



GARLAND
NOTICE OF MEETING
CITY OF GARLAND, TEXAS

Plan Commission
Public Meeting
Council Chambers
William E. Dollar Municipal Building
200 N. Fifth Street
Garland, Texas
April 13, 2026
6:30 PM

A meeting of the Plan Commission of the City of Garland, Texas will be held at the aforementioned location, date, and time to discuss and consider the following agenda items.

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

The meeting will be broadcast on City of Garland Government Access Television (CGTV). CGTV is available via GarlandTX.gov, channel 16 (Spectrum), Channel 44 (Frontier), and channel 99 (AT&T U-verse). Meetings are broadcast online via live-streaming, on-demand, and air on CGTV with several rebroadcasts during the week of the meeting.

Public Comments

Your comments must relate to an item on this agenda - non-germane comments are not in order. Time limits will be imposed by the Chairman as appropriate to the nature of the agenda item. Generally, public speakers are given three minutes.

IN-PERSON COMMENTS: Registration will be required for any citizen wishing to speak. Speaker cards are available with the Secretary.

Garland City Hall and Council Chambers are 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.

If the Plan Commission adjourns into executive session during this meeting, the executive session will be conducted between and among the members of the Plan Commission and relevant City staff. Public access to that meeting is prohibited by State law.

AGENDA:

1. ITEMS FOR INDIVIDUAL CONSIDERATION

a. March 9, 2026 Plan Commission Minutes

2. PUBLIC HEARING

a. Z 26-03 Paras Khara (District 7)

*Hold a public hearing and consider the application of **Paras Khara**, requesting approval of 1) a Specific Use Provision (SUP) for a Car Wash, Automated/Rollover use on property zoned Community Retail (CR) District and 2) a concept plan for a Car Wash, Automated/Rollover use. The site is located at 3401 West Buckingham Road. (District 7) (File Z 26-03)*

b. Z 26-07 Srinivas Chaluvadi (District 7)

*Hold a public hearing to consider the application of **Srinivas Chaluvadi**, requesting approval of an amendment to Planned Development District 15-43 (PD 15-43) to modify parking standards for the subject property and adopt the current off-street parking requirements of the Garland Development Code (GDC). The site is located at 6313 North President George Bush Highway. (District 7) (File Z 26-07)*

c. GDC Amendment ORD 26-02

Hold a public hearing to consider amendments to several sections within Chapter 1, General Provisions, Chapter 3 Subdivision Regulations, and Chapter 5 Relief Procedures and Enforcement, generally related to Alley Waivers, Sidewalk Waivers, and Working Plats.

3. ADJOURN

NOTICE: The Plan Commission may recess from the open session and convene in a closed session if the discussion of any of the listed agenda items concerns matters regarding 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.

NOTE: A quorum of the City Council may be in attendance and may or may not participate in the discussions of the Committee or board.



GARLAND

MINUTES

The Plan Commission of the City of Garland convened in regular session at 6:30 PM on March 9, 2026, in the Council Chambers at the William E. Dollar Municipal Building, 200 North Fifth Street, Garland, Texas, with the following members present:

Present: Scott Roberts, Chairman
Wayne Dalton, 2nd Vice Chair
Stephanie Paris, Commissioner
Georgie Cornelius, Commissioner
Jaric Jones, Commissioner
Patrick Abell, Commissioner
Edgar Miranda, Commissioner
Bob Duckworth, Commissioner

Absent: Julius Jenkins, 1st Vice Chair

Staff Present: Nabila Nur, Planning Director
Emma Chetuya, Planning Administrator - Development
Matthew Wolverton, Planner II
Stewart Starry, Planner II
Kurt Banowsky, Sr. Assistant City Attorney II
Elisa Morales, Recording Secretary

1. ITEMS FOR INDIVIDUAL CONSIDERATION

a. February 23, 2026 Plan Commission Minutes

Motion was made by Commissioner Duckworth to **approve** the Minutes as presented. Seconded by Commissioner Paris. **Motion carried: 8 Ayes, 0 Nays.**

2. PUBLIC HEARING

a. Z 26-01 ZoneDev (District 5)

*Hold a public hearing to consider the application of **ZoneDev**, requesting approval of a change in zoning from Single-Family (SF-7) district to Planned Development (PD) district Neighborhood Services (NS) district (PD-NS) zoning to allow for certain Neighborhood Services district uses and modify certain development standards. The site is located at 820 West Miller Road. (District 5) (File Z 26-01)*

Stewart Starry, Planner II, presented the request to the Commission and remained available for questions.

The applicant, Maxwell Fisher, 2502 Grandview Drive, Richardson, TX 75080, provided an overview of the request and remained available for questions.

Motion was made by Commissioner Jones to close the public hearing and **approve** the application with the conditions presented by Staff. Seconded by Commissioner Miranda. **Motion carried: 8 Ayes, 0 Nays.**

b. Z 26-02 TurfMaker (District 5)

*Hold a public hearing to consider the application of **TurfMaker**, requesting approval of 1) a Specific*

Use Provision (SUP) to allow an Industrial or Manufacturing, Heavy use and 2) a Concept Plan for the Industrial or Manufacturing, Heavy use. The site is located at 2775 West Kingsley Road on a property zoned Industrial (IN) district. (District 5) (File Z 26-02)

Stewart Starry, Planner II, presented the request to the Commission and remained available for questions.

The applicant, Judy Allen, 4931 Grisham Drive, Rowlett, TX 75088, provided an overview of the request and remained available for questions.

Motion was made by Commissioner Abell to close the public hearing and **approve** the application as presented with an eight-year SUP. Seconded by Commissioner Jones. **Motion carried: 8 Ayes, 0 Nays.**

c. Z 26-04 ZoneDev (District 3)

*Hold a public hearing to consider the application of **ZoneDev**, requesting approval of 1) a Planned Development (PD) district with a base zoning of Single-Family-5 (SF-5) district to allow a Single-Family Detached housing development and 2) a Concept Plan for the Single-Family Detached use. The site is located at 4802 & 4718 Bobtown Road on properties zoned Agricultural (AG) district. (District 3) (File Z 26-04)*

Matthew Wolverton, Planner II, presented the request to the Commission and remained available for questions.

The applicant, Maxwell Fisher, 2502 Grandview Drive, Richardson, TX 75080, provided an overview of the request and remained available for questions.

Residents speaking in opposition to the request:

Paul Cross, 6310 Sasaki Way, Garland, TX 75043
Michael Howard, 4918 Bobtown Road, Garland, TX 75043
Tommy King, 4721 Bobtown Road, Garland, TX 75043

The residents speaking in opposition to the request expressed concerns regarding the increased traffic to the surrounding neighborhoods.

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

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

d. Z 26-05 Endeavor Real Estate Group (District 7)

*Hold a public hearing to consider the application of **Endeavor Real Estate Group**, requesting approval of a change in zoning from Agricultural (AG) district to Planned Development (PD) district 84-96. The site is located at 6211 North George Bush Highway on a property zoned Agricultural (AG) district. (District 7) (File Z 26-05)*

Matthew Wolverton, Planner II, presented the request to the Commission and remained available for questions.

The applicant, Zach Johnston, 5950 Berkshire Lane, Ste. 210, Dallas, TX 75225, provided an overview of the request and remained available for questions.

Resident speaking on the request:

David Parish, 2526 Pepperidge Drive, Garland, TX 75044

The resident speaking on the request would like to conduct a plant rescue in the fall on the subject property to help preserve a unique type of plant that only grows on limestone.

Motion was made by Commissioner Miranda to close the public hearing and approve the application as presented. Seconded by Commissioner Paris. **Motion carried: 8 Ayes, 0 Nays.**

3. ADJOURN

There being no further business to come before the Plan Commission, the meeting adjourned at 8:32 p.m.

Submitted By:

Scott Roberts, Chair

Elisa Morales, Secretary



Planning Report

File No: Z 26-03/District 7

Agenda Item:

Meeting: Plan Commission

Date: April 13, 2026

REQUEST

Hold a public hearing and consider approval of 1) a Specific Use Provision (SUP) for a Car Wash, Automated/Rollover use on property zoned Community Retail (CR) District and 2) a concept plan for a Car Wash, Automated/Rollover use.

LOCATION

3401 West Buckingham Rd

APPLICANT

Paras Khara

OWNER

Vibe 3401 Buckingham LLC

BACKGROUND

The applicant proposes to continue the existing use while modernizing and upgrading the site. The subject property has operated as a car wash since it was constructed in 1988 per Dallas Central Appraisal District. This construction occurred prior to the adoption of the current Garland Development Code (GDC) which requires a Specific Use Provision (SUP) for a Car Wash, Automated/Rollover use. As a result, the existing use is considered legal nonconforming. The proposed redevelopment and site modifications trigger compliance with current GDC standards, which requires an SUP in the CR District.

SITE DATA

The subject property is approximately 1.07 acres in size and is developed with an existing car wash facility. Access to the site is provided from West Buckingham Road, as well as an access drive located along the west side of the property. The existing building is approximately 7,669 square feet and will be partially demolished and reduced to approximately 5,938 square feet as part of the proposed redevelopment. The proposal includes site circulation improvements, upgraded vacuum areas, canopy additions, updated signage and landscape enhancements along the street frontage.

USE OF PROPERTY UNDER CURRENT ZONING

The site is zoned Community Retail (CR). The Community Retail (CR) District is intended to accommodate a variety of retail, service, and business establishments that may or may not be designed in a shopping center configuration. The district may be used as a transition district between lower intensity retail or office uses and more intense uses. A Community Retail (CR) District is generally appropriate along major transportation corridors but is generally not appropriate in proximity to low-density residential districts without significant buffering and screening features. An example of allowed use in a CR district is a retail shopping area that may be large in scale with very limited or no outside storage. Traffic generated by uses in a Community Retail (CR) District must be focused onto the major thoroughfare network. Development in a Community Retail (CR) District may not be designed in a manner that increases traffic through residential areas.

SITE DEVELOPMENT STANDARDS

1. The proposed development shall comply with Section 4.83 (A) of the Garland Development Code (GDC) which requires nonresidential buildings to incorporate at least six design elements that create character or reflect regional architecture.
2. Parking is calculated based on the office/support area only, excluding the tunnel portion of the car wash, in accordance with Section 4.20 of the GDC. The site meets minimum parking requirements (1 space per 200 square feet of gross floor area) with 12 spaces required and provided.
3. Landscaping is required in accordance with Section 4.29(B)(6) of the GDC due to modifications to the parking area with frontage along a public street. The proposed development includes landscaping along West Buckingham Road and within parking areas, including canopy trees, ornamental trees, and shrubs within required landscape buffers and interior parking areas, in compliance with Chapter 4, Article 3 of GDC.
4. Any proposed signage shall comply with the standard signage requirements of the GDC as set forth in Chapter 4, Article 5.
5. The proposed development is required to provide one loading space in accordance with Section 4.22 of the GDC, and the required loading space is provided.
6. In accordance with Section 4.20 (I)(6) of the GDC, for each automated self-service (drive-through/ rollover) car wash bay, a minimum of three (3) stacking spaces, in addition to the wash bay are required. One (1) stacking space is required at the exit end of each wash bay for drying and detailing. These requirements have been provided.
7. No additional site development standards are triggered by this request, as the proposal is in compliance with Section 2.52 (A) (3) – Automotive Uses of the GDC.

CONSIDERATIONS**Specific Use Provision**

1. The SUP Time Period guide recommends eight to 15 years for this type of projects. The applicant requests the maximum allowed time period.
2. The request allows for the continued operation of a long-established site while facilitating reinvestment and modernization.
3. The proposed redevelopment includes building reduction, new canopies, enhanced landscaping, improved site circulation, and updated signage.
4. Section 4.45 of the Garland Development Code requires refuse containers to be located behind the main building and screened from public view. The final location of the refuse container is currently under review and has not yet been finalized.
5. Per the applicant, the existing pole sign will be removed and replaced with a monument sign located closer to the right-of-way.

COMPREHENSIVE PLAN

The Future Land Use Map of the Envision Garland Plan recommends Neighborhood Centers for the subject site. Neighborhood Centers provide a mix of retail, services and community gathering places. This center should be appropriately scaled to adjacent residential areas. This type of center is predominantly, but not exclusively, non-residential. Neighborhood centers are served by local roads and transit routes.

The proposed car wash use is consistent with the Neighborhood Centers designation as it supports an existing service within an established commercial corridor. The continued operation and reinvestment in the site supports the revitalization of aging commercial properties and enhances the overall functionality and visual character of the corridor.

COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

The property to the north is zoned Community Retail (CR) District and is developed with a Home Depot. The property to the east is zoned Community Retail (CR) District and is developed with a daycare center and place of worship. The property to the south is zoned Planned Development (PD) District 17-18 with a base zoning of Community Retail (CR) District and is developed with a medical care center. The property to the west is zoned Community Retail (CR) District and is developed with a Chase Bank.

The surrounding area is predominantly developed with commercial and service-oriented uses. The proposed use is consistent with the established development pattern and is appropriate for a site located along a commercial corridor. The continued operation of the car wash, along with the proposed site improvements will enhance the overall functionality and visual character of the property while remaining compatible with surrounding land uses.

STAFF RECOMMENDATION

Staff recommends approval of the Specific Use Provision request for a Car Wash, Automated/Rollover use and the associated concept plan for a time period of 15 years with the condition that the pole sign be removed and a monument sign be installed per GDC standards. The request is consistent with the Comprehensive Plan’s vision and is compatible with the surrounding commercial development pattern with the context of the use being currently operating. The site has historically operated as a car wash, and the proposed redevelopment facilitates reinvestment and modernization of the use. The proposed improvements will improve the overall functionality and visual character of the property.

