

AGENDA

REGULAR MEETING OF THE CITY COUNCIL

City of Garland

Council Chambers, City Hall

200 North Fifth Street, Garland, Texas

July 17, 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. **BRILLE IS NOT AVAILABLE.**

CITY COUNCIL GOALS 2020

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

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

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 July 3, 2012 Regular Meeting.

2. Consider approval of the following bids:

a. Northwest Highway 15 kV Pole Relocation Bid No. 2963-12

The Fishel Company	\$440,403.00
Contingency	<u>86,000.00</u>
TOTAL	<u>\$526,403.00</u>

This request is for labor and equipment necessary to remove an existing wood pole line and install a new steel pole line for Northwest Highway from La Prada Drive to Centerville Road. Due to the complexity of the project, an optional contingency has been included for unforeseen additional work that may be required.

b. Concrete Ready Mix Bid No. 2976-12

Cooper Concrete Co.	\$1,710,975.00
---------------------	-----------------------

This request is for the purchase and delivery of various types of concrete ready mix to construction job sites for the Street Department.

3. Public hearings were previously conducted for the following zoning cases. Council approved the requests and instructed staff to bring forth the following ordinances for consideration.

a. Zoning File No. 12-26, Heights Venture Architects

Consider an ordinance amending the zoning laws of the City of Garland by approving an amended Specific Use Permit for Restaurant with Drive-

through on property zoned Freeway (FW) District within the IH 30 Overlay on a 1.202-acre tract located at 501 West Interstate Highway 30.

b. Zoning File No. 12-28, RaceTrac

Consider an ordinance amending the zoning laws of the City of Garland by approving an amendment to Planned Development (PD) District 11-04 for Shopping Center Uses regarding landscape buffer requirements on a 6.6-acre tract of land located west of Garland Avenue, east of Shiloh Road and north of McCree Road.

c. Zoning File No. 12-29, Pink Consulting

Consider an ordinance amending the zoning laws of the City of Garland by approving an amended Specific Use Permit for Restaurant with Drive-through on property zoned Freeway (FW) District within the IH 30 Overlay on a 1.007-acre tract located at 509 West Interstate Highway 30.

d. Zoning File No. 12-30, TW Towing Company

Consider an ordinance amending the zoning laws of the City of Garland by approving a Specific Use Permit for Vehicle Pound on property zoned Industrial 1 (I-1) District on a .493-acre tract located at 3806 Dividend Drive.

e. Zoning File No. 12-31, Harrison French & Associates

Consider an ordinance amending the zoning laws of the City of Garland by approving a Specific Use Permit for Retail Sales with Gasoline Pumps on property zoned Shopping Center (SC) District on a .55-acre tract located at 1426 Belt Line Road.

4. Consider an ordinance amending Chapter 21, "Fire Prevention and Protection," of the Code of Ordinances of the City of Garland.

At the July 2, 2012 Work Session, Council considered an ordinance amending the emergency medical service transfer and mileage charges listed in Section 21.26 of Chapter 21, "Fire Prevention and Protection," of the Code of Ordinances. This amendment is needed to correct Ordinance 6497 that

was approved on November 1, 2011 which reflected incorrect amounts for transfer and mileage charges.

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.

5. Consider the appointment of a Mayor Pro Tem and Deputy Mayor Pro Tem.

Council is requested to appoint a Mayor Pro Tem from among its members. In accordance with City Council Policy OPNS-30, "Who Shall Act As Mayor," Council may also appoint a Deputy Mayor Pro Tem at its discretion.

6. Hold a public hearing on the following zoning case:

Consider the application of Golden Chick, requesting approval of a Specific Use Permit for Restaurant with Drive-through on property zoned General Business (GB) District. The property is located at 3330 Broadway Boulevard. (File 12-32)

The proposal is for approval of a Specific Use Permit for a Golden Chick Restaurant on property zoned General Business (GB). At the June 25, 2012 meeting, the Plan Commission (by a 7 to 0 vote) recommended approval of the Specific Use Permit for a Restaurant with Drive-through for a period of 25 years tied to Golden Chick as recommended by staff.

7. 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.

*Morgan Manning – Garland Youth Council (Mayor)
Lauren Purser – Garland Youth Council (Campbell)*

Stephanie Samuel – Garland Youth Council (Goebel)
Diego Valderrama – Garland Youth Council (Goebel)

8. 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.

9. 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, July 3, 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/ Anita Goebel
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 Laura Perkins Cox led the invocation and the pledge along with her family.

CEREMONIAL: The Mayor introduced members of Nicholson Library staff and Library Board members to accept the 'Achievement in Excellence' award.

The Mayor presented a proclamation for Parks and Recreation Month.

The Mayor presented a Special recognition to Visual Aid Assistants.

Mayor Pro Tem Preston Edwards requested that item. #3 be pulled from the Consent agenda for separate consideration.

Motion by Councilmember Cox, seconded by Councilmember Campbell to approve Consent Agenda item 3.

3. Ordinance # 6553 canvassing the results of a runoff election held for the purpose of electing a candidate to the office of City Council District 2 of the City of Garland, for an election having been held on June 23, 2012; declaring the results of that election.

The formal canvassing of the returns and declaring the results of the June 23, 2012 Runoff 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.

Motion carried by unanimous vote of 9 Ayes; 0 Nays; 0 Abstentions.

Mayor recognized outgoing Councilmember Laura Perkins Cox, presenting her with a city flag and a plaque. She made brief remarks and thanked all her supporters.

Incoming Councilmember Anita Goebel was sworn in by Pat Olson. She made brief remarks and thanked all of her supporters. The Mayor presented her with a Certificate of Election.

CONSENT AGENDA: All items marked with asterisks (**) on the Consent Agenda were voted on at the beginning of the meeting. Motion was made by MPT Edwards and second by Councilmember B.J. Williams to approve items 1., 2.a., 2.b., 2.c., 2.d., 2.e., 2.f., 4., 5., and 6.

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

1. Approved **

Approval of the minutes of the June 19, 2012 Regular Meeting.

2.a. Approved **

Bid No. 2863-12, Duck Creek Wastewater Treatment Plant Sludge Transfer Station awarded to Red River Construction Co. for \$2,029,900.00 with contingency of \$250,000.00 for a total of \$2,279,900.00. 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.

- 2.b. Approved ** Bid No. 2920-12, Steel Structures – Greenville to Olinger Transmission Upgrade awarded to Techline, Inc., for \$3,738,394.00 with contingency of \$261,606.00 for a total cost of \$4,000,000.00. 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.
- 2.c. Approved ** Bid No. 2970-12, South Garland Avenue Water Line Improvements awarded to Instituform Technologies, LLC for \$246,279.00. This request is to provide pipe bursting with pre-chlorination for water main replacement along South Garland Avenue from Main Street to Avenue D.
- 2.d. Approved ** Bid No. 2991-12, Enhancements to Code Compliance Software to Information Strategies, Inc. for \$158,419.76. This request is to provide enhancements to the Code Compliance system that will allow the nuisance and revenue recovery modules to be implemented.
- 2.e. Approved ** Bid No. 2992-12, Aerial Fire Truck awarded to Siddons-Martin Emergency Group for \$789,615.00. This request is for the purchase of a new replacement Aerial Fire Truck for the City of Garland Fire Department for use in daily operations.
- 2.f. Approved ** Bid No. 2994-14, Sewer Vacuum Truck awarded to GapVax, Inc. for \$223,846.00. This request is for the purchase of a new replacement Sewer Vac Truck to be used by the Water Department in daily operations.
3. Approved Ordinance #6553 canvassing the results of a runoff election

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

4. Approved **

Resolution #10060 approving the sale of real property at 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. Approved **

Resolution # 10061 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. Approved **

Resolution #10062 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.

7.a. Held and approved

Hold Public Hearing and 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.

Neil Montgomery, Senior Managing Director of Development Services gave the staff report and explained that this case comes before Council only because Wendy's is proposing some exterior renovations and upgrades to the existing structure.

Mayor Jones opened the Public Hearing. William Longdale, 6718 Cortuna Lane, Frisco, TX; spoke for the applicant, stating that he was available for questions.

Councilmember B.J. Williams thanked the applicant for investing in this District 4 Garland location of the Wendy's chain.

Councilmember B.J. Williams made a motion, seconded by MPT Edwards, to close the public hearing at 7:34 p.m. and to approve this request for an amendment to the Specific Use Permit as recommended by staff and the Plan Commission.

Motion carried unanimously with 9 Ayes; 0 Nays and 0 Abstentions.

7.b. Held and denied

Hold a public hearing and 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.

Neil Montgomery, Senior Managing Director of Development Services gave the staff report, stating that Plan commission unanimously recommended a denial of this zoning change because the uses allowed in General Business were not in character with the surrounding area.

Mayor Jones opened the public hearing.

Robert King, 1204 Saturn Springs, Garland, TX, spoke in opposition to the change because of the nature of the allowed uses in General Business.

L.G. Shutt, 1203 Carney, Garland, TX explained he is a 40+ year resident in this neighborhood and spoke in opposition.

William Patrick Yocam, 2805 Saturn, Garland, TX; explained he lives next door and is in opposition.

Buddy Houston, 1251 Carney, Garland, TX; explained that he is a 38 year resident and spoke in opposition.

Councilmember B.J. Williams and Mr. Montgomery explained that all required notifications to surrounding property owners had been sent for this case.

Councilmember Willis made a motion, seconded by MPT Edwards, to close the public hearing at 7:49 p.m. and to deny the request for a zoning change as described in item 7.b. per recommendation of city staff and Plan commission.

Motion carried unanimously to deny by 9 Ayes; 0 Nays; 0 Abstentions.

7.c. Held and approved

Hold a public hearing and 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.

Neil Montgomery, Senior Managing Director of Development Services presented the staff report explaining that in actuality, the city requested that these landscape plans be modified especially regarding number and type of trees, in order to avoid likely conflict with GP&L transmission lines.

Mayor Jones opened the public hearing.

Mark Housewright, 900 Jackson, #640, Dallas, TX: spoke for the applicant, RaceTrac, and explained that the company was happy to adjust plans for the trees at this site in order to accommodate the electric lines.

Councilmember Willis made a motion, seconded by Councilmember Dodson, to close the public hearing at 7:54 p.m. and to approve this amendment as recommended by staff and the Plan Commission.

Motion carried unanimously by vote of 9 Ayes; 0 Nays; 0 Abstentions.

7.d. Held and approved

Hold a public hearing and 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 to 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.

Neil Montgomery, Senior Managing Director of Development Services presented the staff report. He explained that this McDonalds is located next to the Wendy's that was the subject of item 7.a. on tonight's agenda. McDonalds is also making this request so that they may update the exterior of the existing restaurant.

Mayor Jones opened the public hearing.

Julianne McGee, 5729 Ammos ST, Haltom City, TX; spoke for the applicant and noted that they are also requesting to extend the S.U.P.

Councilmember B.J. Williams thanked the applicant and asked if the McDonalds location on Centerville was also in line for a renovation of this type. Ms. McGee explained that all the restaurants in the chain should be getting this updated new look within the next few years.

Councilmember B.J. Williams made a motion, seconded by Councilmember Willis, to close the public hearing at 7:58 p.m. and to approve an amendment to a Specific Use Permit for a McDonald's Restaurant on property zoned S 00-53 and to extend the time of the SUP as recommended by staff and the Plan commission.

Motion carried unanimously by 9 Ayes; 0 Nays and 0 Abstentions.

7.e. Held and approved

Hold a public hearing and 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.

Neil Montgomery, Senior Managing Director of Development Services presented the staff report, explaining that this request is for short term storage only, no repair or salvage uses are included.

Mayor Jones opened the public hearing.

Beverly L. Blair, 2308 Owens Blvd., Richardson, TX; spoke on behalf of the applicant. She explained that they consider this a rescue service for stranded motorists. The company is recognized by the Allstate insurance company. They do not engage in any aggressive towing activities.

Councilmember Dodson made a motion, seconded by

Councilmember Rick Williams, to close the public hearing at 8:02 p.m. and to approve a Specific Use Permit for Vehicle Pound on property zoned Industrial 1 (I-1) District as recommended by staff and the Plan Commission.

Motion carried unanimously by 9 Ayes; 0 Nays; 0 Abstentions.

7.f. Held and approved

Hold a public hearing and 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.

Neil Montgomery, Senior Managing Director of Development Services, presented the staff report explaining that this request was recommended unanimously for approval by the Plan Commission.

Mayor Jones opened the public hearing.

Ricardo Doi, 361 Spring Meadow DR, Fairview, TX; spoke on behalf of the applicant and explained that he was available for questions and that this request was for a new canopy, realignment of parking spaces and some new landscaping.

Councilmember Rick Williams thanked Mr. Doi for investing in these upgrades.

Councilmember Rick Williams made a motion, seconded by Councilmember Cahill, to close the public hearing at 8:06 p.m. and to approve the request for this Specific Use Permit for Retail Sales with Gas Pumps, as recommended by staff and the Plan Commission.

