



GARLAND

AGENDA

REGULAR MEETING OF THE CITY COUNCIL

City of Garland
Council Chambers, City Hall
William E. Dollar Municipal Building
200 North Fifth Street
Garland, Texas
Tuesday, October 11, 2022
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.



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 September 20, 2022, Regular Meeting.
2. Consider approval of the following bids:

a. Battery Backup Units

Bid No. 1219-22

Texas Highway Products, Ltd.

\$218,995.00

This request is for the purchase of 35 battery backup units that will be used to replace inoperable or poor performing units.

b. Water Mains Replacement

Bid No. 0958-22

Tri-Con Services, Inc.	\$1,452,700.00
Optional Contingency	145,270.00
TOTAL:	\$1,597,970.00

This request is to replace approximately 4,500 linear feet of existing 6" water mains at: Glynn Drive (Dairy Road to Curtis Drive, 1,800 LF); Woodcrest Drive (Danbury Drive to Parkhurst Drive, 1,100 LF); Nash Street (Garwood Street to N. Garland Avenue, 1,000 LF); 12th Street (Main Street to Austin Street, 600 LF). An Optional Contingency is included for any additional work that may be required.

c. EMS Supplies and Medications

Bid No. 1244-22

Life Assist, Inc.	\$300,000.00
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This request is to add a secondary supplier for EMS supplies and medications to offset potential supply chain issues for the Garland Fire Department. This approval is for a one-year Term Agreement with two optional renewals.

d. GP&L Advanced Metering Infrastructure Consulting

Bid No. 0472-21

E Source Companies LLC	\$44,000.00
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This request is to approve a Change Order for Advanced Metering Infrastructure (AMI) consulting.

e. GP&L Continuous Improvement & Safety Excellence FY23 Support

Bid No. 1281-22

Caterpillar Global Services LLC	\$120,910.00
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This request is to obtain FY23 support for GP&L continuous improvement and safety culture excellence workshop and training services.

- f. **GP&L and TMPA Substation Testing and Commissioning Services** **Bid No. 1156-22**

POWER Engineers, Inc. **\$500,000.00**

This request is to provide substation testing and commissioning services on an as-needed basis for GP&L and TMPA. Services include testing and consulting requested to commission, install, maintain, troubleshoot, repair and provide technical support on GP&L and TMPA substation equipment and devices. This approval is for a Term Agreement with four optional renewals.

- g. **Garland Senior Activity Center - Professional Design Services** **Bid No. 1306-22**

Barker Rinker Seacat (BRS) Architecture **\$1,700,531.00**

This request is to obtain professional architectural and engineering design services to rebuild the Garland Senior Activity Center facility. Design services will include activities such as site selection, programming, architectural and civil engineering, structural engineering, landscape design, construction administration, etc.

- h. **GP&L Shiloh to Marquis Transmission Line Upgrade Engineering Services** **Bid No. 1303-22**

Scarborough Engineering, Inc. **\$274,512.00**

This request is to obtain engineering services to support the upgrade of the GP&L Shiloh to Marquis Transmission Line to accommodate new 2000A capacity requirements between the GP&L Shiloh and Marquis Substations.

- i. **GP&L Interconnection Study** **Bid No. 1305-22**

DNV Energy USA, Inc. **\$120,000.00**

This request is to obtain engineering services associated with a full interconnection study in response to a Generation Interconnection Request with ERCOT.

3. **Consider a resolution of the City of Garland, Texas finding that Oncor Electric Delivery Company LLC's ("Oncor" or "Company") Application to change rates within the City should be denied; finding that the City's reasonable rate case expenses shall be reimbursed by the company; finding that the meeting at which this resolution is passed is open to the public as required by law; requiring notice of this resolution to the company and legal counsel.**

At the October 10, 2022 Work Session, Council considered denying Oncor's rate increase.

4. **Consider a resolution authorizing the City Manager to execute a Funds Sharing and Fiscal Agency Agreement related to the 2022 Edward Byrne Memorial Justice Assistance Grant Program; and providing an effective date.**

At the October 10, 2022 Work Session, Council considered a request from the Police Department to allow the City Manager to execute a Funds Sharing and Fiscal Agency Agreement Memorandum of Understanding with the City of Dallas for the FY 2022 Edward Byrne Memorial Justice Assistance Grant (JAG).

5. **Consider a resolution of the City Council of the City of Garland, Texas authorizing the City Manager to enter into an Interagency Communications Site Lease Agreement with the Texas Department of Public Safety; and providing an effective date.**

At the October 10, 2022 Work Session, Council considered a request from the Police Department to allow the City Manager to execute an Interagency Communication Site Lease Agreement between the Texas Department of Public Safety and the City.

6. **Consider by minute action the request from the Police Department to allow the City Manager to execute the Next Generation 9-1-1 Fund Subrecipient Grant Contract with the Commission on State Emergency Communications.**

At the October 10, 2022 Work Session, Council considered a request from the Police Department to allow the City Manager to execute the Next Generation 9-1-1 Fund Subrecipient Grant Contract with the Commission on State Emergency Communications.

7. **Consider by minute action creating the Intragovernmental Affairs Committee as a permanent committee and appointing members.**

At the October 10, 2022 Work Session, Council considered creating the Intragovernmental Affairs Committee as a permanent committee and appointing members.

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 Zoning request by Grenadier Investments, Inc. to allow ninety-three (93) townhouses on the eastern tract, sixty-two (62) townhouses on the western tract, and open spaces. The site is located at 2200 and 2302 West Campbell Road in District 7.**

Consideration of the application of Grenadier Investments, Inc, requesting approval of a Change in Zoning from Planned Development (PD) District 85-50 and Community Office (CO) District to a Planned Development (PD) District for Single-Family Attached (SFA) Uses and 2) an Alley Waiver. This property is located at 2200 and 2302 West Campbell Road. (File Z 22-20, District 7)

- b. Consider a Detail Plan request by Grenadier Investments, Inc. to allow ninety-three (93) townhouses on the eastern tract, sixty-two (62) townhouses on the western tract, and open spaces. The site is located at 2200 and 2302 West Campbell Road in District 7.**

Consideration of the application of Grenadier Investments, Inc, requesting approval of a Detail Plan for Single-Family Attached (SFA) development. This property is located at 2200 and 2302 West Campbell Road. (File Z 22-20, District 7)

- c. Consider a Zoning request by CCM Engineering to construct to develop thirty-seven (37) townhouses and open space. The site is located at 1350 East Miller Road in District 2.**

Consideration of the application of CCM Engineering, requesting approval of a Change in Zoning from Planned Development (PD) District 85-52 for Mixed Uses to a Planned Development (PD) District for Single-Family Attached (SFA) Uses and 2) an Alley Waiver. This property is located at 1350 East Miller Road. (File Z 22-26, District 2)

- d. **Consider a Detail Plan request by CCM Engineering to construct to develop thirty-seven (37) townhouses and open space. The site is located at 1350 East Miller Road in District 2.**

Consideration of the application of CCM Engineering, requesting approval of a Detail Plan for Single-Family Attached (SFA) Uses. This property is located at 1350 East Miller Road. (File Z 22-26, District 2)

- e. **Consider a Planned Development amendment request by Geomet Recycling for additional shaded structures and buildings to support the existing recycling salvage yard. The site is located at 312 South International Road in District 6.**

Consideration of the application of Geomet Recycling, requesting approval of an amendment to Planned Development (PD) District 19-32 for Industrial Uses. This property is located at 312 South International Road. (File Z 22-43, District 6)

- f. **Consider a Specific Use Provision amendment request by Geomet Recycling for additional shaded structures and buildings to support the existing recycling salvage yard. The site is located at 312 South International Road in District 6.**

Consideration of the application of Geomet Recycling, requesting approval of a Specific Use Provision amendment for a Recycling Salvage Yard. This property is located at 312 South International Road. (File Z 22-43, District 6)

- g. **Consider a Detail Plan amendment request by Geomet Recycling for additional shaded structures and buildings to support the existing recycling salvage yard. The site is located at 312 South International Road in District 6.**

Consideration of the application of Geomet Recycling, requesting approval of a Detail Plan amendment for a Recycling Salvage Yard on a property zoned Planned Development (PD) District 19-32 for Industrial Uses. This property is located at 312 South International Road. (File Z 22-43, District 6)

- h. **Consider a Change of Zoning request by Kehinde Omo-Iyamu from Neighborhood Office (NO) District to Community Retail (CR) District, to allow a beauty salon in the existing building. The site is located at 2940 Broadway Boulevard and 2955 Dairy Road in District 5.**

Consideration of the application of Kehinde Omo-Iyamu, requesting approval of a Change in Zoning from Neighborhood Office (NO) District to Community Retail (CR) District. This property is located at 2940 Broadway Boulevard and 2955 Dairy Road. (File Z 22-45, District 5)

- i. **Consider a Specific Use Provision request by Scout Cold Logistics, LLC for a food processing and distribution facility in an existing building in District 5.**

Consideration of the application of Scout Cold Logistics, LLC, requesting approval of a Specific Use Provision for Food Processing & Storage. This property is located at 2610 McCree Road. (File Z 22-49, District 5)

- j. **Consider a Plan request by Scout Cold Logistics, LLC for a food processing and distribution facility in an existing building in District 5.**

Consideration of the application of Scout Cold Logistics, LLC, requesting approval of a Plan for Food Processing & Storage on a property zoned Industrial (IN) District. This property is located at 2610 McCree Road. (File Z 22-49, District 5)

- k. **Consider amendments to the Garland Development Code relating to multi-family development covered parking and horizontal multi-family developments.**

Consider amending Section 4.24, "Multifamily Developments," of Chapter 4, "Site Development," the Land Use Matrix, and Table 7-1, "Downtown District Land use Matrix" of chapter 7 of the Garland Development Code; and amending Table 2-4 of Section 2.34 and Section 2.39 of Chapter 2, "Zoning Regulations," and the Chapter 2 Land Use Matrix, of the Garland Development Code, removing general covered parking requirements for multi-family developments and creating a Multi-Family-0 [MF-0] District allowing "horizontal multi-family" developments.

The City Council was briefed on this item by the Development Services Committee during the August 15, 2022 City Council Work Session.

9. Citizen comments.

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

10. Adjourn.

All Regular Council meetings are broadcast live on CGTV, Time Warner Cable Channel 16, and 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: 10/11/2022

Item Title: Minutes September 20

Submitted By: Rene Dowl, City Secretary

Summary of Request/Problem

Consider approval of the minutes of the September 20, 2022, Regular Meeting.

Recommendation/Action Requested and Justification

Attachments

Minutes September 20



GARLAND

MINUTES

The City Council of the City of Garland convened in regular session at 7:00 p.m. on Tuesday, September 20, 2022, 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 Deborah Morris
Deputy Mayor Pro Tem Robert John Smith
Council Member Jeff Bass
Council Member Ed Moore
Council Member Margaret Lucht
Council Member B.J. Williams
Council Member Robert Vera
Council Member Dylan Hedrick

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

LEGISLATIVE PRAYER AND PLEDGE OF ALLEGIANCE

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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 Mayor Pro Tem Morris to approve the Consent Agenda as presented, seconded by Council Member Bass. Motion carried:

Vote: 9 ayes, 0 nays

1. **APPROVED** Consider approval of the minutes of the September 6, 2022, Regular Meeting.

2. Consider approval of the following bids:

- a. **APPROVED** EMS Medical Control Services **Bid No. 1061-21**

Medical City Plano **\$124,440.00**

This request is to continue the EMS Medical Control Services as provided by Medical City Hospital - Plano.

- b. **APPROVED** 2022 Garland Alley Reconstruction - **Bid No. 0934-22**
Group A

Tri-Con Services, Inc. **\$1,780,000.00**

This request is to provide construction services for the 2022 Garland Alley Reconstruction - Group A.

c. APPROVED Granger Annex Design Bid No. 1059-20

Official LLC \$15,875.00

This request is to approve a Change Order for additional design services for the Granger Annex.

d. APPROVED GP&L Olinger 3 Forced Draft Motor Repair and Rewind Bid No. 1142-22

Brandon & Clark, Inc. \$169,356.85

This request is to provide unanticipated repairs to GP&L Olinger 3 Forced Draft Fan motor that was damaged by a lightning strike at the Olinger Plant.

e. APPROVED Body-Worn Camera Contract Bid No. 1214-22

Axon Enterprise, Inc. \$1,063,737.77

This request is to approve a ten-year contract for body-worn cameras, Tasers, data storage, interview room cameras and fleet cameras.

f. APPROVED Transformers for Warehouse Inventory Bid No. 1094-22

Techline, Inc. \$163,160.00

This request is for the purchase of transformers for Warehouse inventory to support GP&L.

g. APPROVED Switchgears for Warehouse Inventory Bid No. 1111-22

Irby Utilities \$102,219.00

This request is for the purchase of Switchgears for Warehouse inventory to support GP&L.

h. APPROVED Itron Water Meter Modules for Warehouse Inventory Bid No. 1045-21

Republic Meter \$481,700.00

This request is to approve a Change Order for Itron water meter modules for Warehouse inventory.

- i. **APPROVED Customer Information System Additional User Licenses and Software Maintenance** **Bid No. 0463-17**

Advanced Utility Systems **\$255,000.00**

This request is to approve a Change Order for the purchase of 30 additional CIS Infinity User Licenses needed following "go live" and additional annual maintenance fees associated with the additional licenses.

- j. **APPROVED Emergency Operations Center Renovation** **Bid No. 1242-22**

Custard Construction Services **\$204,682.25**

This request is for the approval of renovations to the Emergency Operations Center (EOC).

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

- a. **APPROVED Zoning File No. Z 22-31, JLB Partners, LLC / Masterplan (District 3)**

Ordinance No. 7365 amending the Garland Development Code of the City of Garland, Texas, by approving 1) a Change in Zoning from Community Retail (CR) District and Agricultural (AG) District to a Planned Development (PD) District for Multi-Family-2 (MF-2) Uses and 2) a Detail Plan for Multi-Family Development on a 21.388-acre tract of land located at 5000 and 5026 Zion 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. **APPROVED Zoning File No. Z 22-40, Crown Castle USA, Inc. (District 5)**

Ordinance No. 7633 amending the Garland Development Code of the City of Garland, Texas, by approving a Specific Use Provision Amendment for an Antenna, Commercial on a 0.1564-acre tract of land zoned Community Retail (CR) District and located at 3162 Saturn 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. **APPROVED Zoning File No. Z 22-42, BCC Engineering (District 1)**

Ordinance No. 7367 amending the Garland Development Code of the City of Garland, Texas, by approving a Change in Zoning from Agricultural (AG) District to Single-Family-Estate (SF-E) District on a 1.720-acre tract of land located at 1450 Todd 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 Ordinance No. 7368** amending Chapter 33, "Transportation" of the Code of Ordinances of the City of Garland, Texas; providing a penalty under the provisions of Section 10.05 of the Code of Ordinances of the City of Garland, Texas; providing a Savings Clause; providing a Severability Clause; and setting an effective date.

At the September 6, 2022 Work Session, Council considered restricting parking along the median of Mallards Pond St., Heathers Moor St. and Shannons Pl.

5. **APPROVED Resolution No. 10558** authorizing a Texas Department of Transportation (TxDOT) Selective Traffic Enforcement Program (STEP) - Single Year - Comprehensive Grant for the Fiscal Year 2023 in the amount of \$139,994.40; and providing an effective date.

At the September 19, 2022 Work Session, Council considered approving a resolution authorizing the City Manager to accept the State of Texas Department of Transportation (TxDOT) Selective Traffic Enforcement Program (STEP) Grant for FY 2022-2023 in the amount of \$139,994.40.

6. **APPROVED Resolution No. 10559** of no objection to the application of Dominion Acquisition, LLC, or its affiliates or assigns, to the Texas Department of Housing and Community Affairs for Housing Tax Credits in the name of The Cesera to acquire and rehabilitate 204 residential units at 202 Belt Line Road, in Garland, Texas; and providing an effective date.

Dominion Acquisition, LLC has requested a Resolution of No Objection from the City for the purpose of applying for low-income tax credit funding for the acquisition and renovation of The Cesera multifamily complex located at 202 Belt Line Rd. The Cesera is an existing multifamily complex originally constructed in 2006, using low-income tax credit funding.

7. **APPROVED Resolution No. 10560** authorizing the City Manager to enter into a Project Specific Agreement to the Master Agreement governing Major Capital Transportation Improvement Program with the County of Dallas, Texas; and providing an effective date.

At the September 6, 2022 Work Session, Council considered entering into a Project Specific Agreement (PSA) with Dallas County for the construction of Naaman School Road from Brand Road to SH-78 in the City of Garland.

8. **APPROVED Resolution No. 10561** of the City Council of the City of Garland, Texas authorizing the Chief of Police to submit a grant application for the Bullet-Resistant Shield Grant Program for the Fiscal Year 2023; and providing an effective date.

At the September 19, 2022 Work Session, Council considered a resolution authorizing the Police Department to apply for the 2023 Bullet-Resistant Shield Grant Program.

9. **APPROVED Household Hazardous Waste Interlocal Agreement**

At the September 6, 2022 Work Session, Council considered authorizing the City Manager to renew an interlocal agreement with Dallas County to participate in the Dallas Area HHW Network.

10. **APPROVED Texas DSHS Public Health Workforce Grant**

Council authorized the City Manager to execute an interlocal agreement with Parkland Health and Hospital System for the services of a social worker.

ITEMS FOR INDIVIDUAL CONSIDERATION

Speaker Regulations:

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11. **APPROVED** Consider a resolution naming the Main Street Municipal Building, located at 800 Main Street, as the "Ronald E. Jones Municipal Building;" and providing an effective date.

At the August 15, 2022, Work Session, Council considered naming a facility after the Honorable Ronald E. Jones.

Mayor LeMay read the Resolution, which detailed his many years of service and dedication to the Garland Community.

The Honorable Mayor Ronald E. Jones appeared before the Council presenting words of sincere gratitude for the Council's decision to rename the Main Street Municipal Building in his honor. He was joined by his wife, Dr. Peggy Jones, Richard C. Jones, Pastor of Sims Chapel Baptist Church (brother), Alietha Willis (sister), Martha Jones (daughter-in-law) and Arianna Jones (granddaughter).

The motion was made by Council Member Williams to rename the Main Street Municipal Building to the "Ronald E. Jones Municipal Building," seconded by Council Member Bass. Motion carried:

Vote: 9 ayes, 0 nays

12. 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.

Council Members Moore and Williams presented their nominations. A vote was cast with the following result:

Vote: 9 ayes, nays

Council Member Ed Moore

- Adam Greenup - Library Board

Council Member B.J. Williams

- Phillip Johnson - Plan Commission

13. Citizen comments: There were no speakers on this item.

14. Adjourn: There being no further business to come before the City Council, Mayor LeMay adjourned the meeting at 7:18 p.m.

Submitted By:

Scott LeMay, Mayor

Eloyce René Dowl, City Secretary



GARLAND PURCHASING REPORT

City Council Regular Session Agenda

2. a.

Meeting Date: 10/11/2022

Item Title: Battery Backup Units

Submitted By: Paul Luedtke, Transportation
Director

Bid Number: 1219-22

Purchase Justification:

This request is for the purchase of 35 battery backup units that will be used to replace inoperable or poor performing units. These units are used to temporarily power traffic signals at major signalized intersections during power outages, including 14 signalized intersections that are connected to railroad warning equipment.

Evaluation:

The battery backup units are available from Texas Highway Products, Ltd., through the BuyBoard Cooperative Purchasing Contract 608-20.

Award Recommendation:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
Texas Highway Products, Ltd.	All	\$218,995.00
TOTAL:		\$218,995.00

Basis for Award: Cooperative Purchase

Purchase Requisition #: 47953

Fiscal Impact

Total Project/Account: \$5,503,230
Expended/Encumbered to Date: 4,931,322
Balance: \$571,908
This Item: 218,995
Proposed Balance: \$352,913
Account #: 624-1799-1562004-9019
Fund/Dept/Project – Description and Comments:

Streets/Transportation CIP / Traffic Signal Equipment Modernization Program

Attachments

Bid Recap

Fiscal Reference:

Budget Type: CIP

Fiscal Year: 2022

Document Location: Page 118

Budget Director Approval: Allyson Steadman

Approval Date: 09/09/2022

Purchasing Director Approval: Gary L. Holcomb

Approval Date: 09/08/2022

[illegible]



GARLAND PURCHASING REPORT

City Council Regular Session Agenda

2. b.

Meeting Date: 10/11/2022

Item Title: Water Mains Replacement

Submitted By: Wes Kucera, Managing Director

Bid Number: 0958-22

Purchase Justification:

This request is to replace approximately 4,500 linear feet of existing 6" water mains at: Glynn Drive (Dairy Road to Curtis Drive, 1,800 LF); Woodcrest Drive (Danbury Drive to Parkhurst Drive, 1,100 LF); Nash Street (Garwood Street to N. Garland Avenue, 1,000 LF); 12th Street (Main Street to Austin Street, 600 LF). 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. Six (6) bids were received and evaluated with Tri-Con Services, Inc., submitting the Straight Low Bid.

Award Recommendation:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
Tri-Con Services, Inc.	All	\$1,452,700.00
Optional Contingency		145,270.00
TOTAL:		\$1,597,970.00

Basis for Award: Straight Low Bid

Purchase Requisition #: 47596

Fiscal Impact

Total Project/Account:	\$20,420,955
Expended/Encumbered to Date:	14,771,811
Balance:	\$5,649,144
This Item:	1,597,970
Proposed Balance:	\$4,051,174
Account #:	220-4049-3019100-9214

Fund/Dept/Project – Description and Comments:

Water CIP / Distribution Lines Program

AttachmentsBid Recap

Fiscal Reference:

Budget Type: CIP

Fiscal Year: 2022

Document Location: CIP - Page 245

Budget Director Approval: Allyson Steadman

Approval Date: 09/30/2022

Purchasing Director Approval: Gary L. Holcomb

Approval Date: 09/28/2022



GARLAND PURCHASING REPORT

City Council Regular Session Agenda

2. c.

Meeting Date: 10/11/2022

Item Title: EMS Supplies and Medications

Submitted By: Mark Lee, Fire Chief

Bid Number: 1244-22

Purchase Justification:

This request is to add a secondary supplier for EMS supplies and medications to offset potential supply chain issues for the Garland Fire Department. This approval is for a one-year Term Agreement with two (2) optional renewals.

Evaluation:

The EMS supplies and medications are being provided by Life Assist, Inc., through the City of Midlothian Cooperative Purchasing Contract 2020-28.

Award Recommendation:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
Life Assist, Inc.	All	\$300,000.00
TOTAL:		\$300,000.00

Basis for Award: Cooperative Purchase

Purchase Requisition #: 48021

Fiscal Impact

Total Project/Account: N/A
Expended/Encumbered to Date: N/A
Balance: N/A
This Item: \$300,000
Proposed Balance: N/A
Account #: 100-1321-6031
Fund/Dept/Project – Description and Comments:

Term Agreement sets price but does not commit funds. Expenses will be charged to the appropriate Fire Operations accounts as incurred.

Attachments

Bid Recap

Fiscal Reference:

Budget Type: Operating Budget

Fiscal Year: 2022-23

Document Location: Prop. - Page 65

Budget Director Approval: Allyson Steadman

Approval Date: 09/30/2022

Purchasing Director Approval: Gary L. Holcomb

Approval Date: 09/30/2022



GARLAND PURCHASING REPORT

City Council Regular Session Agenda

2. d.

Meeting Date: 10/11/2022

Item Title: GP&L Advanced Metering Infrastructure Consulting

Submitted By: Jonas Whitehead, GP&L
Distribution Director

Bid Number: 0472-21

Purchase Justification:

This request is to approve a Change Order for Advanced Metering Infrastructure (AMI) consulting. The original scope of services was to obtain assistance with the creation of a request for proposal for the development of an AMI System including the creation of RFP documents and assistance in evaluating proposals. This Change Order will provide additional services to support Garland's application for the fiscal year 2023 Smart Grid Investment Matching Grant Program. Services will include interfacing with the Department of Energy (DOE), developing and collecting required data, and drafting the grant application. The consultant will also monitor application dates, monitor changes in the application process, and monitor the approval process after submission.

Evaluation:

E Source Companies LLC was awarded the original BL 8497 in the amount of \$64,632 on May 6, 2021. Change Order #1 was approved in the amount of \$79,902 at the Aug. 16, 2022, City Council Meeting.

Award Recommendation:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
E Source Companies LLC	All	\$44,000.00
TOTAL:		\$44,000.00

Basis for Award: Change Order

Purchase Requisition #: 48065

Fiscal Impact

Total Project/Account: N/A

Expended/Encumbered to Date: N/A

Balance: N/A

This Item: \$44,000

Proposed Balance: N/A

Account #: 451-6999

Fund/Dept/Project – Description and Comments:

Expenses will be charged to the appropriate Electric Distribution operating account(s) as incurred.

Attachments

Bid Recap

Fiscal Reference:

Budget Type: Operating Budget

Fiscal Year: 2022-23

Document Location: Prop. - Page 239

Budget Director Approval: Allyson Steadman

Approval Date: 09/30/2022

Purchasing Director Approval: Gary L. Holcomb

Approval Date: 09/28/2022

[illegible]



GARLAND PURCHASING REPORT

City Council Regular Session Agenda

2. e.

Meeting Date: 10/11/2022

Item Title: GP&L Continuous Improvement & Safety Excellence FY23 Support

Submitted By: Darrell Cline, GP&L General
Manager & CEO

Bid Number: 1281-22

Purchase Justification:

This request is to obtain FY23 support for GP&L continuous improvement and safety culture excellence workshop and training services. These services will cover steering team support meetings, leadership skills training, a rapid improvement workshop, and continuous improvement team follow-up support.

Evaluation:

Caterpillar Global Services LLC is the Sole Source provider for the supporting services for the safety training program currently in use by GP&L.

Award Recommendation:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
Caterpillar Global Services LLC	All	\$120,910.00
TOTAL:		\$120,910.00

Basis for Award: Sole Source

Purchase Requisition #: 48041

Fiscal Impact

Total Project/Account:	\$3,044,407
Expended/Encumbered to Date:	0
Balance:	\$3,044,407
This Item:	120,910
Proposed Balance:	\$2,923,497
Account #:	211-3131-7101

Fund/Dept/Project – Description and Comments:

Electric Utility Fund / Administration

AttachmentsBid Recap

Fiscal Reference:

Budget Type: Operating Budget

Fiscal Year: 2022-23

Document Location: Prop. - Page 239

Budget Director Approval: Allyson Steadman

Approval Date: 09/30/2022

Purchasing Director Approval: Gary L. Holcomb

Approval Date: 09/28/2022

[illegible]



GARLAND PURCHASING REPORT

City Council Regular Session Agenda

2. f.

Meeting Date: 10/11/2022

Item Title: GP&L and TMPA Substation Testing and Commissioning Services

Submitted By: Steve Martin, GP&L
Transmission Director

Bid Number: 1156-22

Purchase Justification:

This request is to provide substation testing and commissioning services on an as-needed basis for GP&L and TMPA. Services include testing and consulting requested to commission, install, maintain, troubleshoot, repair, and provide technical support on GP&L and TMPA substation equipment and devices. This approval is for a Term Agreement with four (4) optional renewals.

Evaluation:

A Request for Proposals was issued in accordance with Purchasing procedures. Seven (7) bids were received and evaluated with POWER Engineers, Inc., submitting the Straight Low Bid.

Award Recommendation:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
POWER Engineers, Inc.	All	\$500,000.00

TOTAL:	\$500,000.00
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Basis for Award: Straight Low Bid

Purchase Requisition #: 47929

Fiscal Impact

Total Project/Account:	N/A
Expended/Encumbered to Date:	N/A
Balance:	N/A
This Item:	\$500,000

Proposed Balance: N/A

Account #: N/A

Fund/Dept/Project – Description and Comments:

Term Agreement sets price but does not commit funds. Expenses will be charged to the appropriate Electric Substations Operating and/or CIP account(s) as incurred.

Attachments

Bid Recap 1 of 2

Bid Recap 2 of 2

Fiscal Reference:

Budget Type: Operating Budget
CIP

Fiscal Year: 2022-23

Document Location: FY23 Prop. Oper. - Page 239; 2022 CIP - Page 296

Budget Director Approval: Allyson Steadman

Approval Date: 09/30/2022

Purchasing Director Approval: Gary L. Holcomb

Approval Date: 09/28/2022



GARLAND PURCHASING REPORT

City Council Regular Session Agenda

2. g.

Meeting Date: 10/11/2022

Item Title: Garland Senior Activity Center - Professional Design Services

Submitted By: Laura Dunn, Capital Project
Management Director

Bid Number: 1306-22

Purchase Justification:

This request is to obtain professional architectural and engineering design services to rebuild the Garland Senior Activity Center facility. Design services will include activities such as site selection, programming, architectural and civil engineering, structural engineering, landscape design, construction administration, etc. This project is part of the 2019 Bond Program and was approved in the 2022 CIP.

Evaluation:

Barker Rinker Seacat (BRS) Architecture was selected as the Most Qualified firm for this project from RFQ 0141-20.

Award Recommendation:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
Barker Rinker Seacat (BRS) Architecture	All	\$1,700,531.00
TOTAL:		\$1,700,531.00

Basis for Award: Most Qualified

Purchase Requisition #: 48102

Fiscal Impact

Total Project/Account:	\$4,010,000
Expended/Encumbered to Date:	3,649,800
Balance:	\$360,200
This Item:	1,700,531
Proposed Balance:	\$(1,340,331) *

Account #: 654-1429-1836419-710120

Fund/Dept/Project – Description and Comments:

Parks CIP / Garland Senior Activity Center

* The design of this project will continue into 2023, and additional funding will be requested in the 2023 Proposed Capital Improvement Program for the continuation of this project.

Attachments

Bid Recap

Fiscal Reference:

Budget Type: CIP

Fiscal Year: 2022

Document Location: Page 71

Budget Director Approval: Allyson Steadman

Approval Date: 09/30/2022

Purchasing Director Approval: Gary L. Holcomb

Approval Date: 09/28/2022

[illegible]



GARLAND PURCHASING REPORT

City Council Regular Session Agenda

2. h.

Meeting Date: 10/11/2022

Item Title: GP&L Shiloh to Marquis Transmission Line Upgrade Engineering Services

Submitted By: Steve Martin, GP&L
Transmission Director

Bid Number: 1303-22

Purchase Justification:

This request is to obtain engineering services to support the upgrade of the GP&L Shiloh to Marquis Transmission Line to accommodate new 2000A capacity requirements between the GP&L Shiloh and Marquis Substations. Services will include engineering design services, plans, bid specifications, Geotech analysis, and project coordination services. This is part of the approved Marquis to Shiloh Transmission Line Upgrade CIP project.

Evaluation:

Scarborough Engineering, Inc., was selected as the Most Qualified firm from RFQ 0753-19 and based on their previous work on GP&L transmission line upgrades.

Award Recommendation:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
Scarborough Engineering, Inc.	All	\$274,512.00
TOTAL:		\$274,512.00

Basis for Award:

Purchase Requisition #: 48059

Fiscal Impact

Total Project/Account:	\$450,000
Expended/Encumbered to Date:	31,990
Balance:	\$418,010
This Item:	274,512
Proposed Balance:	\$143,498

Account #: 210-3599-3137801-7111

Fund/Dept/Project – Description and Comments:

Electric CIP / Transmission Lines Program

Attachments

Bid Recap

Fiscal Reference:

Budget Type:

Fiscal Year:

Document Location:

Budget Director Approval:

Approval Date: 09/30/2022

Purchasing Director Approval: Gary L. Holcomb

Approval Date: 09/28/2022

[illegible]



GARLAND PURCHASING REPORT

City Council Regular Session Agenda

2. i.

Meeting Date: 10/11/2022

Item Title: GP&L Interconnection Study

Submitted By: Steve Martin, GP&L
Transmission Director

Bid Number: 1305-22

Purchase Justification:

This request is to obtain engineering services associated with a full interconnection study in response to a Generation Interconnection Request with ERCOT. The study is for a 100.8 MW storage facility in Collin County, Texas, with a proposed Point of Interconnection at the GP&L Nevada 138kV Bus. GP&L will be reimbursed for these expenses.

Evaluation:

DNV Energy USA, Inc., was selected as the Most Qualified firm for this project from RFQ 0753-19 based on their experience with similar interconnection studies.

Award Recommendation:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
DNV Energy USA, Inc.	All	\$120,000.00
TOTAL:		\$120,000.00

Basis for Award: Most Qualified

Purchase Requisition #: 48094

Fiscal Impact

Total Project/Account: \$478,301
Expended/Encumbered to Date: 358,301
Balance: \$120,000
This Item: 120,000
Proposed Balance: \$0
Account #: 215-3599-3144001-7111
Fund/Dept/Project – Description and Comments:

Electric CIP / Transmission Lines Program

Attachments

Bid Recap

Fiscal Reference:

Budget Type: CIP

Fiscal Year: 2022

Document Location: Page 290

Budget Director Approval: Allyson Steadman

Approval Date: 09/30/2022

Purchasing Director Approval: Gary L. Holcomb

Approval Date: 09/28/2022

[illegible]



GARLAND
CITY COUNCIL ITEM SUMMARY SHEET

City Council Regular Session Agenda

3.

Meeting Date: 10/11/2022

Item Title: Resolution of Denial for Oncor Rate Increase

Submitted By: Brian England, City Attorney

Summary of Request/Problem

The City of Garland is an electric utility customer of Oncor Electric Delivery Company LLC and a member of the Steering Committee of Cities Served by Oncor, a coalition of similarly situated cities served by Oncor that have joined together to efficiently and cost effectively review and respond to electric issues affecting rates charged in Oncor's service area. Oncor filed with the City an application to increase system-wide transmission and distribution rates by \$251 million or approximately 4.5% over present revenues. Oncor asked the City to approve an 11.2% increase in residential rates and a 1.6% increase in street lighting rates. Through review of the application, the Steering Committee's consultants determined that Oncor's proposed rates are excessive. The Steering Committee's members and attorneys recommend that members deny the Application.

Recommendation/Action Requested and Justification

Vote to approve the resolution of denial for Oncor rate increase.

Attachments

Resolution of Denial for Oncor Rate Increase

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF GARLAND, TEXAS FINDING THAT ONCOR ELECTRIC DELIVERY COMPANY LLC'S ("ONCOR" OR "COMPANY") APPLICATION TO CHANGE RATES WITHIN THE CITY SHOULD BE DENIED; FINDING THAT THE CITY'S REASONABLE RATE CASE EXPENSES SHALL BE REIMBURSED BY THE COMPANY; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL.

WHEREAS, the City of Garland, Texas ("City") is an electric utility customer of Oncor Electric Delivery Company LLC ("Oncor" or "Company"), and a regulatory authority with an interest in the rates and charges of Oncor; and

WHEREAS, the City is a member of the Steering Committee of Cities Served by Oncor ("Steering Committee"), a coalition of similarly situated cities served by Oncor that have joined together to efficiently and cost effectively review and respond to electric issues affecting rates charged in Oncor's service area; and

WHEREAS, on or about May 13, 2022, Oncor filed with the City an application to increase system-wide transmission and distribution rates by \$251 million or approximately 4.5% over present revenues. The Company asks the City to approve an 11.2% increase in residential rates and a 1.6% increase in street lighting rates; and

WHEREAS, the Steering Committee is coordinating its review of Oncor's application and working with the designated attorneys and consultants to resolve issues in the Company's filing; and

WHEREAS, through review of the application, the Steering Committee's consultants determined that Oncor's proposed rates are excessive; and

WHEREAS, the Steering Committee's members and attorneys recommend that members deny the Application.

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

Section 1

That the rates proposed by Oncor to be recovered through its electric rates charged to customers located within the City limits, are hereby found to be unreasonable and shall be denied.

Section 2

That the Company shall continue to charge its existing rates to customers within the City.

Section 3

That the City's reasonable rate case expenses shall be reimbursed in full by Oncor within 30 days of the adoption of this Resolution.

Section 4

That it is hereby officially found and determined that the meeting at which this Resolution is passed is open to the public as required by law and the public notice of the time, place, and purpose of said meeting was given as required.

Section 5

That a copy of this Resolution shall be sent to Oncor, Care of Howard Fisher, Oncor Electric Delivery Company, LLC, 1616 Woodall Rodgers Freeway, Dallas, Texas 75202 and to Thomas Brocato, Counsel to the Steering Committee, at Lloyd Gosselink Rochelle & Townsend, P.C., 816 Congress Ave., Suite 1900, Austin, TX 78701.

PASSED AND APPROVED this _____ day of October, 2022.

Mayor

ATTEST:

City Secretary



GARLAND
CITY COUNCIL ITEM SUMMARY SHEET

City Council Regular Session Agenda

4.

Meeting Date: 10/11/2022

Item Title: FY22 Justice Assistance Grant Memorandum of Understanding (MOU)

Submitted By: Jeffrey Bryan, Chief of Police

Summary of Request/Problem

At the October 10, 2022 Work Session, Council considered a request from the Police Department to allow the City Manager to execute a Funds Sharing and Fiscal Agency Agreement Memorandum of Understanding with the City of Dallas for the FY 2022 Edward Byrne Memorial Justice Assistance Grant (JAG).

Recommendation/Action Requested and Justification

Approve a resolution to allow the City Manager to execute a Funds Sharing and Fiscal Agency Agreement Memorandum of Understanding with the City of Dallas for the FY 2022 Edward Byrne Memorial Justice Assistance Grant (JAG).

Attachments

JAG FY22 MOU

JAG FY22 MOU Resolution

JustGrants Application ID # GRANT13690216
2022 EDWARD BYRNE MEMORIAL
JUSTICE ASSISTANCE GRANT (JAG) PROGRAM
FUNDS SHARING AND FISCAL AGENCY AGREEMENT

THIS AGREEMENT (the “Agreement”), is made and entered into by and between the following parties:

The County of Dallas, Texas (the “County”) located at County Administration Building, 2nd Floor, 411 Elm Street, Dallas, Texas 75202, political body recognized as a legal subdivision of the State of Texas pursuant to Article XI, Section 1 of the Texas Constitution; and

The City of Balch Springs, Texas (“Balch Springs”), located at City Hall, 13503 Alexander Road, Balch Springs, Texas 75181, a home rule municipality pursuant to Section 5, Article 11 of the Texas Constitution; and

The City of Carrollton, Texas (“Carrollton”), located at City Hall, 1945 East Jackson Road, Carrollton, Texas 75006, a home rule municipality pursuant to Section 5, Article 11 of the Texas Constitution; and

The City of Dallas, Texas (“Dallas”), located at City Hall, 1500 Marilla Street, Dallas, Texas 75201, a home rule municipality pursuant to Section 5, Article 11 of the Texas Constitution; and

The City of DeSoto, Texas (“DeSoto”), located at City Hall, 211 East Pleasant Run Road, Suite A, DeSoto, Texas 75115, a home rule municipality pursuant to Section 5, Article 11 of the Texas Constitution;

The City of Duncanville, Texas (“Duncanville”), located at City Hall, 203 East Wheatland Road, Duncanville, TX 75116, a home rule municipality pursuant to Section 5, Article 11 of the Texas Constitution; and

The City of Garland, Texas (“Garland”), located at City Hall, 200 North Fifth Street, 4th Floor, Garland, Texas 75040, a home rule municipality pursuant to Section 5, Article 11 of the Texas Constitution; and

The City of Grand Prairie, Texas (“Grand Prairie”), located at City Hall, 300 W. Main Street, Grand Prairie, Texas 75050, a home rule municipality pursuant to Section 5, Article 11 of the Texas Constitution; and

The City of Irving, Texas (“Irving”), located at City Hall, 825 West Irving Boulevard, Irving, Texas 75060, a home rule municipality pursuant to Section 5, Article 11 of the Texas Constitution; and

The City of Lancaster, Texas (“Lancaster”), located at City Hall, 211 North Henry Street, Lancaster, Texas 75146, a home rule municipality pursuant to Section 5, Article 11 of the Texas Constitution; and

The City of Mesquite, Texas (“Mesquite”), located at City Hall, 757 North Galloway Avenue, Mesquite, Texas 75149, a home rule municipality pursuant to Section 5, Article 11 of the Texas Constitution; and

The City of Richardson, Texas (“Richardson”), located at City Hall, 411 West Arapaho, Richardson, Texas 75080, a home rule municipality pursuant to Section 5, Article 11 of the Texas Constitution.

The aforementioned Cities shall be referred to collectively in this Agreement as the “Cities.”

The County and Cities that are signatories to this Agreement are the only parties to this Agreement.

W I T N E S S E T H:

WHEREAS, Part E of Title 1 of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, and the Edward Byrne Memorial Justice Assistance Grant Program (the “JAG Program”) authorize the Department of Justice’s Bureau of Justice Assistance (the “BJA”) to make funds (the “JAG Funds”) available to units of local government in order to support a broad range of activities to prevent and control crime and to improve the criminal justice system; and

WHEREAS, the County and the Cities are eligible for 2022 JAG Program Funds and have been certified by the BJA as a disparate jurisdiction; and

WHEREAS, for the purposes of simplifying the application process, the JAG Program permits the chief executive officer of one of the eligible units of local government in the disparate jurisdiction to submit a joint application for JAG Funds on behalf of the other eligible units of local governments within that jurisdiction and to act as the fiscal agent for those local governments in administering the JAG Funds; and

WHEREAS, certified disparate jurisdictions must reach an agreement regarding the sharing of JAG Funds prior to submission of the JAG Program application; and

WHEREAS, the County and the Cities agree and acknowledge that as a certified disparate jurisdiction, they must reach an agreement regarding the sharing of JAG Funds prior to submitting a JAG application with the BJA; and

WHEREAS, the County and the Cities hereby agree to name a fiscal agent to administer and distribute the JAG Funds and to designate a share of each jurisdiction's JAG Funds for administrative costs to be paid to the fiscal agent named below, prior to submission of the joint application for JAG Funds to the BJA; and

WHEREAS, the County and the Cities wish to name Dallas as the fiscal agent to administer and distribute the JAG Funds pursuant to the JAG Program; and

WHEREAS, a unit of local government may transfer up to ten percent (10%) of its allocation of JAG Funds for costs associated with administering the JAG Funds to the fiscal agent; and

WHEREAS, each governing body finds that the performance of this Agreement is in the best interests of the parties, that the undertaking will benefit the public, and that the share of the JAG Funds to each jurisdiction fairly compensates the parties for their respective functions under this Agreement; and

WHEREAS, on September 26, 2019, the United States District Court for the Northern District of Illinois issued a permanent injunction against the Department of Justice's imposition of the challenged immigration-related grant conditions for FY 2017, 2018, 2019, and all future grant years, and as a result, the Department of Justice is permanently enjoined from imposing the challenged conditions upon all U.S. Conference of Mayors (USCM) members that have been allocated, have applied for, or have been awarded Byrne JAG funds for FY 2017, 2018, 2019, and all future grant years; and

WHEREAS, as a result of this permanent injunction, USCM members, which includes the City of Dallas, that administer funds to subrecipients do not need to enforce the enjoined conditions, Chief Legal Officer (CLO) certification requirements, or Department of Homeland Security (DHS) questions requirements on those subrecipients, regardless of whether the subrecipients are USCM members; and

WHEREAS, the Department of Justice advises that USCM members that administer funds to subrecipients should provide sufficient notice to subrecipients about the enjoined conditions in the event that the conditions are reinstated later by the appellate court, and they have been included in this Agreement, and

WHEREAS, USCM members that are subrecipients are eligible to receive awards without the enjoined conditions being enforced. The City of Dallas, therefore, is not required to enforce the enjoined conditions, CLO certification requirements, or DHS questions requirements, on subrecipients that are USCM members, and USCM members that are subrecipients do not need to submit any of the CLO certifications or submit answers to DHS questions.

NOW THEREFORE, in consideration of the mutual covenants and obligations herein, the parties agree as follows:

SECTION 1. PURPOSE

This Agreement shall set forth the following: (A) the nature of the relationship between the County and the Cities and Dallas as fiscal agent for the County and the Cities; (B) the parties' reporting, legal, and audit obligations; (C) the amount of JAG Funds initially allocated by the BJA to the County and the Cities (the "Initial Allocations"); (D) the amount of the Initial Allocations of the JAG Funds to be transferred from the Cities to the County; (E) the allocation of JAG Funds for each jurisdiction *after* the transfer of a portion of the Initial Allocations of JAG Funds from the Cities to the County (the "Adjusted Allocations"); (F) the amount of the grant administration fees to be paid to Dallas as the fiscal agent for both the County and the Cities; (G) the allocation of JAG Funds for the County and the Cities *after* the grant administration fee has been deducted from the Adjusted Allocations (the "Final Allocations"); and (H) other rights and responsibilities of Dallas, the County, and the Cities with regard to Dallas' application for, administration of, and distribution of the JAG Funds on behalf of the County and the Cities.

SECTION 2. FISCAL AGENT

A. Dallas as Fiscal Agent. The County and the Cities do hereby agree that Dallas shall act as the fiscal agent for purposes of applying for, administering, and distributing the JAG Funds on behalf of both the County and the Cities. In consideration for Dallas acting as the fiscal agent for purposes of the JAG Program, the County and the Cities, save Dallas, each agree to pay Dallas seven percent (7%) of their Adjusted Allocations for costs associated with administering the JAG Funds. Dallas shall allocate greater than seven percent (7%) of its Adjusted Allocation toward administration; provided, however, the total contribution of Adjusted Allocations toward grant administration, including Dallas' contribution, shall not exceed ten percent (10%) of the total allocation to the parties' disparate jurisdiction. Dallas further agrees to prioritize the expenditure of the grant administration fees to include the following activities: distributing the JAG Funds, monitoring the award, submitting reports to the BJA (including performance measures and program assessment data), and providing ongoing assistance to the County and the Cities as subrecipients of the JAG Funds.

B. No Additional Funds. The County and the Cities agree that Dallas has no obligation to provide funds to the County and the Cities from any source other than the JAG Program and in any amount other than the Final Allocation of JAG Funds for each party as set forth in this Agreement regardless of whether the JAG Funds are sufficient to fully accomplish the priorities set forth in Section 2.A above. In the event a portion of the JAG grant administration fee remains upon completion of the project set forth in this Agreement, as determined by Dallas, Dallas may expend such funds on other eligible projects under the JAG Program at Dallas's sole discretion.

SECTION 3. REPORTING, LEGAL, AND AUDIT REQUIREMENTS

A. Reports.

(1) Quarterly Reports. The County and the Cities agree to provide Dallas with quarterly financial and programming reports no later than eighteen (18) days after the last day of the calendar quarter that demonstrate the appropriate use and management of the JAG Funds in conformance with the JAG Program and the BJA guidelines.

(2) Semi-Annual Reports. The County and the Cities agree to provide Dallas with semi-annual progress reports in conformance with the JAG Program and the BJA guidelines.

B. Legal Requirements. The County and the Cities agree to act in accordance with the Edward Byrne Memorial Justice Assistance Grant (JAG) Program Fiscal year (FY) 2022 Local Assistance Application, all Office of Justice Programs financial guidelines and the Mandatory Award Terms and Conditions, and all of the requirements of the JAG Program guidance, including but not limited to: Administrative Funds, Disparate Certification, Prohibited and Controlled Uses, Compliance with Applicable Federal Laws, Body-Worn Camera (BWC) purchases, Body Armor, DNA Testing of Evidentiary Materials and Upload of DNA Profiles to a Database, Interoperable Communications, Non-Supplanting of State and Local Funds; Civil Rights Compliance; Anti-Lobbying Act; Financial and Government Audit Requirements, includes Single Audit Act Requirements; National Environmental Policy Act (NEPA); DOJ Information Technology Standards; Compliance with Office of Justice Programs Financial Guide; and Government Performance and Results Act (GPRA); Federal Funding Accountability and Transparency Act (FFATA) of 2006; and the Uniform Administrative Requirements, Cost Principles, and Audits Requirements of Federal Awards, particularly, those set out at 2 CFR 200.303 and 2 CFR 200.205.

C. Award Terms and Conditions. Cities and County shall comply with the award terms and conditions, and other legal requirements, including but not limited to Office of Management and Budget (OMB), Department of Justice (DOJ), or other federal regulations which will be included in the award and are incorporated by reference into the award and into this Agreement, including, but not limited to, compliance with 8 U.S.C §1373, 1644 and related requirements regarding immigration requests from the Department of Homeland Security, except as these

requirements are modified by the permanent injunction issued September 26, 2019, by the United States District Court for the Northern District of Illinois against the Department of Justice's imposition of the challenged immigration-related grant conditions for FY 2017, 2018, 2019, and all future grant years.

D. Audit Requirements. The County and the Cities shall maintain records to demonstrate proper expenditure of JAG Program Funds and Dallas, as fiscal agent, has the right to review and audit any and all of such financial records. The County and the Cities shall retain all such records for a minimum of three (3) years following completion of this Agreement. The County and the Cities must require that any of its contractors, subcontractors, vendors, or partner agencies allow Dallas to review and audit their financial records pertaining to any contracts they may have with the County or the Cities utilizing JAG Funds.

SECTION 4. INITIAL ALLOCATIONS

For 2022, the BJA has determined the Initial Allocations of JAG Funds for the parties to this Agreement as follows:

THE COUNTY	\$0.00
BALCH SPRINGS	\$12,985.00
CARROLLTON	\$12,515.00
DALLAS	\$898,760.00
DESOTO	\$14,523.00
DUNCANVILLE	\$13,949.00
GARLAND	\$54,729.00
GRAND PRAIRIE	\$36,347.00
IRVING	\$48,940.00
LANCASTER	\$13,897.00
MESQUITE	\$49,175.00
<u>RICHARDSON</u>	<u>\$12,307.00</u>
TOTAL	\$1,168,127.00

SECTION 5. AMOUNT OF INITIAL ALLOCATIONS TO BE TRANSFERRED FROM THE CITIES TO THE COUNTY

The Cities shall transfer a portion of their Initial Allocations of JAG Funds to the County pursuant to this Agreement as follows:

THE COUNTY	\$0.00
BALCH SPRINGS	\$3,895.50
CARROLLTON	\$3,754.50
DALLAS	\$269,628.00
DESOTO	\$4,356.90
DUNCANVILLE	\$4,184.70
GARLAND	\$16,418.70
GRAND PRAIRIE	\$10,904.10
IRVING	\$14,682.00
LANCASTER	\$4,169.10
MESQUITE	\$14,752.50
<u>RICHARDSON</u>	<u>\$12,307.00</u>
TOTAL	\$359,053.00

SECTION 6. ADJUSTED ALLOCATIONS

After the transfer of a portion of the Cities' Initial Allocations of JAG Funds to the County, the County and the Cities' Adjusted Allocations of JAG Funds are as follows:

THE COUNTY	\$359,053.00
BALCH SPRINGS	\$9,089.50
CARROLLTON	\$8,760.50
DALLAS	\$629,132.00
DESOTO	\$10,166.10
DUNCANVILLE	\$9,764.30
GARLAND	\$38,310.30
GRAND PRAIRIE	\$25,442.90
IRVING	\$34,258.00
LANCASTER	\$9,727.90
MESQUITE	\$34,422.50
<u>RICHARDSON</u>	<u>\$0.00</u>
TOTAL	\$1,168,127.00

SECTION 7. FISCAL AGENT GRANT ADMINISTRATION FEES

The County and the Cities other than Dallas agree to transfer grant administration fees equal to seven percent (7%) of each party's Adjusted Allocation of JAG Funds to Dallas, as fiscal agent for the County and the Cities and Dallas shall allocate greater than seven percent (7%) of its Adjusted Allocation toward administration as shown below. The total contribution of Adjusted Allocations toward grant administration, including Dallas' contribution, does not exceed ten percent (10%) of the total allocation to the parties' disparate jurisdiction

THE COUNTY	\$25,133.71
BALCH SPRINGS	\$636.27
CARROLLTON	\$613.24
DALLAS	\$79,083.05
DESOTO	\$711.63
DUNCANVILLE	\$683.50
GARLAND	\$2,681.72
GRAND PRAIRIE	\$1,781.00
IRVING	\$2,398.06
LANCASTER	\$680.95
MESQUITE	\$2,409.58
<u>RICHARDSON</u>	<u>\$0.00</u>
TOTAL	\$116,812.70

SECTION 8. FINAL ALLOCATIONS

The Final Allocations of JAG Funds are the Initial Allocations (1) less the transfer of a portion of the Cities' Initial Allocations of JAG Funds to the County, which are the Adjusted Allocations and (2) less the transfer of the grant administration fees of the Adjusted Allocations to Dallas. Each jurisdiction shall include in its JAG Program application the following Final Allocations of JAG Funds:

THE COUNTY	\$333,919.29
BALCH SPRINGS	\$8,453.24
CARROLLTON	\$8,147.27
DALLAS	\$666,861.65
DESOTO	\$9,454.47
DUNCANVILLE	\$9,080.80
GARLAND	\$35,628.58
GRAND PRAIRIE	\$23,661.90
IRVING	\$31,859.94
LANCASTER	\$9,046.95
MESQUITE	\$32,012.93
<u>RICHARDSON</u>	<u>\$0.00</u>
TOTAL	\$1,168,127.00

SECTION 9. APPLICATION OF COUNTY FUNDS

The County agrees to prioritize the expenditure of its Final Allocation of Three Hundred Thirty Three Thousand, Nine Hundred and Nineteen Dollars and Twenty Nine cents (\$333,919.29) to continue the development and implementation of improvements to the criminal justice system. The Cities agree that the County has no obligation to provide any additional funds under this Agreement, even if the 2022 JAG Funds are insufficient to fully develop or implement the County's chosen improvements to the criminal justice system. In the event any JAG Funds remain upon completion of the development and implementation of improvements to the criminal justice, the County may expend such funds on other eligible projects under the grant at the County's discretion, subject to the approval of the BJA, as required under the JAG Program.

SECTION 10. TERM

The term of this Agreement shall begin on the date the last signature of either the County or the Cities authorizing approving this Agreement is obtained and shall terminate upon the fulfillment of all obligations hereunder.

SECTION 11. AGENCY

The County and the Cities agree and acknowledge that, except to the extent specified in Section 2 of this Agreement, each entity is not an agent of any other entity and that each entity is responsible for its acts, forbearance, negligence, and deeds and each entity is responsible for those acts, forbearance, negligence, and deeds of its agents or employees in conjunction with performance under this Agreement.

SECTION 12. FORMAL APPROVAL

This Agreement is expressly subject to and contingent upon formal approval by the governing bodies of the County and the Cities.

SECTION 13. NO THIRD-PARTY BENEFICIARY ENFORCEMENT

It is expressly understood and agreed that enforcement of the terms and conditions of this Agreement and any right of action relating to such enforcement shall be strictly reserved to the Cities and the County and nothing contained in this Agreement shall be construed to create any rights for any third parties.

SECTION 14. NON-ASSIGNMENT

The parties shall not sell, assign, transfer, or convey this Agreement, in whole or in part, without the prior written consent of the parties.

SECTION 15. NOTICE OF CONTRACT CLAIM

This Agreement is subject to the provisions of Section 2-86 of the Dallas City Code, as amended, relating to requirements for filing a notice of breach of contract claim against the City. Section 2-86 of the Dallas City Code, as amended, is expressly incorporated by reference and made a part of this Agreement. County and Cities shall fully comply with the requirements of this ordinance as a condition precedent to any claim relating to this Agreement, in addition to all other requirements in this Agreement related to claims and notice of claims. This Agreement is also subject to the provisions of TEX. LOC. GOV'T CODE § 89.0041 (Notice of Suit Against County).

SECTION 16. RESPONSIBILITY

Dallas, the County, and the Cities shall each be responsible for the sole negligent acts of their officers, agents, employees, or separate contractors. In the event of joint and concurrent negligence of the parties to this Agreement, responsibility, if any, shall be apportioned comparatively in accordance with the laws of the State of Texas, without waiving any governmental immunity available to the parties under Texas law and without waiving any defenses of the parties under Texas law.

SECTION 17. NOTICE

Any notice, payment, statement, communication, report, or demand required or permitted to be given under this Agreement by any party to another may be affected by personal delivery in writing or deposited in the U.S. mail by certified letter, return receipt requested. Mailed notices shall be addressed to the parties at the addresses appearing below, but each party may change its address by written notice in accordance with this section. Mailed notices shall be deemed communicated as of three (3) days after mailing.

To the County:

Dir. of Criminal Justice, Charlene Randolph
Dallas County – Administration Building
411 Elm Street, 2nd Floor
Dallas, Texas 75202

To Balch Springs:

Interim Chief of Police, Michael Alexander
Balch Springs Police Department
12500 Elam Road
Balch Springs, Texas 75180

<u>To Carrollton:</u>	Chief of Police, Rex Redden Carrollton Police Department 2025 East Jackson Road Carrollton, Texas 75006
<u>To Dallas:</u>	City Manager, T.C. Broadnax Dallas City Hall 1500 Marilla, 4EN Dallas, Texas 75201
<u>To DeSoto:</u>	Chief of Police, Joseph Costa DeSoto Police Department 714 East Belt Line Road DeSoto, Texas 75115
<u>To Duncanville:</u>	Chief of Police, Mark LiVigni Duncanville Police Department 203 East Wheatland Rd. Duncanville, Texas 75116
<u>To Garland:</u>	Chief of Police, Jeff Bryan Garland Police Department 1891 Forest Lane Garland, Texas 75042
<u>To Grand Prairie:</u>	Chief of Police, Daniel Scesney Police Department 1525 Arkansas Lane Grand Prairie, Texas 75052
<u>To Irving:</u>	Chief of Police, Derick Miller Irving Police Department P. O. Box 152288 Irving, Texas 75015
<u>To Lancaster:</u>	Chief of Police, Samuel Urbanski Lancaster Police Department 1650 North Dallas Avenue Lancaster, Texas 75134

To Mesquite:

Chief of Police, David Gill
Mesquite Police Department
PO Box 850137
Mesquite, Texas 75185-0137

To Richardson:

Chief of Police, Gary Tittle
Richardson Police Department
P.O. Box 831078
Richardson, Texas 75083

SECTION 18. GOVERNING LAW AND VENUE

The obligations of the parties to this Agreement shall be performed in Dallas County, Texas, and venue for any legal action under this Agreement shall lie exclusively in Dallas County, Texas. In construing this Agreement, the laws and court decisions of the State of Texas shall control.

SECTION 19. LEGAL CONSTRUCTION

In the case that any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision of this Agreement, and this Agreement shall be considered as if such invalid, illegal, or unenforceable provision had never been contained in this Agreement.

SECTION 20. COUNTERPARTS

This Agreement may be executed in any number of counterparts, each of which shall be deemed an original and constitute one and the same instrument.

SECTION 21. CAPTIONS

The captions to the various clauses of this Agreement are for informational purposes only and shall not alter the substance of the terms and conditions of this Agreement.

SECTION 22. AMENDMENTS; ENTIRE AGREEMENT

This Agreement (with all referenced exhibits, attachments, and provisions incorporated by reference) embodies the entire agreement of all of the parties, superseding all oral or written previous and contemporary agreements between the parties relating to matters set forth in this Agreement. This Agreement may be modified or amended only by written agreement of all of the parties, to be attached to and made a part of this Agreement.

IN WITNESS WHEREOF, by their signatures hereon, each of the undersigned represents and warrants that they are the duly authorized agents of each entity and have full right and authority to enter into this Agreement. This Agreement is to be effective upon the signature of both County and the Cities.

[SIGNATURES APPEAR ON THE FOLLOWING PAGES]

The County of Dallas, State of Texas, has executed this Agreement pursuant to Commissioners Court Order Number _____ and passed on the ____ day of _____, ____.

APPROVED BY THE COUNTY OF DALLAS:

Clay Lewis Jenkins, County Judge

APPROVED AS TO FORM*:

JOHN CREUZOT
DISTRICT ATTORNEY

Randall Miller, Assistant District Attorney

*BY LAW, THE DISTRICT ATTORNEY’S OFFICE MAY ONLY ADVISE OR APPROVE CONTRACTS OR LEGAL DOCUMENTS ON BEHALF OF ITS CLIENTS. IT MAY NOT ADVISE OR APPROVE A LEASE, CONTRACT, OR LEGAL DOCUMENT ON BEHALF OF OTHER PARTIES. OUR REVIEW OF THIS DOCUMENT WAS CONDUCTED SOLELY FROM THE LEGAL PERSPECTIVE OF OUR CLIENT. OUR APPROVAL OF THIS DOCUMENT WAS OFFERED SOLELY FOR THE BENEFIT OF OUR CLIENT. OTHER PARTIES SHOULD NOT RELY ON THIS APPROVAL AND SHOULD SEEK REVIEW AND APPROVAL BY THEIR OWN RESPECTIVE ATTORNEY(S).

The City of Balch Springs, State of Texas, has executed the Agreement pursuant to duly authorized City Council Resolution _____, Minutes _____ Dated the _____ day of _____, _____.

**APPROVED BY THE
CITY OF BALCH SPRINGS:**

RECOMMENDED BY:

Susan Cluse, City Manager

Michael Alexander, Interim Chief of Police

APPROVED AS TO FORM BY:

Amanda Davis, City Attorney

The City of Carrollton, State of Texas, has executed the Agreement pursuant to duly authorized City Council Resolution _____, Minutes _____ Dated the _____ day of _____, _____.

**APPROVED BY THE
CITY OF CARROLLTON:**

RECOMMENDED BY:

Erin Rinehart, City Manager

Rex Redden, Chief of Police

APPROVED AS TO FORM BY:

Meredith A. Ladd, City Attorney

EXECUTED by the City of Dallas, signing by and through its City Manager, duly authorized to execute same by Resolution No. _____, adopted by the City Council on _____.

Acceptance of FY 2022 JAG awards by U.S. Conference of Mayors members (as designated in Evanston v. Barr) shall not be construed as acceptance of Special Conditions 31 through 41 of the FY 2022 grants, or similar conditions. Nor, given the injunction, currently in effect, in the litigation, against inclusion of those conditions in FY 2022 JAG awards, shall Special Conditions 31-41 be enforced against the foregoing jurisdictions while that ruling is in effect.

RECOMMENDED

Eddie Garcia, Chief of Police

APPROVED AS TO FORM
CHRISTOPHER J. CASO
CITY ATTORNEY

CITY OF DALLAS
T. C. BROADNAX
CITY MANAGER

By: _____
Assistant City Attorney

By: _____
City Manager

The City of DeSoto, State of Texas, has executed the Agreement pursuant to duly authorized City Council Resolution 21-19, Minutes N/A Dated the xxth day of xxx, 2022.

APPROVED BY THE CITY OF DESOTO:

RECOMMENDED BY:

Brandon Wright, City Manager

Joseph W. Costa, Chief of Police

APPROVED AS TO FORM BY:

Joseph J. Gorfida, Jr, City Attorney

The City of Duncanville, State of Texas, has executed the Agreement pursuant to duly authorized City Council Resolution _____, Minutes _____ Dated the _____ day of _____, _____.

**APPROVED BY THE
CITY OF DUNCANVILLE:**

RECOMMENDED BY:

Aretha R. Ferrell-Benavides, City Manager

Mark LiVigni, Chief of Police

APPROVED AS TO FORM BY:

Robert Hager, City Attorney

The City of Garland, State of Texas, has executed the Agreement pursuant to duly authorized City Council Resolution _____, Minutes _____ Dated the _____ day of _____, _____.

**APPROVED BY THE
CITY OF GARLAND:**

RECOMMENDED BY:

Bryan Bradford, City Manager

Jeff Bryan, Chief of Police

APPROVED AS TO FORM BY:

Brian England, City Attorney

The City of Grand Prairie, State of Texas, has executed the Agreement pursuant to duly authorized City Council Resolution _____, Minutes _____ Dated the _____ day of _____, _____.

**APPROVED BY THE
CITY OF GRAND PRAIRIE:**

RECOMMENDED BY:

Steve Dye, Chief Operating Officer

Daniel Scesney, Chief of Police

APPROVED AS TO FORM BY:

Megan Mahan, City Attorney

The City of Irving, State of Texas, has executed the Agreement pursuant to duly authorized City Council Resolution _____, Minutes _____ Dated the _____ day of _____, _____.

APPROVED BY THE CITY OF IRVING:

RECOMMENDED BY:

Richard H. Stopfer, Mayor

Derek Miller, Chief of Police

APPROVED AS TO FORM BY:

Kuruvilla Oommen, City Attorney

The City of Lancaster, State of Texas, has executed the Agreement pursuant to duly authorized City Council Resolution _____, Minutes _____ Dated the _____ day of _____, _____.

**APPROVED BY THE
CITY OF LANCASTER:**

RECOMMENDED BY:

Opal Mauldin-Jones, City Manager

Samuel Urbanski, Chief of Police

APPROVED AS TO FORM:

David Ritter, City Attorney

The City of Mesquite, State of Texas, has executed the Agreement pursuant to duly authorized City Council Resolution _____, Minutes _____ Dated the _____ day of _____, _____.

**APPROVED BY THE
CITY OF MESQUITE:**

RECOMMENDED BY:

Cliff Keheley, City Manager

David Gill, Chief of Police

APPROVED AS TO FORM BY:

David L. Paschall, City Attorney

The City Manager for the City of Richardson, State of Texas, has executed the Agreement pursuant to Section 2-52 of the Richardson Code of Ordinances Dated the _____ day of _____, _____.

**APPROVED BY THE
CITY OF RICHARDSON:**

Don Magner, City Manager

RECOMMENDED BY:

Gary Tittle, Chief of Police

APPROVED AS TO FORM:

Peter G. Smith, City Attorney

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A FUNDS SHARING AND FISCAL AGENCY AGREEMENT RELATED TO THE 2022 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 Garland City Manager is hereby authorized to execute a Funds Sharing and Fiscal Agency Agreement for the 2022 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 2

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

PASSED AND APPROVED this the ____ day of October 2022.

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary



**GARLAND
CITY COUNCIL ITEM SUMMARY SHEET**

City Council Regular Session Agenda

5.

Meeting Date: 10/11/2022

Item Title: Interagency Communication Site Lease Agreement With Texas DPS

Submitted By: Jeffrey Bryan, Chief of Police

Summary of Request/Problem

At the October 10, 2022 Work Session, Council considered a request from the Police Department to allow the City Manager to execute an Interagency Communication Site Lease Agreement between the Texas Department of Public Safety and the City.

Recommendation/Action Requested and Justification

Approve by resolution the request from the Police Department to allow the City Manager to execute an Interagency Communication Site Lease Agreement between the Texas Department of Public Safety and the City.

Attachments

Tower Resolution and Contract

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARLAND, TEXAS AUTHORIZING THE CITY MANAGER TO ENTER INTO AN INTERAGENCY COMMUNICATIONS SITE LEASE AGREEMENT WITH THE TEXAS DEPARTMENT OF PUBLIC SAFETY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Texas Department of Public Safety ("DPS") seeks to install and maintain equipment on a suitable transmission tower to support a video downlink feed from DPS to the various local law enforcement agencies in the Dallas-Fort Worth area;

WHEREAS, the City of Garland ("Garland") owns a transmission tower located at 715 Rowlett Road, Garland, Dallas County, Texas ("Tower");

WHEREAS, the Tower would be a suitable site for the installation and use of DPS's equipment;

WHEREAS, to increase the efficiency and effectiveness of local governments, Chapter 791 of the Texas Government Code authorizes local governments to contract, to the greatest possible extent, with one another and with agencies of the state; and

WHEREAS, relevant provisions of the Texas Government Code authorize both Garland and DPS to contract with one another.

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

Section 1

That the City Council hereby authorizes the City Manager to enter into the Interagency Communication Site Lease Agreement between DPS and the City, attached hereto in similar form as Exhibit "1," which has the initial term commencing upon execution and then terminating on August 31, 2032.

Section 2

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

PASSED AND APPROVED this the 11th day of October 2022.

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary

EXHIBIT 1

INTERAGENCY COMMUNICATIONS SITE LEASE AGREEMENT

This Interagency Communications Site Lease Agreement ("Agreement") is entered into by and between the City of Garland, Texas, a Texas home-rule municipality, (the "City") having an address at 200 N. Fifth Street, Garland, Texas and Texas Department of Public Safety ("DPS") having an address at 5805 North Lamar Blvd, Austin, Texas 78752. City and DPS may be singly and interchangeably referred to as a "Party" and collectively as "the Parties."

WHEREAS, the Texas Department of Public Safety seeks to install and maintain equipment on a suitable transmission tower to support a video downlink feed from DPS to the various local law enforcement agencies in the Dallas-Fort Worth area; and

WHEREAS, the City of Garland owns a transmission tower located at 715 Rowlett Road, Garland, Dallas County, Texas ("Tower"); and

WHEREAS, the Tower would be a suitable site for installation and use of DPS' equipment; and

WHEREAS, to increase the efficiency and effectiveness of local governments, Chapter 791 of the Texas Government Code authorizes local governments to contract, to the greatest possible extent, with one another and with agencies of the state;

WHEREAS, relevant provisions of the Texas Government Code authorize both Garland and DPS to contract with one another.

THEREFORE, in consideration of the mutual promises, conditions, covenants, and considerations passing between the Parties hereto, it is understood and agreed by and between the Parties to this Agreement as follows:

1. **TOWER:** This Agreement is for the lease of antenna and shelter space, including any wires and related equipment on the City of Garland tower necessary to carry out DPS's operation of equipment as listed in Exhibit A ("Tower Equipment") on the City of Garland Tower ("Tower") located at 715 Rowlett Road, Garland, Dallas County, Texas, 75040, or more specifically at Latitude: 32-51-02.5N North, Longitude: 096-35-30.3W, together with permission for DPS to have access thereto from Dallas County, which owns the real property upon which the Tower is located ("Site"). The Tower Equipment will be installed and maintained by and at the expense of DPS.
2. **TERM:** The Term of this Agreement will begin on the date signed by the last of the Parties to this Agreement and terminate on August 31, 2032.
3. **ANNUAL REVIEW:** Both Parties will review this Agreement prior to September 1 of each year to determine if any amendment or modifications are necessary. If either Party determines that amendments or modifications are necessary to the Agreement, that Party will notify the other Party in writing.
4. **OPTION TO RENEW:** This Agreement may be renewed up to two (2) times for up to ten (10) years each under these same terms and conditions through a written amendment to this Agreement which is executed by the Parties.
5. **PUBLIC BENEFIT:** DPS shall provide communications assistance during a disaster, emergency, or for law enforcement purposes upon City's request. In addition, DPS will provide City with both general and Garland-specific feed from the video/data relayed from DPS's aircraft relating to local law enforcement and public safety events. DPS shall provide City with such equipment (including decryption equipment and programs) as may be necessary for City to receive and use the video/data feed in a format usable by City.

6. **CONSIDERATION:** In the interest of state and local law enforcement cooperation, City shall provide DPS with access to and use of this Tower at no cost to DPS. The total amount of this contract shall not exceed Zero Dollars (\$0.00).
7. **TITLE:** DPS shall have no right, title, or interest in this Tower or Site except the non-exclusive use thereof as expressly set forth in this Agreement. DPS shall retain ownership of and title to all equipment and structures installed by DPS on this Tower, even though such equipment and structures may be permanently affixed to the property.
8. **ELECTRICITY:** City shall provide electricity at this Site for the benefit of DPS. DPS will have the right to use commercial electricity and the existing emergency stand-by generator(s) at this Tower if available; however, City makes no representations or warranties as to the fitness of such generator(s) for DPS's requirements.
9. **PERMITS, LICENSES, AND REGULATIONS:** DPS shall abide by all federal, state, and local rules and regulations pertaining to the operation of DPS's equipment, including without limitations those pertaining to the installation, maintenance, height, location, use, operation, and removal of its equipment, antenna systems, and other alterations or improvements authorized herein. DPS hereby represents that DPS has obtained the necessary licenses and permits required to use said Tower, or that DPS shall obtain said licenses or permits, at DPS's own expense, prior to any such use. City shall provide DPS a copy of the Antenna Structure Registration, if any, as provided to the City by the Federal Communications Commission ("FCC").
10. **USE:** While using this Tower, DPS shall be responsible for proper operation and compliance with FCC rules. DPS represents that it has independently ascertained that this Tower is adequate and proper for DPS's intended use and has entered into this Agreement based solely upon said independent investigation, and not by any representation by City.
- DPS's use of this Tower is non-exclusive. DPS hereby consents to the execution of agreements between City and other parties eligible to share this Tower, whereby such parties may utilize and share said Tower with DPS. DPS will not increase the size of its Tower Equipment or alter the wind load or structural impact of its equipment upon the tower, without the prior written consent of City.
11. **ACCESS:** Subject to any restrictions imposed by Dallas County, which owns the real property upon which the Tower is installed, DPS will have access to this Site, Tower, and Tower Equipment for the purposes of installation, maintenance, repair, or removal of Tower Equipment (including any radio tower, footings, supporting foundations, guy wires, equipment, shelters, and any and all necessary appurtenances thereto) and for complying with any reasonable request for inspection by representatives of the FCC. DPS shall have access only to its own equipment and under no circumstances will DPS gain access to other equipment located at this Site or Tower or allow anyone else access to equipment other than its own. DPS will not have direct access to the Site without being escorted by City. DPS shall give City a minimum of one day notice when Site access is required. Site access will be during normal business hours, Monday through Friday 8am to 5pm.
12. **COVERAGE AND INTERFERENCE:** City makes no representations concerning the distance at which useable radio signals may be transmitted and received from this Tower or location thereof. DPS is hereby notified that this Tower is subject to degradation of performance from, but not limited to, natural and man-made phenomena such as so-called "skip" interference, power line, and ignition noise, intermodulation, co-channel interference, and interference from users of the same or other radio frequencies.

DPS shall be responsible for taking such reasonable steps as may be necessary to prevent any spurious radiation or objectionable interference with the broadcasting or transmission facilities of City or other users on this Tower, if any, caused by DPS. The determination of what is reasonable will be within the sole discretion of City. If DPS's equipment has been determined by City to cause interference to City's use of the Tower or equipment, City may, after notifying DPS:

- A. Disconnect power to DPS's equipment; and/or

- B. Require DPS to take reasonable corrective action necessary to eliminate such interference and/or spurious radiation.

If such objectionable interference or spurious radiation cannot be reduced to levels reasonably acceptable to City, City may elect to terminate this Agreement by giving DPS thirty (30) calendar days' notice written notice. For purposes of this Agreement, objectionable interference will be deemed to exist if:

- A. A determination to that effect is made by an authorized representative of the FCC;
- B. A condition exists which constitutes interference within the meaning of the provisions of the Rules and Regulations of the FCC at the time in effect;
- C. There is a material impairment of sound, picture, data, or other transmission in any material portion of the protected service area of such activity as such area is or may be defined by the FCC at any hour during the period of operation of such activity, as compared with that which would be obtained if no other users were transmitting from this Tower or had any equipment at this Tower; or
- D. A user is prevented from using or having access to its equipment at reasonable and usual times to an extent which interferes to a material degree with the operation and maintenance thereof, it being understood that a reasonable temporary interference which does not materially interfere with the operation or maintenance of said equipment and which is occasioned by the installation of the new equipment by another user or by repairs to or maintenance of existing equipment of another user will not be considered objectionable interference.

Nothing contained in this Agreement will be deemed to entitle DPS to the exclusive possession of any vertical span of space on this Tower, it being the intention of the Parties that the vertical span of space may be used by others at the direction of the City, provided no objectionable interference is caused to DPS's radio transmission activity. It is understood and agreed that City intends to and shall have the right to accommodate other transmitters and/or receivers at this Tower, and in that connection it is understood and agreed that City shall have the right at any time during the term of this Agreement to locate the antenna or other equipment of other users within the same vertical space on this Tower as DPS may occupy, including the right to require the multiplexing or the transmission of other user(s), provided no objectionable interference is caused to DPS' transmission activities thereby, and provided such connection shall not impose additional costs to DPS.

- 13. DPS MAINTENANCE AND REMOVAL OF EQUIPMENT AND COAXIAL CABLES:** DPS shall install only the equipment (including antenna and transmission line) which has been approved by City. Installation will be done in a neat, professional manner and in compliance with all applicable laws and regulations. All costs (including repair of damages caused thereby to DPS's equipment) will be the responsibility of DPS. If DPS wants to add any additional equipment, other than DPS's equipment referenced herein, DPS will not install such additional equipment until the Parties execute an amendment to this Agreement authorizing the additional equipment.

DPS shall install all equipment on the vertical space of the Tower and inside the equipment shelter following Motorola R56 standards. City will perform an audit of the equipment and if R56 deficiencies are noted, the DPS will correct these as required.

DPS shall properly ground all antenna equipment at the uppermost location of its equipment on the tower, every 75' and properly ground its coaxial cable at the base of the tower or at locations identified by City. DPS shall install surge arrestors at the entry window at the base of the Tower.

City retains the right to paint all coaxial cables attached to the Tower, including DPS's coaxial cable, as necessary in order to prevent "black leg."

DPS shall provide detailed pictures of the installation to the City for approval prior to the power up of equipment.

DPS shall be responsible for all maintenance of all equipment installed by or on behalf of DPS. If City finds that DPS's equipment on the vertical space or inside the equipment shelter requires maintenance, DPS will correct the issues immediately after receipt of notice from City. If the maintenance is service impacting

City's equipment, City may unplug DPS's equipment. If DPS is unresponsive to City's maintenance request notification (which may be oral), such unresponsiveness shall constitute cause for which City may terminate this Agreement under Section 25(B).

14. **COORDINATION OF INSTALLATION, REPAIR, AND MAINTENANCE:** In the event of the need for installation, repair, or maintenance of this Tower, equipment building, or other common facility, City shall coordinate such activities in a manner as to minimize any downtime that may be caused to DPS's operations. DPS shall reduce or shut down the power of its transmitter if necessary at a coordinated time so that such installation, repair, or maintenance may take place.
15. **FAILURES AND MAINTENANCE:** DPS is hereby notified and understands that this Tower will not provide communications 100% of the time and it will, by its very nature, fail and require maintenance from time to time without notice. Such facts have been taken into consideration by DPS prior to the execution of this Agreement, and such failures will not constitute nonperformance or negligence on the part of City. City is not liable or responsible for interruptions or termination of service caused by strikes, lockouts, governmental acts, acts of God, or other conditions beyond its control. Any such interruption or termination of service will not be considered a breach of this Agreement by City. DPS, at its own expense, shall be totally responsible for any and all maintenance of its equipment due to lightning, power line surges, ground faults, excessive voltage, or any other causes beyond the control of City. If DPS's equipment has caused damaged to the tower and/or equipment shelter, DPS shall reimburse City for all expenses incurred by City in repairing the damage.
16. **TERMINATION OF CITY'S RIGHTS TO TOWER:** In the event that any state, local, or federal government agency causes this Tower and/or its location to become unavailable, or City's ground lease is terminated for any reason, City shall have the right to terminate this Agreement without liability to DPS, effective immediately upon notice of termination by City.
17. **INSURANCE:** City provides no insurance on this Site or Tower for or on behalf of DPS, DPS's Tower Equipment, or DPS's personnel. City is self-insured. Each of the Parties is responsible for its own insurance.
18. **VENUE:** Except as provided by Chapter 2260 of the Texas Government Code and the State Office of Administrative Hearings' administrative rules, venue for any contract claims or litigation will be in the State Office of Administrative Hearings or a court of competent jurisdiction in Travis County, Texas.
19. **DISPUTE RESOLUTION:** DPS shall use the dispute resolution process provided for in Chapter 2260 of the Texas Government Code and the applicable TXDPS administrative rules to attempt to resolve all disputes or contract claims arising under this Agreement.
20. **FORCE MAJEURE:** Except as otherwise provided, neither City nor DPS shall be liable to the other for any delay in performance of, or failure to perform, any obligation contained herein caused by force majeure, provided the Party seeking to be excused has prudently and promptly acted to take any and all reasonable corrective measures that are within such Party's control. The existence of such causes of delay or failure will extend the period of performance until after the causes of delay or failure have been corrected.

Force majeure is defined as those causes beyond the control of the Party required to perform that are generally recognized under Texas law as a force majeure event, such as acts of God, acts of war, epidemic, and court orders. City shall immediately upon discovery notify DPS in writing of any delays or failure to perform.
21. **NO LIABILITY FOR EMPLOYEES AND OFFICERS:** Each Party to this Agreement shall have no liability whatsoever for the actions or omissions of an individual employed by another Party, regardless of where the individual's actions or omissions occurred. Each Party is solely responsible for the actions and/or omissions of its employees, officers, and agents; however, such responsibility is only to the extent required by Texas law. Where injury or property damage result from the joint or concurring negligence of the Parties, liability, if any, will be shared by each Party in accordance with the applicable laws of the State of

Texas, subject to all defenses including governmental immunity. These provisions are solely for the benefit of the Parties hereto and not for the benefit of any person or entity not a party hereto; nor will any provision hereof be deemed a waiver of any defenses available by law.

22. **NO JOINT ENTERPRISE:** City is associated with DPS only for the purposes and to the extent set forth herein, and with respect to the provision of this Agreement, DPS is and shall be an independent contractor and shall have the sole right to supervise, manage, operate, control, and direct the performance of the details incident to its duties hereunder. Nothing contained herein will be deemed or construed to create a partnership or joint venture, to create the relationships of an employer-employee or principal-agent, or to otherwise create any liability for City whatsoever with respect to the indebtedness, liabilities, and obligations of City or any other party.
23. **NO APPARENT AGENCY:** DPS shall have no authority for or on behalf of City except as provided in this Agreement. No other authority, power, partnership, or rights are granted or implied.
24. **LEGISLATIVE ACTION:** DPS is a state agency whose authority is subject to the actions of the Texas Legislature and the United States Congress. Similarly, City is a Texas home-rule municipality whose authority is subject to the actions of the Texas Legislature and the United States Congress. If either Party and/or the subject matter of this Agreement become subject to a legislative or regulatory change or the revocation of statutory or regulatory authority that would render the deliverables to be provided under this Agreement impossible, unnecessary, void, or substantially amended or that would terminate the appropriations for this Agreement, that Party may immediately terminate this Agreement without penalty to, or any liability whatsoever on the part of that Party, the State of Texas, and the United States. This Agreement does not grant DPS a franchise or any other vested property right.

Termination under this section is immediate, so City is not required to provide thirty (30) calendar days' notice under this section.

25. **TERMINATION BY DEFAULT:** In the event that DPS fails to carry out or comply with any of the requirements of this Agreement, City may notify DPS of such failure or default in writing and demand that the failure or default be remedied within ten (10) calendar days. In the event that DPS fails to remedy such failure or default within the ten (10) calendar day period, City shall have the right to terminate this Agreement upon ten (10) calendar days' written notice.

The termination of this Agreement, under any circumstances whatsoever, will not affect or relieve either Party from any obligation or liability that may have been incurred pursuant to this Agreement, and such termination by City will not limit any other right or remedy available to City at law or in equity.

26. **TERMINATION FOR CAUSE OR CONVENIENCE:** This Agreement may be terminated as follows:
- A. For Convenience: This Agreement may be terminated, without penalty, by either Party without cause by giving thirty (30) calendar days written notice of such termination to the other Party.
 - B. For Cause: This Agreement may be terminated by either Party if the other Party fails to perform as agreed or is otherwise in default, without the necessity of complying with the requirements in the section herein entitled "Termination by Default." The Party seeking termination shall provide the other Party with written notice to terminate this Agreement, which termination will become effective immediately upon the other Party's receipt of the notice.
 - C. For Listing on the Federal Excluded Party List, the Terrorism List (Executive Order 13224), or on the State of Texas Debarred Vendor List: Either Party shall have the absolute right to terminate this Agreement without recourse as follows: (1) if the other Party becomes listed on the prohibited vendors list authorized by Executive Order #13224 "Blocking Property and Prohibiting Transactions with Persons Who Commit, Threaten to Commit, or Support Terrorism," published by the United States Department of Treasury, Office of Foreign Assets Control; (2) if the other Party becomes suspended or debarred from doing business with the federal government as listed in the Excluded Parties List (EPLS) maintained by the General Services Administration; or (3) if the other Party becomes listed on

the State of Texas Debarred Vendor List. The Party seeking termination under these terms shall provide the other Party with written notice to terminate this Lease, which termination will become effective immediately upon receipt of the notice by the other Party.

27. **TERMINATION LIABILITY (FOR TERMINATION FOR CONVENIENCE):** In no event will termination for convenience by City give rise to any liability whatsoever on the part of City whether such claims of DPS are for compensation, for anticipated profits, unabsorbed overhead, interest on borrowing, or for any other reason.
28. **REMOVAL OF EQUIPMENT UPON TERMINATION:** DPS shall remove all of its Tower Equipment (including any radios, footings, supporting foundations, guy wires, equipment, shelters, and any and all necessary appurtenances thereto) at DPS's sole risk and expense, within a reasonable amount of time, not to exceed 120 calendar days, after the termination of this Agreement. DPS shall remove any debris associated with the removal of the Tower Equipment. In the event DPS does not timely remove its Tower Equipment within this timeline, the Tower Equipment will be considered abandoned by DPS and will become the property of City.
29. **NON-WAIVER:** Any failure of City, at any time, to enforce or require the strict keeping and performance of any provision of this Agreement will not constitute a waiver of such provision, and will not affect or impair same or the right of City at any time to avail itself of same.
30. **SEVERABILITY:** If one or more provisions of this Agreement, or the application of any provision to any party or circumstance, is held invalid, unenforceable, or illegal in any respect by a final order/judgment of the State Office of Administrative Hearings or a court of competent jurisdiction, the remainder of this Agreement and the application of the provision to other parties or circumstances will remain valid and in full force and effect.
31. **SURVIVAL:** Any provisions of this Agreement that impose continuing obligations on the Parties including, but not limited to the following, will survive the expiration or termination of this Agreement for any reason:
- A. Recordkeeping requirements and audit rights;
 - B. Confidentiality obligations;
 - C. Restrictions on news releases, advertisements and publicity;
 - D. And any other provisions of this Agreement that impose continuing obligations on either of the Parties or that govern the rights and limitations of either of the Parties after the expiration or termination of this Agreement.
32. **SUBSTITUTIONS:** No substitute or cancellations are permitted without prior written approval of both Parties.
33. **ASSIGNMENT BY DPS:** Except as authorized herein, DPS will not assign or transfer any interest in this Agreement without the express, prior written consent of City.
34. **NEWS RELEASES, ADVERTISEMENTS, AND PUBLICITY:** Except as required by the Texas Public Information Act ("TPIA"), Chapter 552 of the Texas Government Code, DPS will not make any news releases, public announcements, or public disclosures, nor will it have any conversations with representatives of the news media, pertaining to this Agreement, without the express, prior written approval of City, and then only in accordance with explicit written instructions from City.
- Except as required by the TPIA, City will not use the name of the State of Texas or TXDPS in any advertisement, promotion, or otherwise for any purpose regarding this Agreement without the express prior written consent of DPS. DPS is not authorized to provide endorsements.
35. **CRIMINAL HISTORY BACKGROUND CHECK:** DPS or any of its employees, agents, or representatives having access to this Site or this Tower shall undergo a TXDPS fingerprint-based criminal history background investigation at TXDPS' expense, if required by City of Garland.

36. **CONFIDENTIALITY:** Certain information provided by City to DPS, or by DPS to the City, including but not limited to the location of the Tower Equipment and the purpose for City's use of this Tower, is confidential and will not be used by or disclosed by either Party to any person or entity, unless such use or disclosure is required for DPS or the City to perform work under this Agreement.

The obligations of this section do not apply to information that is required to be disclosed by law or final order of a court of competent jurisdiction or regulatory authority, provided that the disclosing Party shall furnish prompt written notice of such required disclosure and shall reasonably cooperate with the other Party in any effort made by the other Party to seek a protection order or other appropriate protection of its confidential information.

Both Parties are required to notify the other Party of any unauthorized release of confidential information within two (2) calendar days of when either Party knows or should have known of such unauthorized release.

Both Parties shall maintain all confidential information in confidence during the term of this Agreement and after the expiration or earlier termination of this Agreement.

If either Party has any questions or doubts as to whether particular material or information is confidential information, that Party shall obtain the prior written approval of the other Party prior to using, disclosing, or releasing such information.

Both Parties shall immediately return to the other Party all confidential information obtained from the other Party when this Agreement terminates or at such earlier time as when the confidential information is no longer required for the performance of this Agreement or when the other Party requests that such confidential information be returned.

Information, documentation, and other material in connection with this Agreement may be subject to public disclosure pursuant to Chapter 552 of the Texas Government Code.

37. **COMPLIANCE WITH LAWS:** Both Parties shall comply with all applicable state, federal, and local laws and regulations that are applicable under this Agreement.
38. **CONTRACT AMENDMENTS:** No modification or amendment to this Agreement will become valid unless in writing and signed by authorized agents of each of the respective Parties. All correspondence regarding modifications or amendments to this Agreement will be forwarded to the other Party for prior review and approval. Only the Executive Director of the Texas Department of Public Safety or his/her designee shall be authorized to sign changes or amendments.
39. **NOTICES:** Any notice required or permitted under this Agreement will be directed to the respective Parties at the addresses shown below and will be deemed received: (1) when delivered in hand and a receipt granted; (2) three days after it is deposited in the United States mail by certified mail, return receipt requested; or (3) when received if sent by confirmed facsimile or confirmed email:

If to City:

City of Garland
200 North Fifth Street
Garland, Texas 75040

With a copy to:
Steve Niekamp
Chief Information Officer
City of Garland Information Technology
1490 State Highway 66
Garland, Texas 75040
Telephone: (972) 781-7205
Email: sniekamp@garlandtx.gov

If to DPS:

Stephen Dyson, Director
IOD Statewide Radio System, Engineering Services
Texas Department of Public Safety 5805 North Lamar Boulevard
Austin, Texas 78752
Telephone: (512) 424-2732
Email: steve.dyson@dps.texas.gov

Either of the Parties may change its address or designated individual(s) to receive notices by giving the other Party written notice as provided above, specifying the new address and/or individual and the date upon which it will become effective.

40. **NON-INCORPORATION CLAUSE:** This Agreement embodies the entire agreement between the Parties as described herein, and there have been and are no oral or written covenants, agreements, understandings, representations, warranties, or restrictions between the Parties regarding this Agreement other than those specifically set forth herein.
41. **MULTIPLE COUNTERPARTS:** This Agreement may be executed in a number of identical counterparts, each of which will be deemed an original for all purposes. In making proof of this Agreement, it will not be necessary to produce or account for more than one such counterpart.
42. **CURRENT REVENUES:** Each Party shall make payments for the performance of governmental functions or services from current revenues available to the paying Party.
43. **AUTHORITY:** Each individual signing this Agreement hereby represents and warrants that it has full authority of its governing body to do so.

THEREFORE, this Agreement will be binding upon the Parties and is executed as of the date of the last Party to sign.

CITY: CITY OF GARLAND

TEXAS DEPARTMENT OF PUBLIC SAFETY

Signature

Signature

Name & Title

Name & Title

Date

Date

EXHIBIT A

DPS's Equipment at: City of Garland Site, 715 Rowlett Road, Garland, Texas

1. FREQUENCIES OF OPERATION: TRANSMIT: RECEIVE:
4.9 GHz 6.5 GHz
2. FCC CALL LETTERS:
3. TRANSMITTER (S): RECEIVER (S):
Make: _____ Make: _____
Model: _____ Model: _____
Dimensions: _____ Dimensions: _____
Power Output: _____ Number: _____
ERP: _____
Number: _____
4. ANTENNA (S): DISH (ES):
Make: _____ Make: _____
Model: _____ Model: _____
Dimensions: _____ Number: _____
5. TRANSMISSION LINE (S):
Make: _____ Make: _____
Model: _____ Make: _____
Size: _____ Size: _____
Number: _____ Number: _____
6. WHICH PARTY IS PROVIDING THE TOWER? ☒ CITY ☐ TXDPS
7. WHICH PARTY IS PROVIDING THE EQUIPMENT SHELTER? ☒ CITY ☐ TXDPS

TxDPS is required to remove all of TxDPS tower equipment (including any TxDPS radio, footings, supporting foundations, guy wires, equipment, shelters and any all necessary appurtenances thereto) at TxDPS sole risk and expense, within a reasonable amount of time, not to exceed 120 calendar days, after the termination of this Agreement. TxDPS is also required to remove any debris associated with the removal of the Tower Equipment.



**GARLAND
CITY COUNCIL ITEM SUMMARY SHEET**

City Council Regular Session Agenda

6.

Meeting Date: 10/11/2022

Item Title: Next Generation 9-1-1 Fund Subrecipient Grant Contract

Submitted By: Jeffrey Bryan, Chief of Police

Summary of Request/Problem

At the October 10, 2022 Work Session, Council considered a request from the Police Department to allow the City Manager to execute the Next Generation 9-1-1 Fund Subrecipient Grant Contract with the Commission on State Emergency Communications.

Recommendation/Action Requested and Justification

Approve by minute action the request from the Police Department to allow the City Manager to execute the Next Generation 9-1-1 Fund Subrecipient Grant Contract with the Commission on State Emergency Communications.

Attachments

NG911 Fund Subrecipient Grant Contract

**COMMISSION ON STATE
EMERGENCY COMMUNICATIONS**



Next Generation 9-1-1 Fund

**CSEC – TEXAS 9-1-1 ENTITY
SUBRECIPIENT SUBAWARD GRANT
CONTRACT**

TABLE OF CONTENTS

TABLE OF CONTENTS	2
SECTION 1: INTRODUCTION	4
SECTION 2: INDUCEMENTS.....	4
SECTION 3: CONTRACT DOCUMENTS, ORDER OF PRECEDENCE	6
SECTION 4: EFFECTIVE DATE, CONTRACT TERM, PERIOD OF PERFORMANCE	6
SECTION 5: SUBAWARD	7
SECTION 6: GRANT APPLICATION	8
SECTION 7: PROCUREMENTS	9
SECTION 8: GENERAL TERMS AND CONDITIONS.....	11
SECTION 9: ELIGIBLE USES AND ELIGIBLE COSTS	13
SECTION 10: INELIGIBLE COSTS.....	14
SECTION 11: COST PRINCIPLES	15
SECTION 12: COST SHARING/MATCH.....	15
SECTION 13: FUNDING OF SUBAWARD AND FINANCIAL MANAGEMENT.....	15
SECTION 14: REQUEST FOR REIMBURSEMENT	16
SECTION 15: REPORTING AND ANNUAL CERTIFICATION	18
SECTION 16: RISK ASSESSMENT, MONITORING, NOTIFICATION OF PROBLEMS, AND CORRECTIVE ACTION PLAN	19
SECTION 17: RECORD RETENTION AND ACCESS.....	20
SECTION 18: SUBRECIPIENT COMPLIANCE	20
SECTION 19: CLOSEOUT	21
SECTION 20: AUDIT REQUIREMENTS	21
SECTION 21: FEDERAL CONTRACT PROVISIONS.....	22
SECTION 22: CONTACT INFORMATION, CONTRACT MANAGERS, AND NOTICES	32

SECTION 23:	UNIFORM STATE OF TEXAS ASSURANCES.....	33
SECTION 24:	CONTRACT CONSTRUCTION.....	36
ATTACHMENT 1:	OOG CSFRF TERMS AND CONDITIONS.....	39
ATTACHMENT 2:	REQUEST FOR REIMBURSEMENT	40
ATTACHMENT 3:	TIME AND EFFORT ATTESTATION.....	44
ATTACHMENT 4:	QUARTERLY FINANCIAL AND COMPLETION PROGRESS REPORTS	47
ATTACHMENT 5:	ANNUAL PERFORMANCE REPORT	50
ATTACHMENT 6:	RISK ASSESSMENT	55
ATTACHMENT 7:	CERTIFICATION REGARDING LOBBYING	58

SECTION 1: INTRODUCTION

THIS CSEC – TEXAS 9-1-1 ENTITY SUBRECIPIENT SUBAWARD GRANT CONTRACT,¹ including all appendices, attachments, exhibits, and any other referenced documents (collectively, the “Contract”), is made and entered by and between the Commission on State Emergency Communications (“CSEC” or “Commission”), a state agency having its principal offices at 1801 N. Congress Avenue, Suite 11.100, Austin, Texas 78701, and the City of Garland, a Texas home-rule municipality, and a Texas 9-1-1 Entity² with its principal place of business at 200 N. Fifth St. Garland, TX 75040. If 9-1-1 Entity(ies) is represented by an authorized agent representative, the authorized representative’s name is N/A, with its principal place of business at N/A.

If authorized representative represents more than one 9-1-1 Entity, each represented entity and its principal place of business is included above. By executing this Contract, the authorized representative represents that it has the requisite authority or has obtained the requisite authority to bind the 9-1-1 Entity(ies) to the terms and conditions of this Contract to the same extent as if each 9-1-1 Entity executed the Contract. The term “Subrecipient” refers to the 9-1-1 Entity(ies) and, as applicable, its authorized representative. The terms “Party” and “Parties” refers to the Commission and the Subrecipient individually and collectively unless the context clearly indicates otherwise.

This Contract does not exhaustively address all federal regulations applicable to Subrecipient and its Next Generation 9-1-1 Service Project (“NG9-1-1 Grant Project”). Subrecipient warrants that prior to completing and executing the Contract that it independently reviewed and informed itself of the requirements applicable to it as a Subrecipient including the U.S. Department of Treasury’s (“Treasury”) Coronavirus State and Local Fiscal Recovery Fund regulations (the [Final Rule](#) at [31 C.F.R. Subtitle A, Part 35, Subpart A](#)), [Overview of Final Rule](#), [Final Rule: Frequently Asked Questions](#), [Compliance and Reporting Guidance](#); and the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards ([2 C.F.R. Subtitle A, Chapter II, Part 200](#)) (the “Uniform Guidance”).

SECTION 2: INDUCEMENTS

In March 2021 Congress enacted the [American Rescue Plan Act of 2021](#) (“ARPA”), including Subtitle M – Coronavirus State and Local Fiscal Recovery Funds (“CSFRF” [42 U.S.C. § 802 et. seq.](#)). ARPA appropriated \$219 billion to States, territories, and Tribal governments to mitigate the fiscal effects stemming from the public health emergency with respect to the Coronavirus Disease and pandemic (“COVID-19”).

¹ 2 C.F.R. § 200.1:

Subaward means an award provided by a pass-through entity to a subrecipient for the subrecipient to carry out part of a Federal award received by the pass-through entity. It does not include payments to a contractor or payments to an individual that is a beneficiary of a Federal program. A subaward may be provided through any form of legal agreement, including an agreement that the pass-through entity considers a contract.

(Emphasis added.)

² “Texas 9-1-1 Entity” means a Regional Planning Commission as defined in Health and Safety Code § 771.001(10) to the extent it provides access to “9-1-1 service” as defined in § 771.001(6), or an Emergency Communication District as defined in § 771.001(3). A “Texas 9-1-1 Entity” is synonymous with the term “9-1-1 administrative entity” as defined in Public Utility Commission of Texas rule 26.5(280).

In May 2021, the Texas Legislature passed [House Bill 2911](#) (“HB 2911”) amending Health and Safety Code Chapter 771 to establish September 1, 2025, as the target date for “all parts of the state [to] be covered by next generation 9-1-1 service.” HB 2911 includes new Health and Safety Code § 771.0713 creating the Next Generation 9-1-1 Fund (“NG9-1-1 Fund”) and authorizing it to be funded with “Coronavirus State and Local Fiscal Recovery Funds under Section 9901 of the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) or from any other federal governmental source for purposes of this chapter.”

In October 2021, and per rulemaking authority provided in HB 2911, the Comptroller of Public Accounts adopted rule [34 Tex. Admin. Code § 5.408](#) designating the Commission as the administrator of the NG9-1-1 Fund.

At its November 16, 2021, open meeting, the Commission designated to its Executive Director the “authority to administer the Next Generation 9-1-1 service fund created by HB 2911.”

In November 2021, the Texas Legislature passed [Senate Bill 8 \(3rd Special Session\)](#) (“SB 8”). SB 8 Section 30 appropriates \$150 million CSFRF funds to the NG9-1-1 Fund “for the deployment and reliable operation of next generation 9-1-1 service, including equipment and administration costs, during the two-year period beginning on the effective date of this Act from money received by this state from the Coronavirus State Fiscal Recovery Fund.” Per Section 51, funding of the NG9-1-1 Fund is provided:

[I]n accordance with 42 U.S.C. Section 802(c)(1)(C), which allows money from the Coronavirus State Fiscal Recovery Fund to be used to provide government services to the extent of a reduction in the revenue of a state government caused by the COVID-19 public health emergency relative to revenues collected in the most recent full fiscal year of the state government that ended before that emergency.

Per Health and Safety Code § 771.0713(f), all money in the NG9-1-1 Fund must be distributed by December 31, 2022, and be spent by December 31, 2024. (For more information see *infra*. Period of Performance.) Per subsection 771.0713(g), section 771.0713 creating the NG9-1-1 Fund expires on September 1, 2025.

On April 6, 2022, following submission by the Commission of a grant application, the Office of the Governor (“OOG”) awarded the Commission \$150 million in CSFRF funds per SB 8.³ By the terms of the award:

CSEC is responsible for ensuring compliance with all federal and state laws and guidance from the United States Department of the Treasury, including, but not limited to, as reflected in the Coronavirus State Fiscal Recovery Fund terms and conditions agreed to by CSEC in eGrants. In addition, to the extent any of these funds are not used, or to the extent another source of funds becomes available, please return these funds to the Office of the Governor.

On April 14, 2022, the Commission’s Executive Director accepted the OOG’s terms and conditions agreement “applicable to payments distributed in the form of grants to state agencies or local units of governments from the Coronavirus State Fiscal Recovery Fund.”⁴ (To the extent applicable to a

³ OOG Notice of Award to the Commission (April 6, 2022).

⁴ OOG Coronavirus State Fiscal Recovery Fund Terms and Conditions Agreement.

Subrecipient, the OOG's terms and conditions of the Commission's Award are incorporated herein by reference.)

May 17, 2022, the Commission voted to allocate the NG9-1-1 Fund to 70 (out of 77) Texas 9-1-1 Entities expressing interest in applying for a Subrecipient grant award.

In the summer of 2022, Subrecipient submitted to the Commission its Grant Application (the "Application," the final accepted version of which—including as amended and approved by the Commission—is incorporated herein by reference).

NOW, THEREFORE, in consideration of the inducements, mutual promises and covenants contained herein, and for other good and valid consideration, the receipt and sufficiency of which are hereby acknowledged, the Commission and Subrecipient agree as follows:

SECTION 3: CONTRACT DOCUMENTS, ORDER OF PRECEDENCE

- 3.1 Contract Documents. The documents comprising the Contract are as follows (all of which are incorporated by reference unless otherwise specified):
1. The Contract (this document including Attachments);
 2. Subrecipient's Approved Grant Application as amended (collectively, the "Grant Application") consisting of:
 - a. 9-1-1 Entity Application Checklist;
 - b. Appendix A 9-1-1 Entity Certification;
 - c. Federal Forms SF-424, SF-424B, SF-424D, CD-511, and SF-LLL (if applicable);
 - d. Applicant Project Plan;
 - e. Applicant Budget Plan;
 - f. Applicant's Uniform Guidance – Procurement Standards Compliance; Worksheet(s);
 3. The Commission's grant application to the Office of the Governor ("OOG");
 4. OOG Award to the Commission (April 6, 2022, letter); and
 5. OOG's Coronavirus State Fiscal Recovery Fund Terms and Conditions Agreement (accepted by the Commission on April 14, 2022). For purposes of the Contract, "Grantee" refers to Subrecipient; "OOG" refers to the Commission; and "Parties" refers to Subrecipient and the Commission. (Incorporated herein as Attachment 1.)
- 3.2 Order of Precedence. In the event of a conflict between the documents comprising the Contract, the order of precedence is: OOG documents (including Commission grant application and Terms and Conditions agreement); the Contract; and Subrecipient's Approved Grant Application (as amended).

SECTION 4: EFFECTIVE DATE, CONTRACT TERM, PERIOD OF PERFORMANCE

- 4.1 Effective Date and Contract Term. The Contract is effective as of the date of the last Party signature on the Contract (the "Effective Date"). The term of the Contract is from the Effective Date until the earlier of Subrecipient's completion of its Commission-approved NG9-1-1 Grant Project or the end of the Period of Performance (the "Contract Term"). Notwithstanding the preceding, the Contract expires no later than March 31, 2025, which is 90 days after the end of the Period of Performance.

- 4.2 Period of Performance. **Per SB 8 the Period of Performance begins on November 8, 2021, (effective date of SB 8) and runs through December 31, 2024 (the “Period of Performance”).** Only eligible costs incurred during the Period of Performance are eligible for reimbursement. **NOTES:** (1) Per OOG direction, the Commission’s funding of Subrecipient grant awards is on a reimbursement basis. (2) Per OOG direction, the Commission and Subrecipients must receive all goods and services by no later than December 31, 2024.
- 4.2.1 Per HB 2911, SB 8, and specifically the OOG’s Award to the Commission, “the Office of the Governor understands that this appropriation shall be distributed not later than December 31, 2022, and the money distributed shall be spent not later than December 31, 2024, for, as authorized by other law, the deployment and reliable operation of next generation 9-1-1 service, including equipment and administration costs.”
- 4.2.2 Subrecipient is precluded from incurring, or seeking reimbursement, for any costs before or after the Period of Performance; and the Commission is precluded from reimbursing Subrecipient for any costs incurred before or after the Period of Performance. To the extent procured in compliance with the Uniform Guidance as documented in Subrecipient’s Grant Application (specifically, the Uniform Guidance Procurement Compliance Worksheet(s)), Subrecipient may utilize the contract or other form of agreement resulting from a procurement conducted prior to the Period of Performance. Reimbursable costs under such a pre-Period of Performance procurement are limited to incurred costs for which 9-1-1 Entity became obligated to pay during the Period of Performance.
- 4.2.2.1 By way of example: Subrecipient conducts a Uniform Guidance compliant procurement resulting in a six-year award beginning on January 1, 2020, and expiring on December 31, 2025. Only those eligible costs for which Subrecipient became obligated to pay for during the Period of Performance are eligible for reimbursement. Pre-payment by Subrecipient is authorized and eligible for reimbursement only for goods and services actually received during the Period of Performance.
- 4.2.3 Per [2 C.F.R. § 200.1](#) the Period of Performance “means the total estimated time interval between the start of an initial Federal award and the planned end date, which may include one or more funded portions, or budget periods. Identification of the period of performance in the Federal award per [§ 200.211\(b\)\(5\)](#) does not commit the awarding agency to fund the award beyond the currently approved budget period.” Period of Performance means the time during which the Subrecipient may incur new obligations to carry out the work authorized under the Contract.
- 4.2.4 Per the Final Rule, the federal Period of Performance is March 1, 2021, through December 31, 2026; with all costs incurred (*i.e.*, obligated) by no later than December 31, 2024.

SECTION 5: SUBAWARD

- 5.1 The Commission makes a Subaward of appropriated CSFRF funds in the NG9-1-1 Fund in the not to exceed amount of **\$973,325.00**. The Subaward amount equals the total of all eligible costs (including to the extent applicable Subrecipient’s internal direct and indirect costs) as provided in Subrecipient’s Budget Plan.
- 5.2 As of the Contract Effective Date, and per the requirements for pass-through entities applicable to the Commission ([2 C.F.R. § 200.332](#)), Subrecipient’s required information is as follows. (For

information not available, the Commission and Subrecipient have provided the best information available.)

- 5.2.1 Subrecipient name (which must match the name associated with its unique entity identifier): **City of Garland.**
 - 5.2.2 Subrecipient's unique entity identifier: **SFLHMCK5EH49.**
 - 5.2.3 Federal Award Identification Number (FAIN): **020-1892.**
 - 5.2.4 Federal Award Date of award to Texas by the U.S. Department of Treasury (see the definition of Federal award date in [2 C.F.R. § 200.1](#)): **March 11, 2021.**
 - 5.2.5 Subaward Period of Performance Start and End Date: **November 8, 2021, and December 31, 2024.**
 - 5.2.6 Subaward Budget Period Start and End Date: **July 1, 2022 to December 31, 2024.** (Must be within the Period of Performance.)
 - 5.2.7 Amount of Federal Funds Obligated by this action by the pass-through entity to the subrecipient: **Same as the amount listed in section 5.1.**
 - 5.2.8 Total Amount of Federal Funds Obligated to the subrecipient by the pass-through entity including the current financial obligation: **\$973,325.00.** (As applicable, include grant funding received from the Commission under the federal 911 grant program).
 - 5.2.9 Federal award project description, as required to be responsive to the Federal Funding Accountability and Transparency Act (FFATA): **CS-Coronavirus State Fiscal Recovery Fund.**
 - 5.2.10 Name of Federal awarding agency, pass-through entity, and contact information for awarding official of the Pass-through entity: **U.S. Dept. of Treasury; Commission on State Emergency Communications, Kelli Merriweather kelim@csec.texas.gov.**
 - 5.2.11 Assistance Listings number and Title; the pass-through entity must identify the dollar amount made available under each Federal award and the Assistance Listings Number at time of disbursement: **Information Not Available.**
 - 5.2.12 Identification of whether the award is for R&D: **No.**
 - 5.2.13 Indirect cost rate for the Subaward (including if the de minimis rate is charged) per 2 C.F.R. § 200.414): **\$0.**
- 5.3 If Subrecipient information in §§ 5.1 – 5.2 changes, to the extent required, Subrecipient will submit a Grant Application amendment (Section 6) to the Commission for consideration and approval. Otherwise, Subrecipient will within ten (10) business days update and notify the Commission of the changes in writing and specifically reference Section 5: Subaward. Once approved or confirmed by the Commission, any changes by Subrecipient to the information in Section 5 is incorporated herein by reference and without re-executing the Contract.

SECTION 6: GRANT APPLICATION

- 6.1 Subrecipient's approved Grant Application contains the specifics of Subrecipient's NG9-1-1 Grant Project including Project Plan broken out by subprojects, allocation of Subrecipient's grant award across the eligible cost categories by subproject—the Budget Plan; and Subrecipient's Federal Uniform Guidance Procurement Standards Compliance Worksheets—the Compliance Worksheet(s) for each subproject involving an existing contract or future procurement funded in whole or in part with CSFRF funds.

- 6.2 Subrecipient's NG9-1-1 Grant Project has integrated telecommunications services involved in the implementation and delivery of Next Generation 9-1-1 Service. "Integrated telecommunications services" means "one or more elements of the provision of multiple 911 systems' or PSAPs' infrastructure, equipment, or utilities, such as voice, data, image, graphics, and video network, customer premises equipment (such as consoles, hardware, or software), or other utilities, which make common use of all or part of the same transmission facilities, switches, signaling, or control devices (e.g., database, cybersecurity)."
- 6.3 Subrecipient's hardware, software, and services included in its NG9-1-1 Grant Project substantially comply with current NG911 standards. Subrecipient's purchase of hardware, software, and/or services comply with current NG911 standards listed in the Department of Homeland Security's SAFECOM guidance.⁵ Each individual product, however, need not meet every listed standard. Individual products only need to meet the relevant standard(s) within the list of standards in the Department of Homeland Security's SAFECOM Guidance.
- 6.4 Subrecipient is obligated to keep its Grant Application current. Proposed changes to Subrecipient's grant application, specifically its Project Plan, Budget Plan, and Compliance Worksheet(s), must be submitted to the Commission as a Grant Application Amendment and voted upon by the Commission at an open meeting. Subrecipient is precluded from taking any action to implement the changes proposed in a Grant Application Amendment until approved by the Commission.
- 6.5 Subrecipient's failure to submit a Grant Application Amendment or implementing non-approved changes to its Grant Application constitute material changes to the Contract and may result in termination of the Contract or other action by the Commission including requiring a Subrecipient Corrective Action Plan. A material change by Subrecipient relieves the Commission of any obligation to perform with respect to the material change but does not void the Contract.
- 6.6 The Commission meets in open meeting every other month starting in September. Information about upcoming Commission meetings can be found on the Commission's website at: [CSEC Home](#).

SECTION 7: PROCUREMENTS

Subrecipient's Uniform Guidance – Procurement Standards Compliance Worksheet(s), included in Subrecipient's Grant Application, describe in detail the procurements associated with Subrecipient's NG9-1-1 Grant Project on a subproject-by-subproject basis. Subrecipient must submit a Grant Application amendment (Section 6) to obtain Commission approval of any changes to Subrecipient's Grant Application, including to its Compliance Worksheet(s).

- 7.1 Per the White House Office of Management and Budget's [Compliance Supplement \(2 CFR Part 200, Appendix XI - Apr. 2022\)](#) (the "Compliance Supplement" as revised):

Procurement Recipients may use award funds to enter into contracts to procure goods and services necessary to implement one or more of the eligible purposes outlined in sections 602(c) and 603(c) of the Act and Treasury's Interim Final Rule and Final Rule. As such, recipients are expected to have procurement policies and procedures in place that comply with the procurement standards outlined in the Uniform Guidance. Specifically, a state must follow the

⁵ 47 U.S.C. 942(a)(1). See also Department of Homeland Security's Cybersecurity & Infrastructure Security Agency, *SAFECOM Guidance on Emergency Communications Grants*, at Appendix B – Technology and Equipment Standards, 911 Systems (Fiscal Year 2021, as amended), available at https://www.cisa.gov/sites/default/files/publications/FY%202021%20SAFECOM%20Guidance_Final_508.pdf.

same policies and procedures it uses for procurements from its non-federal funds and comply with 2 CFR sections 200.321, 200.322, and 200.323. States must also ensure that every contract includes the applicable contract clauses required by 2 CFR section 200.327. All other entities under the program, including subrecipients of a state, must follow the procurement standards in 2 CFR sections 200.318 through 200.327, including ensuring that the procurement method used for the contracts are appropriate based on the dollar amount and conditions specified in 2 CFR section 200.320.⁶

- 7.2 General Procurement Standards. Federal general procurement standards require, in part, that all procurement transactions must be conducted in a manner providing full and open competition. The preceding requirement is not applicable to procurements that are eligible to be done under federal “simplified acquisition procedures,” which refers to acquisitions of Subrecipient must have and use its own documented procurement procedures which reflect applicable state and/or local laws and regulations. Federal procurement standards require, however, that Subrecipient’s procurement procedures must conform to applicable federal law, including [2 C.F.R. Part 200](#), specifically including 2 C.F.R. §§ 200.318 – 200.327.⁷
- 7.3 Pre-Contract Effective Date Costs. To be considered an eligible cost incurred prior to the Contract Effective Date, the cost must be for an authorized Period of Performance pre-award cost defined in [2 C.F.R. § 200.458](#) to the extent such costs would have been allowable if incurred after the Contract Effective Date. Notwithstanding the preceding, only costs for which the obligation to pay (*i.e.*, receipt of the goods or services) arises during the Period of Performance are eligible for reimbursement.
- 7.4 Competitive Procurements. Per Federal regulations, Subrecipient is a “local government” and a “non-Federal entity.” Accordingly, and per 2 C.F.R. § 200.318, Subrecipient **“must use its own documented procurement procedures which reflect applicable State, local, and tribal laws and regulations, provided that the procurements conform to applicable Federal law and the standards identified in [200.318 – 200.327].”** (Emphasis added.) Federal regulation [2 C.F.R. §](#)

⁶ *Compliance Supplement* at pg. 4-21.027-6 (emphasis added).

⁷ Procurement Standards (§§ 200.318 - 200.327):

§ 200.318	General procurement standards. • Note: Notwithstanding local procurement requirements, Subrecipient procurements must “conform to applicable Federal law and the standards identified in this part.”
§ 200.319	Competition.
§ 200.320	Methods of procurement to be followed.
§ 200.321	Contracting with small and minority businesses, women's business enterprises, and labor surplus area firms.
§ 200.322	Domestic preferences for procurements.
§ 200.323	Procurement of recovered materials.
§ 200.324	Contract cost and price.
§ 200.325	Federal awarding agency or pass-through entity review.
§ 200.326	Bonding requirements.
§ 200.327	Contract provisions. See Appendix II to Part 200.

[200.317](#) provides in relevant part: “All other non-Federal entities, including subrecipients of a State, must follow the procurement standards in [§§ 200.318](#) through [200.327](#).”

