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
November 7, 2023
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.

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.

NOTICE: The City Council may recess from the open session and convene in a closed executive session if the discussion of any of the listed agenda items concerns one or more of the following matters:

(1) Pending/contemplated litigation, settlement offer(s), and matters concerning privileged and unprivileged client information deemed confidential by Rule 1.05 of the Texas Disciplinary Rules of Professional Conduct. Sec. 551.071, Tex. Gov't Code.

(2) The purchase, exchange, lease or value of real property, if the deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. Sec. 551.072, Tex. Gov't Code.

(3) A contract for a prospective gift or donation to the City, if the deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. Sec. 551.073, Tex. Gov't Code.

(4) Personnel matters involving the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee or to hear a complaint against an officer or employee. Sec. 551.074, Tex. Gov't Code.

(5) The deployment, or specific occasions for implementation of security personnel or devices. Sec. 551.076, Tex. Gov't Code.

(6) Discussions or deliberations regarding commercial or financial information that the City has received from a business prospect that the City seeks to have to locate, stay, or expand in or near the territory of the City and with which the City is conducting economic development negotiations; or to deliberate the offer of a financial or other incentive to a business prospect of the sort described in this provision. Sec. 551.087, Tex. Gov't Code.

(7) Discussions, deliberations, votes, or other final action on matters related to the City's competitive activity, including information that would, if disclosed, give advantage to competitors or prospective competitors and is reasonably related to one or more of the following categories of information:

- generation unit specific and portfolio fixed and variable costs, including forecasts of those costs, capital improvement plans for generation units, and generation unit operating characteristics and outage scheduling;
- bidding and pricing information for purchased power, generation, and fuel, and Electric Reliability Council of Texas bids, prices, offers, and related services and strategies;
- effective fuel and purchased power agreements and fuel transportation arrangements and contracts;
- risk management information, contracts, and strategies, including fuel hedging and storage;
- plans, studies, proposals, and analyses for system improvements, additions, or sales, other than transmission and distribution system improvements inside the service area for which the public power utility is the sole certificated retail provider; and
- customer billing, contract, and usage information, electric power pricing information, system load characteristics, and electric power marketing

analyses and strategies. Sec. 551.086; Tex. Gov't Code; Sec. 552.133, Tex. Gov't Code]

NOTICE: Pursuant to Section 551.127 of the Texas Government Code, one or more members of the City Council may attend this meeting by internet/video remote means. A quorum of the City Council, as well as the presiding officer, will be physically present at the above identified location. Members of the public that desire to make a public comment must attend the meeting in person.

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.

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 October 17, 2023, Regular Meeting.

2. Consider approval of the following bids:

a. MonoChlor Residual Control System **Bid No. 0011-24**

PSI Water Technologies **$269,245.00**

This request is for the purchase and installation of a chlorine boosting system at McCree elevate storage tank. The tank is located in the southwest area of the water system and is needed to maintain chlorine residual levels in the area.

b. Forest Lane Elevated Storage Tank Rehabilitation **Bid No. 0988-23**

O & J Coatings, Inc.	**$338,100.00**
Optional Contingency	**50,000.00**
TOTAL:	**388,100.00**

This request is to provide rehabilitation to the 0.35 MG Forest Lane elevated storage tank. The project includes interior and exterior tank coating systems and miscellaneous structural repairs. An optional contingency is included for any additional work that may be required.

c. Rollingwood Commons Water and Wastewater Mains Replacement **Bid No. 1083.23**

Trinity Miller Utility and Construction, LLC	**$1,195,847.50**
Optional Contingency	**180,000.00**
TOTAL:	**$1,375,847.50**

This request is to provide construction services to replace a 50-year-old 6-inch cast iron water line and clay tile sanitary sewer with approximately 2,965 linear feet of 8-inch PVC water line and 2,166 linear feet of 8-inch PVC sanitary sewer. The project also includes removing and replacing approximately 1,168 square yards of paving and sidewalk, water and sewer services, fire hydrants, manholes, and channel reconstruction. An optional contingency is included for any additional work that may be required.

d. GP&L Emergency Water Trailers and Condensate Polishing Tanks **Bid No. 0869-20**

Veolia WTS Services USA, Inc.	**$60,000.00**

The request is to approve a change order to the current Blanket Order BL 9497 for emergency water trailer and condensate polishing tank equipment rental. The rental equipment is utilized when backup water is needed at the GP&L production plants. Equipment needs and additional water demand have increased the need for these services. This change order will apply to the remaining renewal of the service contract.

e. GP&L Girvin Switch Station Materials **Bid No. 1262-23**

KBS Electrical Distributors, Inc.	**$1,377,365.54**
Optional Contingency	**137,736.65**
TOTAL:	**$1,515,102.09**

This request is for the purchase of materials needed for the construction of the GP&L Girvin Switch Station. An optional contingency is included for any additional materials that may be required. This is part of the approved GP&L Girvin Switch Station CIP project.

f. GP&L Oakland Substation Control Enclosure **Bid No. 1036-23**

Crown Texas, Inc.	**$1,697,087.05**
Optional Contingency	**169,708.70**
TOTAL:	**$1,866,795.75**

This request is for the purchase of a control enclosure for the GP&L Oakland Substation as part of the approved Oakland Substation Upgrade CIP project. The enclosure will provide all-weather protection and security for the control equipment, switchboard panels, batteries, battery chargers, supervisory control, meters, and relays. An optional contingency is included for any additional materials that may be required.

g. GP&L Holford Switch Station Engineering Services **Bid No. 0109-24**

POWER Engineers **$1,925,000.00**

This request is to obtain engineering services associated with the construction of the GP&L Holford Switch Station. This is part of the approved GP&L Holford Switch Station CIP project.

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

a. Z 22-74, NetInversion, LLC (District 4)

Consider and take appropriate action on an ordinance amending the Garland Development Code of the City of Garland, Texas, by approving 1) a Change in Zoning from Multi-Family-1 (MF-1) District to a Planned Development (PD) District for Multi-Family-1 (MF-1) Use and 2) a Detail Plan for a Multi-Family (condominium) development on a 1.00-acre tract of land located at 5324 Broadway 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; providing a Savings Clause and a Severability Clause; and providing an effective date.

b. Z 23-27, EDG Architects (District 3)

Consider and take appropriate action on an ordinance amending the Garland Development Code of the City of Garland, Texas, by approving 1) a Specific Use Provision for a Car Wash, Automated/Rollover Use and 2) a Detail Plan for a Car Wash, Automated/Rollover Use on a 1.204-acre tract of land zoned Planned Development (PD) District for Community Retail (CR) District Uses and located at 4249 Bobtown 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; providing a Savings Clause and a Severability Clause; and providing an effective date.

c. Z 23-30, Momentum Tattoo LLC (District 2)

Consider and take appropriate action on an ordinance amending the Garland Development Code of the City of Garland, Texas, by approving a Specific Use Provision for a Tattooing/Body Piercing Establishment Use on a property zoned Downtown (DT) District & Downtown Square (DS) Sub-District located at 532 Main Street, Suite B; 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; providing a Savings Clause and a Severability Clause; and providing an effective date

4. School Zone on Miller Road

Approve an ordinance establishing a speed zone on Miller Road between Parkhurst Drive and Country Club Road.

5. 2023 Edward Byrne Memorial Justice Assistance Grant (JAG) and Memorandum of Understanding (MOU)

Approve a resolution authorizing the Police Department to apply for the FY 2023 Edward Byrne Memorial Justice Assistance Grant (JAG) program and to allow the City Manager to execute a Funds Sharing and Fiscal Agency Agreement Memorandum of Understanding with the City of Dallas for the grant.

6. TxDOT Impaired Driving Mobilization (IDM) Grant 2024

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 2024 in the amount of $15,000.54.

7. Resolution approving a schedule for City Council meetings in Calendar Year 2024; and providing an effective date.

Approve a resolution establishing a schedule for City Council meeting dates for Calendar Year 2024. At the October 9, 2024, Work Session, Council considered the meeting dates for the 2024 calendar year.

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. Hold public hearings on:

a. Consider a request by Abreham Tessema to amend a Specific Use Provision for a truck storage facility. The site currently contains a Specific Use Provision for a Truck/Bus Storage Use. However, the applicant proposes an amendment to the site layout. The site is located at 2430 Lonnecker Drive in District 5.

Consider and take appropriate action on the application for Abreham Tessema, requesting approval of 1) a Specific Use Provision Amendment for a Truck/Bus Storage use on a property zoned Industrial (IN) District with a Specific Use Provision (S 20-28) for Truck/Bus Storage and 2) a Plan for a Truck/Bus Storage use. This property is located at 2430 Lonnecker Drive. (File Z 22-58, District 5)

b. Consider a request by CAT Scale Company to allow the addition of a truck scale and a freestanding sign for the truck scale on the subject property. The site is located at 1910 South Jupiter Road in District 6.

Consider and take appropriate action on the application for CAT Scale Company, requesting approval of 1) an Amendment to Planned Development (PD) District 16-10 to allow a truck scale and a freestanding sign and 2) a Detail Plan to allow a truck scale and a freestanding sign to the existing development. This property is located at 1910 South Jupiter Road. (File Z 23-20, District 6)

c. Consider a request by Angie Lemus to allow freestanding signs and attached signs above the first floor of an existing multi-family development. The site is located at 305 River Fern Avenue in District 1.

Consider and take appropriate action on the application for Angie Lemus, requesting approval of 1) an Amendment to Planned Development (PD) District 05-60 and Planned Development (PD) District 12-19 to add attached signs and freestanding signs and 2) a Detail Plan to add attached signs and freestanding signs. This property is located at 305 River Fern Avenue. (File Z 23-24, District 1)

d. Consider a request by First Place Foods to allow a food processing facility from a newly constructed building. The site is located at 751 South International Road in District 6.

Consider and take appropriate action on the application for First Place Foods, requesting approval of a 1) Specific Use Provision for a Food Processing & Storage Use on a property zoned Planned Development (PD) District 93-01 for Industrial Uses; and 2) a Plan for a Food Processing & Storage Use. This

property is located at 751 South International Road. (File Z 23-34, District 6)

e. Consider a request by Bohler Engineering TX, LLC to allow an expansion of the existing Walmart Garden Center. The site is located at 5302 North Garland Avenue in District 1.

Consider and take appropriate action on the application for Bohler Engineering TX, LLC., requesting approval of 1) an amendment to Planned Development (PD) District 23-15 for Community Retail (CR) Uses to expand the existing Walmart Garden Center and 2) a Detail Plan of an expansion of the existing Walmart Garden Center on a property zoned Planned Development (PD) District 23-15. This property is located at 5302 North Garland Avenue. (File Z 23-35, District 1)

9. Consider appointments to Boards and Commissions.

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

a. Animal Services Board

- Ashley Thompson

b. Mayor Scott LeMay

- Glenna Saygidia - Community Multicultural Commission

10. Citizen comments.

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

11. Adjourn.

All Regular Council meetings are broadcast live on CGTV, Time Warner Cable Channel 16, and 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: 11/07/2023

Item Title: Minutes October 17

Submitted By: Rene Dowl, City Secretary

Summary of Request/Problem

Consider approval of the minutes of the October 17, 2023, Regular Meeting.

Recommendation/Action Requested and Justification

Attachments

Minutes October 17

GARLAND

MINUTES

The City Council of the City of Garland convened in regular session at 7 p.m. on Tuesday, October 17, 2023, 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 Jeff Bass
Deputy Mayor Pro Tem Ed Moore
Council Member Deborah Morris
Council Member B.J. Williams
Council Member Margaret Lucht
Council Member Carissa Dutton
Council Member Dylan Hedrick
Council Member Chris Ott

Staff Present: City Manager Jud Rex
Deputy City Manager Mitch Bates
Assistant City Manager Andy Hesser
Assistant City Manager Phillip Urrutia
City Attorney Brian England

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.

Mayor LeMay presented a proclamation to Rick Barker, Director of Code Compliance, proclaiming October 2023 to be "Code Compliance Month." Members of the Code Compliance team attending with Mr. Barker were: Brad Vanover, Rachel Aguilar, Kevin Pham, Lance Polster, Lily Gama, Sean Weinstein and Chris Harris.

Mayor LeMay thanked City staff for their work in making the grand opening of the downtown square a huge success.

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.

The motion was made by Council Member Williams to approve the Consent Agenda as presented, seconded by Deputy Mayor Pro Tem Moore. Motion carried:

Vote: 9 ayes, 0 nays

1. APPROVED Consider approval of the minutes of the October 17, 2023, Regular Meeting.

2. Consider approval of the following bids:

a. APPROVED GP&L Girvin to Greasewood II 345kV Transmission Line Steel Structures — Bid No. 0946-23

Techline, Inc.	**$2,268,735.00**
Optional Contingency	**226,874.00**

TOTAL: **$2,495,609.00**

This request is for the purchase of eleven (11) tubular steel transmission structures and associated apparatus needed for the construction of the GP&L Girvin to Greasewood II 345kV Transmission Line. An optional contingency is included for any additional materials that may be required. This is part of the approved Girvin to Greasewood II 345kV Transmission Line CIP project.

b. APPROVED **Fire Station 7 - Design Services** **Bid No. 0020-24**

Martinez Architects **$935,455.00**

This request is to obtain professional architectural design and engineering services for the new Fire Station 7, relocating from 2545 Naaman School Road to 1805 Pleasant Valley Road. This project is part of the 2019 Bond Program and was approved in the 2023 CIP.

c. APPROVED **GP&L Olinger and Spencer Plant Electrical Services** **Bid No. 0006-24**

Boyd Electric **$350,000.00**

This request is to provide as-needed electrical maintenance and repair services for the GP&L Olinger and Spencer Generation Plants. This approval is for a term agreement with three (3) optional renewals.

d. APPROVED **Front Loader Chassis** **Bid No. 0017-24**

Bond Equipment Company, Inc. **$654,340.00**

This request is for two vehicles approved for replacement in the 2022 CIP and one vehicle approved for replacement in the 2023 CIP.

3. **Public hearing(s) were previously conducted for the following zoning case(s). Council approved the request(s) and instructed staff to bring forth the following ordinance(s) for consideration.**

a. APPROVED **Z 23-25, Pacheco Koch, a Westwood Company (District 1)**

Consider an ordinance amending the Garland Development Code of the City of Garland, Texas, by approving 1) a Specific Use Provision for an Electric Substation on a property zoned Planned Development (PD) District 20-17 and 2) a Detail Plan for an Electric Substation on a 6.77-acre tract of land located at 741 Holford Road; providing for conditions, restrictions, and regulations; providing for 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; providing a Savings Clause and a Severability Clause; and providing an effective date.

b. APPROVED Z 23-29, Spiars Engineering (District 5)

Consider an ordinance amending the Garland Development Code of the City of Garland, Texas, by approving 1) a Change in Zoning from Community Office (CO) District and Neighborhood Office (NO) District to a Planned Development (PD) District for Elder Care – Independent Living Use and 2) a Detail Plan for Elder Care – Independent Living Use on a 4.361-acre tract of land located at 413 and 505 West Centerville Road and 510 Candlewood Lane; 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; providing a Savings Clause and a Severability Clause; and providing an effective date.

4. APPROVED Garland Cultural Arts Commission Inc. Hotel Occupancy Tax Revenue Budget, Sub-grant Recipients and Hotel Occupancy Tax Program Management Agreement

Consider and take appropriate action to authorize the City Manager to execute the "Hotel Occupancy Tax Program Management Agreement" between the City and Garland Cultural Arts Commission, Inc.

5. APPROVED Bottleneck Improvements Program - Project Specific Agreement with Dallas County

Consider and take appropriate action to authorize the City Manager to execute the PSA with Dallas County for the intersections at: Broadway Boulevard at Interstate Highway 30 Service Road, Buckingham Road at Plano Road, Forest Lane at Jupiter Road, and Apollo / Spring Creek at Garland Avenue.

6. APPROVED Consider authorizing the City Manager to execute the Funding Agreement with Dallas County

Consider and take appropriate action to authorize the City manager to execute the Funding Agreement with Dallas County for the intersections at: Broadway Boulevard at Interstate Highway 30 Service Road, Buckingham Road at Plano Road, Forest Lane at Jupiter Road, Apollo / Spring Creek Drive at Garland Avenue, Arapaho Road at Shiloh Road, Buckingham Road at Shiloh Road, First Street at Miller Road, Belt Line Road at Shiloh Road, Campbell Road at SH 190, Garland Avenue at SH 190, Garland Avenue at Belt Line Road, and First Street at SH 78.

7. APPROVED Consider a City Council Resolution in Compliance with SB 1413 Regarding Clearing of Roadways

Consider and take appropriate action to regarding the adoption of a resolution approving the Garland Fire Department to consult with the Garland Police Department to develop a policy for removing property from roadways or right-of-ways within the city.

8. APPROVED New Sidewalk Dallas Area Rapid Transit (DART) Downtown Garland Station

Consider and take appropriate action to approve a resolution authorizing the City Manager to execute an Advance Funding Agreement with TxDOT.

9. APPROVED Consider a Lease with Boy Scouts of America Troop 100 for 116 S. Sixth Street

Consider and take appropriate action to approve a one-year lease with Boy Scouts of America Troop 100 for the 116 S. Sixth Street building.

ITEMS FOR INDIVIDUAL CONSIDERATION

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10. Hold public hearings on:

a. APPROVED Consider a request by Momentum Tattoo LLC to renew a Specific Use Provision for an existing Tattooing Establishment. The site is located at 532 Main Street, Suite B in District 2. (This item was postponed from the October 10, 2023, Regular City Council meeting.)

Consideration of the application of Momentum Tattoo LLC., requesting approval of a 1) Specific Use Provision Renewal for a Tattooing/Body Piercing Establishment Use, 2) a Major Waiver to Table 7-1 of the Garland Development Code regarding the location and Special Standards of Tattooing/Body Piercing Establishments, and 3) a Downtown Development Plan for a Tattooing/Body Piercing Establishment Use. This property is located at 532 Main Street, Suite B. (File Z 23-30, District 2)

The staff report was presented by William Guerin, Director of Planning. The speakers on this item were Caitrin Walters and Rene Chavez, applicants.

There was discussion by the Council.

The motion was made by Council Member Morris to approve Item 10a as presented, seconded by Mayor Pro Tem Bass. Motion carried:

Vote: 9 ayes, 0 nays

b. APPROVED Consider a request by NetInversion, LLC to construct seventeen (17) condominium dwelling units in a townhouse-style configuration. The site is located at 5324 Broadway Boulevard in District 4.

Consideration of the application of NetInversion, LLC., requesting approval of a 1) Change in Zoning from Multi-Family-1 (MF-1) District to a Planned Development (PD) District for Multi-Family (MF-1) Use, and 2) a Detail Plan for a multi-family development. This property is located at 5324 Broadway Boulevard. (File Z 22-74, District 4)

The staff report was presented by William Guerin, Director of Planning. The speaker on this item was Federico Canoura, applicant.

There was discussion by the Council.

The motion was made by Council Member Williams to approve the request as presented, seconded by Council Member Morris. Motion carried:

Vote: 9 ayes, 0 nays

c. APPROVED Consider a request by EDG Architects to allow an Automated/Rollover Car Wash use. The site is located at 4249 Bobtown Road in District 3.

Consideration of the application of EDG Architects, requesting approval of a 1) Specific Use Provision for an Automated/Rollover Car Wash Use on a property zoned Planned Development (PD) District 19-22 for Community Retail Uses, and 2) a Detail Plan for an Automated/Rollover Car Wash Use. This property is located at 4249 Bobtown Road. (File 23-27, District 3)

The staff report was presented by William Guerin, Director of Planning. The speakers on this item were Vincent Jarrad, applicant and Eckenroth, architect.

There was discussion by the Council. Mr. Guerin presented additional comments regarding the denial by staff in comparison to the approval by the Plan Commission.

The motion was made by Deputy Mayor Pro Tem Moore to approve Item 10c as presented, seconded by Mayor Pro Tem Bass. Motion carried:

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

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

12. **Adjourn:** There being no further business to come before the City Council, Mayor LeMay adjourned the meeting at 8:05 p.m.

Submitted By:

_____

Scott LeMay, Mayor

_____

Eloyce René Dowl, City Secretary

GARLAND
PURCHASING REPORT

City Council Regular Session Agenda **2. a.**

Meeting Date: 11/07/2023
Item Title: MonoChlor Residual Control System
Submitted By: Michael Brinkmann, Managing Director
Bid Number: 0011-24

Purchase Justification:
The request is for the purchase and installation of a chlorine boosting system at McCree Elevated Storage Tank. The tank is located in the southwest area of the water system and is needed to maintain chlorine residual levels in the area.

Evaluation:
PSI Water Technologies is currently the only vendor approved by the Texas Commission on Environmental Quality (TCEQ) for installation in the State of Texas. As competitive bids were not received, a Bid Recap is not included.

Award Recommendation:

Vendor	*Item*	*Amount*
PSI Water Technologies	All	$269,245.00
	TOTAL:	**$269,245.00**

Basis for Award:
Purchase Requisition #: 50114

Fiscal Impact

Total Project/Account:	$1,404,811
Expended/Encumbered to Date:	$177,215
Balance:	$1,227,596
This Item:	269,245
Proposed Balance:	$958,351

Account #: 225-4049-3023600-9203

Fund/Dept/Project – Description and Comments:

Water CIP / Water Quality Assurance Program

Fiscal Reference:

Budget Type:

Fiscal Year:

Document Location:

Budget Director Approval: Approval Date: 10/24/2023

Purchasing Director Approval: Gary L. Holcomb Approval Date: 10/23/2023

GARLAND
PURCHASING REPORT

City Council Regular Session Agenda **2. b.**

Meeting Date: 11/07/2023
Item Title: Forest Lane Elevated Storage Tank Rehabilitation
Submitted By: Michael Brinkmann, Managing Director
Bid Number: 0988-23

Purchase Justification:
The request is to provide rehabilitation to the 0.35 MG Forest Lane elevated storage tank. The project includes interior and exterior tank coating systems and miscellaneous structural repairs. An optional contingency is included for any additional work that may be required.

Evaluation:
A request for bids was issued in accordance with Purchasing procedures. Eleven (11) bids were received and evaluated with O & J Coatings, Inc. submitting the Straight Low Bid.

Award Recommendation:

Vendor	*Item*	*Amount*
O & J Coatings, Inc.	All	$338,100.00
Optional Contingency		$50,000.00
	TOTAL:	---------- **$388,100.00**

Basis for Award: Straight Low Bid
Purchase Requisition #: 49606

Fiscal Impact

Total Project/Account: $2,745,000
Expended/Encumbered to Date: $1,531,788
Balance: $1,213,212
This Item: $388,100
Proposed Balance: $825,112
Account #: 220-4049-3024100-9007

Fund/Dept/Project – Description and Comments:

Water CIP / Water Tower Corrosion Abatement Program

Attachments

Bid Recap 1 of 2

Bid Recap 2 of 2

Fiscal Reference:	
Budget Type:	CIP
Fiscal Year:	2023
Document Location:	Page 242

Budget Director Approval:	Allyson Bell Steadman	Approval Date: 10/23/2023
Purchasing Director Approval:	Gary L. Holcomb	Approval Date: 10/16/2023

CITY OF GARLAND - BID RECAP SHEET
OPENED: 08/01/2023
REQ. NO 49606
BID NO. 0988-23
PAGE: 1 of 2
BUYER: L.Segura

ITEM	QTY	UNIT	DESCRIPTION	O & J Coatings, Inc. UNIT PRICE	O & J Coatings, Inc. TOTAL	Tanksco, Inc. UNIT PRICE	Tanksco, Inc. TOTAL	AMR Industrial Coatings, Inc. UNIT PRICE	AMR Industrial Coatings, Inc. TOTAL	BRZ Coatings, Inc. UNIT PRICE	BRZ Coatings, Inc. TOTAL	Tankez Coatings, Inc. UNIT PRICE	Tankez Coatings, Inc. TOTAL	Tank Pro, Inc. UNIT PRICE	Tank Pro, Inc. TOTAL
1	1	1	0.35 MG Forest Lane Elevated Storage Tank Rehabilitation (Includes Optional Contingency)		$388,100.00		$446,650.00		$462,948.00		$477,270.00		$502,440.00		$554,212.00
			TOTAL GROSS PRICE		$388,100.00		$446,650.00		$462,948.00		$477,270.00		$502,440.00		$554,212.00
			CASH DISCOUNT												
			TOTAL NET PRICE		$388,100.00		$446,650.00		$462,948.00		$477,270.00		$502,440.00		$554,212.00
			F.O.B.	DELIVERED		DELIVERED		DELIVERED		DELIVERED		DELIVERED		DELIVERED	
			DELIVERY												

NEXT LOW: **$946,675.00**
LOW: **$388,100.00**
SAVINGS: **$558,575.00**

590 # IonWave Notifications
99 # IonWave HUBS
0 # Direct Contact HUBS
0 # 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.

CITY OF GARLAND - BID RECAP SHEET
OPENED: 08/01/2023
REQ. NO 49606
BID NO. 0988-23
PAGE: 2 of 2
BUYER: L.Segura

ITEM	QTY	UNIT	DESCRIPTION	G & L Tank Sandblasting and Coatings, LLC. UNIT PRICE	TOTAL	N.G. Painting UNIT PRICE	TOTAL	Viking Industrial Painting, LLC. UNIT PRICE	TOTAL	Classic Protective Coatings, Inc. UNIT PRICE	TOTAL	J. R. Stelzer Co. UNIT PRICE	TOTAL
1	1	1	0.35 MG Forest Lane Elevated Storage Tank Rehabilitation (Includes Optional Contingency)		$558,000.00		$618,100.00		$687,100.00		$788,950.00		$946,675.00
			TOTAL GROSS PRICE		$558,000.00		$618,100.00		$687,100.00		$788,950.00		$946,675.00
			CASH DISCOUNT										
			TOTAL NET PRICE		$558,000.00		$618,100.00		$687,100.00		$788,950.00		$946,675.00
			F.O.B.	DELIVERED		DELIVERED		DELIVERED		DELIVERED		DELIVERED	
			DELIVERY										

NEXT LOW: **$946,675.00**
LOW: **$388,100.00**
SAVINGS: **$558,575.00**

590 # IonWave Notifications
99 # IonWave HUBS
0 # Direct Contact HUBS
0 # 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. c.**

Meeting Date: 11/07/2023

Item Title: Rollingwood Commons Water and Wastewater Mains Replacement

Submitted By: Michael Brinkmann, Managing Director

Bid Number: 1083-23

Purchase Justification:

The request is to provide construction services to replace a 50-year-old 6-inch cast iron water line and clay tile sanitary sewer with approximately 2,965 linear feet of 8-inch PVC water line and 2,166 linear feet of 8-inch PVC sanitary sewer. The project also includes removing and replacing approximately 1,168 square yards of paving and sidewalk, water and sewer services, fire hydrants, manholes, and channel reconstruction. An optional contingency is included for any additional work that may be required.

Evaluation:

A request for bids was issued in accordance with Purchasing procedures. Four (4) bids were received and evaluated with Trinity Miller Utility and Construction, LLC. submitting the Straight Low Bid.

Award Recommendation:

Vendor	*Item*	*Amount*
Trinity Miller Utility and Construction, LLC.	All	$1,195,847.50
Optional Contingency		180,000.00
	TOTAL:	**$1,375,847.50**

Basis for Award: Straight Low Bid

Purchase Requisition #: 49752

Fiscal Impact

Total Project/Account: $42,564,927

Expended/Encumbered to Date: $35,117,026

Balance: $7,447,901

This Item: $1,375,848
Proposed Balance: $6,072,053
Account #: 220-4049-3019100-9214, 230-4149-3214900-9305
Fund/Dept/Project – Description and Comments:

Water CIP / Distribution Lines Program	$685,848
Wastewater CIP / Collections Mains Program	$690,000
Total	**$1,375,848**

Attachments

Bid Recap

Fiscal Reference:
Budget Type: CIP
Fiscal Year: 2023
Document Location: Pages 230 & 248

Budget Director Approval: Allyson Bell Steadman Approval Date: 10/23/2023
Purchasing Director Approval: Gary L. Holcomb Approval Date: 10/16/2023

CITY OF GARLAND - BID RECAP SHEET
OPENED: 09/05/2023
REQ. NO. 49752
BID NO. 1083-23
PAGE: 1 of 1
BUYER: L. Segura

ITEM	QTY	UNIT	DESCRIPTION	Trinity Miller Utility and Construction, LLC. UNIT PRICE	TOTAL	La Banda, LLC. UNIT PRICE	TOTAL	Tri-Con Services, Inc. UNIT PRICE	TOTAL	SYB Construction Company, Inc. UNIT PRICE	TOTAL
1	1	1	Rollingwood Commons Water and Wastewater Mains Replacement (Includes Optional Contingency)		$1,375,847.50		$1,417,633.00		$1,717,000.00		$2,006,152.50
			TOTAL GROSS PRICE		$1,375,847.50		$1,417,633.00		$1,717,000.00		$2,006,152.50
			CASH DISCOUNT								
			TOTAL NET PRICE		$1,375,847.50		$1,417,633.00		$1,717,000.00		$2,006,152.50
			F.O.B.	DELIVERED		DELIVERED		DELIVERED		DELIVERED	
			DELIVERY								

NEXT LOW: **$1,417,633.00**
LOW: **$1,375,847.50**
SAVINGS: **$41,785.50**

1343 # IonWave Notifications
199 # IonWave HUBS
3 # Direct Contact HUBS
3 # 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. d.**

Meeting Date: 11/07/2023
Item Title: GP&L Emergency Water Trailers and Condensate Polishing Tanks
Submitted By: David Bernard, GP&L
Production Services Director
Bid Number: 0869-20

Purchase Justification:

The request is to approve a change order to the current Blanket Order BL 9497 for emergency water trailer and condensate polishing tank equipment rental. The rental equipment is utilized when backup water is needed at the GP&L production plants. Equipment needs and additional water demand have increased the need for these services. This change order will apply to the remaining renewal of the service contract.

Evaluation:

Veolia WTS Services USA, Inc. was awarded the initial Blanket Order BL 8110 with four (4) optional renewals in the amount of $74,000 on July 17, 2020. Change Order No. 1 was approved in the amount of $57,550 on December 06, 2022. As competitive bids were not received for the change order, a Bid Recap is not included.

Award Recommendation:

Vendor	*Item*	*Amount*
Veolia WTS Services USA, Inc.	All	$60,000.00
	TOTAL:	**$60,000.00**

Basis for Award: Change Order
Purchase Requisition #: 50127

Fiscal Impact

Total Project/Account:	N/A
Expended/Encumbered to Date:	N/A
Balance:	N/A

This Item:	$60,000
Proposed Balance:	N/A
Account #:	451-6999

Fund/Dept/Project – Description and Comments:

Term Agreement sets price but does not commit funds. Expenses will be charged to the appropriate Electric Production operating account(s) as incurred.

Fiscal Reference:	
Budget Type:	Operating Budget
Fiscal Year:	2023-24
Document Location:	Prop. Budget - Page 241

Budget Director Approval:	Allyson Bell Steadman	Approval Date: 10/27/2023
Purchasing Director Approval:	Gary L. Holcomb	Approval Date: 10/25/2023

GARLAND
PURCHASING REPORT

City Council Regular Session Agenda **2. e.**

Meeting Date: 11/07/2023
Item Title: GP&L Girvin Switch Station Materials
Submitted By: Steve Martin, GP&L Transmission Director
Bid Number: 1262-23

Purchase Justification:

This request is for the purchase of materials needed for the construction of the GP&L Girvin Switch Station. An optional contingency is included for any additional materials that may be required. This is part of the approved GP&L Girvin Switch Station CIP project.

Evaluation:

A request for bids was issued in accordance with Purchasing procedures. Five (5) bids were received and evaluated. Technology International, Inc. was deemed nonresponsive due to submitting an incomplete bid. KBS Electrical Distributors, Inc. submitted the Lowest Responsible Bid.

Award Recommendation:

Vendor	*Item*	*Amount*
KBS Electrical Distributors, Inc.	All	$1,377,365.54
Optional Contingency		137,736.55
	TOTAL:	**$1,515,102.09**

Basis for Award: Lowest Responsible Bid
Purchase Requisition #: 49986

Fiscal Impact

Total Project/Account: $10,379,000
Expended/Encumbered to Date: $2,791,728
Balance: $7,587,272
This Item: $1,515,102

Proposed Balance: $6,072,170
Account #: 210-3799-3179001-6051
Fund/Dept/Project – Description and Comments:
Electric CIP / Substations Upgrades Program

Attachments

Bid Recap

Fiscal Reference:
Budget Type: CIP
Fiscal Year: 2023
Document Location: Page 276

Budget Director Approval: Allyson Bell Steadman Approval Date: 10/25/2023
Purchasing Director Approval: Gary L. Holcomb Approval Date: 10/25/2023

CITY OF GARLAND - BID RECAP SHEET
OPENED: 10/05/2023
REQ. NO PR 49986
BID NO. 1262-23
PAGE: 1 of 1
BUYER: Teresa Smith

ITEM	QTY	UNIT	DESCRIPTION	KBS Electrical Distributors, Inc.. UNIT PRICE	KBS TOTAL	Anixter Inc. UNIT PRICE	Anixter TOTAL	Texas Electric Cooperatives, Inc. UNIT PRICE	Texas TOTAL	Techline, Inc. UNIT PRICE	Techline TOTAL	Technology International, Inc. UNIT PRICE	Technology TOTAL
1	1	Lt.	GP&L Girvin Switch Station		$1,377,365.54		$1,738,301.59		$1,992,592.25		$2,307,934.40		$714,313.00
			Materials										Non-Responsive
			TOTAL GROSS PRICE		$1,377,365.54		$1,738,301.59		$1,992,592.25		$2,307,934.40		
			CASH DISCOUNT										
			TOTAL NET PRICE		$1,377,365.54		$1,738,301.59		$1,992,592.25		$2,307,934.40		
			F.O.B.	DELIVERED		DELIVERED		DELIVERED		DELIVERED		DELIVERED	
			DELIVERY										

NEXT LOW: $1,738,301.59
LOW: $1,377,365.54
SAVINGS: **$360,936.05**

323 # IonWave Notifications
31 # IonWave HUBS
5 # Direct Contact HUBS
0 # 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. f.**

Meeting Date: 11/07/2023
Item Title: GP&L Oakland Substation Control Enclosure
Submitted By: Steve Martin, GP&L
Transmission Director
Bid Number: 1036-23

Purchase Justification:

This request is for the purchase of a control enclosure for the GP&L Oakland Substation as part of the approved Oakland Substation Upgrade CIP project. The enclosure will provide all-weather protection and security for the control equipment, switchboard panels, batteries, battery chargers, supervisory control, meters, and relays. An optional contingency is included for any additional materials that may be required.

Evaluation:

A request for bids was issued in accordance with Purchasing procedures. Three (3) bids were received and evaluated based on the published criteria. Electrical Power Products, Inc. was deemed nonresponsive due to taking several exceptions to the Technical Specifications. Crown Texas, Inc. received the highest evaluated score, offering the Best Value for the City.

Award Recommendation:

Vendor	*Item*	*Amount*
Crown Texas, Inc.	AIII	$1,697,087.05
Optional Contingency		169,708.70
	TOTAL:	---------- **$1,866,795.75**

Basis for Award: Best Value
Purchase Requisition #: 49664

Fiscal Impact

Total Project/Account: $6,800,000
Expended/Encumbered to Date: $1,453,824
Balance: $5,346,176

This Item:	$1,866,796
Proposed Balance:	$3,479,380
Account #:	210-3799-3179801-6051

Fund/Dept/Project – Description and Comments:

Electric CIP / Substations Upgrades Program

Attachments

Bid Recap

Fiscal Reference:	
Budget Type:	CIP
Fiscal Year:	2023
Document Location:	Page 276

Budget Director Approval:	Allyson Bell Steadman	Approval Date: 10/25/2023
Purchasing Director Approval:	Gary L. Holcomb	Approval Date: 10/25/2023

CITY OF GARLAND - BID RECAP SHEET
OPENED: August 17, 2023
REQ. NO. PR 49664
BID NO. 1036-23
PAGE: 1 of 1
BUYER: Teresa Smith

ITEM	QTY	UNIT	DESCRIPTION	CTS Crown Texas, Inc. UNIT PRICE	CTS Crown Texas, Inc. TOTAL	KD Johnson, Inc. UNIT PRICE	KD Johnson, Inc. TOTAL	Electrical Power Products, Inc. UNIT PRICE	Electrical Power Products, Inc. TOTAL	UNIT PRICE	TOTAL
1	1	Ea.	Price for Evaluation		$1,697,087.05		$2,133,634.00		$1,508,787.00		
									Non-Responsive		
			Evaluation Criteria:								
			Price	Maximum =45	45.00		36.00				
			Delivery Schedule	Maximum =35	35.00		24.80				
			Ref. of vendors goods/services	Maximum =15	15.00		15.00				
			Previous experience with COG	Maximum = 5	5.00		0.00				
			Total	Maximum=100	100.00		75.59				
			TOTAL GROSS PRICE		$1,697,087.05		$2,133,634.00				
			CASH DISCOUNT								
			TOTAL NET PRICE		$1,697,087.05		$2,133,634.00				
			F.O.B.	DELIVERED		DELIVERED		DELIVERED		DELIVERED	
			DELIVERY								

NEXT LOW: $2,133,634.00
LOW: $1,697,087.05
SAVINGS: **$436,546.95**

316 # IonWave Notifications
31 # IonWave HUBS
0 # Direct Contact HUBS
0 # 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. g.**

Meeting Date: 11/07/2023
Item Title: GP&L Holford Switch Station Engineering Services
Submitted By: Steve Martin, GP&L
Transmission Director
Bid Number: 0109-24

Purchase Justification:

This request is to obtain engineering services associated with the construction of the GP&L Holford Switch Station. This is part of the approved GP&L Holford Switch Station CIP project.

Evaluation:

POWER Engineers was selected as the Most Qualified firm for this project from RFQ 0753-19. As competitive bids were not received, a Bid Recap is not included.

Award Recommendation:

Vendor	*Item*	*Amount*
POWER Engineers	All	$1,925,000.00
	TOTAL:	**$1,925,000.00**

Basis for Award: Most Qualified
Purchase Requisition #: 50248

Fiscal Impact

Total Project/Account: $4,200,000
Expended/Encumbered to Date: $1,165,551
Balance: $3,034,449
This Item: $1,925,000
Proposed Balance: $1,109,449
Account #: 210-3799-3177701-7111
Fund/Dept/Project – Description and Comments:

Electric CIP / Substations Upgrades Program

Fiscal Reference:	
Budget Type:	CIP
Fiscal Year:	2023
Document Location:	Page 276

Budget Director Approval:	Allyson Bell Steadman	Approval Date: 10/27/2023
Purchasing Director Approval:	Gary L. Holcomb	Approval Date: 10/26/2023

GARLAND

CITY COUNCIL ITEM SUMMARY SHEET

City Council Regular Session Agenda **3. a.**

Meeting Date: 11/07/2023

Item Title: Z 22-74 NetInversion, LLC (District 4)

Submitted By: Will Guerin, Planning Director

Summary of Request/Problem

Zoning Ordinance Z 22-74 NetInversion, LLC

Recommendation/Action Requested and Justification

Consider adoption of the attached ordinances.

Attachments

Z 22-74 Ordinance

Z 22-74 Exhibit A

Z 22-74 Exhibit B

Z 22-74 Exhibits C-E

ZONING FILE NO. Z 22-74

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE GARLAND DEVELOPMENT CODE OF THE CITY OF GARLAND, TEXAS, BY APPROVING 1) A CHANGE IN ZONING FROM MULTI-FAMILY-1 (MF-1) DISTRICT TO A PLANNED DEVELOPMENT FOR MULTI-FAMILY-1 (MF-1) USE AND 2) A DETAIL PLAN FOR A MULTI-FAMILY (CONDOMINIMUM) DEVELOPMENT ON A 1.00-ACRE TRACT OF LAND LOCATED AT 5324 BROADWAY 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; PROVIDING A SAVINGS CLAUSE AND A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, at its regular meeting held on the 25th day of September 2023, the Plan Commission did consider and make recommendations on a certain request for 1) Change in Zoning from Multi-Family-1 (MF-1) District to a Planned Development (PD) District for Multi-Family (MF-1) Use and 2) a Detail Plan for a multi-family (condominium) development by **NetInversion, LLC**; and

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

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

Section 1

The Garland Development Code is hereby amended by approving 1) Change in Zoning from Multi-Family-1 (MF-1) District to a Planned Development (PD) District for Multi-Family (MF-1) Use and 2) a Detail Plan for a multi-family (condominium) development and being more particularly described in Exhibit A, attached hereto and made a part hereof.

Section 2

Development shall be in conformance with the conditions, restrictions, and regulations set forth in the Garland Development Code.

Section 3

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

Section 4

NOTICE OF CONDITIONS OF COMPLIANCE: Notwithstanding the provisions of any other ordinance of the City, the full, complete, and continuing compliance with all the conditions, restrictions, and regulations of this Ordinance is a condition to the issuance and continuation of any permit, approval, authorization or consent by the City, including without limitation the issuance or continuation of any certificate of occupancy for any building or structure located on any portion of the property described in Exhibit A. All promises, representations, obligations and undertakings made or assumed by the applicant to the City Council at any public presentation in connection with the granting of this Ordinance are hereby incorporated into and made a part of this Ordinance as if expressly set forth herein at length. No substantial deviation from any material portion of the conditions, restrictions, and regulations contained within this Ordinance are allowed except as may be provided by the City Council after a public hearing.

Section 5

That the Garland Development Code, as amended, shall be and remain in full force and effect save and except as amended by this Ordinance.

Section 6

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

Section 7

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

FILE NO. Z 22-74

PASSED AND APPROVED this_____ day of _____, 2023.

THE CITY OF GARLAND, TEXAS

By:

_____
Mayor

ATTEST:

_____
City Secretary

Published:

EXHIBIT A

LEGAL DESCRIPTION

Zoning File Z 22-74

BEING a part of Lot 11 of Little John League #761, Public Records, Dallas County, Texas, being a tract of land described in deed to Roberto Fernandez, recorded under Instrument No. 201800112139, Deed Records, Dallas County, Texas (D.R.D.C.T.), and being more particularly described by the following metes and bounds description:

BEGINNING at a 1 /2 inch iron rod found for corner in the Northeast line of Broadway Boulevard, at the West line of a tract of land known as Tract #1 described in deed to Pamela Sue White and Paul w. Crawford, recorded under Instrument No. 201600048494 (D.R.D.C.T.), being the South corner of said Fernandez tract;

THENCE North 27 deg. 31 min. 15 sec. West, a distance of 100.00 feet to a 1/2 inch yellow-capped iron rod set for corner at the Westerly South corner of a tract of land described in deed to Rakeitin Dallas LLC., TX Meadow Creek LLC., and Texas Pacific Meadow LLC., recorded under Instrument No. 202000367009
(D.R.D.C.T.);

THENCE North 45 deg. 55 min. 18 sec. East, a distance of 454.88 feet to a 1 /2 inch yellow-capped iron rod set for corner at an ell corner of said Rakeitin Dallas LLC., TX Meadow Creek LLC., and Texas Pacific Meadow LLC tract;

THENCE South 27 deg. 19 min. 37 sec. East, a distance of 100.00 feet to a 1 /2 inch yellow-capped iron rod set for corner in the Northwest line of a tract of land described in deed to MRLS Property Investors LLC., recorded under Instrument No. 202100201971 (D.R.D.C.T.), at the Easterly South corner of said Rakeitin Dallas LLC., TX Meadow Creek LLC., and Texas Pacific Meadow LLC tract;

THENCE South 45 deg. 54 min. 34 sec. West, a distance of 454.56 feet to the PLACE OF BEGINNING and containing 43,563 square feet or 1.00 acre of land.

EXHIBIT A

PLANNED DEVELOPMENT CONDITIONS

ZONING FILE Z 22-74

5324 Broadway Boulevard

I. **Statement of Purpose:** The purpose of this Planned Development is to approve a multi-family (condominium) 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-1 (MF-1) 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 Multi-Family-1 (MF-1) 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 Setback: The minimum setback from the Single-Family-7 (SF-7) District shall be thirty-one (31) feet as reflected in Exhibit C.

EXHIBIT B

D. Landscape Plan: Screening and landscaping shall be in general conformance with the landscape plan labeled Exhibit D. A minimum six (6)-foot tall cedar wood fence with masonry columns shall be proposed along the eastern perimeter line, where adjacent to single-family residential.

1. Landscaping must be regularly maintained in a healthy, growing condition and in compliance with this PD Ordinance, the Garland Development Code, the Code of Ordinances of the City of Garland, and the landscaping plan attached hereto at all times. The property owner is responsible for regular weeding, mowing of grass, irrigation, fertilizing, pruning, or other maintenance of all plantings as needed. All exposed ground surfaces on or within the premises shall be properly improved, covered with screening or other approved solid material, or protected with a vegetative growth that prevents soil erosion and ameliorates objectionable dust conditions.

2. Any plant or vegetation that dies must be replaced with another approved plant variety that complies with the approved landscape plan within sixty (60) days after receipt of written notification from the City. In the event the property owner fails to remedy a violation of any landscaping maintenance regulation within sixty (60) days after receipt of written notification from the City, the City may, in addition to any other remedy available by law, withhold future city permits, licenses and/or certificates requested by the property owner for the premises to which such violation applies.

3. Screening and paving must be regularly maintained in compliance with this PD Ordinance, the Garland Development Code, and the Code of Ordinances of the City of Garland at all times. The property owner is responsible for regular maintenance of all screening and paving as needed. In the event the property owner fails to remedy a violation of any screening or paving maintenance regulation within sixty (60) days after receipt of written

notification from the City, the City may, in addition to any other remedy available by law, withhold future city permits, licenses and/or certificates requested by the property owner for the premises to which such violation applies.

E. Elevations: Building Elevations shall be in general conformance with the elevations labeled Exhibit E.

EXHIBIT B

SITE DATA TABLE

LOT INFORMATION

1. LOT SIZE: .99 AC = 43,216 SF

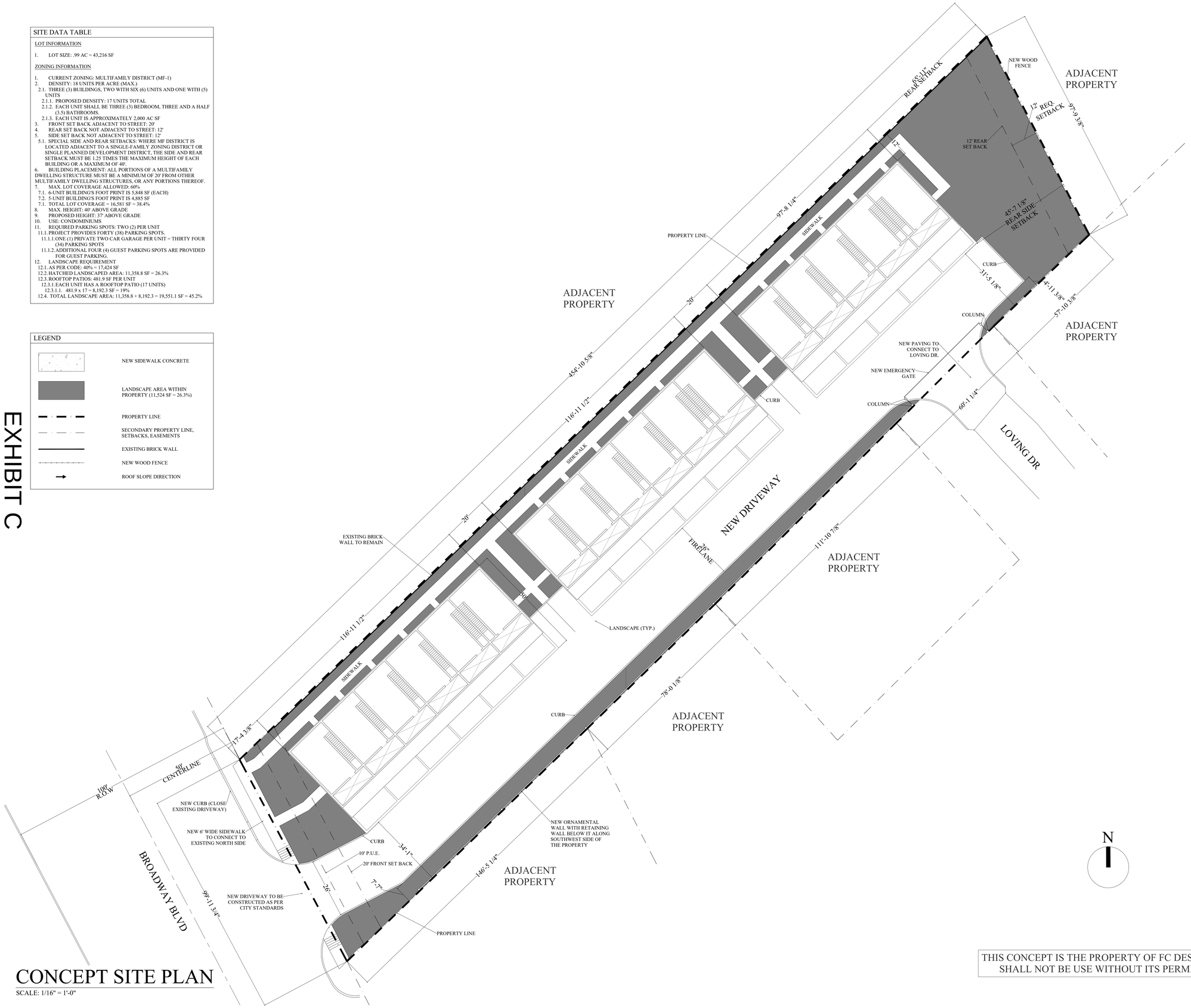
ZONING INFORMATION

1. CURRENT ZONING: MULTIFAMILY DISTRICT (MF-1)
2. DENSITY: 18 UNITS PER ACRE (MAX.)
   - 2.1. THREE (3) BUILDINGS, TWO WITH SIX (6) UNITS AND ONE WITH (5) UNITS
     - 2.1.1. PROPOSED DENSITY: 17 UNITS TOTAL
     - 2.1.2. EACH UNIT SHALL BE THREE (3) BEDROOM, THREE AND A HALF (3.5) BATHROOMS.
     - 2.1.3. EACH UNIT IS APPROXIMATELY 2,000 AC SF
3. FRONT SET BACK ADJACENT TO STREET: 20'
4. REAR SET BACK NOT ADJACENT TO STREET: 12'
5. SIDE SET BACK NOT ADJACENT TO STREET: 12'
   - 5.1. SPECIAL SIDE AND REAR SETBACKS: WHERE MF DISTRICT IS LOCATED ADJACENT TO A SINGLE-FAMILY ZONING DISTRICT OR SINGLE PLANNED DEVELOPMENT DISTRICT, THE SIDE AND REAR SETBACK MUST BE 1.25 TIMES THE MAXIMUM HEIGHT OF EACH BUILDING OR A MAXIMUM OF 40'.
6. BUILDING PLACEMENT: ALL PORTIONS OF A MULTIFAMILY DWELLING STRUCTURE MUST BE A MINIMUM OF 20' FROM OTHER MULTIFAMILY DWELLING STRUCTURES, OR ANY PORTIONS THEREOF.
7. MAX. LOT COVERAGE ALLOWED: 60%
   - 7.1. 6-UNIT BUILDING'S FOOT PRINT IS 5,848 SF (EACH)
   - 7.2. 5-UNIT BUILDING'S FOOT PRINT IS 4,885 SF
   - 7.1. TOTAL LOT COVERAGE = 16,581 SF = 38.4%
8. MAX. HEIGHT: 40' ABOVE GRADE
9. PROPOSED HEIGHT: 37' ABOVE GRADE
10. USE: CONDOMINIUMS
11. REQUIRED PARKING SPOTS: TWO (2) PER UNIT
    - 11.1. PROJECT PROVIDES FORTY (38) PARKING SPOTS.
      - 11.1.1. ONE (1) PRIVATE TWO CAR GARAGE PER UNIT = THIRTY FOUR (34) PARKING SPOTS
      - 11.1.2. ADDITIONAL FOUR (4) GUEST PARKING SPOTS ARE PROVIDED FOR GUEST PARKING.
12. LANDSCAPE REQUIREMENT
    - 12.1. AS PER CODE: 40% = 17,424 SF
    - 12.2. HATCHED LANDSCAPED AREA: 11,358.8 SF = 26.3%
    - 12.3. ROOFTOP PATIOS: 481.9 SF PER UNIT
      - 12.3.1. EACH UNIT HAS A ROOFTOP PATIO (17 UNITS)
        - 12.3.1.1. 481.9 x 17 = 8,192.3 SF = 19%
    - 12.4. TOTAL LANDSCAPE AREA: 11,358.8 + 8,192.3 = 19,551.1 SF = 45.2%

LEGEND

- NEW SIDEWALK CONCRETE
- LANDSCAPE AREA WITHIN PROPERTY (11,524 SF = 26.3%)
- PROPERTY LINE
- SECONDARY PROPERTY LINE, SETBACKS, EASEMENTS
- EXISTING BRICK WALL
- NEW WOOD FENCE
- ROOF SLOPE DIRECTION

EXHIBIT C



CONCEPT SITE PLAN

SCALE: 1/16" = 1'-0"

THIS CONCEPT IS THE PROPERTY OF FC DESIGNS AND SHALL NOT BE USE WITHOUT ITS PERMISSION

F C D
ARCHITECTURAL DRAFTING AND DESIGNS

FEDERICO CANOURA
FCANOURA@FC-DESIGNS.NET
(682) 407-5770

CLIENT: MR. PACHA

PROJECT: BROADWAY CONDOMINIUMS

5324 BROADWAY BLVD, GARLAND, TX 75043

SHEET TITLE: PROPOSED SITE PLAN

NO.	REVISION/ISSUED	DATE
1	SITE PLAN APPROVAL	10/07/22
2	REV 1	12/28/22
3	REV 3	03/20/23
3	REV 4	06/22/23

DRAWN BY: F. CANOURA

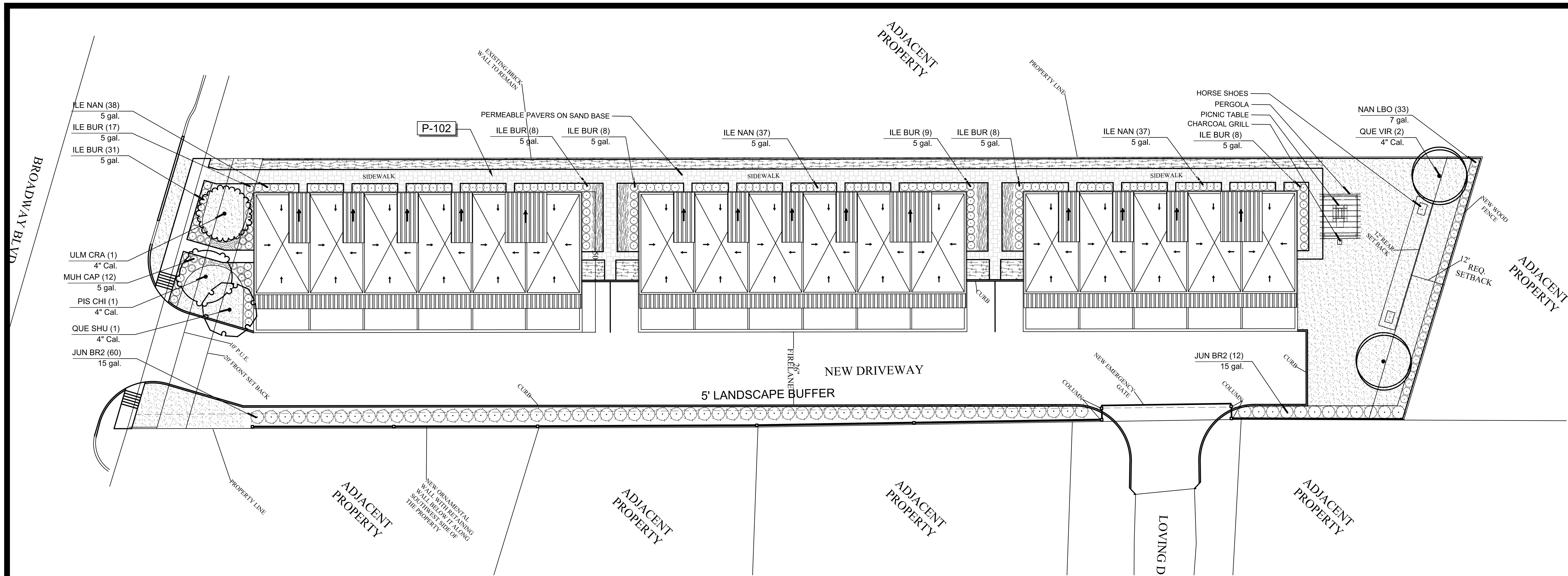
CHECKED BY:

DATE: 10-07-22

SCALE: AS NOTED

A1.0

EXHIBIT D



CITY OF GARLAND LANDSCAPE REQUIREMENTS

AREA		
LANDSCAPE AREA	40% OF SITE SHALL BE LANDSCAPE	
	REQUIRED	PROVIDED
	43,200 X 40% = 17,280 SF	11,524 SF PLANTING 2,691 SF PERMEABLE DECORATIVE PAVING 9,027 SF ROOFTOP PATIOS 23,242 SF LANDSCAPE AREA
LANDSCAPE BUFFER	20' LANDSCAPE STREET BUFFER	
	REQUIRED	PROVIDED
	20'	20'
STREET TREES AND SHRUB REQUIRED IN SETBACKS	FOR EVERY 30 LF PROVIDE 1 TREE AND 7 SHRUBS	
	REQUIRED (50% MIN. EVERGREEN)	PROVIDED (50% MIN. EVERGREEN)
	100'/30 X 7 =3 TREE, 23 SHRUBS	3 TREES 29 SHRUBS
PARKING LOT LANDSCAPE	5% OF PARKING LOT SHALL BE LANDSCAPE	
	REQUIRED	PROVIDED
	NA	NA
	1 ISLAND W/ TREE AT TERMINUS OF EACH ROW	
	REQUIRED	PROVIDED
	NA	NA
INTERIOR PARKING LANDSCAPE	1 TREE PER 10 PARKING SPACES	
	REQUIRED	PROVIDED
	NA	NA
SCREEN BETWEEN DISTRICTS	SCREENING ZONING DISTRICTS (AS PER PLAN)	
	REQUIRED	PROVIDED
SOUTHWEST	FENCING (6' MIN. HT)	EXISTING MASONRY FENCING (6' MIN. HT)
NORTHEAST	FENCING (6' MIN. HT)	WOOD FENCING (6' MIN. HT)
SOUTHEAST	FENCING (6' MIN. HT)	WOOD FENCING (6' MIN. HT)

PLANTING NOTES:

1. PLANT SIZE, TYPE, AND CONDITION SUBJECT TO APPROVAL OF OWNER'S REPRESENTATIVE.
2. ALL PLANT MATERIAL TO BE NURSERY GROWN STOCK.
3. CONTRACTOR RESPONSIBLE FOR MAINTENANCE OF ALL PLANT MATERIAL UNTIL PROJECT ACCEPTANCE.
4. ALL CONTAINER GROWN PLANTS TO HAVE FULL, VIGOROUS ROOT SYSTEM, COMPLETELY ENCOMPASSING CONTAINER.
5. ALL PLANTS WELL ROUNDED AND FULLY BRANCHED. ALL TREES WITH SPREAD 2/3 OF HEIGHT.
6. CONTRACTOR TO PROVIDE OWNER WITH PREFERRED MAINTENANCE SCHEDULE OF ALL PLANTS AND LAWNS.
7. MAINTAIN/PROTECT VISIBILITY TRIANGLE WITH PLANT MATERIAL PER CITY STANDARDS AT ALL ENTRANCES TO SITE.
8. PREP ENTIRE WIDTH OF ALL DEFINED PLANTING BEDS WITH MIX AS OUTLINED IN SPECS. WHERE SHRUBS ARE LOCATED ALONG CURB, SET SHRUBS BACK FROM CURB 3 FT.
9. SEE DETAIL SHEET L-8 FOR PLANTING DETAILS.
10. CONTRACTOR RESPONSIBLE FOR LOCATION OF ALL UTILITIES, INCLUDING BUT NOT LIMITED TO TELEPHONE, TELECABLE, ELECTRIC, GAS, WATER AND SEWER. ANY DAMAGE TO UTILITIES TO BE REPAIRED BY CONTRACTOR AT NO COST TO OWNER.
11. EXISTING TREES ARE SHOWN TO REMAIN, CONTRACTOR SHALL PRUNE WITH APPROVAL OF OWNER AND CITY ARBORIST. WORK TO INCLUDE REMOVAL OF ALL SUCKER GROWTH; DEAD AND DISEASED BRANCHES AND LIMBS; VINES, BRIARS AND OTHER INVASIVE GROWTH; AND ALL INTERFERING BRANCHES, AS WELL AS BRANCHES THAT OBSTRUCT SIGN VISIBILITY. MAKE ALL CUTS FLUSH TO REMAINING LIMB. RETAIN NATURAL SHAPE OF PLANT. ALL WORK SUBJECT TO APPROVAL OF OWNER'S REPRESENTATIVE.
12. QUANTITIES ARE PROVIDED AS A COURTESY AND NOT INTENDED FOR BID PURPOSES. CONTRACTOR TO VERIFY PRIOR TO PRICING.
13. INSTALL EDGING BETWEEN LAWN AND PLANTING BEDS. REFER TO SPECIFICATIONS. FILE ALL CORNERS SMOOTH.
14. INSTALL CURLEX BLANKET (OR EQUAL) PER MANUFACTURES INSTRUCTIONS ON ALL GROUNDCOVER/SHRUB BEDS WITH A SLOPE OF 4;1 OR GREATER.
15. AT TIME OF PLAN PREPARATION, SEASONAL PLANT AVAILABILITY CANNOT BE DETERMINED. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO SECURE AND RESERVE ALL B&B PLANTS WHEN AVAILABLE IN CASE ACTUAL INSTALLATION OCCURS DURING THE OFF-SEASON. PURCHASE AND HOLD B&B PLANTS FOR LATE SEASON INSTALLATION.
16. BERM ALL PARKING LOT ISLANDS AS SHOWN ON ENCLOSED DETAIL SHEET. (BERMS MAY NOT BE SHOWN ON GRADING PLAN.)
17. PRIOR TO TREE PLANTING, CONTRACTOR SHALL STAKE TREE LOCATIONS FOR APPROVAL BY OWNER.

