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
October 10, 2023
7:00 p.m.

The City Council extends to each visitor a sincere welcome. We value your interest in your community and your participation in the meetings of this governing body. Regular meetings of the City Council are held the 1st and 3rd Tuesdays of each month, beginning at 7:00 p.m.; the City Council meets regularly in work sessions at 6:00 p.m. the Monday preceding each regular meeting.

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

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

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

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

(3) A contract for a prospective gift or donation to the City, if the deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person.

Sec. 551.073, Tex. Gov't Code.

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

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

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

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

- generation unit specific and portfolio fixed and variable costs, including forecasts of those costs, capital improvement plans for generation units, and generation unit operating characteristics and outage scheduling;
- bidding and pricing information for purchased power, generation, and fuel, and Electric Reliability Council of Texas bids, prices, offers, and related services and strategies;
- effective fuel and purchased power agreements and fuel transportation arrangements and contracts;
- risk management information, contracts, and strategies, including fuel hedging and storage;
- plans, studies, proposals, and analyses for system improvements, additions, or sales, other than transmission and distribution system improvements inside the service area for which the public power utility is the sole certificated retail provider; and
- customer billing, contract, and usage information, electric power pricing information, system load characteristics, and electric power marketing analyses and strategies. Sec. 551.086; Tex. Gov't Code; Sec. 552.133, Tex. Gov't Code]

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

VISION
CITY COUNCIL
Growing Economic Base
Commercially Thriving Downtown
Safe Community
Customer-Focused City Services
Well-Maintained City Infrastructure
Vibrant Neighborhoods and Commercial Centers
Sound Governance and Finances
Enhanced Quality of Life through Amenities, Arts, and Events
Reliable, Cost Efficient Utility Services
Future-Focused City Organization

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. MINUTES

a. Consider approval of the minutes of the September 19, 2023, Regular Meeting.

2. Consider approval of the following bids:

a. 2023 Term Contract For Concrete Ready Mix — Bid No. 1095-23

Cooper Concrete Company (Primary)	**$ 1,875,000.00**
Bodin Concrete (Secondary)	**$ 625,000.00**
TOTAL:	**$ 2,500,000.00**

This request is for the 2023 Term Contract for Concrete Ready Mix. The recommended contract award to two (2) bidders will ensure the availability and supply of concrete ready mix for Street Department projects constructed by in-house resources. Staff recommends awarding each vendor a one-year contract with four (4) one-year renewal options. A 30-day written termination clause shall remain in effect.

b. TMPA Rayburn Country 138kV POI- Steel Structures **Bid No. 1017-23**

Techline, Inc **$ 416,347.80**

This request is for the purchase of steel structures and associated materials needed for the construction of the TMPA 138kV point of interconnection with Rayburn Country Electric Cooperative. This project is part of the approved TMPA Rayburn Country 138kV Point of Interconnection CIP project and will be reimbursed at 100%.

c. GP&L Fairdale Substation Terminal Upgrade Engineering Services **Bid No. 1291-23**

Burns & McDonnell **$ 256,500.00**

This request is to obtain professional engineering services to support the College Terminal upgrade at the GP&L Fairdale Substation. This is part of the approved Substation Terminal Upgrades CIP project.

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. Z 23-06 Jamecisa Sims / Ron Hobbs Architecture & Interior Design LLP (District 4)

Consider an ordinance amending the Garland Development Code of the City of Garland, Texas, by approving a Specific Use Provision for a Restaurant, Drive-Through Use on a 0.289-acre tract of land zoned Community Retail (CR) District and located at 5514 & 5516 Broadway Boulevard; providing for conditions, restrictions, and regulations; providing a penalty under the provisions of Sec. 10.05 of the Code of Ordinances of the City of Garland, Texas; providing a Notice of Conditions of Compliance Clause; providing a Savings Clause and a Severability Clause; and providing an effective date.

b. Z 23-26, Larry Hishmeh (District 2)

Consider an ordinance amending the Garland Development Code of the City of Garland, Texas, by approving a Specific Use Provision for a Mobile Food Truck Use on a 0.078-acre tract of land located at 101 South Sixth Street zoned Downtown (DT) District, Downtown Historic Sub-District; 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. Purchase of Real Property and Approval of the Disposition and Development Agreement Related to 519 State Street, Garland, Texas.

Approve the purchase of real property located at 519 State Street, Garland, Texas and the ancillary Disposition and Development Agreement, and authorize the City Manager to execute any necessary documents related to the same. Council discussed this item and the substantive terms and conditions in executive session at the October 9th Work Session.

5. Consider an ordinance for the removal of the right turn restriction at Garland Avenue and Miller Road

Consider and take appropriate action regarding approval of an ordinance to remove the right on red prohibition at Garland Avenue and Miller Road based on geometric improvements at the intersection.

6. Consider an ordinance to reconfigure speed limit revisions on Bobtown Road

Consider and take appropriate action regarding approval of an ordinance for the reconfiguration of the speed limit on Bobtown Road due to recent roadway construction.

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.

7. Hold public hearings on:

a. Consider a Specific Use Provision request by Pacheco Koch, a Westwood Company for an Electric Substation to support Garland Power & Light (GP&L) and a future data center. The site is located at 741 Holford Road in District 1.

Consideration of the application of Pacheco Koch, a Westwood Company, requesting approval of a Specific Use Provision for an Electric Substation use on a property zoned Planned Development (PD) District 20-17. This property is located at 741 Holford Road. (File Z 23-25, District 1)

b. Consider a Detail Plan request by Pacheco Koch, a Westwood Company for an Electric Substation to support Garland Power & Light (GP&L) and a future data center. The site is located at 741 Holford Road in District 1.

Consideration of the application of Pacheco Koch, a Westwood Company, requesting approval of a Detail Plan for an Electric Substation. This property is located at 741 Holford Road. (File 23-25, District 1)

c. Consider a Zoning request by Spiars Engineering for a senior independent living development with 152 dwelling units. The site is located at 413 and 505 West Centerville Road and 510 Candlewood Lane in District 5.

Consideration of the application of Spiars Engineering, requesting approval of a Change in Zoning from Community Office (CO) District and Neighborhood Office (NO) District to a Planned Development (PD) District for Elder Care – Independent Living Use. This property is located at 413 & 505 West Centerville Road and 510 Candlewood Lane. (File Z 23-29, District 5)

d. Consider a Detail Plan request Spiars Engineering for a senior independent living development with 152 dwelling units. The site is located at 413 and 505 West Centerville Road and 510 Candlewood Lane in District 5.

Consideration of the application of Spiars Engineering, requesting approval of a Detail Plan for Elder Care-Independent Living Use. This property is located at 413 & 505 West Centerville Road and 510 Candlewood Lane. (File Z 23-29, District 5)

e. Consider a Specific Use Provision renewal and Major Waiver request by Momentum Tattoo LLC for an existing Tattooing Establishment. The site is located at 532 Main Street, Suite B in District 2.

Consideration of the application of Momentum Tattoo LLC., requesting approval of a 1) Specific Use Provision Renewal for a Tattooing/Body Piercing

Establishment Use; and 2) a Major Waiver Table 7-1 of the Garland Development Code regarding the location and special standards of Tattooing/Body Piercing Establishments. This property is located at 532 Main Street, Suite B. (File Z 23-30, District 2) ***(The applicant requests postponement to the October 17, 2023 Regular City Council meeting.)***

f. Consider a Downtown Development Plan request by Momentum Tattoo LLC for an existing Tattooing Establishment. The site is located at 532 Main Street, Suite B in District 2.

Consideration of the application of Momentum Tattoo LLC., requesting approval of a Downtown Development Plan for a Tattooing/Body Piercing Establishment Use. This property is located at 532 Main Street, Suite B. (File Z 23-30, District 2) ***(The applicant requests postponement to the October 17, 2023 Regular City Council meeting.)***

8. Consider appointments to Boards and Commissions.

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

a. Council Member Carissa Dutton

- Susan Vaden - Library Board
- Patrick Abell - Plan Commission

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. a.**

Meeting Date: 10/10/2023

Item Title: Minutes September 19

Submitted By: Tracy Allmendinger, Deputy City Secretary

Summary of Request/Problem

Consider approval of the minutes of the September 19, 2023, Regular Meeting.

Recommendation/Action Requested and Justification

Attachments

Minutes September 19

GARLAND

MINUTES

The City Council of the City of Garland convened in regular session at 7:00 p.m. on Tuesday, September 19, 2023, in the Council Chambers at the William E. Dollar Municipal Building, 200 North Fifth Street, Garland, Texas, with the following members present:

Present: Mayor Scott LeMay
Mayor Pro Tem Jeff Bass
Deputy Mayor Pro Tem Ed Moore
Council Member Deborah Morris
Council Member B.J. Williams
Council Member Carissa Dutton
Council Member Margaret Lucht
Council Member Chris Ott
Council Member Dylan Hedrick

Staff Present: City Manager Jud Rex
Assistant City Manager Andy Hesser
Assistant City Manager Crystal Owens
Assistant City Manager Phillip Urrutia

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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 Council Member Morris to approve the Consent Agenda excluding Items 2c, 6 and 7, seconded by Mayor Pro Tem Bass. Motion carried:

Vote: 9 ayes, 0 nays

1. APPROVED **Consider approval of the minutes of the September 5, 2023, Regular Meeting.**

2. **Consider approval of the following bids:**

a. APPROVED

GP&L Olinger 3 Gas Recirculating Fan Vibration Data and Balancing **Bid No. 1020-23**

Mid-America Dynamics, Inc. **$ 50,680.50**

The request is to approve a change order for final balancing and weight testing of the Olinger 3 Gas Recirculating Fan.

b. APPROVED **GP&L Olinger and Spencer Plant Scaffolding Rental and Labor** **Bid No. 0919-23**

BrandSafway Solutions, LLC **$ 500,000.00**

The request is for scaffolding rental equipment and labor on an as-needed basis for the GP&L Olinger and Spencer Power Plants.This approval is for a term agreement with four (4) optional renewals.

c. APPROVED **Professional Services for Chaha Boat Ramp at John Paul Jones Park** **Bid No. 1117-23**

MHS Planning & Design **$ 369,968.00**

This request is to engage MHS Planning & Design for professional services needed to assess the feasibility of constructing improvements at Chaha Boat Ramp at John Paul Jones Park.

This item was pulled for individual consideration.

The staff report was made by Ziad Kharrat, Special Projects Coordinator, Parks & Recreation, presented the staff report.

There was discussion by the Council.

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

Vote: 9 ayes, 0 nays

d. APPROVED **Semi-Tractor Trucks** **Bid No. 1217-23**

Lonestar Freightliner Group, LLC **$ 597,603.00**

This request is for the purchase of three (3) replacement 2024 Western Star 4900X Semi-Tractor Trucks for the Sanitation Department. The trucks are scheduled and budgeted purchases, and the units being replaced will be turned in and auctioned.

e. APPROVED **Live Fire Training Props** **Bid No. 1183-23**

Fireblast Global, Inc. **$ 807,273.00**

This request is for the purchase of new live fire training props to be utilized by the Fire Department for realistic training in response to residential, industrial, and commercial structure fires. The fire training props include a car fire prop, balcony fire prop, roof fire prop, stove prop, twin bed prop, sofa prop, thermal blast lining, and three (3) smoke distribution systems.

f. APPROVED **1002 Marion (Speegle Green) Site Improvements** **Bid No. 0800-23**

Kimley-Horn **$ 349,500.00**

This request is to obtain design services for improvements to the area at 1002 Marion Drive, formerly known as Las Brisas.

g. APPROVED **North Garland Library Façade and Site Improvement** **Bid No. 0699-23**

TriArc Construction, Inc. **$ 1,091,539.00**

This request is for the construction of the facade and site improvement plan of the North Garland Library. City Council was briefed at the February 20 Work Session regarding the concept plan and the multiple funding sources attached to this project. The construction work includes new library signage, landscaping, security improvements, and significant facade improvements to the entire center, with contributions from the retail center co-owner.

h. APPROVED **Replacement Trucks** **Bid No. 1246-23**

Caldwell Country Ford **$ 453,576.00**

This request is for the purchase of five (5) replacement trucks to be utilized by various departments. The trucks are scheduled and budgeted purchases, and the units being replaced will be turned in and auctioned.

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

a. APPROVED **Z 22-50, Blooming Investment Group, LLC (District 2)**

Ordinance No. 7467 amending the Garland Development Code of the City of Garland, Texas, by approving 1) a Change in Zoning from Multi-Family-1 (MF-1) District and Downtown (DT) District to a Planned Development (PD) District for Multi-Family-0 (MF-0) Use and 2) a Detail Plan for a Multi-Family Development on a 2.15-acre tract of land located at 600 West Avenue D; 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 and effective date.

4. APPROVED **Resolution Establishing Charter Review Committee**

Resolution No. 10591 was adopted, establishing a Charter Review Committee and issuing a charge related thereto.

5. APPROVED **Request for a development incentive from The Draper Garland, LLC**

Council approved a development incentive request from The Draper Garland, LLC for an asbestos remediation as discussed with City Council during a previous Executive Session.

6. POSTPONED **Consider an ordinance for the removal of the right turn restriction at Garland Avenue and Miller Road**

Consider and take appropriate action regarding approval of an ordinance to remove the right on red prohibition at Garland Avenue and Miller Road based on geometric improvements at the intersection.

This item was pulled and postponed until the October 10, 2023, Regular Session.

7. POSTPONED Consider an ordinance to reconfigure speed limit revisions on Bobtown Road

Consider and take appropriate action regarding approval of an ordinance for the reconfiguration of the speed limit on Bobtown Road due to recent roadway construction.

This item was pulled and postponed until the October 10, 2023, Regular Session.

8. APPROVED Renewal of Health Authority and Interlocal Agreements

Council authorized the City Manager or designee to execute the renewal of Health Authority and Interlocal Agreements with Dr. Timothy Lambert and Dr. Norman Clothier for their service as the Garland Health Authority.

9. APPROVED Consider authorizing the City Manager or designee to renew a Household Hazardous Waste Interlocal Agreement.

Council authorized the City Manager or designee to renew a Household Hazardous Waste Interlocal Agreement with Dallas County to participate in the Dallas Area HHW Network.

10. APPROVED Renewal of Interlocal Agreement between Garland Public Health and Parkland Health & Hospital System

Council authorized the City Manager or designee to execute the Renewal of Interlocal Agreement between Garland Public Health and Parkland Health & Hospital System to provide social work services to Garland citizens to meet Texas Department of State Health Services contract requirements.

11. APPROVED Garland Fire Department Master Plan

Council approved the adoption of the Garland Fire Department Master Plan as presented by the Center for Public Safety Management at the July 31, 2023 City Council Work Session.

12. APPROVED Atmos Settlement Agreement

Council authorized the Settlement Agreement with Atmos Energy Mid-Tex Division (“Atmos”) and the resulting rate change under the Rate Review Mechanism (RRM) tariff as presented at the August 15, 2022, City Council Work Session, adopting **Resolution No. 10592**.

13. APPROVED Consider assistance for 2023 Wheels of Hope Car Show

Written staff presentation and recommendation regarding the 2023 Wheels of Hope Car Show, prepared by Dana Lodge, CVB and Events Director.

Council approved the request for assistance.

14. APPROVED Request for Development Assistance from The New Modern Home, Inc

Council approved a development incentive request from the New Modern Home, Inc. for a patrial waiver of tree mitigation fees required for a proposed new sustainable townhome project.

ITEMS FOR INDIVIDUAL CONSIDERATION

Speaker Regulations:

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15. Hold public hearings on:

a. APPROVED Consider a Specific Use Provision request by Jamecisa Sims / Ron Hobbs Architecture & Interior Design, LLP for a Restaurant / Snow Cone Establishment with a Drive-Through. The site is located at 5514 & 5516 Broadway Boulevard in District 4.

Consideration of the application of Jamecisa Sims / Ron Hobbs Architecture & Interior Design, LLP., requesting approval of a Specific Use Provision for a Restaurant, Drive-Through Service Use on a property zoned Community Retail (CR) District. This property is located at 5514 & 5516 Broadway Boulevard. (File Z 23-06, District 4)

The staff report was presented by William Guerin, Director of Planning and Paul Luedtke, Director of Transportation. Speakers on this item were: Jamecisa Sims, applicant and Ron Hobbs, Architect.

There was discussion by the Council.

The motion was made by Council Member Williams to approve the Specific Use Provision (Item 15a) for 15 years and the Plan (Item 15b), as amended by Plan Commission, seconded by Deputy Mayor Pro Tem Moore. Motion carried:

Vote: 9 ayes, 0 nays

b. APPROVED Consider a Plan request by Jamecisa Sims / Ron Hobbs Architecture & Interior Design, LLP for a Restaurant / Snow Cone Establishment with a Drive-Through. The site is located at 5514 & 5516 Broadway Boulevard in District 4.

Consideration of the application of Jamecisa Sims / Ron Hobbs Architecture & Interior Design, LLP., requesting approval of a Plan for a Restaurant, Drive-Through Use. This property is located at 5514 & 5516 Broadway Boulevard. (File 23-06, District 4)

c. APPROVED **Consider a Specific Use Provision and Major Waiver request by Larry Hishmeh for a Mobile Food Truck Park. The site is located at 101 South Sixth Street in District 2.**

Consideration of the application of Larry Hishmeh, requesting approval of a 1) Specific Use Provision for a Mobile Food Truck Park and 2) Major Waiver on a property zoned Downtown District and in the Downtown Historic (DH) Sub-District. This property is located at 101 South Sixth Street. (File Z 23-26, District 2)

The staff report was presented by William Guerin, Director of Planning, Paul Luedtke, Director of Transportation and Andy Hesser, Assistant City Manager. The speakers on this item were: Larry Hishmeh, applicant, Donna Williams (against) and Patricia Alonso (against). The Matt Archer registered a position in favor of the project.

Council Member Morris asked Brian England, City Attorney, to explain appropriate considerations and scope for the Council regarding this tract of land. She also asked Mr. Guerin to explain the Garland Development Code guidelines for food trucks remaining overnight. He explained there is no zoning prohibition requiring trucks to leave; trucks are required to dispose of gray water offsite. Mr. Guerin also confirmed there is no concern regarding utility capacity.

Mr. Luedtke confirmed that signage would be provided to discourage parking in the alley.

Council Member Hedrick requested hours of operation for the public restroom; Andy Hesser, Assistant City Manager, confirmed the hours to be 9 a.m. - 8 p.m., with the option to adjust the hours based on use patterns.

Mayor Pro Tem asked about the plan for debris and trash. Mr. Guerin stated the applicant plans to use the dumpster across the street.

Mr. England stated the applicant cannot be held responsible for illegal parking offsite.

The motion was made by Council Member Morris to approve the Specific Use Provision (Item 15c) and the Development Plan (Item 15d), seconded by Council Member Lucht. Motion carried:

Vote: 9 ayes, 0 nays

d. APPROVED **Consider a Downtown Development Plan request by Larry Hishmeh for a Mobile Food Truck Park. The site is located at 101 South Sixth Street in District 2.**

Consideration of the application of Larry Hishmeh, requesting approval of a Downtown Development Plan for a Mobile Food Truck Park on a property zoned Downtown District and in the Downtown Historic (DH) Sub-District. This property is located at 101 South Sixth Street. (File Z 23-26, District 2)

16. **Consider appointments to Boards and Commissions.**

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

a. **Board and Commission Appointment**

City Council

- Michele Orahood - Animal Services Advisory Committee

A vote was cast for this appointment with the following result:

Vote: 9 ayes, 0 nays

b. **Charter Review Committee Appointments**

Council Members read their nominee's name and a vote was cast with the following result:

Mayor Scott LeMay

- Gayle Owens

Mayor Pro Tem Jeff Bass

- Scott Roberts

Deputy Mayor Pro Tem Ed Moore

- Steve Silas

Council Member Deborah Morris

- William Oaks

Council Member B.J. Williams

- Martin Glenn

Council Member Margaret Lucht

- Dorothy White

Council Member Carissa Dutton

- Lori Dodson

Council Member Dylan Hedrick

- Mike Rose

Council Member Chris Ott

- Robert John Smith

Vote: 9 ayes, 0 nays

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

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

Submitted By:

_____

Scott LeMay, Mayor

_____

Eloyce René Dowl, City Secretary

GARLAND
PURCHASING REPORT

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

Meeting Date: 10/10/2023
Item Title: Ready Mix Concrete
Submitted By: Tony Irvin, Streets Director
Bid Number: 1095-23

Purchase Justification:

This request is for ready-mix concrete to be used by the Street Department for various projects. This approval is for a Term Agreement with four (4) optional renewals.

Evaluation:

A request for bids was issued per Purchasing procedures. Two (2) bids were received and evaluated with Cooper Concrete Co. submitting the Straight Low Bid and Bodin Concrete submitting the second Lowest Responsible Bid. With supply chain issues, having a primary and secondary supplier will ensure the availability and supply of ready-mix concrete for Street Department projects. Cooper Concrete Co. is recommended as the primary supplier and Bodin Concrete is recommended as the secondary supplier.

Award Recommendation:

Vendor	*Item*	*Amount*
Cooper Concrete Co.	Primary	$1,875,000.00
Bodin Concrete	Secondary	625,000.00
	TOTAL:	**$2,500,000.00**

Basis for Award: Straight Low Bid
Purchase Requisition #: 49976

Fiscal Impact

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

This Item:	$2,500,000
Proposed Balance:	N/A
Account #:	831-4693-6051

Fund/Dept/Project – Description and Comments:

Term Agreement sets price but does not commit funds. Expenses will be charged to the Street Department's construction direct materials account as incurred.

Attachments

Bid Recap

Fiscal Reference:	
Budget Type:	Operating Budget
Fiscal Year:	2023-24
Document Location:	Prop. Budget - Page 221

Budget Director Approval:	Allyson Bell Steadman	Approval Date: 09/27/2023
Purchasing Director Approval:	Gary L. Holcomb	Approval Date: 09/20/2023

CITY OF GARLAND - BID RECAP SHEET
OPENED: 8/31/2023
REQ. NO. 49976
BID NO. 1095-23
PAGE: 1 of 1
BUYER: A. Arellano

ITEM	QTY	UNIT	DESCRIPTION	Cooper Concrete Co. UNIT PRICE	Cooper Concrete Co. TOTAL	Bodin Concrete UNIT PRICE	Bodin Concrete TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
1	1	LT	Term Contract for Ready Mix Concrete	$2,689,900.00	$2,689,900.00	$2,713,500.00	$2,713,500.00				
			TOTAL GROSS PRICE		$2,689,900.00		$2,713,500.00				
			CASH DISCOUNT								
			TOTAL NET PRICE		$2,689,900.00		$2,713,500.00				
			F.O.B.	DELIVERED		DELIVERED		DELIVERED		DELIVERED	
			DELIVERY								

NEXT LOW: n/a
LOW: n/a
SAVINGS: n/a

335 # IonWave Notifications
69 # IonWave HUBS
15 # Direct Contact HUBS
0 # HUBS Responded

All bids submitted for the designated project are reflected on this bid tab sheet. However, the listing of a bid on this sheet should not be construed as a comment on the responsiveness of such bid or as any indication that the city accepts such bid as responsive. The City will notify the successful bidder upon award of the contract and, according to the law, all bids received will be available for inspection at that time.

GARLAND
PURCHASING REPORT

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

Meeting Date: 10/10/2023
Item Title: TMPA Rayburn Country 138kV POI Steel Structures
Submitted By: Steve Martin, GP&L
Transmission Director
Bid Number: 1017-23

Purchase Justification:

This request is for the purchase of steel structures and associated materials needed for the construction of the TMPA 138kV point of interconnection with Rayburn Country Electric Cooperative. This project is part of the approved TMPA Rayburn Country 138kV Point of Interconnection CIP project and will be reimbursed at 100%. An optional contingency is included for any additional materials that may be required.

Evaluation:

A request for bids was issued in accordance with Purchasing procedures. Eight (8) bids were received and evaluated. MVA Power Inc. and Skipper Limited quoted unapproved manufacturers for the steel structures, and are considered non-responsive. Techline, Inc. quoted an approved manufacturer as recommended as the Lowest Responsible Bid.

Award Recommendation:

Vendor	*Item*	*Amount*
Techline, Inc.	All	$378,498.00
Optional Contingency		37,849.80
	TOTAL:	**$416,347.80**

Basis for Award: Lowest Responsible Bid
Purchase Requisition #: 49638

Fiscal Impact

Total Project/Account: $2,750,000
Expended/Encumbered to Date: $954,290
Balance: $1,795,710

This Item:	$416,348
Proposed Balance:	$1,379,362
Account #:	215-3542-3147201-6051

Fund/Dept/Project – Description and Comments:

Electric CIP / TMPA Transmission Lines Program

Attachments

Bid Recap 1 of 2

Bid Recap 2 of 2

Fiscal Reference:	
Budget Type:	CIP
Fiscal Year:	2023
Document Location:	Page 270

Budget Director Approval:	Allyson Bell Steadman	Approval Date: 09/27/2023
Purchasing Director Approval:	Gary L. Holcomb	Approval Date: 09/20/2023

CITY OF GARLAND - BID RECAP SHEET
OPENED: 08/03/2023
REQ. NO. PR 49638
BID NO 1017-23
PAGE: 1 of 2
BUYER: Teresa Smith

ITEM	QTY	UNIT	DESCRIPTION	Techline, Inc. UNIT PRICE	Techline, Inc. TOTAL	KBS Electrical Distributors, Inc. UNIT PRICE	KBS Electrical Distributors, Inc. TOTAL	KD Johnson, Inc. UNIT PRICE	KD Johnson, Inc. TOTAL	DIS-TRAN Steel, LLC UNIT PRICE	DIS-TRAN Steel, LLC TOTAL
1	1	Lt.	TMPA Rayburn Country		$378,498.00		$457,300.00		$506,233.00		$556,128.00
			138 kV POI Steel Structures								
			TOTAL GROSS PRICE		$378,498.00		$457,300.00		$506,233.00		$556,128.00
			CASH DISCOUNT								
			TOTAL NET PRICE		$378,498.00		$457,300.00		$506,233.00		$556,128.00
			F.O.B.	DELIVERED		DELIVERED		DELIVERED		DELIVERED	
			DELIVERY								

NEXT LOW: $457,300.00
LOW: $378,498.00
SAVINGS: **$78,802.00**

316 # IonWave Notifications
31 # IonWave HUBS
4 # Direct Contact HUBS
1 # HUBS Responded

All bids submitted for the designated project are reflected on this bid tab sheet. However, the listing of a bid on this sheet should not be construed as a comment on the responsiveness of such bid or as any indication that the city accepts such bid as responsive. The City will notify the successful bidder upon award of the contract and, according to the law, all bids received will be available for inspection at that time.

CITY OF GARLAND - BID RECAP SHEET
OPENED: 08/03/2023
REQ. NO. PR 49638
BID NO 1017-23
PAGE: 2 of 2
BUYER: Teresa Smith

ITEM	QTY	UNIT	DESCRIPTION	Klute, Inc. Steel Fabrication UNIT PRICE	Klute, Inc. Steel Fabrication TOTAL	Texas Electric Cooperative Inc. UNIT PRICE	Texas Electric Cooperative Inc. TOTAL	MVA Power, Inc. UNIT PRICE	MVA Power, Inc. TOTAL	Skipper Limited UNIT PRICE	Skipper Limited TOTAL
1	1	Lt.	TMPA Rayburn Country		$581,562.20		$689,740.00		$300,726.53		$377,279.00
			138 kV POI Steel Structures						Non-Responsive		Non-Responsive
			TOTAL GROSS PRICE		$581,562.20		$689,740.00				
			CASH DISCOUNT								
			TOTAL NET PRICE		$581,562.20		$689,740.00				
			F.O.B.	DELIVERED		DELIVERED		DELIVERED		DELIVERED	
			DELIVERY								

NEXT LOW: $457,300.00
LOW: $378,498.00
SAVINGS: **$78,802.00**

316 # IonWave Notifications
31 # IonWave HUBS
4 # Direct Contact HUBS
1 # HUBS Responded

All bids submitted for the designated project are reflected on this bid tab sheet. However, the listing of a bid on this sheet should not be construed as a comment on the responsiveness of such bid or as any indication that the city accepts such bid as responsive. The City will notify the successful bidder upon award of the contract and, according to the law, all bids received will be available for inspection at that time.

GARLAND
PURCHASING REPORT

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

Meeting Date: 10/10/2023
Item Title: GP&L Fairdale Substation Terminal Upgrade Engineering Services
Submitted By: Steve Martin, GP&L
Transmission Director
Bid Number: 1291-23

Purchase Justification:
This request is to obtain professional engineering services to support the College Terminal upgrade at the GP&L Fairdale Substation. This is part of the approved Substation Terminal Upgrades CIP project.

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

Award Recommendation:

Vendor	*Item*	*Amount*
Burns & McDonnell	All	$256,500.00
	TOTAL:	---------- **$256,500.00**

Basis for Award: Most Qualified
Purchase Requisition #: 50059

Fiscal Impact

Total Project/Account:	$1,450,987
Expended/Encumbered to Date:	$596,387
Balance:	$854,600
This Item:	$256,500
Proposed Balance:	$598,100
Account #:	210-3799-3179501-7111

Fund/Dept/Project – Description and Comments:

Electric CIP / Substations Upgrades Program

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

Budget Director Approval:	Allyson Bell Steadman	Approval Date: 09/27/2023
Purchasing Director Approval:	Gary L. Holcomb	Approval Date: 09/26/2023

GARLAND

CITY COUNCIL ITEM SUMMARY SHEET

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

Meeting Date: 10/10/2023

Item Title: Z 23-06 Jamecisa Sims / Ron Hobbs Architecture & Interior Design LLP (District 4

Submitted By: Will Guerin, Planning Director

Summary of Request/Problem

Zoning Ordinance Z 23-06 Jamecisa Sims / Ron Hobbs Architecture & Interior Design LLP

Recommendation/Action Requested and Justification

Consider adoption of the attached ordinance.

Attachments

Z 23-06 Ordinance

Z 23-06 Exhibit A

Z 23-06 Exhibit B

Z 23-06 Exhibits C-E

ZONING FILE NO. Z 23-06

ORDINANCE NO._____

AN ORDINANCE AMENDING THE GARLAND DEVELOPMENT CODE OF THE CITY OF GARLAND, TEXAS, BY APPROVING A SPECIFIC USE PROVISION FOR A RESTAURANT, DRIVE-THROUGH USE ON A 0.289-ACRE TRACT OF LAND ZONED COMMUNITY RETAIL (CR) DISTRICT AND LOCATED AT 5514 & 5516 BROADWAY BOULEVARD; PROVIDING FOR CONDITIONS, RESTRICTIONS, AND REGULATIONS; PROVIDING A PENALTY UNDER THE PROVISIONS OF SEC. 10.05 OF THE CODE OF ORDINANCES OF THE CITY OF GARLAND, TEXAS; PROVIDING A NOTICE OF CONDITIONS OF COMPLIANCE CLAUSE; PROVIDING A SAVINGS CLAUSE AND A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, at its regular meeting held on the 28th day of August 2023, the Plan Commission did consider and make recommendations on a certain request for a Specific Use Provision for a Restaurant, Drive-Through Use on a property zoned Community Retail (CR) District by **Jamecisa Sims**; and

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

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

Section 1

The Garland Development Code is hereby amended by approving a Specific Use Provision for a Restaurant, Drive-Through Use on a 0.289-acre tract of land zoned Community Retail (CR) District and located at 5514 & 5516 Broadway Boulevard and being more particularly described in Exhibit A, attached hereto and made a part hereof.

Section 2

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

Section 3

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

Section 4

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

Section 5

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

Section 6

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

Section 7

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

PASSED AND APPROVED this_____ day of _____, 2023.

FILE NO. Z 23-06

THE CITY OF GARLAND, TEXAS

By:

_____
Mayor

ATTEST:

_____
City Secretary

Published:

EXHIBIT A

LEGAL DESCRIPTION

Zoning File Z 23-06

BEGINNING at a point in the Northeast line of Broadway Boulevard, (a 100 foot right of way) said point being North 27 degrees 30 minutes West, a distance of 90.00 feet from the intersection of the said Northeast line of Broadway Boulevard with the Northwest line of Paul Street (a 60 foot right-of -way) said point of beginning also being the most Westerly corner of Lot 17, in Block 2 of Redbud Subdivision No. 8, an Addition to the City of Garland, Texas according to the plat thereof recording in Volume 79003, Page 1339, of the Map Records of Dallas County, Texas, and iron stake of corner;

THENCE North 27 degrees 30 minutes West, with the said Northeast line of Broadway Boulevard, a distance of 90.00 feet an iron stake for corner;

THENCE North 62 degrees 30 minutes East, on a line parallel to Paul Street, a distance of 140.00 feet, an iron stake for corner;

THENCE South 27 degrees 30 minutes East, on a line parallel to the said Northeast line of Broadway Boulevard, a distance of 90.00 feet, an iron stake for corner;

THENCE South 62 degrees 30 minutes West, on a line parallel to Paul Street, a distance of 140.00 feet to the PLACE OF BEGINNING and containing 12,600 square feet of land, more or less.

EXHIBIT A

SPECIFIC USE PROVISION CONDITIONS

ZONING FILE Z 23-06

5514 & 5516 Broadway Boulevard

I. **Statement of Purpose:** The purpose of this Specific Use Provision is to allow a Restaurant, Drive-Through 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 Community Retail (CR) District and Site Development Standards as set forth in Chapter 2 and 4 of the Garland Development Code, Ordinance 6773, are included by reference and shall apply, except as otherwise specified by this ordinance.

IV. **Development Plans:**

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

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

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

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

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

EXHIBIT B

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

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

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

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

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

VI. Specific Regulations:

A. Time Period: The Specific Use Provision shall have a fifteen (15) year time period.

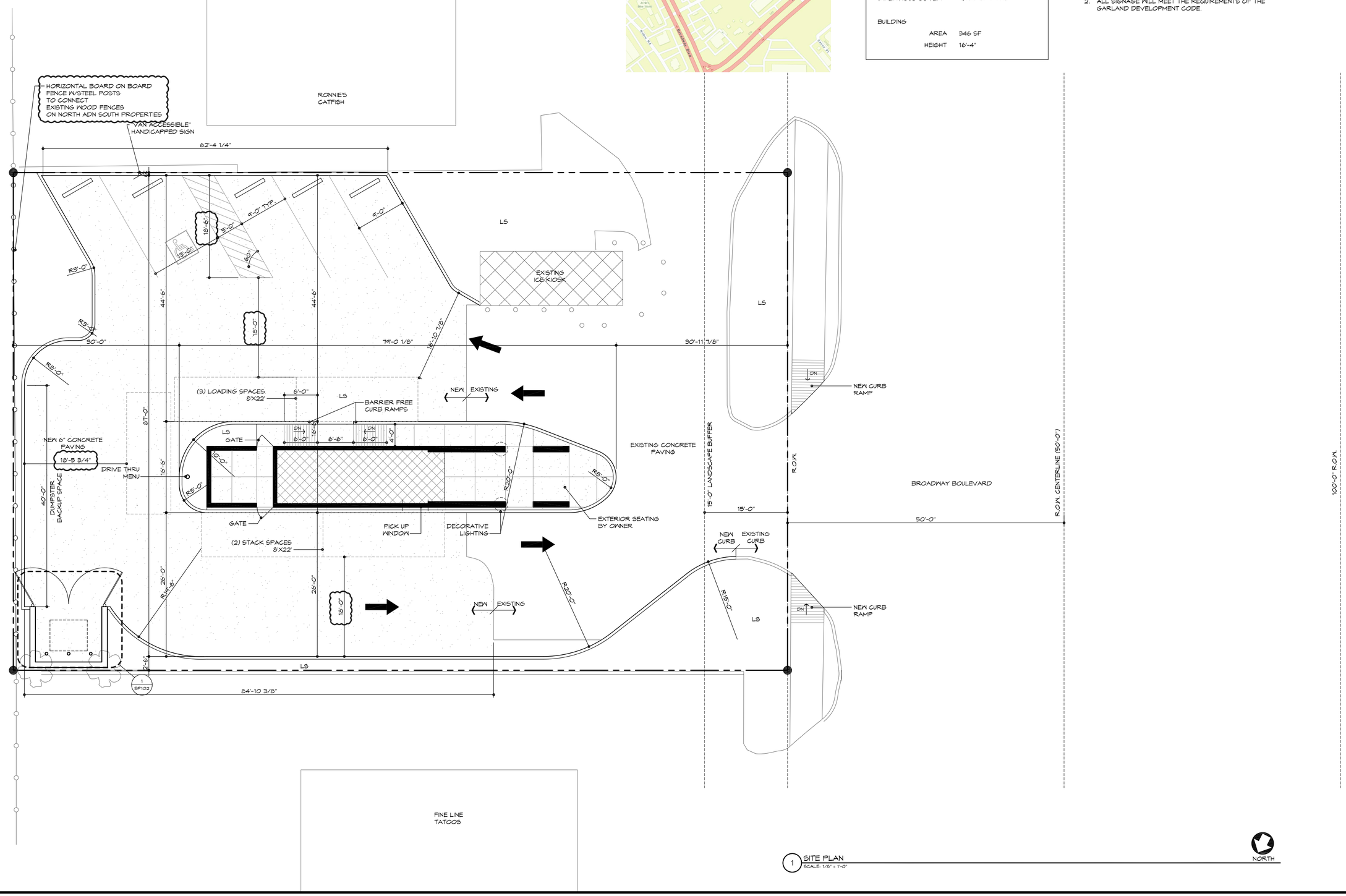
B. Site Plan: The site layout, building placement, parking and other development proposed shall be in general conformance with the approved Site Plan labeled Exhibit C.

C. Landscape Plan: Screening and landscaping shall be in general conformance with the landscape plan labeled Exhibit D. A horizontal board-on-board wood fence with steel posts shall be provided along the eastern property boundary as shown on Exhibit C.

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

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

EXHIBIT C



SITE DATA

PARKING

REQUIRED 4

PROVIDED 5

TOTAL SITE AREA 12,600 SF

IMPERVIOUS COVER 9,700 SF = 77%

BUILDING

AREA 346 SF

HEIGHT 16'-4"

LEGEND

LS = LANDSCAPING

NOTES:

1. EXISTING WATER AND SEWER TAPS TO BE USED AS IS.
2. ALL SIGNAGE WILL MEET THE REQUIREMENTS OF THE GARLAND DEVELOPMENT CODE.

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

ISSUE DATE:
December 15, 2021

REVISIONS:
SUP - 5/10/2023
SUP - 6/28/2023

BROADWAY SNOW CONE KIOSK

GARLAND, TEXAS

RON HOBBS ARCHITECTURE & INTERIOR DESIGN, LLP
614 WEST MAIN STREET, SUITE 200 GARLAND, TEXAS 75040
PHONE: 972-494-0174

REGISTERED ARCHITECT
DAVID M. TOPE
11/15/21
23138
STATE OF TEXAS

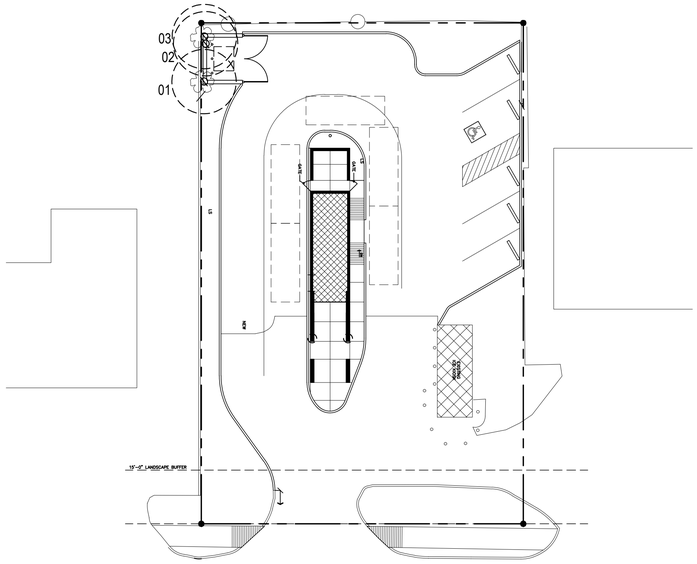
JOB NUMBER

CASE # 200901-1

2103

SHEET NUMBER
SITE PLAN

SP101



BROADWAY BLVD.

01 EXISITNG TREE
SCALE 1"=20'-0"

0 10 20 40

EXISTING TREE CHART

TREES #	CALIPER	COMMON NAME	BOTANICAL NAME	CONDITION	STATUS	MITIGATION
01	10 INCHES	HACKBERRY	CELTIS OCCIDENTALIS	GOOD	TO BE REMOVED	NOT PROTECTED
02	12 INCHES	HACKBERRY	CELTIS OCCIDENTALIS	GOOD	TO BE REMOVED	NOT PROTECTED
03	10 INCHES	HACKBERRY	CELTIS OCCIDENTALIS	GOOD	TO BE REMOVED	NOT PROTECTED

NO TREE MITIGATION IS REQUIRED

VICINITY MAP
N.T.S.

GENERAL LAWN NOTES

1. FINE GRADE AREAS TO ACHIEVE FINAL CONTOURS INDICATED ON CIVIL PLANS.
2. ADJUST CONTOURS TO ACHIEVE POSITIVE DRAINAGE AWAY FROM BUILDINGS. PROVIDE UNIFORM ROUNDING AT TOP AND BOTTOM OF SLOPES AND OTHER BREAKS IN GRADE. CORRECT IRREGULARITIES AND AREAS WHERE WATER MAY STAND.
3. ALL LAWN AREAS TO RECEIVE SOLID SOD SHALL BE LEFT IN A MAXIMUM OF 1" BELOW FINAL FINISH GRADE. CONTRACTOR TO COORDINATE OPERATIONS WITH ON-SITE CONSTRUCTION MANAGER.
4. IMPORTED TOPSOIL SHALL BE NATURAL, FRIABLE SOIL FROM THE REGION, KNOWN AS BOTTOM AND SOIL, FREE FROM LUMPS, CLAY, TOXIC SUBSTANCES, ROOTS, DEBRIS, VEGETATION, STONES, CONTAINING NO SALT AND BLACK TO BROWN IN COLOR.
5. *ALL LAWN AREAS TO BE FINE GRADED, IRRIGATION TRENCHES COMPLETELY SETTLED, AND FINISH GRADE APPROVED BY THE OWNER'S CONSTRUCTION MANAGER OR ARCHITECT PRIOR TO INSTALLATION.*
6. *ALL ROCKS 3/4" DIAMETER AND LARGER, DIRT CLODS, STICKS, CONCRETE SPOILS, ETC. SHALL BE REMOVED PRIOR TO PLACING TOPSOIL AND ANY LAWN INSTALLATION*
7. CONTRACTOR SHALL PROVIDE (1") ONE INCH OF IMPORTED TOPSOIL ON ALL AREAS TO RECEIVE LAWN.

LANDSCAPE NOTES

1. CONTRACTOR SHALL VERIFY ALL EXISTING AND PROPOSED SITE ELEMENTS AND NOTIFY ARCHITECT OF ANY DISCREPANCIES. SURVEY DATA OF EXISTING CONDITIONS WAS SUPPLIED BY OTHERS.
2. CONTRACTOR SHALL LOCATE ALL EXISTING UNDERGROUND UTILITIES AND NOTIFY ARCHITECT OF ANY CONFLICTS. CONTRACTOR SHALL EXERCISE CAUTION WHEN WORKING IN THE VICINITY OF UNDERGROUND UTILITIES.
3. CONTRACTOR IS RESPONSIBLE FOR OBTAINING ALL REQUIRED LANDSCAPE AND IRRIGATION PERMITS.
4. CONTRACTOR TO PROVIDE A MINIMUM 2% SLOPE AWAY FROM ALL STRUCTURES.
5. ALL PLANTING BEDS AND LAWN AREAS TO BE SEPARATED BY STEEL EDGING. NO STEEL TO BE INSTALLED ADJACENT TO SIDEWALKS OR CURBS.
6. ALL LANDSCAPE AREAS TO BE 100% IRRIGATED WITH AN UNDERGROUND AUTOMATIC IRRIGATION SYSTEM AND SHALL INCLUDE RAIN AND FREEZE SENSORS.
7. ALL LAWN AREAS TO BE SOLID SOD BERMUDA GRASS, UNLESS OTHERWISE NOTED ON THE DRAWINGS.
8. ALL SHRUBS SCREENING PARKING SPACES WILL REACH A MINIMUM HEIGHT OF 3 FEET WITHIN 2 YEARS OF PLANTING.

SOLID SOD NOTES

1 FINE GRADE AREAS TO ACHIEVE FINAL CONTOURS INDICATED. LEAVE AREAS TO RECEIVE TOPSOIL 3" BELOW FINAL DESIRED GRADE IN PLANTING AREAS AND 1" BELOW FINAL GRADE IN TURF AREAS.

2. ADJUST CONTOURS TO ACHIEVE POSITIVE DRAINAGE AWAY FROM BUILDINGS. PROVIDE UNIFORM ROUNDING AT TOP AND BOTTOM OF SLOPES AND OTHER BREAKS IN GRADE. CORRECT IRREGULARITIES AND AREAS WHERE WATER MAY STAND.
3. ALL LAWN AREAS TO RECEIVE SOLID SOD SHALL BE LEFT IN A MAXIMUM OF 1" BELOW FINAL FINISH GRADE. CONTRACTOR TO COORDINATE OPERATIONS WITH ON-SITE CONSTRUCTION MANAGER.
4. CONTRACTOR TO COORDINATE WITH ON-SITE CONSTRUCTION MANAGER FOR AVAILABILITY OF EXISTING TOPSOIL.
5. PLANT SOD BY HAND TO COVER INDICATED AREA COMPLETELY. INSURE EDGES OF SOD ARE TOUCHING. TOP DRESS JOINTS BY HAND WITH TOPSOIL TO FILL VOIDS.
6. ROLL GRASS AREAS TO ACHIEVE A SMOOTH, EVEN SURFACE, FREE FROM UNNATURAL UNDULATIONS.
7. WATER SOD THOROUGHLY AS SOD OPERATION PROGRESSES.
8. CONTRACTOR SHALL MAINTAIN ALL LAWN AREAS UNTIL FINAL ACCEPTANCE. THIS SHALL INCLUDE, BUT NOT LIMITED TO: MOWING, WATERING, WEEDING, CULTIVATING, CLEANING AND REPLACING DEAD OR BARE AREAS TO KEEP PLANTS IN A VIGOROUS, HEALTHY CONDITION.
9. CONTRACTOR SHALL GUARANTEE ESTABLISHMENT OF AN ACCEPTABLE TURF AREA AND SHALL PROVIDE REPLACEMENT FROM LOCAL SUPPLY IF NECESSARY.
10. IF INSTALLATION OCCURS BETWEEN SEPTEMBER 1 AND MARCH 1, ALL SOD AREAS TO BE OVER-SEEDED WITH WINTER RYEGRASS, AT A RATE OF (4) POUNDS PER ONE THOUSAND (1000) SQUARE FEET.

LANDSCAPE TABULATIONS

LANDSCAPE REQUIREMENTS
10% of total lot size to be landscape area
Lot SF: 12,598.91 S.F.

Required	Provided
(10%) 1,259.89 S.F.	(20%) 2,577 S.F.

STREET REQUIREMENTS
Requirements: (1) tree, 3" cal. per 30 l.f. (7) shrubs or ornamental grasses per tree required along landscape buffer. All parking spaces must be screened by a berm or shrubs, 24"ht.

Broadway Blvd.: 90 l.f. (10' wide landscape buffer)

Required :	Provided:
(3) trees, 3" cal.	(3) trees, 3" cal.
24" ht. screen	(32) 24" ht, evergreen shrubs

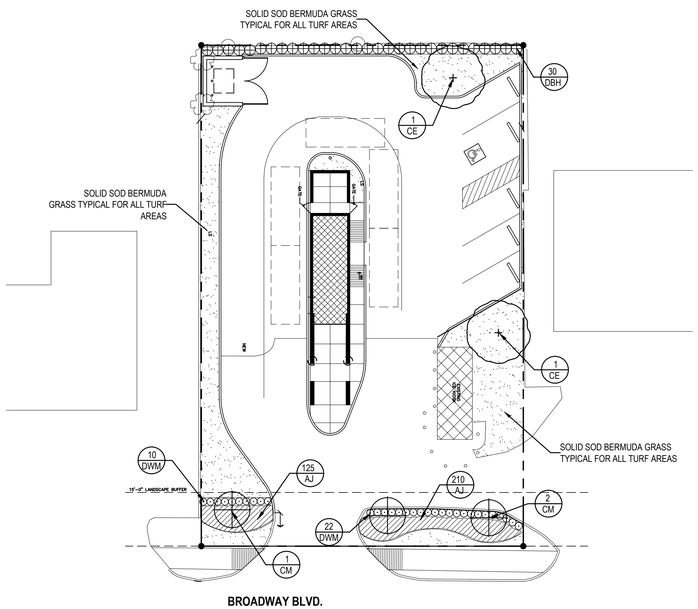
all shrubs screening parking spaces must be 36" tall within 2 years.

PARKING LOT: (5 SPACES) 7,588.49 s.f.
Requirements: 5% of total parking area must be landscape. (1) tree, 3" cal., per (10) parking spaces. All parking spaces shall be no further than 65 ft. of a required tree.

Required	Provided
379.42 s.f. (5%)	872.95 s.f. (12%)
(1) tree, 3" cal.	1 tree, (3) cal/

RESIDENTIAL ADJACENCY BUFFER 90.00 l.f.
Requirement- 5' ht. metal fence with large evergreen shrubs

Required	Provided
6' ht. metal fence	existing chain link fence
large evergreen shrubs	large evergreen shrubs- 30 inches tall at the time of planting.



BROADWAY BLVD.

01 LANDSCAPE PLAN
SCALE 1"=20'-0"

0 10 20 40

PLANT MATERIAL SCHEDULE

TREES					
TYPE	QTY	COMMON NAME	*BOTANICAL NAME*	SIZE	REMARKS
CE	2	Cedar Elm	*Ulmus crassifolia*	3" cal.	B&B, 12 ht., 5' spread min., 5' straight dear trunk container, 3 trucks, tree form
CM	3	Crepe Myrtle 'Dallas Red'	*Lagerstroemia indica 'Dallas Red'*	3" cal.	
SHRUBS					
TYPE	QTY	COMMON NAME	*BOTANICAL NAME*	SIZE	REMARKS
DBH	30	Dwarf Burford Holly	*Ilex cornuta Burfordii 'Nana'*	7 gal.	container, 30" ht., 28" spread
DWM	32	Dwarf Wax Myrtle	*Myrica cerifera*	5 gal.	container, 24" ht., 20" spread
GROUNDCOVERS					
TYPE	QTY	COMMON NAME	*BOTANICAL NAME*	SIZE	REMARKS
AJ	335	Asian Jasmine '419' Bermudagrass	*Trachelospermum asiaticum* *Cynodon dactylon '419'*	4" pots	container, 3- 12" runners min., 12" o.c. Solid Sod refer to notes

NOTE: Plant list is an aid to bidders only. Contractor shall verify all quantities on plan. All heights and spreads are minimums. All plant material shall meet or exceed remarks as indicated. All trees to have straight trunks and be matching within varieties.

CASE NO. 200901-1

EXHIBIT D

LANDSCAPE ARCHITECT
STUDIO GREEN SPOT, INC.
CHRIS TRONZANO
(469) 369-4448
CHRIS@STUDIOGREENSPOT.COM

REGISTERED LANDSCAPE ARCHITECT CHRIS TRONZANO 2042 STATE OF TEXAS
07.28.2023

BROADWAY SNOW CONE
5516 BROADWAY BLVD.
CITY OF GARLAND 75043
DALLAS COUNTY, TEXAS

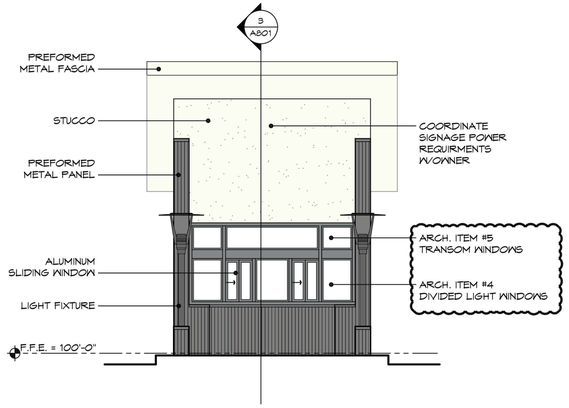
ISSUE:
FOR APPROVAL 01.27.2023
CITY COMMENTS 05.10.2023
CITY COMMENTS 06.14.2023
CITY COMMENTS 07.28.2023

DATE:
07.28.2023

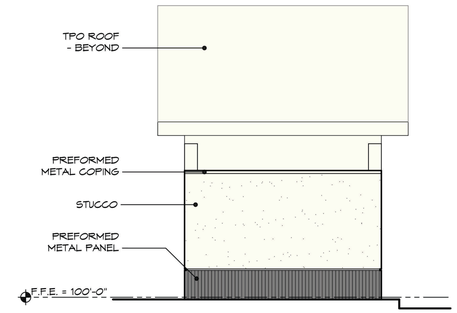
SHEET NAME:
LANDSCAPE PLAN

SHEET NUMBER:
L.1

EXHIBIT E



3 WEST ELEVATION (STREET FACING)
SCALE: 1/8" = 1'-0"

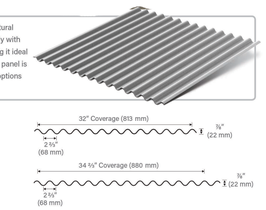


4 EAST ELEVATION
SCALE: 1/8" = 1'-0"

ARCHITECTURAL ELEMENTS

1	= OUTDOOR SEATING AREA
2	= CANOPY
3	= DISTINCTIVE LIGHT FIXTURE
4	= DIVIDED LIGHT WINDOWS
5	= TRANSOM WINDOWS
6	= PLANTER WALL

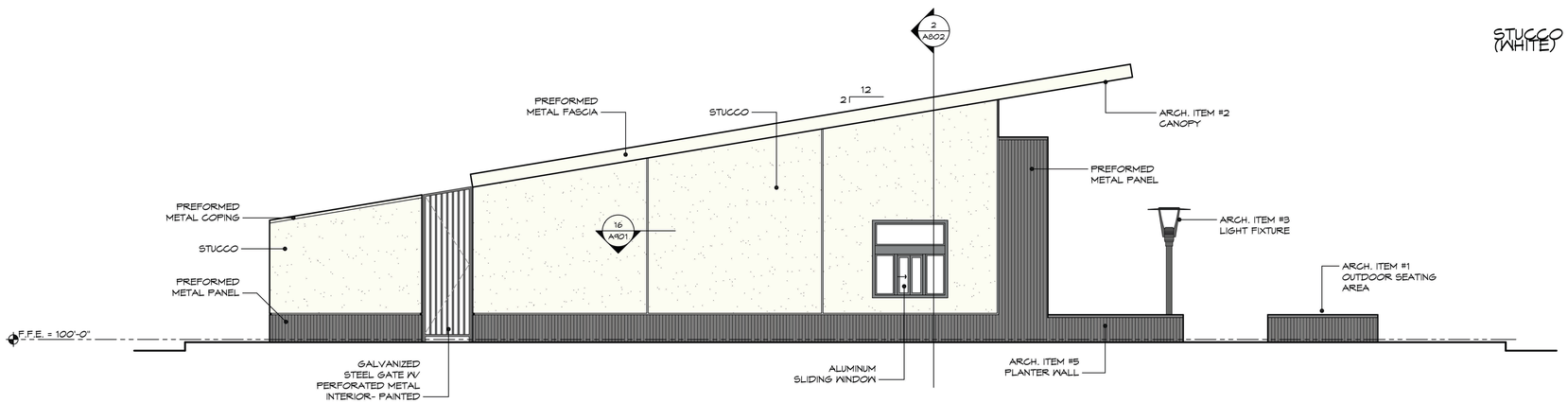
The Berridge S-Deck Panels are corrugated structural metal and can be installed horizontally or vertically with exposed fasteners. S-Deck may be curved making it ideal for use over covered walkways and shelters. This panel is available in two coverage options, two substrate options and is ideal for a variety of uses.