ADDITIONAL INFORMATION

- i. Location Map
- ii. Concept Plan
- iii. SUP Conditions
- iv. Elevations (for reference)
- v. Site Photos
- vi. Written Narrative

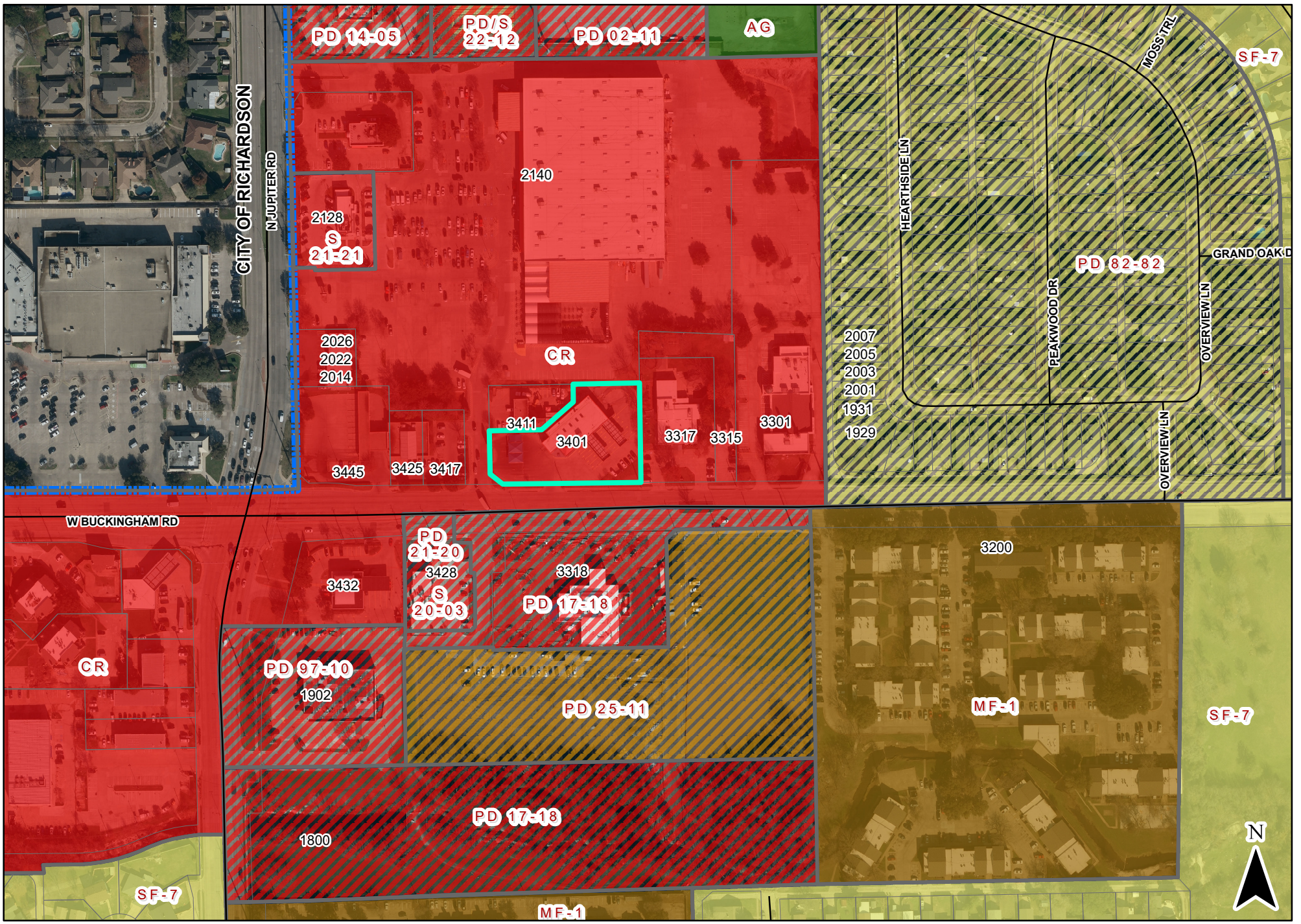
CITY COUNCIL DATE: May 5, 2026

PREPARED BY:

Kalyan Mutukundu
Planner I
Planning & Development
972-205-2460
KMutukundu@garlandtx.gov

REVIEWED BY:

Emma Chetuya PhD., AICP
Planning Administrator
Planning and Development
972-205-2453
EChetuya@garlandtx.gov



0 250 Feet

1 inch = 250 feet

ZONING MAP Z 26-03



INDICATES AREA OF REQUEST

3401 W Buckingham Rd

VIBE CAR WASH

SITE DATA SUMMARY TABLE	
SITE ACREAGE:	1.07 ACRES (46,603.33 SQ. FT.)
ZONING:	CR (EXISTING & PROPOSED)
LAND USE:	CAR WASH, AUTOMATED/ROLLOVER
REGULAR PARKING REQUIRED:	12 STALLS (2,392 S.F./200=12)
1 SPACE PER 200 S.F. (EXCL. TUNNEL)	

LEGEND

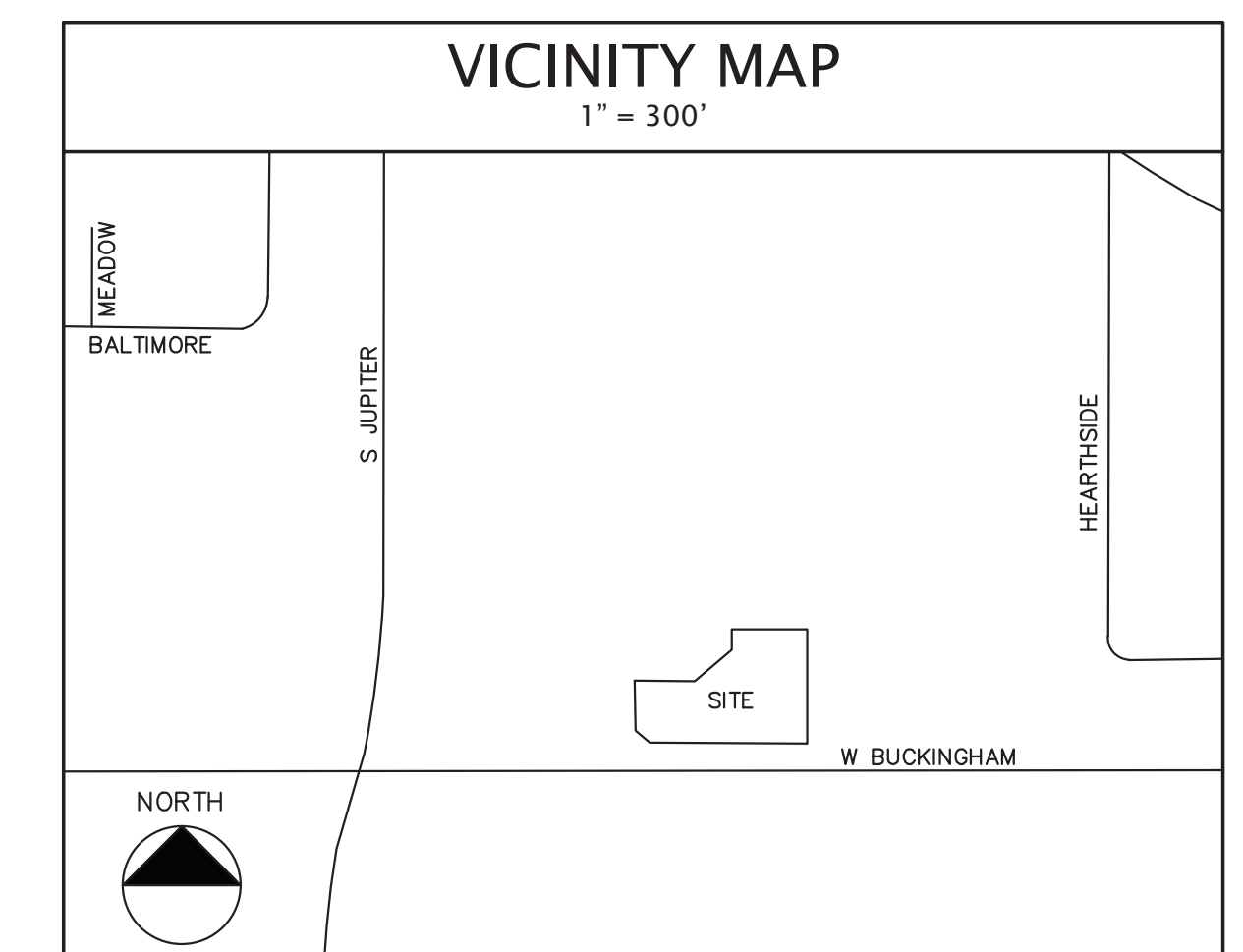
- BUILDING
- DUMPSTER
- DRIVES
- SIDEWALKS
- GREENSPACE/LANDSCAPING

PLAN NOTES:
THIS SITE PLAN IS FOR CITY OF GARLAND CONCEPT PLAN / SUP REVIEW ONLY AND DOES NOT REPRESENT FINAL CONSTRUCTION DOCUMENTS.

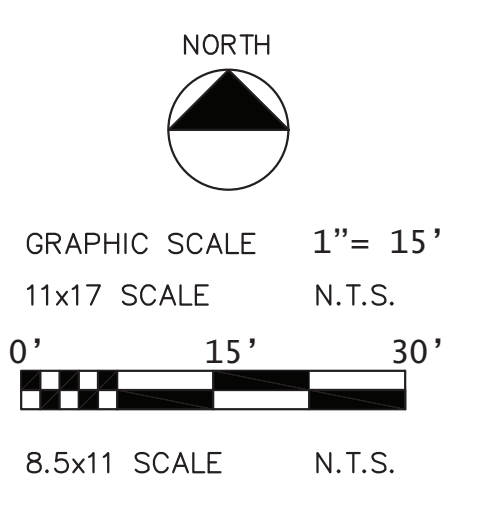
BUILDINGS, DRIVEWAYS, PARKING, SIDEWALKS, UTILITIES, FIRE LANES AND ACCESS SHOWN ARE CONCEPTUAL FOR PLANNING REVIEW ONLY. FINAL DESIGN SHALL BE SUBJECT TO CITY REVIEW AND APPROVAL DURING PERMITTING.

EASEMENT MODIFICATIONS SHOWN FOR CONCEPTUAL COORDINATION ONLY. FINAL LOCATIONS AND ABANDONMENT SUBJECT TO SEPARATE LEGAL DOCUMENTATION AND APPROVALS.

SITE DESIGN AND CONSTRUCTION PLANS SHALL CONFORM TO ALL REQUIREMENTS OF THE GARLAND DEVELOPMENT CODE (GDC), TECHNICAL STANDARD MANUAL (TSM) AND CITY CODES UNLESS AN APPROVED PD NARRATIVE CONDITION EXPRESSLY PROVIDES OTHERWISE. THE CONCEPT PLAN SHALL BE USED TO REPRESENT THE GENERAL IDEA OF THE PROPOSED LAND USE AND SITE ELEMENTS. THE CONCEPT PLAN SHALL NOT SUPERSEDE, AND SHALL BE SUBORDINATE TO, THE STANDARDS, REQUIREMENTS AND CONDITIONS OF THE GDC, TSM, CITY CODE, OR THE APPROVED PD.



W. BUCKINGHAM ROAD (VARIABLE WIDTH R.O.W.)



OWNER:
VIBE 3401 BUCKINGHAM LLC
601 W PARKER ROAD; STE. 106
PLANO, TX 75023
(469) 708-4680 EXT. 701

APPLICANT:
PARAS KHARA
601 W PARKER ROAD; STE. 106
PLANO, TX 75023
(469) 708-4680 EXT. 701

CONCEPT PLAN FOR:
PROPOSED CAR WASH
3401 W. BUCKINGHAM RD.
1.070 ACRES
PRE-SUBMITTAL CASE #: 250731-2
A-1487
LEVI TURNER SURVEY
THE CITY OF GARLAND
DALLAS COUNTY, TEXAS

PREPARED BY:
LPSE Lobsinger & Potts Structural Engineering, Inc
PO Box 560215 The Colony, Texas 75056
817.488.9933 Fax 817.488.9937 Firm Reg. # 7290

SPECIFIC USE PROVISION

ZONING FILE Z 26-03

3401 West Buckingham Road

- I. Statement of Purpose:** The purpose of this Specific Use Provision is to allow a Car Wash, Automated/Rollover 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 as set forth in Chapter 2 of the Garland Development Code Ordinance 6773, are included by reference and shall apply, except as otherwise specified by this ordinance.
- IV. Abandonment:** In the event the land use for which this Specific Use Provision was granted ("Land Use") is abandoned, the SUP and all rights to the Land Use are automatically terminated, and the premises must be used in conformance with the PD, GDC, federal, and state law.

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

- A. A failure to apply for a site or building permit on the premises, where applicable, within 180 days of the effective date of this SUP;
- B. A failure to obtain a certificate of occupancy for the Land use within 730 days of the effective date of this SUP;
- C. A failure to commence operating the Land Use on the premises within 90 days of receiving a final certificate of occupancy for the Land Use;
- D. Discontinuance of the Land Use for a period of 180 days;
- E. Applying for, and receiving, a new Certificate of Occupancy for a use other than the Land Use; or

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

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

V. Specific Regulations:

A. Time Period: The Specific Use Provision shall have a 30-year time period.

A. Time Period: The Specific Use Provision shall have a 15-year time period. [Staff Recommendation]

B. Landscaping: Landscaping shall be installed along West Buckingham Road and within parking areas, including landscape buffers and interior parking lot landscaping, in accordance with Chapter 4, Article 3 of the Garland Development Code prior to issuance of a Certificate of Occupancy.

C. Concept Plan: The development shall be constructed in accordance with the Concept Plan. The proposed improvements include partial demolition of the existing building, canopy additions, enhanced landscaping, updated signage and site circulation improvements.

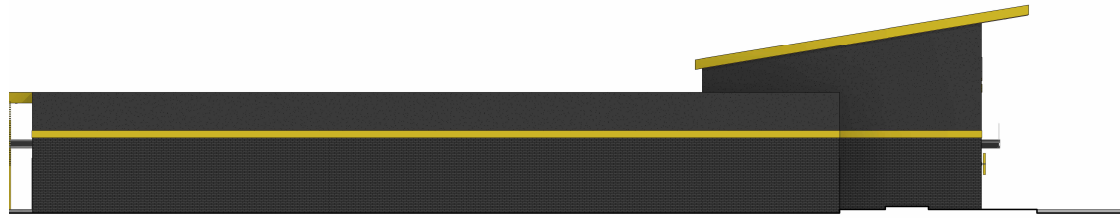
D. Sign: The existing pole sign on site shall be removed, and a monument sign shall be installed per GDC standards.

□ § 4.83 Nonresidential and Multifamily Building Materials and Design.

