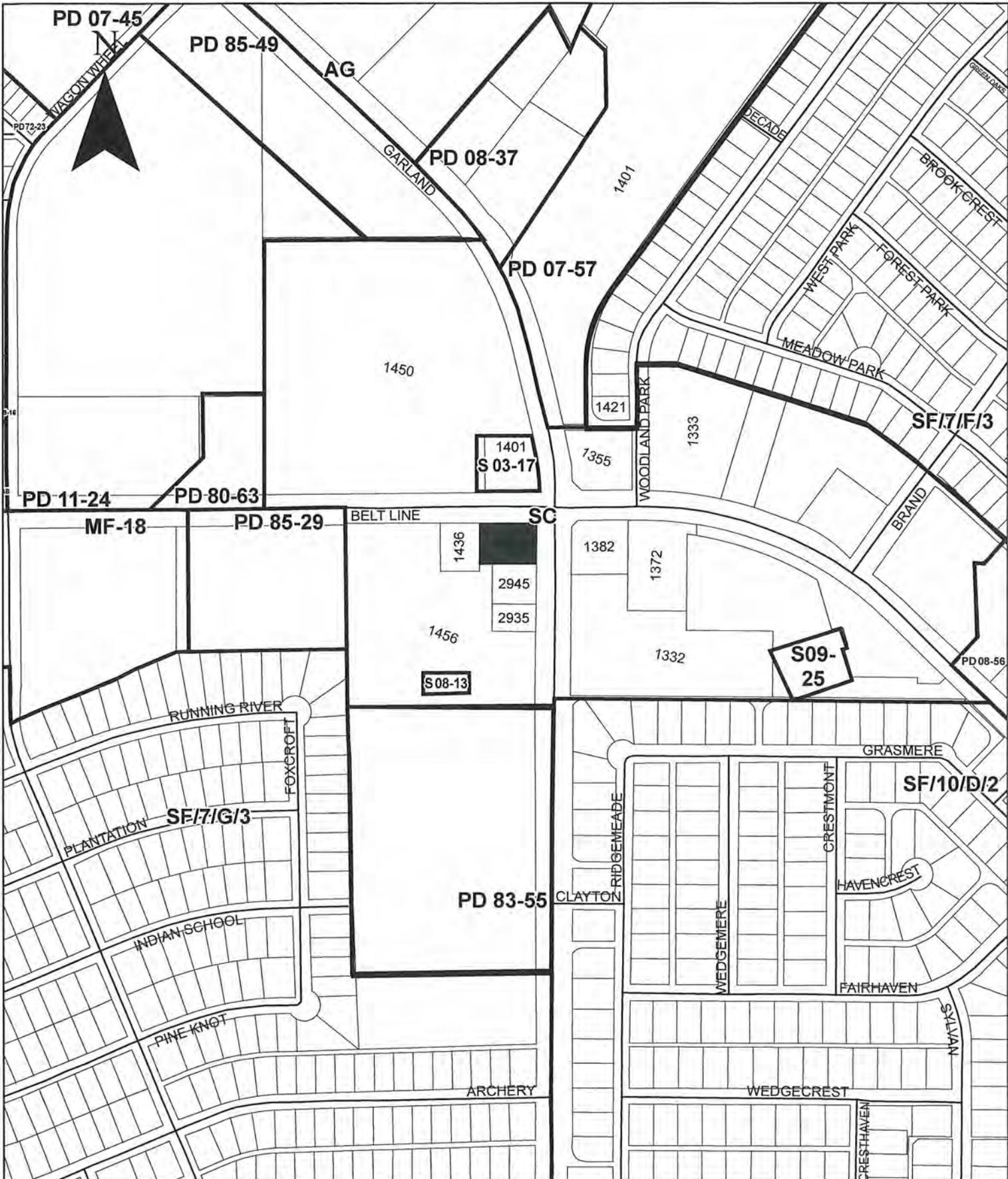
Neil Montgomery
Director of Planning

Date: June 19, 2012

Reviewed By:

William E. Dollar
City Manager

Date: June 25, 2012



SCALE IN FEET

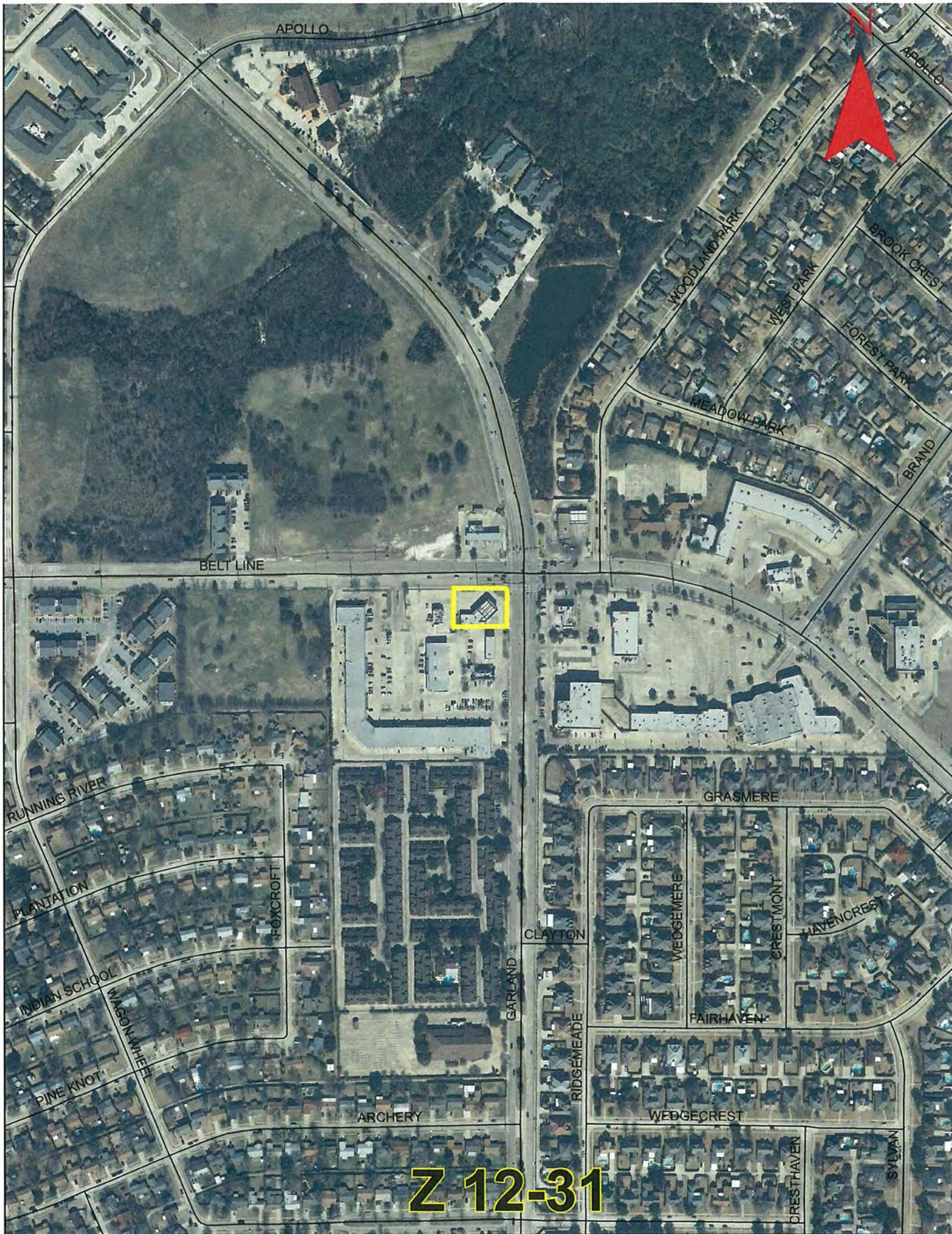
0 200 400 Feet

1" = 400'