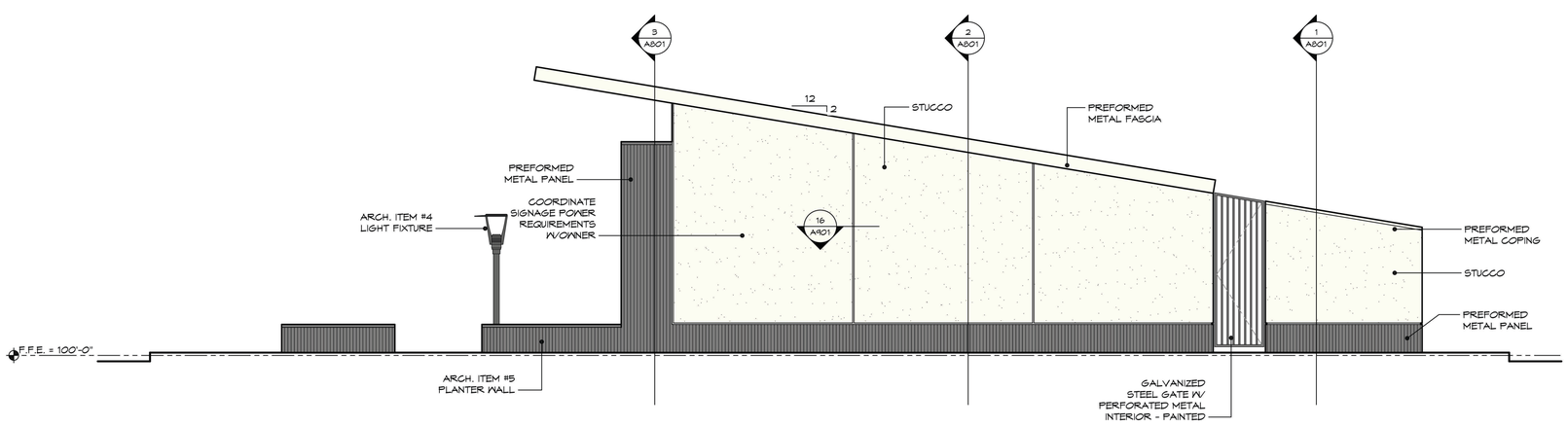
COLORS:

METAL PANELS (ZINC GREY)

STUCCO (WHITE)



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



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

ISSUE DATE:
November 15, 2021

REVISIONS:
SUP - 6/28/2023

BROADWAY SNOW CONE KIOSK
GARLAND, TEXAS

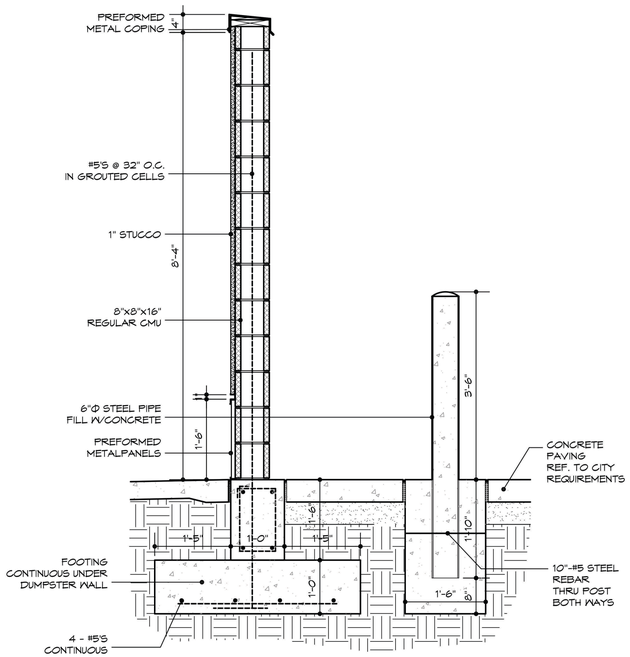
RON HOBBS ARCHITECTURE & INTERIOR DESIGN, LLP
614 WEST MAIN STREET, SUITE 200 GARLAND, TEXAS 75040
PHONE: 972-494-0174

REGISTERED ARCHITECT
DAVID M. TOBIAS
11/15/2021
23136
STATE OF TEXAS

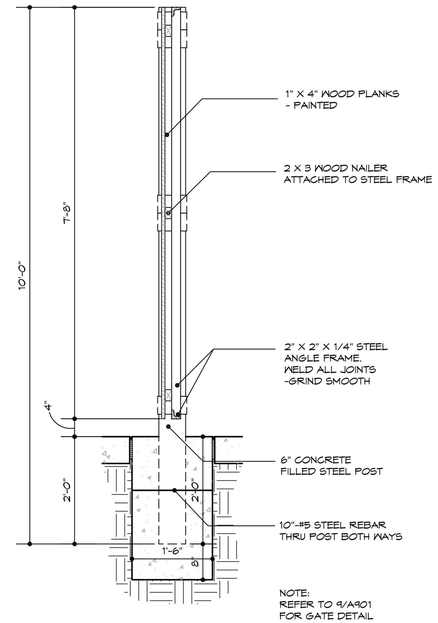
JOB NUMBER
CASE # 200901-1
2103

SHEET NUMBER
EXTERIOR ELEVATIONS - COLOR
A201

EXHIBIT E



4 WALL SECTION
SCALE: 3/4" = 1'-0"

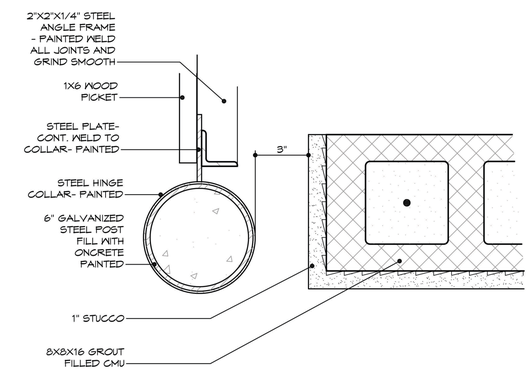


5 GATE SECTION
SCALE: 3/4" = 1'-0"

COLORS:

METAL PANELS (ZINC GREY)

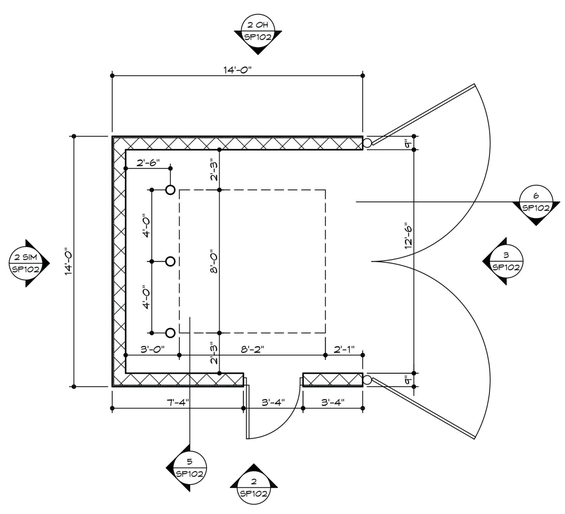
STUCCO (WHITE)



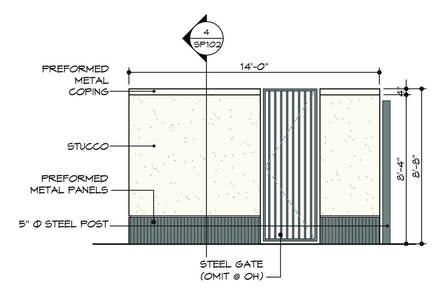
6 GATE DETAIL
SCALE: 3" = 1'-0"

0 8" 1'-4" 2'-8"
SCALE: 3/4" = 1'-0"

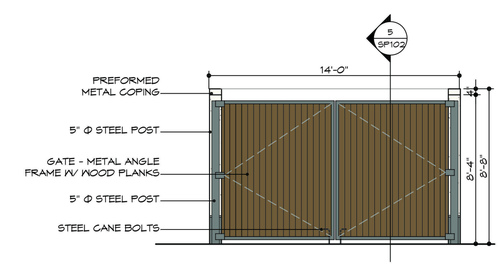
0 2" 4" 8"
SCALE: 3" = 1'-0"



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



2 DUMPSTER SIDE AND REAR ELEVATIONS
SCALE: 1/4" = 1'-0"



3 DUMPSTER FRONT ELEVATION
SCALE: 1/4" = 1'-0"

0 2' 4' 8'
SCALE: 1/4" = 1'-0"

ISSUE DATE:
December 15, 2022

REVISIONS:
SUP - 5/10/2023

BROADWAY SNOW CONE KIOSK
GARLAND, TEXAS

RON HOBBS ARCHITECTURE & INTERIOR DESIGN, LLP
614 WEST MAIN STREET, SUITE 200 GARLAND, TEXAS 75040
PHONE: 972-494-0174

REGISTERED ARCHITECT DAVID M. TOPPEL 11/5/2021 23138 STATE OF TEXAS

JOB NUMBER
CASE # 200901-1
2103

SHEET NUMBER
SITE PLAN DETAILS
SUP
SP102

GARLAND

CITY COUNCIL ITEM SUMMARY SHEET

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

Meeting Date: 10/10/2023

Item Title: Z 23-26 Larry Hishmeh (District 2)

Submitted By: Will Guerin, Planning Director

Summary of Request/Problem

Zoning Ordinance Z 23-26 Larry Hishmeh

Recommendation/Action Requested and Justification

Consider adoption of the attached ordinance.

Attachments

Z 23-26 Ordinance

Z 23-26 Exhibit A

Z 23-26 Exhibit B

Z 23-26 Exhibit C

ZONING FILE NO. Z 23-26

ORDINANCE NO._____

AN ORDINANCE AMENDING THE GARLAND DEVELOPMENT CODE OF THE CITY OF GARLAND, TEXAS, BY APPROVING A SPECIFIC USE PROVISION FOR A MOBILE FOOD TRUCK USE ON A 0.078-ACRE TRACT OF LAND LOCATED AT 101 SOUTH SIXTH STREET ZONED DOWNTOWN (DT) DISTRICT, DOWNTOWN HISTORIC SUB-DISTRICT; PROVIDING FOR CONDITIONS, RESTRICTIONS, AND REGULATIONS; PROVIDING A PENALTY UNDER THE PROVISIONS OF SEC. 10.05 OF THE CODE OF ORDINANCES OF THE CITY OF GARLAND, TEXAS; PROVIDING A NOTICE OF CONDITIONS OF COMPLIANCE CLAUSE; PROVIDING A SAVINGS CLAUSE AND A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, at its regular meeting held on the 28th day of August, 2023, the Plan Commission did consider and make recommendations on a certain request for a Specific Use Provision for a Mobile Food Truck Park zoned Downtown (DT) District, Downtown Historic Sub-District, by **Larry Hishmeh**; and

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

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

Section 1

The Garland Development Code is hereby amended by approving a Specific Use Provision for a for a Mobile Food Truck Park zoned Downtown (DT) District, Downtown Historic Sub-District, and being more particularly described in Exhibit A, attached hereto and made a part hereof.

Section 2

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

Section 3

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

Section 4

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

Section 5

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

Section 6

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

Section 7

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

FILE NO. Z 23-26

PASSED AND APPROVED this_____ day of _____, 2023.

THE CITY OF GARLAND, TEXAS

By:

_____
Mayor

ATTEST:

_____
City Secretary

Published:

EXHIBIT A

LEGAL DESCRIPTION

Zoning File Z 23-26

BEING a 0.078-acre tract of parcel of land lying and being situated in the Joel Crumpacker Survey, Abstract No. 328, in the County of Dallas, Texas and being part of Lots and 2 Block of the Town Embree , according to Garland, the plat thereof record volume . a t Page 441. of the Deed Records of Dallas County, Texas.

SPECIFIC USE PROVISION CONDITIONS

ZONING FILE Z 23-26

101 South Sixth Street

I. **Statement of Purpose:** The purpose of this Specific Use Provision is to allow a Mobile Food Truck Park.

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

III. **General Regulations:** All regulations of the Downtown (DT) District, Downtown Historic Sub-District and Site Development Standards as set forth in Chapter 2 and 4 of the Garland Development Code, Ordinance 6773, are included by reference and shall apply, except as otherwise specified by this ordinance.

IV. **Development Plans:**

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

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

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

VI. Specific Regulations:

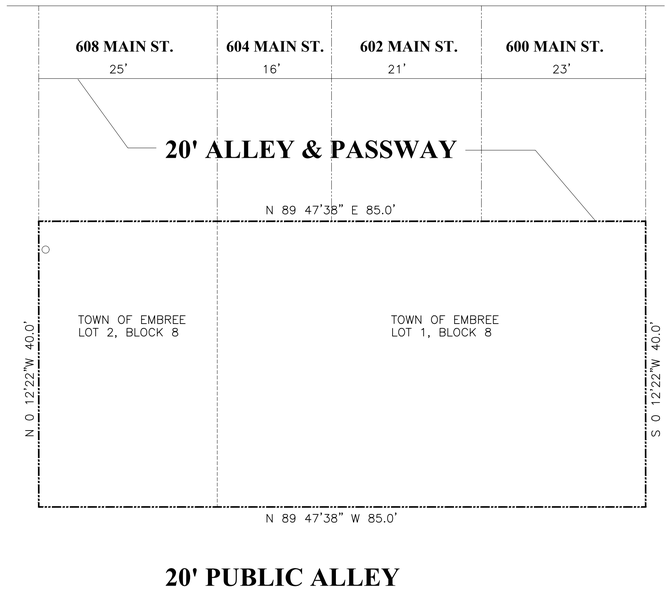
A. Time Period: The Specific Use Provision shall have a five (5) year time period.

B. Hours of Operation: Normal hours of operation will be 9:00 am to 9:00 pm every day of the week.

C. Number of Food Trucks: A maximum of five (5) food trucks shall be permitted on site.

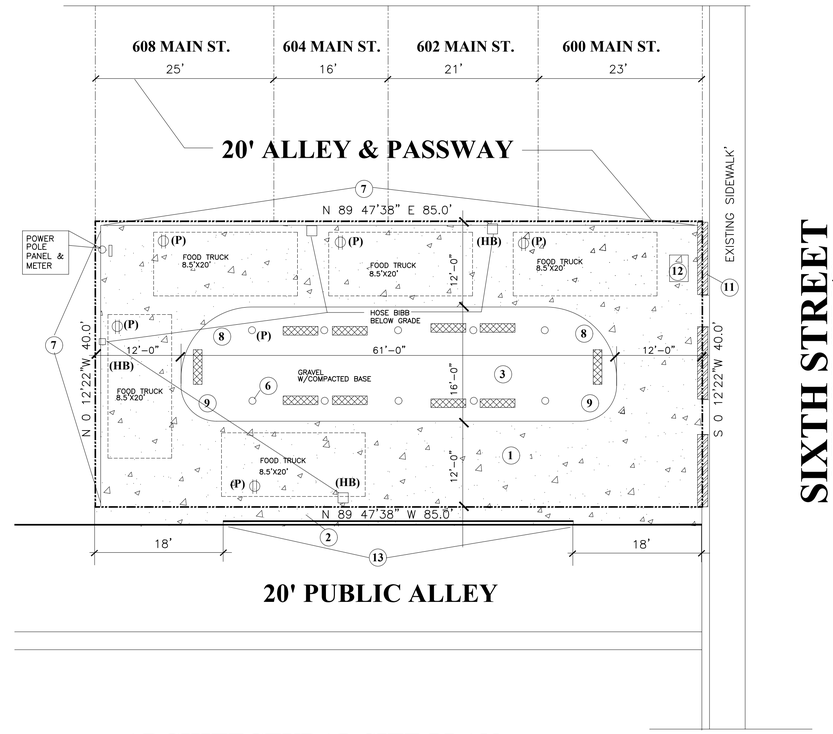
EXHIBIT B

EXHIBIT C



1 SITE PLAN

SCALE 1" = 10'-0"

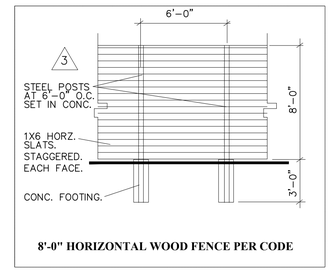


1 ARCHITECTURAL SITE PLAN

SCALE 1" = 10'-0"

KEY NOTES:

1. PAVING 5" CONCRETE W/ #3 AT 16" O.C.E.W PER CITY OF GARLAND STANDARDS
2. ALLEY TO NEW PAVING PER CITY OF GARLAND STANDARDS
3. GRAVEL AREA FOR EATING AREA
4. (P) POWER FOR EACH TRAILER LOCATION
5. (HB)HOSE BIBB-BELOW GRADE-FREEZE PROOF
6. CANOPY POST-WITH STRING LIGHTS
7. 8'-0" HORIZONTAL WOOD FENCE PER CODE
8. 10' RADIUS
9. 5' RADIUS
10. PLANTERS
11. PLANTERS AT SIDEWALK 3' HEIGHT X 18" X 9'-0" LONG WITH 6' WALK THRU'S (2)
12. BIKE RACK
13. CURB PER CITY OF GARLAND STANDARDS



8'-0" HORIZONTAL WOOD FENCE PER CODE

REGISTERED ARCHITECT CHARLES W. VOIGT 7226 STATE OF TEXAS

Shearer, Monk, & Voigt
Architects & Engineers
1200 W. STATE STREET, GARLAND, TEXAS 75040
OFFICE 972-272-1763 -FAX 972-272-8761

Site Improvements

PART OF LOT 1 AND LOT 2, BLOCK 8
TOWN OF EMBREE
Garland, Texas 75040

Date Issued	05-12-23
Project No.	2023-15
Sheet Title	ARCHITECTURAL SITE PLAN
Sheet Number	A100
Sequence	of

△ 8-31-23 WOOD FENCE
△ 8-15-23 CITY COMMENTS
△ Z23-26 TRC COMMENTS

GARLAND

CITY COUNCIL ITEM SUMMARY SHEET

City Council Regular Session Agenda **4.**

Meeting Date: 10/10/2023

Item Title: Purchase of Real Property and Approval of the Disposition and Development Agreement Related to 519 State Street, Garland, Texas.

Submitted By: Brian England, City Attorney

Summary of Request/Problem

Consider (1) the purchase of real property commonly known as 519 W. State Street and (2) the ancillary Disposition and Development Agreement and authorize the City Manager to execute any necessary documents related to the same. Council discussed this item and the substantive terms and conditions in executive session at the October 9th Work Session.

Recommendation/Action Requested and Justification

Approve the purchase of real property and the ancillary Disposition and Development Agreement under the terms and conditions discussed during the October 9th Work Session.

Attachments

DDA Executed

Executed Contract

DISPOSITION
AND
DEVELOPMENT AGREEMENT
(City of Garland / Jones State Street Real Estate Holding Company, Inc.)

THIS AGREEMENT ("Agreement") is entered into as of the 8th day of October, 2023 ("Effective Date"), by and between **JONES STATE STREET REAL ESTATE HOLDING COMPANY, INC., A TEXAS CORPORATION** ("Seller") and the **CITY OF GARLAND, TEXAS, A TEXAS HOME-RULE MUNICIPALITY** ("City" or "Buyer") (collectively, "Parties").

RECITALS

A. **WHEREAS**, City desires to further the public interest and welfare and to induce the investment of private resources in productive business enterprises located in certain areas of the City that will increase tax revenue and promote or develop new business enterprises;

B. **WHEREAS**, City is authorized by Article III, Section 52-a of the Texas Constitution and Chapter 380 of the Texas Local Government Code to provide an economic development program, which may include certain grants of public funds, to stimulate business and commercial activity in the City;

C. **WHEREAS**, Seller is the legal owner of the commercial building commonly known as 519 State Street, Garland, Dallas County, Texas, and more particularly described as:

> Lot 1, Block 1, of Jones Downtown Addition, an Addition to the City of Garland, Texas, according to the plat thereof recorded in County Clerk Instrument No. 201300301208, of the Official Public Records of Dallas County, Texas. ("Property");

D. **WHEREAS**, the City has determined, based on information presented to it by the Seller, that making an economic development grant to the Seller in accordance with this Agreement is in accordance with the City's economic development goals and will: (i) further the objectives of the City; (ii) benefit the City and the City's inhabitants; and (iii) promote local economic development and stimulate business and commercial activity in the City;

E. **WHEREAS**, City desires to purchase the Property from Seller and develop it into an event venue and restaurant/catering facility ("Facility" or "Project");

F. **WHEREAS**, the Project will have a direct and positive economic benefit to the City;

G. **WHEREAS**, Seller desires to participate in the design and construction process of the Facility to ensure its interests are considered; and

H. **WHEREAS**, the parties wish to set forth the terms and conditions under which the Property will be sold to, and developed by, the City.

10/8/23

CG

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

1. SALE AND PURCHASE OF THE PROPERTY

Sale of Property: Seller agrees to sell the Property to City and the City agrees to purchase the property, pursuant to that certain Contract of Sale – Real Property ("Contract), which shall be executed contemporaneously with this Agreement, in the form and substance attached hereto as Exhibit "A", for the total sum of **$1,950,000** ("Purchase Price"). City shall purchase the Property on or before December 31, 2023 (unless extended in writing by the parties pursuant to the Contract) after the execution of this Agreement and the Contract. This Agreement is incorporated into the Contract and is additional consideration for such sale of the Property to City.

2. DEVELOPMENT OF THE FACILITY

2.1 Design and Construction: Upon the purchase of the Property, City agrees to enter into an agreement with Ron Hobbs Architecture & Interior Design, LLP ("Architect") to complete the Facility design plan contemplated by Seller in conjunction with Architect. The City agrees to retain the Architect to perform the customary services of licensed architects throughout the construction of the Facility. The City will create a design team for the purposes of working with the Architect to make any alterations required to finalize the design plan.

2.2 Seller's Design Participation: Seller shall have one (1) representative selected by Seller to serve as a member of the City's design team and may make recommendations in keeping with the overall concept that has been presented to the City Staff and City Council. Seller may have direct communication with Architect, at the Architect's convenience, to suggest solutions to problems or creative ideas. The City shall consider Seller's recommendations and endeavor to incorporate Seller's recommendations to the extent that the City's design team determines that the recommendation will enhance the appearance, appeal, or usability of the Facility or favorably impact construction costs, operating revenues and expenditures and overall maintenance costs.

2.3 Construction Meetings: Once construction of the Facility commences, Seller shall receive timely notice of, and be entitled to participate in, regular owner, architect, contractor (OAC) construction meetings between City and the City's general contractor. During these meetings, Seller may present comments and ideas regarding the construction process. Seller shall also be entitled to attend and participate in nonscheduled ad hoc meetings between the architect, contractor, and the City. However, although Seller shall not be excluded from such ad hoc and impromptu meetings, the City is not obligated to provide Seller notice of the meetings. City shall consider Seller's suggestions and shall endeavor to incorporate any construction ideas that align with the City's overall concept of the Facility, as determined solely by the City, and which do not add additional construction costs to the project.

3. OPERATION OF THE FACILITY

10/8/23

Facility Use: It is the City's intention to operate, or cause to operate, the Facility as an event center, catering facility, restaurant or any similar type entertainment service.

4. OTHER ITEMS

4.1 Seller shall be entitled to materials from the building that are removed as part of construction. This would include the face brick from the front of the building and select wood from the interior demolition. To accommodate this provision and not interfere with demolition or construction activities on the Property, Seller shall schedule and meet with a representative of the City Manager's Office, within 20 business days of the Effective Date, to conduct a walk-through of the Property and identify any materials the Seller desires to retain during demolition of the Property. The City shall set aside the identified materials and deliver them to a location determined by the Seller within the City of Garland. The City shall provide Seller written notification once the identified materials have been collected and are made ready for delivery. The City's obligation to store the materials shall not exceed 30 calendar days from the date the City provided Seller written notice. Upon the passing of 30 calendar days, the City may dispose of the materials. The City shall pay for the costs of transporting the materials from the Property to the location within the City designated by Seller.

4.2 Seller shall continue to be entitled to any benefits, including but not limited to tickets to city sponsored events and parking, that are generally made available to all other tenants and property owners on the downtown square.

4.3 Seller shall be entitled to use a designated individual room or conference room within the Facility for $1.00 per day, twice per calendar month, during regular business hours, subject to availability, and in coordination with City staff.

4.4 Seller shall be entitled to participate in name selection for the Facility pursuant to existing City policy. However, parties acknowledge and agree that City Council shall have the sole discretion to make the final determination as to the name of the Facility.

5. FINAL AUTHORITY

Nothing in this agreement shall be interpreted to imply a partnership or joint venture between City and Seller. City is solely responsible for the costs of development and construction, the cost of staffing, operating, promoting, and maintaining the built Facility. City is entitled to all revenues derived from its operation without offset to Seller. Neither Seller, nor any representative, consultant, owner, officer, director, shareholder, manager, agent or invitee of Seller, has any financial liability to the City, or any contractor, subcontractor, employee, agent of the City, or assumes any risk or liability for construction, operation, or maintenance of the Facility. As a result, notwithstanding any other section of this Agreement, the City shall have full and final decision authority regarding final design, facility construction, operation, and future uses of the Facility.

6. DEFAULT; REMEDIES; WAIVER OF JURY TRIAL

CG 10/9/23

6.1 Default: In the event of a default, breach and/or failure to perform hereunder by either Party, the non-breaching Party shall give written notice of the breach to the breaching Party within 30 calendar days of discovering the breach. The breaching party shall then have 30 calendar days following the receipt of the written notice to cure the breach.

6.2 Remedies: (a) Unless otherwise provided for herein, if the transaction contemplated hereby is not consummated by reason of City's breach or other failure to timely perform all obligations and conditions to be performed by City prior to the Closing of the Property, and such breach or other failure is not due to default, breach and/or failure by Seller hereunder, then Seller may, as Seller's sole and exclusive remedy, terminate this Agreement and receive the Earnest Money deposited by City pursuant to the Contract as liquidated damages. Buyer and Seller hereby agree that actual damages would be difficult or impossible to ascertain and such amount is a reasonable estimate of the damages for such breach or failure. This shall be the exclusive remedy available to Seller prior to Closing under the Contract.

(b) Unless otherwise provided for herein, if either party fails to timely perform all obligations and conditions expressly stated herein following the Closing of the Property, and such failure to perform is not due to default, breach and/or failure by the other Party, the non-breaching Party, as its exclusive remedy, shall be entitled to enforce specific performance and/or an injunction or injunctions to prevent breaches of this Agreement and the terms and conditions hereof.

(c) **WAIVER OF JURY TRIAL: EACH PARTY KNOWINGLY, VOLUNTARILY, AND INTENTIONALLY WAIVES ITS RIGHT TO A TRIAL BY JURY TO THE EXTENT PERMITTED BY LAW IN ANY ACTION OR OTHER LEGAL PROCEEDING ARISING OUT OF OR RELATING TO THIS CONTRACT AND THE TRANSACTIONS IT CONTEMPLATES. THIS WAIVER APPLIES TO ANY ACTION OR OTHER LEGAL PROCEEDING, WHETHER SOUNDING IN CONTRACT, TORT, OR OTHERWISE. EACH PARTY ACKNOWLEDGES THAT IT HAS RECEIVED THE ADVICE OF COMPETENT COUNSEL.**

7. GENERAL PROVISIONS

7.1 Entire Agreement: This Agreement, including any attached exhibits, constitutes the entire agreement between the parties and supersedes all prior oral or written agreements, understandings, or representations.

7.2 Notice. Any notice required or permitted to be delivered hereunder will be deemed received five (5) days after sent by United States Mail, postage prepaid, certified mail, return receipt requested, addressed to the party at the address set forth below or on the day actually received when sent by a nationally-recognized overnight courier (such as FedEx) or otherwise hand delivered.

If intended for the City:

cg 10/8/23

Attention: Judson Rex, City Manager
City of Garland, Texas

200 N. Fifth Street
Garland, Texas 75040
Telephone: (972) 205-2465
Jrex@garlandtx.gov

with a copy to:Office of the City Attorney

Attention: Brian C. England
City of Garland, Texas
200 N. Fifth Street, Fourth Floor
P.O. Box 469002
Garland, Texas 75046-9002
Telephone: (972) 205-2380
bengland@garlandtx.gov

If intended for Seller:
Jones State Street Real Estate Holding Company, Inc.
Chad Jones, President
3629 Glenbrook Ct.
Garland, TX 75041-5101
Telephone: (972) 261-8527
chad.jones@tx.rr.com

7.3 **Binding Agreement.** The terms and conditions of this Agreement are binding upon the successors and assigns of all parties hereto. This Agreement may not be assigned by either party without the prior written consent of the other party.

7.4 **Limitation on Liability.** It is understood and agreed between the parties that the Seller and the City, in satisfying the conditions of this Agreement, have acted independently, and neither party assumes responsibilities or liabilities to third parties in connection with these actions.

7.5 **No Joint Venture.** It is acknowledged and agreed by the parties that the terms hereof are not intended to and will not be deemed to create a partnership or joint venture between the parties, nor to cause the City to be deemed to be a constituent partner of the Seller.

7.6 **Authorization.** Each party represents that it has full capacity and authority to grant all rights and assume all obligations that are granted and assumed under this Agreement. The Seller represents and warrants to the City that the Seller is a duly formed, validly existing Texas corporation in good standing under the laws of the State of Texas and is authorized to transact business in the State of Texas.

7.7 **Entire Agreement.** This Agreement is the entire agreement between the parties with respect to the subject matter covered in this Agreement. There are no other collateral oral or written agreements between the parties that in any manner relate to the subject matter of this Agreement, except as provided herein.

CG
10/8/23

7.8 Governing Law. This Agreement is governed by the laws of the State of Texas, without giving effect to any conflicts of law rule or principle that might result in the application of the laws of another jurisdiction. Venue for any action concerning this Agreement will be mandatory in Dallas County, Texas, to the exclusion of all other venues. The parties agree to waive any objections related to appearing in a court in Dallas County, Texas, including, without limitation, objections based on personal jurisdiction.

7.9 Amendment. This Agreement may only be amended by the mutual written agreement of the parties.

7.10 Legal Construction. In the event any one or more of the provisions contained in this Agreement is for any reason held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability will not affect other provisions of this Agreement, and it is the intention of the parties to this Agreement that in lieu of each provision that is found to be illegal, invalid, or unenforceable, a provision will be added to this Agreement which is legal, valid and enforceable and is as similar in terms as possible to the provision found to be illegal, invalid or unenforceable.

7.11 Counterparts. This Agreement may be executed in counterparts. Each of the counterparts will be deemed an original instrument, but all of the counterparts will constitute one and the same instrument.

7.12 Survival of Covenants. Any of the representations, warranties, covenants, and obligations of the Parties, as well as any rights and benefits of the Parties, pertaining to a period of time following the termination of this Agreement will survive termination hereof.

7.13 Approval of Parties. Whenever this Agreement requires or permits the approval or consent to be given by a Party, Parties agree that such approval or consent will not be unreasonably withheld, conditioned or delayed, unless expressly provided to the contrary herein.

7.14 Further Assurances. Each party hereby agrees that it will take all actions and execute all documents necessary to fully carry out the purposes and intent of this Agreement.

7.15 Authority. The Seller represents, warrants and covenants that it has the authority to (i) enter into, execute and deliver this Agreement and (ii) perform and comply with all of the terms, covenants and conditions to be performed and complied with by the Seller hereunder. The City represents, warrants and covenants that (i) it has the authority to enter into, execute and deliver this Agreement and (ii) it has the authority to perform and comply with all of the terms, covenants and conditions to be performed and complied with by the City hereunder.

7.16 Time for Performance. Time is of the essence in the performance of each party's obligations hereunder; provided, however, that if any date for performance by a party hereto falls on a Saturday, Sunday or a day on which national banking associations operating in the State of Texas are not open for business, then such party's performance will not be due until the next day thereafter that is not a Saturday, a Sunday or a day on which national banking associations operating in the State of Texas are not open for business.

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7.17 **No Vesting Rights.** Nothing in this Agreement will be construed to constitute an application, plan or permit as envisioned by Chapter 245 of the Texas Local Government Code, as amended, or to create any right or vest any right that might otherwise accrue under such Chapter.

7.18 **Limitation on Waivers, Etc.** If any department, division, etc. of the City grants any type of waiver, variance or other concession in connection with any aspect of this Agreement (including, without limitation, the City's approval of the Plans), such waiver, variance or other concession will be strictly limited to the department, division, etc. granting same and will not be binding upon, or otherwise applicable to, any other department, division, etc. of the City.

CITY:

CITY OF GARLAND, TEXAS

By: _____
Printed Name: Judson Rex
Title: City Manager

SELLER:

JONES STATE STREET REAL ESTATE HOLDING COMPANY, INC.

By: Chad Jones, President
Printed Name: Chad Jones
Title: President

CJ
10/8/23

CONTRACT OF SALE – REAL PROPERTY

THIS CONTRACT OF SALE ("Contract") is made and entered into as of the "Effective Date" (as hereinafter defined) by and between **JONES STATE STREET REAL ESTATE HOLDING COMPANY, INC.** ("Seller"), and **CITY OF GARLAND, TEXAS**, a Texas home-rule municipality ("Buyer").

For and in consideration of the mutual covenants and agreements contained in this Contract and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Buyer and Seller agree as follows:

1. PURCHASE AND SALE: Seller agrees to sell and convey to Buyer, and Buyer agrees to buy from Seller, the Property (hereinafter defined) for the consideration and upon and subject to the terms, provisions and conditions hereinafter set forth. The "Property" shall mean real property commonly known as **519 State Street, Garland, Dallas County, Texas, and more particularly described as**

> **Being Lot 1, Block 1, of Jones Downtown Addition, an Addition to the City of Garland, Texas, according to the plat thereof recorded in County Clerk Instrument No. 201300301208, of the Official Public Records of Dallas County, Texas ("Property"),**

together with all right, title and interest of Seller, if any, in and to (i) any and all improvements and buildings owned by Seller located on such Property (if any), (ii) any and all singular rights, benefits, privileges, easements, tenements, and appurtenances thereon and pertaining to the Property, including, without limitation, any right, title and interest of Seller in and to adjacent public roadways or public alleys, rights of ingress and egress and any reversionary interests thereto, and (iii) strips and gores between the Property and abutting properties.

2. CONTRACT SALES PRICE: The purchase price for the Property shall be **One million nine hundred fifty thousand and 00/100 Dollars ($1,950,000.00)** ("Sales Price"), payable by Buyer in cash at Closing. "Payable in cash" shall mean by cashier's check or certified check drawn on a national banking association acceptable to Seller, or by wire transfer of immediately available federal funds ("Immediately Available Funds"). Concurrently, with the execution of this Contract, and as additional consideration for this Contract, Seller and Buyer will execute a Disposition and Development Agreement, attached hereto as Exhibit "A" and incorporated herein for all purposes.

3. EARNEST MONEY: Within five (5) business days of the Effective Date, Buyer shall deliver this fully executed Contract to **Teresa Myers, Mutual Title LLC, 2611 N. Belt Line Rd., Ste. 162, Sunnyvale TX 75182, (214) 712-8151** ("Title Company"), as escrow agent, along with an amount equal to **Twenty Five Thousand and 00/100 Dollars ($25,000.00)** (by Immediately Available Funds) as earnest money, which funds shall be deposited and held by the Title Company in an interest-bearing account, such sum and the interest accrued thereon being hereafter referred to as "Earnest Money". In the event the transaction contemplated by this Contract is closed, the Earnest Money will be applied in payment of the Sales Price to be paid at Closing. In the event the transaction contemplated by this Contract is not closed, the Earnest

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Money shall be disbursed in accordance with the provisions of this Contract. If Buyer does not timely deliver the Earnest Money, or if the Title Company is not immediately able to obtain good funds in respect of the Earnest Money, Seller may, at its option, terminate this Contract. Upon request from the Title Company, Seller and Buyer will enter into such escrow agreement as Escrow Agent may reasonably request and will jointly and severally hold the Title Company harmless with respect to the performance of its duties as escrow agent, except to the extent caused by the gross negligence or willful misconduct of the Title Company.

4. FEASIBILITY STUDY AND INSPECTION:

(a) Seller shall deliver to Buyer within thirty (30) days after the Effective Date any environmental reports pertaining to the Property currently in the possession of Seller ("Diligence Documents"), which Diligence Documents are provided for informational purposes only and shall not be relied upon by or certified to Buyer, and nothing in this Section shall constitute a representation or warranty as to the delivery, accuracy or completeness of any Diligence Documents described herein or otherwise in Seller's possession. Buyer is granted the right to conduct engineering, market and economic feasibility studies of the Property, and/or a physical inspection of the Property, including studies or inspections to determine the existence of any environmental hazards or conditions (collectively, "Feasibility Study") during the period ("Feasibility Period") commencing on the Effective Date and ending at 5:00 p.m., Dallas, Texas time, on that date that is Thirty **(30) days thereafter**. Parties may agree to extend the Feasibility Period in writing. Buyer or its designated agents may enter upon the Property for purposes of analysis or other tests and inspections which may be deemed necessary by Buyer for the Feasibility Study; provided however, Buyer must notify Seller at least twenty-four (24) hours in advance of Buyer's plans to conduct tests so that Seller or Seller's representative may be present during the tests Buyer shall not alter the physical condition of the Property without obtaining the written consent of Seller to any physical alteration of the Property, which consent may be withheld in Seller's sole and absolute discretion. In particular, Buyer shall not perform any invasive or destructive testing of the Property (including, without limitation, any soil sampling, excavation, or other physical testing), or what is commonly known as a Phase II environmental inspection, without the prior written consent of Seller, which consent may be withheld in Seller's sole and absolute discretion. In the event Buyer determines that the Property is not suitable for its intended use due to its physical condition or environmental hazards, the Buyer may terminate this Contract by written notice to Seller prior to the expiration of the Feasibility Period, or any extension of the Feasibility Period pursuant to this Section.

(b) If Buyer determines, in its sole judgment, that the Property is not suitable for any reason (or no reason at all) for Buyer's intended use or purpose, or is not in satisfactory condition in any regard, then Buyer may terminate this Contract by written notice to Seller prior to expiration of the Feasibility Period or any extension of the Feasibility Period pursuant to this Section 4, in which case the Earnest Money, including any additional Earnest Money deposited for an extended feasibility period, shall be issued to the Seller, one (1) business day following receipt of the termination notice from Buyer. No release from Buyer to Title Company shall be required for the release of the Earnest Money to Seller. Neither party shall have any further right nor obligation hereunder other than as set forth herein with respect to rights or obligations which expressly survive termination of this Contract. If this Contract is not terminated in the manner and within the time provided in this Section 4, the condition provided in this Section 4 and any

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and all objections with respect to the Feasibility Study shall be deemed to have been satisfied and/or waived by Buyer for all purposes, and it shall be conclusively presumed that Buyer (i) has approved the Diligence Documents, any surveys obtained, and the condition of title and condition of the Property, (ii) has acknowledged and agreed that Buyer has been given adequate access to inspect the Property, (iii) has acknowledged that it has the full and complete knowledge necessary to purchase the Property, or has chosen not to obtain the full and complete knowledge, although provided with the opportunity by Seller, and (iv) has conducted, or had the opportunity to conduct, sufficient examination of the building, building envelope, building systems, building grounds, building components and surrounding conditions including but not limited to soils and the environmental condition of the Property.

(c) The Feasibility Study shall be at Buyer's sole cost and expense. Buyer shall promptly restore the Property, at its sole cost and expense, to its original condition if damaged or changed due to the tests and inspections performed by Buyer, free of any mechanic's or materialman's liens or other encumbrances arising out of any of the inspections or tests. In the event that Buyer terminates this Contract pursuant to this Section 4, or this Contract is terminated due to a default of Buyer, Buyer shall provide Seller, at no cost to Seller, with a copy of the results of any tests and inspections made by Buyer, excluding any market and economic feasibility studies. To the extent allowed by law, Buyer shall keep confidential the results of any tests and inspections made by Buyer, and shall not disclose said results to any third parties; provided however, nothing herein shall prevent Buyer from disclosing any information (i) as may be reasonably required for applying for, qualifying for, and otherwise processing governmental approvals; (ii) as may be reasonably required in processing the closing and issuance of the title policies regarding the Property; (iii) as may be reasonably required for purposes of income tax reporting; (iv) as may be reasonably required by accountants, attorneys, engineers, consultants or other persons providing professional advice; (v) as may be reasonably required regarding financing of the purchase; (vi) in court or arbitral proceedings, or as otherwise may be required by law; and (vii) as otherwise as may be consented to in writing by Seller. Buyer hereby indemnifies, defends and holds Seller harmless from all claims, liabilities, damages, losses, costs, expenses (including, without limitation, reasonable attorneys' fees), actions and causes of action arising out of or in any way relating to the Feasibility Study performed by Buyer, its agents, contractors, servants and/or employees. Buyer further waives and releases any claims, demands, damages, actions, causes of action or other remedies of any kind whatsoever against Seller for property damages or bodily and/or personal injuries to Buyer, its agents, contractors, servants and/or employees arising out of the Feasibility Study or use in any manner of the Property, unless due to the gross negligence or intentional misconduct of Seller, its agents, employees and/or contractors. Notwithstanding anything in this Contract to the contrary, the provisions of this Section 4 shall survive the Closing or any termination of this Contract.

(d) Buyer shall have the right to extend the Feasibility Period for one (1) period of thirty (30) days ("Extension Period") upon written notice to Seller and deposit into escrow with the Title Company prior to expiration of the Feasibility Period, the sum of **Ten Thousand and 00/100 Dollars ($10,000.00)** ("Extension Payment"). The Extension Payment shall be deposited with the Title Company and become part of the Earnest Money. The Extension Payment shall be applicable to the Sales Price at Closing.

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5. CLOSING: The closing of the sale of the Property to Buyer and consummation of the transaction(s) contemplated by this Contract ("Closing") shall take place at the offices of the Title Company in Sunnyvale, Texas on the date ("Closing Date") no earlier than December 18, 2023 and no later than December 31, 2023 unless such date is changed in writing by Seller and Buyer. However, notwithstanding anything in this Contract to the contrary, the Seller shall have the right to extend the Closing for one (1) period of thirty (30) days upon written notice to Buyer.

(a) At the Closing, Seller shall deliver to Buyer, at Seller's sole cost and expense, the following:

(i) a duly executed and acknowledged Special Warranty Deed ("Deed") in substantially the same form as shown on Exhibit "B" attached hereto and made a part hereof, conveying good and indefeasible title in fee simple to the Property, free and clear of any and all liens, encumbrances, easements, and assessments, except for the Permitted Exceptions (hereinafter defined) and any others approved by Buyer in writing;

(ii) possession of the Property, upon funding, and subject to the Permitted Exceptions existing at Closing;

(iii) a non-foreign affidavit as permitted by Section 1445 of the Internal Revenue Code of 1986, as amended, and the regulations promulgated thereunder;

(iv) evidence of Seller's capacity and authority for the closing of this transaction as may be reasonably required by the Title Company;

(v) such other documents as may be reasonably required to close this transaction, duly executed by Seller.

(b) At the Closing, Buyer shall perform and deliver to Seller, at Buyer's sole cost and expense, the following:

(i) the Sales Price in Immediately Available Funds;

(ii) evidence of Buyer's capacity and authority for the closing of the transaction contemplated herein; and

(iii) such other documents as may be reasonably required to close this transaction duly executed by Buyer.

(c) Buyer shall pay all other closing costs, including without limitation, the cost of an owner policy of title insurance, any new or updated survey, recording fees, tax certificate fees, and all escrow fees and title charges.

(d) In the event that Closing occurs before or after December 31, 2023, all ad valorem real estate taxes and assessments levied or assessed against the Property (including, without limitation, any rollback taxes) shall be prorated according to the calendar year as of the Closing Date, based on the most recent tax bill for the Property. Such prorations shall be adjusted after Closing, based upon the actual tax bill. This Section 5(d) shall survive Closing. In the event that Closing occurs on December 31, 2023, the 2023 ad valorem real estate taxes shall not be

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prorated. Seller shall pay the 2023 ad valorem real estate taxes and assessments at, or prior to, Closing.

6. TITLE APPROVAL:

(a) Title Commitment. Buyer shall obtain, at Buyer's sole cost and expense, and deliver copies to Seller, a Commitment for Title Insurance ("Commitment"), and legible copies of instruments referenced in the Commitment, within thirty (30) days after the Effective Date.

(b) Survey. Within thirty (30) days after the Effective Date, Buyer will obtain, and deliver a copy to Seller, a new or updated survey ("Survey") that is satisfactory to Title Company at Buyer's sole cost and expense.

(c) Buyer's Objections. If Buyer has an objection to items disclosed in the Commitment or Survey, Buyer shall have thirty (30) days after receipt of the last of the Commitment and Survey ("Title Objection Deadline"), to give Seller written notice of its objections ("Title Objections"). Buyer will be deemed to have approved all matters reflected by the Commitment and Survey to which Buyer has made no Title Objection by the Title Objection Deadline, and any exception to the Commitment or Survey not timely objected to by Buyer shall become a Permitted Exception, as set forth below.

(d) Seller's Cure. If Buyer gives timely written notice of any Title Objections, Seller shall have the opportunity, but not an obligation, for thirty (30) days from the date of Seller's receipt of the Title Objections to cure same. If Seller elects to cure a Title Objection, Seller will utilize reasonable diligence to cure such Title Objections, provided however, Seller shall have no obligation to expend any money, to incur any contractual or other obligations, or to institute any litigation in pursuing such efforts. If any Title Objection is not cured within such time period, Buyer shall elect prior to the end of the Feasibility Period as its sole and exclusive remedy to either (a) terminate this Contract, in which case the Earnest Money shall be refunded to Buyer, and neither party shall have any further rights or obligations pursuant to this Contract, other than as set forth herein with respect to rights or obligations which survive termination, or (b) waive the unsatisfied objection (which shall thereupon become a Permitted Exception) and proceed to Closing without reduction of the Sales Price.

(e) Permitted Exceptions. The phrase "Permitted Exceptions" shall mean (i) standard printed exceptions contained in the promulgated form of title policies in Texas; (ii) real estate taxes and assessments not yet due and payable, (iii) documents or agreements contemplated by the terms of this Contract, (iv) matters arising from acts of or at the direction of Buyer, its consultants or any of their respective agents, representatives or employees, and (v) those exceptions to title set forth in the Commitment, Deed, or Survey and which have been accepted or deemed accepted by Buyer. The standard printed exception as to discrepancies, conflicts, or shortages in area and boundary lines, or any encroachments or protrusions, or any overlapping improvements will be amended to read "shortages in area" at the expense of Buyer.

(f) Mandatory Cure Items. Notwithstanding the foregoing and regardless of any applicable Title Objections, (i) Seller agrees to cure prior to or upon Closing any liens affecting the Property created by Seller, other than those created by or on behalf of Buyer, and (ii)

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voluntary conveyances of interests in the Property by Seller after the Effective Date ("Mandatory Cure Matters"). In no event shall the Mandatory Cure Matters be a Permitted Exception, and if Seller is unable to cure any Mandatory Cure Matters on or before the Closing, then Buyer shall be entitled, as Buyer's sole and exclusive remedy, to terminate this Contract upon written notice to Seller on or before the Closing Date, whereupon the Earnest Money and any and all Extension Payments (if applicable) shall be promptly delivered to Buyer, and all obligations and liabilities of the parties under this Contract shall be discharged and shall be null and void and of no further force or effect (except those that expressly survive the termination of this Contract).

7. BROKER'S FEE: Buyer and Seller represent and warrant to each other that no real estate commissions, finders' fees, or brokers' fees have been or will be incurred in connection with the sale of the Property by Seller to Buyer. Buyer and Seller shall indemnify, defend and hold each other harmless from any claim, liability, obligation, cost or expense (including reasonable attorneys' fees and expenses) for fees or commissions relating to Buyer's purchase of the Property asserted against either party by any broker or other person claiming by, through or under the indemnifying party or whose claim is based on the indemnifying party's acts. The provisions of this Section 7 shall survive the Closing or any termination of this Contract.

8. **LIMITATION OF SELLER'S REPRESENTATIONS AND WARRANTIES: EXCEPT AS OTHERWISE SPECIFICALLY STATED IN SECTION 12 OF THIS CONTRACT, AND EXCEPT FOR ANY WARRANTIES CONTAINED IN THE DEED TO BE DELIVERED BY SELLER AT THE CLOSING, SELLER HEREBY SPECIFICALLY DISCLAIMS ANY WARRANTY, GUARANTY OR REPRESENTATION, ORAL OR WRITTEN, PAST, PRESENT OR FUTURE, OF, AS TO, OR CONCERNING (i) THE NATURE AND CONDITION OF THE PROPERTY, INCLUDING, WITHOUT LIMITATION, THE WATER, SOIL AND GEOLOGY, AND THE SUITABILITY THEREOF AND OF THE PROPERTY FOR ANY AND ALL ACTIVITIES AND USES WHICH BUYER MAY ELECT TO CONDUCT THEREON, AND THE EXISTENCE OF ANY ENVIRONMENTAL HAZARDS OR CONDITIONS THEREON (INCLUDING THE PRESENCE OF ASBESTOS) OR COMPLIANCE WITH ANY OR ALL APPLICABLE LAWS, RULES OR REGULATIONS; AND (ii) THE NATURE AND EXTENT OF ANY RIGHT-OF-WAY, LEASE, POSSESSION, LIEN, ENCUMBRANCE, LICENSE, RESERVATION, CONDITION OR OTHERWISE; AND (iii) THE COMPLIANCE OF THE PROPERTY OR ITS OPERATION IN COMPLIANCE WITH ANY LAWS, ORDINANCES, ORDERS, RULES OR REGULATIONS OF ANY GOVERNMENTAL OR QUASI-GOVERNMENTAL AUTHORITY HAVING JURISDICTION OVER THE PROPERTY OR ANY PORTION THEREOF. BUYER ACKNOWLEDGES THAT IT WILL INSPECT THE PROPERTY AND BUYER WILL RELY SOLELY ON ITS OWN INVESTIGATION OF THE PROPERTY AND NOT ON ANY INFORMATION PROVIDED OR TO BE PROVIDED BY SELLER. THE SALE OF THE PROPERTY AS PROVIDED FOR HEREIN IS MADE ON AN "AS IS," "WHERE IS" BASIS AND WITH ALL FAULTS, AND BUYER EXPRESSLY ACKNOWLEDGES THAT, IN CONSIDERATION OF THE AGREEMENTS OF SELLER HEREIN, EXCEPT AS OTHERWISE SPECIFIED IN SECTION 12 HEREIN, AND EXCEPT FOR ANY WARRANTIES CONTAINED IN THE DEED TO BE DELIVERED BY SELLER AT THE CLOSING, SELLER MAKES NO**

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WARRANTY OR REPRESENTATION, EXPRESS OR IMPLIED, OR STATUTORY, OR ARISING BY OPERATION OF LAW, INCLUDING, BUT NOT LIMITED TO, ANY WARRANTY OF CONDITION, HABITABILITY, MERCHANTABILITY, TENANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE, IN RESPECT OF THE PROPERTY.

The provisions of this Section 8 shall survive the Closing.

9. DEFAULT:

(a) Unless otherwise provided for herein, if the transaction contemplated hereby is not consummated by reason of Buyer's breach or other failure to timely perform all obligations and conditions to be performed by Buyer, and such breach or other failure is not due to default, breach and/or failure by Seller hereunder, then Seller may, as Seller's sole and exclusive remedy, terminate this Contract and receive the Earnest Money as liquidated damages. Buyer and Seller hereby agree that actual damages would be difficult or impossible to ascertain and such amount is a reasonable estimate of the damages for such breach or failure.

(b) Unless otherwise provided for herein, if the transaction contemplated hereby is not consummated by reason of Seller's breach or other failure to timely perform all obligations and conditions to be performed by Seller, such breach or other failure is not cured within ten (10) days of Seller's receipt of written notice of such breach from Buyer, and such breach or other failure is not due to default, breach and/or failure by Buyer hereunder, then Buyer may, as its sole and exclusive remedy, either (i) enforce specific performance of Seller's obligations hereunder, provided that Buyer asserts such claim for specific performance within thirty (30) days from the scheduled Closing Date, or (ii) terminate this Contract and receive the Earnest Money; provided, however, notwithstanding anything to the contrary contained in this Contract, under no circumstances shall Buyer be permitted or entitled to file a claim of lis pendens against the Property. Buyer hereby waives and releases to the greatest extent allowed by law all other claims, causes of action or remedies against Seller arising under or in connection with this Contract, and Seller shall not be liable to Buyer for any type of incidental, punitive, special, exemplary, reliance, indirect or consequential damages, regardless of the foreseeability of such damages. No trustee, beneficiary, director, officer, shareholder, employee, advisor, agent, attorney, or manager in or of Seller (each, a "Seller Party") has any personal liability, directly or indirectly, under this Contract. Buyer and Buyer's successors and assigns and all other interested parties are entitled only to, and shall only look to, Seller's interest in the Property (and the proceeds thereof) for the payment of any claim or for any performance, and Buyer waives all other rights relating thereto. These limitations are in addition to, and not in limitation of, any other Seller limitation of liability.

(c) Except as otherwise expressly provided in this Contract, the rights and remedies set forth in this Section 9 shall be the sole and exclusive remedies available to Seller and Buyer in the event of a breach or default by the other party of this Contract.

10. REPRESENTATIONS AND WARRANTIES OF SELLER: Seller hereby represents and warrants to Buyer, that to Seller's current actual knowledge, no special investigation or inquiry having been made:

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(a) That the persons executing this Contract on behalf of Seller have full power and authority to execute this Contract, and to bind Seller to the terms hereof;

(b) With the exception of Seller, there are no parties in possession of any portion of the Property;

(c) Seller has, or on or before the Closing Date will have, the corporate power and authority to sell and convey the Property as provided in this Contract and to carry out Seller's obligations hereunder, and that all requisite corporate action necessary to authorize Seller to enter into this Contract and to carry out Seller's obligations hereunder has been, or on or before the Closing Date will have been taken;

(d) Seller has not received written notice of (i) any pending or threatened litigation which would materially and adversely affect the Property, or (ii) governmental proceeding which would materially and adversely affect the Property; and

(e) Seller is not a foreign person, as that term is defined in Section 1445 and 7701 of the Internal Revenue Code of 1986, as amended, and regulations promulgated thereunder.

(f) If any representation or warranty above is known by Buyer prior to Closing to be untrue and is not remedied by Seller prior to Closing, Buyer may as Buyer's sole and exclusive remedy, either (i) terminate this Contract whereupon the Earnest Money shall be refunded to Buyer, and neither party shall have any further rights or obligations pursuant to this Contract, other than as set forth herein with respect to rights or obligations which survive termination, or (ii) waive its objections and close the transaction. The foregoing representations and warranties shall not survive the Closing.

11. CONDEMNATION: If, prior to the Closing Date, Seller receives written notice that condemnation proceedings are being commenced against any material portion of the Property, then Seller shall promptly notify Buyer of such condemnation, and Buyer shall thereafter have, as its sole and exclusive remedy: (a) the option to terminate this Contract within three (3) business days following receipt of said notice by Seller of such event, in which case the parties shall have no further rights or obligations hereunder except as expressly provided herein, and the Earnest Money shall be returned to Buyer, or (b) if Buyer does not elect to terminate this Contract, this Contract shall remain in full force and effect, and in such event Seller shall assign to Buyer any and all condemnation proceeds of such condemnation of the Property, and Buyer shall take title to the Property with the assignment of such proceeds and subject to such condemnation of the Property without reduction of the Sales Price. If Buyer does not elect to terminate within said three (3) business day period following such notice by Seller, Buyer shall be deemed to have waived all rights to terminate pursuant to this Section 11 and this Contract shall remain in full force and effect.

12. REPRESENTATIONS AND WARRANTIES OF BUYER: Buyer represents and warrants to Seller, which representations and warranties shall be deemed made by Buyer to Seller as of the Effective Date and also as of the Closing Date:

(a) Buyer has the full right, power, and authority to purchase the Property as

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provided in this Contract and to carry out Buyer's obligations hereunder, and that all requisite action necessary to authorize Buyer to enter into this Contract and to carry out Buyer's obligations hereunder has been, or on or before the Closing Date will have been, taken.

(b) There are no actions, suits, claims or other proceedings pending or, to the best of Buyer's knowledge, contemplated or threatened against Buyer that could affect Buyer's ability to perform its obligations when and as required under the terms of this Contract.

(c) Buyer is not, and will not become, a person or entity with whom United States persons or entities are restricted from doing business under regulations of the Office of Foreign Asset Control, Department of the Treasury of the Department of the Treasury (including those named on OFAC's Specially Designated and Blocked Persons list), or under any statute, executive order (including the September 24, 2002, Executive Order blocking Property and Prohibiting Transactions With Persons Who Commit, Threaten to Commit or Support Terrorism) or other governmental action and is not and will not engage in any dealing or transaction or be otherwise associated with such persons or entities.

(d) Notwithstanding anything herein to the contrary, any breach by Buyer of any of the foregoing representations or warranties shall constitute a default by Buyer hereunder, and Seller may thereupon, at its option, terminate this Contract by giving written notice thereof, in which event the Earnest Money shall be paid to Seller as liquidated damages, and neither Buyer nor Seller shall have any further rights or liabilities hereunder, except as otherwise provided herein.

13. MISCELLANEOUS:

(a) Any notice required or permitted to be delivered hereunder shall be in writing and shall be deemed received (i) when personally delivered, (ii) five (5) days after deposit in the United States mail, postage prepaid, registered or certified mail, return receipt requested, and properly addressed, (iii) when deposited with a nationally recognized overnight courier service, charges prepaid, and properly addressed for delivery on the next business day, or (iv) upon sending the e-mail to the applicable party's designated e-mail address if sent before the close of business, or the next day if sent by e-mail after the close of business; provided, however, that if a notice is sent by e-mail, the party sending the notice also must send, on the date that the e-mail is sent, a confirmation copy of the notice by one of the other methods set forth in this Section 13(a) (or else such e-mail notice is void). For purposes of this subsection, the addresses of each party shall be that set forth below the signature of such party hereto with a copy to the other addressees set forth below the signature of such party. Either party may change its address for notice from time to time by delivery of at least ten (10) days prior written notice of such change to the other party hereto in the manner prescribed herein.

(b) This Contract shall be construed under and in accordance with the laws of the State of Texas, and all obligations of the parties created hereunder are performable in Dallas County, Texas.

(c) This Contract shall be binding upon and inure to the benefit of the parties hereto, their respective heirs, executors, administrators, legal representatives, successors, and permitted

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assigns.

(d) In case any one or more of the provisions contained in this Contract 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 hereof, and this Contract shall be construed as if such invalid, illegal, or unenforceable provision had never been contained herein. Furthermore, in lieu of any such invalid, illegal or unenforceable provision there shall be automatically added to this Contract a provision as similar to such illegal, invalid, or unenforceable provision as may be possible and be legal, valid, and enforceable.

(e) THIS CONTRACT CONSTITUTES THE FINAL AGREEMENT BETWEEN THE PARTIES. IT IS THE COMPLETE AND EXCLUSIVE EXPRESSION OF THE PARTIES' AGREEMENT ON THE MATTERS CONTAINED IN THIS CONTRACT. ALL PRIOR AND CONTEMPORANEOUS NEGOTIATIONS AND AGREEMENTS BETWEEN THE PARTIES ON THE MATTERS CONTAINED IN THIS CONTRACT ARE EXPRESSLY MERGED INTO AND SUPERSEDED BY THIS CONTRACT. THE PROVISIONS OF THIS CONTRACT MAY NOT BE EXPLAINED, SUPPLEMENTED, OR QUALIFIED THROUGH EVIDENCE OF TRADE USAGE OR A PRIOR COURSE OF DEALINGS. IN ENTERING INTO THIS CONTRACT, THE PARTIES HAVE NOT RELIED UPON ANY STATEMENT, REPRESENTATION, WARRANTY, OR AGREEMENT OF THE OTHER PARTY EXCEPT FOR THOSE EXPRESSLY CONTAINED IN THIS CONTRACT. THERE IS NO CONDITION PRECEDENT TO THE EFFECTIVENESS OF THIS CONTRACT OTHER THAN THOSE EXPRESSLY STATED IN THIS CONTRACT.

(f) The parties may amend this Contract only by a written agreement of the parties that identifies itself as an amendment to this Contract.

(g) Time is of the essence with this Contract.

(h) Words of any gender used in this Contract shall be held and construed to include any other gender, and words in the singular number shall be held to include the plural, and vice versa, unless the context requires otherwise.

(i) The parties may execute this Contract in one or more identical counterparts, all of which when taken together will constitute one and the same instrument. The signatures of all of the parties need not appear on the same counterpart, and delivery of an executed counterpart signature page by e-mail is as effective as executing and delivering this Agreement in the presence of the other parties to this Agreement.

(j) Intentionally Deleted.

(k) The parties hereto acknowledge that the parties and their respective counsel have each reviewed and revised this Contract, and that the normal rule of construction to the effect that any ambiguities are to be resolved against the drafting party shall not be employed in the interpretation of this Contract or any amendments or exhibits hereto.

(l) Whenever any determination is to be made or action to be taken on a date

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specified in this Contract, if such date shall fall upon a Saturday, Sunday or holiday observed by federal savings banks in the State of Texas, the date for such determination or action shall be extended to the first business day immediately thereafter.

(m) Except as to those obligations which specifically survive the Closing, all of Seller's other obligations hereunder shall merge with the Deed.