- 7.5 Subrecipient’s compliance with federal Procurement Standards is documented in Subrecipient’s Grant Application.
- 7.6 Micro Purchase Procedures. Per [2 C.F.R. § 200.320\(a\)\(1\)](#), the acquisition of supplies or services, the aggregate dollar amount of which does not exceed the micro-purchase threshold of \$10,000 may be awarded without soliciting competitive price or rate quotations if the Subrecipient considers the price to be reasonable based on research, experience, purchase history or other information and documents its files accordingly. Purchase cards can be used for micro-purchases if procedures are documented and approved in advance by the Commission. To the maximum extent practicable, Subrecipient should distribute micro-purchases equitably among qualified suppliers.
- 7.7 Small Purchase Procedures. The federal regulations allow the use of “small purchase procedures” for purchases that do not cost more than the “Simplified Acquisition Threshold,” currently \$250,000. Per regulation [2 C.F.R. § 200.320\(b\)](#):

Procurement by small purchase procedures. Small purchase procedures are those relatively simple and informal procurement methods for securing services, [supplies](#), or other [property](#) that do not cost more than the [Simplified Acquisition Threshold](#). **If small purchase procedures are used, price or rate quotations must be obtained from an adequate number of qualified sources.**

- 7.8 Single/Sole Source Procurements. In the event Subrecipient’s Compliance Worksheet(s) includes single/sole source purchase(s), or after soliciting a number of sources determines competition is inadequate, Special Documentation Requirements are applicable. (For purposes of the Contract, “single source”, also referred to as sole source, means a contract for or a purchase of goods or services that is entered into or made by Subrecipient after soliciting and negotiating with only one source.) (**NOTE:** A preference for a particular “brand,” including when the brand [or current vendor provided services] is what the Subrecipient currently utilizes, does not constitute justification for single/sole source procurement.

7.8.1 Single/Sole Source Procurement Special Documentation Requirements. To the extent Subrecipient’s approved Grant Application includes single/sole source procurement(s), Subrecipient must comply with [48 C.F.R. § 13.501](#) Special documentation requirements.

- 7.9 Cooperative Purchase Programs/Procurements. Compliance with federal procurement standards remains Subrecipient’s responsibility including when procuring through a cooperative purchase program. A cooperative purchase/procurement refers to a procurement in which an entity other than the Subrecipient conducted the competitive procurement that resulted in the awarded vendor’s, or vendors’, products and/or services being included in the procuring entity’s catalogue or equivalent thereof. For more information on utilizing a cooperative purchase program, see Subrecipient’s Grant Application, including Uniform Guidance – Procurement Standards Compliance Worksheet(s).

SECTION 8: GENERAL TERMS AND CONDITIONS

- 8.1 The Commission is the applicant for the CSFRF funded NG9-1-1 Fund via the OOG’s eGrants portal. Except as otherwise expressly provided, for all purposes of this Contract and the NG9-1-1 Fund, the Commission has delegated its authority to its Executive Director.

- 8.2 It is the specific intent of this Contract to extend to Subrecipient the rights, benefits, and obligations of state, local, and federal requirements related to the CSFRF, including those of the OOG in Coronavirus State Fiscal Recovery Fund Terms and Conditions incorporated herein and made applicable to Subrecipient for all purposes (Attachment 1).
- 8.3 Per the Final Rule, the requirements of [2 C.F.R. Subtitle A, Chapter II, Part 200](#), the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, including Post Federal Award Requirements ([2 C.F.R. Subpart D](#))⁸ and applicable Cost Principles ([2 C.F.R. Subpart E](#)) govern the implementation and management of Subrecipient's Subaward.
- 8.4 The Commission and Subrecipient are each a "non-Federal entity," defined in [2 C.F.R. § 200.1](#) as a State, local government, Indian tribe, Institution of Higher Education (IHE), or nonprofit organization that carries out a Federal award as a recipient or subrecipient.
- 8.5 For purposes of this Contract, the Commission is a "pass-through" entity as defined in [2 C.F.R. § 200.1](#).
- 8.6 Subrecipient is a "local government" as defined in [2 C.F.R. § 200.1](#).
- 8.7 Subrecipient is a "subrecipient" as defined in [2 C.F.R. § 200.1](#) and as determined and classified by the Commission per [2 C.F.R. § 200.331](#). Subrecipient is not a "contractor" as determined and classified by the Commission per 2 C.F.R. § 200.331.
- 8.8 By this Contract, the Commission makes a "Subaward" as defined in [2 C.F.R. § 200.1](#) to Subrecipient. This Contract constitutes the Subaward legal agreement referenced in the preceding federal regulation.
- 8.9 In addition to any specific contract management and oversight duties and responsibilities specified in this Contract, the Commission shall have the right to exercise grant administration over Subrecipient's NG9-1-1 Grant Project. The Commission may delegate all or part of its contract management and grant administration responsibilities to a third party and/or Commission contract staff.
- 8.10 For all procured "equipment," as defined in [2 C.F.R. § 200.33](#), Subrecipient will take title to, use, manage, and dispose thereof in accordance with [2 C.F.R. § 200.313](#), including sufficient equipment management procedures and property records in compliance with 2 C.F.R. § 200.313(d).
- 8.11 Dispute Resolution. The Parties' representatives will meet as needed to implement the terms of this Contract and will make a good faith attempt to informally resolve any disputes. Notwithstanding any other provision of this Contract to the contrary, unless otherwise requested or approved in writing by the Commission, the Subrecipient grantee shall continue performance and is not excused from performance during the period any breach of Contract claim or contract dispute is pending. The dispute resolution process provided in Chapter 2260, Texas Government Code, and the related rules adopted by the Texas Attorney General pursuant to Chapter 2260, will be used by the Commission and Subrecipient to attempt to resolve any claim for breach of contract made by the Subrecipient that cannot be resolved in the ordinary course of business. The dispute resolution process is not applicable to Grant Application Amendments or Reimbursement Disputes.
- 8.12 Waiver of Authority. It is the general intent of the Commission not to waive any of the provisions in this Contract. Under extraordinary circumstances, however, the Commission's Executive Director may at her sole discretion and upon her own initiative or when requested by

⁸ Procurement standards applicable to Subrecipient are in [2 C.F.R. §§ 200.318 – 200.327](#).

Subrecipient, may waive a provision in this Contract that is discretionary and not mandated by ARPA, other applicable law including the Uniform Guidance, or applicable ARPA regulations including the Final Rule. Any request by Subrecipient for a waiver must set forth the extraordinary circumstances for the request.

- 8.13 The Commission is not liable to Subrecipient or any third-party for any costs incurred by Subrecipient. The Commission's sole financial responsibility is to fund, on a reimbursement basis only, Subrecipient's Subaward to the extent of its eligible uses/costs incurred during and for goods and services received during the Period of Performance.
- 8.14 The Texas Grant Management Standards ("[TxGMS](#)") applies to the Contract and is incorporated herein by reference.

SECTION 9: ELIGIBLE USES AND ELIGIBLE COSTS

- 9.1 Eligible Uses. Per ARPA, the Final Rule, and the OOG's terms and conditions of the Commission's Award, the Subaward may only be used to reimburse Subrecipient for the providing of government services to the extent of the reduction in revenue experienced by the State of Texas due to the pandemic. Per the Final Rule, government services includes "the provision of police, fire, and other public safety services." For purposes of the Subaward and Contract, government services public safety refers specifically to, and is limited to, the deployment and reliable operation of Next Generation 9-1-1 Service, including equipment and administration costs.
- 9.2 Eligible Costs. The following categories of NG9-1-1 Fund eligible costs are from the Federal Communications Commission's (FCC) Task Force on Optimal Public Safety Answering Point (TFOPA) Working Group 2 Supplemental Report:
 - 9.2.1 Network (NG9-1-1 ESInet): Internet Protocol-based, digital networking is the backbone required to support NG9-1-1 service. Also known as an NG9-1-1 Emergency Services Internet Protocol Network. NG9-1-1 ESInet connects next generation core services (NGCS, see below) to the more than 500 public safety answering points (PSAPs) in Texas's 254 counties.
 - 9.2.2 9-1-1 Call Routing & Location: May be provisioned within or separately from NGCS (see below); varies by NG9-1-1 solution provider. Includes Software, GIS databases, IP switches, and services required to route 9-1-1 calls to the correct PSAP for assistance and dispatch of emergency response.
 - 9.2.3 Geographic Information System (GIS): Mapping data is required to validate a caller's location and route the call to the correct PSAP. Displays location of caller on dispatch map; provides X, Y and Z location coordinates to guide emergency response.
 - 9.2.4 Next Generation 9-1-1 Core Services (NGCS): The base set of services needed to receive and process a 9-1-1 call on an ESInet. Receives call from originating service provider; processes data received with call and data provisioned into the system (GIS/call routing); determines and routes call to correct PSAP with embedded location information that can be displayed on a map at the PSAP for dispatch of emergency response.
 - 9.2.5 PSAP 9-1-1 Call Handling Systems and Applications: Call handling equipment hardware and/or software that simultaneously receives voice calls and related location data from NGCS at the PSAP and displays the caller's location and other data on a map along with other contextual data that informs dispatch such as the available first responder agencies for each particular location, i.e., Fire, Law, EMS. Mission critical hardware and software requires planned maintenance and upgrades, and

reconfiguration for text to 9-1-1. May also include computer aided dispatch equipment and site electrical work.

- 9.2.6 Security: NG9-1-1 is a connected IP-based system. Dedicated resources are required to implement, maintain and monitor the security of the NG9-1-1 system to protect critical infrastructure and sensitive data. Costs include administration and governance of security policies; services to maintain and monitor NG9-1-1 systems; and services to conduct cybersecurity assessments and remediate/mitigate risks on a planned and continual basis.
 - 9.2.7 Operations: 9-1-1 Entities require staffing to support IT and IP-based systems and may include engineering and specially trained subject matter experts; and administration and/or grant management expertise for financial oversight and reporting.
 - 9.2.8 Operational Planning: Local, regional, and statewide planning required to design and implement the new NG9-1-1 services across the state by 2025; and to ensure that the systems are interconnected, interoperable, and can support alternate call routing, answering, and dispatch in cases of natural or manmade disasters.
 - 9.2.9 Other: E.g., emergency call tracking system (ECaTS); travel.
- 9.3 Administrative Costs. To the extent applicable to Subrecipient and reflected in its Grant Application (Section 5), Eligible Uses in the preceding section includes Subrecipient internal direct costs and indirect costs. For additional information see Direct and Indirect (F&A) Costs [2 C.F.R. §§ 200.412 - 200.415](#) or contact the Commission's Federal Grant Manager.
- 9.3.1 Standards for Documentation of Personnel Expenses. To the extent Administrative Costs are included, Subrecipient's costs for salaries and wages must align with [2 C.F.R. § 200.430\(i\)](#) and be based on records that must (1) accurately reflect the work performed for which reimbursement is requested; and (2) be supported by a system of internal controls which provide reasonable assurance that charges for Subrecipient's personnel expenses are accurate, allowable, and properly allocated.
 - 9.3.2 Indirect Costs. Reimbursable per Subrecipient's negotiated indirect cost rate agreement or de minimis ten percent (10%) authorized by ARPA and the Final Rule.
 - 9.3.3 Internal Direct Costs. Reimbursable to the extent supported by adequate documentation of internal personnel (including contract staff/personnel) time and effort ("T&E"). (See Section 14.)
- 9.4 Pre-Subaward Costs. Subrecipient warrants and represents that for any existing contract or procurement begun prior to the Contract Effective Date and/or the start of the Period of Performance that the procurement was conducted in accordance with the Contract and the Grant Application (Section 5), including federal regulations. **IMPORTANT NOTE**: Reimbursable costs are limited to those costs for goods and services received during the Period of Performance and included in Subrecipient's Grant Application.
- 9.5 Consistent Treatment. All Subrecipient costs incurred for the same purpose must be treated consistently by Subrecipient in like circumstances.

SECTION 10: INELIGIBLE COSTS

Ineligible costs include those costs that are unallowable under federal cost principles in [2 C.F.R. Part 200, Subpart E](#) and costs not identified in Subrecipient's Grant Application.

SECTION 11: COST PRINCIPLES

- 11.1 Subrecipient is responsible for the efficient and effective administration of the Subaward through the application of sound management practices. Subrecipient assumes responsibility for administering the Subaward in a manner consistent with this Contract, including applicable federal laws and regulations. Subrecipient will only be reimbursed for costs for eligible uses consistent with the federal cost principles in [2 C.F.R. Part 200, Subpart E](#). For selected items of cost see 2 C.F.R. §§ 200.420 – 200.476.
- 11.2 In recognition of its unique combination of staff, facilities, and experience, Subrecipient has the primary responsibility for employing whatever form of sound organization and management techniques may be necessary in order to assure proper and efficient administration of the Subaward. The application of federal cost principles should require no significant changes in the internal accounting policies and practices of Subrecipient. Subrecipient's accounting practices, however, must be consistent with federal cost principles and support the accumulation of costs as required by the principles, and must provide for adequate documentation to support costs charged to the Subaward.
- 11.3 Unallowable Costs. Per [2 C.F.R. § 200.410](#), reimbursements to Subrecipient for costs determined to be unallowable by the federal awarding agency (*i.e.*, Treasury), the OOG, auditors, or the Commission's Executive Director must be refunded (including interest) to the Commission in accordance with [instructions](#) from the entity that determined the costs are unallowable. See also [§§ 200.300](#) through [200.309](#).
- 11.4 Program Income. Subrecipient's Subaward should not generate "program income" as defined [2 C.F.R. § 200.80](#) because funding of the Subaward is on a reimbursement basis. Notwithstanding, in the event Subrecipient generates program income, per [2 C.F.R. § 200.307\(e\)](#), such income must be deducted from total eligible costs for eligible uses to determine the net allowable costs. With the prior approval of the Commission, program income may be deemed "addition" income and added to the mount of Subrecipient's Subaward. Notwithstanding anything in this subsection, Subrecipient's Subaward will be funded entirely on a reimbursement basis. Subrecipient may not earn or keep any gross income earned by Subrecipient that is directly generated by a supported activity or earned as a result of its Subaward, *i.e.*, program income, without the prior approval of the Commission.

SECTION 12: COST SHARING/MATCH

The CSFRF, including Final Rule, does not require cost sharing, also known as matching. In accordance with [2 C.F.R. § 200.1](#), cost sharing/match means the portion of project costs not paid (reimbursed) by Federal Funds or contributions.

SECTION 13: FUNDING OF SUBAWARD AND FINANCIAL MANAGEMENT

- 13.1 Funding of Subaward. The Commission's funding of Subrecipient's Subaward will be done no more than once a month during the Contract Term. The Commission's funding of the Subaward will be provided on a reimbursement only basis and is contingent upon: (1) Subrecipient's continuous compliance (Section 18); (2) Subrecipient providing sufficient documentation detailing its incurred costs and that such costs were Eligible Costs; and (3) Subrecipient has paid the total cost of the goods and services for which it is seeking reimbursement. (See Section 14: Request for Reimbursement for details.)

- 13.2 Financial Management. Subrecipient will manage its Subaward in accordance with the requirements in [2 C.F.R. § 200.302](#) Financial Management.

SECTION 14: REQUEST FOR REIMBURSEMENT

- 14.1 Request for Reimbursement. To request reimbursement, Subrecipient must complete the Commission's Request for Reimbursement (Attachment 2), attach the appropriated supporting documentation, and be sent to the Commission's Federal Grant Manager. The Commission may change the request for reimbursement format as deemed appropriate, and Subrecipient will implement such changes as soon as reasonably practicable. Without limiting the foregoing, Subrecipient agrees to provide the Commission with additional supporting documentation and other information as requested by the Commission Federal Grant Manager to verify the accuracy of the request and compliance with the Contract.

14.2 Administrative Costs.

- 14.2.1 Indirect Costs. Reimbursable per Subrecipient's negotiated indirect cost rate agreement or de minimis ten percent (10%) authorized by ARPA and the Final Rule.

- 14.2.2 Internal Direct Costs. Reimbursable to the extent supported by adequate documentation of internal personnel (including contract staff/personnel) time and effort ("T&E"). (See Section 14.)

- For internal personnel who did not document T&E from the start of the Period of Performance on November 8, 2021, through the Contract Effective Date, Subrecipient can complete an attestation (Attachment 3) for hours worked if percentage of time dedicated to Subrecipient NG9-1-1 Grant Project is less than 100%. For personnel dedicated 100% to NG9-1-1 Grant Project, see requirements below.
- For internal personnel following the Contract Effective Date, a T&E worksheet for each such personnel must be completed and included in any request for reimbursement for personnel whose time spent on Subrecipient's NG9-1-1 Grant Project is less than 100% during the Period of Performance.
- For internal personnel whose T&E is 100% dedicated to Subrecipient's NG9-1-1 Grant Project during the Period of Performance, each such personnel's job description and duties must reflect 100% commitment to NG9-1-1 Grant Project; and an attestation (Attachment 3) must be provided by Subrecipient for such personnel at the beginning of the Contract Effective Date and thereafter every six-months, or as requested by the Commission's Federal Grant Manager.
- T&E worksheet and other documentation must include unique entity identifier, date covered by the worksheet, vendor name (for contract staff), amount, purpose.

- 14.3 Reimbursements to Subrecipient. Upon review and acceptance of Subrecipient's Request for Reimbursement, the Commission will reimburse Subrecipient the requested amount. Notwithstanding the preceding sentence, total reimbursement by the Commission is limited to the not-to-exceed amount of the Subaward, on a Subproject-by-Subproject basis, and is contingent upon at a minimum Subrecipient sufficiently demonstrating that: 1. the charges for which it seeks reimbursement have been previously paid by the Subrecipient; 2. the charges are for eligible uses/costs.

- 14.4 Limitation on Reimbursement (Funding of Subaward). Notwithstanding anything to the contrary in the Contract or federal regulations including, but not limited to, [2 C.F.R. Subpart E - Cost Principles](#)—specifically, General Provisions for Selected Items of Cost (§§ 200.420 - 200.476), Subrecipient reimbursement is limited to reimbursing Subrecipient the actual eligible costs of the goods and services of each Subproject comprising the Subrecipient’s NG9-1-1 Grant Project. Reimbursement is contingent upon Subrecipient sufficiently documenting that it has paid the eligible costs for which it seeks reimbursement.
- 14.5 Refunds and Deductions. If the Commission or OOG determine that Subrecipient has been overpaid any grant funds under the Contract, including payments made inadvertently or payments made but later determined to not be actual and allowable allocable costs, the Subrecipient must return to the Commission the amount identified as an overpayment. Subrecipient must refund any overpayment to the Commission within thirty (30) calendar days of the receipt of the notice of the overpayment from the Commission unless an alternate payment plan is specified by the Commission.
- 14.6 Return of Subaward. In the event the Commission or the OOG determine that a reimbursement was made to Subrecipient in violation of the Contract (*e.g.*, all or a portion of a reimbursement was made for costs deemed for ineligible uses), Subrecipient will return to the Commission that portion of the Subaward deemed in violation of the Contract.
- 14.7 Recapture of Funds. Notwithstanding the OOG’s discretionary right to terminate for convenience its Grant Agreement with the Commission, the Commission and OOG each have the right to terminate the Grant Agreement and to recapture, and be reimbursed for any payments made by the Commission: (i) that are not allowed under applicable laws, rules, and regulations; or (ii) that are otherwise inconsistent with this Contract, including any unapproved expenditures.
- 14.8 Right to Withhold, Offset, Adjust. With respect to any amounts by which the Commission has overpaid or should not have paid the Subrecipient (*e.g.*, reimbursed Subrecipient for what was subsequently determined to be non-eligible costs), including as a result of an audit, the Commission may withhold, offset, and/or adjust future reimbursements by the amount of the overpayment. Additionally, to the extent necessary, the Commission may withhold, offset, and/or adjust Subrecipient’s wireless/prepaid wireless service fee monthly distribution amounts by the amount of the overpayment. No failure by the Commission to identify non-eligible costs prior to reimbursement of the requested amount shall limit or waive any of the Commission’s rights or remedies with respect to such reimbursement, including the right to withhold, offset, or adjust future reimbursements.
- 14.9 **Reduction in Grant Award for Failure to Request Reimbursement.** A primary purpose of the Commission is to ensure all appropriated CSFRF funds are timely expended within the Period of Performance. Subrecipient has an affirmative obligation to timely notify the Commission and submit a Grant Application Amendment (Section 6) of any changes impacting Subrecipient’s ability to timely expend its Subaward during the Period of Performance, including for example vendor delay in delivering goods or providing services.
- 14.9.1 **90-Day No Reimbursement Requests.** In the event Subrecipient has not submitted a Request for Reimbursement for any 90-day period following its first Request for Reimbursement, or timely met reporting obligations, the Commission will contact the Subrecipient. Consistent with the OOG’s terms and conditions applicable to the Commission’s Award, if sufficient progress is not made by Subrecipient towards timely completing its NG9-1-1 Grant Project, including Subprojects, and meeting reporting obligations, the Commission may take unilateral actions as necessary including consideration at a Commission open meeting of a Subrecipient Grant Application

Amendment submitted by the Commission's Executive Director and up to Subaward termination.

14.10 Reimbursement Disputes. In the event the Subrecipient disputes a reimbursement, including denial in part or in total of a Request for Reimbursement, Subrecipient must submit a written request for redetermination to the Commission's Federal Grant Manager. The Commission's Executive Director will decide all reimbursement disputes, including requests for reimbursement denied in part or in total as being for non-eligible costs. The Executive Director's decision is appealable to the Commission for consideration at an open meeting.

14.11 Indemnification.

TO THE EXTENT ALLOWED BY LAW, SUBRECIPIENT SHALL DEFEND, INDEMNIFY AND HOLD HARMLESS THE STATE OF TEXAS AND THE COMMISSION, AND/OR THEIR OFFICERS, REGENTS, AGENTS, EMPLOYEES, REPRESENTATIVES, CONTRACTORS, ASSIGNEES, AND/OR DESIGNEES FROM ANY AND ALL LIABILITY, ACTIONS, CLAIMS, DEMANDS, OR SUITS, AND ALL RELATED COSTS, ATTORNEY FEES, AND EXPENSES ARISING OUT OF, OR RESULTING FROM ANY ACTS OR OMISSIONS OF SUBRECIPIENTS OR ITS AGENTS, EMPLOYEES, SUBCONTRACTORS, ORDER FULFILLERS, OR SUPPLIERS OF SUBCONTRACTORS IN THE EXECUTION OR PERFORMANCE OF THE CONTRACT AND ANY PROCUREMENTS AND PURCHASE ORDERS ISSUED UNDER THE CONTRACT. THE DEFENSE SHALL BE COORDINATED BY SUBRECIPIENT WITH THE OFFICE OF THE TEXAS ATTORNEY GENERAL WHEN TEXAS STATE AGENCIES, INCLUDING THE COMMISSION, ARE NAMED DEFENDANTS IN ANY LAWSUIT AND SUBRECIPIENT MAY NOT AGREE TO ANY SETTLEMENT WITHOUT FIRST OBTAINING THE CONCURRENCE FROM THE OFFICE OF THE TEXAS ATTORNEY GENERAL. SUBRECIPIENT AND THE COMMISSION AGREE TO FURNISH TIMELY WRITTEN NOTICE TO EACH OTHER OF ANY SUCH CLAIM.

14.12 Waiver of Rights. Subrecipient agrees that no provision of the Contract is in any way intended to constitute a waiver by the Commission or the OOG as agencies of the State of Texas, its officers, regents, employees, agents, or contractors or the State of Texas of any privileges, rights, defenses, remedies, or immunities from suit and liability that the Commission, the OOG, or the State of Texas may have by operation of law.

14.13 Limitation of Commission Liability to Subrecipient. The Commission's sole liability to Subrecipient under the Contract is limited to reimbursing Subrecipient up to the not-to-exceed amount of the Subaward in accordance with this Contract.

SECTION 15: REPORTING AND ANNUAL CERTIFICATION

15.1 Quarterly Financial and Completion Progress Reports. Per [2 C.F.R. § 200.328](#), Subrecipient will submit a quarterly financial and completion progress report to the Commission within 30 days following the end of each calendar year quarter starting with calendar year 2023.* (See Attachment 4.) *Notwithstanding the preceding, Subrecipient must submit a quarterly financial and completion progress report within 30 days of completion of each Subproject.

15.2 Annual Performance Reports. Per [2 C.F.R. § 200.328](#), Subrecipient will submit an Annual Performance Report to the Commission within 15 days from March 31st of each calendar year that federal grant funds are available. (See Attachment 5.)

15.3 Closeout Reporting. See Section 19. Closeout.

SECTION 16: RISK ASSESSMENT, MONITORING, NOTIFICATION OF PROBLEMS, AND CORRECTIVE ACTION PLAN

16.1 Risk Assessment (Attachment 6). The Commission, through its Executive Director and staff, evaluated Subrecipient's risk of noncompliance with Federal statutes, regulations, and the terms and conditions of the Contract to determine the appropriate level of monitoring of Subrecipient. Consideration was given to various factors including the following:

- (1) Subrecipient's prior experience with the same or similar Subawards;
- (2) The results of previous audits including whether or not the Subrecipient receives a Single Audit in accordance with [2 C.F.R. Subpart F - Audit Requirements](#), and the extent to which the same or similar Subaward has been audited;
- (3) Whether the Subrecipient has new personnel or new or substantially changed systems; and
- (4) The extent and results of Federal awarding agency monitoring (*e.g.*, if the Subrecipient also receives Federal awards directly from a Federal awarding agency).

16.2 Monitoring. It is the responsibility and obligation of the Commission to monitor Subrecipient's activities as necessary to ensure that the NG9-1-1 Grant Project and corresponding Subaward of federal grant funds are used for eligible uses and authorized purposes in compliance with Federal statutes, regulations, and the Contract; and that Subrecipient's NG9-1-1 Grant Project and Subproject timelines are achieved. Monitoring includes the following:

- 16.2.1 Reviewing financial and performance reports required by the Contract.
- 16.2.2 Following-up and ensuring that Subrecipient takes timely and appropriate action on all deficiencies pertaining to the Subaward detected through Subrecipient's Notification of Problems, reporting, audits, on-site reviews, and other means.
- 16.2.3 Issuing a [management decision](#) or [audit finding](#) pertaining to the Subaward as required by [2 C.F.R. § 200.521](#).

16.3 Monitoring Tools. Depending upon the Commission's assessment of, or change in, risk posed by the Subrecipient, the Commission may utilize the following monitoring tools to ensure proper accountability and compliance with the Contract, the NG9-1-1 Grant Project, and achievement of performance goals:

- 16.3.1 Require and/or provide Subrecipient with training and technical assistance;
- 16.3.2 Perform on-site reviews; and
- 16.3.3 Arrange for agreed-upon-procedures engagements as described in [2 C.F.R. § 200.425](#).

16.4 Notification of Problems. Subrecipient shall provide to the Commission written notice of any acts or omissions (whether by the Subrecipient or a Subrecipient contractor vendor or other service provider, or any third party), any failure to perform any of each such party's obligations that may affect or delay Subrecipient's timely performance of Subrecipient's obligations under the Contract. Subrecipient shall provide such written notice within ten (10) business days after Subrecipient first knew or should have known of such acts, omissions, or failures or other events. Such written notice shall describe in reasonable detail such acts, omissions, failures or other events and the manner in which the foregoing may affect Subrecipient's performance.

Subrecipient's notification of problems may result in the Commission requesting a corrective action plan from Subrecipient.

- 16.5 Corrective Action Plan. In the event the Commission's Executive Director determines, at her sole discretion or as a result of receiving a Notification of Problems, that the NG9-1-1 Grant Project will not meet project objectives, including timely completion thereof, the Executive Director may require Subrecipient to develop a Corrective Action Plan. The Commission will provide written notice to Subrecipient of such a determination and identify the deficiencies or lack of alignment with the Contract that require formal documentation. Upon receipt of the Commission's notice, the Subrecipient will develop and provide a written corrective action plan detailing the actions it will take to address the deficiencies or lack of alignment identified in the Commission's notice. A corrective action plan is incorporated into the Contract without further action by the Parties. The Commission will utilize the Subrecipient's corrective action plan to track and verify that the deficiencies or lack of alignment with the Contract are addressed by Subrecipient and provide periodic updates on the status of corrective action plan until such has been fully implemented and the issues addressed.

16.5.1 Audit – Corrective Action Plan. Subrecipient understands and agrees that Subrecipient must make every effort to address and resolve all outstanding issues, findings, or actions identified by an audit through a corrective action plan. Failure to promptly and adequately address audit findings may result in grant funds being withheld, other related requirements being imposed, or other sanctions and penalties. Subrecipient agrees to complete any corrective action approved by the Commission's Executive Director in the Subrecipient's corrective action plan within the time period specified by the Executive Director and to the satisfaction of the Commission, at the sole cost of the Subrecipient.

16.5.2 Status Reports – Corrective Action Plan. Subrecipient must provide to the Commission Grant Manager periodic status reports regarding the Subrecipient corrective action plan, or other compliance activity for which the Subrecipient is responsible.

SECTION 17: RECORD RETENTION AND ACCESS

Subrecipient agrees to retain records pertinent to its Subaward and provide the Commission, the Agencies, and/or their auditors with access to such records in accordance with [2 C.F.R. §§ 200.334 - 200.338](#). Specifically included, but without limitation, is Subrecipient's obligation to retain and provide access to all records pertaining to any procurement, financial, and audit records.

SECTION 18: SUBRECIPIENT COMPLIANCE

- 18.1 Subrecipient agrees that a continuous condition for being and remaining eligible as a grant subrecipient and being reimbursed for eligible costs is Subrecipient's continuous compliance with the terms of this Contract, ARPA, Treasury regulations ([31 C.F.R. Subtitle A, Part 35, Subpart A](#), the [Final Rule](#)), and the Uniform Guidance ([2 C.F.R. Subtitle A, Chapter II, Part 200](#)).
- 18.2 In the event the Commission, acting through and as determined by its Executive Director, determines that Subrecipient is not in compliance with the preceding paragraph, or the OOG or cognizant federal agency (e.g., Treasury) determine that Texas and/or the Commission are not in compliance and such non-compliance is determined by the Commission's Executive Director to be the result of Subrecipient's non-compliance with the preceding paragraph, the Commission's Executive Director may, in accordance with [2 C.F.R. § 200.339](#) (Remedies for Non-Compliance) and [2 C.F.R. § 200.208](#) (Specific Conditions) determine and impose additional conditions and/or specific conditions respectively or, in the event the Commission's Executive Director determines

in writing that non-compliance cannot be remedied by imposing additional or specific conditions, take one or more of the actions authorized in 2 C.F.R. § 200.339.

- 18.3 Per [2 C.F.R. § 200.300](#), Subrecipient, as a non-Federal entity, is responsible for complying with all requirements of the Federal award. For all Federal awards, this includes the provisions of FFATA, which includes requirements on executive compensation, and also requirements implementing the Act for the non-Federal entity at [2 CFR parts 25](#) and [170](#). See also statutory requirements for whistleblower protections at [10 U.S.C. 2409](#), [41 U.S.C. 4712](#), and [10 U.S.C. 2324](#), [41 U.S.C. 4304](#) and [4310](#).
- 18.4 By this Contract, Subrecipient assumes responsibility and accountability for conducting NG9-1-1 Grant Project activities, including Subprojects, and is held responsible for meeting federal, state, and local requirements and standards in the areas of allocating, obligating, and expending grant funds; monitoring public safety answering point (PSAP), contractor, and subcontractor activity; financial management, internal controls, audit, and timely and accurate reporting; and complying with procurement and property management requirements.

SECTION 19: CLOSEOUT

- 19.1 Closeout. In accordance with [2 C.F.R. § 200.344](#), as modified herein, the Commission will close out Subrecipient's Subaward when it determines that all applicable administrative actions and all required work of the Subaward have been completed by Subrecipient.
- 19.2 Expiration of the right to incur costs. Subrecipient's right to incur costs or pay for costs for which it intends to seek reimbursement expires at the end of the Period of Performance. Subrecipient may not incur costs subject to CSFRF reimbursement if the obligation to pay the costs arises before or after the Period of Performance.
- 19.3 Liquidation Period. Within 60 days after the completion of the NG9-1-1 Grant Project and each Subproject, but in no event later than 60 days following the end of the Period of Performance, Subrecipient must submit:
- 19.3.1 Submit Request(s) for Reimbursement. The final request constitutes the final financial reconciliation for the Subaward.
 - 19.3.2 A final report to the Commission, following the procedures of 2 C.F.R. § 200.344(a).
 - 19.3.3 Disposition of unexpended balances. Any Subaward amount that remains unreimbursed after closeout shall cease to be available for reimbursement to the Subrecipient.

SECTION 20: AUDIT REQUIREMENTS

Subrecipient is a non-federal entity and subject to federal audit requirements per [2 C.F.R. Subpart F](#). The following is a general overview of audit requirements, including OOG's audit terms and conditions of the Commission's Award.

- 20.1 Federal Audit Requirements. Per Treasury's [Compliance and Reporting Guidance](#) a Subrecipient expending (or being reimbursed) \$750,000 or more in federal funds in a fiscal year will be subject to an audit under the Single Audit Act and its implementing regulation at [2 CFR Part 200, Subpart F - Audit Requirements](#). Note that the [Compliance Supplement \(2 CFR Part 200, Appendix XI - Apr. 2022\)](#) provides information on the existing, important compliance requirements that the federal government expects to be considered as a part of such audit. The Compliance Supplement is routinely updated, and is made available in the Federal Register and on OMB's website:

<https://www.whitehouse.gov/omb/office-federal-financial-management/>. Subrecipient should consult the Federal Audit Clearinghouse to see examples of Single Audit submissions.

- 20.2 Texas Single Audit Requirements. Subrecipients expending more than \$750,000 during its fiscal year in state awards must have either a Financial Audit or Program-specific Audit conducted for that year in accordance with [TxGMS](#). The Commission, as the state awarding agency, may also require an independent audit to be conducted based on factors other than monetary threshold. All audits must be conducted in accordance with Generally Accepted Government Auditing Standards, or GAGAS. The audit must be completed and the data collection and reporting package described in [2 C.F.R. § 200.512](#) must be submitted to the Federal Audit Clearinghouse (FAC) within 30 calendar days after receipt of the auditor's report(s), or nine months after the end of the audit period, whichever is earlier. For additional audit information see [TxGMS](#)
- 20.2.1 Instead of a Financial Audit or Program-specific Audit, the Commission as the state awarding agency, at its discretion, may accept the single audit of the local government prepared in compliance with the Uniform Guidance if the Commission determines that the federal single audit sufficiently addresses internal controls and other grant requirements as they relate to the particular state award.
- 20.3 Cooperation with Monitoring, Audits, and Records Requirements. All records and expenditures are subject to, and Subrecipient agrees to comply with, monitoring and/or audits conducted by the United States Department of Treasury's Inspector General (DOTIG), OOG, and the State Auditor's Office (SAO) or designee. Subrecipient must maintain under Generally Accepted Accounting Principles or Governmental Accounting Standards Board, adequate records that enable DOTIG, OOG, and SAO (or designee) to ensure proper accounting for all costs and performances related to Contract.
- 20.4 Requirement to Address Audit Findings. If any audit, monitoring, investigations, review of awards, or other compliance review reveals any discrepancies, inadequacies, or deficiencies which are necessary to correct in order to maintain compliance with this Contract, applicable laws, regulations, or the Subrecipient's obligations hereunder, the Subrecipient agrees to propose and submit to the Commission a corrective action plan to correct such discrepancies or inadequacies within thirty (30) calendar days after the Subrecipient's receipt of the findings. The Subrecipient's corrective action plan is subject to the approval of the Commission's Executive Director (see Section 16.5).
- 20.5 Audit Exemption. In the event Subrecipient expends less than \$750,000 during its fiscal year in Federal awards it is exempt from the preceding Federal audit requirements for that year, except as noted in [2 C.F.R. § 200.503](#), but records must be available for review or audit by appropriate officials of the Agencies, the Commission, and the federal Government Accountability Office (GAO).
- 20.6 Management Decision. Per [2 C.F.R. § 200.521](#), the Commission and/or the Agencies are responsible for issuing a [management decision](#) for [audit findings](#) related to Subrecipient Subaward.

SECTION 21: FEDERAL CONTRACT PROVISIONS

- 21.1 Per [2 C.F.R. Appendix II to Part 200](#) "[i]n addition to other provisions required by the Federal agency or non-Federal entity [the Commission], all contracts made by the non-Federal entity under the Federal award must contain provisions covering the following. These federal contract provisions are in addition to and/or supplement the Contract provisions (including required State and/or Local contract requirements). Additional and/or supplemental contract provisions below

are derived from the [Federal Emergency Management Agency's Contract Management Guide \(June 2021\)](#).⁹

21.2 By executing the Contract, Subrecipient certifies to its continuous compliance with the following Federal Contract Provisions in Section 21.3, including compliance by Subrecipient's Contractors. All contracts entered into by Subrecipient related to its NG9-1-1 Grant Project must include federal contract provisions (see Grant Application - Uniform Guidance Procurement Standards Compliance Worksheet). Failure by Subrecipient to include federal contract provisions in its agreements with Contractors constitutes noncompliance by Subrecipient. Execution of the Contract is not indicative that each provision below, including additional and/or supplemental provisions, is applicable to the Contract.

21.3 Federal Contract Provisions (Appendix II):

(A) **Contracts for More Than the Simplified Acquisition Threshold (\$250,000)**. Contracts for more than the simplified acquisition threshold, which is the inflation adjusted amount determined by the Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council (Councils) as authorized by [41 U.S.C. 1908](#), must address administrative, contractual, or legal remedies in instances where contractors violate or breach contract terms, and provide for such sanctions and penalties as appropriate.

Additional/Supplemental Provision: If not already addressed in the Contract, Subrecipient agrees as follows:

Pursuant to 2 C.F.R. Appendix II to Part 200 Federal Rule (A), when Commission expends federal funds, the Commission reserves all rights and privileges under applicable laws and regulations in the event of a breach of contract by either party.

(B) **Price Exceeds Micro Purchase Threshold (\$10,000)**. All contracts in excess of \$10,000 must address termination for cause and for convenience by the non-Federal entity including the manner by which it will be effected and the basis for settlement.

Additional/Supplemental Provision: If not already addressed in the Contract, Subrecipient agrees as follows:

Pursuant to 2 C.F.R. Appendix II to Part 200 Federal Rule (B), when the Commission expends federal funds, Commission reserves the right to terminate the Contract upon written notice in the event of a breach or default of the Contract by Subrecipient including Subrecipient's failure to: (1) meet schedules, deadlines, and/or reporting dates within the time specified in the Contract (including Grant Application); (2) timely submit Requests for Reimbursement; (3) timely make payments owed to Contractors; or (4) otherwise perform in accordance with the Contract. The Commission also reserves the right to terminate the Contract, with written notice to Subrecipient, for convenience if the Commission believes in its sole discretion that it is in the best interest of the Commission to do so. Subrecipient will be reimbursed for eligible costs performed and accepted by Subrecipient as of the termination date if the Contract is terminated for convenience by the Commission.

(C) **Equal Employment Opportunity**. Except as otherwise provided under [41 CFR Part 60](#), all contracts that meet the definition of "federally assisted construction contract" in [41 CFR Part 60-1.3](#) must include the equal opportunity clause provided under [41 CFR 60-1.4\(b\)](#), in accordance with [Executive Order 11246](#), "Equal Employment Opportunity" (appears at [30 FR 12319](#), [12935](#), [3 CFR Part, 1964-](#)

⁹ Additional and/or supplemental contract provisions are provided and applicable to the extent the Contract does not address or the included provision are deemed by an appropriate authority as insufficiently addressing the federal contract provision.

[1965](#) Comp., p. 339), as amended by [Executive Order 11375](#), “Amending Executive Order 11246 Relating to Equal Employment Opportunity” (appears at 32 FR 14303, 3 CFR, 1966–1970 Comp., p. 684, EO 12086 of Oct. 5, 1978, 43 FR 46501, 3 CFR, 1978 Comp., p. 230, EO 13665 of April 8, 2014, 79 FR 20749, EO 13672 of July 21, 2014, 79 FR 42971), and implementing regulations at [41 CFR part 60](#), “Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor.”

Additional/Supplemental Provision: If not already addressed, Subrecipient agrees as follows:

Pursuant to Title 2 C.F.R. Appendix II to Part 200 Federal Rule (C), when the Commission expends federal funds, the equal opportunity clause required by [41 CFR 60-1.4\(b\)](#) is [incorporated by reference as permitted by 41 CFR 60 1.4\(d\)](#).

(D) **Davis-Bacon Act, as amended (40 U.S.C. 3141-3148)**. When required by Federal program legislation, all prime construction contracts in excess of \$2,000 awarded by non-Federal entities must include a provision for compliance with the Davis-Bacon Act ([40 U.S.C. 3141-3144](#), and [3146-3148](#)) as supplemented by Department of Labor regulations ([29 CFR Part 5](#), “Labor Standards Provisions Applicable to Contracts Covering Federally Financed and Assisted Construction”). In accordance with the statute, contractors must be required to pay wages to laborers and mechanics at a rate not less than the prevailing wages specified in a wage determination made by the Secretary of Labor. In addition, contractors must be required to pay wages not less than once a week. The non-Federal entity must place a copy of the current prevailing wage determination issued by the Department of Labor in each solicitation. The decision to award a contract or subcontract must be conditioned upon the acceptance of the wage determination. The non-Federal entity must report all suspected or reported violations to the Federal awarding agency. The contracts must also include a provision for compliance with the Copeland “Anti-Kickback” Act ([40 U.S.C. 3145](#)), as supplemented by Department of Labor regulations ([29 CFR Part 3](#), “Contractors and Subcontractors on Public Building or Public Work Financed in Whole or in Part by Loans or Grants from the United States”). The Act provides that each contractor or subrecipient must be prohibited from inducing, by any means, any person employed in the construction, completion, or repair of public work, to give up any part of the compensation to which he or she is otherwise entitled. The non-Federal entity must report all suspected or reported violations to the Federal awarding agency. (See [29 C.F.R. § 5.2](#) for applicable definitions including “mechanic” and “laborer.”)

Additional/Supplemental Provision: If not already addressed, Subrecipient agrees as follows:

Pursuant to Title 2 C.F.R. Appendix II to Part 200 Federal Rule (D), when the Commission expends federal funds for a prime construction contract in excess of \$2,000 the provisions at [29 C.F.R. § 5.5\(a\)\(1\)-\(10\)](#) are incorporated in full by reference into all applicable contracts, and all applicable Contractors must include these provisions in full in any subcontracts. Regarding Compliance with the Copeland “Anti-Kickback” Act, Subrecipient shall comply with 18 U.S.C. § 874, 40 U.S.C. § 3145, and the requirements of 29 C.F.R. Part 3 as may be applicable, which are incorporated by reference into the agreement. Regarding subcontracts and the Copeland “Anti-Kickback” Act, Subrecipient shall ensure its Contractors or subcontractors insert in any contracts the clause above applicable to Subrecipient and such other clauses as Treasury may by appropriate instructions require, and also a clause requiring the subcontractors to include these clauses in any lower tier subcontracts. The prime Contractor shall be responsible for the compliance by any subcontractor or lower tier subcontractor with all of these contract clauses.

Breach. A breach of the contract clauses above may be grounds for termination of the contract, and for debarment as a contractor and subcontractor as provided in 29 C.F.R. § 5.12.

(E) **Contract Work Hours and Safety Standards Act (40 U.S.C. 3701-3708)**. Where applicable, all contracts awarded by the non-Federal entity in excess of \$100,000 that involve the employment of mechanics or laborers must include a provision for compliance with [40 U.S.C. 3702](#) and [3704](#), as supplemented by Department of Labor regulations ([29 CFR Part 5](#)). Under [40 U.S.C. 3702](#) of the Act, each contractor must be required to compute the wages of every mechanic and laborer on the basis of a standard work week of 40 hours. Work in excess of the standard work week is permissible provided that the worker is compensated at a rate of not less than one and a half times the basic rate of pay for all hours worked in excess of 40 hours in the work week. The requirements of [40 U.S.C. 3704](#) are applicable to construction work and provide that no laborer or mechanic must be required to work in surroundings or under working conditions which are unsanitary, hazardous or dangerous. These requirements do not apply to the purchases of supplies or materials or articles ordinarily available on the open market, or contracts for transportation or transmission of intelligence.

Additional/Supplemental Provision: If not already addressed, Subrecipient agrees as follows:

Pursuant to Title 2 C.F.R. Appendix II to Part 200 Federal Rule (E), when the Commission expends federal funds for a contract in excess of \$100,000 involving the employment of mechanics or laborers Federal Rule (E) is incorporated by reference and the agreement is revised to include the following from [29 CFR § 5.5\(b\)\(1\)-\(4\)](#); for which Subrecipient is responsible for ensuring compliance by its Contractors.

(1) *Overtime requirements.* No contractor or subcontractor contracting for any part of Subrecipient's NG9-1-1 Grant Project work which may require or involve the employment of laborers or mechanics shall require or permit any such laborer or mechanic in any workweek in which he or she is employed on such work to work in excess of forty hours in such workweek unless such laborer or mechanic receives compensation at a rate not less than one and one-half times the basic rate of pay for all hours worked in excess of forty hours in such workweek.

(2) *Violation; liability for unpaid wages; liquidated damages.* In the event of any violation of the clause set forth in paragraph (b)(1) of this section the contractor and any subcontractor responsible therefor shall be liable for the unpaid wages. In addition, such contractor and subcontractor shall be liable to the United States (in the case of work done under contract for the District of Columbia or a territory, to such District or to such territory), for liquidated damages. Such liquidated damages shall be computed with respect to each individual laborer or mechanic, including watchmen and guards, employed in violation of the clause set forth in paragraph (b)(1) of this section, in the sum of \$27 for each calendar day on which such individual was required or permitted to work in excess of the standard workweek of forty hours without payment of the overtime wages required by the clause set forth in paragraph (b)(1) of this section.

(3) *Withholding for unpaid wages and liquidated damages.* The Commission or Subrecipient will upon its own action or upon written request of an authorized representative of the Department of Labor withhold or cause to be withheld, from any moneys payable on account of work performed by a Contractor or Subcontractor under any such contract or any other federal contract with the same prime contractor, or any other federally-assisted contract subject to the Contract Work Hours and Safety Standards Act, which is held by the same prime contractor, such sums as may be determined to be necessary to satisfy any liabilities of such contractor or subcontractor for unpaid wages and liquidated damages as provided in the clause set forth in paragraph (b)(2) of this section.

(4) *Subcontracts*. Contractor or subcontractor shall insert in any subcontracts the clauses set forth in paragraph (b)(1) through (4) of this section and also a clause requiring the subcontractors to include these clauses in any lower tier subcontracts. The prime contractor shall be responsible for compliance by any subcontractor or lower tier subcontractor with the clauses set forth in paragraphs (b)(1) through (4) of this section.

In addition to the preceding clauses from 29 CFR § 5.5(b)(1)-(4), and in accordance with [29 CFR § 5.5\(c\)](#), if the agreement is subject only to the Contract Work Hours and Safety Standards Act and not to any of the other statutes cited in § 5.1, the contractor or subcontractor shall maintain payrolls and basic payroll records during the course of the work and shall preserve them for a period of three years from the completion of the contract for all laborers and mechanics, including guards and watchmen, working on the contract. Such records shall contain the name and address of each such employee, social security number, correct classifications, hourly rates of wages paid, daily and weekly number of hours worked, deductions made, and actual wages paid. The records to be maintained under this clause shall be made available by Subrecipient for inspection, copying, or transcription by authorized representatives of the Department of Treasury, the Commission, and the Department of Labor, and Subrecipient will permit such representatives to interview employees during working hours on the job.

(F) **Rights to Inventions Made Under a Contract or Agreement**. If the Federal award meets the definition of “funding agreement” under [37 CFR § 401.2 \(a\)](#) and the recipient or subrecipient wishes to enter into a contract with a small business firm or nonprofit organization regarding the substitution of parties, assignment or performance of experimental, developmental, or research work under that “funding agreement,” the recipient or subrecipient must comply with the requirements of [37 CFR Part 401](#), “Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts and Cooperative Agreements,” and any implementing regulations issued by the awarding agency.

Additional/Supplemental Provision: NOT APPLICABLE. Only applies to a “funding agreement” defined as “any contract, grant, or cooperative agreement entered into between any federal agency, other than the Tennessee Valley Authority, and any contractor for the performance of experimental, developmental, or research work funded in whole or in part by the federal government. This term also includes any assignment, substitution of parties, or subcontract of any type entered into for the performance of experimental, developmental, or research work under a funding agreement as defined in the first sentence of this paragraph.” [37 CFR 401.2\(a\)](#).

(G) **Clean Air Act (42 U.S.C. 7401-7671q.) and the Federal Water Pollution Control Act (33 U.S.C. 1251-1387)**, as amended. Contracts and subgrants of amounts in excess of \$150,000 must contain a provision that requires the non-Federal award to agree to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act ([42 U.S.C. 7401-7671q](#)) and the Federal Water Pollution Control Act as amended ([33 U.S.C. 1251-1387](#)). Violations must be reported to the Federal awarding agency and the Regional Office of the Environmental Protection Agency (EPA).

Additional/Supplemental Provision: If not already addressed, Subrecipient agrees as follows:

Pursuant to Title 2 C.F.R. Appendix II to Part 200 Federal Rule (G), when the Commission expends federal funds for a contract in excess of \$150,000 Subrecipient agrees as follows:

Clean Air Act: Subrecipient agrees to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act, as amended, 42 U.S.C. § 7401 *et seq.*

Subrecipient agrees to report each violation to the Commission and understands and agrees that the Commission will, in turn, report each violation as required to assure notification to Treasury, and the appropriate [Environmental Protection Agency Regional Office](#).

Subrecipient agrees to require inclusion of these requirements by its Contractor(s) in each subcontract exceeding \$150,000 financed in whole or in part with federal assistance provided by Treasury.

Federal Water Pollution Control Act: Subrecipient agrees to comply with all applicable standards, orders, or regulations issued pursuant to the federal Water Pollution Control Act, as amended, 33 U.S.C. § 1251 *et seq.*

Subrecipient agrees to report each violation to the Commission and understands and agrees that the Commission will, in turn, report each violation as required to assure notification to Treasury and the appropriate [Environmental Protection Agency Regional Office](#).

Subrecipient agrees to include these requirements in each of Subrecipient's contracts or other form of agreement exceeding \$150,000 financed in whole or in part with federal assistance provided by Treasury.

(H) **Debarment and Suspension (Executive Orders 12549 and 12689) - A contract award (see [2 CFR 180.220](#)) must not be made to parties listed on the governmentwide exclusions in the System for Award Management (SAM)**, in accordance with the OMB guidelines at [2 CFR 180](#) that implement Executive Orders 12549 (appears at 3 CFR part 1986 Comp., p. 189) and 12689 (appears at 3 CFR part 1989 Comp., p. 235), "Debarment and Suspension." SAM Exclusions contains the names of parties debarred, suspended, or otherwise excluded by agencies, as well as parties declared ineligible under statutory or regulatory authority other than Executive Order 12549.

Additional/Supplemental Provision: If not already addressed, Subrecipient agrees as follows:

Pursuant to Title 2 C.F.R. Appendix II to Part 200 Federal Rule (H), Subrecipient certifies and agrees as follows:

Suspension and Debarment: The Contract is a covered transaction for purposes of 2 C.F.R. Part 180 and 2 C.F.R. Part 3000. As such, Subrecipient is required to verify that none of its Subrecipient's principals (defined at 2 C.F.R. § 180.995) or its affiliates (defined at 2 C.F.R. § 180.905) are excluded (defined at 2 C.F.R. § 180.940) or disqualified (defined at 2 C.F.R. § 180.935).

Subrecipient must comply with 2 C.F.R. Part 180, subpart C and 2 C.F.R. Part 3000, subpart C, and must include a requirement to comply with these regulations in any lower tier covered transaction it enters into.

This certification is a material representation of fact relied upon by the Commission. If it is later determined that Subrecipient did not comply with 2 C.F.R. Part 180, subpart C and 2 C.F.R. Part 3000, subpart C, in addition to remedies available to the Commission, the federal government may pursue available remedies, including but not limited to suspension and/or debarment.

Prior to entering into contracts funded with award funds, Subrecipient must verify that such Contractors are not suspended, debarred, or otherwise excluded pursuant to [31 C.F.R. § 19.300](#).

(I) **Byrd Anti-Lobbying Amendment ([31 U.S.C. 1352](#))** – Subrecipient applying for a Subaward or has an existing agreement with a Contractor that Subrecipient intends to fund in whole or in part with federal funds exceeding \$100,000 must file the required certification. Each tier certifies to the tier above that it will not and has not used Federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining any Federal contract, grant or any other award covered by [31 U.S.C. 1352](#). Each tier must also disclose any lobbying with non-Federal funds that takes place in connection with obtaining any Federal award. Such disclosures are forwarded from tier to tier up to the non-Federal award.

Additional/Supplemental Provision: If not already addressed, Subrecipient agrees as follows:

Pursuant to Title 2 C.F.R. Appendix II to Part 200 Federal Rule (I), Subrecipient certifies and agrees as follows:

Byrd Anti-Lobbying Amendment, 31 U.S.C. § 1352 (as amended). In the event Subrecipient applied for an award, or has an existing contract with a Contractor, exceeding \$100,000 shall complete on company letterhead and file the required certification (Attachment 7). Each tier certifies to the tier above that it will not and has not used federally appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, officer or employee of Congress, or an employee of a Member of Congress in connection with obtaining any federal contract, grant, or any other award covered by 31 U.S.C. § 1352. Each tier shall also disclose any lobbying with non-federal funds that takes place in connection with obtaining any federal award. Such disclosures are forwarded from tier to tier up to the recipient who in turn will forward the certification(s) to the federal awarding agency.”

(J) **Per [2 C.F.R. § 200.323 Procurement of Recovered Materials](#)** -- A non-Federal entity that is a state agency or agency of a political subdivision of a state and its contractors must comply with section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act. The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at [40 CFR part 247](#) that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition, where the purchase price of the item exceeds \$10,000 or the value of the quantity acquired during the preceding fiscal year exceeded \$10,000; procuring solid waste management services in a manner that maximizes energy and resource recovery; and establishing an affirmative procurement program for procurement of recovered materials identified in the EPA guidelines.

Additional/Supplemental Provision: If not already addressed, Subrecipient agrees as follows:

Pursuant to Title 2 C.F.R. Appendix II to Part 200 Federal Rule (J), Subrecipient agrees to comply with Section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act.

(K) **Per [2 C.F.R. § 200.216 Prohibition on Certain Telecommunications and Video Surveillance Services or Equipment](#)** -- (a) Recipients and subrecipients are prohibited from obligating or expending loan or grant funds to:

- (1) Procure or obtain;
- (2) Extend or renew a contract to procure or obtain; or

(3) Enter into a contract (or extend or renew a contract) to procure or obtain equipment, services, or systems that uses covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system. As described in [Public Law 115-232](#), section 889, **covered telecommunications equipment is telecommunications equipment produced by Huawei Technologies Company or ZTE Corporation (or any subsidiary or affiliate of such entities).**

(i) For the purpose of public safety, security of government facilities, physical security surveillance of critical infrastructure, and other national security purposes, **video surveillance and telecommunications equipment produced by Hytera Communications Corporation, Hangzhou Hikvision Digital Technology Company, or Dahua Technology Company (or any subsidiary or affiliate of such entities).**

(ii) Telecommunications or video surveillance services provided by such entities or using such equipment.

(iii) Telecommunications or video surveillance equipment or services produced or provided by an entity that the Secretary of Defense, in consultation with the Director of the National Intelligence or the Director of the Federal Bureau of Investigation, **reasonably believes to be an entity owned or controlled by, or otherwise connected to, the government of a covered foreign country.**

- (b) In implementing the prohibition under [Public Law 115-232](#), section 889, subsection (f), paragraph (1), heads of executive agencies administering loan, grant, or subsidy programs shall prioritize available funding and technical support to assist affected businesses, institutions and organizations as is reasonably necessary for those affected entities to transition from covered communications equipment and services, to procure replacement equipment and services, and to ensure that communications service to users and customers is sustained.
- (c) See [Public Law 115-232](#), section 889 for additional information.
- (d) See also [2 C.F.R. § 200.471](#).

Additional/Supplemental Provision: If not already addressed, Subrecipient agrees as follows:

Pursuant to Title 2 C.F.R. Appendix II to Part 200 Federal Rule (K), Subrecipient agrees as follows:

(a) *Definitions.* As used in this clause, the terms backhaul; covered foreign country; covered telecommunications equipment or services; interconnection arrangements; roaming; substantial or essential component; and telecommunications equipment or services have the meaning as defined in FEMA Policy 405-143-1, Prohibitions on Expending FEMA Award Funds for Covered Telecommunications Equipment or Services (Interim), as used in this clause—

(b) *Prohibitions.*

- Section 889(b) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019, Pub. L. No. 115-232, and 2 C.F.R. § 200.216 prohibit the head of an executive agency on or after Aug.13, 2020, from obligating or expending grant, cooperative agreement, loan, or loan guarantee funds on certain telecommunications products or from certain entities for national security reasons.

- Unless an exception in paragraph (c) of this clause applies, the contractor and its subcontractors may not use grant, cooperative agreement, loan, or loan guarantee funds from the Federal Emergency Management Agency to:

- Procure or obtain any equipment, system, or service that uses covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology of any system;
- Enter into, extend, or renew a contract to procure or obtain any equipment, system, or service that uses covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology of any system;
- Enter into, extend, or renew contracts with entities that use covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system; or
- Provide, as part of its performance of this contract, subcontract, or other contractual instrument, any equipment, system, or service that uses covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system.

(c) *Exceptions.*

- (1) This clause does not prohibit contractors from providing—
 - (i) A service that connects to the facilities of a third-party, such as backhaul, roaming, or interconnection arrangements; or
 - (ii) Telecommunications equipment that cannot route or redirect user data traffic or permit visibility into any user data or packets that such equipment transmits or otherwise handles.
- (2) By necessary implication and regulation, the prohibitions also do not apply to:
 - (i) Covered telecommunications equipment or services that:
 - i. *Are not used* as a substantial or essential component of any system;
and
 - ii. *Are not used* as critical technology of any system.
 - (ii) Other telecommunications equipment or services that are not considered covered telecommunications equipment or services.

(d) Reporting requirement.

(1) In the event Subrecipient identifies covered telecommunications equipment or services used as a substantial or essential component of any system, or as critical technology as part of any system, during contract performance, or Subrecipient is notified of such by a Contractor or subcontractor at any tier or by any other source, Subrecipient shall report the information in paragraph (d)(2) of this clause to the recipient or subrecipient, unless elsewhere in this contract are established procedures for reporting the information.

(2) Subrecipient shall report the following information pursuant to paragraph (d)(1) of this clause:

- (i) Within one business day from the date of such identification or notification: The contract number; the order number(s), if applicable; supplier name; supplier unique entity identifier (if known); supplier Commercial and Government Entity (CAGE) code (if known); brand; model number (original equipment manufacturer number, manufacturer part number, or wholesaler number); item description; and any readily available information about mitigation actions undertaken or recommended.
- (ii) Within 10 business days of submitting the information in paragraph (d)(2)(i) of this clause: Any further available information about mitigation actions undertaken or recommended. In addition, the contractor shall describe the efforts it undertook to prevent use or submission of covered telecommunications equipment or services, and any additional efforts that will be incorporated to prevent future use or submission of covered telecommunications equipment or services.

(e) Subcontracts. Subrecipient shall insert the substance of this clause, including this paragraph (e), in all contracts, subcontracts, and other contractual instruments.

- (L) **Per [2 C.F.R. § 200.322 Domestic Preferences for Procurements](#)** – (a) As appropriate and to the extent consistent with law, the non-Federal entity does, to the greatest extent practicable under a Federal award, provide a preference for the purchase, acquisition, or use of goods, products, or materials by Subrecipient produced in the United States (including but not limited to iron, aluminum, steel, cement, and other manufactured products). The preceding preference must be included by Subrecipient in any contracts, subcontracts or other agreements entered into as part of providing property and services to the non-Federal entity.

Additional/Supplemental Provision: If not already addressed, Subrecipient agrees as follows:

Pursuant to Title 2 C.F.R. Appendix II to Part 200 Federal Rule (L), Subrecipient agrees as follows:

Domestic Preference for Procurements.

(a) As appropriate, and to the extent consistent with law, Subrecipient should, to the greatest extent practicable, provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States. This includes, but is not limited to iron, aluminum, steel, cement, and other manufactured products.

(b) For purposes of this section:

(1) “Produced in the United States” means, for iron and steel products, that all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States.

(2) “Manufactured products” means items and construction materials composed in whole or in part of non-ferrous metals such as aluminum; plastics and polymer-based products such as polyvinyl chloride pipe; aggregates such as concrete; glass, including optical fiber; and lumber.

- (M) **Per [2 C.F.R. § 200.321 Contracting with small and minority businesses, women's business enterprises, and labor surplus area firms](#)**.

Additional/Supplemental Provision: If not already addressed, Subrecipient agrees as follows:

Pursuant to Title 2 C.F.R. Appendix II to Part 200 Federal Rule (M), Subrecipient agrees as follows:

If a Subrecipient's Contractor subcontracts any portion of the delivery or providing of property and services to 9-1-1 Entity, Subrecipient must require Contractor to make good-faith, reasonable efforts to take the affirmative steps provided in 2 C.F.R. § 200.321(b)(1) – (5).

SECTION 22: CONTACT INFORMATION, CONTRACT MANAGERS, AND NOTICES

22.1 Contact Information for the Commission's Awarding Official. The Commission's Awarding Official is its Executive Director, whose contact information is:

Kelli Merriweather, Executive Director
Commission on State Emergency Communications
333 Guadalupe Street, Suite 2-212, Austin, Texas 78701
512-305-6911
Kelli.merriweather@csec.texas.gov

22.2 Federal Grant Managers. The Commission and Subrecipient shall each designate in writing an individual to serve as their respective Federal Grant Manager during the Contract Term. The Federal Grant Manager is the primary point of contact with respect to obligations under the Contract. Any change in designation of a Federal Grant Manager must be noticed in writing.

- Commission Federal Grant Manager:

Frank Rivera
Commission on State Emergency Communications
1801 N. Congress Ave., Suite 11.100, Austin, Texas 78701
512-305-6914
Frank.Rivera@csec.texas.gov

- Subrecipient Federal Grant Manager:

Savannah Martin
City of Garland Police Department
1891 Forest Lane Garland, TX 7504
972-205-1690
martinsav@garlandtx.gov

22.3 Notices. Any and all notices permitted or required to be given hereunder are deemed duly given (i) upon actual delivery, if delivery is by hand; (ii) upon receipt if sent via facsimile; or (iii) upon delivery into the United States mail if delivery is by postage paid registered or certified return receipt requested mail. E-mailed notices are not permitted. Each such notice must be sent to the respective Party at the address indicated below or to any other address as the respective Party may designate by notice delivered pursuant to this subsection.

If to the Commission:

Commission on State Emergency Communications
c/o Commission Federal Grant Manager
1801 N. Congress Ave., Suite 11.100, Austin, Texas 78701

If to Subrecipient:

Savannah Martin
City of Garland Police Department
1891 Forest Lane Garland, TX 7504
972-205-1690
martinsav@garlandtx.gov

With a copy to:

Office of the City Attorney
PO Box 469002
Garland, Texas 75046-9002
CityAttorney@GarlandTx.Gov

SECTION 23: UNIFORM STATE OF TEXAS ASSURANCES

As the duly authorized representative of Subrecipient, and pursuant to the OOG's terms and conditions of the Commission's Award, the Comptroller of Public Accounts [Procurement and Contract Management Guide](#), and [TxGMS](#) Appendix 6, Uniform Assurances by Local Governments, by executing the Contract Subrecipient certifies that Subrecipient:

1. Shall comply with Texas Government Code, Chapter 573, by ensuring that no officer, employee, or member of the grantee's governing body or of the grantee's contractor shall vote or confirm the employment of any person related within the second degree of affinity or the third degree of consanguinity to any member of the governing body or to any other officer or employee authorized to employ or supervise such person. This prohibition shall not prohibit the employment of a person who shall have been continuously employed for a period of two years, or such other period stipulated by local law, prior to the election or appointment of the officer, employee, or governing body member related to such person in the prohibited degree.
2. Shall insure that all information collected, assembled, or maintained by the grantee relative to a project will be available to the public during normal business hours in compliance with Texas Government Code, Chapter 552, unless otherwise expressly prohibited by law.
3. Shall comply with Texas Government Code, Chapter 551, 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.
4. Shall comply with Section 231.006, Texas Family Code, which prohibits payments to a person who is in arrears on child support payments.
5. Shall not contract with or issue a license, certificate, or permit to the owner, operator, or administrator of a facility if the grantee is a health, human services, public safety, or law enforcement agency and the license, permit, or certificate has been revoked by another health and human services agency or public safety or law enforcement agency.
6. Shall comply with all rules adopted by the Texas Commission on Law Enforcement pursuant to Chapter 1701, Texas Occupations Code, or shall provide the grantor agency with a certification from the Texas Commission on Law Enforcement that the agency is in the process of achieving compliance with

such rules if the grantee is a law enforcement agency regulated by Texas Occupations Code, Chapter 1701.

7. Shall follow all assurances. When incorporated into a grant award or contract, standard assurances contained in the application package become terms or conditions for receipt of grant funds. Administering state agencies and grantees shall maintain an appropriate contract administration system to insure that all terms, conditions, and specifications are met. (See TxGMS for additional guidance on contract provisions.)

8. Shall comply with the Texas Family Code, Section 261.101, which requires reporting of all suspected cases of child abuse to local law enforcement authorities and to the Texas Department of Child Protective and Regulatory Services. Grantee shall also ensure that all program personnel are properly trained and aware of this requirement.

9. Shall comply with all federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352), which prohibits discrimination on the basis of race, color, or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps and the Americans with Disabilities Act of 1990 including Titles I, II, and III of the Americans with Disability Act which prohibits recipients from discriminating on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities, 44 U.S.C. §§ 12101-12213; (d) the Age Discrimination Act of 1974, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment, and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to the nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290dd-3 and 290ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental, or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to this Grant.

10. Shall comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333), regarding labor standards for federally assisted construction subagreements.

11. Shall comply with requirements of the provisions of the Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (P.L. 91-646), which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.

12. Shall comply with the provisions of the Hatch Political Activity Act (5 U.S.C. §§7321-29), which limit the political activity of employees whose principal employment activities are funded in whole or in part with Federal funds.

13. Shall comply with the minimum wage and maximum hours provisions of the Federal Fair Labor Standards Act and the Intergovernmental Personnel Act of 1970, as applicable.
14. Shall insure that the facilities under its ownership, lease, or supervision which shall be utilized in the accomplishment of the project are not listed on the Environmental Protection Agency's (EPA) list of Violating Facilities and that it will notify the Federal grantor agency of the receipt of any communication from the Director of the EPA Office of Federal Activities indicating that a facility to be used in the project is under consideration for listing by the EPA (EO 11738).
15. Shall comply with the flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973, Public Law 93-234. Section 102(a) requires the purchase of flood insurance in communities where such insurance is available as a condition for the receipt of any Federal financial assistance for construction or acquisition proposed 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.
16. Shall comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved state management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of federal actions to State (Clear Air) Implementation Plans under Section 176(c) of the Clear Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
17. Shall comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
18. Shall assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).
19. Shall comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. §§2131 et seq.) which requires the minimum standards of care and treatment for vertebrate animals bred for commercial sale, used in research, transported commercially, or exhibited to the public according to the Guide for Care and Use of Laboratory Animals and Public Health Service Policy and Government Principals Regarding the Care and Use of Animals.
20. Shall comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residential structures.
21. Shall comply with the Pro-Children Act of 1994 (Public Law 103-277), which prohibits smoking within any portion of any indoor facility used for the provision of services for children.
22. Shall comply with all federal tax laws and are solely responsible for filing all required state and federal tax forms.

23. Shall comply with all applicable requirements of all other federal and state laws, executive orders, regulations, and policies governing this program.
24. And its principals are eligible to participate and have not been subjected to suspension, debarment, or similar ineligibility determined by any federal, state, or local governmental entity and it is not listed on a state or federal government's terrorism watch list as described in Executive Order 13224. Entities ineligible for federal procurement have Exclusions listed at <https://sam.gov/content/entity-information>.
25. Shall adopt and implement applicable provisions of the model HIV/AIDS work place guidelines of the Texas Department of Health as required by the Texas Health and Safety Code, Ann., Sec. 85.001, et seq.
26. Shall comply with the Drug-Free Workplace Rules established by the Texas Worker's Compensation Commission effective April 17, 1991.
27. Shall comply with applicable Uniform Assurances by Local Governments per Texas Government Code Section 783.005 and [TxGMS](#) Appendix 6.
28. Shall comply with and require of its vendors compliance with applicable Texas Required Contract Clauses in the Comptroller of Public Accounts [Procurement and Contract Management Guide](#) Appendix 24. Included therein is the Critical Infrastructure Affirmation pursuant to the [Lone Star Infrastructure Protection Act](#) adopted by the 87th Texas Legislature and effective on June 18, 2021. Per Texas Attorney General [Opinion No KP-0410](#) (June 6, 2022):

The Lone Star Infrastructure Protection Act prohibits contracts or other agreements with certain foreign-owned companies in certain circumstances in connection with critical infrastructure in this State. For the Act to apply, the agreement at issue must give a company direct or remote access to or control of critical infrastructure. [For example,] An agreement to provide standard utility services, by itself, does not grant an entity the ability to access critical infrastructure as contemplated by the Act. The extent to which any specific agreement grants direct or remote access to or control of critical infrastructure will depend in part on the terms of the contract at issue.

See also [Opinion No. KP-0388](#) (September 23, 2021).

SECTION 24: CONTRACT CONSTRUCTION

- 24.1 Construction of Contract. The provisions of this Section 24 are intended to be a general introduction to this Contract, and are not intended to expand the scope of the Parties' obligations hereunder or to alter the plain meaning of the terms and conditions of this Contract. However, to the extent the terms and conditions of this Contract do not address a particular circumstance or are otherwise unclear or ambiguous, such terms and conditions are to be interpreted and construed in a manner that is intended to achieve the purposes of this Contract.
- 24.2 Incorporation by Reference. All attachments attached hereto are hereby incorporated by reference herein in their entirety for all purposes.
- 24.3 Table of Contents and Headings. The table of contents and headings (*i.e.*, section, subsection, paragraph, and subparagraph) used in this Contract are intended as a convenience and reference and are not intended to limit the scope of the Contract.
- 24.4 Counterparts. This Contract may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

- 24.5 Entire Contract. This Contract contains the entire agreement between the Parties hereto and supersedes and amends all prior understandings, arrangements, and agreements with respect to the subject matter hereof, whether oral or written.
- 24.6 Amendments. Except as otherwise specifically provided herein, the Contract shall not be modified, amended, or in any way altered, except by an instrument in writing signed by authorized personnel of the Commission and Subrecipient.
- 24.7 Survival of Representations, Warranties, and Confidential Information. The terms and provisions contained in this Contract that by their sense and context are intended to survive the performance hereof by either or both Parties hereto shall so survive the Contract. The terms that specifically survive the Contract include, but are not limited to, terms relating to Audit Requirements, Return of Subaward, and Right to Withhold, Offset, Adjust.
- 24.8 Applicable Law and Venue. This Contract is made and entered into in the State of Texas and this Contract and all legal actions arising out of or relating thereto shall be governed by the laws of the State of Texas, without regard to any otherwise applicable conflict of law rules or requirements. Except as otherwise stated herein or agreed to in writing by the Commission, Subrecipient agrees that any action, suit, litigation or other proceeding (collectively "litigation") arising out of or in any way relating to this Contract, or the matters referred to therein, shall be commenced exclusively in the Travis County District Court or the United States District Court for the Western District of Texas, Austin Division, and hereby irrevocably and unconditionally consent to the exclusive jurisdiction of those courts for the purpose of prosecuting and/or defending such litigation. To the extent permitted by law, Subrecipient hereby waives and agrees not to assert by way of motion, as a defense, or otherwise, in any suit, action or proceeding, any claim that (a) Subrecipient is not personally subject to the jurisdiction of the above-named courts; or (b) that the agreed venue of the action, suit, litigation or other proceeding is in an improper county, is brought in an inconvenient forum, or subjects Subrecipient to local prejudice.
- 24.9 Non-waiver. The failure of a Party to insist upon strict performance of any of the terms or conditions herein, irrespective of the length of time for which such failure shall continue, shall not be a waiver of that Party's right to demand strict compliance in the future. No waiver or consent shall be effective unless in writing and signed by the Party against whom such waiver or consent is asserted.
- 24.10 Partial Invalidity. If any term or provision of this Contract, or of any document incorporated herein by reference, shall be found to be illegal or unenforceable then, notwithstanding such illegality or unenforceability, this Contract, and each incorporated document, shall remain in full force and effect and such term or provision shall be deemed to be deleted.
- 24.11 Assignment of Contract. Subrecipient is precluded from assigning any portion of the Contract.
- 24.12 Covenant of Further Assurances. The Parties covenant and agree that, during the Contract Term and without any additional consideration, the Commission and the Subrecipient shall execute and deliver any further legal instruments and perform any acts that are or may become necessary to effectuate the purposes of this Contract and any amendment or modification hereto.

IN WITNESS WHEREOF, this Contract has been executed by the Parties to be effective as herein above provided.

Texas Commission on State Emergency Communications	Subrecipient: City of Garland
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Kelli Merriweather Executive Director	Signature Printed Name: Bryan Bradford Title: City Manager
Date: _____	Date: _____

ATTACHMENT 1: OOG CSFRF TERMS AND CONDITIONS



CSFR%20Terms%20
and%20Conditions9

ATTACHMENT 2: REQUEST FOR REIMBURSEMENT

(Begins on next page.)

TEXAS 9-1-1 ENTITY SUBRECIPIENT

REQUEST FOR REIMBURSEMENT

Funding of Subrecipient's subaward will be done by the Commission on State Emergency Communications (Commission) no more than once a month. The Commission's funding of the subaward will be provided on a reimbursement only basis and is contingent upon: (1) Subrecipient's continuous compliance (Section 18: Subrecipient Compliance); (2) Subrecipient providing sufficient documentation detailing its incurred costs and that such costs were Eligible Costs; and (3) that it has paid the total cost of the goods and services for which it is seeking reimbursement thereof. No advance funding of the Subaward will be made by the Commission.

1. Subrecipient name (must match the name associated with its unique entity identifier):
_____.
2. Name and Title of Person with Knowledge and Authority to Submit the Request for Reimbursement (must match the name of the person signing the Request):
_____.
3. Subrecipient's unique entity identifier: _____.
4. Senate Bill 8 - Section 30: Next Generation 911 Fund (EC6.1 Revenue Replacement – Provision of Government Services).
5. Catalog of Federal Domestic Assistance (CFDA) Number and Name: 21.027 CS-Coronavirus State Fiscal Recover Fund.
6. Description of NG9-1-1 Grant Project/Subproject for which Reimbursement is Requested. (Description must include sufficient information to allow the Commission to determine that the Request for Reimbursement is for Eligible Costs as provided in Subrecipient's Contract with the Commission.):

7. Administrative Costs. To the extent applicable to Subrecipient and reflected in its Grant Application (Section 5), Eligible Uses in the preceding section includes Subrecipient internal direct costs and indirect costs. For additional information see Direct and Indirect (F&A) Costs [2 C.F.R. §§ 200.412 - 200.415](#) or contact the Commission's Federal Grant Manager.
 - Standards for Documentation of Personnel Expenses. To the extent Administrative Costs are included, Subrecipient's costs for salaries and wages must align with [2 C.F.R. § 200.430\(i\)](#) and be based on records that must (1) accurately reflect the work performed for which reimbursement is requested; and (2) be supported by a system of internal controls which provide reasonable assurance that charges for Subrecipient's personnel expenses are accurate, allowable, and properly allocated.
 - Indirect Costs. Reimbursable per Subrecipient's negotiated indirect cost rate agreement or de minimis ten percent (10%) authorized by ARPA and the Final Rule.
 - Internal Direct Costs. Reimbursable to the extent supported by adequate documentation of internal personnel (including contract staff/personnel) time and effort ("T&E") as follows:

- For internal personnel who did not document T&E from the start of the Period of Performance on November 8, 2021, through the Contract Effective Date, Subrecipient can complete an attestation for hours worked if percentage of time dedicated to Subrecipient NG9-1-1 Grant Project is less than 100%. For personnel dedicated 100% to NG9-1-1 Grant Project, see requirements below.
 - For internal personnel following the Contract Effective Date, a T&E worksheet for each such personnel must be completed and included in any request for reimbursement for personnel whose time spent on Subrecipient's NG9-1-1 Grant Project is less than 100% during the Period of Performance.
 - For internal personnel whose T&E is 100% dedicated to Subrecipient's NG9-1-1 Grant Project during the Period of Performance, each such personnel's job description and duties must reflect 100% commitment to NG9-1-1 Grant Project; and an attestation must be provided by Subrecipient for such personnel at the beginning of the Contract Effective Date and thereafter every six-months, or as requested by the Commission's Federal Grant Manager.
 - T&E worksheet and other documentation must include unique entity identifier, date covered by the worksheet, vendor name (for contract staff), amount, purpose.
8. Total Cost of NG9-1-1 Grant Project (or component/subproject) for which Reimbursement is Requested: \$ _____.
9. Total Amount Paid by Subrecipient (must equal the Total Cost amount in line 8):
\$ _____.
- a. Total Amount Paid by Subrecipient (If Direct Cost for Personnel is being requested, Line 9 and 9a must equal Total Cost amount in line 8) \$ _____.
10. List of Documents in Support of Request (documents must be attached to Request). Must include, at a minimum, paid invoices the total of which equals lines 8 and 9:
- a. _____
 - b. _____
 - c. _____
 - d. _____
 - e. _____
 - f. _____
 - g. _____

REQUEST FOR REIMBURSEMENT CERTIFICATION

To assure that Subrecipient's costs are proper and in accordance with the terms and conditions of the Contract, the Subaward, Subrecipient's approved Grant Application, approved project budgets, and in accordance with [2 C.F.R. § 200.415](#), an official with knowledge and authorization makes the following certification on behalf of Subrecipient:

By signing this Request for Reimbursement, I certify to the best of my knowledge and belief that the Request is true, complete, and accurate, and the costs for which reimbursement is requested are eligible costs for the purposes and objectives set forth in the terms and conditions of the CSEC-Subrecipient Contract and the federal award. I am aware that any false, fictitious, or fraudulent information, or the omission of any material fact, may subject me to criminal, civil or administrative penalties for fraud, false statements, false claims or otherwise. (U.S. Code Title 18, Section 1001 and Title 31, Sections 3729-3730 and 3801-3812).

Signature:

Printed Name:

Title:

Date:

ATTACHMENT 3: TIME AND EFFORT ATTESTATION

Time and Effort reporting is a federally mandated process that confirms that the compensation charged to federal grant funded projects are reasonable and reflect the actual work performed.

Who must complete Time and Effort Certification Forms?

Employees and Contract Personnel if any portion of their compensation is direct charged to Subaward grant (*i.e.*, Subrecipient internal direct costs).

Employees/Contract Personnel must consider their level of effort committed to the Subaward and their ability to meet those commitments.

NOTE: Payroll Timesheets and time and effort attestation are not synonymous. Thus, time and effort attestation is documented on a separate form.

What is percent effort? Effort is measured as a percent of the employee's total employment obligation. Percent effort represents the portion of time an employee spends on each employment activity and is expressed as a percent of the employee's total activity, including non-grant funded activities. Total activity equals 100% effort and may not exceed 100%.

The percent effort is not based on a typical work week. Total Effort is 100% of time regardless of the number of hours worked (for example, a typical work week may be 30 hours for one individual and 45 hours for another).

If you have any questions, contact the Commission's Federal Grant Manager at 512-395-6914.

Time and Effort Attestation form begins on next page.

Senate Bill 8 - Coronavirus State Fiscal Recovery Fund

Time and Effort Attestation

Employee Name and Title:

Reporting Period:

Total Hours Worked:

During the reporting period shown above, my responsibilities were divided between the following activities in the percentage shown.

Time and Activity Report								
Program Area (Activity)	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	June
SB8 – CSFRF Subaward Grant 4549601								
Unrestricted Subrecipient Funds or Non-Grant Activity								
<i>Subtotal</i>	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

Certification ([2 C.F.R. § 200.415](#))

By signing this report, I certify to the best of my knowledge and belief that the report is true, complete, and accurate, and the expenditures and disbursements are for the purposes and objectives set forth in the terms and conditions of the contract. I am aware that any false, fictitious, or fraudulent information, or the omission of any material fact, may subject me to criminal, civil or administrative penalties for fraud, false statements, false claims or otherwise.

Employee Signature

Date

Subrecipient NG9-1-1 Grant Project Director or
Supervising Administrator Signature and Title

Date

ATTACHMENT 4: QUARTERLY FINANCIAL AND COMPLETION PROGRESS REPORTS

(Begins on next page.)

Senate Bill 8 – Coronavirus State Fiscal Recovery Fund

Quarterly Financial and Completion Progress Report

Date _____

Report Number and Period _____

Subrecipient Name: _____

Subrecipient Contact Person/Contact Information: _____

Subrecipient Unique Entity Identifier _____

NG9-1-1 Grant Project Name: _____

Recipient Name: Commission on State Emergency Communications

CSEC Contact Person: Frank Rivera frankr@csec.texas.gov

Grant Award Number: 4549601

CSEC Unique Entity Identifier: YGB4KL8NSHB9

Provide information on SB8 CSFRF funded NG9-1-1 Grant Project by Subproject. Subproject descriptions must describe the Subproject in sufficient detail to provide understanding of the major activities that will/have occurred. (Complete for each Subproject comprising the Subrecipient's NG9-1-1 Grant Project.)

Obligations and Expenditures: Subrecipient to provide detailed description on the project/subproject obligations and expenditures:

Subproject name:

Current period obligation:

Cumulative obligation:

Current period expenditure:

Cumulative expenditure:

Overview:

Subproject Status: Subrecipient to provide detailed description on subproject status each reporting period, in four categories (circle one) plus Overview:

Not Started:

Completed less than 50 percent:

Completed 50 percent or more:

Completed:

Overview:

Certification (2 C.F.R. § 200.415)

By signing this report, I certify to the best of my knowledge and belief that the report is true, complete, and accurate, and the expenditures and disbursements are for the purposes and objectives set forth in the terms and conditions of the contract. I am aware that any false, fictitious, or fraudulent information, or the omission of any material fact, may subject me to criminal, civil or administrative penalties for fraud, false statements, false claims or otherwise.

Signature of Subrecipient's Authorized Person

Printed Name, Title

Date

ATTACHMENT 5: ANNUAL PERFORMANCE REPORT

(Begins on next page.)

Senate Bill 8 - Coronavirus State Fiscal Recovery Fund

ANNUAL PERFORMANCE PROGRESS REPORT

Subrecipient Organization *(Name and complete address including zip code)*

Award Identification Number:

Performance Narrative

(Please describe your NG9-1-1 Grant Project activities and progress made during the past fiscal year. This should include a description of federal fund reimbursements to date (including the amount spent), key milestones, the primary activities needed to accomplish those milestones, significant project accomplishments, and any delays or challenges. Explain the reasons why any established goals were not met, if applicable.)

Performance Metrics

(Please identify the metrics you have established to assess program implementation and the progress made in achieving these metrics during the reporting period.)

Performance Projections

(Please describe your anticipated project activities and progress for the next fiscal year. This should include a description of federal expenditures (including the projected amount), key milestones, the primary activities needed to accomplish those milestones, significant project accomplishments, and any potential delays or challenges you foresee.)

Certification: I certify to the best of my knowledge and belief that this report is correct and complete for performance of activities for the purposes set forth in the award documents.

Subproject Completion Report.

Typed or Printed Name and Title of Authorized Certifying Official

Signature of Authorized Certifying Official

5c. **Telephone** (area code, number and extension)

5d. **Email Address**

5e. **Date Report Submitted** (Month, Day, Year)

Senate Bill 8 – Coronavirus State Fiscal Recovery Fund

Quarterly Financial and Completion Progress Report

Date _____
Report Number and Period _____
Subrecipient Name: _____
Subrecipient Contact Person/Contact Information: _____
Subrecipient Unique Entity Identifier _____
NG9-1-1 Grant Project Name: _____

Recipient Name: <u>Commission on State Emergency Communications</u>
CSEC Contact Person: <u>Frank Rivera frankr@csec.texas.gov</u>
Grant Award Number: <u>4549601</u>
CSEC Unique Entity Identifier: <u>YGB4KL8NSHB9</u>

Provide information on SB8 CSFRF funded NG9-1-1 Grant Project by Subproject. Subproject descriptions must describe the Subproject in sufficient detail to provide understanding of the major activities that will/have occurred. (Complete for each Subproject comprising the Subrecipient's NG9-1-1 Grant Project.)

Obligations and Expenditures: Subrecipient to provide detailed description on the project/subproject obligations and expenditures:

Subproject name:

Current period obligation:

Cumulative obligation:

Current period expenditure:

Cumulative expenditure:

Overview:

Subproject Status: Subrecipient to provide detailed description on subproject status each reporting period, in four categories (circle one) plus Overview:

Not Started:

Completed less than 50 percent:

Completed 50 percent or more:

Completed:

Overview:

Certification (2 C.F.R. § 200.415)

By signing this report, I certify to the best of my knowledge and belief that the report is true, complete, and accurate, and the expenditures and disbursements are for the purposes and objectives set forth in the terms and conditions of the contract. I am aware that any false, fictitious, or fraudulent information, or the omission of any material fact, may subject me to criminal, civil or administrative penalties for fraud, false statements, false claims or otherwise.

Signature of Subrecipient's Authorized Person

Printed Name, Title

Date

ATTACHMENT 6: RISK ASSESSMENT

(Begins on next page.)

Senate Bill 8 – Coronavirus State Fiscal Recovery Fund

RISK ASSESSMENT

I. SUBRECIPIENT

Subrecipient Name: _____

Subrecipient Contact Person/Contact Information: _____

Subrecipient Unique Entity Identifier _____

NG9-1-1 Grant Project Name: _____

II. RISK ASSESSMENT INFORMATION

To allow the Commission to evaluate Subrecipient's risk of noncompliance with Federal statutes, regulations, the terms and conditions of the Contract, and to determine the appropriate level of monitoring of Subrecipient, Subrecipient provides the following:

1. Subrecipient's prior experience with the same or similar subawards is:

2. Results of previous audits of Subrecipient, include whether or not the Subrecipient receives a Single Audit in accordance with [2 C.F.R. Subpart F - Audit Requirements](#), and the extent to which the same or similar subaward has been audited:

3. Whether the Subrecipient has new personnel or new or substantially changed systems.

4. The extent and results of [Federal awarding agency](#) monitoring (e.g., if the [subrecipient](#) also receives Federal awards directly from a Federal awarding agency):

ATTACHMENT 7: CERTIFICATION REGARDING LOBBYING

(Begins on next page.)

44 C.F.R. PART 18

CERTIFICATION REGARDING LOBBYING

Federal Byrd Anti-Lobbying Amendment, 31 U.S.C. § 1352

Certification for Contracts, Grants, Loans, and Cooperative Agreements

The undersigned, on behalf of _____ [Company], certifies to the best of his or her knowledge that:

1. No Federal appropriated funds received from the Commission on State Emergency Communications (Commission) have been paid or will be paid, by or on behalf of the undersigned Company, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with Company's contract or other form of agreement with the Commission, the awarding by Company of any contract or other form of agreement funded in whole or in part with Federal appropriated funds, 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 received from the Commission 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 Company's contract or other form of agreement with the Commission; the awarding by Company of any contract or other form of agreement funded in whole or in part with Federal appropriated funds; or a 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 (<https://www.grants.gov/web/grants/forms/sf-424-family.html>).

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 31, U.S.C. § 1352 (as amended by the Lobbying Disclosure Act of 1995). 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.

Company certifies or affirms the truthfulness and accuracy of each statement of its certification and disclosure, if any. In addition, Company understands and agrees that the provisions of 31 U.S.C. § 3801 *et seq.*, apply to this certification and disclosure, if any.

Please check the appropriate box:

☐ No non-federal funds have been used or are planned to be used for lobbying in connection with this application/award/contract.

☐ Attached or previously provided is Standard Form LLL, "Disclosure of Lobbying Activities," which describes the use (past or planned) of non-federal funds for lobbying in connection with this application/award/contract.

Executed this _____ day of _____, 20____

By: _____
(Type or Print Name of Company)

By: _____
(Type or Print Name of Company's Authorized Official and Title)

By: _____
(Signature of Company's Authorized Official)



GARLAND
CITY COUNCIL ITEM SUMMARY SHEET

City Council Regular Session Agenda

7.

Meeting Date: 10/11/2022

Item Title: Establish Intragovernmental Affairs Committee and Appoint Members

Submitted By: Brian England, City Attorney

Summary of Request/Problem

The City Council will vote to create the Intragovernmental Affairs Committee as a permanent committee and appoint the following members by minute action:

Council Member BJ Williams (chair)

Mayor Pro Tem Deborah Morris

Deputy Mayor Pro Tem Robert John Smith

Recommendation/Action Requested and Justification

Approve the establishment of the Intragovernmental Affairs Committee as a permanent committee and appoint the aforementioned members.



GARLAND PLANNING REPORT

City Council Regular Session Agenda

8. a.

Meeting Date: 10/11/2022

Item Title: Z 22-20 Grenadier Investments, Inc. - Zoning (District 7)

Submitted By: Nabiha Ahmed, Lead Development Planner

REQUEST

Approval of 1) a Change in Zoning from Planned Development (PD) District 85-50 and Community Office (CO) District to a Planned Development (PD) District for Single-Family Attached (SFA) Uses and 2) an Alley Waiver

Approval of a Detail Plan for Single-Family Attached (SFA) development.

LOCATION

2200 and 2302 West Campbell Road

OWNER

George W. Baldwin

PLAN COMMISSION RECOMMENDATION

On September 12, 2022 the Plan Commission, by a vote of six (6) to two (2), recommended denial of 1) a Change in Zoning from Planned Development (PD) District 85-50 and Community Office (CO) District to a Planned Development (PD) District for Single-Family Attached (SFA) Uses and 2) an Alley Waiver.

The Plan Commission, by a vote of six (6) to two (2), also recommended denial of a Detail Plan for Single-Family Attached (SFA) development.

To address concerns raised during the Plan Commission meeting, the applicant has since made the following changes to the site layout:

1. Re-located the amenity center in centralized location in the western tract for a better lake view.
2. Expanded parking in the center of the western tract by adding three (3) additional head-in parking spaces across from the amenity center.
3. Expanded parking on the eastern tract by adding six (6) additional parking spaces to help accommodate visitor parking.
4. A dog park was added to the western tract.

5. The townhouses on the western tract are now restricted to a maximum height of two-stories.
6. Pedestrian gates have been added into the perimeter screening wall for both eastern and western tracts to allow a resident from either side to safely traverse Shiloh Road at the pedestrian crossing at that intersection.
7. A traffic-calming circle was added to the western tract to prevent cut-through traffic.

STAFF RECOMMENDATION

Approval of 1) a Change in Zoning from Planned Development (PD) District 85-50 and Community Office (CO) District to a Planned Development (PD) District for Single-Family Attached (SFA) Uses and 2) an Alley Waiver

Approval of a Detail Plan for Single-Family Attached (SFA) development.

BACKGROUND

The applicant proposes to construct one-hundred fifty-five (155) townhouses and eighteen (18) HOA open space lots on the eastern and western tracts. Both tracts are unimproved.

SITE DATA

The overall subject property contains approximately 21 acres. Tract 1 (west of North Shiloh Road) is 8.2 acres and Tract 2 (east of North Shiloh Road) is 12.9 acres. Tract 1 has approximately 800 lineal feet of frontage along West Campbell Road and 715 lineal feet of frontage along North Shiloh Road. Tract 2 has approximately 1,005 lineal feet of frontage along West Campbell Road and 524 lineal feet of frontage along North Shiloh Road.

Both tracts can be accessed from North Shiloh Road and West Campbell Road.

USE OF PROPERTY UNDER CURRENT ZONING

Tract 1 is currently zoned Community Office (CO) District. The Community Office (CO) District is intended to create an appropriate setting for medium and higher intensity office and professional uses. The district may be used as a transition district between low intensity office/retail uses and more intense uses. It is also generally appropriate along major transportation corridors. However, the Community Office (CO) District is generally not appropriate in proximity to low-density residential districts. Examples of allowed uses in a Community Office (CO) district are: professional offices, campus-style corporate office, research, and assembly operations that may be large in scale but that are conducted wholly within a building(s) with very limited or no outside storage. In addition, a Specific Use Provision (S 06-53) was approved in 2006 for a Retail Sales/Personal Service Use, but it was never constructed.

Tract 2 is zoned Planned Development Planned Development (PD) District 85-50 for Community Retail Uses. In 1985, the City Council approved a mixed use development. The subject property was designated as "Tract 1" and was approved for retail use. The southern portion was designated as "Tract 2" and was approved for a multi-family development, now zoned Planned Development (PD) District 98-01.

CONSIDERATIONS

Detail Plan

1. The applicant proposes a Detail Plan for a development of townhouses in two (2) tracts; however, they will be constructed at the same time. The Site Plan (Exhibit C) shows sixty-two (62) single-family attached townhouse units and five (5) HOA lots in Tract 1 and ninety-three (93) single-family attached units and thirteen (13) HOA lots in Tract 2. In addition, the applicant is proposing 10.8 units per acre, therefore meeting the SFA GDC requirement.

The applicant has selected an urban design for this townhouse development. A combination of two-story and three-story townhouse units are proposed for this development. The three-story units will face along the greenbelt on the eastern tract.

2. The applicant requests to deviate from some of the required SFA District development standards per Section 2.34 (Table 2-3) of the Garland Development Code (GDC). The table below indicates the deviations proposed. It should be noted that the proposal will meet the minimum dwelling size requirement (1,400 sf) per the GDC.

Development Standards	Required	Proposed (Minimum)	Justification
Lot Area	Minimum 2,000 SF	Minimum 1,600 SF	The proposed lot size allows the desired number of townhomes and enhanced amenities.
Lot Depth	Minimum 90 feet	Minimum 75 feet	The proposed lot width is due to the unusual shape of the western tract and the floodplain on the eastern tract, which takes up 2.1 acres.
Lot Width	Minimum 30 feet for end lots Minimum 20 feet for interior lots	Minimum 27 feet for end lots Minimum 22 feet for interior lots.	The proposed lot width is due to the unusual shape of the western tract and the floodplain on the eastern tract, which takes up 2.1 acres.
	Adjacent to Street: Front: 10 feet	10 feet 10 feet	

Building Setbacks	Side: 10 feet Not Adjacent to Street Side: 5 feet Rear: 5 feet	5 feet 5 feet	The site plan (Exhibit C) complies with the building setbacks.
Lot Orientation	All lots within the SFA district must front on a public street, a City-approved public way, or common area lot that is dedicated for mutual access to each lot.	The site plan (Exhibit C) shows eight-one (81) "Mews Type" lots where they don't front onto a Public Street or City-approved public way, but they do have, in every instance, a common area lot that is dedicated for mutual access to these townhomes.	The applicant contends they have built many Mews Type lots at other projects, which includes Riverset and Heritage Park in Garland, and they have found the unique living environment is something highly desired by their homeowners, to the point that they are willing to pay a premium price for such a townhome fronting onto a Mews condition.
Alleys	Alleys are required	35 front-loaded lots 121 rear-loaded lots	The applicant proposes a combination of front-loaded and rear-loaded lots.
		The applicant proposes twenty (20) feet driveway depth for all street facing garages and five (5) feet depth for all alley facing	The applicant contends this requirement is unnecessary since there is no City sidewalk in this situation.

Garage Setback	20 feet	garages except for lots facing Campbell Road, Shiloh Road, and the floodplain on the east as shown on the site plan (Exhibit C).	Pedestrian circulation happens on the front side of the townhome, in a much more protected and pedestrian-friendly environment.
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Screening and Landscaping

3. The proposed landscape layout (Exhibit D) complies with the applicable screening standards. Per the GDC, a screening wall is required along a thoroughfare Type “D” or greater. North Shiloh Road and West Campbell Road are both considered to be greater than Type “D”; therefore, a six (6)-foot brick thin wall will be placed above a retaining wall on the northern perimeter along West Campbell Road on both tracts. The landscape plan (Exhibit D) reflects a six (6)-foot brick thin wall on the eastern perimeter line along North Shiloh Road and a five (5)-foot ornamental fence along the western perimeter line for Tract 1.

In addition, a five (5)-foot ornamental fence is proposed along the eastern and western perimeter lines of Tract 2. The landscape plan (Exhibit D) shows large canopy trees and high-level screening shrubs on the street side of the ornamental fence along North Shiloh Road. In addition, another row of high-level screening shrubs are proposed in the development side of the ornamental fence to fully screen the development from North Shiloh Road.

The landscape plan reflects the open space required per the GDC. However, the eastern tract requires along West Campbell Road requires eleven (11) canopy trees. Due to the overhead utility lines, the applicant proposes to substitute one (1) large canopy trees with three (3) small ornamental trees. Therefore, a total of thirty-three (33) small ornamental trees along the eastern tract of West Campbell Road.

4. Open Space

The applicant has considered open space while designing the townhouses around the City Park near the western tract. The eastern tract has a floodplain and all the trees within the floodplain will be preserved. The site plan (Exhibit C) meets the open space requirement per the GDC.

5. Amenities

Common open space area is included with the proposed development in accordance with the GDC. The amenity requirements of the Single-Family Attached (SFA) District per the GDC are satisfied. Amenities include a clubhouse, swimming pool, fitness center and a dog park. All residents on either side of the tracts will have access to the amenities.

6. Trail Connection

The landscape plan (Exhibit D) shows an eight (8)-foot trail connection to the City's Spring Creek Harris Trail. The Engineering Department and the Parks Department will review the exact alignment at the time of construction plan review.

7. Parking

The site plan (Exhibit C) complies with the required enclosed garages spaces and guest parking per the GDC.

8. Garage

The GDC requires the face of a garage door to be at least twenty (20) feet from the street or alley right-of-way line that the garage door faces (twenty-four feet if facing an interior lot/property line), and must have at least one of the following designs, as depicted in Illustrations 4-9 through 4-13:

- Rear entry;
- "J" drives, for front entry properties;
- "Swing" drives, for side entry properties; or
- Offset front entry with the garage door set back at least five feet behind the front building face.

The site plan (Exhibit C) shows a thirty-five (35) front-loaded lots and 121 rear-loaded lots. The applicant proposes twenty (20) feet driveway depth for all street-facing garages and a five (5) feet driveway depth for alley-facing garages where the front property line is no further than 150 feet from an interior street.

9. Building Design

The building elevations complies with the articulation requirements per the GDC. The GDC also requires a minimum of three (3) architectural elements for each townhouse unit. The approved list from the GDC is below. Multiple pane windows featuring either divided light or simulated divided light;

- A front porch area enclosed by a railing at least thirty inches in height, and containing decorative columns at least six inches in diameter;
- Gable(s) with window(s);
- Dormer(s);
- Bay windows with a minimum projection of twenty-four inches;
- Minimum 8:12 roof pitch;
- Split garage doors with a separate door for each vehicle bay; or
- Front covered porch with at least forty square feet of usable space, and a minimum depth of five feet.

The applicant proposes "Urban-styled contemporary townhouse products". Therefore, another set of architectural elements has been crafted to support this development.

Each street elevation will incorporate three (3) of the following elements:

- Dormer that breaks main roof line
- Fenced Courtyard having a minimum depth of 10 feet and width of 10 feet (at least 100 square feet of useable space)
- Accent roof projection of at least 3 feet.
- Front door with glass inserts.
- Garage door with glass inserts

- Stained pine or cedar tongue and groove decorative soffit accent
- Black or dark bronze colored window frames
- Outdoor elevated terrace
- Decorative arbor
- 3 different exterior finish materials

10. Signage

The applicant has not requested any deviation on signage; it will comply with the standards in the GDC.

11. Alley Waiver

The residential lots within the residential development would front a fifty (50) foot right-of-way with access to each lot limited to the street front. The applicant seeks an Alley Waiver from the Plan Commission for this development. Section 3.80 of the GDC requires every lot in a residential subdivision with two or more lots to be served by an alley at the rear, or, if a corner lot, at the rear or one side. Alleys are utilized to facilitate drainage for the subdivision development, provide an area for the placement of utilities, and to provide rear access to a single-family lot. As reflected on the Detail Plan, alleys are not proposed for this development, as all lots would have front vehicular access only and utilities and drainage would be provided through easements. The Engineering Department has reviewed the plans and has indicated the layout is conducive to providing adequate drainage while meeting the City's requirements.

COMPREHENSIVE PLAN

The Future Land Use Map of the Envision Garland Plan recommends Compact Neighborhoods for Tract 1 and Urban Neighborhoods for Tract 2.

Compact neighborhoods provide areas for moderate increases in residential density, including single-family attached and single-family detached housing. It expands housing options through infill and redevelopment, while continuing walkable development patterns. These areas provide transitions between traditional residential neighborhoods and higher density residential neighborhoods and non-residential developments. These areas accommodate uses such as convenience retail (goods and services), office space, and public services. The architectural character and scale of these areas are compatible with adjacent residential development.

Urban neighborhoods are higher density residential developments. This residential option may utilize vertical mixed-use integrated into the surrounding area, reflecting the area's dominant character or, when desired, promoting a new character. Urban neighborhoods are characterized by moderate to high density single-family attached and multifamily residential units.

This proposed use is compatible with the Comprehensive Plan.

COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

The properties to the north of both tracts, across West Campbell Road, are zoned Planned Development (PD) District 97-04 for Multi-Family Use, Planned Development (PD) District 15-35 for Community Retail Uses, Planned Development (PD) District 03-49 for Community Retail Uses, Planned Development 16-46 for Neighborhood Office Use, Planned Development (PD) District 84-10 for Single-Family Uses and Planned Development (PD) District 83-50 for Mixed Uses. These properties are developed with an apartment complex, automobile repair, a bank and a medical facility. The property to the east of Tract 2 is zoned Planned Development (PD) District 05-44 for Single-Family Attached Use; these properties are developed with townhouses. The property to the south of Tract 2 is zoned Planned Development (PD) District 98-01 for Multi-Family Uses; this property is developed with an apartment complex. The property to the south and west of Tract 1 are zoned Neighborhood Office (NO) District and Agricultural (AG) District; there is an existing park.

Attachments

Z 22-20 Grenadier Investments, Inc. Attachments (Zoning)

Z 22-20 Grenadier Investments, Inc. Responses

Z 22-20 Staff Presentation

PLANNED DEVELOPMENT CONDITIONS

ZONING FILE Z 22-20

2200 and 2302 West Campbell Road

- I. Statement of Purpose:** The purpose of this Planned Development is to approve a Detail Plan for one hundred and fifty-six (156) Single-Family Attached (Townhouse) and eighteen (18) HOA lots.
- II. Statement of Effect:** This Planned Development shall not affect any regulation found in the Garland Development Code, Ordinance No. 6773, and Single-Family-Attached (SFA) District, as amended prior to adoption of this ordinance, except as specifically provided herein.
- III. General Regulations:** All regulations of the Single-Family-Attached(SFA) District as set forth in Chapter 2 of the Garland Development Code included by reference and shall apply, except as otherwise specified by this ordinance.

IV. Development Plans:

Detail Plan: Development shall conform to the Site Plan and Landscape Plan set forth in Exhibit C, Exhibit D, and Exhibit E; however, in the event of conflict between the Detail Plan and the written conditions contained in this ordinance, the written conditions shall control.

V. Specific Conditions:

- A. Permitted Uses:** Only Dwelling, Single-Family-Attached (SFA) units are permitted.
- B. Maximum Number of Lots:** A total of one-hundred and fifty-five (155) single-family attached units shall be permitted. Ninety-three (93) single-family attached units shall be permitted on the eastern tract and sixty-two (62) shall be permitted on the western tract.
- C. Minimum Lot Area:** The minimum lot area shall be 1,600 square feet and as reflected in Exhibit C.
- D. Minimum Lot Depth:** The minimum lot depth shall be seventy-five (75) feet and the lot depth is measured between the lot lines.

- E. Minimum Dwelling Size: The minimum dwelling size shall be 1400 square feet.
- F. Lot Orientation: Mews type lots shall be permitted as reflected in Exhibit C.
- G. Minimum Lot Width: The minimum lot width for interior lots shall be twenty-two (22) feet and the minimum lot width for end lots shall be twenty-seven (27) feet.
- H. Garages:
- Front entry garages shall be allowed.
 - A street-facing garage door shall have a minimum of twenty (20) feet from the applicable street right of way line. However, the offset front entry with garage door setback at least five feet behind the building façade shall not be required.
 - "J" and "Swing" drives shall not be required.
 - Regardless of other setbacks, a street-facing garage door must have a minimum setback of twenty (20) feet from the applicable street right of way line.
 - The driveway depth shall be twenty (20) feet for all street facing garages and five (5) feet depth for all alley facing garages except for lots facing West Campbell Road, North Shiloh Road, and the floodplain on the east as shown on the site plan (Exhibit C).
- I. Alleys: Alleys shall not be required for thirty-five (35) single-family attached lots.
- J. Roof Pitch: Each dwelling unit must be constructed with a minimum roof pitch of 4:12.
- K. Screening and Landscaping: Screening and landscaping shall be in conformance with the Landscape Plan set forth in Exhibit D.
- L. Open Space and Amenities: Open Space and Amenities shall be provided as shown in Exhibit D.

EXHIBIT B

- M. Trail: A trail connection to the City's trail system shall be provided as shown in Exhibit D.
- N. Signage: All signs shall meet the Garland Development Code requirements.
- O. Architectural Elements: Each street elevation shall incorporate three (3) of the following elements: 1) Dormer that breaks main roof line 2) Fenced Courtyard having a minimum depth of 10 feet and width of 10 feet (at least 100 square feet of useable space) 3) Accent roof projection of at least 3 feet. 4) Front door with glass inserts. 5) Garage door with glass inserts 6) Stained pine or cedar T&G decorative soffit accent 7) Black or dark bronze colored window frames 8) Outdoor elevated terrace 9) Decorative arbor 10) 3 different exterior finish materials.
- P. Fencing: A forty-two (42)-inch high horizontal cedar front or rear yard fencing as depicted in Exhibit E shall be permitted up to the property line.
- Q. Arbors: Front or rear yards may have decorative arbors made of steel and/or cedar (as depicted in Exhibit E) that are not attached to the main structure and can extend past the front or rear building setback and be built up to the front or rear property line.
- R. Elevations: Building Elevations shall be in general conformance with the elevations labeled Exhibit E.
- S. Trash Containers: Trash containers and recycling bins must be stored inside the garage for all non-pick-up days.
- T. Building and Unit Schemes: Buildings facing and adjacent to the pond on the West track will be limited to a maximum of two (2) stories.
- U. Homeowners Association: A Homeowners Association shall be incorporated, and each lot/homeowner shall be a mandatory member. The bylaws and/or declaration of this association shall establish a system of payment of dues; a system of enforcement of its rules and regulations; shall establish a clear and distinct

definition of the responsibility of each member; shall obligate the association, through assessment of homeowners, to maintain all open space areas; and other provisions as deemed appropriate to secure a sound and stable association.

- V. Maintenance of Open/Common Space and Landscaped Areas, Entry Features, Access Easements, and Amenities in HOA Lots: Pursuant to the declaration for the Homeowner's Association, the Homeowners Association shall be obligated to repair and maintain all common areas of the community (including open/common space, landscaped areas, entry features, access easements, and amenities in HOA lots) and the bylaws and/or declaration for the association shall authorize the association to pay for the cost thereof through the assessment of homeowners within the community.
- W. Required Assessments and Reserves: The declaration for the Homeowner's Association shall provide that each homeowner owning a real property interest in a residential lot within the community land shall be obligated to pay assessments to the Homeowners Association to pay for the operation and common expenses of the association, including, without limitation, the repair and maintenance of association common areas, including repairing, maintaining or replacing the association screening walls and perimeter fences. If the Homeowners Association fails to perform the above-described maintenance due to lack of funds, the Homeowners Association shall assess members on a pro rata basis for the cost of performing such maintenance and shall thereafter promptly and diligently perform the maintenance required. To help ensure that funds will be available to perform such maintenance, the Homeowners Association shall establish and maintain a reserve fund for the periodic maintenance, repair and replacement of association improvements, which shall include adequate reserves for the expected future costs to repair, maintain and replace association screening walls and perimeter fences.
- X. City's Right to Enforce: The declaration for the Homeowner's Association shall contain a provision stating that if the Homeowner's Association fails to maintain an association screening wall or perimeter

fence in good repair, then the City may send written notice to the Homeowner's Association demanding the proper repair and maintenance of such screening wall or perimeter fence. If the Homeowner's Association has not repaired or replaced such screening wall or perimeter fence within 120 days after the date of the City's written notice to the Homeowner's Association, the City shall have the right, but not the obligation, to exercise all access easements and other rights of the Homeowners Association to repair and/or replace, as necessary, such screening wall or perimeter fence and to charge all reasonable costs incurred therefor to the Homeowners Association. The Homeowner's Association shall promptly pay such costs to the City upon completion of the repairs and/or replacement upon written demand by the City. If the reserves required by these conditions and the declaration are not sufficient to fully reimburse the City, the Homeowner's Association shall assess its members for the funds necessary to fully reimburse the City and to re-establish its required reserves. Such provision in the declaration for the Homeowner's Association shall further state that such provision may not be amended or modified without the prior written consent of the City.

REPORT & MINUTES

P.C. Meeting, September 12, 2022

Consideration of the application of **Grenadier Investments, Inc.**, requesting approval of a Change in Zoning from Planned Development (PD) District 85-50 and Community Office (CO) District to a Planned Development (PD) District for Single-Family Attached (SFA) Uses and 2) an Alley Waiver. This property is located at 2200 and 2302 West Campbell Road. (District 7) (File Z 22-20 – Zoning)

Representing the applicant, Anthony Natale, 7312 Oak Bluff Drive, Dallas, Texas 75254 and Matt Duenwald, 13455 Noel Road, Dallas, Texas 75240, provided an overview of the request and remained available for questions.

There was discussion among the Plan Commission and applicant regarding development start time, varying styles of townhomes, building sightlines, proposed topography, length of driveways, location of the amenities center, and the establishment and transition of the Homeowners Association.

Mr. Duenwald spoke to the Plan Commission regarding the pond area that was taken into consideration, the FEMA floodplain adjacent to the homes, and traffic concerns.

Jean Thoes, 2605 Hazelwood Pl., Garland, Texas 75044
Patti Moore, 6611 Wildlife Trail, Garland, Texas 75044
Don Ingram, 6534 Callejo Road, Garland, Texas 75044

Residents, while they approved of the project design, raised concerns regarding erosion into the pond, storm water drainage, maintenance of Campbell lake and the park, proposed density on the southwest corner, lack of green space, safety concerns for the intersection, and increased traffic congestion.

Motion was made by Commissioner Rose to close the public hearing and open for discussion. Seconded by Commissioner Williams.
Motion carried: 8 Ayes, 0 Nay.

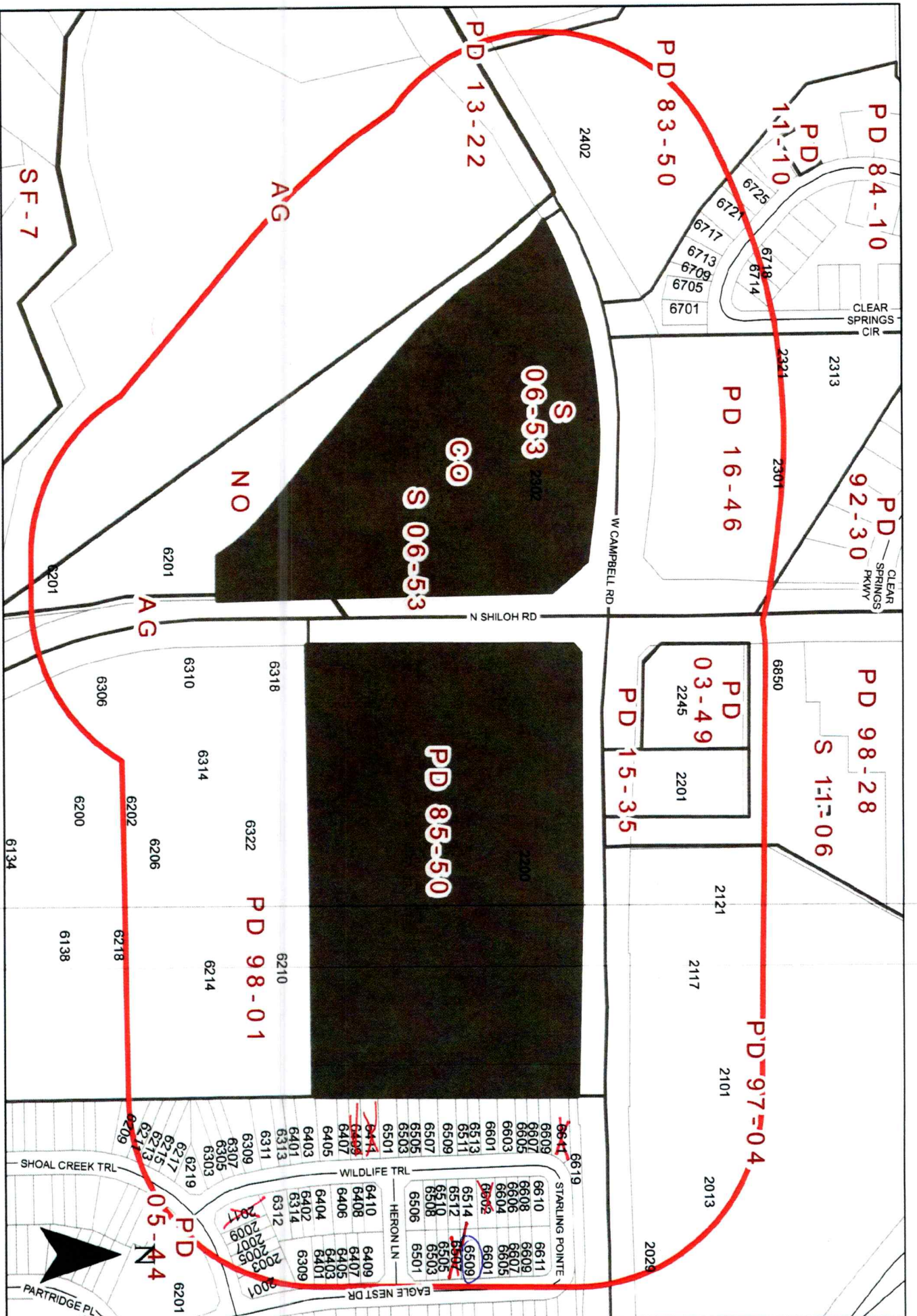
There was discussion among the Plan Commission and staff regarding land use, proposed design of buildings, length of driveways, proposed deviations, traffic, and drainage issues.

Chairman Roberts, spoke in opposition of the request due to the proposed deviations and density.

Commissioner Aubin spoke in support of the request.

Motion was made by Commissioner Rose to approve the applicant's request. Seconded by Commissioner Aubin. **Motion failed: 2 Ayes, 6 Nays** by Chairman Roberts, Commissioner Dalton, Jenkins, Paris, Williams, and Ott.

Motion was made by Commissioner Williams to **deny** the request. Seconded by Commissioner Dalton. **Motion carried: 6 Ayes, 2 Nays** by Commissioner Aubin and Rose.



ZONING MAP Z 22-20

2200 & 2302 West Campbell Road

INDICATES AREA OF REQUEST

INDICATES NOTIFICATION AREA

Comment Form

Case Z 22-20

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

☐ For / A Favor / Đúng

☒ Against / En Contra / Không

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Sandy Lu & Susan Lu, Property Owners

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.)