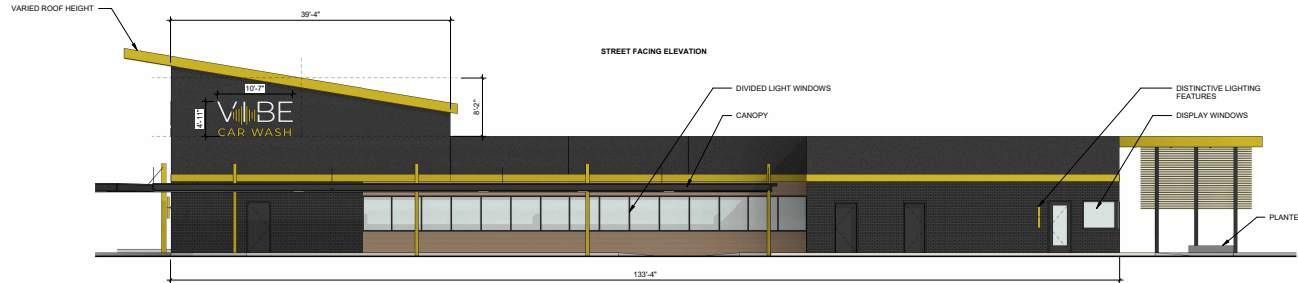
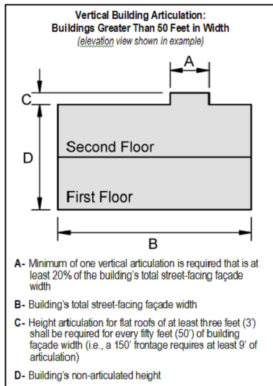
(A) Architectural Elements.

(t) All nonresidential and multifamily buildings must incorporate design elements that create character or reflect regional architecture by including at least six of the following elements (for which photos and examples are provided below the list):

- ✓ (a) Awnings or canopies;
- ✓ (b) Display windows;
- ✓ (c) Divided light windows;
- (d) Transoms;
- (e) Shutters;
- (f) Alcoves/porticos;
- (g) Recessed entries;
- (h) Ornamental window headers/lintels;
- (i) Quoins;
- ✓ (j) Distinctive lighting features;
- ✓ (k) Planters or fountains;
- (l) Benches for outdoor seating;
- (m) Dormers;
- ✓ (n) Varied roof heights;
- (o) Ornamental facade trims;
- (p) Bay windows; and
- (q) Gable windows.



NORTH ELEVATION | 4
SCALE: 1/8" = 1'-0" A3.2



VERTICAL BUILDING ARTICULATION
REQUIRED: 133.4' X 20% = 26.7'
PROVIDED: 39.3'

HEIGHT ARTICULATION
REQUIRED: 133.4' / 50' = 2.67 X 3' = 8.01'
PROVIDED: 26'

SOUTH ELEVATION | 3
SCALE: 1/8" = 1'-0" A3.2



EAST ELEVATION | 2
SCALE: 1/8" = 1'-0" A3.2



VERTICAL BUILDING ARTICULATION
REQUIRED: 62.8' X 20% = 12.6'
PROVIDED: 27.3'

HEIGHT ARTICULATION
REQUIRED: 62.8' / 50' = 1.26 X 3' = 2.9'
PROVIDED: 12.3'

WEST ELEVATION | 1
SCALE: 1/8" = 1'-0" A3.2

Z 26-03



View of site facing north



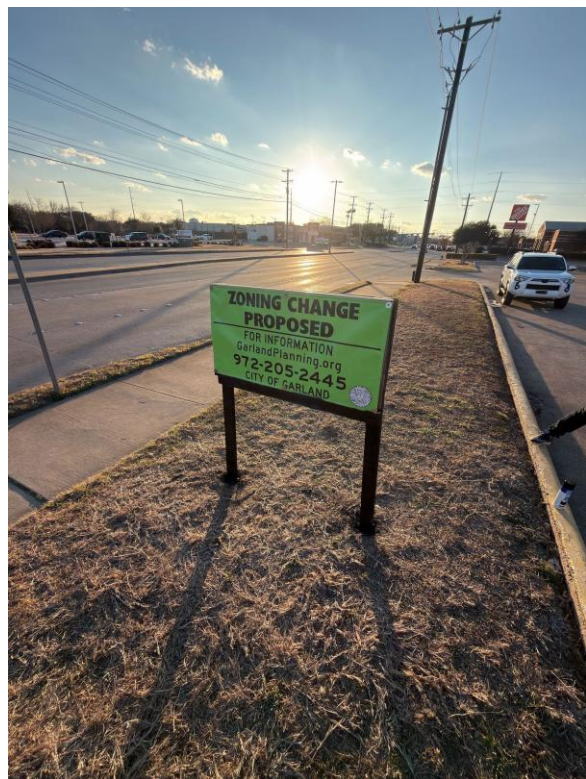
View of site facing east



View of site facing west



View of site facing southwest



Zoning sign along West Buckingham Road

Specific Use Provision Application – Written Narrative

3401 W Buckingham Road
Garland, Texas 75042

The subject property located at 3401 W Buckingham Road in Garland, Texas has operated continuously as a car wash since its original construction in 1983. The use is well-established, compatible with surrounding development, and consistent with the long-standing commercial character of the area. The proposed project will maintain the existing car wash use while modernizing and upgrading the site through partial demolition of a portion of the existing building and the addition of new canopies. These improvements are intended to enhance the appearance, safety, and functionality of the site while bringing the development into closer alignment with current design standards.

The surrounding area is comprised primarily of commercial and retail uses, including an adjacent tire shop and nearby retail businesses. There are no immediately adjacent residential properties. The proposed continued use as a car wash is fully compatible with the surrounding development pattern and aligns with the City of Garland's Comprehensive Plan designation of this area as a Transit Oriented Center. The proposed renovations support the City's goals of reinvestment, revitalization, and enhancement of aging commercial corridors.

The project will include architectural upgrades, enhanced landscaping, and improved site circulation. Landscaping improvements will be provided along the required 16-foot landscape buffer along Buckingham Road to enhance the streetscape and reduce visual impacts. Additionally, perimeter screening and site improvements will contribute to an overall upgraded appearance for the property.

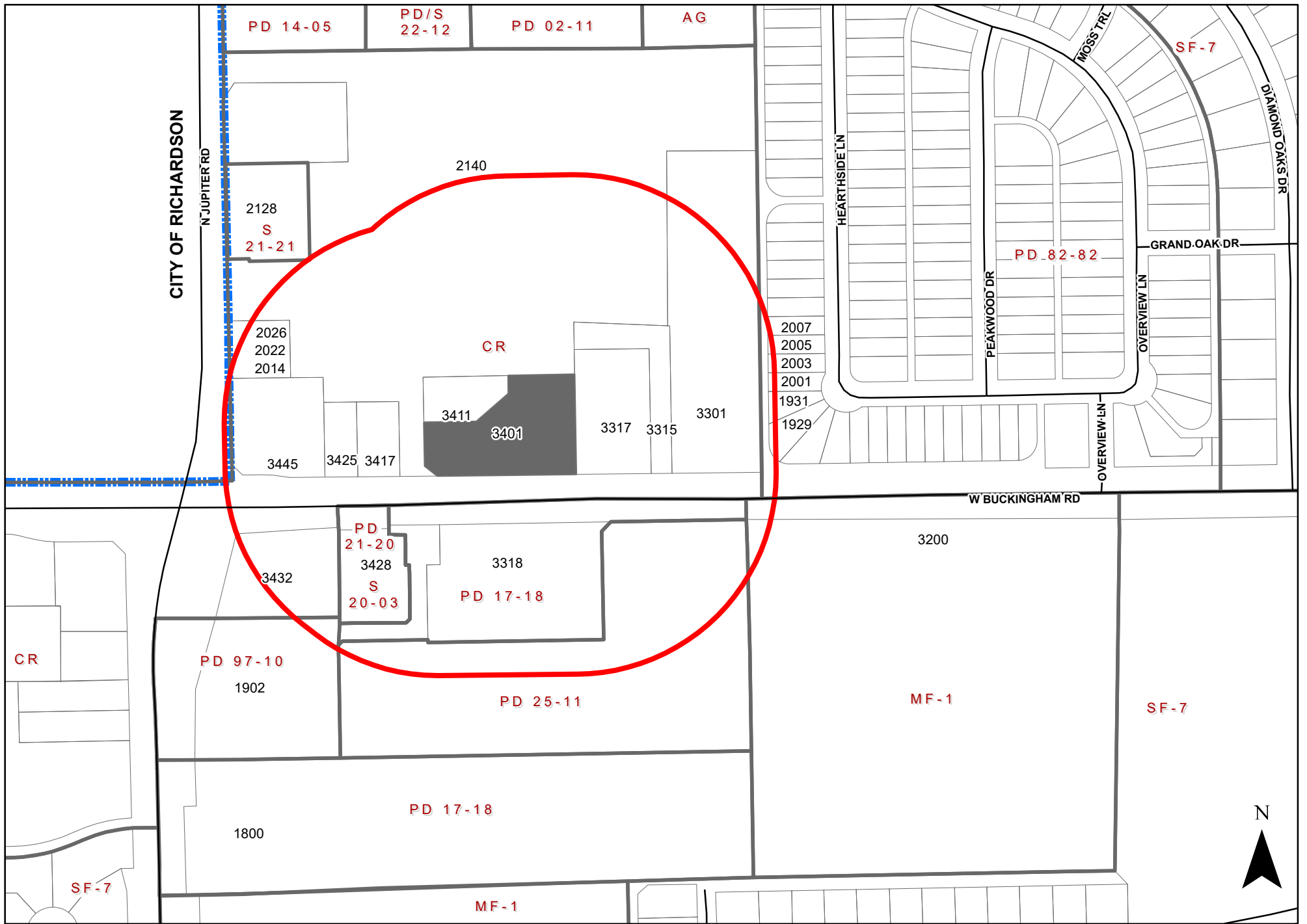
The existing pole sign will be removed and replaced with a monument sign located closer to the right-of-way, and two wall-mounted building signs are proposed — one facing southwest and one facing southeast. These signage improvements will comply with the Garland Development Code and contribute to a cohesive and visually attractive site design.

The proposed development will consist of a building totaling approximately 5,938 square feet with a maximum building height of 30 feet. The facility will operate seven days per week, with hours of operation from 7:00 a.m. to 9:00 p.m., Monday through Saturday, and 8:00 a.m. to 8:00 p.m. on Sundays. No residential units, detention or retention ponds, or additional amenities are proposed. The property is not located within a FEMA-designated floodplain.

This Specific Use Provision request satisfies the approval criteria outlined in Section 2.21 of the Garland Development Code. The proposal is consistent with the Comprehensive Plan, is compatible with surrounding commercial development, supports reinvestment in aging commercial properties, enhances the public streetscape, and promotes public health, safety, and welfare through improved design and site functionality. Approval of this SUP will allow a long-established and compatible commercial use to continue while providing meaningful reinvestment and modernization that benefits the surrounding community.

Executive Summary

The applicant requests approval of a Specific Use Provision for the property at 3401 W Buckingham Road to allow the continued operation and modernization of an existing car wash originally constructed in 1983. The proposed improvements include partial demolition, new canopies, enhanced landscaping, upgraded signage, and site improvements. The use remains unchanged and is fully compatible with surrounding commercial development. The project aligns with the City of Garland's Comprehensive Plan for corridor revitalization and reinvestment and meets all approval criteria outlined in Section 2.21 of the Garland Development Code.



ZONING MAP Z 26-03

3401 W Buckingham Rd

INDICATES AREA OF REQUEST
 INDICATES NOTIFICATION AREA

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



Planning Report

File No: Z 26-07/District 7

Agenda Item:

Meeting: Plan Commission

Date: April 13, 2026

REQUEST

Hold a public hearing and consider approval of an amendment to Planned Development District 15-43 (PD 15-43) to modify parking standards for the subject property and adopt the current off-street parking requirements of the Garland Development Code (GDC).

LOCATION

6313 North President George Bush Highway

APPLICANT

Srinivas Chaluvadi

OWNER

Garland Friends LLC

BACKGROUND

The subject property is currently zoned PD 15-43 for mixed uses with underlying standards from Planned Development (PD) District 12-41 (PD 12-41) and is developed with an approximately 16,800 square-foot commercial building. The site is permitted for a range of commercial uses, including retail, office, and restaurant uses. This building was constructed in 2020.

The applicant requests an amendment to PD 15-43 to modify the parking requirements and adopt the current off-street parking requirements as per the Land Use Matrix in Section 2.51 of the GDC. When the ordinance was created in 2012, the applicant requested that the parking requirement have more restrictive parking ratios than the current GDC standards. No changes to land use, building size, site layout, or operational characteristics are proposed. The request is intended to align the existing development with current parking standards and provide flexibility for future tenant occupancy.

SITE DATA

The subject site is approximately 2.05 acres in size. The site is located along North President George Bush Highway and is accessed from the adjacent frontage road Mansions Drive on the west

USE OF PROPERTY UNDER CURRENT ZONING

The subject property is zoned PD 15-43 for mixed uses with underlying standards from PD 12-41. The existing zoning allows for a range of commercial uses intended to support a mix of neighborhood-serving and general commercial activities. There is an approved detail plan with landscaping, elevation, and site plans.

CONSIDERATIONS

Planned Development:

1. The subject property is currently regulated by parking standards established under PD 12-41 and PD 15-43, which require a total of 83 parking spaces for the existing development. The site currently meets this requirement.
2. The applicant proposes to amend PD 15-43 to adopt the current off-street parking requirements as per the Land Use Matrix. Based on the existing building area, the current GDC standards would require a total of 67 parking spaces.
3. The site currently provides 83 parking spaces, which exceeds the required parking under current GDC standards by 16 spaces. This PD would allow for the existing provided parking spaces to exceed the minimum number of parking spaces by 16 spaces. The applicant will not be required to go through a variance process per Section 4.20 of the GDC for exceeding this requirement.

<i>Land use</i>	<i>PD 15-43 standard</i>	<i>Parking provided as per PD 15-43</i>	<i>GDC Standard</i>	<i>Parking required as per GDC</i>
Office, General	1/ 300 gfa	20	1/ 300 gfa	20
Restaurant	1/ 75 gfa	27	1/ 100 gfa	20
Retail	1/ 250 gfa	36	1/ 333 gfa	27
Total		83		67

4. No changes to land use, building area, site layout, or operational characteristics are proposed as part of this request. The amendment is intended to provide flexibility for future tenant occupancy while maintaining compliance with current City standards.

COMPREHENSIVE PLAN

The Future Land Use Map of the Envision Garland Plan recommends Business Center for the subject site. 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.

Business centers are generally located at intersections of major and/or secondary arterial streets or significant transit areas (bus/rail). Proximity and access to residential areas are encouraged to reduce travel times to employment. Site design addresses function and visual aesthetics providing appropriate buffering at gateway corridors, between adjacent developments, and for residential neighborhoods.