14. ASSIGNMENT: Buyer may not assign this Contract to any party or entity, without Seller's prior written consent, which consent may be withheld in Seller's sole and absolute discretion. Notwithstanding anything in this Section 14 to the contrary, Buyer may assign this Contract without Seller's consent to: (i) any entity controlling, controlled by or under common control with Buyer; and (ii) any successor or newly created entity in the event of a merger or consolidation involving Buyer; provided, however, that in the event of such an assignment, Buyer shall not be relieved of its obligations hereunder. Buyer shall notify Seller of any assignment no later than ten (10) business days prior to the Closing Date. Seller reserves the unilateral right, exercisable in Seller's sole discretion at any time prior to the Closing Date without the necessity of obtaining Buyer's consent, to convey the Property to an affiliate of Seller (a "Permitted Assignee"). The Permitted Assignee shall expressly assume in writing all of Seller's duties and obligations under this Contract, and the original party designated as the Seller shall thereafter be released from all duties and obligations hereunder. Buyer agrees to close the transaction contemplated herein with the Permitted Assignee, subject to the terms and conditions of this Contract.

15. NONREFUNDABLE CONSIDERATION: Notwithstanding anything seemingly to the contrary contained herein, if the Earnest Money is returned to Buyer for any reason other than due to Seller's default hereunder, the sum of $100.00 shall be retained by Seller as independent consideration (the "Independent Consideration") for Seller's agreement to sell the Property to Buyer in accordance with the terms and conditions provided herein. The Independent Consideration shall be applied against the Sales Price at Closing.

16. **WAIVER OF CONSUMER RIGHTS: BUYER, AFTER CONSULTATION WITH AN ATTORNEY OF ITS OWN SELECTION (WHICH COUNSEL WAS NOT DIRECTLY OR INDIRECTLY IDENTIFIED, SUGGESTED OR SELECTED BY SELLER OR ANY AGENT OF SELLER) HEREBY VOLUNTARILY WAIVES ITS RIGHTS UNDER THE DECEPTIVE TRADE PRACTICES - CONSUMER PROTECTION ACT (SECTION 17.41, *ET SEQ.*, BUSINESS AND COMMERCE CODE), A LAW THAT GIVES CONSUMERS SPECIAL RIGHTS AND PROTECTIONS. BUYER HEREBY ACKNOWLEDGES TO SELLER THAT BUYER AND SELLER ARE NOT IN A SIGNIFICANTLY DISPARATE BARGAINING POSITION.**

17. NOTICE REGARDING POSSIBLE LIABILITY FOR ADDITIONAL TAXES: If for the current ad valorem tax year, the taxable value of the Property is determined by a special appraisal method that allows for appraisal of the Property at less than its market value, the person to whom the land is transferred may not be allowed to qualify the Property for that special appraisal in a subsequent year, and the Property may then be appraised at its full market value. In addition, the transfer of the Property or a subsequent change in the use of the Property may result in the imposition of an additional tax plus interest as a penalty for the transfer or the

 CG 10/8/23

change in use of the Property. The taxable value of the Property and the applicable method of appraisal for the current tax year is public information and may be obtained from the tax appraisal district established for the county in which the Property is located.

18. TAX DEFERRED EXCHANGE: It is agreed between Buyer and Seller that either party may elect to effectuate a tax deferred exchange in accordance with the Internal Revenue Service code, Section 1031. Both parties agree to reasonably cooperate with the other in effectuating said tax deferred exchange. In cooperating with such party, the other party shall incur no additional expense, obligation or liability and there will be no delay in closing.

19. TENANTS: Seller must relocate any tenants of the Property at is sole cost, expense, and liability prior to Closing.

20. EFFECTIVE DATE: The "Effective Date" of this Contract shall be the date an original of this Contract (or original counterparts of this Contract) are executed by both Seller and Buyer and the Title Company acknowledges receipt of this Contract.

21. CONFIDENTIALITY: Buyer agrees to keep the terms and conditions of this Contract and any information obtained with reference to the Property confidential, provided that Buyer may reveal such information regarding the terms and provisions of this Contract as may be necessary in its reasonable discretion to comply with the provisions of this Contract or in the ordinary course of business. Nothing in this Section 21, however, shall prohibit Buyer from making disclosures (a) to its legal counsel, certified public accountants, professional advisors, current and prospective lenders and financial partners and investors, (b) that are otherwise required as a matter of law, or (c) in connection with asserting or defending any action relating to the Property or this Contract. This Section 21 shall survive the Closing and the delivery and recording of the Deed or earlier termination of this Contract. Notwithstanding any other provision of this Contract to the contrary, the Parties acknowledge that the Buyer is required to comply with the Texas Public Information Act ("TPIA") when responding to records requests made under TPIA. Pursuant to the requirements of TPIA, if the Buyer receives a request for a copy of this Contract, Buyer will respond to the request in accordance with the procedures set forth in the TPIA. Specifically, Buyer will notify the Seller of its receipt of the request. The Parties acknowledge that TPIA requires a brief to be submitted to the attorney general explaining why the claimed exceptions apply to the information in issue if Seller does not agree with providing a copy of this Contract. Buyer shall not be obligated to submit the brief supporting those claimed exceptions. The Seller shall be solely responsible for submitting the brief and the documents in issue to the attorney general. Nothing in this Contract shall require Buyer to institute or participate in any litigation relating to an opens records request for information that Seller considers to be confidential.

22. TIME LIMIT ON EXECUTION: In the event Buyer does not execute this Contract prior to October 23, 2023, this Contract shall be deemed null and void with neither party having any further obligation to the other.

23. WAIVER OF JURY TRIAL: **EACH PARTY KNOWINGLY, VOLUNTARILY, AND INTENTIONALLY WAIVES ITS RIGHT TO A TRIAL BY JURY TO THE EXTENT PERMITTED BY LAW IN ANY ACTION OR OTHER LEGAL**

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PROCEEDING ARISING OUT OF OR RELATING TO THIS CONTRACT AND THE TRANSACTIONS IT CONTEMPLATES. THIS WAIVER APPLIES TO ANY ACTION OR OTHER LEGAL PROCEEDING, WHETHER SOUNDING IN CONTRACT, TORT, OR OTHERWISE. EACH PARTY ACKNOWLEDGES THAT IT HAS RECEIVED THE ADVICE OF COMPETENT COUNSEL.

[Signature page to follow]

 cy 10/8/23

IN WITNESS WHEREOF, the parties have executed this Contract to be effective as of the Effective Date.

SELLER:

JONES STATE STREET REAL ESTATE HOLDING COMPANY, INC.

By: Chad Jones, President
Name: Chad Jones
Title: President
Email: chad.jones@tx.rr.com
Date: October 8, 2023

Address:

3629 Glenbrook Ct.
Garland, TX 75041-5101

BUYER:

CITY OF GARLAND, TEXAS

By: _____
Name: Judson Rex
Title: City Manager
Date: _____ ____, 2023

Address:

PO Box 469002
Garland, Texas
Attention: Jud Rex
jrex@garlandtx.gov

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TITLE COMPANY:

Receipt of $25,000.00 Earnest Money is acknowledged in the form of

_____

MUTUAL TITLE COMPANY

By: _____
Name: _____
Title: _____
Date Signed: _____ _____, 20__

EXHIBITS:

Exhibit "A" - Disposition and Development Agreement
Exhibit "B" - Special Warranty Deed

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EXHIBIT "B"
(DEED)

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

SPECIAL WARRANTY DEED

That **JONES STATE STREET REAL ESTATE HOLDING COMPANY, INC.,** a Texas Corporation ("Grantor"), for and in consideration of the sum of Ten Dollars ($10.00) and other valuable consideration paid to Grantor by **CITY OF GARLAND, TEXAS,** a Texas home-rule municipality ("Grantee"), whose address is PO BOX 469002, Attn: Jud Rex, Garland, Texas, 75046, the receipt of which is hereby acknowledged, has GRANTED, SOLD AND CONVEYED, and by these presents does GRANT, SELL AND CONVEY unto Grantee, all of the real property in Dallas County, Texas, which is more particularly described on **Exhibit "A" To Deed** attached hereto and made a part hereof for all purposes, together with all right, title and interest of Seller, if any, in and to (i) any and all improvements and buildings owned by Seller located on such Property (if any), (ii) any and all singular rights, benefits, privileges, easements, tenements, and appurtenances thereon and pertaining to the Property, including, without limitation, any right, title and interest of Seller in and to adjacent public roadways or public alleys, rights of ingress and egress and any reversionary interests thereto, and (iii) strips and gores between the Property and abutting properties., (collectively, "Property").

TO HAVE AND TO HOLD the Property, together with all and singular the rights and appurtenances thereto in anywise belonging, unto Grantee, and Grantee's successors and assigns forever; and Grantor does hereby bind itself, its successors and assigns to WARRANT AND FOREVER DEFEND, all and singular, the Property unto Grantee, and Grantee's successors and assigns, against every person whomsoever lawfully claiming or to claim the Property or any part thereof, by, through or under Grantor, but not otherwise.

Effective as of the _____ day of _____, 2023.

GRANTOR:

JONES STATE STREET REAL ESTATE HOLDING COMPANY, INC.,

By: _____
Name: _____
Title: _____

CG 10/8/23

ACKNOWLEDGMENT:

STATE OF TEXAS §
§
COUNTY OF DALLAS §

BEFORE ME, the undersigned authority, a Notary Public in and for the County and State aforesaid, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument for and as _____ of **JONES STATE STREET REAL ESTATE HOLDING COMPANY, INC.**; and acknowledged to me that he executed the same for the purposes and consideration therein expressed, as the act and deed of said company, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this ____ day of _____, 2023.

_____
Notary Public in and for Dallas County, Texas

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EXHIBIT "A" TO DEED
(Legal Description)

Being Lot 1, Block 1, of Jones Downtown Addition, an Addition to the City of Garland, Texas, according to the plat thereof recorded in County Clerk Instrument No. 201300301208, of the Official Public Records of Dallas County, Texas.

 eg 10/8/23

GARLAND

CITY COUNCIL ITEM SUMMARY SHEET

City Council Regular Session Agenda **5.**

Meeting Date: 10/10/2023

Item Title: Removal of Right Turn On Red Restriction at Garland Avenue and Miller Road

Submitted By: Paul Luedtke, Transportation Director

Summary of Request/Problem

The right turn on red prohibition at Garland Avenue and Miller Road is no longer needed based on geometric improvements

Recommendation/Action Requested and Justification

Adopt the attached ordinance removing the right turn on red restriction.

Attachments

Ordinance

ORDINANCE NO._____

AN ORDINANCE AMENDING SECTION 33.20 TO ARTICLE II "OPERATION OF VEHICLES GENERALLY", OF CHAPTER 33, "TRANSPORTATION", OF THE CODE OF ORDINANCES OF THE CITY OF GARLAND, TEXAS; AND PROVIDING A PENALTY CLAUSE, A SAVINGS CLAUSE, AND A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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

Section 1

That Section 33.20, "Right turn on red; prohibited", of Chapter 33, "Transportation", of the Code of Ordinances, City of Garland, Texas, is hereby amended by the deletion of the following:

Location	Approaches
"S. Garland Avenue and W. Miller Road	South (Garland) "

Section 2

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

Section 3

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

Section 4

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

Section 5

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

PASSED AND APPROVED this _____day of _____ _____, 2023.

THE CITY OF GARLAND, TEXAS

By:_____
Mayor

ATTEST:

_____
CITY SECRETARY

GARLAND

CITY COUNCIL ITEM SUMMARY SHEET

City Council Regular Session Agenda **6.**

Meeting Date: 10/10/2023

Item Title: Speed Limit Revisions on Bobtown Road

Submitted By: Paul Luedtke, Transportation Director

Summary of Request/Problem

Recent roadway construction on Bobtown Road requires the reconfiguration of the speed limit ordinance.

Recommendation/Action Requested and Justification

Adopt the attached ordinance setting the speed limits on Bobtown Road.

Attachments

Ordinance

ORDINANCE NO.

AN ORDINANCE AMENDING SECTION 33.29 and 33.30 TO ARTICLE III "SPEED REGULATIONS", OF CHAPTER 33, "TRANSPORTATION", OF THE CODE OF ORDINANCES OF THE CITY OF GARLAND, TEXAS; PROVIDING A PENALTY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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

Section 1

That Section 33.30, "Same – Forty miles per hour" "Speed Regulations", of Chapter 33, "Transportation", of the Code of Ordinances, City of Garland, Texas, is hereby amended by the deletion of the following:

Street	Extent
"Bobtown Road	700 feet south of Rowlett Road to Lyons Road"

Section 2

That Section 33.30, "Same – Forty miles per hour" "Speed Regulations", of Chapter 33, "Transportation", of the Code of Ordinances, City of Garland, Texas, is hereby amended by the addition of the following:

Street	Extent
"Rosehill Road	Rowlett Road to Bobtown Road"
"Bobtown Road	Rosehill Road to Lyons Road"

Section 3

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

Section 4

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

Section 5

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

Section 6

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

PASSED AND APPROVED this _____day of _____ _____, 2023.

THE CITY OF GARLAND, TEXAS

By:_____
Mayor

ATTEST:

_____
CITY SECRETARY

GARLAND
PLANNING REPORT

City Council Regular Session Agenda **7. a.**

Meeting Date: 10/10/2023

Item Title: Z 23-25 Pacheco Koch, a Westwood Company - Specific Use Provision (District 1

Submitted By: Nabiha Ahmed, Lead Development Planner

REQUEST

Approval of a Specific Use Provision for an Electric Substation use on a property zoned Planned Development (PD) District 20-17.

Approval of a Detail Plan for an Electric Substation.

LOCATION

741 Holford Road

OWNER

Digital Realty

PLAN COMMISSION RECOMMENDATION

On September 11, 2023 the Plan Commission, by a vote of seven (7) to zero (0), recommended approval of a Specific Use Provision for an Electric Substation use on a property zoned Planned Development (PD) District 20-17.

The Plan Commission, by a vote of seven (7) to zero (0), recommended approval of a Detail Plan for an Electric Substation.

STAFF RECOMMENDATION

Approval of a Specific Use Provision for an Electric Substation use on a property zoned Planned Development (PD) District 20-17.

Approval of a Detail Plan for an Electric Substation.

BACKGROUND

The subject property is currently unimproved. The applicant proposes to construct an Electric Substation to support a future data center and Garland Power and Light (GP&L).

Per Planned Development (PD) District 20-17, an Electric Substation requires approval of an SUP through a public hearing process. In addition, any new development requires a Detail Plan.

SITE DATA

The subject property contains approximately 6.77 acres in area with approximately 510 lineal feet of frontage along Holford Road. The site can be accessed from Holford Road.

USE OF PROPERTY UNDER CURRENT ZONING

The purpose of Planned Development (PD) District 20-17 is to implement the City's vision for a vibrant and sustainable approach to the development of SH 190 Corridor and to encourage the continuation of the Telecom Corridor© through Garland by becoming a center for major employment office, technology, healthcare and support services, while encouraging, where feasible, a mix of complementary uses including housing, retail, offices, commercial services, and civic uses, supporting long term attractiveness for both employment uses and neighborhood uses.

CONSIDERATIONS

1. This project's intent is to construct an Electric Substation to support the future data center as well as Garland Power and Light (GP&L). The eastern half of the substation will be for Digital Realty and the western portion will be for Garland Power and Light.

2. The Electric Substation plan proposes a ten (10)-foot ornamental fence around the perimeter of the property. The applicant had proposed large canopy trees within the landscape buffer along Holford Road as required by the GDC. However, due to a Garland Power and Light (GP&L) easement, the applicant revised the canopy trees to ornamental trees as reflected in the landscape plan.

   The landscape plan (Exhibit D) complies with the applicable screening and landscaping standards per the GDC. The proposed substation fence line is located approximately 346 feet from the alleyway of the residential neighborhood to the north.

3. The application proposes the SUP to be in effect for an indefinite time period.

   It should be noted that two existing substations north of Lookout Drive have an indefinite SUP time period.

COMPREHENSIVE PLAN

The Future Land Use Map for the Envision Garland 2030 Comprehensive Plan identifies this area as Business Center.

Business centers provide a cluster of business offices and/or low impact industry, including campus-type development, that 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

The utility service provided by this proposal is valuable for future development.

ECONOMIC DEVELOPMENT STRATEGIC PLAN

The proposal supports a data center use. Per the adopted Economic Development Strategic Plan, data centers generate the most revenue per acre by building type.

COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

The properties to the north are zoned Planned Development (PD) District 20-17; they are developed with single-family homes. The property to the east, across Holford Road, is zoned Agricultural (AG) District; it is a large lot developed with a single-family home. The properties to the south and west are zoned Planned Development (PD) District 20-17; these properties are intended for a future data center in multiple phases.

Attachments

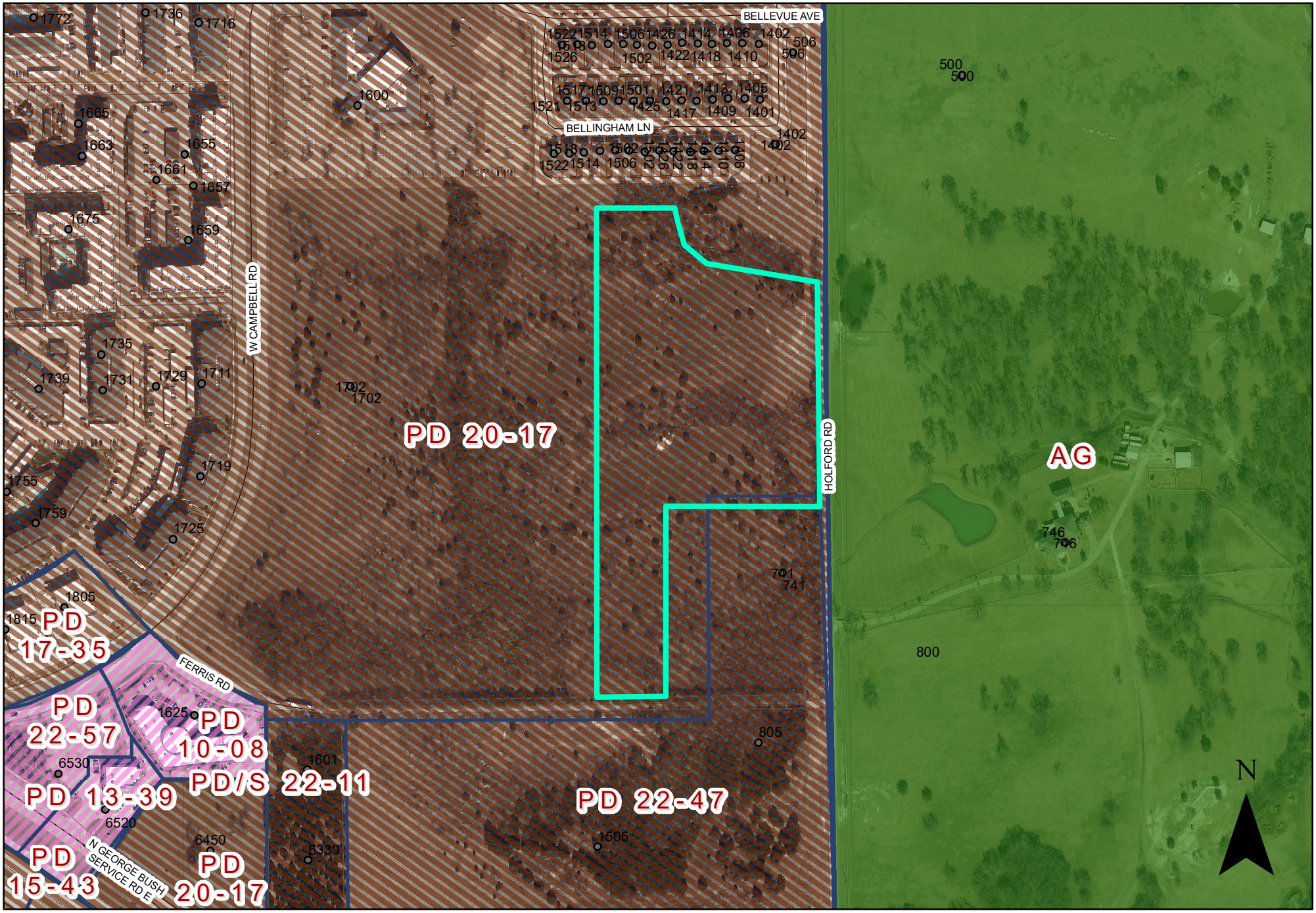
Z 23-25 Location Map

Z 23-25 SUP Conditions

Z 23-25 R&M SUP

Z 23-25 Responses

Z 23-25 Staff Presentation



0 225 450 Feet
1 inch = 337 feet

ZONING MAP Z 23-25

INDICATES AREA OF REQUEST

741 Holford Road

PLANNED DEVELOPMENT CONDITIONS

ZONING FILE Z 23-25

741 Holford Road

I. **Statement of Purpose:** The purpose of this Planned Development is to approve an Electric Substation.

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 20-17 and as set forth in Chapter 2 of the Garland Development Code are included by reference and shall apply, except as otherwise specified by this ordinance.

IV. **Development Plans:**

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

V. **Specific Conditions:**

A. Permitted Uses: Land Uses are permitted as in Planned Development (PD) District 20-17.

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

C. Parking: A minimum of one (1) parking space shall be provided on site.

EXHIBIT B

SPECIFIC USE PROVISION CONDITIONS

ZONING FILE Z 23-25

741 Holford Road

I. **Statement of Purpose:** The purpose of this Specific Use Provision is to allow an Electric Substation

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

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

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

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

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

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

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

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

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

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 20-17 and as set forth in Chapter 2 of the Garland Development Code, Ordinance 6773, are included by reference and shall apply, except as otherwise specified by this ordinance.

V. Development Plans:

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

VI. Specific Use Provision:

A. SUP Time Period: The Specific Use Provision for the Electric Substation shall be in effect for an indefinite time period.

REPORT & MINUTES

P.C. Meeting, August 28, 2023

3a. APPROVED Consideration of the application of **Pacheco Koch, a Westwood Company,** requesting approval of a 1) Specific Use Provision for an Electric Substation use on a property zoned Planned Development (PD) District 20-17. This property is located at 741 Holford Road. (District 1) (Z 23-25 – Specific Use Provision) *(This case was postponed from the August 28, 2023 Plan Commission meeting.)*

Commissioner Jenkins asked the applicant if they could clarify whether there was an environmental impact that emanates from this particular use and if so what is the recommended distance for any residential property to escape that environmental impact.

The applicants, Ashley Reynolds, 7557 Rambler Road, Dallas, TX and Clinton Curry, 907 Security Way, Richardson, TX, stated that there is no environmental impact with the proposed development and that these concerns are addressed within the design of the development.

Chair Roberts asked the applicant if a Phase 1 Environmental had already been completed on the site.

The applicants stated that Phase 1 has been completed.

Residents speaking in opposition:
Alissa Pettit, 1514 Bellingham Ln., Garland, TX 75044
Mike Curlett, 330 Paso Road, Garland, TX 75044
John Capezzuto, 1426 Bellingham Ln., Coppell, TX 75044

Residents speaking in opposition expressed concerns over the environmental impacts of the development to the surrounding neighborhood, noise concerns, decrease in home values due to the development, traffic concerns.

Residents in opposition but not speaking:
Shilin Wang, 409 Kennewick Dr., Garland, TX
Shaw Wang, 409 Kennewick Dr., Garland, TX
Jeffrey Artigues, 1418 Bellingham Ln., Garland, TX
Brittany Artigues, 1418 Bellingham Ln., Garland, TX
Chandler Young, 1514 Bellingham Ln., Garland, TX

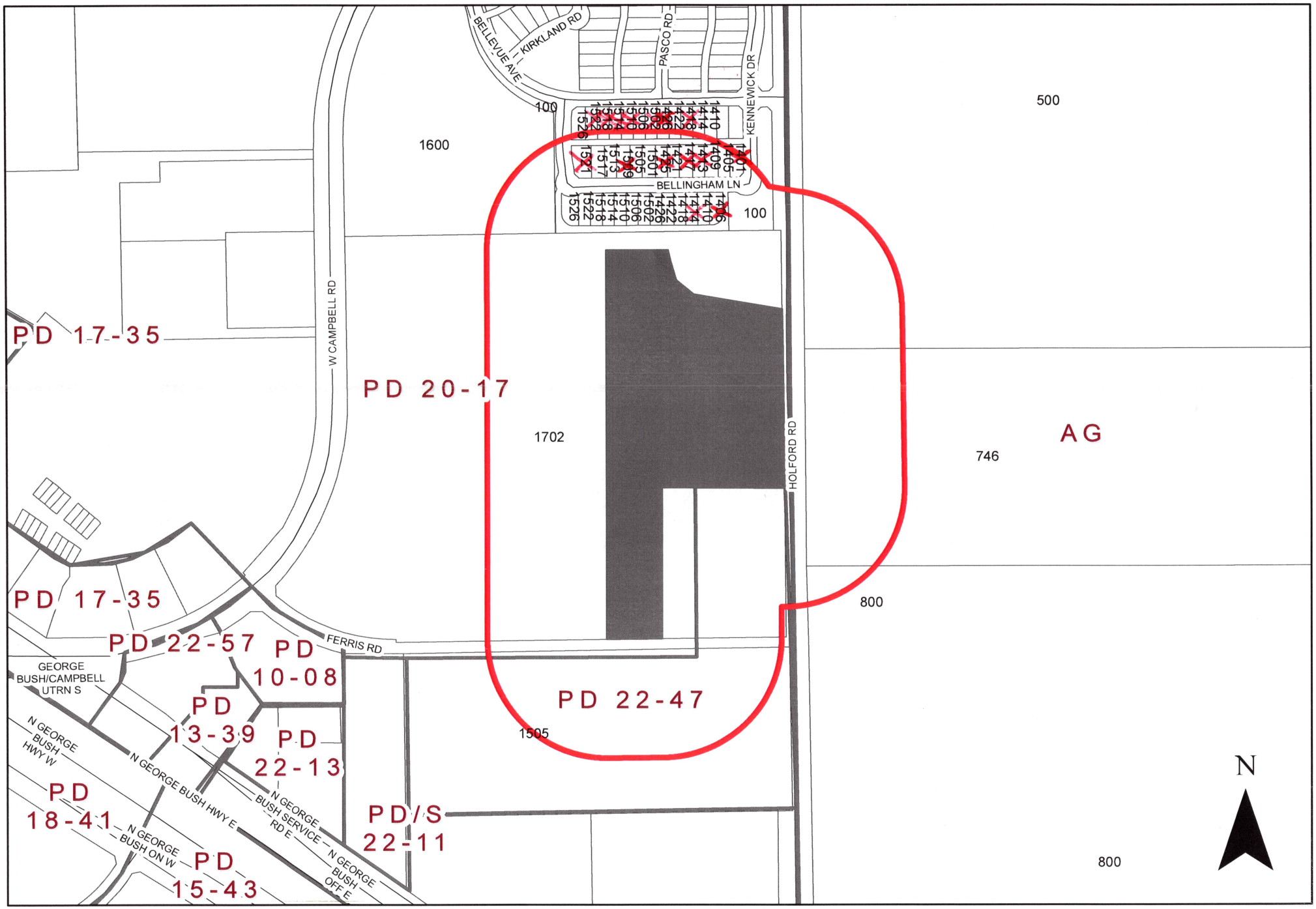
There was feedback from the Commissioners addressing the concerns of the residents, and they clarified that the distance of the development to the nearest home is over 340 feet.

The applicant clarified that in regard to the location on the property, the location for the proposed development could not be swapped with the retention pond because of the elevations of the site. In regard to any traffic concerns, the proposed development would generate very little traffic and the little traffic going into the site would be for as needed maintenance.

Motion was made by Commissioner Rose to close the public hearing. Seconded by Commissioner Williams. **Motion carried**: **7** Ayes, **0** Nays.

There was discussion between the Commissioners that the data is inconclusive as to whether these types of developments impact property values but home sales are not negatively impacted. The Commissioners also shared that the only traffic issues would be during the construction of the development. This type of development does not have many employees on site.

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



0 280 560 Feet
1 inch = 421 feet

ZONING MAP Z 23-25

INDICATES AREA OF REQUEST

INDICATES NOTIFICATION AREA

741 Holford Road

Comment Form
Case Z 23-25

Z 23-25 Pacheco Koch, a Westwood Company. The applicant proposes an Electric Substation to support Garland Power & Light (GP&L) and a future data center. The site is located at 741 Holford Road. (District 1)

Z 23-25 Pacheco Koch, a Westwood Company. El solicitante propone una subestación eléctrica para apoyar a Garland Power & Light (GP&L) y un futuro centro de datos. El sitio está ubicado en 741 Holford Road. (Distrito 1)

Z 23-25 Pacheco Koch, a Westwood Company. Người nộp đơn đề xuất một Trạm biến áp điện để hỗ trợ Garland Power & Light (GP&L) và một trung tâm dữ liệu trong tương lai. Địa điểm này tọa lạc tại 741 Holford Road. (Quận 1)

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

☐ For / A Favor / Đúng

☑ Against / En Contra / Không

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

DOAN XUONG VAN & TRAN LANG THI — 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.)

1406 BELLINGHAM LN

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

GARLAND TEXAS

City, State / Estado de la Ciudad / Thành bang

75044-3227

Zip Code / Código postal / Mã B u Chính

SEP 11 '23 AM10:2

08/02/2023

SEP 11 '23 AM10:2

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.)

Comment Form Continued –
Case Z 23-25

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 am no good English

Comment Form
Case Z 23-25

Z 23-25 Pacheco Koch, a Westwood Company. The applicant proposes an Electric Substation to support Garland Power & Light (GP&L) and a future data center. The site is located at 741 Holford Road. (District 1)

Z 23-25 Pacheco Koch, a Westwood Company. El solicitante propone una subestación eléctrica para apoyar a Garland Power & Light (GP&L) y un futuro centro de datos. El sitio está ubicado en 741 Holford Road. (Distrito 1)

Z 23-25 Pacheco Koch, a Westwood Company. Người nộp đơn đề xuất một Trạm biến áp điện để hỗ trợ Garland Power & Light (GP&L) và một trung tâm dữ liệu trong tương lai. Địa điểm này tọa lạc tại 741 Holford Road. (Quận 1)

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

☐ For / A Favor / Đúng

☑ Against / En Contra / Không

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

Shayla Partusch, 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.)

1417 Bellingham Lane

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

Signature / Firma / Ch ữ ký

09/07/23

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 Continued –
Case Z 23-25

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

We agree with all of our neighbors who are against this zoning request. We were not notified of this proposed zoning before construction began, which is concerning. Health issues and property value are other major concerns we have. Everyone that has submitted a response should be included in the final decision. We are against this zoning request and do not support an Electric Substation to support Garland Power + Light and a future data center at 741 Holford Rd. There is already one across the street on Campbell Rd.

Comment Form
Case Z 23-25

Outside the Notification Area

Z 23-25 Pacheco Koch, a Westwood Company. The applicant proposes an Electric Substation to support Garland Power & Light (GP&L) and a future data center. The site is located at 741 Holford Road. (District 1)

Z 23-25 Pacheco Koch, a Westwood Company. El solicitante propone una subestación eléctrica para apoyar a Garland Power & Light (GP&L) y un futuro centro de datos. El sitio está ubicado en 741 Holford Road. (Distrito 1)

Z 23-25 Pacheco Koch, a Westwood Company. Người nộp đơn đề xuất một Trạm biến áp điện để hỗ trợ Garland Power & Light (GP&L) và một trung tâm dữ liệu trong tương lai. Địa điểm này tọa lạc tại 741 Holford Road. (Quận 1)

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

☐ For / A Favor / Đúng

☑ Against / En Contra / Không

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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.)

UTEN TRAN

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

1518 BELLEVUE AVE

City, State / Estado de la Ciudad / Thành bang

GARLAND TX

SEP 13 '23 AM 11:36

Zip Code / Código postal / Mã B u Chính

75044

Signature / Firma / Ch ữ ký

9/15/2023

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 Continued – Case Z 23-25

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

- Dự án của chính phủ đặt để không tốt cho cuộc sống của chúng tôi.

Translation: Building this station is a danger to all surrounding residential area. It negatively affects our health and well being. I do not want to live near a lightning magnet.

Comment Form
Case Z 23-25

Outside the Notification Area

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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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Ly Tran

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 Kennewick Drive

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

09/16/2023

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.)

Comment Form
Case Z 23-25

Outside the Notification Area

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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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Sumenri Tran

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.)

1414 Bellevue Avenue

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

09/16/2023

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.)

Zoning Response Case Comments

Case Number	PC Hearing Date	CC Hearing Date	Planner Name
Z 23-25	September 11, 2023	October 10, 2023	Nabiha Ahmed

Z 23-25 Pacheco Koch, a Westwood Company. The applicant proposes an Electric Substation to support Garland Power & Light (GP&L) and a future data center. The site is located at 741 Holford Road. (District 1)

Ly **Against**

9/16/2023
5:20:29 PM

429 Kennewick Drive
Garland
Texas
United States
75044

Against

fam3607@gmail.com

9728044824

Outside the Notification Area

Sumenri **Against**

9/16/2023
5:19:23 PM

1414 Bellevue Avenue
Garland
Texas
United States
75044

Against

fam3607@gmail.com

4693869022

Outside the Notification Area

Karen **Against**

9/14/2023
5:44:20 PM

615 Weeping Willow
Garland
Texas
United States
<null>

Outside the Notification Area

Karen **Against**

9/14/2023
5:44:18 PM

615 Weeping Willow

Garland
Texas
United States
<null>

Outside the Notification Area

Samuel Salinas **Against**

9/13/2023
3:26:08 PM

1509 Bellingham Ln

Garland
Texas
United States
75044

ssjr85@gmail.com

3232011635

Monica Salinas **Against**

9/13/2023
3:23:28 PM

1509 Bellingham Ln

Garland
Texas
United States
75044

monica.samreth@gmail.com

562-704-2907

Anita **Against**

9/11/2023
8:06:45 PM

422 Pasco Rd

Garland
Texas
United States
75044

Outside the Notification Area

Zoning Response Case Comments

Case Number	PC Hearing Date	CC Hearing Date	Planner Name
Z 23-25	September 11, 2023	October 10, 2023	Nabiha Ahmed

Z 23-25 Pacheco Koch, a Westwood Company. The applicant proposes an Electric Substation to support Garland Power & Light (GP&L) and a future data center. The site is located at 741 Holford Road. (District 1)

Stacy Ogbonnaya
9/9/2023
5:21:07 PM

Against

1426 Bellingham Ln
Garland
Texas
United States
75044

sogbo223@gmail.com
2148500826

Jon Tyler Capezzuto
9/9/2023
5:19:57 PM

Against

1426 Bellingham Ln
Garland
Texas
United States
75044

tcapezzuto2@gmail.com
9726725149

Todd Stewart

9/8/2023
8:04:51 PM

Against

1521 Bellingham Ln
Garland
Texas
United States
75044

office@workspaceow.com

4 Primary Concerns: 1-EMR - Proximity and Health Damage. 2-Noise/Humming - Sleep/Health Issues. 3-Light Control at Night. 4-Visibility & Appearance. Questions: How far is the equipment from residences, and is that a safe distance? Is there humming and/or vibrations that are audible & inaudible/low frequency? Will there be adequate screen wall / how tall? Will there be an adequate Green Belt to help mitigate all the

Zoning Response Case Comments

Case Number	PC Hearing Date	CC Hearing Date	Planner Name
Z 23-25	September 11, 2023	October 10, 2023	Nabiha Ahmed

Z 23-25 Pacheco Koch, a Westwood Company. The applicant proposes an Electric Substation to support Garland Power & Light (GP&L) and a future data center. The site is located at 741 Holford Road. (District 1)

Mark Lopez **Against**

9/6/2023
11:57:24 PM

306 Pasco Road
Garland
TX
United States
75044

m@silvenga.com
8582257388

Outside the Notification Area

Concerns around property values of existing properties, mine included. This appears only detrimental to property owners.

Mark Lopez **Against**

9/6/2023
11:56:15 PM

306 Pasco Road
Garland
TX
United States
75044

m@silvenga.com
8582257388

Outside the Notification Area

Concerns around property values of existing properties, mine included. This appears only detrimental to property owners.

Rebecca Deubner **Against**

9/6/2023
3:59:01 PM

417 Kennewick Dr.
Garland
Texas
United States
75044

Outside the Notification Area

Rebecca **Against**

9/6/2023
3:58:20 PM

Deubner

Garland
Texas
United States
75044

Outside the Notification Area

Georgianna Kelly
9/6/2023
3:56:52 PM

Against

417 Kennewick Dr.

Garland
Texas
United States
75044

Outside the Notification Area

Ryland Leyton

9/5/2023
11:45:58 PM

Against

330 Pasco Road

Garland
TX
United States
75044

Rylandleyton@gmail.com

4043761004

Outside the Notification Area

The new data center can find space inside their boundaries, or anywhere that isn't bordering residential property. The idea that we need to handle this impact for a commercial business is really out of line.

Christopher Hayes
9/5/2023
10:57:13 PM

Against

1401 Bellingham Ln.

Garland
Texas
United States
75044

chayes84@hotmail.com

5124237236

Against

Christopher Hayes
9/5/2023
10:56:11 PM

Against

1401 Bellingham Ln.
Garland
Texas
United States
75044

chayes84@hotmail.com
5124237236

Against

Jovita Santiago

9/5/2023
9:47:45 PM

Against

1401 Bellingham lane
Garland
Texas
United States
75044

jovitas@sbcglobal.net
9729836237

All substations emit some level of radiation, high levels can be harmful to our health. How would you feel if one will be built near your backyard?

Cheyanne Wallen
9/5/2023
8:58:51 PM

Against

Bellevue Avenue
Garland
Texas
United States
<null>

Outside the Notification Area

Mina Lao

9/5/2023
8:57:58 PM

Against

1413 Bellingham Lane
Garland
Texas
United States
75044

Mina.lao@icloud.com
4692165118

Allan Lao **Against**

9/5/2023
8:57:12 PM

1413 Bellingham Lane
Garland
Texas
United States
75944

Allanlao@me.com
5593211213

Matt Delo **Against**

9/5/2023
5:34:40 PM

1426 Bellevue Ave
Garland
Texas
United States
75044

mdelo197@gmail.com
2258022080

Outside the Notification Area

Visual eyesore to one of the nicer parts of Garland. It doesn't need to be placed <500 feet to the gramercy park neighborhood. We already have two other substations in a half mile radius.

Bilall Suleman **Against**

9/5/2023
5:18:32 PM

326 Kirkland RD
Garland
Texas
United States
75044

bsuleman@gmail.com
8175508786

Outside the Notification Area

Faisal Jahangiri **Against**

9/5/2023
4:56:15 AM

418 Kirkland Road
Garland
Texas
United States

Outside the Notification Area

75044

Faisal Jahangiri **Against**

9/5/2023
4:56:05 AM

418 Kirkland Road
Garland
Texas
United States
75044

faisal.jahangiri@gmail.com

Outside the Notification Area

Minhaj uddin **Against**

9/5/2023
3:45:53 AM

418 Pasco rd
Garland
Texas
United States
<null>

Outside the Notification Area

Mohammad shaik **Against**

9/5/2023
3:38:37 AM

1610 Everett drive
Garland
Texas
United States
75044

Shaik08@gmail.com

2147274534

Outside the Notification Area

Saeed Alhamwi **Against**

9/5/2023
3:23:50 AM

43 Kirkland rd
Garland
Texas

Outside the Notification Area

United States
75044

Chaudhry Arafat
9/5/2023
3:17:12 AM

Against

401 Kirkland Rd
Garland
Texas
United States
75044

Outside the Notification Area

Amer Doko

9/5/2023
3:00:31 AM

Against

421 Kirkland Rd
Garland
Texas
United States
75044

Outside the Notification Area

Mohammed Mubashir
9/5/2023
2:56:48 AM

Against

1425 Bellingham ln
Garland
Texas
United States
75044

mnmubashir@gmail.com

---

javeria zahid

9/5/2023
2:49:50 AM

Against

1606 EVERETT DR
GARLAND

Outside the Notification Area

ria_jz@hotmail.com
18327167706

TX
United States
75044

Akif Khan **Against**

9/5/2023
2:49:29 AM

1606 Everett Drive
GARLAND
TX
United States
75044

akif.dfw@gmail.com
4693284372

Outside the Notification Area

Zakaria Elhassouni **Against**

9/5/2023
2:25:30 AM

1522 Bellingham
Garland
Texas
United States
75044

Zelhassouni@gmail.com
5043309166

This can pose a huge longterm health problems for Gramercy Park community. Electromagnetic fields, which are a form of radiation is omitted by powerlines and substations. Gramercy Park will be surrounded by not one but two substations. There is already one across the street on Campbell. We highly object to this project and urge Garlands Planning dept to do same and protect the well being of its residents .

Jeffrey Artigues **Against**

9/5/2023
1:46:29 AM

1418 Bellingham Ln.
Garland
TX
United States
75044

Jtigues@gmail.com
2147265764

Brittany Artigues
9/5/2023
1:45:03 AM

Against

1418 Bellingham Ln.
Garland
TX
United States
75044

brittany.artigues@yahoo.com
9729792174

Jocelyn Hill

9/5/2023
1:30:22 AM

Against

421 Kennewick Dr
Garland
Texas
United States
<null>

Outside the Notification Area

---

clayton hill

9/5/2023
1:30:03 AM

Against

421 Kennewick dr
Garland
TX
United States
75044

clayton.hill100@gmail.com
8173087953

Outside the Notification Area

The City of Garland has an immense opportunity create an environment that residents wants to stay in. When the DFW metro becomes one of the top 2 metros in the US, would you like Garland to be one of the leaders of not just economic growth, but residential prosperity? There is a huge opportunity to bridge the gap from the Gramercy Park neighborhood and the Strike and Reel area with places that people want to shop/eat/play at, even with the terrible data center already going in. There is a way to salvage this area and not drive people out of this part of town. With the farmland on the east side of Holford being prime real estate, if there is a substation built, it will limit your options for zoning for this property greatly as businesses and homes (which are the lifeblood of cities) will not want to be right across the street from this. Please listen to the citizens here as this is something you can't take back.

Alex Nguyen **Against**

9/5/2023
1:04:26 AM

1518 Bellingham Ln
Garland
Texas
United States
75044

alexnguyent08@gmail.com
3054952034

Brooks Bankhead **Against**

9/5/2023
12:24:23 AM

1510 Bellingham lane
Garland
Texas
United States
75044

Brooks.Bankhead@gmail.com
214-578-0241

Krea Bankhead **Against**

9/5/2023
12:21:20 AM

1510 Bellingham Lane
Garland
Texas
United States
75044

krealee92@gmail.com
8329644006

Alissa Pettit **Against**

9/4/2023
11:15:08 PM

1514 Bellingham Ln
Garland
Texas
United States
75044

8016338986

Serious health concerns regarding an electrical sub-station this close to our

home.

Thi Quang

9/4/2023
9:40:36 PM

Against

1506 Bellevue Ave

Garland
Texas
United States
<null>

Outside the Notification Area

Emmanuel Cortez-Ladera

9/4/2023
8:40:33 PM

Against

1414 Bellingham Ln

Garland
TX
United States
75044

minimucho1@gmail.com

4698771939

Liane Wu

9/4/2023
8:38:16 PM

Against

1518 Bellingham Ln

Garland
Texas
United States
75044

liane.whl@gmail.com

7862230431

Keilye Pampillonia

9/4/2023
6:42:49 PM

Against

409 Kirkland Rd

Garland
Texas
United States
75044

Outside the Notification Area

Damita Crosby **Against**

9/4/2023
6:19:38 PM

413 Pasco Road

Garland
Texas
United States
<null>

Outside the Notification Area

Jacob Goldenburg **Against**

9/4/2023
6:18:55 PM

1502 Bellingham Ln

Garland
Texas
United States
75044

Jacob@goldenburg.com

4699540227

Jacob Goldenburg **Jacob Goldenburg**

9/4/2023
6:17:12 PM

1502 Bellingham

Garland
Texas
United States
75044

Jacob@goldenburg.com

4699540227

Monica Geer **Against**

9/4/2023
6:16:21 PM

1502 Bellingham Lane

Garland
Texas
United States

Monica.geer23@gmail.com

4804409711

75044

Matt Goldenburg
9/4/2023
6:14:26 PM

AGAINST

1502 Bellingham Ln
Garland
Texas
United States
75044

Matthew@goldenburg.com
2144998899

Michael Corlett

9/4/2023
5:21:45 PM

Against

330 pasco road
Garland
Texas
United States
75044

Mikecorlett59@gmail.com
404.307.3280

Outside the Notification Area

Against this. Substation is far too close to a residential community. This substation should have been planned within the confines of the Data Center

---

Samantha Smith
9/4/2023
5:11:06 PM

Against

417 pasco rd
Garland
Texas
United States
<null>

Outside the Notification Area

Sumaya

9/4/2023
2:49:20 PM

Against

1522 Bellingham Lane
Garland
Texas

United States
75044

Shilin Wang **Against**

9/4/2023
2:37:14 PM

409 kennewick dr
garland
Texas
United States
75044

ceilingwang@yahoo.com
2019197322

Outside the Notification Area

Against

Shaw wang **Against**

9/4/2023
2:37:13 PM

409 Kennewick dr
Garland
Texas
United States
75044

schen_0613@yahoo.com
2019191980

Outside the Notification Area

Against

Shaw wang **Against**

9/4/2023
2:37:10 PM

409 Kennewick dr
Garland
Texas
United States
75044

schen_0613@yahoo.com
2019191980

Outside the Notification Area

Against

GARLAND
TEXAS MADE HERE

The applicant requests approval of an Electric Substation, in support of a future data center and Garland Power & Light (GP&L).

City Council Meeting

October 10, 2023

Z 23-25

GARLAND
TEXAS MADE HERE

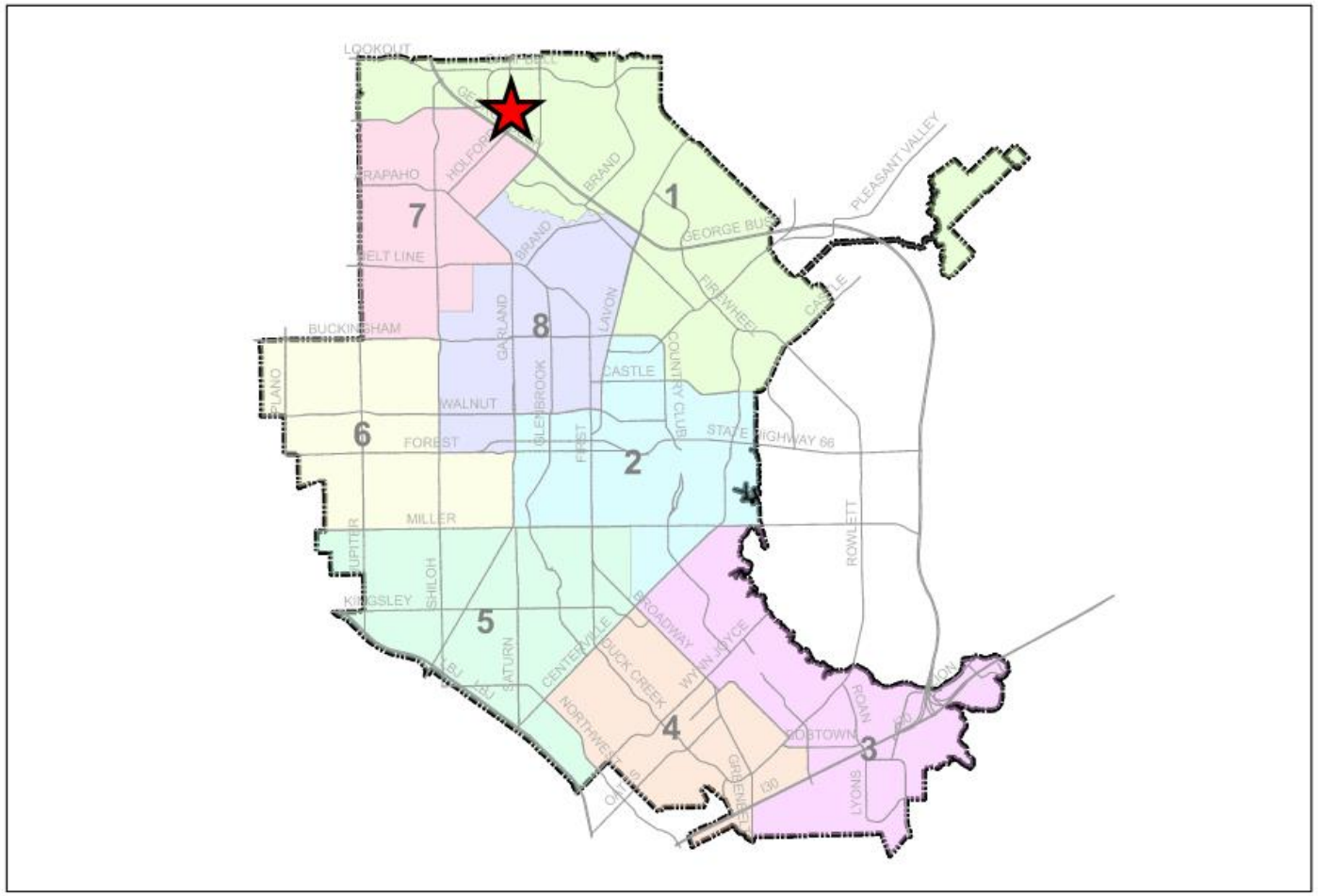
CASE INFORMATION

Location:	741 Holford Road
Applicant:	Pacheco Koch, a Westwood Company
Owner:	Digital Realty
Acreage:	6.77 acres
Zoning:	Planned Development (PD) District 20-17

Z 23-25

GARLAND
TEXAS MADE HERE

CITYWIDE LOCATION MAP

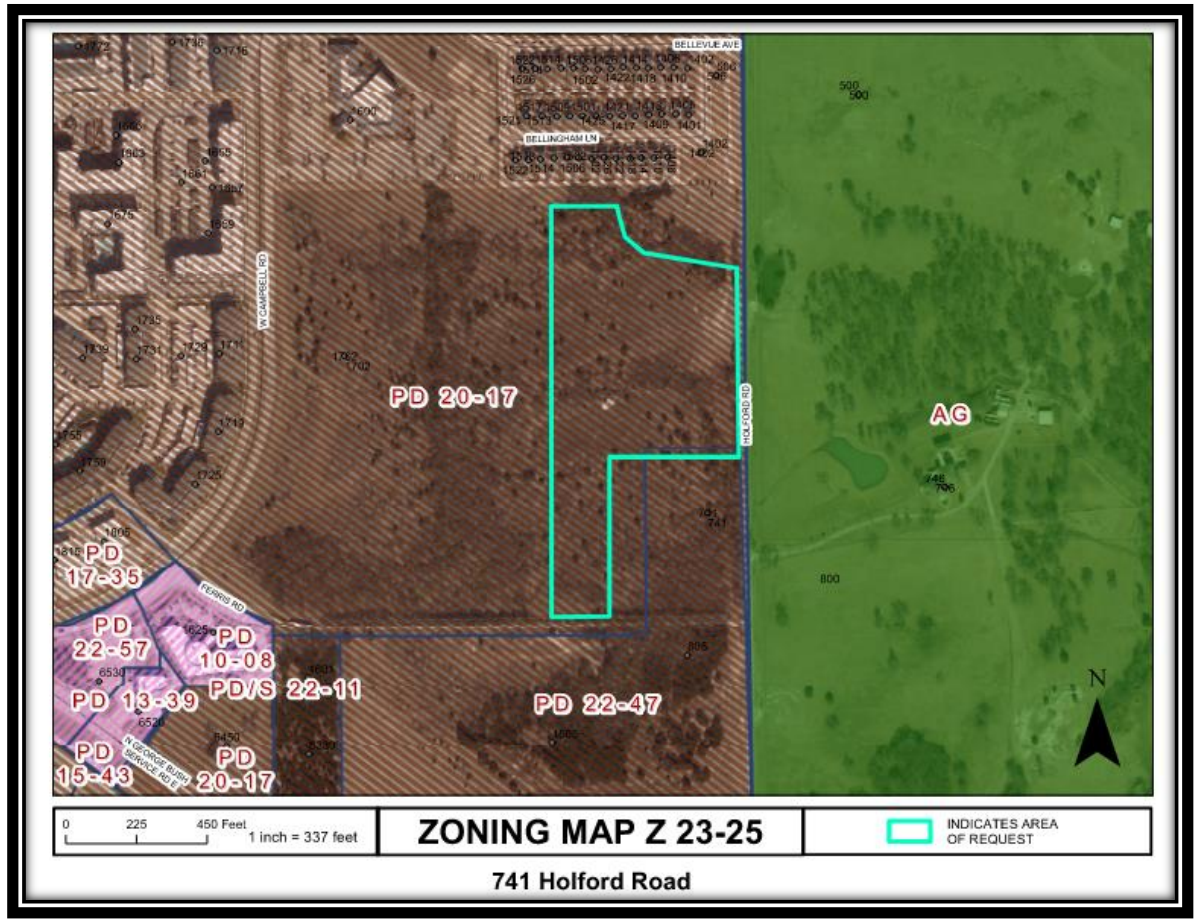


0 1 2 Miles 1 in = 2 miles | ZONING MAP Z 23-25 | INDICATES AREA OF REQUEST

Z 23-25

GARLAND
TEXAS MADE HERE

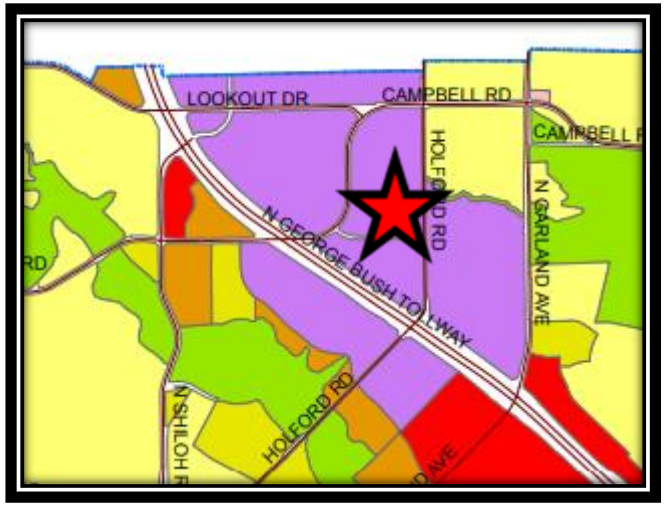
LOCATION MAP



Z 23-25

GARLAND
TEXAS MADE HERE

COMPREHENSIVE PLAN



Z 23-25

GARLAND
TEXAS MADE HERE

COMPREHENSIVE PLAN

The Future Land Use Map for the Envision Garland 2030 Comprehensive Plan identifies this area as Business Center.

Business centers provide a cluster of business offices and/or low impact industry, including campus-type development, that 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

The utility service provided by this proposal is valuable for future development.

ECONOMIC DEVELOPMENT STRATEGIC PLAN

The proposal supports a data center use. Per the adopted Economic Development Strategic Plan, data centers generate the most revenue per acre by building type.

