



GARLAND

AGENDA

REGULAR MEETING OF THE CITY COUNCIL

City of Garland
Council Chambers, City Hall
William E. Dollar Municipal Building
200 North Fifth Street
Garland, Texas
Tuesday, November 16, 2021
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 meeting will be broadcast by webinar or telephone at the following URL:

https://garlandtx.zoom.us/webinar/register/WN_4Ph1YFbeTk2V4kKgHMqbpw

Registration for the online meeting is required. The meeting will be recorded and will be available for viewing the next day at www.garlandtx.gov.

For those without internet access to the meeting, a dial-in option is available. The numbers are:

Additionally, the meeting may be accessed by phone at the following number:

346-248-7799
470-250-9358
470-381-2552

The Meeting ID is: 844 5364 4372

Garland City Hall and Council Chambers is wheelchair accessible. Special parking is available on the east side of City Hall and on Austin & State Street west of City Hall. Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services must contact the City Secretary's Office at (972) 205-2404 at least two working days prior to the meeting so that appropriate arrangements can be made. BRAILLE IS NOT AVAILABLE.



LEGISLATIVE PRAYER AND PLEDGE OF ALLEGIANCE

It is the custom and tradition of the members of the City Council to have an invocation and recital of the Pledge of Allegiance prior to the beginning of the meeting. Members of the audience are invited to participate. However, members of the audience are not required to participate. The decision to participate is strictly a matter of personal choice and has no bearing on matters to be considered by the City Council and will not affect the decisions to be made during the meeting.

MAYORAL PROCLAMATIONS, RECOGNITIONS AND ANNOUNCEMENTS

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

CONSENT AGENDA

All items under this section are recommended for approval by a single motion of Council, without discussion. Council has had the opportunity to review each of 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 November 9, 2021, Regular Meeting.
2. Consider approval of the following bids:
 - a. Construction Equipment Bid No. 0116-22

RDO Equipment Company \$142,725.00

This request is for the replacement purchase of a Backhoe Loader with hydraulic hammer and a new purchase of a small Excavator with standard canopy to be utilized by the Water Department.

b. Skid Steer Loader and Motor Grader **Bid No. 0119-22**

Caterpillar, Inc. \$433,757.00

This request is for the replacement purchase of a Motor Grader to be utilized by the Street Department and a new purchase of a Skid Steer Loader to be utilized by the Water Department.

c. Sewer Surveillance Van **Bid No. 0117-22**

Grande Truck Center \$253,407.00

This request is for a replacement purchase of a Sewer Surveillance Van to be utilized by the Wastewater Department.

d. Fuel and Lube Truck for Hinton Landfill **Bid No. 0118-22**

Lonestar Freightliner Group, LLC \$282,204.00

This request is for the replacement purchase of a Fuel and Lube Truck to be utilized by the Hinton Landfill.

e. Sewer Jet Truck **Bid No. 0120-22**

Grapevine Dodge Chrysler Jeep, LLC \$56,659.00
Texas Underground, Inc. 91,277.05
TOTAL: \$147,936.05

This request is for the replacement purchase of a Sewer Jet Truck to be utilized by the Wastewater Department.

f. Replacement Vans **Bid No. 0124-22**

Caldwell Country Ford \$115,020.00

This request is for the replacement purchase of three Vans to be utilized by the Police, Facilities Management and Wastewater Departments.

g. Simunitions Training Facility Design Services **Bid No. 0126-22**

Brinkley Sargent Wiginton Architects **\$201,000.00**

This request is to obtain professional services for the architectural and engineering design for the renovation of the existing Garland Evidence Building to repurpose the facility for use as a Simunitions/Reality-Based Training facility.

h. Satellite Imagery Analysis for Underground Water Leaks **Bid No. 0094-22**

Utilis, Inc. **\$143,000.00**

This request is to provide two project deliveries of satellite imagery of points of interest for suspected water leaks in our water distribution system, including a detailed map model of potential pipe deficiencies.

i. Sundown Lane and Rollingwood Commons Water and Wastewater Improvements **Bid No. 0130-22**

Grantham & Associates, Inc. **\$159,855.00**

This request is to obtain Engineering and Surveying services associated with replacement of water and wastewater lines.

j. Range Improvements Design Services **Bid No. 0125-22**

Brinkley Sargent Wiginton Architects **\$233,000.00**

This request is to obtain professional services for the architectural and engineering design for enhancements to the existing Garland Police Range.

k. Spencer 4 Cooling Tower Repair **Bid No. 0671-21**

Master Tech Services, Inc. **\$310,634.00**

This request is to approve a Change Order for the Spencer Plant Unit 4 cooling tower repairs.

I. Replacement Vehicles **Bid No. 0132-22**

Silsbee Ford, Inc. **\$630,498.00**

This request is for the replacement purchase of twenty vehicles to be utilized by various City departments.

m. Construction Material Testing for Bobtown Road, Waterhouse Boulevard and South Country Club Improvements **Bid No. 0909-20**

TSIT Engineering and Consultants, LLC **\$25,220.00**

This request is to approve a Change Order to provide additional Construction Material Testing (CMT) services for the Bobtown Road, Waterhouse Boulevard and South Country Club Improvements project.

n. Technical Consulting Services **Bid No. 0133-22**

Principle Services, LLC **\$700,000.00**

This request is to obtain project management, contractor oversight, construction management, cost tracking, scheduling & procurement assistance and communications coordination with other utilities and contractors related to transmission and substation infrastructures and construction activities. This approval is for a Term Agreement with two optional renewals.

3. Consider a resolution declaring that the purposes of the Decommissioning Reserve Account under the Joint Operating Agreement between the Texas Municipal Power Agency ("Agency") and the cities of Bryan, Denton, Garland and Greenville (The "Member Cities") have been accomplished and approving a reduction of the required account balance of the Decommissioning Reserve Account.

At the November 8, 2021 Work Session, Council considered approving a resolution reducing the TMPA Decommissioning Reserve Account to \$0.00 which will allow for proceeds from the sale of the Gibbons Creek Lignite Mine lands to be dispersed to the Member Cities, rather than deposited into the Account.

4. **Consider a resolution accepting a Texas Department of Transportation (TxDOT) Selective Traffic Enforcement Program (STEP) Impaired Driving Mobilization (IDM) Grant in the amount of \$15,057.00; and providing an effective date.**

At the November 8, 2021 Work Session, Council considered accepting a Texas Department of Transportation (TxDOT) Selective Traffic Enforcement Program (STEP) - Impaired Driving Mobilization (IDM) Grant in the amount of \$15,057.00.

5. **Consider a resolution authorizing the City Manager to execute a Project Specific Agreement with Dallas County for transportation improvements to the Duck Creek Central Trail - Segment 2 MCIP Project from Briarwood Drive to the southern limits of Duck Creek Central Trail - Segment 1 at the north side of the Jack Coleman Tennis Complex in Rick Oden Park (Project 12001), within the City of Galand, Dallas County and providing an effective date.**

At the November 8, 2021 Work Session, Council considered whether to enter into a Project Supplemental Agreement (PSA) with Dallas County for the design and construction of the Duck Creek Central Trail - Segment 2.

6. **Consider by minute action the approval of one purchase agreement negotiated to date with the property owner in the amount of \$112,585.**

Council has been briefed on previous occasions of the plans for the Bottlenecks Improvements Program. The program will widen improvements and provide additional turn bays to relieve bottlenecks at 12 major intersections throughout the city and alleviate road congestion. The program requires the acquisition of easements and right-of-way (only "strips and clips" are needed for the program). One purchase agreement has been successfully negotiated with a property owner for the acquisition of land needed to move forward with the Buckingham/Plano intersection/project within the program.

7. **Council is requested to consider by minute action the approval of one purchase agreement negotiated to date with the property owner in the amount of \$121,063.**

Council has been briefed on previous occasions of the plans for Naaman School Road (from Brand to S.H. 78 / Lavon Drive). It is currently a two-lane asphalt street and is being reconstructed to a four-lane divided roadway with curbs. This requires additional land/right-of-way and staff has been working with consultants to acquire the necessary property. One additional purchase agreement has been successfully negotiated with a property owner for the acquisition of land needed to move forward with the project.

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 are located at the entrance to the Council Chambers). The Mayor will recognize speakers; he may impose a time limit and may provide for rebuttal. All comments and testimony are to be presented from the podium.

8. Consider a resolution of the City of Garland, Texas finding and determining that the public necessity and convenience require the acquisition of various property rights located along Naaman School Road, east of Brand Road and west of State Highway 78, in the city of Garland, Texas, situated in the Mid-Crossing addition, in the City of Garland, county of Dallas, Texas, said property interests being more particularly described below; providing authorizations to acquire such property rights by purchase or condemnation and making certain findings pertaining thereto; providing further authorizations as may be necessary to carry out the purposes of this resolution; and providing an effective date.

The City has been able to negotiate with property owners of whole-takes in the project area to acquire the necessary property interests. The City has also been able to negotiate with some of the strips and clips owners in the area, as well, to acquire the necessary property interests. However, the City has not been able to successfully negotiate a final purchase price with one strips and clips property owner. The owner is named in the proposed resolution. State law requires particular wording to be used in a motion to adopt a resolution authorizing the initiation of condemnation proceedings. The City Attorney will provide in written form the appropriate wording of the motion. Council was briefed on requirements for land acquisition on the Naaman School Road project on April 5, 2021 and on February 1, 2021, respectively, in Executive Session.

9. Consider a resolution of the City of Garland, Texas finding and determining that the public necessity and convenience require the acquisition of various property rights located at the intersection of Buckingham and Plano, in the cities of Richardson and Garland, Texas, situated in the town north park no. 1 addition, in the City of Richardson, County of Dallas, Texas, said property interests being more particularly described below; providing authorizations to acquire such property rights by purchase or condemnation and making certain findings pertaining thereto; providing further authorizations as may be necessary to carry out the purposes of this resolution; and providing an effective date.

Council is requested to approve a resolution authorizing the acquisition of the property rights described in the proposed resolution. The City has been able to negotiate with a number of property owners in the program/project area to acquire

the necessary property interests. However, the City has not been able to successfully negotiate a final purchase price with one property owner. The owner is named in the proposed resolution. State law requires particular wording to be used in a motion to adopt a resolution authorizing the initiation of condemnation proceedings. Council was briefed on requirements for land acquisition on the Bottleneck Improvements Program on February 1, 2021, in Executive Session.

10. Hold public hearings on:

- a. Consider a Zoning request by Millennium Village, L.P. / Masterplan to construct 184 multi-family dwelling units and 15 “townhouse style” multi-family units. This property is located at 1602 Belt Line Road in District 7.**

Consideration of the application of Millennium Village, LP. / Masterplan, requesting approval of a Change in Zoning from Planned Development (PD) District 85-20 for Community Retail Uses to a Planned Development (PD) District for Multi-Family Use. This property is located at 1602 Belt Line Road. (File Z 21-29, District 7)

- b. Consider a Detail Plan request by Millennium Village, L.P. / Masterplan to construct 184 multi-family dwelling units and 15 “townhouse style” multi-family units. This property is located at 1602 Belt Line Road in District 7.**

Consideration of the application of Millennium Village, LP. / Masterplan, requesting approval of a Detail Plan for Multi-Family development. This property is located at 1602 Belt Line Road. (File Z 21-29, District 7)

- c. Consider a Specific Use Provision request by Westfall Engineering, PLLC to construct a restaurant/coffee shop with a drive-through. This property is located at 5300 North Garland Avenue in District 1.**

Consideration of the application of Westfall Engineering, PLLC, requesting approval of a Specific Use Provision for a Restaurant, Drive-Through on a property zoned Planned Development (PD) District 13-02. This property is located at 5300 North Garland Avenue. (File Z 21-34, District 1)

- d. Consider a Detail Plan request by Westfall Engineering, PLLC to construct a restaurant/coffee shop with a drive-through. This property is located at 5300 North Garland Avenue in District 1.**

Consideration of the application of Westfall Engineering, PLLC, requesting approval of a Detail Plan for a Restaurant, Drive-Through. This property is located at 5300 North Garland Avenue. (File Z 21-34, District 1)

- e. **Consider a Zoning request by Mousa Abudaabes, Plato's Closet Store to operate a used goods retail store in an existing tenant space. This property is located at 4430 Lavon Drive, Suite 374 in District 1.**

Consideration of the application of Mousa Abudaabes, Plato's Closet Store, requesting approval of an amendment to Planned Development (PD) District 04-54 to allow a Used Goods, Retail Sales (Indoors) Use. This property is located at 4430 Lavon Drive, Suite 374. (File Z 21-40, District 1)

- f. **Consider a Specific Use Provision request by Mousa Abudaabes, Plato's Closet Store to operate a used goods retail store in an existing tenant space. This property is located at 4430 Lavon Drive, Suite 374 in District 1.**

Consideration of the application of Mousa Abudaabes, Plato's Closet Store, requesting approval of a Specific Use Provision to allow a Used Goods, Retail Sales (Indoors) Use. This property is located at 4430 Lavon Drive, Suite 374. (File Z 21-40, District 1)

- g. **Consider a Detail Plan request by Mousa Abudaabes, Plato's Closet Store to operate a used goods retail store in an existing tenant space. This property is located at 4430 Lavon Drive, Suite 374 in District 1.**

Consideration of the application of Mousa Abudaabes, Plato's Closet Store, requesting approval of a Detail Plan to allow a Used Goods, Retail Sales (Indoors) Use. This property is located at 4430 Lavon Drive, Suite 374. (File Z 21-40, District 1)

11. 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.

Deputy Mayor Pro Tem B.J. Williams

- Sal Liberto - Senior Citizens Advisory Board

12. 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.

13. Adjourn.

All Regular Council meetings are broadcast live on CGTV, Time Warner Cable Channel 16, and Frontier 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.



**GARLAND
CITY COUNCIL ITEM SUMMARY SHEET**

City Council Regular Session Agenda

1.

Meeting Date: 11/16/2021

Item Title: Minutes November 9

Submitted By: Rene Dowl, City Secretary

Summary of Request/Problem

Consider approval of the minutes of the November 9, 2021 Regular Meeting.

Recommendation/Action Requested and Justification

Attachments

Minutes November 9



GARLAND

MINUTES

The City Council of the City of Garland convened in regular session at 7 p.m. on Tuesday, November 9, 2021, in the Council Chambers at the William E. Dollar Municipal Building, 200 North Fifth Street, Garland, Texas, with the following members present:

Present: Mayor Scott LeMay
Mayor Pro Tem Dylan Hedrick
Deputy Mayor Pro Tem B. J. Williams
Council Member Jeff Bass
Council Member Deborah Morris
Council Member Ed Moore
Council Member Rich Aubin
Council Member Robert Vera
Council Member Robert John Smith

Staff Present: City Manager Bryan Bradford
Deputy City Manager Mitch Bates
Assistant City Manager Judson Rex
Interim City Attorney Brian England
City Secretary Eloyce René Dowl

LEGISLATIVE PRAYER AND PLEDGE OF ALLEGIANCE

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MAYORAL PROCLAMATIONS, RECOGNITIONS AND ANNOUNCEMENTS

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

Amy Dunphy, Community Outreach Coordinator, Animal Services, presented The Pet of The Month.

Mayor LeMay read a proclamation into the record proclaiming Saturday, November 27, 2021, as Small Business Saturday in Garland, Texas.

CONSENT AGENDA

All items under this section are recommended for approval by a single motion of Council, without discussion. Council has had the opportunity to review each of 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.

Motion was made by Council Member Aubin to approve the Consent Agenda, excluding Items 7 and 8, which were pulled by Council Member Aubin for individual consideration, seconded by Council Member Vera. Motion Carried:

Vote: 9 ayes, 0 nays

1. **APPROVED** Consider approval of the minutes of the October 19, 2021, Regular Meeting.
2. Consider approval of the following bids:
 - a. **APPROVED** Field Knoll Paving, Water, Wastewater and Drainage Improvements Bid No. 1232-21

KIK Underground, LLC \$1,742,362.25

This request is for the reconstruction of Field Knoll Drive between Clover Valley Drive and the southern end of Field Knoll Drive (1,200 feet) along with a portion of the alley between Field Knoll Drive and Fair Cove Circle (530 feet).

b. APPROVED Baseball Field Improvements at Various Parks Bid No. 1181-21

DuraEdge Products, Inc. \$159,458.00

This request is to improve the infields at multiple baseball fields using a Field Saver amendment procedure and product designed to combine with existing infield skin material to correct soil imbalances.

c. APPROVED Engineering Services for Rowlett Creek Wastewater Treatment Plant's Transfer Station Backup Generator Project Bid No. 0035-22

Gupta & Associates, Inc. \$387,535.75
Optional Contingency 46,500.00
TOTAL: \$434,035.75

This request is to provide Professional Engineering Services for the design and installation of a backup generator for the Rowlett Creek Wastewater Treatment Plant's Transfer Station. An Optional Contingency is included for any additional services that may be required.

d. APPROVED Engineering Services for Jupiter and Walnut Retail Area Utility Improvements Bid No. 0036-22

Kimley-Horn and Associates, Inc. \$231,000.00

This request is to provide Professional Engineering Services for the design of water and wastewater mains, including repaving a portion of Lakewood Drive adjacent to the retail development.

e. APPROVED GP&L College to Brand Transmission Line Underbuild Reconstruction Surveying and Engineering Services Bid No. 0586-21

R-Delta \$296,400.00

This request is to obtain surveying, electrical, civil and structural engineering services for the reconstruction of the GP&L College Road to Brand Road Transmission Line underbuild.

f. APPROVED GP&L Overhead Distribution Relocation Materials Bottleneck Intersection 10 Bid No. 1336-21

Techline, Inc.

\$237,636.43

This request is for the purchase of fourteen steel poles and associated materials for the relocation of overhead distribution facilities at Forest Lane and Jupiter Road.

g. APPROVED Rowlett Creek Wastewater Treatment Plant Maintenance Building

Bid No. 1258-21

Gracon Construction, Inc.

\$2,374,000.00

Optional Contingency

189,000.00

TOTAL:

\$2,563,000.00

This request is to provide construction services for the rehabilitation of the Gravity Belt Press Filter Room into a new maintenance building at the Rowlett Creek Wastewater Treatment Plant. An Optional Contingency is included for any additional work that may be required.

h. APPROVED Avaya Telephone Support

Bid No. 0086-22

Black Box Network Services

\$191,357.89

This request is to provide support and maintenance for the City's telecommunications system and associated technology.

i. APPROVED Landscaping Services

Bid No. 0890-18

Green2B Landscape Management

\$1,476.00

This request is to approve a Change Order for landscaping services at Firewheel Golf Park.

j. APPROVED Body-Worn Cameras Contract Extension

Bid No. 5585-15

Axon Enterprise, Inc.

\$155,439.16

This request is to approve a Change Order to extend our current body-worn cameras and in-fleet cameras contract through October 15, 2022.

k. APPROVED Infinity CIS Project Management Extension

Bid No. 1076-21

Westin Technology Solutions

\$31,180.00

This request is to approve a Change Order for the Customer Information System (CIS) Project Management Services.

**I. APPROVED Annual Software Maintenance for GP&L
Computer Systems**

Bid No. 0107-22

SHI Government Solutions

\$289,128.14

This request is for the renewal of annual maintenance and support for Microsoft EA, backup application, anti-virus and other security and malware applications, data replication application, monitoring and reporting applications and mail archiving applications on GP&L systems.

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. APPROVED Zoning File No. Z 20-14, Masterplan (District 8)

Ordinance No. 7267 amending the Garland Development Code of the City of Garland, Texas, by approving a Specific Use Provision for a Truck/Bus Storage Use on a 6.5475-acre tract of land zoned Industrial (IN) District and located at 1674 and 1702 North First Street; providing for conditions, restrictions, and regulations; providing a penalty under the provisions of Sec. 10.05 of the Code of Ordinances of the City of Garland, Texas; providing a Notice of Conditions of Compliance Clause; a Savings Clause and a Severability Clause; and providing an effective date.

b. APPROVED Zoning File No. Z 21-28, Geral DeWitt (District 8)

Ordinance No. 7268 amending the Garland Development Code of the City of Garland, Texas, by approving a Specific Use Provision for Automobile Sales, New or Used on a 0.36-acre tract of land zoned Industrial (IN) District and located at 925 Lavon Drive; providing for conditions, restrictions, and regulations; providing a penalty under the provisions of Sec. 10.05 of the Code of Ordinances of the City of Garland, Texas; providing a Notice of Conditions of Compliance Clause; a Savings Clause and a Severability Clause; and providing an effective date.

c. APPROVED Zoning File No. Z 21-33, R-Delta Engineers, Inc. (District 1)

Ordinance No. 7269 amending the Garland Development Code of the City of Garland, Texas, by approving a Specific Use Provision for an Electric Substation on a 3.737-acre tract of land zoned Agricultural (AG) District and located at 2900 and 3180 Elm Grove Road; providing for conditions, restrictions, and regulations; providing a penalty under the provisions of Sec. 10.05 of the Code of Ordinances of the City of Garland, Texas; providing a Notice of Conditions of Compliance Clause; a Savings Clause and a Severability Clause; and providing an effective date.

d. APPROVED Zoning File No. Z 21-35, Amar Patel (District 5)

Ordinance No. 7270 amending the Garland Development Code of the City of Garland, Texas, by approving a Specific Use Provision for a Hotel/Motel, Limited Services Use on a 1.0923-acre tract of land zoned Industrial (IN) District and located at 3645 Leon Road; providing for conditions, restrictions, and regulations; providing a penalty under the provisions of Sec. 10.05 of the Code of Ordinances of the City of Garland, Texas; providing a Notice of Conditions of Compliance Clause; a Savings Clause and a Severability Clause; and providing an effective date.

4. APPROVED Minute action approving the use of narcotic seizure funds for Police lightweight hard armor rifle plates.

At the October 18, 2021, Work Session, Council considered authorizing the use of narcotic seizure funds for Police lightweight hard armor rifle plates.

5. APPROVED Ordinance No. 7271 approving a schedule for meetings of the City Council to be held in Calendar Year 2022; and providing an effective date.

At the October 12, 2021 and October 19, 2021 Work Sessions, Council considered the meeting dates for the 2022 calendar year.

6. APPROVED Resolution No. 10509 of the City Council of the City of Garland, Texas authorizing the City Manager to execute a development agreement between the City of Garland and The Draper Garland, LLC ("Developer") for the development of a certain 4.646 acre tract of land located on South Garland Avenue and Rodando Drive, between Wilson Street and Avenue B, pursuant to Planned Development Ordinance No. 7209; and providing an effective date.

At the October 18, 2021 Work Session, Council considered authorizing the City Manager to execute a development agreement between the City of Garland and The Draper Garland, LLC for the development of a certain 4.646 acre tract of land located on South Garland Avenue and Rodando Drive, between Wilson Street and Avenue B, pursuant to Planned Development Ordinance No. 7209.

ITEMS FOR INDIVIDUAL CONSIDERATION

Speaker Regulations:

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7. **APPROVED Resolution No. 10510** naming the Garland Municipal Court Building, located at 1791 W. Avenue B, as the "Brad Neighbor Municipal Court Building;" and providing an effective date.

At the November 8, 2021, Work Session, Council considered approving the renaming of the Garland Municipal Court Building to the "Brad Neighbor Municipal Court Building."

Council Member Aubin and Deputy Mayor Pro Tem Williams expressed their professional and personal appreciation to Brad Neighbor for his years of service to the City of Garland.

Motion was made by Council Member Aubin to approve the resolution naming the Garland Municipal Court Building, as the "Brad Neighbor Municipal Court Building," seconded by Council Member Morris. Motion carried:

Vote: 9 ayes, 0 nays

8. **APPROVED Ordinance No. 7272** amending Chapter 10, "Administration," of the Code of Ordinances of the City of Garland, Texas relating to Council District boundaries; providing a Savings Clause, and a Severability Clause; and providing an effective date.

During the October 18, 2021 Work Session, Council directed staff to bring forward the redistricting ordinance based on the "Option B" map presented. An ordinance is drafted accordingly.

Council Member opined on the reasons for Council to consider "Option A" as the redistricting map based on the 2020 Census results.

Motion was made by Council Member Smith to approve the item as presented, seconded by Mayor Pro Tem Hedrick. Motion carried:

Vote: 8 ayes, 1 nay (Council Member Aubin)

9. **Citizen comments:** There were no speakers on this item.

10. **Adjourn:** There being no further business to come before the City Council, Mayor LeMay adjourned the meeting at 7:23 p.m.

Submitted By:

Scott LeMay, Mayor

Eloyce René Dowl, City Secretary



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

2. a.

Meeting Date: 11/16/2021

Item Title: Construction Equipment

Submitted By: Terry Anglin, Fleet Services Director

Bid Number: 0116-22

Purchase Justification:

This request is for the replacement purchase of a Backhoe Loader with hydraulic hammer and a new purchase of a small Excavator with standard canopy to be utilized by the Water Department.

Evaluation:

This equipment is available from RDO Equipment Company through the Sourcewell Purchasing Cooperative Contract 032119-JDC.

Award Recommendation:

	<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
	RDO Equipment Company	All	\$142,725.00
		TOTAL:	\$142,725.00

Basis for Award: Cooperative Purchase

Purchase Requisition #: 46271

Fiscal Impact

Total Project/Account:	\$806,989
Expended/Encumbered to Date:	378,687
Balance:	\$428,302
This Item:	142,725
Proposed Balance:	\$285,577
Account #:	444-4033-9009 & 221-4033-9007

Fund/Dept/Project – Description and Comments:

Equipment Replacement Fund / Water Replacements	444-4033-9009	\$110,550
Water Utility Fund / Capital	221-4033-9007	32,175
	Total	\$142,725

Attachments

Bid Recap

Fiscal Reference:

Budget Type: Operating Budget

Fiscal Year: 2021-22

Document Location: Prop. Budget - Pages 242 & 277

Budget Director Approval:	Allyson Bell Steadman	Approval Date:	11/03/2021
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Purchasing Director Approval:	Gary L. Holcomb	Approval Date:	11/03/2021
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**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

2. b.

Meeting Date: 11/16/2021

Item Title: Skid Steer Loader and Motor Grader

Submitted By: Terry Anglin, Fleet Services Director

Bid Number: 0119-22

Purchase Justification:

This request is for the replacement purchase of a Motor Grader to be utilized by the Street Department and a new purchase of a Skid Steer Loader to be utilized by the Water Department.

Evaluation:

The Skid Steer Loader and Motor Grader are available from Caterpillar, Inc., through the Sourcewell Purchasing Cooperative Contract 032119CAT.

Award Recommendation:

	<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
	Caterpillar, Inc.	All	\$433,757.00
		TOTAL:	\$433,757.00

Basis for Award: Cooperative Purchase

Purchase Requisition #: 46279

Fiscal Impact

Total Project/Account:	\$866,000
Expended/Encumbered to Date:	150,408
Balance:	\$715,592
This Item:	433,757
Proposed Balance:	\$281,835
Account #:	221-4032-9007 & 831-4693-9007

Fund/Dept/Project – Description and Comments:

Infrastructure Repair & Replacement Fund / Capital	831-4693-9007	\$376,423
Water Utility Fund / Capital	221-4032-9007	57,334
	Total	\$433,757

Attachments

Bid Recap

Fiscal Reference:

Budget Type: Operating Budget

Fiscal Year: 2021-22

Document Location: Prop. Budget - Pages 216 & 242

Budget Director Approval:	Allyson Bell Steadman	Approval Date:	11/05/2021
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Purchasing Director Approval:	Gary L. Holcomb	Approval Date:	11/03/2021
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**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

2. c.

Meeting Date: 11/16/2021

Item Title: Sewer Surveillance Van

Submitted By: Terry Anglin, Fleet Services Director

Bid Number: 0117-22

Purchase Justification:

This request is for a replacement purchase of a Sewer Surveillance Van to be utilized by the Wastewater Department.

Evaluation:

The van is available from Grande Truck Center through the BuyBoard Cooperative Purchasing Contract 601-19.

Award Recommendation:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
Grande Truck Center	All	\$253,407.00
TOTAL:		\$253,407.00

Basis for Award: Cooperative Purchase

Purchase Requisition #: 46284

Fiscal Impact

Total Project/Account: \$1,039,729
Expended/Encumbered to Date: 222,801
Balance: \$816,928
This Item: 253,407
Proposed Balance: \$563,521
Account #: 444-4123-9009
Fund/Dept/Project – Description and Comments:

Equipment Replacement Fund (ERF) / Wastewater Utility
Replacement of unit #410-0084.

Attachments

Bid Recap

Fiscal Reference:

Budget Type:	Operating Budget
Fiscal Year:	2021-22
Document Location:	Prop. Budget - Page 277

Budget Director Approval:	Allyson Bell Steadman	Approval Date: 11/05/2021
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Purchasing Director Approval:	Gary L. Holcomb	Approval Date: 11/03/2021
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**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

2. d.

Meeting Date: 11/16/2021

Item Title: Fuel and Lube Truck for Hinton Landfill

Submitted By: Terry Anglin, Fleet Services Director

Bid Number: 0118-22

Purchase Justification:

This request is for the replacement purchase of a Fuel and Lube Truck to be utilized by the Hinton Landfill.

Evaluation:

This truck is available from Lonestar Freightliner Group, LLC, through the BuyBoard Cooperative Purchasing Contract 601-19.

Award Recommendation:

<u><i>Vendor</i></u>	<u><i>Item</i></u>	<u><i>Amount</i></u>
Lonestar Freightliner Group, LLC	All	\$282,204.00
TOTAL:		\$282,204.00

Basis for Award: Cooperative Purchase

Purchase Requisition #: 46285

Fiscal Impact

Total Project/Account: \$4,439,000
Expended/Encumbered to Date: 3,390,996
Balance: \$1,048,004
This Item: 282,204
Proposed Balance: \$765,800
Account #: 692-1609-1715400-9009
Fund/Dept/Project – Description and Comments:

2021 Landfill/Transfer Station CIP / Replacement of Landfill Equipment
Replacement of Unit #160-002, 1974 General Corp Fuel Truck

Attachments

Bid Recap

Fiscal Reference:

Budget Type: CIP

Fiscal Year: 2021

Document Location: Page 219

Budget Director Approval: Allyson Bell Steadman

Approval Date: 11/03/2021

Purchasing Director Approval: Gary L. Holcomb

Approval Date: 11/03/2021



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

2. e.

Meeting Date: 11/16/2021

Item Title: Sewer Jet Truck

Submitted By: Terry Anglin, Fleet Services Director

Bid Number: 0120-22

Purchase Justification:

This request is for the replacement purchase of a Sewer Jet Truck to be utilized by the Wastewater Department.

Evaluation:

The chassis for the Sewer Jet Truck is available from Grapevine Dodge Chrysler Jeep, LLC, through the BuyBoard Cooperative Purchasing Contract 601-19. The body for the Sewer Jet Truck is available from Texas Underground, Inc., through the BuyBoard Cooperative Purchasing Contract 593-19.

Award Recommendation:

<u><i>Vendor</i></u>	<u><i>Item</i></u>	<u><i>Amount</i></u>
Grapevine Dodge Chrysler Jeep, LLC	1	\$ 56,659.00
Texas Underground, Inc.	2	91,277.05

TOTAL:		\$147,936.05

Basis for Award: Cooperative Purchase

Purchase Requisition #: 46290

Fiscal Impact

Total Project/Account:	\$1,039,729
Expended/Encumbered to Date:	74,865
Balance:	\$964,864
This Item:	147,936
Proposed Balance:	\$816,928
Account #:	444-4122-9009

Fund/Dept/Project – Description and Comments:

Equipment Replacement Fund (ERF) / Wastewater Utility
Replacement of Unit #410-0343

Attachments

Bid Recap

Fiscal Reference:

Budget Type: Operating Budget

Fiscal Year: 2021-22

Document Location: Prop. Budget - Page 277

Budget Director Approval: Allyson Bell Steadman

Approval Date: 11/03/2021

Purchasing Director Approval: Gary L. Holcomb

Approval Date: 11/03/2021



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

2. f.

Meeting Date: 11/16/2021

Item Title: Replacement Vans

Submitted By: Terry Anglin, Fleet Services Director

Bid Number: 0124-22

Purchase Justification:

This request is for the replacement purchase of three (3) Vans to be utilized by the Police, Facilities Management and Wastewater Departments.

Evaluation:

The vans are available from Caldwell Country Ford through the BuyBoard Cooperative Purchasing Contract 601-19.

Award Recommendation:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
Caldwell Country Ford	All	\$115,020.00
TOTAL:		\$115,020.00

Basis for Award: Cooperative Purchase

Purchase Requisition #: 46295

Fiscal Impact

Total Project/Account:	\$3,036,845
Expended/Encumbered to Date:	1,878,120
Balance:	\$1,158,725
This Item:	115,020
Proposed Balance:	\$1,043,705
Account #:	444-1245-9009, 444-4253-9009, and 444-4721-9009
Fund/Dept/Project – Description and Comments:	

Equipment Replacement Fund

Police Department	444-1245-9009	Unit #120-1227	\$ 35,925
Wastewater Utility	444-4253-9009	Unit #420-0049	35,575
Facilities Management	444-4721-9009	Unit #470-071	<u>43,520</u>
		Total	\$115,020

Attachments**Bid Recap**

Fiscal Reference:

Budget Type:	Operating Budget
Fiscal Year:	2021-22
Document Location:	Prop. Budget - Page 277

Budget Director Approval:	Allyson Bell Steadman	Approval Date: 11/05/2021
Purchasing Director Approval:	Gary L. Holcomb	Approval Date: 11/03/2021



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

2. g.

Meeting Date: 11/16/2021

Item Title: Simunitions Training Facility Design Services

Submitted By: Rick Galceran, Capital Project Management Director

Bid Number: 0126-22

Purchase Justification:

This request is to obtain professional services for the architectural and engineering design for the renovation of the existing Garland Evidence Building to repurpose the facility for use as a Simunitions/Reality-Based Training facility. This project is part of the 2019 Bond Program and approved in the 2021 CIP.

Evaluation:

Brinkley Sargent Wiginton Architects was selected as the Most Qualified firm for this project from RFQ 0484-17. Brinkley Sargent Wiginton has previous experience with projects of similar scope and magnitude.

Award Recommendation:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
Brinkley Sargent Wiginton Architects	All	\$201,000.00
TOTAL:		\$201,000.00

Basis for Award: Most Qualified

Purchase Requisition #: 46304

Fiscal Impact

Total Project/Account:	\$75,000
Expended/Encumbered to Date:	9,690
Balance:	\$65,310
This Item:	201,000
Proposed Balance:	\$(135,690)*

Account #: 652-1429-1302919-710120

Fund/Dept/Project – Description and Comments:

Public Safety CIP / Simuntions Training Facility

* This project will continue into 2022. Additional funding for this project will be included in the 2022 Capital Improvement Program.

Attachments

Bid Recap

Fiscal Reference:

Budget Type: CIP

Fiscal Year: 2021

Document Location: Page 157

Budget Director Approval: Allyson Bell Steadman

Approval Date: 11/05/2021

Purchasing Director Approval: Gary L. Holcomb

Approval Date: 11/04/2021



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

2. h.

Meeting Date: 11/16/2021

Item Title: Satellite Imagery Analysis for Underground Water Leaks

Submitted By: Wes Kucera, Managing Director

Bid Number: 0094-22

Purchase Justification:

This request is to provide two (2) project deliveries of satellite imagery of points of interest for suspected water leaks in our water distribution system, including a detailed map model of potential pipe deficiencies.

Evaluation:

Utilis, Inc., is the Sole Source provider for the data algorithms and analysis for remote sensing water leak surveys.

Award Recommendation:

	<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
	Utilis, Inc.	All	\$143,000.00
		TOTAL:	\$143,000.00

Basis for Award: Sole Source

Purchase Requisition #: 46252

Fiscal Impact

Total Project/Account: \$44,517,131
Expended/Encumbered to Date: 4,167,310
Balance: \$40,349,821
This Item: 143,000
Proposed Balance: \$40,206,821
Account #: 221-4032-7111
Fund/Dept/Project – Description and Comments:

Attachments

Bid Recap

Fiscal Reference:

Budget Type: Operating Budget

Fiscal Year: 2021-22

Document Location: Proposed Oper. Budget - Page 242

Budget Director Approval: Allyson Bell Steadman

Approval Date: 11/05/2021

Purchasing Director Approval: Gary L. Holcomb

Approval Date: 11/03/2021



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

2. i.

Meeting Date: 11/16/2021

Item Title: Sundown Lane and Rollingwood Commons Water and Wastewater Improvements

Submitted By: Wes Kucera, Managing Director

Bid Number: 0130-22

Purchase Justification:

This request is to obtain Engineering and Surveying services associated with replacement of water and wastewater lines. These replacements are part of the 2020 Water Master Plan and 2019 Wastewater Master Plan annual pipeline renewal recommendation.

Evaluation:

Grantham & Associates, Inc., was selected as the Most Qualified firm for this project from RFQ 0212-19 based on previous experience with water and wastewater projects of similar scope and magnitude.

Award Recommendation:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
Grantham & Associates, Inc.	All	\$159,855.00
TOTAL:		\$159,855.00

Basis for Award: Most Qualified

Purchase Requisition #: 46300

Fiscal Impact

Total Project/Account: \$23,607,362
Expended/Encumbered to Date: 20,432,201
Balance: \$3,175,161
This Item: 159,855
Proposed Balance: \$3,015,306
Account #: 220-4049-3019100-7101, 230-4149-3214900-7101, and 831-4693-7101

Fund/Dept/Project – Description and Comments:

Water CIP / Distribution Lines (Up to 14-Inch)	\$ 72,428
Wastewater CIP / Collection Mains	72,427
Infrastructure Repair & Replacement Fund / Operations	15,000
Total	\$159,855

Attachments

Bid Recap

Fiscal Reference:

Budget Type: Operating Budget
 CIP

Fiscal Year: 2021-22

Document Location: CIP - Pages 235 & 260; Prop. Oper. Budget - Page 216

Budget Director Approval:	Allyson Bell Steadman	Approval Date:	11/05/2021
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Purchasing Director Approval:	Gary L. Holcomb	Approval Date:	11/03/2021
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**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

2. j.

Meeting Date: 11/16/2021

Item Title: Range Improvements Design Services

Submitted By: Rick Galceran, Capital Project Management Director

Bid Number: 0125-22

Purchase Justification:

This request is to obtain professional services for the architectural and engineering design for enhancements to the existing Garland Police Range. This project is part of the 2019 Bond Program and approved in the 2021 CIP.

Evaluation:

Brinkley Sargent Wiginton Architects was selected as the Most Qualified firm for this project from RFQ 0484-17. Brinkley Sargent Wiginton has previous experience with projects of similar scope and magnitude.

Award Recommendation:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
Brinkley Sargent Wiginton Architects	All	\$233,000.00
TOTAL:		\$233,000.00

Basis for Award: Most Qualified

Purchase Requisition #: 46303

Fiscal Impact

Total Project/Account:	\$159,000
Expended/Encumbered to Date:	26,885
Balance:	\$132,115
This Item:	233,000
Proposed Balance:	\$(100,885)*
Account #:	652-1429-1302719-710120

Fund/Dept/Project – Description and Comments:

Public Safety CIP / Range Improvements

* This project will continue into 2022. Additional funding will be included for this project in the 2022 Capital Improvement Program.

Attachments

Bid Recap

Fiscal Reference:

Budget Type: CIP

Fiscal Year: 2021

Document Location: Page 155

Budget Director Approval: Allyson Bell Steadman

Approval Date: 11/05/2021

Purchasing Director Approval: Gary L. Holcomb

Approval Date: 11/04/2021



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

2. k.

Meeting Date: 11/16/2021

Item Title: Spencer 4 Cooling Tower Repair

Submitted By: Dan Bailey, Energy Services Director

Bid Number: 0671-21

Purchase Justification:

This request is to approve a Change Order for the Spencer Plant Unit 4 cooling tower repairs. The initial repairs address known collapsing sections on the north side of the cooling tower, and similar structural issues were discovered on the south side of the tower. This Change Order will allow for the completion of the repairs by addressing the structural and fill issues on the south side of the tower.

Evaluation:

Master Tech Services, Inc., was awarded the original PO 31650 in the amount of \$362,608.40 at the April 06, 2020, City Council Meeting.

Award Recommendation:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
Master Tech Services, Inc.	All	\$310,634.00
TOTAL:		\$310,634.00

Basis for Award: Change Order

Purchase Requisition #: 46286

Fiscal Impact

Total Project/Account:	\$1,091,000
Expended/Encumbered to Date:	558,904
Balance:	\$532,096
This Item:	310,634
Proposed Balance:	\$221,462

Account #: 215-3449-3160601-7111

Fund/Dept/Project – Description and Comments:

Electric CIP / Production Program

Attachments

Bid Recap

Fiscal Reference:

Budget Type: CIP

Fiscal Year: 2021

Document Location: Page 288

Budget Director Approval: Allyson Bell Steadman

Approval Date: 11/05/2021

Purchasing Director Approval: Gary L. Holcomb

Approval Date: 11/05/2021



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

2. I.

Meeting Date: 11/16/2021

Item Title: Replacement Vehicles

Submitted By: Terry Anglin, Fleet Services Director

Bid Number: 0132-22

Purchase Justification:

This request is for the replacement purchase of twenty (20) vehicles to be utilized by various City departments.

Evaluation:

These vehicles are available from Silsbee Ford, Inc., through the TIPS Cooperative Purchasing Contract 200206.

Award Recommendation:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
Silsbee Ford, Inc.	All	\$630,498.00
TOTAL:		\$630,498.00

Basis for Award: Cooperative Purchase

Purchase Requisition #: 46298

Fiscal Impact

Total Project/Account: \$4,929,861

Expended/Encumbered to Date: 2,538,397

Balance: \$2,391,464

This Item: 630,498

Proposed Balance: \$1,760,966

Account #: Various

Fund/Dept/Project – Description and Comments:

<u>Department</u>	<u>Account Number</u>	<u>Unit #</u>	<u>\$ Price</u>
<u>Equipment Replacement Fund</u>			
Risk Management	444-1191-9009	119-006	\$ 29,751
Risk Management	444-1191-9009	119-007	29,751
Police	444-1245-9009	120-1594	30,150
Building Inspection	444-1551-9009	155-0151	26,649
Landfill	444-1603-9009	160-0139	29,545
Transportation	444-1701-9009	170-1536	39,354
Transportation	444-1711-9009	170-0187	39,354
Code Compliance	444-1813-9009	180-045	28,943
Electric Utility	444-3421-9009	340-0228	25,043
Electric Utility	444-3523-9009	350-1595	39,993
Water Utility	444-4032-9009	400-1389	37,195
Water Utility	444-4032-9009	400-1543	32,763
Wastewater Collection	444-4121-9009	410-0290	32,763
Wastewater Collection	444-4123-9009	410-1201	42,101
Wastewater Treatment	444-4211-9009	420-123	22,917
Wastewater Treatment	444-4233-9009	420-120	30,153
Stormwater	444-4693-9009	469-0364	31,449
Customer Service	444-4903-9009	490-076	22,917
Customer Service	444-4931-9009	490-0152	28,258

General Fund

Planning & Development	100-1503-9009	150-0011	<u>31,449</u>
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TOTAL \$630,498

Attachments

Bid Recap 1 of 2

Bid Recap 2 of 2

Fiscal Reference:

Budget Type: Operating Budget

Fiscal Year: 2021-22

Document Location: Proposed Oper. Budget - Pages 125 & 277

Budget Director Approval: Allyson Bell Steadman Approval Date: 11/05/2021

Purchasing Director Approval: Gary L. Holcomb Approval Date: 11/03/2021

CITY OF GARLAND - BID RECAP SHEET OPENED: N/A REQ. NO. PR 46298 BID NO. 0132-22 PAGE: 1 of 2 BUYER: Teresa Smith				Silsbee Ford, Inc.							
ITEM	QTY	UNIT	DESCRIPTION	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
1	2	ea.	2022 Ford Escape, FWD	\$22,917.00	\$45,834.00						
2	1	ea.	2022 Ford Escape, AWD	\$25,043.00	\$25,043.00						
3	1	ea.	2021 Ford F-150 Reg. Cab	\$26,648.50	\$26,648.50						
4	1	ea.	2021 Ford F-150 Reg. Cab	\$29,545.25	\$29,545.25						
5	1	ea.	2021 Ford F-150 Reg. Cab	\$28,942.75	\$28,942.75						
6	2	ea.	2022 Ford F-150 Crew Cab	\$29,751.00	\$59,502.00						
7	1	ea.	2022 Ford F-150 Crew Cab	\$30,150.00	\$30,150.00						
8	2	ea.	2022 Ford F-150 Crew Cab	\$31,449.25	\$62,898.50						
9	1	ea.	2021 Ford F-150 Reg. Cab	\$30,152.75	\$30,152.75						
10	1	ea.	2021 Ford F-150 Reg. Cab	\$28,257.50	\$28,257.50						
11	2	ea.	2022 Ford F-250 Reg Cab	\$39,354.00	\$78,708.00						
12	1	ea.	2022 Ford F-250 Crew Cab	\$33,075.00	\$33,075.00						
13	1	ea.	2022 Ford F-250 Crew Cab	\$42,102.00	\$42,102.00						
			TOTAL GROSS PRICE	\$520,859.25							
			CASH DISCOUNT								
			TOTAL NET PRICE	\$520,859.25							
			F.O.B.	DELIVERED		DELIVERED		DELIVERED		DELIVERED	
			DELIVERY								
NEXT LOW: n/a LOW: n/a SAVINGS: n/a n/a # IonWave Notifications n/a # IonWave HUBS n/a # Direct Contact HUBS n/a # HUBS Responded All bids submitted for the designated project are reflected on this bid tab sheet. However, the listing of a bid on this sheet should not be construed as a comment on the responsiveness of such bid or as any indication that the city accepts such bid as responsive. The City will notify the successful bidder upon award of the contract and, according to the law, all bids received will be available for inspection at that time.											



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

2. m.

Meeting Date: 11/16/2021

Item Title: Construction Material Testing for Bobtown Road, Waterhouse Boulevard, and South Country Club Improvements

Submitted By: Michael Polocek, Engineering Director

Bid Number: 0909-20

Purchase Justification:

This request is to approve a Change Order to provide additional Construction Material Testing (CMT) services for the Bobtown Road, Waterhouse Boulevard and South Country Club Improvements project. This Change Order will provide CMT services for additional underground utilities and the addition of a one (1) mile, 12-foot-wide sidepath (trail) that was recently added to the construction contract and approved at the September 21, 2021, City Council Meeting.

Evaluation:

TSIT Engineering and Consultants, LLC, was awarded the original PO 30275 in the amount of \$49,935.

Award Recommendation:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
TSIT Engineering and Consultants, LLC	All	\$25,220.00
TOTAL:		\$25,220.00

Basis for Award: Change Order

Purchase Requisition #: 46311

Fiscal Impact

Total Project/Account:	\$7,945,320
Expended/Encumbered to Date:	7,649,126
Balance:	\$296,194
This Item:	25,220
Proposed Balance:	\$270,974
Account #:	Various Accounts (See below)

Fund/Dept/Project – Description and Comments:

Park CIP / Parks Catalyst Area Improvements - Bobtown Sidepath	654-1409-1051719-9002	\$12,610
Streets CIP / Bobtown Road - Rowlett to Waterhouse	624-1409-1427204-9011	6,300

Streets CIP / Waterhouse Blvd - Bobtown to Hayman	692-1409-1430315-9011	1,600
Water CIP / Country Club - Bobtown Water Transmission Mains	220-4049-3021600-9213	3,150
Wastewater CIP / Relocation of Mains Prior to Paving	230-4149-3215700-9305	1,560
	Total	\$25,220

Attachments

Bid Recap

Location Map

Fiscal Reference:

Budget Type: CIP

Fiscal Year: 2021

Document Location: Pages 87, 97, 102, 244, & 263

Budget Director Approval: Allyson Bell Steadman Approval Date: 11/05/2021

Purchasing Director Approval: Gary L. Holcomb Approval Date: 11/03/2021



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

2. n.

Meeting Date: 11/16/2021

Item Title: Technical Consulting Services

Submitted By: Steve Martin, Transmission Director

Bid Number: 0133-22

Purchase Justification:

This request is to obtain project management, contractor oversight, construction management, cost tracking, scheduling & procurement assistance and communications coordination with other utilities and contractors related to transmission and substation infrastructures and construction activities. This approval is for a Term Agreement with two (2) optional renewals.

Evaluation:

These services will be provided by Principle Services, LLC, through an Interlocal Agreement with Lubbock Power & Light.

Award Recommendation:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
Principle Services, LLC	All	\$700,000.00
TOTAL:		\$700,000.00

Basis for Award: Interlocal Agreement

Purchase Requisition #: 46277

Fiscal Impact

Total Project/Account: N/A
Expended/Encumbered to Date: N/A
Balance: N/A
This Item: \$700,000
Proposed Balance: N/A
Account #: 451-6999

Fund/Dept/Project – Description and Comments:

Term Contract sets price but does not commit funds. Expenses will be charged to Transmission & Substations Electric CIP projects as incurred.

Attachments

Bid Recap

Fiscal Reference:

Budget Type: CIP

Fiscal Year: 2021

Document Location: Pages 284 and 290

Budget Director Approval: Allyson Bell Steadman

Approval Date: 11/05/2021

Purchasing Director Approval: Gary L. Holcomb

Approval Date: 11/04/2021



**GARLAND
CITY COUNCIL ITEM SUMMARY SHEET**

City Council Regular Session Agenda

3.

Meeting Date: 11/16/2021

Item Title: Reduction of TMPA Decommissioning Reserve Account

Submitted By: Darrell Cline, General Manager & CEO

Summary of Request/Problem

With the sale of the Gibbons Creek Steam Electric Station, the Texas Municipal Power Agency ("TMPA") and the TMPA Planning and Operating Committee members of the cities of Bryan, Denton, Garland and Greenville ("Member Cities"), have determined the need to reduce the TMPA Decommissioning Reserve Account. For the City Council's consideration and approval is a resolution that will provide for the reduction of the TMPA Decommissioning Reserve Account required balance to \$0.00, which will allow for proceeds from the sale of the Gibbons Creek Lignite Mine lands to be dispersed to the Member Cities, rather than deposited into the Account.

Recommendation/Action Requested and Justification

Approval of the resolution providing for the reduction of the TMPA Decommissioning Reserve Account.

Attachments

Garland Resolution to Reduce Amount of Decommissioning Reserve Account

RESOLUTION NO. _____

A RESOLUTION DECLARING THE THAT THE PURPOSES OF THE DECOMMISSIONING RESERVE ACCOUNT UNDER THE JOINT OPERATING AGREEMENT BETWEEN THE TEXAS MUNICIPAL POWER AGENCY ("AGENCY") AND THE CITIES OF BRYAN, DENTON, GARLAND, AND GREENVILLE (THE "MEMBER CITIES") HAVE BEEN ACCOMPLISHED AND APPROVING A REDUCTION OF THE REQUIRED ACCOUNT BALANCE OF THE DECOMMISSIONING RESERVE ACCOUNT.

WHEREAS, the City of Garland is a party to a Joint Operating Agreement ("JOA") with the Agency and the other Member Cities regarding the operations of the Texas Municipal Power Agency;

WHEREAS, the JOA between the Agency and the Member Cities requires that proceeds from the sale of the Gibbons Creek Lignite Mine be used for, among other things, the establishment of an Indemnity Reserve Account having an account balance of \$5 million and a Decommissioning Reserve Account having an account balance of \$30 million;

WHEREAS, an Indemnity Reserve Account having an account balance of \$5 million has already been established;

WHEREAS, the purposes of the Decommissioning Reserve Account are to fund the costs of decommissioning the Gibbons Creek Steam Electric Station ("Gibbons Creek"), fund the costs of environmental remediation, and fund the costs of environmental insurance;

WHEREAS, the purposes of the Decommissioning Reserve Account have been accomplished through:

(i) the sale of Gibbons Creek to the Gibbons Creek Environmental Redevelopment Group, LLC ("GCERG"), which has assumed all responsibilities relating to the decommissioning and environmental remediation of Gibbons Creek,

(ii) in connection with such sale, the establishment of an escrow fund with UMB Bank, n.a., as escrow agent, funded in the initial amount of \$28,546,000, to provide for GCERG's decommissioning costs, and

(iii) also in connection with such sale, the posting of a performance bond by GCERG, to provide additional security for the decommissioning operations, in the amount of \$36,500,000, and the provision by GCERG of a \$25,000,000

environmental insurance policy, naming the Agency and the Member Cities as insureds;

WHEREAS, because the purposes of the Decommissioning Reserve Account have been accomplished, the City Council has determined that the required account balance of the Decommissioning Reserve Account should be reduced to \$0.00 to avoid overfunding for the costs of decommissioning; and

WHEREAS, pursuant to Section 3.2.3(3) of the JOA, the required account balance of the Decommissioning Reserve Account may be adjusted provided that all Member Cities approve of the adjustment.

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

Section 1

That the City of Garland approves the reduction of the required account balance of the Decommissioning Reserve Account to \$0.00.

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 _____, 2021.

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary



**GARLAND
CITY COUNCIL ITEM SUMMARY SHEET**

City Council Regular Session Agenda

4.

Meeting Date: 11/16/2021

Item Title: TxDOT Impaired Driving Mobilization (IDM) Grant 2022

Submitted By: Jeffrey Bryan, Chief of Police

Summary of Request/Problem

Council is requested to adopt a resolution authorizing the City Manager to accept a State of Texas Department of Transportation (TxDOT) Selective Traffic Enforcement Program (STEP) – Impaired Driving Mobilization (IDM) Grant related to Driving While Intoxicated (DWI) enforcement in the amount of \$15,057.00 for FY 2021-2022.

The required enforcement periods are scheduled to be conducted on the following dates:

Christmas/New Year's Wave – December 17, 2021, to January 1, 2022;

Spring Break Wave – March 4, 2022, to March 20, 2022;

Independence Day Wave – June 24, 2022, to July 10, 2022; and

Labor Day Wave – August 19, 2022, to September 5, 2022.

The grant will be utilized to provide a greater level of traffic safety for the citizens of the City of Garland. The goal of this grant is to increase the effective enforcement and adjudication of traffic safety-related laws; reduce the overall number of fatal and serious crashes, and to reduce the number of DWI-related crashes, injuries, and fatalities.

This item was considered by Council at the November 8, 2021, Work Session.

Recommendation/Action Requested and Justification

Approve a resolution authorizing the City Manager to accept the State of Texas Department of Transportation (TxDOT) Selective Traffic Enforcement Program (STEP) – Impaired Driving Mobilization (IDM) Grant for FY 2021 - 2022 in the amount of \$15,057.00.

Attachments

IDM Agreement 2022

IDM 2022 Resolution

Texas Traffic Safety eGrants

Fiscal Year 2022

Organization Name: City of Garland Police Department

Legal Name: City of Garland

Payee Identification Number: 17560005344000

Project Title: STEP - Impaired Driving Mobilization

ID: 2022-GarlandPD-IDM-00004

Period: 12/14/2021 to 09/30/2022

GENERAL INFORMATION

Project Title : STEP - Impaired Driving Mobilization

Project Description : To conduct DWI enforcement Waves during holiday periods to increase DWI arrests and earned media activity as part of the statewide "Drink. Drive. Go To Jail" campaign and in conjunction with the national Impaired Driving Mobilization campaign

How many years has your organization received funding for this project? This will be our fifth or more year.

PROPOSING AGENCY AUTHENTICATION

X The following person has authorized the submittal of this proposal.

Name	Daniel Wortman
Title	Captain
Address	1891 Forest Lane
City	Garland
State	Texas
Zip Code	75042
Phone Number	9724854800
Fax Number	
E-mail address	wortmand@garlandtx.gov
Project Director	

COMPLIANCE REQUIREMENTS

Data Universal Numbering System: The Data Universal Numbering System (DUNS) is a unique nine-digit number recognized as the universal standard for identifying and tracking businesses worldwide. The Federal Spending Transparency Directive and the previous Federal Funding Accountability and Transparency Act (FFATA) requires grantees and sub-grantees to have a DUNS number. Most agencies and organizations have DUNS numbers established, please check with your accounting staff. To obtain a DUNS number, applicants should go to the Dun and Bradstreet website at: <http://fedgov.dnb.com/webform>

Data Universal Numbering System (D-U-N-S)

2 C.F.R. Part 200 Compliance

Enter the Begin Date and End Date of your Agency's Fiscal Year 2022

Begin Date : 10/1/2021 End Date : 9/30/2022

Your entity is required to comply with federal (OMB A-133) and/or state (State of Texas Single Audit Circular) requirements.

If threshold expenditures of \$750,000 or more are met during your agency's fiscal year, please submit a Single Audit Report and Management Letter (if applicable) to TxDOT's Audit Office, 125 East Eleventh Street, Austin, TX 78701 or contact TxDOT's Audit Office at singleaudits@txdot.gov

If expenditures are less than \$750,000 during your agency's fiscal year, please submit a statement to TxDOT's Audit Office as follows:

"We did not meet the \$750,000 expenditure threshold and therefore we are not required to have a single audit performed for FY ."

X I agree

STEP Operating Policies and Procedures

All STEP agencies must either have established written STEP operating policies and procedures, or will develop written policies and procedures before STEP grants can be executed. Please click here for [STEP Policies and Procedures requirements](#).

If your agency has approved STEP Operating Policies and Procedures, please upload here :

If your agency does not have approved STEP Operating Policies and Procedures, please certify the following:

I certify that our agency will develop STEP Operating Policies and Procedures before executing the grant.

GRANT AGREEMENT GENERAL TERMS AND CONDITIONS *(Revised 07/18/2019)*

Definitions: For purposes of these Terms and Conditions, the "Department" is also known as the "State" and the "prospective primary participant" and the "Subgrantee" is also known as the "Subrecipient" and "prospective lower tier participant"

ARTICLE 1. COMPLIANCE WITH LAWS

The Subgrantee shall comply with all federal, state, and local laws, statutes, codes, ordinances, rules and regulations, and the orders and decrees of any courts or administrative bodies or tribunals in any matter affecting the performance of this agreement, including, without limitation, workers' compensation laws, minimum and maximum salary and wage statutes and regulations, nondiscrimination laws and regulations, and licensing laws and regulations. When required, the Subgrantee shall furnish the Department with satisfactory proof of compliance.