Motion carried unanimously by vote of 9 Ayes; 0 Nays; 0 Abstentions.

8. 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.

Mayor Jones proposed that the nominations be considered all together. Councilmember Dodson nominated Douglas Alan Williams for the Housing Standards Board, Councilmember Cahill nominated Gabby Reed and Elizabeth Sinclair to serve as his appointees to the Garland Youth Council.

Motion to appoint as presented carried unanimously by 9 Ayes; 0 Nays; 0 Abstentions.

9.

Citizen comments.

No citizen spoke.

There being no further business to come before the City Council, Mayor Jones adjourned the meeting at 8:08 p.m.

CITY OF GARLAND

Signed:

Mayor Ronald E. Jones

Attest:

Elaine Simpson, Interim City Secretary



Purchasing Report

NORTHWEST HIGHWAY 15 KV POLE RELOCATION OPEN MARKET

PURCHASE JUSTIFICATION:

This contract is to provide labor and equipment necessary to remove an existing wood pole line and install a new steel pole line for Northwest Highway from La Prada Drive to Centerville Road. Due to the complexity of the project, an optional contingency has been included for unforeseen additional work that may be required. This is an approved 2011 Capital Improvement Project. Expenditures will not exceed appropriated funds.

AWARD RECOMMENDATION:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
The Fishel Company	All	\$440,403.00
	Contingency	86,000.00
	TOTAL:	\$526,403.00

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: 07/06/12

Date: 7/10/12

<u>FINANCIAL SUMMARY:</u>	
Total Project/Account: \$	1,440,461
Expended/Encumbered to Date:	776,017
Balance: \$	664,444
This Item:	526,403
Proposed Balance: \$	138,041
Trent Schulze	07/06/12
Budget Analyst	Date
Ron Young	07/06/12
Budget Director	Date
Operating Budget: <input type="checkbox"/> CIP: <input checked="" type="checkbox"/> Year: 2011 Document Location: Page E06 Account #: 215-3293-3149101-7111 (EC-D5491-01017111) Fund/Agency/Project – Description: Electric CIP Fund – Labor and equipment to remove existing wooden pole line and install City-owned steel poles; relocate and energize new underground risers Comments:	



GARLAND

PURCHASING

Executive Summary **Bid 2963-12** **Northwest Highway 15kV Pole Relocation**

Recommended Vendor:

The Fishel Company

Total Recommended Award:

\$526,403.00

Basis for Award:

Best Value

Purpose:

The purpose of this contract is to provide the labor and equipment necessary for the removal of an existing wood pole line and relocation with a new steel pole line.

Evaluation:

Notification of a pending Competitive Sealed Proposal was issued per Purchasing procedure. One (1) response was received and evaluated.

The Fishel Company was evaluated on the criteria of: price; completion timeline; experience; safety; prior relationship with the City. The Fishel Company scored 100 out of a possible 100 points offering the best value to the City.

Recommendation:

The Fishel Company is the recommended Best Value supplier meeting all the requirements of the specification.

Funding Information:

2011 CIP Account #215-3293-3149101-7111 (Job Cost #EC-D5491-01017111)

Department Director:

Johnny Carlock, T&D Director, 972-205-3532



Purchasing Report

CONCRETE READY MIX TERM CONTRACT

PURCHASE JUSTIFICATION:

This contract is for the purchase and delivery of various types of concrete ready mix to construction job sites for the City of Garland Street Department. The Term Contract is for one (1) year with two (2) optional annual renewals. Pricing will remain firm for the first year and any subsequent increases must be justified and mutually agreed upon. Funds will be committed at time of invoice and expenditures will not exceed appropriated funds.

AWARD RECOMMENDATION:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
Cooper Concrete Co.	1	\$1,710,975.00
TOTAL:		\$1,710,975.00

BASIS FOR AWARD:

Straight Low Bid

Submitted by:

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

Reviewed by:

William E. Dollar
 City Manager

Date: 07/06/12

Date: 07/10/12

<u>FINANCIAL SUMMARY:</u>	
Total Project/Account: \$	N/A
Expended/Encumbered to Date:	N/A
Balance: \$	N/A
This Item:	1,710,975
Proposed Balance: \$	N/A
Budget Analyst	Date
Ron Young	07/09/12
Budget Director	Date
Operating Budget: <input checked="" type="checkbox"/> CIP: <input type="checkbox"/> Year: 2011-12 Document Location: Page 259 Account #: 451-6999 Fund/Agency/Project – Description: Term Contract – Concrete Ready Mix Comments: Term Contract sets price but does not commit funds. Expenses will be charged to accounts as incurred.	



GARLAND

PURCHASING

Executive Summary **Bid 2976-12** **Term Contract for Concrete Ready Mix**

Recommended Vendor:

Cooper Concrete Co.

Total Recommended Award:

\$1,710,975.00

Basis for Award:

Straight Low Bid

Purpose:

The purpose of this contract is to provide and deliver various types of concrete ready mix to various construction job sites for the City of Garland Street Department. This is a term contract with two (2) renewal options.

Evaluation:

Requests for bids were issued in accordance with Purchasing procedures.

Cooper Concrete Co. was the sole bidder for this solicitation. They have been the Street Department's concrete ready mix supplier for many years and have always performed well under the contract.

Recommendation:

Staff recommends awarding the Term Contract for Concrete Ready Mix to Cooper Concrete Co.

Funding Information:

Blanket Account 451-6999

Department Director:

Steven L. Oliver, P.E., 972-205-3558



City Council Item Summary Sheet

Work Session

Agenda Item

Date: July 17, 2012

Zoning Ordinance

Summary of Request/Problem

Zoning Ordinance 12-26 – Heights Venture Architects

Recommendation/Action Requested and Justification

Consider adoption of the attached ordinance.

Submitted By:

Neil Montgomery
Senior Managing Director of Development
Services

Approved By:

William E. Dollar
City Manager

ORDINANCE NO.

AN ORDINANCE AMENDING THE ZONING LAWS OF THE CITY OF GARLAND, TEXAS, BY APPROVING AN AMENDED SPECIFIC USE PERMIT FOR RESTAURANT WITH DRIVE-THROUGH ON PROPERTY ZONED FREEWAY (FW) DISTRICT WITHIN THE IH 30 OVERLAY ON A 1.202-ACRE TRACT LOCATED AT 501 WEST INTERSTATE HIGHWAY 30; PROVIDING FOR CONDITIONS, RESTRICTIONS, AND REGULATIONS; AND PROVIDING FOR A PENALTY AND AN EFFECTIVE DATE.

WHEREAS, at its regular meeting held on the 11th day of June, 2012, the City Plan Commission did consider and make recommendations on a certain request for zoning change made by **Heights Venture Architects** and

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

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

Section 1.

Ordinance No. 4647 is hereby amended by approving a Specific Use Permit for Restaurant with Drive-Through on property zoned Freeway (FW) District within the IH 30 Overlay on a 1.202-acre lot located at 501 West Interstate Highway 30, and being more particularly described in Exhibit A, attached hereto and made a part hereof.

Section 2.

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

Section 3.

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

Section 4.

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

Section 5.

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

PASSED AND APPROVED this _____ day of _____, 2012.

THE CITY OF GARLAND, TEXAS

By:

Mayor

ATTEST:

City Secretary

Published:

EXHIBIT A

LEGAL DESCRIPTION

Zoning File 12-26

Being an approximate 1.202-acre parcel identified as Lot 6, Block 1, Broadway Wal-Mart Addition; an addition to the City of Garland, Dallas County, Texas recorded in Volume 2000111, Page 04958 of the Deed Records of Dallas County, Texas. The property is located at 501 West Interstate 30.

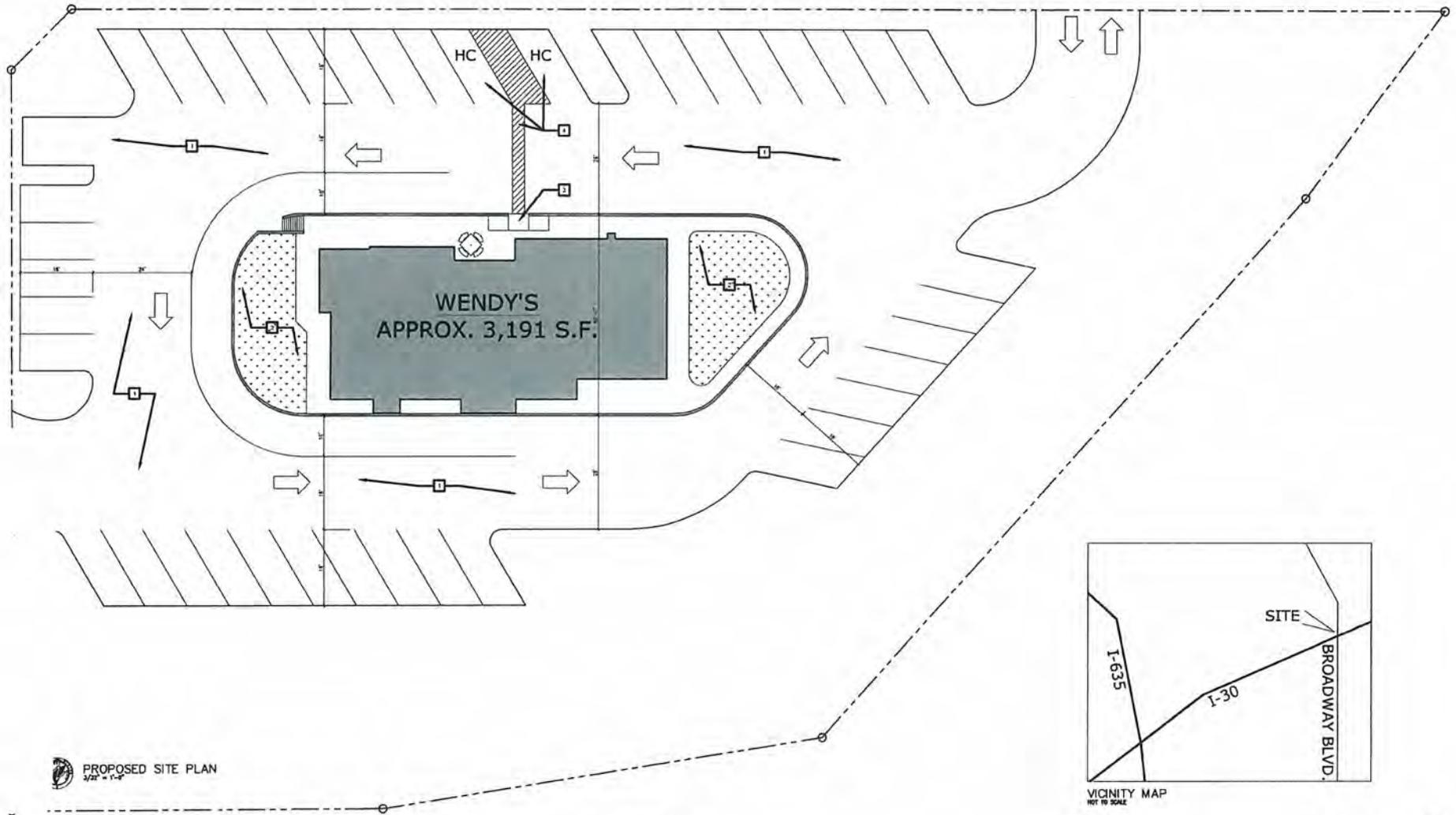
SPECIFIC USE PERMIT CONDITIONS

ZONING FILE 12-26

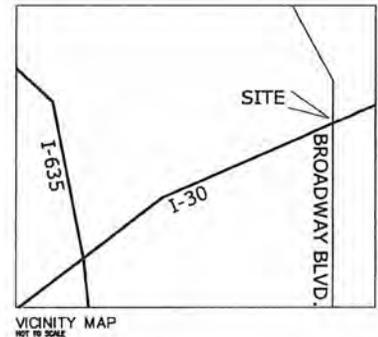
501 West Interstate 30 Freeway

- 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
1/8" = 1'-0"



- SITE DATA**
- EXISTING ZONING: LOT6, BLOCK 1 BROADWAY WAL-MART ADDITION / PW
 - LOT SQUARE FOOTAGE: 52,349 S.F.
 - LOT ACORAGE: 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: 739 S.F.
 - BUILDING HEIGHT: 15'-0" (MAIN PARAPET) / 22'-0" (TOWER)
 - REQUIRED PROVIDED PARKING: (1/50 SEATING S.F.) 15 REQUIRED / 40 PROVIDED
 - PROPOSED LOT COVERAGE: 6.1%

- SITE PLAN KEY NOTES:**
- EXISTING TO REMAIN.
 - EXISTING LANDSCAPE TO REMAIN:
 - NEW PARALLEL RAMP
 - NEW ADA STRIPING

SITE PLAN LEGEND:

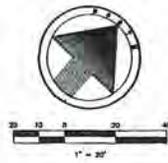
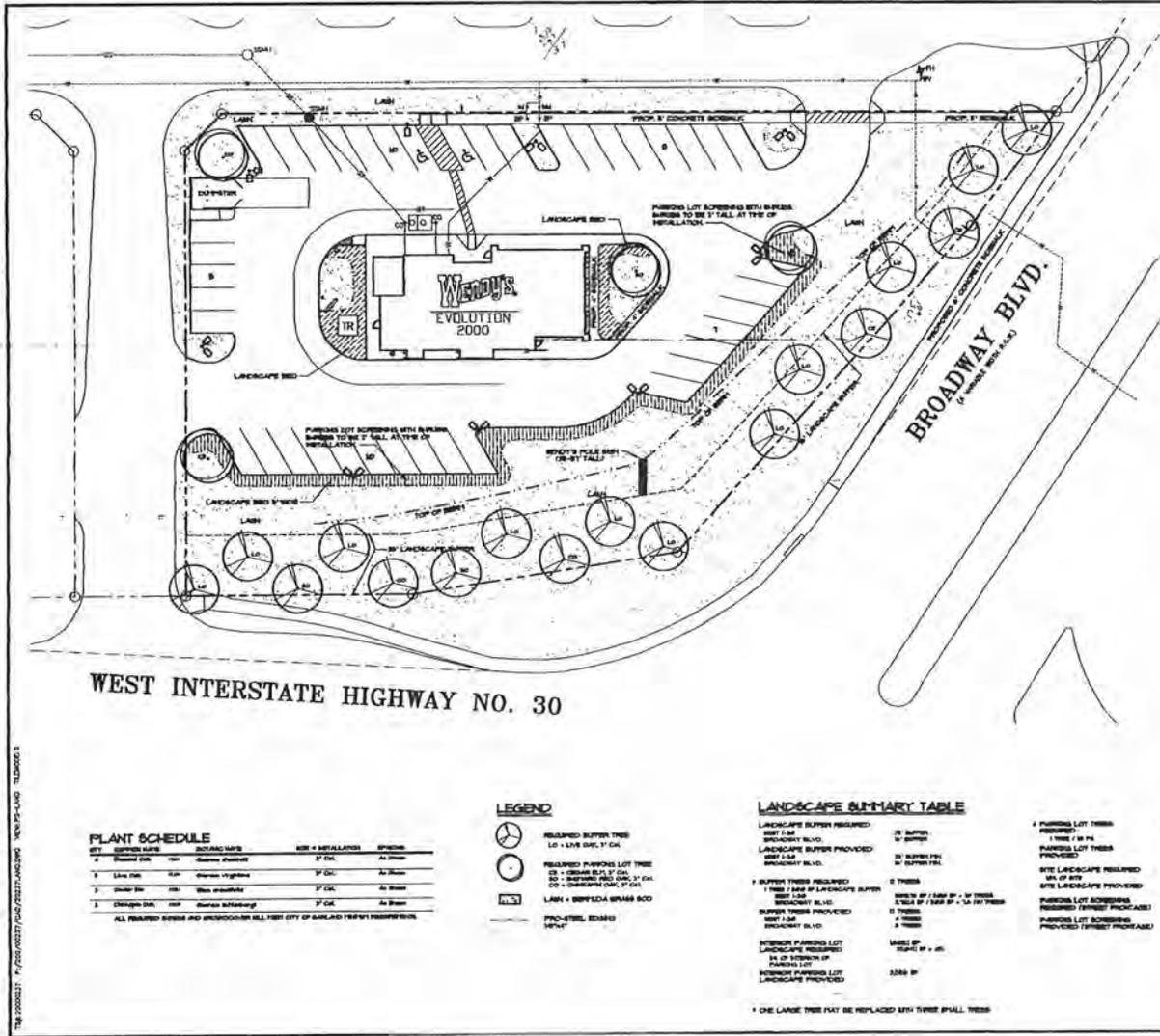
- EXISTING LANDSCAPE NOT IN SCOPE
- EXISTING LANDSCAPE, IF AFFECTED BY REMODEL, TO BE REPLACED TO MATCH EXISTING CONDITIONS.
- AREA OF WORK

5-9-2012
NOT FOR REGULATORY APPROVAL, PERMITTING, OR CONSTRUCTION.
ROBERT A. HOLTON #14938

OWNER
WENDY'S INTERNATIONAL, INC.
6600 FREEMONT PKWY., SUITE 100
IRVING, TEXAS 75063

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

SITE PLAN
WENDY'S - GARLAND



LANDSCAPE NOTES

1. ALL LANDSCAPE MATERIALS AND EQUIPMENT SPECIFICATIONS SHALL COMPLY TO THE CITY OF SAN ANTONIO STANDARD SPECIFICATIONS FOR UTILITIES.
2. THE PLANTING SHALL BE IN ACCORDANCE WITH THE LANDSCAPE DESIGN SPECIFICATIONS PROVIDED HEREIN AND AS APPROVED BY THE CITY OF SAN ANTONIO.
3. LANDSCAPE MATERIALS SHALL BE OF THE HIGHEST QUALITY AND SHALL BE OBTAINED FROM A REPUTABLE SOURCE.
4. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF SAN ANTONIO STANDARD SPECIFICATIONS FOR UTILITIES.
5. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF SAN ANTONIO STANDARD SPECIFICATIONS FOR UTILITIES.
6. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF SAN ANTONIO STANDARD SPECIFICATIONS FOR UTILITIES.
7. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF SAN ANTONIO STANDARD SPECIFICATIONS FOR UTILITIES.
8. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF SAN ANTONIO STANDARD SPECIFICATIONS FOR UTILITIES.
9. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF SAN ANTONIO STANDARD SPECIFICATIONS FOR UTILITIES.
10. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF SAN ANTONIO STANDARD SPECIFICATIONS FOR UTILITIES.
11. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF SAN ANTONIO STANDARD SPECIFICATIONS FOR UTILITIES.
12. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF SAN ANTONIO STANDARD SPECIFICATIONS FOR UTILITIES.
13. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF SAN ANTONIO STANDARD SPECIFICATIONS FOR UTILITIES.
14. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF SAN ANTONIO STANDARD SPECIFICATIONS FOR UTILITIES.
15. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF SAN ANTONIO STANDARD SPECIFICATIONS FOR UTILITIES.
16. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF SAN ANTONIO STANDARD SPECIFICATIONS FOR UTILITIES.
17. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF SAN ANTONIO STANDARD SPECIFICATIONS FOR UTILITIES.
18. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF SAN ANTONIO STANDARD SPECIFICATIONS FOR UTILITIES.
19. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF SAN ANTONIO STANDARD SPECIFICATIONS FOR UTILITIES.
20. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF SAN ANTONIO STANDARD SPECIFICATIONS FOR UTILITIES.

PLANT SCHEDULE

SYMBOL	COMMON NAME	SCIENTIFIC NAME	SIZE & DETAILS	SPACING
1	Shrub	...	2' DIA.	As Shown
2	Tree	...	2' DIA.	As Shown
3	Tree	...	2' DIA.	As Shown
4	Tree	...	2' DIA.	As Shown

ALL PLANTED TREES AND SHRUBS SHALL BE FULLY GROWN AND WELL ESTABLISHED.

LEGEND

	REQUIRED BUFFER TREE 1" x 1/2" DIA. 7' DIA.
	REQUIRED PAVED LOT TREE 2" x 2" DIA. 12' DIA. 17' DIA. 22' DIA. 27' DIA.
	LASH + SEALED SPRINKLER BED
	PRO-STEEL SEALED INLET

LANDSCAPE SUMMARY TABLE

DESCRIPTION	QUANTITY	REMARKS
LANDSCAPE BUFFER PROVIDED	1	SEE PLAN
REQUIRED BUFFER TREE	1	SEE PLAN
REQUIRED PAVED LOT TREE	1	SEE PLAN
LASH + SEALED SPRINKLER BED	1	SEE PLAN
PRO-STEEL SEALED INLET	1	SEE PLAN
...

WENDY'S INTERNATIONAL, INC.
 3001 W. LOOP WEST, SUITE 100
 FORT WORTH, TEXAS 76102
 TEL: 817-338-9800

CONSULTANTS
 BANK OF AMERICA, P.O. BOX 800
 FORT WORTH, TEXAS 76102
 TEL: 817-338-9800

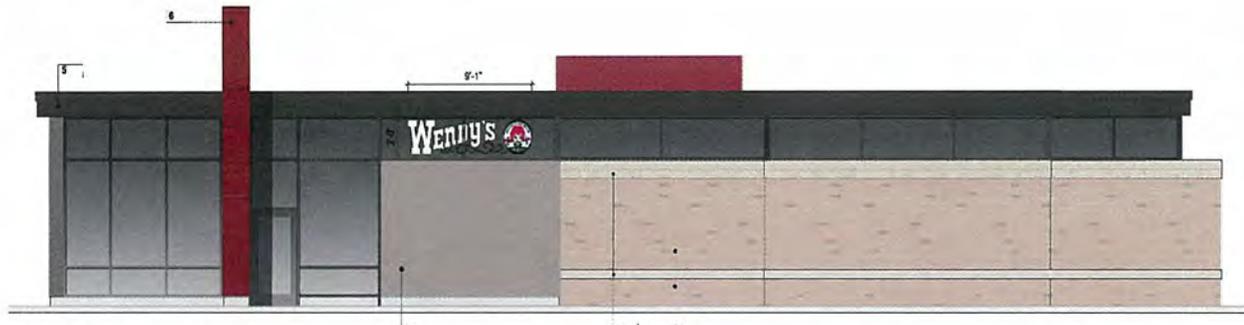
WENDY'S

PROJECT: LAND ACQUISITION AND DEVELOPMENT OF A WENDY'S RESTAURANT AT THE INTERSECTION OF WEST INTERSTATE 30 AND BROADWAY BLVD., CITY OF SAN ANTONIO, TEXAS.

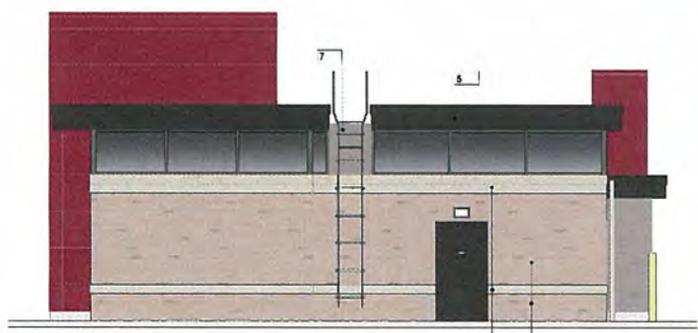
FILENAME: 2047LAND.DWG
 TS: RL
 DATE: 2000/04/14
 DATE: MAY 31, 2000
 SHEET NO: 1-1



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 CMU**
2. **EXISTING BRICK VENEER**
3. **NEW CERAMIC TILE SERRANISMO "VERBA"**
4. **NEW STONE VENEER LUEDERS LIMESTONE "GRAY"**
5. **NEW ARCHITECTURAL METAL BRONZE**
6. **EIFS TO MATCH ALUCOBOND "RED FIRE COOL"**
7. **EIFS TO MATCH LIMESTONE COLOR**

MATERIAL LEGEND:		
ET-1	EXTENDED TILE	MOBILI SERRANISMA WOOD TILE - HORIZONTAL
M-2	METAL PANEL (ROOF FINISH)	ALUMINUM TO MATCH CHEMETAL BRONZE #812
SF-1	STOREFRONT (CLEAR GLAZING)	US ALUMINUM SERIES 451 DARK BRONZE FINISH WITH CLEAR TINTED GLAZING
SF-2	STOREFRONT (OPANOMEL)	US ALUMINUM SERIES 451 DARK BRONZE FINISH WITH BRONZE COLORED GLAZING
LS-1	LIMESTONE VENEER	LUEDERS LIMESTONE - GRAY - 24"X24"
EF-1	EIFS	COLOR TO MATCH EXISTING MASONRY FINISH TEXTURE: EXTRA FINE
EF-2	EIFS	COLOR TO MATCH ALUCOBOND RED FIRE COOL FINISH TEXTURE: EXTRA FINE

ELEVATION 1
TOTAL ELEVATION: 554 S.F.
STOREFRONT/DOORS: 204 S.F.
CALC. AREA TOTAL: 200 S.F.
PRIMARY MASONRY: 63%
TILE: 78 S.F. / 250 S.F. = 31%
STONE: 80 S.F. / 203 S.F. = 32%
SECONDARY MASONRY: 0%

ELEVATION 2
TOTAL ELEVATION: 548 S.F.
STOREFRONT/DOORS: 136 S.F.
CALC. AREA TOTAL: 400 S.F.
PRIMARY MASONRY: 60%
BRICK: 303 S.F. / 482 S.F. = 63%
TILE: 6 S.F. / 286 S.F. = 2%
SECONDARY MASONRY: 18%
EIFS: 12 S.F. / 492 = 2%
CMU: 74 S.F. / 480 S.F. = 15%

ELEVATION 3
TOTAL ELEVATION: 1259 S.F.
STOREFRONT/DOORS: 804 S.F.
CALC. AREA TOTAL: 854 S.F.
PRIMARY MASONRY: 50%
BRICK: 432 S.F. / 854 S.F. = 50%
SECONDARY MASONRY: 24%
EIFS: 32 S.F. / 854 = 4%
CMU: 87 S.F. / 854 S.F. = 11%

ELEVATION 4
TOTAL ELEVATION: 1277 S.F.
STOREFRONT/DOORS: 274 S.F.
CALC. AREA TOTAL: 1183 S.F.
PRIMARY MASONRY: 50%
BRICK: 275 S.F. / 1103 S.F. = 25%
TILE: 218 S.F. / 1103 S.F. = 20%
STONE: 58 / 1103 S.F. = 5%
SECONDARY MASONRY: 37%
EIFS: 24 S.F. / 1133 = 2%
CMU: 86 S.F. / 1133 S.F. = 8%

6-6-2012
NOT FOR REGULATORY APPROVAL, PERMITTING, OR CONSTRUCTION.
ROBERT R. HOLTON #14938

WENDY'S INTER
8600 FREEPORT P
IRVING

HEIGHTS VENTURE A
5717 LEGACY I
PLAZA

**EXTERIOR ELEVATIONS
WENDY'S GARLAND**

EXHIBIT E



City Council Item Summary Sheet

Work Session

Agenda Item

Date: July 17, 2012

Zoning Ordinance

Summary of Request/Problem

Zoning Ordinance 12-28 – RaceTrac

Recommendation/Action Requested and Justification

Consider adoption of the attached ordinance.