GARLAND
TEXAS MADE HERE

PHOTOS

View of the subject site from Holford Road

East of the subject property

GARLAND
TEXAS MADE HERE

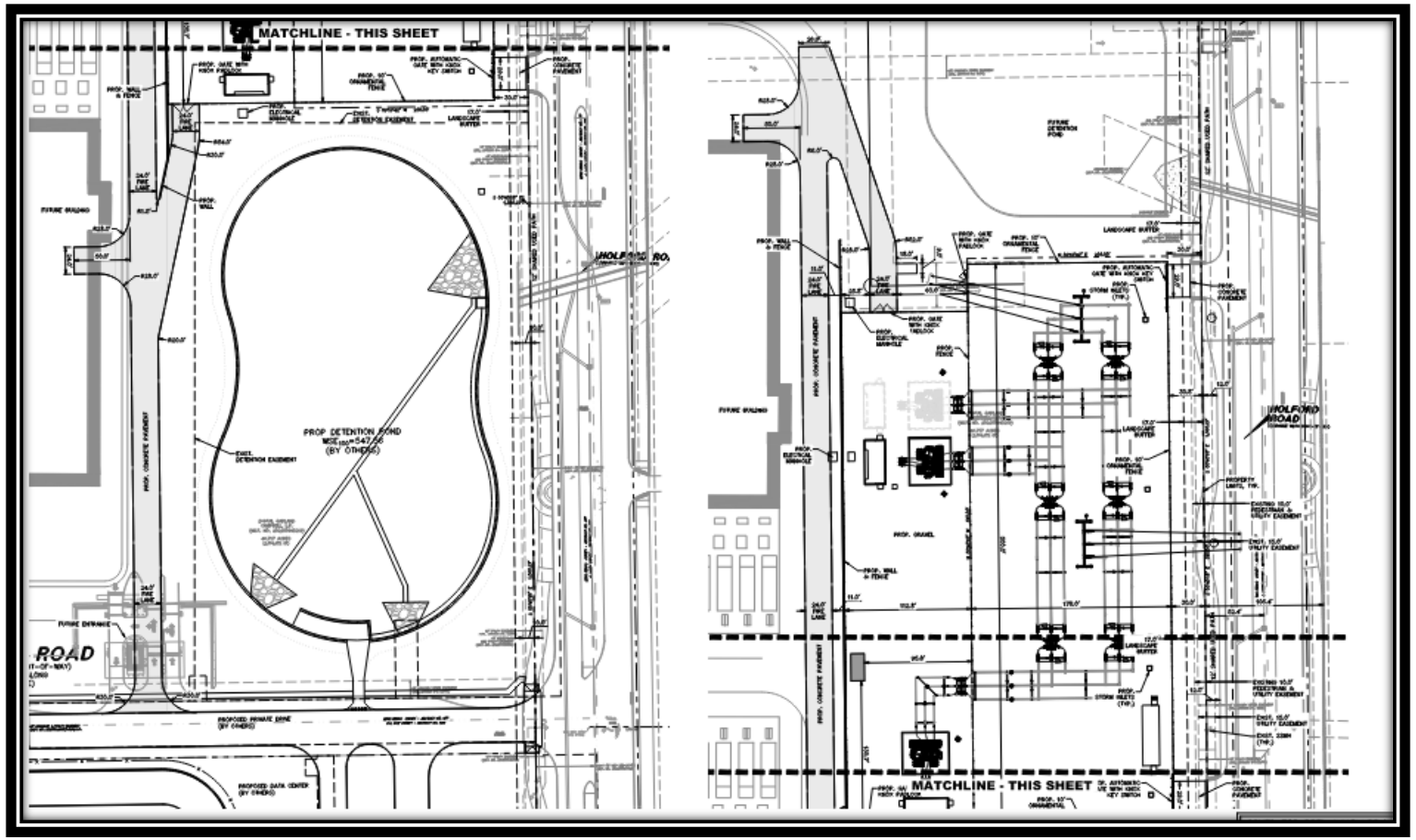
PHOTOS

South of the subject property

North of the subject property

GARLAND
TEXAS MADE HERE

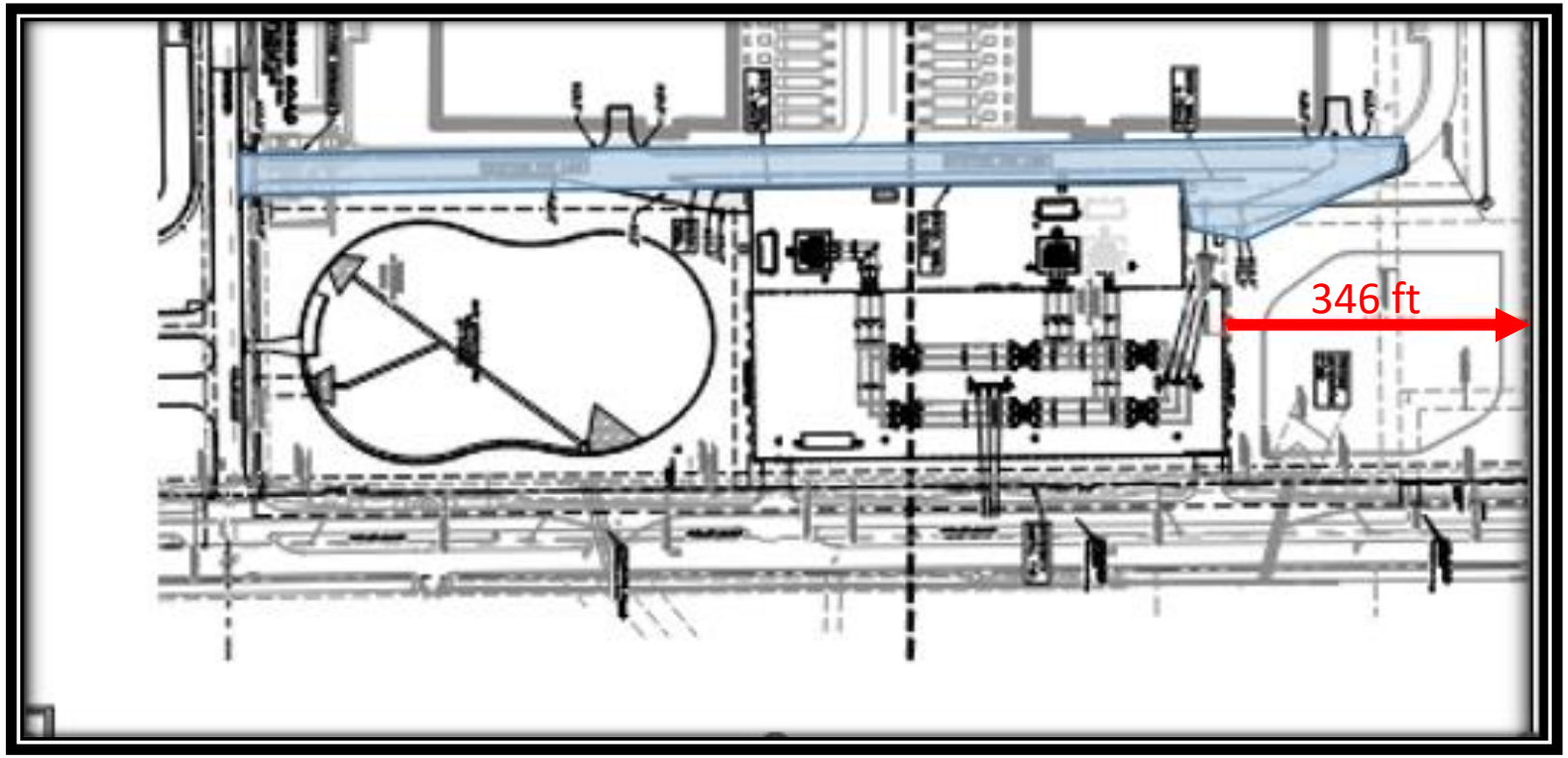
SITE PLAN



Z 23-25

GARLAND
TEXAS MADE HERE

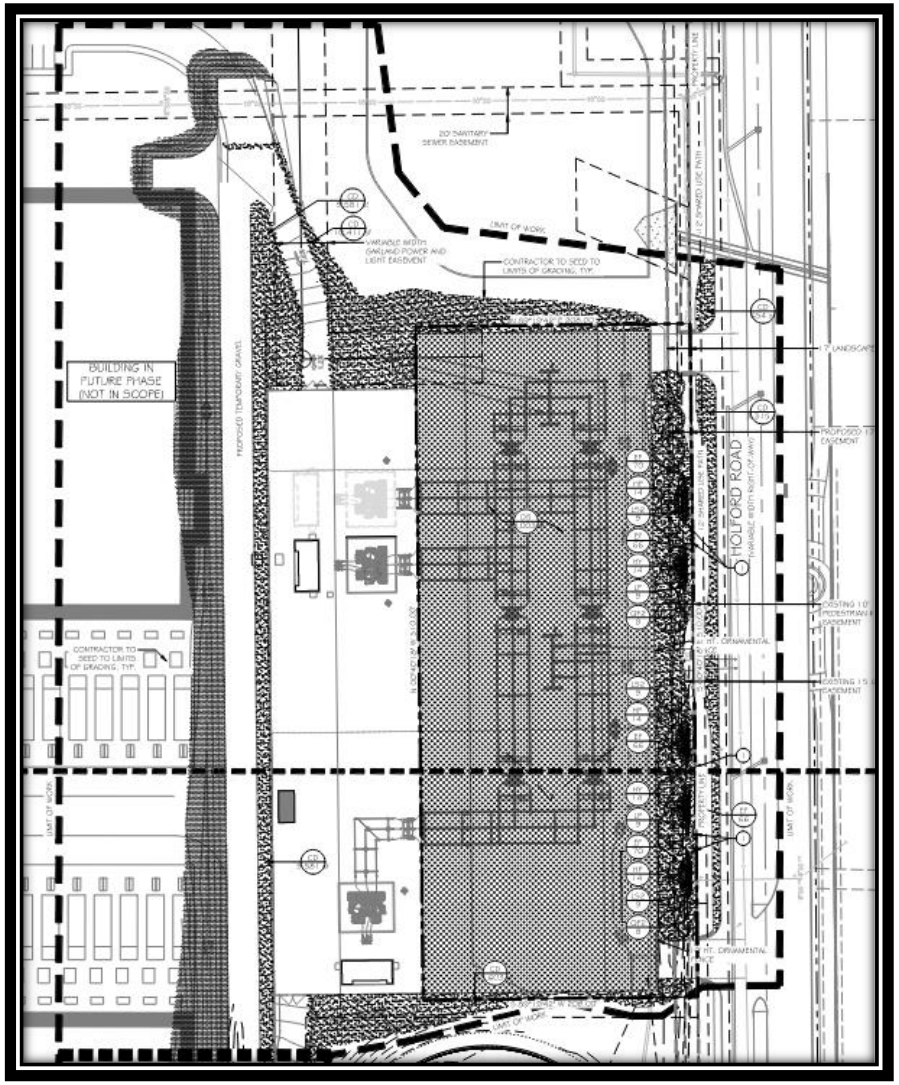
SITE PLAN

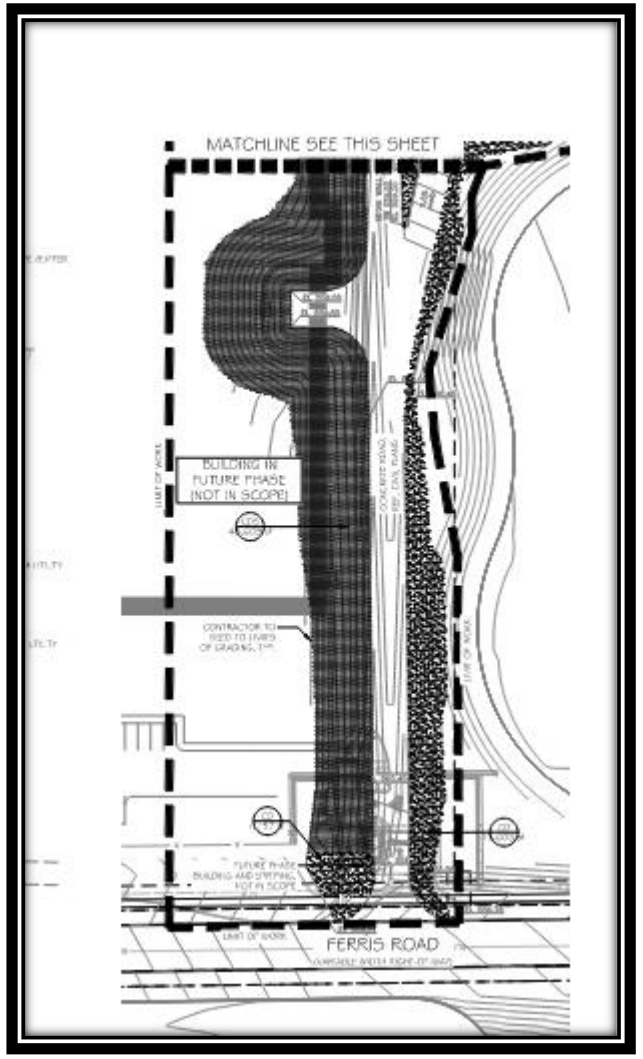


Z 23-25

GARLAND
TEXAS MADE HERE

LANSCAPE PLAN





Z 23-25

GARLAND
TEXAS MADE HERE

FENCE

Z 23-25

GARLAND
TEXAS MADE HERE

CONSIDERATION

The applicant proposes the SUP to be in effect for an indefinite time period.

It should be noted that the two existing substation north of Lookout Drive have an indefinite time period.

GARLAND
TEXAS MADE HERE

STAFF RECOMMENDATION

Approval of a Specific Use Provision for an Electric Substation use on a property zoned Planned Development (PD) District 20-17

Approval of a Detail Plan for an Electric Substation.

PLAN COMMISSION RECOMMENDATION

On September 11, 2023 the Plan Commission, by a vote of seven (7) to zero (0), recommended approval of a of a Specific Use Provision for an Electric Substation use on a property zoned Planned Development (PD) District 20-17.

The Plan Commission, by a vote of seven (7) to zero (0), recommended approval of a Detail Plan for an Electric Substation.

GARLAND

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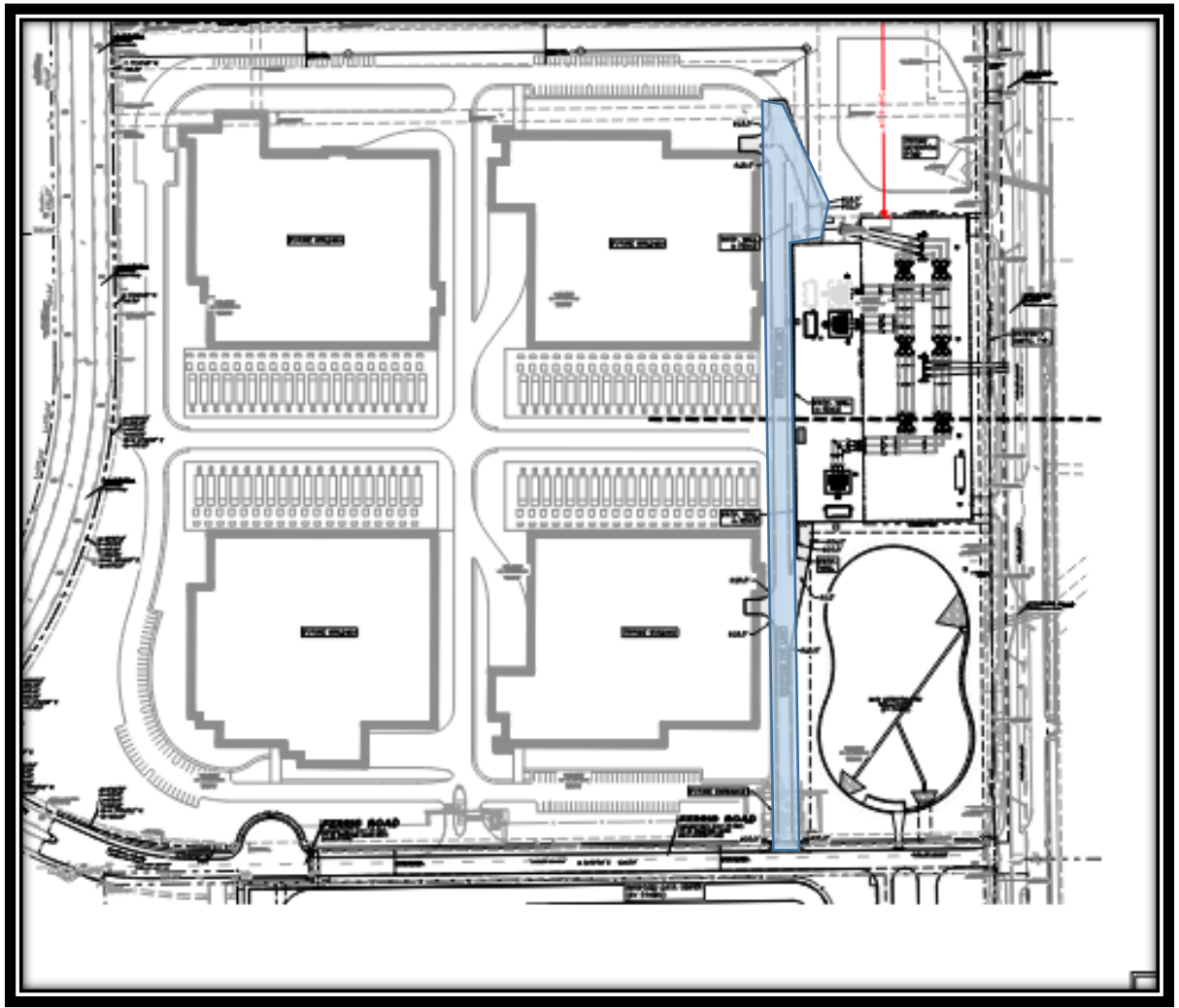
GARLAND
TEXAS MADE HERE

EXPANDED DETAIL PLAN



GARLAND
PLANNING REPORT

City Council Regular Session Agenda **7. b.**

Meeting Date: 10/10/2023

Item Title: Z 23-25 Pacheco Koch, a Westwood Company - Detail Plan (District 1)

Submitted By: Nabiha Ahmed, Lead Development Planner

REQUEST

Approval of a Specific Use Provision for an Electric Substation use on a property zoned Planned Development (PD) District 20-17.

Approval of a Detail Plan for an Electric Substation.

LOCATION

741 Holford Road

OWNER

Digital Realty

PLAN COMMISSION RECOMMENDATION

On September 11, 2023 the Plan Commission, by a vote of seven (7) to zero (0), recommended approval of a Specific Use Provision for an Electric Substation use on a property zoned Planned Development (PD) District 20-17.

The Plan Commission, by a vote of seven (7) to zero (0), recommended approval of a Detail Plan for an Electric Substation.

STAFF RECOMMENDATION

Approval of a Specific Use Provision for an Electric Substation use on a property zoned Planned Development (PD) District 20-17.

Approval of a Detail Plan for an Electric Substation.

BACKGROUND

The subject property is currently unimproved. The applicant proposes to construct an Electric Substation to support a future data center and Garland Power and Light (GP&L).

Per Planned Development (PD) District 20-17, an Electric Substation requires approval of an SUP through a public hearing process. In addition, any new development requires a Detail Plan.

SITE DATA

The subject property contains approximately 6.77 acres in area with approximately 510 lineal feet of frontage along Holford Road. The site can be accessed from Holford Road.

USE OF PROPERTY UNDER CURRENT ZONING

The purpose of Planned Development (PD) District 20-17 is to implement the City's vision for a vibrant and sustainable approach to the development of SH 190 Corridor and to encourage the continuation of the Telecom Corridor© through Garland by becoming a center for major employment office, technology, healthcare and support services, while encouraging, where feasible, a mix of complementary uses including housing, retail, offices, commercial services, and civic uses, supporting long term attractiveness for both employment uses and neighborhood uses.

CONSIDERATIONS

1. This project's intent is to construct an Electric Substation to support the future data center as well as Garland Power and Light (GP&L). The eastern half of the substation will be for Digital Realty and the western portion will be for Garland Power and Light.

2. The Electric Substation plan proposes a ten (10)-foot ornamental fence around the perimeter of the property. The applicant had proposed large canopy trees within the landscape buffer along Holford Road as required by the GDC. However, due to a Garland Power and Light (GP&L) easement, the applicant revised the canopy trees to ornamental trees as reflected in the landscape plan.

   The landscape plan (Exhibit D) complies with the applicable screening and landscaping standards per the GDC. The proposed substation fence line is located approximately 346 feet from the alleyway of the residential neighborhood to the north.

3. The application proposes the SUP to be in effect for an indefinite time period.

   It should be noted that two existing substations north of Lookout Drive have an indefinite SUP time period.

COMPREHENSIVE PLAN

The Future Land Use Map for the Envision Garland 2030 Comprehensive Plan identifies this area as Business Center.

Business centers provide a cluster of business offices and/or low impact industry, including campus-type development, that 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

The utility service provided by this proposal is valuable for future development.

ECONOMIC DEVELOPMENT STRATEGIC PLAN

The proposal supports a data center use. Per the adopted Economic Development Strategic Plan, data centers generate the most revenue per acre by building type.

COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

The properties to the north are zoned Planned Development (PD) District 20-17; they are developed with single-family homes. The property to the east, across Holford Road, is zoned Agricultural (AG) District; it is a large lot developed with a single-family home. The properties to the south and west are zoned Planned Development (PD) District 20-17; these properties are intended for a future data center in multiple phases.

Attachments

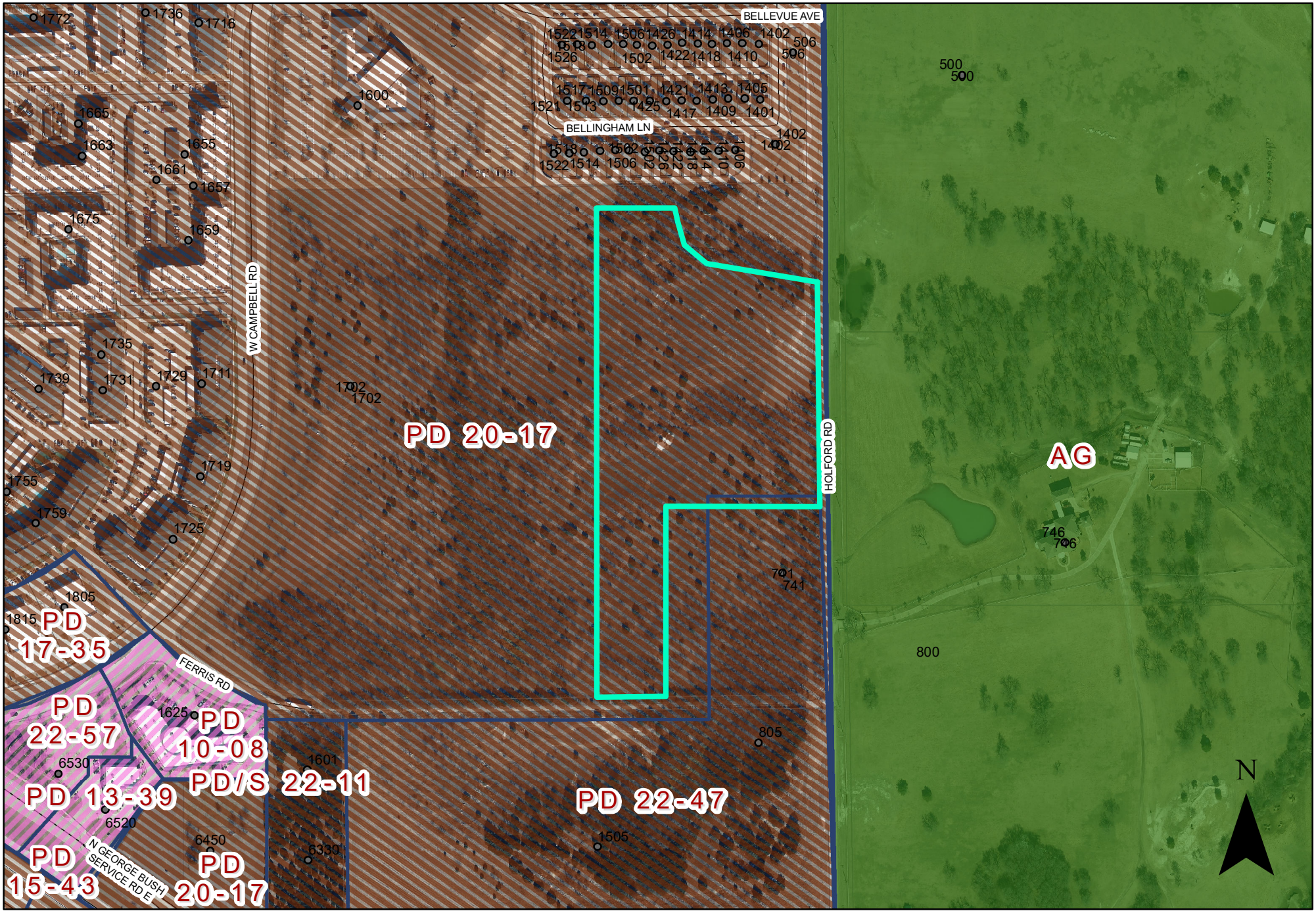
Z 23-25 Location Map

Z 23-25 Exhibits

Z 23-25 R&M Detail Plan

Z 23-25 Responses

Z 23-25 Staff Presentation



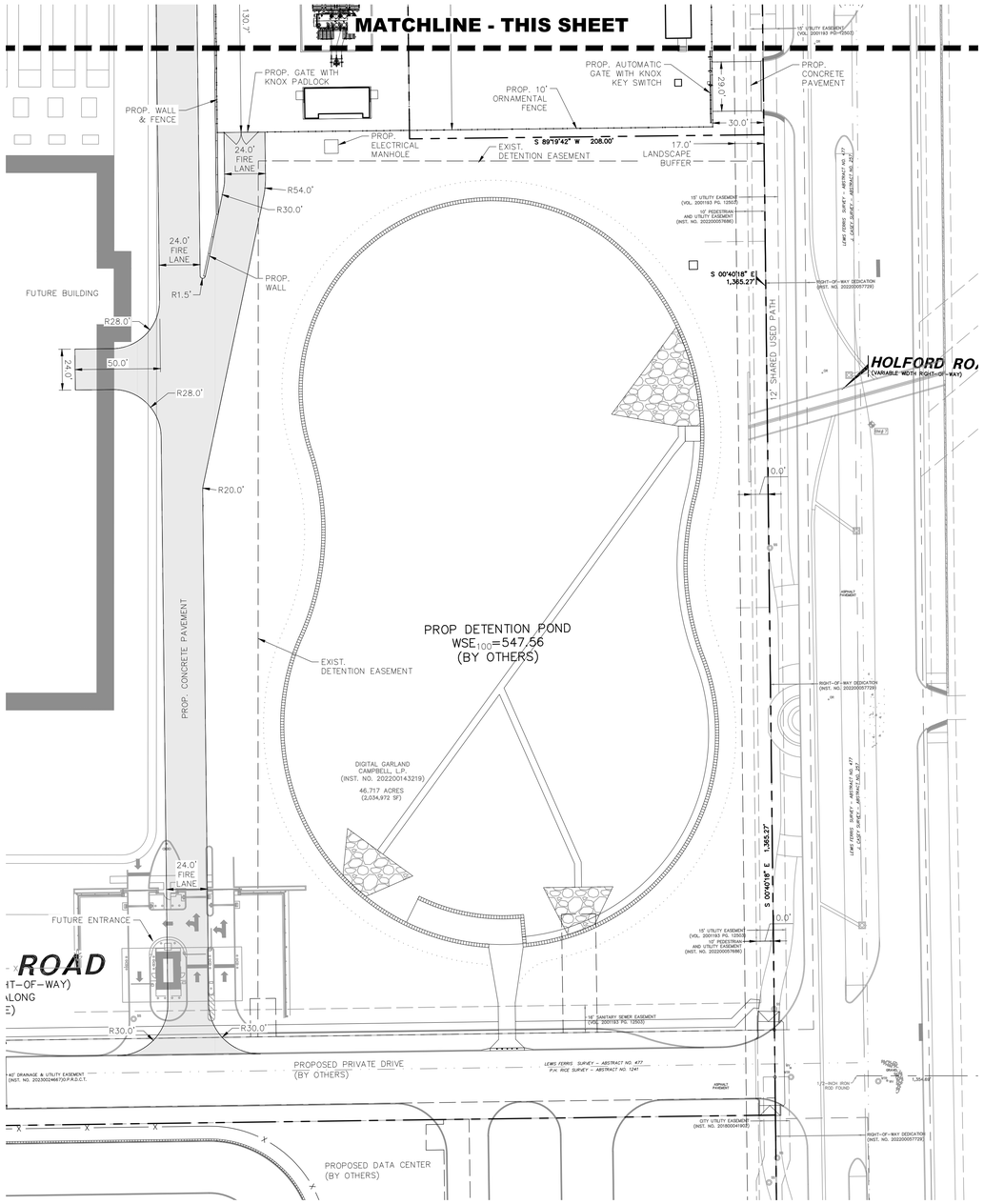
0 225 450 Feet
1 inch = 337 feet

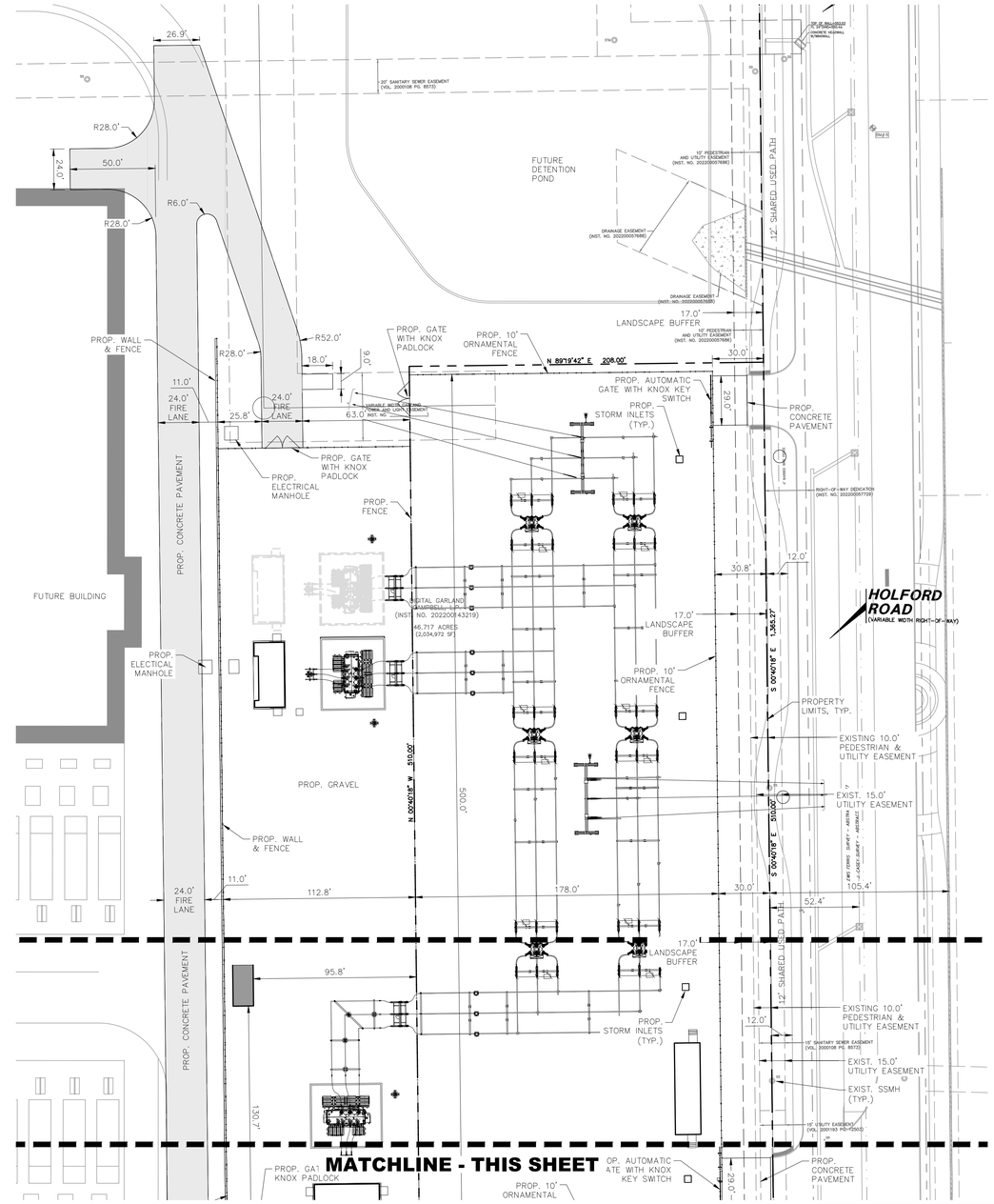
ZONING MAP Z 23-25

INDICATES AREA OF REQUEST

741 Holford Road

EXHIBIT C



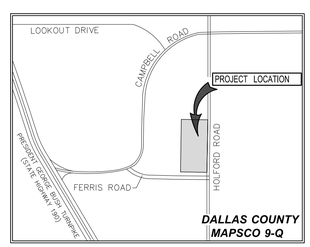


SITE DATA SUMMARY TABLE	
ZONING	PD 20-17
LAND USE	SUBSTATION
TOTAL AREA OF SITE	45.404 AC (1,977,781 SF) & 2.435 AC (106,082 SF)
TOTAL DETAILED PLAN AREA	6.77 AC (295,000 SF)
TOTAL IMPERVIOUS COVER OF DETAILED PLAN AREA	32,545 SF - 11%

ALL DIMENSIONS ARE TO BACK-OF-CURB UNLESS OTHERWISE NOTED

ALL PROPOSED SIGNAGE WILL COMPLY THE SIGN REQUIREMENTS LISTED IN CHAPTER 4 OF THE GARLAND DEVELOPMENT CODE (GDC).

AUTOMATIC GATES WILL HAVE KNOX KEY SWITCH AND MANUAL OVERRIDE PROTECTED BY KNOX PADLOCK. MANUAL GATES WILL HAVE KNOX PADLOCK INTERLOCKED WITH OWNERS PADLOCK FOR FIRE ENTRY.



VICINITY MAP

LEGEND

B	BOLLARD
EM	ELECTRIC METER
PP	POWER POLE
LS	LIGHT STANDARD
WM	WATER METER
WV	WATER VALVE
ICV	IRRIGATION CONTROL VALVE
FH	FIRE HYDRANT
CO	CLEANOUT
MH	MANHOLE
TSC	TRAFFIC SIGNAL CONTROL
TSP	TRAFFIC SIGNAL POLE
TELE	TELEPHONE BOX
	FLOOD LIGHT
FP	FLAG POLE
SIGN	TRAFFIC SIGN
IRS (C.M.)	1/2-INCH IRON ROD W/"PACHECO KOCH" CAP SET CONTROLLING MONUMENT
	PROPERTY LINE
X	FENCE
X	PROPOSED FENCE
	FIRE LANE
	PROPOSED RETAINING WALL
	PROP. FIRE LANE

0 20 40 80 120
HORIZONTAL SCALE IN FEET

ISSUED FOR PRELIMINARY PRICING PURPOSES ONLY
(SUBJECT TO REVISION PRIOR TO CONSTRUCTION)

THESE DOCUMENTS HAVE BEEN PREPARED BY THE ENGINEER WITH THE INTENT OF COMPLYING WITH ALL CITY STANDARD REQUIREMENTS. THESE DOCUMENTS HAVE **NOT** BEEN APPROVED AND RELEASED FOR CONSTRUCTION BY THE CITY AS OF THIS DATE AND, THEREFORE, REVISIONS MAY BE REQUIRED PRIOR TO CONSTRUCTION. BY ANY USE OF THESE DOCUMENTS, THE USER AFFIRMS THEIR UNDERSTANDING OF THE PRELIMINARY STATUS OF THE PLANS AND THE POTENTIAL FOR REVISION PRIOR TO ANY CONSTRUCTION.

PRELIMINARY
NOT FOR CONSTRUCTION

THIS DOCUMENT IS ISSUED FOR THE PURPOSE OF SCHEMATIC REVIEW ONLY AND IS NOT INTENDED FOR PERMITTING, BIDDING, OR CONSTRUCTION PURPOSES.

PLANS PREPARED UNDER THE DIRECT SUPERVISION OF ASHLEY D. REYNOLDS, P.E. TEXAS REGISTRATION NO. 128323
DATE: 08/02/2023

Pacheco Koch
a Westwood company
7557 RAMBLER ROAD SUITE 1400
DALLAS, TX 75231
972.235.3031

DETAILED PLAN

DIGITAL GARLAND SUBSTATION
HOLFORD ROAD SUBSTATION
DIGITAL REALTY LOT 1 AND LOT 2, BLOCK 1 - 15.7 AC
CITY OF GARLAND, DALLAS COUNTY, TEXAS

DESIGN	DRAWN	DATE	SCALE	NOTES	FILE	NO.
ADR	JER	AUG 2023	1"=40'			DP1.1

OWNER
DIGITAL REALTY
907 SECURITY ROW
RICHARDSON, TEXAS 75082
PHONE: 214-254-8116
CONTACT CHARLIE GRAY

ENGINEER
PACHECO KOCH
7557 RAMBLER RD SUITE 1400
DALLAS, TEXAS 75231
PHONE: 972-235-3031
CONTACT ASHLEY REYNOLDS

ARCHITECT
JACOBS
777 MAIN STREET
FORTH WORTH, TEXAS 76102
PHONE: 817-222-8505
CONTACT ELIZABETH REGNIER

SURVEYOR
PACHECO KOCH
7557 RAMBLER RD SUITE 1400
DALLAS, TEXAS 75231
PHONE: 972-235-3031
CONTACT JONATHAN COOPER

LANDSCAPE
PACHECO KOCH
4060 BRYANT IRVING RD
FORTH WORTH, TEXAS 76109
PHONE: 817-412-71551
CONTACT TRICIA WOLIVER

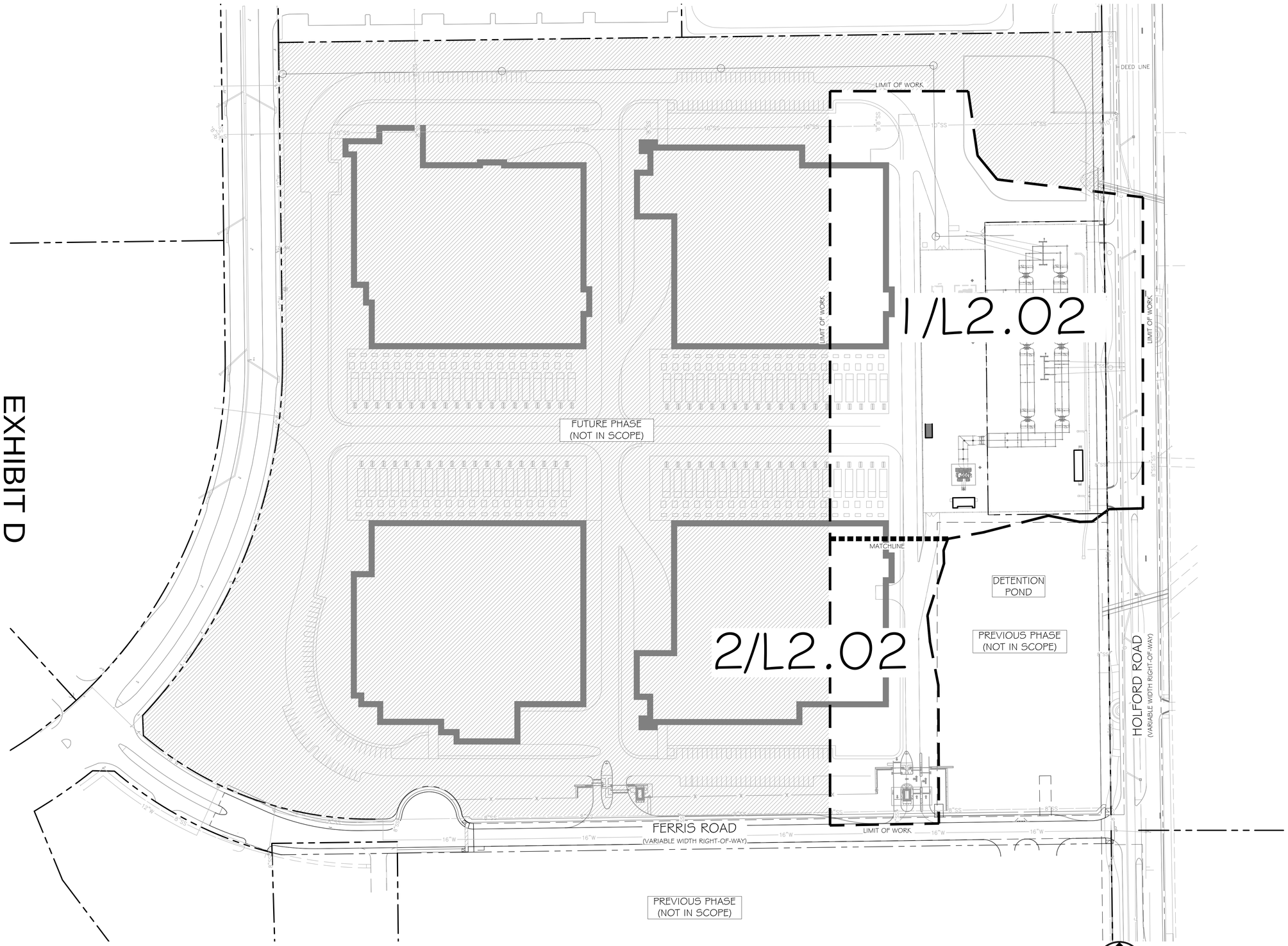
CITY CASE NO. 230427-2

TX REG. ENGINEERING FIRM F-469
TX REG. SURVEYING FIRM LS-10008000

DIGITAL GARLAND CAMPUS

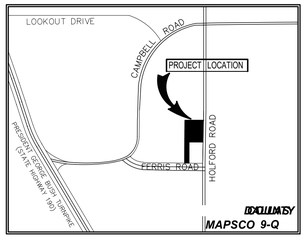
JRODRIGUEZ
8/2/2023 12:49 PM
M:\DWG-16\1639-22-196\DWG\CIVIL C3D 2018\SUBSTATION\1639-22-196SP.DWG

EXHIBIT D



1 OVERALL LANDSCAPE PLAN
1" = 80'-0"

0 20 40 80 120
GRAPHIC SCALE IN FEET



VICINITY MAP
(NOT TO SCALE)

ZONING:
EXISTING: LI (LIGHT INDUSTRIAL)

PROPOSED USE:
DATA CENTER/OFFICE

OWNER

DIGITAL REALTY
JOE HUBBARD
907 SECURITY ROW
RICHARDSON, TEXAS 75082
469-385-2632

LANDSCAPE ARCHITECT

TRICIA WOLIVER
118 N OHIO ST, CELINA, TX 75009
214-451-2765

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 REAL PROPERTY IMPROVEMENT AUTHORIZATION OR CITY'S LICENSE AGREEMENT.

PUBLIC RIGHT OF WAY, EASEMENTS, AND COMMON AREAS MUST BE STABILIZED WITH PERENNIAL VEGETATION COVER, FULLY ESTABLISHED WITH 100%COVERAGE, OR OTHER APPROVED STABILIZATION METHOD.

INTERIM REVIEW
THESE DOCUMENTS ARE INTENDED FOR INTERIM REVIEW ONLY AND NOT FOR REGULATORY APPROVAL,PERMITTING, OR CONSTRUCTION.
REGISTERED LANDSCAPE ARCHITECT
TRICIA A. WOLIVER
TEXAS REGISTRATION NUMBER 2225

NO.	DATE	REVISION
3	8/22/2023	SITE PLAN RESUBMITTAL
2	8/02/2023	SITE PLAN RESUBMITTAL
1	6/23/2023	SITE PLAN SUBMITTAL

Pacheco Koch
a Westwood company
118 N. OHIO STREET
CELINA, TX 75009
214.451.2765

OVERALL LANDSCAPE PLAN

DIGITAL GARLAND CAMPUS

HOLFORD ROAD SUBSTATION

DIGITAL REALITY LOT 1 AND LOT 2, BLOCK 1-15.7AC

CITY OF GARLAND, DALLAS COUNTY, TEXAS

CASE NO. 230427-2

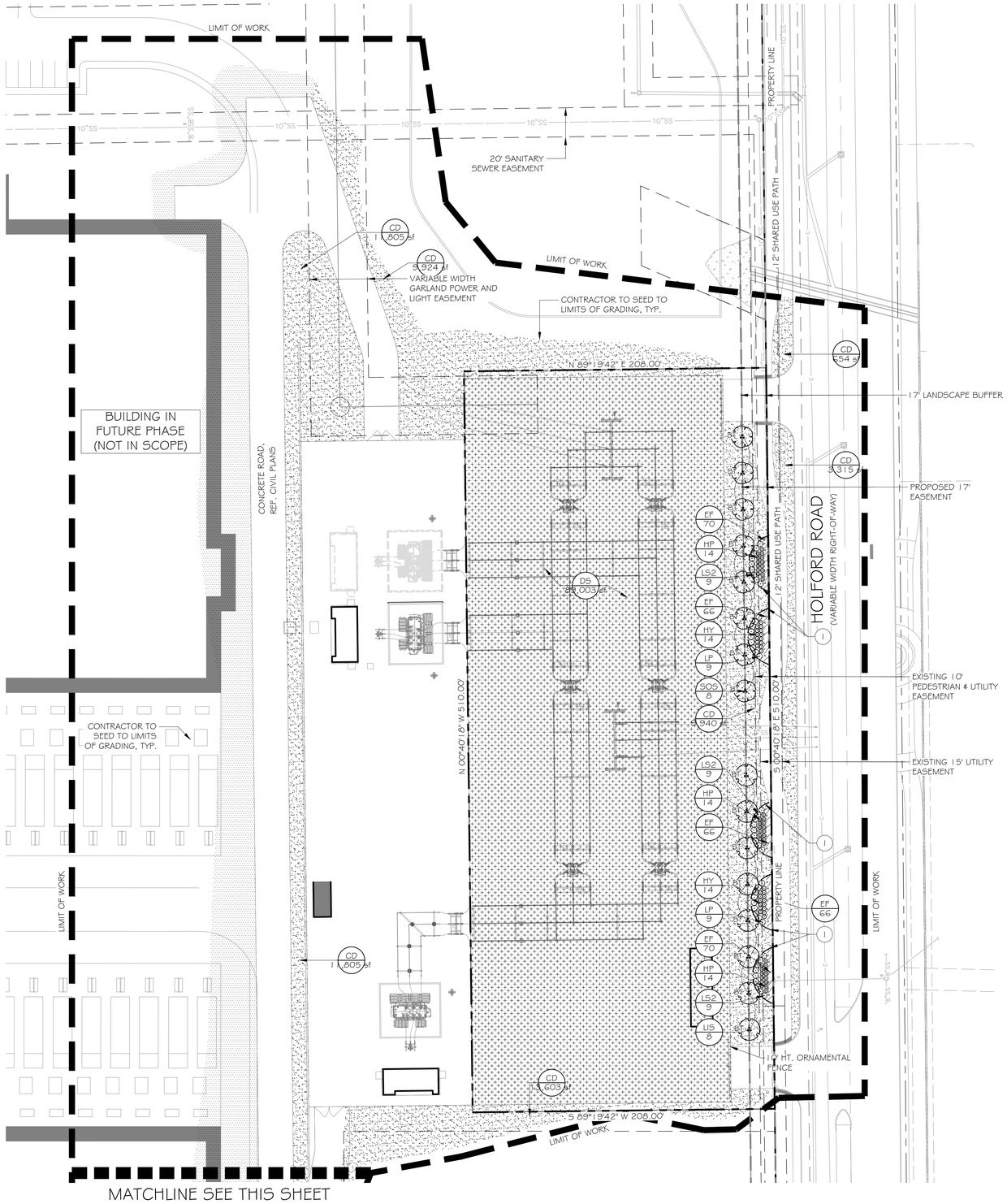
TX REG. ENGINEERING FIRM F-469
TX REG. SURVEYING FIRM LS-10008000

DESIGN	DRAWN	DATE	SCALE	NOTES	FILE	NO.
TAW	AMW	AUG. 2023	AS SHOWN			L2.00

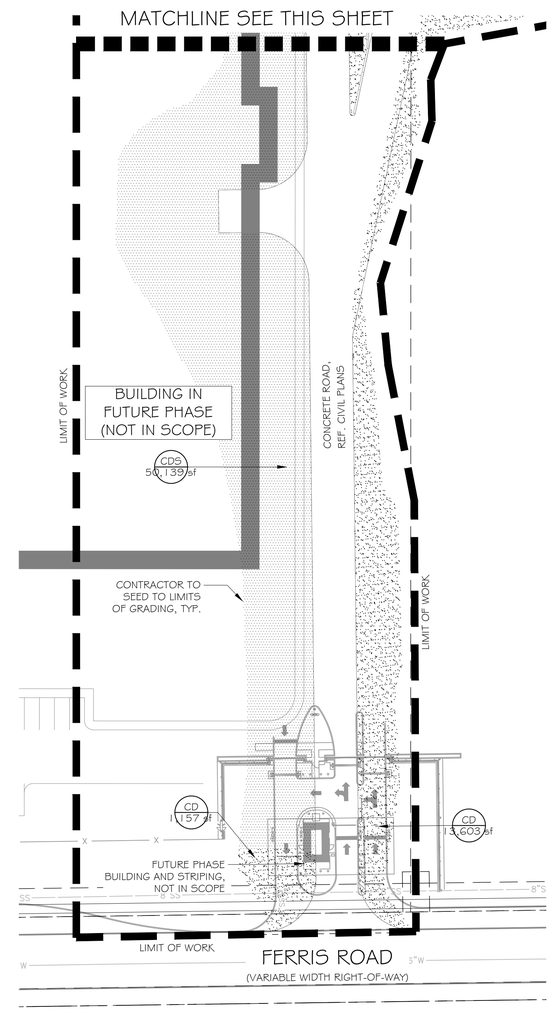
DIGITAL GARLAND CAMPUS

PK FILE: 1639-22.196

EXHIBIT D



1 LANDSCAPE PLAN
1" = 40'-0"



2 LANDSCAPE PLAN
1" = 40'-0"

PLANT SCHEDULE

ORNAMENTAL TREES	BOTANICAL / COMMON NAME
LIS	LAGERSTROEMIA INDICA `SIOUX` SIOUX CRAPE MYRTLE
SOS	SOPHORA SECUNDIFLORA TEXAS MOUNTAIN LAUREL
SHRUBS	BOTANICAL / COMMON NAME
HP	HESPERALOE PARVIFLORA RED YUCCA
HY	HESPERALOE PARVIFLORA 'YELLOW' YELLOW YUCCA
LS2	LIGUSTRUM SINENSE 'SUNSHINE' SUNSHINE CHINESE PRIVET
LP	LOROPETALUM CHINENSE `PIPA`S RED` RED CHINESE FRINGE FLOWER
GROUND COVERS	BOTANICAL / COMMON NAME
EF	EUONYMUS FORTUNEI `COLORATUS` PURPLE WINTERCREEPER
SOD/SEED	BOTANICAL / COMMON NAME
CDS	CYNODON DACTYLON BERMUDA GRASS
CD	CYNODON DACTYLON BERMUDA GRASS
DS	DAM SLOPE GRASS MIX

REFERENCE NOTES SCHEDULE

SYMBOL	DESCRIPTION	DETAIL
1	STEEL EDGING	4/L2.03

INTERIM REVIEW

THESE DOCUMENTS ARE INTENDED FOR INTERIM REVIEW ONLY AND NOT FOR REGULATORY APPROVAL,PERMITTING, OR CONSTRUCTION.

REGISTERED LANDSCAPE ARCHITECT
TRICIA A. WOLIVER
TEXAS REGISTRATION NUMBER 2225

NO.	DATE	REVISION
4	9/22/2023	RESUBMITTAL
3	8/22/2023	SITE PLAN RESUBMITTAL
2	8/02/2023	SITE PLAN RESUBMITTAL
1	6/23/2023	SITE PLAN SUBMITTAL

Pacheco Koch
a Westwood company
118 N. OHIO STREET
CELINA, TX 75009
214.451.2765

LANDSCAPE PLAN

DIGITAL GARLAND CAMPUS

HOLFORD ROAD SUBSTATION

DIGITAL REALITY LOT 1 AND LOT 2, BLOCK 1-15.7AC

CITY OF GARLAND, DALLAS COUNTY, TEXAS

DESIGN	DRAWN	DATE	SCALE	NOTES	FILE	NO.
TAW	AMW	SEPT. 2023	AS SHOWN			L2.02

0 20 40 80 120
GRAPHIC SCALE IN FEET

CASE NO. 230427-2

TX REG. ENGINEERING FIRM F-469
TX REG. SURVEYING FIRM LS-10008000

DIGITAL GARLAND CAMPUS

PK FILE: 1639-22.196

EXHIBIT D

PLANT SCHEDULE

ORNAMENTAL TREES	CODE	QTY	BOTANICAL / COMMON NAME	SIZE/COND.		REMARKS
	LIS	8	LAGERSTROEMIA INDICA `SIOUX` SIOUX CRAPE MYRTLE LANDSCAPE BUFFER TREE	3" / CONT		MULTI-STEM, FULL, MATCHING
	SOS	8	SOPHORA SECUNDIFLORA TEXAS MOUNTAIN LAUREL LANDSCAPE BUFFER TREE	3" / CONT		MULTI-LEADER, FULL, MATCHING
SHRUBS	**CODE**	**QTY**	**BOTANICAL / COMMON NAME**	**SIZE**	**SPACING**	**REMARKS**
	HP	42	HESPERALOE PARVIFLORA RED YUCCA	3 GAL	36" o.c.	NURSERY GROWN, MATCHED & WELL ROOTED, PLANT AS SHOWN
	HY	28	HESPERALOE PARVIFLORA 'YELLOW' YELLOW YUCCA	3 GAL	36" o.c.	NURSERY GROWN, MATCHED & WELL ROOTED, PLANT AS SHOWN
	LS2	27	LIGUSTRUM SINENSE 'SUNSHINE' SUNSHINE CHINESE PRIVET	5 GAL	48" o.c.	FULL, MATCHING
	LP	18	LOROPETALUM CHINENSE `PIPA`S RED` RED CHINESE FRINGE FLOWER	5 GAL	48" o.c.	FULL, MATCHING
GROUND COVERS	**CODE**	**QTY**	**BOTANICAL / COMMON NAME**	**SIZE**	**SPACING**	**REMARKS**
	EF	338	EUONYMUS FORTUNEI `COLORATUS` PURPLE WINTERCREEPER	1 GAL	18" o.c.	FULL, MATCHING
SOD/SEED	**CODE**	**QTY**	**BOTANICAL / COMMON NAME**	**SIZE**	**SPACING**	**REMARKS**
	CDS	50,139 SF	CYNODON DACTYLON BERMUDA GRASS	SEED		100% WEED, PEST AND DISEASE FREE
	CD	50,576 SF	CYNODON DACTYLON BERMUDA GRASS	SOD		SOLID, ROLLED TIGHT, SAND FILLED JOINTS, 100% WEED, PEST AND DISEASE FREE
BT	DS	89,003 SF	DAM SLOPE GRASS MIX	SEED		DAM SLOPE GRASS MIX BY NATIVE AMERICAN SEED

REFERENCE NOTES SCHEDULE

SYMBOL	DESCRIPTION	DETAIL
1	STEEL EDGING	4/L2.03

PLANTING GENERAL NOTES

1. ALL PLANTS SHALL BE SET OUT FOR APPROVAL BY THE OWNER'S REPRESENTATIVE PRIOR TO INSTALLATION.
2. FINE GRADING SHALL BE PERFORMED IN ALL AREAS TO BE LANDSCAPED. FINE GRADING SHALL INCLUDE THE REMOVAL OF DEBRIS, ROCKS, ETC. FROM THE SITE AND INSURE POSITIVE DRAINAGE IN ALL AREAS.
3. THE CONTRACTOR SHALL LOCATE ALL UTILITIES AND EASEMENTS IN THE FIELD PRIOR TO COMMENCEMENT OF WORK. CONTRACTOR IS RESPONSIBLE FOR ANY DAMAGE TO UTILITIES DURING THE COURSE OF CONSTRUCTION.
4. WRITTEN DIMENSIONS SHALL GOVERN OVER SCALED DIMENSIONS.
5. THE CONTRACTOR SHALL REFER TO THE SPECIFICATIONS FOR ADDITIONAL INFORMATION AND REQUIREMENTS ASSOCIATED WITH THE LANDSCAPE AND ACCESSORIES.
6. ALL PLANT MATERIALS SHALL MEET ANSI Z60.1 STANDARDS FOR CALIPER, HEIGHT AND ROOT BALL SIZE. ANY MATERIALS THAT DO NOT MEET OR EXCEED SUCH STANDARDS SHALL BE REJECTED AND REPLACED AT THE CONTRACTOR'S EXPENSE.
7. BALLED AND BURLAPPED TREES SHALL HAVE THE TOP HALF OF THE WIRE BASKET REMOVED. THE BURLAP SHALL BE REMOVED TO THE GREATEST EXTENT POSSIBLE, USING A KNIFE TO CUT AND REMOVE THE BOTTOM HALF UNDER THE WIRE BASKET THAT REMAINS.
8. QUANTITIES ARE SHOWN FOR CONVENIENCE ONLY. CONTRACTOR IS RESPONSIBLE FOR VERIFYING ALL QUANTITIES

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 REAL PROPERTY IMPROVEMENT AUTHORIZATION OR CITYS LICENSE AGREEMENT.

PUBLIC RIGHT OF WAY, EASEMENTS, AND COMMON AREAS MUST BE STABILIZED WITH PERENNIAL VEGETATION COVER, FULLY ESTABLISHED WITH 100%COVERAGE, OR OTHER APPROVED STABILIZATION METHOD.

LANDSCAPE REQUIREMENTS TABLE

SITE AREA: 295,000 SF (6.77 ACRES)

ZONING: OFFICE / INDUSTRIAL

LANDSCAPE AREA		REQUIRED	PROVIDED
LANDSCAPE AREAS MUST TOTAL 10% OF TOTAL SITE AREA			
	(295,000 SF X 10% = 29,500 SF)	29,500 SF (10%)	99,935 SF (34%)
BUFFER REQUIREMENTS		**REQUIRED**	**PROVIDED**
HOLFORD ROAD (485 LF): C-2 (100' 4-LANE DIVIDED) - 10' LANDSCAPE BUFFER			
1 TREE / 30 LF	(485 LF / 30 = 16 TREES)	16 TREES	16 TREES
7 SHRUBS / 30 LF	((485 LF / 30) X 7 = 113 SHRUBS)	113 SHRUBS	115 SHRUBS
PARKING REQUIREMENTS		**REQUIRED**	**PROVIDED**
LANDSCAPE ISLAND WITH ONE (1) TREE AT EACH TERMINUS OF PARKING		N/A	N/A
ONE (1) CANOPY TREE PER TEN (10) PARKING SPACES		N/A	N/A
CONTINUOUS ROW OF SHRUBS ALONG PARKING FACING STREET		N/A	N/A
NO PARKING SPACE FURTHER THAN 65 FT FROM REQUIRED TREE		N/A	N/A
DETENTION POND REQUIREMENTS			
TREES AND SHRUBS SCREENING PERIMETER OF DETENTION POND FROM ROAD		N/A	N/A
TREE MITIGATION REQUIREMENTS - SEE SHEET L1.00 THROUGH L1.03			

INTERIM REVIEW

THESE DOCUMENTS ARE INTENDED FOR INTERIM REVIEW ONLY AND NOT FOR REGULATORY APPROVAL,PERMITTING, OR CONSTRUCTION.

REGISTERED LANDSCAPE ARCHITECT
TRICIA A. WOLIVER
TEXAS REGISTRATION NUMBER 2225

NO.	DATE	REVISION
4	9/22/2023	RESUBMITTAL
3	8/22/2023	SITE PLAN RESUBMITTAL
2	8/02/2023	SITE PLAN RESUBMITTAL
1	6/23/2023	SITE PLAN SUBMITTAL

Pacheco Koch
a Westwood company
118 N. OHIO STREET
CELINA, TX 75009
214.451.2765

LANDSCAPE NOTES & SCHEDULE

DIGITAL GARLAND CAMPUS

HOLFORD ROAD SUBSTATION

DIGITAL REALITY LOT 1 AND LOT 2, BLOCK 1-15.7AC

CITY OF GARLAND, DALLAS COUNTY, TEXAS

DESIGN	DRAWN	DATE	SCALE	NOTES	FILE	NO.
TAW	AMW	SEPT. 2023	AS SHOWN			L2.01

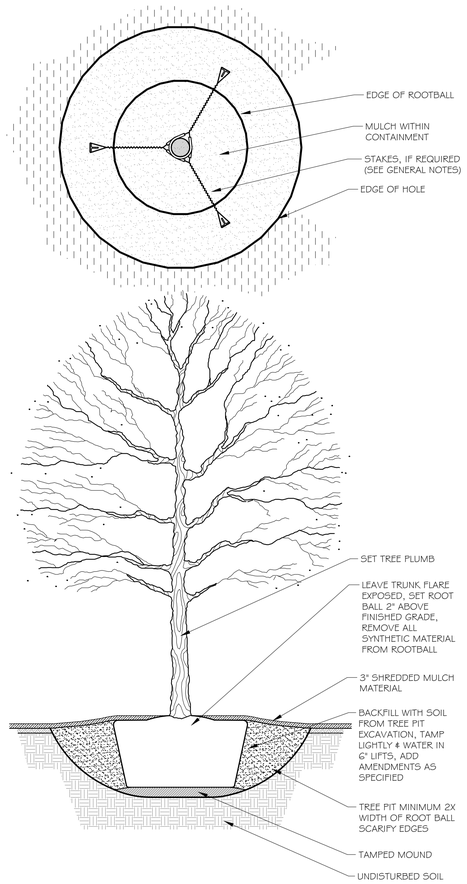
CASE NO. 230427-2

TX REG. ENGINEERING FIRM F-469
TX REG. SURVEYING FIRM LS-10008000

DIGITAL GARLAND CAMPUS

PK FILE: 1639-22.196

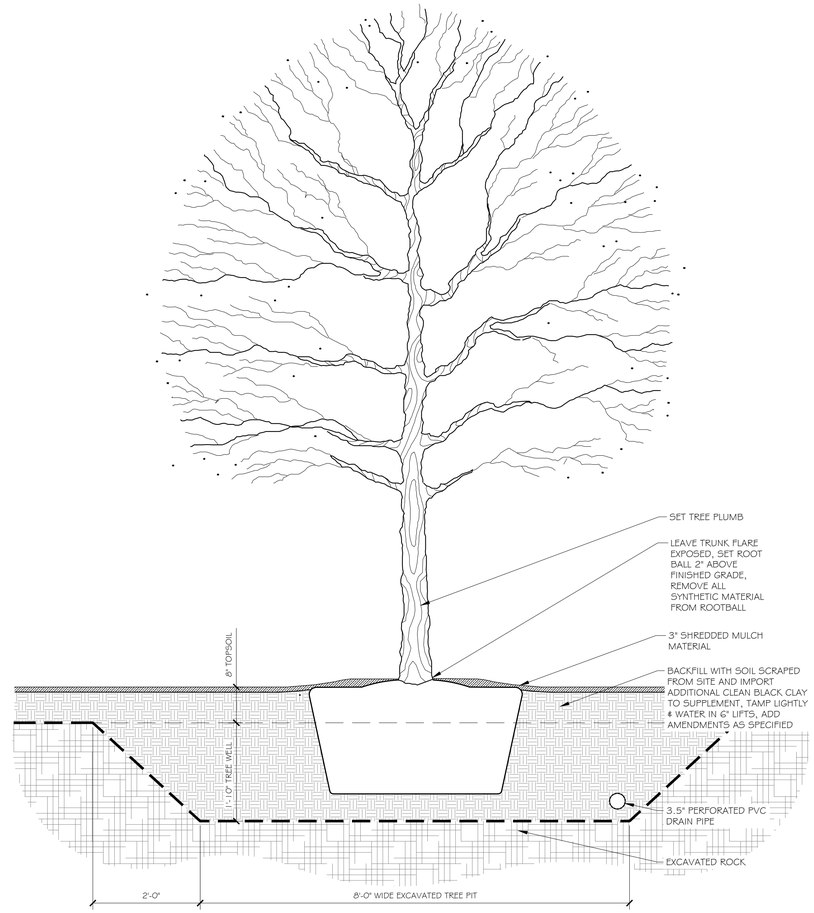
EXHIBIT D



NOTE: UNLESS OTHERWISE SPECIFIED, OR REQUIRED BY OWNER TREES 3" CAL, AND UNDER SHALL NOT BE STAKED.