46409 Wildlife Trail
Your Property Address / La dirección de su propiedad / Địa chỉ tài sản

Garland Tx
City, State / Estado de la Ciudad / Thành bang

75044

Zip Code / Código postal / Mã Bưu Chính

Sandy Lu Changrong Susan Lu
Signature / Firma / Chữ 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.)

From: James R
To: Planning Group
Subject: [EXTERNAL]
Date: Wednesday, September 7, 2022 10:30:17 AM
Attachments: image.png

Comment Form Case Z 22-20

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Mr. James Reed

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

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6411 Wildlife Trail

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

Garland, Tx 75044

City, State / Estado de la Ciudad / Thành bang

75044

Zip Code / Código postal / Mã B u Chính

Signature / Firma / Chữ 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.)

Comment Form

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Scott + Priscilla Dickson

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.)

6602 Wildlife Trail

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

Garland, TX 75044

City, State / Estado de la Ciudad / Thành bang

75044

Zip Code / Código postal / Mã Bưu Chính

Scott + Priscilla Dickson

Signature / Firma / Chữ ký

9/26/22

Date / Fecha / Ngày

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Received
9-26-22

Comment Form – Continued

Case Z 22-20

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

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

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

The development will adversely affect:

1) Spring Creek & Shoal Creek watersheds with more pollution & trash.

2) Litter along streets and in other public spaces

3) Traffic volumes on Campbell which are already too high during rush hours

4) Noise & light pollution from new developments

This area is no longer a pleasant place with open space. Let's stop the "development at all costs" mentality.

From: [Scott Dickson](#)
To: [Planning Group](#)
Subject: [EXTERNAL] Case Z 22 - 20 - Against
Date: Monday, September 12, 2022 3:16:16 PM
Attachments: [Garland Case Z 22 -20.pdf](#)

See attached - our vote is against.

Comment Form

Case Z 22-20

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Scott & Priscilla Dickson

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

6602 Wildlife Trail

City, State / Estado de la Ciudad / Thành bang

Garland TX

Zip Code / Código postal / Mã Bưu Chính

75044

Signature / Firma / Chữ ký

Scott & Priscilla Dickson

Date / Fecha / Ngày 9-12-22

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

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- This area is seeing more and more green space damaged or destroyed.
- The intensification of apartment & office development is creating increased traffic & increased littering & the potential for increased crime.
- The proposed development could do further damage to Shool Creek & Spring Creek Watersheds and green belts.
- We understand that the developer & city have commercial interests but this area is becoming overwhelmed and we strongly vote "no" on further development.

Allmendinger, Tracy

From: Patti Moore <Patti.Moore@vylla.com>
Sent: Thursday, September 8, 2022 5:22 PM
To: Planning Group
Subject: [EXTERNAL] COMMENT FORM CASE Z 22-20
Attachments: IMG_4893.jpg

I vote against the proposal of these townhomes. It will be congested, more crime and make our property values go down.

The area has been sucked up with apartments and we do not need to add more and more people. Plus I want my greenbelt with the trees to say exactly as it is.

That is part of why I bought my home.

Thank you,

Patti Moore
VP Trust Accounting

Patti.Moore@vylla.com
P: 469-344-4479
M: 972-978-6634

Vylla Title, LLC
6200 Tennyson Parkway, Suite 110
Plano, Texas 75024
vyllatitle.com

-----Original Message-----

From: 9729786634@mms.att.net <9729786634@mms.att.net>
Sent: Thursday, September 8, 2022 5:18 PM
To: Patti Moore <Patti.Moore@vylla.com>
Subject:

Attention: This message was sent by an external sender. Please be mindful before clicking a link or opening attachments

Comment Form Case Z 22-20

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For / A Favor / Đúng



Against / En Contra / Không

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Ratti Moore - Property owner

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

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

Well Wildlife Travel

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

Garland TX 75044

City, State / Estado de la Ciudad / Thành bang

75044

Zip Code / Código postal / Mã Bưu Chính

Ratti Moore

Signature / Firma / Chữ ký

9/7/22

Date / Fecha / Ngày

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Ly Nguyen, Property Owner

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

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

6507 Eagle Nest Dr

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

Garland, TX

City, State / Estado de la Ciudad / Thành bang

75044

Zip Code / Código postal / Mã B u Chính

9/12/22

Date / Fecha / Ngày

Signature / Firma / Chữ ký

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For / A Favor / Đồng ý



Against / En Contra / Không

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

JOHN CREWS / PROPERTY OWNER

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

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

6509 EAGLE NEST DR

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

GARLAND, TX

City, State / Estado de la Ciudad / Thành bang

75044

Zip Code / Código postal / Mã Bưu Chính

John Crews

Signature / Firma / Chữ ký

9/27/2022

Date / Fecha / Ngày

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

Comment Form

Case Z 22-20

Z 22-20 Grenadier Investments, Inc. The applicant requests to allow ninety-three (93) townhouses on the eastern tract, sixty-three (63) townhouses on the western tract, and open spaces. The site is located at 2200 and 2302 West Campbell Road. (District 7)

Z 22-20 Grenadier Investments, Inc. El solicitante solicita permitir noventa y tres (93) casas adosadas en el tramo este, sesenta y tres (63) casas adosadas en el tramo oeste y espacios abiertos. El sitio está ubicado en 2200 y 2302 West Campbell Road. (Distrito 7)

Z 22-20 Grenadier Investments, Inc. Người nộp đơn yêu cầu cho phép chín mươi ba (93) căn nhà phố ở đường phía đông, sáu mươi ba (63) căn nhà phố ở đường phía tây và không gian mở. Địa điểm tọa lạc tại 2200 và 2302 West Campbell Road. (Quận 7)

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.

WILLIAM C. TANKERSLEY, JR

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.)

2011 Shoal Creek - Tel

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

Garland, Texas

City, State / Estado de la Ciudad / Thành bang

75044

Zip Code / Código postal / Mã B u Chính

William C. Tankersley, Jr

Signature / Firma / Chữ ký

9/5/22

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.)

SEP 9 '22 PM 4:10

Comment Form – Continued

Case Z 22-20

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

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

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

The continue of letting tighter for ~~multity~~ for multity people in all what is considered makes the much more lawless, more stealing and very tight room for moving ~~for~~ around. Look at W. Campbell for at 2 hours in early and evening hours. You can't go ~~about~~ about expecting very far moving. Shiloh is now full and read the latest how much Shiloh is now consider the last street to move people from Dallas

The land and somewhat but PD 85-50 will be the most danger.

We can make sure money "talks" over other thing on the land over 2 miles or more is a very crowded

Zoning Response Case Comments

Case Number	PC Hearing Date	CC Hearing Date	Planner Name
Z 22-20	September 12, 2022	October 11, 2022	Nabiha Ahmed

The applicant requests to allow ninety-three (93) townhouses on the eastern tract, sixty-three (63) townhouses on the western tract, and open spaces. The site is located at 2200 and 2302 West Campbell Road. (District 7)

Michelle Wong

Against

9/21/2022
4:52:46 PM

6615 Rutledge Rd

Outside the Notification Area

Garland

Texas

United States

75044

The light at this intersection & school traffic causes Campbell to be quite congested as it is.

Michelle Wong

Against

9/21/2022
4:52:45 PM

6615 Rutledge Rd

Outside the Notification Area

Garland

Texas

United States

75044

The light at this intersection & school traffic causes Campbell to be quite congested as it is.

Dinnah Dent

Against

9/18/2022
11:50:38 PM

3109 Debra Ct

Outside the Notification Area

Garland

Texas

United States

75055

Lindsay

Against

Case Number	PC Hearing Date	CC Hearing Date	Planner Name
Z 22-20	September 12, 2022	October 11, 2022	Nabiha Ahmed

9/15/2022
2:27:04 PM

2521 Collins Blvd.

lindsayrwilliams@gmail.com

Garland

7175035013

TX

Outside the Notification Area

United States

75044

The traffic is already too congested at this area. Adding more homes would make it much worse. Expand the road and add turn lanes before you add more homes. You sometimes have to wait 3-4 traffic light cycles to make it through the light.

Janet Mokate

Against

9/14/2022
5:33:09 PM

Sandestin Ct

markka.mambas.0k@icloud.com

Garland

Texas

United States

75044

Susan

Against

9/14/2022
5:56:38 AM

6615 Rutledge Ct

Outside the Notification Area

Garland

Texas

United States

<null>

Susan

Against

9/14/2022
5:56:35 AM

6615 Rutledge Ct

Outside the Notification Area

Garland

Texas

United States

<null>

Case Number	PC Hearing Date	CC Hearing Date	Planner Name
Z 22-20	September 12, 2022	October 11, 2022	Nabiha Ahmed

Rick Williams

For

Outside the Notification Area

9/14/2022
12:43:03 AM

3126 Collins Blvd

rickwilli@gmail.com

Garland

2145352648

Texas

United States

75044

Seem;s like a reasonable use for that property.

Michael Mason

Against

Outside the Notification Area

9/12/2022
2:45:41 PM

2418 Hedgeway Cir

m.mason8@verizon.net

Garland

2144049411

Texas

United States

75044

I'm strongly against this proposal for both the east and west tracts. The west tract is considered by all in this area part of the park area and protected green belt. It is a much needed open space in this sea of apartments & houses. I'm also against the east tract because there are way too many multi-family units in our area already. This development will also create a traffic nightmare at this already busy intersection. Please don't let the developers take away this little oasis in this mass of humanity!!!!

Greg Wakefield

Against

Outside the Notification Area

9/12/2022
2:03:01 PM

6618 Lake Shore Dr

greg@wiscontrol.com

Garland

9727408910

Texas

United States

75044

This will create too much congestion in the area that already does not have enough resources to support the growth that has already occurred. This area already needs, an additional school, road expansion, additional food shopping locations and city services. Adding housing for an additional 156 homes will cripple the current infrastructure.

Cindi Wakefield

Against

Case Number	PC Hearing Date	CC Hearing Date	Planner Name
Z 22-20	September 12, 2022	October 11, 2022	Nabiha Ahmed

9/12/2022
1:51:58 PM

6618 Lakeshore Dr.

Thewakefield1@tx.rr.com

Garland

972-672-4459

Texas

United States

Outside the Notification Area

75044

You are going to ruin a beautiful neighborhood this area is already extremely congested there are Wrecks all the time in front of the Kroger. Please do not ruin our beautiful neighborhood by adding over 150 new families that we do not have the space for and congest and ruin our neighborhood. That is a lovely walking area for mini families please do not ruin it please

**Melissa
Christiansen**

9/12/2022
1:40:56 PM

Against

3213 Bridle Path Ct

Outside the Notification Area

Garland

Texas

United States

75044

I vote no to any building in this area. Perhaps now more than ever, our small local green spaces are invaluable to the health and well-being of our communities across the country. This includes humans, the wildlife we live with and depend on for pest control and the health of our local ecosystem, and the parks, prairies and forests that are already too few to adequately house us all.

Lake Harsaran

9/12/2022
11:44:57 AM

Against

Outside the Notification Area

2305 Jamaica Place,

Lakeh@tx.rr.com

Garland

4692232051

TX

United States

75044

Its beautiful and peaceful around there. There is lots of birds and other animals live there. Not to say it flood very often.

Will

9/12/2022
3:53:23 AM

For

Outside the Notification Area

2703 N Spring Dr

will_kotch@protonmail.com

Case Number	PC Hearing Date	CC Hearing Date	Planner Name
Z 22-20	September 12, 2022	October 11, 2022	Nabiha Ahmed

Richardson
Texas
United States
75082

Although I do not live in Garland, I am a few hundred feet away from the city, less than a mile from this location, and spend a lot of money in Garland businesses, so I think I have a vested interest in this area. I would encourage you to support this change. North Dallas is one of the fastest growing areas in the country and more housing is needed to keep up with demand. Townhouses are a more affordable option to new families that cannot afford a fully detached home in this current market, and the local park and pond nearby would be a great place to take young children to play. Additionally, the dense nature of townhomes means that a relatively small area can bring significant amounts of property tax to the city as well as many consumers that can provide business to local stores.

Kathy Montelbano
9/10/2022
9:42:28 PM

Against

2709 Carya Trl
Garland
Texas
United States
75044

Outside the Notification Area

Kathy.baird123@gmail.com

2142440169

The open natural spaces are already too few. The Spring Creek Forest Preserve runs alongside this beautiful pond. And the creek is already full of trash. The water birds and wildlife depend on this area for survival against urban sprawl. Also, this area is well needed by the Monarch butterflies - who are now officially endangered - use this area for their annual migration every year.

Jeff Miller
9/10/2022
5:52:49 PM

Against

2902 Woods Ct
Garland
Texas
United States
75044
Please no.

Outside the Notification Area

drjeffmiller@yahoo.com

4699699433

Trisha Moore

Against

Case Number	PC Hearing Date	CC Hearing Date	Planner Name
Z 22-20	September 12, 2022	October 11, 2022	Nabiha Ahmed

9/10/2022
5:52:16 PM

2902 Woods Court

Garland
Texas
United States
<null>

Against

Lisa

Against

Outside the Notification Area

9/10/2022
3:00:23 PM

H

Garland
Texas
United States
75081

lisahassbrock@yahoo.com

9726447941

Please preserve this space as a park for EVERYONE to enjoy. Multi living units is only going to cause more traffic congestion in that area. Not every blade of grass needs to have concrete poured over it!

Lisa

Against

Outside the Notification Area

9/10/2022
3:00:21 PM

H

Garland
Texas
United States
75081

lisahassbrock@yahoo.com

9726447941

Please preserve this space as a park for EVERYONE to enjoy. Multi living units is only going to cause more traffic congestion in that area. Not every blade of grass needs to have concrete poured over it!

B

Against

Outside the Notification Area

9/9/2022
12:39:49 PM

Lud

Garland
Texas
United States
<null>

Case Number	PC Hearing Date	CC Hearing Date	Planner Name
Z 22-20	September 12, 2022	October 11, 2022	Nabiha Ahmed

Richard Vance **Against** **Outside the Notification Area**

9/8/2022
12:40:14 PM

3006 Mountain Ash Ct

ravance2@yahoo.com

Garland

9727425979

TX

United States

75044

This west side should continue as park land. Garland needs more bike trails this park should be connected to the spring creek trails at Holford...then Brand up to Breckinridge. Forward looking vision - Please.

Reba Ann Collins **Against** **Outside the Notification Area**

9/7/2022
10:04:41 PM

5010 Drawbridge Lane

rcollins20@verizon.net

Garland

9727420312

TX

United States

75044

I live in Camelot and think the section next to the pond is not a good location for human habitation. It should be amended into the city park property as a buffer area. Ditto on the Z22-20 section on the west side of Shiloh.

Jill **Against** **Outside the Notification Area**

9/7/2022
9:52:50 PM

2713 Carya Tr

Garland

Texas

United States

75044

Julia Maschmann **Against** **Outside the Notification Area**

9/7/2022
9:52:45 PM

5814 Townshire Rd

Jlmaschmann@gmail.com

Garland

9725673136

Case Number	PC Hearing Date	CC Hearing Date	Planner Name
Z 22-20	September 12, 2022	October 11, 2022	Nabiha Ahmed

Texas
United States
75044

Absolutely not! The walking path is used and this would detract from the walking path and greenspace that make this area desirable.

Ngan

Against

9/7/2022
7:47:57 PM

Duong

Ocngan@yahoo.com

Garland

2146954790

Texas

United States

75044

Outside the Notification Area

Cynthia Jones

Against

9/7/2022
6:50:49 PM

Callejo

Outside the Notification Area

Garland

Texas

United States

<null>

Jeanne Thoes

Against

Outside the Notification Area

9/7/2022
6:41:46 PM

2605 Hazelwood Place

Tjthoes@hotmail.com

Garland

214 769 1062

Texas

United States

75044

This area is already densely populated with very heavy traffic and limited visibility at the intersection. Flooding and erosion are common around this area. Very concerned about the height of these home as that increases water run off velocity. The SW corner should not be rezoned to residential. That is too small an area for 63 homes and consumes too much of our limited green space.

Case Number	PC Hearing Date	CC Hearing Date	Planner Name
Z 22-20	September 12, 2022	October 11, 2022	Nabiha Ahmed

Alice Hughes

Against

9/7/2022
5:54:06 PM

6733 Callejo Road
Garland
Texas
United States
75044

alicexwang@gmail.com

2143349829

Outside the Notification Area

Cynthia Jones

Against

9/7/2022
3:39:16 PM

Callejo
Garland
Texas
United States
75044

Outside the Notification Area

Vicki Gore

Against

9/7/2022
2:45:15 PM

6215 Shoal Creek Trl.
Garland
Texas
United States
75044

Mimi.gore54@gmail.com

2142363784

Outside the Notification Area

Catalin Ghervas

Against

9/7/2022
12:38:08 PM

2952 Canis Circle
Garland
Texas
United States
<null>

Outside the Notification Area

Case Number	PC Hearing Date	CC Hearing Date	Planner Name
Z 22-20	September 12, 2022	October 11, 2022	Nabiha Ahmed

Lee Yeung

Against

9/7/2022
4:52:44 AM

3118 collins

Garland
Texas
United States
<null>

Outside the Notification Area

Stacy

Against

9/7/2022
4:07:58 AM

3102 Castle Rock

Garland
Texas
United States
<null>

Outside the Notification Area

stacymorris87@gmail.com

We do not need more multi-housing units in this area. The green space is being taken away by all of the apartments and town homes built in the area already. Develop the area especially around the pond to remain a park..

Brennan Harmon

Against

9/7/2022
4:03:05 AM

2813 Ripplewood dr

Garland
Texas
United States
75044

Outside the Notification Area

2147389164

Cherolyn McCammack

Against

9/7/2022
3:12:29 AM

3406 SUGARBERRY LN

GARLAND
TX
United States

Outside the Notification Area

cherf@hotmail.com

2144153927

Case Number	PC Hearing Date	CC Hearing Date	Planner Name
Z 22-20	September 12, 2022	October 11, 2022	Nabiha Ahmed

75044

Leslie Cooper

AGAINST

Outside the Notification Area

9/7/2022
2:20:52 AM

2424 S Glenbrook Dr.

leslie.myemail@gmail.com

Garland

9725298693

Texas

United States

75041

Sandy Knauf

Against

Outside the Notification Area

9/7/2022
1:45:25 AM

3504 Taurus Drive

sandy.knauf@gmail.com

Garland

TX

United States

75044

**Rosemary
Rouse**

Against

Outside the Notification Area

9/7/2022
1:37:45 AM

6829 Callejo Rd

Garland

Texas

United States

75044

**Robert
Campbell**

Against

Outside the Notification Area

9/7/2022
1:33:32 AM

2806 Laurel Oaks Dr.

Garland

Texas

Case Number	PC Hearing Date	CC Hearing Date	Planner Name
Z 22-20	September 12, 2022	October 11, 2022	Nabiha Ahmed

United States
75044

Please do not build more townhomes. It is already too crowded and too much traffic as it is and we need more affordable single family homes, not more apartments and townhomes.

**Sarah
Southward**
9/7/2022
1:21:56 AM

Against

Outside the Notification Area

3214 Christie cir

Garland
Texas
United States
75044

Joyce Bach

Against

Outside the Notification Area

9/7/2022
12:42:19 AM

2509 Ridgemeade Drive

Garland
Texas
United States
75040

jedbach@yahoo.com

2149237514

Again why are we destroying land for multi family housing. That will bring more traffic more people more need for police fire, water and electricity resources. I really need a decent grocery store. I hate taking my grocery money ro the neighboring cities

Joyce

Against

Outside the Notification Area

9/7/2022
12:37:24 AM

2509 Ridgemeade drive

Garland
Texas
United States
75040

jedbach@yahoo.com

2149237514

Do we really need more multi family housing. The traffic is horrible and it will destroy more green land.

Justin

Against

Case Number	PC Hearing Date	CC Hearing Date	Planner Name
Z 22-20	September 12, 2022	October 11, 2022	Nabiha Ahmed

Lawrence

9/7/2022
12:29:23 AM

3221 Friar Ln

jblgarland@aol.com

Garland

9727420220

Texas

United States

75044

Outside the Notification Area

No townhomes

Dianna

Lawrence

9/7/2022
12:26:25 AM

Against

Outside the Notification Area

3221 Friar Ln

dhenke7498@aol.com

Garland

9729890918

TX

United States

75044

Against townhomes being built on either side of that intersection

Patricia

Against

Outside the Notification Area

9/7/2022
12:16:17 AM

3409 Altair Drive

pmb0417@sbcglobal.net

Garland

956-371-0373

Texas

United States

75044

I am not in support on any additional multi-family potential rental properties that eventually end up poorly maintained.

Meghan Vlach

Against

9/6/2022
11:22:54 PM

2501 Collins Boulevard

Outside the Notification Area

Garland

Texas

United States

75044

I moved to Camelot because of that park!!!! I back up to the green belt!! Please stop the building!!!

Case Number	PC Hearing Date	CC Hearing Date	Planner Name
Z 22-20	September 12, 2022	October 11, 2022	Nabiha Ahmed

Elizabeth

Against

9/6/2022
11:18:51 PM

5030 Hearthcrest

Garland
Texas
United States
<null>

Outside the Notification Area

Elizabeth

Against

9/6/2022
11:18:49 PM

5030 Hearthcrest

Garland
Texas
United States
<null>

Outside the Notification Area

Joni Rubio

Against

9/6/2022
10:40:48 PM

2920, Canis Circle

Garland
TX
United States
75044

jonimndss@gmail.com

2146862019

Outside the Notification Area

Joni Rubio

Against

9/6/2022
10:40:43 PM

2920, Canis Circle

Garland
TX
United States
75044

jonimndss@gmail.com

2146862019

Outside the Notification Area

Case Number	PC Hearing Date	CC Hearing Date	Planner Name
Z 22-20	September 12, 2022	October 11, 2022	Nabiha Ahmed

Anita Cheung

Against

Outside the Notification Area

9/6/2022
10:36:51 PM

6613 Callejo Road

Garland
Texas
United States
75044

Anita Cheung

Against

Outside the Notification Area

9/6/2022
10:36:05 PM

6613 Callejo Road

Garland
Texas
United States
75044

Nghia Do

Against

Outside the Notification Area

9/6/2022
10:29:52 PM

6622 Rutledge Ct

Garland
Texas
United States
75044

nghiad85@yahoo.com

Michelle

Against

Outside the Notification Area

9/6/2022
10:28:12 PM

6737 Callejo Road

Garland
Texas
United States
75044

dmfowler2@gmail.com

Case Number	PC Hearing Date	CC Hearing Date	Planner Name
Z 22-20	September 12, 2022	October 11, 2022	Nabiha Ahmed

Against

james reed

Against

9/6/2022
10:09:16 PM

6411 WILDLIFE TRAIL

jvrtx9@hotmail.com

Garland

972-740-1773

Texas

United States

<null>

Kylee Bradford

Against

9/6/2022
10:06:28 PM

6721 Callejo Rd.

Outside the Notification Area

Garland

Texas

United States

<null>

Jen Dilworth

Against

Outside the Notification Area

9/6/2022
9:50:55 PM

6710 Rutledge Ct

Garland

Texas

United States

75044

Cindy Moore

Against

Outside the Notification Area

9/6/2022
9:40:49 PM

506 Thunderbrook Rd

elijahsaunt@gmail.com

Garland

9727686455

Texas

United States

Case Number	PC Hearing Date	CC Hearing Date	Planner Name
Z 22-20	September 12, 2022	October 11, 2022	Nabiha Ahmed

75044

This is a public park with walking paths that everyone enjoys. Townhomes there would destroy the grounds and the views

Jonny Ngo

Against

9/6/2022
9:36:22 PM

6611 Rutledge Ct

Outside the Notification Area

Garland

Texas

United States

<null>

Andrea Rodriguez

Against

Outside the Notification Area

9/6/2022
9:31:48 PM

3601 Bluesage

andrear28@verizon.net

Garland

14692682828

TX

United States

75040

That is a lovely park, why would it be ruined with townhomes? It will create traffic and congestion. Please STOP building and creating traffic, this is a lovely park, I lived at Equinox for three years. STOP these developers!

Rochelle Ran

Against

Outside the Notification Area

9/6/2022
5:56:09 PM

2918 Teakwood Drive

Rochelletrachier@gmail.com

Garland

9722078351

Texas

United States

75044

I am adamantly against town homes being built adjacent to the park. There are already far too many apartments and the like saturating the area. The land should be kept natural and free.

Z 22-20

PLANNING & DEVELOPMENT



The applicant requests to allow ninety-three (93) townhouses on the eastern tract, sixty-two (62) townhouses on the western tract, and open spaces.

City Council Meeting
October 11, 2022

CASE INFORMATION

Location: 2200 and 2302 West Campbell Road

Applicant: Grenadier Investments, Inc.

Owner: George W. Baldwin

Acreage: Overall: 21 acres

East: 13 acres

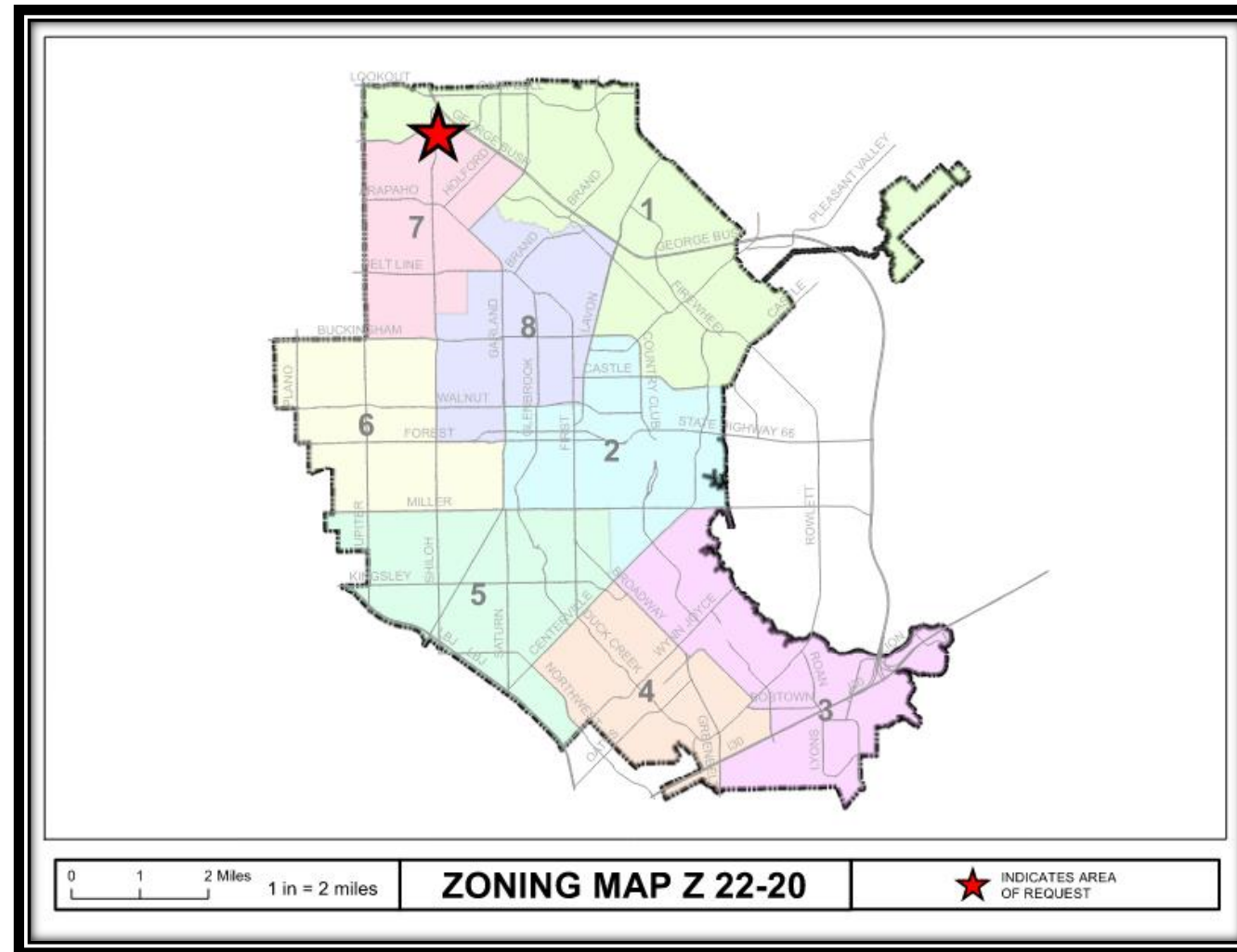
West: 8 acres

Zoning: Planned Development (PD) District 85-50 and
Community Office (CO) Office

Z 22-20

CITYWIDE LOCATION MAP

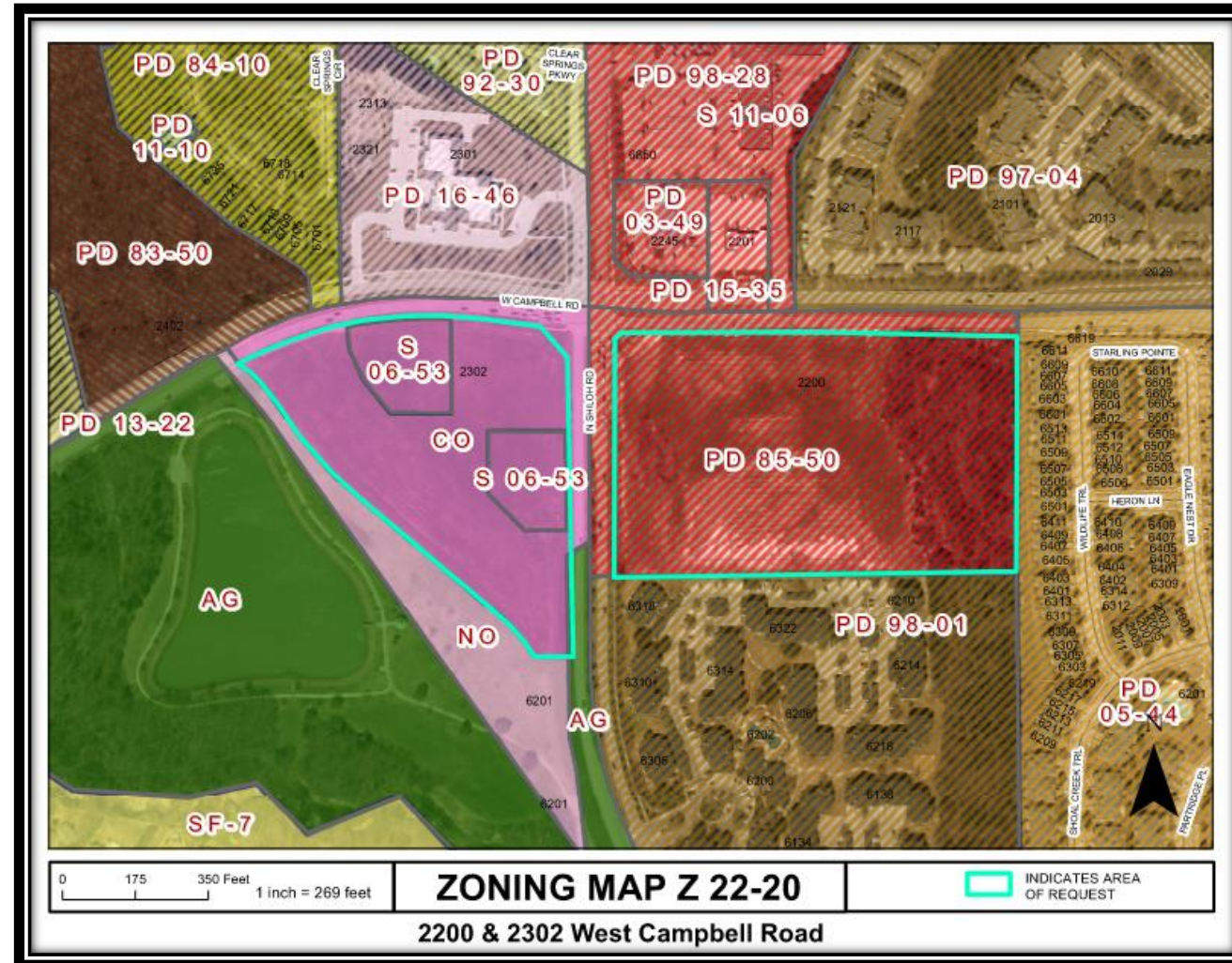
PLANNING &
DEVELOPMENT



Z 22-20

LOCATION MAP

PLANNING & DEVELOPMENT



Z 22-20

COMPREHENSIVE PLAN

PLANNING & DEVELOPMENT



Compact Neighborhoods



Urban Neighborhoods



COMPREHENSIVE PLAN

PLANNING & DEVELOPMENT



The Future Land Use Map of the Envision Garland Plan recommends Compact Neighborhoods for Tract 1 and Urban Neighborhoods for Tract 2.

Compact neighborhoods provide areas for moderate increases in residential density, including single-family attached and single-family detached housing. It expands housing options through infill and redevelopment, while continuing walkable development patterns. These areas provide transitions between traditional residential neighborhoods and higher density residential neighborhoods and non-residential developments. These areas accommodate uses such as convenience retail (goods and services), office space, and public services. The architectural character and scale of these areas are compatible with adjacent residential development.

Urban neighborhoods are higher density residential developments. This residential option may utilize vertical mixed-use integrated into the surrounding area, reflecting the area's dominant character or, when desired, promoting a new character. Urban neighborhoods are characterized by moderate to high density single-family attached and multifamily residential units

This proposed use is compatible with the Comprehensive Plan

PHOTOS

PLANNING & DEVELOPMENT



View of the western tract from West Campbell Road



View of the eastern tract from West Campbell Road



Looking north of the western tract

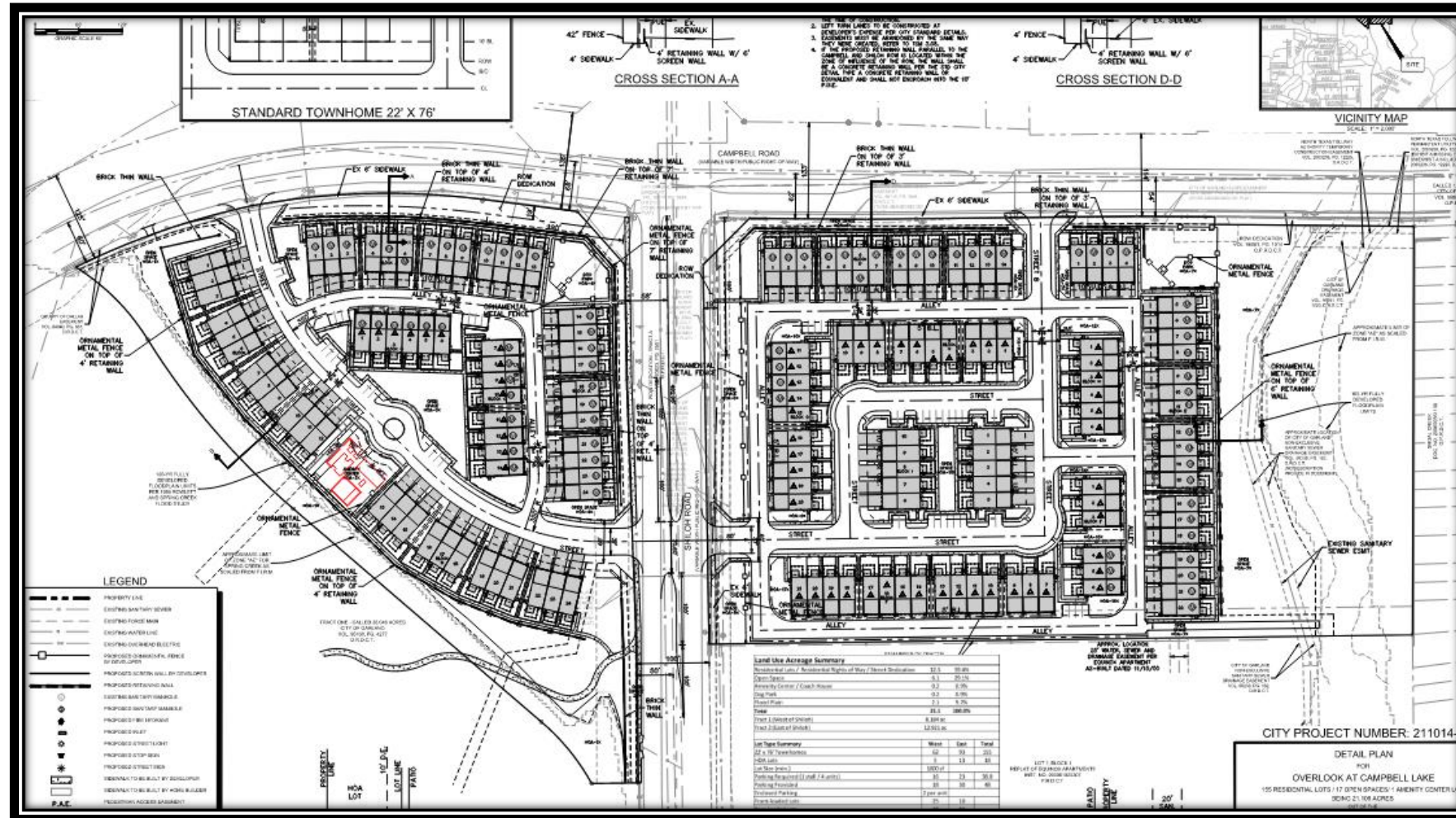


Looking north of the eastern tract

Z 22-20

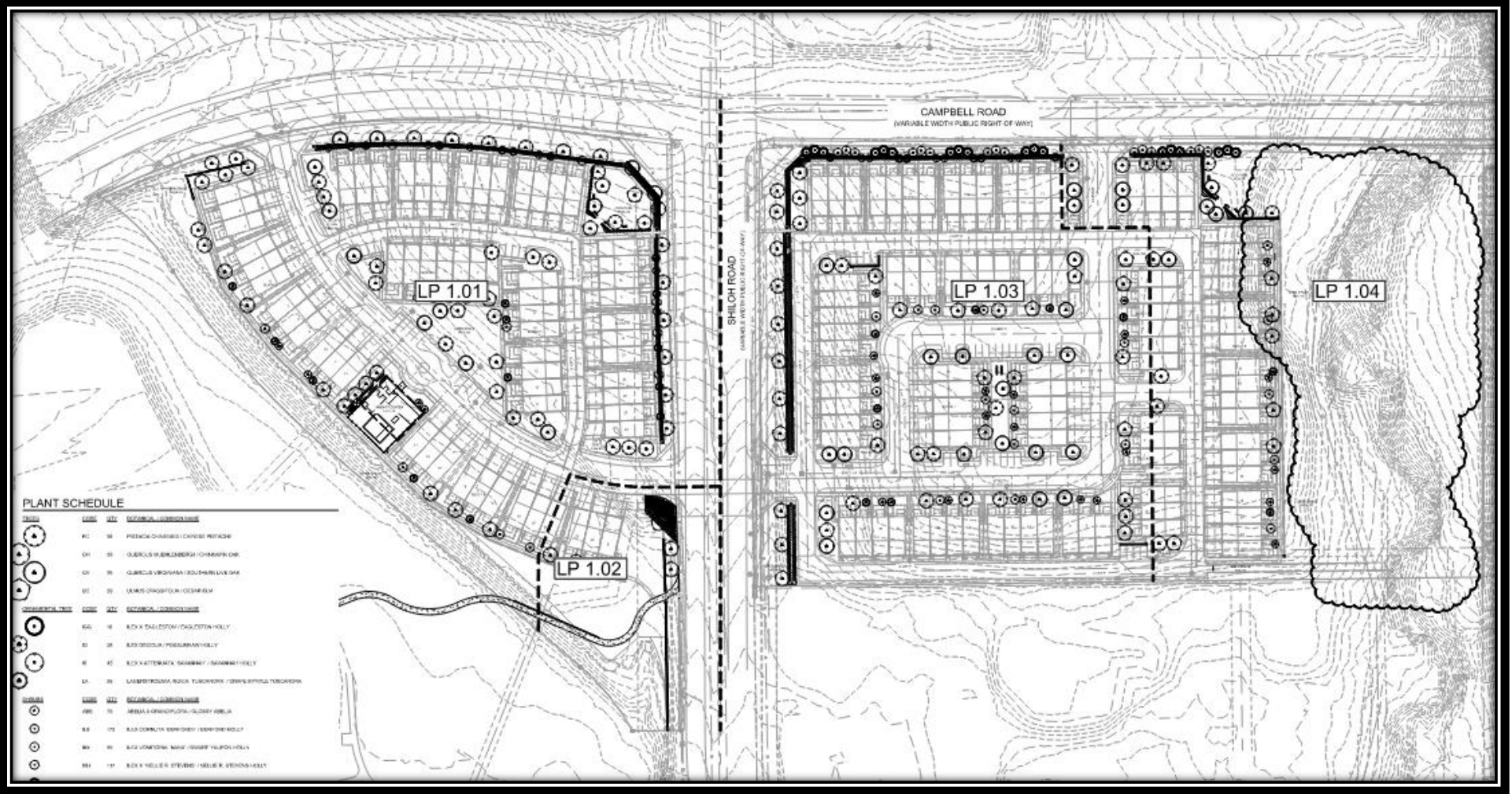
SITE PLAN

PLANNING & DEVELOPMENT



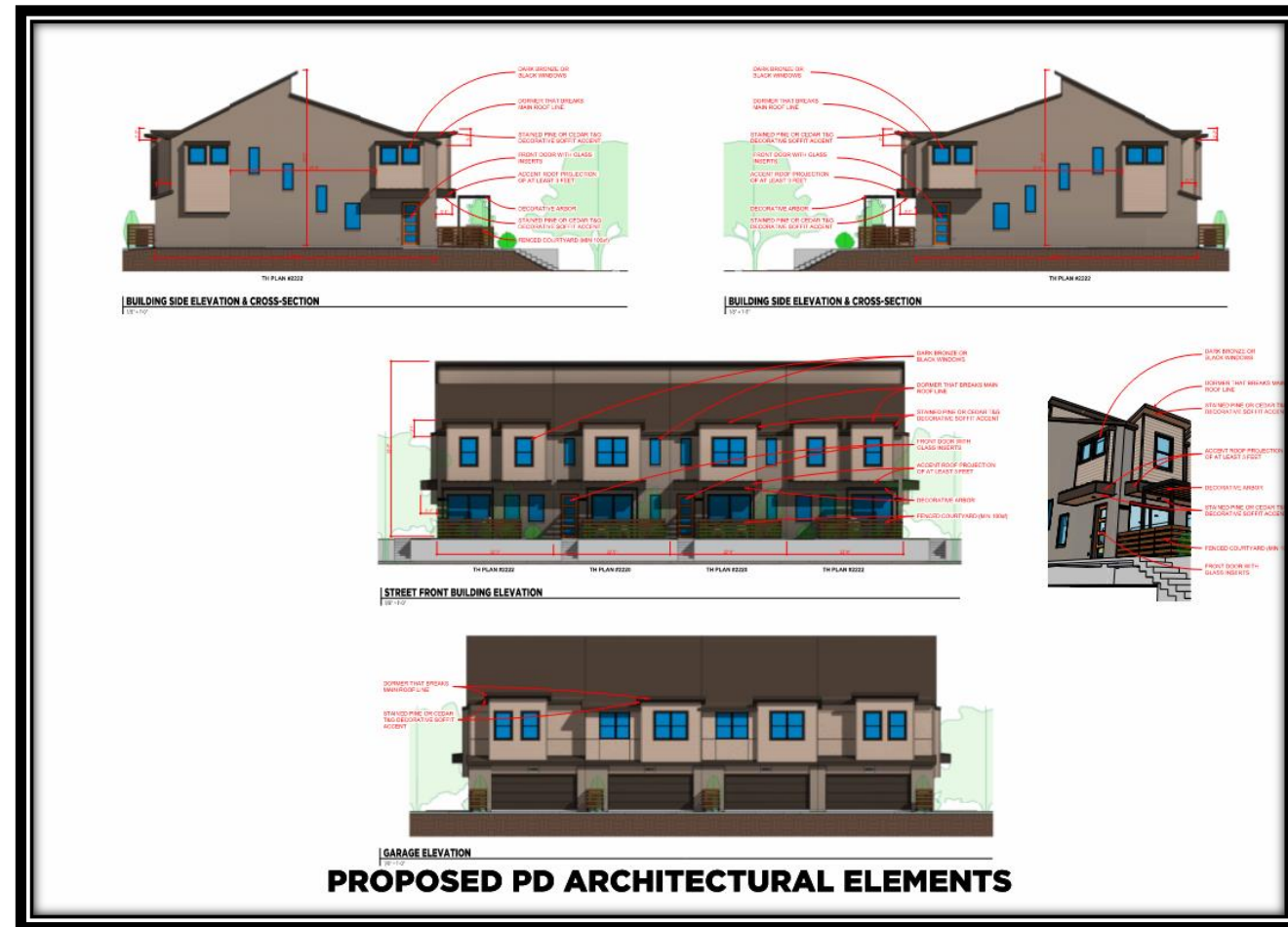
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LANDSCAPE PLAN



BUILDING ELEVATIONS

PLANNING & DEVELOPMENT



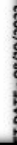
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BUILDING ELEVATIONS

PLANNING & DEVELOPMENT

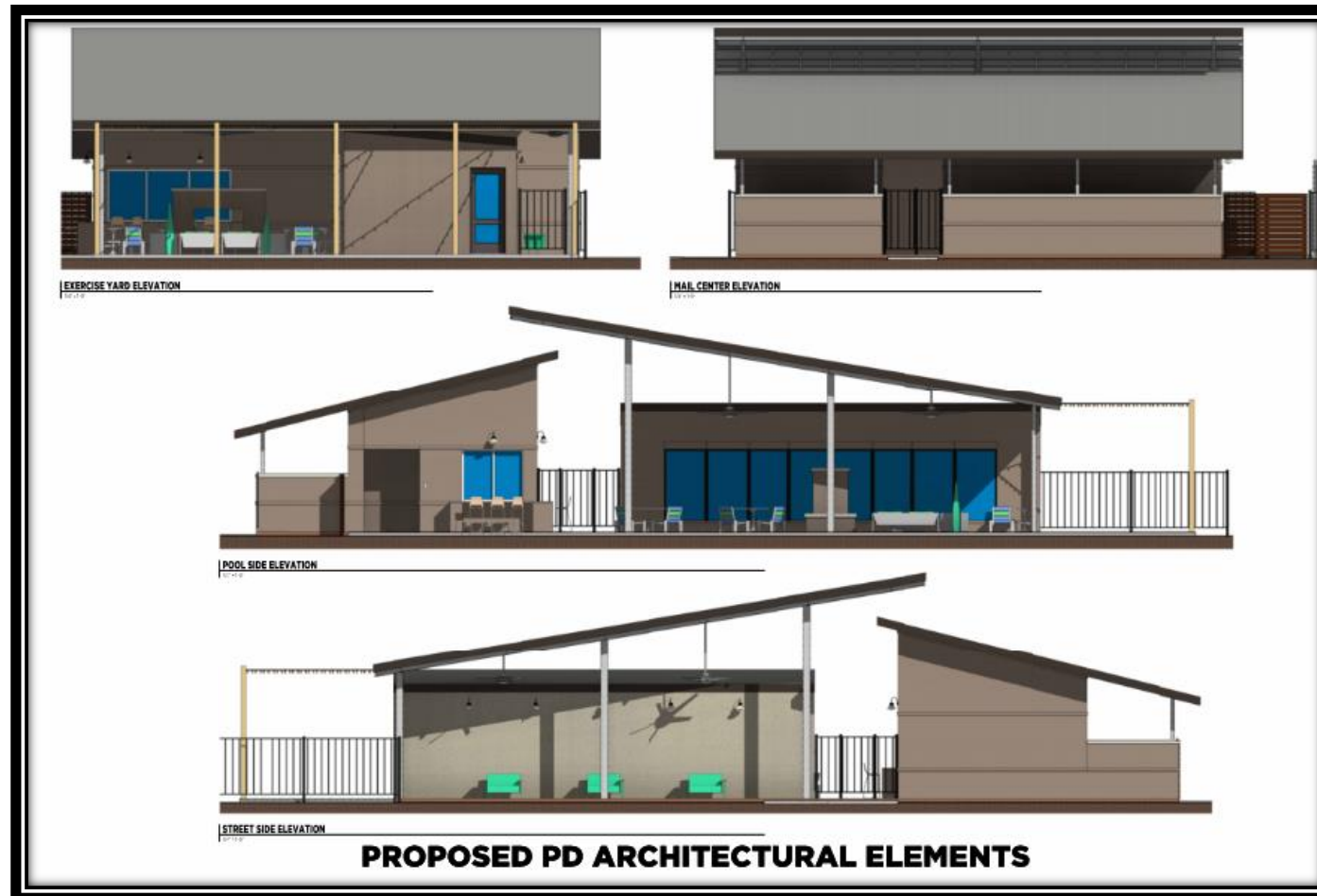


Z 22-20



BUILDING ELEVATIONS

PLANNING &
DEVELOPMENT



Z 22-20

DEVIATIONS TABLE

Development Standards	Required	Proposed (Minimum)	Justification
Lot Area	Minimum 2,000 SF	Minimum 1,600 SF	The proposed lot size allow the desired number of townhomes and enhanced amenities.
Lot Depth	Minimum 90 feet	Minimum 75 feet	The proposed lot width is due to the unusual shape of the western tract and the floodplain on the eastern tract, which takes up 2.1 acres.
Lot Width	Minimum 30 feet for end lots Minimum 20 feet for interior lots	Minimum 27 feet for end lots Minimum 22 feet for interior lots.	The proposed lot width is due to the unusual shape of the western tract and the floodplain on the eastern tract, which takes up 2.1 acres.

DEVIATIONS TABLE

Lot Orientation	All lots within the SFA district must front on a public street, a City-approved public way, or common area lot that is dedicated for mutual access to each lot.	The site plan (Exhibit C) shows eight-one (81) "Mews Type" lots where they don't front onto a Public Street or City-approved public way, but they do have, in every instance, a common area lot that is dedicated for mutual access to these townhomes.	The applicant contends they have built many Mews Type lots at other projects, which includes Riverset and Heritage Park in Garland, and they have found the unique living environment is something highly desired by their homeowners, to the point that they are willing to pay a premium price for such a townhome fronting onto a Mews condition.
Alleys	Alleys are required	35 front-loaded lots 121 rear-loaded lots	The applicant proposes a combination of front-loaded and rear-loaded lots.
Garage Setback	20 feet	The applicant proposes twenty (20) feet driveway depth for all street facing garages and five (5) feet depth for all alley facing garages except for lots facing Campbell Road, Shiloh Road, and the floodplain on the east as shown on the site plan (Exhibit C).	The applicant contends this requirement is unnecessary since there is no City sidewalk in this situation. Pedestrian circulation happens on the front side of the townhome, in a much more protected and pedestrian-friendly environment

DEVIATIONS TABLE

GDC Requirement	Proposed	Justification
- Multiple pane windows featuring either divided light or simulated divided light; - A front porch area enclosed by a railing at least thirty inches in height, and containing decorative columns at least six inches in diameter; - Gable(s) with window(s); - Dormer(s); - Bay windows with a minimum projection of twenty-four inches; - Minimum 8:12 roof pitch; - Split garage doors with a separate door for each vehicle bay; or - Front covered porch with at least forty square feet of usable space, and a minimum depth of five feet.	- Dormer that breaks main roof line - Fenced Courtyard having a minimum depth of 10 feet and width of 10 feet (at least 100 square feet of useable space) - Accent roof projection of at least 3 feet. - Front door with glass inserts. - Garage door with glass inserts - Stained pine or cedar tongue and groove decorative soffit accent - Black or dark bronze colored window frames - Outdoor elevated terrace - Decorative arbor 3 different exterior finish materials	The applicant felt the need to create a PD specific to this site location and allowing for a much more creative and unique, urban-styled contemporary townhome product.

STAFF RECOMMENDATION

Approval of 1) a Change in Zoning from Planned Development (PD) District 85-50 and Community Office (CO) District to a Planned Development (PD) District for Single-Family Attached (SFA) Uses and 2) an Alley Waiver

Approval of a Detail Plan for Single-Family Attached (SFA) Uses.

PLAN COMMISSION RECOMMENDATION

On September 12, 2022 the Plan Commission, by a vote of six (6) to two (2), recommended denial of 1) a Change in Zoning from Planned Development (PD) District 85-50 and Community Office (CO) District to a Planned Development (PD) District for Single-Family Attached (SFA) Uses and 2) an Alley Waiver

The Plan Commission, by a vote of six (6) to two (2), also recommended denial of a Detail Plan for Single-Family Attached (SFA) development.

REVISIONS SINCE PLAN COMMISSION

- 1) Re-located the amenity center in centralized location in the western tract for a better lake view.
- 2) Expanded parking in the center of the western tract by adding three (3) additional head-in parking spaces across from the amenity center.
- 3) Expanded parking on the eastern tract by adding six (6) additional parking spaces to help accommodate visitor parking.
- 4) A dog park was added to the western tract.
- 5) The townhouses on the western tract are now restricted to a maximum height of two-stories.
- 6) Pedestrian gates have been added into the perimeter screening wall for both eastern and western tracts to allow a resident from either side to safely traverse Shiloh Road at the pedestrian crossing at that intersection.
- 7) A traffic-calming circle was added to the western tract to prevent cut-through traffic.



PLANNING & DEVELOPMENT



Z 22-31



GARLAND PLANNING REPORT

City Council Regular Session Agenda

8. b.

Meeting Date: 10/11/2022

Item Title: Z 22-20 Grenadier Investments, Inc. - Detail Plan (District 7)

Submitted By: Nabiha Ahmed, Lead Development Planner

REQUEST

Approval of 1) a Change in Zoning from Planned Development (PD) District 85-50 and Community Office (CO) District to a Planned Development (PD) District for Single-Family Attached (SFA) Uses and 2) an Alley Waiver

Approval of a Detail Plan for Single-Family Attached (SFA) development.

LOCATION

2200 and 2302 West Campbell Road

OWNER

George W. Baldwin

PLAN COMMISSION RECOMMENDATION

On September 12, 2022 the Plan Commission, by a vote of six (6) to two (2), recommended denial of 1) a Change in Zoning from Planned Development (PD) District 85-50 and Community Office (CO) District to a Planned Development (PD) District for Single-Family Attached (SFA) Uses and 2) an Alley Waiver.

The Plan Commission, by a vote of six (6) to two (2), also recommended denial of a Detail Plan for Single-Family Attached (SFA) development.

To address concerns raised during the Plan Commission meeting, the applicant has since made the following changes to the site layout:

1. Re-located the amenity center in centralized location in the western tract for a better lake view.
2. Expanded parking in the center of the western tract by adding three (3) additional head-in parking spaces across from the amenity center.
3. Expanded parking on the eastern tract by adding six (6) additional parking spaces to help accommodate visitor parking.
4. A dog park was added to the western tract.

5. The townhouses on the western tract are now restricted to a maximum height of two-stories.
6. Pedestrian gates have been added into the perimeter screening wall for both eastern and western tracts to allow a resident from either side to safely traverse Shiloh Road at the pedestrian crossing at that intersection.
7. A traffic-calming circle was added to the western tract to prevent cut-through traffic.

STAFF RECOMMENDATION

Approval of 1) a Change in Zoning from Planned Development (PD) District 85-50 and Community Office (CO) District to a Planned Development (PD) District for Single-Family Attached (SFA) Uses and 2) an Alley Waiver

Approval of a Detail Plan for Single-Family Attached (SFA) development.

BACKGROUND

The applicant proposes to construct one-hundred fifty-five (155) townhouses and eighteen (18) HOA open space lots on the eastern and western tracts. Both tracts are unimproved.

SITE DATA

The overall subject property contains approximately 21 acres. Tract 1 (west of North Shiloh Road) is 8.2 acres and Tract 2 (east of North Shiloh Road) is 12.9 acres. Tract 1 has approximately 800 lineal feet of frontage along West Campbell Road and 715 lineal feet of frontage along North Shiloh Road. Tract 2 has approximately 1,005 lineal feet of frontage along West Campbell Road and 524 lineal feet of frontage along North Shiloh Road.

Both tracts can be accessed from North Shiloh Road and West Campbell Road.

USE OF PROPERTY UNDER CURRENT ZONING

Tract 1 is currently zoned Community Office (CO) District. The Community Office (CO) District is intended to create an appropriate setting for medium and higher intensity office and professional uses. The district may be used as a transition district between low intensity office/retail uses and more intense uses. It is also generally appropriate along major transportation corridors. However, the Community Office (CO) District is generally not appropriate in proximity to low-density residential districts. Examples of allowed uses in a Community Office (CO) district are: professional offices, campus-style corporate office, research, and assembly operations that may be large in scale but that are conducted wholly within a building(s) with very limited or no outside storage. In addition, a Specific Use Provision (S 06-53) was approved in 2006 for a Retail Sales/Personal Service Use, but it was never constructed.

Tract 2 is zoned Planned Development Planned Development (PD) District 85-50 for Community Retail Uses. In 1985, the City Council approved a mixed use development. The subject property was designated as "Tract 1" and was approved for retail use. The southern portion was designated as "Tract 2" and was approved for a multi-family development, now zoned Planned Development (PD) District 98-01.

CONSIDERATIONS

Detail Plan

1. The applicant proposes a Detail Plan for a development of townhouses in two (2) tracts; however, they will be constructed at the same time. The Site Plan (Exhibit C) shows sixty-two (62) single-family attached townhouse units and five (5) HOA lots in Tract 1 and ninety-three (93) single-family attached units and thirteen (13) HOA lots in Tract 2. In addition, the applicant is proposing 10.8 units per acre, therefore meeting the SFA GDC requirement.

The applicant has selected an urban design for this townhouse development. A combination of two-story and three-story townhouse units are proposed for this development. The three-story units will face along the greenbelt on the eastern tract.

2. The applicant requests to deviate from some of the required SFA District development standards per Section 2.34 (Table 2-3) of the Garland Development Code (GDC). The table below indicates the deviations proposed. It should be noted that the proposal will meet the minimum dwelling size requirement (1,400 sf) per the GDC.

Development Standards	Required	Proposed (Minimum)	Justification
Lot Area	Minimum 2,000 SF	Minimum 1,600 SF	The proposed lot size allows the desired number of townhomes and enhanced amenities.
Lot Depth	Minimum 90 feet	Minimum 75 feet	The proposed lot width is due to the unusual shape of the western tract and the floodplain on the eastern tract, which takes up 2.1 acres.
Lot Width	Minimum 30 feet for end lots Minimum 20 feet for interior lots	Minimum 27 feet for end lots Minimum 22 feet for interior lots.	The proposed lot width is due to the unusual shape of the western tract and the floodplain on the eastern tract, which takes up 2.1 acres.
	Adjacent to Street: Front: 10 feet	10 feet 10 feet	

Building Setbacks	Side: 10 feet Not Adjacent to Street Side: 5 feet Rear: 5 feet	5 feet 5 feet	The site plan (Exhibit C) complies with the building setbacks.
Lot Orientation	All lots within the SFA district must front on a public street, a City-approved public way, or common area lot that is dedicated for mutual access to each lot.	The site plan (Exhibit C) shows eight-one (81) "Mews Type" lots where they don't front onto a Public Street or City-approved public way, but they do have, in every instance, a common area lot that is dedicated for mutual access to these townhomes.	The applicant contends they have built many Mews Type lots at other projects, which includes Riverset and Heritage Park in Garland, and they have found the unique living environment is something highly desired by their homeowners, to the point that they are willing to pay a premium price for such a townhome fronting onto a Mews condition.
Alleys	Alleys are required	35 front-loaded lots 121 rear-loaded lots	The applicant proposes a combination of front-loaded and rear-loaded lots.
		The applicant proposes twenty (20) feet driveway depth for all street facing garages and five (5) feet depth for all alley facing	The applicant contends this requirement is unnecessary since there is no City sidewalk in this situation.

Garage Setback	20 feet	garages except for lots facing Campbell Road, Shiloh Road, and the floodplain on the east as shown on the site plan (Exhibit C).	Pedestrian circulation happens on the front side of the townhome, in a much more protected and pedestrian-friendly environment.
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Screening and Landscaping

3. The proposed landscape layout (Exhibit D) complies with the applicable screening standards. Per the GDC, a screening wall is required along a thoroughfare Type “D” or greater. North Shiloh Road and West Campbell Road are both considered to be greater than Type “D”; therefore, a six (6)-foot brick thin wall will be placed above a retaining wall on the northern perimeter along West Campbell Road on both tracts. The landscape plan (Exhibit D) reflects a six (6)-foot brick thin wall on the eastern perimeter line along North Shiloh Road and a five (5)-foot ornamental fence along the western perimeter line for Tract 1.

In addition, a five (5)-foot ornamental fence is proposed along the eastern and western perimeter lines of Tract 2. The landscape plan (Exhibit D) shows large canopy trees and high-level screening shrubs on the street side of the ornamental fence along North Shiloh Road. In addition, another row of high-level screening shrubs are proposed in the development side of the ornamental fence to fully screen the development from North Shiloh Road.

The landscape plan reflects the open space required per the GDC. However, the eastern tract requires along West Campbell Road requires eleven (11) canopy trees. Due to the overhead utility lines, the applicant proposes to substitute one (1) large canopy trees with three (3) small ornamental trees. Therefore, a total of thirty-three (33) small ornamental trees along the eastern tract of West Campbell Road.

4. Open Space

The applicant has considered open space while designing the townhouses around the City Park near the western tract. The eastern tract has a floodplain and all the trees within the floodplain will be preserved. The site plan (Exhibit C) meets the open space requirement per the GDC.

5. Amenities

Common open space area is included with the proposed development in accordance with the GDC. The amenity requirements of the Single-Family Attached (SFA) District per the GDC are satisfied. Amenities include a clubhouse, swimming pool, fitness center and a dog park. All residents on either side of the tracts will have access to the amenities.

6. Trail Connection

The landscape plan (Exhibit D) shows an eight (8)-foot trail connection to the City's Spring Creek Harris Trail. The Engineering Department and the Parks Department will review the exact alignment at the time of construction plan review.

7. Parking

The site plan (Exhibit C) complies with the required enclosed garages spaces and guest parking per the GDC.

8. Garage

The GDC requires the face of a garage door to be at least twenty (20) feet from the street or alley right-of-way line that the garage door faces (twenty-four feet if facing an interior lot/property line), and must have at least one of the following designs, as depicted in Illustrations 4-9 through 4-13:

- Rear entry;
- "J" drives, for front entry properties;
- "Swing" drives, for side entry properties; or
- Offset front entry with the garage door set back at least five feet behind the front building face.

The site plan (Exhibit C) shows a thirty-five (35) front-loaded lots and 121 rear-loaded lots. The applicant proposes twenty (20) feet driveway depth for all street-facing garages and a five (5) feet driveway depth for alley-facing garages where the front property line is no further than 150 feet from an interior street.

9. Building Design

The building elevations complies with the articulation requirements per the GDC. The GDC also requires a minimum of three (3) architectural elements for each townhouse unit. The approved list from the GDC is below. Multiple pane windows featuring either divided light or simulated divided light;

- A front porch area enclosed by a railing at least thirty inches in height, and containing decorative columns at least six inches in diameter;
- Gable(s) with window(s);
- Dormer(s);
- Bay windows with a minimum projection of twenty-four inches;
- Minimum 8:12 roof pitch;
- Split garage doors with a separate door for each vehicle bay; or
- Front covered porch with at least forty square feet of usable space, and a minimum depth of five feet.

The applicant proposes "Urban-styled contemporary townhouse products". Therefore, another set of architectural elements has been crafted to support this development.

Each street elevation will incorporate three (3) of the following elements:

- Dormer that breaks main roof line
- Fenced Courtyard having a minimum depth of 10 feet and width of 10 feet (at least 100 square feet of useable space)
- Accent roof projection of at least 3 feet.
- Front door with glass inserts.
- Garage door with glass inserts

- Stained pine or cedar tongue and groove decorative soffit accent
- Black or dark bronze colored window frames
- Outdoor elevated terrace
- Decorative arbor
- 3 different exterior finish materials

10. Signage

The applicant has not requested any deviation on signage; it will comply with the standards in the GDC.

11. Alley Waiver

The residential lots within the residential development would front a fifty (50) foot right-of-way with access to each lot limited to the street front. The applicant seeks an Alley Waiver from the Plan Commission for this development. Section 3.80 of the GDC requires every lot in a residential subdivision with two or more lots to be served by an alley at the rear, or, if a corner lot, at the rear or one side. Alleys are utilized to facilitate drainage for the subdivision development, provide an area for the placement of utilities, and to provide rear access to a single-family lot. As reflected on the Detail Plan, alleys are not proposed for this development, as all lots would have front vehicular access only and utilities and drainage would be provided through easements. The Engineering Department has reviewed the plans and has indicated the layout is conducive to providing adequate drainage while meeting the City's requirements.

COMPREHENSIVE PLAN

The Future Land Use Map of the Envision Garland Plan recommends Compact Neighborhoods for Tract 1 and Urban Neighborhoods for Tract 2.

Compact neighborhoods provide areas for moderate increases in residential density, including single-family attached and single-family detached housing. It expands housing options through infill and redevelopment, while continuing walkable development patterns. These areas provide transitions between traditional residential neighborhoods and higher density residential neighborhoods and non-residential developments. These areas accommodate uses such as convenience retail (goods and services), office space, and public services. The architectural character and scale of these areas are compatible with adjacent residential development.

Urban neighborhoods are higher density residential developments. This residential option may utilize vertical mixed-use integrated into the surrounding area, reflecting the area's dominant character or, when desired, promoting a new character. Urban neighborhoods are characterized by moderate to high density single-family attached and multifamily residential units.

This proposed use is compatible with the Comprehensive Plan.

COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

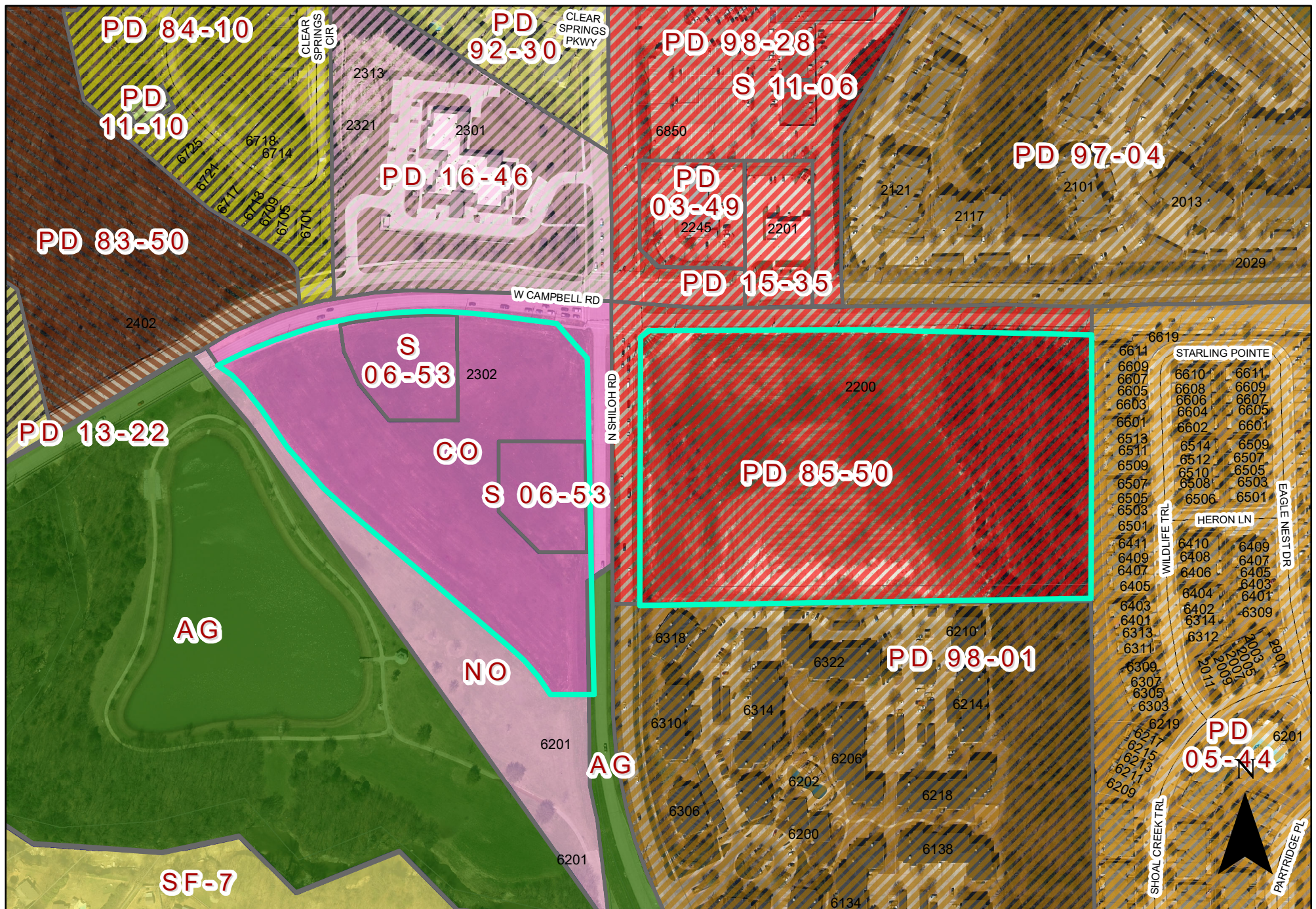
The properties to the north of both tracts, across West Campbell Road, are zoned Planned Development (PD) District 97-04 for Multi-Family Use, Planned Development (PD) District 15-35 for Community Retail Uses, Planned Development (PD) District 03-49 for Community Retail Uses, Planned Development 16-46 for Neighborhood Office Use, Planned Development (PD) District 84-10 for Single-Family Uses and Planned Development (PD) District 83-50 for Mixed Uses. These properties are developed with an apartment complex, automobile repair, a bank and a medical facility. The property to the east of Tract 2 is zoned Planned Development (PD) District 05-44 for Single-Family Attached Use; these properties are developed with townhouses. The property to the south of Tract 2 is zoned Planned Development (PD) District 98-01 for Multi-Family Uses; this property is developed with an apartment complex. The property to the south and west of Tract 1 are zoned Neighborhood Office (NO) District and Agricultural (AG) District; there is an existing park.

Attachments

Z 22-20 Grenadier Investments, Inc. Attachments (Detail Plan)

Z 22-20 Grenadier Investments, Inc. Responses

Z 22-20 Staff Presentation

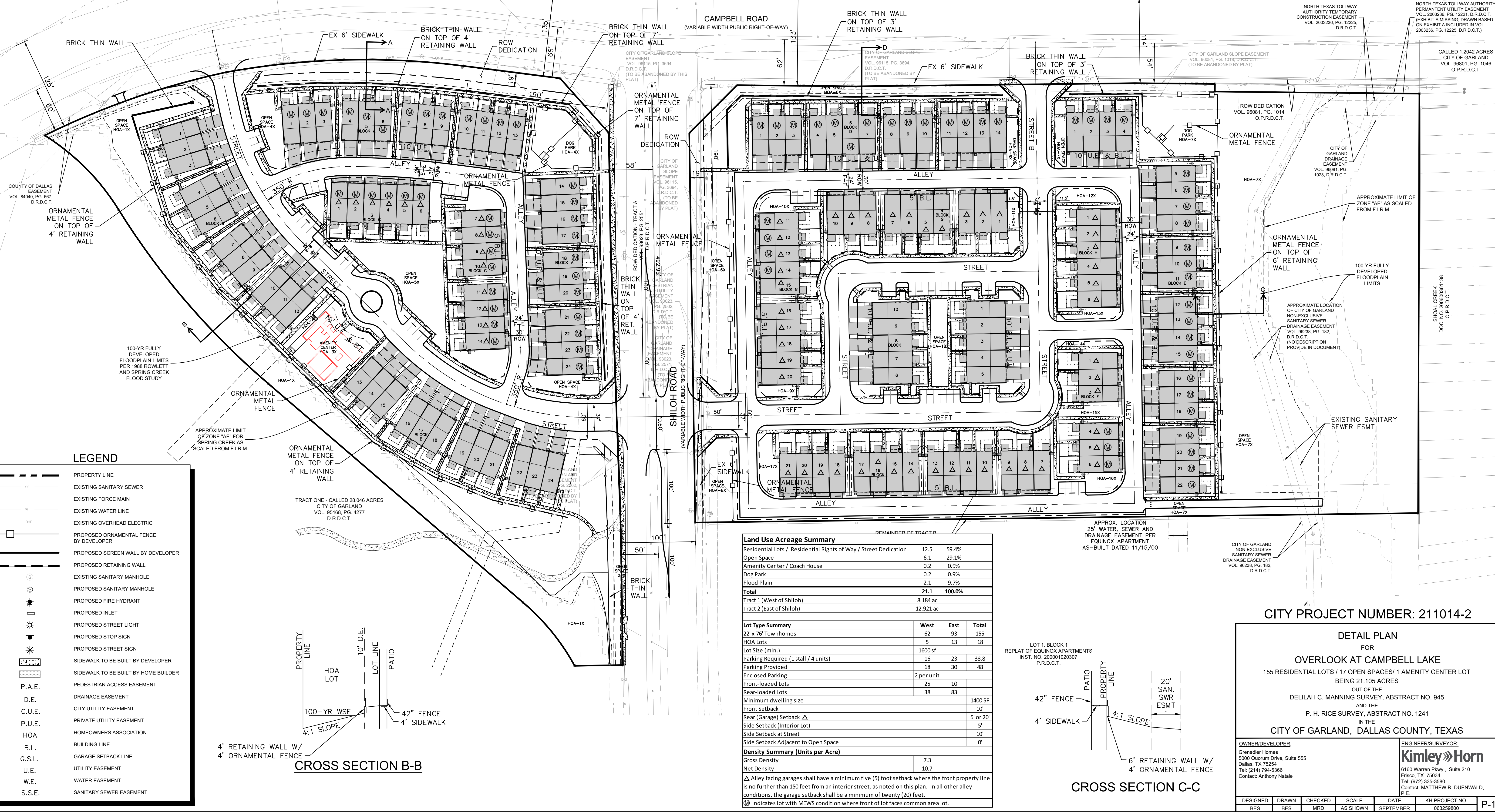
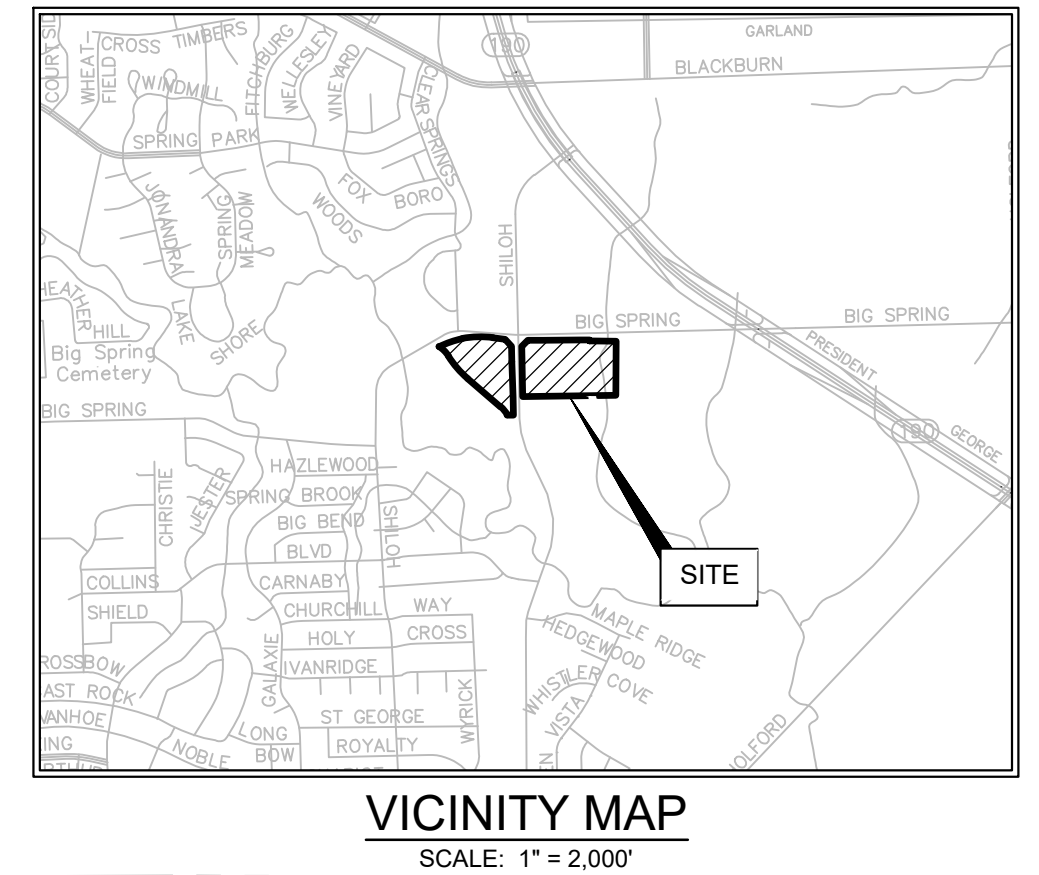
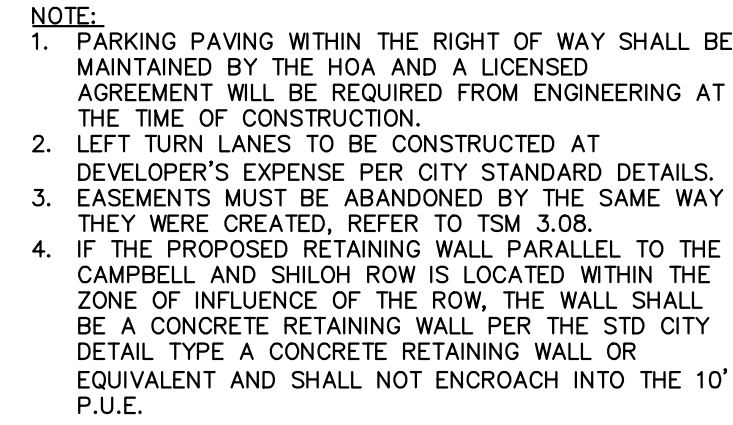
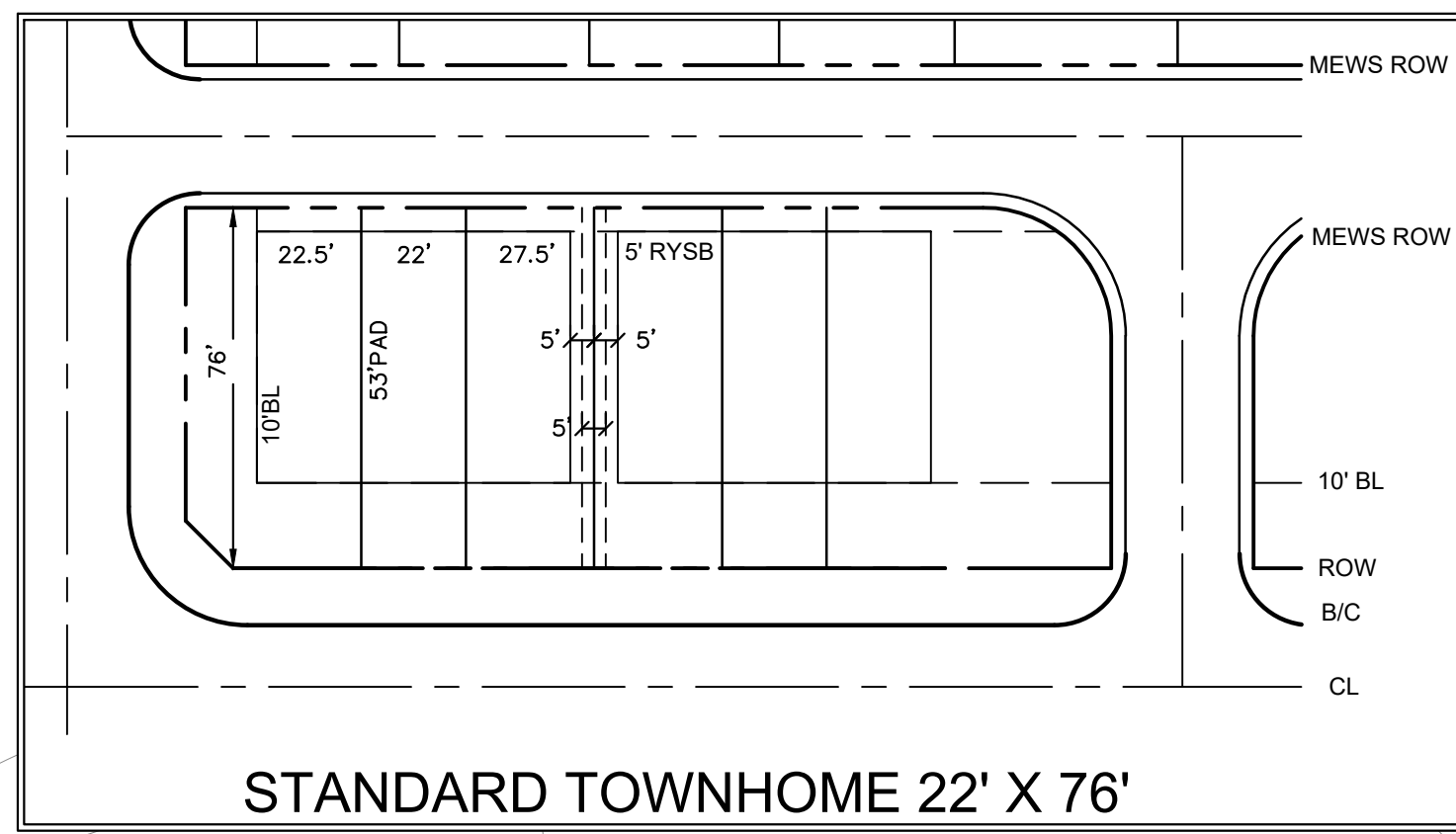


0 175 350 Feet
1 inch = 269 feet

ZONING MAP Z 22-20

2200 & 2302 West Campbell Road

 INDICATES AREA OF REQUEST



Land Use Acreage Summary			
Residential Lots / Residential Rights of Way / Street Dedication	12.5	59.4%	
Open Space	6.1	29.1%	
Amenity Center / Coach House	0.2	0.9%	
Dog Park	0.2	0.9%	
Flood Plain	2.1	9.7%	
Total	21.1	100.0%	
Tract 1 (West of Shiloh)	8.184 ac		
Tract 2 (East of Shiloh)	12.921 ac		
Lot Type Summary			
	West	East	Total
22' x 76' Townhomes	62	93	155
HOA Lots	5	13	18
Lot Size (min.)	1600 sf		
Parking Required (1 stall / 4 units)	16	23	38.8
Parking Provided	18	30	48
Enclosed Parking	2 per unit		
Front-loaded Lots	25	10	
Rear-loaded Lots	38	83	
Minimum dwelling size			1400 SF
Front Setback			10'
Rear (Garage) Setback Δ			5' or 20'
Side Setback (Interior Lot)			5'
Side Setback at Street			10'
Side Setback Adjacent to Open Space			0'
Density Summary (Units per Acre)			
Gross Density	7.3		
Net Density	10.7		
Δ Alley facing garages shall have a minimum five (5) foot setback where the front property line is no further than 150 feet from an interior street, as noted on this plan. In all other alley conditions, the garage setback shall be a minimum of twenty (20) feet. $\otimes$ Indicates lot with MEWS condition where front of lot faces common area lot.			

CITY PROJECT NUMBER: 211014-2

DETAIL PLAN

FOR

OVERLOOK AT CAMPBELL LAKE

155 RESIDENTIAL LOTS / 17 OPEN SPACES/ 1 AMENITY CENTER LOT

BEING 21.105 ACRES

OUT OF THE

DELILAH C. MANNING SURVEY, ABSTRACT NO. 945

AND THE

P. H. RICE SURVEY, ABSTRACT NO. 1241

IN THE

CITY OF GARLAND, DALLAS COUNTY, TEXAS

OWNER/DEVELOPER:

Granadier Homes
 5000 Quorum Drive, Suite 555
 Dallas, TX 75254
 Tel: (214) 794-5366
 Contact: Natalie Natale

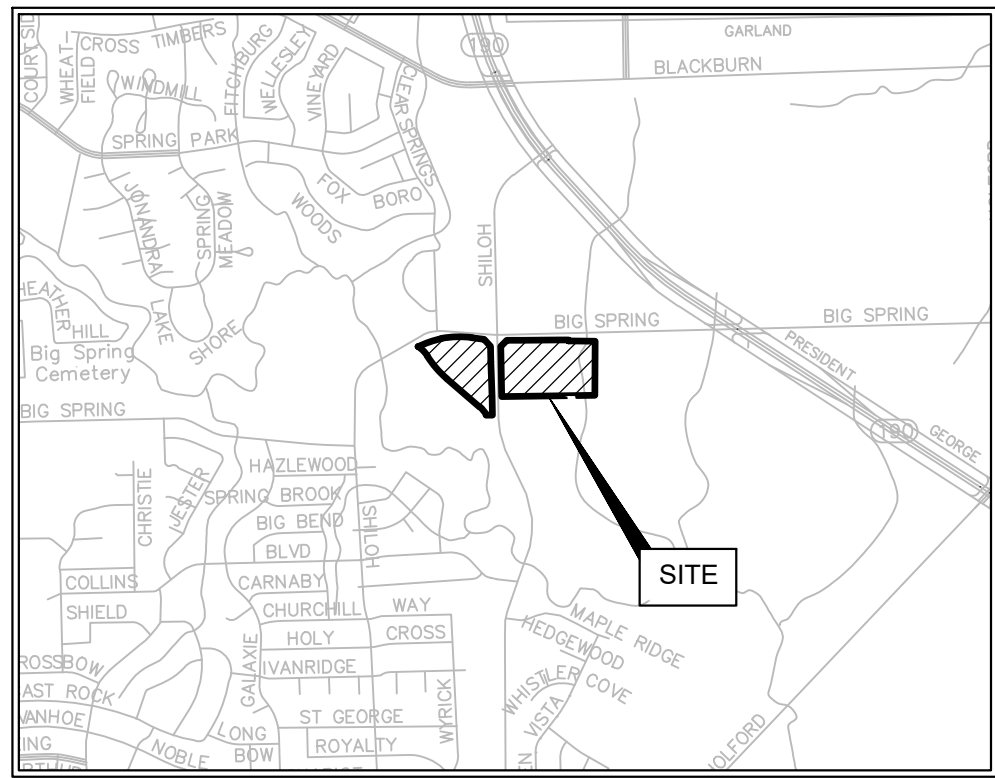
ENGINEER/SURVEYOR:

Kimley»Horn

6160 Warren Pkwy., Suite 210
 Frisco, TX 75034
 Tel: (972) 335-3580
 Contact: MATTHEW R. DUENWALD,
 P.E.

DESIGNED	DRAWN	CHECKED	SCALE	DATE	KH PROJECT NO.
BES	BES	MRD	AS SHOWN	SEPTEMBER	063259800

P-1



VICINITY MAP
SCALE: 1" = 2,000'

LEGEND

	PROPERTY LINE
	EXISTING SANITARY SEWER
	EXISTING FORCE MAIN
	EXISTING WATER LINE
	EXISTING OVERHEAD ELECTRIC
	PROPOSED ORNAMENTAL FENCE BY DEVELOPER
	PROPOSED SCREEN WALL BY DEVELOPER
	PROPOSED RETAINING WALL
	EXISTING SANITARY MANHOLE
	PROPOSED SANITARY MANHOLE
	PROPOSED FIRE HYDRANT
	PROPOSED INLET
	PROPOSED STREET LIGHT
	PROPOSED STOP SIGN
	PROPOSED STREET SIGN
	SIDEWALK TO BE BUILT BY DEVELOPER
	SIDEWALK TO BE BUILT BY HOME BUILDER
	PEDESTRIAN ACCESS EASEMENT
	DRAINAGE EASEMENT
	CITY UTILITY EASEMENT
	PRIVATE UTILITY EASEMENT
	HOMEOWNERS ASSOCIATION
	BUILDING LINE
	GARAGE SETBACK LINE
	UTILITY EASEMENT
	WATER EASEMENT
	SANITARY SEWER EASEMENT

6' BRICK THIN WALL WITH MASONRY COLUMNS SPACED 90' ON CENTER MAX IN FRONT OF LOTS FACING SHILOH ROAD (LOTS 14-24, BLOCK A), TO BE OWNED AND MAINTAINED BY THE HOA.

INSTALL BFR'S PER CITY DETAILS

CITY PROJECT NUMBER: 211014-2

DETAIL PLAN

FOR
OVERLOOK AT CAMPBELL LAKE

155 RESIDENTIAL LOTS / 17 OPEN SPACES / 1 AMENITY CENTER LOT
BEING 21.105 ACRES

OUT OF THE
DELILAH C. MANNING SURVEY, ABSTRACT NO. 945

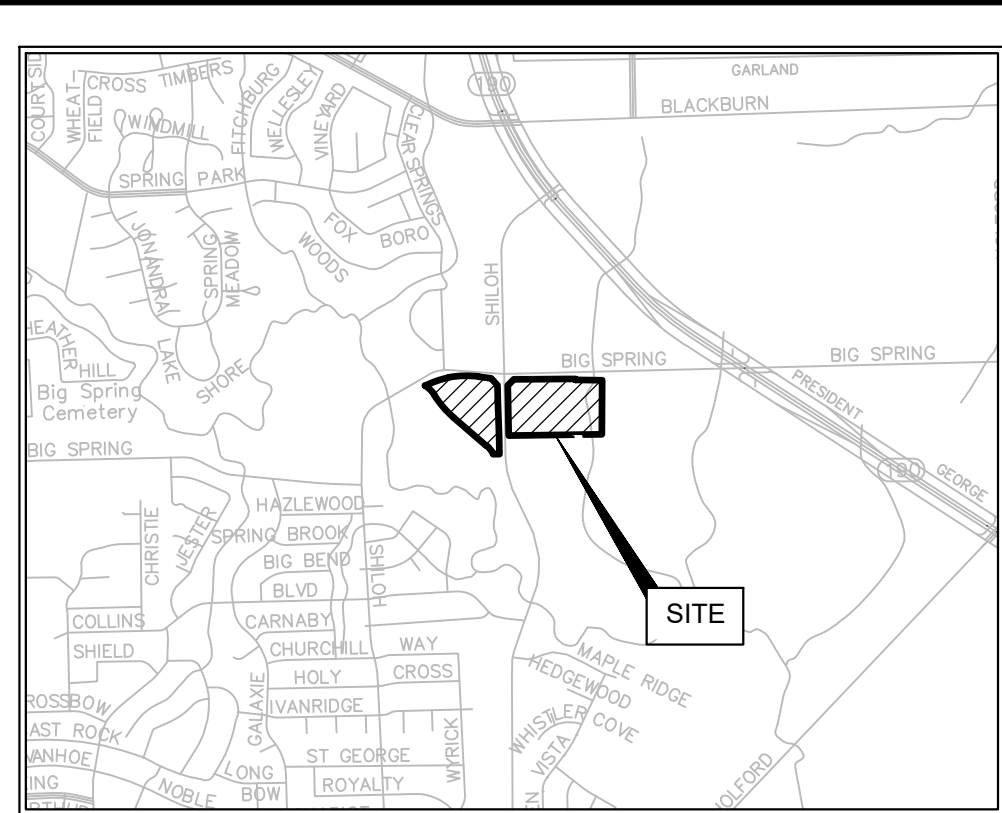
AND THE
P. H. RICE SURVEY, ABSTRACT NO. 1241

IN THE
CITY OF GARLAND, DALLAS COUNTY, TEXAS

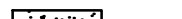
OWNER/DEVELOPER:
Gronader Homes
5000 Quorum Drive, Suite 555
Dallas, TX 75254
Tel: (214) 794-5366
Contact: Anthony Natale

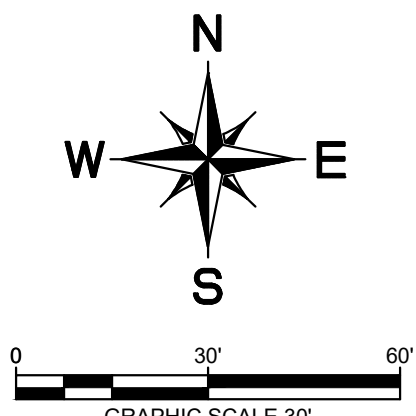
ENGINEER/SURVEYOR:
Kimley-Horn
6160 Warren Pkwy., Suite 210
Frisco, TX 75034
Tel: (972) 335-3580
Contact: MATTHEW R. DUENWALD, P.E.

DESIGNED	DRAWN	CHECKED	SCALE	DATE	KH PROJECT NO.	P-2
BES	BES	MPD	AS SHOWN	SEPTEMBER 2022	063259800	



VICINITY MAP
SCALE: 1" = 2,000'

	PROPERTY LINE
	EXISTING SANITARY SEWER
	EXISTING FORCE MAIN
	EXISTING WATER LINE
	EXISTING OVERHEAD ELECTRIC
	PROPOSED ORNAMENTAL FENCE BY DEVELOPER
	PROPOSED SCREEN WALL BY DEVELOPER
	PROPOSED RETAINING WALL
	EXISTING SANITARY MANHOLE
	PROPOSED SANITARY MANHOLE
	PROPOSED FIRE HYDRANT
	PROPOSED INLET
	PROPOSED STREET LIGHT
	PROPOSED STOP SIGN
	PROPOSED STREET SIGN
	SIDEWALK TO BE BUILT BY DEVELOPER
	SIDEWALK TO BE BUILT BY HOME BUILDER
	PEDESTRIAN ACCESS EASEMENT
	DRAINAGE EASEMENT
	CITY UTILITY EASEMENT
	PRIVATE UTILITY EASEMENT
	HOMEOWNERS ASSOCIATION
	BUILDING LINE
	GARAGE SETBACK LINE
	UTILITY EASEMENT
	WATER EASEMENT
	SANITARY SEWER EASEMENT



CITY PROJECT NUMBER: 211014-2

DETAIL PLAN

OVERLOOK AT CAMPBELL LAKE

155 RESIDENTIAL LOTS / 17 OPEN SPACES/ 1 AMENITY CENTER LOT
BEING 21.105 ACRES

OUT OF THE
DELLAH C. MANNING SURVEY, ABSTRACT NO. 041

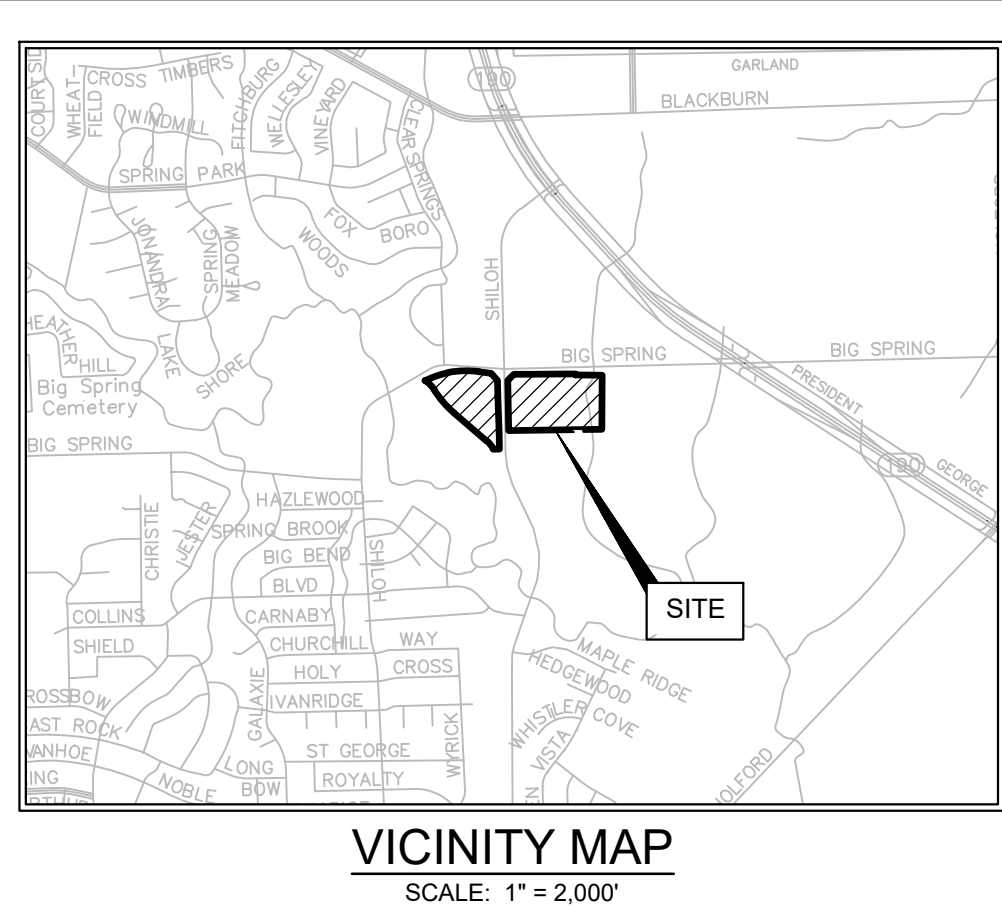
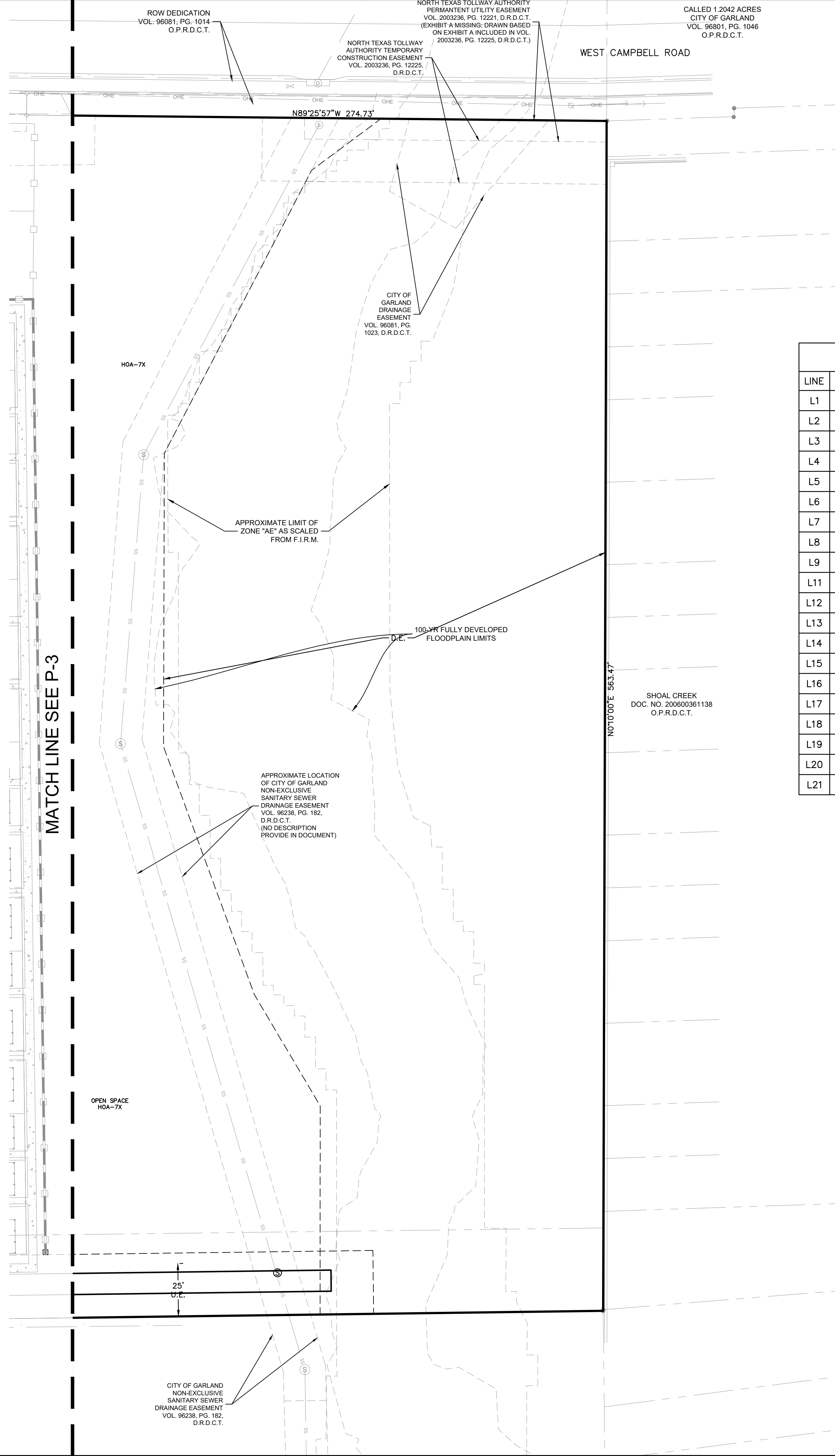
AND THE

CITY OF GARLAND, DALLAS COUNTY, TEXAS

OWNER/DEVELOPER:
Grenadier Homes
5000 Quorum Drive, Suite 555
Dallas, TX 75254
Tel: (214) 794-5366
Contact: Anthony Natale

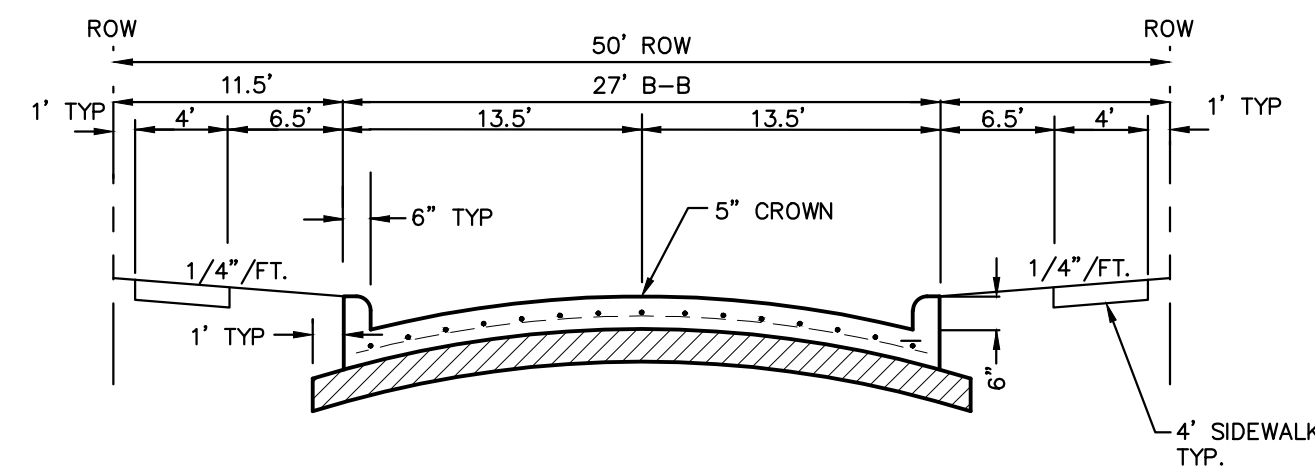
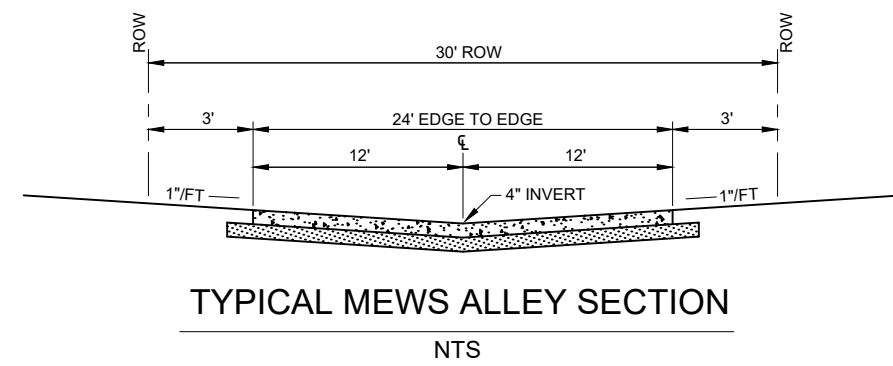
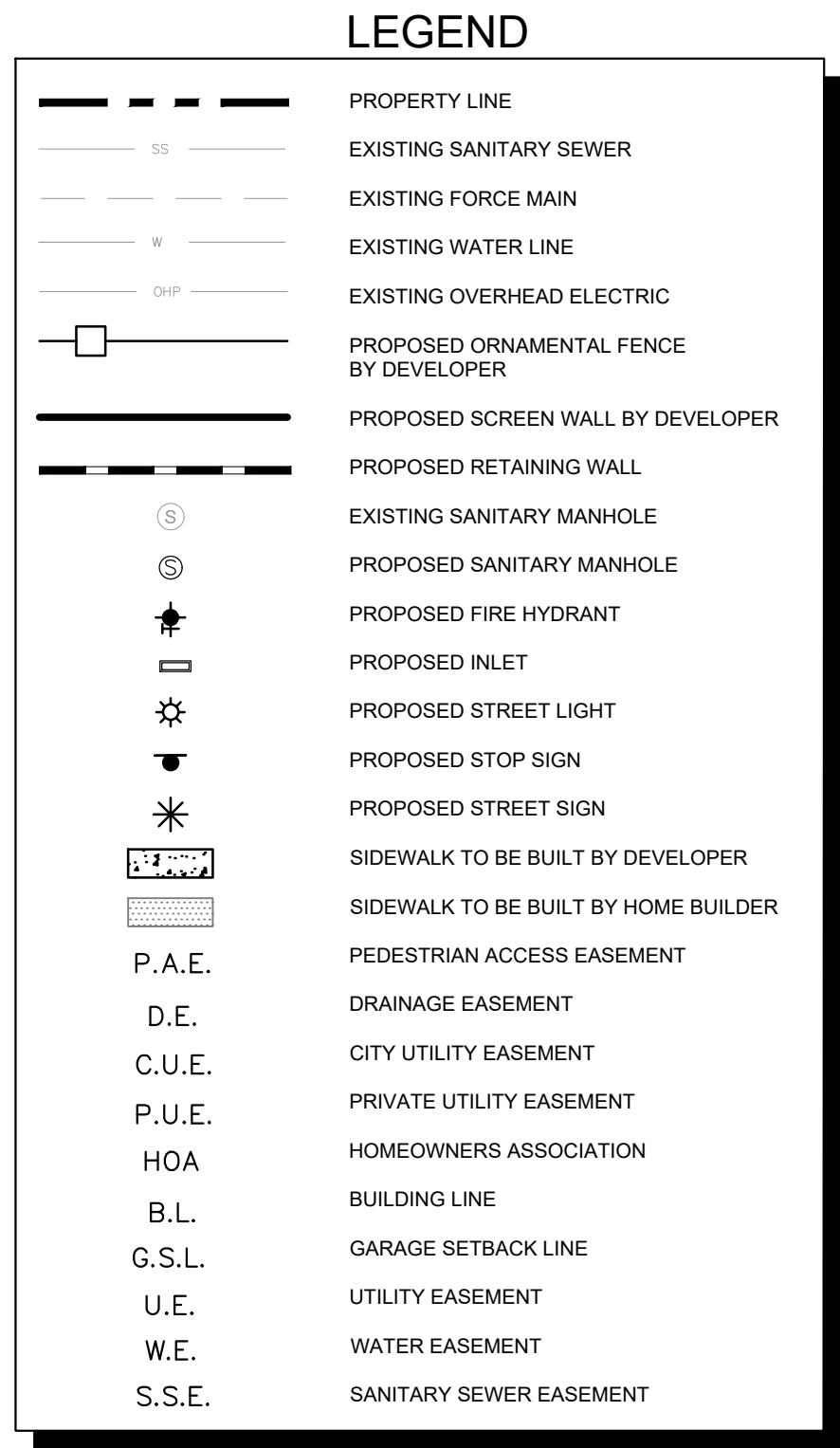
ENGINEER/SURVEYOR:
Kimley»Horn
6160 Warren Pkwy., Suite 210
Frisco, TX 75034
Tel: (972) 335-3580
Contact: MATTHEW R. DUENWALD
P.E.

DESIGNED	DRAWN	CHECKED	SCALE	DATE	KH PROJECT NO.	P-3
BES	BES	MRD	AS SHOWN	SEPTEMBER	063259800	



LINE TABLE		
LINE	LENGTH	BEARING
L42	3.00	S0°45'09.57"E
L43	14.13	N44°10'49.12"E

CURVE TABLE						
CURVE	RADIUS	LENGTH	CHORD BEARING	CHORD	DELTA	TANGENT
C1	350.00'	203.79'	S29°06'12"E	200.93'	33°21'41"	104.88'
C2	350.00'	274.73'	S68°16'15"E	267.73'	44°58'25"	144.88'
C3	220.00'	120.96'	S74°24'57"W	119.44'	31°30'07"	62.05'
C4	1074.00'	134.51'	N86°14'43"W	134.42'	7°10'33"	67.34'
C5	100.00'	35.69'	N8°07'17"E	35.50'	20°27'02"	18.04'
C6	1182.00'	242.17'	S88°31'37"E	241.75'	11°44'20"	121.51'
C7	205.00'	2.29'	N89°50'47"E	2.29'	0°38'26"	1.15'
C8	1182.00'	3.10'	S82°43'58"E	3.10'	0°09'02"	1.55'
C9	65.25'	1.41'	S82°59'52"E	1.41'	11°4'16"	0.70'
C10	85.00'	1.45'	S1°36'57"E	1.45'	0°58'34"	0.72'
C11	1050.83'	3.97'	S18°17'33"W	3.97'	0°12'59"	1.98'
C12	375.00'	5.08'	S45°23'47"E	5.08'	0°46'32"	2.54'
C13	26.86'	0.50'	S0°45'18"E	0.50'	1°03'54"	0.25'
C14	27.50'	0.50'	S0°14'03"E	0.50'	1°02'31"	0.25'
C15	69.89'	0.50'	S89°14'50"W	0.50'	0°24'32"	0.25'

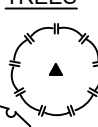
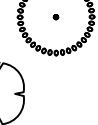
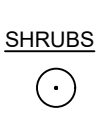
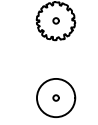
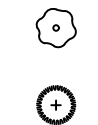
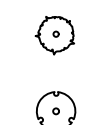
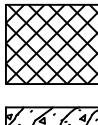
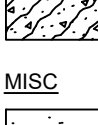
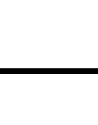


50' RESIDENTIAL STREET
PER CITY OF GARLAND STANDARD DETAIL
NTS

OWNER/DEVELOPER: Grenadier Homes 5000 Quorum Drive, Suite 555 Dallas, TX 75244 Tel: (214) 794-5366 Contact: Anthony Natale				ENGINEER/SURVEYOR: Kimley-Horn 6160 Warren Pkwy., Suite 210 Frisco, TX 75034 Tel: (972) 335-3580 Contact: MATTHEW R. DUENWALD, P.E.			
DESIGNED	DRAWN	CHECKED	SCALE	DATE	KH PROJECT NO.		
BES	BES	MRD	AS SHOWN	SEPTEMBER	063259800		

P-4

PLANT SCHEDULE

TREES			
	PC	38	PISTACIA CHINENSIS / CHINESE PISTACHE
	QH	39	QUERCUS MUEHLENBERGII / CHINKAPIN OAK
	QV	38	QUERCUS VIRGINIANA / SOUTHERN LIVE OAK
	UC	39	ULMUS CRASSIFOLIA / CEDAR ELM
ORNAMENTAL TREE			
	IGG	18	ILEX X 'EAGLESTON' / EAGLESTON HOLLY
	IO	38	ILEX DECIDUA / POSSUMHAW HOLLY
	IS	45	ILEX X ATTENUATA 'SAVANNAH' / SAVANNAH HOLLY
	LA	36	LAGERSTROEMIA INDICA 'TUSCARORA' / CRAPE MYRTLE TUSCARORA
SHRUBS			
	ABE	70	ABELIA X GRANDIFLORA / GLOSSY ABELIA
	ILB	173	ILEX CORNUTA 'BURFORDII' / BURFORD HOLLY
	INY	95	ILEX VOMITORIA 'NANA' / DWARF YAUPOH HOLLY
	IXH	117	ILEX X 'NELLIE R. STEVENS' / NELLIE R. STEVENS HOLLY
	LEG	63	LEUCOPHYLLUM FRUTESCENS 'GREEN CLOUD' TM / GREEN CLOUD TEXAS RANGER
	MCW	225	MYRICA CERIFERA / WAX MYRTLE
	MDT	184	MALVAVISCUS DRUMMONDII / TURK'S CAP
	SGA	84	SALVIA GREGGII / AUTUMN SAGE
GRASSES			
	NAS	83	NASSELLA TENUISSIMA / MEXICAN FEATHER GRASS
GROUND COVERS			
	LO	156	LIRIOPE MUSCARI 'EMERALD GODDESS' / EMERALD GODDESS LILYTURF
	RH	64	RUDBECKIA HIRTA / BLACK-EYED SUSAN
MISC			
	SOD	TBD	CYNODON DACTYLON / COMMON BERMUDA
	MULCH	TBD	SHREDDED HARDWOOD MULCH
	STEEL EDGE	TBD	STEEL EDGING

AN AUTOMATIC IRRIGATION SYSTEM SHALL BE PROVIDED TO MAINTAIN ALL LANDSCAPE AREAS. OVER SPRAY ON STREETS AND WALKS IS PROHIBITED. A PERMIT FROM THE BUILDING INSPECTION DEPARTMENT IS REQUIRED FOR EACH IRRIGATION SYSTEM. IMPACT FEES MUST BE PAID TO THE DEVELOPMENT SERVICES DEPARTMENT FOR SEPARATE IRRIGATION METERS PRIOR TO ANY PERMIT RELEASE.

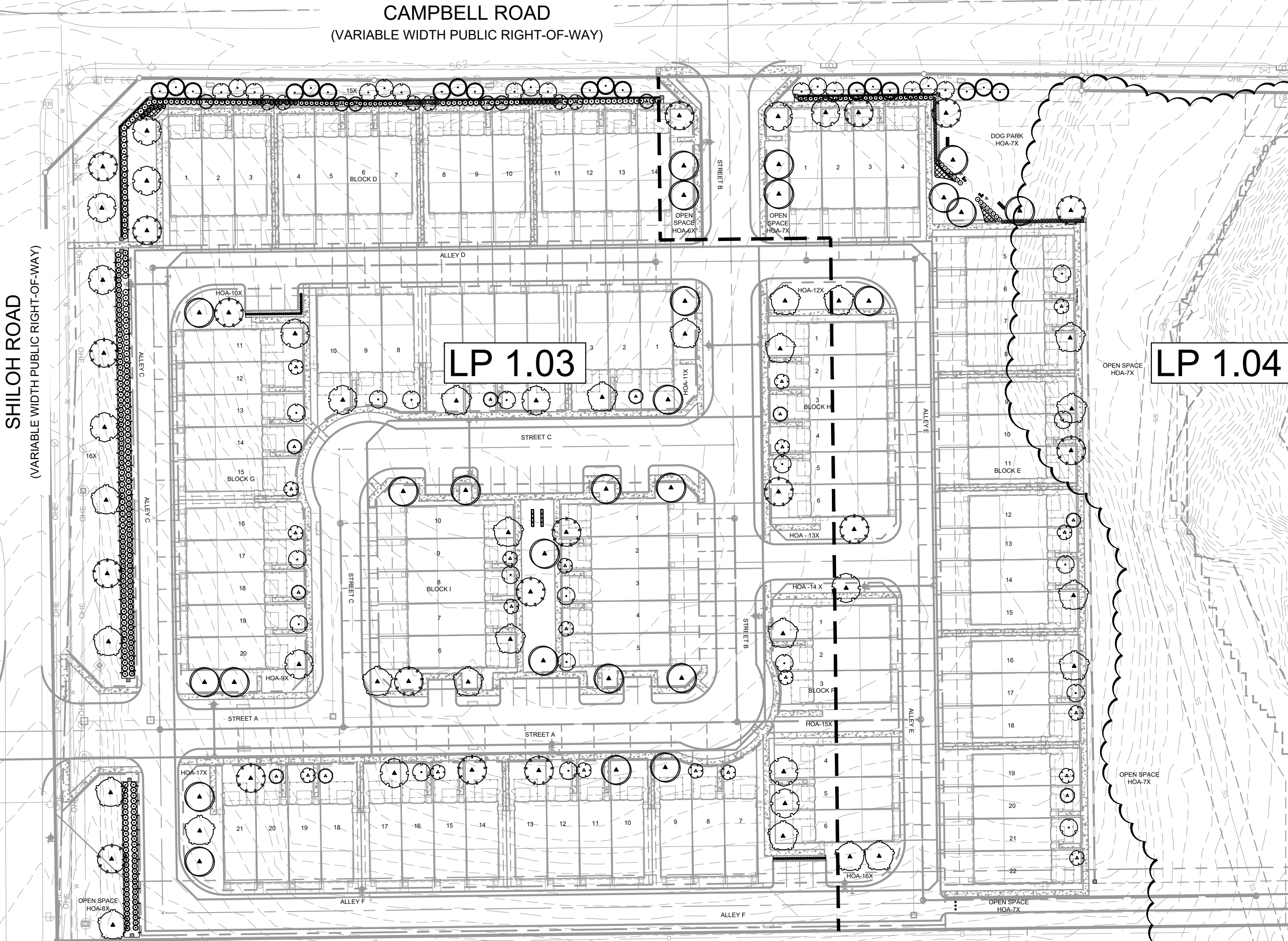
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NOTE: AT LEAST 50% OF TREES ON SITE TO BE CANOPY TREES.