NOTE:

- ALL REQUIRED LANDSCAPE AREAS SHALL BE PERMANENTLY MAINTAINED AND SHALL HAVE AN IRRIGATION SYSTEM INSTALLED MEETING ALL APPLICABLE CITY CODES AND APPROVED BY THE BUILDING OFFICIAL.
- AT THE TIME OF PERMITTING, A FULLY AUTOMATIC IRRIGATION SYSTEM DESIGNED BY LICENSED IRRIGATOR WILL BE PROVIDED. IRRIGATION SYSTEM SHALL COMPLY TO ALL CODES AND ORDINANCES.
- TEMPORARY IRRIGATION WILL BE REQUIRED TO ESTABLISH TURF IN ALL OFF SITE DISTURBED AREAS WITHOUT A PERMANENT IRRIGATION SYSTEM.
- HYDRO MULCH IN ALL DISTURBED AREAS AS IDENTIFIED ON GRADING AND EROSION CONTROL PLAN.
- THE PROPERTY OWNER IS RESPONSIBLE FOR REGULAR WEEDING, MOWING, IRRIGATION, FERTILIZING, PRUNING AND OTHER MAINTENANCE OF ALL PLANTINGS. THE REQUIRED LANDSCAPING MUST BE MAINTAINED IN A HEALTHY, GROWING CONDITION AT ALL TIMES.
- IN CASE OF CONFLICT WITH OTHER NOTES OR SPECIFICATIONS, CITY REQUIREMENTS OVER RULE.
- THE SITE WILL BE IRRIGATED WITH A BELOW GROUND AUTOMATIC IRRIGATION SYSTEM WITH A FREEZE SENSOR, THAT IS CAPABLE OF PROVIDING THE PROPER AMOUNT OF WATER FOR THE PARTICULAR TYPE OF PLANT MATERIAL USED.
- ALL LANDSCAPING WITHIN THE VISIBILITY TRIANGLES SHALL COMPLY WITH THE VISIBILITY TRIANGLE REQUIREMENTS AS STATED IN THE CITY CODE.
- NO LANDSCAPE PLANTINGS WITHIN 18" OF PARKING LOT CURBS.
- LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR AND SHALL MAINTAIN THE LANDSCAPING FOR 90 DAYS PAST THE FINAL INSPECTION.
- IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO CONFIRM TREE CALIPER MEASUREMENT HEIGHT ABOVE GRADE AS REQUIRED BY CITY.

PLANT SCHEDULE

TREES	CODE	QTY	BOTANICAL NAME	COMMON NAME	SIZE	HEIGHT	SPACING	REMARKS
	PIS CHI	1	Pistacia chinensis	Chinese Pistache	4" Cal.	10` Min.	30` O.C. Minimum	Single Straight Trunk
	QUE SHU	1	Quercus shumardii	Shumard Oak	4" Cal.	12` Height Min	30` O.C. Minimum	Single Straight Trunk
	QUE VIR	2	Quercus virginiana	Southern Live Oak	4" Cal.	12` Height Min	As Shown	Single Straight Trunk
	ULM CRA	1	Ulmus crassifolia	Cedar Elm	4" Cal.	12` Height Min	As Shown	Single Straight Trunk
SHRUBS	CODE	QTY	BOTANICAL NAME	COMMON NAME	SIZE	HEIGHT	SPACING	REMARKS
	ILE BUR	72	Ilex cornuta 'Burfordii Nana'	Dwarf Burford Holly	5 gal.	24" min.	36" O.C.	
	ILE NAN	100	Ilex vomitoria 'Nana'	Dwarf Yaupon Holly	5 gal.	18"-24"	36" O.C.	
	JUN BR2	72	Juniperus virginiana 'Brodie'	Brodie Eastern Redcedar	15 gal.	8` Min Ht	60" O.C.	
	MUH CAP	12	Muhlenbergia capillaris	Pink Muhly Grass	5 gal.		36" O.C.	
	NAN LBO	31	Nandina domestica	Heavenly Bamboo	7 gal.	36" Min	36" O.C.	
GROUND COVERS	CODE	QTY	BOTANICAL NAME	COMMON NAME	SIZE	HEIGHT	SPACING	REMARKS
	CYN DAC	5,029 sf	Cynodon dactylon	Bermudagrass	Solid Sod			
	LIR BIG	408	Liriope muscari 'Big Blue'	Big Blue Lilyturf	4" pots		12" O.C.	
	NAS TEN	16	Nassella tenuissima	Mexican Feather Grass	4" pots		18" O.C.	
	TRA ASI	1,869	Trachelospermum asiaticum	Asiatic Jasmine	4" pots		12" O.C.	

REFERENCE NOTES SCHEDULE

SYMBOL	01 GENERAL DESCRIPTION	QTY	DETAIL
01-01	composite edging	234 lf	
SYMBOL	ROCK DESCRIPTION	QTY	DETAIL
K-102	Decomposed Granitr	2.16 cy	
SYMBOL	CONCRETE DESCRIPTION	QTY	DETAIL
P-102	Permeable Paver on sand base	2,692 sf	

TEMPORARY IRRIGATION WILL BE REQUIRED TO ESTABLISH TURF IN ALL DISTURBED AREAS WITHOUT A PERMANENT IRRIGATION SYSTEM. SOD TURF IN ALL DISTURBED AREAS AS IDENTIFIED ON GRADING AND EROSION CONTROL PLANS.

CAUTION!!!
UNDERGROUND UTILITIES ARE LOCATED IN THIS AREA. 48 HOURS PRIOR TO ANY CONSTRUCTION ACTIVITIES, CONTACT LINE LOCATES FOR FRANCHISE UTILITY INFO.
CALL BEFORE YOU DIG:
TEXAS EXCAVATION SAFETY SYSTEM (TESS) 1-800-344-8377
TEXAS ONE CALL SYSTEMS 1-800-245-4545
LONE STAR NOTIFICATION CENTER 1-800-669-8344 EXT. 5
BEFORE YOU DIG...

NOTE:
NO LANDSCAPE PLANTINGS WITHIN 18" OF PARKING LOT CURBS.

NORTH

0 20 40 60
SCALE: 1" = 20'-0"

LANDSCAPE PLAN

Date MAR 20, 2023
Drawn By GAC
Checked By GAC
Revisions

FAIN • CUPPETT LANDSCAPE ARCHITECTS, LLC
1921 MAPLEWOOD DRIVE
WEATHERFORD, TEXAS 76087 682-215-9151
PARKS AND OPEN SPACE PLANNING • LANDSCAPE ARCHITECTURE • IRRIGATION DESIGN

REGISTERED LANDSCAPE ARCHITECT ★ STATE OF TEXAS ★ GREGORY A. CUPPETT 2672
03/20/23

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BROADWAY CONDOS
5324 BROADWAY
GARLAND, TEXAS

Sheet No.
L-1

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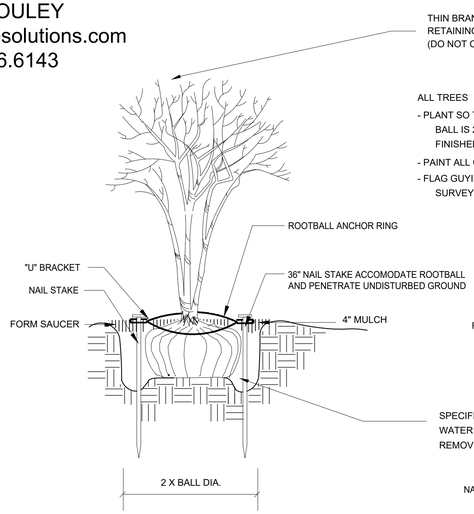
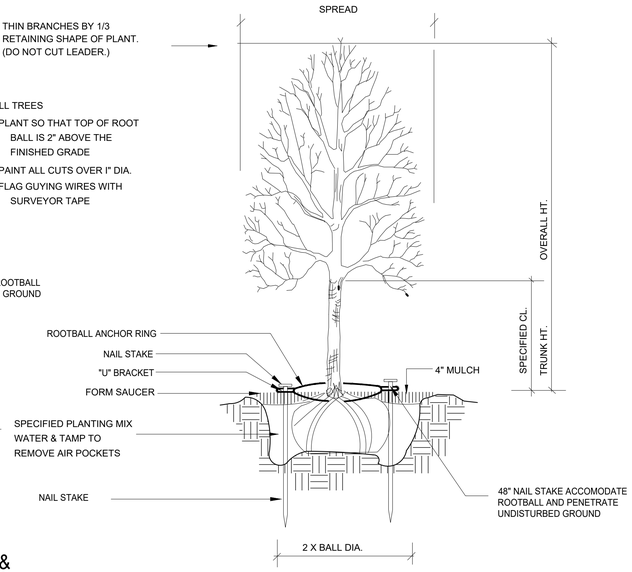
Contact Information:
JEFF TOULEY
www.treestakesolutions.com
903.676.6143



ALL TREES
- PLANT SO THAT TOP OF ROOT BALL IS 2" ABOVE THE FINISHED GRADE
- PAINT ALL CUTS OVER I" DIA.
- FLAG GUYING WIRES WITH SURVEYOR TAPE

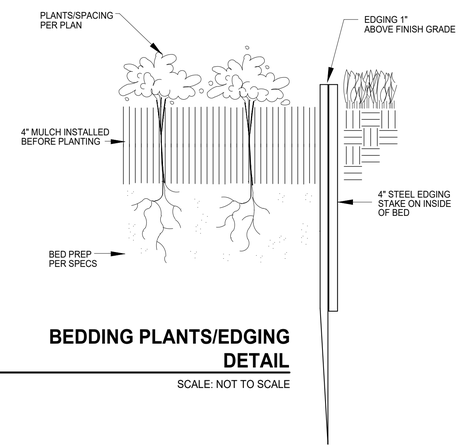
STAKING FOR MULTI-TRUNK TREES & TREES 2" CAL. & UNDER

SCALE: NOT TO SCALE



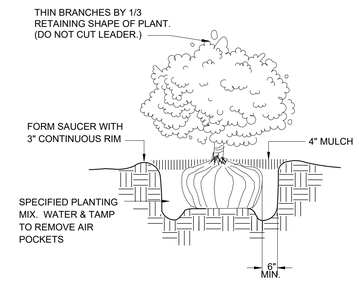
SAFETY STAKE BY TREE STAKE SOLUTIONS

SCALE: NOT TO SCALE



BEDDING PLANTS/EDGING DETAIL

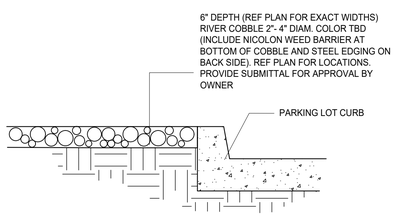
SCALE: NOT TO SCALE



NOTE: 6" WIDTH IS MINIMUM.
IF PLANTED IN DEFINED BED,
PREP ENTIRE BED AS SHOWN
ON DRAWINGS.

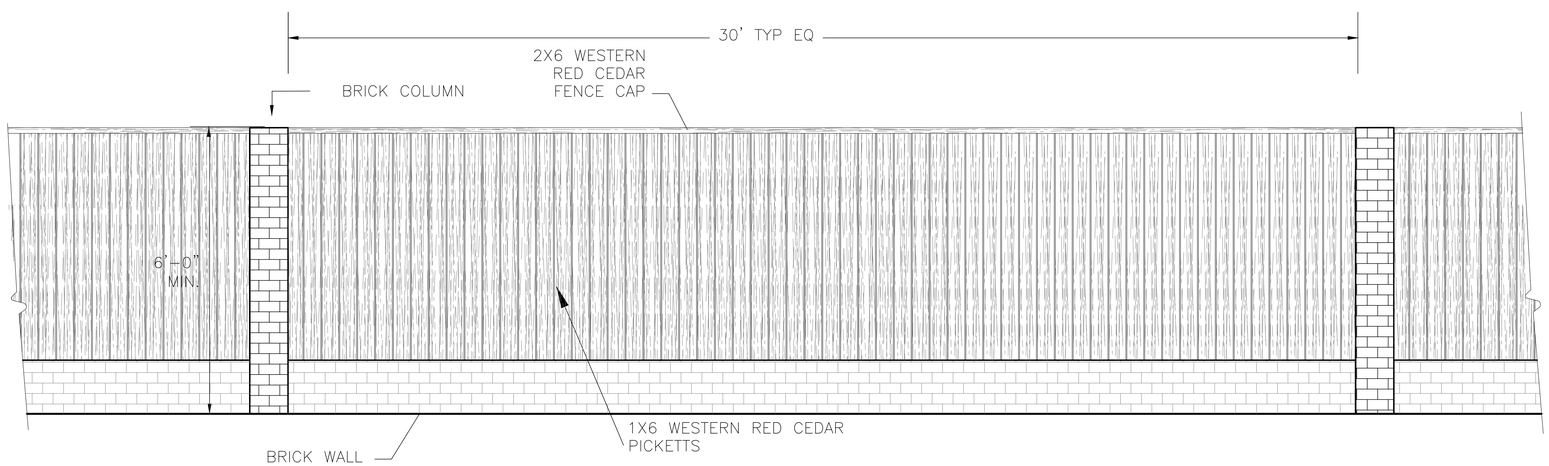
SHRUB PLANTING

SCALE: NOT TO SCALE



COBBLE PLACEMENT

SCALE: NOT TO SCALE



WOOD FENCE ON RETAINING WALL

SCALE: NOT TO SCALE

PLANTING DETAILS

Date MAR 20, 2023
Drawn By GAC
Checked By GAC
Revisions

FAIN • CUPPETT
LANDSCAPE ARCHITECTS, LLC
1921 MAPLEWOOD DRIVE
WEATHERFORD, TEXAS 76087 682-215-9151
PARKS AND OPEN SPACE PLANNING • LANDSCAPE ARCHITECTURE • IRRIGATION DESIGN

STEVEN A. CUPPETT
LANDSCAPE ARCHITECT
STATE OF TEXAS
2076
03/20/23

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EXHIBIT D

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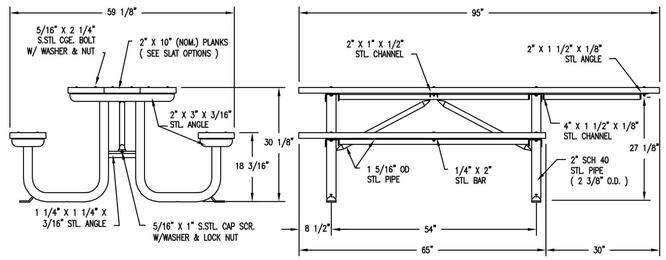
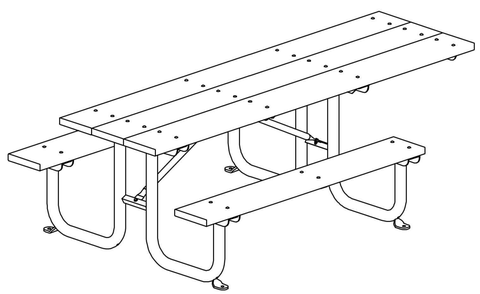




SLAT OPTIONS

- ☐ "CEDAR" RECYCLED PLASTIC
- ☐ "GREY" RECYCLED PLASTIC
- ☐ "REDWOOD" RECYCLED PLASTIC
- ☐ "WALNUT" RECYCLED PLASTIC
- ☐ OTHER _____

NOTES

1.) 1/2" X 3 3/4" EXPANSION ANCHORS PROVIDED.

FINISH OPTIONS:

- ☐ ALL STL. MEMBERS COATED W/ ZINC RICH EPOXY THEN FINISHED W/ POLYESTER POWDER COATING.
- ☐ HOT DIP GALV. AFTER FABRICATION.

DuMor, inc.	PICNIC TABLE	DATE DRAWN : 03/22/94 DRAWN BY : CDC DATE REV. : 01/11/17 REV. BY : RDH	REV. J	DRAWING NUMBER 77-68-1PL	SHEET 1 OF 2

NOTES:

1.) DURING ASSEMBLY PROCEDURE; DO NOT COMPLETELY TIGHTEN HARDWARE.
2.) THE ACTUAL PARTS WILL NOT BE NUMBERED. NUMBERS ONLY APPLY TO DRAWING.
3.) UPON COMPLETION OF ASSEMBLY SQUARE ALL COMPONENTS THEN TIGHTEN ALL HARDWARE.
4.) MOUNT AND ANCHOR AS SPECIFIED.

TOOLS REQ'D

1/2" WRENCH
3/4" WRENCH
1/2" MASONRY DRILL BIT
DRILL

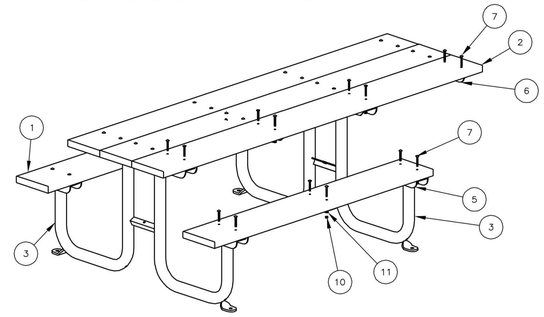
KITS PROVIDED

ITEM	QTY	PART NO	DESCRIPTION
12	1	K-77PL	77PL SER HARDWARE KIT
13	1	K-ANC0860-4	1/2" X 3 3/4" SS ANCHOR KIT (4PC)

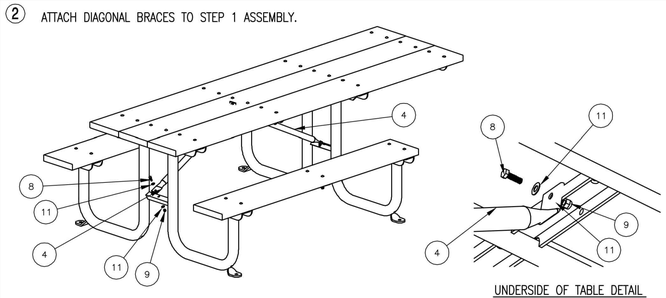
PARTS LIST

ITEM	QTY	PART NO	DESCRIPTION
1	2	0-71-68-1PL-1	2" X 10" X 65" SLAT, PLASTIC
2	3	0-71-68-1PL-2	2" X 10" X 95" SLAT, PLASTIC
3	2	0-77-00-01	END SUPPORT FRAME
4	2	0-77-60-02	DIAGONAL BRACE FOR 6' TABLE
5	2	0-77-60-14	6' SEAT BRACE
6	1	0-77-68-1-15	TABLE TOP BRACE, HANDICAPPED
7	36	1-11-062	5/16" X 2 1/4" SS CGE BOLT
8	4	1-12-061	5/16" X 1" SS HEX HD CAP SCR
9	4	1-20-016	5/16" SS NYLON LOCKNUT
10	36	1-21-015	5/16" SS HEX NUT
11	44	1-22-017	5/16" SS FLAT WASHER

1 ATTACH SUPPORT FRAMES TO SLATS. BE SURE TABLE & SEAT BRACES ARE BETWEEN SLATS & SUPPORT FRAMES.



2 ATTACH DIAGONAL BRACES TO STEP 1 ASSEMBLY.

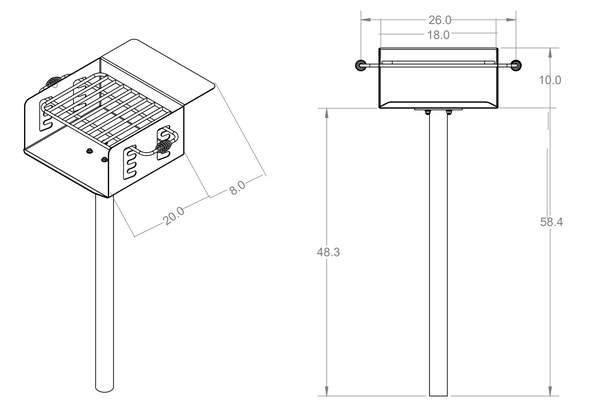


UNDERSIDE OF TABLE DETAIL

DuMor, inc.	ASSEMBLY INSTRUCTIONS	DATE DRAWN : 03/22/94 DRAWN BY : RDH DATE REV. : 01/11/17 REV. BY : RDH	REV. J	DRAWING NUMBER 77-68-1PL	SHEET 2 OF 2

PICNIC TABLE

SCALE: NOT TO SCALE



	NAME	DATE
DRAWN	GM	2/23/2016
SALES APPR.		
CLIENT APPR.		
MFG APPR.		
Q.A.		
Design By - CADWorksPro Chicago, IL www.cadworkspro.com		

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AAdvantage Panels & Fence, Inc.

TITLE: Camp Grill - Inground

DWG. NO.

SIZE A | REV

GSQ24-S-45-000

WEIGHT: | SHEET 1 OF 5

5 4 3 2 1

CHARCOAL GRILL

SCALE: NOT TO SCALE

Date MAR 20, 2023
Drawn By GAC
Checked By GAC
Revisions

FAIN • CUPPETT LANDSCAPE ARCHITECTS, LLC
1921 MAPLEWOOD DRIVE
WEATHERFORD, TEXAS 76087 682-215-9151
PARKS AND OPEN SPACE PLANNING • LANDSCAPE ARCHITECTURE • IRRIGATION DESIGN

03/20/23

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BROADWAY CONDOS
5324 BROADWAY
GARLAND, TEXAS

Sheet No.
L-2

PLANTING DETAILS

EXHIBIT D

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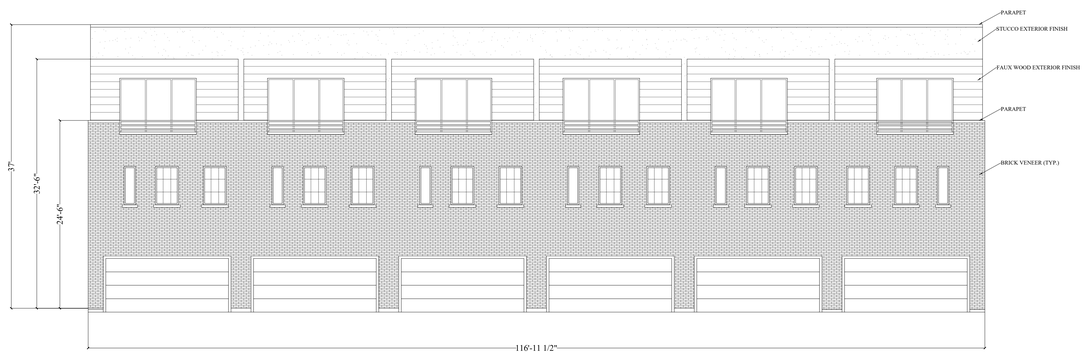
01 FRONT SIDE ELEVATION

02 SIDEWALK SIDE ELEVATION

EXHIBIT E

03 BACK SIDE ELEVATION



04 DRIVEWAY SIDE ELEVATION

CONCEPT EXTERIOR ELEVATION - TYPICAL

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

THIS CONCEPT IS THE PROPERTY OF FC DESIGNS AND SHALL NOT BE USE WITHOUT ITS PERMISSION

F D
ARCHITECTURAL DRAFTING AND DESIGNS

FEDERICO CANOURA
FCANOURA@FC-DESIGNS.NET
(682) 407-5770

CLIENT: MR. PACHA

PROJECT: BROADWAY CONDOMINIUMS

5324 BROADWAY BLVD, GARLAND, TX 75043

SHEET TITLE: 6 UNIT BUILDING EXTERIOR ELEVATION

NO.	REVISION/ISSUED	DATE
1	SITE PLAN APPROVAL	10/07/22
2	REV 1	12/28/22
3	REV 3	03/20/23
3	REV 4	06/22/23

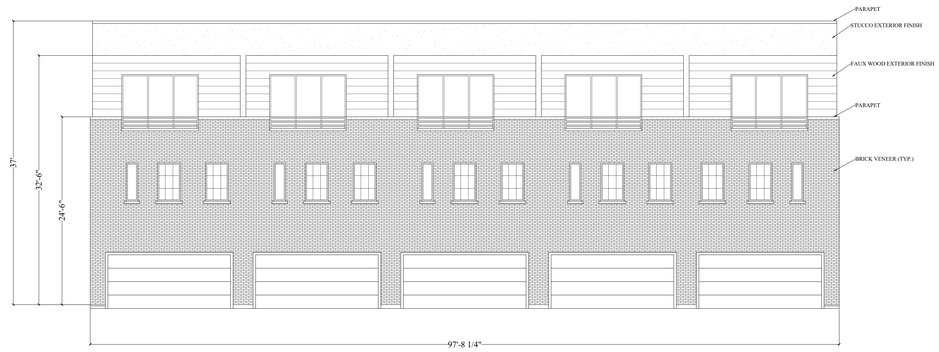
DRAWN BY: F. CANOURA
CHECKED BY:
DATE: 10-07-22
SCALE: AS NOTED

A3.0

01 FRONT SIDE ELEVATION

02 SIDEWALK SIDE ELEVATION

03 BACK SIDE ELEVATION



04 DRIVEWAY SIDE ELEVATION

CONCEPT EXTERIOR ELEVATION - TYPICAL

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

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5324 BROADWAY BLVD, GARLAND, TX 75043

SHEET TITLE: 5 UNIT BUILDING EXTERIOR ELEVATION

NO.	REVISION/ISSUED	DATE
1	SITE PLAN APPROVAL	10/07/22
2	REV 1	12/28/22
3	REV 3	03/20/23
3	REV 4	06/22/23

DRAWN BY: F. CANOURA

CHECKED BY:

DATE: 10-07-22

SCALE: AS NOTED

A3.1

EXHIBIT E

COLOR ELEVATION

SCALE: NTS

F D
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(682) 407-5770

CLIENT: MR. PACHA

PROJECT: BROADWAY CONDOMINIUMS

5324 BROADWAY BLVD, GARLAND, TX 75043

SHEET TITLE: COLOR ELEVATIONS

NO.	REVISION/ISSUED	DATE
1	SITE PLAN APPROVAL	10/07/22
2	REV 1	12/28/22
3	REV 3	03/20/23
3	REV 4	06/22/23

DRAWN BY: F. CANOURA

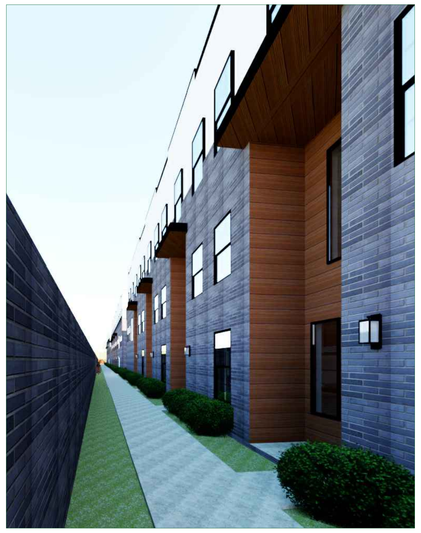
CHECKED BY:

DATE: 10-07-22

SCALE: AS NOTED

A5.0

EXHIBIT E



RENDERINGS

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

FCD
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CLIENT: MR. PACHA

PROJECT: BROADWAY CONDOMINIUMS

5324 BROADWAY BLVD,
GARLAND, TX 75043

SHEET TITLE: 3D PERSPECTIVE STUDY RENDERINGS

NO.	REVISION/ISSUED	DATE
1	SITE PLAN APPROVAL	10/07/22
2	REV 1	12/28/22
3	REV 3	03/20/23
3	REV 4	06/22/23

DRAWN BY: F. CANOURA

CHECKED BY:

DATE: 10-07-22

SCALE: AS NOTED

A6.0

EXHIBIT E

PROXIMITY SLOPE STUDY AT SHORTEST DISTANCE

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

FCD
ARCHITECTURAL DRAFTING AND DESIGNS

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CLIENT: MR. PACHA

PROJECT: BROADWAY CONDOMINIUMS

5324 BROADWAY BLVD, GARLAND, TX 75043

SHEET TITLE: PROXIMITY SLOPE STUDY

NO.	REVISION/ISSUED	DATE
1	SITE PLAN APPROVAL	10/07/22
2	REV 1	12/28/22
3	REV 3	03/20/23
3	REV 4	06/22/23

DRAWN BY: F. CANOURA

CHECKED BY:

DATE: 10-07-22

SCALE: AS NOTED

A4.0

GARLAND

CITY COUNCIL ITEM SUMMARY SHEET

City Council Regular Session Agenda **3. b.**

Meeting Date: 11/07/2023

Item Title: Z 23-27 EDG Architects (District 3)

Submitted By: Will Guerin, Planning Director

Summary of Request/Problem

Zoning Ordinance Z 23-27 EDG Architects

Recommendation/Action Requested and Justification

Consider adoption of the attached ordinance.

Attachments

Z 23-27 Ordinance

Z 23-27 Exhibit A

Z 23-27 Exhibit B

Z 23-27 Exhibits C-E

ZONING FILE NO. Z 23-27

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE GARLAND DEVELOPMENT CODE OF THE CITY OF GARLAND, TEXAS, BY APPROVING 1) A SPECIFIC USE PROVISION FOR A CAR WASH, AUTOMATED/ROLLOVER USE AND 2) A DETAIL PLAN FOR A CAR WASH, AUTOMATED/ROLLOVER USE ON A 1.204-ACRE TRACT OF LAND ZONED PLANNED DEVELOPMENT (PD) DISTRICT FOR COMMUNITY RETAIL (CR) DISRICT USES AND LOCATED AT 4249 BOBTOWN 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; PROVIDING A SAVINGS CLAUSE AND A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, at its regular meeting held on the 25th day of September 2023, the Plan Commission did consider and make recommendations on a certain request for 1) a Specific Use Provision for an Automated/Rollover Car Wash use on a property zoned Planned Development (PD) District 19-22 for Community Retail Uses and 2) a Detail Plan for an Automated/Rollover Car Wash by **EDG Architects**; and

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

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

Section 1

The Garland Development Code is hereby amended by approving 1) a Specific Use Provision for an Automated/Rollover Car Wash use on a property zoned Planned Development (PD) District 19-22 for Community Retail Uses and 2) a Detail Plan for an Automated/Rollover Car Wash Use and being more particularly described in Exhibit A, attached hereto and made a part hereof.

Section 2

Development shall be in conformance with the conditions, restrictions, and regulations set forth in the Garland Development Code.

Section 3

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

Section 4

NOTICE OF CONDITIONS OF COMPLIANCE: Notwithstanding the provisions of any other ordinance of the City, the full, complete, and continuing compliance with all the conditions, restrictions, and regulations of this Ordinance is a condition to the issuance and continuation of any permit, approval, authorization or consent by the City, including without limitation the issuance or continuation of any certificate of occupancy for any building or structure located on any portion of the property described in Exhibit A. All promises, representations, obligations and undertakings made or assumed by the applicant to the City Council at any public presentation in connection with the granting of this Ordinance are hereby incorporated into and made a part of this Ordinance as if expressly set forth herein at length. No substantial deviation from any material portion of the conditions, restrictions, and regulations contained within this Ordinance are allowed except as may be provided by the City Council after a public hearing.

Section 5

That the Garland Development Code, as amended, shall be and remain in full force and effect save and except as amended by this Ordinance.

Section 6

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

Section 7

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

FILE NO. Z 23-27

PASSED AND APPROVED this_____ day of _____, 2023.

THE CITY OF GARLAND, TEXAS

By:

_____
Mayor

ATTEST:

_____
City Secretary

Published:

EXHIBIT A

LEGAL DESCRIPTION

Zoning File Z 23-27

BEING all of LOT 2, BLOCK 1, QT 962 ADDITION, an addition to the City of Garland, Dallas County, Texas, according to the replat thereof recorded by Instrument No. 202100226741, Plat Records, Dallas County, Texas, same being a portion of that certain called 16.084-acre tract of land described by Special Warranty Deed to I-30 Bobtown, LLC, as recorded by Instrument No. 201200352331, Official Public Records, Dallas County, Texas.

PLANNED DEVELOPMENT CONDITIONS

ZONING FILE Z 23-27

4054 Bobtown Road

I. **Statement of Purpose:** The purpose of this Planned Development is to approve an Automated/Rollover Car Wash Use.

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 Planned Development (PD) District 19-22 and Community Retail (CR) 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 permitted as in Planned Development (PD) District 19-22.

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

C. Landscape Plan: Landscaping shall be in general conformance with the Landscape Plan labeled Exhibit D.

D. Elevations: Building Elevations shall be in general conformance with the elevations labeled Exhibit D.

EXHIBIT B

SPECIFIC USE PROVISION CONDITIONS

ZONING FILE Z 23-27

4249 Bobtown Road

I. **Statement of Purpose:** The purpose of this Specific Use Provision is to allow an Automated/Rollover Car Wash Use.

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

III. **Abandonment:** In the event the land use for which this Specific Use Provision was granted ("Land Use") is abandoned, the SUP and all rights to the Land Use are automatically terminated, and the premises must be used in conformance with the PD, GDC, federal, and state law.

For the purposes of this Specific Use Provision, Abandonment is any of the following acts:

A. A failure to apply for a site or building permit on the premises, where applicable, within 180 days of the effective date of this SUP;

B. A failure to obtain a certificate of occupancy for the Land use within 730 days of the effective date of this SUP;

C. A failure to commence operating the Land Use on the premises within 90 days of receiving a final certificate of occupancy for the Land Use;

D. Discontinuance of the Land Use for a period of 180 days;

E. Applying for, and receiving, a new Certificate of Occupancy for a use other than the Land Use; or

F. Operating a use on the premises, whether as a primary or secondary use, that is not allowed within the PD District, by the GDC, or by state or federal law.

EXHIBIT B

The termination of utilities on the premises for a period of 180 calendar days is prima facie evidence of abandonment and the owner shall have the burden to prove that the Land Use has not been abandoned.

IV. General Regulations: All regulations of Planned Development (PD) District 19-22 and 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.

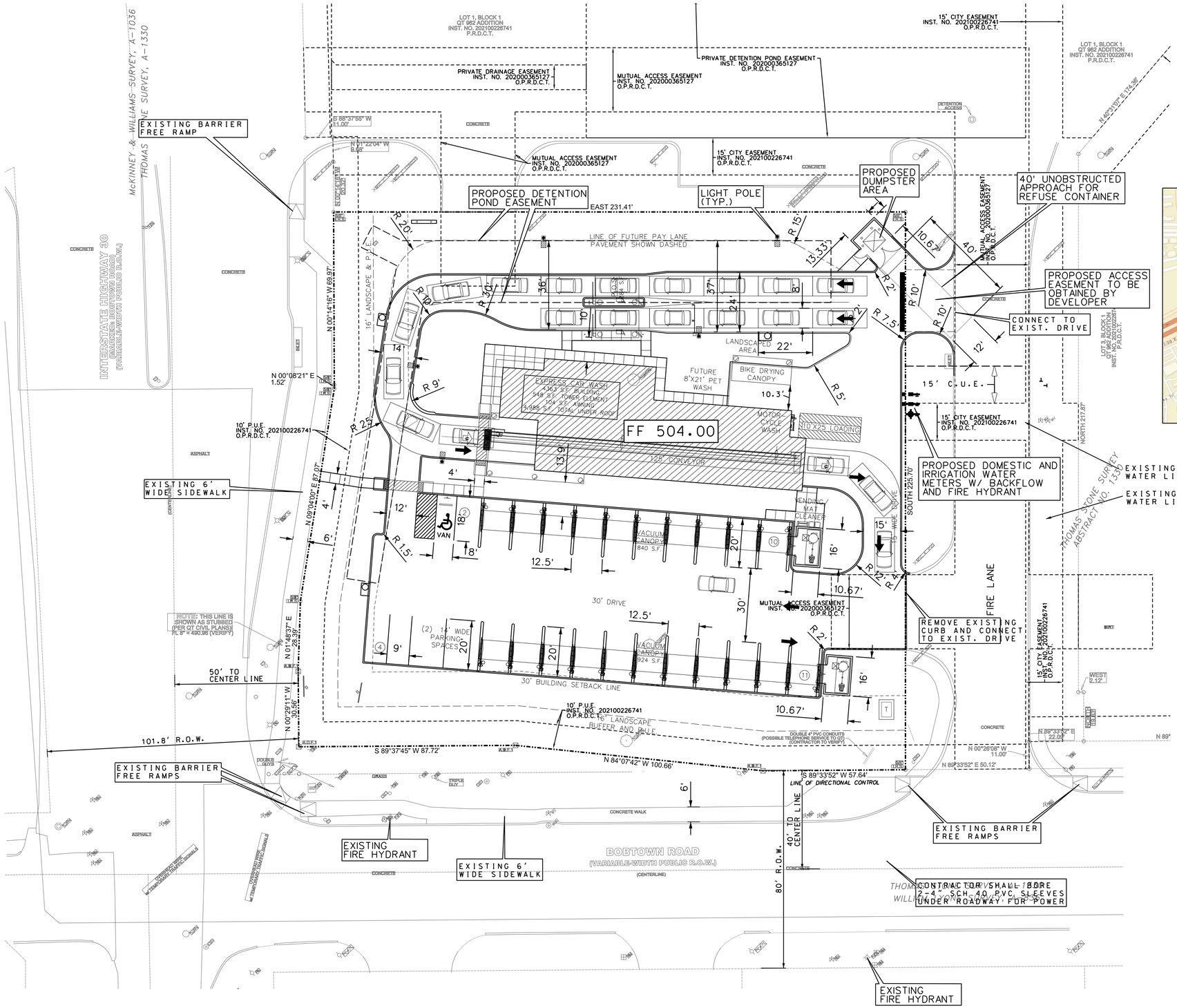
V. Development Plans:

Site Layout: The site shall be in general conformance with the approved development plans labeled Exhibit C to Exhibit F. In the event of conflict between the conditions and the site plan, the written conditions listed below are to apply.

VI. Specific Use Provision:

A. SUP Time Period: The Specific Use Provision for the Car Wash Automated/Rollover shall be in effect for thirty (30) years.

EXHIBIT C



LOCATION MAP
(NOT TO SCALE)

SITE DATA SUMMARY

1.	PROPOSED ZONING	PD 23-27
2.	PROPOSED USE	CAR WASH
3.	LOT AREA	1.204 AC = 52,445 S.F.
4.	BUILDING SQUARE FOOTAGE TOTAL UNDER ROOF INCLUDING AWNING, ETC.	4,363 S.F. 4,988 S.F.
5.	FLOOR AREA RATIO	0.10:1
6.	BUILDING COVERAGE LOT COVERAGE (IMPERVIOUS SURFACE)	4988 S.F. = 9.5% OF SITE 22,884 S.F. = 43.6% OF THE SITE
7.	BUILDING HEIGHT (1-STORY)	41'-8" TO THE RIDGE; 28'-0" AT THE EAVE
8.	PARKING REQUIRED = 4988/200 PARKING PROVIDED =	25 SPACES REQUIRED 27 SPACES PROVIDED (CONCRETE)
9.	OPEN SPACE (PERVIOUS SURFACE)	29,561 S.F. = 56.4% OF THE SITE

NOTE:

1. ALL PAVED SURFACES TO BE CONCRETE
2. DUMPSTER SCREENING SHALL BE STACK BOND C.M.U. (COLOR TO MATCH BUILDING).

SITE PLAN

PAPPY'S EXPRESS CAR WASH – GARLAND

LOT 2, BLOCK 1 – QT 962 ADDITION
4054 BOBTOWN ROAD
CITY OF GARLAND, DALLAS COUNTY, TEXAS

OWNER:
PAPPY'S MC, LLC
910 S. ERBY CAMPBELL BLVD.
ROYSE CITY, TEXAS 75189
CONTACT: KEN ECKENROTH
PHONE: 214-697-1130
EMAIL: keckenroth@gmail.com

APPLICANT:
VINCENT JARRARD
6825 GREENWICH LANE
DALLAS, TEXAS 75230
PHONE: 214-361-1943
EMAIL: vjarrard@gmail.com

DATE OF PREPARATION: 7–14–23
REVISED 7-31-23
REVISED 8-14-23

FILE NO. Z 23–XX
CASE NUMBER: 220407–2

HAMILTON DUFFY, PC
CONSULTING
CIVIL & ENVIRONMENTAL ENGINEERS · PLANNERS · CONSTRUCTION MANAGERS
8241 MID-CITIES BLVD., SUITE 100 · NORTH RICHLAND HILLS, TEXAS 76182
PHONE (817) 268-0408 www.hamiltonduffy.com

PAPPY'S EXPRESS CAR WASH – 2
LOT 2, BLOCK 1
QT 962 ADDITION
CITY OF GARLAND, TEXAS

SITE PLAN

PRELIMINARY
FOR REVIEW ONLY

THESE DOCUMENTS ARE FOR DESIGN REVIEW AND AGENCY APPROVAL ONLY. THEY ARE NOT TO BE USED FOR CONSTRUCTION, BIDDING, OR PERMIT PURPOSES. THEY WERE PREPARED BY, OR UNDER SUPERVISION OF:

KEITH M. HAMILTON 87384 DATE
PE NO. DATE

JOB	048-032
DATE	5-13-22
DESIGNED	K.M.H.
DRAWN	K.M.H.
CHECKED	K.M.H.
TEXAS REGISTERED ENGINEERING FIRM NUMBER F-2260	

NO.	REVISION	BY	DATE

SHEET
C1.00

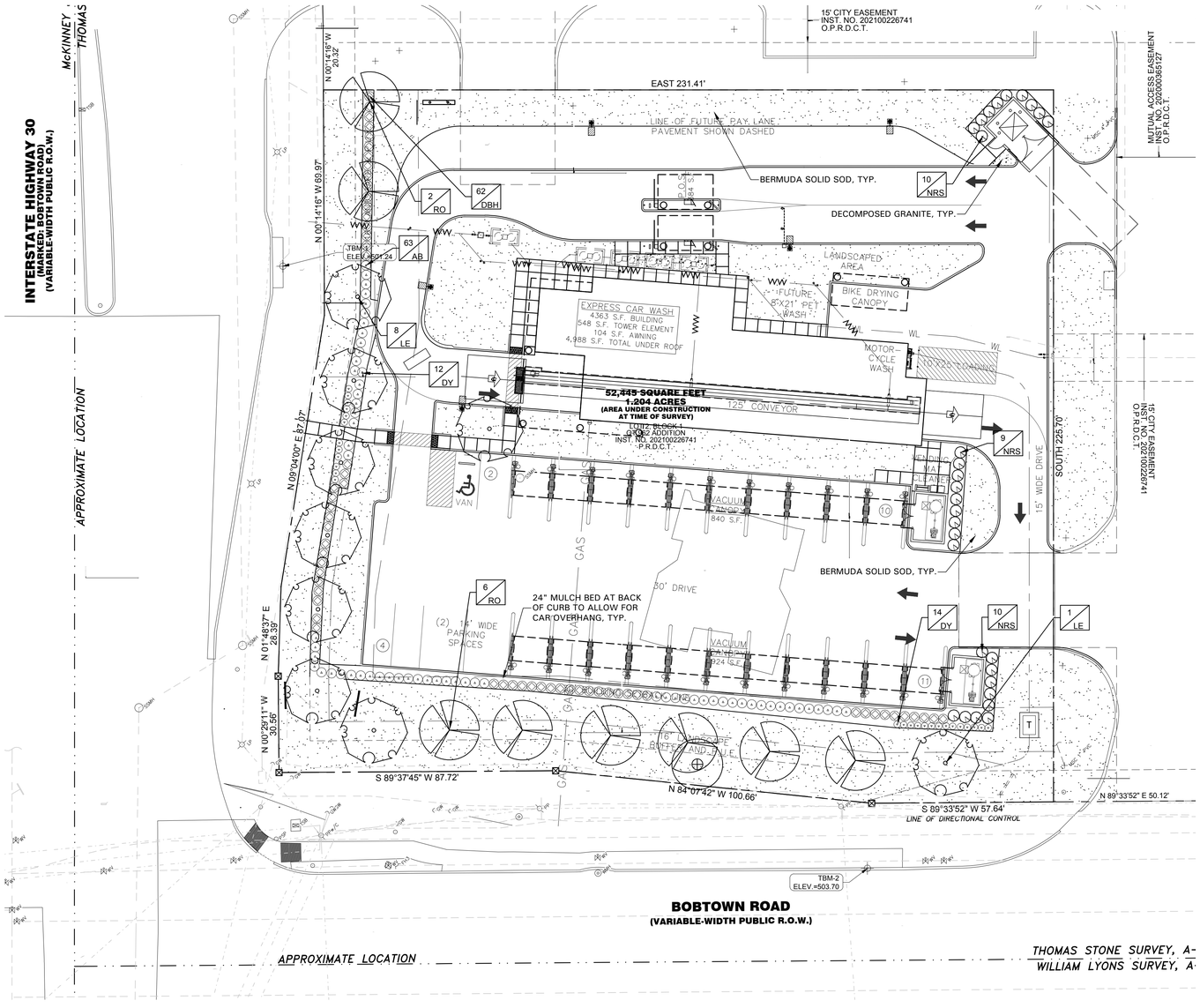
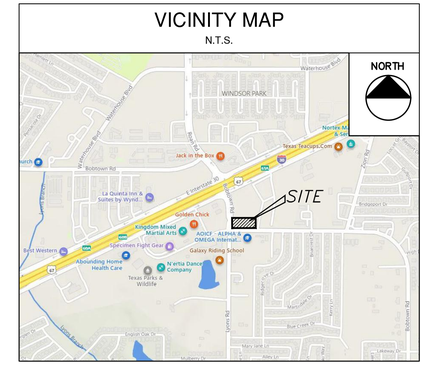


EXHIBIT D



GENERAL LAWN NOTES

1. CONTRACTOR SHALL COORDINATE OPERATIONS AND AVAILABILITY OF EXISTING TOPSOIL WITH ON-SITE CONSTRUCTION MANAGER.
2. LAWN AREAS SHALL BE LEFT 1" BELOW FINAL FINISHED GRADE PRIOR TO TOPSOIL INSTALLATION.
3. CONTRACTOR TO FIND GRADE AREAS TO ACHIEVE FINAL CONTOURS AS SHOWN ON CIVIL DRAWINGS. POSITIVE DRAINAGE SHALL BE PROVIDED AWAY FROM ALL BUILDINGS. ROUNDING AT TOP AND BOTTOM OF SLOPES SHALL BE PROVIDED AND IN OTHER BREAKS IN GRADE. CORRECT AREAS WHERE STANDING WATER MAY OCCUR.
4. ALL LAWN AREAS SHALL BE FINE GRADED, IRRIGATION TRENCHES COMPLETELY SETTLED AND FINISH GRADE APPROVED BY THE OWNER'S CONSTRUCTION MANAGER OR LANDSCAPE ARCHITECT PRIOR TO LAWN INSTALLATION.
5. CONTRACTOR SHALL REMOVE ALL ROCKS 3/4" IN DIAMETER AND LARGER. REMOVE ALL DIRT CLODS, STICKS, CONCRETE SPOILS, TRASH ETC PRIOR TO PLACING TOPSOIL AND GRASS INSTALLATION.
6. CONTRACTOR SHALL MAINTAIN ALL LAWN AREAS UNTIL FINAL ACCEPTANCE.
7. CONTRACTOR SHALL GUARANTEE ESTABLISHMENT OF ACCEPTABLE TURF AREA AND SHALL PROVIDE REPLACEMENT IF NECESSARY.

SOLID SOD:

1. SOLID SOD SHALL BE PLACED ALONG ALL IMPERVIOUS EDGES, AT A MINIMUM. THIS SHALL INCLUDE CURBS, WALKS, INLETS, MANHOLES AND PLANTING BED AREAS. SOD SHALL COVER OTHER AREAS COMPLETELY AS INDICATED BY PLAN.
2. SOD SHALL BE STRONGLY ROOTED DROUGHT RESISTANT SOD, NOT LESS THAN 2 YEARS OLD, FREE OF WEEDS AND UNDESIRABLE NATIVE GRASS AND MACHINE CUT TO PAD THICKNESS OF 3/4" (+1/4"), EXCLUDING TOP GROWTH AND THATCH.
3. LAY SOD BY HAND TO COVER INDICATED AREAS COMPLETELY, ENSURING EDGES ARE TOUCHING WITH TIGHTLY FITTING JOINTS, NO OVERLAPS WITH STAGGERED STRIPS TO OFFSET JOINTS.
4. TOP DRESS JOINTS IN SOD BY HAND WITH TOPSOIL TO FILL VOIDS IF NECESSARY
5. SOD SHALL BE ROLLED TO CREATE A SMOOTH EVEN SURFACE. SOD SHOULD BE WATERED THOROUGHLY DURING INSTALLATION PROCESS.
6. SHOULD INSTALLATION OCCUR BETWEEN OCTOBER 1ST AND MARCH 1ST, OVERSEED BERMUDAGRASS SOD WITH WINTER RYEGRASS AT A RATE OF 4 POUNDS PER 1000 S.F.

HYDROMULCH:

1. SCARIFY AND LOOSEN ALL AREAS TO BE HYDROMULCHED TO A MINIMUM DEPTH OF 4" PRIOR TO TOPSOIL AND HYDROMULCH INSTALLATION.
2. BERMUDA GRASS SEED SHALL BE EXTRA HULLED, TREATED LAWN TYPE. SEED SHALL BE DELIVERED TO THE SITE IN ITS ORIGINAL UNOPENED CONTAINER AND SHALL MEET ALL STATE/LOCAL LAW REQUIREMENTS.
3. FIBER SHALL BE 100% WOOD CELLULOSE FIVER, DELIVERED TO THE SITE IN ITS ORIGINAL UNOPENED CONTAINER AS MANUFACTURED BY "CONWEB" OR EQUAL.
4. FIBER TACK SHALL BE DELIVERED TO THE SITE IN ITS UNOPENED CONTAINER AND SHALL BE 'TERRO-TACK ONE', AS MANUFACTURED BY GROWERS, INC OR APPROVED EQUAL.
5. HYDROMULCH WITH BERMUDA GRASS SEET AT A RATE OF 2 POUNDS PER 1000 S.F.
6. USE A BATTER BOARD AGAINST ALL BED AREAS TO PREVENT OVER SPRAY.
7. IF INADEQUATE MOISTURE IS PRESENT IN SOIL, APPLY WATER AS NECESSARY FOR OPTIMUM MOISTURE FOR SEED APPLICATION.
8. IF INSTALLATION OCCURS BETWEEN SEPTEMBER 1ST AND MAY 1ST, ALL HYDORMULCH AREAS SHALL BE OVER-SEEDED WITH WINTER RYE GRASS AT A RATE OF FOUR POUNDS PER ONE THOUSAND SQUARE FEET. CONTRACTOR SHALL BE REQUIRED TO RE-HYDROMULCH WITH BERMUDA GRASS THE FOLLOWING GROWING SEASON AS PART OF THIS CONTRACT.
9. AFTER APPLICATION, NO EQUIPMENT SHALL OPERATE OVER APPLIED AREAS. WATER SEEDED AREAS IMMEDIATELY AFTER INSTALLATION TO SATURATION.
10. ALL LAWN AREAS TO BE HYDROMULCHED SHALL ACHIEVE 100% COVERAGE PRIOR TO FINAL ACCEPTANCE.

LANDSCAPE NOTES

1. CONTRACTOR TO VERIFY AND LOCATE ALL PROPOSED AND EXISTING ELEMENTS. NOTIFY LANDSCAPE ARCHITECT OR DESIGNATED REPRESENTATIVE FOR ANY LAYOUT DISCREPANCIES OR ANY CONDITION THAT WOULD PROHIBIT THE INSTALLATION AS SHOWN. SURVEY DATA OF EXISTING CONDITIONS WAS SUPPLIED BY OTHERS
2. CONTRACTOR SHALL CALL 811 TO VERIFY AND LOCATE ANY AND ALL UTILITIES ON SITE PRIOR TO COMMENCING WORK. LANDSCAPE ARCHITECT SHOULD BE NOTIFIED OF ANY CONFLICTS. CONTRACTOR TO EXERCISE EXTREME CAUTION WHEN WORKING NEAR UNDERGROUND UTILITIES.
3. A MINIMUM OF 2% SLOPE SHALL BE PROVIDED AWAY FROM ALL STRUCTURES.
4. CONTRACTOR SHALL FINE GRADE AREAS TO ACHIEVE FINAL CONTOURS AS INDICATED. LEAVE AREAS TO RECEIVE TOPSOIL 3" BELOW FINAL FINISHED GRADE IN PLANTING AREAS AND 1" BELOW FINAL FINISHED GRADE IN LAWN AREAS.
5. LANDSCAPE ISLANDS SHALL BE CROWNED, AND UNIFORM THROUGHOUT THE SITE.
6. PLANTING AREAS AND SOD TO BE SEPARATED BY STEEL EDGING. NO STEEL EDGING SHALL BE INSTALLED ADJACENT TO BUILDINGS, WALKS OR CURBS. EDGING NOT TO BE MORE THAN 1/2" ABOVE FINISHED GRADE.
7. EDGING SHALL BE CUT AT 45 DEGREE ANGLE WHERE IT INTERSECTS WALKS AND/OR CURBS.
8. MULCH SHALL BE INSTALLED AT 1/2" BELOW THE TOPS OF SIDEWALKS AND CURBING.
9. QUANTITIES ON THESE PLANS ARE FOR REFERENCE ONLY. THE SPACING OF PLANTS SHOULD BE AS INDICATED ON PLANS OR OTHERWISE NOTED. ALL TREES AND SHRUBS SHALL BE PLANTED PER DETAILS.
10. CONTAINER GROWN PLANT MATERIAL IS PREFERRED HOWEVER BALL AND BURLAP PLANT MATERIAL CAN BE SUBSTITUTED IF NEED BE AND IS APPROPRIATE TO THE SIZE AND QUALITY INDICATED ON THE PLANT MATERIAL LIST.
11. TREES SHALL BE PLANTED AT A MINIMUM OF 5' FROM ANY UTILITY LINE, SIDEWALK OR CURB. TREES SHALL ALSO BE 10' CLEAR FROM FIRE HYDRANTS.
12. 4" OF SHREDDED HARDWOOD MULCH (2" SETTLED THICKNESS) SHALL BE PLACED OVER WEED BARRIER FABRIC. MULCH SHALL BE SHREDDED HARDWOOD MULCH OR APPROVED EQUAL, PINE STRAW MULCH IS PROHIBITED.
13. WEED BARRIER FABRIC SHALL BE USED IN PLANT BEDS AND AROUND ALL TREES AND SHALL BE MIRAFI 1405 WEED BARRIER OR APPROVED EQUAL.
14. CONTRACTOR TO PROVIDE UNIT PRICING OF LANDSCAPE MATERIALS AND BE RESPONSIBLE FOR OBTAINING ALL LANDSCAPE AND IRRIGATION PERMITS.

IRRIGATION:

1. ALL REQUIRED LANDSCAPE AREAS SHALL HAVE AN AUTOMATIC IRRIGATION SYSTEM WITH A FREEZE/RAIN SENSOR. SYSTEM SHALL ALSO HAVE AN ET WEATHER BASED CONTROLLER AND BE DESIGNED AND INSTALLED BY A LICENSED IRRIGATOR.

MAINTENANCE REQUIREMENTS:

1. VEGETATION SHOULD BE INSPECTED REGULARLY TO ENSURE THAT PLANT MATERIAL IS ESTABLISHING PROPERLY AND REMAINS IN A HEALTHY GROWING CONDITION APPROPRIATE FOR THE SEASON. IF DAMAGED OR REMOVED, PLANTS MUST BE REPLACED BY A SIMILAR VARIETY AND SIZE.
2. MOWING, TRIMMING, EDGING AND SUPERVISION OF WATER APPLICATIONS SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR UNTIL THE OWNER OR OWNER'S REPRESENTATIVE ACCEPTS AND ASSUMES REGULAR MAINTENANCE.
3. ALL LANDSCAPE AREAS SHOULD BE CLEANED AND KEPT FREE OF TRASH, DEBRIS, WEEDS AND OTHER MATERIAL.

MISCELLANEOUS MATERIALS:

1. STEEL EDGING SHALL BE 3/16" X 4 X 16' DARK GREEN DURAEDGE STEEL LANDSCAPE EDGING UNLESS NOTED OTHERWISE ON PLANS/DETAILS.
2. DECOMPOSED GRANITE SHALL CONSIST OF A NATURAL MIX OF GRANITE AGGREGATE NOT TO EXCEED 1/8" IN DIAMETER AND COMPOSED OF VARIOUS STAGES OF DECOMPOSED EARTH BASE. DG SHALL BE PLACED OVER FILTER FABRIC AT A MINIMUM OF 3" DEPTH.

NO LANDSCAPING SUCH AS TREES, HEDGES, ABOVE AND UNDERGROUND STRUCTURES SHALL BE LOCATED WITHIN EXISTING OR PROPOSED UTILITY EASEMENTS AND RIGHT OF WAY WITHOUT APPROVED CITY'S REAL PROPERTY IMPROVEMENT AUTHORIZATION FORM OR CITY'S LICENSE AGREEMENT. PUBLIC RIGHT OF WAY, EASEMENTS AND COMMON AREAS MUST BE STABILIZED WITH PERENNIAL VEGETATION COVER, FULLY ESTABLISHED WITH 100% COVERAGE, OR OTHER APPROVED STABILIZATION METHOD.

PLANT SCHEDULE

QTY	LABEL	COMMON NAME	SCIENTIFIC NAME	SIZE	NOTES
		SHADE TREES			
9	LE	'Bosque' Lacebark Elm	*Ulmus parvifolia 'UPMTF'*	3" cal.	12' ht., 4' spread, matching
8	RO	Texas Red Oak	*Quercus texana*	3" cal.	12' ht., 4' spread, matching
		SHRUBS			
63	AB	Abelia 'Twist of Lime'	*Abelia x grandiflora 'Hopley's'*	5 gal.	full, 24" spread, 36" o.c.
62	DBH	Dwarf Burford Holly	*Ilex comuta ' Burford Nana'*	5 gal.	full, 20" spread, 36" o.c.
26	DY	Dwarf Yaupon Holly	*Ilex vomitoria 'Condeaux'*	5 gal.	full, 24" sprd, 24" o.c.
29	NRS	Nellie R Stevens Holly	*Illex x 'Nellie R. Stevens'*	7 gal.	full, 40" o.c.
		GROUNDCOVER/VINES/GRASS			
		Bermuda Solid Sod	*Cynodon dactylon*		
		Decomposed Granite			

Plant list is an aid to bidders only. Contractor shall verify all quantities on plan. All heights and spreads are minimums. Trees shall have a strong central leader and be of matching specimens. All plant material shall meet or exceed remarks as indicated.