INDICATES
AREA OF REQUEST

ZONING
Z 12-31



Z 12-31

SPECIFIC USE PERMIT CONDITIONS

ZONING FILE 12-31

1426 Belt Line Road

- I. **Statement of Purpose:** The purpose of this Specific Use Permit is to allow Retail Sales with Gas Pumps 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 Shopping Center (SC) District as set forth in Section 10, 24 and 33 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 20 year time period and tied to **7-Eleven**.
 - B. Site Plan: The subject property shall remain in conformance with the site plan labeled Exhibit C.
 - C. Parking: Twelve (12) parking spaces shall be provided, as shown on Exhibit C.
 - D. Landscape Plan: Landscaping and screening shall be in conformance with the landscape plan labeled Exhibit D.
 - E. Exterior Elevations: The exterior elevations of the building and the canopy shall be in conformance with Exhibit E.
 - F. Signage:
 - 1) A freestanding pole sign shall be permitted to be located at the northeast corner of the site as indicated on Exhibit C. The sign shall be setback a minimum of twelve (12) feet from the property line. Sign height and area shall not exceed 22 feet and 134 square feet, respectively.
 - 2) Total attached signage on the building and canopy shall not exceed 55 square feet in area, as shown on Exhibit E. No signage shall be permitted to be placed on the fuel dispensers or the canopy columns.
 - G. 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.

PROJECT NAME / LOCATION

7-ELEVEN #1029216
1426 BELT LINE RD
GARLAND, TEXAS

DATE

0105.2012

PROJECT MANAGER

TOMMY BELL

BARNETT SIGNS IS A proud member of
THE FOLLOWING SIGN ASSOCIATIONS



THIS ORIGINAL DRAWING IS PROVIDED AS
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EXACT SIZE. ALL APPROVALS
TO BE BASED ON EXACT SIGN SIZES.

CLIENT APPROVAL

SIGNATURE _____

PRINTED NAME _____

DATE _____



STATE OF TEXAS
ELECTRICAL CONTRACTOR
LICENSE #18024

DESIGN NUMBER

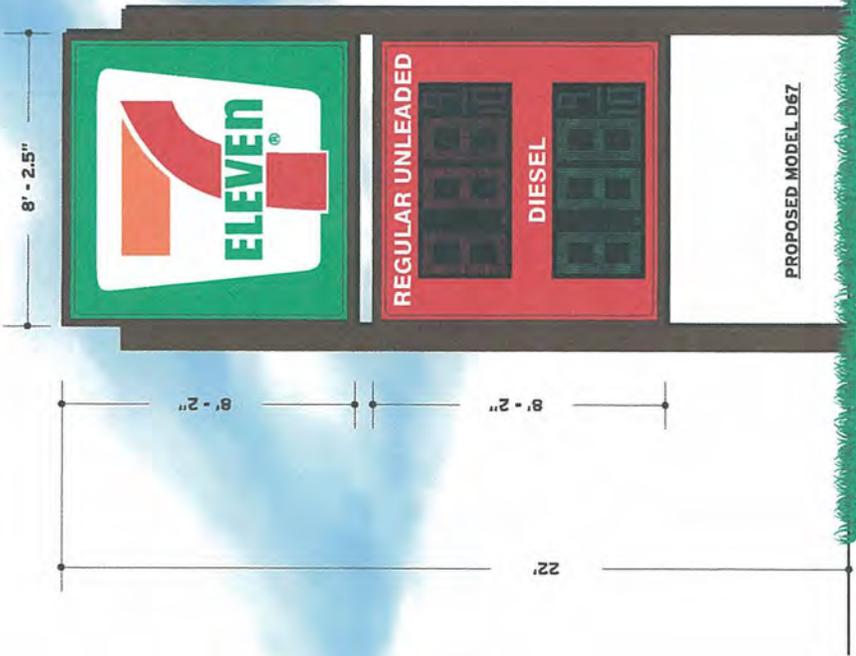
S6



BARNETT SIGNS, INC.
3250 ACTION DRIVE
MESQUITE, TEXAS 75150
972.681.8900 PHONE
972.681.8624 FAX

**CITY OF GARLAND
FREESTANDING SIGN REGULATIONS**
MAX. OVERALL HEIGHT = 22'
MAX. ADVERTISING AREA = 150 SQ. FT.
SETBACK = 25'