291 TOTAL TREES ON SITE X 50% = AT LEAST 146 TREES TO BE CANOPY TREES.
156 CANOPY TREES PROVIDED ON SITE.
135 ORNAMENTAL TREES PROVIDED ON SITE.

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

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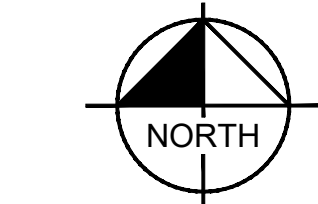


CITY PROJECT NUMBER: 211014-2

OVERALL SITE PLAN

FOR
OVERLOOK AT CAMPBELL LAKE
155 RESIDENTIAL LOTS / 17 OPEN SPACES/ 1 AMENITY CENTER LOT
BEING 21.105 ACRES
OUT OF THE
DEILAH C. MANNING SURVEY, ABSTRACT NO. 945
AND THE
P. H. RICE SURVEY, ABSTRACT NO. 1241
IN THE
CITY OF GARLAND, DALLAS COUNTY, TEXAS

OWNER/DEVELOPER		LANDSCAPE ARCHITECT		ENGINEER/SURVEYOR	
Grenadier Homes 55000 Quorum Drive, Suite 555 Dallas, TX 75254 Tel: (469) 987-6970 Contact: Robert Swegler		Kimley»Horn 6180 Warren Parkway Suite 210 Frisco, TX 75034 Tel: (972) 335-3580 Contact: JONATHAN R. CAMPBELL, P.L.A.		Kimley»Horn 6180 Warren Parkway Suite 210 Frisco, TX 75034 Tel: (972) 335-3580 Contact: MATTHEW R. DUENWALD, P.E.	
DESIGNED	DRAWN	CHECKED	SCALE	DATE	PROJECT NO.
JRC	SNE	JRC	AS SHOWN	SEPT. 2022	063259800



GRAPHIC SCALE IN FEET
0 30 60 120

FOR REVIEW ONLY
Not for construction or permit purposes.
Kimley»Horn
P.L.A. - JONATHAN R. CAMPBELL
A. No. - 3123 - Date - 9/23/2022

LP 1.00

TREES	CODE	QTY	BOTANICAL / COMMON NAME
	PC	38	PISTACHIA CHINENSIS / CHINESE PISTACHE
	QH	39	QUERCUS MUEHLENBERGII / CHINKAPIN OAK
	QV	38	QUERCUS VIRGINIANA / SOUTHERN LIVE OAK
	UC	39	ULMUS CRASSIFOLIA / CEDAR ELM
ORNAMENTAL TREE	CODE	QTY	BOTANICAL / COMMON NAME
	IGG	18	ILEX X 'EAGLESTON' / EAGLESTON HOLLY
	IO	38	ILEX DECIDUA / POSSUMHAW HOLLY
	IS	45	ILEX X ATTENUATA 'SAVANNAH' / SAVANNAH HOLLY
	LA	36	LAGERSTROEMIA INDICA 'TUSCARORA' / CRAPE MYRTLE TUSCARORA
SHRUBS	CODE	QTY	BOTANICAL / COMMON NAME
	ABE	70	ABELIA X GRANDIFLORA / GLOSSY ABELIA
	ILB	173	ILEX CORNUATA 'BURFORDII' / BURFORD HOLLY
	INY	95	ILEX VOMITORIA 'NANA' / DWARF YAUPON HOLLY
	IXH	117	ILEX X 'NELLIE R. STEVENS' / NELLIE R. STEVENS HOLLY
	LEG	63	LEUCOPHYLLUM FRUTESCENS 'GREEN CLOUD' TM / GREEN CLOUD TEXAS RANGER
	MCW	225	MYRTICA CERIFERA / WAX MYRTLE
	MDT	184	MALVA VISCOSA DRUMMONDII / TURK'S CAP
	SGA	84	SALVIA GREGGII / AUTUMN SAGE
GRASSES	CODE	QTY	BOTANICAL / COMMON NAME
	NAS	83	NASSELLA TENUISSIMA / MEXICAN FEATHER GRASS
GROUND COVERS	CODE	QTY	BOTANICAL / COMMON NAME
	LO	156	LIRIOPE MUSCARI 'EMERALD GODDESS' / EMERALD GODDESS LILYTURF
	RH	64	RUDBECKIA HIRTA / BLACK-EYED SUSAN
MISC	CODE	QTY	BOTANICAL / COMMON NAME
	SOD	TBD	CYNODON DACTYLON / COMMON BERMUDA
	MULCH	TBD	SHREDDED HARDWOOD MULCH
	STEEL EDGE	TBD	STEEL EDGING



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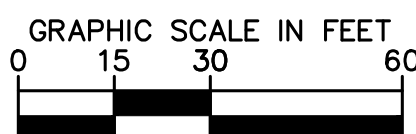
NOTE: AT LEAST 50% OF TREES ON SITE TO BE CANOPY TREES.

291 TOTAL TREES ON SITE X 50% = AT LEAST 144 TREES TO BE CANOPY TREES

156 CANOPY TREES PROVIDED ON SITE.

138 ORNAMENTAL TREES PROVIDED ON SITE.

OWNER/DEVELOPER: Granadier Homes 5000 Quorum Drive, Suite 550 Dallas, TX 75254 Tel: (469) 867-6970 Contact: Robert Swiegler		LANDSCAPE ARCHITECT: Kimley-Horn 6160 Warren Parkway Suite 210 Frisco, TX 75034 Tel: 972 353-3580 Contact: JONATHAN R. CAMPBELL, P.L.A.		ENGINEER/SURVEYOR: Kimley-Horn 6160 Warren Parkway Suite 210 Frisco, TX 75034 Tel: 972 353-3580 Contact: MATTHEW R. DIENHARD, P.E.	
DESIGNED	DRAWN	CHECKED	SCALE	DATE	KH PROJECT NO.
JRC	JRC	JRC	AS SHOWN	SEPT. 2022	632259800



PRELIMINARY

FOR REVIEW ONLY
Not for construction or permit purposes.

Kimley»Horn

P.L.A. JONATHAN R. CAMPBELL
L.A. No. 3123 Date 9/23/2022



PLANT SCHEDULE

TREES	CODE	QTY	BOTANICAL / COMMON NAME
	PC	38	PISTACIA CHINENSIS / CHINESE PISTACHE
	QH	39	QUERCUS MUEHLENBERGII / CHINKAPIN OAK
	QV	38	QUERCUS VIRGINIANA / SOUTHERN LIVE OAK
	UC	39	ULMUS CRASSIFOLIA / CEDAR ELM
ORNAMENTAL TREE	CODE	QTY	BOTANICAL / COMMON NAME
	IGG	18	ILEX X 'EAGLESTON' / EAGLESTON HOLLY
	IO	38	ILEX DECIDUA / POSSUMHAW HOLLY
	IS	45	ILEX X ATTENUATA 'SAVANNAH' / SAVANNAH HOLLY
	LA	36	LAGERSTROEMIA INDICA 'TUSCARORA' / CRAPE MYRTLE TUSCARORA
SHRUBS	CODE	QTY	BOTANICAL / COMMON NAME
	ABE	70	ABELIA X GRANDIFLORA / GLOSSY ABELIA
	ILB	173	ILEX CORNUTA 'BURFORDII' / BURFORD HOLLY
	INY	95	ILEX VOMITORIA 'NANA' / DWARF YAUPOH HOLLY
	DXH	117	ILEX X 'NELLIE R. STEVENS' / NELLIE R. STEVENS HOLLY
	LEG	63	LEUCOPHYLLUM FRUTESCENS 'GREEN CLOUD' TM / GREEN CLOUD TEXAS RANGER
	MCW	225	MYRICA CERIFERA / WAX MYRTLE
	MDT	184	MALVAVISCUS DRUMMONDII / TURK'S CAP
	SGA	84	SALVIA GREGGII / AUTUMN SAGE
GRASSES	CODE	QTY	BOTANICAL / COMMON NAME
	NAS	83	NASSELLA TENUISSIMA / MEXICAN FEATHER GRASS
GROUND COVERS	CODE	QTY	BOTANICAL / COMMON NAME
	LO	156	LIRIOPE MUSCARI 'EMERALD GODDESS' / EMERALD GODDESS LILYTURF
	RH	64	RUDBECKIA HIRTA / BLACK-EYED SUSAN
MISC	CODE	QTY	BOTANICAL / COMMON NAME
	SOD	TBD	CYNODON DACTYLON / COMMON BERMUDA
	MULCH	TBD	SHREDDED HARDWOOD MULCH
	STEEL EDGE	TBD	STEEL EDGING

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

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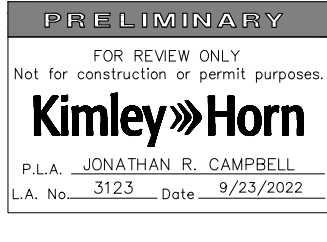
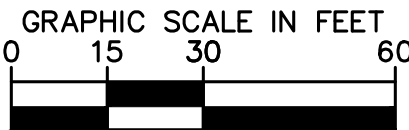
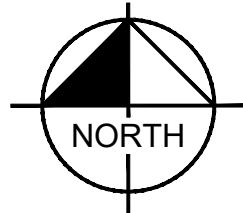
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291 TOTAL TREES ON SITE X 50% = AT LEAST 146 TREES TO BE CANOPY TREES.

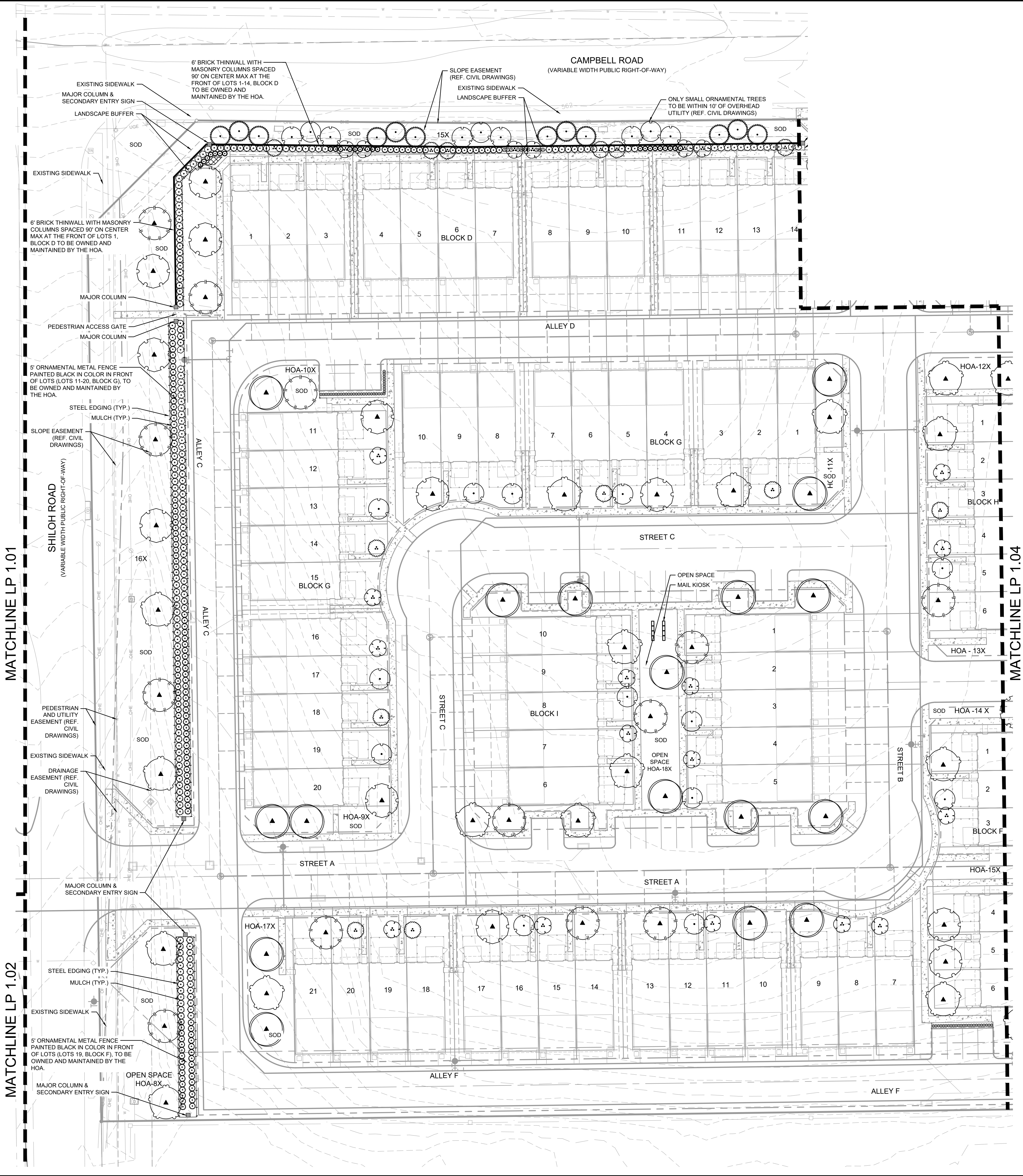
156 CANOPY TREES PROVIDED ON SITE.

135 ORNAMENTAL TREES PROVIDED ON SITE.



CITY PROJECT NUMBER: 211014-2

LANDSCAPE PLAN FOR OVERLOOK AT CAMPBELL LAKE 155 RESIDENTIAL LOTS / 17 OPEN SPACES/ 1 AMENITY CENTER LOT BEING 21.105 ACRES OUT OF THE DELILAH C. MANNING SURVEY, ABSTRACT NO. 945 AND THE P. H. RICE SURVEY, ABSTRACT NO. 1241 IN THE CITY OF GARLAND, DALLAS COUNTY, TEXAS					
OWNER/DEVELOPER: Granadier Homes 55000 Quorum Drive, Suite 555 Dallas, TX 75254 Tel: (469) 887-4970 Contact: Robert Swegler		LANDSCAPE ARCHITECT: Kimley»Horn 6160 Warren Parkway Suite 210 Frisco, TX 75034 Tel: (972) 335-3580 Contact: JONATHAN R. CAMPBELL, P.L.A.		ENGINEER/SURVEYOR: Kimley»Horn 6160 Warren Parkway Suite 210 Frisco, TX 75034 Tel: (972) 335-3580 Contact: MATTHEW R. DUENWALD, P.E.	
DESIGNED JRC	DRAWN SNE	CHECKED JRC	SCALE AS SHOWN	DATE SEPT. 2022	KH PROJECT NO. 063259800



PLANT SCHEDULE

TREES	CODE	QTY	BOTANICAL / COMMON NAME
	PC	38	PISTACIA CHINENSIS / CHINESE PISTACHE
	QH	39	QUERCUS MUEHLENBERGII / CHINKAPIN OAK
	QV	38	QUERCUS VIRGINIANA / SOUTHERN LIVE OAK
	UC	39	ULMUS CRASSIFOLIA / CEDAR ELM
ORNAMENTAL TREE	CODE	QTY	BOTANICAL / COMMON NAME
	IGG	18	ILEX X 'EAGLESTON' / EAGLESTON HOLLY
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SHRUBS	CODE	QTY	BOTANICAL / COMMON NAME
	ABE	70	ABELIA X GRANDIFLORA / GLOSSY ABELIA
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	INY	95	ILEX VOMITORIA 'NANA' / DWARF YAUPOH HOLLY
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	LEG	63	LEUCOPHYLLUM FRUTESCENS 'GREEN CLOUD' TM / GREEN CLOUD TEXAS RANGER
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GRASSES	CODE	QTY	BOTANICAL / COMMON NAME
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	LO	156	LIRIOPE MUSCARI 'EMERALD GODDESS' / EMERALD GODDESS LILYTURF
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MISC	CODE	QTY	BOTANICAL / COMMON NAME
	SOD	TBD	CYNODON DACTYLON / COMMON BERMUDA
	MULCH	TBD	SHREDDED HARDWOOD MULCH
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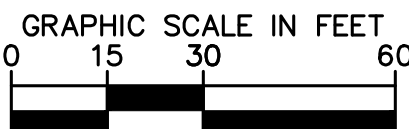
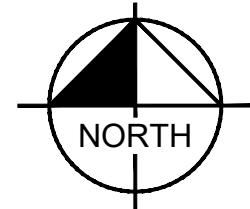
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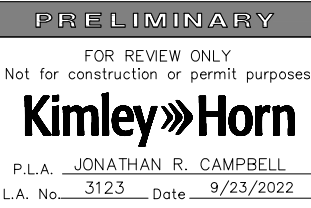
NOTE: NO LANDSCAPING SUCH AS TREES, HEDGES, ABOVE AND UNDERGROUND STRUCTURES SHALL BE LOCATED WITHIN EXISTING OR PROPOSED UTILITY EASEMENTS AND RIGHT OF WAY WITHOUT APPROVED CITY'S REAL PROPERTY IMPROVEMENT AUTHORIZATION FORM OR CITY'S LICENSE AGREEMENT.

NOTE: AT LEAST 50% OF TREES ON SITE TO BE CANOPY TREES.

291 TOTAL TREES ON SITE X 50% = AT LEAST 146 TREES TO BE CANOPY TREES.
156 CANOPY TREES PROVIDED ON SITE.
135 ORNAMENTAL TREES PROVIDED ON SITE.



LP 1.03



CITY PROJECT NUMBER: 211014-2

LANDSCAPE PLAN

FOR

OVERLOOK AT CAMPBELL LAKE

155 RESIDENTIAL LOTS / 17 OPEN SPACES/ 1 AMENITY CENTER LOT
BEING 21.105 ACRES

OUT OF THE

DELILAH C. MANNING SURVEY, ABSTRACT NO. 945

AND THE

P. H. RICE SURVEY, ABSTRACT NO. 1241

IN THE

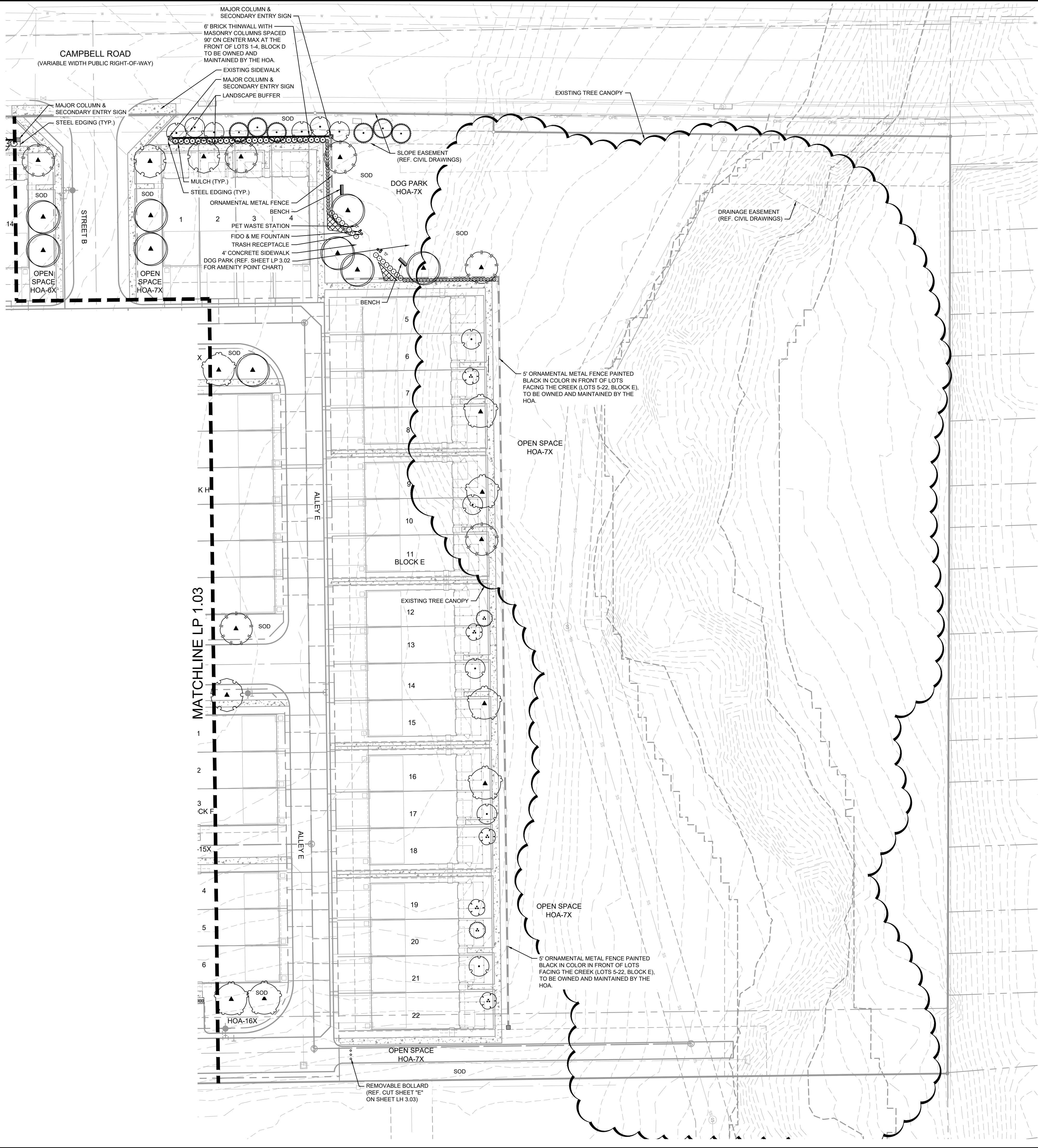
CITY OF GARLAND, DALLAS COUNTY, TEXAS

OWNER/DEVELOPER:
Granadier Homes
55000 Quorum Drive,
Suite 555
Dallas, TX 75254
Tel: (469) 987-4970
Contact: Robert Swegler

LANDSCAPE ARCHITECT:
Kimley»Horn
6160 Warren Parkway
Suite 210
Frisco, TX 75034
Tel: (972) 335-3580
Contact: JONATHAN R. CAMPBELL, P.L.A.

ENGINEER/SURVEYOR:
Kimley»Horn
6160 Warren Parkway
Suite 210
Frisco, TX 75034
Tel: (972) 335-3580
Contact: MATTHEW R. DUENWALD, P.E.

DESIGNED	DRAWN	CHECKED	SCALE	DATE	PROJECT NO.
JRC	SNE	JRC	AS SHOWN	SEPT. 2022	063259800



PLANT SCHEDULE

TREES	CODE	QTY	BOTANICAL / COMMON NAME
	PC	38	PISTACIA CHINENSIS / CHINESE PISTACHE
	QH	39	QUERCUS MUEHLENBERGII / CHINKAPIN OAK
	QV	38	QUERCUS VIRGINIANA / SOUTHERN LIVE OAK
	UC	39	ULMUS CRASSIFOLIA / CEDAR ELM
ORNAMENTAL TREE	CODE	QTY	BOTANICAL / COMMON NAME
	IGG	18	ILEX X 'EAGLESTON' / EAGLESTON HOLLY
	IO	38	ILEX DECIDUA / POSSUMHAW HOLLY
	IS	45	ILEX X ATTENUATA 'SAVANNAH' / SAVANNAH HOLLY
	LA	36	LAGERSTROEMIA INDICA 'TUSCARORA' / GRAPE MYRTLE TUSCARORA
SHRUBS	CODE	QTY	BOTANICAL / COMMON NAME
	ABE	70	ABELIA X GRANDIFLORA / GLOSSY ABELIA
	ILB	173	ILEX CORNUTA 'BURFORDII' / BURFORD HOLLY
	INY	95	ILEX VOMITORIA 'NANA' / DWARF YAUPOIN HOLLY
	IXH	117	ILEX X 'NELLIE R. STEVENS' / NELLIE R. STEVENS HOLLY
	LEG	63	LEUCOPHYLLUM FRUTESCENS 'GREEN CLOUD' TM / GREEN CLOUD TEXAS RANGER
	MCW	225	MYRICA CERIFERA / WAX MYRTLE
	MDT	184	MALVAVISCUS DRUMMONDII / TURK'S CAP
	SGA	84	SALVIA GREGGII / AUTUMN SAGE
GRASSES	CODE	QTY	BOTANICAL / COMMON NAME
	NAS	83	NASSELLA TENUISSIMA / MEXICAN FEATHER GRASS
GROUND COVERS	CODE	QTY	BOTANICAL / COMMON NAME
	LO	156	LIRIOPE MUSCARI 'EMERALD GODDESS' / EMERALD GODDESS LILYTURF
	RH	64	RUDEBECKIA HIRTA / BLACK-EYED SUSAN
MISC	CODE	QTY	BOTANICAL / COMMON NAME
	SOD	TBD	CYNODON DACTYLON / COMMON BERMUDA
	MULCH	TBD	SHREDDED HARDWOOD MULCH
	STEEL EDGE	TBD	STEEL EDGING

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

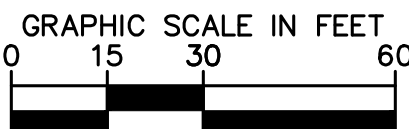
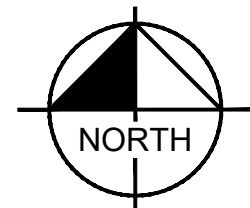
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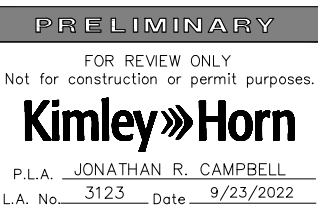
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LP 1.04



CITY PROJECT NUMBER: 211014-2

LANDSCAPE PLAN

FOR

OVERLOOK AT CAMPBELL LAKE

155 RESIDENTIAL LOTS / 17 OPEN SPACES/ 1 AMENITY CENTER LOT

BEING 21.105 ACRES

OUT OF THE

DELILAH C. MANNING SURVEY, ABSTRACT NO. 945

AND THE

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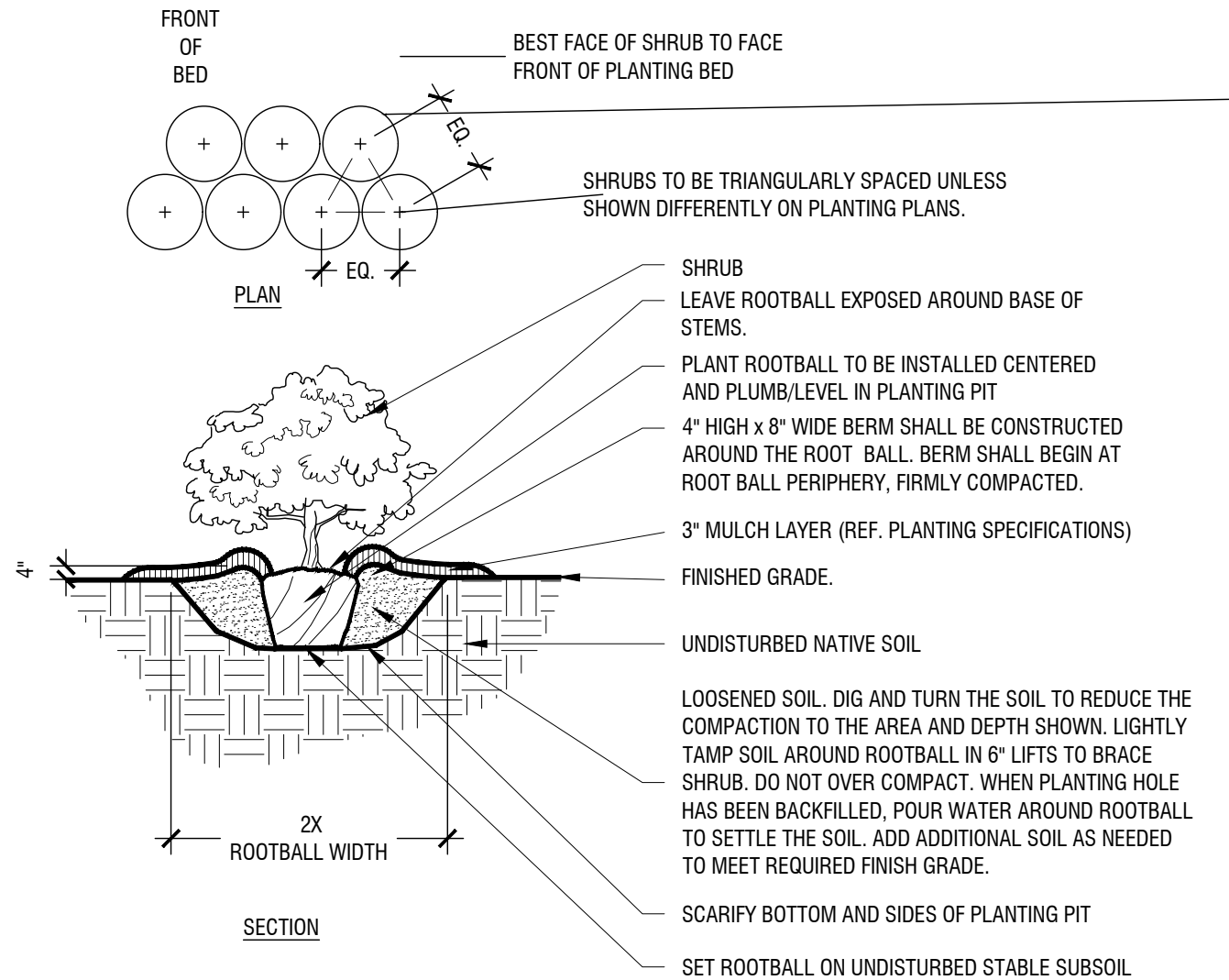
CITY OF GARLAND, DALLAS COUNTY, TEXAS

OWNER/DEVELOPER:
Granadier Homes
5500 Quorum Drive,
Suite 555
Dallas, TX 75254
Tel: (469) 987-4970
Contact: Robert Swegler

LANDSCAPE ARCHITECT:
Kimley»Horn
6160 Warren Parkway
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Frisco, TX 75034
Tel: (972) 335-3580
Contact: JONATHAN R. CAMPBELL, P.L.A.

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Frisco, TX 75034
Tel: (972) 335-3580
Contact: MATTHEW R. DUENWALD, P.E.

DESIGNED	DRAWN	CHECKED	SCALE	DATE	101 PROJECT NO.
JRC	SNE	JRC	AS SHOWN	SEPT. 2022	063259800

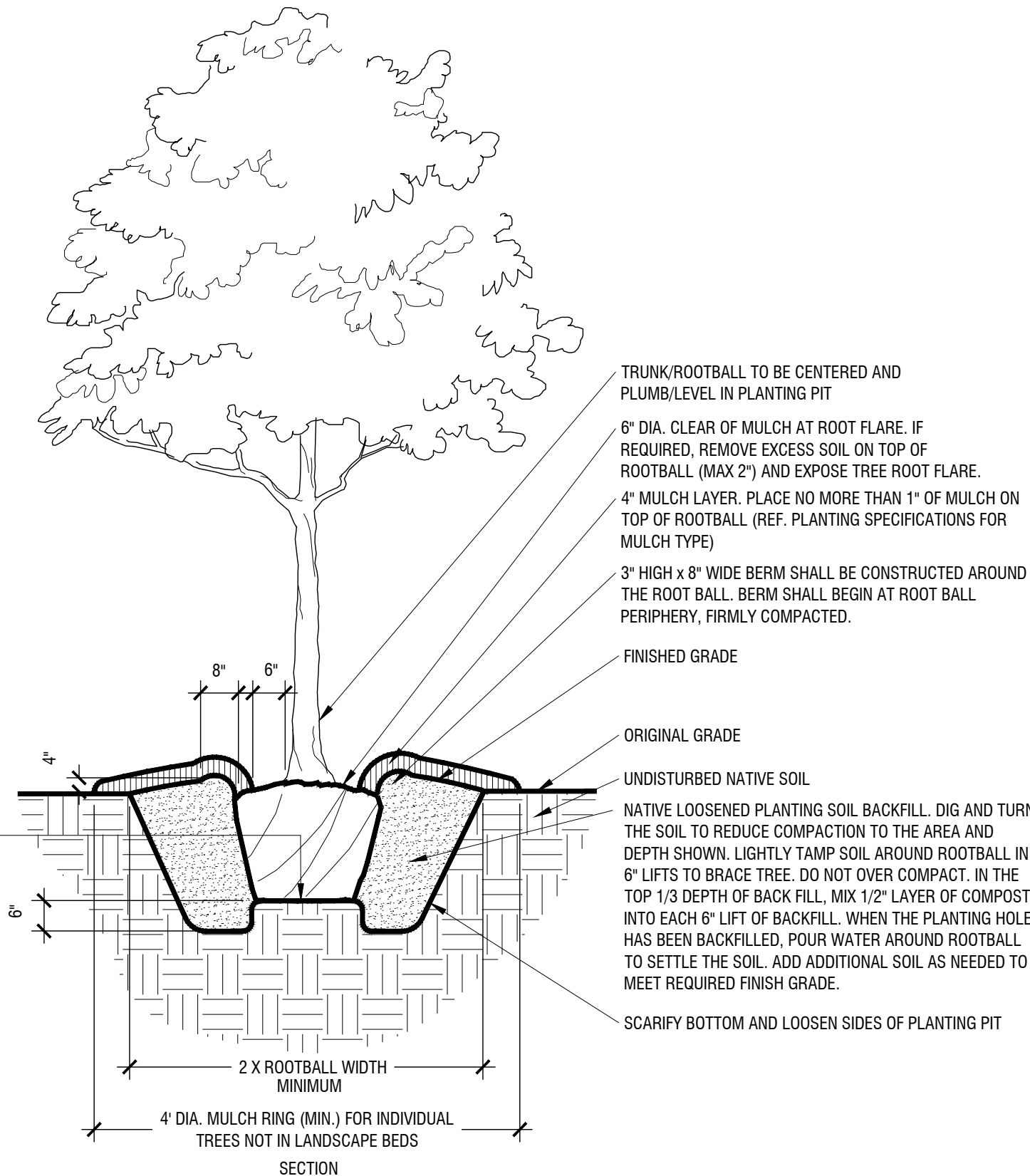


Typical Shrub Planting

Scale: NTS

- NOTES:
- REF. PLANTING AND PLANTING SOIL SPECIFICATIONS FOR ADDITIONAL INFORMATION.
 - REF. TREE STAKING DETAIL THIS SHEET.

- SET ROOTBALL ON UNDISTURBED STABLE SUBSOIL SO THAT TOP OF ROOTBALL IS 2-3" ABOVE FINISHED GRADE.
- STABILIZE/PLUMB TREE BY TAMPING SOIL FIRMLY AROUND THE LOWER 1/4 OF THE ROOTBALL.
- FOR CONTAINER STOCK: REMOVE ENTIRE CONTAINER.
- FOR BAB STOCK: COMPLETELY REMOVE TOP 1/2 OF THE ENTIRE WIRE BASKET. COMPLETELY REMOVE ALL BURLAP/ARTIFICIAL FABRICS AND STRAPPING.



Typical Tree Planting (Up to 3" Caliper)

Scale: NTS

LP 3.01

FOR REVIEW ONLY
Not for construction or permit purposes.

Kimley»Horn

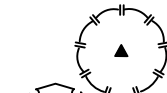
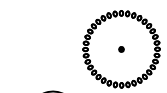
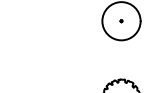
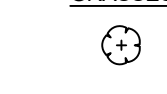
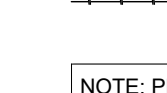
P.L.A. JONATHAN R. CAMPBELL
A. No. 3123 Date 8/23/2022

CITY PROJECT NUMBER: 211014-2

LANDSCAPE DETAILS
FOR
OVERLOOK AT CAMPBELL LAKE
155 RESIDENTIAL LOTS / 17 OPEN SPACES/ 1 AMENITY CENTER LOT
BEING 21.105 ACRES
OUT OF THE
DEILAH C. MANNING SURVEY, ABSTRACT NO. 945
AND THE
P. H. RICE SURVEY, ABSTRACT NO. 1241
IN THE
CITY OF GARLAND, DALLAS COUNTY, TEXAS

OWNER/DEVELOPER: Grosradler Homes 55000 Quorum Drive, Suite 555 Dallas, TX 75254 Tel: (469) 887-6970 Contact: Robert Swegler	LANDSCAPE ARCHITECT: Kimley»Horn 6160 Warren Parkway Suite 210 Frisco, TX 75034 Tel: (972) 335-3590 Contact: JONATHAN R. CAMPBELL, P.L.A.	ENGINEER/SURVEYOR: Kimley»Horn 6160 Warren Parkway Suite 210 Frisco, TX 75034 Tel: (972) 335-3590 Contact: MATTHEW R. DUENWALD, P.E.			
DESIGNED JRC	DRAWN SNE	CHECKED JRC	SCALE AS SHOWN	DATE SEPT. 2022	PROJECT NO. 063259800

PLANT SCHEDULE

TREES	CODE	QTY	BOTANICAL / COMMON NAME	SPECIFICATIONS	REMARKS
	PC	38	PISTACIA CHINENSIS / CHINESE PISTACHE	3" CAL, 12' HT, 4'-5" SPR	FULL, STRAIGHT, SINGLE LEADER
	QH	39	QUERCUS MUEHLENBERGII / CHINKAPIN OAK	3" CAL, 14' HT, 5'-6" SPR	FULL, STRAIGHT, SINGLE LEADER
	QV	38	QUERCUS VIRGINIANA / SOUTHERN LIVE OAK	3" CAL, 16' HT, 6" SPR	FULL, STRAIGHT, SINGLE LEADER
	UC	39	ULMUS CRASSIFOLIA / CEDAR ELM	3" CAL, 14' HT, 6" SPR	FULL, STRAIGHT, SINGLE LEADER
ORNAMENTAL TREE	CODE	QTY	BOTANICAL / COMMON NAME	SPECIFICATIONS	REMARKS
	IGG	18	ILEX X 'EAGLESTON' / EAGLESTON HOLLY	2" CAL, 10' HT, 6" SPR	
	IO	38	ILEX DECIDUA / POSSUMHAW HOLLY	6'-10' HT, 3'-4" SPR	FULL, MULTI-TRUNK
	IS	45	ILEX X ATTENUATA 'SAVANNAH' / SAVANNAH HOLLY	12' HT, 4'-5" SPR	FULL
	LA	36	LAGERSTROEMIA INDICA 'TUSCARORA' / CRAPE MYRTLE TUSCARORA	8' HT, 5" SPR	FULL, MULTI-TRUNK
SHRUBS	CODE	QTY	BOTANICAL / COMMON NAME	SPECIFICATIONS	REMARKS
	ABE	70	ABELIA X GRANDIFLORA / GLOSSY ABELIA	24" HT, 18" SPR, 36" OC	FULL
	ILB	173	ILEX CORNUTA 'BURFORDII' / BURFORD HOLLY	36" HT, 30" SPR, 42" OC	FULL
	INY	95	ILEX VOMITORIA 'NANA' / DWARF YAUPON HOLLY	12" HT, 12" SPR, 18" OC	FULL
	IXH	117	ILEX X 'NELLIE R. STEVENS' / NELLIE R. STEVENS HOLLY	36" HT, 24" SPR, 48" OC	FULL
	LEG	63	LEUCOPHYLLUM FRUTESCENS 'GREEN CLOUD' TM / GREEN CLOUD TEXAS RANGER	24" HT, 24" SPR, 36" OC	FULL
	MCW	225	MYRICA CERIFERA / WAX MYRTLE	36" HT, 24" SPR, 48" OC	FULL
	MDT	184	MALVAVISCUS DRUMMONDII / TURK'S CAP	24" HT, 18" SPR, 24" OC	FULL
	SGA	84	SALVIA GREGGII / AUTUMN SAGE	18" HT, 12" SPR, 18" OC	FULL
GRASSES	CODE	QTY	BOTANICAL / COMMON NAME	SPECIFICATIONS	REMARKS
	NAS	83	NASSELLA TENUISSIMA / MEXICAN FEATHER GRASS	18" HT, 24" OC	FULL
GROUND COVERS	CODE	QTY	BOTANICAL / COMMON NAME	SPECIFICATIONS	REMARKS
	LO	156	LIRIOPE MUSCARI 'EMERALD GODDESS' / EMERALD GODDESS LILYTURF	12" HT, 12" SPR, 18" O.C.	FULL, 1 GALLON MIN.
	RH	64	RUDBECKIA HIRTA / BLACK-EYED SUSAN	12" HT, 12" SPR, 18" O.C.	FULL, 1 GALLON MIN.
MISC	CODE	QTY	BOTANICAL / COMMON NAME	SPECIFICATIONS	REMARKS
	SOD	TBD	CYNODON DACTYLON / COMMON BERMUDA		SOLID SOD, ROLLED TIGHT WITH SAND FILLED JOINTS, 100% WEED, DISEASE, AND PEST FREE
	MULCH	TBD	SHREDDED HARDWOOD MULCH		3" DEPTH, TREES IN SOD TO RECEIVE 4" DIA. RING
	STEEL EDGE	TBD	STEEL EDGING		3/16" X 6; BLACK
NOTE: PLANT QUANTITIES ARE PROVIDED FOR CONVENIENCE ONLY. IN THE CASE OF A DISCREPANCY, THE DRAWING SHALL TAKE PRECEDENCE.					
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NOTE: AT LEAST 50% OF TREES ON SITE TO BE CANOPY TREES.					
291 TOTAL TREES ON SITE X 50% = AT LEAST 146 TREES TO BE CANOPY TREES 156 CANOPY TREES PROVIDED ON SITE 135 ORNAMENTAL TREES PROVIDED ON SITE.					

PLANTING NOTES

- 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.
- 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.
- LOCATE ALL UTILITIES PRIOR TO ANY DIGGING OPERATIONS. CONTRACTOR SHALL BE RESPONSIBLE FOR ALL DAMAGES TO EXISTING UTILITIES INCURRED BY HIS WORK.
- REFERENCE IRRIGATION PLAN FOR BED IRRIGATION INFORMATION.
- 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.
- PLANTS MASSSED IN BEDS SHALL BE ARRANGED USING TRIANGULAR SPACING.
- PROVIDE A STEEL EDGE OR CONCRETE MOW STRIP BETWEEN ALL PLANTING BEDS AND LAWN AREAS. REFERENCE SITE PLAN.
- ALL PLANTING BEDS TO BE TOP DRESSED WITH A MINIMUM OF 3" SHREDDED HARDWOOD MULCH, UNLESS OTHERWISE SPECIFIED.
- 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. PROVIDE IRRIGATION AS NECESSARY.
- 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.
- 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.
- ALL DISTURBED AREAS WITHIN LIMITS OF CONSTRUCTION NOT CALLED TO BE SODDED, SHALL BE REESTABLISHED WITH BERMUDA SOD AND IRRIGATED.
- ALL LANDSCAPE BEDS TO HAVE TOPSOIL/BEDDING MIX THAT MEETS LANDSCAPE SPECIFICATIONS. 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.
- ALL SOD AREAS TO RECEIVE 4" DEPTH (MIN) TOPSOIL PRIOR TO INSTALLATION. TOPSOIL SHALL BE NATURAL, FRIABLE, FERTILE, pH RANGE OF 5.5-7.4, AND FREE OF TRASH, DEBRIS, STONES, WEEDS, AND TWIGS/BRANCHES.
- ALL DISTURBED AREAS IN R.O.W. TO BE RE-ESTABLISHED WITH BERMUDA SEED OR SOD AND IRRIGATED UNLESS OTHERWISE SHOWN ON PLANS.
- ALL TREES TO BE PLACED A MINIMUM OF 4' FROM ANY UTILITY.

City of Garland Zoning		
Townhouse Developments:	Required	Provided
At least 1 tree per townhouse unit 155 townhomes = 155 trees	155 Trees	155 Trees
At least 1 tree per every 2,500 sf of townhouse common areas not covered by building or other impervious activity 6.4 AC / 278,784 sf / 2,500 sf = 112 Trees	112 Trees	112 Trees
At least 50% of the required trees must be large canopy trees		
Perimeter Screening between Residential Development & Thoroughfares		
Residential development adjacent to Type D or larger thoroughfares		
Shiloh Road and Campbell Road - Type B Thoroughfare		
Campbell Road 1,158 LF / 50 = 23 Trees	23 Trees	12 Canopy Trees 33 Ornamental Trees*
Shiloh Road 759 LF / 50 = 15 Trees	15 Trees	17 Trees
*33 Ornamental Trees placed in lieu of 11 Canopy trees. Canopy trees not placed due to proximity to overhead electric utility lines.		
Amenities:	Required	Provided
At least 1 amenity to be provided for a townhouse development of 25 - 100 dwelling units. For townhouse developments having over 100, at least 1 additional amenity is required for every 50 residential units over 100. 164 townhouse units = 3 amenity points	3 points	3 points 1 point - Clubhouse (Approx. 3,500 sf) 1 point - Swimming Pool (1,260 sf) 1 point - Dog Park (Alternative)

CITY PROJECT NUMBER: 211014-2

PLANT SCHEDULE, NOTES & CODE CHART

FOR

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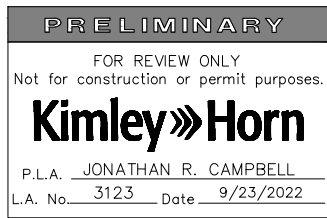
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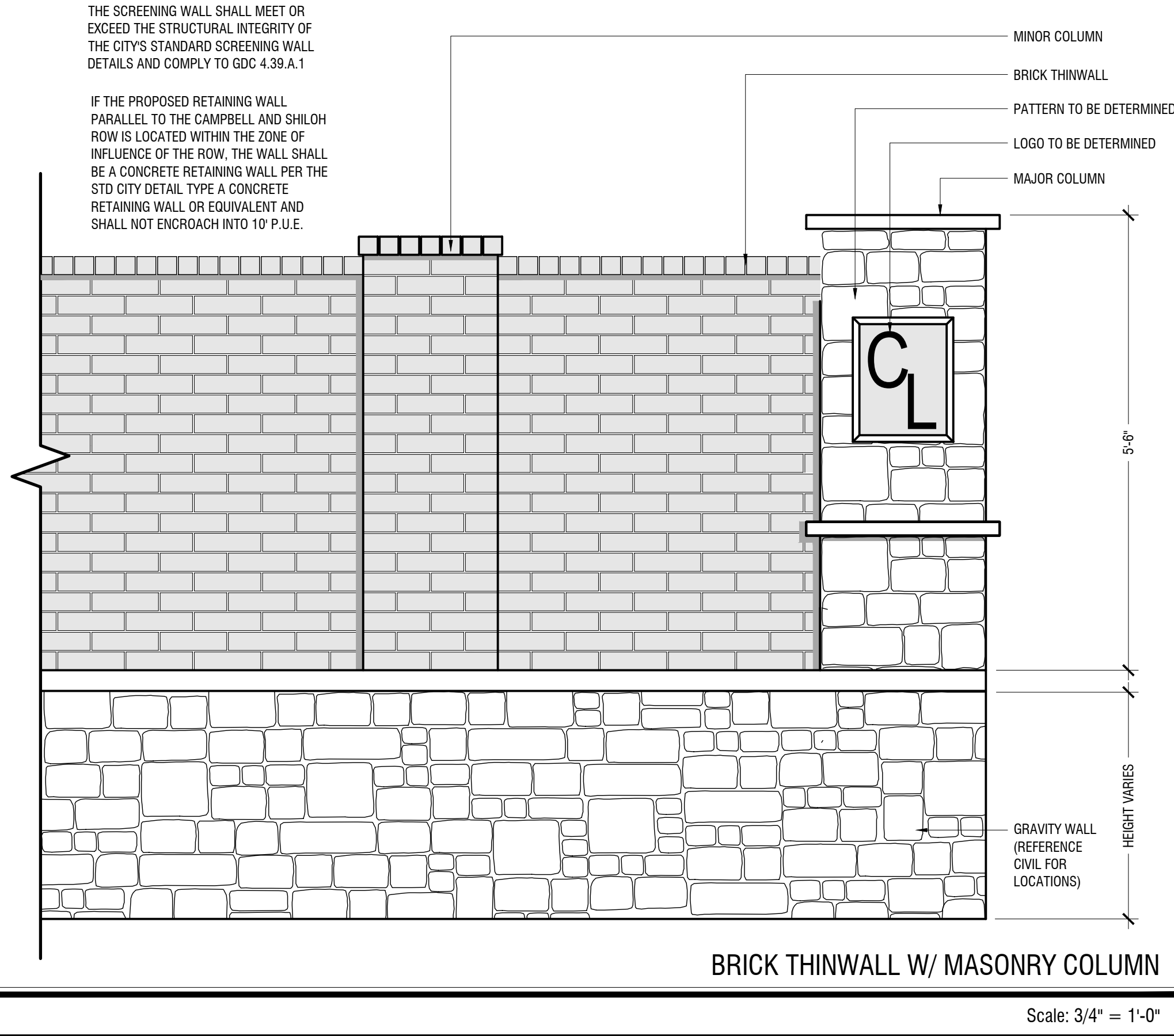
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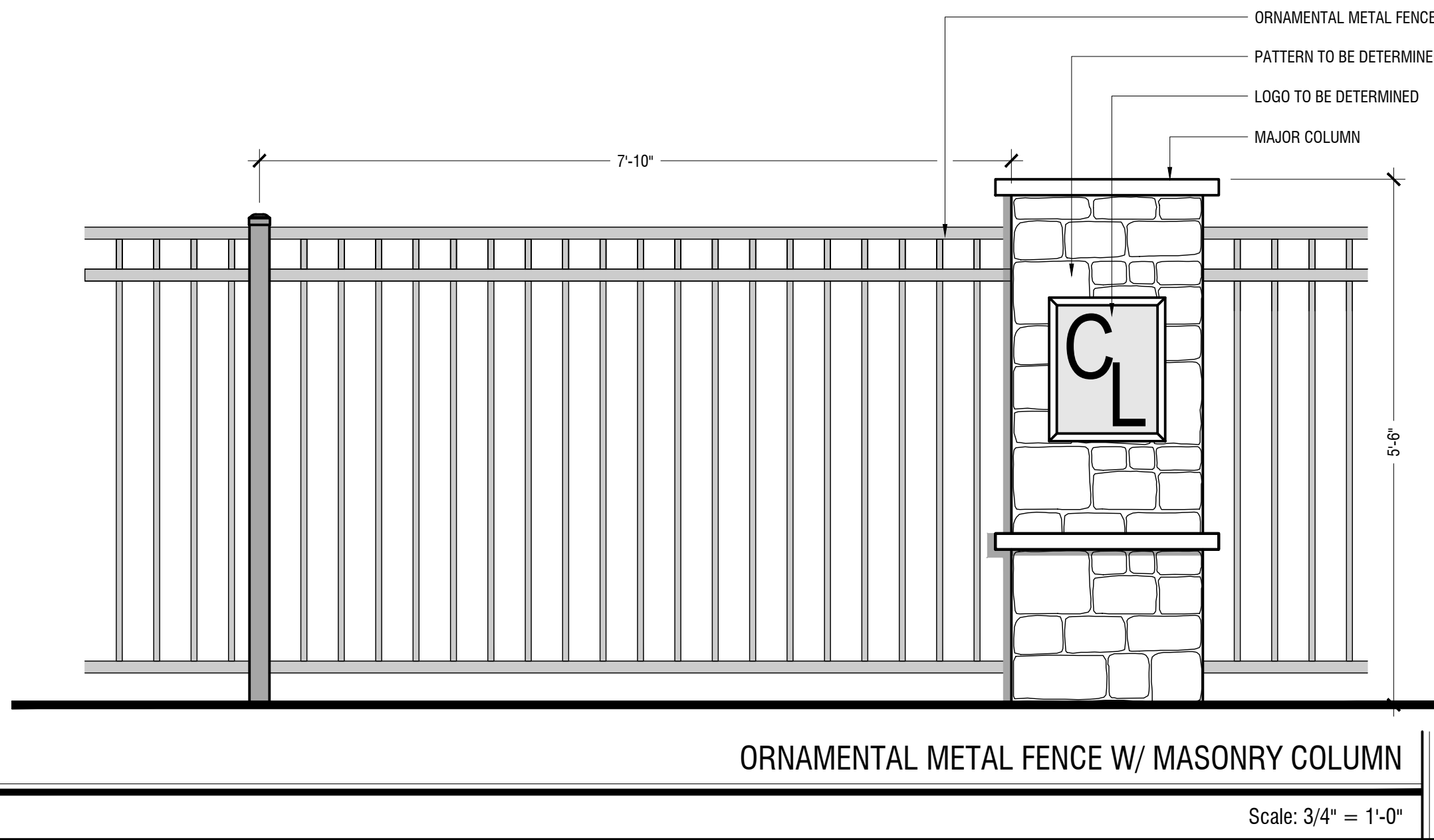
OWNER/DEVELOPER: Grenadier Homes 55000 Quorum Drive, Suite 555 Dallas, TX 75254 Tel: (469) 987-4970 Contact: Robert Swegler	LANDSCAPE ARCHITECT: Kimley»Horn 6160 Warren Parkway Suite 210 Frisco, TX 75034 Tel: (972) 335-3580 Contact: JONATHAN R. CAMPBELL, P.L.A.	ENGINEER/SURVEYOR: Kimley»Horn 6160 Warren Parkway Suite 210 Frisco, TX 75034 Tel: (972) 335-3580 Contact: MATTHEW R. DUENWALD, P.E.			
DESIGNED	DRAWN	CHECKED	SCALE	DATE	KH PROJECT NO.
JRC	SNE	JRC	AS SHOWN	SEPT. 2022	063259800

LP 3.02





F



E



GREY LUEDER

Scale: UPDATE



BRICK

Scale: UPDATE



GREY MILLSAP

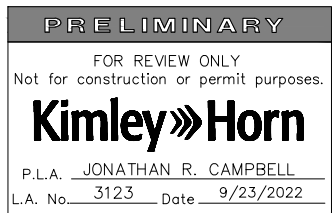
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PIN MOUNTED LETTERS

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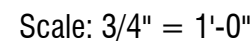
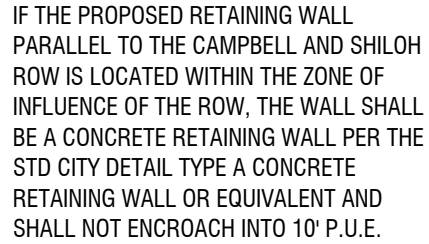


CITY PROJECT NUMBER: 211014-2

FENCE DETAILS

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DESIGNED JRC	DRAWN SNE	CHECKED JRC	SCALE AS SHOWN	DATE SEPT. 2022	KEY PROJECT NO. 063259800



Scale: $\frac{3}{4}" = 1'-0"$

Scale: $\frac{3}{4}" = 1'-0"$



Scale: $\frac{3}{4}" = 1'-0"$

PRELIMINARY
FOR REVIEW ONLY
Not for construction or permit purpose

Kimley»Horn

P.L.A. JONATHAN R. CAMPBELL
L.A. No. 3123 Date 9/23/2022

Suite 210
Frisco, TX 75034
Tel: (972) 335-3580
Contact: MATTHEW R. DUENWALD, P.E.

DESIGNED	DRAWN	CHECKED	SCALE	DATE	KH PROJECT NO.
JRC	SNE	JRC	AS SHOWN	SEPT. 2022	063259800

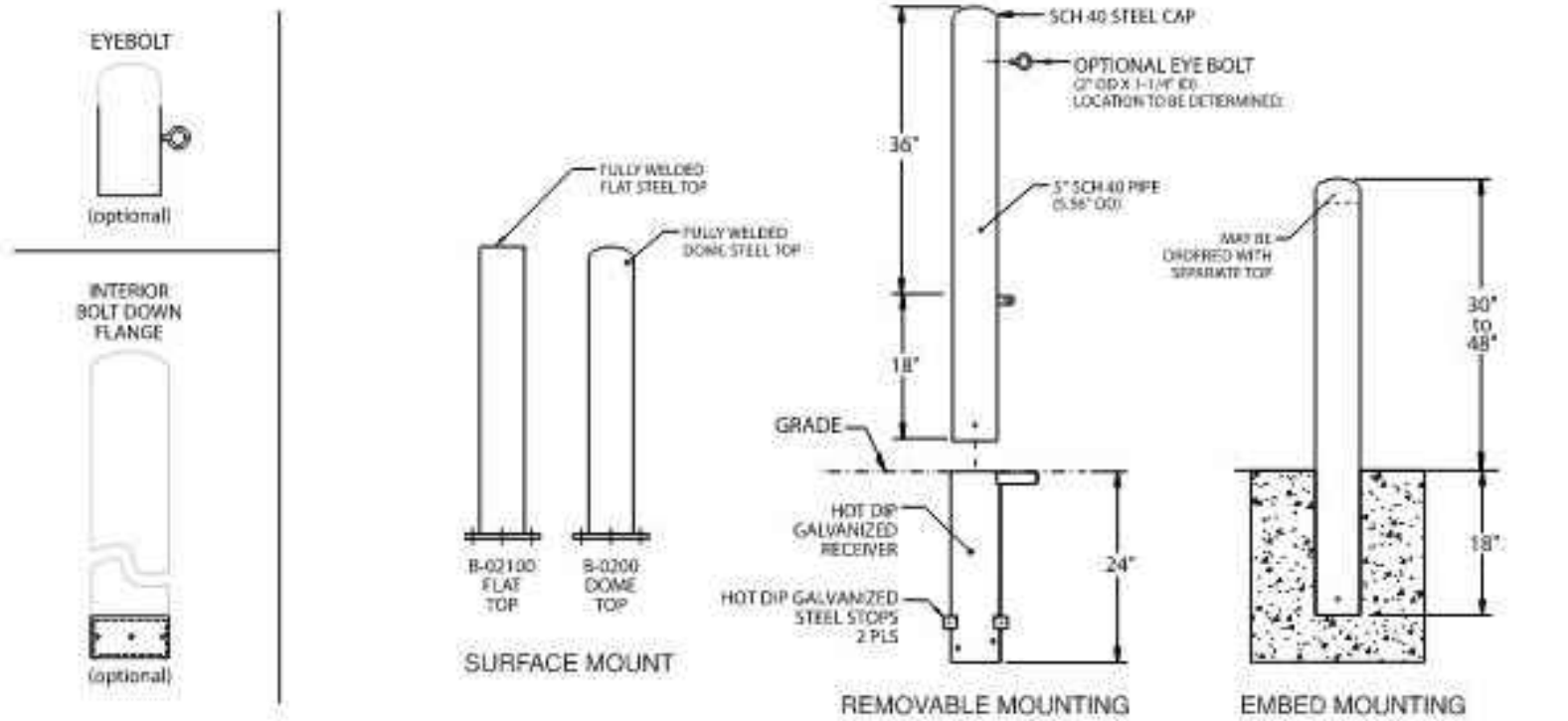
EXHIBIT D



FIRE HYDRANT

Bollard Options

Part No.	Description	Size (W x H)	Weight	Mounting
Bollard Options				
B-REC4	4" Receiver for removable bollard		22	
B-RCC4	4" Receiver Cover for removable bollard		4	
B-REC6	6" Receiver for removable bollard		27	
B-RCC6	6" Receiver Cover for removable bollard		5	
B-REC8	8" Receiver for removable bollard		30	
B-RCC8	8" Receiver Cover for removable bollard		6	
B-LWC	Lockwell Cover		1	
B-EB	Eyebolt (each)		1	
B-PD	Brass Padlock		1	
B-TOP	Separate Top (for concrete-, tied bollard)		0	
B-RLWC	Retro-L Lockwell Cover		1	
B-IF	Interior Flange		0	



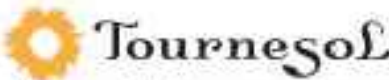
B-2 Bollards shown above in 5" pipe, also available in 8" dia. and in 30", 36", 42", and 48" diam. Removable bollard receivers sold separately.

Choose from several standard powder coat colors. Bollards will have a zinc rich undercoat applied and a polyester based powder coat on top. Bollard Options: Schedule 10, 40 or 80 pipe, eyebolts. On removable bollards: Receiver cover, lockwell cover and padlock. Mounting: Surface, removable or embed.

NOTE: 1. Depth and diameter of installation hole may vary with soil conditions. Consult project engineer for correct dimensions. 2. REMOVABLE BOLLARDS ONLY: Receiver must be installed in drainage rock. Improper installation will void the warranty.

For more information on our Traffic & Pedestrian Control products (including Planter Barriers, GFRC and Lit Bollards), see the website.

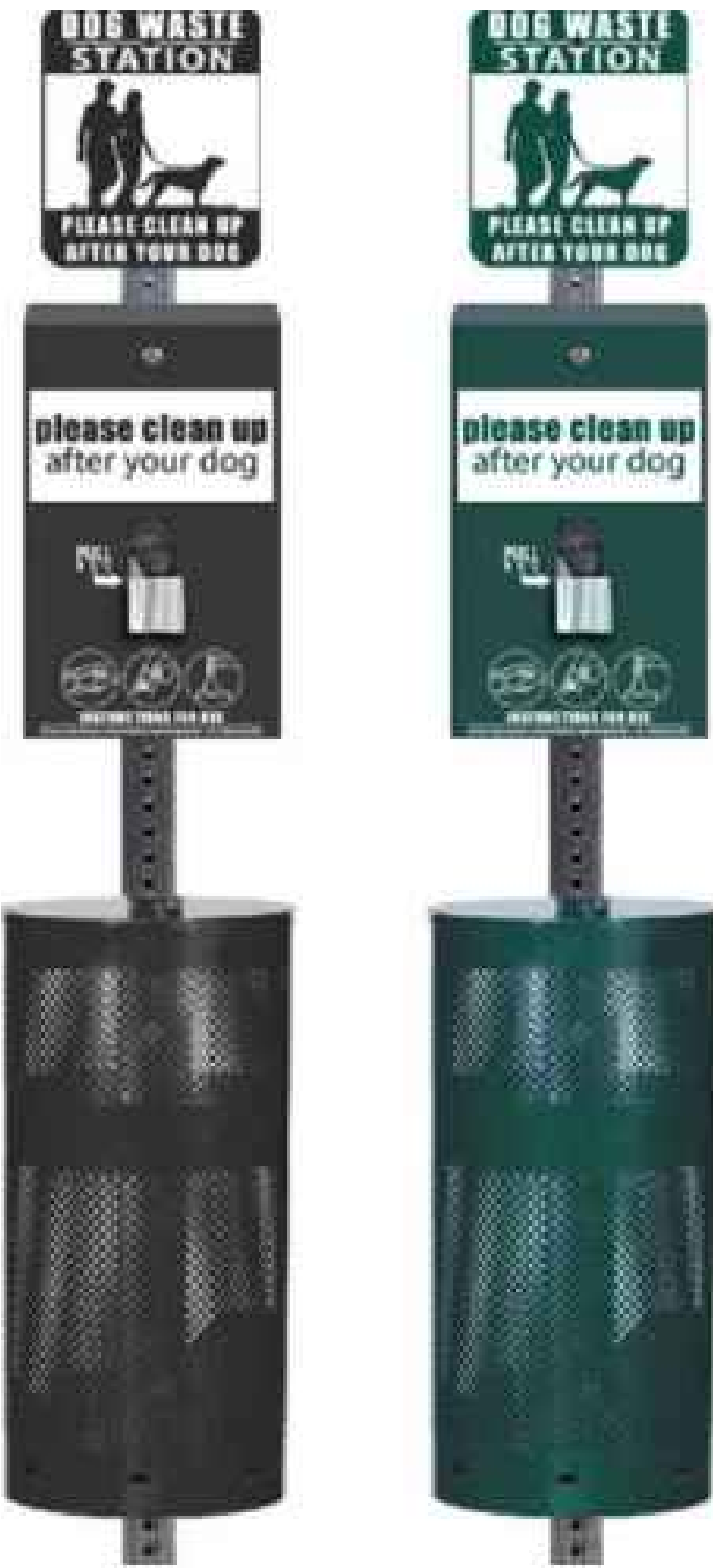



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 2930 Faber Street, Union City, CA 94587 800-542-4444

REMOVEABLE BOLLARD



FIDO & ME FOUNTAIN



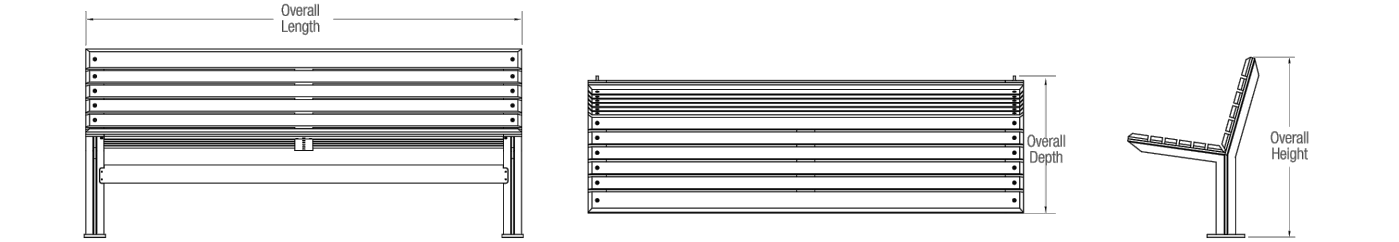
PET WASTE STATION



KNIGHT™ BENCH

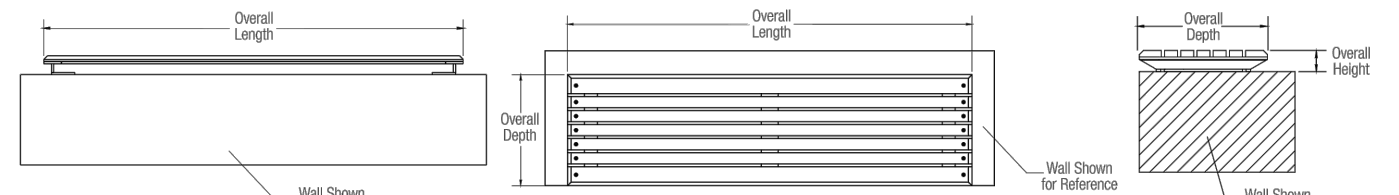
PRODUCT DATA

NOMINAL DIMENSIONS, CONTINUED



MODEL	OVERALL LENGTH	OVERALL DEPTH	SEAT DEPTH	OVERALL HEIGHT	SEAT HEIGHT	ARMREST HEIGHT	WEIGHT*
SBKN-072B	72" (1829 mm)	21.9" (556 mm)	15.2" (386 mm)	31.1" (790 mm)	17.9" (455 mm)	20.8" (527 mm)	109.2 lbs (49.5 kg)
SBKN-072BT	72" (1829 mm)	21.9" (556 mm)	15.2" (386 mm)	31.1" (790 mm)	17.9" (455 mm)	20.8" (527 mm)	109.2 lbs (49.5 kg)
SBKN-072BA	72" (1829 mm)	21.9" (556 mm)	15.2" (386 mm)	31.1" (790 mm)	17.9" (455 mm)	20.8" (527 mm)	148.3 (67.3 kg)
SBKN-096B	96" (2438 mm)	21.9" (556 mm)	15.2" (386 mm)	31.1" (790 mm)	17.9" (455 mm)	20.8" (527 mm)	144.5 lbs (65.5 kg)
SBKN-096BA	96" (2438 mm)	21.9" (556 mm)	15.2" (386 mm)	31.1" (790 mm)	17.9" (455 mm)	20.8" (527 mm)	194.8 lbs (88.4 kg)

*Add 1.8 lbs (0.82 kg) for each additional optional end or intermediate armrest.



MODEL	OVERALL LENGTH	OVERALL DEPTH	SEAT DEPTH	OVERALL HEIGHT	SEAT HEIGHT	ARMREST HEIGHT	WEIGHT*
SBKN-072N-W	72" (1829 mm)	19.8" (503 mm)	19.8" (503 mm)	3.3" (790 mm)	3.3" (790 mm)	20.8" (527 mm)	77.2 lbs (35 kg)
SBKN-072NT-W	72" (1829 mm)	19.8" (503 mm)	19.8" (503 mm)	3.3" (790 mm)	3.3" (790 mm)	20.8" (527 mm)	77.2 lbs (35 kg)
SBKN-072NA-W	72" (1829 mm)	19.8" (503 mm)	19.8" (503 mm)	3.3" (790 mm)	3.3" (790 mm)	20.8" (527 mm)	90.7 lbs (41.1 kg)
SBKN-096N-W	96" (2438 mm)	19.8" (503 mm)	19.8" (503 mm)	3.3" (790 mm)	3.3" (790 mm)	20.8" (527 mm)	115.7 lbs (52.5 kg)
SBKN-096NA-W	96" (2438 mm)	19.8" (503 mm)	19.8" (503 mm)	3.3" (790 mm)	3.3" (790 mm)	20.8" (527 mm)	130.9 lbs (59.4 kg)

*Add 1.8 lbs (0.82 kg) for each additional optional end or intermediate armrest.

See Page 4 for complete model number descriptions.

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page 2 of 4 | Rev. 11-24-21



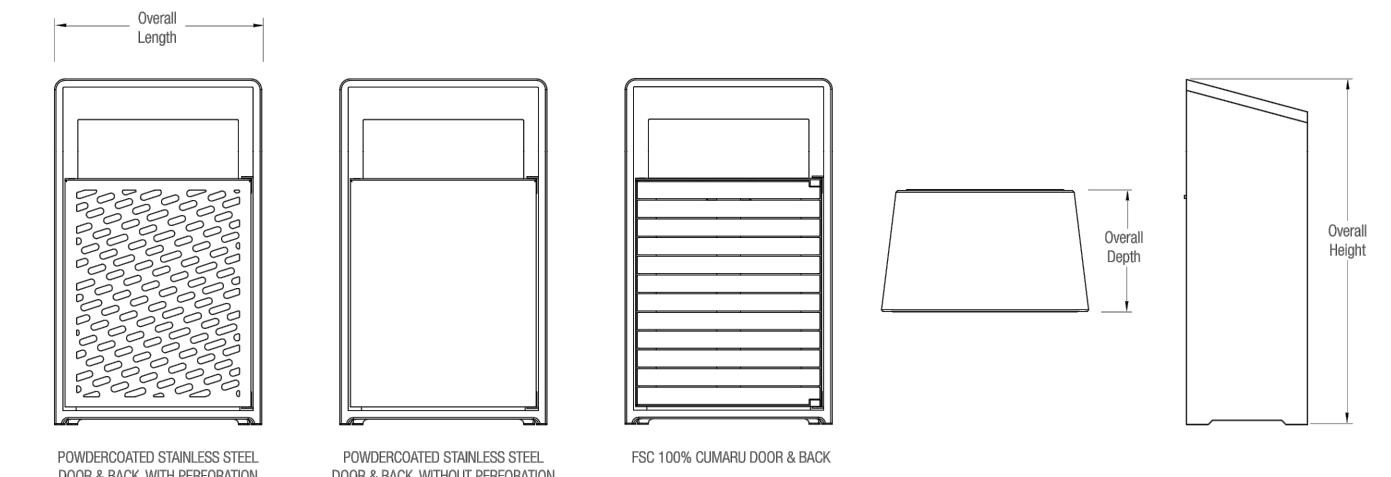
BEVEL™ LITTER RECEPTACLE

PRODUCT DATA

The **Bevel Litter Receptacle** is an elegant side-opening design that complements the Bevel Bench. Receptacle bodies are cast of TENSIL Ultra High Performance Concrete (UHPC), a material known for its exceptional strength and durability. Doors and backs are available in powdercoated stainless steel or FSC 100% Cumaru hardwood slats—both options that can align with other materials and finishes used on a project. For visual variation, powdercoated stainless steel doors/back can be specified with or without perforations; they can also be customized with site-specific branding and graphics. Pairing flexible design options and durable, low-maintenance materials, Bevel is a hardworking match for public spaces of all kinds.

MATERIAL & CONSTRUCTION DETAILS	INSTALLATION & MAINTENANCE
CONFIGURATION & LINER - Bevel receptacles are available in a 22-gallon, single-stream configuration. - Bevel uses replaceable internal liners designed to be used with or without plastic litter bags. Hand holes and slots to hold bags in place are included on all liners. - Liners are molded from durable black polyethylene with a UL94HB fire rating. SIDE ACCESS DOOR & LATCH - Bevel receptacle liner is accessed via side-opening door. - Lit latches are mounted to the interior of the door frame. - Latches and hinges are stainless steel.	GRAPHICS - Instructional graphics are optional and are available with a variety of standard messages that clearly indicate the use for each opening. - Graphics have white letters and symbols with black, blue, or green backgrounds. - Graphics are printed on the back of clear, lightly tinted polycarbonate, protecting them from wear over time. DOOR & BACK - Receptacle door and back are available in powdercoated stainless steel or FSC 100% Cumaru hardwood slats. (FSC License Code: FSC-C0004453) - Powdercoated stainless steel doors are available with or without perforation. - See the Forms+Surfaces Powdercoat Chart for details. Custom RAL colors are available for an upcharge.
	INSTALLATION - Bevel Litter Receptacle can be freestanding or surface mounted. - Stainless steel mounting hardware is sold separately. MAINTENANCE - TENSIL and metal surfaces can be cleaned as needed using a soft cloth or brush with water and a mild detergent. Surfaces should be thoroughly rinsed and allowed to dry. Avoid abrasive cleaners. - Cumaru hardwood can be maintained by re-oiling as needed with Pandiro® hardwood finish or similar products.

NOMINAL DIMENSIONS



MODEL	OVERALL LENGTH	OVERALL DEPTH	OVERALL HEIGHT	CAPACITY	WEIGHT (STAINLESS)	WEIGHT (CUMARU)
SLBL-122	25" (635 mm)	14" (356 mm)	40" (1016 mm)	22 gallons (83 liters)	160 lbs (72.6 kg)	162 lbs (73.5 kg)

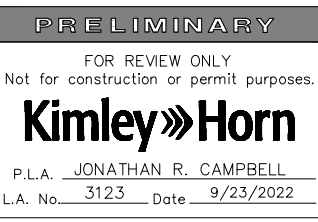
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page 1 of 3 | Rev. 11-09-21

LH 3.03



CITY PROJECT NUMBER: 211014-2

SITE FURNISHING

FOR

OVERLOOK AT CAMPBELL LAKE

155 RESIDENTIAL LOTS / 17 OPEN SPACES/ 1 AMENITY CENTER LOT

BEING 21.105 ACRES

OUT OF THE

DELILAH C. MANNING SURVEY, ABSTRACT NO. 945

AND THE

P. H. RICE SURVEY, ABSTRACT NO. 1241

IN THE

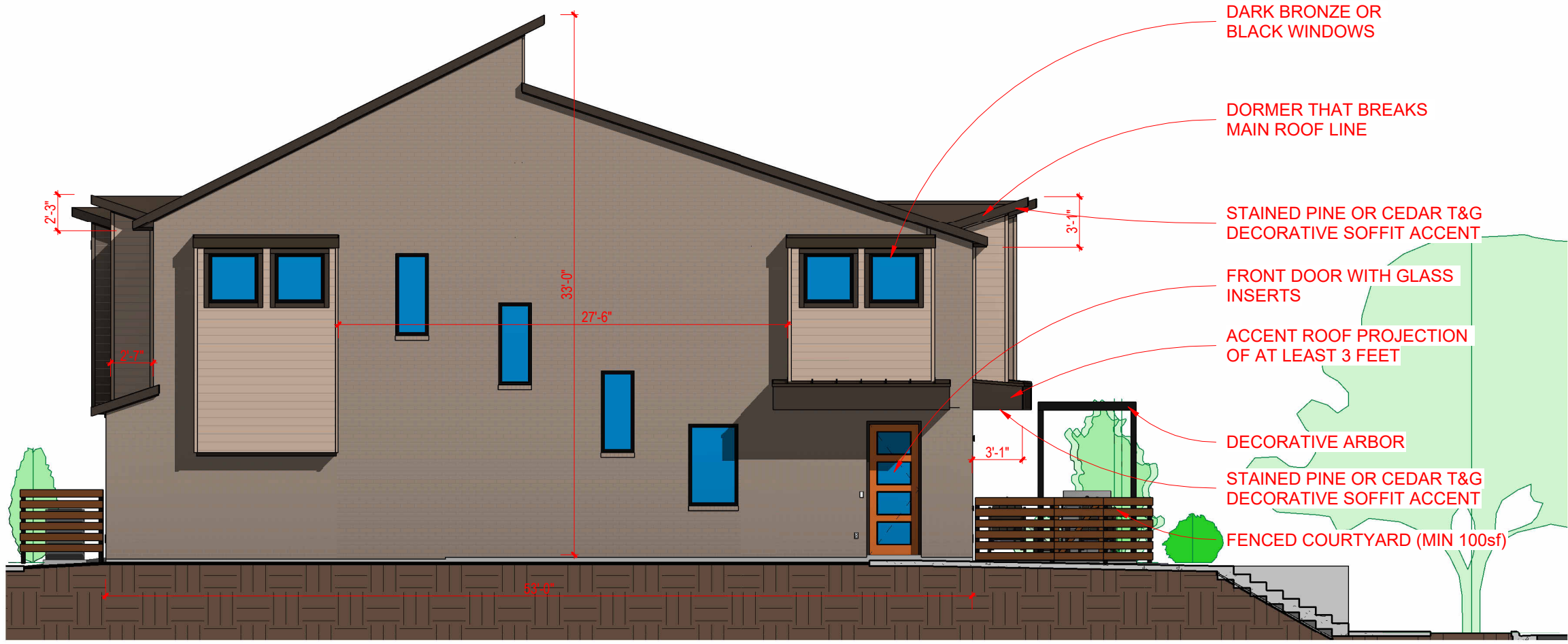
CITY OF GARLAND, DALLAS COUNTY, TEXAS

OWNER/DEVELOPER: Grenadier Homes 55000 Quorum Drive, Suite 555 Dallas, TX 75254 Tel: (469) 867-6970 Contact: Robert Swegler		LANDSCAPE ARCHITECT: Kimley»Horn 6160 Warren Parkway Suite 210 Frisco, TX 75034 Tel: (972) 335-3590 Contact: JONATHAN R. CAMPBELL, P.L.A.		ENGINEER/SURVEYOR: Kimley»Horn 6160 Warren Parkway Suite 210 Frisco, TX 75034 Tel: (972) 335-3590 Contact: MATTHEW R. DUENWALD, P.E.	
DESIGNED	DRAWN	CHECKED	SCALE	DATE	KH PROJECT NO.
JRC	SNE	JRC	AS SHOWN	SEPT. 2022	063259800

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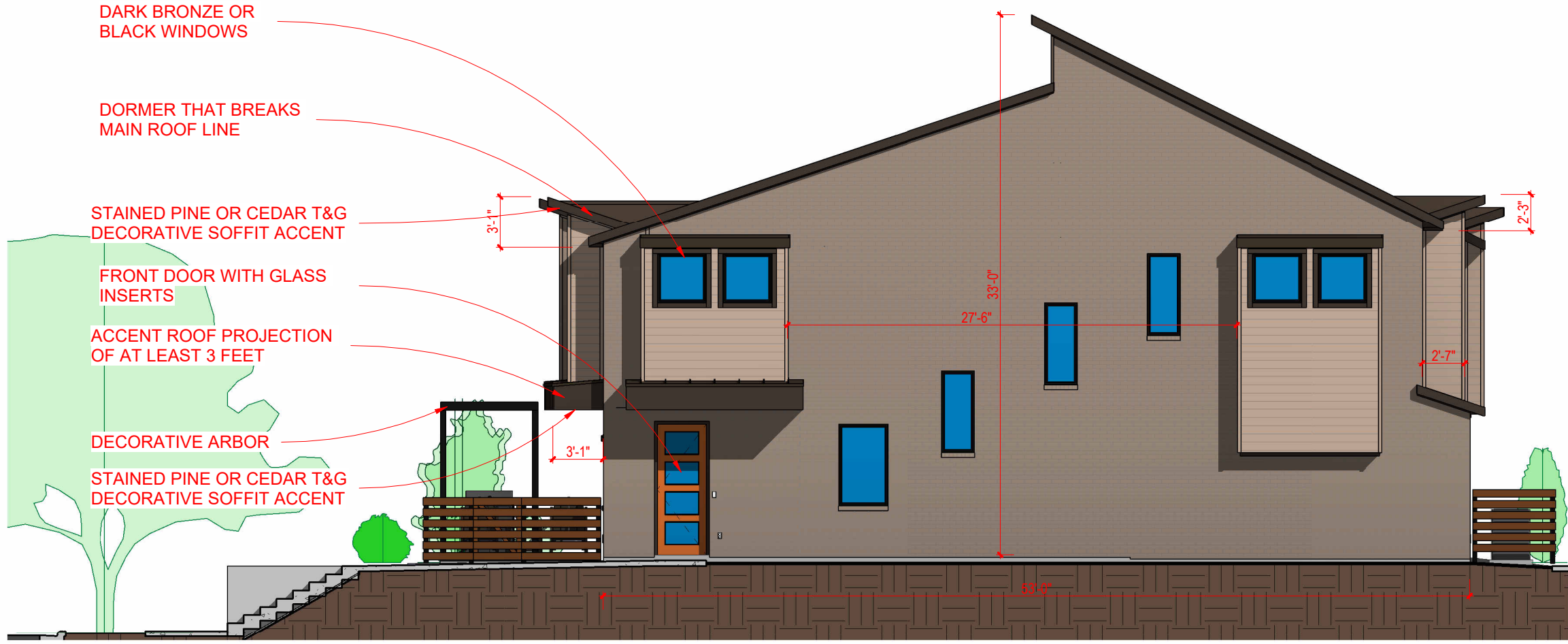
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EXHIBIT E



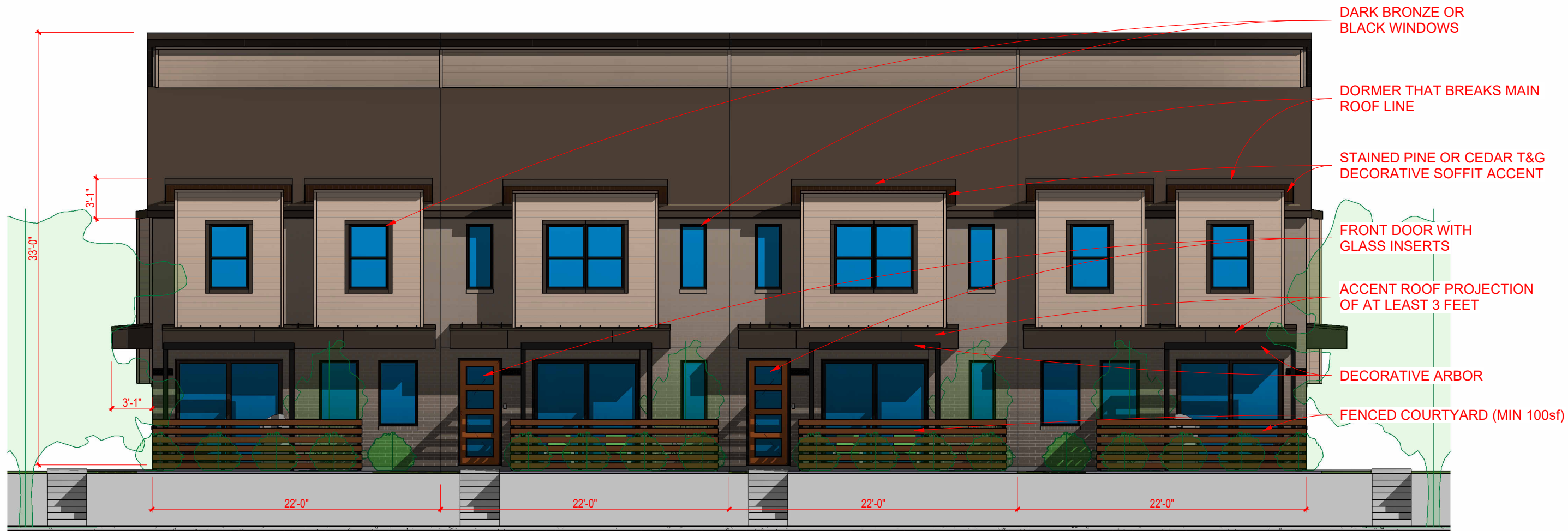
BUILDING SIDE ELEVATION & CROSS-SECTION

1/8" = 1'-0"



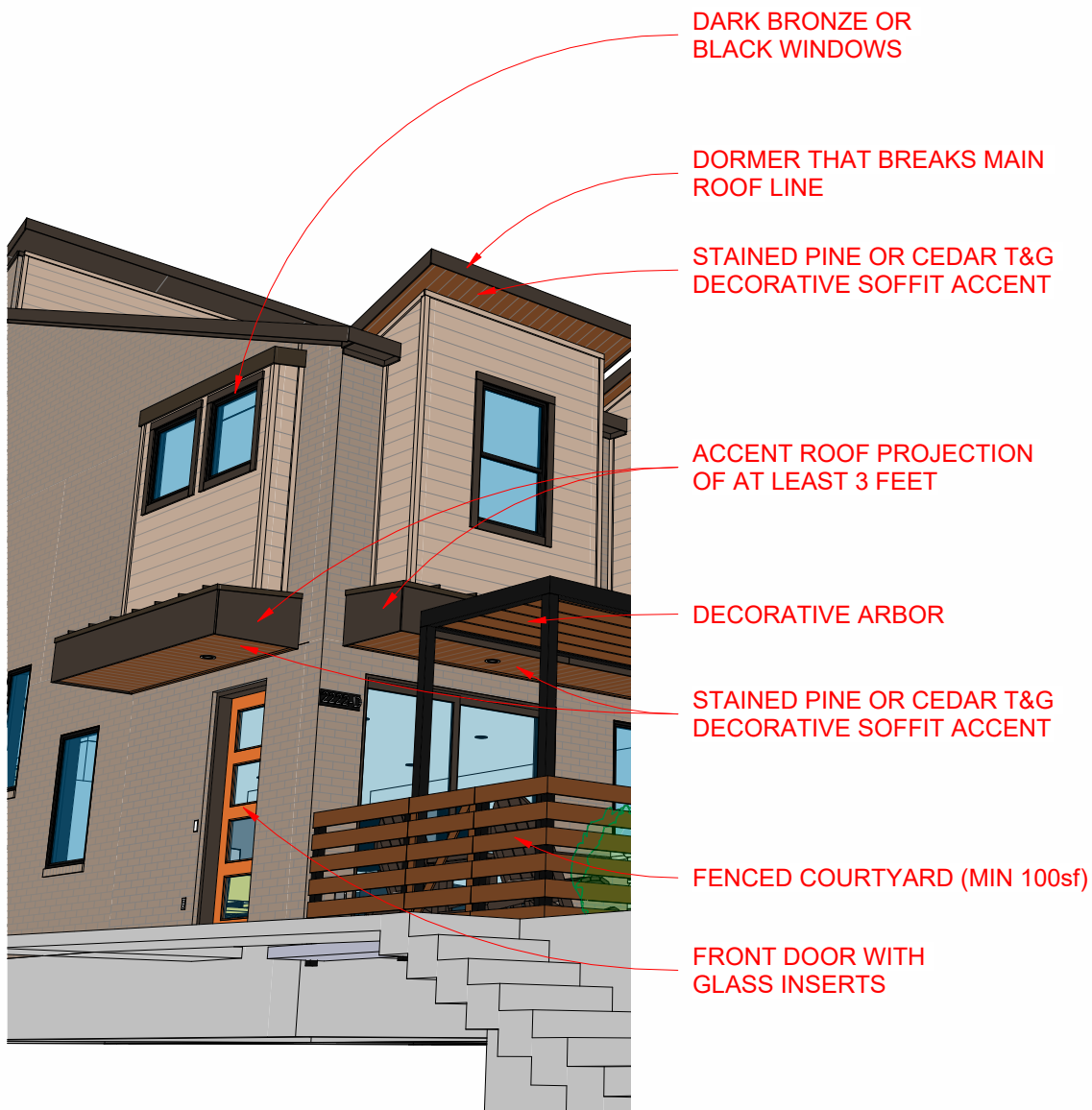
BUILDING SIDE ELEVATION & CROSS-SECTION

1/8" = 1'-0"



STREET FRONT BUILDING ELEVATION

1/8" = 1'-0"



GARAGE ELEVATION

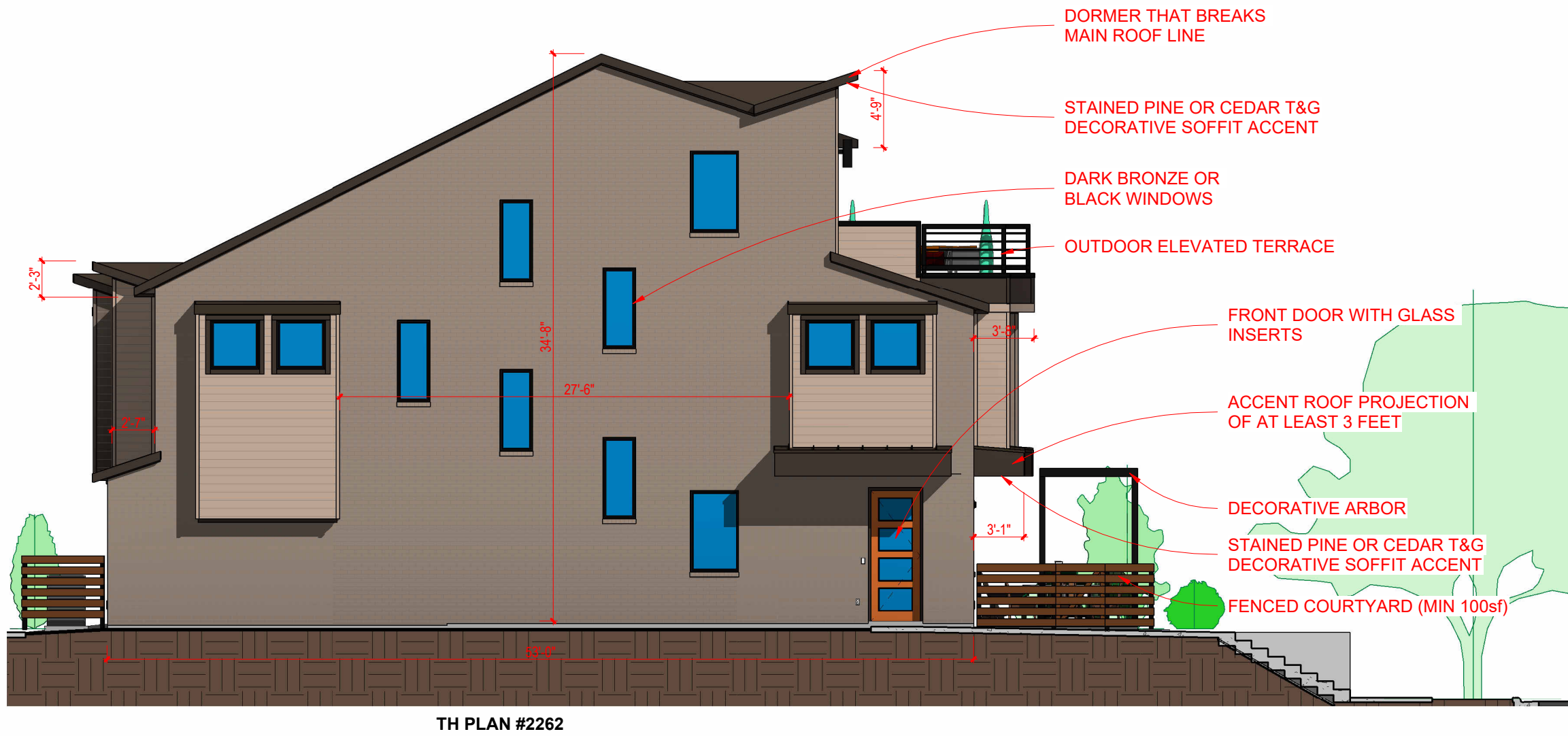
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PROPOSED PD ARCHITECTURAL ELEMENTS

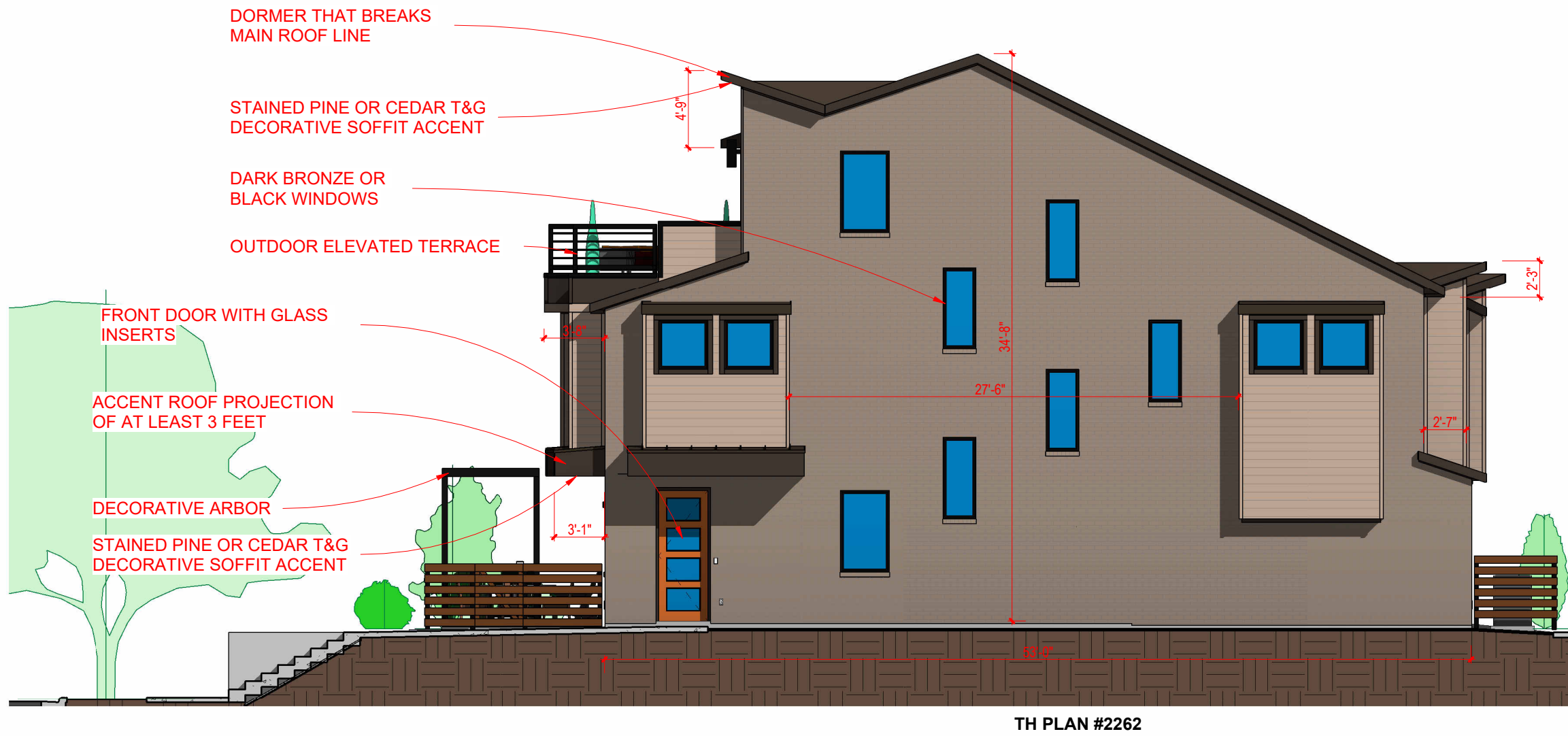
SUBDIVISION		REVISIONS		By
CAMPBELL LAKE		No	Date	Description
4-PLEX 3BR 2FLR				
DESCRIPTION				
BUILDING ELEVATIONS				
SHEET NO.				
A1				
SET DATE - 08/10/2022				

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EXHIBIT E



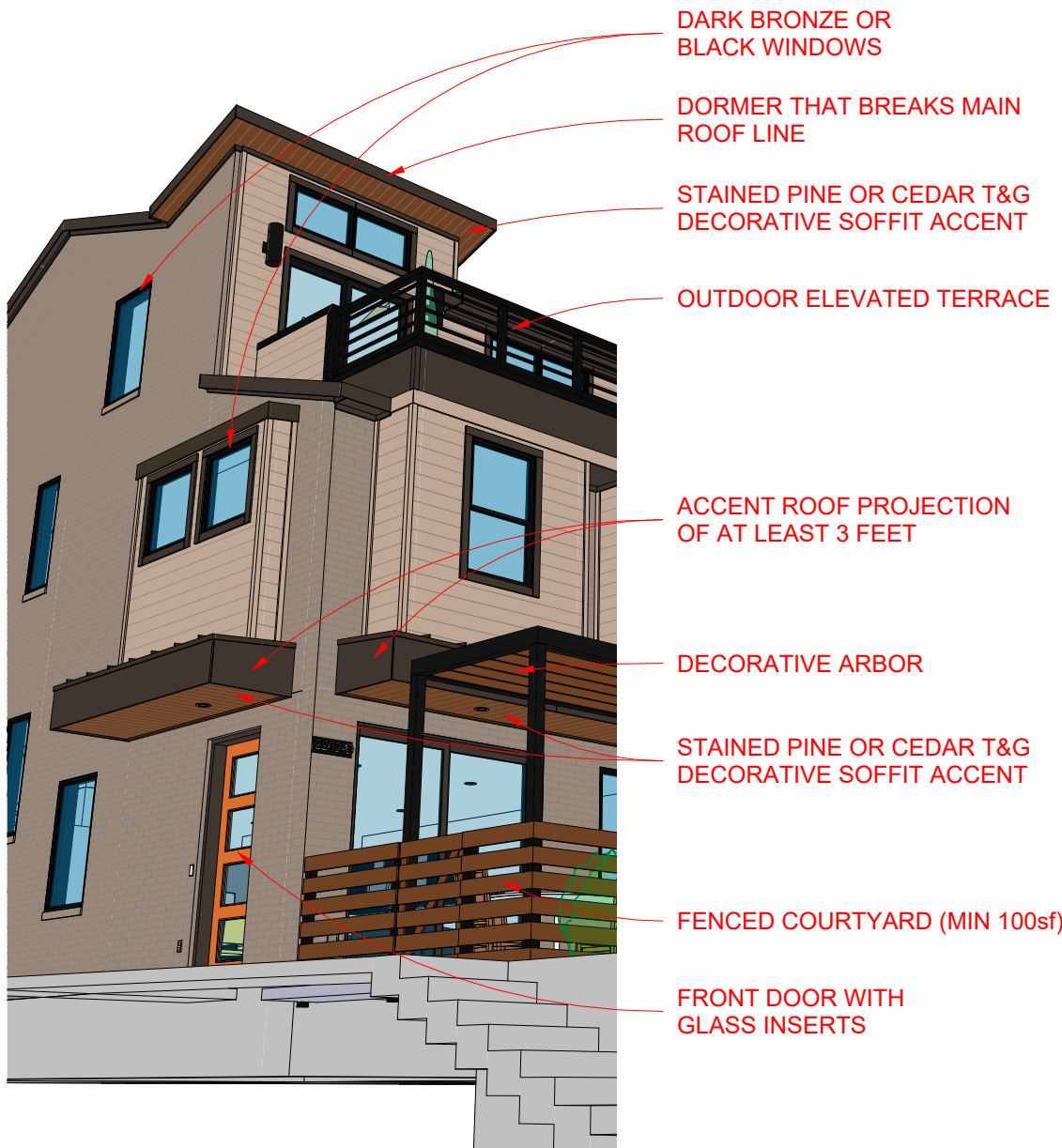
BUILDING SIDE ELEVATION & CROSS-SECTION
1/8" = 1'-0"



BUILDING SIDE ELEVATION & CROSS-SECTION
1/8" = 1'-0"



STREET FRONT BUILDING ELEVATION
1/8" = 1'-0"



GARAGE ELEVATION
1/8" = 1'-0"

PROPOSED PD ARCHITECTURAL ELEMENTS

By

No

Date

Description

REVISIONS

DESIGNED BY	MJW
DRAWN BY	CDG
RELEASE DATE	08/10/2022
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DALLAS, TX 75254
(214) 224-0095

GRENADIER HOMES

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SET DATE - 08/10/2022

SUBDIVISION

CAMPBELL LAKE

4-PLEX 3BR 3FLR

DESCRIPTION

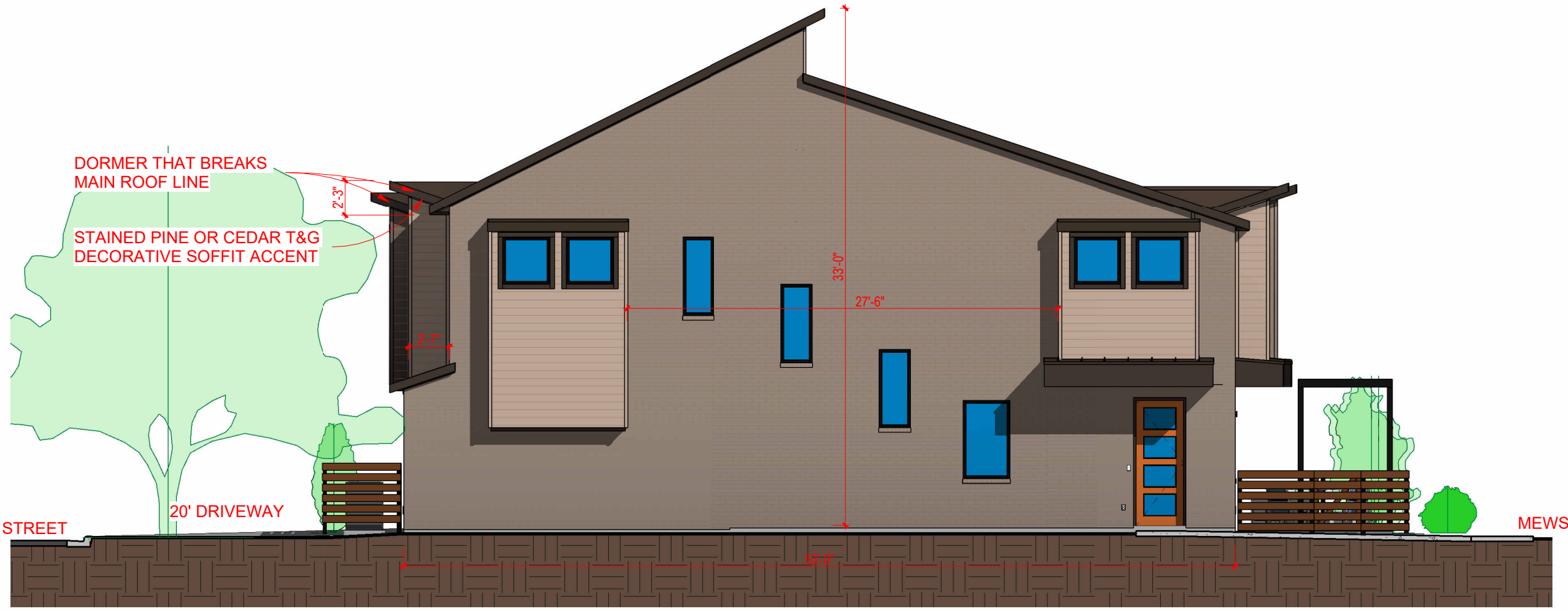
BUILDING ELEVATIONS

SHEET NO.

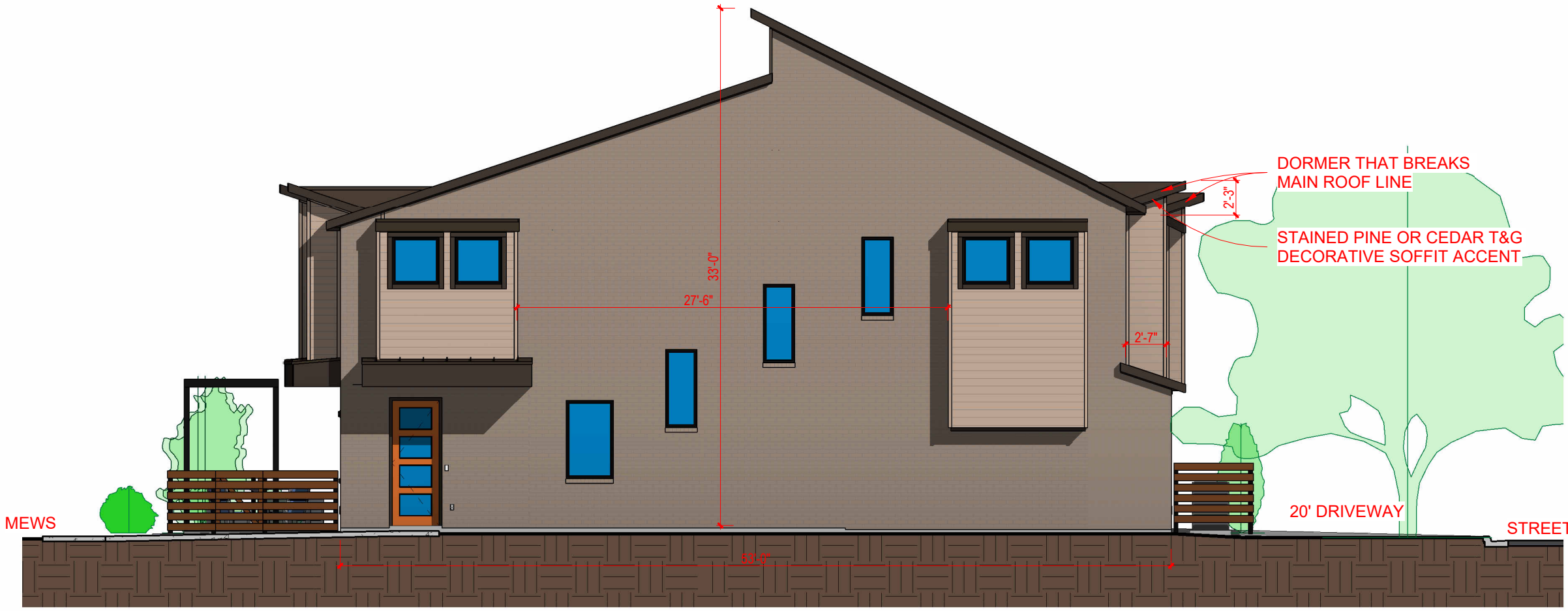
A2

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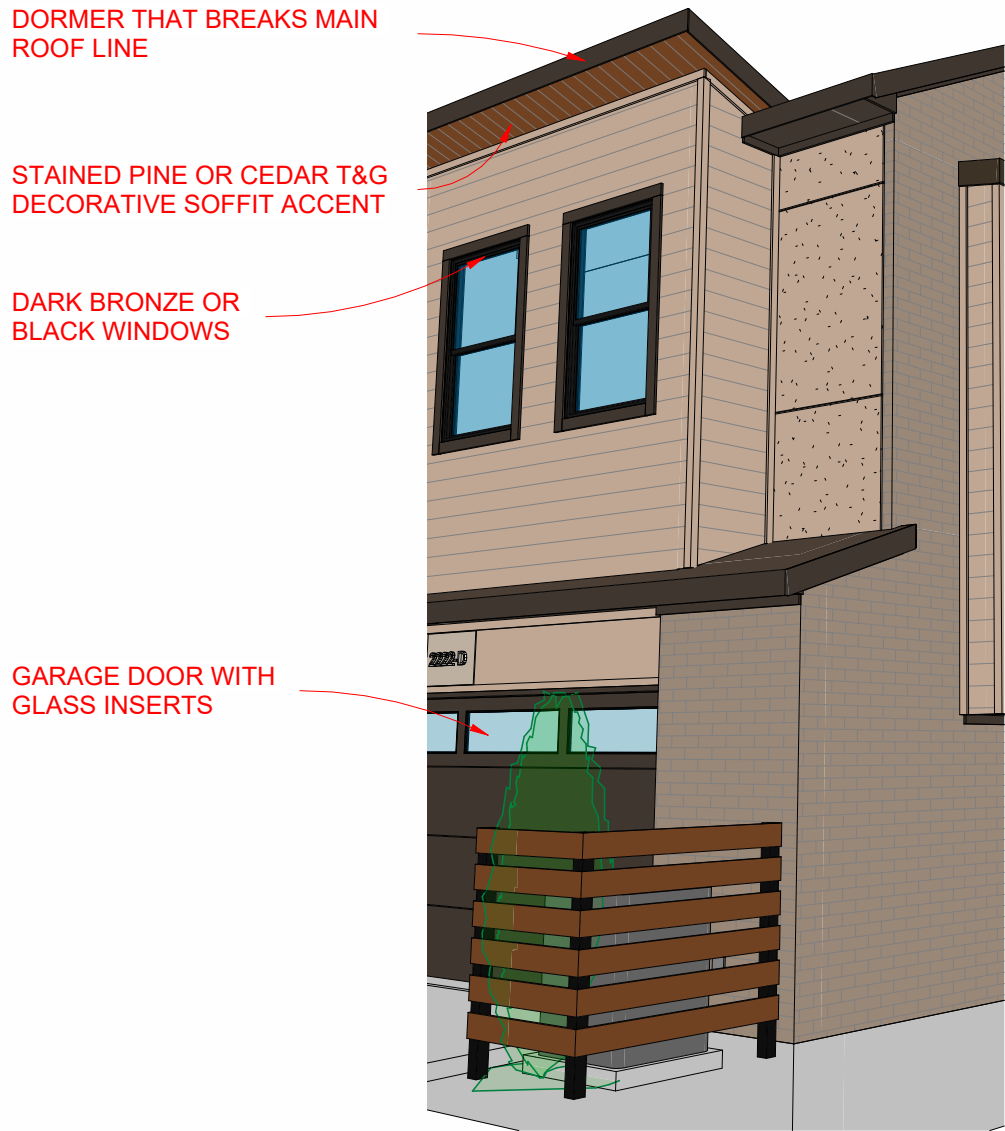
EXHIBIT E



BUILDING SIDE ELEVATION & CROSS-SECTION
1/8" = 1'-0"



BUILDING SIDE ELEVATION & CROSS-SECTION
1/8" = 1'-0"



BUILDING STREET FRONT ELEVATION
1/8" = 1'-0"



BUILDING MEWS ELEVATION
1/8" = 1'-0"

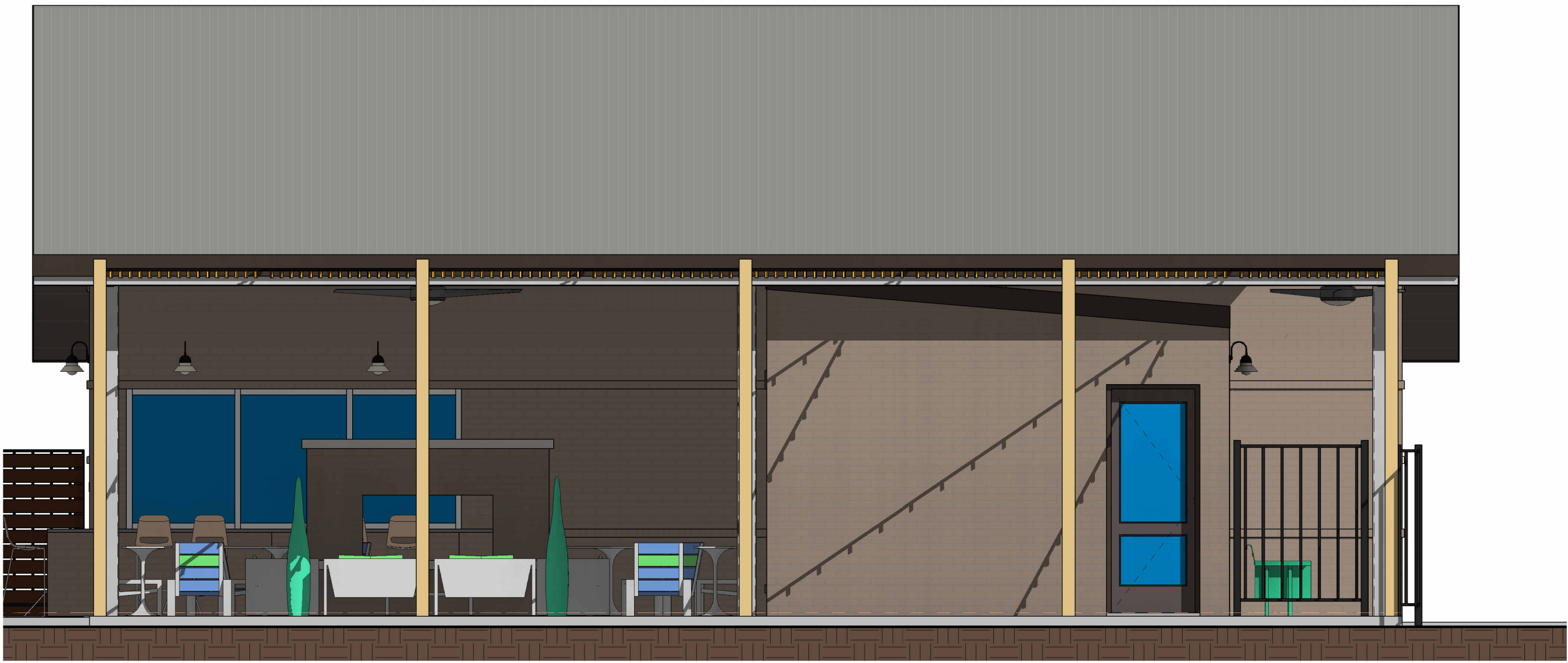
PROPOSED PD ARCHITECTURAL ELEMENTS

REVISIONS		By
No	Date	Description
DESIGNED BY		MJW
DRAWN BY		CDG
RELEASE DATE		08/10/2022
© GRENADIER HOMES		
5000 QUORUM DR SUITE #555 DALLAS, TX 75254 (214) 224-0095		Grenadier Homes expressly reserves its copyright and other property rights in these plans and drawings. These plans and related drawings are not to be copied in any form or manner.
 GRENADIER HOMES		
SUBDIVISION		CAMPBELL LAKE 4-PLEX 3BR 2FLR
DESCRIPTION		
BUILDING ELEVATIONS		
SHEET NO.		A3

SET DATE - 08/10/2022

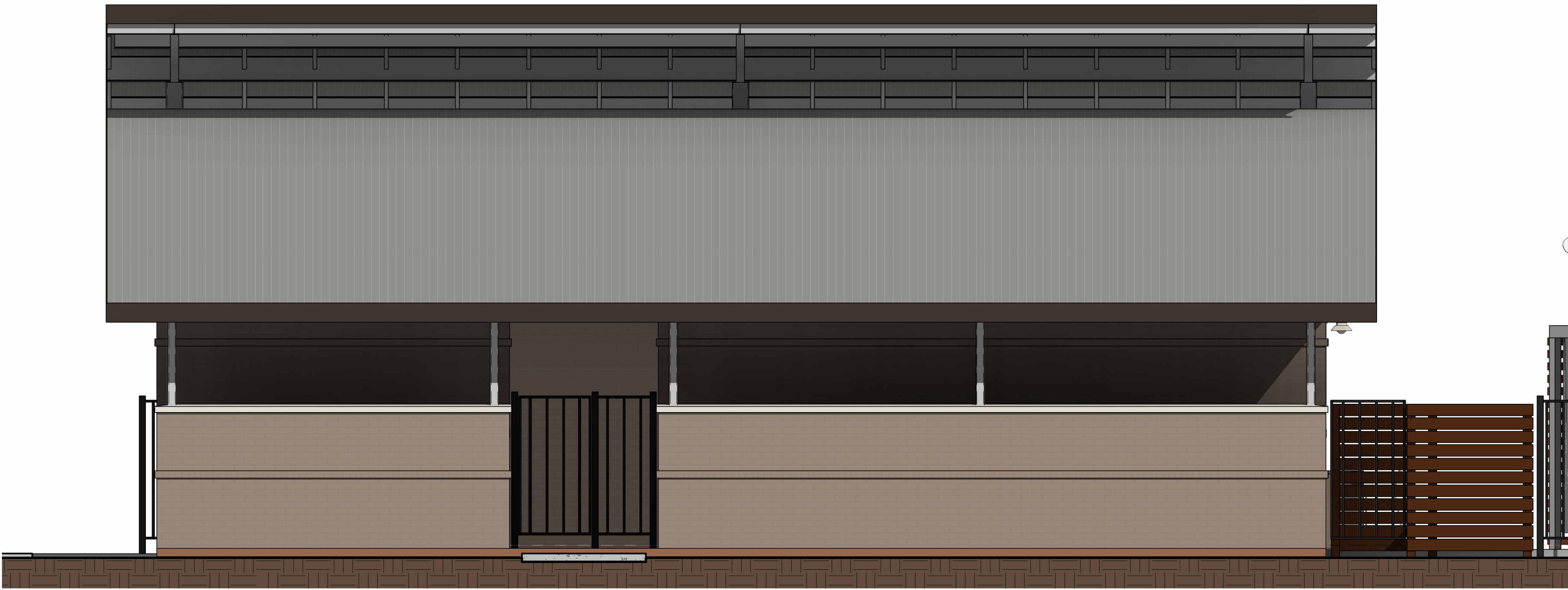
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EXHIBIT E



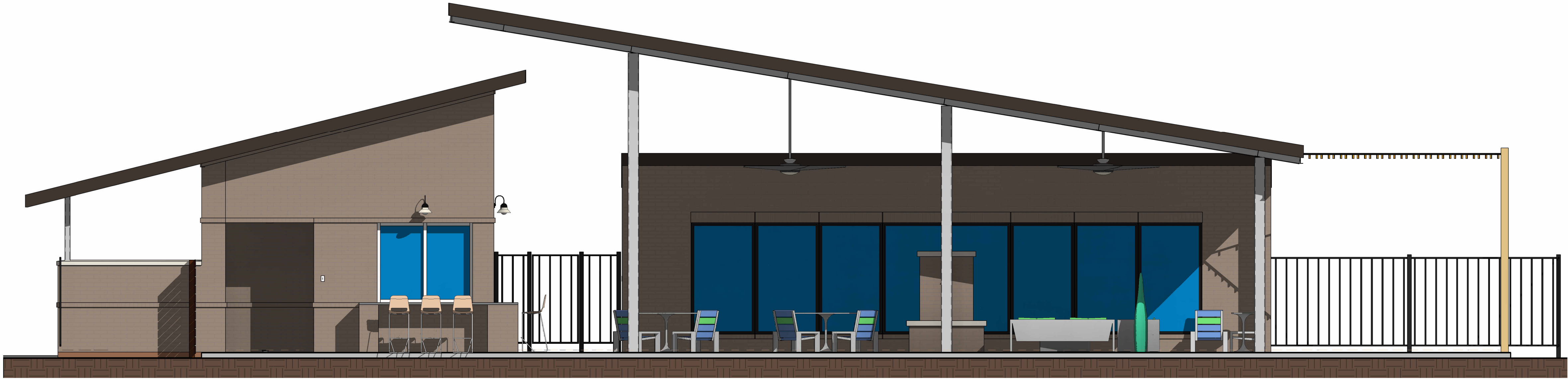
EXERCISE YARD ELEVATION

1/4" = 1'-0"



MAIL CENTER ELEVATION

1/4" = 1'-0"



POOL SIDE ELEVATION

1/4" = 1'-0"



STREET SIDE ELEVATION

1/4" = 1'-0"

PROPOSED PD ARCHITECTURAL ELEMENTS

SHEET DATE - 08/10/2022

SUBDIVISION

CAMPBELL LAKE
AMENITY CENTER

DESCRIPTION
AMENITIES
CENTER
ELEVATIONS

SHEET NO.