LANDSCAPE TABULATIONS for Garland, Texas

SITE AREA	52,443 s.f.
SCREENING	
1. A minimum of 10% of the lot shall be landscaped.	
2. A minimum 10' wide landscape buffer shall be provided adjacent to all street rights-of-way and shall be maintained as permanent green space.	
3. For every 30 l.f. one large canopy tree is required.	
4. A maximum of 75% of the landscape buffer shall be grass	
REQUIRED	PROVIDED
5244 s.f. (10%)	19991 s.f. (38%)
10' buffer	10' buffer
Bobtown = 245 l.f.	
9 trees, 3" cal.	1 existing tree; 8 proposed trees, 3" cal.
81 shrubs	81 shrubs
I-30 = 216 l.f.	
8 trees, 3" cal.	8 trees, 3" cal.
72 shrubs	73 shrubs
PARKING AREA	
1. A minimum of 5% of the total parking area shall be landscaped.	
2. One large tree shall be provided for each 10 parking spaces. No parking space shall be further than 65 from a tree.	
3. Parking areas shall be screened from public streets.	
Parking Spaces = 7 (standard spaces)	
REQUIRED	PROVIDED
133 s.f. (5%)	211 s.f.
1 trees, 3" cal.	1 trees, 3" cal.
screening	screening

GRAPHIC SCALE

0 20 40 FEET

Scale 1"=20' - 0"

CASE #220407-2

PROPERTY ADDRESS: 4054 BOBTOWN ROAD
CURRENT ZONING: PD 19-22
PROPOSED ZONING: CR-SUP/CARWASH
APPLICANT: KEN ECKENROTH
PAPPY'S EXPRESS CAR WASH
901 S. ERBY CAMPBELL BLVD.
ROYSE CITY, TX 75189
214-697-1130

OWNER: BILL FOOSE
I-30 BOBTOWN, LLC
5622 DYER ST #200
DALLAS, TEXAS 75206
214-336-9303

AWR Designs, LLC
P.O. Box 1746
Alvin, Texas 77511-6008
amanda@awr-designs.com
c. 512.517.5589

PAPPY'S EXPRESS CAR WASH

4054 BOBTOWN ROAD
GARLAND, TEXAS

REGISTERED LANDSCAPE ARCHITECT
AMANDA W. RICHARDSON
2754
STATE OF TEXAS

Project Number: 22099

Drawn By: AWR
Checked By: AWR

Issue Date: 7-17-23

Revisions

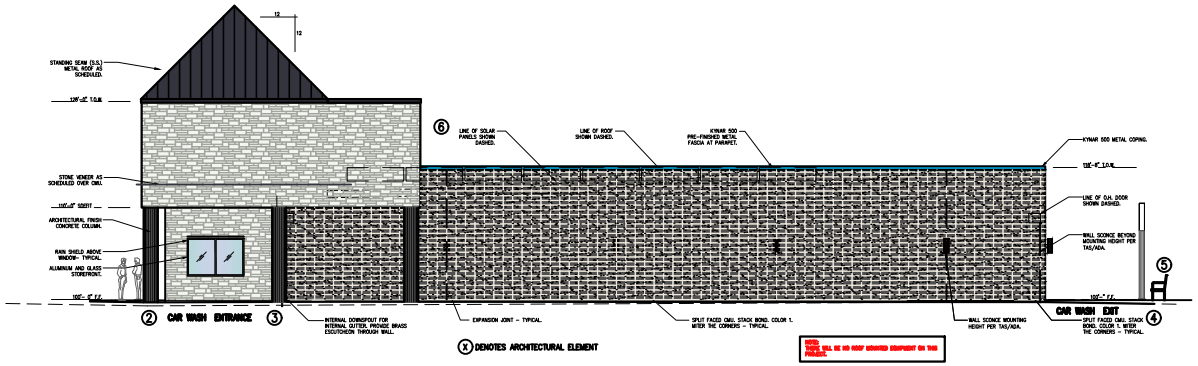
Sheet Title:

LANDSCAPE PLAN

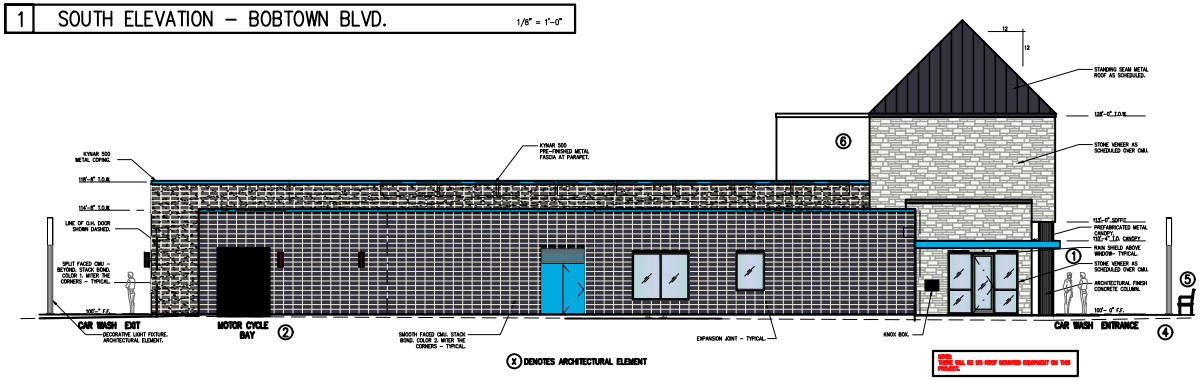
Sheet Number:

L1.02

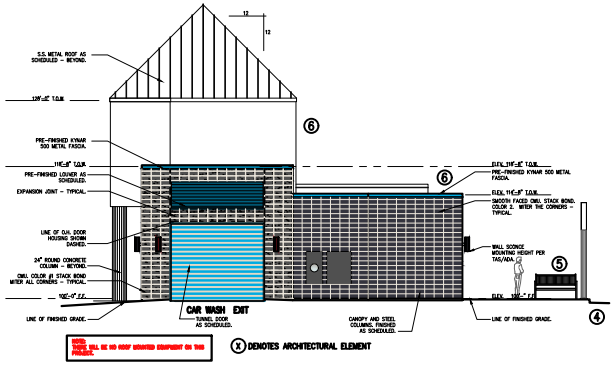
EXHIBIT E



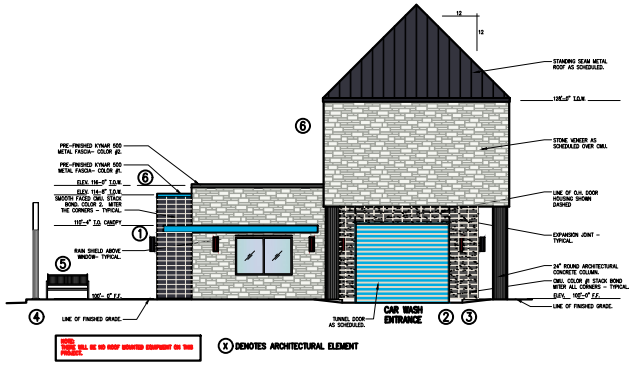
1 SOUTH ELEVATION – BOBTOWN BLVD. 1/8" = 1'-0"



2 NORTH ELEVATION 1/8" = 1'-0"



3 EAST ELEVATION – PRIVATE ROAD 1/8" = 1'-0"



4 WEST ELEVATION – SERVICE ROAD 1/8" = 1'-0"

ARCHITECTURAL ELEMENTS:

1) AWNINGS OR CANOPIES
2) ALCOVES/ PORTICOS
3) RECESSED ENTRY
4) DISTINCTIVE LIGHTING FEATURES
5) BENCHES FOR OUTDOOR SEATING
6) VARIED ROOF HEIGHTS

EURYTHMIC DESIGN GROUP ARCHITECTS

PAPPY'S EXPRESS CARWASH-GARLAND
4054 BOBTOWN ROAD
LOT 2 BLOCK 1 QT 952 ADDITION
CASE NO. 220407-2/ FILE NO. Z23-27/ZONING PD-23-27

OWNER INFORMATION:
PAPPY'S MC LLC
910 S. ERBY CAMPBELL BLVD. ROYSE CITY TX 75189

APPLICANT INFORMATION:
VINCENT JARRARD
6825 GREENWICH LANE
DALLAS, TEXAS 75230
214.361.1943 vjarrard@gmail.com

1	07.17.2023 FACADE PLAN
2	08.02.2023 FACADE PLAN

REGISTERED ARCHITECT VINCENT G. JARRARD 17371 STATE OF TEXAS

DEVELOPER
PAPPY'S MC, LLC
2910 S. ERBY CAMPBELL BLVD.
ROYCE CITY, TEXAS 75189
CONTACT: KEN ECKENROTH

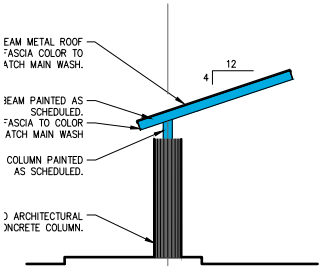
NEW EXPRESS CARWASH
PAPPY'S EXPRESS CARWASH GARLAND
4054 BOBTOWN ROAD
GARLAND, DALLAS COUNTY TEXAS 75043

○ EURYTHMIC DESIGN GROUP ○ ARCHITECTS ○
V. G. JARRARD A.I.A.
6825 GREENWICH LANE DALLAS, TX 75230
tel/text 214.361.1934 email vincent@edg-architects.com
○ ARCHITECTURE ○ ART ○ INTERIOR ARCHITECTURE ○ FURNITURE DESIGN ○

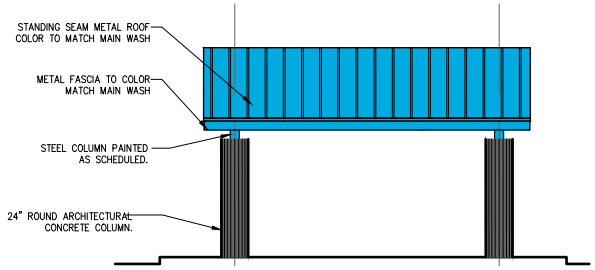
SHEET:
FA-4
4 OF (6)FA SHEETS

FOR THIS DOCUMENTS TO BE PROPERLY READ ALL SHEETS MUST BE PRINTED 24"X36" AND IN COLOR NOT BLACK AND WHITE

The Texas Board of Architectural Examiners, PO Box 12337 Austin, Texas has jurisdiction over complaints regarding the profession of persons registered as architects in Texas under the architects registration law, Article 249a, V.C.S. Phone: 512.305.9000
A drawing and all the intellectual property rights in it are the property of the architect and must not be copied or used for any purpose other than that for which it was created without the architect's written permission.



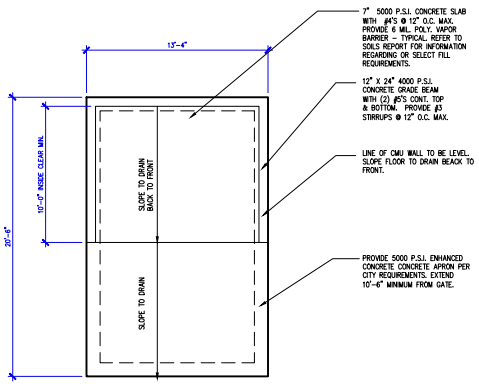
BIKE DRYING CANOPY



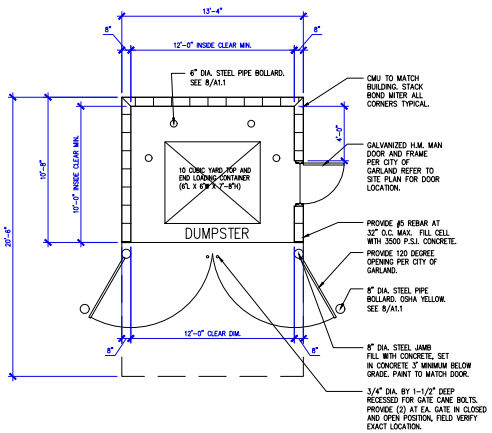
BIKE DRYING CANOPY
NORTH ELEVATION

1 BIKE DRYING CANOPY WEST ELEVATION 1/4" = 1'-0"

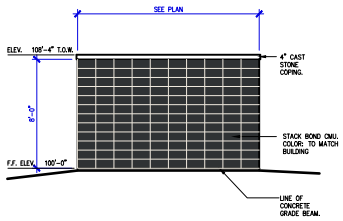
2 BIKE DRYING CANOPY NORTH ELEVATION 1/4" = 1'-0"



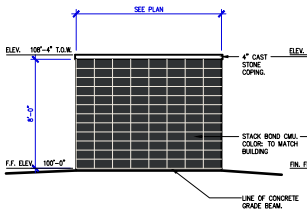
DUMPSTER FOUNDATION PLAN



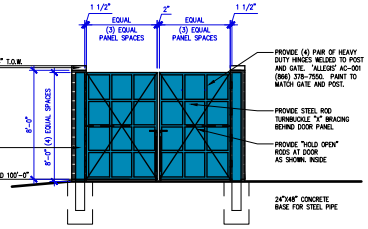
DUMPSTER FLOOR PLAN



DUMPSTER ELEVATION - REAR



DUMPSTER ELEVATION - SIDE



DUMPSTER GATE ELEVATION

3 DUMPSTER ENCLOSURE PLAN & ELEVATIONS 1/4" = 1'-0"

EURYTHMIC
DESIGN GROUP
ARCHITECTS

PAPPY'S EXPRESS CARWASH-GARLAND
4054 BOBTOWN ROAD
LOT 2 BLOCK 1 OT 952 ADDITION
CASE NO. 220407-2/ FILE NO. Z23-27/ZONING PD-23-27

OWNER INFORMATION:
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214.361.1943 vjarrard@gmail.com

FOR THIS DOCUMENTS TO BE PROPERLY READ ALL SHEETS MUST BE PRINTED 24"X36" AND IN COLOR NOT BLACK AND WHITE

1	07.17.2023	FACADE PLAN
2	08.02.2023	FACADE PLAN REV #1
3	08.30.2023	FACADE PLAN REV #2

REGISTERED ARCHITECT VINCENT G. JARRARD 17671 STATE OF TEXAS

DEVELOPER
PAPPY'S MC, LLC
2910 S. ERBY CAMPBELL BLVD.
ROYCE CITY, TEXAS 75189
CONTACT: KEN ECKENROTH

NEW EXPRESS CARWASH
PAPPY'S EXPRESS CARWASH GARLAND
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GARLAND, DALLAS COUNTY TEXAS 75043

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tel/fax 214.361.1934 email vincent@edg-architects.com
○ ARCHITECTURE ○ ART ○ INTERIOR ARCHITECTURE ○ FURNITURE DESIGN ○

SHEET:
FA-6
6 OF (6)FA SHEETS

EXHIBIT E

GARLAND

CITY COUNCIL ITEM SUMMARY SHEET

City Council Regular Session Agenda **3. c.**

Meeting Date: 11/07/2023

Item Title: Z 23-30 Momentum Tattoo LLC (District 2)

Submitted By: Will Guerin, Planning Director

Summary of Request/Problem

Zoning Ordinance Z 23-30 Momentum Tattoo LLC

Recommendation/Action Requested and Justification

Consider adoption of the attached ordinance.

Attachments

Z 23-30 Ordinance

Z 23-30 Exhibit A

Z 23-30 Exhibit B

Z 23-30 Exhibit C

ZONING FILE NO. Z 23-30

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE GARLAND DEVELOPMENT CODE OF THE CITY OF GARLAND, TEXAS, BY APPROVING A SPECIFIC USE PROVISION FOR A TATTOOING/BODY PIERCING ESTABLISHMENT USE ON A PROPERTY ZONED DOWNTOWN (DT) DISTRICT & DOWNTOWN SQUARE (DS) SUB-DISTRICT LOCATED AT 532 MAIN STREET, SUITE B; 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; PROVIDING A SAVINGS CLAUSE AND A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, at its regular meeting held on the 25th day of September 2023, the Plan Commission did consider and make recommendations on a certain request for a Specific Use Provision for a Tattooing/Body Piercing Establishment by **Momentum Tattoo LLC**; and

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

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

Section 1

The Garland Development Code is hereby amended by approving a Specific Use Provision for a Tattooing/Body Piercing Establishment and being more particularly described in Exhibit A, attached hereto and made a part hereof.

Section 2

Development shall be in conformance with the conditions, restrictions, and regulations set forth in the Garland Development Code.

Section 3

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

Section 4

NOTICE OF CONDITIONS OF COMPLIANCE: Notwithstanding the provisions of any other ordinance of the City, the full, complete, and continuing compliance with all the conditions, restrictions, and regulations of this Ordinance is a condition to the issuance and continuation of any permit, approval, authorization or consent by the City, including without limitation the issuance or continuation of any certificate of occupancy for any building or structure located on any portion of the property described in Exhibit A. All promises, representations, obligations and undertakings made or assumed by the applicant to the City Council at any public presentation in connection with the granting of this Ordinance are hereby incorporated into and made a part of this Ordinance as if expressly set forth herein at length. No substantial deviation from any material portion of the conditions, restrictions, and regulations contained within this Ordinance are allowed except as may be provided by the City Council after a public hearing.

Section 5

That the Garland Development Code, as amended, shall be and remain in full force and effect save and except as amended by this Ordinance.

Section 6

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

Section 7

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

FILE NO. Z 23-30

PASSED AND APPROVED this_____ day of _____, 2023.

THE CITY OF GARLAND, TEXAS

By:

_____
Mayor

ATTEST:

_____
City Secretary

Published:

EXHIBIT A

LEGAL DESCRIPTION

Zoning File Z 23-30

BEING situated in the Joel Crumpacker Survey, Abstract No. 328, Dallas County, Texas, and being part of Lots 4 and 5, Block 9, of the Original Town of Embree (now Garland), according to the map thereof recorded in Volume 77, Page 441, of the Official Public Records of Dallas County, Texas, and being commonly known as 532 Main Street, and being more particularly described as follows:

BEGINNING at the northeast corner of said Lot 4 in the south right-of-way line of Main Street (60’ R.O.W.);

THENCE SOUTH with the East line of said Lot 4 a distance of 80 feet to point for corner;

THENCE WEST, at 18 feet cross the west line of Lot 4, same being the east line of said Lot 5, and continuing for a total distance of 27 feet to point for corner;

THENCE NORTH parallel to and 9 feet west of said east line of Lot 5 a distance of 80 feet to point for corner in the north line of said Lot 5, same being in said south line of Main Street (60’ R.O.W.);

THENCE EAST with said North line of Lot 5 and south line of Main Street (60’ R.O.W.), passing the northwest corner of

said Lot 4 at 9 feet, and continuing for a total distance of 27 feet to the PLACE OF BEGINNING and containing a calculated area of 2,160 square feet, more or less.

EXHIBIT A

SPECIFIC USE PROVISION CONDITIONS

ZONING FILE Z 23-30

532 Main Street, Suite B

I. **Statement of Purpose:** The purpose of this Specific Use Provision is to allow a Tattooing/Body Piercing Establishment.

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 regulations of the Downtown (DT) District, Downtown Historic Sub-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:**

Site Layout: The site shall be in general conformance with the approved Site Plan, Landscape Plan, and Elevations labeled Exhibit C. In the event of conflict between the conditions and the site plan, the written conditions listed below are to apply.

V. **Abandonment:** In the event the land use for which this Specific Use Provision was granted ("Land Use") is abandoned, the SUP and all rights to the Land Use are automatically terminated, and the premises must be used in conformance with the PD, GDC, federal, and state law.

For the purposes of this Specific Use Provision, Abandonment is any of the following acts:

A. A failure to apply for a site or building permit on the premises, where applicable, within 180 days of the effective date of this SUP;

B. A failure to obtain a certificate of occupancy for the Land use within 730 days of the effective date of this SUP;

C. A failure to commence operating the Land Use on the premises within 90 days of receiving a final certificate of occupancy for the Land Use;

D. Discontinuance of the Land Use for a period of 180 days;

E. Applying for, and receiving, a new Certificate of Occupancy for a use other than the Land Use; or

F. Operating a use on the premises, whether as a primary or secondary use, that is not allowed within the PD District, by the GDC, or by state or federal law.

The termination of utilities on the premises for a period of 180 calendar days is prima facie evidence of abandonment and the owner shall have the burden to prove that the Land Use has not been abandoned.

VI. Specific Regulations:

A. Time Period: The Specific Use Provision shall have a ten (10) year time period.

B. Site Plan: The Tattooing/Body Piercing Establishment shall conform to the site layout as shown in Exhibit C.

C. Signage: All signage shall comply with the standards in the Garland Development Code.

Site Plan
Momentum Tattoo
Case Number 200611-2
532 Main st, Unit A

Building SQFT	2,300
Parking Calculation	1/250gfa= 9.2
Total Building coverage	7,260sqft
Total imprevious Surface	7,260sqft
Legal description	BLK 9 18ft Lot 4 & 5
Zoning	Historical

EXHIBIT C

GARLAND

CITY COUNCIL ITEM SUMMARY SHEET

City Council Regular Session Agenda **4.**

Meeting Date: 11/07/2023

Item Title: School Zone on Miller Road

Submitted By: Paul Luedtke, Transportation Director

Summary of Request/Problem

Several children are walking across Miller Road to reach the GISD Alternative Education Center on the south side of Miller Road. A school zone will provide additional safety for these children.

Recommendation/Action Requested and Justification

Enact the attached ordinance establishing a speed zone on Miller Road between Parkhurst Drive and Country Club Road.

Attachments

Ordinance

Policy Report

ORDINANCE NO._____

AN ORDINANCE AMENDING SECTION 33.28 PARAGRAPHS C OF ARTICLE III "SPEED REGULATIONS", OF CHAPTER 33, "TRANSPORTATION", OF THE CODE OF ORDINANCES OF THE CITY OF GARLAND, TEXAS; AND PROVIDING A PENALTY CLAUSE, A SAVINGS CLAUSE, AND A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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

Section 1

That Section 33.28, Paragraph C, "Prima face maximum speed limit – School zones", of Article III "Speed Regulations", of Chapter 33, "Transportation", of the Code of Ordinances, City of Garland, Texas, is hereby amended by the addition of the following:

Street	Extent
"E. Miller Road	100 feet west of Parkhurst Drive to 100 feet east of Country Club Road"

Section 2

That violation of the provisions of this Ordinance shall constitute a misdemeanor punishable in accordance with Section 10.01 through 10.06 of Chapter 10 of the Code of Ordinances, City of Garland, Texas.

Section 3

That Chapter 33 of the Code of Ordinances, City of Garland, Texas, shall remain in full force and effect, save and except as amended by this Ordinance.

Section 4

That the terms and provisions of this Ordinance are severable and are governed by Section 10.01 through 10.06 of the Code of Ordinances of the City of Garland, Texas.

Section 5

That this Ordinance shall become and be effective on and after the date of adoption and publication in accordance with law.

PASSED AND APPROVED this _____day of _____ _____, 2023.

THE CITY OF GARLAND, TEXAS

By:_____
Mayor

ATTEST:

_____
CITY SECRETARY

GARLAND

POLICY REPORT

City Council Work Session Agenda — Work Session Item 3.b.

Meeting Date: October 9, 2023
Item Title: School Zone on Miller Road
Submitted By: Paul Luedtke, Transportation Director
Strategic Focus Areas: Safe Community

ISSUE

Several children are walking across Miller Road to reach the GISD Alternative Education Center on the south side of Miller Road. A school zone will provide additional safety for these children.

RECOMMENDATION

Establish a school zone on Miller Road between Parkhurst Drive and Country Club. If council concurs an ordinance will be placed on the consent agenda of the October 24 regular meeting.

BACKGROUND

- GISD contacted the Transportation Dept regarding children crossing Miller Road to reach the GISD Alternative Education School at the southwest corner of Miller Road and Country Club Road.
- Transportation Staff observed 11 children crossing Miller Road between Parkhust Drive and Country Club Road.
- Transportation Staff determined that a school zone was justified to increase safety for these school children.
- The school zone will be in effect for the minimal amount of time in order to provide safety for these school children.

CONSIDERATION

- A school zone will increase delay to motorists during school hours

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GARLAND

CITY COUNCIL ITEM SUMMARY SHEET

City Council Regular Session Agenda **5.**

Meeting Date: 11/07/2023

Item Title: 2023 Edward Byrne Memorial Justice Assistance Grant (JAG) and Memorandum of Understanding (MOU)

Submitted By: Jeffrey Bryan, Chief of Police

Summary of Request/Problem

At the November 7, 2023, Work Session, Council was scheduled to consider a request from the Police Department to apply for the FY 2023 Edward Byrne Memorial Justice Assistance Grant (JAG) program for reducing crime and improving public safety and allow the City Manager to execute a Funds Sharing and Fiscal Agency Agreement Memorandum of Understanding with the City of Dallas for the grant.

Recommendation/Action Requested and Justification

Approve a resolution authorizing the Police Department to apply for the FY 2023 Edward Byrne Memorial Justice Assistance Grant (JAG) program and to allow the City Manager to execute a Funds Sharing and Fiscal Agency Agreement Memorandum of Understanding with the City of Dallas for the grant.

Attachments

Edward Byrne Grant

RESOLUTION NO._____

A RESOLUTION AUTHORIZING THE SUBMISSION AND ACCEPTANCE OF AN APPLICATION TO THE BUREAU OF JUSTICE ASSISTANCE FOR A GRANT UNDER THE 2023 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM; AND PROVIDING AN EFFECTIVE DATE.

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

Section 1

That the City of Garland Police Department, by and through Police Chief Jeff Bryan, is hereby authorized to apply to, and subsequently accept a grant from the Bureau of Justice Assistance under the 2023 Edward Byrne Memorial Justice Assistance Grant Program, for an estimated net amount of $37,021.07.

Section 2

That the Garland City Manager is hereby authorized to execute a Funds Sharing and Fiscal Agency Agreement for the 2023 Edward Byrne Memorial Justice Assistance Grant Program ("JAG"), agreeing that the City of Dallas will administer and distribute the JAG funds pursuant to the JAG program and establishing the funding disbursements, reporting procedures, and other requirements for participation in the grant.

Section 3

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

PASSED AND APPROVED this the 7th day of November, 2023.

CITY OF GARLAND, TEXAS

_____
Mayor

ATTEST:

_____
City Secretary

GARLAND
CITY COUNCIL ITEM SUMMARY SHEET

City Council Regular Session Agenda **6.**

Meeting Date: 11/07/2023

Item Title: TxDOT Impaired Driving Mobilization (IDM) Grant 2024

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 $15,000.54 for FY 2024.

The required enforcement periods are scheduled to be conducted on the following dates:
Christmas/New Year's Wave – December 13, 2023, to January 1, 2024;
Spring Break Wave – March 7, 2024, to March 24, 2024;
Independence Day Wave – June 21, 2024, to July 7, 2024; and
Labor Day Wave – August 16, 2024, to September 2, 2024.

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 6, 2023, 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 2024 in the amount of $15,000.54.

Attachments

2024 IDM Agreement
IDM Resolution

Texas Traffic Safety eGrants

Fiscal Year 2024

Organization Name: City of Garland Police Department

Legal Name: City of Garland

Payee Identification Number: 17560005344000

Project Title: STEP - Impaired Driving Mobilization

ID: 2024-GarlandPD-IDM-00025

Period: 12/10/2023 to 09/02/2024

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	Jeff Bryan
Title	Chief Of Police
Address	1891 Forest Lane
City	Garland
State	Texas
Zip Code	75042
Phone Number	972-205-2012
Fax Number	972-485-4801
E-mail address	bryanJ@garlandtx.gov
Project Director	Daniel Wortman

COMPLIANCE REQUIREMENTS

Unique Entity Identifier: All entities wishing to do business with the federal government must have a unique entity identifier (UEI). The UEI is a 12-character, alpha-numeric value. To obtain a UEI number, applicants should go to the SAM.gov website at https://sam.gov/content/entity-registration and provide a screen capture or print-as-pdf version of the SAM.gov webpage with the new UEI number.

Unique Entity Identifier (UEI) :	SFLHMCK5EH49
Please upload a screen capture or print-as-pdf version of the SAM.gov webpage with UEI number	https://www.dot.state.tx.us/apps/egrants/_Upload/1256429_341462-SAMEntityInformation-20230714-092950_2023.pdf

2 C.F.R. Part 200 Compliance

Enter the Begin Date and End Date of your Agency's Fiscal Year 2024

Begin Date : 10/1/2023 End Date : 9/30/2024

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 :
https://www.dot.state.tx.us/apps/egrants/_Upload/1256429_341463-SOPWithCoverLetter2024.pdf

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/finding 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.

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

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.

RISK ASSESSMENT SUBGRANTEE

1. Number of funded projects with TxDOT in the current fiscal year	4
2. Number of funded projects with TxDOT in the previous fiscal year	4
3. Does your agency plan to use funding from outside local, federal or state sources to fund activities in this project. If Yes, which sources? If No, enter None	None
4. When did the agency update its grant operating policies and procedures	July 2020
5. Has your agency ever terminated a grant project prior to the grant year ending?	No
6. Number of personnel to be hired to work on this project	10
7. Will the personnel working on this grant splitting time on multiple projects?	Yes

COUNTY SERVED

Dallas County - Dallas District

POLITICAL DISTRICT SERVED

Select a Political District Served (View a map):

U.S. Congress*	Congressional District 4
	Congressional District 5
	Congressional District 32
Texas Senate*	Texas Senate District 2
	Texas Senate District 16
Texas House*	Texas House of Representatives District 33
	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 10, 2023- December 12, 2023	December 13, 2023 - January 01, 2024
Spring Break Wave	March 04, 2024- March 06, 2024	March 07, 2024 - March 24, 2024
Independence Day Wave	June 18, 2024 - June 20, 2024	June 21, 2024 - July 07, 2024
Labor Day Wave	August 13, 2024 - August 15, 2024	August 16, 2024 - September 02, 2024

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/1256446_343563-HeatMapIDM2024.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 16

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

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

X I agree to the below efforts with a public information and education (PI&E) program for each Enforcement Period.

a. Conduct a minimum of one (1) presentations

b. Conduct a minimum of two (2) media exposures (e.g. news conferences, news releases, and interviews)

c. Conduct a minimum of one (1) community events (e.g. health fairs, booths)

ENFORCEMENT ZONES

Zone Name	Zone 1
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	6 PM to 6 AM during specified Mobilization Periods
Zone Detail Map	https://www.dot.state.tx.us/apps/egrants/_Upload/1256532_341218-Zone_1.docx
Additional Documentation	

ENFORCEMENT ZONES

Zone Name	Zone 2
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)
Zone Hours	6 PM to 6 AM during specified Mobilization Periods
Zone Detail Map	https://www.dot.state.tx.us/apps/egrants/_Upload/1256533_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?	3
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. Richard Maldon
6. Please provide their work email and telephone number.	maldonad@garlan

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?	242035
3. How many sworn officer positions is your agency authorized?	359
4. How many of those positions are currently filled?	329
5. How many total calls for service did your agency log in the past 12 months?	161179
6. How many total crashes did your agency respond to in the past 12 months?	8308

7. How many total vehicle stops did your agency make in the past 12 months?	13341

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

SALARIES AND FRINGE BENEFITS

Law Enforcement Hours: 152

X Overtime X Regular Time

For Sections B (PI&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 %	Total Fringe
A. Enforcement								
Officers/Deputies	140		$77.520	$10,852.80		$10,852.80	13.02%	$1,413.03
Sergeants			$0				%	$0
Lieutenants/Other	12		$94.890	$1,138.68		$1,138.68	13.02%	$148.26
B. PI&E Activities								
PI&E Activities			$0		$0		%	$0
C. Administrative Duties								
Captain (Grant Manager, completing PRs, coordinate enforcement hours, building grant, verify supervisor DARs, Oversight of PI&E objectives/performance measures)		6	$74.210		$445.26	$445.26	13.02%	$57.97
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	$25.520		$153.12	$153.12	19.22%	$29.43
Lieutenants (Coordinate staffing, verify DARs, shift supervision)		4	$63.260		$253.04	$253.04	13.02%	$32.95
			$0				%	$0
			$0				%	$0
			$0				%	$0
Total:				$11,991.48	$851.42	$12,842.90		$1,681.64

Category	TxDOT	%	Match	%	Total
Salaries:	$11,991.48	93.37%	$851.42	6.63%	$12,842.90
Fringe Benefits:	$0	0.00%	$1,681.64	100.00%	$1,681.64

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	1202108	$36,109.00	3	$12,329.88	$15,490.54	34640	$1.15
Vehicle 2	1202117	$36,109.00	3	$12,198.06	$13,185.49	34537	$1.08
Vehicle 3	1202113	$36,109.00	3	$14,177.13	$13,148.17	34387	$1.14
Vehicle 4	1202109	$36,109.00	3	$15,866.63	$15,263.54	33965	$1.27
Vehicle 5	1202107	$36,109.00	3	$13,300.78	$13,795.91	29584	$1.32
				Average Operational Cost of the Vehicle Per Mile			$1.19
					Number of Miles Proposed		
					400	**TOTAL**	$476.00

	Amount	Percentages
TxDOT	$0	0.00%

Match	$476.00	100.00%
Total		$476.00

Budget Summary

Budget Category		TxDOT	Match	Total
Category I - Labor Costs				
(100)	Salaries	$11,991.48	$851.42	$12,842.90
(200)	Fringe Benefits	$0	$1,681.64	$1,681.64
	Category I Sub-Total	$11,991.48	$2,533.06	
Category II - Other Direct Costs				
(300)	Travel	$0	$476.00	$476.00
(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	$476.00	$476.00
Total Direct Costs		$11,991.48	$3,009.06	$15,000.54
Category III - Indirect Costs				
(800)	Indirect Cost Rate	$0	$0	$0
Summary				
	Total Labor Costs	$11,991.48	$2,533.06	$14,524.54
	Total Direct Costs	$0	$476.00	$476.00
	Total Indirect Costs	$0	$0	$0
	Grand Total	$11,991.48	$3,009.06	$15,000.54
	Fund Sources (Percent Share)	79.94%	20.06%	

RESOLUTION NO. _____

A RESOLUTION ACCEPTING A TEXAS DEPARTMENT OF TRANSPORTATION SELECTIVE TRAFFIC ENFORCEMENT PROGRAM IMPAIRED DRIVING MOBILIZATION GRANT IN THE AMOUNT OF $15,000.54; 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 Selective Traffic Enforcement Program Impaired Driving Mobilization Grant in the amount of $15,000.54 for the purpose of enforcing Driving While Intoxicated violations during the following four (4) separate enforcement waves:

(1) Christmas/New Year's Wave – December 13, 2023 to January 1, 2024;
(2) Spring Break Wave – March 7, 2024, to March 24, 2024;
(3) Independence Day Wave – June 21, 2024, to July 7, 2024; and
(4) Labor Day Wave – August 16, 2024, to September 2, 2024.

Section 2

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

PASSED AND APPROVED this the 7th day of November 2023.

CITY OF GARLAND, TEXAS

_____
Mayor

ATTEST:

_____
City Secretary

GARLAND

CITY COUNCIL ITEM SUMMARY SHEET

City Council Regular Session Agenda **7.**

Meeting Date: 11/07/2023

Item Title: 2024 City Council Meeting Dates

Submitted By: Mitch Bates, Deputy City Manager

Summary of Request/Problem

At the October 10, 2022 Work Session, Council considered the meeting dates for the 2023 calendar year.

Recommendation/Action Requested and Justification

Approve a resolution adopting the 2024 City Council Work Session and Regular Session meeting dates.

Attachments

2024 Council Meeting Dates

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARLAND, TEXAS ADOPTING AND APPROVING A SCHEDULE FOR CITY COUNCIL MEETINGS TO BE HELD IN THE CALENDAR YEAR 2024; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, Article III, Section 8 of the City Charter requires the City Council to prescribe by ordinance or resolution the time for its regular meetings; and

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

WHEREAS, because some of the meeting dates as prescribed by Sec. 10.14 for calendar year 2024 are impracticable due to conflicts with holidays, Council scheduling policies, and the like, those meetings must be rescheduled.

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

Section 1

That the City Council hereby approves the schedule of meetings as attached hereto and incorporated herein by reference as Exhibit A, listing dates for work sessions, special sessions for Capital Improvement Plan and Budget meetings, and regular meetings to be held in calendar year 2024.

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, 2023.

CITY OF GARLAND, TEXAS

_____
Mayor

ATTEST:

_____
City Secretary

EXHIBIT A
2024 PROPOSED Council Meeting Dates
WORK AND REGULAR SESSIONS
CIP and BUDGET*

Work Session	Regular Session
1. January 1 – New Year's Eve Holiday	
2. January 6, - Budget Meeting	
3. January 8	January 9
4. January 15 – MLK Holiday	
5. January 22	January 23
6. January 27 – CIP Meeting*	
7. January 30 – CIP Meeting*	
8. February 5	February 6
9. February 19	February 20
10. March 4	March 5
11. March 18	March 19
12. April 1	April 2
13. April 15	April 16
14. May 6	May 7
15. May 20	May 21
16. May 27 – Memorial Holiday	
17. June 3	June 4
18. June 17	June 18
19. June 19 Juneteenth Holiday	
20. June 22 – Budget Retreat*	
21. July 1	July 2
22. July 4th Independence Holiday	
23. July 15	July 16
24. August 5	August 6
25. August 16 – Budget Meeting*	
26. August 19	August 20
27. August 27 – Budget Meeting*	

28. September 2 – Labor Day	
29. September 3	**September 3**
30. September 16	September 17
31. October 1 –National Night Out	
32. October 7	October 8
33. October 21	October 22
34. November 5 National Election Day	**November 5**
35. November 18	November 19
36. November 28-29 Thanksgiving	
37. December 2	December 3
38. December 9	December 10
439. December 25-26 Christmas	

GARLAND
PLANNING REPORT

City Council Regular Session Agenda **8. a.**

Meeting Date: 11/07/2023

Item Title: Z 22-58 Abreham Tessema (District 5)

Submitted By: Matthew Wolverton, Development Planner

REQUEST
Approval of 1) a Specific Use Provision amendment for Truck/Bus Storage on a property zoned Industrial (IN) District with a Specific Use Provision [S 20-28] for Truck/Bus Storage and 2) a Plan for Truck/Bus Storage Use.

LOCATION
2430 Lonnecker Drive

OWNER
Ephirem Mengstab

PLAN COMMISSION RECOMMENDATION
On October 9, 2023 the Plan Commission, by a vote of eight (8) to zero (0), recommended approval of 1) a Specific Use Provision amendment for Truck/Bus Storage on a property zoned Industrial (IN) District with a Specific Use Provision [S 20-28] for Truck/Bus Storage and 2) a Plan for Truck/Bus Storage Use.

STAFF RECOMMENDATION
Approval of 1) a Specific Use Provision amendment for Truck/Bus Storage on a property zoned Industrial (IN) District with a Specific Use Provision [S 20-28] for Truck/Bus Storage and 2) a Plan for Truck/Bus Storage Use.

The Truck/Bus Storage use is currently entitled. The applicant's request for an amended site plan does not carry a significant impact on the subject property and surrounding area, and the additional screening and landscaping will improve the site from its current condition. In addition, the Economic Development Strategic Plan recognizes a need in the Industrial District for truck staging/parking.

However, given the original SUP for 20 years was granted approximately two years ago for fewer parking spaces, consideration may be given to a shorter SUP time period than the newly requested 20-year time period.

BACKGROUND

In 2020, the City Council approved a Specific Use Provision for Truck/Bus Storage [S 20-28]. The request was to allow ten (10) parking spaces for semi-truck trailers. The applicant requests to revise the Specific Use Provision to allow thirty-seven (37) parking spaces for semi-truck trailers.

The Garland Development Code defines Truck/Bus Storage as an area for the temporary parking or long-term storage of operable (that is, no junked, wrecked, or inoperable) trucks, buses, RVs, trailers, boats, and other types of special and heavy load vehicles, owned by others, for a fee.

SITE DATA

The subject property contains approximately 2.609 acres and is accessed from two points along Lonnecker Drive.

USE OF PROPERTY UNDER CURRENT ZONING

The property currently has a Specific Use Provision [S 20-28] for a Truck/Bus Storage use that was approved in 2020. However, the Truck/Bus Storage use has not been fully constructed.

The Industrial (IN) District is intended to provide for a wide range of industrial uses that are generally not compatible adjacent to residential neighborhoods, and may or may not be compatible with some nonresidential uses. Such uses include manufacturing, processing, assembling, research and development, and warehousing and distribution. The Industrial (IN) District also accommodates support services for industrial development such as office, commercial, personal and professional services, and limited retail activities.

CONSIDERATIONS

1. The applicant proposes to construct a truck storage site with 37 truck parking spaces and a 312 square-foot office building, meeting the GDC requirement.

2. The Landscape Plan (Exhibit D) will comply with the applicable screening and landscaping standards per the GDC.

3. The Building Elevations (Exhibit E) will comply with the Building Design standards per the GDC.

4. The applicant requests the Specific Use Provision for a period of twenty (20) years, which aligns with the SUP Time Period Guide. It should be noted that the applicant was granted a 20-year time period in 2021 with the S 20-28 approval.

5. The hours of operation will be 6:00 am to 6:00 pm Monday to Saturday.

6. No deviations to the Garland Development Code (GDC) have been requested by the applicant.

COMPREHENSIVE PLAN

The Future Land Use Map of the Envision Garland Plan recommends Industry Center for the subject property. Industry Centers provide a cluster of trade and industry that cumulatively employ large numbers of people. Operations may include such elements as semi-truck traffic, loading docks, and outdoor storage. Overall, the architecture, character, scale, and intensity should be compatible with adjacent development types. Industry centers range in scale and intensity based on the surrounding vicinity and may consist of one or more buildings. This development type includes a variety of primary and secondary uses that support the industry employment sector.

This proposal offers a supportive use to the industry employment sector.

ECONOMIC DEVELOPMENT STRATEGIC PLAN

The Economic Development Strategic Plan recognizes the need for truck staging / parking in the Industrial District: “Evaluate and move on potential options for truck staging / parking.”

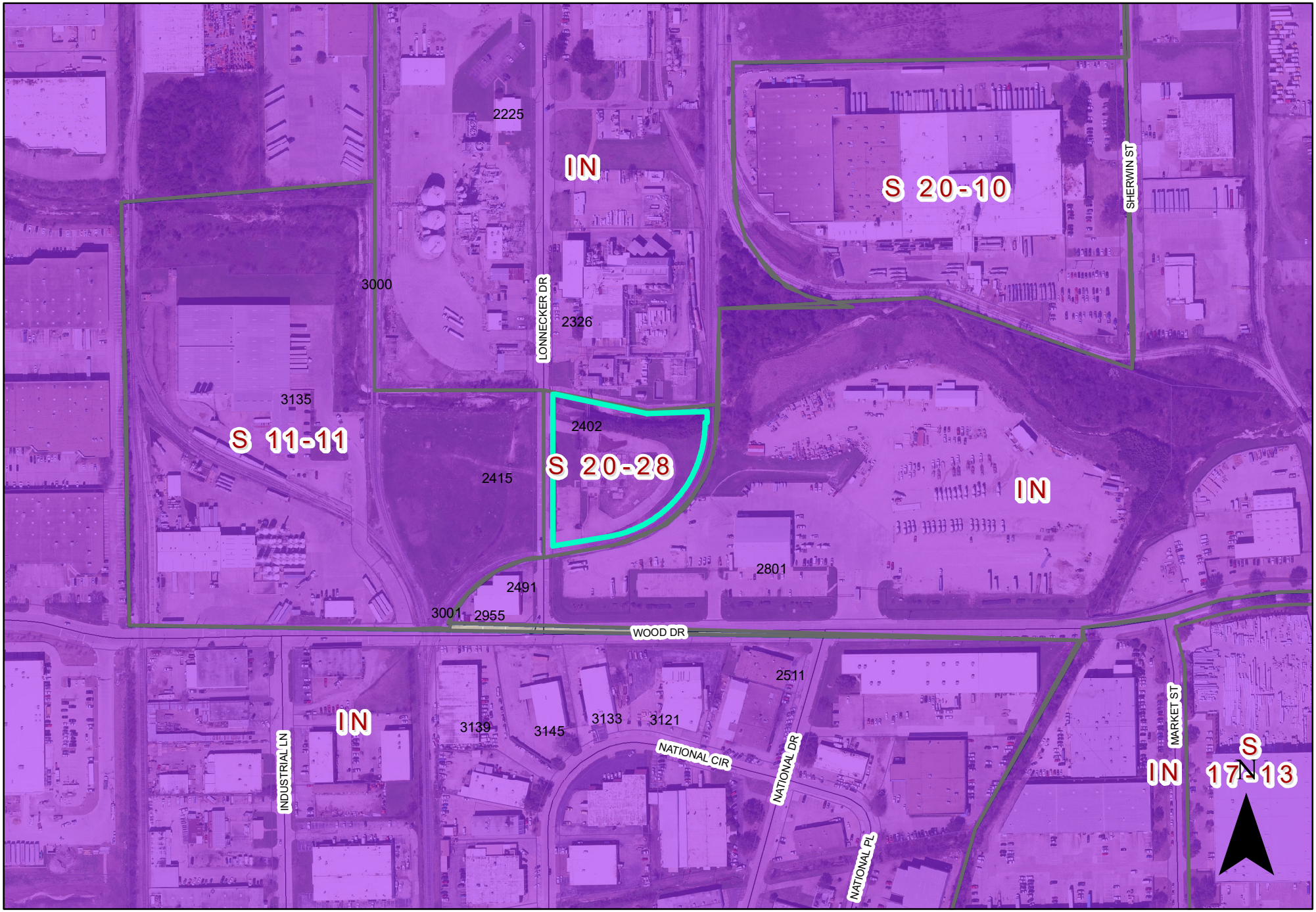
COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

The subject property is located within an area that is primarily zoned Industrial (IN) District and developed with buildings that are currently utilized for manufacturing, light industrial and heavy commercial uses.

The nature of the surrounding area is currently primarily heavy commercial and industrial; therefore, the subject property is suitable for the operation of truck/bus storage.

Attachments

Z 22-58 Location Map
Z 22-58 Specific Use Provisions
Z 22-58 Exhibits
Z 22-58 R&M
Z 22-58 Responses
Z 22-58 Staff Presentation



0 210 420 Feet 1 inch = 324 feet

ZONING MAP Z 22-58

INDICATES AREA OF REQUEST

2430 Lonnecker Dr

SPECIFIC USE PROVISION CONDITIONS

ZONING FILE 22-58

2430 Lonnecker Drive

I. **Statement of Purpose:** The purpose of this Specific Use Provision is to allow a Truck/Bus Storage Use subject to conditions.

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 regulations of the Industrial (IN) 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. **Abandonment:** In the event the land use for which this Specific Use Provision was granted ("Land Use") is abandoned, the SUP and all rights to the Land Use are automatically terminated, and the premises must be used in conformance with the PD, GDC, federal, and state law.

For the purposes of this Specific Use Provision, Abandonment is any of the following acts:

A. A failure to apply for a site or building permit on the premises, where applicable, within 180 days of the effective date of this SUP;

B. A failure to obtain a certificate of occupancy for the Land use within 730 days of the effective date of this SUP;

C. A failure to commence operating the Land Use on the premises within 90 days of receiving a final certificate of occupancy for the Land Use;

D. Discontinuance of the Land Use for a period of 180 days;

E. Applying for, and receiving, a new Certificate of Occupancy for a use other than the Land Use; or

F. Operating a use on the premises, whether as a primary or secondary use, that is not allowed within the PD District, by the GDC, or by state or federal law.

EXHIBIT B

The termination of utilities on the premises for a period of 180 calendar days is prima facie evidence of abandonment and the owner shall have the burden to prove that the Land Use has not been abandoned.

V. General Regulations: All regulations of the Industrial (IN) 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.

VI. Development Plans:

Site Layout: The site shall be in general conformance with the approved development plans labeled Exhibit C to Exhibit F. In the event of conflict between the conditions and the site plan, the written conditions listed below are to apply.

VII. Specific Regulations:

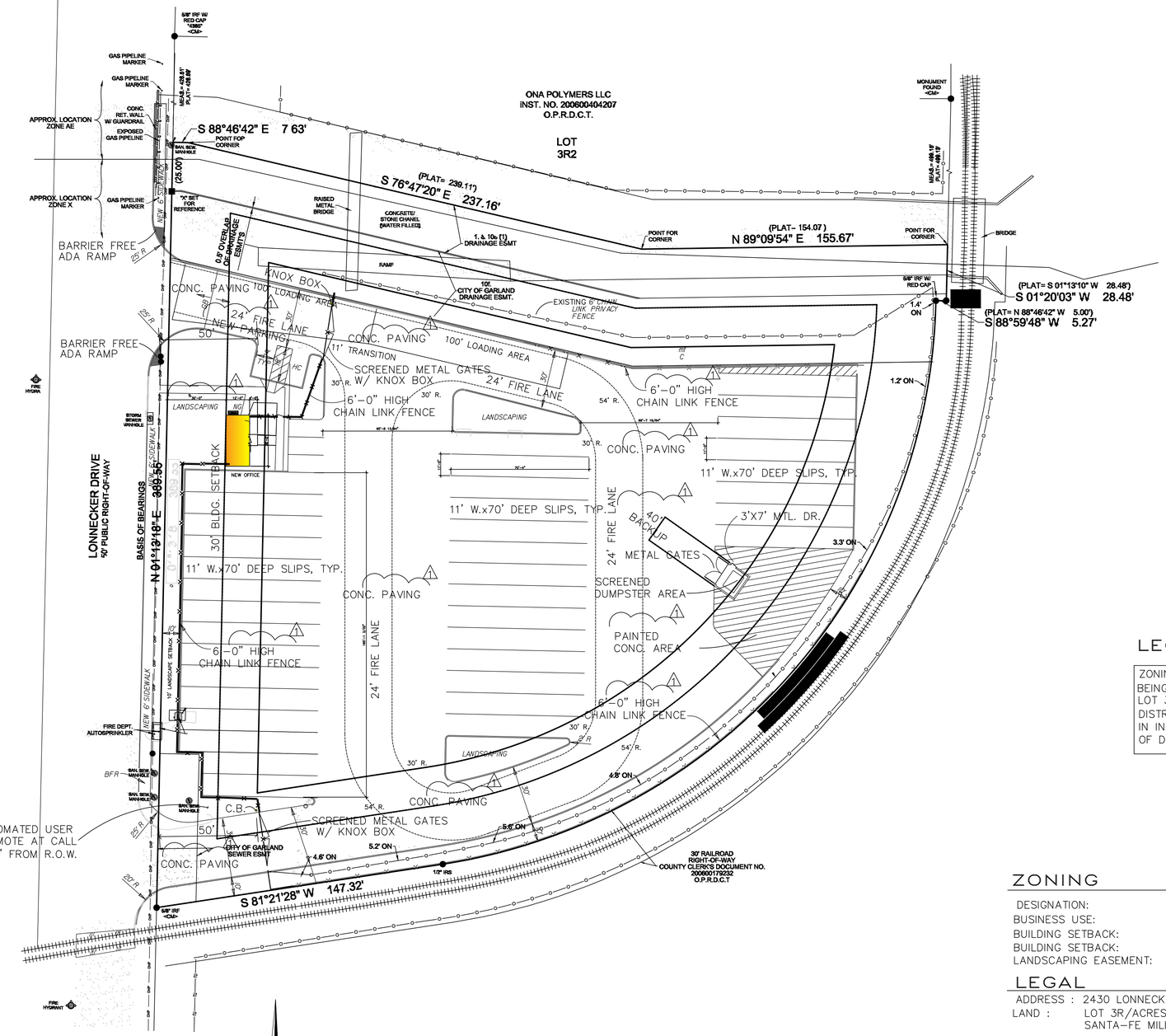
A. Time Period: The Specific Use Provision shall be in effect for period of twenty (20) years.

B. Site Plan: Development shall be in general conformance with the site plan labeled Exhibit C.

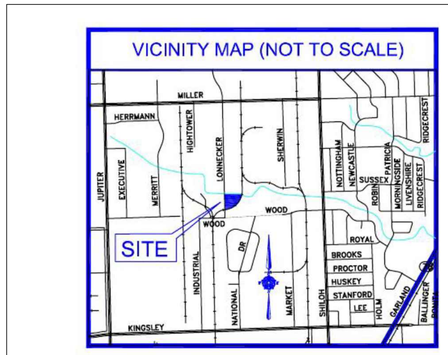
C. Screening and Landscaping: Screening and Landscaping shall conform to the layout reflected in Exhibit D.

D. Building Elevations: Building elevations shall conform to the elevations reflected on Exhibit E.

EXHIBIT C



1 / A1 PROPOSED SITE PLAN
SCALE: 1"=30'-0"



ARCHITECTURAL ELEMENTS PER G.D.C. SEC. 4.83, '6 ELEMENTS' FROM LIST INCLUDES ITEMS AS FOLLOWS:

1. A. AWNING/ CANOPY
   NEW CANOPY TO BE INSTALLED OVER FRONT ENTRY
2. D. TRANSOM WINDOW
   NEW TRANSOM WINDOW TO BE INSTALLED OVER FRONT ENTRY
3. J. DISTINCTIVE LIGHTING FEATURES
   NEW ACCENT LIGHTS TO BE INSTALLED ON NEW PILLARS.
4. L. NEW BENCHES FOR OUTDOOR SEATING
   NEW BENCH AT WEST SIDE
5. N. VARIED ROOF HEIGHTS ACHIEVED W/ NEW RAISED PILLARS AND COPINGS
6. O. ORNAMENTAL FENESTRATION ACHIEVED W/ BANDS, & COPINGS ON RAISED PILLARS.

LEGAL DESCRIPTION

ZONING FILE Z 20-28
BEING AN APPROXIMATE 2.609 ACRES OF LOT 3R1 OF SANTA FE-MILLER ROAD INDUSTRIAL DISTRICT ADDITION REPLAT OF LOT 3 AS RECORDED IN INSTRUMENT NO, 20070294065-PUBLIC RECORDS OF DALLAS COUNTY, TEXAS

ZONING

DESIGNATION:	INDUSTRIAL DISTRICT
BUSINESS USE:	SEMI-TRUCK STORAGE
BUILDING SETBACK:	25' FRONT
BUILDING SETBACK:	0' SIDES & BACK
LANDSCAPING EASEMENT:	10' (LONNEKER DRIVE)

LEGAL

ADDRESS : 2430 LONNECKER DRIVE
LAND : LOT 3R/ACRES = 2.609 ACRES
SANTA-FE MILLER ROAD INDUSTRIAL DISTRICT

PROJECT OWNER

MENGSTAB EPHRAIM
624 PINE VALLEY,
RICHARDSON, TX 75081
469 767-1440

PROPOSED SITE DATA

GROSS LOT AREA = 113.666 S.F.
GROSS FLOOR AREA = N/A
FLOOR/LOT AREA RATIO N/A
IMPERVIOUS AREA = NO CHANGES
LANDSCAPE AREA EXTERIOR: NO CHANGE
LANDSCAPE AREA EXTERIOR: N/A
LANDSCAPE AREA EXTERIOR: NO CHANGE
BUILDING CONSTRUCTION: 1 STORY BRICK

PARKING RATIO

PARKING REQUIRED FOR OFFICE = 1/300 S.F.
PARKING REQUIRED : 312/300 = 4
PARKING PROVIDED = 5
TRUCK PARKING = 37 SLIPS

EBRO CONSULT
DESIGN & CONSTRUCTION
12484 ABREHAM #1924 DALLAS, TEXAS 75243
214 772-5619
214 335-6712
Email: ebrodesign07@yahoo.com

TRUCK CENTER OFFICES

OFFICE BUILDING / TFO Improvements Project

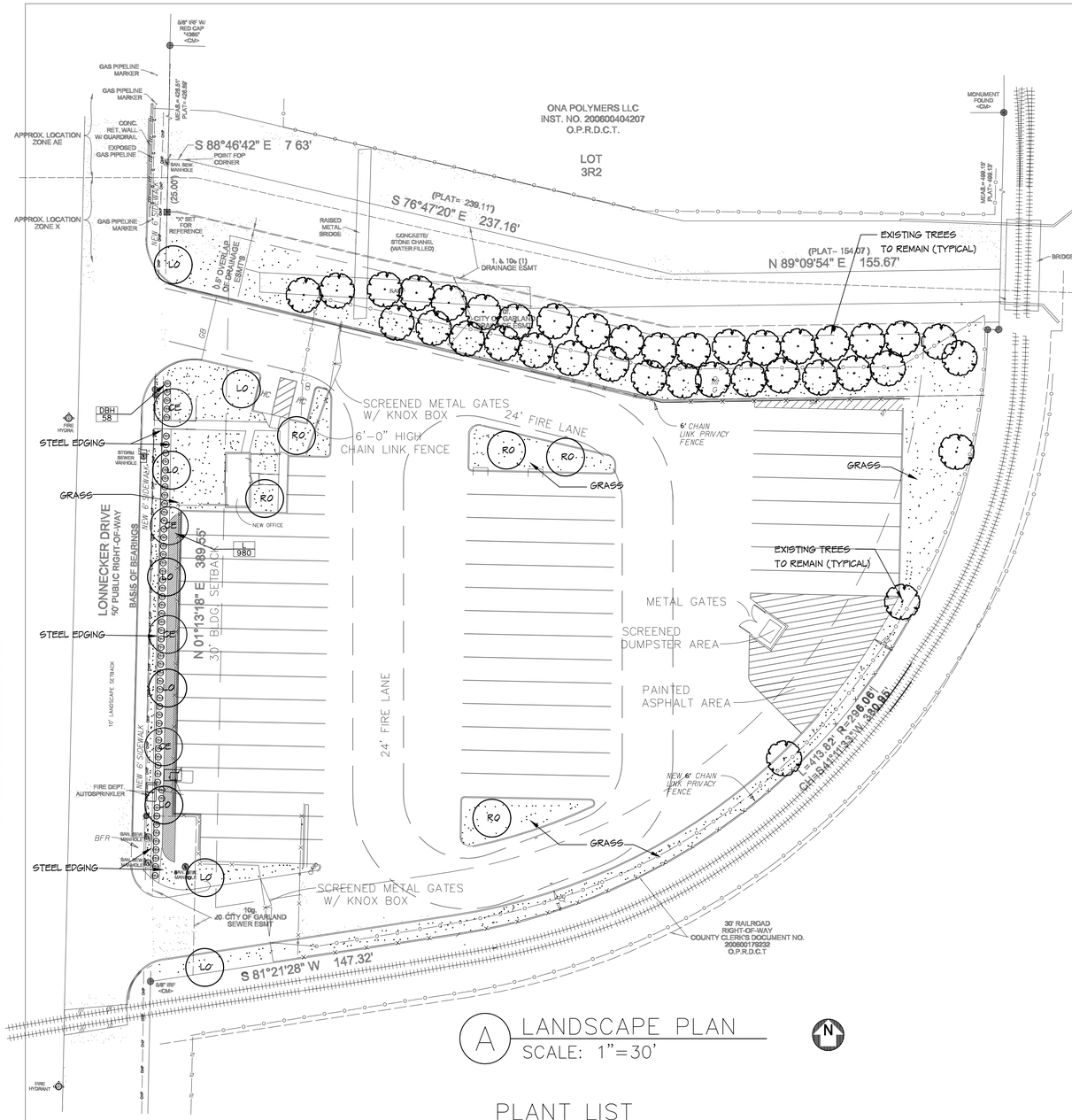
2430 LONNECKER, GARLAND, TEXAS 75041

REVISION

ISSUE FOR REVIEW	03-01-2022
1 REVISED PER CITY COMMENTS	2-28-2023
2 REVISED PER CITY COMMENTS	7-17-2023
3 REVISED PER CITY COMMENTS	8-24-2023

DRAWN BY:	CHECKED BY:
ORIG. DATE:	REV. DATE:
JOB NO.	SHEET NO. SPI
SCALE:	

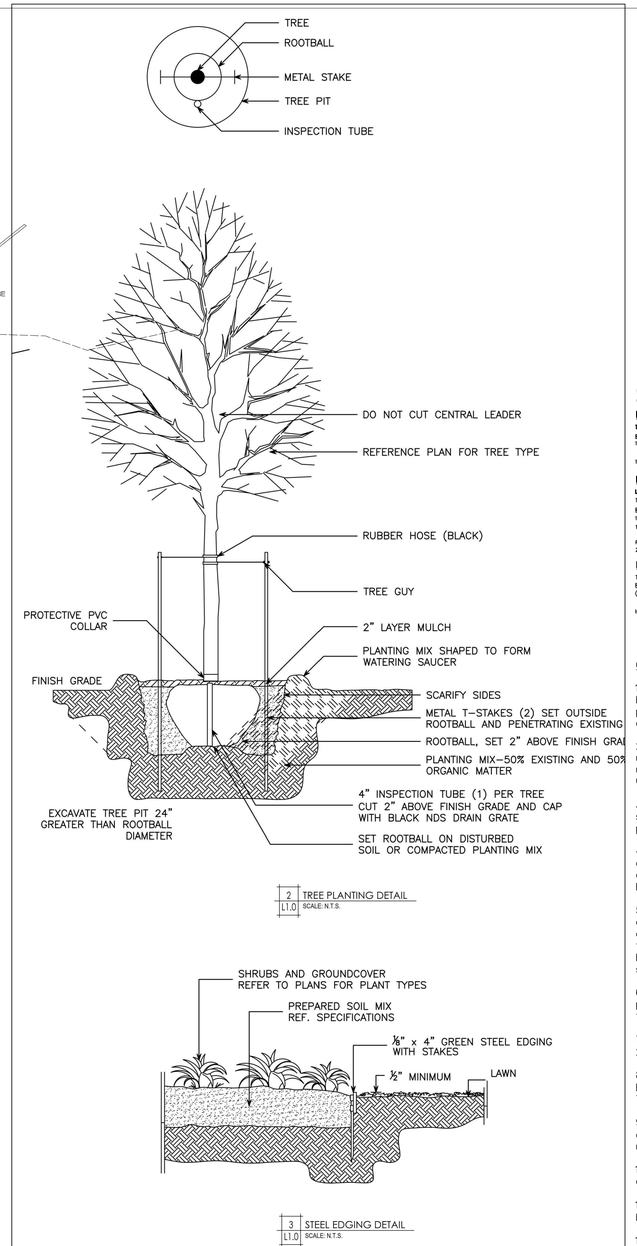
EXHIBIT D



A LANDSCAPE PLAN
SCALE: 1"=30'

PLANT LIST

KEY	QTY.	COMMON NAME	BOTANICAL NAME	SIZE	REMARKS
RO	5	SHUMARD RED OAK	Quercus shumardii	Minimum 3" caliper; minimum 10' ht. and 4' spread.	Nursery-grown B&B, containerized,or container-grown; full head; MATCHED
LO	8	LIVE OAK	Quercus virginiana	Minimum 3" caliper; minimum 10' ht. and 4' spread.	Nursery-grown B&B, containerized,or container-grown; full head; MATCHED
CE	4	CEDAR ELM	Ulmus crassifolia	Minimum 3" caliper; minimum 10' ht. and 4' spread.	Nursery-grown B&B, containerized,or container-grown; full head; MATCHED
DBH	58	DWARF BURFORD HOLLY	Ilex burfordi "nana"	5 gallon (MINIMUM 24" ht. x 20" spread)	Full, plant 36" o.c.
L	980	LIRIOPE	Liriope muscari	4" pot	Plant 12" o.c.