1 CANOPY TREE W/ NO STAKES

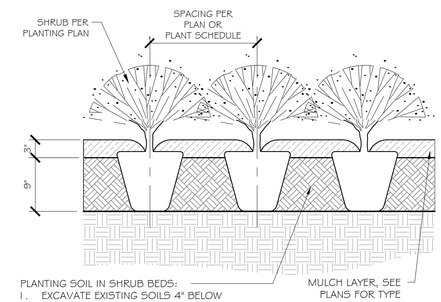
3/4" = 1'-0"



NOTE: UNLESS OTHERWISE SPECIFIED, OR REQUIRED BY OWNER TREES 3" CAL, AND UNDER SHALL NOT BE STAKED.

2 CANOPY TREE IN EXCAVATED ROCK PIT

3/4" = 1'-0"

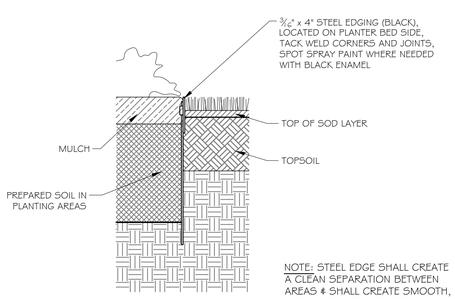


PLANTING SOIL IN SHRUB BEDS:

1. EXCAVATE EXISTING SOILS 4" BELOW ADJACENT CURB OR SIDEWALK
2. ADD 3" COMPOST & TILL INTO 6" EXISTING SOILS, CREATING 9" PLANTING SOIL
3. ADD 3" MULCH AFTER PLANTING

3 TYP. SHRUB PLANTING

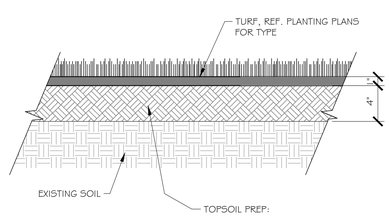
1" = 1'-0"



NOTE: STEEL EDGE SHALL CREATE A CLEAN SEPARATION BETWEEN AREAS & SHALL CREATE SMOOTH, EVEN LINES (AS INDICATED ON THE PLANS)

4 STEEL EDGING AT PLANTING

1 1/2" = 1'-0"

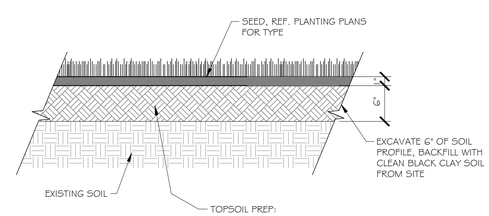


TOPSOIL PREP:

1. FINISH GRADE TOPSOIL BY REMOVING STONES LARGER THAN 1" IN ANY DIMENSION AND STICKS, ROOTS, RUBBISH, AND OTHER EXTRANEOUS MATTER TO LEGALLY DISPOSE OF THEM OFF OWNER'S PROPERTY.
2. ADD 1" COMPOST ON THE SURFACE, THEN TILL TO 4" DEPTH
3. INSTALL SOD AND SEED AS SHOWN AND NOTED PER SPECIFICATIONS, REF. PLANTING PLANS FOR TYPE

5 SOIL PROFILE FOR SOD- TYP.

1 1/2" = 1'-0"



TOPSOIL PREP:

1. FINISH GRADE TOPSOIL BY REMOVING STONES LARGER THAN 1" IN ANY DIMENSION AND STICKS, ROOTS, RUBBISH, AND OTHER EXTRANEOUS MATTER TO LEGALLY DISPOSE OF THEM OFF OWNER'S PROPERTY.
2. ADD 1" COMPOST ON THE SURFACE, THEN TILL TO 4" DEPTH
3. INSTALL SOD AND SEED AS SHOWN AND NOTED PER SPECIFICATIONS, REF. PLANTING PLANS FOR TYPE

6 SOIL PROFILE FOR SEED

1 1/2" = 1'-0"

INTERIM REVIEW

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REGISTERED LANDSCAPE ARCHITECT
TRICIA A. WOLKER
TEXAS REGISTRATION NUMBER 2225

NO.	DATE	REVISION
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Pacheco Koch
a Westwood company
118 N. OHIO STREET
CELINA, TX 75009
214.451.2765

LANDSCAPE DETAILS

DIGITAL GARLAND CAMPUS

HOLFORD ROAD SUBSTATION

DIGITAL REALITY LOT 1 AND LOT 2, BLOCK 1-15.7AC

CITY OF GARLAND, DALLAS COUNTY, TEXAS

DESIGN	DRAWN	DATE	SCALE	NOTES	FILE	NO.
TAW	AMW	SEPT. 2023	AS SHOWN			L2.03

CASE NO. 230427-2

TX REG. ENGINEERING FIRM F-469
TX REG. SURVEYING FIRM LS-10008000

DIGITAL GARLAND CAMPUS

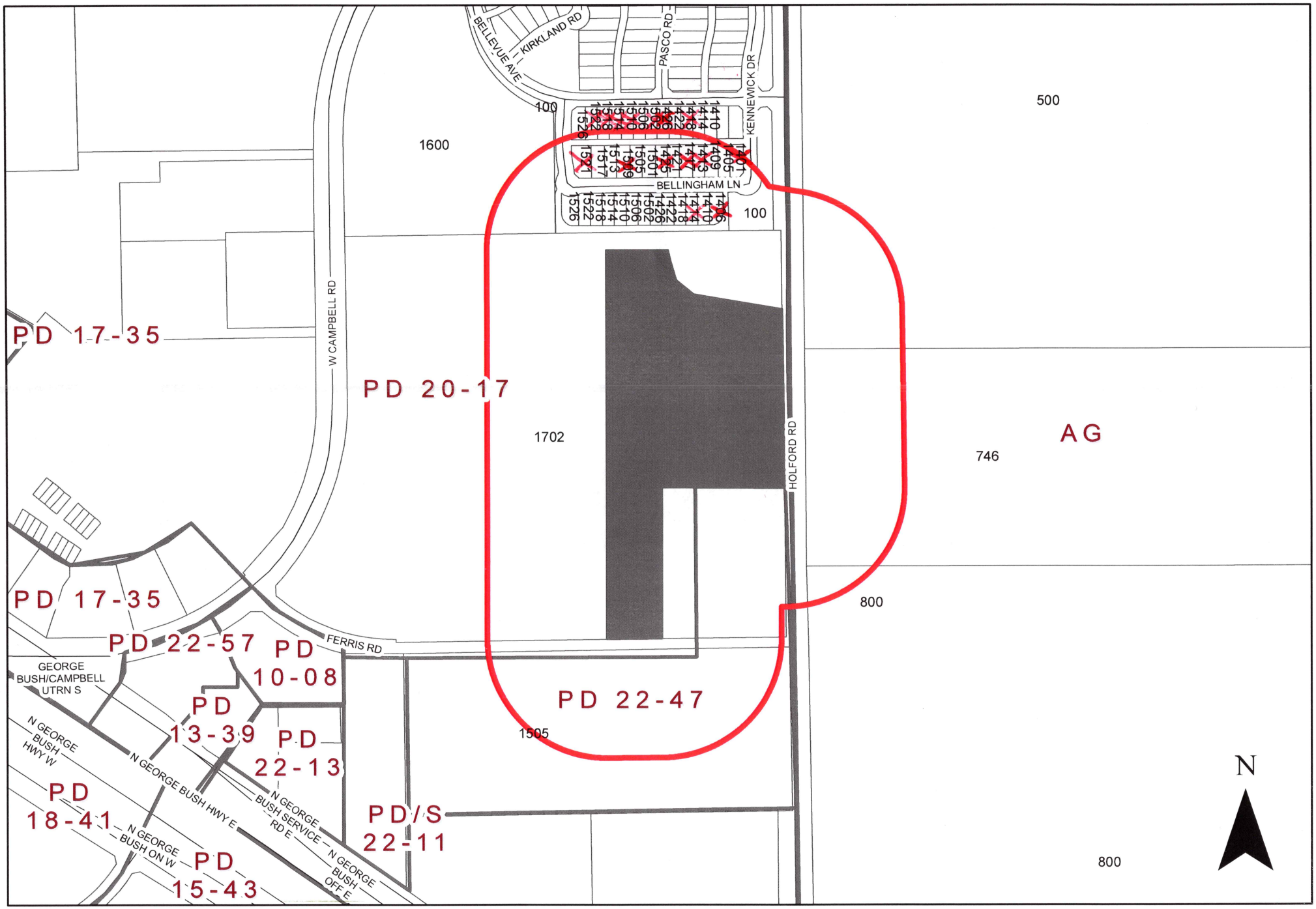
PK FILE: 1639-22.196

REPORT & MINUTES

P.C. Meeting, August 28, 2023

3b. APPROVED Consideration of the application of **Pacheco Koch, a Westwood Company,** requesting approval of a Detail Plan for an Electric Substation. This property is located at 741 Holford Road. (District 1) (Z 23-25 – Detail Plan) *(This case was postponed from the August 28, 2023 Plan Commission meeting.)*

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



0 280 560 Feet
1 inch = 421 feet

ZONING MAP Z 23-25

INDICATES AREA OF REQUEST

INDICATES NOTIFICATION AREA

741 Holford Road

Comment Form
Case Z 23-25

Z 23-25 Pacheco Koch, a Westwood Company. The applicant proposes an Electric Substation to support Garland Power & Light (GP&L) and a future data center. The site is located at 741 Holford Road. (District 1)

Z 23-25 Pacheco Koch, a Westwood Company. El solicitante propone una subestación eléctrica para apoyar a Garland Power & Light (GP&L) y un futuro centro de datos. El sitio está ubicado en 741 Holford Road. (Distrito 1)

Z 23-25 Pacheco Koch, a Westwood Company. Người nộp đơn đề xuất một Trạm biến áp điện để hỗ trợ Garland Power & Light (GP&L) và một trung tâm dữ liệu trong tương lai. Địa điểm này tọa lạc tại 741 Holford Road. (Quận 1)

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

☐ For / A Favor / Đúng

☑ Against / En Contra / Không

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

DOAN XUONG VAN & TRAN LANG THI — 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.)

1406 BELLINGHAM LN

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

GARLAND TEXAS

City, State / Estado de la Ciudad / Thành bang

75044-3227

Zip Code / Código postal / Mã B u Chính

SEP 11 '23 AM10:2

08/02/2023

SEP 11 '23 AM10:2

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.)

Comment Form Continued –
Case Z 23-25

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 am no good English

Comment Form
Case Z 23-25

Z 23-25 Pacheco Koch, a Westwood Company. The applicant proposes an Electric Substation to support Garland Power & Light (GP&L) and a future data center. The site is located at 741 Holford Road. (District 1)

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☐ For / A Favor / Đúng

☑ Against / En Contra / Không

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Shayla Partusch, 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.)

1417 Bellingham Lane

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

Signature / Firma / Ch ữ ký

09/07/23

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 Continued –
Case Z 23-25

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

We agree with all of our neighbors who are against this zoning request. We were not notified of this proposed zoning before construction began, which is concerning. Health issues and property value are other major concerns we have. Everyone that has submitted a response should be included in the final decision. We are against this zoning request and do not support an Electric Substation to support Garland Power + Light and a future data center at 741 Holford Rd. There is already one across the street on Campbell Rd.

Comment Form
Case Z 23-25

Outside the Notification Area

Z 23-25 Pacheco Koch, a Westwood Company. The applicant proposes an Electric Substation to support Garland Power & Light (GP&L) and a future data center. The site is located at 741 Holford Road. (District 1)

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☐ For / A Favor / Đúng

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

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UTEN TRAN

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

1518 BELLEVUE AVE

City, State / Estado de la Ciudad / Thành bang

GARLAND TX

SEP 13 '23 AM 11:36

Zip Code / Código postal / Mã B u Chính

75044

Signature / Firma / Ch ữ ký

9/15/2023

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 Continued – Case Z 23-25

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

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

- Dự án của chính phủ đặt để không tốt cho cuộc sống của chúng tôi.

Translation: Building this station is a danger to all surrounding residential area. It negatively affects our health and well being. I do not want to live near a lightning magnet.

Comment Form
Case Z 23-25

Outside the Notification Area

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Z 23-25 Pacheco Koch, a Westwood Company. El solicitante propone una subestación eléctrica para apoyar a Garland Power & Light (GP&L) y un futuro centro de datos. El sitio está ubicado en 741 Holford Road. (Distrito 1)

Z 23-25 Pacheco Koch, a Westwood Company. Người nộp đơn đề xuất một Trạm biến áp điện để hỗ trợ Garland Power & Light (GP&L) và một trung tâm dữ liệu trong tương lai. Địa điểm này tọa lạc tại 741 Holford Road. (Quận 1)

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

☐ For / A Favor / Đúng

☑ Against / En Contra / Không

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

Ly Tran

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 Kennewick Drive

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

09/16/2023

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.)

Comment Form
Case Z 23-25

Outside the Notification Area

Z 23-25 Pacheco Koch, a Westwood Company. The applicant proposes an Electric Substation to support Garland Power & Light (GP&L) and a future data center. The site is located at 741 Holford Road. (District 1)

Z 23-25 Pacheco Koch, a Westwood Company. El solicitante propone una subestación eléctrica para apoyar a Garland Power & Light (GP&L) y un futuro centro de datos. El sitio está ubicado en 741 Holford Road. (Distrito 1)

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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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Sumenri Tran

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.)

1414 Bellevue Avenue

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

09/16/2023

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.)

Zoning Response Case Comments

Case Number	PC Hearing Date	CC Hearing Date	Planner Name
Z 23-25	September 11, 2023	October 10, 2023	Nabiha Ahmed

Z 23-25 Pacheco Koch, a Westwood Company. The applicant proposes an Electric Substation to support Garland Power & Light (GP&L) and a future data center. The site is located at 741 Holford Road. (District 1)

Ly **Against**

9/16/2023
5:20:29 PM

429 Kennewick Drive
Garland
Texas
United States
75044

Against

fam3607@gmail.com

9728044824

Outside the Notification Area

Sumenri **Against**

9/16/2023
5:19:23 PM

1414 Bellevue Avenue
Garland
Texas
United States
75044

Against

fam3607@gmail.com

4693869022

Outside the Notification Area

Karen **Against**

9/14/2023
5:44:20 PM

615 Weeping Willow
Garland
Texas
United States
<null>

Outside the Notification Area

Karen **Against**

9/14/2023
5:44:18 PM

615 Weeping Willow

Garland
Texas
United States
<null>

Outside the Notification Area

Samuel Salinas **Against**

9/13/2023
3:26:08 PM

1509 Bellingham Ln

Garland
Texas
United States
75044

ssjr85@gmail.com

3232011635

Monica Salinas **Against**

9/13/2023
3:23:28 PM

1509 Bellingham Ln

Garland
Texas
United States
75044

monica.samreth@gmail.com

562-704-2907

Anita **Against**

9/11/2023
8:06:45 PM

422 Pasco Rd

Garland
Texas
United States
75044

Outside the Notification Area

Zoning Response Case Comments

Case Number	PC Hearing Date	CC Hearing Date	Planner Name
Z 23-25	September 11, 2023	October 10, 2023	Nabiha Ahmed

Z 23-25 Pacheco Koch, a Westwood Company. The applicant proposes an Electric Substation to support Garland Power & Light (GP&L) and a future data center. The site is located at 741 Holford Road. (District 1)

Stacy Ogbonnaya
9/9/2023
5:21:07 PM

Against

1426 Bellingham Ln
Garland
Texas
United States
75044

sogbo223@gmail.com
2148500826

Jon Tyler Capezzuto
9/9/2023
5:19:57 PM

Against

1426 Bellingham Ln
Garland
Texas
United States
75044

tcapezzuto2@gmail.com
9726725149

Todd Stewart

9/8/2023
8:04:51 PM

Against

1521 Bellingham Ln
Garland
Texas
United States
75044

office@workspaceow.com

4 Primary Concerns: 1-EMR - Proximity and Health Damage. 2-Noise/Humming - Sleep/Health Issues. 3-Light Control at Night. 4-Visibility & Appearance. Questions: How far is the equipment from residences, and is that a safe distance? Is there humming and/or vibrations that are audible & inaudible/low frequency? Will there be adequate screen wall / how tall? Will there be an adequate Green Belt to help mitigate all the

Zoning Response Case Comments

Case Number	PC Hearing Date	CC Hearing Date	Planner Name
Z 23-25	September 11, 2023	October 10, 2023	Nabiha Ahmed

Z 23-25 Pacheco Koch, a Westwood Company. The applicant proposes an Electric Substation to support Garland Power & Light (GP&L) and a future data center. The site is located at 741 Holford Road. (District 1)

Mark Lopez **Against**

9/6/2023
11:57:24 PM

306 Pasco Road
Garland
TX
United States
75044

m@silvenga.com
8582257388

Outside the Notification Area

Concerns around property values of existing properties, mine included. This appears only detrimental to property owners.

Mark Lopez **Against**

9/6/2023
11:56:15 PM

306 Pasco Road
Garland
TX
United States
75044

m@silvenga.com
8582257388

Outside the Notification Area

Concerns around property values of existing properties, mine included. This appears only detrimental to property owners.

Rebecca Deubner **Against**

9/6/2023
3:59:01 PM

417 Kennewick Dr.
Garland
Texas
United States
75044

Outside the Notification Area

Rebecca **Against**

9/6/2023
3:58:20 PM

Deubner

Garland
Texas
United States
75044

Outside the Notification Area

Georgianna Kelly
9/6/2023
3:56:52 PM

Against

417 Kennewick Dr.

Garland
Texas
United States
75044

Outside the Notification Area

Ryland Leyton

9/5/2023
11:45:58 PM

Against

330 Pasco Road

Garland
TX
United States
75044

Rylandleyton@gmail.com

4043761004

Outside the Notification Area

The new data center can find space inside their boundaries, or anywhere that isn't bordering residential property. The idea that we need to handle this impact for a commercial business is really out of line.

Christopher Hayes
9/5/2023
10:57:13 PM

Against

1401 Bellingham Ln.

Garland
Texas
United States
75044

chayes84@hotmail.com

5124237236

Against

Christopher Hayes
9/5/2023
10:56:11 PM

Against

1401 Bellingham Ln.
Garland
Texas
United States
75044

chayes84@hotmail.com
5124237236

Against

Jovita Santiago

9/5/2023
9:47:45 PM

Against

1401 Bellingham lane
Garland
Texas
United States
75044

jovitas@sbcglobal.net
9729836237

All substations emit some level of radiation, high levels can be harmful to our health. How would you feel if one will be built near your backyard?

Cheyanne Wallen
9/5/2023
8:58:51 PM

Against

Bellevue Avenue
Garland
Texas
United States
<null>

Outside the Notification Area

Mina Lao

9/5/2023
8:57:58 PM

Against

1413 Bellingham Lane
Garland
Texas
United States
75044

Mina.lao@icloud.com
4692165118

Allan Lao **Against**

9/5/2023
8:57:12 PM

1413 Bellingham Lane
Garland
Texas
United States
75944

Allanlao@me.com
5593211213

Matt Delo **Against**

9/5/2023
5:34:40 PM

1426 Bellevue Ave
Garland
Texas
United States
75044

mdelo197@gmail.com
2258022080

Outside the Notification Area

Visual eyesore to one of the nicer parts of Garland. It doesn't need to be placed <500 feet to the gramercy park neighborhood. We already have two other substations in a half mile radius.

Bilall Suleman **Against**

9/5/2023
5:18:32 PM

326 Kirkland RD
Garland
Texas
United States
75044

bsuleman@gmail.com
8175508786

Outside the Notification Area

Faisal Jahangiri **Against**

9/5/2023
4:56:15 AM

418 Kirkland Road
Garland
Texas
United States

Outside the Notification Area

75044

Faisal Jahangiri **Against**

9/5/2023
4:56:05 AM

418 Kirkland Road
Garland
Texas
United States
75044

faisal.jahangiri@gmail.com

Outside the Notification Area

Minhaj uddin **Against**

9/5/2023
3:45:53 AM

418 Pasco rd
Garland
Texas
United States
<null>

Outside the Notification Area

Mohammad shaik **Against**

9/5/2023
3:38:37 AM

1610 Everett drive
Garland
Texas
United States
75044

Shaik08@gmail.com

2147274534

Outside the Notification Area

Saeed Alhamwi **Against**

9/5/2023
3:23:50 AM

43 Kirkland rd
Garland
Texas

Outside the Notification Area

United States
75044

Chaudhry Arafat
9/5/2023
3:17:12 AM

Against

401 Kirkland Rd
Garland
Texas
United States
75044

Outside the Notification Area

Amer Doko

9/5/2023
3:00:31 AM

Against

421 Kirkland Rd
Garland
Texas
United States
75044

Outside the Notification Area

Mohammed Mubashir
9/5/2023
2:56:48 AM

Against

1425 Bellingham ln
Garland
Texas
United States
75044

mnmubashir@gmail.com

---

javeria zahid

9/5/2023
2:49:50 AM

Against

1606 EVERETT DR
GARLAND

Outside the Notification Area

ria_jz@hotmail.com
18327167706

TX
United States
75044

Akif Khan **Against**

9/5/2023
2:49:29 AM

1606 Everett Drive
GARLAND
TX
United States
75044

akif.dfw@gmail.com
4693284372

Outside the Notification Area

Zakaria Elhassouni **Against**

9/5/2023
2:25:30 AM

1522 Bellingham
Garland
Texas
United States
75044

Zelhassouni@gmail.com
5043309166

This can pose a huge longterm health problems for Gramercy Park community. Electromagnetic fields, which are a form of radiation is omitted by powerlines and substations. Gramercy Park will be surrounded by not one but two substations. There is already one across the street on Campbell. We highly object to this project and urge Garlands Planning dept to do same and protect the well being of its residents .

Jeffrey Artigues **Against**

9/5/2023
1:46:29 AM

1418 Bellingham Ln.
Garland
TX
United States
75044

Jtigues@gmail.com
2147265764

Brittany Artigues
9/5/2023
1:45:03 AM

Against

1418 Bellingham Ln.
Garland
TX
United States
75044

brittany.artigues@yahoo.com
9729792174

Jocelyn Hill

9/5/2023
1:30:22 AM

Against

421 Kennewick Dr
Garland
Texas
United States
<null>

Outside the Notification Area

---

clayton hill

9/5/2023
1:30:03 AM

Against

421 Kennewick dr
Garland
TX
United States
75044

clayton.hill100@gmail.com
8173087953

Outside the Notification Area

The City of Garland has an immense opportunity create an environment that residents wants to stay in. When the DFW metro becomes one of the top 2 metros in the US, would you like Garland to be one of the leaders of not just economic growth, but residential prosperity? There is a huge opportunity to bridge the gap from the Gramercy Park neighborhood and the Strike and Reel area with places that people want to shop/eat/play at, even with the terrible data center already going in. There is a way to salvage this area and not drive people out of this part of town. With the farmland on the east side of Holford being prime real estate, if there is a substation built, it will limit your options for zoning for this property greatly as businesses and homes (which are the lifeblood of cities) will not want to be right across the street from this. Please listen to the citizens here as this is something you can't take back.

Alex Nguyen **Against**

9/5/2023
1:04:26 AM

1518 Bellingham Ln
Garland
Texas
United States
75044

alexnguyent08@gmail.com
3054952034

Brooks Bankhead **Against**

9/5/2023
12:24:23 AM

1510 Bellingham lane
Garland
Texas
United States
75044

Brooks.Bankhead@gmail.com
214-578-0241

Krea Bankhead **Against**

9/5/2023
12:21:20 AM

1510 Bellingham Lane
Garland
Texas
United States
75044

krealee92@gmail.com
8329644006

Alissa Pettit **Against**

9/4/2023
11:15:08 PM

1514 Bellingham Ln
Garland
Texas
United States
75044

8016338986

Serious health concerns regarding an electrical sub-station this close to our

home.

Thi Quang

9/4/2023
9:40:36 PM

Against

1506 Bellevue Ave

Garland
Texas
United States
<null>

Outside the Notification Area

Emmanuel Cortez-Ladera

9/4/2023
8:40:33 PM

Against

1414 Bellingham Ln

Garland
TX
United States
75044

minimucho1@gmail.com

4698771939

Liane Wu

9/4/2023
8:38:16 PM

Against

1518 Bellingham Ln

Garland
Texas
United States
75044

liane.whl@gmail.com

7862230431

Keilye Pampillonia

9/4/2023
6:42:49 PM

Against

409 Kirkland Rd

Garland
Texas
United States
75044

Outside the Notification Area

Damita Crosby **Against**

9/4/2023
6:19:38 PM

413 Pasco Road

Garland
Texas
United States
<null>

Outside the Notification Area

Jacob Goldenburg **Against**

9/4/2023
6:18:55 PM

1502 Bellingham Ln

Garland
Texas
United States
75044

Jacob@goldenburg.com

4699540227

Jacob Goldenburg **Jacob Goldenburg**

9/4/2023
6:17:12 PM

1502 Bellingham

Garland
Texas
United States
75044

Jacob@goldenburg.com

4699540227

Monica Geer **Against**

9/4/2023
6:16:21 PM

1502 Bellingham Lane

Garland
Texas
United States

Monica.geer23@gmail.com

4804409711

75044

Matt Goldenburg
9/4/2023
6:14:26 PM

AGAINST

1502 Bellingham Ln
Garland
Texas
United States
75044

Matthew@goldenburg.com
2144998899

Michael Corlett

9/4/2023
5:21:45 PM

Against

330 pasco road
Garland
Texas
United States
75044

Mikecorlett59@gmail.com
404.307.3280

Outside the Notification Area

Against this. Substation is far too close to a residential community. This substation should have been planned within the confines of the Data Center

---

Samantha Smith
9/4/2023
5:11:06 PM

Against

417 pasco rd
Garland
Texas
United States
<null>

Outside the Notification Area

Sumaya

9/4/2023
2:49:20 PM

Against

1522 Bellingham Lane
Garland
Texas

United States
75044

Shilin Wang **Against**

9/4/2023
2:37:14 PM

409 kennewick dr
garland
Texas
United States
75044

ceilingwang@yahoo.com
2019197322

Outside the Notification Area

Against

Shaw wang **Against**

9/4/2023
2:37:13 PM

409 Kennewick dr
Garland
Texas
United States
75044

schen_0613@yahoo.com
2019191980

Outside the Notification Area

Against

Shaw wang **Against**

9/4/2023
2:37:10 PM

409 Kennewick dr
Garland
Texas
United States
75044

schen_0613@yahoo.com
2019191980

Outside the Notification Area

Against

GARLAND
TEXAS MADE HERE

The applicant requests approval of an Electric Substation, in support of a future data center and Garland Power & Light (GP&L).

City Council Meeting

October 10, 2023

Z 23-25

GARLAND
TEXAS MADE HERE

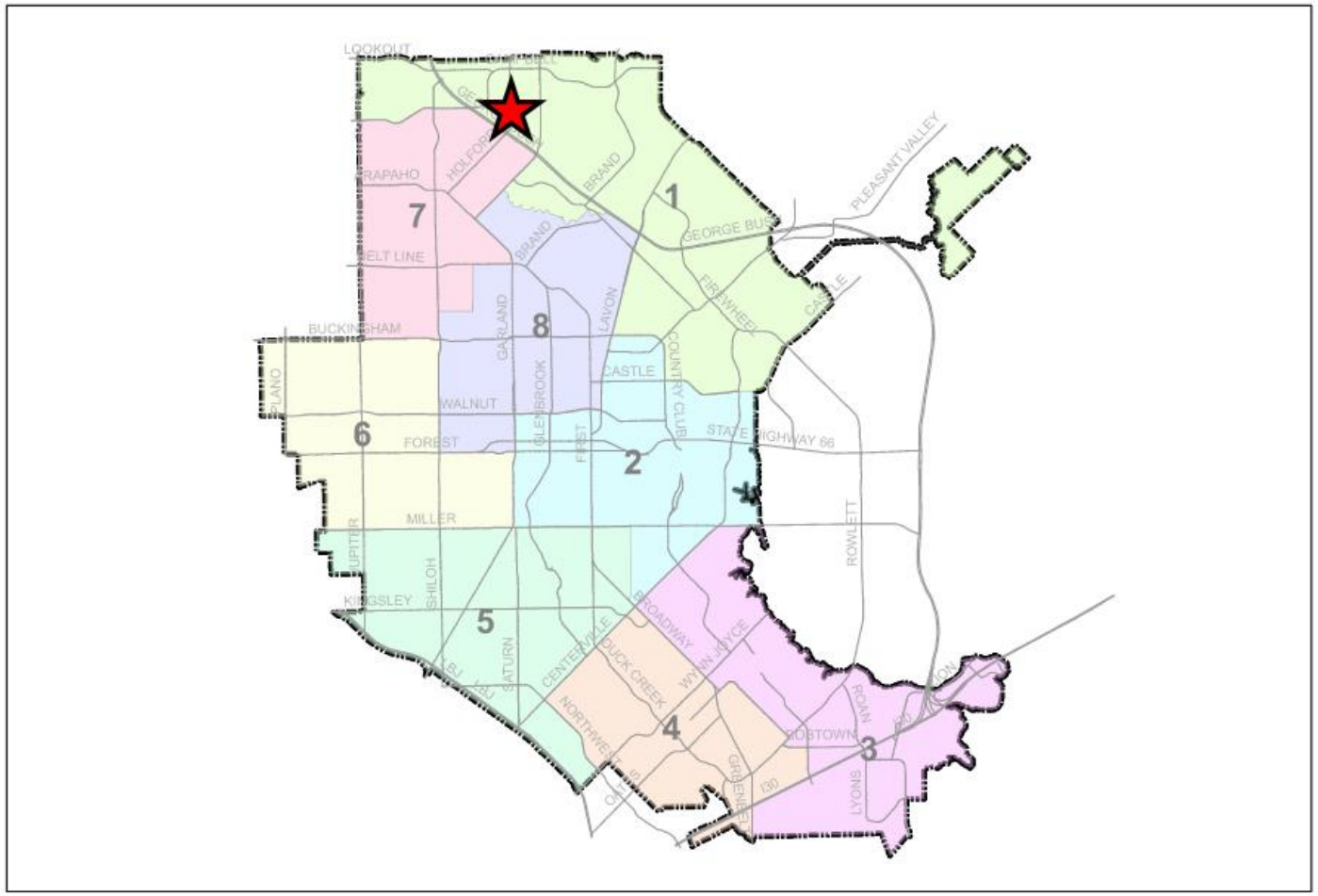
CASE INFORMATION

Location:	741 Holford Road
Applicant:	Pacheco Koch, a Westwood Company
Owner:	Digital Realty
Acreage:	6.77 acres
Zoning:	Planned Development (PD) District 20-17

Z 23-25

GARLAND
TEXAS MADE HERE

CITYWIDE LOCATION MAP

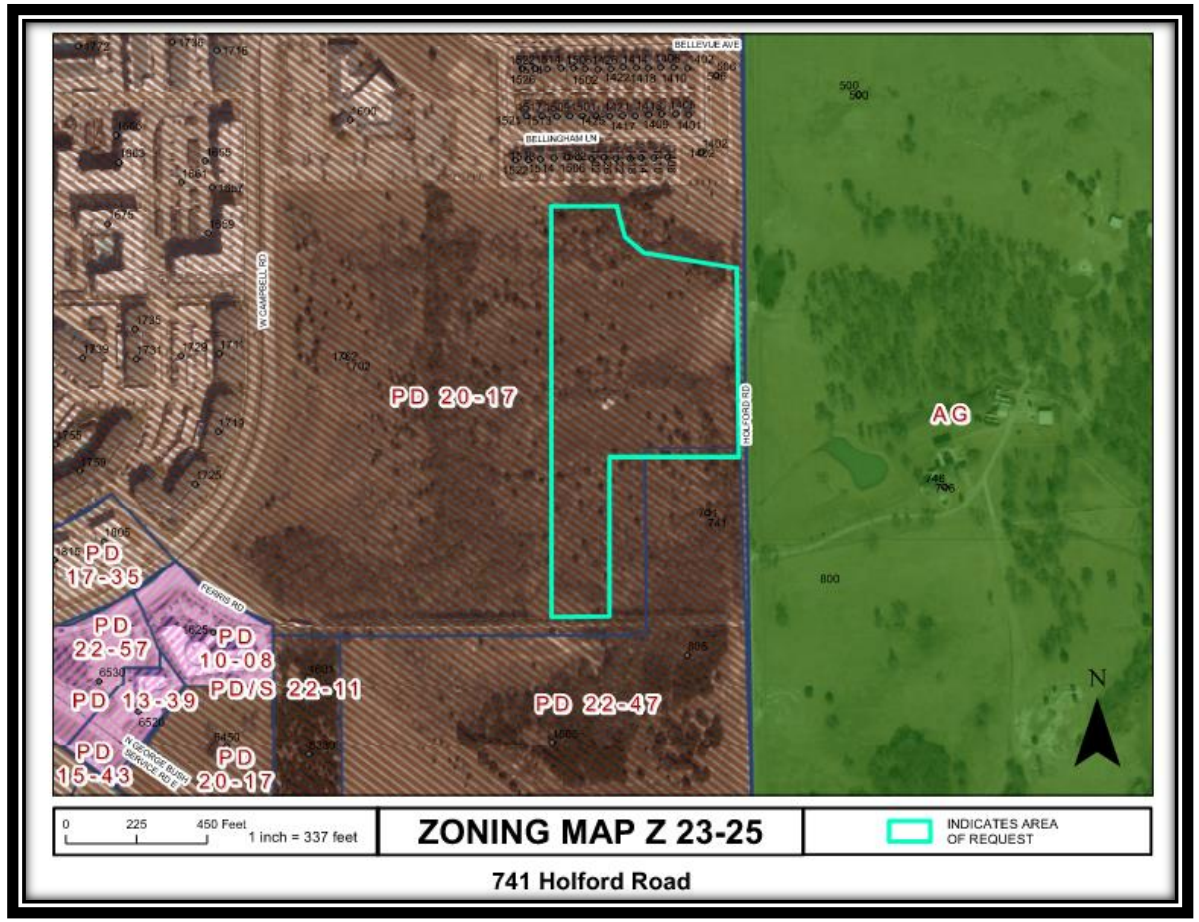


0 1 2 Miles 1 in = 2 miles | ZONING MAP Z 23-25 | INDICATES AREA OF REQUEST

Z 23-25

GARLAND
TEXAS MADE HERE

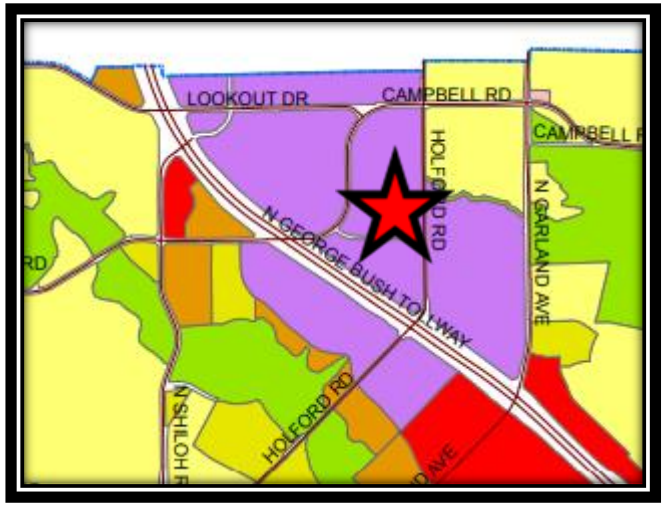
LOCATION MAP



Z 23-25

GARLAND
TEXAS MADE HERE

COMPREHENSIVE PLAN



Z 23-25

GARLAND
TEXAS MADE HERE

COMPREHENSIVE PLAN

The Future Land Use Map for the Envision Garland 2030 Comprehensive Plan identifies this area as Business Center.

Business centers provide a cluster of business offices and/or low impact industry, including campus-type development, that 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

The utility service provided by this proposal is valuable for future development.

ECONOMIC DEVELOPMENT STRATEGIC PLAN

The proposal supports a data center use. Per the adopted Economic Development Strategic Plan, data centers generate the most revenue per acre by building type.

GARLAND
TEXAS MADE HERE

PHOTOS

View of the subject site from Holford Road

East of the subject property

GARLAND
TEXAS MADE HERE

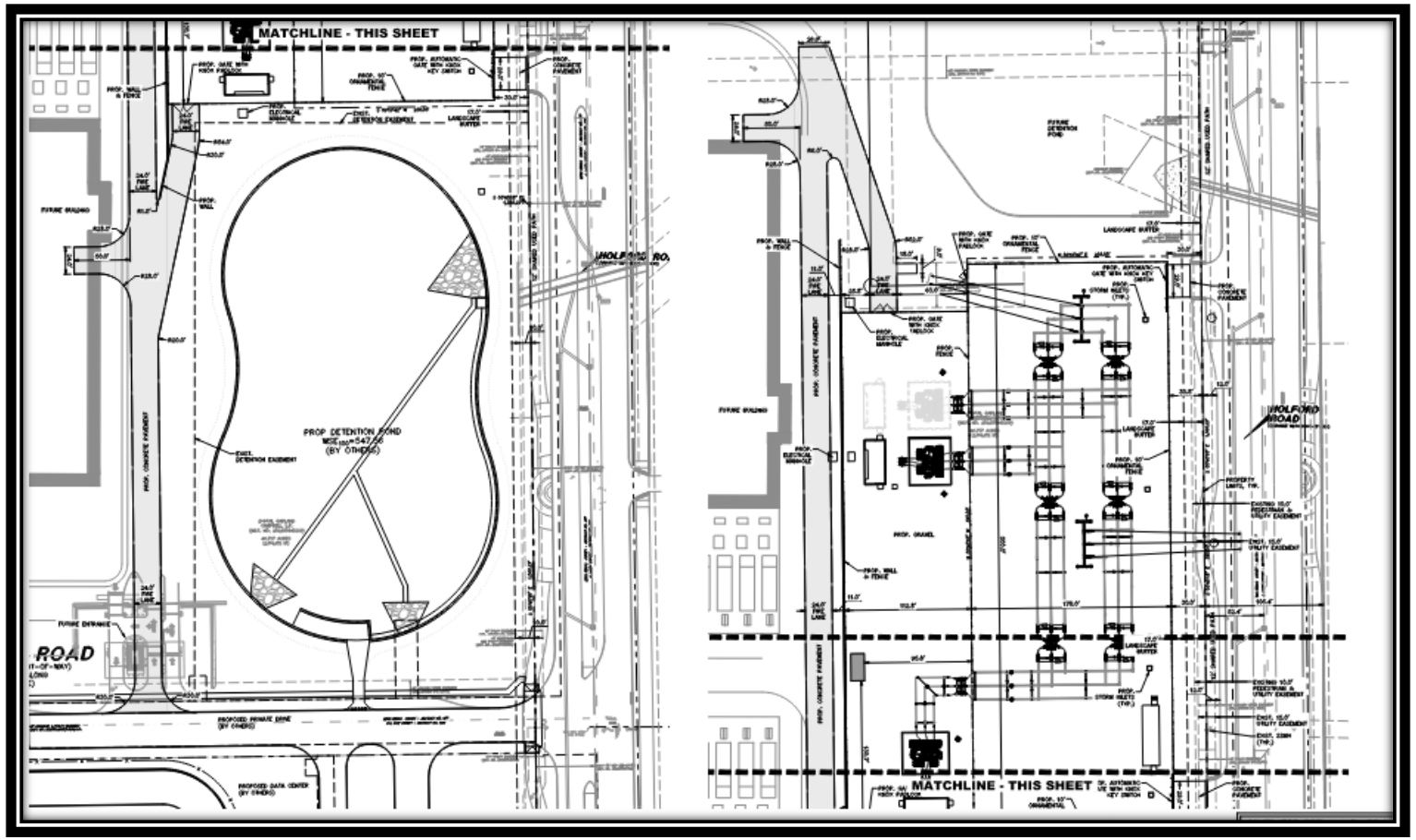
PHOTOS

South of the subject property

North of the subject property

GARLAND
TEXAS MADE HERE

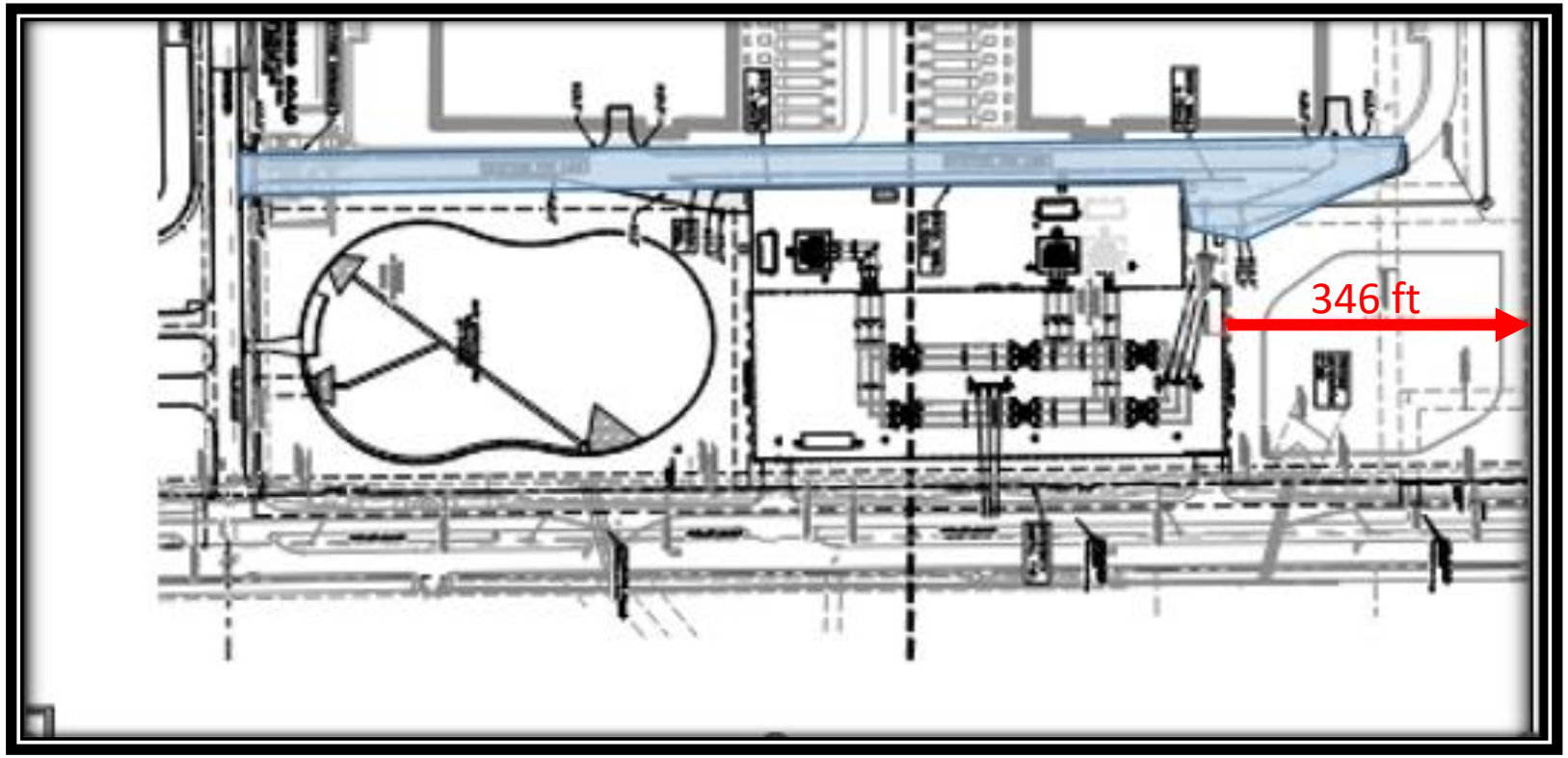
SITE PLAN



Z 23-25

GARLAND
TEXAS MADE HERE

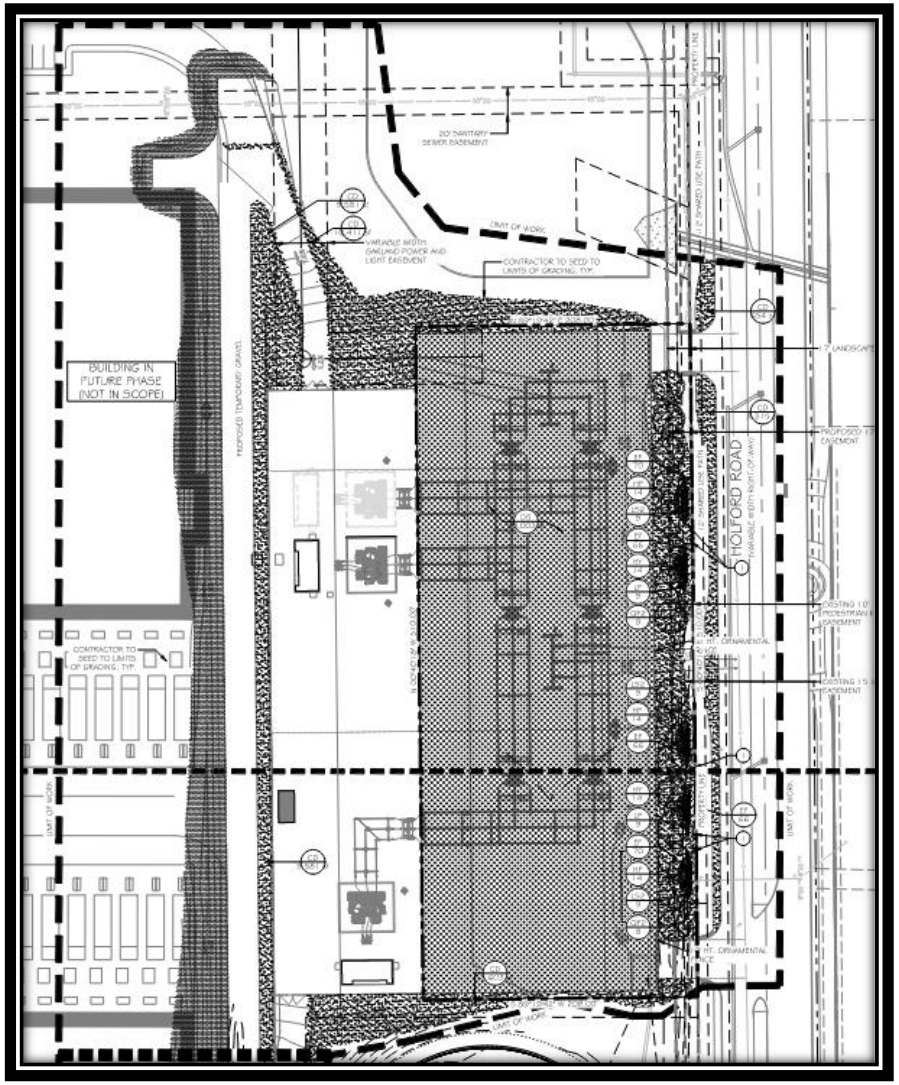
SITE PLAN

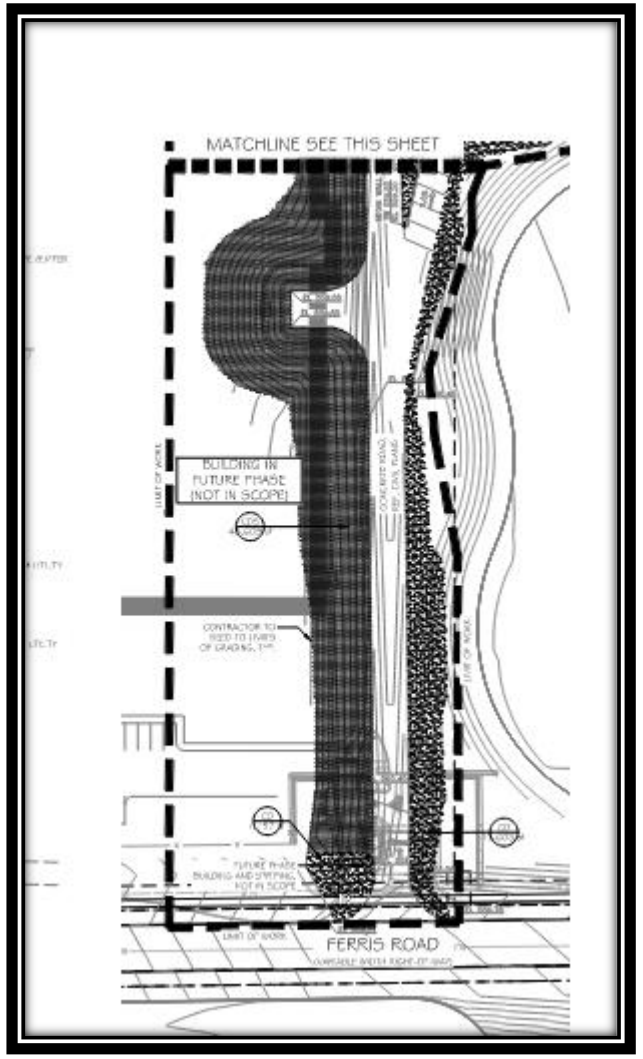


Z 23-25

GARLAND
TEXAS MADE HERE

LANSCAPE PLAN





Z 23-25

GARLAND
TEXAS MADE HERE

FENCE

Z 23-25

GARLAND
TEXAS MADE HERE

CONSIDERATION

The applicant proposes the SUP to be in effect for an indefinite time period.

It should be noted that the two existing substation north of Lookout Drive have an indefinite time period.

GARLAND
TEXAS MADE HERE

STAFF RECOMMENDATION

Approval of a Specific Use Provision for an Electric Substation use on a property zoned Planned Development (PD) District 20-17

Approval of a Detail Plan for an Electric Substation.

PLAN COMMISSION RECOMMENDATION

On September 11, 2023 the Plan Commission, by a vote of seven (7) to zero (0), recommended approval of a of a Specific Use Provision for an Electric Substation use on a property zoned Planned Development (PD) District 20-17.

The Plan Commission, by a vote of seven (7) to zero (0), recommended approval of a Detail Plan for an Electric Substation.

GARLAND

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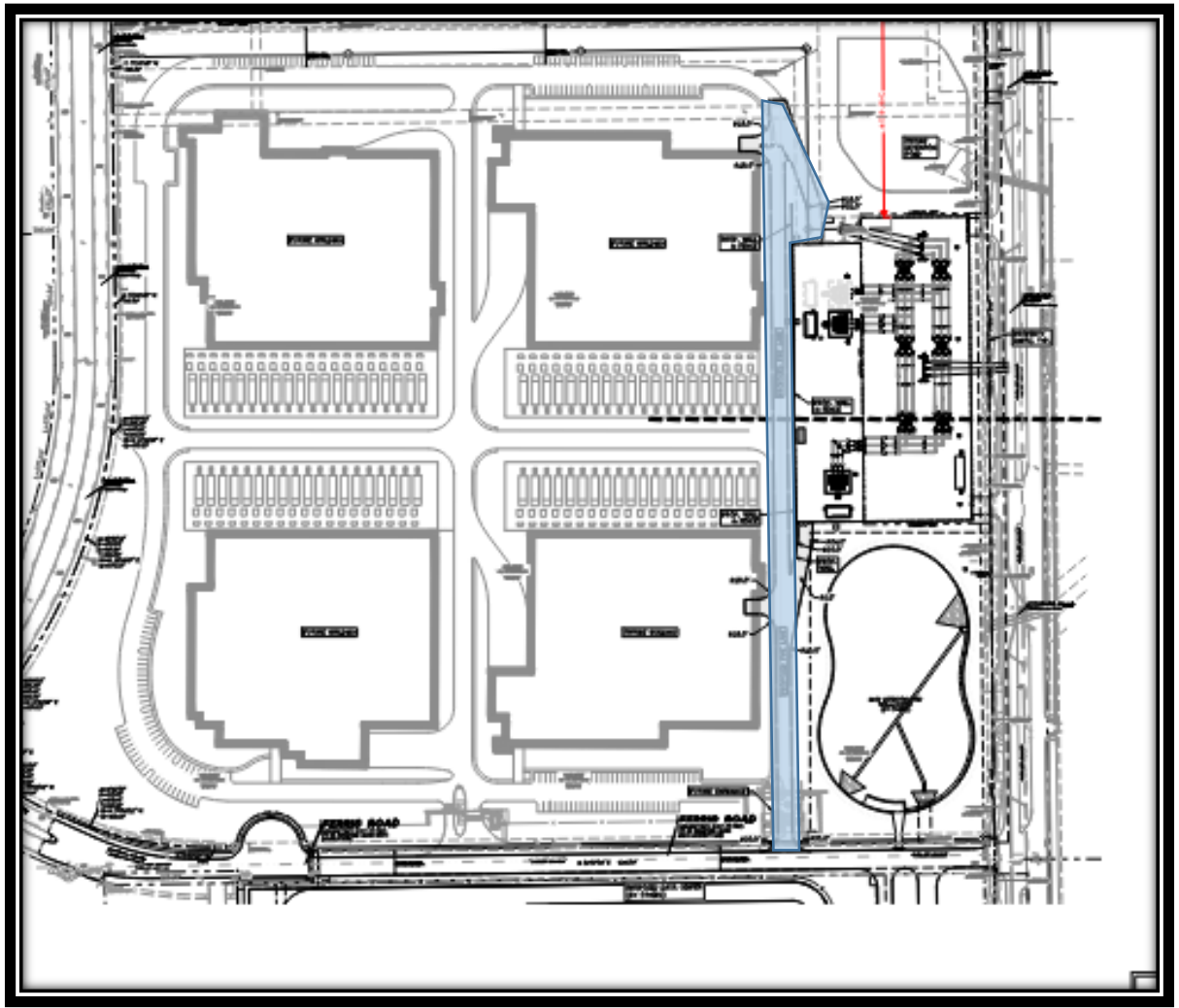
GARLAND
TEXAS MADE HERE

EXPANDED DETAIL PLAN



GARLAND
PLANNING REPORT

City Council Regular Session Agenda **7. c.**

Meeting Date: 10/10/2023

Item Title: Z 23-29 Spiars Engineering - Zoning (District 5)

Submitted By: Nabiha Ahmed, Lead Development Planner

REQUEST

Approval of a Change in Zoning from Community Office (CO) District and Neighborhood Office (NO) District to a Planned Development (PD) District for Elder Care - Independent Living Use

Approval of a Detail Plan for Elder Care-Independent Living Use.

LOCATION

413 and 505 West Centerville Road and 510 Candlewood Lane

OWNER

TR Scott Capital

PLAN COMMISSION RECOMMENDATION

On September 11, 2023 the Plan Commission, by a vote of seven (7) to zero (0), recommended approval of a Change in Zoning from Community Office (CO) District and Neighborhood Office (NO) District to a Planned Development (PD) District for Elder Care - Independent Living Use

The Plan Commission, by a vote of seven (7) to zero (0), recommended approval of a Detail Plan for Elder Care-Independent Living Use.

STAFF RECOMMENDATION

Approval of a Change in Zoning from Community Office (CO) District and Neighborhood Office (NO) District to a Planned Development (PD) District for Elder Care - Independent Living Use

Approval of a Detail Plan for Elder Care-Independent Living Use.

BACKGROUND

The property is currently developed with a retirement home (Silver Leaves Retirement Home) building which is no longer in operation.

On May 22, 2023, the Plan Commission recommended denial of a zoning change for an apartment complex. The applicant withdrew the application for a 177-unit apartment complex.

The applicant has met with residential neighbors in the area and is now proposing a 152-unit Senior Independent Living facility.

Noted below are some differences in proposed standards in comparison to the original multi-family submittal (Z 23-05).

Standards	**Previous Multi-Family (Z 23-05)**	**Proposed Elder Care Independent Living (Z 23-29)**
Residential Type	Multi-Family	Senior Independent Living
Number of Dwelling Units	177 dwelling units	152 dwelling units
Screening Height	6’ masonry wall proposed along northern and western perimeter.	8’ masonry wall proposed along northern and western perimeter.
Maximum Building Height	59 feet (3 and 4 stories)	48 feet (2 and 3 stories)
Density	41 dwelling units per acre	35 dwelling units per acre

SITE DATA

The overall site consists of approximately 4.361 acres with approximately 405.70 lineal feet of frontage along West Centerville Road and 84.63 lineal feet of frontage along Candlewood Lane. The site plan (Exhibit C) shows two (2) access points from West Centerville Road.

USE OF PROPERTY UNDER CURRENT ZONING

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.

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. Development and Site Plan

   The site plan (Exhibit C) reflects two (2) buildings for Elder Care - Independent Living Use. The eastern building will be three (3) and the western building will be two (2) and three (3) stories. A total of 152 dwelling units are proposed for this development.

   The GDC defines an Elder Care – Independent Living Use as “a facility in which five or more elderly (over 55 years of age) persons, regardless of legal relationship, live a mostly ambulatory lifestyle but who may need limited assistance with daily living activities.”

2. Parking

   The GDC requires one (1) parking space per dwelling unit, and the site plan (Exhibit C) complies by providing 195 parking spaces. However, the GDC has a special covered parking standard for Elder-Care Independent Living. A minimum of fifty (50%) percent of the parking spaces must be covered. At Plan Commission that applicant presented thirty-five (35%) percent of the parking spaces to be covered. However, the applicant revised the site plan (Exhibit C) to reflect fifty (50%) percent of the parking to be covered.