Submitted By:

Neil Montgomery
Senior Managing Director of Development
Services

Approved By:

William E. Dollar
City Manager

ORDINANCE NO.

AN ORDINANCE AMENDING THE ZONING LAWS OF THE CITY OF GARLAND, TEXAS, BY APPROVING AN AMENDMENT TO PLANNED DEVELOPMENT (PD) DISTRICT 11-04 FOR SHOPPING CENTER USES REGARDING LANDSCAPE BUFFER REQUIREMENTS ON A 6.6-ACRE TRACT OF LAND LOCATED WEST OF GARLAND AVENUE, EAST OF SHILOH ROAD AND NORTH OF MCCREE ROAD; PROVIDING FOR CONDITIONS, RESTRICTIONS, AND REGULATIONS; AND PROVIDING FOR A PENALTY AND AN EFFECTIVE DATE.

WHEREAS, at its regular meeting held on the 11th day of June, 2012, the City Plan Commission did consider and make recommendations on a certain request for zoning change made by **RACETRAC**; and

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

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

Section 1.

Ordinance No. 4647 is hereby amended by approving amended Conditions and Landscape Plan on property zoned Planned Development (PD) District 11-04 for Shopping Center Uses on a 6.6-acre tract of land located west of Garland Avenue, east of Shiloh Road and north of McCree Road, and being more particularly described in Exhibit A, attached hereto and made a part hereof.

Section 2.

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

Section 3.

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

Section 4.

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

Section 5.

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

FILE NO. 12-28

PASSED AND APPROVED this _____ day of _____, 2012.

THE CITY OF GARLAND, TEXAS

By:

Mayor

ATTEST:

City Secretary

Published:

EXHIBIT A

LEGAL DESCRIPTION

Zoning File 12-28

Being a 6.59 acre tract of land situated in the John Casey Survey, Abstract No. 351, in the City of Garland, Dallas County, Texas, and being all of Lot 1, Block 1, Myers Addition, an addition to the City of Garland, according to the plat thereof recorded in Volume 90009, Page 3142 Map Records, Dallas County, Texas, and more particularly described as follows:

BEGINNING at 1/2 inch iron rod found with cap at the northwest corner of said Lot 1, Block 1, Myers Addition, said point being the southwest corner of Lot 8R, Block 1, Walmart Super Center 2 Addition, an addition to the City of Garland, according to the plat thereof recorded in Volume 87242, Page 5919, Map Records, Dallas County, Texas, said point being in the east line of South Shiloh Road (a 100.0 foot right-of-way);

THENCE North 89 degrees 59 minutes 51 seconds East, departing the east line of said South Shiloh Road, and along the common line of said Lot 8R, Block 1 Walmart Super Center 2 Addition and Lot 1, Block 1, Myers Addition, a distance of 376.07 feet to a 1/2 inch iron rod set for corner, said point being the most southerly southeast corner of said Lot 8R, Block 1, Walmart Super Center 2 Addition, said point being the southwest corner of Lot 1, Block 1, Wysong Addition, an addition to the City of Garland, according to the plat thereof recorded in Volume 74230, Page 1216, Map Records, Dallas County, Texas;

THENCE South 58 degrees 45 minutes 51 seconds East, along the common line of said Lot 1, Block 1, Myers Addition and said Lot 1, Block 1, Wysong Addition, a distance of 200.00 feet to a Punch Mark found for corner, said point being the northeast corner of said Lot 1, Block 1, Myers Addition and southeast corner of said Lot 1, Block 1, Wysong Addition, same point being in the west line of South Garland Avenue (State Highway 78) (a variable width right-of-way);

THENCE South 31 degrees 13 minutes 49 seconds West, along the west line of said South Garland Avenue (State Highway 78), a distance of 404.53 feet to an "X" cut found for corner;

THENCE South 33 degrees 25 minutes 41 seconds West, continuing along the west line of said South Garland Avenue (State Highway 78), a distance of 597.68 feet to a 1/2 inch iron rod found with cap for corner, said point being the southeast corner of said Lot 1, Block 1, Myers Addition, same point being at the intersection of the west line of

said South Garland Avenue (State Highway 78) and the east line of said South Shiloh Road;

THENCE North 58 degrees 43 minutes 37 seconds West, along the intersection of said South Garland Avenue (State Highway 78) and the east line of said South Shiloh Road, a distance 9.45 feet to a 1/2 inch iron rod found with cap for corner;

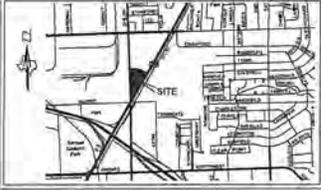
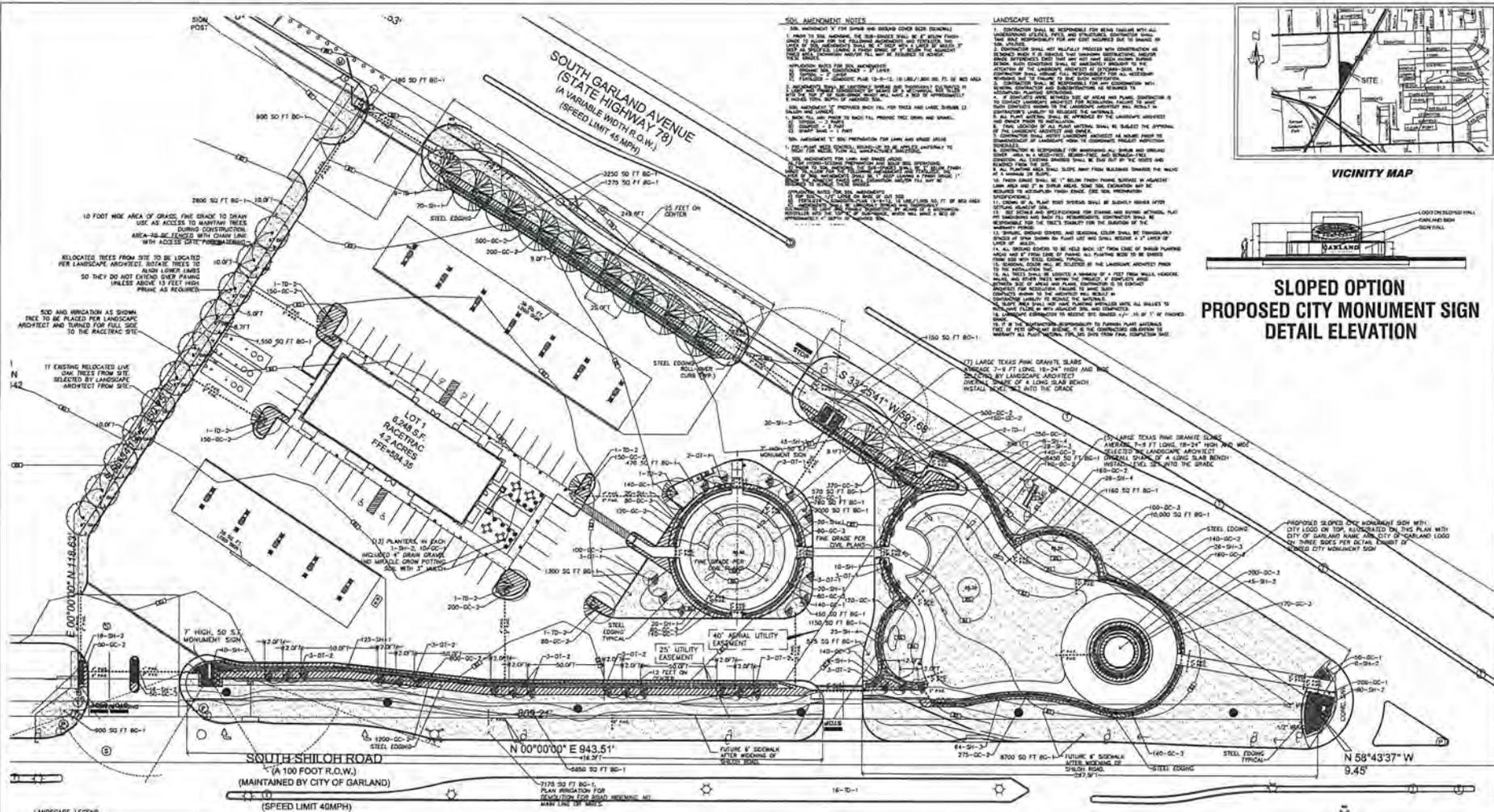
THENCE North 00 degrees 00 minutes 00 seconds East, along the east line of said South Shiloh Road, a distance of 943.51 to the POINT of BEGINNING and containing 286,962 square feet or 6.59 acres of computed land.

The subject property is located west of Garland Avenue, east of Shiloh Road, north of McCree Road.

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.



DATE: _____
 REVISIONS: _____

EXHIBIT F

Racetrac
 RACETRAC PETROLEUM, INC.
 3225 CUMBERLAND BLVD.
 SUITE 100
 GARLAND, TX 75042
 (770) 431-7800

LANDSCAPE PLAN
 RACETRAC SERVICE STATION
 SHILOH AND GARLAND (HWY 78)
 GARLAND, TX
 DATE: 06/20/19
 JOB NO.: 19-07
 DRAWN BY: JRM
 CHECKED BY: JRM

English Inquiries:
The Bousquet Group, Inc.
 78 Box 548
 Anglin, TX 75226
 972.207.8077
 MS. ANITA JAMES
 940.455.2254 fax

BOUSQUET GROUP
 1960 S. GARDNER
 DALLAS, TX 75241

Texas File No. F-6942

Sheet No. **L-2.0**

CITY OF GARLAND IN 635 LANDSCAPE STANDARDS

TYPE	REQUIREMENT	REMARKS
1	MINIMUM TREE HEIGHT	MINIMUM TREE HEIGHT SHALL BE 10 FEET
2	MINIMUM TREE CALIPER	MINIMUM TREE CALIPER SHALL BE 2 INCHES
3	MINIMUM TREE SPREAD	MINIMUM TREE SPREAD SHALL BE 10 FEET
4	MINIMUM TREE AGE	MINIMUM TREE AGE SHALL BE 5 YEARS
5	MINIMUM TREE SPECIES	MINIMUM TREE SPECIES SHALL BE 50% NATIVE