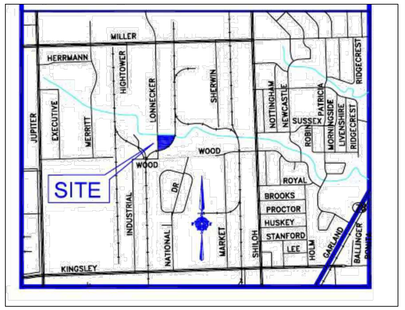


2 | L1.0 TREE PLANTING DETAIL
SCALE: N.T.S.

3 | L1.0 STEEL EDGING DETAIL
SCALE: N.T.S.

GENERAL LANDSCAPE NOTES

1. AN UNDERGROUND AUTOMATIC POP-UP DRIP TYPE IRRIGATION SYSTEM SHALL BE INSTALLED TO WATER ALL LANDSCAPE AREAS, INCLUDING RIGHT-WAY AREAS UNLESS NOTED OTHERWISE. ADJUSTMENTS TO SYSTEM WILL LIMIT OVER SPRAY ONTO ADJACENT ROADWAYS AND CONSERVE WATER TO THE GREATEST EXTENT POSSIBLE. A RAIN SENSING DEVICE AND A FREEZE SENSOR WILL BE PART OF THE SYSTEM.
2. ADDITIONAL PLANT MATERIAL MAY BE INSTALLED ON SITE BY OWNER IN ACCORDANCE WITH THE CITY OF DALLAS LANDSCAPE STANDARDS. MATERIAL SPECIFIED ON THIS PLAN IS TO MEET MINIMUM MULTIFAMILY DISTRICT 2 (MF-2) REQUIREMENTS.
3. ALL PLANT MATERIAL SHALL BE MAINTAINED BY OWNER IN A HEALTHY AND GROWING CONDITION, AND BE REPLACED WITH PLANT MATERIAL OF SIMILAR VARIETY AND SIZE IF DAMAGED, DESTROYED OR REMOVED.
4. LANDSCAPE AREAS SHALL BE KEPT FREE OF TRASH, LITTER, WEEDS AND OTHER MATERIALS OR PLANTS NOT A PART OF THE ORIGINAL LANDSCAPING.
5. ALL LANDSCAPE AREAS SHALL BE PROTECTED GROM VEHICULAR TRAFFIC THROUGH THE USE OF CONCRETE CURBS, WHEEL-STOPS OR OTHER PERMANENT BARRIERS.
6. ALL LANDSCAPE AREA SHALL BE CONSTRUCTED, INSTALLED AND MAINTAINED SO AS NOT TO OBSTRUCT VIEW OF MOTORISTS BETWEEN THE STREET AND ACCESS DRIVERS. VISIBILITY TRIANGLES SHALL REMAIN UNOBSTRUCTED AT ALL TIMES.
7. ALL PERMEABLE SURFACES NOT OCCUPIED BY TREES, SHRUBS, PLANTING BEDS, DECORATIVE ROCK BEDS, SIGNS AND OTHER PERMITTED ITEMS OR FIXTURES SHALL BE BERMUDA-GRASS, OR ST. AUGUSTINE GRASS LAWN AREAS, UNLESS NOTED OTHERWISE.
8. ALL TREES ARE TO BE LOCATED, WHENEVER POSSIBLE, OUTSIDE FIRE HYDRANT, SANITARY SEWER AND UTILITY EASEMENT.
9. REFERENCE ENGINEERING PLANS FOR PROPOSED GRADES.
10. FINAL LOCATION OF PLANS MATERIAL MAY VARY DUE TO ACTUAL FIELD CONDITIONS AND PROPOSED GRADES GRADES. GENERAL INTENT IS TO BE MET.
11. A MINIMUM TWO INCH LAYER OF BARK MULCH SHALL BE PROVIDED AT ALL PROPOSED TREES.



09.27.23

STATE OF TEXAS
CHRISTOPHER A. RUSSELL
1892
LICENSED
LANDSCAPE ARCHITECT

CITY OF GARLAND LANDSCAPE REQUIREMENTS

LANDSCAPE AREA

TOTAL LOT = 113,988 S.F.

REQUIRED
10% of lot devoted to landscape area
(11,397 s.f.)

1 Shade Tree (3") per 500 S.F. of req. buffer
= 23 Shade Trees (3" caliper)

PROVIDED
26,191 s.f. (23%)

17 Shade Trees (3" caliper)
38 Existing Trees to Remain

LONNECKER DRIVE BUFFER

LANDSCAPE EDGE

TOTAL LANDSCAPE BUFFER = 389 L.F. - 60 L.F. OF DRIVE = 329 L.F. (3,290 S.F.)

REQUIRED
10' WIDE LANDSCAPE BUFFER

1 Shade Tree (3") per 30 L.F.
= 11 Shade Trees (3" caliper)

Parking Lot Screen (24" ht at planting/ 36" ht. within 2 years)
25% of Buffer to be Groundcover (822 S.F.)

PROVIDED
12' WIDE LANDSCAPE BUFFER

11 Shade Trees (3" caliper)

24" tall Shrub Hedgerow
980 S.F. of Liliope

PARKING LOT INTERIOR

TOTAL SPACES= 3.

REQUIRED
(1 Tree (3") per 15 spaces)
=1 Trees (3" caliper)

Island at parking row terminus

PROVIDED
6 Trees (3" caliper)

4 Islands

GENERAL NOTES:

1. Quantities shown on Plant List are Landscape Architect's estimate only and should be verified prior to bidding. Contractor shall be responsible for bidding and providing quantity of plants required at spacing designated for bed sizes and configurations shown on plans regardless of quantities designated on Plant List.

2. Contractor shall notify Landscape Architect of any discrepancies, ambiguity, or unlabeled plants on plans prior to bid submittal. If discrepancy, ambiguity, or unlabeled plant is not clarified by Landscape Architect prior to bid submittal date, Contractor shall note such item on bid.

3. Contractor shall provide representative samples (minimum 3 each variety) of shrub and groundcover stock for Landscape Architect's and/or Owner's approval prior to major shipment of materials to site.

4. After tillage and cleaning, all areas to be grassed shall be leveled, and fine graded. The required result shall be the elimination of ruts, depressions, humps, and objectionable soil clods. During the soil preparation process, a "Rock Pick or "Rock Rake" shall be used to gather surface stones as small as one inch (1") in diameter.

5. Grass areas to be either hydromulch Bermuda or perennial Rye, depending on date of planting. Bermudagrass hydromulch shall not be applied prior to May 15 nor after August 15 nor at any time the soil temperature is less than 70 F. If grassing is to occur after August 15 or before May 15, Contractor shall include perennial Rye as base bid with an alternate price to return the following Spring (after May 15) to scalp Rye and re-hydromulch with Bermuda, guaranteeing a full stand of grass.

6. Contractor shall guarantee a full stand of grass, regardless of whether a permanent landscape irrigation system is installed. Contractor shall provide temporary irrigation or hand water as required for turf establishment.

7. Soil amendment to be "Compost" as produced by Living Earth Technology (Phone: 214-869-4332), or approved equal.

8. Tree holes to be excavated 2' greater than ball diameter and 6" deeper. Backfill with 2/3 existing soil and 1/3 Compost (or approved equal) as noted under 7. above, thoroughly blended by mechanical means prior to backfill.

9. Shrub pits shall be excavated 12" greater than container diameter and 6" deeper. Backfill with 1/2 existing soil and 1/2 Compost (or approved equal) as noted under note 7 above, thoroughly blended by mechanical means prior to backfill.

10. Mulch topdressing to be minimum 2" layer shredded hardwood, spread uniformly on all shrub and groundcover beds and on all tree saucers.

11. Bed edging (if applicable) to be 1/8"x4" Ryerson "Estate" edging as manufactured by Joseph Ryerson Co., inc. Houston, Texas (phone: 713.675.6111),or approved equal.

12. All holes for trees and large shrubs shall be tested for water retention prior to tree or shrub installation. After hole is excavated, it is to be filled with water to the top of the excavation. If, after 24 hours, the hole still holds water, the Contractor shall excavate an additional 6" from the bottom of the hole. The Landscape Contractor shall then install 6" of native washed gravel covered on the top (and up to a minimum of 12" on the sides of the hole) with filter fabric. The Contractor shall also install a capped 3" diameter PVC sump which will extend from near the bottom of the rock layer to 3" above the proposed finish grade so the hole can be evacuated through mechanical means.

13. All planting (trees, shrubs, groundcover, and/ or grass as applicable, to be guaranteed for a period of one year after Final Acceptance.

The Contractor shall provide a turn-key landscape sprinkler design and installation based on the following criteria:

A. Contractor shall design the system in accordance with industry accepted practice and the recommendations of the manufacturer of the equipment provided. The system design shall be completed and stamped by a Texas licensed irrigator.

B. All landscaped areas as shown on the plans to be watered by the system.

C. Design pressure shall be based on 60 minimum psi static pressure and 25 minimum psi residual pressure at 35 minimum gpm at the water meter. The irrigation system shall be on a separate water meter.

D. System shall be automatic with controller(s) and remote controlled valves.

E. The sprinkler system shall be designed utilizing pipe sizes, valves, heads, and zone operation time schedules, to assure an economical and operational system with complete and even coverage. Lawn area systems shall be primarily of the spray head type except that pop-up rotary heads may be used in large open turf areas. Rotor heads shall not be used in areas less than 50 feet wide.

F. Acceptable equipment manufacturers are Toro, Rainbird, Hunter, Hardie, or Weathermatic.

No.	Date	REVISIONS

GARLAND TRUCK CENTER

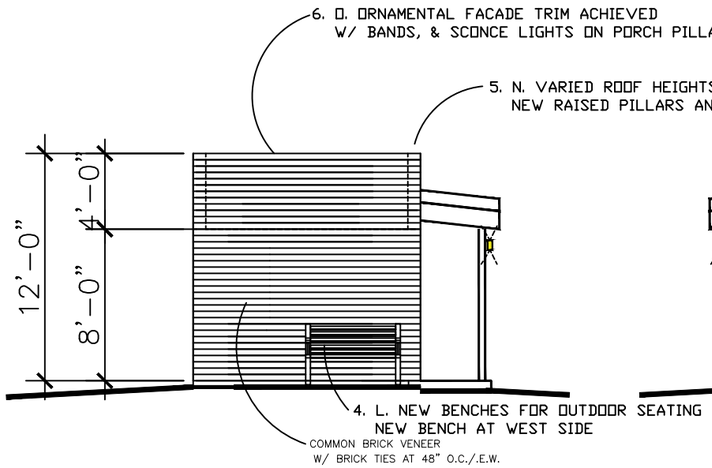
2430 LONNECKER DRIVE
GARLAND, TEXAS

Christopher A. RUSSELL
Landscape Architecture
5925 La Vista Drive Number 3
Dallas Texas 75206
Phone: 214.695.7344
Fax: 214.826.8279

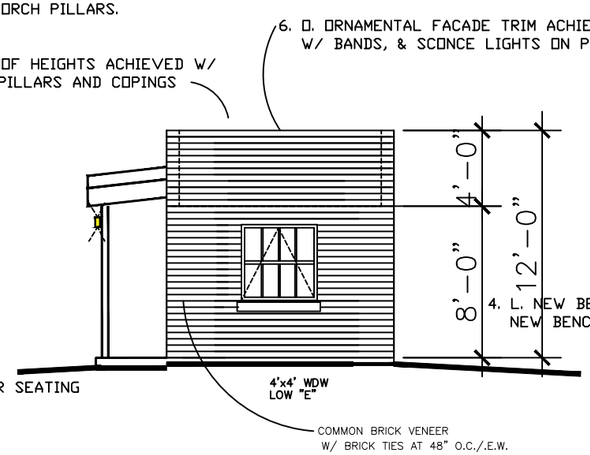
Sheet Title:
LANDSCAPE PLAN

Proj. No.:
Date: 09.27.23
Drawn: CAR
Checked: CAR
Approved: CAR

sheet number
L1.1
of sheets



3 A1 LEFT SIDE ELEV.
SCALE: 1/8"=1'-0"
SOUTH

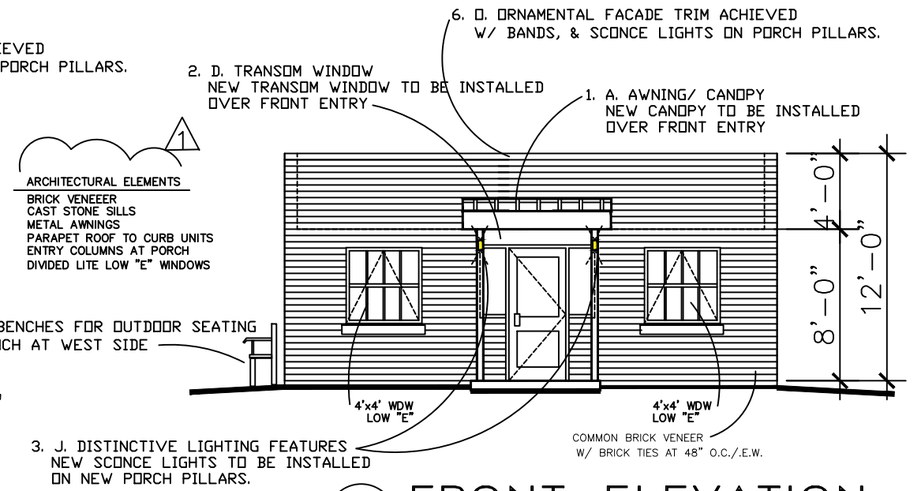


2 A1 RIGHT SIDE ELEV.
SCALE: 1/8"=1'-0"
NORTH

1

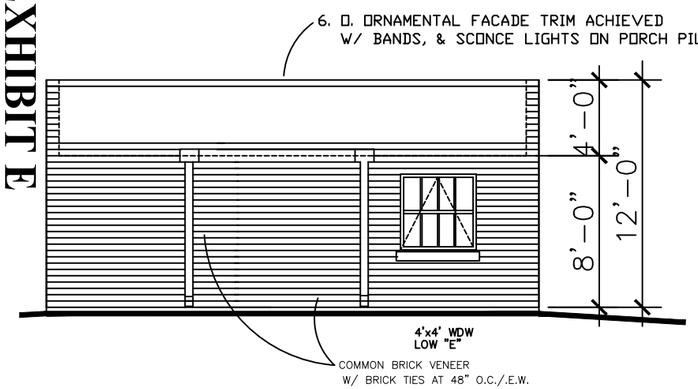
ARCHITECTURAL ELEMENTS

BRICK VENEEER
CAST STONE SILLS
METAL AWNINGS
PARAPET ROOF TO CURB UNITS
ENTRY COLUMNS AT PORCH
DIVIDED LITE LOW "E" WINDOWS



2 A1 FRONT ELEVATION
SCALE: 1/8"=1'-0"
EAST

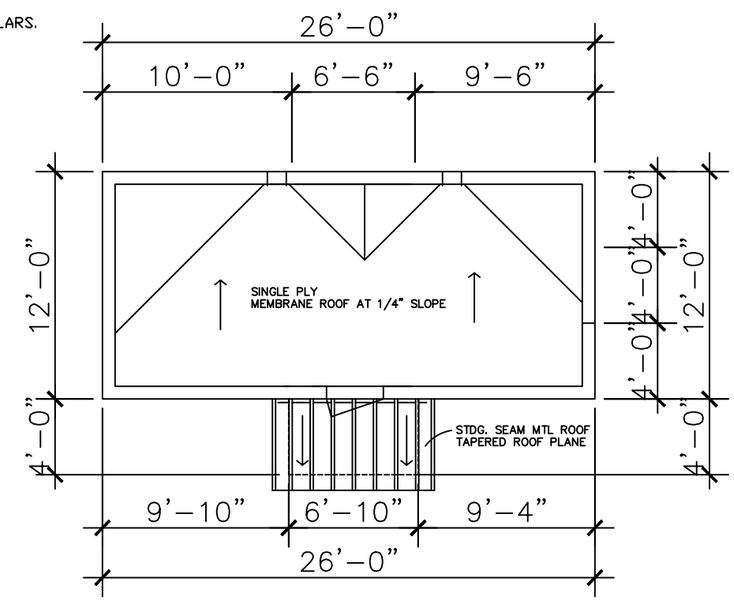
EXHIBIT E



2 A1 REAR ELEVATION
SCALE: 1/8"=1'-0"
WEST

ARCHITECTURAL ELEMENTS PER
G.D.C. SEC. 4.83, "6 ELEMENTS" FROM
LIST INCLUDES ITEMS AS FOLLOWS:

1. A. AWNING/ CANOPY
   NEW CANOPY TO BE INSTALLED
   OVER FRONT ENTRY
2. D. TRANSOM WINDOW
   NEW TRANSOM WINDOW TO BE INSTALLED
   OVER FRONT ENTRY
3. J. DISTINCTIVE LIGHTING FEATURES
   NEW ACCENT LIGHTS TO BE INSTALLED
   ON NEW PILLARS.
4. L. NEW BENCHES FOR OUTDOOR SEATING
   NEW BENCH AT WEST SIDE
5. N. VARIED ROOF HEIGHTS ACHIEVED W/
   NEW RAISED PILLARS AND COPINGS
6. O. ORNAMENTAL FACADE TRIM ACHIEVED
   W/ BANDS, & SCONCE LIGHTS ON PORCH PILLARS.

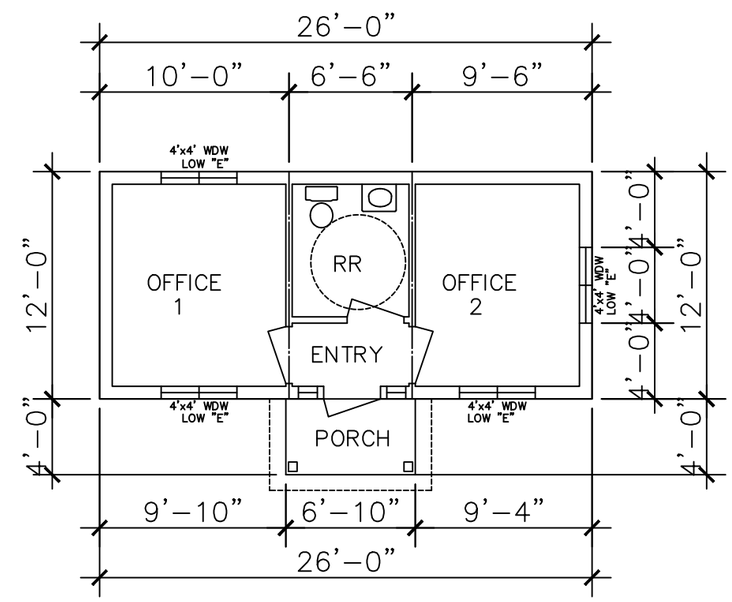


312 TOTAL SQ. FT.

1 A1 ROOF PLAN
SCALE: 1/8"=1'-0"

N

8' 4' 0 8' 16'
GRAPHIC SCALE: 1/8" = 1'-0"



312 TOTAL SQ. FT.

1 A1 FLOOR PLAN
SCALE: 1/8"=1'-0"

N

8' 4' 0 8' 16'
GRAPHIC SCALE: 1/8" = 1'-0"

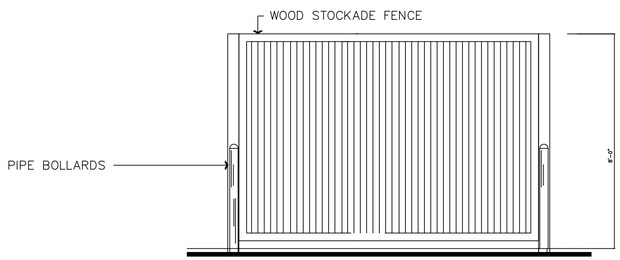
EBRO CONSULT
DESIGN & CONSTRUCTION
12484 ABREYAM #1924 214 772-5619
DALLAS, TEXAS 75243 214 335-6712
Email: ebrodesign07@yahoo.com

TRUCK CENTER OFFICES
OFFICE BUILDING / TFO Improvements Project
2430 LONNEKER, GARLAND, TEXAS 75041

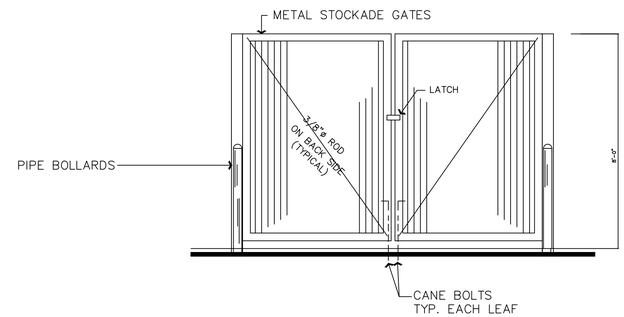
REVISION
ISSUE FOR REVIEW
03-01-2022
1 REVISED PER CITY COMMENTS
2-28-2023
2 REVISED PER CITY COMMENTS
7-13-2023

DRAWN BY:	CHECKED BY:
ORIG. DATE:	REV. DATE:
JOB NO.	SHEET NO. A2
SCALE:	

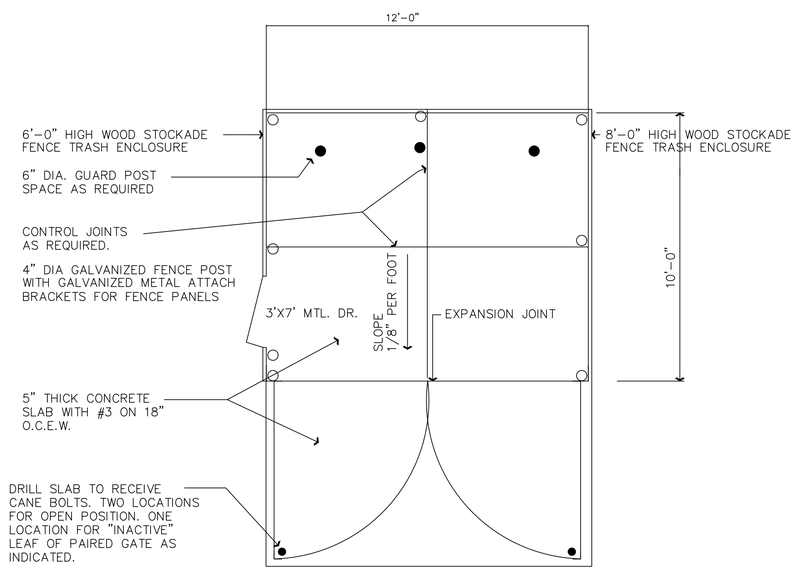
EXHIBIT E



2 / T1 REAR Elevation
3/8" SCALE

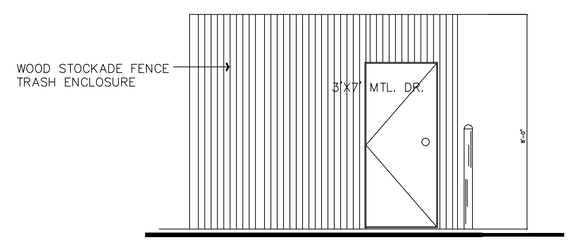


3 / T1 Front Elevation
3/8" SCALE

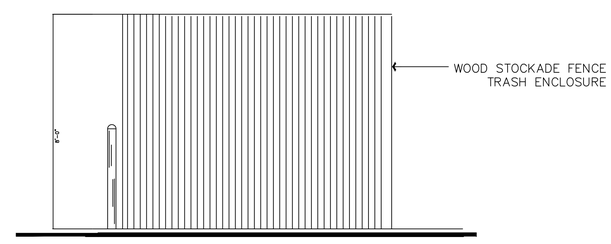


Plan View

1 / T1 Detail – Trash Dumpster Enclosure
3/8" SCALE



4 / T1 LEFT Side Elevation
3/8" SCALE



5 / T1 RIGHT Side Elevation
3/8" SCALE

EBRO CONSULT
DESIGN & CONSTRUCTION
12484 ABRDUM #1924 DALLAS, TEXAS 75243
214 772-5619 214 335-6712
Email: ebrodesign07@yahoo.com

TRUCK CENTER OFFICES
OFFICE BUILDING / TFO Improvements Project
2430 LONNEKER, GARLAND, TEXAS 75041

REVISION
ISSUE FOR REVIEW 03-01-2022
1 REVISED PER CITY COMMENTS 2-28-2023
2 REVISED PER CITY COMMENTS 7-17-2023

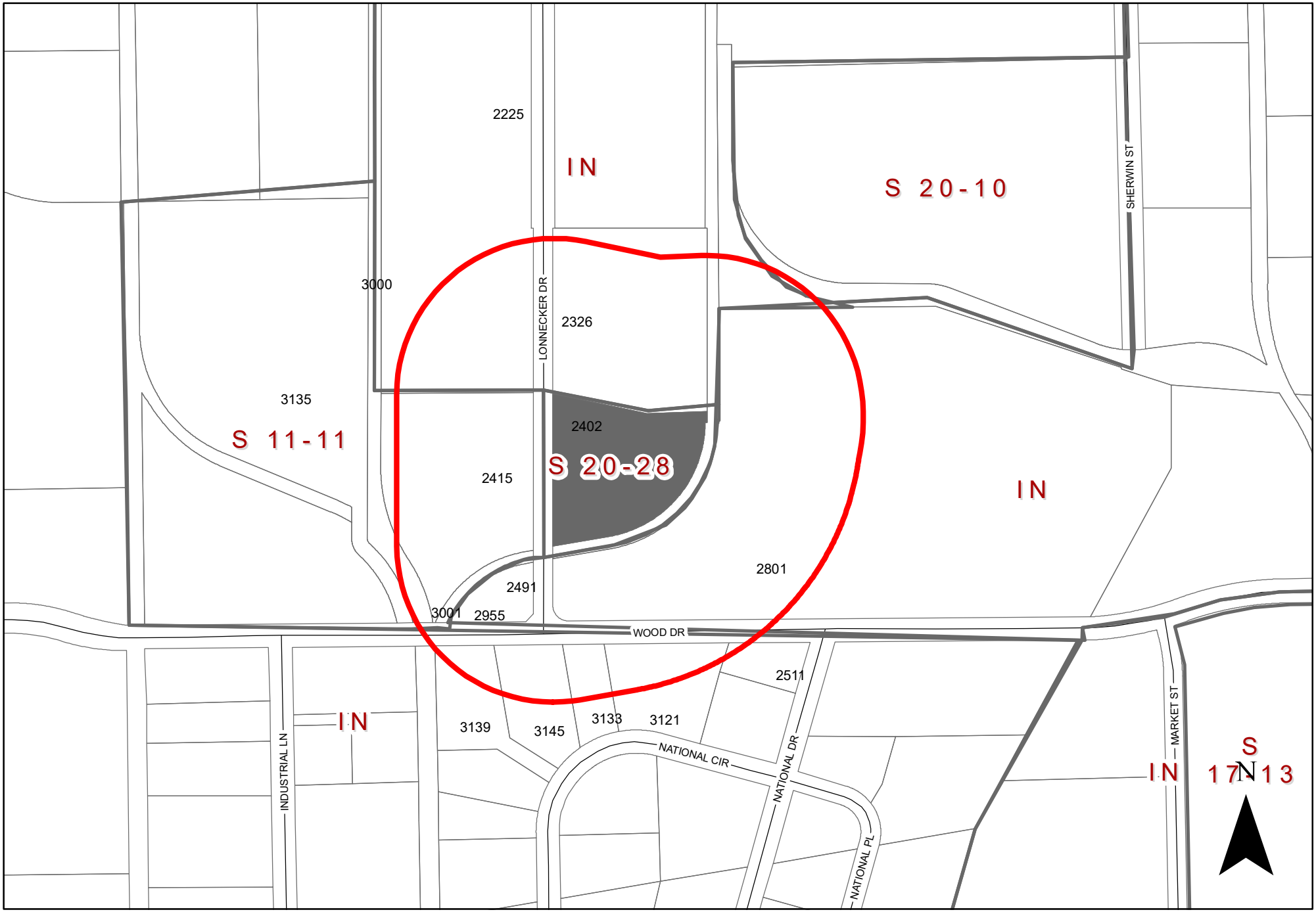
DRAWN BY: CHECKED BY:
ORIG. DATE: REV. DATE:
JOB NO. SHEET NO. T1
SCALE:

REPORT & MINUTES

P.C. Meeting, October 9, 2023

3a. APPROVED Consideration of the application of **Abreham Tessema,** requesting approval of 1) a Specific Use Provision Amendment for a Truck/Bus Storage use on a property zoned Industrial (IN) District with a Specific Use Provision (S 20-28) for Truck/Bus Storage and 2) a Plan for a Truck/Bus Storage use. This property is located at 2430 Lonnecker Drive. (District 5) (File Z 22-58). (This case was postponed from the September 25, 2023 Plan Commission meeting.)

Motion was made by Commissioner Aubin to **approve** the application as presented. Seconded by Commissioner Jenkins. **Motion carried**: **8** Ayes, **0** Nays.



0 210 420 Feet
1 inch = 324 feet

ZONING MAP Z 22-58

INDICATES AREA OF REQUEST

INDICATES NOTIFICATION AREA

2430 Lonnecker Dr

To date we have not received any responses for this case.

GARLAND
TEXAS MADE HERE

The applicant proposes an SUP amendment for a Truck Storage facility.

City Council Meeting

November 7, 2023

Z 22-58

GARLAND
TEXAS MADE HERE

CASE INFORMATION

Location:	2430 Lonnecker Drive
Applicant:	Abreham Tessema
Owner:	Ephirem Mengstab
Acreage:	2.609 acres
Zoning:	Industrial (IN) District [S 20-28]

GARLAND
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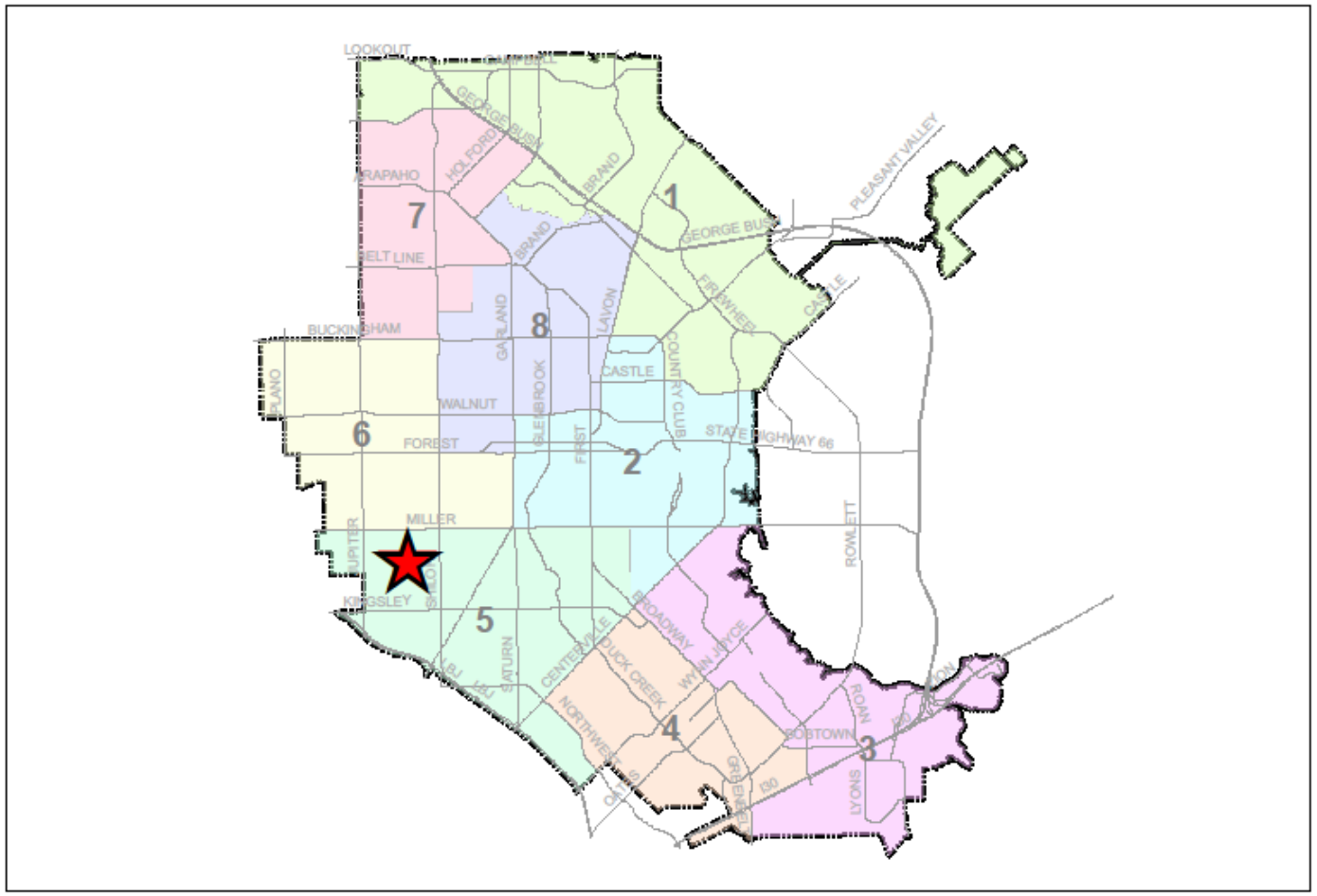
CITYWIDE LOCATION MAP



0 1 2 Miles 1 in = 2 miles | ZONING MAP Z 22-58 | ★ INDICATES AREA OF REQUEST

Z 22-58

GARLAND
TEXAS MADE HERE

LOCATION MAP

0 210 420 Feet
1 inch = 324 feet

ZONING MAP Z 22-58

INDICATES AREA OF REQUEST

2430 Lonnecker Dr

Z 22-58

GARLAND
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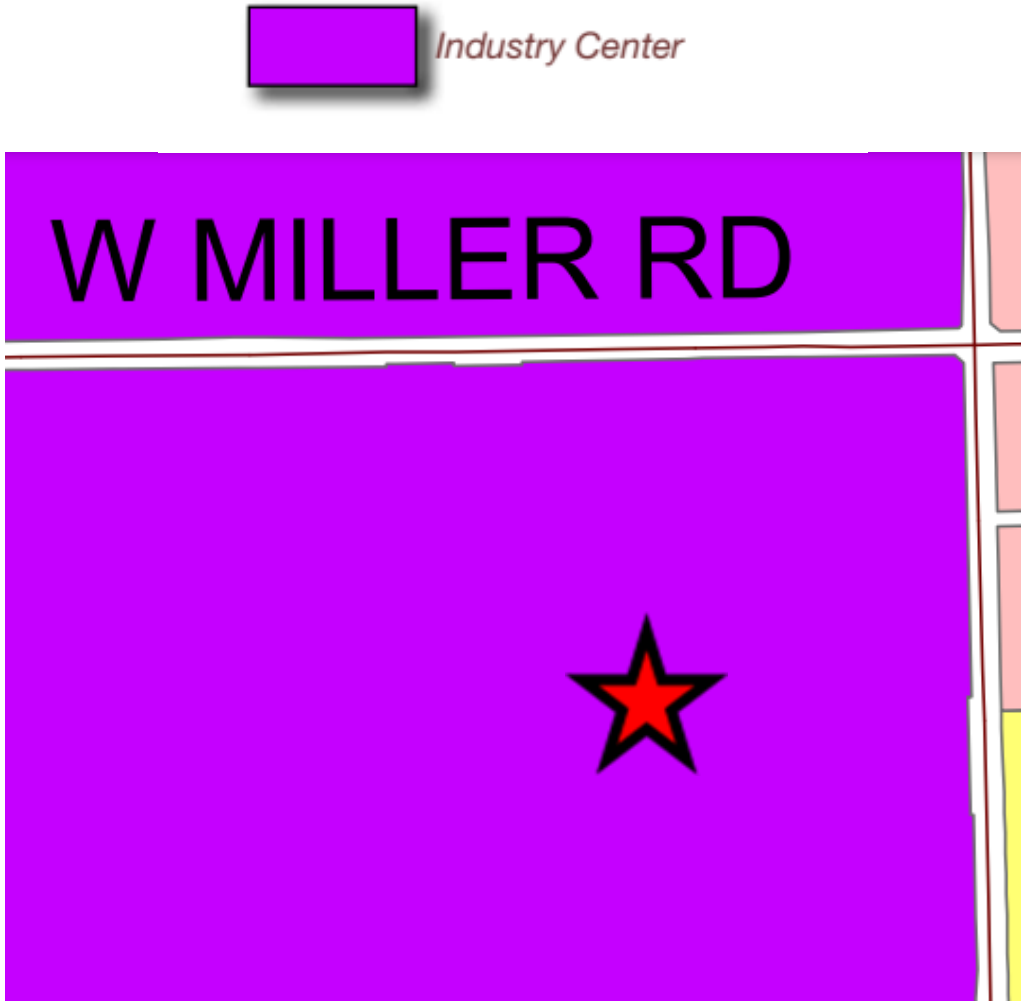
COMPREHENSIVE PLAN



Z 22-58

GARLAND
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COMPREHENSIVE PLAN

The Future Land Use Map of the Envision Garland Plan recommends Industry Center for the subject property. Industry Centers provide a cluster of trade and industry that cumulatively employ large numbers of people. Operations may include such elements as semi-truck traffic, loading docks, and outdoor storage. Overall, the architecture, character, scale, and intensity should be compatible with adjacent development types. Industry centers range in scale and intensity based on the surrounding vicinity and may consist of one or more buildings. This development type includes a variety of primary and secondary uses that support the industry employment sector.

This proposal offers a supportive use to the industry employment sector.

GARLAND
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ECONOMIC DEVELOPMENT

The Economic Development Strategic Plan recognizes the need for truck staging / parking in the Industrial District: "Evaluate and move on potential options for truck staging / parking."

GARLAND
TEXAS MADE HERE

PHOTOS

View of the subject site looking East from Lonnecker Drive

View from the subject site looking across Lonnecker Drive

GARLAND
TEXAS MADE HERE

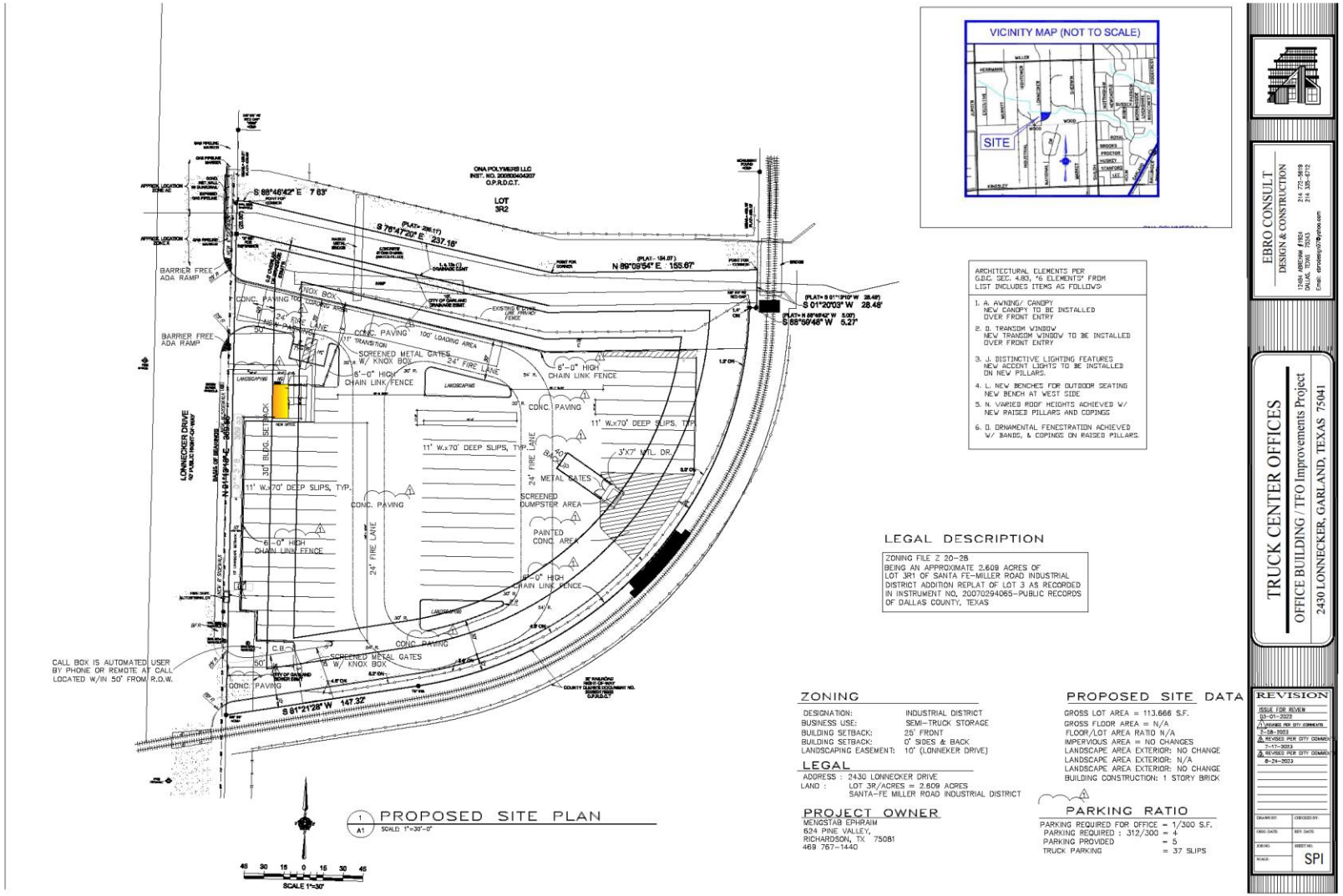
PHOTOS

View from the subject site looking North down Lonnecker Drive

View from the subject site looking South down Lonnecker Road

GARLAND
TEXAS MADE HERE

SITE PLAN



Z 22-58

GARLAND
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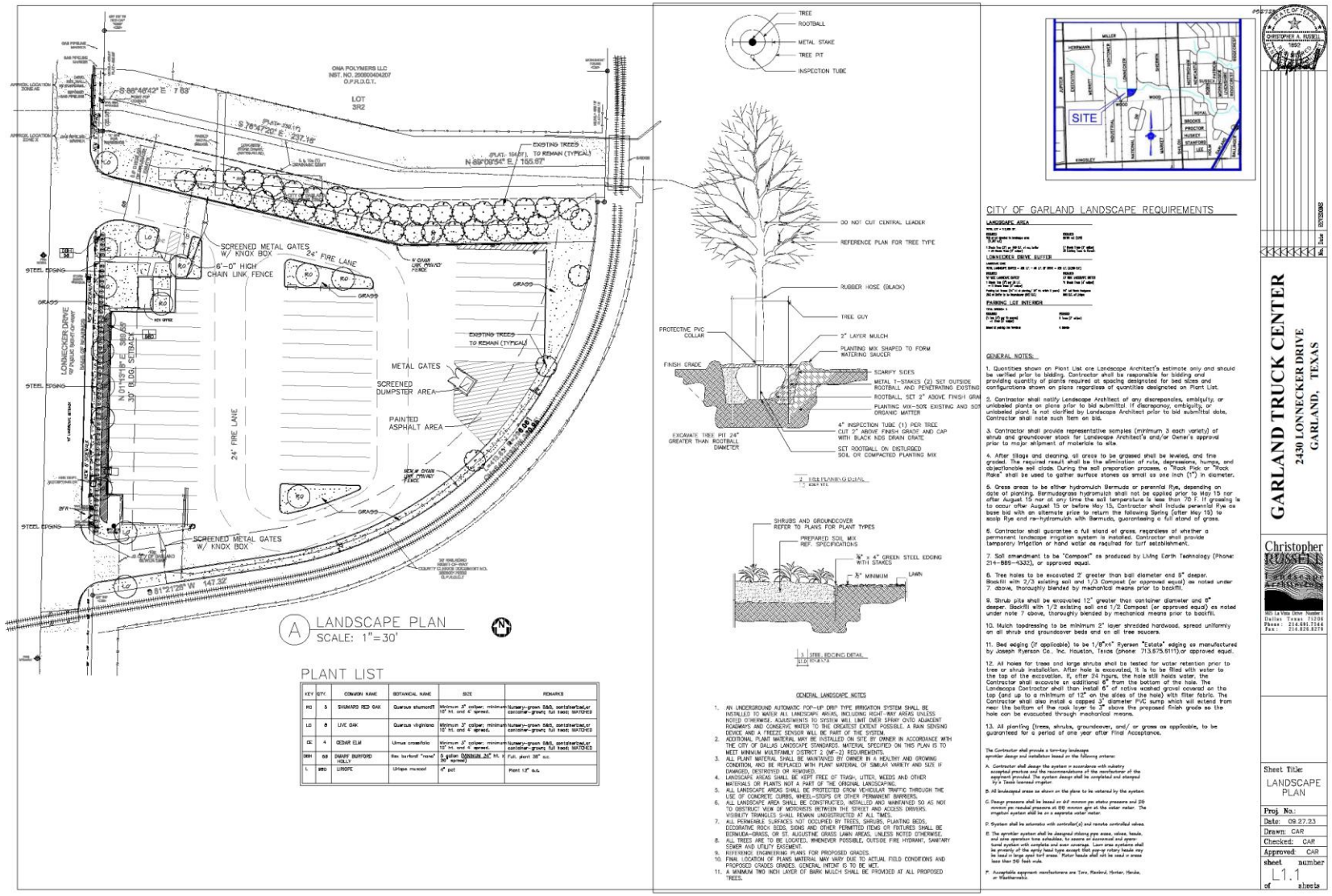
LANDSCAPE PLAN



Z 22-58

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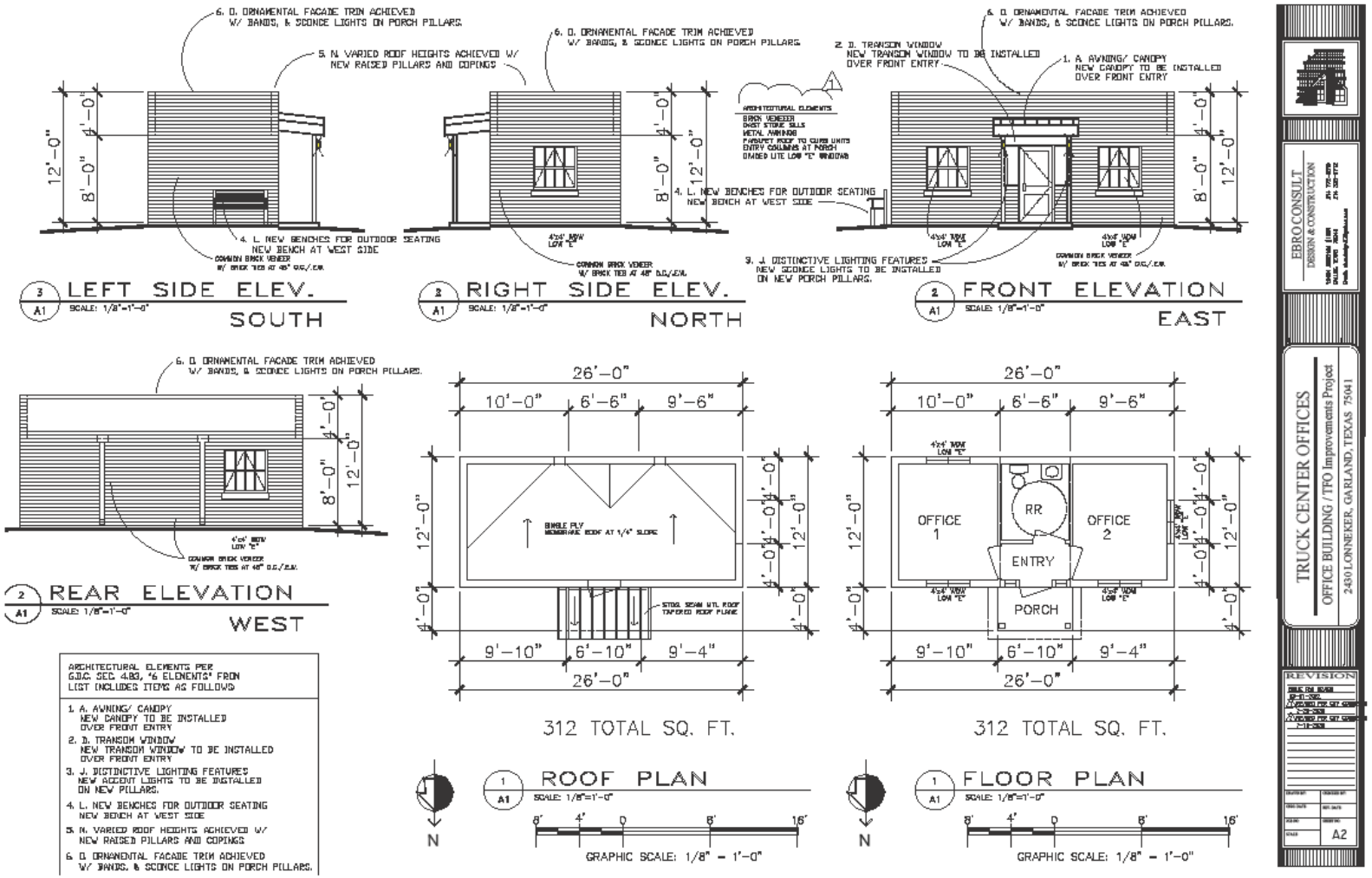
BUILDING ELEVATIONS



Z 22-58

GARLAND
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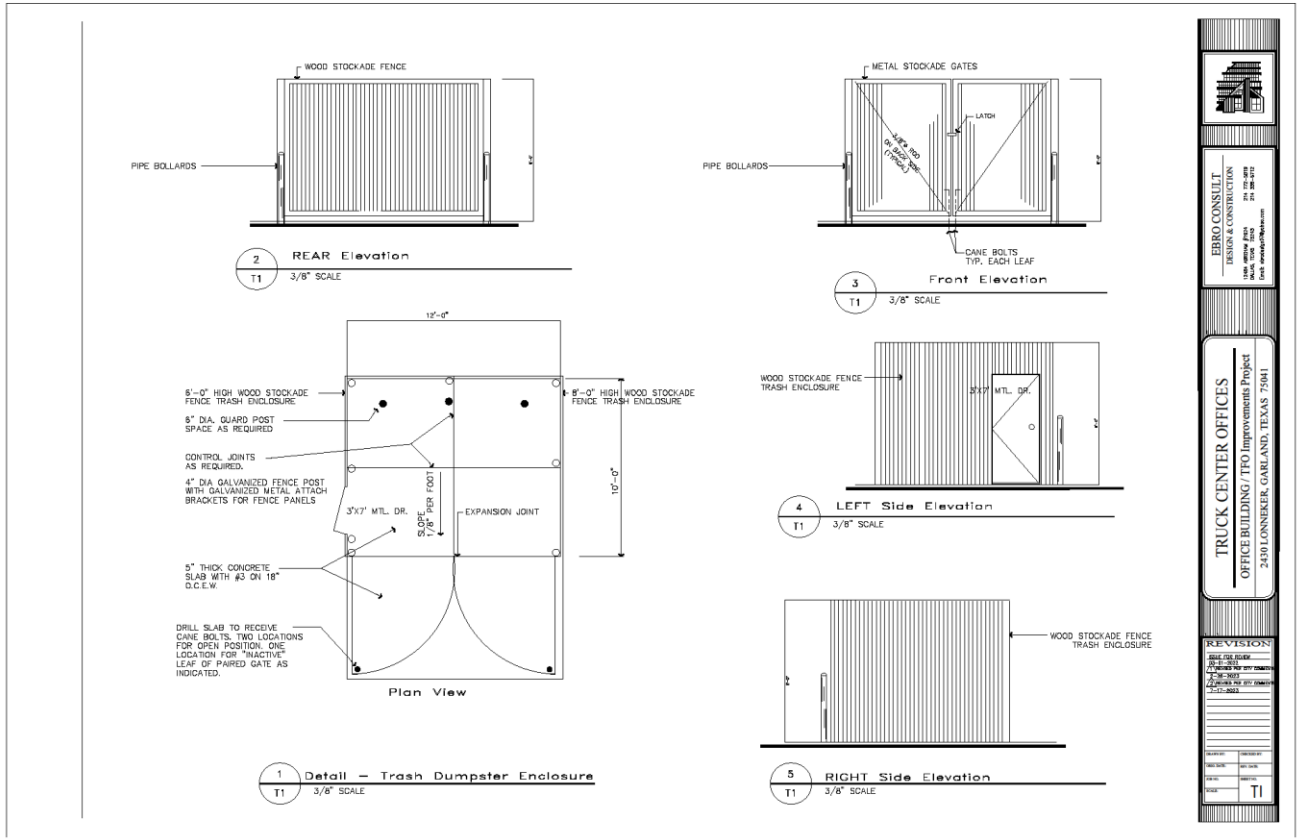
DUMPSTER ELEVATIONS



Z 22-58

GARLAND
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STAFF RECOMMENDATION

Approval of 1) a Specific Use Provision amendment for Truck/Bus Storage on a property zoned Industrial (IN) District with a Specific Use Provision [S 20-28] for Truck/Bus Storage and 2) a Plan for Truck/Bus Storage Use.

The Truck/Bus Storage use is currently entitled. The applicant's request for an amended site plan does not carry a significant impact on the subject property and surrounding area, and the additional screening and landscaping will improve the site from its current condition. In addition, the Economic Development Strategic Plan recognizes a need in the Industrial District for truck staging/parking.

However, given the original SUP for 20 years was granted approximately two years ago for fewer parking spaces, consideration may be given to a shorter SUP time period than the newly requested 20-year time period.

PLAN COMMISSION RECOMMENDATION

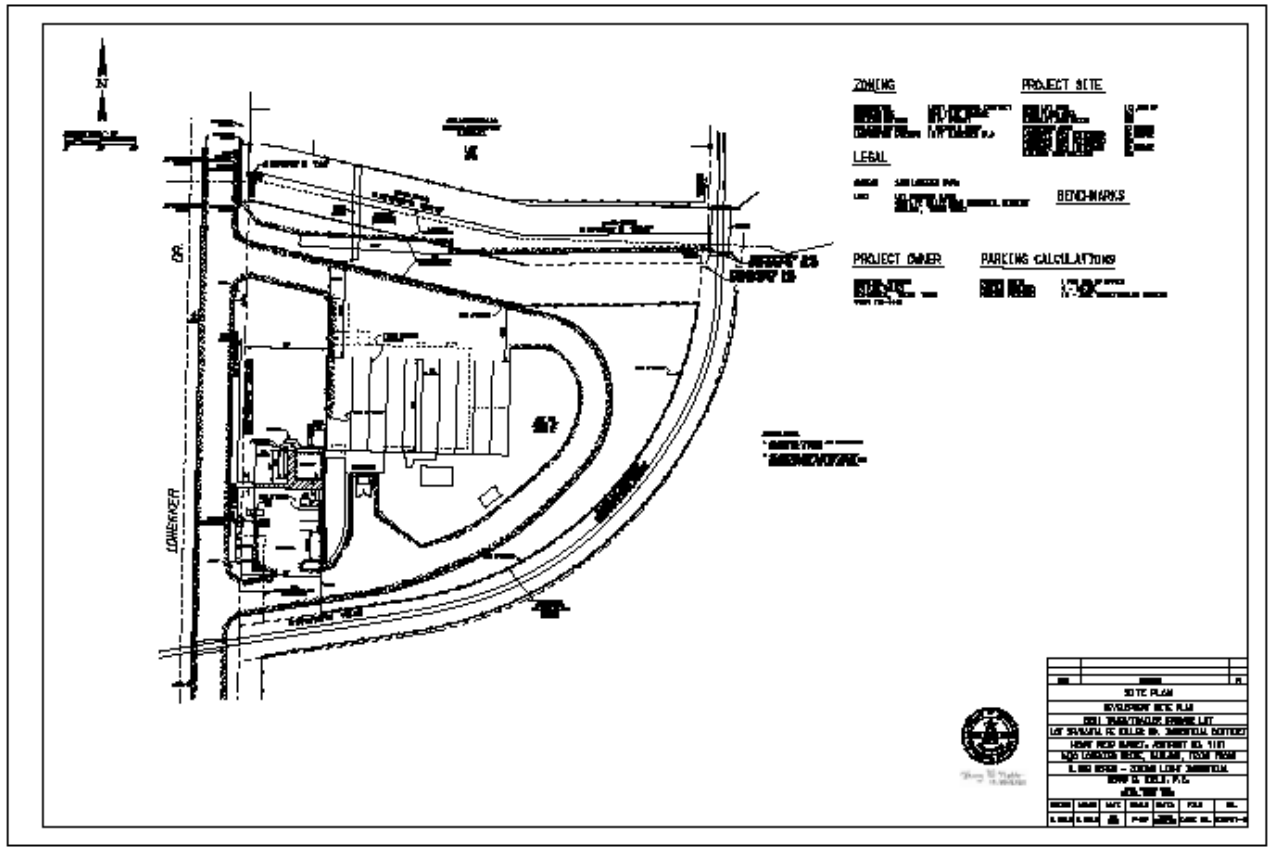
On October 9, 2023 the Plan Commission, by a vote of eight (8) to zero (0), recommended approval of 1) a Specific Use Provision amendment for Truck/Bus Storage on a property zoned Industrial (IN) District with a Specific Use Provision [S 20-28] for Truck/Bus Storage and 2) a Plan for Truck/Bus Storage Use.