ARTICLE 2. STANDARD ASSURANCES

The Subgrantee assures and certifies that it will comply with the regulations, policies, guidelines, and requirements, including 2 CFR, Part 200, and the Department's Traffic Safety Program Manual, as they relate to the application, acceptance, and use of federal or state funds for this project. Also, the Subgrantee assures and certifies that:

A. It possesses legal authority to apply for the grant, and that a resolution, motion, or similar action has been duly adopted or passed as an official act of the applicant's governing body, authorizing the filing of the application, including all understandings and assurances contained in the application, and directing and authorizing the person identified as the official representative of the applicant to act in connection with the application and to provide any additional information that may be required.

B. It and its subcontractors will comply with Title VI of the Civil Rights Act of 1964 (Public Law 88-352), as amended, and in accordance with that Act, no person shall discriminate, on the grounds of race, color, sex, national origin, age, religion, or disability.

C. It will comply with requirements of the provisions of the Uniform Relocation Assistance and Real Property Acquisitions Act of 1970, as amended; 42 USC (United States Code) §§4601 et seq.; and United States Department of Transportation (USDOT) regulations, "Uniform Relocation and Real Property Acquisition for Federal and Federally Assisted Programs," 49 CFR, Part 24, which provide for fair and equitable treatment of persons displaced as a result of federal and federally assisted programs.

D. Political activity (Hatch Act) (applies to subrecipients as well as States). The State will comply with provisions of the Hatch Act (5 U.S.C. 1501-1508) which limits the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

E. It will comply with the federal Fair Labor Standards Act's minimum wage and overtime requirements for employees performing project work.

F. It will establish safeguards to prohibit employees from using their positions for a purpose that is or gives the appearance of being motivated by a desire for private gain for themselves or others, particularly those with whom they have family, business, or other ties.

G. It will give the Department the access to and the right to examine all records, books, papers, or documents related to this Grant Agreement.

H. It will comply with all requirements imposed by the Department concerning special requirements of law, program requirements, and other administrative requirements.

I. It recognizes that many federal and state laws imposing environmental and resource conservation requirements may apply to this Grant Agreement. Some, but not all, of the major federal laws that may affect the project include: the National Environmental Policy Act of 1969, as amended, 42 USC §§4321 et seq.; the Clean Air Act, as amended, 42 USC §§7401 et seq. and sections of 29 USC; the Federal Water Pollution Control Act, as amended, 33 USC §§1251 et seq.; the Resource Conservation and Recovery Act, as amended, 42 USC §§6901 et seq.; and the Comprehensive Environmental Response, Compensation, and Liability Act, as amended, 42 USC §§9601 et seq. The Subgrantee also recognizes that the U.S. Environmental Protection Agency, USDOT, and other federal agencies have issued, and in the future are expected to issue, regulations, guidelines, standards, orders, directives, or other requirements that may affect this Project. Thus, it agrees to comply, and assures the compliance of each contractor and each subcontractor, with any federal requirements that the federal government may now or in the future promulgate.

J. It will comply with the flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973, 42 USC §4012a(a). Section 102(a) requires, on and after March 2, 1975, the purchase of flood insurance in communities where that insurance is available as a condition for the receipt of any federal financial assistance for construction or acquisition purposes for use in any area that has been identified by the Secretary of the Department of Housing and Urban Development as an area having special flood hazards. The phrase "federal financial assistance" includes any form of loan, grant, guaranty, insurance payment, rebate, subsidy, disaster assistance loan or grant, or any form of direct or indirect federal assistance.

K. It will assist the Department in its compliance with Section 106 of the National Historic Preservation Act of 1966 as amended (16 USC 470 et seq.), Executive Order 11593, and the Antiquities Code of Texas (National Resources Code, Chapter 191).

L. It will comply with Chapter 573 of the Texas Government Code by ensuring that no officer, employee, or member of the Subgrantee's governing board or the Subgrantee's subcontractors shall vote or confirm the employment of any person related within the second degree of affinity or third degree by consanguinity to any member of the governing body or to any other officer or employee authorized to employ or supervise that person. This prohibition shall not apply to the employment of a person described in Section 573.062 of the Texas Government Code.

M. It will ensure that all information collected, assembled, or maintained by the applicant relative to this project shall be available to the public during normal business hours in compliance with Chapter 552 of the Texas Government Code, unless otherwise expressly provided by law.

N. If applicable, it will comply with Chapter 551 of the Texas Government Code, which requires all regular, special, or called meetings of governmental bodies to be open to the public, except as otherwise provided by law or specifically permitted in the Texas Constitution.

ARTICLE 3. COMPENSATION

A. The method of payment for this agreement will be based on actual costs incurred up to and not to exceed the limits specified in the Project Budget. The amount included in a Project Budget category will be deemed to be an estimate only and a higher amount can be reimbursed, subject to the conditions specified in paragraph B of this Article. If the Project Budget specifies that costs are based on a specific rate, per-unit cost, or other method of payment, reimbursement will be based on the specified method.

B. All payments will be made in accordance with the Project Budget.

1. The Subgrantee's expenditures may overrun a budget category (I, II, or III) in the approved Project Budget without a grant (budget) amendment, as long as the overrun does not exceed a total of five (5) percent of the maximum amount eligible for reimbursement (TxDOT) in the attached Project Budget for the current fiscal year. This overrun must be off-set by an equivalent underrun elsewhere in the Project Budget.

2. If the overrun is five (5) percent or less, the Subgrantee must provide written notification to the Department, through the TxDOT Electronic Grants Management System (eGrants), prior to the Request for Reimbursement being approved. The notification must indicate the amount, the percent over, and the specific reason(s) for the overrun.

3. Any overrun of more than five (5) percent of the amount eligible for reimbursement (TxDOT) in the attached Project Budget requires an amendment of this Grant Agreement.

4. The maximum amount eligible for reimbursement shall not be increased above the Grand Total TxDOT Amount in the approved Project Budget, unless this Grant Agreement is amended, as described in Article 5 of this agreement.

5. For Selective Traffic Enforcement Program (STEP) grants only: In the Project Budget, Subgrantees are not allowed to use underrun funds from the TxDOT amount of (100) Salaries, Subcategories A, "Enforcement," or B, "PI&E Activities," to exceed the TxDOT amount listed in Subcategory C, "Other." Also, Subgrantees are not allowed to use underrun funds from the TxDOT amount of (100) Salaries, Subcategories A, "Enforcement," or C, "Other," to exceed the TxDOT amount listed in Subcategory B, "PI&E Activities." The TxDOT amount for Subcategory B, "PI&E Activities," or C, "Other," can only be exceeded within the five (5) percent flexibility, with underrun funds from Budget Categories II or III.

C. To be eligible for reimbursement under this agreement, a cost must be incurred in accordance with the Project Budget, within the time frame specified in the Grant Period of this Grant Agreement, attributable to work covered by this agreement, and which has been completed in a manner satisfactory and acceptable to the Department.

D. Federal or TxDOT funds cannot supplant (replace) funds from any other sources. The term "supplanting," refers to the use of federal or TxDOT funds to support personnel or an activity already supported by local or state funds.

E. Payment of costs incurred under this agreement is further governed by the cost principles outlined in 2 CFR Part 200.

F. The Subgrantee agrees to submit monthly Requests for Reimbursement, as designated in this Grant Agreement, within thirty (30) days after the end of the billing period. The Request for Reimbursement and appropriate supporting documentation must be submitted through eGrants.

G. The Subgrantee agrees to submit the final Request for Reimbursement under this agreement within forty-five (45) days of the end of the grant period.

H. Payments are contingent upon the availability of appropriated funds.

I. Project agreements supported with federal or TxDOT funds are limited to the length of this Grant Period specified in this Grant Agreement. If the Department determines that the project has demonstrated merit or has potential long-range benefits, the Subgrantee may apply for funding assistance beyond the initial agreement period.

Preference for funding will be given to projects based on (1) proposed cost sharing and (2) demonstrated performance history.

ARTICLE 4. LIMITATION OF LIABILITY

Payment of costs incurred under this agreement is contingent upon the availability of funds. If at any time during this Grant Period, the Department determines that there is insufficient funding to continue the project, the Department shall notify the Subgrantee, giving notice of intent to terminate this agreement, as specified in Article 11 of this agreement. If at the end of a federal fiscal year, the Department determines that there is sufficient funding and performance to continue the project, the Department may notify the Subgrantee to continue this agreement.

ARTICLE 5. AMENDMENTS

This agreement may be amended prior to its expiration by mutual written consent of both parties, utilizing the Grant Agreement Amendment in eGrants. Any amendment must be executed by the parties within the Grant Period, as specified in this Grant Agreement.

ARTICLE 6. ADDITIONAL WORK AND CHANGES IN WORK

A. If the Subgrantee is of the opinion that any assigned work is beyond the scope of this agreement and constitutes additional work, the Subgrantee shall promptly notify the Department in writing through eGrants. If the Department finds that such work does constitute additional work, the Department shall advise the Subgrantee and a written amendment to this agreement will be executed according to Article 5, Amendments, to provide compensation for doing this work on the same basis as the original work. If performance of the additional work will cause the maximum amount payable to be exceeded, the work will not be performed before a written grant amendment is executed.

B. If the Subgrantee has submitted work in accordance with the terms of this agreement but the Department requests changes to the completed work or parts of the work which involve changes to the original scope of services or character of work under this agreement, the Subgrantee shall make those revisions as requested and directed by the Department. This will be considered as additional work and will be paid for as specified in this Article.

C. If the Subgrantee submits work that does not comply with the terms of this agreement, the Department shall instruct the Subgrantee to make any revisions that are necessary to bring the work into compliance with this agreement. No additional compensation shall be paid for this work.

D. The Subgrantee shall make revisions to the work authorized in this agreement that are necessary to correct errors or omissions, when required to do so by the Department. No additional compensation shall be paid for this work.

E. The Department shall not be responsible for actions by the Subgrantee or any costs incurred by the Subgrantee relating to additional work not directly associated with or prior to the execution of an amendment.

ARTICLE 7. REPORTING AND MONITORING

A. Not later than thirty (30) days after the end of each reporting period, the Subgrantee shall submit a performance report through eGrants. Reporting periods vary by project duration and are defined as follows:

1. For short term projects, the reporting period is the duration of the project. Subgrantee shall submit a performance report within 30 days of project completion.

2. For longer projects, the reporting period is monthly. Subgrantee shall submit a performance report within 30 days of the completion of each project month and within 30 days of project completion.

3. For Selective Traffic Enforcement Program (STEP) Wave projects, the reporting period is each billing cycle. Subgrantee shall submit a performance report within 30 days of the completion of each billing cycle.

B. The performance report will include, as a minimum: (1) a comparison of actual accomplishments to the objectives established for the period, (2) reasons why established objectives and performance measures were not met, if appropriate, and (3) other pertinent information, including, when appropriate, an analysis and explanation of cost underruns, overruns, or high unit costs.

C. The Subgrantee shall promptly advise the Department in writing, through eGrants, of events that will have a significant impact upon this agreement, including:

1. Problems, delays, or adverse conditions, including a change of project director or other changes in Subgrantee personnel, that will materially affect the ability to attain objectives and performance measures, prevent the meeting of time schedules and objectives, or preclude the attainment of project objectives or performance measures by the established time periods. This disclosure shall be accompanied by a statement of the action taken or contemplated and any Department or federal assistance needed to resolve the situation.

2. Favorable developments or events that enable meeting time schedules and objectives sooner than anticipated or achieving greater performance measure output than originally projected.

D. The Subgrantee shall submit the Final Performance Report through eGrants within thirty (30) days after completion of the grant.

ARTICLE 8. RECORDS

The Subgrantee agrees to maintain all reports, documents, papers, accounting records, books, and other evidence pertaining to costs incurred and work performed under this agreement (called the "Records"), and shall make the Records available at its office for the time period authorized within the Grant Period, as specified in this Grant Agreement. The Subgrantee further agrees to retain the Records for four (4) years from the date of final payment under this agreement, until completion of all audits, or until pending litigation has been completely and fully resolved, whichever occurs last.

Duly authorized representatives of the Department, the USDOT, the Office of the Inspector General, Texas State Auditor, and the Comptroller General shall have access to the Records. This right of access is not limited to the four (4) year period but shall last as long as the Records are retained.

ARTICLE 9. INDEMNIFICATION

A. To the extent permitted by law, the Subgrantee, if other than a government entity, shall indemnify, hold, and save harmless the Department and its officers and employees from all claims and liability due to the acts or omissions of the Subgrantee, its agents, or employees. The Subgrantee also agrees, to the extent permitted by law, to indemnify, hold, and save harmless the Department from any and all expenses, including but not limited to attorney fees, all court costs and awards for damages incurred by the Department in litigation or otherwise resisting claims or liabilities as a result of any activities of the Subgrantee, its agents, or employees.

B. To the extent permitted by law, the Subgrantee, if other than a government entity, agrees to protect, indemnify, and save harmless the Department from and against all claims, demands, and causes of action of every kind and character brought by any employee of the Subgrantee against the Department due to personal injuries to or death of any employee resulting from any alleged negligent act, by either commission or omission on the part of the Subgrantee.

C. If the Subgrantee is a government entity, both parties to this agreement agree that no party is an agent, servant, or employee of the other party and each party agrees it is responsible for its individual acts and deeds, as well as the acts and deeds of its contractors, employees, representatives, and agents.

ARTICLE 10. DISPUTES AND REMEDIES

This agreement supersedes any prior oral or written agreements. If a conflict arises between this agreement and the Traffic Safety Program Manual, this agreement shall govern. The Subgrantee shall be responsible for the settlement of all contractual and administrative issues arising out of procurement made by the Subgrantee in support of work under this agreement. Disputes concerning performance or payment shall be submitted to the Department for settlement, with the Executive Director or his or her designee acting as final referee.

ARTICLE 11. TERMINATION

A. This agreement shall remain in effect until the Subgrantee has satisfactorily completed all services and obligations described in this agreement and these have been accepted by the Department, unless:

1. This agreement is terminated in writing with the mutual consent of both parties; or
2. There is a written thirty (30) day notice by either party; or
3. The Department determines that the performance of the project is not in the best interest of the Department and informs the Subgrantee that the project is terminated immediately.

B. The Department shall compensate the Subgrantee for only those eligible expenses incurred during the Grant Period specified in this Grant Agreement that are directly attributable to the completed portion of the work covered by this agreement, provided that the work has been completed in a manner satisfactory and acceptable to the Department. The Subgrantee shall not incur nor be reimbursed for any new obligations after the effective date of termination.

ARTICLE 12. INSPECTION OF WORK

A. The Department and, when federal funds are involved, the USDOT, or any of their authorized representatives, have the right at all reasonable times to inspect or otherwise evaluate the work performed or being performed under this agreement and the premises in which it is being performed.

B. If any inspection or evaluation is made on the premises of the Subgrantee or its subcontractor, the Subgrantee shall provide and require its subcontractor to provide all reasonable facilities and assistance for the safety and convenience of the inspectors in the performance of their duties. All inspections and evaluations shall be performed in a manner that will not unduly delay the work.

ARTICLE 13. AUDIT

The state auditor may conduct an audit or investigation of any entity receiving funds from the state directly under this agreement or indirectly through a subcontract under this agreement. Acceptance of funds directly under this agreement or indirectly through a subcontract under this agreement acts as acceptance of the authority of the State Auditor, under the direction of the legislative audit committee, to conduct an audit or investigation in connection with those funds. An entity that is the subject of an audit or investigation must provide the state auditor with access to any information the state auditor considers relevant to the investigation or audit.

ARTICLE 14. SUBCONTRACTS

A subcontract in excess of \$25,000 may not be executed by the Subgrantee without prior written concurrence by the Department. Subcontracts in excess of \$25,000 shall contain all applicable terms and conditions of this agreement. No subcontract will relieve the Subgrantee of its responsibility under this agreement.

ARTICLE 15. GRATUITIES

A. Texas Transportation Commission policy mandates that employees of the Department shall not accept any benefit, gift, or favor from any person doing business with or who, reasonably speaking, may do business with the Department under this agreement. The only exceptions allowed are ordinary business lunches and items that have received the advanced written approval of the Department's Executive Director.

B. Any person doing business with or who reasonably speaking may do business with the Department under this agreement may not make any offer of benefits, gifts, or favors to Department employees, except as mentioned here above. Failure on the part of the Subgrantee to adhere to this policy may result in termination of this agreement.

ARTICLE 16. NONCOLLUSION

The Subgrantee warrants that it has not employed or retained any company or person, other than a bona fide employee working solely for the Subgrantee, to solicit or secure this agreement, and that it has not paid or agreed to pay any company or person, other than a bona fide employee, any fee, commission, percentage, brokerage fee, gift, or any other consideration contingent upon or resulting from the award or making of this agreement. If the Subgrantee breaches or violates this warranty, the Department shall have the right to annul this agreement without liability or, in its discretion, to deduct from the agreement price or consideration, or otherwise recover the full amount of such fee, commission, brokerage fee, contingent fee, or gift.

ARTICLE 17. CONFLICT OF INTEREST

The Subgrantee represents that it or its employees have no conflict of interest that would in any way interfere with its or its employees' performance or which in any way conflicts with the interests of the Department. The Subgrantee shall exercise reasonable care and diligence to prevent any actions or conditions that could result in a conflict with the Department's interests.

ARTICLE 18. SUBGRANTEE'S RESOURCES

A. The Subgrantee certifies that it presently has adequate qualified personnel in its employment to perform the work required under this agreement, or will be able to obtain such personnel from sources other than the Department.

B. All employees of the Subgrantee shall have the knowledge and experience that will enable them to perform the duties assigned to them. Any employee of the Subgrantee who, in the opinion of the Department, is incompetent or whose conduct becomes detrimental to the work, shall immediately be removed from association with the project.

C. Unless otherwise specified, the Subgrantee shall furnish all equipment, materials, supplies, and other resources required to perform the work.

ARTICLE 19. PROCUREMENT AND PROPERTY MANAGEMENT

The Subgrantee shall establish and administer a system to procure, control, protect, preserve, use, maintain, and dispose of any property furnished to it by the Department or purchased pursuant to this agreement in accordance with its own procurement and property management procedures, provided that the procedures are not in conflict with (1) the Department's procurement and property management standards and (2) the federal procurement and property management standards provided by 2 CFR §§ 200.310-316, 200.318-324.

ARTICLE 20. OWNERSHIP OF DOCUMENTS AND INTELLECTUAL PROPERTY

Upon completion or termination of this Grant Agreement, whether for cause or at the convenience of the parties, all finished or unfinished documents, data, studies, surveys, reports, maps, drawings, models, photographs, etc. prepared by the Subgrantee, and equipment and supplies purchased with grant funds shall, at the option of the Department, become the property of the Department. All sketches, photographs, calculations, and other data prepared under this agreement shall be made available, upon request, to the Department without restriction or limitation of their further use.

A. Intellectual property consists of copyrights, patents, and any other form of intellectual property rights covering any databases, software, inventions, training manuals, systems design, or other proprietary information in any form or medium.

B. All rights to Department. The Department shall own all of the rights (including copyrights, copyright applications, copyright renewals, and copyright extensions), title and interests in and to all data, and other information developed under this contract and versions thereof unless otherwise agreed to in writing that there will be joint ownership.

C. All rights to Subgrantee. Classes and materials initially developed by the Subgrantee without any type of funding or resource assistance from the Department remain the Subgrantee's intellectual property. For these classes and materials, the Department payment is limited to payment for attendance at classes.

ARTICLE 21. SUCCESSORS AND ASSIGNS

The Department and the Subgrantee each binds itself, its successors, executors, assigns, and administrators to the other party to this agreement and to the successors, executors, assigns, and administrators of the other party in respect to all covenants of this agreement. The Subgrantee shall not assign, sublet, or transfer interest and obligations in this agreement without written consent of the Department through eGrants.

ARTICLE 22. CIVIL RIGHTS COMPLIANCE

A. Compliance with regulations: The Subgrantee shall comply with the regulations relative to nondiscrimination in federally-assisted programs of the United States Department of Transportation

(USDOT): 49 CFR, Part 21, 23 CFR, Part 200, and 41 CFR, Parts 60-74, as they may be amended periodically (called the "Regulations"). The Subgrantee agrees to comply with Executive Order 11246, entitled "Equal Employment Opportunity," as amended by Executive Order 11375 and as supplemented by the U.S. Department of Labor regulations (41 CFR, Part 60).

B. Nondiscrimination: (applies to subrecipients as well as States) The State highway safety agency will comply with all Federal statutes and implementing regulations relating to nondiscrimination ("Federal Nondiscrimination Authorities"). These include but are not limited to:

- **Title VI of the Civil Rights Act of 1964** (42 U.S.C. 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin) and 49 CFR part 21;
- **The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970**, (42 U.S.C. 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- **Federal-Aid Highway Act of 1973**, (23 U.S.C. 324 et seq.), and **Title IX of the Education Amendments of 1972**, as amended (20 U.S.C. 1681-1683 and 1685-1686) (prohibit discrimination on the basis of sex);
- **Section 504 of the Rehabilitation Act of 1973**, (29 U.S.C. 794 et seq.), as amended, (prohibits discrimination on the basis of disability) and 49 CFR part 27;
- **The Age Discrimination Act of 1975**, as amended, (42 U.S.C. 6101 et seq.), (prohibits discrimination on the basis of age);
- **The Civil Rights Restoration Act of 1987**, (Pub. L. 100-209), (broadens scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal aid recipients, subrecipients and contractors, whether such programs or activities are Federally-funded or not);
- **Titles II and III of the Americans with Disabilities Act** (42 U.S.C. 12131-12189) (prohibits discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing) and 49 CFR parts 37 and 38;
- **Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations** (prevents discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations); and
- **Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency** (guards against Title VI national origin discrimination/discrimination because of limited English proficiency (LEP) by ensuring that funding recipients take reasonable steps to ensure that LEP persons have meaningful access to programs (70 FR 74087-74100).

The State highway safety agency-

- Will take all measures necessary to ensure that no person in the United States shall, on the grounds of race, color, national origin, disability, sex, age, limited English proficiency, or membership in any other class protected by Federal Nondiscrimination Authorities, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any of its programs or activities, so long as any portion of the program is Federally-assisted;
- Will administer the program in a manner that reasonably ensures that any of its subrecipients, contractors, subcontractors, and consultants receiving Federal financial assistance under this program will comply with all requirements of the Non-Discrimination Authorities identified in this Assurance.

- Agrees to comply (and require its subrecipients, contractors, subcontractors, and consultants to comply) with all applicable provisions of law or regulation governing US DOT's or NHTSA's access to records, accounts, documents, information, facilities, and staff, and to cooperate and comply with any program or compliance reviews, and/or complaint investigations conducted by US DOT or NHTSA under any Federal Nondiscrimination Authority;
- Acknowledges that the United States has a right to seek judicial enforcement with regard to any matter arising under these Non-Discrimination Authorities and this Assurance;
- Agrees to insert in all contracts and funding agreements with other State or private entities the following clause:

"During the performance of this contract/funding agreement, the contractor/funding recipient agrees-

a. To comply with all Federal nondiscrimination laws and regulations, as may be amended from time to time;

b. Not to participate directly or indirectly in the discrimination prohibited by any Federal non-discrimination law or regulation, as set forth in appendix B of 49 CFR part 21 and herein;

c. To permit access to its books, records, accounts, other sources of information, and its facilities as required by the State highway safety office, US DOT or NHTSA;

d. That, in event a contractor/funding recipient fails to comply with any nondiscrimination provisions in this contract/funding agreement, the State highway safety agency will have the right to impose such contract/agreement sanctions as it or NHTSA determine are appropriate, including but not limited to withholding payments to the contractor/funding recipient under the contract/agreement until the contractor/funding recipient complies; and/or cancelling, terminating, or suspending a contract or funding agreement, in whole or in part; and

e. To insert this clause, including paragraphs (a) through (e), in every subcontract and subagreement and in every solicitation for a subcontract or sub-agreement, that receives Federal funds under this program.

C. Solicitations for subcontracts, including procurement of materials and equipment: In all solicitations either by competitive bidding or negotiation made by the Subgrantee for work to be performed under a subcontract, including procurements of materials and leases of equipment, each potential subcontractor or supplier shall be notified by the Subgrantee of the Subgrantee's obligations under this agreement and the regulations relative to nondiscrimination on the grounds of race, color, sex, national origin, age, religion, or disability.

D. Information and reports: The Subgrantee shall provide all information and reports required by the Regulations, or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Department or the USDOT to be pertinent to ascertain compliance with the Regulations or directives. Where any information required of the Subgrantee is in the exclusive possession of another who fails or refuses to furnish this information, the Subgrantee shall certify that to the Department or the USDOT, whichever is appropriate, and shall set forth what efforts the Subgrantee has made to obtain the requested information.

E. Sanctions for noncompliance: In the event of the Subgrantee's noncompliance with the nondiscrimination provision of this agreement, the Department shall impose such sanctions as it or the USDOT may determine to be appropriate.

F. Incorporation of provisions: The Subgrantee shall include the provisions of paragraphs A. through

E. in every subcontract, including procurements of materials and leases of equipment, unless exempt by the regulations or directives. The Subgrantee shall take any action with respect to any subcontract or procurement that the Department may direct as a means of enforcing those provisions, including sanctions for noncompliance. However, in the event a Subgrantee becomes involved in, or is threatened with litigation with a subcontractor or supplier as a result of such direction, the Subgrantee may request the Department to enter into litigation to protect the interests of the state, and in addition, the Subgrantee may request the United States to enter into such litigation to protect the interests of the United States.

ARTICLE 23. DISADVANTAGED BUSINESS ENTERPRISE (DBE) PROGRAM

A. The parties shall comply with the DBE Program requirements established in 49 CFR Part 26.

B. The Subgrantee shall adopt, in its totality, the Department's federally approved DBE program.

C. The Subgrantee shall set an appropriate DBE goal consistent with the Department's DBE guidelines and in consideration of the local market, project size, and nature of the goods or services to be acquired. The Subgrantee shall have final decision-making authority regarding the DBE goal and shall be responsible for documenting its actions.

D. The Subgrantee shall follow all other parts of the Department's DBE program referenced in TxDOT Form 2395, Memorandum of Understanding Regarding the Adoption of the Texas Department of Transportation's Federally-Approved Disadvantaged Business Enterprise by Entity and attachments found at web address <http://www.txdot.gov/business/partnerships/dbe.html>

E. The Subgrantee shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of any USDOT-assisted contract or in the administration of its DBE program or the requirements of 49 CFR Part 26. The Subgrantee shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure non-discrimination in award and administration of USDOT-assisted contracts. The Department's DBE program, as required by 49 CFR Part 26 and as approved by USDOT, is incorporated by reference in this agreement. Implementation of this program is a legal obligation and failure to carry out its terms shall be treated as a violation of this agreement. Upon notification to the Subgrantee of its failure to carry out its approved program, the Department may impose sanctions as provided for under 49 CFR Part 26 and may, in appropriate cases, refer the matter for enforcement under 18 USC 1001 and the Program Fraud Civil Remedies Act of 1986 (31 USC 3801 et seq.).

F. Each contract the Subgrantee signs with a contractor (and each subcontract the prime contractor signs with a sub-contractor) must include the following assurance: The contractor, sub-recipient, or sub-contractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of USDOT-assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this agreement, which may result in the termination of this agreement or such other remedy as the recipient deems appropriate.

ARTICLE 24. CERTIFICATION REGARDING DEBARMENT AND SUSPENSION (applies to subrecipients as well as States)

Instructions for Primary Tier Participant Certification (States)

1. By signing and submitting this proposal, the prospective primary tier participant is providing the certification set out below and agrees to comply with the requirements of 2 CFR parts 180 and 1200.

City of Garland Police Department
STEP - IDM - 2022

2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective primary tier participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary tier participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.
3. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default or may pursue suspension or debarment.
4. The prospective primary tier participant shall provide immediate written notice to the department or agency to which this proposal is submitted if at any time the prospective primary tier participant learns its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
5. The terms covered transaction, civil judgment, debarment, suspension, ineligible, participant, person, principal, and voluntarily excluded, as used in this clause, are defined in 2 CFR parts 180 and 1200. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.
6. The prospective primary tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR Part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.
7. The prospective primary tier participant further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction," provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with 2 CFR parts 180 and 1200.
8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any prospective lower tier participants, each participant may, but is not required to, check the System for Award Management Exclusions website (<https://www.sam.gov/>).
9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
10. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR Part 9, subpart 9.4, suspended, debarred, ineligible, or

voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.

Certification Regarding Debarment, Suspension, and Other Responsibility Matters-Primary Tier Covered Transactions

(1) The prospective primary tier participant certifies to the best of its knowledge and belief, that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any Federal department or agency;

(b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or Local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

(d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.

(2) Where the prospective primary participant is unable to certify to any of the Statements in this certification, such prospective participant shall attach an explanation to this proposal.

Instructions for Lower Tier Participant Certification

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below and agrees to comply with the requirements of 2 CFR parts 180 and 1200.

2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension or debarment.

3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

4. The terms covered transaction, civil judgment, debarment, suspension, ineligible, participant, person, principal, and voluntarily excluded, as used in this clause, are defined in 2 CFR parts 180 and 1200. You may contact the person to whom this proposal is submitted for assistance in obtaining a copy of those regulations.

5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered

transaction with a person who is proposed for debarment under 48 CFR Part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.

6. The prospective lower tier participant further agrees by submitting this proposal that it will include the clause titled "Instructions for Lower Tier Participant Certification" including the "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with 2 CFR parts 180 and 1200.

7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR Part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any prospective lower tier participants, each participant may, but is not required to, check the System for Award Management Exclusions website (<https://www.sam.gov/>).

8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR Part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension or debarment.

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transactions:

1. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

2. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

ARTICLE 25. CERTIFICATION REGARDING FEDERAL LOBBYING (applies to subrecipients as well as States)

Certification for Contracts, Grants, Loans, and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation,

renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

3. The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, subgrants, and contracts under grant, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

ARTICLE 26. CHILD SUPPORT CERTIFICATION

Under Section 231.006, Texas Family Code, the Subgrantee certifies that the individual or business entity named in this agreement is not ineligible to receive the specified grant, loan, or payment and acknowledges that this agreement may be terminated and payment may be withheld if this certification is inaccurate. If the above certification is shown to be false, the Subgrantee is liable to the state for attorney's fees and any other damages provided by law or the agreement. A child support obligor or business entity ineligible to receive payments because of a payment delinquency of more than thirty (30) days remains ineligible until: all arrearages have been paid; the obligor is in compliance with a written repayment agreement or court order as to any existing delinquency; or the court of continuing jurisdiction over the child support order has granted the obligor an exemption from Subsection (a) of Section 231.006, Texas Family Code, as part of a court-supervised effort to improve earnings and child support payments.

ARTICLE 27. FEDERAL FUNDING ACCOUNTABILITY AND TRANSPARENCY ACT REQUIREMENTS

A. Any recipient of funds under this agreement agrees to comply with the Federal Funding Accountability and Transparency Act and implementing regulations at 2 CFR Part 170, including Appendix A. This agreement is subject to the following award terms:

<http://edocket.access.gpo.gov/2010/pdf/2010-22705.pdf> and
<http://edocket.access.gpo.gov/2010/pdf/2010-22706.pdf>.

B. The Subgrantee agrees that it shall:

1. Obtain and provide to the State a System for Award Management (SAM) number (48 CFR subpt 4.11) if this award provides for more than \$25,000 in Federal funding. The SAM number may be obtained by visiting the SAM web-site at: <https://www.sam.gov>

2. Obtain and provide to the State a Data Universal Numbering System (DUNS) number, a unique nine-character number that allows the Federal government to track the distribution of federal money. The DUNS number may be requested free of charge for all businesses and entities required to do so by visiting the Dun & Bradstreet (D&B) on-line registration website <http://fedgov.dnb.com/webform>;

and

3. Report the total compensation and names of its top five (5) executives to the State if

i. More than 80% of annual gross revenues are from the Federal government, and those revenues are greater than \$25,000,000; and

ii. The compensation information is not already available through reporting to the U.S. Securities and Exchange Commission.

ARTICLE 28. SINGLE AUDIT REPORT

A. The parties shall comply with the requirements of the Single Audit Act of 1984, P.L. 98-502, ensuring that the single audit report includes the coverage stipulated in 2 CFR Part 200.

B. If threshold expenditures of \$750,000 or more are met during the Subgrantee's fiscal year, the Subgrantee must submit a Single Audit Report and Management Letter (if applicable) to TxDOT's Audit Office, 125 East 11th Street, Austin, TX 78701 or contact TxDOT's Audit Office at singleaudits@txdot.gov

C. If expenditures are less than \$750,000 during the Subgrantee's fiscal year, the Subgrantee must submit a statement to TxDOT's Audit Office as follows: "We did not meet the \$750,000 expenditure threshold and therefore, are not required to have a single audit performed for FY _____."

D. For each year the project remains open for federal funding expenditures, the Subgrantee will be responsible for filing a report or statement as described above. The required annual filing shall extend throughout the life of the agreement, unless otherwise amended or the project has been formally closed out and no charges have been incurred within the current fiscal year.

ARTICLE 29. BUY AMERICA ACT (applies to subrecipients as well as States)

The State and each subrecipient will comply with the Buy America requirement (23 U.S.C. 313) when purchasing items using Federal funds. Buy America requires a State, or subrecipient, to purchase with Federal funds only steel, iron and manufactured products produced in the United States, unless the Secretary of Transportation determines that such domestically produced items would be inconsistent with the public interest, that such materials are not reasonably available and of a satisfactory quality, or that inclusion of domestic materials will increase the cost of the overall project contract by more than 25 percent. In order to use Federal funds to purchase foreign produced items, the State must submit a waiver request that provides an adequate basis and justification for approval by the Secretary of Transportation.

ARTICLE 30. RESTRICTION ON STATE LOBBYING (applies to subrecipients as well as States)

None of the funds under this program will be used for any activity specifically designed to urge or influence a State or local legislator to favor or oppose the adoption of any specific legislative proposal pending before any State or local legislative body. Such activities include both direct and indirect (e.g., "grassroots") lobbying activities, with one exception. This does not preclude a State official whose salary is supported with NHTSA funds from engaging in direct communications with State or local legislative officials, in accordance with customary State practice, even if such communications urge legislative officials to favor or oppose the adoption of a specific pending legislative proposal.

ARTICLE 31. NONGOVERNMENTAL ENTITY'S PUBLIC INFORMATION

(This article applies only to non-profit entities)

The Subgrantee is required to make any information created or exchanged with the Department pursuant to this Grant Agreement and not otherwise excepted from disclosure under the Texas Public Information Act, available in a format that is accessible by the public at no additional charge to the Department. [SB-1368, 83rd Texas Legislature, Regular Session, Effective 9/1/13]

ARTICLE 32. PROHIBITION ON USING GRANT FUNDS TO CHECK FOR HELMET USAGE
(applies to subrecipients as well as States)

The State and each subrecipient will not use 23 U.S.C. Chapter 4 grant funds for programs to check helmet usage or to create checkpoints that specifically target motorcyclists.

ARTICLE 33. INTERNAL ETHICS AND COMPLIANCE PROGRAM

Subgrantee shall comply with Title 43 Texas Administrative Code §25.906(b). Subgrantee certifies it has adopted an internal ethics and compliance program that satisfies the requirements of Title 43 Texas Administrative Code §10.51 (relating to Internal Ethics and Compliance Program). Subgrantee shall enforce compliance with that program.

COUNTY SERVED

Dallas County - Dallas District

POLITICAL DISTRICT SERVED

Select a Political District Served ([View a map](#)):

U.S. Congress* Congressional District 3
Congressional District 4
Congressional District 5
Congressional District 32

Texas Senate* Texas Senate District 2
Texas Senate District 8
Texas Senate District 16

Texas House* Texas House of Representatives District 33
Texas House of Representatives District 67
Texas House of Representatives District 102
Texas House of Representatives District 107
Texas House of Representatives District 112
Texas House of Representatives District 113
Texas House of Representatives District 114

GOALS STRATEGIES AND OPERATIONAL PLAN

Goal: To increase effective enforcement and adjudication of traffic safety-related laws to reduce fatal and serious injury crashes

Strategies: Increase enforcement of traffic safety-related laws.
Increase public education and information campaigns.

Goal: To reduce the number of DWI-related crashes, injuries, and fatalities.

Strategy: Increase enforcement of DWI laws.

X Agency agrees to the above goals and strategies.

Operational Plan

The purpose of this mobilization is to conduct high-visibility saturation patrols within the Enforcement Zones identified in the Operational Plan (Enforcement Zone) section of the grant for at least four days between the hours of 6p-6a, Monday-Sunday during the enforcement periods outlined in the sections below. Subgrantee must also perform pre-enforcement earned-media campaigns for each enforcement period.

	Pre-Media Campaign	Enforcement Period
	Conduct local media events immediately before the enforcement effort to maximize the visibility of enforcement to the public. The media events tell the public when, where, how and why impaired driving laws are being enforced.	Intensify enforcement through coordinated saturation patrols in an overtime STEP placing primary emphasis on increasing DWI arrests and reducing the number of alcohol related traffic crashes during peak holiday traffic.
Christmas/New Year's Wave	December 14, 2021 - December 16, 2021	December 17, 2021 - January 01, 2022
Spring Break Wave	March 1, 2022 - March 3, 2022	March 04, 2022 - March 20, 2022
Independence Day Wave	June 21, 2022 - June 23, 2022	June 24, 2022 - July 10, 2022
Labor Day Wave	August 16, 2022 - August 18, 2022	August 19 2022 - September 05, 2022

Comments:

Please mark all of your proposed zones for this mobilization on a single STEP-IDM heat map and upload that map here. Click [here](#) to see an example. The maximum number of allowable zones for an agency is determined by dividing the total number of enforcement hours by 220 and rounding to the nearest whole number.

https://www.dot.state.tx.us/apps/egrants/_Upload/1074785_341347-IDM-HeatMap.pdf

XAgency agrees to conduct the engagement activities associated with this project as described

LAW ENFORCEMENT OBJECTIVE/PERFORMANCE MEASURE

STEP enforcement grants are focused on reducing crashes, and Impaired Driving Mobilization (IDM) enforcement grants specifically focus reducing fatal or serious-injury (KA) crashes where alcohol was involved (DUI). The blanks on this page represent the baseline number of KA crashes related to IDM enforcement efforts (DUI-KA), and the KA crash targets each agency hopes to achieve through IDM enforcement. The data entered on this page is the basis for the grant's enforcement performance measures. The Baseline KA crash data is provided by TxDOT using a 3-year rolling average of DUI-KA crashes as reported to TxDOT's Crash Reporting Information System (CRIS) database. The target should reflect a reduction against the Baseline KA Crash number in the top box. The target should be less than the number of Baseline KA crashes.

Baseline : Jurisdictional average annual DWI/DUI KA crashes 11

Target : Enforcement activities to reduce total DWI/DUI KA crashes to 10

Note: Nothing in this agreement shall be interpreted as a requirement, formal or informal, that a peace officer issue a specified or predetermined number of citations in pursuance of the Subgrantee's obligations hereunder. Department and Subgrantee acknowledge that Texas Transportation Code Section 720.002 prohibits using traffic-offense quotas and agree that nothing in this Agreement is establishing an illegal quota. In addition to the STEP enforcement activities, the subgrantee must maintain baseline non-STEP funded citation and arrest activity due to the prohibition of supplanting.

PI&E OBJECTIVE / PERFORMANCE MEASURE

Public Information and Education (PI&E) is one of the four pillars of traffic safety, including Engineering, Enforcement, Education and Emergency Services. Agencies receiving state or federal funds for enforcement are required to supplement the enforcement activities with public engagement efforts. Detailed instructions for conducting the STEP-IDM Public Engagement Plan for your agency can be found at <https://buckleuptexas.com/txdot-step-resources/>. Subgrantee must print the page at this link and upload it here:

https://www.dot.state.tx.us/apps/egrants/_Upload/1075002_341341-FY-2022-STEP-IDM-PIE-Updated-8-26-21.pdf

XSubgrantee agrees to conduct the following activities and provide documentation as described in the attached document above and outlined below. Agency may not "make up" missed PI&E requirements by performing additional efforts during later Enforcement Periods.

XSubgrantee acknowledges Public Engagement Plans must be uploaded and approved in a Supplemental Report prior to the event taking place.

XSubgrantee acknowledges expenditure of PI&E funds (if any) will not be allowed for efforts outside of the specific events outlined below or not approved in advance by TxDOT.

For each Mobilization Period, the agency must document:

- Social media posts according to the schedule and details provided on document attached above
- Submitting a pre-enforcement press release to local media and posting the release on the agency website during the pre-enforcement period
- Post a link to the latest Impaired Driving Campaign website from its official agency website
- Conducting pre-approved Public Engagement Activity

Primary Social Media Account The agency designates this account as its primary account for meeting TxDOT's PI&E requirements:

<https://www.facebook.com/GarlandPoliceDepartment>

Documentation standards

- Each PI&E event must be documented as being completed during the appropriate times outlined for each type. Below are the minimum standards for documenting PI&E:
- For social media: a screen capture of each post showing it was posted on the primary account
- For the department website: a screen capture of the website showing system date and time on the screen
- For Public Engagement: After prior approval from the TSS, screen captures of any announcements of the event, and a signed narrative of the event from the agency's event POC. This narrative should include but not be limited to event date, times, location, hours worked by each agency member in attendance

ENFORCEMENT ZONES

Instructions :

- Agency must use the appropriate STEP heat maps to develop Enforcement Zones where all enforcement activities under this grant will be conducted. There will be no "jurisdiction-wide" enforcement zones.
- Enforcement Zones are limited in size to maximum of 4 linear or 4 square miles each, should bound high-crash locations and must be clearly marked on the maps provided, one zone per uploaded map. Additional documentation may be provided to further define the enforcement zone boundaries and should be scanned and attached to the parent map as additional pages. Each agency will be allowed a minimum of 2 enforcement zones. The maximum number of allowable zones for an agency is determined by dividing the total number of enforcement hours by 40 and rounding to the nearest whole number.
- Agencies are expected to document initiating an agency-wide average of 2.5 vehicle stops per enforcement hour (or 1 stop per enforcement hour for CMV grants) within the zones attached to and described in this section. The numbers used to calculate the 2.5 agency-wide average will be adjusted to allow for enforcement time (or "arrest hours") spent transporting arrestees for booking.
- Please complete this page, then click the Save button. Required fields are marked with an *.
- Click Add button to create another zone
- Zone Name should match file name of uploaded supporting map. Each attachment need to be less than 4MB

Zone Name	Zone1
Zone Description	1300- 3400 W. Miller Rd (North) 1900 - 3300 S. Jupiter Rd (West) 11400 - 13700 block I-635 (South) 2000 - 4800 Saturn Rd (East)
Zone Hours	Daytime 6 AM to 6 PM Nighttime 6 PM to 6 AM
Zone Detail Map	https://www.dot.state.tx.us/apps/egrants/_Upload/1076966_341218-Zone_1.docx
Additional Documentation	

ENFORCEMENT ZONES

Instructions :

- Agency must use the appropriate STEP heat maps to develop Enforcement Zones where all enforcement activities under this grant will be conducted. There will be no "jurisdiction-wide" enforcement zones.
- Enforcement Zones are limited in size to maximum of 4 linear or 4 square miles each, should bound high-crash locations and must be clearly marked on the maps provided, one zone per uploaded map. Additional documentation may be provided to further define the enforcement zone boundaries and should be scanned and attached to the parent map as additional pages. Each agency will be allowed a minimum of 2 enforcement zones. The maximum number of allowable zones for an agency is determined by dividing the total number of enforcement hours by 40 and rounding to the nearest whole number.
- Agencies are expected to document initiating an agency-wide average of 2.5 vehicle stops per enforcement hour (or 1 stop per enforcement hour for CMV grants) within the zones attached to and described in this section. The numbers used to calculate the 2.5 agency-wide average will be adjusted to allow for enforcement time (or "arrest hours") spent transporting arrestees for booking.
- Please complete this page, then click the Save button. Required fields are marked with an *.
- Click Add button to create another zone
- Zone Name should match file name of uploaded supporting map. Each attachment need to be less than 4MB

Zone Name	Zone2
Zone Description	1400 W. Buckingham - 1200 E. Buckingham (North) 1700 -1100 N. Country Club (east) 1400 -2300 Castle (northeast) 3900-3100 E. Centerville (east) 2000 S.H. 66 - 1300 W. Ave D (South) 400 S. Garland - 2000 N. Garland (west)
Zone Hours	Daytime 6 AM to 6 PM Nighttime 6 PM to 6 AM
Zone Detail Map	https://www.dot.state.tx.us/apps/egrants/_Upload/1077516_341218-Zone_2.docx
Additional Documentation	

AGENCY INFORMATION

Agency Contacts

- | | |
|--|------------------------|
| 1. Who is your department's Chief/Sheriff/Constable? | Chief
Jeff
Bryan |
| 2. How many years has that person held that position at this agency? | 2 |
| 3. Who is the person in charge of training at your department? | Lt. Tim Freeman |
| 4. Please provide their work email and telephone number. | freemant@garland |
| 5. What is the name of the person in charge of your department's official social media accounts? | Lt. Pedro Barineau |
| 6. Please provide their work email and telephone number. | BarineauP@garlar |

Service Data

- | | |
|--|--------|
| 1. What is the size in square miles of your department's service area? | 57.1 |
| 2. What is the latest estimated population of your service area? | 239928 |
| 3. How many sworn officer positions is your agency authorized? | 354 |
| 4. How many of those positions are currently filled? | 345 |
| 5. How many total calls for service did your agency log in the past 12 months? | 157201 |
| 6. How many total crashes did your agency respond to in the past 12 months? | 8360 |
| 7. How many total bicycle stops did your agency make in the past 12 months? | |

City of Garland Police Department
STEP - IDM - 2022

1. How many total vehicle stops did your agency make in the past 12 months? 11535

BTS Program Area

1. Does your agency participate in Fatal Crash Review (FCR) meetings with TxDOT? No

2. Does your department have a traffic unit? Yes

3. Does your department have a DWI unit? Yes

4. Does your department have at least one currently certified Drug Recognition Expert (DRE)? No

5. Does your department have at least one certified Child Passenger Safety (CPS) Technician or Instructor? No

6. Does your department have at least one data analyst? Yes

7. Does your department have at least one certified Commercial Vehicle Enforcement (CVE) officer? Yes

8. Does your agency have a Controlled Party Dispersal (CPD) program in place for underage individuals who are gaining social access to alcohol at parties? No

9. Are there any officially designated bicycle routes in your service area? Yes

City of Garland Police Department
STEP - IDM - 2022

SALARIES AND FRINGE BENEFITS

Law Enforcement Hours: 170																									
X Overtime X Regular Time																									
For Sections B (P&E) and C (Administrative Duties) on this page, check the Over Time and/or Regular Time below that apply to those duties. If there are no duties in B and C, leave both boxes unchecked																									
	TxDOT Hours	Match Hours	Wage Rate	TxDOT Salaries	Match Salaries	Total Salaries	Fringe %																		
A. Enforcement																									
Officers/Deputies	160		\$63.420	\$10,147.20		\$10,147.20	13.02%																		
Sergeants			\$0				%																		
Lieutenants/Other	10		\$82.640	\$826.40		\$826.40	13.02%																		
B. P&E Activities																									
P&E Activities	16		\$63.420	\$1,014.72	\$0	\$1,014.72	13.02%																		
C. Administrative Duties																									
Captain (Grant Manager, completing PRTs, coordinate enforcement hours, building grant, verify supervisor DARS Oversight of P&E objectives performance measures)		6	\$63.800		\$382.80	\$382.80	13.02%																		
Admin Assistant (compilation of monthly stats, entering DARS into spreadsheets and Access Database, send data to finance for RFR and maintain records for future audits)		6	\$23.502		\$141.01	\$141.01	19.22%																		
Lieutenants (Coordinate staffing, verify DARS, shift supervision)		4	\$55.090		\$220.36	\$220.36	13.02%																		
Court (ticket processing)		0	\$20.980				19.22%																		
			\$0				%																		
			\$0				%																		
Total:				\$11,988.32	\$744.17	\$12,732.49																			
<table border="1"> <thead> <tr> <th>Category</th> <th>TxDOT</th> <th>%</th> <th>Match</th> <th>%</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>Salaries</td> <td>\$11,988.32</td> <td>94.16%</td> <td>\$744.17</td> <td>5.84%</td> <td>\$12,732.49</td> </tr> <tr> <td>Fringe Benefits</td> <td>\$0</td> <td>0.00%</td> <td>\$1,666.51</td> <td>100.00%</td> <td>\$1,666.51</td> </tr> </tbody> </table>								Category	TxDOT	%	Match	%	Total	Salaries	\$11,988.32	94.16%	\$744.17	5.84%	\$12,732.49	Fringe Benefits	\$0	0.00%	\$1,666.51	100.00%	\$1,666.51
Category	TxDOT	%	Match	%	Total																				
Salaries	\$11,988.32	94.16%	\$744.17	5.84%	\$12,732.49																				
Fringe Benefits	\$0	0.00%	\$1,666.51	100.00%	\$1,666.51																				
Breakdown of Fringe Percentages: SWORN: 1.45% Medicare: 11.57% TMRS CIV: 1.45% Medicare: 11.57% TMRS: 6.2% SS Details of regular time: If included in any of the above hours. All administrative hours are done as straight time. All enforcement hours are done as time-and-a-half.																									

TRAVEL AND PER DIEM : STEP ENFORCEMENT MILEAGE - 300

Instructions:

Unit # : Provide your agency's inventory number or other identifying number for each vehicle. To assist in calculating your agency's average enforcement mileage rate, we are requesting information from a sampling of five (5) patrol vehicles. The calculator will average the costs from all vehicles to arrive at the average operational cost per vehicle mile. If your agency does not have at least five patrol vehicles that are used for enforcement, include the requested information for the vehicles that you have.

Original Vehicle Cost : Provide each vehicle's total cost. (The total cost could include vehicle base cost, equipment/accessories and preparation costs).

Life Expectancy (In Years) : Provide the number of years that your agency expects the vehicle(s) will be used for enforcement activities. Many agencies have policies stating vehicles will be used for a specific time period (years) and some agencies determine mileage as the basis for vehicle retirement from enforcement. If mileage is used, determine the average number of years it takes for agency's vehicles to reach their mileage limit.

Maintenance Costs : Provide historical maintenance costs for the latest 12 month period available for each vehicle. Maintenance costs can also include annual liability insurance costs.

Fuel Costs : Provide historical fuel costs for the latest 12 month period available for each vehicle.

Yearly Miles: Provide the yearly enforcement miles for each vehicle. Use each vehicle's mileage logs or other available information to document the average number of enforcement miles driven annually or simply divide the mileage by the number of years the vehicle has been in use for enforcement activities.

	Unit #	Original Vehicle Cost	Life Expectancy (In Years)	Maintenance Costs	Fuel Costs	Yearly Miles	OP Cost/Mile
Vehicle 1	1202016	\$35,022.00	3	\$9,751.33	\$9,568.38	34307	\$0.90
Vehicle 2	1202003	\$35,022.00	3	\$8,556.53	\$9,639.14	33321	\$0.90
Vehicle 3	1202007	\$35,022.00	3	\$8,716.04	\$9,436.32	32785	\$0.91
Vehicle 4	1201934	\$34,602.00	3	\$12,979.61	\$7,856.40	29038	\$1.11
Vehicle 5	1201932	\$34,602.00	3	\$7,596.92	\$5,883.82	29012	\$0.86
Average Operational Cost of the Vehicle Per Mile							\$0.94
Number of Miles Proposed							
700							
TOTAL							\$658.00

	Amount	Percentages
TxDOT	\$0	0.00%
Match	\$658.00	100.00%

City of Garland Police Department
STEP - IDM - 2022

Total

\$658.00

INDIRECT COST - 800

Description

File Upload

Proposed Percentage 0%

Apply the Indirect Cost
Rate to: (100) Salaries - \$12,732.49

(200) Fringe Benefits - \$1,666.51

(300) Travel and Per Diem - Non-enforcement Travel - \$0 / STEP
Enforcement Mileage - \$658.00

(400) Equipment - \$0

(500) Supplies - \$0

(600) Contractual Services - \$0

(700) Other Miscellaneous - \$0

Total Selected Amount \$0

Exemption Amount

Exemption Reason

Eligible Amount \$0

Total Cost \$0

Please enter allocation amount per items entered in the following fields.
Click the **Save** button to calculate the percentages.

	Amount	Percentages
TxDOT		0.00%
Match		0.00%
Total	\$0	

Budget Summary

Budget Category		TxDOT	Match	Total
Category I - Labor Costs				
(100)	Salaries	\$11,988.32	\$744.17	\$12,732.49
(200)	Fringe Benefits	\$0	\$1,666.51	\$1,666.51
	Category I Sub-Total	\$11,988.32	\$2,410.68	
Category II - Other Direct Costs				
(300)	Travel	\$0	\$658.00	\$658.00
(400)	Equipment	\$0	\$0	\$0
(500)	Supplies	\$0	\$0	\$0
(600)	Contractual Services	\$0	\$0	\$0
(700)	Other Miscellaneous	\$0	\$0	\$0
	Category II Sub-Total	\$0	\$658.00	\$658.00
Total Direct Costs		\$11,988.32	\$3,068.68	\$15,057.00
Category III - Indirect Costs				
(800)	Indirect Cost Rate	\$0	\$0	\$0
Summary				
	Total Labor Costs	\$11,988.32	\$2,410.68	\$14,399.00
	Total Direct Costs	\$0	\$658.00	\$658.00
	Total Indirect Costs	\$0	\$0	\$0
	Grand Total	\$11,988.32	\$3,068.68	\$15,057.00
	Fund Sources (Percent Share)	79.62%	20.38%	

RESOLUTION NO. _____

A RESOLUTION ACCEPTING A TEXAS DEPARTMENT OF TRANSPORTATION (TxDOT) SELECTIVE TRAFFIC ENFORCEMENT PROGRAM (STEP) IMPAIRED DRIVING MOBILIZATION (IDM) GRANT IN THE AMOUNT OF \$15,057.00; AND PROVIDING AN EFFECTIVE DATE.

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

Section 1

That the Garland City Council hereby accepts a Texas Department of Transportation (TxDOT) Selective Traffic Enforcement Program (STEP) Impaired Driving Mobilization (IDM) Grant in the amount of \$15,057.00 for the purpose of enforcing Driving While Intoxicated (DWI) violations during the following four (4) separate enforcement waves:

- (1) Christmas/New Year's Wave - December 17, 2021 to January 1, 2022;
- (2) Spring Break Wave - March 4, 2022 to March 20, 2022;
- (3) Independence Day Wave - June 24, 2022 to July 10, 2022; and
- (4) Labor Day Wave - August 19, 2022 to September 5, 2022.

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 November, 2021.

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary



**GARLAND
CITY COUNCIL ITEM SUMMARY SHEET**

City Council Regular Session Agenda

5.

Meeting Date: 11/16/2021

Item Title: Project Specific Agreement with Dallas County for Duck Creek Central Trail - Segment 2

Submitted By: Andy Hesser, Managing Director

Summary of Request/Problem

In 2021, the City executed a Master Agreement with Dallas County providing general terms regarding funding availability, agency responsibilities, etc., for “partnering” on eligible Transportation Improvements on roads inside Dallas County. The Master Agreement is the contractual agreement for eventual specific projects. A (Project Specific Agreement) PSA is then required to finalize specific costs and project management.

The Duck Creek Central trail is a 12-foot wide spine trail that is divided into 3 segments that make up a spine trail that will connect Rick Oden Park and Central Park. Segment 2 of 3 will extend from Briarwood Dr. to the southern limits of Segment 1, which terminates at the north side of the existing Jack Coleman Tennis Center in Rick Oden Park. Segment 2 will be 12-feet wide and comprise of concrete, at-grade paving and PermaTrak boardwalk. The portions of the trail that are designed to be boardwalk are due to those portions being located within the Erosion Hazard Setback limits along Duck Creek. The purpose of this setback is to reduce the potential for any damage caused by the erosion of the bank.

The PSA establishes a total cost of the project to be \$892,106.00 and the following cost share amounts.

Dallas County	\$391,053.00
City of Garland	\$501,053.00

The City’s funding for this project will be included in the 2022 CIP utilizing GOB19 funds. Council considered this item at the November 8, 2021 Work Session.

Recommendation/Action Requested and Justification

Approve a resolution authorizing the City Manager to execute the PSA with Dallas County for the Duck Creek Central Trail - Segment 2 project.

Attachments

Resolution

Location Map
Context Map

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A PROJECT SPECIFIC AGREEMENT WITH DALLAS COUNTY FOR TRANSPORTATION IMPROVEMENTS TO THE DUCK CREEK CENTRAL TRAIL - SEGMENT 2 MCIP PROJECT FROM BRIARWOOD DRIVE TO THE SOUTHERN LIMITS OF DUCK CREEK CENTRAL TRAIL - SEGMENT 1 AT THE NORTH SIDE OF THE JACK COLEMAN TENNIS COMPLEX IN RICK ODEN PARK (PROJECT 12001), WITHIN THE CITY OF GARLAND, DALLAS COUNTY AND PROVIDING AN EFFECTIVE DATE.

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

Section 1

That the City Manager is hereby authorized to execute a Project Specific Agreement with Dallas County for transportation improvements to Duck Creek Central Trail - Segment 2 (Project 12001), which is 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 November, 2021.

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary

REF. DETAIL 3, SHEET L-4.7

REF. DETAIL 2, SHEET L-4.4

REF. CITY OF GARLAND'S MENU OF
SIGN TYPES AUGUST 2020

MATCHLINE TO L-3.0

EXISTING FEMA
FLOODWAY (TYP.)

EXISTING TENNIS COURTS

67' L x 13' W PERMATRAK BRIDGE
REF. DETAIL 1, SHEET L-4.10

LEDGESTONE WALL (TYP.)
REF. DETAIL 1, SHEET L-4.9

WHEEL STOP (TYP.)
REF. DETAIL 4, SHEET L-4.1

NEW LOCATION OF RELOCATED
FIRE HYDRANT

SITE LIGHTING (TYP.)
REF. ELECTRICAL PLANS

HEAVY DUTY VEHICULAR PAVEMENT (TYP.)
REF. PAVING PLANS

PARK BENCH CONCRETE PAD (TYP.)
REF. DETAIL 3, SHEET L-4.3

LANDSCAPE AREA (TYP.)