**PROPOSED MODEL D67
ILLUMINATED PYLON SIGN**
OVERALL HEIGHT = 22'
ADVERTISING AREA = 134 SQ. FT.
SETBACK = 25'



REPORT & MINUTES

P.C. Meeting, June 11, 2012 (8 Members Present)

Consideration of the application of Harrison French & Assoc, requesting approval of a Specific Use Permit for Retail Sales with Gas Pumps on property zoned Shopping Center (SC) District. The property is located at 1426 Belt Line Road. (File 12-31)

Ricardo Doi, 361 Spring Meadow, Fairview and Michael Montgomery, 1109 Ashby Drive, Allen were there representing the applicant and available for questions.

Mr. Doi gave an overview of the proposed site plan, signage and landscaping proposed.

Motion was made by Commissioner Luckie, seconded by Commissioner Moore to **approve** the request for 20 years tied to 7-Eleven as recommended by staff. **Motion carried: 8 Ayes, 0 Nays.**



SCALE IN FEET

0 200 400 Feet



1" = 400'

■ INDICATES
AREA OF REQUEST

**O = IN FAVOR
X = AGAINST**

**ZONING
Z 12-31**



GARLAND

May 31, 2012

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

HEARING DATE/TIME: Plan Commission: June 11, 2012 – 7:00 PM

APPLICANT: Harrison French & Associates, File 12-31

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, June 11, 2012, in the Council Chambers of City Hall, 200 North Fifth Street, to consider the application of **Harrison French & Associates** requesting approval of 1) a Specific Use Permit for Retail Sales with Gas Pumps and 2) a variance to Section 10-200 of the Comprehensive Zoning Ordinance regarding required parking on property zoned Shopping Center (SC) District. The property is shown on the enclosed sketch and is described as follows:

Being an approximate .55-acre site identified as Lot 2R, Block 1, North Star Market Addition Replat, an addition to the City of Garland, Dallas County, Texas. The property is located at 1426 Belt Line Road, at the southwest corner of North Garland Avenue and Belt Line Road. **(COUNCIL DISTRICT 7)**

Note: The applicant requests approval of a Specific Use Permit to operate a 7-Eleven store with gasoline pumps on an existing developed site.

To convey any concerns or opinions regarding the aforementioned request, please complete the below-listed section and return to **City of Garland, Planning Department, P.O. Box 469002, Garland, TX 75046-9002**. Should you have any questions, please contact Anita Russelmann 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 1450 Belt Line

Printed Name Rob Ney, President Tundra Realty Inc

Address 7621 Inwood City, State Dallas, Tx Zip 75204

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

[Signature] President

Signature Date: 6/5/12 Title



City Council Item Summary Sheet

Work Session

Agenda Item

Date: July 3, 2012

Boards and Commissions

Summary of Request/Problem

Council is requested to consider appointments to Boards and Commissions.