GARLAND

TEXAS MADE HERE

GARLAND
TEXAS MADE HERE

EXISTING SITE PLAN



Z 22-58

GARLAND
PLANNING REPORT

City Council Regular Session Agenda **8. b.**

Meeting Date: 11/07/2023

Item Title: Z 23-20 CAT Scale Company (District 6)

Submitted By: Nabiha Ahmed, Lead Development Planner

REQUEST

Approval of 1) an Amendment to Planned Development (PD) District 16-10 to allow a truck scale and a freestanding sign and 2) a Detail Plan to allow a truck scale and a freestanding sign to the existing development

LOCATION

1910 South Jupiter Road

OWNER

RR Garland Site, LLC

PLAN COMMISSION RECOMMENDATION

On October 9, 2023 the Plan Commission, by a vote of eight (8) to zero (0), recommended approval of 1) an Amendment to Planned Development (PD) District 16-10 to allow a truck scale and a freestanding sign and 2) a Detail Plan to allow a truck scale and a freestanding sign to the existing development.

STAFF RECOMMENDATION

While the existing use provides supportive services to trucks and general customers in the area, staff finds the proposed truck scale to be more suitable on a site that is approved for a truck stop use. The subject property is intended for vehicle fueling and washing, restaurant/dining and retail services, and the truck scale is a component that is typically seen at truck stops, which are not a permitted use in the Garland Development Code. Therefore, staff recommends denial of an Amendment to Planned Development (PD) District 16-10 to allow a truck scale and a freestanding sign and 2) a Detail Plan to allow a truck scale and a freestanding sign to the existing development.

BACKGROUND

The subject property includes the “Ricky Rockets” fuel center and is currently constructed with a gas station, convenience store, automated/rollover car wash, restaurant with a drive-through and fuel pumps for trucks. The restaurant with drive-through use currently has a Specific Use Provision that will expire in 2036.

The applicant requests to add a truck scale and a freestanding pylon sign adjacent to the existing truck fuel canopy.

SITE DATA

The subject property contains approximately 7.29 acres in area and can be accessed from West Miller Road and South Jupiter Road.

USE OF PROPERTY UNDER CURRENT ZONING

The subject property is zoned Planned Development (PD) District 16-10 for Industrial Uses, which currently allows Convenience Store, Fuel Pumps, Retail, Retail Store, Restaurant, Drive-Through, and Car Wash, Automated/Rollover Uses. It should be noted the site was not approved for a travel center or “truck stop.

CONSIDERATIONS

1. The applicant proposes an approximately 2,201 square-foot truck scale (CAT Scale) area west of the existing truck fuel canopy, which will not impact the existing physical improvements. Per the applicant’s narrative, “The CAT Scale is a standalone service on-site run by the Weighmaster inside the store at the fuel desk. The CAT Scale is open twenty-four (24) hours a day and seven (7) days a week.”

   The applicant also states “The truck scale can only be used in one direction to help maintain the least congestive traffic flow and minimize recycling traffic created when they cannot get onto the scale on the first pass.”

2. The applicant proposes a twenty-two (22)-foot pylon sign that will be placed within the boundaries of the truck scale. The GDC allows a maximum of two (2) pylon signs per site. There is an existing pylon sign along West Miller Road and one (1) pylon sign along South Jupiter Road. The applicant is requesting a deviation to allow the third proposed pylon sign. The maximum height the GDC allows is twenty-two (22) feet and the maximum area allowed is 150 square feet. The proposed height is twenty-two (22) feet and proposed sign area is 81.8 square feet.

   Per the applicant’s narrative, “the addition of our CAT Scale sign is very important to direct and allow time for the drivers to position the scaling traffic on the scale properly and obtain accurate weighing.”

3. The proposed truck scale and freestanding signage will not impact the existing landscaping nor does it trigger any additional screening and landscaping standards.

COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

Industry centers provide a cluster of trade and industry that cumulatively employ large numbers of people. Operations within this development type may require substantial infrastructure and may result in more significant negative impacts (sound, air, traffic, outdoor lighting, storage, etc.). The existing use offers supportive services to the industrial/employment sector in the area; however, the request may align the use closer to a truck stop use.

Attachments

Z 23-20 Location Map

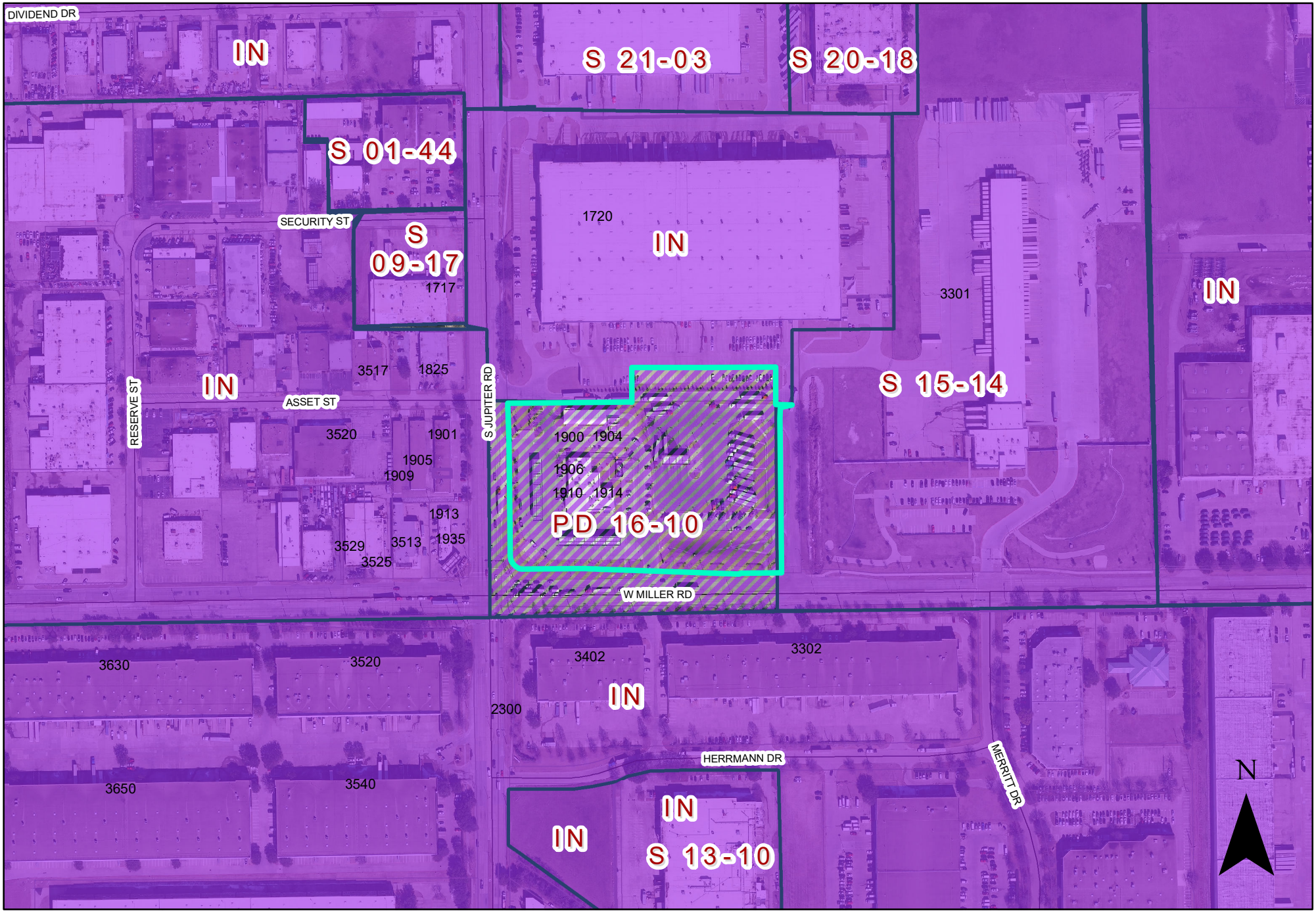
Z 23-20 PD Conditions

Z 23-20 Exhibits

Z 23-20 R&M

Z 23-20 Responses

Z 23-20 Staff Presentation



0 220 440 Feet
1 inch = 333 feet

ZONING MAP Z 23-20

INDICATES AREA OF REQUEST

1910 South Jupiter Road

PLANNED DEVELOPMENT CONDITIONS

ZONING FILE Z 23-20

1910 South Jupiter Road

I. **Statement of Purpose:** The purpose of this Planned Development is to approve a truck scale and freestanding signage.

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 Planned Development (PD) District 16-10 and the Industrial (IN) District and 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:**

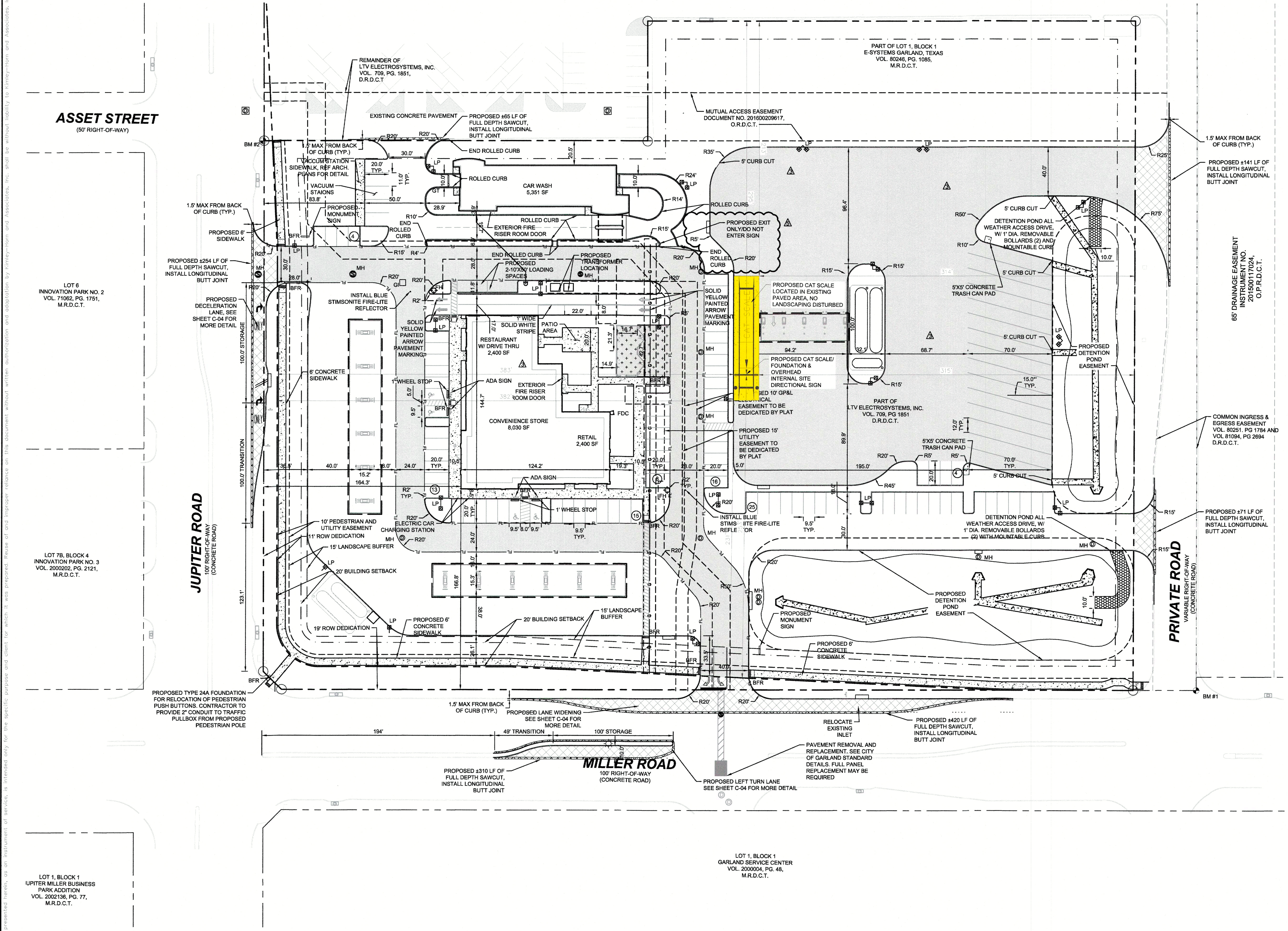
A. Permitted Uses: Land Uses are permitted as in Planned Development (PD) District 16-10.

B. Site Plan: The site layout, building placement, parking shall be in general conformance with the approved Site Plan labeled Exhibit C. The maximum are for the truck scale shall be 2,201 square feet.

C. Pylon Sign: The sign elevations shall be in general conformance with the approved elevations labeled Exhibit D.

EXHIBIT B

EXHIBIT C



LEGEND

(line)	PROPERTY LINE
(hatch)	HEAVY DUTY CONCRETE PAVEMENT PER DETAIL SHEET C-23
(hatch)	HEAVY DUTY TRASH AREA PAVEMENT PER DETAIL SHEET C-23
(hatch)	STANDARD DUTY CONCRETE PAVEMENT PER DETAIL SHEET C-23
(hatch)	4" SIDEWALK CLASS "A" CONCRETE PER STANDARD CITY DETAILS
(hatch)	8" CLASS "C" REINFORCED CONCRETE PAVEMENT PER CITY DETAILS
BFR	PROPOSED FIRE BARRIER FREE RAMP
FH	PROPOSED FIRE HYDRANT
FDC	PROPOSED FIRE DEPARTMENT CONNCETION
LP	PROPOSED LIGHT POLE
MH	PROPOSED MANHOLE
GT	PROPOSED GREASE TRAP
CI	PROPOSED CURB INLET
GI	PROPOSED GRATE INLET
(XX)	PARKING COUNT

PARKING DATA TABLE

REQUIRED PARKING (1 SPACE/250 GFA) - CONV. STORE & CAR WASH
(1 SPACE/ 100 GFA) - REST. W/ DRIVE THRU
(1 SPACE/ 250 GFA) - RETAIL

REGULAR	83 SPACES
ACCESSIBLE	3 SPACES
VAN ACCESSIBLE	1 SPACE
TOTAL REQUIRED	**87 SPACES**

PROVIDED PARKING

REGULAR	83 SPACES
ACCESSIBLE	3 SPACES
VAN ACCESSIBLE	1 SPACE
TOTAL PROVIDED	**87 SPACES**

NOTES

1. ALL DIMENSIONS ARE TO FACE OF CURB UNLESS NOTED OTHERWISE.
2. ALL RADII ARE 3' UNLESS NOTED OTHERWISE.
3. ALL DRIVE AISLE RADII ARE A MINIMUM OF 20'.
4. HANDICAP PARKING IS PROVIDED IN ACCORDANCE WITH ADA STANDARDS.
5. FIRE LANES SHALL BE PROVIDED IN ACCORDANCE WITH GARLAND REQUIREMENTS AND SHALL HAVE A MIN. INSIDE TURNING RADIUS OF 20'.
6. ALL SCREENING WILL BE PROVIDED IN ACCORDANCE WITH GARLAND REQUIREMENTS.
7. ALL DRIVEWAY APPROACHES SHALL BE CONSTRUCTED IN ACCORDANCE WITH CITY OF GARLAND SPECIFICATIONS.
8. PUBLIC RIGHT OF WAY, EASEMENTS, AND COMMON AREAS MUST BE STABILIZED WITH PERENNIAL VEGETATION COVER, FULLY ESTABLISHED WITH 100% COVERAGE, OR OTHER APPROVED STABILIZATION METHOD.
9. ALL BARRIER FREE RAMPS AND PAVEMENT IN PUBLIC RIGHT OF WAY AND PEDESTRIAN AND UTILITY EASEMENT SHALL BE BUILT PER CITY OF GARLAND STANDARD DETAILS
10. REFERENCE ARCHITECTURAL PLANS FOR EXACT BUILDING AND FUEL CANOPY DIMENSIONS.

PRIMARY/SOURCE BENCHMARKS:

CITY OF GARLAND MONUMENT NO. 27: 3-1/4" ALUMINUM DISK FOUND IN 6" PVC WITH HINGED ACCESS COVER IN THE NORTHERLY LINE OF MILLER PARK NORTH, BEING APPROXIMATELY 178' NORTH OF THE BACK OF CURB OF SAID MILLER PARK NORTH AND S. INTERNATIONAL.
ELEV=607.95

CITY OF GARLAND MONUMENT NO. 32: 3-1/4" ALUMINUM DISK FOUND IN 6" PVC WITH HINGED ACCESS COVER IN THE EASTERLY LINE OF EXECUTIVE DRIVE, NORTH OF WOOD STREET, BEING APPROXIMATELY 10' EAST OF THE EASTERLY BACK OF CURB OF SAID EXECUTIVE DRIVE AND BEING APPROXIMATELY 270.7' SOUTHWEST OF THE NORTHEASTERLY CORNER OF A ONE-STORY BUILDING LOCATED AT 2306 EXECUTIVE DRIVE.
ELEV=592.40

SECONDARY/SITE BENCHMARKS:

PRIMARY:
BM#1 "X" CUT FOUND IN THE NORTHERLY MONUMENTED LINE OF MILLER ROAD, BEING APPROXIMATELY 50' FROM THE CENTERLINE OF MILLER ROAD AND BEING APPROXIMATELY 776.8' FROM THE EASTERLY MONUMENTED LINE OF JUPITER ROAD.
ELEV=593.81

SECONDARY:
BM#2 "X" CUT FOUND IN THE EASTERLY MONUMENTED LINE OF JUPITER ROAD, BEING APPROXIMATELY 49.1' FROM THE CENTERLINE OF SAID JUPITER ROAD, AND BEING APPROXIMATELY 456' NORTH OF THE NORTHERLY MONUMENTED LINE OF MILLER ROAD.
ELEV=597.64

ACCESSABILITY NOTES

1. ALL ACCESSIBLE SPACES AND ACCESSIBLE ROUTES SHALL COMPLY WITH THE TEXAS ACCESIBILITY STANDARDS (TAS) AND THE CITY OF GARLAND REQUIREMENTS.

2. PARKING SPACES AND ACCESS AISLES SHALL BE LEVEL WITH SURFACE SLOPES NOT EXCEEDING 1:50 (2%) IN ALL DIRECTIONS. CURB RAMPS COMPLYING WITH TAS SECTION 406 SHALL BE PROVIDED AT ALL PASSENGER LOADING ZONES.

3. EACH ACCESSIBLE PARKING SPACE SHALL BE DESIGNATED AS RESERVED BY A VERTICALLY MOUNTED OR SUSPENDED SIGN SHOWING THE SYMBOL OF ACCESSIBILITY PER TAS SECTION 703. SPACES COMPLYING WITH TAS SECTION 505.2(B) SHALL HAVE AN ADDITIONAL SIGN "VAN-ACCESSIBLE" MOUNTED BELOW THE SYMBOL OF ACCESSIBILITY.

(A) CHARACTERS AND SYMBOLS ON SUCH SIGNS SHALL BE LOCATED 60" (1525 MM) MINIMUM ABOVE THE GROUND, FLOOR, OR PAVING SURFACE SO THEY CANNOT BE OBSCURED BY A VEHICLE PARKED IN THE SPACE.

(B) SIGNS LOCATED WITHIN AN ACCESSIBLE ROUTE SHALL COMPLY WITH TAS SECTION 307.

(C) CHARACTERS AND SYMBOLS ON OVERHEAD SIGNS SHALL COMPLY WITH TAS SECTION 703.5.5.

4. SLOPES OF CURB RAMPS SHALL COMPLY WITH TAS SECTION 405. TRANSITIONS FROM RAMPS TO WALKS, GUTTERS, OR STREETS SHALL BE FLUSH AND FREE OF ABRUPT CHANGES. MAXIMUM SLOPES OF ADJOINING GUTTERS, ROAD SURFACE IMMEDIATELY ADJACENT TO THE CURB RAMP, OR ACCESSIBLE ROUTE SHALL NOT EXCEED 1:20.

5. SURFACES OF CURB RAMPS SHALL COMPLY WITH TAS SECTION 403.2.

(A) TEXTURES SHALL CONSIST OF EXPOSED CRUSHED STONE AGGREGATE, ROUGHENED CONCRETE, RUBBER, RAISED ABRASIVE STRIPS, OR GROOVES EXTENDING THE FULL WIDTH AND DEPTH OF THE CURB RAMP. SURFACES THAT ARE RAISED, ETCHED, OR GROOVED IN A WAY THAT WOULD ALLOW WATER TO ACCUMULATE ARE PROHIBITED.

(B) FOR PURPOSES OF WARNING, THE FULL WIDTH AND DEPTH OF CURB RAMPS SHALL HAVE A LIGHT REFLECTIVE VALUE AND TEXTURE THAT SIGNIFICANTLY CONTRASTS WITH THAT OF ADJOINING PEDESTRIAN ROUTES.

RECORD DRAWING

THIS DRAWING HAS BEEN REVISED TO SHOW THOSE CHANGES DURING THE CONSTRUCTION PROCESS REPORTED BY THE CONTRACTOR TO KIMLEY-HORN AND ASSOCIATES, INC. AND CONSIDERED TO BE SIGNIFICANT. THIS DRAWING IS NOT GUARANTEED TO BE "AS BUILT" BUT IS BASED ON THE INFORMATION MADE AVAILABLE.

Sarah Williamson

DATE: 11/15/2018 BY: SARAH WILLIAMSON, P.E.

WARNING: CONTRACTOR TO VERIFY PRESENCE AND EXACT LOCATION OF ALL UTILITIES PRIOR TO CONSTRUCTION.

STOP!
CALL BEFORE YOU DIG
DIG TESS
1-800-DIG-TESS
(at least 72 hours prior to digging)

CASE# 160211-1

BLUESTONE GARLAND ADDITION LOT 1, BLOCK 1

No.	REVISIONS	DATE	BY
3	TRUCK AREA CURB LINE PARKING ADJUSTMENTS, ROLLED CURB, RISER ROOM DOOR LOCATIONS	9/05/17	KH
5	TRUCK ARE CURB LINE ADJUSTMENT	11/14/17	KH

Kimley»Horn

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12750 MERIT DRIVE, SUITE 1000, DALLAS, TX 75251
PHONE: 972-770-1300 FAX: 972-239-3820
WWW.KIMLEY-HORN.COM TX F-928

STATE OF TEXAS
SARAH T. WILLIAMSON
108962
LICENSED PROFESSIONAL ENGINEER
Sarah Williamson
07/06/17

KHA PROJECT	DATE	SCALE	DESIGNED BY	DRAWN BY	CHECKED BY
064498400	07/06/17	AS SHOWN	STW	PJH	STW

BLUESTONE GARLAND
DALLAS COUNTY GARLAND, TEXAS

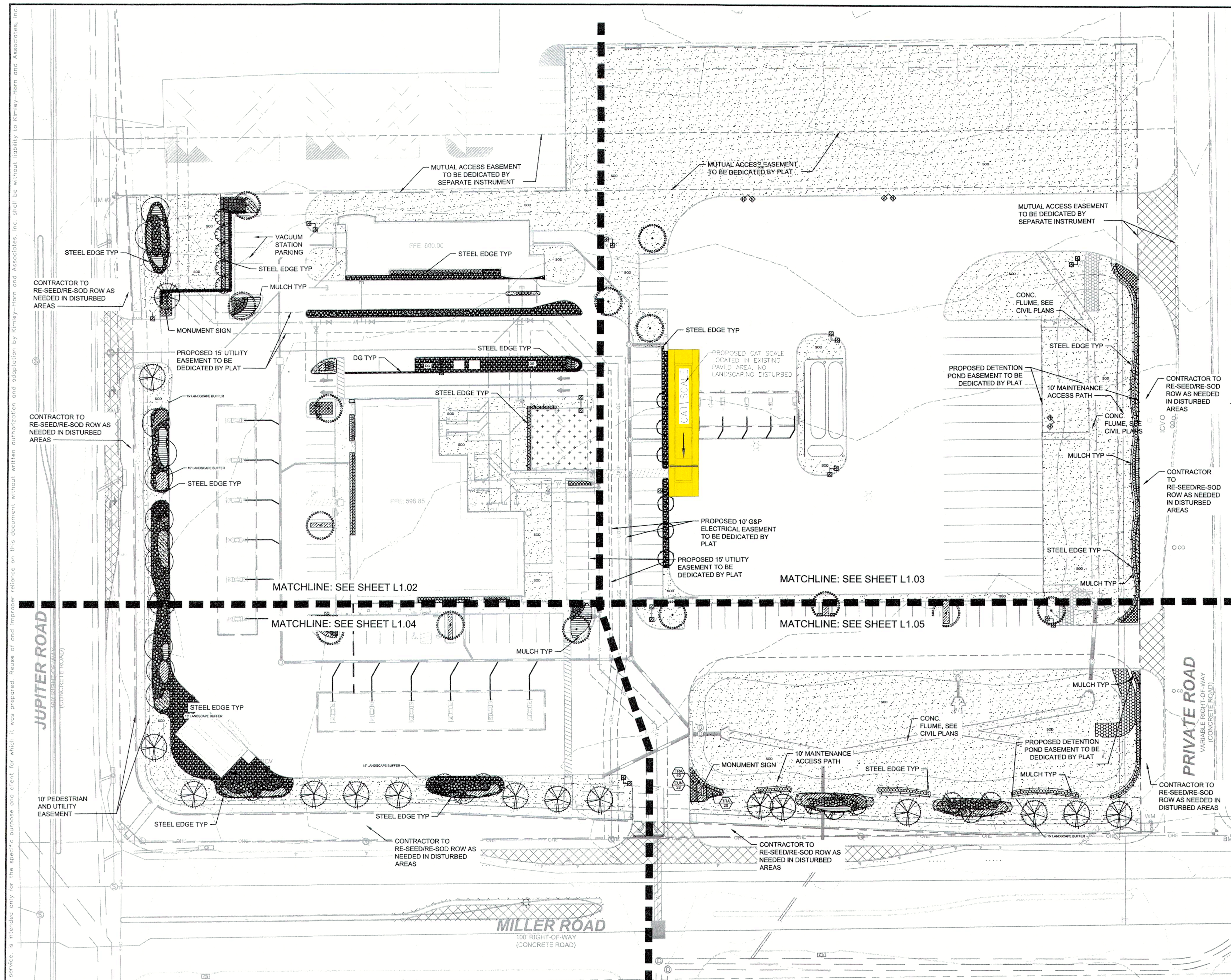
DIMENSION CONTROL AND PAVING PLAN

SHEET NUMBER
C-03

IMAGES STW Signature :
XREFS xBndy : xExisting : xSite : x2436 : xStorm : xUtil : xHatch
LAST SAVED 11/16/2017 3:59 PM
PLOTTED BY HOGAN, PATRICK 11/15/2018 5:57 PM
DWG PATH K:\DAL_CIVIL\064498400-BLUESTONE GARLAND\DWG\PLAN SHEETS\CONSTRUCITON DOCUMENTS
DWG NAME 10C - DIMC & PAV.DWG , [C-03]

This document, together with the concepts and designs presented herein, as an instrument of service, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.

EXHIBIT D



CITY OF GARLAND LANDSCAPE REQUIREMENTS

SITE: 8.26 ACRES/ 359,806 SF ZONE: INDUSTRIAL	REQUIRED	PROPOSED
TOTAL LANDSCAPE: 10% MIN. LANDSCAPE	10% / 37,113 SF	31% / 115,642 SF
BUFFER REQUIREMENT: WIDTH: 15 FT 1 TREE PER 30 LF TURF MAX 75% **MILLER ROAD** 724.4 LF (724.4/30 = 24.14 TREES) (7.24.4/30 = 24.14 X 7 = 168.98 SHRUBS) **JUPITER ROAD** 456 LF (456/30 = 15.2 TREES) (456/30 = 15.2 X 7 = 106.4 SHRUBS)	15 FT WIDTH TURF MAX 75% / 19,795 SF MILLER: 25 TREES 169 SHRUBS JUPITER: 16 TREES 107 SHRUBS	15 FT WIDTH TURF MAX 57% / 15,275 SF MILLER: 25 TREES 193 SHRUBS JUPITER: 16 TREES 174 SHRUBS
PARKING LANDSCAPE REQUIREMENT: 5% OF (TOTAL PARK AREA) LANDSCAPE 26,114 SF X 0.05 = 1,305.7 SF 1 TREE PER ISLAND 1 TREE PER 10 SPACES (87 PARKING SPACES = 8.7 TREES) EVERY PARKING SPACE WITHIN 65 FT OF A TREE PARKING SCREEN 24" @ INSTALL, 3 FT WITHIN 2 YEARS	5% / 1,305.7 SF 9 TREES PARKING WITHIN 65 FT OF A TREE: YES SCREEN: YES	34% / 8,830 SF 20 TREES (6 ORNAMENTALS) PARKING WITHIN 65 FT OF A TREE: YES SCREEN: YES

PLANT SCHEDULE

TREES	CODE	QTY	BOTANICAL NAME / COMMON NAME	SPECIFICATIONS	SPACING	REMARKS
	MG	5	Magnolia grandiflora `Little Gem` / Dwarf Southern Magnolia	3" cal. 8` ht, 4` spr		Full to Base, Straight, Single Leader
	PC	12	Pistacia chinensis / Chinese Pistache	3" cal, 10` ht, 5` spr		Full, Staight, Single Leader
	QV	12	Quercus virginiana / Southern Live Oak	3" cal, 10` ht, 5` spr		Full, Straight, Single Leader
	TD	17	Taxodium distichum / Bald Cypress	3" cal, 10` ht, 5` spr		Full, Straight, Single Leader
	UC	14	Ulmus crassifolia / Cedar Elm	3" cal, 10` ht, 5` spr		Full, Straight, Single Leader
UNDERSTORY TREE	CODE	QTY	BOTANICAL NAME / COMMON NAME	SPECIFICATIONS		REMARKS
	CO	6	Cercis canadensis `Oklahoma` / Oklahoma Redbud	3" cal, 10` ht, 5` spr		Full, Straight, Single Leader
SHRUBS	CODE	QTY	BOTANICAL NAME / COMMON NAME	SPECIFICATIONS		REMARKS
	ABE	254	Abelia x grandiflora / Glossy Abelia	36" ht, 20", spr, 24" oc		Full
	BEB	166	Berberis thunbergii `Atropurpurea Nana` / Dwarf Redleaf Japanses Barberry	30" ht, 24" spr, 20" oc		Full
	BOU	220	Bouteloua gracilis `Blonde Ambition` / Blue Grama	24" ht, 18" spr, 24" oc		Full
	HES	48	Hesperaloe parviflora / Red Yucca	24" ht, 18" spr, 24" oc		Full
	ILE	62	Ilex cornuta / Chinese Holly	24" ht, 18" spr, 24" oc		Full
	JUT	63	Juniperus tamariscafolia / Tam Juniper	36" ht, 20", spr, 24" oc		Full
	LEU	21	Leucophyllum frutescens / Texas Sage	30" ht, 24" spr, 20" oc		Full
	MUH	125	Muhlenbergia capillaris / Pink Muhly	24" ht, 18" spr, 24" oc		Full
	RHA	115	Rhaphiolepis indica / Indian Hawthorn	24" ht, 18" spr, 24" oc		Full
GROUND COVERS	CODE	QTY	BOTANICAL NAME / COMMON NAME	SPECIFICATIONS	SPACING	REMARKS
	EUN	492	Euonymus fortunei / Wintercreeper	12" ht, 12" spr.	18" o.c.	Full, 1 gallon min.
	LIR	452	Liriope muscari / Liriope	12" ht, 12" spr.	18" o.c.	Full, 1 gallon min.
	ROP	730	Rosmarinus officinalis `Prostratus` / Dwarf Rosemary	8" ht, 8" spr.	14" o.c.	Full, 1 gallon min.
	TRA	537	Trachelospermum asiaticum `Asiatic` / Asiatic Jasmine	12" ht, 12" spr.	18" o.c.	Full, 1 gallon min.
MISC	CODE	QTY	BOTANICAL NAME / COMMON NAME	SPECIFICATIONS		
	SOD	TBD	Cynodon dactylon / Bermuda Grass	Solid, rolled tight sand filled joints. 100% weed, pest, and disease free.		
	DG	TBD	Decomposed Granite	4" Depth, See Detail		
	MULCH	TBD	Hardwood	3" depth, all trees within sod areas shall receive a 4' diameter mulch ring.		

NOTE: PLANT QUANTITIES ARE PROVIDED FOR CONVENIENCE ONLY. IN THE CASE OF A DISCREPANCY, THE DRAWING SHALL TAKE PRECEDENCE.

NOTE: PLANTS ARE SPECIFIED BY HEIGHT AND SPREAD, NOT CONTAINER SIZE. ALL PLANTINGS ARE EXPECTED TO MEET ALL SPECIFICATIONS PROVIDED.

NOTE: NO LANDSCAPING SUCH AS TREES, HEDGES, OR STRUCTURES ABOVE AND UNDERGROUND SHALL BE LOCATED WITHIN EXISTING OR PROPOSED UTILITY EASEMENTS AND RIGHT OF WAY.

NOTE: CONTRACTOR TO ADJUST TREE LOCATIONS AND LIGHTING WITHIN ISLANDS TO ALLOW MIN. 10 FT. TREE CLEARANCE. CONTRACTOR TO CONFIRM LIGHTING RELOCATIONS MEET MUNICIPALITY LIGHTING REQUIREMENTS, COORDINATE WITH ARCHITECT/MEP.

PLANTING NOTES:

1. ALL PLANT MATERIAL SHALL BE INSTALLED ACCORDING TO SOUND NURSERY PRACTICES AND SHALL MEET ALL STANDARDS AS STATED IN THE LATEST EDITION OF "AMERICAN STANDARD FOR NURSERY STOCK" BY THE AMERICAN ASSOCIATION OF NURSERYMEN.
2. NO SUBSTITUTIONS IN PLANT MATERIALS SHALL BE MADE WITHOUT WRITTEN AUTHORIZATION FROM OWNER OR LANDSCAPE ARCHITECT. IN THE EVENT OF DISCREPANCIES BETWEEN THE DRAWING AND THE PLANT LIST, THE DRAWING SHALL PREVAIL.
3. LOCATE ALL UTILITIES PRIOR TO ANY DIGGING OPERATIONS. CONTRACTOR SHALL BE RESPONSIBLE FOR ALL DAMAGES TO EXISTING UTILITIES INCURRED BY HIS WORK.
4. REFERENCE IRRIGATION PLAN FOR BED IRRIGATION INFORMATION.
5. STAKING AND GUYING ALTERNATIVES: METHODS INDICATED IN DRAWING DETAILS ARE PREFERRED. CONTRACTOR MAY SUGGEST ALTERNATE METHODS, ASSUMING FULL RESPONSIBILITY FOR THEIR IMPLEMENTATION. CONTRACTOR SHALL REPLACE, PLANT, OR UPRIGHT ANY TREES BLOWN OVER OR DAMAGED DUE TO INADEQUATE STAKING AT NO ADDITIONAL COST TO THE OWNER.
6. PLANTS MASSED IN BEDS SHALL BE ARRANGED USING TRIANGULAR SPACING.
7. PROVIDE A STEEL EDGE OR CONCRETE MOW STRIP BETWEEN ALL PLANTING BEDS AND LAWN AREAS. REFERENCE SITE PLAN.
8. ALL PLANTING BEDS TO BE TOP DRESSED WITH A MINIMUM OF 3" SHREDDED HARDWOOD MULCH.
9. PROVIDE GRASS SEEDING OR LAY BERMUDA SOD FOR PROPOSED LAWN AREAS TO ALL EDGES OF PAVEMENT AND/ OR LIMITS OF DISTURBANCE OUTSIDE R.O.W. OR PROPOSED LANDSCAPE EASEMENT.
10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF ALL LANDSCAPING UNTIL FINAL ACCEPTANCE. ALL REQUIRED LANDSCAPING SHALL BE MAINTAINED IN A NEAT AND ORDERLY MANNER AT ALL TIMES. THE WORK SHALL INCLUDE, BUT NOT TO BE LIMITED TO, MOWING, EDGING, PRUNING, FERTILIZING, WATERING, WEEDING, AND OTHER SUCH ACTIVITIES COMMON TO THE MAINTENANCE OF LANDSCAPING. ALL PLANT MATERIALS SHALL BE MAINTAINED IN A HEALTHY AND GROWING CONDITION AS IS APPROPRIATE FOR THE SEASON OF THE YEAR. PLANT MATERIAL THAT DIES SHALL BE REPLACED WITH THE PLANT MATERIAL OF SIMILAR SIZE AND VARIETY.
11. CONTRACTOR SHALL WARRANTY PLANT MATERIAL TO REMAIN ALIVE AND HEALTHY FOR A PERIOD OF ONE YEAR AFTER FINAL ACCEPTANCE. WARRANTY SHALL NOT INCLUDE DAMAGE FOR LOSS OF PLANT MATERIAL DUE TO NATURAL CAUSES, ACTS OF VANDALISM OR NEGLIGENCE ON THE PART OF THE OWNER.
12. ALL DISTURBED AREAS WITHIN LIMITS OF CONSTRUCTION NOT CALLED TO BE SODDED, SHALL BE REESTABLISHED WITH BERMUDA SOD.
13. ALL LANDSCAPE BED AREAS TO BE PREPARED USING "READY TO PLANT BEDDING MIX" BY SOIL BUILDING SOLUTIONS (OR APPROVED EQUAL). INSTALL TO DEPTHS, PER PLANTING DETAILS (12" DEPTH MIN.) FINISHED GRADES OF PLANTING BEDS TO BE 2" BELOW FINISHED GRADE OF ADJACENT PAVING OR AS SHOWN ON GRADING PLAN.
14. ALL SOD AREAS TO RECEIVE 4" DEPTH (MIN) TOPSOIL PRIOR TO INSTALLATION. ALL PLANTING AREAS TO RECIEVE 24" DEPTH (MIN) OF TOPSOIL. TOPSOIL SHALL BE NATURAL, FRIABLE, FERTILE, pH RANGE OF 6.0-6.5, AND FREE OF TRASH, DEBRIS, STONES, WEEDS, AND TWIGS/BRANCHES.

RELEASE FOR CONSTRUCTION
Contact Field Engineering at 972-205-2113 to schedule the MANDATORY pre-construction meeting and issuance of the Site Permit prior to any construction activity. The City of Garland Standard Construction Details and Specifications shall be used in City rights of way and easements. In reviewing and releasing these construction plans for construction, the City of Garland assumes no responsibility for the accuracy and adequacy of this construction document.

JUL 06 2017

Thomas A. Guillory, P.E.
Engineering Administrator
Development

NORTH

GRAPHIC SCALE IN FEET
0 20 40 80

BLUESTONE GARLAND ADDITION LOT 1, BLOCK 1

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IMAGES
XREFS x2436 : xBndy : xExisting : xExUtil : xGrade : xHatch : xLandscape : xSite : xStorm : xTopo : xUtil
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PLOTTED BY HUCKINS, LANDON 6/15/2017 3:11 PM
DWG PATH K:\FRI_LA\064498400- GARLAND FUEL STATION\CAD\PLANSHEETS
DWG NAME LANDSCAPE PLAN.DWG , [24 x 36]

No.	REVISIONS	DATE	BY

Kimley»Horn
© 2015 KIMLEY-HORN AND ASSOCIATES, INC.
12750 MERIT DRIVE, SUITE 1000, DALLAS, TX 75251
PHONE: 972-770-1300 FAX: 972-239-3820
WWW.KIMLEY-HORN.COM TX F-928

REGISTERED LANDSCAPE ARCHITECT · STATE OF TEXAS · 2900
6/15/2017

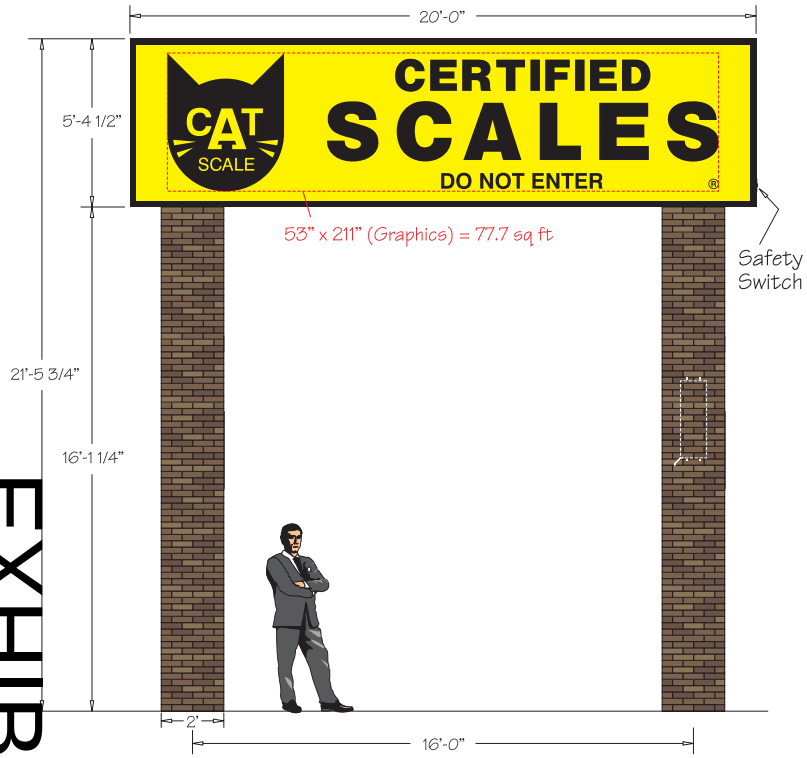
KHA PROJECT 064498400
DATE 03/09/16
SCALE AS SHOWN
DESIGNED BY LRH
DRAWN BY LRH
CHECKED BY LMC

BLUESTONE GARLAND
ADDITION LOT 1, BLOCK 1
GARLAND, TEXAS
DALLAS COUNTY

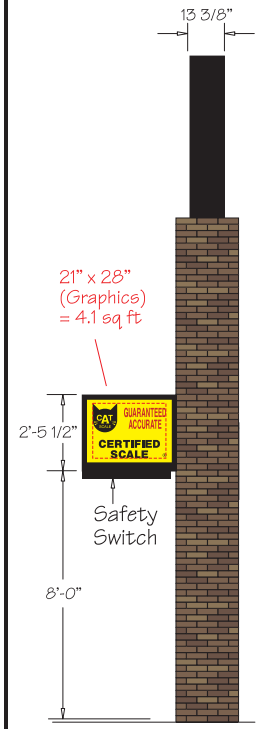
OVERALL LANDSCAPE PLAN

SHEET NUMBER
L1.01

EXHIBIT E

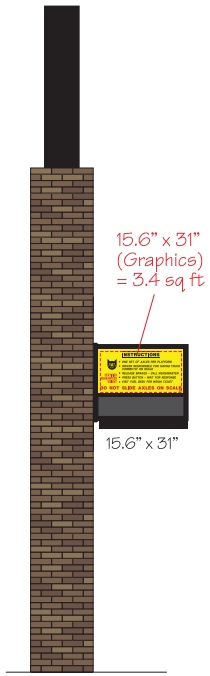


BACK VIEW OF SIGN



LEFT SIDE VIEW OF SIGN

FRONT VIEW OF SIGN



RIGHT SIDE VIEW OF SIGN

CAT Scale ID sign – Qty (5) HanleyH100W – PPS524V power supplies and Qty (20) 60" Hanley SHPEB2S6045K NRG BAR LEDs. Power Consumption: approx. 490W.
Speaker Sign – (1) Qty (1) HanleyH100W – PPS524V power supply and Qty (3) 36" Hanley SHPEB2S6045K NRG BAR LEDs. Power Consumption: approx. 49W.

Signs are fabricated per UL 48 Standard for Electric Signs and shall be installed per National Electric Code (NEC) Article 600.

Power 120-277 Volts. 4.5 amp draw.

EAGLE SIGN CO. A DIVISION OF NAGLE SIGNS, INC.	605 SW 37TH ST. GRIMES, IA 50111 515-243-5663 • FAX: 515-243-5313 TOLL FREE: 800-307-8186 www.eaglesign.net	NAME: CAT SCALE - STD 115 MPH LED PACKAGE (W/ BRICKS) SKETCH #: 0923-36467-00_CATSCALE APPROVAL: X DATE: X	PROJECT: GARLAND, TX	SCALE: 1/4" = 1' | DESIGNER: CRN REVISIONS: ----	THIS IS A CONCEPTUAL DRAWING, FINAL PRODUCT MAY VARY. THIS ARTWORK IS PROPERTY OF EAGLE SIGN CO. AND MAY NOT BE REPRODUCED

REPORT & MINUTES

P.C. Meeting, October 9, 2023

3b. APPROVED Consideration of the application of **CAT Scale Company,** requesting approval of 1) an Amendment to Planned Development (PD) District 16-10 to allow a truck scale and a freestanding sign and 2) a Detail Plan to allow a truck scale and a freestanding sign to the existing development. This property is located at 1910 South Jupiter Road. (District 6) (File Z 23-20).

The applicants, Steve Goecke, 515 Sterling Dr., Walcott, IA 52773 and Kent Jurgersen, 515 Sterling Dr., Walcott, IA 52773, provided an overview of the request and remained available for questions.

Commissioner Jenkins asked the applicant what the actual scale of the proposed scale would be and whether this would be a significant improvement for the proposed site.

The applicant explained that concrete would be poured where there is already existing concrete and no landscape would be impacted. The overall footprint would be 21 X 102 feet. The actual scale would be 11 X 84 feet. The actual scale would be broken down into three different platforms for a total of 80,000 pounds. The applicant explained that the improvement would be concentrated to a specific area at the end of the fuel lines.

Commissioner Jenkins asked the applicant how many trucks could be on the scale at one time and in total, how many trucks would be weighed per day.
The applicant responded that only one truck could be on the scale at a time and a total of approximately 30-40 trucks per day would be weighed.

Commissioner Rose asked the applicant what the hours of operation for the scale would be and what the timing for the scale to be in operation.

The applicant responded that the scale would be operated 24 hours per day and that they hope to have the scale in operation by the end of the year.

Commissioner Dalton asked the applicant if the driver would see a display on the scale of the total weight of their truck.

The applicant explained that the driver would not see the total weight of the vehicle. The drivers would be essentially purchasing an insurance policy that guarantees that their truck weight is what the CAT scale weight reflects, otherwise the CAT scale would be responsible for any fines the driver is assessed.

Commissioner Dalton asked the applicant if they were pinging the trucks in the general vicinity of their scale.

The applicant confirmed that yes, they use the app to pin nearby trucks.

Commissioner Aubin asked the applicant about the sustainability of the location for the scale and if they foresee that truck drivers will be coming off of the highway into Garland specifically for the use of the scale.

The applicant explained that based on the nearby load originations for the surrounding area, most drivers would be looking for the nearest scale.

Chair Roberts asked the applicant if they were aware of any other brand of scales in the area besides their own and if most of their business was conducted via their app.

The applicant stated they were not aware of any other scales in the area besides possibly those of private businesses that are load originating facilities. Their application does account for approximately 50% of their business but for those drivers that are not tech-savy, they would have the ability to pay for their load in person.

Chair Roberts followed-up his question regarding the use of the app by asking the applicant if it was then necessary to have a 22-foot sign if most of their business was conducted via the app.

The applicant explained that the sign would provide a goal post of where the driver would go to get weighed.

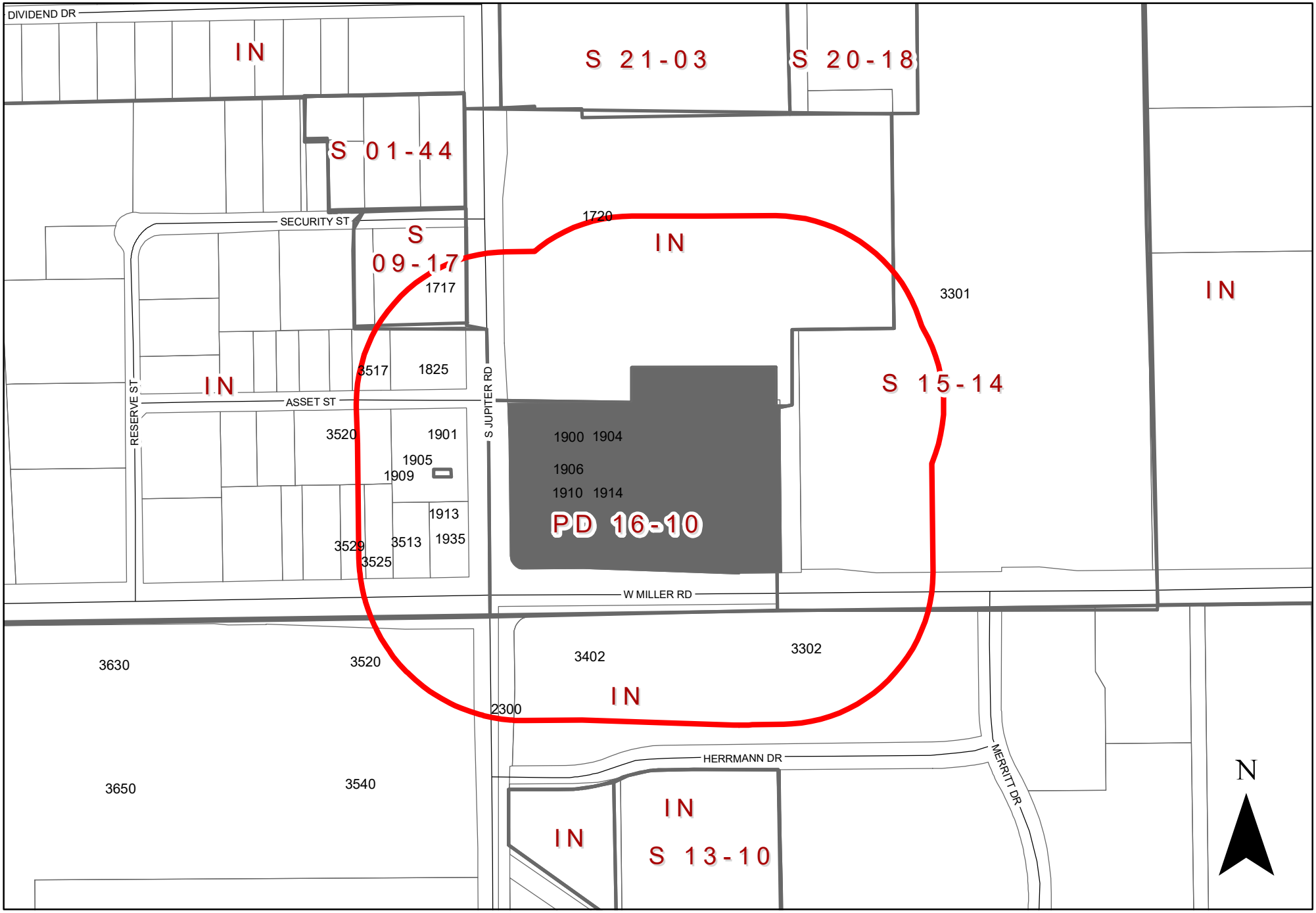
Commissioner Jenkins asked the applicant how many of their customers would they say would be repeat customers.

The applicant explained that quite a few of their customers are repeat due to their weight guarantee policy.

Motion was made by Commissioner Aubin to close the public hearing. Seconded by Commissioner Rose. **Motion carried**: **8** Ayes, **0** Nays.

There was feedback from the Commissioners regarding the use of the location making sense due to the need and location of the scale, the signage being a good fit for the area and the proposal supporting the zoning in the area as well.

Motion was made by Commissioner Aubin to **approve** the application as presented. Seconded by Commissioner Jenkins. **Motion carried**: **8** Ayes, **0** Nays.



0 220 440 Feet 1 inch = 333 feet

ZONING MAP Z 23-20

INDICATES AREA OF REQUEST

INDICATES NOTIFICATION AREA

1910 South Jupiter Road

To date we have not received any responses for this case.

GARLAND
TEXAS MADE HERE

The applicant proposes to add a truck scale and a twenty-two (22)-foot freestanding sign for the truck scale.

City Council Meeting

November 7, 2023

Z 23-20

GARLAND
TEXAS MADE HERE

CASE INFORMATION

Location: 1910 South Jupiter Road

Applicant: CAT Scale Company

Owner: RR Garland Site, LLC

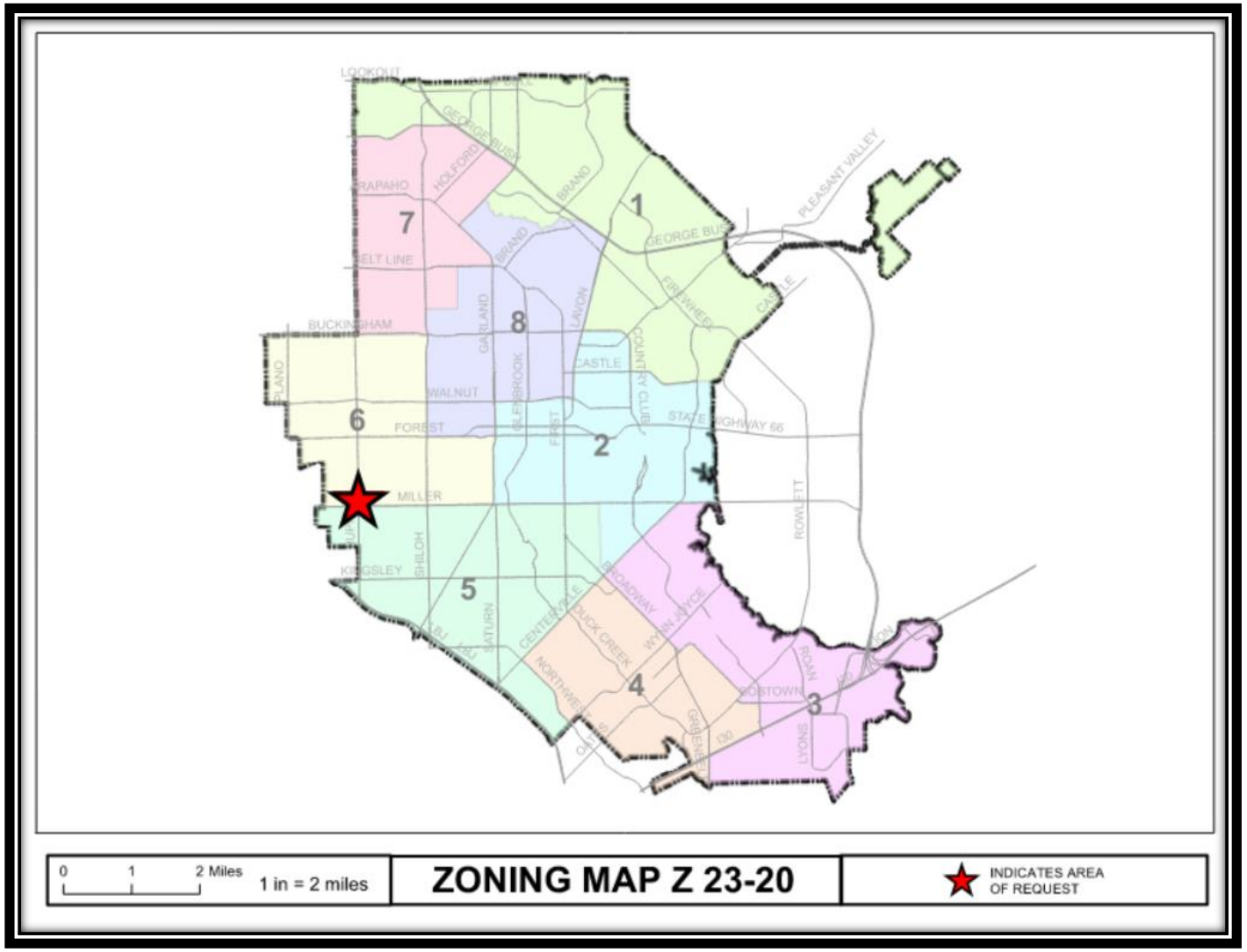
Acreage: 7.29 acres

Zoning: Planned Development (PD) District 16-10

Z 23-20

GARLAND
TEXAS MADE HERE

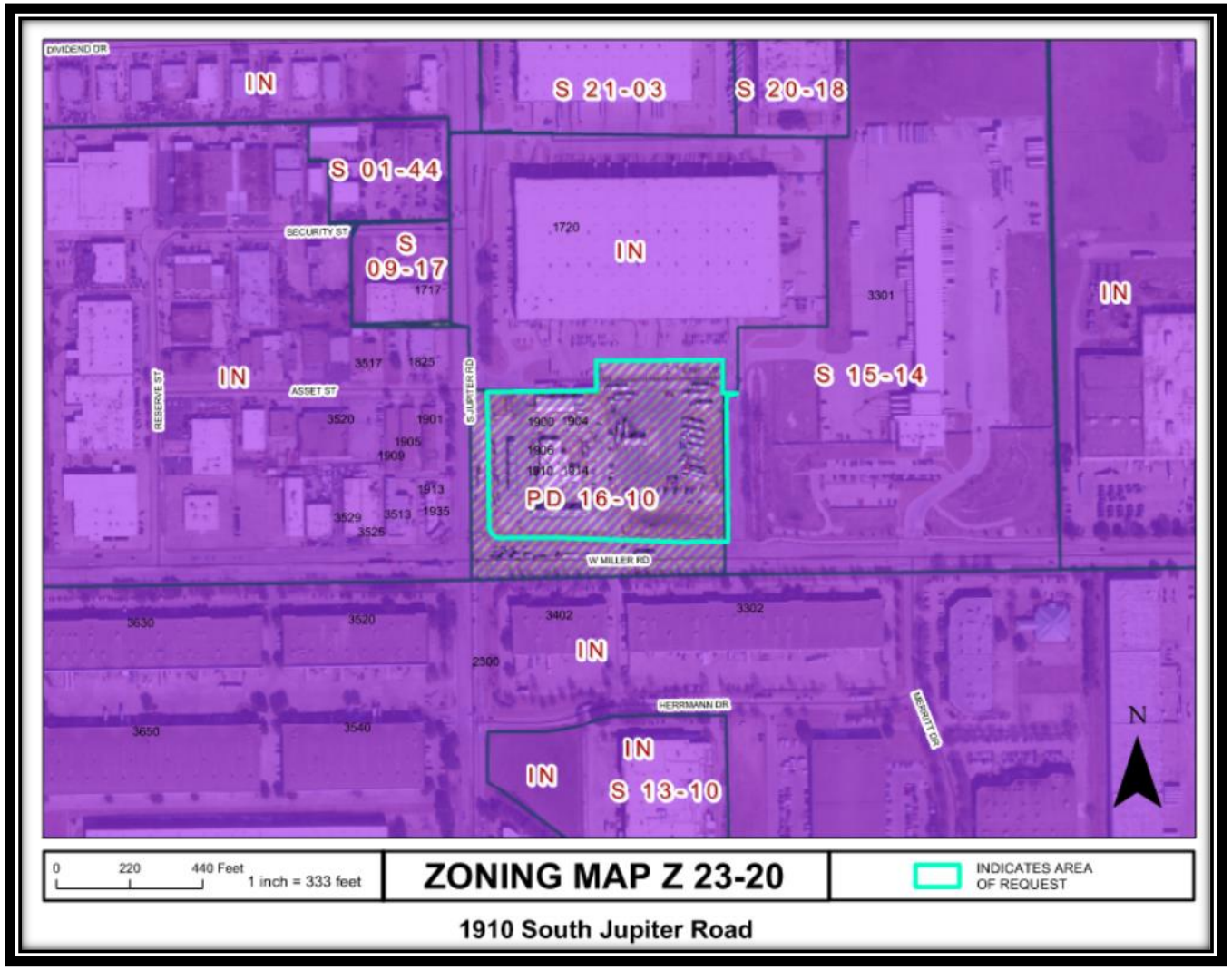
CITYWIDE LOCATION MAP



Z 23-20

GARLAND
TEXAS MADE HERE

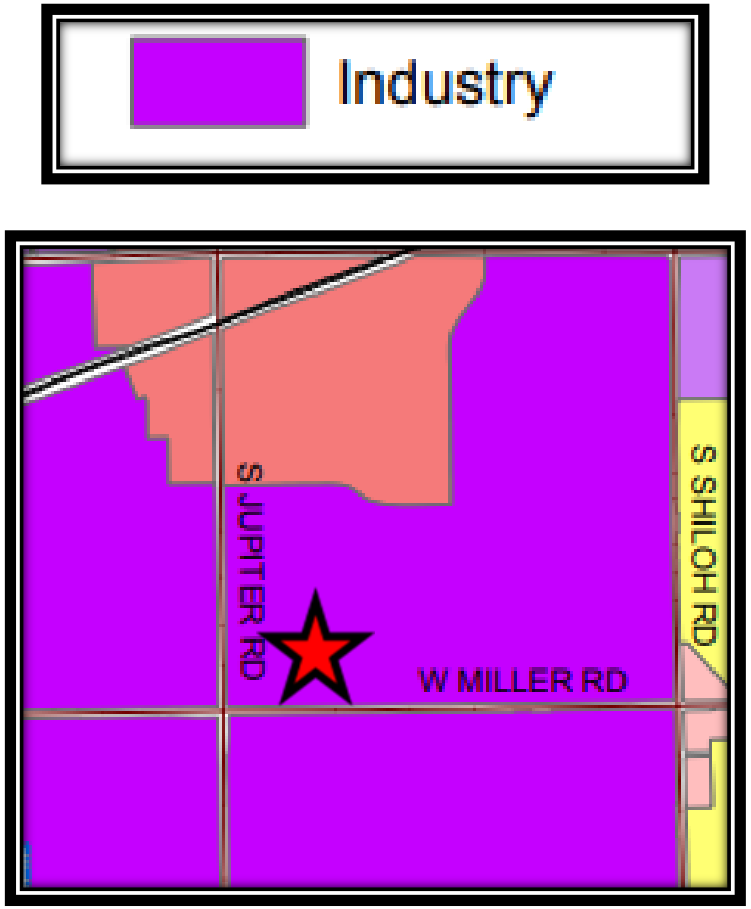
LOCATION MAP



Z 23-20

GARLAND
TEXAS MADE HERE

COMPREHENSIVE PLAN



Z 23-20

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COMPREHENSIVE PLAN

Industry centers provide a cluster of trade and industry that cumulatively employ large numbers of people. Operations within this development type may require substantial infrastructure and may result in more significant negative impacts (sound, air, traffic, outdoor lighting, storage, etc.).