PARK BENCH CONCRETE PAD (TYP.)
REF. DETAIL 3, SHEET L-4.3

BACKLESS PARK BENCH (TYP.)
REF. DETAIL 2, SHEET L-4.3

BIKE RACK CONCRETE PAD (TYP.)
REF. DETAIL 6, SHEET L-4.3

BIKE RACK (TYP.)
REF. DETAIL 5, SHEET L-4.3

EXISTING MANHOLE TO BE
ADJUSTED TO GRADE

EXISTING TENNIS PRO SHOP

ACCESSIBLE PARKING (A)
REF. DETAIL 3, SHEET L-4.1

INTEGRAL CURB & GUTTER
(TYP.) DETAIL 9, SHEET L-4.18

4,841' L x 13' W PERMATRAK BRIDGE
REF. DETAIL 1, SHEET L-4.10

CONNECTION TO TRAIL (TYP.)
REF. DETAIL 4, SHEET L-4.0

CONCRETE SIDEWALK (TYP.)
REF. DETAIL 1, SHEET L-4.0

EROSION HAZARD SET BACK

ACCESSIBLE PARKING (B)
REF. DETAIL 1, SHEET L-4.2

INTEGRAL
DETAIL 9,

REMOVABLE BOLLARD
REF. DETAIL 7, SHE

CONCRETE SIDEWALK (TYP.)
REF. DETAIL 1, SHEET L-4.0

INTEGRAL CURB & GUTTER (TYP.)
DETAIL 9, SHEET L-4.18

EROSION HAZARD SET BACK

PARKING STALLS 9'x20' (TYP.)

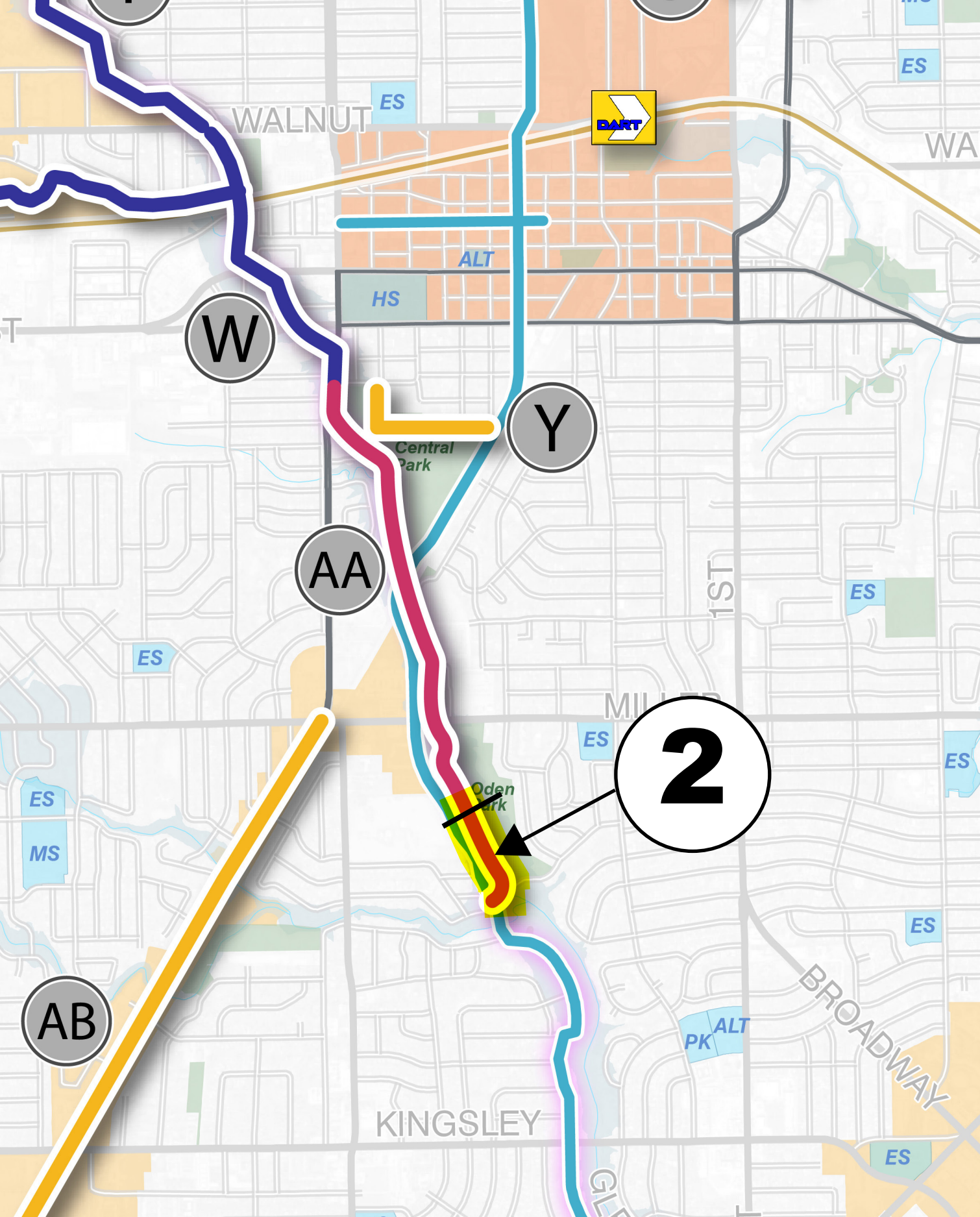
PROPERTY LINE (TYP.)

SAWTOOTH CURB (TYP.)
REF. DETAIL 2, SHEET L-4.9

FIRE LANE (TYP.)

DUCK CREEK

DUCK CREEK CENTRAL
TRAIL - SEGMENT 2





**GARLAND
CITY COUNCIL ITEM SUMMARY SHEET**

City Council Regular Session Agenda

6.

Meeting Date: 11/16/2021

Item Title: Bottleneck Improvements Program - Right of Way

Submitted By: Rick Galceran, Capital Project Management Director

Summary of Request/Problem

Council has been briefed on previous occasions of the plans for the Bottlenecks Improvements Program. The program will widen improvements and provide additional turn bays to relieve bottlenecks at 12 major intersections throughout the city and alleviate road congestion. The program requires the acquisition of easements and right-of-way (only “strips and clips” are needed for the program). Thus, staff has been working with consultants to acquire the necessary property. One purchase agreement has been successfully negotiated with a property owner for the acquisition of land needed to move forward with the Buckingham/Plano intersection/project within the program.

Recommendation/Action Requested and Justification

Council is requested to consider by minute action the approval of one (1) purchase agreement negotiated to date with the property owner in the amount of \$112,585.



GARLAND
CITY COUNCIL ITEM SUMMARY SHEET

City Council Regular Session Agenda

7.

Meeting Date: 11/16/2021

Item Title: Naaman School Road - Right of Way Acquisition

Submitted By: Rick Galceran, Capital Project Management Director

Summary of Request/Problem

Council has been briefed on previous occasions of the plans for Naaman School Road (from Brand to S.H. 78 / Lavon Drive). It is currently a two-lane asphalt street and is being reconstructed to a four-lane divided roadway with curbs. This requires additional land/right-of-way and staff has been working with consultants to acquire the necessary property. One additional purchase agreement has been successfully negotiated with a property owner for the acquisition of land needed to move forward with the project.

Recommendation/Action Requested and Justification

Council is requested to consider by minute action the approval of one (1) purchase agreement negotiated to date with the property owner in the amount of \$121,063.



GARLAND
CITY COUNCIL ITEM SUMMARY SHEET

City Council Regular Session Agenda

8.

Meeting Date: 11/16/2021

Item Title: Use of Eminent Domain Authority for Property Related to Reconstruction of Naaman School Road

Submitted By: Brian England, Deputy City Attorney

Summary of Request/Problem

As part of the 2019 Bond Program, voters approved reconstruction of Naaman School Road from a two-lane roadway into a four-lane divided street stretching from Brand Road to State Highway 78 (Lavon Drive). This project will alleviate road congestion by providing twice the number of travel lanes in each direction and alleviate flooding issues during significant rainfall. Because the City does not already own all the property upon which the project will be constructed, the City has engaged in an effort to acquire the necessary easements and right-of-way. The project has transitioned from parcels needed in their entirety ("whole-takes"), and negotiations are now underway for parcels where a portion thereof is needed for easements and right-of-way ("strips and clips"). While the whole-take properties have been negotiated, negotiations continue with property owners for the necessary strips and clips. The City has been able to negotiate with some strips and clips owners in the area to acquire the necessary property interests. However, the City has not been able to successfully negotiate a final purchase price with all property owners. The City continues to negotiate with additional landowners. If these negotiations are unsuccessful, we may need to seek to add additional properties to a future resolution.

Council was briefed on requirements for land acquisition on the Naaman School Road project on April 5, 2021 and on February 1, 2021, respectively, in Executive Session.

Recommendation/Action Requested and Justification

Council is requested to approve a resolution authorizing the acquisition of the property rights described in the proposed resolution. The City has been able to negotiate with property owners of whole-takes in the project area to acquire the necessary property interests. The City has also been able to negotiate with some of the strips and clips owners in the area, as well, to acquire the necessary property interests. However, the City has not been able to successfully negotiate a final purchase price with one strips and clips property owner. The owner is named in the proposed resolution. State law requires particular wording to be used in a motion to adopt a resolution authorizing the initiation of condemnation proceedings. The City Attorney will provide in written form the appropriate wording of the motion.

The motion and resolution will authorize the acquisition of property interests in the following

property located in Garland, Dallas County, Texas:

3232 Lavon, being part of the Jacob Reagor Survey, Abstract No. 11258 and being Lot 2, Block 1, Mid-Crossing Addition, an addition to the City of Garland, Dallas County, Texas and being described in the General Warranty Deed to Wendy's Properties, LLC recorded in Instrument Number 201500283378, Official Public Records of Dallas County, Texas.

Attachments

Naaman School Road - Condemnation Resolution

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF GARLAND, TEXAS FINDING AND DETERMINING THAT THE PUBLIC NECESSITY AND CONVENIENCE REQUIRE THE ACQUISITION OF VARIOUS PROPERTY RIGHTS LOCATED ALONG NAAMAN SCHOOL ROAD, EAST OF BRAND ROAD, AND WEST OF STATE HIGHWAY 78, IN THE CITY OF GARLAND, TEXAS, SITUATED IN THE MID-CROSSING ADDITION, IN THE CITY OF GARLAND, COUNTY OF DALLAS, TEXAS, SAID PROPERTY INTERESTS BEING MORE PARTICULARLY DESCRIBED BELOW; PROVIDING AUTHORIZATIONS TO ACQUIRE SUCH PROPERTY RIGHTS BY PURCHASE OR CONDEMNATION AND MAKING CERTAIN FINDINGS PERTAINING THERETO; PROVIDING FURTHER AUTHORIZATIONS AS MAY BE NECESSARY TO CARRY OUT THE PURPOSES OF THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Garland, ("Garland"), has found and determined the need to acquire property rights necessary to reconstruct Naaman School Road, which will necessitate the acquisition of property from Brand Road to State Highway 78("Project");

WHEREAS, public convenience and necessity requires acquisition of the property described below (referred to as "Property"), which an exhibit is attached hereto and incorporated herein by reference, for the construction, operation, and maintenance of the Project;

WHEREAS, Garland is required to make an initial offer as defined by, and in compliance with, Texas Property Code §21.0111 ("Initial Offer"), and a bona fide offer, as defined by, and in compliance with, Texas Property Code §21.0113 ("Final Offer") to acquire the Property for public use from the Property Owner (as hereinafter defined) voluntarily before beginning the acquisition of the Property through a condemnation proceeding;

WHEREAS, the Property is located in the City of Garland, Dallas County, Texas as described below, and the fee owner of the Property is as follows:

Wendy's Properties LLC: 3232 Lavon, being part of the Jacob Reagor Survey, Abstract No. 11258 and being Lot 2, Block 1, Mid-Crossing Addition, an addition to the City of Garland, Dallas County, Texas and being described in the General Warranty Deed to Wendy's Properties, LLC recorded in Instrument Number 201500283378, Official Public Records of Dallas County, Texas;

Amount Offered: \$164,182;

WHEREAS, an independent professional appraisal report of the Property has been submitted to the City as required by Chapter 21 of the Texas Property Code, and the City Manager or his designee has established a certain amount determined to be just compensation for the Property based on the appraisal and fair market value of the Property and any applicable fees necessary to acquire the Property;

WHEREAS, Garland, through agents or representatives employed by or contracted with Garland, has entered into good faith negotiations with the owner of the Property in order to acquire necessary property rights on the Property for the Project, and has been unsuccessful in acquiring the necessary property rights on the Property; and

WHEREAS, in conjunction with the enactment of this Resolution, Garland authorized the initiation of eminent domain proceedings to acquire property rights to the Property at a public meeting by a record vote, and the notice for the public meeting included all required information, including the consideration of the use of eminent domain to condemn property as an agenda item;

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

Section 1

That Garland, its staff, and its attorneys are specifically authorized to purchase property rights of the Property; that the public convenience and necessity requires the acquisition of certain property rights on the Property for the public purpose of the Project; that Garland has made a good faith effort to negotiate a voluntary acquisition of certain property rights on the Property; that it appears to Garland that further negotiations to purchase certain property rights on the Property voluntarily would be futile; that the public necessity requires the condemnation of Property for the Project; and that Garland, its staff, and its attorneys are hereby authorized and directed to institute proceedings in eminent domain against the owner of the Property, and against all other owner, lienholders, or holders of an interest in the Property, in order to acquire certain property rights on the Property.

Section 2

That Garland, its staff, and its attorneys are hereby authorized to do all things necessary and proper to carry out the intent and

purpose of this Resolution, including determination of the property rights that are proper and necessary for the Project.

Section 3

It is the intent of the City Council that this Resolution authorize the City Manager and City Attorney, or their designees, to perform all steps necessary to obtain the Property necessary for the Project, whether through negotiation or condemnation, including the expenditure of funds.

Section 4

It is the intent of the City Council that this Resolution authorize the condemnation of all property required for the construction, improvement, maintenance, and reconstruction of Naaman School Road on the property in an area along Naaman School Road, east of Brand Road, and west of State Highway 78 located in the City, to serve the public and citizens of the City.

Section 5

If it is determined that there are scrivener errors in the descriptions contained herein or if later surveys contain more accurate revised descriptions, the City Attorney or his designee is authorized to have such errors corrected or revisions made without the necessity of obtaining a new City Council Ordinance authorizing condemnation of the corrected or revised property.

Section 6

Following an award by the Special Commissioners or a judgment of a court of competent jurisdiction on appeal from a Special Commissioners' award, the City Manager or his designee, is hereby authorized to make payment in an amount not to exceed the Special Commissioners' award or the judgment of a court of competent jurisdiction, to enable the City to take possession of the Property without further action of the City Council. However, nothing contained herein shall be interpreted to limit the spending authority of the City Manager granted by Council Resolution or Policy. It is the intent of the City Council that this Resolution grants the City Manager the authority, in addition to the authority granted by Council policy, to settle disputes related to the value of the Property.

Section 7

That this Resolution shall take effect immediately from and after its adoption.

PASSED AND APPROVED this the _____ day of November, 2021.

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary



**GARLAND
CITY COUNCIL ITEM SUMMARY SHEET**

City Council Regular Session Agenda

9.

Meeting Date: 11/16/2021

Item Title: Use of Eminent Domain Authority for Property Related to Bottleneck Improvements Program (Buckingham/Plano Intersection)

Submitted By: Brian England, Deputy City Attorney

Summary of Request/Problem

As part of the 2019 Bond Program, voters approved the Bottlenecks Improvements Program. The program will widen improvements and provide additional turn bays to relieve bottlenecks at 12 major intersections throughout the city and alleviate road congestion. The program requires the acquisition of easements and right-of-way (only “strips and clips” are needed for the program). Because the City does not already own all the property upon which the project will be constructed, the City has engaged in an effort to acquire the necessary easements and right-of-way. The City has been able to negotiate with some of the property owners in the area to acquire the necessary property interests. However, the City has not been able to successfully negotiate a final purchase price with all property owners. The City continues to negotiate with additional landowners. If these negotiations are unsuccessful, we may need to seek to add additional properties in a future resolution.

Council was briefed on requirements for land acquisition on the Bottleneck Improvements Program on February 1, 2021, in Executive Session.

Recommendation/Action Requested and Justification

Council is requested to approve a resolution authorizing the acquisition of the property rights described in the proposed resolution. The City has been able to negotiate with a number of property owners in the program/project area to acquire the necessary property interests. However, the City has not been able to successfully negotiate a final purchase price with one property owner. The owner is named in the proposed resolution. State law requires particular wording to be used in a motion to adopt a resolution authorizing the initiation of condemnation proceedings. The City Attorney will provide in written form the appropriate wording of the motion.

The motion and resolution will authorize the acquisition of property interests in the following properties located in Richardson, Dallas County, Texas:

1360 S Plano Rd, being a portion of Lot 27A, in Block 1, of the 1st Installment Town Park North Addition, an Addition to the City of Richardson, Dallas County, Texas according to the Map thereof recorded in Volume 85193, page 3122 of the Deed Records of Dallas County, Texas.

Attachments

Bottleneck Improvements Program - Condemnation Resolution

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF GARLAND, TEXAS FINDING AND DETERMINING THAT THE PUBLIC NECESSITY AND CONVENIENCE REQUIRE THE ACQUISITION OF VARIOUS PROPERTY RIGHTS LOCATED AT THE INTERSECTION OF BUCKINGHAM AND PLANO, IN THE CITIES OF RICHARDSON AND GARLAND, TEXAS, SITUATED IN THE TOWN NORTH PARK NO.1 ADDITION, IN THE CITY OF RICHARDSON, COUNTY OF DALLAS, TEXAS, SAID PROPERTY INTERESTS BEING MORE PARTICULARLY DESCRIBED BELOW; PROVIDING AUTHORIZATIONS TO ACQUIRE SUCH PROPERTY RIGHTS BY PURCHASE OR CONDEMNATION AND MAKING CERTAIN FINDINGS PERTAINING THERETO; PROVIDING FURTHER AUTHORIZATIONS AS MAY BE NECESSARY TO CARRY OUT THE PURPOSES OF THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Garland, ("Garland"), has found and determined the need to acquire property rights necessary to widen intersection improvements for the Bottleneck Improvements Program, which will necessitate the acquisition of property at the intersection of Buckingham and Plano ("Project");

WHEREAS, public convenience and necessity requires acquisition of the Property described below, which exhibit is attached hereto and incorporated herein by reference, for the construction, operation, and maintenance of the Project;

WHEREAS, Garland is required to make an initial offer as defined by, and in compliance with, Texas Property Code §21.0111 ("Initial Offer"), and a bona fide offer, as defined by, and in compliance with, Texas Property Code §21.0113 ("Final Offer") to acquire the Property for public use from the Property Owner (as hereinafter defined) voluntarily before beginning the acquisition of the Property through a condemnation proceeding;

WHEREAS, the Property is located in the City of Richardson, Dallas County, Texas as described below, and the fee owner of the Property is as follows:

Seven Eleven Inc.: 1360 S Plano - being a portion of Lot 27A, in Block 1, of the 1st Installment Town North Park Addition, an Addition to the City of Richardson, Dallas County, Texas according to the Map thereof recorded in Volume 85193, page 3122 of the Deed Records of Dallas County, Texas;

Amount Offered: \$47,050;

WHEREAS, an independent professional appraisal report of the Property has been submitted to the City as required by Chapter 21 of the Texas Property Code, and the City Manager or his designee has established a certain amount determined to be just compensation for the Property based on the appraisal and fair market value of the Property and any applicable fees necessary to acquire the Property;

WHEREAS, Garland, through agents or representatives employed by or contracted with Garland, has entered into good faith negotiations with the owner of the Property in order to acquire necessary property rights on the Property for the Project, and has been unsuccessful in acquiring the necessary property rights on the Property; and

WHEREAS, in conjunction with the enactment of this Resolution, Garland authorized the initiation of eminent domain proceedings to acquire property rights to the Property at a public meeting by a record vote, and the notice for the public meeting included all required information, including the consideration of the use of eminent domain to condemn property as an agenda item;

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

Section 1

That Garland, its staff, and its attorneys are specifically authorized to purchase property rights of the Property; that the public convenience and necessity requires the acquisition of easement rights on the Property for the public purpose of the Project; that Garland has made a good faith effort to negotiate a voluntary acquisition of easement rights on the Property; that it appears to Garland that further negotiations to purchase easement rights on the Property voluntarily would be futile; that the public necessity requires the condemnation of Property for the Project; and that Garland, its staff, and its attorneys are hereby authorized and directed to institute proceedings in eminent domain against the owner of the Property, and against all other owner, lienholders, or holders of an interest in the Property, in order to acquire easement rights on the Property.

Section 2

That Garland, its staff, and its attorneys are hereby authorized to do all things necessary and proper to carry out the intent and

purpose of this Resolution, including determination of the property rights that are proper and necessary for the Project.

Section 3

It is the intent of the City Council that this Resolution authorize the City Manager and City Attorney, or their designees, to perform all steps necessary to obtain the Property necessary for the Project, whether through negotiation or condemnation, including the expenditure of funds.

Section 4

It is the intent of the City Council that this Resolution authorize the condemnation of all property required for the construction, improvement, maintenance, and reconstruction of a bottleneck improvement on the property at the intersection of Buckingham and Plano located in the Cities of Garland and Richardson, to serve the public and citizens of the City.

Section 5

If it is determined that there are scrivener errors in the descriptions contained herein or if later surveys contain more accurate revised descriptions, the City Attorney or his designee is authorized to have such errors corrected or revisions made without the necessity of obtaining a new City Council Ordinance authorizing condemnation of the corrected or revised property.

Section 6

Following an award by the Special Commissioners or a judgment of a court of competent jurisdiction on appeal from a Special Commissioners' award, the City Manager or his designee, is hereby authorized to make payment in an amount not to exceed the Special Commissioners' award or the judgment of a court of competent jurisdiction, to enable the City to take possession of the Property without further action of the City Council. However, nothing contained herein shall be interpreted to limit the spending authority of the City Manager granted by Council Resolution or Policy. It is the intent of the City Council that this Resolution grants the City Manager the authority, in addition to the authority granted by Council policy, to settle disputes related to the value of the Property.

Section 7

That this Resolution shall take effect immediately from and after its adoption.

PASSED AND APPROVED this the _____ day of November, 2021.

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary



GARLAND PLANNING REPORT

City Council Regular Session Agenda

10. a.

Meeting Date: 11/16/2021

Item Title: Z 21-29 Millennium Village, LP. / Masterplan - Zoning (District 7)

Submitted By: Nabiha Ahmed, Development Planner

REQUEST

Approval of a Change in Zoning from Planned Development (PD) District 85-20 for Community Retail Uses to a Planned Development (PD) District for Multi-Family Use. Approval of a Detail Plan for a Multi-Family development.

LOCATION

1602 Belt Line Road

OWNER

William Mingtzong Tsao

PLAN COMMISSION RECOMMENDATION

On October 25, 2021 the Plan Commission, by a vote of seven (7) to zero (0), recommended approval of a Change in Zoning from Planned Development (PD) District 85-20 for Community Retail Uses to a Planned Development (PD) District for Multi-Family Use.

The Plan Commission, by a vote of seven (7) to zero (0), recommended approval of a Detail Plan for a Multi-Family development.

STAFF RECOMMENDATION

Approval of a Change in Zoning from Planned Development (PD) District 85-20 for Community Retail Uses to a Planned Development (PD) District for Multi-Family Use.

Approval of a Detail Plan for a Multi-Family development.

BACKGROUND

In 1985, the City Council approved a zoning change from Apartment District to Planned Development (PD) District 85-29 for Shopping Center Use. The subject property is currently unimproved. The applicant requests the development of one-hundred eighty-four (184) multi-family dwelling units and fifteen (15) "townhouse style" multi-family units, which would be built in one (1) phase.

SITE DATA

The overall site consists of approximately 4.54 acres with 493.55 lineal feet of frontage along Belt Line Road. The site plan (Exhibit C) shows two (2) access points from Belt Line Road.

USE OF PROPERTY UNDER CURRENT ZONING

The site is zoned Planned Development (PD) District 85-29, which allows primarily commercial and retail uses. Residential uses are not permitted in Planned Development (PD) District 85-29.

CONSIDERATIONS

1. Development and Site Plan

The applicant requests the development of 3-story and 4-story (single footprint), 184 multi-family dwelling units and fifteen (15) "townhouse style" units at the rear of the unimproved property in one (1) platted lot. The front-entry "townhouse style" multi-family units would each have their own two-car garage along with a story above and a roof terrace facing north toward the multi-family building. The primary entrance to these units faces south for privacy and security. Each "townhouse style" unit will have its own privacy fence in the "front yard".

In addition, the development will consist of an interior amenitized courtyard, elevators, rooftop lounge and bar style eating, dog run, fitness center, business collaboration center "work room" and outdoor recreational lawn (Exhibit C in the Plan agenda item).

2. Parking

The GDC requires 315 parking spaces for this proposal. The site layout shows 329 parking spaces. Additionally, 294 parking spaces are provided in the parking garage that is attached to Building A, satisfying the covered parking requirement.

3. Building Height

The maximum height allowed for a multi-family development is forty (40) feet and the applicant requests the maximum height to be fifty-nine (59) feet for the northern portion of Building A and forty-five (45) feet for the southern portion of Building A. The additional height accommodates the density and structured parking garage for the 3/4 story building. The additional height is necessary for the 3-story section for greater heights in the first floor garage and taller profile. The height aligns with the density request to support the type of development with robust amenities and furnishings.

4. Density

The maximum density required per the GDC for a multi-family development is eighteen (18) dwelling units per acre. The applicant requests the maximum density at forty-four (44) units per acre to support a structured parking garage, elevators, and a range of high quality amenities.

5. Building Setback

The GDC states when a Multi-Family (MF) District is located adjacent to the single-family zoning district, the rear setbacks must be 1.25 times the maximum height of each building or a maximum of fifty (50) feet. Based on the calculation, the "townhouse style" units must maintain a rear setback of 43.3 feet. The site plan (Exhibit C) provides a twenty (20)-foot rear setback adjacent to the single-family properties. The applicant contends the "townhouse style" residences would provide a compatible transition to the single-family

detached residences to the south. Moreover, the solid masonry wall and row of large trees will provide a separation between the properties.

The buildings will comply with all other setback requirements per the GDC.

6. Amenities

• **Clubhouse:**

Section 2.39 (I) states that a minimum 2,500 square-foot clubhouse must be constructed on site and made available to all residents. The site plan (Exhibit C) notes a 6,513 square-foot clubhouse which the application indicates will include amenities such as a fitness room, a business collaboration center “work room”, a club room, a leasing office and the mail package center.

• **Swimming Pool:**

One swimming pool having a minimum of eight hundred (800) square feet of surface water must be provided for each multi-family development. The applicant proposes a swimming pool with 1,900 square feet of surface water in the courtyard with a sun deck, water feature with a rain curtain, cabanas, BBQ grills, shade structure with outdoor kitchen, fire pit and stringed lights for enhanced ambience.

• **Leisure Areas:**

One leisure area having a minimum area of one thousand square feet, containing at least two (2) pieces of play equipment, or other outdoor amenities (such as, picnic areas with tables, barbeque pits, arbors, or gazebos) must be provided for each multi-family development. The applicant will comply with this requirement by providing a dog park, fire feature with lounge chairs, and shade structure with outdoor seating. In addition, a rooftop lounge is proposed at the northwest side of the development.

7. Dwelling unit/mix

The submittal materials indicate compliance with the required unit size and mix. More specifically:

Average minimum dwelling unit size.

Required: 725 square feet

Proposed: 819 square feet

Total number of units: 199 units

Minimum dwelling unit size.

Required efficiency: 500 square feet

Proposed: 548 square feet

Number of units: 17 units

Minimum dwelling unit size.

Required one-bedroom: 650 square feet

Proposed: 668, 712, 768 and 798 square feet

Number of units: 132 units

Required two-bedroom: 800 square feet

Proposed: 1,110, 1,196, 1,348, 2,048 square feet

Number of units: 35 units

Required "townhouse style"

two-bedroom: 800 square feet

Proposed: 2,048 square feet

Number of units: 15 units

8. Screening and Landscaping

The GDC requires a minimum of forty (40%) percent of the site area to be landscaped. The applicant proposes thirty-four (34%) percent of the site area to be landscaped per the landscape plan (Exhibit D). The proposed parking garage yields less landscaped area.

Per Section 4.39 of the GDC, perimeter screening is required between the proposed multi-family development and the adjacent single-family properties to the south of the subject property. The applicant proposes a six (6)-foot masonry wall to the southern perimeter along with nineteen (19) canopy trees on the development's side of the wall to fulfill the screening requirements per the GDC. In addition, the applicant proposes a six (6)-foot ornamental metal fence along the eastern and western perimeter lines.

9. Building Design

The building design complies with the architectural elements and articulation requirements of the GDC.

10. Signage

No deviations were requested regarding signage.

11. Summary of Deviations

The applicant requests to deviate from the required Multi-Family (MF) District development standards per Chapter 2 and Chapter 4 of the GDC. The table below indicated the deviations are as proposed.

Development Standards	Required	Proposed	Analysis
Building Height	40 feet	• 40 feet to 59 feet for the northern portion of Building A. • 40 to 45 for the southern portion of Building A.	The additional height is necessary to accommodate the density and structured parking.

Density	Eighteen (18) dwelling units per acre	Approximately forty-four (44) dwelling units per acre.	The proposed density supports a structured parking garage, elevators, and a range of high quality amenities. Additionally, the lower density “townhouse style” units are strategically located adjacent to the single-family residential neighborhood to the south.
Building Setback from Southern Perimeter	Where a Multi-Family (MF) District is located adjacent to the single-family zoning district, the rear setbacks must be 1.25 times the maximum height of each building or a maximum of fifty (50) feet. Based on the calculation, the “townhouse style” units must maintain a rear setback of 43.3 feet.	The site plan (Exhibit C) provides a twenty (20)-foot rear setback adjacent to the single-family properties.	The applicant contends the “townhouse style” residences would provide a compatible transition to the single-family detached residences to the south. Moreover, the solid masonry wall and row of large trees will provide a separation between the properties. It should be noted that townhouse lots following Single-Family-Attached (SF-A) standards have a five (5) foot rear setback requirement.
Landscaping	The GDC requires a minimum of forty (40%) percent of the site area to be landscaped.	The applicant proposes thirty-four (34%) of the site area to be landscaped per the landscape plan (Exhibit D)	Whereas a typical surface parking lot includes landscaping, the proposed parking garage yields less landscaped area.

COMPREHENSIVE PLAN

The Envision Garland Plan designates the subject property as Compact Neighborhoods. Compact neighborhoods provide areas for moderate increases in residential density, including single-family attached and single-family detached housing. It expands housing options through infill and redevelopment, while continuing walkable development patterns.

These areas provide transitions between traditional residential neighborhoods and higher density residential neighborhoods and non-residential developments. These areas accommodate uses such as convenience retail (goods and services), office space, and public services. The architectural character and scale of these areas are compatible with adjacent residential development.

The proposed use is suitable with the Comprehensive Plan. The intent is to provide quality housing options and contribute to the long term viability of existing retail centers.

The proposed higher density multi-family building is located closer to the public street, and the lower density “townhouse style” units are abutting the adjacent single-family neighborhood.

COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

The properties to the north, across Belt Line Road, are zoned Planned Development (PD) District 80-63 for Multi-Family use and Planned Development (PD) District 14-47 for Townhouses. An apartment complex is located on the property zoned Planned Development (PD) District 80-63 and the townhouses were never built on the property zoned Planned Development (PD) District 14-47. The properties to the east are zoned Community Retail (CR) District; these properties are developed with restaurants, retail stores, laundromat, medical office and a health spa. The properties to the south are zoned Single-Family-7 (SF-7) District; these properties are developed with single-family properties. The property to the west is zoned Multi-Family (MF) District; this property is developed with an apartment complex.

Attachments

Z 21-29 Millennium Village, LP. / Masterplan (Zoning) Attachments

Z 21-29 Millennium Village, LP. / Masterplan Responses

Z 21-29 Millennium Village, LP. / Masterplan Staff Presentation



0 80 160 Feet
1 inch = 132 feet

Zoning Map Z 21-29



INDICATES AREA
OF REQUEST

PLANNED DEVELOPMENT CONDITIONS

ZONING FILE Z 21-29

1602 BELT LINE ROAD

I. Statement of Purpose: The purpose of this Planned Development is to approve a multi-family development.

II. Statement of Effect: This Planned Development shall not affect any regulation found in the Garland Development Code, Ordinance No. 6773, as amended prior to adoption of this ordinance, except as specifically provided herein.

III. General Regulations: All regulations of the Multi-Family (MF) District as set forth in Chapter 2 of the Garland Development Code are included by reference and shall apply, except as otherwise specified by this ordinance.

IV. Development Plans:

Detail Plan: Development shall be in general conformance with the Detail Plan labeled Exhibit C through Exhibit E. In the event there is conflict between the approved Detail Plan and the Specific Regulations below, the Specific Regulations shall apply.

V. Specific Conditions:

A. Permitted Uses: Land Uses are only permitted as in the Multi-Family (MF) District.

B. Site Plan: The site layout, building placement, parking and other development proposed shall be in general conformance with the approved Site Plan labeled Exhibit C.

C. Building Height: The maximum height for the northern portion of Building A shall be fifty-nine (59) feet and the maximum height for the southern portion of Building A shall be forty-five (45) feet. The maximum height for Buildings B, C and D shall be thirty-seven (37) feet.

- D. Density: The maximum density for this development shall be forty-four (44) dwelling units per acre.
- E. Building Setback: The minimum setback from Buildings B, C and D from the southern perimeter shall be twenty (20) feet.
- F. Dwelling Units: A total of 199 dwelling units shall be permitted.
- G. Parking: A total of 329 parking spaces shall be provided as reflected on Exhibit C. The parking garage within Building A shall consist of 294 parking spaces.
- H. Amenities: Amenities shall be provided as shown on the Exhibits C and D.
- I. Rooftop Patio: There shall be a 1,200-square foot rooftop patio on Building A. The location of that rooftop patio must be on the northern half of Building A as reflected on Exhibit D. The rooftop patio must be screened on the southern side facing the residential district.
- J. Landscape Plan: Screening and landscaping shall be in general conformance with the landscape plan labeled Exhibit D.
- K. Elevations: Building Elevations shall be in general conformance with the elevations labeled Exhibit E.
- L. Lighting: All pedestrian pathways shall be lighted per the Garland Development Code standards.
- M. Signage: All signage shall comply with the standards in the Garland Development Code.

REPORT & MINUTES

P.C. Meeting, October 25, 2021

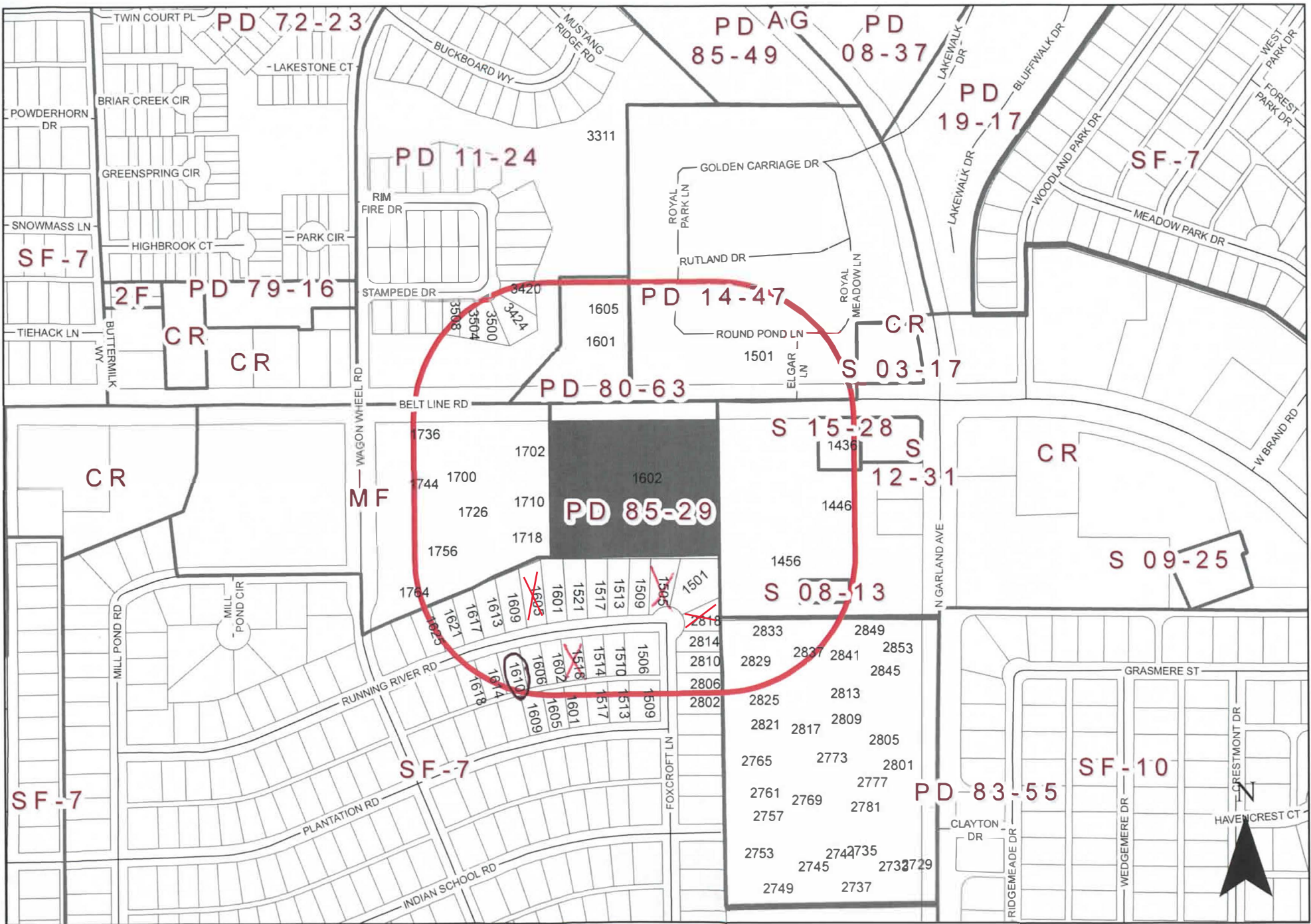
Consideration of the application of **Millennium Village, LP. / Masterplan**, requesting approval of a Change in Zoning from Planned Development (PD) District 85-20 for Community Retail Uses to a Planned Development (PD) District for Multi-Family Use. This property is located at 1602 Belt Line Road. (District 7) (File Z 21-29 - Zoning)

The applicant Maxwell Fisher, 2595 Dallas Parkway, Frisco, Texas, provided an overview of the request and remained available for questions.

There was discussion between the Plan Commission and Mr. Fisher regarding property ownership of land between the subject property and neighboring property, grading and the retaining wall, density, setbacks, and architectural design.

Plan Commissioners also spoke in support of the request.

Motion was made by Commissioner Jenkins to close the public hearing and approve the request as presented. Seconded by Commissioner Paris. **Motion carried: 7 Ayes, 0 Nays.**



0 240 480 Feet
1 inch = 370 feet

Zoning Map Z 21-29

1602 Belt Line Road

INDICATES AREA
OF REQUEST



INDICATES
NOTIFICATION AREA

Comment Form

Case Z 21-29

Z 21-29 Millennium Village LP / Masterplan. The applicant proposes to construct 184 multi-family units and 15 "townhouse style" multi-family units. This site is located at 1602 Belt Line Road. (District 7) (see included map)

Z 21-29 Millennium Village LP / Masterplan . El solicitante propone construir 184 unidades multifamiliares y 15 unidades multifamiliares "estilo casa adosada". Este sitio está ubicado en 1602 Belt Line Road. (Distrito 7) (ver mapa incluido)

Z 21-29 Millennium Village LP / Masterplan . Người nộp đơn đề xuất xây dựng 184 căn hộ dành cho nhiều gia đình và 15 căn hộ dành cho nhiều gia đình "kiểu nhà phố". Địa điểm này nằm ở 1602 Belt Line Road. (Quận 7) (xem bản đồ bao gồm)

Please Check One Below / Marque uno a continuación / Vui lòng kiểm tra một bên dưới

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For / A Favor / Đúng

☐

Against / En Contra / Không

Please complete the following information and email the form to Planning@garlandtx.gov; deliver to the Planning Department at 800 Main Street Garland, TX; or mail to City of Garland, Planning Department, P.O. Box 469002 Garland, TX 75406-9002./ Por favor Complete la siguiente información y envíe el formulario por correo electrónico a Planning@garlandtx.gov; entregar al Departamento de Planificación en 800 Main Street Garland, TX; o envíelo por correo a City of Garland, Planning Department, P.O. Box 469002 Garland, TX 75406-9002./ Vui lòng điền đầy đủ thông tin sau và gửi biểu mẫu qua email tới Planning@garlandtx.gov; giao cho Phòng Kế hoạch tại 800 Main Street Garland, TX; hoặc gửi thư đến Thành phố Garland, Sở Kế hoạch, P.O. Hộp 469002 Garland, TX 75406-9002.

Printed Name & Title / Nombre Impreso y Título / Tên in và Tiêu đề

(Property Owner, Business Owner, Tenant, etc.) / (Dueño de la propiedad, Dueño de la empresa, Inquilino, etc.) / (Chủ sở hữu bất động sản, Chủ doanh nghiệp, Người thuê, v.v.)

1610 Running River

Your Property Address / La dirección de su propiedad / địa chỉ tài sản

Garland Texas

City, State / Estado de la Ciudad / Thành bang

75044

Zip Code / Código postal / Mã B u Đính

Jay Moore

Signature / Firma / Ch ữ ký

Date / Fecha / Ngày

(Providing email address and phone number is optional. / La dirección de correo electrónico y el número de teléfono son opcionales. / Địa chỉ email và số điện thoại là tùy chọn.)

OCT 21 '21 AM 10:42

Allmendinger, Tracy

From: Barb <goldenshep@aol.com>
Sent: Monday, October 18, 2021 1:45 PM
To: Planning Group
Subject: [EXTERNAL] Comment Form Case Z 21-29
Attachments: Case Z 21-29.pdf

Against it.

We don't need more traffic, more noise, more pollution, more trash, more people.
There's plenty here as it is.

Comment Form

Case Z 21-29

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Please Check One Below / Marque uno a continuación / Vui lòng kiểm tra một bên dưới

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For / A Favor / Đúng

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Against / En Contra / Không

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JOHN H. BLANKS

Printed Name & Title / Nombre Impreso y Título / Tên in và Tiêu đề

(Property Owner, Business Owner, Tenant, etc.) / (Dueño de la propiedad, Dueño de la empresa, Inquilino, etc.) / (Chủ sở hữu bất động sản, Chủ doanh nghiệp, Người thuê, v.v.)

1518 Running River Rd

Your Property Address / La dirección de su propiedad / địa chỉ tài sản

GARLAND, TX

City, State / Estado de la Ciudad / Thành bang

75044

Zip Code / Código postal / Mã B u Chính

John H. Blanks

Signature / Firma / Chữ ký

10-15-21

Date / Fecha / Ngày

(Providing email address and phone number is optional. / La dirección de correo electrónico y el número de teléfono son opcionales. / Địa chỉ email và số điện thoại là tùy chọn.)

Comment Form

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Salvador Robles (owner)

Printed Name & Title / Nombre Impreso y Título / Tên in và Tiêu đề

(Property Owner, Business Owner, Tenant, etc.) / (Dueño de la propiedad, Dueño de la empresa, Inquilino, etc.) / (Chủ sở hữu bất động sản, Chủ doanh nghiệp, Người thuê, v.v.)

1505 Running River Rd.

Your Property Address / La dirección de su propiedad / địa chỉ tài sản

Garland, TX 75

City, State / Estado de la Ciudad / Thành bang

75044

Zip Code / Código postal / Mã B u Chính

Signature / Firma / Ch ữ ký

10/17/21
Date / Fecha / Ngày

(Providing email address and phone number is optional. / La dirección de correo electrónico y el número de teléfono son opcionales. / Địa chỉ email và số điện thoại là tùy chọn.)

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Z 21-29 Millennium Village LP / Masterplan. Người nộp đơn đề xuất xây dựng 184 căn hộ dành cho nhiều gia đình và 15 căn hộ dành cho nhiều gia đình "kiểu nhà phố". Địa điểm này nằm ở 1602 Belt Line Road. (Quận 7) (xem bản đồ bao gồm)

Please Check One Below / Marque uno a continuación / Vui lòng kiểm tra một bên dưới

☐

For / A Favor / Đúng

☒

Against / En Contra / Không

Please complete the following information and email the form to Planning@garlandtx.gov; deliver to the Planning Department at 800 Main Street Garland, TX; or mail to City of Garland, Planning Department, P.O. Box 469002 Garland, TX 75406-9002./ Por favor Complete la siguiente información y envíe el formulario por correo electrónico a Planning@garlandtx.gov; entregar al Departamento de Planificación en 800 Main Street Garland, TX; o envíelo por correo a City of Garland, Planning Department, P.O. Box 469002 Garland, TX 75406-9002./ Vui lòng điền đầy đủ thông tin sau và gửi biểu mẫu qua email tới Planning@garlandtx.gov; giao cho Phòng Kế hoạch tại 800 Main Street Garland, TX; hoặc gửi thư đến Thành phố Garland, Sở Kế hoạch, P.O. Hộp 469002 Garland, TX 75406-9002.

Phat Nguyen

Printed Name & Title / Nombre Impreso y Título / Tên in và Tiêu đề

(Property Owner, Business Owner, Tenant, etc.) / (Dueño de la propiedad, Dueño de la empresa, Inquilino, etc.) / (Chủ sở hữu bất động sản, Chủ doanh nghiệp, Người thuê, v.v.)

2818 Foxcroft Ln.

Your Property Address / La dirección de su propiedad / địa chỉ tài sản

Garland, TX

City, State / Estado de la Ciudad / Thành bang

75044

Zip Code / Código postal / Mã B u Chính

Phat Nguyen

Signature / Firma / Chữ ký

10-29-2021

Date / Fecha / Ngày

(Providing email address and phone number is optional. / La dirección de correo electrónico y el número de teléfono son opcionales. / Địa chỉ email và số điện thoại là tùy chọn.)

NOV 3 '21 PM 3:01

Comment Form Continued – Case Z 21-29

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

Las declaraciones a continuación reflejan mi (nuestra) opinión con respecto a las solicitudes propuestas.

Các tuyên bố dưới đây phản ánh quan điểm của tôi (chúng tôi) về (các) yêu cầu được đề xuất

My only concern is something could affect to my house since they are near 400 feet away from my house. That with more people in the area will cause safety concerns as well and that the trash is becoming a problem with people throwing over the fence from the property behind my house.

Comment Form

Case Z 21-29

Z 21-29 Millennium Village LP / Masterplan. The applicant proposes to construct 184 multi-family units and 15 "townhouse style" multi-family units. This site is located at 1602 Belt Line Road. (District 7) (see included map)

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Please Check One Below / Marque uno a continuación / Vui lòng kiểm tra một bên dưới

☐

For / A Favor / Đúng

☒

Against / En Contra / Không

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Roberto Marroquin

Printed Name & Title / Nombre Impreso y Título / Tên in và Tiêu đề

(Property Owner, Business Owner, Tenant, etc.) / (Dueño de la propiedad, Dueño de la empresa, Inquilino, etc.) / (Chủ sở hữu bất động sản, Chủ doanh nghiệp, Người thuê, v.v.)

1605 RUNNING RIVER RD

Your Property Address / La dirección de su propiedad / địa chỉ tài sản

GARLAND TX

City, State / Estado de la Ciudad / Thành bang

75044

Zip Code / Código postal / Mã Bưu Chính

Roberto Marroquin

Signature / Firma / Chữ ký

10/30/21

Date / Fecha / Ngày

(Providing email address and phone number is optional. / La dirección de correo electrónico y el número de teléfono son opcionales. / Địa chỉ email và số điện thoại là tùy chọn.)

NOV 3 '21 PM 3:01

Comment Form Continued

Case Z 21 – 29

In my opinion this will increase traffic in the already congested Streets of the area because people coming from Rock wall and Rowlett, crime will come along sanitary services will be inappropriate for citizens of Garland, a nice park be the best option because we don't have recreational facilities near us we already have apartments on Arapaho and North Garland and the traffic increased a lot, we don't need any more cars in the street, look for an empty place in the rich people area to do this thing, they probably race hell and will listen, don't bring that stuff to our neighbor hood .

Z 21-29

The applicant proposes to construct 184 multi-family units and 15 “townhouse style” multi-family units.

[Planned Development and Detail Plan for an apartment complex on a property zoned Planned Development (PD) 85-29 for Community Retail Uses]

**City Council Meeting
November 16, 2021**



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CASE INFORMATION

Location: 1602 Belt Line Road

Applicant: Millennium Village, LP. / Masterplan

Owner: William Mingtzong Tsao

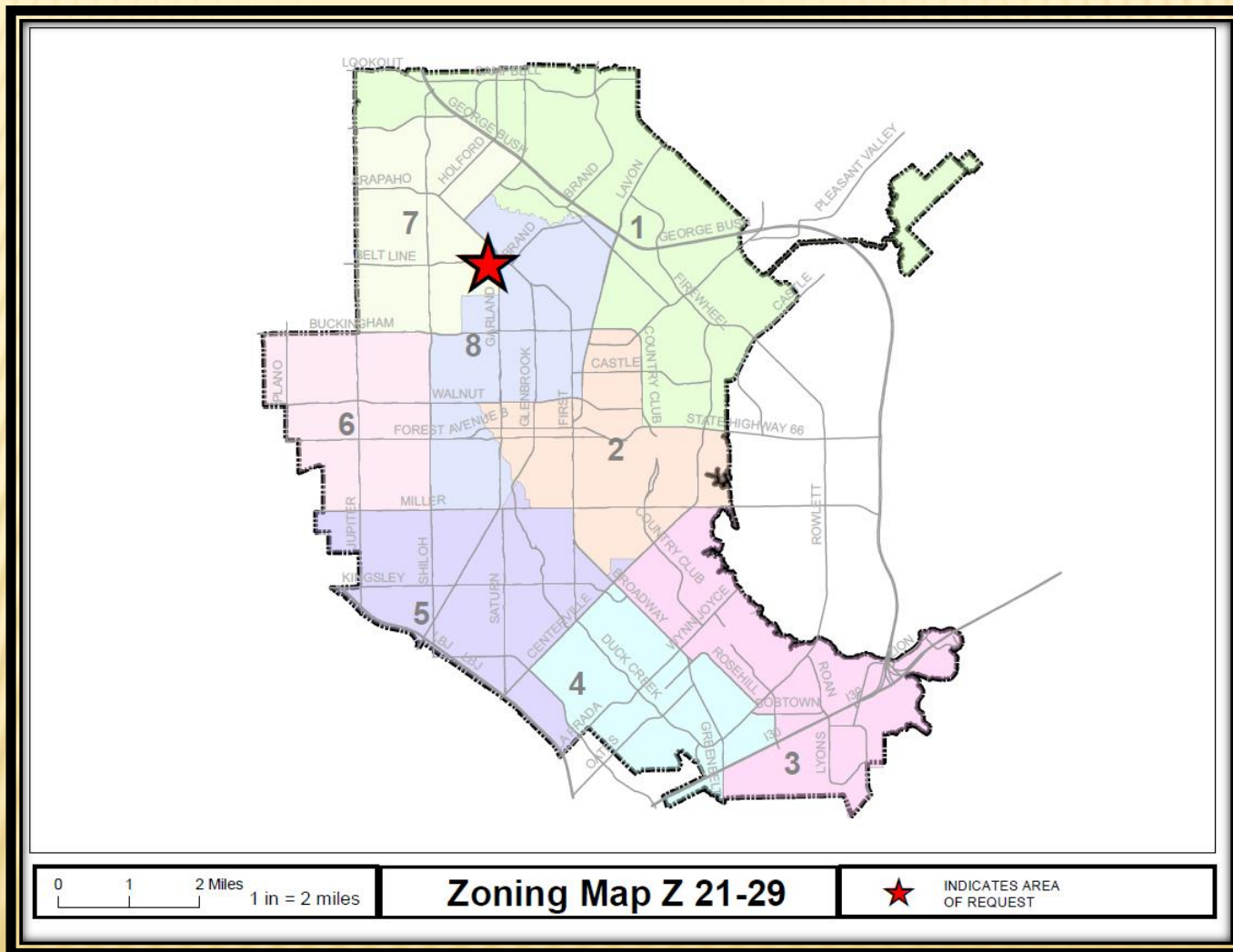
Acreage: 4.54 acres

Zoning: Planned Development (PD) District 85-20



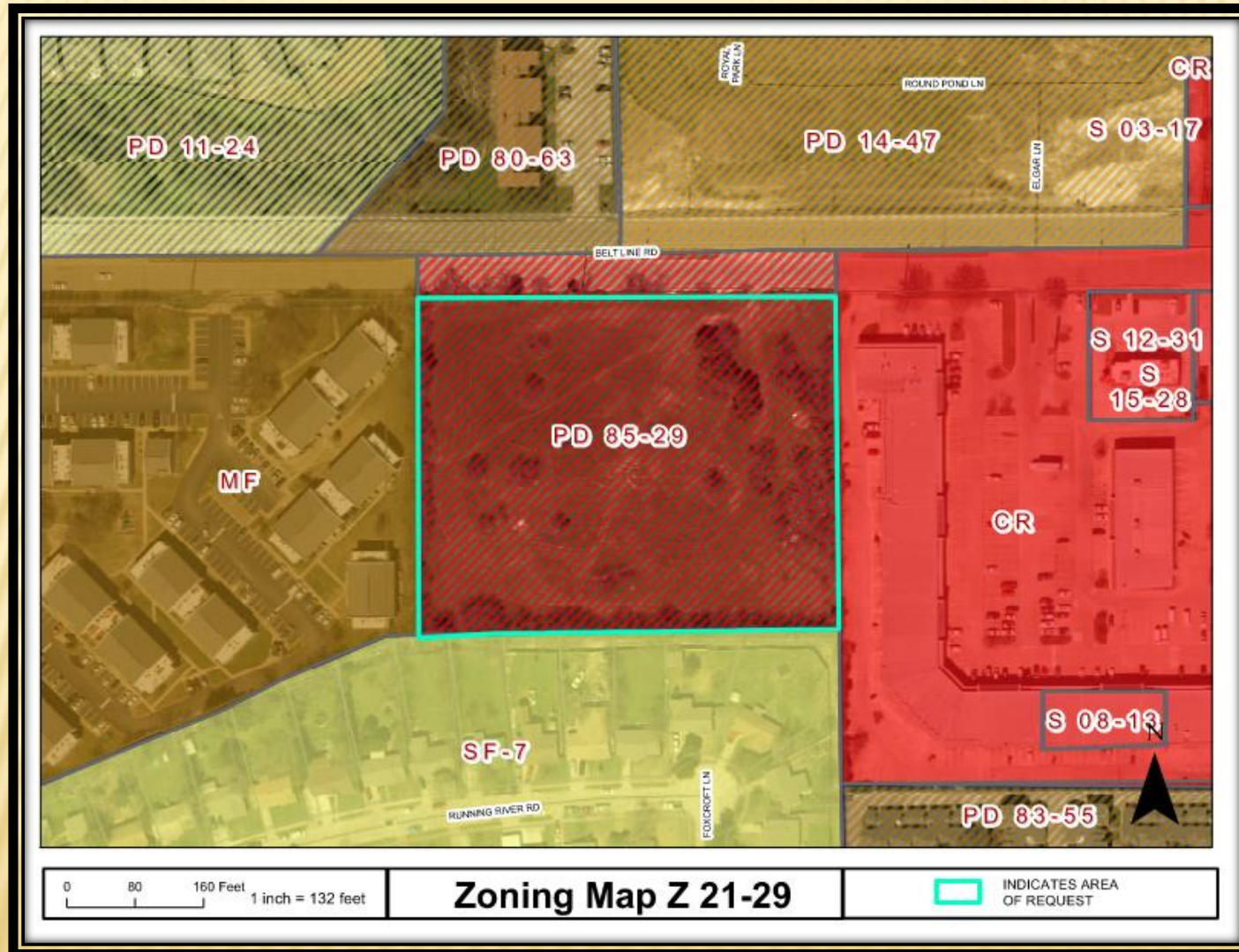
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CITYWIDE LOCATION MAP



Z 21-29

LOCATION MAP



COMPREHENSIVE PLAN





COMPREHENSIVE PLAN

The Envision Garland Plan designates the subject property as Compact Neighborhoods. Compact neighborhoods provide areas for moderate increases in residential density, including single-family attached and single-family detached housing. It expands housing options through infill and redevelopment, while continuing walkable development patterns.

These areas provide transitions between traditional residential neighborhoods and higher density residential neighborhoods and non-residential developments. These areas accommodate uses such as convenience retail (goods and services), office space, and public services. The architectural character and scale of these areas are compatible with adjacent residential development.

The proposed use is more suitable with the Comprehensive Plan. The intent is provide quality housing options and contribute to the long term viability of existing retail centers.

The proposed higher density multi-family building is closer to the public street and the lower density “townhouse style” units are abutting the single-family neighborhood.