CITY OF GARLAND SELECTED PLANT LIST

PLANT NAME	COMMON NAME	REMARKS
AGAVE	AGAVE	AGAVE

LANDSCAPE LEGEND

1. TREE SPECIES
 2. TREE CALIPER
 3. TREE SPREAD
 4. TREE AGE
 5. TREE SPECIES

LANDSCAPE PLAN LEGEND

1. SIGN
 2. SIGN
 3. SIGN

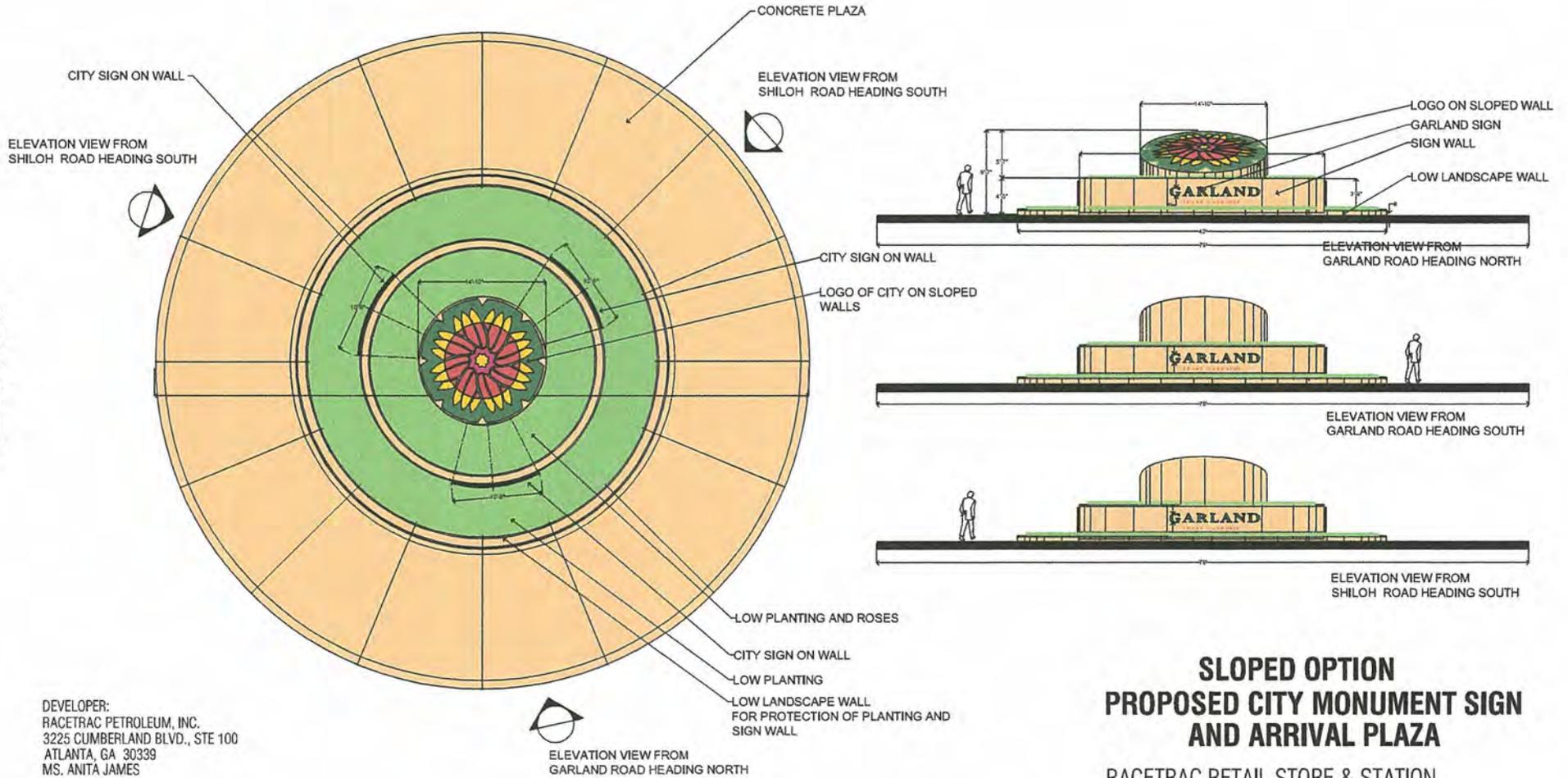


LANDSCAPE ARCHITECT:
 T. H. PRITCHETT & ASSOCIATES
 1218 CAMINO LAGO
 IRVING, TEXAS 75039
 MR. TOM PRITCHETT
 214.697.2580
 landdesignplan@me.com

DEVELOPER:
 RACETRAC PETROLEUM, INC.
 3225 CUMBERLAND BLVD., STE 100
 ATLANTA, GA 30339
 MS. ANITA JAMES
 770.431.7800

English Inquiries:
The Bousquet Group, Inc.
 78 Box 548
 Anglin, TX 75226
 972.207.8077
 MS. ANITA JAMES
 940.455.2254 fax

Texas File No. F-6942



DEVELOPER:
 RACETRAC PETROLEUM, INC.
 3225 CUMBERLAND BLVD., STE 100
 ATLANTA, GA 30339
 MS. ANITA JAMES
 770.431.7600

LANDSCAPE ARCHITECT:
 T. H. PRITCHETT / ASSOCIATES
 1218 CAMINO LAGO
 IRVING, TEXAS 75039
 214.697.2580

CIVIL ENGINEER:
 THE BOUSQUET GROUP
 PO BOX 545
 ARGYLE, TEXAS 76226
 972.207.8077

**SLOPED OPTION
 PROPOSED CITY MONUMENT SIGN
 AND ARRIVAL PLAZA**

RACETRAC RETAIL STORE & STATION
 SHILOH AND GARLAND (HWY 78)
 GARLAND, TX



City Council Item Summary Sheet

Work Session

Agenda Item

Date: July 17, 2012

Zoning Ordinance

Summary of Request/Problem

Zoning Ordinance 12-29 – Pink Consulting

Recommendation/Action Requested and Justification

Consider adoption of the attached ordinance.

Submitted By:

Neil Montgomery
Senior Managing Director of Development
Services

Approved By:

William E. Dollar
City Manager

ORDINANCE NO.

AN ORDINANCE AMENDING THE ZONING LAWS OF THE CITY OF GARLAND, TEXAS, BY APPROVING AN AMENDED SPECIFIC USE PERMIT FOR RESTAURANT WITH DRIVE-THROUGH ON PROPERTY ZONED FREEWAY (FW) DISTRICT WITHIN THE IH 30 OVERLAY ON A 1.007-ACRE TRACT LOCATED AT 509 WEST INTERSTATE HIGHWAY 30; PROVIDING FOR CONDITIONS, RESTRICTIONS, AND REGULATIONS; AND PROVIDING FOR A PENALTY AND AN EFFECTIVE DATE.

WHEREAS, at its regular meeting held on the 11th day of June, 2012, the City Plan Commission did consider and make recommendations on a certain request for zoning change made by **Pink Consulting, LP** and

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

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

Section 1.

Ordinance No. 4647 is hereby amended by approving a Specific Use Permit for Restaurant with Drive-Through on property zoned Freeway (FW) District within the IH 30 Overlay on a 1.007-acre lot located at 509 West Interstate Highway 30, and being more particularly described in Exhibit A, attached hereto and made a part hereof.

Section 2.

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

Section 3.

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

Section 4.

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

Section 5.

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

PASSED AND APPROVED this _____ day of _____, 2012.

THE CITY OF GARLAND, TEXAS

By:

Mayor

ATTEST:

City Secretary

Published:

EXHIBIT A

LEGAL DESCRIPTION

Zoning File 12-29

Being an approximate 1.007-acre parcel identified as Lot 7, Broadway Wal-Mart Addition; an addition to the City of Garland, Dallas County, Texas recorded in Volume 2000111, Page 04958 of the Deed Records of Dallas County, Texas. The property is located at 509 West Interstate 30.

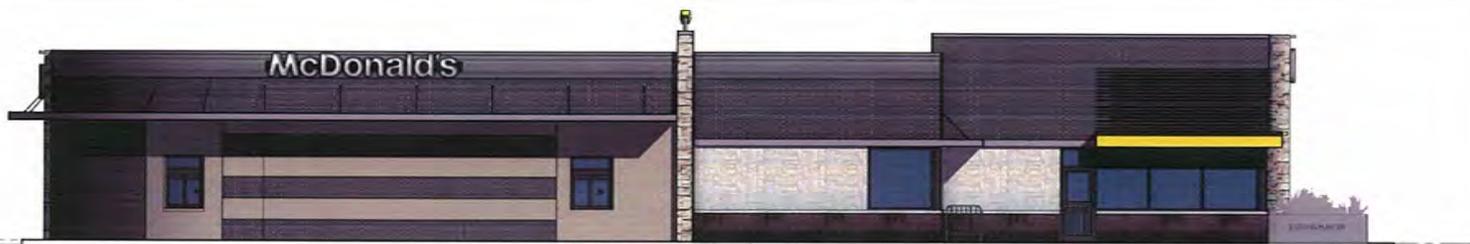
SPECIFIC USE PERMIT CONDITIONS

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.

- ↑ VENTURIST
SIZE: 1" = 1'-0"
- ↓ SUNSCREEN BRG
SIZE: 1" = 1'-0"
- ↓ BOLT TRUSS
SIZE: 1" = 1'-0"
- ↓ 1/2" EXISTING WINDOWS
BROWN/BRILLIANT
SIZE: 1" = 1'-0"
- ↑ FLOOR
SIZE: 1" = 1'-0"



1 DRIVE THRU ELEVATION
A2.1 3/16" = 1'-0"

- ↑ VENTURIST
SIZE: 1" = 1'-0"
- ↓ SUNSCREEN BRG
SIZE: 1" = 1'-0"
- ↓ BOLT TRUSS
SIZE: 1" = 1'-0"
- ↓ 1/2" EXISTING WINDOWS
BROWN/BRILLIANT
SIZE: 1" = 1'-0"
- ↑ FLOOR
SIZE: 1" = 1'-0"



2 NON-DRIVE THRU ELEVATION
A2.1 3/16" = 1'-0"

- ↑ SYSTEM HEAVEN
SIZE: 1" = 1'-0"
- ↑ VENTURIST
SIZE: 1" = 1'-0"
- ↓ SUNSCREEN BRG
SIZE: 1" = 1'-0"
- ↓ BOLT TRUSS
SIZE: 1" = 1'-0"
- ↓ 1/2" EXISTING WINDOWS
BROWN/BRILLIANT
SIZE: 1" = 1'-0"
- ↑ FLOOR
SIZE: 1" = 1'-0"



3 FRONT ELEVATION
A2.1 3/16" = 1'-0"

4 BACK ELEVATION
A2.1 3/16" = 1'-0"

Existing Building Materials

Existing Bricks and Stone to Remain
Patch and Repair as Needed
New Brick to Match Existing

Proposed Building Materials

Stone (Arcades):
Pro Fit LedgeStone
Southwest

New Painted Brick:
Mink # BM-2112-10
(Above Trellis System)

Accent Brick (Painted):
Huntington Beige
BM-HC-21

Corrugated Metal:
City-Scape
Metal - Era

NOTE: DC IS TO REMOVE ALL EXISTING LOUD ARCH WINDOWS TO MAKE READY FOR NEW.
DC IS TO REMOVE ALL EXISTING BRICK/STUCCO FINISHES TO MAKE READY FOR NEW.

COLOR LEGEND (ALL COLORS ARE PER BENJAMIN MOORE PAINTS, U.S.A.)

ARCDES & HEARTH	CULTURED STONE, BY BONAL PRO FIT LEDGESTONE COLOR: SOUTHWEST
BASE BUILDING	EXISTING STONE TO REMAIN EXISTING BRICK TO REMAIN NEW BRICK -- PAINTED MINK #BM-2112-10
DRIVE THRU BANING	ACCENT BRICK PAINTED BRICK -- HUNTINGTON BEIGE #BM-HC-21
FRONTET BRG	METAL ERA 1" PANEL (1/4" PROFILE) 24 GAUGE, COLOR-075050E

FILE: LTRS MAJOR REMODEL PROGRAM
ISSUE DATE: 05/04/12
CONSTRUCTION DOCUMENTS
PROJECT: 13-0033
SHEET NO: A2.1
DATE: 05/04/12
BY: JAC
CHECKED: JAC
SCALE: 1/8" = 1'-0"

REVISIONS

NO.	DATE	DESCRIPTION

REVISIONS

DATE: 05/04/12

BY: JAC

CHECKED: JAC

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

PROJECT: 13-0033

CONSTRUCTION DOCUMENTS

FILE: LTRS MAJOR REMODEL PROGRAM

SHEET NO: A2.1

DATE: 05/04/12

BY: JAC

CHECKED: JAC

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

PROJECT: 13-0033

CONSTRUCTION DOCUMENTS

EXHIBIT E



City Council Item Summary Sheet

Work Session

Agenda Item

Date: July 17, 2012

Zoning Ordinance

Summary of Request/Problem

Zoning Ordinance 12-30 – TW Towing Company

Recommendation/Action Requested and Justification

Consider adoption of the attached ordinance.

Submitted By:

Neil Montgomery
Senior Managing Director of Development
Services

Approved By:

William E. Dollar
City Manager

ORDINANCE NO.

AN ORDINANCE AMENDING THE ZONING LAWS OF THE CITY OF GARLAND, TEXAS, BY APPROVING A SPECIFIC USE PERMIT FOR VEHICLE POUND ON PROPERTY ZONED INDUSTRIAL 1 (I-1) DISTRICT ON A .493-ACRE TRACT LOCATED AT 3806 DIVIDEND DRIVE; PROVIDING FOR CONDITIONS, RESTRICTIONS, AND REGULATIONS; AND PROVIDING FOR A PENALTY AND AN EFFECTIVE DATE.

WHEREAS, at its regular meeting held on the 11th day of June, 2012, the City Plan Commission did consider and make recommendations on a certain request for zoning change made by **TW Towing Co., Inc.**, and

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

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

Section 1.