A4



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RELEASE DATE
08/10/2022

DRAWN BY
CDG

DESIGNED BY
CDG

REVISIONS

Description

Date

No

By

REPORT & MINUTES

P.C. Meeting, September 12, 2022

Consideration of the application of **Grenadier Investments, Inc.**, requesting approval of a Detail Plan for Single-Family Attached (SFA) development. This property is located at 2200 and 2302 West Campbell Road. (District 7) (File Z 22-20 – Detail Plan)

Motion was made by Commissioner Williams to **deny** the request. Seconded by Commissioner Dalton. **Motion carried: 6 Ayes, 2 Nays** by Commissioner Aubin and Rose.

Comment Form

Case Z 22-20

Z 22-20 Grenadier Investments, Inc. The applicant requests to allow ninety-three (93) townhouses on the eastern tract, sixty-three (63) townhouses on the western tract, and open spaces. The site is located at 2200 and 2302 West Campbell Road. (District 7)

Z 22-20 Grenadier Investments, Inc. El solicitante solicita permitir noventa y tres (93) casas adosadas en el tramo este, sesenta y tres (63) casas adosadas en el tramo oeste y espacios abiertos. El sitio está ubicado en 2200 y 2302 West Campbell Road. (Distrito 7)

Z 22-20 Grenadier Investments, Inc. Người nộp đơn yêu cầu cho phép chín mươi ba (93) căn nhà phố ở đường phía đông, sáu mươi ba (63) căn nhà phố ở đường phía tây và không gian mở. Địa điểm tọa lạc tại 2200 và 2302 West Campbell Road. (Quận 7)

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.

Sandy Lu & Susan Lu, Property Owners

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.)

46409 Wildlife Trail

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

Garland, TX

City, State / Estado de la Ciudad / Thành bang

75044

Zip Code / Código postal / Mã B u Chính

Sandy Lu Changrong Susan Lu

Signature / Firma / Chữ ký

Date / Fecha / Ngày

09/02/2022

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

From: James R
To: Planning Group
Subject: [EXTERNAL]
Date: Wednesday, September 7, 2022 10:30:17 AM
Attachments: image.png

Comment Form Case Z 22-20

Z 22-20 Grenadier Investments, Inc. The applicant requests to allow ninety-three (93) townhouses on the eastern tract, sixty-three (63) townhouses on the western tract, and open spaces. The site is located at 2200 and 2302 West Campbell Road. (District 7)

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

☐

For / A Favor / Đúng

☒

Against / En Contra / Không

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Mr. James Reed

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.)

6411 Wildlife Trail

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

Garland, Tx 75044

City, State / Estado de la Ciudad / Thành bang

75044

Zip Code / Código postal / Mã B u Chính

Signature / Firma / Chữ 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.)

Comment Form

Case Z 22-20

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

☐

For / A Favor / Đúng

☒

Against / En Contra / Không

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Scott + Priscilla Dickson

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.)

6602 Wildlife Trail

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

Garland, TX 75044

City, State / Estado de la Ciudad / Thành bang

75044

Zip Code / Código postal / Mã Bưu Chính

Scott + Priscilla Dickson

Signature / Firma / Chữ ký

9/26/22

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.)

Received
9-26-22

Comment Form – Continued

Case Z 22-20

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

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

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

The development will adversely affect:

1) Spring Creek & Shoal Creek watersheds with more pollution & trash.

2) Litter along streets and in other public spaces

3) Traffic volumes on Campbell which are already too high during rush hours

4) Noise & light pollution from new developments

This area is no longer a pleasant place with open space. Let's stop the "development at all costs" mentality.

From: [Scott Dickson](#)
To: [Planning Group](#)
Subject: [EXTERNAL] Case Z 22 - 20 - Against
Date: Monday, September 12, 2022 3:16:16 PM
Attachments: [Garland Case Z 22 -20.pdf](#)

See attached - our vote is against.

Comment Form

Case Z 22-20

Z 22-20 Grenadier Investments, Inc. The applicant requests to allow ninety-three (93) townhouses on the eastern tract, sixty-three (63) townhouses on the western tract, and open spaces. The site is located at 2200 and 2302 West Campbell Road. (District 7)

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

☐

For / A Favor / Đúng

☒

Against / En Contra / Không

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Scott & Priscilla Dickson

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

6602 Wildlife Trail

City, State / Estado de la Ciudad / Thành bang

Garland TX

Zip Code / Código postal / Mã Bưu Chính

75044

Signature / Firma / Chữ ký

Scott & Priscilla Dickson

Date / Fecha / Ngày 9-12-22

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

Comment Form – Continued

Case Z 22-20

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

- This area is seeing more and more green space damaged or destroyed.
- The intensification of apartment & office development is creating increased traffic & increased littering & the potential for increased crime.
- The proposed development could do further damage to Shool Creek & Spring Creek Watersheds and green belts.
- We understand that the developer & city have commercial interests but this area is becoming overwhelmed and we strongly vote "no" on further development.

Allmendinger, Tracy

From: Patti Moore <Patti.Moore@vylla.com>
Sent: Thursday, September 8, 2022 5:22 PM
To: Planning Group
Subject: [EXTERNAL] COMMENT FORM CASE Z 22-20
Attachments: IMG_4893.jpg

I vote against the proposal of these townhomes. It will be congested, more crime and make our property values go down.

The area has been sucked up with apartments and we do not need to add more and more people. Plus I want my greenbelt with the trees to stay exactly as it is.

That is part of why I bought my home.

Thank you,

Patti Moore
VP Trust Accounting

Patti.Moore@vylla.com
P: 469-344-4479
M: 972-978-6634

Vylla Title, LLC
6200 Tennyson Parkway, Suite 110
Plano, Texas 75024
vyllatitle.com

-----Original Message-----

From: 9729786634@mms.att.net <9729786634@mms.att.net>
Sent: Thursday, September 8, 2022 5:18 PM
To: Patti Moore <Patti.Moore@vylla.com>
Subject:

Attention: This message was sent by an external sender. Please be mindful before clicking a link or opening attachments

Comment Form Case Z 22-20

Z 22-20 Grenadier Investments, Inc. The applicant requests to allow ninety-three (93) townhouses on the eastern tract, sixty-three (63) townhouses on the western tract, and open spaces. The site is located at 2200 and 2302 West Campbell Road. (District 7)

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



For / A Favor / Đúng



Against / En Contra / Không

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Ratti Moore - Property owner

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

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

Well Wildlife Travel

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

Garland TX 75044

City, State / Estado de la Ciudad / Thành bang

75044

Zip Code / Código postal / Mã Bưu Chính

Ratti Moore

Signature / Firma / Chữ ký

9/7/22

Date / Fecha / Ngày

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

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☐

For / A Favor / Đúng

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Ly Nguyen, Property Owner

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

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

6507 Eagle Nest Dr

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

Garland, TX

City, State / Estado de la Ciudad / Thành bang

75044

Zip Code / Código postal / Mã B u Chính

9/12/22

Date / Fecha / Ngày

Signature / Firma / Chữ ký

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

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For / A Favor / Đồng ý



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JOHN CREWS / PROPERTY OWNER

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

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

6509 EAGLE NEST DR

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

GARLAND, TX

City, State / Estado de la Ciudad / Thành bang

75044

Zip Code / Código postal / Mã Bưu Chính

John Crews

Signature / Firma / Chữ ký

9/27/2022

Date / Fecha / Ngày

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

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For / A Favor / Đúng

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WILLIAM C. TANKERSLEY, JR

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.)

2011 Shoal Creek - Tol

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

Garland, Texas

City, State / Estado de la Ciudad / Thành bang

75044

Zip Code / Código postal / Mã B u Chính

William C. Tankersley, Jr

Signature / Firma / Chữ ký

9/5/22

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.)

SEP 9 '22 PM 4:10

Comment Form – Continued

Case Z 22-20

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

The continue of letting tighter for ~~multity~~ for multity people in all what is considered makes the much more lawless, more stealing and very tight room for moving ~~for~~ around. Look at W. Campbell for at 2 hours in early and evening hours. You can't go ~~about~~ about expecting very far moving. Shiloh is now full and read the latest how much Shiloh is now consider the last street to move people from Dallas

The land and somewhat but PD 85-50 will be the most danger.

We can make sure money "talks" over other thing on the land over 2 miles or more is a very crowded

Zoning Response Case Comments

Case Number	PC Hearing Date	CC Hearing Date	Planner Name
Z 22-20	September 12, 2022	October 11, 2022	Nabiha Ahmed

The applicant requests to allow ninety-three (93) townhouses on the eastern tract, sixty-three (63) townhouses on the western tract, and open spaces. The site is located at 2200 and 2302 West Campbell Road. (District 7)

Michelle Wong

Against

9/21/2022
4:52:46 PM

6615 Rutledge Rd

Outside the Notification Area

Garland

Texas

United States

75044

The light at this intersection & school traffic causes Campbell to be quite congested as it is.

Michelle Wong

Against

9/21/2022
4:52:45 PM

6615 Rutledge Rd

Outside the Notification Area

Garland

Texas

United States

75044

The light at this intersection & school traffic causes Campbell to be quite congested as it is.

Dinnah Dent

Against

9/18/2022
11:50:38 PM

3109 Debra Ct

Outside the Notification Area

Garland

Texas

United States

75055

Lindsay

Against

Case Number	PC Hearing Date	CC Hearing Date	Planner Name
Z 22-20	September 12, 2022	October 11, 2022	Nabiha Ahmed

9/15/2022
2:27:04 PM

2521 Collins Blvd.

lindsayrwilliams@gmail.com

Garland

7175035013

TX

Outside the Notification Area

United States

75044

The traffic is already too congested at this area. Adding more homes would make it much worse. Expand the road and add turn lanes before you add more homes. You sometimes have to wait 3-4 traffic light cycles to make it through the light.

Janet Mokate

Against

9/14/2022
5:33:09 PM

Sandestin Ct

markka.mambas.0k@icloud.com

Garland

Texas

United States

75044

Susan

Against

9/14/2022
5:56:38 AM

6615 Rutledge Ct

Outside the Notification Area

Garland

Texas

United States

<null>

Susan

Against

9/14/2022
5:56:35 AM

6615 Rutledge Ct

Outside the Notification Area

Garland

Texas

United States

<null>

Case Number	PC Hearing Date	CC Hearing Date	Planner Name
Z 22-20	September 12, 2022	October 11, 2022	Nabiha Ahmed

Rick Williams

For

Outside the Notification Area

9/14/2022
12:43:03 AM

3126 Collins Blvd

rickwilli@gmail.com

Garland

2145352648

Texas

United States

75044

Seem;s like a reasonable use for that property.

Michael Mason

Against

Outside the Notification Area

9/12/2022
2:45:41 PM

2418 Hedgeway Cir

m.mason8@verizon.net

Garland

2144049411

Texas

United States

75044

I'm strongly against this proposal for both the east and west tracts. The west tract is considered by all in this area part of the park area and protected green belt. It is a much needed open space in this sea of apartments & houses. I'm also against the east tract because there are way too many multi-family units in our area already. This development will also create a traffic nightmare at this already busy intersection. Please don't let the developers take away this little oasis in this mass of humanity!!!!

Greg Wakefield

Against

Outside the Notification Area

9/12/2022
2:03:01 PM

6618 Lake Shore Dr

greg@wiscontrol.com

Garland

9727408910

Texas

United States

75044

This will create too much congestion in the area that already does not have enough resources to support the growth that has already occurred. This area already needs, an additional school, road expansion, additional food shopping locations and city services. Adding housing for an additional 156 homes will cripple the current infrastructure.

Cindi Wakefield

Against

Case Number	PC Hearing Date	CC Hearing Date	Planner Name
Z 22-20	September 12, 2022	October 11, 2022	Nabiha Ahmed

9/12/2022
1:51:58 PM

6618 Lakeshore Dr.

Thewakefield1@tx.rr.com

Garland

972-672-4459

Texas

United States

Outside the Notification Area

75044

You are going to ruin a beautiful neighborhood this area is already extremely congested there are Wrecks all the time in front of the Kroger. Please do not ruin our beautiful neighborhood by adding over 150 new families that we do not have the space for and congest and ruin our neighborhood. That is a lovely walking area for mini families please do not ruin it please

**Melissa
Christiansen**

9/12/2022
1:40:56 PM

Against

3213 Bridle Path Ct

Outside the Notification Area

Garland

Texas

United States

75044

I vote no to any building in this area. Perhaps now more than ever, our small local green spaces are invaluable to the health and well-being of our communities across the country. This includes humans, the wildlife we live with and depend on for pest control and the health of our local ecosystem, and the parks, prairies and forests that are already too few to adequately house us all.

Lake Harsaran

9/12/2022
11:44:57 AM

Against

Outside the Notification Area

2305 Jamaica Place,

Lakeh@tx.rr.com

Garland

4692232051

TX

United States

75044

Its beautiful and peaceful around there. There is lots of birds and other animals live there. Not to say it flood very often.

Will

9/12/2022
3:53:23 AM

For

Outside the Notification Area

2703 N Spring Dr

will_kotch@protonmail.com

Case Number	PC Hearing Date	CC Hearing Date	Planner Name
Z 22-20	September 12, 2022	October 11, 2022	Nabiha Ahmed

Richardson
Texas
United States
75082

Although I do not live in Garland, I am a few hundred feet away from the city, less than a mile from this location, and spend a lot of money in Garland businesses, so I think I have a vested interest in this area. I would encourage you to support this change. North Dallas is one of the fastest growing areas in the country and more housing is needed to keep up with demand. Townhouses are a more affordable option to new families that cannot afford a fully detached home in this current market, and the local park and pond nearby would be a great place to take young children to play. Additionally, the dense nature of townhomes means that a relatively small area can bring significant amounts of property tax to the city as well as many consumers that can provide business to local stores.

Kathy Montelbano
9/10/2022
9:42:28 PM

Against

2709 Carya Trl

Garland
Texas
United States
75044

Outside the Notification Area

Kathy.baird123@gmail.com

2142440169

The open natural spaces are already too few. The Spring Creek Forest Preserve runs alongside this beautiful pond. And the creek is already full of trash. The water birds and wildlife depend on this area for survival against urban sprawl. Also , this area is well needed by the Monarch butterflies - who are now officially endangered - use this area for their annual migration every year.

Jeff Miller
9/10/2022
5:52:49 PM

Against

2902 Woods Ct

Garland
Texas
United States
75044

Please no.

Outside the Notification Area

drjeffmiller@yahoo.com

4699699433

Trisha Moore

Against

Case Number	PC Hearing Date	CC Hearing Date	Planner Name
Z 22-20	September 12, 2022	October 11, 2022	Nabiha Ahmed

9/10/2022
5:52:16 PM

2902 Woods Court

Garland
Texas
United States
<null>

Against

Lisa

Against

Outside the Notification Area

9/10/2022
3:00:23 PM

H

Garland
Texas
United States
75081

lisahassbrock@yahoo.com

9726447941

Please preserve this space as a park for EVERYONE to enjoy. Multi living units is only going to cause more traffic congestion in that area. Not every blade of grass needs to have concrete poured over it!

Lisa

Against

Outside the Notification Area

9/10/2022
3:00:21 PM

H

Garland
Texas
United States
75081

lisahassbrock@yahoo.com

9726447941

Please preserve this space as a park for EVERYONE to enjoy. Multi living units is only going to cause more traffic congestion in that area. Not every blade of grass needs to have concrete poured over it!

B

Against

Outside the Notification Area

9/9/2022
12:39:49 PM

Lud

Garland
Texas
United States
<null>

Case Number	PC Hearing Date	CC Hearing Date	Planner Name
Z 22-20	September 12, 2022	October 11, 2022	Nabiha Ahmed

Richard Vance	Against	Outside the Notification Area
----------------------	----------------	--------------------------------------

9/8/2022
12:40:14 PM

3006 Mountain Ash Ct

ravance2@yahoo.com

Garland

9727425979

TX

United States

75044

This west side should continue as park land. Garland needs more bike trails this park should be connected to the spring creek trails at Holford...then Brand up to Breckinridge. Forward looking vision - Please.

Reba Ann Collins	Against	Outside the Notification Area
-------------------------	----------------	--------------------------------------

9/7/2022
10:04:41 PM

5010 Drawbridge Lane

rcollins20@verizon.net

Garland

9727420312

TX

United States

75044

I live in Camelot and think the section next to the pond is not a good location for human habitation. It should be amended into the city park property as a buffer area. Ditto on the Z22-20 section on the west side of Shiloh.

Jill	Against	Outside the Notification Area
-------------	----------------	--------------------------------------

9/7/2022
9:52:50 PM

2713 Carya Tr

Garland

Texas

United States

75044

Julia Maschmann	Against	Outside the Notification Area
------------------------	----------------	--------------------------------------

9/7/2022
9:52:45 PM

5814 Townshire Rd

Jlmaschmann@gmail.com

Garland

9725673136

Case Number	PC Hearing Date	CC Hearing Date	Planner Name
Z 22-20	September 12, 2022	October 11, 2022	Nabiha Ahmed

Texas
United States
75044

Absolutely not! The walking path is used and this would detract from the walking path and greenspace that make this area desirable.

Ngan

Against

9/7/2022
7:47:57 PM

Duong

Ocngan@yahoo.com

Garland

2146954790

Texas

United States

75044

Outside the Notification Area

Cynthia Jones

Against

9/7/2022
6:50:49 PM

Callejo

Outside the Notification Area

Garland

Texas

United States

<null>

Jeanne Thoes

Against

Outside the Notification Area

9/7/2022
6:41:46 PM

2605 Hazelwood Place

Tjthoes@hotmail.com

Garland

214 769 1062

Texas

United States

75044

This area is already densely populated with very heavy traffic and limited visibility at the intersection. Flooding and erosion are common around this area. Very concerned about the height of these home as that increases water run off velocity. The SW corner should not be rezoned to residential. That is too small an area for 63 homes and consumes too much of our limited green space.

Case Number	PC Hearing Date	CC Hearing Date	Planner Name
Z 22-20	September 12, 2022	October 11, 2022	Nabiha Ahmed

Alice Hughes

Against

9/7/2022
5:54:06 PM

6733 Callejo Road
Garland
Texas
United States
75044

alicexwang@gmail.com

2143349829

Outside the Notification Area

Cynthia Jones

Against

9/7/2022
3:39:16 PM

Callejo
Garland
Texas
United States
75044

Outside the Notification Area

Vicki Gore

Against

9/7/2022
2:45:15 PM

6215 Shoal Creek Trl.
Garland
Texas
United States
75044

Mimi.gore54@gmail.com

2142363784

Outside the Notification Area

Catalin Ghervas

Against

9/7/2022
12:38:08 PM

2952 Canis Circle
Garland
Texas
United States
<null>

Outside the Notification Area

Case Number	PC Hearing Date	CC Hearing Date	Planner Name
Z 22-20	September 12, 2022	October 11, 2022	Nabiha Ahmed

Lee Yeung

Against

9/7/2022
4:52:44 AM

3118 collins

Garland
Texas
United States
<null>

Outside the Notification Area

Stacy

Against

9/7/2022
4:07:58 AM

3102 Castle Rock

Garland
Texas
United States
<null>

Outside the Notification Area

stacymorris87@gmail.com

We do not need more multi-housing units in this area. The green space is being taken away by all of the apartments and town homes built in the area already. Develop the area especially around the pond to remain a park..

Brennan Harmon

Against

9/7/2022
4:03:05 AM

2813 Ripplewood dr

Garland
Texas
United States
75044

Outside the Notification Area

2147389164

Cherolyn McCammack

Against

9/7/2022
3:12:29 AM

3406 SUGARBERRY LN

GARLAND
TX
United States

Outside the Notification Area

cherf@hotmail.com

2144153927

Case Number	PC Hearing Date	CC Hearing Date	Planner Name
Z 22-20	September 12, 2022	October 11, 2022	Nabiha Ahmed

75044

Leslie Cooper

AGAINST

Outside the Notification Area

9/7/2022
2:20:52 AM

2424 S Glenbrook Dr.

leslie.myemail@gmail.com

Garland

9725298693

Texas

United States

75041

Sandy Knauf

Against

Outside the Notification Area

9/7/2022
1:45:25 AM

3504 Taurus Drive

sandy.knauf@gmail.com

Garland

TX

United States

75044

**Rosemary
Rouse**

Against

Outside the Notification Area

9/7/2022
1:37:45 AM

6829 Callejo Rd

Garland

Texas

United States

75044

**Robert
Campbell**

Against

Outside the Notification Area

9/7/2022
1:33:32 AM

2806 Laurel Oaks Dr.

Garland

Texas

Case Number	PC Hearing Date	CC Hearing Date	Planner Name
Z 22-20	September 12, 2022	October 11, 2022	Nabiha Ahmed

United States
75044

Please do not build more townhomes. It is already too crowded and too much traffic as it is and we need more affordable single family homes, not more apartments and townhomes.

**Sarah
Southward**
9/7/2022
1:21:56 AM

Against

Outside the Notification Area

3214 Christie cir

Garland
Texas
United States
75044

Joyce Bach

Against

Outside the Notification Area

9/7/2022
12:42:19 AM

2509 Ridgemeade Drive

Garland
Texas
United States
75040

jedbach@yahoo.com

2149237514

Again why are we destroying land for multi family housing. That will bring more traffic more people more need for police fire, water and electricity resources. I really need a decent grocery store. I hate taking my grocery money ro the neighboring cities

Joyce

Against

Outside the Notification Area

9/7/2022
12:37:24 AM

2509 Ridgemeade drive

Garland
Texas
United States
75040

jedbach@yahoo.com

2149237514

Do we really need more multi family housing. The traffic is horrible and it will destroy more green land.

Justin

Against

Case Number	PC Hearing Date	CC Hearing Date	Planner Name
Z 22-20	September 12, 2022	October 11, 2022	Nabiha Ahmed

Lawrence

9/7/2022
12:29:23 AM

3221 Friar Ln

jblgarland@aol.com

Garland

9727420220

Texas

United States

75044

Outside the Notification Area

No townhomes

Dianna

Lawrence

9/7/2022
12:26:25 AM

Against

Outside the Notification Area

3221 Friar Ln

dhenke7498@aol.com

Garland

9729890918

TX

United States

75044

Against townhomes being built on either side of that intersection

Patricia

Against

Outside the Notification Area

9/7/2022
12:16:17 AM

3409 Altair Drive

pmb0417@sbcglobal.net

Garland

956-371-0373

Texas

United States

75044

I am not in support on any additional multi-family potential rental properties that eventually end up poorly maintained.

Meghan Vlach

Against

9/6/2022
11:22:54 PM

2501 Collins Boulevard

Outside the Notification Area

Garland

Texas

United States

75044

I moved to Camelot because of that park!!!! I back up to the green belt!! Please stop the building!!!

Case Number	PC Hearing Date	CC Hearing Date	Planner Name
Z 22-20	September 12, 2022	October 11, 2022	Nabiha Ahmed

Elizabeth

Against

9/6/2022
11:18:51 PM

5030 Hearthcrest

Garland
Texas
United States
<null>

Outside the Notification Area

Elizabeth

Against

9/6/2022
11:18:49 PM

5030 Hearthcrest

Garland
Texas
United States
<null>

Outside the Notification Area

Joni Rubio

Against

9/6/2022
10:40:48 PM

2920, Canis Circle

Garland
TX
United States
75044

jonimdss@gmail.com

2146862019

Outside the Notification Area

Joni Rubio

Against

9/6/2022
10:40:43 PM

2920, Canis Circle

Garland
TX
United States
75044

jonimdss@gmail.com

2146862019

Outside the Notification Area

Case Number	PC Hearing Date	CC Hearing Date	Planner Name
Z 22-20	September 12, 2022	October 11, 2022	Nabiha Ahmed

Anita Cheung

Against

Outside the Notification Area

9/6/2022
10:36:51 PM

6613 Callejo Road

Garland
Texas
United States
75044

Anita Cheung

Against

Outside the Notification Area

9/6/2022
10:36:05 PM

6613 Callejo Road

Garland
Texas
United States
75044

Nghia Do

Against

Outside the Notification Area

9/6/2022
10:29:52 PM

6622 Rutledge Ct

Garland
Texas
United States
75044

nghiad85@yahoo.com

Michelle

Against

Outside the Notification Area

9/6/2022
10:28:12 PM

6737 Callejo Road

Garland
Texas
United States
75044

dmfowler2@gmail.com

Case Number	PC Hearing Date	CC Hearing Date	Planner Name
Z 22-20	September 12, 2022	October 11, 2022	Nabiha Ahmed

Against

james reed

Against

9/6/2022
10:09:16 PM

6411 WILDLIFE TRAIL

jvrtx9@hotmail.com

Garland

972-740-1773

Texas

United States

<null>

Kylee Bradford

Against

9/6/2022
10:06:28 PM

6721 Callejo Rd.

Outside the Notification Area

Garland

Texas

United States

<null>

Jen Dilworth

Against

Outside the Notification Area

9/6/2022
9:50:55 PM

6710 Rutledge Ct

Garland

Texas

United States

75044

Cindy Moore

Against

Outside the Notification Area

9/6/2022
9:40:49 PM

506 Thunderbrook Rd

elijahsaunt@gmail.com

Garland

9727686455

Texas

United States

Case Number	PC Hearing Date	CC Hearing Date	Planner Name
Z 22-20	September 12, 2022	October 11, 2022	Nabiha Ahmed

75044

This is a public park with walking paths that everyone enjoys. Townhomes there would destroy the grounds and the views

Jonny Ngo

Against

9/6/2022
9:36:22 PM

6611 Rutledge Ct

Outside the Notification Area

Garland

Texas

United States

<null>

Andrea Rodriguez

Against

Outside the Notification Area

9/6/2022
9:31:48 PM

3601 Bluesage

andrear28@verizon.net

Garland

14692682828

TX

United States

75040

That is a lovely park, why would it be ruined with townhomes? It will create traffic and congestion. Please STOP building and creating traffic, this is a lovely park, I lived at Equinox for three years. STOP these developers!

Rochelle Ran

Against

Outside the Notification Area

9/6/2022
5:56:09 PM

2918 Teakwood Drive

Rochelletrachier@gmail.com

Garland

9722078351

Texas

United States

75044

I am adamantly against town homes being built adjacent to the park. There are already far too many apartments and the like saturating the area. The land should be kept natural and free.

Z 22-20

PLANNING & DEVELOPMENT



The applicant requests to allow ninety-three (93) townhouses on the eastern tract, sixty-two (62) townhouses on the western tract, and open spaces.

City Council Meeting
October 11, 2022

CASE INFORMATION

Location: 2200 and 2302 West Campbell Road

Applicant: Grenadier Investments, Inc.

Owner: George W. Baldwin

Acreage: Overall: 21 acres

East: 13 acres

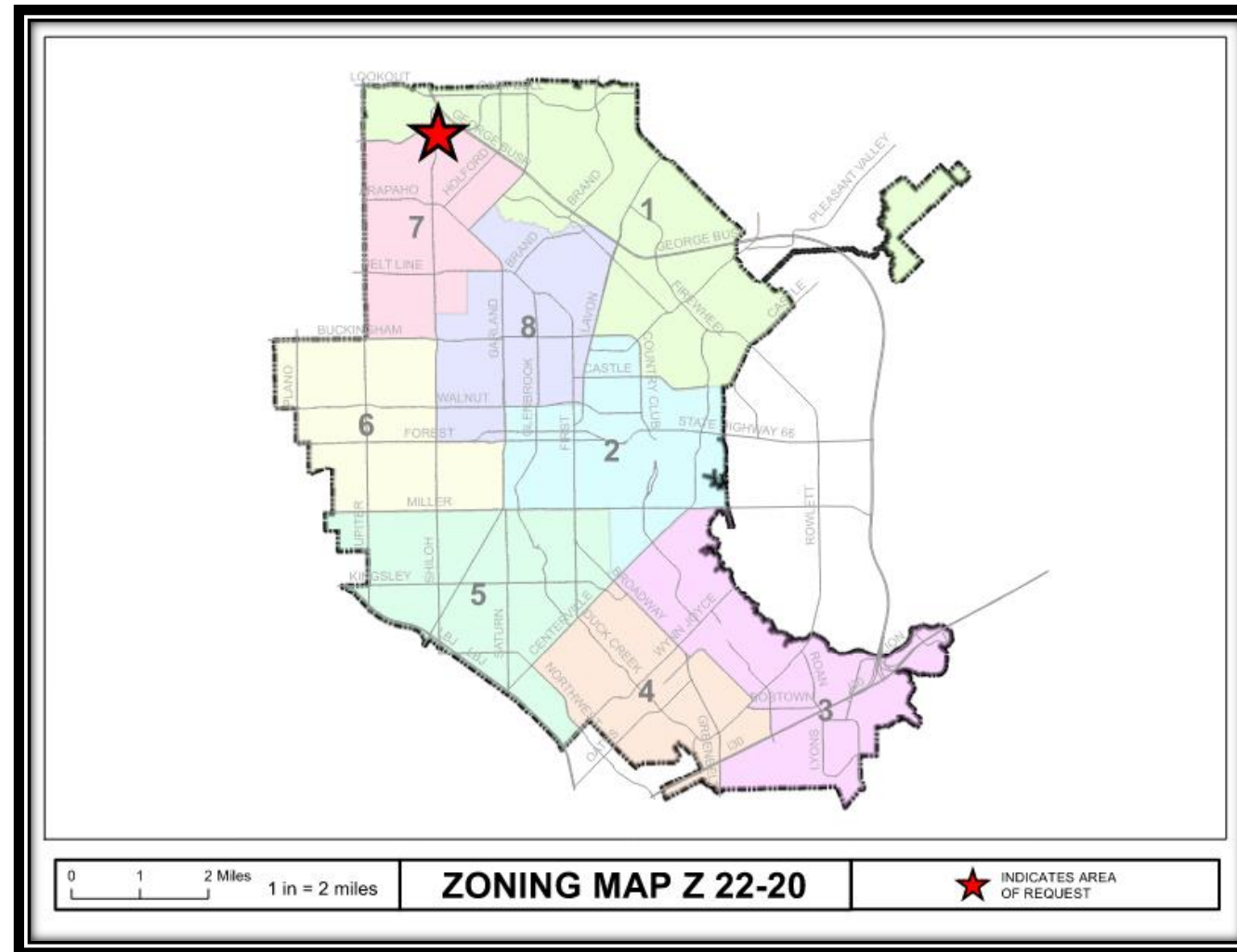
West: 8 acres

Zoning: Planned Development (PD) District 85-50 and
Community Office (CO) Office

Z 22-20

CITYWIDE LOCATION MAP

PLANNING &
DEVELOPMENT



Z 22-20

COMPREHENSIVE PLAN

PLANNING & DEVELOPMENT



Compact Neighborhoods



Urban Neighborhoods



COMPREHENSIVE PLAN

PLANNING & DEVELOPMENT



The Future Land Use Map of the Envision Garland Plan recommends Compact Neighborhoods for Tract 1 and Urban Neighborhoods for Tract 2.

Compact neighborhoods provide areas for moderate increases in residential density, including single-family attached and single-family detached housing. It expands housing options through infill and redevelopment, while continuing walkable development patterns. These areas provide transitions between traditional residential neighborhoods and higher density residential neighborhoods and non-residential developments. These areas accommodate uses such as convenience retail (goods and services), office space, and public services. The architectural character and scale of these areas are compatible with adjacent residential development.

Urban neighborhoods are higher density residential developments. This residential option may utilize vertical mixed-use integrated into the surrounding area, reflecting the area's dominant character or, when desired, promoting a new character. Urban neighborhoods are characterized by moderate to high density single-family attached and multifamily residential units

This proposed use is compatible with the Comprehensive Plan

PHOTOS

PLANNING & DEVELOPMENT



View of the western tract from West Campbell Road



View of the eastern tract from West Campbell Road



Looking north of the western tract

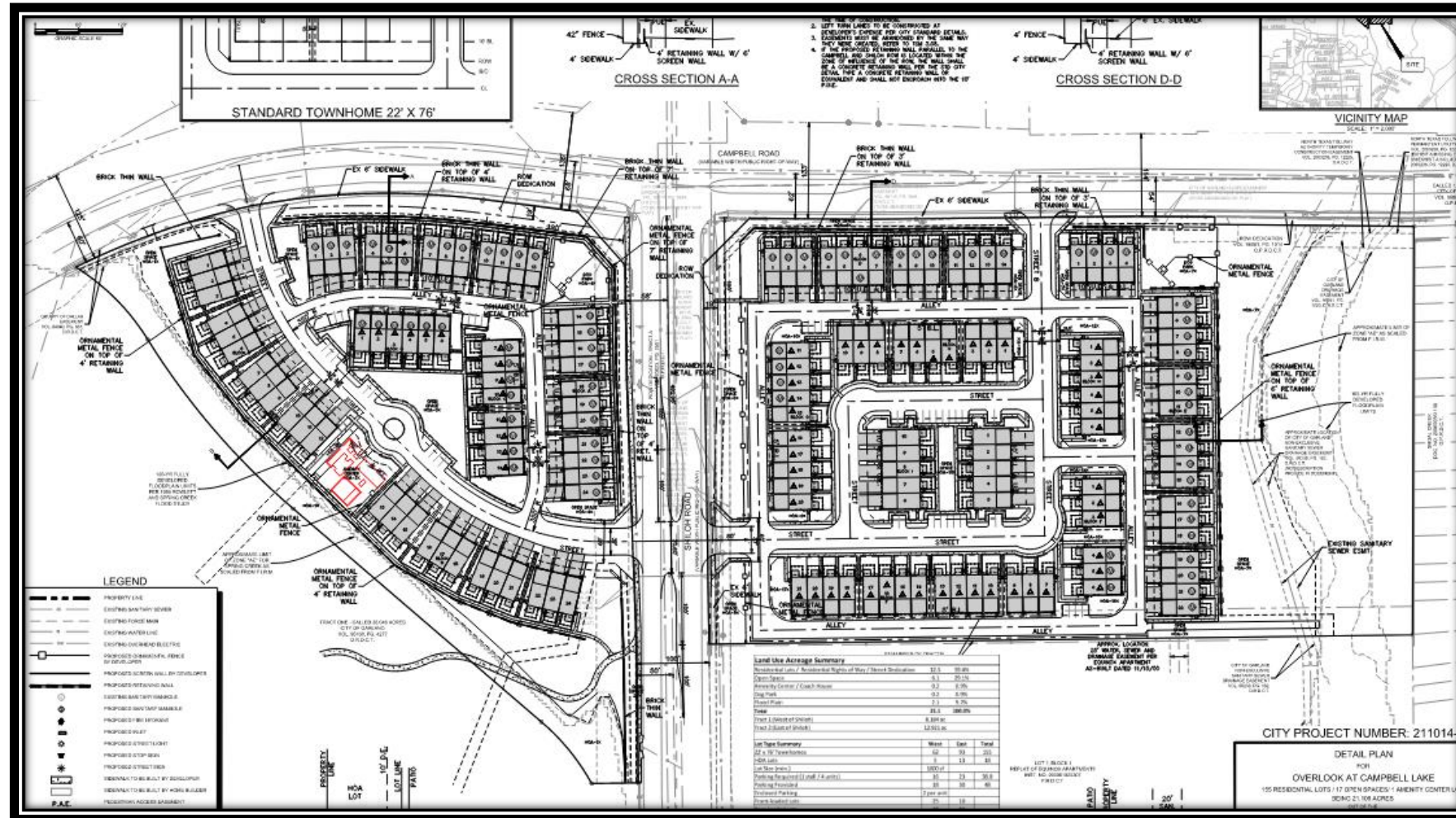


Looking north of the eastern tract

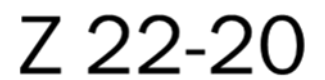
Z 22-20

SITE PLAN

PLANNING & DEVELOPMENT

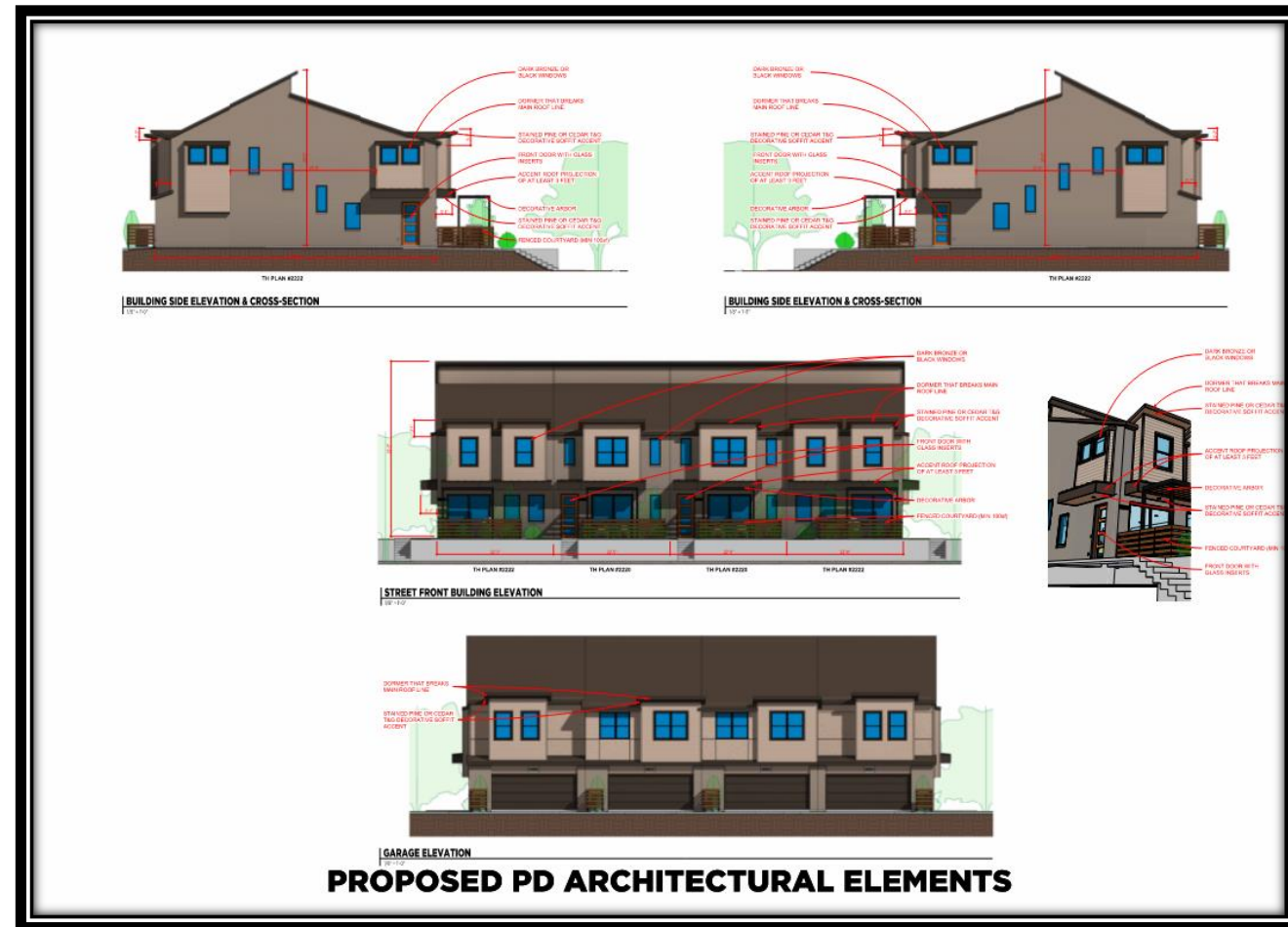


Z 22-20



BUILDING ELEVATIONS

PLANNING & DEVELOPMENT



Z 22-20

BUILDING ELEVATIONS

PLANNING & DEVELOPMENT



Z 22-20

BUILDING ELEVATIONS

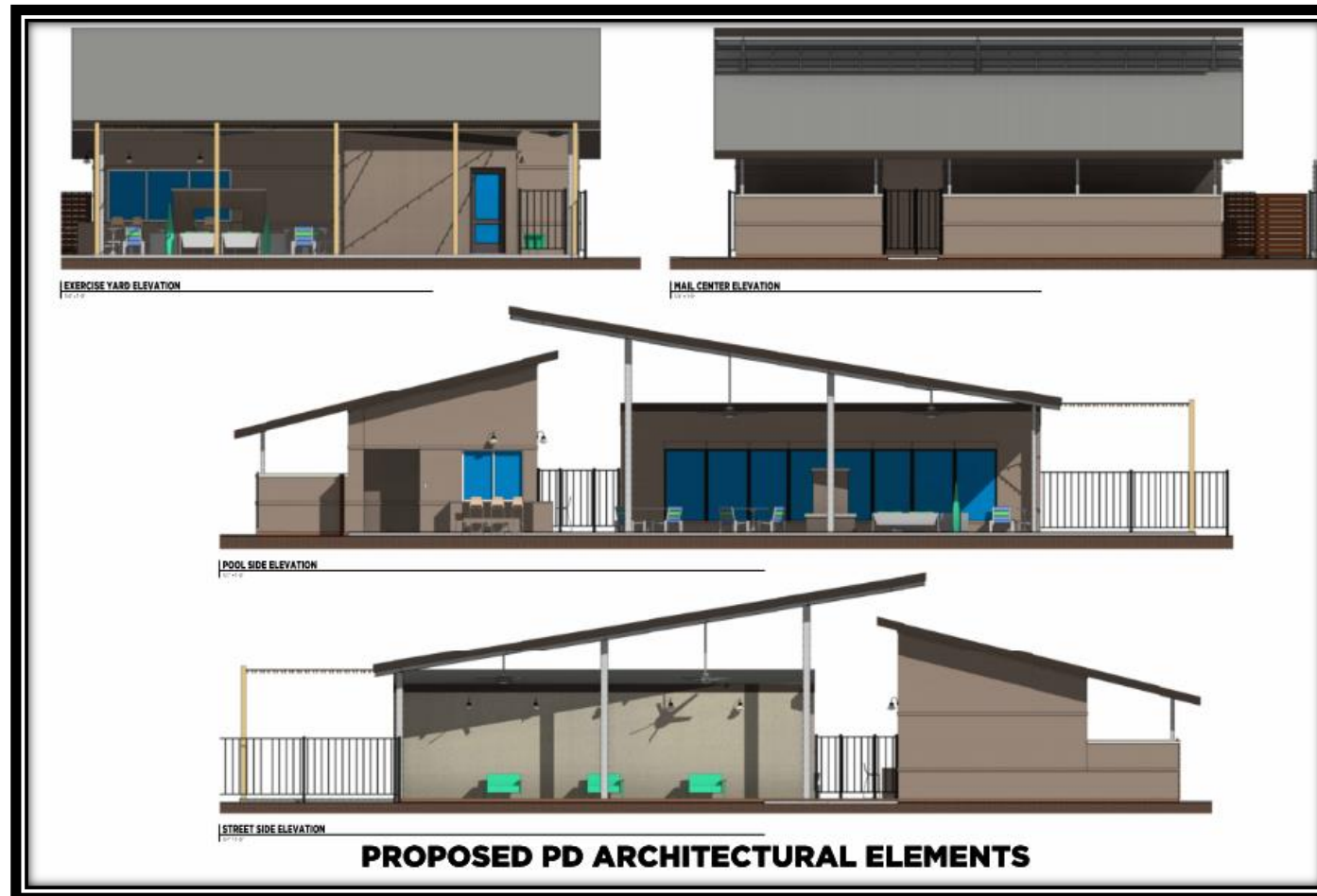
PLANNING & DEVELOPMENT



Z 22-20

BUILDING ELEVATIONS

PLANNING &
DEVELOPMENT



Z 22-20

DEVIATIONS TABLE

PLANNING & DEVELOPMENT



Development Standards	Required	Proposed (Minimum)	Justification
Lot Area	Minimum 2,000 SF	Minimum 1,600 SF	The proposed lot size allow the desired number of townhomes and enhanced amenities.
Lot Depth	Minimum 90 feet	Minimum 75 feet	The proposed lot width is due to the unusual shape of the western tract and the floodplain on the eastern tract, which takes up 2.1 acres.
Lot Width	Minimum 30 feet for end lots Minimum 20 feet for interior lots	Minimum 27 feet for end lots Minimum 22 feet for interior lots.	The proposed lot width is due to the unusual shape of the western tract and the floodplain on the eastern tract, which takes up 2.1 acres.

DEVIATIONS TABLE

Lot Orientation	All lots within the SFA district must front on a public street, a City-approved public way, or common area lot that is dedicated for mutual access to each lot.	The site plan (Exhibit C) shows eight-one (81) "Mews Type" lots where they don't front onto a Public Street or City-approved public way, but they do have, in every instance, a common area lot that is dedicated for mutual access to these townhomes.	The applicant contends they have built many Mews Type lots at other projects, which includes Riverset and Heritage Park in Garland, and they have found the unique living environment is something highly desired by their homeowners, to the point that they are willing to pay a premium price for such a townhome fronting onto a Mews condition.
Alleys	Alleys are required	35 front-loaded lots 121 rear-loaded lots	The applicant proposes a combination of front-loaded and rear-loaded lots.
Garage Setback	20 feet	The applicant proposes twenty (20) feet driveway depth for all street facing garages and five (5) feet depth for all alley facing garages except for lots facing Campbell Road, Shiloh Road, and the floodplain on the east as shown on the site plan (Exhibit C).	The applicant contends this requirement is unnecessary since there is no City sidewalk in this situation. Pedestrian circulation happens on the front side of the townhome, in a much more protected and pedestrian-friendly environment

DEVIATIONS TABLE

GDC Requirement	Proposed	Justification
- Multiple pane windows featuring either divided light or simulated divided light; - A front porch area enclosed by a railing at least thirty inches in height, and containing decorative columns at least six inches in diameter; - Gable(s) with window(s); - Dormer(s); - Bay windows with a minimum projection of twenty-four inches; - Minimum 8:12 roof pitch; - Split garage doors with a separate door for each vehicle bay; or - Front covered porch with at least forty square feet of usable space, and a minimum depth of five feet.	- Dormer that breaks main roof line - Fenced Courtyard having a minimum depth of 10 feet and width of 10 feet (at least 100 square feet of useable space) - Accent roof projection of at least 3 feet. - Front door with glass inserts. - Garage door with glass inserts - Stained pine or cedar tongue and groove decorative soffit accent - Black or dark bronze colored window frames - Outdoor elevated terrace - Decorative arbor 3 different exterior finish materials	The applicant felt the need to create a PD specific to this site location and allowing for a much more creative and unique, urban-styled contemporary townhome product.

STAFF RECOMMENDATION

Approval of 1) a Change in Zoning from Planned Development (PD) District 85-50 and Community Office (CO) District to a Planned Development (PD) District for Single-Family Attached (SFA) Uses and 2) an Alley Waiver

Approval of a Detail Plan for Single-Family Attached (SFA) Uses.

PLAN COMMISSION RECOMMENDATION

On September 12, 2022 the Plan Commission, by a vote of six (6) to two (2), recommended denial of 1) a Change in Zoning from Planned Development (PD) District 85-50 and Community Office (CO) District to a Planned Development (PD) District for Single-Family Attached (SFA) Uses and 2) an Alley Waiver

The Plan Commission, by a vote of six (6) to two (2), also recommended denial of a Detail Plan for Single-Family Attached (SFA) development.

REVISIONS SINCE PLAN COMMISSION

- 1) Re-located the amenity center in centralized location in the western tract for a better lake view.
- 2) Expanded parking in the center of the western tract by adding three (3) additional head-in parking spaces across from the amenity center.
- 3) Expanded parking on the eastern tract by adding six (6) additional parking spaces to help accommodate visitor parking.
- 4) A dog park was added to the western tract.
- 5) The townhouses on the western tract are now restricted to a maximum height of two-stories.
- 6) Pedestrian gates have been added into the perimeter screening wall for both eastern and western tracts to allow a resident from either side to safely traverse Shiloh Road at the pedestrian crossing at that intersection.
- 7) A traffic-calming circle was added to the western tract to prevent cut-through traffic.



PLANNING & DEVELOPMENT



Z 22-31



GARLAND PLANNING REPORT

City Council Regular Session Agenda

8. c.

Meeting Date: 10/11/2022

Item Title: Z 22-26 CCM Engineering - Zoning (District 2)

Submitted By: Nabiha Ahmed, Lead Development Planner

REQUEST

Approval of a Change in Zoning from Planned Development (PD) District 85-52 for Mixed Uses to a Planned Development (PD) District for Single-Family Attached (SFA) Uses.

Approval of a Detail Plan for Single-Family Attached (SFA) Uses

LOCATION

1350 East Miller Road

OWNER

Shalmar Property, LLC.

PLAN COMMISSION RECOMMENDATION

On September 12, 2022 the Plan Commission, by a vote of eight (8) to zero (0), recommended approval of Change in Zoning from Planned Development (PD) District 85-52 for Mixed Uses to a Planned Development (PD) District for Single-Family Attached (SFA) Uses.

The Plan Commission, by a vote of eight (8) to zero (0), also recommended approval of a Detail Plan for Single-Family Attached (SFA) Uses.

In addition, the Plan Commission approved an Alley Waiver.

STAFF RECOMMENDATION

Approval of a Change in Zoning from Planned Development (PD) District 85-52 for Mixed Uses to a Planned Development (PD) District for Single-Family Attached (SFA) Uses.

Approval of a Detail Plan for Single-Family Attached (SFA) Uses.

BACKGROUND

The applicant requests approval of a Change in Zoning from Planned Development (PD) District 85-52 for Mixed Uses to a Planned Development (PD) District and a Detail Plan for Single-Family Attached Townhome Units.

The applicant proposes to develop the vacant property into a townhouse community with thirty-seven (37) attached single-family units with an open space amenity area.

SITE DATA

The subject property contains approximately 3.183 acres. The site has approximately 215 lineal feet along South Country Club Road and 576 lineal feet along East Miller Road. The property has access from East Miller Road and South Country Club Road.

USE OF PROPERTY UNDER CURRENT ZONING

The subject property is zoned Planned Development (PD) District 85-52, which consists of two tracts. The subject property is in Tract 1; which allows specific uses within the Community Retail (CR) District. Tract 2 was approved for mixed residential development including cluster homes; the property is currently developed with single-family homes.

CONSIDERATIONS

Detail Plan

1. The applicant proposes a Detail Plan for a development of townhouses. The Detail Plan shows thirty-seven (37) single-family attached townhouse units and two (2) HOA lots. In addition, the applicant is proposing 11.62 units per acre, therefore meeting the SFA GDC requirement.
2. The applicant request to deviate from some of the required SFA District development standards per Section 2.34 (Table 2-3) of the Garland Development Code (GDC). The table below indicates the deviations proposed. It should be noted that the proposal will meet the minimum dwelling size requirement (1,400 sf) per the GDC.

Development Standards	Required	Proposed	Justification
Lot Area	Minimum 2,000 SF	Minimum 1,740 SF	The minimum building square footage is being decreased to allow for the product that the builder would like to put in, which will be a higher quality product for the end user per the applicant.
Lot Depth	Minimum 90 feet	Minimum 70 feet	The minimum lot depth has been reduced from 90 feet to 70 feet due to site constraints that would not allow for much of the site to be usable for townhomes at 90' depth.
Lot Width	Minimum 30 feet for end lots Minimum 20 feet for interior lots	Minimum 30 feet for end lots Minimum 20 feet for interior lots	The additional 5 feet have been used towards the HOA lots and this deviation allows the developer to maintain the consistency in the product.
Garage	The GDC requires an offset front entry with the garage door set back at least five feet behind the front building face.	The minimum twenty-foot driveway depth is provided; however, the minimum offset of five (5) feet is not provided.	The offset is not provided due to the desired architectural style of the proposed townhomes.

Screening and Landscaping

3. The proposed landscape layout (Exhibit D) complies with the applicable screening and landscaping regulations of the GDC. Per the GDC, a screening wall is required along a thoroughfare Type “D” or greater. South Country Club Road and East Miller Road are greater than Type “D” per the Thoroughfare Plan. Therefore, screening is required for this development. The landscape plan (Exhibit D) reflects a six (6)-foot ornamental metal fence with masonry columns, canopy trees and high-level screening shrubs along East Miller Road and South Country Club Road. In addition, a six (6)-foot masonry wall is proposed along the eastern and southern perimeter line.

4. Amenities

Common open space area is included with the proposed development in accordance with the GDC. The amenity requirements of the Single-Family Attached (SFA) District per the GDC are satisfied. Amenities include a barbeque grill, playground equipment, bike rack, picnic table, benches and a shaded structure.

5. Parking

The site plan (Exhibit C) complies with the required enclosed garages spaces and guest parking per the GDC.

6. Building Design

The design of the buildings otherwise comply with the applicable building design regulations of the GDC.

7. Garage:

The GDC requires the face of a garage door to be at least twenty (20) feet from the street or alley right-of-way line that the garage door faces (twenty-four feet if facing an interior lot/property line), and must have at least one of the following designs, as depicted in Illustrations 4-9 through 4-13:

- Rear entry;
- “J” drives, for front entry properties;
- “Swing” drives, for side entry properties; or
- Offset front entry with the garage door set back at least five feet behind the front building face.

The site plan (Exhibit C) reflects front-loaded lots and the minimum twenty (20) feet from the right-of-way line to the face of the garage door. A deviation is requested to not require the offset of five (5) feet behind the front building face.

Signage

8. The applicant has not requested any deviation on signage; it will comply with the standards in the GDC.

COMPREHENSIVE PLAN

The Future Land Use Map of the Envision Garland Plan recommends Compact Neighborhoods for the subject property. Compact neighborhoods provide areas for moderate increases in residential density, including single-family attached and single-family detached housing. It expands housing options through infill and redevelopment, while continuing walkable development patterns. These areas provide transitions between traditional residential neighborhoods and higher density residential neighborhoods and non-residential developments. These areas accommodate uses such as convenience retail (goods and services), office space, and public services. The architectural character and scale of these areas are compatible with adjacent residential development.

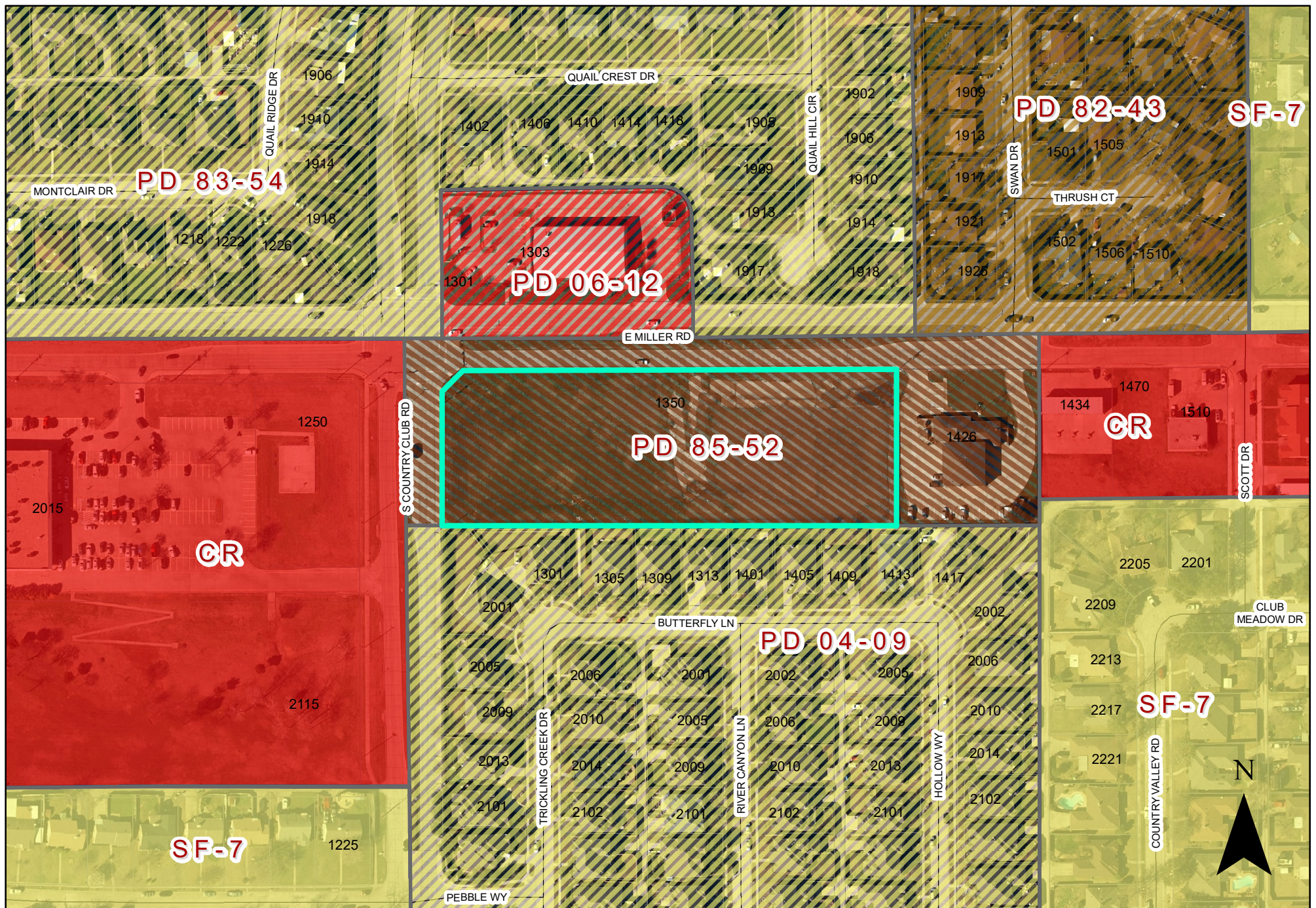
This proposed use is compatible with the Comprehensive Plan.

COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

The properties to the north, across East Miller Road, are zoned Planned Development (PD) District 06-12 for Community Retail Use and Planned Development (PD) District 83-54 for Single-family Uses; these properties are developed with a retail store and single-family properties, respectively. The property to the east is zoned Planned Development (PD) District 85-52 for Mixed Uses; it is developed with a fire station. The properties to the south are zoned Planned Development (PD) District 04-09 for single-family use; these properties are constructed with single-family properties. The property to the west, across South Country Club Road, is zoned Community Retail (CR) District; an educational facility currently exists on site.

Attachments

Z 22-26 CCM Engineering Attachments (Zoning)
Z 22-26 CCM Engineering Responses
Z 22-26 CCM Engineering Staff Presentation



0 110 220 Feet
1 inch = 176 feet

ZONING MAP Z 22-26

 INDICATES AREA OF REQUEST

1350 East Miller Road

PLANNED DEVELOPMENT CONDITIONS

ZONING FILE Z 22-26

1350 East Miller Road

- I. Statement of Purpose:** The purpose of this Planned Development is to approve a Detail Plan for thirty-seven (37) Single-Family Attached (Townhouse) and two (2) HOA lots.
- II. Statement of Effect:** This Planned Development shall not affect any regulation found in the Garland Development Code, Ordinance No. 6773, and Single-Family-Attached (SFA) District, as amended prior to adoption of this ordinance, except as specifically provided herein.
- III. General Regulations:** All regulations of the Single-Family-Attached(SFA) District as set forth in Chapter 2 of the Garland Development Code included by reference and shall apply, except as otherwise specified by this ordinance.

IV. Development Plans:

Detail Plan: Development shall conform to the Site Plan and Landscape Plan set forth in Exhibit C, Exhibit D, and Exhibit E; however, in the event of conflict between the Detail Plan and the written conditions contained in this ordinance, the written conditions shall control.

V. Specific Conditions:

- A. Permitted Uses: Only Dwelling, Single-Family-Attached (SFA) units are permitted.
- B. Maximum Number of Lots: A total of thirty-seven (37) single-family attached units are permitted.
- C. Minimum Lot Area: The minimum lot area shall be 1,750 square feet and as reflected in Exhibit C.
- D. Minimum Lot Depth: The minimum lot depth shall be seventy (70) feet and the lot depth is measured between the lot lines.
- E. Garages:
- Front entry garages shall be allowed.

- A street-facing garage door shall have a minimum of twenty (20) feet from the applicable street right of way line. However, the offset front entry with garage door setback at least five feet behind the building façade shall not be required.
 - "J" and "Swing" drives shall not be required.
- F. Alleys: Alleys are not required with this development.
- G. Roof Pitch: Each dwelling unit must be constructed with a minimum roof pitch of 6:12.
- H. Screening and Landscaping: Screening and landscaping shall be in conformance with the Landscape Plan set forth in Exhibit D.
- I. Open Space and Amenities: Open Space and Amenities shall be provided as shown in Exhibit D.
- J. Signage: All signs shall meet the Garland Development Code requirements.
- K. Homeowners Association: A Homeowners Association shall be incorporated, and each lot/homeowner shall be a mandatory member. The bylaws and/or declaration of this association shall establish a system of payment of dues; a system of enforcement of its rules and regulations; shall establish a clear and distinct definition of the responsibility of each member; shall obligate the association, through assessment of homeowners, to maintain all open space areas; and other provisions as deemed appropriate to secure a sound and stable association.
- L. Maintenance of Open/Common Space and Landscaped Areas, Entry Features, Access Easements, and Amenities in HOA Lots: Pursuant to the declaration for the Homeowner's Association, the Homeowners Association shall be obligated to repair and maintain all common areas of the community (including open/common space, landscaped areas, entry features, access easements, and amenities in HOA lots) and the bylaws and/or declaration for the association shall authorize the association to pay for the cost thereof through the assessment of homeowners within the community.

EXHIBIT B

REPORT & MINUTES

P.C. Meeting, September 12, 2022

Consideration of the application of **CCM Engineering**, requesting approval of a Change in Zoning from Planned Development (PD) District 85-52 for Mixed Uses to a Planned Development (PD) District for Single-Family Attached (SFA) Uses. This property is located at 1350 East Miller Road. (District 2) (File Z 22-26 – Zoning) (This item was postponed from the August 8, 2022 Plan Commission Meeting per the applicant's request.)

Representing the applicant Cody Cranell, 2570 Justin Road, Highland Village, Texas 75077, provided an overview of the request, spoke of the community outreach that was made.

Chairman Roberts provided feedback regarding the possible need to widen the end lots and needed updates to the site plan.

Motion was made by Commissioner Jenkins to **approve** the request as presented. Seconded by Commissioner Paris. **Motion carried: 8 Ayes, 0 Nay.**

1350 East Miller Road

Comment Form

Case Z 22-26

Z 22-26 CCM Engineering. The applicant proposes thirty-seven (37) townhouses and open space. The site is located at 1350 East Miller Road. (District 2)

Z 22-26 CCM Engineering . El solicitante propone treinta y siete (37) casas adosadas y espacios abiertos. El sitio está ubicado en 1350 East Miller Road. (Distrito 2)

Z 22-26 CCM Engineering. Người nộp đơn đề xuất ba mươi bảy (37) căn nhà phố và không gian mở. Địa điểm tọa lạc tại 1350 East Miller Road. (Quận 2)

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.

FINNEY VARGHESE (HOMES OWNER)

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

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

2001 TRICKLING CREEK DR.

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

GARLAND, TEXAS

City, State / Estado de la Ciudad / Thành bang

75041

Zip Code / Código postal / Mã B u Chính

Finney Varghese

Signature / Firma / Chữ ký

8/1/2022

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.)

AUG 5 '22 PM 4:08

Comment Form Continued – Case Z 22-26

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

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

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

I, Finny Langhese, support the development of the proposed site with individual single family homes.

I do not support town houses or multi-family apartments.

Thanks for your consideration.

Warm Regards,

Finny

Comment Form

Case Z 22-26

Z 22-26 CCM Engineering. The applicant proposes thirty-seven (37) townhouses and open space. The site is located at 1350 East Miller Road. (District 2)

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



For / A Favor / Đúng



Against / En Contra / Không

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JACOB AJAYI, Property Owner

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

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

1226 Montclair Dr.

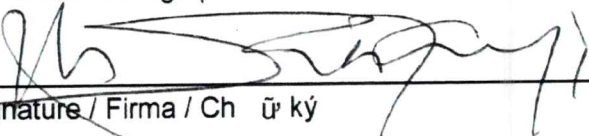
Your Property Address / La dirección de su propiedad / địa chỉ tài sản

Garland, TX 75040

City, State / Estado de la Ciudad / Thành bang

75040

Zip Code / Código postal / Mã B u Chính



Signature / Firma / Ch ữ ký

9/29/2022

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.)

Received
9-29-22

Zoning Response Case Comments

Case Number	PC Hearing Date	CC Hearing Date	Planner Name
Z 22-26	August 8, 2022	September 6, 2022	Nabiha Ahmed

Z 22-26 CCM Engineering. The applicant proposes thirty-seven (37) townhouses and open space. The site is located at 1350 East Miller Road. (District 2)

Robert Hodge**Against**

9/29/2022
1:31:16 PM

2002 River Canyon Ln

Rhodge.1010@icloud.com

Garland

2147171729

Texas

United States

75041

Rashana Hodge**Against**

9/29/2022
1:30:08 PM

2002 River Canton Lane

rhodge.1010@yahoo.com

Garland

2146801084

Texas

United States

75041

Joyce Bach**Against**

Outside the Notification Area

9/7/2022
12:44:18 AM

2509 Ridgemeade Drive

jedbach@yahoo.com

Garland

2149237514

Texas

United States

75040

Elias Debrezion**Against**

Case Number	PC Hearing Date	CC Hearing Date	Planner Name
Z 22-26	August 8, 2022	September 6, 2022	Nabiha Ahmed

8/19/2022
12:52:15 PM

4702 Carlton Ct

Garland

Texas

United States

<null>

Outside the Notification Area

Please build a park and a satellite CCM Engineering office and trade workshop for local projects. Please have CCM Engineering employ and train Garland residents in skilled trades. Either that, or please keep the land open for agriculture and husbandry. Every zone case will be housing. With all due respect, let's renovate the dense housing we have already, and let's do something creative with the new plots of land. That's why you see myriad Against votes for multi-family units on every one of these zone cases.

Cody William Mcneel

8/8/2022
12:14:06 AM

For

5017 Wordsworth Dr

Garland

TX

United States

75043

Outside the Notification Area

codymcneel@hotmail.com

9039871767

BOBU Thomas

8/4/2022
4:15:29 PM

Against

2102 River Canyon Ln

Garland

Texas

United States

75041

bob_jessy@hotmail.com

972-849-0704

Z 22-26

PLANNING & DEVELOPMENT



GARLAND

The applicant proposes to construct thirty-seven (37) townhouses and open space

City Council Meeting
October 11, 2022

CASE INFORMATION

Location: 1350 East Miller Road

Applicant: CCM Engineering

Owner: Shalmar Property, LLC.

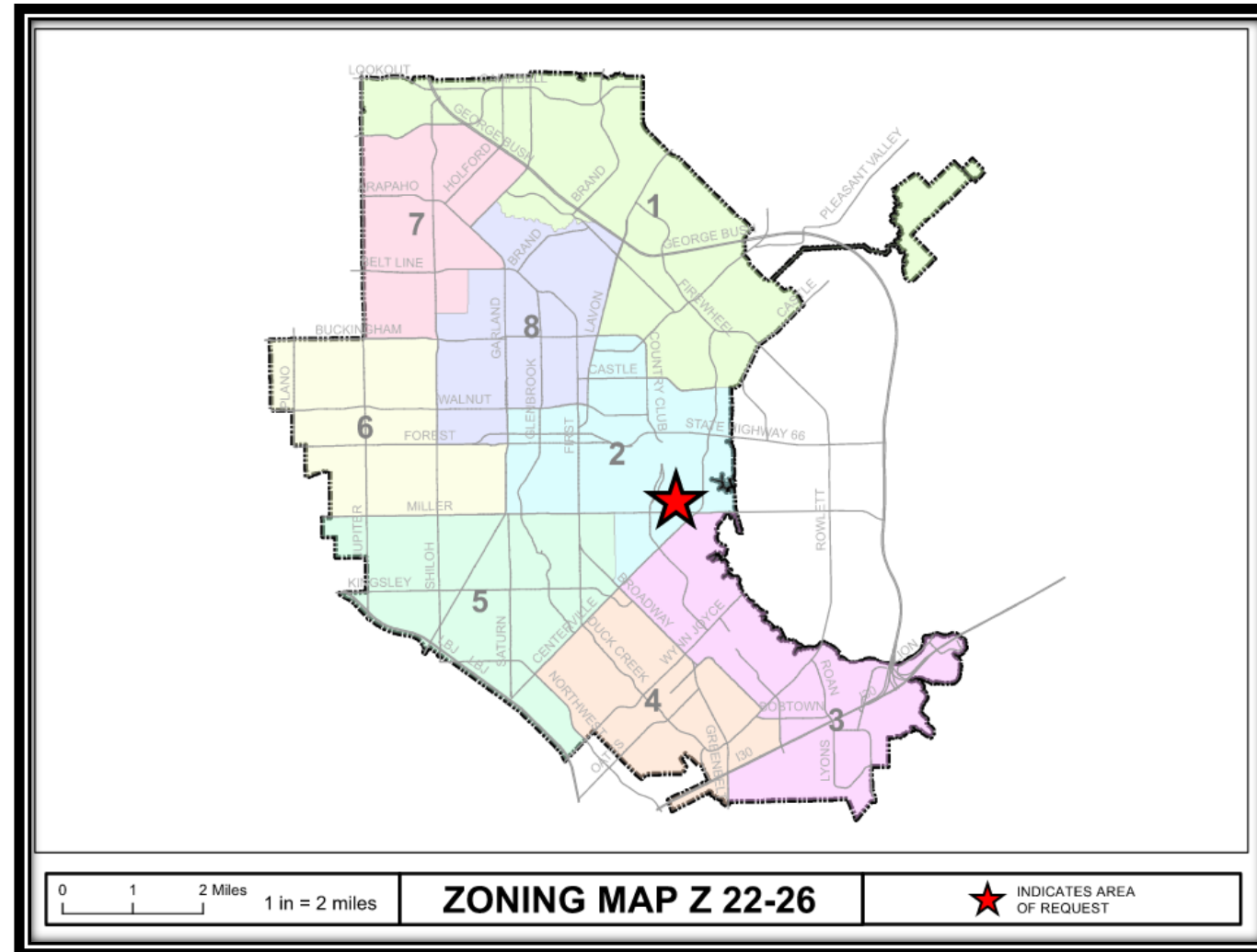
Acreage: 3.183

Zoning: Planned Development (PD) District 85-52

Z 22-26

CITYWIDE LOCATION MAP

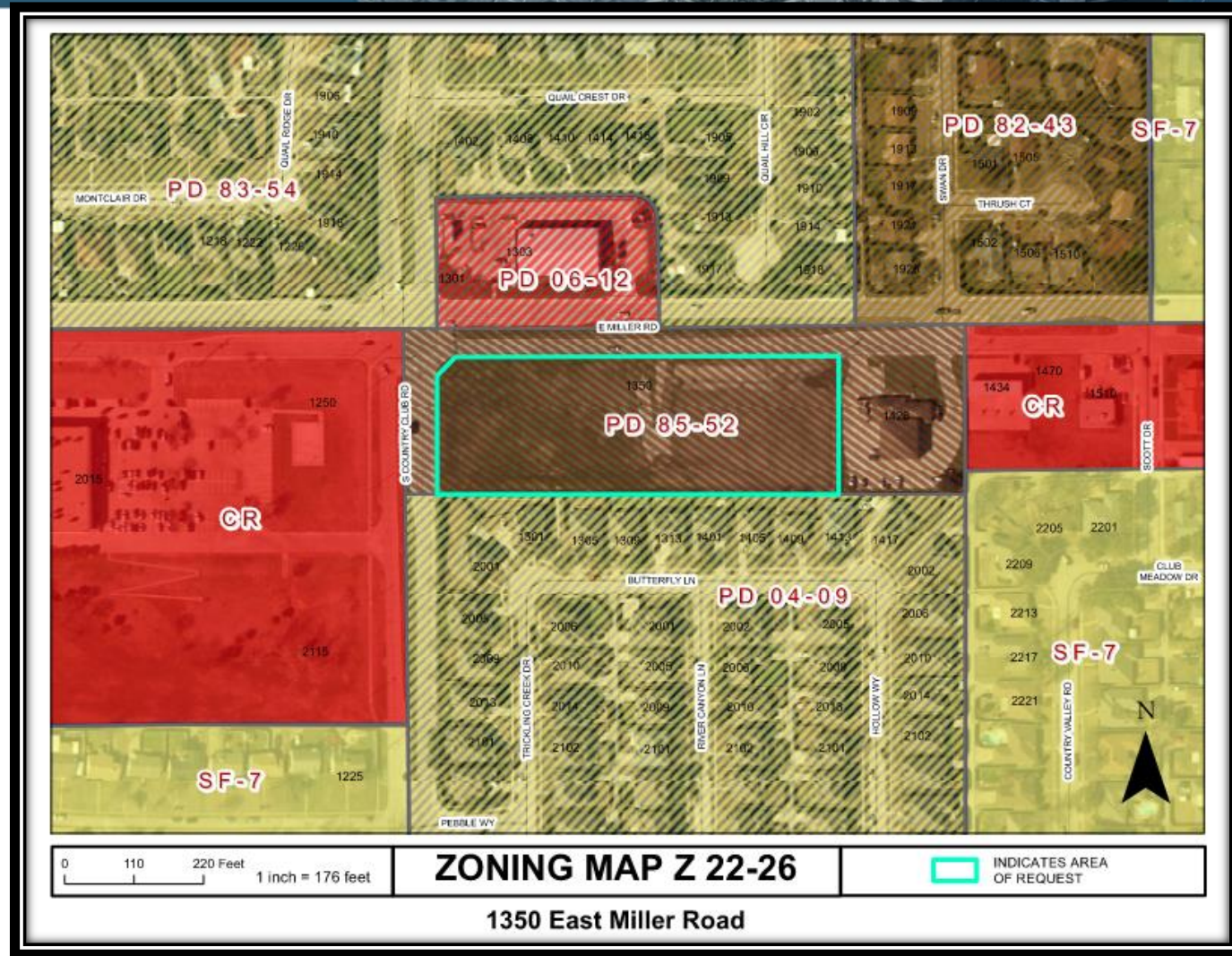
PLANNING &
DEVELOPMENT



Z 22-26

LOCATION MAP

PLANNING & DEVELOPMENT



Z 22-26

COMPREHENSIVE PLAN

PLANNING &
DEVELOPMENT



 Compact Neighborhoods



Z 22-26

COMPREHENSIVE PLAN

PLANNING &
DEVELOPMENT



The Future Land Use Map of the Envision Garland Plan recommends Compact Neighborhoods for the subject property. Compact neighborhoods provide areas for moderate increases in residential density, including single-family attached and single-family detached housing. It expands housing options through infill and redevelopment, while continuing walkable development patterns. These areas provide transitions between traditional residential neighborhoods and higher density residential neighborhoods and non-residential developments. These areas accommodate uses such as convenience retail (goods and services), office space, and public services. The architectural character and scale of these areas are compatible with adjacent residential development.

This proposed use is compatible to the Comprehensive Plan.

Z 22-26

PHOTOS

PLANNING & DEVELOPMENT



View of the subject property from South Country Club Road



View of the subject property from Miller Road



Looking east of the subject property

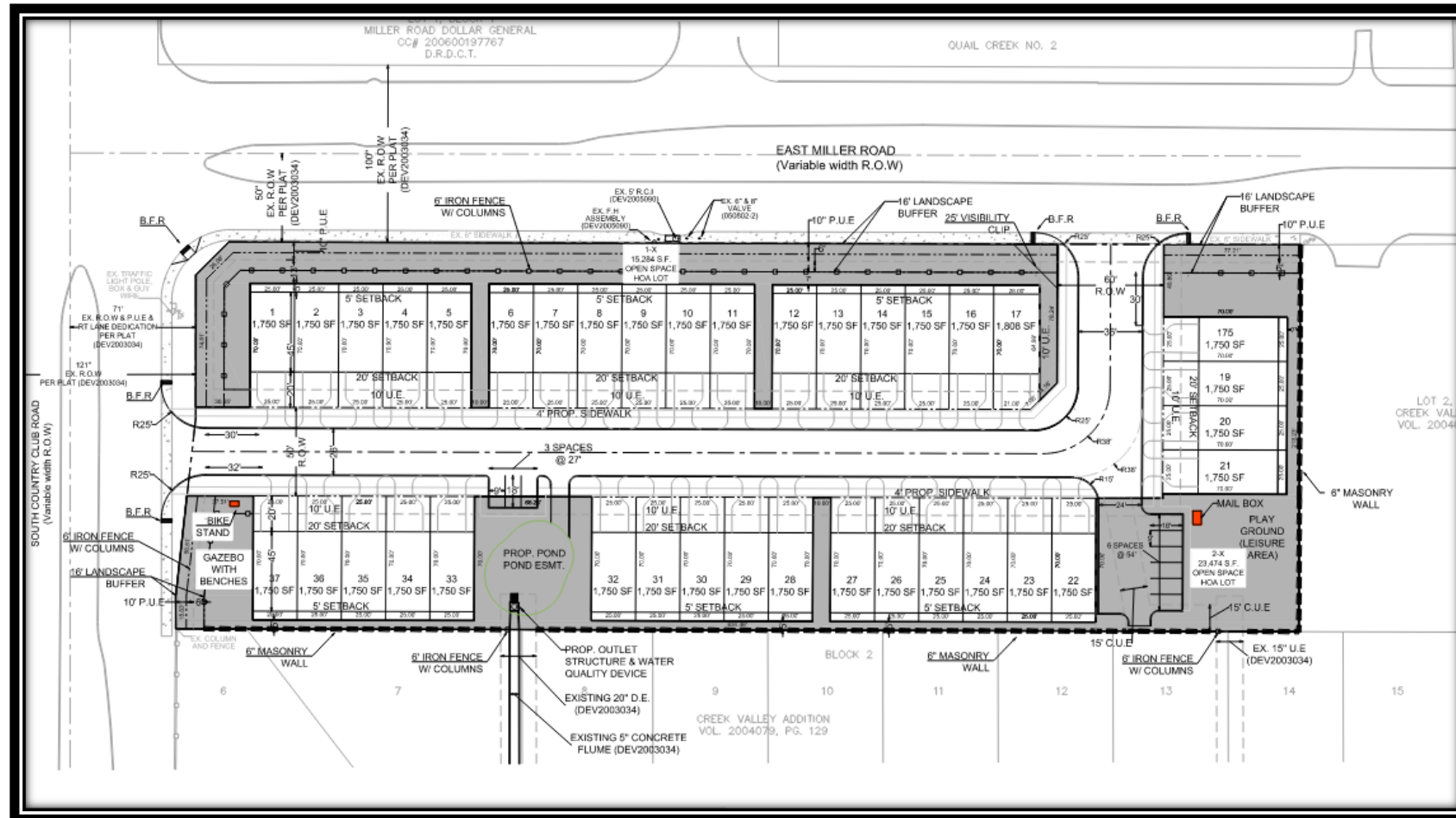


Looking south of the subject property

Z 22-31

SITE PLAN

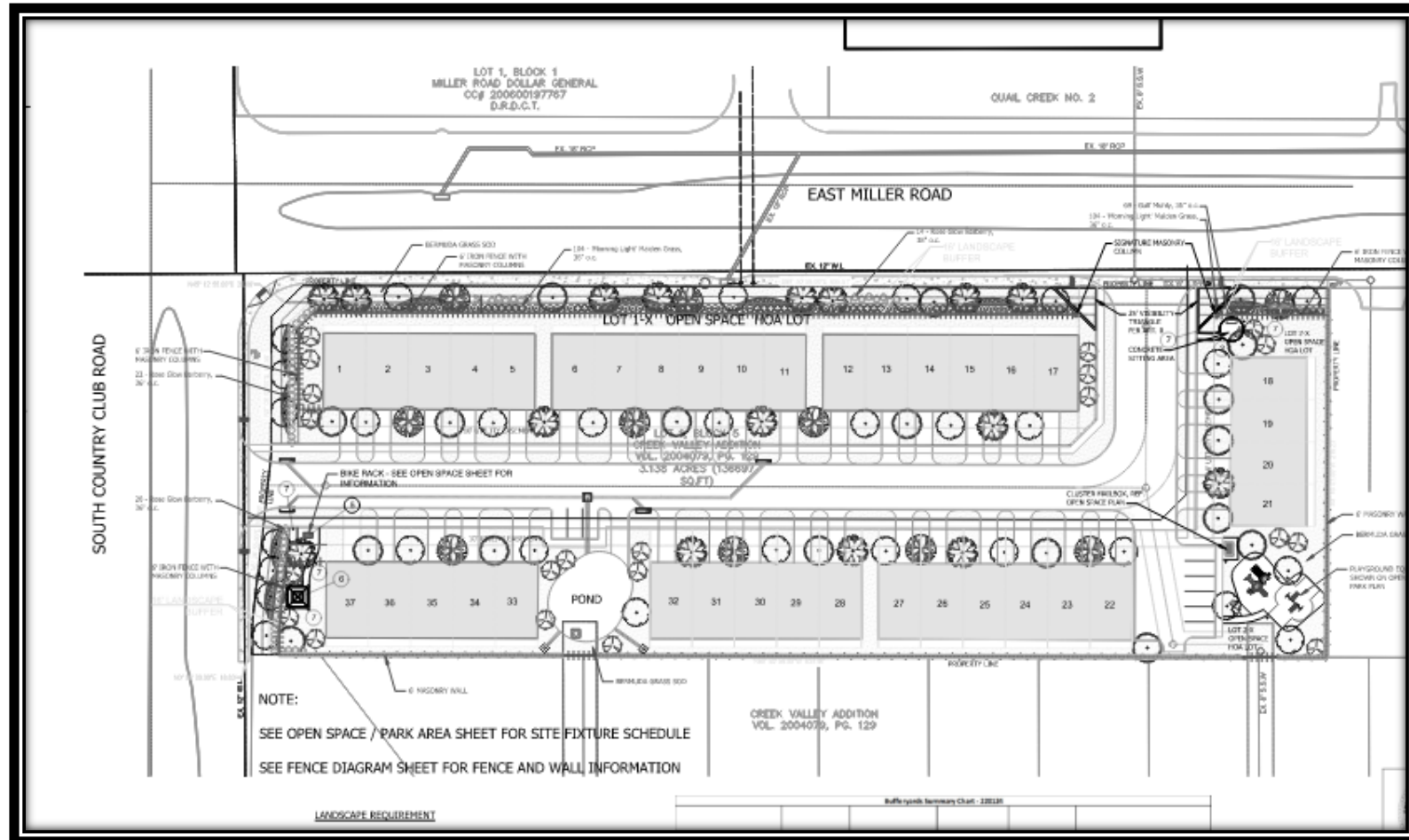
PLANNING & DEVELOPMENT



Z 22-26

LANDSCAPE PLAN

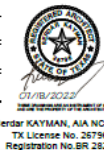
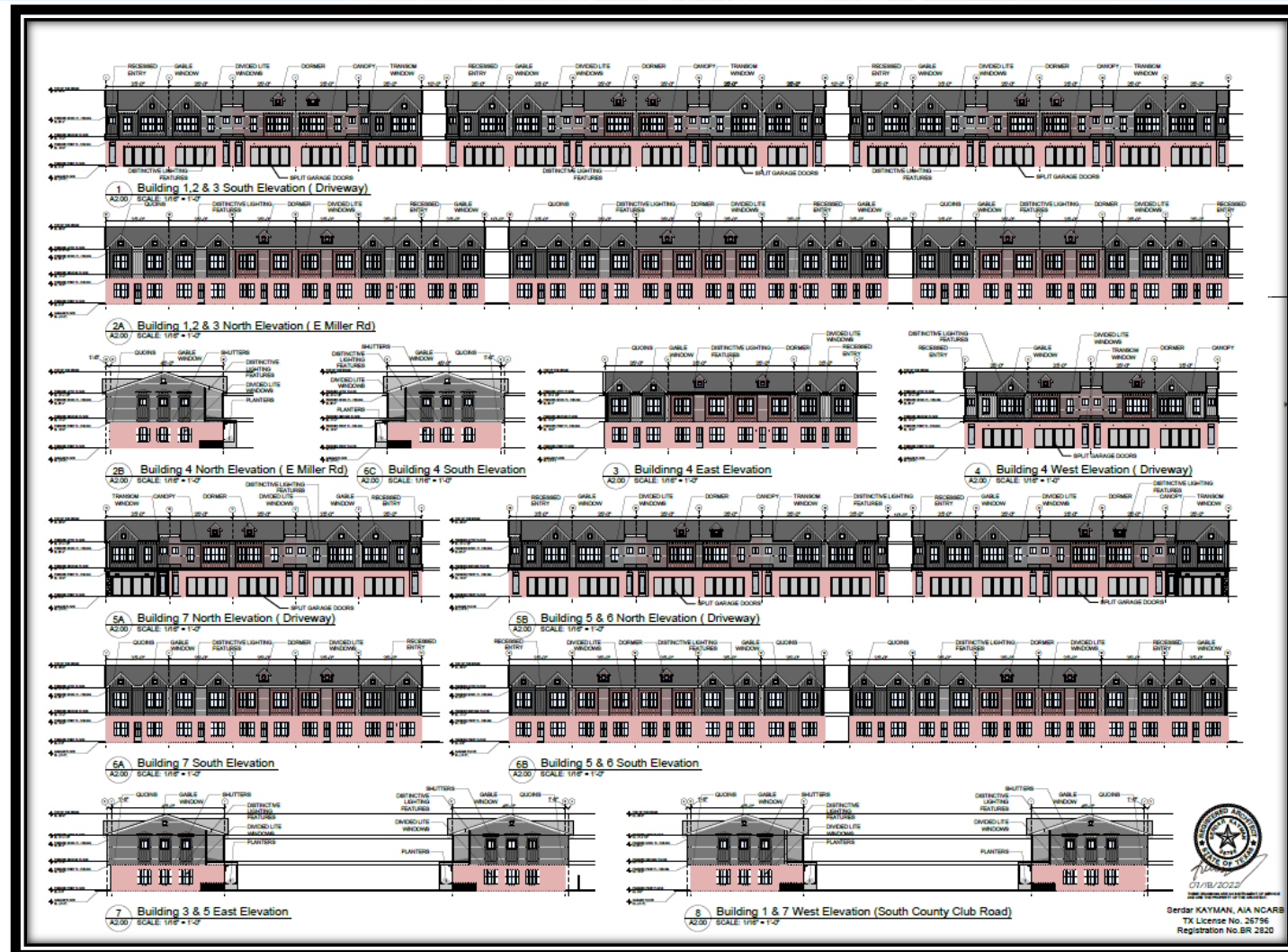
PLANNING & DEVELOPMENT



Z 22-26

BUILDING ELEVATIONS

PLANNING & DEVELOPMENT



Z 22-26

BUILDING ELEVATIONS

PLANNING &
DEVELOPMENT



Z 22-26

DEVIATIONS TABLE

Development Standards	Required	Proposed	Justification
Lot Area	Minimum 2,000 SF	Minimum 1,740 SF	The minimum building square footage is being decreased to allow for the product that the builder would like to put in, which will be a higher quality product for the end user per the applicant.
Lot Depth	Minimum 90 feet	Minimum 70 feet	The minimum lot depth has been reduced from 90 feet to 70 feet due to site constraints that would not allow for much of the site to be usable for townhomes at 90' depth.
Lot Width	Minimum 30 feet for end lots Minimum 20 feet for interior lots	25 feet 25 feet	The additional 5 feet have been used towards the HOA lots and this deviation allows the developer to maintain the consistency in the product.

DEVIATIONS TABLE

Garage	The GDC requires an offset front entry with the garage door set back at least five feet behind the front building face.	The minimum twenty-foot driveway depth is provided; however, the minimum offset of five (5) feet is not provided.	The offset is not provided due to the desired architectural style of the proposed townhomes.
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STAFF RECOMMENDATION

- Approval of a Change in Zoning from Planned Development (PD) District 85-52 for Mixed Uses to a Planned Development (PD) District for Single-Family Attached (SFA) Uses.
- Approval of a Detail Plan for Single-Family Attached (SFA) Uses

PLAN COMMISSION RECOMMENDATION

- On September 12, 2022 the Plan Commission, by a vote of eight (8) to zero (0), recommended approval of Change in Zoning from Planned Development (PD) District 85-52 for Mixed Uses to a Planned Development (PD) District for Single-Family Attached (SFA) Uses.
- The Plan Commission, by a vote of eight (8) to zero (0), also recommended approval of a Detail Plan for Single-Family Attached (SFA) Uses.



PLANNING & DEVELOPMENT



Z 22-31

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

Medical School
Medical & Surgical Appliances
Medical Lab
Optical Dispensary
Pharmacy
Animal Clinic
Florist - Retail
Landscape Nursery - Retail
Pet Grooming & Supplies
Pet Shop - Retail Sales
Home Improvement Center
Park or Playground
Movie Theater
Swimming Club - Private
Tennis Courts - Commercial or Private Club
Theaters
Answering Service
Blueprinting & Photographic Reproductions
Custom Personal Service
Film Pickup Station
Gunsmith, Repair
Laundry Pickup Station
Laundry & Cleaners - Commercial (2,400 sq. ft. or less)
Laundry or Cleaners - Self-Service
Locksmith
Printer, Small Scale
Trophies & Awards
Antiques - Indoor Display Only
Bakery - Retail
Drug Store
Grocery
Paint Store - Retail
Retail Stores & Shops
Specialty Shop or Boutique
Supermarket
Uniform Shop
Household Appliance Service
Lawn & Garden Equipment (no outdoor storage)
Repair & Service Shop (excluding gas engine repair)
Bus Stop Shelter
Taxi Stand
Cafeteria
Confectionary - Donut Shop
Dinner Theater

Fast Food or Take-Out Restaurant (only one within PD, not freestanding)
Restaurant - General
Snack Shop
New or Rebuilt Parts & Supplies - Indoor Only
Tire Dealer, No Outdoor Storage
Light Equipment Renting - Indoor
Used Goods or Products Collection Point (Temporary)
Concrete Batching Plant (Temporary)
Signs: On-Premise (Attached)
Signs: On-Premise (Detached)
Signs: Temporary Special Development



GARLAND PLANNING REPORT

City Council Regular Session Agenda

8. d.

Meeting Date: 10/11/2022

Item Title: Z 22-26 CCM Engineering - Detail Plan (District 2)

Submitted By: Nabiha Ahmed, Lead Development Planner

REQUEST

Approval of a Change in Zoning from Planned Development (PD) District 85-52 for Mixed Uses to a Planned Development (PD) District for Single-Family Attached (SFA) Uses.

Approval of a Detail Plan for Single-Family Attached (SFA) Uses

LOCATION

1350 East Miller Road

OWNER

Shalmar Property, LLC.

PLAN COMMISSION RECOMMENDATION

On September 12, 2022 the Plan Commission, by a vote of eight (8) to zero (0), recommended approval of Change in Zoning from Planned Development (PD) District 85-52 for Mixed Uses to a Planned Development (PD) District for Single-Family Attached (SFA) Uses.

The Plan Commission, by a vote of eight (8) to zero (0), also recommended approval of a Detail Plan for Single-Family Attached (SFA) Uses.

In addition, the Plan Commission approved an Alley Waiver.

STAFF RECOMMENDATION

Approval of a Change in Zoning from Planned Development (PD) District 85-52 for Mixed Uses to a Planned Development (PD) District for Single-Family Attached (SFA) Uses.

Approval of a Detail Plan for Single-Family Attached (SFA) Uses.

BACKGROUND

The applicant requests approval of a Change in Zoning from Planned Development (PD) District 85-52 for Mixed Uses to a Planned Development (PD) District and a Detail Plan for Single-Family Attached Townhome Units.

The applicant proposes to develop the vacant property into a townhouse community with thirty-seven (37) attached single-family units with an open space amenity area.

SITE DATA

The subject property contains approximately 3.183 acres. The site has approximately 215 lineal feet along South Country Club Road and 576 lineal feet along East Miller Road. The property has access from East Miller Road and South Country Club Road.

USE OF PROPERTY UNDER CURRENT ZONING

The subject property is zoned Planned Development (PD) District 85-52, which consists of two tracts. The subject property is in Tract 1; which allows specific uses within the Community Retail (CR) District. Tract 2 was approved for mixed residential development including cluster homes; the property is currently developed with single-family homes.

CONSIDERATIONS

Detail Plan

1. The applicant proposes a Detail Plan for a development of townhouses. The Detail Plan shows thirty-seven (37) single-family attached townhouse units and two (2) HOA lots. In addition, the applicant is proposing 11.62 units per acre, therefore meeting the SFA GDC requirement.
2. The applicant request to deviate from some of the required SFA District development standards per Section 2.34 (Table 2-3) of the Garland Development Code (GDC). The table below indicates the deviations proposed. It should be noted that the proposal will meet the minimum dwelling size requirement (1,400 sf) per the GDC.

Development Standards	Required	Proposed	Justification
Lot Area	Minimum 2,000 SF	Minimum 1,740 SF	The minimum building square footage is being decreased to allow for the product that the builder would like to put in, which will be a higher quality product for the end user per the applicant.
Lot Depth	Minimum 90 feet	Minimum 70 feet	The minimum lot depth has been reduced from 90 feet to 70 feet due to site constraints that would not allow for much of the site to be usable for townhomes at 90' depth.
Lot Width	Minimum 30 feet for end lots Minimum 20 feet for interior lots	Minimum 30 feet for end lots Minimum 20 feet for interior lots	The additional 5 feet have been used towards the HOA lots and this deviation allows the developer to maintain the consistency in the product.
Garage	The GDC requires an offset front entry with the garage door set back at least five feet behind the front building face.	The minimum twenty-foot driveway depth is provided; however, the minimum offset of five (5) feet is not provided.	The offset is not provided due to the desired architectural style of the proposed townhomes.

Screening and Landscaping

3. The proposed landscape layout (Exhibit D) complies with the applicable screening and landscaping regulations of the GDC. Per the GDC, a screening wall is required along a thoroughfare Type “D” or greater. South Country Club Road and East Miller Road are greater than Type “D” per the Thoroughfare Plan. Therefore, screening is required for this development. The landscape plan (Exhibit D) reflects a six (6)-foot ornamental metal fence with masonry columns, canopy trees and high-level screening shrubs along East Miller Road and South Country Club Road. In addition, a six (6)-foot masonry wall is proposed along the eastern and southern perimeter line.

4. Amenities

Common open space area is included with the proposed development in accordance with the GDC. The amenity requirements of the Single-Family Attached (SFA) District per the GDC are satisfied. Amenities include a barbeque grill, playground equipment, bike rack, picnic table, benches and a shaded structure.

5. Parking

The site plan (Exhibit C) complies with the required enclosed garages spaces and guest parking per the GDC.

6. Building Design

The design of the buildings otherwise comply with the applicable building design regulations of the GDC.

7. Garage:

The GDC requires the face of a garage door to be at least twenty (20) feet from the street or alley right-of-way line that the garage door faces (twenty-four feet if facing an interior lot/property line), and must have at least one of the following designs, as depicted in Illustrations 4-9 through 4-13:

- Rear entry;
- “J” drives, for front entry properties;
- “Swing” drives, for side entry properties; or
- Offset front entry with the garage door set back at least five feet behind the front building face.

The site plan (Exhibit C) reflects front-loaded lots and the minimum twenty (20) feet from the right-of-way line to the face of the garage door. A deviation is requested to not require the offset of five (5) feet behind the front building face.

Signage

8. The applicant has not requested any deviation on signage; it will comply with the standards in the GDC.

COMPREHENSIVE PLAN

The Future Land Use Map of the Envision Garland Plan recommends Compact Neighborhoods for the subject property. Compact neighborhoods provide areas for moderate increases in residential density, including single-family attached and single-family detached housing. It expands housing options through infill and redevelopment, while continuing walkable development patterns. These areas provide transitions between traditional residential neighborhoods and higher density residential neighborhoods and non-residential developments. These areas accommodate uses such as convenience retail (goods and services), office space, and public services. The architectural character and scale of these areas are compatible with adjacent residential development.

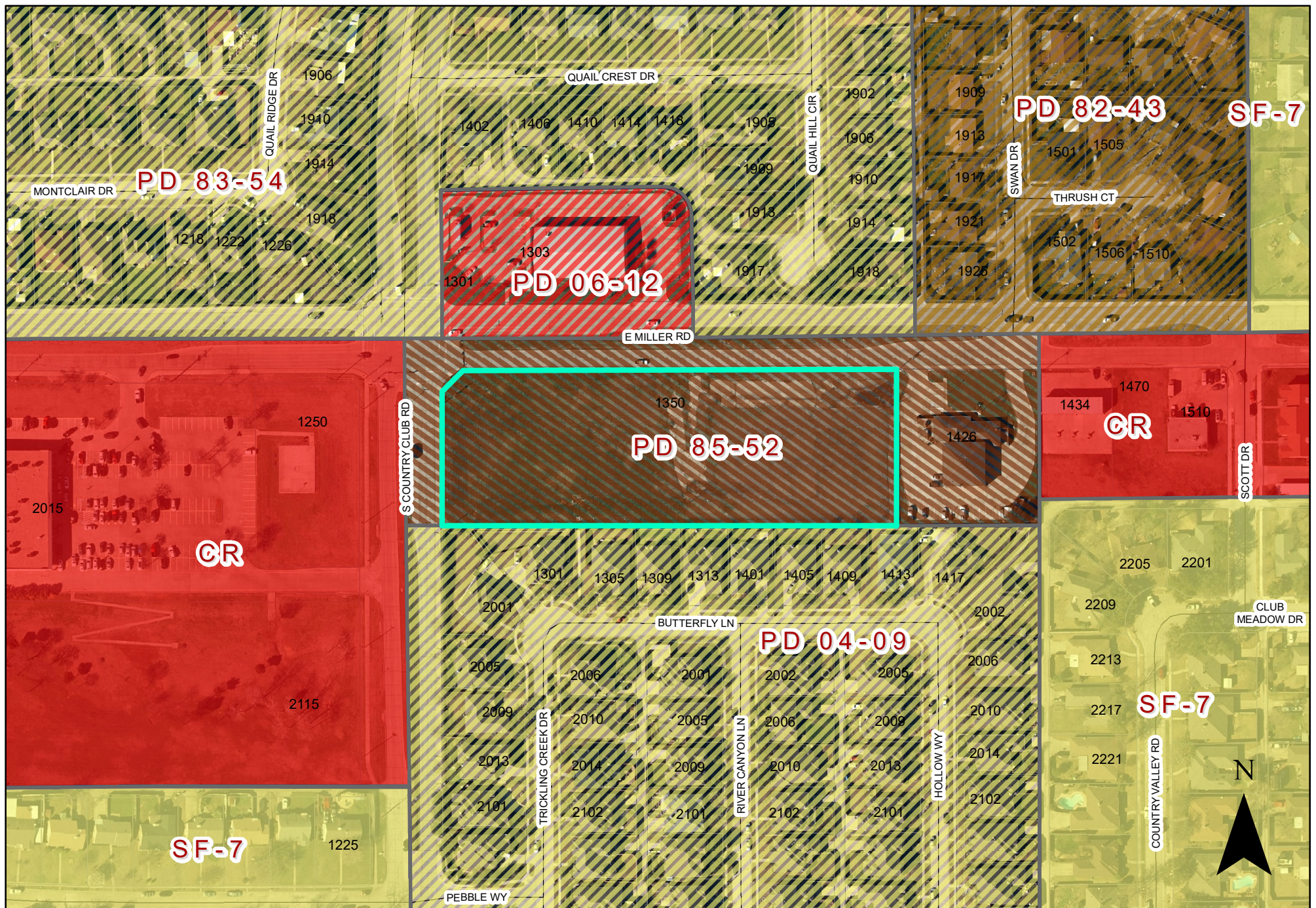
This proposed use is compatible with the Comprehensive Plan.

COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

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Attachments

Z 22-26 CCM Engineering Attachments (Detail Plan)
Z 22-26 CCM Engineering Responses
Z 22-26 CCM Engineering Staff Presentation



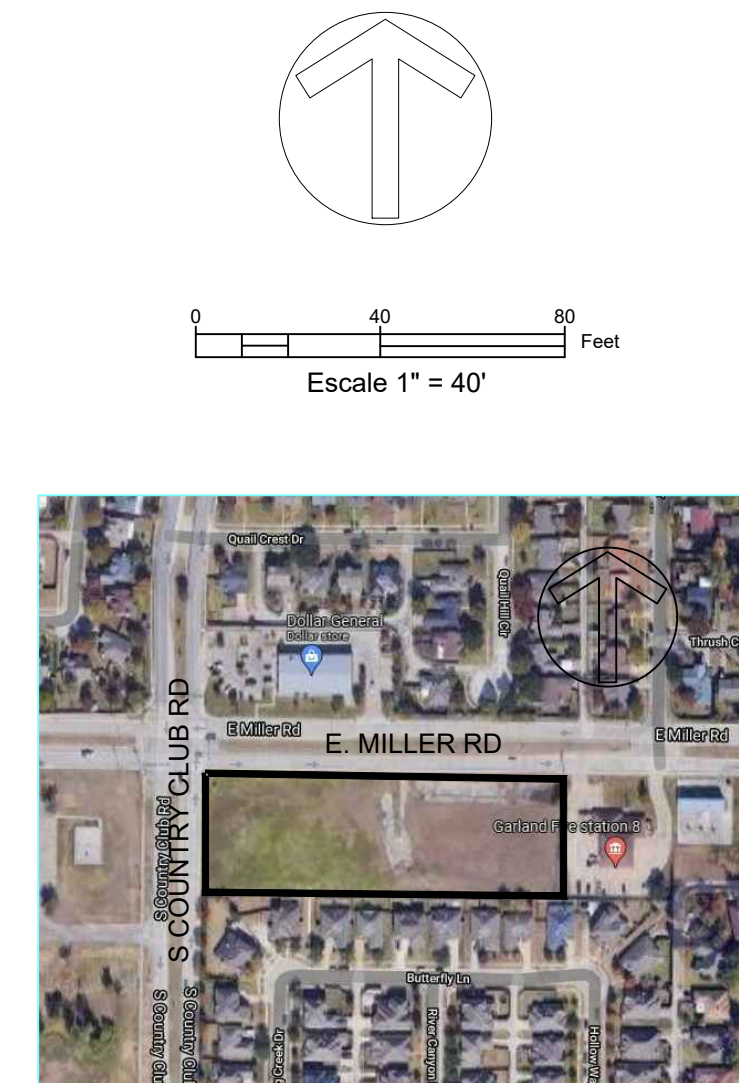
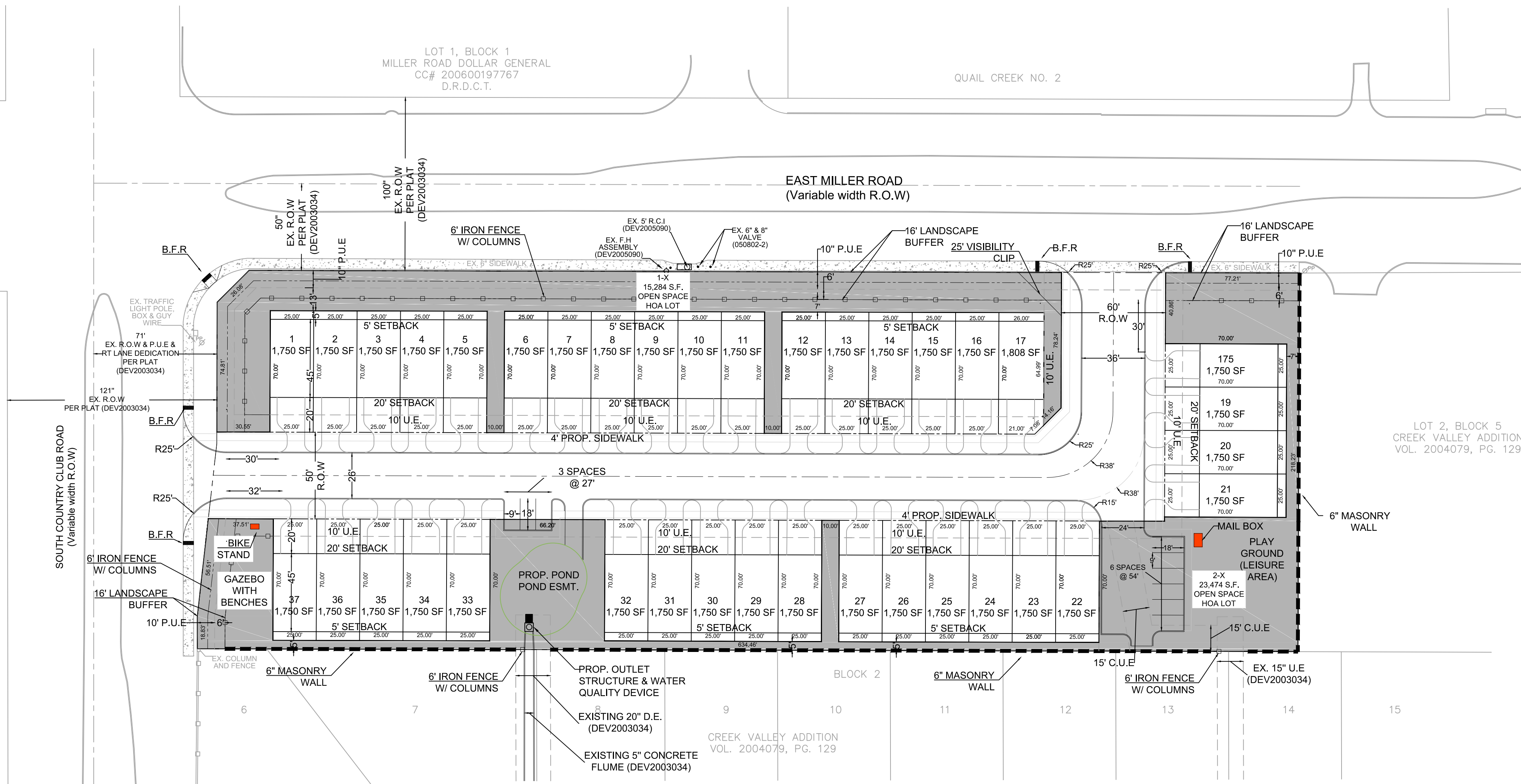
0 110 220 Feet
1 inch = 176 feet

ZONING MAP Z 22-26

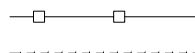
 INDICATES AREA OF REQUEST

1350 East Miller Road

EXHIBIT C

VICINITY MAP
n.t.s

Legend

U.E.	UTILITY EASEMENT
P.U.E.	PEDESTRIAN & UTILITY EASEMENT
D.E.	DRAINAGE EASEMENT
EX.	EXISTING
PROP.	PROPOSED
ESMT.	EASEMENT
B.F.R	BARRIER FREE RAMPS PER CITY DETAILS
	PROPOSED 6" IRON W/ COLUMNS PROPOSED 6" MASONRY WALL
	HOA LOT

1350 East Miller Road, Garland, Texas. PRE-SUBMITTAL CASE #: 210629-2 EXISTING ZONING: PD 85-52 PROPOSED ZONING: PD 22-26 SFA		
	PROVIDED	GDC REQUIREMENT
BUILDING TYPE	ATTACHED TOWNHOMES	
TOTAL AREA OF SITE:	3.183 ACRE (136,697 SF)	
FLOOR AREA RATIO:	0.64	
IMPERVIOUS SURFACE COVERAGE:	77,261 SF (56%)	
TOTAL BUILDING COVERAGE:	VARIES	
SITE IMPERVIOUS COVERAGE:	56%	75%
OFF-STREET PARKING SPACES (GUEST PARKING):	9	9,25
ENCLOSED PARKING SPACES PER UNIT:	2	
NET RESIDENTIAL DENSITIES:	11.62 LOTS/ACRE	
MIN LOT SIZE:	1,750 SF	2,000 SF
MAX LOT SIZE:	1,808 SF	
MIN LOT DEPTH:	70'	90'
MAX LOT DEPTH:	70'	
MIN LOT WIDTH:	25'	20' (30' END)
MAX LOT WIDTH:	35'	40'
MAX BUILDING LENGTH	150'	
OPEN SPACE PROVIDED:	38,683 SF	
BUILDING HEIGHT:	40' (MAX); 30' (TYP.)	
MINIMUM YARD SETBACKS		
FRONT:	10' & (20' GARAGE SETBACK)	10'
SIDE:	10' & 5'	10' & 5'
REAR:	5'	5'
NUMBER OF TOWNHOMES LOTS:	37	
NUMBER OF HOA LOTS:	2	
TREE REQUIREMENT:	1 TREE (MIN 50% >3" CALIPER) PER EVERY 250 SF	
FINISHED FLOOR ELEVATION TO BUILT 1 FT ABOVE TOP OF CURB		
PROPOSED ROADWAY TO BE CONSTRUCTED PER CITY REQUIREMENTS		
"PARKING PAVING WITHIN THE RIGHT OF WAY SHALL BE MAINTAINED BY THE HOA AND A LICENSE AGREEMENT WILL BE REQUIRED FROM ENGINEERING AT THE TIME OF CONSTRUCTION"		

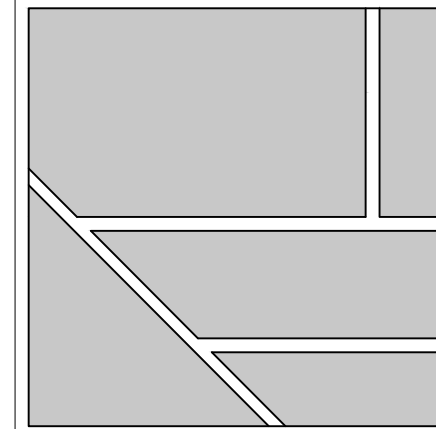
Aplicant:
LONE STAR GREEN HOMES

Engineer:
CCM ENGINEERING
2570 F.M. 407, S. 209
Highland Village, Texas 75077
Contact: Jeff Crannell, P.E.
972.691.6633
TBPE Firm #605

Owner:
SHAHED ALTAf
 4740 14TH STREET, S T320.
 Plano, Texas. 75074
 Contact: Shahed Altaf
 214.918.2533

CCM Engineering

2570 FM 407, Suite 209
Highland Village, Texas 75077
Ph: 972.691.6633
Fax: 972.691.6628
TBPE FIRM #605



**SABERA STAR
Townhomes**

City of Garland, Tx

SITE PLAN

1350 East Miller Road, Garland, Texas.
CASE #: 210629-2

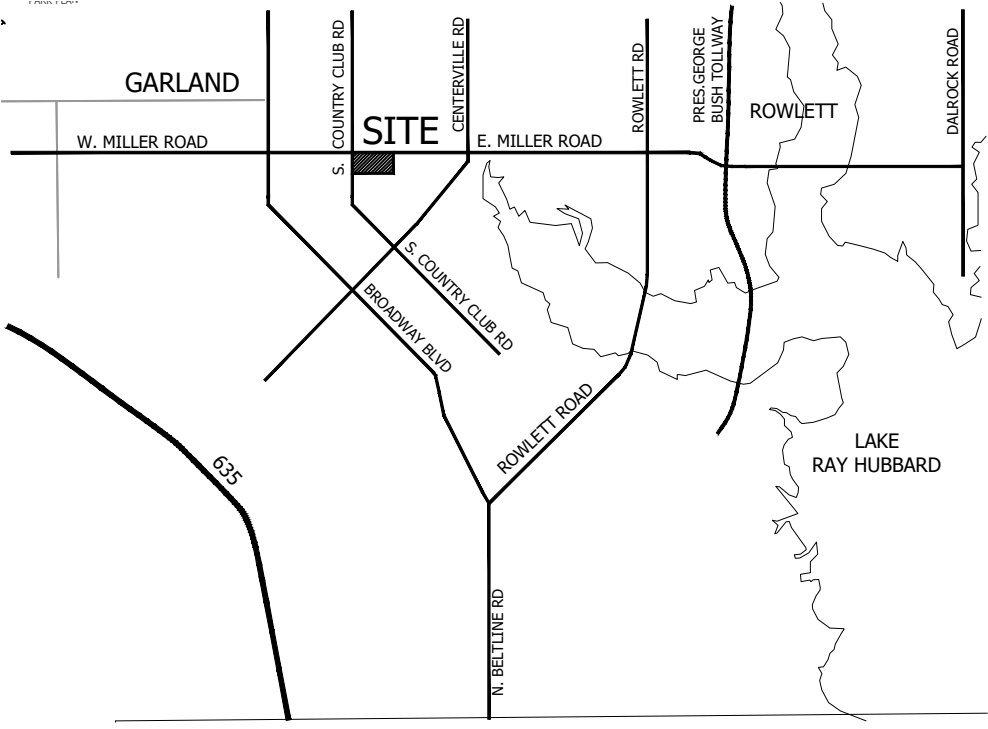
**FOR PRELIMINARY
REVIEW ONLY**

THIS DOCUMENT IS RELEASED FOR
THE PURPOSE
OF INTERIM REVIEW UNDER THE
AUTHORITY OF
JEFF D. CRANNELL, PE#50800 ON
06/21/22
**IT IS NOT TO BE USED FOR
CONSTRUCTION PURPOSES.**

REVISIONS

DESIGN: CCM
DRAWN: CCM
DATE: 06/21/22
SCALE:
NOTES:
FILE:

Sheet of



NOTE: LANDSCAPING IS PROVIDED
PER GDC CHAPTER 4, SECTION 4.37

- NOTES:
- All required trees to be selected from the approved tree list and be a minimum of 3 inches in diameter and 7 feet in height at time of planting.
 - Iron fence location requires a continuous row of evergreen shrubs along portions that are not opaque masonry walls.
 - No parking space is greater than 65 feet from a required tree.