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PHOTOS



View of the subject property from Belt Line Road



Looking east of the subject property



Looking north of the subject property

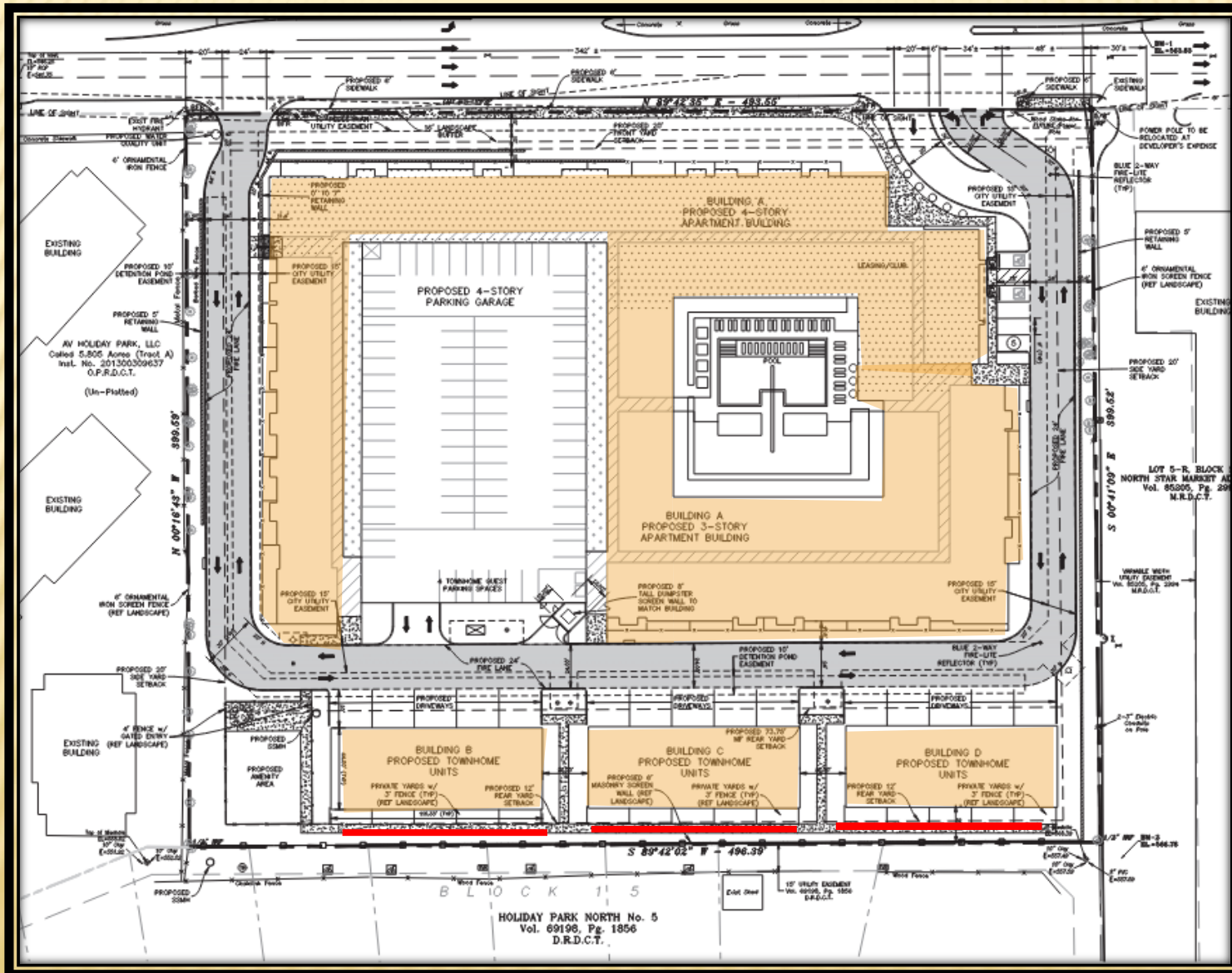


Looking west of the subject property



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SITE PLAN

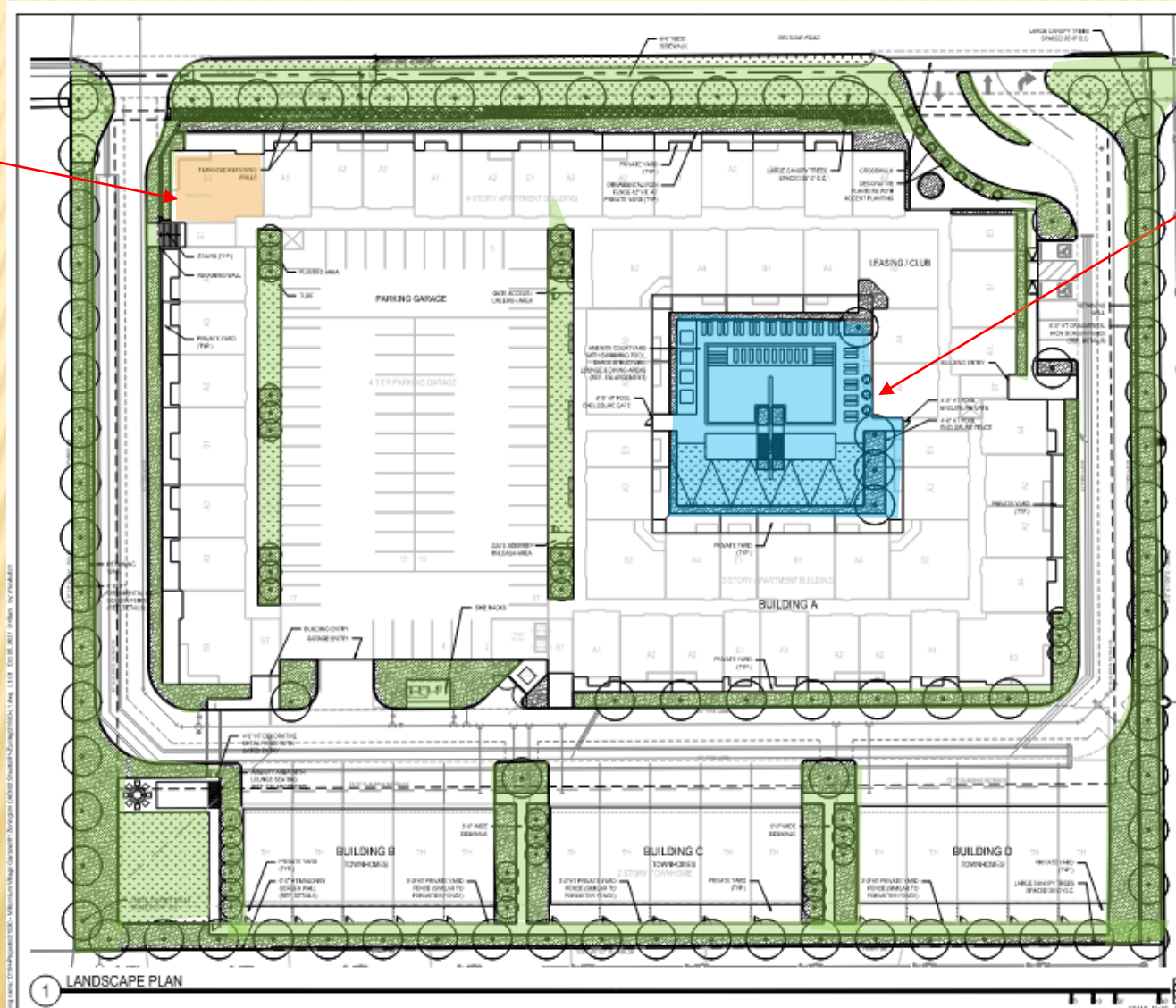


Z 21-29

LANDSCAPE PLAN

Rooftop lounge

Swimming Pool and Outdoor Kitchen

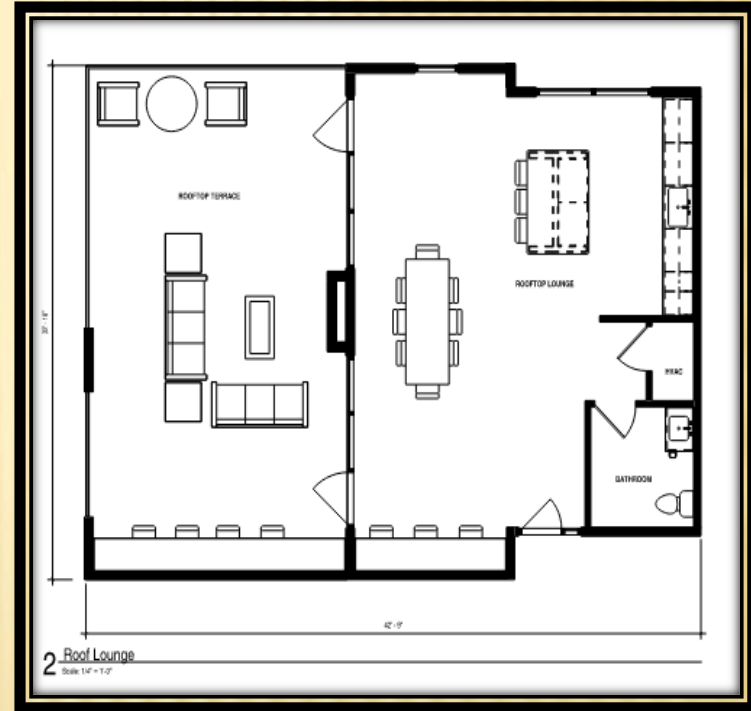
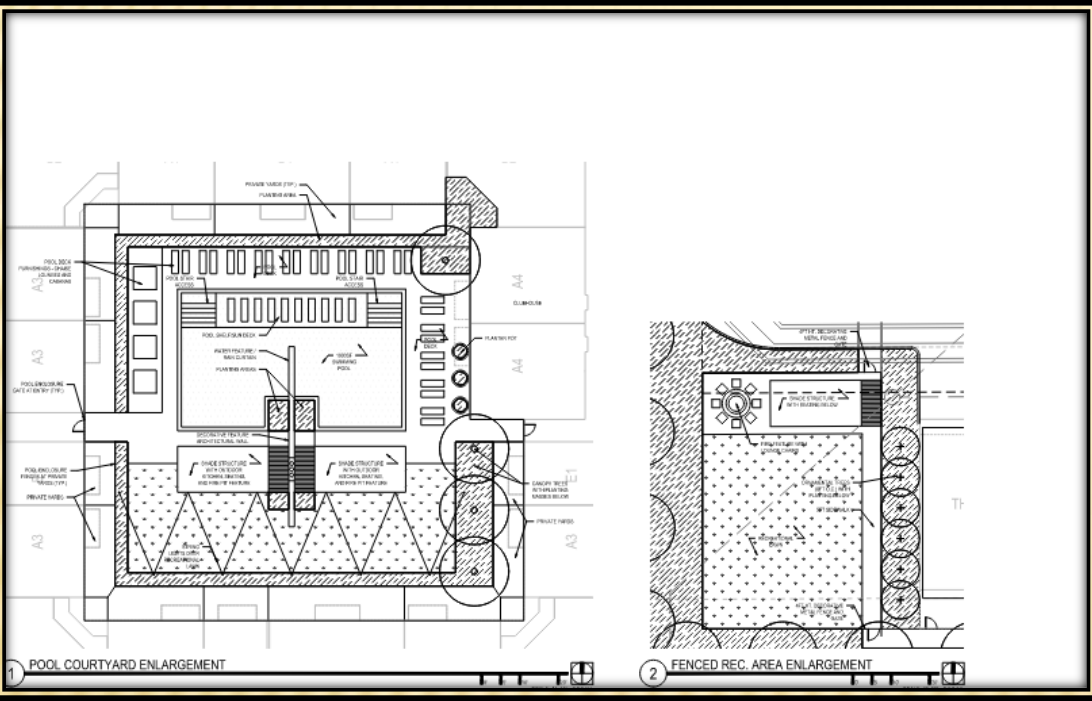


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AMENITIES



Z 21-29



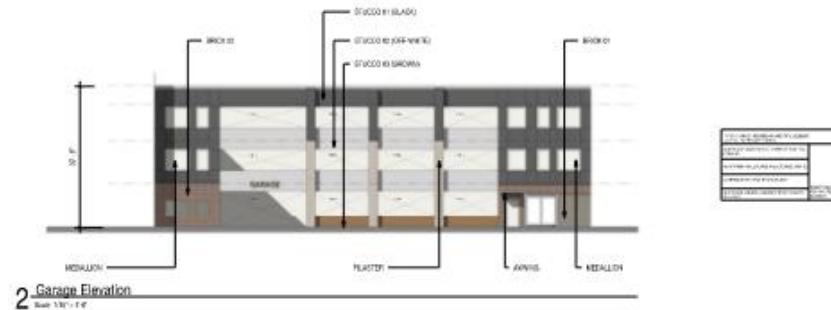
2 East Elevation
Scale: 1/8" = 1'-0"

1 North Elevation
Scale: 1/8" = 1'-0"



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BUILDING ELEVATIONS



[illegible]

2 Townhome South Elevation



4. Teerhome Side Elevation 03
Scale: 3/4" = 1'-0"

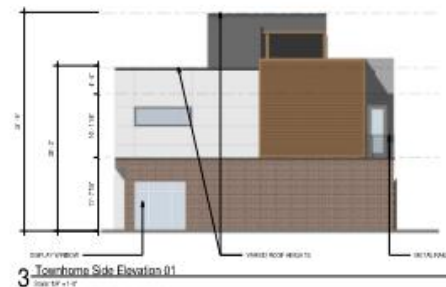
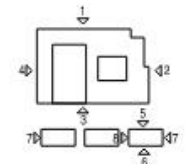


5 Trash Enclosure Elevation

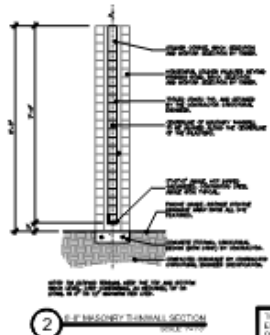


1 Townhome North Elevation
Scale: 1/8" = 1'-0"

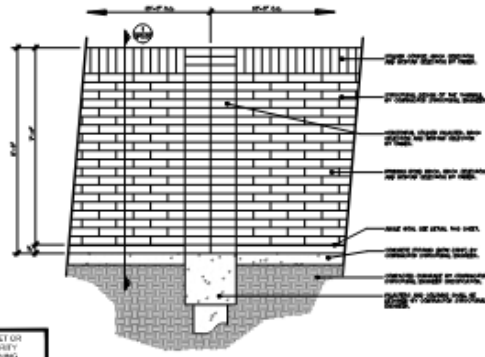
1. Name of the vessel 2. Date of departure 3. Name of the captain 4. Name of the crew 5. Name of the passengers 6. Name of the cargo 7. Name of the destination 8. Name of the port of origin 9. Name of the port of destination 10. Name of the agent	11. Name of the vessel 12. Date of departure 13. Name of the captain 14. Name of the crew 15. Name of the passengers 16. Name of the cargo 17. Name of the destination 18. Name of the port of origin 19. Name of the port of destination 20. Name of the agent	21. Name of the vessel 22. Date of departure 23. Name of the captain 24. Name of the crew 25. Name of the passengers 26. Name of the cargo 27. Name of the destination 28. Name of the port of origin 29. Name of the port of destination 30. Name of the agent
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3. Topographic Side Elevation (ft)
 (max 15' x 15')

SCREENING WALL ELEVATIONS

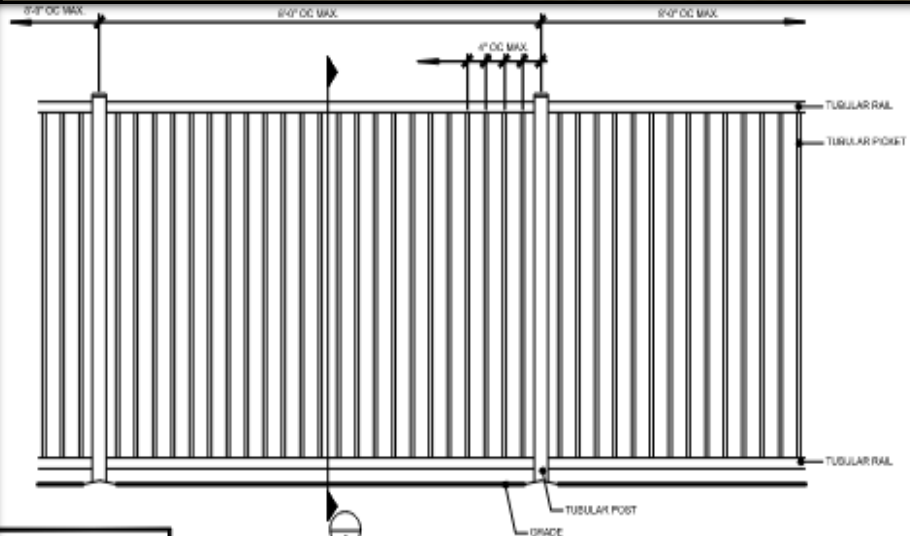


2 S-E MASONRY TRUSS WALL SECTION
SCALE 1/4"=1'-0"



1 LET HANNOY THROUGH 1 OF PARTIAL
SHEETS

THE SCREENING WALL SHALL MEET OR EXCEED THE STRUCTURAL INTEGRITY OF THE CITY'S STANDARD SCREENING WALL DETAILS AND COMPLY TO GDO 4.38.A.1



1 6'-0" HT. METAL PERIMETER FENCE ELEVATION
SCALE: 1"=1'-0"

EN INCLUDED IN THE SITE PERMIT.
FORMATIONAL PURPOSES ONLY.
A SEPARATE SUBMITTAL REVIEW
OBTAINED FROM THE BUILDING
T. CONTACT THE BUILDING
T AT 972-285-2300 FOR ADDITIONAL
REQUIREMENTS.

SUMMARY TABLE

Development Standards	Required	Proposed	Analysis
Building Height	40 feet	40 feet to 59 feet for the northern portion of Building A. 40 to 45 for the southern portion of Building A.	The additional height is necessary to accommodate the density and structured parking
Density	Eighteen (18) dwelling units per acre	Approximately forty-four (44) dwelling units per acre.	The proposed density supports a structured parking garage, elevators, and a range of high quality amenities. Additionally, the lower density “townhouse style” units are strategically located adjacent to the single-family residential neighborhood to the south.

SUMMARY TABLE

Building Setback from Southern Perimeter	Where a Multi-Family (MF) District is located adjacent to the single-family zoning district, the rear setbacks must be 1.25 times the maximum height of each building or a maximum of fifty (50) feet. Based on the calculation, the “townhouse style” units must maintain a rear setback of 43.3 feet.	The site plan (Exhibit C) provides a twenty (20)-foot rear setback adjacent to the single-family properties.	The applicant contends the “townhouse style” residences would provide a compatible transition to the single-family detached residences to the south. Moreover, the solid masonry wall and row of large trees will provide a separation between the properties. It should be noted that townhouse lots following Single-Family-Attached (SF-A) standards have a five (5) foot rear setback requirement.
Landscaping	The GDC requires a minimum of forty (40%) percent of the site area to be landscaped.	The applicant proposes thirty-four (34%) of the site area to be landscaped per the landscape plan (Exhibit D)	Whereas a typical surface parking lot includes landscaping, the proposed parking garage yields less landscaped area.

STAFF RECOMMENDATION

Approval of a Change in Zoning from Planned Development (PD) District 85-20 for Community Retail Uses to a Planned Development (PD) District for Multi-Family Use.

Approval of a Detail Plan for Multi-Family development.

PLAN COMMISSION RECOMMENDATION

On October 25, 2021 the Plan Commission, by a vote of seven (7) to zero (0), recommended approval of a Change in Zoning from Planned Development (PD) District 85-20 for Community Retail Uses to a Planned Development (PD) District for Multi-Family Use.

The Plan Commission, by a vote of seven (7) to zero (0), recommended approval of a Detail Plan for Multi-Family development.



PERMITTED USES IN PD 85-20

- Farms, Ranches, Orchards,
- Gardening
- Livestock
- Custodial Quarters (Mini-Warehouse)
- Temporary Use or Building
- Windmill
- Antenna, Private
- Antenna Mast or Tower
- Electric Transmission Lines
- Fire Station
- Gas Transmission Lines
- Local Utility Distribution Lines
- Public Utility Facilities
- Pumping Sewerage
- Radio & TV Studios
- Bank



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PERMITTED USES IN PD 85-20

- Offices, General
- Savings & Loan
- Athletic Instruction Loan
- Cemetery
- Church
- Civic Clubs
- Commercial Schools
- Convention Facilities
- Correspondence Schools
- Dance or Baton Schools
- Fraternal Lodges
- Kindergarten, Pre-School, or Child Care
- Library
- Museum, Art Gallery
- Neighborhood Assistance Center
- Orphanage
- Private School (Not Accredited)
- Public/Private School (Accredited)
- Special Schools
- Health Care Clinics
- Health Care Practitioner's Office
- Hospital
- Medical School
- Medical & Surgical Appliances
- Medical Lab



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PERMITTED USES IN PD 85-20

- Optical Dispensary
- Pharmacy
- Animal Clinic
- Florist – Retail
- Landscape Nursery – Retail
- Pet Grooming & Supplies
- Pet Shop – Retail Sales
- Home Improvement Center
- Commercial Amusement – Indoors
- Park or Playground
- Movie Theater
- Swimming Club – Private
- Tennis Courts – Commercial or Private Club
- Theaters
- Community Recreation Center – Public
- Community Recreation Center – Public/Private
- Community Recreation Center – Private Restricted
- Community Recreation Center – Private Open
- Answering Service
- Pharmacy
- Animal Clinic
- Florist – Retail
- Landscape Nursery – Retail
- Pet Grooming & Supplies
- Pet Shop – Retail Sales



GARLAND

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PERMITTED USES IN PD 85-20

- Home Improvement Center
- Commercial Amusement – Indoors
- Park or Playground
- Movie Theater
- Swimming Club – Private
- Tennis Courts – Commercial or Private Club
- Theaters
- Community Recreation Center – Public
- Community Recreation Center –Public/Private
- Community Recreation Center – Private Restricted
- Community Recreation Center – Private Open
- Answering Service
- Blueprinting & Photographic Reproduction
- Custom Personnel Service
- Film Pick-Up Station
- Gunsmith, Repair
- Laundry Pick-Up Station
- Laundry & Cleaners – Commercial (244 sq.ft.)
- Laundry or Cleaners – Self-Service
- Locksmith
- Printer, Small Scale
- Trophies and Awards
- Antiques – Indoor Display Only
- Bakery – Retail
- Drug Store
- Grocery
- Paint Store – Retail
- Retail Stores & Shops
- Specialty Shop or Boutique
- Supermarket
- Uniform Shop

Z 21-29



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PERMITTED USES IN PD 85-20

- Uniform Shop
- Household Appliance Service
- Lawn & Garden Equipment
- Repair & Service Shop
- Bus Stop Shelter
- Taxi Stand
- Cafeteria
- Confectionary – Donut Shop
- Dinner Theater
- Drive-In Restaurant
- Snack Shop
- Auto Repair Minor (Indoor)
- New or Rebuilt Parks and Supplies – Indoor
- Parking Garage or Lot – Commercial
- Tire Dealer, No Outdoor Storage
- Wrecker Service (One)
- Signs: On-Premise (Attached)
- Signs: On-Premise (Detached)
- Signs: Temporary Special Development



GARLAND PLANNING REPORT

City Council Regular Session Agenda

10. b.

Meeting Date: 11/16/2021

Item Title: Z 21-29 Millennium Village, LP. / Masterplan - Detail Plan (District 7)

Submitted By: Nabiha Ahmed, Development Planner

REQUEST

Approval of a Change in Zoning from Planned Development (PD) District 85-20 for Community Retail Uses to a Planned Development (PD) District for Multi-Family Use. Approval of a Detail Plan for a Multi-Family development.

LOCATION

1602 Belt Line Road

OWNER

William Mingtzong Tsao

PLAN COMMISSION RECOMMENDATION

On October 25, 2021 the Plan Commission, by a vote of seven (7) to zero (0), recommended approval of a Change in Zoning from Planned Development (PD) District 85-20 for Community Retail Uses to a Planned Development (PD) District for Multi-Family Use.

The Plan Commission, by a vote of seven (7) to zero (0), recommended approval of a Detail Plan for a Multi-Family development.

STAFF RECOMMENDATION

Approval of a Change in Zoning from Planned Development (PD) District 85-20 for Community Retail Uses to a Planned Development (PD) District for Multi-Family Use.

Approval of a Detail Plan for a Multi-Family development.

BACKGROUND

In 1985, the City Council approved a zoning change from Apartment District to Planned Development (PD) District 85-29 for Shopping Center Use. The subject property is currently unimproved. The applicant requests the development of one-hundred eighty-four (184) multi-family dwelling units and fifteen (15) "townhouse style" multi-family units, which would be built in one (1) phase.

SITE DATA

The overall site consists of approximately 4.54 acres with 493.55 lineal feet of frontage along Belt Line Road. The site plan (Exhibit C) shows two (2) access points from Belt Line Road.

USE OF PROPERTY UNDER CURRENT ZONING

The site is zoned Planned Development (PD) District 85-29, which allows primarily commercial and retail uses. Residential uses are not permitted in Planned Development (PD) District 85-29.

CONSIDERATIONS

1. Development and Site Plan

The applicant requests the development of 3-story and 4-story (single footprint), 184 multi-family dwelling units and fifteen (15) "townhouse style" units at the rear of the unimproved property in one (1) platted lot. The front-entry "townhouse style" multi-family units would each have their own two-car garage along with a story above and a roof terrace facing north toward the multi-family building. The primary entrance to these units faces south for privacy and security. Each "townhouse style" unit will have its own privacy fence in the "front yard".

In addition, the development will consist of an interior amenitized courtyard, elevators, rooftop lounge and bar style eating, dog run, fitness center, business collaboration center "work room" and outdoor recreational lawn (Exhibit C in the Plan agenda item).

2. Parking

The GDC requires 315 parking spaces for this proposal. The site layout shows 329 parking spaces. Additionally, 294 parking spaces are provided in the parking garage that is attached to Building A, satisfying the covered parking requirement.

3. Building Height

The maximum height allowed for a multi-family development is forty (40) feet and the applicant requests the maximum height to be fifty-nine (59) feet for the northern portion of Building A and forty-five (45) feet for the southern portion of Building A. The additional height accommodates the density and structured parking garage for the 3/4 story building. The additional height is necessary for the 3-story section for greater heights in the first floor garage and taller profile. The height aligns with the density request to support the type of development with robust amenities and furnishings.

4. Density

The maximum density required per the GDC for a multi-family development is eighteen (18) dwelling units per acre. The applicant requests the maximum density at forty-four (44) units per acre to support a structured parking garage, elevators, and a range of high quality amenities.

5. Building Setback

The GDC states when a Multi-Family (MF) District is located adjacent to the single-family zoning district, the rear setbacks must be 1.25 times the maximum height of each building or a maximum of fifty (50) feet. Based on the calculation, the "townhouse style" units must maintain a rear setback of 43.3 feet. The site plan (Exhibit C) provides a twenty (20)-foot rear setback adjacent to the single-family properties. The applicant contends the "townhouse style" residences would provide a compatible transition to the single-family

detached residences to the south. Moreover, the solid masonry wall and row of large trees will provide a separation between the properties.

The buildings will comply with all other setback requirements per the GDC.

6. Amenities

• **Clubhouse:**

Section 2.39 (I) states that a minimum 2,500 square-foot clubhouse must be constructed on site and made available to all residents. The site plan (Exhibit C) notes a 6,513 square-foot clubhouse which the application indicates will include amenities such as a fitness room, a business collaboration center “work room”, a club room, a leasing office and the mail package center.

• **Swimming Pool:**

One swimming pool having a minimum of eight hundred (800) square feet of surface water must be provided for each multi-family development. The applicant proposes a swimming pool with 1,900 square feet of surface water in the courtyard with a sun deck, water feature with a rain curtain, cabanas, BBQ grills, shade structure with outdoor kitchen, fire pit and stringed lights for enhanced ambience.

• **Leisure Areas:**

One leisure area having a minimum area of one thousand square feet, containing at least two (2) pieces of play equipment, or other outdoor amenities (such as, picnic areas with tables, barbeque pits, arbors, or gazebos) must be provided for each multi-family development. The applicant will comply with this requirement by providing a dog park, fire feature with lounge chairs, and shade structure with outdoor seating. In addition, a rooftop lounge is proposed at the northwest side of the development.

7. Dwelling unit/mix

The submittal materials indicate compliance with the required unit size and mix. More specifically:

Average minimum dwelling unit size.

Required: 725 square feet

Proposed: 819 square feet

Total number of units: 199 units

Minimum dwelling unit size.

Required efficiency: 500 square feet

Proposed: 548 square feet

Number of units: 17 units

Minimum dwelling unit size.

Required one-bedroom: 650 square feet

Proposed: 668, 712, 768 and 798 square feet

Number of units: 132 units

Required two-bedroom: 800 square feet

Proposed: 1,110, 1,196, 1,348, 2,048 square feet

Number of units: 35 units

Required "townhouse style"

two-bedroom: 800 square feet

Proposed: 2,048 square feet

Number of units: 15 units

8. Screening and Landscaping

The GDC requires a minimum of forty (40%) percent of the site area to be landscaped. The applicant proposes thirty-four (34%) percent of the site area to be landscaped per the landscape plan (Exhibit D). The proposed parking garage yields less landscaped area.

Per Section 4.39 of the GDC, perimeter screening is required between the proposed multi-family development and the adjacent single-family properties to the south of the subject property. The applicant proposes a six (6)-foot masonry wall to the southern perimeter along with nineteen (19) canopy trees on the development's side of the wall to fulfill the screening requirements per the GDC. In addition, the applicant proposes a six (6)-foot ornamental metal fence along the eastern and western perimeter lines.

9. Building Design

The building design complies with the architectural elements and articulation requirements of the GDC.

10. Signage

No deviations were requested regarding signage.

11. Summary of Deviations

The applicant requests to deviate from the required Multi-Family (MF) District development standards per Chapter 2 and Chapter 4 of the GDC. The table below indicated the deviations are as proposed.

Development Standards	Required	Proposed	Analysis
Building Height	40 feet	• 40 feet to 59 feet for the northern portion of Building A. • 40 to 45 for the southern portion of Building A.	The additional height is necessary to accommodate the density and structured parking.

Density	Eighteen (18) dwelling units per acre	Approximately forty-four (44) dwelling units per acre.	The proposed density supports a structured parking garage, elevators, and a range of high quality amenities. Additionally, the lower density “townhouse style” units are strategically located adjacent to the single-family residential neighborhood to the south.
Building Setback from Southern Perimeter	Where a Multi-Family (MF) District is located adjacent to the single-family zoning district, the rear setbacks must be 1.25 times the maximum height of each building or a maximum of fifty (50) feet. Based on the calculation, the “townhouse style” units must maintain a rear setback of 43.3 feet.	The site plan (Exhibit C) provides a twenty (20)-foot rear setback adjacent to the single-family properties.	The applicant contends the “townhouse style” residences would provide a compatible transition to the single-family detached residences to the south. Moreover, the solid masonry wall and row of large trees will provide a separation between the properties. It should be noted that townhouse lots following Single-Family-Attached (SF-A) standards have a five (5) foot rear setback requirement.
Landscaping	The GDC requires a minimum of forty (40%) percent of the site area to be landscaped.	The applicant proposes thirty-four (34%) of the site area to be landscaped per the landscape plan (Exhibit D)	Whereas a typical surface parking lot includes landscaping, the proposed parking garage yields less landscaped area.

COMPREHENSIVE PLAN

The Envision Garland Plan designates the subject property as Compact Neighborhoods. Compact neighborhoods provide areas for moderate increases in residential density, including single-family attached and single-family detached housing. It expands housing options through infill and redevelopment, while continuing walkable development patterns.

These areas provide transitions between traditional residential neighborhoods and higher density residential neighborhoods and non-residential developments. These areas accommodate uses such as convenience retail (goods and services), office space, and public services. The architectural character and scale of these areas are compatible with adjacent residential development.

The proposed use is suitable with the Comprehensive Plan. The intent is to provide quality housing options and contribute to the long term viability of existing retail centers.

The proposed higher density multi-family building is located closer to the public street, and the lower density “townhouse style” units are abutting the adjacent single-family neighborhood.

COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

The properties to the north, across Belt Line Road, are zoned Planned Development (PD) District 80-63 for Multi-Family use and Planned Development (PD) District 14-47 for Townhouses. An apartment complex is located on the property zoned Planned Development (PD) District 80-63 and the townhouses were never built on the property zoned Planned Development (PD) District 14-47. The properties to the east are zoned Community Retail (CR) District; these properties are developed with restaurants, retail stores, laundromat, medical office and a health spa. The properties to the south are zoned Single-Family-7 (SF-7) District; these properties are developed with single-family properties. The property to the west is zoned Multi-Family (MF) District; this property is developed with an apartment complex.

Attachments

Z 21-29 Millennium Village, LP. / Masterplan (Detail Plan) Attachments

Z 21-29 Millennium Village, LP. / Masterplan Responses

Z 21-29 Millennium Village, LP. / Masterplan Staff Presentation

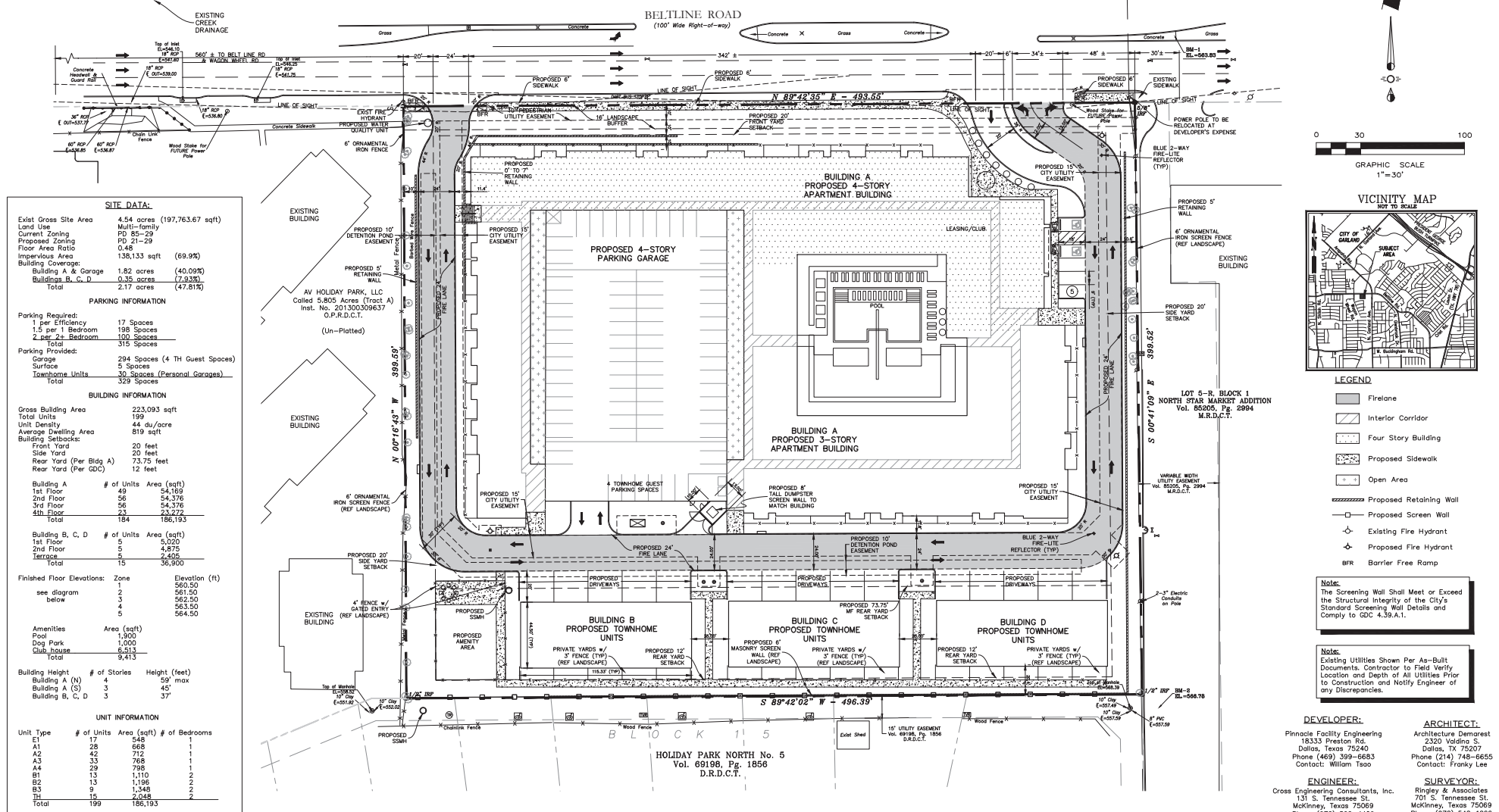


0 80 160 Feet
1 inch = 132 feet

Zoning Map Z 21-29



INDICATES AREA
OF REQUEST



ARCHITECT
Architecture Demarest
2320 Valdina Street
Studio B
Dallas, TX 75207

CIVIL ENGINEER
Cross Engineering Consultants
1720 W. Virginia Street
McKinney, Texas 75069

MILLENNIUM VILLAGE GARLAND
GARLAND, TX

Rev:	Date:	Description:

Project Number: 21030
Date: OCTOBER 15, 2021
Issue: ZONING PLAN

Sheet Title:

**LANDSCAPE
PLAN**

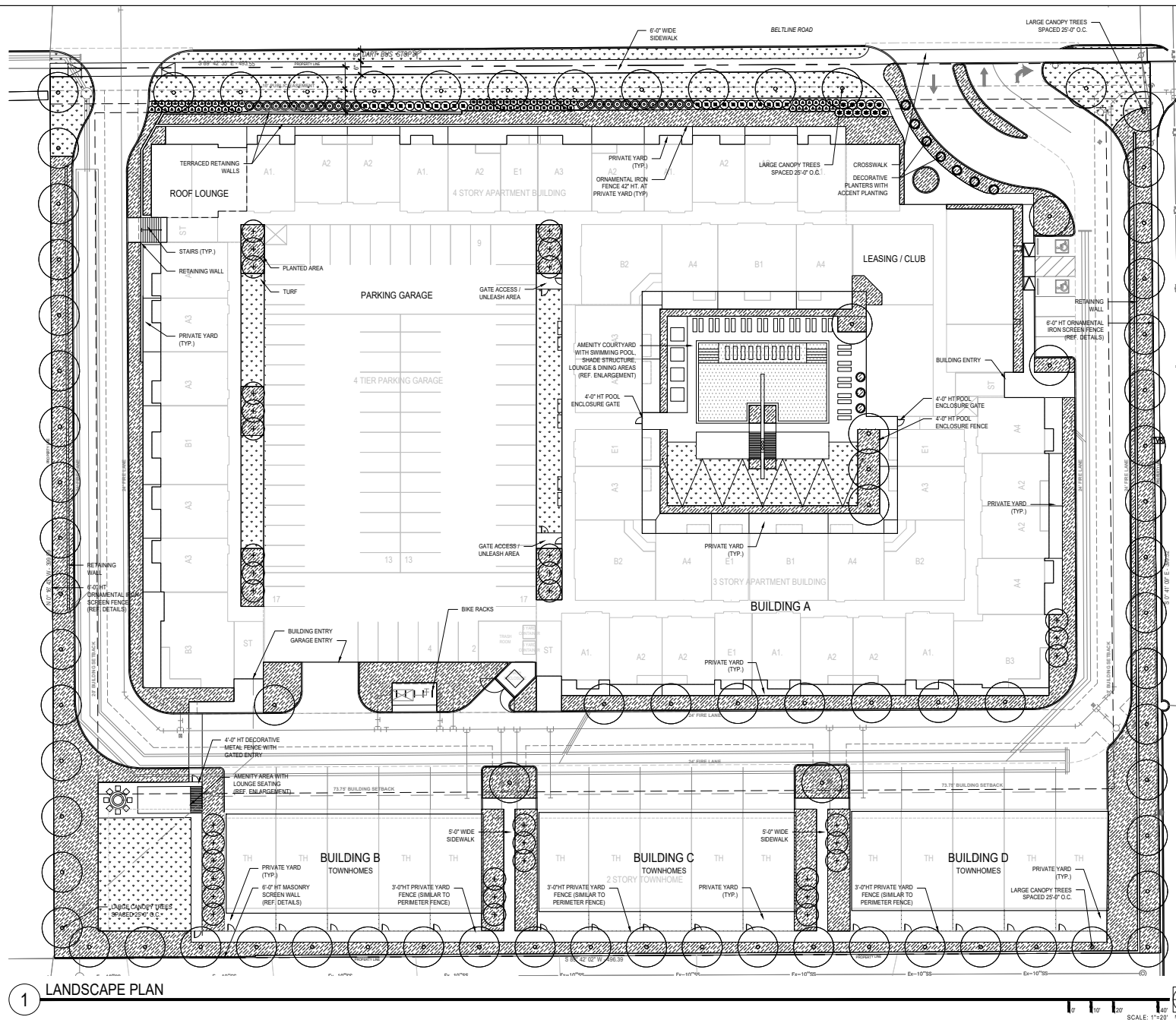
ZONING PLAN
FOR REVIEW ONLY. NOT FOR
CONSTRUCTION OR PERMIT
PURPOSES.

bwd
DESIGN

Michael Levkovich 352
September 13, 2021

Sheet Number:

L1.01



SECTION 4.34 Site and Perimeter Landscape Requirements

A minimum of forty percent of the gross platted area of the site of any multifamily or senior living facility must be devoted to landscaping, open space areas, pools, and similar outdoor recreational activity areas.

TOTAL SITE AREA	197,763.67 SF	
LANDSCAPE AREA	REQUIRED	PROVIDED
TOTAL LANDSCAPE AREA	79,105 SF (1.62 ACRES) 40%	67,337 SF (1.55 ACRES) 34%

LANDSCAPE BUFFER REQUIREMENTS	REQUIRED	PROVIDED
-------------------------------	----------	----------

For every thirty linear feet, or fraction thereof, of required landscape buffer, one large canopy tree is required, along with seven shrubs or ornamental grasses. (286 LF)

LARGE CANOPY TREES	13	1
SHRUBS/VORASSES	90	17
TURF	5,572 SF (79% REL.)	5,019 SF (68%)

PROPERTY LINE SCREENING	REQUIRED	PROVIDED

EAST PROPERTY LINE (400 LF) (ADJACENT EXISTING COMMERCIAL)	(16) LARGE TREES (1 PER 25 LF)	(16) LARGE TREE
SOUTH PROPERTY LINE (496 LF) (ADJACENT EXISTING SINGLE FAMILY)	MASONRY WALL (ENT BRN) (20) LARGE TREES (USED REL)	MASONRY WALL (ENT BRN) (20) LARGE TREE

WEST PROPERTY LINE (400 LF) (ADJACENT EXISTING MULTI-FAMILY)	(16) LARGE TREES (1 PER 25 LF)	(16) LARGE TREE
---	-----------------------------------	-----------------

PARKING AREA LANDSCAPE	REQUIRED	PROVIDED
A landscaped island must be located at the terminus of each parking row, and must contain a minimum of one large canopy tree. Landscaped islands must be a minimum of 180SF. One large canopy tree is required for every ten parking spaces.		

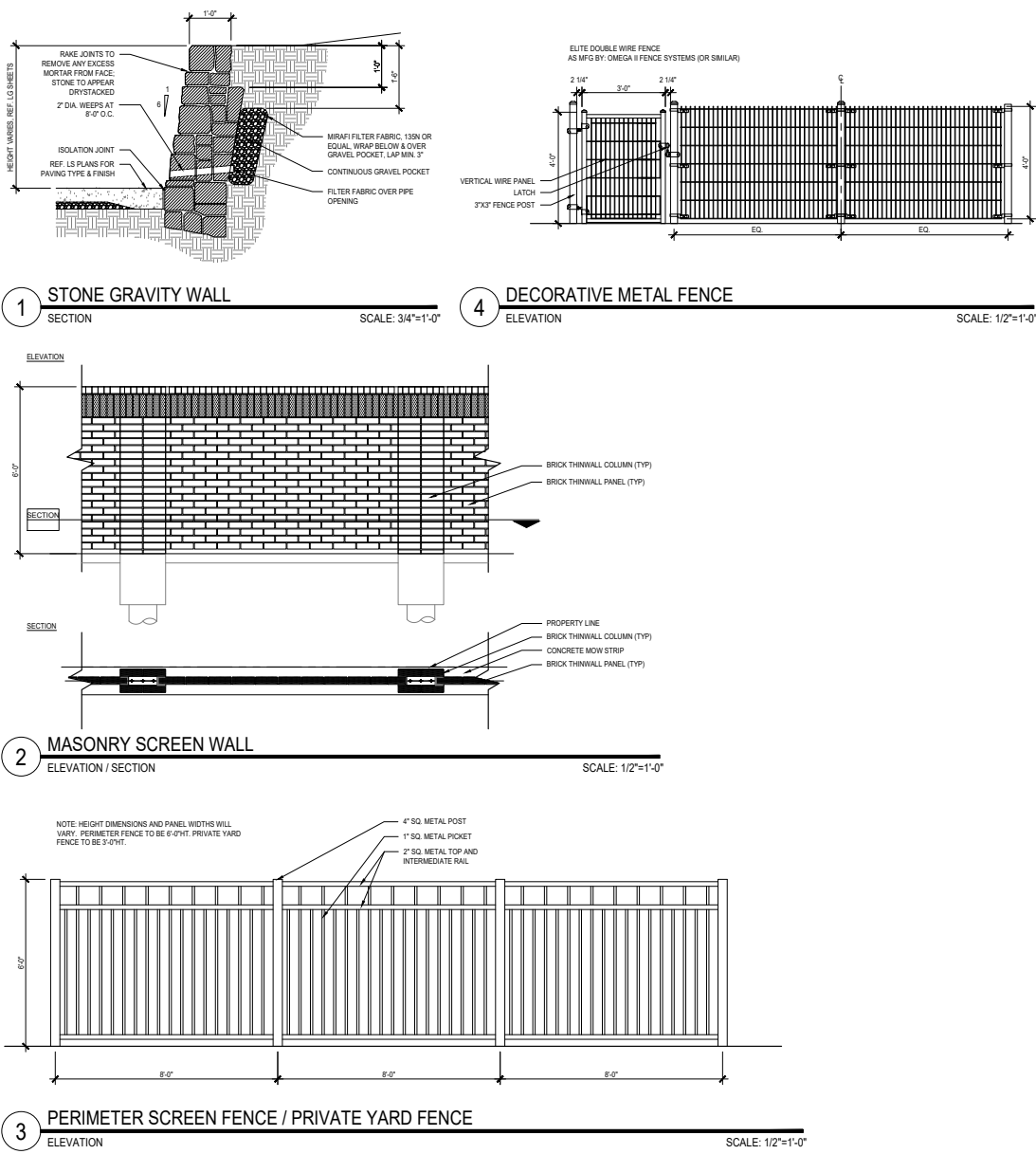
LARGE CANOPY TREES	5	
LANDSCAPE AREA	180 SF (20%)	412.5 (100%)

Case Number: 210520-1
Existing Zoning: PD 85-29
Proposed Zoning: PD

DEVELOPER:
Pinnacle Facility Engineering
18333 Preston Rd.
Dallas, TX 75240
Contact: William Tsao

PREPARED BY:
Bud Creative
3800 Main Street, Suite B
Dallas, TX 75226
Contact: Mike Levkulich
570.954.1964

PLANT SCHEDULE							
LARGE CANOPY TREES							
KEY	BOTANICAL NAME	COMMON NAME	CAL.	HT.	SPRD.	CONTAINER	COMMENTS
FA	Fraxinus albicans	Texas Ash	3" Min.	12'-14'		B&B	Full Specimen, Matched, Strong Central Leader
AS	Acer saccharum "Caddo"	Caddo Maple	3" Min.	12'-14'		B&B	Full Specimen, Matched, Strong Central Leader
OR	Quercus muhlenbergii	Chickasaw Oak	3" Min.	12'-14'		B&B	Full Specimen, Matched, Strong Central Leader
QV	Quercus virginiana	Live Oak	3" Min.	12'-14'		B&B	Full Specimen, Matched, Strong Central Leader
UCR	Ulmus crassifolia	Cedar Elm	3" Min.	12'-14'		B&B	Full Specimen, Matched, Strong Central Leader
ORNAMENTAL TREES							
KEY	BOTANICAL NAME	COMMON NAME		HT.	SPRD.	CONTAINER	COMMENTS
PM	Prunus mexicana	Mexican Plum		2' Min.	10'-12'	B&B	Full Specimen, Multi-Trunk
VA	Vitex agnus-castus	Chaste Tree		2' Min.	10'-12'	B&B	Full Specimen, Multi-Trunk
IV	Ilex vomitoria	Yaupon Holly		2' Min.	10'-12'	B&B	Full Specimen, Multi-Trunk
LI	Lagerstroemia indica x 'Natchez "Natchez"	Natchez Crepe Myrtle		2' Min.	10'-12'	B&B	Full Specimen, Multi-Trunk
SHRUBS							
KEY	BOTANICAL NAME	COMMON NAME		HT.	SPRD.	CONTAINER	COMMENTS
AE	Aspidistra elatior	Crest Iron Plant		12"	18"	3 Gal.	Full Plants, Plant 18" O.C.
AO	Agave ovatifolia	Whale's Tongue Agave		24"	24"	5 Gal.	Full Plants, Ref. LP Sheets for Location
APC	Artemisia "Piedra Castle"	Artemisia		12"	12"	3 Gal.	Full Plants, Plant 18" O.C.
YF	Yucca filamentosa "Color Guard"	Color Guard Yucca		12"	18"	3 Gal.	Full Plants, Plant 36" O.C.
CA	Callicarpa americana	American Beautyberry		24"	24"	3 Gal.	Full Plants, Plant 48" O.C.
DT	Desfontainia texanum	Texas Sotol		12"	12"	3 Gal.	Full Plants, Plant 48" O.C.
EM	Elaeagnus macrophylla "Elbansk"	Elaeagnus		12"	18"	3 Gal.	Full Plants, Plant 48" O.C.
HFA	Hesperaloe parviflora	Red Yucca		24"	24"	3 Gal.	Full Plants, Plant 36" O.C.
IC	Ilex cornuta "Dwarf Burford"	Dwarf Burford Holly		24"	24"	5 Gal.	Full Plants, Plant 36" O.C.
LF	Leucophyllum frutescens	Texas Sage		24"	20"	5 Gal.	Full Plants, Plant 48" O.C.
UJ	Ligustrum japonicum	Wanted! Ligustrum		12"	12"	5 Gal.	Full Plants, Plant 18" O.C.
MS	Miscanthus sinensis "gracillimus"	Morning Light Miscanthus		24"	12"	5 Gal.	Full Plants, Plant 48" O.C.
OE	Opuntia ellisiana	Spineless Prickly Pear		24"	20"	5 Gal.	Full Plants, Plant 48" O.C.
RA	Rhus aromatica	Fragrant Sumac		24"	24"	3 Gal.	Full Plants, Plant 48" O.C.
RO	Rosmarinus officinalis	Rosemary		24"	20"	3 Gal.	Full Plants, Plant 36" O.C.
YR	Yucca recurvifolia	Soft Leaf Yucca		10"	10"	3 Gal.	Full Plants, Plant 24" O.C.
PERENNIALS, GROUNDCOVERS & ORNAMENTAL GRASSES							
KEY	BOTANICAL NAME	COMMON NAME		HT.	SPRD.	CONTAINER	COMMENTS
VM	Vinca minor	Vinca		12"	12"	1 Gal.	Full Plants, Plant 12" O.C.
LM	Liriope muscari	Liriope		12"	12"	1 Gal.	Full Plants, Plant 12" O.C.
BD	Bouteloua dactyloides	Buffalo Grass					Sod
RH	Rudbeckia hirta	Black-eyed Susan		6"	6"	1 Gal.	Full Plants, Plant 18" O.C.
CS	Catalpa bouthouanensis	Pink Shallop		12"	12"	1 Gal.	Full Plants, Plant 18" O.C.
EP	Echinacea purpurea	Purple Coneflower		6"	6"	1 Gal.	Full Plants, Plant 18" O.C.
SG	Salvia greggii	Autumn Sage		6"	6"	1 Gal.	Full Plants, Plant 18" O.C.
MA	Malvastrum arboreum var. Drummondii	Turks Cap		12"	12"	1 Gal.	Full Plants, Plant 36" O.C.
LA	Lantana	Lantana		14"	20"	3 Gal.	Full Plants, Plant 36" O.C.
MC	Muhlenbergia capillaris	Gulf Muhly		24"	19"	3 Gal.	Full Plants, Plant 36" O.C.
MR	Muhlenbergia rigens	Deer Muhly		24"	19"	3 Gal.	Full Plants, Plant 36" O.C.
NT	Nassella tenuissima	Mexican Feather Grass		12"	6"	1 Gal.	Full Plants, Plant 18" O.C.
CT	Carex texensis	Texas Sedge		6"	6"	1 Gal.	Full Plants, Plant 18" O.C.
PN	Phyla nodiflora	Frog Fruit		6"	6"	1 Gal.	Full Plants, Plant 18" O.C.
RCP	Rosmarinus officinalis "Prostratum"	Trailing Rosemary		6"	12"	1 Gal.	Full Plants, Plant 24" O.C.
SC		Seasonal Color					By Owner





Bud Creative, LLC
30008 Main Street
Dallas, Texas 75208
P: 214.564.1944

OWNER
Pinnacle Facility Engineering
1833 Preston Road
Suite 540
Dallas, TX 75202

ARCHITECT
Architecture Demarest
2320 Valinda Street
Studio B
Dallas, TX 75207

CIVIL ENGINEER
Cross Engineering Consultants
1720 W. Virginia Street
McKinney, Texas 75069

MILLENNIUM VILLAGE GARLAND
GARLAND, TX

Rev.	Date:	Description:

Project Number: 21030
Date: OCTOBER 15, 2021
Issue: ZONING PLAN

Sheet Title:
LANDSCAPE PLAN

Sheet Number:
L1.02

ZONING PLAN
FOR REVIEW ONLY - NOT FOR CONSTRUCTION PURPOSES


Michael Levinson, 3020
September 13, 2021

ZONING PLAN - NOT FOR CONSTRUCTION

Drawing name: O:\04-Projects\21030 - Millennium Village Garland\01 Zoning\04 CAD\02 Sheets\01 Zoning\21030-L1.dwg L1.03 Oct 14, 2021 5:47pm by: danielle.ramirez



CIVIL ENGINEER
Cross Engineering Consultants
1720 W. Virginia Street
McKinney, Texas 75069

L1.03

ZONING PLAN - NOT FOR CONSTRUCTION



2 East Elevation
Scale: 1/16" = 1'-0"

VERTICAL BUILDING ARTICULATION	
1. MINIMUM OF ONE VERTICAL ARTICULATION IS REQUIRED THAT IS AT LEAST 20% OF THE BUILDING'S TOTAL STREET-FACING FACADE WIDTH.	
2. BUILDING'S TOTAL STREET-FACING FACADE WIDTH	
3. HEIGHT ARTICULATION FOR PLAT ROOF OR AT LEAST THREE FEET	
4. SHALL BE REQUIRED FOR EVERY FIFTY FEET OF BUILDING FACADE WIDTH (E.G. 100 FEET FACADE WIDTH REQUIRED AT LEAST 2 OF ARTICULATION)	
MINIMUM A = 20% OF B	
B = 30' - 10'	
REQUIRED A = 10' - 2'	
PROVIDED A = 10' - 10' - 14' - 15' - 16' - 17' - 18' - 19' - 20'	

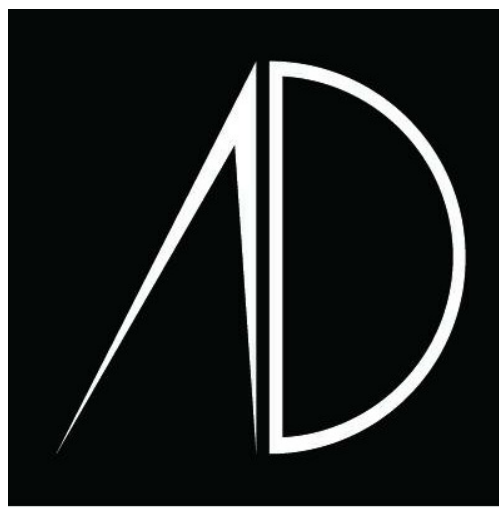
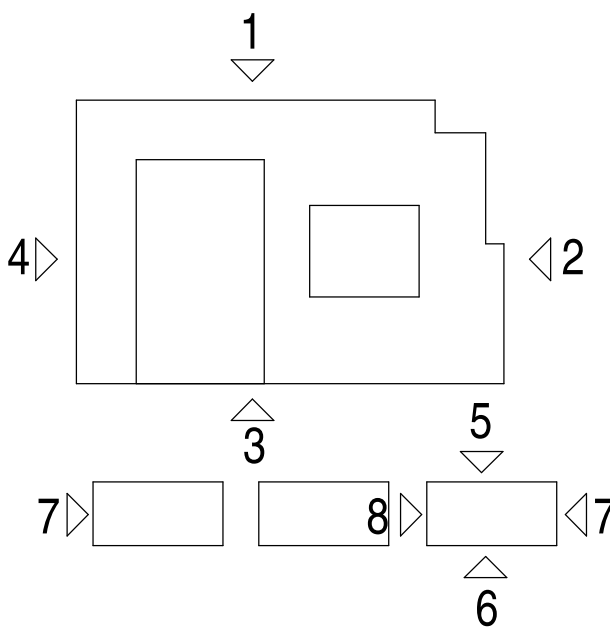
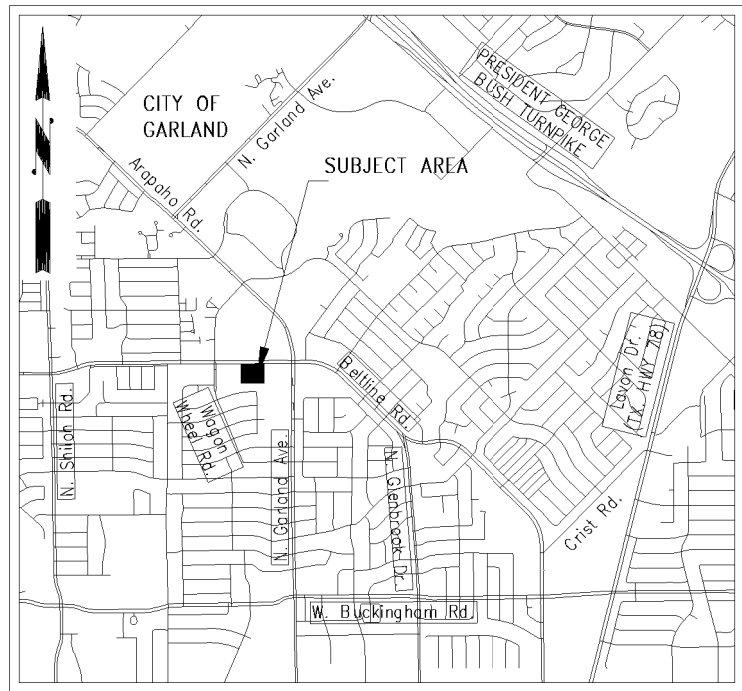
HORIZONTAL BUILDING ARTICULATION	
1. MINIMUM OF ONE HORIZONTAL ARTICULATION IS REQUIRED THAT IS AT LEAST 20% OF THE BUILDING'S TOTAL STREET-FACING FACADE LENGTH.	
2. BUILDING'S TOTAL STREET-FACING FACADE LENGTH - GREATER THAN 100'	
3. HORIZONTAL ARTICULATION OF AT LEAST FOUR FEET SHALL BE REQUIRED FOR AT LEAST THIRTY PERCENT (30%) OF BUILDING FACADE LENGTH (E.G. 100 FEET FACADE LENGTH REQUIRED AT LEAST 3 OF THE FACADE TO BE AT LEAST 4 DEEPLY)	
MINIMUM A = 20% OF B	
B = 30' - 10'	
REQUIRED A = 10' - 2'	
PROVIDED A = 10' - 10' - 14' - 15' - 16' - 17' - 18' - 19' - 20'	