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PHOTOS

View of the proposed truck scale area

View of the overall subject property from West Miller Road

Z 23-20

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PHOTOS

West of the subject property

North of the subject property

Z 23-20

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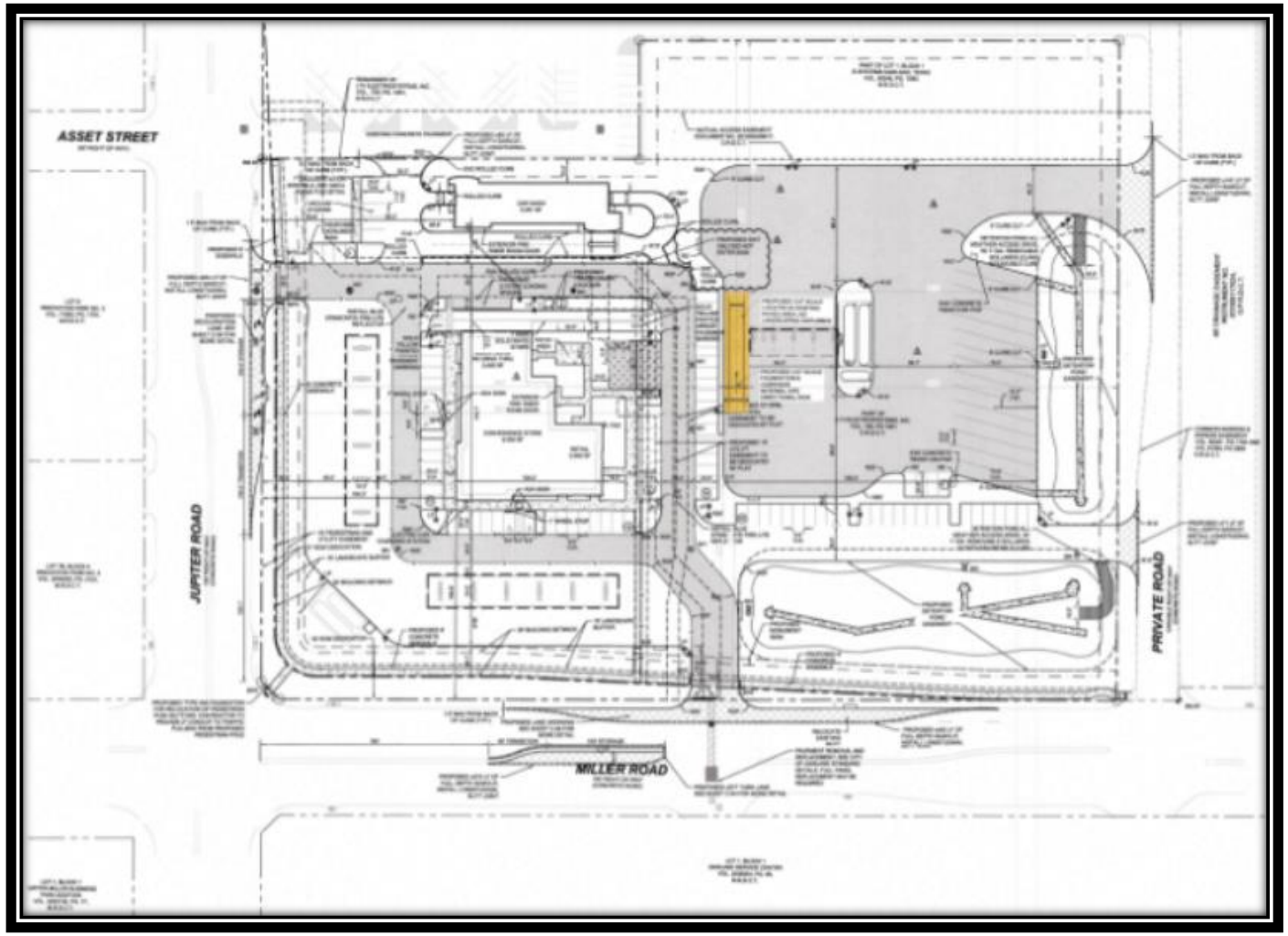
SITE PLAN



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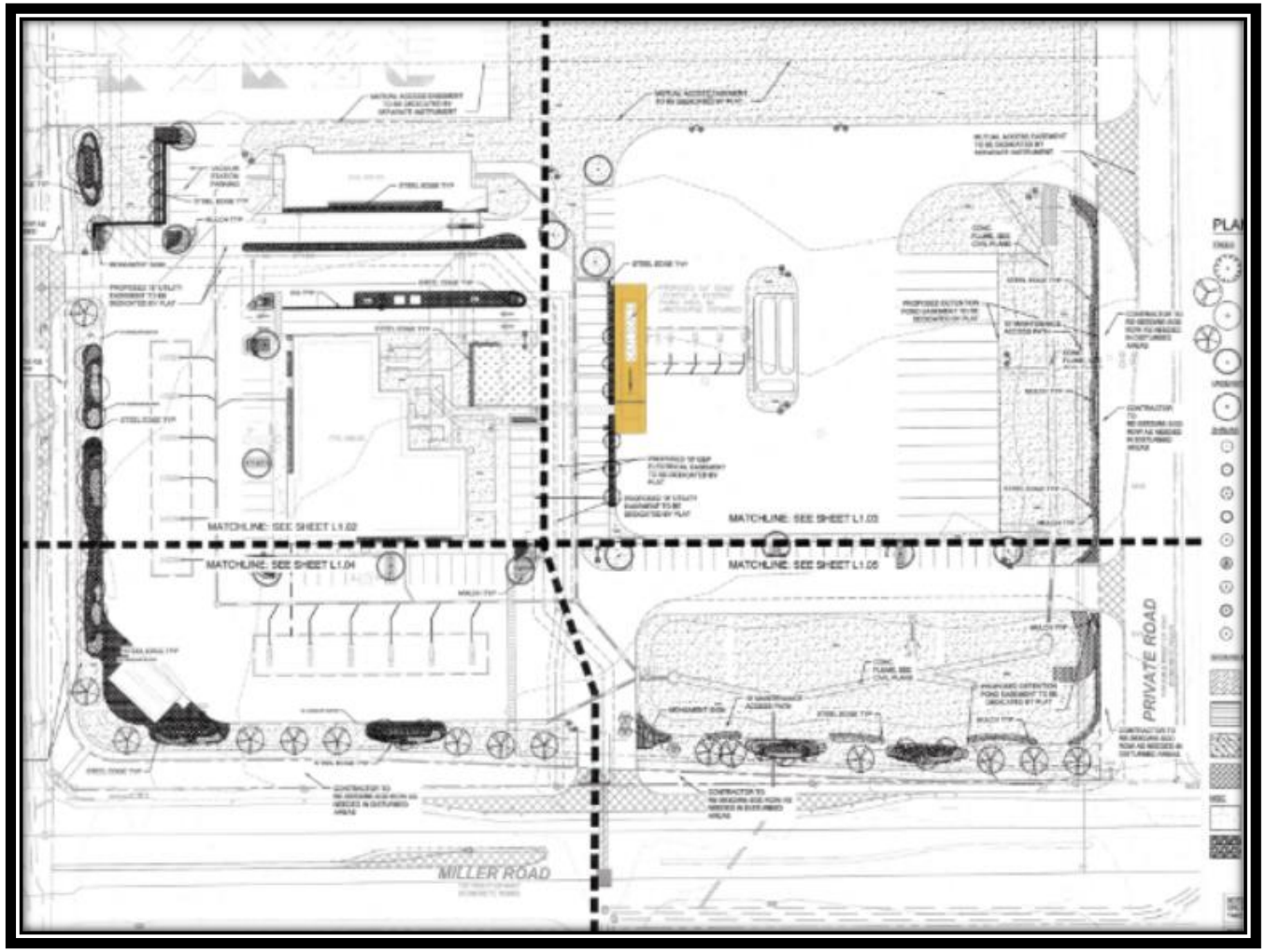
LANSCAPE PLAN



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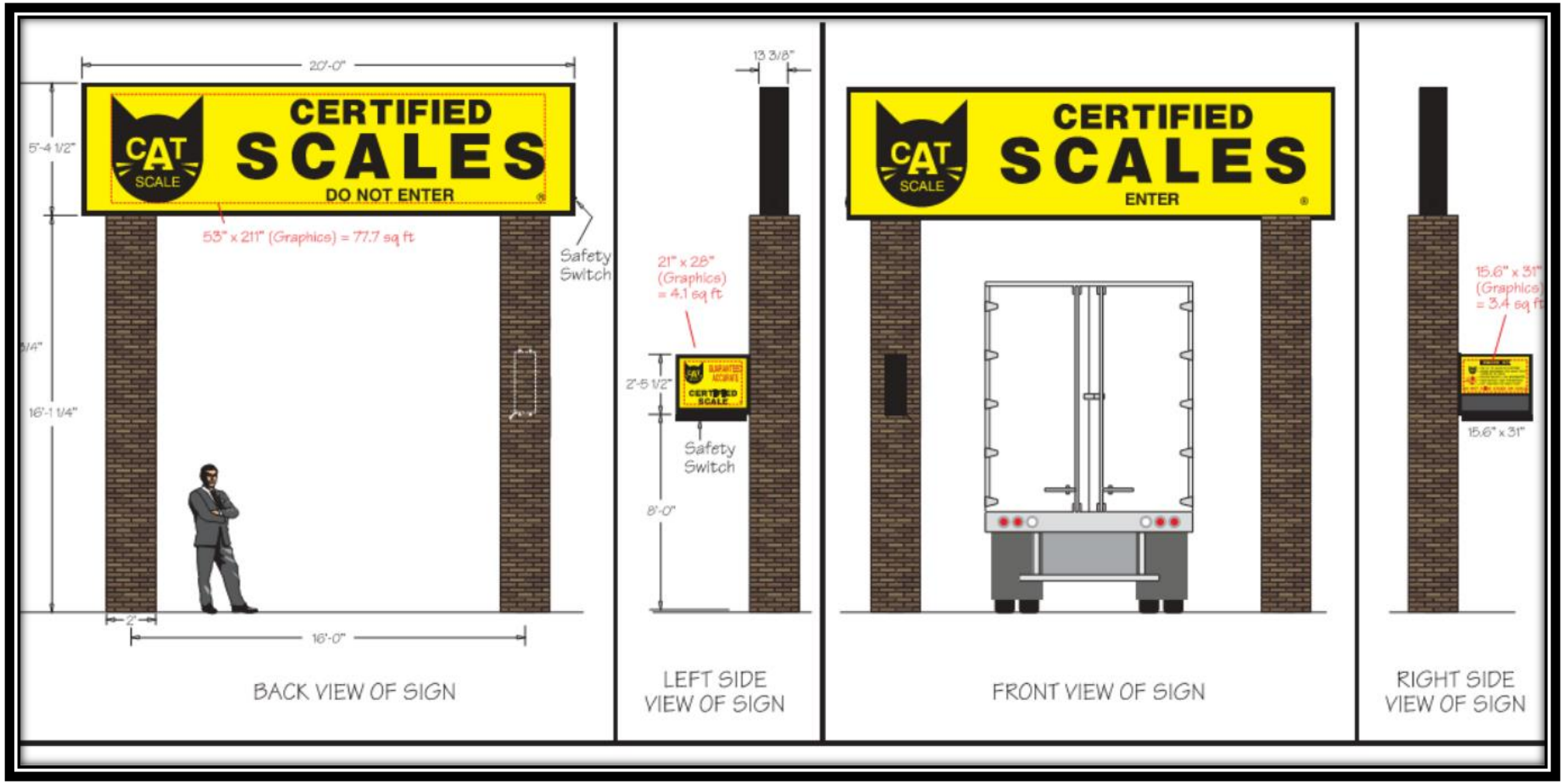
PYLON SIGN



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STAFF RECOMMENDATION

While the existing use provides supportive services to trucks and general customers in the area, staff finds the proposed truck scale to be more suitable on a site that is approved for a truck stop use. The subject property is intended for vehicle fueling and washing, restaurant/dining and retail services, and the truck scale is a component that is typically seen at truck stops, which are not a permitted use in the Garland Development Code. Therefore, staff recommends denial of an Amendment to Planned Development (PD) District 16-10 to allow a truck scale and a freestanding sign and 2) a Detail Plan to allow a truck scale and a freestanding sign to the existing development.

PLAN COMMISSION RECOMMENDATION

On October 9, 2023 the Plan Commission, by a vote of eight (8) to zero (0), recommended approval of 1) an Amendment to Planned Development (PD) District 16-10 to allow a truck scale and a freestanding sign and 2) a Detail Plan to allow a truck scale and a freestanding sign to the existing development.

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GARLAND
TEXAS MADE HERE

- TRAVEL CENTER (also “TRUCK STOP”): (x) A large-scale motor fuel sales facility of over five thousand square feet that primarily involves fueling and travel services for tractor trucks and the trucking industry.

GARLAND
PLANNING REPORT

City Council Regular Session Agenda **8. c.**

Meeting Date: 11/07/2023

Item Title: Z 23-24 Angie Lemus (District 1)

Submitted By: Matthew Wolverton, Development Planner

REQUEST

Approval of an Amendment to Planned Development (PD) District 05-60 and Planned Development (PD) District 12-19 to add attached signs and freestanding signs.

Approval of a Detail Plan to add attached signs and freestanding signs.

LOCATION

305 River Fern Avenue

OWNER

TX Parkside Apartments LLC

PLAN COMMISSION RECOMMENDATION

On October 9, 2023 the Plan Commission, by a vote of five (5) to three (3), recommended approval of 1) an Amendment to Planned Development (PD) District 05-60 and Planned Development (PD) District 12-19 to add attached signs and freestanding signs and 2) a Detail Plan to add attached signs and freestanding signs.

STAFF RECOMMENDATION

Approval of a Planned Development Amendment of Conditions for three (3) detached signs (Signs D1, D2, and E1) as well as the attached sign (Sign C) for the leasing office on a property zoned Planned Development (PD) District 05-60 and Planned Development (PD) District 12-19 for Mixed Use Development.

Denial of three (3) of the four (4) attached signs (Signs A, B, and E2), ones above the first floor, on a property zoned Planned Development (PD) District 05-60 and Planned Development (PD) District 12-19 for Mixed Use Development.

The signs recommended for approval are oriented towards pedestrian and low-speed vehicle traffic and will only be visible to those driving directly by the apartments, thus not impacting the urban-style apartment building from blending in to the Firewheel Town Center as a whole.

However, staff finds the above mentioned attached signage does not align with the area due to the position on the top of the building and large size.

It should be noted that any signs approved will be limited to the subject property only, and not for the entire Firewheel Town Center. Any additional signage requests will be reviewed individually on a case-by-case basis.

BACKGROUND

The site has been developed with the now “Brio at Firewheel” apartments since the beginning of the Firewheel Town Center development. The approved Planned Development (PD) District does not allow any detached signage, nor attached signage on residential portions of the building.

The applicant wishes to add the signs in order to better guide potential residents to the leasing office as well as advertising the apartment complex.

SITE DATA

The subject property contains 8.9414 acres and is accessed from two points along River Fern Drive, with parking also available along Horseshoe drive.

USE OF PROPERTY UNDER CURRENT ZONING

The subject property is zoned Planned development (PD) District 05-60 & Planned Development (PD) District 12-19. The intent of these Planned Development (PD) Districts are to provide a mixed-use development containing multi-family retail and restaurant uses to accompany the shopping, dining entertainment and other commercial functions of the Firewheel Town Center.

CONSIDERATIONS

1. The applicant proposes four (4) attached signs and three (3) freestanding signs.

2. Sign A is a 53.40 square foot attached sign at the top of the building on the intersection of River Fern Avenue and Horseshoe Drive.

3. Sign B is a 95.96 square foot attached sign at the top of the building. This sign is located at the intersection of Firewheel Parkway and Horseshoe Drive. This sign will replace a temporary leasing sign in the same location.

4. Sign C is an approximately 57 square-foot attached canopy sign that will replace the existing permanent wall sign above the entrance to the leasing office along River Fern Avenue. While the maximum canopy signage amount is 25 square feet, it is a replacement of existing signage and staff finds the scale of the sign appropriate to the building and surrounding environment.

5. Sign D1 is a 6 square foot detached directional sign that directs people to the leasing office. This sign is located at the intersection of River Fern and Horseshoe Drive.

6. Sign D2 is identical to sign D1. It is located at the intersection of Riverside and horseshoe.

7. Sign E1 is a 49.6 square foot detached monument sign that states the name of the complex, “Brio at Firewheel”. This is located at the intersection of Firewheel and Town Square Boulevard.

8. Sign E2 is a 20.76 square foot attached sign with the same design as sign E1. This is located at the intersection of Horseshoe Drive and Firewheel Parkway.

COMPREHENSIVE PLAN

The Future Land Use Map of the Envision Garland Plan recommends Regional Centers for the subject property. 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.

COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

The subject property is located within Firewheel Town Center which is Mixed Use Development. The site contains retail stores, restaurants, multi-family, a movie theater, and other commercial development.

Attachments

Z 23-24 Location Map

Z 23-24 PD Conditions

Z 23-24 Exhibits

Z 23-24 R&M

Z 23-24 Responses

Z 23-24 Staff Presentation

---

0 280 560 Feet

1 inch = 431 feet

ZONING MAP Z 23-24

INDICATES AREA OF REQUEST

305 River Fern Drive

PLANNED DEVELOPMENT CONDITIONS

ZONING FILE Z 23-24

305 River Fern Drive

I. **Statement of Purpose:** The purpose of this Planned Development is to amend certain requirements regarding detached and attached signs as identified on the signage exhibit for the Mixed Use Developments in Firewheel Town Center

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 Planned Development (PD) District 05-60 and Planned Development (PD) District 12-19 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 D. In the event there is conflict between the approved Detail Plan and the Specific Regulations below, the Specific Regulations shall apply.

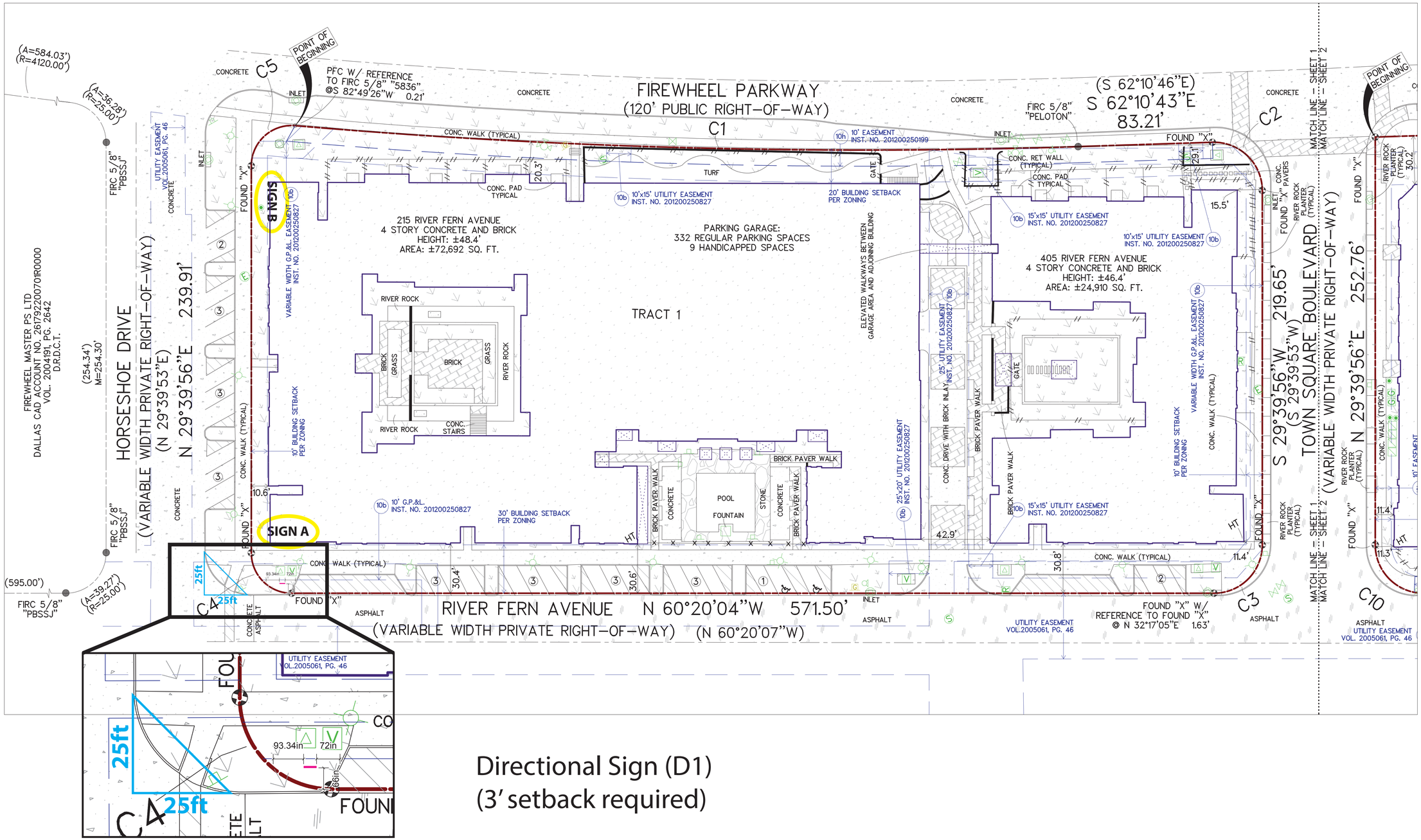
V. **Specific Conditions:**

A. Freestanding Signs: Three (3) detached signs will be allowed as per Exhibit D.
B. Attached Signs: Four (4) attached signs will be allowed as per Exhibit D.
C. Site Plan: The signs shall be placed in the locations indicated in Exhibit C.

EXHIBIT B

Site Map

indicates property line



Directional Sign (D1)
(3' setback required)

EXHIBIT C

Client: Brio at Firewheel		Sales: Curt Horak	
Location: 305 River Fern Dr, Garland, TX 75040		Designer: Hallie	
Contact: Sarina Smith	Contact #: 972-402-6244	Date: 7/11/2023	
Email: parksidedir@weidner.com	Approval Signature:		

Revisions: Initials/Date:
1 -
2 -
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INTERNATIONAL SIGN ASSOCIATION MEMBER

TSCL# 18741

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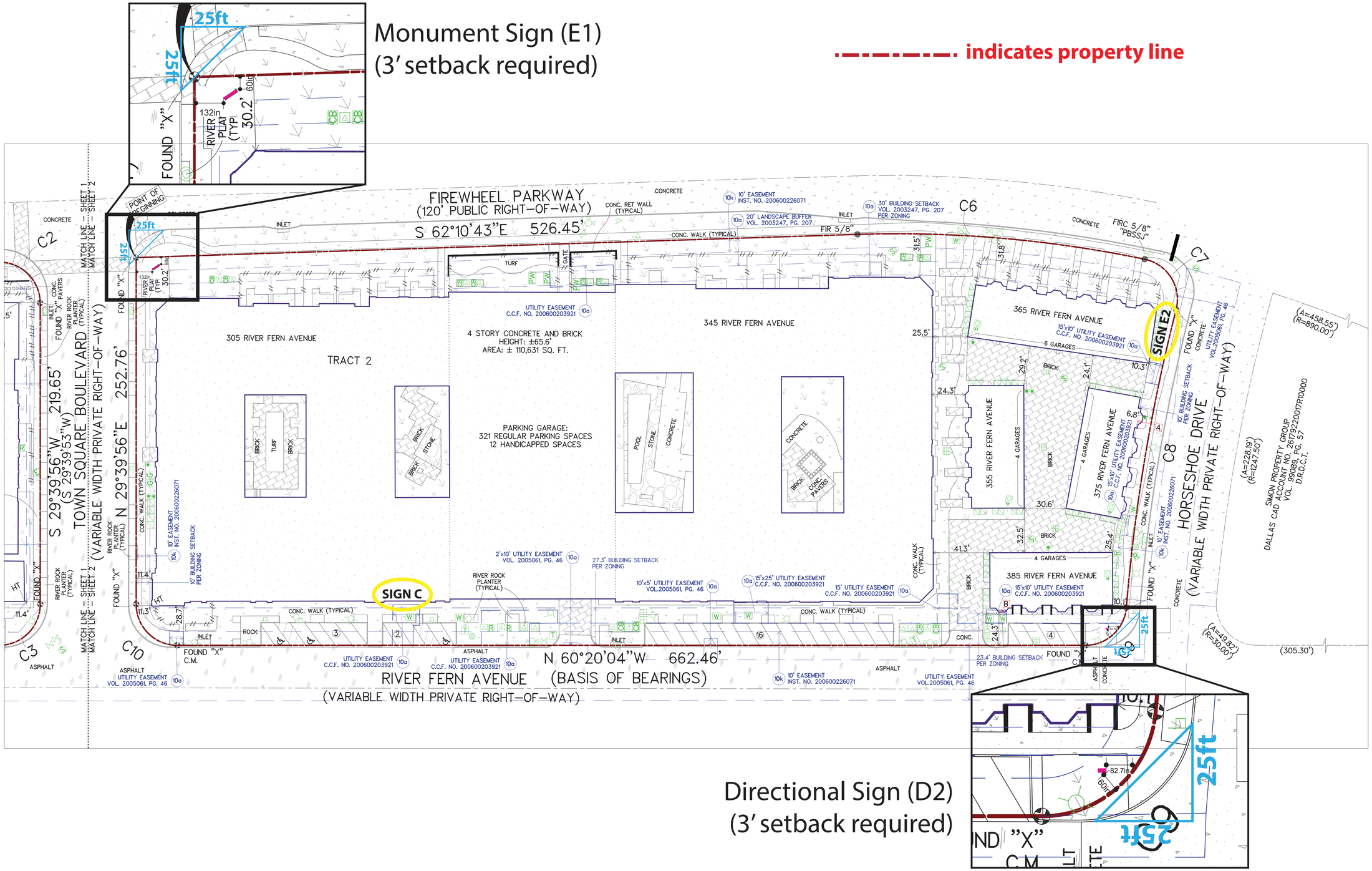
Site Map

Monument Sign (E1)
(3' setback required)

indicates property line



Directional Sign (D2)
(3' setback required)

EXHIBIT C

Client: Brio at Firewheel		Sales: Curt Horak	Revisions: / Initials/Date:
Location: 305 River Fern Dr, Garland, TX 75040		Designer: Hallie	1 - -
Contact: Sarina Smith	Contact #: 972-402-6244	Date: 8/7/2023	2 - -
Email: parksidedir@weidner.com	Approval Signature:		3 - -
			4 - -

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BRIO AT FIREWHEEL

Intersection River Fern & Horseshoe Sign A

Scope of work:
Manufacture and install new

Client is painting building.

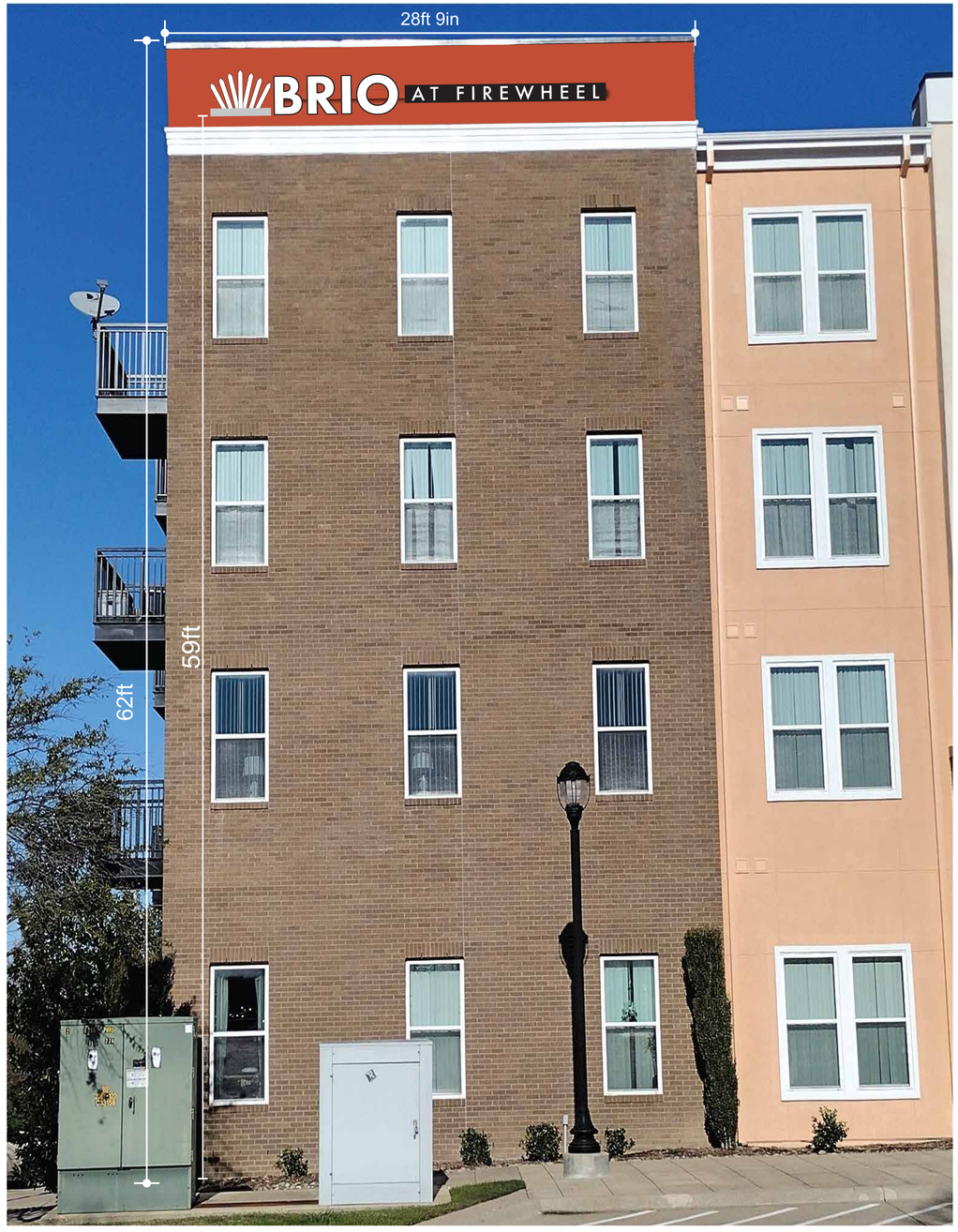
SW 6881 Cayenne

BRIO AT FIREWHEEL

Illumination: (Simulation Only)

EXHIBIT D

Existing



Proposed

Client:	Brio at Firewheel	Sales:	Curt Horak
Location:	305 River Fern Dr, Garland, TX 75040	Designer:	Hallie
Contact:	Sarina Smith — Contact #: 972-402-6244	Date:	7/11/2023
Email:	parksidedir@weidner.com	Approval Signature:	

Revisions: Initials/Date:
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BRIO AT FIREWHEEL

Intersection Firewheel Pkwy & Horseshoe Sign B

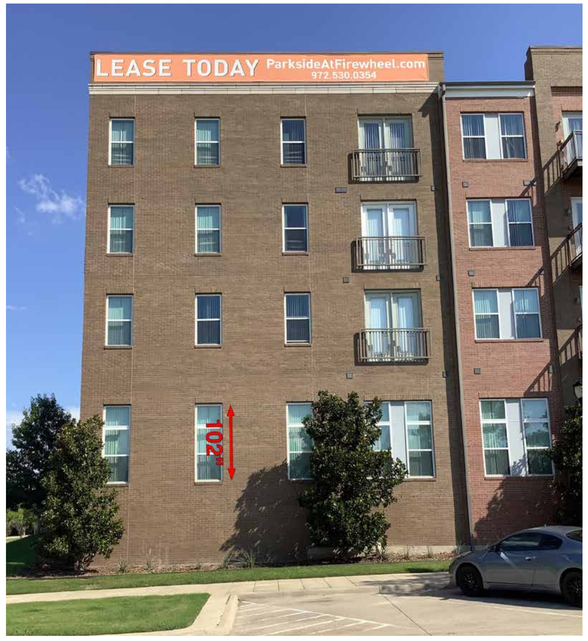
Scope of work:
Manufacture and install new

Client is painting building.

SW 6881 Cayenne

BRIO AT FIREWHEEL

Illumination: (Simulation Only)



Existing

Proposed

EXHIBIT D

Client:	Brio at Firewheel	Sales:	Curt Horak
Location:	305 River Fern Dr, Garland, TX 75040	Designer:	Hallie
Contact:	Sarina Smith	Contact #: 972-402-6244	Date: 7/11/2023
Email:	parksidedir@weidner.com	Approval Signature:	

Revisions: Initials/Date:
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BRIO AT FIREWHEEL Sign C

Scope of work:
Manufacture and install new

EXHIBIT D

Proposed

Existing

Client: Brio at Firewheel		Sales: Curt Horak	
Location: 305 River Fern Dr, Garland, TX 75040		Designer: Hallie	
Contact: Sarina Smith	Contact #: 972-402-6244	Date: 7/11/2023	
Email: parksidedir@weidner.com	Approval Signature:		

Revisions: Initials/Date:
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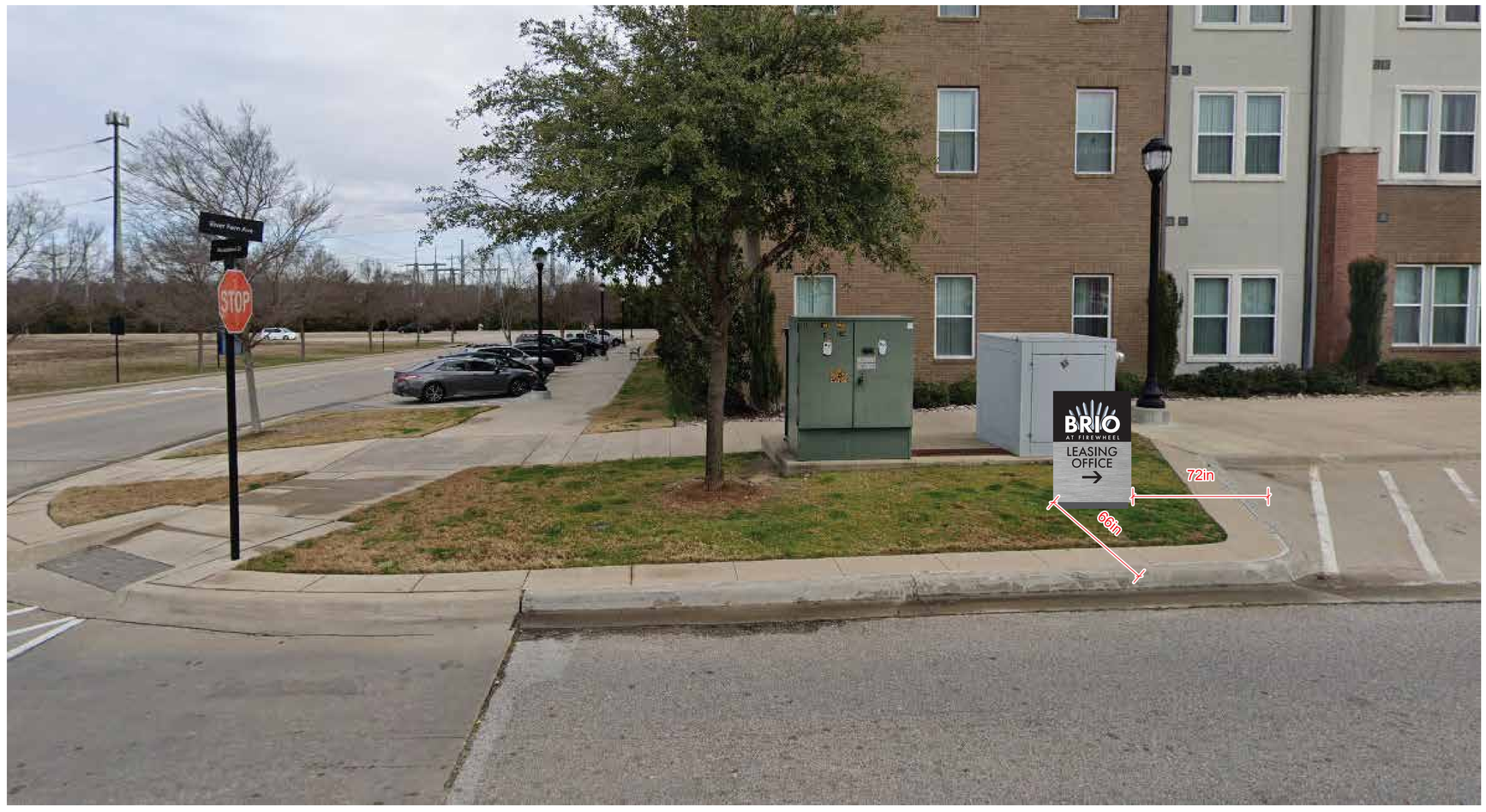
SIGN DETAILS/SPECIFICATIONS

Sign D1

Existing



Proposed

EXHIBIT D

Client:	Brio at Firewheel	Sales:	Curt Horak
Location:	305 River Fern Dr, Garland, TX 75040	Designer:	Hallie
Contact:	Sarina Smith	Contact #: 972-402-6244	Date: 7/11/2023
Email:	parksidedir@weidner.com	Approval Signature:	

Revisions: Initials/Date:
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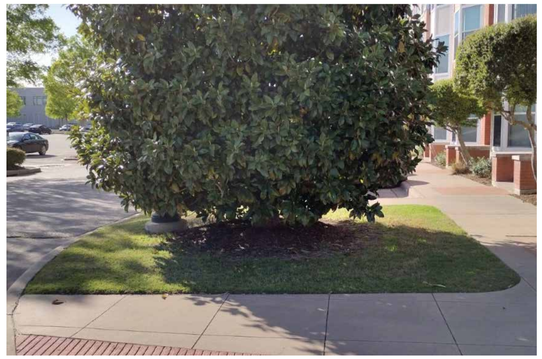
SIGN DETAILS/SPECIFICATIONS

Sign D2



Existing

Proposed

EXHIBIT D

Client:	Brio at Firewheel	Sales:	Curt Horak
Location:	305 River Fern Dr, Garland, TX 75040	Designer:	Hallie
Contact:	Sarina Smith	Contact #: 972-402-6244	Date: 7/11/2023
Email:	parksidedir@weidner.com	Approval Signature:	

Revisions: Initials/Date:
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BRIO AT FIREWHEEL
Sign E1

Scope of work:
Manufacture and install new

Illumination: (Simulation Only)

Existing

Proposed

EXHIBIT D

Client:	Brio at Firewheel	Sales:	Curt Horak
Location:	305 River Fern Dr, Garland, TX 75040	Designer:	Hallie
Contact:	Sarina Smith	Contact #:	972-402-6244
Date:	7/11/2023		
Email:	parksidedir@weidner.com	Approval Signature:	

Revisions: Initials/Date:
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BRIO AT FIREWHEEL
Sign E2

Scope of work:
Manufacture and install new

0 2′ 5′ 10′

BRIO
AT FIREWHEEL

Illumination: (Simulation Only)

Existing

Proposed

EXHIBIT D

Client:	Brio at Firewheel	Sales:	Curt Horak
Location:	305 River Fern Dr, Garland, TX 75040	Designer:	Hallie
Contact:	Sarina Smith — Contact #: 972-402-6244	Date:	v/2022
Email:	parksidedir@weidner.com	Approval Signature:	

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REPORT & MINUTES

P.C. Meeting, October 9, 2023

3c. APPROVED Consideration of the application of **Angie Lemus,** requesting approval of 1) an Amendment to Planned Development (PD) District 05-60 and Planned Development (PD) District 12-19 to add attached signs and freestanding signs and 2) a Detail Plan to add attached signs and freestanding signs. This property is located at 305 River Fern Avenue. (District 1) (File Z 23-24)

The applicant, Kurt Brag, 605 Vicksbury Court, Southlake, TX, provided an overview of the request and remained available for questions.

Commissioner Dalton pointed out that this apartment complex has always troubled him due to the lack of signage to advertise what they are. Commissioner Dalton feels the proposed signage will help with these concerns.

Commissioner Smith stated that while he agrees the signage is needed, he is inclined to support the staff recommendation.

Commissioner Jenkins stated that he agrees with the proposal presented by staff.

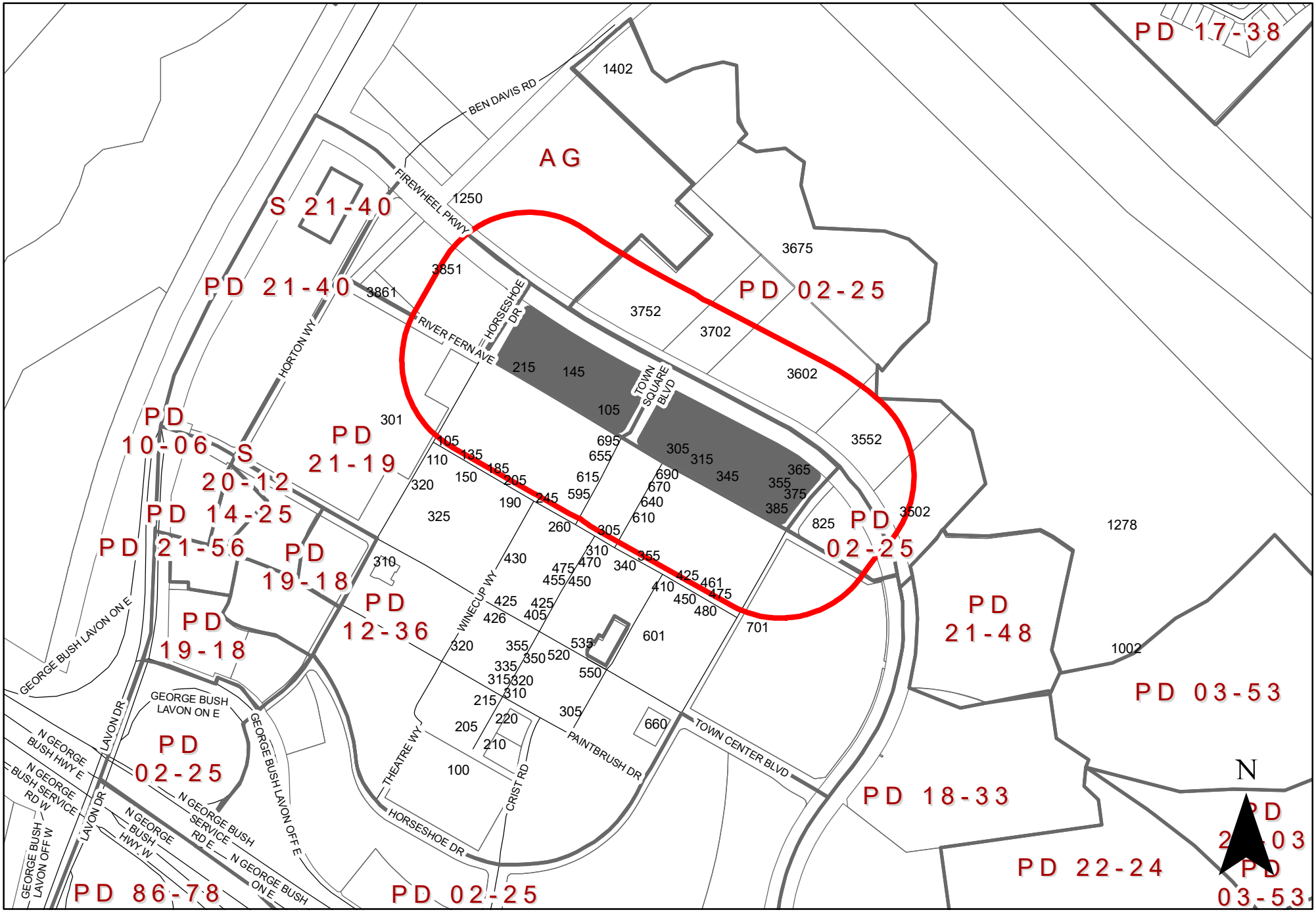
Commissioner Aubin is inclined to support the application as presented.

Commissioner Cornelius is also in support of the proposed signage.

Commissioner Jenkins pointed out that the only concern he would have would be if this sign would create competition among the surrounding businesses.

Chair Roberts pointed out that most prospective residents would probably do their search online versus coming to the actual property. Chair Roberts stated he was also in agreement with the recommendation by staff.

Motion was made by Commissioner Rose to **approve** the application as presented. Seconded by Commissioner Aubin. **Motion carried**: **5** Ayes, **3** Nays with Commissioners Smith, Jenkins and Roberts in opposition.



ZONING MAP Z 23-24

305 River Fern Drive

To date we have not received any responses for this case.

GARLAND
TEXAS MADE HERE

The applicant proposes an amendment to the Planned Development to allow freestanding signs, and attached signs above the first floor of the existing apartment complex.

City Council Meeting

November 7, 2023

Z 23-24

GARLAND
TEXAS MADE HERE

CASE INFORMATION

Location:	305 River Fern Avenue
Applicant:	Angie Lemus
Owner:	TX Parkside Apartments LLC
Acreage:	8.9414 acres
Zoning:	Planned Development (PD) District 05-60 & 12-19

GARLAND
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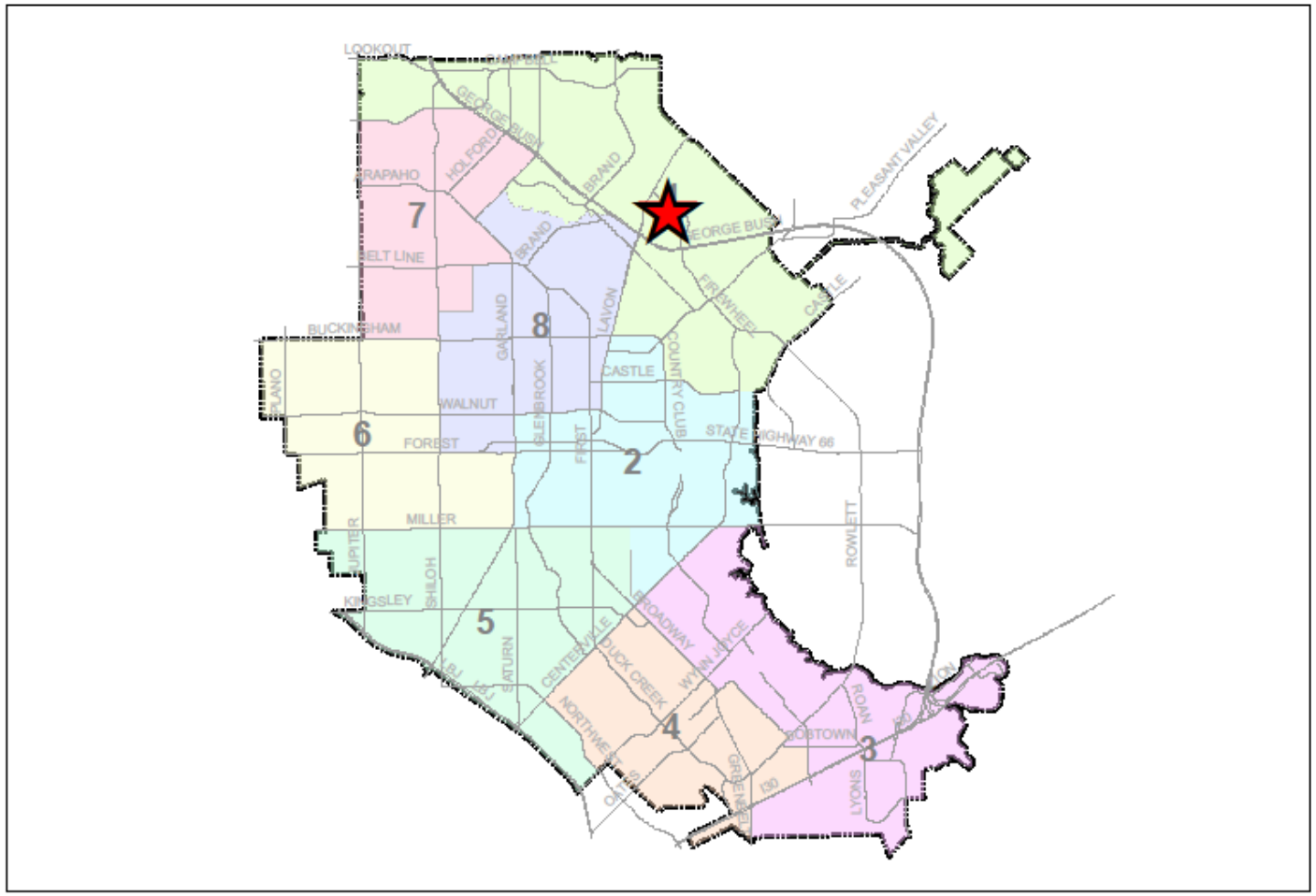
CITYWIDE LOCATION MAP



0 1 2 Miles 1 in = 2 miles | ZONING MAP Z 23-24 | INDICATES AREA OF REQUEST

Z 23-24

GARLAND
TEXAS MADE HERE

LOCATION MAP

0 280 560 Feet
1 inch = 431 feet

ZONING MAP Z 23-24

INDICATES AREA OF REQUEST

305 River Fern Drive

Z 23-24

GARLAND
TEXAS MADE HERE

COMPREHENSIVE PLAN

Z 23-24

GARLAND
TEXAS MADE HERE

COMPREHENSIVE PLAN

The Future Land Use Map of the Envision Garland Plan recommends Regional Centers for the subject property. 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.

GARLAND
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PHOTOS

View of the subject site looking North from River Fern Drive

View from the subject site looking across River Fern Drive

Z 23-24

GARLAND
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PHOTOS

View from the subject site looking west down River Fern Drive

View from the subject site looking East down River Fern Drive

Z 23-24

GARLAND
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PHOTOS

View of the apartment corner at the intersection of River fern and Horsehoe.

View of the apartment corner at the intersection of River fern and Town Square.

Z 23-24

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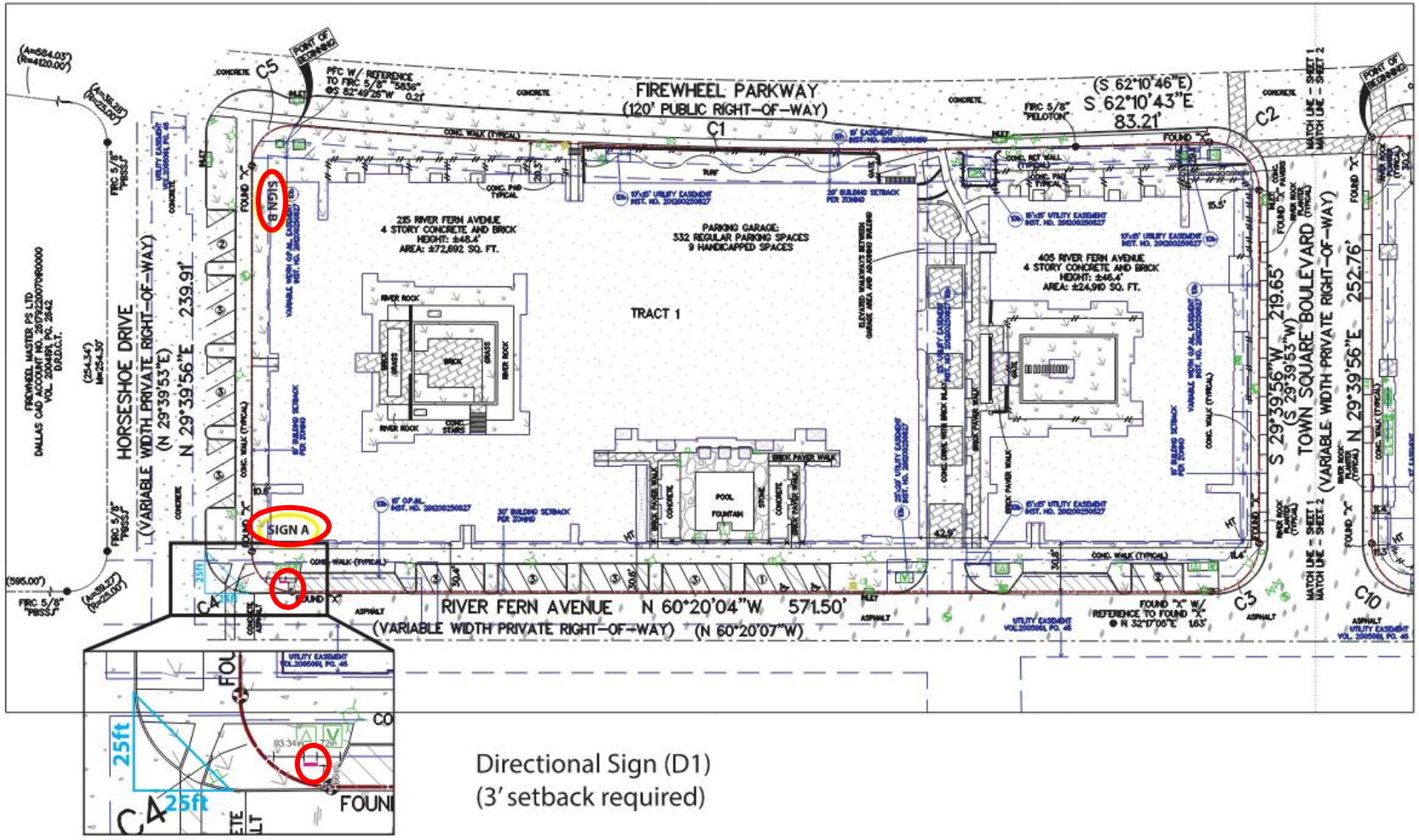
SITE PLAN

Site Map

indicates property line



Directional Sign (D1)
(3' setback required)

Z 23-24

GARLAND
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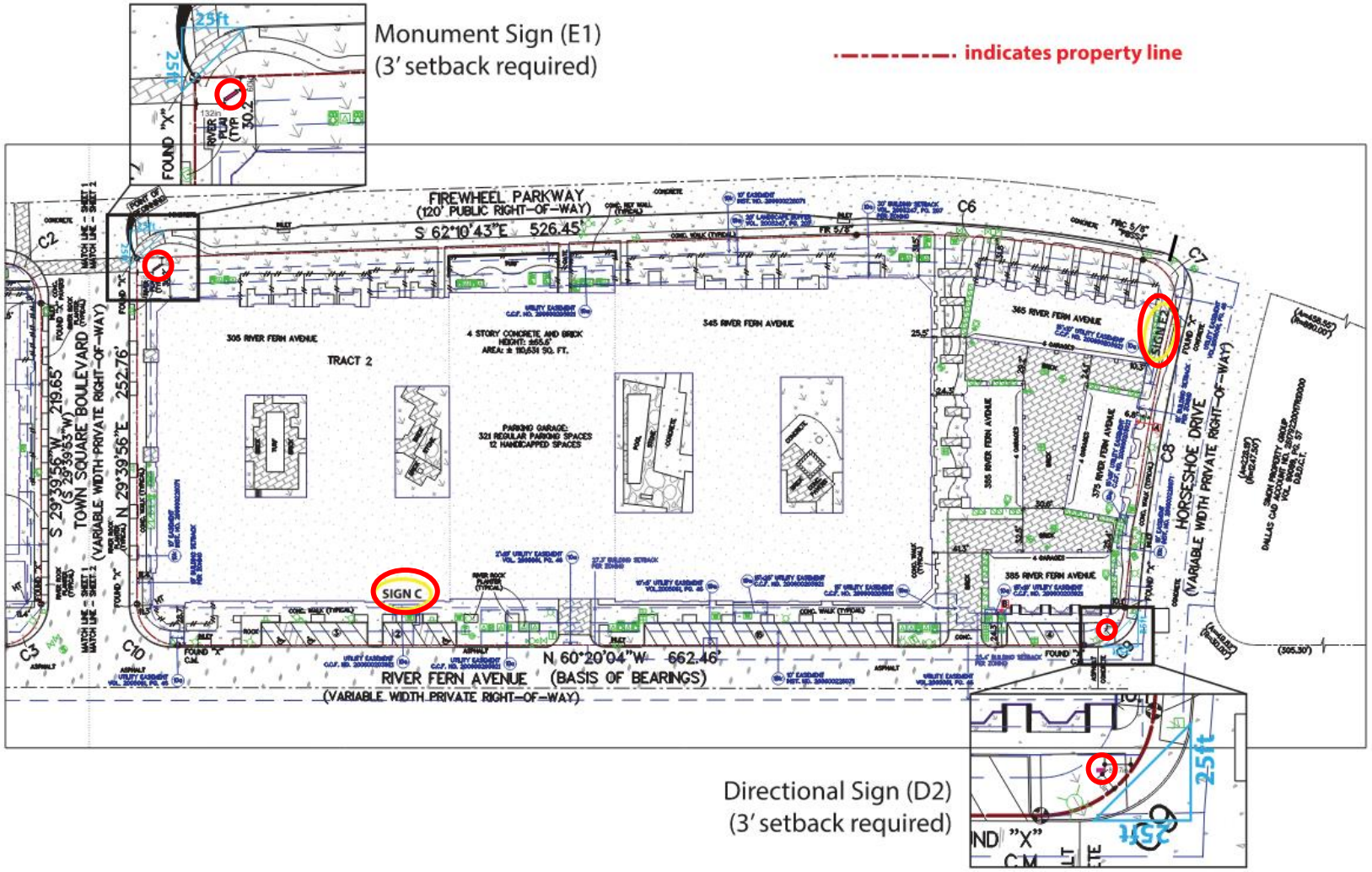
SITE PLAN

Site Map



Z 23-24

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SIGN A

BRIO AT FIREWHEEL
Intersection River Fern & Horseshoe Sign A

Client is painting building.

SW 6881 Cayenne

BRIO AT FIREWHEEL

Illumination: (Simulation Only)

Existing

Scope of work:
Manufacture and install new

Proposed

Z 23-24

SIGN B

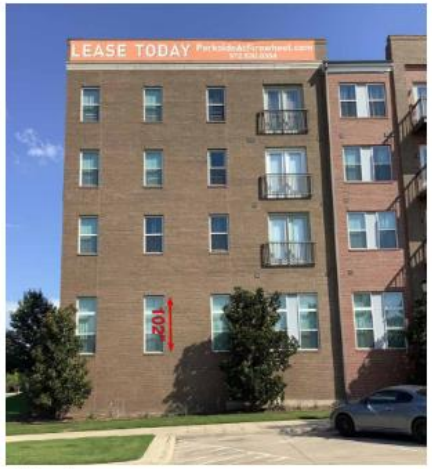
BRIO AT FIREWHEEL
Intersection Firewheel Pkwy & Horseshoe Sign B

Client is painting building.