Ordinance No. 4647 is hereby amended by approving a Specific Use Permit for Vehicle Pound on property zoned Industrial 1 (I-1) District on a .493-acre lot located at 3806 Dividend Drive, and being more particularly described in Exhibit A, attached hereto and made a part hereof.

Section 2.

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

Section 3.

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

Section 4.

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

Section 5.

FILE NO. 12-30

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

PASSED AND APPROVED this _____ day of _____, 2012.

THE CITY OF GARLAND, TEXAS

By:

Mayor

ATTEST:

City Secretary

Published:

EXHIBIT A

LEGAL DESCRIPTION

Zoning File 12-30

Being an approximate 0.493-acre parcel identified as Lot 12, Block C, Garvon West No. 3, an addition to the City of Garland, Dallas County, Texas recorded in Volume 69097, Page 1813 of the Map Records of Dallas County, Texas. The property is located at 3806 Dividend Drive.

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.



City Council Item Summary Sheet

Work Session

Agenda Item

Date: July 17, 2012

Zoning Ordinance

Summary of Request/Problem

Zoning Ordinance 12-31 – Harrison French & Associates

Recommendation/Action Requested and Justification

Consider adoption of the attached ordinance.

Submitted By:

Neil Montgomery
Senior Managing Director of Development
Services

Approved By:

William E. Dollar
City Manager

ORDINANCE NO.

AN ORDINANCE AMENDING THE ZONING LAWS OF THE CITY OF GARLAND, TEXAS, BY APPROVING A SPECIFIC USE PERMIT FOR RETAIL SALES WITH GASOLINE PUMPS ON PROPERTY ZONED SHOPPING CENTER (SC) DISTRICT ON A .55-ACRE TRACT LOCATED AT 1426 BELT LINE ROAD; PROVIDING FOR CONDITIONS, RESTRICTIONS, AND REGULATIONS; AND PROVIDING FOR A PENALTY AND AN EFFECTIVE DATE.

WHEREAS, at its regular meeting held on the 11th day of June, 2012, the City Plan Commission did consider and make recommendations on a certain request for zoning change made by **Harrison French & Associates**, and

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

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

Section 1.

Ordinance No. 4647 is hereby amended by approving a Specific Use Permit for Retail Sales with Gas Pumps on property zoned Shopping Center (SC) District on a .55-acre lot located at 1426 Belt Line Road, and being more particularly described in Exhibit A, attached hereto and made a part hereof.

Section 2.

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

Section 3.

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

Section 4.

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

FILE NO. 12-31

Section 5.

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

PASSED AND APPROVED this _____ day of _____, 2012.

THE CITY OF GARLAND, TEXAS

By:

Mayor

ATTEST:

City Secretary

Published:

EXHIBIT A

LEGAL DESCRIPTION

Zoning File 12-31

Being an approximate 0.55-acre parcel identified as Lot 2R, Block 1, North Star Market Addition Replat, an addition to the City of Garland, Dallas County, Texas recorded in Volume 85205, Page 2994 of the Deed Records of Dallas County, Texas. The property is located at 1426 Belt Line Road.

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.

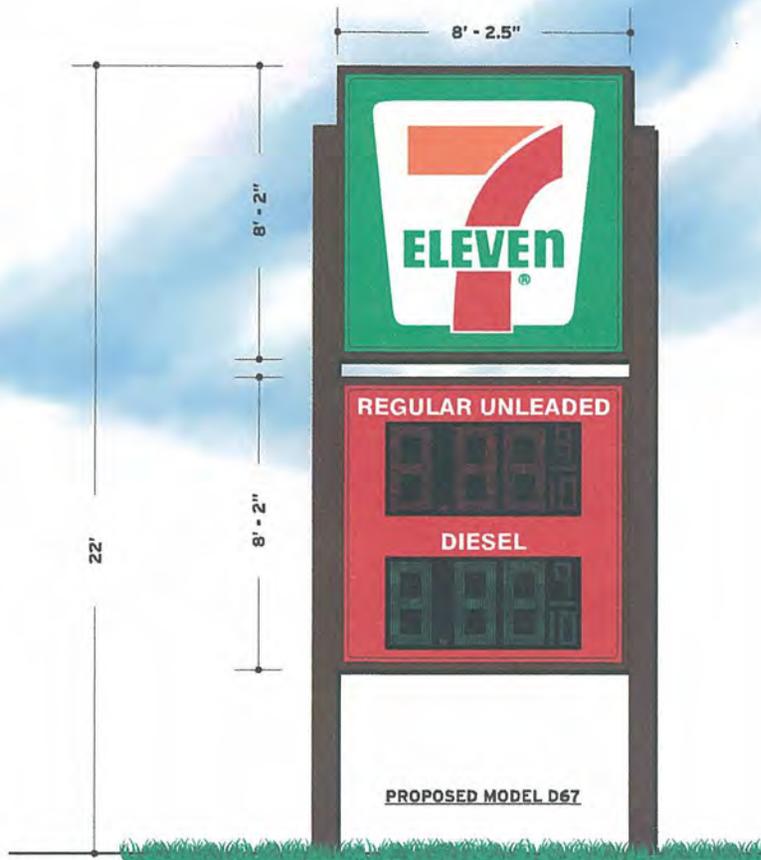
EXHIBIT B

**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'



PROJECT NAME / LOCATION

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

DATE

01.05.2012

PROJECT MANAGER

TOMMY BELL

**BARNETT SIGNS IS A PROUD MEMBER OF
THE FOLLOWING SIGN ASSOCIATIONS**



THIS ORIGINAL DRAWING IS PROVIDED AS PART OF A PLANNED PROJECT AND IS NOT TO BE EXHIBITED, COPIED OR REPRODUCED WITHOUT THE WRITTEN PERMISSION OF BARNETT SIGNS, INC.

PHOTO CONCEPTS ARE DRAWN TO SCALE AS ACCURATELY AS POSSIBLE BUT MAY NOT REFLECT EXACT SIZE. ALL APPROVALS TO BE BASED ON EXACT SIGN SIZES.

CLIENT APPROVAL

SIGNATURE _____

PRINTED NAME _____

DATE _____



STATE OF TEXAS
ELECTRICAL SIGN CONTRACTOR
LICENSE #18034

DESIGN NUMBER

S6

BARNETT
SIGNS

BARNETT SIGNS, INC.
4250 ACTION DRIVE
MESQUITE, TEXAS 75150

972.681.8800 PHONE
972.681.8824 FAX



City Council Item Summary Sheet

Work Session

Date: July 17, 2012

Agenda Item

EMS Fee Ordinance Amendment

Summary of Request/Problem

At the July 2, 2012 Work Session, Council considered an ordinance amending the emergency medical service transfer and mileage charges listed in Section 21.26 of Chapter 21, "Fire Prevention and Protection," of the Code of Ordinances. This amendment is needed to correct Ordinance 6497 that was approved on November 1, 2011 which reflected incorrect amounts for transfer and mileage charges. Actual billings have been made based on the correct amount approved by Council as part of the budget process. No one was over billed as a result of this error.

Recommendation/Action Requested and Justification

Approve an ordinance amending Chapter 21, "Fire Prevention and Protection," of the Code of Ordinances of the City of Garland.

Submitted By:

Raymond Knight
Fire Chief

Approved By:

William E. Dollar
City Manager

ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER 21 “FIRE PREVENTION AND PROTECTION” OF THE CODE OF ORDINANCES OF THE CITY OF GARLAND, TEXAS; PROVIDING A SAVINGS CLAUSE; A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

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

Section 1

That Section 21.26 of Chapter 21, “Fire Prevention and Protection,” of the Code of Ordinances of the City of Garland, Texas, is hereby amended to read as follows”

“Sec. 21.26 Emergency service provided by Fire Department.

(A) The Fire Department shall provide emergency ambulance service within the City. The Fire Department may provide for emergency ambulance service by using City ambulances, apparatus or equipment, or through an interlocal agreement with another governmental entity. In a catastrophe, the Fire Department may provide emergency ambulance service through the use of the ambulances, apparatus or equipment of another governmental entity, with or without an interlocal agreement, or through the use of private ambulance providers, as determined necessary by the Fire Chief.

(B) The following fees shall be charged for ambulance services provided by the City:

- (1) Basic life support transfer [BLS]: \$450.00 for residents, \$550.00 for non-residents, plus a mileage fee of \$10.00 per mile from the site of pick-up to the hospital.
- (2) Advanced life support transfer [ALS-1] involving two or fewer advanced life support measures: \$500.00 for residents, \$600.00 for non-residents, plus a mileage fee of \$12.00 per mile from the site of pick-up to the hospital.
- (3) Advanced life support transfer [ALS-2] involving three or more advanced life support measures: \$625.00 for residents, \$725.00 for non-residents, plus a mileage fee of \$12.00 per mile from the site of pick-up to the hospital.
- (4) All supplies used in connection with a transfer shall be charged at 125% of the City’s cost.

(C) The person receiving emergency ambulance service and any person contracting for the service shall be responsible for payment of the fee. A hospital requesting emergency ambulance service for the purpose of this article shall be considered the party responsible for payment of the fee. In case of service received by a minor, the parent or guardian shall be responsible for payment of the fee.”

Section 2

That Chapter 21 of the Code of Ordinances of the City of Garland, Texas, shall be and remain in full force and effect save and except as amended by this Ordinance.

Section 3

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

Section 4

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

PASSED AND APPROVED this the _____ day of _____, 2012.

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary



City Council Item Summary Sheet

Work Session

Date: July 17, 2012

Agenda Item

Appointment of a Mayor Pro Tem and Deputy Mayor Pro Tem

Summary of Request/Problem

Council is requested to appoint a Mayor Pro Tem from among its members. In accordance with City Council Policy OPNS-30, "Who Shall Act As Mayor," Council may also appoint a Deputy Mayor Pro Tem at its discretion.

Recommendation/Action Requested and Justification

Appoint a Mayor Pro Tem and, if Council so chooses, a Deputy Mayor Pro Tem from among its members.

Submitted By:

Approved By:

William E. Dollar
City Manager



Planning Report

File No. 12-32/District 4

Agenda Item:

Meeting: City Council

Date: July 17, 2012

Golden Chick

3330 Broadway Boulevard

REQUEST

Approval of a Specific Use Permit for Restaurant, Drive-Through on property zoned General Business (GB) District.

OWNER

Ebrahim Sami N & Khalil Ansis

PLAN COMMISSION RECOMMENDATION

On June 25, 2012 the Plan Commission, by a vote of seven (7) to zero (0), recommended approval of a Specific Use Permit for Restaurant, Drive-Through on property zoned General Business (GB) District.

STAFF RECOMMENDATION

Approval of a Specific Use Permit for Restaurant, Drive-Through tied to Golden Chick for 25 years. The applicant is proposing to operate a restaurant with a drive-through from a vacant building that was previously used as a restaurant and within an area that is characterized by commercial activity. Reoccupation and improvement of the building and site will have a positive impact on the surrounding area.

BACKGROUND

The subject property was developed in 1973 with a one-story building that is approximately 3,015 square feet. The building was previously occupied by a Schlotzsky's and a Braum's restaurant; however, the subject property is currently vacant and perceptibly deteriorated. The site presently contains a drive-through, a menu board sign and a freestanding sign structure in addition to the building.

SITE DATA

The subject property contains 0.5 acres with approximately 145 feet of frontage along Broadway Boulevard and 150 feet of frontage along Fairfield Drive. The subject property is located at the corner of Broadway Boulevard and Fairfield Drive; the site can be accessed from both streets.

USE OF PROPERTY UNDER CURRENT ZONING

The General Business (GB) District accommodates a variety of retail, service and business establishments which are not designed in a shopping center configuration but are generally located on individual, unrelated sites.

SURROUNDING ZONING AND LAND USES

- Northwest: Properties to the northwest from the subject property to Centerville Road are zoned General Business (GB) District and Shopping Center (SC) District with a Specific Use Permit for Commercial Type 2 Antenna. This area is dominated by two large vacant buildings that sit back off Broadway Boulevard and is developed with a variety of retail, office and restaurant uses.
- North: Properties to the north across Broadway Boulevard to Stonewall Street are zoned Office 1 (O-1) District and the area is developed with medical and general offices and a vacant bank building proposed to be occupied by Chicken Express.
- East: Properties to the east across Broadway Boulevard to Colonel Drive are zoned Shopping Center (SC) District with a Specific Use Permit for Reception Facility. The area is developed with a large multi-tenant shopping center and two multi-tenant pad buildings.
- Southeast: Properties to the southeast to Colonel Drive are zoned General Business (GB) District, Single Family Dwelling (SF-7) District, and Planned Development (PD) 84-12 for General Business Uses. The area is developed with an animal clinic, a vacant building formerly utilized as a fire station, and a multi-tenant commercial building.
- Southwest: The property to the southwest is zoned Single Family Dwelling (SF-7) District and is developed with South Garland High School.