REQUIRED ARCHITECTURAL ELEMENTS (AT LEAST 10% OF BUILDING'S TOTAL STREET-FACING FACADE LENGTH)	
1. AWNING	
2. DISPLAY WINDOW	
3. DIVIDED LIGHT WINDOW	
4. TRANSOM	
5. VARIED ROOF HEIGHT	
6. ORNAMENTAL FACADE TRIM	
7. RECESSED ENTRY	
BUILDING SOURCE	REFER TO ELEVATION FOR ARCHITECTURAL ELEMENTS
LOCATION & DIMENSION	REFER TO NOTE ELEVATION
SCALE TYPE	ATTACHED



1 North Elevation
Scale: 1/16" = 1'-0"

VICINITY MAP
NOT TO SCALE



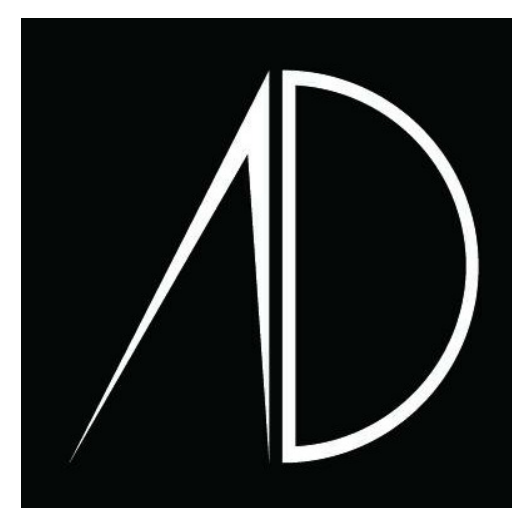
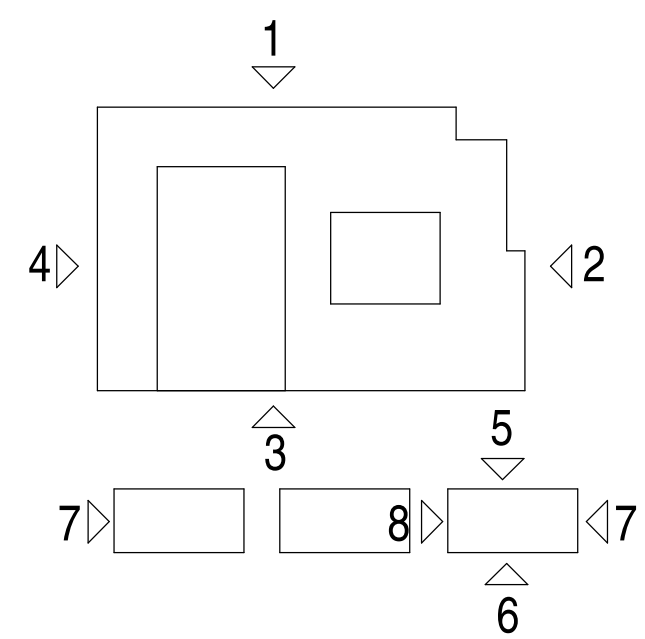
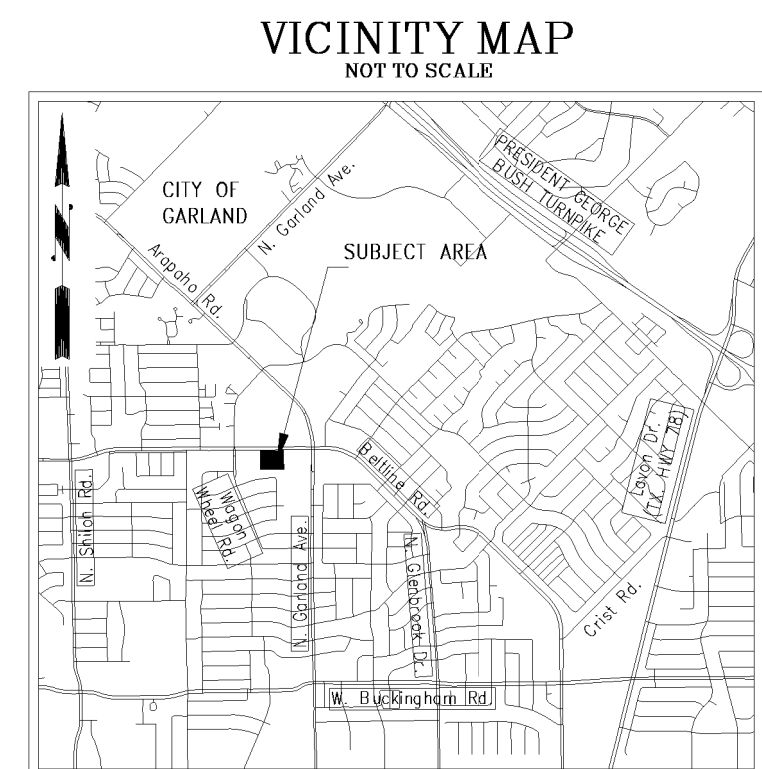
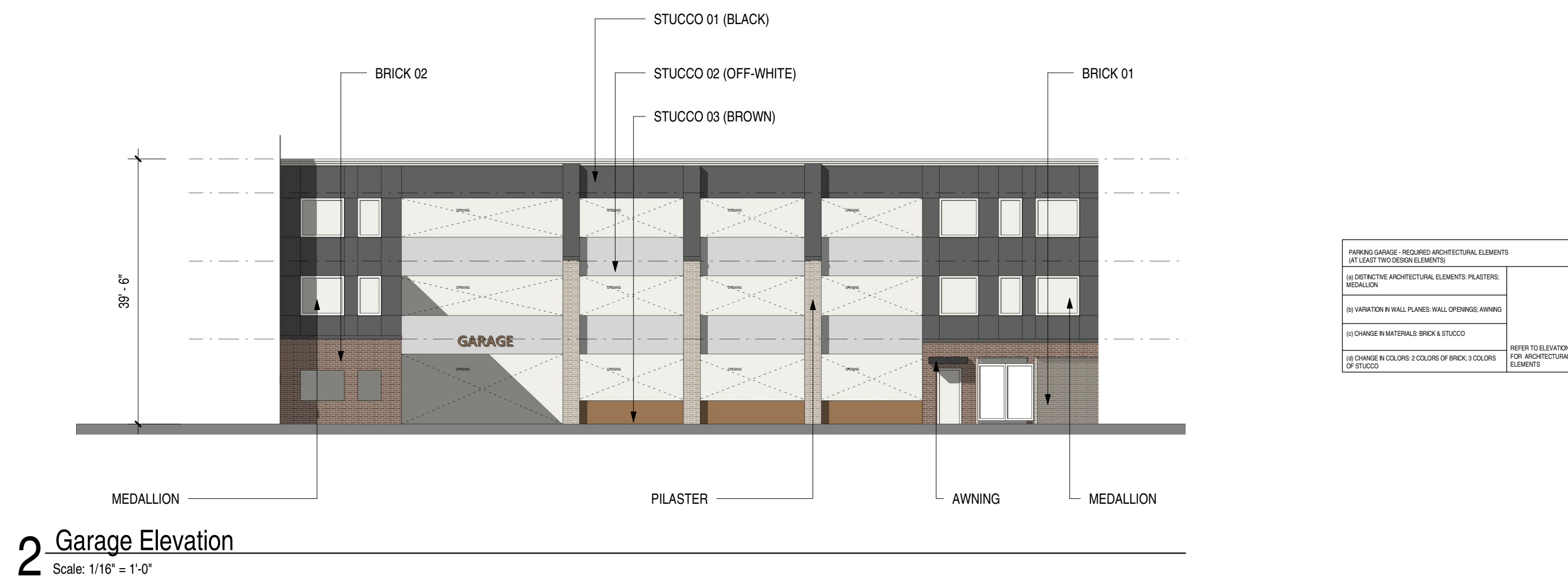
CURRENT ZONING: PD 85-29
PROPOSED ZONING: PD
PROJECT NUMBER: 21.017
PRE-SUBMITTAL NUMBER: 210520-1

CONCEPTUAL ELEVATIONS

As indicated

MILLENNIUM VILLAGE
MILLENNIUM VILLAGE, LP

GARLAND, TEXAS
09/15/21



CURRENT ZONING: PD 85-29
PROPOSED ZONING: PD
PROJECT NUMBER: 21.017
PRE-SUBMITTAL NUMBER: 210520-1

CONCEPTUAL ELEVATIONS

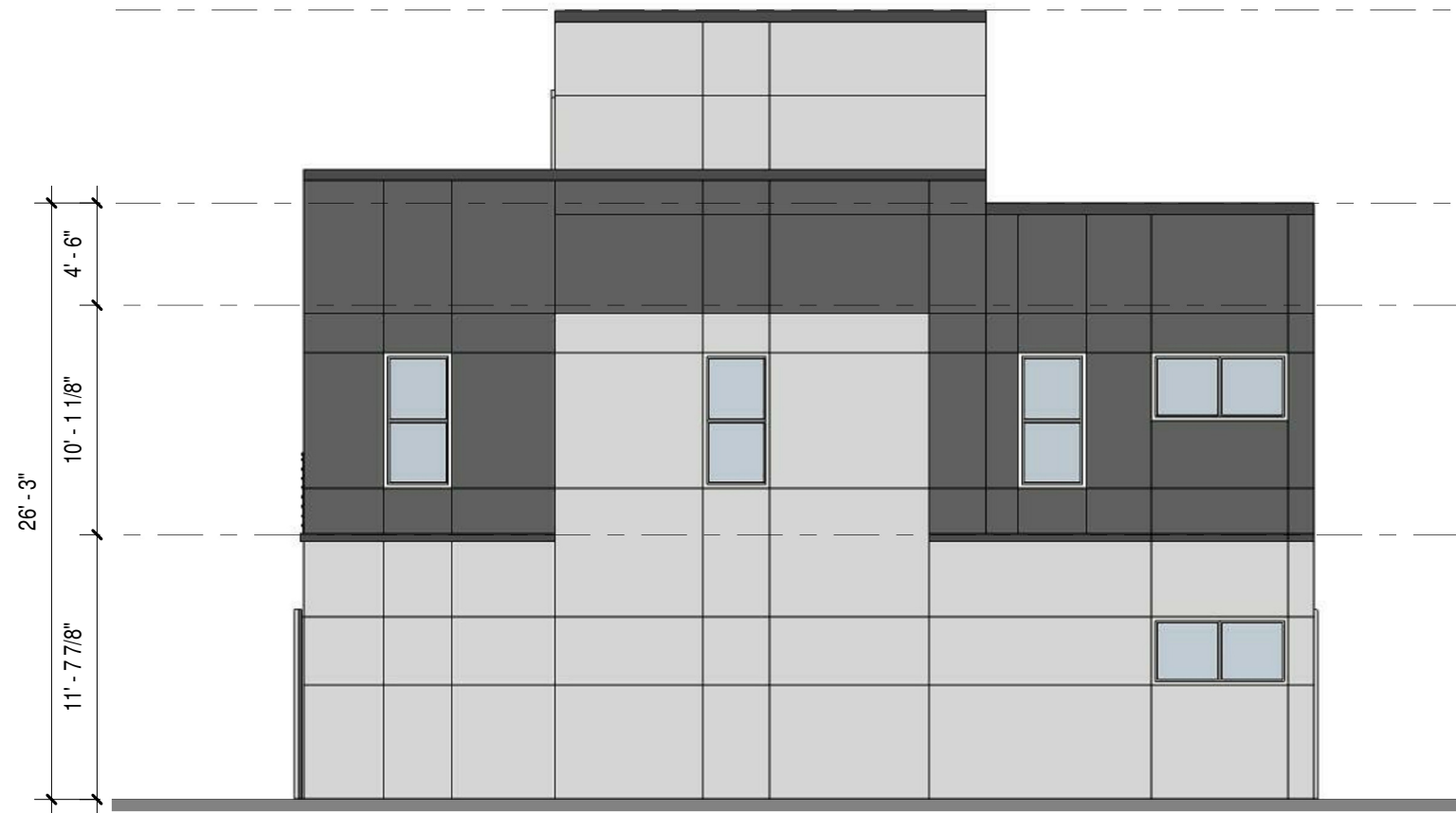
As indicated

MILLENNIUM VILLAGE
MILLENNIUM VILLAGE, LP

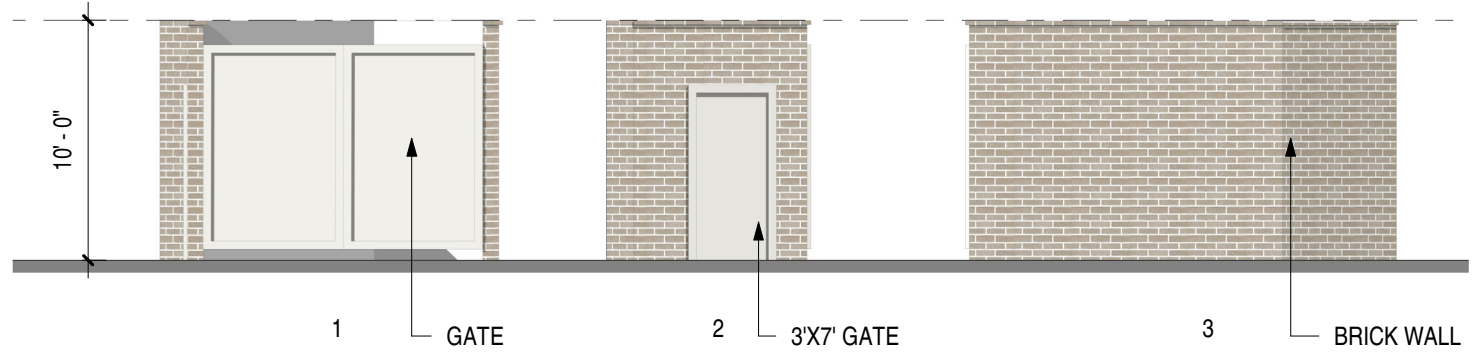
GARLAND, TEXAS
09/15/21



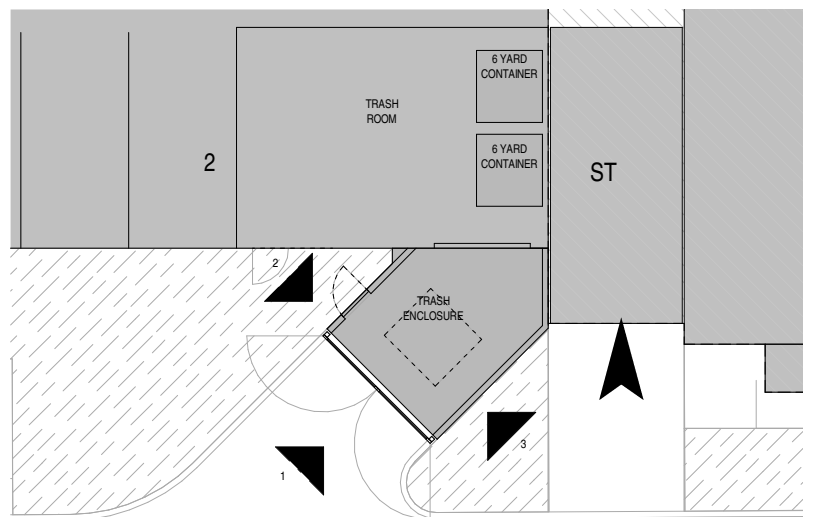
2 Townhome South Elevation
Scale: 1/8" = 1'-0"



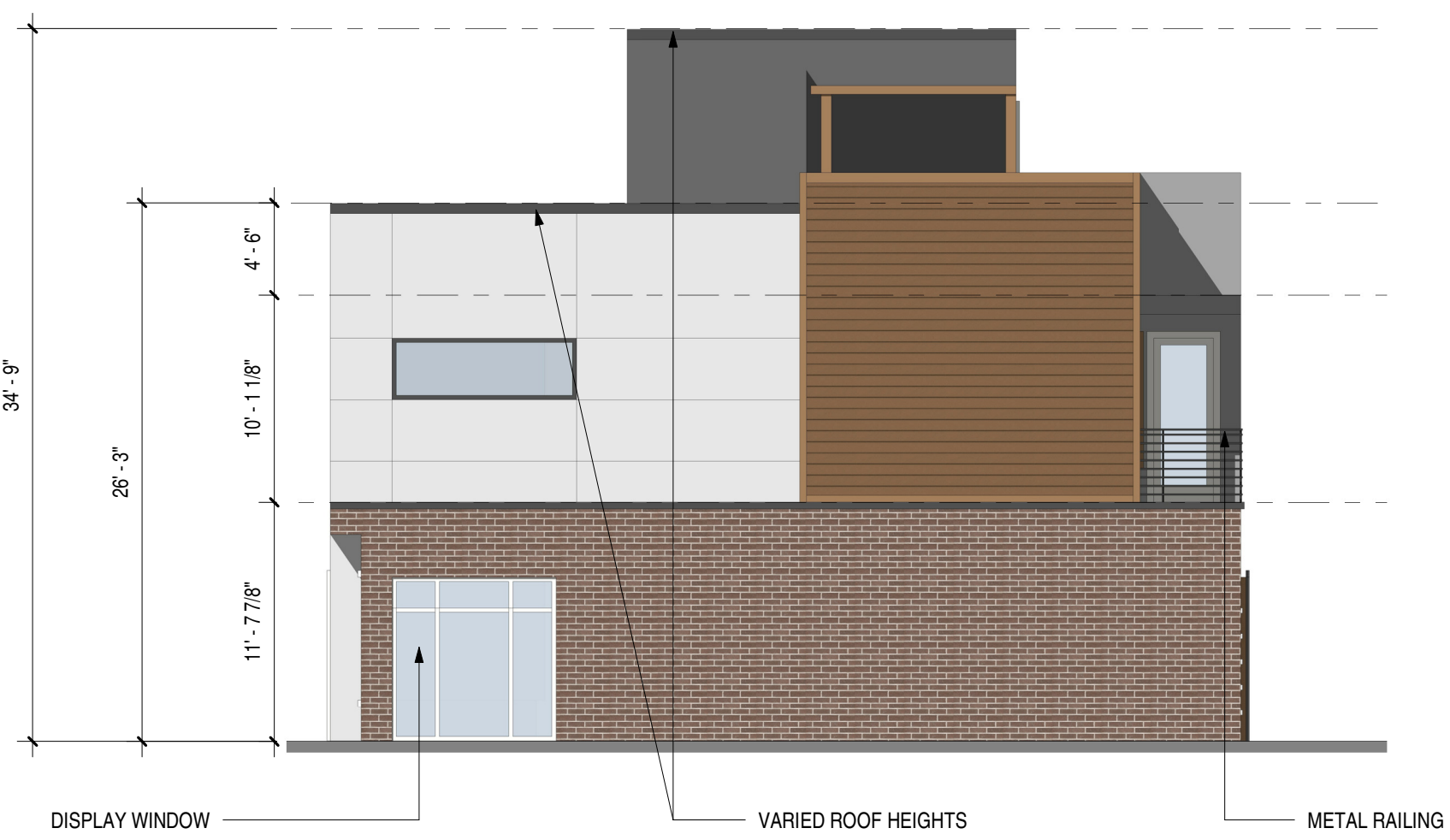
4 Townhome Side Elevation 02
Scale: 1/8" = 1'-0"



5 Trash Enclosure Elevation
Scale: 1/8" = 1'-0"

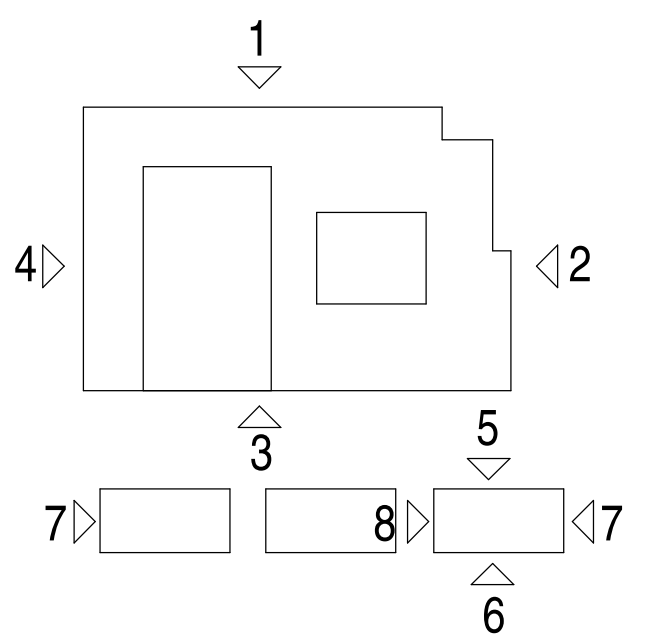
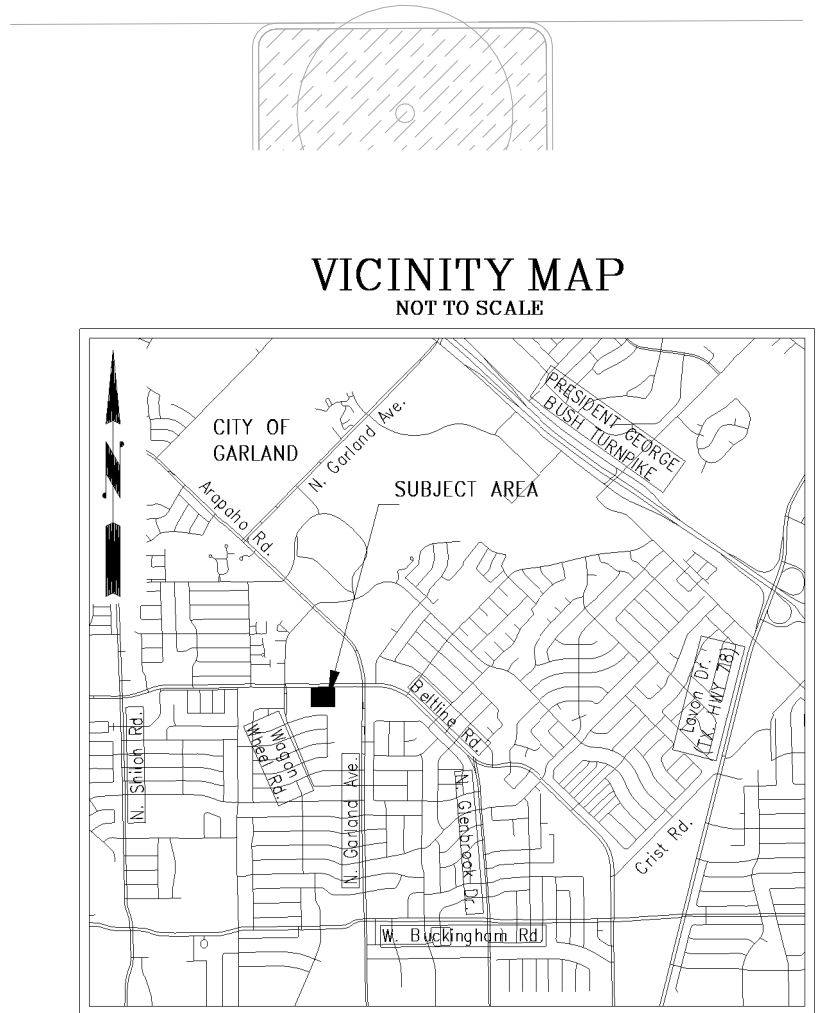


1 Townhome North Elevation
Scale: 1/8" = 1'-0"



3 Townhome Side Elevation 01
Scale: 1/8" = 1'-0"

TOWNHOME VERTICAL BUILDING ARTICULATION A. MINIMUM OF THE VERTICAL ARTICULATION IS REQUIRED THAT IS AT LEAST 20% OF THE BUILDING TOTAL STREET FACING FACADE LENGTH. B. BUILDING TOTAL STREET FACING FACADE WIDTH. C. VERTICAL ARTICULATION IN A ROW OF AT LEAST THREE FEET (3') SHALL BE REQUIRED FOR EVERY SEVEN FEET (7') OF BUILDING FACADE LENGTH (E.G., A 10' PROVIDING REQUIRED AT LEAST 1' 2" OF ARTICULATION). MINIMUM A = 20% OF B B: 11' - 4" REQUIRED A = 2' - 0" PROVIDED A = A1-A5-A6-A7-A8-A9-A10-A11-A12-A13-A14-A15-A16-A17-A18-A19-A20-A21-A22-A23-A24-A25-A26-A27-A28-A29-A30-A31-A32-A33-A34-A35-A36-A37-A38-A39-A40-A41-A42-A43-A44-A45-A46-A47-A48-A49-A50-A51-A52-A53-A54-A55-A56-A57-A58-A59-A60-A61-A62-A63-A64-A65-A66-A67-A68-A69-A70-A71-A72-A73-A74-A75-A76-A77-A78-A79-A80-A81-A82-A83-A84-A85-A86-A87-A88-A89-A90-A91-A92-A93-A94-A95-A96-A97-A98-A99-A100	TOWNHOME HORIZONTAL BUILDING ARTICULATION CALCULATED D. MINIMUM OF THE HORIZONTAL ARTICULATION IS REQUIRED THAT IS AT LEAST 20% OF THE BUILDING TOTAL STREET FACING FACADE LENGTH. E. BUILDING TOTAL STREET FACING LENGTH IS GREATER THAN 80'. F. VERTICAL ARTICULATION OF AT LEAST FOUR FEET (4') SHALL BE REQUIRED FOR AT LEAST THREE PERCENT (3%) OF BUILDING FACADE LENGTH (E.G., A 10' PROVIDING REQUIRED AT LEAST 3' OF THE FRONTAGE TO BE AT LEAST 4' IN DEPTH). MINIMUM A = 20% OF D D: 11' - 4" REQUIRED A = 2' - 0" PROVIDED A = A1-A2-A3-A4-A5-A6-A7-A8-A9-A10-A11-A12-A13-A14-A15-A16-A17-A18-A19-A20-A21-A22-A23-A24-A25-A26-A27-A28-A29-A30-A31-A32-A33-A34-A35-A36-A37-A38-A39-A40-A41-A42-A43-A44-A45-A46-A47-A48-A49-A50-A51-A52-A53-A54-A55-A56-A57-A58-A59-A60-A61-A62-A63-A64-A65-A66-A67-A68-A69-A70-A71-A72-A73-A74-A75-A76-A77-A78-A79-A80-A81-A82-A83-A84-A85-A86-A87-A88-A89-A90-A91-A92-A93-A94-A95-A96-A97-A98-A99-A100	TOWNHOME REQUIRED ARCHITECTURAL ELEMENTS 1. AWNING 2. DISPLAY WINDOW 3. DIVIDED LIGHT WINDOW 4. GLASS RAILING: METAL RAILING 5. VARIED ROOF HEIGHT 6. ORNAMENTAL FACADE TRIMS 7. WOOD CANOPY REFER TO ELEVATION FOR ARCHITECTURAL ELEMENTS
--	--	---



MILLENNIUM VILLAGE
MILLENNIUM VILLAGE, LP



CURRENT ZONING: PD 85-29
PROPOSED ZONING: PD
PROJECT NUMBER: 21.017
PRE-SUBMITTAL NUMBER: 210520-1

CONCEPTUAL ELEVATIONS

As indicated

GARLAND, TEXAS
09/15/21

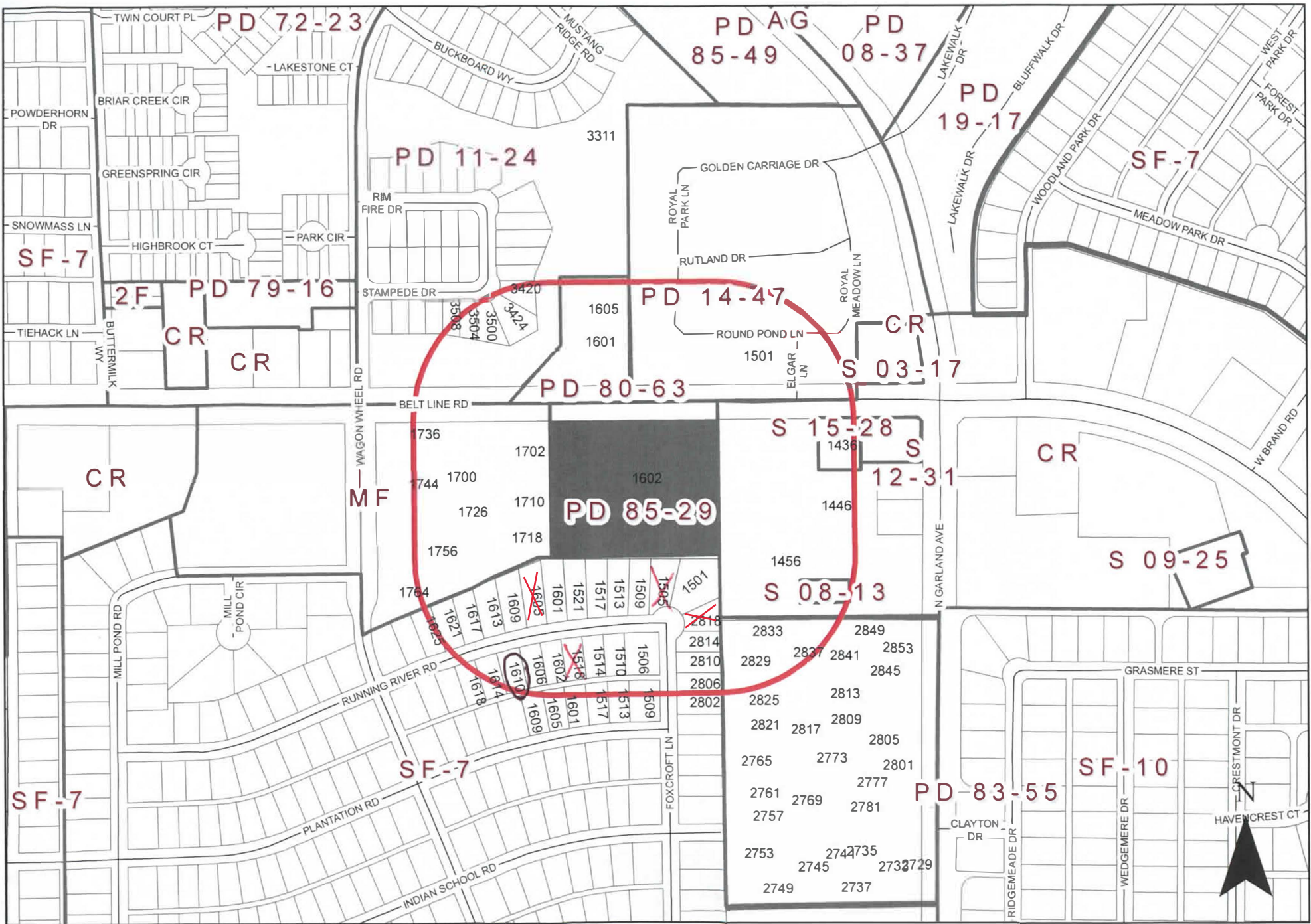
REPORT & MINUTES

P.C. Meeting, October 25, 2021

Consideration of the application of **Millennium Village, LP. / Masterplan**, requesting approval of a Detail Plan for Multi-Family development. This property is located at 1602 Belt Line Road. (District 7) (File Z 21-29 - Detail Plan)

There was discussion among the Plan Commission regarding density, long-term stability, and development of the subject property.

Motion was made by Commissioner Rose to **approve** the request as presented. Seconded by Commissioner Lucht. **Motion carried: 7 Ayes, 0 Nays.**



0 240 480 Feet
1 inch = 370 feet

Zoning Map Z 21-29

1602 Belt Line Road

INDICATES AREA
OF REQUEST



INDICATES
NOTIFICATION AREA

Comment Form

Case Z 21-29

Z 21-29 Millennium Village LP / Masterplan. The applicant proposes to construct 184 multi-family units and 15 "townhouse style" multi-family units. This site is located at 1602 Belt Line Road. (District 7) (see included map)

Z 21-29 Millennium Village LP / Masterplan . El solicitante propone construir 184 unidades multifamiliares y 15 unidades multifamiliares "estilo casa adosada". Este sitio está ubicado en 1602 Belt Line Road. (Distrito 7) (ver mapa incluido)

Z 21-29 Millennium Village LP / Masterplan . Người nộp đơn đề xuất xây dựng 184 căn hộ dành cho nhiều gia đình và 15 căn hộ dành cho nhiều gia đình "kiểu nhà phố". Địa điểm này nằm ở 1602 Belt Line Road. (Quận 7) (xem bản đồ bao gồm)

Please Check One Below / Marque uno a continuación / Vui lòng kiểm tra một bên dưới

☒

For / A Favor / Đúng

☐

Against / En Contra / Không

Please complete the following information and email the form to Planning@garlandtx.gov; deliver to the Planning Department at 800 Main Street Garland, TX; or mail to City of Garland, Planning Department, P.O. Box 469002 Garland, TX 75406-9002. / Por favor Complete la siguiente información y envíe el formulario por correo electrónico a Planning@garlandtx.gov; entregar al Departamento de Planificación en 800 Main Street Garland, TX; o envíelo por correo a City of Garland, Planning Department, P.O. Box 469002 Garland, TX 75406-9002. / Vui lòng điền đầy đủ thông tin sau và gửi biểu mẫu qua email tới Planning@garlandtx.gov; giao cho Phòng Kế hoạch tại 800 Main Street Garland, TX; hoặc gửi thư đến Thành phố Garland, Sở Kế hoạch, P.O. Hộp 469002 Garland, TX 75406-9002.

Printed Name & Title / Nombre Impreso y Título / Tên in và Tiêu đề

(Property Owner, Business Owner, Tenant, etc.) / (Dueño de la propiedad, Dueño de la empresa, Inquilino, etc.) / (Chủ sở hữu bất động sản, Chủ doanh nghiệp, Người thuê, v.v.)

1610 Running River

Your Property Address / La dirección de su propiedad / địa chỉ tài sản

Garland Texas

City, State / Estado de la Ciudad / Thành bang

75044

Zip Code / Código postal / Mã B u Đính

Jay Moore

Signature / Firma / Ch ữ ký

Date / Fecha / Ngày

(Providing email address and phone number is optional. / La dirección de correo electrónico y el número de teléfono son opcionales. / Địa chỉ email và số điện thoại là tùy chọn.)

OCT 21 '21 AM 10:42

Allmendinger, Tracy

From: Barb <goldenshep@aol.com>
Sent: Monday, October 18, 2021 1:45 PM
To: Planning Group
Subject: [EXTERNAL] Comment Form Case Z 21-29
Attachments: Case Z 21-29.pdf

Against it.

We don't need more traffic, more noise, more pollution, more trash, more people.
There's plenty here as it is.

Comment Form

Case Z 21-29

Z 21-29 Millennium Village LP / Masterplan. The applicant proposes to construct 184 multi-family units and 15 "townhouse style" multi-family units. This site is located at 1602 Belt Line Road. (District 7) (see included map)

Z 21-29 Millennium Village LP / Masterplan . El solicitante propone construir 184 unidades multifamiliares y 15 unidades multifamiliares "estilo casa adosada". Este sitio está ubicado en 1602 Belt Line Road. (Distrito 7) (ver mapa incluido)

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Please Check One Below / Marque uno a continuación / Vui lòng kiểm tra một bên dưới

☐

For / A Favor / Đúng

☒

Against / En Contra / Không

Please complete the following information and email the form to Planning@garlandtx.gov; deliver to the Planning Department at 800 Main Street Garland, TX; or mail to City of Garland, Planning Department, P.O. Box 469002 Garland, TX 75406-9002. / Por favor Complete la siguiente información y envíe el formulario por correo electrónico a Planning@garlandtx.gov; entregar al Departamento de Planificación en 800 Main Street Garland, TX; o envíelo por correo a City of Garland, Planning Department, P.O. Box 469002 Garland, TX 75406-9002. / Vui lòng điền đầy đủ thông tin sau và gửi biểu mẫu qua email tới Planning@garlandtx.gov; giao cho Phòng Kế hoạch tại 800 Main Street Garland, TX; hoặc gửi thư đến Thành phố Garland, Sở Kế hoạch, P.O. Hộp 469002 Garland, TX 75406-9002.

JOHN H. BLANKS

Printed Name & Title / Nombre Impreso y Título / Tên in và Tiêu đề

(Property Owner, Business Owner, Tenant, etc.) / (Dueño de la propiedad, Dueño de la empresa, Inquilino, etc.) / (Chủ sở hữu bất động sản, Chủ doanh nghiệp, Người thuê, v.v.)

1518 Running River Rd

Your Property Address / La dirección de su propiedad / địa chỉ tài sản

GARLAND, TX

City, State / Estado de la Ciudad / Thành bang

75044

Zip Code / Código postal / Mã B u Chính

John H. Blanks

Signature / Firma / Chữ ký

10-15-21

Date / Fecha / Ngày

(Providing email address and phone number is optional. / La dirección de correo electrónico y el número de teléfono son opcionales. / Địa chỉ email và số điện thoại là tùy chọn.)

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Salvador Robles (owner)

Printed Name & Title / Nombre Impreso y Título / Tên in và Tiêu đề

(Property Owner, Business Owner, Tenant, etc.) / (Dueño de la propiedad, Dueño de la empresa, Inquilino, etc.) / (Chủ sở hữu bất động sản, Chủ doanh nghiệp, Người thuê, v.v.)

1505 Running River Rd.

Your Property Address / La dirección de su propiedad / địa chỉ tài sản

Garland, TX 75

City, State / Estado de la Ciudad / Thành bang

75044

Zip Code / Código postal / Mã B u Chính

Signature / Firma / Ch ữ ký

10/17/21
Date / Fecha / Ngày

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Phat Nguyen

Printed Name & Title / Nombre Impreso y Título / Tên in và Tiêu đề

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2818 Foxcroft Ln.

Your Property Address / La dirección de su propiedad / địa chỉ tài sản

Garland, TX

City, State / Estado de la Ciudad / Thành bang

75044

Zip Code / Código postal / Mã B u Chính

Phat Nguyen

Signature / Firma / Chữ ký

10-29-2021

Date / Fecha / Ngày

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NOV 3 '21 PM 3:01

Comment Form Continued – Case Z 21-29

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

Las declaraciones a continuación reflejan mi (nuestra) opinión con respecto a las solicitudes propuestas.

Các tuyên bố dưới đây phản ánh quan điểm của tôi (chúng tôi) về (các) yêu cầu được đề xuất

My only concern is something could affect to my house since they are near 400 feet away from my house. That with more people in the area will cause safety concerns as well and that the trash is becoming a problem with people throwing over the fence from the property behind my house.

Comment Form

Case Z 21-29

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Roberto Marroquin

Printed Name & Title / Nombre Impreso y Título / Tên in và Tiêu đề

(Property Owner, Business Owner, Tenant, etc.) / (Dueño de la propiedad, Dueño de la empresa, Inquilino, etc.) / (Chủ sở hữu bất động sản, Chủ doanh nghiệp, Người thuê, v.v.)

1605 RUNNING RIVER RD

Your Property Address / La dirección de su propiedad / địa chỉ tài sản

GARLAND TX

City, State / Estado de la Ciudad / Thành bang

75044

Zip Code / Código postal / Mã Bưu Chính

Roberto Marroquin

Signature / Firma / Chữ ký

10/30/21

Date / Fecha / Ngày

(Providing email address and phone number is optional. / La dirección de correo electrónico y el número de teléfono son opcionales. / Địa chỉ email và số điện thoại là tùy chọn.)

NOV 3 '21 PM 3:01

Comment Form Continued

Case Z 21 – 29

In my opinion this will increase traffic in the already congested Streets of the area because people coming from Rock wall and Rowlett, crime will come along sanitary services will be inappropriate for citizens of Garland, a nice park be the best option because we don't have recreational facilities near us we already have apartments on Arapaho and North Garland and the traffic increased a lot, we don't need any more cars in the street, look for an empty place in the rich people area to do this thing, they probably race hell and will listen, don't bring that stuff to our neighbor hood .

Z 21-29

The applicant proposes to construct 184 multi-family units and 15 “townhouse style” multi-family units.

[Planned Development and Detail Plan for an apartment complex on a property zoned Planned Development (PD) 85-29 for Community Retail Uses]

**City Council Meeting
November 16, 2021**



GARLAND

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CASE INFORMATION

Location: 1602 Belt Line Road

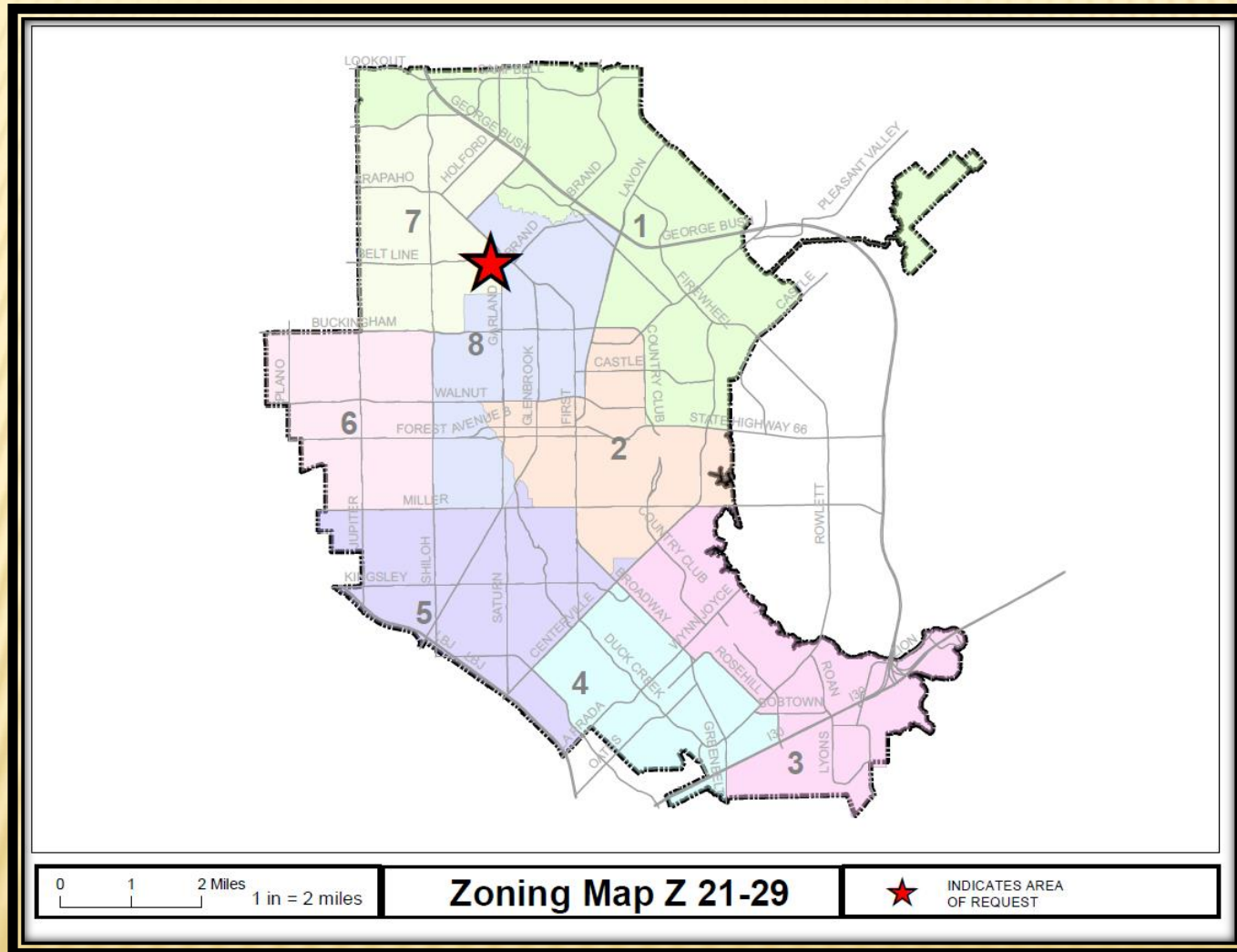
Applicant: Millennium Village, LP. / Masterplan

Owner: William Mingtzong Tsao

Acreage: 4.54 acres

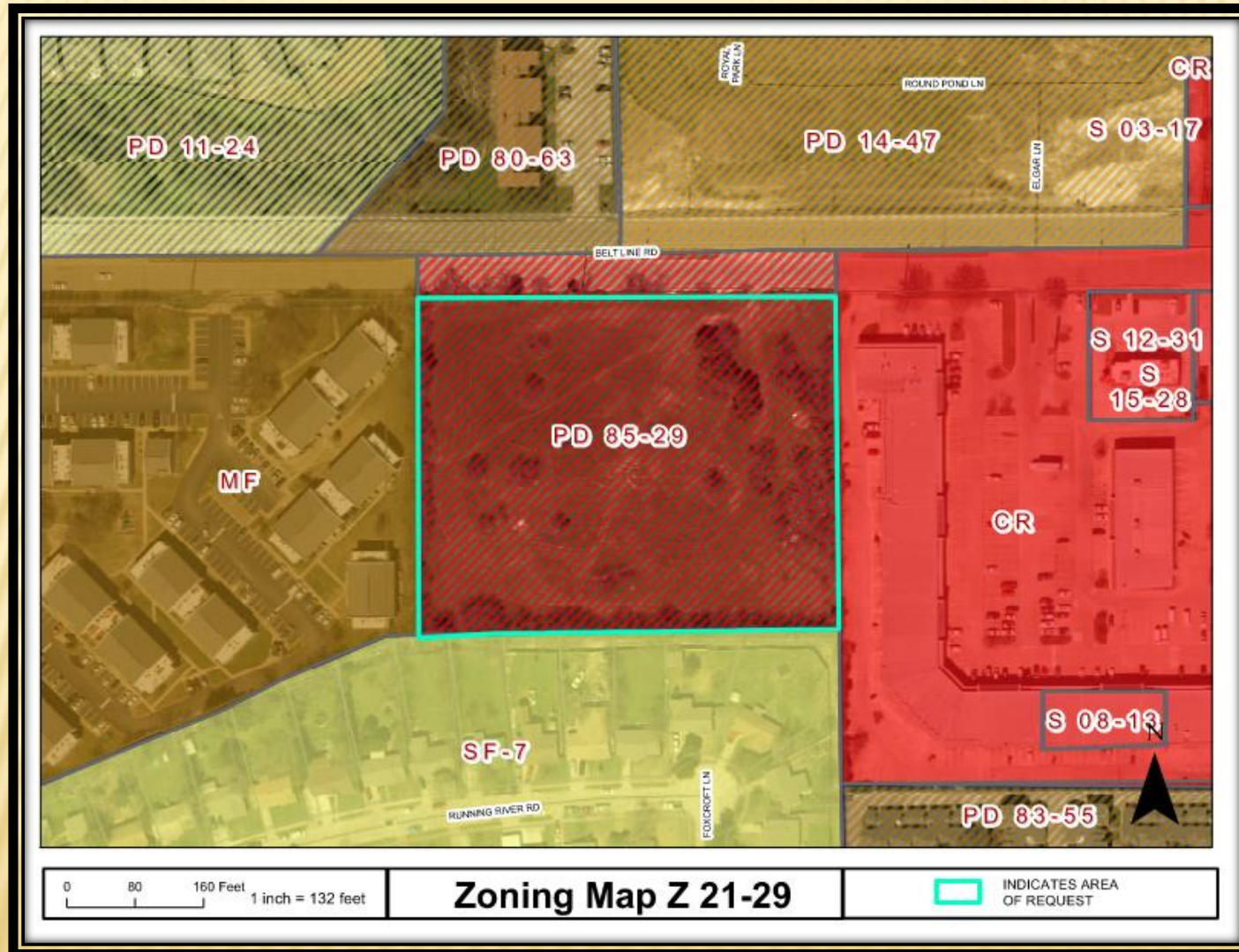
Zoning: Planned Development (PD) District 85-20

CITYWIDE LOCATION MAP



Z 21-29

LOCATION MAP



COMPREHENSIVE PLAN





COMPREHENSIVE PLAN

The Envision Garland Plan designates the subject property as Compact Neighborhoods. Compact neighborhoods provide areas for moderate increases in residential density, including single-family attached and single-family detached housing. It expands housing options through infill and redevelopment, while continuing walkable development patterns.

These areas provide transitions between traditional residential neighborhoods and higher density residential neighborhoods and non-residential developments. These areas accommodate uses such as convenience retail (goods and services), office space, and public services. The architectural character and scale of these areas are compatible with adjacent residential development.

The proposed use is more suitable with the Comprehensive Plan. The intent is provide quality housing options and contribute to the long term viability of existing retail centers.

The proposed higher density multi-family building is closer to the public street and the lower density “townhouse style” units are abutting the single-family neighborhood.



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PHOTOS



View of the subject property from Belt Line Road



Looking east of the subject property



Looking north of the subject property

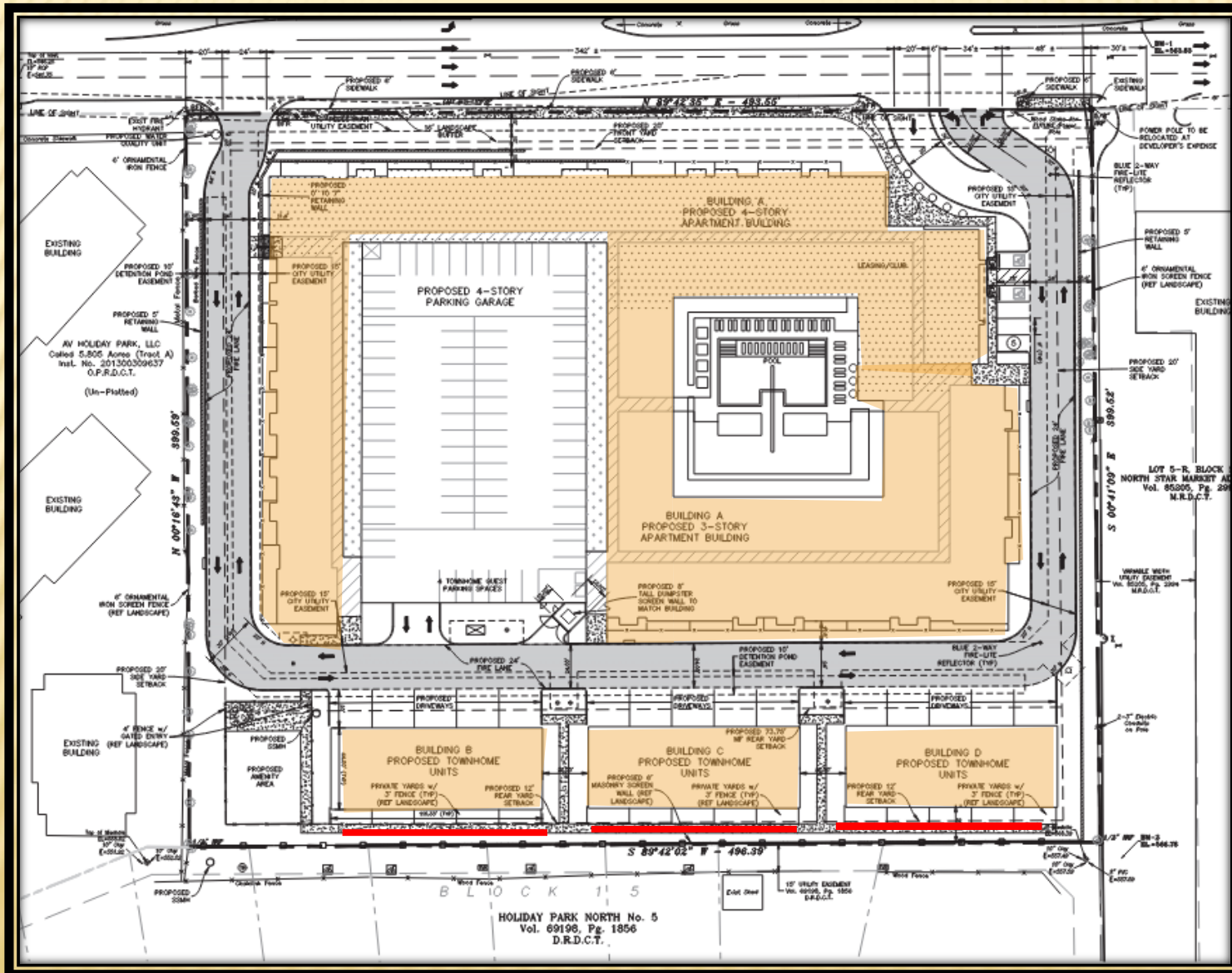


Looking west of the subject property



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SITE PLAN

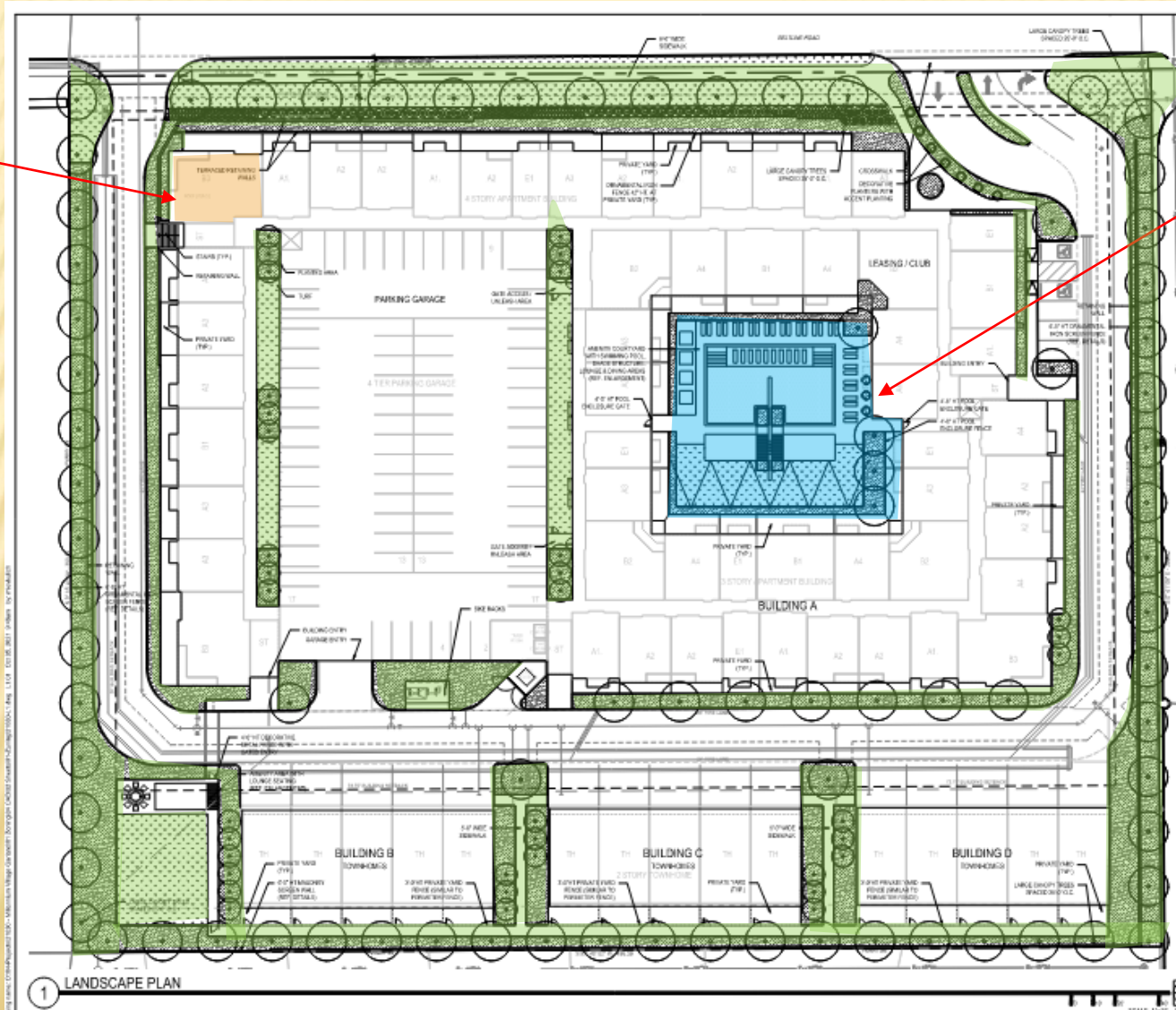


Z 21-29

LANDSCAPE PLAN

Rooftop lounge

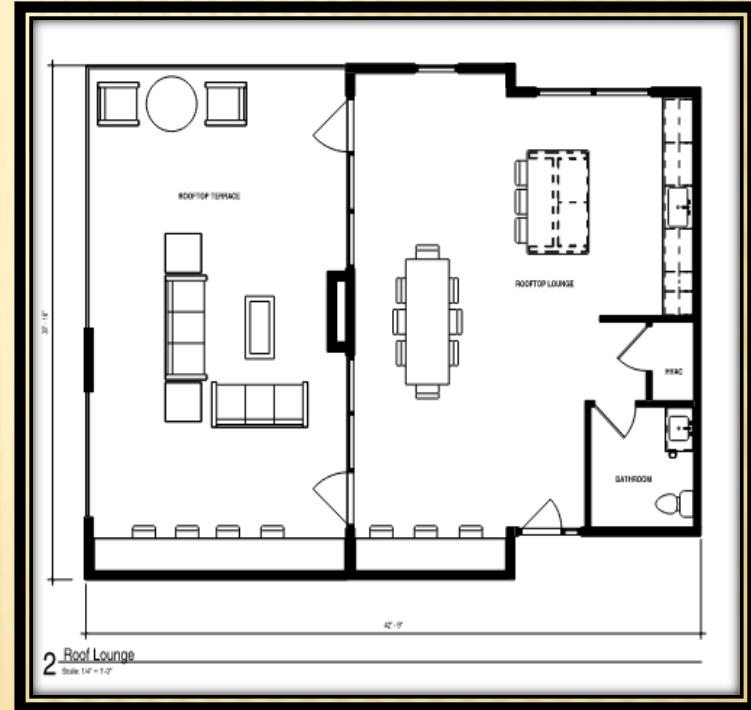
Swimming Pool and Outdoor Kitchen



[illegible]



Z 21-29

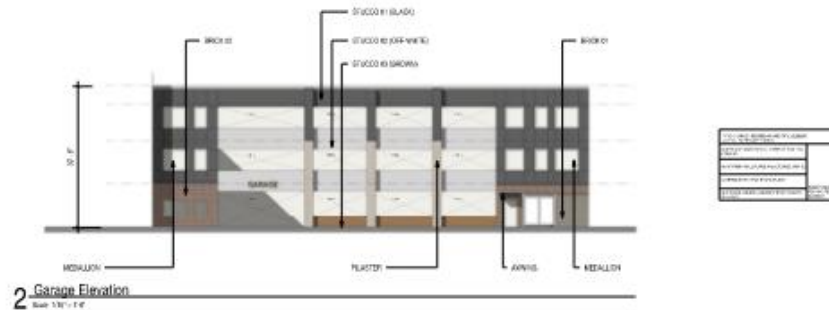




BUILDING ELEVATIONS



BUILDING ELEVATIONS



[illegible]

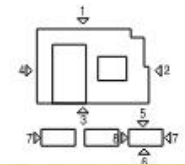
2 Townhome South Elevation



1 Townhome North Elevation
Scale: 1/8" = 1'-0"

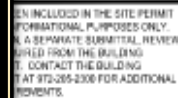
[illegible]

3. Yonahona Side Elevation 01



[illegible]

THE SCREENING WALL SHALL MEET OR EXCEED THE STRUCTURAL INTEGRITY OF THE CITY'S STANDARD SCREENING WALL DETAILS AND COMPLY TO GDO 4.58 A.1



1 6'-0" HT. METAL PERIMETER FENCE ELEVATION
SCALE: 1"=1'-0"

SUMMARY TABLE

Development Standards	Required	Proposed	Analysis
Building Height	40 feet	40 feet to 59 feet for the northern portion of Building A. 40 to 45 for the southern portion of Building A.	The additional height is necessary to accommodate the density and structured parking
Density	Eighteen (18) dwelling units per acre	Approximately forty-four (44) dwelling units per acre.	The proposed density supports a structured parking garage, elevators, and a range of high quality amenities. Additionally, the lower density “townhouse style” units are strategically located adjacent to the single-family residential neighborhood to the south.