SW 6881 Cayenne

BRIO AT FIREWHEEL

Illumination: (Simulation Only)



Existing

Scope of work:
Manufacture and install new

Proposed

Z 23-24

GARLAND
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SIGN C

BRIO AT FIREWHEEL Sign C

Scope of work:
Manufacture and install new

Existing

Proposed

Z 23-24

GARLAND
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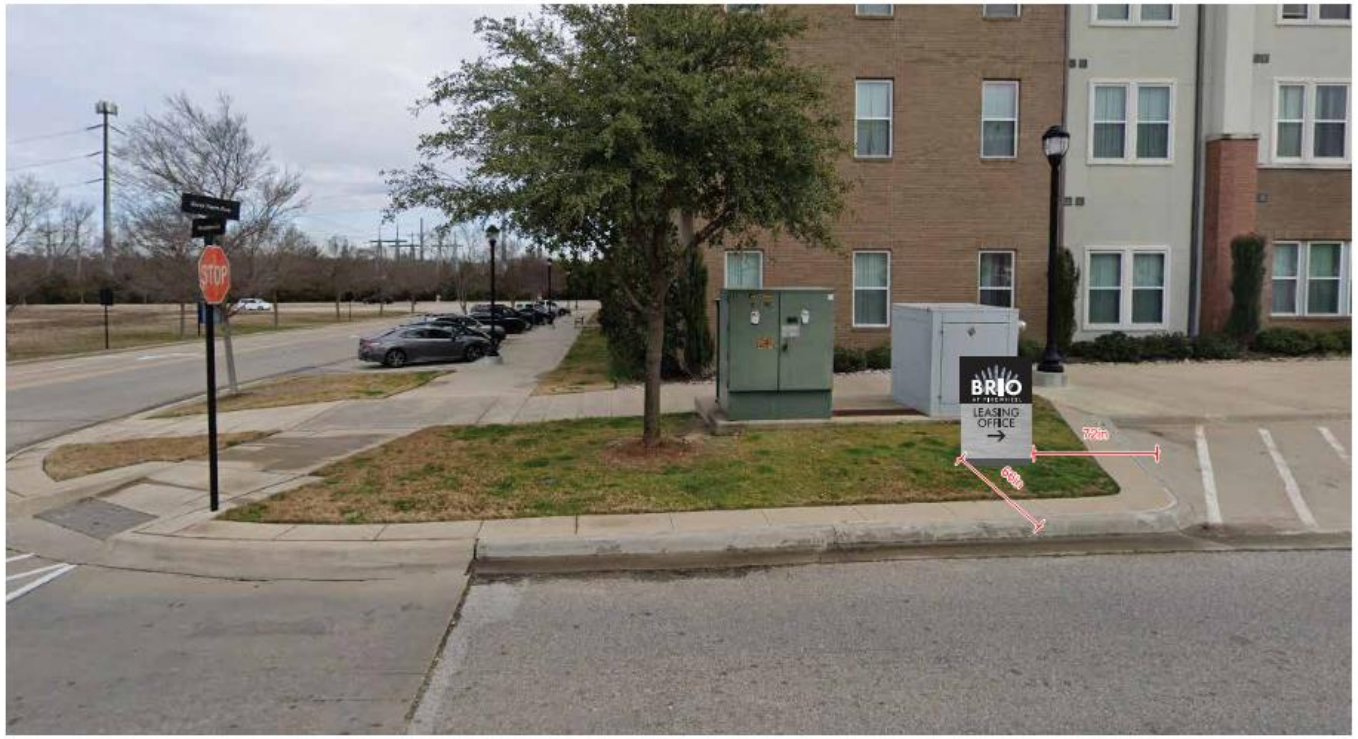
SIGN D1

SIGN DETAILS/SPECIFICATIONS

Sign D1

Existing



Proposed

Z 23-24

GARLAND
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SIGN D2

SIGN DETAILS/SPECIFICATIONS

Sign D2

Existing

Proposed

Z 23-24

GARLAND
TEXAS MADE HERE

SIGN E1

BRIO AT FIREWHEEL
Sign E1

Scope of work:
Manufacture and install new

Illumination: (Simulation Only)

Existing

Proposed

Z 23-24

GARLAND
TEXAS MADE HERE

SIGN E2

BRIO AT FIREWHEEL
Sign E2

Scope of work:
Manufacture and install new

0 2' 5' 10'

BRIO
AT FIREWHEEL

Illumination: (Simulation Only)

Existing

Proposed

Z 23-24

GARLAND
TEXAS MADE HERE

STAFF RECOMMENDATION

Approval of a Planned Development Amendment of Conditions for three (3) detached signs (Signs D1, D2, and E1) as well as the attached sign (Sign C) for the leasing office on a property zoned Planned Development (PD) District 05-60 and Planned Development (PD) District 12-19 for Mixed Use Development.

Denial of three (3) of the four (4) attached signs (Signs A, B, and E2), ones above the first floor, on a property zoned Planned Development (PD) District 05-60 and Planned Development (PD) District 12-19 for Mixed Use Development.

The signs recommended for approval are oriented towards pedestrian and low-speed vehicle traffic and will only be visible to those driving directly by the apartments, thus not impacting the urban-style apartment building from blending in to the Firewheel Town Center as a whole.

However, staff finds the abovementioned attached signage does not align with the area due to the position on the top of the building and large size.

It should be noted that any signs approved will be limited to the subject property only, and not for the entire Firewheel Town Center. Any additional signage requests will be reviewed individually on a case-by-case basis.

GARLAND
TEXAS MADE HERE

PLAN COMMISSION

On October 9, 2023 the Plan Commission, by a vote of five (5) to three (3), recommended approval of 1) an Amendment to Planned Development (PD) District 05-60 and Planned Development (PD) District 12-19 to add attached signs and freestanding signs and 2) a Detail Plan to add attached signs and freestanding signs.

GARLAND

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GARLAND
PLANNING REPORT

City Council Regular Session Agenda **8. d.**

Meeting Date: 11/07/2023

Item Title: Z 23-34 First Place Foods (District 6)

Submitted By: Will Guerin, Planning Director

REQUEST
Approval of a 1) Specific Use Provision for a Food Processing & Storage Use on a property zoned Planned Development (PD) District 93-01 for Industrial Uses; and 2) a Plan for a Food Processing & Storage Use.

LOCATION
751 South International Road

OWNER
CI447 S. International LLC
Stealth S. International LLC

PLAN COMMISSION RECOMMENDATION
On October 9, 2023, the Plan Commission, by a vote of eight (8) to zero (0), recommended approval of a 1) Specific Use Provision for a Food Processing & Storage Use on a property zoned Planned Development (PD) District 93-01 for Industrial Uses; and 2) a Plan for a Food Processing & Storage Use.

STAFF RECOMMENDATION
Approval of a 1) Specific Use Provision for a Food Processing & Storage Use on a property zoned Planned Development (PD) District 93-01 for Industrial Uses; and 2) a Plan for a Food Processing & Storage Use.

BACKGROUND
The subject property is developed with a recently constructed 69,292 square-foot building. The applicant proposes a food (pickle) processing use within the building. The GDC requires a Specific Use Provision for a Food Processing & Storage use in the Industrial (IN) District, which is the base zoning for Planned Development (PD) District 93-01.

SITE DATA

The subject property contains approximately 4.383 acres and has approximately 400 linear feet of frontage along Miller Park South and approximately 450 linear feet of frontage along South International Road. The site can be accessed from both roadways as well as through the property to the north via mutual access agreement.

USE OF PROPERTY UNDER CURRENT ZONING

The property is zoned Planned Development (PD) District 93-01 which primarily defers to the Industrial (IN) District, with several prohibited uses. The Industrial (IN) District is intended to provide for a wide range of industrial uses that are generally not compatible adjacent to residential neighborhoods, and may or may not be compatible with some nonresidential uses. Such uses include manufacturing, processing, assembling, research and development, and warehousing and distribution. The Industrial (IN) District also accommodates support services for industrial development such as office, commercial, personal and professional services, and limited retail activities.

The GDC requires a Specific Use Provision for a Food Processing & Storage Use in the Industrial (IN) District. It should be noted that while a site plan typically accompanies SUP's, a Detail Plan is not required in Planned Development (PD) District 93-01.

CONSIDERATIONS

1. The proposed use involves the processing of pickles, peppers, and pickle relish. First Place Foods proposes to relocate from their existing facility in Garland to the subject property. The proposed operations will be conducted indoors. The planned hours of operation will be Monday through Saturday, 6:00am to 7:00pm.

2. The applicant is requesting the SUP to be valid for twenty-five (25) years, which aligns with the SUP time period guide.

3. The site plan (Exhibit C) complies with the parking requirements per the GDC. In addition, the existing landscape layout and the existing building comply with the Garland Development Code (GDC). The applicant does not propose any exterior changes.

4. There are no deviations from the GDC requested with this application.

COMPREHENSIVE PLAN

Transit-oriented centers are areas of concentrated activity and increased density with maximum access to public transportation options. This type of center should be developed as mixed-use with live/work/play/shop opportunities. Transit-oriented development should be within ¼ to ½ mile of transit centers and/or rail stations and provide pedestrian and bicycle friendly access.

The site is developed as a permitted industrial flex building and provides additional employment to the immediate area. The proposed use aligns with the surrounding light industrial area, is not expected to have adverse impacts, and does not inhibit future transit-oriented development opportunities further north towards the Forest-Jupiter DART station.

ECONOMIC DEVELOPMENT STRATEGIC PLAN

Production/Employment and Light Industrial building types are considered among the higher revenue per acre generators per the Economic Development Strategic Plan. In addition, the proposal would keep an industrial manufacturer in Garland.

COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

The surrounding properties are developed with similar light industrial, manufacturing and warehousing uses, and zoned Industrial (IN) District and Planned Development (PD) District 93-01 for Industrial Uses.

Attachments

Z 23-34 Location Map

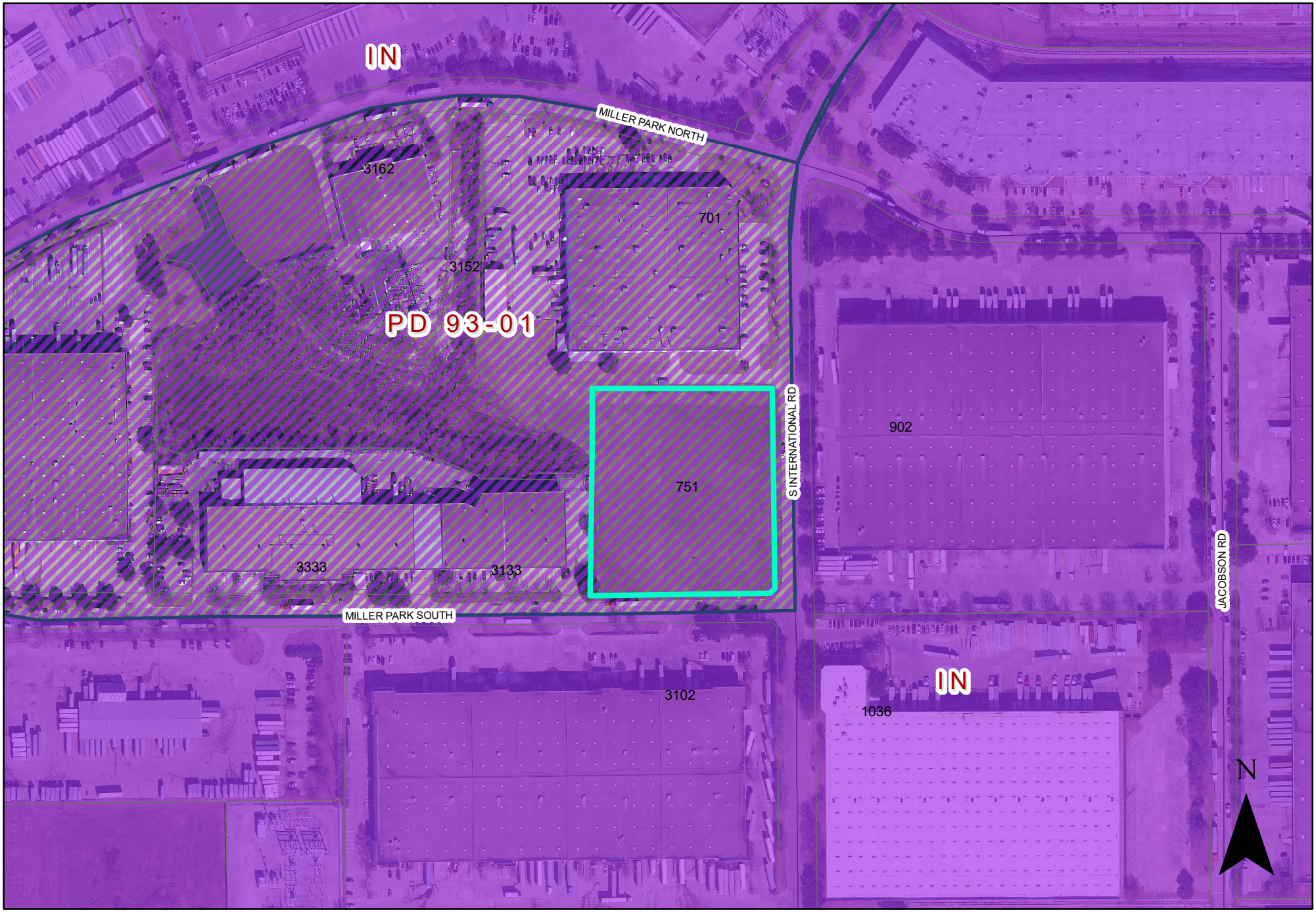
Z 23-34 SUP Conditions

Z 23-34 Site Plan

Z 23-34 R&M

Z 23-34 Responses

Z 23-34 Staff Presentation



0 180 360 Feet
1 inch = 269 feet

ZONING MAP Z 23-34

INDICATES AREA OF REQUEST

751 South International Road

SPECIFIC USE PROVISION CONDITIONS

ZONING FILE Z 23-34

751 South International Road

I. **Statement of Purpose:** The purpose of this Specific Use Provision is to allow a Food Processing & Storage 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 regulations of Planned Development (PD) District 93-01 and the Industrial (IN) 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:**

Site Layout: The site shall be in general conformance with the approved Site Plan, labeled Exhibit C. In the event of conflict between the conditions and the site plan, the written conditions listed below are to apply.

V. **Abandonment:** In the event the land use for which this Specific Use Provision was granted ("Land Use") is abandoned, the SUP and all rights to the Land Use are automatically terminated, and the premises must be used in conformance with the PD, GDC, federal, and state law.

For the purposes of this Specific Use Provision, Abandonment is any of the following acts:

A. A failure to apply for a site or building permit on the premises, where applicable, within 180 days of the effective date of this SUP;

B. A failure to obtain a certificate of occupancy for the Land use within 730 days of the effective date of this SUP;

EXHIBIT B

C. A failure to commence operating the Land Use on the premises within 90 days of receiving a final certificate of occupancy for the Land Use;

D. Discontinuance of the Land Use for a period of 180 days;

E. Applying for, and receiving, a new Certificate of Occupancy for a use other than the Land Use; or

F. Operating a use on the premises, whether as a primary or secondary use, that is not allowed within the PD District, by the GDC, or by state or federal law.

The termination of utilities on the premises for a period of 180 calendar days is prima facie evidence of abandonment and the owner shall have the burden to prove that the Land Use has not been abandoned.

VI. Specific Regulations:

A. Time Period: The Specific Use Provision shall be valid for a time period of twenty-five (25) years.

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

C. Maintenance requirements:

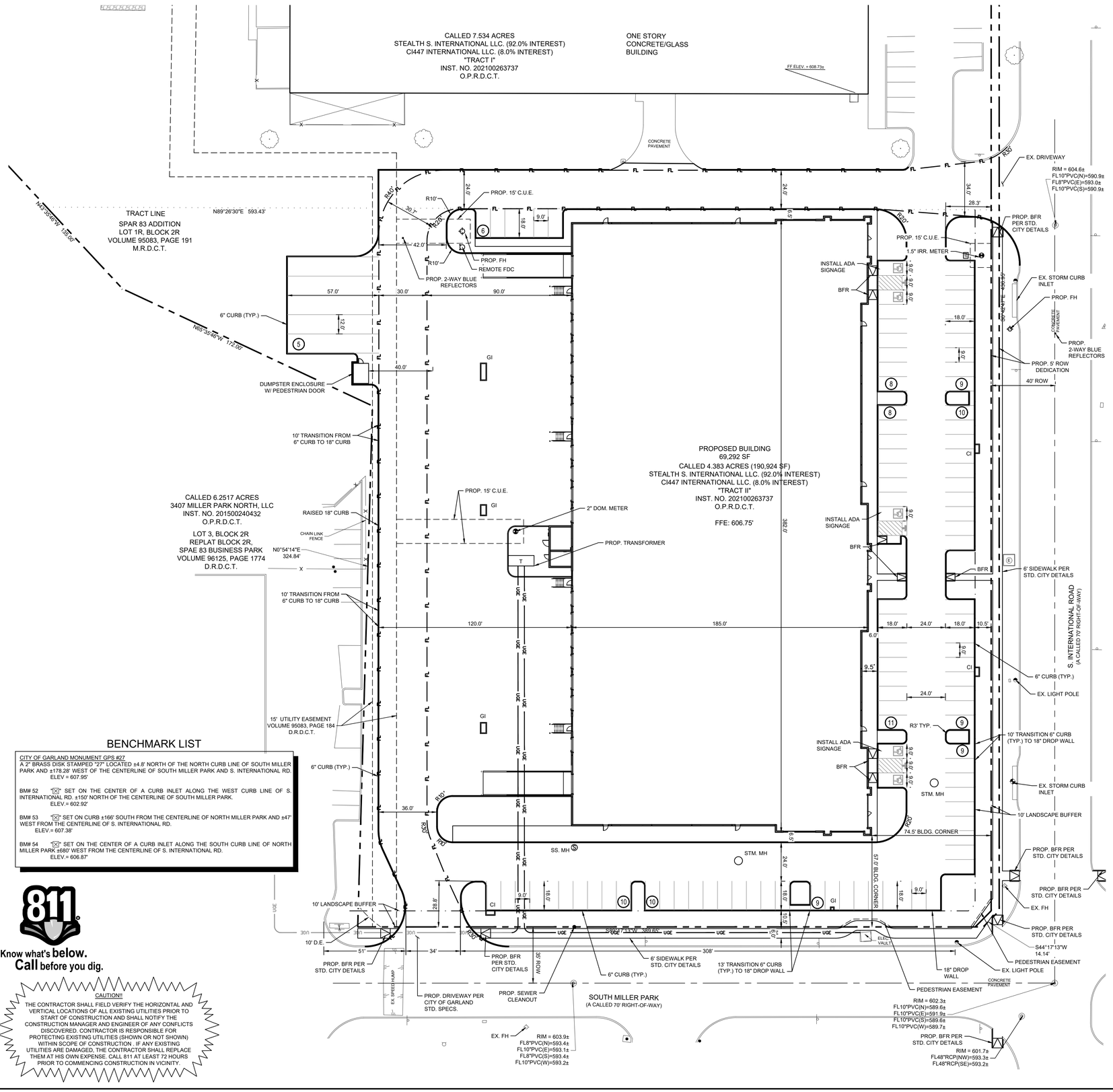
(1) Landscaping must be continuously maintained in a healthy, growing condition and in compliance with this ordinance, the Garland Development Code, the Code of Ordinances of the City of Garland, and the landscaping plan attached hereto at all times. The property owner is responsible for regular weeding, mowing of grass, irrigation, fertilizing, pruning, or other maintenance of all landscaping as promptly as needed to comply with the requirements of this subsection. All exposed ground surfaces shall be properly improved, covered with screening or other approved solid material, or protected with a vegetative growth that prevents soil erosion and ameliorates objectionable dust conditions.

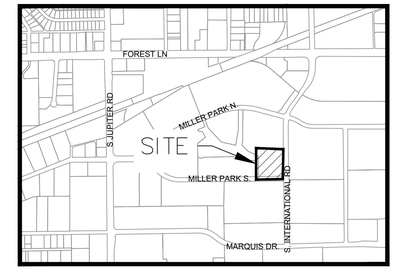
(2) Any dead or dying plant or vegetation, whether or not a component of required landscaping, must be promptly replaced with another approved plant or vegetation variety that complies with the approved landscape plan and in no event later than sixty days after notification by the City. In the event the property owner fails to remedy a violation of any landscaping maintenance regulation within sixty days of the City sending notice, the City may, in addition

to any other remedy available by law, suspend, withhold, or revoke city permits, approvals, consents and the certificate of occupancy for the retail fuel pumps and convenience store. See Section 4 of the granting ordinance.

(3) Screening and paving must be installed and continuously maintained in compliance with this ordinance, the Garland Development Code, and the Code of Ordinances of the City of Garland at all times. The property owner is responsible for regular maintenance of all screening and paving as needed. In the event the property owner fails to remedy a violation of any screening or paving maintenance regulation within sixty days of the City sending notice, the City may, in addition to any other remedy available by law, suspend, withhold, or revoke city permits, approval, consents and the certificate of occupancy for the travel center.

EXHIBIT B





VICINITY MAP
(NOT TO SCALE)

GRAPHIC SCALE IN FEET
0 15 30 60
SCALE: 1" = 30'

NORTH

LEGEND

	PROPERTY LINE		PROPOSED FIRE HYDRANT (FH)
	SETBACK LINE		EXISTING FIRE HYDRANT (FH)
	PROPOSED EASEMENT		PROPOSED FIRE DEPARTMENT CONNECTION (FDC)
SS	PROPOSED SANITARY SEWER LINE		PROPOSED WATER METER
W	PROPOSED WATER LINE		PROPOSED SEWER MANHOLE
	PROPOSED STORM SEWER LINE		PROPOSED CLEAN-OUT
FL	PROPOSED FIRE LANE		LIGHT POLE
OHP	EXISTING OVERHEAD POWER LINE		POWER POLE
CBL	EXISTING CABLE LINE		PROPOSED STORM SEWER MANHOLE
GAS	EXISTING GAS LINE		PROPOSED STORM GRATE INLET
W	EXISTING WATER LINE		EXISTING SEWER MANHOLE
SS	EXISTING SANITARY SEWER LINE		EXISTING SIGN
	EXISTING STORM LINE	LS	LANDSCAPE AREA
	EXISTING EASEMENT		BARRIER FREE RAMP (BFR)

SITE DATA SUMMARY TABLE

GENERAL SITE DATA	LOT 1, BLOCK 2R
ZONING	INDUSTRIAL
LAND USE	INDUSTRIAL
LOT AREA	190,924 SF / 4.38 AC
BUILDING FOOTPRINT AREA	69,292 SF
TOTAL BUILDING AREA	69,292 SF
BUILDING HEIGHT (# STORIES)	1 STORIES
BUILDING HEIGHT	38 FEET
FINISHED FLOOR ELEVATION	606.75 FEET
LOT COVERAGE	36%
FLOOR AREA RATIO	0.36 FAR
PARKING	
PARKING RATIO	1 / 1,000 GFA
REQUIRED PARKING	70 SPACES
PROVIDED SURFACE PARKING	95 SPACES
ACCESSIBLE PARKING REQUIRED	5 SPACES
ACCESSIBLE PARKING PROVIDED	5 SPACES
TOTAL PARKING	100 SPACES
9' X 10' DOCK DOORS	16 SPACES
12' X 14' DOCK DOORS	2 SPACES
TRAILER PARKING	5 SPACES
LANDSCAPE AREA (INCLUDING TURF AREAS)	
LANDSCAPE EDGE AREA PROVIDED	0 SF
INTERIOR LANDSCAPE AREA REQUIRED	1,917 SF
INTERIOR LANDSCAPE AREA PROVIDED	4,323 SF
OTHER LANDSCAPE AREA WITHIN THE LOT	31,737 SF
TOTAL LANDSCAPE AREA REQUIRED 10% LOT AREA	19,092 SF
TOTAL LANDSCAPE AREA PROVIDED 18% LOT AREA	36,060 SF
PERMEABLE AREA (NOT INCLUDING LANDSCAPING OR TURF AREAS)	
PERMEABLE PAVEMENT	0
OTHER PERMEABLE AREA WITHIN THE LOT NOT INCLUDING LANDSCAPING OR TURF	0
AREAS TOTAL PERMEABLE AREA	0
IMPERVIOUS AREA	
BUILDING FOOTPRINT AREA	69,292 SF
AREA OF SIDEWALKS, PAVEMENT & OTHER IMPERVIOUS FLATWORK	85,572 SF
TOTAL IMPERVIOUS AREA	154,864 SF
SUM OF TOTAL LANDSCAPE AREA + TOTAL IMPERVIOUS AREA	
NOTE: SUM MUST EQUAL LOT AREA	190,924 SF

RELEASE FOR CONSTRUCTION
Contact Field Engineering at 972-205-2113 to schedule the MANDATORY pre-construction meeting and issuance of the Site Permit prior to any construction activity. The City of Garland Standard Construction Details and Specifications shall be used in City rights of way and easements. In reviewing and releasing these construction plans for construction, the City of Garland assumes no responsibility for the accuracy and adequacy of this construction document.

A. Rahman Karray, P.E.
Engineering Administrator - Development
September 12, 2022

SITE NOTES

1. CITY DETAILS TAKE PRECEDENCE IN CITY R.O.W. AND EASEMENTS.

BENCHMARK LIST

CITY OF GARLAND MONUMENT GPS #27
A 2" BRASS DISK STAMPED "27" LOCATED ±4.8' NORTH OF THE NORTH CURB LINE OF SOUTH MILLER PARK AND ±178.28' WEST OF THE CENTERLINE OF SOUTH MILLER PARK AND S. INTERNATIONAL RD.
ELEV = 607.95'

BM# 52 "X" SET ON THE CENTER OF A CURB INLET ALONG THE WEST CURB LINE OF S. INTERNATIONAL RD. ±150' NORTH OF THE CENTERLINE OF SOUTH MILLER PARK.
ELEV.= 602.92'

BM# 53 "X" SET ON CURB ±166' SOUTH FROM THE CENTERLINE OF NORTH MILLER PARK AND ±47' WEST FROM THE CENTERLINE OF S. INTERNATIONAL RD.
ELEV.= 607.38'

BM# 54 "X" SET ON THE CENTER OF A CURB INLET ALONG THE SOUTH CURB LINE OF NORTH MILLER PARK ±680' WEST FROM THE CENTERLINE OF S. INTERNATIONAL RD.
ELEV.= 606.87'

811
Know what's **below.**
Call before you dig.

CAUTION!!
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) WITHIN SCOPE OF CONSTRUCTION. 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 VICINITY.

SITE PLAN
SPAR 83 ADDITION
LOT 1, BLOCK 2R, TRACT 2
CASE NO. 211223-1

4.38 ACRES SITUATED IN
CITY OF GARLAND, DALLAS COUNTY, TEXAS

OWNER:
CAM INVESTMENT, LLC
2000 MCKINNEY AVENUE
SUITE 1000
DALLAS, TX 75201
PH: (214) 740-3300
CONTACT: MATT BALSMAN

DATE OF PREPARATION: 08/29/2022

CIVIL ENGINEER:
Kimley»Horn
100 W OAK STREET, SUITE 203
DENTON, TX 76201
CONTACT: TREY BRASWELL, P.E.
PH: (940) 287-3620
EMAIL: TREY.BRASWELL@KIMLEY-HORN.COM

No.	REVISIONS	DATE

Kimley»Horn
© 2022 KIMLEY-HORN AND ASSOCIATES, INC.
100 WEST OAK STREET, SUITE 203, DENTON, TX 76201
PHONE: 940-287-3620
WWW.KIMLEY-HORN.COM
TEXAS REGISTERED ENGINEERING FIRM F-928

STATE OF TEXAS
ROY BRASWELL
104908
LICENSED
PROFESSIONAL ENGINEER
08/29/2022

SCALE AS SHOWN
DESIGNED BY TBB
DRAWN BY ALM
CHECKED BY TBB

SITE PLAN

LPC GARLAND INDUSTRIAL
SPAR 83 ADDITION, LOT 1, BLOCK 2R
751 S. INTERNATIONAL RD
GARLAND TEXAS

DATE 08/29/2022
PROJECT NO. 063259900
SHEET NUMBER SP1.0

EXHIBIT C

Plotted By:Mendoza, Andres Date:August 29, 2022 07:28:16am File Path:K:\Dnt_Civil\063259900-lpc garland industrial\Cad\plansheets\C-Site.dwg
This document, together with the concepts and designs presented herein, as an instrument of service, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.

REPORT & MINUTES

P.C. Meeting, October 9, 2023

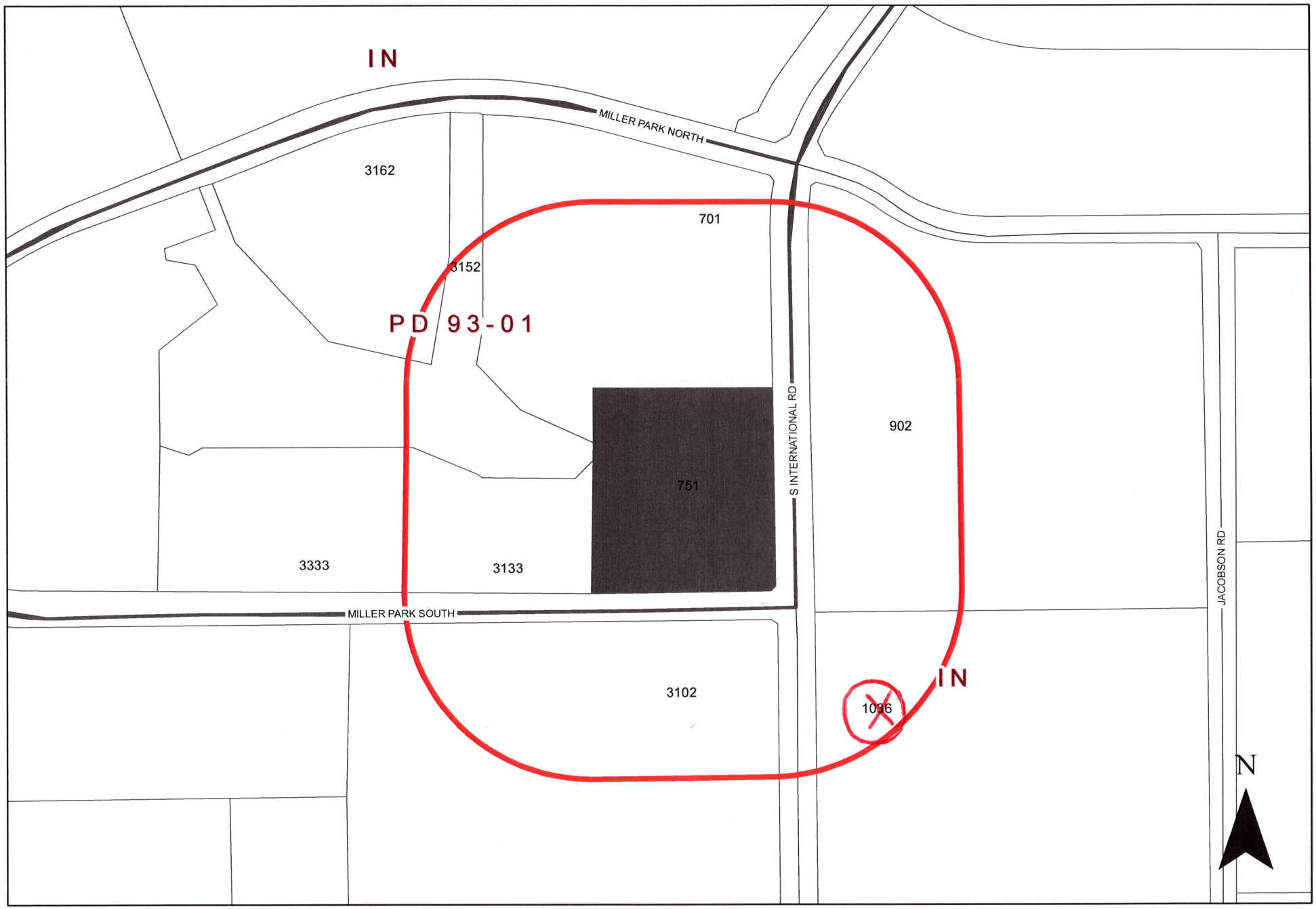
3d. APPROVED Consideration of the application of **First Place Foods,** requesting approval of a 1) Specific Use Provision for a Food Processing & Storage Use on a property zoned Planned Development (PD) District 93-01 for Industrial Uses; and 2) a Plan for a Food Processing & Storage Use. This property is located at 751 South International Road. (District 6) (File Z 23-34)

The applicant, Pat Hun, 7764 Shadetree Ln., Celina, TX, provided an overview of the request and remained available for questions.

Chair Roberts asked the applicant if they would have outside storage at this facility as they currently do.

The applicant explained that the new facility would not have the outdoor storage.

Motion was made by Commissioner Jenkins to **approve** the application as presented. Seconded by Commissioner Dalton. **Motion carried**: **8** Ayes, **0** Nays.



0 180 360 Feet
1 inch = 269 feet

ZONING MAP Z 23-34

INDICATES AREA OF REQUEST

INDICATES NOTIFICATION AREA

751 South International Road

Comment Form
Case Z 23-34

Z 23-34 First Place Foods. The applicant proposes a food processing facility from a newly constructed building. The site is located at 751 South International Road. (District 6)

Z 23-34 First Place Foods. El solicitante propone una instalación de procesamiento de alimentos en el edificio recién construido. El sitio está ubicado en 751 South International Road. (Distrito 6)

Z 23-34 First Place Foods. Người nộp đơn đề xuất một cơ sở chế biến thực phẩm từ tòa nhà mới được xây dựng. Địa điểm tọa lạc tại 751 South International Road. (Quận 6)

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.

Lee White President

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.)

1036 S. International Road / 2750 Miller Park N.

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

Garland TX

City, State / Estado de la Ciudad / Thành bang

75042

Zip Code / Código postal / Mã B u Chính

10/5/23

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 12 '23 AM11:36

Zoning Response Case Comments

Case Number	PC Hearing Date	CC Hearing Date	Planner Name
Z 23-34	October 9,2023	Novermber 7, 2023	Will Guerin

Z 23-34 First Place Foods. The applicant proposes a food processing facility from a newly constructed building. The site is located at 751 South International Road. (District 6)

Stephen Vaughn
10/4/2023
8:23:36 PM

Against

1036 S. International Rd
svaughn@customform.com

Garland
214-703-1000
Texas
United States
75042

Current zoning is in place for a reason

GARLAND
TEXAS MADE HERE

The applicant requests approval of a food [pickle] processing facility from a newly constructed building.

City Council Meeting

November 7, 2023

Z 23-34

GARLAND
TEXAS MADE HERE

CASE INFORMATION

Location: 751 South International Road

Applicant: First Place Foods

Owner: CI447 S. International LLC
Stealth S. International LLC

Acreage: 4.38 acres

Zoning: Planned Development (PD) District 93-01 for Industrial Uses.

Z 23-34

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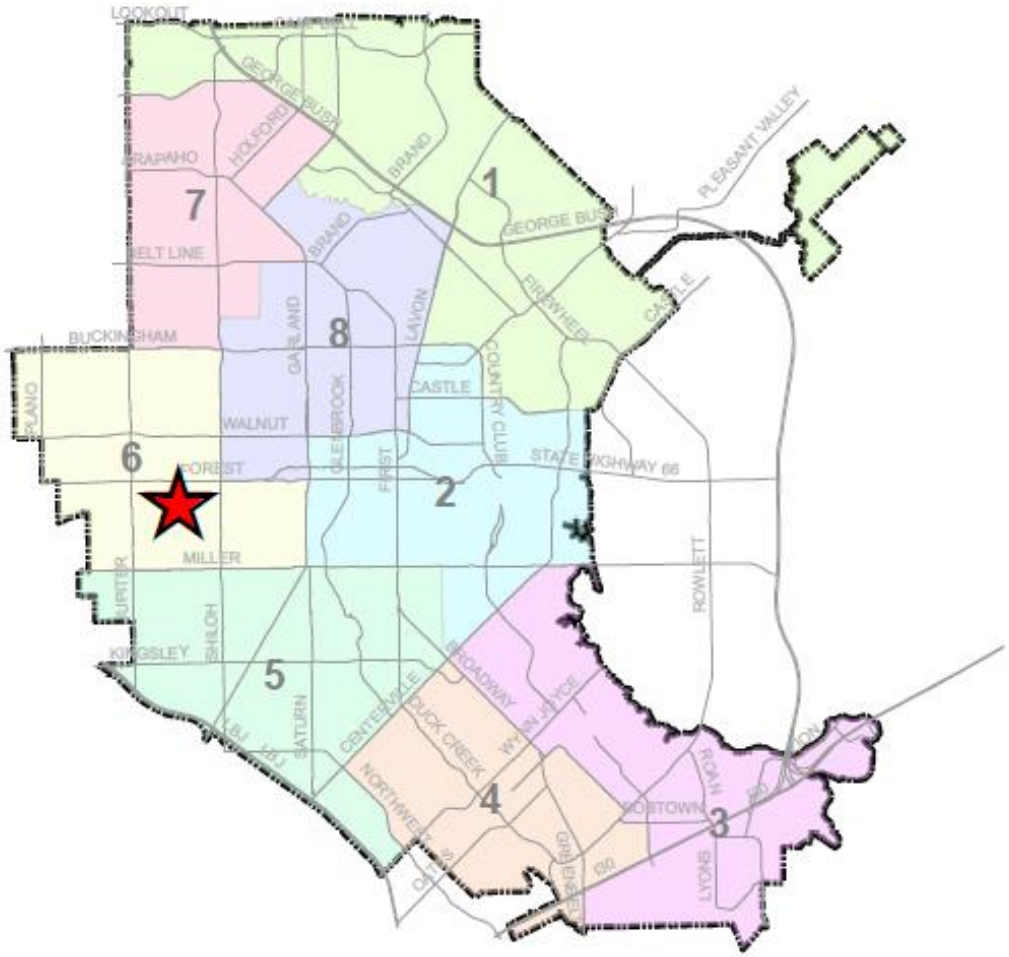
CITYWIDE LOCATION MAP



0 1 2 Miles 1 in = 2 miles

ZONING MAP Z 23-34

INDICATES AREA OF REQUEST

Z 23-34

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LOCATION MAP

0 180 360 Feet
1 inch = 269 feet

ZONING MAP Z 23-34

INDICATES AREA OF REQUEST

751 South International Road

Z 23-34

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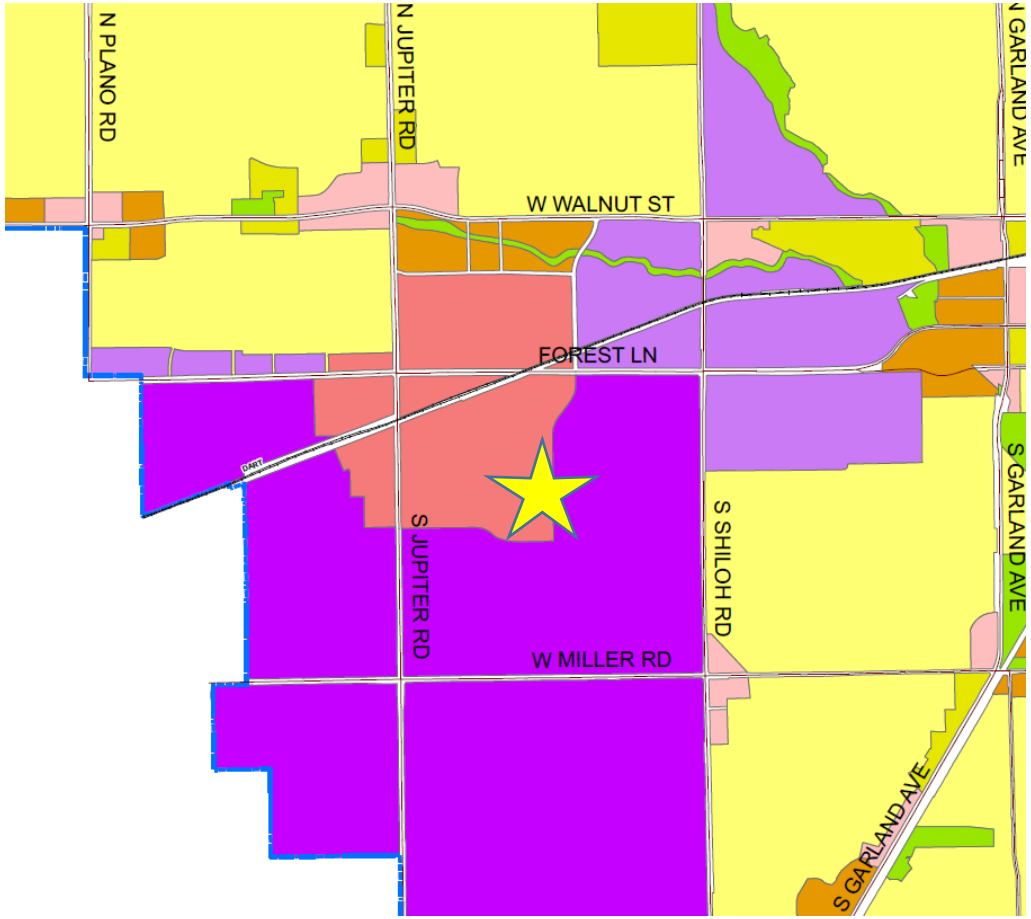
COMPREHENSIVE PLAN

Transit-Oriented Centers



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COMPREHENSIVE PLAN

Transit-oriented centers are areas of concentrated activity and increased density with maximum access to public transportation options. This type of center should be developed as mixed-use with live/work/play/shop opportunities. Transit-oriented development should be within ¼ to ½ mile of transit centers and/or rail stations and provide pedestrian and bicycle friendly access.

The site is developed as a permitted industrial flex building and provides additional employment to the immediate area. The proposed use aligns with the surrounding light industrial area, is not expected to have adverse impacts, and does not inhibit future transit-oriented development opportunities further north towards the Forest-Jupiter DART station.

ECONOMIC DEVELOPMENT STRATEGIC PLAN

Production/Employment and Light Industrial building types are considered among the higher revenue per acre generators per the Economic Development Strategic Plan. In addition, the proposal would keep an industrial manufacturer in Garland.

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PHOTOS

View of the subject site, looking north.

Looking east from the subject property.

View from the subject site looking south down S. International Rd.

View looking west down Miller Park South.

Z 23-34

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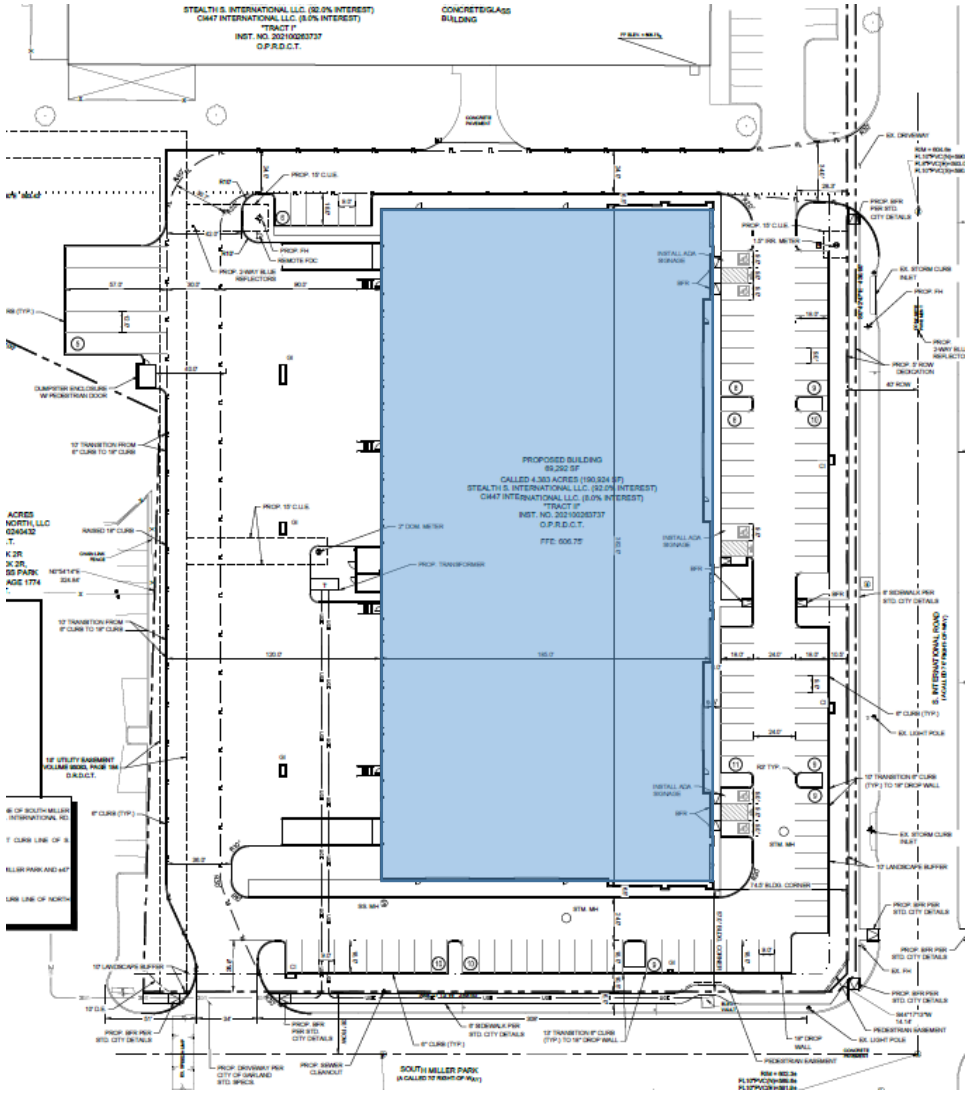
SITE PLAN



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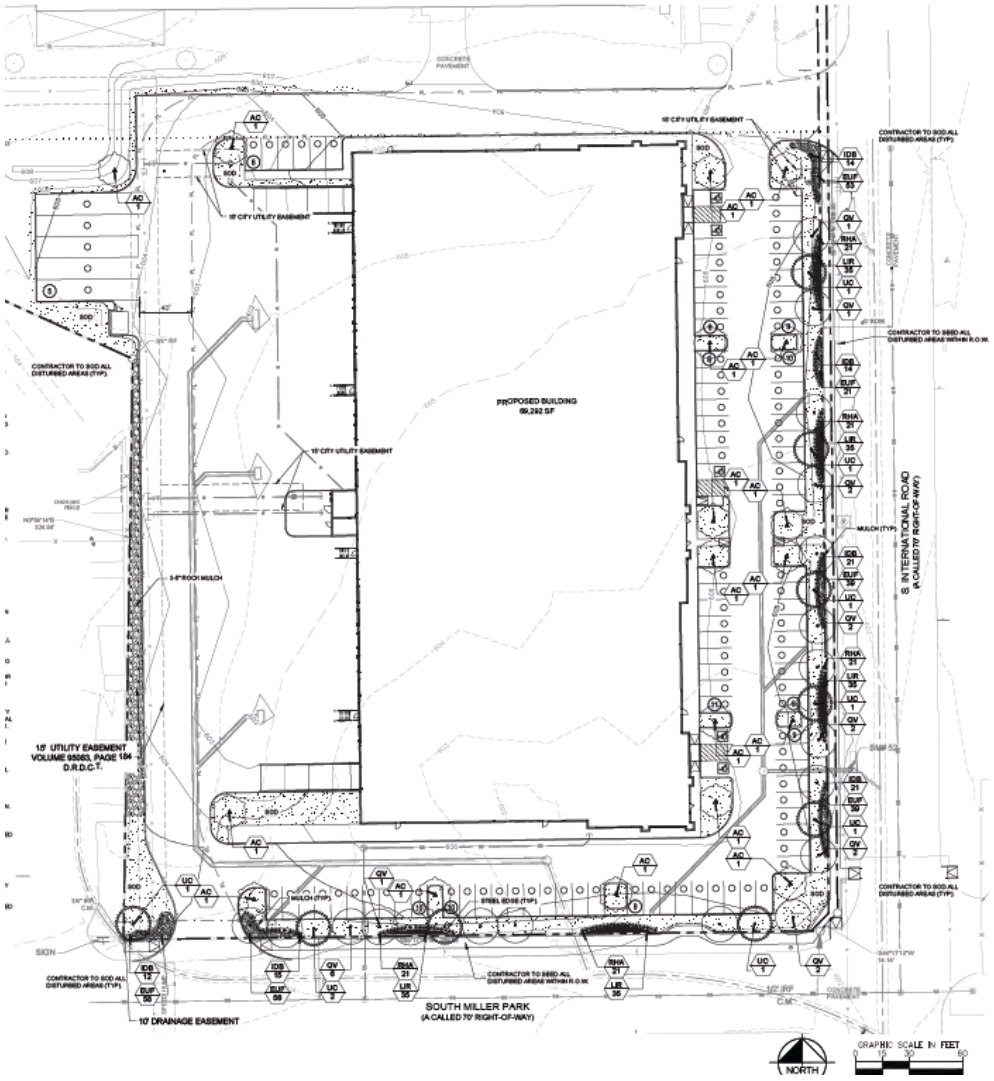
LANDSCAPE PLAN



Z 23-34

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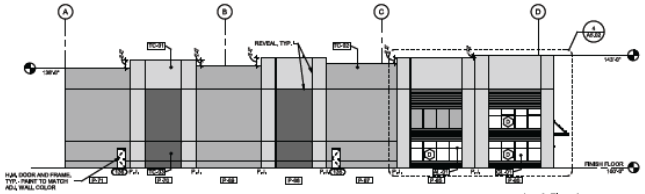
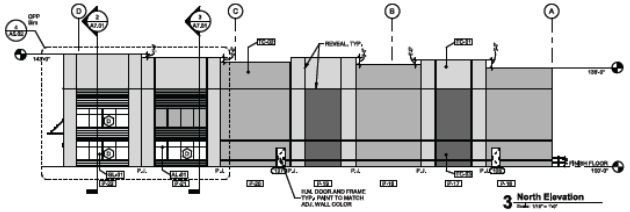
BUILDING ELEVATIONS

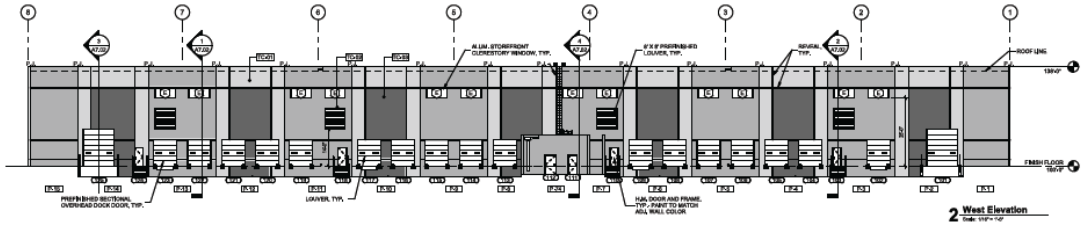
5 ISO SW CORNER ENTRY



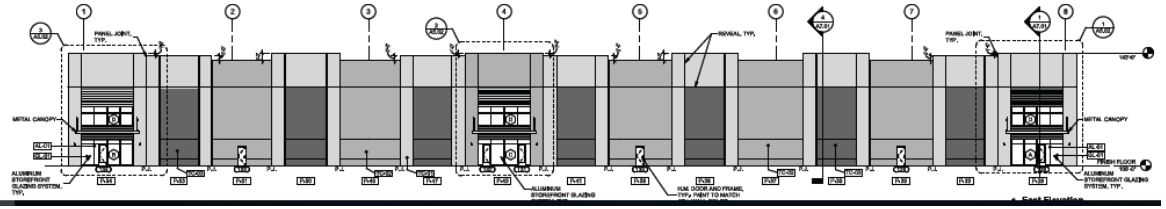
4 South Elevation



3 North Elevation



2 West Elevation



Z 23-34

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Z 23-34

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CONSIDERATIONS

The applicant is requesting the SUP to be valid for twenty-five (25) years, which aligns with the SUP Time Period Guide.

There are no deviations from the GDC requested with this application.

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STAFF RECOMMENDATION

Approval of 1) a Specific Use Provision for a Food Processing & Storage Use on a property zoned Planned Development (PD) District 93-01 for Industrial Uses; and 2) a Plan for a Food Processing & Storage Use.

PLAN COMMISSION RECOMMENDATION

During their October 9, 2023 meeting, the Plan Commission, with a vote of eight (8) to zero (0) recommended approval of 1) a Specific Use Provision for a Food Processing & Storage Use on a property zoned Planned Development (PD) District 93-01 for Industrial Uses; and 2) a Plan for a Food Processing & Storage Use.

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GARLAND
PLANNING REPORT

City Council Regular Session Agenda **8. e.**

Meeting Date: 11/07/2023

Item Title: Z 23-35 Bohler Engineering TX, LLC

Submitted By: Josue De La Vega, Sr. Planner

REQUEST

Approval of 1) an Amendment to Planned Development (PD) District 23-15 for Community Retail (CR) Uses to expand the existing Walmart Garden Center and 2) a Detail Plan of an expansion of the existing Walmart Garden Center on a property zoned Planned Development (PD) District 23-15.

LOCATION

5302 North Garland Avenue

OWNER

Wal-Mart Real Est Business

PLAN COMMISSION RECOMMENDATION

On October 9, 2023, the Plan Commission, by a vote of eight (8) to zero (0), recommended approval of 1) an Amendment to Planned Development (PD) District 23-15 for Community Retail (CR) Uses to expand the existing Walmart Garden Center and 2) a Detail Plan of an expansion of the existing Walmart Garden Center on a property zoned Planned Development (PD) District 23-15.

STAFF RECOMMENDATION

Approval of 1) an Amendment to Planned Development (PD) District 23-15 for Community Retail (CR) Uses to expand the existing Walmart Garden Center and 2) a Detail Plan of an expansion of the existing Walmart Garden Center on a property zoned Planned Development (PD) District 23-15.

BACKGROUND

The applicant proposes to expand the existing Walmart Garden Center, the section of the Walmart Supercenter where gardening related items such as plants and mulch are sold. The proposed expansion is 3,102 square feet.

SITE DATA

The site is 20.22 acres with approximately 655 lineal feet of frontage along North Garland Avenue. The site can be accessed from three points along North Garland Avenue.

USE OF PROPERTY UNDER CURRENT ZONING

The subject property is currently zoned Planned Development (PD) District 23-15 for Community Retail (CR) Uses. In 2001 City Council approved a Detail Plan as part of Planned Development (PD) District 01-16 for the development of a Walmart Supercenter that is currently in operation. All future development requires approval of a Detail Plan through the public hearing process.

CONSIDERATIONS

Detail Plan:

1. The applicant proposes to expand the existing Walmart Garden Center by 3,102 square feet (Exhibit C). The expansion would be enclosed by ornamental fencing and brick columns, similar to the current enclosure. It should be noted that on July 11, 2023, City Council approved a Detail Plan for the construction a 5,500 square-foot Medical and Dental Clinic as an expansion to this Walmart Supercenter. The Medical and Dental Clinic project continues to move forward through the development process; in the meantime, the applicant makes the above separate request.

2. The proposed improvements reduce the provided parking by thirty-three (33) spaces (3.69% reduction of existing conditions) and are not expected to adversely impact the site. The project engineer states that the Garden Center expansion traffic generation is a negligible amount for the shopping center. The existing parking is adequately servicing the site and is anticipated to do the same in the proposal.

3. Landscaping currently exists on the site. Additional landscaping is not triggered by this request.

4. The building elevations (Exhibit D) are in compliance with the Garland Development Code (GDC).

5. The applicant is neither proposing new signage nor changes to the existing signs with this request.

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 to adjacent residential neighborhoods, retail centers, and employment centers.

The expansion of the existing land use is compatible with the Comprehensive Plan.

ECONOMIC DEVELOPMENT STRATEGIC PLAN

The subject site is considered a Large Format Retail use. The proposal will expand and accommodate the existing Wal-Mart which generates significant sales tax for the City.

COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

The properties to the north, west and east are zoned Planned Development (PD) District 01-16, Planned Development (PD) District 03-14, Planned Development (PD) District 06-06, Community Retail (CR) District, Planned Development (PD) District 22-01, Planned Development (PD) District 19-07, and Planned Development (PD) District 21-11. These properties are developed with a bank, restaurant with a drive-through, a multi-tenant building and a grocery store. To the south, the property is bordered by Planned Development (PD) District 07-39, Planned Development (PD) District 16-39, and Agricultural (AG) District. PD 07-39 has a base zoning of Community Retail while PD 16-39 has a base zoning of Multi-Family and contains a Senior Independent Living complex. Finally, the Agricultural zoned land contains the Curtis Culwell Center. All of the properties mentioned above are within the Community Centers future land use.

Attachments

Z 23-35 Location Map

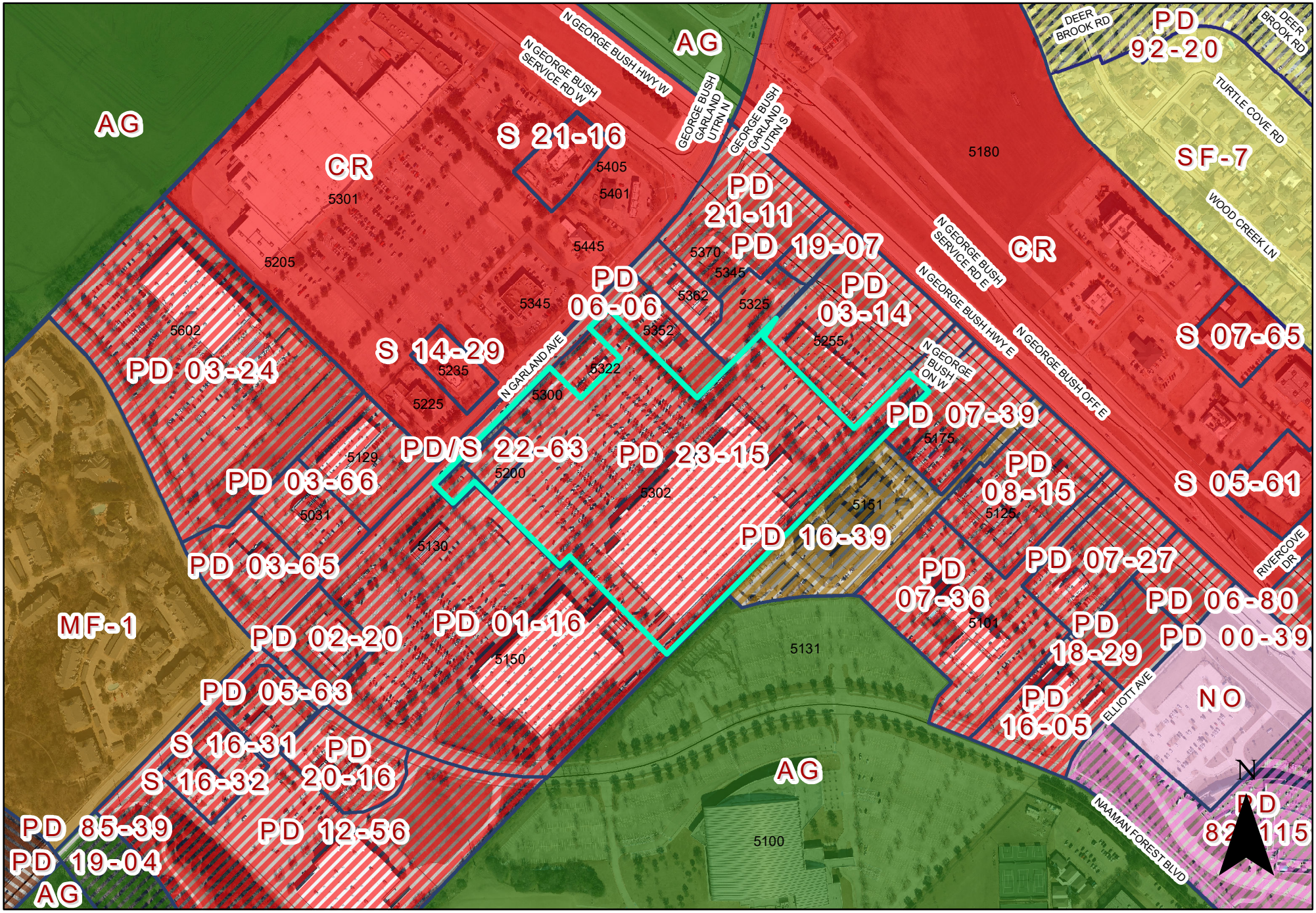
Z 23-35 PD Conditions

Z 23-35 Exhibits

Z 23-35 R&M

Z 23-35 Responses

Z 23-35 Staff Presentation



0 280 560 Feet

1 inch = 431 feet

ZONING MAP Z 23-35

INDICATES AREA OF REQUEST

5302 North Garland Avenue

PLANNED DEVELOPMENT CONDITIONS

ZONING FILE Z 23-35

5302 North Garland Avenue

I. **Statement of Purpose:** The purpose of this Planned Development (PD) is to allow and regulate the expansion of the existing Walmart Garden Center.