   Building Height

   The GDC allows a maximum height of fifty (50) feet in the Multi-Family-2 (MF-2) District. The building elevations (Exhibit E) reflects a maximum building height of forty-eight (48) feet for the three-story building and thirty-three (33) feet for the two-story building.

3. Density:

   The maximum density allowed in the Multi-Family-2 (MF-2) District is thirty-two (32) dwelling units per acre. The site plan (Exhibit C) shows thirty-five (35) dwelling units per acre.

4. Building Setbacks:

The GDC states that buildings exceeding thirty feet in height, and that abut a residential district, must be set back from the residential district line a minimum of 1.25 times the height of the highest point on the building above grade.

Per the calculation, the 3-story portion of Building 2 should be fifty-five (55) feet from the property line. The site plan (Exhibit C) shows the 3-story portion of Building 2 to be fifty (50) feet from the property line. In addition, Building 1 should be fifty-nine (59) feet and the site plan (Exhibit C) reflects the building to be forty-eight (48) from the northern property line.

In addition, the GDC does not allow any carports or amenity building to be located within a building setback. The site plan (Exhibit C) reflects the carports along the northern property lines to be located within the building setback in order to provide additional screening. The amenity building to the north is also within the building setback.

The site plan (Exhibit C) meets all other setback requirements.

5. Amenities

The GDC requires indoor common or recreational areas to be provided at a ratio of at least one hundred square feet of gross floor area per dwelling unit. Per the calculation, a total of 15,200 square feet of indoor common or leisure area is required. The site plan (Exhibit C) reflects a 3,520 square-foot amenity building, 749 square-foot indoor activity space for golf stimulation and 12,241 square-foot of outdoor amenities.

6. Dwelling unit/mix

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

Minimum dwelling unit size.

Required one-bedroom:	475 square feet
Proposed:	662 square feet
Number of units:	95 units

Required two-bedroom:	725 square feet
Proposed:	1,137 square feet
Number of units:	57 units

7. Screening and Landscaping

The GDC requires forty (40%) percent of the site to be landscaped. The landscape plan (Exhibit D) shows twenty-one (21%) of the site to be landscaped.
A masonry wall or an ornamental fence with masonry columns is required along the entire perimeter of the property. The applicant proposes an eight (8)-foot masonry wall along the northern and western perimeter of the property, where it is adjacent to the residential district. Large canopy trees are required every twenty-five (25) linear feet. The applicant proposes a combination of high-level and low-level screening shrubs in

lieu of the large canopy trees due to the unique nature of the site. Large canopy trees provided to meet the parking lot landscape island requirement are located near the masonry wall.
The landscape plan (Exhibit D) also reflects a six (6)-foot wood fence with masonry columns along the eastern and southwestern perimeter lines, adjacent to the dental office. A row of evergreen screening shrubs are required and the applicant is not proposing any.
The applicant is not proposing any screening along West Centerville Road.
Building Design
The building design complies with the architectural elements and articulation requirements of the GDC

8. Transportation

   A Traffic Impact Analysis was not required with this development. The Transportation Department reviewed the proposal and it meets technical requirements.

   An emergency access-only gate with a Knox padlock is provided at the Shadwell Drive access point per the Fire Department.

   There is a DART bus stop in front of the subject property, along West Centerville Road.

9. Signage

   No deviations were requested regarding signage.

10. Summary of Deviations

    The applicant requests several deviations from the GDC. The table below indicated the deviation as proposed.

Development Standards	Required	Proposed	Applicant's Justification
Density	32 dwelling units per acre	35 dwelling units per acre	The subject project is not a traditional, garden-style multifamily project and aligns closer to that of an urban-style senior living development. The unique site layout warrants this approach, and the applicant believes the proposed unit mix is conducive of the intent of the future land use plan for this property.
	The GDC requires indoor common or recreational areas to be provided at a	The site plan (Exhibit C) reflects a 3,520	Due to the unique orientation of the site and the desire to limit building stories/height and mitigate impact on residential adjacencies, the applicant located the

Amenities	ratio of at least one hundred square feet of gross floor area per dwelling unit. A total of 15,200 square feet of indoor common or leisure area is required.	square-foot amenity building, 749 square-foot indoor activity space for golf stimulation and 12,241 square-foot of outdoor amenities.	applicant located the amenities outside of the main buildings. An amenity building/swimming pool is provided at the northeast corner of the subject property, with sidewalk circulation through the site to encourage residents to enjoy the several outdoor amenity spaces provided.
Building Setbacks	Buildings over 30 feet in height requires a setback of 1.25 times the height of the building. Carports and Amenity Building are not alllowed to be located within the building setback.	The 3-story portion of Building 2 should be fifty-five (55) feet from the property line. The site plan (Exhibit C) shows the 3-story portion of Building 2 to be fifty (50) feet from the property line. In addition, Building 1 should be fifty-nine (59) feet and the site plan (Exhibit C) reflects the building to be forty-eight (48) from the northern property line. Both structures are within building setbacks	Given the project aligns with that of an urban-style development, the slight increase in height is to be expected. Additional measures have been taken to ensure the building stories/height do not negatively impact adjacent single-family properties including reduced building height along adjacencies, perimeter screening, plantings, visibility reductions for tenants on upper floors, etc. These structures act as a buffer and provide additional screening
Landscaping	40% of the gross platted area should be landscaped.	21%	The applicant optimized the site layout and amenity areas to provide as much landscape area as possible, and they are providing more landscape area than what currently exists with the former assisted living development. They have also intentionally designed these landscape areas to increase value (walking areas, BBQ grills, picnic tables, pet waste stations, etc). Plantings have been provided throughout to

			match the intent of landscape requirements.
Screening	Perimeter screening is required along the entire property. Either a six (6) foot masonry wall or a six (6) foot ornamental metal fence with masonry columns with large canopy trees and evergreen shrubs.	The applicant proposes an eight (8) foot masonry wall with high and low level screening shrubs along the northern and western perimeter lines. No canopy trees are provided. A six (6)-foot wood fence with masonry columns is proposed along the southwestern and eastern perimeter lines without any evergreen shrubs. No perimeter screening is proposed along West Centerville Road.	The site layout has been adjusted as much as possible, but given the unique nature of the site, leaves only enough room along the perimeter for the required masonry screening wall along with plantings smaller in size than the required large canopy trees. Various planting options have been added to try and meet the intent of this requirement, with a focus on providing adjacent single-family properties with adequate screening from the development

COMPREHENSIVE PLAN

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

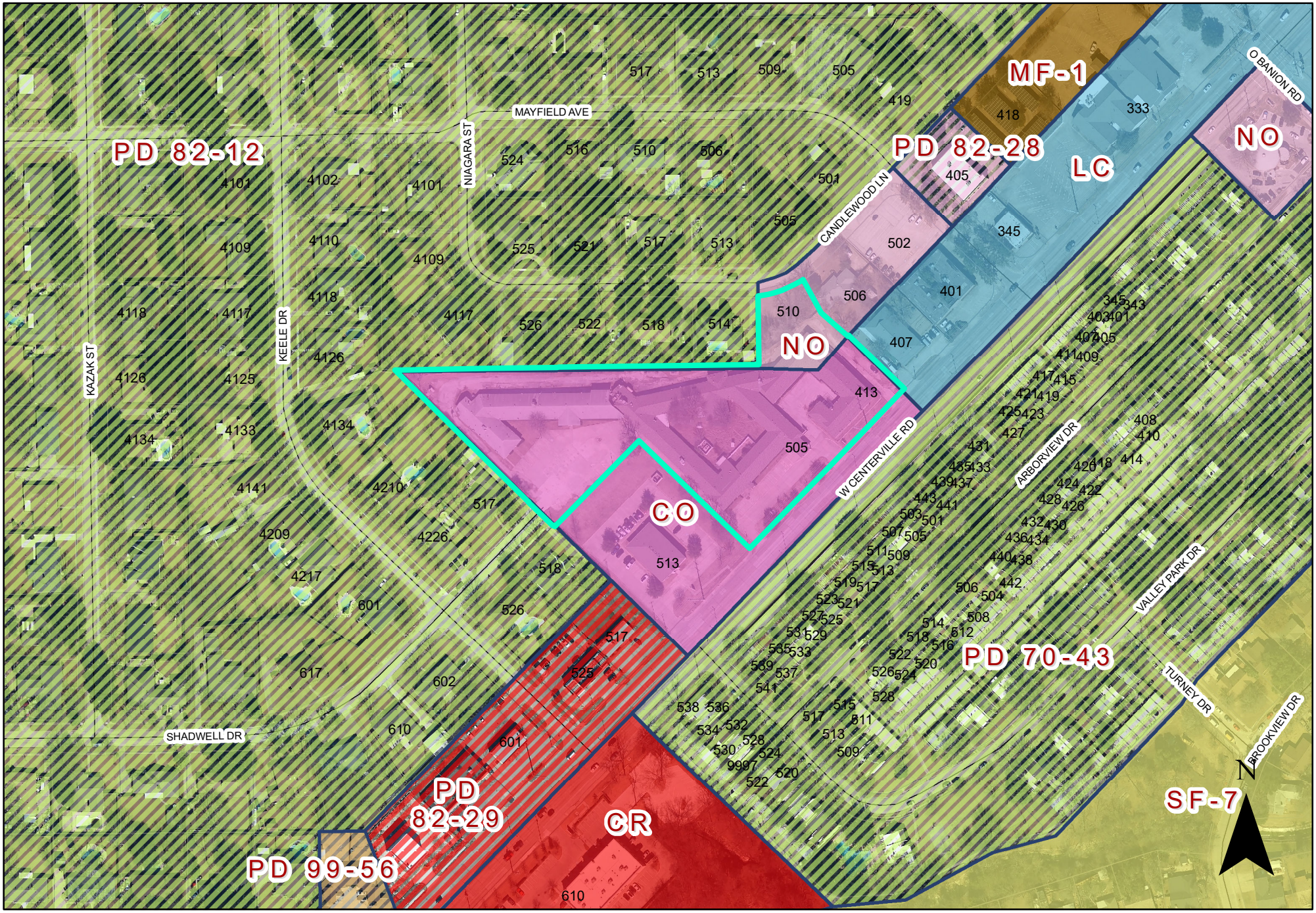
This proposal is a redevelopment of the existing vacant retirement facility and offers additional senior housing to the area.

COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

The properties to the north are zoned Planned Development (PD) District 82-12 for Single-Family-10 (SF-10) Uses; these properties are developed with single-family homes. The properties to the east are zoned Neighborhood Office (NO) District and Light Commercial (LC) District; these properties are developed with a learning center and a medical clinic. The properties to the south, across Centerville Road, are zoned Planned Development (PD) District 70-43; these properties are developed with residential townhomes. The properties to the west are zoned Planned Development (PD) District 82-12 and Planned Development (PD) District 82-29; these properties are developed with a dental office, a general office, and automobile repair uses.

Attachments

Z 23-29 Location Map
Z 23-29 Conditions
Z 23-29 R&M Zoning
Z 23-29 Responses
Z 23-29 Staff Presentation



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1 inch = 228 feet

ZONING MAP Z 23-29

INDICATES AREA OF REQUEST

505 West Centerville Road

PLANNED DEVELOPMENT CONDITIONS

ZONING FILE Z 23-29

413 and 505 West Centerville Road and 510 Candlewood Lane

I. **Statement of Purpose:** The purpose of this Planned Development is to approve an Elder Care-Independent Living Use.

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

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

IV. **Development Plans:**

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

V. **Specific Conditions:**

A. Permitted Use: The only permitted land use on the subject property is Elder Care – Independent Living Use. The minimum resident age shall be fifty-five (55) years of age.

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

C. Dwelling Units: A total of 152 dwelling units shall be permitted.

D. Amenities: Amenities shall be provided as shown on the

Exhibits C and D.

E. Landscape Plan: Screening and landscaping shall be in general conformance with the landscape plan labeled Exhibit D. A minimum of twenty-one (21%) of the site shall be landscaped.

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

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

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

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

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

EXHIBIT B

REPORT & MINUTES

P.C. Meeting, August 28, 2023

3c. APPROVED Consideration of the application of **Spiars Engineering,** requesting approval of a Change in Zoning from Community Office (CO) District and Neighborhood Office (NO) District to a Planned Development (PD) District for Elder Care – Independent Living Use. This property is located at 413 & 505 West Centerville Road and 510 Candlewood Lane. (District 5) (Z 23-29 – Zoning)

The applicant, Scott Theringer, 3500 Maple Ave., Dallas, TX, gave an overview of the request and remained available for questions.

Commissioner Dalton asked the applicant to clarify the restrictions on the property for the use of nursing homes. Commissioner Dalton also inquired about the use of a kitchen area and whether hot meals would be prepared on site for the residents.

The applicant explained that in the contract is noted that the property cannot be used for adult nursing care but it was not specified in the deed restrictions. The applicant clarified that the kitchen area will be for residents and/or their guests to use to prepare meals but will not be used to serve hot meals to residents.

Commissioner Rose asked the applicant to confirm the exterior blinds would be fixed and not moveable.

The applicant confirmed that the exterior blinds would be fixed to help maintain the privacy of the neighboring residents.

Commissioner Jenkins thanked the applicant for working with the residents to come up with another proposal that would be pleasing to everyone in the surrounding neighborhood.

Chair Roberts pointed out to the residents that most developers would not be so willing to work with residents in the manner the applicant has and also thanked the applicant for doing so.

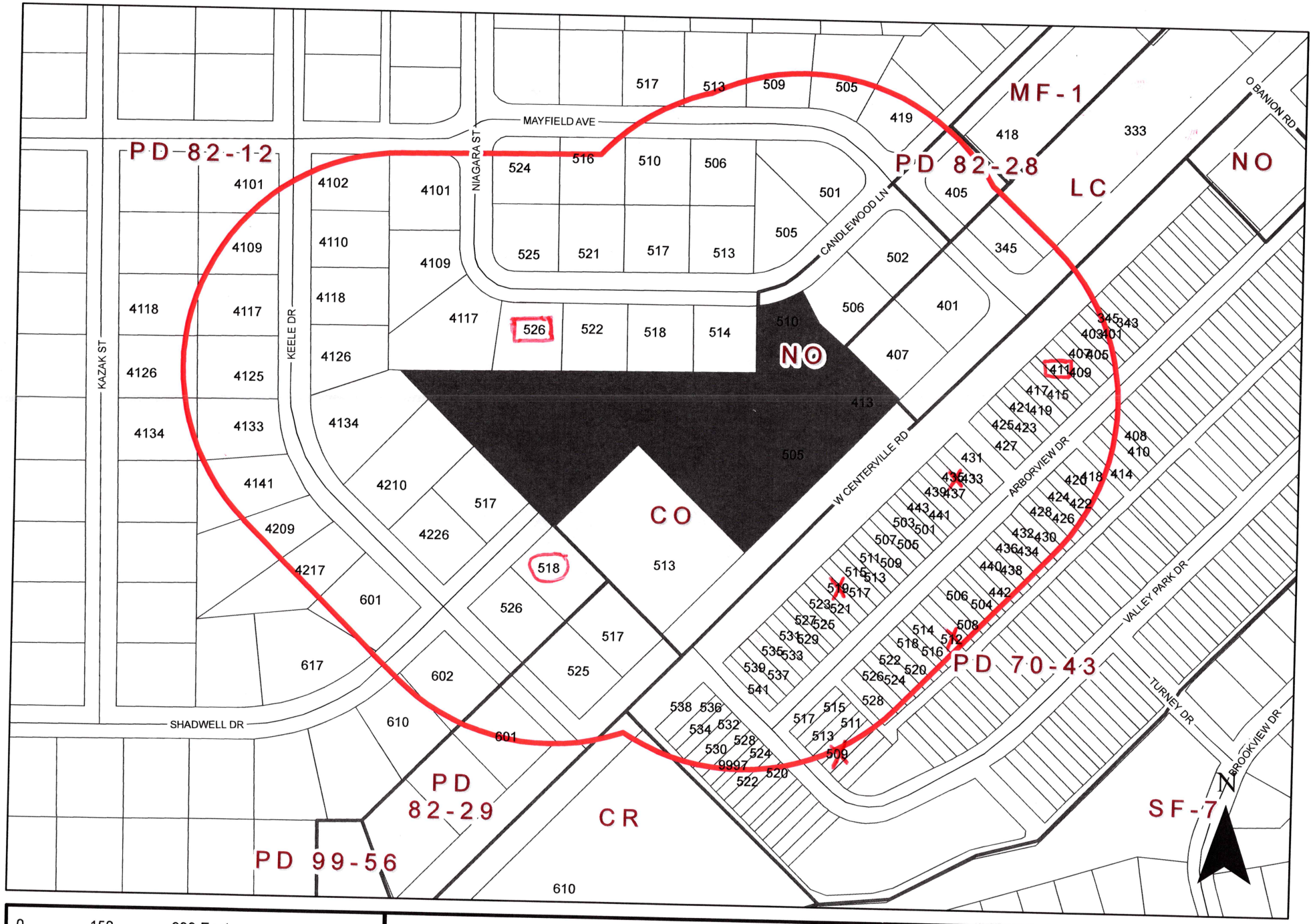
Residents speaking in favor:
Sam Pierre-Auguste, 518 Shadwell Dr., Garland, TX
Margaret Anderson, 526 Candlewood Ln., Garland, TX
Maxine Priebe, 506 Candlewood Ln., Garland, TX
Kathleen Johnson, 514 Candlewood Ln., Garland, TX
Larry Morris, 4017 Niagara, Garland, TX
Perla Martinez, 524 Mayfield Ave., Garland, TX

Residents speaking in favor expressed their gratitude to the applicant for listening to their concerns and working with them to propose a solution that would be pleasing for most of the nearby residents. Residents did also ask that the City consider doing a traffic study in the area to get a clearer picture of the increase in traffic in the area. Residents also asked that measures be taken to address any existing mold and pests problems prior to the demolition of the existing building.

Residents in favor but not speaking:
Terri Bradshaw, 518 Candlewood Ln., Garland, TX
Nancy Karen Shaw, 4134 Keele Dr., Garland, TX
Gloria & Skip Corcoran, 4126 Keele Dr., Garland, TX
Donna Nichols, 517 Shadurall, Garland, TX
Kim Lee, 433 Valley Park Dr., Garland, TX

The applicant stated they have intentions of fumigating the building prior to demolition to help with the rodent problem from spreading to the neighborhood. He also stated that testing was done on the property and there is no asbestos, but it will be confirmed when the demolition permit is requested.

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



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ZONING MAP Z 23-29

INDICATES AREA OF REQUEST

INDICATES NOTIFICATION AREA

505 West Centerville Road

Comment Form
Case Z 23-29

Z 23-29 Spiars Engineering. The applicant proposes to demolish the existing building and construct a senior independent living development with 152 dwelling units, and building heights of 2 and 3 stories. The site is located at 413 and 505 West Centerville Road and 510 Candlewood Lane. (District 5)

Z 23-29 Spiars Engineering. El solicitante propone demoler el edificio existente y construir un desarrollo de vivienda independiente para personas mayores con 152 unidades de vivienda y alturas de edificio de 2 y 3 pisos. El sitio está ubicado en 413 y 505 West Centerville Road y 510 Candlewood Lane. (Distrito 5)

Z 23-29 Spiars Engineering. Người nộp đơn đề xuất phá bỏ tòa nhà hiện có và xây dựng một khu phát triển cuộc sống độc lập dành cho người cao tuổi với 152 căn hộ và chiều cao tòa nhà là 2 và 3 tầng. Địa điểm này tọa lạc tại 413 và 505 West Centerville Road và 510 Candlewood Lane. (Quận 5)

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.

Odell Moss

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.)

512 Arborview Dr.

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

Garland Tx

City, State / Estado de la Ciudad / Thành bang

75043

Zip Code / Código postal / Mã B u Chính

9/08/2023

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.)

Comment Form Continued –
Case Z 23-29

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

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

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

Centerville Rd cannot support the traffic it has now.

No Multi Story Buildings. It would be an eyesore.

Strain on already fragile utilities

Comment Form
Case Z 23-29

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☐ For / A Favor / Đúng

☒ Against / En Contra / Không

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Ash Martinez

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.)

435 Arborview Dr.

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

Garland Tx 75043

City, State / Estado de la Ciudad / Thành bang

75043

Zip Code / Código postal / Mã B u Chính

Signature / Firma / Ch ữ ký

9-4-2023

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 Continued –
Case Z 23-29

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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 median income for retired persons over 65 is 47,650. You expect me to believe that people who are retired are expected to pay half their income on rent? This developer is raising rent which leads to the surrounding areas rent to be raised. 1,500.00 for a studio apartment. When across the street it's 1,650 to 1800 for a 3 to 4 bedroom. Food is high as hell, conservation mean the cost is too high. If he wants to make ~~[illegible]~~ ~~the homes~~ is not gate people into homelessness we are loosing people like me Educators, small business owners prices in Forlan are outrageous. I can make it prices contribute to skyrocket. Food is less expensive in Tonsco. I don't want to leave my hometown because we are being gentrified out of our communities. Developers are doing this all over and it needs to stop.

I vote NO!

Thank you

Mr. Ash Matthew

Comment Form Continued –
Case Z 23-29

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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 median income for retired persons over 65 is 47,650. You expect me to believe that people who are retired are expected to pay half their income on rent? This developer is asking rent which really to the surrounding areas rent to be raised 1,500.00 for a studio apartment. When across the street it's 1,650 to 1800 for a 3 to 4 bedroom. Food is high gas prices, insurance rates. The cost of to high if he wants to make ~~business~~ ~~the~~ needs to not price people into homelessness we are loosing people like me teachers, small business owners prices in Forest are astronomical. I can make it prices contribute to stay rooted food is less expensive in Tenico. I don't want to leave my hometown because we are being gentrified all of our communities, developers are doing this all over and it needs to stop I vote NO!

thank you
Mr. Ash Martinez

Comment Form Continued – Case Z 23-29

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

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

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

The median income for retired Persons over 65 is 47,650. You expect me to believe that People who are retired are expected to pay half their income on rent? This Developer is raising rent which leads to the surrounding areas rent to be raised 1,500.00 for a studio apartment. When across the Street is 1,650 to 1800 for a 3 to 4 bedroom. Each U high are prices, perception makes the Castle U too high if he wants to make ~~business~~ ~~the~~ ~~needs~~ ~~or~~ not price people into homelessness. We are losing people like me Teachers, Small business owners prices in Florida are outrageous. I can move if prices continue to stay rocket. Food is less expensive in Texas. I don't want to leave my home town because we are being Gentrified as a community. Developers are doing this all over and it needs to stop.

I Vote NO!

Thank You

Mr. Ash Martinez

Comment Form
Case Z 23-29

Z 23-29 Spiars Engineering. The applicant proposes to demolish the existing building and construct a senior independent living development with 152 dwelling units, and building heights of 2 and 3 stories. The site is located at 413 and 505 West Centerville Road and 510 Candlewood Lane. (District 5)

Z 23-29 Spiars Engineering. El solicitante propone demoler el edificio existente y construir un desarrollo de vivienda independiente para personas mayores con 152 unidades de vivienda y alturas de edificio de 2 y 3 pisos. El sitio está ubicado en 413 y 505 West Centerville Road y 510 Candlewood Lane. (Distrito 5)

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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.

Samuel Pierre-Auguste

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.)

518 Shadwell Dr.

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

Garland, TX.

City, State / Estado de la Ciudad / Thành bang

75041

Zip Code / Código postal / Mã B u Chính

9/8/2023

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.)

Comment Form
Case Z 23-29

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Adrian Ochoa

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.)

509 Mayfield Ave.

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

Garland, TX

City, State / Estado de la Ciudad / Thành bang

75041

SEP 13 '23 AM 11:36

Zip Code / Código postal / Mã B u Chính

09/08/2023

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.)

Comment Form Continued –
Case Z 23-29

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

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

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

As mentioned in the past 2 comment forms we are against Spiars Engineering proposed plan to build dwelling units because of the invasion of privacy 407, 506, 514, 518, 522, 526, 4117, 4126, 4134 4210, 517, 518, 517, and especially 513 will LOSE if this dwelling is built. I am concerned that Spiars decided to build a "senior independent" living development to make it seem as a better option, but it's the same as if it were an apartment or other type of dwelling. I would not be comfortable or happy if my privacy was taken away, especially in my home. Plus, there is a daycare right next to the proposed site, which i am sure would cause a lot of noise and dust in the process.

*Translation provided by Google Tra
*Bản dịch do Google Dịch

Comment Form
Case Z 23-29

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Clark Kauffman 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.)

411 Abrview Dr

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

Garland, TX

City, State / Estado de la Ciudad / Thành bang

75043

Zip Code / Código postal / Mã B u Chính

Clark Kauffman

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.)

Comment Form
Case Z 23-29

Outside the Notification Area

Z 23-29 Spiars Engineering. The applicant proposes to demolish the existing building and construct a senior independent living development with 152 dwelling units, and building heights of 2 and 3 stories. The site is located at 413 and 505 West Centerville Road and 510 Candlewood Lane. (District 5)

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☐ For / A Favor / Đúng

☑ Against / En Contra / Không

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

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LARRY James

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

516 Mayfield Ave

City, State / Estado de la Ciudad / Thành bang

Garland Texas

Zip Code / Código postal / Mã B u Chính

75041

SEP 15 '23 AM 9:22

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.)

Comment Form
Case Z 23-29

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MARGARET ANDERSON 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.)

526 Candlewood LN

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

GARLAND TX 75041

City, State / Estado de la Ciudad / Thành bang

75041

Zip Code / Código postal / Mã B u Chính

Signature / Firma / Ch ữ ký

9/22/2023

Date / Fecha / Ngày

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Zoning Response Case Comments

Case Number	PC Hearing Date	CC Hearing Date	Planner Name
Z 23-29	September 11, 2023	October 10, 2023	Nabiha Ahmed

Z 23-29 Spiars Engineering. The applicant proposes to demolish the existing building and construct a senior independent living development with 152 dwelling units, and building heights of 2 and 3 stories. The site is located at 413 and 505 West Centerville Road and 510 Candlewood Lane. (District 5)

Kristina Pechal

9/26/2023
10:04:45 PM

Against

802 Branch Drive

Garland
Texas
United States
75041

7136799090

Outside the Notification Area

Javier Padilla

9/26/2023
10:03:54 PM

Against

802 Branch Drive

Garland
Texas
United States
75041

7136799090

Outside the Notification Area

NATALIA VOLOSEN
9/25/2023
8:16:50 PM

Against

519 Arborview Dr

Garland
TX
United States
75043

nataliavolosen@yahoo.com

18173136003

Will cause too much traffic and increase crime activity

Julia Zhang for UCBridge Ltd.

Against

Case Number	PC Hearing Date	CC Hearing Date	Planner Name
Z 23-29	September 11, 2023	October 10, 2023	Nabiha Ahmed

9/4/2023 3:04:04 AM	435 Arborview Dr Garland TX - Texas United States 75043	ucrealty123@yahoo.com 9723694683

Must be one story building to fit the area

GARLAND
TEXAS MADE HERE

The applicant proposes to demolish the existing building and construct a senior independent living development with 152 dwelling units, and building heights of 2 and 3 stories.

City Council Meeting

October 10, 2023

Z 23-29

GARLAND
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CASE INFORMATION

Location:	413 and 505 West Centerville Road and 510 Candlewood Lane
Applicant:	Spiars Engineering
Owner:	TR Scott Capital
Acreage:	4.361 acres
Zoning:	Community Office (CO) District and Neighborhood Office (NO) District

Z 23-29

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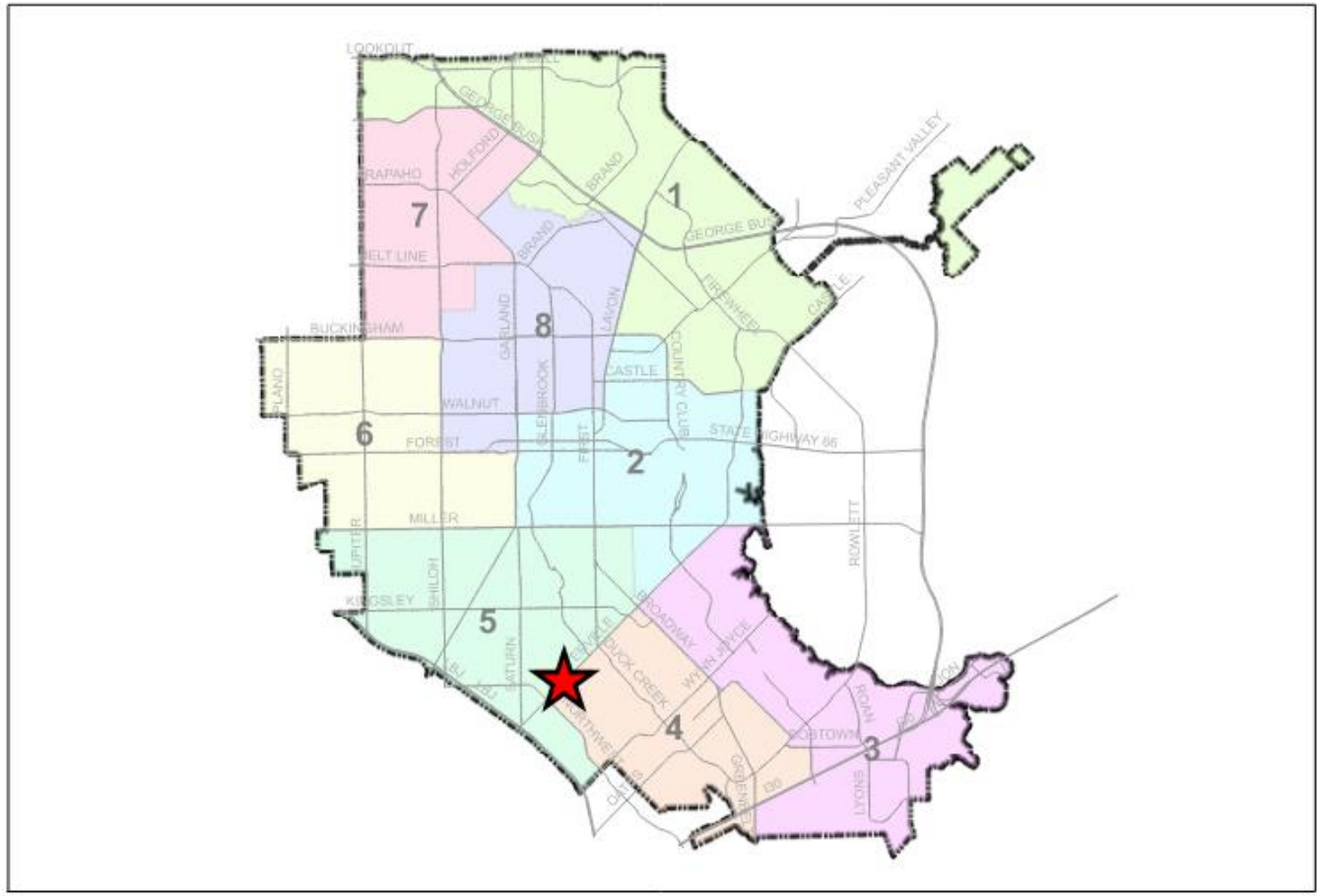
CITYWIDE LOCATION MAP



0 1 2 Miles 1 in = 2 miles | ZONING MAP Z 23-29 | ★ INDICATES AREA OF REQUEST

Z 23-29

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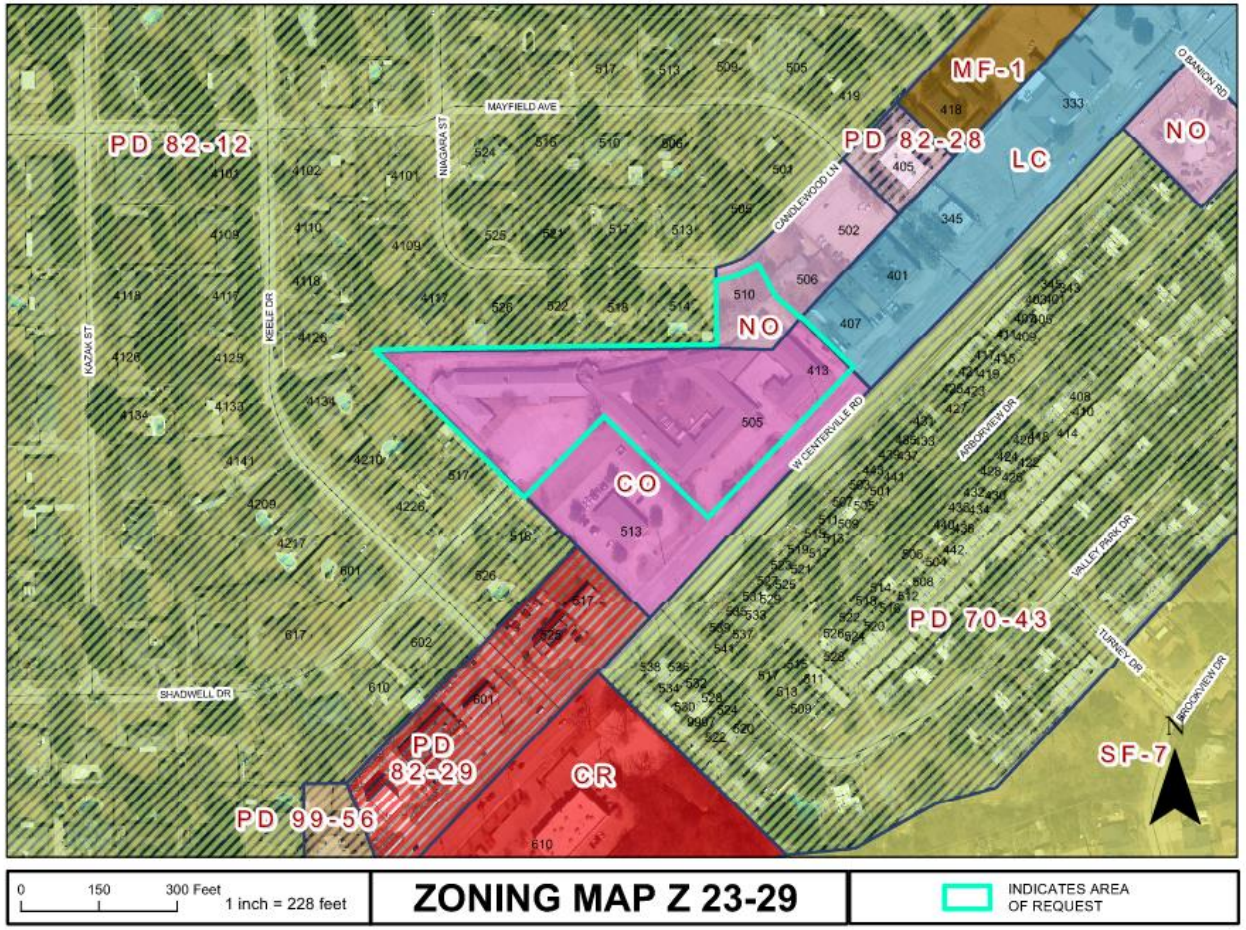
LOCATION MAP



0 150 300 Feet
1 inch = 228 feet

ZONING MAP Z 23-29

INDICATES AREA OF REQUEST

Z 23-29

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COMPARISON

Standards	Previous Multi-Family (Z 23-05)	Proposed Elder Care- Independent Living (Z 23-29)
Residential Type	Multi-Family	Senior Independent Living
Number of Dwelling Units	177 dwelling units	152 dwelling units
Screening Height	6’ masonry wall proposed along northern and western perimeter.	8’ masonry wall proposed along northern and western perimeter.
Maximum Building Height	59 feet (3 and 4 stories)	48 feet (2 and 3 stories)
Density	41 dwelling units per acre	35 dwelling units per acre

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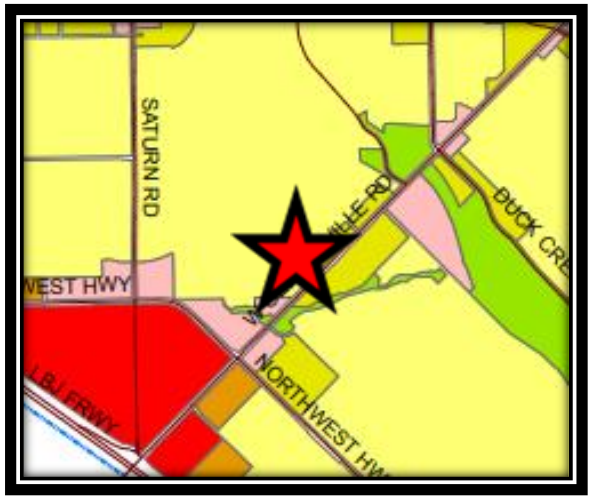
COMPREHENSIVE PLAN

Compact Neighborhoods



Z 22-29

GARLAND
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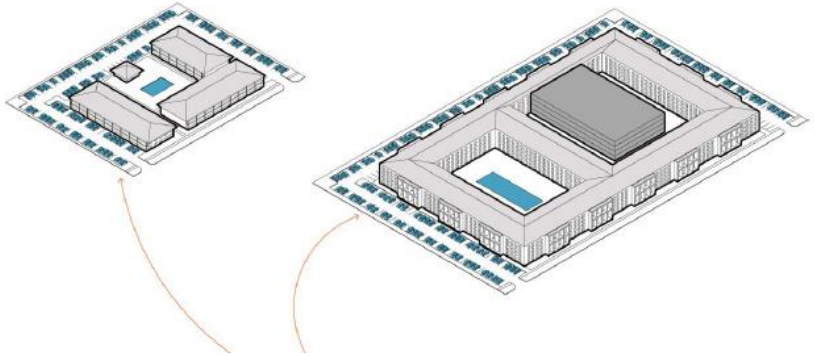
COMPREHENSIVE PLAN

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

This proposal is a redevelopment of the existing vacant retirement facility and offers additional senior housing to the area.

ECONOMIC DEVELOPMENT STRATEGIC PLAN

New multi-family development is considered the second highest revenue per acre generator per the Economic Development Strategic Plan. The proposal represents redevelopment of an underperforming site which currently has a vacant building.



Z 23-29

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PHOTOS

View of the subject property

Looking south of the subject property

Looking west of the subject property

Looking north of the subject property

Z 23-29

GARLAND
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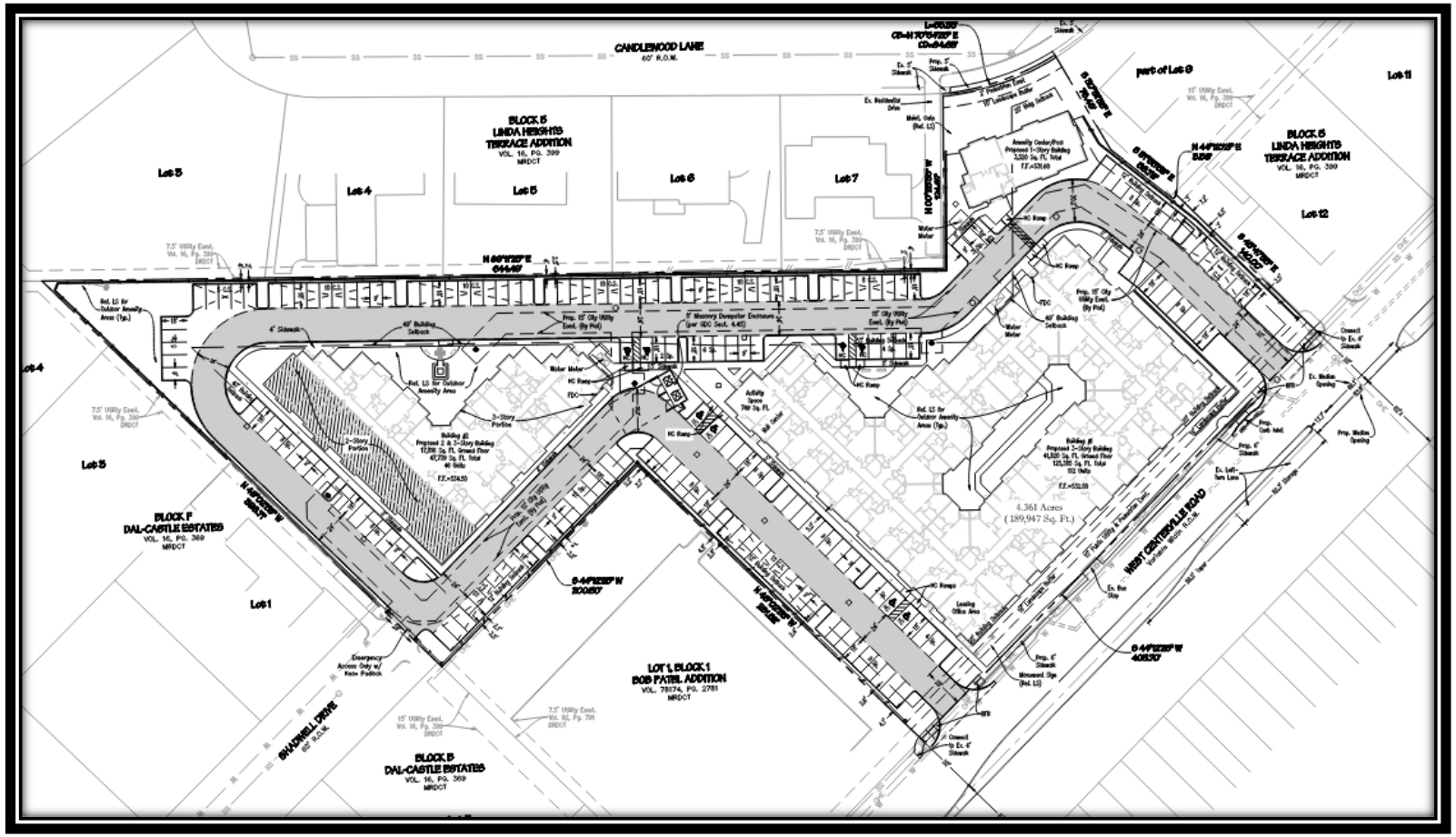
SITE PLAN



Z 23-29

GARLAND
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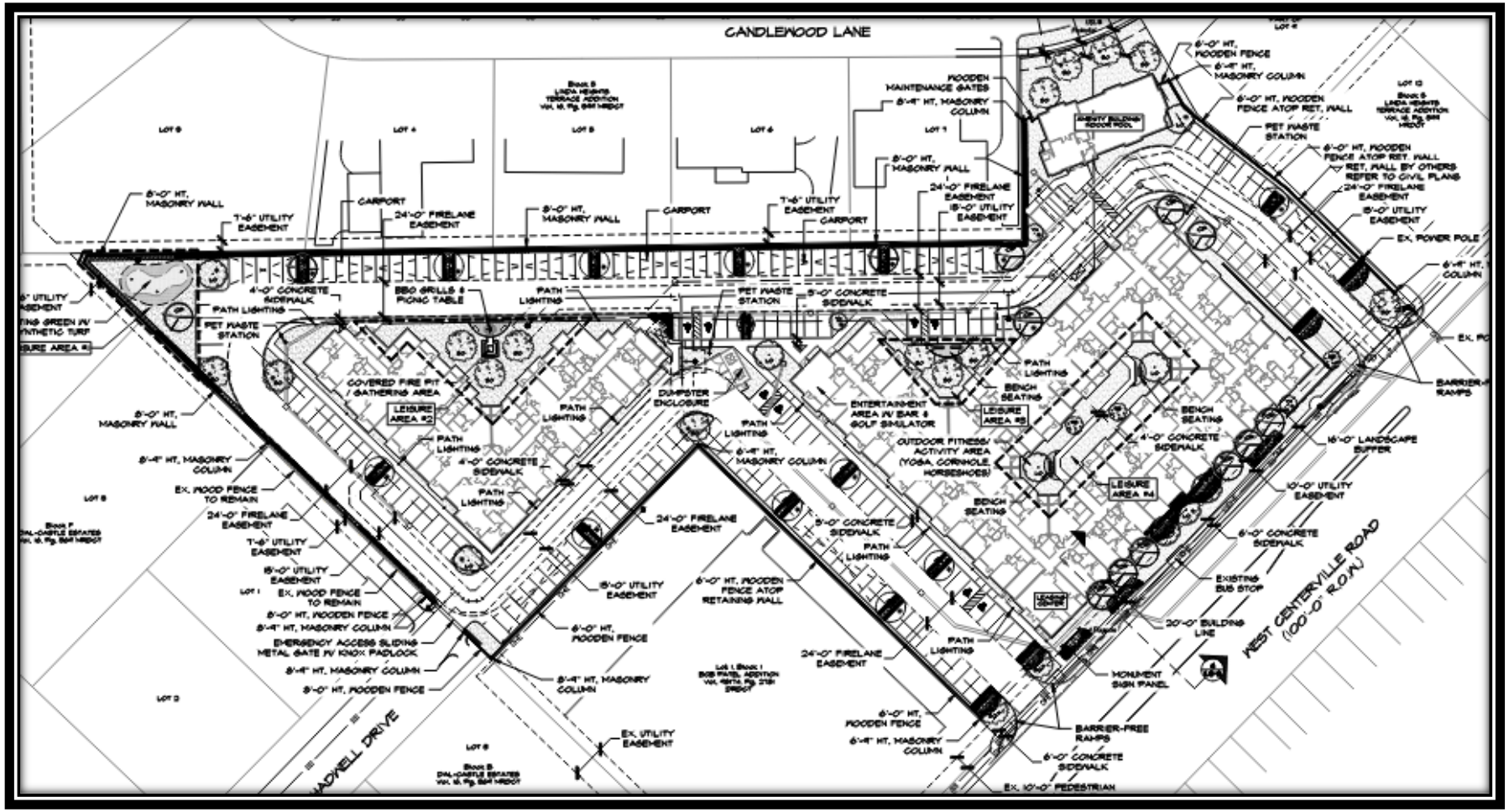
LANDSCAPE PLAN



Z 23-29

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BUILDING ELEVATIONS

Z 23-29

GARLAND
TEXAS MADE HERE

BUILDING ELEVATIONS

Z 23-29

GARLAND
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BUILDING ELEVATIONS

Z 23-29

GARLAND
TEXAS MADE HERE

BUILDING ELEVATIONS

Z 23-29

GARLAND
TEXAS MADE HERE

AMENITY BUILDING ELEVATIONS

Z 23-29

GARLAND
TEXAS MADE HERE

DEVIATIONS

Development Standards	Required	Proposed	Applicant's Justification
Density	32 dwelling units per acre	35 dwelling units per acre	The subject project is not a traditional, garden-style multifamily project and aligns closer to that of an urban-style senior living development. The unique site layout warrants this approach, and the applicant believes the proposed unit mix is conducive of the intent of the future land use plan for this property.
Amenities	The GDC requires indoor common or recreational areas to be provided at a ratio of at least one hundred square feet of gross floor area per dwelling unit. A total of 15,200 square feet of indoor common or leisure area is required.	The site plan (Exhibit C) reflects a 3,520 square-foot amenity building, 749 square-foot indoor activity space for golf stimulation and 12,241 square-foot of outdoor amenities.	Due to the unique orientation of the site and the desire to limit building stories/height and mitigate impact on residential adjacencies, the applicant located the amenities outside of the main buildings. An amenity building/swimming pool is provided at the northeast corner of the subject property, with sidewalk circulation through the site to encourage residents to enjoy the several outdoor amenity spaces provided.

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TEXAS MADE HERE

DEVIATIONS

Building Setbacks	Buildings over 30 feet in height requires a setback of 1.25 times the height of the building.	The 3-story portion of Building 2 should be fifty-five (55) feet from the property line. The site plan (Exhibit C) shows the 3-story portion of Building 2 to be fifty (50) feet from the property line. In addition, Building 1 should be fifty-nine (59) feet and the site plan (Exhibit C) reflects the building to be forty-eight (48) from the northern property line.	Given the project aligns with that of an urban-style development, the slight increase in height is to be expected. Additional measures have been taken to ensure the building stories/height do not negatively impact adjacent single-family properties including reduced building height along adjacencies, perimeter screening, plantings, visibility reductions for tenants on upper floors, etc.
	Carports and Amenity Building are not allowed to be located within the building setback.	Both structures are within building setbacks.	These structures act as a buffer and provide additional screening
Landscaping	40% of the gross platted area should be landscaped.	21%	The applicant optimized the site layout and amenity areas to provide as much landscape area as possible, and they are providing more landscape area than what currently exists with the former assisted living development. They have also intentionally designed these landscape areas to increase value (walking areas, BBQ grills, picnic tables, pet waste stations, etc). Plantings have been provided throughout to match the intent of landscape requirements.

GARLAND
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DEVIATIONS

Screening	Perimeter screening is required along the entire property. Either a six (6) foot masonry wall or a six (6) foot ornamental metal fence with masonry columns with large canopy trees and evergreen shrubs.	The applicant proposes an eight (8) foot masonry wall with high and low level screening shrubs along the northern and western perimeter lines. No canopy trees are provided. A six (6)-foot wood fence with masonry columns is proposed along the southwestern and eastern perimeter lines without any evergreen shrubs. No perimeter screening is proposed along West Centerville Road.	The site layout has been adjusted as much as possible, but given the unique nature of the site, leaves only enough room along the perimeter for the required masonry screening wall along with plantings smaller in size than the required large canopy trees. Various planting options have been added to try and meet the intent of this requirement, with a focus on providing adjacent single-family properties with adequate screening from the development.

GARLAND
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STAFF RECOMMENDATION

Approval of a Change in Zoning from Community Office (CO) District and Neighborhood Office (NO) District to a Planned Development (PD) District for Elder Care - Independent Living Use

Approval of a Detail Plan for Elder Care-Independent Living Use.

PLAN COMMISSION RECOMMENDATION

On September 11, 2023 the Plan Commission, by a vote of seven (7) to zero (0), recommended approval of a Change in Zoning from Community Office (CO) District and Neighborhood Office (NO) District to a Planned Development (PD) District for Elder Care - Independent Living Use.

The Plan Commission, by a vote of seven (7) to zero (0), recommended approval of a Detail Plan for Elder Care-Independent Living Use.

GARLAND

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GARLAND
PLANNING REPORT

City Council Regular Session Agenda **7. d.**

Meeting Date: 10/10/2023

Item Title: Z 23-29 Spiars Engineering - Detail Plan (District 5)

Submitted By: Nabiha Ahmed, Lead Development Planner

REQUEST

Approval of a Change in Zoning from Community Office (CO) District and Neighborhood Office (NO) District to a Planned Development (PD) District for Elder Care - Independent Living Use

Approval of a Detail Plan for Elder Care-Independent Living Use.

LOCATION

413 and 505 West Centerville Road and 510 Candlewood Lane

OWNER

TR Scott Capital

PLAN COMMISSION RECOMMENDATION

On September 11, 2023 the Plan Commission, by a vote of seven (7) to zero (0), recommended approval of a Change in Zoning from Community Office (CO) District and Neighborhood Office (NO) District to a Planned Development (PD) District for Elder Care - Independent Living Use

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Approval of a Detail Plan for Elder Care-Independent Living Use.

BACKGROUND

The property is currently developed with a retirement home (Silver Leaves Retirement Home) building which is no longer in operation.

On May 22, 2023, the Plan Commission recommended denial of a zoning change for an apartment complex. The applicant withdrew the application for a 177-unit apartment complex.

The applicant has met with residential neighbors in the area and is now proposing a 152-unit Senior Independent Living facility.

Noted below are some differences in proposed standards in comparison to the original multi-family submittal (Z 23-05).

Standards	**Previous Multi-Family (Z 23-05)**	**Proposed Elder Care Independent Living (Z 23-29)**
Residential Type	Multi-Family	Senior Independent Living
Number of Dwelling Units	177 dwelling units	152 dwelling units
Screening Height	6’ masonry wall proposed along northern and western perimeter.	8’ masonry wall proposed along northern and western perimeter.
Maximum Building Height	59 feet (3 and 4 stories)	48 feet (2 and 3 stories)
Density	41 dwelling units per acre	35 dwelling units per acre

SITE DATA

The overall site consists of approximately 4.361 acres with approximately 405.70 lineal feet of frontage along West Centerville Road and 84.63 lineal feet of frontage along Candlewood Lane. The site plan (Exhibit C) shows two (2) access points from West Centerville Road.

USE OF PROPERTY UNDER CURRENT ZONING

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.

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. Development and Site Plan

   The site plan (Exhibit C) reflects two (2) buildings for Elder Care - Independent Living Use. The eastern building will be three (3) and the western building will be two (2) and three (3) stories. A total of 152 dwelling units are proposed for this development.

   The GDC defines an Elder Care – Independent Living Use as “a facility in which five or more elderly (over 55 years of age) persons, regardless of legal relationship, live a mostly ambulatory lifestyle but who may need limited assistance with daily living activities.”

2. Parking

   The GDC requires one (1) parking space per dwelling unit, and the site plan (Exhibit C) complies by providing 195 parking spaces. However, the GDC has a special covered parking standard for Elder-Care Independent Living. A minimum of fifty (50%) percent of the parking spaces must be covered. At Plan Commission that applicant presented thirty-five (35%) percent of the parking spaces to be covered. However, the applicant revised the site plan (Exhibit C) to reflect fifty (50%) percent of the parking to be covered.

   Building Height

   The GDC allows a maximum height of fifty (50) feet in the Multi-Family-2 (MF-2) District. The building elevations (Exhibit E) reflects a maximum building height of forty-eight (48) feet for the three-story building and thirty-three (33) feet for the two-story building.

3. Density:

   The maximum density allowed in the Multi-Family-2 (MF-2) District is thirty-two (32) dwelling units per acre. The site plan (Exhibit C) shows thirty-five (35) dwelling units per acre.

4. Building Setbacks:

The GDC states that buildings exceeding thirty feet in height, and that abut a residential district, must be set back from the residential district line a minimum of 1.25 times the height of the highest point on the building above grade.

Per the calculation, the 3-story portion of Building 2 should be fifty-five (55) feet from the property line. The site plan (Exhibit C) shows the 3-story portion of Building 2 to be fifty (50) feet from the property line. In addition, Building 1 should be fifty-nine (59) feet and the site plan (Exhibit C) reflects the building to be forty-eight (48) from the northern property line.

In addition, the GDC does not allow any carports or amenity building to be located within a building setback. The site plan (Exhibit C) reflects the carports along the northern property lines to be located within the building setback in order to provide additional screening. The amenity building to the north is also within the building setback.

The site plan (Exhibit C) meets all other setback requirements.

5. Amenities

The GDC requires indoor common or recreational areas to be provided at a ratio of at least one hundred square feet of gross floor area per dwelling unit. Per the calculation, a total of 15,200 square feet of indoor common or leisure area is required. The site plan (Exhibit C) reflects a 3,520 square-foot amenity building, 749 square-foot indoor activity space for golf stimulation and 12,241 square-foot of outdoor amenities.

6. Dwelling unit/mix

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

Minimum dwelling unit size.

Required one-bedroom:	475 square feet
Proposed:	662 square feet
Number of units:	95 units

Required two-bedroom:	725 square feet
Proposed:	1,137 square feet
Number of units:	57 units

7. Screening and Landscaping

The GDC requires forty (40%) percent of the site to be landscaped. The landscape plan (Exhibit D) shows twenty-one (21%) of the site to be landscaped.
A masonry wall or an ornamental fence with masonry columns is required along the entire perimeter of the property. The applicant proposes an eight (8)-foot masonry wall along the northern and western perimeter of the property, where it is adjacent to the residential district. Large canopy trees are required every twenty-five (25) linear feet. The applicant proposes a combination of high-level and low-level screening shrubs in

lieu of the large canopy trees due to the unique nature of the site. Large canopy trees provided to meet the parking lot landscape island requirement are located near the masonry wall.
The landscape plan (Exhibit D) also reflects a six (6)-foot wood fence with masonry columns along the eastern and southwestern perimeter lines, adjacent to the dental office. A row of evergreen screening shrubs are required and the applicant is not proposing any.
The applicant is not proposing any screening along West Centerville Road.
Building Design
The building design complies with the architectural elements and articulation requirements of the GDC

8. Transportation

   A Traffic Impact Analysis was not required with this development. The Transportation Department reviewed the proposal and it meets technical requirements.

   An emergency access-only gate with a Knox padlock is provided at the Shadwell Drive access point per the Fire Department.

   There is a DART bus stop in front of the subject property, along West Centerville Road.

9. Signage

   No deviations were requested regarding signage.

10. Summary of Deviations

    The applicant requests several deviations from the GDC. The table below indicated the deviation as proposed.