SUMMARY TABLE

Building Setback from Southern Perimeter	Where a Multi-Family (MF) District is located adjacent to the single-family zoning district, the rear setbacks must be 1.25 times the maximum height of each building or a maximum of fifty (50) feet. Based on the calculation, the “townhouse style” units must maintain a rear setback of 43.3 feet.	The site plan (Exhibit C) provides a twenty (20)-foot rear setback adjacent to the single-family properties.	The applicant contends the “townhouse style” residences would provide a compatible transition to the single-family detached residences to the south. Moreover, the solid masonry wall and row of large trees will provide a separation between the properties. It should be noted that townhouse lots following Single-Family-Attached (SF-A) standards have a five (5) foot rear setback requirement.
Landscaping	The GDC requires a minimum of forty (40%) percent of the site area to be landscaped.	The applicant proposes thirty-four (34%) of the site area to be landscaped per the landscape plan (Exhibit D)	Whereas a typical surface parking lot includes landscaping, the proposed parking garage yields less landscaped area.

STAFF RECOMMENDATION

Approval of a Change in Zoning from Planned Development (PD) District 85-20 for Community Retail Uses to a Planned Development (PD) District for Multi-Family Use.

Approval of a Detail Plan for Multi-Family development.

PLAN COMMISSION RECOMMENDATION

On October 25, 2021 the Plan Commission, by a vote of seven (7) to zero (0), recommended approval of a Change in Zoning from Planned Development (PD) District 85-20 for Community Retail Uses to a Planned Development (PD) District for Multi-Family Use.

The Plan Commission, by a vote of seven (7) to zero (0), recommended approval of a Detail Plan for Multi-Family development.



PERMITTED USES IN PD 85-20

- Farms, Ranches, Orchards,
- Gardening
- Livestock
- Custodial Quarters (Mini-Warehouse)
- Temporary Use or Building
- Windmill
- Antenna, Private
- Antenna Mast or Tower
- Electric Transmission Lines
- Fire Station
- Gas Transmission Lines
- Local Utility Distribution Lines
- Public Utility Facilities
- Pumping Sewerage
- Radio & TV Studios
- Bank



GARLAND

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PERMITTED USES IN PD 85-20

- Offices, General
- Savings & Loan
- Athletic Instruction Loan
- Cemetery
- Church
- Civic Clubs
- Commercial Schools
- Convention Facilities
- Correspondence Schools
- Dance or Baton Schools
- Fraternal Lodges
- Kindergarten, Pre-School, or Child Care
- Library
- Museum, Art Gallery
- Neighborhood Assistance Center
- Orphanage
- Private School (Not Accredited)
- Public/Private School (Accredited)
- Special Schools
- Health Care Clinics
- Health Care Practitioner's Office
- Hospital
- Medical School
- Medical & Surgical Appliances
- Medical Lab



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PERMITTED USES IN PD 85-20

- Optical Dispensary
- Pharmacy
- Animal Clinic
- Florist – Retail
- Landscape Nursery – Retail
- Pet Grooming & Supplies
- Pet Shop – Retail Sales
- Home Improvement Center
- Commercial Amusement – Indoors
- Park or Playground
- Movie Theater
- Swimming Club – Private
- Tennis Courts – Commercial or Private Club
- Theaters
- Community Recreation Center – Public
- Community Recreation Center – Public/Private
- Community Recreation Center – Private Restricted
- Community Recreation Center – Private Open
- Answering Service
- Pharmacy
- Animal Clinic
- Florist – Retail
- Landscape Nursery – Retail
- Pet Grooming & Supplies
- Pet Shop – Retail Sales



GARLAND

TEXAS MADE HERE

PERMITTED USES IN PD 85-20

- Home Improvement Center
- Commercial Amusement – Indoors
- Park or Playground
- Movie Theater
- Swimming Club – Private
- Tennis Courts – Commercial or Private Club
- Theaters
- Community Recreation Center – Public
- Community Recreation Center –Public/Private
- Community Recreation Center – Private Restricted
- Community Recreation Center – Private Open
- Answering Service
- Blueprinting & Photographic Reproduction
- Custom Personnel Service
- Film Pick-Up Station
- Gunsmith, Repair
- Laundry Pick-Up Station
- Laundry & Cleaners – Commercial (244 sq.ft.)
- Laundry or Cleaners – Self-Service
- Locksmith
- Printer, Small Scale
- Trophies and Awards
- Antiques – Indoor Display Only
- Bakery – Retail
- Drug Store
- Grocery
- Paint Store – Retail
- Retail Stores & Shops
- Specialty Shop or Boutique
- Supermarket
- Uniform Shop



PERMITTED USES IN PD 85-20

- Uniform Shop
- Household Appliance Service
- Lawn & Garden Equipment
- Repair & Service Shop
- Bus Stop Shelter
- Taxi Stand
- Cafeteria
- Confectionary – Donut Shop
- Dinner Theater
- Drive-In Restaurant
- Snack Shop
- Auto Repair Minor (Indoor)
- New or Rebuilt Parks and Supplies – Indoor
- Parking Garage or Lot – Commercial
- Tire Dealer, No Outdoor Storage
- Wrecker Service (One)
- Signs: On-Premise (Attached)
- Signs: On-Premise (Detached)
- Signs: Temporary Special Development



GARLAND PLANNING REPORT

City Council Regular Session Agenda

10. c.

Meeting Date: 11/16/2021

Item Title: Z 21-34 Westfall Engineering, PLLC - Specific Use Provision (District 1)

Submitted By: Josue De La Vega, Sr. Development Planner

REQUEST

Approval of 1) Specific Use Provision (SUP) for Restaurant, Drive-Through and 2) a Detail Plan for Restaurant, Drive-Through.

LOCATION

5300 North Garland Avenue

OWNER

Walmart Real Estate Business

PLAN COMMISSION RECOMMENDATION

On October 25, 2021 the Plan Commission, by a vote of seven (7) to zero (0), recommended approval of 1) a Specific Use Provision (SUP) for Restaurant, Drive-Through for a period of thirty (30) years and 2) a Detail Plan for Restaurant, Drive-Through.

STAFF RECOMMENDATION

Approval of 1) Specific Use Provision (SUP) for Restaurant, Drive-Through and 2) a Detail Plan for Restaurant, Drive-Through.

BACKGROUND

The applicant proposes to carve out a 0.78-acre lot from the Walmart parking area and construct a 2,318 square-foot Starbucks restaurant/coffee shop with a drive-through.

SITE DATA

The site would contain 0.78 acres with approximately 212 lineal feet of frontage along North Garland Avenue.

USE OF PROPERTY UNDER CURRENT ZONING

The subject property is zoned Planned Development (PD) District 13-02 which limits the site to Community Retail Uses. Restaurant, Drive-Through is permitted only by SUP.

CONSIDERATIONS

Detail Plan:

1. The applicant proposes to carve out a 0.78-acre pad site from the Walmart parking area to develop a 2,318 square-foot Starbucks restaurant/coffee shop with a drive-through (Exhibit C). The proposed Starbucks site will be accessed from existing access points on the Walmart site as no new direct access points off North Garland Avenue are being proposed.
2. The parking for the proposed Starbucks site is in compliance with the Garland Development Code (GDC). In addition, the parking for the Walmart Supercenter site will remain in compliance.
3. The landscape layout (Exhibit D) for the proposed Starbucks site is in compliance with the Garland Development Code (GDC).
4. The building elevations (Exhibit E) for the proposed Starbucks are in compliance with the Garland Development Code (GDC).
5. The applicant is not requesting any signage deviations with this request.

Specific Use Provision:

6. The applicant requests approval of a thirty (30)-year Specific Use Provision. The SUP Time Period Guide recommends a range of twenty (20) to twenty-five (25) years.

COMPREHENSIVE PLAN

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

COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

The properties across North Garland Avenue are zoned Community Retail (CR) District, Planned Development (PD) District 04-42, Planned Development (PD) District 03-66, Planned Development (PD) District 03-65 and Planned Development (PD) District 03-24 for Community Retail Uses; these properties are developed with bank institutions, a variety of retail services, restaurants and a fitness club. The properties to the northeast are zoned Planned Development (PD) District 06-06, Planned Development (PD) District 19-07, Planned Development (PD) District 21-11 and Planned Development (PD) District 03-14 for Community Retail Uses; these properties are developed with a bank institution, a gas station and a multi-tenant retail building. Properties to the southwest are zoned Planned Development (PD) District 01-16 and Planned

Development (PD) District 02-20 for Community Retail Uses; these properties are developed with a Sam's Club and a Sonic restaurant.

The proposed Starbucks is generally compatible with the surrounding area which is characterized by retail, banking and food service activity.

Attachments

Z 21-34 Westfall Engineering, PLLC (Specific Use Provision) Attachments

Z 21-34 Westfall Engineering, PLLC Responses

Z 21-34 Westfall Engineering, PLLC Staff Presentation



0 200 400 Feet
1 inch = 309 feet

Zoning Map Z 21-34

 INDICATES AREA OF REQUEST

 INDICATES AREA OF REQUEST

PLANNED DEVELOPMENT CONDITIONS

ZONING FILE Z 21-34

5300 North Garland Avenue

- I. Statement of Purpose:** The purpose of this Planned Development (PD) is to allow and regulate the development of a Restaurant, Drive-Through land use.
- II. Statement of Effect:** This Planned Development (PD) shall not affect any regulation found in the Garland Development Code, Ordinance No. 6773, as amended prior to adoption of this ordinance, except as specifically provided herein.
- III. General Regulations:** All regulations of the Community Retail (CR) District and Site Development Standards as set forth in Chapter 2 and 4 of the Garland Development Code, Ordinance 6773, are included by reference and shall apply, except as otherwise specified by this ordinance.
- IV. Development Plans:**
- A. Detail Plan: Development is to be in conformance with the approved Detail Plan labeled Exhibit C. In the event of conflict between the conditions and Detail Plan, the conditions listed below are to apply.
- V. Detail Plan:**
- A. Site Layout: The site shall be in conformance to the site layout reflected on Exhibit C.
- B. Screening and Landscaping: Screening and landscaping shall be in conformance to the layout reflected on Exhibit D.
- C. Building Elevations: Building elevations shall be in conformance to the elevations as approved on Exhibit E.
- D. Location of Refuse Container: The refuse container and its masonry enclosure may be located as shown on Exhibit C.

SPECIFIC USE PROVISION CONDITIONS

ZONING FILE Z 21-34

5300 North Garland Avenue

- II. Statement of Purpose:** The purpose of this Specific Use Provision is to allow a Restaurant, Drive-Through.
- II. Statement of Effect:** This Specific Use Provision shall not affect any regulation found in the Garland Development Code, Ordinance No. 6773, as amended prior to adoption of this ordinance, except as specifically provided herein.
- VI. General Regulations:** All regulations of the Community Retail (CR) District as set forth in Chapter 2 of the Garland Development Code Ordinance 6773, are included by reference and shall apply, except as otherwise specified by this ordinance.
- VII. Specific Regulations:**
- A. Time Period: The Specific Use Provision shall be in effect for a period of thirty (30) years.

REPORT & MINUTES

P.C. Meeting, October 25, 2021

Consideration of the application of **Westfall Engineering, PLLC**, requesting approval of a Specific Use Provision for a Restaurant, Drive-Through on a property zoned Planned Development (PD) District 13-02. This property is located at 5300 North Garland Avenue. (District 1) (Z 21-34 - Specific Use Provision)

The applicant's representative, Michael Westfall, 1719 Angel Parkway, Allen and Luke Steinback, 5622 Dyre Street, Dallas, Texas, provided an overview of the request and remained available for questions.

There was discussion between the Plan Commission, Mr. Westfall and Steinback regarding the requested length of the Specific Use Provision and construction start date.

Motion was made by Commissioner Dalton to close the public hearing and **approve** the request for a period of thirty (30) years. Seconded by Commissioner Paris. **Motion carried: 7 Ayes, 0 Nays.**



Zoning Map Z 21-34
5300 North Garland Avenue

-  SUBJECT SITE
-  AREA OF REQUEST
-  NOTIFICATION ARE

Comment Form

Case Z 21-34

Z 21-34 Westfall Engineering, PLLC. The applicant proposes to build a restaurant/coffee shop with a drive-through. The property is located at 5300 North Garland Avenue. (District 1)

Z 21-34 Westfall Engineering, PLLC. El solicitante propone construir un restaurante/cafe con acceso para autoservicio. La propiedad está ubicada en 5300 North Garland Avenue. (Distrito 1)

Z 21-34 Westfall Engineering, PLLC. Người nộp đơn đề xuất xây dựng một nhà hàng/quán cà phê có lái xe qua. Nơi nghỉ này tọa lạc tại số 5300 North Garland Avenue. (Quận 1)

Please Check One Below / Marque uno a continuación / Vui lòng kiểm tra một bên dưới

☐

For / A Favor / Đúng

☒

Against / En Contra / Không

Please complete the following information and email the form to Planning@garlandtx.gov; deliver to the Planning Department at 800 Main Street Garland, TX; or mail to City of Garland, Planning Department, P.O. Box 469002 Garland, TX 75406-9002. / Por favor Complete la siguiente información y envíe el formulario por correo electrónico a Planning@garlandtx.gov; entregar al Departamento de Planificación en 800 Main Street Garland, TX; o envíelo por correo a City of Garland, Planning Department, P.O. Box 469002 Garland, TX 75406-9002. / Vui lòng điền đầy đủ thông tin sau và gửi biểu mẫu qua email tới Planning@garlandtx.gov; giao cho Phòng Kế hoạch tại 800 Main Street Garland, TX; hoặc gửi thư đến Thành phố Garland, Sở Kế hoạch, P.O. Hộp 469002 Garland, TX 75406-9002.

North Garland Crossing Ltd

Printed Name & Title / Nombre Impreso y Título / Tên in và Tiêu đề

(Property Owner, Business Owner, Tenant, etc.) / (Dueño de la propiedad, Dueño de la empresa, Inquilino, etc.) / (Chủ sở hữu bất động sản, Chủ doanh nghiệp, Người thuê, v.v.)

5345 N. Garland Ave.

Your Property Address / La dirección de su propiedad / Địa chỉ tài sản

Garland Texas

City, State / Estado de la Ciudad / Thành bang

75040

Zip Code / Código postal / Mã Bưu Chính

M. Hail

Signature / Firma / Chữ ký

10/15/2021

Date / Fecha / Ngày

(Providing email address and phone number is optional. / La dirección de correo electrónico y el número de teléfono son opcionales. / Địa chỉ email và số điện thoại là tùy chọn.)

Outside the notification area

From: [Matt Lucky](#)
To: [Planning Group](#)
Subject: [EXTERNAL] Comment Form - Case Z 21-34
Date: Wednesday, October 27, 2021 12:59:38 PM
Attachments: [scan-CaseZ21-34Comment.pdf](#)

Too many fast food restaurants.

Matt Lucky

REALTOR at Russ Lyon Sotheby's International Realty

(480) 390-0445 | eFax 480-624-3597 | Matt.Lucky@RussLyon.com

[Office Map](#) - LisaLucky.com

Comment Form

Case Z 21-34

Z 21-34 Westfall Engineering, PLLC. The applicant proposes to build a restaurant/coffee shop with a drive-through. The property is located at 5300 North Garland Avenue. (District 1)

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Z 21-34 Westfall Engineering, PLLC. Người nộp đơn đề xuất xây dựng một nhà hàng/quán cà phê có lái xe qua. Nơi nghỉ này tọa lạc tại số 5300 North Garland Avenue. (Quận 1)

Please Check One Below / Marque uno a continuación / Vui lòng kiểm tra một bên dưới

☐

For / A Favor / Đúng



Against / En Contra / Không

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MATTHEW C. Lucky, LANDLORD

Printed Name & Title / Nombre Impreso y Título / Tên in và Tiêu đề

(Property Owner, Business Owner, Tenant, etc.) / (Dueño de la propiedad, Dueño de la empresa, Inquilino, etc.) / (Chủ sở hữu bất động sản, Chủ doanh nghiệp, Người thuê, v.v.)

5235 N GARLAND RD.

Your Property Address / La dirección de su propiedad / địa chỉ tài sản

GARLAND, TX

City, State / Estado de la Ciudad / Thành bang

75040

Zip Code / Código postal / Mã Bưu Chính

Matthew C. Lucky

Signature / Firma / Chữ ký

OCT 21, 2021

Date / Fecha / Ngày

Providing email address and phone number is optional. / La dirección de correo electrónico y el número de teléfono son opcionales. / Địa chỉ email và số điện thoại là tùy chọn.)

Z 21-34

The applicant proposes to build a restaurant/coffee shop with a drive-through.

Approval of 1) a Specific Use Provision (SUP) for Restaurant, Drive-Through and 2) a Detail Plan for Restaurant, Drive-Through.

**City Council Meeting
November 16, 2021**



GARLAND

TEXAS MADE HERE

Location: 5300 North Garland Avenue

Applicant: Westfall Engineering, PLLC

Owner: Walmart Real Estate Business

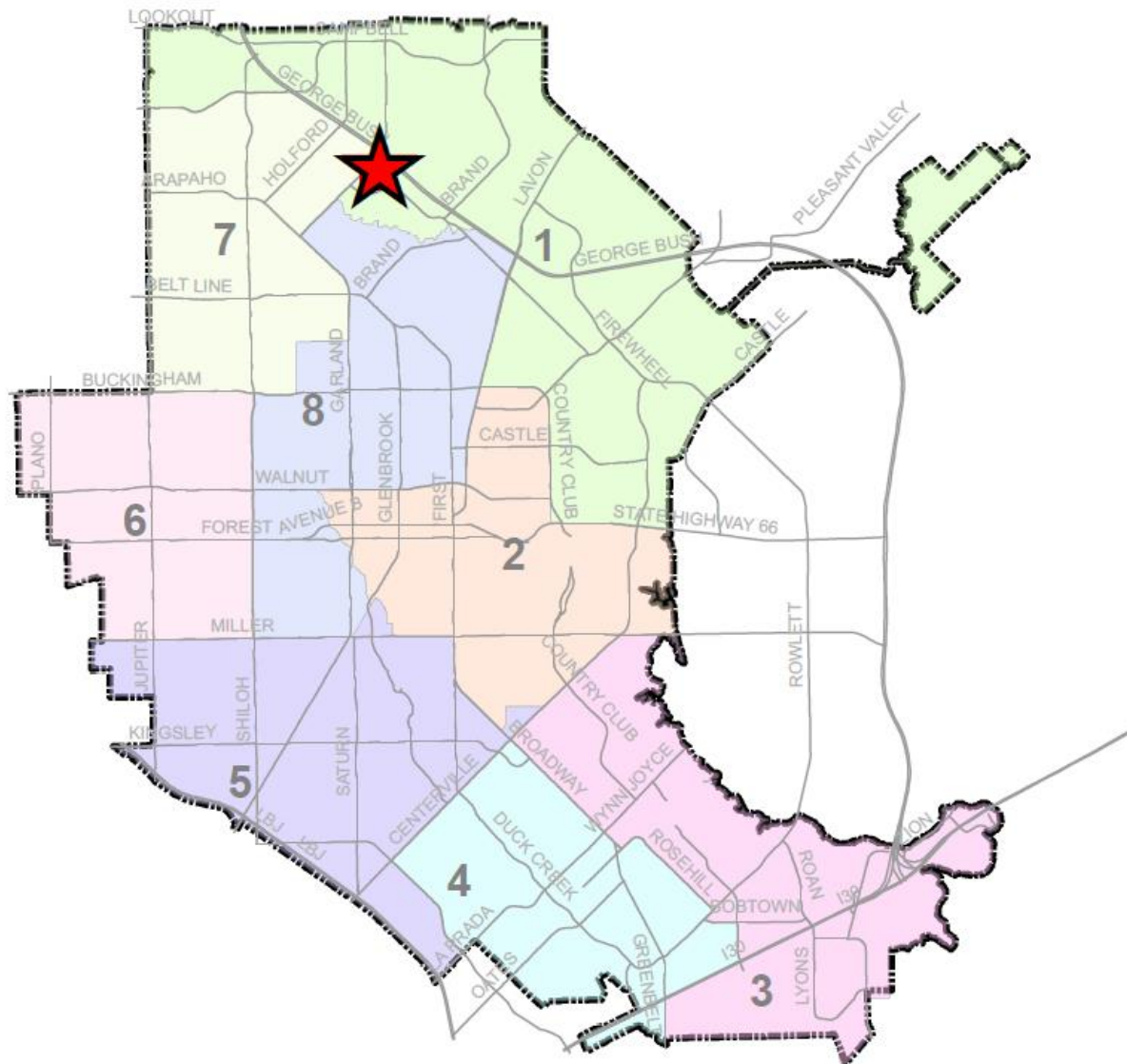
Acreage: 0.78 acres (proposed Starbucks site)

Zoning: Planned Development (PD) District 13-02 for
Community Retail Uses



GARLAND
TEXAS MADE HERE

CITYWIDE LOCATION MAP





GARLAND
TEXAS MADE HERE

LOCATION MAP



0 200 400 Feet
1 inch = 309 feet

Zoning Map Z 21-34

 INDICATES AREA OF REQUEST

 INDICATES AREA OF REQUEST

Z 21-34

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



View of subject site from N. Garland Ave.



GARLAND

TEXAS MADE HERE



View of subject site from N. Garland Ave.



View of properties located across N. Garland Ave.
from subject site



View of properties located to the northeast from
subject site

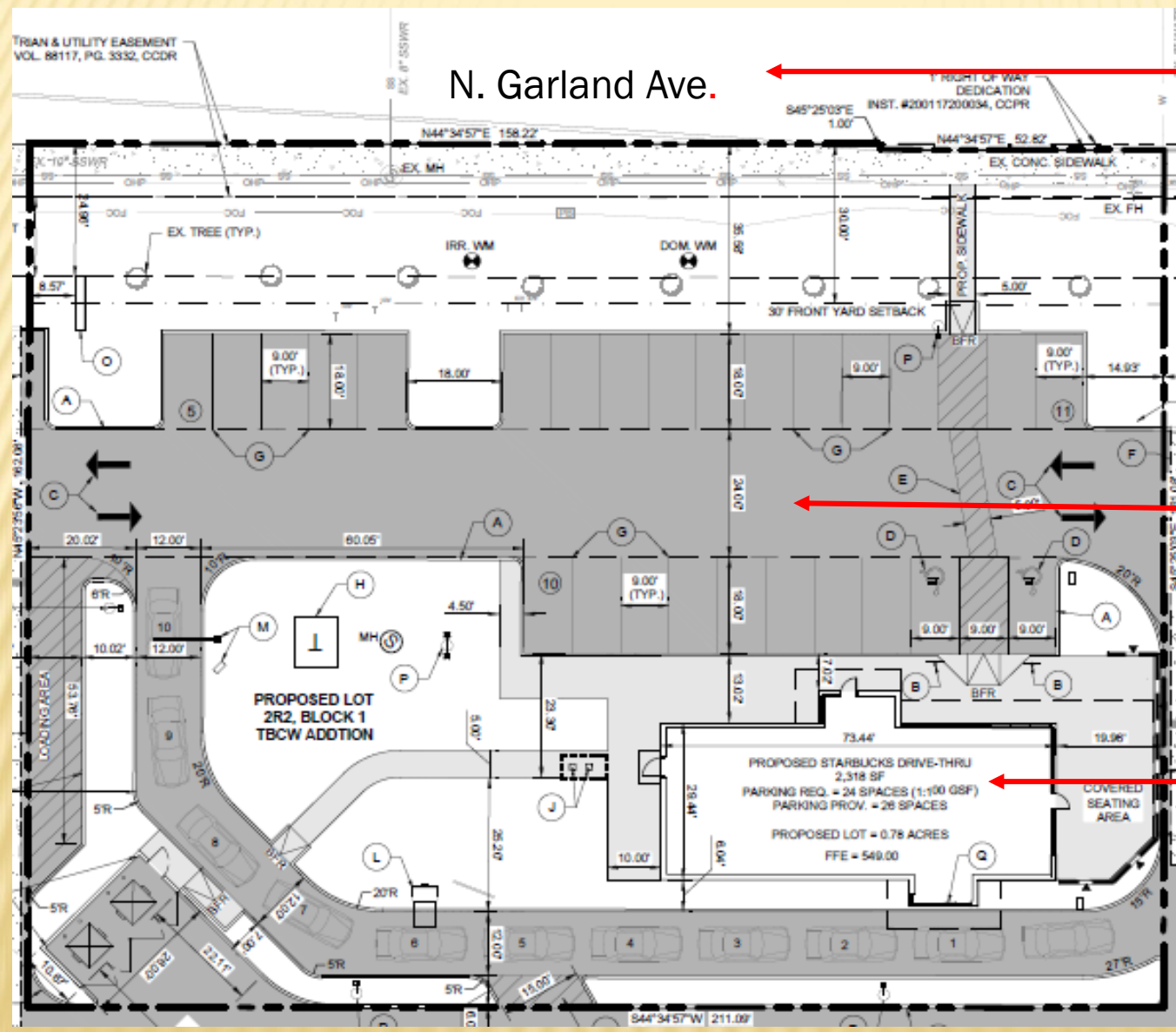


View of properties located to the southwest from
subject site

BACKGROUND

The applicant proposes to carve out a 0.78-acre pad site from the Walmart parking area to develop a 2,318 square-foot Starbucks Coffee with a drive-through.

CONSIDERATIONS (SITE PLAN)



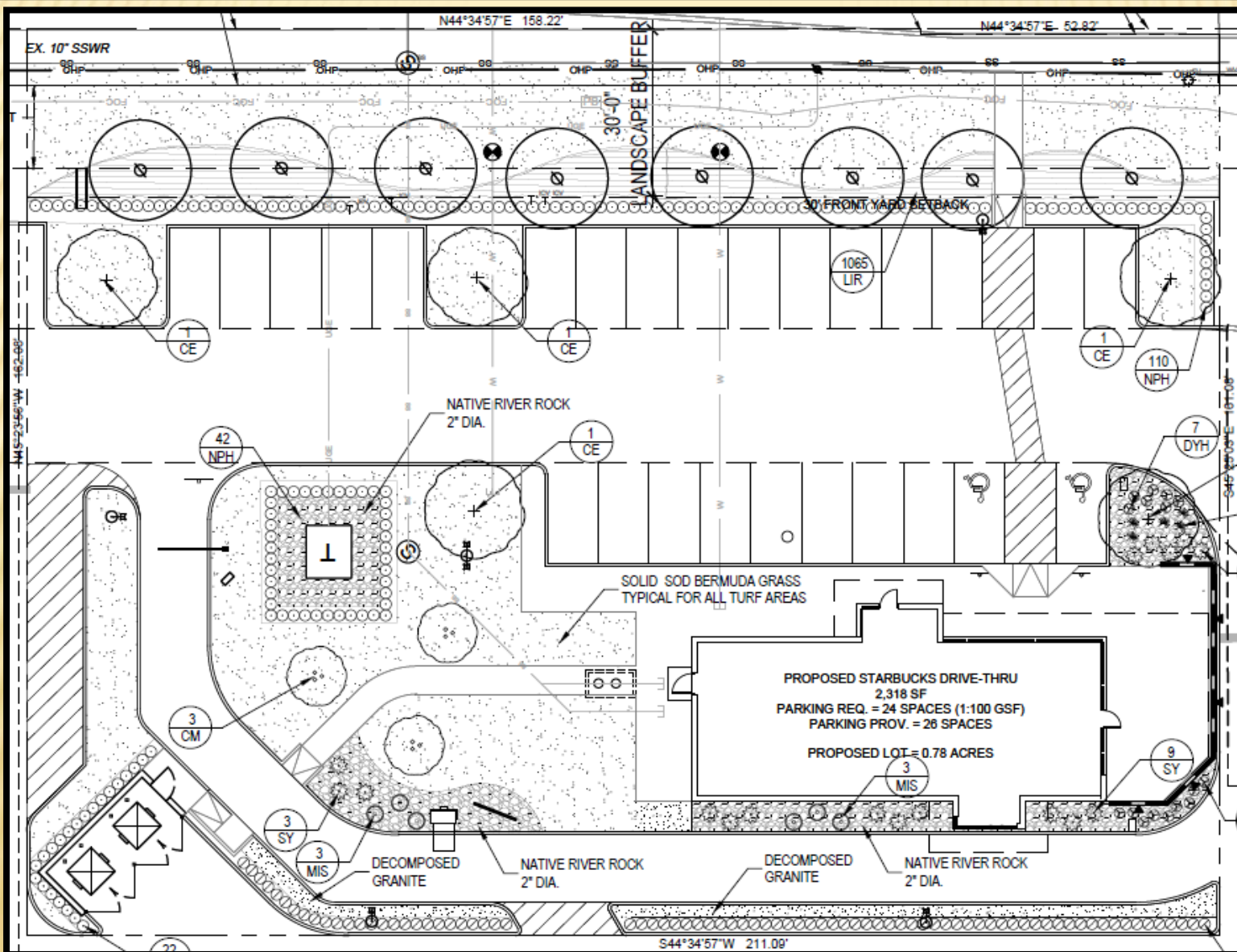
N. Garland Ave.

Parking area

Proposed building



Z 21-34



CONSIDERATIONS (ELEVATIONS)



CONSIDERATIONS (ELEVATIONS)



CONSIDERATIONS (SUP)

The applicant is requesting approval of a 30-year Specific Use Provision.

The SUP Time Period Guide recommends a range of twenty (20) to twenty-five (25) years.

Approval of 1) a Specific Use Provision (SUP) for Restaurant, Drive-Through and 2) a Detail Plan for Restaurant, Drive-Through.

PLAN COMMISSION RECOMMENDATION

On October 25, 2021 the Plan Commission, by a vote of seven (7) to zero (0), recommended approval of 1) a Specific Use Provision (SUP) for Restaurant, Drive-Through for a period of thirty (30) years and 2) a Detail Plan for Restaurant, Drive-Through.



GARLAND PLANNING REPORT

City Council Regular Session Agenda

10. d.

Meeting Date: 11/16/2021

Item Title: Z 21-34 Westfall Engineering, PLLC - Detail Plan (District 1)

Submitted By: Josue De La Vega, Sr. Development Planner

REQUEST

Approval of 1) Specific Use Provision (SUP) for Restaurant, Drive-Through and 2) a Detail Plan for Restaurant, Drive-Through.

LOCATION

5300 North Garland Avenue

OWNER

Walmart Real Estate Business

PLAN COMMISSION RECOMMENDATION

On October 25, 2021 the Plan Commission, by a vote of seven (7) to zero (0), recommended approval of 1) a Specific Use Provision (SUP) for Restaurant, Drive-Through for a period of thirty (30) years and 2) a Detail Plan for Restaurant, Drive-Through.

STAFF RECOMMENDATION

On October 25, 2021 the Plan Commission, by a vote of seven (7) to zero (0), recommended approval of 1) a Specific Use Provision (SUP) for Restaurant, Drive-Through for a period of thirty (30) years and 2) a Detail Plan for Restaurant, Drive-Through.

BACKGROUND

The applicant proposes to carve out a 0.78-acre lot from the Walmart parking area and construct a 2,318 square-foot Starbucks restaurant/coffee shop with a drive-through.

SITE DATA

The site would contain 0.78 acres with approximately 212 lineal feet of frontage along North Garland Avenue.

USE OF PROPERTY UNDER CURRENT ZONING

The subject property is zoned Planned Development (PD) District 13-02 which limits the site to Community Retail Uses. Restaurant, Drive-Through is permitted only by SUP.

CONSIDERATIONS

Detail Plan:

1. The applicant proposes to carve out a 0.78-acre pad site from the Walmart parking area to develop a 2,318 square-foot Starbucks restaurant/coffee shop with a drive-through (Exhibit C). The proposed Starbucks site will be accessed from existing access points on the Walmart site as no new direct access points off North Garland Avenue are being proposed.
2. The parking for the proposed Starbucks site is in compliance with the Garland Development Code (GDC). In addition, the parking for the Walmart Supercenter site will remain in compliance.
3. The landscape layout (Exhibit D) for the proposed Starbucks site is in compliance with the Garland Development Code (GDC).
4. The building elevations (Exhibit E) for the proposed Starbucks are in compliance with the Garland Development Code (GDC).
5. The applicant is not requesting any signage deviations with this request.

Specific Use Provision:

6. The applicant requests approval of a thirty (30)-year Specific Use Provision. The SUP Time Period Guide recommends a range of twenty (20) to twenty-five (25) years.

COMPREHENSIVE PLAN

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

COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

The properties across North Garland Avenue are zoned Community Retail (CR) District, Planned Development (PD) District 04-42, Planned Development (PD) District 03-66, Planned Development (PD) District 03-65 and Planned Development (PD) District 03-24 for Community Retail Uses; these properties are developed with bank institutions, a variety of retail services, restaurants and a fitness club. The properties to the northeast are zoned Planned Development (PD) District 06-06, Planned Development (PD) District 19-07, Planned Development (PD) District 21-11 and Planned Development (PD) District 03-14 for Community Retail Uses; these properties are developed with a bank institution, a gas station and a multi-tenant retail building. Properties to the southwest are zoned Planned Development (PD) District 01-16 and Planned

Development (PD) District 02-20 for Community Retail Uses; these properties are developed with a Sam's Club and a Sonic restaurant.

The proposed Starbucks is generally compatible with the surrounding area which is characterized by retail, banking and food service activity.

Attachments

Z 21-34 Westfall Engineering, PLLC (Detail Plan) Attachments

Z 21-34 Westfall Engineering, PLLC Responses

Z 21-34 Westfall Engineering, PLLC Staff Presentation



0 200 400 Feet
1 inch = 309 feet

Zoning Map Z 21-34

 INDICATES AREA OF REQUEST

 INDICATES AREA OF REQUEST

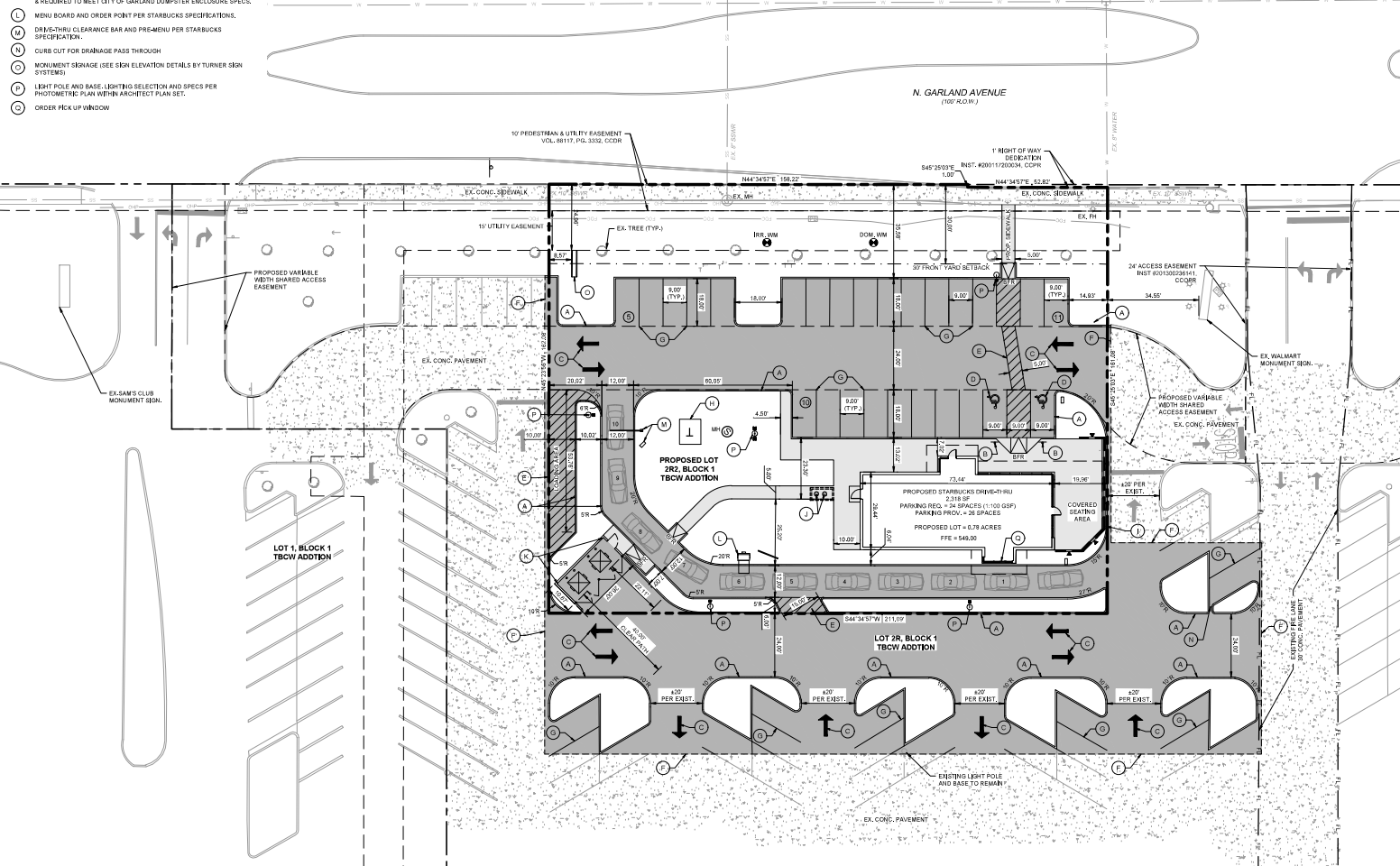
KEY NOTES

- (A) 6" TALL INTEGRAL CONCRETE CURB, (REFER TO CONSTRUCTION DETAILS FOR DETAILS)
- (B) ACCESSIBLE PARKING SIGN AND POLE, (REFER TO CONSTRUCTION DETAILS FOR DETAILS)
- (C) SOLID WHITE THRU OR TURN ARROW PER PLAN.
- (D) PAINTED ACCESSIBLE SYMBOL, (REFER TO CONSTRUCTION DETAILS FOR DETAILS)
- (E) 4" WIDE WHITE PAINTED STRIPING AT 45° ON 24" CENTERS.
- (F) MATCH PROPOSED PAVEMENT ELEVATION, FULL DEPTH CANTO OUT AND CONNECT TO EXISTING PAVEMENT WITH LONGitudINAL BUTT JOINT, (REFER TO CONSTRUCTION DETAILS FOR MORE INFO)
- (G) 4" THICK SOLID WHITE BARRIER LANE LINE, (TYPICAL WHERE SHOWN PER PLAN)
- (H) TRANSFORMER PAD LOCATION, TO BE APPROVED AND PLACED PER SPECIFICATIONS BY ELECTRIC COMPANY.
- (I) 8" x 12" MAX STONE RETAINING WALL, HEIGHT VARIES, SEE GRADING PLAN FOR HEIGHTS, STONE TYPE AND PATTERN TO BE SELECTED BY OWNER.
- (J) SANITARY SEWER GREASE TRAP, SIZE AND SPECIFICATION PER M.E.P. PLANS.
- (K) 8" TALL MASONRY DUMPSER ENCLOSURE WITH METAL GATES, WALL AND GATE MATERIALS ARE TO MATCH MATERIALS USED ON BUILDING, DUMPSER ENCLOSURE DETAILS FOR ARCHITECTURAL PLANS & REQUIRED TO MEET CITY OF GARLAND DUMPSER ENCLOSURE SPECS.
- (L) MENU BOARD AND ORDER POINT PER STARBUCKS SPECIFICATIONS.
- (M) DRIVE-THRU CLEARANCE BAR AND PRE-MENU PER STARBUCKS SPECIFICATION.
- (N) CURB CUT FOR DRAINAGE PASS THROUGH
- (O) MONUMENT SERVICE (SEE DECK ELEVATION DETAILS BY TURNER SIGN SYSTEMS)
- (P) LIGHT POLE AND BASE, LIGHTING SELECTION AND SPECS PER PHOTO METERIC PLAN WITHIN ARCHITECT PLAN SET.
- (Q) ORDER PICK UP WINDOW

SITE DATA TABLE

CARVE-OUT LOT DATA	
EXISTING ZONING	PD 15-2 (BASE ZONING-CR)
EXISTING LAND USE	PARKING LOT
PROPOSED LAND USE	RESTAURANT W/ DRIVE-THRU
LOT AREA	34,157.81 SF (8,798.26)
BUILDING FOOTPRINT AREA	5,318.56
TOTAL BUILDING AREA	8,318.56
MAX BUILDING HEIGHT ALLOWED	18'-0" (11 STORY)
BUILDING HEIGHT / NUMBER OF STORES	18'-0" (11 STORY)
MAX ALLOWABLE LOT COVERAGE	0.51%
LOT COVERAGE	0.51%
FLOOR AREA RATIO	0.51
IMPERVIOUS AREA	51,357.27 SF (87,235%)
LANDSCAPE AREA	12,800.34 SF (37.47%)
STARBUCKS DRIVE-THRU PARKING (LOT 2R1)	24 SPACES
REQUIRED PARKING - (110' (100 GSF))	24 SPACES
PROPOSED PARKING	24 SPACES
HANDICAP PARKING REQUIRED (10' (100 GSF))	2 SPACES
HANDICAP PARKING PROVIDED (10' (100 GSF))	2 SPACES
LOADING SPACE REQUIRED	1 SPACE
LOADING SPACE PROVIDED	1 SPACE
RECEIVED WALKWAY PARKING (LOT 2R1)	635.70 BLKS + 218.422 SF
PROPOSED DRIVE-THRU (110' (100 GSF))	108 SPACES
PROPOSED PARKING BEFORE LOT CARVE-OUT	1418 SPACES
PARKING PROVIDED FOR LOT CARVE-OUT	108 SPACES
REMAINING WALKWAY PARKING	108 SPACES

HANDICAP PARKING IS PROVIDED IN ACCORDANCE WITH ADA STANDARDS.



LEGEND

- PROPERTY LINE
- SETBACK LINE
- PROPOSED EASEMENT
- PROPOSED RETAINING WALL
- FIRE LANESTRIPPING
- EXISTING OVERHEAD POWER LINE
- EXISTING FIBER OPTIC LINE
- EXISTING GAS LINE
- EXISTING WATER LINE
- EXISTING SANITARY SEWER LINE
- PROPOSED VEHICULAR PAVEMENT AREA (PAVEMENT SECTION TO BE CONFIRMED BY GEOTECH REPORT)
- PROPOSED SEWERWALK PAVEMENT AREA (4" REINFORCED CLASS C CONCRETE PAVEMENT WITH #4 BARS @ 24" O.C. BOTH WAYS PER CITY DETAIL)
- EXISTING PAVEMENT AREA PER WALKWAY CONSTRUCTION PLANS (CITY PROJECT #0202128)
- PROPOSED FIRE HYDRANT (FHI)
- PROPOSED FIRE DEPARTMENT CONNECTION (FDC)
- BARRIER FREE RAMP (BFR)
- PROPOSED TRANSFORMER LOCATION
- NUMBER OF PARKING SPACES PER ROW
- EXISTING POWER POLE
- EXISTING LIGHT POLE
- EXISTING FIRE HYDRANT
- EXISTING STORM MANHOLE
- EXISTING SAN. SWR. MANHOLE
- EXISTING SIGN

SITE NOTES

1. CONTRACTOR SHALL REFER TO ARCHITECTURAL PLANS FOR EXACT BUILDING FOOT PRINT DIMENSIONS.
2. CONTRACTOR SHALL REFER TO ARCHITECTURAL PLANS AND FINAL GEOTECH REPORT FOR BUILDING SUB-GRADE PREPARATION REQUIREMENTS.
3. COORDINATE INFORMATION FOR RETAINING WALLS ARE LOCATED AT THE FACE OF THE EXPOSED WALL AT GROUND SURFACE ELEVATIONS.
4. ALL DIMENSIONS ARE FROM THE FACE OF CURB, FACE OF BUILDING, OR PROPERTY LINE UNLESS NOTED OTHERWISE.
5. ALL CURB RADI ARE 2' UNLESS NOTED OTHERWISE.
6. CONTRACTOR SHALL REFER TO ARCHITECTURAL PLANS FOR DUMPSER ENCLOSURE CONSTRUCTION SPECIFICATIONS.
7. CONTRACTOR SHALL REFER TO M.E.P. AND LANDSCAPE PLANS FOR CONDUIT PLACEMENT PRIOR TO PARKING.
8. RETAINING WALL MATERIAL AND TYPE SHALL BE APPROVED BY THE OWNER.



Know what's below.
Call before you dig.

BENCHMARK

1. DESCRIPTION: X CUT IN CONC.
N: 7,038.250.24
E: 2,537.590.34
ELEV: 545.89
2. DESCRIPTION: X CUT IN CONC.
N: 7,038.124.08
E: 2,537.476.10
ELEV: 545.89

OWNER:
WALMART STORES, INC.
702 SW 8TH STREET
BENTONVILLE, AR 72712

DEVELOPER:
THE STARBUCKS ORGANIZATION
8018 OVER STREET, SUITE 102
DALLAS, TX 75209
CONTACT: LUKE STANBACK
TEL: 214-465-1460

SURVEYOR:
90 SURVEYOR
P.O. BOX 778
HALLSBURG, TX 75850
CONTACT: BREY REED
TEL: (903) 381-2577

ENGINEER / APPLICANT:
WESTFALL ENGINEERING
1719 ANGEL PARKWAY
ALLEN, TX 75002
TYPE: FPM REG. #19101
CONTACT: KYLE BRADLEY, PE
TEL: (214) 284-4381

THE CONTRACTOR SHALL FIELD VERIFY THE HORIZONTAL AND VERTICAL LOCATIONS OF ALL EXISTING UTILITIES PRIOR TO START OF CONSTRUCTION AND SHALL NOTIFY THE CONSTRUCTION MANAGER AND ENGINEER OF ANY CONFLICTS DISCOVERED. CONTRACTOR IS RESPONSIBLE FOR PROTECTING EXISTING UTILITIES (SHOWN OR NOT SHOWN) FROM DAMAGE. IF ANY EXISTING UTILITIES ARE DAMAGED, THE CONTRACTOR SHALL REPLACE THEM AT HIS OWN EXPENSE, CALL 811 AT LEAST 72 HOURS PRIOR TO COMMENCING CONSTRUCTION IN THAT AREA.

Exhibit C

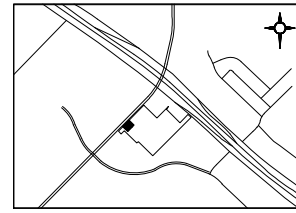
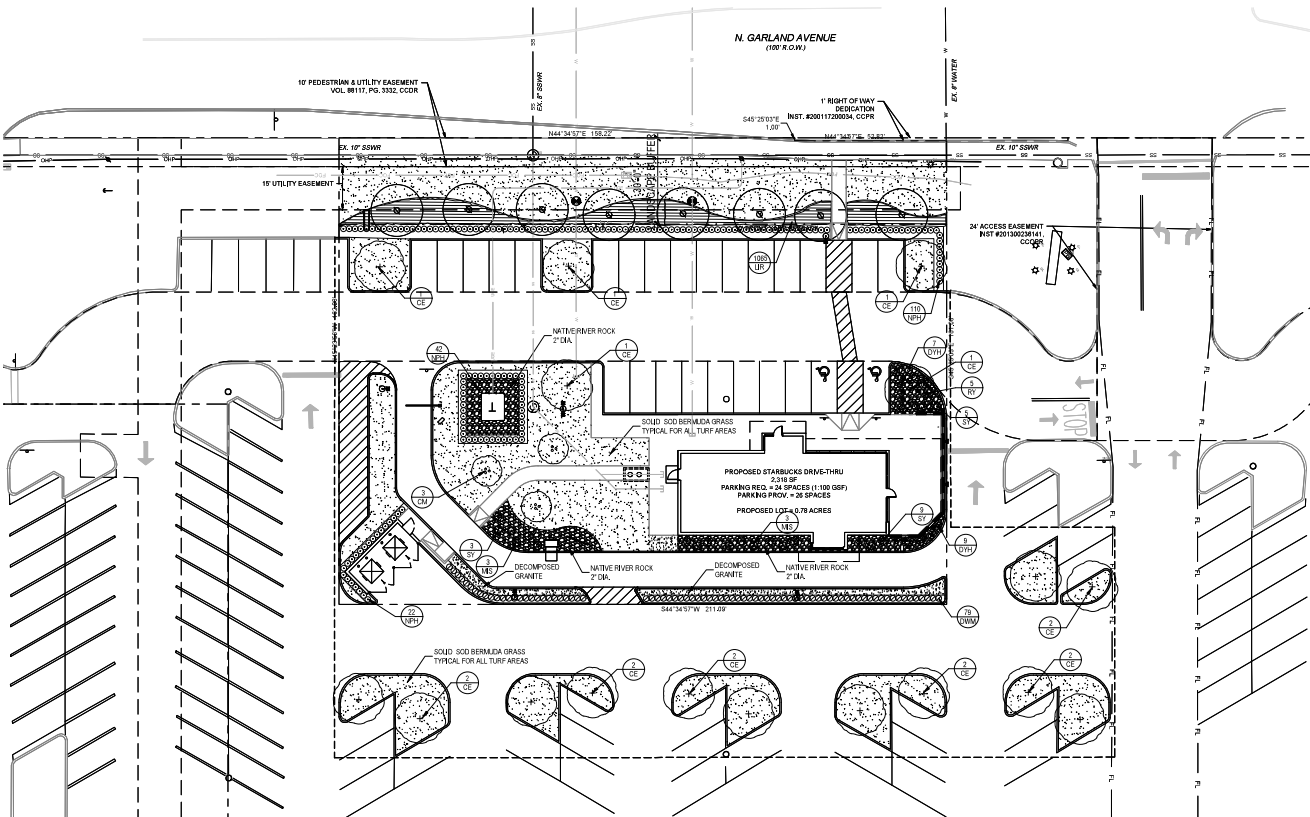
WESTFALL ENGINEERING
1719 ANGEL PARKWAY
SUITE 400-206 ALLEN, TX 75002
TYPE: FPM REG. #19101

THIS DOCUMENT IS RELEASED FOR REVIEW PURPOSES ONLY UNDER THE AUTHORITY OF KYLE BRADLEY, P.E. 107094 IN SEPTEMBER 2021. IT IS NOT TO BE USED FOR CONSTRUCTION.

STARBUCKS CARVE-OUT
LOT 2R2, BLK. 1 - TBCW ADDITION
5300 N. GARLAND AVENUE
CITY OF GARLAND, TEXAS

CITY OF GARLAND SITE PLAN
(CITY PRESUBMITAL #210421-2)

REV	DATE	DESCRIPTION
1	09/15/2021	PROJECT NO. 15202
2		SHEET NO. SP-1



LANDSCAPE NOTES

- CONTRACTOR SHALL VERIFY ALL EXISTING AND PROPOSED SITE ELEMENTS AND NOTIFY ARCHITECT OF ANY DISCREPANCIES. SURVEY DATA OF EXISTING CONDITIONS WAS SUPPLIED BY OTHERS.
- CONTRACTOR SHALL LOCATE ALL EXISTING UNDERGROUND UTILITIES AND NOTIFY ARCHITECT OF ANY CONFLICTS. CONTRACTOR SHALL EXERCISE CAUTION WHEN WORKING IN THE VICINITY OF UNDERGROUND UTILITIES.
- CONTRACTOR IS RESPONSIBLE FOR OBTAINING ALL REQUIRED LANDSCAPE AND IRRIGATION PERMITS.
- CONTRACTOR TO PROVIDE A MINIMUM 2% SLOPE AWAY FROM ALL STRUCTURES.
- ALL PLANTING BEDS AND LAWN AREAS TO BE SEPARATED BY STEEL EDGINGS. NO STEEL TO BE INSTALLED ADJACENT TO SIDEWALKS OR CURBS.
- ALL LANDSCAPE AREAS TO BE IRRIGATED WITH AN UNDERGROUND AUTOMATIC IRRIGATION SYSTEM AND SHALL INCLUDE RAIN AND FREEZE SENSORS.
- ALL LAWN AREAS TO BE SOLID SOD BERMUDA GRASS, UNLESS OTHERWISE NOTED ON THE DRAWINGS.

GENERAL LAWN NOTES

- FINE GRADE AREAS TO ACHIEVE FINAL CONTOURS INDICATED ON CIVIL PLANS.
- ADJUST CONTOURS TO ACHIEVE POSITIVE DRAINAGE AWAY FROM BUILDINGS. PROVIDE UNIFORM GRADING AT TOP AND BOTTOM OF SLOPES AND OTHER BREAKS IN GRADE. CORRECT IRREGULARITIES AND AREAS WHERE WATER MAY STAND.
- ALL LAWN AREAS TO RECEIVE SOLID SOD SHALL BE LEFT IN A MINIMUM OF 1" BELOW FINAL FINISH GRADE. CONTRACTOR TO COORDINATE OPERATIONS WITH ON-SITE CONSTRUCTION MANAGER.
- IMPORTED TOPSOIL SHALL BE NATURAL, FRIABLE SOIL FROM THE REGION, KNOWN AS BOTTOM AND SOIL FREE FROM LUMPS, CLAY, TOXIC SUBSTANCES, ROOTS, DEBRIS, VEGETATION, STONES, CONTAINING NO SALT AND BLACK TO BROWN IN COLOR.
- ALL LAWN AREAS TO BE FINE GRADE. IRRIGATION TRENCHES COMPLETELY SETTLED AND FINISH GRADE APPROVED BY THE OWNER'S CONSTRUCTION MANAGER OR ARCHITECT PRIOR TO INSTALLATION.
- ALL ROCKS 3/4" DIAMETER AND LARGER, DIRT CLODS, STICKS, CONCRETE SPOOLS, ETC. SHALL BE REMOVED PRIOR TO PLACING TOPSOIL AND ANY LAWN INSTALLATION.
- CONTRACTOR SHALL PROVIDE (1) ONE INCH OF IMPORTED TOPSOIL ON ALL AREAS TO RECEIVE LAWN.

SOLID SOD NOTES

- FINE GRADE AREAS TO ACHIEVE FINAL CONTOURS INDICATED. LEAVE AREAS TO RECEIVE TOPSOIL, 3" BELOW FINAL DESIRED GRADE IN PLANTING AREAS AND 1" BELOW FINAL GRADE IN TURF AREAS.
- ADJUST CONTOURS TO ACHIEVE POSITIVE DRAINAGE AWAY FROM BUILDINGS. PROVIDE UNIFORM GRADING AT TOP AND BOTTOM OF SLOPES AND OTHER BREAKS IN GRADE. CORRECT IRREGULARITIES AND AREAS WHERE WATER MAY STAND.
- ALL LAWN AREAS TO RECEIVE SOLID SOD SHALL BE LEFT IN A MINIMUM OF 1" BELOW FINAL FINISH GRADE. CONTRACTOR TO COORDINATE OPERATIONS WITH ON-SITE CONSTRUCTION MANAGER.
- CONTRACTOR TO COORDINATE WITH ON-SITE CONSTRUCTION MANAGER FOR AVAILABILITY OF EXISTING TOPSOIL.
- PLANT SOD BY HAND TO COVER INDICATED AREA COMPLETELY. INSURE EDGES OF SOD ARE TOUCHING. TOP PRESS JOINTS BY HAND WITH TOPSOIL TO FILL JOINTS.
- ROLL GRASS AREAS TO ACHIEVE A SMOOTH, EVEN SURFACE, FREE FROM UNNATURAL UNDULATIONS.
- WATER SOD THOROUGHLY AS SOD OPERATION PROGRESSES.
- CONTRACTOR SHALL MAINTAIN ALL LAWN AREAS UNTIL FINAL ACCEPTANCE. THIS SHALL INCLUDE, BUT NOT LIMITED TO, MOWING, WATERING, WEEDING, CULTIVATING, CLEANING AND REPLACING DEAD OR BARE AREAS TO KEEP PLANTS IN A VIGOROUS, HEALTHY CONDITION.
- CONTRACTOR SHALL GUARANTEE ESTABLISHMENT OF AN ACCEPTABLE TURF AREAS AND SHALL PROVIDE REPLACEMENT FROM LOCAL SUPPLY IF NECESSARY.
- IF INSTALLATION OCCURS BETWEEN SEPTEMBER 1 AND MARCH 1, ALL SOD AREAS TO BE OVER-SEED WITH WINTER REGRESS AT A RATE OF 10 LBS PER 1000 SQUARE FEET.