COMPREHENSIVE PLAN

The Future Land Use Map of the Envision Garland Plan recommends Neighborhood Centers for the subject property. Neighborhood centers provide a mix of retail, services and community gathering places appropriately scaled to adjacent residential areas. This type of center is predominately, but not exclusively non-residential and typically serves a three mile radius trade area within a 5-10 minute drive time, and a population of 3,000 to 40,000. The proposed restaurant is consistent with the Envision Garland Plan recommendation.

CONSIDERATIONS

1. The subject site is a vacant property that is composed of a building, a drive-through with a menu board sign, a freestanding sign structure and a wood refuse container screening wall which all are in a state of disrepair. The applicant is proposing to renovate the building and drive-through, replace

the menu board sign and freestanding sign structure, and replace the wood refuse container screening wall with a masonry screening wall.

2. Signage: The applicant is proposing to install a new attached sign, a menu board sign, and a freestanding sign structure with two signs; one of the signs on the freestanding structure would be a programmable sign. The proposed signs are in compliance with the Sign Ordinance.
3. Parking: The applicant is proposing to restripe the parking area. The subject site is in compliance with section 10-200 of the Comprehensive Zoning Ordinance No. 4647 regarding the minimum parking requirement.
4. The applicant is requesting approval of the Specific Use Permit for a period of 25 years tied to **Golden Chick**.

COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

Golden Chick will occupy a building that is currently vacant and in poor condition. The applicant is proposing to renovate the subject property and operate a restaurant with a drive-through in an area that is mostly developed with multi-tenant shopping centers, restaurants, and medical/general offices. The renovation of the subject property will bring an aesthetic enhancement to the surrounding area while reutilizing a building that it is currently obsolete. The proposed restaurant with drive-through will not represent a more intense commercial activity than the one already present in the area. The proposed restaurant with drive-through is compatible with the surrounding uses which are located within an area that is characterized by commercial activity.

Prepared By:

Josue De La Vega
Development Planner

Date: July 5, 2012

Reviewed By:

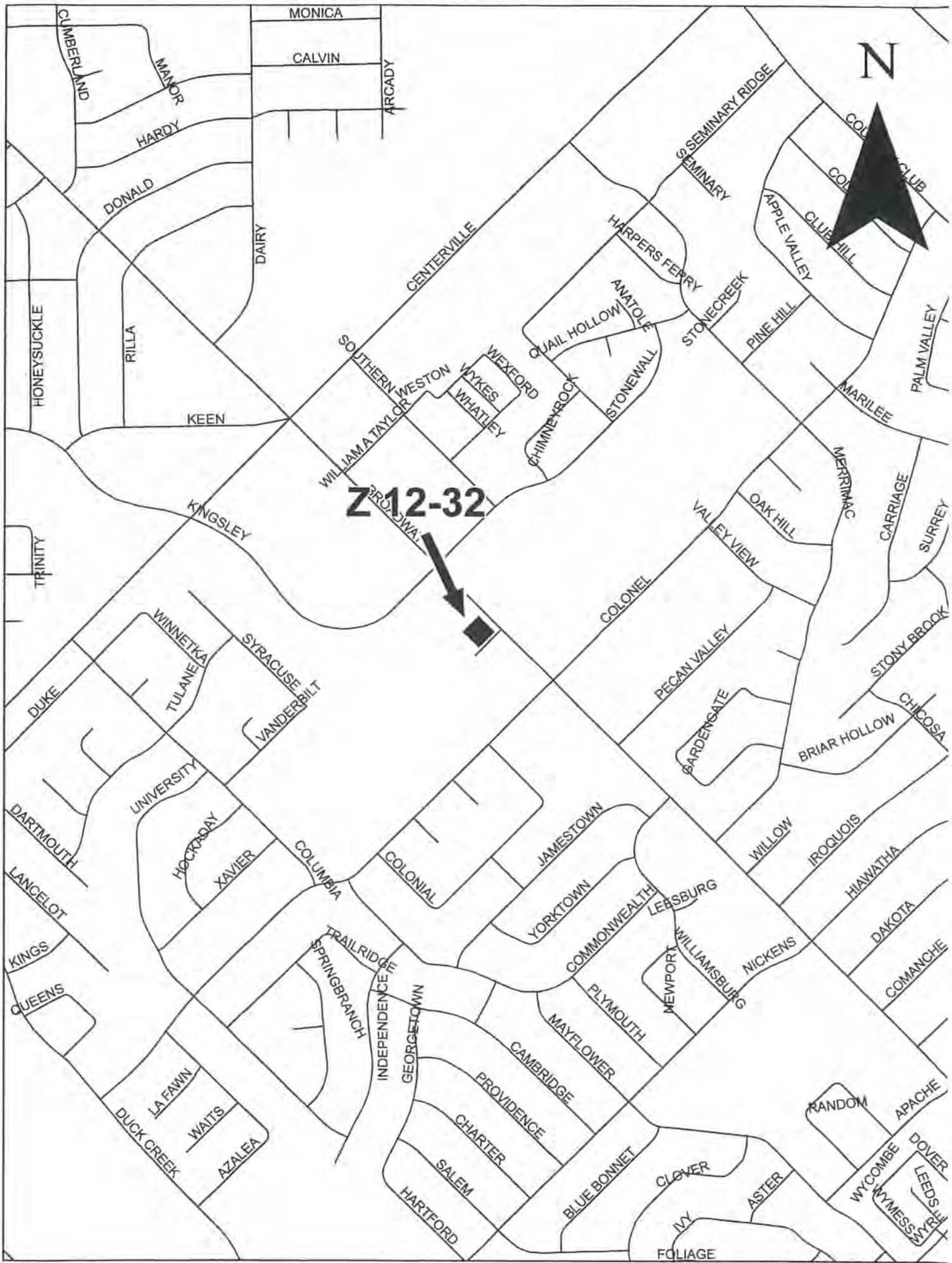
Neil Montgomery
Director of Planning

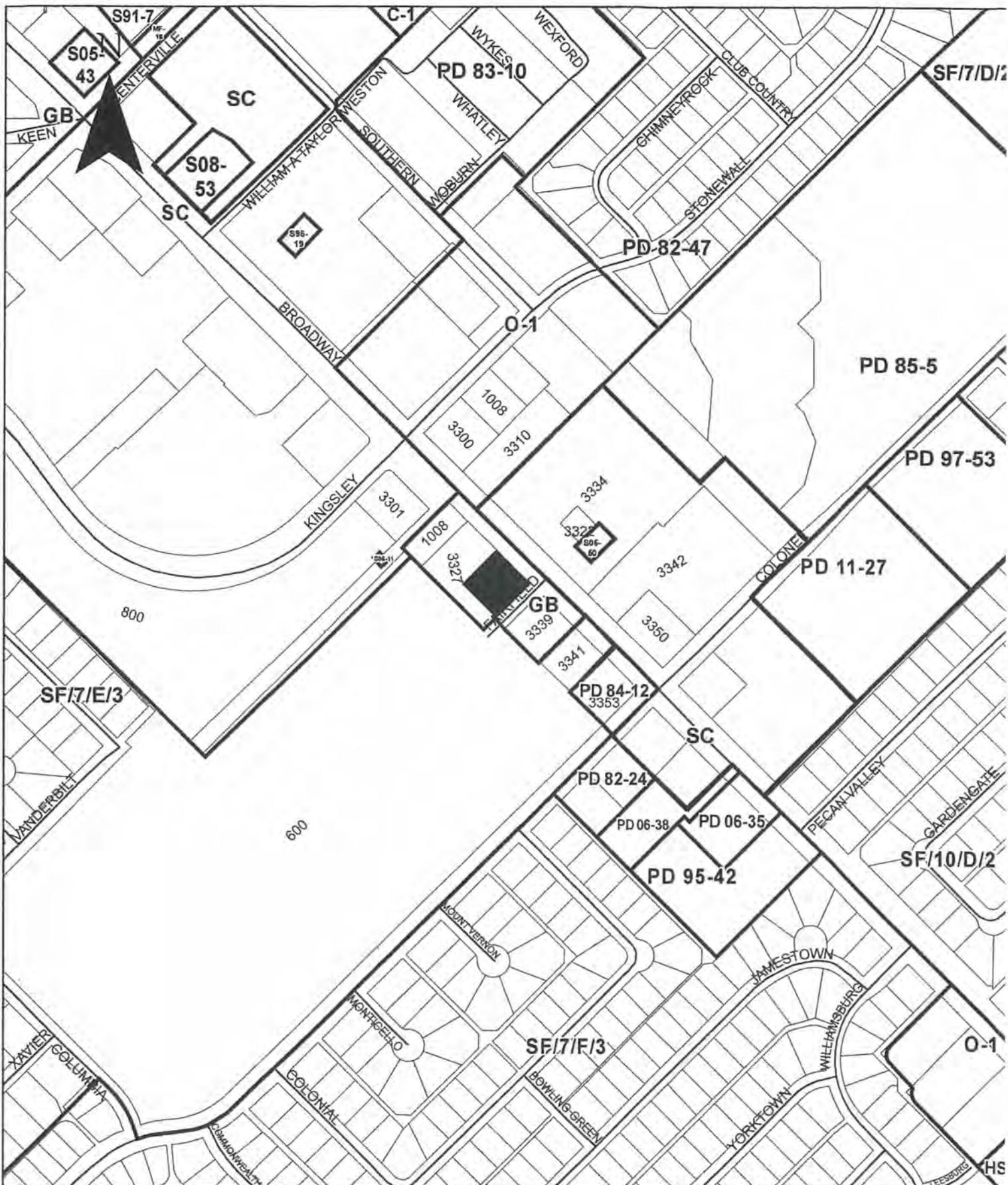
Date: July 6, 2012

Reviewed By:

William E. Dollar
City Manager

Date: July 10, 2012





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

■ INDICATES
 AREA OF REQUEST

ZONING
Z 12-32

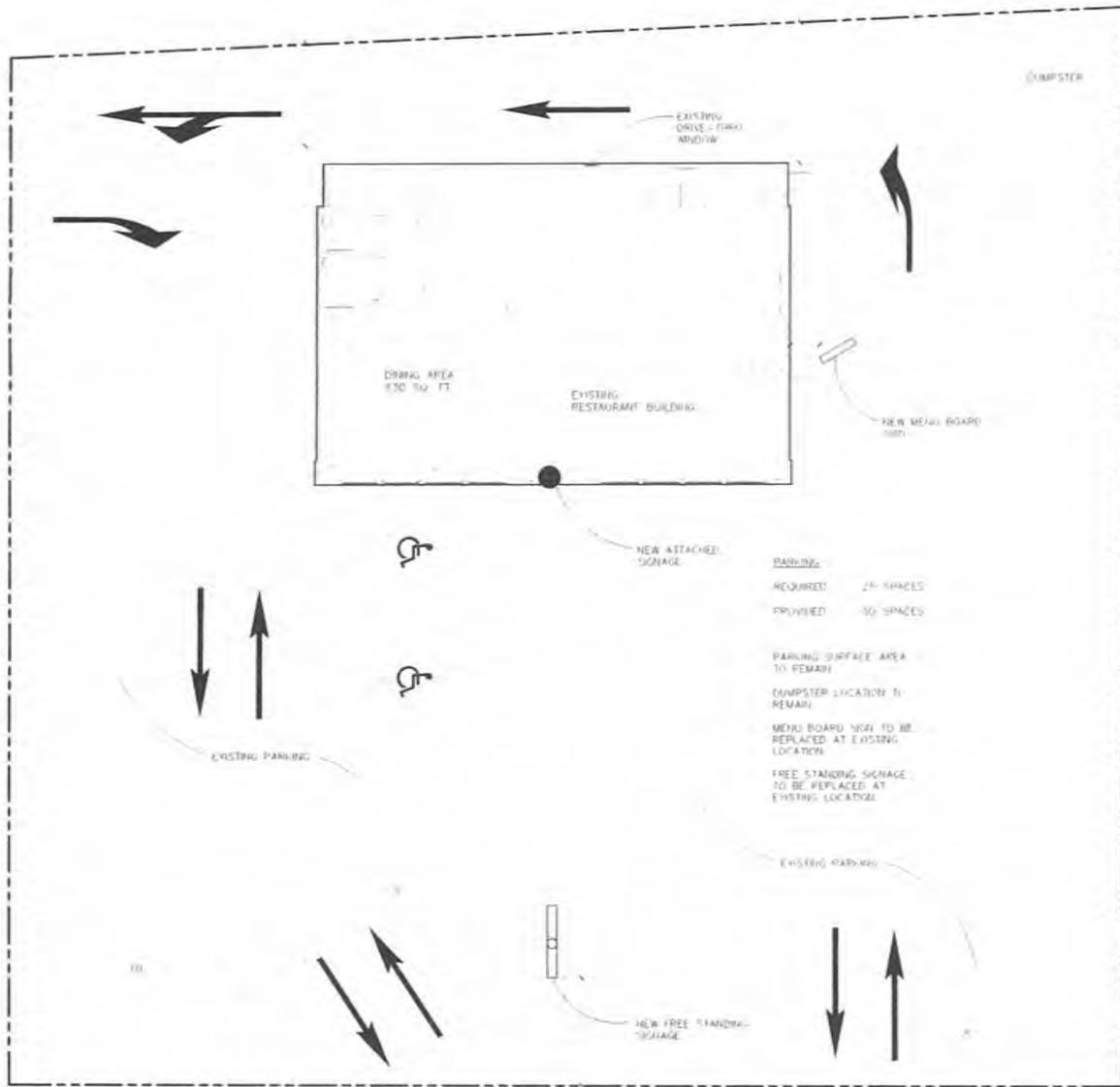
SPECIFIC USE PERMIT CONDITIONS

ZONING FILE 12-32

3330 Broadway Boulevard

- I. **Statement of Purpose:** The purpose of this Specific Use Permit is to allow for Restaurant, Drive-Through subject to conditions.
- II. **Statement of Effect:** This permit shall not affect any regulation found in the Comprehensive Zoning Ordinance, as amended, except as specifically provided herein.
- III. **General Regulations:** All regulations of the General Business (GB) District set forth in Section 25 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 25 year time period and tied to **Golden Chick**.
 - B. Site Plan: Subject property shall remain in conformance with the site plan labeled Exhibit C.
 - C. Signage: Signage shall be in compliance with the City of Garland Sign Ordinance. LED sign(s) shall not flash, change its illumination or copy, rotate, move or create an illusion of movement. LED sign(s) shall be in full compliance with Section 30.104 of Chapter 30, "Building Inspection", of the Code of Ordinances.