EXHIBIT D

Owner:

Shahed Altaf
2608 Almanzor Avenue
Irving, TX 75062
Tel: 214-918-2533

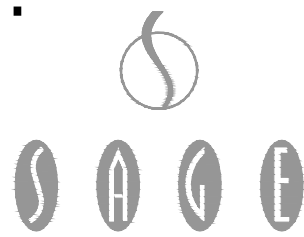
Engineer:

CCM Engineering
2570 Justin Road, Suite 209
Highland Village, TX 75077
Tel: 972-691-6633
Contact: Cody Crannell

Applicant:

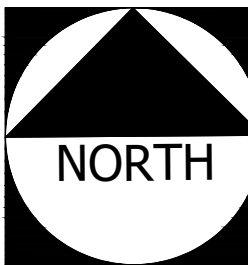
Lone Star Green Homes
4740 14th Avenue, Suite T320
Plano, Texas 75074
Tel: 214-631-9286

Planner:

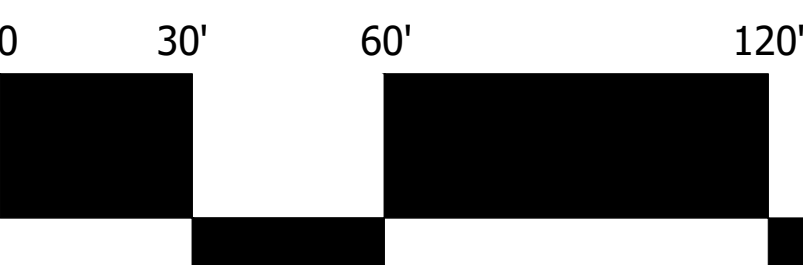


SAGE GROUP, INC.
Master Planning
Urban Design
Architecture
Landscape Architecture
1130 N. Carroll Ave., Ste. 200
Southlake, Texas 76092
817-424-2626

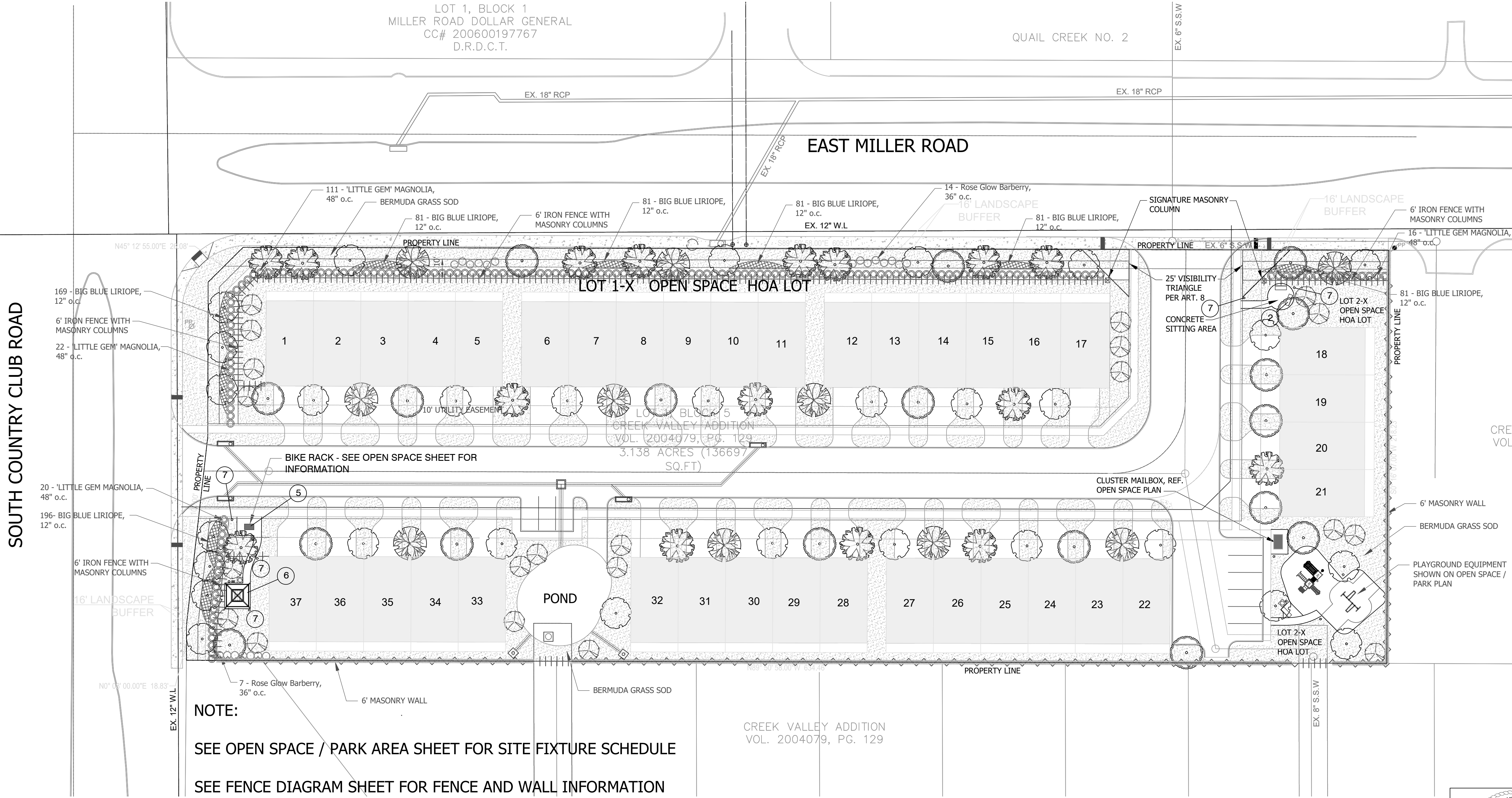
21 SEP 22



1" = 30'



Landscape Plan



NOTE:

SEE OPEN SPACE / PARK AREA SHEET FOR SITE FIXTURE SCHEDULE

SEE FENCE DIAGRAM SHEET FOR FENCE AND WALL INFORMATION

LANDSCAPE REQUIREMENT

OPEN SPACE TREES - 1 TREE PER 2,500 S.F. OF TOWN HOME
= 37 UNITS x 1,861 S.F. = 68,857 S.F./2,500 = 28 TREES
REQUIRED 28 TREES PROVIDED 28 TREES

INTERIOR STREET TREES - 1 TREE PER UNIT = 37 STREET
TREES
REQUIRED 37 TREES PROVIDED 37 TREES

Bufferyards Summary Chart - 220124					
Location	Length	Bufferyard Width - Type	Canopy Trees	Shrubs	Fence / Screening Height & Material
North (E Miller Rd)	Required 626'	16'	19	146	6' Masonry Wall
	Provided **589'	16'	19	148	6' Masonry Wall
West	Required 208'	16'	7	42	6' Iron Fence
	Provided **181'	16'	7	42	6' Iron Fence
Note any credits used in calculations:					
** Driveways not included					



21 SEP 22

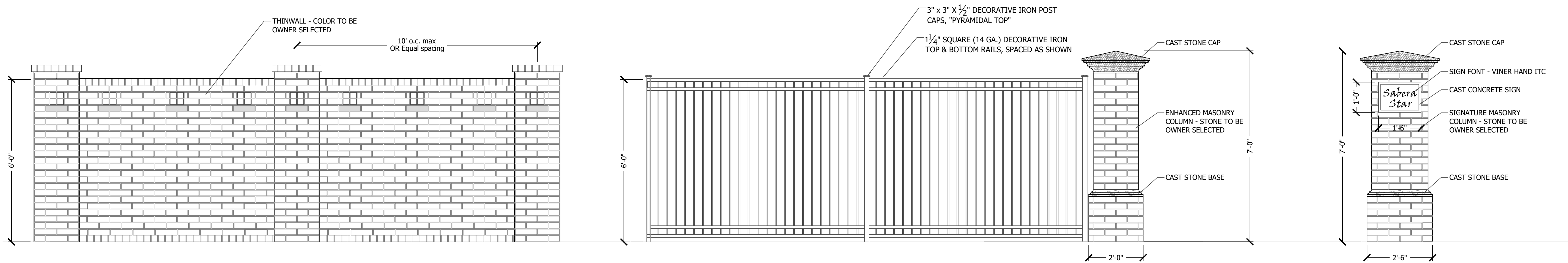
EXISTING ZONING: PD 85-52

PROPOSED ZONING: PD-SFA

Case No. 210629-2

Sabera Star Townhomes

Garland, Dallas County, Texas



1 Masonry Thinwall
Elevation
1/2"=1'-0"

2 6' Iron Fence w Masonry Columns
Elevation
1/2"=1'-0"

3 Signature Masonry Column at Entry
Elevation
1/2"=1'-0"

EXHIBIT D

Owner:

Shahed Altaf
2608 Almanzor Avenue
Irving, TX 75062
Tel: 214-918-2533

Engineer:

CCM Engineering
2570 Justin Road, Suite 209
Highland Village, TX 75077
Tel: 972-691-6633
Contact: Cody Crannell

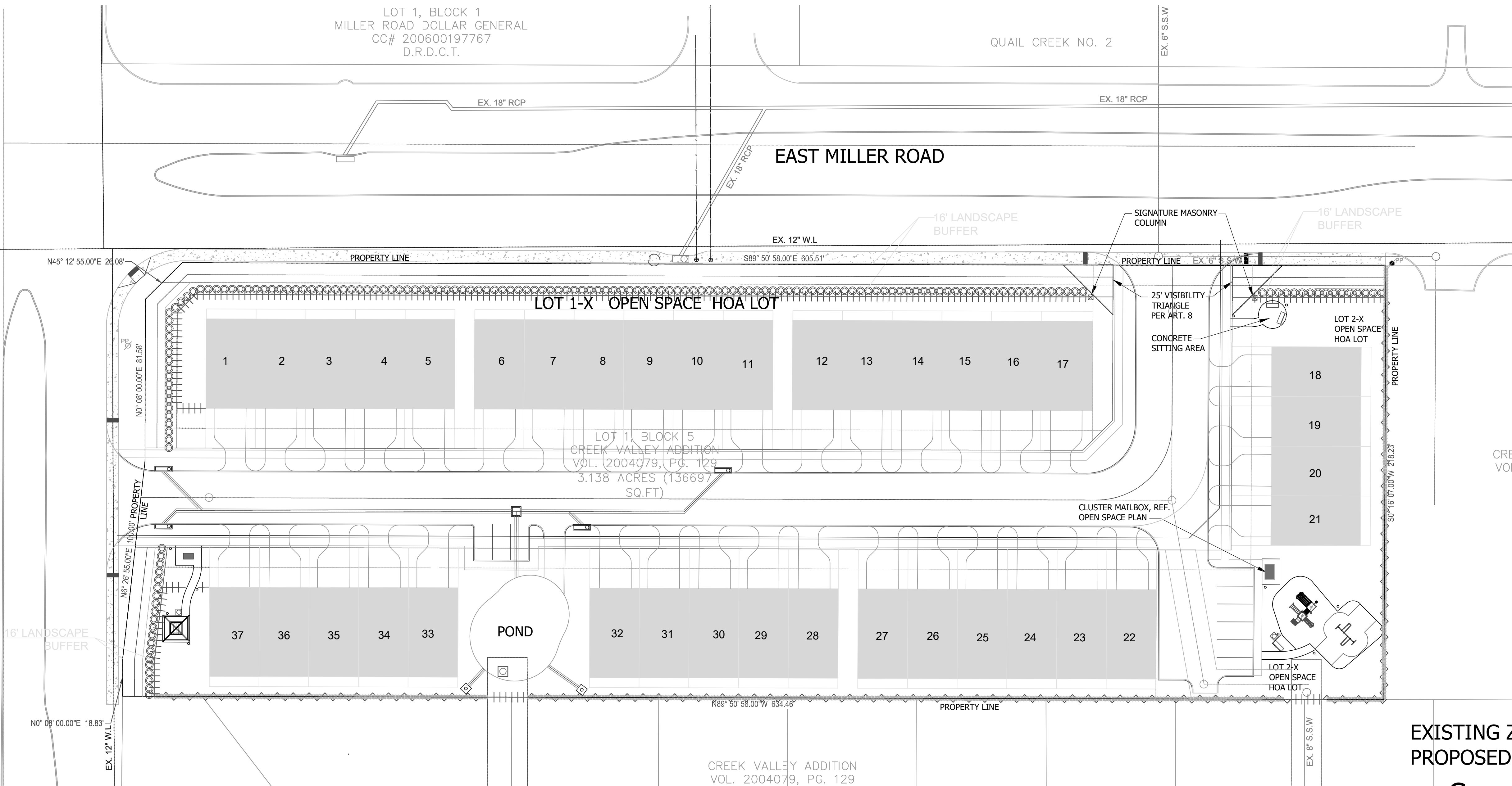
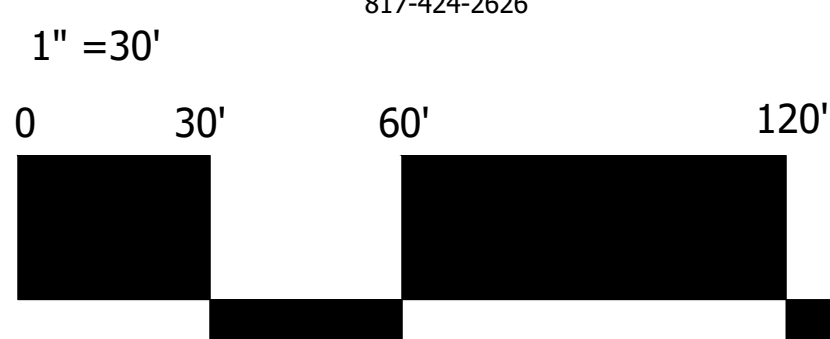
Applicant:

Lone Star Green Homes
4740 14th Avenue, Suite T320
Plano, Texas 75074
Tel: 214-631-9286

Planner:

SAGE GROUP, INC.
Master Planning
Urban Design
Architecture
Landscape Architecture
1130 N. Carroll Ave., Ste. 200
Southlake, Texas 76092
817-424-2626

21 SEP 22



EXISTING ZONING: PD 85-52
PROPOSED ZONING: PD-SFA

Case No. 210629-2



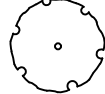
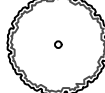
21 SEP 22

Fence & Wall Diagram

Sabera Star Townhomes

Garland, Dallas County, Texas

Plant List and Schedule

CANOPY TREES				
SYMBOL	PLANT NAME	QUANTITY	SIZE / CAL. / HT. / SPREAD	CONDITION / REMARKS
	Live Oak <i>Quercus virginiana</i>	30	3" CAL. / 14'-16' HT. / 10'-12' SPREAD	single trunk clear to 6'; box grown; matching growth (MT = MULTITRUNK)
	Red Oak <i>Quercus shumardii</i>	18	3" CAL. / 14'-16' HT. / 10'-12' SPREAD	single trunk clear to 6'; box grown; matching growth (MT = MULTITRUNK)
	Cedar Elm <i>Ulmus crassifolia</i>	16	3" CAL. / 14'-16' HT. / 10'-12' SPREAD	single trunk clear to 6'; box grown; matching growth (MT = MULTITRUNK)
	Texas Ash <i>Fraxinus texensis</i>	9	3" CAL. / 14'-16' HT. / 10'-12' SPREAD	single trunk clear to 6'; box grown; matching growth (MT = MULTITRUNK)

NOTE: ALL TREES TO HAVE STRAIGHT TRUNKS AND BE MATCHING WITHIN VARIETIES.

ACCENT / UNDERSTORY TREES				
SYMBOL	PLANT NAME	QUANTITY	SIZE / CAL. / HT. / SPREAD	CONDITION / REMARKS
	Crape Myrtle <i>lagerstroemia indica</i>	20	30 Gal. / 8' HT. / 4' SPREAD	container grown; matching growth (MT = MULTITRUNK)

NOTE: ALL TREES TO HAVE STRAIGHT TRUNKS AND BE MATCHING WITHIN VARIETIES

SHRUBS				
SYMBOL	PLANT NAME	QUANTITY	SIZE / CAL. / HT. / SPREAD	CONDITION / REMARKS
	'Little Gem' Magnolia <i>Magnlia grandiflor</i> 'Little Gem'	127	15 GAL. / 5'-6' HT. / 10" SPREAD	container grown; full growth; 48" o.c.;
	Rose Glow Japanese Barberry <i>Berberis thunbergii</i> 'Rose Glow'	21	5 GAL. / 30" HT. / 36" SPREAD	container grown; full growth; 36" o.c.;

NOTE: ALL HEIGHTS AND SPREADS ARE MINIMUMS. ALL PLANT MATERIAL SHALL MEET OR EXCEED REMARKS AS INDICATED

GROUNDCOVER				
SYMBOL	PLANT NAME	QUANTITY	SIZE / CAL. / HT. / SPREAD	CONDITION / REMARKS
	Big Blue Liriope <i>Liriope muscari</i> 'Big Blue'	825	1 GAL./6"-12" HT./ 12" SPREAD	full growth; 12" o.c.; triangular spacing

NOTE: ALL HEIGHTS AND SPREADS ARE MINIMUMS. ALL PLANT MATERIAL SHALL MEET OR EXCEED REMARKS AS INDICATED

TURF				
SYMBOL	PLANT NAME	QUANTITY	SIZE / CAL. / HT. / SPREAD	CONDITION / REMARKS
	Bermudagrass <i>Cynodon dactilon</i>	41,351 S.F.	SOLID SOD	contractor to field verify quantity of sod / hydromulch required

NOTE:

1. ALL SITE FURNISHINGS CAN BE OBTAINED THROUGH (OR EQ.):

VICTOR STANLEY ®
P.O. Drawer 330
DUNKIRK, MD 20754
P: 1-800-2368-2573

2. COLOR FOR ALL: BLACK

3. BACKED BENCHES ARE TO BE (OR EQ.):

STEELSITES RB COLLECTION
MODEL NO. RB-28
SURFACE MOUNT 6' BENCHES

4. TRASH RECEPTACLES ARE TO BE (OR EQ.):

STEELSITES RB COLLECTION
MODEL NO. RB-36 36 GAL. SURFACE MOUNT

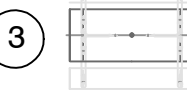
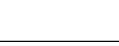
5. PICNIC TABLE:

STEELSITE RB COLLECTION
MODEL NO. FRST-6 - 6'

6. GRILL:

CSF COMMERCIAL SITE FURNISHINGS
3521 WETUMPKA HIGHWAY
MONTGOMERY, AL 36110-2717
P: 1-800-278-4480

MODEL NO. STANDARD IN GROUND GRILL - IN GROUND
SPEC SHEET: LC120-STD-IG

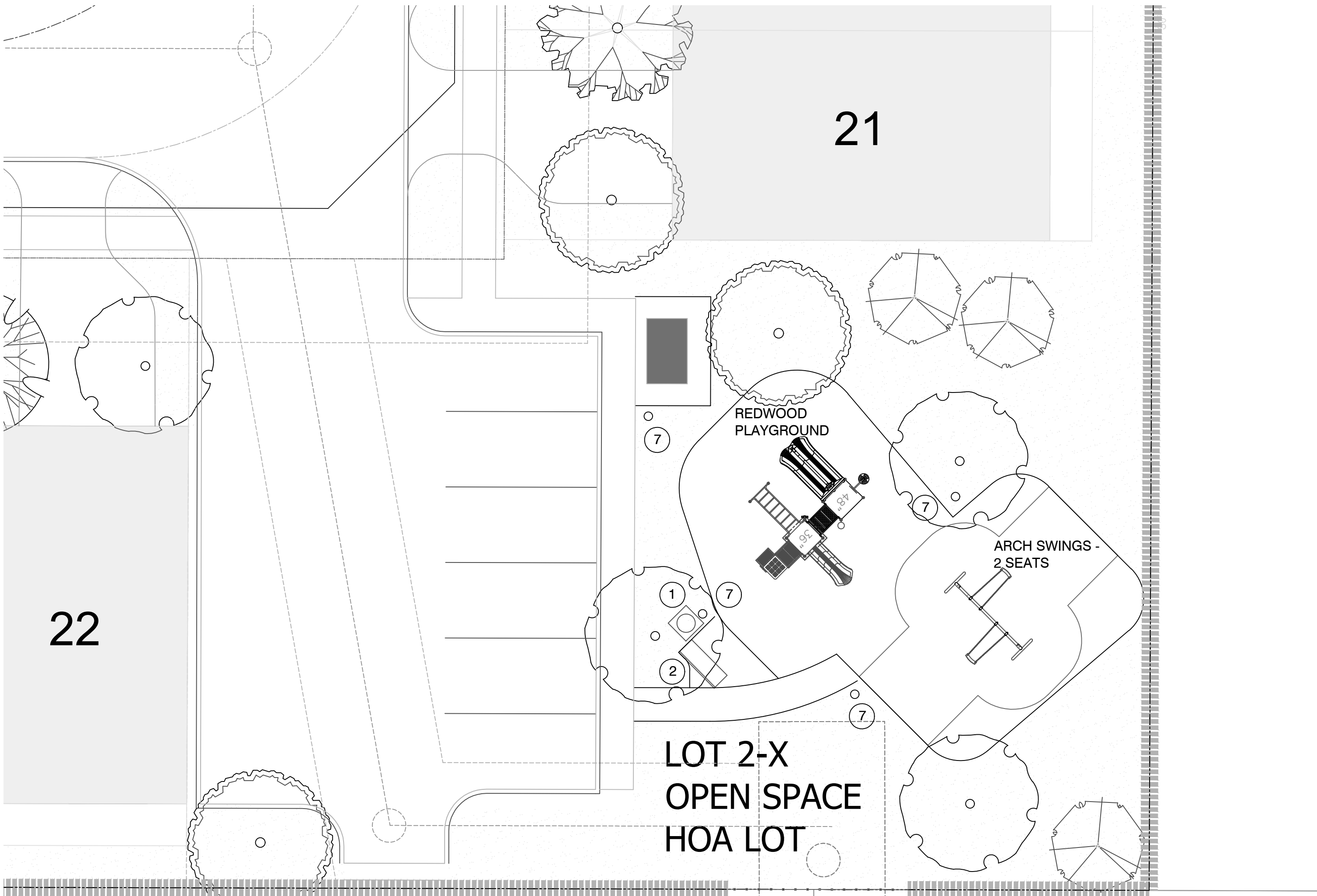
SITE FIXTURES		
SYMBOL	QTY.	SPECIFICATIONS
	3	TRASH RECEPTACLES: MANUF. - VICTOR STANLEY MODEL: RB-36 36 GAL. SURFACE MOUNT COLOR: BLACK
	3	BACKED BENCHES: STEELSITE RB COLLECTION MANUF. - VICTOR STANLEY MODEL: RB-28 6' SURFACE MOUNT COLOR: BLACK
	1	PICNIC TABLE: STEELSITE RB COLLECTION MANUF. - VICTOR STANLEY MODEL: FRST-6 6' TABLE COLOR: BLACK
	1	GRILL: MANUF. - CSF COMMERCIAL SITE FURNISHINGS MODEL: STD IN GROUND GRILL COLOR: BLACK
	1	BIKE RACK: VICTOR STANLEY MODEL: BRCS-103 - CYCLE SENTRY COLLECTION -5 BIKE - SURFACE MOUNT COLOR: BLACK
	1	SHELTER: MANUF. - POLIGON MODEL: SQR-12 COLOR: TO BE OWNER SELECTED
	10	BOLLARDS: ACCESS FIXTURES MODEL: BOLO SOLAR LED BOLLARD LIGHT - ROUND FLAT TOP COLOR: BLACK

VICTOR STANLEY ®
P.O. Drawer 330
DUNKIRK, MD 20754
P: 1-800-2368-2573

POLIGON
HOLLAND, MI
616-399-1963

ACCESS FIXTURES
40 JACKSON STREET
WORCESTER, MA 01608
800-468-9925

CSF COMMERCIAL SITE FURNISHINGS
3521 WETUMPKA HIGHWAY
MONTGOMERY, AL 36110-2717
P: 1-800-278-4480



PLAYGROUND EQUIPMENT SHOWN IS FROM
WILLYGOAT TOYS & PLAYGROUNDS
www.willygoat.com



NOTE:
3 CLUSTER BOX UNITS PER MAIL CENTER
(2- 16 A SIZE, TYPE III) = 2 X 16 = 32 A SIZE
(1-8 A SIZE, TYPE V) = 1 X 8 = 8 A SIZE

TOTAL MAILBOXES = 40 A SIZE PLUS 4 PARCEL LOCKERS

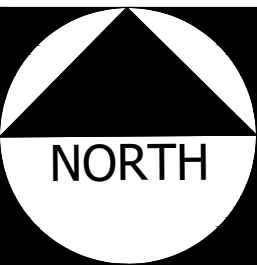


21 SEP 22

EXISTING ZONING: PD 85-52
PROPOSED ZONING: PD-SFA

Case No. 210629-2

21 SEP 22



NORTH

1" = 10'

0

10'

20'

40'

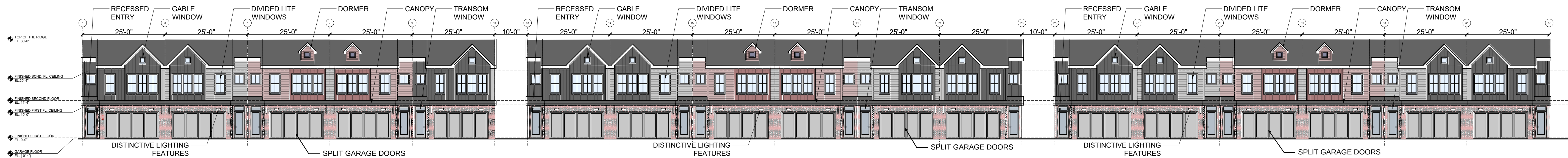
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Urban Design
Architecture
Landscape Architecture
1130 N. Carroll Ave., Ste. 200
Southlake, Texas 76092
817-424-2626

Open Space / Park Area

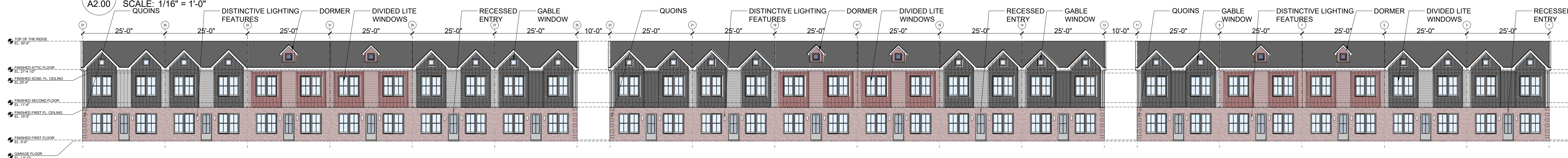
Sabera Star Townhomes

Garland, Dallas County, Texas



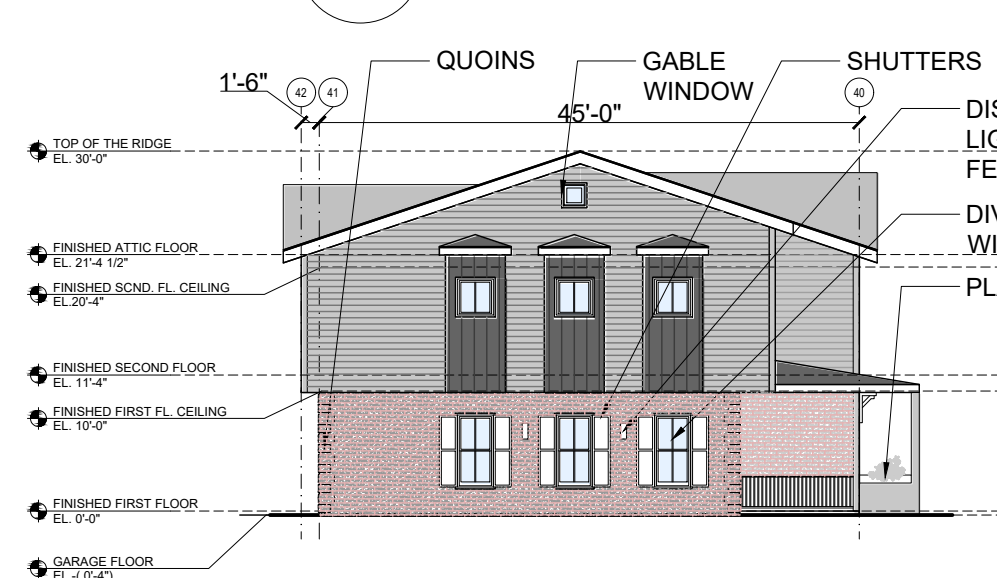
1 Building 1, 2 & 3 South Elevation (Driveway)

A2.00 SCALE: 1/16" = 1'-0"



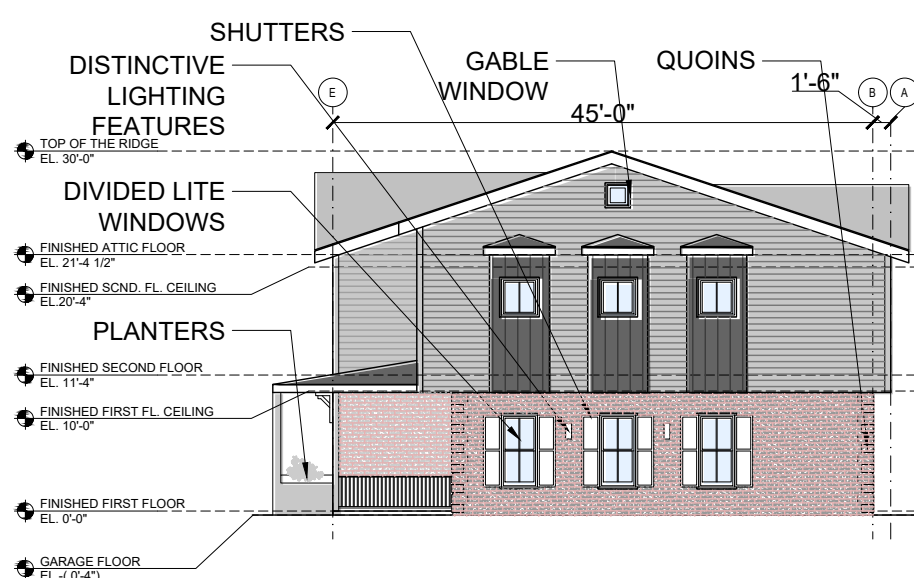
2A Building 1, 2 & 3 North Elevation (E Miller Rd)

A2.00 SCALE: 1/16" = 1'-0"



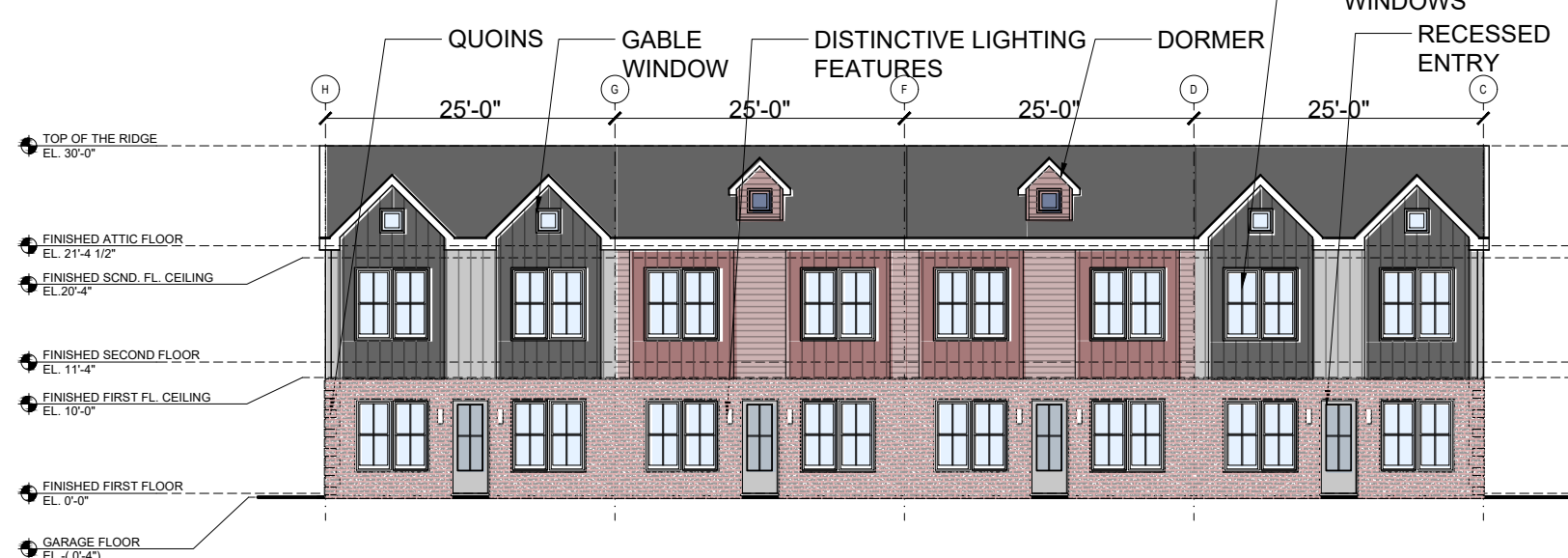
2B Building 4 North Elevation (E Miller Rd)

A2.00 SCALE: 1/16" = 1'-0"



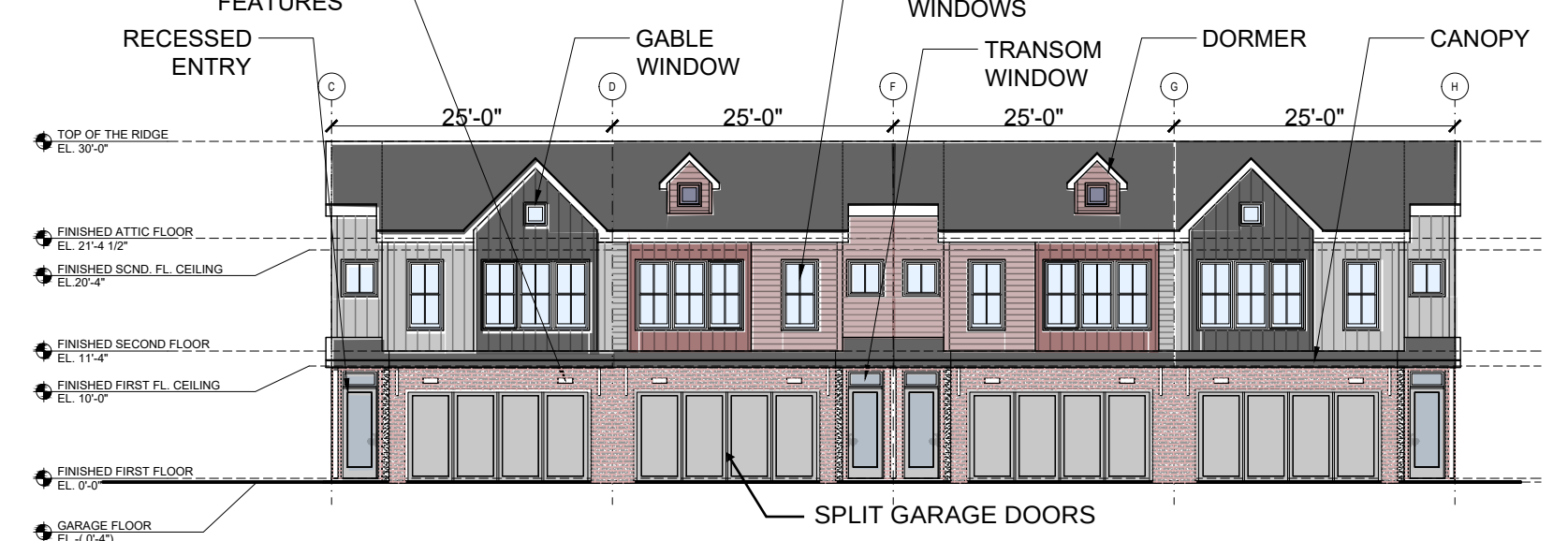
6C Building 4 South Elevation

A2.00 SCALE: 1/16" = 1'-0"



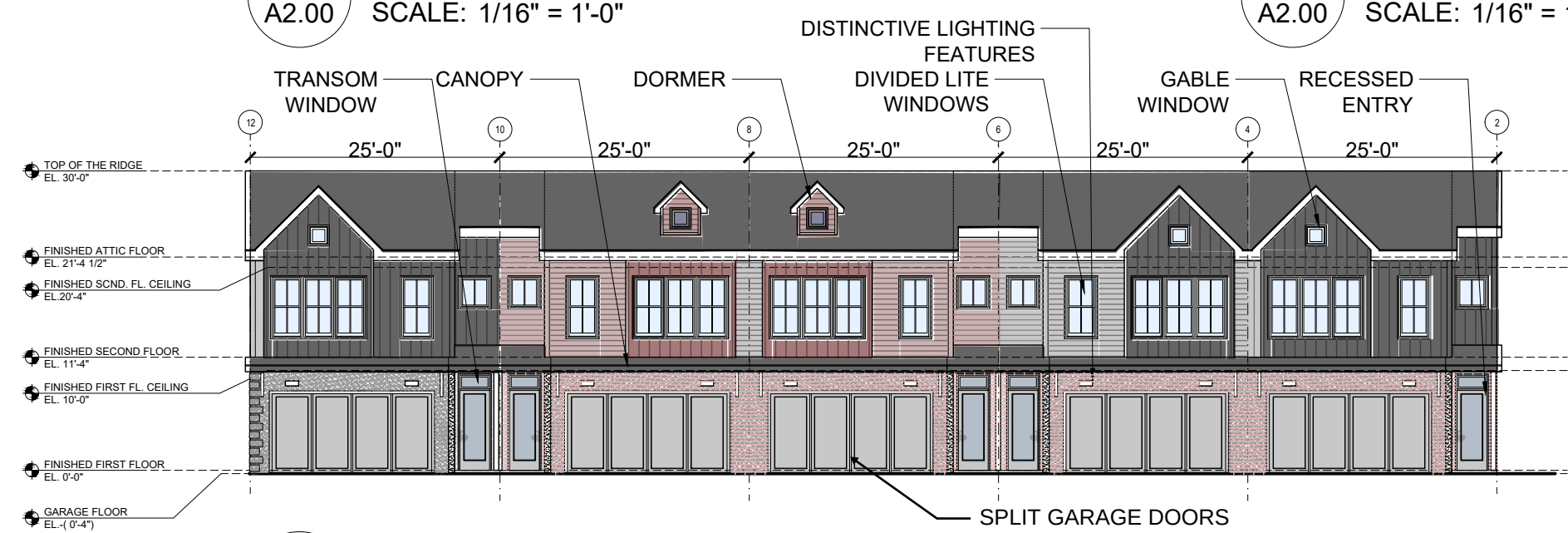
3 Building 4 East Elevation

A2.00 SCALE: 1/16" = 1'-0"



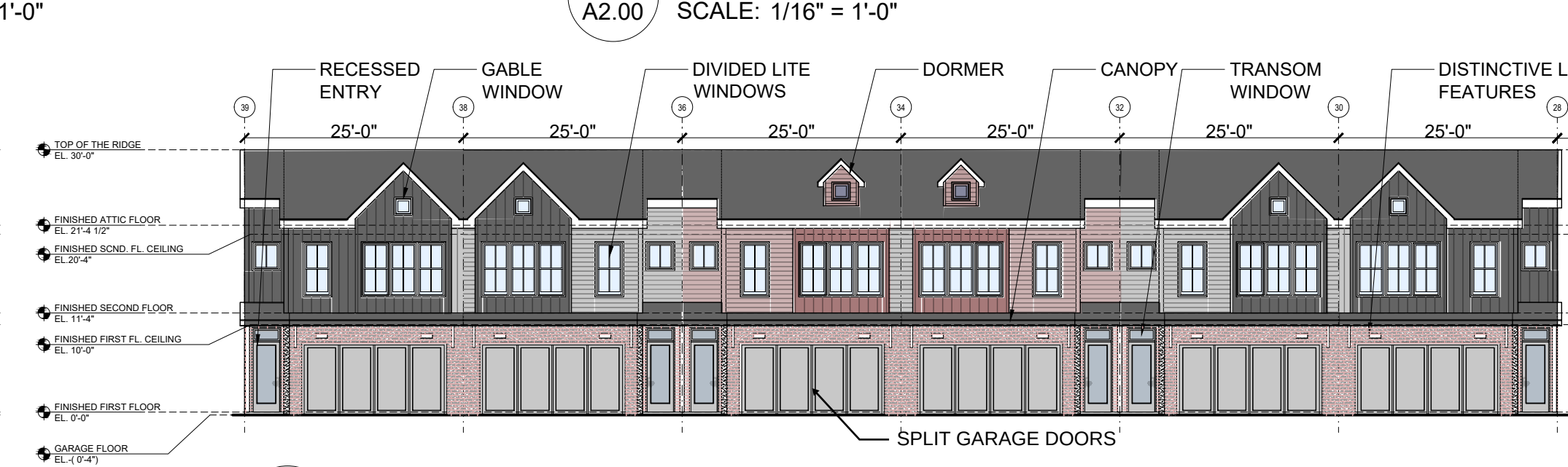
4 Building 4 West Elevation (Driveway)

A2.00 SCALE: 1/16" = 1'-0"



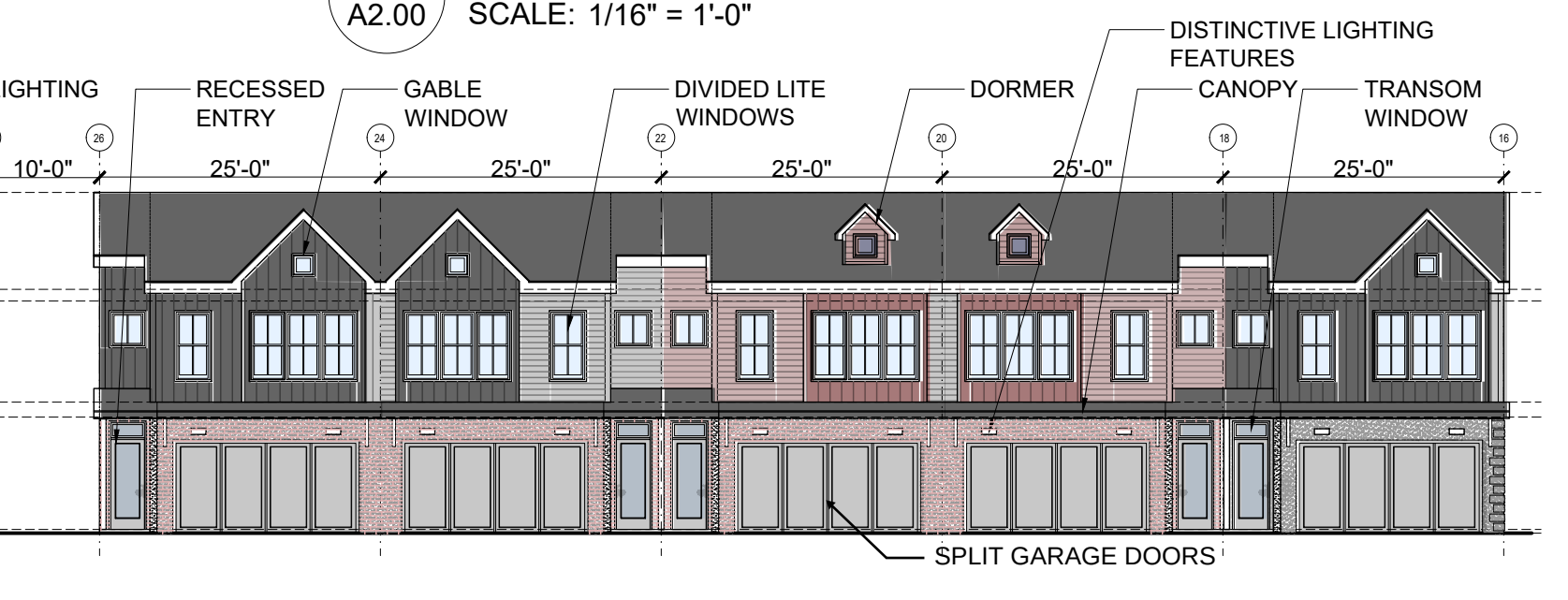
5A Building 7 North Elevation (Driveway)

A2.00 SCALE: 1/16" = 1'-0"



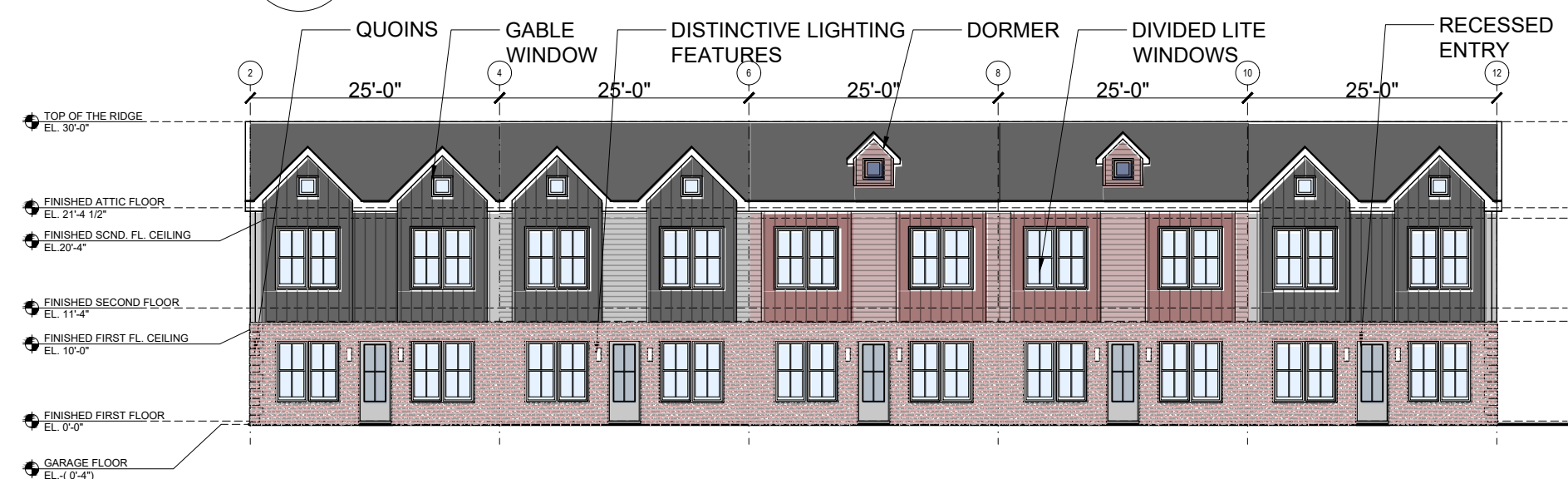
5B Building 5 & 6 North Elevation (Driveway)

A2.00 SCALE: 1/16" = 1'-0"



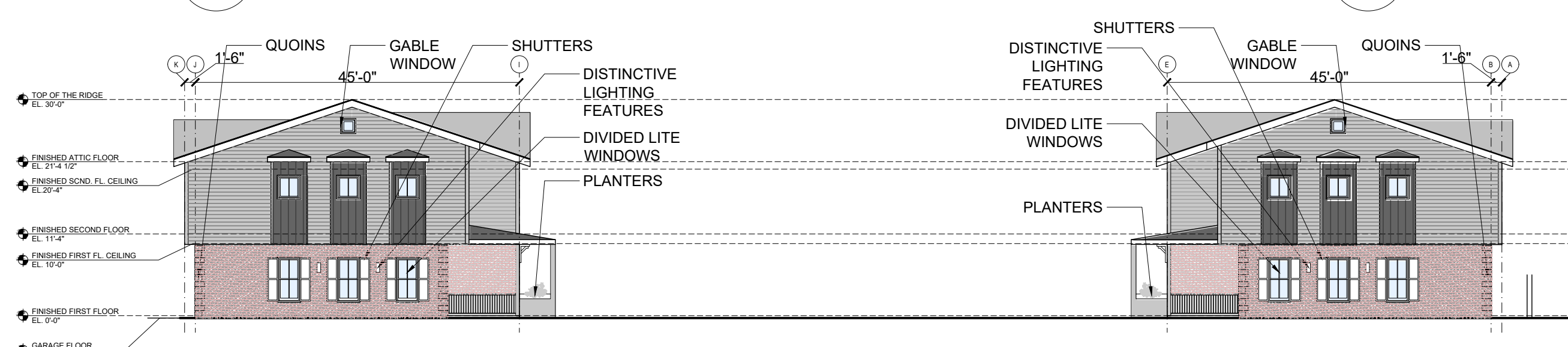
6B Building 5 & 6 South Elevation

A2.00 SCALE: 1/16" = 1'-0"



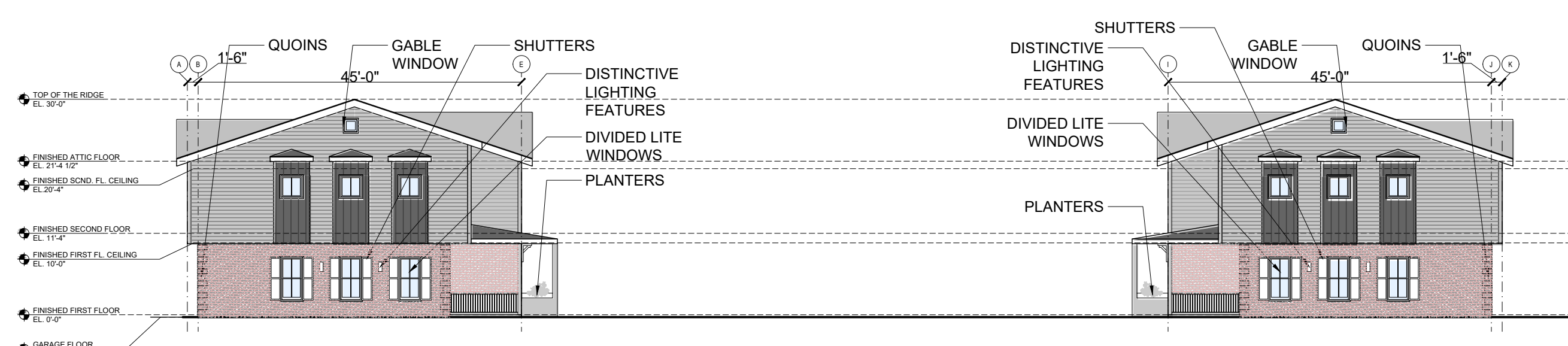
6A Building 7 South Elevation

A2.00 SCALE: 1/16" = 1'-0"



7 Building 3 & 5 East Elevation

A2.00 SCALE: 1/16" = 1'-0"



8 Building 1 & 7 West Elevation (South County Club Road)

A2.00 SCALE: 1/16" = 1'-0"

SK2
ARCHITECTS
7611 Boulevard E
North Bergen, NJ 07047
info@sk2architects.com
917.690.0273

KEY PLAN:

REVISION:

No.	Date:	Description:
PROJECT NAME: SABERA STAR TOWNHOMES 1350 E Miller Rd. Garland, TX 75041 Lot: 1 Block: 5 Case Number 210629-2 Existing Zoning: PD 85-52 Proposed Zoning: PD-SFA PROJECT NUMBER: 22400		

DRAWING TITLE:

Overall Elevations

DRAWN BY: SK

CHECKED BY:

DATE: 07.18.2022

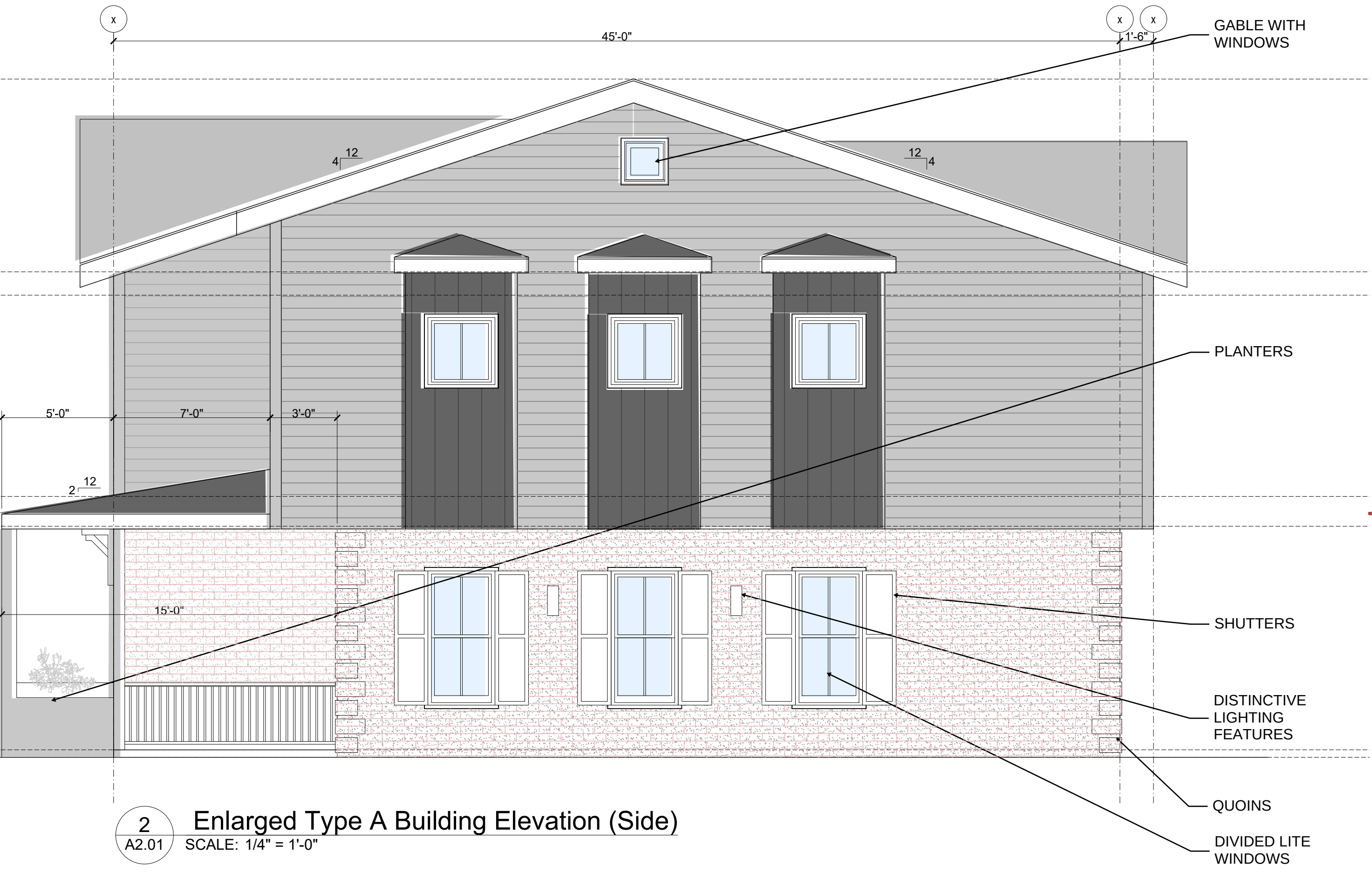
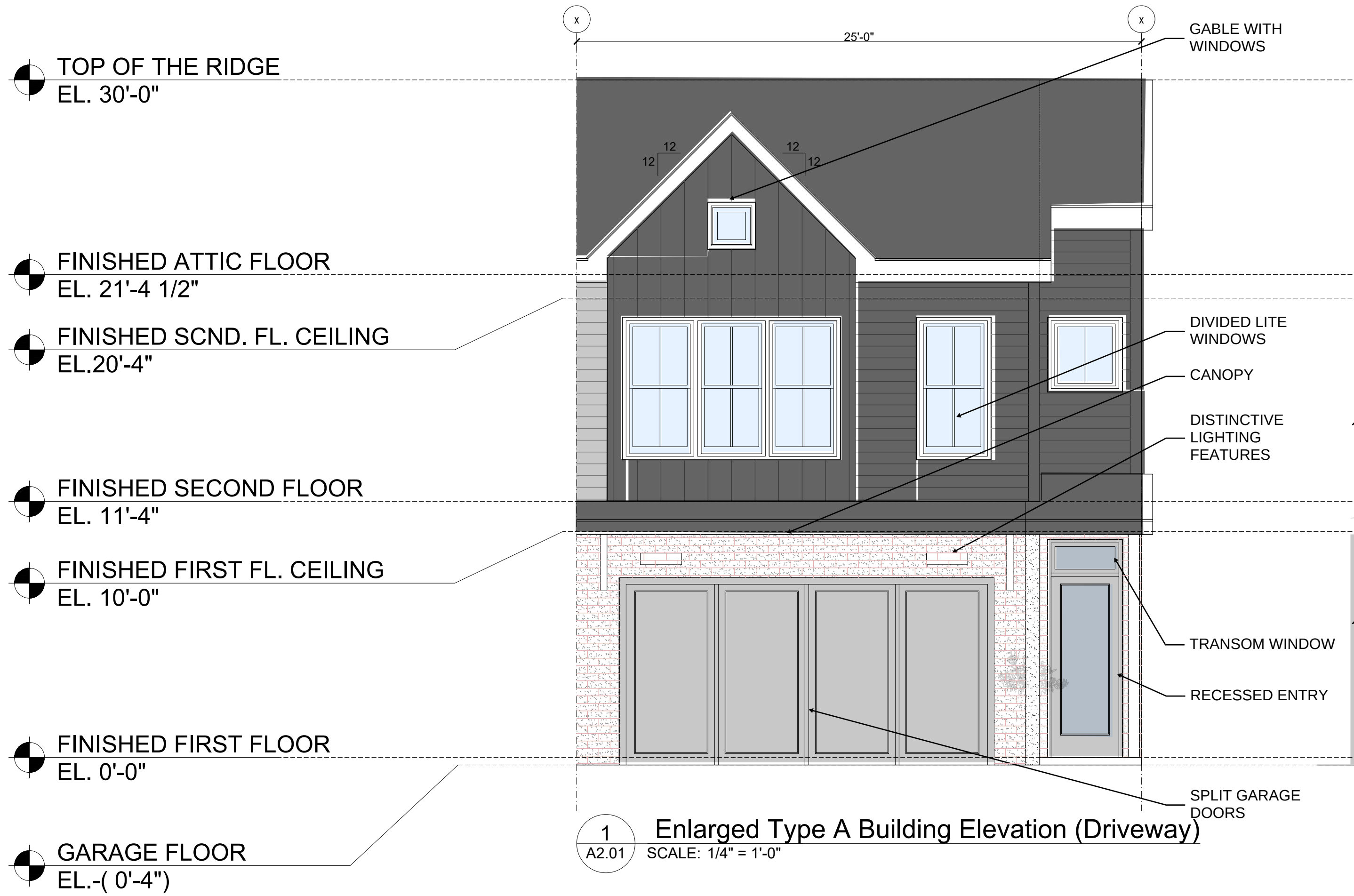
SCALE: AS NOTED

SHEET:



Sedar KAYMAN, AIA NCARB
TX License No. 26796
Registration No. BR 2820

A2.00



SK2
ARCHITECTS
7611 Boulevard E
North Bergen, NJ 07047
info@sk2architects.com
917.690.0273

KEY PLAN:

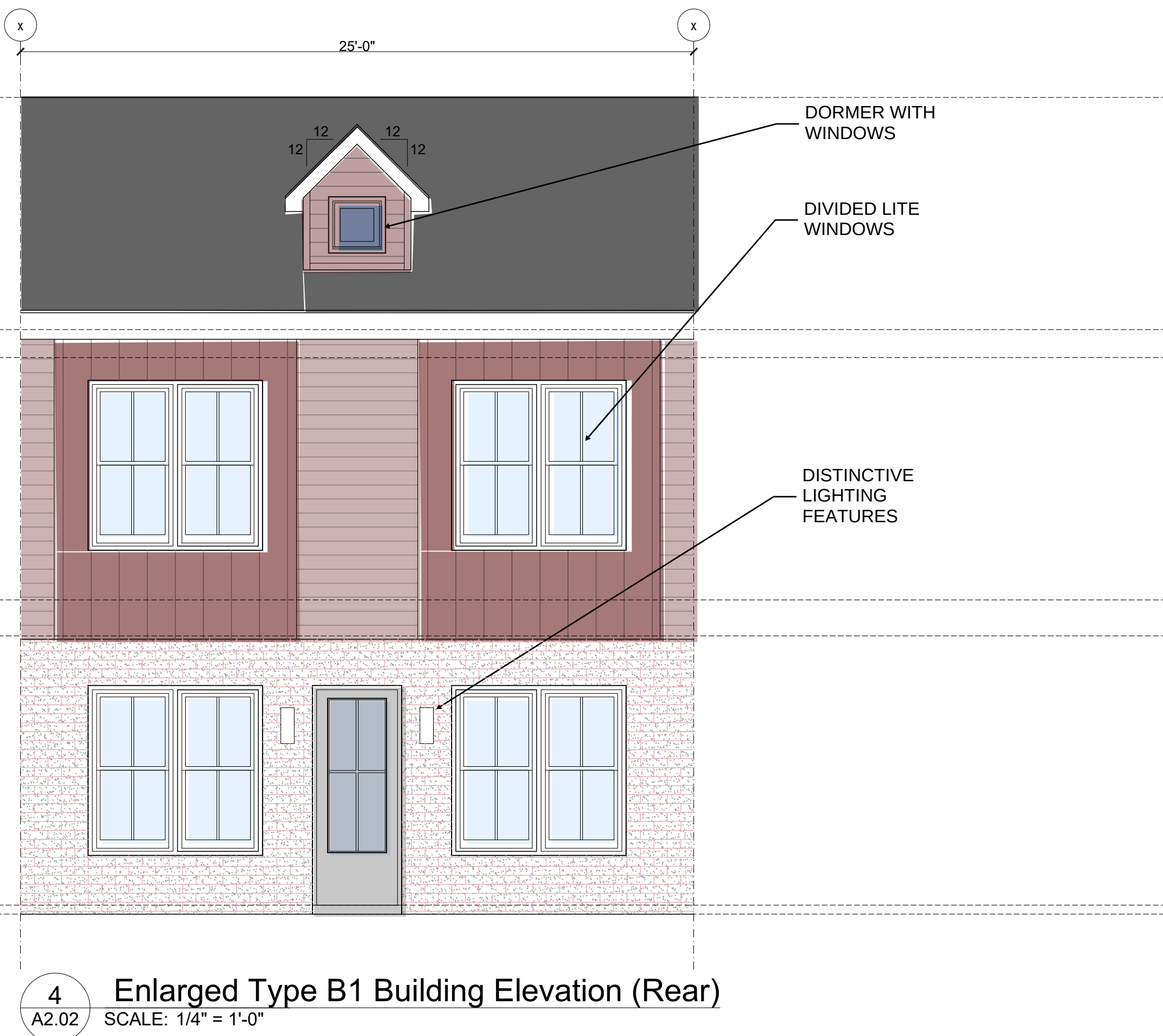
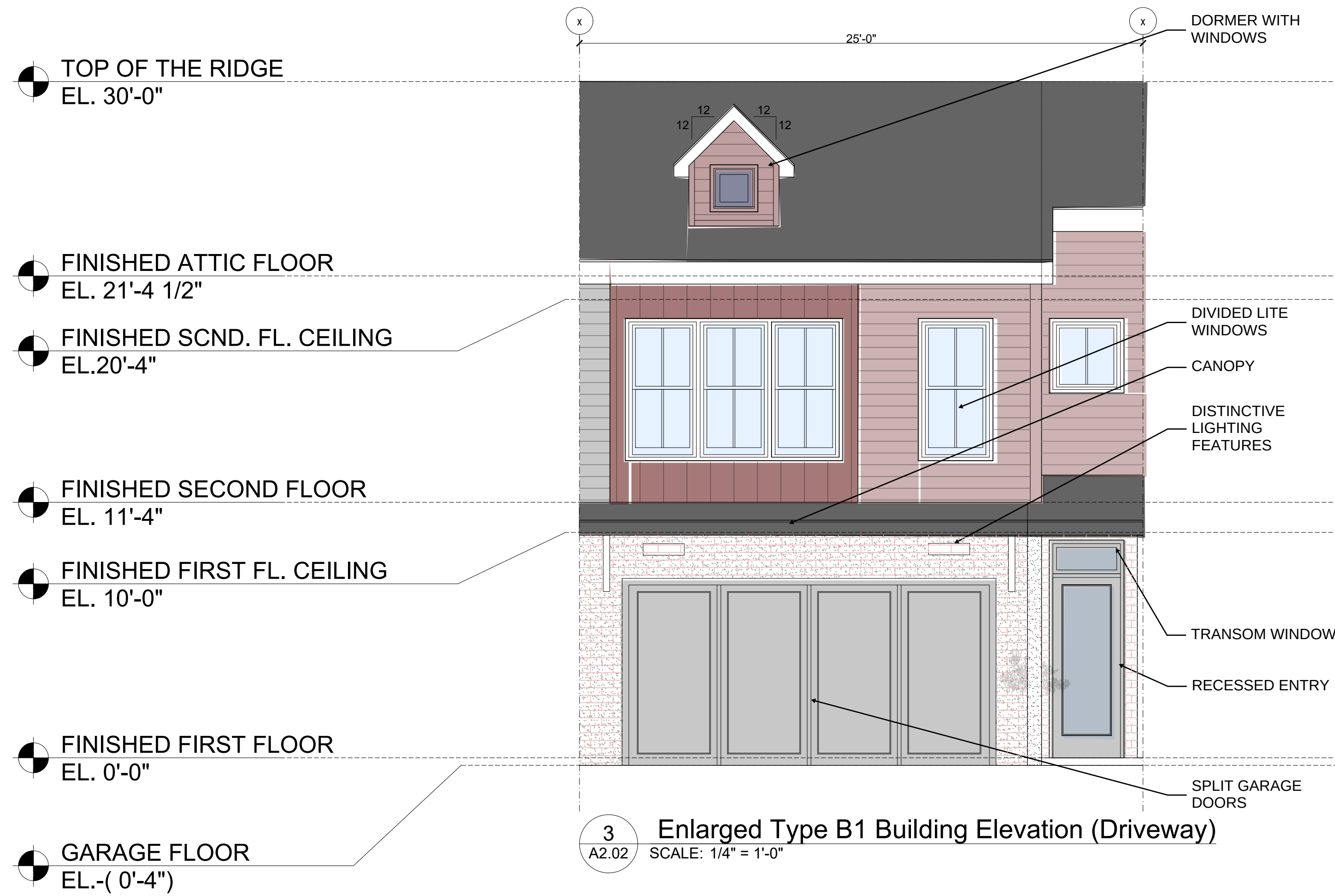
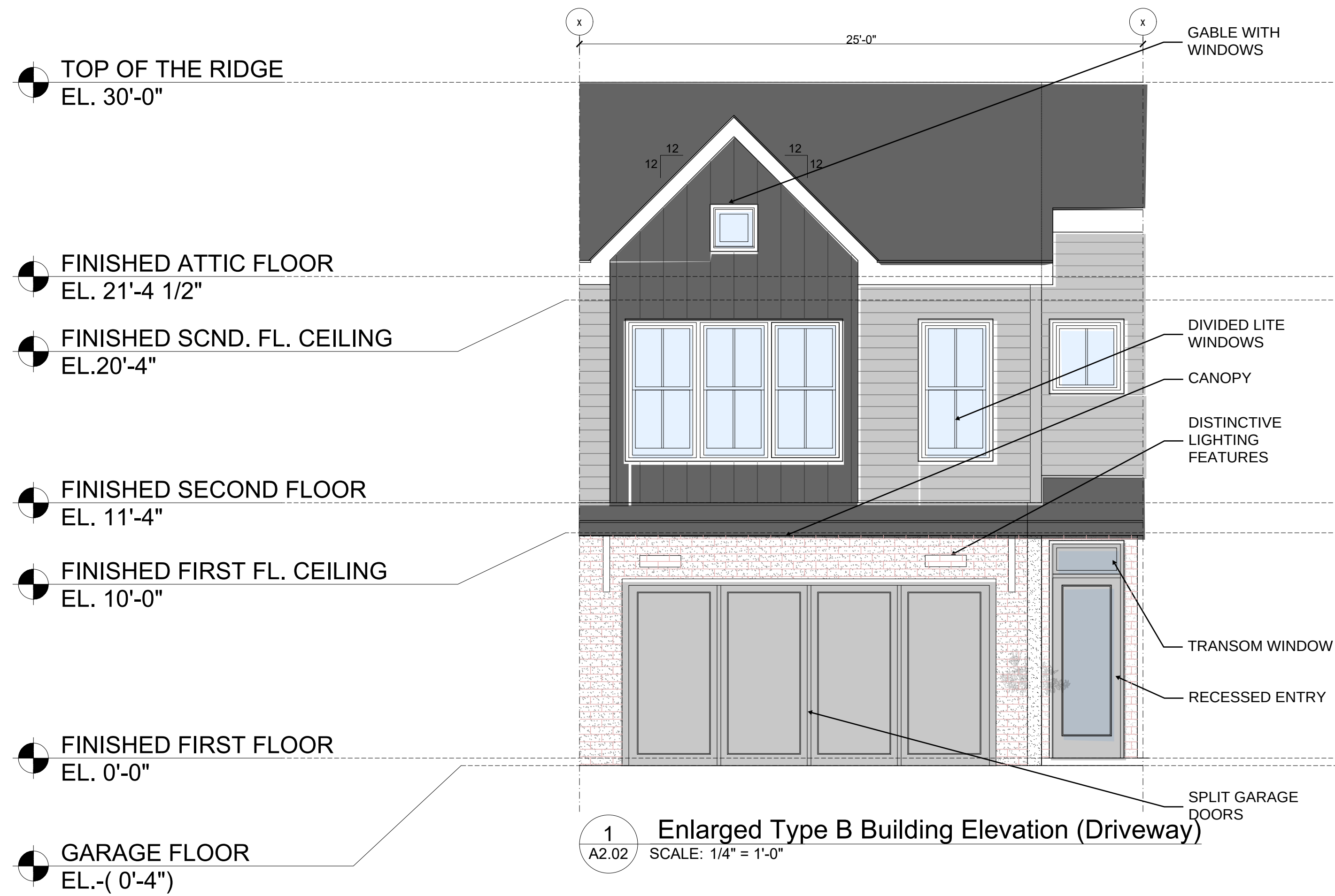
REVISION:		
No.	Date:	Description:
PROJECT NAME: SABERA STAR TOWNHOMES 1350 E Miller Rd. Garland, TX 75041 Lot: 1 Block: 5		
Case Number 210629-2 Existing Zoning: PD 85-52 Proposed Zoning: PD-SFA		
PROJECT NUMBER: 22400		

DRAWING TITLE:
**Type A
Building Elevations**

DRAWN BY:	SK
CHECKED BY:	
DATE:	07.18.2022
SCALE:	AS NOTED
SHEET:	

REGISTERED ARCHITECT
SERDAR KAYMAN
26796
STATE OF TEXAS
07/18/2022
THESE DRAWINGS ARE AN INSTRUMENT OF SERVICE
AND ARE THE PROPERTY OF THE ARCHITECT.

Serdar KAYMAN, AIA NCARB
TX License No. 26796
Registration No. BR 2820



SK2
ARCHITECTS
7611 Boulevard E
North Bergen, NJ 07047
info@sk2architects.com
917.690.0273

KEY PLAN:

REVISION:

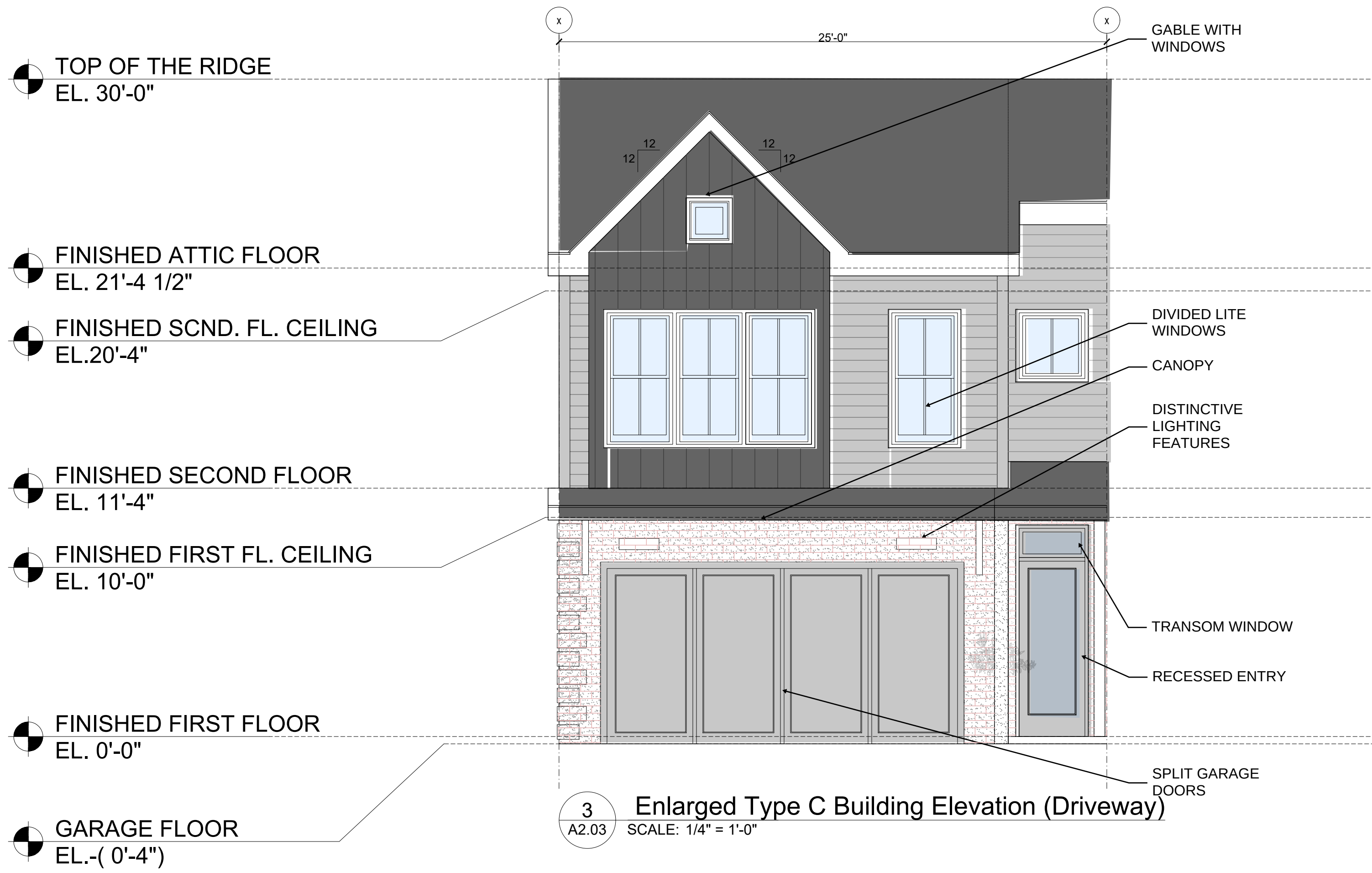
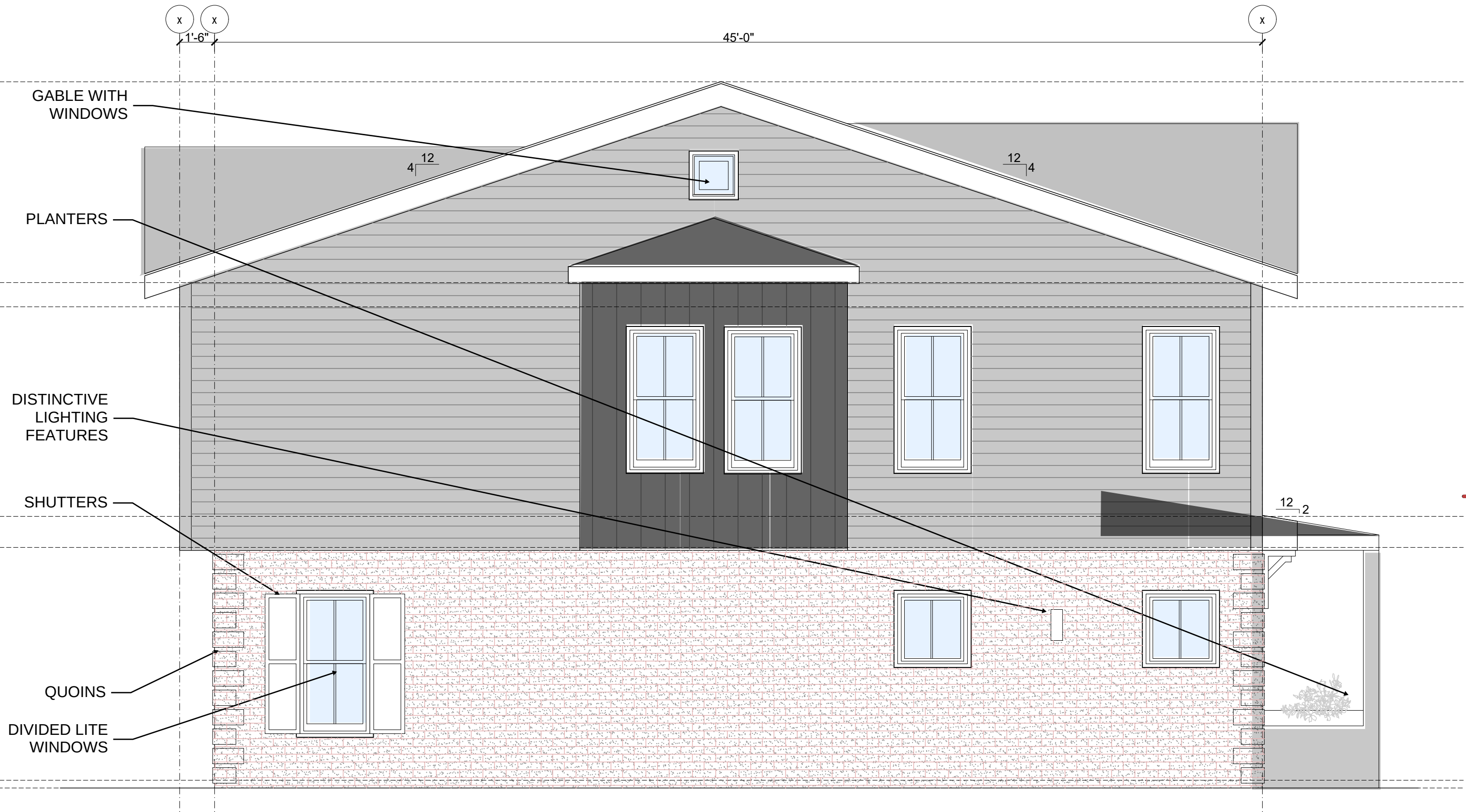
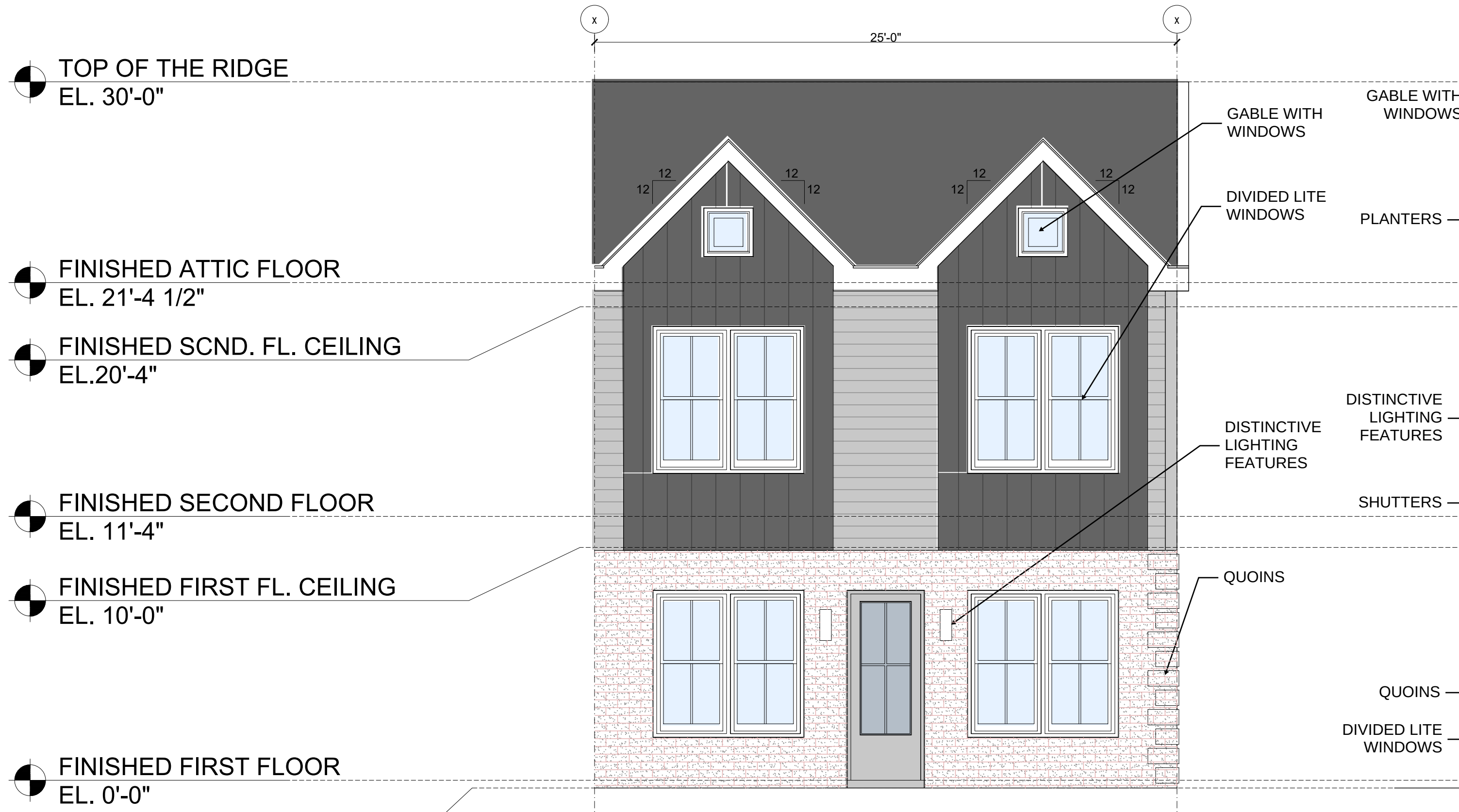
No.	Date:	Description:
PROJECT NAME: SABERA STAR TOWNHOMES 1350 E Miller Rd. Garland, TX 75041 Lot: 1 Block: 5 Case Number 210629-2 Existing Zoning: PD 85-52 Proposed Zoning: PD-SFA		
PROJECT NUMBER: 22400		

DRAWING TITLE:
**Type B and B1
Building Elevations**

DRAWN BY:	SK
CHECKED BY:	
DATE:	07.18.2022
SCALE:	AS NOTED
SHEET:	



Serdar KAYMAN, AIA NCARB
TX License No. 26796
Registration No.BR 2820



SK2
ARCHITECTS
7611 Boulevard E
North Bergen, NJ 07047
info@sk2architects.com
917.690.0273

KEY PLAN:

REVISION:

No.	Date:	Description:
PROJECT NAME: SABERA STAR TOWNHOMES 1350 E Miller Rd. Garland, TX 75041 Lot: 1 Block: 5 Case Number 210629-2 Existing Zoning: PD 85-52 Proposed Zoning: PD-SFA		
PROJECT NUMBER: 22400		

DRAWING TITLE:
**Type C
Building Elevations**

DRAWN BY:	SK
CHECKED BY:	
DATE:	07.18.2022
SCALE:	AS NOTED
SHEET:	

07/18/2022
THESE DRAWINGS ARE AN INSTRUMENT OF SERVICE
AND ARE THE PROPERTY OF THE ARCHITECT.
Serdar KAYMAN, AIA NCARB
TX License No. 26796
Registration No. BR 2820

REPORT & MINUTES

P.C. Meeting, September 12, 2022

Consideration of the application of **CCM Engineering**, requesting approval of a Detail Plan for Single-Family Attached (SFA) Uses. This property is located at 1350 East Miller Road. (District 2) (File Z 22-26 – Detail Plan) (This item was postponed from the August 8, 2022 Plan Commission Meeting per the applicant's request.)

Motion was made by Commissioner Jenkins to **approve** the request as presented. Seconded by Commissioner Paris. **Motion carried: 8 Ayes, 0 Nay.**



0 110 220 Feet
1 inch = 176 feet

ZONING MAP Z 22-26

INDICATES AREA OF REQUEST
INDICATES NOTIFICATION AREA

1350 East Miller Road

Comment Form

Case Z 22-26

Z 22-26 CCM Engineering. The applicant proposes thirty-seven (37) townhouses and open space. The site is located at 1350 East Miller Road. (District 2)

Z 22-26 CCM Engineering . El solicitante propone treinta y siete (37) casas adosadas y espacios abiertos. El sitio está ubicado en 1350 East Miller Road. (Distrito 2)

Z 22-26 CCM Engineering. Người nộp đơn đề xuất ba mươi bảy (37) căn nhà phố và không gian mở. Địa điểm tọa lạc tại 1350 East Miller Road. (Quận 2)

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.

FINNEY VARGHESE (HOMES OWNER)

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

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

2001 TRICKLING CREEK DR.

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

GARLAND, TEXAS

City, State / Estado de la Ciudad / Thành bang

75041

Zip Code / Código postal / Mã B u Chính

Finney Varghese

Signature / Firma / Chữ ký

8/1/2022

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.)

AUG 5 '22 PM 4:08

Comment Form Continued – Case Z 22-26

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

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

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

I, Finny Langhese, support the development of the proposed site with individual single family homes.

I do not support town houses or multi-family apartments.

Thanks for your consideration.

Warm Regards,

Finny

Comment Form

Case Z 22-26

Z 22-26 CCM Engineering. The applicant proposes thirty-seven (37) townhouses and open space. The site is located at 1350 East Miller Road. (District 2)

Z 22-26 CCM Engineering . El solicitante propone treinta y siete (37) casas adosadas y espacios abiertos. El sitio está ubicado en 1350 East Miller Road. (Distrito 2)

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



For / A Favor / Đúng



Against / En Contra / Không

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

JACOB AJAYI, Property Owner

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

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

1226 Montclair Dr.

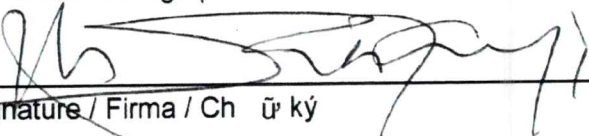
Your Property Address / La dirección de su propiedad / địa chỉ tài sản

Garland, TX 75040

City, State / Estado de la Ciudad / Thành bang

75040

Zip Code / Código postal / Mã B u Chính



Signature / Firma / Ch ữ ký

9/29/2022

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.)

Received
9-29-22

Zoning Response Case Comments

Case Number	PC Hearing Date	CC Hearing Date	Planner Name
Z 22-26	August 8, 2022	September 6, 2022	Nabiha Ahmed

Z 22-26 CCM Engineering. The applicant proposes thirty-seven (37) townhouses and open space. The site is located at 1350 East Miller Road. (District 2)

Robert Hodge

Against

9/29/2022
1:31:16 PM

2002 River Canyon Ln

Rhodge.1010@icloud.com

Garland

2147171729

Texas

United States

75041

Rashana Hodge

Against

9/29/2022
1:30:08 PM

2002 River Canton Lane

rhodge.1010@yahoo.com

Garland

2146801084

Texas

United States

75041

Joyce Bach

Against

Outside the Notification Area

9/7/2022
12:44:18 AM

2509 Ridgemeade Drive

jedbach@yahoo.com

Garland

2149237514

Texas

United States

75040

Elias Debrezion

Against

Case Number	PC Hearing Date	CC Hearing Date	Planner Name
Z 22-26	August 8, 2022	September 6, 2022	Nabiha Ahmed

8/19/2022
12:52:15 PM

4702 Carlton Ct

Garland

Texas

United States

<null>

Outside the Notification Area

Please build a park and a satellite CCM Engineering office and trade workshop for local projects. Please have CCM Engineering employ and train Garland residents in skilled trades. Either that, or please keep the land open for agriculture and husbandry. Every zone case will be housing. With all due respect, let's renovate the dense housing we have already, and let's do something creative with the new plots of land. That's why you see myriad Against votes for multi-family units on every one of these zone cases.

Cody William Mcneel

8/8/2022
12:14:06 AM

For

5017 Wordsworth Dr

Garland

TX

United States

75043

Outside the Notification Area

codymcneel@hotmail.com

9039871767

BOBU Thomas

8/4/2022
4:15:29 PM

Against

2102 River Canyon Ln

Garland

Texas

United States

75041

bob_jessy@hotmail.com

972-849-0704

Z 22-26

PLANNING & DEVELOPMENT



The applicant proposes to construct thirty-seven (37) townhouses and open space

City Council Meeting
October 11, 2022

CASE INFORMATION

Location: 1350 East Miller Road

Applicant: CCM Engineering

Owner: Shalmar Property, LLC.

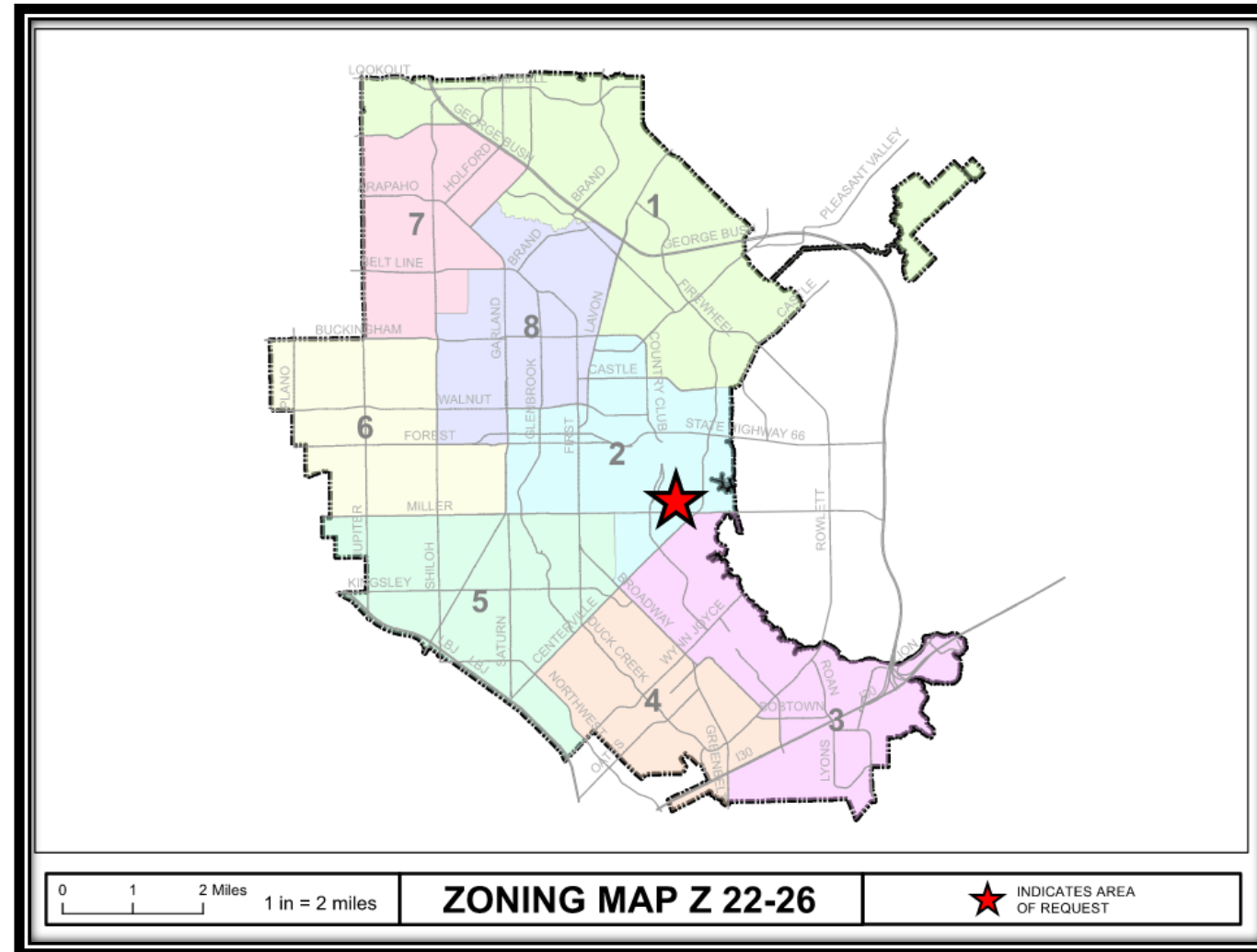
Acreage: 3.183

Zoning: Planned Development (PD) District 85-52

Z 22-26

CITYWIDE LOCATION MAP

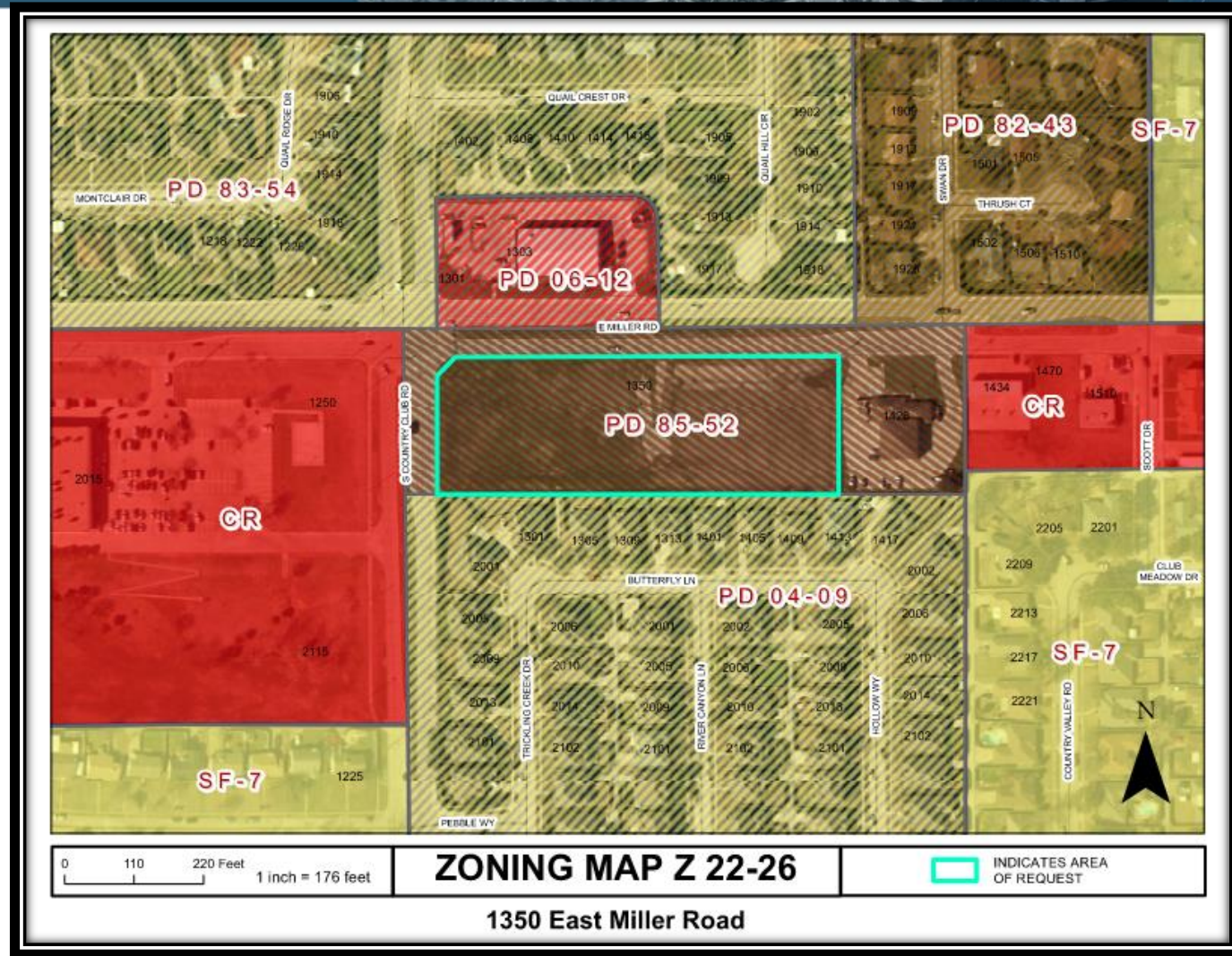
PLANNING &
DEVELOPMENT



Z 22-26

LOCATION MAP

PLANNING & DEVELOPMENT



Z 22-26

COMPREHENSIVE PLAN

PLANNING &
DEVELOPMENT



 Compact Neighborhoods



Z 22-26

COMPREHENSIVE PLAN

PLANNING &
DEVELOPMENT



The Future Land Use Map of the Envision Garland Plan recommends Compact Neighborhoods for the subject property. Compact neighborhoods provide areas for moderate increases in residential density, including single-family attached and single-family detached housing. It expands housing options through infill and redevelopment, while continuing walkable development patterns. These areas provide transitions between traditional residential neighborhoods and higher density residential neighborhoods and non-residential developments. These areas accommodate uses such as convenience retail (goods and services), office space, and public services. The architectural character and scale of these areas are compatible with adjacent residential development.

This proposed use is compatible to the Comprehensive Plan.

Z 22-26

PHOTOS

PLANNING & DEVELOPMENT



View of the subject property from South Country Club Road



View of the subject property from Miller Road



Looking east of the subject property

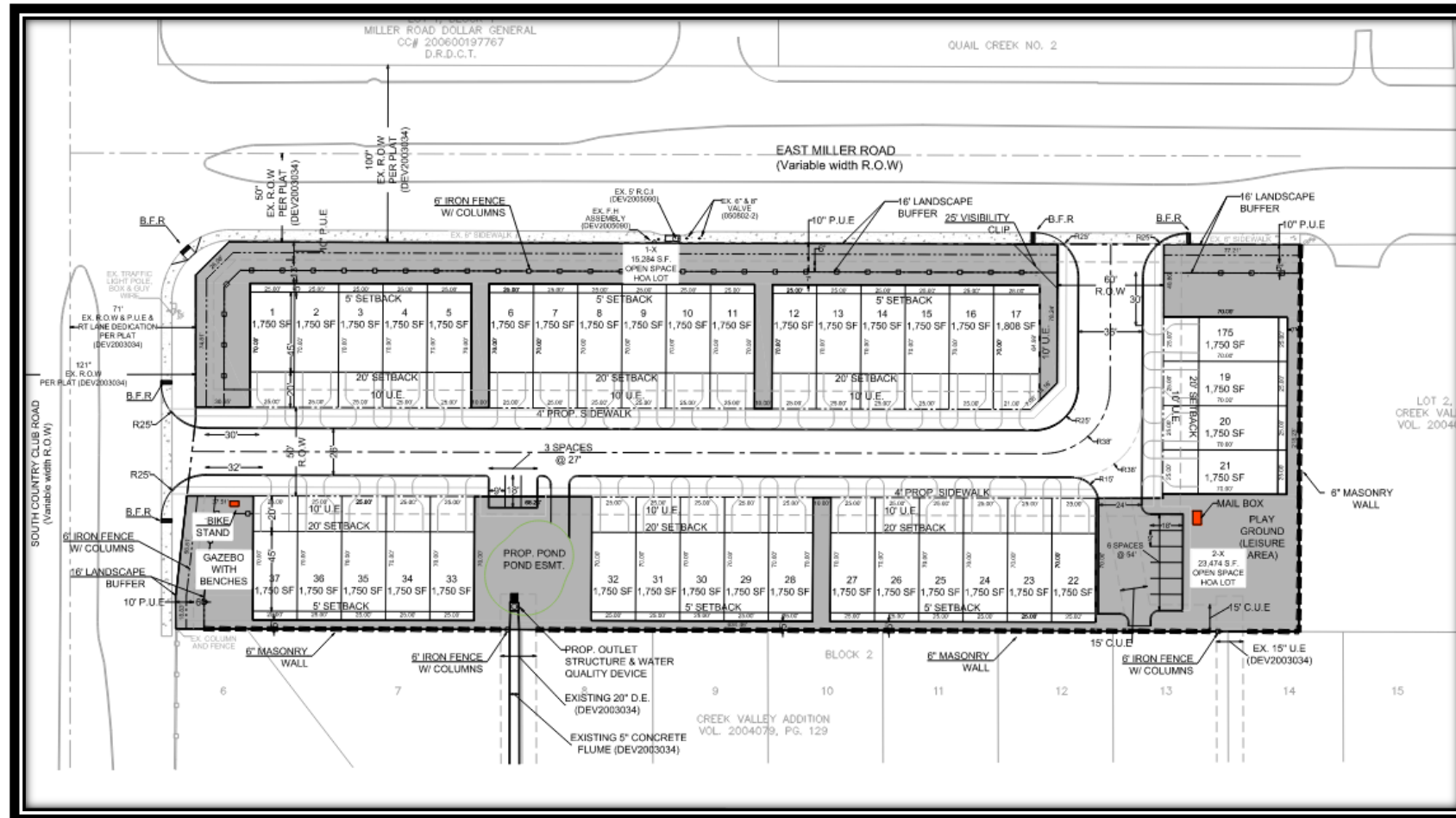


Looking south of the subject property

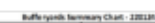
Z 22-31

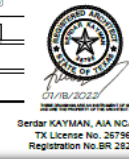
SITE PLAN

PLANNING & DEVELOPMENT



Z 22-26





Z 22-26

BUILDING ELEVATIONS

PLANNING &
DEVELOPMENT



Z 22-26

DEVIATIONS TABLE

Development Standards	Required	Proposed	Justification
Lot Area	Minimum 2,000 SF	Minimum 1,740 SF	The minimum building square footage is being decreased to allow for the product that the builder would like to put in, which will be a higher quality product for the end user per the applicant.
Lot Depth	Minimum 90 feet	Minimum 70 feet	The minimum lot depth has been reduced from 90 feet to 70 feet due to site constraints that would not allow for much of the site to be usable for townhomes at 90' depth.
Lot Width	Minimum 30 feet for end lots Minimum 20 feet for interior lots	25 feet 25 feet	The additional 5 feet have been used towards the HOA lots and this deviation allows the developer to maintain the consistency in the product.

DEVIATIONS TABLE

Garage	The GDC requires an offset front entry with the garage door set back at least five feet behind the front building face.	The minimum twenty-foot driveway depth is provided; however, the minimum offset of five (5) feet is not provided.	The offset is not provided due to the desired architectural style of the proposed townhomes.
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STAFF RECOMMENDATION

- Approval of a Change in Zoning from Planned Development (PD) District 85-52 for Mixed Uses to a Planned Development (PD) District for Single-Family Attached (SFA) Uses.
- Approval of a Detail Plan for Single-Family Attached (SFA) Uses

PLAN COMMISSION RECOMMENDATION

- On September 12, 2022 the Plan Commission, by a vote of eight (8) to zero (0), recommended approval of Change in Zoning from Planned Development (PD) District 85-52 for Mixed Uses to a Planned Development (PD) District for Single-Family Attached (SFA) Uses.
- The Plan Commission, by a vote of eight (8) to zero (0), also recommended approval of a Detail Plan for Single-Family Attached (SFA) Uses.



PLANNING & DEVELOPMENT



Z 22-31

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

Medical School
Medical & Surgical Appliances
Medical Lab
Optical Dispensary
Pharmacy
Animal Clinic
Florist - Retail
Landscape Nursery - Retail
Pet Grooming & Supplies
Pet Shop - Retail Sales
Home Improvement Center
Park or Playground
Movie Theater
Swimming Club - Private
Tennis Courts - Commercial or Private Club
Theaters
Answering Service
Blueprinting & Photographic Reproductions
Custom Personal Service
Film Pickup Station
Gunsmith, Repair
Laundry Pickup Station
Laundry & Cleaners - Commercial (2,400 sq. ft. or less)
Laundry or Cleaners - Self-Service
Locksmith
Printer, Small Scale
Trophies & Awards
Antiques - Indoor Display Only
Bakery - Retail
Drug Store
Grocery
Paint Store - Retail
Retail Stores & Shops
Specialty Shop or Boutique
Supermarket
Uniform Shop
Household Appliance Service
Lawn & Garden Equipment (no outdoor storage)
Repair & Service Shop (excluding gas engine repair)
Bus Stop Shelter
Taxi Stand
Cafeteria
Confectionary - Donut Shop
Dinner Theater

Fast Food or Take-Out Restaurant (only one within PD, not freestanding)
Restaurant - General
Snack Shop
New or Rebuilt Parts & Supplies - Indoor Only
Tire Dealer, No Outdoor Storage
Light Equipment Renting - Indoor
Used Goods or Products Collection Point (Temporary)
Concrete Batching Plant (Temporary)
Signs: On-Premise (Attached)
Signs: On-Premise (Detached)
Signs: Temporary Special Development



GARLAND PLANNING REPORT

City Council Regular Session Agenda

8. e.

Meeting Date: 10/11/2022

Item Title: Z 22-43 Geomet Recycling - Zoning (District 6)

Submitted By: Nabiha Ahmed, Lead Development Planner

REQUEST

Approval of an amendment to Planned Development (PD) District 19-32 for Industrial Uses

Approval of a Specific Use Provision amendment for a Recycling Salvage Yard (Unlimited Outside Storage)

Approval of a Detail Plan amendment on a property zoned Planned Development (PD) District 19-32 for Industrial Uses

LOCATION

312 South International Road

OWNER

Garland Steel, Inc.

PLAN COMMISSION RECOMMENDATION

On September 12, 2022 the Plan Commission, by a vote of eight (8) to zero (0), recommended approval of an amendment to Planned Development (PD) District 19-32 for Industrial Uses.

The Plan Commission, by a vote of eight (8) to zero (0), also recommended approval of a Specific Use Provision amendment for a Recycling Salvage Yard (Unlimited Outside Storage).

In addition, The Plan Commission, by a vote of eight (8) to zero (0), also recommended approval of a Detail Plan amendment on a property zoned Planned Development (PD) District 19-32 for Industrial Uses.

STAFF RECOMMENDATION

Approval of an amendment to Planned Development (PD) District 19-32 for Industrial Uses

Approval of a Specific Use Provision amendment for a Recycling Salvage Yard (Unlimited Outside Storage)

Approval of a Detail Plan amendment on a property zoned Planned Development (PD) District 19-32 for Industrial Uses

BACKGROUND

The site is improved with a metal recycling salvage yard that processes materials including weighting, sorting, flattening, crushing, shredding, bundling, and palletizing materials for shipment, by hand and by machine, to send processing material back to a raw material state for client usage.

In December 2019, the City Council approved site improvements which included vehicle circulation, parking, six (6) outside storage areas and ten (10) buildings.

The applicant requests to amend the approved layout from 2019 to support the existing recycling salvage yard.

SITE DATA

The overall site consists of approximately 19.8 acres with approximately 658.5 lineal feet of frontage along South International Road. The site plan (Exhibit C) shows two (2) access points from South International Road.

USE OF PROPERTY UNDER CURRENT ZONING

Planned Development (PD) District 19-32 was approved for a recycling salvage yard with unlimited outside storage.

The GDC defines a Recycling Salvage Yard as a facility which provides for the collection, sorting, storage, bundling and shipping of recoverable and recyclable non-automotive, non-consumable and non-compostable materials such as aluminum cans, glass, papers including magazines and newspapers, cardboard, wood pallets, metals, plastics, tires, computers and electronics, oil, paints, solvents, and textiles.

Given the additional improvements proposed, amendments to the PD, SUP, and Detail Plan are required.

CONSIDERATIONS

1. Planned Development and Detail Plan

The applicant requests to make the following improvements in two (2) phases.

Phase 1:

- Three (3) prefabricated buildings which will be 2,632 square feet, 130 square feet and 456 square feet.
- Three (3) shaded canopies - 4,950 square feet, 4,900 square feet and 4,965 square feet. These shade canopies will be used to protect salvaged materials from outdoor elements.
- Improve vehicle traffic flow and organization on site, to allow for increased product flow

- Eighty (80) additional parking spaces

Phase 2:

- Ten (10) shade structures (maximum)
- Forty (40) additional parking spaces

The applicant is unsure whether all of the shade structures will be installed in Phase 2. The intent is to include the maximum number of shade structures in the entitlement application. The “future phase shade canopies” are reflected as such on the site plan (Exhibit C).

The hours of operation are from 7:00 a.m. to 7:00 p.m.

2. Planned Development (PD) District 19-32 reflects eighty-nine (89) parking spaces and the facility has operated continuously for several years with no complaints regarding parking deficiencies. The intent is to construct 120 additional parking spaces in two (2) phases.

3. The Garland Development Code (GDC) establishes a series of Special Standards to Recycling Salvage Yard regarding processing of materials, storage of materials and on-site traffic circulation. With the exception of the outdoor storage screening method prescribed under Special Standards (see Consideration No. 3), the proposed Recycling Salvage Yard shall comply with all the applicable Special Standards. Smelting and refining activity is prohibited on the subject site per the PD Conditions.

4. The scope of work does not trigger any landscaping standards. However, the landscape plan (Exhibit D) reflects enhance landscaping along South International Road. The site plan (Exhibit C) reflects the existing eight (8)-foot metal fence along the northern property line, a nine (9)-foot metal fence along the eastern and southern property lines, chain-link fence along the northwestern property line.

5. Building Design

The proposed buildings will comply with the applicable building design standards per the GDC.

6. Signage

No deviations were requested regarding signage.

7. Specific Use Provision

The applicant requests the SUP to be valid for a time period of twenty (20) years.

COMPREHENSIVE PLAN

The Future Land Use Map of the Envision Garland 2030 Comprehensive Plan designates this site for Business Center uses in the Employment Center Building Block. Business Centers provide a cluster of business offices and/or low impact industry, including campus-type development, which cumulatively employ large numbers of people. Operations within this development type occur internal to buildings resulting in minimal negative impacts (sound, air, traffic, outdoor lighting, storage, etc.) and are compatible with adjacent development types in architecture, character, scale, and intensity. Business Centers are generally located at intersections of major and/or secondary arterial streets or significant transit areas (bus/rail). Proximity and access to residential areas are encouraged to reduce travel times to

employment. Site design addresses function and visual aesthetics providing appropriate buffering at gateway corridors, between adjacent developments, and for residential neighborhoods.

Business 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, including compatible residential uses, that support the business employment sector.

The proposed use is compatible with the Comprehensive Plan.

COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

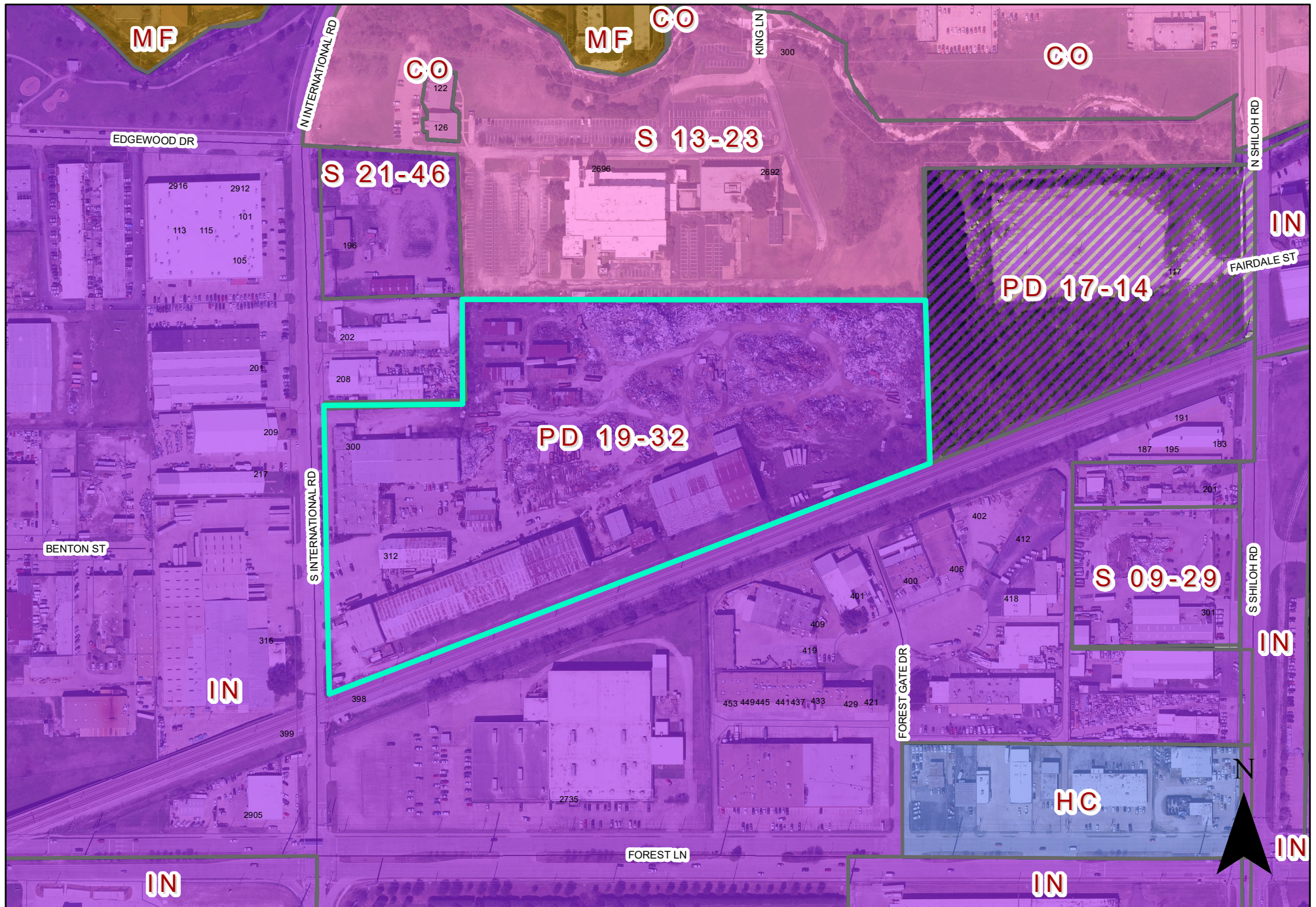
Most of the properties to the east, south and west are zoned for Industrial Uses and are developed with a variety of industrial and heavy commercial land uses including recycling salvage yards. The properties to the north are zoned for Industrial and Community Office Uses and are mostly developed with medical related land uses, and industrial uses.