Recommendation/Action Requested and Justification

Submitted By:

Approved By:

William E. Dollar
City Manager

GARLAND

Board & Commission Application

Please Print or Type. **PLEASE DO NOT SEND RESUME.**

Return completed application to: City Secretary's Office, 200 North Fifth Street, Garland, Texas 75040

Board or Commission of first, second, and third choice: (Utility Advisory Board has a separate application)

- Board of Adjustment
- Building and Fire Codes Board
- Citizens Environmental and Neighborhood Advisory Committee
- Community Multicultural Commission
- Electrical Board
- Garland Cultural Arts Commission
- Garland Youth Council
- Housing Standards Board
- Library Board
- Parks and Recreation Board
- Plan Commission *
- Plumbing and Mechanical Codes Board
- Senior Citizens Advisory Committee

Full Name: DOUGLAS ALAN WILLIAMS

Home Address: 3810 BUENING TREE LN Bus. Address: 333 S. KIRBY ST. GARLAND

City, State, Zip: GARLAND, TEXAS 75042 City, State, Zip: GARLAND, TEXAS 75042

Home Phone: 972-276-2224 Phone (Other): 972-275-7925

Email Address: dougwilliams665@TX.RR.COM

Resident of Garland for 37 years Resident of Texas for 57 years

Are you a registered voter in Dallas County? Yes No

Voter Registration No. 1082060688 Precinct No. 2119 City Council District No. 6

Have you ever been convicted of a felony? Yes No

Have you ever been convicted of a Class A misdemeanor? Yes No

Please list any experience that qualifies you to serve in the areas you have indicated.

SEE BELOW

If you have served on a City Board or Commission, please specify and list dates of service.

PLAN COMMISSION UTILITY ADVISORY BOARD
LIBRARY BOARD WEST AREA IMP-BOARD

List civic or community endeavors with which you have been involved.

POLICE ACADEMY CRIME STOPPERS
FIRE ACADEMY MAYORS TASK FORCE

What is your educational background? HIGH SCHOOL - S.M.U. UNIVERSITY OF HOUSTON
BAYAN ADAMS - DALLAS DALLAS HOUSTON

What is your occupational experience? MASTER PLUMBER
U.S. PLUMBING SERVICES CO. 35 YRS IN GARLAND

* Plan Commission members must own property within the city.

I hereby affirm that all statements herein are true and correct. Douglas Williams
Signature of Applicant

FOR OFFICE USE ONLY

Ad Valorem Tax Status Current Past Due

Status of Utility Accounts Current Past Due

Suit/Claim Filed in City Secretary's Office Yes No

Date Appointed 7/3/2012

Appointed By Dodson

Date Notified _____

Date Disclosure Form Filed _____

Signatures

[Signature]
City Clerk

[Signature]
Accounting Clerk

[Signature]
Interim City Secretary

email 6/8

Housing Board

District 8
Current Appointment



GARLAND
GARLAND YOUTH COUNCIL

Application 2012-2013

Name: Gabby Reed
Address: 2626 Hampshire Dr. Garland, TX 75040
City Council District: 8 Home Phone: 972.496.2149
Cell Phone: 214.797.5002
Parent/Guardian Cell Phone: 214.536.5392
Email: gabby3696@yahoo.com
Parent/Guardian Email: wtwhite@garlandisd.net
Grade level in 2011-12 school year: 10 School: Naaman Forest

Please answer the following questions. Feel free to type your answers on a separate paper and attach to the application.

In what activities/organizations do you participate in school, church or in the community?

How did you hear about the Garland Youth Council?

Why do you want to serve on the Garland Youth Council?

What are some challenges you feel Garland youth face in our community?

What do you see as positives for youth living in Garland?



GARLAND
GARLAND YOUTH COUNCIL

Application 2012-2013

Name: Elizabeth Sinclair
Address: 1604 Murray Drive, Garland, TX, 75042
City Council District: 8 Home Phone: 972-276-4020
Cell Phone: 972-322-2640
Parent/Guardian Cell Phone: 469-698-6378
Email: MZelizabethWS@gmail.com
Parent/Guardian Email: grace-academy@verizon.net
Grade level in 2011-12 school year: 9th School: Home Schooled

Please answer the following questions. Feel free to type your answers on a separate paper and attach to the application.

In what activities/organizations do you participate in school, church or in the community?

How did you hear about the Garland Youth Council?

Why do you want to serve on the Garland Youth Council?

What are some challenges you feel Garland youth face in our community?

What do you see as positives for youth living in Garland?