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 Planned Development (PD) District 23-15 and 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:**

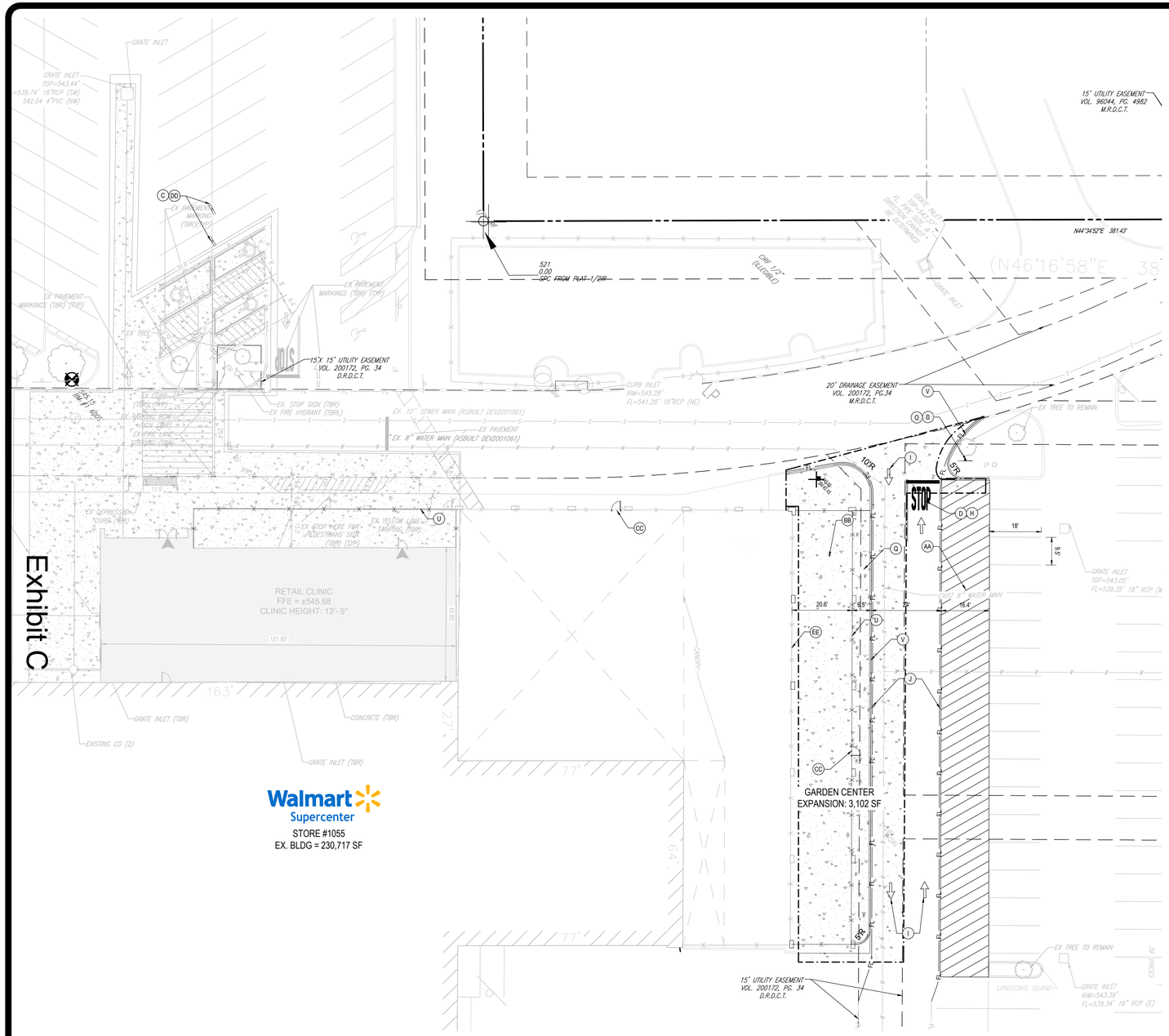
A. Detail Plan: Development is to be in conformance with the approved Detail Plan labeled Exhibit C to Exhibit D. In the event of conflict between the conditions and Detail Plan, the conditions listed below are to apply.

V. **Detail Plan:**

A. Site Layout: The site shall be in conformance to the site layout reflected on Exhibit C.

B. Building Elevations: Building elevations shall be in conformance to the elevations as approved on Exhibit D.

EXHIBIT B



SITE LEGEND

REFERENCE DETAIL SHEET

A	NEW "STOP HERE FOR PEDESTRIANS" SIGN.
B	NEW 30"X30" STOP SIGN.
C	NEW SIGN MOUNTING AND BASE WITH BOLLARD.
D	NEW STOP TEXT AND STOP BAR.
E	NEW 4" WIDE PAINTED YELLOW STRIPES AT 45° @ 2'-0" O.C.
F	NEW CROSSWALK MARKINGS - 6" WIDE PAINTED WHITE STRIPING PARALLEL TO DIRECTION OF TRAFFIC AT 2'-0" O.C. AND (1)-8" WHITE STRIPE PERPENDICULAR ON BOTH ENDS UNLESS NOTED OTHERWISE. SEE SITE PLAN FOR DIMENSIONS. ENTIRE CROSSWALK SHALL BE RE-STRIPED.
G	LIMITS OF SEAL COAT. APPLY SEAL COAT OVER WHERE STRIPING AND PAVEMENT MARKINGS WERE REMOVED AND WHERE NEW STRIPING AND PAVEMENT MARKINGS WILL BE APPLIED. APPLY NEW STRIPING AND PAVEMENT MARKINGS OVER SEAL COAT.
H	NEW 4" WIDE PAINTED YELLOW STRIPES - 6' LONG WITH 18' GAPS.
I	NEW OPEN ARROW PAVEMENT MARKINGS.
J	6" NEW FIRE LANE STRIPING.
K	NEW 4" WIDE DOUBLE SOLID YELLOW STRIPE.
L	EXISTING STOP SIGN TO REMAIN.
M	EXISTING STOP SIGN TO BE RAISED TO MATCH CURRENT DETAILS/GUIDELINES.
N	EXISTING BOLLARD AND SIGN POST TO BE REPAINTED.
O	NEW SIGN MOUNTING AND BASE WITH BREAK AWAY POST.
P	PROP BOLLARD (TYP) (MATCH PAINT/SLEEVE TO ARCH PLANS)
Q	PROP CONCRETE SIDEWALK
R	PROP FLUSH CURB
S	PROP ADA DETECTABLE WARNING STRIP
T	PROP SAWCUT LIMITS
U	PROP GARDEN CENTER FENCE (REFER TO ARCHITECTURAL PLANS)
V	PROP TYPE "D" CURB
W	PROP DROP OFF LOCATION
X	PROP RELOCATION FOR PARKING ROW SIGN
Y	PROP ADA SIGN
Z	MATCH EXISTING CROSSWALK MARKING
AA	6" NEW YELLOW LANE STRIPING
BB	PROP GARDEN CENTER BUILD BACK
CC	PROP GARDEN CENTER ENRANCE
DD	PROP HEALTH CLINIC DEDICATED PARKING SPACES
EE	EXISTING GARDEN CENTER FENCE

LEGEND

PROP. SIGN	
PROP. BUILDING ENTRANCES	
PROP. STANDARD DUTY CONCRETE	

SITE ADDRESS (S):	5302 N GARLAND AVE, GARLAND, TX 75040
SITE AREA	20.22 ACRES (880,783 SF)
PROPERTY ID#:	265943000102R0000
ENGINEER:	BOHLER ENGINEERING
	2600 NETWORK BLVD, SUITE 310
	FRISCO, TX 75034
	EXISTING
LAND USE	RETAIL/GROCERY
ZONING	PD 23-15 - PLANNED DEVELOPMENT
ABUTTING ZONING	PD (EAST & WEST) CR - (NORTH) AG & PD (SOUTH)
FUTURE LAND USE	COMMUNITY CENTERS
ABUTTING FUTURE LAND USE	COMMUNITY CENTERS (NORTH, SOUTH, EAST & WEST)
SETBACKS:	REQUIRED
FRONT:	30'
SIDE:	20'
SIDE:	20'
REAR:	15'
	EXISTING
BUILDING COVERAGE:	230,717 SF
WITHIN LIMITS OF DISTURBANCE:	PROPOSED
IMPERVIOUS AREA:	9,771 SF
PERVIOUS AREA:	90 SF
FLOOR TO AREA RATIO (FAR):	0.26
BUILDING HEIGHT:	35'
PARKING:	
EXISTING PARKING SPACES:	896 SPACES
EXISTING PARKING RATIO:	3.98
APPROVED PARKING SPACES (CASE Z23-15):	894 SPACES
APPROVED PARKING RATIO (CASE Z23-15):	3.87
PROPOSED PARKING SPACES:	861 SPACES
PROPOSED PARKING RATIO:	3.72 / 1000
MIN REQUIRED PARKING SPACES:	925 SPACES

SITE NOTES:

1. THE PROPOSED ACTIVITIES SHALL COMPLY WITH CITY OF GARLAND DEVELOPMENT REGULATIONS (LATEST EDITION) INCLUDING THE TREE AND LANDSCAPE CODE, STORM WATER MANAGEMENT REGULATIONS, AND FIRE CODES AT THE TIME OF PERMITTING.
2. SIDEWALKS TO BE PROVIDED AND BUILT IN ACCORDANCE WITH T.X.D.O.T. AND CITY OF GARLAND LAND DEVELOPMENT REGULATIONS (LATEST EDITION). ALL PROPOSED SIDEWALKS SHALL MEET ADA REQUIREMENTS.
3. ALL DIMENSIONS ARE SHOWN AT FACE OF CURB, UNLESS OTHERWISE NOTED. B/C INDICATES DIMENSION IS TO BACK OF CURB.
4. ALL RADII DIMENSIONS ARE 3' AT THE FACE OF CURB UNLESS OTHERWISE NOTED.
5. FREE STANDING SIGNAGE SHOWN ONLY FOR REPRESENTATIONAL PURPOSES, AND SHALL BE PERMITTED SEPARATELY.
6. A RIGHT-OF-WAY PERMIT WILL BE REQUIRED FOR ALL WORK WITHIN THE PUBLIC RIGHT-OF-WAY. SPECIFIC STIPULATIONS OR CONDITIONS WILL BE IMPOSED AT THE TIME OF PERMIT APPLICATION.
7. CONSTRUCTION PLAN APPROVAL DOES NOT EXEMPT THE CONTRACTOR FROM OBTAINING THE REQUIRED BUILDING, ELECTRICAL, PLUMBING, AND MECHANICAL PERMITS. THESE INCLUDE BUT ARE NOT LIMITED TO ANY STRUCTURE, SIGN, WALL, ENCLOSURE, OR SCREENING, ETC.
8. IN THE EVENT THE PROJECT IS TERMINATED PRIOR TO CONSTRUCTION COMPLETION, THE PROJECT SHALL BE BROUGHT TO GRADE, SEEDED, AND ALL DEBRIS AND MATERIALS SHALL BE HAULED OFF-SITE AND DUMPED AT A STATE OF TEXAS APPROVED FACILITY.
9. ANY DAMAGED SIDEWALK OR CURB WITHIN THE T.X.D.O.T. RIGHT-OF-WAY SHALL BE REMOVED AND REPLACED.
10. ALL DISTURBED AREAS WITHIN THE T.X.D.O.T. RIGHT-OF-WAY WILL BE SODDED.
11. STANDARD INDICES REFER TO THE LATEST VERSION OF T.X.D.O.T. "ROADWAY AND TRAFFIC DESIGN STANDARDS."
12. NO LANE CLOSURES ARE ALLOWED BETWEEN 5:00 A.M. AND 7:30 P.M. THE T.X.D.O.T. RESERVES THE RIGHT TO REQUIRE DIFFERENT HOURS OF LANE CLOSURE. ALL LANE CLOSURES MUST BE APPROVED BY THE DEPARTMENT AT LEAST TWO WEEKS PRIOR TO THE LANE CLOSURE IN ACCORDANCE WITH THE DISTRICT LANE CLOSURE POLICY.
13. ALL POTABLE WATER, RECLAIMED WATER, AND SANITARY SEWER CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE APPROVED CONSTRUCTION PLAN.
14. WATER AND WASTEWATER PERMITS MUST BE OBTAINED PRIOR TO BEGINNING CONSTRUCTION.
15. PROPER DOCUMENTATION FOR ALL PUBLIC UTILITY EASEMENTS SHALL BE PROVIDED TO THE PROPERTY MANAGEMENT DEPARTMENT PRIOR TO CERTIFICATE OF COMPLETION.
16. UTILITY RECORD DRAWINGS ARE REQUIRED PRIOR TO PLACING THIS WATER AND WASTEWATER FACILITIES INTO SERVICE. PLEASE SEE THE ADDITIONAL INFORMATION SECTION FOR INSTRUCTIONS.

RIGHT-OF-WAY NOTES:

1. A RIGHT-OF-WAY USE PERMIT WILL BE REQUIRED FOR ALL WORK WITHIN THE PUBLIC RIGHT-OF-WAY. SPECIFIC STIPULATIONS OR CONDITIONS WILL BE IMPOSED AT THE TIME OF PERMIT APPLICATION.
2. ALL AREAS WITHIN THE COUNTY OR T.X.D.O.T. RIGHT-OF-WAY DISTURBED THROUGH THE COURSE OF CONSTRUCTION WILL BE RE-GRADED AND SODDED.
3. IT SHALL BE THE DEVELOPER'S RESPONSIBILITY TO PROTECT ALL COUNTY OR T.X.D.O.T. OWNED AND/OR MAINTAINED INFRASTRUCTURE. ANY/ALL COSTS ASSOCIATED WITH ALTERATIONS, RELOCATIONS, OR REPAIRS MADE NECESSARY BY THIS DEVELOPMENT SHALL BE BORNE BY EITHER THE OWNER, DEVELOPER, AND/OR CONTRACTOR. SPLICES IN THE FIBER OPTIC CABLE, SIGNALIZATION OR ROADWAY LIGHTING CONDUCTORS, OR THE ADDITION OF ADDITIONAL PULL/JUNCTION BOXES WILL NOT BE PERMITTED. IN THE EVENT A CABLE IS CUT, DAMAGED, OR REQUIRES RELOCATION, THE CABLE(S) SHALL BE RESTORED BACK TO THE ORIGINAL CONFIGURATION. ORIGINAL CONFIGURATION IS DEFINED AS SYSTEM STATUS, LAYOUT, AND DESIGN PRIOR TO ANY WORK COMMENCING.
4. FOR UTILITIES TO BE RELOCATED BY THE UTILITY PROVIDER, CONTRACTOR SHALL COORDINATE DEMOLITION SCHEDULE WITH UTILITY PROVIDERS. DEMOLITION OF SIDEWALKS AND DRIVEWAYS SHALL OCCUR PRIOR TO UTILITY RELOCATIONS.

ADA ACCESSIBILITY NOTES:

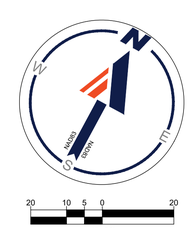
1. ALL HANDICAPPED PARKING SPACES AND ACCESS AISLES ADJACENT TO THE HANDICAP PARKING SPACES SHALL HAVE A MAXIMUM OF 2% SLOPE IN ALL DIRECTIONS (THIS INCLUDES RUNNING SLOPE AND CROSS SLOPE).
2. AN ACCESSIBLE ROUTE FROM THE PUBLIC STREET OR SIDEWALK TO ALL BUILDING ENTRANCES MUST BE PROVIDED. THIS ACCESSIBLE ROUTE SHALL BE A MINIMUM OF 60" WIDE. THE RUNNING SLOPE OF AN ACCESSIBLE ROUTE SHALL NOT EXCEED 5% AND THE CROSS SLOPE SHALL NOT EXCEED 2%.
3. SLOPES EXCEEDING 5% BUT LESS THAN 8% WILL REQUIRE A RAMP AND MUST CONFORM TO THE REQUIREMENTS FOR RAMP DESIGN (HANDRAILS, CURBS, LANDINGS). NO RAMP SHALL EXCEED AN 8% RUNNING SLOPE OR 2% CROSS SLOPE.
4. IN THE CASE THAT A NEW SIDEWALK WILL BE CONSTRUCTED IN THE ROW OF A SITE, THE RUNNING SLOPE OF THE SIDEWALK SHALL NOT EXCEED 5% AND THE CROSS SLOPE SHALL NOT EXCEED 2%. THIS STANDARD APPLIES TO CROSS WALKS IN THE DRIVEWAY AS WELL AND WILL REQUIRE SPECIAL ATTENTION DURING STAKING TO MAKE SURE THE 2% CROSS SLOPE IS MET IN THE CROSS WALK.
5. IT WILL BE THE RESPONSIBILITY OF THE GENERAL CONTRACTOR TO ENSURE THAT THE HANDICAP PARKING SPACES, ACCESSIBLE ROUTES, AND SIDEWALKS/CROSSWALKS ARE CONSTRUCTED TO MEET ADA REQUIREMENTS.
6. ANY REQUIREMENTS LISTED ABOVE THAT CAN NOT BE MET SHALL BE BROUGHT TO THE ENGINEER'S ATTENTION IMMEDIATELY. ANYTHING NOT BUILT TO THE ABOVE STANDARDS WILL REQUIRE REMOVAL AND REPLACEMENT OF THE NON COMPLIANT AREAS AT THE GENERAL CONTRACTORS COST.
7. THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND/OR ELEVATION OF EXISTING UTILITIES AS SHOWN ON THESE PLANS IS BASED ON RECORDS OF THE VARIOUS UTILITY COMPANIES AND, WHERE POSSIBLE, MEASUREMENTS TAKEN IN THE FIELD. THE INFORMATION IS NOT TO BE RELIED UPON AS BEING EXACT OR COMPLETE. THE CONTRACTOR MUST CALL THE APPROPRIATE UTILITY COMPANY AT LEAST 72 HOURS BEFORE ANY EXCAVATION TO REQUEST EXACT FIELD LOCATION OF UTILITIES. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO RELOCATE ALL EXISTING UTILITIES WHICH CONFLICT WITH THE IMPROVEMENTS SHOWN BY THESE PLANS.

FLOODPLAIN INFORMATION

ACCORDING TO COMMUNITY PANEL NO. 48113C0210L, DATED JULY 7, 2014 OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY, NATIONAL FLOOD INSURANCE PROGRAM MAP, A PORTION OF THIS PROPERTY IS WITHIN FLOOD ZONE "X", (AREAS DETERMINED TO BE OUTSIDE 500-YEAR FLOODPLAIN), WHICH IS NOT A SPECIAL FLOOD HAZARD AREA, THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE PROPERTY AND/OR THE STRUCTURES THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE.

DIMENSION CONTROL PLAN NOTES:

1. SEE SHEET C-101 AND C-102 FOR GENERAL NOTES.
2. ALL DIMENSIONS ARE FROM FACE OF CURB, FACE OF WALL, OR FACE OF BUILDING, UNLESS NOTED OTHERWISE.
3. CONTRACTOR SHALL BE RESPONSIBLE FOR ALL RELOCATIONS, (UNLESS OTHERWISE NOTED ON PLANS) INCLUDING BUT NOT LIMITED TO, ALL UTILITIES, STORM DRAINAGE, SIGNS, TRAFFIC SIGNALS & POLES, ETC. AS REQUIRED. ALL WORK SHALL BE IN ACCORDANCE WITH GOVERNING AUTHORITIES REQUIREMENTS AND PROJECT SITE WORK SPECIFICATIONS AND SHALL BE APPROVED BY SUCH. ALL COST SHALL BE INCLUDED IN BASE BID.
4. ARCHITECTURAL, STRUCTURAL, MECHANICAL/ELECTRICAL/PLUMBING, LANDSCAPE AND LIGHTING PLANS ARE TO BE PROVIDED BY OTHERS.
5. SITE BOUNDARY, TOPOGRAPHY, UTILITY AND ROAD INFORMATION TAKEN FROM A SURVEY BY A LAND SURVEYOR.
6. CONTRACTOR TO MATCH EXISTING PAVEMENT SECTION FOR PAVEMENT WITHIN SAWCUT LIMITS IN ROW.
7. CONTRACTOR TO COORDINATE WITH FRANCHISE UTILITY PROVIDERS FOR UTILITY CONNECTION POINTS.
8. BASED ON THE FEMA FIRM MAP PANEL NO. 48113C0210L, REVISED 07/07/2014. A PORTION OF THIS PROPERTY IS WITHIN FLOOD ZONE "X", (AREAS DETERMINED TO BE OUTSIDE 500-YEAR FLOODPLAIN), WHICH IS NOT A SPECIAL FLOOD HAZARD AREA AND A PORTION OF THIS PROPERTY IS WITHIN FLOOD ZONE "A", (AREAS DETERMINED TO BE IN THE 500-YEAR FLOODPLAIN, WITHOUT BASE FLOOD ELEVATIONS), WHICH IS A SPECIAL FLOOD HAZARD AREA, THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE PROPERTY AND/OR THE STRUCTURE THEREON WILL BE FRE FROM FLOODING OR FLOOD DAMAGE. ON RARE OCCASIONS, GREATER FLOODS CAN AND WILL OCCUR AND FLOOD HEIGHTS MAY BE INCREASED BY MAN-MADE OR NATURAL CAUSES. THIS STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.
9. THIS PLAN WAS PREPARED WITH "ALTA/NSPS LAND TITLE SURVEY" PREPARED BY BOHLER ENGINEERING, DATED 01/12/2023.



CASE NUMBER: 230824-3

REVISIONS	BY
CITY OF GARLAND COMMENTS 9/13/2023	AO

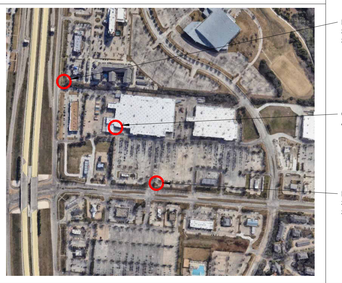
BOHLER
2600 NETWORK BLVD, SUITE 310
FRISCO, TEXAS 75034
Phone: (469) 458-7300
TBPE NO. 18693 / TBPLS NO. 10194413

SUPERCENTER #1055
GARLAND, TX
WAL-MART STORES EAST, LP
5302 N GARLAND AVE
TBCW ADDITION BLK 1, LOT 2R
GARLAND, TX 75040

Walmart

DRAWN	AO
CHECKED	SM
DATE	9/13/2023
JOB No.	FLA220115
SHEET TITLE	**DETAILED SITE PLAN**
SHEET NUMBER	**C-302**

SITE PLAN



EXISTING MONUMENT SIGN LOCATION ON SITE

GARDEN CENTER & HEALTH CLINIC

EXISTING MONUMENT SIGN LOCATION ON SITE

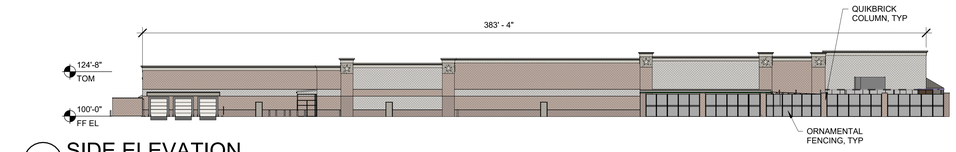
MONUMENT SIGNAGE:

COLOR LEGEND

P#	COLOR NAME
P162E	BLACK GRAY
P76U	WALMART BLUE (URETHANE-LIKE)
P134E	LIGHT GRAY
P135E	MEDIUM GRAY
P140E	WHITE

P#	COLOR NAME
P162E	BLACK GRAY
P76U	WALMART BLUE (URETHANE-LIKE)
P134E	LIGHT GRAY
P135E	MEDIUM GRAY
P140E	WHITE

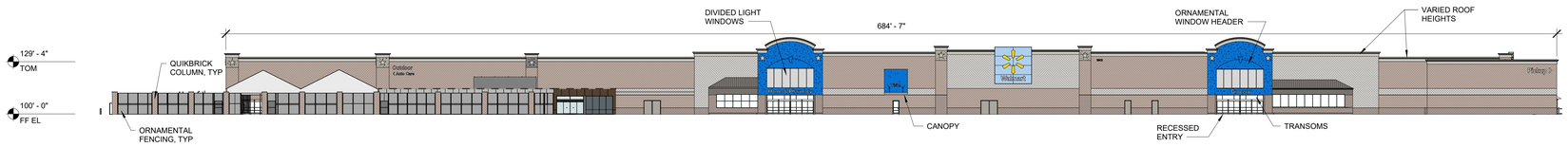
Exhibit D



2 SIDE ELEVATION
1" = 30'-0"

6 REQUIRED ARCHITECTURL ELEMENTS

- DIVIDED LIGHT WINDOWS
- CANOPY
- ORNAMENTAL WINDOW HEADER
- RECESSED ENTRY
- TRANSOMS
- VARIED ROOF HEIGHTS



1 FRONT ELEVATION
1" = 30'-0"

CASE #230824-3
OCCUPANCY: M MERCANTILE (RETAIL STORE)
TYPE OF CONSTRUCTION: V-B UNPROTECTED
ZONING DISTRICT: PD 23-15
BASE ZONE: PD CR

RETAIL CLINIC ADDITION TO GARLAND WALMART 1055

5302 N Garland Ave
Garland, TX 75040

GA PROJECT No: 23CE05

Frederick D. Ostrosky Architect
SUITE 3901
1505 N 2ND ST
ROGERS, AR 72756
479-636-5004
JOB NO.:
DESIGNED BY:

STAMP:

REVISION SCHEDULE:

NUM.	DESCRIPTION	DATE

NOTES & LEGEND

CURRENT DRAWING SET:

ISSUE DATE: 06/30/23
DRAWN BY: HKH

SHEET:
EXTERIOR ELEVATIONS

A2.1

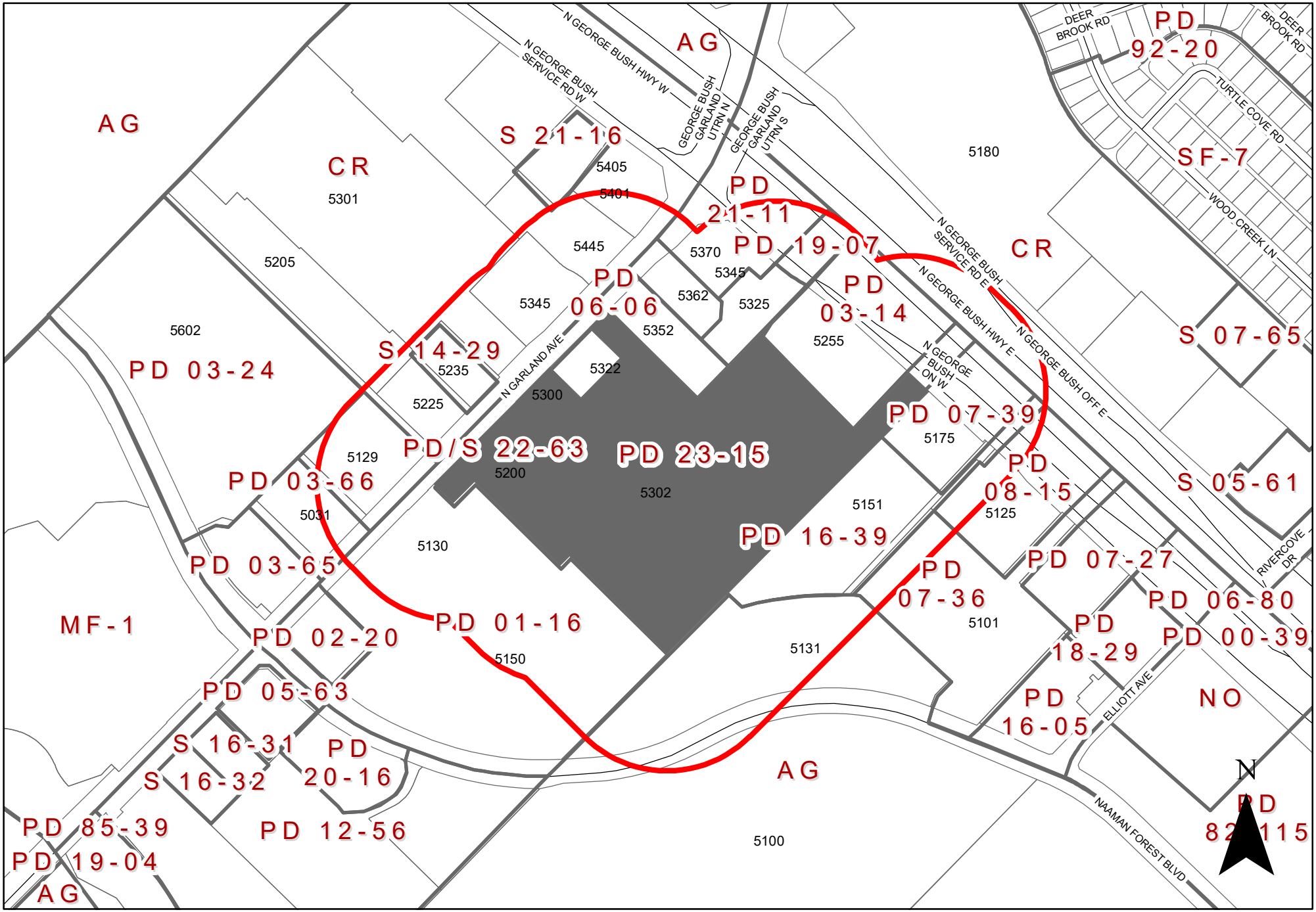
REPORT & MINUTES

P.C. Meeting, October 9, 2023

3e. APPROVED Consideration of the application of **Bohler Engineering TX, LLC,** requesting approval of 1) an Amendment to Planned Development (PD) District 23-15 for Community Retail (CR) Uses to expand the existing Walmart Garden Center and 2) a Detail Plan of an expansion of the existing Walmart Garden Center on a property zoned Planned Development (PD) District 23-15. This property is located at 5302 North Garland Avenue. (District 1) (File Z 23-35)

The applicant, Mathias Haubert, 2600 Network Blvd., Ste. 310, Frisco, TX, provided an overview of the request and remained available for questions.

Motion was made by Commissioner Dalton to close the public hearing and **approve** the application as presented. Seconded by Commissioner Rose. **Motion carried**: **8** Ayes, **0** Nays.



0 280 560 Feet

1 inch = 431 feet

ZONING MAP Z 23-35

INDICATES AREA OF REQUEST

INDICATES NOTIFICATION AREA

5302 North Garland Avenue

To date we have not received any responses for this case.

GARLAND
TEXAS MADE HERE

The applicant proposes an expansion of an existing Walmart Garden Center.

City Council Meeting

November 7, 2023

Z 23-35

GARLAND
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CASE INFORMATION

Location: 5302 North Garland Avenue

Applicant: Bohler Engineering TX, LLC

Owner: Wal-Mart Real Est Business

Acreage: 20.22-Acres

Zoning: Planned Development (PD) District 23-15

GARLAND
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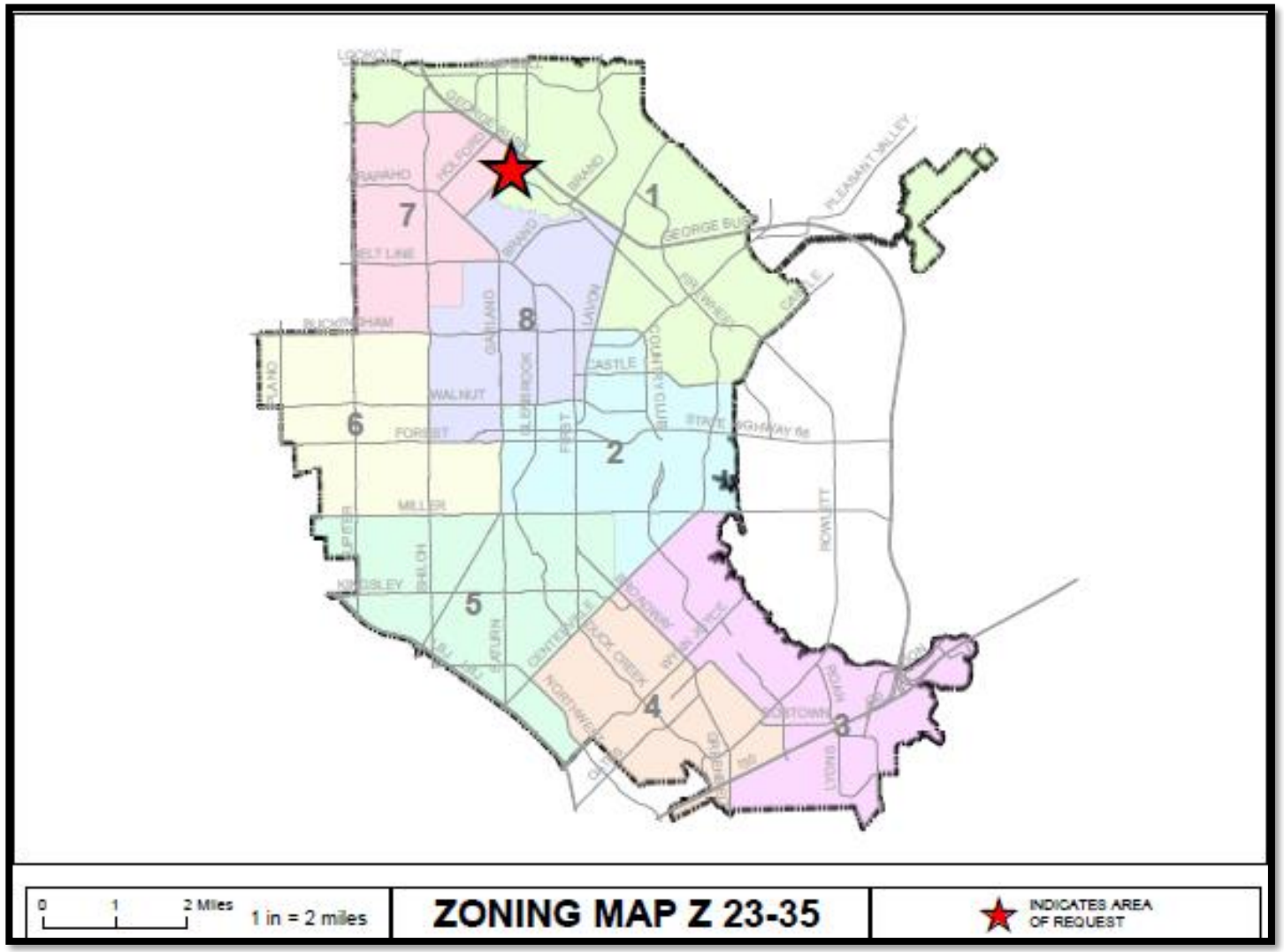
CITYWIDE LOCATION MAP



Z 23-35

GARLAND
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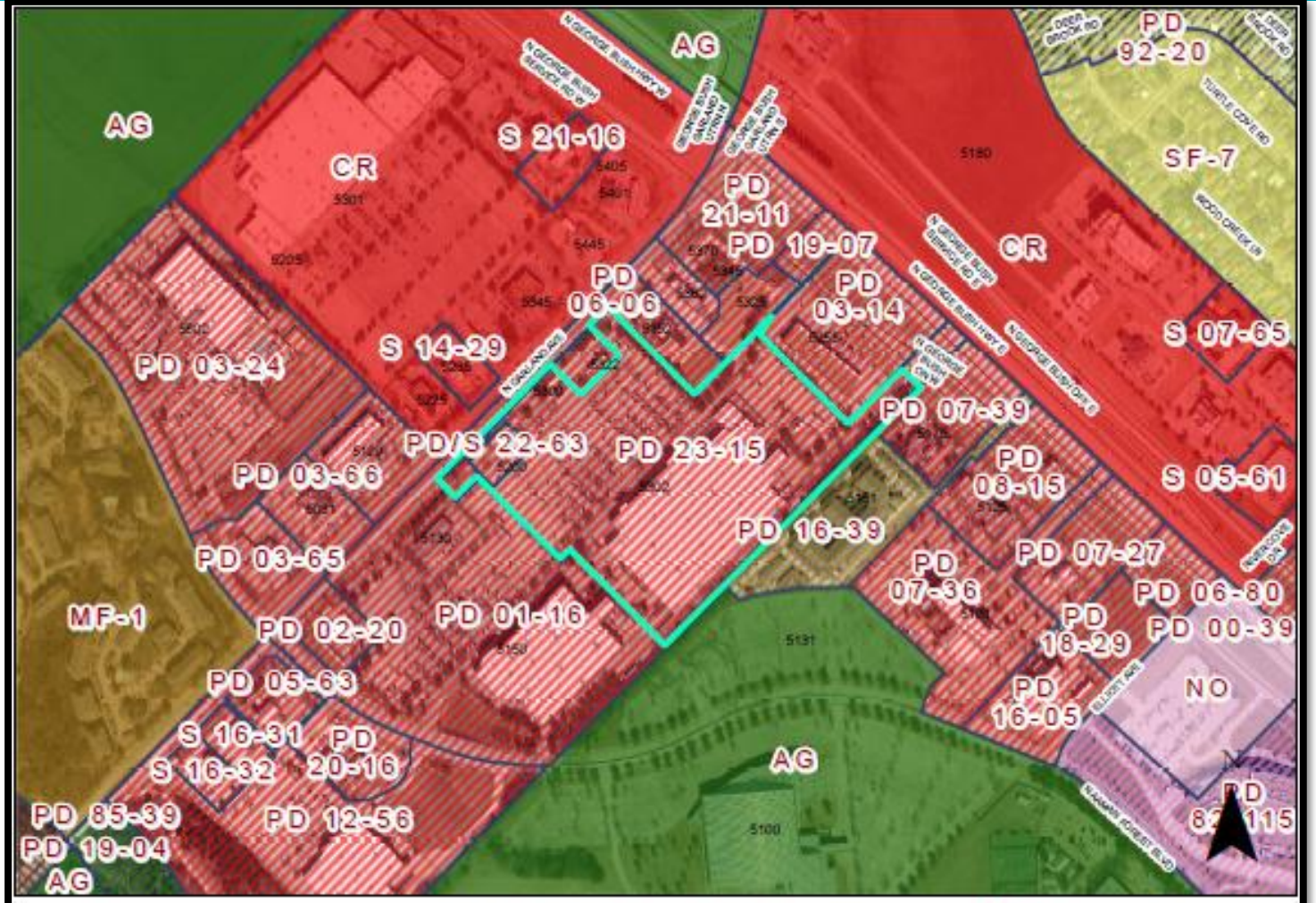
LOCATION MAP



0 280 560 Feet 1 inch = 431 feet

ZONING MAP Z 23-35

INDICATES AREA OF REQUEST

5302 North Garland Avenue

Z 23-35

GARLAND
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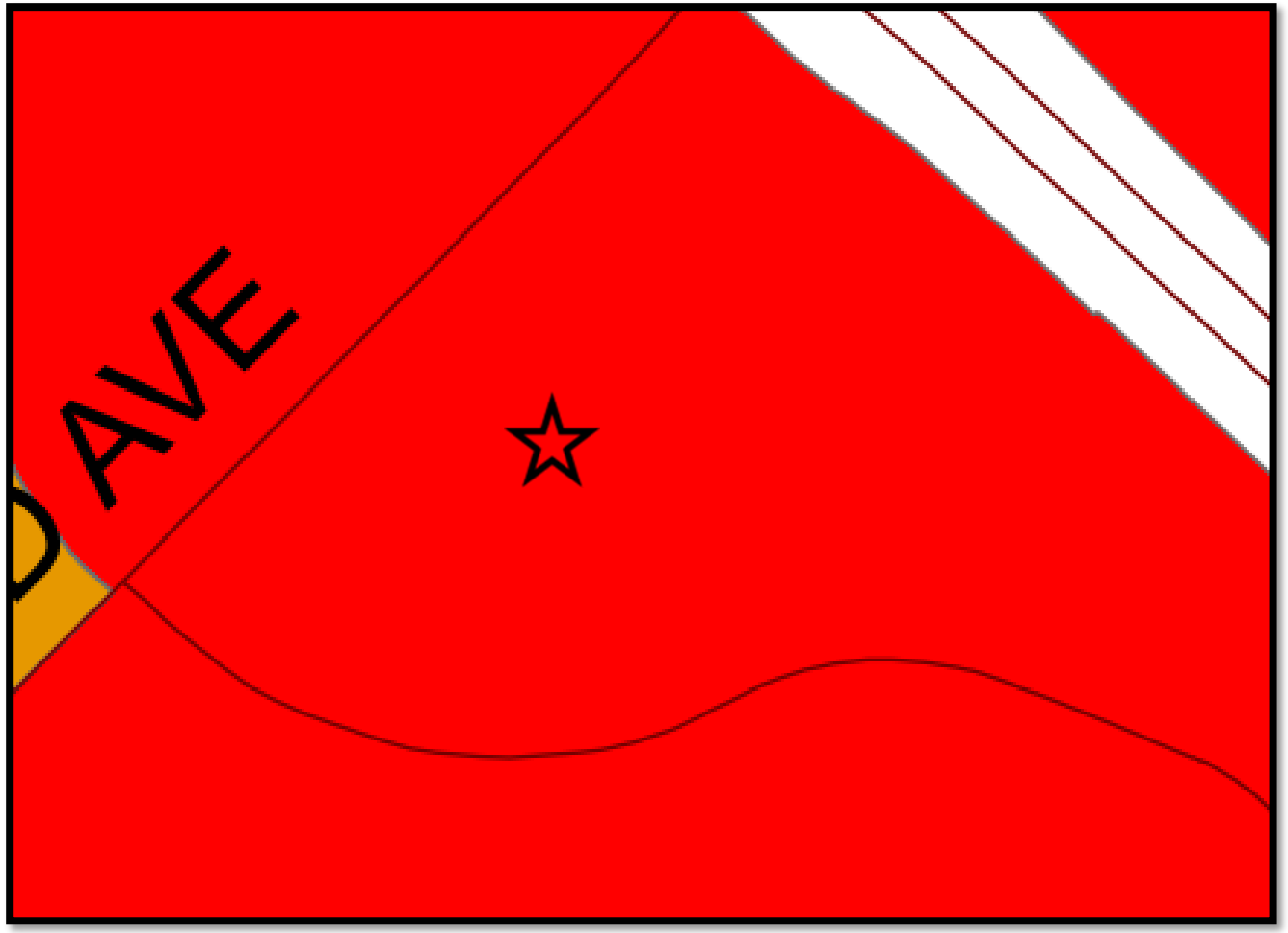
COMPREHENSIVE PLAN

Community Centers



Z 23-35

GARLAND
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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 to adjacent residential neighborhoods, retail centers, and employment centers.

The expansion of the existing land use is compatible with the Comprehensive Plan.

The subject site is considered a Large Format Retail use. The proposal will expand and accommodate the existing Wal-Mart which generates significant sales tax for the City.

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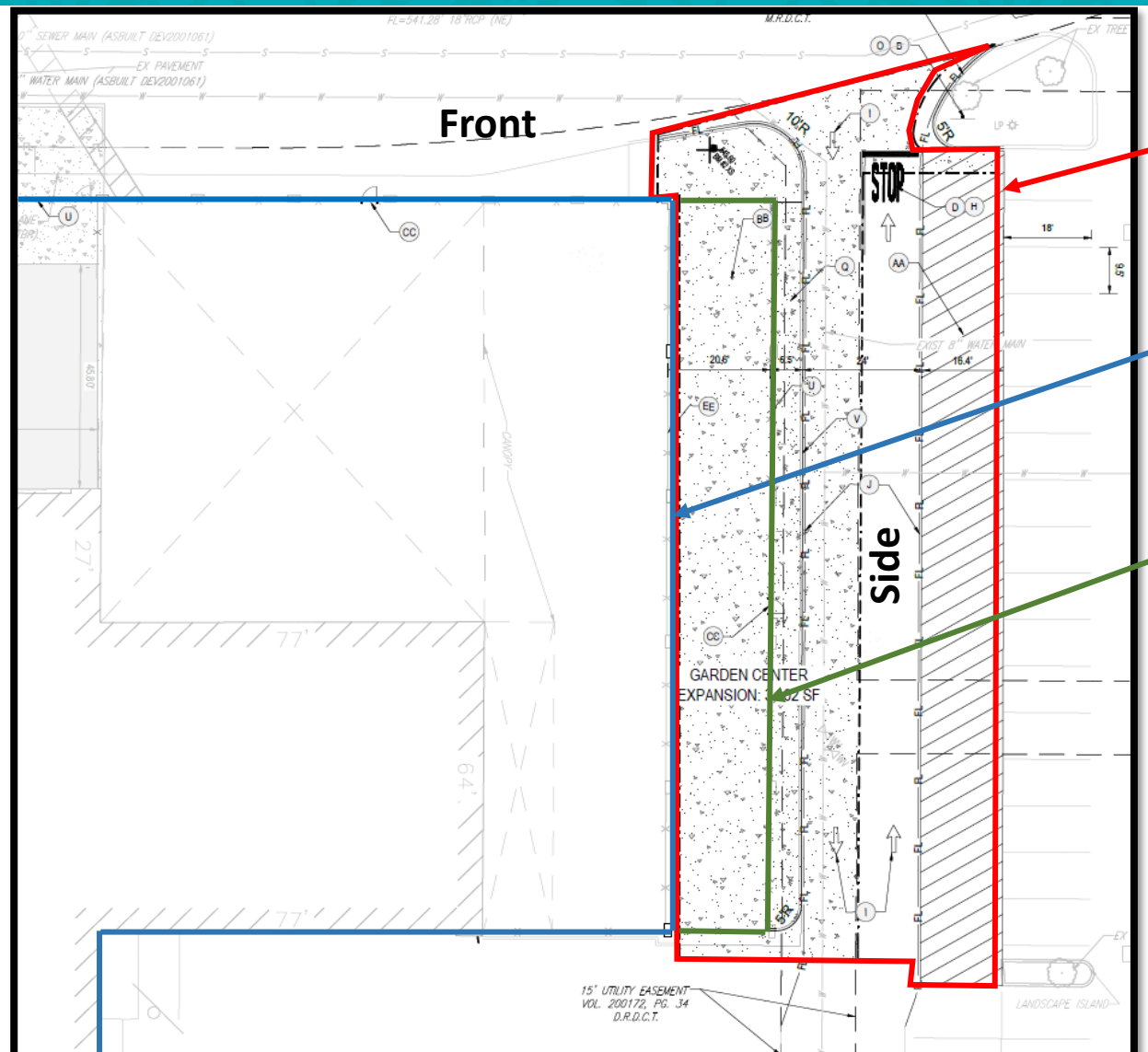
SITE PLAN



Project Area

Boundaries of existing building

Proposed expansion

Z 23-35

GARLAND
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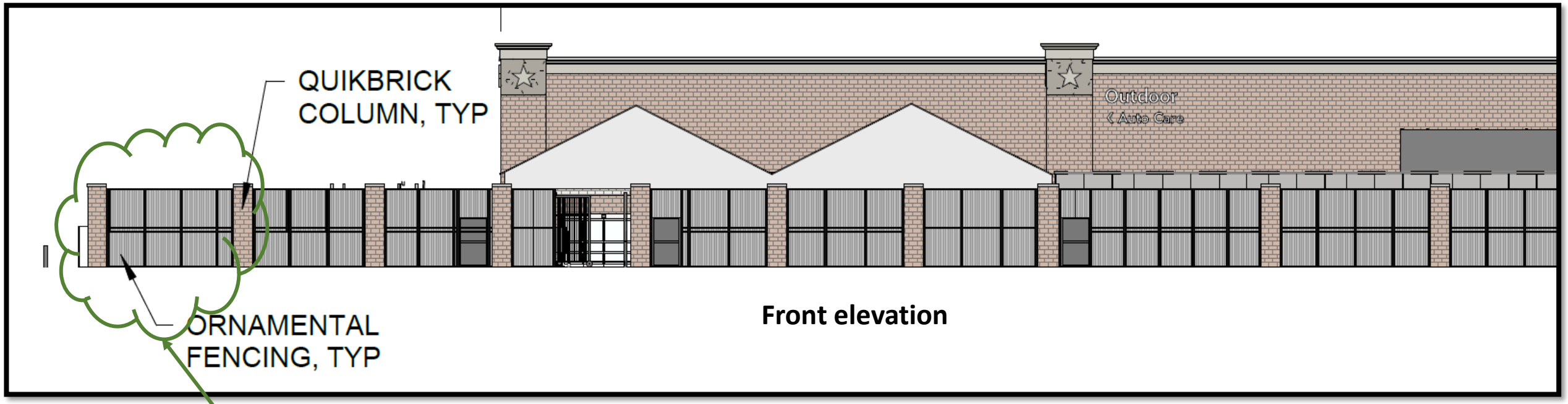
PHOTOS

Front elevation of existing Walmart Garden Center

GARLAND
TEXAS MADE HERE

BUILDING ELEVATIONS



Front elevation

Width of proposed expansion

Z 23-35

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PHOTOS

Side elevation of existing Walmart Garden Center

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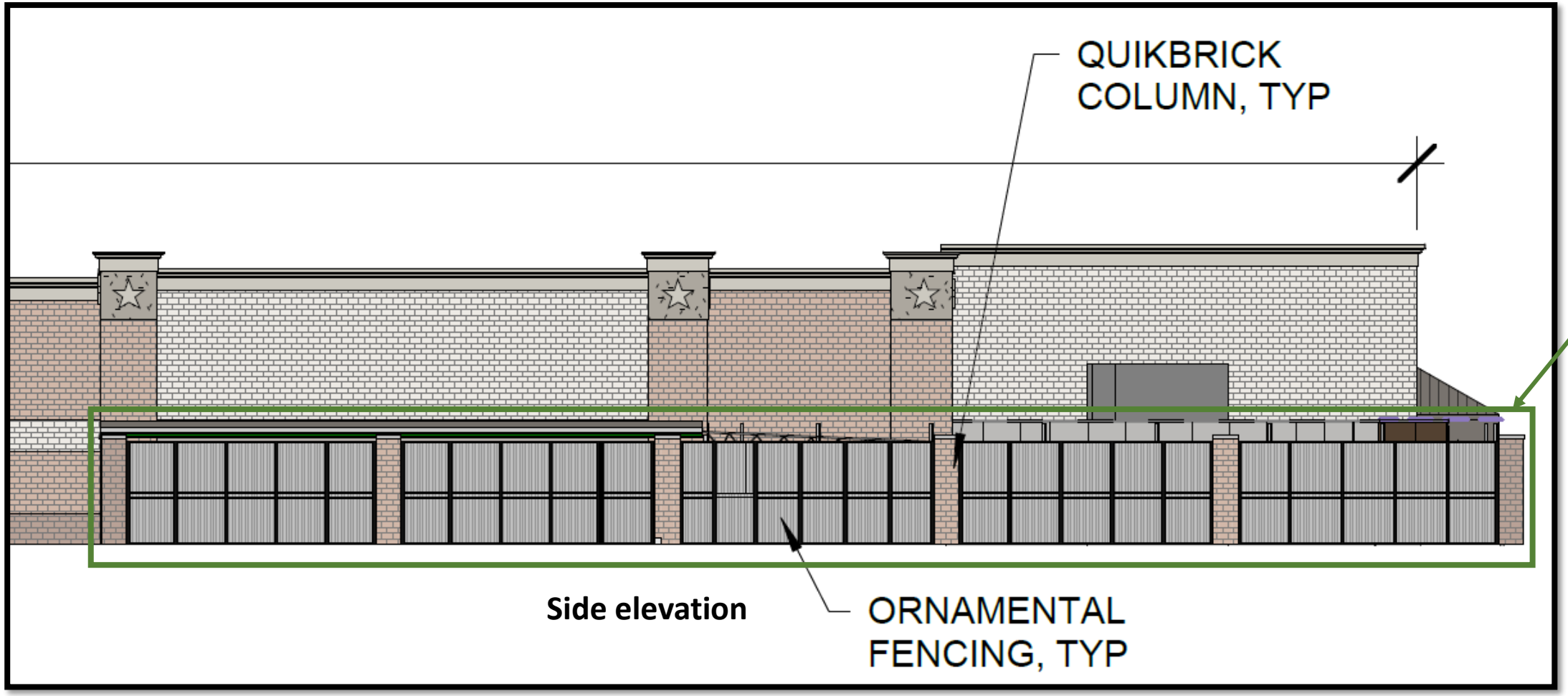
TEXAS MADE HERE

BUILDING ELEVATIONS



Side elevation

Length of proposed expansion same as existing Garden Center

Z 23-35

GARLAND
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PLAN COMMISSION

On October 9, 2023, the Plan Commission, by a vote of eight (8) to zero (0), recommended approval of 1) an amendment to Planned Development (PD) District 23-15 for Community Retail (CR) Uses to expand the existing Walmart Garden Center and 2) a Detail Plan of an expansion of the existing Walmart Garden Center on a property zoned Planned Development (PD) District 23-15.

GARLAND
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STAFF RECOMMENDATION

Approval of an amendment to Planned Development (PD) District 23-15 for Community Retail (CR) Uses to expand the existing Walmart Garden Center.

Approval of a Detail Plan of an expansion of the existing Walmart Garden Center on a property zoned Planned Development (PD) District 23-15.

GARLAND

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GARLAND

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GARLAND

CITY COUNCIL ITEM SUMMARY SHEET

City Council Regular Session Agenda **9. a.**

Meeting Date: 11/07/2023

Item Title: Board and Commission Appointment

Submitted By: Rene Dowl, City Secretary

Summary of Request/Problem

Animal Services Board

- Ashley Thompson

Recommendation/Action Requested and Justification

Attachments

Ashley Thompson Application

CITY OF GARLAND
RECEIVED
OCT 25 2023
CITY SECRETARY

GARLAND
TEXAS MADE HERE

Application for City of Garland Boards/Commissions/Committees/Charter Review Board/Bond Committee

Return completed application to City Secretary's Office, 200 N. Fifth St., Garland, Texas 75040 / Email: RDowl@GarlandTX.gov

Please Type or Print Clearly: Date: 10/24/2023

Name: Ashley Thompson Phone: [redacted]

Address: 1001 Peace Rose Ave Phone:

City, State, Zip: Garland, TX 75040 Email:

Resident of Garland for 3.5 years Resident of Texas for 41 years

Dallas County Voter Registration Number [redacted] Garland City Council District Number 2

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 have worked in the animal welfare field for 10 years. I am currently the Animal Services Manager for the City of McKinney. I have worked for the City of Plano and Richardson as well as an Animal Services Officer.

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

I am currently on the Animal Services Advisory Board for the Collin County Shelter.

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

What is your educational background?

I have a Bachelor's Degree for Animal Science from Texas A&M University. I am currently attending Master's classes through UTD for a Master's Degree in Public Administration.

What is your occupational experience?

I worked at the SPCA of Texas from 2013 - 2015. I then became an Animal Services Officer for the City of Plano for 6 years. I then worked for the City of Richardson as an Animal Services Officer for 10 months. I am currently the Animal Services Manager for the City of McKinney and have worked for McKinney for a year.

I hereby affirm that all statements herein are true and correct. _____

Board or Commission of first, second and third choice:

X Animal Services Board	___ Garland Cultural Arts Commission	___ Parks and Recreation Board
___ Board of Adjustment	___ Garland Youth Council **	___ Plan Commission *
___ Citizens Environmental and Neighborhood Advisory Committee	___ Library Board	___ Senior Citizens Advisory Committee
___ Civil Service Commission	___ Property Standards Board	___ Unified Building Standards Commission
___ Community Multicultural Commission	___ Bond Committee	** *Garland Youth Council has a separate application*

FOR OFFICE USE ONLY

Ad Valorem Tax Status Current ___ Past Due ___ Date Appointed _____

Utility Account Status Current ___ Past Due ___ Appointed By _____

CSO Suit/Claim Filed Yes ___ No ___ Date Notified _____

Clerk Signature & Date _____ Disclosure Form Filed _____

Revised 08/2023

GARLAND

CITY COUNCIL ITEM SUMMARY SHEET

City Council Regular Session Agenda **9. b.**

Meeting Date: 11/07/2023

Item Title: Boards and Commission Appointment

Submitted By: Courtney Vanover, Department Coordinator II

Summary of Request/Problem

Mayor Scott LeMay

- Glenna Saygidia - Community Multicultural Commission

Recommendation/Action Requested and Justification

Attachments

Glenna Saygidia - CMC

CITY OF GARLAND
RECEIVED
OCT 20 2023
CITY SECRETARY

GARLAND
TEXAS MADE HERE

Application for City of Garland Boards/Commissions/Committees/Charter Review Board/Bond Committee

Return completed application to City Secretary's Office, 200 N. Fifth St., Garland, Texas 75040 | Email: RDowl@GarlandTX.gov

Please Type or Print Clearly: Date: 10-16-23

Name: GLENNA SAYGIDIA Phone: [redacted] [redacted] (Home)

Address: 1509 PARKVIEW DR Phone: _____ (Other

City, State, Zip: GARLAND, TX 75043 Email: [redacted]

Resident of Garland for 21 years Resident of Texas for 49 years

Dallas County Voter Registration Number [redacted] Garland City Council District Number 3

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 AM KOREAN AMERICAN. I GREW UP IN A MILITARY TOWN WITH A LOT OF DIFFERENT ETHNICITIES. I VOLUNTEER WITH A DIVERSE GROUP CURRENTLY.
I DONT KNOW, REALLY, WHAT QUALIFIES ME, BUT I WOULD LOVE TO BE PART OF A GROUP THAT CAN ~~COULD~~ BE OPEN MINDED, LEARN ABOUT EACH OTHER AND BETTER THE CITY

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

List civic or community endeavors with which you have been involved.
I VOLUNTEER FULLTIME AT OUR LOCAL FOOD PANTRY. I VOLUNTEER FOR MEAL ON WHEELS AS A DRIVER DELIVERING FOOD TO SENIORS. MY FAMILY & I LOVE FINDING WKEND EVENTS LIKE THE TRI CITY CLEAN UP, FEED THE CITY, HUNGER BUSTERS, ETC.
I PARTICIPATED IN THE GARLAND CITIZENS FIRE ACADEMY & POLICE ACADEMY.

What is your educational background?

HIGH SCHOOL

What is your occupational experience?

RESTAURANT BUSINESS
FOH POSITIONS & MANAGEMENT

I hereby affirm that all statements herein are true and correct. Glenna L Saygidia

Board or Commission of first, second and third choice:

- ___Board of Adjustment
- ___Bond Committee
- ___Charter Review Board
- ___Citizens Environmental and Neighborhood Advisory Committee
- ___Civil Service Commission
- 1 Community Multicultural Commission
- 2 Garland Cultural Arts Commission
- ___Garland Youth Council**
- ___Library Board
- ___Property Standards Board
- ___Parks and Recreation Board
- ___Plan Commission
- ___Senior Citizens Advisory Committee
- ___Unified Building Standards Commission
- ___Tax Increment Financa #1 Downtown Board
- ___Tax Increment Finance #2 South Board
- ___Tax Increment #3 Board

*** Garland Youth Council has a separate application*

FOR OFFICE USE ONLY

Ad Valorem Tax Status	Current ✓	Past Due ___	Date Appointed _____
Utility Account Status	Current ✓	Past Due ___	Appointed By _____
CSO Suit/Claim Filed	Yes ___	No ✓	Date Notified _____
Clerk Signature & Date	Courtney Vanover 10.23.23		Disclosure Form Filed _____

Revised 08/2023