FAIRFIELD DRIVE



BROADWAY BLVD.

PARKING:
 REQUIRED: 25 SPACES
 PROVIDED: 30 SPACES

PARKING SURFACE AREA TO REMAIN

UMPSTER LOCATION TO REMAIN

MENU BOARD SIGN TO BE REPLACED AT EXISTING LOCATION

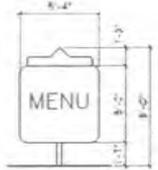
FREE STANDING SIGNAGE TO BE REPLACED AT EXISTING LOCATION

SITE PLAN
 1/12/12

NORTH



VICINITY MAP
 SCALE: NTS



MENU BOARD
 14'-2 5/8" FT



ATTACHED SIGN
 53'-2 5/8" FT



SIGNAGE
 1/12/12

REMODEL
 TO
**GOLDEN CHICK
 RESTAURANT**
 3330 BROADWAY BLVD.
 GARLAND
 TX.

JOB NO.	0525
DESIGNER	H. OMOROGE
CHECKED	

HoMoB
 Design Group

4525 Gus Thomason
 Mesquite, Texas 75150
 tel: (214) 607-2757
 omh



EXHIBIT C

05/25
REV.
REV.



AS-1

SHEET: 1 OF 1
 DATE: MAY 23, 2012

REPORT & MINUTES

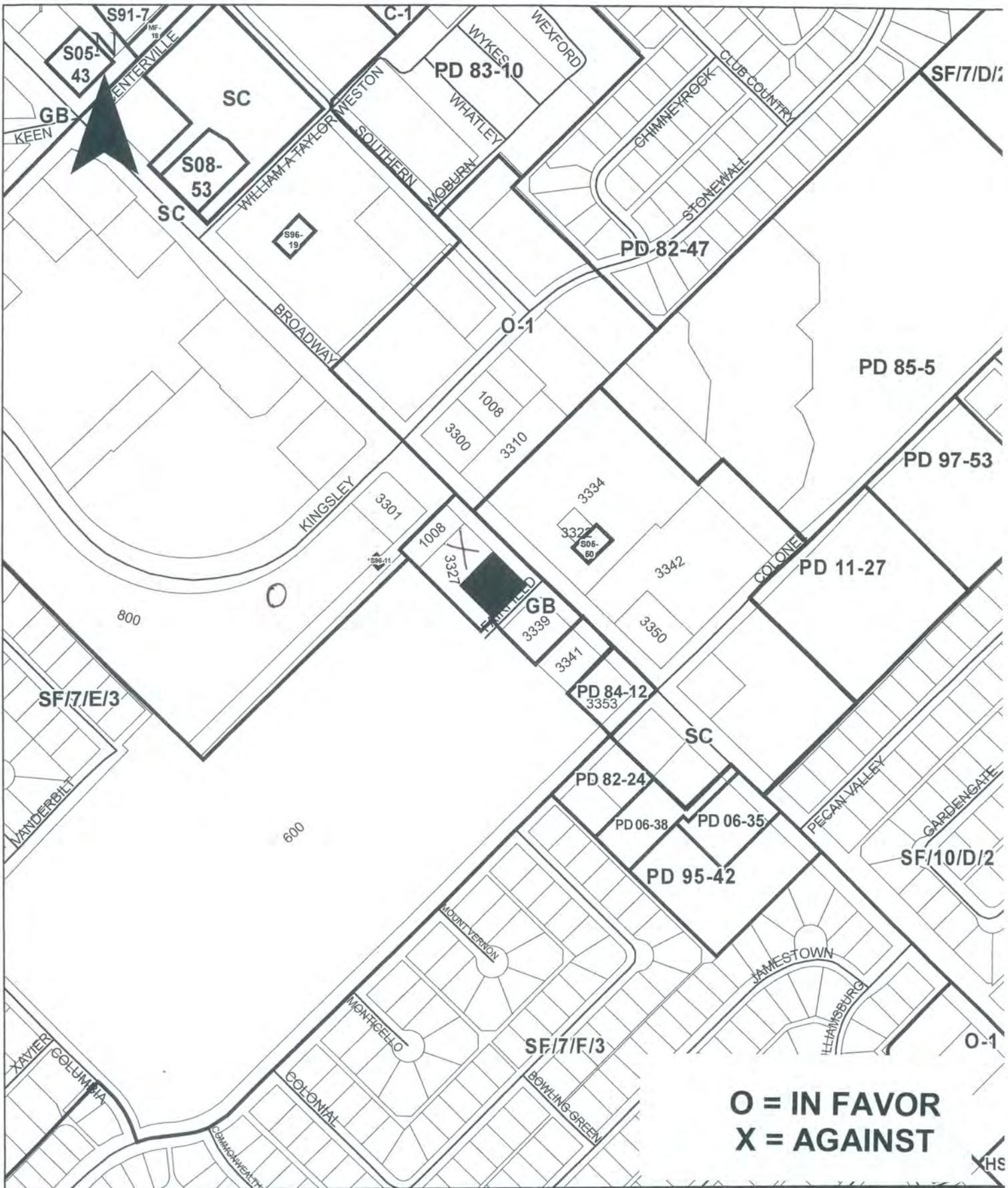
P.C. Meeting, June 25, 2012 (7 Members Present)

Consideration of the application of Golden Chick, requesting approval of a Specific Use Permit for Restaurant, Drive-Through on property zoned General Business (GB) District. The property is located at 3330 Broadway Boulevard. (File 12-32)

Joseph Omobogie, 4525 Gus Thomason, Mesquite, TX 75150 representing the applicant was available for questions.

The only question was regarding the hours of operation. They would be open 10 to 10, 7 days a week.

Motion was made by Commissioner O'Hara, seconded by Commissioner LeMay to **approve** the Specific Use Permit for a Restaurant with Drive Through for a period of 25 years tied to Golden Chick. **Motion carried: 7 Ayes, 0 Nays.**



O = IN FAVOR
 X = AGAINST

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

INDICATES
 AREA OF REQUEST

ZONING
Z 12-32



GARLAND

June 14, 2012

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

HEARING DATE/TIME: Plan Commission: June 25, 2012 – 7:00 PM

APPLICANT: Golden Chick/Joseph Omobogle

File Z 12-32

RECEIVED
JUN 20 2012

BY:

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 25, 2012, in the Council Chambers of City Hall, 200 North Fifth Street, to consider the application of **Golden Chick/Joseph Omobogle** requesting approval of a Specific Use Permit for Restaurant, Drive-Through on property zoned General Business (GB) District. The property is shown on the enclosed sketch and is described as follows:

Being an approximate 0.5-acre parcel shown as Lot 1 Block A of Braum Addition No.1, an addition to the City of Garland. The property is located at 3330 Broadway Blvd. (District 4).

Note: The applicant requests approval of a Specific Use Permit to operate a restaurant with a drive-through on a site that is developed with a single-tenant building.

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

(Please Check One Below)

I am in favor of the request.

I am opposed to the request.

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

Declining Property Value, Too Many fast food establishments
IN the AREA Already.

(Please complete the following information)

Your Property Address

Sonic Drive-In

Printed Name

3327 Broadway Blvd. Garland, TX 75043

Address

City, State

Zip

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

UBA
Signature Title

Date: 6/22/12



GARLAND

June 14, 2012

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

HEARING DATE/TIME: Plan Commission: June 25, 2012 – 7:00 PM

APPLICANT: Golden Chick/Joseph Omobogie

File Z 12-32

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 25, 2012, in the Council Chambers of City Hall, 200 North Fifth Street, to consider the application of **Golden Chick/Joseph Omobogie** requesting approval of a Specific Use Permit for Restaurant, Drive-Through on property zoned General Business (GB) District. The property is shown on the enclosed sketch and is described as follows:

Being an approximate 0.5-acre parcel shown as Lot 1 Block A of Braum Addition No.1, an addition to the City of Garland. The property is located at 3330 Broadway Blvd. (District 4).

Note: The applicant requests approval of a Specific Use Permit to operate a restaurant with a drive-through on a site that is developed with a single-tenant building.

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

(Please Check One Below)

I am in favor of the request.

I am opposed to the request.

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

(Please complete the following information)

Your Property Address

Pitman Partners, LTD (800 E Kingsley)
Printed Name
8235 Douglas Ave. #1300 DALLAS, TX 75225
Address City, State Zip

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

[Signature] Vice-President
Signature Title

Date: 6-18-2012



City Council Item Summary Sheet

Work Session

Agenda Item

Date: July 17, 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
GARLAND YOUTH COUNCIL

Application 2012-2013

Name: Morgan Manning

Address: 1837 Caldwell Dr.

City Council District: 5 Home Phone: 972-771-0163

Cell Phone: 972-989-6573

Parent/Guardian Cell Phone: 817-223-3226

Email: Morgan.n.manning@gmail.com

Parent/Guardian Email: smann51@verizon.net

Grade level in 2011-12 school year: 9 School: North Garland HS

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?

Band, MST program, student council

How did you hear about the Garland Youth Council?

from Grandmother

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?

see next page

D-1
apptee



GARLAND
GARLAND YOUTH COUNCIL

Application 2012-2013

Name: Lauren Purser
 Address: 1418 Quail Crest Drive, Garland, TX 75040
 City Council District: 2 Home Phone: 214-500-7665
 Cell Phone: 214-558-8774
 Parent/Guardian Cell Phone: 214-500-7665
 Email: ~~marie~~
 Parent/Guardian Email: mariepurser8@aol.com
 Grade level in 2011-12 school year: 10 School: GHS

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

9,10 rep

In what activities/organizations do you participate in school, church or in the community?
 • PTSA GHS • Good Samaritans - FB • Habitat Greater Garland
 • Robotics GHS • PAE Orchestra • Reflections PTA Program
 - PR leader

How did you hear about the Garland Youth Council?

- mother

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

I like volunteering to help people
& making a difference

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

Bullying.

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

The number of school choices
to choose from & variety of
classes

District 2
Current Appointee



GARLAND
GARLAND YOUTH COUNCIL

Application 2012-2013

Name: Stephanie Samuel

Address: 1209 Goldenrod Dr

City Council District: 2 Home Phone: 214-854-7676

Cell Phone: 214-681-2618

Parent/Guardian Cell Phone: 214-854-7676

Email: stephaniesamuel7@hotmail.com

Parent/Guardian Email: shonums@yahoo.com

Grade level in 2011-12 school year: 11 School: Garland HS

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?
I am VP of Latin Club, member of HOSA and NHS that do community service projects

How did you hear about the Garland Youth Council?

From a friend

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

To help and improve the community for the better in order to make a positive impact in my city.

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

Texting while driving & keeping away from drugs

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

• Rec centers provide children a healthy way to keep fit & healthy.
• Every summer the city of Garland nutritious meals through the Summer Nutrition Program, which I'm proud to have been a volunteer at.

District 2
Current Appointee



GARLAND
GARLAND YOUTH COUNCIL

Application 2012-2013

Name: Diego J. Valdesramma

Address: 1033 E. Centerville Rd. Apt #405

City Council District: Garland Home Phone: 972-762-4862

Cell Phone: 214-516-8624

Parent/Guardian Cell Phone: 409-298-0149

Email: djstelcers@live.com

Parent/Guardian Email: adrianainescar@hotmail.com

Grade level in 2011-12 school year: Junior School: South Garland

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?

I'm in football and HyO.

How did you hear about the Garland Youth Council?

From the mayor

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

To make our youth voice be heard.

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

The violence and drugs.

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

school has influence kids to stop and think of their future.