CITY NOTES

- PUBLIC RIGHT OF WAY, EASEMENTS AND COMMON AREAS MUST BE STABILIZED WITH PERMANENT VEGETATION COVER FULLY ESTABLISHED WITH 100% COVERAGE, OR OTHER APPROVED STABILIZATION METHOD.
- NO LANDSCAPING SUCH AS TREES, HEDGES, ARBORS AND UNDERGROUND STRUCTURES SHALL BE LOCATED WITHIN EXISTING OR PROPOSED UTILITY EASEMENTS AND RIGHT OF WAY WITHOUT APPROVED CITY OF GARLAND PROPERTY IMPROVEMENT AUTHORIZATION FORM OF CITY'S LICENSE AGREEMENT.

LANDSCAPE REQUIREMENTS

Total Landscape Area
Requirement: Minimum of 10% of site to be devoted to landscape area.
(Site Area: 34,107.9 s.f.)

Required: 3,410.79 s.f. **Provided:** 12,800.14 s.f.

Requirement: 5% of total parking area to be landscaped.
Trees located at the ends of each parking row. All parking spots to be within 65 ft. of tree. 1 tree per 100 parking spots.
(Parking Area: 8,748.7 s.f.)
(Parking Spaces: 26 Spaces)

Required: 407.44 s.f. **Provided:** 1,027.01 s.f.
3 trees 4 trees

N. Garland Ave.
Requirement: 10' wide landscape buffer along major thoroughway.
1 large canopy tree and 7 shrubs per 30 ft.
Minimum 75% of buffer can be turf. 25% to be groundcover.
(Street Frontage: 211.04 ft.), (landscape buffer area: 4,000 s.f.)

Required: 7 trees **Provided:** 8 existing tree credits
50 shrubs 100 shrubs

4,000 s.f. of turf allowed (75%) 3,873 s.f. of turf proposed (95%)

SITE DATA TABLE

EXISTING ZONING	PD (LAND GRASS ZONING - U.S.)
EXISTING LAND USE	PARKING LOT
PROPOSED LAND USE	RESTAURANT W/ DRIVE-THRU
LOT AREA	12,102.5 SF (27.74 AC)
BUILDING FOOTPRINT AREA	2,334 SF
TOTAL BUILDING AREA	2,334 SF
MAX BUILDING HEIGHT ALLOWED	35'
BUILDING HEIGHT NUMBER OF STORIES	14 - 17.1 STORY
MAX ALLOWABLE LOT COVERAGE	40%
LOT COVERAGE	6.51%
FLOOR AREA RATIO	0.29 : 1
MINIMUM SETBACK	10' FRONT (30' SIDE & REAR)
LANDSCAPE AREA	12,800.14 SF (29.47 AC)
REQUIRED PARKING - (TSP, 750 GSF)	142 SPACES
PROPOSED PARKING	142 SPACES
HANDICAP PARKING REQUIRED (4 SPACES)	4 SPACES
HANDICAP PARKING PROVIDED (4 SPACES)	4 SPACES
CONCRETE SPACE REQUIRED	6 SPACES
LOADING SPACE PROVIDED	1 SPACE
REQUIRED PARKING - (TSP, 750 GSF)	142 SPACES
PROPOSED PARKING BEFORE LOT CARVEOUT	142 SPACES
PARKING REMOVED FOR LOT CARVEOUT	142 SPACES
REMAINING SOLID PAVING	142 SPACES

HANDICAP PARKING IS PROVIDED IN ACCORDANCE WITH ADA STANDARDS.

PLANT MATERIAL SCHEDULE

TREES						
TYPE	QTY	COMMON NAME	BOTANICAL NAME	SIZE	REMARKS	
CE	CM	Cedar Elm	Ulmus crassifolia	4" cal.	B&B: 12' ht. 5' spread, 5' clear straight trunk container, 6' ht., treeform	
	17	Crape Myrtle	Lageraemia indica	3" cal.		
SHRUBS						
TYPE	QTY	COMMON NAME	BOTANICAL NAME	SIZE	REMARKS	
DYH	15	Dwarf Yaupon Holly	Ilex vomifolia	3 gal.	container, 20" spread, 24" ht.	
NPH	174	Needlepoint Holly	Ilex cornuta 'Needlepoint'	3 gal.		
MBS	6	Miscanthus sinensis	Miscanthus sinensis	5 gal.	container, full, 24" spread	
RY	5	Red Yucca	Yucca rostrata	3 gal.		
DWM	79	Dwarf Wax Myrtle	Myrica pauciflora	3 gal.	container, 20" ht., 20" spread	
SY	17	Soft Leaf Yucca	Yucca neurophylla	5 gal.		
GROUNDCOVERS						
TYPE	QTY	COMMON NAME	BOTANICAL NAME	SIZE	REMARKS	
LIR	1065	Lirioden	Lirioden	4" pots	container full, well rooted 12" o.c. solid sod refer to notes	
		'419 Bermuda grass	Cynodon dactylon '419'			
		Native River Rock				
		Decomposed Granite				
NOTE: Plant list is an aid to bidders only. Contractor shall verify all quantities on plan. All heights and spreads are minimums. All plant material shall meet or exceed remarks as indicated. All trees to have straight trunks and be matching within varieties.						

NOTE: Plant list is an aid to bidders only. Contractor shall verify all quantities on plan. All heights and spreads are minimums. All plant material shall meet or exceed remarks as indicated. All trees to have straight trunks and be matching within varieties.

LANDSCAPE ARCHITECT
STUDIO GREEN SPOT, INC.
1784 McDERMOTT DR.
SUITE 110
ALLEN, TEXAS 75013
(409) 365-4448
CHHS@STUDIOGREENSPOT.COM



STARBUCKS
CARVE-OUT
LOT 2P2, BLK. 1
5300 N. GARLAND AVENUE
CITY OF GARLAND, TEXAS

ISSUE:
FOR APPROVAL: 08.26.2021
CITY COMMENTS: 09.15.2021

DATE:
09.15.2021

SHEET NAME:
LANDSCAPE PLAN

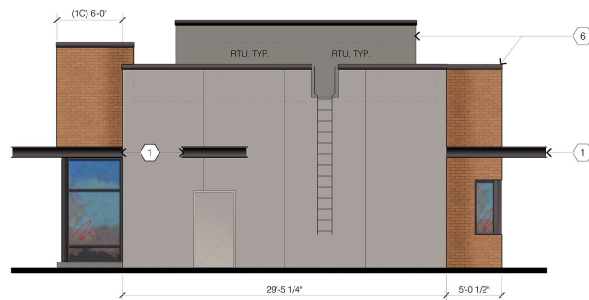
SHEET NUMBER:

L.2



1 Northwest Elevation (Front)
Scale: 3/16" = 1'-0"

N. GAFLAND AVENUE FACADE ARTICULATION	
1. HORIZONTAL	
A) MINIMUM OF ONE HORIZONTAL ARTICULATION IS REQUIRED THAT IS AT LEAST 20% OF THE BUILDING'S TOTAL STREET-FACING LENGTH.	
• REQUIRED: 73'-5 1/4" x 20% = 14'-4 1/4"	
• PROVIDED: 15'-3 5/8" (1A)	
B) TOTAL STREET-FACING LENGTH = 73'-5 1/4" (1E)	
C) DEPTH ARTICULATION OF AT LEAST TWO FEET (2) SHALL BE REQUIRED FOR EVERY THIRTY FEET OF BUILDING FACADE LENGTH.	
• REQUIRED: 6'-0"	
• PROVIDED: 6'-0" (1C) (NOTE: SEE 2A2.0.8.3/A3.0)	
2. VERTICAL	
A) MINIMUM OF ONE VERTICAL ARTICULATION IS REQUIRED THAT IS AT LEAST 20% OF THE BUILDING'S TOTAL STREET-FACING LENGTH.	
• REQUIRED: 73'-5 1/4" x 20% = 14'-4 1/4"	
• PROVIDED: 22'-6 1/4" (2A)	
B) TOTAL STREET-FACING LENGTH = 73'-5 1/4" (1E)	
C) HEIGHT ARTICULATION OF AT LEAST THREE FEET (3) SHALL BE REQUIRED FOR EVERY FIFTY FEET OF BUILDING FACADE LENGTH.	
• REQUIRED: 6'-0"	
• PROVIDED: 4'-0" (2C) + 2'-0" (2C)	
D) BUILDING'S NON-ARTICULATED HEIGHT = 15'-0" (2D)	



2 Southwest Elevation
Scale: 3/16" = 1'-0"

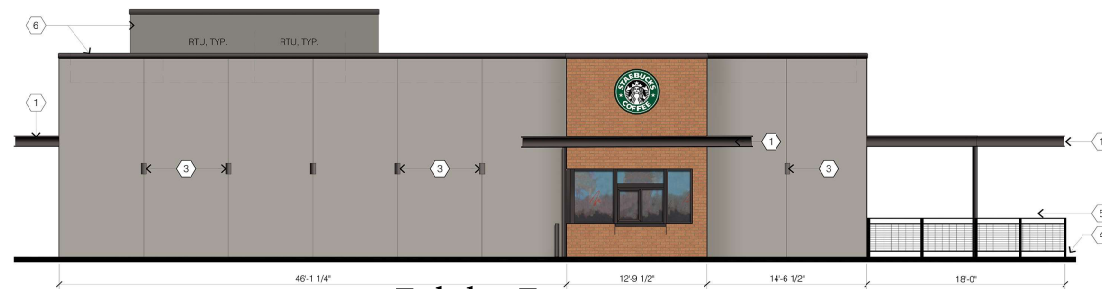
ARCHITECTURAL ELEMENTS PROVIDED BY SYMBOL: #

1. AWNINGS OF CANOPIES
2. DISPLAY WINDOWS
3. DISTINCTIVE LIGHTING FEATURES
4. PLANTERS ADJACENT TO PATIO FENCING
5. OUTDOOR SEATING AREAS
6. VARIED ROOF HEIGHTS

BUILDING ATTACHED SIGNAGE TO BE SUBMITTED UNDER SEPARATE PERMIT BY TENANT, SHOWN FOR REFERENCE ONLY

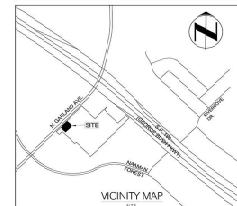


3 Northeast Elevation
Scale: 3/16" = 1'-0"



4 Exhibit E
Southeast Elevation
Scale: 3/16" = 1'-0"

STARBUCKS CARVE-OUT
5300 N. GARLAND AVE, GARLAND, TX 75040
LOT 2R, BLOCK 1
TBCW ADDITION
CITY OF GARLAND, TEXAS
PRE-SUBMITTAL CASE NUMBER: 210427-2
OWNER:
WALMART REAL ESTATE BUSINESS
APPLICANT:
MICHAEL WESTFALL
WESTFALL ENGINEERING
1719 ANGEL PARKWAY, STE 400-206
ALLEN, TEXAS 75002



THIS DRAWING IS AN INSTRUMENT OF SERVICE AND THE PROPERTY OF JOHNSON ARCHITECTS, INC. AND SHALL REMAIN THEIR PROPERTY. THE USE OF THIS DRAWING SHALL BE RESTRICTED TO THE ORIGINAL SITE FOR WHICH IT IS PREPARED AND PUBLICATION THEREOF IS EXPRESSLY LIMITED TO SUCH USE.

STARBUCKS
CARVE-OUT, LOT 2R, BLOCK 1 - TBCW ADDITION, GARLAND, TEXAS



Johnson
ARCHITECTS

BOX #351
6333 E. WOODHINCH RD., SUITE 147
KILLAM, TX 75114
PHONE 214-698-6851
info@johnsonarchitectsinc.com
www.johnsonarchitectsinc.com

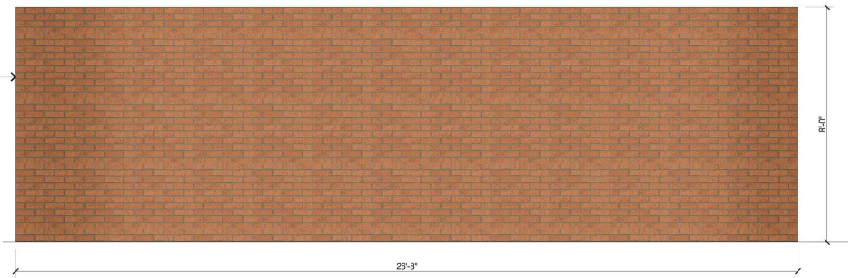
DISTRIBUTION: DATE:
SVP Submittal 8/18/2021
SVP Submittal 9/15/2021

PROJECT# 2004

BUILDING
ELEVATIONS

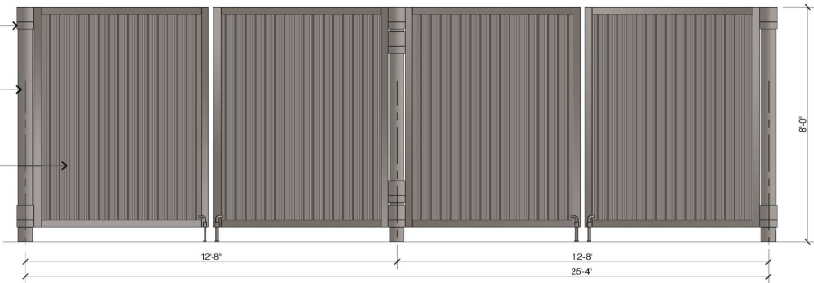
A3.0c

8'-0" HIGH, MODULAR BRICK OVER 8" CMU, TRASH ENCLOSURE SCREEN WALL. BRICK ON TRASH ENCLOSURE TO MATCH COLOR OF BRICK ON BUILDING

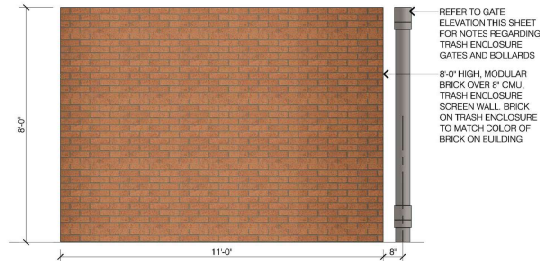


5 Screenwall Elevation
Scale: 1/2" = 1'-0"

PIPE SLEEVE HINGE OVER BOLLARD, COLOR TO MATCH ADJACENT CMU WALL
8'-0" HIGH CONCRETE FILLED BOLLARD AT GATES. COLOR TO MATCH ADJACENT CMU WALL
PRE-FINISHED METAL M-1 PANEL SECURED TO PRE-PREP, PRIMED, AND PAINTED STEEL GATE FRAME, TYPICAL AT EACH GATE

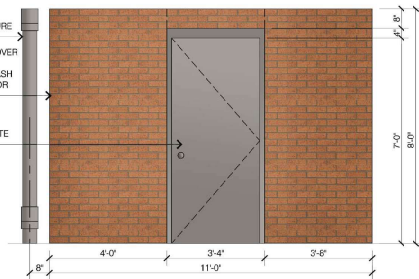


4 Gate Elevation
Scale: 1/2" = 1'-0"

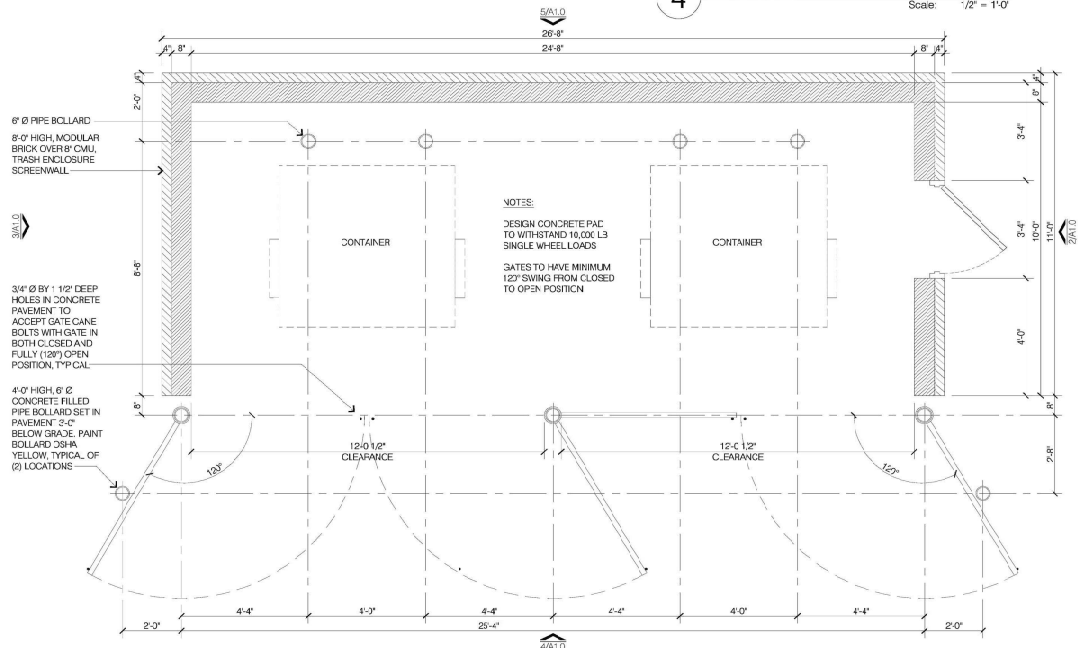


3 Screenwall Elevation
Scale: 1/2" = 1'-0"

REFER TO GATE ELEVATION THIS SHEET FOR NOTES REGARDING TRASH ENCLOSURE GATES AND BOLLARDS
8'-0" HIGH, MODULAR BRICK OVER 8" CMU, TRASH ENCLOSURE SCREEN WALL. BRICK ON TRASH ENCLOSURE TO MATCH COLOR OF BRICK ON BUILDING
HOLLOW METAL DOOR AND FRAME, COLOR TO MATCH ADJACENT BOLLARD AND GATE FRAMES



2 Screenwall Elevation
Scale: 1/2" = 1'-0"



1 Trash Enclosure Plan
Scale: 1/2" = 1'-0"

Exhibit E

THIS DRAWING IS AN INSTRUMENT OF SERVICE AND THE PROPERTY OF JOHNSON ARCHITECTS, INC. AND SHALL REMAIN THEIR PROPERTY. THE USE OF THIS DRAWING SHALL BE RESTRICTED TO THE ORIGINAL SITE FOR WHICH IT IS PREPARED AND PUBLICATION THEREOF IS EXPRESSLY LIMITED TO SUCH USE.

STARBUCKS
CARRY-OUT, LOT 2R, BLOCK 1 - TBCW ADDITION, GARLAND, TEXAS



Johnson
ARCHITECTS

BX #951
633 E. MOCHINGDRO, SUITE 147
DALLAS, TX 75214
PHONE 214-692-3851

info@johnsonarchitects.com
www.johnsonarchitects.com

DISTRIBUTION: DATE:
SIP Submittal 9/15/2001
SIP Submittal 9/29/2001

PROJECT# 2004

Trash Enclosure
Plan and
Elevations

A1.0c

REPORT & MINUTES

P.C. Meeting, October 25, 2021

Consideration of the application of **Westfall Engineering, PLLC**, requesting approval of a Detail Plan for a Restaurant, Drive-Through. This property is located at 5300 North Garland Avenue. (District 1) (Z 21-34 – Detail Plan)

Motion was made by Commissioner Dalton to **approve** the request as presented. Seconded by Commissioner Paris. **Motion carried: 7 Ayes, 0 Nays.**



0 250 500 Feet
1 inch = 387 feet

Zoning Map Z 21-34

5300 North Garland Avenue

Comment Form

Case Z 21-34

Z 21-34 Westfall Engineering, PLLC. The applicant proposes to build a restaurant/coffee shop with a drive-through. The property is located at 5300 North Garland Avenue. (District 1)

Z 21-34 Westfall Engineering, PLLC. El solicitante propone construir un restaurante/cafe con acceso para autoservicio. La propiedad está ubicada en 5300 North Garland Avenue. (Distrito 1)

Z 21-34 Westfall Engineering, PLLC. Người nộp đơn đề xuất xây dựng một nhà hàng/quán cà phê có lái xe qua. Nơi nghỉ này tọa lạc tại số 5300 North Garland Avenue. (Quận 1)

Please Check One Below / Marque uno a continuación / Vui lòng kiểm tra một bên dưới

☐

For / A Favor / Đúng

☒

Against / En Contra / Không

Please complete the following information and email the form to Planning@garlandtx.gov; deliver to the Planning Department at 800 Main Street Garland, TX; or mail to City of Garland, Planning Department, P.O. Box 469002 Garland, TX 75406-9002. / Por favor Complete la siguiente información y envíe el formulario por correo electrónico a Planning@garlandtx.gov; entregar al Departamento de Planificación en 800 Main Street Garland, TX; o envíelo por correo a City of Garland, Planning Department, P.O. Box 469002 Garland, TX 75406-9002. / Vui lòng điền đầy đủ thông tin sau và gửi biểu mẫu qua email tới Planning@garlandtx.gov; giao cho Phòng Kế hoạch tại 800 Main Street Garland, TX; hoặc gửi thư đến Thành phố Garland, Sở Kế hoạch, P.O. Hộp 469002 Garland, TX 75406-9002.

North Garland Crossing Ltd

Printed Name & Title / Nombre Impreso y Título / Tên in và Tiêu đề

(Property Owner, Business Owner, Tenant, etc.) / (Dueño de la propiedad, Dueño de la empresa, Inquilino, etc.) / (Chủ sở hữu bất động sản, Chủ doanh nghiệp, Người thuê, v.v.)

5345 N. Garland Ave.

Your Property Address / La dirección de su propiedad / Địa chỉ tài sản

Garland Texas

City, State / Estado de la Ciudad / Thành bang

75040

Zip Code / Código postal / Mã B u Qhính

M. Hail

Signature / Firma / Chữ ký

10/15/2021

Date / Fecha / Ngày

(Providing email address and phone number is optional. / La dirección de correo electrónico y el número de teléfono son opcionales. / Địa chỉ email và số điện thoại là tùy chọn.)

From: [Matt Lucky](#)
To: [Planning Group](#)
Subject: [EXTERNAL] Comment Form - Case Z 21-34
Date: Wednesday, October 27, 2021 12:59:38 PM
Attachments: [scan-CaseZ21-34Comment.pdf](#)

Too many fast food restaurants.

Matt Lucky
REALTOR at Russ Lyon Sotheby's International Realty
(480) 390-0445 | eFax 480-624-3597 | Matt.Lucky@RussLyon.com
[Office Map](#) - LisaLucky.com

Comment Form

Case Z 21-34

Z 21-34 Westfall Engineering, PLLC. The applicant proposes to build a restaurant/coffee shop with a drive-through. The property is located at 5300 North Garland Avenue. (District 1)

Z 21-34 Westfall Engineering, PLLC. El solicitante propone construir un restaurante/cafe con acceso para autoservicio. La propiedad está ubicada en 5300 North Garland Avenue. (Distrito 1)

Z 21-34 Westfall Engineering, PLLC. Người nộp đơn đề xuất xây dựng một nhà hàng/quán cà phê có lái xe qua. Nơi nghỉ này tọa lạc tại số 5300 North Garland Avenue. (Quận 1)

Please Check One Below / Marque uno a continuación / Vui lòng kiểm tra một bên dưới

☐

For / A Favor / Đúng

☒

Against / En Contra / Không

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MATTHEW C. Lucky, LANDLORD

Printed Name & Title / Nombre Impreso y Título / Tên in và Tiêu đề

(Property Owner, Business Owner, Tenant, etc.) / (Dueño de la propiedad, Dueño de la empresa, Inquilino, etc.) / (Chủ sở hữu bất động sản, Chủ doanh nghiệp, Người thuê, v.v.)

5235 N GARLAND RD.

Your Property Address / La dirección de su propiedad / địa chỉ tài sản

GARLAND, TX

City, State / Estado de la Ciudad / Thành bang

75040

Zip Code / Código postal / Mã Bưu Chính

Matthew C. Lucky

Signature / Firma / Chữ ký

OCT 21, 2021

Date / Fecha / Ngày

Providing email address and phone number is optional. / La dirección de correo electrónico y el número de teléfono son opcionales. / Địa chỉ email và số điện thoại là tùy chọn.)

Z 21-34

The applicant proposes to build a restaurant/coffee shop with a drive-through.

Approval of 1) a Specific Use Provision (SUP) for Restaurant, Drive-Through and 2) a Detail Plan for Restaurant, Drive-Through.

**City Council Meeting
November 16, 2021**



GARLAND

TEXAS MADE HERE

Location: 5300 North Garland Avenue

Applicant: Westfall Engineering, PLLC

Owner: Walmart Real Estate Business

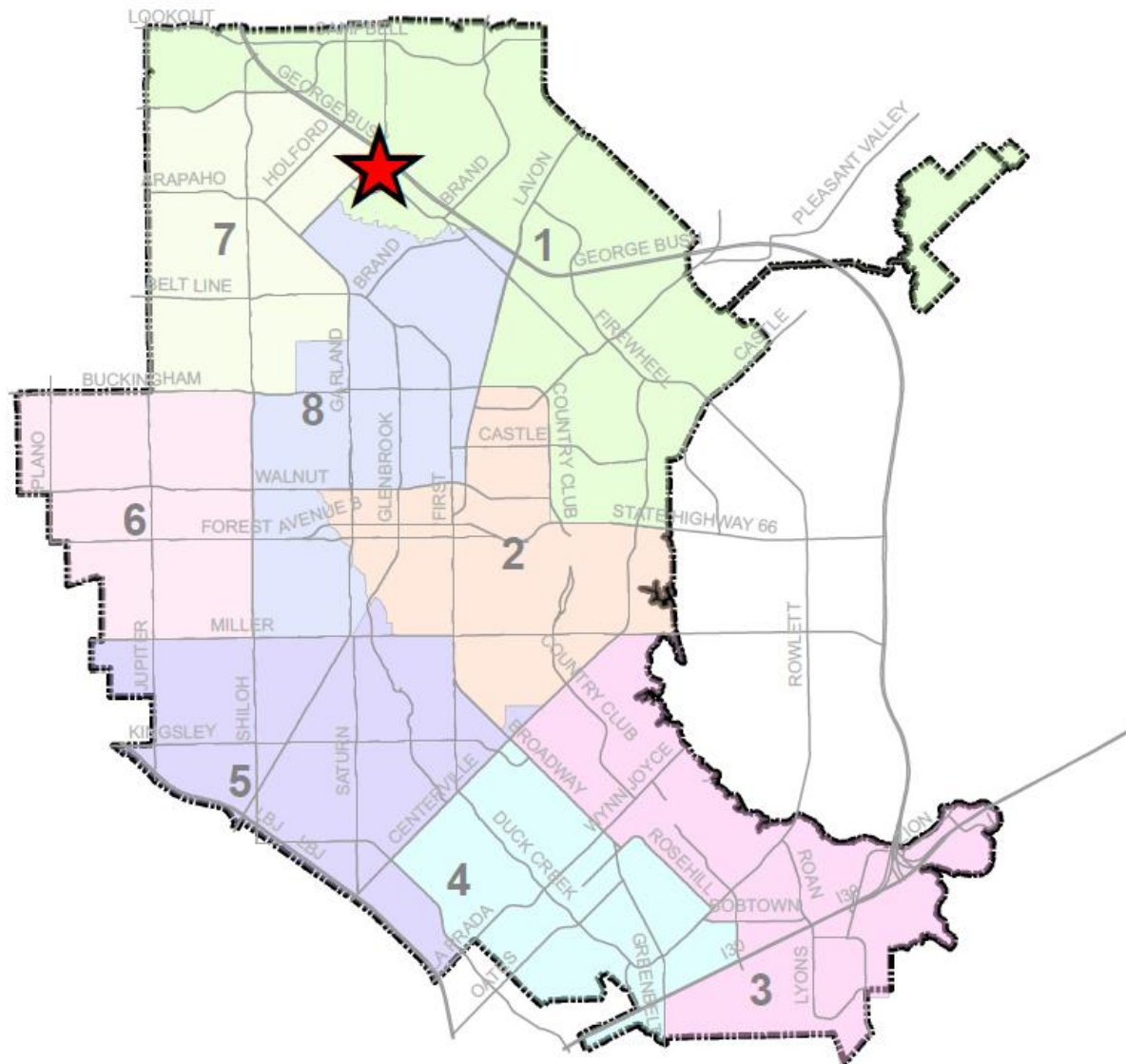
Acreage: 0.78 acres (proposed Starbucks site)

Zoning: Planned Development (PD) District 13-02 for
Community Retail Uses



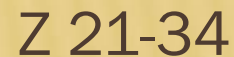
GARLAND
TEXAS MADE HERE

CITYWIDE LOCATION MAP





POCAI OIA IAIH



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



View of subject site from N. Garland Ave.



GARLAND

TEXAS MADE HERE



View of subject site from N. Garland Ave.



View of properties located across N. Garland Ave.
from subject site



View of properties located to the northeast from
subject site

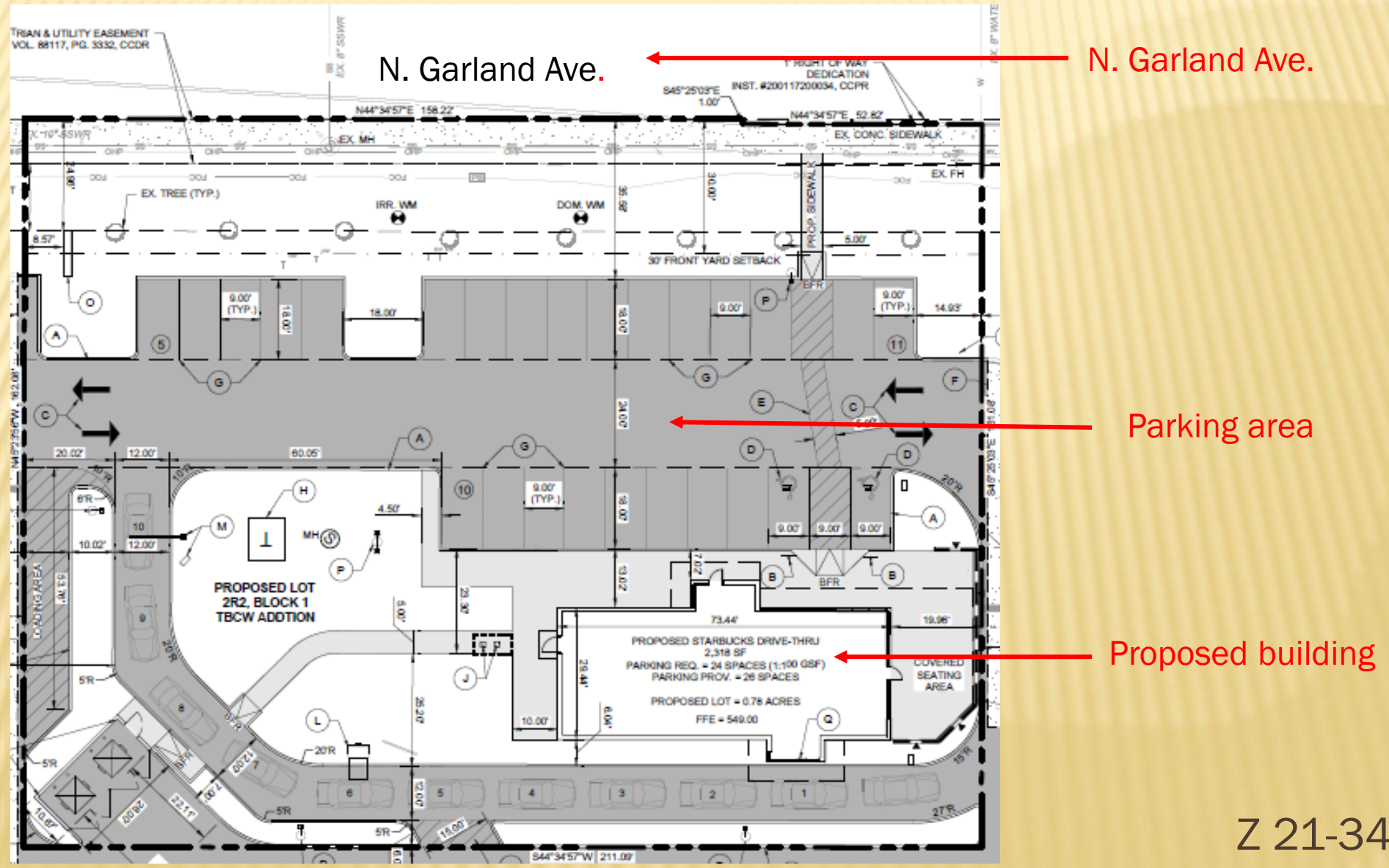


View of properties located to the southwest from
subject site

BACKGROUND

The applicant proposes to carve out a 0.78-acre pad site from the Walmart parking area to develop a 2,318 square-foot Starbucks Coffee with a drive-through.

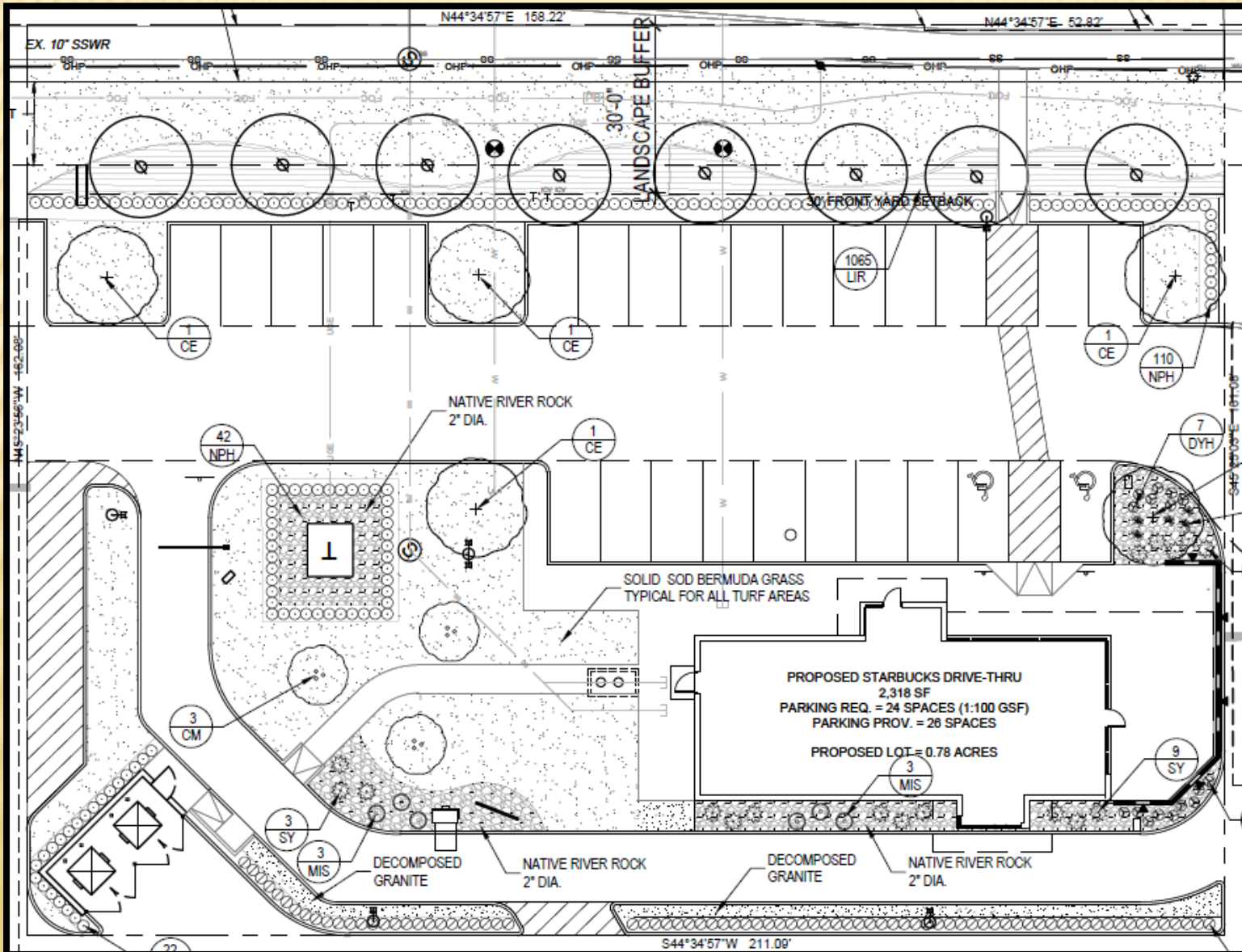
CONSIDERATIONS (SITE PLAN)





GARLAND
TEXAS MADE HERE

CONSIDERATIONS (LANDSCAPE PLAN)



CONSIDERATIONS (ELEVATIONS)



CONSIDERATIONS (ELEVATIONS)



CONSIDERATIONS (SUP)

The applicant is requesting approval of a 30-year Specific Use Provision.

The SUP Time Period Guide recommends a range of twenty (20) to twenty-five (25) years.

Approval of 1) a Specific Use Provision (SUP) for Restaurant, Drive-Through and 2) a Detail Plan for Restaurant, Drive-Through.

PLAN COMMISSION RECOMMENDATION

On October 25, 2021 the Plan Commission, by a vote of seven (7) to zero (0), recommended approval of 1) a Specific Use Provision (SUP) for Restaurant, Drive-Through for a period of thirty (30) years and 2) a Detail Plan for Restaurant, Drive-Through.



GARLAND PLANNING REPORT

City Council Regular Session Agenda

10. e.

Meeting Date: 11/16/2021

Item Title: Z 21-40 Mousa Abudaabes, Plato's Closet Store - Zoning (District 1)

Submitted By: Nabiha Ahmed, Lead Development Planner

REQUEST

Approval of an Amendment to Planned Development (PD) District 04-54 to allow a Used Goods, Retail Sales (Indoors) Use.

Approval of a Specific Use Provision to allow a Used Goods, Retail Sales (Indoors) Use.

Approval of a Plan to allow a Used Goods, Retail Sales (Indoors) Use.

LOCATION

5300 North Garland Avenue

OWNER

78 NEP LTD % Cencor Realty Services

PLAN COMMISSION RECOMMENDATION

On October 25, 2021 the Plan Commission, by a vote of seven (7) to zero (0), recommended approval of an Amendment to Planned Development (PD) District 04-54 to allow a Used Goods, Retail Sales (Indoors) Use.

The Plan Commission, by a vote of seven (7) to zero (0), recommended approval of a Specific Use Provision to allow a Used Goods, Retail Sales (Indoors) Use and the Plan Commission recommended approval of a Plan to allow a Used Goods, Retail Sales (Indoors) Use.

STAFF RECOMMENDATION

Approval of an Amendment to Planned Development (PD) District 04-54 to allow a Used Goods, Retail Sales (Indoors) Use.

Approval of a Specific Use Provision to allow a Used Goods, Retail Sales (Indoors) Use.

Approval of a Plan to allow a Used Goods, Retail Sales (Indoors) Use.

BACKGROUND

The subject property is part of Firewheel Market, the peripheral development of the Firewheel Town Center. In 2003, the City Council approved a Detail Plan for the development of three (3) building complexes for retail and restaurant uses, In 2004, the Planned Development was amended to add a financial institution within this development and add a drive-through (Tract D).

The applicant requests to amend Planned Development (PD) District 04-54 and allow a Used Goods, Retail Sales (Indoors) [Plato's Closet] by Specific Use Provision. The applicant has applied for a sign permit and a building permit under a Retail Use. However, the applicant was unaware that the GDC has a Retail Sales Use and a Used Goods, Retail Sales (Indoors) Use classification. The Used Goods, Retail Sales (Indoors) is not currently permitted in Planned Development (PD) District 04-54.

SITE DATA

The site consists of approximately 9.92 acres, with access points to and from Lavon Drive, Firewheel Parkway and includes internal streets within the Firewheel Town Center.

USE OF PROPERTY UNDER CURRENT ZONING

The site is zoned Planned Development (PD) District 04-54 in "Tract D". The following uses are permitted in Tract D:

- Athletic Club, Indoor
- College or University*
- Commercial Amusement, Indoor
- Commercial Amusements, Outdoor**
- Drug Store/Pharmacy
- Financial Institutions
- Furniture and Appliance Sales
- Grocery/Supermarket
- Hotel/Motel, Full Service
- Home Improvement Center
- Kindergarten, Pre-School or Child Care Center
- Laundry or Cleaners
- Medical Office/Clinic
- Medical/Surgical Appliance
- Movie Theater/Theater
- Museum or Art Gallery
- Office Equipment Sales, Repair and Maintenance
- Office, General
- Optical Dispensary
- Pet Sales and Grooming
- Printer, Small Scale
- Repair and Service Shops
- Restaurant, Fast Food***
- Restaurant, General
- Restaurant, Limited
- Retail Sales/Personal Services

*Not to exceed 20,000 square feet

****Ancillary use only to retail store and not to exceed 5,000 square feet**

*****A total of four will be allowed by right on tracts A, B and C together; more than four would require approval of a Specific Use Provision. One will be allowed by right on Tract D. This use is not allowed on Tracts E of F.**

CONSIDERATIONS

1. The applicant requests to use an existing tenant space, approximately 3,754 square feet, to allow the Used Goods, Retail Sales (Indoors) [Plato's Closet] by a Specific Use Provision (SUP).

USED GOODS, RETAIL SALES (INDOORS): A single-tenant retail establishment that primarily sells used goods in which all sales, display, and storage occur within a fully enclosed building. The term includes a resale or thrift shop, consignment store, military surplus store, and rummage shop, but does not include a flea market or indoor shopping mall.

2. The applicant does not intend to make any exterior improvements on the subject property. The site plan (Exhibit C) reflects the existing layout.
3. The applicant requests the Specific Use Provision to be valid of a period of twenty (20) years, which aligns with the SUP time period guide.

COMPREHENSIVE PLAN

The Envision Garland Plan designates the subject property as Regional Centers. Regional centers are areas with a higher concentration of activity that serve as a destination for residents and visitors. Uses within this development type provide a mix of retail, services, entertainment, and employment and may include residential uses. Regional centers may be found along major highways and turnpikes, and at significant bus or rail stations. Regional centers generally cover an area greater than 30 acres and consist of one or more buildings with more than 450,000 square feet of gross leasable area. This development type typically serves a five to fifteen-mile radius trade area, within a 20-minute drive time, and serves a minimum population of 150,000.

COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

The Firewheel Market is a peripheral development of the Firewheel Town Center, which is an urban-style outdoor mall.

The Used Goods, Retail Sales (Indoors) use can align with the subject property's walkable environment and contribute as supportive uses to the Firewheel Market and Town Center's residents and visitors.

Attachments

Z 21-40 Mousa Abudaabes, Plato's Closet Store (Zoning) Attachments
Z 21-40 Mousa Abudaabes, Plato's Closet Store Responses
Z 21-40 Mousa Abudaabes, Plato's Closet Store Staff Presentation



0 260 520 Feet
1 inch = 398 feet

Zoning Map 21-39

INDICATES AREA
OF REQUEST

AREA OF
REQUEST

PLANNED DEVELOPMENT CONDITIONS

ZONING FILE Z 21-40

4430 LAVON DRIVE, SUITE 374

- I. Statement of Purpose:** The purpose of this Planned Development (PD) 04-54 amendment is to add Used Goods, Retail Sales (Indoors) Use by Specific Use Provision only.
- II. Statement of Effect:** This Planned Development shall not affect any term or condition found in the Garland Development Code, Ordinance No. 6773, as amended prior to adoption of this Ordinance, except as expressly provided herein.
- III. General Regulations:** All terms and conditions of the Garland Development Code and Planned Development (PD) District 04-54 are hereby included by reference and shall remain in full force and effect, save and except as expressly amended by this Ordinance.
- IV. Development Plans:**
- Detail Plan: Development shall be in general conformance with the Detail Plan approved in Planned Development (PD) 04-54. New development shall be required to obtain Detail Plan approval. In the event there is conflict between the approved Detail Plan and the Specific Conditions below, the Specific Conditions shall apply.
- V. Specific Conditions:**
- A. Permitted Uses:** In addition to those uses permitted in Planned Development (PD) 04-54, Used Goods, Retail Sales (Indoors) Use is permitted by a Specific Use Provision only.

REPORT & MINUTES

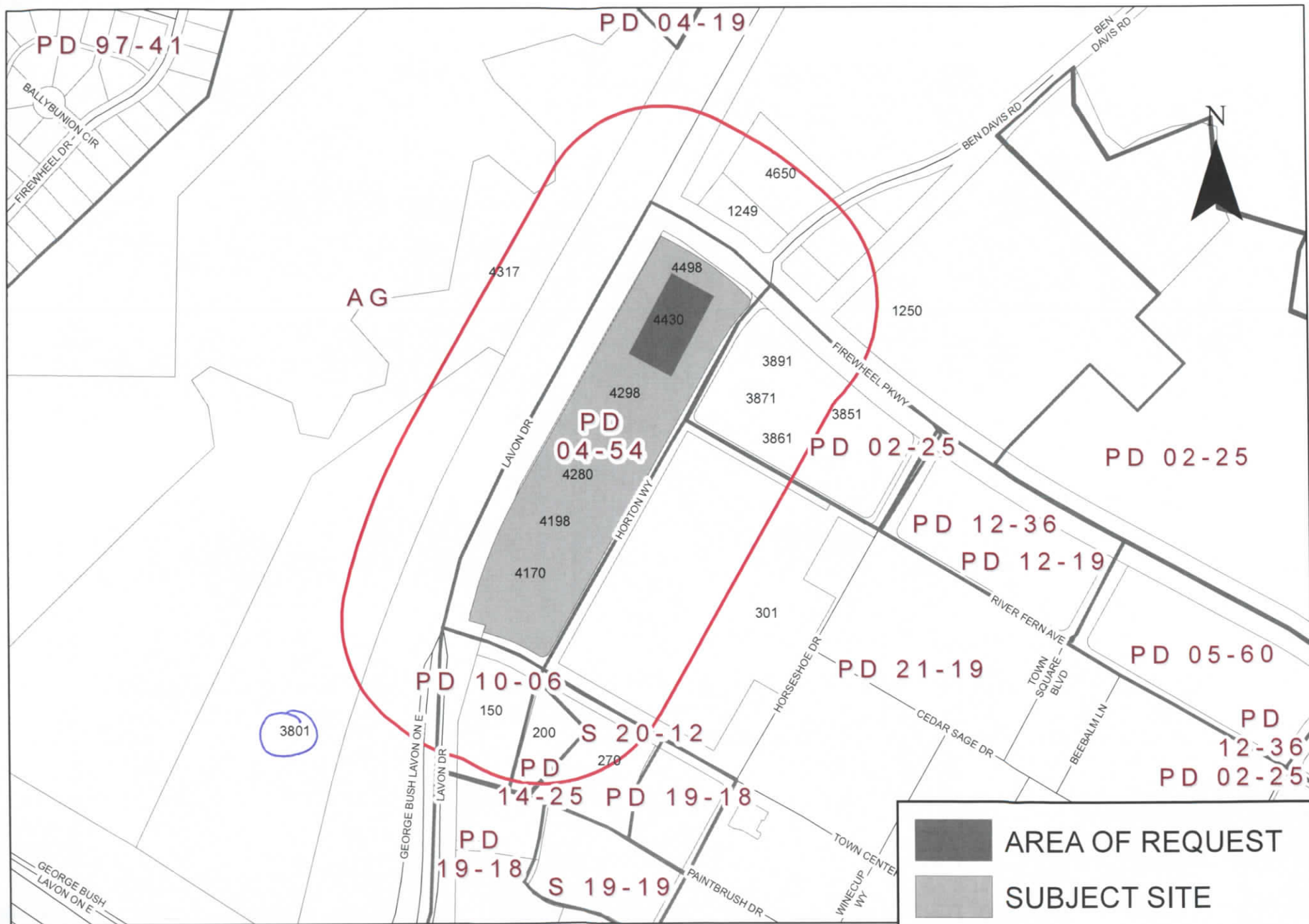
P.C. Meeting, October 25, 2021

Consideration of the application of **Mousa Abudaabes, Plato's Closet Store**, requesting approval of an amendment to Planned Development (PD) District 04-54 to allow a Used Goods, Retail Sales (Indoors) Use. This property is located at 4430 Lavon Drive, Suite 374. (District 1) (Z 21-40 - Zoning)

The applicant's representative Wes Hoblet, 2595 Dallas Parkway, Frisco, Texas, provided an overview of the request and remained available for questions.

There were no questions of this applicant.

Motion was made by Commissioner Lucht to **approve** the request as presented. Seconded by Commissioner Williams. **Motion carried: 7 Ayes, 0 Nays.**



Comment Form

Case Z 21-40

Z 21-40 Mousa Abudaabes, Plato's Closet Store. The applicant proposes to operate a consignment store in an existing tenant space. This site is located at 4430 Lavon Drive, Suite 374. (District 1)

Z 21-40 Mousa Abudaabes, Plato's Closet Store. El solicitante propone operar una tienda de consignación en un espacio de inquilino existente. Este sitio está ubicado en 4430 Lavon Drive, Suite 374. (Distrito 1)

Z 21-40 Mousa Abudaabes, Plato's Closet Store. Người nộp đơn đề xuất vận hành một cửa hàng ký gửi trong một không gian hiện có của người thuê. Địa chỉ này nằm ở 4430 Lavon Drive, Suite 374. (Quận 1)

Please Check One Below / Marque uno a continuación / Vui lòng kiểm tra một bên dưới



For / A Favor / Đúng



Against / En Contra / Không

Please complete the following information and email the form to Planning@garlandtx.gov; deliver to the Planning Department at 800 Main Street Garland, TX; or mail to City of Garland, Planning Department, P.O. Box 469002 Garland, TX 75406-9002. / Por favor Complete la siguiente información y envíe el formulario por correo electrónico a Planning@garlandtx.gov; entregar al Departamento de Planificación en 800 Main Street Garland, TX; o envíelo por correo a City of Garland, Planning Department, P.O. Box 469002 Garland, TX 75406-9002. / Vui lòng điền đầy đủ thông tin sau và gửi biểu mẫu qua email tới Planning@garlandtx.gov; giao cho Phòng Kế hoạch tại 800 Main Street Garland, TX; hoặc gửi thư đến Thành phố Garland, Sở Kế hoạch, P.O. Hộp 469002 Garland, TX 75406-9002.

LINDA GIDDENS, MANAGER HORTON ASSET

Printed Name & Title / Nombre Impreso y Título / Tên in và Tiêu đề

(Property Owner, Business Owner, Tenant, etc.) / (Dueño de la propiedad, Dueño de la empresa, Inquilino, etc.) / (Chủ sở hữu bất động sản, Chủ doanh nghiệp, Người thuê, v.v.)

3801 LAVON DR.

Your Property Address / La dirección de su propiedad / địa chỉ tài sản

GARLAND TX

City, State / Estado de la Ciudad / Thành bang

75040

Zip Code / Código postal / Mã B u Qhính

Linda Giddens, Manager Horton Asset

Signature / Firma / Ch ữ ký

10-15-21

Date / Fecha / Ngày

(Providing email address and phone number is optional. / La dirección de correo electrónico y el número de teléfono son opcionales. / Địa chỉ email và số điện thoại là tùy chọn.)

Z 21-40

The applicant proposes to operate a used goods retail store in an existing tenant space.

[Planned Development, Specific Use Provision and a Plan for a Used Goods, Retail Sales (Indoors) on a property zoned Planned Development (PD) 04-54]

**City Council Meeting
November 16, 2021**



GARLAND

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CASE INFORMATION

Location: 4430 Lavon Drive, Suite 374

Applicant: Mousa Abudaabes, Plato's Closet Store

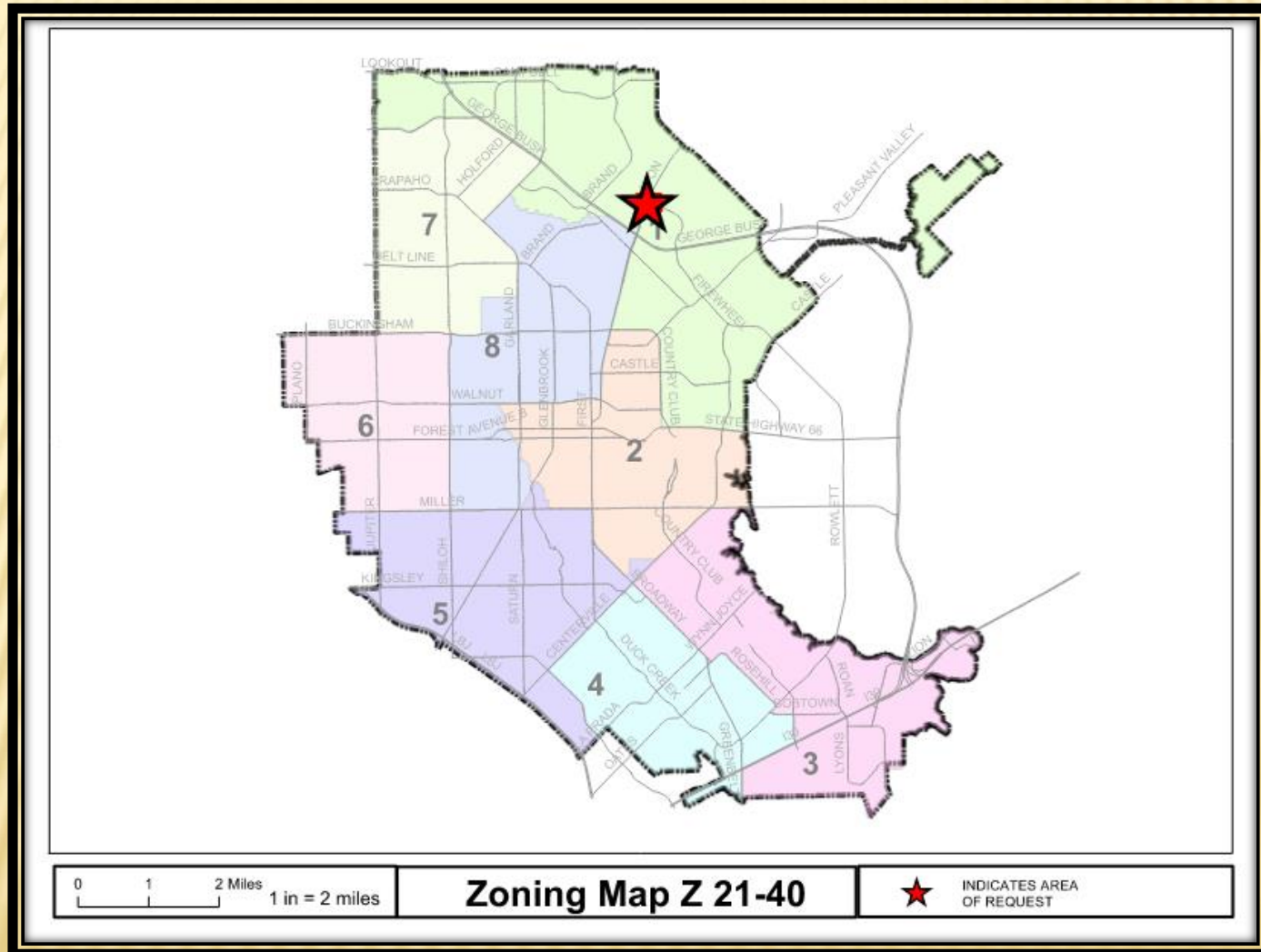
Owner: 78 NEP LTD % Cencor Realty Services

Acreage: 9.92 acres

Zoning: Planned Development (PD) District 04-54

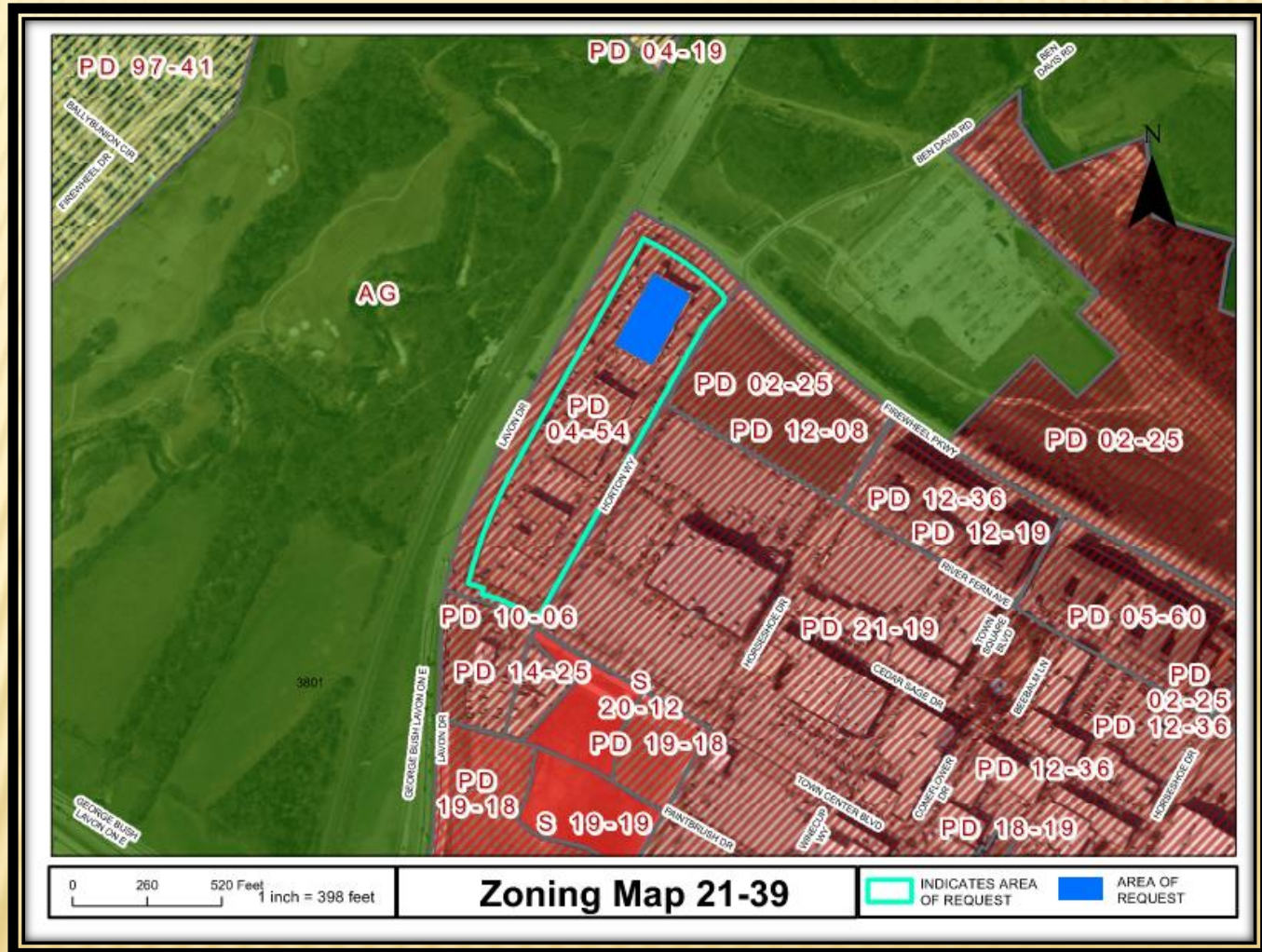
Z 21-40

CITYWIDE LOCATION MAP

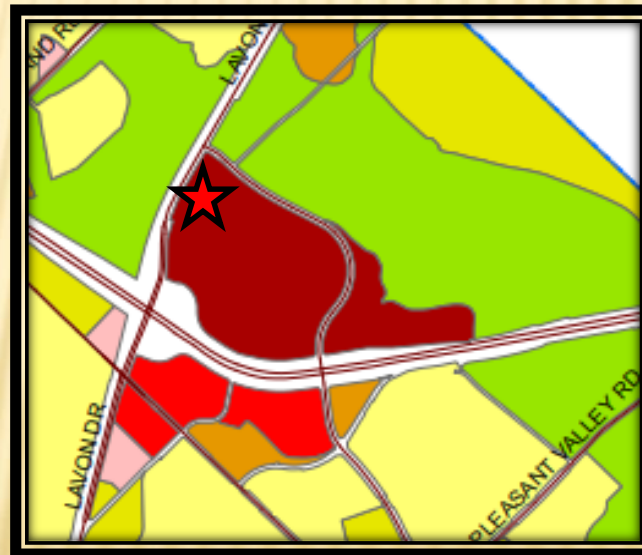


Z 21-40

LOCATION MAP



COMPREHENSIVE PLAN





COMPREHENSIVE PLAN

- The Envision Garland Plan designates the subject property as Regional Centers. Regional centers are areas with a higher concentration of activity that serve as a destination for residents and visitors. Uses within this development type provide a mix of retail, services, entertainment, and employment and may include residential uses. Regional centers may be found along major highways and turnpikes, and at significant bus or rail stations. Regional centers generally cover an area greater than 30 acres and consist of one or more buildings with more than 450,000 square feet of gross leasable area. This development type typically serves a five to fifteen-mile radius trade area, within a 20-minute drive time, and serves a minimum population of 150,000.