Attachments

Z 22-43 Geomet Recycling Attachments (Zoning)

Z 22-43 Geomet Recycling Responses

Z 22-43 Geomet Recycling Staff Presentation



ZONING MAP Z 22-43

312 S International Rd

INDICATES AREA OF REQUEST

PLANNED DEVELOPMENT CONDITIONS

ZONING FILE Z 22-43

312 SOUTH INTERNATIONAL ROAD

- I. Statement of Purpose:** The purpose of this Planned Development is to permit a Recycling Salvage Yard (unlimited outside storage).
- 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 19-32 and the Industrial (IN) District and all Special Standards for Recycling Salvage Yard (unlimited outside storage) 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. Detail Plan:** Development shall be in general conformance with the Site Plan, Landscape Plan, and Elevations set forth in Exhibit C, Exhibit D, and 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 Regulations:**
- A. Permitted Uses: Only those uses as permitted in the Industrial (IN) District.
 - B. Prohibited Uses: Smelting and refining of products are not allowed on this site.
 - C. Screening and Landscaping: Screening and landscaping shall be in general conformance with the site plan and landscape plan labeled Exhibit C and Exhibit D.
 - D. Maintenance Requirements:
 - 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 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 within sixty (60) days after receipt of notification by the City. In the event the property owner fails to remedy a violation of any landscaping maintenance regulation within sixty (60) 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, licenses and/or certificates for the property.

3) Screening and paving must be installed and 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 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 certificates for the property.

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

REPORT & MINUTES

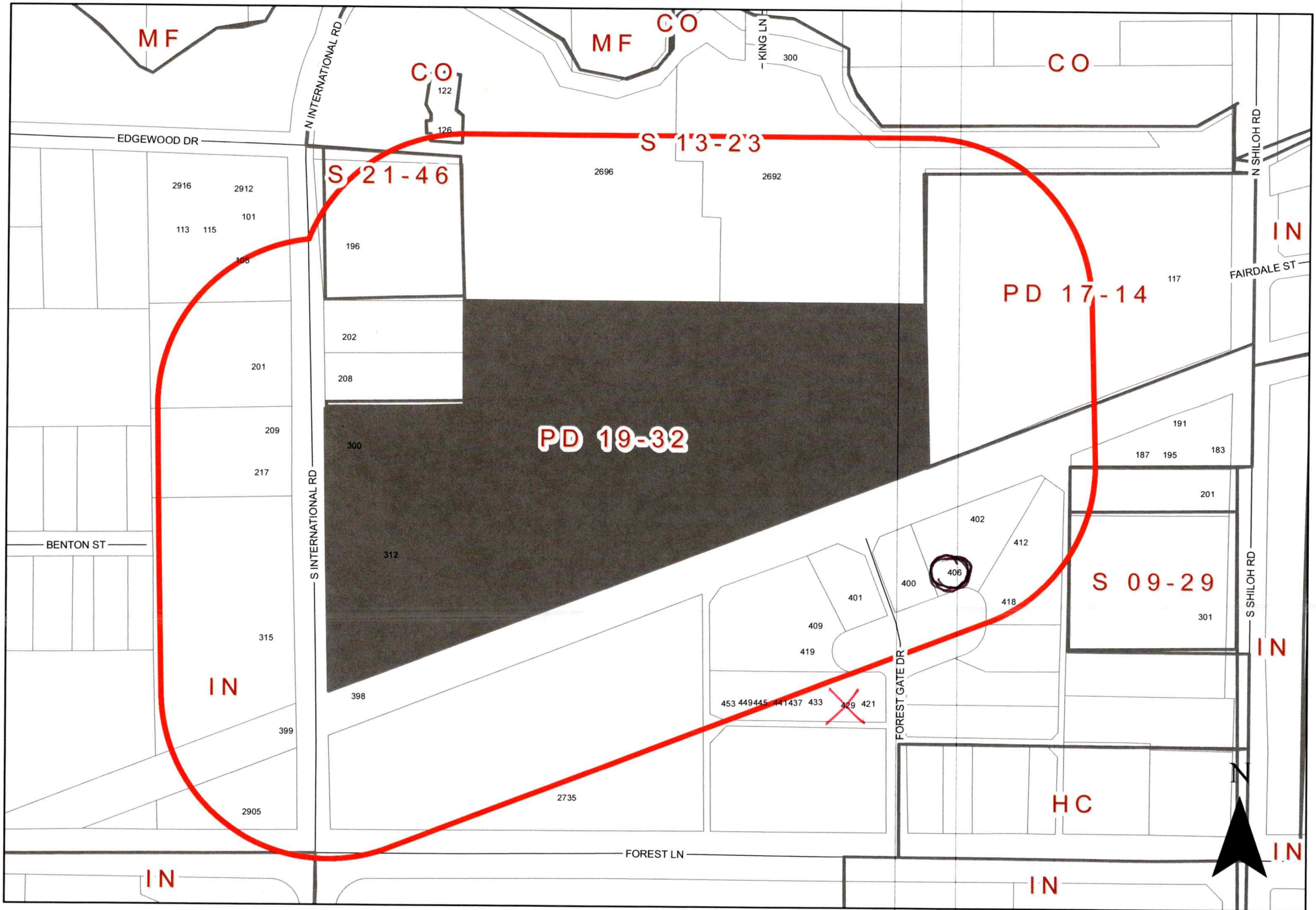
P.C. Meeting, September 12, 2022

Consideration of the application of **Geomet Recycling**, requesting approval of an amendment to Planned Development (PD) District 19-32 for Industrial Uses. This property is located at 312 South International Road. (District 6) (File Z 22-43 – Zoning)

The applicant, Mikel Shecht, 6226 Blackberry Lane, Dallas, Texas 75248, provided an overview of the request and remained available for questions.

There was discussion between the Plan Commission and the applicant regarding storage of materials, visibility of materials, and structure rating of buildings for storms.

Motion was made by Commissioner Williams to close the public hearing and **approve** the applicant's request. Seconded by Commissioner Aubin.
Motion carried: 8 Ayes, 0 Nay.



0

200

400 Feet

1 inch = 300 feet

ZONING MAP Z 22-43

INDICATES AREA OF REQUEST

INDICATES NOTIFICATION AREA

312 S International Rd

Comment Form

Case Z 22-43

Z 22-43 Geomet Recycling. The applicant requests to add three shaded structures and three (3) prefabricated buildings to support the existing recycling salvage yard. The site is located at 312 South International Road. (District 6)

Z 22-43 Geomet Recycling. El solicitante solicita que se permitan agregar tres (3) estructuras sombreadas y tres (3) edificios prefabricados para apoyar el patio de recuperación de reciclaje existente. El sitio está ubicado en 312 South International Road. (Distrito 6)

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



For / A Favor / Đúng



Against / En Contra / Không

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Jeff Balette

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9.8.22

Signature / Firma / Chữ ký

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SEP 9 '22 PM 4:10

Z 22-43

PLANNING & DEVELOPMENT



The applicant requests to add three (3) shaded structures and three (3) prefabricated buildings to support the existing recycling salvage yard.

City Council Meeting
October 11, 2022

CASE INFORMATION

PLANNING &
DEVELOPMENT



Location: 312 South International Road

Applicant: Geomet Recycling

Owner: Garland Steel, Inc.

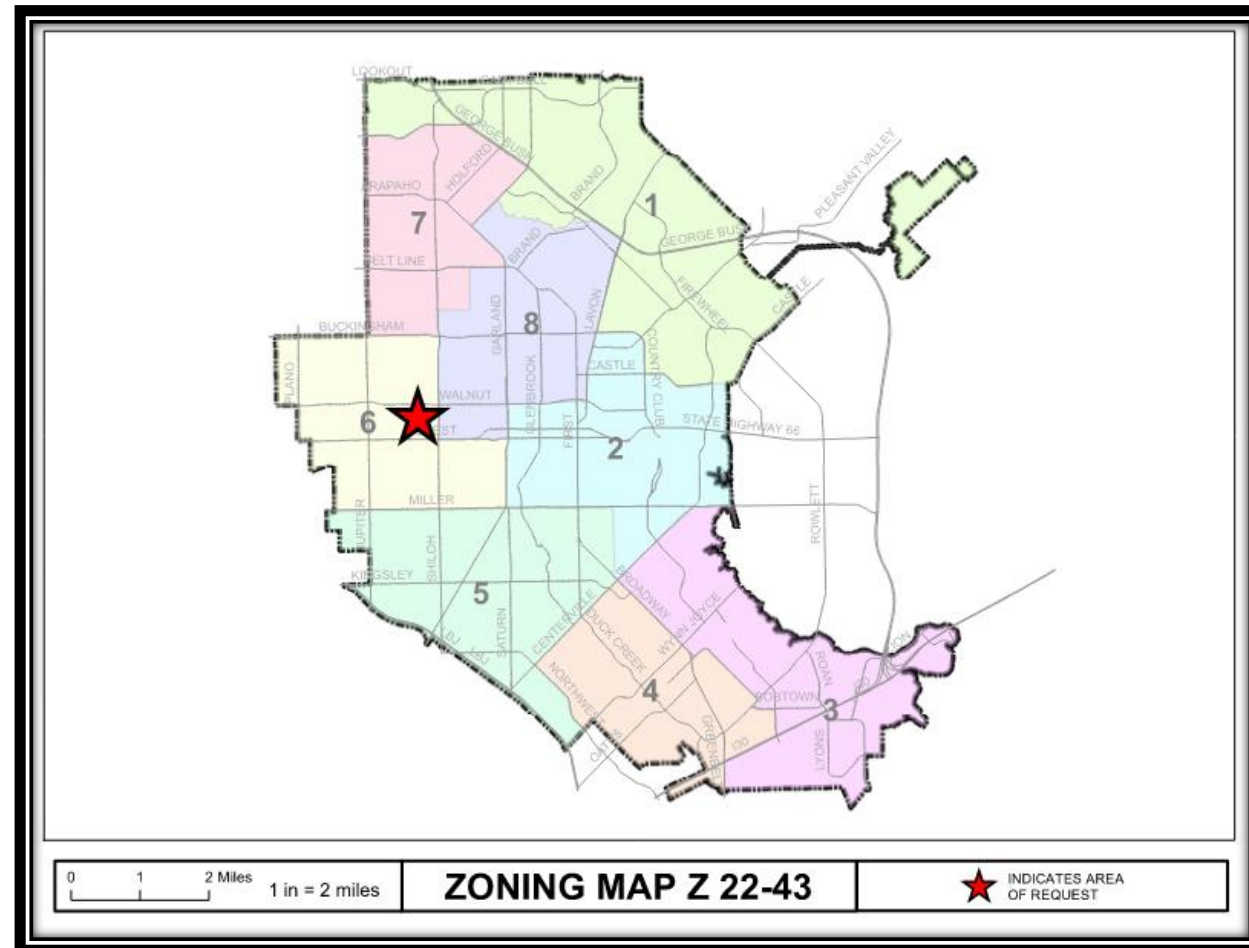
Acreage: 19.8 acres

Zoning: Planned Development (PD) District 19-32

Z 22-43

CITYWIDE LOCATION MAP

PLANNING &
DEVELOPMENT



Z 22-43

COMPREHENSIVE PLAN

PLANNING &
DEVELOPMENT



Z 22-43

COMPREHENSIVE PLAN

PLANNING & DEVELOPMENT



The Future Land Use Map of the Envision Garland 2030 Comprehensive Plan designates this site for Business Center uses in the Employment Center Building Block. Business Centers provide a cluster of business offices and/or low impact industry, including campus-type development, which cumulatively employ large numbers of people. Operations within this development type occur internal to buildings resulting in minimal negative impacts (sound, air, traffic, outdoor lighting, storage, etc.) and are compatible with adjacent development types in architecture, character, scale, and intensity. Business Centers are generally located at intersections of major and/or secondary arterial streets or significant transit areas (bus/rail). Proximity and access to residential areas are encouraged to reduce travel times to employment. Site design addresses function and visual aesthetics providing appropriate buffering at gateway corridors, between adjacent developments, and for residential neighborhoods.

Business 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, including compatible residential uses, that support the business employment sector.

The proposed use is compatible with the Comprehensive Plan.

Z 22-43

PHOTOS

PLANNING & DEVELOPMENT



View from South International Road



Looking north of the subject property

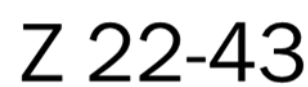


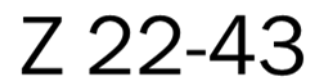
View from north entrance of the subject property



Northwest corner of the subject property

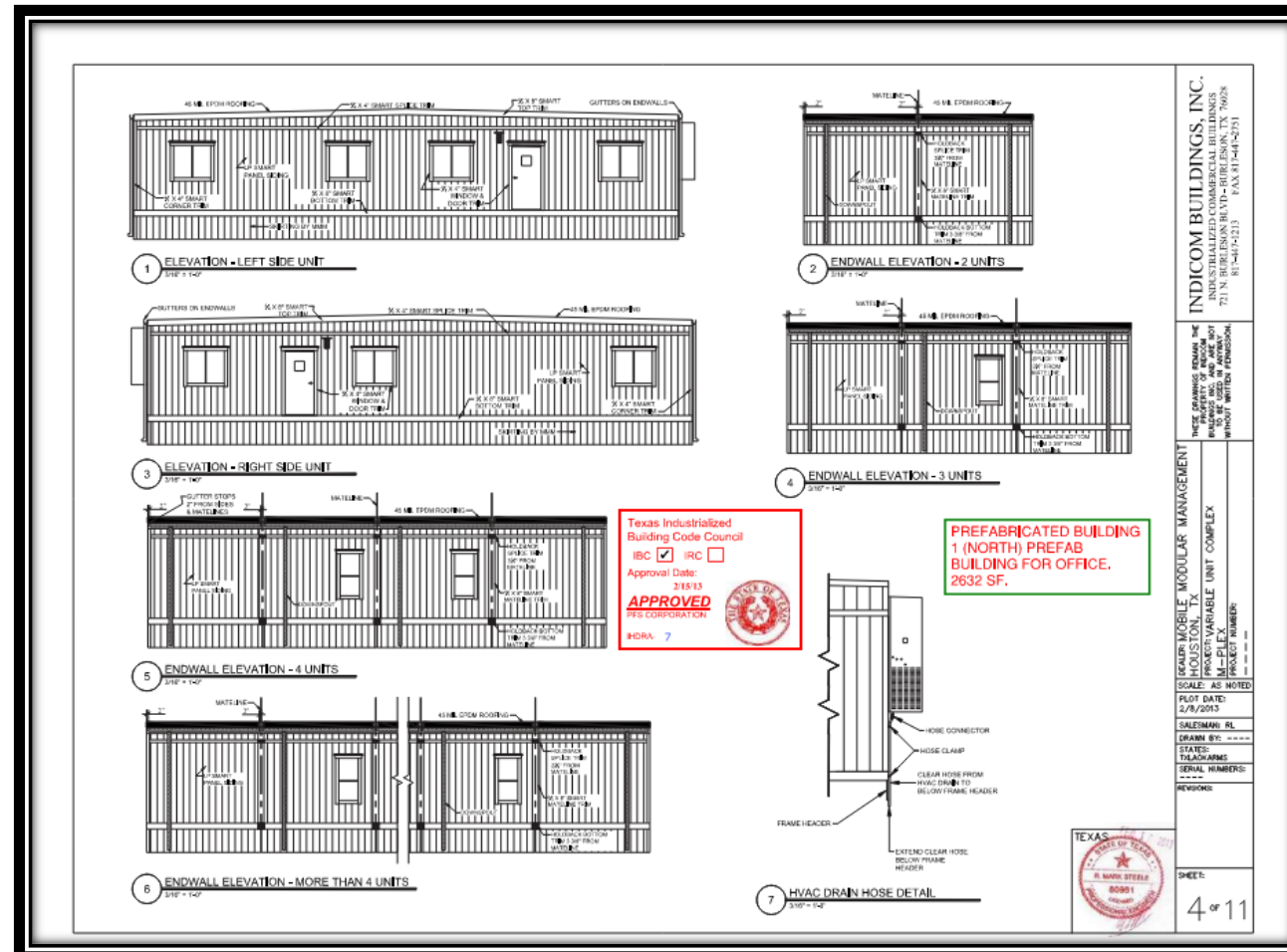
Z 22-43





BUILDING ELEVATIONS

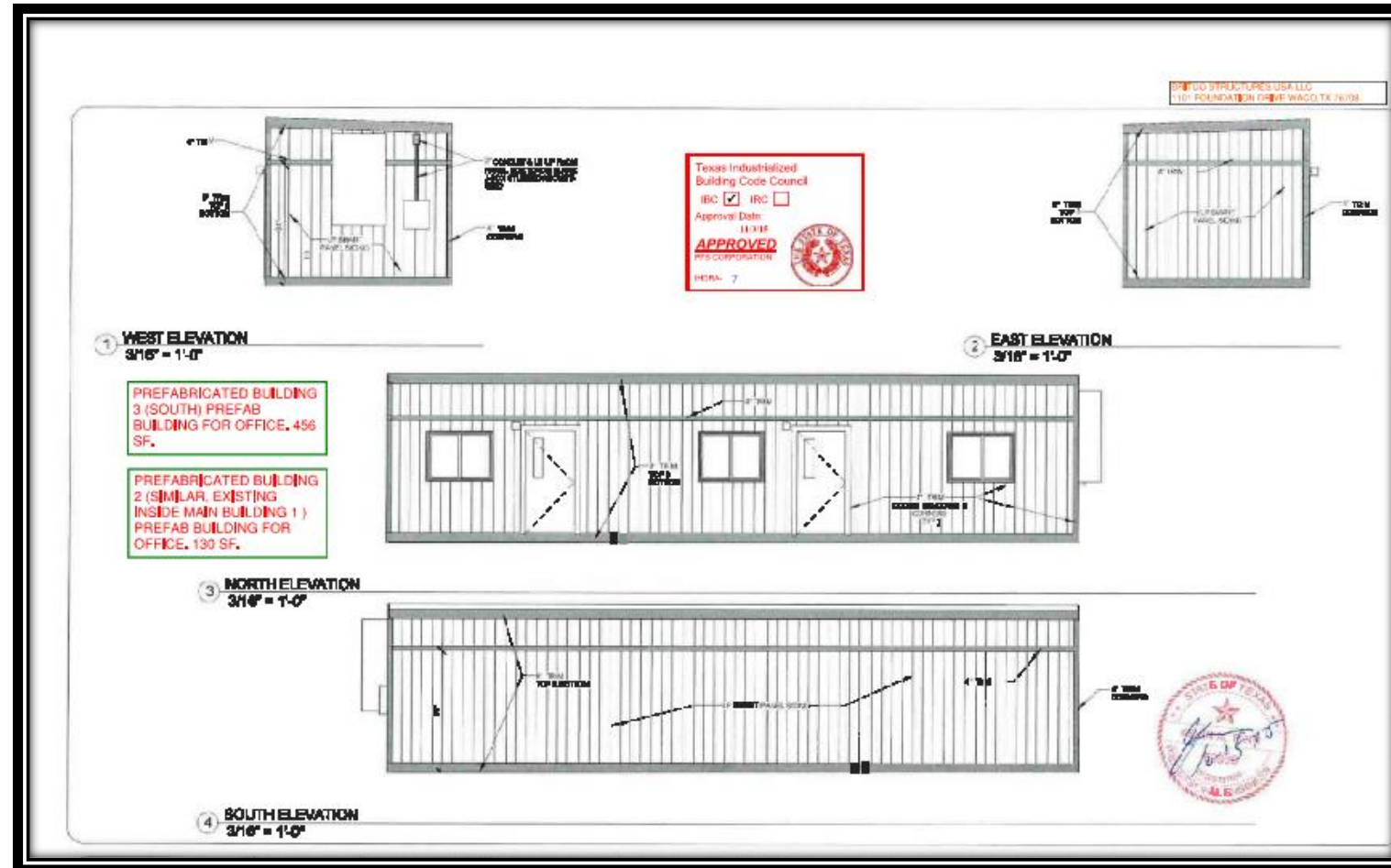
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Z 22-43

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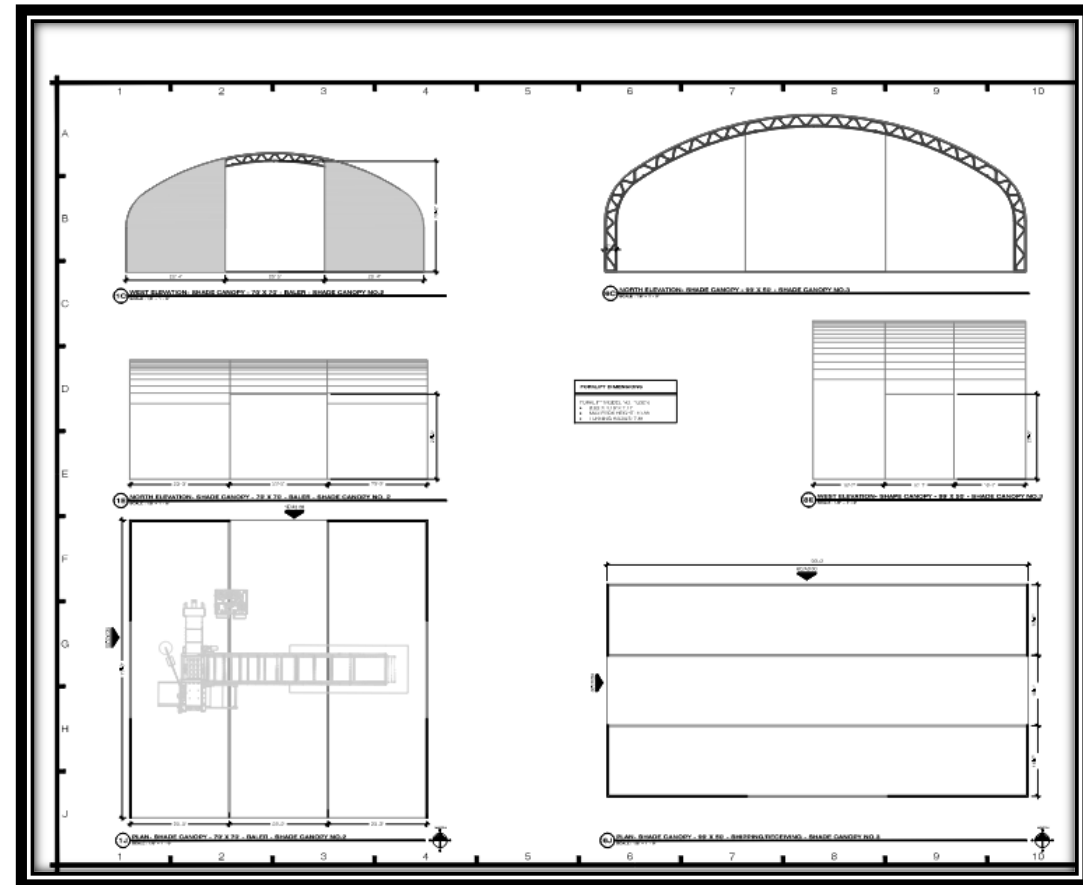
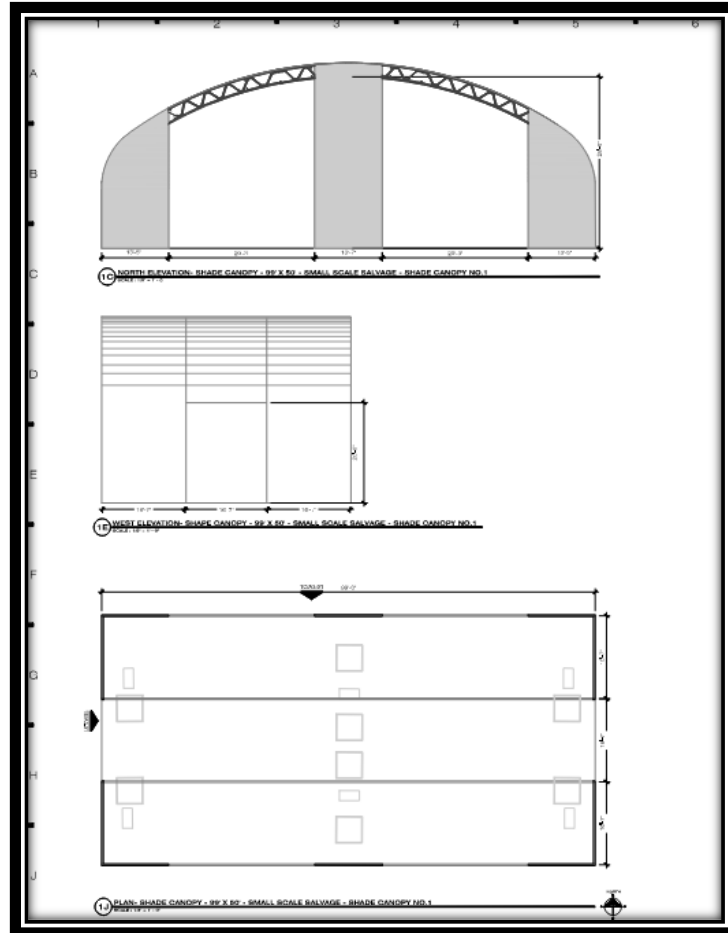
PLANNING & DEVELOPMENT



Z 22-43

BUILDING ELEVATIONS

PLANNING & DEVELOPMENT



Z 22-43

CONSIDERATION

The applicant requests the Specific Use Provision to be in effect for twenty (20) years.

STAFF RECOMMENDATION

PLANNING &
DEVELOPMENT



Approval of an amendment to Planned Development (PD) District 19-32 for Industrial Uses

Approval of a Specific Use Provision for a Recycling Salvage Yard (Unlimited Outside Storage)

Approval of a Detail Plan in a property zoned Planned Development (PD) District 19-32 for Industrial Uses

Z 22-43

PLAN COMMISSION RECOMMENDATION

On September 12, 2022 the Plan Commission, by a vote of eight (8) to zero (0), recommended approval of an amendment to Planned Development (PD) District 19-32 for Industrial Uses.

The Plan Commission, by a vote of eight (8) to zero (0), also recommended approval of a Specific Use Provision amendment for a Recycling Salvage Yard (Unlimited Outside Storage).

In addition, The Plan Commission, by a vote of eight (8) to zero (0), also recommended approval of a Detail Plan amendment on a property zoned Planned Development (PD) District 19-32 for Industrial Uses.



GARLAND PLANNING REPORT

City Council Regular Session Agenda

8. f.

Meeting Date: 10/11/2022

Item Title: Z 22-43 Geomet Recycling - Specific Use Provision (District 6)

Submitted By: Nabiha Ahmed, Lead Development Planner

REQUEST

Approval of an amendment to Planned Development (PD) District 19-32 for Industrial Uses

Approval of a Specific Use Provision amendment for a Recycling Salvage Yard (Unlimited Outside Storage)

Approval of a Detail Plan amendment on a property zoned Planned Development (PD) District 19-32 for Industrial Uses

LOCATION

312 South International Road

OWNER

Garland Steel, Inc.

PLAN COMMISSION RECOMMENDATION

On September 12, 2022 the Plan Commission, by a vote of eight (8) to zero (0), recommended approval of an amendment to Planned Development (PD) District 19-32 for Industrial Uses.

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STAFF RECOMMENDATION

Approval of an amendment to Planned Development (PD) District 19-32 for Industrial Uses

Approval of a Specific Use Provision amendment for a Recycling Salvage Yard (Unlimited Outside Storage)

Approval of a Detail Plan amendment on a property zoned Planned Development (PD) District 19-32 for Industrial Uses

BACKGROUND

The site is improved with a metal recycling salvage yard that processes materials including weighting, sorting, flattening, crushing, shredding, bundling, and palletizing materials for shipment, by hand and by machine, to send processing material back to a raw material state for client usage.

In December 2019, the City Council approved site improvements which included vehicle circulation, parking, six (6) outside storage areas and ten (10) buildings.

The applicant requests to amend the approved layout from 2019 to support the existing recycling salvage yard.

SITE DATA

The overall site consists of approximately 19.8 acres with approximately 658.5 lineal feet of frontage along South International Road. The site plan (Exhibit C) shows two (2) access points from South International Road.

USE OF PROPERTY UNDER CURRENT ZONING

Planned Development (PD) District 19-32 was approved for a recycling salvage yard with unlimited outside storage.

The GDC defines a Recycling Salvage Yard as a facility which provides for the collection, sorting, storage, bundling and shipping of recoverable and recyclable non-automotive, non-consumable and non-compostable materials such as aluminum cans, glass, papers including magazines and newspapers, cardboard, wood pallets, metals, plastics, tires, computers and electronics, oil, paints, solvents, and textiles.

Given the additional improvements proposed, amendments to the PD, SUP, and Detail Plan are required.

CONSIDERATIONS

1. Planned Development and Detail Plan

The applicant requests to make the following improvements in two (2) phases.

Phase 1:

- Three (3) prefabricated buildings which will be 2,632 square feet, 130 square feet and 456 square feet.
- Three (3) shaded canopies - 4,950 square feet, 4,900 square feet and 4,965 square

feet. These shade canopies will be used to protect salvaged materials from outdoor elements.

- Improve vehicle traffic flow and organization on site, to allow for increased product flow
- Eighty (80) additional parking spaces

Phase 2:

- Ten (10) shade structures (maximum)
- Forty (40) additional parking spaces

The applicant is unsure whether all of the shade structures will be installed in Phase 2. The intent is to include the maximum number of shade structures in the entitlement application. The “future phase shade canopies” are reflected as such on the site plan (Exhibit C).

The hours of operation are from 7:00 a.m. to 7:00 p.m.

2. Planned Development (PD) District 19-32 reflects eighty-nine (89) parking spaces and the facility has operated continuously for several years with no complaints regarding parking deficiencies. The intent is to construct 120 additional parking spaces in two (2) phases.

3. The Garland Development Code (GDC) establishes a series of Special Standards to Recycling Salvage Yard regarding processing of materials, storage of materials and on-site traffic circulation. With the exception of the outdoor storage screening method prescribed under Special Standards (see Consideration No. 3), the proposed Recycling Salvage Yard shall comply with all the applicable Special Standards. Smelting and refining activity is prohibited on the subject site per the PD Conditions.

4. The scope of work does not trigger any landscaping standards. However, the landscape plan (Exhibit D) reflects enhance landscaping along South International Road. The site plan (Exhibit C) reflects the existing eight (8)-foot metal fence along the northern property line, a nine (9)-foot metal fence along the eastern and southern property lines, chain-link fence along the northwestern property line.

5. Building Design

The proposed buildings will comply with the applicable building design standards per the GDC.

6. Signage

No deviations were requested regarding signage.

7. Specific Use Provision

The applicant requests the SUP to be valid for a time period of twenty (20) years.

COMPREHENSIVE PLAN

The Future Land Use Map of the Envision Garland 2030 Comprehensive Plan designates this site for Business Center uses in the Employment Center Building Block. Business Centers provide a cluster of business offices and/or low impact industry, including campus-type development, which cumulatively employ large numbers of people. Operations within this development type occur internal to buildings resulting in minimal negative impacts (sound, air, traffic, outdoor lighting, storage, etc.) and are compatible with adjacent development types in architecture, character, scale, and intensity. Business Centers are generally located at intersections of major and/or secondary arterial streets or significant transit areas (bus/rail). Proximity and access to residential areas are encouraged to reduce travel times to employment. Site design addresses function and visual aesthetics providing appropriate buffering at gateway corridors, between adjacent developments, and for residential neighborhoods.

Business 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, including compatible residential uses, that support the business employment sector.

The proposed use is compatible with the Comprehensive Plan.

COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

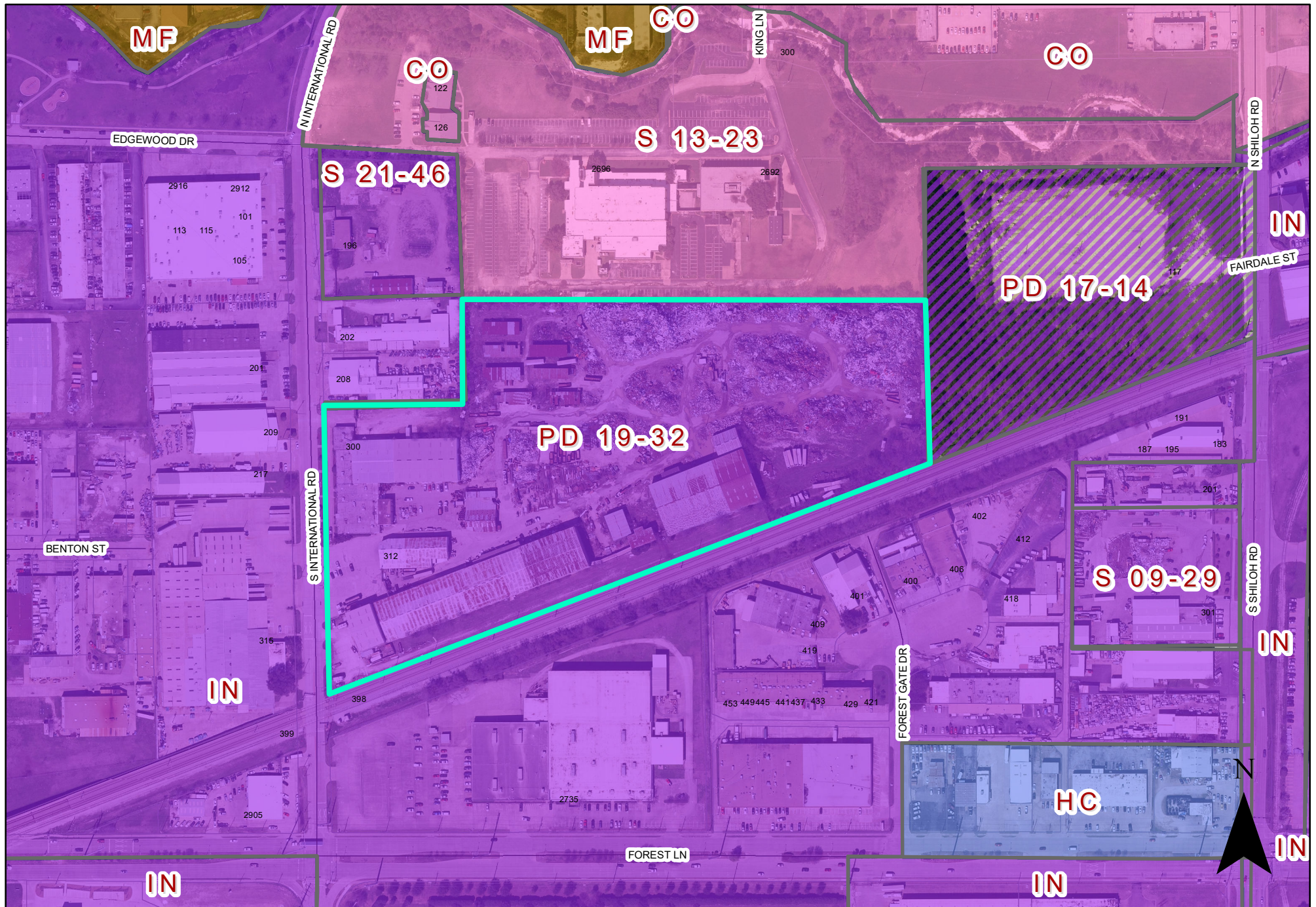
Most of the properties to the east, south and west are zoned for Industrial Uses and are developed with a variety of industrial and heavy commercial land uses including recycling salvage yards. The properties to the north are zoned for Industrial and Community Office Uses and are mostly developed with medical related land uses, and industrial uses.

Attachments

Z 22-43 Geomet Recycling Attachments (Specific Use Provision)

Z 22-43 Geomet Recycling Responses

Z 22-43 Geomet Recycling Staff Presentation



ZONING MAP Z 22-43

312 S International Rd

INDICATES AREA OF REQUEST

SPECIFIC USE PROVISION CONDITIONS

ZONING FILE Z 22-43

312 SOUTH INTERNATIONAL ROAD

- I. Statement of Purpose:** The purpose of this Specific Use Provision is to allow a Recycling Salvage Yard.
- 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. 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.

IV. General Regulations: All regulations of Planned Development (PD) District 19-32 the Industrial (IN) District and all Special Standards for Recycling Salvage Yard 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. Specific Regulations:

- A. Specific Use Provision: The Specific Use Provision for Recycling Salvage Yard shall be in effect for a period of twenty (20) years.
- B. Truck Circulation Plan: Truck traffic shall comply with the vehicle paths as shown on Exhibit C.
- C. Hours of Operation: The Recycling Salvage Yard shall be limited to the following days and times of operation: Sunday through Saturday from 7:00 am to 7:00 pm.

REPORT & MINUTES

P.C. Meeting, September 12, 2022

Consideration of the application of **Geomet Recycling**, requesting approval of a Specific Use Provision amendment for a Recycling Salvage Yard. This property is located at 312 South International Road. (District 6) (File Z 22-43 – Specific Use Provision)

Comment Form

Case Z 22-43

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City Council Meeting
October 11, 2022

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DEVELOPMENT



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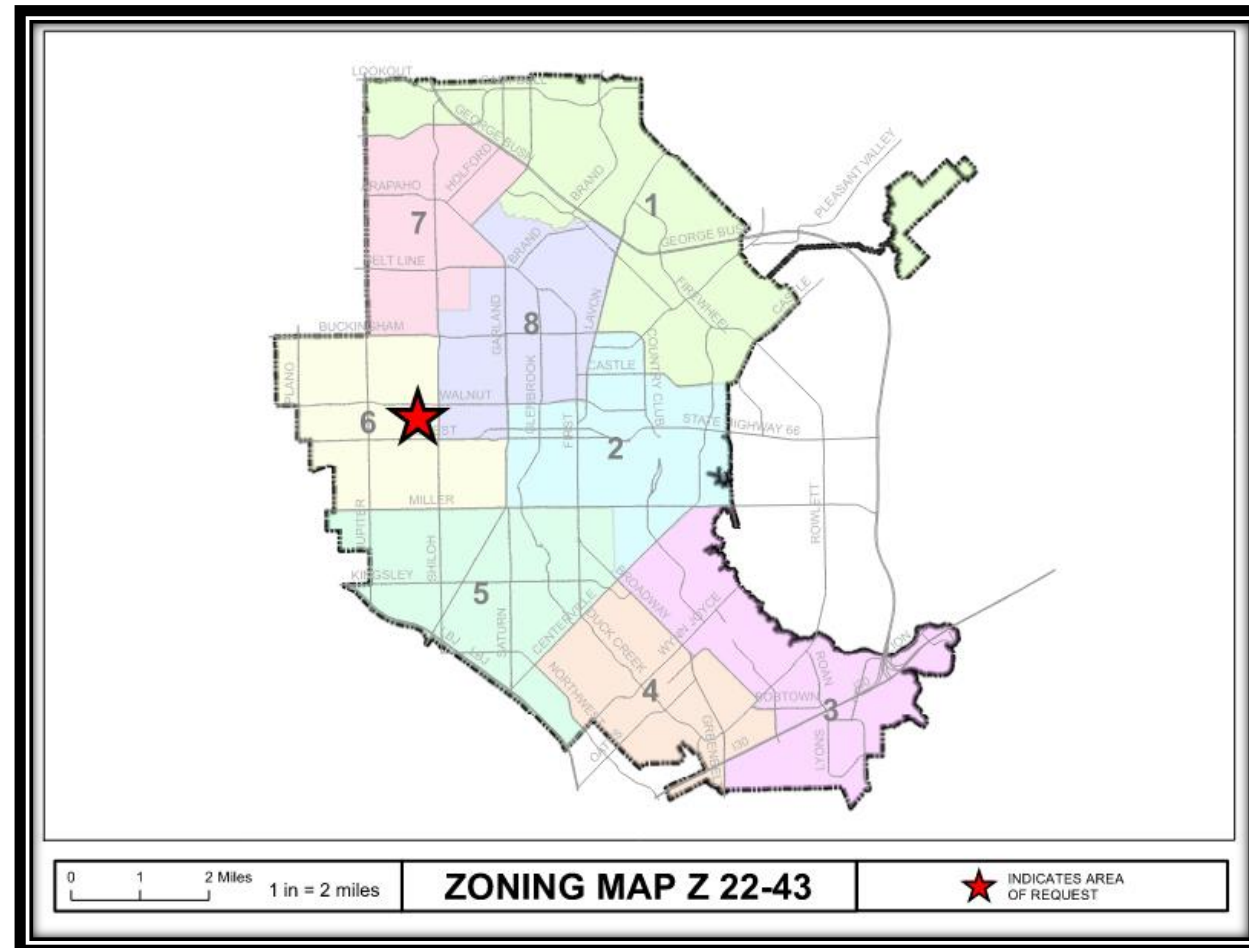
Acreage: 19.8 acres

Zoning: Planned Development (PD) District 19-32

Z 22-43

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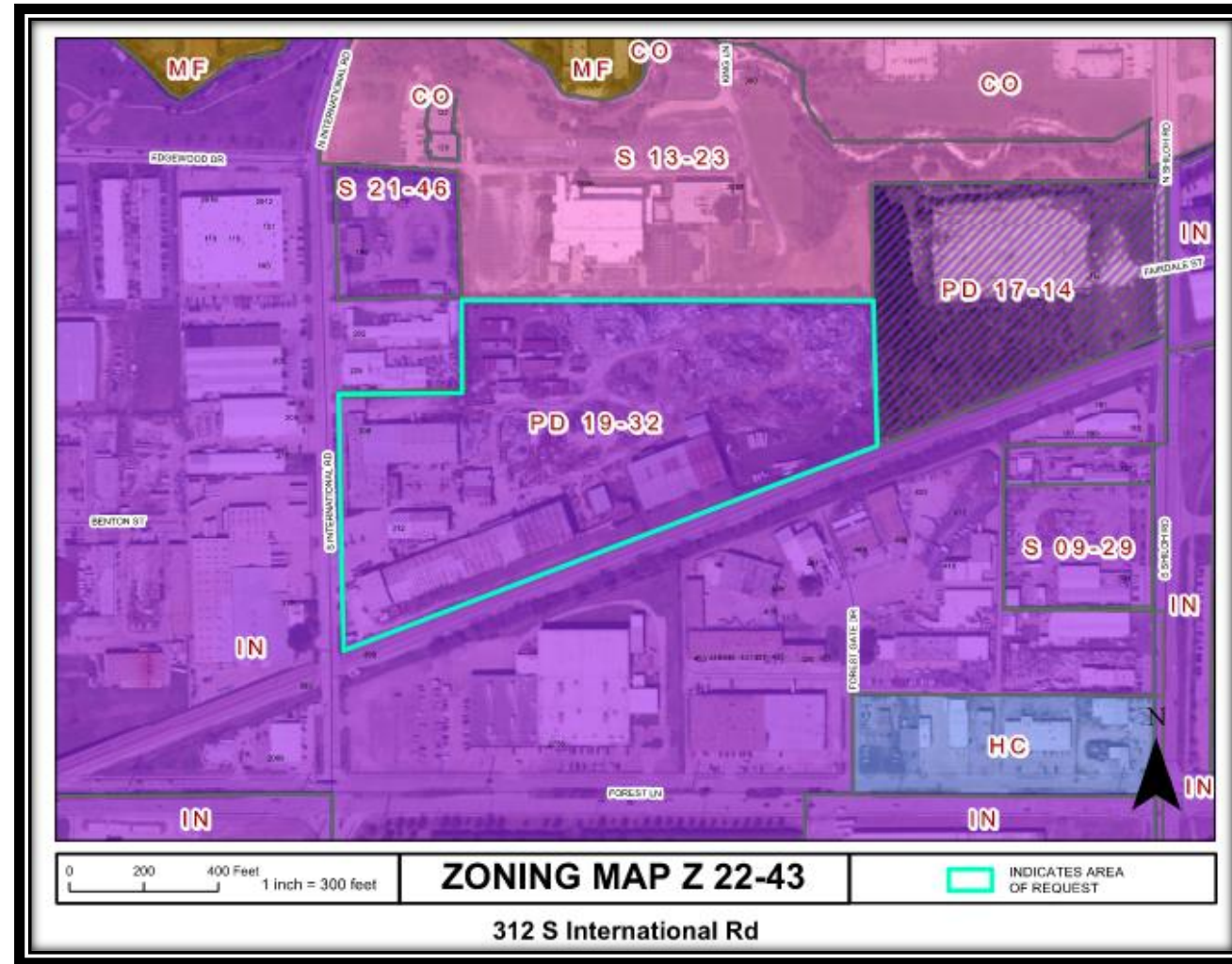
PLANNING &
DEVELOPMENT



Z 22-43

LOCATION MAP

PLANNING &
DEVELOPMENT



Z 22-43

COMPREHENSIVE PLAN

PLANNING &
DEVELOPMENT



Z 22-43

COMPREHENSIVE PLAN

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The proposed use is compatible with the Comprehensive Plan.

PHOTOS

PLANNING & DEVELOPMENT



View from South International Road



Looking north of the subject property

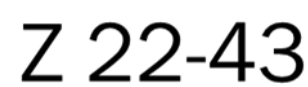


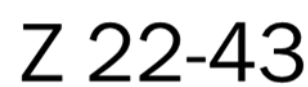
View from north entrance of the subject property



Northwest corner of the subject property

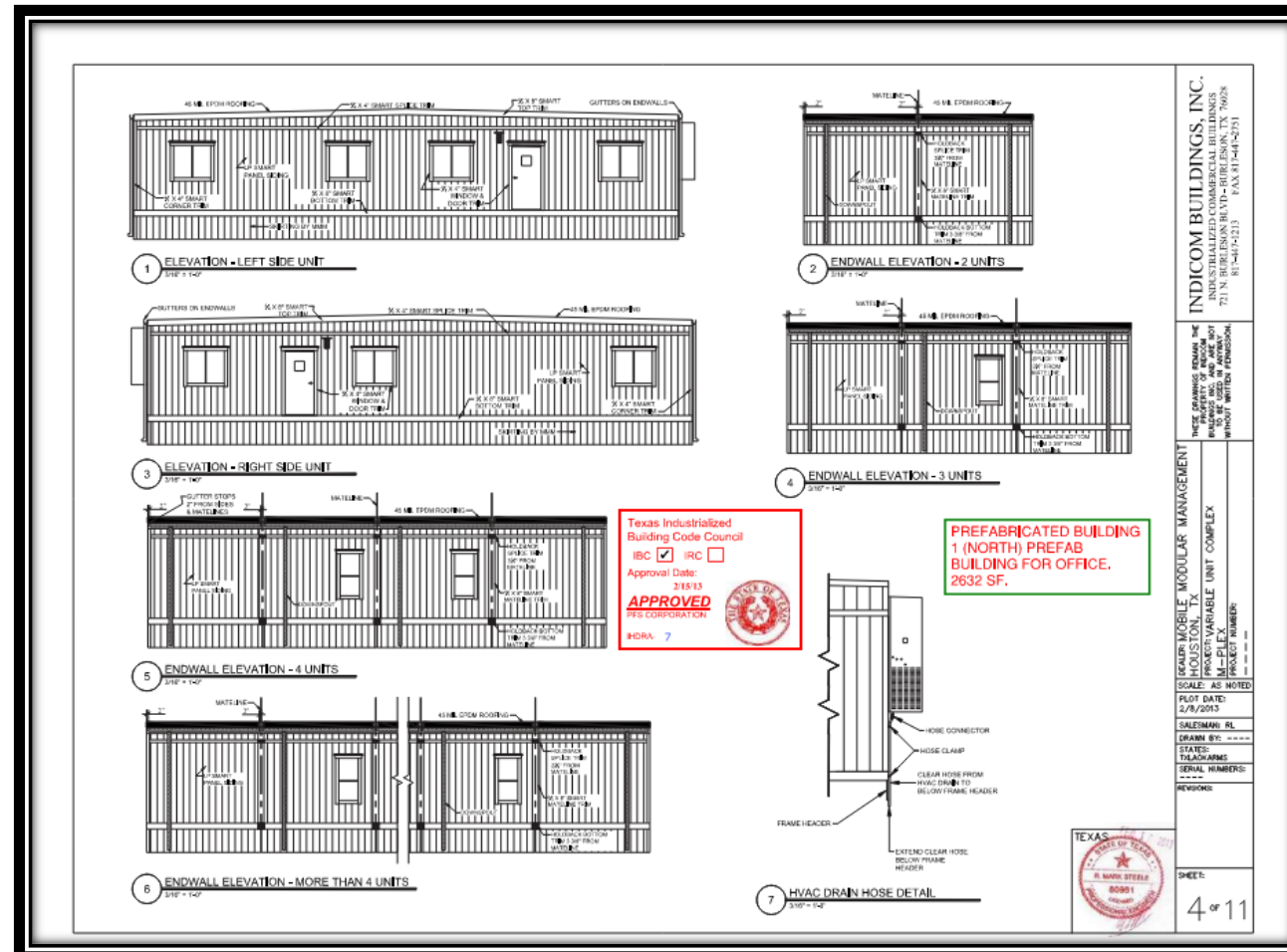
Z 22-43





BUILDING ELEVATIONS

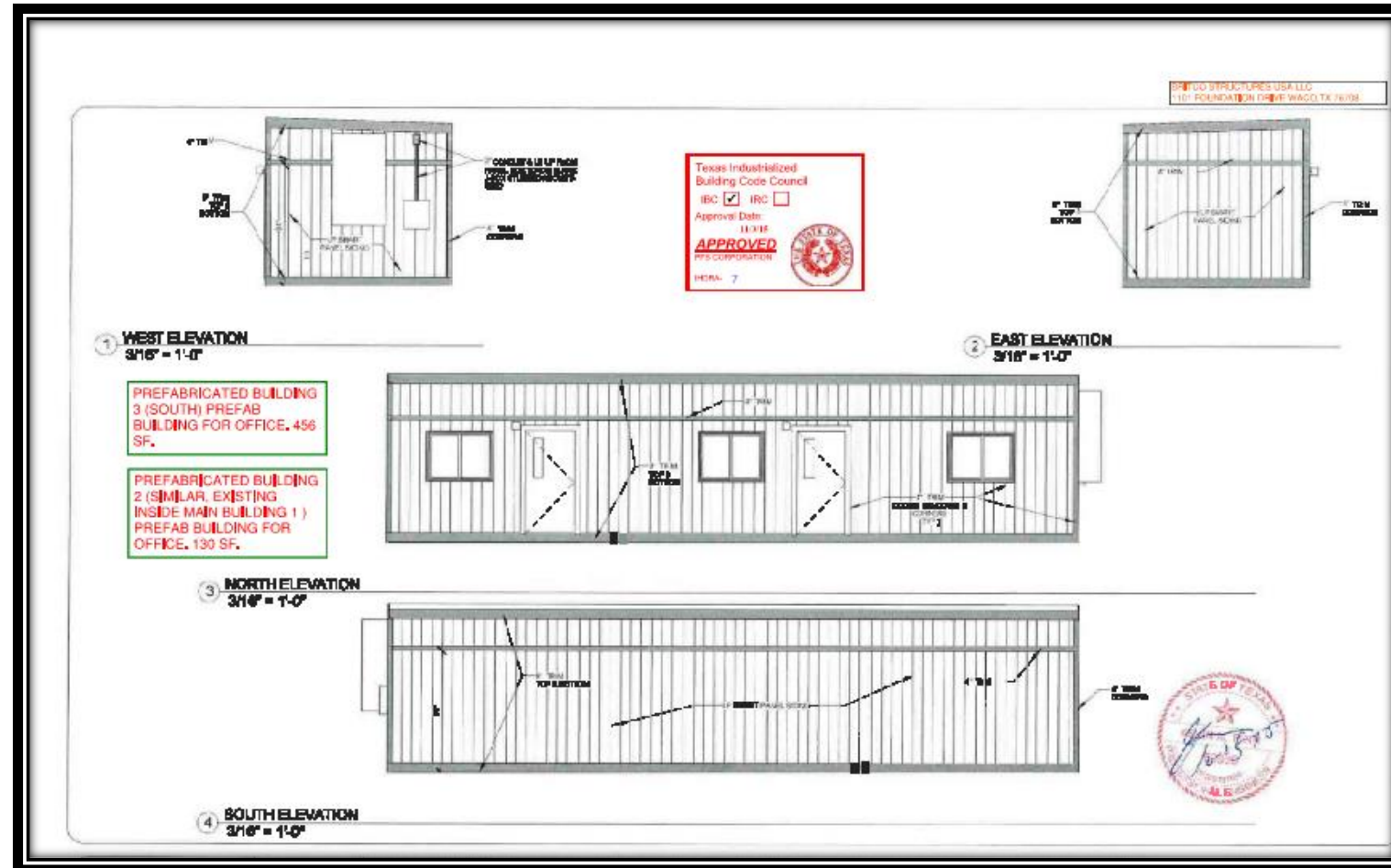
PLANNING & DEVELOPMENT



Z 22-43

BUILDING ELEVATIONS

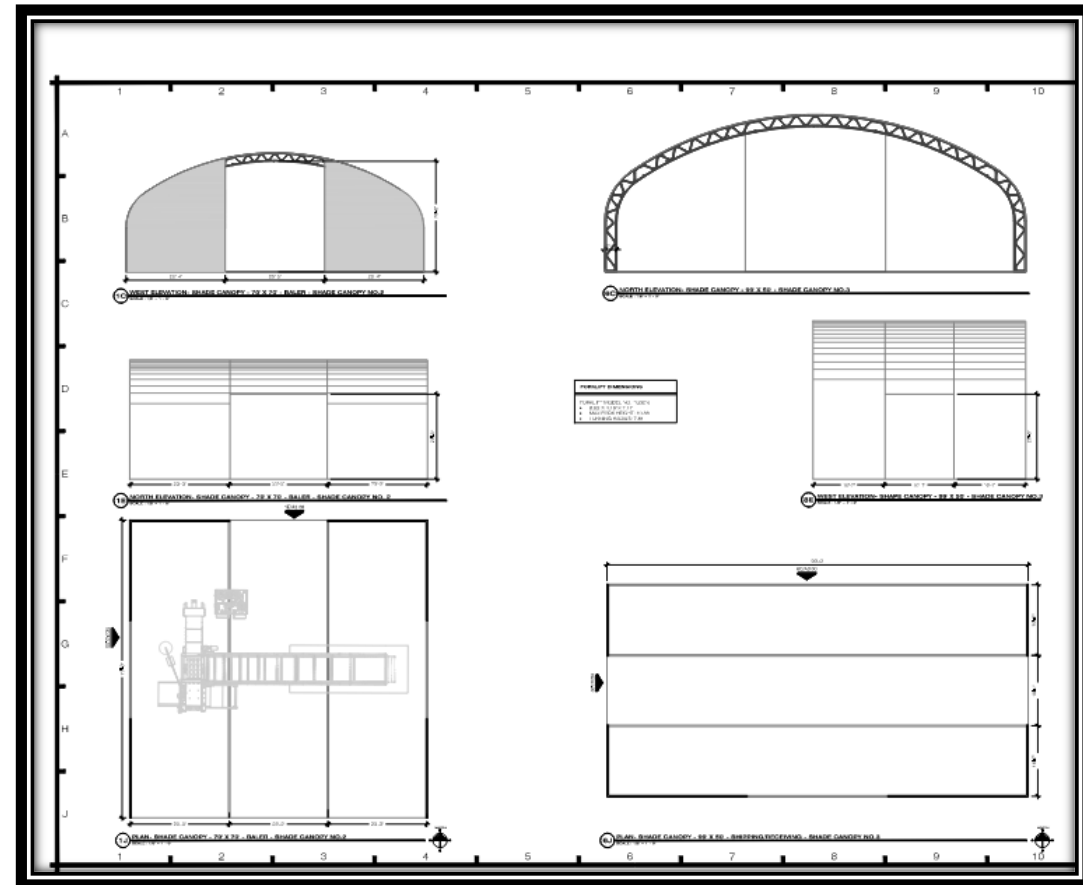
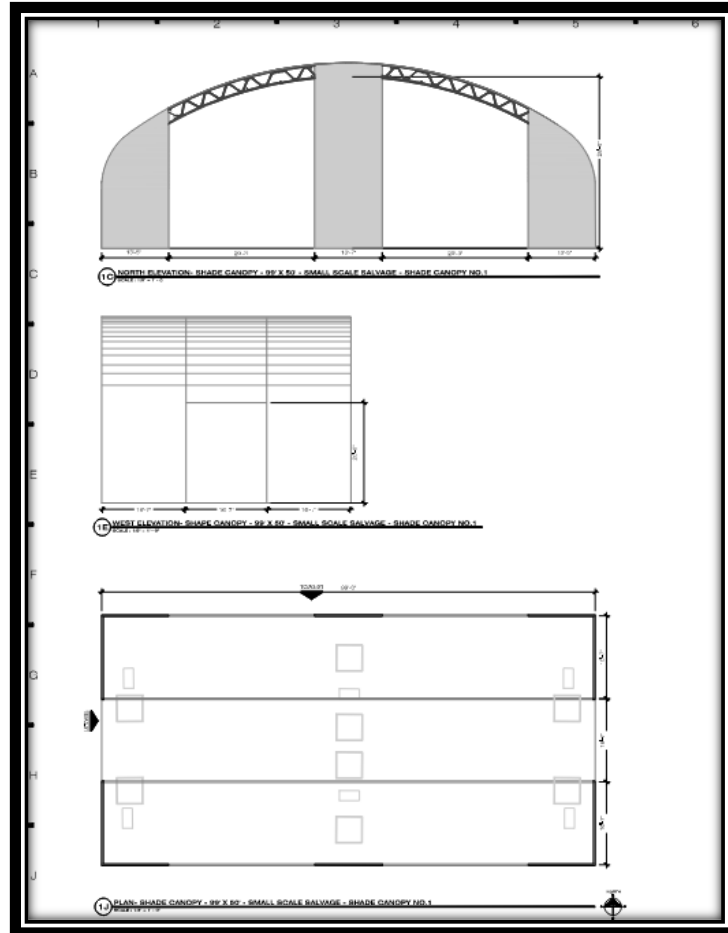
PLANNING & DEVELOPMENT



Z 22-43

BUILDING ELEVATIONS

PLANNING & DEVELOPMENT



Z 22-43

CONSIDERATION

The applicant requests the Specific Use Provision to be in effect for twenty (20) years.

STAFF RECOMMENDATION

Approval of an amendment to Planned Development (PD) District 19-32 for Industrial Uses

Approval of a Specific Use Provision for a Recycling Salvage Yard (Unlimited Outside Storage)

Approval of a Detail Plan in a property zoned Planned Development (PD) District 19-32 for Industrial Uses

PLAN COMMISSION RECOMMENDATION

On September 12, 2022 the Plan Commission, by a vote of eight (8) to zero (0), recommended approval of an amendment to Planned Development (PD) District 19-32 for Industrial Uses.

The Plan Commission, by a vote of eight (8) to zero (0), also recommended approval of a Specific Use Provision amendment for a Recycling Salvage Yard (Unlimited Outside Storage).

In addition, The Plan Commission, by a vote of eight (8) to zero (0), also recommended approval of a Detail Plan amendment on a property zoned Planned Development (PD) District 19-32 for Industrial Uses.



GARLAND PLANNING REPORT

City Council Regular Session Agenda

8. g.

Meeting Date: 10/11/2022

Item Title: Z 22-43 Geomet Recycling - Detail Plan (District 6)

Submitted By: Nabiha Ahmed, Lead Development Planner

REQUEST

Approval of an amendment to Planned Development (PD) District 19-32 for Industrial Uses

Approval of a Specific Use Provision amendment for a Recycling Salvage Yard (Unlimited Outside Storage)

Approval of a Detail Plan amendment on a property zoned Planned Development (PD) District 19-32 for Industrial Uses

LOCATION

312 South International Road

OWNER

Garland Steel, Inc.

PLAN COMMISSION RECOMMENDATION

On September 12, 2022 the Plan Commission, by a vote of eight (8) to zero (0), recommended approval of an amendment to Planned Development (PD) District 19-32 for Industrial Uses.

The Plan Commission, by a vote of eight (8) to zero (0), also recommended approval of a Specific Use Provision amendment for a Recycling Salvage Yard (Unlimited Outside Storage).

In addition, The Plan Commission, by a vote of eight (8) to zero (0), also recommended approval of a Detail Plan amendment on a property zoned Planned Development (PD) District 19-32 for Industrial Uses.

STAFF RECOMMENDATION

Approval of an amendment to Planned Development (PD) District 19-32 for Industrial Uses

Approval of a Specific Use Provision amendment for a Recycling Salvage Yard (Unlimited Outside Storage)

Approval of a Detail Plan amendment on a property zoned Planned Development (PD) District 19-32 for Industrial Uses

BACKGROUND

The site is improved with a metal recycling salvage yard that processes materials including weighting, sorting, flattening, crushing, shredding, bundling, and palletizing materials for shipment, by hand and by machine, to send processing material back to a raw material state for client usage.

In December 2019, the City Council approved site improvements which included vehicle circulation, parking, six (6) outside storage areas and ten (10) buildings.

The applicant requests to amend the approved layout from 2019 to support the existing recycling salvage yard.

SITE DATA

The overall site consists of approximately 19.8 acres with approximately 658.5 lineal feet of frontage along South International Road. The site plan (Exhibit C) shows two (2) access points from South International Road.

USE OF PROPERTY UNDER CURRENT ZONING

Planned Development (PD) District 19-32 was approved for a recycling salvage yard with unlimited outside storage.

The GDC defines a Recycling Salvage Yard as a facility which provides for the collection, sorting, storage, bundling and shipping of recoverable and recyclable non-automotive, non-consumable and non-compostable materials such as aluminum cans, glass, papers including magazines and newspapers, cardboard, wood pallets, metals, plastics, tires, computers and electronics, oil, paints, solvents, and textiles.

Given the additional improvements proposed, amendments to the PD, SUP, and Detail Plan are required.

CONSIDERATIONS

1. Planned Development and Detail Plan

The applicant requests to make the following improvements in two (2) phases.

Phase 1:

- Three (3) prefabricated buildings which will be 2,632 square feet, 130 square feet and 456 square feet.
- Three (3) shaded canopies - 4,950 square feet, 4,900 square feet and 4,965 square feet. These shade canopies will be used to protect salvaged materials from outdoor elements.
- Improve vehicle traffic flow and organization on site, to allow for increased product flow

- Eighty (80) additional parking spaces

Phase 2:

- Ten (10) shade structures (maximum)
- Forty (40) additional parking spaces

The applicant is unsure whether all of the shade structures will be installed in Phase 2. The intent is to include the maximum number of shade structures in the entitlement application. The “future phase shade canopies” are reflected as such on the site plan (Exhibit C).

The hours of operation are from 7:00 a.m. to 7:00 p.m.

2. Planned Development (PD) District 19-32 reflects eighty-nine (89) parking spaces and the facility has operated continuously for several years with no complaints regarding parking deficiencies. The intent is to construct 120 additional parking spaces in two (2) phases.

3. The Garland Development Code (GDC) establishes a series of Special Standards to Recycling Salvage Yard regarding processing of materials, storage of materials and on-site traffic circulation. With the exception of the outdoor storage screening method prescribed under Special Standards (see Consideration No. 3), the proposed Recycling Salvage Yard shall comply with all the applicable Special Standards. Smelting and refining activity is prohibited on the subject site per the PD Conditions.

4. The scope of work does not trigger any landscaping standards. However, the landscape plan (Exhibit D) reflects enhance landscaping along South International Road. The site plan (Exhibit C) reflects the existing eight (8)-foot metal fence along the northern property line, a nine (9)-foot metal fence along the eastern and southern property lines, chain-link fence along the northwestern property line.

5. Building Design

The proposed buildings will comply with the applicable building design standards per the GDC.

6. Signage

No deviations were requested regarding signage.

7. Specific Use Provision

The applicant requests the SUP to be valid for a time period of twenty (20) years.

COMPREHENSIVE PLAN

The Future Land Use Map of the Envision Garland 2030 Comprehensive Plan designates this site for Business Center uses in the Employment Center Building Block. Business Centers provide a cluster of business offices and/or low impact industry, including campus-type development, which cumulatively employ large numbers of people. Operations within this development type occur internal to buildings resulting in minimal negative impacts (sound, air, traffic, outdoor lighting, storage, etc.) and are compatible with adjacent development types in architecture, character, scale, and intensity. Business Centers are generally located at intersections of major and/or secondary arterial streets or significant transit areas (bus/rail). Proximity and access to residential areas are encouraged to reduce travel times to

employment. Site design addresses function and visual aesthetics providing appropriate buffering at gateway corridors, between adjacent developments, and for residential neighborhoods.

Business 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, including compatible residential uses, that support the business employment sector.

The proposed use is compatible with the Comprehensive Plan.

COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

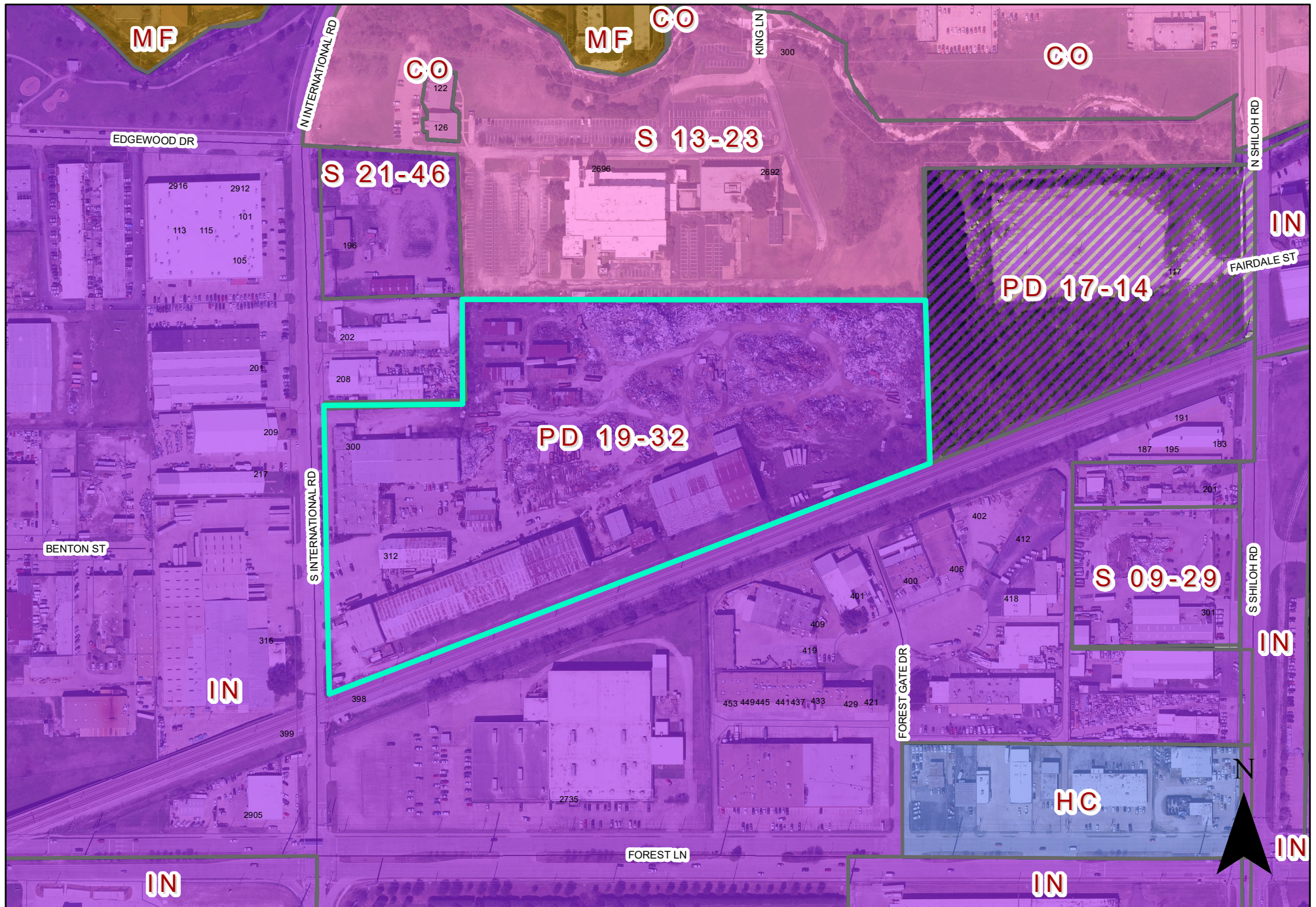
Most of the properties to the east, south and west are zoned for Industrial Uses and are developed with a variety of industrial and heavy commercial land uses including recycling salvage yards. The properties to the north are zoned for Industrial and Community Office Uses and are mostly developed with medical related land uses, and industrial uses.

Attachments

Z 22-43 Geomet Recycling Attachments (Detail Plan)

Z 22-43 Geomet Recycling Responses

Z 22-43 Geomet Recycling Staff Presentation

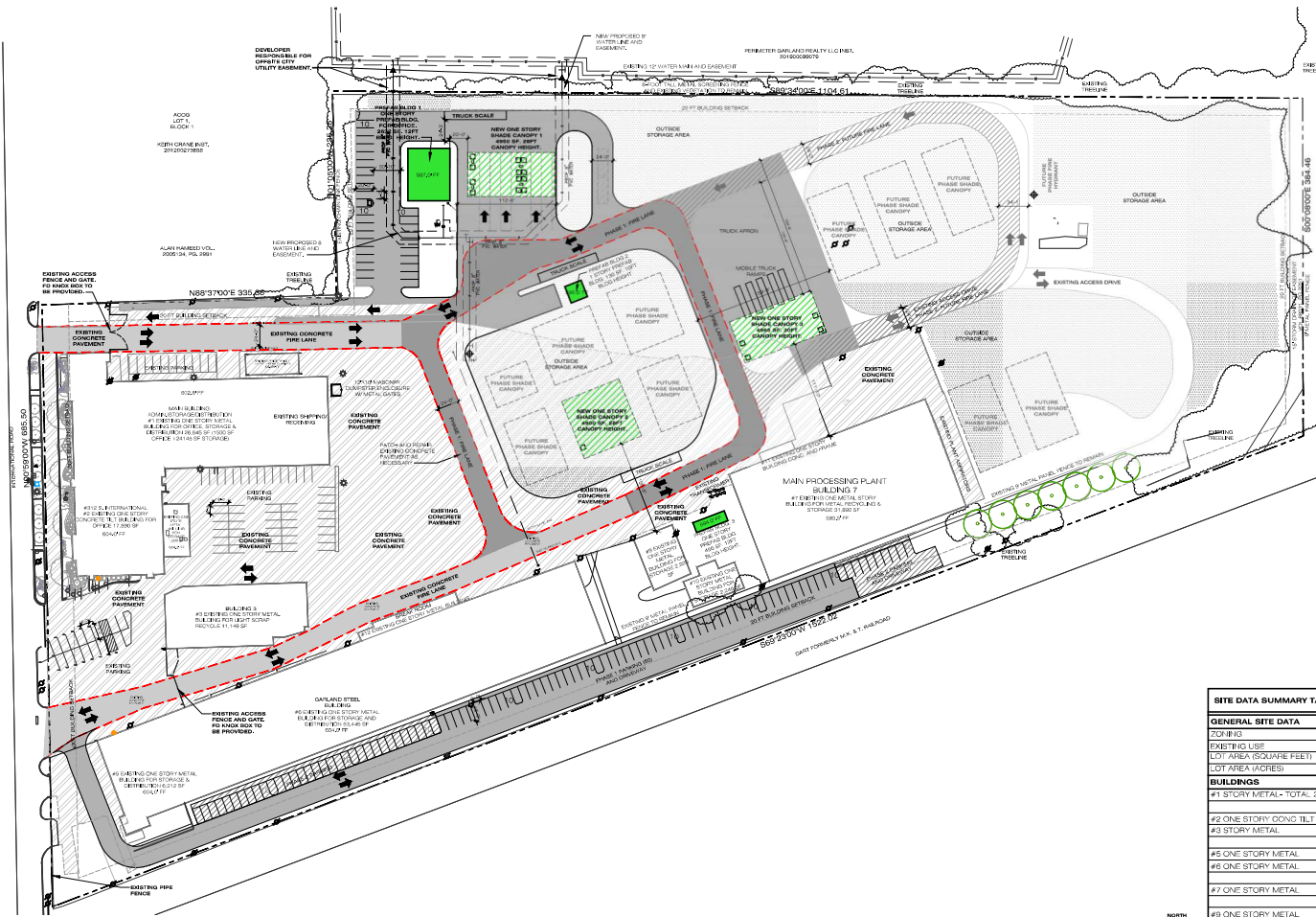


ZONING MAP Z 22-43

312 S International Rd

INDICATES AREA OF REQUEST

NOT FOR CONSTRUCTION



NOTES:

AT THE TIME OF PERMITTING, IF IT IS DETERMINED THAT THE DOWNSTREAM DRAINAGE SYSTEM DOES NOT HAVE CAPACITY FOR THE INCREASED RUNOFF DUE TO THE ADDITIONAL IMPERVIOUS AREA REFLECTED IN THE PERMIT, IT SHALL BE THE DEVELOPER'S RESPONSIBILITY TO OBTAIN AN OFFSITE DRAINAGE EASEMENT TO EXTEND A STORM SEWER PIPE TO STREAM X05, OR ON-SITE DETENTION MAY BE REQUIRED.

LEGEND

- EXISTING CONCRETE PAVEMENT
- EXISTING CONCRETE PAVEMENT - FIRE LANE
- EXISTING OUTSIDE STORAGE (UNLIMITED)
- NEW PAVEMENT - PHASE 1 FIRE LANE
- PHASE 1 - CONCRETE PARKING AND DRIVEWAY
- PHASE 2 - CONCRETE PARKING AND DRIVEWAY
- PROPOSED PREMANUFACTURED BUILDING
- PROPOSED PREMANUFACTURED SHADE CANOPY



SITE DATA SUMMARY TABLE - CASE NO. 220512-2				
GENERAL SITE DATA				
ZONING	I1 (INDUSTRIAL)			
EXISTING USE	RECYCLING AND SALVAGE YARD WITH OUTSIDE STORAGE			
LOT AREA (SQUARE FEET)	183,620			
LOT AREA (ACRES)	4.19			
BUILDINGS				
	AREA (SF)	USE	#EMPLOYEES	HEIGHT FT.
#1 STORY METAL - TOTAL 25,845 SF	1,500	OFFICE	4	27
	24,145	STORAGE	4	27
#2 ONE STORY CONG TILT	17,891	OFFICE	10	15
	11,140	RECYCLING	4	20
#3 ONE STORY METAL	6,212	MANUFACTURING	2	30
#4 ONE STORY METAL	26,723	STORAGE	8	30
	26,723	DISTRIBUTION	2	30
#7 ONE STORY METAL	20,957	RECYCLING	3	38
	10,936	STORAGE	1	38
#9 ONE STORY METAL	2,900	STORAGE	1	12
#10 ONE STORY METAL	2,245	STORAGE	1	18
#11 ONE STORY FRAME MSC BUILDING	392	STORAGE	0	12 TO 18
#12 ONE STORY METAL MSC BUILDING	1,644	STORAGE	0	12 TO 18
ONE STORY METAL BUILDING	1,800	STORAGE	0	12 TO 18
OFFICE TRAILER	1,432	OFFICE	4	12 TO 18
PREFAB BUILDING 1	2,632	OFFICE	4	12 TO 18
PREFAB BUILDING 2	400	OFFICE	1	10 TO 12
PREFAB BUILDING 3	490	OFFICE	1	10 TO 12
SHADE CANOPY 1	4,950	STORAGE	1	30
SHADE CANOPY 2	4,900	STORAGE	1	30
SHADE CANOPY 3	4,900	STORAGE	1	30
TOTAL BUILDING AREAS			60	
OUTSIDE STORAGE	203,866			
LOT COVERAGE-BUILDING (%)	20%			
LOT COVERAGE-RATIO (%)	10%			
FUTURE EMPLOYEES 100 (TOTAL)				
PER GAR. AND DEVELOPMENT CODE TABLE 2-5 - NON RESIDENTIAL DISTRICT STANDARDS				
1-2 STORES MAX. HEIGHT FOR NOT ADJ. STREET (SIDE AND REAR) 30'-0" IN HEIGHT OR LESS.				
MAX. BUILDING COVERAGE: 60%				
MAX. FAR: 2.1				
MAX. HEIGHT: ANY LEGAL HEIGHT SUBJECT TO YARD PROVISIONS.				

10 GEOMET - GARLAND FACILITY - OVERALL SITE PLAN
SCALE: 1"=50' - TYP.

PRE-SUBMITTAL CASE NUMBER: 220510-2	PRE-SUBMITTAL CASE NUMBER: 220510-2	GEOMET RECYCLING - HOURS OF OPERATION
RE-SUBMITTAL FOR AN AMENDMENT TO PLANNED DEVELOPMENT FOR DISTRICT 19-32 FOR INDUSTRIAL USES AND SPECIAL USE PROVISION (S.U.P.) FOR A RECYCLING SALVAGE YARD (UNLIMITED OUTSIDE STORAGE) AND A DETAILED PLAN FOR A RECYCLING SALVAGE YARD (UNLIMITED OUTSIDE STORAGE).	CONTACT INFORMATION: OWNER: GARLAND STEEL, INC. 312 S. INTERNATIONAL ROAD GARLAND, TX 75042 972-484-0000	SUNDAY - SATURDAY: 7:00AM - 7:00PM *RECYCLING SALVAGE YARD IS ATTENDED ON-SITE DURING ALL HOURS OF BUSINESS OPERATION OR COLLECTION. **PROCESSING OF MATERIALS INCLUDES WEIGHING, SORTING, FLATTENING, CRUSHING, SHREDDING, BUNDLING, AND PALLETING MATERIALS FOR SHIPMENT BY HAND OR BY MACHINE FOR PROCESSING OR PRELIMINARY CONVERSION BACK TO A RAW MATERIAL STATE.
THE DETAILED PLAN AMENDMENT FOR THE EXISTING SUP RECYCLING SALVAGE YARD INCLUDES A PHASED PLAN IMPROVEMENTS 3 INITIAL SHADE CANOPIES TO PROTECT OUTSIDE SALVAGE MATERIAL STORAGE AND EXISTING OPERATIONS, AND 3 PREHABITATED STRUCTURES TO SUPPORT EXISTING OPERATIONS.	APPLICANT: MR. SHEET GEOMET RECYCLING 300 S. INTERNATIONAL ROAD, GARLAND, TX 75042 972-303-8849	
FUTURE SHADE CANOPIES ARE SHOWN AS PART OF THE MASTER PLAN FOR THE EXISTING RECYCLING SALVAGE YARD AND WILL BE PERMITTED INDIVIDUALLY AS PART OF FUTURE PHASES.	PLAN PREPARED: JACK A. ROMCH, AIA MAJOR ARCHITECTS, INC. 16775 ADDISON ROAD, SUITE 310 ADDISON, TX 75001 972-330-5079	

PARKING TABULATION	
PARKING REQUIRED	885
OFFICE - 1,300 SF	81
RECYCLING - 1 EMPLOYEE	4
STORAGE - INSIDE - 1/1000 SF	71
STORAGE - OUTSIDE - 1/1000 SF	204
GUEST PARKING	5
PHASE 1 PROPOSED PARKING	60
PHASE 2 PROPOSED PARKING	40
EXISTING PARKING PROVIDED	89 (APPROVED PER EXISTING PD)
HANDICAPPED PARKING PROVIDED	4
4 INCLUDED IN TOTAL	

MJDII Architects, Inc.
Architecture • Planning • Consulting
10000 North Stemmons Freeway, Suite 310
Dallas, Texas 75201
Phone: (972) 866-0601

SUTHERLAND K
CONSULTING, LLC
GRAYSON K. HUGHES
4417 BELCLARE AVE.
DALLAS, TX 75205
214.208.0519

Seal:
ARCHITECT: JACK A. ROMCH, AIA
TXS REGISTRATION: #11088
DATE: 27 JULY 2022
THESE DOCUMENTS ARE PRELIMINARY
AND NOT INTENDED FOR RECORD.
REVIEW OR CONSTRUCTION PURPOSES.

GEOMET RECYCLING
300 S International Rd
Garland, TX 75042
GEOMET RECYCLE
MASTER PLAN

Drawn By: SRW
Case Number: 220512-2
Date: 27 JULY 2022
Issue: SITE PLAN SUBMITTAL
Approved By:
Sheet Number:

SP1.A
GEOMET RECYCLE
OVERALL SITE PLAN
PD - AMENDMENT

CASE NO. 220512-2

[illegible]

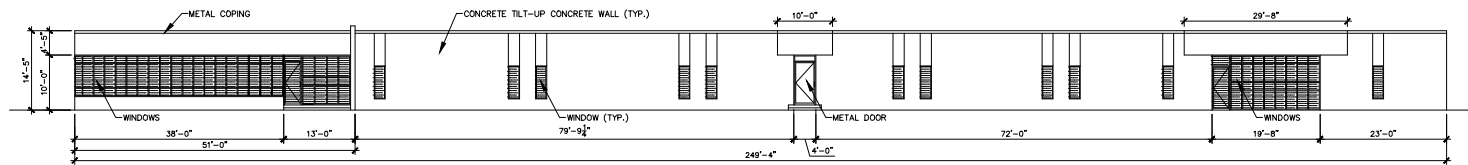
TREES	CODE	QTY	BOTANICAL / COMMON NAME	CAL.	CONT.	SIZE
	AS	4	Acer saccharum 'Caddo' Caddo Maple	3" Cal.	Cont. or B&B	12' -14' HT
	QS	14	Quercus shumardii Shumard Red Oak	3" Cal.	Cont. or B&B	12' -14' HT

[illegible]

THE CONTRACTOR SHALL INSTALL ROOT BARRIERS NEAR ALL NEWLY-PLANTED TREES THAT ARE LOCATED WITHIN FIVE (5) FEET OF PAVING OR CURBS. ROOT BARRIERS SHALL BE "CENTURY" OR "DEEP-ROOT" 24" DEEP PANELS (OR EQUAL). BARRIERS SHALL BE LOCATED IMMEDIATELY ADJACENT TO HARDSCAPE. INSTALL PANELS PER MANUFACTURER'S RECOMMENDATIONS. UNDER NO CIRCUMSTANCES SHALL THE CONTRACTOR USE ROOT BARRIERS OF A TYPE THAT COMPLETELY ENCRUST THE ROOTBALL.

AFTER ALL PLANTING IS COMPLETE, CONTRACTOR SHALL INSTALL 3" THICK LAYER OF 1/2" SHREDDED WOOD MULCH, NATURAL (UNDYED), OVER LANDSCAPE FABRIC IN ALL PLANTING AREAS (EXCEPT FOR TURF AND SEEDING AREAS). CONTRACTOR SHALL SUBMIT SAMPLES OF ALL MULCHES TO LANDSCAPE ARCHITECT AND OWNER FOR APPROVAL PRIOR TO CONSTRUCTION. ABSOLUTELY NO EXPOSED GROUND SHALL BE LEFT SHOWING ANYWHERE ON THE PROJECT AFTER MULCH HAS BEEN INSTALLED (SUBJECT TO THE CONDITIONS AND REQUIREMENTS OF THE "GENERAL GRADING AND PLANTING NOTES" AND SPECIFICATIONS).

[illegible]



1 WEST ELEVATION (EXISTING BUILDING)
SCALE: 3/32"=1'-0"



VICINITY MAP
N.T.S.

MJDII Architects, Inc.
Architecture • Planning • Consulting
1775 Ross Avenue, Suite 310 Dallas, Texas 75201
Tel: (972) 866-6401

SUTHERLAND KING
CONSULTING LLC
GRAYSON K. HUGHES
4417 BELCLARE AVE.
DALLAS, TX 75205
214.208.0519

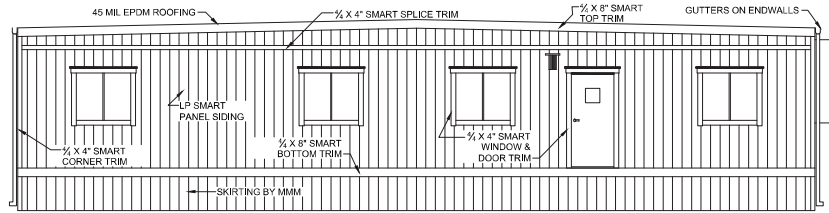
Seal
ARCHITECT: JACK A. ROMICH, AIA
TEXAS REGISTRATION #11985
DATE: 27 JULY 2022
THESE DOCUMENTS ARE PREPARED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND TO THE BEST OF MY KNOWLEDGE AND BELIEF THEY COMPLY WITH ALL CITY, STATE AND FEDERAL REQUIREMENTS.

THE INFORMATION ON THIS PLAN WAS OBTAINED FROM THE FOLLOWING SOURCES:
1. FIELD SURVEY
2. AERIAL PHOTOGRAPHS
3. UTILITY RECORDS
4. OWNER PROVIDED INFORMATION
5. OTHER RECORDS
6. OTHER SOURCES
7. OTHER INFORMATION
8. OTHER INFORMATION
9. OTHER INFORMATION
10. OTHER INFORMATION

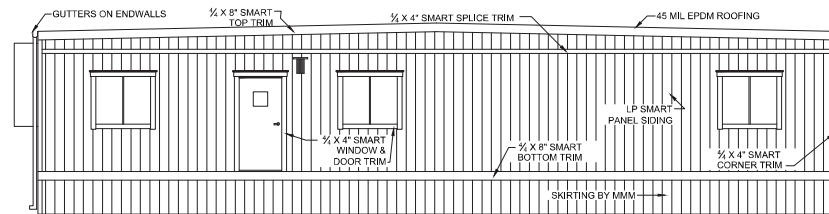
GEOMET RECYCLING
300 S International Rd
Garland, TX 75042
GEOMET RECYCLE
MASTER PLAN

Drawn By: SRW
Project Number: 2205-0002-01
Date: 27 JULY 2022
Issue: SITE PLAN SUBMITTAL
Approved By:

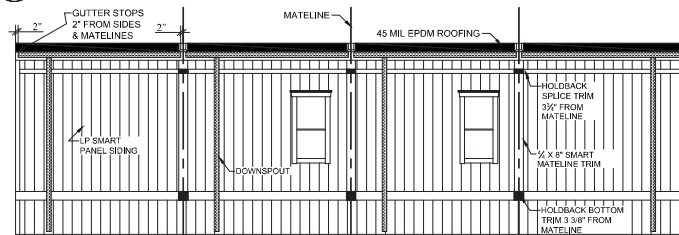
Sheet Number:
A3.00
CASE NO. 220512-2
EXISTING BUILDING
ELEVATION



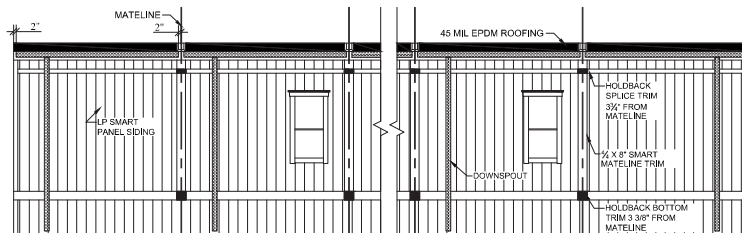
1 ELEVATION - LEFT SIDE UNIT
3/16" = 1'-0"



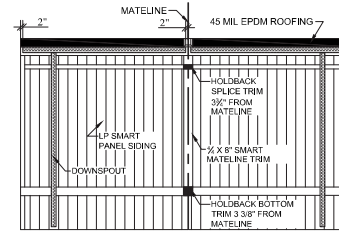
3 ELEVATION - RIGHT SIDE UNIT
3/16" = 1'-0"



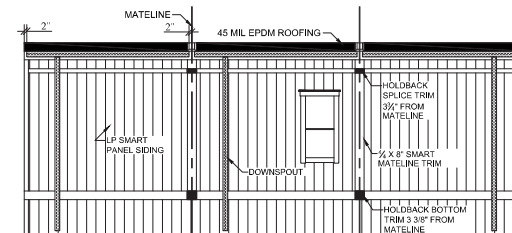
5 ENDWALL ELEVATION - 4 UNITS
3/16" = 1'-0"



6 ENDWALL ELEVATION - MORE THAN 4 UNITS
3/16" = 1'-0"



2 ENDWALL ELEVATION - 2 UNITS
3/16" = 1'-0"



4 ENDWALL ELEVATION - 3 UNITS
3/16" = 1'-0"

Texas Industrialized
Building Code Council

IBC ☒ IRC ☐

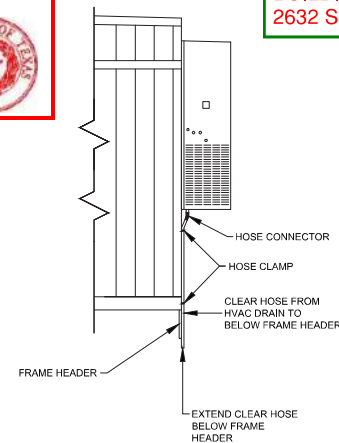
Approval Date:
2/15/13

APPROVED
PFS CORPORATION

IHDRA- 7



**PREFABRICATED BUILDING
1 (NORTH) PREFAB
BUILDING FOR OFFICE.
2632 SF.**



7 HVAC DRAIN HOSE DETAIL
3/16" = 1'-0"



INDICOM BUILDINGS, INC.
INDUSTRIALIZED COMMERCIAL BUILDINGS
721 N. BURLISON BLVD - BURLESON, TX 76028
817-447-1213 FAX 817-447-2751

THESE DRAWINGS REMAIN THE
PROPERTY OF INDICOM
BUILDINGS, INC. AND ARE NOT
TO BE USED IN ANYWAY
WITHOUT WRITTEN PERMISSION.

DEALER: MOBILE MODULAR MANAGEMENT
HOUSTON, TX

PROJECT: VARIABLE UNIT COMPLEX
M-PLEX

PROJECT NUMBER:

SCALE: AS NOTED

PLOT DATE:
2/8/2013

SALESMAN: RL

DRAWN BY: ----

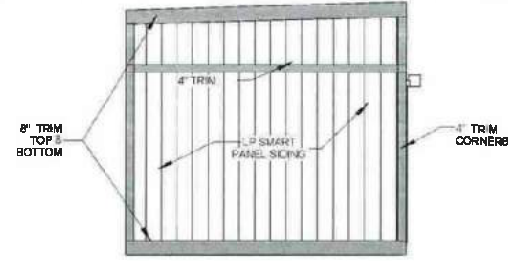
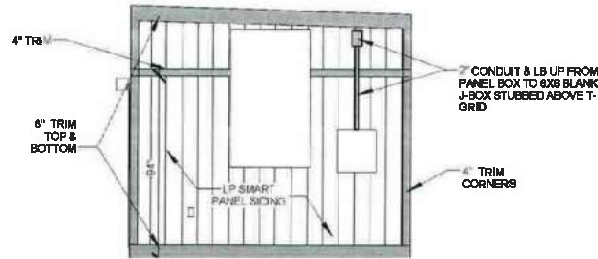
STATES:
TX/LA/OK/ARMS

SERIAL NUMBERS:

REVISIONS:

SHEET:

4 of 11

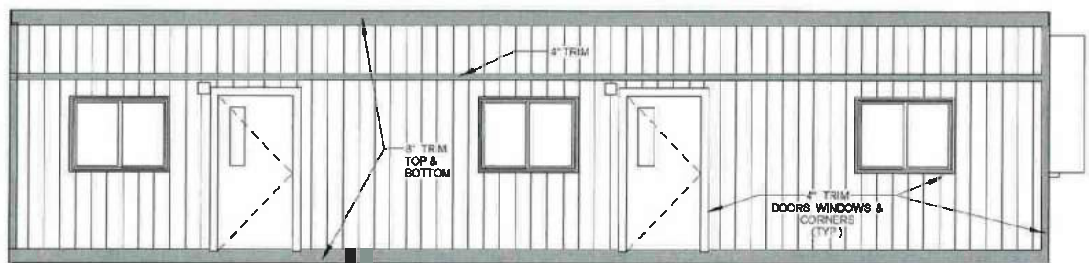


1 WEST ELEVATION
3/16" = 1'-0"

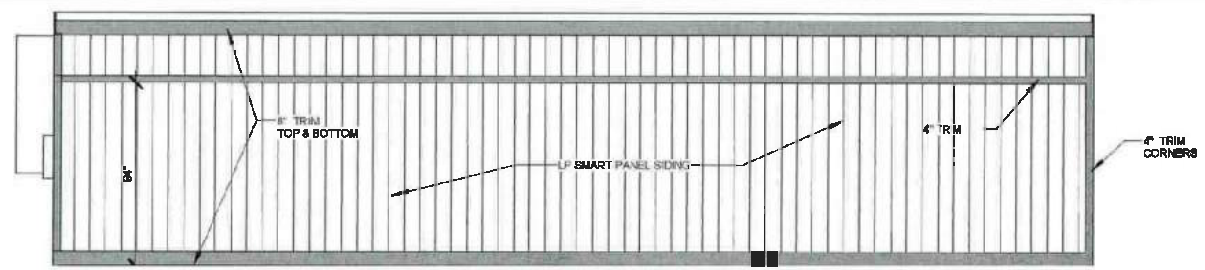
2 EAST ELEVATION
3/16" = 1'-0"

PREFABRICATED BUILDING
3 (SOUTH) PREFAB
BUILDING FOR OFFICE. 456
SF.

PREFABRICATED BUILDING
2 (SIMILAR, EXISTING
INSIDE MAIN BUILDING 1)
PREFAB BUILDING FOR
OFFICE. 130 SF.



3 NORTH ELEVATION
3/16" = 1'-0"



4 SOUTH ELEVATION
3/16" = 1'-0"

EXHIBIT E

NOTES:
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1101 Foundation Dr., Waco, TX 76702
Tel: 817.676.9071

DATE	13OCT2015	#	DESCRIPTION	BY	DATE
SCALE:	3/16" = 1'-0"	0	ISSUE FOR STATE REVIEW	TNU	13OCT2015
DRAWN BY:					
CHECKER:					
Est #	718647				

PROJECT TITLE:	11'-8" X 44' WET SINGLE OFFICE - MOBILE MODULAR	
DRAWING TITLE:	ELEVATIONS	
PROJECT NO:	-02	SHEET NO: D02

britco
BUILDING INNOVATION

The image displays three architectural drawings of a shade canopy, labeled 1A, 1B, and 1C, along with a table of forklift dimensions. The drawings are oriented on a grid with horizontal axis labels 1 through 10 and vertical axis labels A through J.

1C NORTH ELEVATION- SHADE CANOPY - 99' X 50' - SMALL SCALE SALVAGE - SHADE CANOPY NO.1
 SCALE: 1/8" = 1'-0"

This elevation shows the front of the canopy. It features a central vertical support column and two side support columns. The roof is a curved, arched structure. The total width is 99'-0" and the total height is 25'-0". The base dimensions are 13'-0" on the left, 29'-0" in the middle, 13'-0" on the right, and 29'-0" in the middle. The roof height is 25'-0".

1B WEST ELEVATION- SHADE CANOPY - 99' X 50' - SMALL SCALE SALVAGE - SHADE CANOPY NO.1
 SCALE: 1/8" = 1'-0"

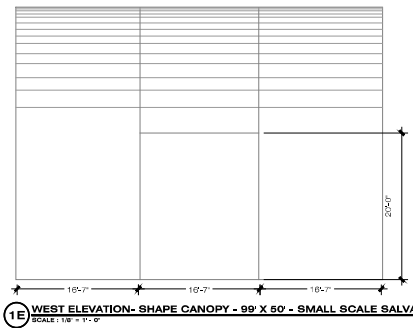
This elevation shows the side of the canopy. It features a central vertical support column and two side support columns. The roof is a curved, arched structure. The total width is 99'-0" and the total height is 25'-0". The base dimensions are 16'-7" on the left, 16'-7" in the middle, and 16'-7" on the right. The roof height is 25'-0".

1A PLAN- SHADE CANOPY - 99' X 50' - SMALL SCALE SALVAGE - SHADE CANOPY NO.1
 SCALE: 1/8" = 1'-0"

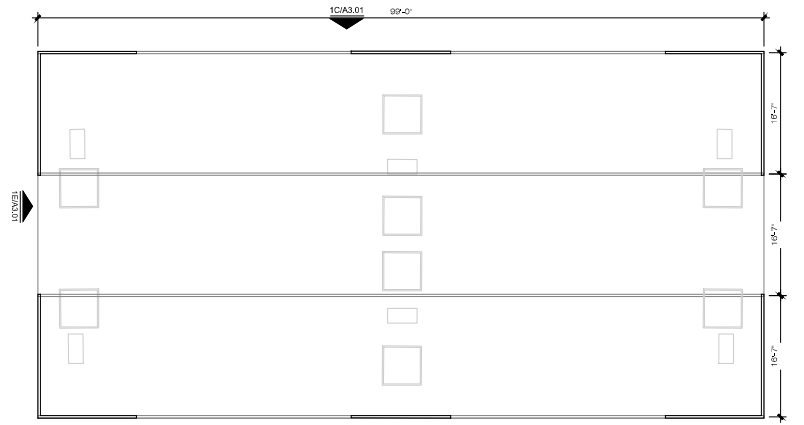
This plan view shows the top of the canopy. It features a central vertical support column and two side support columns. The roof is a curved, arched structure. The total width is 99'-0" and the total height is 25'-0". The base dimensions are 16'-7" on the left, 16'-7" in the middle, and 16'-7" on the right. The roof height is 25'-0".

FORKLIFT DIMENSIONS

FORKLIFT DIMENSIONS	
FORKLIFT MODEL NO. F030N	
•	3.92' X 4.19' X 7.11'
•	MAX FORK HEIGHT: 10.88'
•	TURNING RADIUS: 7.81'



FORKLIFT DIMENSIONS
FORKLIFT MODEL NO. FG30N • 8.93' X 4.19' X 7.11' • MAX FORK HEIGHT: 10.88' • TURNING RADIUS: 7.81'



MJDII Architects, Inc.
Architecture • Planning • Consulting
16775 Addison Road, Suite 310 Tel: (972) 866-8600
Addison, Texas 75001 Fax: (972) 866-8601

SUTHERLANDKING
CONSULTING LLC

GRAYSON K. HUGHES
4417 BELCLAIRE AVE.

Seal:

ARCHITECT: JACK A. ROMIGH, AIA
TEXAS REGISTRATION: #11685
DATE: 27 JULY 2022

THESE DOCUMENTS ARE PRELIMINARY
AND NOT INTENDED FOR BIDDING,
PERMIT OR CONSTRUCTION PURPOSES

THE TIKAS SQUARE OF JACOBI'S THEOREM FROM THE PERSPECTIVE OF THE SET THEORY OF FORCING

GEOMET
RECYCLING

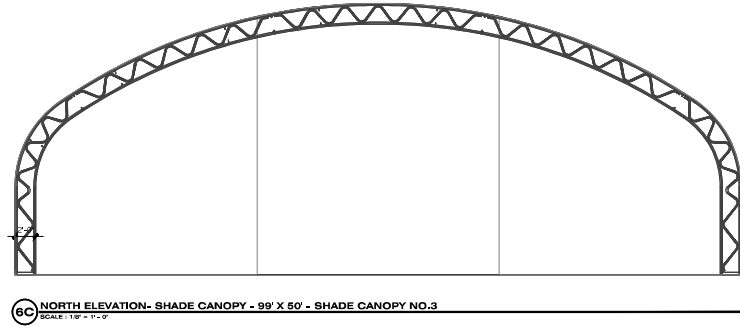
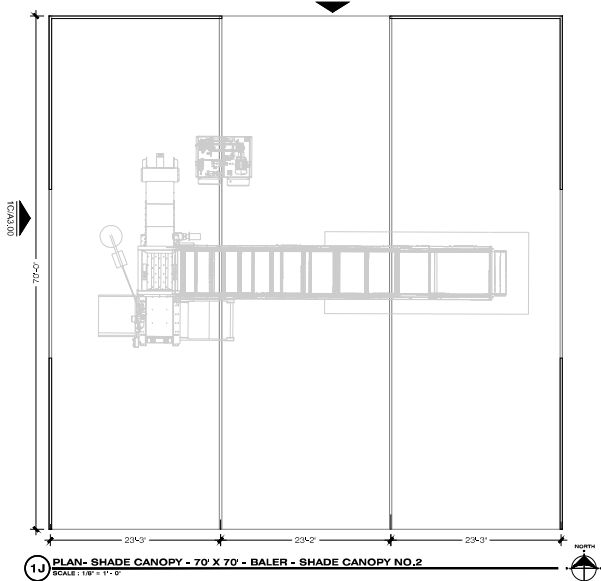
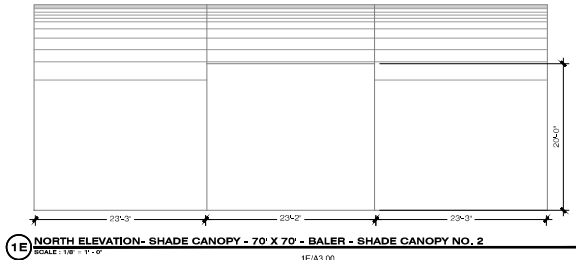
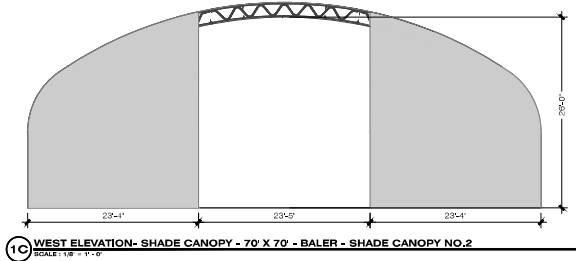
300 S International Rd
Garland, TX 75042
**GEOMET RECYCLE
MASTER PLAN**

Drawn By:	AC
Case Number:	220512-
Date:	27 JULY 2023
Issue:	SITE PLAN SUBMITTAL
Approved By:	

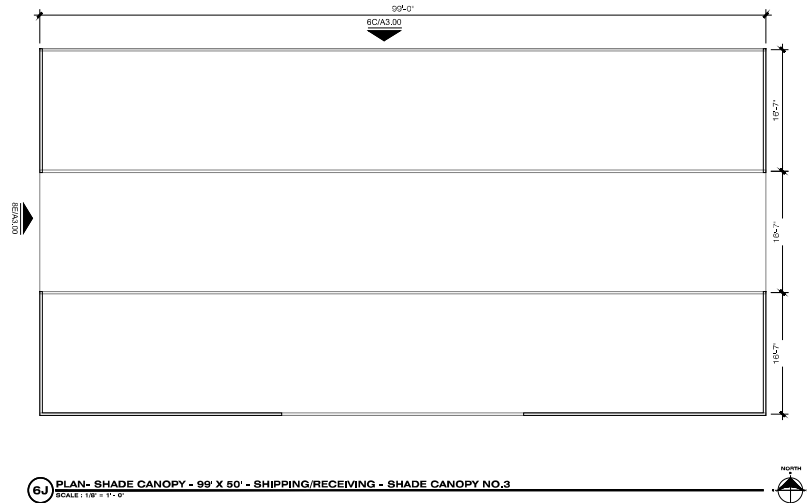
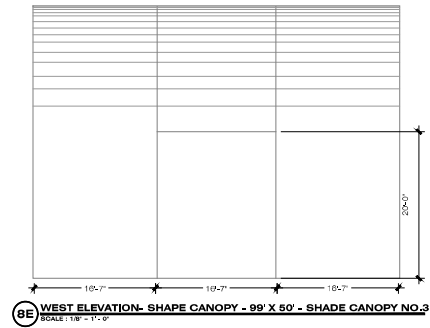
A3.01A
GEOMET RECYCLE
SHADE CANOPY
PLANS AND ELEVATIONS

CASE NO. 220512-2

CASE NO. 220512-2



FORKLIFT DIMENSIONS
FORKLIFT MODEL NO. 7G30N
• BUSY 4'-10" X 7'-11"
• MAX FORK HEIGHT: 10.88'
• TURNING RADIUS: 7.81'



MJDII Architects, Inc.
Architecture • Planning • Consulting
1000 West Loop South, Suite 310
Dallas, Texas 75201
Tel: (972) 866-4601

SUTHERLAND K
CONSULTING LLC
GRAYSON K. HUGHES
4417 BELCLARE AVE.
DALLAS, TX 75205
214.208.0519

Seal:

ARCHITECT: JACK A. FOMICH, AIA
TEXAS REGISTRATION: #11688
DATE: 27 JULY 2022
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REPEAT ON CONSTRUCTION PURPOSES.

For the purpose of this document, the user has been advised that the information contained herein is for informational purposes only and is not intended to be used for any other purpose. The user has been advised that the information contained herein is for informational purposes only and is not intended to be used for any other purpose.

GEOMET
RECYCLING
300 S International Rd
Garland, TX 75042
GEOMET RECYCLE
MASTER PLAN

Drawn By: ACS

Case Number: 220512-2

Date: 27 JULY 2022

Issue: SITE PLAN SUBMITTAL

Approved by:

Sheet Number:

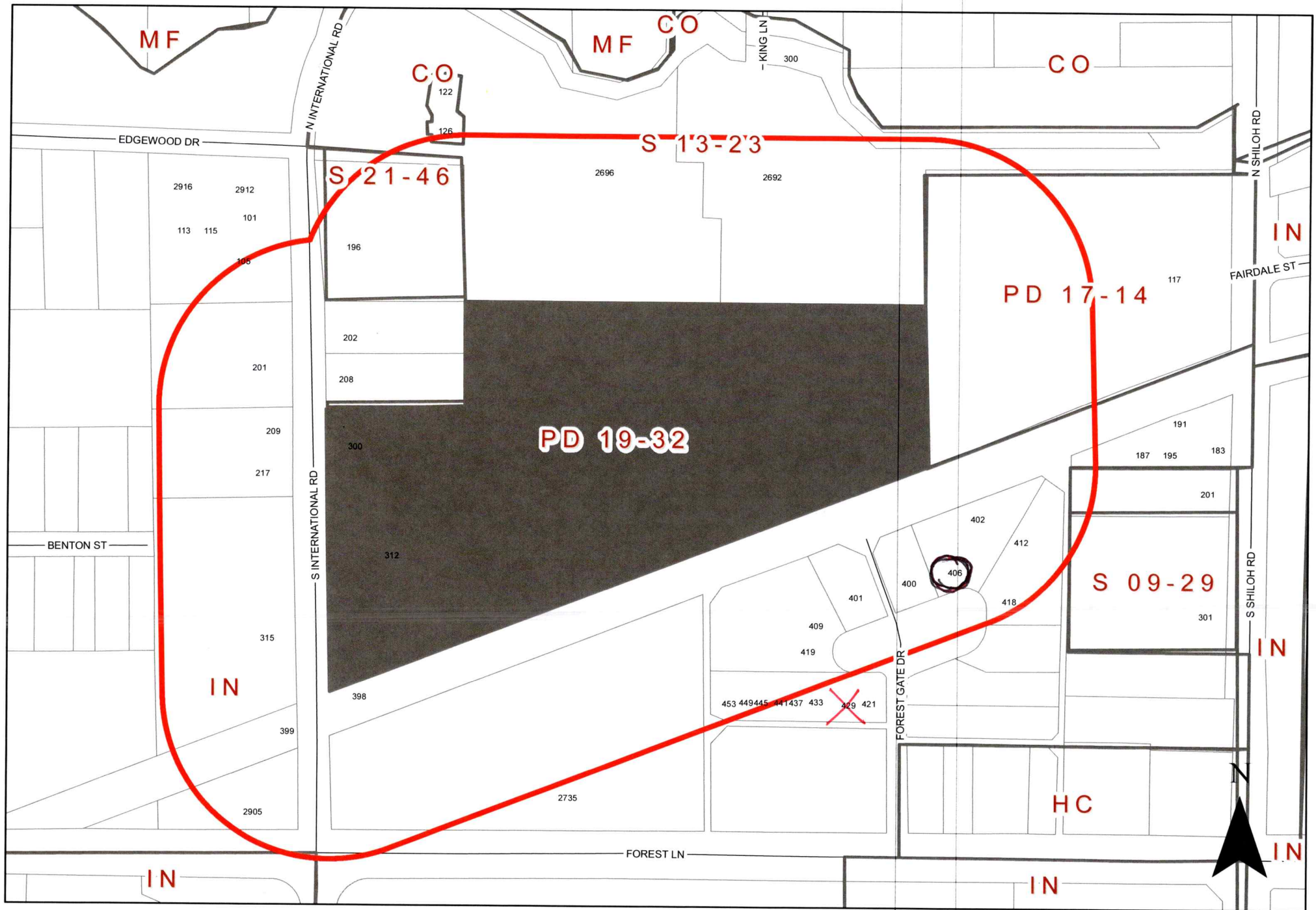
A3.01B
GEOMET RECYCLE
SHADE CANOPY
PLANS AND ELEVATIONS
CASE NO. 220512-2

REPORT & MINUTES

P.C. Meeting, September 12, 2022

Consideration of the application of **Geomet Recycling**, requesting approval of a Detail Plan amendment for a Recycling Salvage Yard on a property zoned Planned Development (PD) District 19-32 for Industrial Uses. This property is located at 312 South International Road. (District 6) (File Z 22-43 – Detail Plan.)

Motion was made by Commissioner Williams to close the public hearing and **approve** the applicant's request. Seconded by Commissioner Rose. **Motion carried: 8 Ayes, 0 Nay.**



0 200 400 Feet 1 inch = 300 feet	ZONING MAP Z 22-43	INDICATES AREA OF REQUEST INDICATES NOTIFICATION AREA
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312 S International Rd

Comment Form

Case Z 22-43

Z 22-43 Geomet Recycling. The applicant requests to add three shaded structures and three (3) prefabricated buildings to support the existing recycling salvage yard. The site is located at 312 South International Road. (District 6)

Z 22-43 Geomet Recycling. El solicitante solicita que se permitan agregar tres (3) estructuras sombreadas y tres (3) edificios prefabricados para apoyar el patio de recuperación de reciclaje existente. El sitio está ubicado en 312 South International Road. (Distrito 6)

Z 22-43 Geomet Recycling. Người nộp đơn yêu cầu cho phép thêm ba (3) cấu trúc mái che và ba (3) tòa nhà đúc sẵn để hỗ trợ bãi cứu hộ tái chế hiện có. Địa điểm tọa lạc tại 312 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.

Jeff Balette

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.)

406 Forest Gate Dr.

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



9.8.22

Signature / Firma / Chữ 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.)

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

Comment Form

Case Z 22-43

Z 22-43 Geomet Recycling. The applicant requests to add three shaded structures and three (3) prefabricated buildings to support the existing recycling salvage yard. The site is located at 312 South International Road. (District 6)

Z 22-43 Geomet Recycling. El solicitante solicita que se permitan agregar tres (3) estructuras sombreadas y tres (3) edificios prefabricados para apoyar el patio de recuperación de reciclaje existente. El sitio está ubicado en 312 South International Road. (Distrito 6)

Z 22-43 Geomet Recycling. Người nộp đơn yêu cầu cho phép thêm ba (3) cấu trúc mái che và ba (3) tòa nhà đúc sẵn để hỗ trợ bãi cứu hộ tái chế hiện có. Địa điểm tọa lạc tại 312 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.

SERGIO WONG (BALLY FARM GENERAL MANAGER)

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.)

429 FOREST GATE DR

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

GARLAND, TEXAS

City, State / Estado de la Ciudad / Thành bang

75042

Zip Code / Código postal / Mã B u Chính

12/6/2022

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.)

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

SEP 9 '22 PM 4:10

Z 22-43

PLANNING & DEVELOPMENT



The applicant requests to add three (3) shaded structures and three (3) prefabricated buildings to support the existing recycling salvage yard.

City Council Meeting
October 11, 2022

CASE INFORMATION

PLANNING &
DEVELOPMENT



Location: 312 South International Road

Applicant: Geomet Recycling

Owner: Garland Steel, Inc.