Development Standards	Required	Proposed	Applicant's Justification
Density	32 dwelling units per acre	35 dwelling units per acre	The subject project is not a traditional, garden-style multifamily project and aligns closer to that of an urban-style senior living development. The unique site layout warrants this approach, and the applicant believes the proposed unit mix is conducive of the intent of the future land use plan for this property.
	The GDC requires indoor common or recreational areas to be provided at a	The site plan (Exhibit C) reflects a 3,520	Due to the unique orientation of the site and the desire to limit building stories/height and mitigate impact on residential adjacencies, the applicant located the

Amenities	ratio of at least one hundred square feet of gross floor area per dwelling unit. A total of 15,200 square feet of indoor common or leisure area is required.	square-foot amenity building, 749 square-foot indoor activity space for golf stimulation and 12,241 square-foot of outdoor amenities.	applicant located the amenities outside of the main buildings. An amenity building/swimming pool is provided at the northeast corner of the subject property, with sidewalk circulation through the site to encourage residents to enjoy the several outdoor amenity spaces provided.
Building Setbacks	Buildings over 30 feet in height requires a setback of 1.25 times the height of the building. Carports and Amenity Building are not alllowed to be located within the building setback.	The 3-story portion of Building 2 should be fifty-five (55) feet from the property line. The site plan (Exhibit C) shows the 3-story portion of Building 2 to be fifty (50) feet from the property line. In addition, Building 1 should be fifty-nine (59) feet and the site plan (Exhibit C) reflects the building to be forty-eight (48) from the northern property line. Both structures are within building setbacks	Given the project aligns with that of an urban-style development, the slight increase in height is to be expected. Additional measures have been taken to ensure the building stories/height do not negatively impact adjacent single-family properties including reduced building height along adjacencies, perimeter screening, plantings, visibility reductions for tenants on upper floors, etc. These structures act as a buffer and provide additional screening
Landscaping	40% of the gross platted area should be landscaped.	21%	The applicant optimized the site layout and amenity areas to provide as much landscape area as possible, and they are providing more landscape area than what currently exists with the former assisted living development. They have also intentionally designed these landscape areas to increase value (walking areas, BBQ grills, picnic tables, pet waste stations, etc). Plantings have been provided throughout to

			match the intent of landscape requirements.
Screening	Perimeter screening is required along the entire property. Either a six (6) foot masonry wall or a six (6) foot ornamental metal fence with masonry columns with large canopy trees and evergreen shrubs.	The applicant proposes an eight (8) foot masonry wall with high and low level screening shrubs along the northern and western perimeter lines. No canopy trees are provided. A six (6)-foot wood fence with masonry columns is proposed along the southwestern and eastern perimeter lines without any evergreen shrubs. No perimeter screening is proposed along West Centerville Road.	The site layout has been adjusted as much as possible, but given the unique nature of the site, leaves only enough room along the perimeter for the required masonry screening wall along with plantings smaller in size than the required large canopy trees. Various planting options have been added to try and meet the intent of this requirement, with a focus on providing adjacent single-family properties with adequate screening from the development

COMPREHENSIVE PLAN

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

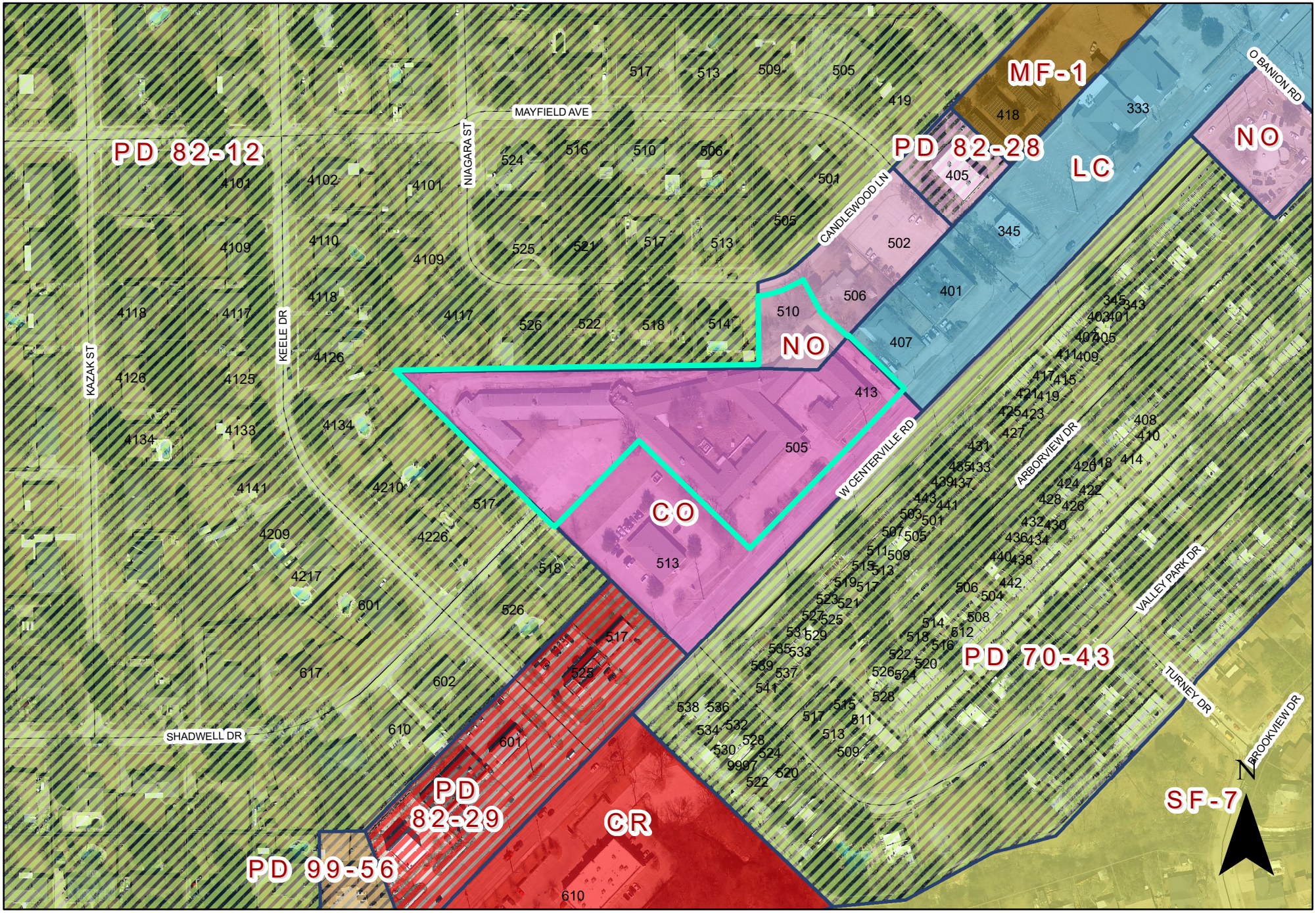
This proposal is a redevelopment of the existing vacant retirement facility and offers additional senior housing to the area.

COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

The properties to the north are zoned Planned Development (PD) District 82-12 for Single-Family-10 (SF-10) Uses; these properties are developed with single-family homes. The properties to the east are zoned Neighborhood Office (NO) District and Light Commercial (LC) District; these properties are developed with a learning center and a medical clinic. The properties to the south, across Centerville Road, are zoned Planned Development (PD) District 70-43; these properties are developed with residential townhomes. The properties to the west are zoned Planned Development (PD) District 82-12 and Planned Development (PD) District 82-29; these properties are developed with a dental office, a general office, and automobile repair uses.

Attachments

Z 23-29 Location Map
Z 23-29 Exhibits
Z 23-29 R&M Detail Plan
Z 23-29 Responses
Z 23-29 Staff Presentation



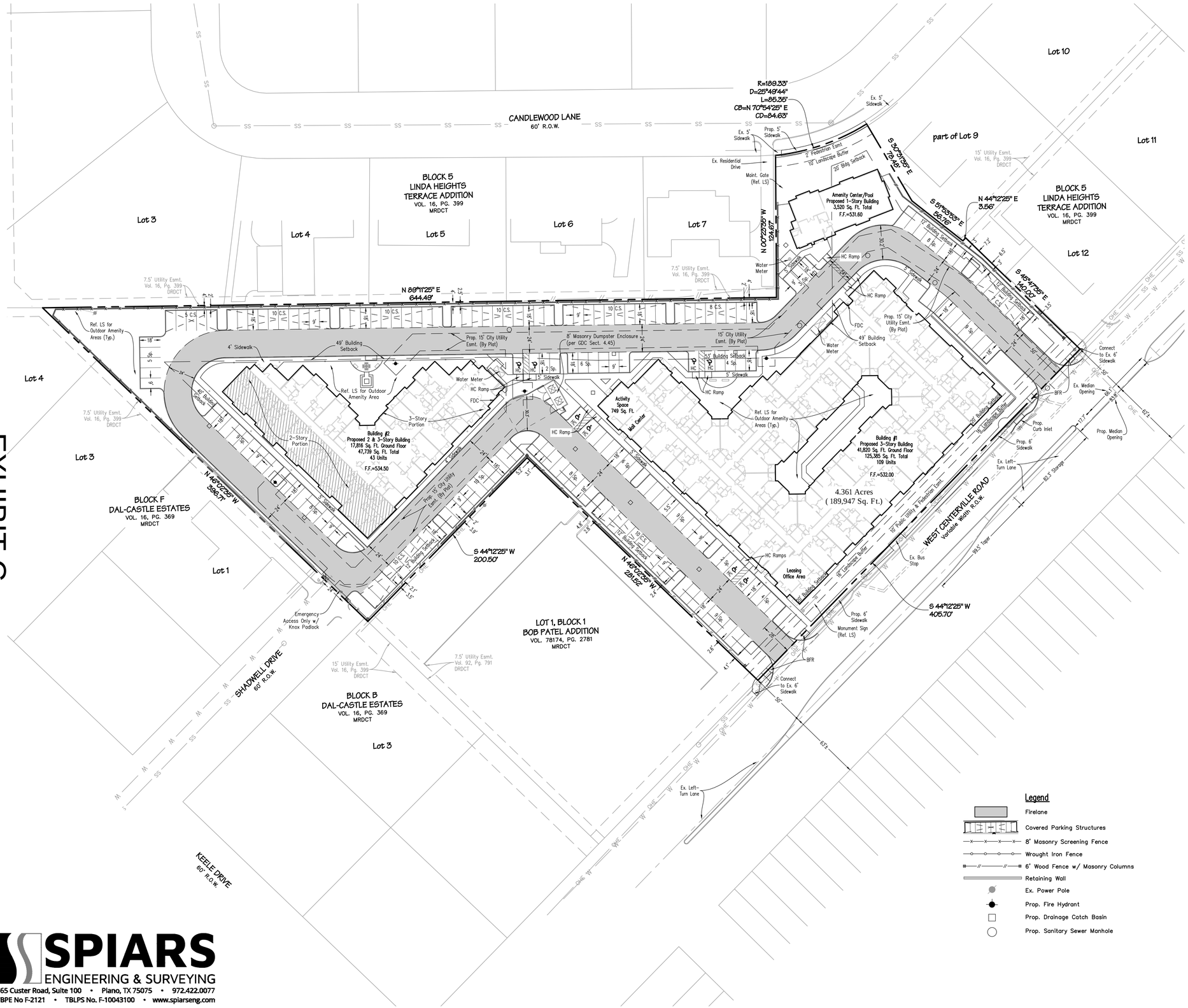
0 150 300 Feet
1 inch = 228 feet

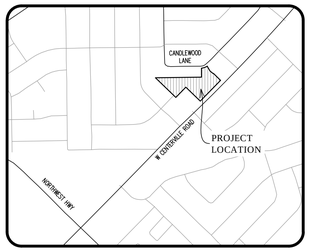
ZONING MAP Z 23-29

INDICATES AREA OF REQUEST

505 West Centerville Road

EXHIBIT C





LOCATION MAP
1"=1000'

N
W E
S

0 20 40 80
1 inch = 40 ft.

SITE DATA	Lot 1		
Ex. Zoning	Community Office (CO)/Neighborhood Office (NO)		
Prop. Zoning	Planned Development (PD/MF-2)		
Proposed Use	Senior Independent Living		
Lot Area	4.361 Ac. (189,947 Sq. Ft.)		
Prop. Building Setbacks			
Front (W Centerville)	20'		
Rear (Candlewood)	20'		
Side (E)	12'		
Side (SW)	12'		
Side (NW - Bldg 2, 2-Story)*	40'		
Rear (N - Bldg 1, 3-Story)*	53'		
Rear (N - Bldg 2, 3-Story)*	49'		
	**Building Setbacks adjacent to SF = 1.25 x Building Height along property line*		
Prop. Landscape Setbacks			
Front (W Centerville)	15'		
Rear (Candlewood)	10'		
Building Types	**No. Units**	**Avg. Area (Sq. Ft.)**	**Min. Area (Sq. Ft.)**
Leasing Office/Mail (Bldg 1)	-	1584	-
Activity Space (Bldg 1)	-	749	-
Amenity Center/Pool	-	3519	-
1 Bedroom Standard Units	95	761	662
2 Bedroom Standard Units	57	1219	1137
Total:	**152**	**909**	**-**
Lot Coverage	33.2%	based upon Gross Sq. Ft. (1st Floor)	
Floor Area Ratio	0.930	based upon Gross Sq. Ft. (All Floors)	
Max. Prop. Building Height	50' (3-Story)		
Density	34.9	Units/Ac.	
Pool Surface Area	800 Min.	Sq. Ft.	
Common Areas	**Area/Unit**	**Total Area (Sq. Ft.)**	
Required Common Area	100 Sq. Ft.	15200	
Provided Common Area	-	16510	
Parking Required:	**Spaces/Unit**	**Spaces**	
1 Bedroom Units = 140	1.00	95	
2 Bedroom Units = 36	1.00	57	
Leasing Office (1:300)	-	6	
Total:	**-**	**158**	
Required Covered (50%)	-	76	
Parking Provided	**Spaces**		
Standard Uncovered	110		
Covered Parking	80	(50% of Required Unit Parking)	
Total:	**190**		
Existing Landscape Area	44,450 Sq. Ft. (23.4% of Lot Area)		
Proposed Landscape Area	41,530 Sq. Ft. (21.9% of Lot Area)		

Legend

- Firelane
- Covered Parking Structures
- 8' Masonry Screening Fence
- Wrought Iron Fence
- 6' Wood Fence w/ Masonry Columns
- Retaining Wall
- Ex. Power Pole
- Prop. Fire Hydrant
- Prop. Drainage Catch Basin
- Prop. Sanitary Sewer Manhole

PD SITE PLAN
CITY CASE #220818-2

WEST CENTERVILLE ACTIVE ADULT LIVING

505 WEST CENTERVILLE ROAD
IN THE CITY OF GARLAND, DALLAS COUNTY, TEXAS
JOHN W. KEEN SURVEY, ABSTRACT NO. 742
189,947 Sq. Ft./4.361 Acres

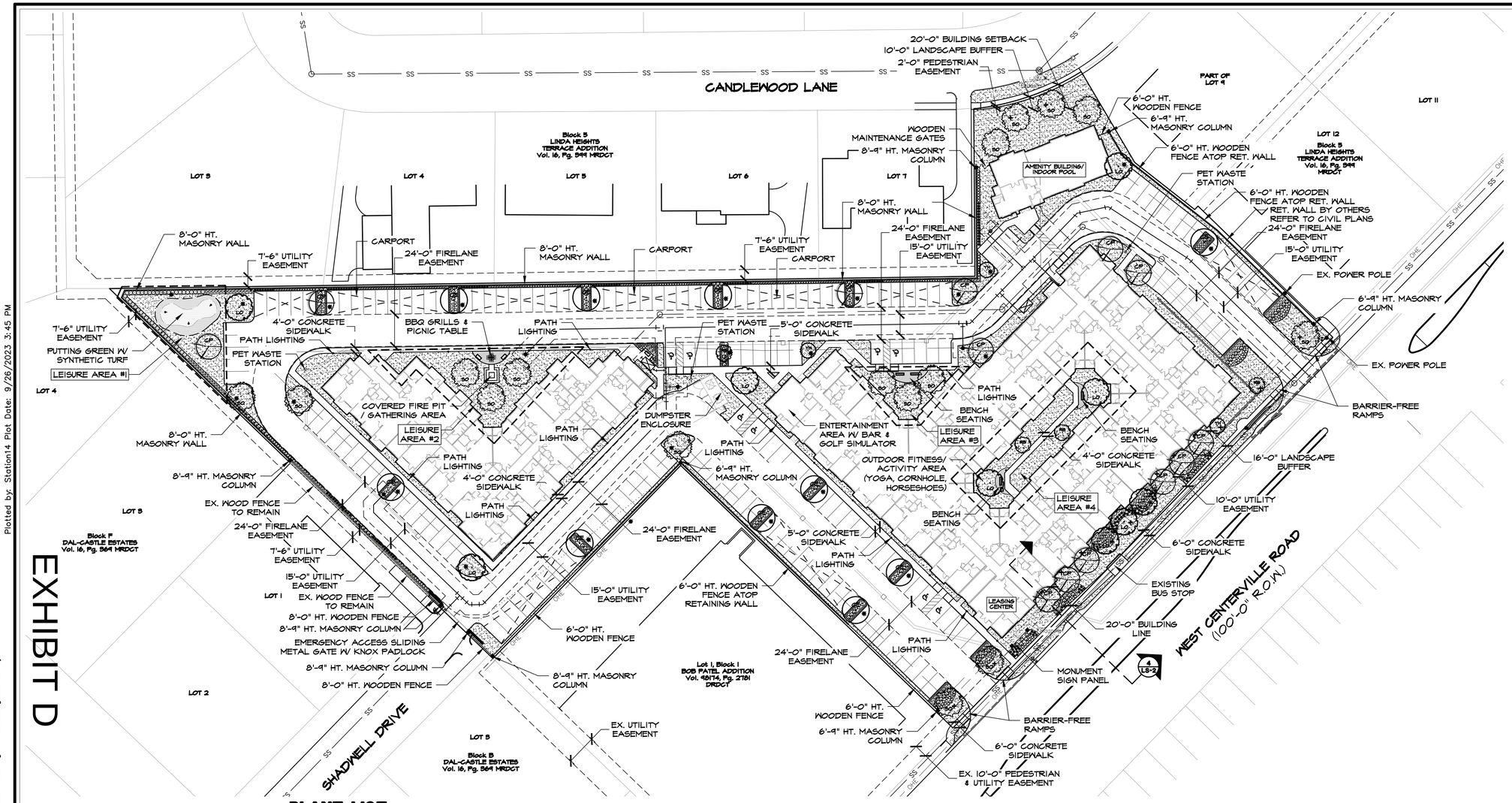
ENGINEER/APPLICANT
Spiars Engineering, Inc.
501 W PGBT, Suite 200
Plano, TX 75075
Telephone: (972) 422-0077
TBPE No. F-2121
Contact: Mike Martinie

OWNER/DEVELOPER
TR Scott Capital
PO Box 764
Addison, TX 75001
Telephone: (214) 901-5971
Contact: Scott Theeringer

SPIARS ENGINEERING & SURVEYING
765 Custer Road, Suite 100 • Plano, TX 75075 • 972.422.0077
TBPE No F-2121 • TBLPS No. F-10043100 • www.spiarseng.com

Sheet 1 of 1 Scale: 1"=40' Sep-23 SEI Job No. 22-169

Drawing: G:\2022 Jobs\22-169 west centerville multifamily\CAD\Site Plan.dwg Saved By: Mewing Save Time: 9/27/2023 10:30:47 AM Plotted by: mewing Plot Date: 9/27/2023 10:31 AM



TREE SYMBOL LEGEND

+ REQUIRED LANDSCAPE BUFFER TREE
PLANTED AT A RATIO OF 1 TREES / 30 LF
(3 ORNAMENTAL TREES MAY BE SUBSTITUTED FOR 1 REQUIRED CANOPY TREE)

✳ REQUIRED PARKING AREA TREE TO BE PLANTED AT A RATIO OF 1 TREE / 10 PARKING SPACES
*MUST HAVE 1 CANOPY TREE AT TERMINUS OF EACH PARKING ROW
*MUST HAVE 1 CANOPY TREE WITHIN 65' OF EVERY PARKING SPACE

NOTE:
- ALL OPEN SPACES WILL COMPLY WITH APPLICABLE CITY OF GARLAND REQUIREMENTS AND ORDINANCES.
- ALL LANDSCAPE AREAS WILL BE IRRIGATED BY AN UNDERGROUND AUTOMATIC IRRIGATION SYSTEM.
- EXACT LOCATION OF PEDESTRIAN PATH LIGHTING TO BE DETERMINED AT A LATER DATE.
- SCREENING ALONG WEST CENTERVILLE ROAD WILL COMPLY WITH THE CITY OF GARLAND ORDINANCE AND REQUIREMENTS
- THE PROPOSED SIGNAGE SHALL COMPLY WITH THE REQUIREMENTS OF THE GARLAND DEVELOPMENT CODE (GDC) - CHAPTER 4, ARTICLE 5.
- TREE, SHRUB AND ORNAMENTAL GRASS SPECIES SHALL BE SELECTED FROM CITY OF GARLAND APPROVED PLANT LIST.
- 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.
- ALL AMENITIES WILL REQUIRE SEPARATE PERMITTING THROUGH THE BUILDING DEPARTMENT

PLANT LIST

SYMBOL	COMMON/BOTANICAL NAME	SIZE	SPACING	QUANTITY	REMARKS
SO	SHUMARD OAK / QUERCUS SHUMARDII	3" CALIPER	AS SHOWN	16	MINIMUM 7' HEIGHT ABOVE GRADE AT TIME OF PLANTING
CE	CEDAR ELM / ULMUS CRASSIFOLIA	3" CALIPER	AS SHOWN	10	MINIMUM 7' HEIGHT ABOVE GRADE AT TIME OF PLANTING
LO	LIVE OAK / QUERCUS VIRGINIANA	3" CALIPER	AS SHOWN	9	MINIMUM 7' HEIGHT ABOVE GRADE AT TIME OF PLANTING
CP	CHINESE PISTACHE / PISTACIA CHINENSIS	3" CALIPER	AS SHOWN	13	MINIMUM 7' HEIGHT ABOVE GRADE AT TIME OF PLANTING
YH	YAUPON HOLLY / ILEX VOMITORIA	2" CALIPER	AS SHOWN	3	MINIMUM 5' HEIGHT ABOVE GRADE AT TIME OF PLANTING
RB	TEXAS REDBUD / CERCIS CANADENSIS VAR. 'TEXENSIS'	2" CALIPER	AS SHOWN	4	MINIMUM 5' HEIGHT ABOVE GRADE AT TIME OF PLANTING
	BURFORD HOLLY / ILEX CORNUTA 'BURFORDII'	7 GALLON	AS SHOWN	53	2' HEIGHT AT TIME OF PLANTING
	'SNOW WHITE' INDIAN HAWTHORNE / RHAPHIOLEPSIS INDICA 'SNOW WHITE'	3 GALLON	AS SHOWN	258	12" HEIGHT AT TIME OF PLANTING
	'FIREPOWER' NANDINA / NANDINA DOMESTICA 'FIREPOWER'	3 GALLON	AS SHOWN	125	12" HEIGHT AT TIME OF PLANTING
	'MORNING LIGHT' MISCANTHUS / MISCANTHUS SINENSIS 'GRACILLIMUS'	3 GALLON	AS SHOWN	186	12" HEIGHT AT TIME OF PLANTING
	GULF MUHLY GRASS / MUHLENBERGIA CAPILLARIS	3 GALLON	AS SHOWN	315	12" HEIGHT AT TIME OF PLANTING
	LIRIOPE / LIRIOPE MUSCARI	1 GALLON	AS SHOWN	309	6" HEIGHT AT TIME OF PLANTING
	4" DEPTH DECOMPOSED GRANITE	4" DEPTH	CUBIC YARDS	8	4" DEPTH W/ BINDER & FILTER FABRIC
	COMMON BERMUDA GRASS SOLID SOD	SOLID SOD	SQUARE FEET	33,000	MINIMUM 100% COVERAGE

LANDSCAPE REQUIREMENTS

TOTAL LANDSCAPE AREA		
REQUIREMENT	TOTAL	PROVIDED
MIN. 40% OF GROSS PLATTED AREA	75,979 SF (189,947 X 40%)	41,530 SF (21.9% OF GROSS PLATTED AREA)

LS BUFFER (CENTERVILLE ROAD)		
REQUIREMENT	TOTAL	PROVIDED
15' LANDSCAPE BUFFER	15' WIDTH	15' LANDSCAPE BUFFER
1 CANOPY TREE / 30 LINEAR FEET	12 TREES (385LF / 30LF)	12 CANOPY TREES
7 SHRUBS OR ORN. GRASSES / 30 LINEAR FEET	84 SHRUBS (385LF / 30LF X 7)	173 SHRUBS OR ORN. GRASSES
MAX. 75% TURF WITHIN LS BUFFER	4,028 SF MAX (5,370SF X 75%)	3,352 SF TURF (62% OF LS BUFFER)

PARKING LOT		
REQUIREMENT	TOTAL	PROVIDED
LIVING LS MATERIAL MUST COVER MIN. 5% OF PARKING AREA	1,740 SF MIN (34,810 X 5%)	1,800 SF
1 CANOPY TREE / 10 PARKING SPACES	19 TREES (190 SPACES / 10)	21 CANOPY TREES
1 CANOPY TREE AT TERMINUS OF EACH PARKING ROW	AS SHOWN ON PLANS	PROVIDED ACCORDINGLY
1 CANOPY TREE WITHIN 65' OF EVERY PARKING SPACE	AS SHOWN ON PLANS	PROVIDED ACCORDINGLY

WEST CENTERVILLE ACTIVE ADULT LIVING

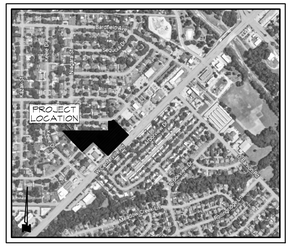
~CONCEPTUAL LANDSCAPE PLAN~

CITY CASE #220818-2

OWNER / DEVELOPER: TR SCOTT CAPITAL, LLC
P.O. BOX 764
ADDISON, TEXAS 75001
PH. (214) 901-5971
CONTACT: SCOTT THEERINGER

CIVIL ENGINEER: SPIARS ENGINEERING
501 W PRESIDENT GEORGE BUSH HWY, SUITE 200
RICHARDSON, TEXAS 75080
PH. (469) 395-0528
CONTACT: MIKE MARTINIE, P.E.

LANDSCAPE ARCHITECT: STUDIO 13 DESIGN GROUP, PLLC.
386 WEST MAIN STREET
LEWISVILLE, TEXAS 75057
PH. (469) 635-1900
CONTACT: LEONARD REEVES, ASLA, LI



LOCATION MAP
NOT TO SCALE

STUDIO 13 DESIGN GROUP
Studio 13 Design Group, PLLC.
386 W. Main Street
Lewisville, Texas 75057
469-635-1900
TBAE Firm #BR643

REGISTERED LANDSCAPE ARCHITECT LEONARD W. REEVES 1977 STATE OF TEXAS

September 26, 2023

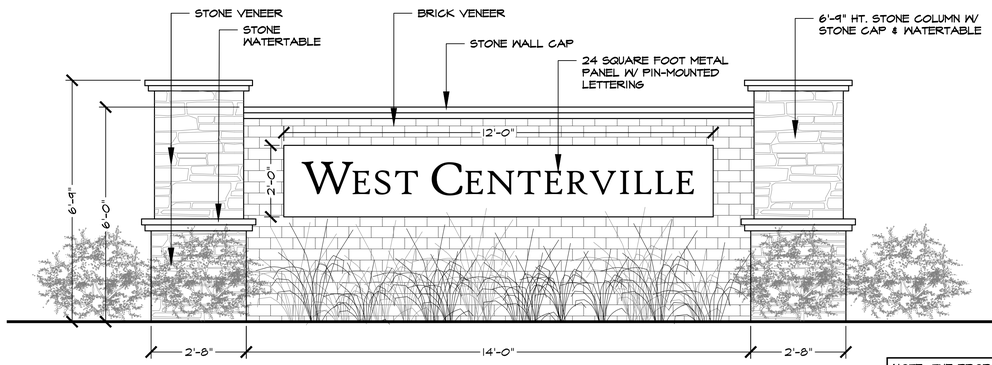
NORTH

40 20 0 40
1" = 40' - 0"

Bar is one inch on original drawing. If not one inch on this sheet, adjust scale as necessary.
One Inch

NOTE:
ALL IMPROVEMENTS SHOWN ON THIS PLAN ARE CONCEPTUAL IN NATURE & SUBJECT TO CHANGE.

Plotted by: Station14 Plot Date: 9/26/2023 3:45 PM
Drawing: W:\Shared With Me\shared\Projects\TRS001 - West Centerville Apartments\Concepts\TRS001-Zoning Exhibits.dwg Saved By: Station14 Save Time: 9/26/2023 3:07 PM

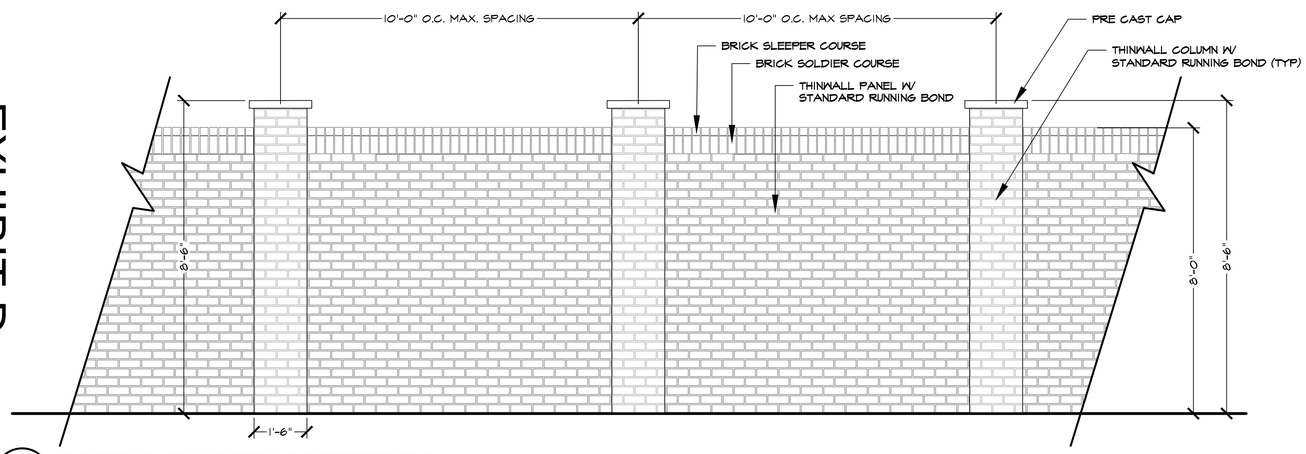


NOTE: THE PROPOSED SIGNAGE SHALL COMPLY WITH THE REQUIREMENTS OF THE GARLAND DEVELOPMENT CODE (GDC) - CHAPTER 4, ARTICLE 5.

1 LS-2 MONUMENT SIGN PANEL ALONG CENTERVILLE ROAD AT ENTRANCE
ELEVATION

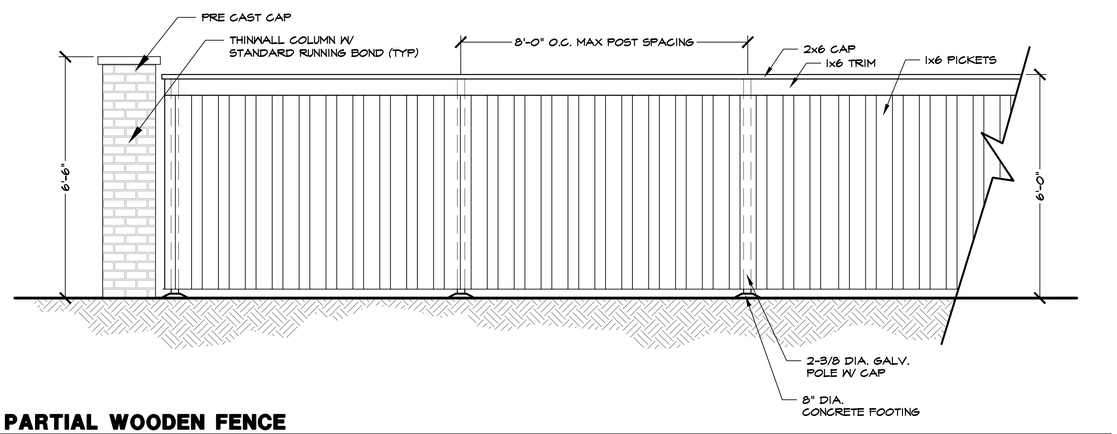
SCALE: 1/2" = 1'-0"

NOTE: THE SCREENING WALL SHALL MEET OR EXCEED THE STRUCTURAL INTEGRITY OF THE CITY'S STANDARD SCREENING WALL DETAILS AND COMPLY TO GDC 4.39.A.1



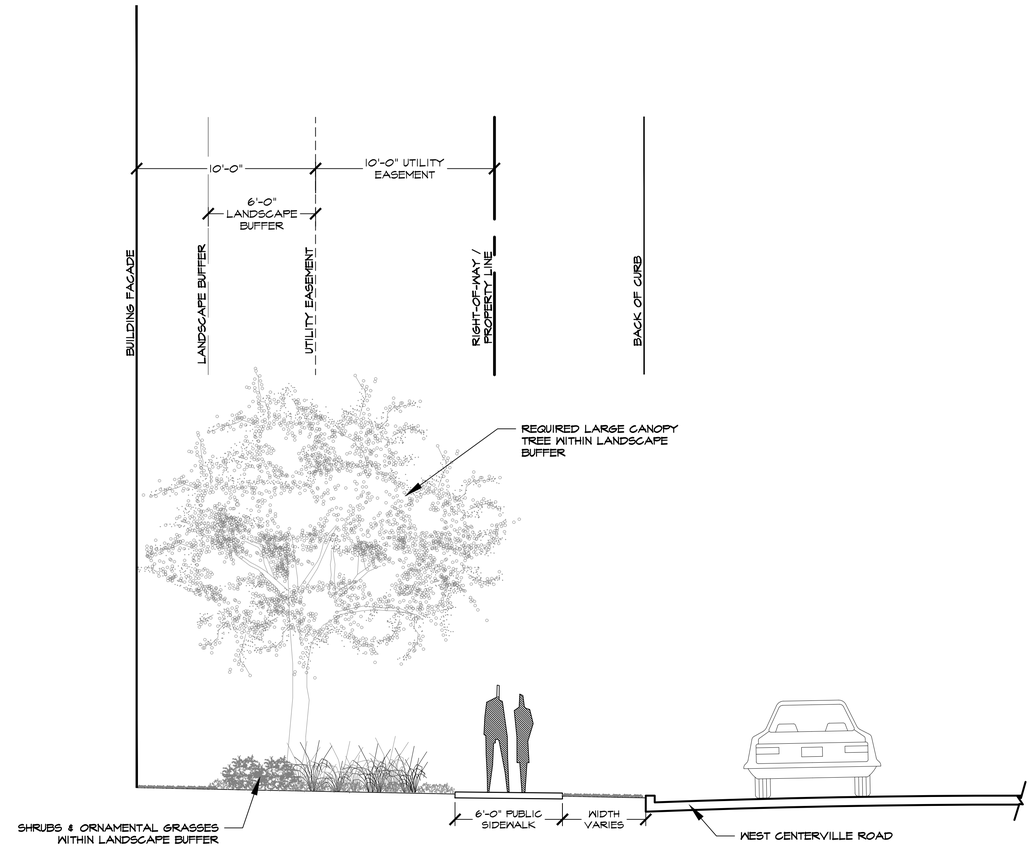
2 LS-2 PARTIAL MASONRY SCREENWALL
ELEVATION

SCALE: 1/2" = 1'-0"



3 LS-2 PARTIAL WOODEN FENCE
ELEVATION

SCALE: 1/2" = 1'-0"

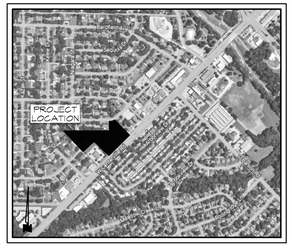


4 LS-2 WEST CENTERVILLE ROAD CROSS SECTION
SECTION

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

WEST CENTERVILLE ACTIVE ADULT LIVING
~CONCEPTUAL SCREENING & FENCING~
CITY CASE #220818-2

OWNER / DEVELOPER:	**TR SCOTT CAPITAL, LLC** **P.O. BOX 764** **ADDISON, TEXAS 75001** **PH. (214) 901-5971** **CONTACT: SCOTT THEERINGER**
CIVIL ENGINEER:	**SPIARS ENGINEERING** **501 W PRESIDENT GEORGE BUSH HWY, SUITE 200** **RICHARDSON, TEXAS 75080** **PH. (469) 395-0528** **CONTACT: MIKE MARTINIE, P.E.**
LANDSCAPE ARCHITECT:	**STUDIO 13 DESIGN GROUP, PLLC.** **386 WEST MAIN STREET** **LEWISVILLE, TEXAS 75057** **PH. (469) 635-1900** **CONTACT: LEONARD REEVES, ASLA, LI**



LOCATION MAP
NOT TO SCALE

2 1 0 2
1/2" = 1' - 0"
Bar is one inch on original drawing. If not one inch on this sheet, adjust scale as necessary.
One Inch

NOTE:
ALL IMPROVEMENTS SHOWN ON THIS PLAN ARE CONCEPTUAL IN NATURE & SUBJECT TO CHANGE.

STUDIO 13 DESIGN GROUP

Studio 13 Design Group, PLLC.
386 W. Main Street
Lewisville, Texas 75057
469-635-1900

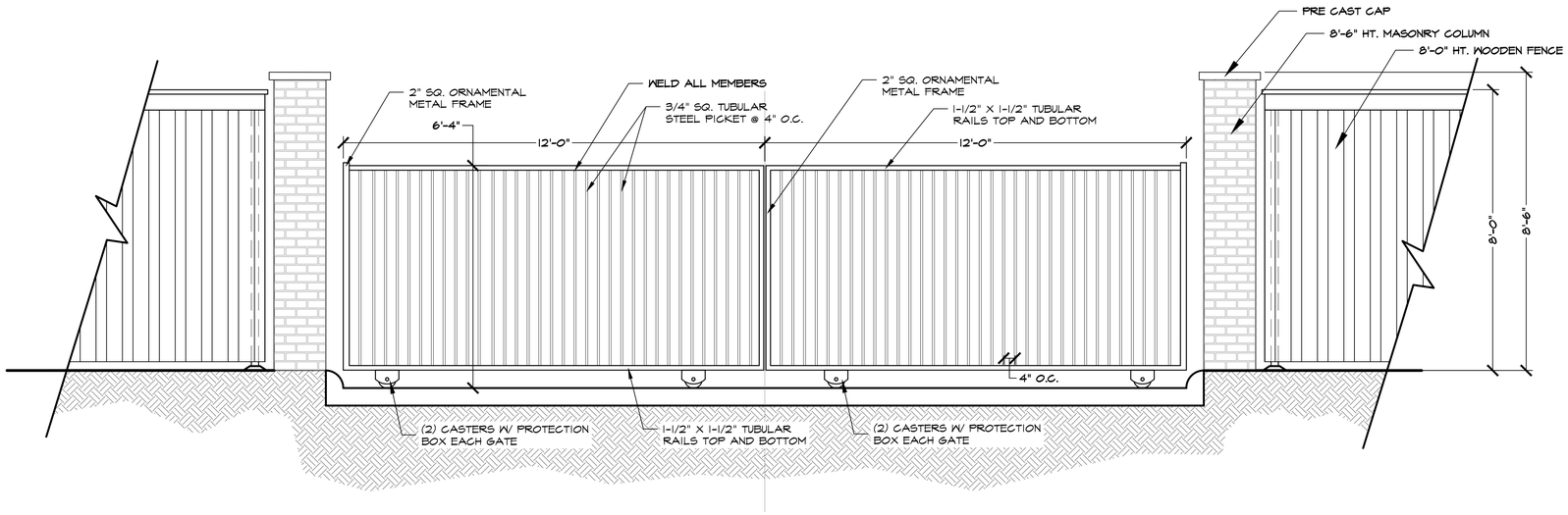
TBAE Firm #BR643

REGISTERED LANDSCAPE ARCHITECT LEONARD W. REEVES 1977 STATE OF TEXAS

September 26, 2023

EXHIBIT D

Plotted by: Station14 Plot Date: 9/26/2023 3:46 PM
Drawing: W:\Shared With Me\shared\Projects\TRS001 - West Centerville Apartments\Concepts\TRS001-Zoning Exhibits.dwg Saved By: Station14 Save Time: 9/26/2023 3:07 PM



1 / LS-3 **VEHICULAR GATES FOR EMERGENCY ACCESS**
ELEVATION

SCALE: 1/2" = 1'-0"

EXHIBIT D

WEST CENTERVILLE ACTIVE ADULT LIVING

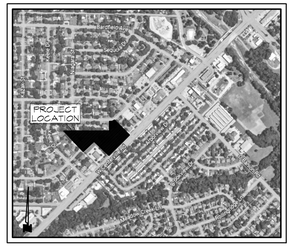
~CONCEPTUAL SCREENING & FENCING~

CITY CASE #220818-2

OWNER / DEVELOPER: TR SCOTT CAPITAL, LLC
P.O. BOX 764
ADDISON, TEXAS 75001
PH. (214) 901-5971
CONTACT: SCOTT THEERINGER

CIVIL ENGINEER: SPIARS ENGINEERING
501 W PRESIDENT GEORGE BUSH HWY, SUITE 200
RICHARDSON, TEXAS 75080
PH. (469) 395-0528
CONTACT: MIKE MARTINIE, P.E.

LANDSCAPE ARCHITECT: STUDIO 13 DESIGN GROUP, PLLC.
386 WEST MAIN STREET
LEWISVILLE, TEXAS 75057
PH. (469) 635-1900
CONTACT: LEONARD REEVES, ASLA, LI



LOCATION MAP
NOT TO SCALE

2 1 0 2
1/2" = 1' - 0"
Bar is one inch on original drawing. If not one inch on this sheet, adjust scale as necessary.
One Inch

NOTE:
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STUDIO 13 DESIGN GROUP
Studio 13 Design Group, PLLC.
386 W. Main Street
Lewisville, Texas 75057
469-635-1900
TBAE Firm #BR643

REGISTERED LANDSCAPE ARCHITECT
LEONARD W. REEVES
1977
STATE OF TEXAS

September 26, 2023

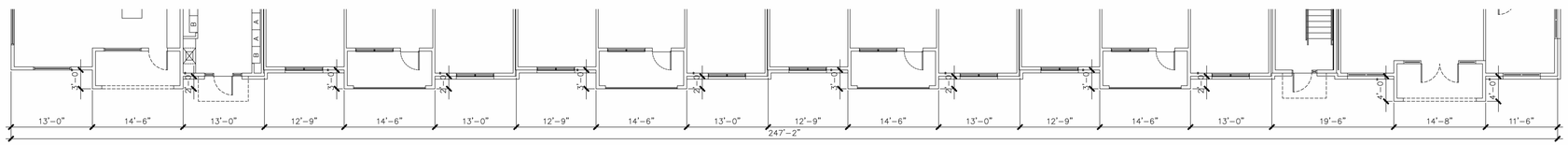
Plotted by: Station14 Plot Date: 9/26/2023 3:45 PM
Drawing: W:\Shared With Me\shared\Projects\TRS001 - West Centerville Apartments\Concepts\TRS001-Zoning Exhibits.dwg Saved By: Station14 Save Time: 9/26/2023 3:07 PM

NOTE:
COLOR OF SIDING, COLOR OF STUCCO, AND TRIM TO MATCH EXISTING PHASE 1

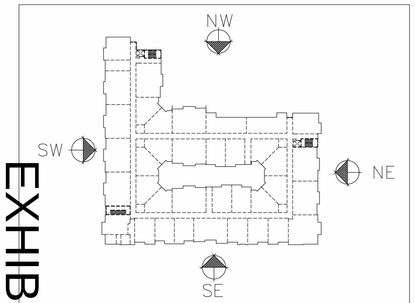
ARCHITECTURAL ELEMENTS
1. DIVIDED LIGHT WINDOWS
2. ALCOVES
3. RECESSED ENTRIES
4. ORNAMENTAL WINDOW HEADERS / LINTELS
5. VARIED ROOF HEIGHTS
6. ORNAMENTAL FACADE TRIMS
7. COVERED AWNINGS
8. DISTINCTIVE LIGHTING FEATURE
9. BENCHES (REFER TO CIVIL DRAWINGS)
10. PLANTER

01 – BUILDING ARTICULATION – SOUTH EAST ELEVATION		BUILDING 1	
A. HORIZONTAL ARTICULATION FOOTPRINT	STATUS	B. VERTICAL ARTICULATION FOOTPRINT	STATUS
BUILDING FACADE LENGTH 261.5 FT. X 20% = 52.3 FT. MIN. PERPENDICULAR OFFSET OF 2 FEET	OK	BUILDING FACADE LENGTH 261.5 FT. X 20% = 52.3 FT. MIN. VERTICAL ELEVATION CHANGE (FLAT ROOF)	N/A
BUILDING FACADE LENGTH 261.5 FT. X 30% = 78.45 FT. MIN. PERPENDICULAR OFFSET OF 4 FEET	3'–0"/ 4'–0"	MINIMUM 3 FOOT VERTICAL ELEVATION CHANGE EVERY 50 FEET VERTICAL ELEVATION CHANGE (FLAT ROOFS)	N/A
MINIMUM 2 FOOT PERPENDICULAR BUILDING OFFSET EVERY 30 FEET	OK	AVERAGE NON–ARTICULATED BUILDING HEIGHT (ROOF EAVE) AVERAGE NON–ARTICULATED BUILDING HEIGHT (MAIN RIDGE)	42'–2" 44'–2"

02 – BUILDING ARTICULATION – SOUTH WEST ELEVATION		BUILDING 1	
A. HORIZONTAL ARTICULATION FOOTPRINT	STATUS	B. VERTICAL ARTICULATION FOOTPRINT	STATUS
BUILDING FACADE LENGTH 247.16 FT. X 20% = 49.43 FT. MIN. PERPENDICULAR OFFSET OF 2 FEET	OK	BUILDING FACADE LENGTH 247.16 FT. X 20% = 49.43 FT. MIN. VERTICAL ELEVATION CHANGE	OK
BUILDING FACADE LENGTH 247.16 FT. X 30% = 74.15 FT. MIN. PERPENDICULAR OFFSET OF 4 FEET	OK	MINIMUM 3 FOOT VERTICAL ELEVATION CHANGE EVERY 50 FEET VERTICAL ELEVATION CHANGE (FLAT ROOFS)	N/A
MINIMUM 2 FOOT PERPENDICULAR BUILDING OFFSET EVERY 30 FEET	OK	AVERAGE NON–ARTICULATED BUILDING HEIGHT (ROOF EAVE) AVERAGE NON–ARTICULATED BUILDING HEIGHT (MAIN RIDGE)	42'–2" 44'–2"

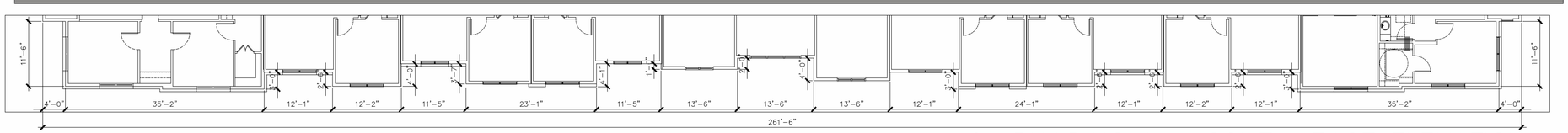


02 BUILDING 1 – SOUTH–WEST ELEVATION
(FRONT ENTRY VIEW) SCALE: 3/32" = 1'–0"



BLDUILDING 1
3-STORY APARTMENTS

EXHIBIT E



01 BUILDING 1 – SOUTH–EAST ELEVATION
(CENTERVILLE VIEW) SCALE: 3/32" = 1'–0"

CASE NO: 220818-2

DATE:

W. CENTERVILLE ACTIVE ADULT LIVING
152–UNIT ACTIVE ADULT LIVING COMMUNITY
505 W. CENTERVILLE ROAD\
GARLAND TX 75041

CASE NUMBER 220818-2

IKEMIRE ARCHITECTS LLC
ARCHITECTURE PLANNING INTERIORS
16660 DALLAS PKWY. SUITE 2900 DALLAS, TX 972–248–2486 FAX 972–248–1557

BUILDING TYPE 1 ELEVATIONS
A04.01
JOB # 222063

NOTE:
COLOR OF SIDING, COLOR OF STUCCO, AND TRIM TO MATCH EXISTING PHASE 1

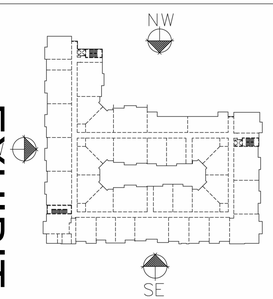
ARCHITECTURAL ELEMENTS
1. DIVIDED LIGHT WINDOWS
2. ALCOVES
3. RECESSED ENTRIES
4. ORNAMENTAL WINDOW HEADERS / LINTELS
5. VARIED ROOF HEIGHTS
6. ORNAMENTAL FACADE TRIMS
7. COVERED AWNINGS
8. DISTINCTIVE LIGHTING FEATURE
9. BENCHES (REFER TO CIVIL DRAWINGS)
10. PLANTER

01 – BUILDING ARTICULATION – NORTH WEST ELEVATION		BUILDING 1	
A. HORIZONTAL ARTICULATION FOOTPRINT	STATUS	B. VERTICAL ARTICULATION FOOTPRINT	STATUS
BUILDING FACADE LENGTH 259.5 FT. X 20% = 51.9 FT. MIN. PERPENDICULAR OFFSET OF 2 FEET	OK	BUILDING FACADE LENGTH 259.5 FT. X 20% = 51.9 FT. MIN. VERTICAL ELEVATION CHANGE (FLAT ROOF)	N/A
BUILDING FACADE LENGTH 259.5 FT. X 30% = 77.8 FT. MIN. PERPENDICULAR OFFSET OF 4 FEET	OK	MINIMUM 3 FOOT VERTICAL ELEVATION CHANGE EVERY 50 FEET VERTICAL ELEVATION CHANGE (FLAT ROOFS)	N/A
MINIMUM 2 FOOT PERPENDICULAR BUILDING OFFSET EVERY 30 FEET	OK	AVERAGE NON-ARTICULATED BUILDING HEIGHT (ROOF EAVE) AVERAGE NON-ARTICULATED BUILDING HEIGHT (MAIN RIDGE)	32'-4" 43'-4"

02 – BUILDING ARTICULATION – NORTH EAST ELEVATION		BUILDING 1	
A. HORIZONTAL ARTICULATION FOOTPRINT	STATUS	B. VERTICAL ARTICULATION FOOTPRINT	STATUS
BUILDING FACADE LENGTH 247.16 FT. X 20% = 49.43 FT. MIN. PERPENDICULAR OFFSET OF 2 FEET	OK	BUILDING FACADE LENGTH 247.16 FT. X 20% = 49.43 FT. MIN. VERTICAL ELEVATION CHANGE	OK
BUILDING FACADE LENGTH 247.16 FT. X 30% = 74.15 FT. MIN. PERPENDICULAR OFFSET OF 4 FEET	3'-0"/ 4'-0"	MINIMUM 3 FOOT VERTICAL ELEVATION CHANGE EVERY 50 FEET VERTICAL ELEVATION CHANGE (FLAT ROOF)	NA
MINIMUM 2 FOOT PERPENDICULAR BUILDING OFFSET EVERY 30 FEET	OK	AVERAGE NON-ARTICULATED BUILDING HEIGHT (ROOF EAVE) AVERAGE NON-ARTICULATED BUILDING HEIGHT (MAIN RIDGE)	32'-4" 43'-4"

02 BUILDING 1 – NORTH-EAST ELEVATION
SCALE: 3/32" = 1'-0"

EXHIBIT E



BLDUILDING 1
3-STORY APARTMENTS

01 BUILDING 1 – NORTH-WEST ELEVATION
SCALE: 3/32" = 1'-0"

CASE NO: 220818-2

DATE:

W. CENTERVILLE ACTIVE ADULT LIVING
152-UNIT ACTIVE ADULT LIVING COMMUNITY
505 W. CENTERVILLE ROAD\
GARLAND TX 75041

CASE NUMBER
220818-2

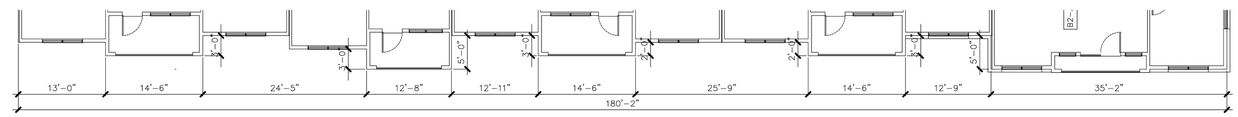
IKEMIRE ARCHITECTS LLC
ARCHITECTURE ▫ PLANNING ▫ INTERIORS
16660 DALLAS PKWY. SUITE 2900 DALLAS, TX 972-248-2486 FAX 972-248-1557

BUILDING TYPE 1 ELEVATIONS
A04.02
JOB # 222063

EXHIBIT E

NOTE:
COLOR OF SIDING, COLOR OF STUCCO, AND TRIM TO MATCH EXISTING PHASE 1

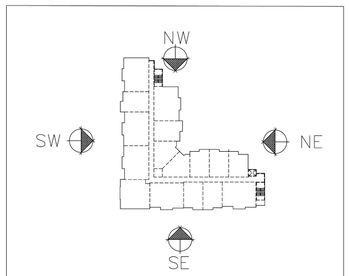
ARCHITECTURAL ELEMENTS
1. DIVIDED LIGHT WINDOWS
2. ALCOVES
3. RECESSED ENTRIES
4. ORNAMENTAL WINDOW HEADERS / LINTELS
5. VARIED ROOF HEIGHTS
6. ORNAMENTAL FACADE TRIMS
7. COVERED AWNINGS
8. DISTINCTIVE LIGHTING FEATURE
9. BENCHES (REFER TO CIVIL DRAWINGS)
10. PLANTER



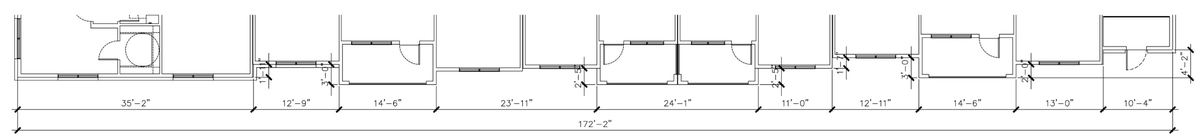
02 BUILDING 2 – SOUTH–WEST ELEVATION
SCALE: 3/32" = 1'–0"

02 – BUILDING ARTICULATION – SOUTH EAST ELEVATION		BUILDING 2	
A. HORIZONTAL ARTICULATION FOOTPRINT	STATUS	B. VERTICAL ARTICULATION FOOTPRINT	STATUS
BUILDING FACADE LENGTH 180.16 FT. X 20% = 36.03 FT. MIN. PERPENDICULAR OFFSET OF 2 FEET	OK	BUILDING FACADE LENGTH 180.16 FT. X 20% = 36.03 FT. MIN. VERTICAL ELEVATION CHANGE (FLAT ROOF)	N/A
BUILDING FACADE LENGTH 180.16 FT. X 30% = 54.05 FT. MIN. PERPENDICULAR OFFSET OF 4 FEET	3'–0"/ 5'–0"	MINIMUM 3 FOOT VERTICAL ELEVATION CHANGE EVERY 50 FEET VERTICAL ELEVATION CHANGE (FLAT ROOFS)	N/A
MINIMUM 2 FOOT PERPENDICULAR BUILDING OFFSET EVERY 30 FEET	OK	AVERAGE NON–ARTICULATED BUILDING HEIGHT (ROOF EAVE) AVERAGE NON–ARTICULATED BUILDING HEIGHT (MAIN RIDGE)	21'–8" 40'–2"

01 – BUILDING ARTICULATION – SOUTH WEST ELEVATION		BUILDING 2	
A. HORIZONTAL ARTICULATION FOOTPRINT	STATUS	B. VERTICAL ARTICULATION FOOTPRINT	STATUS
BUILDING FACADE LENGTH 172.16 FT. X 20% = 34.43 FT. MIN. PERPENDICULAR OFFSET OF 2 FEET	OK	BUILDING FACADE LENGTH 172.16 FT. X 20% = 34.43FT. MIN. VERTICAL ELEVATION CHANGE	OK
BUILDING FACADE LENGTH 172.16 FT. X 30% = 51.65 FT. MIN. PERPENDICULAR OFFSET OF 4 FEET	3'–0"	MINIMUM 3 FOOT VERTICAL ELEVATION CHANGE EVERY 50 FEET VERTICAL ELEVATION CHANGE (FLAT ROOFS)	OK
MINIMUM 2 FOOT PERPENDICULAR BUILDING OFFSET EVERY 30 FEET	OK	AVERAGE NON–ARTICULATED BUILDING HEIGHT (ROOF EAVE) AVERAGE NON–ARTICULATED BUILDING HEIGHT (MAIN RIDGE)	32'–4" 43'–4"



BLDUILDING 2
3-STORY APARTMENTS



01 BUILDING 2 – SOUTH–EAST ELEVATION
(CENTERVILLE VIEW) SCALE: 3/32" = 1'–0"

CASE NO: 220818-2

DATE:

W. CENTERVILLE ACTIVE ADULT LIVING
152–UNIT ACTIVE ADULT LIVING COMMUNITY
505 W. CENTERVILLE ROAD\
GARLAND TX 75041

CASE NUMBER 220818-2

IKEMIRE ARCHITECTS LLC
ARCHITECTURE ▫ PLANNING ▫ INTERIORS
16660 DALLAS PKWY. SUITE 2900 DALLAS, TX 972–248–2486 FAX 972–248–1557

BUILDING TYPE 2 ELEVATIONS
A04.03

JOB # 222063

NOTE:
COLOR OF SIDING, COLOR OF STUCCO, AND TRIM TO MATCH EXISTING PHASE 1

ARCHITECTURAL ELEMENTS
1. DIVIDED LIGHT WINDOWS
2. ALCOVES
3. RECESSED ENTRIES
4. ORNAMENTAL WINDOW HEADERS / LINTELS
5. VARIED ROOF HEIGHTS
6. ORNAMENTAL FACADE TRIMS
7. COVERED AWNINGS
8. DISTINCTIVE LIGHTING FEATURE
9. BENCHES (REFER TO CIVIL DRAWINGS)
10. PLANTER

01 – BUILDING ARTICULATION – NORTH EAST ELEVATION			BUILDING 2
A. HORIZONTAL ARTICULATION FOOTPRINT	STATUS	B. VERTICAL ARTICULATION FOOTPRINT	STATUS
BUILDING FACADE LENGTH 180.25 FT. X 20% = 36.05 FT. MIN. PERPENDICULAR OFFSET OF 2 FEET	OK	BUILDING FACADE LENGTH 180.25 FT. X 20% = 36.05 FT. MIN. VERTICAL ELEVATION CHANGE	OK
BUILDING FACADE LENGTH 180.25 FT. X 30% =54.08 FT. MIN. PERPENDICULAR OFFSET OF 4 FEET	OK	MINIMUM 3 FOOT VERTICAL ELEVATION CHANGE EVERY 50 FEET VERTICAL ELEVATION CHANGE (FLAT ROOFS)	OK
MINIMUM 2 FOOT PERPENDICULAR BUILDING OFFSET EVERY 30 FEET	OK	AVERAGE NON-ARTICULATED BUILDING HEIGHT (ROOF EAVE) AVERAGE NON-ARTICULATED BUILDING HEIGHT (MAIN RIDGE)	32'-4" 43'-8"

02 – BUILDING ARTICULATION – NORTH WEST ELEVATION			BUILDING 2
A. HORIZONTAL ARTICULATION FOOTPRINT	STATUS	B. VERTICAL ARTICULATION FOOTPRINT	STATUS
BUILDING FACADE LENGTH 170.16 FT. X 20% = 34.03 FT. MIN. PERPENDICULAR OFFSET OF 2 FEET	OK	BUILDING FACADE LENGTH 170.16 FT. X 20% = 34.03 FT. MIN. VERTICAL ELEVATION CHANGE (FLAT ROOF)	OK
BUILDING FACADE LENGTH 170.16 FT. X 30% = 51.05 FT. MIN. PERPENDICULAR OFFSET OF 4 FEET	OK	MINIMUM 3 FOOT VERTICAL ELEVATION CHANGE EVERY 50 FEET VERTICAL ELEVATION CHANGE (FLAT ROOFS)	OK
MINIMUM 2 FOOT PERPENDICULAR BUILDING OFFSET EVERY 30 FEET	OK	AVERAGE NON-ARTICULATED BUILDING HEIGHT (ROOF EAVE) AVERAGE NON-ARTICULATED BUILDING HEIGHT (MAIN RIDGE)	32'-4" 43'-4"

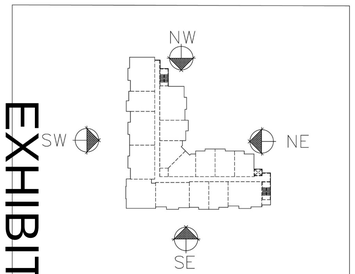
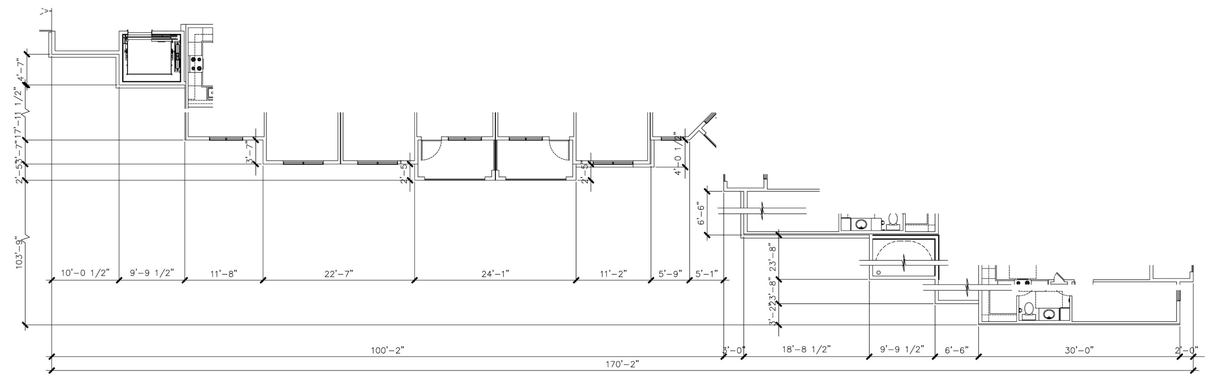


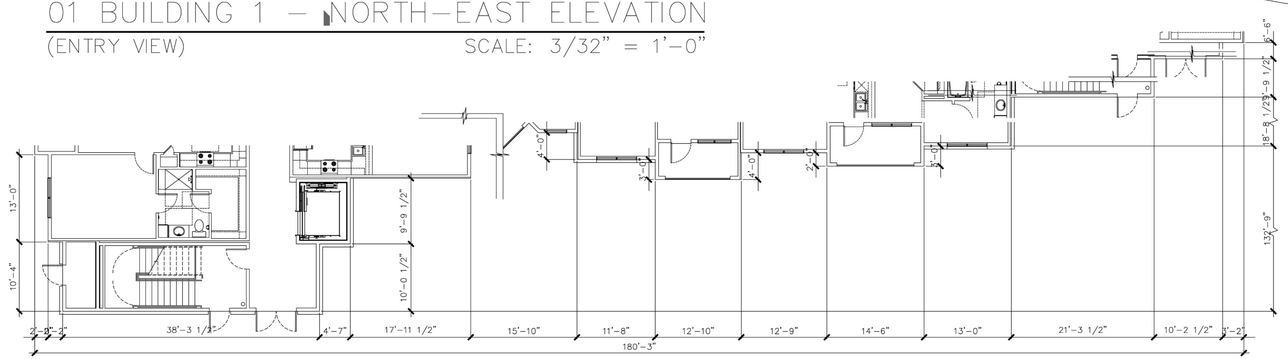
EXHIBIT E

BLDUILDING 2
3-STORY APARTMENTS



02 BUILDING 1 – NORTH-WEST ELEVATION
(REAR VIEW) SCALE: 3/32" = 1'-0"

01 BUILDING 1 – NORTH-EAST ELEVATION
(ENTRY VIEW) SCALE: 3/32" = 1'-0"



CASE NO: 220818-2

DATE:

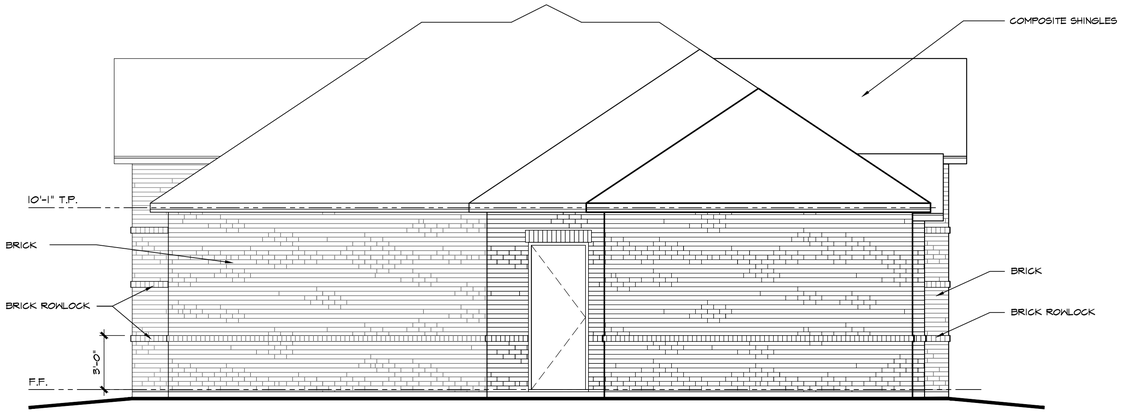
W. CENTERVILLE ACTIVE ADULT LIVING
152-UNIT ACTIVE ADULT LIVING COMMUNITY
505 W. CENTERVILLE ROAD
GARLAND TX 75041

CASE NUMBER 220818-2

IKEMIRE ARCHITECTS LLC
ARCHITECTURE PLANNING INTERIORS
16660 DALLAS PKWY. SUITE 2900 DALLAS, TX 972-248-2486 FAX 972-248-1557

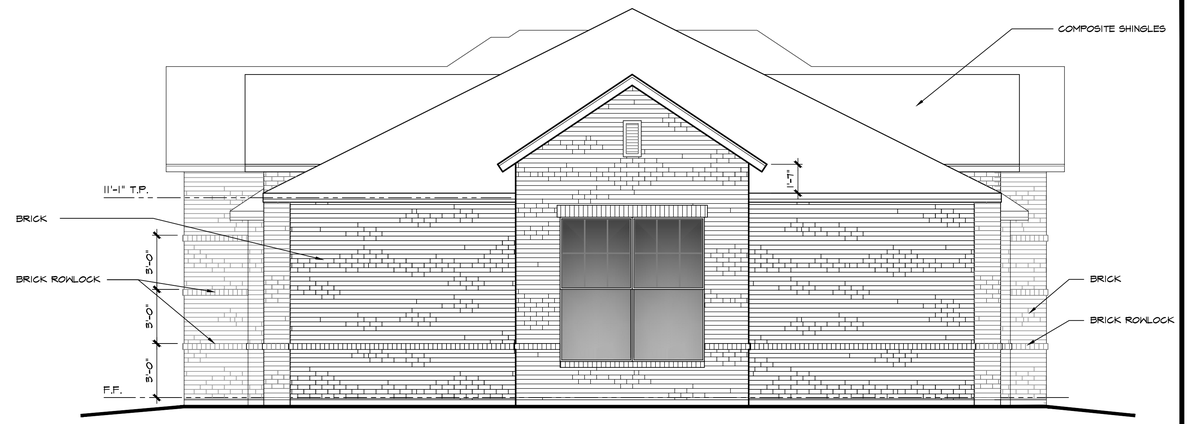
BUILDING TYPE 2 ELEVATIONS
A04.04
JOB # 222063

EXHIBIT E



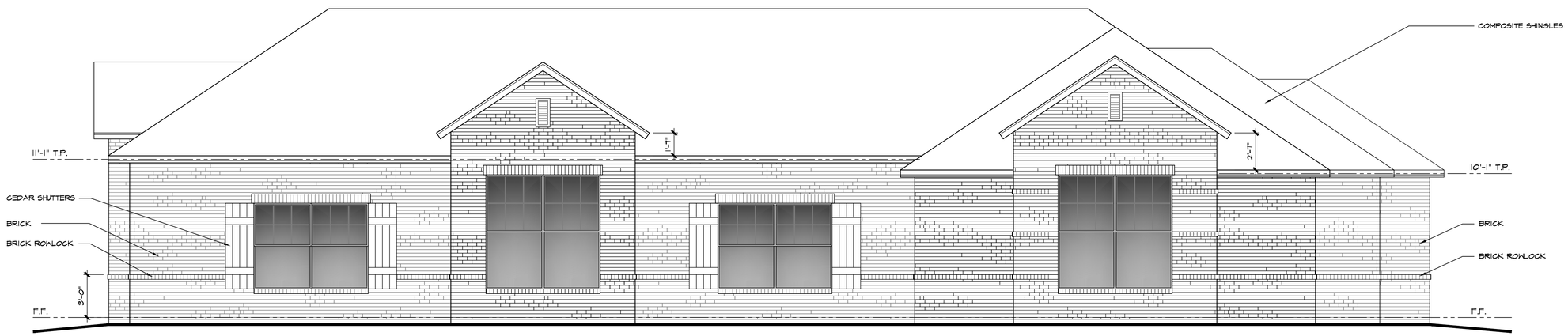
04 BUILDING 3 - WEST ELEVATION

(LEFT VIEW) SCALE: 1/4" = 1'-0"



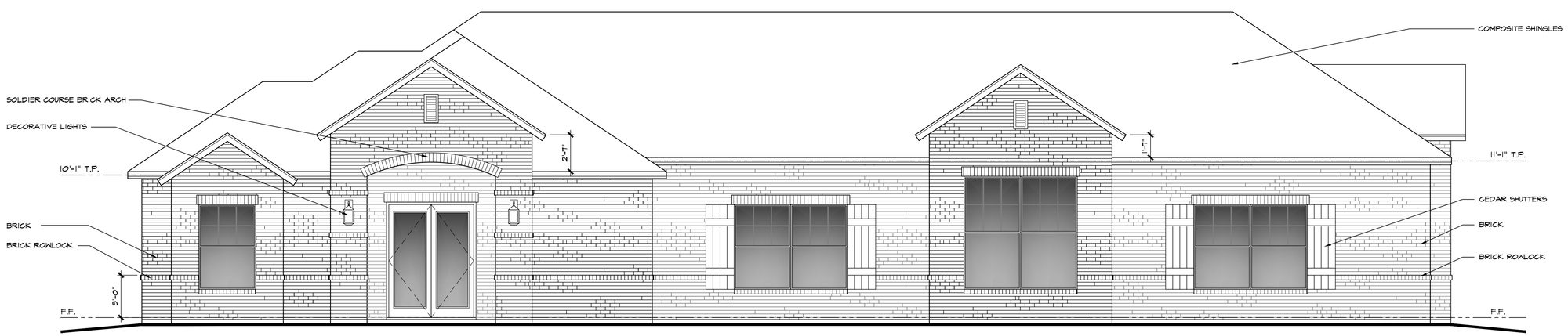
03 BUILDING 3 -EAST ELEVATION

(RIGHT VIEW) SCALE: 1/4" = 1'-0"



02 BUILDING 3 - NORTH ELEVATION

(CANDLEWOOD VIEW) SCALE: 1/4" = 1'-0"



01 BUILDING 3 - SOUTH ELEVATION

(FRONT VIEW) SCALE: 1/4" = 1'-0"

CASE NO: 220818-2

DATE:

W. CENTERVILLE ACTIVE ADULT LIVING

152-UNIT ACTIVE ADULT LIVING COMMUNITY
505 W. CENTERVILLE ROAD\
GARLAND TX 75041

CASE NUMBER 220818-2

IKEMIRE ARCHITECTS LLC
ARCHITECTURE ▫ PLANNING ▫ INTERIORS
16660 DALLAS PKWY. SUITE 2900 DALLAS, TX 972-248-2486 FAX 972-248-1557

POOL BUILDING ELEVATIONS

A04.05

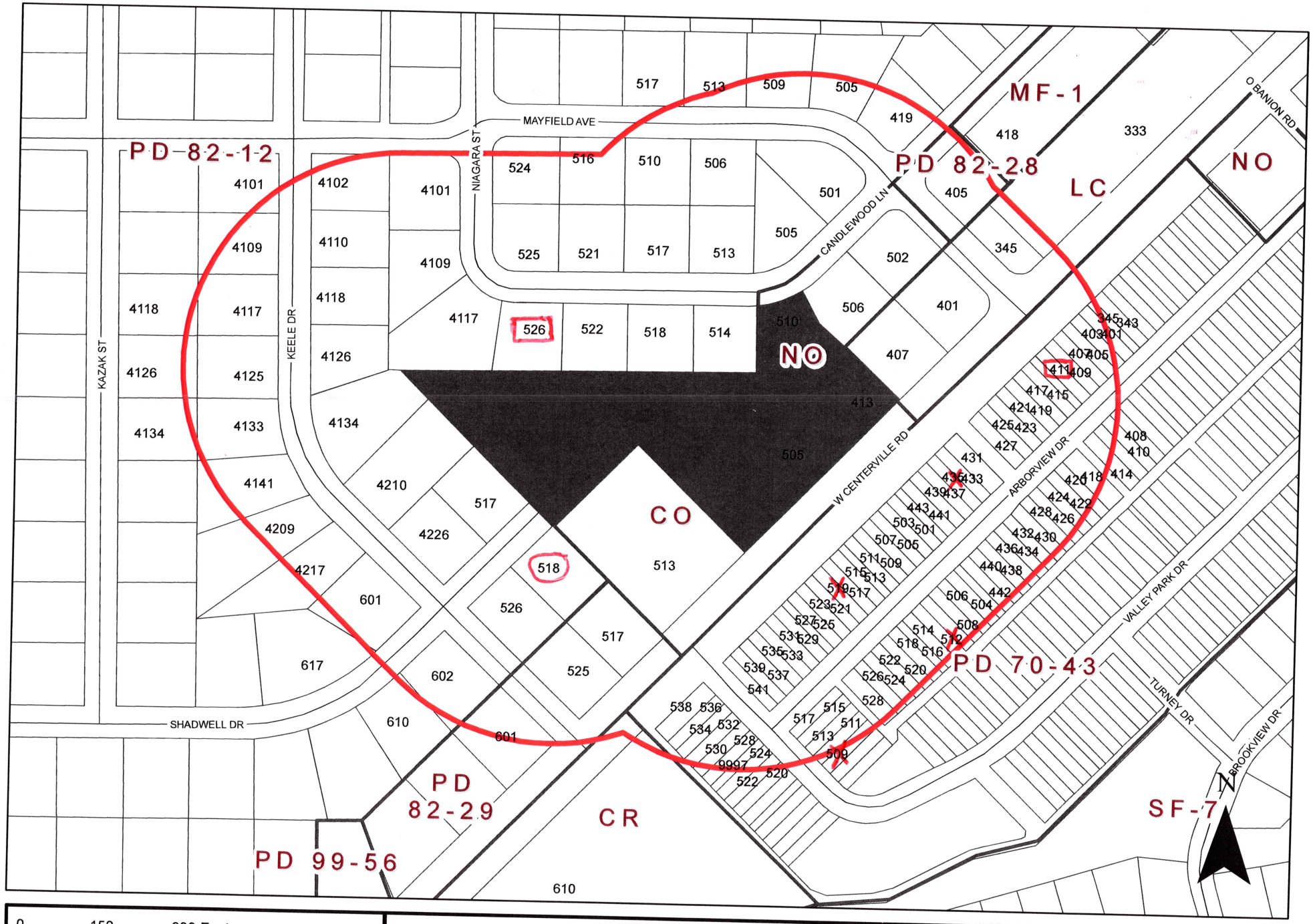
JOB # 222063

REPORT & MINUTES

P.C. Meeting, August 28, 2023

3d. APPROVED Consideration of the application of **Spiars Engineering,** requesting approval of a Detail Plan for Elder Care-Independent Living Use. This property is located at 413 & 505 West Centerville Road and 510 Candlewood Lane. (District 5) (Z 23-29 – Detail Plan)

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



0 150 300 Feet
1 inch = 228 feet

ZONING MAP Z 23-29

INDICATES AREA OF REQUEST

INDICATES NOTIFICATION AREA

505 West Centerville Road

Comment Form
Case Z 23-29

Z 23-29 Spiars Engineering. The applicant proposes to demolish the existing building and construct a senior independent living development with 152 dwelling units, and building heights of 2 and 3 stories. The site is located at 413 and 505 West Centerville Road and 510 Candlewood Lane. (District 5)

Z 23-29 Spiars Engineering. El solicitante propone demoler el edificio existente y construir un desarrollo de vivienda independiente para personas mayores con 152 unidades de vivienda y alturas de edificio de 2 y 3 pisos. El sitio está ubicado en 413 y 505 West Centerville Road y 510 Candlewood Lane. (Distrito 5)

Z 23-29 Spiars Engineering. Người nộp đơn đề xuất phá bỏ tòa nhà hiện có và xây dựng một khu phát triển cuộc sống độc lập dành cho người cao tuổi với 152 căn hộ và chiều cao tòa nhà là 2 và 3 tầng. Địa điểm này tọa lạc tại 413 và 505 West Centerville Road và 510 Candlewood Lane. (Quận 5)

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.

Odell Moss

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.)

512 Arborview Dr.

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

Garland Tx

City, State / Estado de la Ciudad / Thành bang

75043

Zip Code / Código postal / Mã B u Chính

9/08/2023

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.)

Comment Form Continued –
Case Z 23-29

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

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

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

Centerville Rd cannot support the traffic it has now.

No Multi Story Buildings. It would be an eyesore.

Strain on already fragile utilities

Comment Form
Case Z 23-29

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☒ Against / En Contra / Không

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Ash Martinez

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.)

435 Arborview Dr.

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

Garland Tx 75043

City, State / Estado de la Ciudad / Thành bang

75043

Zip Code / Código postal / Mã B u Chính

Signature / Firma / Ch ữ ký

9-4-2023

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 Continued –
Case Z 23-29

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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 median income for retired persons over 65 is 47,650. You expect me to believe that people who are retired are expected to pay half their income on rent? This developer is raising rent which leads to the surrounding areas rent to be raised. 1,500.00 for a studio apartment. When across the street it's 1,650 to 1800 for a 3 to 4 bedroom. Food is high as hell, conservation mean the cost is too high. If he wants to make ~~[illegible]~~ ~~the homes~~ is not gate people into homelessness we are loosing people like me Educators, small business owners prices in Forlan are outrageous. I can make it prices contribute to skyrocket. Food is less expensive in Tonsco. I don't want to leave my hometown because we are being gentrified out of our communities. Developers are doing this all over and it needs to stop.

I vote NO!

Thank you

Mr. Ash Matthew

Comment Form Continued –
Case Z 23-29

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the median income for retired persons over 65 is 47,650. You expect me to believe that people who are retired are expected to pay half their income on rent? This developer is asking rent which really to the surrounding areas rent to be raised 1,500.00 for a studio apartment. When across the street it's 1,650 to 1800 for a 3 to 4 bedroom. Food is high gas prices, insurance rates. The cost of to high if he wants to make ~~business~~ ~~the~~ needs to not price people into homelessness we are loosing people like me teachers, small business owners prices in Forest are astronomical. I can make it prices contribute to stay rooted food is less expensive in Tenico. I don't want to leave my hometown because we are being gentrified all of our communities, developers are doing this all over and it needs to stop I vote NO!

thank you
Mr. Ash Martinez

Comment Form Continued – Case Z 23-29

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

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I Vote NO!

Thank You

Mr. Ash Martinez

Comment Form
Case Z 23-29

Z 23-29 Spiars Engineering. The applicant proposes to demolish the existing building and construct a senior independent living development with 152 dwelling units, and building heights of 2 and 3 stories. The site is located at 413 and 505 West Centerville Road and 510 Candlewood Lane. (District 5)

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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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Samuel Pierre-Auguste

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.)

518 Shadwell Dr.

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

Garland, TX.

City, State / Estado de la Ciudad / Thành bang

75041

Zip Code / Código postal / Mã B u Chính

9/8/2023

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.)

Comment Form
Case Z 23-29

Z 23-29 Spiars Engineering. The applicant proposes to demolish the existing building and construct a senior independent living development with 152 dwelling units, and building heights of 2 and 3 stories. The site is located at 413 and 505 West Centerville Road and 510 Candlewood Lane. (District 5)

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☐ For / A Favor / Đúng

☒ Against / En Contra / Không

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Adrian Ochoa

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.)

509 Mayfield Ave.

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

Garland, TX

City, State / Estado de la Ciudad / Thành bang

75041

SEP 13 '23 AM 11:36

Zip Code / Código postal / Mã B u Chính

09/08/2023

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.)

Comment Form Continued –
Case Z 23-29

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

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

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

As mentioned in the past 2 comment forms we are against Spiars Engineering proposed plan to build dwelling units because of the invasion of privacy 407, 506, 514, 518, 522, 526, 4117, 4126, 4134 4210, 517, 518, 517, and especially 513 will LOSE if this dwelling is built. I am concerned that Spiars decided to build a "senior independent" living development to make it seem as a better option, but it's the same as if it were an apartment or other type of dwelling. I would not be comfortable or happy if my privacy was taken away, especially in my home. Plus, there is a daycare right next to the proposed site, which i am sure would cause a lot of noise and dust in the process.

*Translation provided by Google Tra
*Bản dịch do Google Dịch

Comment Form
Case Z 23-29

Z 23-29 Spiars Engineering. The applicant proposes to demolish the existing building and construct a senior independent living development with 152 dwelling units, and building heights of 2 and 3 stories. The site is located at 413 and 505 West Centerville Road and 510 Candlewood Lane. (District 5)

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☑ For / A Favor / Đúng

☐ Against / En Contra / Không

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Clark Kauffman 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.)

411 Abrview Dr

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

Garland, TX

City, State / Estado de la Ciudad / Thành bang

75043

Zip Code / Código postal / Mã B u Chính

Clark Kauffman

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.)

Comment Form
Case Z 23-29

Outside the Notification Area

Z 23-29 Spiars Engineering. The applicant proposes to demolish the existing building and construct a senior independent living development with 152 dwelling units, and building heights of 2 and 3 stories. The site is located at 413 and 505 West Centerville Road and 510 Candlewood Lane. (District 5)

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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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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.)

LARRY James

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

516 Mayfield Ave

City, State / Estado de la Ciudad / Thành bang

Garland Texas

Zip Code / Código postal / Mã B u Chính

75041

SEP 15 '23 AM 9:22

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.)

Comment Form
Case Z 23-29

Z 23-29 Spiars Engineering. The applicant proposes to demolish the existing building and construct a senior independent living development with 152 dwelling units, and building heights of 2 and 3 stories. The site is located at 413 and 505 West Centerville Road and 510 Candlewood Lane. (District 5)

Z 23-29 Spiars Engineering. El solicitante propone demoler el edificio existente y construir un desarrollo de vivienda independiente para personas mayores con 152 unidades de vivienda y alturas de edificio de 2 y 3 pisos. El sitio está ubicado en 413 y 505 West Centerville Road y 510 Candlewood Lane. (Distrito 5)

Z 23-29 Spiars Engineering. Người nộp đơn đề xuất phá bỏ tòa nhà hiện có và xây dựng một khu phát triển cuộc sống độc lập dành cho người cao tuổi với 152 căn hộ và chiều cao tòa nhà là 2 và 3 tầng. Địa điểm này tọa lạc tại 413 và 505 West Centerville Road và 510 Candlewood Lane. (Quận 5)

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.

MARGARET ANDERSON 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.)

526 Candlewood LN

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

GARLAND TX 75041

City, State / Estado de la Ciudad / Thành bang

75041

Zip Code / Código postal / Mã B u Chính

Signature / Firma / Ch ữ ký

9/22/2023

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.)

Zoning Response Case Comments

Case Number	PC Hearing Date	CC Hearing Date	Planner Name
Z 23-29	September 11, 2023	October 10, 2023	Nabiha Ahmed

Z 23-29 Spiars Engineering. The applicant proposes to demolish the existing building and construct a senior independent living development with 152 dwelling units, and building heights of 2 and 3 stories. The site is located at 413 and 505 West Centerville Road and 510 Candlewood Lane. (District 5)

Kristina Pechal

9/26/2023
10:04:45 PM

Against

802 Branch Drive

Garland
Texas
United States
75041

7136799090

Outside the Notification Area

Javier Padilla

9/26/2023
10:03:54 PM

Against

802 Branch Drive

Garland
Texas
United States
75041

7136799090

Outside the Notification Area

NATALIA VOLOSEN
9/25/2023
8:16:50 PM

Against

519 Arborview Dr

Garland
TX
United States
75043

nataliavolosen@yahoo.com

18173136003

Will cause too much traffic and increase crime activity

Julia Zhang for UCBridge Ltd.

Against

Case Number	PC Hearing Date	CC Hearing Date	Planner Name
Z 23-29	September 11, 2023	October 10, 2023	Nabiha Ahmed

9/4/2023 3:04:04 AM	435 Arborview Dr Garland TX - Texas United States 75043	ucrealty123@yahoo.com 9723694683

Must be one story building to fit the area

GARLAND
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The applicant proposes to demolish the existing building and construct a senior independent living development with 152 dwelling units, and building heights of 2 and 3 stories.

City Council Meeting

October 10, 2023

Z 23-29

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CASE INFORMATION

Location:	413 and 505 West Centerville Road and 510 Candlewood Lane
Applicant:	Spiars Engineering
Owner:	TR Scott Capital
Acreage:	4.361 acres
Zoning:	Community Office (CO) District and Neighborhood Office (NO) District

Z 23-29

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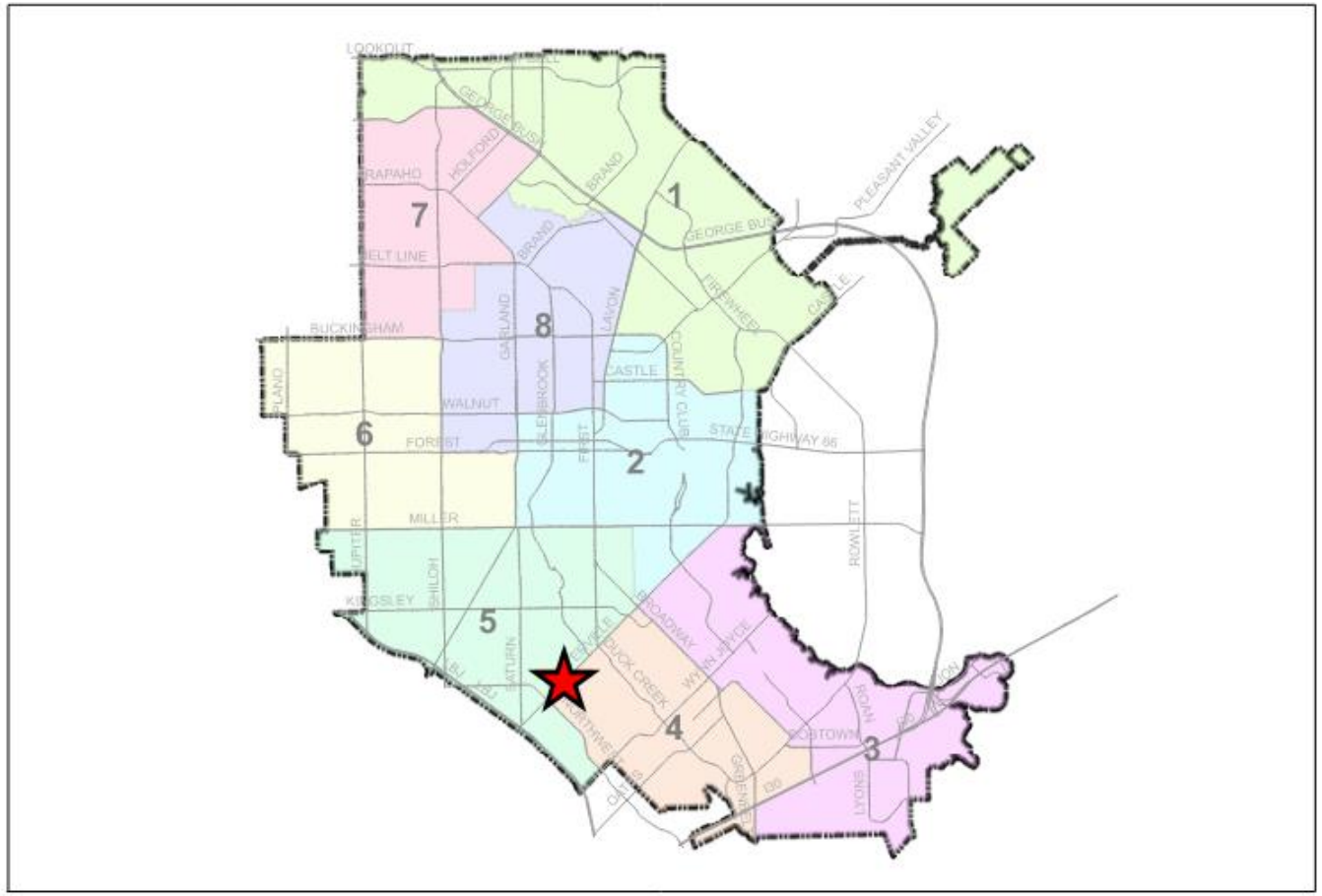
CITYWIDE LOCATION MAP



0 1 2 Miles 1 in = 2 miles | ZONING MAP Z 23-29 | ★ INDICATES AREA OF REQUEST

Z 23-29

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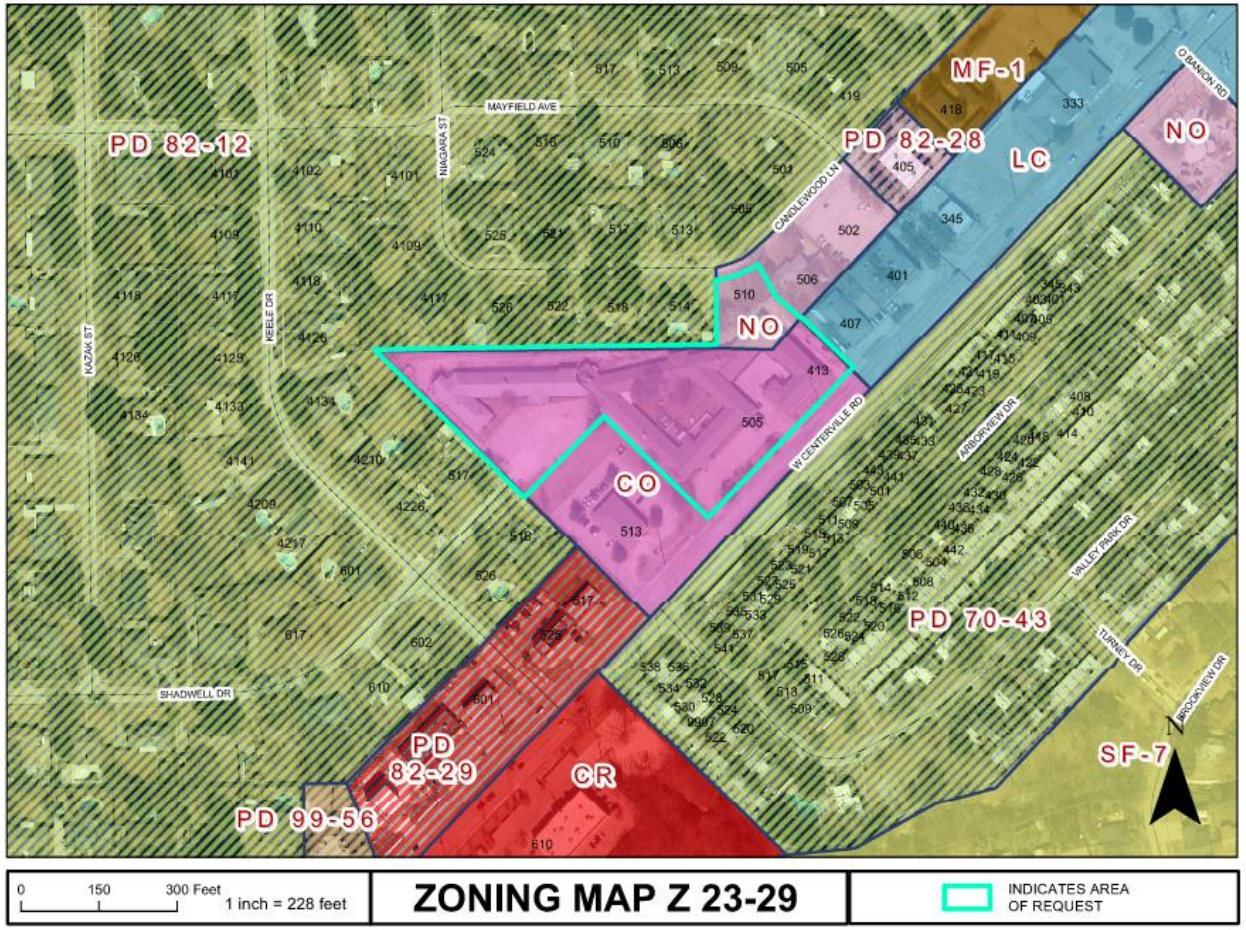
LOCATION MAP



0 150 300 Feet
1 inch = 228 feet

ZONING MAP Z 23-29

INDICATES AREA OF REQUEST

Z 23-29

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COMPARISON

Standards	Previous Multi-Family (Z 23-05)	Proposed Elder Care- Independent Living (Z 23-29)
Residential Type	Multi-Family	Senior Independent Living
Number of Dwelling Units	177 dwelling units	152 dwelling units
Screening Height	6’ masonry wall proposed along northern and western perimeter.	8’ masonry wall proposed along northern and western perimeter.
Maximum Building Height	59 feet (3 and 4 stories)	48 feet (2 and 3 stories)
Density	41 dwelling units per acre	35 dwelling units per acre

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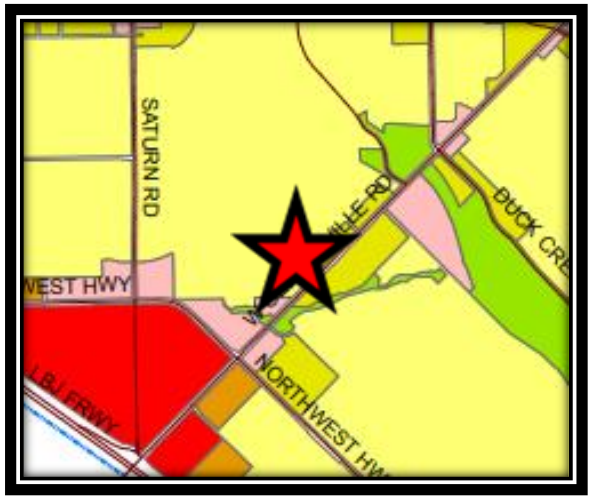
COMPREHENSIVE PLAN

Compact Neighborhoods



Z 22-29

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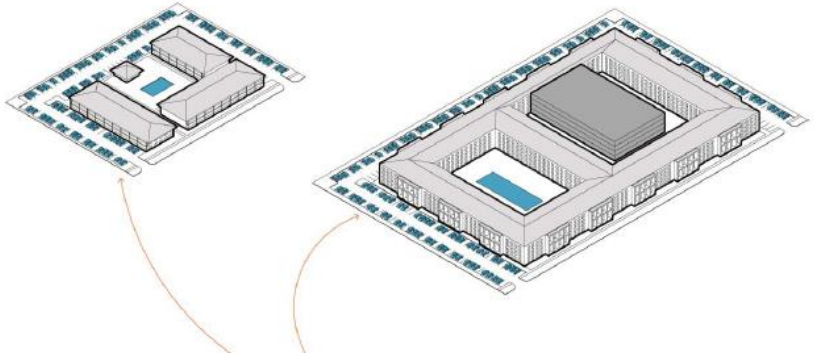
COMPREHENSIVE PLAN

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

This proposal is a redevelopment of the existing vacant retirement facility and offers additional senior housing to the area.

ECONOMIC DEVELOPMENT STRATEGIC PLAN

New multi-family development is considered the second highest revenue per acre generator per the Economic Development Strategic Plan. The proposal represents redevelopment of an underperforming site which currently has a vacant building.



Z 23-29

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PHOTOS

View of the subject property

Looking south of the subject property

Looking west of the subject property

Looking north of the subject property

Z 23-29

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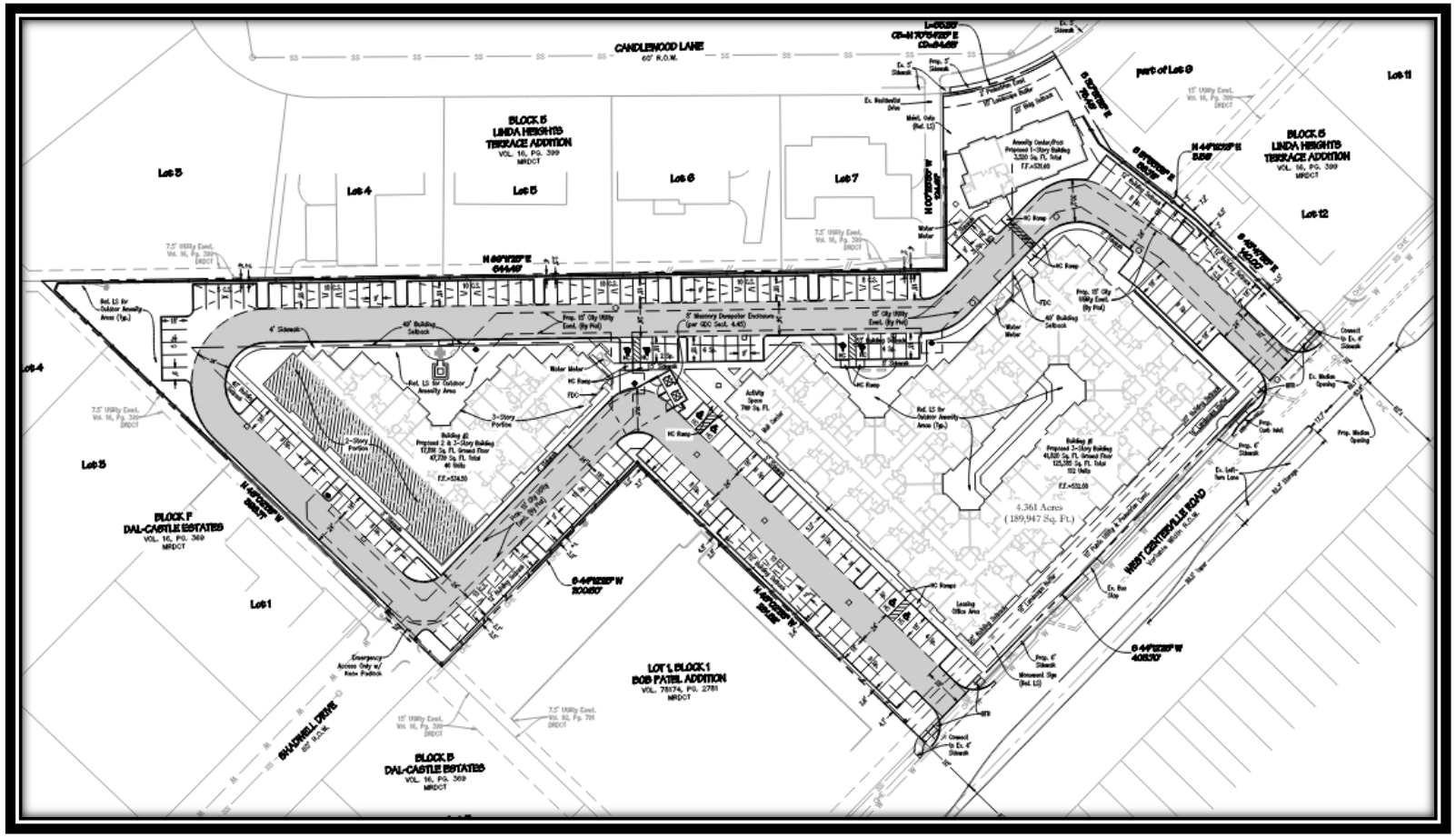
SITE PLAN



Z 23-29

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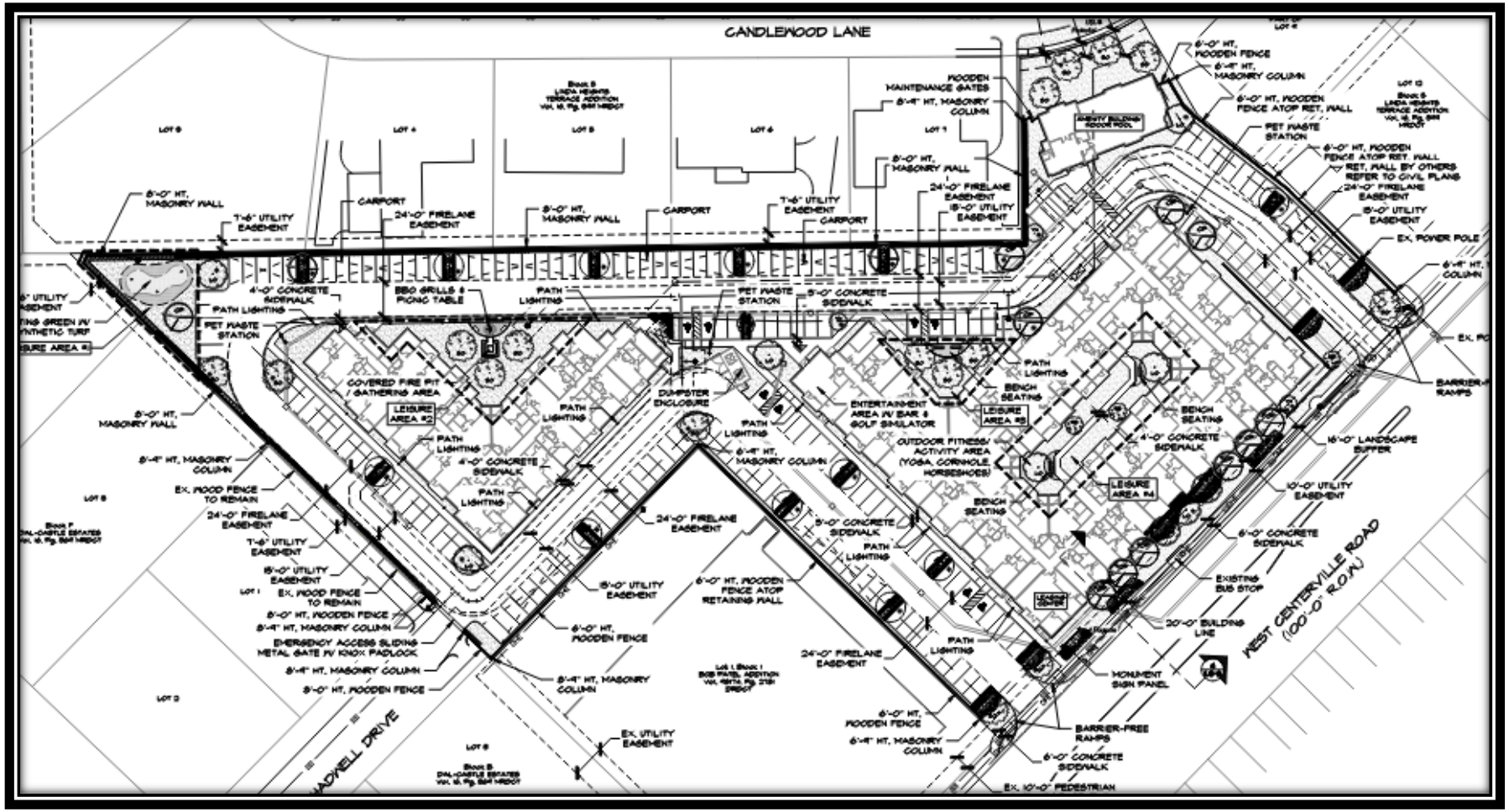
LANDSCAPE PLAN



Z 23-29

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BUILDING ELEVATIONS

Z 23-29

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BUILDING ELEVATIONS

Z 23-29

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BUILDING ELEVATIONS

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BUILDING ELEVATIONS

Z 23-29

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AMENITY BUILDING ELEVATIONS

Z 23-29

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DEVIATIONS

Development Standards	Required	Proposed	Applicant's Justification
Density	32 dwelling units per acre	35 dwelling units per acre	The subject project is not a traditional, garden-style multifamily project and aligns closer to that of an urban-style senior living development. The unique site layout warrants this approach, and the applicant believes the proposed unit mix is conducive of the intent of the future land use plan for this property.
Amenities	The GDC requires indoor common or recreational areas to be provided at a ratio of at least one hundred square feet of gross floor area per dwelling unit. A total of 15,200 square feet of indoor common or leisure area is required.	The site plan (Exhibit C) reflects a 3,520 square-foot amenity building, 749 square-foot indoor activity space for golf stimulation and 12,241 square-foot of outdoor amenities.	Due to the unique orientation of the site and the desire to limit building stories/height and mitigate impact on residential adjacencies, the applicant located the amenities outside of the main buildings. An amenity building/swimming pool is provided at the northeast corner of the subject property, with sidewalk circulation through the site to encourage residents to enjoy the several outdoor amenity spaces provided.

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DEVIATIONS

Building Setbacks	Buildings over 30 feet in height requires a setback of 1.25 times the height of the building.	The 3-story portion of Building 2 should be fifty-five (55) feet from the property line. The site plan (Exhibit C) shows the 3-story portion of Building 2 to be fifty (50) feet from the property line. In addition, Building 1 should be fifty-nine (59) feet and the site plan (Exhibit C) reflects the building to be forty-eight (48) from the northern property line.	Given the project aligns with that of an urban-style development, the slight increase in height is to be expected. Additional measures have been taken to ensure the building stories/height do not negatively impact adjacent single-family properties including reduced building height along adjacencies, perimeter screening, plantings, visibility reductions for tenants on upper floors, etc.
	Carports and Amenity Building are not allowed to be located within the building setback.	Both structures are within building setbacks.	These structures act as a buffer and provide additional screening
Landscaping	40% of the gross platted area should be landscaped.	21%	The applicant optimized the site layout and amenity areas to provide as much landscape area as possible, and they are providing more landscape area than what currently exists with the former assisted living development. They have also intentionally designed these landscape areas to increase value (walking areas, BBQ grills, picnic tables, pet waste stations, etc). Plantings have been provided throughout to match the intent of landscape requirements.

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DEVIATIONS

Screening	Perimeter screening is required along the entire property. Either a six (6) foot masonry wall or a six (6) foot ornamental metal fence with masonry columns with large canopy trees and evergreen shrubs.	The applicant proposes an eight (8) foot masonry wall with high and low level screening shrubs along the northern and western perimeter lines. No canopy trees are provided. A six (6)-foot wood fence with masonry columns is proposed along the southwestern and eastern perimeter lines without any evergreen shrubs. No perimeter screening is proposed along West Centerville Road.	The site layout has been adjusted as much as possible, but given the unique nature of the site, leaves only enough room along the perimeter for the required masonry screening wall along with plantings smaller in size than the required large canopy trees. Various planting options have been added to try and meet the intent of this requirement, with a focus on providing adjacent single-family properties with adequate screening from the development.

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STAFF RECOMMENDATION

Approval of a Change in Zoning from Community Office (CO) District and Neighborhood Office (NO) District to a Planned Development (PD) District for Elder Care - Independent Living Use

Approval of a Detail Plan for Elder Care-Independent Living Use.

PLAN COMMISSION RECOMMENDATION

On September 11, 2023 the Plan Commission, by a vote of seven (7) to zero (0), recommended approval of a Change in Zoning from Community Office (CO) District and Neighborhood Office (NO) District to a Planned Development (PD) District for Elder Care - Independent Living Use.

The Plan Commission, by a vote of seven (7) to zero (0), recommended approval of a Detail Plan for Elder Care-Independent Living Use.

GARLAND

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GARLAND
PLANNING REPORT

City Council Regular Session Agenda **7. e.**

Meeting Date: 10/10/2023

Item Title: Z 23-30 Momentum Tattoo LLC - Specific Use Provision and Major Waiver (District 2)

Submitted By: Matthew Wolverton, Development Planner

REQUEST

Approval of a Specific Use Provision Renewal for a Tattooing/Body Piercing Establishment Use.

Approval of a Major Waiver to Table 7-1 of the Garland Development Code regarding the location and special standards of the Tattooing/Body Piercing Establishments.

Approval of a Downtown Development Plan for a Tattooing/Body Piercing Establishment Use.

LOCATION

532 Main Street, Suite B

OWNER

Porras Enterprise LLC

PLAN COMMISSION RECOMMENDATION

On September 11, 2023 the Plan Commission, by a vote of seven (7) to zero (0), recommended approval of a Specific Use Provision for a Tattooing/Body Piercing Establishment Use on a property zoned Downtown (DT) District and Downtown Square (DS) Sub-District.

In addition, the Plan Commission approved a Major Waiver to Table 7-1 of the Garland Development Code (GDC) regarding the location and special standards of the Tattooing/Body Piercing Establishments.

The Plan Commission, by a vote of seven (7) to zero (0), also recommended approval of a Downtown Development Plan for a Tattooing/Body Piercing Establishment Use.

STAFF RECOMMENDATION

Approval of a Specific Use Provision Renewal for a Tattooing/Body Piercing Establishment Use on a property zoned Downtown (DT) District and Downtown Historic (DH) Sub-District.

Approval of a Major Waiver to Table 7-1 of the Garland Development Code regarding the location and special standards of the Tattooing/Body Piercing Establishments.

Approval of a Downtown Development Plan for a Tattooing/Body Piercing Establishment.

BACKGROUND

The subject property has an approved SUP for a Tattooing/Body Piercing Establishment Use; however, the SUP will expire in October 2023. The applicant proposes a Specific Use Provision (SUP) Renewal for the existing Tattooing/Body Piercing Establishment.

SITE DATA

The site is accessed from Main Street. The tenant space for the use is approximately 2,300 square feet.

USE OF PROPERTY UNDER CURRENT ZONING

The subject property is zoned Downtown (DT) District in the Downtown Square (DS) Sub-District. The current SUP [S 20-23] remains valid for the existing Tattoo Establishment until October 2023.

The purpose of the Downtown (DT) district is to establish a pedestrian-oriented district with an infrastructure of streets and buildings that are flexible in terms of use, and that will attract ongoing reinvestment.

The goals of this district are:

A. To make Downtown viable through:
   1. Providing for integrated mixed-use;

   2. Embodying LEED-ND (Leadership in Energy and Environmental Design-Neighborhood Development) and LEED building principles;

   3. Providing focal open space amenities;

   4. Assuring pedestrian and bicycle friendliness; and

   5. Minimizing the "heat island" effect of large expanses of paving.

B. To provide a mixture of residential, retail, entertainment, office, and government uses.

C. To encourage high-quality development by providing a balance of development standards and expedited administrative approvals for projects which meet the intent of this district.

D. To create standards that ensure an appropriate transition between existing neighborhoods and new development.

CONSIDERATIONS

1. **Specific Use Provision**

   The applicant proposes to continue operating the tattoo shop within the existing building downtown. The hours of operation would remain the same: Tuesday through Saturday 12:00 pm to 9:00 pm.

2. **Major Waiver**

   A Major Waiver was granted with the previous SUP approval (S 20-23). The applicant makes the same request with the continuation of the SUP. The Garland Development Code's Special Standards impose a setback of 500 feet from a Tattooing/Body Piercing Establishment to any residence or residential subdivision, church or place of worship, public or private school, public park, public hospital, child care center, senior living facility, or other tattooing/body piercing establishment. The measurement shall be along the property lines of the street fronts and from front door to front door, and in direct line across intersections.

   The applicant requests approval of a Major Waiver from the abovementioned distance requirements for Tattooing/Body Piercing Establishments. The proposed tattoo shop is located a distance of less than 500 feet from two churches [The Foundry Church is approximately 480 feet away and Lifewell Church is approximately 388 feet away according to the GDC measurement guidelines].

   The Downtown Square is a public open space located directly across Main Street from the subject site, but is not listed as a municipal park by ordinance. The proposed location is more than 500 feet from the nearest existing tattoo shop [Rock Ink Tattoos].

   Section 7.30(C) of the GDC states that Major Waivers are material and substantial changes to the design standards in the Downtown District, or changes which may initially appear to be in conflict with the goals and intent of this district. Major Waivers may only be approved by the City Council, following a recommendation by the Planning Director and the Plan Commission. In order to approve a Major Waiver, the City Council shall find that the Waiver:

- Meets the general intent of this district; and
- Will result in an improved project, which will be an attractive contribution to the Downtown District.

3. The applicant is requesting approval of a ten (10) year duration of the Specific Use Provision. The current SUP was approved for three (3) years. The SUP Time Period Guide recommends between five (5) to ten (10) years.

COMPREHENSIVE PLAN

The Future Land Use Map of the Envision Garland Plan recommend Community Centers for the subject site. Community centers are areas with compact development, primarily non-residential, serving a collection of neighborhoods. This type of development consists of a mix of uses, including retail, services, office use, multi-family residential, and entertainment.

The proposal is consistent with the Community Centers designation.

COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

The surrounding properties are in the Downtown (DT) District. These properties are developed with restaurants, a bank, other retail uses, as well as the Downtown Square. The use is generally compatible with the surrounding zoning and land uses.

GARLAND
PLANNING REPORT

City Council Regular Session Agenda **7. f.**

Meeting Date: 10/10/2023

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

Submitted By: Matthew Wolverton, Development Planner

REQUEST

Approval of a Specific Use Provision Renewal for a Tattooing/Body Piercing Establishment Use.

Approval of a Major Waiver to Table 7-1 of the Garland Development Code regarding the location and special standards of the Tattooing/Body Piercing Establishments.

Approval of a Downtown Development Plan for a Tattooing/Body Piercing Establishment Use.

LOCATION

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OWNER

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The Plan Commission, by a vote of seven (7) to zero (0), also recommended approval of a Downtown Development Plan for a Tattooing/Body Piercing Establishment Use.

STAFF RECOMMENDATION

Approval of a Specific Use Provision Renewal for a Tattooing/Body Piercing Establishment Use on a property zoned Downtown (DT) District and Downtown Historic (DH) Sub-District.

Approval of a Major Waiver to Table 7-1 of the Garland Development Code regarding the location and special standards of the Tattooing/Body Piercing Establishments.

Approval of a Downtown Development Plan for a Tattooing/Body Piercing Establishment.

BACKGROUND

The subject property has an approved SUP for a Tattooing/Body Piercing Establishment Use; however, the SUP will expire in October 2023. The applicant proposes a Specific Use Provision (SUP) Renewal for the existing Tattooing/Body Piercing Establishment.

SITE DATA

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COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

The surrounding properties are in the Downtown (DT) District. These properties are developed with restaurants, a bank, other retail uses, as well as the Downtown Square. The use is generally compatible with the surrounding zoning and land uses.

GARLAND

CITY COUNCIL ITEM SUMMARY SHEET

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

Meeting Date: 10/10/2023

Item Title: Board and Commission Appointment

Submitted By: Tracy Allmendinger, Deputy City Secretary

Summary of Request/Problem

Council Member Carissa Dutton

- Susan Vaden - Library Board
- Patrick Abell - Plan Commission

Recommendation/Action Requested and Justification

Attachments

Susan Vaden

Patrick Abell

CITY OF GARLAND
RECEIVED
JUL 26 2023
CITY SECRETARY

GARLAND
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Application for City of Garland Boards/Commissions/Committees

Return completed application to City Secretary's Office, 200 N. Fifth St., Garland, Texas 75040 | Email: RDowl@GarlandTX.gov

Please Type or Print Clearly: Date: July 26, 2023

Name: Susan P. Vaden Phone: [redacted]

Address: 4010 Justice Ln. Phone: [redacted]

City, State, Zip: Garland, Tx 75042 Email: [redacted]

Resident of Garland for 53 years Resident of Texas for 74 years

✓ Dallas County Voter Registration Number [redacted] Garland City Council District Number 6

Have you ever been convicted of a felony? ☐ Yes ☒ No

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

Please list any experience that qualifies you to serve in the areas you have indicated.
Active LIBRARY Patron.
Active patron of libraries in schools where I taught.

If you have previously served on a City Board or Commission, please specify and list dates of service.
None

List civic or community endeavors with which you have been involved.
Member of West Garland Neighbors Assn. &
Participant in 2023 MLK parade.
Active and Treasurer at St. Barnabas Episcopal Church, Garland.

What is your educational background?
University of North Texas, M.Ed., Secondary Educ.
UNT, B.A, Mathematics

What is your occupational experience?
Classroom Teacher, Mathematics, mostly Algebra & Geometry. High School Level
Academic Coach / Tutor at Dallas College.
Developmental Math, instructor, Richland College

I hereby affirm that all statements herein are true and correct. Susan Vaden

Board or Commission of first, second and third choice:

___ Board of Adjustment	___ Garland Cultural Arts Commission	___ Parks and Recreation Board
___ Citizens Environmental and Neighborhood Advisory Committee	___ Garland Youth Council **	___ Plan Commission *
___ Civil Service Commission	1 Library Board	___ Senior Citizens Advisory Committee
___ Community Multicultural Commission	___ Property Standards Board	___ Unified Building Standards Commission

*** Garland Youth Council has a separate application*

FOR OFFICE USE ONLY

Ad Valorem Tax Status Current ✓ Past Due ___ Date Appointed ___
Utility Account Status Current ✓ Past Due ___ Appointed By ___
CSO Suit/Claim Filed Yes ___ No ✓ Date Notified ___
Clerk Signature & Date Courtney Vanover 7-26-23 Disclosure Form Filed ___

Revised 05/2021

GARLAND

TEXAS MADE HERE

Application for City of Garland Boards/Commissions/Committees

Return completed application to City Secretary's Office, 200 N. Fifth St., Garland, Texas 75040 | Email: RDovel@GarlandTX.gov

Please Type or Print Clearly: Date: 9/26/2023

Name: Patrick L. Abell Phone: [redacted]

Address: 4005 Princeton Dr Phon[redacted]

City, State, Zip: Garland, TX, 75042 Emai[redacted]

Resident of Garland for 25 years Resident of Texas for 45 years

Dallas County Voter Registration Number [redacted] Garland City Council District Number 6

Have you ever been convicted of a felony? ☐ Yes ☑ No

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

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

Current licensed REALTOR, Civic and community growth minded.

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

Currently serving as Chair of T.I.F. 3. Served on T.I.F 1 at its inception.

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

Community volunteer, Neighborhood liason, Garland specialist REALTOR.

What is your educational background?

High school Diploma, over 750 hours of professional training in banking and real estate.

What is your occupational experience?

Retail, Retail Development, Banking, Sales and Real Estate

I hereby affirm that all statements herein are true and correct.

Board or Commission of first, second and third choice:

___ Board of Adjustment	___ Garland Cultural Arts Commission	___ Parks and Recreation Board
___ Citizens Environmental and Neighborhood Advisory Committee	___ Garland Youth Council **	✓ Plan Commission *
___ Civil Service Commission	___ Library Board	___ Senior Citizens Advisory Committee
___ Community Multicultural Commission	___ Property Standards Board	___ Unified Building Standards Commission

*** Garland Youth Council has a separate application*

FOR OFFICE USE ONLY

Ad Valorem Tax Status Current ✓ Past Due ___ Date Appointed ___

Utility Account Status Current ✓ Past Due ___ Appointed By ___

CSO Suit/Claim Filed Yes ___ No ✓ Date Notified ___

Clerk Signature & Date Courtney Vanover 9·27·23 Disclosure Form Filed ___

Revised 05 2021

CITY OF GARLAND RECEIVED SEP 26 2023 CITY SECRETARY