GARLAND
TEXAS MADE HERE

PHOTOS



View of the subject property from Horton Way



Looking east of the subject property from Horton Way



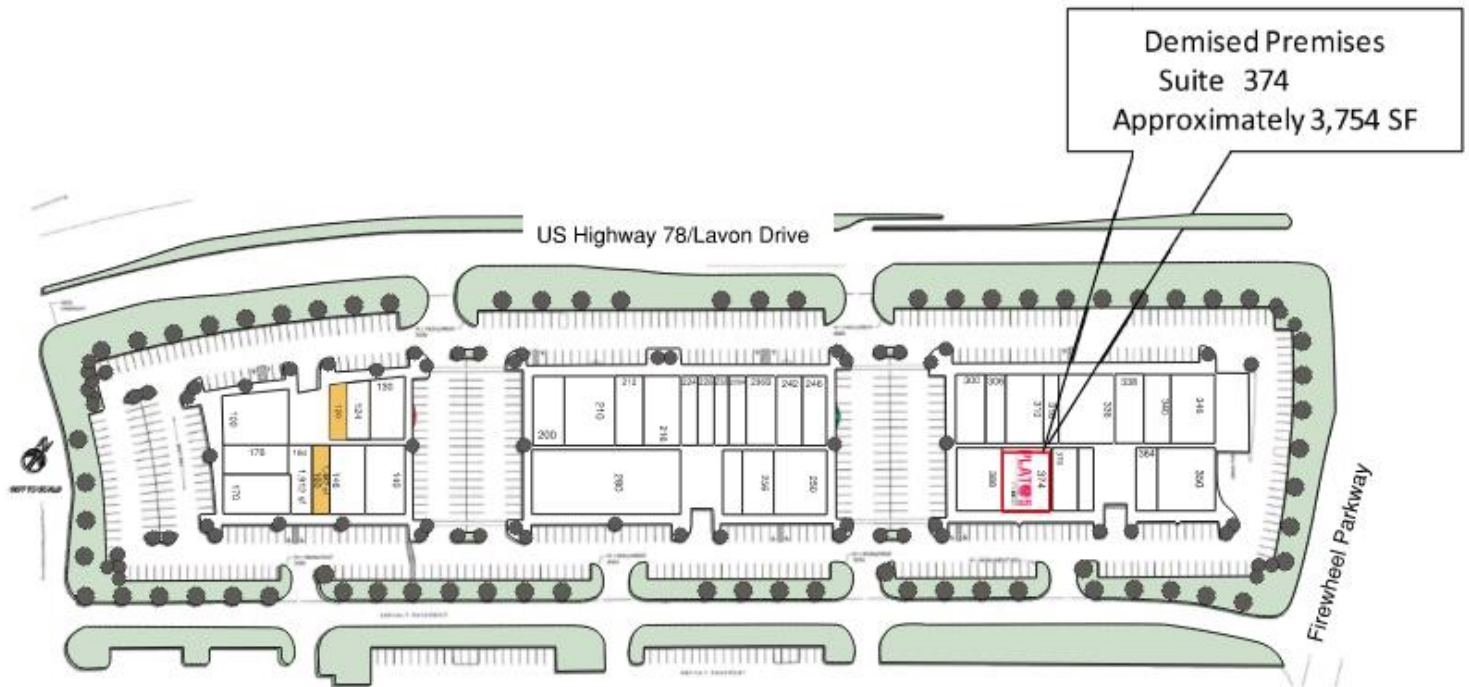
Looking west of the subject property from Lavon Drive



Looking south of the subject property



SITE PLAN



Scope Of The Project : Interior Remodeling for Plato's Closet
Building/Project Area : 3754sf



GARLAND
TEXAS MADE HERE

SPECIFIC USE PROVISION

The applicant requests the Specific Use Provision to be valid of a period of twenty (20) years, which aligns with the SUP time period guide.

PLAN COMMISSION RECOMMENDATION

On October 25, 2021 the Plan Commission, by a vote of seven (7) to zero (0), recommended approval of an Amendment to Planned Development (PD) District 04-54 to allow a Used Goods, Retail Sales (Indoors) Use.

The Plan Commission, by a vote of seven (7) to zero (0), recommended approval of a Specific Use Provision to allow a Used Goods, Retail Sales (Indoors) Use and the Plan Commission recommended approval of a Plan to allow a Used Goods, Retail Sales (Indoors) Use.

STAFF RECOMMENDATION

Approval of an Amendment to Planned Development (PD) District 04-54 to allow a Used Goods, Retail Sales (Indoors) Use.

Approval of a Specific Use Provision to allow a Used Goods, Retail Sales (Indoors)

Approval of a Plan to allow a Used Goods, Retail Sales (Indoors)



GARLAND PLANNING REPORT

City Council Regular Session Agenda

10. f.

Meeting Date: 11/16/2021

Item Title: Z 21-40 Mousa Abudaabes, Plato's Closet Store - Specific Use Provision (District 1

Submitted By: Nabiha Ahmed, Lead Development Planner

REQUEST

Approval of an Amendment to Planned Development (PD) District 04-54 to allow a Used Goods, Retail Sales (Indoors) Use.

Approval of a Specific Use Provision to allow a Used Goods, Retail Sales (Indoors) Use.

Approval of a Plan to allow a Used Goods, Retail Sales (Indoors) Use.

LOCATION

5300 North Garland Avenue

OWNER

78 NEP LTD % Cencor Realty Services

PLAN COMMISSION RECOMMENDATION

On October 25, 2021 the Plan Commission, by a vote of seven (7) to zero (0), recommended approval of an Amendment to Planned Development (PD) District 04-54 to allow a Used Goods, Retail Sales (Indoors) Use.

The Plan Commission, by a vote of seven (7) to zero (0), recommended approval of a Specific Use Provision to allow a Used Goods, Retail Sales (Indoors) Use and the Plan Commission recommended approval of a Plan to allow a Used Goods, Retail Sales (Indoors) Use.

STAFF RECOMMENDATION

Approval of an Amendment to Planned Development (PD) District 04-54 to allow a Used Goods, Retail Sales (Indoors) Use.

Approval of a Specific Use Provision to allow a Used Goods, Retail Sales (Indoors) Use.

Approval of a Plan to allow a Used Goods, Retail Sales (Indoors) Use.

BACKGROUND

The subject property is part of Firewheel Market, the peripheral development of the Firewheel Town Center. In 2003, the City Council approved a Detail Plan for the development of three (3) building complexes for retail and restaurant uses. In 2004, the Planned Development was amended to add a financial institution within this development and add a drive-through (Tract D).

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SITE DATA

The site consists of approximately 9.92 acres, with access points to and from Lavon Drive, Firewheel Parkway and includes internal streets within the Firewheel Town Center.

USE OF PROPERTY UNDER CURRENT ZONING

The site is zoned Planned Development (PD) District 04-54 in "Tract D". The following uses are permitted in Tract D:

- Athletic Club, Indoor
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*Not to exceed 20,000 square feet

****Ancillary use only to retail store and not to exceed 5,000 square feet**

*****A total of four will be allowed by right on tracts A, B and C together; more than four would require approval of a Specific Use Provision. One will be allowed by right on Tract D. This use is not allowed on Tracts E of F.**

CONSIDERATIONS

1. The applicant requests to use an existing tenant space, approximately 3,754 square feet, to allow the Used Goods, Retail Sales (Indoors) [Plato's Closet] by a Specific Use Provision (SUP).

USED GOODS, RETAIL SALES (INDOORS): A single-tenant retail establishment that primarily sells used goods in which all sales, display, and storage occur within a fully enclosed building. The term includes a resale or thrift shop, consignment store, military surplus store, and rummage shop, but does not include a flea market or indoor shopping mall.

2. The applicant does not intend to make any exterior improvements on the subject property. The site plan (Exhibit C) reflects the existing layout.
3. The applicant requests the Specific Use Provision to be valid of a period of twenty (20) years, which aligns with the SUP time period guide.

COMPREHENSIVE PLAN

The Envision Garland Plan designates the subject property as Regional Centers. Regional centers are areas with a higher concentration of activity that serve as a destination for residents and visitors. Uses within this development type provide a mix of retail, services, entertainment, and employment and may include residential uses. Regional centers may be found along major highways and turnpikes, and at significant bus or rail stations. Regional centers generally cover an area greater than 30 acres and consist of one or more buildings with more than 450,000 square feet of gross leasable area. This development type typically serves a five to fifteen-mile radius trade area, within a 20-minute drive time, and serves a minimum population of 150,000.

COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

The Firewheel Market is a peripheral development of the Firewheel Town Center, which is an urban-style outdoor mall.

The Used Goods, Retail Sales (Indoors) use can align with the subject property's walkable environment and contribute as supportive uses to the Firewheel Market and Town Center's residents and visitors.

Attachments

Z 21-40 Mousa Abudaabes, Plato's Closet Store (Specific Use Provision) Attachments
Z 21-40 Mousa Abudaabes, Plato's Closet Store Responses
Z 21-40 Mousa Abudaabes, Plato's Closet Store Staff Presentation



0 260 520 Feet
1 inch = 398 feet

Zoning Map 21-39

INDICATES AREA
OF REQUEST

AREA OF
REQUEST

SPECIFIC USE PROVISION CONDITIONS

ZONING FILE Z 21-40

4430 LAVON DRIVE, SUITE 374

- I. Statement of Purpose:** The purpose of this Specific Use Provision is to allow a Used Goods, Retail Sales (Indoors) Use.
- II. Statement of Effect:** This Specific Use Provision shall not affect any regulation found in the Garland Development Code, Ordinance No. 6773, as amended prior to adoption of this ordinance, except as specifically provided herein.
- III. General Regulations:** All terms and conditions of the Garland Development Code and Planned Development (PD) District 04-54 are hereby included by reference and shall remain in full force and effect, save and except as expressly amended by this Ordinance.
- IV. Specific Use Provision:**
 - A. SUP Time Period:** The Specific Use Provision shall be in effect for twenty (20) years.
 - B. Used Goods, Retail Sales (Indoors):** The Used Goods, Retail Sales (Indoors) Use shall be limited to Suite 374, as shown in Exhibit C.

REPORT & MINUTES

P.C. Meeting, October 25, 2021

Consideration of the application of **Mousa Abudaabes, Plato's Closet Store**, requesting approval of a Specific Use Provision to allow a Used Goods, Retail Sales (Indoors) Use. This property is located at 4430 Lavon Drive, Suite 374. (District 1) (Z 21-40 - Specific Use Provision)

Motion was made by Commissioner Lucht to **approve** the request as presented. Seconded by Commissioner Williams. **Motion carried: 7 Ayes, 0 Nays.**

Comment Form

Case Z 21-40

Z 21-40 Mousa Abudaabes, Plato's Closet Store. The applicant proposes to operate a consignment store in an existing tenant space. This site is located at 4430 Lavon Drive, Suite 374. (District 1)

Z 21-40 Mousa Abudaabes, Plato's Closet Store. El solicitante propone operar una tienda de consignación en un espacio de inquilino existente. Este sitio está ubicado en 4430 Lavon Drive, Suite 374. (Distrito 1)

Z 21-40 Mousa Abudaabes, Plato's Closet Store. Người nộp đơn đề xuất vận hành một cửa hàng ký gửi trong một không gian hiện có của người thuê. Địa chỉ này nằm ở 4430 Lavon Drive, Suite 374. (Quận 1)

Please Check One Below / Marque uno a continuación / Vui lòng kiểm tra một bên dưới



For / A Favor / Đúng



Against / En Contra / Không

Please complete the following information and email the form to Planning@garlandtx.gov; deliver to the Planning Department at 800 Main Street Garland, TX; or mail to City of Garland, Planning Department, P.O. Box 469002 Garland, TX 75406-9002. / Por favor Complete la siguiente información y envíe el formulario por correo electrónico a Planning@garlandtx.gov; entregar al Departamento de Planificación en 800 Main Street Garland, TX; o envíelo por correo a City of Garland, Planning Department, P.O. Box 469002 Garland, TX 75406-9002. / Vui lòng điền đầy đủ thông tin sau và gửi biểu mẫu qua email tới Planning@garlandtx.gov; giao cho Phòng Kế hoạch tại 800 Main Street Garland, TX; hoặc gửi thư đến Thành phố Garland, Sở Kế hoạch, P.O. Hộp 469002 Garland, TX 75406-9002.

LINDA GIDDENS, MANAGER HORTON ASSET

Printed Name & Title / Nombre Impreso y Título / Tên in và Tiêu đề

(Property Owner, Business Owner, Tenant, etc.) / (Dueño de la propiedad, Dueño de la empresa, Inquilino, etc.) / (Chủ sở hữu bất động sản, Chủ doanh nghiệp, Người thuê, v.v.)

3801 LAVON DR.

Your Property Address / La dirección de su propiedad / địa chỉ tài sản

GARLAND TX

City, State / Estado de la Ciudad / Thành bang

75040

Zip Code / Código postal / Mã B u Qhính

Linda Giddens, Manager Horton Asset

Signature / Firma / Ch ữ ký

10-15-21

Date / Fecha / Ngày

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Z 21-40

The applicant proposes to operate a used goods retail store in an existing tenant space.

[Planned Development, Specific Use Provision and a Plan for a Used Goods, Retail Sales (Indoors) on a property zoned Planned Development (PD) 04-54]

**City Council Meeting
November 16, 2021**



GARLAND

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CASE INFORMATION

Location: 4430 Lavon Drive, Suite 374

Applicant: Mousa Abudaabes, Plato's Closet Store

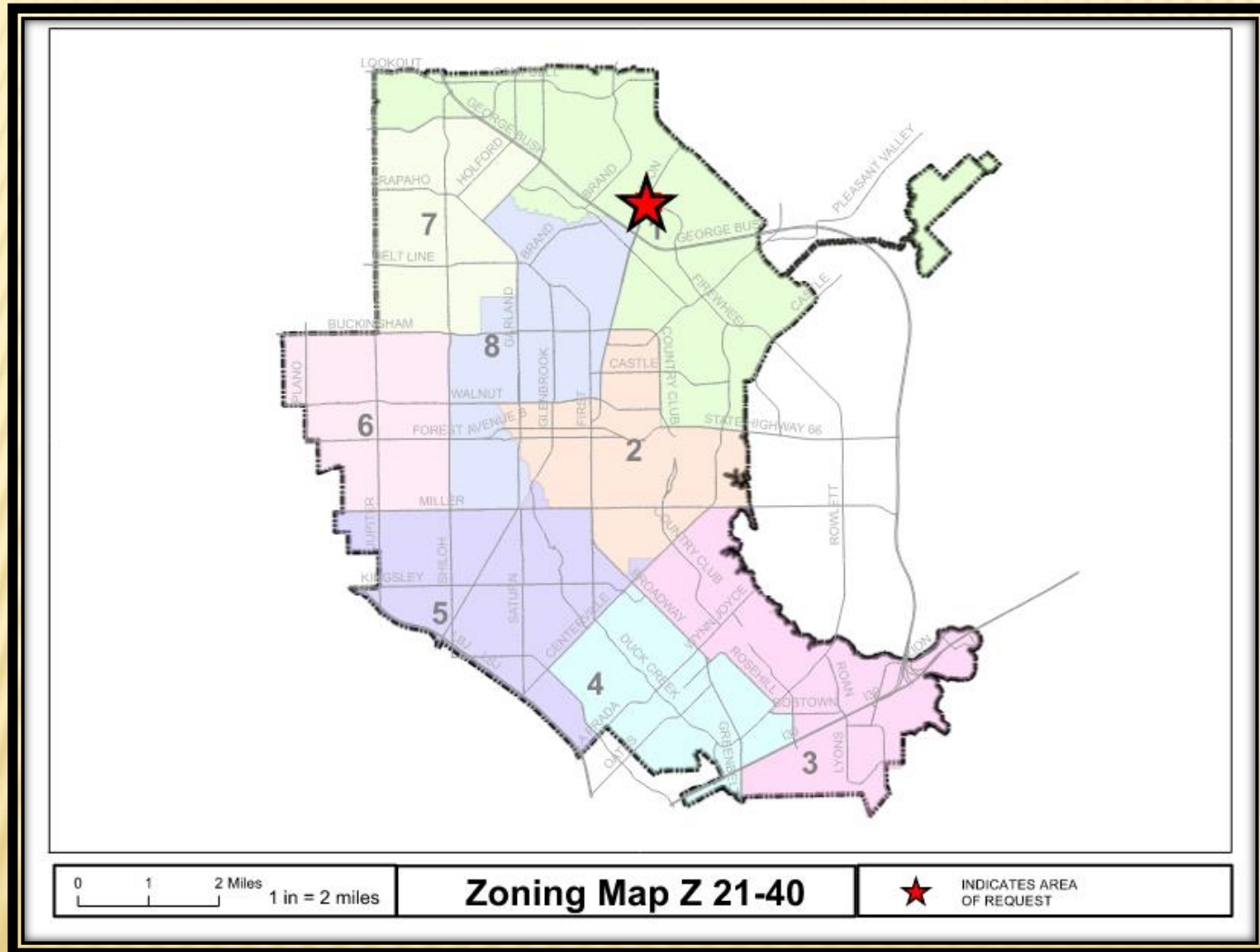
Owner: 78 NEP LTD % Cencor Realty Services

Acreage: 9.92 acres

Zoning: Planned Development (PD) District 04-54

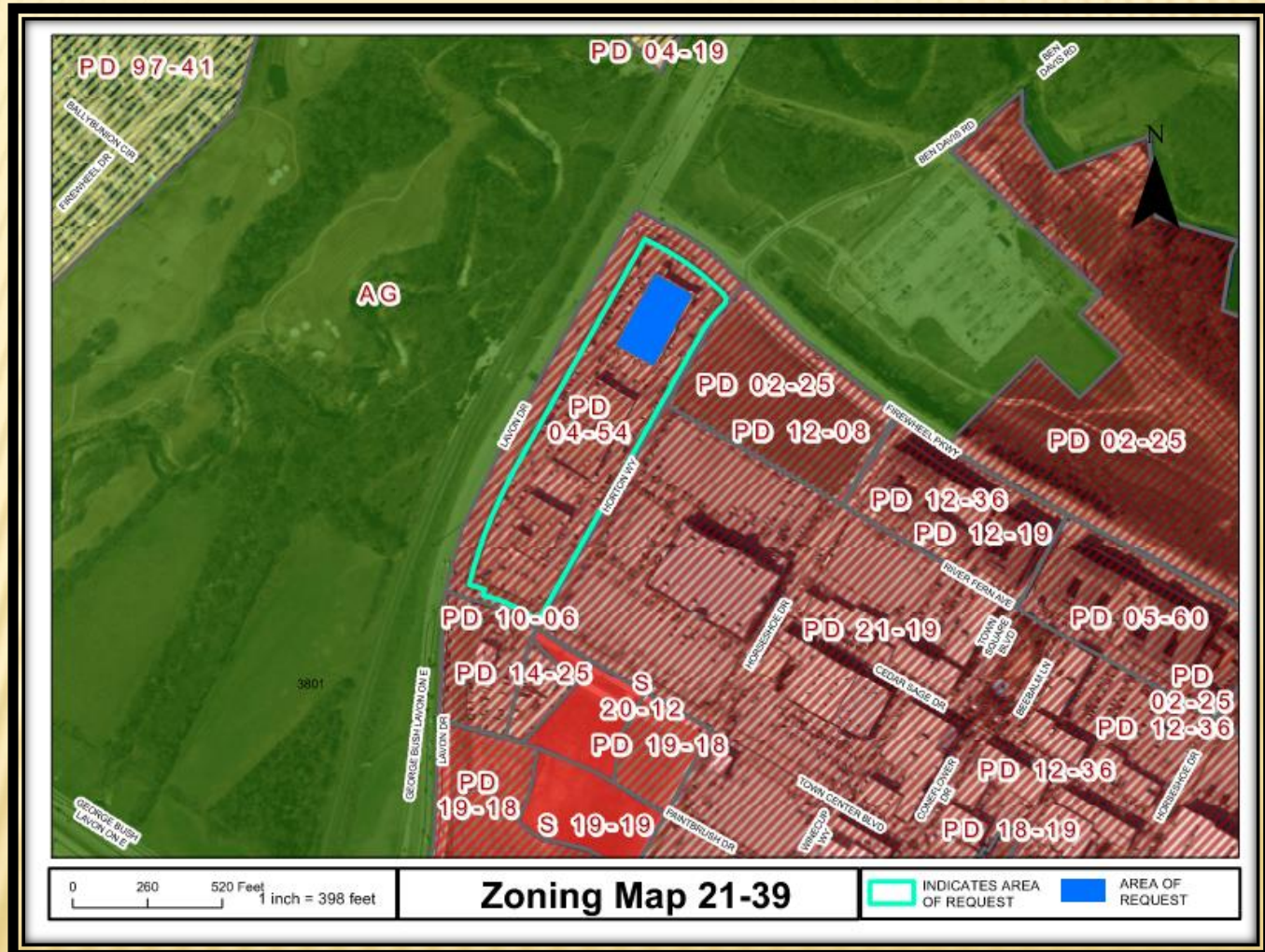
Z 21-40

CITYWIDE LOCATION MAP

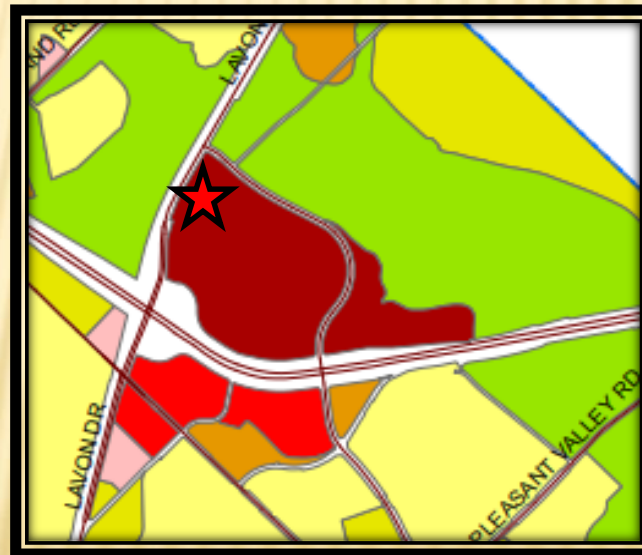


Z 21-40

LOCATION MAP



COMPREHENSIVE PLAN





COMPREHENSIVE PLAN

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GARLAND
TEXAS MADE HERE

PHOTOS



View of the subject property from Horton Way



Looking east of the subject property from Horton Way



Looking west of the subject property from Lavon Drive

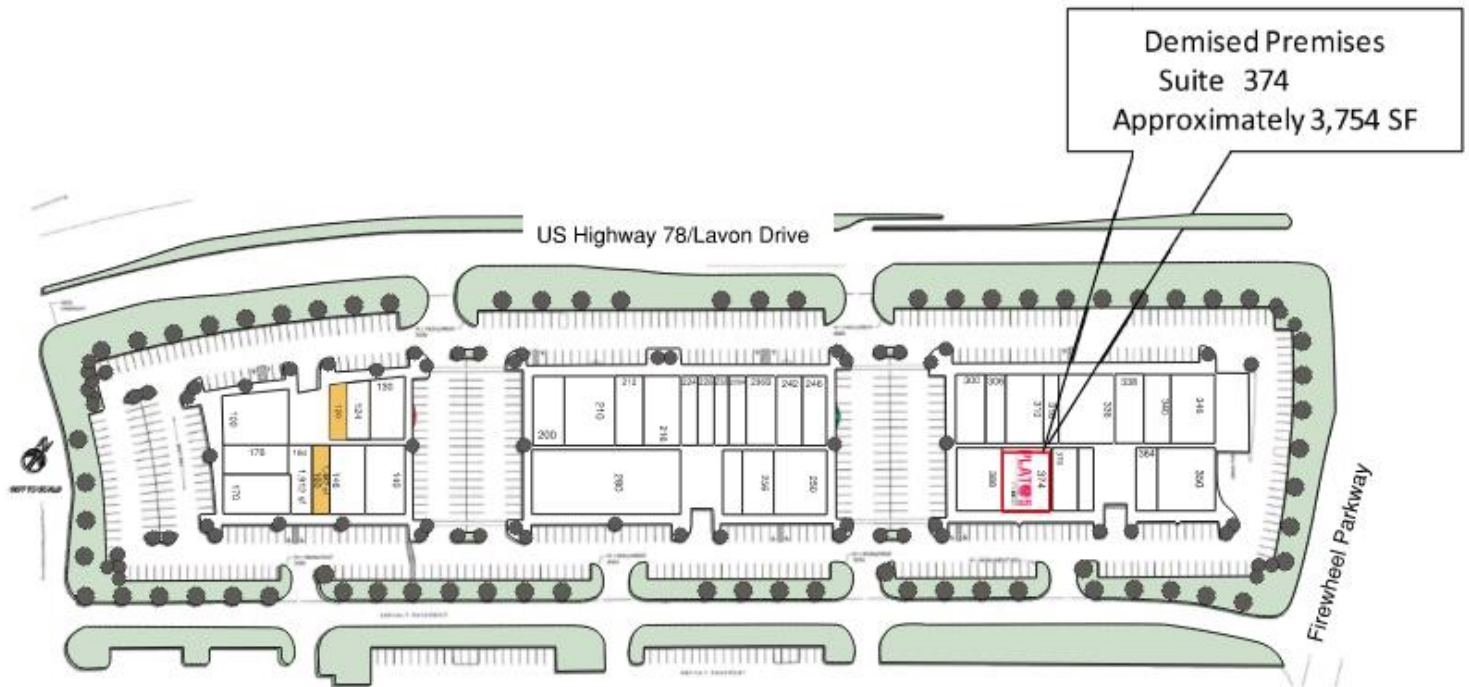


Looking south of the subject property

Z 21-40



SITE PLAN



Scope Of The Project : Interior Remodeling for Plato's Closet
Building/Project Area : 3754sf



GARLAND
TEXAS MADE HERE

SPECIFIC USE PROVISION

The applicant requests the Specific Use Provision to be valid of a period of twenty (20) years, which aligns with the SUP time period guide.

PLAN COMMISSION RECOMMENDATION

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Approval of an Amendment to Planned Development (PD) District 04-54 to allow a Used Goods, Retail Sales (Indoors) Use.

Approval of a Specific Use Provision to allow a Used Goods, Retail Sales (Indoors)

Approval of a Plan to allow a Used Goods, Retail Sales (Indoors)



GARLAND PLANNING REPORT

City Council Regular Session Agenda

10. g.

Meeting Date: 11/16/2021

Item Title: Z 21-40 Mousa Abudaabes, Plato's Closet Store - Detail Plan (District 1)

Submitted By: Nabiha Ahmed, Lead Development Planner

REQUEST

Approval of an Amendment to Planned Development (PD) District 04-54 to allow a Used Goods, Retail Sales (Indoors) Use.

Approval of a Specific Use Provision to allow a Used Goods, Retail Sales (Indoors) Use.

Approval of a Plan to allow a Used Goods, Retail Sales (Indoors) Use.

LOCATION

5300 North Garland Avenue

OWNER

78 NEP LTD % Cencor Realty Services

PLAN COMMISSION RECOMMENDATION

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STAFF RECOMMENDATION

Approval of an Amendment to Planned Development (PD) District 04-54 to allow a Used Goods, Retail Sales (Indoors) Use.

Approval of a Specific Use Provision to allow a Used Goods, Retail Sales (Indoors) Use.

Approval of a Plan to allow a Used Goods, Retail Sales (Indoors) Use.

BACKGROUND

The subject property is part of Firewheel Market, the peripheral development of the Firewheel Town Center. In 2003, the City Council approved a Detail Plan for the development of three (3) building complexes for retail and restaurant uses, In 2004, the Planned Development was amended to add a financial institution within this development and add a drive-through (Tract D).

The applicant requests to amend Planned Development (PD) District 04-54 and allow a Used Goods, Retail Sales (Indoors) [Plato's Closet] by Specific Use Provision. The applicant has applied for a sign permit and a building permit under a Retail Use. However, the applicant was unaware that the GDC has a Retail Sales Use and a Used Goods, Retail Sales (Indoors) Use classification. The Used Goods, Retail Sales (Indoors) is not currently permitted in Planned Development (PD) District 04-54.

SITE DATA

The site consists of approximately 9.92 acres, with access points to and from Lavon Drive, Firewheel Parkway and includes internal streets within the Firewheel Town Center.

USE OF PROPERTY UNDER CURRENT ZONING

The site is zoned Planned Development (PD) District 04-54 in "Tract D". The following uses are permitted in Tract D:

- Athletic Club, Indoor
- College or University*
- Commercial Amusement, Indoor
- Commercial Amusements, Outdoor**
- Drug Store/Pharmacy
- Financial Institutions
- Furniture and Appliance Sales
- Grocery/Supermarket
- Hotel/Motel, Full Service
- Home Improvement Center
- Kindergarten, Pre-School or Child Care Center
- Laundry or Cleaners
- Medical Office/Clinic
- Medical/Surgical Appliance
- Movie Theater/Theater
- Museum or Art Gallery
- Office Equipment Sales, Repair and Maintenance
- Office, General
- Optical Dispensary
- Pet Sales and Grooming
- Printer, Small Scale
- Repair and Service Shops
- Restaurant, Fast Food***
- Restaurant, General
- Restaurant, Limited
- Retail Sales/Personal Services

*Not to exceed 20,000 square feet

****Ancillary use only to retail store and not to exceed 5,000 square feet**

*****A total of four will be allowed by right on tracts A, B and C together; more than four would require approval of a Specific Use Provision. One will be allowed by right on Tract D. This use is not allowed on Tracts E of F.**

CONSIDERATIONS

1. The applicant requests to use an existing tenant space, approximately 3,754 square feet, to allow the Used Goods, Retail Sales (Indoors) [Plato's Closet] by a Specific Use Provision (SUP).

USED GOODS, RETAIL SALES (INDOORS): A single-tenant retail establishment that primarily sells used goods in which all sales, display, and storage occur within a fully enclosed building. The term includes a resale or thrift shop, consignment store, military surplus store, and rummage shop, but does not include a flea market or indoor shopping mall.

2. The applicant does not intend to make any exterior improvements on the subject property. The site plan (Exhibit C) reflects the existing layout.
3. The applicant requests the Specific Use Provision to be valid of a period of twenty (20) years, which aligns with the SUP time period guide.

COMPREHENSIVE PLAN

The Envision Garland Plan designates the subject property as Regional Centers. Regional centers are areas with a higher concentration of activity that serve as a destination for residents and visitors. Uses within this development type provide a mix of retail, services, entertainment, and employment and may include residential uses. Regional centers may be found along major highways and turnpikes, and at significant bus or rail stations. Regional centers generally cover an area greater than 30 acres and consist of one or more buildings with more than 450,000 square feet of gross leasable area. This development type typically serves a five to fifteen-mile radius trade area, within a 20-minute drive time, and serves a minimum population of 150,000.

COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

The Firewheel Market is a peripheral development of the Firewheel Town Center, which is an urban-style outdoor mall.

The Used Goods, Retail Sales (Indoors) use can align with the subject property's walkable environment and contribute as supportive uses to the Firewheel Market and Town Center's residents and visitors.

Attachments

Z 21-40 Mousa Abudaabes, Plato's Closet Store (Detail Plan) Attachments
Z 21-40 Mousa Abudaabes, Plato's Closet Store Responses
Z 21-40 Mousa Abudaabes, Plato's Closet Store Staff Presentation

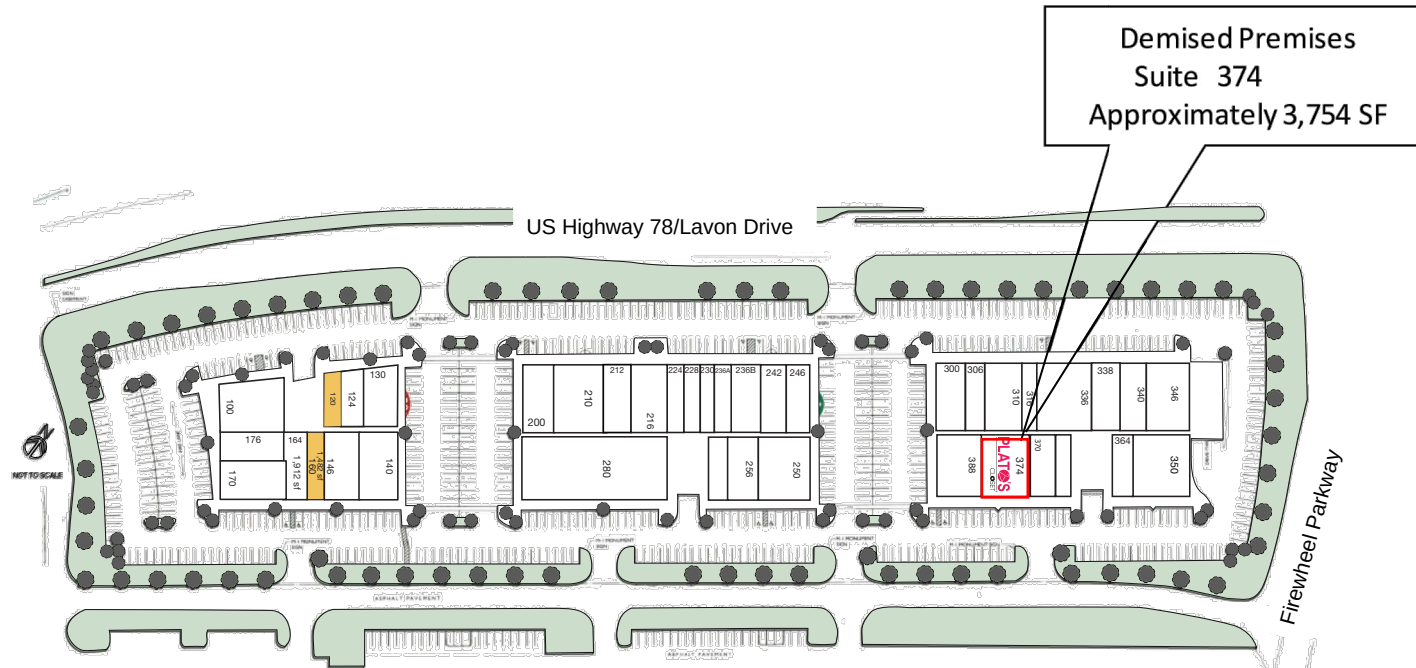


Zoning Map 21-39

 INDICATES AREA OF REQUEST

 AREA OF REQUEST

EXHIBIT C



Scope Of The Project : Interior Remodeling for Plato's Closet
 Building/Project Area : 3754sf

FILE NO: Z 21-40
 CASE NO: 210017-0

PROPOSED PLAN
 Plato's closet garland

4430 LAVON DR SUITE 374
 GARLAND TX 75040

UB CONSTRUCTION
 (972) 802-4713

DATE:
 05/2021

REPORT & MINUTES

P.C. Meeting, October 25, 2021

Consideration of the application of **Mousa Abudaabes, Plato's Closet Store**, requesting approval of a Detail Plan to allow a Used Goods, Retail Sales (Indoors) Use. This property is located at 4430 Lavon Drive, Suite 374. (District 1) (Z 21-40 – Detail Plan)

Motion was made by Commissioner Lucht to **approve** the request as presented. Seconded by Commissioner Williams. **Motion carried: 7 Ayes, 0 Nays.**

Comment Form

Case Z 21-40

Z 21-40 Mousa Abudaabes, Plato's Closet Store. The applicant proposes to operate a consignment store in an existing tenant space. This site is located at 4430 Lavon Drive, Suite 374. (District 1)

Z 21-40 Mousa Abudaabes, Plato's Closet Store. El solicitante propone operar una tienda de consignación en un espacio de inquilino existente. Este sitio está ubicado en 4430 Lavon Drive, Suite 374. (Distrito 1)

Z 21-40 Mousa Abudaabes, Plato's Closet Store. Người nộp đơn đề xuất vận hành một cửa hàng ký gửi trong một không gian hiện có của người thuê. Địa chỉ này nằm ở 4430 Lavon Drive, Suite 374. (Quận 1)

Please Check One Below / Marque uno a continuación / Vui lòng kiểm tra một bên dưới



For / A Favor / Đúng



Against / En Contra / Không

Please complete the following information and email the form to Planning@garlandtx.gov; deliver to the Planning Department at 800 Main Street Garland, TX; or mail to City of Garland, Planning Department, P.O. Box 469002 Garland, TX 75406-9002. / Por favor Complete la siguiente información y envíe el formulario por correo electrónico a Planning@garlandtx.gov; entregar al Departamento de Planificación en 800 Main Street Garland, TX; o envíelo por correo a City of Garland, Planning Department, P.O. Box 469002 Garland, TX 75406-9002. / Vui lòng điền đầy đủ thông tin sau và gửi biểu mẫu qua email tới Planning@garlandtx.gov; giao cho Phòng Kế hoạch tại 800 Main Street Garland, TX; hoặc gửi thư đến Thành phố Garland, Sở Kế hoạch, P.O. Hộp 469002 Garland, TX 75406-9002.

LINDA GIDDENS, MANAGER HORTON ASSET

Printed Name & Title / Nombre Impreso y Título / Tên in và Tiêu đề

(Property Owner, Business Owner, Tenant, etc.) / (Dueño de la propiedad, Dueño de la empresa, Inquilino, etc.) / (Chủ sở hữu bất động sản, Chủ doanh nghiệp, Người thuê, v.v.)

3801 LAVON DR.

Your Property Address / La dirección de su propiedad / địa chỉ tài sản

GARLAND TX

City, State / Estado de la Ciudad / Thành bang

75040

Zip Code / Código postal / Mã B u Qhính

Linda Giddens, Manager Horton Asset

Signature / Firma / Ch ữ ký

Date / Fecha / Ngày

10-15-21

(Providing email address and phone number is optional. / La dirección de correo electrónico y el número de teléfono son opcionales. / Địa chỉ email và số điện thoại là tùy chọn.)

Z 21-40

The applicant proposes to operate a used goods retail store in an existing tenant space.

[Planned Development, Specific Use Provision and a Plan for a Used Goods, Retail Sales (Indoors) on a property zoned Planned Development (PD) 04-54]

**City Council Meeting
November 16, 2021**



GARLAND

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CASE INFORMATION

Location: 4430 Lavon Drive, Suite 374

Applicant: Mousa Abudaabes, Plato's Closet Store

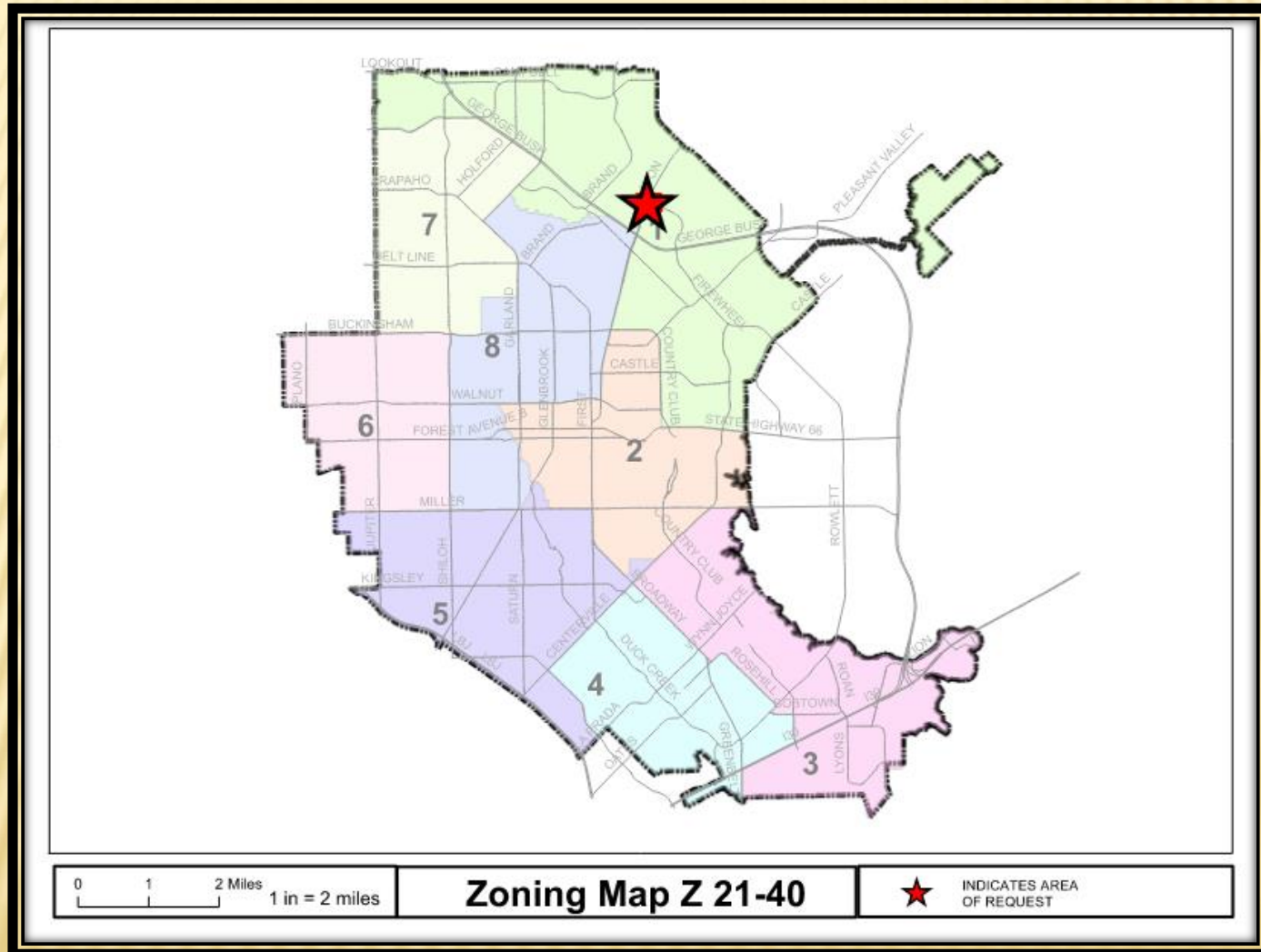
Owner: 78 NEP LTD % Cencor Realty Services

Acreage: 9.92 acres

Zoning: Planned Development (PD) District 04-54

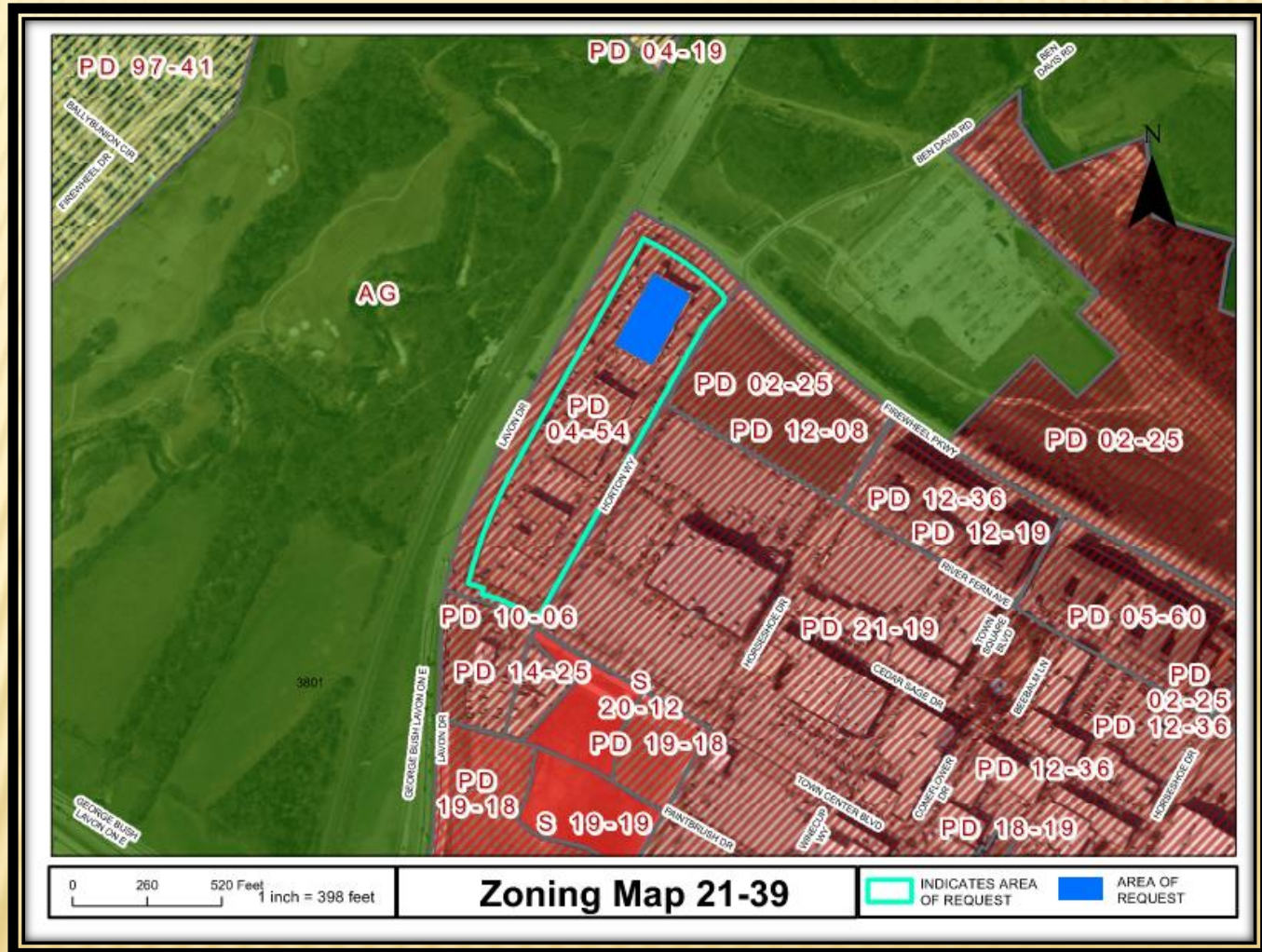
Z 21-40

CITYWIDE LOCATION MAP

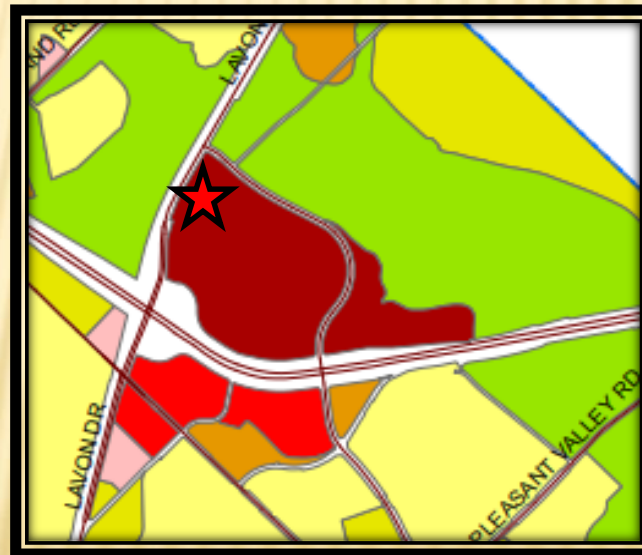


Z 21-40

LOCATION MAP



COMPREHENSIVE PLAN





COMPREHENSIVE PLAN

- The Envision Garland Plan designates the subject property as Regional Centers. Regional centers are areas with a higher concentration of activity that serve as a destination for residents and visitors. Uses within this development type provide a mix of retail, services, entertainment, and employment and may include residential uses. Regional centers may be found along major highways and turnpikes, and at significant bus or rail stations. Regional centers generally cover an area greater than 30 acres and consist of one or more buildings with more than 450,000 square feet of gross leasable area. This development type typically serves a five to fifteen-mile radius trade area, within a 20-minute drive time, and serves a minimum population of 150,000.



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PHOTOS



View of the subject property from Horton Way



Looking east of the subject property from Horton Way



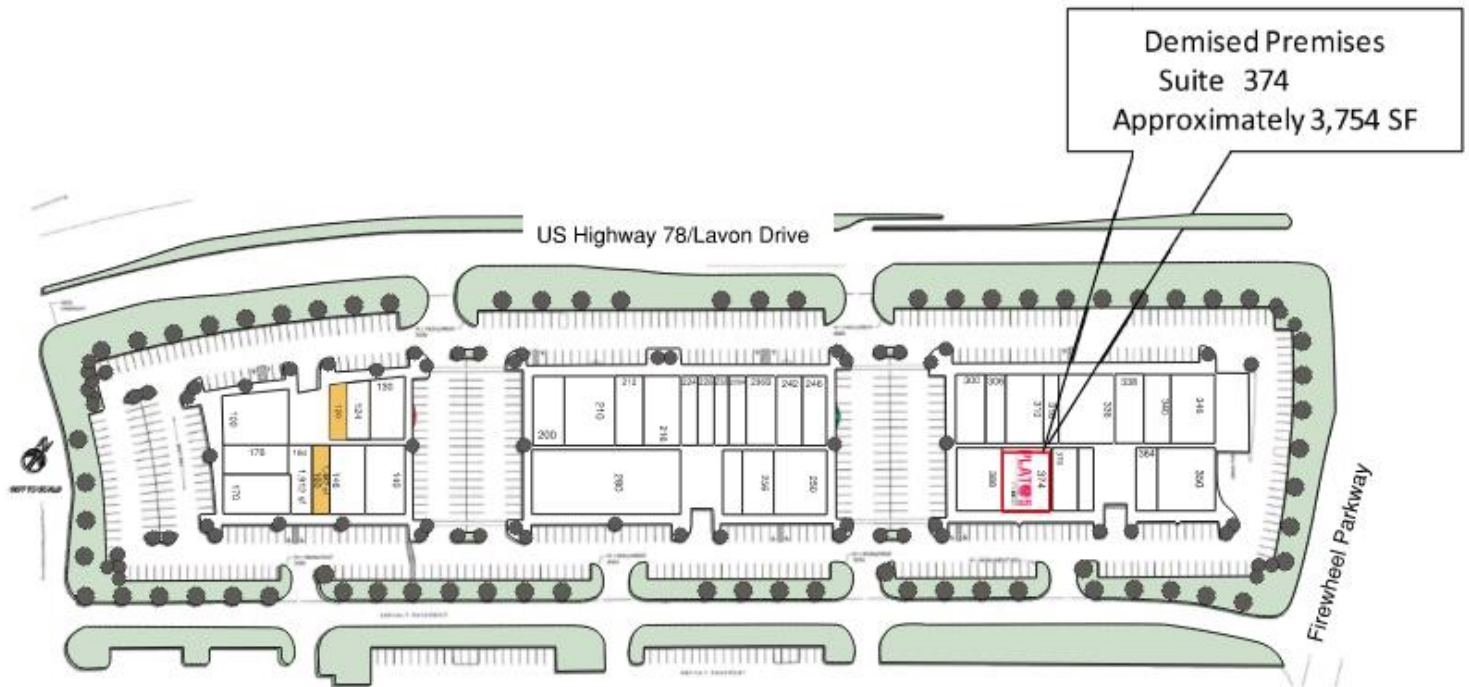
Looking west of the subject property from Lavon Drive



Looking south of the subject property



SITE PLAN



Scope Of The Project : Interior Remodeling for Plato's Closet
Building/Project Area : 3754sf



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SPECIFIC USE PROVISION

The applicant requests the Specific Use Provision to be valid of a period of twenty (20) years, which aligns with the SUP time period guide.

PLAN COMMISSION RECOMMENDATION

On October 25, 2021 the Plan Commission, by a vote of seven (7) to zero (0), recommended approval of an Amendment to Planned Development (PD) District 04-54 to allow a Used Goods, Retail Sales (Indoors) Use.

The Plan Commission, by a vote of seven (7) to zero (0), recommended approval of a Specific Use Provision to allow a Used Goods, Retail Sales (Indoors) Use and the Plan Commission recommended approval of a Plan to allow a Used Goods, Retail Sales (Indoors) Use.

STAFF RECOMMENDATION

Approval of an Amendment to Planned Development (PD) District 04-54 to allow a Used Goods, Retail Sales (Indoors) Use.

Approval of a Specific Use Provision to allow a Used Goods, Retail Sales (Indoors)

Approval of a Plan to allow a Used Goods, Retail Sales (Indoors)



GARLAND

City Council Regular Session Agenda

Meeting Date: 11/16/2021

Item Title: Board and Commission Appointment

Submitted By: Courtney Vanover, Department Coordinator I, City Secretary

Summary:

Deputy Mayor Pro Tem B.J. Williams

- Sal Liberto - Senior Citizens Advisory Board
-

Attachments

Sal Liberto - Senior Citizens Advisory Board



GARLAND

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CITY OF GARLAND
RECEIVED
JUL 12 2021

CITY SECRETARY

Application for City of Garland Boards/Commissions/Committees

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

Please Type or Print Clearly:

Date: 07/11/2021

Name: SAL LIBERTO

Phone: [REDACTED]

(Home)

Address: 4833 SAN GABRIEL DR.

Phone: [REDACTED]

(Other)

City, State, Zip: GARLAND, TX 75043

Email: [REDACTED]

Resident of Garland for 34 years

Resident of Texas for 74 years

✓ Dallas County Voter Registration Number [REDACTED]

Garland City Council District Number 4

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.

I own and lease commercial and residential properties and involved in all aspects of their operations, i.e. remodeling, maintenance, leasing, sales. My work experience also qualifies me - see below

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

TIF Board 09/2021-07/2021; Building and Fire Codes 02/2011- 09/2020

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

Church activities-Sunday School, food distribution, etc. Volunteer-Mosaic festival, Natualzaton ceremony

What is your educational background?

BBA-Finance and Marketing

What is your occupational experience?

Atmos Energy for 30 years; purchase, sale and transport of natural gas.

Responsibilities also include the proper application of city franchise fees and sales tax to industrial customers.

I hereby affirm that all statements herein are true and correct.

Sat Liberto

Board or Commission of first, second, and third choice:

2 Board of Adjustment

☐ Garland Youth Council **

☐ Parks and Recreation Board ✓

☐ Citizens Environmental and Neighborhood Advisory Committee

3 Property Standards Board

☐ Plan Commission

☐ Community Multicultural Commission

1 Library Board

☐ Senior Citizens Advisory Committee

☐ Garland Cultural Arts Commission

☐ Unified Building Standards Commission

**Garland Youth Council has a separate application

FOR OFFICE USE ONLY

Ad Valorem Tax Status
Utility Account Status

Current ☒
Current ☒

Past Due ☐
Past Due ☐

Date Appointed _____

Appointed By _____

CSO Suit/Claim Filed
Clerk Signature & Date

Yes ☐ No ☒

Courtney Vanover 7-12-21

Date Notified _____

Disclosure Form Filed _____

Revised 03/201