The proposed Planned Development amendment is consistent with the Business Center designation, as it does not alter the existing building which is currently compatible to adjacent developments. It only modifies the parking standards to align with current GDC requirements.

COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

The subject site is surrounded by properties that are primarily zoned Planned Development Districts for mixed uses. The property to the north, across President George Bush Highway, is zoned Planned Development (PD) District 23-46 for mixed uses and has an existing

urgent care facility, religious school, a Garland Fire Station which is currently under construction, and self-storage facility. The property to the east is zoned Agricultural (AG) District and is vacant. The property to the south is zoned PD 15-43 for mixed uses and is developed with a Dwelling, Multifamily use. The property to the west, across Mansions Drive, is zoned Planned Development District 18-41 for mixed uses and is also developed with a Dwelling, Multifamily use.

The proposed amendment is limited to parking standards and does not result in any other changes to the site. As such, the request will not impact surrounding properties and remains compatible with existing development patterns.

STAFF RECOMMENDATION

Staff recommends approval of an amendment to PD 15-43 to modify the parking standards and adopt the current off-street parking requirements as per the Land Use Matrix.

ADDITIONAL INFORMATION

- i. Location Map
- ii. PD Conditions
- iii. Proposed Modifications Summary
- iv. Site Photos
- v. Applicant's Written Request
- vi. Site Plan (Reference Only)

CITY COUNCIL DATE: May 5, 2026

PREPARED BY:

Kalyan Mutukundu
Planner I
Planning & Development
972-205-2460
KMutukundu@garlandtx.gov

REVIEWED BY:

Emma Chetuya PhD., AICP
Planning Administrator
Planning and Development
972-205-2453
EChetuya@garlandtx.gov



0 300 Feet
1 inch = 300 feet

ZONING MAP Z 26-07

 INDICATES AREA OF REQUEST

6313 N George Bush Hwy

PLANNED DEVELOPMENT CONDITIONS

ZONING FILE Z 26-07

6313 North George Bush Highway

- I. Statement of Purpose:** The purpose of this Planned Development is to modify the parking requirements.
- II. Statement of Effect:** This Planned Development amendment 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 15-43 with underlying standards from PD 12-41 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. Specific Conditions:**
- A. Off- street parking requirements for the subject property shall be provided in accordance with the Garland Development Code Land Use Matrix that is effective on day of the approval of this ordinance.
 - B. The existing parking provided on site is permitted to exceed the minimum number of required parking by 16 spaces and shall not be subject to the provisions of Section 4.20(K).

**6313 N President George Bush Highway
Towers at Spring Creek Addition – Block 1, Lot 1
PROPOSED MODIFICATIONS**

ATTRIBUTE/CODE	REQUIREMENT	PROPOSAL	JUSTIFICATION
Parking Requirements	<u>Current GDC Regulations</u> Total: 67 parking spaces required <u>Current plans (old PD regulation)</u> Total: 83 parking spaces required	Update parking requirements from old PD standards to current GDC regulations.	The existing PD parking ratios are more restrictive than the City’s current standards and limit the property’s ability to accommodate retail and restaurant uses already permitted by zoning. Updating these requirements aligns the site with current regulations and provides reasonable flexibility for tenant occupancy without increasing building area or traffic demand.

Z 26-07



Facing South viewing site



Facing East viewing site



Facing West viewing site



Facing West viewing site



Zoning Sign along George Bush Highway Frontage Road

WRITTEN NARRATIVE

Planned Development – Amendment of Conditions
6313 N President George Bush Highway
Towers at Spring Creek Addition – Block 1, Lot 1
2.05 Acres

Garland Friends LLC, owner of the 2.05-acre property located at 6313 N President George Bush Highway, requests a Planned Development Amendment of Conditions to modify the parking requirements under PD 12-41 and PD 15-43 and adopt the current off-street parking standards of the Garland Development Code.

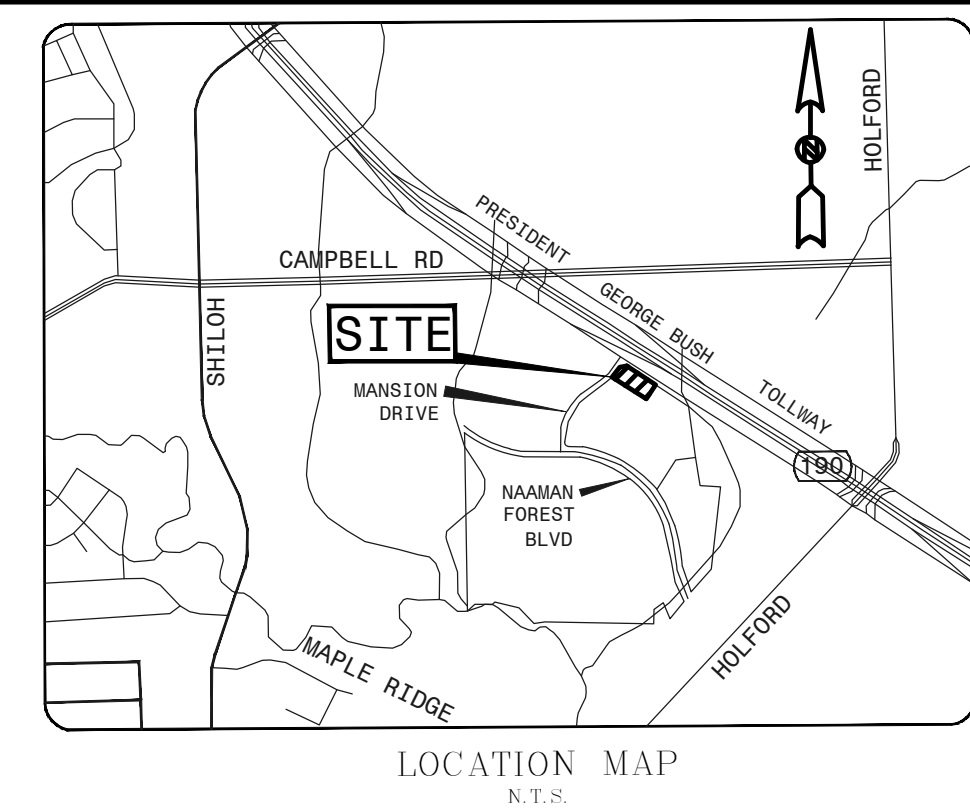
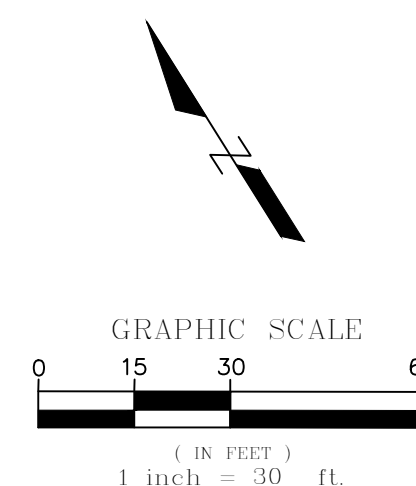
The property is fully developed with an approximately 16,800 square-foot commercial building and is permitted for retail, office, and restaurant use. No changes in land use, building dimensions, site layout, or operations are proposed.

The existing PD parking ratios are more restrictive than the City's current standards and limit the property's ability to fully utilize the range of retail and restaurant uses already permitted by zoning. Updating the requirements ensures consistent regulatory application and provides reasonable flexibility for tenant occupancy. This change supports continued commercial viability of the property without increasing overall building area or traffic demand.

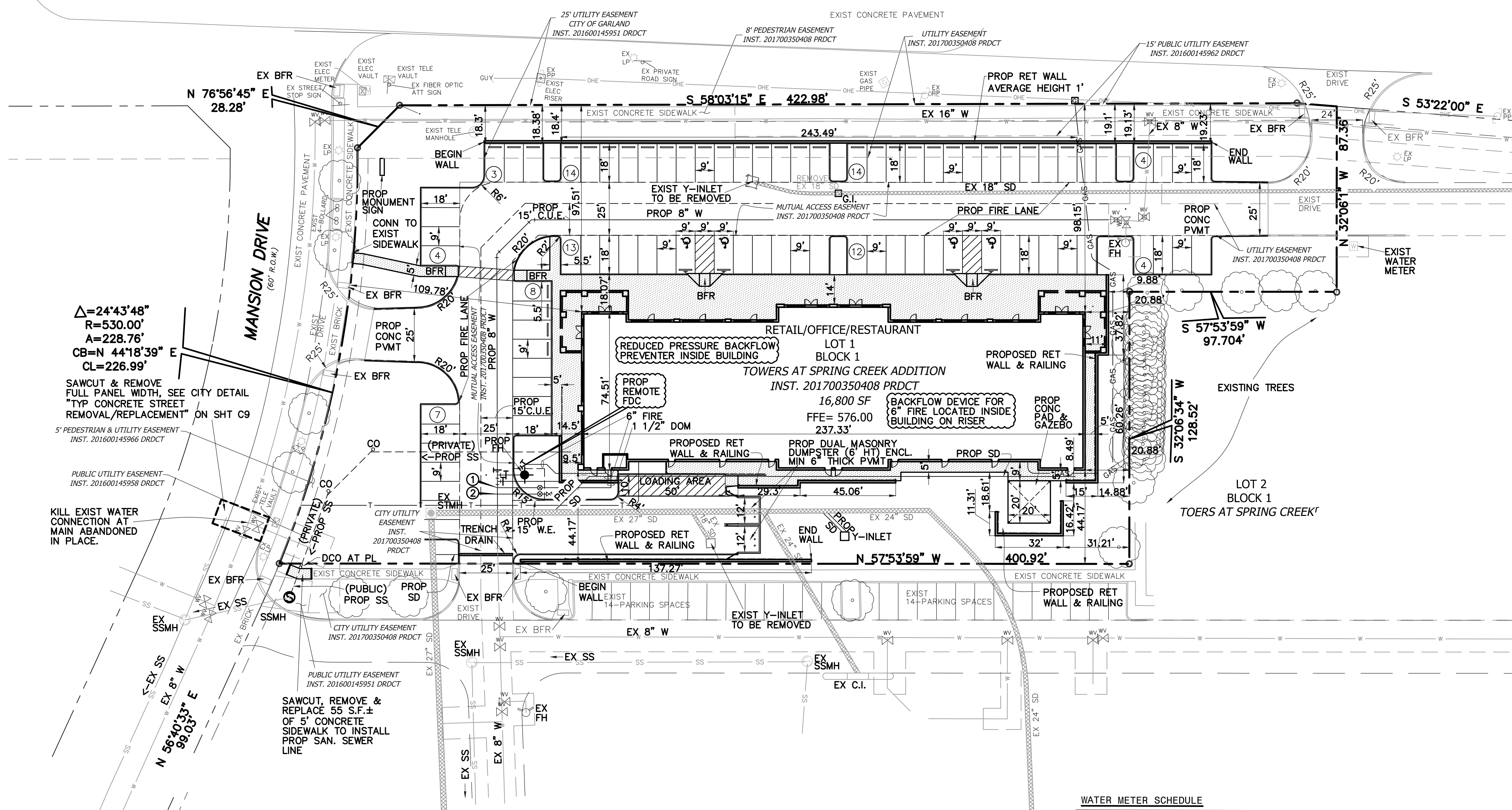
Under the existing PD regulations, the site is required to provide 83 parking spaces, which are currently provided. Under the current GDC standards, the same building area would require 67 parking spaces, resulting in a surplus of 16 spaces on site. The submitted site plan includes the current parking calculations circled with a red cloud for reference.

No additional deviations from the Garland Development Code are requested.

THIS SITE PLAN IS FOR REFERENCE ONLY



STATE HIGHWAY 190
(PRESIDENT GEORGE BUSH TURNPIKE)
(VARIABLE WIDTH R.O.W.)



EXISTING	LEGEND	PROPOSED
---	PROPERTY LINE	---
---	PAVEMENT	---
EM	ELECTRIC METER	EM
GM	GAS METER	GM
PC	PARKING COUNT	PC
---	SIDEWALK	---
FH	FIRE HYDRANT (FH)	FH
LP	LIGHT POLE	LP
W	WATER	W
WV	WATER VALVE	WV
WM	WATER METER	WM
---	STORM	---
PP	POWER POLE	PP
TM	TELEPHONE MANHOLE	TM
SS	SEWER	SS
SSMH	SANITARY SEWER MANHOLE	SSMH
TP	TRANSFORMER PAD	TP
CI	CURB INLET	CI
GI	GRATE INLET	GI
Y	Y-INLET	Y
EH	ELECTRIC	EH
G	GAS	G
T	TELEPHONE	T
TREE	TREES	TREE
ASR	ADA SIDEWALK RAMP	ASR
BFR	BFR	BFR

SITE SUMMARY TABLE	
County	DALLAS COUNTY
Project Name	TOWERS RETAIL
Zoning (Existing)	PD 12-41 & PD 15-43
Proposed use	RETAIL/OFFICE/RESTAURANT
Site Area:	2.05 Acres / 89,493 S.F.
Building Area	16,800 S.F. (TOTAL)
Building Height:	32'-6.5" - 1 STORY
Lot Coverage:	16,800/89,493 = 18.8%
Floor Area Ratio:	16,800/89,493 S.F. = 1:18.8
Parking Required:	6,000 S.F. OFFICE @ 1/300 = 20 2,000 S.F. RESTAURANT @ 1/100 = 20 8,800 S.F. RETAIL @ 1/333 = 27 Total Required = 67 SPACES
Parking Provided:	Regular = 79 SPACES Handicap = 4 SPACES Total = 83 SPACES
Impervious Area:	61,726 / 89,493 SF = 69.0%
Pervious Area:	27,746 / 89,493 SF = 31.0%

ID	TYPE	NO.	SIZE	SS	REMARKS
1	DOMESTIC	1	1"	6"	PROPOSED
2	IRRIGATION	1	1"	N/A	PROPOSED

- NOTES:**
- TOPOGRAPHIC SURVEY PREPARED BY NEEL-SCHAFFER, INC. DATED 05/06/2019.
 - BUILDING IS PARALLEL AND PERPENDICULAR TO THE NORTH PROPERTY LINE.
 - SEE CIVIL SHEETS FOR CIVIL SITE DESIGN.
 - SEE LANDSCAPE PLANS FOR SITE LANDSCAPE.
 - REFERENCE ARCHITECT PLANS FOR EXACT BUILDING DIMENSIONS.
 - NO LANDSCAPING SUCH AS TREES, HEDGES, ABOVE AND UNDERGROUND STRUCTURES SHALL BE LOCATED WITHIN EXISTING OR PROPOSED UTILITY EASEMENTS AND RIGHT-OF-WAY.
 - ALL CURB RADII NOT CALLED OUT ARE 2' MEASURED AT FACE OF CURB.
 - ALL DIMENSIONS ARE TO FACE OF CURB, FACE OF BUILDING OR AS OTHERWISE NOTED.
 - SCREENING WALLS, FENCES AND RETAINING WALLS TO BE CONSTRUCTED PER CITY STANDARD CONSTRUCTION DETAILS OR EQUAL.

BENCHMARKS:

PRIMARY/SOURCE BENCHMARK
CITY OF GARLAND GEODETIC MONUMENT - GPS-143
ELEVATION = 581.17

SECONDARY BENCHMARK #1
EAST 130± FROM THE N.W. PROPERTY CORNER OF LOT 1, BLOCK 1 / THE INTERSECTION OF S.H. 190 & MANSON DRIVE TO A 5/8" CIRS IN THE TxDOT R.O.W. ALONG THE NORTH PROPERTY LINE
ELEVATION = 581.91

SECONDARY BENCHMARK #2
FROM THE SOUTHWEST PROPERTY CORNER OF LOT 1, BLOCK 1, SOUTHEAST 14'± ALONG THE SOUTH PROPERTY LINE THEN SOUTHWEST 55'± TO A 5/8" CIRS.
ELEVATION = 573.66

Δ=24°43'48"
R=530.00'
A=228.76'
CB=N 44°18'39" E
CL=226.99'

SAWCUT & REMOVE FULL PANEL WIDTH, SEE CITY DETAIL "TYP CONCRETE STREET REMOVAL/REPLACEMENT" ON SHT C9

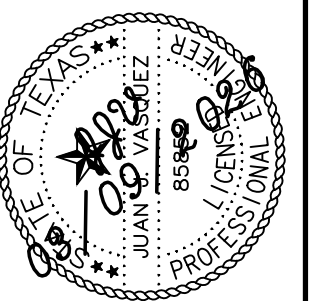
5' PEDESTRIAN & UTILITY EASEMENT
INST. 201600145966 DRDCT

PUBLIC UTILITY EASEMENT
INST. 201600145958 DRDCT

KILL EXIST WATER CONNECTION AT MAIN ABANDONED IN PLACE.

SAWCUT, REMOVE & REPLACE 55 S.F. ± OF 5' CONCRETE SIDEWALK TO INSTALL PROP SAN. SEWER LINE

THE SEAL APPEARING ON THIS DOCUMENT WAS AFFIXED BY JUAN P. VASQUEZ, P.E. 03/09/2026



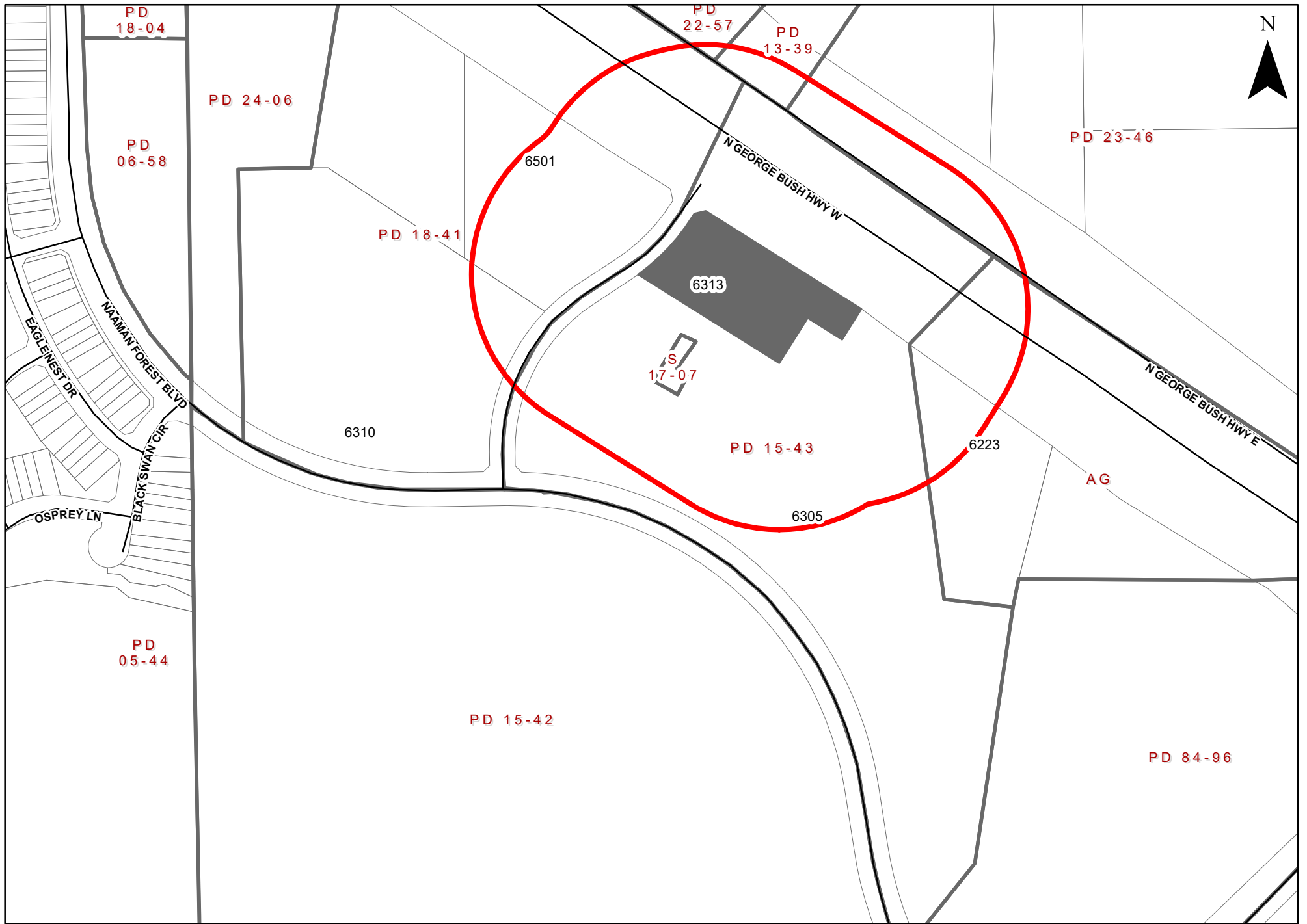
DEVELOPER
GARLAND FRIENDS, L.L.C.
4433 PUNJAB WAY
SUITE 301
FRISCO, TEXAS 75033

SITE PLAN
LOT 1, BLOCK 1
TOWERS AT SPRING CREEK ADDITION
CITY OF GARLAND, TEXAS
PRE-SUBMITTAL CASE# 260005-0

Scale: 1" = 30'
Designed by: J.J.V.
Drawn by: J.J.V.
Checked by: J.J.V.
603-07\user\jvasquez\revision\SP1_SITE_PLAN
03/09/2026

SHEET
SP1

VASQUEZ ENGINEERING L.L.C.
1919 S. Shiloh Road
Suite 440, LB 44
Garland, Texas 75042
Ph: 972-276-2948
TX Registration # F-12266



0 300 Feet

1 inch = 300 feet

ZONING MAP Z 26-07

INDICATES AREA OF REQUEST

INDICATES NOTIFICATION AREA

6313 N George Bush Hwy

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

Planning Report

GDC Amendment ORD 26-02

Agenda Item:

Meeting: Plan Commission

Date: April 13, 2026



GARLAND

TEXAS MADE HERE

REQUEST

A public hearing to consider amendments to several sections within Chapter 1, General Provisions, Chapter 3 Subdivision Regulations, and Chapter 5 Relief Procedures and Enforcement, generally related to Alley Waivers, Sidewalk Waivers, and Working Plats.

BACKGROUND

A legislative update effective September 1, 2023 has enabled a City Council or Plan Commission to delegate the ability to approve, approve with conditions, or disapprove a plat to municipal officers or employees. On March 4, 2025, City Council adopted an amendment to the GDC that allows all plats to be administratively approved, with an option to appeal staff's decision on a plat to the Plan Commission. Any requested variances to subdivision requirements still need to go through the Plan Commission.

Although much of the GDC's subdivision regulations were updated with the new administrative process last year, some of the regulations for an Alley Waiver and a Sidewalk Waiver still describe these relief procedures as requiring approval from the Plan Commission. Because these two processes are often associated with plats, the GDC needs to be updated to allow them to be administrative as well.

Alley Waiver

Currently, [§ 3.80](#) (C) describes two processes for requesting an Alley Waiver. For a subdivision with four or fewer lots, the Director of Engineering may administratively authorize an Alley Waiver. For a subdivision with five or more lots, an applicant may request a Development Variance from the Plan Commission.

To be consistent with the new administrative subdivision process, staff recommends amending [§ 3.80](#) (C) so that the Director of Engineering may authorize an Alley Waiver for any size subdivision, regardless of the number of lots.

Sidewalk Waiver

Currently, [§ 3.93](#) (F) requires that a Sidewalk Waiver must be requested as a Development Variance from the Plan Commission. To comply with the new administrative subdivision process, staff recommends amending [§ 3.93](#) (F) so that the Director of Engineering may authorize a Sidewalk Waiver.

Additionally, staff proposes adding language to [§ 3.93](#) (A) that a sidewalk may not be required for infill or redevelopment of single family, single family attached, or two-family residential lots within an existing subdivision that does not already have sidewalks. Per this added language, an exemption to the sidewalk requirement would be determined by the Director of Engineering.

Staff also recommends revising the existing language at [§ 3.93](#) (F)(2) so that if a Sidewalk Waiver application meets the qualifying conditions for a Sidewalk Waiver, the Director of

Engineering shall conduct a Sidewalk Improvement Forecast Evaluation to determine if the sidewalk in question is projected to be designed as part of a city project within five years.

- If the evaluation determines that a sidewalk is projected to be designed as part of a city project within five years, the applicant will be required to pay a Sidewalk Improvement Fee before a Sidewalk Waiver may be issued.
- If the evaluation determines that a sidewalk is **not** projected to be designed as part of a city project within five years, a Sidewalk Improvement Fee is **not** required before a Sidewalk Waiver may be issued.

Appeals Process

For both an Alley Waiver and a Sidewalk Waiver, staff recommends revising Table 5-1 at § 5.02 so that the Plan Commission serves as the Appellate Decision-Maker. This would allow applicants to appeal staff’s decision on an Alley Waiver or a Sidewalk Waiver to the Plan Commission. A summary of the proposed changes to the appeals process is provided in the table below.

Type of Application or Petition	Initial Decision-Maker	Appellate Decision-Maker	Further Appeal Decision-Maker
Alley Waiver (4 or fewer lots)	Director of Engineering	Plan Commission	-
Alley Development Variance (5+ lots)	Plan Commission	City Council	-
Sidewalk Development Variance Waiver	Plan Commission Director of Engineering	City Council <u>Plan Commission</u>	-

For all staff recommended changes to the regulations for an Alley Waiver and a Sidewalk Waiver, see the attached code amendments.

Working Plat

Staff recommends amendments to the GDC regulations for a Working Plat so that these do not read as a *requirement* for submitting a complete plat application. Rather, the regulations should state that it is *highly recommended* that an applicant provides a Working Plat for technical compliance review. If the applicant elects not to provide a Working Plat, the applicant assumes the risk that the plat application may not meet technical requirements and may be subject to denial due to the 30-day shot clock limiting the allowed time for reviews and revisions.

For all staff recommended changes to the regulations for a Working Plat, see the attached code amendments.

STAFF RECOMMENDATION

Staff recommends approval of the GDC amendment.

ADDITIONAL INFORMATION

GDC Sections Related to the Amendments.

PREPARED BY:

Ryan Mulkey, AICP
Long-Range Planning Administrator
Planning & Development
972-205-2450
rmulkey@garlandtx.gov

REVIEWED BY:

Nabila Nur, AICP
Director
Planning and Development
972-205-2449
nnur@garlandtx.gov

DIVISION 6
Alleys

§ 3.80. Requirements.

- (A) Design & Construction. Alleys shall be designed and constructed according to the City's Technical Standards Manual.
- (B) Alleys Required. Alleys are required for all residential subdivisions of two (2) or more lots.
- (C) Waiver. The Director of Engineering may authorize an Alley Waiver. ~~only for a subdivision having four or fewer lots, or the Plan Commission may authorize a Development Variance (in accordance with Article 1, Division 4 in Chapter 5 of this GDC) to the requirement for alleys.~~ The requirement for alleys may be waived ~~or varied~~ only if each of the following conditions are met:
- (1) A minimum ten-foot wide utility easement (or other size, as determined by the Director of Engineering ~~or by the applicable utility provider~~) is provided on each lot adjacent to the street right-of-way, ~~in accordance with Chapter 5, Article 1, Division 4 of this GDC;~~
 - (2) No lot-to-lot surface drainage exists or will result within the subdivision;
 - (3) The subdivision design allows for an efficient solid waste collection pattern;
 - (4) Adequate area is dedicated for drainage facilities and utilities;
 - (5) Adequate on- and off-street parking is provided; and
 - (6) Waiver or variance from the requirement for alleys will not adversely affect other properties.
- (D) Alley Width.
- (1) Alleys shall be not less than twenty feet in right-of-way width and paved with reinforced concrete, in accordance with the City's Technical Standards.
 - (2) Additional paving width shall be provided at all intersections and turns in the alley alignment, per the Technical Standards. Curves or turns in alleys shall be in accordance with the Technical Standards such that they will accommodate turning movements of sanitation trucks, fire apparatus and other large vehicles.
- (E) Alley Length. Alleys may not exceed the maximum length set forth in the City's Technical Standards Manual, as measured along the centerline of the alley and between intersections with other alleys or entrances onto streets (at the right-of-way line of the street at the alley entrance). A request for a Development Variance of alley length may be considered based on the following:
- (1) The effect of alley length upon access, congestion, delivery of municipal services, and upon convenience to residents of the subdivision in accessing rear driveways

and in driving around to the front of their homes; and

- (2) Means of mitigation, including but not limited to additional mid-block alley turnouts, limitation on the number of lots to be served along a single alley segment, temporary points of access, and additional fire protection measures.

(F) Alley Design.

- (1) Alley intersections shall be perpendicular as described in the Technical Standards Manual.
- (2) Intersection pavement design shall be of sufficient width and inside radius to accommodate waste collection and emergency vehicles.
- (3) Intersections shall be three-way wherever possible, and four-way intersections are prohibited. No alley intersection serving more than four directions is allowed.

(G) Dead-End Alleys.

- (1) “Hammerhead” alleys are prohibited. Alleys must have adequate turnouts and street entrances such that vehicular traffic flow is continuous and efficient. Where a temporary dead-end alley situation is unavoidable, a temporary turnaround bulb or turnout onto a street, either of which will need a temporary easement for street or alley purposes, shall be provided as determined by the Director of Transportation. Pavement within the easement must be constructed per the reinforced concrete alley section as shown in the City’s Technical Standards.
- (2) Permanent dead-end alleys are prohibited.
- (3) Four-way, alley-to-alley intersections are prohibited.

(Ordinance 6773 adopted 5/19/15; Ordinance 7055, sec. 23, adopted 5/7/19; Ordinance 7107, sec. 47, adopted 12/3/19)

§ 3.81. Alley Clean-Up.

Alleys Clean Upon Completion. After the alleys are completed in a subdivision, debris or construction materials of any nature shall not be placed in the alleys without written permission of the Director of Engineering. Prior to Final Acceptance, the alleys shall be swept clean of any dirt, debris, construction materials, and foreign material.

(Ordinance 6773 adopted 5/19/15)

§ 3.82. (Reserved)

DIVISION 13
Sidewalks

§ 3.93. Sidewalks in New Developments.

- (A) Requirement. Sidewalks shall be required on both sides of all streets within new subdivisions and on the subdivision side of all streets which are adjacent to or which abut the subdivision being developed. For infill or redevelopment of single family, single family attached, or two-family residential lots within an existing subdivision that does not have sidewalks, a sidewalk may not be required at the time of development, as determined by the Director of Engineering.
- (B) Design & Construction. The width, design and construction of all sidewalks shall comply with the City's Technical Standards.
- (C) Location. The sidewalk shall be located between the street curb or pavement edge and the right-of-way line. The standard placement of sidewalks shall be one foot from the right-of-way line, but may be varied with the written approval of the Director of Engineering, provided the sidewalk remains within a street right-of-way or within platted pedestrian easements adjacent to street rights-of-way. Rights-of-way or platted pedestrian easements shall be provided throughout the radius of all cul-de-sac or flared streets to allow the construction of sidewalks a uniform distance from the street curb for the entire extent of the street.
- (D) Construction Prior to Letter of Final Acceptance. The following sidewalks shall be constructed prior to the issuance of a Letter of Final Acceptance (refer to Article 6, Division 4, Section 3.111 of this Chapter 3) of the subdivision:
- (1) Along all streets (including the subdivision side of boundary streets) upon which no lot abuts or which are or will be separated from the subdivision by a screening wall; and
 - (2) Along any other portions of streets (including the subdivision side of boundary streets) which do not or will not abut the front or side of a buildable lot.
- (E) Permit for Construction. Application for permits to construct sidewalks in a subdivision shall be made to the City Building Inspection Department if installation of a sidewalk(s) is not included as part of the Site Engineering Drawings for a development (or redevelopment) project. All sidewalks shall be constructed in accordance with this Division 13 and other applicable provisions of this GDC. The fee for this permit is set forth in Article 3 of Chapter 1 of this GDC.
- (F) Waiver or Alteration by Plan Commission.
- (1) ~~Sidewalk requirements may be waived or altered as a Development Variance (see Article 1, Division 4 in Chapter 5 of this GDC) by the Plan Commission~~ The Director of Engineering may authorize a sidewalk waiver for any of the following reasons:
 - (a) The terrain makes construction of sidewalks impractical.
 - (b) The sidewalk or portion thereof would serve no useful purpose at the time of building construction.

(c) The cost of construction is prohibitive when compared with the benefits to the immediate neighborhood.

~~(2) In each instance where a request to waive a sidewalk is approved by the Plan Commission, the applicant securing such approval shall pay to the City a sidewalk improvement fee in an amount equal to the estimated cost of constructing a standard width sidewalk on straight and level terrain, equal to the linear footage waived. For single or two family residential lots with large amounts of frontage, the maximum amount of the sidewalk improvement fee shall be based upon the lot width prescribed by the lot's zoning district. The estimate of cost shall be determined by the Director of Engineering, and that estimate shall be made available to the applicant. If a Sidewalk Waiver application meets any of the above reasons, the Director of Engineering shall conduct a Sidewalk Improvement Forecast Evaluation to determine if the sidewalk in question is projected to be designed as part of a city project within five years.~~

~~(a) If a Sidewalk Improvement Forecast Evaluation determines the sidewalk in question is projected to be designed as part of a city project within five years, the applicant securing such authorization must pay to the City a Sidewalk Improvement Fee before a Sidewalk Waiver may be issued.~~

~~(i) The amount of the Sidewalk Improvement Fee shall be equal to the estimated cost of constructing a standard width sidewalk on straight and level terrain, equal to the linear footage waived.~~

~~(ii) For single or two family residential lots with large amounts of frontage, the maximum amount of the Sidewalk Improvement Fee shall be based upon the lot width prescribed by the lot's zoning district.~~

~~(iii) The estimate of cost shall be determined by the Director of Engineering, and that estimate shall be made available to the applicant.~~

~~(iv) The amount shall be rendered to the Director of Engineering, placed by the City in a fund designated for "Street Improvement Fund," or something substantially similar, prior to the issuance of a Site Permit or Building Permit, whichever comes first, and shall be specifically used for the construction of the waived sidewalk.~~

~~(v) The Director of Engineering shall not issue a Sidewalk Waiver to the applicant until the Sidewalk Improvement Fee has been paid.~~

~~(d)(b) If a Sidewalk Improvement Forecast Evaluation determines the sidewalk in question is not projected to be designed as part of a city project within five years, a Sidewalk Improvement Fee is not required, and the Director of Engineering shall issue the applicant a Sidewalk Waiver.~~

~~(2) The amount shall be rendered to the Director of Engineering, placed by the City in a fund designated "Street Improvement Fund," prior to the issuance of a Site Permit, and shall be specifically used for the construction of the sidewalk waived.~~

(3) Refunds.

- (a) On the request of an owner of the property on which a sSidewalk iImprovement fFee has been paid into the Street Improvement Fund, or something substantially similar, the City shall refund the sSidewalk iImprovement fFee if the City has failed to commence construction-finalize design plans for construction within two-five years or service is not available within a reasonable period considering the type of capital improvement or facility expansion to be constructed, but in no event later than five years from the date of payment.
- (b) Escrow amounts, or portions of escrowed amounts, which have been placed with the City and which have been held for a period of ten years from the date of such payment or agreement shall be returned to the record property owner at the time the refund is paid.
- (c) Any refund shall bear interest calculated from the date of collection to the date of refund, not exceeding ten years, at the statutory rate set forth in Section 395.025 of the Texas Local Government Code, as amended.
- (d) Notwithstanding any provision contained herein to the contrary, if the-a sSidewalk iImprovement fFees werewas paid by another political subdivision or governmental entity, payment shall be made to the political subdivision or governmental entity.
- (e) A refund of escrow amounts does not remove any obligations of the property owner for construction of the required facilities if a Site Permit or Building Permit, whichever comes first, has not been issued on the subject lot or if application for a new Site Permit or Building Permit is made.

(Ordinance 6773 adopted 5/19/15; Ordinance 7055, sec. 31, adopted 5/7/19; Ordinance 7107, sec. 50, adopted 12/3/19)

§ 3.94. (Reserved)

DIVISION 1
Applications Processing

§ 1.14. Initiation of Application.

- (A) Initiation by Owner. Unless otherwise expressly provided by this GDC, a development application or other petition authorized by this GDC may be initiated only in writing by, and bearing the original signature of, the actual owner of the land subject to the application, or by the owner's duly authorized representative. If the applicant is a designated representative, the application shall include a written and notarized statement from the property owner authorizing the representative to file the application on the owner's behalf. The responsible official may establish the type of documents needed to determine ownership or agency.
- (B) Initiation by City. A duly authorized representative of the City may initiate any application authorized under this GDC.
- (C) Development Application Fee. Unless an applicant elects to participate in the Pre-Filing Process, the development application fee, as set by the City Fee Schedule, shall be due at the time the applicant files the application with the Planning Director.
- (D) Application Appointments. Zoning, development plan, redevelopment, concept plan, or land subdivision applications may be filed, by appointment only, with the Planning Director, upon the date and time identified in the Development Application Schedule, as provided in Section 1.18 of this GDC. The Planning Director may limit the number of applications filed on a particular day if the Planning Director determines that it is not administratively feasible to process any additional applications within 30 days.
(Ordinance 6773 adopted 5/19/15; Ordinance 7079, sec. 9, adopted 8/20/19; Ordinance 7107, sec. 3, adopted 12/3/19; Ordinance 7524 adopted 4/16/2024)

§ 1.15. (Reserved)

Editor's note—Former § 1.15 pertaining to the pre-filing process, was deleted in its entirety by Ordinance 7524 adopted 4/16/2024. Prior to the deletion this section derived from the following: Ordinance 6773 adopted 5/19/15; Ordinance 7079, sec. 10, adopted 8/20/19; Ordinance 7107, sec. 4, adopted 12/3/19.

§ 1.16. (Reserved)

Editor's note—Former § 1.16 pertaining to “complete application & expiration” and deriving from Ordinance 6773 adopted 5/19/19, was repealed in its entirety by Ordinance 7079, sec. 11, adopted 8/20/19.

§ 1.17. Waiver of Information.

Notwithstanding the requirements of Division 1 of Article 2, Chapter 1 of this GDC, the responsible official may waive the submission of any information in the application and accompanying materials that the responsible official determines is not necessary due to the scope and nature of the proposed project.

(Ordinance 6773 adopted 5/19/15; Ordinance 7107, sec. 5, adopted 12/3/19)

§ 1.18. Official Submission Date.

(A) Applications may ~~only~~ be submitted ~~by appointment on an Official Submission Date~~ following all applicable submittal procedures.

~~(1) Exception. If a plat application has a Working Plat that achieved acceptable status as contemplated in Chapter 3, [Article 2,] Divisions 1, 2, and 3 of this GDC, the plat application may be filed by hand delivering it to the Planning Department during normal business hours. A plat application filed in this manner must attach evidence of the Working Plat having achieved acceptable status. A plat application lacking evidence that the Working Plat achieved Working Status shall be discarded as abandoned property in accordance with Subsection (E).~~

(B) The Director of Planning shall determine and publish the Development Application Schedule in advance of each calendar year.

(1) The Director of Planning shall identify at least eighteen Official Submission Dates for each calendar year.

(2) Each calendar month other than December shall have at least one Official Submission Date.

(C) On each Official Submission Date, the Director of Planning, or his designee, shall identify a time period during which any appointments to submit applications must be set.

(1) At least four hours must be set aside on each Official Submission Date for such appointments.

(2) The time period for application appointments must fall within normal City business hours.

(3) Each appointment shall be of sufficient length to consider the application(s) at issue. The Director of Planning shall determine the amount of time necessary to consider a given application.

(D) The time period established by this GDC for processing or deciding an application shall commence on the date on which the applicant formally submits his or her application to the Planning Director as per this Section.

(E) Applications which are mailed to the Planning Department, left at the Planning Department, or otherwise delivered to the City of Garland in any fashion and on any date or time other than at a formal appointment for submission as described in this Section 1.18 shall be discarded as abandoned property and shall not be considered.

(Ordinance 6773 adopted 5/19/15; Ordinance 7079, sec. 12, adopted 8/20/19; Ordinance 7107, sec. 6, adopted 12/3/19)

§ 1.19. Modification of Applications.

The applicant may modify a complete application following its submission and prior to

expiration of the period during which the City is required to act on the application, if the modification is for revisions requested by the City, and is received by the Director of Planning at least seven calendar days prior to the time scheduled for decision on the application. In the event the applicant voluntarily elects to extend the period during which the City is required to act on the application, then the applicant may modify any complete application following its submission if the modification is received by the Planning Director at least seven calendar days prior to the time the applicant voluntarily elected to schedule for a decision on the application. The voluntary extension of time may not exceed a period of thirty days from the date on which the application was originally set for hearing.

(Ordinance 6773 adopted 5/19/15; Ordinance 7079, sec. 13, adopted 8/20/19)

§ 1.20. Amendments and Revisions to Approval.

Unless another method is expressly provided by this GDC (see Section 1.19), any request to amend or revise a submitted application shall be considered a new application and must be decided in accordance with the procedures governing an original application and the standards in effect at the time such new application is filed with the City.

(Ordinance 6773 adopted 5/19/15; Ordinance 7079, sec. 14, adopted 8/20/19)

§ 1.21. Technical Review Meeting.

- (A) Requirement. In the event a prospective applicant elects to participate in the pre-filing process, the prospective applicant may be required to attend one or more technical review meetings with the DRC, including the responsible official.
- (B) Purpose. The purpose of a technical review meeting is to allow the prospective applicant to review his or her proposed development application files and working documents with the DRC. Comments compiled from each City department as part of their review of the files and working documents shall be provided to the prospective applicant at the meeting. The comments shall provide information about necessary modifications needed for the proposed development application to meet City codes, development regulations and processes that are applicable to the proposed application.
- (C) Applications Requiring Technical Review Meeting. Pré-filing documents and working files that require a technical review meeting (unless otherwise determined as unnecessary by the City) include documents related to a proposed application for the following:
- (1) Specific Use Provision;
 - (2) Concept Plan (submitted as part of a Planned Development application);
 - (3) Alternative compliance development process (if applicable);
 - (4) House conversions (such as conversion from residential to nonresidential use); or
 - (5) Any other proposed application as determined by the Planning Director.
- (D) Effect. Following the technical review meeting with the DRC, the prospective applicant may proceed with making the necessary modifications discussed. Once all modifications

have been made and the revisions to the pre-filing documents have been submitted to the Planning Director for review, the Planning Director shall make the determination as to whether the pre-filing process has been completed or whether additional modifications of the proposed application are needed.

(Ordinance 6773 adopted 5/19/15; Ordinance 7055, sec. 1, adopted 5/7/19; Ordinance 7079, sec. 15, adopted 8/20/19; Ordinance 7107, sec. 7, adopted 12/3/19; Ordinance 7524 adopted 4/16/2024)

§ 1.22. Pre-Construction Meeting.

- (A) Purpose. The purpose of a Pre-Construction Meeting is to discuss administrative, communication and operating procedures for project construction prior to the issuance of a Site Permit (see Chapter 4, Article 1, Division 3) or Building Permit (see Chapter 4, Article 1, Division 4). A list of typical inspection items, procedures and acceptance criteria for items in public right-of-way and easements will be also be furnished to the applicant.
- (B) Requirement. Following the approval of required Site Engineering Drawings and prior to commencement of any construction, the applicant(s) shall attend a required Pre-Construction Meeting with the Engineering Department. Applicants must begin construction within sixty (60) days of any Pre-Construction Meeting. If an applicant fails to begin construction within sixty (60) days, an additional Pre-Construction Meeting shall be held and the deadline for commencement of construction shall be extended an additional sixty (60) days from said meeting to begin construction. Projects that require a Pre-Construction Meeting are those for which a Site Permit or a Building Permit is required.
- (C) Notice.
- (1) When the applicant receives notice from the City that the required Site Engineering Drawings have been approved, the project will then be eligible for the required Pre-Construction Meeting.
 - (2) If appropriate, a single Pre-Construction Meeting may be held for the issuance of both a Site Permit and a Building Permit. However, if the applicant chooses to begin construction of the project prior to approval of a Building Permit, two separate Pre-Construction Meetings shall be required.
- (D) Written Records. Written records of Pre-Construction Meetings shall be kept in the office of the Engineering Department as part of the record for each development application or project. A copy of the written record of the Pre-Construction Meeting shall also be provided to any applicant participating in such meeting upon written request by such participant.
- (E) Effect. Following the Pre-Construction Meeting, and provided that all other City pre-construction requirements have been met, the applicant shall be issued a Site Permit (and possibly also a Building Permit, if applicable and if all City requirements for a Building Permit have also been met) which allows the applicant to commence with construction of the project.

(Ordinance 6773 adopted 5/19/15; Ordinance 7055, sec. 2, adopted 5/7/19)

§ 1.23. Application Fees.

Every application shall be accompanied by the prescribed fees set forth in the City's fee schedule (see the City's Development Application Packet as well as applicable sections in the City Code and this GDC). The prescribed fees shall not be refundable, except when the City Council waives the application fee for re-submission of an application that was denied. Fifty percent of the prescribed fee may be refunded to the applicant if an application is withdrawn prior to written or public notification, if such is required. The fee schedule may be amended from time to time by the City Council.

(Ordinance 6773 adopted 5/19/15; Ordinance 7107, sec. 8, adopted 12/3/19)

DIVISION 1
Provisions Applicable to All Platting Procedures

§ 3.02. Types of Plats Required.

- (A) Final, Conveyance, or Minor Plat. A recordable plat must be approved by the City prior to any land division and prior to any new construction or redevelopment. The type of recordable plat is determined by the type of land division, construction or redevelopment project contemplated, as determined by the Planning Director in accordance with the standards provided by this GDC.
- (B) Replat. A Replat, which must conform in all respects with state law and the provisions of Section 3.38 and Section 3.39 of this Chapter 3, is required any time a platted, recorded lot is further divided or expanded, and which thereby changes the boundaries or dimensions of any lot. In the case of minor revisions to recorded plats or lots, a Minor Plat or Amending Plat may instead be utilized if allowed by state law and if the plat conforms with Article 2, Division 4 and with Article 2, Division 7, Section 3.40, respectively.

(Ordinance 6773 adopted 5/19/15)

§ 3.03. Exemptions.

- (A) Exemptions. The following land divisions are exempt from the requirements of this GDC that apply to plats:
- (1) Existing cemeteries that comply with all state and local laws governing the establishment, operation, and maintenance of cemeteries, to the extent of individual sales and conveyances of burial plots within the cemetery; and
 - (2) A division of land created by an order of a court of competent jurisdiction, provided however, that prior to construction of improvements on any portion of the parcels created by the court order, a plat meeting the requirements of this GDC shall be approved and recorded prior to the issuance of permits; and
 - (3) A division of land into parts greater than five acres, where each part has access and no public improvement is being dedicated.

(Ordinance 6773 adopted 5/19/15; Ordinance 7055, sec. 5, adopted 5/7/19)

§ 3.04. Time for Decision on Plats.

- (A) Time Period for Action. Thirty days. All plat applications shall be acted upon within thirty calendar days following the application filing day.
- (B) Approved by Operation of Law. If no decision is rendered on a complete plat application within the thirty-day period and no postponement was requested by the applicant, the plat application, as submitted, shall be deemed approved.

(Ordinance 6773 adopted 5/19/15; Ordinance 7107, sec. 37, adopted 12/3/19; Ordinance 7573 adopted 3/4/2025)

§ 3.05. Relationship Between Platting & Zoning.

- (A) Zoning. Inside the corporate limits of the City, the following shall apply:
- (1) Conformance with Existing Zoning. All plat and development applications must conform with the existing zoning on the property.
 - (2) Request to Rezone First. If an applicant seeks to change the zoning for the property, the request for a change in zoning must be submitted and approved prior to acceptance of a plat application.
 - (3) Planned Development (PD) District and Specific Use Provision (SUP) Zoning. In a Planned Development (PD) district (refer to Chapter 2, Article 2, Division 2) or for Specific Use Provision (SUP) zoning (refer to Chapter 2, Article 2, Division 3), a plat application must conform with all PD/SUP and other applicable zoning regulations, and with the approved PD/SUP zoning exhibit, Concept Plan, Detail Plan, Site Plan, or other layout plan approved as part of the PD/SUP ordinance. (Ordinance 6773 adopted 5/19/15; Ordinance 7079, sec. 32, adopted 8/20/19; Ordinance 7524 adopted 4/16/2024; Ordinance 7573 adopted 3/4/2025)

§ 3.06. General Application Requirements & Processing.

- (A) Pre-Filing Meeting. Prior to the official submission of a complete plat application or Site Engineering Drawings, the applicant(s) shall attend a Pre-Filing Meeting as provided by Chapter 1, Section 1.15, unless such meeting is waived by the Planning Director and by the Director of Engineering.
- (B) Application Contents. Submittal requirements for all types of plat and development applications are set forth in the City's Development Application Packet, as amended. It is the applicant's responsibility to be familiar with, and to fully comply with, the City's requirements for submission, review, and approval of any plat or development application.
- (C) General Plat Application Requirements. For all types of plats, it is highly recommended that the applicant provide a Working Plat shall be submitted through to the City Engineering Department for review and shall achieve acceptable status technical compliance review. Once acceptable status is achieved the Working Plat has achieved acceptable status through technical compliance, the applicant shall may submit a-the complete plat application in accordance with Section 1.16 of Chapter 1 that meets all requirements of the City's Development Application Packet, as amended. If the applicant elects not to provide a Working Plat, the applicant assumes the risk that the plat application may not meet technical requirements and may be subject to denial.
- (D) Review and Approval Process. The review and approval process for all plat applications shall be administered in accordance with the City's Development Application Packet, as amended.
- (E) Utility Providers. Prior to the approval and filing of a Final Plat, the applicant shall contact all utility providers (including gas, telephone, electric and cable television providers servicing the site) and shall provide on the proposed Plat any utility service easements a utility provider may require to serve the area contained in the proposed Plat.

Such utility service easements shall be included in and depicted on the Final Plat.

Approval of a Final Plat is subject to the correct placement and depiction of both on-site and off-site easements required by the utility providers that will provide utility services to the area contained in the Plat. If no response is provided by a utility provider(s) regarding the establishment of easements for the provider's facilities, then the Final Plat may be approved without such utility easements, and future acquisition of such easements shall be the responsibility of the applicant or of the utility provider(s), as applicable. The applicant shall provide, along with the Final Plat application, documentation of the reasonable attempts by the applicant, prior to submission of the Final Plat, to obtain all utility providers' comments regarding necessity for easements.

(Ordinance 6773 adopted 5/19/15; Ordinance 7055, sec. 6, adopted 5/7/19; Ordinance 7107, sec. 38, adopted 12/3/19)

DIVISION 2
Preliminary Plat (for Single- and Two-Family Developments)

§ 3.07. Purpose & Applicability.

- (A) Purpose. The purpose of a Preliminary Plat is to establish the general layout of the proposed subdivision, the adequacy of public facilities needed to serve the intended development, and the overall compliance of the proposed land division with applicable requirements of this GDC.
- (B) Applicability.
- (1) A Preliminary Plat is required for all single-family detached, two-family residential, and townhouse developments having two or more lots, unless the Planning Director determines that a Preliminary Plat is not needed and an exemption from this requirement is therefore granted by the Director.
 - (2) A Preliminary Plat is not required for multifamily or nonresidential developments, unless the Planning Director determines that the submission, review and approval of a Preliminary Plat is necessary for public health, safety or welfare reasons.

(Ordinance 6773 adopted 5/19/15)

§ 3.08. Application & Procedures.

- (A) Application Submission and Processing. A completed application for Preliminary Plat approval must be submitted, and will be processed, in accordance with Section 3.06 of this Chapter 3 and the procedures set forth in the City's Development Application Packet, as amended.
- (B) Pre-Filing Meeting. All applicants intending to submit a Preliminary Plat application shall attend a Pre-Filing Meeting with the Development Review Committee (DRC) in accordance with Chapter 1, Section 1.15.
- (C) Accompanying Applications. Before filing an application for a Preliminary Plat, the applicant must submit full Site Engineering Drawings. ~~and It is also highly recommended that the applicant provide a Working Plat to the City Engineering Department for technical compliance review. The Working Plat shall be reviewed and must achieve acceptable status prior to submission of the Plat application. Once the Working Plat has achieved acceptable status through technical compliance, the applicant may submit the complete plat application that meets all requirements of the City's Development Application Packet, as amended. If the applicant elects not to provide a Working Plat, the applicant assumes the risk that the plat application may not meet technical requirements and may be subject to denial. However, a~~ approval of the Preliminary Plat application and approval of the Site Engineering Drawings are separate approvals. The approvals are governed by Division 2 of Article 2 of this Chapter 3 for the Preliminary Plat, and by Division 1 of Article 6 of this Chapter 3 for the Site Engineering Drawings.
- (D) Review Process. A Preliminary Plat application shall be reviewed by the Development Review Committee (DRC) and the Planning Director. The standards of review and approval process for a Preliminary Plat are set forth in the City's Development Application Packet, as amended.

(Ordinance 6773 adopted 5/19/15; Ordinance 7055, sec. 7, adopted 5/7/19; Ordinance 7107, sec. 39, adopted 12/3/19)

§ 3.09. Action.

- (A) Review and Determination. The Planning Director shall review the Preliminary Plat application, findings of the DRC, and any other information submitted with the application or supplied by City staff. From all such information, the Planning Director shall determine whether the Preliminary Plat application complies with this GDC and the City Development Application Packet, as amended.
- (B) Action by Plan Director. The Planning Director shall either approve the Preliminary Plat as submitted by the applicant or deny the Preliminary Plat, using the standards set forth in Section 3.10 below.
- (C) Appeal. The applicant may appeal a decision of the Planning Director to deny a Preliminary Plat to the Plan Commission. Such appeal shall be processed and decided in accordance with applicable provisions of Article 1, Division 1 of Chapter 5 of this GDC. (Ordinance 6773 adopted 5/19/15; Ordinance 7573 adopted 3/4/2025)

§ 3.10. Criteria for Approval.

- (A) The following criteria shall be used to determine whether the application for a Preliminary Plat shall be approved or denied:
- (1) The Preliminary Plat is consistent with all zoning requirements for the property, including any applicable PD/SUP zoning standards, and with any approved development agreements, if applicable;
 - (2) The proposed means of providing, and the configuration of public improvements, including but not limited to, roads, water, wastewater, storm drainage, park facilities, open spaces, easements and rights-of-way are adequate to serve the development, meet applicable standards of this GDC, and conform to the City's adopted master plans for those facilities;
 - (3) The Preliminary Plat has been duly reviewed by applicable City staff;
 - (4) All required easements, the design of all lots, and the provision of required monumentation are in accordance with Article 5, Division 12 of this Chapter 3;
 - (5) The Preliminary Plat conforms to design requirements and construction standards as set forth in the City's *Technical Standards*; and
 - (6) The Preliminary Plat conforms to application submission requirements in the City's *Development Application Packet*, as amended.
- (Ordinance 6773 adopted 5/19/15)

§ 3.11. Effect of Approval.

- (A) Right to Proceed. The approval of a Preliminary Plat application shall allow the applicant to continue applying for and obtaining a Site Permit. The Final Plat application shall be submitted, approved by the City, and filed for record with the applicable county prior to issuance of any Building Permit for the property.

(B) Installation of Subdivision Improvements.

- (1) Approval of the Preliminary Plat constitutes general approval of the layout illustrated on the Preliminary Plat as a guide to the installation of streets, water, sewer, storm drainage, and other improvements that are planned or required to serve the proposed development.
- (2) Approval of the Preliminary Plat does not constitute approval of the proposed development's final Site Engineering Drawings, nor shall approval of the Preliminary Plat be construed to mean acceptance by the public of the dedication of any roads, utilities, drainageways, or other such land and improvement dedications.
- (3) Construction of all subdivision improvements shall be based upon the approved Site Engineering Drawings, in accordance with Division 1 of Article 6 of this Chapter 3, specifically, and Articles 4, 5 and 6 of this Chapter 3, generally.

(Ordinance 6773 adopted 5/19/15; Ordinance 7573 adopted 3/4/2025)

§ 3.12. Expiration & Extension.

(A) Validity. The approval of a Preliminary Plat application shall remain in effect for two years (that is, 730 calendar days) following the date of approval by the Planning Director (or by the Plan Commission, on appeal, if the Preliminary Plat was denied by the Planning Director).

(B) Expiration & Extension.

- (1) Two-Year Validity. If the Site Engineering Drawings have not been approved within the two-year period, the approved Preliminary Plat application expires and shall be null and void.
- (2) Portion of Preliminary Plat Submitted for Construction. If Site Engineering Drawings have been approved for only a portion of the land covered in the approved Preliminary Plat within the two-year period, as may be the case for a phased development, the remaining portion of the Preliminary Plat continues to be valid for the remainder of the two-year period. The first phase, and every subsequent phase, of a phased development shall be designed, and shall have all required public improvements constructed, to exist independently, all of which shall conform to the City's Technical Standards in the same manner as if for a single-phase development.
- (3) Relationship to Site Engineering Drawings. A Preliminary Plat shall remain valid for the period of time in which approved Site Engineering Drawings are valid, as long as forward progress on the development is underway and ongoing.
- (4) Extension. The Preliminary Plat application, or portion thereof in the case of a phased development, may be extended if a request for extension is made in writing to the Planning Director at least thirty calendar days prior to expiration of the Preliminary Plat. Such written request shall include reasons why the Plat should be extended. The Planning Director shall review the extension request, and shall take one of the following actions:
 - (a) Approve the extension request for one year (that is, 365 calendar days);

- (b) Approve the extension request for a shorter or longer period of time, or with conditions the Planning Director deems appropriate to protect the public health, safety and welfare; or
 - (c) Deny the extension request.
- (5) Extension and Vested Rights. In deciding a request for an extension of a Preliminary Plat, the Planning Director may consider whether the applicant is willing to waive, in writing, the vesting of rights under the application for a Preliminary Plat.

(Ordinance 6773 adopted 5/19/15; Ordinance 7573 adopted 3/4/2025)

§ 3.13. Amendments to Preliminary Plat Following Approval.

- (A) Minor Amendments. Minor amendments in the design of the subdivision for which a Preliminary Plat has been approved may be incorporated into an application for approval of Site Engineering Drawings or a Final Plat without the necessity of submitting a new application for re-approval of a Preliminary Plat. Minor amendments include minor adjustments in street or alley alignments, minor adjustments to easements that result during preparation of the Site Engineering Drawings (provided that such adjustments do not compromise the intended use and function of the property), and minor adjustments in lot lines that do not result in creation of additional lots or any nonconforming lots, provided that all such amendments are consistent with applicable approved prior applications.
- (B) Major Amendments. All other proposed amendments to the design of the subdivision for which a Preliminary Plat has been approved are considered major amendments that require the submittal and approval of a new application for re-approval of a Preliminary Plat before approval of the Site Engineering Drawings or of a Final Plat.
- (C) Determination. The Planning Director shall, consistent with the provisions of this Section, make a determination of whether proposed amendments are deemed to be minor or shall require new submittal and re-approval of a Preliminary Plat.

(Ordinance 6773 adopted 5/19/15)

DIVISION 3
Final Plat (for All Development Types)

§ 3.14. Purpose & Exceptions.

- (A) Purpose. The purpose of a Final Plat is to assure that:
- (1) The proposed subdivision and development of the land to which the Plat applies is consistent with all standards of this GDC pertaining to the adequacy of public facilities;
 - (2) Public improvements to serve the subdivision or development have been installed and accepted by the City, or that provision for such installation has been made; and
 - (3) All other requirements and conditions have been satisfied or provided for to allow the Final Plat to be recorded.
- (B) Exceptions. A Final Plat is not required when a Minor Plat is submitted (see Section 3.22 of this Chapter 3).
 (Ordinance 6773 adopted 5/19/15)

§ 3.15. Application & Procedures.

- (A) Application Submission and Processing. A complete application for Final Plat approval shall be submitted and will be processed in accordance with Section 3.06 of this Chapter 3 and the City's Development Application Packet, as amended.
- (B) Review Process. A Final Plat application shall be reviewed by the DRC and the Planning Director, in accordance with the procedures set forth in the City's Development Application Packet, as amended. The Planning Director shall schedule the Final Plat application for Plan Commission consideration in accordance with Section 3.04 of this Chapter 3.
- (C) Accompanying Documents. Before filing an application for a Final Plat, an applicant must submit required Site Engineering Drawings. ~~and It is also highly recommended that the applicant provide a Working Plat to the City Engineering Department for technical compliance review. The Working Plat shall be reviewed and must have achieved acceptable status in accordance with the procedures set forth in the City's Development Application Packet, as amended. Once the Working Plat has achieved acceptable status through technical compliance, the applicant may submit the complete plat application that meets all requirements of the City's Development Application Packet, as amended. If the applicant elects not to provide a Working Plat, the applicant assumes the risk that the plat application may not meet technical requirements and may be subject to denial.~~ Approval of the Final Plat application and approval of the Site Engineering Drawings are separate approvals. The approvals are governed by Division 3 of Article 2 of this Chapter 3 for the Final Plat, and by Division 1 and Division 3 of Article 6 of this Chapter 3 for the Site Engineering Drawings and Subdivision Improvement Agreements, respectively.
- (D) Prior Approved Preliminary Plat. The Final Plat and all accompanying data shall conform to the Preliminary Plat (if one was required) as approved, incorporating all conditions imposed or required by the Planning Director (or by the Plan Commission on

appeal), if applicable.

(Ordinance 6773 adopted 5/19/15; Ordinance 7055, sec. 8, adopted 5/7/19)

§ 3.16. Action.

- (A) Review and Determination. The Planning Director shall review the Final Plat application, findings of the DRC, and any other information submitted with the application or supplied by City staff. From all such information, the Planning Director shall determine whether the Final Plat application complies with this GDC and the City's Development Application Packet, as amended.
- (B) Action by Planning Director. The Planning Director shall either approve the Final Plat as submitted by the applicant or deny the Final Plat, using the standards set forth in Section 3.17 of this Chapter 3.
- (C) Appeal. The applicant may appeal a decision of the Planning Director to deny a Final Plat to the Plan Commission. The appeal shall be processed and decided in accordance with applicable provisions of Article 1, Division 1 of Chapter 5 of this GDC.

(Ordinance 6773 adopted 5/19/15; Ordinance 7107, sec. 40, adopted 12/3/19; Ordinance 7573 adopted 3/4/2025)

§ 3.17. Criteria for Approval.

The following criteria shall be used to determine whether the application for a Final Plat shall be approved or denied:

(A) Final Plat with Prior Approved Preliminary Plat:

- (1) The Final Plat conforms to the approved Preliminary Plat (as may have been amended);
- (2) The Site Engineering Drawings conform to the requirements of Article 6, Division 1 of this Chapter 3, specifically, and Articles 3, 4 and 5 [Articles 4, 5 and 6] of this Chapter 3, generally, and have been approved by the Director of Engineering;
- (3) Where public improvements have been installed, the improvements conform to the approved Site Engineering Drawings and have been approved for acceptance by the Director of Engineering;
- (4) Where public improvements have been deferred, a Subdivision Improvement Agreement has been executed in conformity with Article 6, Division 3 of this Chapter 3;
- (5) The final layout of the development meets all standards for adequacy of public facilities contained in this GDC;
- (6) All required easements, the design of all lots, and the provision of required monumentation are in accordance with Article 5, Division 12 of this Chapter 3;
- (7) The Final Plat meets all applicable county standards, when the proposed development is located in whole or in part in the extraterritorial jurisdiction of the City and in the county;
- (8) The Final Plat conforms to design requirements and construction standards as set

forth in the Technical Standards, as amended;

- (9) The Final Plat conforms with applicable criteria and checklist(s) in the City's Development Application Packet, as amended, and as may have been provided to the applicant through the Planning Department; and
- (10) The first phase, and each subsequent phase, of a phased development is capable of being developed and fully functional independent of any other phase and in full conformance with the City's Technical Standards.

(B) Final Plat with no Prior Approved Preliminary Plat:

- (1) The Final Plat conforms to all criteria for approval of a Preliminary Plat (as if one had been required, see Section 3.10 of this Chapter 3); and
- (2) The Subdivision Improvement Agreement, if applicable, has been approved by the Director of Engineering and executed in conformity with Article 6, Division 3 of this Chapter.

(Ordinance 6773 adopted 5/19/15; Ordinance 7107, sec. 41, adopted 12/3/19)

§ 3.18. Effect of Approval.

(A) For Single- and Two-Family Residential Projects. The approval of a Final Plat:

- (1) Supersedes any prior approved Preliminary Plat for the same land.
- (2) Authorizes the applicant to seek approval and issuance of Building Permits for individual lots (refer to Article 1, Division 4 in Chapter 4 of this GDC).
- (3) Authorizes the applicant to sell individual lots when all required public improvements have been constructed, inspected and accepted by the City, and when the Final Plat has been filed for record at the applicable county.

(B) For Other Types of Development Projects. The approval of a Final Plat:

- (1) Supersedes any prior approved Preliminary Plat for the same land (if applicable).
- (2) Authorizes the applicant to seek approval and issuance of a Site Permit (refer to Article 1, Division 3 in Chapter 4 of this GDC) and Building Permit (refer to Article 1, Division 4 in Chapter 4 of this GDC).
- (3) Authorizes the applicant to install improvements in public rights-of-way in conformance with approved Site Engineering Drawings and under a Subdivision Improvement Agreement (refer to Article 6, Division 3 of this Chapter 3), if applicable.
- (4) Authorizes the applicant to sell individual lots when all required public improvements have been constructed, inspected and accepted by the City, and when the Final Plat has been filed for record at the applicable county.

(Ordinance 6773 adopted 5/19/15)

§ 3.19. Recordation.

- (A) Procedure. The applicant shall supply to the Planning Department the required number of signed and executed copies of the approved Final Plat that will be needed to file the Plat, upon approval, at the applicable county (in the county's required format) within six months (that is, 180 calendar days) following the approval date. The Final Plat shall bear the notarized signatures of the property owner(s) and the notarized seal of the Registered Professional Land Surveyor who prepared the Plat.
- (1) Signatures. Following approval of the Final Plat and the submission of copies for signatures, the Planning Director shall obtain the required signatures for execution of the Final Plat.
 - (2) Recording. The Final Plat shall then be returned to the applicant for recording at the applicable county. Failure to properly record the Final Plat with the applicable county within six months (that is, 180 calendar days) following approval will cause the Final Plat to become null and void, and the applicant shall be required to re-initiate the platting process.
- (B) Submittal of Final Plat Where Improvements Have Been Installed. Where all required public improvements have been installed prior to recording of the Final Plat, the applicant shall meet all requirements in accordance with Articles 4, 5 and 6 of this Chapter 3.
- (C) Submittal of Final Plat Where Improvements Have Not Been Installed.
- (1) Where only a portion (or none) of the required public improvements have been completed in connection with an approved Final Plat, with prior approved Preliminary Plat prior to its filing for record at the applicable county, the applicant shall submit and execute a Subdivision Improvement Agreement in conformance with Article 6, Division 3 of this Chapter 3, and only if such Subdivision Improvement Agreement is approved by the City may the applicant then submit the Final Plat for filing at the applicable county.
 - (2) For a Final Plat with no prior approved Preliminary Plat, the Final Plat recordation shall be done in accordance with Subsection 3.19(A) above. Improvements must be installed and accepted to obtain a Certificate of Occupancy unless improvements are deferred per Section 3.102 of this Chapter 3.
 - (3) No Building Permit shall be issued until the Final Plat for the property is approved by the City and filed for record at the applicable county (see Article 1, Division 4 in Chapter 4 of this GDC).

(Ordinance 6773 adopted 5/19/15; Ordinance 7107, sec. 42, adopted 12/3/19; Ordinance 7573 adopted 3/4/2025)

§ 3.20. Expiration.

- (A) No Expiration After Recordation. There is no expiration of a Final Plat after it is approved by the City and recorded with the applicable county.
- (B) Expiration if Not Recorded. If an approved Final Plat is not timely recorded pursuant to Section 3.19 above then it shall become null and void.

(Ordinance 6773 adopted 5/19/15)

§ 3.21. Revisions Following Approval & Recordation.

Replat or Amending Plat. Revisions may only be approved as a Replat (Section 3.39 of this Chapter 3) or Amending Plat (Section 3.40 of this Chapter 3).

(Ordinance 6773 adopted 5/19/15)

Table 5-1: Initial Decision-Makers & Appellate Decision-Makers

Type of Application or Petition	<u>Initial</u> Decision-Maker	Appellate Decision-Maker	Further Appeal Decision-Maker
Text Amendment to Any GDC Provision Chapter 1, Article 2, Division 3	City Council	—	—
Zoning or Rezoning of Property Chapter 2, Article 2, Division 1, Section 2.05	City Council	—	—
Planned Development (PD) Zoning of Property Chapter 2, Article 2, Division 2, Section 2.13	City Council	—	—
Specific Use Provision (SUP) Zoning of Property Chapter 2, Article 2, Division 3, Section 2.20	City Council	—	—
Zoning Variance Chapter 2, Article 2, Division 5, Section 2.25	BOA	—	—
Preliminary Plat Approval Chapter 3, Article 2, Division 2, Section 3.09	Planning Director	Plan Commission	—
Extension of Preliminary Plat Approval Chapter 3, Article 2, Division 2, Section 3.12	Planning Director	Plan Commission	—
Final Plat Approval Chapter 3, Article 2, Division 3, Section 3.16	Planning Director	Plan Commission	—
Minor Plat Approval Chapter 3, Article 2, Division 4, Section 3.24	Planning Director	Plan Commission	—
Conveyance Plat Approval Chapter 3, Article 2, Division 5, Section 3.32	Planning Director	Plan Commission	—
Replat Approval Chapter 3, Article 2, Division 7, Section 3.39	Planning Director	Plan Commission	—
Amending Plat Approval Chapter 3, Article 2, Division 7, Section 3.40	Planning Director	Plan Commission	—
Plat Vacation Approval Chapter 3, Article 2, Division 7, Section 3.41	Planning Director	Plan Commission	—
Alley Waiver (4 or fewer lots) Chapter 3, Article 5, Division 6, Section 3.80	Director of Engineering	Plan Commission	—
Alley Development Variance (5+ lots) Chapter 3, Article 5, Division 6, Section 3.80	Plan Commission	City Council	—
Sidewalk Development Variance Waiver Chapter 3, Article 5, Division 13, Section 3.93	Plan Commission Director of Engineering	City Council Plan Commission	—
Alternative Compliance Request Chapter 4, Article 1, Division 2, Section 4.07	Planning Director	Plan Commission	City Council —

Parking Deviation Chapter 4, Article 2, Division 3, Section 4.20(K)	Planning Director	BOA	—
Landscaping or Screening Development Variance Chapter 4, Article 3, Division 9, Section 4.53	Plan Commission	City Council	—
Sign Variance Chapter 4, Article 5, Division 6, Section 4.81	Plan Commission	City Council	—
Increased Sign Area (up to 10%) Chapter 4, Article 5, Division 6, Section 4.81	Planning Director	Plan Commission	City Council
Fence Variance Chapter 4, Article 8, Division 2, Section 4.109	BOA	—	—
Proportionality Appeal Chapter 5, Article 1, Division 2, Section 5.07	City Council	—	—
Vested Rights Petition Chapter 5, Article 1, Division 5	Planning Director	Plan Commission	City Council