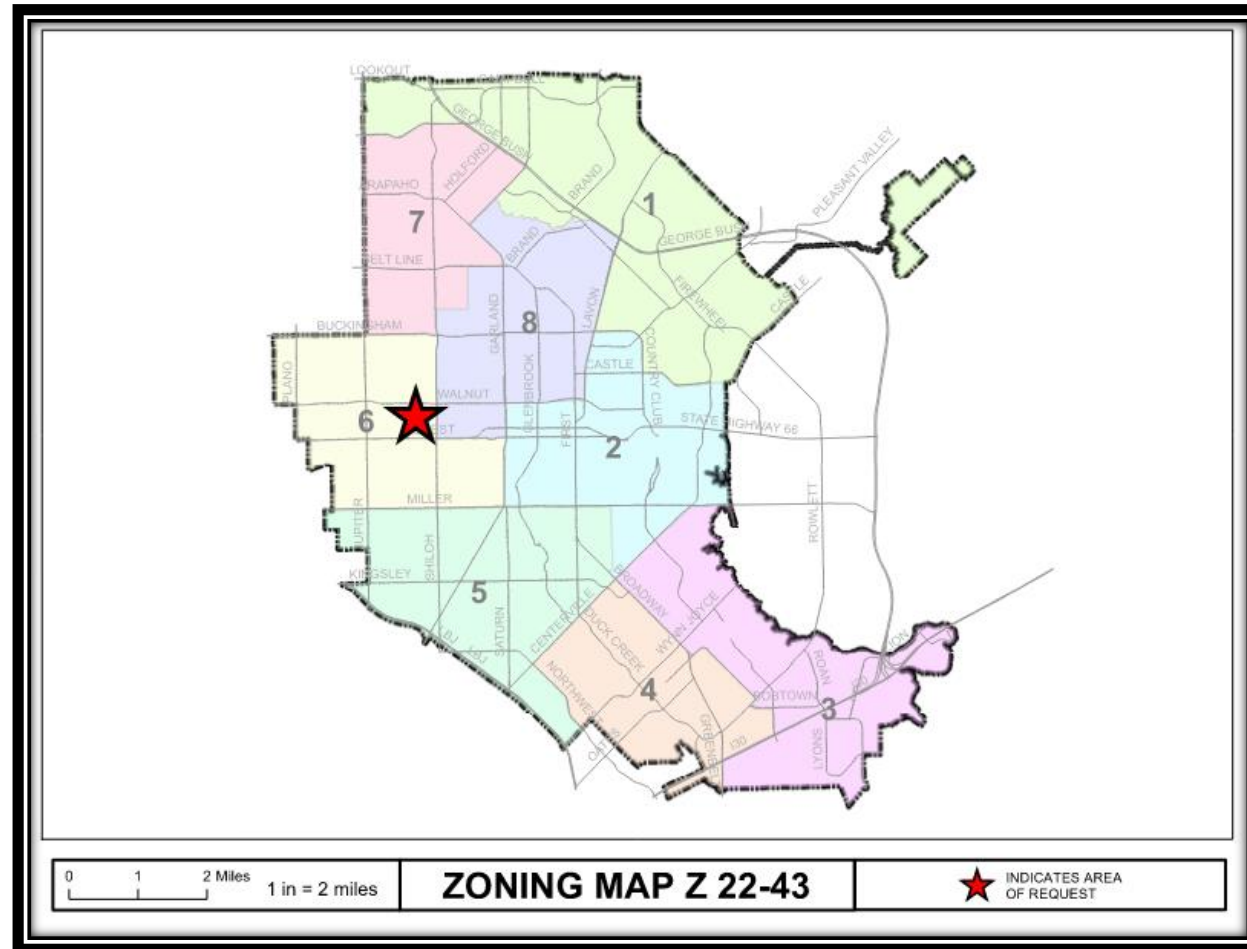
Acreage: 19.8 acres

Zoning: Planned Development (PD) District 19-32

Z 22-43

CITYWIDE LOCATION MAP

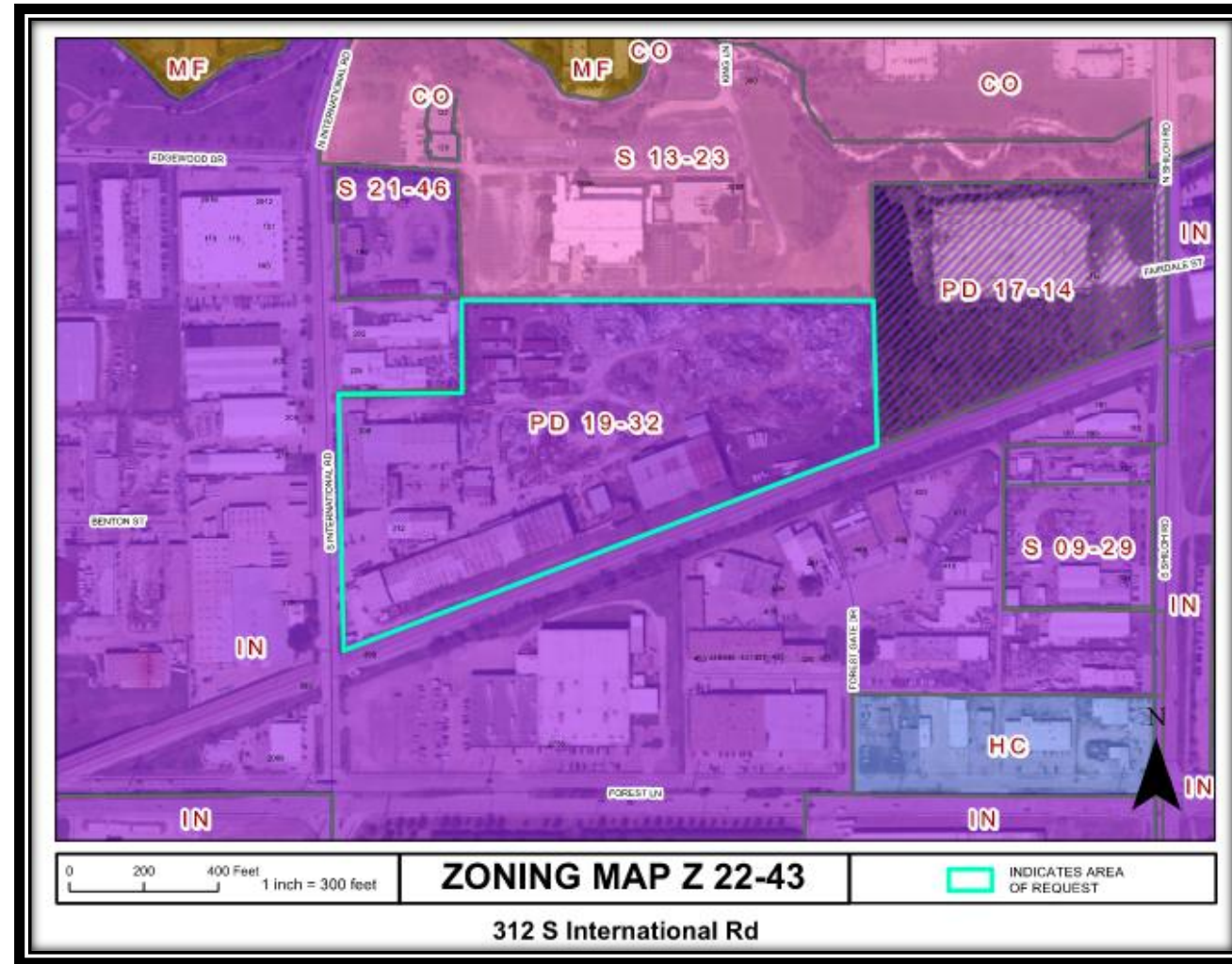
PLANNING &
DEVELOPMENT



Z 22-43

LOCATION MAP

PLANNING &
DEVELOPMENT



Z 22-43

COMPREHENSIVE PLAN

PLANNING &
DEVELOPMENT



Z 22-43

COMPREHENSIVE PLAN

The Future Land Use Map of the Envision Garland 2030 Comprehensive Plan designates this site for Business Center uses in the Employment Center Building Block. Business Centers provide a cluster of business offices and/or low impact industry, including campus-type development, which cumulatively employ large numbers of people. Operations within this development type occur internal to buildings resulting in minimal negative impacts (sound, air, traffic, outdoor lighting, storage, etc.) and are compatible with adjacent development types in architecture, character, scale, and intensity. Business Centers are generally located at intersections of major and/or secondary arterial streets or significant transit areas (bus/rail). Proximity and access to residential areas are encouraged to reduce travel times to employment. Site design addresses function and visual aesthetics providing appropriate buffering at gateway corridors, between adjacent developments, and for residential neighborhoods.

Business 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, including compatible residential uses, that support the business employment sector.

The proposed use is compatible with the Comprehensive Plan.

PHOTOS

PLANNING & DEVELOPMENT



View from South International Road



Looking north of the subject property



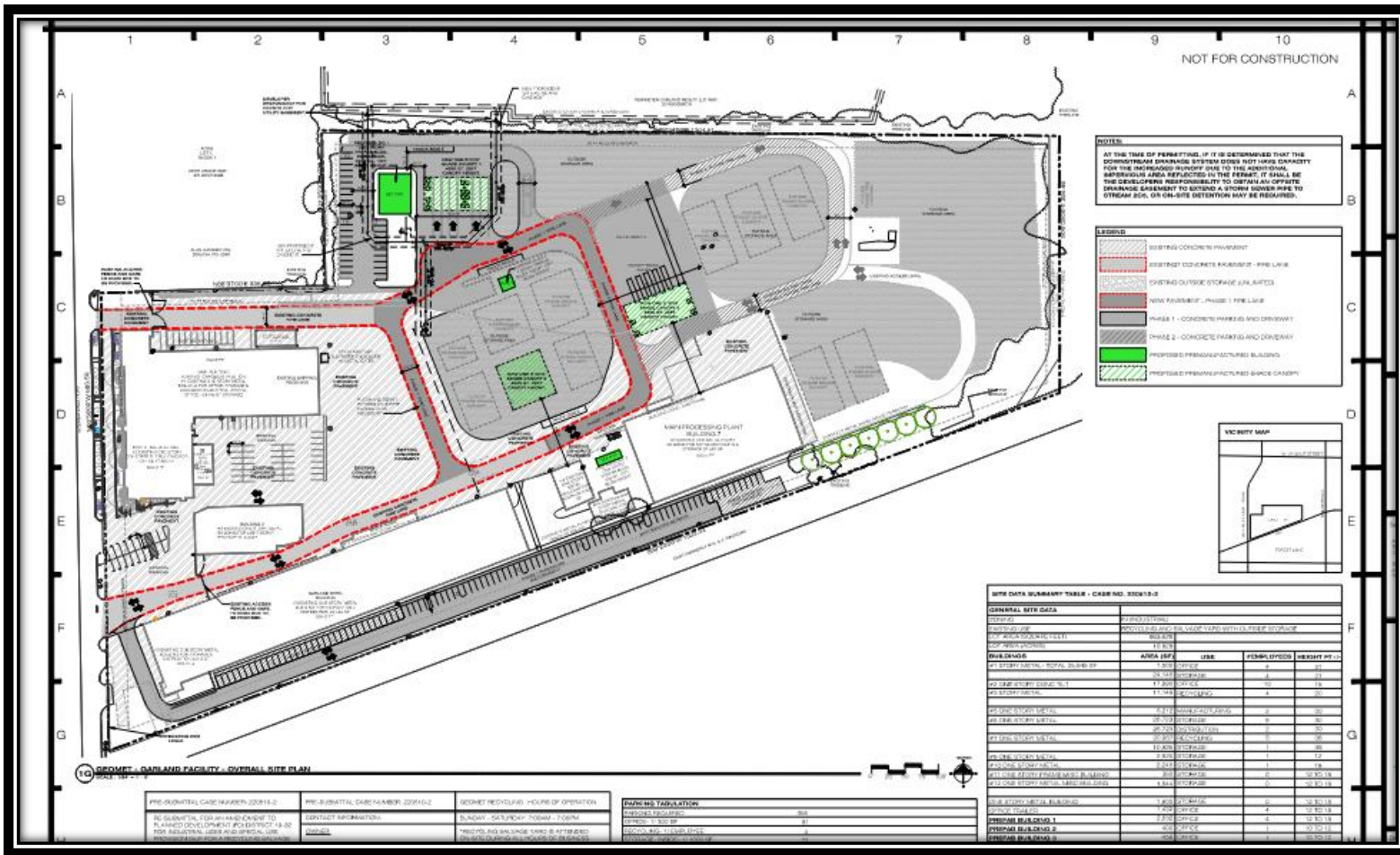
View from north entrance of the subject property



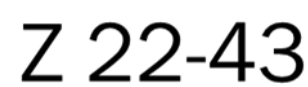
Northwest corner of the subject property

Z 22-43

SITE PLAN

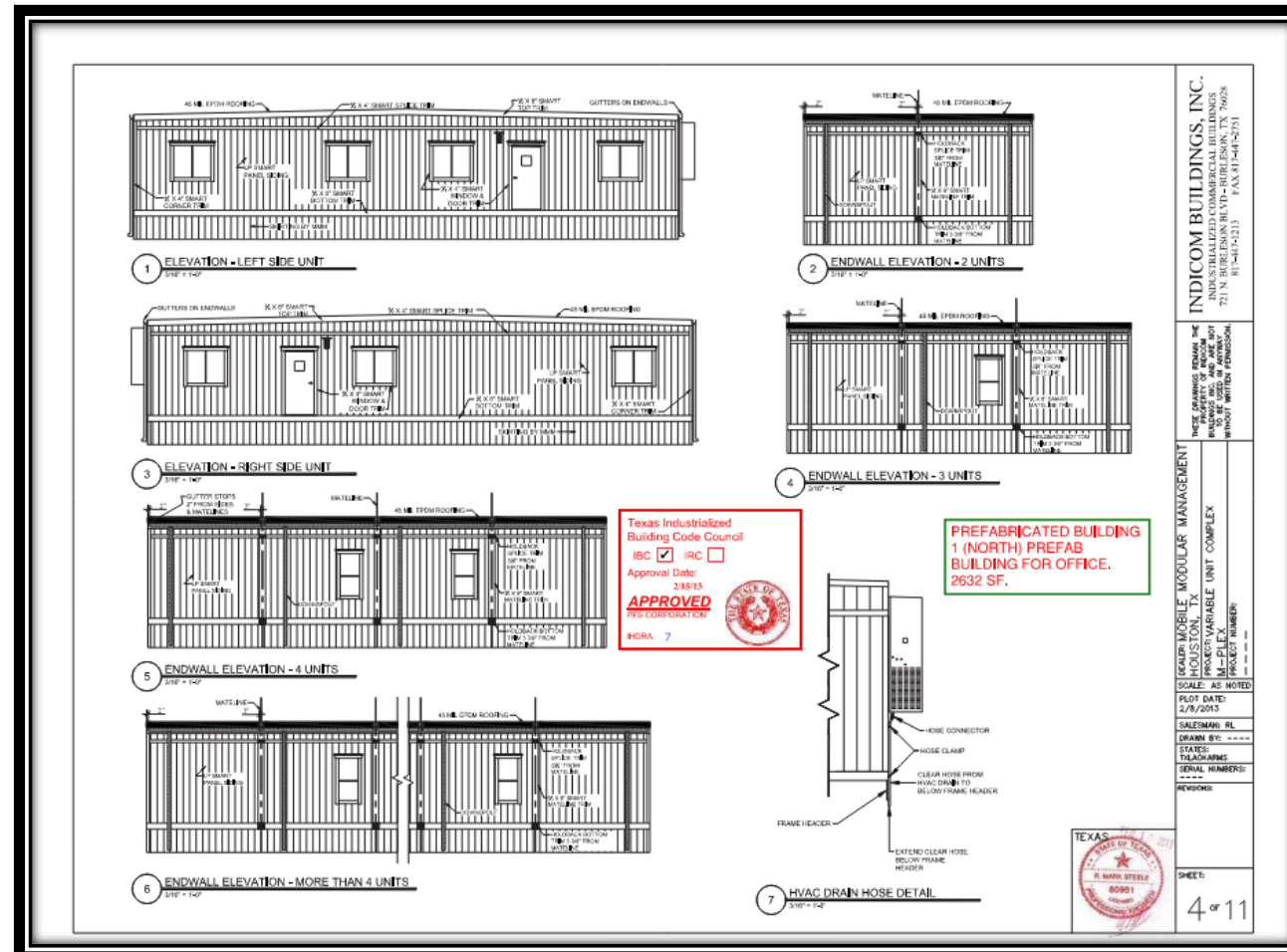


Z 22-43



BUILDING ELEVATIONS

PLANNING & DEVELOPMENT



Z 22-43

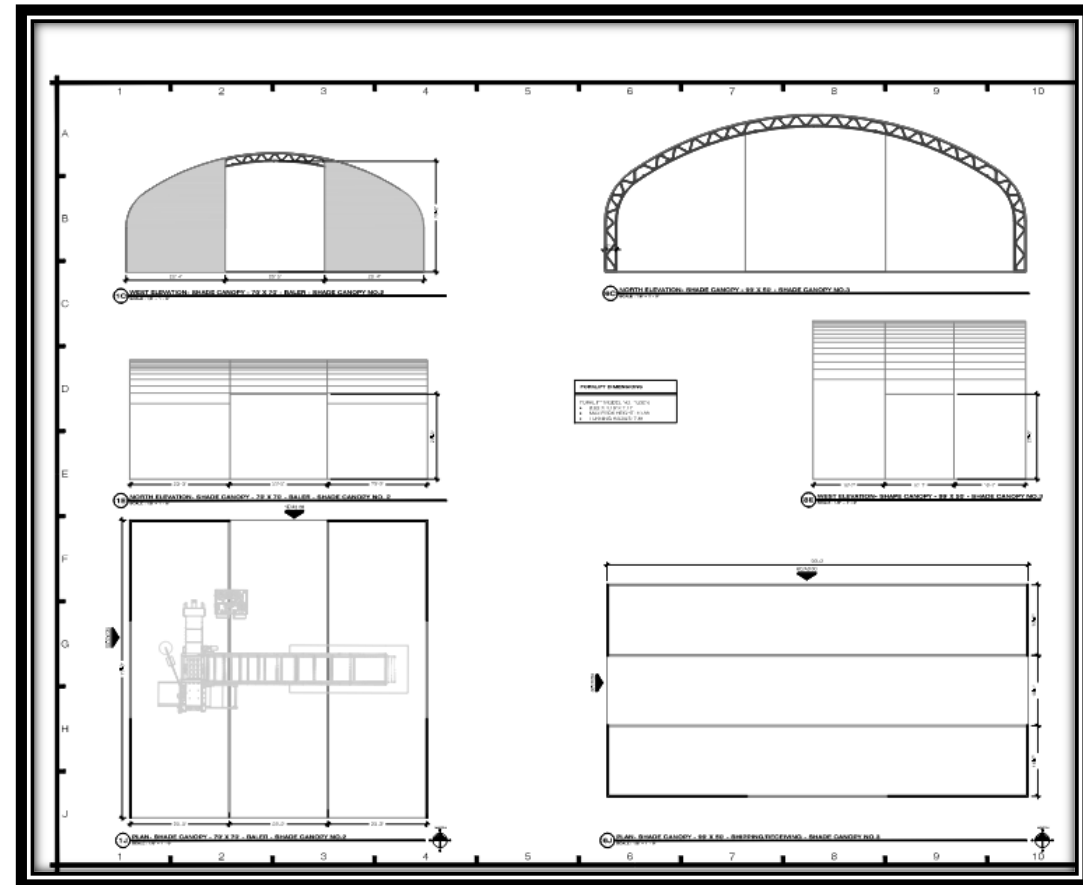
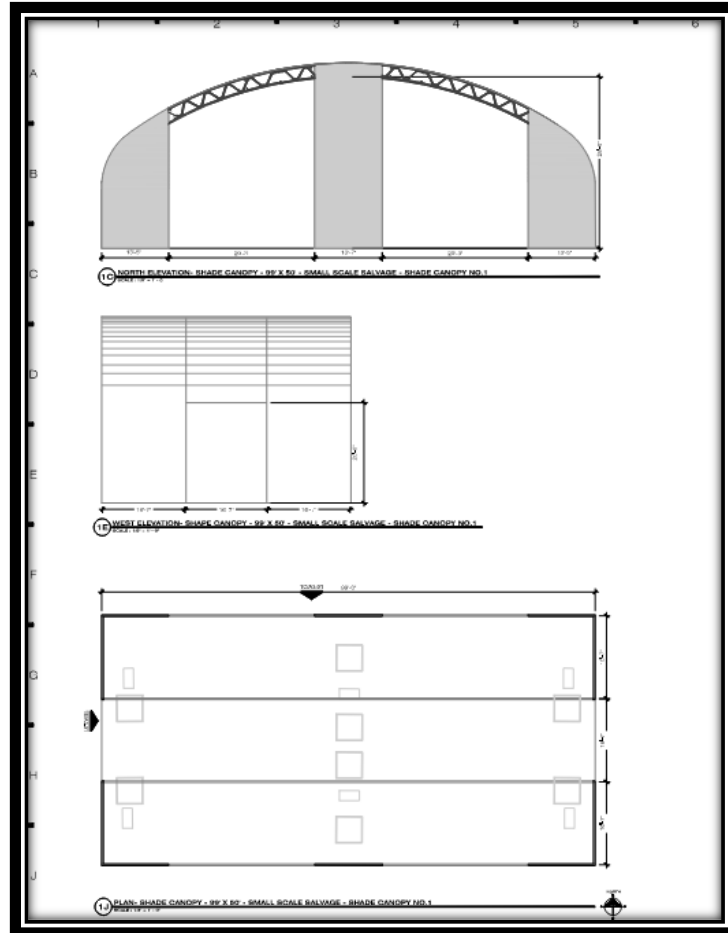
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Z 22-43

BUILDING ELEVATIONS

PLANNING & DEVELOPMENT



Z 22-43

CONSIDERATION

The applicant requests the Specific Use Provision to be in effect for twenty (20) years.

STAFF RECOMMENDATION

Approval of an amendment to Planned Development (PD) District 19-32 for Industrial Uses

Approval of a Specific Use Provision for a Recycling Salvage Yard (Unlimited Outside Storage)

Approval of a Detail Plan in a property zoned Planned Development (PD) District 19-32 for Industrial Uses

PLAN COMMISSION RECOMMENDATION

On September 12, 2022 the Plan Commission, by a vote of eight (8) to zero (0), recommended approval of an amendment to Planned Development (PD) District 19-32 for Industrial Uses.

The Plan Commission, by a vote of eight (8) to zero (0), also recommended approval of a Specific Use Provision amendment for a Recycling Salvage Yard (Unlimited Outside Storage).

In addition, The Plan Commission, by a vote of eight (8) to zero (0), also recommended approval of a Detail Plan amendment on a property zoned Planned Development (PD) District 19-32 for Industrial Uses.



GARLAND PLANNING REPORT

City Council Regular Session Agenda

8. h.

Meeting Date: 10/11/2022

Item Title: Z 22-45 Kehinde Omo-Iyamu - Zoning (District 5)

Submitted By: Will Guerin, Planning Director

REQUEST

Approval of a Change in Zoning from Neighborhood Office (NO) District to Community Retail (CR) District.

LOCATION

2940 Broadway Boulevard

2955 Dairy Road

OWNER

Felicia Omo-Iyamu

PLAN COMMISSION RECOMMENDATION

On September 12, 2022 the Plan Commission, by a vote of eight (8) to zero (0), recommended approval of a Change in Zoning from Neighborhood Office (NO) District to Community Retail (CR) District.

STAFF RECOMMENDATION

Approval of a Change in Zoning from Neighborhood Office (NO) District to Community Retail (CR) District.

BACKGROUND

The subject property is currently zoned Neighborhood Office (NO) District and is improved with an existing multi-tenant office building and parking spaces. The applicant requests to rezone the property to Community Retail (CR) District to open a beauty salon from the existing building.

SITE DATA

The subject property contains approximately 0.482 acres, with approximately 165 lineal feet of frontage along Dairy Road and approximately 123 lineal feet along Broadway Boulevard. The property can be accessed from both Dairy Road and Broadway Boulevard.

USE OF PROPERTY UNDER CURRENT ZONING

The subject property is currently zoned Neighborhood Office (NO) District. The Neighborhood Office (NO) District is intended to create an appropriate setting for low intensity office and professional uses. The district may be used as a transition district between residential uses and more intense uses. With appropriate buffers and landscaping, this district may be located contiguous to residential districts. Allowed uses should be compatible with adjacent residential areas by limiting heights to one story, and may not include uses that create excessive amounts of traffic, noise, trash, or late-night business operations.

CONSIDERATIONS

1. The applicant requests to open a beauty salon use in the existing building. Beauty salons are classified as Personal Services, which is not a permitted use in the Neighborhood Office (NO) District. The Community Retail (CR) District allowed Personal Services by right.
2. The applicant does not propose any new construction or physical expansions. The proposed beauty salon will occupy a portion of the existing building.
3. The request is a traditional rezoning without the formation of a Planned Development (PD) District. These requests do not require Concept Plan or Detail Plan approval to commence or direct development. Development is dependent on the standards set forth by the Garland Development Code (GDC) and the goals and policies established within the Envision Garland 2030 Comprehensive Plan. This Change in Zoning is not intended to restrict uses or secure development performances beyond what is permitted within the proposed zoning district and the GDC. Accordingly the GDC requires careful consideration as to how closely the proposed district follows the policies of the Envision Garland 2030 Comprehensive Plan, and to what degree the rezoning will impact surrounding and future development.
4. In the event the Zoning Change request is approved, the applicant will proceed to the Building Inspections Department for a Certificate of Occupancy for the beauty salon use.

COMPREHENSIVE PLAN

The Future Land Use Map of the Envision Garland Plan recommends Compact Neighborhoods for the subject property. Compact neighborhoods provide areas for moderate increases in residential density, including single-family attached and single-family detached housing. It expands housing options through infill and redevelopment, while continuing walkable development patterns. These areas provide transitions between traditional residential neighborhoods and higher density residential neighborhoods and non-residential developments. These areas accommodate uses such as convenience retail (goods and services), office space, and public services. The architectural character and scale of these areas are compatible with adjacent residential development.

COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

The immediate property to the north is zoned Neighborhood Office (NO) District and is currently vacant. Further to the north is a medical office use, and an office / social service use, zoned NO District. To the east, across Dairy Road, are retail and gas pump uses, zoned Community Retail (CR) District. To the south and west, across Broadway Boulevard, is a multi-tenant retail building, a church, and a used goods retail store, zoned Community Retail (CR) District.

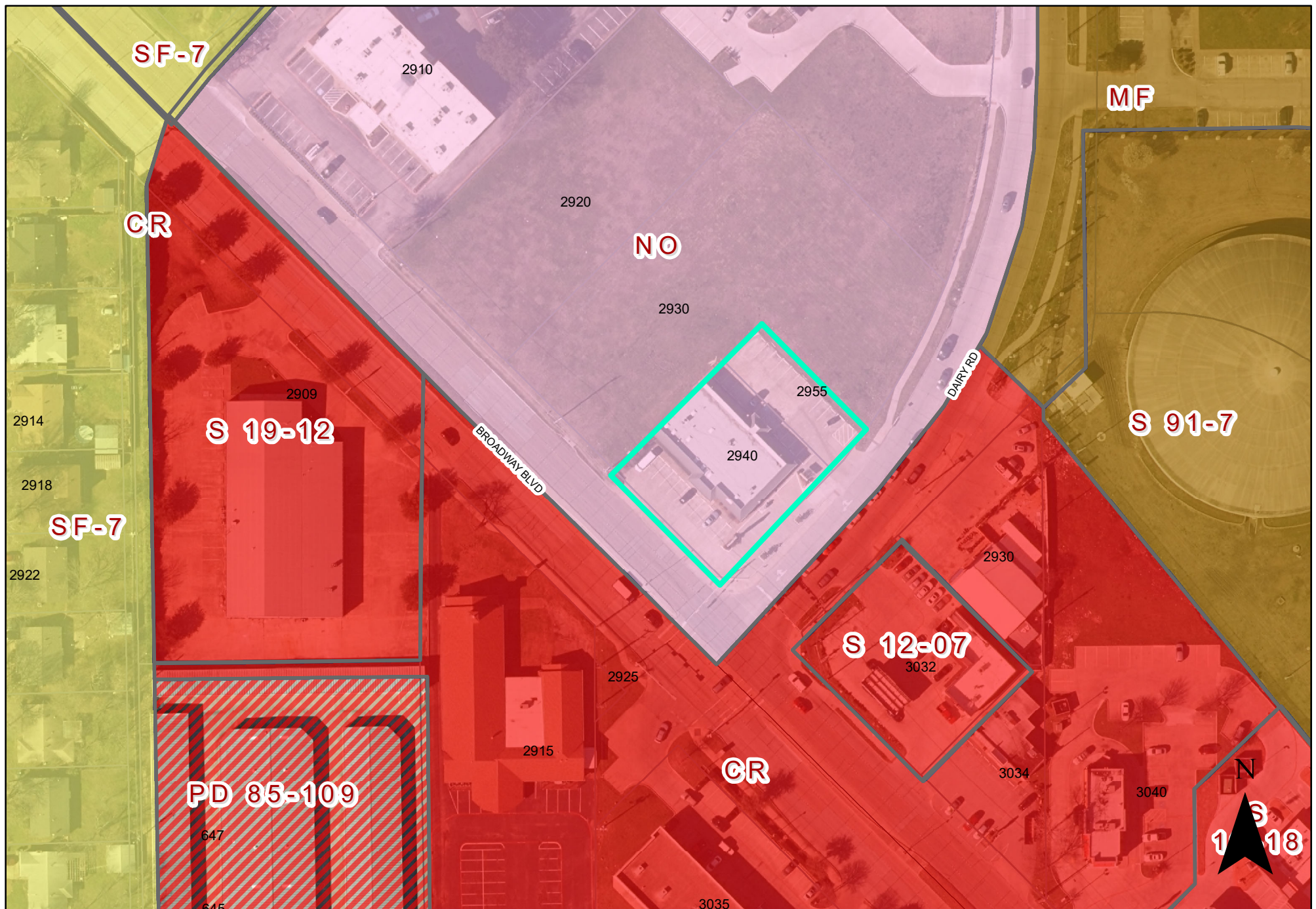
The proposed zoning change is compatible with the surrounding area and is appropriate as a corner lot on a primarily commercial/retail intersection.

Attachments

Z 22-45 Kehinde Omo-Iyamu Attachments (Zoning)

Z 22-45 Kehinde Omo-Iyamu Responses

Z 22-45 Kehinde Omo-Iyamu Staff Presentation



0 60 120 Feet
1 inch = 102 feet

ZONING MAP Z 22-45

 INDICATES AREA OF REQUEST

2940 Broadway Boulevard and 2955 Dairy Road

REPORT & MINUTES

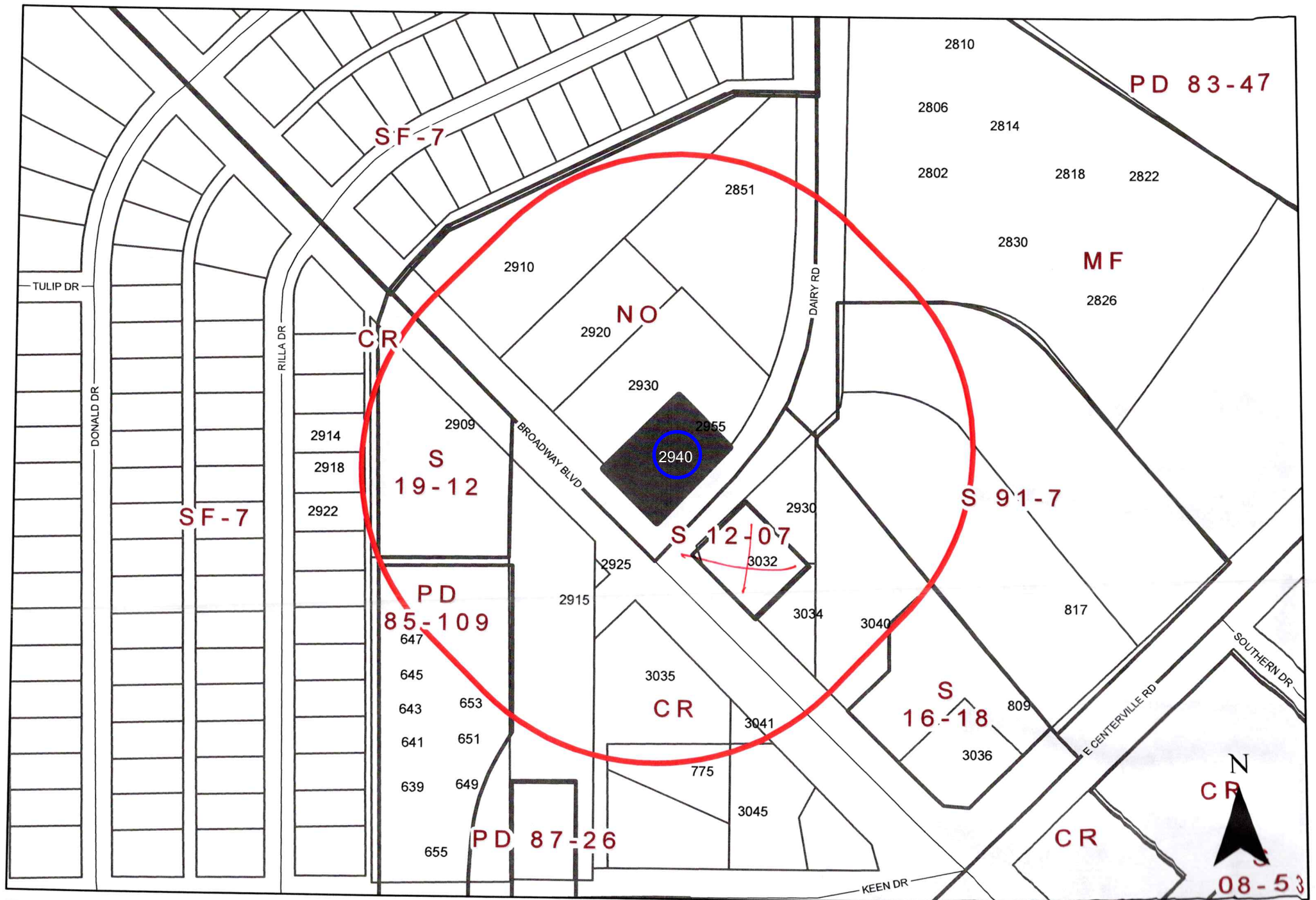
P.C. Meeting, September 12, 2022

Consideration of the application of **Kehinde Omo-Iyamu**, requesting approval of a Change in Zoning from Neighborhood Office (NO) District to Community Retail (CR) District. This property is located at 2940 Broadway Boulevard and 2955 Dairy Road. (District 5) (File Z 22-45 – Zoning)

The applicant Kehinde Omo-Iyamu, 12613 Natalie Drive, Balch Springs, Texas 75180, provided a brief overview of the request and remained available for questions.

There were no questions of this applicant.

Motion was made by Commissioner Jenkins to **approve** the application. Seconded by Commissioner Williams. **Motion carried: 8 Ayes, 0 Nay.**



0 130 260 Feet
1 inch = 204 feet

ZONING MAP Z 22-45

INDICATES AREA OF REQUEST
INDICATES NOTIFICATION AREA

2940 Broadway Boulevard and 2955 Dairy Road

Zoning Response Case Comments

Case Number	PC Hearing Date	CC Hearing Date	Planner Name
Z 22-45	September 12, 2022	October 11, 2022	Will Guerin

Z 22-45 Kehinde Omo-Iyamu. The applicant requests to re-zone the property from Neighborhood Office (NO) District to Community Retail (CR) District, to allow a beauty salon in the existing building. The site is located at 2940 Broadway Boulevard and 2955 Dairy Road. (District 5)

Shem Teya**For**

9/26/2022
9:50:11 PM

2940 Broadway blvd

shemmogeni@hotmail.com

Garland

9722124586

Texas

United States

75041

2AMA Inc**Against**

9/7/2022
4:33:09 PM

3032 Broadway

naserahmed@ymail.com

Garland

9093484795

Texas

United States

75041

Z 22-45

PLANNING & DEVELOPMENT



The applicant requests to re-zone the property from Neighborhood Office (NO) District to Community Retail (CR) District, to allow a beauty salon in the existing building.

City Council Meeting
October 11, 2022

CASE INFORMATION

Location: 2940 Broadway Boulevard
2955 Dairy Road

Applicant: Kehinde Omo-Iyamu

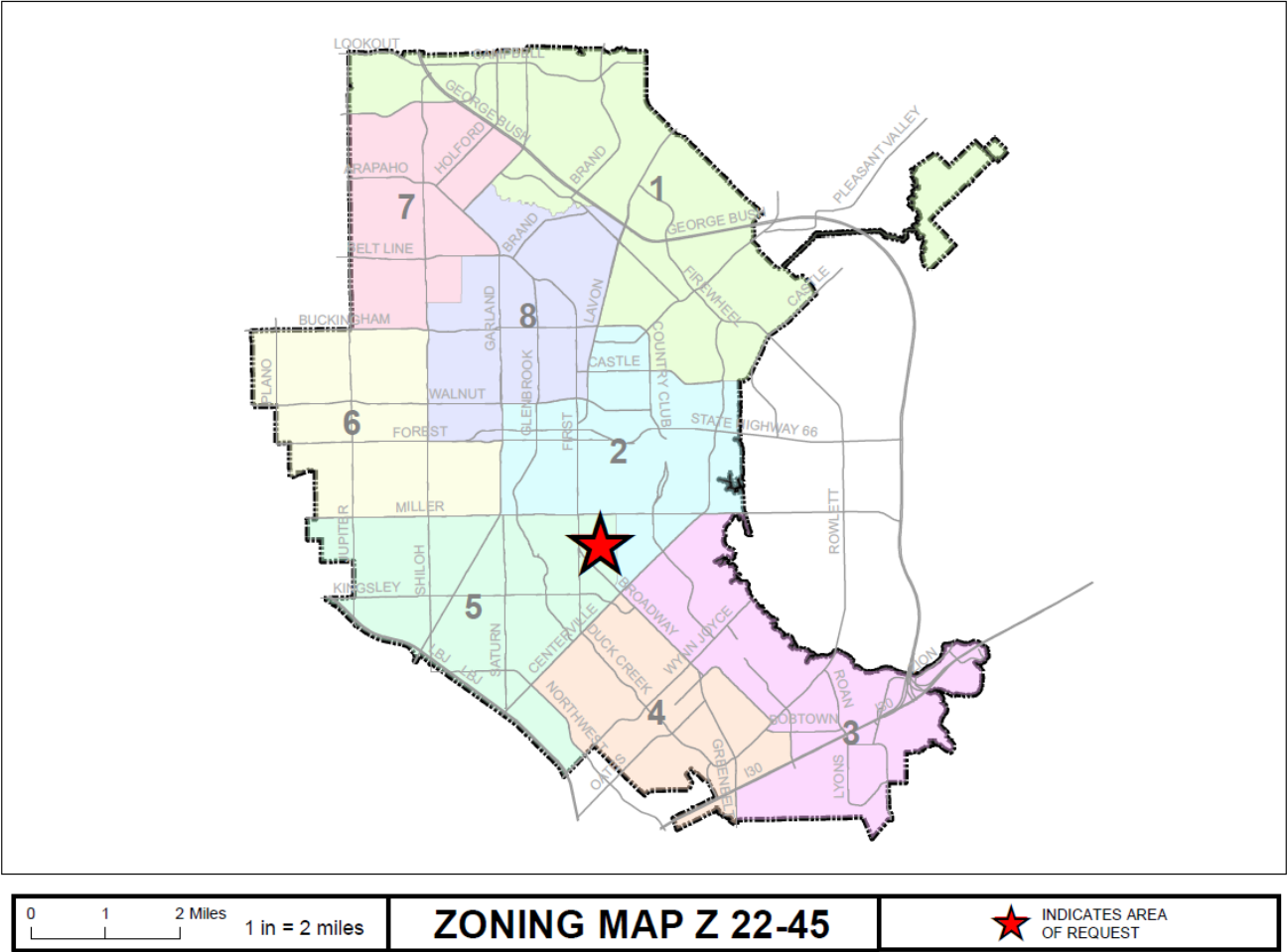
Owner: Felicia Omo-Iyamu

Acreage: 0.482 acres

Zoning: Neighborhood Office(NO) District

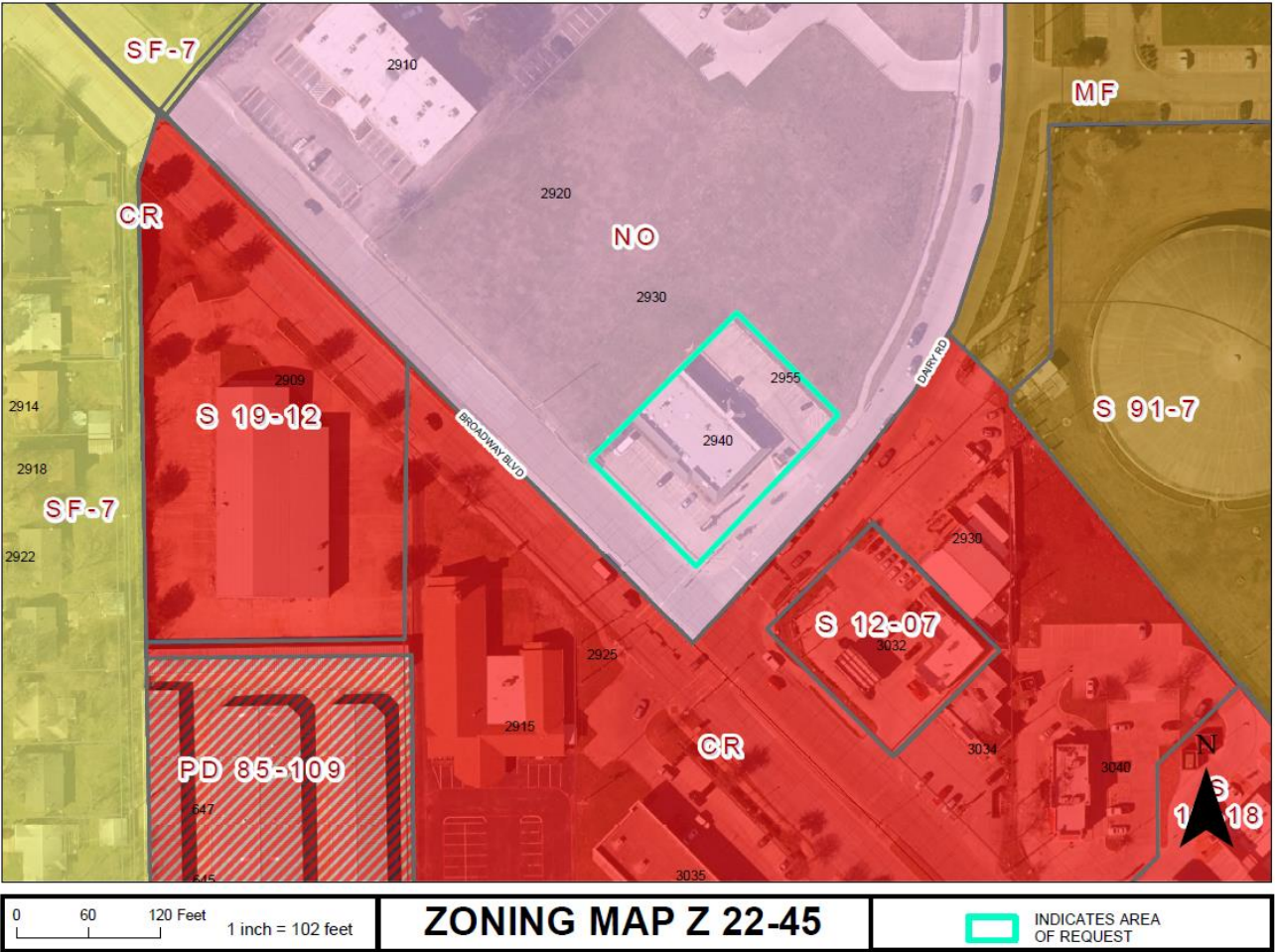
Z 22-45

CITYWIDE LOCATION MAP



Z 22-45

LOCATION MAP

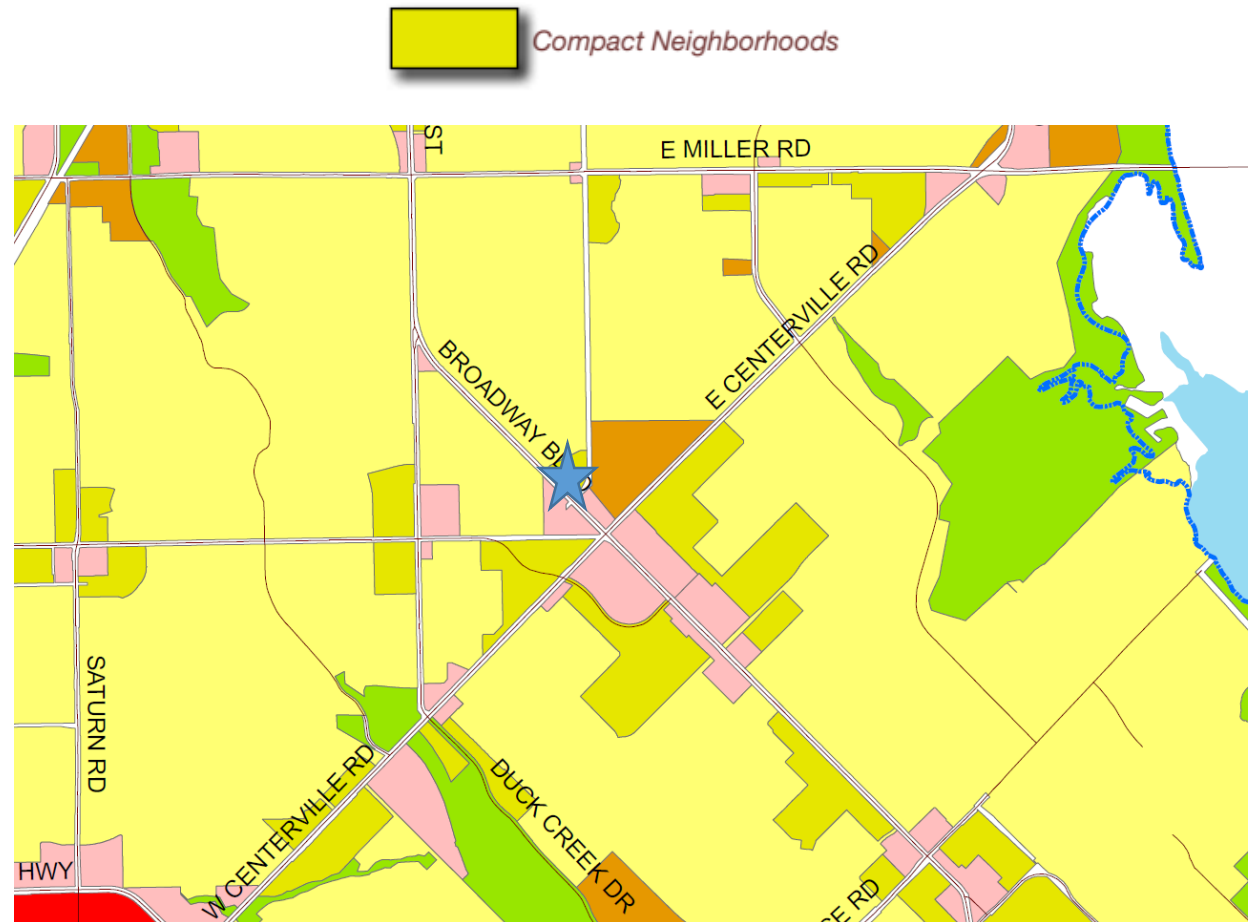


2940 Broadway Boulevard and 2955 Dairy Road

Z 22-45

COMPREHENSIVE PLAN

PLANNING &
DEVELOPMENT



Z 22-45

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

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

PHOTOS

PLANNING & DEVELOPMENT



Looking at the subject property from Broadway Blvd.



Looking north of the subject property



Looking south of the subject property



Looking west of the subject property

Z 22-45

PHOTOS

PLANNING & DEVELOPMENT



Z 22-45

STAFF RECOMMENDATION

PLANNING &
DEVELOPMENT



Approval of a Change in Zoning from Neighborhood Office (NO) District to Community Retail (CR) District.

Z 22-45

PLAN COMMISSION RECOMMENDATION

PLANNING &
DEVELOPMENT



On September 12, 2022 the Plan Commission, by a vote of eight (8) to zero (0), recommended approval of a Change in Zoning from Neighborhood Office (NO) District to Community Retail (CR) District.

PLANNING & DEVELOPMENT





GARLAND PLANNING REPORT

City Council Regular Session Agenda

8. i.

Meeting Date: 10/11/2022

Item Title: Z 22-49 Scout Cold Logistics, LLC - Specific Use Provision (District 5)

Submitted By: Will Guerin, Planning Director

REQUEST

Approval of 1) a Specific Use Provision for Food Processing & Storage; and 2) a Plan for Food Processing & Storage on a property zoned Industrial (IN) District.

LOCATION

2610 McCree Road

OWNER

Scout Cold Storage Dallas, LLC

PLAN COMMISSION RECOMMENDATION

During the September 12, 2022 meeting, the Plan Commission, with a vote of eight (8) to zero (0), recommended approval of) a Specific Use Provision for Food Processing & Storage; and 2) a Plan for Food Processing & Storage on a property zoned Industrial (IN) District.

STAFF RECOMMENDATION

Approval of 1) a Specific Use Provision for Food Processing & Storage; and 2) a Plan for Food Processing & Storage on a property zoned Industrial (IN) District.

BACKGROUND

The applicant requests to allow a Food Processing & Storage business within an existing 151,776 square-foot building. The Garland Development Code (GDC) requires a Specific Use Provision (SUP) for Food Processing & Storage use in the Industrial (IN) District.

SITE DATA

The subject property is a 9.789-acre tract of land and part of the overall Dallas Food Center development. The property is accessed from McCree Road.

USE OF PROPERTY UNDER CURRENT ZONING

The subject property is zoned Industrial (IN) District. 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 Industrial (IN) District regulations are designed to ensure compatibility among the various uses allowed in the district, and to protect adjacent non-industrial development from potentially incompatible uses and conditions.

In addition, there was a previous Specific Use Provision approval [S 07-14] for a Recycling Center, which is no longer there. The Garland Development Code (GDC) requires a Specific Use Provision (SUP) for Food Processing & Storage use in the Industrial (IN) District.

CONSIDERATIONS

1. The proposal includes interior renovations of an existing building for a refrigerated food processing and distribution facility. The proposed tenant is Salad and Go. The use will include the intake of foods such as lettuce, cleaning/washing food items, and packaging the products for shipping. Salad and Go will lease approximately 114,000 square feet of the 151,776 square-foot building, including some second floor space; the remainder of the building will continue to be leased by an existing tenant.
2. The proposal complies with the parking requirements per the Garland Development Code.
3. No building expansion is proposed; therefore, screening and landscaping requirements are not triggered by this request.
4. The applicant requests a Specific Use Provision time period of twenty (20) years, which aligns with the SUP Time Period Guide.

COMPREHENSIVE PLAN

The Envision Garland Plan designates the subject property as Industry Center, which provide a cluster of trade and industry that cumulatively employ large numbers of people. Operations within this development type may require substantial infrastructure and may result in more significant negative impacts (sound, air, traffic, outdoor lighting, storage, etc.). Operations may include such elements as semi-truck traffic, loading docks, and visible outdoor storage. Overall, the architecture, character, scale, and intensity should be compatible with adjacent development types. Industry Centers are generally located along major arterial streets, and highways and at significant transit areas (bus/ rail). Site design addresses function and visual aesthetics that provide appropriate buffering at gateway corridors, between adjacent developments, and for residential neighborhoods.

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.

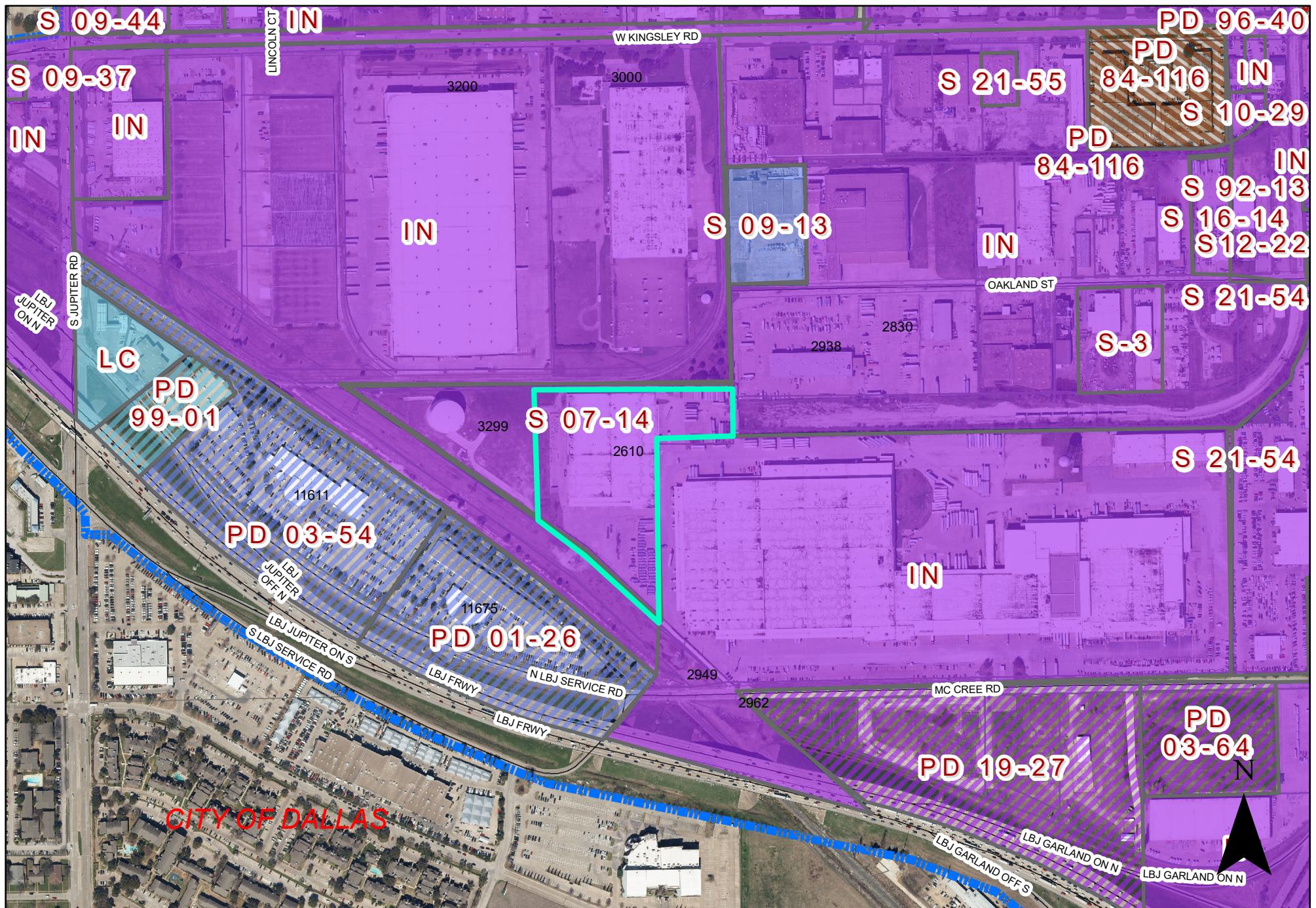
This proposal contributes to the industry employment sector and is compatible with the Comprehensive Plan.

COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

The area surrounding the subject property includes industrial and commercial uses. The remainder of the property to the east is zoned Industrial (IN) District and includes a large-scale light-industrial/distribution facility. East of that property is an automobile sales dealership. To the north are additional industrial uses, zoned Industrial (IN) District. To the south/southeast, across McCree Road, is a future U-Haul automotive repair facility and a future self-storage facility, zoned PD 19-27. To the west are additional automobile sales dealerships, zoned PD 03-54 and PD 01-26.

Attachments

Z 22-49 Scout Cold Logistics, LLC Attachments (Specific Use Provision)
Z 22-49 Scout Cold Logistics, LLC Responses
Z 22-49 Scout Cold Logistics, LLC Staff Presentation



0 340 680 Feet
1 inch = 509 feet

ZONING MAP Z 22-49

 INDICATES AREA OF REQUEST

2610 McCree Road

SPECIFIC USE PROVISION CONDITIONS

ZONING FILE Z 22-49

2610 McCree 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 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.
- 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.

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. Specific Regulations:

- A. Time Period: The Specific Use Provision shall be valid for twenty (20) years.
- B. Food Processing & Storage: The Food Processing & Storage Use shall generally conform to the site plan shown in Exhibit C.

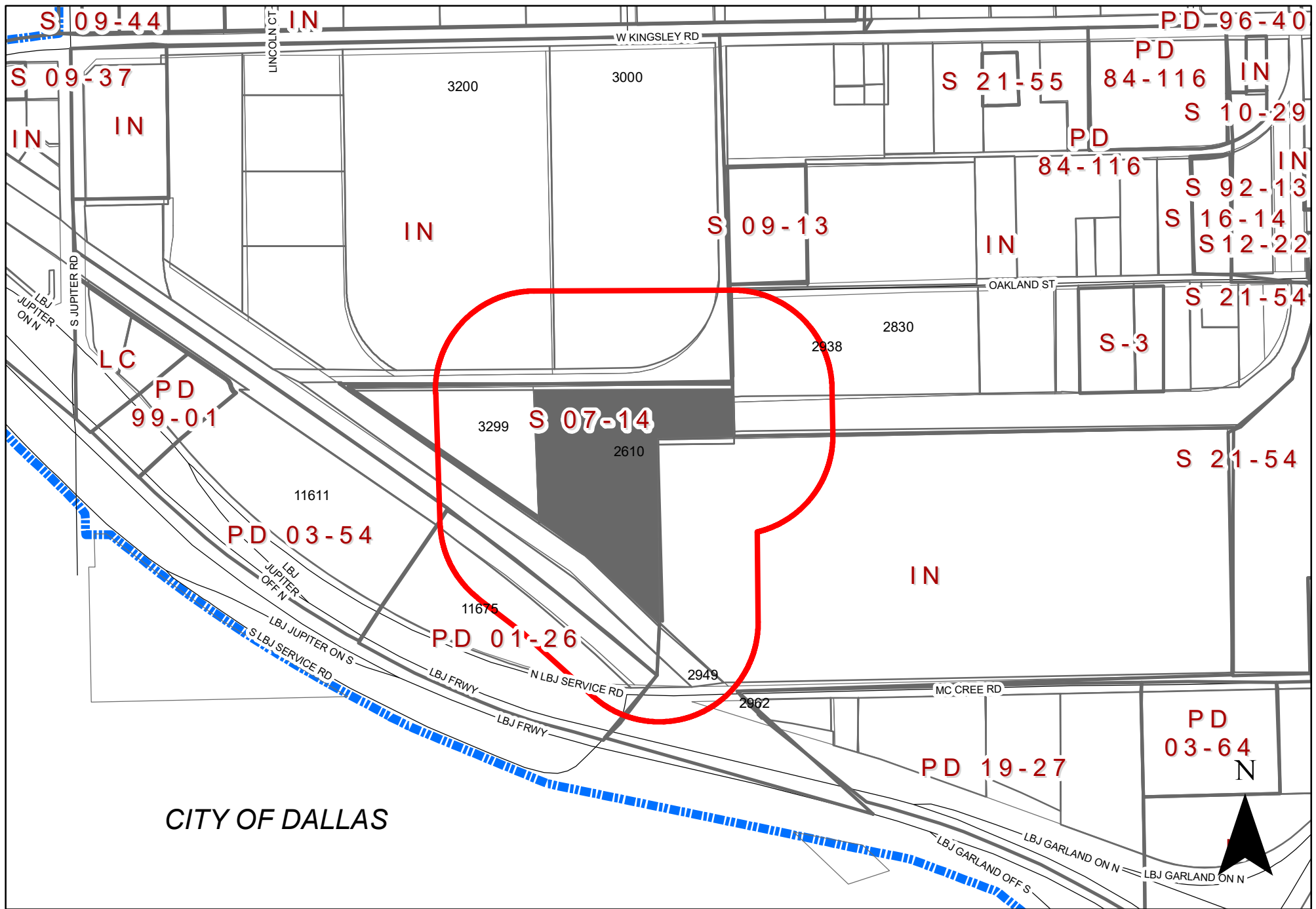
REPORT & MINUTES

P.C. Meeting, September 12, 2022

Consideration of the application of **Scout Cold Logistics, LLC**, requesting approval of a Specific Use Provision for Food Processing & Storage. This property is located at 2610 McCree Road. (District 5) (File Z 22-49 – Specific Use Provision.)

The applicant, Aaron Comer, 248 Cedarhurst Drive, Canton, Georgia, 30115, provided an overview of the request and remained available for questions.

Motion was made by Commissioner Aubin to **approve** the request. Seconded by Commissioner Williams. **Motion carried: 8 Ayes, 0 Nay.**



0 340 680 Feet
1 inch = 509 feet

ZONING MAP Z 22-49

INDICATES AREA OF REQUEST
INDICATES NOTIFICATION AREA

2610 McCree Road

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

Z 22-49

PLANNING & DEVELOPMENT



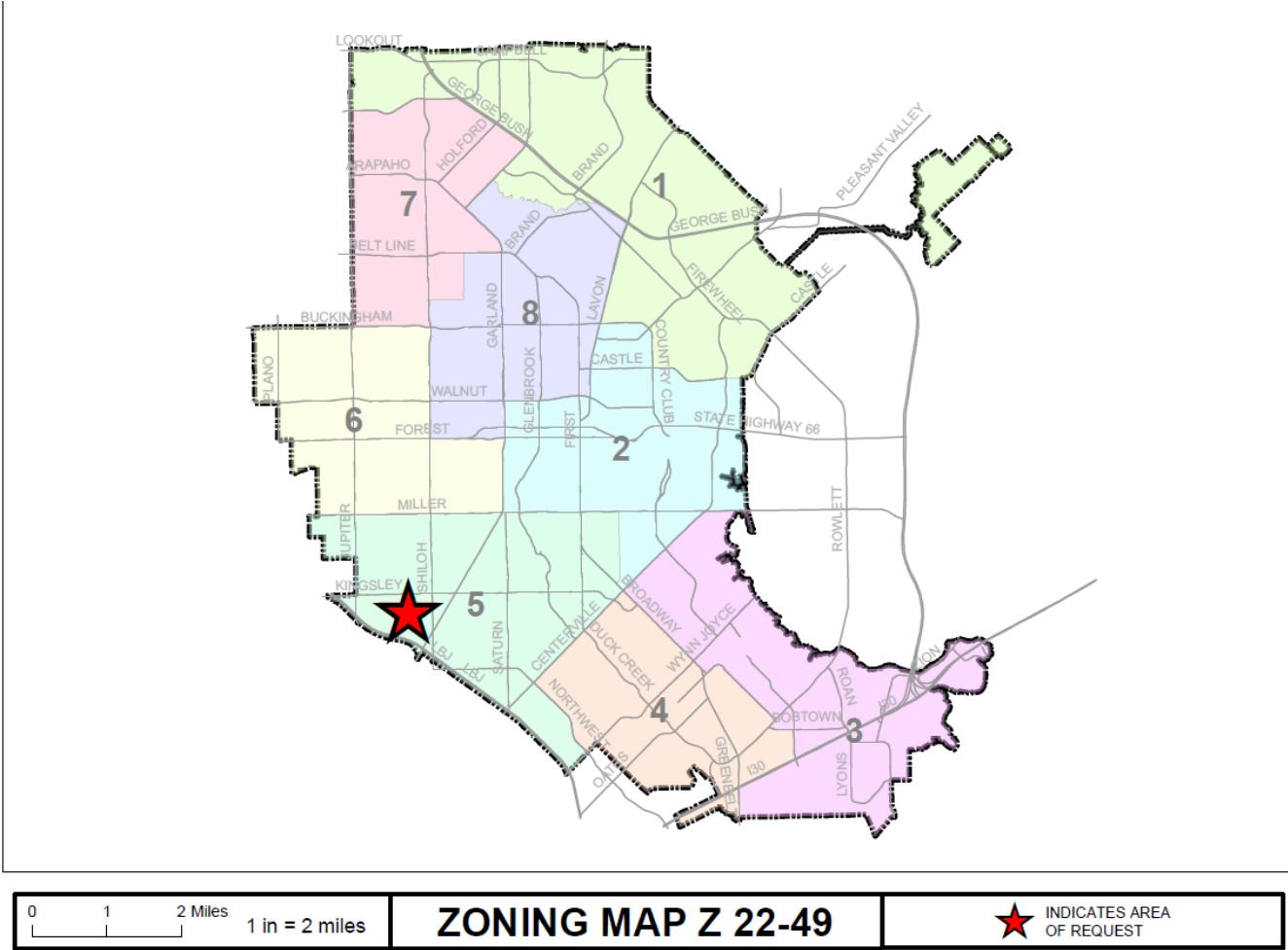
The applicant requests to allow a food processing and distribution facility in an existing building.

**City Council Meeting
October 11, 2022**

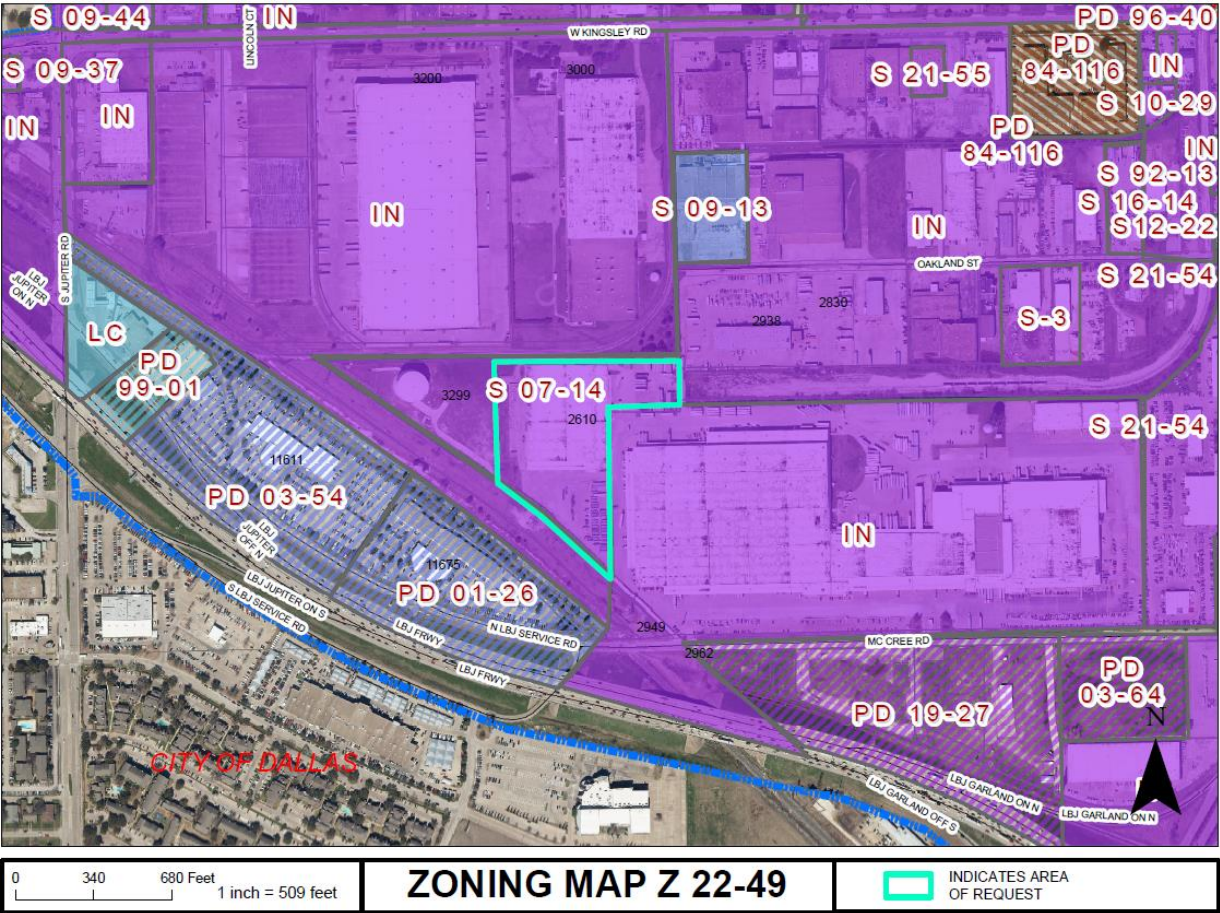
CASE INFORMATION

<u>Location:</u>	2610 McCree Road
<u>Applicant:</u>	Scout Cold Logistics, LLC
<u>Owner:</u>	Scout Cold Dallas, LLC
<u>Acreage:</u>	9.789 acres
<u>Zoning:</u>	Industrial (IN) District

CITYWIDE LOCATION MAP



LOCATION MAP



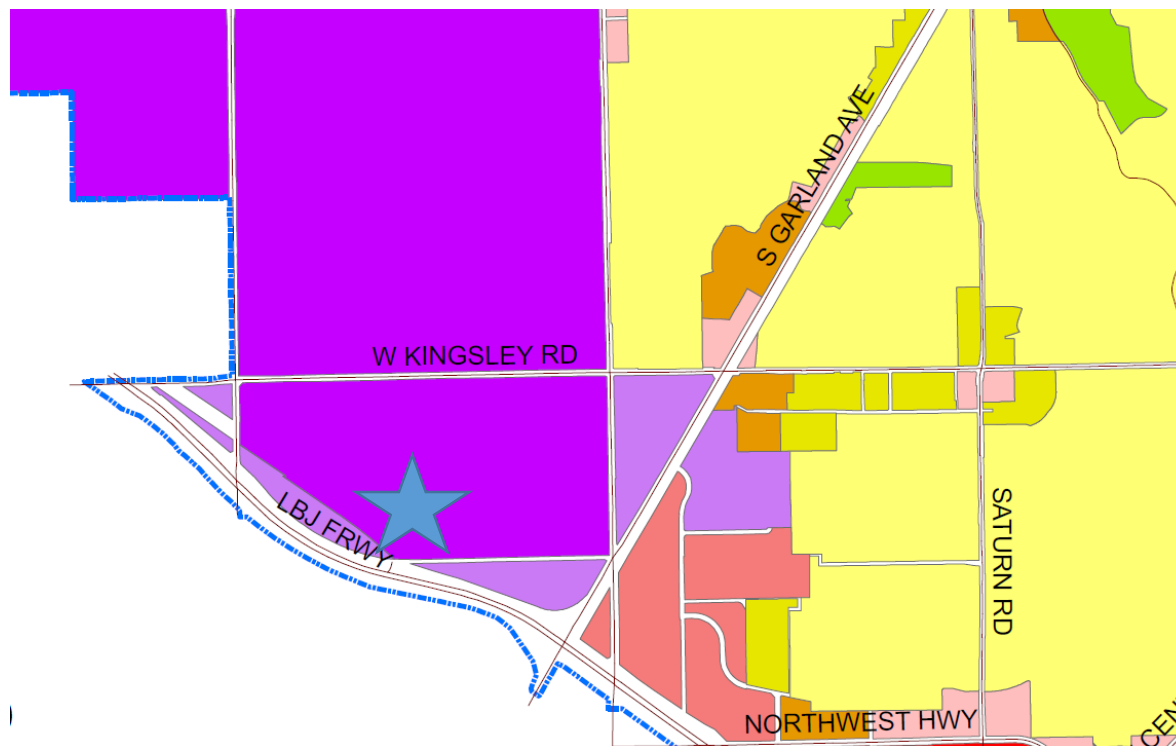
ZONING MAP Z 22-49

2610 McCree Road

Z 22-49

COMPREHENSIVE PLAN

PLANNING &
DEVELOPMENT



Z 22-49

COMPREHENSIVE PLAN

PLANNING & DEVELOPMENT



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

Industry centers are generally located along major arterial streets, and highways and at significant transit areas (bus/rail). Site design addresses function and visual aesthetics that provide appropriate buffering at gateway corridors, between adjacent developments, and for residential neighborhoods.

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 contributes to the industry employment sector and is compatible with the Comprehensive Plan.

PHOTOS

PLANNING & DEVELOPMENT



Looking at the front building, internal to the property



Looking at the side of the building, internal to the property



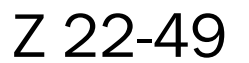
Looking at the main entrance of the subject property



Looking south of the subject property.

Z 22-49

An aerial photograph of a city street, likely in a downtown area, showing buildings, trees, and a river in the background. A white grid pattern is overlaid on the image, suggesting a digital or architectural theme. The image is tilted slightly to the right.

 GARLAND

CONSIDERATIONS

The applicant requests the Specific Use Provision to be in effect for a period of twenty (20) years.

No GDC deviations have been requested by the applicant.

STAFF RECOMMENDATION

Approval of a Specific Use Provision for Food Processing & Storage on a property zoned Industrial (IN) District.

Approval of a Plan for Food Processing & Storage on a property zoned Industrial (IN) District.

PLAN COMMISSION RECOMMENDATION

During the September 12, 2022 meeting, the Plan Commission, with a vote of eight (8) to zero (0), recommended approval of a Specific Use Provision for Food Processing & Storage on a property zoned Industrial (IN) District.

The Plan Commission also recommended approval of a Plan for Food Processing & Storage on a property zoned Industrial (IN) District with an eight (8) to zero (0) vote.

PLANNING & DEVELOPMENT



The Garland Development Code (GDC) defines Food Processing & Storage use as a large-scale manufacturing operation that prepares or produces foods and beverages for human consumption, primarily for commercial and wholesale customers for off-site distribution and consumption. The term includes dry and cold storage of food products, unless they are incidental to another primary use such as a grocery store or a restaurant. The term may include incidental retail sales of food products produced on the premises. The term does not include the preparation or manufacture of products for consumption by animals (see definition for Animal Feed Processing and Storage), or the slaughtering of any type of animal other than sea life.



GARLAND PLANNING REPORT

City Council Regular Session Agenda

8. j.

Meeting Date: 10/11/2022

Item Title: Z 22-49 Scout Cold Logistics, LLC - Plan (District 5)

Submitted By: Will Guerin, Planning Director

REQUEST

Approval of 1) a Specific Use Provision for Food Processing & Storage; and 2) a Plan for Food Processing & Storage on a property zoned Industrial (IN) District.

LOCATION

2610 McCree Road

OWNER

Scout Cold Storage Dallas, LLC

PLAN COMMISSION RECOMMENDATION

During the September 12, 2022 meeting, the Plan Commission, with a vote of eight (8) to zero (0), recommended approval of) a Specific Use Provision for Food Processing & Storage; and 2) a Plan for Food Processing & Storage on a property zoned Industrial (IN) District.

STAFF RECOMMENDATION

Approval of 1) a Specific Use Provision for Food Processing & Storage; and 2) a Plan for Food Processing & Storage on a property zoned Industrial (IN) District.

BACKGROUND

The applicant requests to allow a Food Processing & Storage business within an existing 151,776 square-foot building. The Garland Development Code (GDC) requires a Specific Use Provision (SUP) for Food Processing & Storage use in the Industrial (IN) District.

SITE DATA

The subject property is a 9.789-acre tract of land and part of the overall Dallas Food Center development. The property is accessed from McCree Road.

USE OF PROPERTY UNDER CURRENT ZONING

The subject property is zoned Industrial (IN) District. 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 Industrial (IN) District regulations are designed to ensure compatibility among the various uses allowed in the district, and to protect adjacent non-industrial development from potentially incompatible uses and conditions.

In addition, there was a previous Specific Use Provision approval [S 07-14] for a Recycling Center, which is no longer there. The Garland Development Code (GDC) requires a Specific Use Provision (SUP) for Food Processing & Storage use in the Industrial (IN) District.

CONSIDERATIONS

1. The proposal includes interior renovations of an existing building for a refrigerated food processing and distribution facility. The proposed tenant is Salad and Go. The use will include the intake of foods such as lettuce, cleaning/washing food items, and packaging the products for shipping. Salad and Go will lease approximately 114,000 square feet of the 151,776 square-foot building, including some second floor space; the remainder of the building will continue to be leased by an existing tenant.
2. The proposal complies with the parking requirements per the Garland Development Code.
3. No building expansion is proposed; therefore, screening and landscaping requirements are not triggered by this request.
4. The applicant requests a Specific Use Provision time period of twenty (20) years, which aligns with the SUP Time Period Guide.

COMPREHENSIVE PLAN

The Envision Garland Plan designates the subject property as Industry Center, which provide a cluster of trade and industry that cumulatively employ large numbers of people. Operations within this development type may require substantial infrastructure and may result in more significant negative impacts (sound, air, traffic, outdoor lighting, storage, etc.). Operations may include such elements as semi-truck traffic, loading docks, and visible outdoor storage. Overall, the architecture, character, scale, and intensity should be compatible with adjacent development types. Industry Centers are generally located along major arterial streets, and highways and at significant transit areas (bus/ rail). Site design addresses function and visual aesthetics that provide appropriate buffering at gateway corridors, between adjacent developments, and for residential neighborhoods.

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.

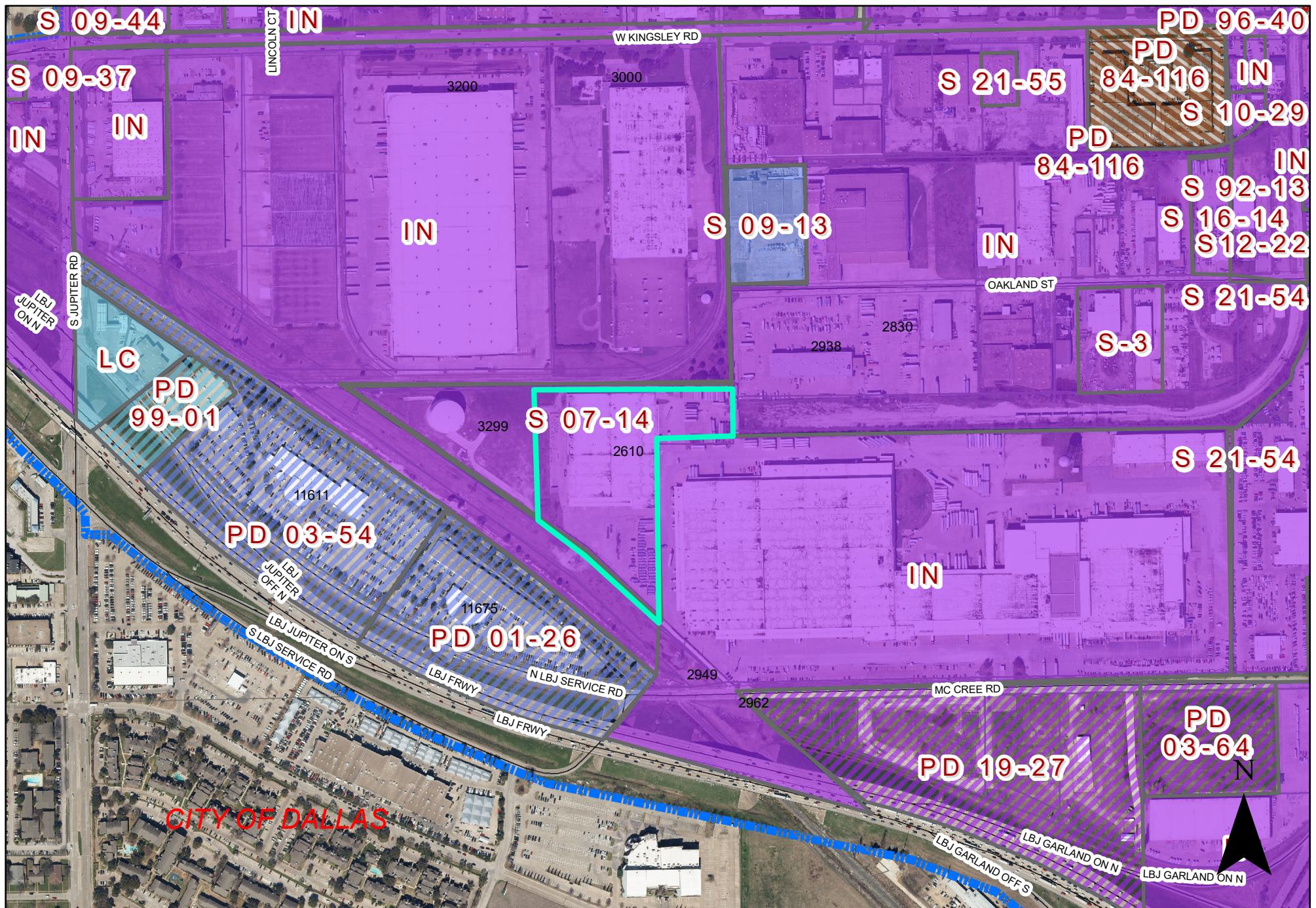
This proposal contributes to the industry employment sector and is compatible with the Comprehensive Plan.

COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

The area surrounding the subject property includes industrial and commercial uses. The remainder of the property to the east is zoned Industrial (IN) District and includes a large-scale light-industrial/distribution facility. East of that property is an automobile sales dealership. To the north are additional industrial uses, zoned Industrial (IN) District. To the south/southeast, across McCree Road, is a future U-Haul automotive repair facility and a future self-storage facility, zoned PD 19-27. To the west are additional automobile sales dealerships, zoned PD 03-54 and PD 01-26.

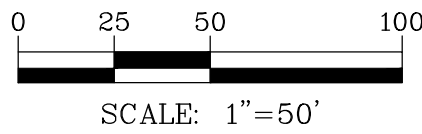
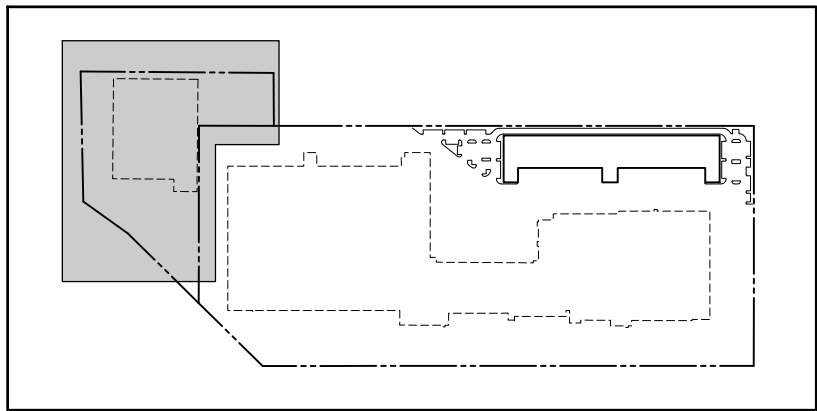
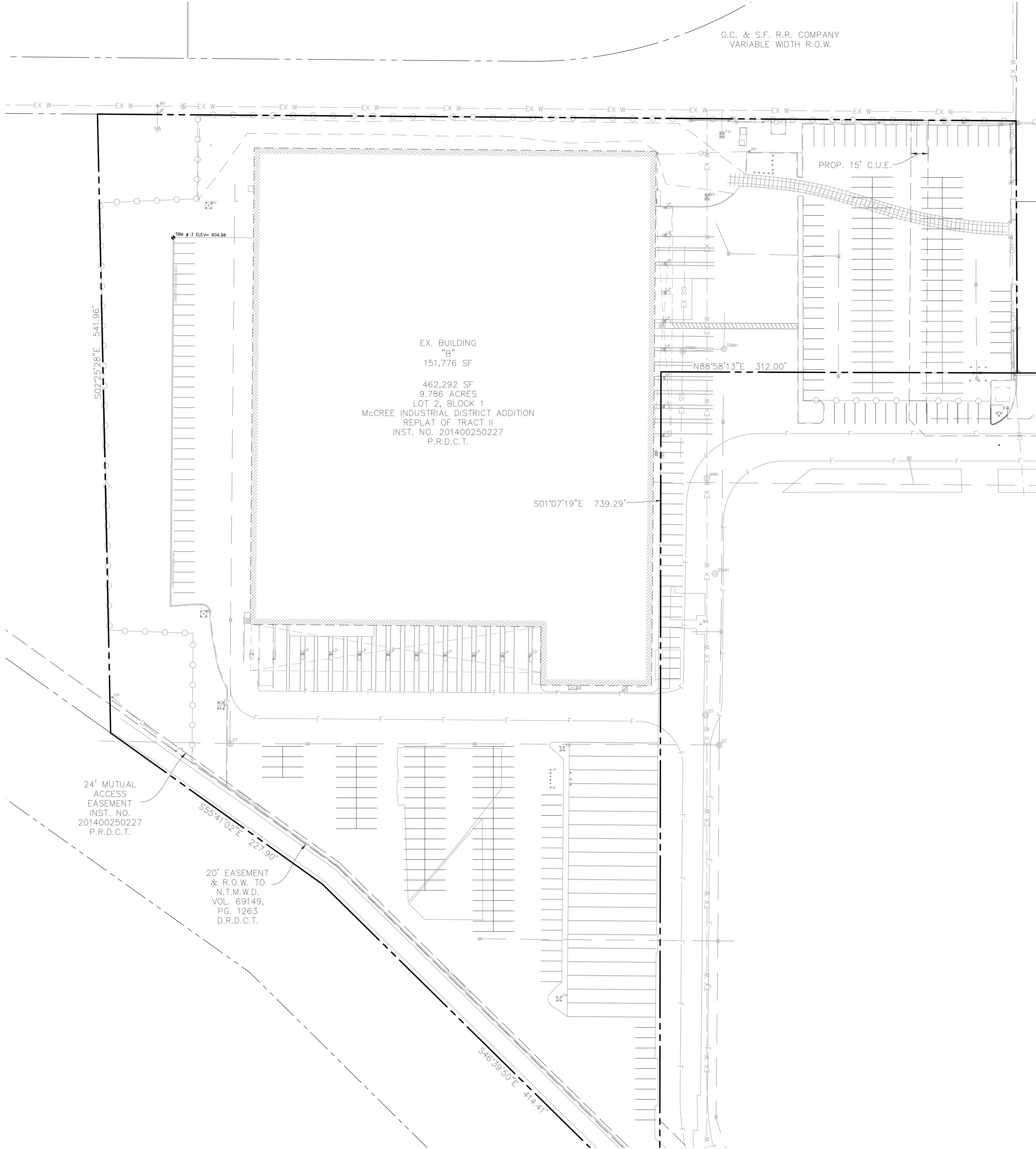
Attachments

Z 22-49 Scout Cold Logistics, LLC Attachments (Plan)
Z 22-49 Scout Cold Logistics, LLC Responses
Z 22-49 Scout Cold Logistics, LLC Staff Presentation



ZONING MAP Z 22-49

2610 McCree Road



CITY OF GARLAND BENCHMARKS	
BM-1: CITY OF GARLAND GEODETIC MONUMENT NO. 452: 2 INCH BRASS DISK STAMPED "#452" SET IN A CONCRETE DRAINAGE STRUCTURE LOCATED AT THE SOUTHEAST CORNER OF S. GARLAND ROAD & S. SHILOH ROAD; BEING NORTHEAST OF THE END OF MCCREE ROAD.	TBM-2: SQUARE CUT W/"X" SET ON THE SOUTHEAST CORNER OF A CONCRETE VAULT, LOCATED ±1,095 FEET SOUTHWEST FROM THE CENTER OF THE INTERSECTION OF S. SHILOH ROAD AND OAKLAND STREET AND ±215 FEET NORTHEAST OF THE NORTHEAST BUILDING CORNER OF 2600 MCCREE ROAD.
ELEVATION = 582.72'	ELEVATION = 597.70'
BM-2: CITY OF GARLAND GEODETIC MONUMENT NO. 453: 2 INCH BRASS DISK STAMPED "#453" SET IN A CONCRETE CURB INLET LOCATED AT THE SOUTHWEST CORNER OF KINGSLEY ROAD AND S. SHILOH ROAD.	TBM-3: SQUARE CUT W/"X" SET ON TOP OF CURB LOCATED ±2,445 FEET SOUTHEAST OF THE CENTER OF THE INTERSECTION OF KINGSLEY ROAD AND JUPITER ROAD, ±3,630 FEET NORTHWEST OF THE CENTER OF THE INTERSECTION OF S. GARLAND AVENUE AND MCCREE ROAD, AND ±110 FEET SOUTHWEST OF NORTHWEST BUILDING CORNER OF 2610 MCCREE ROAD.
ELEVATION = 580.72'	ELEVATION = 604.98'
SURVEY CONTROL BENCHMARKS	
TBM-1: SQUARE CUT W/"X" SET ON THE NORTH CENTER OF A CURB INLET LOCATED ±4,620 FEET SOUTHEAST OF THE CENTER OF THE INTERSECTION OF JUPITER ROAD AND KINGSLEY ROAD, ±2,250 FEET SOUTHWEST FROM THE CENTER OF THE INTERSECTION OF S. SHILOH ROAD AND OAKLAND STREET AND ±1,580 FEET WEST FROM THE CENTER OF THE INTERSECTION OF S. GARLAND AVENUE AND MCCREE ROAD.	
ELEVATION = 597.12'	

ManhardCONSULTING

12225 Greenville Avenue, Suite 1000, Dallas, TX 75243 ph-972.972.4250 manhard.com
Civil Engineers | Surveyors | Water Resource Engineers | Water & Waste Water Engineers
Construction Managers | Environmental Scientists | Landscape Architects | Planners
Texas Board of Professional Engineers and Land Surveyors Registration No. F-21732

DALLAS FOOD CENTER

2550 MCCREE ROAD, LOT 1-R & LOT 2-R, BLOCK 1, GARLAND, TEXAS

PARKING EXHIBIT - BUILDING B

PROJ. MGR.: BJB

PROJ. ASSOC.: TRB

DRAWN BY: ANV

DATE: 08/24/2022

SHEET

EX

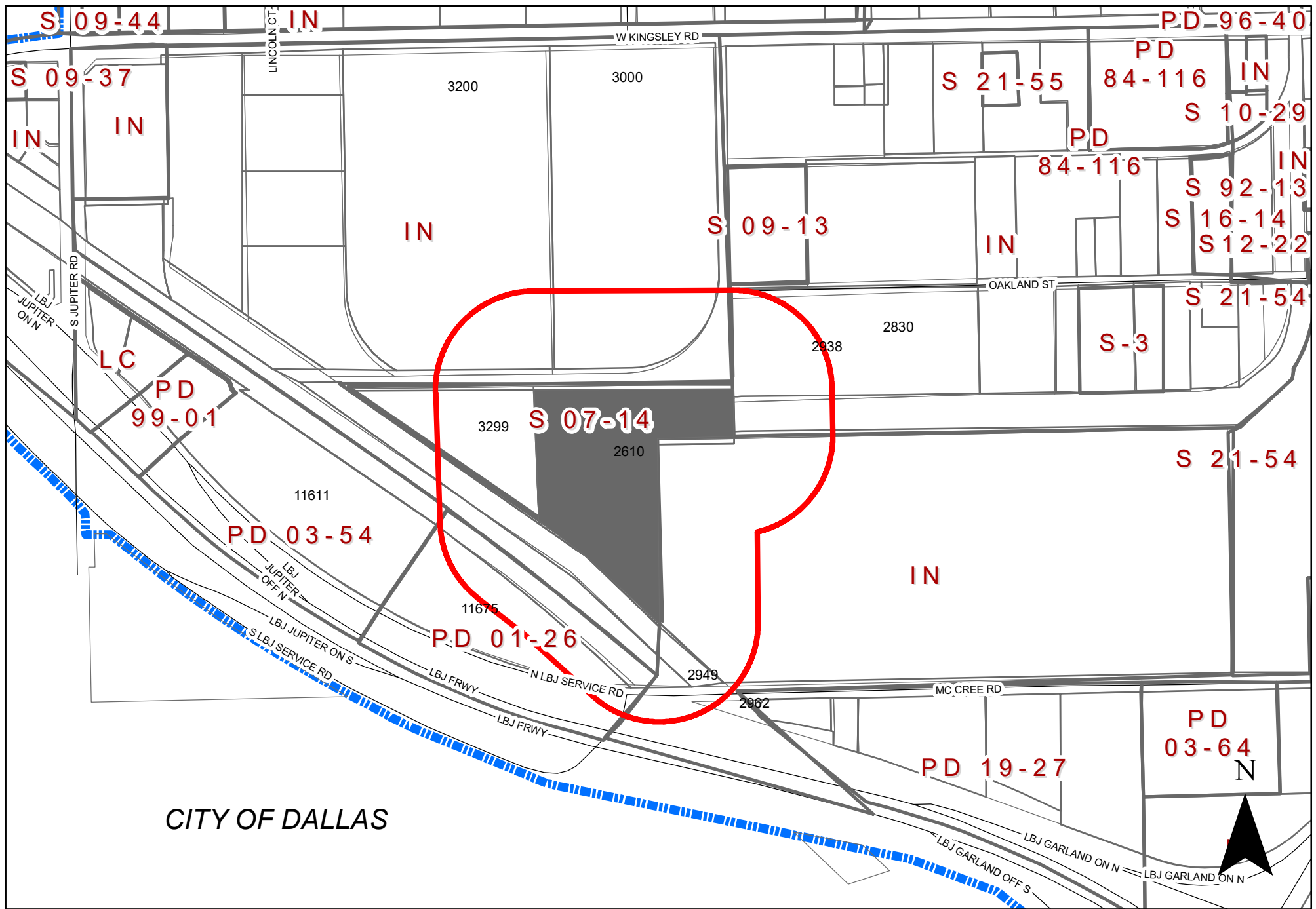
611.065001.00

REPORT & MINUTES

P.C. Meeting, September 12, 2022

Consideration of the application of **Scout Cold Logistics, LLC**, requesting approval of a Plan for Food Processing & Storage on a property zoned Industrial (IN) District. This property is located at 2610 McCree Road. (District 5) (File Z 22-49 – Plan)

Motion was made by Commissioner Aubin to **approve** the request. Seconded by Commissioner Williams. **Motion carried: 8 Ayes, 0 Nay.**



0 340 680 Feet
1 inch = 509 feet

ZONING MAP Z 22-49

INDICATES AREA OF REQUEST
INDICATES NOTIFICATION AREA

2610 McCree Road

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

Z 22-49

PLANNING & DEVELOPMENT



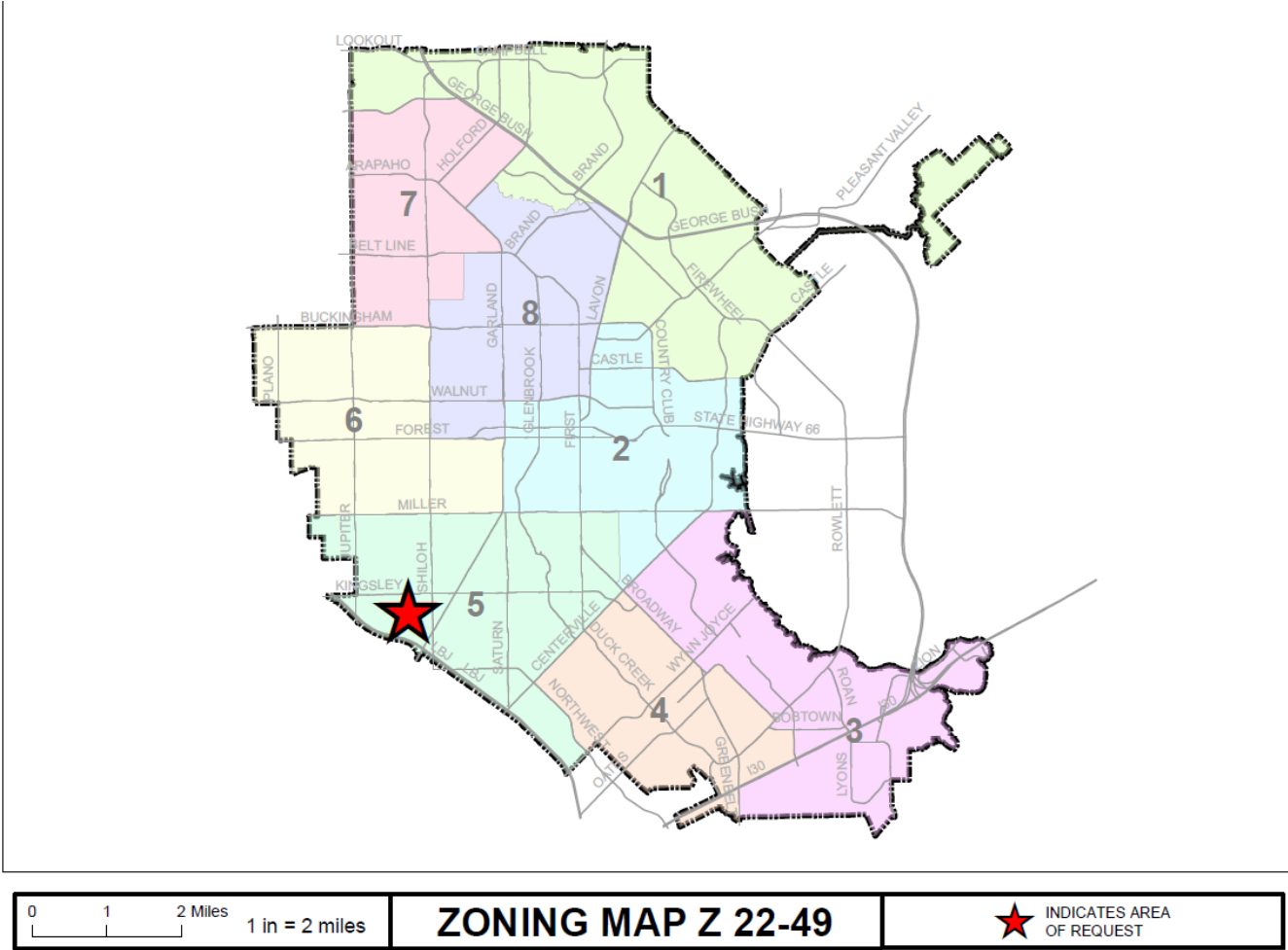
The applicant requests to allow a food processing and distribution facility in an existing building.

**City Council Meeting
October 11, 2022**

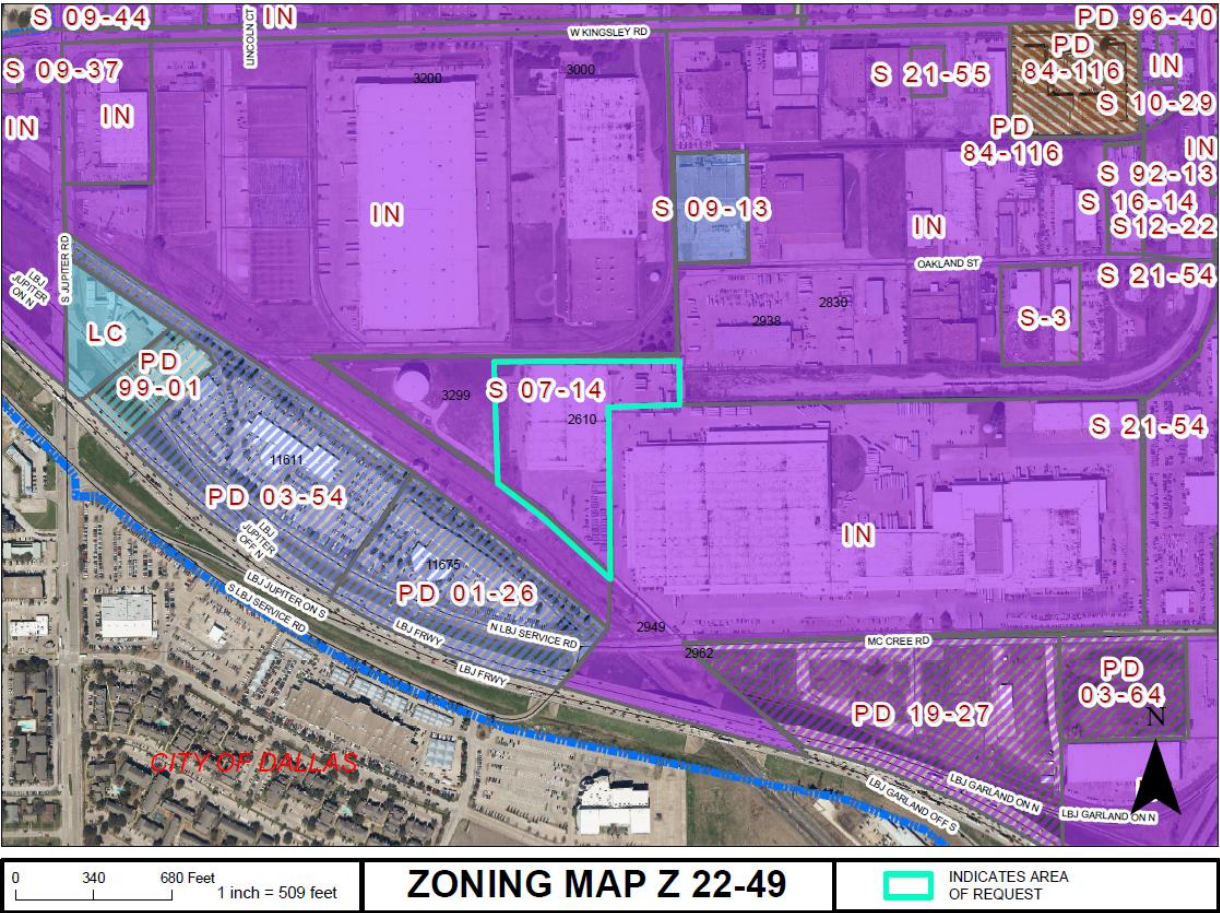
CASE INFORMATION

<u>Location:</u>	2610 McCree Road
<u>Applicant:</u>	Scout Cold Logistics, LLC
<u>Owner:</u>	Scout Cold Dallas, LLC
<u>Acreage:</u>	9.789 acres
<u>Zoning:</u>	Industrial (IN) District

CITYWIDE LOCATION MAP



LOCATION MAP



ZONING MAP Z 22-49

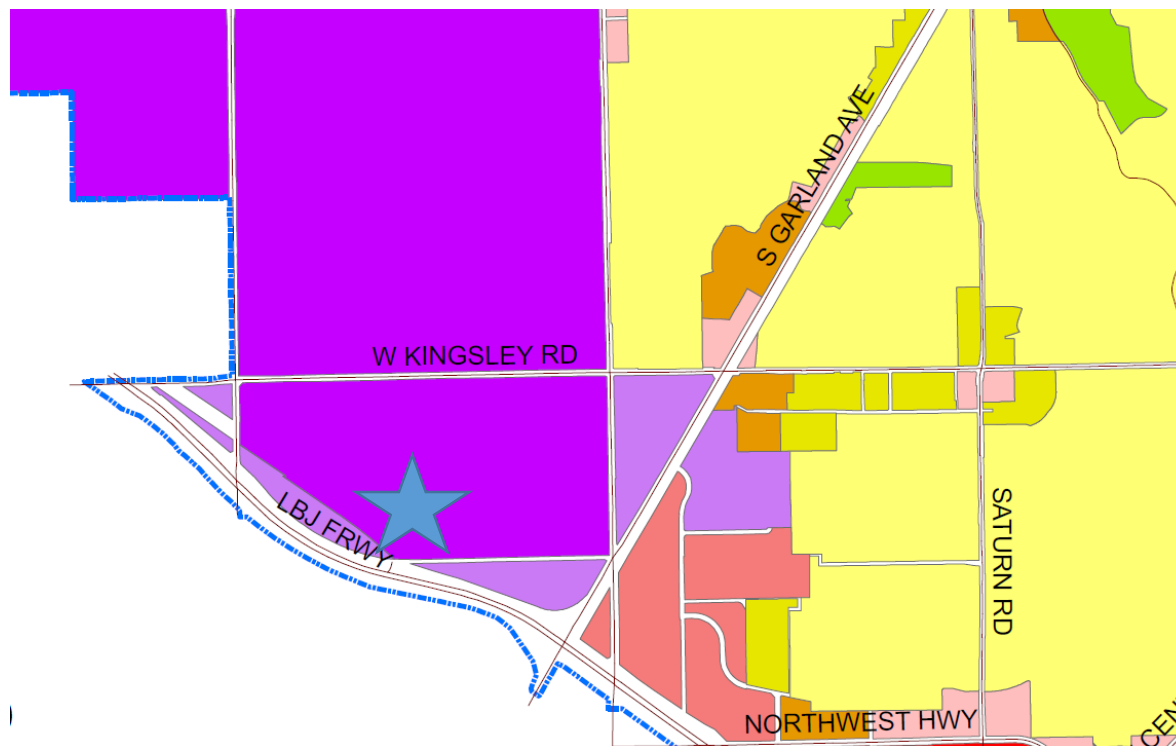
INDICATES AREA
OF REQUEST

2610 McCree Road

Z 22-49

COMPREHENSIVE PLAN

PLANNING &
DEVELOPMENT



Z 22-49

COMPREHENSIVE PLAN

PLANNING & DEVELOPMENT



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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 contributes to the industry employment sector and is compatible with the Comprehensive Plan.

PHOTOS

PLANNING & DEVELOPMENT



Looking at the front building, internal to the property



Looking at the side of the building, internal to the property



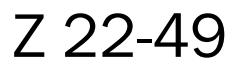
Looking at the main entrance of the subject property



Looking south of the subject property.

Z 22-49

An aerial photograph of a city street, likely in a downtown area, showing buildings, trees, and a river in the background. A white grid pattern is overlaid on the image, suggesting a digital or architectural theme. The image is tilted slightly to the right.

 GARLAND

CONSIDERATIONS

The applicant requests the Specific Use Provision to be in effect for a period of twenty (20) years.

No GDC deviations have been requested by the applicant.

STAFF RECOMMENDATION

Approval of a Specific Use Provision for Food Processing & Storage on a property zoned Industrial (IN) District.

Approval of a Plan for Food Processing & Storage on a property zoned Industrial (IN) District.

PLAN COMMISSION RECOMMENDATION

During the September 12, 2022 meeting, the Plan Commission, with a vote of eight (8) to zero (0), recommended approval of a Specific Use Provision for Food Processing & Storage on a property zoned Industrial (IN) District.

The Plan Commission also recommended approval of a Plan for Food Processing & Storage on a property zoned Industrial (IN) District with an eight (8) to zero (0) vote.

PLANNING & DEVELOPMENT



The Garland Development Code (GDC) defines Food Processing & Storage use as a large-scale manufacturing operation that prepares or produces foods and beverages for human consumption, primarily for commercial and wholesale customers for off-site distribution and consumption. The term includes dry and cold storage of food products, unless they are incidental to another primary use such as a grocery store or a restaurant. The term may include incidental retail sales of food products produced on the premises. The term does not include the preparation or manufacture of products for consumption by animals (see definition for Animal Feed Processing and Storage), or the slaughtering of any type of animal other than sea life.



GARLAND PLANNING REPORT

City Council Regular Session Agenda

8. k.

Meeting Date: 10/11/2022

Item Title: GDC Amendments Related to Multi-Family Standards and Covered Parking

Submitted By: Will Guerin, Planning Director

REQUEST

Consider amending Section 4.24, "Multifamily Developments," of Chapter 4, "Site Development," the Land Use Matrix, and Table 7-1, "Downtown District Land use Matrix" of chapter 7 of the Garland Development Code of the City of Garland, Texas; and amending Table 2-4 of Section 2.34 and Section 2.39 of Chapter 2, "Zoning Regulations," and the Chapter 2 Land Use Matrix, of the Garland Development Code of the City of Garland, Texas.

PLAN COMMISSION RECOMMENDATION

During their September 12, 2022 meeting, the Plan Commission, with an eight (8) to zero (0) vote, recommended approval to amend Section 4.24, "Multifamily Developments," of Chapter 4, "Site Development," the Land Use Matrix, and Table 7-1, "Downtown District Land use Matrix" of chapter 7 of the Garland Development Code of the City of Garland, Texas; and amending Table 2-4 of Section 2.34 and Section 2.39 of Chapter 2, "Zoning Regulations," and the Chapter 2 Land Use Matrix, of the Garland Development Code of the City of Garland, Texas.

In addition, while not part of the Commission's formal recommendation motion, the Commissioners had a discussion during the pre-meeting which included the following notes:

- A suggestion was made to reduce the covered parking requirement to a middle-ground such as 25%.
- A question was asked if eliminating covered parking requirements affects the quality of multi-family developments.
- A question was raised whether it would be better to allow developers to continue to request deviations through the PD process rather than exempt specific requirements.
- A suggestion was made to require some of the covered parking through tree canopy shading.
- For the MF-0 amendment, confirmation that building elevations must be varied per single-family standards.
- A question was asked about bedroom to bathroom proportionality for single-family and two-family dwellings.
- For MF-0, consider a maximum of three (3) or four (4) units per building.

BACKGROUND

The Development Services Committee of the City Council has made additional recommendations to amend the Garland Development Code (GDC) regarding multi-family development requirements. The Committee proposes to add an “MF-0” District, which would allow and regulate a “horizontal multi-family”, or oftentimes called “single-family style rental”, development.

An additional recommendation from the Committee is to remove covered parking requirements for all multi-family development. Covered parking requirements often trigger deviations from developers, whether to reduce the amount of required covered parking, or to reduce setback requirements as a result of providing the required amount of covered parking.

The City Council was briefed by a Development Services Committee report during the August 15, 2022 City Council Work Session. The Plan Commission reviewed the proposal on September 12, 2022. The proposed GDC amendments are further described in the Considerations below.

CONSIDERATIONS

MF-0 District

1. Similar to a recent GDC amendment approved by City Council creating an “MF-2” District which allows a higher density and building heights for multi-family development, the proposal is to create a Multi-Family-0 [“MF-0”] District which would allow the trending single-family rental, or “horizontal multi-family”, style of development by right should a zoning request to MF-0 be approved. The MF-0 District is intended for multiple dwelling units, developed in a single-family style, but not on individually platted lots.

An example of an approved project in Garland is the ParcHaus development [Z 21-62] recently approved near Firewheel Parkway and Castle Drive.

2. As drafted the MF-0 District would allow a maximum density of twelve (12) units per acre. Development under MF-0 would follow multi-family standards for amenities, parking, and screening from single-family residences. However, it would follow single-family standards for building design and perimeter roadway screening.

The Committee further recommended eliminating a roof pitch requirement for this style of development; that buildings shall be placed a minimum of ten (10) feet apart, versus the multi-family standard of twenty (20) feet; and there shall be one (1) attached enclosed garage parking space per unit.

Covered Parking

3. With the exception of the abovementioned requirement proposal for MF-0 developments, the Committee has also recommended the elimination of a general covered parking requirement for multi-family developments. Covered parking includes carports and garages. As a result of this elimination, developers would propose the desired amount of covered parking for their residents rather than responding to a City requirement.

4. The draft ordinance language is attached for the Council's review and consideration.

Attachments

Draft Ordinance - MF-0

Draft Ordinance - Covered Parking

ORDINANCE NO.

AN ORDINANCE AMENDING TABLE 2-4 OF SECTION 2.34 AND SECTION 2.39 OF CHAPTER 2, "ZONING REGULATIONS," AND THE CHAPTER 2 LAND MATRIX, OF THE GARLAND DEVELOPMENT CODE OF THE CITY OF GARLAND, TEXAS; PROVIDING A PENALTY UNDER THE PROVISIONS OF SEC. 10.05 OF THE CODE OF ORDINANCES OF THE CITY OF GARLAND, TEXAS; PROVIDING 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 Table 2-4, "Other Residential District Standards," of Section 2.34(B), "Lot Area Percentage Reductions in SF-E, SF-10, SF-7, SF-5, 2F, and SFA Districts," of Chapter 2, Article 4, "Zoning Districts," of the Garland Development Code of the City of Garland, Texas, is hereby amended *in part* to read as follows:

"Table 2-4 Other Residential District Standards

...	...	...	...	...	...	...	...	...	...	...	...
MF	None Max 12/acre in MF-0 Max. 18/acre in MF-1 Max. 32/acre in MF-2	20'	20'	20'	12'	12'	Efficiency: 500sf 1-BR 650sf 2-BR 800sf Add'l BR: 150sf Avg: 725sf	75'	100'	60%	35' in MF-0 40' in MF-1 50' in MF-2

Section 2

That Section 2.39, "MF, Multifamily District," of Chapter 2, "Zoning Regulations," of the Garland Development Code of the City of Garland, Texas, is hereby amended *in part* to read as follows:

"Section 2.39 MF, Multifamily District

(A) Purpose. The multifamily district is an attached residential district intended to promote stable, quality, attached-occupancy residential development in livable, sustainable, and compact residential communities at a maximum

density of eighteen dwelling units per acre. The principal allowed land uses include low-rise to mid-rise multiple-family dwelling structures that are renter-occupied or owner-occupied (as in condominiums). Recreational, religious, health, and educational uses normally located to serve residential areas are also allowed in this district. This district should be located adjacent to an arterial or collector street, and can serve as a buffer between nonresidential development or heavy automobile traffic and medium-density or low-density residential development. This district accommodates a variety of housing types including triplexes, quadplexes, apartments, and condominiums. The MF-0 district is intended for multiple dwelling units, developed in a single-family style, but not on individually platted lots. The MF-1 district, as mentioned in certain sections of the Garland Development Code, is intended to accommodate standard multifamily development. The MF-2 District is intended to accommodate moderately higher densities and building height in order to reflect a more urban style of multi-family development. All MF standards are applicable to both MF-1 and MF-2, except otherwise noted in [Table 2-4](#).

. . .

(G) Building Placement. All portions of a multifamily dwelling structure must be a minimum of twenty feet from other multifamily dwelling structures, or any portions thereof; except that the minimum building separation between dwelling structures is ten (10) feet in the MF-0 District.

. . .

(K) Special Standards for MF-0 District.

- (1) Screening. The screening requirements of Sections 4.39 and 4.40 apply for the MF-0 District.
- (2) Design. The Residential Building Design standards of Section 4.84 apply to the MF-0 District, except that the standards apply per building rather than per unit, and there is no minimum roof pitch requirement.
- (3) Amenities. The provisions of Section 2.39(I), "Other Requirements," apply to the MF-0 District.
- (4) Parking. The parking requirements of the "Dwelling, Multi-family," as enumerated within the Land Use Matrix, apply to the MF-0 District.

- (5) Attached Enclosed Garages. There must be one (1) attached enclosed garage, a minimum of 10 feet wide by twenty feet long, for each unit within the MF-0 District."

Section 3

That the Land Use Matrix of Chapter 2, "Zoning Regulations," of the Garland Development Code of the City of Garland, Texas, is hereby amended *in part* to include "MF-0" in the MF Column of the Matrix and to read as follows:

"LAND USE MATRIX

	AG	SF-E	SF-10	SF-7	SF-5	SFA	2F	MF (MF-0, MF-1 and MF-2)	N O	CO	N S	CR	LC	HC	IN	UR	UB	DT (see Ch. 7)	Parking Requirements	Cross- Reference(s) for Special Standards
RESIDENTIAL USES																				
Dwelling, Multi- family								P								P	P		Efficiency: 1 space 1 bedroom: 1.5 spaces 2+ bedrooms: 2 spaces	Sec. 2.39
Dwelling, Apartment																P	P		Efficiency: 1 space 1 bedroom: 1.5 spaces 2+ bedrooms: 2 spaces	

Section 4

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

Section 5

That Chapters 2 and 4 of the Garland Development Code of the City of Garland, Texas, 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.

PASSED AND APPROVED this the ____ day of October, 2022.

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary

PUBLISHED:

ORDINANCE NO.

AN ORDINANCE AMENDING SECTIONS 4.24, "MULTIFAMILY DEVELOPMENTS," OF CHAPTER 4, "SITE DEVELOPMENT," THE LAND USE MATRIX, AND TABLE 7-1, "DOWNTOWN DISTRICT LAND USE MATRIX" OF CHAPTER 7 OF THE GARLAND DEVELOPMENT CODE OF THE CITY OF GARLAND, TEXAS; PROVIDING A PENALTY UNDER THE PROVISIONS OF SEC. 10.05 OF THE CODE OF ORDINANCES OF THE CITY OF GARLAND, TEXAS; PROVIDING 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 Sec. 4.24 of Chapter 4, "Site Development," of the Garland Development Code of the City of Garland, Texas, is hereby amended *in its entirety* to read as follows:

"Section 4.24 Multifamily Developments

(A) Attached Enclosed Garages. Attached enclosed garages, if used, must be a minimum of ten feet wide by twenty feet long (for one-car garages).

(B) Detached Covered Parking Structures. Detached covered parking structures, if used, must meet the building materials and design requirements set forth in Section 2.60 in Chapter 2 of this GDC.

(C) Location Adjacent to Thoroughfares.

(1) Parking spaces and detached parking structures are prohibited in a street yard adjacent to State Highway 190, Interstate Highway 30 or Interstate Highway 635.

(2) All parking spaces located adjacent to the right-of-way of any other public thoroughfare or single-family district must be screened from view in accordance with Article 3 of this Chapter 4."

Section 2

That the Land Use Matrix of Chapter 2, "Zoning Regulations," of the Garland Development Code of the City of Garland, Texas, is hereby amended *in part* to remove the 50% covered parking requirement from "Dwelling, Multi-Family" and "Dwelling, Apartment" rows and to read as follows:

LAND USE MATRIX

	AG	SF-E	SF-10	SF-7	SF-5	SFA	2F	MF (MF-1 and MF-2)	NO	CO	NS	CR	LC	HC	IN	UR	UB	DT (see Ch. 7)	Parking Requirements	Cross- Reference(s) for Special Standards
RESIDENTIAL USES																				
Dwelling, Multi-family								P								P	P		Efficiency: 1 space 1 bedroom: 1.5 spaces 2+ bedrooms: 2 spaces	Sec. 2.39
Dwelling, Apartment																P	P		Efficiency: 1 space 1 bedroom: 1.5 spaces 2+ bedrooms: 2 spaces	

Section 3

That Table 7-1 Downtown District Land Use Matrix of Chapter 7, "Downtown (DT) District," of the Garland Development Code of the City of Garland, Texas, is hereby amended *in part* to remove the 50% covered parking requirement from "Dwelling, Multi-Family" and "Dwelling, Apartment" and to read as follows:

Table 7-1: Downtown District Land Use Matrix

	Downtown Historic	Downtown Square	Uptown	InTown Residential	Suburban Corridor	Parking Requirement (Does not apply to Downtown Historic (DH) and Downtown Square (DS) sub-districts)	Cross- Reference Special Standards
Residential Uses							
Dwelling, Multi- Family	P	S or P (if on upper floors only)	P			Efficiency: 1 space 1 bedroom: 1.5 spaces 2+ bedrooms: 2 spaces	Sec. 2.39
Dwelling, Apartment	P	P (on upper floors only)	P	P	P	Efficiency: 1 space 1 bedroom: 1.5 spaces 2+ bedrooms: 2 spaces	

Section 4

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

Section 5

That Chapter 33, "Transportation," of the Code of Ordinances of the City of Garland, Texas, 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.

PASSED AND APPROVED this the ____ day of October, 2022.

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary

PUBLISHED: