



AGENDA

REGULAR MEETING OF THE CITY COUNCIL

City of Garland
Council Chambers, City Hall
William E. Dollar Municipal Building
200 North Fifth Street
Garland, Texas
Tuesday, June 7, 2022
7:00 p.m.

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

Garland City Hall and Council Chambers is wheelchair accessible. Special parking is available on the east side of City Hall and on Austin & State Street west of City Hall.

Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services must contact the City Secretary's Office at (972) 205-2404 at least two working days prior to the meeting so that appropriate arrangements can be made.

BRAILLE IS NOT AVAILABLE.



LEGISLATIVE PRAYER AND PLEDGE OF ALLEGIANCE

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

MAYORAL PROCLAMATIONS, RECOGNITIONS AND ANNOUNCEMENTS

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

CONSENT AGENDA

All items under this section are recommended for approval by a single motion of Council, without discussion. Council has had the opportunity to review each of these items at a previous work session and approval of the consent agenda authorizes the City Manager to implement each item. The Mayor will announce the agenda and provide an opportunity for members of the audience and the City Council to request that an item be removed and considered separately.

1. Consider approval of the minutes of the May 17, 2022, Regular Meeting.
2. Consider approval of the following bids:
 - a. **Herbicide Spraying at Drainage Channels** **Bid No. 0949-20**
EDKO, LLC **\$2,240.00**

This request is to approve Change Order #2 for a price increase for herbicide spraying in various drainage channels within the city. This is a Term Agreement that has an optional renewal on June 1, 2022.
 - b. **2022 Paving, Water and Wastewater Group 1** **Bid No. 0785-22**
Improvements Design
Lam Consulting Engineering **\$615,304.00**

This request is for professional engineering services for the design of paving, water and wastewater improvements on Briar Way, Columbine Drive, Dandelion Drive, Delmar Drive, Goldenrod Drive, Lupine Drive and Mayapple Drive.

c. GP&L CIP Project Control and Management Services Bid No. 0787-22

Power Engineers, Inc. \$482,860.00

This request is to obtain a contract for CIP project control and management support services. This approval is for an initial Term Contract with two optional renewals.

d. I.H. 635 City Representative Bid No. 0191-20

TEAL Engineering Services \$200,000.00

This request is to provide professional engineering services to represent the City's interests during the I.H. 635 design build reconstruction project.

e. GP&L Hydro Plant Wicket Gate Repair Bid No. 0406-22

Northern Machining & Repair \$113,900.00

Optional Contingency 28,475.00

TOTAL: \$142,375.00

This request is to provide for the inspection and repair of wicket gates at the GP&L Hydro Plant. An Optional Contingency is included for any additional work that may be required.

f. GP&L Distribution Overhead Line Maintenance & Construction Bid No. 0600-22

Utility Construction Services, LLC \$3,000,000.00

This request is to provide as-needed overhead distribution construction services including all labor and equipment needed to install overhead wire facilities due to new construction or routine maintenance. This approval is for a Term Agreement with four optional renewals.

g. Firewheel Pump Station Rehabilitation Design Bid No. 0762-22

Freese and Nichols, Inc. \$1,706,950.00

Optional Contingency 75,000.00

TOTAL: \$1,781,950.00

This request is for Professional Engineering Services for the design and rehabilitation of the 30 MGD Firewheel Pump Station. An Optional Contingency is included for any additional services that may be required.

- h. Drug Testing Services** **Bid No. 0293-22**
NMS Labs **\$20,000.00**

This request is to approve a Change Order for Drug Testing Services used by the Garland Police Department.

- i. Library Materials Kiosk for Library Patrons** **Bid No. 0812-22**
mk Solutions, Inc. **\$408,200.00**

This request is to purchase two mk LibDispenser outdoor kiosks for providing library materials 24/7 for public use.

- j. Ready Mix Concrete** **Bid No. 1039-18**
Cooper Concrete Co. **\$172,645.38**

This request is to approve Change Order #2 for delivery of ready mix concrete for various construction projects throughout the city.

- k. Construction Material Testing for Bobtown Road, Waterhouse Boulevard and South Country Club Road Improvements** **Bid No. 0909-20**
TSIT Engineering and Consultants, LLC **\$33,495.00**

This request is to approve Change Order #2 to provide additional Construction Material Testing (CMT) services for Bobtown Road Waterhouse Boulevard, and South Country Club Road improvements.

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

- a. Zoning File No. Z 21-46 Turn Compost, LLC (District 6)**

Consider an ordinance amending the Garland Development Code of the City of Garland, Texas, by approving a Specific Use Provision for Bulk Material Sales & Storage (Retail or Wholesale) on a 2.513-acre tract of land zoned Industrial (IN) District and located at 196 South International Road; providing for conditions, restrictions, and regulations; providing a penalty under the provisions of Sec. 10.05 of the Code of Ordinances of the City of Garland, Texas; providing a Notice of Conditions of Compliance Clause; providing a Savings Clause and a Severability

Clause; and providing an effective date.

b. Zoning File No. Z 22-07 Triangle Engineering, LLC (District 5)

Consider an ordinance amending the Garland Development Code of the City of Garland, Texas, by approving 1) an Amendment to Planned Development (PD) District 94-35 for Community Retail Uses; 2) a Specific Use Provision for a Restaurant, Drive-Through and 3) a Detail Plan for a Restaurant, Drive-Through on a 0.335-acre tract of land located at 1943 Northwest Highway; providing for conditions, restrictions, and regulations; providing a penalty under the provisions of Sec. 10.05 of the Code of Ordinances of the City of Garland, Texas; providing a Notice of Conditions of Compliance Clause; providing a Savings Clause and a Severability Clause; and providing an effective date.

c. Zoning File No. Z 22-11 Garland Storage LP (District 1)

Consider an ordinance amending the Garland Development Code of the City of Garland, Texas, by approving 1) an Amendment to Planned Development (PD) District 20-17; 2) a Specific Use Provision for a Self-Storage Facility (Mini Warehouse); and 3) a Detail Plan for a Self-Storage Facility (Mini-warehouse), Retail and Office Uses on a 3.58-acre tract of land located at 1601 East Ferris Road and 6320 and 6330 North President George Bush Turnpike; providing for conditions, restrictions, and regulations; providing a penalty under the provisions of Sec. 10.05 of the Code of Ordinances of the City of Garland, Texas; providing a Notice of Conditions of Compliance Clause; providing a Savings Clause and a Severability Clause; and providing an effective date.

d. Zoning File No. Z 22-12 Kimley-Horn (District 7)

Consider an ordinance amending the Garland Development Code of the City of Garland, Texas, by approving 1) an Amendment to Planned Development (PD) District 02-11 for Community Retail Uses and Planned Development (PD) District 05-57 for Community Retail Uses; 2) a Specific Use Provision for a Self-Storage Facility (Mini-Warehouse) and 3) a Detail Plan for a Self-Storage Facility (Mini-Warehouse) on a 2.58-acre tract of land located at 2200 and 2202 North Jupiter Road; providing for conditions, restrictions, and regulations; providing a penalty under the provisions of Sec. 10.05 of the Code of Ordinances of the City of Garland, Texas; providing a Notice of Conditions of Compliance Clause; providing a Savings Clause and a Severability Clause; and providing an effective date.

e. Amended Easements with Covenants and Restrictions for Zoning File No. Z 22-12

In order for the property located at 2200 and 2202 North Jupiter Road to be developed according to the approved Detail Plan per Case Z 22-12, the easements, covenants and restrictions must be amended and signed by all parties with a property interest. When the Easements with Covenants and Restrictions (ECR) document was prepared and recorded, the intent of each owner was for the operation of a grocery

store and related parking area in the shopping center; however, this plan is no longer applicable since the Garland Power and Light (GP&L) substation now sits on the area where the grocery store was intended to operate. The ECR had not been amended to adjust for such changes. The City of Garland and all other parties of interest must amend the deed restrictions accordingly.

4. 2022-2023 CDBG, HOME and ESG Federal Grant Allocation

Council is requested to approve the allocation of grant funding for the fiscal year 2022-2023.

5. IH 635 Funding Agreement

Council is requested to authorize the City Manager to execute the three-way agreement between the City of Garland, DART and the RTC regarding funding for a Transit Oriented Development along IH 635 in the Shiloh/Garland vicinity.

6. 518 E. Linda - Acquisition for GREAT Homes Project

Council is requested to approve the purchase of the above-listed single family property by the Community Development Department.

7. Consider a resolution adopting and approving the Garland Housing Agency's second year update on the 2020-2024 Five Year Plan; and providing an effective date.

At the May 16, 2022 Work Session, Council considered adopting the accomplishments presented in the second year of the 2020-2024 Annual Performance Plan update for submission to HUD.

8. Consider a resolution approving the City of Garland Housing Agency Administrative Plan for the Housing Choice Voucher Program and providing an effective date.

At the May 16, 2022 Work Session, Council considered adopting the Garland Housing Agency's Administrative Plan.

9. Request for Development Assistance from Reserve Capital - Marquis Logistics SPE, LLC

Council is requested to approve an economic development Agreement for a partial rebate of development fees for a new development at 1102 S. Jupiter Road.

10. Consider a Resolution Denying the Oncor Rate Case Application

Council is requested to approve a resolution denying the Oncor Rate Case Application.

ITEMS FOR INDIVIDUAL CONSIDERATION

Speaker Regulations:

Anyone wishing to speak for, against, or on agenda items must fill out a speaker card and give it to the City Secretary before speaking (cards are located at the entrance to the Council Chambers). The Mayor will recognize speakers; he may impose a time limit and may provide for rebuttal. All comments and testimony are to be presented from the podium.

11. **Conduct the swearing in of Council Member for District 2**
12. **Consider by minute action the appointment of a City of Garland representative to the North Texas Municipal Water District Board.**

Council is requested to consider appointing a representative to the North Texas Municipal Water District Board for a two-year term beginning June 7, 2022.

13. **Hold public hearings on:**

- a. **Hold a Public Hearing on the Thoroughfare Plan Amendment**

Development along IH 30 has resulted in the need for local streets to be continuous for the benefit of the citizens in the area. The amendment of the Thoroughfare Plan to include a future roadway between IH30 and Lyons Road is needed to promote connectivity.

- b. **Consider a Zoning request by Trumont Group to construct a multi-family development with 298 dwelling units. This property is located at 2498 North President George Bush Turnpike in District 1.**

Consideration of the application of Trumont Group, requesting approval of an amendment to Planned Development (PD) District 03-53. This property is located at 2498 North President George Bush Turnpike. (File Z 22-03, District 1)

- c. **Consider a Detail Plan request by Trumont Group to construct a multi-family development with 298 dwelling units. This property is located at 2498 North President George Bush Turnpike in District 1.**

Consideration of the application of Trumont Group, requesting approval of a Detail Plan for a Multi-Family development on a property zoned Planned Development (PD) District 03-53. This property is located at 2498 North President George Bush Turnpike. (File Z 22-03, District 1)

- d. **Consider a Zoning request by Hart Gaugler + Associates for a Garland Fire Station. The site is located at 6450 North President George Bush Turnpike in District 1.**

Consideration of the application of Hart Gaugler + Associates, requesting approval of an amendment to Planned Development (PD) District 20-17 for Mixed Uses. This property is located at 6450 North President George Bush Turnpike. (File Z 22-13, District 1)

- e. **Consider a Detail Plan request by Hart Gaugler + Associates for a Garland Fire Station. The site is located at 6450 North President George Bush Turnpike in District 1.**

Consideration of the application of Hart Gaugler + Associates, requesting approval of a Detail Plan for a Fire Station on a property zoned Planned Development (PD) District 20-17 for Mixed Uses. This property is located at 6450 North President George Bush Turnpike. (File Z 22-13, District 1)

- f. **Consider a Specific Use Provision renewal request by Chong Son Na for an existing Reception Facility. This property is located at 1146 Belt Line Road in District 8.**

Consideration of the application of Chong Son Na, requesting approval of a Specific Use Provision Renewal for a Reception Facility on a property zoned Community Retail (CR) District. This property is located at 1146 Belt Line Road. (File Z 22-14, District 8)

- g. **Consider a Site Plan request by Chong Son Na for an existing Reception Facility. This property is located at 1146 Belt Line Road in District 8.**

Consideration of the application of Chong Son Na, requesting approval of a Plan for a Reception Facility on a property zoned Community Retail (CR) District. This property is located at 1146 Belt Line Road. (File Z 22-14, District 8)

- h. **Consider a request by MVAH Partners to waive a required payment to the Tree Fund as outlined in the Garland Development Code Chapter 4: Article 4: Tree Preservation & Mitigation. This property is located at 1102 North Shiloh Road in District 8.**

A Planned Development (PD) District and Detail Plan [Z 21-04] for multi-family development were previously approved on this site. The site is located at 1102 North Shiloh Road. (File TMP 22-01, District 8)

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

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

Council Member Robert Vera

- Larry E. Dunn - Senior Citizens Advisory Board

15. Citizen comments.

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

16. Adjourn.

All Regular Council meetings are broadcast live on CGTV, Time Warner Cable Channel 16, and Frontier FIOS TV 44. Meetings are rebroadcast at 9:00 a.m. and 7:00 p.m. on Wednesday-Sunday and at 7:30 p.m. on Thursday. Live streaming and on-demand videos of the meetings are also available online at www.garlandtx.gov. Copies of the meetings can be purchased through the City Secretary's Office – audio CD's are \$1 each and DVD's are \$3 each.



**GARLAND
CITY COUNCIL ITEM SUMMARY SHEET**

City Council Regular Session Agenda

1.

Meeting Date: 06/07/2022

Item Title: Minutes May 17

Submitted By: Rene Dowl, City Secretary

Summary of Request/Problem

Consider approval of the minutes of the May 17, 2022, Regular Meeting.

Recommendation/Action Requested and Justification

Attachments

Minutes May 17



GARLAND

MINUTES

The City Council of the City of Garland convened in regular session at 7:00 p.m. on Tuesday, May 17, 2022, in the Council Chambers at the William E. Dollar Municipal Building, 200 North Fifth Street, Garland, Texas, with the following members present:

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

Absent: Council Member Deborah Morris

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

LEGISLATIVE PRAYER AND PLEDGE OF ALLEGIANCE

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

Mayor LeMay presented a Special Recognition to the family of Jerry DeFeo, to honor him for his service on boards and commission in Garland and his many years of service to the Noon Exchange Club; Mr. DeFeo passed away on April 1, 2022. Mary DeFeo and the children thanked the Mayor and Council for the recognition.

CONSENT AGENDA

All items under this section are recommended for approval by a single motion of Council, without discussion. Council has had the opportunity to review each of these items at a previous work session and approval of the consent agenda authorizes the City Manager to implement each item. The Mayor will announce the agenda and provide an opportunity for members of the audience and the City Council to request that an item be removed and considered separately.

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

Vote: 8 ayes, 0 nays

1. **APPROVED** Consider approval of the minutes of the May 3, 2022 Regular Meeting.

2. Consider approval of the following bids:

a. **APPROVED** Evaluation and Restoration of Concrete
Ground Storage Tanks

Bid No. 0578-22

DN Tanks, LLC

\$576,000.00

This request is to provide cleaning and repair services for the five concrete ground storage tanks located at the Apollo Road, Broadway and Firewheel pump stations.

b. APPROVED Windridge Lift Station Wet Well Rehabilitation Bid No. 0715-22

Insituform Technologies, LLC \$177,335.00

This request is for the rehabilitation and relining of the Windridge Lift Station Wet Well located at 2101 E. Oates Road.

c. APPROVED GP&L Lookout Substation Static VAR Installation and Commissioning Services Bid No. 0445-21

Hitachi ABB Enterprise Software \$6,639,855.00
Optional Contingency 995,978.25
TOTAL: \$7,635,833.25

This request is for the procurement and installation of equipment for the Static VAR at the Lookout Substation. An Optional Contingency is included for any additional services or materials that may be required.

d. APPROVED GP&L Oakland 69kV Substation Upgrade Engineering Services Bid No. 0724-22

GAI Consultants, Inc. \$1,279,000.00

This request is to obtain civil and structural engineering services for the upgrade of the GP&L Oakland 69/13.2kV Substation.

e. APPROVED GP&L Naaman Substation Upgrade Materials Bid No. 0650-22

Texas Electric Cooperatives, Inc. \$137,727.50
Optional Contingency 27,545.50
TOTAL: \$165,273.00

This request is for the purchase of materials for the rebuild of the Naaman Substation. An Optional Contingency is included for any additional materials that may be required.

f. APPROVED HVAC Services at Various City Buildings Bid No. 0535-22

Denali Construction Services (Primary) \$350,000.00
United Mechanical (Secondary) 250,000.00
TOTAL: \$600,000.00

This request is for as-needed HVAC (heating, ventilation, and air conditioning) services for the repair and replacement of HVAC equipment at various City of Garland facilities. This approval is for a Term Agreement with four optional renewals.

- g. APPROVED Plumbing Services at Various City Buildings Bid No. 0534-22**
Denali Construction Services \$250,000.00

This request is for as-needed plumbing services for the repair and replacement of plumbing systems at various City of Garland facilities. This approval is for a Term Agreement with four optional renewals.

- h. APPROVED Traffic Signal Cabinets Bid No. 0731-22**
Consolidated Traffic Controls, Inc. \$482,482.00

This request is for the purchase of traffic signal cabinets for Warehouse inventory.

- i. APPROVED Three-Phase Transformers Bid No. 0614-22**
Anixter, Inc. \$369,587.00

This request is for the purchase of three-phase transformers for Warehouse inventory.

- j. APPROVED Chlorine and Sulfur Dioxide Bid No. 0574-22**
DPC Industries, Inc. \$1,054,132.00

This request is to provide liquid chlorine and sulfur dioxide (1-ton cylinders) for the City of Garland's Rowlett and Duck Creek Wastewater Treatment Plants. This approval is for a Term Agreement with four optional renewals.

- k. APPROVED GP&L Olinger Unit 3 Boiler Feed Pump 3A & Bid No. 0592-22**
3B Repairs
AW Chesterton \$136,410.00

This request is to provide repair services on two GP&L Olinger Unit 3 Boiler Feed Pump seals.

- l. APPROVED GP&L Spencer Unit 5 Circulating Water Bid No. 0332-22**
Pump Motor Rebuild
Brandon & Clark, Inc. \$255,401.98

This request is for the rebuild of the GP&L Spencer Unit 5 Circulating Water Pump motor.

- m. **APPROVED Water Utilities Building** **Bid No. 0840-21**
Hill & Wilkinson Construction **\$1,909,681.00**

This request is for the purchase of structural steel and roofing materials for the Water Utilities building.

- n. **APPROVED Aluminum Sign Blanks** **Bid No. 0776-19**
Vulcan, Inc. **\$30,572.45**

This request is to approve a Change Order for a price increase to the aluminum sign blank Term Agreement.

3. **A public hearing was previously conducted for the following zoning case. Council approved the request and instructed staff to bring forth the following ordinance for consideration.**

- a. **APPROVED Zoning File No. Z 22-01, ClayMoore Engineering (District 1)**

Ordinance No. 7329 amending the Garland Development Code of the City of Garland, Texas, by approving a Detail Plan for a Multi-Tenant Retail/Restaurant building, including a Restaurant, Drive-Through Use on a 1.348-acre tract of land located at 5345 North President George Bush Turnpike; providing for conditions, restrictions, and regulations; providing a penalty under the provisions of Sec. 10.05 of the Code of Ordinances of the City of Garland, Texas; providing a Notice of Conditions of Compliance Clause; providing a Savings Clause and a Severability Clause; and providing an effective date.

4. **APPROVED Resolution No. 10545** authorizing the acceptance of a Texas Department of Transportation Selective Traffic Enforcement Program Operation Slowdown Grant in the amount of \$6,262.15; and providing an effective date.

At the May 16, 2022 Work Session, Council considered accepting the TxDOT Selective Traffic Enforcement Program (STEP) Operation Slowdown grant in the amount of \$6,262.15. The purpose of this grant is to increase effective enforcement and adjudication of traffic safety-related laws to reduce fatal and serious injury crashes, as well as public information and education efforts during the enforcement period of June 4, 2022 to June 24, 2022. The grant requires the City to provide \$1,266.82 in matching funds. This will be accomplished in part through fringe benefits expenditures and directs costs. Consequently, the City can satisfy the contractual match requirements without expending any additional funds.

5. APPROVED Texas Department of State Health Services (DSHS) Public Health Immunization Grant

Council authorized the City Manager or his designee to execute the DSHS Immunization Grant that would operate an immunization program for children, adolescents and adults with special emphasis on improving immunization coverage for children 3 years and younger. This grant amendment provides continued funding of \$481,929 through August 31, 2023.

ITEMS FOR INDIVIDUAL CONSIDERATION

Speaker Regulations:

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6. APPROVED Consider an ordinance canvassing the results of a General Election for the purpose of electing Council Members to Districts 1, 2, 4, and 5 of the City of Garland, Texas; declaring the results of that election; and providing an effective date.

Motion was made by Mayor Pro Tem Hedrick to approve the ordinance canvassing the election results, seconded by Council Member Smith. Motion carried:

Vote: 8 ayes, 0 nays, adopting **Ordinance No. 7328** canvassing the May 7, 2022 election results.

7. CEREMONIALS: Conduct the swearing in of Council Members for Districts 1, 2, and 4.

Conduct the swearing in of Council Members for Districts 1, 2, and 4.

Council Member Morris, District 2, was unable to attend the meeting and will be sworn in at a future date.

Council Member Jeff Bass was sworn in by his son, Preston Bass. He thanked the citizens of Garland for their trust to re-elect him to represent District 1; he committed to making Garland a better place to work, play and live.

Deputy Mayor Pro Tem B. J. Williams was sworn in by his daughter, Chonda Williams. He expressed his appreciation to the citizens for their public trust and expressed his appreciation for the Council he is serving with and committed to making Garland better through his service.

8. Hold public hearings on:

- a. APPROVED Consider a Variance request by Garland Hawaiian Falls Holdings LLC to allow alcoholic beverages to be sold from a proposed bar area at Hawaiian Falls, closer than the required distance of 300 feet to a public school. The site is located at 4550 North Garland Avenue in District 8.**

Consideration of a variance to Chapter 2, Article 5, Section 2.55(A) of the Garland Development Code regarding the distance to a church, public school, or public hospital from an establishment that sells or serves alcoholic beverages. This property is located at 4550 North Garland Avenue. (File BW 22-01, District 8)

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

There was discussion by the Council.

Motion was made by Council Member Smith to approve the variance as presented, seconded by Council Member Aubin. Motion carried:

Vote: 8 ayes, 0 nays

- b. APPROVED Consider a Specific Use Provision request by Turn Compost, LLC to operate a compost facility. The site is located at 196 South International Road in District 6.**

Consideration of the application of Turn Compost, LLC, requesting approval of a Specific Use Provision for Bulk Material Sales & Storage (retail or wholesale) on a property zoned Industrial (IN) District. This property is located at 196 South International Road. (File Z 21-46, District 6)

The staff report was presented by William Guerin, Director of Planning. Jason Chessher provided comments on pathogens and composting. The speakers on this item were: Peter Kavanagh and Lauren Clark, Turn Compost, Amy Heath, Texas Tree Surgeons and Aaron Young.

There was discussion by the Council.

Motion was made by Council Member Vera to approve the Specific Use Provision for five years with an amendment prohibiting specific materials in the composting process, seconded by Council Member Aubin. Motion carried:

Vote: 7 ayes, 1 nay (Deputy Mayor Pro Tem Williams)

- c. APPROVED Consider a Site Plan request by Turn Compost, LLC to operate a compost facility. The site is located at 196 South International Road in District 6.**

Consideration of the application of Turn Compost, LLC, requesting approval of a Plan for Bulk Material Sales & Storage (retail or wholesale) on a property zoned Industrial (IN) District. This property is located at 196 South International Road. (File Z 21-46, District 6)

Motion was made by Council Member Vera to approve the Site Plan, seconded by Council Member Aubin. Motion carried:

Vote: 7 ayes, 1 nay (Deputy Mayor Pro Tem Williams)

Mayor LeMay recessed the meeting at 8:50 p.m.

Mayor LeMay readjoined the meeting at 9:00 p.m.

- d. APPROVED Consider a Zoning request by Triangle Engineering, LLC for a restaurant (coffee shop) with a drive-through. The site is located at 1943 Northwest Highway in District 5.**

Consideration of the application of Triangle Engineering, LLC, requesting approval of an Amendment to Planned Development (PD) District 94-35 for Community Retail Uses. The property is located at 1943 Northwest Highway (File Z 22-07, District 5)

The staff report was presented by William Guerin, Director of Planning. The speaker on this item was Megan Voissem, Scooters Coffee, applicant.

There was discussion by the Council.

Motion was made by Council Member Aubin to approve the Zoning request (8d), Specific Use Provision (8e) and Detail Plan (8f), seconded by Council Member Vera. Motion carried:

Vote: 8 ayes, 0 nays

- e. APPROVED Consider a Specific Use Provision request by Triangle Engineering, LLC for a restaurant (coffee shop) with a drive-through. The site is located at 1943 Northwest Highway in District 5.**

Consideration of the application of Triangle Engineering, LLC, requesting approval of a Specific Use Provision for a Restaurant, Drive-Through. The property is located at 1943 Northwest Highway. (File Z 22-07, District 5)

- f. APPROVED Consider a Detail Plan request by Triangle Engineering, LLC for a restaurant (coffee shop) with a drive-through. The site is located at 1943 Northwest Highway in District 5.**

Consideration of the application of Triangle Engineering, LLC, requesting approval of a Detail Plan for a property zoned Planned Development (PD) District 94-35 for Community Retail Use. This property is located at 1943 Northwest Highway. (File Z 22-07, District 5)

- g. APPROVED Consider a Zoning request by Garland Storage LP for a Self-Storage Facility with Retail and Office Uses. The site is located at 1601 East Ferris Road and 6320 and 6330 North President George Bush Turnpike in District 1.**

Consideration of the application of Garland Storage LP, requesting approval of an Amendment to Planned Development (PD) District 20-17. The property is located at 1601 East Ferris Road and 6320 and 6330 North President George Bush Turnpike. (File Z 22-11, District 1)

The staff report was presented by William Guerin, Director of Planning. The speaker on this team was Dallas Cothrum, applicant.

There was discussion by the Council.

Motion was made by Council Member Bass to approve the Zoning request (8g), Specific Use Provision (8h) and Detail Plan (8i), seconded by Council Member Vera. Motion carried:

Vote: 8 ayes, 0 nays

- h. APPROVED Consider a Specific Use Provision request by Garland Storage LP for a Self-Storage Facility with Retail and Office Uses. The site is located at 1601 East Ferris Road and 6320 and 6330 North President George Bush Turnpike in District 1.**

Consideration of the application of Garland Storage LP, requesting approval of a Specific Use Provision for a Self-Storage Facility (Mini warehouse). The property is located at 1601 East Ferris Road and 6320 and 6330 North President George Bush Turnpike. (File Z 22-11, District 1)

- i. APPROVED Consider a Detail Plan request by Garland Storage LP for a Self-Storage Facility with Retail and Office Uses. The site is located at 1601 East Ferris Road and 6320 and 6330 North President George Bush Turnpike in District 1.**

Consideration of the application of Garland Storage LP, requesting approval of a Detail Plan for a property Planned Development (PD) District 20-17 for Mixed Uses. The property is located at 1601 East Ferris Road and 6320 and 6330 North President George Bush Turnpike. (File Z 22-11, District 1)

- j. APPROVED Consider a Zoning request by Kimley-Horn for a Self-Storage Facility. The site is located at 2200 and 2202 North Jupiter Road in District 7.**

Consideration of the application of Kimley-Horn, requesting approval of an Amendment to Planned Development (PD) District 02-11 for Community Retail Uses and Planned Development (PD) District 05-57 for Community Retail Uses. The property is located at 2200 and 2202 North Jupiter Road. (File Z 22-12, District 7)

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

There was discussion by the Council.

Motion was made by Mayor Pro Tem Hedrick to approve the Zoning request (8j), Specific Use Provision (8k) and Detail Plan (I), seconded by Council Member Smith. Motion carried:

Vote: 8 ayes, 0 nays

- k. APPROVED Consider a Specific Use Provision request by Kimley-Horn for a Self-Storage Facility. The site is located at 2200 and 2202 North Jupiter Road in District 7.**

Consideration of the application of Kimley-Horn, requesting approval of a Specific Use Provision for a Self-Storage Facility (mini-warehouse). The property is located at 2200 and 2202 North Jupiter Road. (File Z 22-12, District 7)

- l. APPROVED Consider a Detail Plan request by Kimley-Horn for a Self-Storage Facility on the subject property. The site is located at 2200 and 2202 North Jupiter Road in District 7.**

Consideration of the application of Kimley-Horn, requesting approval of a Detail Plan for on a property zoned Planned Development (PD) District 02-11 for Community Retail Uses and Planned Development (PD) District 05-57 for Community Retail Uses. The property is located at 2200 and 2202 North Jupiter Road. (File Z 22-12, District 7)

9. **Citizen comments:** Gregory Cole
10. **Adjourn:** There being no further business to come before the City Council, Mayor LeMay adjourned the meeting at 9:48 p.m.

Submitted By:

Scott LeMay, Mayor

Eloyce René Dowl, City Secretary



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

2. a.

Meeting Date: 06/07/2022

Item Title: Herbicide Spraying at Drainage Channels

Submitted By: Steve Oliver, Streets Director

Bid Number: 0949-20

Purchase Justification:

This request is to approve Change Order #2 for a price increase for herbicide spraying in various drainage channels within the city. This is a Term Agreement that has an optional renewal on June 1, 2022. The contractor has requested a 29.3% price increase due to significantly higher costs for herbicide chemicals as well as higher fuel and labor costs. The contractor has provided documentation letters from its chemical suppliers that justify the requested price increase.

Evaluation:

EDKO, LLC, was awarded the original BL 8105 in the amount of \$6,800 as a Term Agreement with (4) optional renewals on June 15, 2020. Change Order #1 was approved on February 8, 2022, in the amount of \$840.

Award Recommendation:

	<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
EDKO, LLC		All	\$2,240.00
TOTAL:			\$2,240.00

Basis for Award: Change Order

Purchase Requisition #: 47162

Fiscal Impact

Total Project/Account: N/A
Expended/Encumbered to Date: N/A
Balance: N/A
This Item: \$2,240
Proposed Balance: N/A

Account #: 261-4611-7111

Fund/Dept/Project – Description and Comments:

Term Contract sets price but does not commit funds. Expenses will be charged to the Stormwater Management account as incurred.

Attachments

Bid Recap

Fiscal Reference:

Budget Type: Operating Budget

Fiscal Year: 2021-22

Document Location: Page 264

Budget Director Approval: Allyson Bell Steadman

Approval Date: 05/25/2022

Purchasing Director Approval: Gary L. Holcomb

Approval Date: 05/25/2022



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

2. b.

Meeting Date: 06/07/2022

Item Title: 2022 Paving, Water and Wastewater Group 1 Improvements Design

Submitted By: Steve Oliver, Streets Director

Bid Number: 0785-22

Purchase Justification:

This request is for professional engineering services for the design of paving, water and wastewater improvements on Briar Way, Columbine Drive, Dandelion Drive, Delmar Drive, Goldenrod Drive, Lupine Drive and Mayapple Drive. The design of the reconstructed concrete roadways will adhere to the City of Garland's standard Type "G" roadway design.

Evaluation:

Lam Consulting Engineering was selected as the Most Qualified firm for this project from RFQ 0960-19 based on the successful completion of previous design projects for the Street Department.

Award Recommendation:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
Lam Consulting Engineering	All	\$615,304.00
TOTAL:		\$615,304.00

Basis for Award: Most Qualified

Purchase Requisition #: 47332

Fiscal Impact

Total Project/Account:	\$28,962,355
Expended/Encumbered to Date:	22,908,042
Balance:	\$6,054,313
This Item:	615,304
Proposed Balance:	\$5,439,009
Account #:	220-4049-3019200-7101, 230-4149-3215700-7101, and 831-4693-7101

Fund/Dept/Project – Description and Comments:

Water CIP / Relocation of Mains Prior to Paving	\$ 46,845
Wastewater CIP / Relocation of Mains Prior to Paving	104,140
Infrastructure Fund / Paving & Roadway Design	464,319
Total	\$615,304

Attachments

Bid Recap

2022 P,W,WW G1-exhibit1

2022 P,W,WW G1-exhibit2

2022 P,W,WW G1-exhibit3

Fiscal Reference:

Budget Type: Operating Budget
CIP

Fiscal Year: 2021-22

Document Location: Prop. CIP, Pages 244 & 269; Operating, Page 216

Budget Director Approval: Allyson Bell Steadman

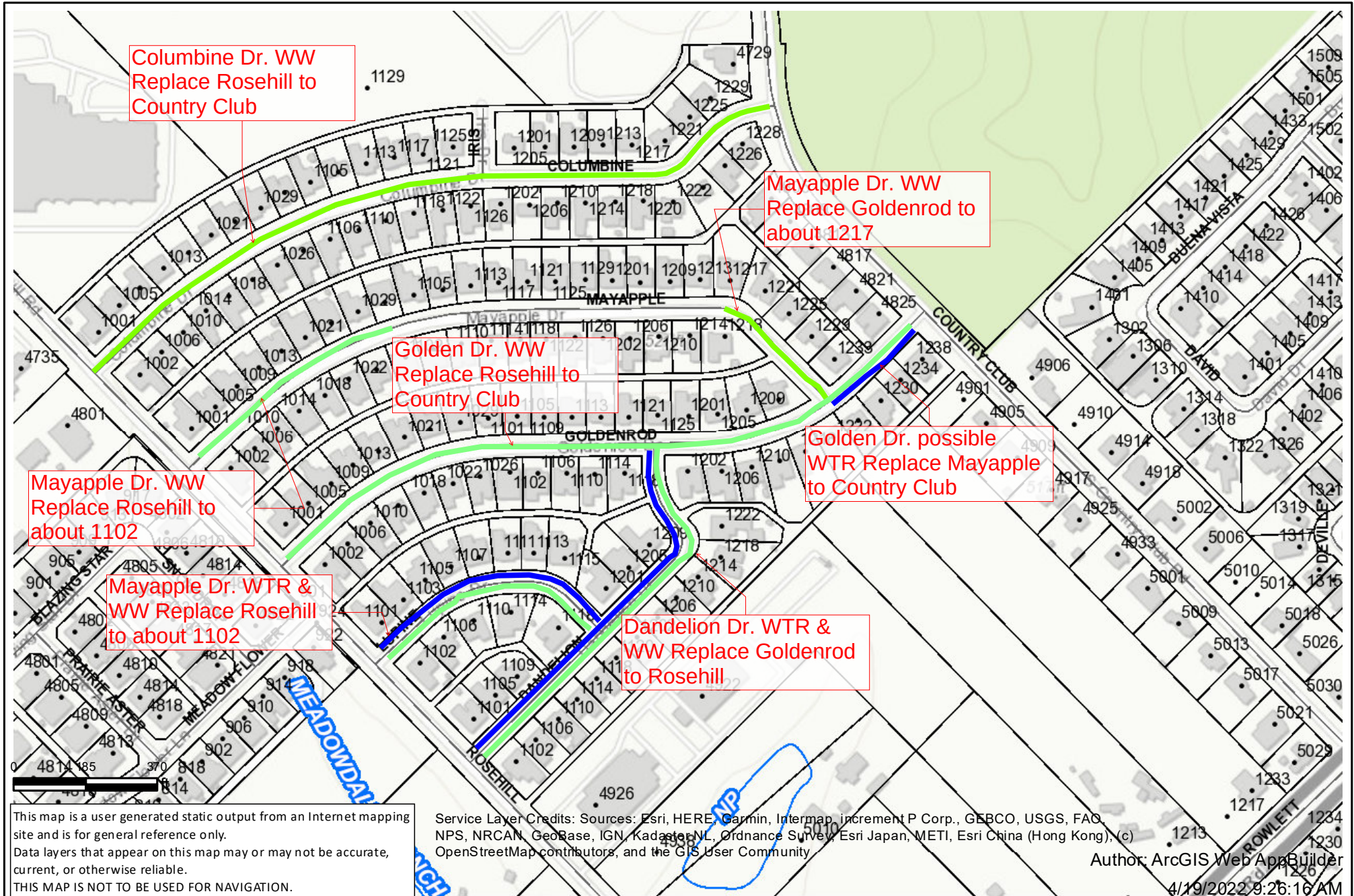
Approval Date: 05/25/2022

Purchasing Director Approval: Gary L. Holcomb

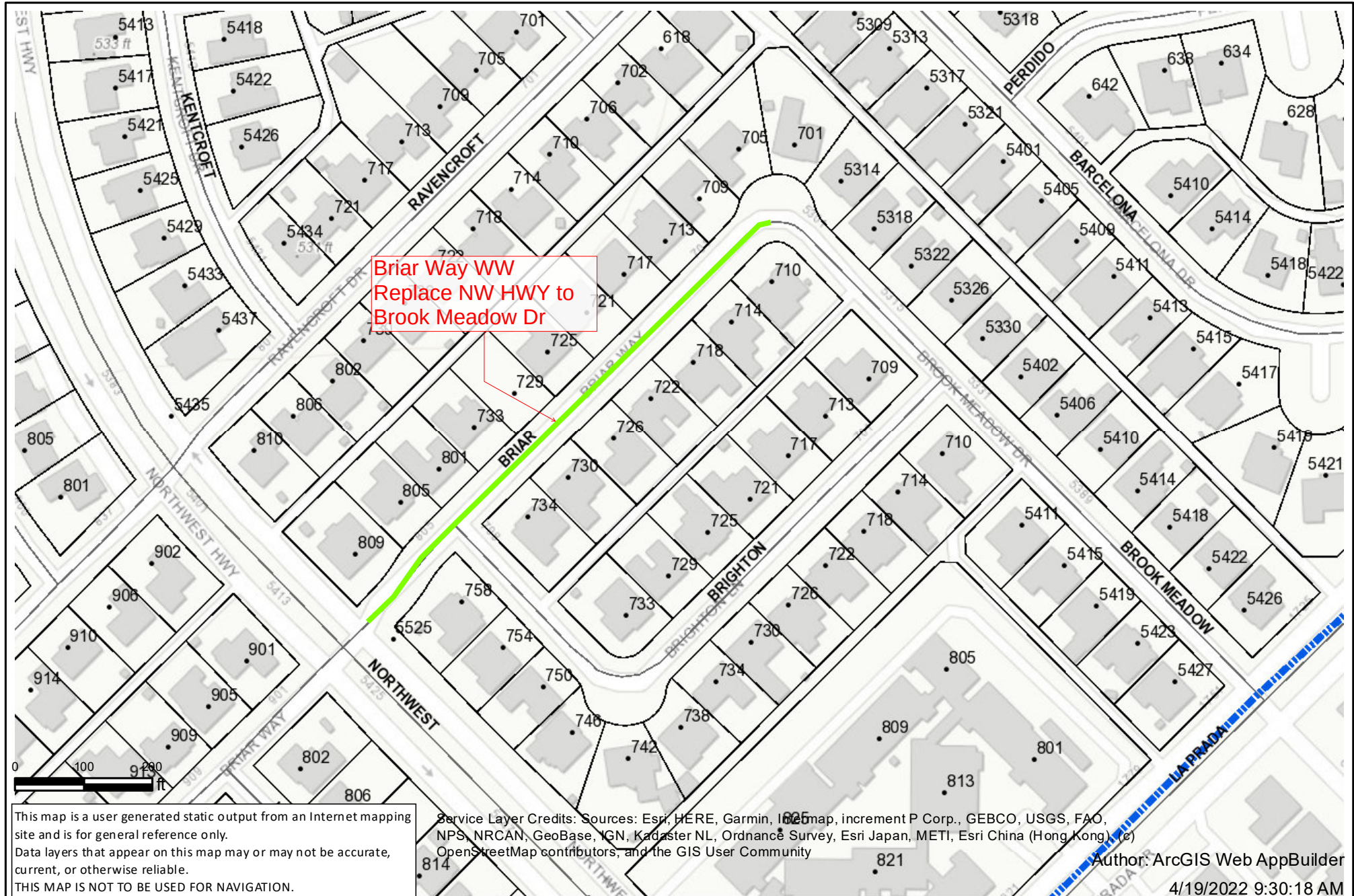
Approval Date: 05/25/2022

2023 Paving, Water & WW Group 1-m1

N



2023 Paving, Water & WW Group 1-m2



2023 Paving, Water & WWT Group 1-m3





**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

2. c.

Meeting Date: 06/07/2022

Item Title: GP&L CIP Project Control and Management Services

Submitted By: Steve Martin, GP&L Transmission Director

Bid Number: 0787-22

Purchase Justification:

This request is to obtain a contract for CIP project control and management support services. Power Engineers maintains a GP&L CIP Program Management System which allows staff to manage Transmission and Substation CIP projects for both GP&L and TMPA. The need for this system is driven by the number of transmission and substation capital projects associated with load growth in the North Garland area and multiple 138kV and 345kV transmission capital projects outside the city of Garland. This system includes the creation and documentation of control processes and the development of unique schedules for Transmission and Substations CIP projects. This system also provides coordination between multiple GP&L departments and vendors. Additionally, this system provides GP&L and TMPA Management project status updates as well as the generation of reports to show project schedule milestones, project spend and future cash flow requirements, regulatory obligations, and facility outage requirements. Costs for these services are chargeable to the capital projects being managed through this system. This approval is for an initial Term Contract with two (2) optional renewals.

Evaluation:

Power Engineers, Inc., is the developer of the CIP Program Management System that has been designed to GP&L's specific project control requirements. Power Engineers has customized the templates for GP&L's CIP reporting requirements, and they have clearance and access to GP&L's servers for rapid information exchange.

Award Recommendation:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
Power Engineers, Inc.	All	\$482,860.00
TOTAL:		\$482,860.00

Basis for Award: Sole Source

Purchase Requisition #: 47310

Fiscal Impact

Total Project/Account: N/A

Expended/Encumbered to Date: N/A

Balance: N/A

This Item: \$482,860

Proposed Balance: N/A

Account #: 451-6999

Fund/Dept/Project – Description and Comments:

Term Contract sets price but does not commit funds. Expenses will be charged to Electric CIP accounts as incurred.

Attachments

Bid Recap

Fiscal Reference:

Budget Type: CIP

Fiscal Year: 2022

Document Location: Prop. CIP - Page 283

Budget Director Approval: Allyson Bell Steadman

Approval Date: 05/27/2022

Purchasing Director Approval: Gary L. Holcomb

Approval Date: 05/23/2022



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

2. d.

Meeting Date: 06/07/2022

Item Title: I.H. 635 City Representative

Submitted By: Paul Luedtke, Transportation Director

Bid Number: 0191-20

Purchase Justification:

This request is to provide professional engineering services to represent the City's interests during the I.H. 635 design build reconstruction project. The engineer will coordinate between the City and the I.H. 635 design build contractor. This approval is for the remaining three (3) optional renewals. Funding for these activities was included in the 2021-22 Operating Budget.

Evaluation:

TEAL Engineering Services was awarded the initial contract in the amount of \$200,000 at the January 7, 2020, City Council meeting.

Award Recommendation:

Vendor	Item	Amount
TEAL Engineering Services	All	\$200,000.00
	TOTAL:	\$200,000.00

Basis for Award: Most Qualified

Purchase Requisition #: 47341

Fiscal Impact

Total Project/Account: \$565,999
Expended/Encumbered to Date: 307,743
Balance: \$258,256
This Item: 200,000
Proposed Balance: \$58,256
Account #: 100-1701-7101
Fund/Dept/Project – Description and Comments:

Attachments

Bid Recap

Fiscal Reference:

Budget Type: Operating Budget

Fiscal Year: 2021-22

Document Location: Page 116

Budget Director Approval: Allyson Bell Steadman

Approval Date: 05/25/2022

Purchasing Director Approval: Gary L. Holcomb

Approval Date: 05/23/2022



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

2. e.

Meeting Date: 06/07/2022

Item Title: GP&L Hydro Plant Wicket Gate Repair

Submitted By: Dan Bailey, GP&L Energy Services Director

Bid Number: 0406-22

Purchase Justification:

This request is to provide for the inspection and repair of wicket gates at the GP&L Hydro Plant. The gates control the flow of water into the turbine, and there is a suspected blockage preventing them from operating correctly. An Optional Contingency is included for any additional work that may be required.

Evaluation:

A request for bids was issued in accordance with Purchasing procedures. One (1) bid was received and evaluated based on the published criteria. Northern Machining & Repair is recommended as the vendor providing the Best Value for the City.

Award Recommendation:

	<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
	Northern Machining & Repair	All	\$113,900.00
	Optional Contingency		28,475.00
		TOTAL:	\$142,375.00

Basis for Award: Best Value

Purchase Requisition #: 46740

Fiscal Impact

Total Project/Account: \$144,846
Expended/Encumbered to Date: 2,471
Balance: \$142,375
This Item: 142,375
Proposed Balance: \$0
Account #: 211-3462-7111
Fund/Dept/Project – Description and Comments:

Attachments

Bid Recap

Fiscal Reference:

Budget Type: Operating Budget

Fiscal Year: 2021-22

Document Location: Oper. Budget - Page 235

Budget Director Approval: Allyson Bell Steadman

Approval Date: 05/30/2022

Purchasing Director Approval: Gary L. Holcomb

Approval Date: 05/26/2022



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

2. f.

Meeting Date: 06/07/2022

Item Title: GP&L Distribution Overhead Line Maintenance & Construction

Submitted By: Jonas Whitehead, GP&L Distribution Director

Bid Number: 0600-22

Purchase Justification:

This request is to provide as-needed overhead distribution construction services including all labor and equipment needed to install overhead wire facilities due to new construction or routine maintenance. This approval is for a Term Agreement with four (4) optional renewals.

Evaluation:

A request for bids was issued in accordance with Purchasing procedures. Eleven (11) responses were received and evaluated based on the published criteria. Utility Construction Services, LLC, received the highest evaluated score, offering the Best Value for the City.

Award Recommendation:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
Utility Construction Services, LLC	All	\$3,000,000.00
TOTAL:		\$3,000,000.00

Basis for Award: Best Value

Purchase Requisition #: 47055

Fiscal Impact

Total Project/Account: N/A
Expended/Encumbered to Date: N/A
Balance: N/A
This Item: \$3,000,000
Proposed Balance: N/A
Account #: 451-6999
Fund/Dept/Project – Description and Comments:

Term Contract sets price but does not commit funds. Expenses will be charged to Electric Distribution Lines - Overhead CIP accounts as incurred.

Attachments

Bid Recap 1 of 2

Bid Recap 2 of 2

Fiscal Reference:

Budget Type: CIP

Fiscal Year: 2022

Document Location: Prop. CIP - Page 291

Budget Director Approval: Allyson Bell Steadman

Approval Date: 05/30/2022

Purchasing Director Approval: Gary L. Holcomb

Approval Date: 05/26/2022



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

2. g.

Meeting Date: 06/07/2022

Item Title: Firewheel Pump Station Rehabilitation Design

Submitted By: Wes Kucera, Managing Director

Bid Number: 0762-22

Purchase Justification:

This request is for Professional Engineering Services for the design and rehabilitation of the 30 MGD Firewheel Pump Station. The design includes: pump room, sized for 5 proposed vertical turbine pump trains and gantry crane; electrical, instrumentation, and control improvements including control panels, step-down transformers, and SCADA controls; and HVAC, architectural, structural, plumbing, fire protection, and communications, as required. An Optional Contingency is included for any additional services that may be required.

Evaluation:

Freese and Nichols, Inc., was selected as the Most Qualified firm for this project from RFQ 0212-19. They have previous experience on the Lavon Pump Station Rebuild, a project with similar scope and magnitude.

Award Recommendation:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
Freese and Nichols, Inc.	All	\$1,706,950.00
Optional Contingency		75,000.00
TOTAL:		\$1,781,950.00

Basis for Award: Most Qualified

Purchase Requisition #: 47314

Fiscal Impact

Total Project/Account: \$5,056,144
Expended/Encumbered to Date: 1,235,117
Balance: \$3,821,027
This Item: 1,781,950

Proposed Balance: \$2,039,077
Account #: 220-4049-3019700-7101
Fund/Dept/Project – Description and Comments:
Water CIP / Water Pump Station Rehab

Attachments

Bid Recap

Fiscal Reference:

Budget Type: CIP

Fiscal Year: 2022

Document Location: Prop. CIP, Page 246

Budget Director Approval: Allyson Bell Steadman

Approval Date: 05/25/2022

Purchasing Director Approval: Gary L. Holcomb

Approval Date: 05/23/2022



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

2. h.

Meeting Date: 06/07/2022

Item Title: Drug Testing Services

Submitted By: Jeffrey Bryan, Chief of Police

Bid Number: 0293-22

Purchase Justification:

This request is to approve a Change Order for Drug Testing Services used by the Garland Police Department. The Department is experiencing a significant increase in the cost of drug testing services for evidence in criminal cases. These increases are due not only to the increase in the cost of testing the drugs but also the Dallas County District Attorney's Office policy change requiring testing multiple samples related to drug cases.

Evaluation:

NMS Labs was awarded the original Blanket Order 8781 in the amount of \$20,000 on December 23, 2021.

Award Recommendation:

	<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
NMS Labs		All	\$20,000.00
TOTAL:			\$20,000.00

Basis for Award: Change Order

Purchase Requisition #: 47373

Fiscal Impact

Total Project/Account:	\$2,382,620
Expended/Encumbered to Date:	1,484,512
Balance:	\$898,108
This Item:	20,000
Proposed Balance:	\$878,108
Account #:	100-1232-7111

Attachments

Bid Recap

Fiscal Reference:

Budget Type: Operating Budget

Fiscal Year: 2021-22

Document Location: Page 72

Budget Director Approval: Allyson Bell Steadman

Approval Date: 05/25/2022

Purchasing Director Approval: Gary L. Holcomb

Approval Date: 05/23/2022

[illegible]



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

2. i.

Meeting Date: 06/07/2022

Item Title: Library Materials Kiosk for Library Patrons

Submitted By: Karen Archibald, Library Director

Bid Number: 0812-22

Purchase Justification:

This request is to purchase two (2) mk LibDispenser outdoor kiosks for providing library materials 24/7 for public use. The kiosks are designated for installation in District 2 at City Hall/Square and District 5 at Lon Wynne Park.

Evaluation:

mk Solutions, Inc., is the manufacturer and Sole Source for the mk LibDispenser kiosks. These kiosks are equipped with proprietary features including climate controls (heating, cooling, and humidity control) and dynamic storage that allow materials to be available once they are returned, without staff intervention. This project was defined in the 2019 Bond Program but funded through CDBG.

Award Recommendation:

	<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
	mk Solutions, Inc.	All	\$408,200.00
		TOTAL:	\$408,200.00

Basis for Award: Sole Source

Purchase Requisition #: 47388

Fiscal Impact

Total Project/Account:	\$932,238
Expended/Encumbered to Date:	10,000
Balance:	\$922,238
This Item:	408,200
Proposed Balance:	\$514,038
Account #:	825-8378-3986422-7111

Fund/Dept/Project – Description and Comments:

Library CIP / Modernization/Upgrades - Library Kiosks - CDBG funding

AttachmentsBid Recap

Fiscal Reference:

Budget Type: CIP

Fiscal Year: 2022

Document Location: Prop. CIP, Page 150

Budget Director Approval: Allyson Bell Steadman

Approval Date: 05/30/2022

Purchasing Director Approval: Gary L. Holcomb

Approval Date: 05/26/2022



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

2. j.

Meeting Date: 06/07/2022

Item Title: Ready Mix Concrete

Submitted By: Steve Oliver, Streets Director

Bid Number: 1039-18

Purchase Justification:

This request is to approve Change Order #2 for delivery of ready mix concrete for various construction projects throughout the city. While exercising our third optional renewal, Cooper Concrete requested a price increase of 7.8% due to significant increases in the price of cement, fuel, labor, aggregates, and other raw materials used in the production of concrete. Based on the current Producer Price Index for the concrete industry in this region and the documentation of price increases they provided from their cement supplier, the requested price increase is justified.

Evaluation:

Cooper Concrete Co. was awarded the original BL 7395 in the amount of \$2,146,850.00 at the September 18, 2018, City Council Meeting. Change Order #1 in the amount of \$66,552.35 was approved at the September 14, 2021, City Council Meeting.

Award Recommendation:

	<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
	Cooper Concrete Co.	All	\$172,645.38
		TOTAL:	\$172,645.38

Basis for Award: Change Order

Purchase Requisition #: 47353

Fiscal Impact

Total Project/Account: N/A
Expended/Encumbered to Date: N/A
Balance: N/A
This Item: \$172,645

Proposed Balance: N/A
Account #: 831-4693-6051

Fund/Dept/Project – Description and Comments:

Term Contract sets price but does not commit funds. Expenses will be charged to the Street Department account as incurred.

Attachments

Bid Recap

Fiscal Reference:

Budget Type: Operating Budget

Fiscal Year: 2021-22

Document Location: Page 216

Budget Director Approval: Allyson Bell Steadman

Approval Date: 05/25/2022

Purchasing Director Approval: Gary L. Holcomb

Approval Date: 05/25/2022



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

2. k.

Meeting Date: 06/07/2022

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

Submitted By: Michael Polocek, Engineering Director

Bid Number: 0909-20

Purchase Justification:

This request is to approve Change Order #2 to provide additional Construction Material Testing (CMT) services for Bobtown Road, Waterhouse Boulevard and South Country Club Road improvements. The City recently included additional Plaza improvements at the southeast corner of Bobtown Road and Rowlett Road. This Change Order will allow for the necessary construction materials testing to complete the project.

Evaluation:

TSIT Engineering and Consultants, LLC, was awarded the original PO 30275 in the amount of \$49,935 on May 27, 2020. Change Order #1 was approved in the amount of \$25,220 at the November 16, 2021, City Council Meeting.

Award Recommendation:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
TSIT Engineering and Consultants, LLC	All	\$33,495.00
TOTAL:		\$33,495.00

Basis for Award: Change Order

Purchase Requisition #: 47339

Fiscal Impact

Total Project/Account:	\$9,284,362
Expended/Encumbered to Date:	8,700,089
Balance:	\$584,273
This Item:	33,495
Proposed Balance:	\$550,778

Account #:

Various Accounts

Fund/Dept/Project – Description and Comments:

Trail Development Program - Duck Creek Trail	Park	\$16,750	654-1429-1856119-710129
Bobtown Road - Rowlett to Waterhouse	Streets/Transportation / Engineering	8,360	624-1409-1427204-9011
Waterhouse - Bobtown to Hayman	Streets/Transportation / Engineering	2,130	692-1409-1430315-9011
Country Club/Bobtown Water Transmission Mains	Water	4,180	220-4049-3021600-9213
Relocation of Mains Prior to Paving	Wastewater	2,075	230-4149-3215700-9305
	Total	\$33,495	

Attachments

Bid Recap

Location Map

Fiscal Reference:

Budget Type: CIP

Fiscal Year: 2022

Document Location: Prop. CIP - Pages 87, 97, 102, 251, & 269

Budget Director Approval: Allyson Bell Steadman

Approval Date: 05/30/2022

Purchasing Director Approval: Gary L. Holcomb

Approval Date: 05/23/2022



**GARLAND
CITY COUNCIL ITEM SUMMARY SHEET**

City Council Regular Session Agenda

3. a.

Meeting Date: 06/07/2022

Item Title: Z 21-46 Turn Compost, LLC (District 6)

Submitted By: Will Guerin, Planning Director

Summary of Request/Problem

Zoning Ordinance Z 21-46 Turn Compost, LLC

Recommendation/Action Requested and Justification

Consider adoption of the attached ordinance.

Attachments

Z 21-46 Ordinance

Z 21-46 Exhibit A

Z 21-46 Exhibit B

Z 21-46 Exhibit C

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE GARLAND DEVELOPMENT CODE OF THE CITY OF GARLAND, TEXAS, BY APPROVING A SPECIFIC USE PROVISION FOR BULK MATERIAL SALES & STORAGE (RETAIL OR WHOLESALE) ON A 2.513-ACRE TRACT OF LAND ZONED INDUSTRIAL (IN) DISTRICT AND LOCATED AT 196 SOUTH INTERNATIONAL ROAD; PROVIDING FOR CONDITIONS, RESTRICTIONS, AND REGULATIONS; PROVIDING A PENALTY UNDER THE PROVISIONS OF SEC. 10.05 OF THE CODE OF ORDINANCES OF THE CITY OF GARLAND, TEXAS; PROVIDING A NOTICE OF CONDITIONS OF COMPLIANCE CLAUSE; PROVIDING A SAVINGS CLAUSE AND A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, at its regular meeting held on the 25th day of April, 2022, the Plan Commission did consider and make recommendations on a certain request for a Specific Use Provision for Bulk Material Sales & Storage (retail or wholesale) made by **Turn Compost, LLC**; and

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

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

Section 1

The Garland Development Code is hereby amended by approving a Specific Use Provision for Bulk Material Sales & Storage (Retail or Wholesale) on a 2.513-acre tract of land zoned Industrial (IN) District and located at 196 South International Road and being more particularly described in Exhibit A, attached hereto and made a part hereof.

Section 2

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

Section 3

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

Section 4

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

Section 5

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

Section 6

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

Section 7

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

FILE NO. Z 21-46

PASSED AND APPROVED this _____ day of _____,
2022.

THE CITY OF GARLAND, TEXAS

By:

Mayor

ATTEST:

City Secretary

Published:

EXHIBIT A

LEGAL DESCRIPTION

Zoning File Z 21-46

Being all that certain lot, tract or parcel of land located in the J. W. KEEN SURVEY, ABSTRACT NO. 744, City of Garland, Dallas County, Texas, and being the same tract of land described in deed to Concho Equipment Company, Inc., recorded in Volume 88138, Page 1759, Deed Records, Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found in the East line of South International Road, an 80' right-of-way, at the Northwest corner of Lot 1, Block 1, Agog Addition, an addition to the City of Garland, Dallas County, Texas, according to the plat thereof recorded in Instrument No. 201200265613, Official Public Records, Dallas County, Texas;

Thence North, along said East line, a distance of 338.26' to a "60D" nail found at the most Westerly Southwest corner of Lot 1, Block 1, Garland Hospital & Clinic, an addition to the City of Garland, Dallas County, Texas, according to the plat thereof recorded in Volume 89174, Page 804, Map Records, Dallas County, Texas;

ZONING FILE NUMBER Z 21-46

Thence South 86°26'00" East, a distance of 335.25' to a 1/2" iron pipe found at an interior ell corner of said Lot 1 of said Garland Hospital addition;

Thence South 00°12'36" East, along the Westerly line of said Lot 1 of said Garland Hospital addition, a distance of 315.06' to a 5/8" iron rod found at the Northeast corner of said Lot 1 of said Agog Addition;

Thence South 89°36'00" West, a distance of 335.76' to the PLACE OF BEGINNING and containing 109,482 square feet or 2.513 acres of land.

EXHIBIT A

SPECIFIC USE PROVISION CONDITIONS

ZONING FILE Z 21-46

196 South International Road

- I. Statement of Purpose:** The purpose of this Specific Use Provision is to allow a compost facility classified as a Bulk Material Sales & Storage (retail or wholesale) land 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 in the Industrial (IN) District and Special Standards for Bulk Material Sales & Storage (retail or wholesale) as set forth in Chapter 2 of the Garland Development Code are included by reference and shall apply, except as otherwise specified by this ordinance.
- IV. Development Plans:** Development is to be in general conformance with the approved Site Plan on Exhibit C. In the event of conflict between the conditions and development plan, the conditions listed below are to apply.
- V. Conditions:**
 - A. Time Period:** The Specific Use Provision shall be in effect for a period of five (5) years.
 - B. Compost Facility Area:** Compost facility, including windrows (piles), shall generally comply with and be limited to the layout depicted on Exhibit C.
 - C. Windrows:** Windrows shall not exceed a height of six (6) feet and shall be screened from the view of public streets.
 - D. Composting Materials Prohibited:** Composting of animal, dairy, oil, or petroleum products is prohibited.

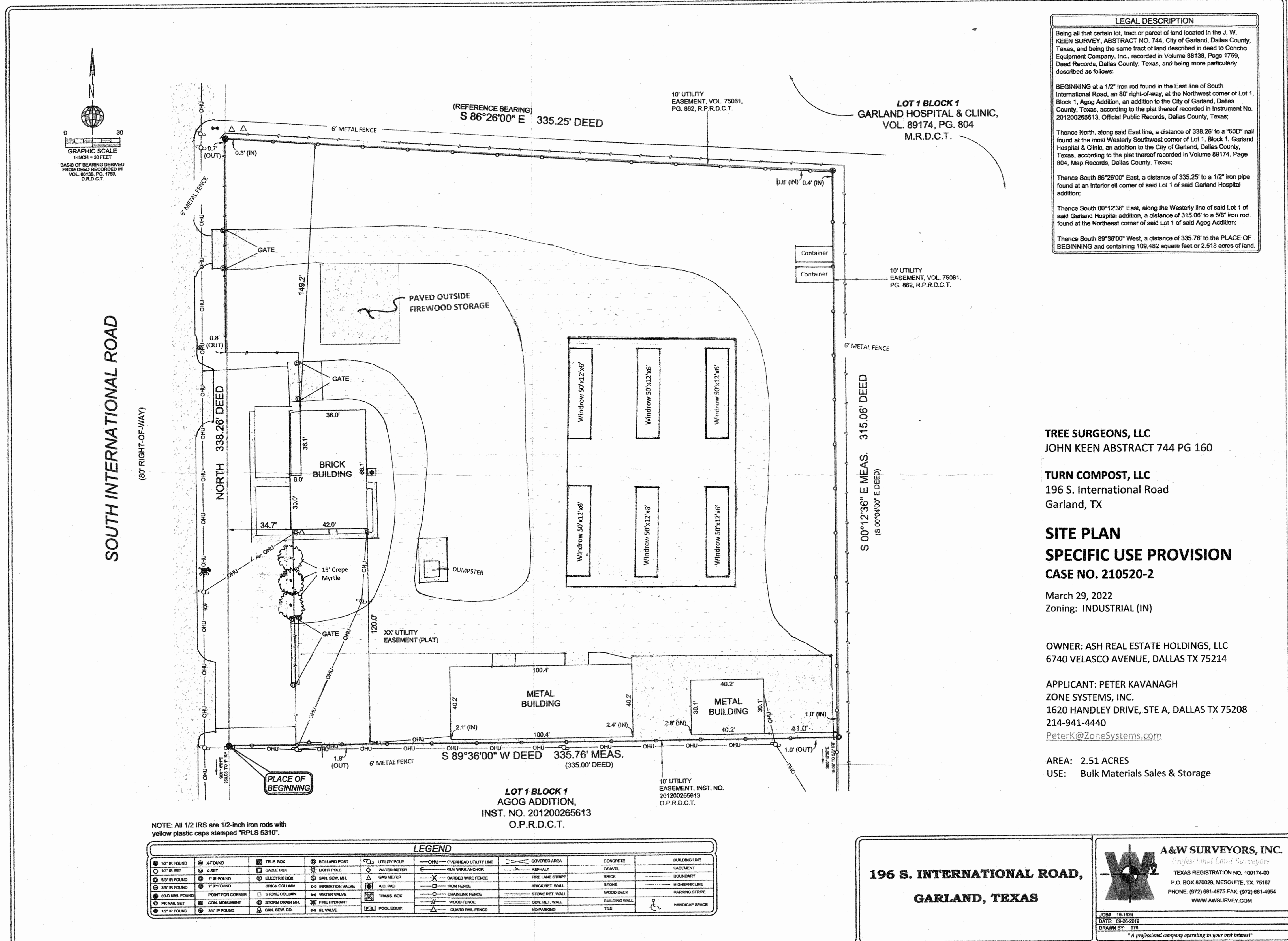


Exhibit C



**GARLAND
CITY COUNCIL ITEM SUMMARY SHEET**

City Council Regular Session Agenda

3. b.

Meeting Date: 06/07/2022

Item Title: Z 22-07 Triangle Engineering, LLC (District 5)

Submitted By: Will Guerin, Planning Director

Summary of Request/Problem

Zoning Ordinance Z 22-07 Triangle Engineering, LLC

Recommendation/Action Requested and Justification

Consider adoption of the attached ordinance.

Attachments

Z 22-07 Ordinance

Z 22-07 Exhibit A

Z 22-07 Exhibit B

Z 22-07 Exhibits C-E

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE GARLAND DEVELOPMENT CODE OF THE CITY OF GARLAND, TEXAS, BY APPROVING 1) AN AMENDMENT TO PLANNED DEVELOPMENT (PD) DISTRICT 94-35 FOR COMMUNITY RETAIL USES; 2) A SPECIFIC USE PROVISION FOR A RESTAURANT, DRIVE-THROUGH AND 3) A DETAIL PLAN ON A 0.335-ACRE TRACT OF LAND LOCATED AT 1943 NORTHWEST HIGHWAY; PROVIDING FOR CONDITIONS, RESTRICTIONS, AND REGULATIONS; PROVIDING A PENALTY UNDER THE PROVISIONS OF SEC. 10.05 OF THE CODE OF ORDINANCES OF THE CITY OF GARLAND, TEXAS; PROVIDING A NOTICE OF CONDITIONS OF COMPLIANCE CLAUSE; PROVIDING A SAVINGS CLAUSE AND A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, at its regular meeting held on the 25th day of April, 2022, the Plan Commission did consider and make recommendations on a certain request for 1) Amendment to Planned Development (PD) District 94-35 for Community Retail Uses; 2) a Specific Use Provision for a Restaurant, Drive-Through and 3) a Detail Plan made by **Triangle Engineering, LLC**; and

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

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

Section 1

The Garland Development Code is hereby amended by approving 1) Amendment to Planned Development (PD) District 94-35 for Community Retail Uses; 2) a Specific Use Provision for a Restaurant, Drive-Through and 3) a Detail Plan on a 0.335-acre tract of land located at 1943 Northwest Highway and being more particularly described in Exhibit A, attached hereto and made a part hereof.

Section 2

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

Section 3

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

Section 4

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

Section 5

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

Section 6

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

Section 7

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

FILE NO. Z 22-07

PASSED AND APPROVED this _____ day of _____,
2022.

THE CITY OF GARLAND, TEXAS

By:

Mayor

ATTEST:

City Secretary

Published:

EXHIBIT A

LEGAL DESCRIPTION

Zoning File Z 22-07

Being a 0.335-acre tract of land situated in the John Casey Survey, abstract No. 350, and in the J.T. Corcornan Survey, Abstract Number 348, Dallas County, Texas, being a part of Lot 2R, Block 1, Towngate Plaza Addition, an addition to the City of Garland, Dallas County, Texas according to the Plat thereof recorded in Volume 93134, Page 2812, Deed Records Dallas County, Texas (D.R.D.C.T.) and being a part of that same tract of land described to 1901 W Northwest Hwy, LLC by Special Warranty Deed recorded in Document Number 202100291650 of the Official Public Records of Dallas County, Texas (D.R.D.C.T.) and being more particularly described the metes and bounds as follows (Bearings and Distances are based on the State Plane Coordinate System, Texas North Central Zone (4202) North American Datum of 1983 (NAD 83) (US Foot) with a combined scale factor of 1.000136506):

Beginning at the Southeast corner of said Lot 2R and the Southwest corner of Lot 3R of said Towngate Plaza Addition, said point lying on the North Right-of-Way line of Northwest Highway (100' Right-of-Way);

Thence South 88 degrees 34 minutes 24 seconds West, with the South line of said Lot 2R and the North Right-of-Way line of said Northwest Highway, a distance of 102.97 feet to a ½-inch rebar capped "Windrose" set for the Southwest corner of the herein described tract;

Thence North 00 degrees 33 minutes 30 seconds West, departing the North Right-of-Way line of said Northwest Highway, over, across and upon said Lot 2R, a distance of 141.76 feet to a ½-inch rebar capped "Winrose" set for the Northwest corner of the herein described tract;

Thence North 88 degrees 33 minutes 05 seconds East, continuing through said Lot 2R, a distance of 102.97 feet to a ½-inch rebar capped "Winrose" set for the Northwest corner of the herein described tract, said point lying on the east line of said Lot 2R and on the west line of said Lot 3R;

Thence South 00 degrees 28 minutes 30 seconds East, with the East line of said Lot 2R and the West line of said Lot 3R, a distance of 141.80 feet to the Point of Beginning and containing 14,597 square feet or 0.335 acres of land, more or less.

PLANNED DEVELOPMENT CONDITIONS

ZONING FILE Z 22-07

1943 Northwest Highway

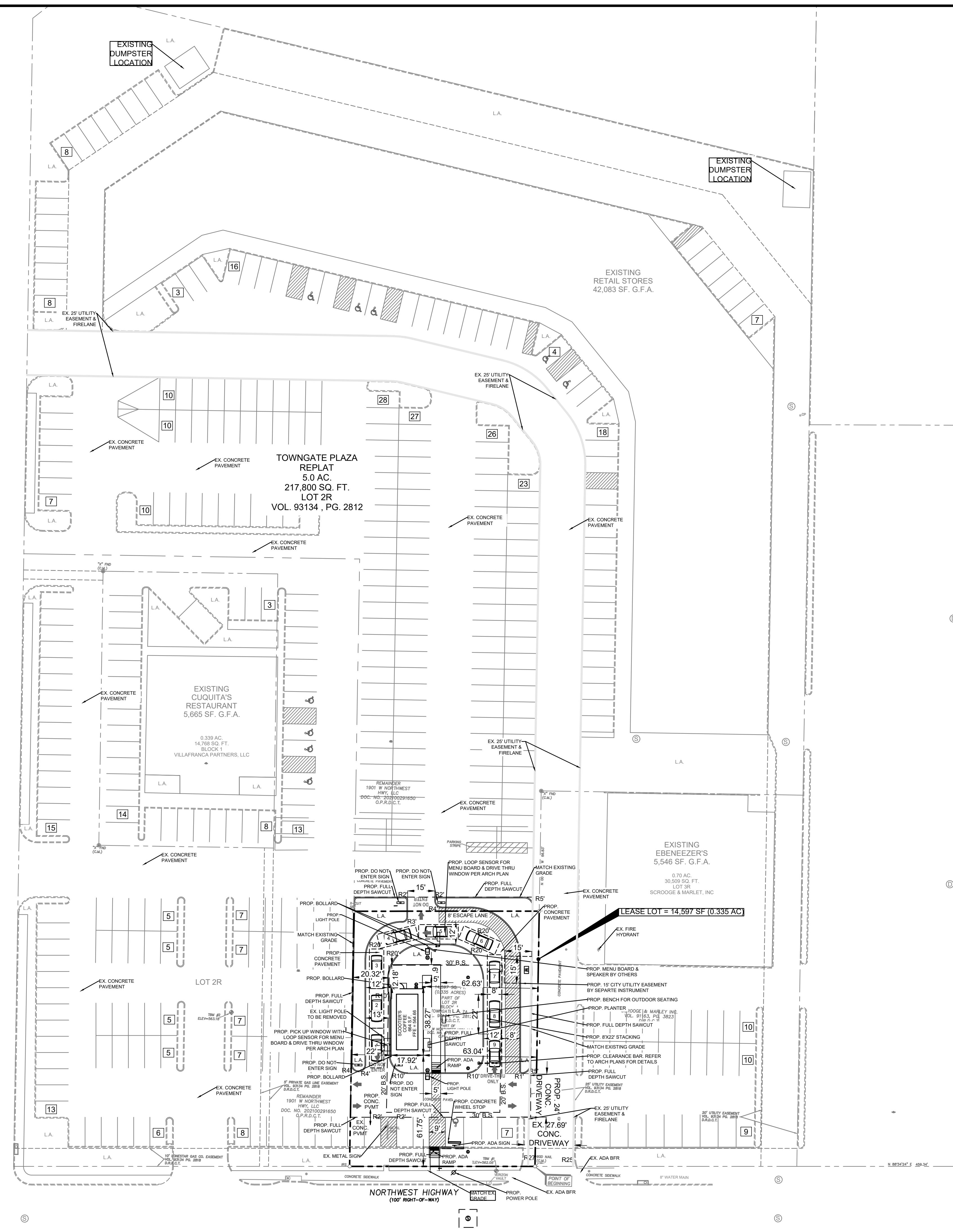
- I. Statement of Purpose:** The purpose of this Planned Development (PD) is to allow and regulate the development of a Restaurant, Drive-Through use by a Specific Use Provision.
- II. Statement of Effect:** This Planned Development (PD) shall not affect any regulation found in the Garland Development Code, Ordinance No. 6773, as amended prior to adoption of this ordinance, except as specifically provided herein.
- III. General Regulations:** All regulations of Planned Development (PD) District 94-35 and the Community Retail (CR) District and Site Development Standards as set forth in Chapter 2 and 4 of the Garland Development Code, Ordinance 6773, are included by reference and shall apply, except as otherwise specified by this ordinance.
- IV. Development Plans:**
- A. Detail Plan: Development is to be in conformance with the approved Detail Plan labeled Exhibit C. In the event of conflict between the conditions and Detail Plan, the conditions listed below are to apply.
- V. Detail Plan:**
- A. Site Layout: The site shall be in conformance to the site layout reflected on Exhibit C.
- B. Screening and Landscaping: Screening and landscaping shall be in conformance to the layout reflected on Exhibit D.
- C. Building Elevations: Building elevations shall be in conformance to the elevations as approved on Exhibit E.

SPECIFIC USE PROVISION CONDITIONS

ZONING FILE Z 22-07

1943 Northwest Highway

- I. Statement of Purpose:** The purpose of this Specific Use Provision is to allow a Restaurant, Drive-Through.
- II. Statement of Effect:** This Specific Use Provision shall not affect any regulation found in the Garland Development Code, Ordinance No. 6773, as amended prior to adoption of this ordinance, except as specifically provided herein.
- III. General Regulations:** All regulations of Planned Development (PD) District 94-35 and the Community Retail (CR) District as set forth in Chapter 2 of the Garland Development Code Ordinance 6773, are included by reference and shall apply, except as otherwise specified by this ordinance.
- IV. Specific Regulations:**
 - A. Time Period:** The Specific Use Provision shall be valid for a time period of twenty-five (25) years.



SITE DATA SUMMARY TABLE		
GROSS LOT AREA:	5.0 ACRE	(217,800 S.F.)
LEASE LOT AREA:	0.335 ACRE	(14,597 S.F.)
ZONING:	PD 94-35 UNDERLYING ZONING - CR	
PROPOSED USE:	SCOOTER'S COFFEE	
BUILDING AREA:	664 S.F.	
NUMBER OF STORIES:	1	
BUILDING HEIGHT:	19'-0"	
BUILDING COVERAGE:	4.55%	
FLOOR AREA RATIO:	0.045	
IMPERVIOUS AREA:	9,949.65 SF (0.68%)	
PERVIOUS/LANDSCAPE AREA:	4,647.35 SF (0.32%)	
REGULAR PARKING REQUIRED:	9 SPACES	
1 SPACE PER 75 G.F.A.		
REGULAR PARKING PROVIDED:	7 SPACES	
HANDICAP PARKING REQUIRED:	1 SPACE (1 VAN ACCESSIBLE)	
HANDICAP PARKING PROVIDED:	1 SPACE (1 VAN ACCESSIBLE)	
TOTAL PARKING PROVIDED:	7 SPACES	

PARKING INFORMATION:

REQUIRED PARKING RATIO:
COMMUNITY RETAIL
1-85,000 SF: 1 SPACE PER 333 G.F.A.
RESTAURANT WITH DRIVE-THROUGH
1 SPACE PER 75 G.F.A.

REQUIRED PARKING NUMBER:
EX. BUILDING TOWNGATE PLAZA (~ 42,083 S.F.) 126
EX. CUQUITA'S RESTAURANT (~ 5,546 S.F.) 75
EX. EBENEZER'S (~ 5,546 S.F.) 74
PROP. SCOOTER'S COFFEE (664 S.F.) 7

ESTIMATED TOTAL REQUIRED PARKING: 282

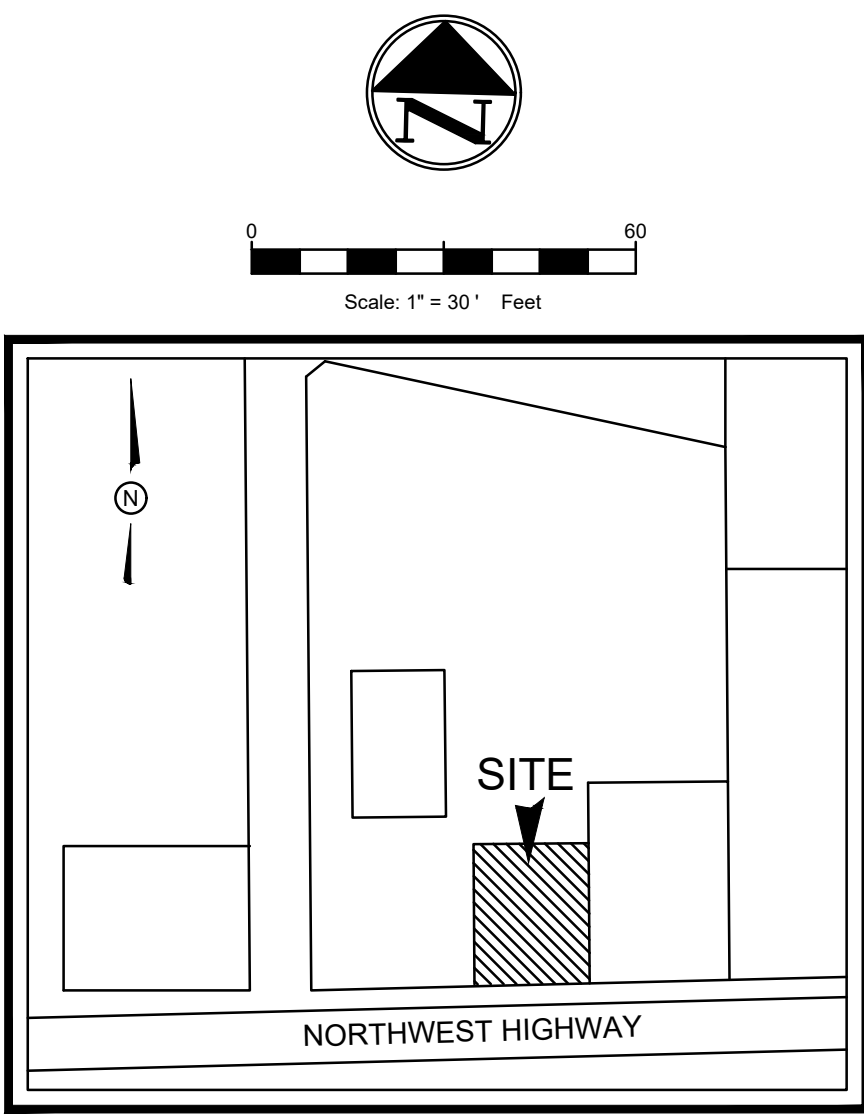
EXISTING PARKING
REGULAR: 397
ADA: 9
EXISTING PARKING TO BE REMOVED: 44

PROPOSED PARKING
REGULAR: 6
ADA: 1

TOTAL PARKING PROVIDED: 369

EASEMENT/SETBACK LEGEND	
BUILDING SET BACK	B.S.
LANDSCAPE SETBACK	L.S.
FIRE LANE, ACCESS & UTILITY EASEMENT	F.A.U.E.
FIRE LANE, ACCESS & DRAINAGE EASEMENT	F.A.D.E.
ACCESS EASEMENT	A.E.
SIDEWALK EASEMENT	S.E.
SANITARY SEWER EASEMENT	S.S.E.
WATER EASEMENT	W.E.
ELECTRICAL EASEMENT	E.E.
UTILITY EASEMENT	U.E.
DRAINAGE & DETENTION EASEMENT	D.D.E.

LEGEND		
* SOME OF THESE ELEMENTS MAY NOT BE USED ON THIS SURVEY		
BOLLARD	TRAFFIC LIGHT POLE	PIPELINE MARKER
HANDICAP	GROUND/SPOT LIGHT	UNDERGROUND CABLE SIGN
ELECTRIC METER	POWER POLE	CATHODIC TEST LEAD
GAS METER	POWER POLE W/TRANSFORMER	MONITORING WELL
CAS VALVE	POWER POLE W/LIGHT	PIV FLAG/PAINT MARK
FIRE HYDRANT	POWER POLE W/CONDUIT	TOP OF CURB
FIRE DEPARTMENT CONNECTION	METER POLE	GUTTER
WATER METER	SERVICE POLE	TOP OF GRATE
WATER VALVE	GUY ANCHOR	FLOW LINE
IRRIGATION CONTROL VALVE	OVERHEAD POWER LINE	HIGHBANK
GRATE INLET	BARBED WIRE FENCE	SANITARY SEWER
GRATE INLET	WROUGHT IRON FENCE	STORM SEWER
MANHOLE	WOOD FENCE	CORROGATED METAL PIPE
CLEANOUT	CHAINLINK FENCE	CORROGATED PLASTIC PIPE
CABLE PEDESTAL	GATE POST	REINFORCED CONCRETE PIPE
ELECTRIC BOX	PER PLANS	TELEPHONE
TRAFFIC SIGNAL BOX	APPROXIMATE	SOUTHWESTERN BELL TELEPHONE CO.
LIGHT POLE	HIGHBANK	WATER
	SIGN	UNDERGROUND



- SITE GENERAL NOTES**
- ALL CONSTRUCTION SHALL BE IN STRICT ACCORDANCE WITH THE CITY OR LOCAL JURISDICTION STANDARDS.
 - THE LOCATION OF UNDERGROUND UTILITIES INDICATED ON THE PLANS IS TAKEN FROM AS-BUILTS, UTILITY PLANS OR SURVEY. IT IS THE CONTRACTOR'S RESPONSIBILITY TO MAKE ARRANGEMENTS WITH THE OWNERS OF SUCH UNDERGROUND UTILITIES PRIOR TO WORKING IN THE AREA TO CONFIRM THEIR EXACT LOCATION AND TO DETERMINE WHETHER ANY ADDITIONAL UTILITIES OTHER THAN THOSE SHOWN ON THE PLANS MAY BE PRESENT. THE CONTRACTOR SHALL PRESERVE AND PROTECT ALL UNDERGROUND UTILITIES. IF EXISTING UNDERGROUND UTILITIES ARE DAMAGED, THE CONTRACTOR WILL BE RESPONSIBLE FOR THE COST OF REPAIRING THE UTILITY.
 - WHERE EXISTING UTILITIES OR SERVICE LINES ARE CUT, BROKEN OR DAMAGED, THE CONTRACTOR SHALL REPLACE OR REPAIR THE UTILITIES OR SERVICE LINES WITH THE SAME TYPE OF ORIGINAL MATERIAL AND CONSTRUCTION, OR BETTER, UNLESS OTHERWISE SHOWN OR NOTED ON THE PLANS, AT HIS OWN COST AND EXPENSE. THE CONTRACTOR SHALL IMMEDIATELY NOTIFY THE ENGINEER AT ONCE OF ANY CONFLICTS WITH UTILITIES.
 - ALL EXCAVATIONS, TRENCHING AND SHORING OPERATIONS SHALL COMPLY WITH THE REQUIREMENTS OF THE U. S. DEPARTMENT OF LABOR, OSHA, CONSTRUCTION SAFETY AND HEALTH REGULATIONS AND ANY AMENDMENTS THERETO.
 - THE CONTRACTOR SHALL RESTORE ALL AREAS DISTURBED BY CONSTRUCTION TO ORIGINAL CONDITION OR BETTER. RESTORED AREAS INCLUDE, BUT ARE NOT LIMITED TO TRENCH BACKFILL, SIDE SLOPES, FENCES, DRAINAGE DITCHES, DRIVEWAYS, PRIVATE YARDS AND ROADWAYS.
 - ANY CHANGES NEEDED AFTER CONSTRUCTION PLANS HAVE BEEN RELEASED, SHALL BE APPROVED BY THE CITY ENGINEER. THESE CHANGES MUST BE RECEIVED IN WRITING.
 - THE CONTRACTOR SHALL PROVIDE "RED LINED" MARKED PRINTS TO THE ENGINEER PRIOR TO FINAL INSPECTION INDICATING ALL CONSTRUCTION WHICH DEVIATED FROM THE PLANS OR WAS CONSTRUCTED IN ADDITION TO THAT INDICATED ON THE PLANS.
 - ALL CURB RADIUS TO BE 10' OR 2' UNLESS OTHERWISE NOTED ON THE SITE PLAN.

SITE LEGEND	
CONCRETE CURBS	SAW-CUT LINE
STRIPING	
PARKING SPACES	
MONUMENT SIGN	
HANDICAP LOGO	
RAMP	
BOLLARD	
TRAFFIC ARROW	
MENU BOARD	
SANITARY SEWER MANHOLE	
SANITARY SEWER CLEANOUT	
SANITARY SEWER DOUBLE CLEANOUT	
GREASE TRAP	
DOMESTIC WATER METER	
IRRIGATION METER	
WHEEL STOPS	
HANDICAP SIGN	
DO NOT ENTER SIGN	
PLANTER	
BENCH FOR OUTDOOR SEATING	

PROJECT CONTACT LIST		
OWNER 1901 WEST HIGHWAY, LLC 3811 TURTLE CREEK BLVD. SUITE 2100 DALLAS, TX 75219 CONTACT: CODY PERLMETER TEL: (214)-683-4641	DEVELOPER ARC HOLDINGS, LLC 3615 SUMMIT PLAZA DRIVE BELLEVUE, NE 68123 CONTACT: ADAM L. COCKERILL TEL: (402)-319-7848 EMAIL: ADAM.ARCHOLDINGS@GMAIL.COM	ARCHITECT K WARMAN ARCHITECTURE+DESIGN 1785 SWIFT STREET NORTH KANSAS CITY, MO 64116 CONTACT: KATHLEEN A. WARMAN TEL: (816)-474-2233 EMAIL: KATHY@KWARMAN.COM
CIVIL ENGINEER TRIANGLE ENGINEERING LLC 1784 W. McDERMOTT DRIVE, SUITE 110 ALLEN, TX 75013 CONTACT: ANDREW YEOH TEL: (469)-213-2804 EMAIL: AYEOH@TRIANGLE-ENGR.COM	SURVEYOR WINDROSE LAND SURVEYING/PLATING 1955 LAKEWAY DRIVE, SUITE 220 LEWISVILLE, TX 75057 CONTACT: GRAYSON CEBALLOS TEL: (214)-217-2544 EMAIL: GRAYSON.CEBALLOS@WINDROSESERVICES.COM	CASE # 211207-2



NO.	DATE	DESCRIPTION	BY
1	02-14-22	PD & SUP 1ST SUBMITTAL	AY
2	03-02-22	PD & SUP SUBMITTAL REV1	AY
3	03-30-22	PD & SUP SUBMITTAL REV2	AY
4	-	-	-
5	-	-	-
6	-	-	-
7	-	-	-
8	-	-	-
9	-	-	-



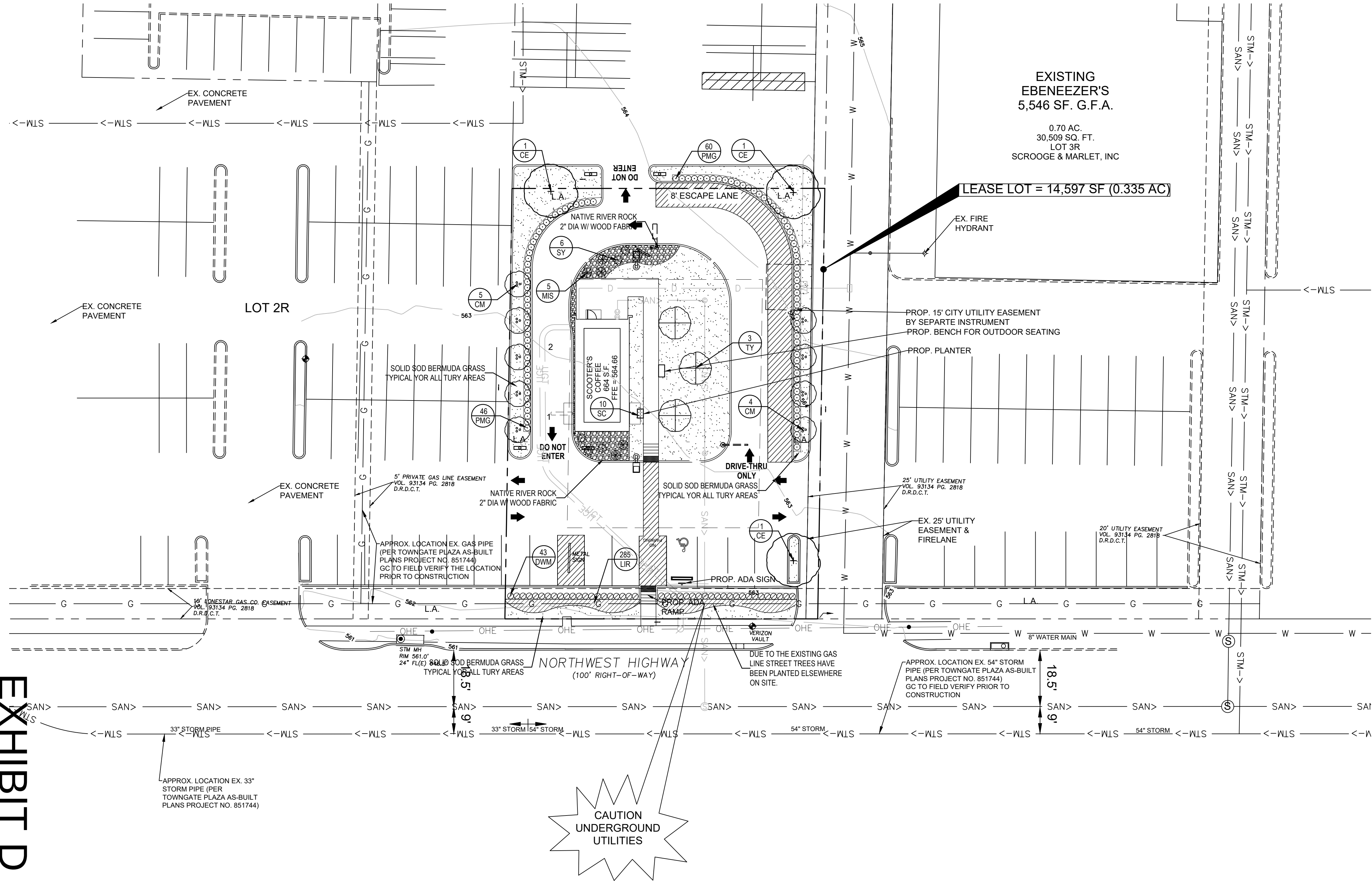
OVERALL SITE PLAN
SCOOTER'S COFFEE
NORTHWEST HIGHWAY
CITY OF GARLAND
DALLAS COUNTY, TEXAS 75041
TRIANGLE SUBDIVISION LOT 1, BLOCK A

TRIANGLE ENGINEERING LLC
T: 469.331.8566 | F: 469.213.7145 | E: info@triangle-engr.com
W: triangle-engr.com | O: 1784 McDermott Drive, Suite 110, Allen, TX 75013

Planning | Civil Engineering | Construction Management

P.E.	DES.	DATE	SCALE	PROJECT NO.	SHEET NO.
AY	MHY	12-09-21	SCALE BAR	135-21	C-3.0

TX. P.E. FIRM #11525



PLANT MATERIAL SCHEDULE

TREES					
TYPE	QTY	COMMON NAME	BOTANICAL NAME	SIZE	REMARKS
CE	3	Cedar Elm	Ulmus crassifolia	4" cal.	B&B, 12; ht. 5' spread, 5' clear straight trunk
CM	9	Crepe Myrtle	Lagerstroemia indica	3" cal.	container, 6' ht., 3 trunks, tree form
TY	3	Yaupon Holly	Ilex vomitoria	3" cal.	container, 6' ht., 3 trunks, tree form
SHRUBS					
TYPE	QTY	COMMON NAME	BOTANICAL NAME	SIZE	REMARKS
MIS	5	Miscanthus	Miscanthus sinensis	5 gal.	container full, well rooted
DWM	43	Dwarf Wax Myrtle	Myrica pusilla	5 gal.	container, 20" ht., 20" spread
PMG	106	Pink Muhly Grass	Muhlenbergia capillaris	5 gal.	container full, well rooted, 24" o.c.
SY	6	Soft Leaf Yucca	Yucca recurvifolia	5 gal.	container, 24" ht., 20" spread
GROUNDCOVERS					
TYPE	QTY	COMMON NAME	BOTANICAL NAME	SIZE	REMARKS
LIR	285	Liriope	Liriope muscari	4" pots	container full, well rooted 12" o.c.
SC	10	Seasonal Color '419' Bermuda grass	Cynodon dactylon '419'	4" pots	solid sod refer to notes
NOTE: Plant list is an aid to bidders only. Contractor shall verify all quantities on plan. All heights and spreads are minimums. All plant material shall meet or exceed remarks as indicated. All trees to have straight trunks and be matching within varieties.					

LANDSCAPE REQUIREMENTS

Total Landscape Area
Requirement: Minimum of 10% of site to be devoted to landscape area.
(Site Area: 14,597.34 s.f.)

Required: 1,459.7 s.f.
Provided: 4,680 s.f.

Requirement: 5% of total parking area to be landscaped.
Trees located at the ends of each parking row. All parking spots to be within 65 lf. of tree. 1 tree per (10) parking spots.
(Parking Area: 4,132.87 s.f.)
(Parking Spaces: 8 Spaces)

Required: 206.64 s.f.
1 trees
Provided: 45 s.f.
1 trees

Northwest HWY
Requirement: 15' wide landscape buffer along major thoroughway.
1 large canopy tree and 7 shrubs per 30 lf.
Maximum 75% of buffer can be turf, 25% to be groundcover.
(Street Frontage: 102.4 lf., landscape buffer area= 1536 s.f.)

Required: 4 trees
28 shrubs
705 s.f. of turf allowed (75%)
Provided: 12 ornamental trees planted elsewhere on site due to gas easement
43 shrubs
285 s.f. of turf proposed (30%)

LANDSCAPE NOTES

- CONTRACTOR SHALL VERIFY ALL EXISTING AND PROPOSED SITE ELEMENTS AND NOTIFY ARCHITECT OF ANY DISCREPANCIES. SURVEY DATA OF EXISTING CONDITIONS WAS SUPPLIED BY OTHERS.
- CONTRACTOR SHALL LOCATE ALL EXISTING UNDERGROUND UTILITIES AND NOTIFY ARCHITECT OF ANY CONFLICTS. CONTRACTOR SHALL EXERCISE CAUTION WHEN WORKING IN THE VICINITY OF UNDERGROUND UTILITIES.
- CONTRACTOR IS RESPONSIBLE FOR OBTAINING ALL REQUIRED LANDSCAPE AND IRRIGATION PERMITS.
- CONTRACTOR TO PROVIDE A MINIMUM 2% SLOPE AWAY FROM ALL STRUCTURES.
- ALL PLANTING BEDS AND LAWN AREAS TO BE SEPARATED BY STEEL EDGING. NO STEEL TO BE INSTALLED ADJACENT TO SIDEWALKS OR CURBS.
- ALL LANDSCAPE AREAS TO BE 100% IRRIGATED WITH AN UNDERGROUND AUTOMATIC IRRIGATION SYSTEM AND SHALL INCLUDE RAIN AND FREEZE SENSORS.
- ALL LAWN AREAS TO BE SOLID SOD BERMUDAGRASS, UNLESS OTHERWISE NOTED ON THE DRAWINGS.
- ALL PLANTING AREAS THAT ARE TO RECEIVE MULCH SHALL BE MULCHED WITH 4 INCHES OF DOUBLE SHREDDED HARDWOOD MULCH.

SOLID SOD NOTES

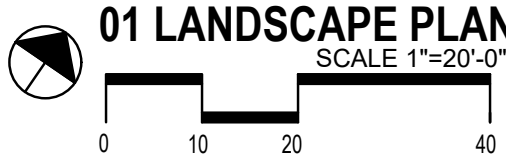
- FINE GRADE AREAS TO ACHIEVE FINAL CONTOURS INDICATED. LEAVE AREAS TO RECEIVE TOPSOIL 3" BELOW FINAL DESIRED GRADE IN PLANTING AREAS AND 1" BELOW FINAL GRADE IN TURF AREAS.
- ADJUST CONTOURS TO ACHIEVE POSITIVE DRAINAGE AWAY FROM BUILDINGS. PROVIDE UNIFORM ROUNDING AT TOP AND BOTTOM OF SLOPES AND OTHER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

CITY NOTES

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

GENERAL LAWN NOTES

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



CITY OF GARLAND
(Case Number #22XXX-X)

LANDSCAPE ARCHITECT
STUDIO GREEN SPOT, INC.
1784 McDERMOTT DR.
SUITE 110
ALLEN, TEXAS 75013
(469) 369-4448
CHRIS@STUDIOGREENSPOT.COM



SCOOTER'S COFFEE
NORTHWEST HIGHWAY
GARLAND, TEXAS

ISSUE:
FOR APPROVAL 02.04.2022
CITY COMMENTS 03.02.2022
CITY COMMENTS 03.23.2022

DATE:
03.23.2022

SHEET NAME:
LANDSCAPE PLAN

SHEET NUMBER:

SECTION 02900 - LANDSCAPE

PART 1 - GENERAL

1.1 REFERENCED DOCUMENTS

Refer to bidding requirements, special provisions, and schedules for additional requirements.

1.2 DESCRIPTION OF WORK

Work included: Furnish all supervision, labor, materials, services, equipment and appliances required to complete the work covered in conjunction with the landscaping covered in these specifications and landscaping plans, including:

1. Planting (trees, shrubs, and grass)
2. Bed preparation and fertilization
3. Notification of sources
4. Water and Maintenance until final acceptance
5. Guarantee

1.3 REFERENCE STANDARDS

- A. American Standard for Nursery Stock published by American Association of Nurserymen: 27 October 1980, Edition; by American National Standards Institute, Inc. (Z60.1) – plant material.
- B. American Joint Committee on Horticultural Nomenclature: 1942 Edition of Standardized Plant Names.
- C. Texas Association of Nurserymen, Grades and Standards.
- D. Horis Thirid: 1976 - Cornell University

1.4 NOTIFICATION OF SOURCES AND SUBMITTALS

- A. The Contractor shall, within ten (10) days following acceptance of bid, notify the Architect/Owner of the sources of plant materials and bed preparation required for the project.
- B. Samples: Provide representative quantities of sandy loam soil, mulch, bed mix material, gravel, and crushed stone. Samples shall be approved by Architect before use on project.
- C. Product Data: Submit complete product data and specifications on all other specified materials.
- D. Submit three representative samples of each variety of ornamental trees, shrubs, and groundcover plants for Architect's approval. When approved, tag, install, and maintain as representative samples for final installed plant materials.
- E. File Certificates of inspection of plant material by state, county, and federal authorities with Architect, if required.
- F. Soil Analysis: Provide sandy loam soil analysis if requested by the Architect.

JOB CONDITIONS

- A. General Contractor to complete the following punch list: Prior to Landscape Contractor initiating any portion of landscape installation, General Contractor shall leave planting bed areas three (3") inches below finish grade of sidewalks, drives and curbs as shown on the drawings. All lawn areas to receive solid sod shall be left one (1") inch below the finish grade of sidewalks, drives, and curbs. All construction debris shall be removed prior to Landscape Contractor beginning any work.
- B. General Contractor shall provide topsoil as described in Section 02200 - Earthwork.
- C. Storage of materials and equipment at the job site will be at the risk of the Landscape Contractor. The Owner cannot be held responsible for theft or damage.

1.6 MAINTENANCE AND GUARANTEE

- A. Maintenance:
 1. The Landscape Contractor will be held responsible for the maintenance of all work from the time of planting until final acceptance by the Owner. No trees, shrubs, groundcover or grass will be accepted unless they show a healthy growth and satisfactory foliage condition.
 2. Maintenance shall include watering of trees and plants, cultivation, weeding spraying, edging, pruning of trees, mowing of grass, cleaning up and all other work necessary of maintenance.
 3. A written notice requesting final inspection and acceptance should be submitted to the Owner at least seven (7) days prior to completion. An on-site inspection by Owner and Landscape Contractor will be completed prior to written acceptance.
 4. After final acceptance of installation, the Landscape Contractor will not be required to do any of the above listed work.
- B. Guarantee:
 1. Trees shall be guaranteed for a twelve (12) month period after acceptance. Shrubs and groundcover shall be guaranteed for twelve (12) months. The Contractor shall replace all dead materials as soon as weather permits and upon notification of the Owner. Plants, including trees, which have partially died so that shape, size, or symmetry has been damaged, shall be considered subject to replacement. In such cases, the opinion of the Owner shall be final.
 - a. Plants used for replacement shall be of the same size and kind as those originally planted and shall be planted as originally specified. All work, including materials, labor and equipment used in replacements, shall carry a twelve (12) month guarantee. Any damage, including ruts in lawn or bed areas, incurred as a result of making replacements shall be immediately repaired.
 - b. At the direction of the Owner, plants may be replaced at the start of the next year's planting season. In such cases, dead plants shall be removed from the premises immediately.
 - c. When plant replacements are made, plants, soil mix, fertilizer and mulch are to be utilized as originally specified and reinspected for full compliance with Contract requirements. All replacements are to be included under "Work" of this section.

2. The Owner agrees that for the guarantee to be effective, he will water plants at least twice a week during dry periods and cultivate beds once a month after final acceptance.
3. The above guarantee shall not apply where plants die after acceptance because of injury from storms, hail, freeze, insects, diseases, injury by humans, machines or theft.
4. Acceptance for all landscape work shall be given after final inspection by the Owner provided the job is in a completed, undamaged condition, and there is a stand of grass in all lawn areas. At this time, the Owner will assume maintenance on the accepted work.
- C. Repairs: Any necessary repairs under the Guarantee must be made within ten (10) days after receiving notice, weather permitting, and in the event the Landscape Contractor does not make repairs accordingly, the Owner, without further notice to Contractor, may provide materials and men to make such repairs at the expense of the Landscape Contractor.

1.7 QUALITY ASSURANCE

- A. General: Comply with applicable Federal, State, County and Local regulations governing landscape materials and work.
- B. Personnel: Employ only experienced personnel who are familiar with the required work. Provide full time supervision by a qualified foreman acceptable to Landscape Architect.
- C. Selection of Plant Material:
 1. Make contact with suppliers immediately upon obtaining notice of contract acceptance to select and book materials. Develop a program of maintenance (pruning and fertilization) which will insure the purchased materials will meet and/or exceed project specifications.
 2. Landscape Architect will provide a key identifying each tree location on site. Written verification will be required to document material selection, source and delivery schedules to site.
 3. Owner and/or Architect shall inspect all plant materials when reasonable at place of growth for compliance with requirements for genus, species, cultivar/variety, size and quality.
 4. Owner and/or Architect retains the right to further inspect all plant material upon arrival at the site and during installation for size and condition of root balls, limbs, branching habit, insects, injuries, and latent defects.
 5. Owner and/or Architect may reject unsatisfactory or defective material at any time during the process of work. Remove rejected materials from the site immediately. Plants damaged in transit or at job site shall be rejected.

1.8 PRODUCT DELIVERY, STORAGE AND HANDLING

- A. Preparation:
 1. Balled and Burlapped (B&B) Plants: Dig and prepare shipment in a manner that will not damage roots, branches, shape, and future development.
 2. Container Grown Plants: Deliver plants in rigid container to hold ball shape and protect root mass.

2.2 SOIL PREPARATION MATERIALS

- A. Sandy Loam:
 1. Friable, fertile, dark, loamy soil, free of clay lumps, subsoil, stones and other extraneous material and reasonably free of weeds and foreign grasses. Loam containing Dallasgrass or Nutgrass shall be rejected.
 2. Physical properties as follows:
 - Clay – between 7-27 percent
 - Silt – between 15-25 percent
 - Sand – less than 62 percent
 3. Organic matter shall be 3%-10% of total dry weight.
 4. If requested, provide a certified soil analysis conducted by an approved soil testing laboratory verifying that sandy loam meets the above requirements.
- B. Organic Material: Compost with a mixture of 80% vegetative matter and 20% animal waste. Ingredients should be a mix of coarse and fine textured material.
- C. Premixed Bedding Soil as supplied by Vital Earth Resources, Gladewater, Texas; Professional Bedding Soil as supplied by Living Earth Technology, Dallas, Texas or Acid Gro Municipal Mix as supplied by Soil Building Systems, Dallas, Texas or approved equal.
- D. Sharp Sand: Sharp sand must be free of seeds, soil particles and weeds.
- E. Mulch: Double Shredded Hardwood Mulch, partially decomposed, dark brown. Living Earth Technologies or approved equal.
- F. Organic Fertilizer: Fertalid, Sustane, or Green Sense or equal as recommended for required applications. Fertilizer shall be delivered to the site in original unopened containers, each bearing the manufacturer's guaranteed statement of analysis.
- A. Commercial Fertilizer: 10-20-10 or similar analysis. Nitrogen source to be a minimum 50% slow release organic Nitrogen (SCU or UF) with a minimum 8% sulphur and 4% iron, plus micronutrients.
- B. Peat: Commercial sphagnum peat moss or partially decomposed shredded pine bark or other approved organic material.

2.3 MISCELLANEOUS MATERIALS

- A. Steel Edging: Shall be Ryerson "Estate Curbing", 1/8" x 4" with stakes 4' on center.
- B. Staking Material for Shade Trees:
 1. Post: Studded T-Post, #1 Armco with anchor plate, 6'-0" length; paint green.
 2. Wire: 12 gauge, single strand, galvanized wire.
 3. Rubber hose: 2 ply, fiber reinforced hose, minimum 1/2 inch inside diameter. Color: Black.
- C. Gravel: Washed native pea gravel, graded 1 in. to 1-1/2 in.
- D. Filter Fabric: Miraf 140N by Celanese Fibers Marketing Company, available at Loftland Co., (214) 631-5250 or approved equal.

PART 3 - EXECUTION

3.1 BED PREPARATION & FERTILIZATION

- A. Landscape Contractor to inspect all existing conditions and report any deficiencies to the Owner.
- B. All planting areas shall be conditioned as follows:
 1. Prepare new planting beds by scraping away existing grass and weeds as necessary. Till existing soil to a depth of twelve (12") inches prior to placing compost and fertilizer. Apply fertilizer as per manufacturers recommendations. Add twelve (12") inches of compost and till into a depth of six (6") inches of the topsoil. Apply organic fertilizer such as Sustane or Green Sense at the rate of twenty (20) pounds per one thousand (1,000) square feet.
 2. All planting areas shall receive a three (3") inch layer of specified mulch.
 3. Backfill for tree pits shall be as follows: Use existing top soil on site (use imported topsoil as needed) free from large clumps, rocks, debris, caliche, subsoils, etc., placed in nine (9") inch layers and watered in thoroughly.
- C. Grass Areas:
 1. Areas to be Solid Sod Bermudagrass: Blocks of sod should be laid joint to joint, (staggered joints) after fertilizing the ground first. Roll grass areas to achieve a smooth, even surface. The joints between the blocks of sod should be filled with topsoil where they are evidently gaped open, then watered thoroughly.
 2. Areas to be Hydromulch Common Bermudagrass: Hydromulch with bermudagrass seed at a rate of two (2) pounds per one thousand (1,000) square feet. Use a 4' x 8' batter board against the bed areas.

3.2 INSTALLATION

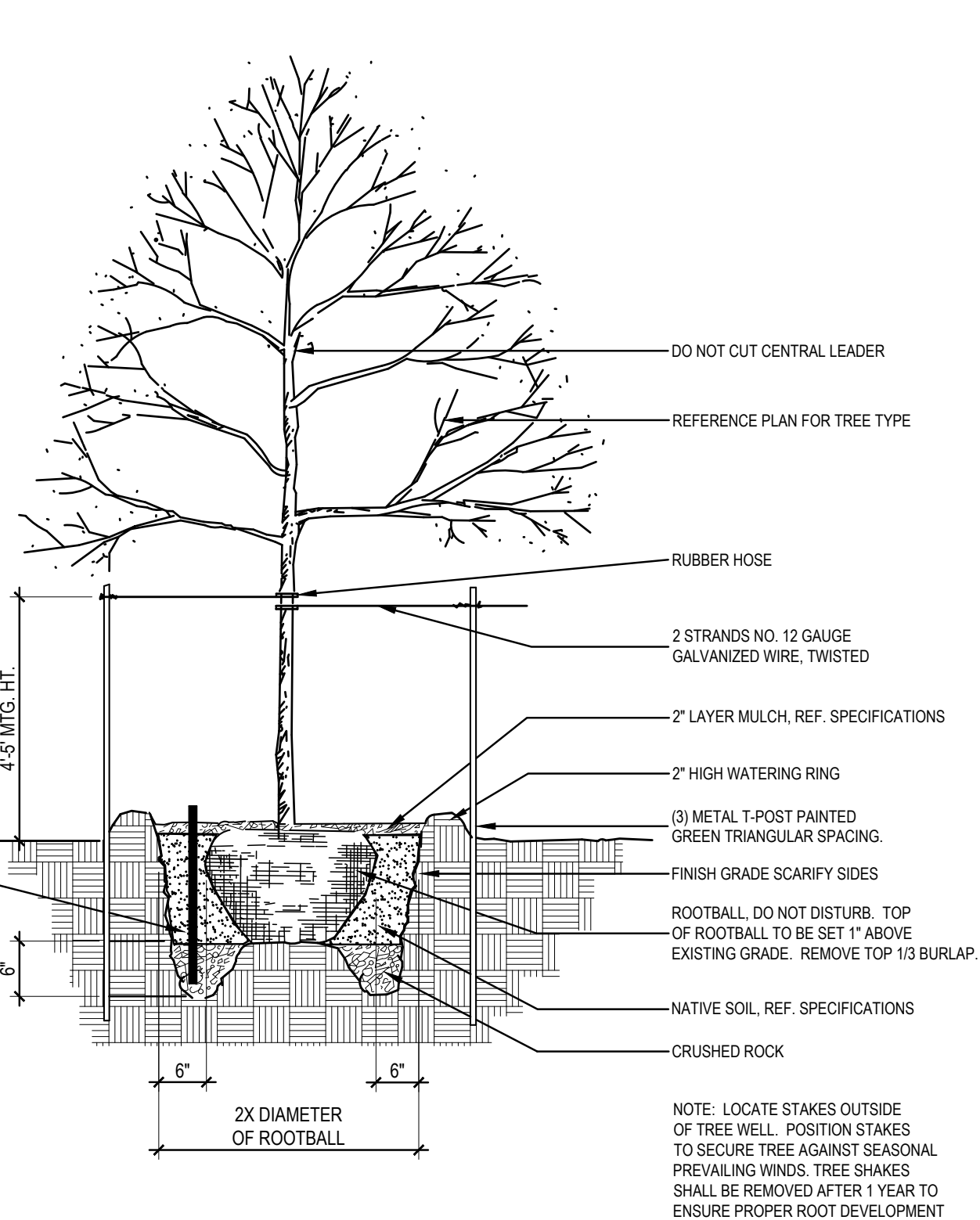
- A. Maintenance of plant materials shall begin immediately after each plant is delivered to the site and shall continue until all construction has been satisfactorily accomplished.
- B. Plant materials shall be delivered to the site only after the beds are prepared and area ready for planting. All shipments of nursery materials shall be thoroughly protected from the drying winds during transit. All plants which cannot be planted at once, after delivery to the site, shall be well protected against the possibility of drying by wind and sun. Balls of earth of B & B plants shall be kept covered with soil or other acceptable material. All plants remain the property of the Contractor until final acceptance.
- C. Position the trees and shrubs in their intended location as per plan.
- D. Notify the Landscape Architect for inspection and approval of all positioning of plant materials.
- E. Excavate pits with vertical sides and horizontal bottom. Tree pits shall be large enough to permit handling and planting without injury to balls of earth or roots and shall be of such depth that, when planted and settled, the crown of the plant shall bear the same relationship to the finish grade as it did to soil surface in original place of growth.

- F. Shrub and tree pits shall be no less than two (2') feet, twenty-four (24") inches, wider than the lateral dimension of earth ball and six (6") inches deeper than it's vertical dimension. Remove and haul from site all rocks and stones over one (1") inch in diameter. Plants should be thoroughly moist before removing containers.
- G. Dig a wide, rough sided hole exactly the same depth as the height of the ball, especially at the surface of the ground. The sides of the hole should be rough and jagged, never slick or glazed.
- H. Percolation Test: Fill the hole with water. If the water level does not percolate within 24 hours, the tree needs to move to another location or have drainage added. Install a PVC stand pipe per tree planting detail as approved by the Landscape Architect.
- I. Backfill only with 5 parts existing soil or sandy loam and 1 part bed preparation. When the hole is dug in solid rock, topsoil from the same area should not be used. Carefully settle by watering to prevent air pockets. Remove the burlap from the top 1/3 of the ball, as well as all nylon, plastic string and wire mesh. Container trees will usually be pot bound, if so follow standard nursery practice of "root scoring".
- J. Do not wrap trees.
- K. Do not over prune.
- L. Mulch the top of the ball. Do not plant grass all the way to the trunk of the tree. Leave the area above the top of the ball and mulch with at least two (2") inches of specified mulch.
- M. All plant beds and trees to be mulched with a minimum settled thickness of two (2") inches over the entire bed or pit.
- N. Obstruction below ground: In the event that rock, or underground construction work or obstructions are encountered in any plant pit excavation work to be done under this section, alternate locations may be selected by the Owner. Where locations cannot be changed, the obstructions shall be removed to a depth of not less than three (3') feet below grade and no less than six (6") inches below the bottom of ball when plant is properly set at the required grade. The work of this section shall include the removal from the site of such rock or underground obstructions encountered at the cost of the Landscape Contractor.
- O. Trees and large shrubs shall be staked as site conditions require. Position stakes to secure tree against seasonal prevailing winds.
- P. Pruning and Mulching: Pruning shall be directed by the Architect and shall be pruned in accordance with standard horticultural practice following Fine Pruning, Class I pruning standards provided by National Arborist Association.
 1. Dead wood or suckers and broken badly bruised branches shall be removed. General tipping of the branched is not permitted. Do not cut terminal branches.
 2. Pruning shall be done with clean, sharp tools.
 3. Immediately after planting operations are completed, all tree pits shall be covered with a layer of organic material two (2") inches in depth. This limit of the organic material for trees shall be the diameter of the plant pit.
- Q. Steel Curbing Installation:
 1. Curbing shall be aligned as indicated on plans. Stake out limits of steel curbing and obtain Owners approval prior to installation.
 2. All steel curbing shall be free of kinks and abrupt bends.
 3. Top of curbing shall be 3/4" maximum height above grade.
 1. Stakes are to be installed on the planting bed side of the curbing, as opposed to the grass side.
 2. Do not install steel edging along sidewalks.
 3. Cut steel edging at 45 degree angle where edging meets sidewalk.

3.3 CLEANUP AND ACCEPTANCE

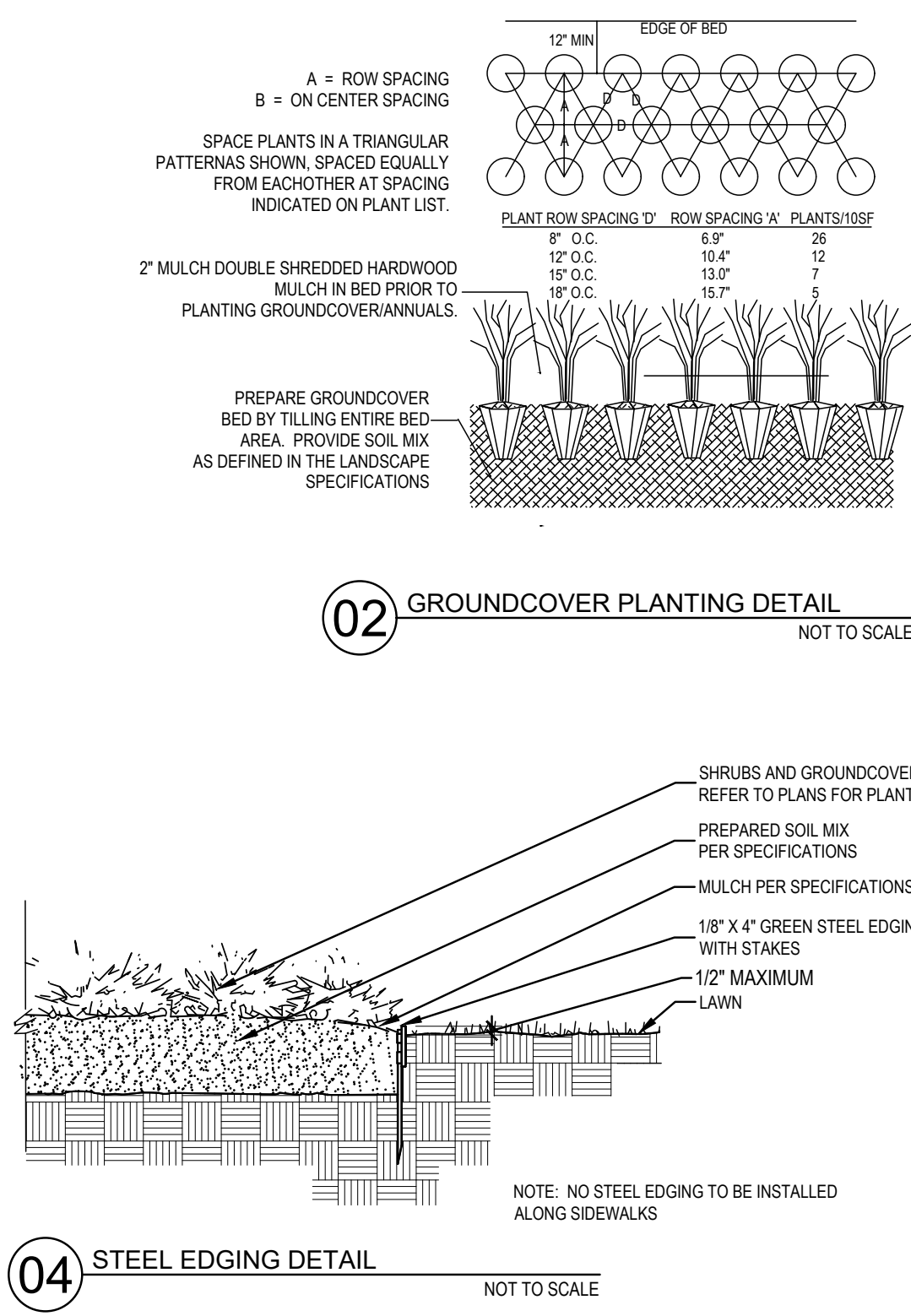
- A. Cleanup: During the work, the premises shall be kept neat and orderly at all times. Storage areas for all materials shall be so organized that they, too, are neat and orderly. All trash and debris shall be removed from the site as work progresses. Keep paved areas clean by sweeping or hosing at end of each days work.

END OF SECTION



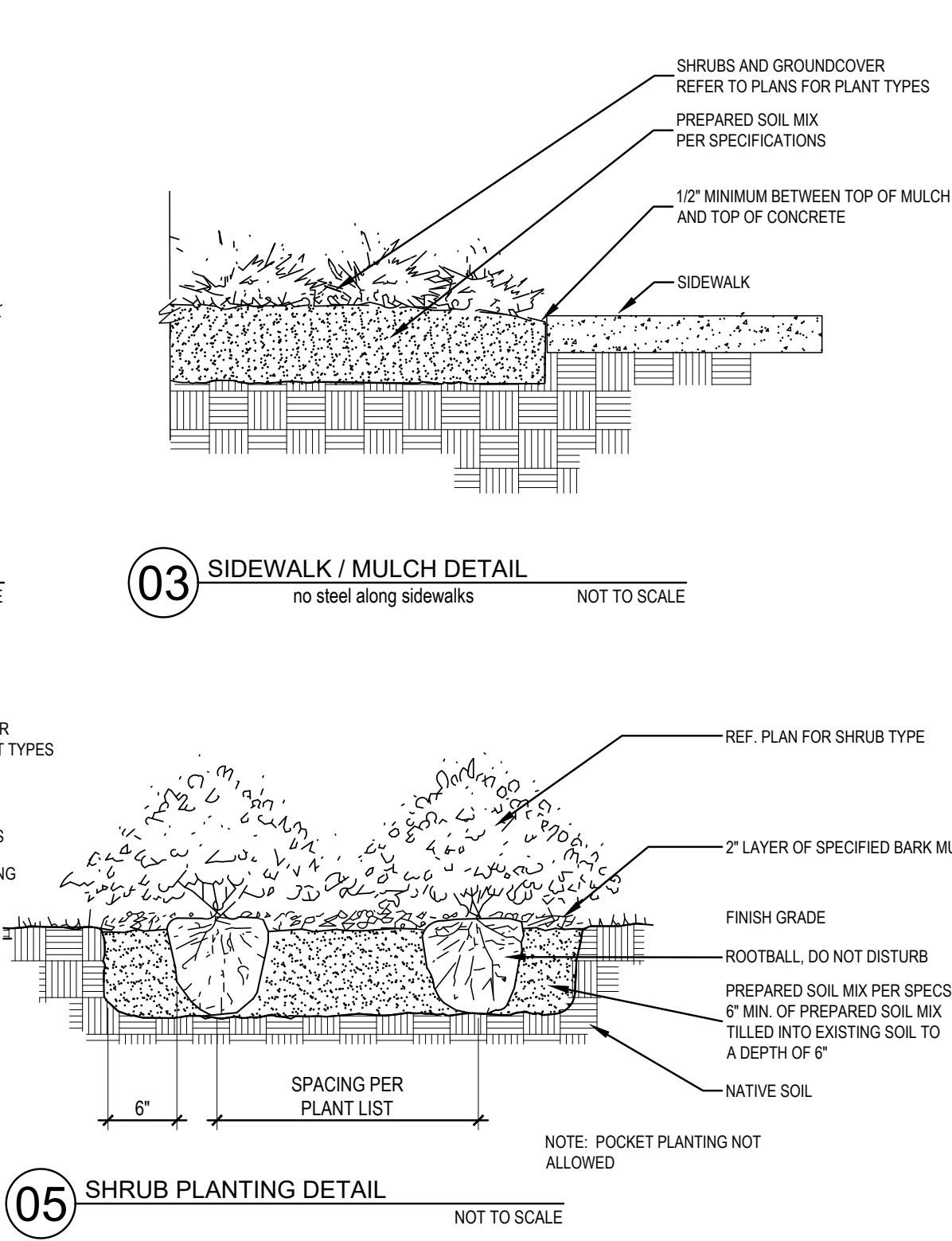
01 TREE PLANTING DETAIL

NOT TO SCALE



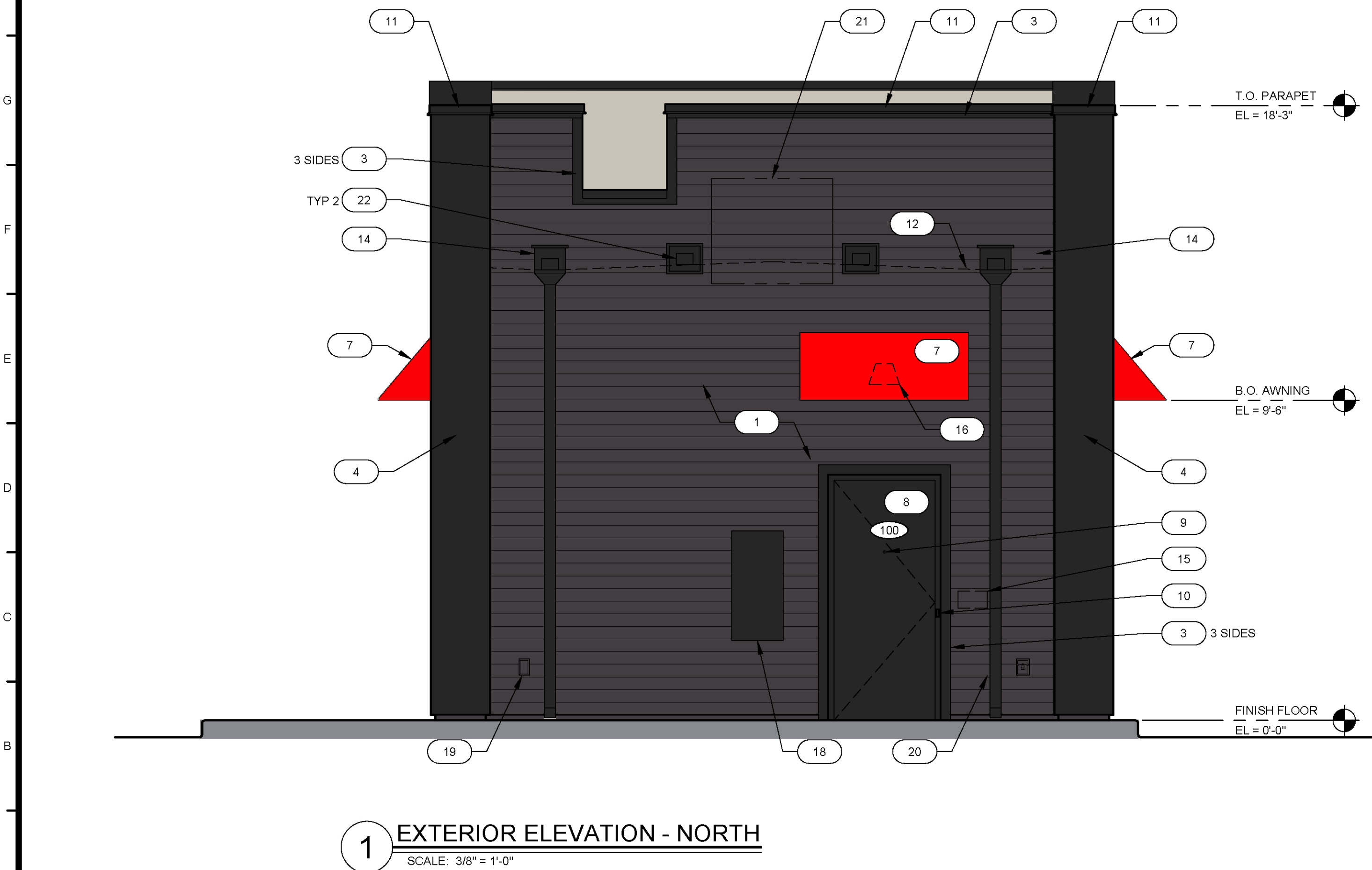
04 STEEL EDGING DETAIL

NOT TO SCALE



05 SHRUB PLANTING DETAIL

NOT TO SCALE



1. HARDIE PLANK HZ10 LAP SIDING CEDARMILL 6-1/4", SEE HARDIE DETAIL SHEET A6 5 - COLOR: SHERWIN WILLIAMS SW6892 INKWELL EGGSHELL FINISH
2. HARDIE REVEAL PANEL SYSTEM HZ10 - SMOOTH FINISH, SEE HARDIE DETAIL SHEET A6 5 - COLOR: SW 1015 SKYLINE STEEL
3. 3 1/2" HARDIE TRIM, SEE HARDIE DETAIL SHEET A6 5 - COLOR: SHERWIN WILLIAMS SW6892 INKWELL EGGSHELL FINISH
4. 20 GAUGE METAL ACCENTS AND SOFFITS - COLOR: BLACK
5. INSULATED DARK BRONZE ALUMINUM WINDOWS WITH DUAL PANE TEMPERED GLASS
6. QUICKSERVE 48X48 WINDOW - COLOR: DARK BRONZE
7. AWNING BY OTHERS, UNDER A SEPARATE PERMIT - COLOR: RED
8. INSULATED HOLLOW METAL DOOR AND FRAME - COLOR: SHERWIN WILLIAMS SW6892 INKWELL EGGSHELL FINISH
9. PEEP HOLE, BY DOOR MANUFACTURER
10. DOOR BELL
11. 20 GAUGE METAL PARAPET CAP
12. LINE OF ROOF BEYOND
13. ROOF TOP UNIT BEYOND, SEE MECHANICAL DRAWINGS
14. ROOF SCUPPER AND DOWNSPOUT, SEE DETAIL 9/A6.3
15. MAILBOX BY OWNER
16. WALL MOUNTED LIGHT FIXTURE, SEE ELECTRICAL DRAWINGS
17. LED LIGHT BAND, SEE ELECTRICAL DRAWINGS
18. SES PANEL, SEE ELECTRICAL DRAWINGS
19. ELECTRICAL OUTLETS, SEE ELECTRICAL DRAWINGS
20. HOSE BIBB, SEE PLUMBING DRAWINGS
21. SIGNAGE BY OTHERS, UNDER A SEPARATE PERMIT. SEE ATTACHED SIGN PACKAGE
22. ROOF OVERFLOW SCUPPER, SEE DETAIL 8/A6.3

EXTERIOR FINISH MATERIALS CALCULATION TABLE					
WEST FACADE			NORTH FACADE		
MATERIAL	AREA	PERCENTAGE	MATERIAL	AREA	PERCENTAGE
GROSS	728.84 SF		GROSS	364.01 SF	
BRAKE METAL	55.82 SF	7.66%	BRAKE METAL	67.89 SF	18.65%
CANVAS AWNING	15.30 SF	2.10%	CANVAS AWNING	10.10 SF	2.77%
GLAZING	46.33 SF	6.36%	GLAZING	0.00 SF	0%
FIBER CEMENT PANEL	394.93 SF	54.18%	FIBER CEMENT PANEL	0.00 SF	0%
FIBER CEMENT LAP SIDING	216.48 SF	29.70%	FIBER CEMENT LAP SIDING	261.69 SF	71.89%
			PAINTED METAL (DOOR)	24.33 SF	6.69%

ARCHITECTURAL DESIGN ELEMENTS

1. AWNINGS
2. TRANSOM ABOVE D/T WINDOW
3. DISTINCTIVE LIGHT FEATURE THAT ACCENTUATES BUILDING LINES
4. BENCH FOR OUTDOOR SEATING. RE: CIVIL
5. VARIED ROOF HEIGHT
6. RAISED PLANTER. RE: CIVIL



EXTERIOR FINISH MATERIALS CALCULATION TABLE					
SOUTH FAÇADE			EAST FAÇADE		
MATERIAL	AREA	PERCENTAGE	MATERIAL	AREA	PERCENTAGE
GROSS	345.37 SF		GROSS	728.84 SF	
BRAKE METAL	19.51 SF	5.65%	BRAKE METAL	55.82 SF	7.66%
CANVAS AWNING	12.27 SF	3.55%	CANVAS AWNING	15.30 SF	2.10%
GLAZING	37.38 SF	10.82%	GLAZING	46.33 SF	6.36%
FIBER CEMENT PANEL	128.23 SF	37.13%	FIBER CEMENT PANEL	394.93 SF	54.18%
FIBER CEMENT LAP SIDING	148.00 SF	42.85%	FIBER CEMENT LAP SIDING	216.46 SF	29.70%

1. AWNINGS
2. TRANSOM ABOVE D/T WINDOW
3. DISTINCTIVE LIGHT FEATURE THAT ACCENTUATES BUILDING LINES
4. BENCH FOR OUTDOOR SEATING. RE: CIVIL
5. VARIED ROOF HEIGHT
6. RAISED PLANTER. RE: CIVIL

KEYNOTES

X

1. HARDIE PLANK HZ10 LAP SIDING CEDARMILL 6-1/4", SEE HARDIE DETAIL SHEET A6.5 - COLOR: SHERWIN WILLIAMS SW6992 INKWELL EGGSHELL FINISH
2. HARDIE REVEAL PANEL SYSTEM HZ10 - SMOOTH FINISH, SEE HARDIE DETAIL SHEET A6.5 - COLOR: SW 1015 SKYLINE STEEL
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17. LED LIGHT BAND, SEE ELECTRICAL DRAWINGS
18. SES PANEL, SEE ELECTRICAL DRAWINGS
19. ELECTRICAL OUTLETS, SEE ELECTRICAL DRAWINGS
20. HOSE BIBB, SEE PLUMBING DRAWINGS
21. SIGNAGE BY OTHERS, UNDER A SEPARATE PERMIT. SEE ATTACHED SIGN PACKAGE
22. SPANDREL GLASS



**GARLAND
CITY COUNCIL ITEM SUMMARY SHEET**

City Council Regular Session Agenda

3. c.

Meeting Date: 06/07/2022

Item Title: Z 22-11 Garland Storage LP (District 1)

Submitted By: Will Guerin, Planning Director

Summary of Request/Problem

Zoning Ordinance Z 22-11 Garland Storage LP

Recommendation/Action Requested and Justification

Consider adoption of the attached ordinance.

Attachments

Z 22-11 Ordinance

Z 22-11 Exhibit A

Z 22-11 Exhibit B

Z 22-11 Exhibits C-F

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE GARLAND DEVELOPMENT CODE OF THE CITY OF GARLAND, TEXAS, BY APPROVING 1) AN AMENDMENT TO PLANNED DEVELOPMENT (PD) DISTRICT 20-17; 2) A SPECIFIC USE PROVISION FOR A SELF-STORAGE FACILITY (MINI WAREHOUSE); AND 3) A DETAIL PLAN FOR A SELF-STORAGE FACILITY (MINI-WAREHOUSE), RETAIL AND OFFICE USES ON A 3.58-ACRE TRACT OF LAND LOCATED AT 1601 EAST FERRIS ROAD AND 6320 AND 6330 NORTH PRESIDENT GEORGE BUSH TURNPIKE; PROVIDING FOR CONDITIONS, RESTRICTIONS, AND REGULATIONS; PROVIDING A PENALTY UNDER THE PROVISIONS OF SEC. 10.05 OF THE CODE OF ORDINANCES OF THE CITY OF GARLAND, TEXAS; PROVIDING A NOTICE OF CONDITIONS OF COMPLIANCE CLAUSE; PROVIDING A SAVINGS CLAUSE AND A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, at its regular meeting held on the 25th day of April, 2022, the Plan Commission did consider and make recommendations on a certain request for 1) an Amendment to Planned Development (PD) District 20-17; 2) a Specific Use Provision for a Self-Storage Facility (Mini-Warehouse); and 3) a Detail Plan for a Self-Storage Facility (Mini Warehouse), Retail and Office Uses by **Garland Storage LP**; and

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

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

Section 1

The Garland Development Code is hereby amended by approving 1) an Amendment to Planned Development (PD) District 20-17; 2) a Specific Use Provision for a Self-Storage Facility (Mini-Warehouse); and 3) a Detail Plan for a Self-Storage Facility (Mini-Warehouse), Retail and Office Uses on a 3.58-acre tract of land located at 1601 East Ferris Road and 6320 and 6330 North President George Bush Turnpike and being more particularly described in Exhibit A, attached hereto and made a part hereof.

Section 2

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

Section 3

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

Section 4

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

Section 5

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

Section 6

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

Section 7

FILE NO. Z 22-11

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

PASSED AND APPROVED this _____ day of _____,
2022.

THE CITY OF GARLAND, TEXAS

By:

Mayor

ATTEST:

City Secretary

Published:

EXHIBIT A

LEGAL DESCRIPTION

Zoning File Z 22-11

BEING a tract of land situated in the P.H. Rice Survey, Abstract No. 1241 in the City of Garland, Dallas County, Texas, and being that tract of land described in Special Warranty Deed to F & L, L.L.P recorded in Instrument Number 201300281265 of the Official Public Records of Dallas County, Texas, and being more particularly described by metes and bounds as follows:

Beginning at a PK nail found for corner in the current south right-of-way line of Ferris Road (variable width right-of-way), from which a PK nail found as reference bears North 76 degrees 08 minutes 47 seconds West, a distance of 1.25 feet, said point being the northwest corner of that tract of land described in Special Warranty Deed to Digital Garland, LLC recorded in Instrument Number 201700233603 of the Official Public Records of Dallas County, Texas;

Thence South 00 degrees 00 minutes 00 seconds East, along the west line of said Digital Garland, LLC tract and the west line of that tract of land described in Special Warranty Deed to FE Concepts, LLC recorded in Instrument Number 201800106024 of the Official Public Records of Dallas County, Texas, a distance of 795.12 feet to a TXDOT monument found for corner, said point being the southwest corner of said FE Concepts, LLC tract, and being in the

northeast right-of-way line of State Highway No. 190 (George Bush Turnpike) (variable with right-of-way);

Thence North 55 degrees 14 minutes 20 seconds West, along the northeast right-of-way line of said State Highway No. 190, a distance of 276.07 feet to a 1/2 inch iron rod found for corner, said point being the southeast corner of that tract of land described in Special Warranty Deed to City of Garland, Texas recorded in Instrument Number 202000130116 of the Official Public Records of Dallas County, Texas;

Thence North 02 degrees 50 minutes 46 seconds East, along the east line of said City of Garland, Texas tract, a distance of 313.24 feet to a 1/2 inch iron rod found for corner;

Thence North 00 degrees 54 minutes 00 seconds West, continuing along the east line of said City of Garland, Texas tract and passing through a point at a distance of 145.81 feet, said point being the Southeast corner of Lot 1, Block 1 of Montessori School Addition, an Addition to the City of Garland, Dallas County, Texas, according to the plat recorded in Instrument Number 200900325963 of the Official Public Records of Dallas County, Texas, and continuing along the east line of said Lot 1 and having a total distance of 324.90 feet to an "X" found for corner, said point being in the current south right-of-way line of said Ferris Road;

Thence North 90 degrees 00 minutes 00 seconds East, along the current south right-of-way line of said Ferris Road, a distance of 216.35 feet to the Point of Beginning and containing 155,828 square feet or 3.58 acres of land.

PLANNED DEVELOPMENT CONDITIONS

ZONING FILE Z 22-11

**1601 East Ferris Road
6320 and 6330 North President George Bush Turnpike**

- I. Statement of Purpose:** The purpose of this Planned Development District is to amend the Planned Development (PD) District 20-17 to allow a Self-Storage Facility (Mini Warehouse) by Specific Use Provision only and approve a Detail Plan for a Self-Storage Facility (Mini Warehouse), Retail and Office Uses.
- II. Statement of Effect:** This Planned Development (PD) shall not affect any regulation found in the Garland Development Code, Ordinance No. 6773 and Planned Development (PD) District 20-17, as amended prior to adoption of this ordinance, except as specifically provided herein.
- III. General Regulations:** All regulations of the Planned Development (PD) District 20-17 and Chapter 2 of the Garland Development Code, Ordinance 6773, are included by reference and shall apply, except as otherwise specified by this ordinance.
- IV. Development Plans:**
- A. Detail Plan: Development is to be in general conformance with the approved Detail Plan set forth in Exhibit C, Exhibit D, Exhibit E, and Exhibit F. In the event of conflict between the conditions and Detail Plan, the conditions listed below are to apply.
- V. Specific Conditions:**
- A. Site Layout: The development shall be in conformance with the site layout in Exhibit C.
- B. Landscaping and Screening: Landscaping and Screening shall be in conformance with Exhibit D.
- C. Building Elevations: Building elevations shall be in general conformance with Exhibit E.

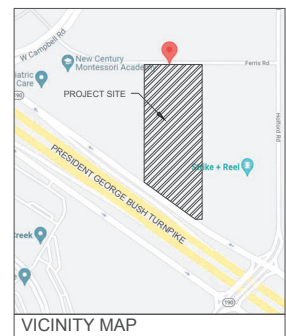
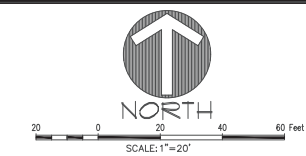
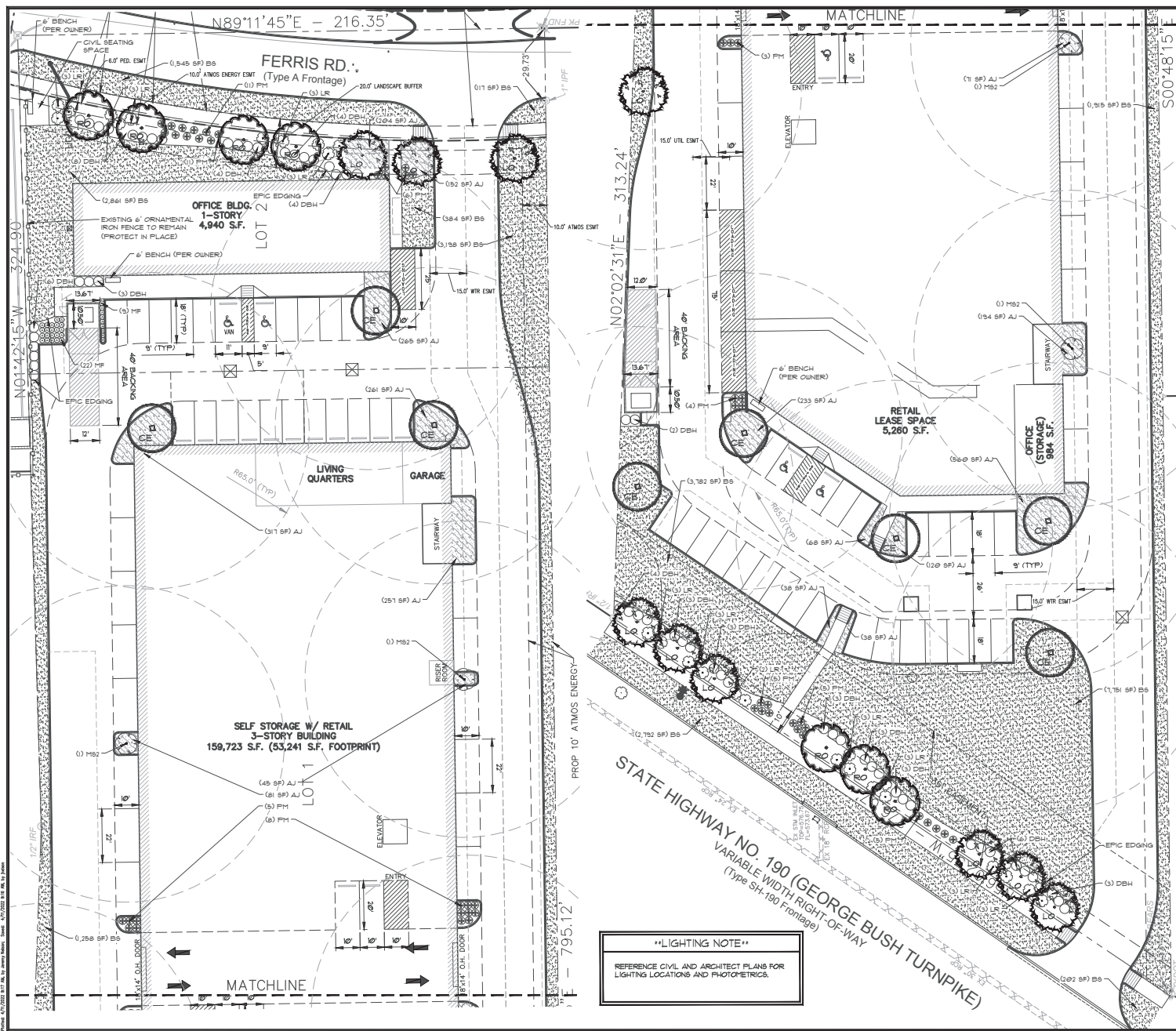
SPECIFIC USE PROVISION CONDITIONS

ZONING FILE Z 22-11

**1601 East Ferris Road
6320 and 6330 North President George Bush Turnpike**

- I. Statement of Purpose:** The purpose of this Specific Use Provision is to allow a Self-Storage Facility (Mini Warehouse) subject to conditions.
- II. Statement of Effect:** This Specific Use Provision shall not affect any regulation found in the Garland Development Code, Ordinance No. 6773 and Planned Development (PD) District 20-17, as amended prior to adoption of this ordinance, except as specifically provided herein.
- III. General Regulations:** All regulations of the Planned Development (PD) District 20-17 and Chapter 2 of the Garland Development Code, Ordinance 6773, are included by reference and shall apply, except as otherwise specified by this ordinance.
- IV. Specific Use Provision:**
- A. SUP Time Period:** The Specific Use Provision for Self-Storage Facility (Mini warehouse) shall be in effect for a period of forty (40) years.





PLANT SCHEDULE

TREES	QTY	COMMON / BOTANICAL NAME
	4	Atta Southern Magnolia <i>Magnolia grandiflora</i> 'Atta' TM
	7	Shumard Red Oak <i>Quercus shumardi</i>
	10	Southern Live Oak <i>Quercus virginiana</i>
	8	Cedar Elm <i>Ulmus crassifolia</i>
SHRUBS	QTY	COMMON / BOTANICAL NAME
	59	Dwarf Burford Holly <i>Ilex cornuta</i> 'Burfordi Nana'
	32	Ruby Fringe Flower <i>Loropetalum chinense rubrum</i> 'Ruby'
	52	Pink Mubly <i>Muhlenbergia capillans</i>
	31	Mexican Feathergrass <i>Nassella tenuissima</i>
GROUND COVERS	QTY	COMMON / BOTANICAL NAME
	25,805 sf	Bermuda Grass <i>Cynodon dactylon</i>
	2,904 sf	Asian Jasmine <i>Trachelospermum asiaticum</i>

****IMPORTANT NOTE****

NO LANDSCAPING SUCH AS TREES, HEDGES, ABOVE AND UNDERGROUND STRUCTURES SHALL BE LOCATED WITHIN EXISTING OR PROPOSED UTILITY EASEMENTS AND RIGHT-OF-WAY WITHOUT APPROVED CITY'S REAL PROPERTY IMPROVEMENT AUTHORIZATION FROM CITY'S LICENSE AGREEMENT.

****LIGHTING NOTE****

REFERENCE CIVIL AND ARCHITECT PLANS FOR LIGHTING LOCATIONS AND PHOTOMETRICS.

The John C. McAdams Company, Inc.
2500 Century Center Blvd., #10
Irving, Texas 75039
Tel: 972.235.2712
Fax: 972.235.2713
www.mcadams.com

McADAMS

GARLAND STORAGE
1901 Ferris Road
Garland, TX 75044
DALLAS COUNTY, TEXAS

LANDSCAPE PLAN

04/11/2022

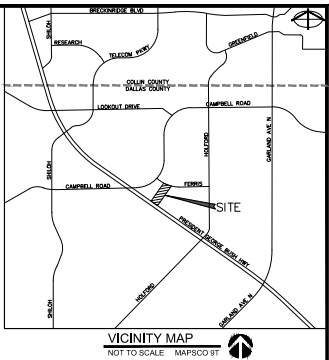
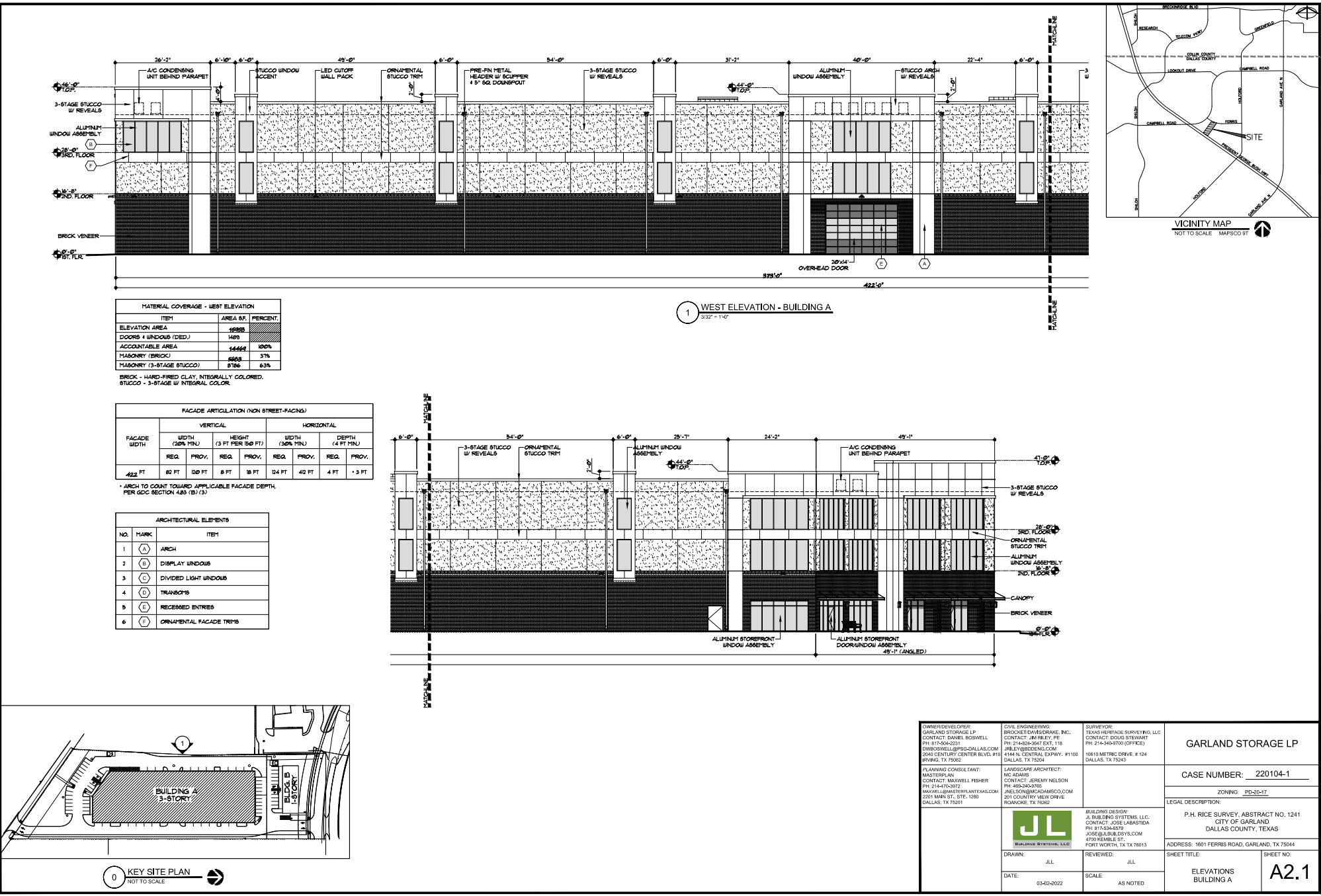
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Date: 04/11/2022
Scale: 1"=20'
Revisions:

PSG22002

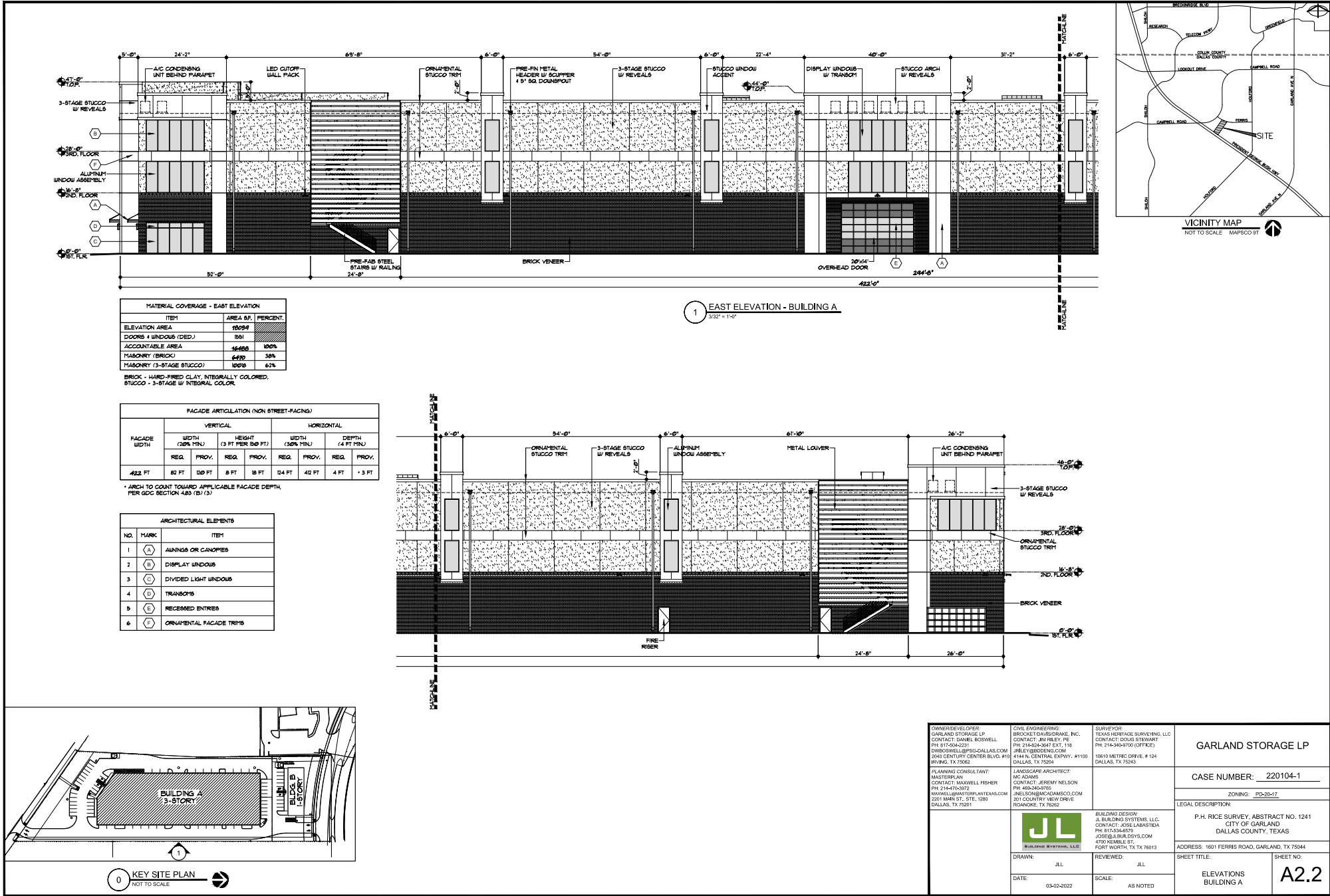
L2.00

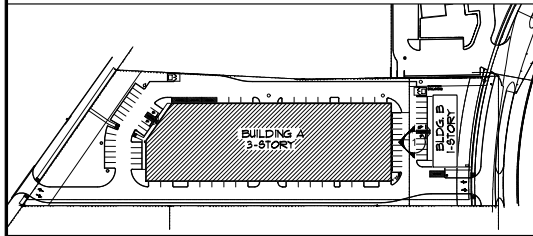
OWNER/DEVELOPER
GARLAND STORAGE, LP
2500 CENTURY CENTER BLVD. #10
IRVING, TEXAS 75039
Ph: 972.235.2281
Contact: DANIEL BOGWELL

CASE NUMBER: 22004-1
EXISTING ZONING: PD 50-7

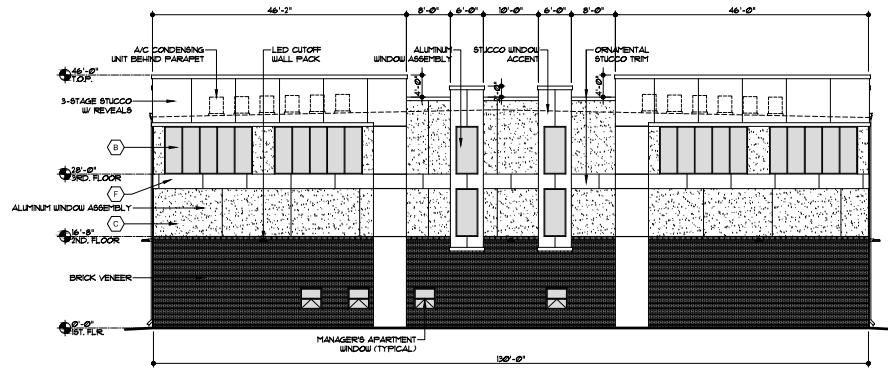


OWNER/DEVELOPER: GARLAND STORAGE LP CONTACT: DANIEL BOSWELL PH: 817-558-6221 DWBOSWELL@PSS-DALLAS.COM 2540 CENTURY CENTRAL BLVD, #10 IRVING, TX 75062		CIVIL ENGINEERING: BROOKSTOWN ENGINEERING, INC. CONTACT: JIM RILEY, PE PH: 214-646-5457 EXT. 119 JIRILEY@BROOKSTOWN-ENGINEERING.COM 414 N. CENTRAL EXPRESSWAY, #1100 DALLAS, TX 75204		SURVEYOR: TEXAS HERITAGE SURVEYING, LLC CONTACT: DOUG STEWART PH: 214-646-7700 (OFFICE) 10610 METRIC DRIVE, # 124 DALLAS, TX 75243		LANDSCAPE ARCHITECT: MC ADAMS CONTACT: JEREMY NELSON PH: 214-753-5052 JNELSON@MCADAMS.COM 201 COUNTRY VIEW DRIVE ROCKFORD, TX 75086		BUILDING DESIGN: JL BUILDING SYSTEMS, LLC CONTACT: JOSE LABASTIDA PH: 817-554-8700 JOSE@JLBUILDINGS.COM 4700 KIMBLE ST. FORT WORTH, TX 76113		GARLAND STORAGE LP	
PLANNING CONSULTANT: MASTERS AN CONTACT: MAXWELL FISHER PH: 214-753-5052 MAXWELL@MASTERSAN.COM 201 MAIN ST, STE. 1200 DALLAS, TX 75201		DRAWN: JLL DATE: 03-02-2022		REVIEWED: JLL SCALE: AS NOTED		CASE NUMBER: 220104-1		ZONING: PD-20-17		LEGAL DESCRIPTION: P.H. RICE SURVEY, ABSTRACT NO. 1241 CITY OF GARLAND DALLAS COUNTY, TEXAS	
SHEET TITLE: ELEVATIONS BUILDING A		SHEET NO.: A2.1		ADDRESS: 1601 FARRIS ROAD, GARLAND, TX 75044							





0 KEY SITE PLAN
NOT TO SCALE



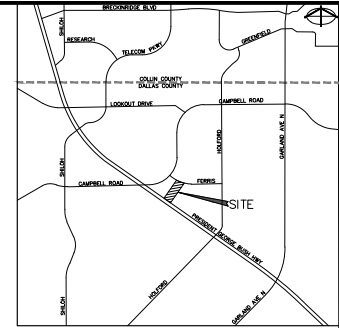
1 NORTH ELEVATION - BUILDING A
3/32" = 1'-0"

MATERIAL COVERAGE		
ITEM	AREA G.F.	PERCENT
ELEVATION AREA	5856	
DOORS & WINDOWS (DED.)	248	
ACCOUNTABLE AREA	4608	100%
MASONRY (BRICK)	7861	43%
MASONRY (3-STAGE STUCCO)	2641	57%

BRICK - HAND-FIRED CLAY, INTERIALLY COLORED.
STUCCO - 3-STAGE W/ INTEGRAL COLOR.

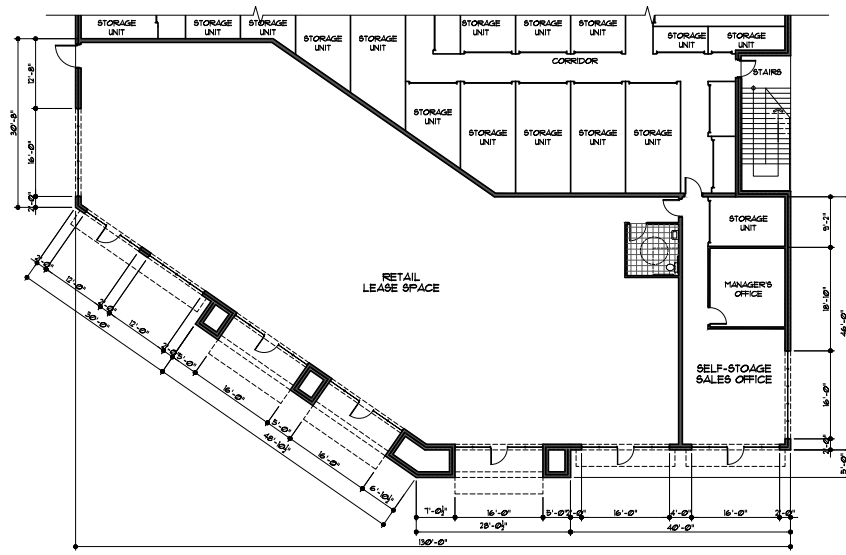
FACADE ARTICULATION (NON STREET-FACING)							
FACADE WIDTH	VERTICAL				HORIZONTAL		
	WIDTH (25% MIN)		HEIGHT (3 FT PER 50 FT)		WIDTH (30% MIN)		DEPTH (4 FT MIN)
	REQ.	PROV.	REQ.	PROV.	REQ.	PROV.	REQ.
150 FT	26 FT	69 FT	3 FT	12 FT	39 FT	N/A	4 FT

ARCHITECTURAL ELEMENTS		
NO.	MARK	ITEM
1	(A)	AWNINGS OR CANOPIES
2	(B)	DISPLAY WINDOWS
3	(C)	DIVIDED LIGHT WINDOWS
4	(D)	TRANSOMS
5	(E)	RECESSED ENTRIES
6	(F)	ORNAMENTAL FACADE TRIMS

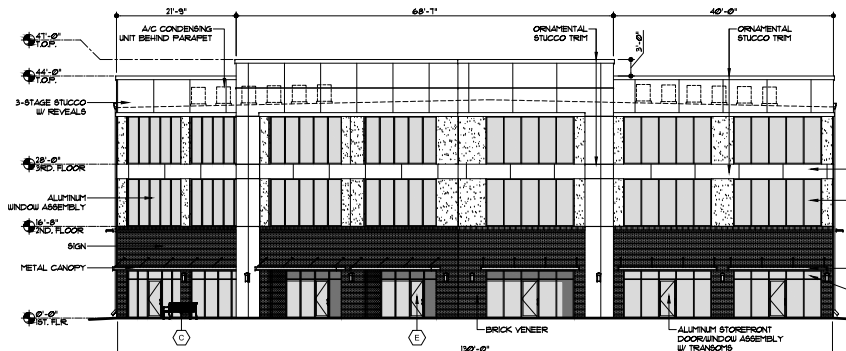
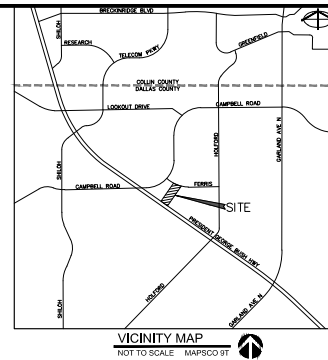


VICINITY MAP
NOT TO SCALE MAPSCO UT

OWNER/DEVELOPER: GARLAND STORAGE LP CONTACT: DANIEL BOSWELL PH: 817-556-2221 DWBOSWELL@SPS-DALLAS.COM 2540 CENTURY CENTER BLVD, #110 IRVING, TX 75062		CIVIL ENGINEERING: BROOKSTOWN ENGINEERING, INC. CONTACT: JIM RILEY, PE PH: 214-643-5447 EXT. 118 JRILEY@BRODENG.COM 4144 N. CENTRAL EXPWAY, #1100 DALLAS, TX 75204	SURVEYOR: TEXAS HERITAGE SURVEYING, LLC CONTACT: DOUG STEWART PH: 214-643-9700 (OFFICE) 10610 METRIC DRIVE, # 124 DALLAS, TX 75243	GARLAND STORAGE LP
PLANNING CONSULTANT: MASTERSPLAN CONTACT: MAXWELL FISHER PH: 214-747-7572 MAXWELL@MASTERSPLANTEXAS.COM 2201 MAIN ST, STE. 1200 DALLAS, TX 75201		LANDSCAPE ARCHITECT: MCADAM CONTACT: JEREMY NELSON PH: 469-646-0705 JNELSON@MCADAMSCO.COM 201 COUNTRY VIEW DRIVE IRVING, TX 75061	10610 METRIC DRIVE, # 124 DALLAS, TX 75243	CASE NUMBER: 220104-1
BUILDING DESIGN: JL BUILDING SYSTEMS, LLC CONTACT: JOSE LABASTIDA PH: 817-534-8570 JOSE@JLBUILDINGS.COM 4700 KEMBLE ST. FORT WORTH, TX 76113		BUILDING DESIGN: JL BUILDING SYSTEMS, LLC CONTACT: JOSE LABASTIDA PH: 817-534-8570 JOSE@JLBUILDINGS.COM 4700 KEMBLE ST. FORT WORTH, TX 76113		ZONING: PD-20-17
DRAWN: JLL DATE: 03-02-2022		REVIEWED: JLL SCALE: AS NOTED		LEGAL DESCRIPTION: P.H. RICE SURVEY, ABSTRACT NO. 1241 CITY OF GARLAND DALLAS COUNTY, TEXAS ADDRESS: 1601 FERRIS ROAD, GARLAND, TX 75044
				SHEET TITLE: ELEVATION BUILDING A
				SHEET NO.: A2.3



2 PARTIAL FLOOR PLAN - BUILDING A
3/32" = 1'-0"



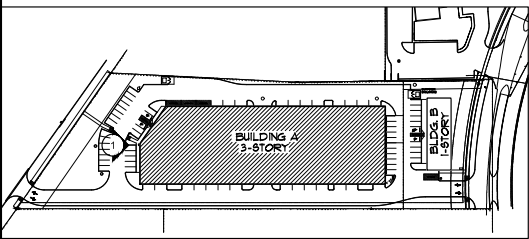
1 SOUTH ELEVATION (FRONT) - BUILDING A
3/32" = 1'-0"

ARCHITECTURAL ELEMENTS	
NO.	ITEM
1	AWINGS OR CANOPIES
2	DISPLAY WINDOWS
3	BENCH
4	TRANSOMS
5	RECESSED ENTRIES
6	ORNAMENTAL FACADE TRIMS

MATERIAL COVERAGE		
ITEM	AREA SF.	PERCENT.
ELEVATION AREA	5103	100%
DOORS & WINDOWS (CSD.)	2189	43%
ACCOUNTABLE AREA	2340	46%
MASONRY (BRICK)	1164	23%
MASONRY (3-STAGE STUCCO)	1164	23%

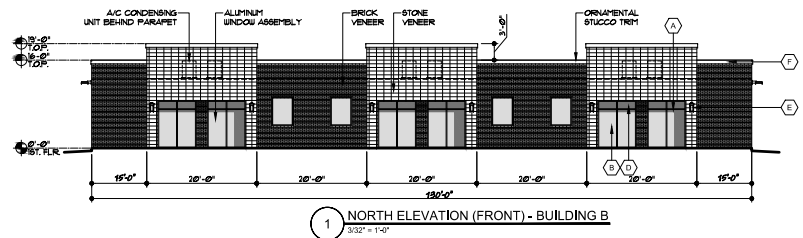
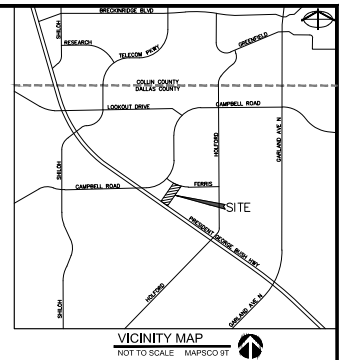
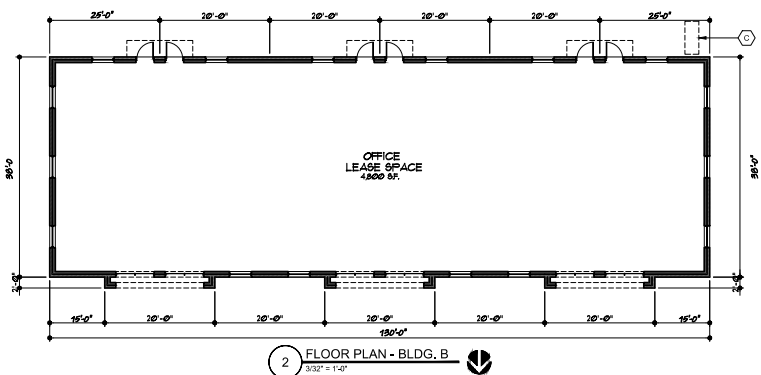
BRICK - HARD-FIRED CLAY, INTEGRALLY COLORED.
STUCCO - 3-STAGE W/ INTEGRAL COLOR.

FACADE ARTICULATION (STREET-FACING)								
FACADE WIDTH	VERTICAL				HORIZONTAL			
	WIDTH (36" MIN.)		HEIGHT (3 FT PER 160 FT)		WIDTH (36" MIN.)		DEPTH (4 FT MIN.)	
	REQ.	PROV.	REQ.	PROV.	REQ.	PROV.	REQ.	PROV.
130 FT	26 FT	6/9 FT	3 FT	3 FT	39 FT	6/9 FT	4 FT	5 FT



0 KEY SITE PLAN
NOT TO SCALE

OWNER/DEVELOPER: GARLAND STORAGE LP CONTACT: DANIEL BOSWELL PH: 817-556-0221 DWBOSWELL@SPS-DALLAS.COM 2540 CENTURY CENTER BLVD, #110 IRVING, TX 75062		CIVIL ENGINEERING: BROOKSTOWN ENGINEERING, INC. CONTACT: JIM RILEY, PE PH: 214-643-5417 EXT. 118 JIRILEY@BROOKSTOWNENGINEERING.COM 4144 N. CENTRAL EXPWAY, #1100 DALLAS, TX 75204		SURVEYOR: TEXAS HERITAGE SURVEYING, LLC CONTACT: DOUG STEWART PH: 214-643-7700 (OFFICE) 10610 METRIC DRIVE, # 124 DALLAS, TX 75243		GARLAND STORAGE LP			
PLANNING CONSULTANT: MASTERS PLAN CONTACT: MAXWELL FISHER PH: 214-475-7572 MAXWELL@MASTERSPLANTEXAS.COM 2201 MAIN ST., STE. 1200 DALLAS, TX 75201						LANDSCAPE ARCHITECT: MCADAMAS CONTACT: JEREMY NELSON PH: 469-654-8705 JNELSON@MCADAMAS.COM 201 COUNTRY VIEW DRIVE IRVING, TX 75062		CASE NUMBER: 220104-1	
DRAWN: JLL						REVIEWED: JLL		ZONING: PD-20-17	
DATE: 03-02-2022						SCALE: AS NOTED		LEGAL DESCRIPTION: P.H. RICE SURVEY, ABSTRACT NO. 1241 CITY OF GARLAND DALLAS COUNTY, TEXAS	
BUILDING DESIGN: J.L. BUILDING SYSTEMS, LLC CONTACT: JOSE LABASTIDA PH: 817-534-8570 JOSE@JLBUILDINGS.COM 4700 KEMBLE ST. FORT WORTH, TX 76113						SHEET TITLE: ELEVATION & PARTIAL PLAN BUILDING A		SHEET NO.: A2.4	



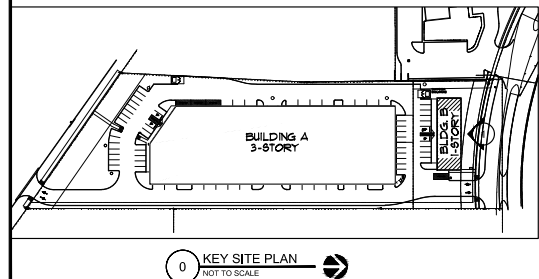
MATERIAL COVERAGE		
ITEM	AREA SF.	PERCENT.
ELEVATION AREA	2269	
DOORS & WINDOWS (DED.)	449	
ACCOUNTABLE AREA	1814	100%
MASONRY (BRICK)	1014	52%
STONE	799	48%

BRICK - HAND-FIRED CLAY, INTEGRALLY COLORED.
STONE - NATURAL TILE PATTERN

FACADE ARTICULATION (STREET-FACING)								
FACADE WIDTH	VERTICAL				HORIZONTAL			
	WIDTH (30% MIN.)		HEIGHT (3 FT PER 150 FT)		WIDTH (30% MIN.)		DEPTH (4 FT MIN.)	
	REQ.	PROV.	REQ.	PROV.	REQ.	PROV.	REQ.	PROV.
	150 FT	24 FT	61 FT	2 FT	3 FT	36 FT	61 FT	4 FT

* ARCH TO COUNT TOWARD APPLICABLE FACADE DEPTH.
PER GDC SECTION 4.83 (B) (3)

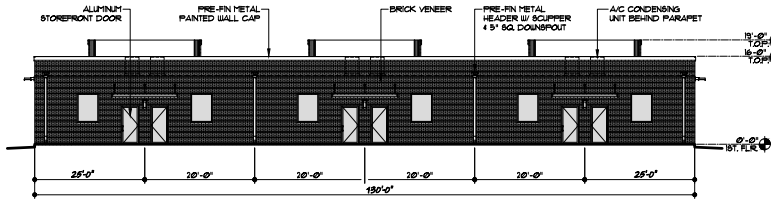
ARCHITECTURAL ELEMENTS		
NO.	MARK	ITEM
1	(A)	RECESSED ENTRY (PAUX)
2	(B)	DISPLAY WINDOWS
3	(C)	BENCH (SHOWN ON SITE PLAN)
4	(D)	TRANSOMS
5	(E)	DISTINCTIVE LIGHTING FIXTURE
6	(F)	ORNAMENTAL FACADE TRIMS



OWNER/DEVELOPER: GARLAND STORAGE LP CONTACT: DANIEL BOSWELL PH: 817-558-2221 DWBOSWELL@SPS-DALLAS.COM 2540 CENTURY CENTER BLVD, #110 IRVING, TX 75062	CIVIL ENGINEERING: BROOKSTOWN/ESCRIBE, INC. CONTACT: JIM RILEY, PE PH: 214-643-5467 EXT. 118 JIRILEY@BDOENG.COM 4144 N. CENTRAL EXPWAY, #1100 DALLAS, TX 75204	SURVEYOR: TEXAS HERITAGE SURVEYING, LLC CONTACT: DOUG STEWART PH: 214-643-9700 (OFFICE) 10610 METRIC DRIVE, # 124 DALLAS, TX 75243	GARLAND STORAGE LP
PLANNING CONSULTANT: MASTERSPLAN CONTACT: MAXWELL FISHER PH: 214-747-3572 MAXWELL@MASTERSPLANTEXAS.COM 2201 MAIN ST., STE. 1200 DALLAS, TX 75201	LANDSCAPE ARCHITECT: MCADAMER CONTACT: JEREMY NELSON PH: 469-646-0705 JNELSON@MCADAMISCO.COM 201 COUNTRY VIEW DRIVE IRVING, TX 75062		CASE NUMBER: 220104-1
			ZONING: PD-20-17
			LEGAL DESCRIPTION: P.H. RICE SURVEY, ABSTRACT NO. 1241 CITY OF GARLAND DALLAS COUNTY, TEXAS
			ADDRESS: 1601 FERRIS ROAD, GARLAND, TX 75044
			SHEET TITLE: ELEVATION & FLOOR PLAN BUILDING B
			SHEET NO: A2.5

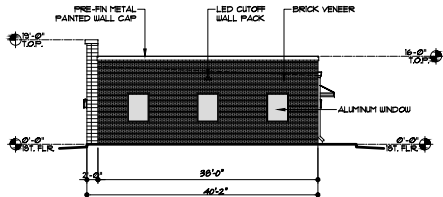
MATERIAL COVERAGE		
ITEM	AREA SF.	PERCENT.
ELEVATION AREA	2080	
DOORS & WINDOWS (DED.)	211	
ACCOUNTABLE AREA	1869	100%
MASONRY (BRICK)	1869	100%

BRICK - HARD-FIRED CLAY, INTEGRALLY COLORED.



1 SOUTH ELEVATION - BUILDING B

3/32" = 1'-0"

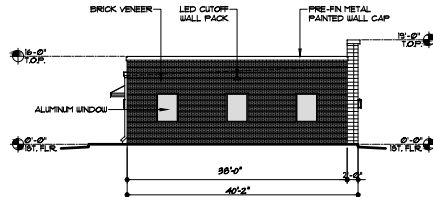


2 WEST ELEVATION - BUILDING B

3/32" = 1'-0"

MATERIAL COVERAGE		
ITEM	AREA SF.	PERCENT.
ELEVATION AREA	662	
DOORS & WINDOWS (DED.)	64	
ACCOUNTABLE AREA	600	100%
MASONRY (BRICK)	644	107%
STONE	44	7%

BRICK - HARD-FIRED CLAY, INTEGRALLY COLORED.
STONE - NATURAL TILE PATTERN

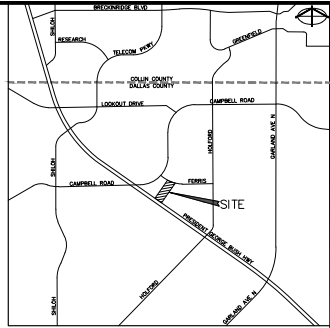


3 EAST ELEVATION - BUILDING B

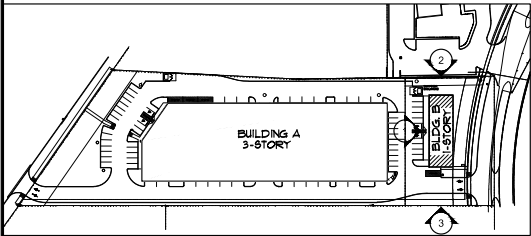
3/32" = 1'-0"

MATERIAL COVERAGE		
ITEM	AREA SF.	PERCENT.
ELEVATION AREA	662	
DOORS & WINDOWS (DED.)	64	
ACCOUNTABLE AREA	600	100%
MASONRY (BRICK)	644	107%
STONE	44	7%

BRICK - HARD-FIRED CLAY, INTEGRALLY COLORED.
STONE - NATURAL TILE PATTERN



VICINITY MAP
NOT TO SCALE MAPSCO UT



0 KEY SITE PLAN

NOT TO SCALE



OWNER/DEVELOPER: GARLAND STORAGE LP CONTACT: DANIEL BOSWELL PH: 817-556-2221 DWBOSWELL@SPSS-DALLAS.COM 2540 CENTURY CENTER BLVD, #10 IRVING, TX 75062		CIVIL ENGINEERING: BROOKSTON/BERKRAE, INC. CONTACT: JIM RILEY, PE PH: 214-643-6437 EXT. 118 JRILEY@BROOKSTON.COM 4144 N. CENTRAL EXPWAY, #1100 DALLAS, TX 75204		SURVEYOR: TEXAS HERITAGE SURVEYING, LLC CONTACT: DOUG STEWART PH: 214-643-7700 (OFFICE) 10610 METRIC DRIVE, # 124 DALLAS, TX 75243		GARLAND STORAGE LP CASE NUMBER: 220104-1 ZONING: PD-20-17 LEGAL DESCRIPTION: P.H. RICE SURVEY, ABSTRACT NO. 1241 CITY OF GARLAND DALLAS COUNTY, TEXAS ADDRESS: 1601 FERRIS ROAD, GARLAND, TX 75044
PLANNING CONSULTANT: MASTERSPLAN CONTACT: MAXWELL FISHER PH: 214-475-3572 MAXWELL@MASTERSPLANTEXAS.COM 2201 MAIN ST., STE. 1200 DALLAS, TX 75201		LANDSCAPE ARCHITECT: MCADAMIS CONTACT: JEREMY NELSON PH: 469-640-0705 JNELSON@MCADAMIS.COM 201 COUNTRY VIEW DRIVE ROCKFORD, TX 76086				
 BUILDING SYSTEMS, LLC		BUILDING DESIGN: JL BUILDING SYSTEMS, LLC CONTACT: JOSE LABASTIDA PH: 817-534-8570 JOSE@JLBUILDINGS.COM 4700 KIMBLE ST. FORT WORTH, TX 76113				
DRAWN: JLL DATE: 03-02-2022		REVIEWED: JLL SCALE: AS NOTED		SHEET TITLE: ELEVATIONS BUILDING B		
SHEET NO: A2.6						

Architectural elevation drawing of a building facade. The drawing includes the following labels and dimensions:

- Labels:**
 - A/C CONDENSER BEHIND PARAPET (TYPICAL)
 - 3-STAGE STUCCO BAND W/ 2" PROJECTION
 - NATURAL STONE TILE PATTERN
 - RECESSED WINDOW
 - BRICK VENEER
 - WALL SCONCE
 - WINDOW TRANSOM
 - ALUMINUM WINDOW ASSEMBLY
- Dimensions:**
 - Vertical dimensions on the right: 20'-5" (total height), 2'-0" (height of the lower section), 7'-0" (height of the brick veneer section).
 - Horizontal dimensions at the bottom: 2'-0", 7'-0", 2'-0", 7'-0", 2'-0", totaling 20'-0".
- Features:**
 - Two large aluminum window assemblies with transoms.
 - Two wall sconces flanking the windows.
 - Recessed windows above the main level.
 - Brick veneer on the lower section and sides.
 - Natural stone tile pattern on the upper section.
 - Stucco bands with projections.
 - A/C condenser behind a parapet.

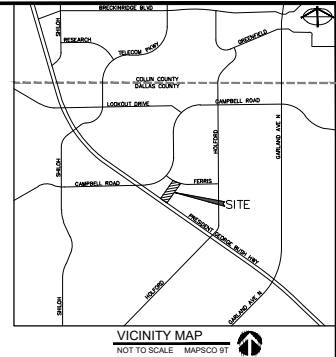
VICINITY MAP
 NOT TO SCALE MAPSCO 9T

ONENET STORAGE LP GARLAND STORAGE LP CONTACT: DANIEL BOSWELL PH: 674-04-0021 DBOSWELL@GSLP-DALLAS.COM 2960 CENTURY CENTER BLVD, #110 DALLAS, TX 75202		CIVIL ENGINEERING BROOKSTEAD ENGINEERING, INC. CONTACT: JIM REILEY PH: 674-04-0021 EXT. 118 JREILEY@BROOKSTEAD.COM 414 N. CENTRAL EXPRESSWAY, #1108 DALLAS, TX 75204		SURVEYOR TEXAS HERITAGE SURVEYING, LLC CONTACT: DOUG STEWART PH: 214-400-0077 (OFFICE) 15810 METRIC DRIVE, #124 DALLAS, TX 75243	
PLANNING CONSULTANT: HASTENPAC INC. CONTACT: MAXWELL FISHER PH: 214-74-5972 MAXWELL.FISHER@HASTENPAC.COM 2201 MAIN ST, STE. 100 DALLAS, TX 75201		LANDSCAPE ARCHITECT NC ADAMS CONTACT: JEREMY NELSON PH: 674-04-5972 JNELSON@NCADAMS.COM 10000 N. CENTRAL EXPRESSWAY, NEW DRIVE IRVING, TX 75039		CASE NUMBER: 220104-1 ZONING: PD-20-21 LEGAL DESCRIPTION: P.H. RICE SURVEY, ABSTRACT NO. 1241 CITY OF GARLAND, DALLAS COUNTY, TEXAS ADDRESS: 1601 FERRIS ROAD, GARLAND, TX 75044	
DRAWN: JLL DATE: 03-02-2022		REVIEWED: JLL SCALE: AS NOTED		SHEET TITLE: ELEVATION DETAILS SHEET NO: A2.7	

OUTDOOR ILLUMINATION SUMMARY	
ITEM	QTY
TOTAL LUMINARIES	44
TOTAL KW LOAD	1.2
CALCULATION POINTS	2,730
AVERAGE FOOT-CANDLE	0.3
MAXIMUM FOOT-CANDLE	8.1

NOTES:

1. OUTDOOR LIGHTING SHALL BE PROVIDED WITH PROGRAMMABLE TIME CLOCK AND PHOTOCELL CONTROLLERS PER INTERNATIONAL ENERGY CONSERVATION CODE.
2. POINT-TO-POINT CALCULATION VALUES SHOWN ON PLAN ARE FOOT-CANDLE UNITS.
3. ELECTRICAL CONTRACTOR SHALL VERIFY ILLUMINATION LEVELS AFTER INSTALLATION AND SHALL ADJUST LUMINAIRES AS NECESSARY.



OWNER/VEVEE/LOPER GARLAND STORAGE LP CONTACT: DANIEL BOSWELL P# 417-804-2231 CHWINDLER@GARLANDSTORAGE.COM 2040 CENTRAL BLVD #110 BRYN MAWR, TX 76025	CIVIL ENGINEERING BROCKEY/DAVIDSON, INC. CONTACT: JIM REILEY, PE P# 214-244-3647 EXT. 118 JREILEY@BROCKEY.COM 414 N. CENTRAL EXPRESS, #1100 DALLAS, TX 75202	SURVEYOR TEXAS HERITAGE SURVEYING, LLC CONTACT: DAVID STEVENS, PLS P# 940-870-0790 (F) 124 11610 METRO DRIVE, #124 DALLAS, TX 75243
PLANNING CONSULTANT: MASTERPLAN CONTACT: MAXWELL FISHER P# 214-470-3922 MAXWELL@MASTERPLANATX.COM 2201 MAIN ST, STE 100 DALLAS, TX 75201	LANDSCAPE ARCHITECT: MC ADAMS CONTACT: JEREMY NELSON P# 480-246-8760 JNE@MCADAMSLANDSCAPE.COM 400 N. CENTRAL, TX 75202	BUILDING DESIGN, LLC CONTACT: JOSE LABASTIDA P# 470-436-6279 JOSE@BLSA-LOYS.COM 4700 KEMBLE ST. FORT WORTH, TX 76103
		BUILDING DESIGN, LLC CONTACT: JOSE LABASTIDA P# 470-436-6279 JOSE@BLSA-LOYS.COM 4700 KEMBLE ST. FORT WORTH, TX 76103



GARLAND
CITY COUNCIL ITEM SUMMARY SHEET

City Council Regular Session Agenda

3. d.

Meeting Date: 06/07/2022

Item Title: Z 22-12 Kimley-Horn (District 7)

Submitted By: Will Guerin, Planning Director

Summary of Request/Problem

Zoning Ordinance Z 22-12 Kimley-Horn

Recommendation/Action Requested and Justification

Consider adoption of the attached ordinance.

Attachments

Z 22-12 Ordinance

Z 22-12 Exhibit A

Z 22-12 Exhibit B

Z 22-12 Exhibits C-F

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE GARLAND DEVELOPMENT CODE OF THE CITY OF GARLAND, TEXAS, BY APPROVING 1) AN AMENDMENT TO PLANNED DEVELOPMENT (PD) DISTRICT 02-11 FOR COMMUNITY RETAIL USES AND PLANNED DEVELOPMENT (PD) DISTRICT 05-57 FOR COMMUNITY RETAIL USES; 2) A SPECIFIC USE PROVISION FOR A SELF-STORAGE FACILITY (MINI-WAREHOUSE) AND 3) A DETAIL PLAN ON A 2.58-ACRE TRACT OF LAND LOCATED AT 2200 AND 2202 NORTH JUPITER ROAD; PROVIDING FOR CONDITIONS, RESTRICTIONS, AND REGULATIONS; PROVIDING A PENALTY UNDER THE PROVISIONS OF SEC. 10.05 OF THE CODE OF ORDINANCES OF THE CITY OF GARLAND, TEXAS; PROVIDING A NOTICE OF CONDITIONS OF COMPLIANCE CLAUSE; PROVIDING A SAVINGS CLAUSE AND A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, at its regular meeting held on the 25th day of April, 2022, the Plan Commission did consider and make recommendations on a certain request for 1) an Amendment to Planned Development (PD) District 02-11 for Community Retail Uses and Planned Development (PD) District 05-57 for Community Retail Uses; 2) a Specific Use Provision for a Self-Storage Facility (mini-warehouse) and 3) a Detail Plan made by **Kimley-Horn**; and

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

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

Section 1

The Garland Development Code is hereby amended by approving for 1) an Amendment to Planned Development (PD) District 02-11 for Community Retail Uses and Planned Development (PD) District 05-57 for Community Retail Uses; 2) a Specific Use Provision for a Self-Storage Facility (mini-warehouse) and 3) a Detail Plan on a 2.58-acre tract of land located at 2200 and 2202 North Jupiter Road and being more particularly described in Exhibit A, attached hereto and made a part hereof.

Section 2

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

Section 3

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

Section 4

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

Section 5

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

Section 6

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

Section 7

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

FILE NO. Z 22-12

PASSED AND APPROVED this _____ day of _____,
2022.

THE CITY OF GARLAND, TEXAS

By:

Mayor

ATTEST:

City Secretary

Published:

ZONING FILE NUMBER Z 22-12

EXHIBIT A

LEGAL DESCRIPTION

Zoning File Z 22-12

Being a 2.58-acre tract of land situated in Lot 1R2, Block 1, Jupiter Center Replat of Lot 1, Block 1, an addition to the City of Garland, Texas, according to the Replat thereof recorded in Instrument No. 201400150653, Official Public Records, Dallas County, Texas.

PLANNED DEVELOPMENT CONDITIONS

ZONING FILE Z 22-12

2200 and 2202 North Jupiter Road

- I. Statement of Purpose:** The purpose of this Planned Development (PD) is to allow and regulate the development of Self-Storage Facility (mini-warehouse) land use by Specific Use Provision.
- II. Statement of Effect:** This Planned Development (PD) shall not affect any regulation found in the Garland Development Code, Ordinance No. 6773, as amended prior to adoption of this ordinance, except as specifically provided herein.
- III. General Regulations:** All regulations of Planned Development (PD) District 02-11, Planned Development (PD) District 05-57 and the Community Retail (CR) District and Site Development Standards as set forth in Chapter 2 and 4 of the Garland Development Code, Ordinance 6773, are included by reference and shall apply, except as otherwise specified by this ordinance.
- IV. Development Plans:**
- A. Detail Plan: Development is to be in conformance with the approved Detail Plan labeled Exhibit C to Exhibit F. In the event of conflict between the conditions and Detail Plan, the conditions listed below are to apply.
- V. Detail Plan:**
- A. Site Layout: The site shall be in conformance to the site layout reflected on Exhibit C.
- B. Screening and Landscaping: Screening and landscaping shall be in conformance to the layout reflected on Exhibit D.
- C. Building Elevations: Building elevations shall be in conformance to the elevations as approved on Exhibit E.

SPECIFIC USE PROVISION CONDITIONS

ZONING FILE Z 22-12

2200 And 2202 North Jupiter Road

- I. Statement of Purpose:** The purpose of this Specific Use Provision is to allow a Self-Storage Facility (mini-warehouse)
- II. Statement of Effect:** This Specific Use Provision shall not affect any regulation found in the Garland Development Code, Ordinance No. 6773, as amended prior to adoption of this ordinance, except as specifically provided herein.
- III. General Regulations:** All regulations of Planned Development (PD) District 02-11, Planned Development (PD) District 05-57 and the Community Retail (CR) District as set forth in Chapter 2 of the Garland Development Code Ordinance 6773, are included by reference and shall apply, except as otherwise specified by this ordinance.
- IV. Specific Regulations:**
- A. Time Period: The Specific Use Provision shall be valid for a time period of forty (40) years.

EXHIBIT C



ENGINEER:
Kimley-Horn and Associates, Inc.
260 East Davis Street, Suite 100
McKinney, Texas 75069
Tel. No. (469) 301-2580
Contact: Michael T. Doggett, P.E.
michael.doggett@kimley-horn.com

OWNER:
Avalon Development
7333 E Doubletree Ranch Rd, Suite 140
Scottsdale, AZ 85258
Tel. No. (480) 376-8750
Contact: Scott Wolski
swolski@avalondevelopment.com



BENCH MARK LIST

BM#100 MAG NAIL WITH SHINER STAMPED "VP CONTROL" SET IN THE CONCRETE SIDEWALK ON THE EAST SIDE OF N. JUPITER ROAD, 175± NORTH OF THE N. JUPITER ROAD AND W. BUCKINGHAM ROAD INTERSECTION, 6± WEST OF A POWER POLE, AND 50± SOUTH OF A "DART" BUS STOP BENCH.	
N:	7027739.06
E:	2526401.06
ELEV:	611.46
BM#103 "4" WITH BOX CUT ON THE EAST SIDEWALK OF N. JUPITER ROAD IN FRONT OF GRIFF'S HAMBURGERS, 8± SOUTHWEST OF A POWER POLE, AND 17± WEST OF A HIGH VOLTAGE MANHOLE.	
N:	7028294.59
E:	2526387.51
ELEV:	614.63

LEGEND

	PROPOSED FIRE LANE
	EXISTING PAVEMENT
	PROPOSED LIGHT PAVEMENT
	PROPOSED BUILDING
	PROPOSED ORNAMENTAL FENCE
	PROPOSED AWNING
	PROPOSED CONTOUR - MAJOR
	PROPOSED CONTOUR - MINOR
	EXISTING CONTOUR - MAJOR
	EXISTING CONTOUR - MINOR
	BARRIER FREE RAMP (BFR)
	ACCESSIBLE PARKING SYMBOL
	NUMBER OF PARKING SPACES
	WATER METER (AND VAULT)
	FIRE HYDRANT
	FIRE DEPARTMENT CONNECTION
	SANITARY SEWER MANHOLE
	TRANSFORMER PAD
	CURB INLET
	GRATE INLET
	JUNCTION BOX OR WYE INLET
	HEADWALL
	TREE GRATE (REFERENCE LANDSCAPE)
	TYPICAL
	SANITARY SEWER EASEMENT
	WATER EASEMENT
	DRAINAGE EASEMENT
	BARRIER FREE RAMP
	SIDEWALK
	BUILDING LINE/SETBACK
	CURB INLET
	GRATE INLET
	WYE INLET
	JUNCTION BOX
	MANHOLE
	EXISTING

**GARLAND SELF
STORAGE**



SUP EXHIBIT

Kimley»»Horn

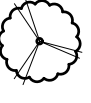
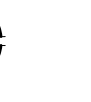
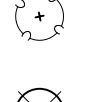
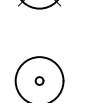
© 2022 KIMLEY-HORN AND ASSOCIATES, INC.
260 EAST DAVIS STREET, SUITE 100, MCKINNEY, TX 75069
PHONE: 469-301-2580 FAX: 972-239-3820
WWW.KIMLEY-HORN.COM TX F-928

KHA PROJECT	DATE	SCALE	AS SHOWN	DESIGNED BY	MD	DRAWN BY	ST	CHECKED BY	MD
064554106	APRIL 2022								

GARI AND TEXAS

REVISIONS	DATE	BY
-----------	------	----

EXHIBIT D

PLANT SCHEDULE					
TREES					
	<u>COMMON / BOTANICAL NAME</u>	<u>CONT.</u>	<u>SIZE</u>	<u>SPACING</u>	<u>REMARKS</u>
	Cedar Elm / <i>Ulmus crassifolia</i>	3" cal	10' -12' ht		B&B, NURSERY GROWN, MATCHED, FULL, WELL-BRANCHED, STRONG CENTRAL LEADER
	Live Oak / <i>Quercus virginiana</i>	3" cal	10' -12' ht		B&B, NURSERY GROWN, MATCHED, FULL, WELL-BRANCHED, STRONG CENTRAL LEADER
	Shumard Oak / <i>Quercus shumardii</i>	3" cal	10' -12' ht		B&B, NURSERY GROWN, MATCHED, FULL, WELL-BRANCHED, STRONG CENTRAL LEADER
FLOWERING TREES					
	<u>COMMON / BOTANICAL NAME</u>	<u>CONT.</u>	<u>SIZE</u>	<u>SPACING</u>	<u>REMARKS</u>
	Mexican Plum / <i>Prunus mexicana</i>	3" cal. min.	8' -10' ht		CONTAINER, NURSERY GROWN, MATCHED, WELL-ROOTED, STRONG CENTRAL LEADER, 8' HT MINIMUM
	Possumhaw / <i>Ilex decidua</i>	3" cal. min.	8' -10' ht		CONTAINER, NURSERY GROWN, MATCHED, FULL, WELL-BRANCHED, MULTI-TRUNK (3 MIN.)
	Texas Redbud / <i>Cercis canadensis texensis</i>	3" cal. min.	8' -10' ht		CONTAINER, NURSERY GROWN, MATCHED, WELL-ROOTED, STRONG CENTRAL LEADER, 8' HT MINIMUM
SHRUBS					
	<u>COMMON / BOTANICAL NAME</u>	<u>CONT.</u>	<u>SIZE</u>	<u>SPACING</u>	<u>REMARKS</u>
	Dwarf Yaupon Holly / <i>Ilex vomitoria</i> 'Nana'	5 gal	24" h x 24" w	30" OC	CONTAINER, NURSERY GROWN, MATCHED AND WELL ROOTED
	Green Cloud Texas Ranger / <i>Leucophyllum frutescens</i> 'Green Cloud' TM	5 gal	24" h x 24" w	36" OC	CONTAINER, NURSERY GROWN, MATCHED AND WELL ROOTED
	Indian Hawthorn / <i>Rhaphiolepis indica</i>	5 gal	24" h x 18" w	30" OC	CONTAINER, NURSERY GROWN, MATCHED AND WELL ROOTED
GROUND COVERS					
	<u>COMMON / BOTANICAL NAME</u>	<u>CONT.</u>	<u>SIZE</u>	<u>SPACING</u>	<u>REMARKS</u>
	Bermuda Grass / <i>Cynodon dactylon</i>	sod			REFER TO SPECIFICATIONS
	Wintercreeper / <i>Euonymus fortunei</i>	1 gal	8" h x 8" w	18" o.c.	CONTAINER, NURSERY GROWN, MATCHED AND WELL ROOTED

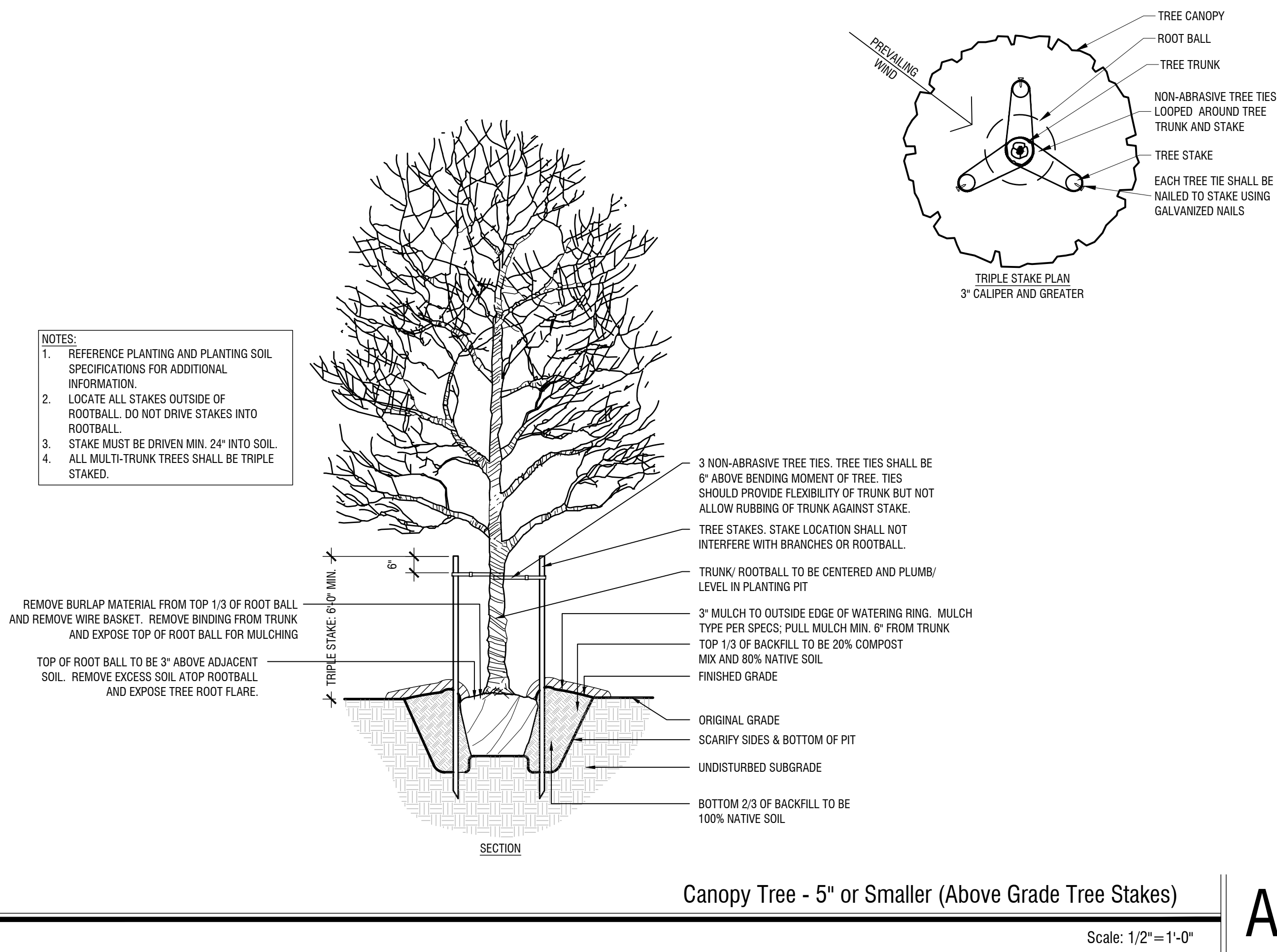
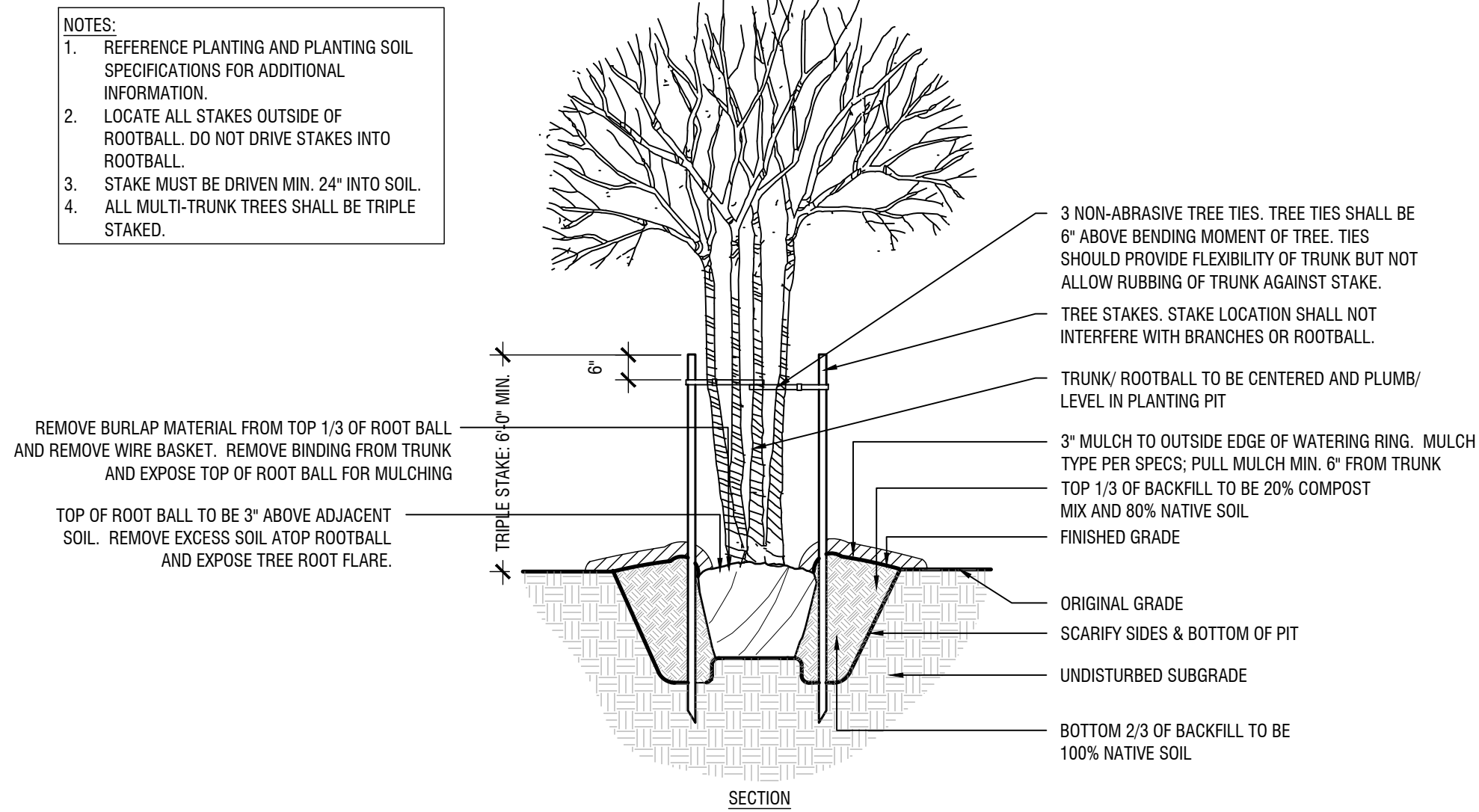
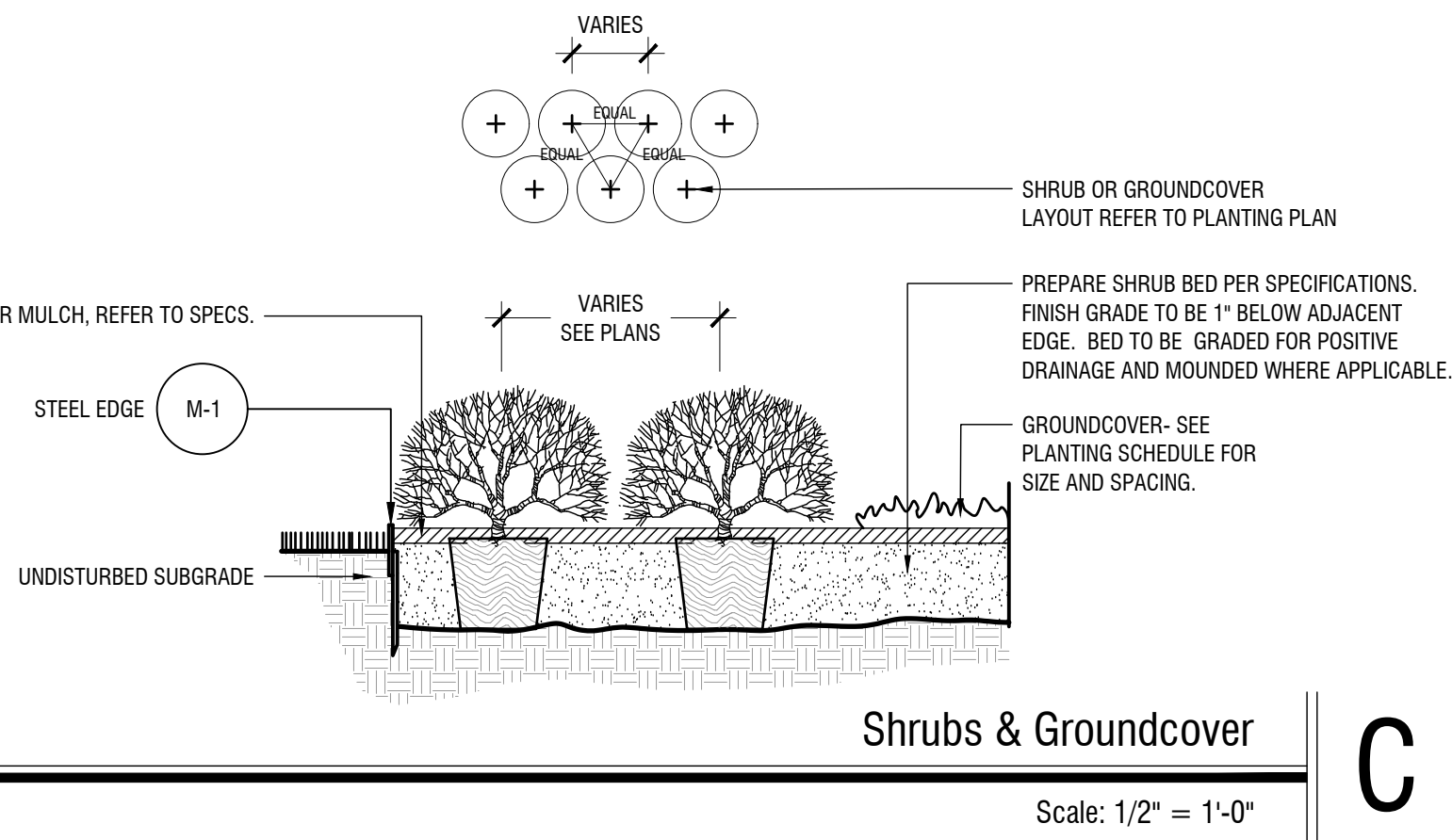
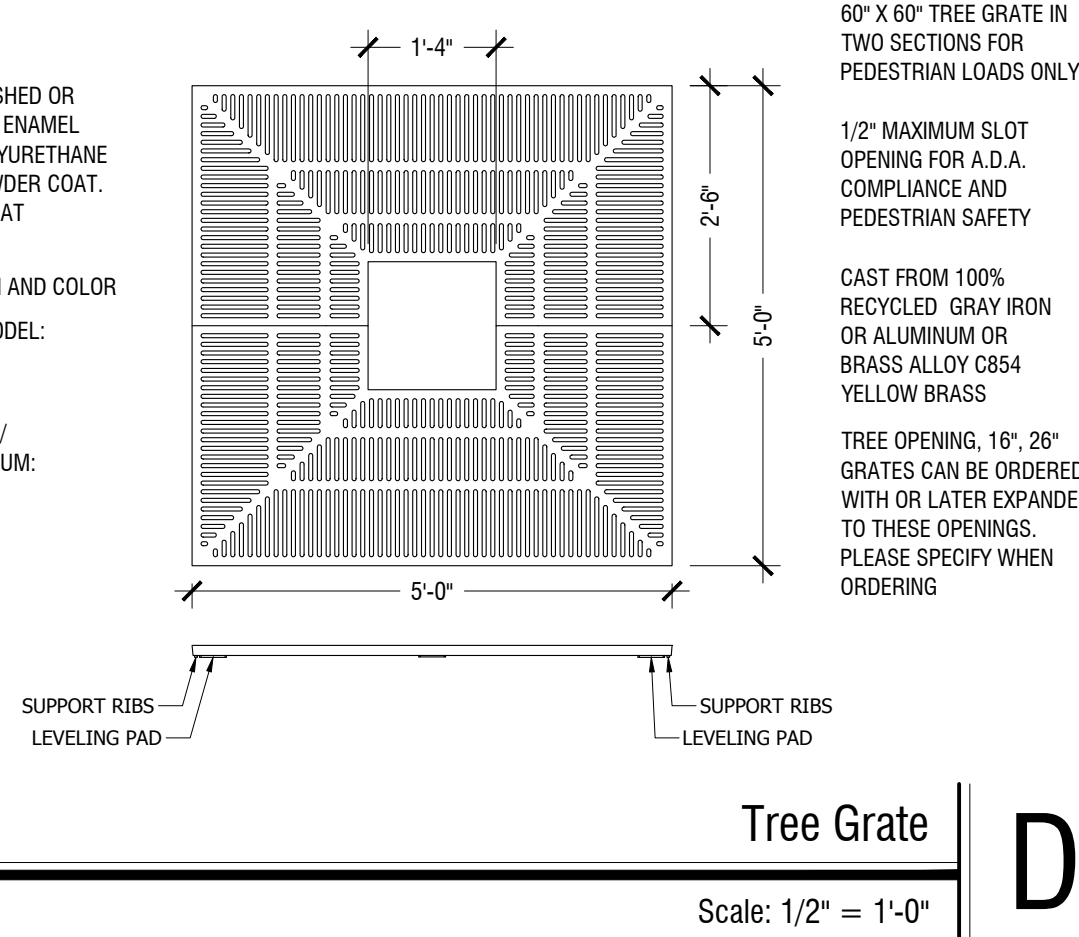
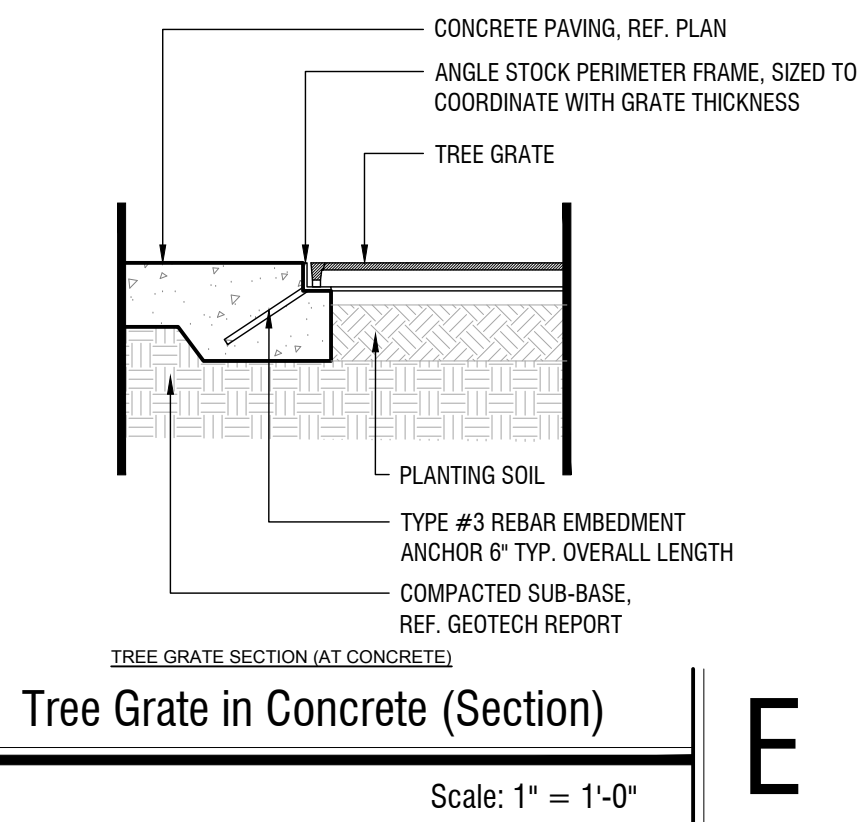
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EXHIBIT D

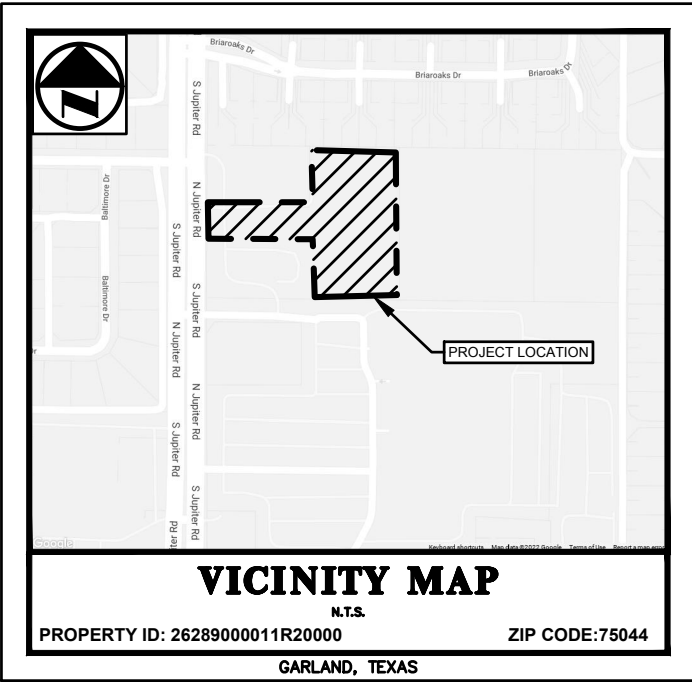
TREE SURVEY:

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GARLAND SELF STORAGE - TREE MITIGATION CHART				
CODE REQUIRED				
COMMON NAME	SCIENTIFIC NAME	QTY	CAL.	MITIGATION
Shumard Red Oak	<i>Quercus shumardii</i>	3	3	0
Live Oak	<i>Quercus virginiana</i>	8	3	0
Cedar Elm	<i>Ulmus crassifolia</i>	6	3	0
Existing Tree		0	NA	0
ENHANCED PLANTING				
COMMON NAME	SCIENTIFIC NAME	QTY	CAL.	MITIGATION
Shumard Red Oak	<i>Quercus shumardii</i>	0	3	0
Live Oak	<i>Quercus virginiana</i>	4	3	12
TOTAL MITIGATION REQUIRED:				118.0
TOTAL MITIGATION PROVIDED:				12.0
TOTAL MITIGATION OUTSTANDING:				106.0

Storage- Garland		
Code Calculations Chart		
Site Data	AC	SF
Total Site Area	2.59	112,868
Surface Parking Spaces	42	
Site Landscape Area	Required (% / SF)	Provided (% / SF)
10% of site to be landscaped	10%	16%
	11,287	17,666
Street Frontage	Required	Provided
<i>Jupiter Road (94 LF)</i>		
1 tree/ 30 LF	3	3
7 shrubs/ 30 LF	22	23
Parking Lot	Required	Provided
1 shade tree/ 10 parking spaces and One shade tree at the end of every parking row	6	6*
One tree within 65' of each parking space	YES	YES
<i>NOTE: Tree must be within 65' of every parking space</i>		
5% of parking lot area to be landscaped (6,804 SF)	5%	26%
	340	1,552
Continuous Parking Lot Screen	Yes	Yes
Site Screening	Required	Provided
Minimum six foot (6') tall masonry wall along common property lines	YES	YES
One (1) large canopy tree per 25' of wall	8	8

*2 of the 6 trees relocated on site to the northern edge of site along site screening wall



PLANTING NOTES:

1. LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION OF ALL UNDERGROUND UTILITIES, PIPES, STRUCTURES, AND LINE RUNS IN THE FIELD PRIOR TO THE INSTALLATION OF ANY PLANT MATERIAL.
2. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO ADVISE THE LANDSCAPE ARCHITECT OF ANY CONFLICTS FOUND ON THE SITE WHICH PAST OR PRESENT UTILITIES ARE SHOWN ON THESE DRAWINGS.
3. ALL PLANT MATERIAL SHALL BE MAINTAINED IN A HEALTHY AND GROWING CONDITION, AND MUST BE REPLACED WITH PLANT MATERIAL OF SAME VARIETY AND SIZE IF DAMAGED, DESTROYED, OR REMOVED.
4. LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR FINE GRADING AND REMOVAL OF DEBRIS PRIOR TO PLANTING IN ALL AREAS.
5. FINAL FINISH GRADING SHALL BE REVIEWED BY THE LANDSCAPE ARCHITECT. LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY ADDITIONAL TOPSOIL REQUIRED TO CREATE A SMOOTH CONTINUOUS PROFILE OF PLANTING.
6. ALL PLANT QUANTITIES LISTED ARE FOR INFORMATION ONLY. IT IS THE CONTRACTORS RESPONSIBILITY TO PROVIDE FULL COVERAGE IN ALL PLANTING AREAS AS SPECIFIED IN THE PLANT SCHEDULE AND VERIFY ALL QUANTITIES.
7. LANDSCAPE CONTRACTOR TO PROVIDE STEEL EDGING (REFER TO MATERIALS PAGE) BETWEEN ALL PLANTING BEDS AND LAWN AREAS.
8. ALL PLANT MATERIAL SHALL CONFORM TO THE SPECIFICATIONS AND SIZES GIVEN IN THE PLANT LIST AND SHALL BE NURSEY GROWN IN ACCORDANCE WITH THE AMERICAN STANDARD FOR NURSEY STOCK. LATEST EDITION AMERICAN ASSOCIATION OF NURSEYMEN STANDARDS. ANY PLANT SUBSTITUTION SHALL BE APPROVED BY LANDSCAPE ARCHITECT PRIOR TO PURCHASE.
9. LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR ANY COORDINATION WITH OTHER CONTRACTORS ON SITE AS REQUIRED TO ACCOMPLISH ALL PLANTING OPERATIONS.
10. ALL NEW PLANTING AREAS TO BE AMENDED PER SPECIFICATIONS.
11. ANY PLANT MATERIAL THAT DOES NOT SURVIVE SHALL BE REPLACED WITH AN EQUIVALENT SIZE AND SPECIES WITHIN THIRTY (30) DAYS.
12. ALL PLANT MATERIAL SHALL BE PRUNED AS NECESSARY TO CONTROL SIZE BUT NOT TO DISRUPT THE NATURAL GROWTH PATTERN OR CHARACTERISTIC FORM OF THE PLANT EXCEPT AS NECESSARY TO ACHIEVE HIGH CLEARANCE FOR VISIBILITY AND PEDESTRIAN PASSAGE OR TO ACHIEVE A CONTINUOUS OPAQUE HEDGE IF REQUIRED.
13. LANDSCAPED AREAS SHALL BE FREE OF TRASH, WEEDS, DEBRIS, AND DEAD PLANT MATERIAL.
14. ALL LINE STABILIZED SOIL & INORGANIC SELECT FILL FOR BUILDING SHOULD BE REMOVED FROM THE SITE TO A DEPTH OF 24" & REPLACED WITH ORGANIC IMPORTED TOPSOIL FILL. TREES OVERHANGING PEDESTRIAN WALKWAYS AND PARKING SHALL HAVE 7' CLEAR TRUNK HEIGHT TO MEET ACCESSIBILITY REQUIREMENTS. TREES OVERHANGING PUBLIC TRAILS AND FIRE LANE SHALL HAVE A 14" MIN. CLEAR TRUNK HEIGHT.
15. CONTRACTOR TO PROVIDE 12 MONTH WARRANTY AND MAINTENANCE AFTER FINAL ACCEPTANCE.

IRRIGATION NOTES:

1. AN AUTOMATIC IRRIGATION SYSTEM SHALL BE PROVIDED FOR ALL PLANTING AREAS. OVER SPRAY ON STREETS AND WALKS IS PROHIBITED.
2. IRRIGATION SYSTEMS SHALL BE MAINTAINED AND REPLACED AS NECESSARY.
3. ALL PLANTING AREAS TO BE FULLY IRRIGATED.
4. IRRIGATION SYSTEM TO HAVE A FULLY AUTOMATED CONTROL SYSTEM.
5. ANY EXISTING PLANTING DAMAGED DURING CONSTRUCTION IS TO BE REPLACED AT NO COST THE OWNER.
6. IF THE EXISTING IRRIGATION SYSTEM IS DAMAGED OR TURNED OFF DURING CONSTRUCTION ACTIVITIES IT WILL BE THE RESPONSIBILITY OF THE CONTRACTOR TO HAND WATER ALL PLANT MATERIAL AS NEEDED.

CITY OF GARLAND NOTE:
NO LANDSCAPING SUCH AS TREES, HEDGES, ABOVE AND UNDERGROUND STRUCTURES SHALL BE LOCATED WITHIN EXISTING OR PROPOSED UTILITY EASEMENTS AND RIGHT OF WAY WITHOUT APPROVED CITY'S REAL PROPERTY IMPROVEMENT AUTHORIZATION FORM OR CITY'S LICENSE AGREEMENT.

DEVELOPER/OWNER:

Hines
2700 Commerce Street, Suite 1600
Dallas, TX 75226
Tel. No. (972) 716-2910
Contact: Luis Castellanos
Luis.Castellanos@hines.com

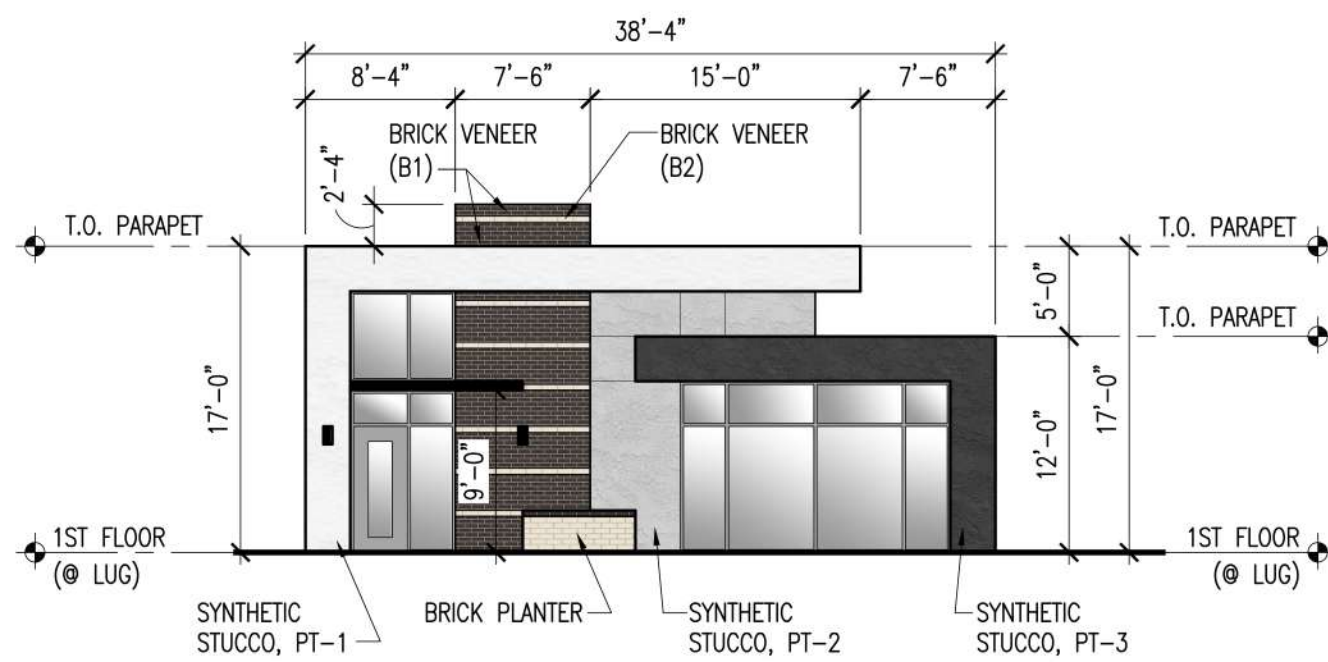
LANDSCAPE ARCHITECT:

Kimley-Horn and Associates, Inc.
260 East Davis Street, Suite 100
McKinney, Texas 75069
Tel. No. (469) 301-2580
Contact: Courtney Smith, P.L.A.
courtney.smith@kimley-horn.com

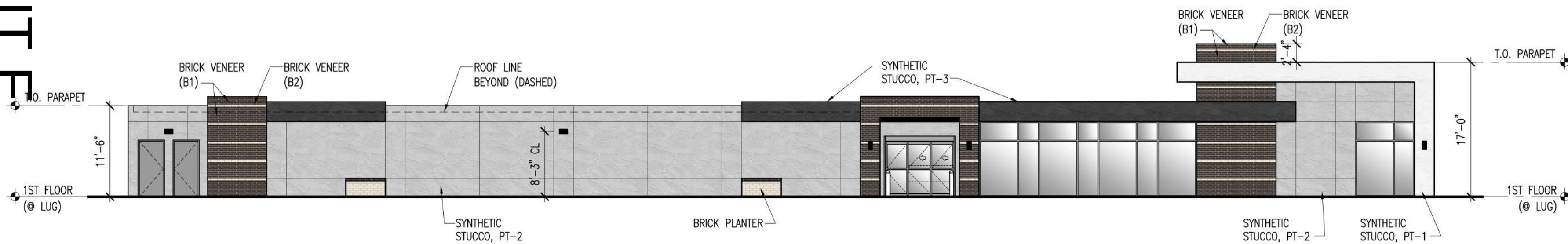
OWNER:

Avalon Development
7333 E Doubletree Ranch Rd, Suite 140
Scottsdale, AZ 85258
Tel. No. (480) 376-8750
Contact: Scott Wolski
swolski@avalondevelopment.com

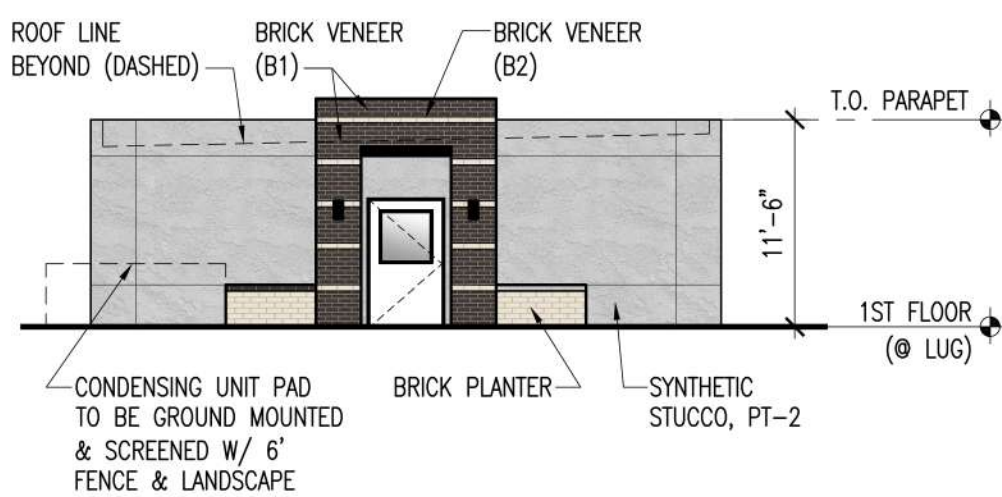
CASE #220111-1	CODE NOTES AND CALCULATIONS		GARLAND SELF STORAGE	GARLAND, TEXAS	KHA PROJECT 064554106		Kimley»Horn © 2022 KIMLEY-HORN AND ASSOCIATES, INC. 260 EAST DAVIS STREET, SUITE 100, MCKINNEY, TX 75069 PHONE: 469-301-2590 FAX: 972-239-3820 WWW.KIMLEY-HORN.COM TX F-4928	No.	REVISIONS	DATE	BY
					DATE APRIL 2022 SCALE AS SHOWN DESIGNED BY QLS DRAWN BY NJF CHECKED BY AUB						
SHEET NUMBER	L1.01										



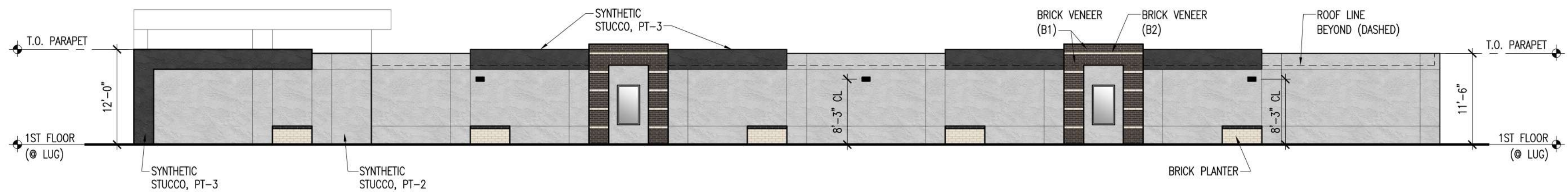
1 BUILDING 1 - WEST ELEVATION (FRONT FACING N JUPITER RD - 100' FROM ROAD)
SCALE: 3/32" = 1'-0"



2 BUILDING 1 - NORTH ELEVATION
SCALE: 3/32" = 1'-0"

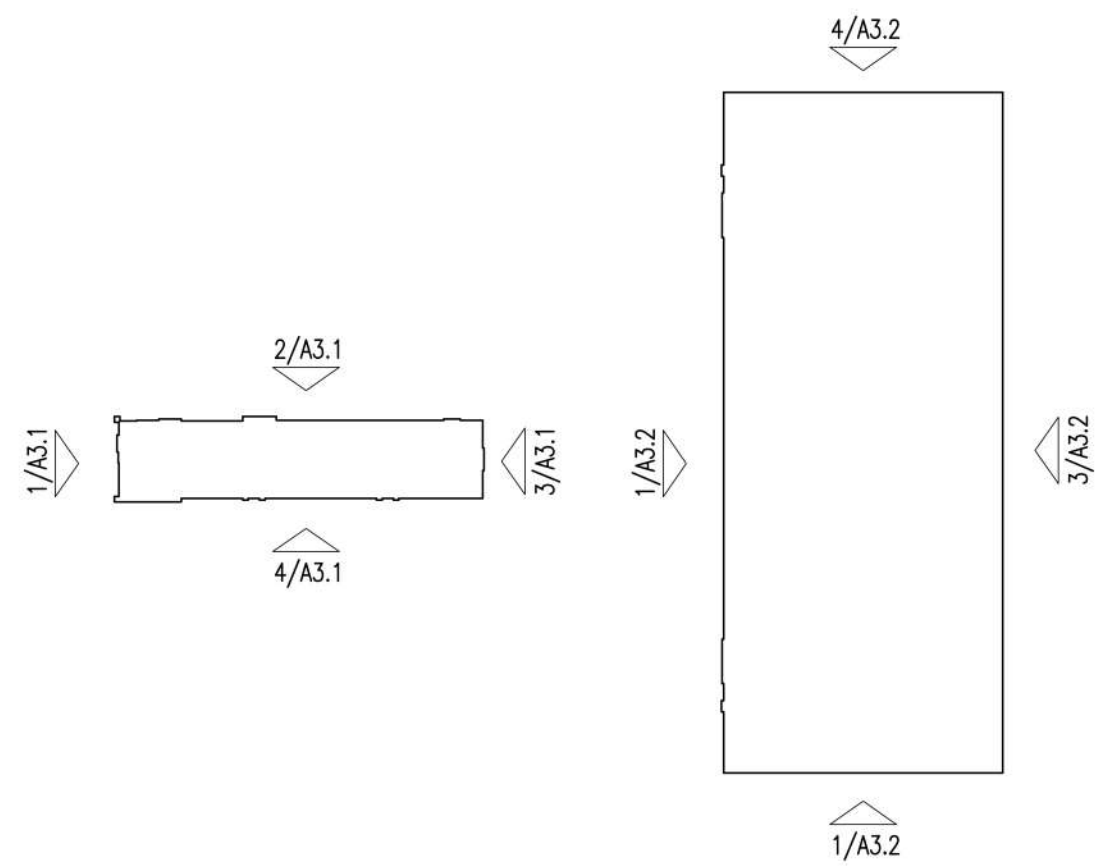


3 BUILDING 1 - EAST ELEVATION
SCALE: 3/32" = 1'-0"

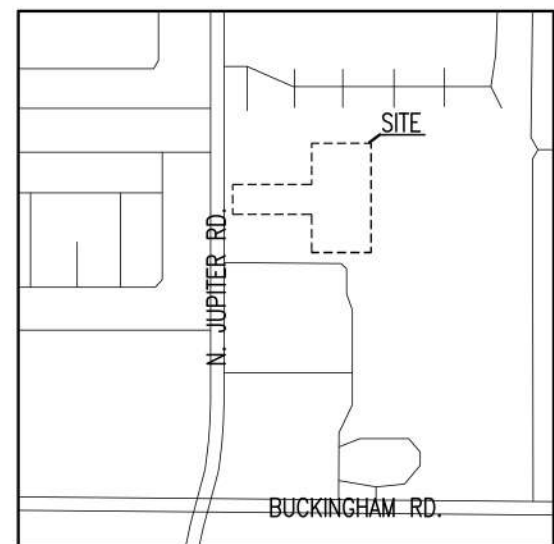


4 BUILDING 1 - SOUTH ELEVATION
SCALE: 3/32" = 1'-0"

PROJECT INFORMATION	
PRE-SUBMITAL #	220111-1
ZONING:	PD-05-57 & PD02-11
OWNER:	LUIS CASTELLANOS - HINES 2700 COMMERCE ST. - SUITE 1600 DALLAS, TX 75226 P: 972.716.2910 EMAIL: luis.castellanos@hines.com



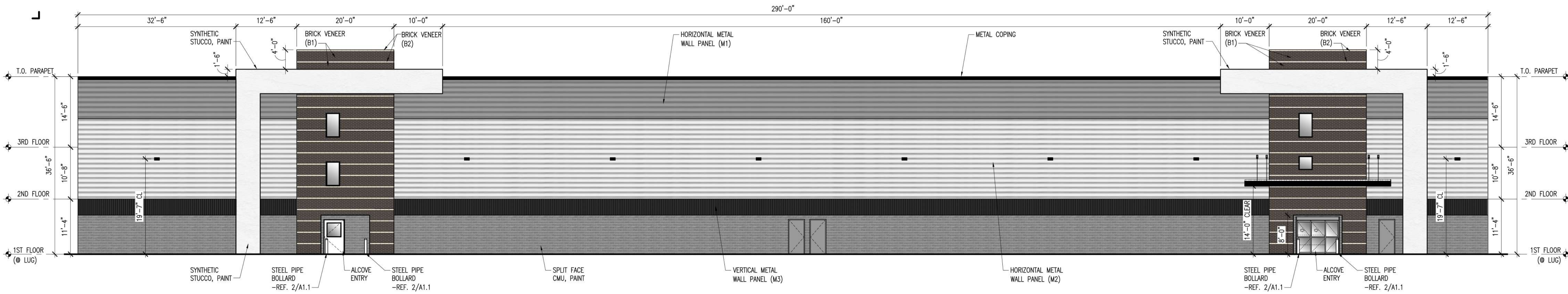
TRUE NORTH



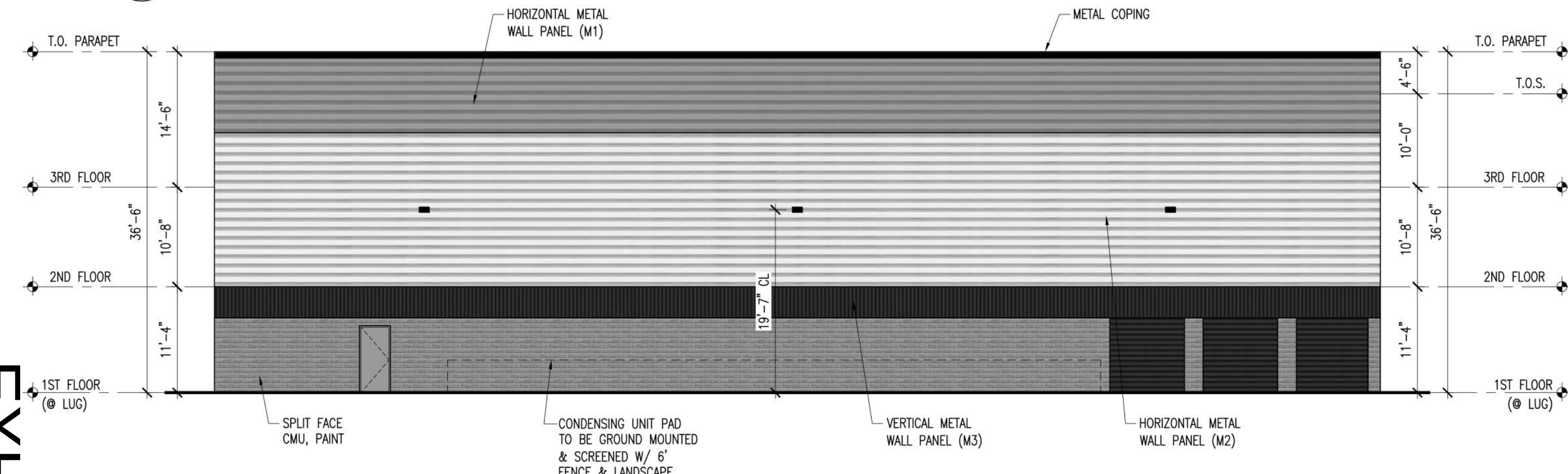
TRUE NORTH

ARCHITECTURAL ELEMENTS	
BUILDING 1	PROVIDED
AWNINGS OR CANOPIES	1
DISPLAY WINDOWS	1
DIVIDED LIGHT WINDOWS	1
TRANSOMS	
SHUTTERS	
ALCOVES / PORTICOS	1
RECESSED ENTRIES	1
ORNAMENTAL WINDOW HEADERS / LINTELS	1
QUIONS	
DISTINCTIVE LIGHTING FEATURES	1
PLANTERS OR FOUNTAINS	1
BENCHES FOR OUTDOOR SEATING	
DORMERS	
VARIED ROOF HEIGHTS	1
ORNAMENTAL FACADE TRIMS	
BAY WINDOWS	
GABLE WINDOWS	
TOTAL ELEMENTS	9

ELEVATION LEGEND	
	SYNTHETIC STUCCO SYSTEM (PT-1)
	SYNTHETIC STUCCO SYSTEM (PT-2)
	SYNTHETIC STUCCO SYSTEM (PT-3)
	BRICK VENEER 1
	BRICK VENEER 2
	HORIZONTAL METAL WALL PANEL (M1)
	HORIZONTAL METAL WALL PANEL (M2)
	VERTICAL METAL WALL PANEL (M3)
	SPLIT FACE CMU WAINSCOT / BASE, PT
	EXTERIOR LIGHT FIXTURE
	INDICATES REVEAL LOCATIONS
ELEVATION NOTES	
1. METAL COPING, TRIM, FLASHING, TO MATCH COLOR OF ADJACENT MATERIAL.	
2. GUTTERS & DOWNSPOUTS TO BE SIZED AND SPACED BY METAL BUILDING MANUFACTURER.	
3. GUTTER OVERFLOW CUTOUTS TO BE PROVIDED BELOW LOWEST POINT OF ROOF/WALL TRANSITION.	
4. REFER SHEET A7.1 FOR EXTERIOR FINISHES.	
5. SIGNAGE COMPANY TO PROVIDE ANCHORAGE, BLOCKING, & WATER PROOFING AS NECESSARY	

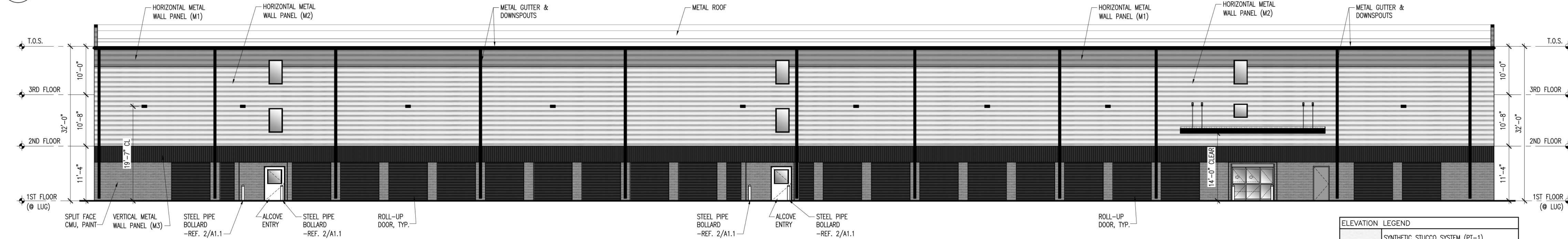


1 BUILDING 2 - WEST ELEVATION (FRONT FACING N JUPITER RD - 342' FROM ROAD)
SCALE: 3/32" = 1'-0"

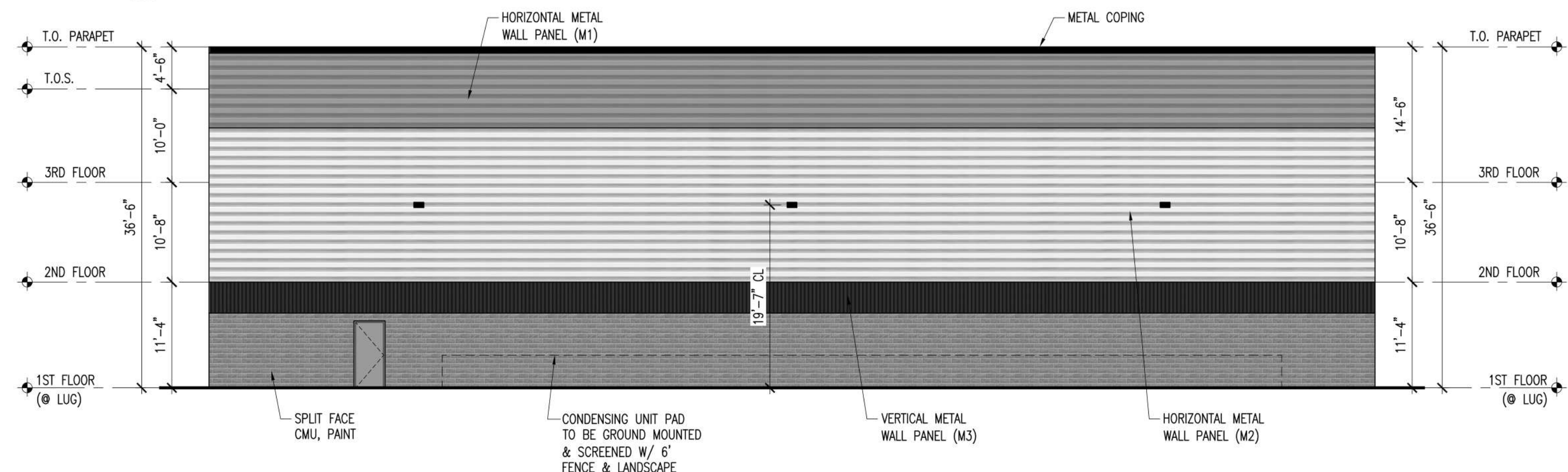


2 BUILDING 2 - SOUTH ELEVATION
SCALE: 3/32" = 1'-0"

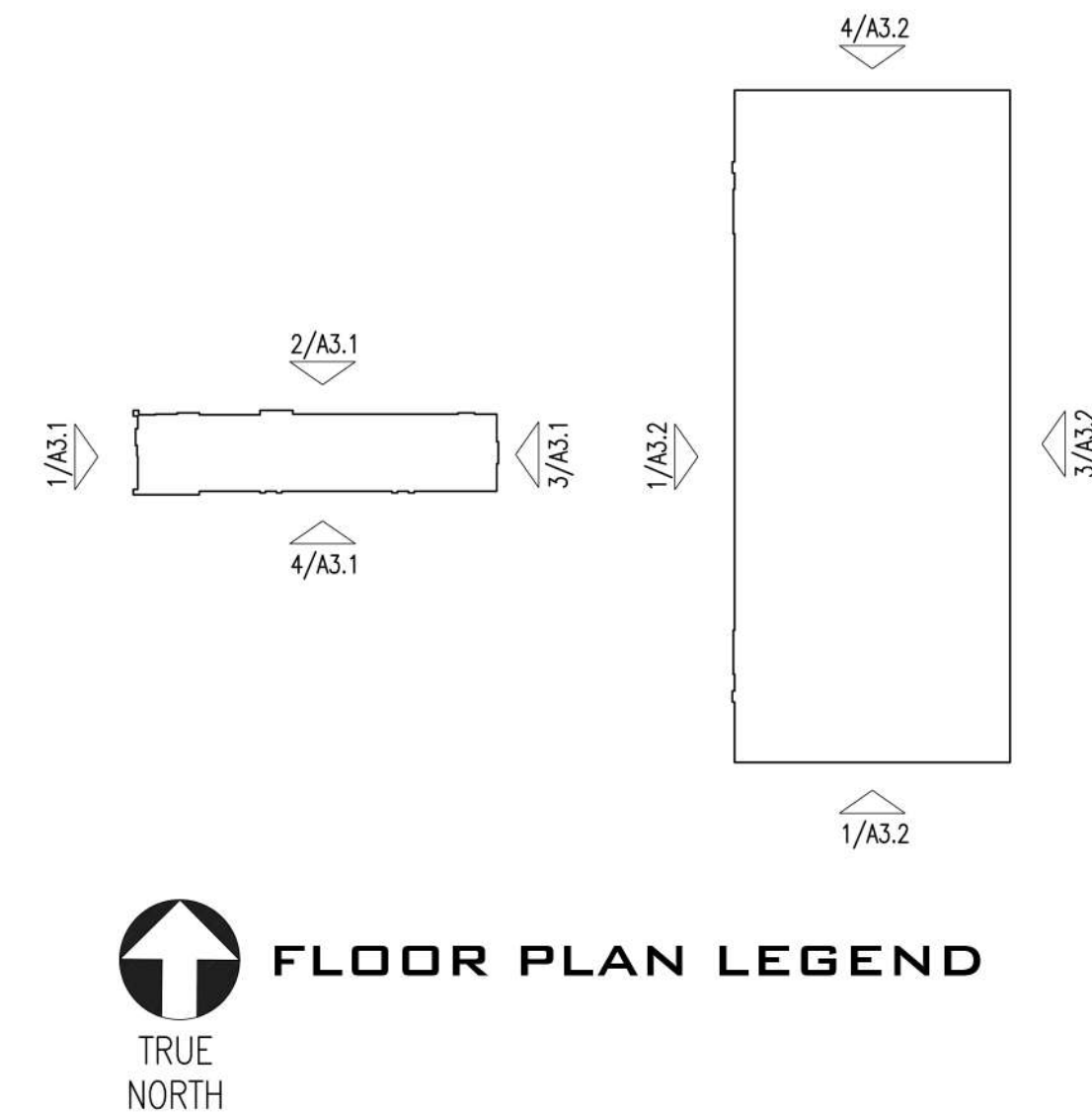
ARCHITECTURAL ELEMENTS	
BUILDING 2	PROVIDED
AWNINGS OR CANOPIES	1
DISPLAY WINDOWS	
DIVIDED LIGHT WINDOWS	1
TRANSOMS	
SHUTTERS	
ALCOVES / PORTICOS	1
RECESSED ENTRIES	1
ORNAMENTAL WINDOW HEADERS / LINTELS	
QUIONS	
DISTINCTIVE LIGHTING FEATURES	1
PLANTERS OR FOUNTAINS	
BENCHES FOR OUTDOOR SEATING	
DORMERS	
VARIED ROOF HEIGHTS	1
ORNAMENTAL FACADE TRIMS	1
BAY WINDOWS	
GABLE WINDOWS	
TOTAL ELEMENTS	7



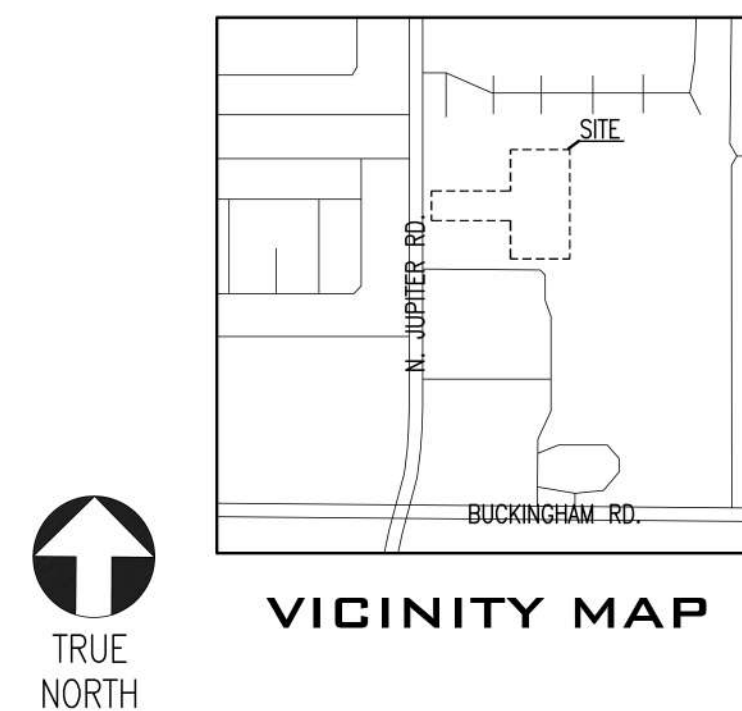
3 BUILDING 2 - EAST ELEVATION
SCALE: 3/32" = 1'-0"



4 BUILDING 2 - NORTH ELEVATION
SCALE: 3/32" = 1'-0"



PROJECT INFORMATION	
PRE-SUBMITTAL #	220111-1
ZONING:	PD-05-57 & PD02-11
OWNER:	LUIS CASTELLANOS - HINES 2700 COMMERCE ST. - SUITE 1600 DALLAS, TX 75226 P: 972.716.2910 EMAIL: luis.castellanos@hines.com

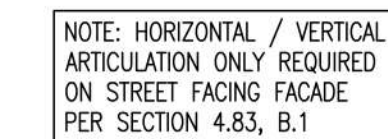


ELEVATION LEGEND	
[Pattern]	SYNTHETIC STUCCO SYSTEM (PT-1)
[Pattern]	SYNTHETIC STUCCO SYSTEM (PT-2)
[Pattern]	SYNTHETIC STUCCO SYSTEM (PT-3)
[Pattern]	BRICK VENEER 1
[Pattern]	BRICK VENEER 2
[Pattern]	HORIZONTAL METAL WALL PANEL (M1)
[Pattern]	HORIZONTAL METAL WALL PANEL (M2)
[Pattern]	VERTICAL METAL WALL PANEL (M3)
[Pattern]	SPLIT FACE CMU WAINSCOT / BASE, PT
[Pattern]	EXTERIOR LIGHT FIXTURE
[Pattern]	INDICATES REVEAL LOCATIONS
ELEVATION NOTES	
1. METAL COPING, TRIM, FLASHING, TO MATCH COLOR OF ADJACENT MATERIAL.	
2. GUTTERS & DOWNSPOUTS TO BE SIZED AND SPACED BY METAL BUILDING MANUFACTURER.	
3. GUTTER OVERFLOW CUTOUTS TO BE PROVIDED BELOW LOWEST POINT OF ROOF/WALL TRANSITION.	
4. REFER SHEET A7.1 FOR EXTERIOR FINISHES.	
5. SIGNAGE COMPANY TO PROVIDE ANCHORAGE, BLOCKING, & WATER PROOFING AS NECESSARY	

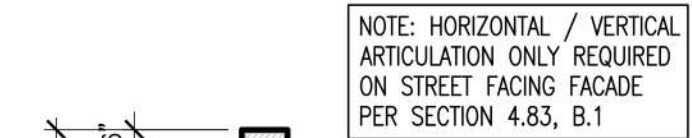
└

HORIZONTAL ARTICULATION (FOR BUILDING GREATER THAN 80 FEET IN WIDTH):					
-MINIMUM OF ONE HORIZONTAL ARTICULATION IS REQUIRED THAT IS AT LEAST 30% OF THE BUILDING TOTAL STREET-FACING FACADE LENGTH.					
-DEPTH ARTICULATION OF AT LEAST 4' SHALL BE REQUIRED FOR AT LEAST 30% OF BUILDING FACADE LENGTH. (i.e. - A 90' FRONTAGE REQUIRES AT LEAST 27' OF THE FRONTAGE TO BE AT LEAST 4' IN DEPTH).					
	FACADE LENGTH	HORIZONTAL ARTICULATION		DEPTH ARTICULATION	
		REQUIRED	PROVIDED	REQUIRED	PROVIDED
NORTH ELEVATION	164'-8"	N/A - NOT A STREET FACING FACADE	21'-0" + PLANTERS	N/A - NOT A STREET FACING FACADE	8" - 1'-11 1/2" + PLANTERS (1'-9")
SOUTH ELEVATION	164'-8"	N/A - NOT A STREET FACING FACADE	40'-0" + PLANTERS	N/A - NOT A STREET FACING FACADE	8" - 1'-3" + PLANTERS (1'-7")
WEST ELEVATION (N. JUPITER RD.)	38'-4"	N/A - BLDG. LESS THAN 50' IN WIDTH	13'-6" + PLANTERS	N/A - BLDG. LESS THAN 50' IN WIDTH	8" - 1'-11 1/2" + PLANTERS (2'-6")
EAST ELEVATION	35'-0"	N/A - NOT A STREET FACING FACADE	10'-0" + PLANTERS	N/A - NOT A STREET FACING FACADE	8" + PLANTERS (2'-4")
NOTE: REFERENCE 2/A3.3					

HORIZONTAL ARTICULATION (FOR BUILDING GREATER THAN 80 FEET IN WIDTH): -MINIMUM OF ONE HORIZONTAL ARTICULATION IS REQUIRED THAT IS AT LEAST 30% OF THE BUILDING TOTAL STREET-FACING FACADE LENGTH. -DEPTH ARTICULATION OF AT LEAST 4' SHALL BE REQUIRED FOR AT LEAST 30% OF BUILDING FACADE LENGTH. (i.e. - A 90' FRONTAGE REQUIRES AT LEAST 27' OF THE FRONTAGE TO BE AT LEAST 4' IN DEPTH).					
	FACADE LENGTH	HORIZONTAL ARTICULATION		DEPTH ARTICULATION	
		REQUIRED	PROVIDED	REQUIRED	PROVIDED
NORTH ELEVATION	125'-0"	N/A - NOT A STREET FACING FACADE	NONE	N/A - NOT A STREET FACING FACADE	NONE
SOUTH ELEVATION	125'-0"	N/A - NOT A STREET FACING FACADE	NONE	N/A - NOT A STREET FACING FACADE	NONE
WEST ELEVATION (N. JUPITER RD.)	290'-0"	87' MIN. (290'-0"x30%)	50'-0" 30'-0"	4' MIN.	1'-0" 15'-0"
EAST ELEVATION	290'-0"	N/A - NOT A STREET FACING FACADE	30'-0" CANOPY	N/A - NOT A STREET FACING FACADE	15'-0"
NOTE: BUILDING 2 IS SETBACK +/- 328' FROM WEST PROPERTY LINE & N. JUPITER ROAD.					
NOTE: REFERENCE 1/A3.3					



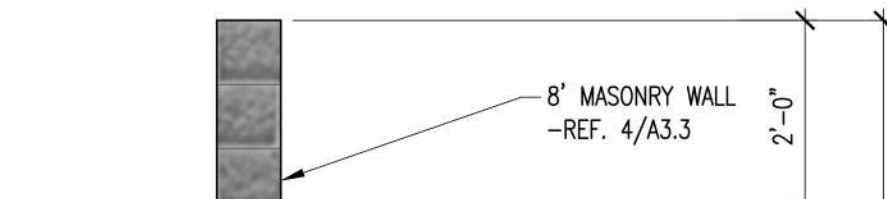
NORTH



3 BLACK ORNAMENTAL IRON FENCE, TYP.
SCALE: 1/2" = 1'-0"



4 MASONRY SCREENING WALL, TYP
SCALE: 1/2" = 1'-0"



5 RESIDENTIAL FENCE SECTION
SCALE: 1/2" = 1'-0"

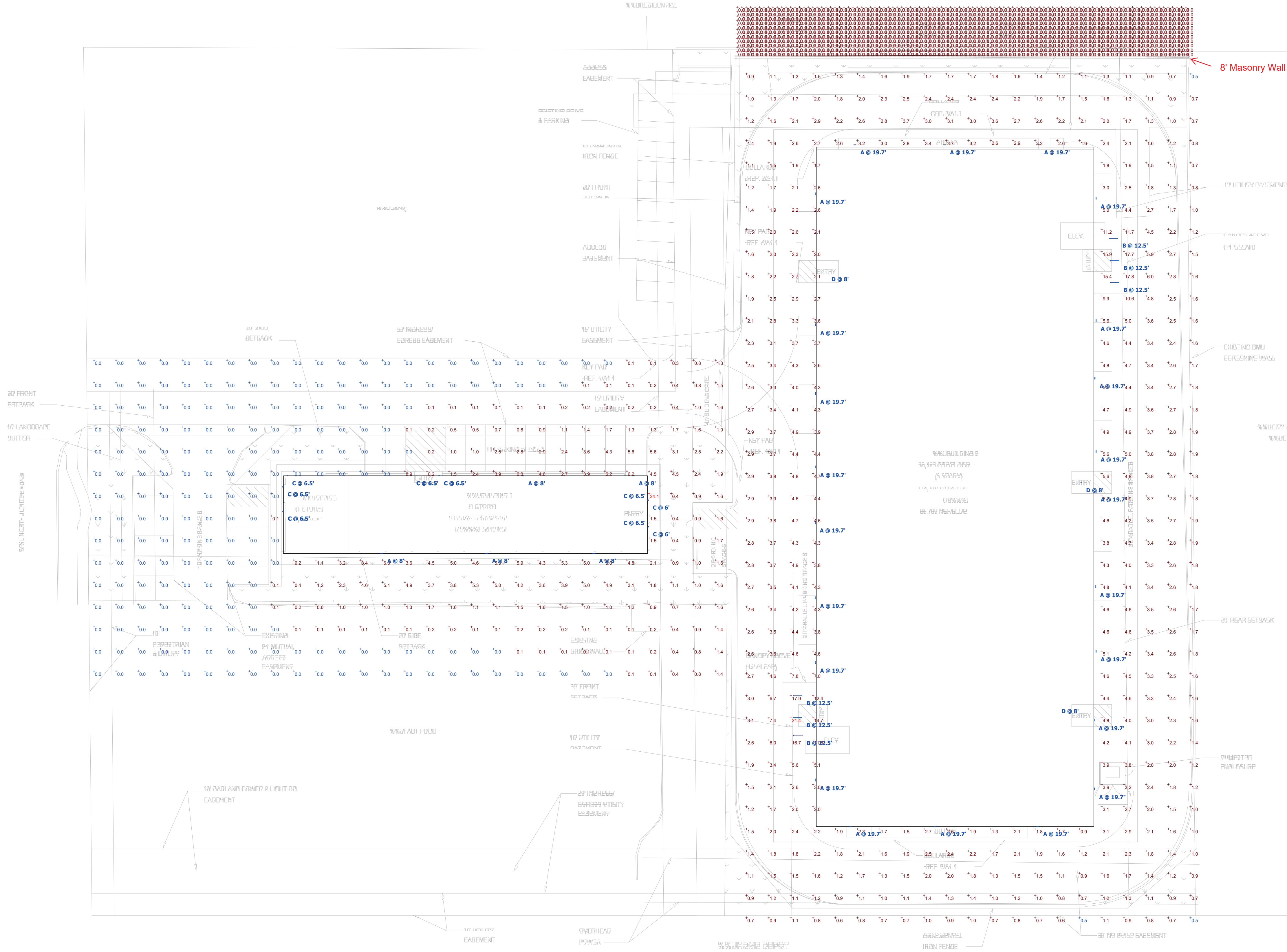
**JUPITER
SELF STORAGE**

**2200 N JUPITER RD.
GARLAND, TX - 75004**

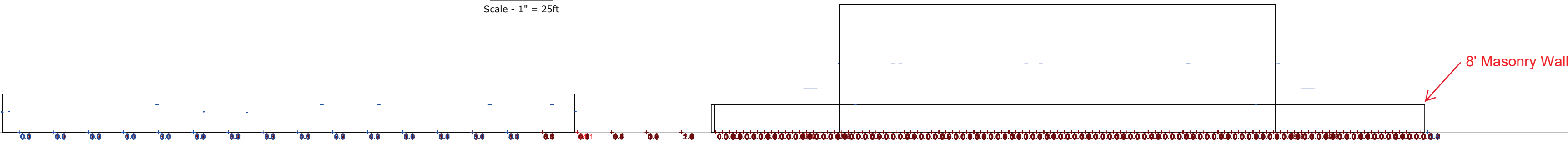
A3.3

FOR REVIEW ONLY
03/23/2022
JEFFREY S. DALLENBACH
TEXAS REGISTRATION NO. 150364

Statistics						
Description	Symbol	Avg	Max	Min	Max/Min	Avg/Min
Calc Zone #1	+	0.9 fc	24.1 fc	0.0 fc	N/A	N/A
Calc Zone #2	+	2.9 fc	21.4 fc	0.5 fc	42.8:1	5.8:1
Behind 8' Wall Calculations	+	0.0 fc	0.0 fc	0.0 fc	N/A	N/A



Plan View
Scale - 1" = 25ft



South View
Scale - 1" = 25ft

SCHEDULE - NOT FOR USE IN CONSTRUCTION DOCUMENTS											
Symbol	Label	Quantity	Manufacturer	Catalog Number	Description	Lamp	Number Lamps	Filename	Lumens Per Lamp	Light Loss Factor	Wattage
	A	28	Lithonia Lighting	DSXW1 LED 20C 1000 40K T3M MVOLT	DSXW1 LED WITH (2) 10 LED LIGHT ENGINES, TYPE T3M OPTIC, 4000K, @ 1000mA.	LED	1	DSXW1_LED_20C_1000_40K_T3M_MVOLT.lvs	7572	0.95	73.2
	B	6	Lithonia Lighting	CLX L48 5000LM SEF FDL MVOLT 40K 80CRI CLXRW48	CLX LED L48, 5000LM, Standard Efficiency, Less louver, Flat diffuse, MVOLT, GZ10, 4000K, 80CRI, Painted white sheet metal, Wide decorative 48" reflector		1	CLX_L48_5000LM_SEF_FDL_MVOLT_40K_80CRI_CLXRW48.lvs	4692	0.95	34.8
	C	14	v2 Lighting Group, Inc. www.v2Lighting Group.com		AQUA 400, 60 degree reflector	Xicato XTM 19mm LES, 2000lm, 83CRI	1	AQUA 400 2000lm 60 degree 190513.lvs	2000	0.95	8.3
	D	3	Lithonia Lighting	LBR6 ALO2 (1000LM) SWW1 (3500K) AR LSS WD 80CRI	6 INCH LBR DOWNLIGHT 1000LM 3500K CLEAR SEMI-SPECULAR WIDE 80 CRI		1	LBR6_ALO2_(1000LM)_SWW1_(3500K)_AR_LSS_WD_80CRI.lvs	1237	0.95	12.5

- Note**
1. REFLECTANCE VALUES, U.O.N:
CEILING: 80%
WALL: 50%
FLOOR: 20%
WINDOWS: 88% TRANSMITTANCE
 2. ALL INTERIOR CALCULATIONS TAKEN AT 2'-6" AFF U.O.N.
** HALLWAYS AND STAIRWAYS TAKEN AT 0'-0" AFF
 3. VERIFY ALL LIGHTING FIXTURE QUANTITIES, LOCATIONS, AND HEIGHTS WITH CONSTRUCTION PLANS AND ELEVATIONS.
 4. VALUE NEXT TO LUMINAIRE LABEL ON DRAWING REPRESENTS MOUNTING HEIGHT.

This document was prepared to convey a concept and not detail a working system. Spectrum Lighting, Inc. makes no representation, express or implied, with respect to the use of the information conveyed in this document, regardless of its format or the means of its distribution. Any specific information regarding the installation must be provided by the manufacturer of the equipment. There is no guarantee or representation to the user as to the accuracy, currency, suitability or reliability of this document for any purpose. The fixture schedule above does not contain the complete fixture nomenclature required for construction or bidding purposes. The fixture nomenclature listed is the photometric file of the base fixture. Please contact Spectrum Lighting Inc., San Antonio for a complete fixture schedule.

Designer
Matt Stohlmann
Date
02/03/2022
Scale
Not to Scale
Drawing No.
REV 2
Summary



**GARLAND
CITY COUNCIL ITEM SUMMARY SHEET**

City Council Regular Session Agenda

3. e.

Meeting Date: 06/07/2022

Item Title: Amended Easements with Covenants and Restrictions for Zoning File No. Z 22-12

Submitted By: Will Guerin, Planning Director

Summary of Request/Problem

Zoning File No. Z 22-12 (Kimley-Horn) was approved by the City Council on May 17, 2022, and the final ordinance is on the June 7, 2022 City Council agenda. In order for the property to be developed according to the approved Detail Plan, the easements, covenants and restrictions must be amended and signed by all parties with a property interest.

When the Easements with Covenants and Restrictions (ECR) document was prepared and recorded, the intent of each owner was for the operation of a grocery store and related parking area in the shopping center; however, this plan is no longer applicable since the Garland Power and Light (GP&L) substation now sits on the area where the grocery store was intended to operate. The ECR had not been amended to adjust for such changes. The City of Garland and all other parties of interest must amend the deed restrictions accordingly. The City Attorney has reviewed the attached draft.

Recommendation/Action Requested and Justification

Approval of the attached agreement.

Attachments

Draft ECR Amendment

Exhibit A

Exhibit B

Current ECR - Informational Purposes

**FIRST AMENDMENT TO AMENDED AND RESTATED
EASEMENTS WITH COVENANTS AND RESTRICTIONS AFFECTING LAND**

THIS FIRST AMENDMENT TO AMENDED AND RESTATED EASEMENTS WITH COVENANTS AND RESTRICTIONS AFFECTING LAND (this “**Amendment**”) is made and entered into as of _____, 2022 (the “**Effective Date**”), by and among Landis Properties, LLC, a Texas limited liability company, whose mailing address is 7777 Glades Road, Suite 403, Boca Raton, Florida 33434 (“**Landis Properties**”), Griff’s of America, Inc., a Missouri corporation, having an office and place of business at 1202 Richardson Drive, Suite 312, Richardson, Texas 75080 (“**Griff’s**”), KoamBro Management Inc., a Texas corporation, whose mailing address is 3401 W. Buckingham Road, Garland, Texas 75042 (“**KoamBro**”), Islamic Directions and Enhancement Association, a Texas non-profit corporation, whose mailing address is 1000 Pleasanton Drive, Plano, Texas 75094 (“**IDEA**”), HD Development Properties, L.P., a Georgia limited partnership, whose mailing address is c/o Home Depot U.S.A., Inc., 2455 Paces Ferry Road, Atlanta, Georgia 30339 (“**HD**”), Judith A. Levine, Trustee of the Judith A. Levine Irrevocable Spousal Access Trust dated 4/6/2005 and Sidney H. Levine, Trustee of the Sidney H. Levine Irrevocable Spousal Access Trust dated 4/6/2005, whose mailing address is 8929 University Center Lane, #100, San Diego, California 92122 (together, the “**Levines**”), _____, a _____, whose address is _____ (“**Prosperity**”), City of Garland, Texas, a Texas home rule municipality (the “**City**”), and Avalon Buckingham, LLC, a Texas limited liability company, whose mailing address is 7333 East Doubletree Ranch Road, Suite 140, Scottsdale, Arizona 85258 (“**Avalon**”).

WITNESSETH THAT:

WHEREAS, Griff’s, Home Depot U.S.A., Inc., a Delaware corporation (“**Home Depot**”), Royal Auto Wash, a Texas general partnership (“**Royal**”), William Landis, a resident of the State of California (“**Landis**”), Ryan’s Family Steak Houses, Inc., a South Carolina corporation (“**Ryan’s**”), Newell E. Boughton, Jr., Trustee of the Clarke Children Education Trust (“**Clarke Trust**”), Lepean Investment Company, a Texas general partnership (“**Lepean**”), Devane Clarke, a resident of the State of Texas (“**Clarke**”) and Charles K. Davis, Trustee of the Davis Revocable Trust (“**Davis Trust**”) entered into that certain Amended and Restated Easements with Covenants and Restrictions Affecting Land (the “**Restated ECR**”) on April 15, 1996, and recorded the Restated ECR with the County Clerk’s Office of Dallas County, Texas on April 17, 1996 in Volume 96076, Page 2284; and

WHEREAS, HD is successor in interest to Home Depot and the Owner of Tract 1, as legally described in Schedule G attached to the Restated ECR; and

WHEREAS, KoamBro is successor in interest to Royal and Owner of a portion of Tract 2, as legally described in Schedule A attached to the Restated ECR; and

WHEREAS, Landis Properties is successor in interest to Landis and Owner of the remainder of Tract 2, as legally described in Schedule B attached to the Restated ECR; and

WHEREAS, Griff’s is the Owner of Tract 3, as legally described in Schedule C attached to the Restated ECR; and

WHEREAS, Avalon is successor in interest to Clarke Trust, Lepean, Clarke, and Davis Trust and Owner of the portion of Tract 4, as legally described in **Exhibit A** attached to this Amendment; and

WHEREAS, the Levines are successor in interest to Clarke Trust, Lepean, Clarke, and Davis Trust and Owner of a portion of Tract 4, as legally described in **Exhibit B** attached to this Amendment; and

WHEREAS, the City is successor in interest to Clarke Trust, Lepean, Clarke, and Davis Trust and Owner of the remaining portion of Tract 4, as legally described in **Exhibit C** attached to this Amendment; and

WHEREAS, Prosperity is successor in interest to Clarke Trust, Lepean, Clarke, and Davis Trust and Owner of Tract 5, as legally described in Schedule E attached to the Restated ECR; and

WHEREAS, IDEA is successor in interest to Ryan's and Owner of Tract 6, as legally described in Schedule F attached to the Restated ECR; and

WHEREAS, Griff's, HD, Landis Properties, KoamBro, IDEA, the Levines, Avalon, the City, and Prosperity are each an "***Owner***" and are collectively the "***Owners***" as such terms are defined and used in the Restated ECR; and

WHEREAS, Avalon has requested that the Owners amend the Restated ECR to facilitate development of Avalon's portion of Tract 4 ("***Self-Storage Tract***") for commercial self-storage purposes, and the Owners are willing to amend the Restated ECR to such end as expressly set forth in this Amendment.

NOW, THEREFORE, for and in consideration of the foregoing premises and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, and intending to be legally bound, Owners agree as follows:

1. Defined Terms. Capitalized terms used herein but not otherwise defined have the meanings ascribed to them in the Restated ECR.

2. Access Easements and Restrictions on Common Area. Notwithstanding anything set forth in the Restated ECR to the contrary, including, without limitation, Sections 2.01 and 4.01, the Owner of the Self-Storage Tract may construct, install, operate, maintain, and repair a gated security system and related facilities, including, without limitation, fences for the purpose of restricting access to portions of the Self-Storage Tract's common curb cuts, roadways, driveways, parking areas, aisles, walkways and sidewalks and such areas shall not be considered "Common Area" for purposes of the Restated ECR. The Owners of the Tracts hereby waive and release any rights they or their tenants, occupants, employees, agents or invitees may have under the Restated ECR to access and utilize such restricted portions of the Self-Storage Tract.

3. Miscellaneous.

a. Except as specifically amended above, the Restated ECR remains in full force and effect and is hereby ratified and confirmed. In the event there is a conflict between this Amendment and the Restated ECR, the terms and provisions of this Amendment shall control.

b. If any provision of this Amendment, or portion thereof, or the application thereof to any person or circumstances, shall, to any extent be held invalid, inoperative or unenforceable, the remainder of this Amendment, or the application of such provision or portion thereof to any other persons or circumstances, shall not be affected thereby; it shall not be deemed that any such invalid provision

affects the consideration for this Amendment; and each provision of this Amendment shall be valid and enforceable to the fullest extent permitted by law.

c. This Amendment shall be construed in accordance with the laws of the State of Texas.

d. The Article headings in this Amendment are for convenience only, shall in no way define or limit the scope or content of this Amendment, and shall not be considered in any construction or interpretation of this Amendment or any part hereof.

e. Nothing in this Amendment shall be construed to make the parties hereto partners or joint venturers or render either of said parties liable for the debts or obligations of the other.

f. This Amendment shall be binding upon and inure to the benefit of the successors and assigns of the parties hereto.

g. This Amendment may be amended, modified, or terminated at any time by a declaration in writing, executed and acknowledged by all the parties to the Restated ECR or their successors or assigns; the Restated ECR, as amended hereby, shall not be otherwise amended, modified or terminated during the term hereof.

h. This Amendment may be executed in multiple counterparts, each of which shall be deemed an original and all of which, collectively, shall be one and the same instrument.

(SIGNATURES APPEAR ON THE FOLLOWING PAGE)

27646962v2 73400.012.01

Griff's of America, Inc.,
a Missouri corporation

By: _____
Name: _____
Title: _____

STATE OF _____ §
COUNTY OF _____ §

Notary Public

My commission expires

KoamBro Management Inc.,
a Texas corporation

27646962v2 73400.012.01

IDEA:

Islamic Directions and Enhancement Association,
a Texas non-profit corporation

By: _____
Name: _____
Title: _____

STATE OF _____ §
COUNTY OF _____ §

This instrument was acknowledged before me on _____, 2022, by _____, as _____ of Islamic Directions and Enhancement Association, a Texas non-profit corporation, on behalf of said corporation.

Notary Public

My commission expires

HD:

HD Development Properties, L.P.,
a Georgia limited partnership

By: _____
Name: _____
Title: _____

STATE OF _____ §
COUNTY OF _____ §

This instrument was acknowledged before me on _____, 2022, by _____, as _____ of HD Development Properties, L.P., a Georgia limited partnership, on behalf of said limited partnership.

Notary Public

My commission expires

LEVINES:

Judith A. Levine Irrevocable Spousal Access Trust dated
4/6/2005

By: _____
Name: _____
Title: _____

STATE OF _____ §
COUNTY OF _____ §

This instrument was acknowledged before me on _____, 2022, by Judith A. Levine,
as Trustee of Judith A. Levine Irrevocable Spousal Access Trust dated 4/6/2005, on behalf of said trust.

Notary Public

My commission expires

Sidney H. Levine Irrevocable Spousal Access Trust
dated 4/6/2005

By: _____
Name: _____
Title: _____

STATE OF _____ §
COUNTY OF _____ §

This instrument was acknowledged before me on _____, 2022, by Sidney H.
Levine, as Trustee of Sidney H. Levine Irrevocable Spousal Access Trust dated 4/6/2005, on behalf of
said trust.

Notary Public

My commission expires

PROSPERITY:

By: _____

Name: _____

Title: _____

STATE OF _____ §

§

COUNTY OF _____ §

This instrument was acknowledged before me on _____, 2022, by
_____, as _____ of
_____, a _____, on behalf of said
_____.

Notary Public

My commission expires

CITY:

City of Garland, Texas,
a Texas home rule municipality

By: _____
Name: _____
Title: _____

STATE OF _____ §
COUNTY OF _____ §

This instrument was acknowledged before me on _____, 2022, by _____, as _____ of City of Garland, Texas, a Texas home rule municipality, on behalf of said municipality.

Notary Public

My commission expires

AVALON:

Avalon Buckingham, LLC,
a Texas limited liability company

By: _____
Name: _____
Title: _____

STATE OF _____ §
COUNTY OF _____ §

This instrument was acknowledged before me on _____, 2022, by _____, as _____ of Avalon Buckingham, LLC, a Texas limited liability company, on behalf of said limited liability company.

Notary Public

My commission expires

EXHIBIT A

Avalon Portion of Tract 4 (Self-Storage Tract)

Lot 1R2, in Block 1, of Jupiter Center Replat of Lot 1, Block 1, an addition to the City of Garland, Dallas County, Texas, according to Map or Plat thereof recorded in/under Clerk's File No. 201400150653, Map/Plat Records, Dallas County, Texas

First Amendment to Restated ECR - Exhibit A

EXHIBIT B

Levines Portion of Tract 4

Lot 1R1, in Block 1, of Jupiter Center Replat of Lot 1, Block 1, an addition to the City of Garland, Dallas County, Texas, according to Map or Plat thereof recorded in/under Clerk's File No. 201400150653, Map/Plat Records, Dallas County, Texas

First Amendment to Restated ECR - Exhibit B

EXHIBIT C

City of Garland Portion of Tract 4

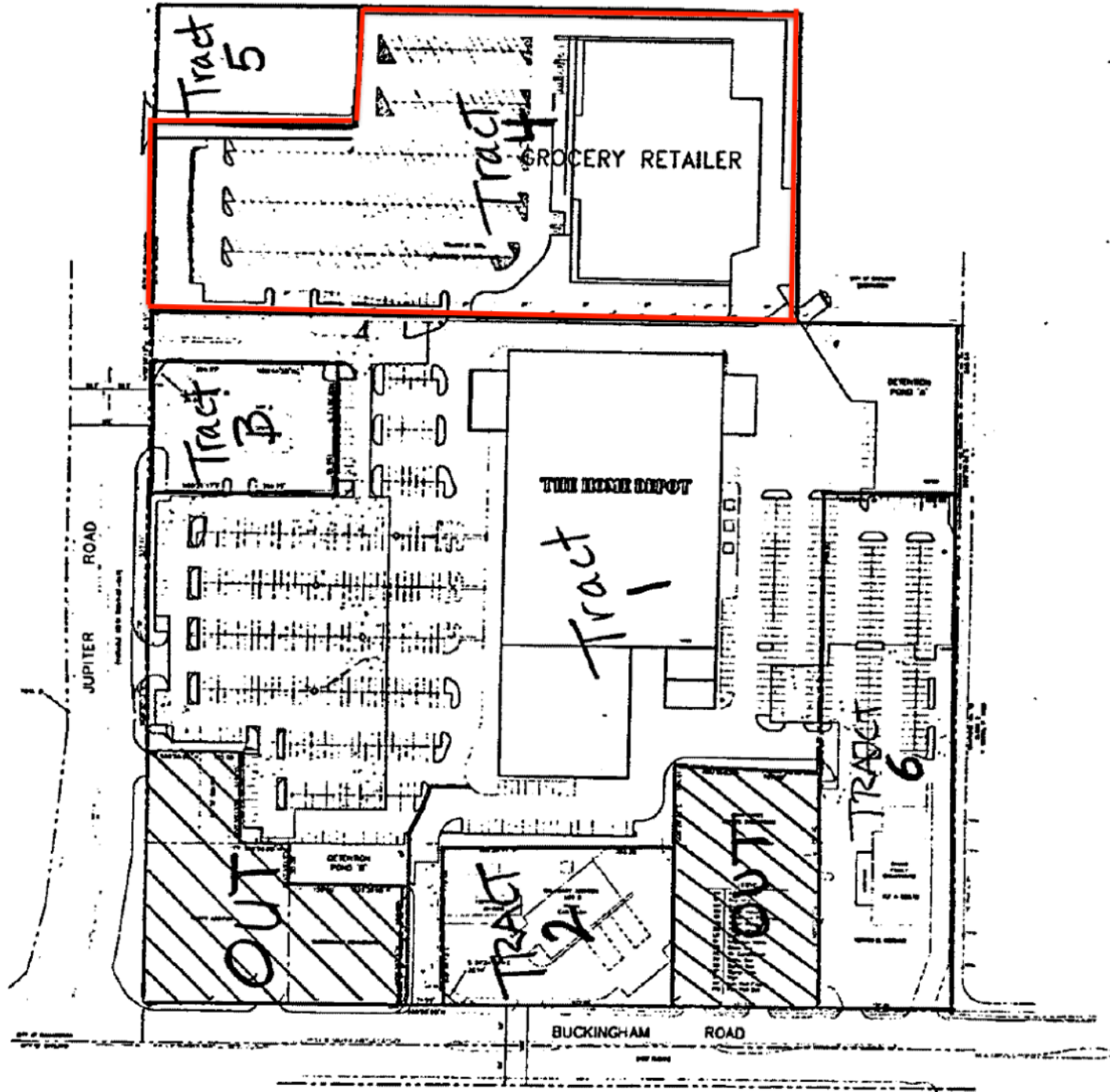
Lot 2, in Block 1, of Jupiter Center, an addition to the City of Garland, Dallas County, Texas, according to Map or Plat thereof recorded in/under Clerk's File No. 200600171566, Map/Plat Records, Dallas County, Texas

First Amendment to Restated ECR - Exhibit C

EXHIBIT A



EXHIBIT B



Winkelmann & Associates, Inc. 12121 West 15th Street, Suite 200 Dallas, Texas 75244 Phone: (214) 343-1111 Fax: (214) 343-1112	
OVERALL SITE PLAN JUPITER/BUCKINGHAM GARLAND, TEXAS	
SHEET 1 OF 1	NEW NUMBER MARKET ABSTRACT NO. 1487 CITY OF GARLAND, TEXAS DALLAS COUNTY, TEXAS HOME DEPOT U.S.A., INC. 2555 PACIFIC FERRY ROAD ATLANTA, GEORGIA 30329

AMENDED AND RESTATED EASEMENTS WITH COVENANTS
 AND RESTRICTIONS AFFECTING LAND ("ECR")

THIS AMENDED AND RESTATED EASEMENTS WITH COVENANTS AND RESTRICTIONS AFFECTING LAND (the "Restated ECR"), made as of this 15TH day of April, 1996, by and among ROYAL AUTO WASH, a Texas general partnership having an office and place of business at 2757 Royal Lane, Dallas, Texas 75229, ("Royal"), WILLIAM LANDIS, a resident of the State of California whose address is 1901 Avenue of the Stars, Suite 1060, Los Angeles, California, 90067 ("Landis"), GRIFF'S OF AMERICA, INC., a Missouri corporation having an office and place of business at 1202 Richardson Drive, Suite 312, Richardson, Texas 75080 ("Griff's"), NEWELL E. BOUGHTON, JR., TRUSTEE OF THE CLARKE CHILDREN EDUCATION TRUST, having an office and place of business at 5321 Bent Tree Drive, Dallas, Texas 75248-2005 ("Clarke Trust"), LEPEAN INVESTMENT COMPANY, a Texas general partnership having an office and place of business at 15280 Addison Road, Suite 300, Dallas, Texas 75248 ("Lepean"), DEVANE CLARKE, a resident of the State of Texas whose address is 5321 Bent Tree Drive, Dallas, Texas 75248-2005 ("Clarke"), CHARLES K. DAVIS, TRUSTEE OF THE DAVIS REVOCABLE TRUST, having an office and place of business at 5949 Sherry Lane, Suite 1100, Dallas, Texas 75225 ("Davis Trust"), RYAN'S FAMILY STEAK HOUSES, INC., a South Carolina business corporation having an office and place of business at 405 Lancaster Avenue, Greer, South Carolina 29652 ("Ryan's"), and HOME DEPOT U.S.A., INC., a Delaware corporation, having an office at 2455 Paces Ferry Road, Atlanta, Georgia 30339 ("HD").

Preliminary Statement

Royal is the owner in fee of certain real property located in the City of Garland, Dallas County, Texas, consisting of 1.380 acres more particularly described in Schedule A annexed hereto and being a portion of Tract 2 shown on the site plan (the "Site Plan") annexed attached hereto as Schedule H ("Tract 2"). Landis is the owner in fee of the remainder of Tract 2, being more particularly described on Schedule B annexed hereto. Griff's is the owner in fee of certain nearby property consisting of approximately 0.896 acres and more particularly described on Schedule C annexed hereto and being Tract 3 shown on the Site Plan ("Tract 3"). Clarke Trust, Lepean, Clarke and Davis Trust are owners in fee of certain nearby property consisting of 6.60 acres and being more particularly described on Schedule D annexed hereto and being Tract 4 shown on the Site Plan ("Tract 4"). Clarke Trust, Lepean, Clarke and Davis Trust are the owners in fee of certain adjacent property consisting of approximately .94 acres and being more particularly described in Schedule E annexed hereto and being Tract 5 shown on the Site Plan ("Tract 5"). Ryan's is the owner in fee of certain nearby property consisting of approximately 2.686 acres and being more particularly described on Schedule F annexed hereto and being Tract 6 shown on the Site Plan (the "Tract 6"). HD is the owner in fee of certain real property consisting of approximately 12.993 acres and being more particularly described in Schedule G annexed hereto and being shown on the Site Plan ("Tract 1"). The foregoing Tracts as same may be enlarged from time to time, are herein collectively referred to as the "Tracts" and each individually as a "Tract".

With the exception of a portion of Tract 6 and Tract 1, all of the Tracts are encumbered by that certain Easements with Covenants and Restrictions Affecting Land ("ECR") dated July 28, 1986, and recorded in the Deed Records of Dallas, County, Texas at Volume 86149, Page 1234, as amended by that certain First Amendment to Easements with Covenants and Restrictions Affecting Land ("First Amended ECR") dated March 5, 1987, recorded in the aforesaid records at Volume 87047, Page 0121, and as further amended by that certain Second Amendment to Easements with Covenants and Restrictions Affecting Land ("Second Amended ECR") dated June 3, 1991, recorded in the aforesaid records at Volume 95051, Page 00111 (collectively, the "Original ECR").

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Royal, Landis, Griff's, Clarke Trust,, Lepean, Clarke, Davis Trust, Ryan's and HD desire to incorporate into this Restated ECR the portions of Tract 1 and Tract 6 not previously encumbered by the Original ECR and to amend the Original ECR upon the terms and conditions contained herein. The terms Royal, Landis, Griff's, Clarke Trust,, Lepean, Clarke, Davis Trust, Ryan's and HD shall be deemed to refer to such parties and the respective heirs, successors, grantees and assigns of such parties, and any net lessee of any Tract or part thereof who has assumed all of the obligations of the owning party (individually the "Owner", or collectively, the "Owners").

NOW, THEREFORE, in consideration of the mutual covenants and agreements hereinafter set forth, the parties hereby grant, covenant and agree as follows:

ARTICLE I - PURPOSE OF ECR

Section 1.01. Incorporation of Additional Property. The parties hereby agree that the portions of Tracts 1 and 6 described on Schedule I annexed hereto are hereby incorporated into the Restated ECR by this reference. In furtherance of the foregoing, Exhibit A attached to the Original ECR is hereby deleted in its entirety and Schedule H annexed hereto is hereby substituted in lieu thereof. The Tracts identified in the Original ECR are renamed and designated as set forth in the Preliminary Statement of this Restated ECR on page 1.

Section 1.02. Amendment and Restatement of ECR. The parties recognize that for the most favorable development of the Tracts, it is necessary that they agree and cooperate with respect to the operation and maintenance of their Tracts and the common curb cuts, roadways, driveways, parking areas, aisles, walkways and sidewalks and other common areas and facilities to be erected thereon from time to time (the "Common Areas"). The parties further recognize that the Original ECR must be amended to facilitate the parties' intentions. Accordingly, the Original ECR is hereby deleted in its entirety and amended and restated as follows:

ARTICLE II - GRANT OF EASEMENTS

Section 2.01. Access Easements.

The Owners of the Tracts hereby grant and convey, each to the other, for the benefit of their respective Tracts, a non-exclusive easement and right to the use during the term of this Restated ECR of the Common Areas and the common curb cuts, roadways, driveways, parking areas, aisles, walkways and sidewalks located on the Tracts and located on the Tract of the granting Owner, for purposes of ingress, egress, passage and delivery, by vehicles and pedestrians, but not for parking.

The easements granted hereby and granted in Section 2.02 shall be for the benefit of, but not restricted solely to, the Owners of the Tracts and each such Owner may grant the benefit of such easement to the tenants and other occupants of their Tract for the duration of such occupancy, and to the customers, employees, agents and business invitees thereof; but same is not intended nor shall it be construed as creating any rights in or for the benefit of the general public nor shall it affect any real property outside of the Tracts. The easements granted in this Section 2.01 shall be used in a manner which will not unreasonably interfere with the on-going business operations on any granting Owner's Tract. Such easement areas are reserved for said use for the term of this Restated ECR.

Section 2.02. Utility Easements. The Owners of the Tracts hereby grant and convey, each to the other, for the benefit of their respective Tracts an easement in, to, over, under and across the Common Areas of the Tracts for the purpose of installation, operation, maintenance, repair, replacements, removal and relocation of underground storm sewer lines, sanitary sewer pipes, septic systems, water and gas mains, electric power lines, telephone lines, and other underground utility lines ("Utility Lines") to serve the facilities located on the Tracts. The installation of any Utility Lines shall be subject, as to location, to the approval of the granting Owner, which approval shall not be unreasonably withheld or delayed.

The Owners of the Tracts or any designee served by such Utility Lines may operate, maintain and repair (and, if it does not interfere with the use of the granting Owner's Tract, relocate) such Utility Lines, provided such repair and maintenance is performed expeditiously and only after five business days' written notice to the granting Owner utilizing or serviced by said Utility Lines or the parking area to be affected by any construction work and in a manner that will not unreasonably interfere with the on-going business operations on the granting Owner's Tract. The party performing the repair shall, at its cost and expense, repair any damage to any improvements. Each Owner shall indemnify and hold the granting Owner and any occupant of the granting Owner's Tract harmless from any claims, damage or loss which may result from the activities in making such repairs or relocating its facilities.

Section 2.03. Temporary Construction Easement. In connection with any construction work to be performed in the development of the Tracts, each Owner hereby grants the other temporary easements for incidental encroachments upon the party's Tract which may occur as a result of construction, so long as such encroachments are kept within the reasonable requirements of construction work expeditiously pursued and so long as customary insurance is maintained protecting the other party from the risks involved.

Section 2.04. Restrictions. The easements granted by this Article II shall be subject to the covenants and restrictions set forth in Article IV.

ARTICLE III - MAINTENANCE AND OPERATION

Section 3.01. Maintenance and Repair.

- (a) Each Owner shall maintain, repair and replace all improved portions of the Common Areas located on its respective Tract, so as to keep such areas at all times in a safe, sightly, good and functional condition to standards of comparable community shopping centers in the market area.
- (b) Each Owner shall be responsible for keeping the Common Areas on its own Tract clean and free from refuse and rubbish. Any landscaped areas on the respective Common Areas shall be mowed and otherwise tended to by the Owner thereof.
- (c) Each Owner shall repave, re-stripe and replace markings on the surface of the parking areas and driveways in its Tract from time to time as and when necessary so as to provide for the orderly parking of automobiles and shall place and maintain adequate exit and entrance and other traffic control signs to direct traffic in and out of said parking areas.
- (d) Each Owner shall service, maintain, repair and replace, and pay the cost of any fees or charges in connection with the Utility Lines located on its Tract to the extent that such Utility Lines service the improvements on that Tract or service the Tracts as a whole if such services are not provided. To the extent that any Utility Line exclusively servicing any Tract crosses another Owner's Tract, such Utility Line shall be so maintained by the party served by the Utility Line, subject to the provisions of Section 2.02. Maintenance of any portion of any Utility Lines serving more than one Tract shall be performed by the Owner of the Tract crossed by the Utility Line, but the cost thereof shall be shared on an equitable basis based upon the relative consumption or usage of the utility furnished from such Utility Line.
- (e) Each Owner shall pay, prior to any penalty attaching thereto, all real estate taxes, assessments and personal property taxes, if any, imposed upon the land and improvements and equipment located on its respective Tract.
- (f) Each Owner shall cause the Common Areas and all buildings and improvements located on its Tract to comply with all applicable requirements of law and governmental regulation applicable thereto, provided however, that an Owner may contest any such law or regulation so long as such contest would not create any material danger of a loss of title to, or

impairment in any way of the use of all or any portion of the Common Areas for their intended purposes.

Section 3.02. Operation and Lighting.

Each Owner shall keep the roadways and parking areas of its respective Tract open to the customers of the Tracts seven days a week at all times and lighted after dusk until 11:00 p.m. on Monday through Saturday and from dusk until 7:00 p.m. on Sunday ("Normal Lighting Hours"); provided, however that so long as the portion of Tract 2 owned by Royal is used for the operation of a car wash, such portion of Tract 2 shall only be required to be lighted after dusk until 7:00 p.m. Monday through Sunday. Any Owner or occupant of a Tract may require the lights on any other Tract to be kept lighted after Normal Lighting Hours if such Owner or occupant reimburses the requested Owner for the additional electrical costs incurred thereby, which cost shall be shared on a pro rata square footage basis with any other occupant which remains open during such additional hours. Notwithstanding anything to the contrary contained herein, the provisions of this Section 3.02 shall not apply to any Tract on which a building has not been constructed or any Tract on which a building has been demolished or is being constructed.

ARTICLE IV - COVENANTS AND RESTRICTIONS

Section 4.01. Restrictions on Common Areas. The Tracts shall be subject to the following restrictions which shall be binding on each Owner and each of its tenants, occupants, employees, agents or invitees:

- (a) No obstruction to the free flow of traffic and use of the parking and delivery facilities shall be permitted, except to the extent, if any, indicated on the Site Plan or herein expressly provided for.
- (b) No building or other structure shall be permitted within the Tracts if such building or other structure would reduce the parking ratio within any individual Tract, to fewer than the number of parking spaces required under applicable governmental rules, regulations and ordinances.
- (c) Any construction on a Tract shall be conducted in a manner which will limit the maximum extent practicable any interference with the operation of the balance of the Tracts.
- (d) No portion of the Tracts may be leased, used or occupied as an adult bookstore or establishment selling, exhibiting or distributing pornographic or obscene materials; massage parlor; so-called "head shop"; unsupervised amusement arcade or game room; or body and fender shop.
- (e) There shall be no promotion, entertainment, amusement or other activities in any driveway or roadway which would interfere with ingress and egress between the Tracts or to any public street.
- (f) HD intends to construct on Tract 1 in the location shown on the Site Plan a building or structure of a "Type-IV Unprotected Unlimited Area" classification or its equivalent, according to applicable fire or building codes and ordinances as such are interpreted by governmental authorities having jurisdiction. For the purposes of this Restated ECR, a "Type-IV-Unprotected Unlimited Area" classification or its equivalent shall mean a building or structure that, pursuant to the aforesaid fire or building codes and ordinances, does not have a fire rating and which does not have a maximum limit in floor area. The Owner of Tract 4 covenants that no building or structure shall be placed or constructed on Tract 4 within twenty (20) feet of the common boundary between Tract 4 and Tract 1 in the location designated "No Build Area" on the Site Plan so that any building or structure now or hereafter located on Tract 1 shall maintain a "Type-IV-Unprotected Unlimited Area" classification or it's equivalent.

ARTICLE V - LIABILITY INDEMNIFICATION

Section 5.01. Liability; Indemnification. Each Owner shall indemnify and hold every other Owner, tenant, and occupant of the Tracts harmless (except for loss or damage resulting from the tortious acts of such other parties) from and against any damages, liability actions, claims, and expenses (including attorneys' fees in a reasonable amount) in connection with the loss of life, personal injury and/or damage to property arising from or out of any occurrence in or upon such Owner's Tract, or occasioned wholly or in part by any act or omission of said Owner, its tenants, agents, contractors, employees, or licensees.

Section 5.02. Liability Insurance. Each Owner shall maintain or cause to be maintained public liability insurance insuring against claims on account of loss of life, bodily injury or property damage that may arise from, or be occasioned by the condition, use or occupancy of the Common Areas in the Tracts by the Owner and its tenants, agents, contractors, employees, licensees, customers and invitees, of such Owner or the occupants of its Tracts except as herein provided. Said insurance shall be carried by a reputable insurance company or companies qualified to do business in the State in which the Tracts are located, having a policyholders rating of not less than A- and a financial rating of not less than VIII in the latest edition of Best's Rating Guide on Property and Casualty Insurance Companies and having limits for loss of life or bodily injury in the amounts of not less than \$2,000,000 for each person and \$2,000,000 combined single limit per occurrence and in the aggregate as applicable for bodily injury, personal injury or property damage. Each Owner shall maintain or cause to be maintained contractual liability insurance specifically endorsed to cover said Owner's Restated ECR to indemnify as set out in Section 5.01 and shall name each additional Owner as an additional insured. Notwithstanding the foregoing, any Owner or party responsible to maintain such insurance may "self insure", or provide for a deductible from said coverage related to the Tract, to the extent of one percent (1%) of the net worth of said Owner or party in its last annual or fiscal year as computed in accordance with generally accepted accounting principles consistently applied. Such insurance may be carried under a "blanket" or "umbrella" policy or policies covering other properties of the party and its subsidiaries, controlling or affiliated corporations. Each Owner shall, upon written request from the other Owner, furnish to the party making such request certificates of insurance evidencing the existence of the insurance required to be carried pursuant to this Section or evidence of a self-insurance capacity as hereinabove provided, as the case may be. The amounts set forth in this Section 5.02 shall be increased by ten percent (10%) after every ten (10) year period of this Restated ECR or by such other amount as agreed upon by the Owners in writing.

Section 5.03 Mutual Release, Waiver of Subrogation and Mutual Indemnification.

The Owners hereby release each other and anyone claiming through or under the other by way of subrogation or otherwise from any and all liability for any loss or damage to property, whether caused by the negligence or fault of the other party, to the extent of any recovery made by the parties hereto for such loss or damage under any fire and standard extended coverage insurance policy now or hereafter issued covering the respective Tracts. In addition, the Owners shall cause each such insurance policy carried by them insuring the buildings or improvements on the Tracts or the contents thereof to be written to provide that the insurer waives all rights of recovery by way of subrogation against the other party hereto in connection with any loss or damage covered by the policy; provided, however, that the foregoing shall not apply to any self-insurance provided under this Article V.

ARTICLE VI - CASUALTY AND EMINENT DOMAIN

Section 6.01. Casualty.

(a) If any of the buildings located on any Tract is damaged or destroyed by fire or other cause, the Owner of such building shall promptly cause either: (i) the repair, restorations, or rebuilding of the building so damaged or destroyed, or (ii) the razing of any damaged building, the filling of any excavation, and performance of any other work necessary to put such portion of the Tracts in a clean, sightly and safe condition.

(b) In the event any Common Area improvements are damaged or destroyed, the Owner of the Tract to which such damage has occurred shall promptly cause the repair, restoration or rebuilding of the Common Area improvements to the extent necessary to restore the damaged area to its previously improved condition.

Section 6.02. Casualty Insurance. In order to assure performance of their respective obligations under Section 6.01, the Owners of the respective Tracts shall cause to be carried fire and extended coverage insurance on all buildings and improvements on their respective Tracts in the amount of the replacement cost of such improvements, and in amounts at least sufficient to avoid the effect of any co-insurance provisions of such policies, except if the Owner of said Tract, or party responsible for any required restorations, is permitted to "self insure" pursuant to 5.02. Any such insurance shall otherwise conform to the provisions with respect to insurance contained in Section 5.02 and 5.03.

Section 6.03. Eminent Domain. In the event the whole or any part of the Tracts shall be taken by right of eminent domain or any similar authority of law (a "Taking"), the entire award for the value of the land and improvements so taken shall belong to the Owner of the property so taken or to such Owner's mortgagees or tenants, as their interest may appear, and no other Owner shall have a right to claim any portion of such award by virtue of any interest created by this Restated ECR. Any Owner of a Tract which is not the subject of a taking may, however, file a collateral claim with the condemning authority over and above the value of the land being so taken to the extent of any damage suffered by such Owner resulting from the severance of the land or improvements so taken if such claim shall not operate to reduce the award allocable to the Tract taken. In the event of a partial Taking, the Owner of the portion of the Tracts so taken shall restore the improvements located on the Common Areas of the Owner's Tract as nearly as possible to the condition existing prior to the Taking without contribution from any other Owner and any portion of any condemnation award necessary therefor shall be held in trust and applied for such purpose.

ARTICLE VII - REMEDIES

Section 7.01. Self Help: Lien Rights Disputes.

(a) If any Owner shall default in the performance of an obligation of such Owner (such Owner being herein called a "Defaulting Owner"), which default affects the Owner of another Tract or any occupant thereof (an "Affected Party"), such Affected Party, in addition to all other remedies it may have at law or in equity, after thirty (30) days' prior written notice to the Default Owner and any first Mortgagee or SL Lessor as herein defined (or in the event of an emergency after such notice as is practical under the circumstances), shall have the right to perform such obligation on behalf of the Defaulting Owner. In such event, the Defaulting Owner shall promptly reimburse the Affected Party the cost thereof, together with interest thereon from the date of outlay at a rate equal to the lesser of (i) two percent in excess of the prime lending rate charged by Citibank, N.A. for commercial loans of its most preferred commercial customers or (ii) the highest rate permitted by applicable law (the "Interest Rate").

(b) Any such claim for reimbursement, together with interest thereon as aforesaid, shall be secured by a lien on the Tract and improvements thereon owned by the Defaulting Owner, which lien shall be effective upon the recording of a notice thereof in the Office of the Clerk or Registrar of the County in which the Tracts are located. The lien shall be subordinate to any first mortgage or deed of trust now or hereafter affecting the subject Tract (a "First Mortgage") and to the interest of any party who has purchased the Tract and leased it back to the preceding Owner, or its subsidiary or affiliate, on a net lease basis with the lessee assuming all obligations thereunder in what is commonly referred to as a "sale leaseback" transaction (a "SL Lease"); and any purchaser at any foreclosure or trustee's sale (as well as any grantee by deed in lieu of foreclosure or trustee's sale) under any such First Mortgage or assignee of such SL Lease shall take title subject only to liens thereafter accruing pursuant to this Section 7.01.

Section 7.02. Injunctive and Other Remedies. In the event of a breach by any Owner of any obligation of this Restated ECR, the other Owners shall be entitled to obtain an injunction specifically enforcing the performance of such obligation; the Owners hereby acknowledge the inadequacy of legal remedies and the irreparable harm which would be caused by any such breach, and/or to relief by other available legal and equitable remedies from the consequences of such breach. Any action taken or document executed in violation of this Restated ECR shall be void and may be set aside upon the petition of the other Owners of portions of the Tracts. Any costs and expenses of any such proceeding, including attorneys' fees in a reasonable amount, shall be paid by Defaulting Owner if such Defaulting Owner is found by a court of law to be in default or to have committed a breach of any obligation under this Restated ECR and, if recorded shall constitute a lien against the land, and improvements thereon, or the interests therein, until paid.

Section 7.03. Non Waiver. No delay or omission of any Owner in the exercise of any right accruing upon any default of any other Owner shall impair such right or be construed to be a waiver thereof, and every such right may be exercised at any time during the continuance of such default. A waiver by any Owner of a breach of, or a default in, any of the terms and conditions of this Restated ECR by any other Owner shall not be construed to be a waiver of any subsequent breach of or default in the same or any other provision of this Restated ECR. Except as otherwise specifically provided in this Restated ECR, (i) no remedy provided in this Restated ECR shall be exclusive but each shall be cumulative with all other remedies provided in this Restated ECR and (ii) all remedies at law or in equity shall be available.

Section 7.04. Non Terminable Restated ECR. No breach of the provisions of this Restated ECR shall entitle any Owner or party to cancel, rescind or otherwise terminate this Restated ECR, but such limitation shall not affect, in any manner, any other rights or remedies which any party may have hereunder by reason of any breach of the provisions of this Restated ECR. No breach of the provisions of this Restated ECR shall defeat or render invalid the lien of any mortgage or deed of trust made in good faith for value covering any part of the Tracts, and any improvements thereon.

Section 7.05. Force Majeure. In the event any Owner or any other party shall be delayed or hindered in or prevented from the performance of any act required to be performed by such party by reason of Acts of God, strikes, lockouts, unavailability of materials, failure of power, prohibitive governmental laws or regulations, riots, insurrections, the act or failure to act of the other party, adverse weather conditions preventing the performance of work as certified to by an architect, war or other reason beyond such party's control, then the time for performance of such act shall be extended for a period equivalent to the period of such delay. Lack of adequate funds or financial inability to perform shall not be deemed to be a cause beyond the control of such party.

ARTICLE VIII - TERM

Section 8.01. This Restated ECR and the easements, rights, obligations and liabilities created hereby shall be perpetual to the extent permitted by law.

ARTICLE IX - EFFECT OF INSTRUMENT

Section 9.01. Mortgage Subordination. Any mortgage or deed of trust affecting any portion of the Tracts shall at all times be subject and subordinate to the terms of this Restated ECR, except to the extent expressly otherwise provided herein, and any party foreclosing any such mortgage or deed of trust, or acquiring title by deed in lieu of foreclosure or trustee's sale shall acquire title subject to all of the terms and provisions of this Restated ECR, subject to Section 7.01 hereof. Each party hereto represents and warrants to the other parties that there is no presently existing mortgage or deed of trust lien on its Tract, other than mortgage or deed of trust liens that are expressly subordinate to the lien of this Restated ECR.

If to Griff's:

Griff's of America, Inc.
1202 Richardson Drive
Suite 312
Richardson, Texas 75080
Attention: Ms. Glynna Pinkard

If to Clarke Trust:

Clarke Children Education Trust
5321 Bent Tree Drive
Dallas, Texas 75248-2005
Attention: Mr. Newell E. Boughton, Jr.

If to Lepean:

Lepean Investment Company
15280 Addison Road
Suite 300
Dallas, Texas 75248
Attention: Mr. Scott Wheeler

If to Clarke:

Mr. Devane Clarke
5321 Bent Tree Drive
Dallas, Texas 75248-2005

If to the Davis Trust:

Davis Revocable Trust
5959 Sherry Lane
Suite 1100
Dallas, Texas 75225
Attention: Mr. Charles K. Davis

If to Ryan's:

Ryan's Family Steak Houses, Inc.
405 Lancaster Avenue
Greer, South Carolina 29652
Attention: Mr. John C. Jamison

With a copy to:

Benjamin H. Bridges, III, Esquire
121 West Council Street
Suite 201
Salisbury, North Carolina 28144

If to HD:

Home Depot U.S.A., Inc.
2455 Paces Ferry Road
Atlanta, Georgia 30339-9998
Attention: Legal Department

With a copy to:

Debra M. Thompson, Esq.
Altman, Kritzer & Levick, P.C.
6400 Power Ferry Road, N.W.
Suite 224
Atlanta, Georgia 30339

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ARTICLE XI - ENVIRONMENTAL COMPLIANCE

Section 11.01. Compliance and Indemnification.

Each Owner of a Tract agrees to (i) comply with all governmental laws, rules or regulations related to the use, storage, treatment, transportation, removal or disposal of Hazardous Materials (as said term is hereinafter defined); and (ii) promptly, at such Owner's sole cost and expense, to comply with the requirements of any governmental laws, rules or regulations requiring the removal, treatment or disposal of such Hazardous Materials or Hazardous Materials Contamination and provide the Owner with satisfactory evidence of such compliance.

Section 11.02. Hazardous Materials. The term "Hazardous Materials" shall mean (a) any "hazardous waste" as defined by the Resource Conservation and Recovery Act of 1976 (42 U.S.C. Section 6901 et seq.), as amended from time to time and regulations promulgated thereunder; (b) any "hazardous substance" as defined by the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (42 U.S.C. Section 9601 et seq.), as amended from time to time, and regulations promulgated thereunder; (c) asbestos; (d) polychlorinated biphenyls; (e) any substance, the presence of which on the Tract is prohibited by any governmental law, rule or regulation; (f) any petroleum-based products stored or used other than in compliance with governmental laws, rules or regulations; (g) underground storage tanks; and (h) any other substance which by any governmental law, rule or regulation requires special handling in its collection, storage, treatment or disposal.

Section 11.03. Hazardous Materials Contamination. The term "Hazardous Materials Contamination" shall mean the contamination (whether presently existing or hereafter occurring) of the Tract's facilities, soil, ground water, air or other elements on or of the Tract by Hazardous Materials, or the contamination of the buildings, facilities, soil, ground water, air or other elements on or of any other real property as a result of Hazardous Materials at any time (whether before or after the date of this Restated ECR) emanating from the Tract.

ARTICLE XII - MISCELLANEOUS

Section 12.01.

(a) If any provision of this Restated ECR, or portion thereof, or the application thereof to any person or circumstances, shall, to any extent be held invalid, inoperative or unenforceable, the remainder of this Restated ECR, or the application of such provision or portion thereof to any other persons or circumstances, shall not be affected thereby; it shall not be deemed that any such invalid provision affects the consideration for this Restated ECR; and each provision of this Restated ECR shall be valid and enforceable to the fullest extent permitted by law.

(b) This Restated ECR shall be construed in accordance with the laws of the State of Texas.

(c) The Article headings in this Restated ECR are for convenience only, shall in no way define or limit the scope or content of this Restated ECR, and shall not be considered in any construction or interpretation of this Restated ECR or any part hereof.

(d) Nothing in this Restated ECR shall be construed to make the parties hereto partners or joint venturers or render either of said parties liable for the debts or obligations of the other.

(e) This Restated ECR shall be binding upon and inure to the benefit of the successors and assigns of the parties hereto.

(f) This Restated ECR may be amended, modified, or terminated at any time by a declaration in writing, executed and acknowledged by all the parties to the Restated ECR or their

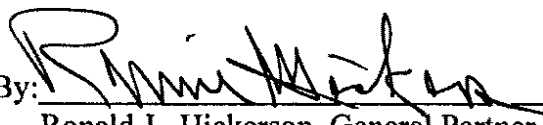
successors or assigns; this Restated ECR shall not be otherwise amended, modified or terminated during the term hereof.

(g) This Agreement may be executed in multiple counterparts, each of which shall be deemed an original and all of which, collectively, shall be one and the same instrument.

IN WITNESS WHEREOF, the parties hereto have caused this Restated ECR to be executed as of the day and year first above written.

ROYAL:

ROYAL AUTO WASH

By: 
Ronald J. Hickerson, General Partner

LANDIS:

William Landis

GRIFF'S:

GRIFF'S OF AMERICA, INC.

By: _____
Glynna Pinkard, President

CLARKE:

CLARKE CHILDREN EDUCATION TRUST:

By: _____
Newell E. Boughten, Jr., Trustee

LEPEAN:

LEPEAN INVESTMENT COMPANY

By: _____
Ann Langworthy, Partner

By: _____
Lee Snadon, Partner

successors or assigns; this Restated ECR shall not be otherwise amended, modified or terminated during the term hereof.

(g) This Agreement may be executed in multiple counterparts, each of which shall be deemed an original and all of which, collectively, shall be one and the same instrument.

IN WITNESS WHEREOF, the parties hereto have caused this Restated ECR to be executed as of the day and year first above written.

ROYAL:

ROYAL AUTO WASH

By: _____
Ronald J. Hickerson, General Partner

LANDIS:



William Landis

GRIFF'S:

GRIFF'S OF AMERICA, INC.

By: _____
Glynn Pinkard, President

CLARKE:

CLARKE CHILDREN EDUCATION TRUST:

By: _____
Newell E. Boughten, Jr., Trustee

LEPEAN:

LEPEAN INVESTMENT COMPANY

By: _____
Ann Langworthy, Partner

By: _____
Lee Snadon, Partner

successors or assigns; this Restated ECR shall not be otherwise amended, modified or terminated during the term hereof.

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IN WITNESS WHEREOF, the parties hereto have caused this Restated ECR to be executed as of the day and year first above written.

ROYAL:

ROYAL AUTO WASH

By: _____
Ronald J. Hickerson, General Partner

LANDIS:

William Landis

GRIFF'S:

GRIFF'S OF AMERICA, INC.

By: Glynn Pinkard
Glynn Pinkard, President

CLARKE:

CLARKE CHILDREN EDUCATION TRUST:

By: _____
Newell E. Boughten, Jr., Trustee

LEPEAN:

LEPEAN INVESTMENT COMPANY

By: _____
Ann Langworthy, Partner

By: _____
Lee Snadon, Partner

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IN WITNESS WHEREOF, the parties hereto have caused this Restated ECR to be executed as of the day and year first above written.

ROYAL:

ROYAL AUTO WASH

By: _____
Ronald J. Hickerson, General Partner

LANDIS:

William Landis

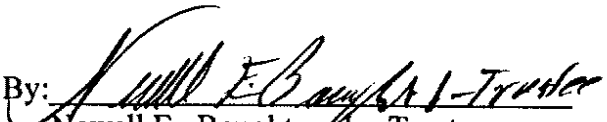
GRIFF'S:

GRIFF'S OF AMERICA, INC.

By: _____
Glynnna Pinkard, President

CLARKE:

CLARKE CHILDREN EDUCATION TRUST:

By: 
Newell E. Boughten, Jr., Trustee

LEPEAN:

LEPEAN INVESTMENT COMPANY

By: 
Ann Langworthy, Partner

By: 
Lee Snadon, Partner

96076 02297

By: Mabelle Bell
Mabelle Bell, Partner

By: Margaret Adams
Margaret Adams, Partner

CLARKE:

Devane Clarke
Devane Clarke

DAVIS TRUST:

DAVIS REVOCABLE TRUST

By: Charles K. Davis
Charles K. Davis, Trustee

RYAN'S:

RYAN'S FAMILY STEAK HOUSES, INC.

By: _____
Its: _____

HD:

HOME DEPOT U.S.A., INC.

By: _____
Its: _____

STATE OF _____
COUNTY OF _____

On the ____ day of _____, 19____, before me personally came Ronald J. Hickerson to me known and known to be the general partner of Royal Auto Wash the partnership described in and which executed the foregoing instrument and he acknowledged before me the execution of the foregoing instrument for and in behalf of said partnership.

Notary Public
My Commission Expires: _____

By: _____
Mabelle Bell, Partner

By: _____
Margaret Adams, Partner

CLARKE:

Devane Clarke

DAVIS TRUST:

DAVIS REVOCABLE TRUST

By: _____
Charles K. Davis, Trustee

RYAN'S:

RYAN'S FAMILY STEAK HOUSES, INC.

By: *John C. Jamison*
Its: *V.P. of Real Estate*

HD:

HOME DEPOT U.S.A., INC.

By: _____
Its: **KATHRYN E. LEE**
Senior Corporate Counsel Real Estate

STATE OF _____
COUNTY OF _____

On the ____ day of _____, 19____, before me personally came Ronald J. Hickerson to me known and known to be the general partner of Royal Auto Wash the partnership described in and which executed the foregoing instrument and he acknowledged before me the execution of the foregoing instrument for and in behalf of said partnership.

Notary Public
My Commission Expires: _____

By: _____
Mabelle Bell, Partner

By: _____
Margaret Adams, Partner

CLARKE:

Devane Clarke

DAVIS TRUST:

DAVIS REVOCABLE TRUST

By: _____
Charles K. Davis, Trustee

RYAN'S:

RYAN'S FAMILY STEAK HOUSES, INC.

By: _____
Its: _____

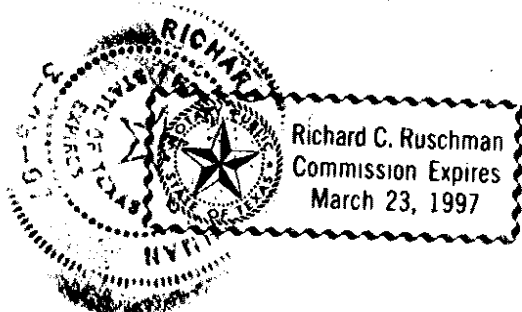
HD:

HOME DEPOT U.S.A., INC.

By: K. E. Lee
Its: KATHRYN E. LEE
Senior Corporate Counsel Real Estate

STATE OF TEXAS
COUNTY OF DALLAS

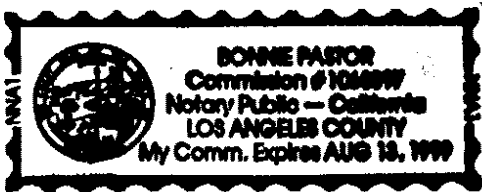
On the 19 day of Feb, 1996, before me personally came Ronald J. Hickerson to me known and known to be the general partner of Royal Auto Wash the partnership described in and which executed the foregoing instrument and he acknowledged before me the execution of the foregoing instrument for and in behalf of said partnership.



[Signature]
Notary Public
My Commission Expires: 3-23-97

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

On the 28th day of FEBRUARY, 1996, before me personally came William Landis to me known and known to be the person who executed the foregoing instrument.



Bonnie Pastor
Notary Public
My Commission Expires: Aug. 13, 1999

STATE OF _____
COUNTY OF _____

On the ____ day of _____, 199____, before me personally came Glynna Pinkard, to me known, who, being by me duly sworn, did depose and say that she is the President, of Griff's of America, Inc., the corporation described in and which executed the foregoing instrument; and she acknowledged before me the execution of the foregoing instrument on behalf of the corporation for the uses and purposes therein expressed.

Notary Public
My Commission Expires: _____

STATE OF _____
COUNTY OF _____

On the ____ day of _____, 19____, before me personally came Newell E. Gougaton, Jr. to me known and known to be the trustee of the Clarke Children Education Trust the trust described in and which executed the foregoing instrument and he acknowledged before me the execution of the foregoing instrument for and in behalf of said trust in his capacity as trustee.

Notary Public
My Commission Expires: _____

STATE OF _____
COUNTY OF _____

On the ____ day of _____, 19____, before me personally came Ann Langworthy to me known and known to be a partner of Lepean Investment Company the partnership described in and which executed the foregoing instrument and she acknowledged before me that she executed the foregoing instrument for and in behalf of said partnership.

Notary Public
My Commission Expires: _____

96076 02301

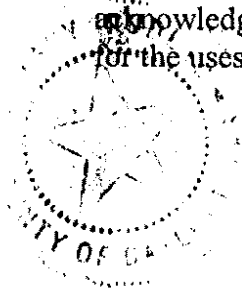
STATE OF _____
COUNTY OF _____

On the ____ day of _____, 19____, before me personally came William Landis to me known and known to be the person who executed the foregoing instrument.

Notary Public
My Commission Expires: _____

STATE OF Texas
COUNTY OF Dallas

On the ~~26th~~ day of February, 1996, before me personally came Glynna Pinkard, to me known, who, being by me duly sworn, did depose and say that she is the President, of Griff's of America, Inc., the corporation described in and which executed the foregoing instrument; and she acknowledged before me the execution of the foregoing instrument on behalf of the corporation for the uses and purposes therein expressed.



Irene M. Lennet
Notary Public
My Commission Expires: 4/20/96

STATE OF _____
COUNTY OF _____

On the ____ day of _____, 19____, before me personally came Newell E. Gougaton, Jr. to me known and known to be the trustee of the Clarke Children Education Trust the trust described in and which executed the foregoing instrument and he acknowledged before me the execution of the foregoing instrument for and in behalf of said trust in his capacity as trustee.

Notary Public
My Commission Expires: _____

STATE OF _____
COUNTY OF _____

On the ____ day of _____, 19____, before me personally came Ann Langworthy to me known and known to be a partner of Lepean Investment Company the partnership described in and which executed the foregoing instrument and she acknowledged before me that she executed the foregoing instrument for and in behalf of said partnership.

Notary Public
My Commission Expires: _____

STATE OF _____
COUNTY OF _____

On the ____ day of _____, 19____, before me personally came William Landis to me known and known to be the person who executed the foregoing instrument.

Notary Public
My Commission Expires: _____

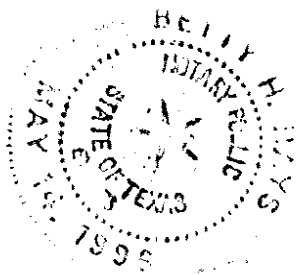
STATE OF _____
COUNTY OF _____

On the ____ day of _____, 199____, before me personally came Glynn Pinkard, to me known, who, being by me duly sworn, did depose and say that she is the President, of Griff's of America, Inc., the corporation described in and which executed the foregoing instrument; and she acknowledged before me the execution of the foregoing instrument on behalf of the corporation for the uses and purposes therein expressed.

Notary Public
My Commission Expires: _____

STATE OF TEXAS
COUNTY OF DALLAS

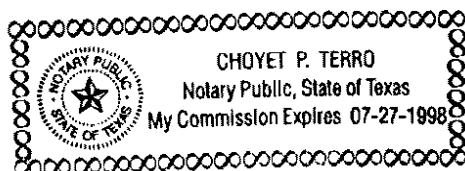
On the 27th day of FEBRUARY, 1996, before me personally came Newell E. Bougaton, Jr. to me known and known to be the trustee of the Clarke Children Education Trust the trust described in and which executed the foregoing instrument and he acknowledged before me the execution of the foregoing instrument for and in behalf of said trust in his capacity as trustee.



Betty H. Wags
Notary Public
My Commission Expires: 5/14/96

STATE OF Texas
COUNTY OF Dallas

On the 25 day of February, 1996, before me personally came Ann Langworthy to me known and known to be a partner of Lepean Investment Company the partnership described in and which executed the foregoing instrument and she acknowledged before me that she executed the foregoing instrument for and in behalf of said partnership.

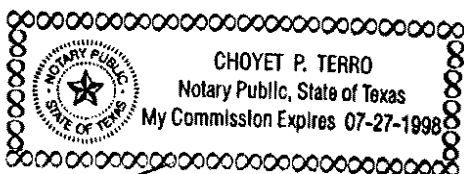


Chojet P. Terro
Notary Public
My Commission Expires: 7/27/98

96076 02303

STATE OF Texas
COUNTY OF Dallas

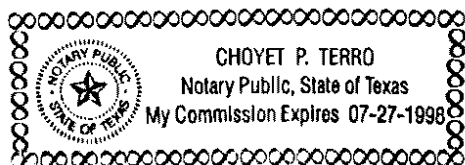
On the 25 day of February, 19 96, before me personally came Lee Snadon to me known and known to be a partner of Lepean Investment Company the partnership described in and which executed the foregoing instrument and she acknowledged before me that she executed the foregoing instrument for and in behalf of said partnership.



Chojet P. Terro
Notary Public
My Commission Expires: 7/27/98

STATE OF Texas
COUNTY OF Dallas

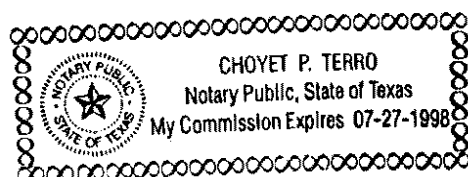
On the 25 day of February, 19 96, before me personally came Mabelle Bell to me known and known to be a partner of Lepean Investment Company the partnership described in and which executed the foregoing instrument and she acknowledged before me that she executed the foregoing instrument for and in behalf of said partnership.



Chojet P. Terro
Notary Public
My Commission Expires: 7/27/98

STATE OF Texas
COUNTY OF Dallas

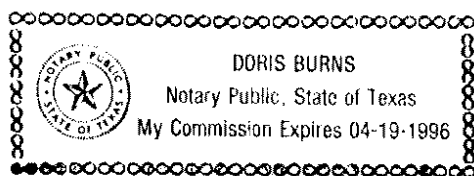
On the 25 day of February, 19 96, before me personally came Margaret Adams to me known and known to be a partner of Lepean Investment Company the partnership described in and which executed the foregoing instrument and she acknowledged before me that she executed the foregoing instrument for and in behalf of said partnership.



Chojet P. Terro
Notary Public
My Commission Expires: 7/27/98

STATE OF Texas
COUNTY OF Dallas

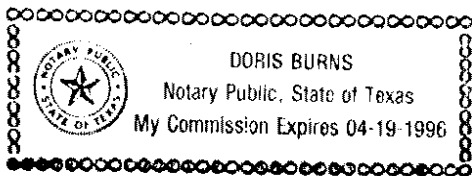
On the 23rd day of February, 19 96, before me personally came Devane Clarke, to me known and known to be known to be the person who executed the foregoing instrument.



Doris Burns
Notary Public
My Commission Expires: 4-19-96

STATE OF Texas
COUNTY OF Dallas

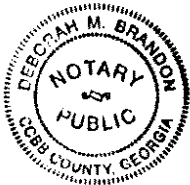
On the 23rd day of February, 1996, before me personally came Charles K. Davis, to me known and known to be the trustee of the Davis Revocable Trust, the trust described in the foregoing instrument and he acknowledged before me that he executed the foregoing instrument for and in behalf of said trust in his capacity as trustee.



Doris Burns
Notary Public
My Commission Expires: 4-19-96

STATE OF GEORGIA
COUNTY OF COBB

On the 19th day of April, 1996, before me personally came Kathryn E. Lee, to me known, who, being by me duly sworn, did depose and say that he/she is the Senior Corporate Counsel - Real Estate, of HOME DEPOT U.S.A., INC., the corporation described in and which executed the foregoing instrument; and he/she acknowledged before me the execution of the foregoing instrument on behalf of the corporation for the uses and purposes therein expressed.



DEBORAH M. BRANDON
Notary Public, Cobb County, Georgia
My Commission Expires Sep. 13, 1998

Deborah M. Brandon
Notary Public
My Commission Expires: 9/13/98

STATE OF SOUTH CAROLINA
COUNTY OF _____

On the ____ day of _____, 199____, before me personally came _____, to me known, who, being by me duly sworn, did depose and say that he/she is the _____, of Ryan's Family Steak Houses, Inc., the corporation described in and which executed the foregoing instrument; and he/she acknowledged before me the execution of the foregoing instrument on behalf of the corporation for the uses and purposes therein expressed.

Notary Public
My Commission Expires: _____

96076 02305

STATE OF _____
COUNTY OF _____

On the ____ day of _____, 19____, before me personally came Charles K. Davis, to me known and known to be the trustee of the Davis Revocable Trust, the trust described in the foregoing instrument and he acknowledged before me that he executed the foregoing instrument for and in behalf of said trust in his capacity as trustee.

Notary Public
My Commission Expires: _____

STATE OF GEORGIA
COUNTY OF COBB

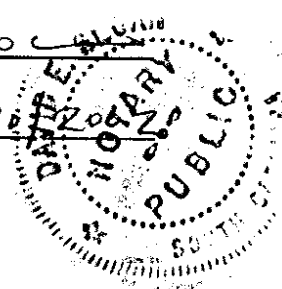
On the ____ day of _____, 199____, before me personally came _____, to me known, who, being by me duly sworn, did depose and say that he/she is the _____, of HOME DEPOT U.S.A., INC., the corporation described in and which executed the foregoing instrument; and he/she acknowledged before me the execution of the foregoing instrument on behalf of the corporation for the uses and purposes therein expressed.

Notary Public
My Commission Expires: _____

STATE OF SOUTH CAROLINA
COUNTY OF Greenville

On the 26 day of February, 1994, before me personally came John C. Jamison, to me known, who, being by me duly sworn, did depose and say that he/she is the Vice President of Real Estate, of Ryan's Family Steak Houses, Inc., the corporation described in and which executed the foregoing instrument; and he/she acknowledged before me the execution of the foregoing instrument on behalf of the corporation for the uses and purposes therein expressed.

David L. Shoemaker
Notary Public
My Commission Expires: 7/30/96



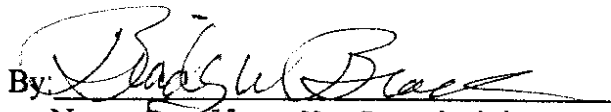
96076 02306

CONSENT TO THE ECR

The undersigned, THE BROOKSHIRE GROCERY COMPANY, as Contract Purchaser of the parcel known as Tract 4, hereby consents to the terms and conditions of this ECR, and agrees to be bound thereby.

EXECUTED this 15th day of April, 1996.

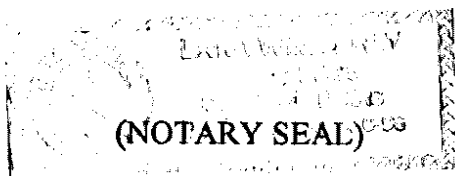
THE BROOKSHIRE GROCERY COMPANY

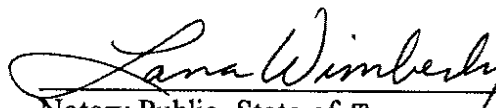
By: 
Name: Bradley W. Brookshire
Title: Exec.VP - Corporate Development

STATE OF TEXAS

COUNTY OF SMITH

This Consent to the ECR was acknowledged before me on the 15th day of April, 1996, by Bradley W. Brookshire, the Exec.VP-Corp. Development of The Brookshire Grocery Company.




Notary Public, State of Texas
Lana Wimberly
Printed Name of Notary

My Commission Expires:

April 6, 2000

96076 02307

SCHEDULE A

Metes and Bounds Description of Portion of Tract 2 Owned by Royal

Being a description of a 1.380 acre tract of land out of LEVI TURNER SURVEY, ABSTRACT NO. 1487, Dallas County, Texas, said tract being part of the tract of land conveyed to Charter Medical-Dallas, Inc. by deed recorded in Volume 82217, Page 3044, Deed Records, Dallas County, Texas, said tract being Lot 2 of the WAL-MART ADDITION, an addition to the City of Garland, according to the Map recorded in Volume 86147, Page 2863, Map Records, Dallas County, Texas, said tract being more particularly described as follows:

BEGINNING at a point in the northerly right-of-way line of Buckingham Road (100 feet wide), said point being North 89 degrees 56 minutes 00 seconds East, a distance of 415.00 feet from a point at the intersection of the said northerly right-of-way line of Buckingham Road and the easterly right-of-way line of Jupiter Road (variable width at this point);

Thence North 51 degrees 34 minutes 39 seconds West, a distance of 32.14 feet to a point for corner;

Thence North 00 degrees 30 minutes 13 seconds West, a distance of 178.05 feet to a point for corner;

Thence North 89 degrees 29 minutes 47 seconds East, a distance of 303.35 feet to a point for corner, said point being on the westerly line of the Coates Subdivision, an addition to the City of Garland as recorded in Volume 79183, Page 938, Deed Records, Dallas County, Texas;

Thence South 00 degrees 20 minutes 32 seconds East, with the westerly line of said Coates Subdivision, a distance of 200.36 feet to a 1/2 inch iron rod set for corner, said point being on the northerly right-of-way line of said Buckingham Road;

Thence South 89 degrees 56 minutes 00 seconds West, a distance of 277.80 to the POINT OF BEGINNING, and containing 60,123 square feet or 1.380 acres of land, more or less.

SAVE AND EXCEPT that portion of the above-described property conveyed in Deed from Omni Carwash, Inc. to Econo Lube N' Tune, Inc., dated August 6, 1987, filed August 7, 1987, recorded in Volume 87152, Page 3616, Deed Records, Dallas County, Texas;

BEING a description of 0.313 acre tract of land out of the LEVI TURNER SURVEY, ABSTRACT NO. 1487, Dallas County, Texas, said tract being part of a tract of land conveyed to CHARTER MEDICAL-DALLAS, Inc., by deed recorded in Volume 82217, Page 3044, Deed Records, Dallas County, Texas, and being part of Lot 2 of the WAL-MART ADDITION, an Addition to the City of Garland, recorded by plat in Volume 86147, Page 2863, Map Records, Dallas County, Texas, said tract being situated in the City of Garland and being more particularly described as follows:

COMMENCING at a point at the intersection of the northerly right-of-way line of Buckingham Road (100 feet wide) and the easterly right-of-way line of Jupiter Road (variable width at this point);

Thence North 89 degrees 56 minutes 00 seconds East with the said northerly right-of-way line of Buckingham Road, a distance of 415.00 feet to a point for corner, said point being the southwesterly corner of said Lot 2;

Thence North 51 degrees 34 minutes 39 seconds West, with a West line of said Lot 2, a distance of 32.14 feet to a point for corner;

96076 02308

Thence North 00 degrees 30 minutes 13 seconds West, with the West line of said Lot 2, a distance of 87.41 feet to the POINT OF BEGINNING;

Thence North 00 degrees 30 minutes 13 seconds West, continuing with the West line of said Lot 2, a distance of 90.64 feet to a point for corner, said point being the Northwest corner of said Lot 2;

Thence North 89 degrees 29 minutes 47 seconds East, with the North line of said Lot 2, a distance of 170.11 feet to a point for corner;

Thence South 00 degrees 30 minutes 13 seconds East, a distance of 36.00 feet to a point for corner;

Thence South 49 degrees 29 minutes 47 seconds West, a distance of 85.00 feet to a point for corner;

Thence South 89 degrees 29 minutes 47 seconds West, a distance of 105.00 feet to the POINT OF BEGINNING.

Containing 13,640 square feet or 0.313 acres of land, more or less.

Said legal description is in accordance with that certain Special Warranty Deed with Vendor's Lien between Omni Carwash, Inc., Grantor, and Royal Auto Wash, Grantee, dated February 23, 1990, recorded in Volume 90039, Page 3068, Deed Records, Dallas County, Texas

SCHEDULE B

Metes and Bounds Description of Portion of Tract 2 Owned By Landis

BEING a description of 0.313 acre tract of land out of the LEVI TURNER SURVEY, ABSTRACT NO. 1487, Dallas County, Texas, said tract being part of a tract of land conveyed to CHARTER MEDICAL-DALLAS, Inc., by deed recorded in Volume 82217, Page 3044, Deed Records, Dallas County, Texas, and being part of Lot 2 of the WAL-MART ADDITION, an Addition to the City of Garland, recorded by plat in Volume 86147, Page 2863, Map Records, Dallas County, Texas, said tract being situated in the City of Garland and being more particularly described as follows:

COMMENCING at a point at the intersection of the northerly right-of-way line of Buckingham Road (100 feet wide) and the easterly right-of-way line of Jupiter Road (variable width at this point);

Thence North 89 degrees 56 minutes 00 seconds East with the said northerly right-of-way line of Buckingham Road, a distance of 415.00 feet to a point for corner, said point being the southwesterly corner of said Lot 2;

Thence North 51 degrees 34 minutes 39 seconds West, with a West line of said Lot 2, a distance of 32.14 feet to a point for corner;

Thence North 00 degrees 30 minutes 13 seconds West, with the West line of said Lot 2, a distance of 87.41 feet to the POINT OF BEGINNING;

Thence North 00 degrees 30 minutes 13 seconds West, continuing with the West line of said Lot 2, a distance of 90.64 feet to a point for corner, said point being the Northwest corner of said Lot 2;

Thence North 89 degrees 29 minutes 47 seconds East, with the North line of said Lot 2, a distance of 170.11 feet to a point for corner;

Thence South 00 degrees 30 minutes 13 seconds East, a distance of 36.00 feet to a point for corner;

Thence South 49 degrees 29 minutes 47 seconds West, a distance of 85.00 feet to a point for corner;

Thence South 89 degrees 29 minutes 47 seconds West, a distance of 105.00 feet to the POINT OF BEGINNING.

Containing 13,640 square feet or 0.313 acres of land, more or less.

Said legal description is in accordance with that certain Warranty Deed from American Deferred Exchange Corp., Grantor, to William Landis, Grantee, dated August 3, 1987, recorded in Volume 87156, Page 4475, Deed Records, Dallas County, Texas.

SCHEDULE C

Metes and Bounds Description of Tract 3

Description of a 0.896 acre tract of land out of the Levi Turner Survey, Abstract No. 1487, Dallas County, Dallas, Texas, said tract being part of a tract of land conveyed to Charter Medical-Dallas, Inc. by deed recorded in Volume 82217, Page 3044, Deed Records, Dallas County, Dallas, Texas, said tract being Lot 3, Block 1 of the Wal-Mart Addition, an addition to the City of Garland, and being situated in the City of Garland and being more particularly described as follows:

Beginning at a point in the easterly right-of-way line of Jupiter Road (105 feet wide), said point being North 00 degrees 30 minutes 13 seconds West, a distance of 637.11 feet from a point at the intersection of the said easterly right-of-way line of Jupiter Road (variable width at this point) and the northerly right-of-way line of Buckingham Road (100 feet wide);

Thence North 00 degrees 30 minutes 13 seconds West, with the said easterly right-of-way line of Jupiter Road, a distance of 132.38 feet to a point for corner;

Thence West 33 degrees 25 minutes 05 seconds East a distance of 35.84 feet to a point for corner;

Thence South 89 degrees 44 minutes 55 seconds East, a distance of 224.77 feet to a point for corner;

Thence South 00 degrees 30 minutes 13 seconds East, a distance of 159.16 feet to a point for corner;

Thence South 89 degrees 29 minutes 47 seconds West a distance of 244.75 feet to the POINT OF BEGINNING.

Containing 39,050 square feet or 0.896 acres of land, more or less.

Said legal description is in accordance with that certain Special Warranty Deed from Carlin Development Co., Grantor, to Griff's of America, Inc., Grantee, dated April 7, 1989, recorded in Volume 89070, Page 2811, Deed Records, Dallas County, Texas.

SCHEDULE D
METES AND BOUNDS OF TRACT 4

BEING a tract of land situated in the Levi Turner Survey, Abstract No. 1487, and being part of that certain tract of land conveyed to William C. Bell as recorded in Volume 82159, Page 1620, Deed Records, Dallas County, Texas and being more particularly described as follows:

BEGINNING at an iron rod found for corner situated in the east line of Jupiter Road (a 105' R.O.W.), said iron rod being the northwest corner of The Wal-Mart Addition as recorded in Volume 86147, Page 2863, Map Records, Dallas County, Texas;

THENCE North 02 degrees 22 minutes 02 seconds West, along the east line of said Jupiter Road a distance of 235.24 feet to an iron rod set for corner;

THENCE South 89 degrees 44 minutes 54 seconds East, departing the east line of said Jupiter Road a distance of 265.00 feet to an iron rod set for corner;

THENCE North 00 degrees 22 minutes 02 seconds West, a distance of 155.00 feet to an iron rod set for corner, iron rod also being situated in the south line of the replat of Briaroaks Addition as recorded in Volume 83223, Page 5446, Map Records, Dallas County, Texas;

THENCE South 89 degrees 44 minutes 54 seconds East, along the south line of said Briaroaks Addition a distance of 578.15 feet to an iron rod set for corner;

THENCE South 00 degrees 22 minutes 02 seconds East, departing said south line, and along the west line of City of Garland tract a distance of 390.24 feet to an iron rod set for corner situated in the north line of aforementioned The Wal-Mart Addition;

THENCE North 89 degrees 44 minutes 54 seconds West, along the north line of said The Wal-Mart Addition a distance of 843.15 feet to the POINT OF BEGINNING and containing 287,939 square feet or 6.6102 acres of land more or less.

SCHEDULE E

Metes and Bounds of Tract 5

PROPERTY DESCRIPTION

BEING a tract of land in the Levi Turner Survey, Abstract No. 1487, City of Garland, and being part of that certain tract of land conveyed to William C. Bell as recorded in Volume 82159, Page 1620, Deed Records, Dallas County, Texas and being more particularly described as follows:

BEGINNING at a $\frac{1}{4}$ " iron rod found for corner in the east right of way line of Jupiter Road (105' R.O.W.), said corner also being the southwest corner of Briaroaks Addition an addition to the City of Garland according to the Plat thereof recorded in Volume 83223, Page 5446 of the Deed Records, Dallas County, Texas;

THENCE S89°44'54E, with the south line of said Briaroaks Addition a distance of 265.00 feet to a $\frac{1}{4}$ " iron rod found for corner;

THENCE S00°22'02"E, departing the aforementioned south line a distance of 155.00 feet to a $\frac{1}{4}$ " iron rod found for corner;

THENCE N89°44'54"W, a distance of 265.00 feet to a $\frac{1}{4}$ " iron rod found for corner in the aforementioned east right of way line of Jupiter Road;

THENCE N00°22'02"W, with said east right of way line a distance of 155.00 feet to the POINT OF BEGINNING and CONTAINING 41,072 square feet or 0.9429 acres of land.

SCHEDULE F

Metes and Bounds Description of Tract 6

Parcel I

Being a tract of land located in the Levi Turner Survey, Abstract No. 1487, and being Lot 1, Block 1, WBT ADDITION, an addition to the City of Garland, Dallas County, Texas, as shown by plat recorded in Volume 92125, Page 67, Map Records of Dallas County, Texas, LESS AND EXCEPT the following described parcel:

Beginning at a 1/2 inch iron rod set for the northwesterly corner of said Lot 1, WBT ADDITION, said iron rod being in the easterly line of Lot 1, Block 1, WAL-MART ADDITION, an addition to the City of Garland as recorded in Volume 86147, Page 2863 of the D.R.D.C.T.;

Thence along the northerly line of said Lot 1, WBT ADDITION, North 89 degrees 56 minutes 00 seconds East, as distance of 189.34 feet to a 1/2 iron rod set for corner;

Thence South 00 degrees 15 minutes 06 seconds West, a distance of 169.78 feet to a 1/2 inch iron rod set for corner;

Thence North 87 degrees 11 minutes 03 seconds West a distance of 187.86 feet to a 1/2 inch iron rod set for corner in the easterly line of said WAL-MART ADDITION;

Thence along the easterly line of said WAL-MART ADDITION, North 00 degrees 20 minutes 32 seconds West a distance of 160.33 feet to the POINT OF BEGINNING.

Parcel II

Being a tract of land situated in the LEVI TURNER SURVEY Abstract No. 1487, and being out of Lot 2 of Block 1, WBT ADDITION, an addition to the City of Garland, according to the plat recorded in Volume 92125, Page 67, of the Deed Records of Dallas County, Texas (D.R.D.C.T.) and being more particularly described as follows:

Beginning at a 1/2 inch iron rod set for the southeasterly corner of said Lot 2, WBT ADDITION, said iron rod being in the westerly line of CARIDGE NO.10, an addition to the City of Garland as recorded in Volume 85005, Page 1459, of the D.R.D.C.T.;

Thence along the southerly line of said Lot 2, WBT ADDITION, South 89 degrees 56 minutes 00 seconds West a distance of 182.66 feet to a 1/2 inch iron rod set for corner;

Thence North 00 degrees 15 minutes 06 seconds East a distance of 180.13 feet to a 1/2 inch iron rod set for corner;

Thence South 89 degrees 44 minutes 54 seconds East a distance of 180.80 feet to a 1/2 inch iron rod set for corner;

Thence along the westerly line of said CARIDGE NO. 10, South 00 degrees 20 minutes 32 seconds East a distance of 179.12 feet to the POINT OF BEGINNING.

SCHEDULE G

Metes and Bounds Description of Tract 1

Parcel I

Being a tract of land located in the Levi Turner Survey, Abstract No. 1487, and being Lot 1, Block 1 of the WAL-MART ADDITION, an Addition to the City of Garland, recorded by plat in Volume 86147, Page 2863, Map Records, Dallas County, Texas.

Parcel II

Being a tract of land located in the Levi Turner Survey, Abstract No. 1487, and being Lot 2, Block 1, of the WBT ADDITION, an addition to the City of Garland, Dallas County, Texas, as shown by plat recorded in Volume 92125, Page 67, Map Records of Dallas County, Texas, LESS AND EXCEPT the following described parcel:

Being a tract of land situated in the LEVI TURNER SURVEY Abstract No. 1487, and being out of Lot 2 of Block 1, WBT ADDITION, an addition to the City of Garland, according to the plat recorded in Volume 92125, Page 67, of the Deed Records of Dallas County, Texas (D.R.D.C.T.) and being more particularly described as follows:

Beginning at a 1/2 inch iron rod set for the southeasterly corner of said Lot 2, WBT ADDITION, said iron rod being in the westerly line of CARIDGE NO. 10, an addition to the City of Garland as recorded in Volume 85005, Page 1459, of the D.R.D.C.T.;

Thence along the southerly line of said Lot 2, WBT ADDITION, South 89 degrees 56 minutes 00 seconds West a distance of 182.66 feet to a 1/2 inch iron rod set for corner;

Thence North 00 degrees 15 minutes 06 seconds East a distance of 180.13 feet to a 1/2 inch iron rod set for corner;

Thence South 89 degrees 44 minutes 54 seconds East a distance of 180.80 feet to a 1/2 inch iron rod set for corner;

Thence along the westerly line of said CARIDGE NO. 10, South 00 degrees 20 minutes 32 seconds East a distance of 179.12 feet to the POINT OF BEGINNING.

Parcel III

Being a tract of land located in the Levi Turner Survey, Abstract No. 1487, and being a portion of Lot 1, Block 1, WBT ADDITION, an addition to the City of Garland, Dallas County, Texas, as shown by plat recorded in Volume 92125, Page 67, Map Records of Dallas County, Texas, more particularly described as follows:

Beginning at a 1/2 inch iron rod set for the northeasterly corner of said Lot 1, WBT ADDITION, said iron rod being in the westerly line of Lot 1, Block 1, WAL-MART ADDITION, an addition to the City of Garland as recorded in Volume 86147, Page 2863, of the D.R.D.C.T.;

Thence along the northerly line of said Lot 1, WBT ADDITION, South 89 degrees 56 minutes 00 seconds East, a distance of 189.34 feet to a 1/2 inch iron rod set for corner;

Thence South 00 degrees 20 minutes 32 seconds West, a distance of 169.78 feet to a 1/2 inch iron rod set for corner;

Thence North 87 degrees 11 minutes 03 seconds West a distance of 187.86 feet to a 1/2 inch iron rod set for corner in the easterly line of said WAL-MART ADDITION;

Thence along the easterly line of said WAL-MART ADDITION, North 00 degrees 20 minutes 32 seconds West a distance of 160.33 feet to the POINT OF BEGINNING.

SCHEDULE I

Descriptions of Portions of Tracts 1 and 6 to Be Incorporated into ECR

The portions of Tracts 1 and 6 to be incorporated comprise all of the following property:

Being a tract of land located in the Levi Turner Survey, Abstract No. 1487, and being all of Lot 1, Block 1, WBT Addition, an addition to the City of Garland, Dallas County, Texas, as shown by plat recorded in Volume 92125, Page 67, Map Records of Dallas County, Texas.

After Recording Return To:

Commonwealth Land Title Ins. Co.
14643 Dallas Parkway, Suite 770
Dallas, TX 75240

Attn:

Karen Moreau

61820 97096

FILED
E. B. Burch
COUNTY CLERK
DALLAS COUNTY

96 APR 17 AM 11:23

Any provision herein which restricts the sale, rental, or use of the described real property because of color or race is invalid and unenforceable under federal law.
STATE OF TEXAS
COUNTY OF DALLAS
I hereby certify this instrument was filed on the date and time stamped hereon by me and was duly recorded in the volume and page of the named records of Dallas County, Texas as stamped hereon by me.

APR 17 1996



E. B. Burch
COUNTY CLERK, Dallas County, Texas



**GARLAND
CITY COUNCIL ITEM SUMMARY SHEET**

City Council Regular Session Agenda

4.

Meeting Date: 06/07/2022

Item Title: 2022-2023 CDBG, HOME and ESG Federal Grant Allocation

Submitted By: Mona Woodard, Neighborhood Services Administrator

Summary of Request/Problem

Formal consideration of funding allocations for the one-year plan of action for the fiscal year 2022-2023 Community Development Block Grant, HOME Infill Grant and the Emergency Solutions Grant programs.

Recommendation/Action Requested and Justification

Staff recommends approval of the allocation of grant funding for the fiscal year 2022-2023.

Attachments

Federal Grant Funding Fiscal Year 2022-2023

**ALLOCATION OF COMMUNITY DEVELOPMENT GRANT FUNDING
FY 2022-2023**

The City will receive \$2,146,017 from the Department of Housing and Urban Development for the Community Development Block Grant. There is \$195,576 available in reprogrammed funds for a total of \$2,341,593. The HOME Investment Partnership Program allocation is \$764,854. Emergency Solutions Grant funding of \$186,600 is available. Specific grant funded activities are as follows:

**COMMUNITY DEVELOPMENT BLOCK GRANT
2022-2023**

PUBLIC SERVICES		Allocation
Garland Police Boxing Program		\$34,952
Garland Elderly Yard Care Program		\$25,820
Garland Parks S.T.A.R.S Program		\$39,337
Hope Clinic		\$90,225
Hopes Door/New Beginning Center		\$40,516
Counseling Institute of Texas		\$19,337
Meals on Wheels Program		\$18,204
Salvation Army Rent Assistance Program		\$30,675
Garland Senior Ombudsman Program		\$22,837
TOTAL		\$321,903

PROJECTS		Allocation
Code Compliance		\$250,000
Garland Home Repair Programs		\$600,000
Single Family Rehabilitation-\$400,000 Minor Repair Program - \$200,000		
GREAT Homes Housing Initiative		\$740,487
TOTAL		\$1,590,487

ADMINISTRATION		Allocation
Grant Administration		\$429,203
TOTAL		\$429,203

TOTAL CDBG FUNDING

\$2,341,593

**HOME INFILL PARTNERSHIP
2022-2023**

ADMINISTRATION		Allocation
HOME Administration		\$76,485
	TOTAL	\$76,485

CHDO ACTIVITIES		Allocation
CHDO Infill Housing – Habitat for Humanity		\$114,728
TOTAL		\$114,728

HOME PROJECTS		Allocation
Housing and Community Services		
Infill Housing		\$573,641
TOTAL		\$573,641

TOTAL HOME FUNDING

\$764,854

**EMERGENCY SOLUTIONS GRANT FUNDS
2022-2023**

SHELTER SERVICES/STREET OUTREACH	Allocation
Hopes Door New Beginning Center – Domestic Violence Shelter	\$62,047
Metro Relief – Street Outreach	\$42,642
Helen’s Project – Street Outreach	\$5,625
TOTAL	\$110,314

ESG RAPID RE-HOUSING	IDIS Activity	Allocation
Hopes Door New Beginning Center		\$43,902
Under 1 Roof		\$18,390
TOTAL		\$62,292

DATA COLLECTION	IDIS Activity	Allocation
Metro Dallas Homeless Alliance		\$0
TOTAL		0

ESG ADMINISTRATION	IDIS Activity	Allocation
Grants Management		\$13,994
TOTAL		\$13,994

TOTAL ESG FUNDING

\$186,600



**GARLAND
CITY COUNCIL ITEM SUMMARY SHEET**

City Council Regular Session Agenda

5.

Meeting Date: 06/07/2022

Item Title: IH 635 Funding Agreement

Submitted By: Paul Luedtke, Transportation Director

Summary of Request/Problem

The Regional Transportation Council and DART have provided funding for a Transit Oriented Development along IH635 in the Shiloh/Garland vicinity. This item is for the adoption of the three-way agreement between the City of Garland, DART and the RTC regarding this funding.

Recommendation/Action Requested and Justification

Authorize the City Manager to sign the attached agreement.

Attachments

Funding Agreement

INTERLOCAL AGREEMENT FOR A REGIONAL COOPERATIVE FUNDING PARTNERSHIP

This Interlocal Agreement ("Agreement") is made and entered into by and between the Regional Transportation Council ("RTC"), the North Central Texas Council of Governments ("NCTCOG"), the City of Garland ("Garland"), and the Dallas Area Rapid Transit ("DART") (collectively, "Parties"). The purpose of this Agreement is to establish the terms and conditions of a Regional Cooperative Funding Partnership.

RECITALS:

The Parties each acknowledge and agree that the following recitals are true and correct and that the same are a material part of this Agreement:

WHEREAS, DART is a regional transportation authority, created, organized, and existing pursuant to Chapter 452 of the Texas Transportation Code; and

WHEREAS, NCTCOG is a Texas political subdivision and non-profit corporation, organized and operating under Chapter 391 of the Texas Local Government Code as the regional planning commission for the 16-county North Central Texas region, and also acting as the fiscal agent of the RTC, and has been designated as the Metropolitan Planning Organization (MPO) for the Dallas-Fort Worth Metropolitan Area by the Governor of the State of Texas; and

WHEREAS, RTC, comprised primarily of local elected officials, is the policy body of the MPO and has been and continues to be a forum for cooperative decisions on transportation; ; and

WHEREAS, Garland is a Texas home-rule municipality within DART's service area; and

WHEREAS, the parties are authorized to enter into this Agreement pursuant to the Interlocal Cooperation Act, Chapter 791 of the Texas Government Code (the "Act"); and

WHEREAS, DART and Garland executed a non-binding Memorandum of Understanding on April 9, 2021 ("MOU"), agreeing to collaborate and jointly work towards creating one or more cohesive, sustainable, vibrant, livable transit oriented developments ("TOD") around the DART Transit Stations and Transit Centers, including the South Garland Transit Center; and

WHEREAS, consistent with the MOU, Garland seeks to initiate a master planning process, involving land acquisition, infrastructure improvements, construction of public amenities, and TOD around the South Garland Transit Center ("Master Plan"); and

WHEREAS, DART is designing and constructing a 26-mile commuter rail transit system, known as the Silver Line, which will extend from the DFW Airport to Shiloh Road in Plano, Texas ("Silver Line Project"); and

WHEREAS, on September 19, 2019, the RTC authorized a funding partnership for approximately \$15 million with the City of Garland to address concerns associated with the IH 635 East Project at Garland Avenue; and,

WHEREAS, the North Central Texas Council of Governments proposed a Regional Cooperative Funding Exchange between DART, the RTC, and Garland; and

WHEREAS, this Regional Cooperative Funding Exchange will allow DART to reassign \$15 million of its local funding for the Silver Line Project to the Master Plan, and replace that local funding with federal funds made available by the RTC; and

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

Article I: Term

- 1.1 The term of this Agreement shall begin on the date the last party executes this Agreement and shall continue until all federal funds contemplated herein are transferred to DART, DART local funds are transferred to Garland, and Garland completes the Master Plan and tenders a "Certificate of Final Completion" to DART.

Article II: Funding Strategy and Transfers

- 2.1 To meet the RTC commitment to develop a funding partnership with the City of Garland to address its concerns associated with the IH 635 East Project at Garland Avenue, , the RTC agrees to program an additional \$15 million in federal funds for the DART Silver Line Project in exchange for DART transferring certain funds to the City of Garland as detailed herein.
- 2.2 The RTC's obligation to program funds to DART, as required under this Agreement, shall be considered fully satisfied upon the transfer of such funds from the Federal Highway Administration to the Federal Transit Administration ("FTA").
- 2.3 Following approval by the RTC of a Transportation Improvement Program (TIP) that includes the programming of the \$15 million in federal funding to DART, DART shall transfer \$1.8 million in local funding to Garland for the Master Plan effort. Within ninety (90) days of DART's receipt of \$15 million in federal funds from the FTA for the DART grant, DART shall transfer an additional \$5.7 million in local funding to Garland. DART will transfer the final \$7.5 million in local funding to Garland the sooner of 1) Garland's award of a contract for construction of the TOD around the South Garland Transit Center (the "TOD Project") or 2) DART's execution of an interlocal agreement with Garland outlining the terms of the TOD Project.

Article III: Garland Obligations

- 3.1 Garland shall work collaboratively with DART in making any updates, changes, or modifications to the Master Plan and related TOD Project.
- 3.2 Upon finalization of the Master Plan, Garland shall publish a Request for Proposal ("RFP") to select and engage a master developer to implement the Master Plan.
- 3.3 Garland shall solicit the assistance, input, and participation of DART in finalizing the Master Plan, drafting and issuing the related RFP, and evaluating developer proposals in response to the RFP.
- 3.4 Garland's use of the local funds received from DART pursuant to this Agreement must be consistent with DART's enabling legislation (Chapter 452 of the Texas Transportation Code). Specifically, Garland must ensure that the funds are used in a manner that supports a public transit system, including planning, environmental impact studies, engineering, final design,

right-of-way and land acquisition, construction, transit-oriented development, transit facilities, transit technology, testing, inspection, surveying, or traffic control systems.

- 3.5 Garland shall diligently and systematically perform the necessary steps to complete the Master Plan in a timely manner, including soliciting private sector partners and negotiating agreements with private and public sector partners.
- 3.6 Garland shall enter into a separate interlocal agreement with DART detailing the parties' respective rights and obligations with respect to the TOD Project.

Article IV: Miscellaneous

- 4.1. Binding Effect. The provisions of this Agreement shall be binding upon and inure to the benefit of the Parties and their respective successors and permitted assigns. There shall be no third-party beneficiaries of this Agreement.
- 4.2 Construction and Drafting. The paragraph headings in this Agreement are intended for convenience only and shall not be taken into consideration in the construction or interpretation of this Agreement. Whenever used herein, unless the context otherwise provides, the singular number shall include the plural, the plural the singular, and the use of any gender shall include all other genders. All parties have participated in the drafting hereof and accordingly no party shall be given credit therefor in the interpretation of this Agreement.
- 4.3 Partial Invalidity. In the event any portion of this Agreement is determined by statutory authority or judicial decision to be void or unenforceable, then this Agreement shall not fail in its entirety, but shall remain in full force and effect to the extent permitted by law.
- 4.4 Merger and Amendment. This instrument constitutes the entire agreement of the parties with respect to the matters contemplated herein and it may be modified or amended only in writing, signed by all parties hereto and in accordance with the terms hereof.
- 4.5 No Partnerships or Joint Enterprise. It is mutually understood and agreed that this Agreement is intended by the parties to establish only an independent contractual relationship and is not intended to create a partnership or joint venture between any or all parties.
- 4.6 Liability. The parties agree and acknowledge that each party is not an agent of the other party and that each party is responsible for its acts, forbearances, negligence and deeds, and for those of its agents or employees in conjunction with each party's performance under this Agreement.
- 4.7 Current Revenues. Payments made under this Agreement shall be from current revenues available to the paying party, as required by Chapter 791, Texas Government Code.
- 4.8 Assignment. No Party may assign its rights and obligations or either under this Agreement, in whole or in part, without first obtaining the prior written consent of the other Party, which consent may be withheld for any reason. No assignee or successor may further assign, in whole or in part, its rights and obligations without prior written consent of each Party to this Agreement at the time of further assignment.
- 4.9 Incorporation of Recitations. The recitations and "whereas" provisions of this Agreement are incorporated herein as part of this Agreement for all purposes.

- 4.10 Reasonable Cooperation. Each Party agrees to reasonably cooperate to effectuate the purpose and intent of this agreement.
- 4.11 Counterparts. This Agreement may be signed in counterparts and shall be effective on the date signed by the last signing Party.
- 4.12 Governing Law. The laws of the State of Texas shall govern this Agreement; and venue for any action concerning this Agreement shall exclusively be in the State District Court of Dallas County, Texas. The Parties agree to submit to the personal and subject matter jurisdiction of said court.
- 4.13 Application of Federal Funds. In the event Garland or DART receives any federal funding pursuant to this Agreement as a subrecipient, Garland and DART agree to: (a) work cooperatively to comply with all federal statutes, regulations, and guidance relating to the receipt of federal funds, including the requirements for pass-through entities detailed in 2 CFR § 200.331; (b) ensure that every subrecipient of federal funds is audited in accordance with applicable federal regulations; (c) maintain a recordkeeping system for all activities and expenditures in accordance with the Party's respective record retention schedule and federal grant requirements; and (d) ensure that all procurements involving federal funding comply with applicable federal procurement requirements. Any changes to federal statutes, regulations, and guidance shall be applicable to this Agreement.

The parties have executed this Interlocal Agreement on the _____ day of _____ 2022.

DALLAS AREA RAPID TRANSIT

**REGIONAL TRANSPORTATION
COUNCIL**

Nadine Lee, P.E.
President/Chief Executive Officer

Michael Morris, P.E.
Director of Transportation

**NORTH CENTRAL TEXAS
COUNCIL OF GOVERNMENTS**

CITY OF GARLAND, TEXAS

Mike Eastland
Executive Director

Bryan L. Bradford
City Manager



GARLAND
CITY COUNCIL ITEM SUMMARY SHEET

City Council Regular Session Agenda

6.

Meeting Date: 06/07/2022

Item Title: 518 E. Linda - Acquisition for GREAT Homes Project

Submitted By: Mona Woodard, Neighborhood Services Administrator

Summary of Request/Problem

This request for the acquisition of a single family home located at 518 E. Linda Drive by the Community Development Department was reviewed by City Council at the June 6, 2022 Work Session. This project is for the acquisition and rehabilitation of a single family home to further affordable housing and will utilize CDBG GREAT Homes federal funding. The Community Development Block Grant funding may be utilized to further affordable housing within a community for low to moderate income qualified buyers in accordance with HUD's national objectives.

Recommendation/Action Requested and Justification

Staff recommends the purchase of the single family home with CDBG GREAT Homes funding to meet the national objective of furthering affordable housing.



**GARLAND
CITY COUNCIL ITEM SUMMARY SHEET**

City Council Regular Session Agenda

7.

Meeting Date: 06/07/2022

Item Title: Annual Performance Update on the City of Garland Housing Agency's 2020-2024
Five Year Plan Approval

Submitted By: Steve Fitch, Housing Agency Administrator

Summary of Request/Problem

As part of the Quality Housing and Work Responsibility Act of 1998, the City of Garland Housing Agency (GHA) is required by the U.S. Department of Housing and Urban Development (HUD) to submit an annual performance progress report on their Five-Year Plan. At the May 16, 2022 Work Session, Council considered adopting the accomplishments presented in the second year of the 2020-2024 Annual Performance Plan update for submission to HUD.

Recommendation/Action Requested and Justification

Approve a resolution adopting the Garland Housing Agency's second year on the 2020-2024 five-year plan for submission to HUD (Attachment A).

Attachments

Annual Plan Resolution

RESOLUTION NO. _____

A RESOLUTION ADDOPTING AND APPROVING THE GARLAND HOUSING AGENCY’S SECOND YEAR UPDATE ON THE 2020-2024 FIVE YEAR PLAN; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, an annual update on the 2020-2024 five-year plan is required by the Department of Housing and Urban Development (HUD) to examine the progress of the Garland Housing Agency in meeting the needs of those being served by housing assistance; and

WHEREAS, a Public Housing Agency that operates a Section 8 Housing Choice Voucher Program must adopt a Five-Year and Annual Plan every five years; and

WHEREAS, the Garland Housing Agency has prepared a second year update to the 2020-2024 five-year plan for adoption and approval of the City Council, and the City Council desires to adopt and approve the plan.

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

Section 1

That the Garland City Council hereby adopts and approves the City of Garland Housing Agency’s second year update on the Five-Year Annual Plan, in the form and substance attached hereto as Exhibit “A” and incorporated herein by reference.

Section 2

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

PASSED AND APPROVED this the _____ day of _____, 2022.

THE CITY OF GARLAND, TEXAS

By: _____
Mayor

ATTEST:

City Secretary



**GARLAND
CITY COUNCIL ITEM SUMMARY SHEET**

City Council Regular Session Agenda

8.

Meeting Date: 06/07/2022

Item Title: Garland Housing Agency's Administrative Plan

Submitted By: Steve Fitch, Housing Agency Administrator

Summary of Request/Problem

The U.S. Department of Housing and Urban Development (HUD) requires each Housing Agency to develop and adopt an Administrative Plan that identifies the policies the agency will follow to administer the Housing Choice Voucher Program Funds (better known as Section 8). At the May 16, 2022 Work Session, Council considered adopting the Garland Housing Agency's Administrative Plan.

Recommendation/Action Requested and Justification

Approve a resolution adopting the Garland Housing Agency's Administrative Plan for the Housing Choice Voucher Program. (Attachment A)

Attachments

Admin Plan Resolution

RESOLUTION NO. _____

A RESOLUTION APPROVING THE CITY OF GARLAND HOUSING AGENCY ADMINISTRATIVE PLAN FOR THE HOUSING CHOICE VOUCHER PROGRAM AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, the City of Garland Housing Agency has been designated as the Public Housing Agency (PHA) and is authorized to operate the Section 8 Housing Choice Voucher Program within the City of Garland; and

WHEREAS, a PHA which operates the Section 8 Housing Choice Voucher Program must adopt an Administrative Plan which states local policies on matters for which the PHA has discretion; and

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

Section 1

That the Garland City Council hereby approves the City of Garland Housing Agency Administrative Plan for the Housing Choice Voucher Program, in the form and substance attached hereto as Exhibit "A" and incorporated herein by reference.

Section 2

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

PASSED AND APPROVED this the 7th day of June, 2022.

THE CITY OF GARLAND, TEXAS

By: _____
Mayor

ATTEST:

City Secretary



GARLAND POLICY REPORT

City Council Regular Session Agenda

9.

Meeting Date: 06/07/2022

Item Title: Request for Development Assistance from Reserve Capital - Marquis Logistics SPE, LLC.

Submitted By: Ayako Schuster, Economic Development Director

Strategic Focus Areas: Growing Economic Base

ISSUE

Consider a development incentive request from Reserve Capital - Marquis Logistics SPE, LLC. (Reserve Capital Marquis) for a partial rebate of applicable development fees required for a proposed new commercial project.

OPTIONS

1. Approve the staff recommendation for a partial rebate of the applicable development fees.
2. Not approve a partial rebate of the applicable development fees.

RECOMMENDATION

The City would provide a partial rebate of 40% of applicable development fees, the Roadway Impact Fees, required of a proposed project upon the company realizing the following performance requirements:

1. Construct two (2) new industrial buildings, comprised of approximately 120,000 square feet (Building A) and 75,000 square feet (Building B), respectively of cumulative gross building area;
2. Realization of an assessed facility valuation of at least \$6,966,826 (Building A) and \$4,841,353 (Building B)
3. Procurement of a Certificate of Completion issued for the referenced facilities by September 30, 2023 for Building A and September 30, 2024 for Building B

BACKGROUND

Reserve Capital is a commercial real estate firm in Dallas, TX. The company has facilitated over 5 million square feet of lease and sale transactions in West Garland and Northeast Dallas. In total, they own about 600,000 square feet of office and industrial space in the Dallas-Fort Worth metroplex.

The developer, represented by Reserve Capital Marquis, will be constructing the project on the 11.5 acre lot located at 1102 South Jupiter Road. The greenfield site was a part of the former Raytheon campus and previously owned by Cosmax NBT USA, Inc (Cosmax). The proposed

site is one of the few undeveloped parcels available for industrial development in Garland.

CONSIDERATION

The industrial vacancy in Garland is 2.3% currently. Garland seeks additional Class A industrial space as part of its overall industrial space inventory. This project meets the City's vision for quality development. The developer committed to invest over \$15 million, with a minimum of \$11.8 million new valuation as established by the Dallas Central Appraisal District.

Attachments

Incentive Agreement

ECONOMIC DEVELOPMENT INCENTIVE AGREEMENT
BETWEEN THE CITY OF GARLAND AND RESERVE CAPITAL – MARQUIS
LOGISTICS SPE, LLC

This **ECONOMIC DEVELOPMENT INCENTIVE AGREEMENT** (“Agreement”) is made by and between the **City of Garland**, a Texas home-rule municipality (“City”), and **Reserve Capital – Marquis Logistics SPE, LLC**, a Texas limited liability company (“Developer”), acting by and through their respective authorized officers.

RECITALS:

Developer and the City each acknowledge and agree that the following recitals are true and correct and that the same is a material part of this Agreement:

WHEREAS, the City desires to further the public interest and welfare and to induce the investment of private resources in productive business enterprises located within the City that will increase tax revenue and promote or develop new business enterprises through Economic Development Agreements as authorized by Chapter 380 of the Texas Local Government Code;

WHEREAS, the Developer and City agree that the Developer shall acquire title to and develop 11.516 acres of an unimproved tract of land located at 1102 South Jupiter Road in the City of Garland, Dallas County, Texas by subdividing the tract into two lots, and constructing two spec buildings (one on each lot collectively as the “Development”); that shall provide for an aggregate of approximately 194,686 square feet of gross building area. The building built on Lot 1 (“Building A”) shall provide approximately 119,703 square feet of gross building area, and the building built on Lot 2 (“Building B”) shall provide approximately 74,983 square feet of gross building area;

WHEREAS, the Developer agrees to make a Capital investment of approximately \$15.6 million into the Development;

WHEREAS, the Development will have a direct and positive economic benefit to the City;

WHEREAS, the Developer has advised the City that a contributing factor of inducing the Developer to further improve the land is an agreement by the City to provide an Economic Development grant to the Developer as set forth herein;

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

WHEREAS, City hereby finds that this Agreement promotes economic development in the City and, as such, meets the requisites under Article III, Section 52-a of the Texas Constitution and Chapter 380 of the Texas Local Government Code and qualifies for an Economic Development Program, and further, is in the best interests of the City;

WHEREAS, the City wishes to provide an Economic Development grant to the Developer to assist in the economic development of the City by reimbursing the Developer up to forty percent (40%) of the total Roadway Impact Fees paid by the Developer for the Development; and

WHEREAS, the City has determined, based on information presented to it by the Developer, that making an Economic Development grant to the Developer as set forth in this Agreement is matching the City's Economic Development goals and will: (i) help accomplish the objectives of the City; (ii) benefit the City and the City's inhabitants; and (iii) promote local economic development and stimulate business and commercial activity in the City.

NOW, THEREFORE, the Developer and the City make and enter into this Agreement in consideration of the mutual covenants and agreements contained in this Agreement, and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged by both the Developer and the City, and agree as follows:

Section 1. Definitions:

"Base Land Value" means the value of the unimproved land on the effective date of the Agreement, which the parties agree for all purposes herein, shall be Two Million Five Hundred Eight Thousand One Hundred Eighty Dollars and Zero Cents (\$2,508,180.00), and upon sub-dividing of the property per the Re-Plat (as defined below), shall be accounted for as follows:

(A) Base Land Value - Lot 1 - this Lot consists of 6.788 acres and shall have a base land value of One Million Four Hundred Ninety-Nine Thousand Six Hundred Forty-One and Zero Cents (\$1,499,641.00).

(B) Base Land Value - Lot 2 – this Lot consists of 4.565 acres and shall have a base land value of One Million Eight Thousand Five Hundred Thirty-Nine and Zero Cents (\$1,008,539.00).

"Letter of Completion" means a letter issued by the City to the Developer upon the determination made by the City Building Official that the core and shell of real property improvements on the Property have been completed in compliance with applicable local, state, and federal law and regulations, including but not limited to plumbing, electrical, mechanical, energy-related components, sidewalks, landscaping, parking lots, drainage, water, sewer, screening walls, fire hydrants, and lanes, and approved by applicable City officials.

"DCAD" means the Dallas Central Appraisal District or its successor.

"Development" has meaning described within the Recitals of this Agreement.

"Incentive" means the City's reimbursement of forty percent (40%) of the Roadway Impact Fees paid by the Developer for this Development to the City.

"Party" means either the City or the Developer, and "Parties" means, collectively, the City and the Developer.

"Program" means the Economic Development Program for this Development as established by the

City according to Texas Local Government Code Chapter 380 and this Agreement to promote local economic development and stimulate business and commercial activity within the City.

“Property” means the undivided certain real property consisting of 11.516 acres, which is located at 1102 South Jupiter Road, City of Garland, Dallas County, and more particularly described and referenced in this Agreement as “Exhibit A,” and attached to this Agreement.

“Roadway Impact Fees” means the fees for roadway facilities imposed on new development by the City according to Chapter 1, Article 3, and Division 3 of the Garland Development Code. As provided therein, and for clarity in this Agreement, “Impact Fees” do not include the dedication of property, rights-of-way, easements, or other interests in property for public facilities, the value of such dedications, the construction of, contribution toward, or payment of money for public or private improvements, building, permitting, subdivision, platting, zoning change, or other fees of any kind other than those identified in the first sentence of this definition. The Roadway Impact Fees for this Development will be calculated by the City during the permitting stages of the Development. The Developer shall pay the Impact Fees to the City during the permitting stages of the Development.

“Target Assessed Value” means not less than Eleven Million Eight Hundred Eight Thousand One Hundred Eighty Dollars and Zero Cents (\$11,808,180.00) total market value in aggregate, including the Base Land Value, as determined by the Dallas County Appraisal District, after the Developer completes the Development.

(A) **Target Assessed Value for Lot 1 and Building A** – After completion of Building A on Lot 1, the Developer must obtain a new taxed assessed value, including both the Base Land Value for Lot 1 and new improvements due to the construction of Building A, of an amount not less than Six Million Nine Hundred Sixty-Six Thousand Eight Hundred Twenty-Six Dollars and Twenty Cents (\$6,966,826.20); and,

(B) **Target Assessed Value for Lot 2 and Building B** - After completion of Building B on Lot 2, the Developer must obtain a new tax assessed value for Lot 2, including both the Base Land Value for Lot 2 and new improvements due to the construction of Building B, of an amount not less than Four Million Eight Hundred Forty Thousand Three Hundred Fifty-Three Dollars and Eighty Cents (\$4,841,353.80).

“Term” has the meaning given such term in Section 2 of this Agreement.

Section 2. Term. This Agreement shall, unless extended or terminated in writing by a mutual agreement executed by both parties, or as otherwise provided in this Agreement of the Parties, terminates upon the complete performance by the Parties of all obligations and conditions within this Agreement or on March 31, 2029.

This Agreement shall be effective (“Effective Date”) as of the date of the last Party to execute this Agreement.

Section 3. Developer's Obligations.

(A) Developer shall construct the Development on the Property, and upon completion of the Development, the Developer must achieve the Target Assessed Value for the Development, as defined in Section 1 of this Agreement.

As part of the consideration of this Agreement, the Developer hereby waives any future causes of action or claims based on any theory that asserts that the Base Land Values, as agreed upon herein, are inaccurate or were improperly determined.

(B) Developer has sub-divided the Property into two Lots per the plat recorded at [_____], Plat Records, Dallas County, Texas (the "Re-Plat").

(C) Developer shall construct Building A on Lot 1, complying with all City codes, and obtain a Letter of Completion for Building A on or before **September 30, 2023, or else this Agreement automatically terminates.**

(D) Developer shall construct Building B on Lot 2, complying with all City codes, and obtain a Letter of Completion for Building B on or before **September 30, 2024, or else this Agreement automatically terminates.**

(E) Developer shall submit to the Economic Development Director of the City the following documentation for each Building and Lot completed, as a condition precedent to qualify for reimbursement of the Incentive related to the completed Building and Lot:

(1) a copy of the Letter of Completion issued by the City having a date issued for the related Building that is on or before the date the Developer was required to obtain the Letter of Completion for the Building;

(2) a copy of the receipt for payment or other evidence suitable to the City establishing that the Developer paid the City all assessed Roadway Impact Fees and other associated permitting and development fees before, during, and related to the construction of each Building completed; and

(3) a certified valuation from DCAD establishing that the taxable non-exempt assessed value for the Lot meets or exceeds the Target Assessed Value.

The Developer shall be eligible for a partial payment of the Incentive equivalent to the amounts listed below with respect to Lot 1, including Building A, if the Developer has obtained the Target Assessed Value for Lot 1 and Building A within the time period provided above in Section 3(C).

The Developer shall be eligible for payment of the remaining Incentive with respect to Lot 2, including Building B, if the Developer has obtained the Target Assessed Value for Lot 2 and Building B within the relevant time period provided above in Section 3(D).

Lot and Building	Target Assessed Value	New Improvement	Letter of Completion Required Date	Incentive Amount
Lot 1, Building A	\$6,966,826.20	\$5,467,185.20	09/30/2023	\$44,250
Lot 2, Building B	\$4,841,353.80	\$3,832,814.80	09/30/2024	\$30,750
Total:	\$11,808,180.00	\$9,300,000.00	-	\$75,000

Section 4. City's Obligations.

Upon completion of the Developer's obligations set forth in Section 3 of this Agreement, by the deadlines listed for therein, the City shall pay to Developer the Incentive, as defined in Section 1 of this Agreement and per the terms and conditions of this Agreement within forty-five (45) days after receipt of aforementioned documentation.

Section 5. Source of Funds. The Incentive shall be paid only from the Roadway Impact Fees actually received in hand by the City from the Developer. Notwithstanding any other provision contained herein to the contrary, the City shall not owe Developer any amount or other thing of value in excess of forty percent (40%) of the Roadway Impact Fees received in hand by the City and paid by the Developer for this Development. No other source of funds shall be provided for the payment of the Incentive.

Section 6. Valuation Assessment. Developer agrees that by submitting to the City a request for the payment of any of the Incentive under this Agreement, the Developer has (i) fully and finally agreed to the DCAD assessed tax values and the City's tax rate and procedures on which the assessed value of the Development is or will be based without protest or challenge; (ii) will not make any claim for a refund, repayment or reduction of those taxes from any source, including the City; and (iii) will not claim or accept any exemption from ad valorem taxes, prior to the date of termination of this Agreement.

Section 7. Rules of Construction. The capitalized terms listed in this Agreement shall have the meanings set forth herein whenever the terms appear in this Agreement, whether in the singular or the plural or in the present or past tense. Other terms used in this Agreement shall have meanings as commonly used in the English language. Words not otherwise defined herein that have well-known and generally accepted technical or trade meanings are used herein per such recognized meanings. In addition, the following rules of interpretation shall apply:

(A) References to "Articles," "Sections," or "Exhibits" shall be to articles, sections, or exhibits of this Agreement.

(B) The Exhibits attached hereto are incorporated in and are intended to be part of this Agreement; provided that in the event of a conflict between the terms of any Exhibit and the terms of this Agreement, the terms of this Agreement shall take precedence.

(C) This Agreement was negotiated and prepared by both Parties with the advice and participation of counsel. The Parties have agreed to the wording of this Agreement and none of the provisions hereof shall be construed against one Party on the ground that such Party is the author of this Agreement or any part hereof.

(D) Unless expressly provided otherwise in this Agreement, (a) where the Agreement requires the consent, approval, or similar action by a Party, such consent or approval shall not be unreasonably withheld, conditioned, or delayed, and (b) wherever the Agreement gives a Party a right to determine, require, specify, or take similar action concerning a matter, such determination, requirement, specification, or similar action shall be reasonable.

(F) Use of the words "include" or "including" or similar words shall be interpreted as "including but not limited to" or "including, without limitation."

(G) The recitals to this Agreement are incorporated herein.

Section 8. Dispute Resolution and Step Negotiations. The Parties shall attempt in good faith to resolve all disputes arising out of or relating to this Agreement or any of the transactions contemplated hereby promptly by negotiation, as follows:

(A) Either Party may give the other Party written notice of any such dispute not resolved in the normal course of business. Representatives of each of the Parties shall meet at a mutually acceptable time and place within ten days after delivery of such notice, and thereafter as often as they reasonably deem necessary, to exchange relevant information and to attempt to resolve the dispute. If the matter has not been resolved within thirty days from the referral of the dispute to such representatives, or if no meeting of such representatives has taken place within fifteen days after such referral, either Party may initiate mediation as provided hereinafter. If a Party intends to be accompanied at a meeting by an attorney, the other Party shall be given at least three business days' notice of such intention and may also be accompanied by an attorney. All negotiations according to this clause are confidential and shall be treated as compromise and settlement negotiations for purposes of the Federal Rules of Evidence and State Rules of Evidence. Each Party will bear its own costs for this dispute resolution phase.

(B) If any dispute arising out of or relating to this Agreement or any of the transactions contemplated hereby is not resolved by the procedures set forth in Section 8 (A), such dispute shall be submitted to non-binding mediation to a person mutually agreed by the Parties. The mediation may take place at a mutually agreed upon location. If the mediation process has not resolved the dispute within thirty days of the submission of the matter to mediation or within such a longer period as the Parties may agree to, either Party may exercise all remedies available at law or in equity under this Agreement, including the initiation of court proceedings. Each Party will bear its own costs, and share equally in the costs of mediators, for this dispute resolution phase.

(C) Nothing in this Section shall preclude, or be construed to preclude, the resort by either Party to a court of competent jurisdiction solely to secure a temporary or preliminary injunction or other relief to preserve the status quo or avoid irreparable harm.

Section 9. Jurisdiction and Venue. City and Developer, to the fullest extent permitted by applicable law, irrevocably (i) submit to the exclusive jurisdiction of the district courts located in Dallas County, Texas, and any appellate court thereof; (ii) waive any objection which either may have to the laying of the venue of any proceeding brought in any such court and (iii) waive any claim that such proceedings have been brought in an inconvenient forum. Nothing in this provision shall prohibit a Party from bringing an action to enforce a money judgment in any other jurisdiction where the courts of such jurisdiction have jurisdiction over the other Party.

Section 10. Accommodation of Financing Parties. To facilitate the Developer's obtaining of financing to construct and operate the Development, City shall make governmentally reasonable efforts to provide such consents to assignments, certifications, representations, information, estoppels, or other documents as may be reasonably requested by the Developer or the Developer's financing parties in connection with the financing of the Development; provided that in responding to any such request, the City shall have no obligation to provide any consent, certification, representation, information, estoppel or other documents, or enter into any agreement, that materially adversely affects, or could reasonably be expected to have or result in a material adverse effect on, any of City's rights, benefits, risks or obligations under this Agreement. Developer shall reimburse, or shall cause the financing parties to reimburse, the City for the incremental, direct, and documented out-of-pocket third party expenses (including, without limitation, the reasonable fees and expenses of outside counsel) incurred by the City in the preparation, negotiation, execution, or delivery of any documents requested by Developer or the financing parties.

Section 11. Entire Agreement. This Agreement constitutes the entire understanding and agreement of the parties as to the matters set forth in this Agreement. No alteration of or amendment to this Agreement shall be effective unless given in writing and signed by the Party or Parties sought to be charged or bound by the alteration or amendment.

Section 12. Binding Effect; Successors and Assigns. The terms and conditions of this Agreement are binding upon the successors and assigns of the parties hereto. This Agreement, or the right to receive grant payments, pursuant to this Agreement, may not be assigned, in whole or in part, without the express written consent of the City. The City shall not unreasonably withhold consent in the event Developer assigns this Agreement to a third party upon Developer's bonafide sale of the Property to the assignee, provided that the assignee is not a tax-exempt organization and can sufficiently demonstrate in writing to the City that it has sufficient assets and resources to perform all applicable terms and conditions of this Agreement. For purposes of this Agreement, performance by a successor or an affiliate of Developer, or performance by a party with whom Developer or its affiliates contract shall be deemed to be performance by Developer.

Section 13. Amendments. No modifications or amendments to this Agreement shall be valid unless in writing and signed by a duly authorized signatory of each Party.

Section 14. Severability. In the event any provision of this Agreement shall be determined by any court of competent jurisdiction to be invalid or unenforceable, the Agreement shall, to the extent reasonably possible, remain in force as to the balance of its provisions as if such invalid provision were not a part hereof.

Section 15. Notices. All notices required to be given under this Agreement shall be in writing and shall be given by either Party or its counsel in person, via express mail service, courier, or receipted facsimile transmission (but only if duplicate notice is also given via express mail service, courier or certified mail) or certified mail, return receipt requested, to the respective parties at the below addresses (or at such other address as a party may hereafter designate for itself by notice to the other party as required hereby). All notices given according to this paragraph shall be deemed effective, as applicable, on the date such notice may be given in person or next business day following the date on which such communication is transferred via facsimile transmission, or as applicable, when deposited with the express mail service, courier, or in the United States mails. Any party may change its address for notices under this Agreement by giving formal written notice to the other parties, specifying that the purpose of the notice is to change the party's address.

If to City:

City of Garland
200 N. Fifth Street
P.O. Box 469002
Garland Texas 75046-9002
Attn: City Manager
Phone: (972) 205-2000
Fax: (972) 205-2504

If to Developer:

Reserve Capital – Marquis Logistics SPE LLC
12404 Park Central Dr.
Dallas, Texas 75251
Attn: Brant Landry
Phone: (972) 839-1529

With a required copies to:

City Attorney
200 N. Fifth Street
P.O. Box 469002
Garland, Texas 75046-9002
Phone: (972) 205-2380
Fax: (972) 205-2389

Economic Development Director
P.O. Box 469002
Garland, Texas 75046-9002
Phone: (972) 205-3800
Fax: (972) 205-3801

Section 16. Employment of Undocumented Workers. During the Term of this Agreement, the Developer agrees not to knowingly employ any undocumented workers and if convicted of a violation under 8 U.S.C. Section 1324a (f), the Developer shall repay the amount of the Incentive paid to and received by Developer from and by the City as of the date of such violation within 120 business days after the date the Developer is notified by the City of such violation, plus interest at the rate of 6% compounded annually from the date of violation until paid. The Developer is not liable for a violation of this Section concerning any workers employed by a subsidiary, affiliate, or franchisee of the Developer or by a person with whom the Developer contracts.

Section 17. Non-Collusion. Developer represents and warrants that neither Developer nor any representative of Developer has given, made, promised or paid, nor offered to give, make, promise or pay any gift, bonus, commission, money, or other consideration to any employee, agent, representative or official of the City as an inducement to or to obtain the benefits to be provided by the City under this Agreement.

Section 18. Time of the Essence. Time is of the essence in the performance of this Agreement. If any deadline contained herein ends on a Saturday, Sunday, or a legal holiday generally recognized by banks in the State of Texas, such deadline shall automatically be extended to the next day that is not a Saturday, Sunday, or legal holiday.

Section 19. Multiple Counterparts. This Agreement may be executed in multiple counterparts, each of which shall have the force and effect of any original, as of the Effective Date.

Section 20. No Recording. The Parties agree that neither this Agreement nor any memorandum of this Agreement will be recorded in the real property records of Dallas County, Texas.

EXECUTED and EFFECTIVE as of the ____ day of _____, 2022.

DEVELOPER

**Reserve Capital – Marquis Logistics SPE, LLC,
a Texas limited liability company**

By: 
Name: Brant Landry
Title: Member
Date Execute: 5/2/2022

CITY

City of Garland, a Texas home-rule municipality

By: _____
Bryan Bradford
City Manager
Date Executed: _____

EXHIBIT "A"

BEING a tract of land situated in the Benjamin Dye Survey, Abstract No. 417, also known as Abstract No. 415, City of Garland, Dallas County, Texas, and being a portion of a called 315.63 acre tract of land described in a deed to LTV Electrosystems, Inc., as recorded in Volume 709, Page 1851 of the Deed Records of Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod found for the southwest corner of Lot 1A, Block 3R of Spar 83 Business Park, according to the plat thereof recorded in Volume 95016, Page 3808 of the Plat Records of Dallas County, Texas, same being on the westerly line of said 315.63 acre tract, and on the easterly right-of-way line of Jupiter Road, a variable width right-of-way;

THENCE North 89°17'17" East, departing the westerly line of said 315.63 acre tract and the easterly right-of-way line of said Jupiter Road, along the southerly line of said Lot 1A, the southerly line of Lot 1B, Block 3R of Spar 83 Business Park, according to the plat thereof recorded in Volume 95171, Page 2320 of the Plat Records of Dallas County, Texas, and the southerly line of Lot 2, Block 3R of the Replat of Block 3R of Spar 83, according to the plat thereof recorded in Volume 93041, Page 630 of the Plat Records of Dallas County, Texas, a distance of 1443.57 feet to a point for the northwest corner of a called 2.560 acre tract of land described in a deed to City of Garland, as recorded in Volume 2003251, Page 2572 of the Deed Records of Dallas County, Texas, a 1/2 inch iron rod with plastic cap stamped "Delta" found for witness bears South 88° 30' East, 0.4 foot;

THENCE South 00°58'23" East, departing the southerly line of said Lot 2, Block 3R, along the westerly line of said 2.560 acre tract, a distance of 372.03 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for the southwest corner of said 2.560 acre tract, and at the beginning of a non-tangent curve to the left having a central angle of 20°02'15", a radius of 460.00 feet, a chord bearing and distance of North 80°53'44" West, 160.05 feet, same being on the northerly line of a called 2.8357 acre tract of land described in a deed to City of Garland, as recorded in Volume 89067, Page 2187 of the Deed Records of Dallas County, Texas, and on the northerly right-of-way line of Marquis Drive, a variable width right-of-way;

THENCE in a northwesterly direction, along the northerly line of said 2.8357 acre tract and the northerly right-of-way line of said Marquis Drive, and with said curve to the left, an arc distance of 160.87 feet to a 1/2 inch iron rod with plastic cap stamped "Brittain & Crawford" found for corner at the end of said curve;

THENCE South 89°05'09" West, continuing along the northerly line of said 2.8357 acre tract and the northerly right-of-way line of said Marquis Drive, a distance of 1252.31 feet to a 1/2 inch iron rod with plastic cap stamped "Brittain & Crawford" found for the southerly end of a corner clip at the intersection of the northerly right-of-way line of said Marquis Drive with the easterly right-of-way line of aforesaid Jupiter Road;

THENCE North 45°48'51" West, along said corner clip and continuing along the northerly line of said 2.8357, a distance of 49.92 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for the northerly end of said corner clip, common to the northwest corner of said 2.8357 acre

tract, same being on the easterly right-of-way line of said Jupiter Road, and on the westerly line of aforesaid 315.63 acre tract;

THENCE North 00°41'35" West, along the westerly line of said 315.63 acre tract and the easterly right-of-way line of said Jupiter Road, a distance of 313.93 feet to the POINT OF BEGINNING and containing 11.516 acres (501,648 square feet) of land, more or less.

NOTE:The Company is prohibited from insuring the area or quantity of the land described herein. Therefore, the Company does not represent that the acreage or square footage calculations are correct. Any statement or references in the above legal description to the area or quantity of land is not a representation that such area or quantity is correct, but is made only for information and/or identification purposes and does not override Item 2 of Schedule B hereof.



**GARLAND
CITY COUNCIL ITEM SUMMARY SHEET**

City Council Regular Session Agenda

10.

Meeting Date: 06/07/2022

Item Title: Oncor Rate Case Denial

Submitted By: Matt Watson, Finance Director

Summary of Request/Problem

The purpose of this Resolution is to deny the Distribution Cost Recovery Factor application filed by Oncor Electric Delivery Company LLC (Oncor) on May 13, 2022 which seeks to increase distribution rates by \$251 million or approximately 4.5% over present revenues. It is standard practice to pass a Resolution as the first step in a process to review Oncor's application and attempt to negotiate with Oncor regarding this proposed increase.

The Oncor Cities Steering Committee (OCSC) consists of similarly situated cities served by Oncor that have joined together to efficiently and cost effectively review and respond to electric issues affecting rates charged in Oncor's service area. The OCSC will engage with consultants and legal council on behalf of the member cities to resolve issues with Oncor's filing.

Recommendation/Action Requested and Justification

Approve resolution denying the Oncor Rate Case Application.

Attachments

Oncor Resolution

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF GARLAND FINDING THAT ONCOR ELECTRIC DELIVERY COMPANY, LLC'S APPLICATION FOR APPROVAL OF A DISTRIBUTION COST RECOVERY FACTOR PURSUANT TO 16 TEX. ADMIN. CODE § 25.243 TO INCREASE DISTRIBUTION RATES WITHIN THE CITY SHOULD BE DENIED; FINDING THAT THE CITY'S REASONABLE RATE CASE EXPENSES SHALL BE REIMBURSED BY THE COMPANY; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL; AND SETTING AN EFFECTIVE DATE.

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

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

WHEREAS, on or about May 13, 2022 Oncor filed with the COG an Application for Approval to Amend its Distribution Cost Recovery Factor ("DCRF"), PUC Docket Number 53601, seeking to increase electrical distribution rates by approximately \$250,691,114;

WHEREAS, all electric utility customers residing in the COG will be impacted by this ratemaking proceeding if it is granted;

WHEREAS, members of OCSC are coordinating a review of Oncor's DCRF filing with designated attorneys and consultants to resolve issues in the Company's application;

WHEREAS, OCSC's members and attorneys recommend that members deny the DCRF;

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

Section 1

That the City of Garland is authorized to participate with OCSC in PUC Docket Number 53601;

Section 2

That subject to the right to terminate employment at any time, the City of Garland hereby authorizes the hiring of the law firm of Lloyd Gosselink and consultants to negotiate with Oncor, make recommendations to the COG regarding reasonable rates, and to direct any necessary administrative proceedings or court litigation associated with an appeal of this application filed with the PUC.

Section 3

That the rates proposed by Oncor to be recovered through its DCRF charged to customers located within the city limits of the COG are hereby found to be unreasonable and shall be denied.

Section 4

That Oncor shall continue to charge its existing rates to customers within the city limits of the COG.

Section 5

That the COG's reasonable rate case expense shall be reimbursed in full by Oncor within thirty (30) days of presentation of an invoice to Oncor;

Section 6

That the COG hereby officially finds and determines that the meeting at which this Resolution is passed was open to the public as required by law, and that the COG gave public notice of the time, place, and purpose of said meeting as required by law.

Section 7

That, upon passage by the COG, a copy of this Resolution shall be sent to J. Michael Sherburne, Vice President - Regulatory, Oncor Electric Delivery Company, L.L.C., 1616 Woodall Rodgers Freeway, Dallas, Texas 75202; to Tab R. Urbantke, Hunton Andrews Kurth LLP, 1445 Ross Avenue, Suite 3700, Dallas, Texas 75202; Thomas Brocato, General Counsel to the OCSC's member cities, at Lloyd Gosselink Rochelle & Townsend, P.C., P.O. Box 1725, Austin, Texas 78767-1725.

Section 8

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

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

CITY OF GARLAND, TEXAS

Scott LeMay
Mayor

ATTEST:

City Secretary



**GARLAND
CITY COUNCIL ITEM SUMMARY SHEET**

City Council Regular Session Agenda

11.

Meeting Date: 06/07/2022

Item Title: Conduct the Swearing In of Council Member for District 2

Summary of Request/Problem

Conduct the swearing in of Council Member for District 2.

Recommendation/Action Requested and Justification

Conduct the swearing in of Council Member for District 2.



**GARLAND
CITY COUNCIL ITEM SUMMARY SHEET**

City Council Regular Session Agenda

12.

Meeting Date: 06/07/2022

Item Title: North Texas Municipal Water District Appointment

Submitted By: Rene Dowl, City Secretary

Summary of Request/Problem

Council is requested to consider appointing a representative to the North Texas Municipal Water District Board for a two-year term beginning June 7, 2022.

Recommendation/Action Requested and Justification

Consider by minute action the appointment of a City of Garland representative to the North Texas Municipal Water District Board.

Attachments

Jack May - NTMWD

Gary Barnett



GARLAND

TEXAS MADE HERE

**CITY OF GARLAND
RECEIVED
MAY 02 2022**

CITY SECRETARY

Application for City of Garland Boards/Commissions/Committees

Return completed application to City Secretary's Office, 200 N. Fifth St., Garland, Texas 75040 | Email: RDowl@GarlandTX.gov

Please Type or Print Clearly:

Date: 04-25-2022

Name: Jackie "Jack" May

Phone

(Home)

Address: 1709 Oak Bend Lane

Phone

(Other)

City, State, Zip: Garland, TX, 75040

Email

Resident of Garland for 74 years Resident of Texas for 74 years

✓ Dallas County Voter Registration Number [REDACTED] Garland City Council District Number

Have you ever been convicted of a felony? ☐ Yes ☒ No

Have you ever been convicted of a Class A misdemeanor? ☐ Yes ☒ No

Please list any experience that qualifies you to serve in the areas you have indicated.

My entire career has been in the water and wastewater fields. My career, 40 years actually working in the water and wastewater field and 12 years as a Board of Director at NTMWD.

If you have previously served on a City Board or Commission, please specify and list dates of service.

I am currently one of two city of Garland appointees to the NTMWD BOD. I am currently on the Executive Committee serving as Vice President and President elect in 2022-23.

List civic or community endeavors with which you have been involved.

Garland Kiwanis 1990's. I support Hope Clinic and other non-profits.

What is your educational background?

Garland High School, Associates degree, Richland College (Dallas College). I have 100's of hours of Water and Wastewater classes from Texas A&M extension services. I formerly held a class "B" Water and class "B" Wastewater certified operators certifications from the TCEQ.

What is your occupational experience?

After 2 years in the US Army my entire career 1970-2010 was spent with the City of Garland Water Utilities, last position was Managing Director of Water, Wastewater and Facilities Management.

I hereby affirm that all statements herein are true and correct.

Board or Commission of first, second and third choice:

☐ Board of Adjustment	☐ Garland Cultural Arts Commission	☐ Parks and Recreation Board
☐ Citizens Environmental and Neighborhood Advisory Committee	☐ Garland Youth Council **	☐ Plan Commission *
☐ Civil Service Commission	☐ Library Board	☐ Senior Citizens Advisory Committee
☐ Community Multicultural Commission	☐ Property Standards Board	☐ Unified Building Standards Commission

** Garland Youth Council has a separate application

FOR OFFICE USE ONLY

Ad Valorem Tax Status
Utility Account Status
CSO Suit/Claim Filed

Current ☒
Current ☒
Yes ☐ No ☒

Past Due ☐
Past Due ☐

Date Appointed

Appointed By

Date Notified

Disclosure Form Filed

Clerk Signature & Date

Courtney Vander
5/3/22

Revised 05/2021

Vanover, Courtney

From: Kurth, Christine
Sent: Monday, May 2, 2022 10:49 AM
To: Vanover, Courtney; Daniel, Brenda
Subject: RE: Account Status

Good Morning

Here you go ☺

Thank you

Christine Kurth
Call Center Supervisor
972-205-2677
Email: CKurth@garlandtx.gov



GARLAND

From: Vanover, Courtney <CVanover@garlandtx.gov>
Sent: Monday, May 2, 2022 10:43 AM
To: Kurth, Christine <CKurth@garlandtx.gov>; Daniel, Brenda <BDaniel@garlandtx.gov>
Subject: Account Status

Good morning,

I need to check the account status for the following please:

Jack May----Excellent/Current
1709 Oak Bend Lane

Thank you!

Courtney Vanover

City Secretary's Office
972-205-2406

Our Mission

We are committed to preserve public trust, deliver quality services, promote economic growth, protect our community and enhance the quality of life for the good of our city and our future.



GARLAND

Vanover, Courtney

From: Daniel, Brenda
Sent: Tuesday, May 3, 2022 9:21 AM
To: Vanover, Courtney; Kurth, Christine
Subject: RE: Account Status

All is good with tax.

From: Vanover, Courtney
Sent: Monday, May 2, 2022 10:43 AM
To: Kurth, Christine <CKurth@garlandtx.gov>; Daniel, Brenda <BDaniel@garlandtx.gov>
Subject: Account Status

Good morning,

I need to check the account status for the following please:

Jack May
1709 Oak Bend Lane

Thank you!

Courtney Vanover

City Secretary's Office
972-205-2406

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GARLAND



CITY OF GARLAND
RECEIVED
MAY 04 2022

CITY SECRETARY

Application for City of Garland Boards/Commissions/Committees

Return completed application to City Secretary's Office, 200 N. Fifth St., Garland, Texas 75040 | Email: RDowl@GarlandTX.gov

Please Type or Print Clearly:

Date: 5/4/22

Name: Garry "Lynn" Barnett

Phone: [REDACTED]

Address: 3810 Chicosa Trail

Phone: [REDACTED]

City, State, Zip: 75043

Email: [REDACTED]

Resident of Garland for 51 years

Resident of Texas for 75 years

✓ Dallas County Voter Registration Number [REDACTED] Garland City Council District Number 3

Have you ever been convicted of a felony? ☐ Yes ☒ No

Have you ever been convicted of a Class A misdemeanor? ☐ Yes ☒ No

Please list any experience that qualifies you to serve in the areas you have indicated.

I was raised on a Farm and Ranch in Central Texas. After completing my education from Texas A&M - Commerce; I was a commercial carpenter for 6 years. I started my sales career in building materials that lasted 42 years. Since then, I have owned a handyman business specializing in kitchen and bath remodeling. +

If you have previously served on a City Board or Commission, please specify and list dates of service.

List civic or community endeavors with which you have been involved.

I coached soccer and baseball for my children.

What is your educational background?

BBA in Business from Texas A&M - Commerce. Lincensed carpenter. Leadership training with several companies I worked for; Stanley Works, Hunter Fan Company, US Fence, Thompson's and Formby.

What is your occupational experience?

Construction of tilt wall panels and concrete works. Sales and sales management for 42 years. First working the five state region of Texas, Oklahoma, New Mexico, Arkansas and Louisiana. Traveled nationally and +

I hereby affirm that all statements herein are true and correct.

Board or Commission of first, second and third choice:		
☐ Board of Adjustment	☐ Garland Cultural Arts Commission	☐ Parks and Recreation Board
☐ Citizens Environmental and Neighborhood Advisory Committee	☐ Garland Youth Council **	☐ Plan Commission *
☐ Civil Service Commission	☐ Library Board	☐ Senior Citizens Advisory Committee
☐ Community Multicultural Commission	☐ Property Standards Board	☐ Unified Building Standards Commission

** Garland Youth Council has a separate application

FOR OFFICE USE ONLY

Ad Valorem Tax Status
Utility Account Status
CSO Suit/Claim Filed

Current

Current

Yes

No

Past Due

Past Due

Date Appointed

Appointed By

Date Notified

Disclosure Form Filed

Clerk Signature & Date

Courtney Vanover

5/5/22

**North Texas Municipal Water District
Texas Municipal Power Agency

Revised 05/2021

Vanover, Courtney

From: Daniel, Brenda
Sent: Thursday, May 5, 2022 9:31 AM
To: Vanover, Courtney; Kurth, Christine
Subject: RE: Account Status

All good with Tax.

From: Vanover, Courtney
Sent: Thursday, May 5, 2022 7:44 AM
To: Daniel, Brenda <BDaniel@garlandtx.gov>; Kurth, Christine <CKurth@garlandtx.gov>
Subject: Account Status

Good morning,

I need to check the account status for the following please:

Gary Lynn Barnett
3810 Chicosa Trail

Thank you!

Courtney Vanover
City Secretary's Office
972-205-2406

Our Mission

We are committed to preserve public trust, deliver quality services, promote economic growth, protect our community and enhance the quality of life for the good of our city and our future.



GARLAND

Vanover, Courtney

From: Kurth, Christine
Sent: Thursday, May 5, 2022 8:13 AM
To: Vanover, Courtney; Daniel, Brenda
Subject: RE: Account Status

Good Morning

Here you go 😊

Thank you

Christine Kurth
Call Center Supervisor
972-205-2677
Email: CKurth@garlandtx.gov



GARLAND

From: Vanover, Courtney <CVanover@garlandtx.gov>
Sent: Thursday, May 5, 2022 7:44 AM
To: Daniel, Brenda <BDaniel@garlandtx.gov>; Kurth, Christine <CKurth@garlandtx.gov>
Subject: Account Status

Good morning,

I need to check the account status for the following please:

Gary Lynn Barnett---- Excellent/Current
3810 Chicosa Trail

Thank you!

Courtney Vanover

City Secretary's Office
972-205-2406

Our Mission

We are committed to preserve public trust, deliver quality services, promote economic growth, protect our community and enhance the quality of life for the good of our city and our future.



GARLAND

Vanover, Courtney

From: Dowl, Rene
Sent: Wednesday, May 4, 2022 3:30 PM
To: Vanover, Courtney
Subject: Application for Boards and Commissions
Attachments: Boards-and-Commissions-Application 040522.pdf

Courtney,

This applicant is interested in "outside" and City boards and commissions. Please note that we will have to invite him to the interviews for NTMWD and TMPA.

Thank you,

René

Eloyce René Dowl, TRMC, CMC
City Secretary
200 N. 5th Street
4th Floor
Garland, TX 75040
P: 972-205-2404
F: 972-205-2504
rdowl@garlandtx.gov
www.garlandtx.gov

ATTENTION PUBLIC OFFICIALS! A "Reply to All" of this e-mail could lead to violations of the Texas Open Meetings Act. Please reply only to the sender.

From [REDACTED]
Sent: Wednesday, May 04, 2022 3:15 PM
To: Dowl, Rene <RDowl@garlandtx.gov>
Subject: [EXTERNAL] Application for Boards and Commissions

see attached. I would be interested in The North Texas Municipal Water District, Texas Municipal Power Agency, or City boards and commissions.

--

Lynn Barnett
[REDACTED]



GARLAND POLICY REPORT

City Council Regular Session Agenda

13. a.

Meeting Date: 06/07/2022
Item Title: Thoroughfare Plan Amendment
Submitted By: Paul Luedtke, Transportation Director
Strategic Focus Areas: Growing Economic Base
Vibrant Neighborhoods and Commercial Centers
Future-Focused City Organization

ISSUE

Development along IH 30 has resulted in the need for local streets to be continuous for the benefit of the citizens in the area. The amendment of the Thoroughfare Plan to include a future roadway between IH30 and Lyons Road is needed to promote connectivity.

RECOMMENDATION

Amend the Thoroughfare Plan to include the roadway as shown on the attached exhibit. Council is requested to hold a public hearing and vote to amend the Thoroughfare Plan.

BACKGROUND

The City Thoroughfare Plan is the master planning policy of the City of Garland for the planned improvements to major roadways within Garland. This includes both widening of existing roadways to their ultimate cross-section and the location of new roadways that are necessary for connectivity and circulation. The Thoroughfare Plan ensures that as the development and redevelopment occurs, the right of way will be available for the necessary improvements.

The current Thoroughfare Plan was developed in 2015 and has been amended two times since then to add a roadway and change the designation of a roadway.

The Thoroughfare Plan is amended through Council action which includes presentation of the proposed change to the plan, a public hearing followed by a vote by the City Council on the amendment.

A planned development has been approved by the City Council and Plan Commission that fronts IH30 just to the west of Bobtown Road. This development includes a new public street that should continue to Lyons Road. This extension will not be implemented until the property to the east develops and therefore does not have any impact on the current owner. This roadway would be beneficial to the property to the east when it develops and provide both developments beneficial access to Lyons and IH30 in addition to access to each development

from the other. Until this property develops, the amendment will not affect the existing use of the property. This roadway will be a low speed local access roadway. Due to the one way nature of the IH 30 frontage road and the on street parking that will be along this new roadway, forming this connection is not expected to create any cut through traffic. Rather, it is expected to serve local traffic to and from the new developments.

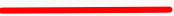
This roadway is proposed as a Type G street.

Attachments

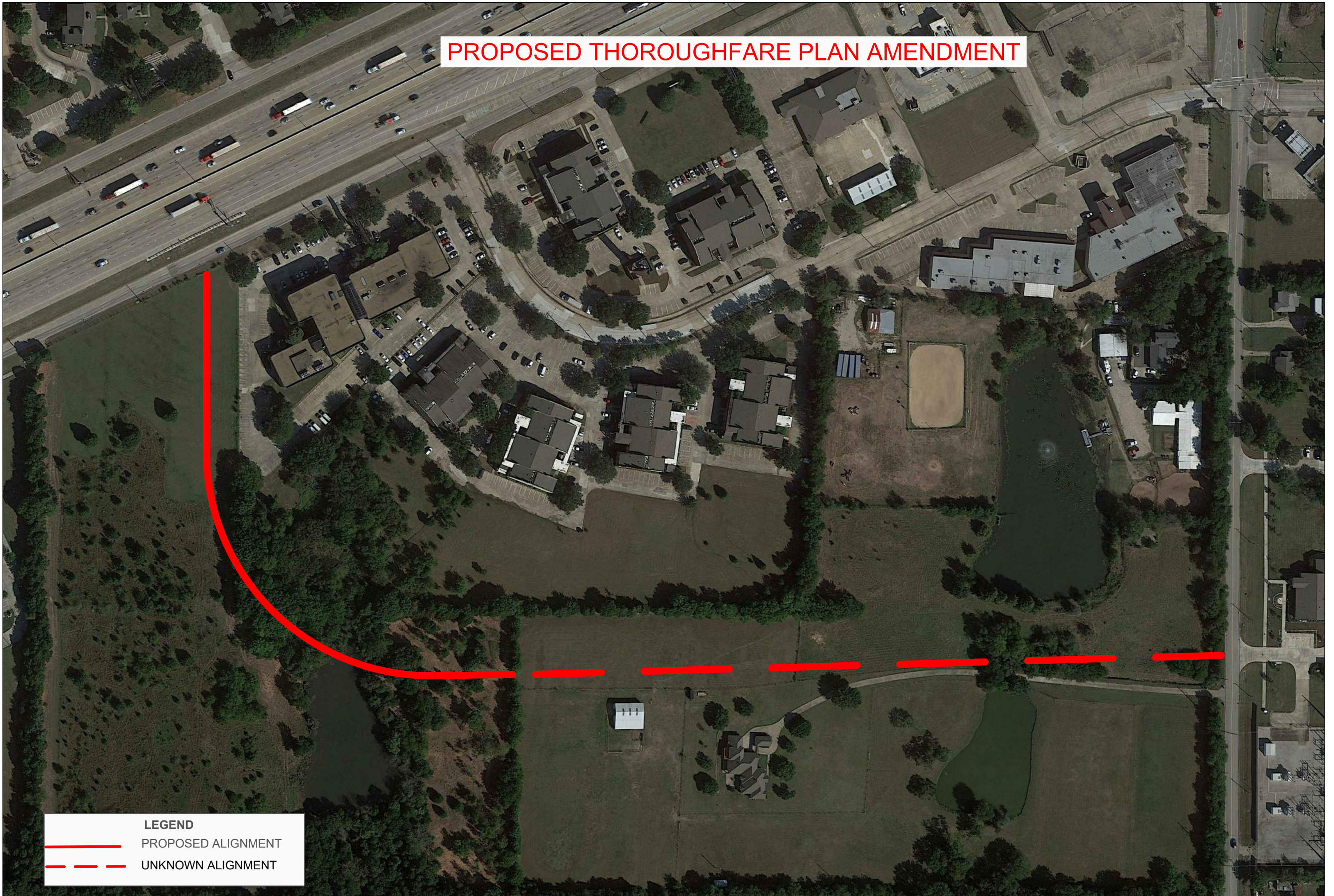
Exhibit A

PROPOSED THOROUGHFARE PLAN AMENDMENT

LEGEND

 PROPOSED ALIGNMENT

 UNKNOWN ALIGNMENT





GARLAND PLANNING REPORT

City Council Regular Session Agenda

13. b.

Meeting Date: 06/07/2022

Item Title: Z 22-03 Trumont Group - Zoning (District 1)

Submitted By: Nabiha Ahmed, Lead Development Planner

REQUEST

Approval of an amendment to Planned Development (PD) District 03-53.

Approval of a Detail Plan for Multi-Family development.

LOCATION

2498 North President George Bush Turnpike

OWNER

Michael E. Dyer Family, LTD

PLAN COMMISSION RECOMMENDATION

On May 9, 2022 the Plan Commission, by a vote of six (6) to zero (0), recommended approval of an amendment to Planned Development (PD) District 03-53.

The Plan Commission, by a vote of six (6) to zero (0), also recommended approval of a Detail Plan for Multi-Family development.

STAFF RECOMMENDATION

Approval of an amendment to Planned Development (PD) District 03-53.

Approval of a Detail Plan for Multi-Family development.

However, staff recommends additional covered parking be provided. Alternatively, additional large canopy trees may be planted within the parking areas to provide more shade.

BACKGROUND

In 2003, City Council approved Planned Development (PD) 03-53 District to allow the development of a mixed-use town center regional shopping mall and complementary peripheral development. PD 03-53 requires review of a Detail Plan through a public hearing process. The core tract of the Planned Development has been constructed with an urban style, outdoor-oriented shopping mall.

SITE DATA

The overall site consists of approximately 10.250 acres with approximately 480 lineal feet of frontage along North President George Bush Turnpike. The site plan (Exhibit C) shows two (2) access points through the proposed multi-family development to the west that will connect to Firewheel Parkway. A formal Zoning / Detail Plan application has been submitted for a proposed multi-family development to west of the subject property and both developers are coordinating in regards to the private access from Firewheel Parkway.

USE OF PROPERTY UNDER CURRENT ZONING

The site is zoned Planned Development (PD) District 03-53 per the Official Zoning Map. The applicant has incorporated the elements from Planned Development (PD) District 03-53 for this proposed development to maintain consistency within Firewheel Town center and the peripheral development.

CONSIDERATIONS

1. Development and Site Plan

The applicant requests the development of 298 multi-family dwelling units on an unimproved property. The development will consist of two (2) buildings along with pocket parks, a swimming pool, dog park and other amenities (Exhibit C in the Plan agenda item).

The subject property is landlocked with limited points of access and a significant amount of topographical changes. Access agreements are currently being coordinated with the developer to the west. The road and pedestrian pathways will be constructed prior to this development.

2. Parking

The GDC requires 491 parking spaces for this proposal and the site plan (Exhibit C) meets the number of parking spaces required. Additionally, the GDC requires a minimum of fifty (50%) percent of those required parking spaces to be covered. Per the calculation, a total of 246 parking spaces should be covered and the site plan (Exhibit C) shows 125 covered spaces.

3. Building Height

The GDC allows a maximum building height of forty (40) feet for multi-family development. The applicant proposes a maximum building height of sixty-five (65) feet to allow five stories. The buildings have a four and five level split to adapt to the significant topographical changes. It should be noted that all five (5) story elevations will face the interior of the development.

4. Density

The GDC allows a maximum density of eighteen (18) dwelling units per acre. The applicant proposes a density of 29.08 dwelling units per acre due to site constraints.

5. Amenities

- **Clubhouse:** Section 2.39 (l) states that a minimum 3,500 square-foot clubhouse must be constructed on site and made available to all residents. The site plan (Exhibit C) notes a 5,000 square-foot clubhouse.
- **Swimming Pool:** Two (2) swimming pools having a minimum of eight hundred (800) square feet of surface water must be provided for each multi-family development. The applicant proposes a swimming pool with a minimum of 1600 square feet of surface water in the interior courtyard.
- **Leisure Areas:** Two (1) leisure areas having a minimum area of one thousand square feet, containing at least two (2) pieces of play equipment, or other outdoor amenities (such as, picnic areas with tables, barbeque pits, arbors, or gazebos) must be provided for each multi-family development. The applicant will comply with this requirement by providing a dog park and two (2) pocket parks containing a trellis, benches, picnic tables and barbeque grills.

6. Dwelling unit/mix

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

Minimum dwelling unit size.

Required Efficiency: 500 square feet

Proposed: 576 square feet

Number of units: 27 units (9.1%)

Required one- bedroom: 650 square feet

Proposed: 690, 780 and 884 square feet

Number of units: 157 units (52.6%)

Required two-bedroom: 800 square feet

Proposed: 1,080, 1,150, 1,200 and 1,224 square feet

Number of units: 93 units (31.2%)

Required three-bedroom: 950 square feet

Proposed: 1,564 square feet

Number of units: 21 units (7.04%)

7. Screening and Landscaping

The proposed landscaping conforms to the screening and landscaping requirements per the GDC. Although screening is not required, the applicant proposes a six (6) foot ornamental metal fence along the eastern and western perimeter lines.

8. Trails:

Pedestrian circulation is outlined on the site plan (Exhibit C) to reflect the overall connectivity. In addition, the developer will grant an easement to the City for future trail connection to the north of this development. The City's trail configuration is unknown at this time.

9. Building Design

The building design complies with the architectural elements and articulation requirements of the GDC and Planned Development (PD) District 03-53.

The applicant contends the architectural style consists of a warm palette of light, medium, and dark tones used to emphasize and reinforce the natural movement within the building façade manifest in bay window bump outs, entry insets, etc. The overall massing breaks down at points with an inset in the building and a break in the roofline with the intention that it feels like a series of buildings connected with inset articulations.

10. Transportation

A Traffic Impact Analysis was submitted with this request. The Transportation Department did not have any concerns with the proposed development and it meets technical requirements.

As mentioned in the Site Data section above, a formal Zoning / Detail Plan application has been submitted for the proposed multi-family development to the west of the subject property and both developers are coordinating in regards to the private access from Firewheel Parkway.

11. Engineering

Part of the site will drain to the existing water quality pond maintained by the city (northwest of the site). Engineering staff will ensure that the proposed flow does not exceed the programmed capacity of the pond per the original asbuilts. Any additional stormwater flow from this site will have to be handled by the developer and piped to the north east or east to tie into the old Rowlett Creek channel or a natural draw where the pipe can discharge into within 2 vertical feet of any existing flowline. The alignment will have to be determined at the time of construction. If the pipe goes through any wetland areas, it will be subject to any applicable Army Corp of Engineers regulations and permitting. The downstream system is within the fully developed floodplain area of Rowlett Creek so capacity is not a concern.

12. Signage

No deviations were requested regarding signage.

12. Summary of Deviations

Development Standards	Required	Proposed	Analysis
Covered Parking	The GDC requires a minimum of fifty (50%) percent of those parking spaces to be covered.	Per the calculation, a total of 246 parking spaces should be covered and the site plan (Exhibit C) shows 125 covered spaces.	From previous multifamily developments the developer has developed, when covered parking is more than 25% of the available parking spaces, the additional covered spaces are not leased by residents.

Building Height	The GDC allows a maximum building height of forty (40) feet for multi-family development.	The applicant proposes a maximum building height of sixty-five (65) feet	The additional height is needed to accommodate five stories. The buildings have a four and five level split to adapt the significant topographical changes. It should be noted that all five (5) story elevations will face the interior of the development.
Density	18 dwelling units/acre	29.08 dwelling units per acre	There are significant site challenges which include the irregular shape parcel, floodplain and topographical changes. In addition, the density may support the nearby Firewheel Town Center.

COMPREHENSIVE PLAN

The Envision Garland Plan designates the subject property as Regional Centers, which are areas with a higher concentration of activity that serve as a destination for residents and visitors. Uses within this development type provide a mix of retail, services, entertainment, and employment and may include residential uses. Regional centers may be found along major highways and turnpikes, and at significant bus or rail stations.

Regional centers generally cover an area greater than thirty (30) acres and consist of one or more buildings with more than 450,000 square feet of gross leasable area. This development type typically serves a five to fifteen-mile radius trade area, within a 20 minute drive time, and serves a minimum population of 150,000.

The proposed use is compatible with the Comprehensive Plan and supports the Firewheel Town Center.

COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

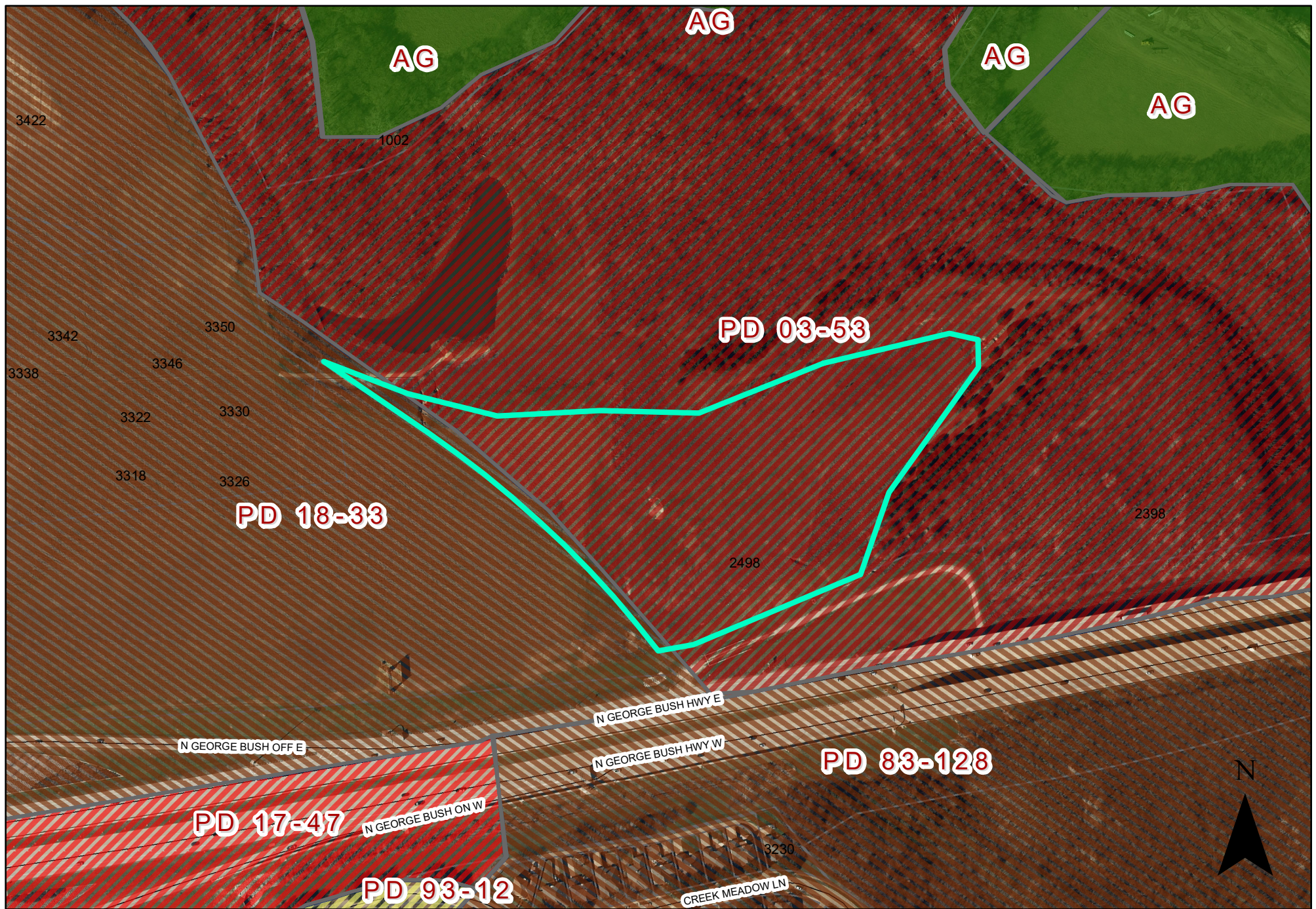
The area to the north is zoned Planned Development (PD) District 03-53; it is currently unimproved. The properties to the east are zoned Planned Development (PD) District 03-53 and Agricultural (AG) District; these properties are vacant. The properties to the south, across North President George Bush Turnpike, are zoned Planned Development (PD) District 83-128; these properties are developed with single-family properties. The property to the west is zoned Planned Development (PD) District 18-33; it is currently unimproved. However, a zoning application has been submitted recently for a multi-family development.

Attachments

Z 22-03 Trumont Group Attachments (Zoning)

Z 22-03 Trumont Group Responses

Z 22-03 Trumont Group Staff Presentation



0 180 360 Feet
1 inch = 280 feet

ZONING MAP Z 22-03

2498 N George Bush Hwy

 INDICATES AREA OF REQUEST

PLANNED DEVELOPMENT CONDITIONS

ZONING FILE Z 22-03

2498 North President George Bush Turnpike

- I. Statement of Purpose:** The purpose of this Planned Development is to approve a multi-family development.
- II. Statement of Effect:** This Planned Development shall not affect any regulation found in the Garland Development Code, Ordinance No. 6773, as amended prior to adoption of this ordinance, except as specifically provided herein.
- III. General Regulations:** All regulations of the Multi-Family (MF) District as set forth in Chapter 2 of the Garland Development Code are included by reference and shall apply, except as otherwise specified by this ordinance.

IV. Development Plans:

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

V. Specific Conditions:

- A. Permitted Uses:** Land Uses are only permitted as in the Multi-Family (MF) District.
- B. Site Plan:** The site layout, building placement, parking, walking paths, and other development proposed shall be in general conformance with the approved Site Plan labeled Exhibit C.
- C. Building Height:** The maximum height shall be sixty-five (65) feet.
- D. Density:** The maximum density shall be thirty (30) dwelling units per acre.
- E. Covered Parking:** A minimum of 125 parking spaces shall

be covered.

F. Dwelling Units: A total of 298 dwelling units shall be permitted.

G. Amenities: Amenities shall be provided as shown on the Exhibits C and D.

H. Landscape Plan: Screening and landscaping shall be in general conformance with the landscape plan labeled Exhibit D.

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

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

3. Screening and paving must be regularly maintained in compliance with this PD Ordinance, the Garland Development Code, and the Code of Ordinances of the City of Garland at all times. The property

owner is responsible for regular maintenance of all screening and paving as needed. In the event the property owner fails to remedy a violation of any screening or paving maintenance regulation within sixty (60) days after receipt of written notification from the City, the City may, in addition to any other remedy available by law, withhold future city permits, licenses and/or certificates requested by the property owner for the premises to which such violation applies.

- I. Elevations: Building Elevations shall be in general conformance with the elevations labeled Exhibit E.
- J. Trails: The Developer shall grant the City of Garland an easement for future trail connection.

REPORT & MINUTES

P.C. Meeting, May 9, 2022

Consideration of the application of **Trumont Group**, requesting approval of an amendment to Planned Development (PD) District 03-53. This property is located at 2498 North President George Bush Turnpike. (District 1) (File Z 22-03 – Zoning)

Representing the applicant Griffin Neal, 6433 Woodland Drive, Dallas, Texas and Mike Moore, 451 S. Main Street, Fort Worth, Texas provided an overview of the request and remained available for questions.

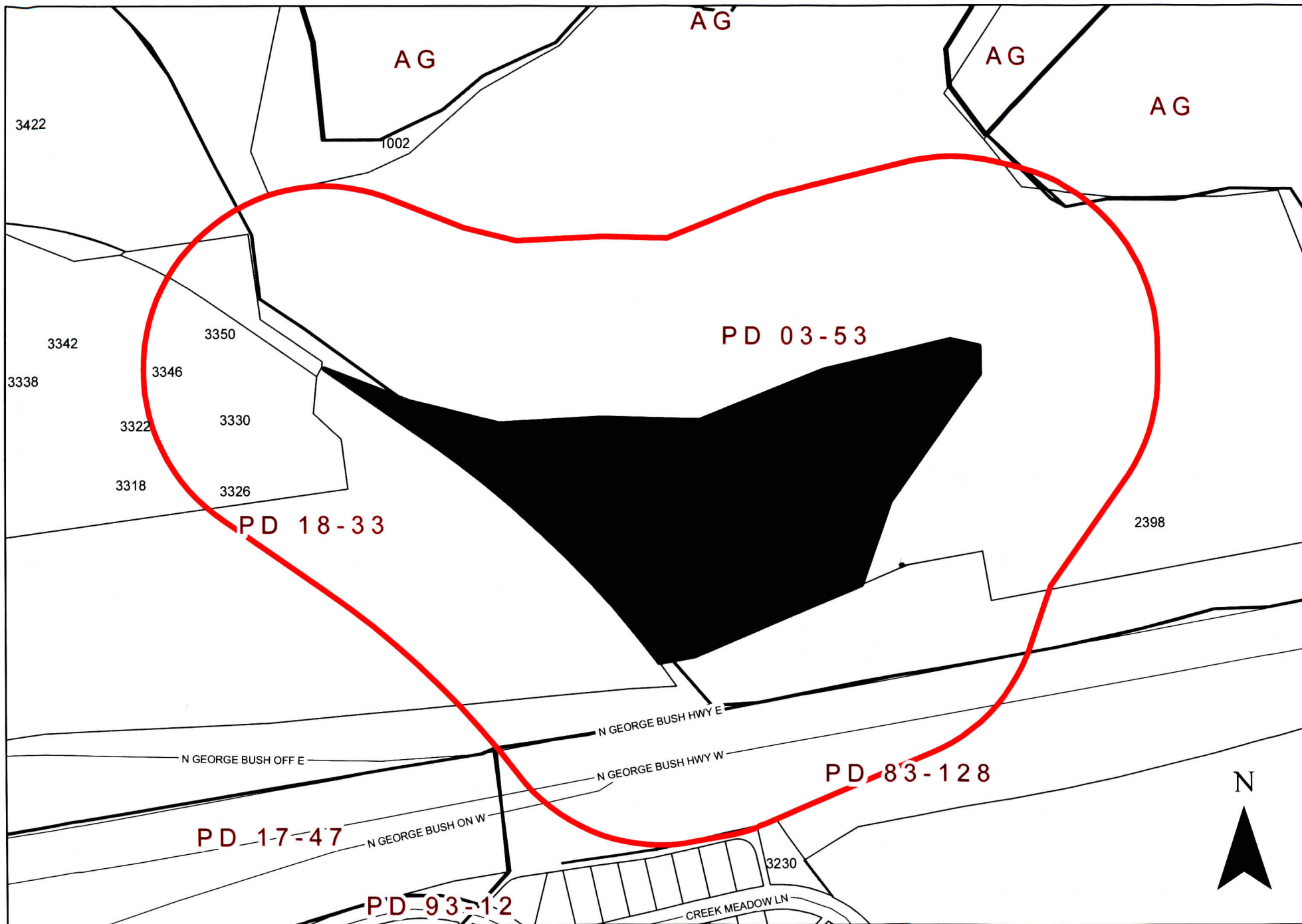
Commissioner Dalton requested Chairman Roberts read into the record comments from the Engineering Department in response to concerns from surrounding property owners regarding water runoff, flow lines, and wetlands.

Mr. Moore addressed the Plan Commission regarding the comments from the Engineering Department. He agrees with their remarks and stated they have already begun working with the Engineering Department, and there will be limited activity surrounding the wetlands. They intend to release into their outfall as soon as possible.

Mike and Penny Dyer, 3900 Grapevine Mills Parkway, Grapevine, Texas, spoke in support of the request.

There was discussion between the Plan Commission and application regarding potential water runoff

Motion was made by Commissioner Dalton to close the public hearing and **approve** the request as presented, with the provision they continue their discussions with the Engineering Department. Seconded by Commissioner Rose. **Motion carried: 7 Ayes, 0 Nay.**



0 180 360 Feet
1 inch = 280 feet

ZONING MAP Z 22-03

2498 N George Bush Hwy

INDICATES AREA OF REQUEST

INDICATES NOTIFICATION AREA

From: [Ahmed, Nabiha](#)
To: ["Jay Grogan"; Planning Group](#)
Cc: [Michael Reilly \(1948sunrise5@gmail.com\)](#); [Austin Reilly \(AREilly@landadvisors.com\)](#); [George Baldwin \(gbinvest@swbell.net\)](#); [Buz Franklin \(buzf@earthlink.net\)](#); [Colleen DeBard \(cwdebard@gmail.com\)](#)
Subject: RE: Comment Form - Case Z 22-03---OPPOSE
Date: Thursday, May 5, 2022 2:05:26 PM
Attachments: [image001.png](#)

Thank you. Your response has been received and recorded.

Nabiha Ahmed

Lead Development Planner

Planning & Development

City of Garland

D: 972-205-2453 | nahmed@garlandtx.gov



From: Jay Grogan <JGrogan@gbdallas.com>
Sent: Thursday, May 5, 2022 1:20 PM
To: Planning Group <Planning@garlandtx.gov>; Ahmed, Nabiha <NAhmed@garlandtx.gov>
Cc: Michael Reilly (1948sunrise5@gmail.com) <1948sunrise5@gmail.com>; Austin Reilly (AREilly@landadvisors.com) <areilly@landadvisors.com>; George Baldwin (gbinvest@swbell.net) <gbinvest@swbell.net>; Buz Franklin (buzf@earthlink.net) <buzf@earthlink.net>; Colleen DeBard (cwdebard@gmail.com) <cwdebard@gmail.com>
Subject: [EXTERNAL] FW: Comment Form - Case Z 22-03---OPPOSE

Dear Nahiba and Garland Planning:

See attached opposition form for Case No Z 22-03. We and all of our entities listed on the attached form strongly oppose this highly inappropriate request. The proposed rezoning area abuts sensitive wetlands and ecologically sensitive conservation areas that have always been intend to remain green and open and undeveloped. This development and its runoff and associated impacts will be harmful to these areas and subvert the park and open space plans for this area of the USACE and other agencies.

We strongly oppose.

RJ Grogan Jr.

ASO of all entities listed on the form

From: Lindsey Foster <Lindsey@gbdallas.com>
Sent: Thursday, May 5, 2022 1:03 PM

To: Jay Grogan <JGrogan@gbdallas.com>

Subject: Comment Form - Case Z 22-03

Lindsey N. Foster
Administrative Assistant
Grogan & Brawner P.C.
2808 Fairmount, Suite 150
Dallas, TX 75201
Phone: 214.979.1100
Fax: 214.979.1110



0 180 360 Feet
1 inch = 280 feet

ZONING MAP Z 22-03

INDICATES AREA OF REQUEST
INDICATES NOTIFICATION AREA

2498 N George Bush Hwy

Comment Form

Case Z 22-03

Z 22-03 Trumont Group. The applicant proposes to construct 298 multi-family dwelling units. The site is located at 2498 North President George Bush Turnpike. (District 1)

Z 22-03 Trumont Group. El solicitante propone construir 298 unidades de viviendas multifamiliares. El sitio está ubicado en 2498 North President George Bush Turnpike. (Distrito 1)

Z 22-03 Trumont Group. Người nộp đơn đề xuất xây dựng 298 đơn vị ở cho nhiều gia đình. Địa điểm được đặt tại 2498 North President George Bush Turnpike. (Quận 1)

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

☐

For / A Favor / Đúng

☒

Against / En Contra / Không

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

LES LAND COMPANY, LTD, LES LIQUIDATING TRUST, MVB ASSOCIATES, PNB INTERESTS, VALLEY CREEK/STATE HIGHWAY 190 PARTNERS, AND RELATED

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

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

Various parcels within 400 foot area and beyond 400 feet

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

Garland, Texas

City, State / Estado de la Ciudad / Thành bang

(see green area on attached map)

Zip Code / Código postal / Mã B u Qính

[Signature]

Signature / Firma / Chữ ký

R. J. Grogan Jr.,

Date / Fecha / Ngày

5/5/22

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

ASO for all entities

Comment Form Continued – Case Z 22-03

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

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

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

The subject parcel has always been planned as green space/open space due to access, infrastructure and other development challenges. It abuts sensitive wetlands, flood areas and important conservation areas that the US Army Corp of engineers desires to protect. There is more than ample multi-family inventory in this submarket ~~to~~ already. There is no need or purpose in threatening important ecological and habitat areas.

For these and other factors, all of the listed entities strongly oppose this zoning change.

Z 22-03

The applicant proposes to construct an apartment complex with 298 dwelling units.

[Planned Development amendment and Detail Plan for Multi-Family Use on a property zoned Planned Development (PD) District 03-43.]

**City Council Meeting
June 7, 2022**



GARLAND

TEXAS MADE HERE



CASE INFORMATION

Location: 2498 North President George Bush
Turnpike

Applicant: Trumont Group

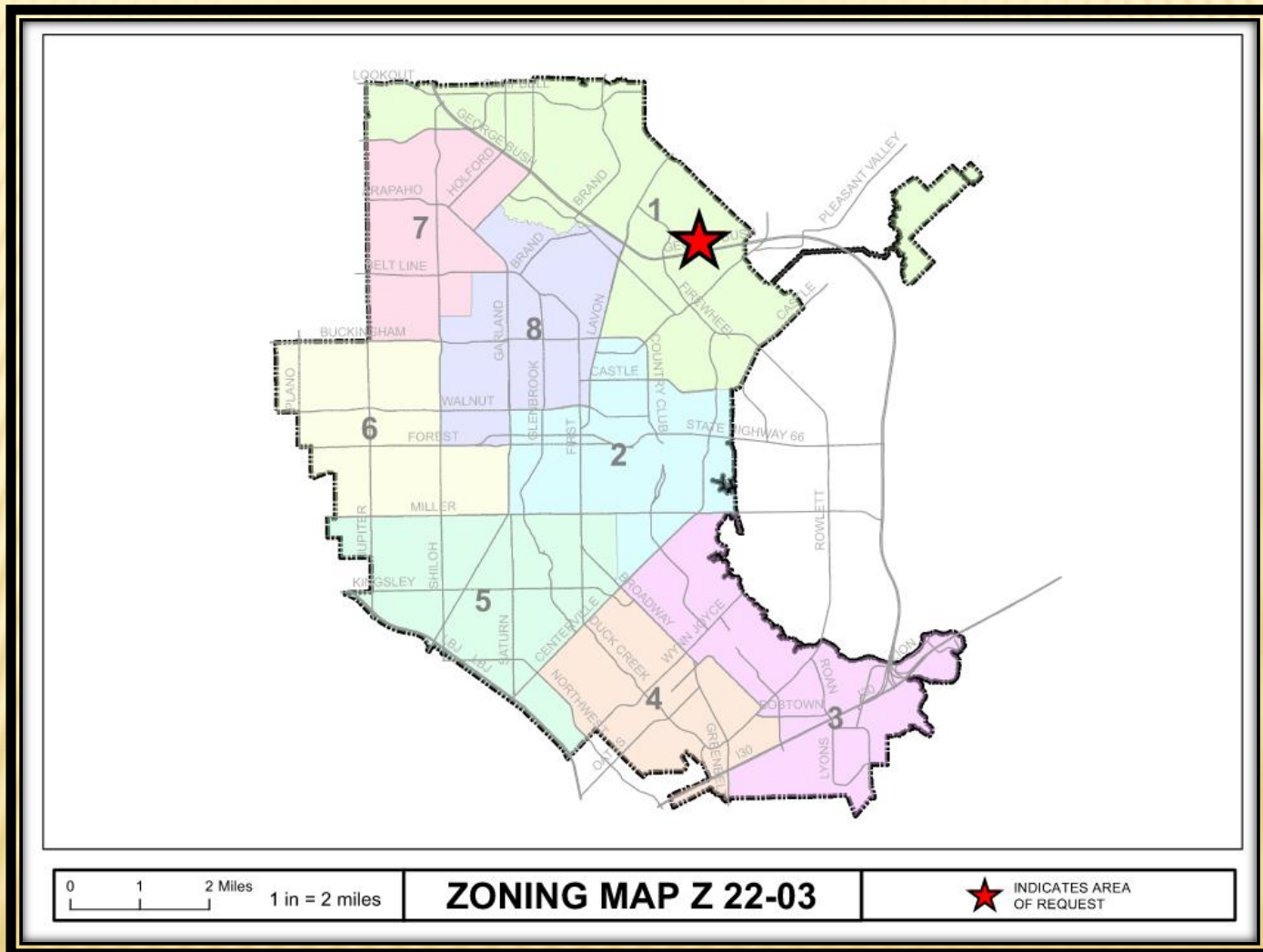
Owner: Michael E. Dyer Family, LTD

Acreage: 10.250

Zoning: Planned Development (PD) District 03-53

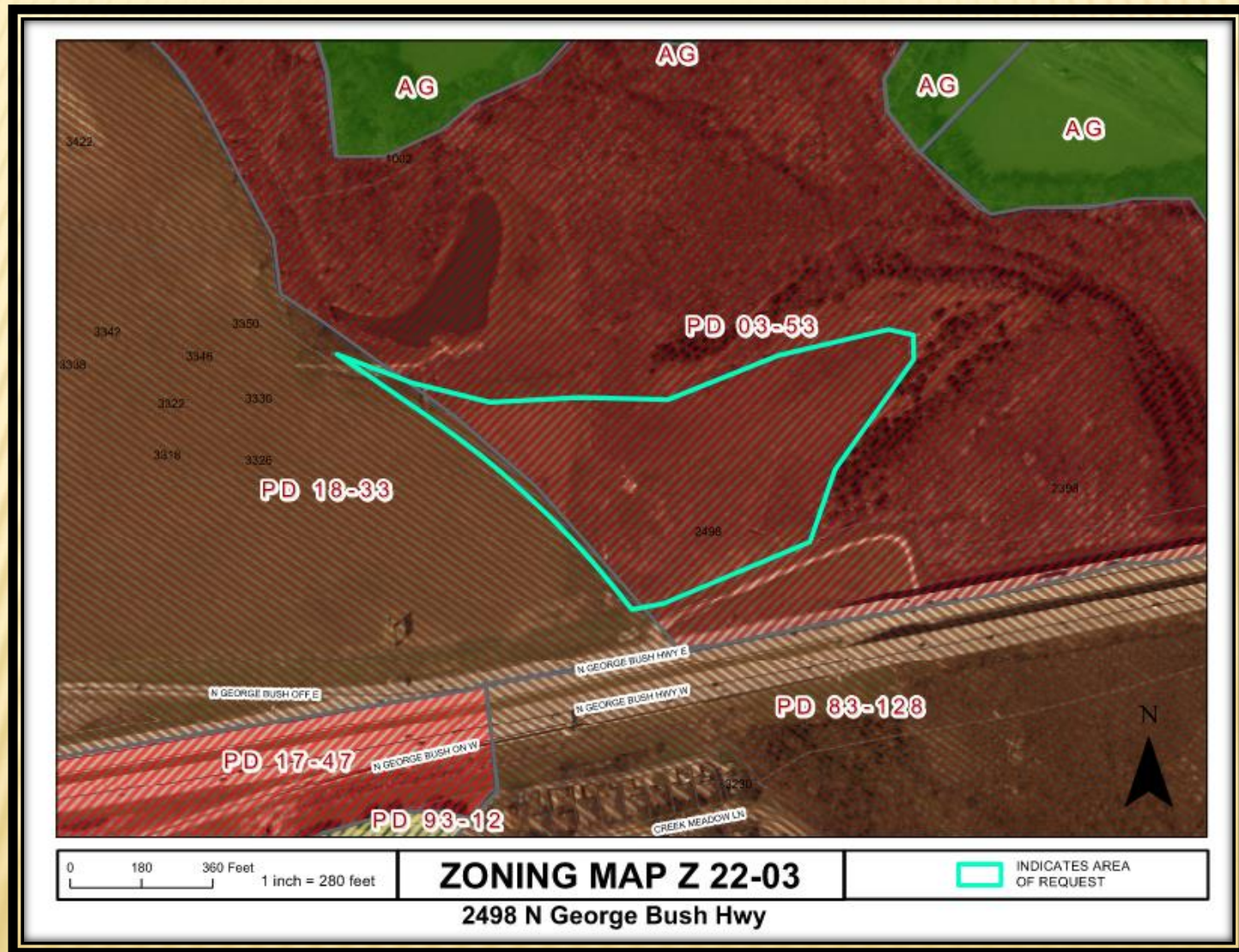
Z 22-03

CITYWIDE LOCATION MAP



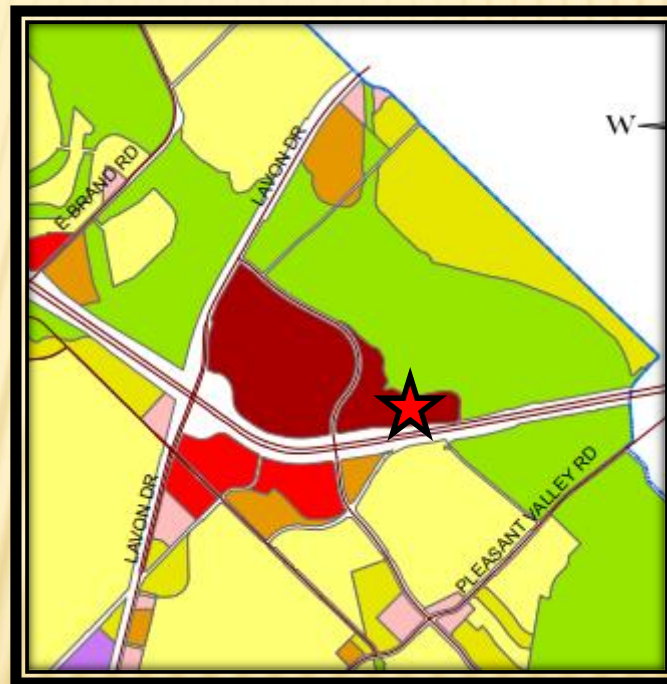
Z 22-03

LOCATION MAP



Z 22-03

COMPREHENSIVE PLAN



COMPREHENSIVE PLAN

The Envision Garland Plan designates the subject property as Regional Centers, which are areas with a higher concentration of activity that serve as a destination for residents and visitors. Uses within this development type provide a mix of retail, services, entertainment, and employment and may include residential uses. Regional centers may be found along major highways and turnpikes, and at significant bus or rail stations.

Regional centers generally cover an area greater than thirty (30) acres and consist of one or more buildings with more than 450,000 square feet of gross leasable area. This development type typically serves a five to fifteen-mile radius trade area, within a 20 minute drive time, and serves a minimum population of 150,000.

The proposed use is compatible with the Comprehensive Plan and supports the Firewheel Town Center.



GARLAND
TEXAS MADE HERE

PHOTOS



View of the subject property



Looking west of the subject property



Looking south of the subject property

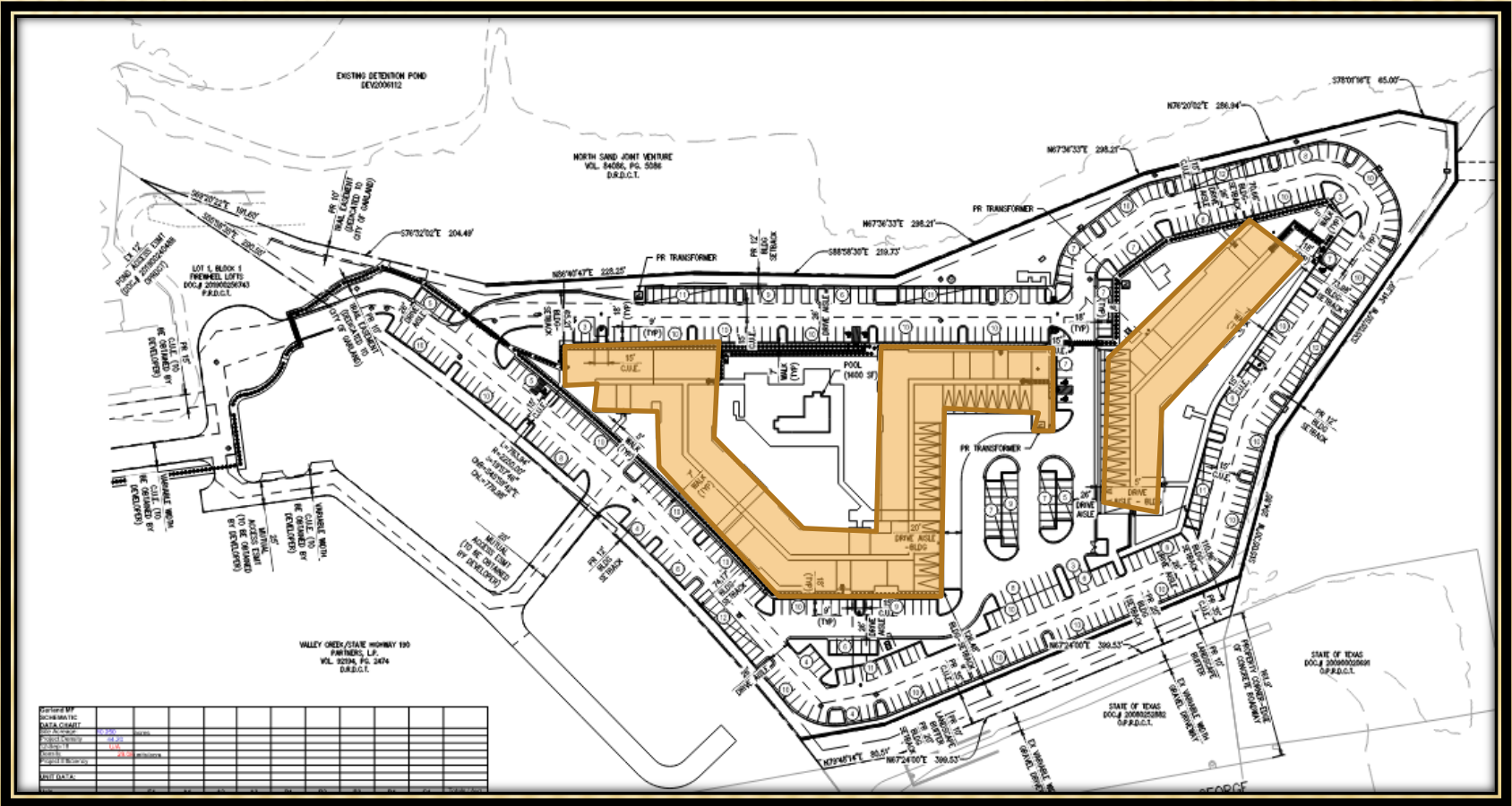


Looking east of the subject property

Z 22-03



SITE PLAN



Z 22-03



THE FUTURE





GARLAND
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BUILDING ELEVATIONS



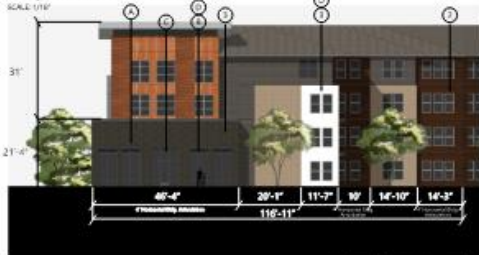
01 | NORTH ELEVATION

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



02 | NORTH ELEVATION

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



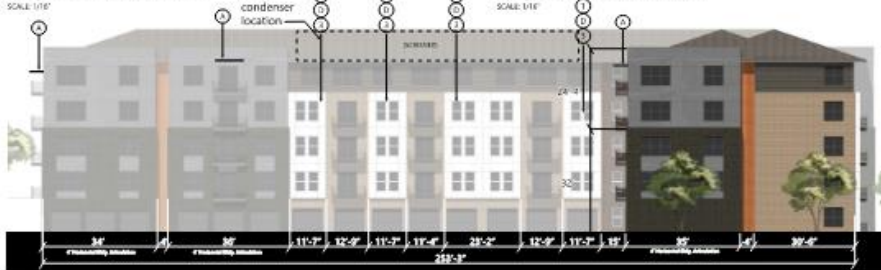
03 | WEST ELEVATION

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



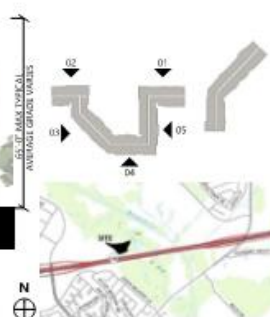
04 | SOUTH ELEVATION

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



05 | EAST ELEVATION

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



ARCHITECTURAL ELEMENTS	
A	AWNINGS
B	DISPLAY WINDOWS
C	RECESSED ENTRIES
D	BAY WINDOWS
E	PLANTERS (RE: LANDSCAPE)
F	OUTDOOR SEATING (RE: LANDSCAPE)

FACADE ARTICULATION	
1	>2' DEEP HORIZONTAL BUILDING PROJECTION
2	>2' DEEP HORIZONTAL BUILDING INSET
3	>2' DEEP VERTICAL BUILDING PROJECTION



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Approval: Permit or Construction: Call (972) 440-1111
Master: (972) 440-1111
Registration: 22019

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TRUMONT GROUP

FIREWHEEL APARTMENTS
Elevations
3406 NORTH GEORGE BUSH PARKWAY
CITY OF GARLAND, DALLAS COUNTY, TEXAS

PROJECT # 211119
SHEET NUMBER
15
NO. 02' 10'

Z 22-03



Z 22-03



GARLAND
TEXAS MADE HERE

BUILDING ELEVATIONS



01 | EAST ELEVATION

SCALE: 1/8"

02 | SOUTH ELEVATION

SCALE: 1/8"



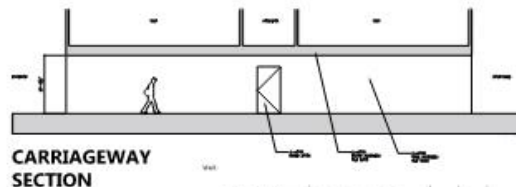
03 | WEST ELEVATION

SCALE: 1/8"

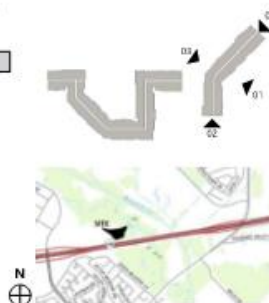


04 | NORTH ELEVATION

SCALE: 1/8"



CARRIAGEWAY SECTION



ARCHITECTURAL ELEMENTS	
A	AWNINGS
B	DISPLAY WINDOWS
C	RECESSED ENTRIES
D	BAY WINDOWS
E	PLANTERS (RE: LANDSCAPE)
F	OUTDOOR SEATING (RE: LANDSCAPE)

FACADE ARTICULATION	
1	>2' DEEP HORIZONTAL BUILDING PROJECTION
2	>2' DEEP HORIZONTAL BUILDING INSET
3	>2' DEEP VERTICAL BUILDING PROJECTION



811
before you dig

DATE	10/10/2022
BY	JHP
REVISIONS	

JHP
Architecture/Urban Design

TRUMONT GROUP

FIREWHEEL APARTMENTS
3408 NORTH GEORGE BUSH PARKWAY
CITY OF GARLAND, DALLAS COUNTY, TEXAS

PROJECT # 211110
SHEET NUMBER
17

Z 22-03

SUMMARY TABLE

Development Standards	Required	Proposed	Analysis
Covered Parking	The GDC requires a minimum of fifty (50%) percent of those parking spaces to be covered.	Per the calculation, a total of 246 parking spaces should be covered and the site plan (Exhibit C) shows 125 covered spaces.	From previous multifamily developments the developer has developed, when covered parking is more than 25% of the available parking spaces, the additional spaces are not leased by residents.
Building Height	The GDC allows a maximum building height of forty (40) feet for multi-family development.	The applicant proposes a maximum building height of sixty-five (65) feet	The additional height is needed to accommodate five stories. The buildings have a four and five level split to adapt the significant topographical changes. It should be noted that all five (5) story elevations will be facing the interior of the development.
Density	18 dwelling units/acre	29.08 dwelling units per acre	There are significant site challenges which includes the irregular shape parcel, floodplain and topographical changes. In addition, the density may support the nearby Firewheel Town Center.

STAFF RECOMMENDATION

Approval of an amendment to Planned Development (PD) District 03-53.

Approval of a Detail Plan for Multi-Family development.

However, staff recommends additional covered parking be provided.
Alternatively, additional large canopy trees may be planted within the parking areas to provide more shade.



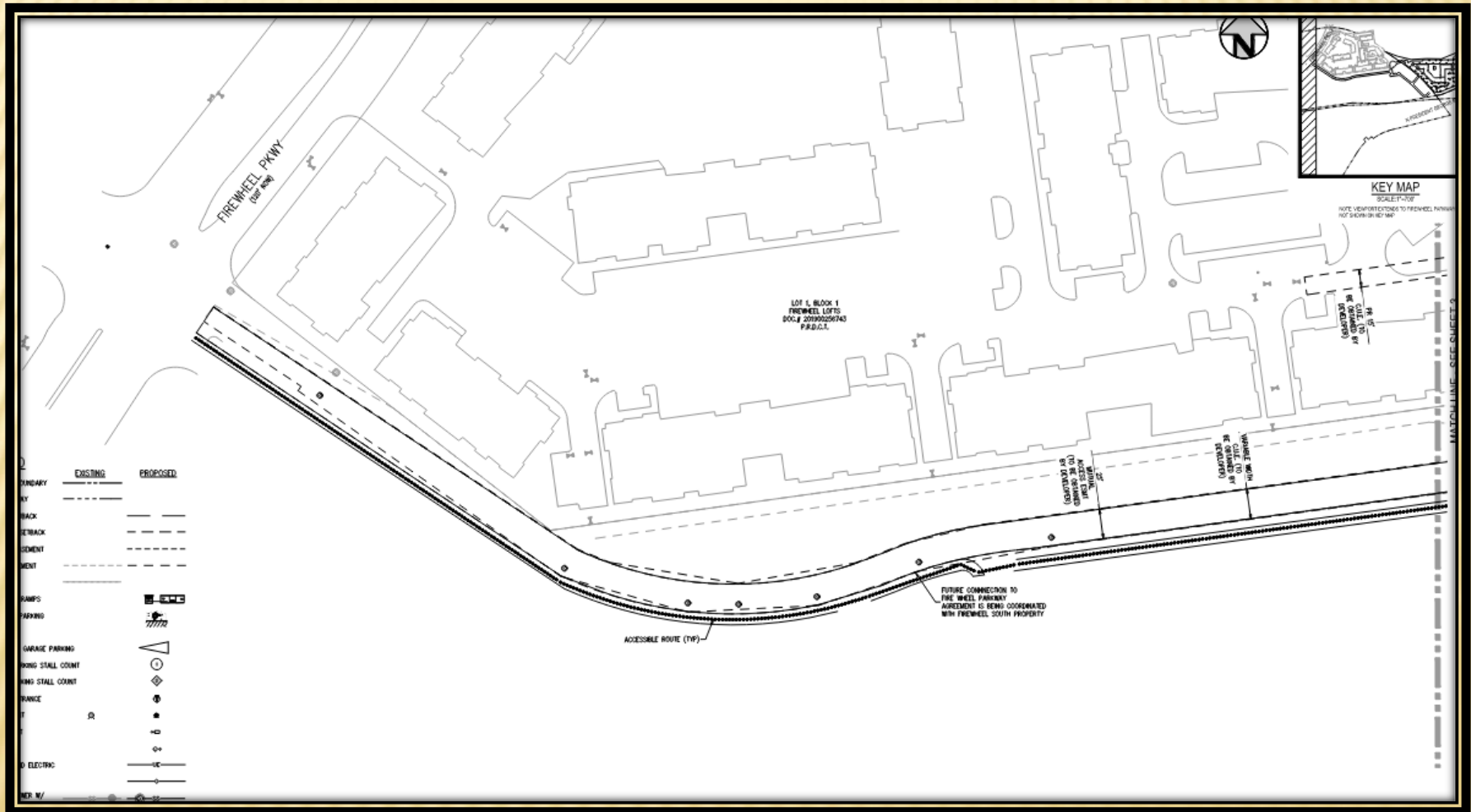
PLAN COMMISSION RECOMMENDATION

On May 9, 2022 the Plan Commission, by a vote of six (6) to zero (0), recommended approval of an amendment to Planned Development (PD) District 03-53.

The Plan Commission, by a vote of six (6) to zero (0), also recommended approval of a Detail Plan for Multi-Family development.



PRIVATE ROAD FROM FIREWHEEL PARKWAY





GARLAND PLANNING REPORT

City Council Regular Session Agenda

13. c.

Meeting Date: 06/07/2022

Item Title: Z 22-03 Trumont Group - Detail Plan (District 1)

Submitted By: Nabiha Ahmed, Lead Development Planner

REQUEST

Approval of an amendment to Planned Development (PD) District 03-53.

Approval of a Detail Plan for Multi-Family development.

LOCATION

2498 North President George Bush Turnpike

OWNER

Michael E. Dyer Family, LTD

PLAN COMMISSION RECOMMENDATION

On May 9, 2022 the Plan Commission, by a vote of six (6) to zero (0), recommended approval of an amendment to Planned Development (PD) District 03-53.

The Plan Commission, by a vote of six (6) to zero (0), also recommended approval of a Detail Plan for Multi-Family development.

STAFF RECOMMENDATION

Approval of an amendment to Planned Development (PD) District 03-53.

Approval of a Detail Plan for Multi-Family development.

However, staff recommends additional covered parking be provided. Alternatively, additional large canopy trees may be planted within the parking areas to provide more shade.

BACKGROUND

In 2003, City Council approved Planned Development (PD) 03-53 District to allow the development of a mixed-use town center regional shopping mall and complementary peripheral development. PD 03-53 requires review of a Detail Plan through a public hearing process. The core tract of the Planned Development has been constructed with an urban style, outdoor-oriented shopping mall.

SITE DATA

The overall site consists of approximately 10.250 acres with approximately 480 lineal feet of frontage along North President George Bush Turnpike. The site plan (Exhibit C) shows two (2) access points through the proposed multi-family development to the west that will connect to Firewheel Parkway. A formal Zoning / Detail Plan application has been submitted for a proposed multi-family development to west of the subject property and both developers are coordinating in regards to the private access from Firewheel Parkway.

USE OF PROPERTY UNDER CURRENT ZONING

The site is zoned Planned Development (PD) District 03-53 per the Official Zoning Map. The applicant has incorporated the elements from Planned Development (PD) District 03-53 for this proposed development to maintain consistency within Firewheel Town center and the peripheral development.

CONSIDERATIONS

1. Development and Site Plan

The applicant requests the development of 298 multi-family dwelling units on an unimproved property. The development will consist of two (2) buildings along with pocket parks, a swimming pool, dog park and other amenities (Exhibit C in the Plan agenda item).

The subject property is landlocked with limited points of access and a significant amount of topographical changes. Access agreements are currently being coordinated with the developer to the west. The road and pedestrian pathways will be constructed prior to this development.

2. Parking

The GDC requires 491 parking spaces for this proposal and the site plan (Exhibit C) meets the number of parking spaces required. Additionally, the GDC requires a minimum of fifty (50%) percent of those required parking spaces to be covered. Per the calculation, a total of 246 parking spaces should be covered and the site plan (Exhibit C) shows 125 covered spaces.

3. Building Height

The GDC allows a maximum building height of forty (40) feet for multi-family development. The applicant proposes a maximum building height of sixty-five (65) feet to allow five stories. The buildings have a four and five level split to adapt to the significant topographical changes. It should be noted that all five (5) story elevations will face the interior of the development.

4. Density

The GDC allows a maximum density of eighteen (18) dwelling units per acre. The applicant proposes a density of 29.08 dwelling units per acre due to site constraints.

5. Amenities

- **Clubhouse:** Section 2.39 (l) states that a minimum 3,500 square-foot clubhouse must be constructed on site and made available to all residents. The site plan (Exhibit C) notes a 5,000 square-foot clubhouse.
- **Swimming Pool:** Two (2) swimming pools having a minimum of eight hundred (800) square feet of surface water must be provided for each multi-family development. The applicant proposes a swimming pool with a minimum of 1600 square feet of surface water in the interior courtyard.
- **Leisure Areas:** Two (1) leisure areas having a minimum area of one thousand square feet, containing at least two (2) pieces of play equipment, or other outdoor amenities (such as, picnic areas with tables, barbeque pits, arbors, or gazebos) must be provided for each multi-family development. The applicant will comply with this requirement by providing a dog park and two (2) pocket parks containing a trellis, benches, picnic tables and barbeque grills.

6. Dwelling unit/mix

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

Minimum dwelling unit size.

Required Efficiency: 500 square feet

Proposed: 576 square feet

Number of units: 27 units (9.1%)

Required one- bedroom: 650 square feet

Proposed: 690, 780 and 884 square feet

Number of units: 157 units (52.6%)

Required two-bedroom: 800 square feet

Proposed: 1,080, 1,150, 1,200 and 1,224 square feet

Number of units: 93 units (31.2%)

Required three-bedroom: 950 square feet

Proposed: 1,564 square feet

Number of units: 21 units (7.04%)

7. Screening and Landscaping

The proposed landscaping conforms to the screening and landscaping requirements per the GDC. Although screening is not required, the applicant proposes a six (6) foot ornamental metal fence along the eastern and western perimeter lines.

8. Trails:

Pedestrian circulation is outlined on the site plan (Exhibit C) to reflect the overall connectivity. In addition, the developer will grant an easement to the City for future trail connection to the north of this development. The City's trail configuration is unknown at this time.

9. Building Design

The building design complies with the architectural elements and articulation requirements of the GDC and Planned Development (PD) District 03-53.

The applicant contends the architectural style consists of a warm palette of light, medium, and dark tones used to emphasize and reinforce the natural movement within the building façade manifest in bay window bump outs, entry insets, etc. The overall massing breaks down at points with an inset in the building and a break in the roofline with the intention that it feels like a series of buildings connected with inset articulations.

10. Transportation

A Traffic Impact Analysis was submitted with this request. The Transportation Department did not have any concerns with the proposed development and it meets technical requirements.

As mentioned in the Site Data section above, a formal Zoning / Detail Plan application has been submitted for the proposed multi-family development to the west of the subject property and both developers are coordinating in regards to the private access from Firewheel Parkway.

11. Engineering

Part of the site will drain to the existing water quality pond maintained by the city (northwest of the site). Engineering staff will ensure that the proposed flow does not exceed the programmed capacity of the pond per the original asbuilts. Any additional stormwater flow from this site will have to be handled by the developer and piped to the north east or east to tie into the old Rowlett Creek channel or a natural draw where the pipe can discharge into within 2 vertical feet of any existing flowline. The alignment will have to be determined at the time of construction. If the pipe goes through any wetland areas, it will be subject to any applicable Army Corp of Engineers regulations and permitting. The downstream system is within the fully developed floodplain area of Rowlett Creek so capacity is not a concern.

12. Signage

No deviations were requested regarding signage.

12. Summary of Deviations

Development Standards	Required	Proposed	Analysis
Covered Parking	The GDC requires a minimum of fifty (50%) percent of those parking spaces to be covered.	Per the calculation, a total of 246 parking spaces should be covered and the site plan (Exhibit C) shows 125 covered spaces.	From previous multifamily developments the developer has developed, when covered parking is more than 25% of the available parking spaces, the additional covered spaces are not leased by residents.

Building Height	The GDC allows a maximum building height of forty (40) feet for multi-family development.	The applicant proposes a maximum building height of sixty-five (65) feet	The additional height is needed to accommodate five stories. The buildings have a four and five level split to adapt to the significant topographical changes. It should be noted that all five (5) story elevations will face the interior of the development.
Density	18 dwelling units/acre	29.08 dwelling units per acre	There are significant site challenges which include the irregular shape parcel, floodplain and topographical changes. In addition, the density may support the nearby Firewheel Town Center.

COMPREHENSIVE PLAN

The Envision Garland Plan designates the subject property as Regional Centers, which are areas with a higher concentration of activity that serve as a destination for residents and visitors. Uses within this development type provide a mix of retail, services, entertainment, and employment and may include residential uses. Regional centers may be found along major highways and turnpikes, and at significant bus or rail stations.

Regional centers generally cover an area greater than thirty (30) acres and consist of one or more buildings with more than 450,000 square feet of gross leasable area. This development type typically serves a five to fifteen-mile radius trade area, within a 20 minute drive time, and serves a minimum population of 150,000.

The proposed use is compatible with the Comprehensive Plan and supports the Firewheel Town Center.

COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

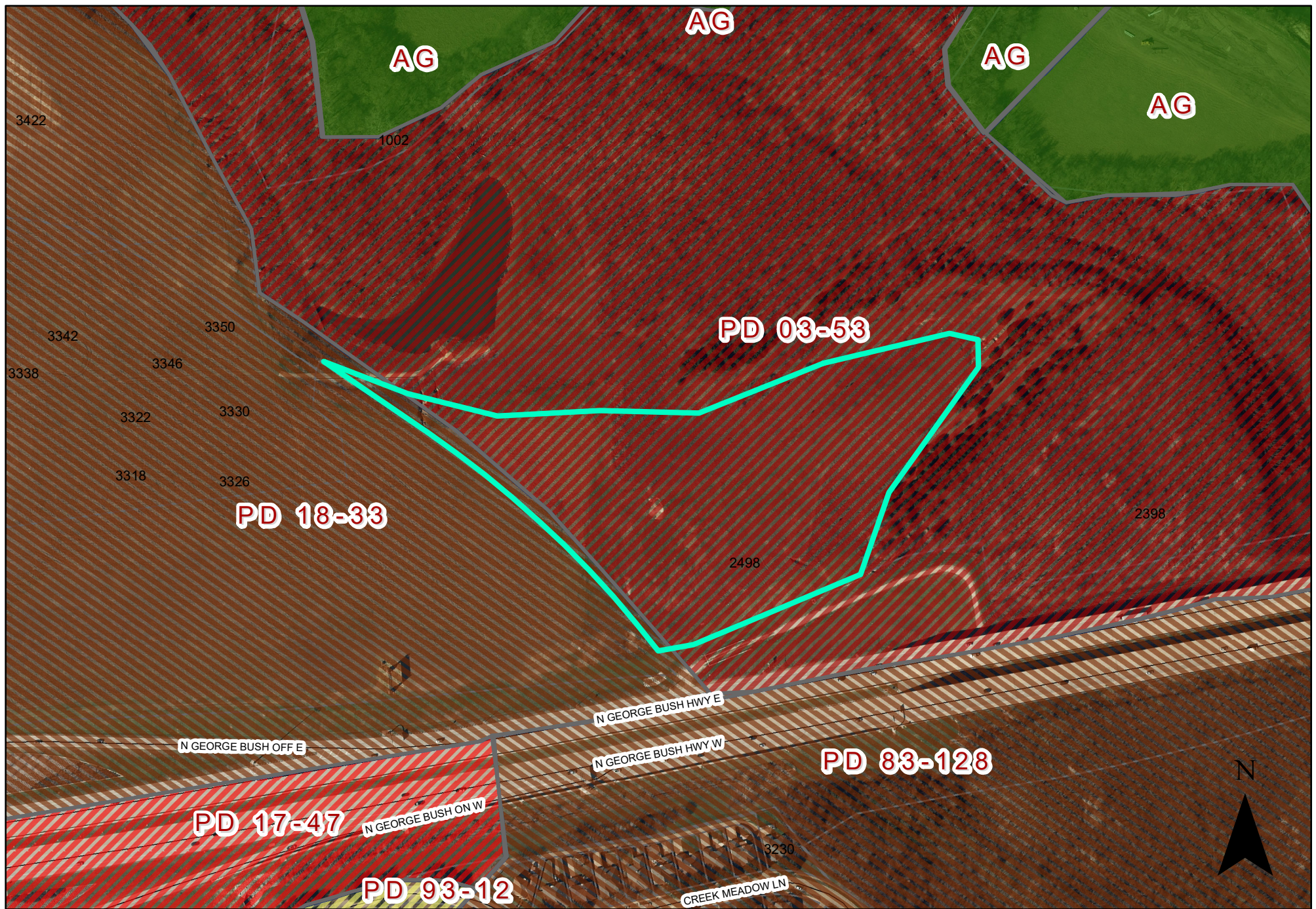
The area to the north is zoned Planned Development (PD) District 03-53; it is currently unimproved. The properties to the east are zoned Planned Development (PD) District 03-53 and Agricultural (AG) District; these properties are vacant. The properties to the south, across North President George Bush Turnpike, are zoned Planned Development (PD) District 83-128; these properties are developed with single-family properties. The property to the west is zoned Planned Development (PD) District 18-33; it is currently unimproved. However, a zoning application has been submitted recently for a multi-family development.

Attachments

Z 22-03 Trumont Group Attachments (Detail Plan)

Z 22-03 Trumont Group Responses

Z 22-03 Trumont Group Staff Presentation



0 180 360 Feet
1 inch = 280 feet

ZONING MAP Z 22-03

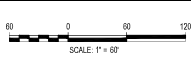
2498 N George Bush Hwy

 INDICATES AREA OF REQUEST

SCHEDULED MECHANICAL DATA SHEET												
Project Name	FIREWHEEL APARTMENTS											
Project Location	2498 NORTH GEORGE BUSH PARKWAY, GARLAND, TEXAS 75040											
Project Efficiency	75.00%											
OScore-1	1.00											
Domus	28.00											
Project Efficiency	28.00											
UNIT DATA:												
Unit	B1	A1	A2	A3	B1	B2	B3	B4	C1	Total	Yield / Avg.	
Description	1811B	1811B	1811B	1811B	2611B	2611B	2611B	2611B	2611B			
Number of Units	20	50	70	20	31	13	20	30	21	208		
Net Square Footage	8,376	18,070	24,570	8,376	13,860	5,820	9,240	13,860	9,240	100,000		
Percent of Total	8.3%	18.1%	24.6%	8.3%	13.9%	5.8%	9.2%	13.9%	9.2%	100.0%		
Percentage of Net	8.3%	18.1%	24.6%	8.3%	13.9%	5.8%	9.2%	13.9%	9.2%	100.0%		
Unit Area Totals	16,752	36,140	49,140	16,752	27,720	11,640	18,480	27,720	18,480	200,000		
BUILDING DATA												
Building	B1	A1	A2	A3	B1	B2	B3	B4	C1	Total	Units	
Building I	LVL 1	0	3	0	0	0	1	0	0	1	11	
	LVL 2	3	0	0	1	2	2	2	2	3	31	
	LVL 3	4	11	0	2	4	3	4	3	3	43	
	LVL 4	0	11	0	2	5	3	4	4	4	43	
	LVL 5	0	11	0	2	5	3	4	4	4	43	
	LVL 6	0	0	0	0	0	1	4	3	1	24	
Building II	LVL 1	0	0	0	0	1	0	1	0	1	11	
	LVL 2	0	1	7	3	2	0	1	1	1	36	
	LVL 3	1	2	8	3	3	0	2	2	1	22	
	LVL 4	1	2	8	3	3	0	2	2	1	22	
	LVL 5	1	2	8	3	3	0	2	2	1	22	
TOTAL		27	58	70	22	31	13	20	23	21	208	



Know what's below.
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DESIGNED BY: JMM
 CHECKED BY: JMM
 DRAWN BY: JMM

ISSUE DATE: 01-24-2022	
DATE	REVISION COMMENTS
01-24-2022	PER COMMENTS
01-24-2022	PER COMMENTS
01-24-2022	PER COMMENTS
01-24-2022	PER COMMENTS
01-24-2022	PER COMMENTS
01-24-2022	PER COMMENTS
01-24-2022	PER COMMENTS
01-24-2022	PER COMMENTS
01-24-2022	PER COMMENTS



451 S. Main Street, Suite 200
 Fort Worth, Texas 76104
 817.369.8279
 harris@hksksmith.com
 RFE Firm No. 1-1001

TRUMONT GROUP

FIREWHEEL APARTMENTS
 OVERALL SITE PLAN
 2498 NORTH GEORGE BUSH PARKWAY
 CITY OF GARLAND, DALLAS COUNTY, TEXAS

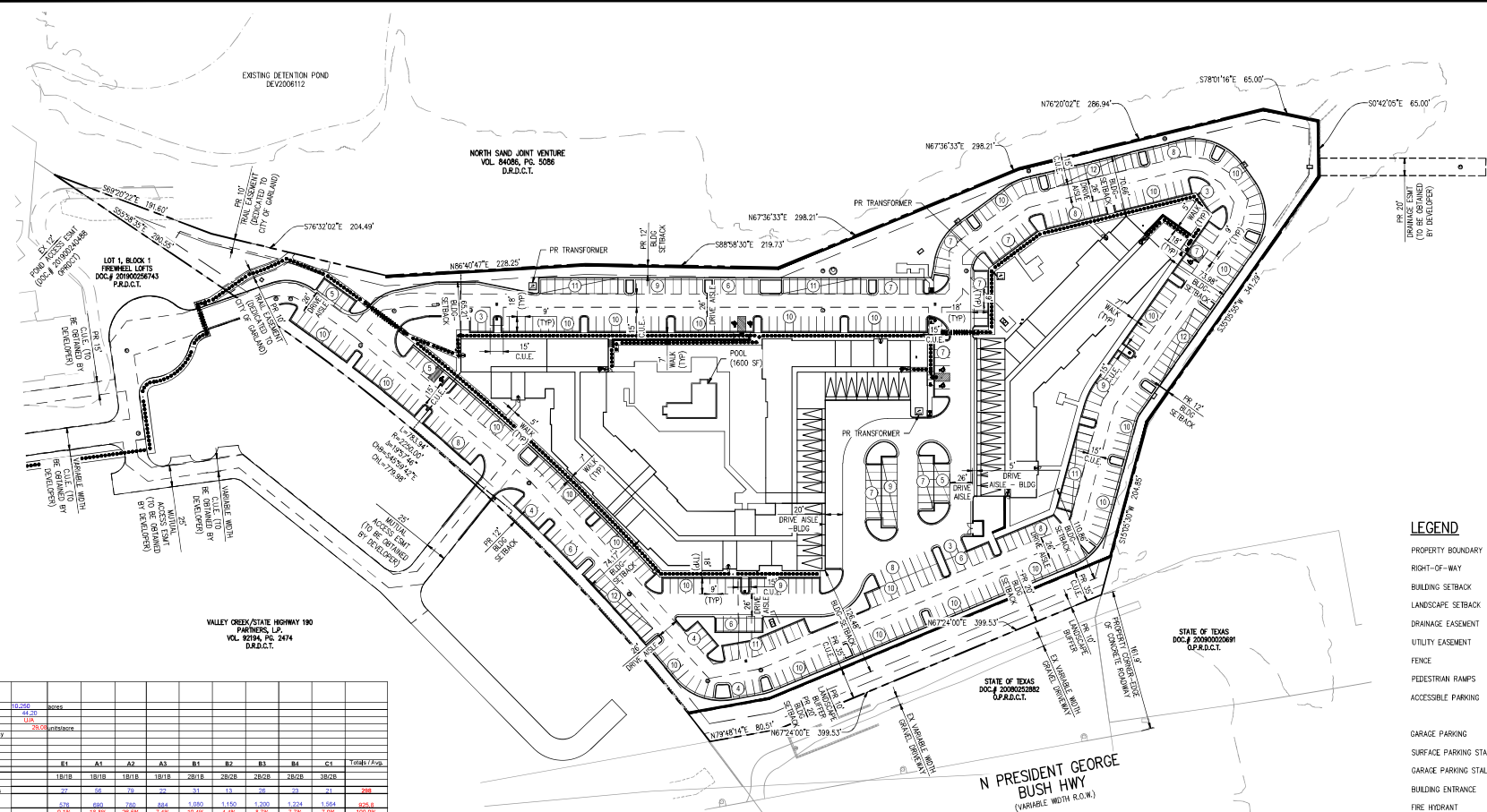
CASE NUMBER: 210909-1

PROJECT # 211119

SHEET NUMBER

4

4 OF 20



LEGEND

	EXISTING	PROPOSED
PROPERTY BOUNDARY	---	---
RIGHT-OF-WAY	---	---
BUILDING SETBACK	---	---
LANDSCAPE SETBACK	---	---
DRAINAGE EASEMENT	---	---
UTILITY EASEMENT	---	---
FENCE	---	---
PEDESTRIAN RAMPS	---	---
ACCESSIBLE PARKING	---	---
GARAGE PARKING	---	---
SURFACE PARKING STALL COUNT	---	---
GARAGE PARKING STALL COUNT	---	---
BUILDING ENTRANCE	---	---
FIRE HYDRANT	---	---
STREET LIGHT	---	---
DOWNSPOUT	---	---
UNDERGROUND ELECTRIC	---	---
GAS	---	---
SANITARY SEWER W/ MANHOLE	---	---
SANITARY SERVICE W/ CLEANOUT	---	---
WATER MAIN	---	---
WATER SERVICE	---	---
FIRE SERVICE LINE	---	---
GATE VALVE	---	---
ACCESSIBLE ROUTE	---	---
RETAINING WALL	---	---

SITE DATA TABLE

TOTAL AREA OF SITE	10.25 ACRES (440,400 SQ. FT.)
TOTAL IMPERVIOUS SURFACE COVER	7.11 ACRES (30,290)
TOTAL BUILDING COVERAGE	75,888 SQ. FT. (17.58%)
% SITE COVERED BY IMPERVIOUS COVER	68.26%
	REQUIRED PROVIDED
PARKING CALCULATIONS	491 536
COVERED PARKING	286 125
OPEN SPACE CALCULATIONS	178,580 SQ. FT. (40%) 193,117 SQ. FT. (43%)
GROSS PROPOSED BUILDING AREA	0 SQ. FT. EXISTING PROPOSED 245,116 SQ. FT. (BUILDING 1) & 112,940 SQ. FT. (BUILDING 2)
BUILDING HEIGHT	60' (5 STORES)
* 27 EFFICIENCY, 157 ONE BEDROOM, AND 114 TWO BEDROOM (2700+157x1.5)+(114x2)= 480.5400 ** 37 GARAGE SPACES AND 88 CARPORT SPACES, DEVIATION REQUESTED IN NARRATIVE	

CITY OF GARLAND ZONING ORDINANCE - TABLE OF ITEMIZED REQUIREMENTS

ARTICLE SECTION	LANDSCAPE ITEM	DETAILED REQUIREMENT FOR BASE ZONING (MF)	QUANTITY REQUIRED	MODIFICATIONS TO BASE ZONING TO BE INCLUDED IN PD	QUANTITY PROVIDED
SECTION 4.34, (A)	TOTAL LANDSCAPE AREA REQUIREMENT	A MINIMUM OF FORTY PERCENT OF THE GROSS PLATTED AREA OF THE SITE OF ANY MULTIFAMILY OR SENIOR LIVING FACILITY MUST BE DEVOTED TO LANDSCAPING, OPEN SPACE AREAS, POOLS, AND SIMILAR OUTDOOR RECREATIONAL ACTIVITY AREAS.	40% x 446,449 SF=178,580 SF	NA	193,117 SF
SECTION 4.34, (B), (1)	LANDSCAPE BUFFER	A LANDSCAPE BUFFER, TWENTY FEET IN DEPTH (FROM THE PROPERTY LINE), IS REQUIRED IN NONRESIDENTIAL YARDS ADJACENT TO ANY THOROUGHFARE DESIGNATED AS AA OR LARGER ON THE CITY'S ADOPTED MAJOR THOROUGHFARE PLAN.	20' LANDSCAPE BUFFER	NA	PROVIDED
SECTION 4.34, (B), (3)	BUFFER PLANT MATERIALS	FOR EVERY THIRTY LINEAL FEET, OR FRACTION THEREOF, OF REQUIRED LANDSCAPE BUFFER, ONE LARGE CANOPY TREE IS REQUIRED, ALONG WITH SEVEN SHRUBS OR ORNAMENTAL GRASSES.	500 FT LANDSCAPE BUFFER / 30 LF = 17 TREES (17 TREES X 7 SHRUBS = 119 SHRUBS)	NA	17 LARGE CANOPY TREES 120 SHRUBS
SECTION 4.35, (A), (1)	TOTAL LANDSCAPE AREA WITHIN PARKING AREA	LIVING LANDSCAPE MATERIALS MUST COVER A MINIMUM OF FIVE PERCENT OF THE TOTAL PARKING LOT AREA.	5% x 173,207 SF= 8,660 SF	NA	8,720 SF
SECTION 4.35, (B) (1)(3)(4) (5)	PARKING ISLAND TREES	1. A LANDSCAPED ISLAND MUST BE LOCATED AT THE TERMINUS OF EACH PARKING ROW, AND MUST CONTAIN A MINIMUM OF ONE LARGE CANOPY TREE 2. THERE MUST BE A MINIMUM OF ONE LARGE CANOPY TREE WITHIN SIXTY-FIVE FEET OF EVERY PARKING SPACE 3. ONE LARGE CANOPY TREE IS REQUIRED FOR EVERY TEN PARKING SPACES.	509 SURFACE PARKING / 10 SPACES = 51 TREES	PARKING ISLANDS AND ASSOCIATED TREES ADJACENT TO CARPORTS ARE LOCATED AT GREATER THAN 10 SPACES BETWEEN ISLANDS TO PROVIDE ADEQUATE SPACE FOR TREE GROWTH.	59 LARGE CANOPY TREES

LEGEND	
	EXISTING TREE - (ALL TREES ON SITE ARE NON-PROTECTED)

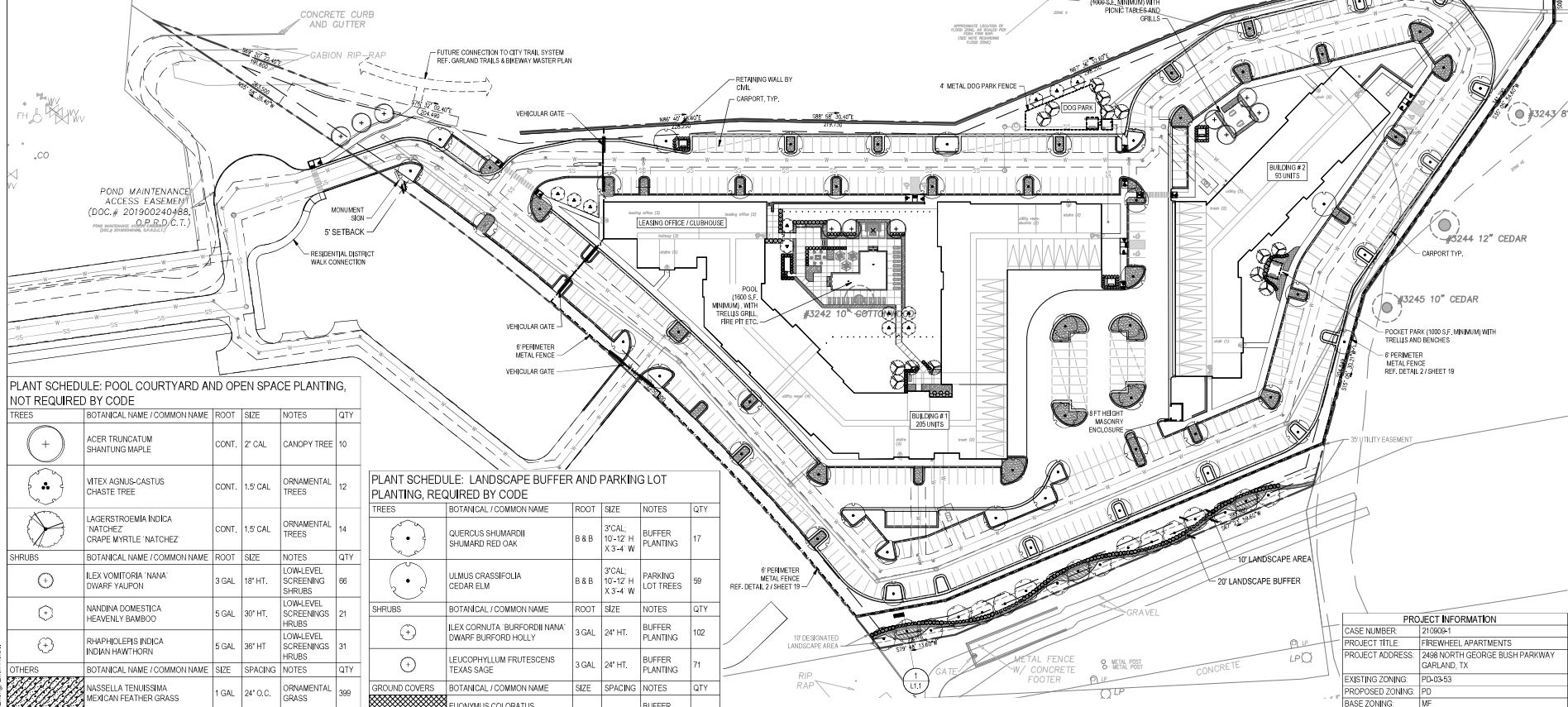
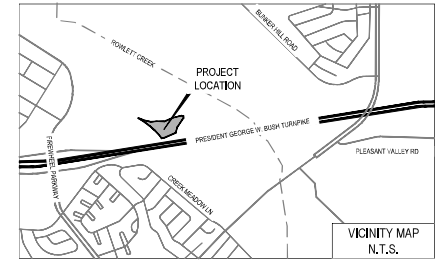
EXISTING TREE INVENTORY TABLE				
ID	COMMON NAME	DBH (IN)	NOTE	STATUS
#3242	COTTONWOOD	10"	ON SITE, OVER 6" CALIPER BUT NOT ON PROTECTED TREE LIST (TABLE 4-1 & 4-2)	REMOVE, NON-PROTECTED
#3243	CEDAR	8"	OFF SITE	REMAIN
#3244	CEDAR	12"	OFF SITE	REMAIN
#3245	CEDAR	10"	OFF SITE	REMAIN

GENERAL NOTES:

- ALL HVAC UNITS ARE ROOF MOUNTED.
- NO LANDSCAPING SUCH AS TREES ABOVE AND UNDERGROUND STRUCTURES SHALL BE LOCATED WITHIN EXISTING OR PROPOSED UTILITY EASEMENTS AND RIGHT OF WAY WITHOUT CITY'S REAL PROPERTY IMPROVEMENT AUTHORIZATION FORM OR CITY'S LICENSE AGREEMENT.

ARCHITECTURE ELEMENT NOTES:

- AMENITY AREAS (COURTYARD, POCKET PARK ETC.) TO RECEIVE BENCHES AND/OR PLANTER POTS, AS INDICATED.



PLANT SCHEDULE: POOL COURTYARD AND OPEN SPACE PLANTING, NOT REQUIRED BY CODE

TREES	BOTANICAL NAME / COMMON NAME	ROOT	SIZE	NOTES	QTY
	ACER TRUNCATUM SHANTUNG MAPLE	CONT.	2' CAL	CANOPY TREE	10
	VITEA AGNUS-CASTUS CHASTE TREE	CONT.	1.5' CAL	ORNAMENTAL TREES	12
	LAGERSTROEMIA INDICA 'NATCHEZ' GRAPE MYRTLE 'NATCHEZ'	CONT.	1.5' CAL	ORNAMENTAL TREES	14
SHRUBS	BOTANICAL NAME / COMMON NAME	ROOT	SIZE	NOTES	QTY
	ILEX VOMITORIA 'NANA' DWARF YAUPOIN	3 GAL	18" HT.	LOW-LEVEL SCREENING SHRUBS	66
	NANDINA DOMESTICA HEAVENLY BAMBOO	5 GAL	30" HT.	LOW-LEVEL SCREENING SHRUBS	21
	RHAPHIOLEPIS INDICA INDIAN HAWTHORN	5 GAL	36" HT	LOW-LEVEL SCREENING SHRUBS	31
OTHERS	BOTANICAL NAME / COMMON NAME	SIZE	SPACING	NOTES	QTY
	NASSELLA TENUISSIMA MEXICAN FEATHER GRASS	1 GAL	24" O.C.	ORNAMENTAL GRASS	399
	SCUTELLARIA SUFFRUTESCENS PINK SKULLCAP	1 GAL	18" O.C.	GROUND COV ER	135
	SEASONAL COLOR SPECIES VARIES	4" POT	12" O.C.	GROUND COV ER	124
	TRACHELOSPERMUM ASIATICUM ASIAN JASMINE	1 GAL	12" O.C.	GROUND COV ER	321

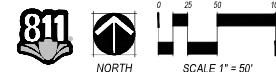
PLANT SCHEDULE: LANDSCAPE BUFFER AND PARKING LOT PLANTING, REQUIRED BY CODE

TREES	BOTANICAL / COMMON NAME	ROOT	SIZE	NOTES	QTY
	QUERCUS SHUMARDII SHUMARD RED OAK	B & B	3" CAL 16'-12" H X 3'-4" W	BUFFER PLANTING	17
	ULMUS CRASSIFOLIA CEDAR ELM	B & B	3" CAL 10'-12" H X 3'-4" W	PARKING LOT TREES	59
SHRUBS	BOTANICAL / COMMON NAME	ROOT	SIZE	NOTES	QTY
	ILEX CORNUTA BURFORDII NANA DWARF BURFORD HOLLY	3 GAL	24" HT.	BUFFER PLANTING	102
	LEUCOPHYLLUM FRUTESCENS TEXAS SAGE	3 GAL	24" HT.	BUFFER PLANTING	71
GROUND COVERS	BOTANICAL / COMMON NAME	SIZE	SPACING	NOTES	QTY
	EUONYMUS COLORATUS PURPLE WINTERCREEPER	1 GAL	18" O.C.	BUFFER PLANTING	683
	LIRIOPE MUSCARI LILY TURF	1 GAL	18" O.C.	BUFFER PLANTING	462
SOD/SEED	BOTANICAL / COMMON NAME	SIZE	SPACING	NOTES	QTY
	CYNODON DACTYLON BERMUDA GRASS	SOD		"LIVING LANDSCAPE"	8,720 SF

PLANTING NOTES:

- ALL PLANT MATERIALS ARE SELECTED FROM THE CITY OF GARLAND'S APPROVED TREE LIST.
- REQUIRED LANDSCAPED OPEN AREAS AND NON-PAVED AREAS BETWEEN THE FRONT OF BUILDINGS AND ANY STREET RIGHT-OF-WAY LINE MUST BE COMPLETELY COVERED WITH LIVING PLANT MATERIAL.
- ALL LARGE CANOPY TREES MUST BE A MINIMUM OF THREE INCHES IN CALIPER AND SEVEN FEET IN PLANTED HEIGHT AT TIME OF INSTALLATION. SMALL ORNAMENTAL TREES MUST BE A MINIMUM OF ONE AND ONE-HALF INCH IN CALIPER AND TWO FEET IN PLANTED HEIGHT AT TIME OF INSTALLATION.
- SHRUBS THAT ARE NOT OF A "DWARF" VARIETY MUST BE A MINIMUM OF TWO FEET IN PLANTED HEIGHT AT TIME OF INSTALLATION. SHRUBS INSTALLED FOR SCREENING PURPOSES MUST BE AT LEAST 36 FEET HIGH WITHIN THREE YEARS FOLLOWING INSTALLATION. SHRUBS THAT ARE OF A "DWARF" OR "MINIATURE" VARIETY MUST BE A MINIMUM OF ONE FOOT IN PLANTED HEIGHT AT TIME OF INSTALLATION UNLESS THAT PARTICULAR VARIETY AND SIZE OF SHRUBS IS TYPICALLY LESS THAN ONE FOOT IN PLANTED HEIGHT IN NORTH CENTRAL TEXAS.

PROJECT INFORMATION	
CASE NUMBER:	210909-1
PROJECT TITLE:	FIREWHEEL APARTMENTS
PROJECT ADDRESS:	2468 NORTH GEORGE BUSH PARKWAY GARLAND, TX
EXISTING ZONING:	PD-03-53
PROPOSED ZONING:	PD
BASE ZONING:	MF



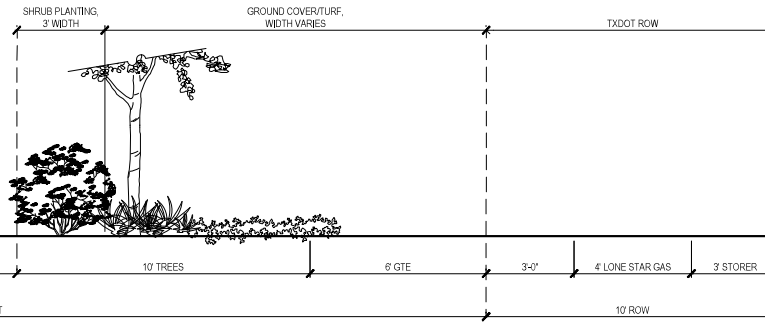
OWNER:

TRUANT GROUP
1910 PACIFIC AVE
SUITE 1350
DALLAS, TX 75201
(214) 415-7040NOT FOR
CONSTRUCTION

DATE:

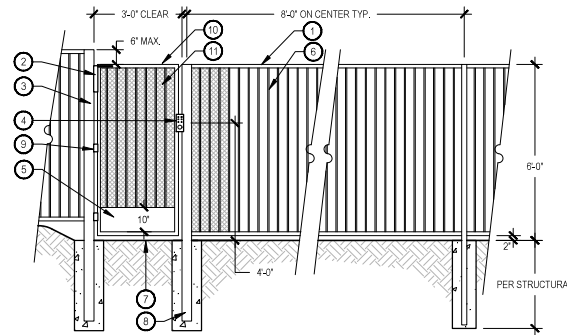
01/04/2022 - SCD SUBMITTAL
02/06/2022 - SCD RESUBMITTAL
03/09/2022 - SCD RESUBMITTAL
04/19/2022 - SCD RESUBMITTAL

S.H. 190 EASEMENTS



1 SH 190 EASEMENT PLANTING SECTION

SCALE: 1" = 2'-0"



- 1 1-1/2" X 1-1/2" TOP AND BOTTOM RAIL
- 2 COMMERCIAL SELF-CLOSING GATE CLOSER, TO BE SELECTED BY OWNER
- 3 4" X 4" POST
- 4 KEYPAD LOCK ON OUTSIDE OF GATE AND PASSAGE LEVER ON OPPOSITE SIDE OF GATE, TO BE SELECTED BY OWNER
- 5 1/2" X 10" STEEL PLATE, WELDED TO BOTH SIDES OF GATE
- 6 1/2" X 1/2" PICKET, 4" O.C.
- 7 FINISH GRADE
- 8 CONCRETE FOOTER, REF. STRUCTURAL
- 9 2" STANDARD GATE HINGE
- 10 1-1/2" X 1-1/2" GATE FRAME
- 11 NO. 16 EXPANDED METAL 1/2" MAXIMUM OPENING FULLY OVER GATE AND FENCE PANEL FOR FIRST 18" PAST GATE. PAINT TO MATCH GATE AND FENCE

NOTES

1. NORRIS DESIGN HAS PROVIDED THIS DETAIL FOR REFERENCE PURPOSE, THIS DETAIL HAS NOT BEEN ENGINEERED.
2. NORRIS DESIGN IS NOT RESPONSIBLE FOR STRUCTURAL DESIGN AND CALCULATIONS.
3. ALL METAL TO BE PAINTED, COLOR TO BE BLACK.
4. ALL FENCE PANELS SHALL BE SET LEVEL WITH STEPS TO FOLLOW GRADE. THE MAXIMUM STEP SHALL BE 6". ADJUST POST SPACING AS NEEDED SO THERE IS NO GREATER THAN A 6" GAP FROM THE BOTTOM RAIL TO FINISH GRADE.
5. CONTRACTOR TO PROVIDE SHOP DRAWINGS FOR APPROVAL BY OWNER.
6. GATES TO HAVE MIN. 18"W X 8'0" NET CLEAR PULL SIDE CLEARANCE AND MIN. 12"W X 48"D NET CLEAR PUSH SIDE CLEARANCES.
7. GATE HARDWARE TO LOCATED ON BOTH SIDES OF GATES, MOUNTED WITHIN 48" A.F.F., AND OPERATING FORCE NOT TO EXCEED MAX. 8.5 LBS.

2 6' METAL FENCE AND GATE

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

OWNER:

TRUMONT GROUP
1910 PACIFIC AVE
SUITE 1350
DALLAS, TX 75201
(214) 415-7040



NOT FOR CONSTRUCTION

DATE:

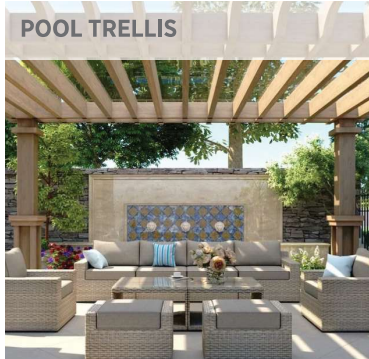
01/04/2022 - SCP SUBMITTAL
02/06/2022 - SCP PRESUBMITTAL
03/09/2022 - SCP PRESUBMITTAL
04/19/2022 - SCP PRESUBMITTAL

SHEET TITLE:
SECTION
EXHIBIT & DETAILS

BENCH



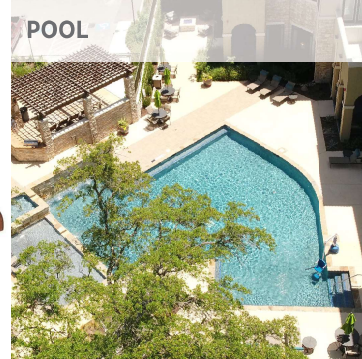
POOL TRELLIS



FAN WITH LIGHT KIT



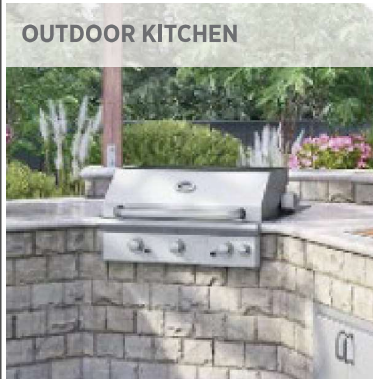
POOL



PLANTER POT



OUTDOOR KITCHEN



FIRE PIT



MOVABLE CHAIR



LOUNGE CHAIR



DAYBED



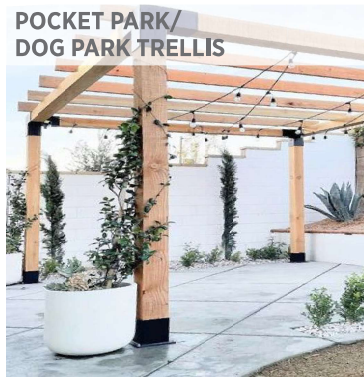
PICNIC TABLE



CHARCOAL GRILL



POCKET PARK/
DOG PARK TRELLIS



DOG WASH STATION

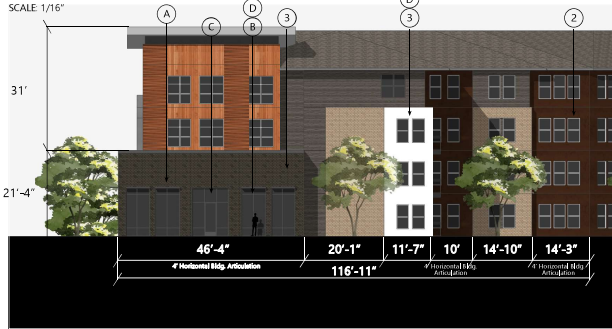


DRINKING FOUNTAIN

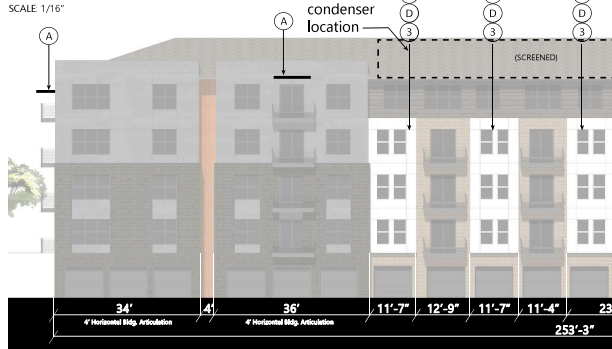




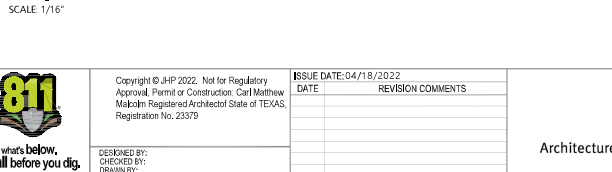
01 | NORTH ELEVATION



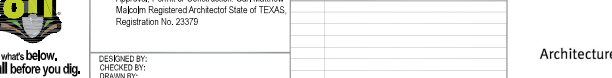
03 | WEST ELEVATION



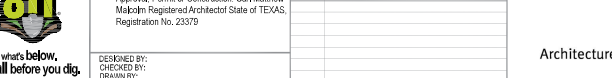
05 | EAST ELEVATION



04 | SOUTH ELEVATION



02 | NORTH ELEVATION



ARCHITECTURAL ELEMENTS	
A	AWNINGS
B	DISPLAY WINDOWS
C	RECESSED ENTRIES
D	BAY WINDOWS
E	PLANTERS (RE: LANDSCAPE)
F	OUTDOOR SEATING (RE: LANDSCAPE)

FACADE ARTICULATION	
1	>2' DEEP HORIZONTAL BUILDING PROJECTION
2	>2' DEEP HORIZONTAL BUILDING INSET
3	>2' DEEP VERTICAL BUILDING PROJECTION



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DESIGNED BY:
CHECKED BY:
DRAWN BY:

DATE	REVISION COMMENTS

JHP
Architecture/Urban Design

TRUMONT GROUP

FIREWHEEL APARTMENTS
Elevations
2498 NORTH GEORGE BUSH PARKWAY
CITY OF GARLAND, DALLAS COUNTY, TEXAS

CASE NUMBER: 210909-1
PROJECT #: 211119
SHEET NUMBER
15
16 OF 18

SCALE 1/16"

SCALE: 1

03 |

04 | V

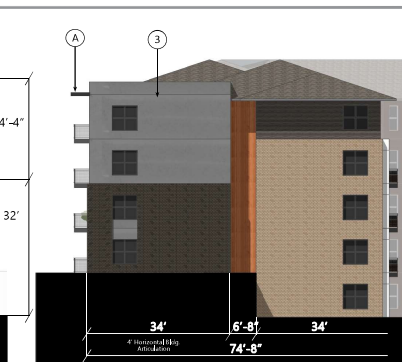
TRASH STAGING

CARPORT DESIGN

SCALE 1/16"

CASE NUMBER: 2109

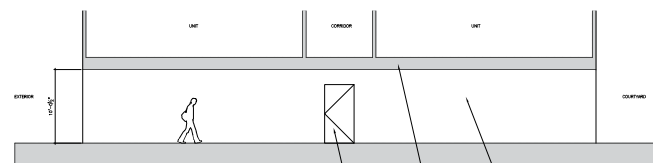
SCALE: 1/16"



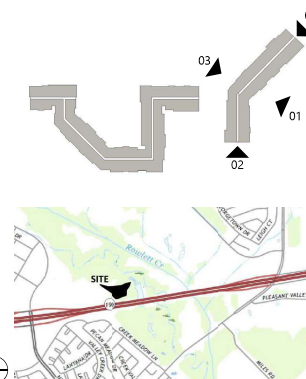
SCALE 1/16



SCALE 1/16"



	3/8" CHART STUD ASSEMBLY 1/4" CHURUM BOARD/INTERIOR SIDE OF WALL 2X4 WOOD STUDS SPACED AS REQUIRED BY STRUCTURAL ENGINEER INSULATION 1/2" CHURUM BOARD/EXTERIOR SIDE, BOARD ATTACHED TO STUDS IN 1/4" SHAPED JOINT PROTECTION 1/4" CHURUM BOARD/INTERIOR SIDE OF WALL 1/4" CHURUM BOARD/INTERIOR SIDE OF WALL	1/4" CHURUM BOARD/INTERIOR SIDE OF WALL 2X4 WOOD STUDS SPACED AS REQUIRED BY STRUCTURAL ENGINEER INSULATION 1/2" CHURUM BOARD/EXTERIOR SIDE, BOARD ATTACHED TO STUDS IN 1/4" SHAPED JOINT PROTECTION 1/4" CHURUM BOARD/INTERIOR SIDE OF WALL 1/4" CHURUM BOARD/INTERIOR SIDE OF WALL	FINISHES & JOINT DETAILS	2x4	2x4
	1/4" CHURUM BOARD/INTERIOR SIDE OF WALL 2X4 WOOD STUDS SPACED AS REQUIRED BY STRUCTURAL ENGINEER INSULATION 1/2" CHURUM BOARD/EXTERIOR SIDE, BOARD ATTACHED TO STUDS IN 1/4" SHAPED JOINT PROTECTION 1/4" CHURUM BOARD/INTERIOR SIDE OF WALL 1/4" CHURUM BOARD/INTERIOR SIDE OF WALL	1/4" CHURUM BOARD/INTERIOR SIDE OF WALL 2X4 WOOD STUDS SPACED AS REQUIRED BY STRUCTURAL ENGINEER INSULATION 1/2" CHURUM BOARD/EXTERIOR SIDE, BOARD ATTACHED TO STUDS IN 1/4" SHAPED JOINT PROTECTION 1/4" CHURUM BOARD/INTERIOR SIDE OF WALL 1/4" CHURUM BOARD/INTERIOR SIDE OF WALL	FINISHES & JOINT DETAILS	2x4	2x4



SCALE: 1/16"

ARCHITECTURAL ELEMENTS	
A	AWNINGS
B	DISPLAY WINDOWS
C	RECESSED ENTRIES
D	BAY WINDOWS
E	PLANTERS (RE: LANDSCAPE)
F	OUTDOOR SEATING (RE: LANDSCAPE)

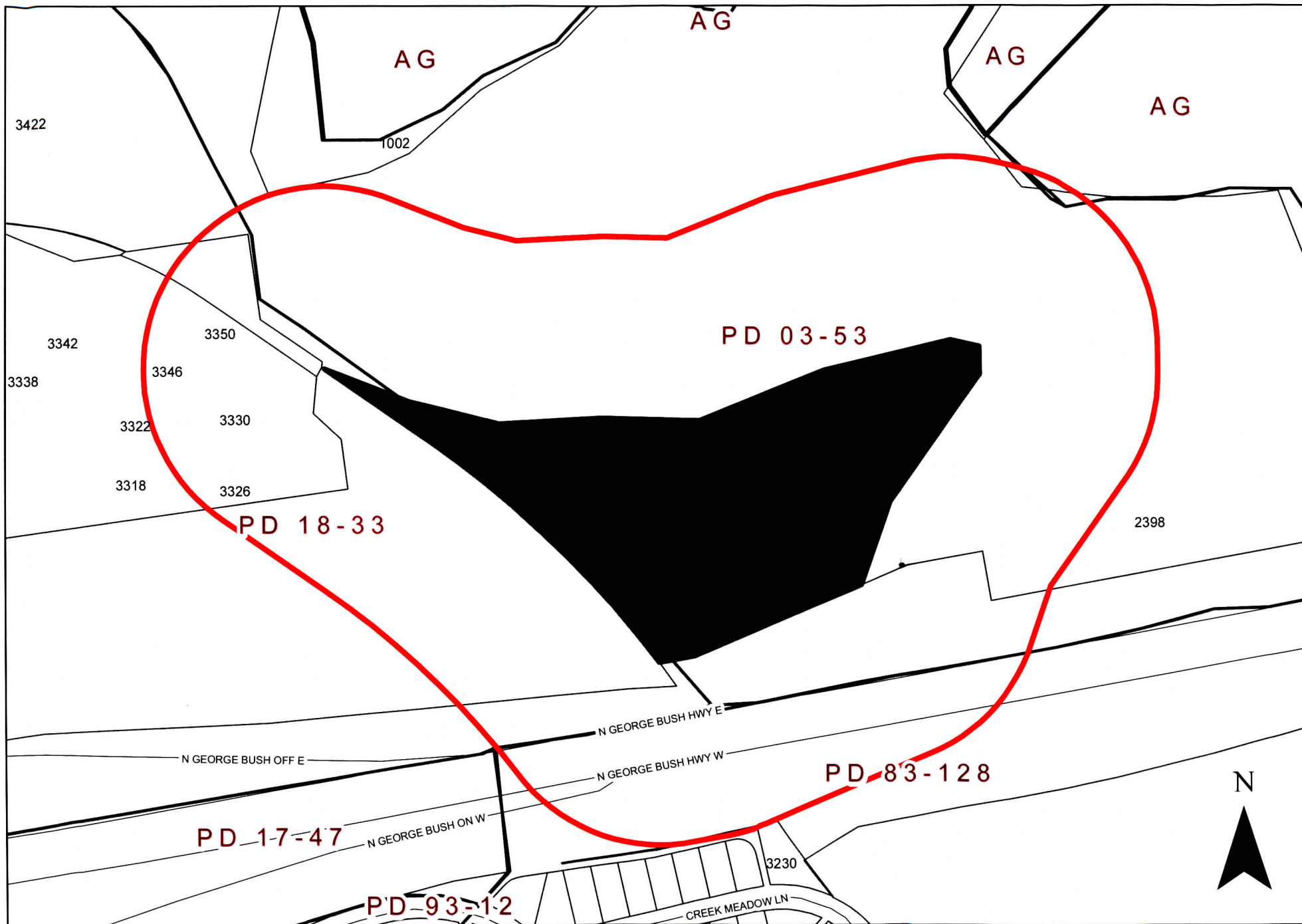
FAÇADE ARTICULATION	
1	>2' DEEP HORIZONTAL BUILDING PROJECTION
2	>2' DEEP HORIZONTAL BUILDING INSET
3	>2' DEEP VERTICAL BUILDING PROJECTION

REPORT & MINUTES

P.C. Meeting, May 9, 2022

Consideration of the application of **Trumont Group**, requesting approval of a Detail Plan for a Multi-Family development on a property zoned Planned Development (PD) District 03-53. This property is located at 2498 North President George Bush Turnpike. (District 1) (File Z 22-03 – Detail Plan)

Motion was made by Commissioner Dalton to close the public hearing and **approve** the request as presented, with the provision they continue their discussions with the Engineering Department. Seconded by Commissioner Rose. **Motion carried: 7 Ayes, 0 Nay.**



0 180 360 Feet
1 inch = 280 feet

ZONING MAP Z 22-03

2498 N George Bush Hwy

INDICATES AREA OF REQUEST

INDICATES NOTIFICATION AREA

From: [Ahmed, Nabiha](#)
To: ["Jay Grogan"; Planning Group](#)
Cc: [Michael Reilly \(1948sunrise5@gmail.com\)](#); [Austin Reilly \(AREilly@landadvisors.com\)](#); [George Baldwin \(gbinvest@swbell.net\)](#); [Buz Franklin \(buzf@earthlink.net\)](#); [Colleen DeBard \(cwdebard@gmail.com\)](#)
Subject: RE: Comment Form - Case Z 22-03---OPPOSE
Date: Thursday, May 5, 2022 2:05:26 PM
Attachments: [image001.png](#)

Thank you. Your response has been received and recorded.

Nabiha Ahmed

Lead Development Planner

Planning & Development

City of Garland

D: 972-205-2453 | nahmed@garlandtx.gov



From: Jay Grogan <JGrogan@gbdallas.com>
Sent: Thursday, May 5, 2022 1:20 PM
To: Planning Group <Planning@garlandtx.gov>; Ahmed, Nabiha <NAhmed@garlandtx.gov>
Cc: Michael Reilly (1948sunrise5@gmail.com) <1948sunrise5@gmail.com>; Austin Reilly (AREilly@landadvisors.com) <areilly@landadvisors.com>; George Baldwin (gbinvest@swbell.net) <gbinvest@swbell.net>; Buz Franklin (buzf@earthlink.net) <buzf@earthlink.net>; Colleen DeBard (cwdebard@gmail.com) <cwdebard@gmail.com>
Subject: [EXTERNAL] FW: Comment Form - Case Z 22-03---OPPOSE

Dear Nahiba and Garland Planning:

See attached opposition form for Case No Z 22-03. We and all of our entities listed on the attached form strongly oppose this highly inappropriate request. The proposed rezoning area abuts sensitive wetlands and ecologically sensitive conservation areas that have always been intend to remain green and open and undeveloped. This development and its runoff and associated impacts will be harmful to these areas and subvert the park and open space plans for this area of the USACE and other agencies.

We strongly oppose.

RJ Grogan Jr.

ASO of all entities listed on the form

From: Lindsey Foster <Lindsey@gbdallas.com>
Sent: Thursday, May 5, 2022 1:03 PM

To: Jay Grogan <JGrogan@gbdallas.com>

Subject: Comment Form - Case Z 22-03

Lindsey N. Foster
Administrative Assistant
Grogan & Brawner P.C.
2808 Fairmount, Suite 150
Dallas, TX 75201
Phone: 214.979.1100
Fax: 214.979.1110



: Our land
(approx.)

0 180 360 Feet
1 inch = 280 feet

ZONING MAP Z 22-03

 INDICATES AREA
OF REQUEST

 INDICATES
NOTIFICATION AREA

2498 N George Bush Hwy

Comment Form

Case Z 22-03

Z 22-03 Trumont Group. The applicant proposes to construct 298 multi-family dwelling units. The site is located at 2498 North President George Bush Turnpike. (District 1)

Z 22-03 Trumont Group. El solicitante propone construir 298 unidades de viviendas multifamiliares. El sitio está ubicado en 2498 North President George Bush Turnpike. (Distrito 1)

Z 22-03 Trumont Group. Người nộp đơn đề xuất xây dựng 298 đơn vị ở cho nhiều gia đình. Địa điểm được đặt tại 2498 North President George Bush Turnpike. (Quận 1)

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

☐

For / A Favor / Đúng

☒

Against / En Contra / Không

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

LES LAND COMPANY, LTD, LES LIQUIDATING TRUST, MVB ASSOCIATES, PNB INTERESTS, VALLEY CREEK/STATE HIGHWAY 190 PARTNERS, AND RELATED

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

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

Various parcels within 400 foot area and beyond 400 feet

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

Garland, Texas

City, State / Estado de la Ciudad / Thành bang

(see green area on attached map)

Zip Code / Código postal / Mã B u Qính

[Signature]

Signature / Firma / Chữ ký

R. J. Grogan Jr.,

5/5/22

Date / Fecha / Ngày

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

ASO for all entities

Comment Form Continued – Case Z 22-03

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

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

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

The subject parcel has always been planned as green space/open space due to access, infrastructure and other development challenges. It abuts sensitive wetlands, flood areas and important conservation areas that the US Army Corp of engineers desires to protect. There is more than ample multi-family inventory in this submarket ~~to~~ already. There is no need or purpose in threatening important ecological and habitat areas.

For these and other factors, all of the listed entities strongly oppose this zoning change.

Z 22-03

The applicant proposes to construct an apartment complex with 298 dwelling units.

[Planned Development amendment and Detail Plan for Multi-Family Use on a property zoned Planned Development (PD) District 03-43.]

**City Council Meeting
June 7, 2022**



GARLAND

TEXAS MADE HERE

CASE INFORMATION

Location: 2498 North President George Bush
Turnpike

Applicant: Trumont Group

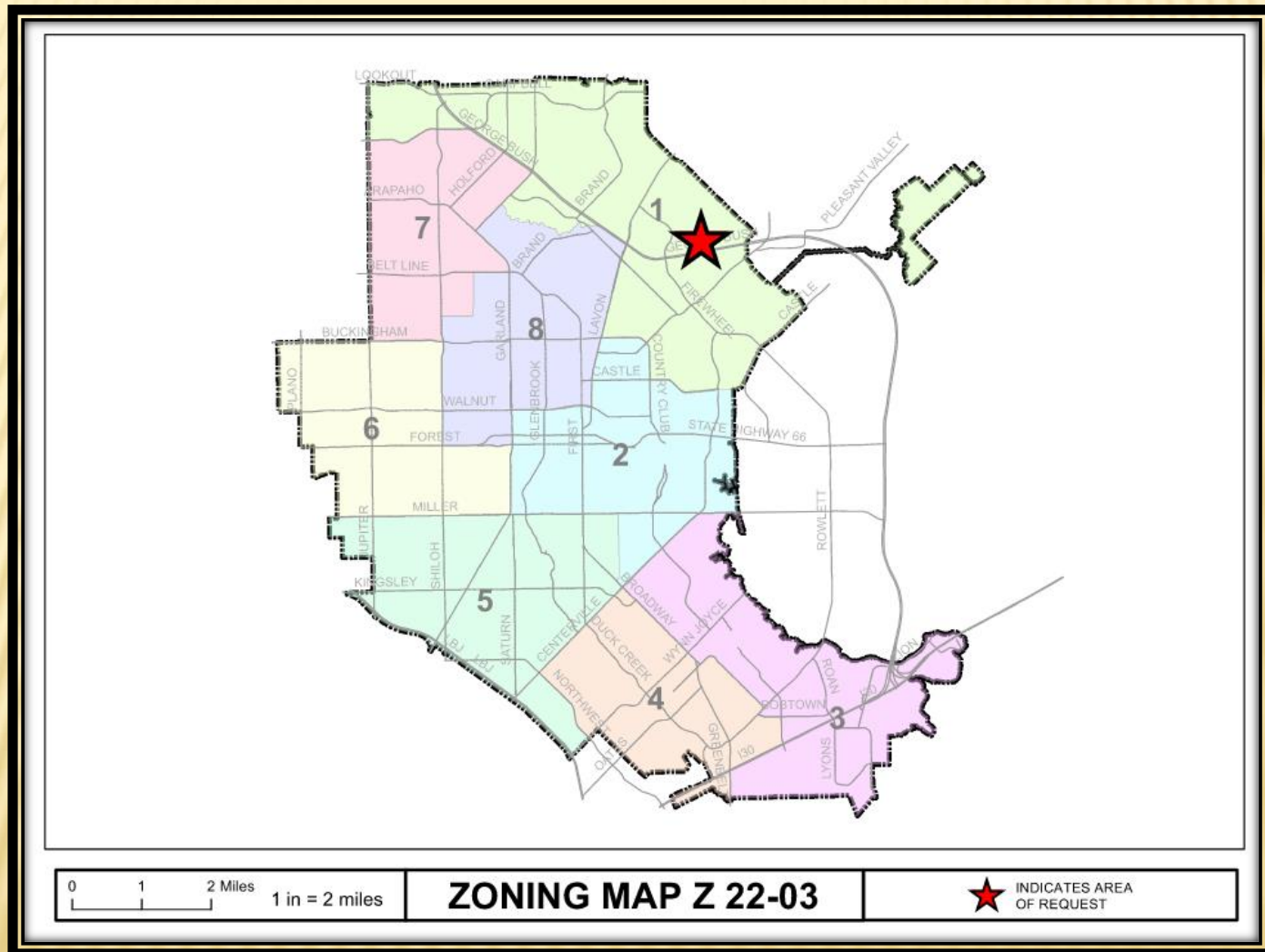
Owner: Michael E. Dyer Family, LTD

Acreage: 10.250

Zoning: Planned Development (PD) District 03-53

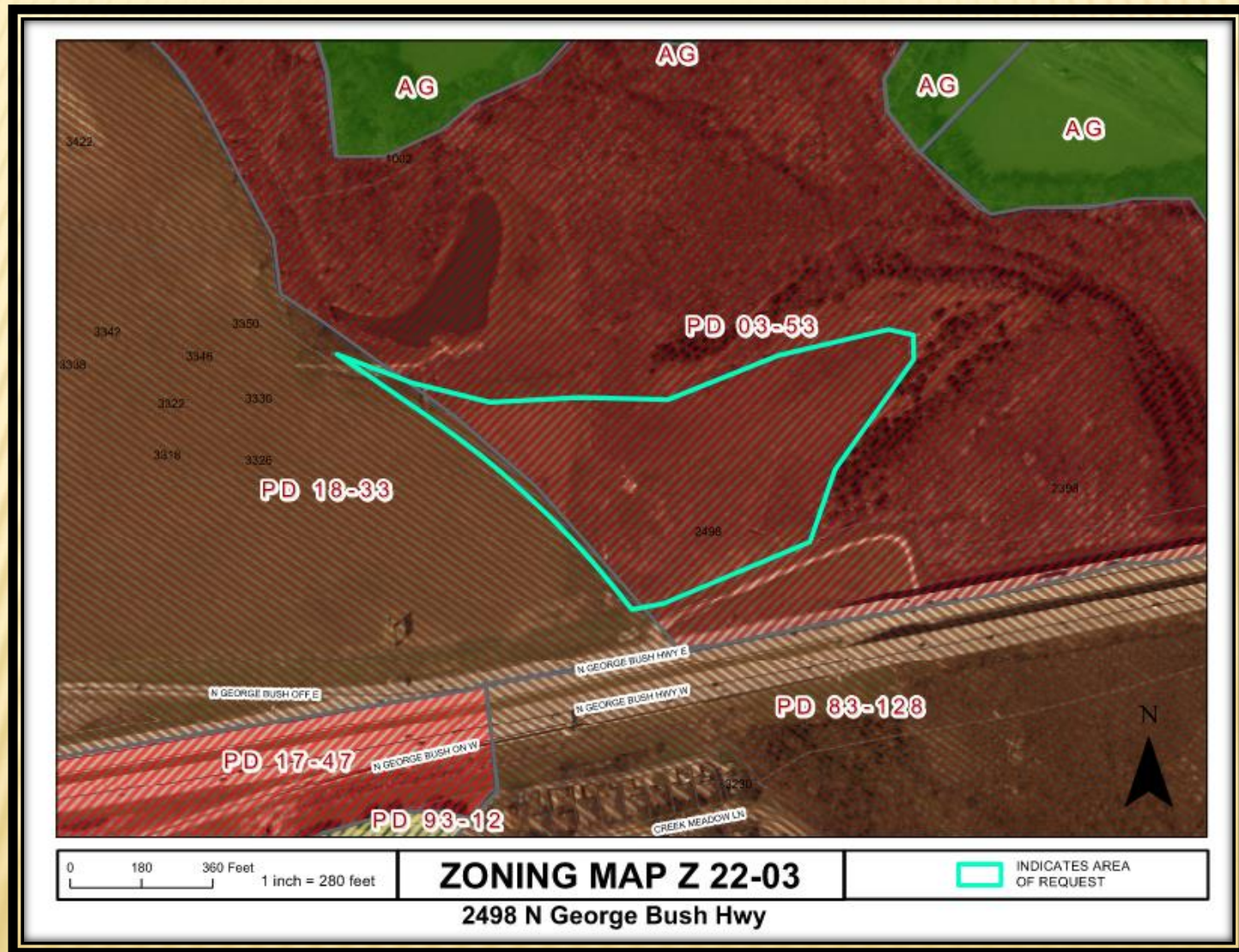
Z 22-03

CITYWIDE LOCATION MAP



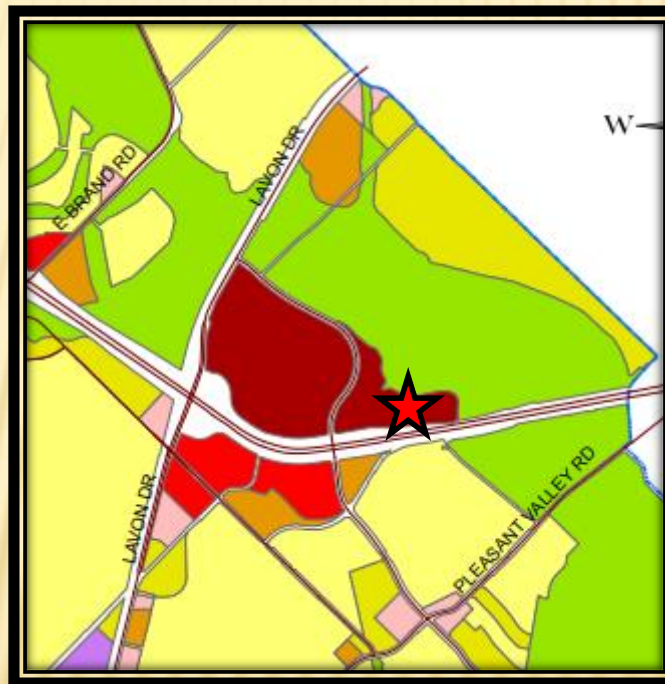
Z 22-03

LOCATION MAP



Z 22-03

COMPREHENSIVE PLAN



COMPREHENSIVE PLAN

The Envision Garland Plan designates the subject property as Regional Centers, which are areas with a higher concentration of activity that serve as a destination for residents and visitors. Uses within this development type provide a mix of retail, services, entertainment, and employment and may include residential uses. Regional centers may be found along major highways and turnpikes, and at significant bus or rail stations.

Regional centers generally cover an area greater than thirty (30) acres and consist of one or more buildings with more than 450,000 square feet of gross leasable area. This development type typically serves a five to fifteen-mile radius trade area, within a 20 minute drive time, and serves a minimum population of 150,000.

The proposed use is compatible with the Comprehensive Plan and supports the Firewheel Town Center.



GARLAND
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PHOTOS



View of the subject property



Looking west of the subject property



Looking south of the subject property

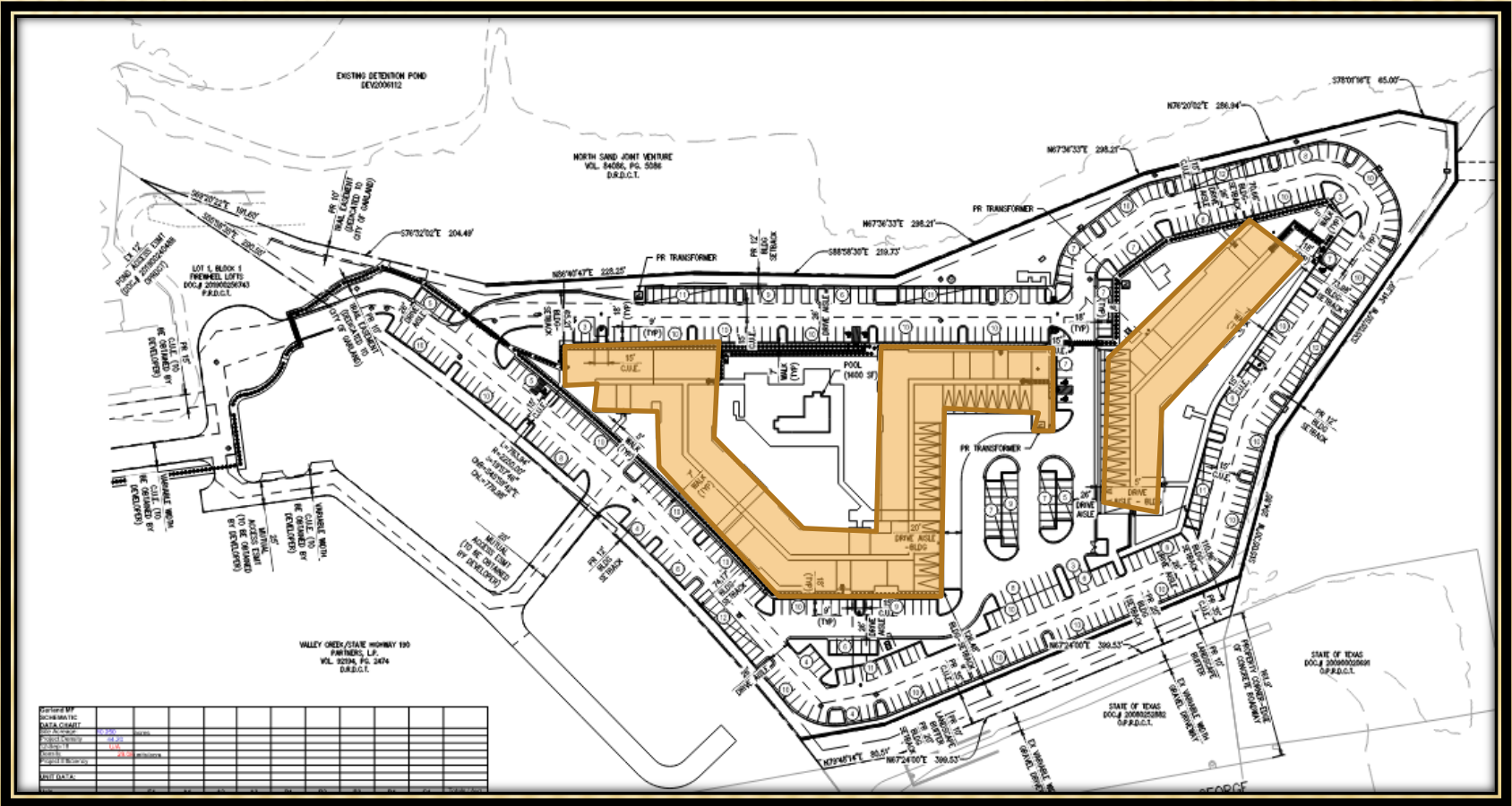


Looking east of the subject property

Z 22-03



SITE PLAN

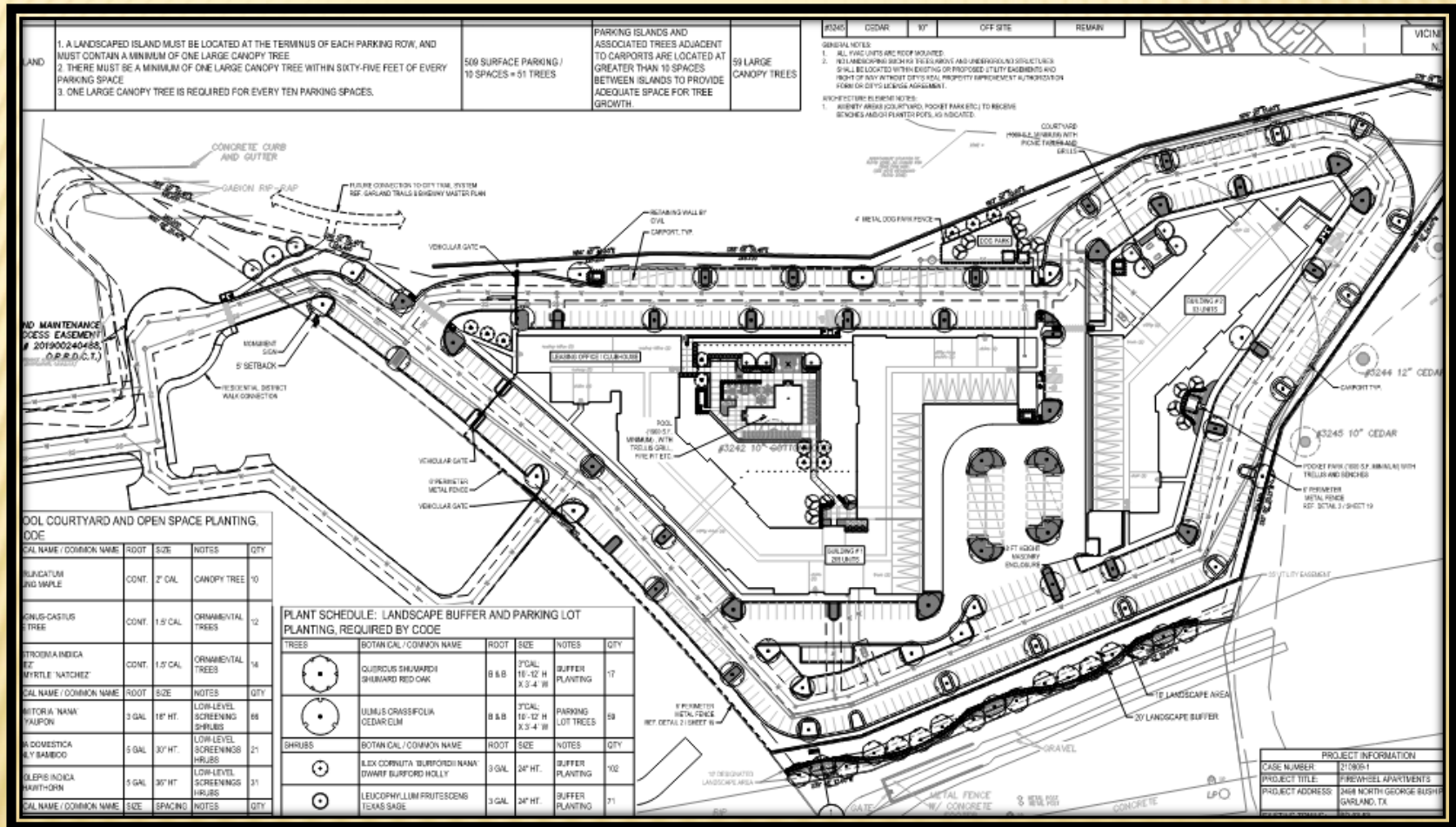


Z 22-03



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LANDSCAPE PLAN



Z 22-03



GARLAND
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BUILDING ELEVATIONS



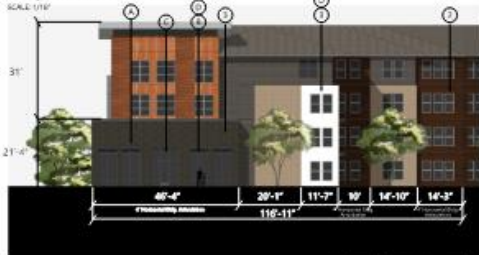
01 | NORTH ELEVATION

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



02 | NORTH ELEVATION

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



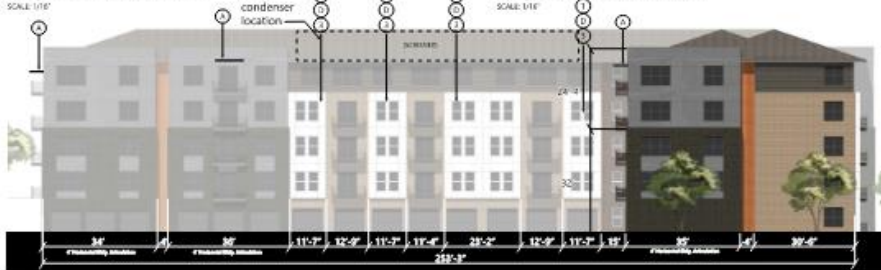
03 | WEST ELEVATION

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



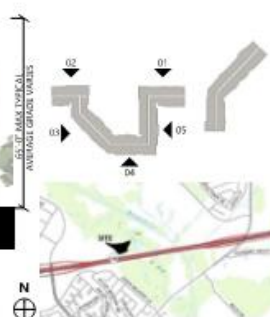
04 | SOUTH ELEVATION

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



05 | EAST ELEVATION

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



ARCHITECTURAL ELEMENTS	
A	AWNINGS
B	DISPLAY WINDOWS
C	RECESSED ENTRIES
D	BAY WINDOWS
E	PLANTERS (RE: LANDSCAPE)
F	OUTDOOR SEATING (RE: LANDSCAPE)

FACADE ARTICULATION	
1	>2' DEEP HORIZONTAL BUILDING PROJECTION
2	>2' DEEP HORIZONTAL BUILDING INSET
3	>2' DEEP VERTICAL BUILDING PROJECTION



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Master: (972) 440-1111
Registration: 22019

JHP
Architecture/Urban Design

TRUMONT GROUP

FIREWHEEL APARTMENTS
Elevations
3406 NORTH GEORGE BUSH PARKWAY
CITY OF GARLAND, DALLAS COUNTY, TEXAS

PROJECT # 211119
SHEET NUMBER
15
NO. 02' 10'

Z 22-03

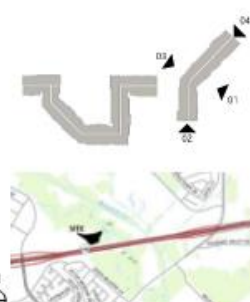
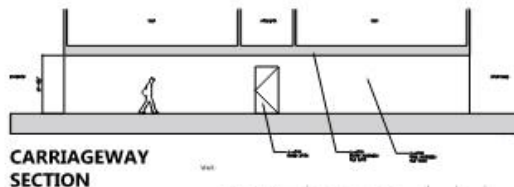


Z 22-03



GARLAND
TEXAS MADE HERE

BUILDING ELEVATIONS



ARCHITECTURAL ELEMENTS	
A	AWNINGS
B	DISPLAY WINDOWS
C	RECESSED ENTRIES
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E	PLANTERS (RE: LANDSCAPE)
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1	>2' DEEP HORIZONTAL BUILDING PROJECTION
2	>2' DEEP HORIZONTAL BUILDING INSET
3	>2' DEEP VERTICAL BUILDING PROJECTION



FILED: 04/18/2022	DATE: 04/18/2022
PROJECT: 211110	SHEET: 17

JHP
Architecture/Urban Design

TRUMONT GROUP

FIREWHEEL APARTMENTS
2408 NORTH GEORGE BUSH PARKWAY
CITY OF GARLAND, DALLAS COUNTY, TEXAS

PROJECT # 211110
SHEET NUMBER
17

Z 22-03

SUMMARY TABLE

Development Standards	Required	Proposed	Analysis
Covered Parking	The GDC requires a minimum of fifty (50%) percent of those parking spaces to be covered.	Per the calculation, a total of 246 parking spaces should be covered and the site plan (Exhibit C) shows 125 covered spaces.	From previous multifamily developments the developer has developed, when covered parking is more than 25% of the available parking spaces, the additional spaces are not leased by residents.
Building Height	The GDC allows a maximum building height of forty (40) feet for multi-family development.	The applicant proposes a maximum building height of sixty-five (65) feet	The additional height is needed to accommodate five stories. The buildings have a four and five level split to adapt the significant topographical changes. It should be noted that all five (5) story elevations will be facing the interior of the development.
Density	18 dwelling units/acre	29.08 dwelling units per acre	There are significant site challenges which includes the irregular shape parcel, floodplain and topographical changes. In addition, the density may support the nearby Firewheel Town Center.

STAFF RECOMMENDATION

Approval of an amendment to Planned Development (PD) District 03-53.

Approval of a Detail Plan for Multi-Family development.

However, staff recommends additional covered parking be provided.
Alternatively, additional large canopy trees may be planted within the parking areas to provide more shade.



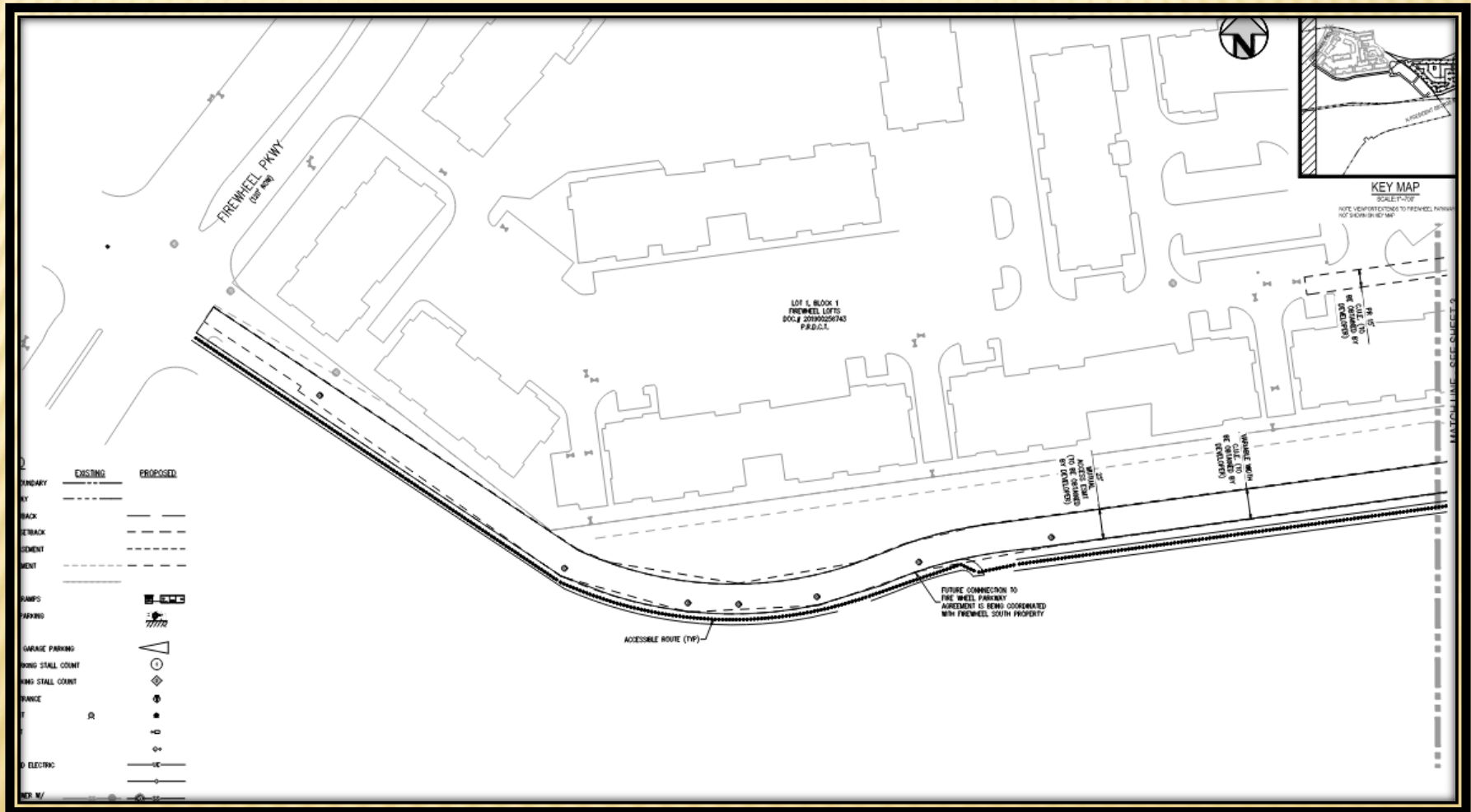
PLAN COMMISSION RECOMMENDATION

On May 9, 2022 the Plan Commission, by a vote of six (6) to zero (0), recommended approval of an amendment to Planned Development (PD) District 03-53.

The Plan Commission, by a vote of six (6) to zero (0), also recommended approval of a Detail Plan for Multi-Family development.



PRIVATE ROAD FROM FIREWHEEL PARKWAY





GARLAND PLANNING REPORT

City Council Regular Session Agenda

13. d.

Meeting Date: 06/07/2022

Item Title: Z 22-13 Hart Gaugler + Associates - Zoning (District 1)

Submitted By: Kimberly Hopkins, Development Planner

REQUEST

Approval of an Amendment to Planned Development (PD) District 20-17 for Mixed Uses.

Approval of a Detail Plan for a Fire Station on a property zoned Planned Development (PD) District 20-17.

LOCATION

6450 North President George Bush Turnpike

OWNER

City of Garland

PLAN COMMISSION RECOMMENDATION

On May 9, 2022 the Plan Commission, by a vote of five (5) to one (1), recommended approval of an Amendment to Planned Development (PD) District 20-17 for Mixed Uses.

The Plan Commission, by a vote of five (5) to one (1), also recommended approval of a Detail Plan for a Fire Station on a property zoned Planned Development (PD) District 20-17.

STAFF RECOMMENDATION

Approval of an Amendment to Planned Development (PD) District 20-17 for Mixed Uses.

Approval of a Detail Plan for a Fire Station on a property zoned Planned Development (PD) District 20-17.

BACKGROUND

In 2015, City Council approved a zoning change from Agricultural (AG) District to Planned Development (PD) District 15-20 for Mixed Uses.

The PD 20-17 Zoning Framework Plan includes five (5) Character Zones, each zone implements specific aspects of the vision for a regional mixed-use destination with significant employment and residential uses. The following districts within the PD are: Employment Mixed

Use Zone EMU), Retail Mixed Use Zone (RMU), Mixed Use-Mixed Residential Zone (MU-MR), Mixed Use-Mixed Residential Zone (MU-MR), and Transitional Zone (T). The proposed project is located within the Retail Mixed Use Zone (RMU).

The applicant requests approval of a Garland Fire Station [Station No. 6]. The Fire Station is considered allowed by right. However, a Detail Plan through the public hearing process is required per PD 20-17. In addition, the applicant is requesting deviations from the ground floor commercial zone in Planned Development (PD) District 20-17 and a landscaping buffer requirement from the Garland Development Code.

SITE DATA

The proposed Detail Plan portion of the site is approximately 2.745 acres with 479 linear feet of frontage along North President George Bush Turnpike. The primary access is from North President George Bush Turnpike and the property can also be accessed from Ferris Road through a mutual access easement.

USE OF PROPERTY UNDER CURRENT ZONING

The subject property is zoned Planned Development (PD) District 20-17 and within the Retail Mixed Use (RMU) character zone. The Retail Mixed Use (RMU) Zone is adjacent to SH 190 with access conducive to destination and regional retail uses. This area shall contain design and development standards that allow for retail and office use; but also encourage connections and transitional uses with the adjacent development.

In 2017, City Council approved an amendment to Planned Development (PD) District 15-20 for Mixed Use to remove the Transition Zone located at the southwest corner of Campbell Road and Lookout Drive and Rezone to Mixed Use-Mixed Residential. In 2020, City Council approved an amendment to Planned Development (PD) District 17-3537 for Mixed Use to 1) remove Dwelling, Multi-Family Use and Elder Care Independent Living Use from several character zones; 2) change the character zones of certain properties; and 3) remove the Concept Plan and require Detail Plans through a public hearing process.

CONSIDERATIONS

1. The subject property is currently undeveloped. The applicant proposes a Fire Station on the subject site. The site consist of two (2) buildings, which are the following:
 - Building 1: Two (2) story 12,791 square-foot building footprint. (Fire Station)
 - Building 2: One (1) story 636 square-foot building footprint. (Fitness Center)
2. The applicant requests to deviate from some of the requirements of PD 20-17 and the Garland Development Code (GDC). The table below indicates the deviations proposed.

Development Standards	Required	Proposed	Analysis
Frontage Standards:	Ground Floor Commercial uses shall be within 300 feet deep from the North President George Bush Turnpike frontage road.	The applicant proposes to eliminate the ground floor commercial component on the site.	Due to the intended use of the site, ground floor commercial use (such as retail) would not be applicable.

Landscape Buffer:	As per the Garland Development Code: Section 4.34(B) (3) (a); requires a minimum of seven (7) shrubs per thirty (30) linear feet. The frontage along North George Bush Turnpike requires 91 shrubs for the proposed development.	The applicant proposes 33 shrubs along the N. PGBT frontage.	The applicant proposes to install larger shrubs such as sea green juniper (7 gallon). By proposing larger shrubs, the applicant states the landscaping will create an instant screening effect and reduce maintenance. The applicant prefers better visibility in the area between the driveways and proposes to cluster the shrubs otherwise.
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3. The applicant meets all landscaping requirements for the site except for the landscape buffer requirement along the frontage road.
4. The site plan (Exhibit C) meets the GDC parking requirement.
5. The design of the building complies with the applicable building design regulations of GDC.
6. No deviations have been requested for signage. Therefore, signage will meet the GDC requirements.

COMPREHENSIVE PLAN

The Envision Garland Plan designates the subject property as Business Center. Business centers provide a cluster of business offices and/or low impact industry, including campus-type development that cumulatively employ large numbers of people. Operations within this development type occur internal to buildings resulting in minimal negative impacts (sound, air, traffic, outdoor lighting, storage, etc.) and are compatible with adjacent development types in architecture, character, scale, and intensity. 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.

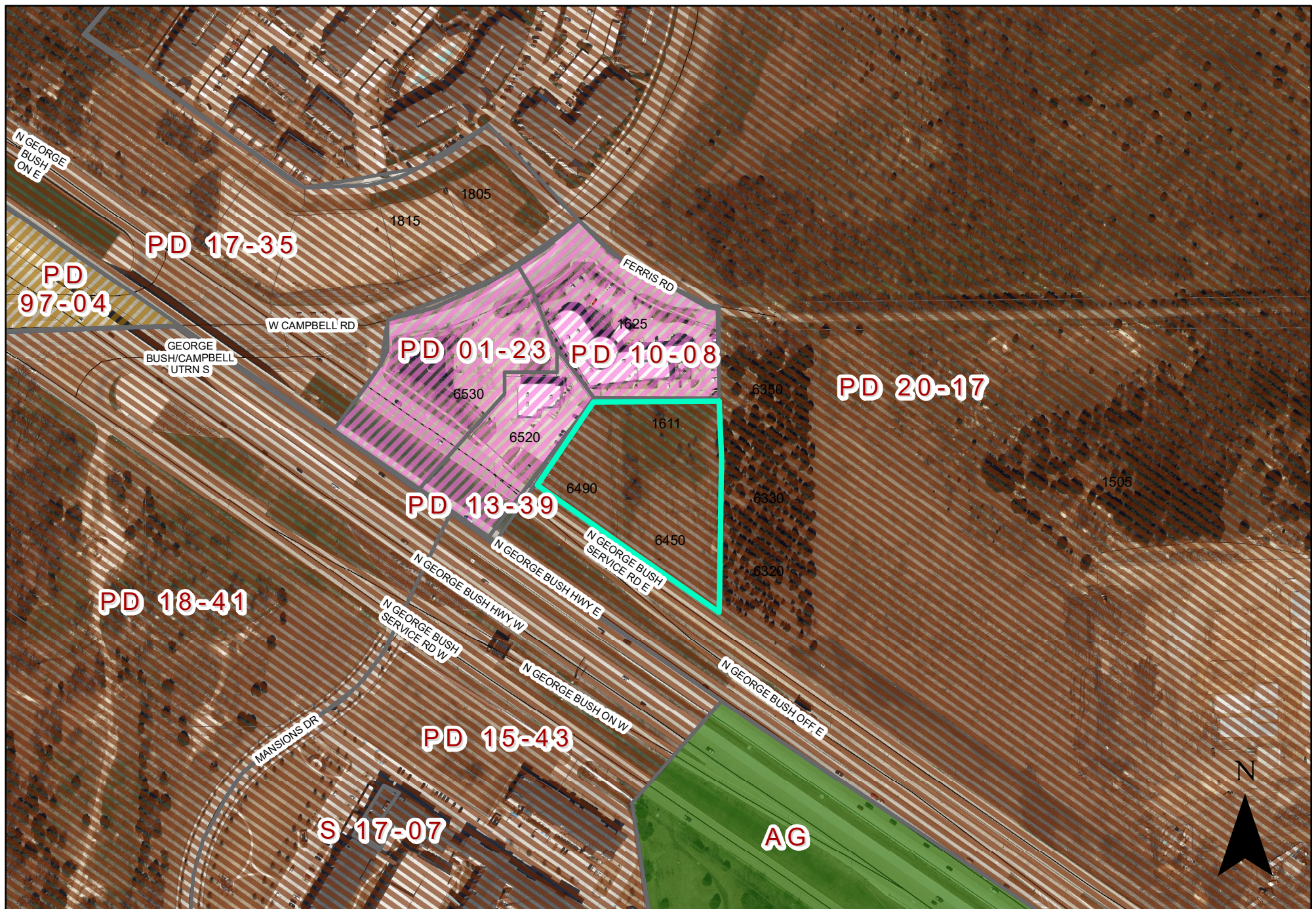
The proposed Garland Fire Station supports the area for emergency services.

COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

The properties to west is zoned Planned Development (PD) District 13-39 and Planned Development (PD) District 10-08. The Planned Development (PD) District 01-23 is developed with an urgent care and the Planned Development (PD) 10-08 is developed with a school. The properties to the south across North President George Bush Turnpike are zoned Planned Development (PD) District 15-43 for Mixed Uses and Agricultural (AG) District; these properties are developed with an apartment complex and restaurant. The property to the immediate east is zoned Planned Development (PD) District 20-17 for Mixed Uses and is currently proposed for a Self-Storage (Mini-warehouse) use. The property further to the east is developed with an entertainment complex (Strike + Reel).

Attachments

Z 22-13 Hart Gaugler + Associates Attachments (Zoning)
Z 22-13 Hart Gaugler + Associates Responses
Z 22-13 Hart Gaugler + Associates Staff Presentation



0 180 360 Feet
1 inch = 280 feet

ZONING MAP Z 22-13

INDICATES AREA OF REQUEST

INDICATES NOTIFICATION AREA

6450 N President George Bush Hwy

PLANNED DEVELOPMENT CONDITIONS

ZONING FILE Z 22-13

6450 North President George Bush Turnpike

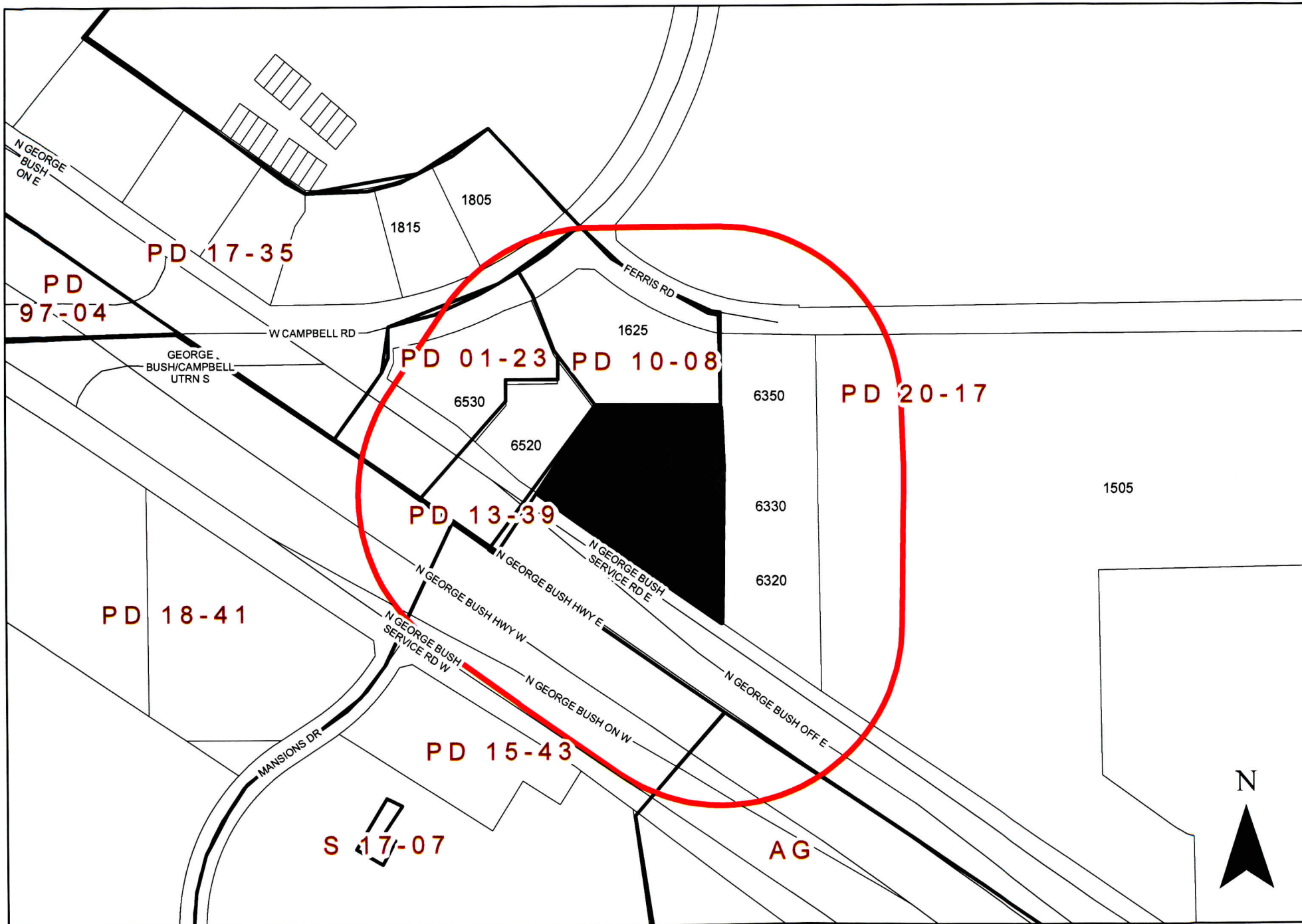
- I. Statement of Purpose:** The purpose of this Planned Development District is to amend the Planned Development (PD) District 20-17 to allow a Fire Station and approve a Detail Plan.
- II. Statement of Effect:** This Planned Development (PD) shall not affect any regulation found in the Garland Development Code, Ordinance No. 6773 and Planned Development (PD) District 20-17, as amended prior to adoption of this ordinance, except as specifically provided herein.
- III. General Regulations:** All regulations of the Planned Development (PD) District 20-17 and Chapter 2 of the Garland Development Code, Ordinance 6773, are included by reference and shall apply, except as otherwise specified by this ordinance.
- IV. Development Plans:**
- A. Detail Plan: Development is to be in general conformance with the approved Detail Plan set forth in Exhibit C, Exhibit D, and Exhibit E. In the event of conflict between the conditions and Detail Plan, the conditions listed below are to apply.
- V. Specific Conditions:**
- A. Site Layout: The development shall be in conformance with the site layout in Exhibit C.
- B. Landscaping and Screening: Landscaping and Screening shall be in conformance with Exhibit D.
- C. Building Elevations: Building elevations shall be in general conformance with Exhibit E.

REPORT & MINUTES

P.C. Meeting, May 9, 2022

Consideration of the application of **Hart Gaugler + Associates**, requesting approval of an amendment to Planned Development (PD) District 20-17 for Mixed Uses. This property is located at 6450 North President George Bush Turnpike. (District 1) (File Z 22-13 – Zoning)

Motion was made by Commissioner Dalton to close the public hearing and **approve** the request as presented. Seconded by Commissioner Ott. **Motion carried: 5 Ayes, 1 Nay** from Commissioner Rose.



ZONING MAP Z 22-13

INDICATES AREA OF REQUEST

INDICATES NOTIFICATION AREA

6450 N President George Bush Hwy

Zoning Response Case Comments

Case Number	PC Hearing Date	CC Hearing Date	Planner Name
Z 22-13	May 9, 2022	June 7, 2022	Kimberly Hopkins

A Garland Fire Station is proposed on the subject property. The site is located at 6450 North President George Bush Turnpike. (District 1)

Brandon Lee

For

5/4/2022
4:06:06 AM

1711 W Campbell Rd

Outside the Notification Area

Garland
TX
United States
75044

Anna M Plote

For

5/4/2022
4:03:08 AM

1711 W Campbell Rd

Outside the Notification Area

anna.m.plote@gmail.com

Garland
TX
United States
75044

9154942577

Z 22-13

A Garland Fire Station is proposed on the subject property.

[Approval of an Amendment to Planned Development (PD) District 20-17 for Mixed Uses.

Approval of a Detail Plan for a Fire Station on a property zoned Planned Development (PD) District 20-17.]

**City Council Meeting
June 7, 2022**



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CASE INFORMATION

Location: 6450 North President George Bush
Turnpike

Applicant: Hart Gaugler + Associates

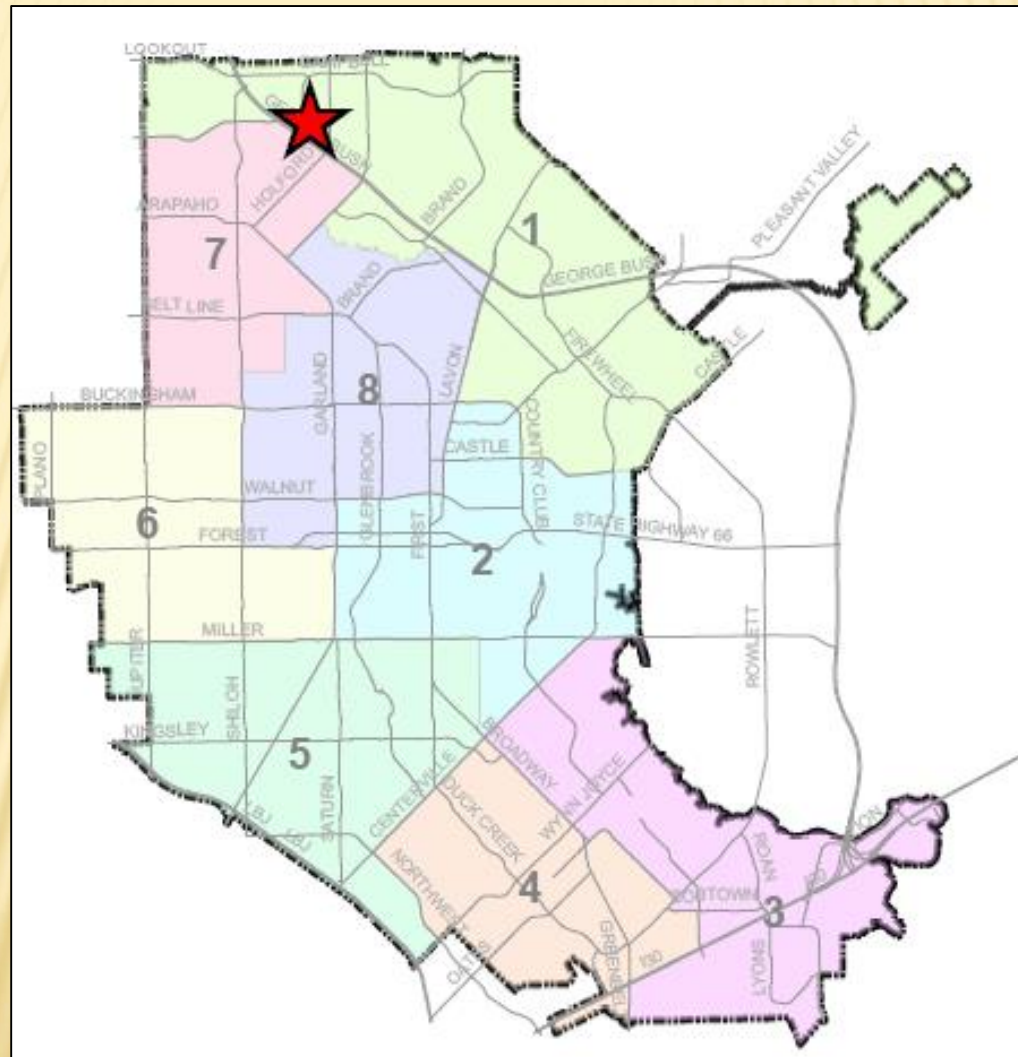
Owner: City of Garland

Acreage: 2.745 acres

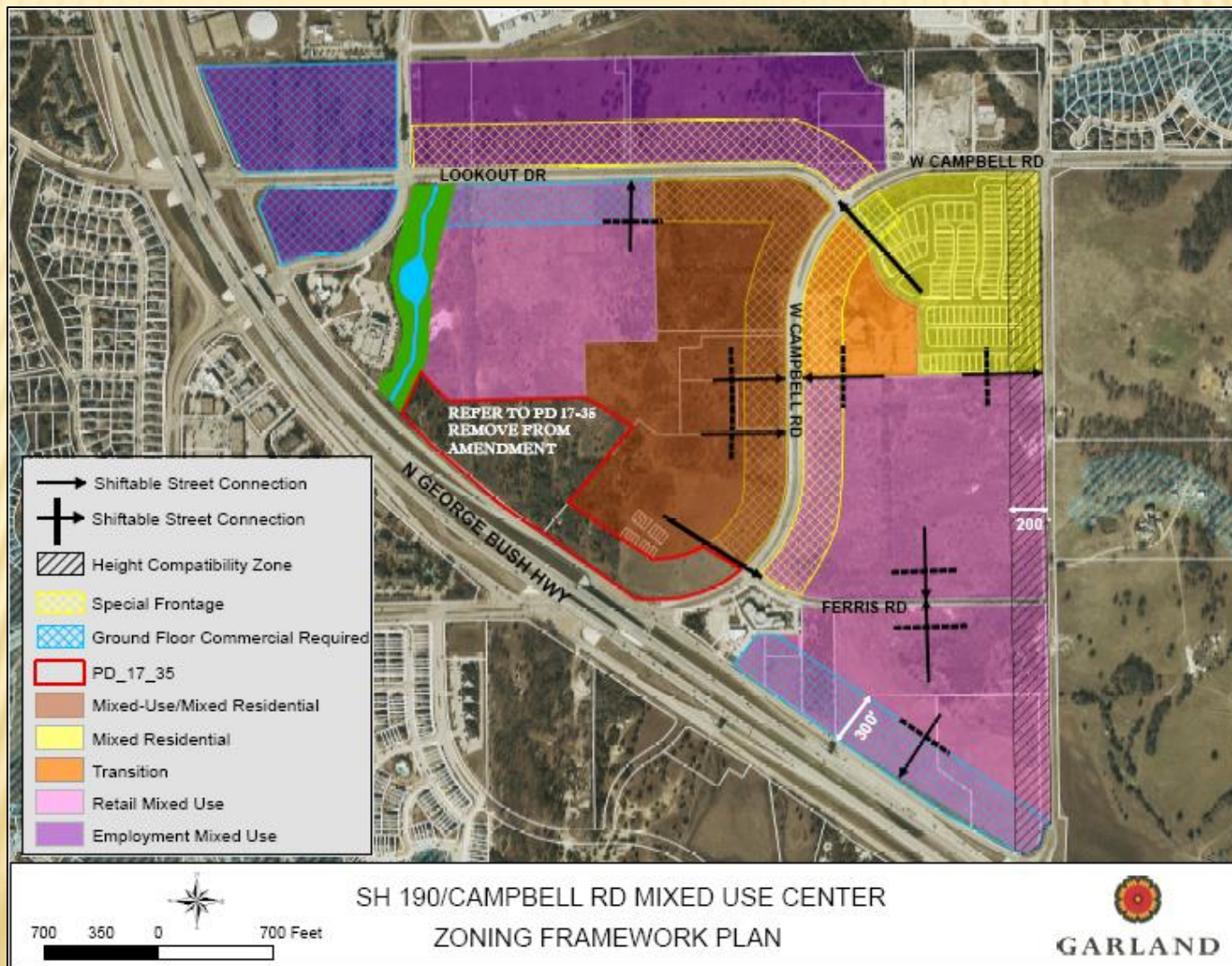
Zoning: Planned Development (PD) District 20-17

Z 22-13

CITYWIDE LOCATION MAP



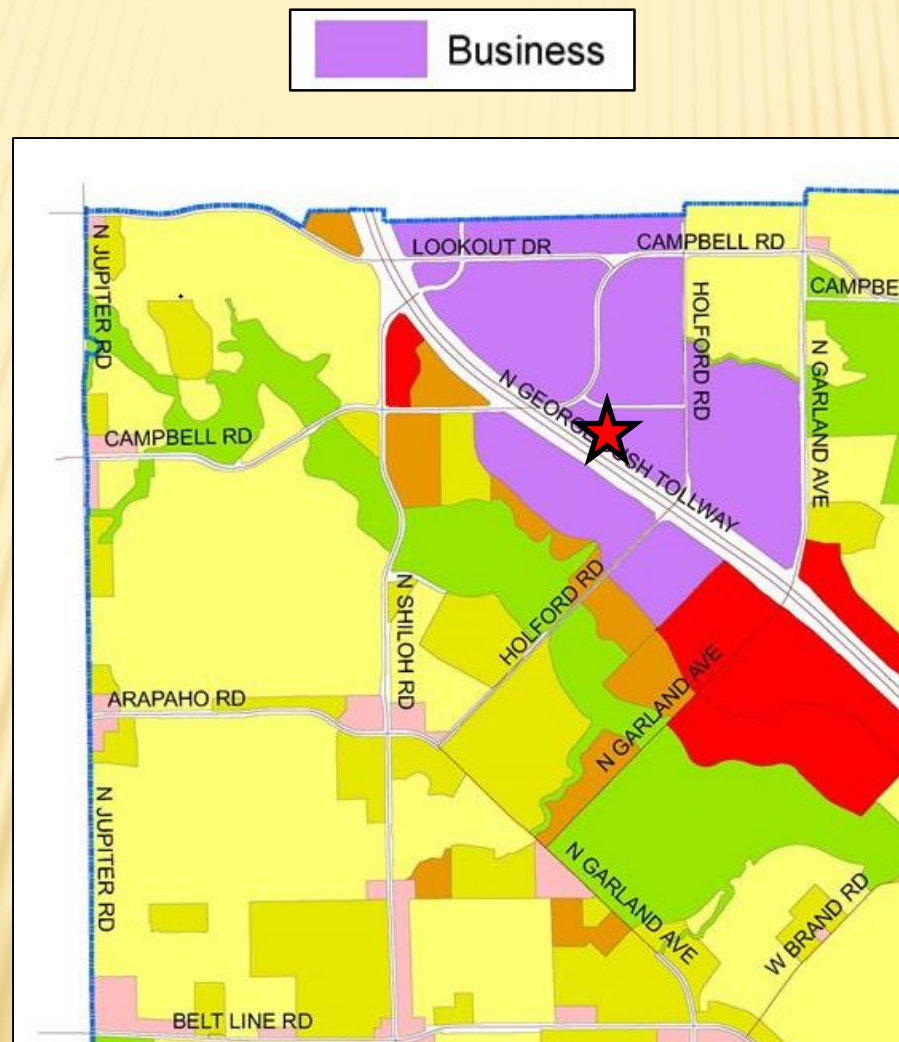
SH 190/CAMPBELL ROAD MIXED USE CENTER



LOCATION MAP



COMPREHENSIVE PLAN





COMPREHENSIVE PLAN

The Envision Garland Plan designates the subject property as Business Center. Business centers provide a cluster of business offices and/or low impact industry, including campus-type development that cumulatively employ large numbers of people. Operations within this development type occur internal to buildings resulting in minimal negative impacts (sound, air, traffic, outdoor lighting, storage, etc.) and are compatible with adjacent development types in architecture, character, scale, and intensity. 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 Fire Station supports the area for emergency services.

PHOTOS

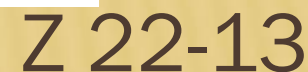


PHOTOS





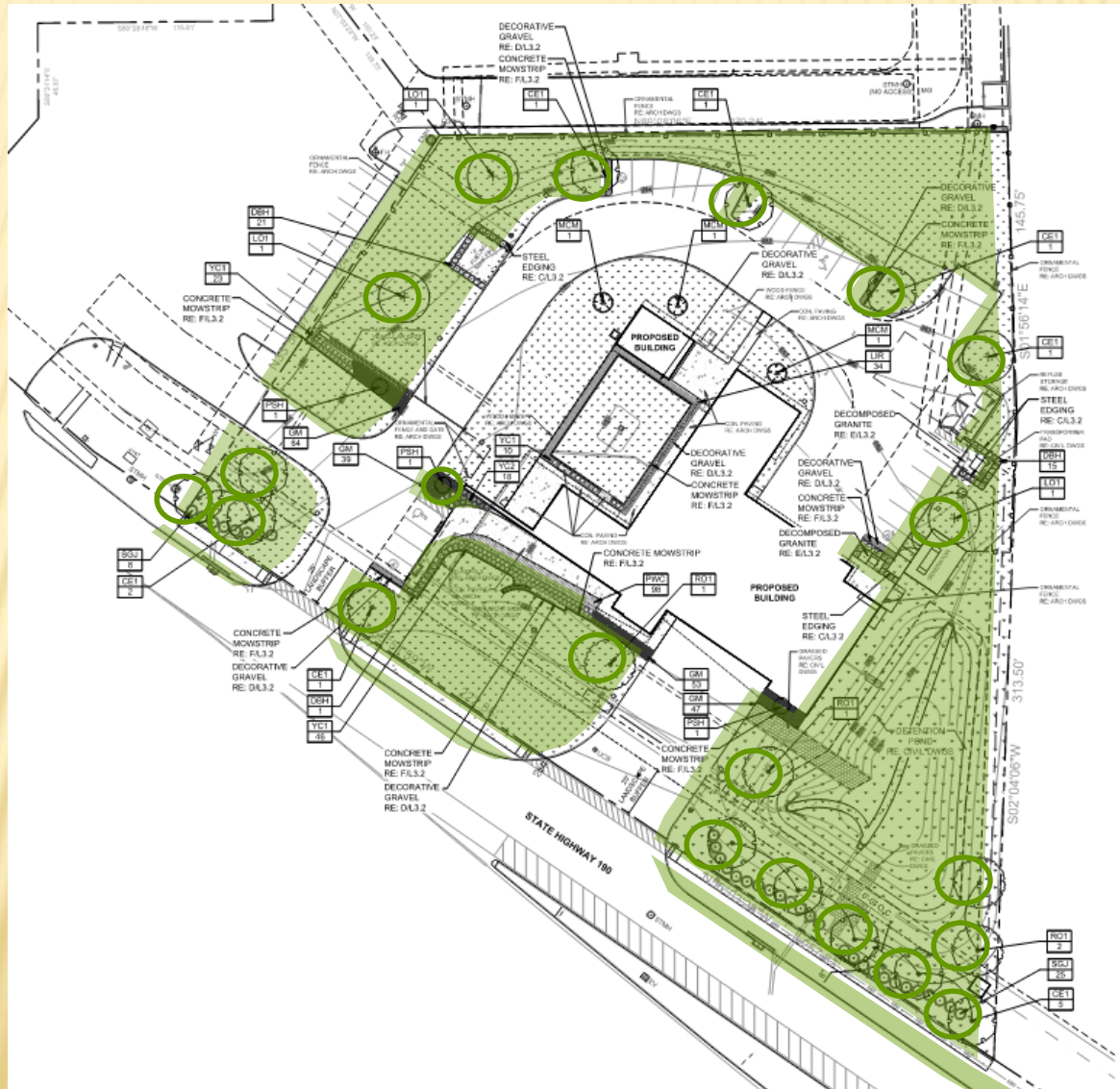
2015 RELEASE





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LANDSCAPE PLAN



Z 22-13



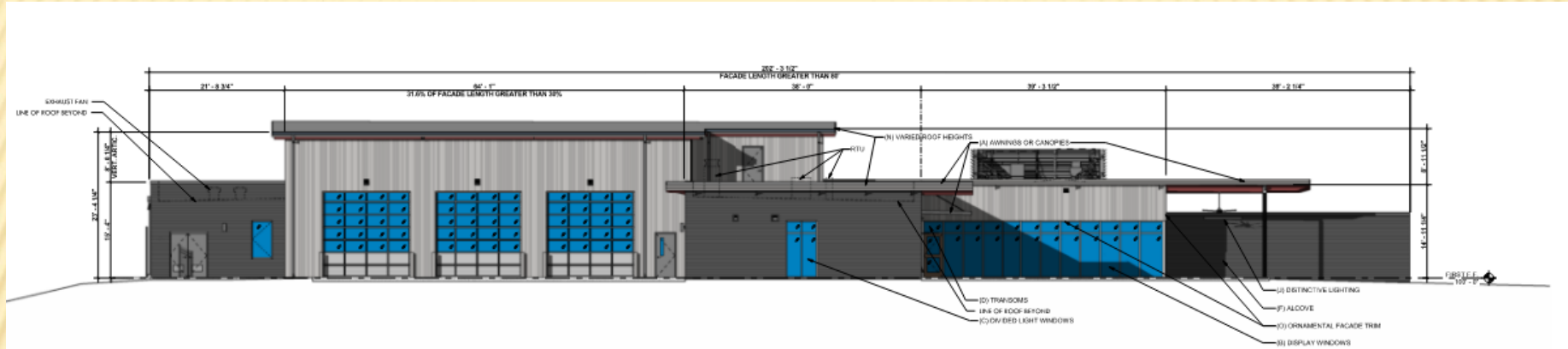
ELEVATION PLAN - WEST FACADE ARTICULATION

1/8" = 1'-0"



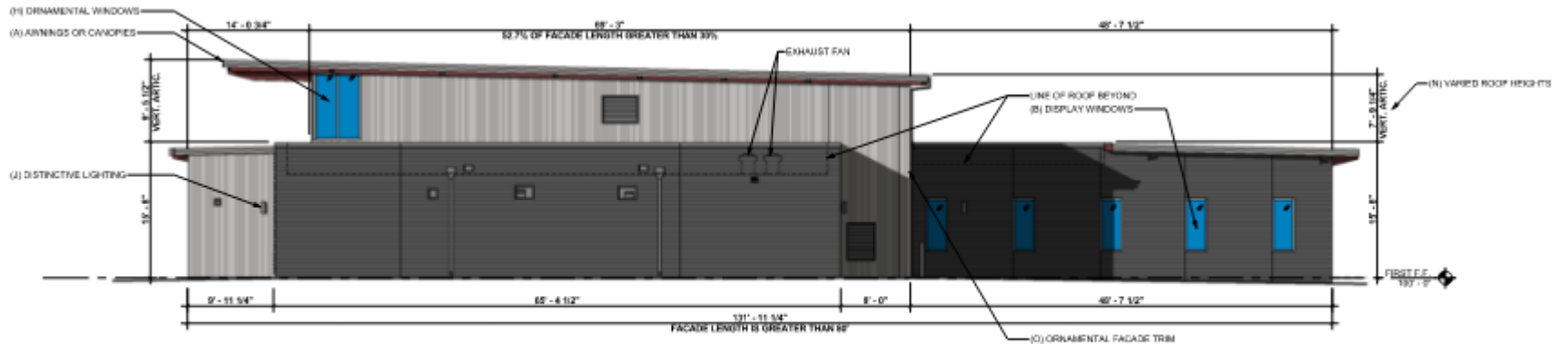
GARLAND
TEXAS MADE HERE

BUILDING ELEVATIONS



ELEVATION PLAN - NORTH (REAR) FACADE ARTICULATION

1/8" = 1'-0"

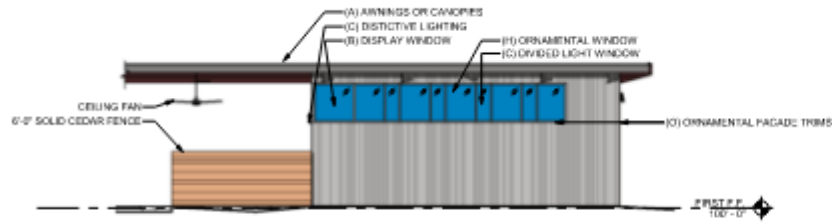


1 EXTERIOR ELEVATION - (EAST) FACADE ARTICULATION

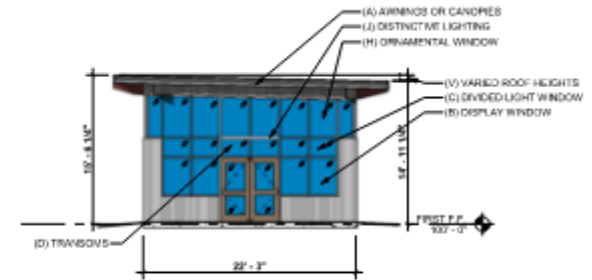
1/8" = 1'-0"



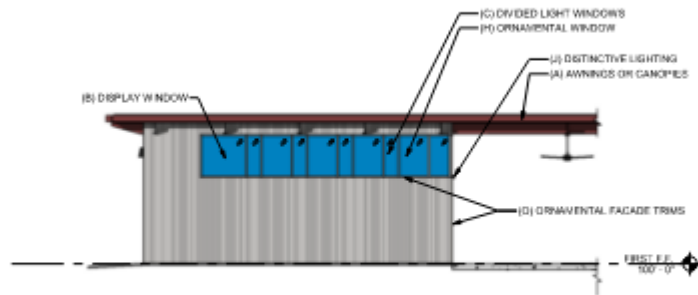
BUILDING ELEVATIONS



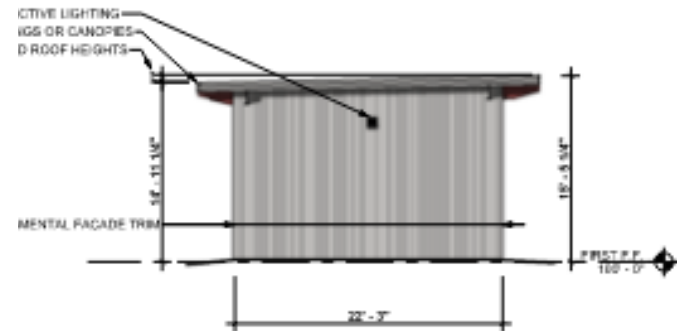
3 EXTERIOR ELEVATION - (EAST) FITNESS
1/8" = 1'-0"



2 EXTERIOR ELEVATION - (FRONT) SOUTH FITNESS
1/8" = 1'-0"



4 EXTERIOR ELEVATION - (WEST) FITNESS
1/8" = 1'-0"



1 EXTERIOR ELEVATION - (NORTH) FITNESS
1/8" = 1'-0"



SUMMARY OF DEVIATIONS

Development Standards	Required	Proposed	Analysis
Frontage Standards:	Ground Floor Commercial uses shall be within 300 feet deep from the North George Bush Turnpike frontage road.	The applicant proposes to eliminate the ground floor commercial component on the site.	Due to the intended use of the site, ground floor commercial use (such as retail) would not be applicable.
Landscape Buffer:	As per the Garland Development Code: Section 4.34(B) (3) (a); requires a minimum of seven (7) shrubs per thirty (30) linear feet. The frontage along North George Bush Turnpike requires 91 shrubs for the proposed development.	The applicant proposes 33 shrubs along the NGBT frontage.	The applicant proposes to install larger shrubs such as sea green juniper (7 gallon). By proposing larger shrubs, the applicant states the landscaping will create an instant screening effect and reduce maintenance. The applicant prefers better visibility in the area between the driveways and proposes to cluster the shrubs otherwise.

CONSIDERATION

The applicant requests an amendment to the existing Planned Development (PD) 20-17 for Mixed Uses to allow a Fire Station. The Fire Station is considered allowed by right. However, the applicant is requesting deviations from the ground floor commercial zone in Planned Development (PD) District 20-17 and a landscaping buffer requirement from the Garland Development Code. In addition, a Detail Plan is required through the public hearing process per Planned Development (PD) District 20-17.

Approval of an Amendment to Planned Development (PD) District 20-17 for Mixed Uses.

Approval of a Detail Plan for a Fire Station on a property zoned Planned Development (PD) District 20-17.



PLAN COMMISSION RECOMMENDATION

On May 9, 2022 the Plan Commission, by a vote of five (5) to one (1), recommended approval of an Amendment to Planned Development (PD) District 20-17 for Mixed Uses.

The Plan Commission, by a vote of five (5) to one (1), also recommended approval of a Detail Plan for a Fire Station on a property zoned Planned Development (PD) District 20-17.



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GARLAND PLANNING REPORT

City Council Regular Session Agenda

13. e.

Meeting Date: 06/07/2022

Item Title: Z 22-13 Hart Gaugler + Associates - Detail Plan (District 1)

Submitted By: Kimberly Hopkins, Development Planner

REQUEST

Approval of an Amendment to Planned Development (PD) District 20-17 for Mixed Uses.

Approval of a Detail Plan for a Fire Station on a property zoned Planned Development (PD) District 20-17.

LOCATION

6450 North President George Bush Turnpike

OWNER

City of Garland

PLAN COMMISSION RECOMMENDATION

On May 9, 2022 the Plan Commission, by a vote of five (5) to one (1), recommended approval of an Amendment to Planned Development (PD) District 20-17 for Mixed Uses.

The Plan Commission, by a vote of five (5) to one (1), also recommended approval of a Detail Plan for a Fire Station on a property zoned Planned Development (PD) District 20-17.

STAFF RECOMMENDATION

Approval of an Amendment to Planned Development (PD) District 20-17 for Mixed Uses.

Approval of a Detail Plan for a Fire Station on a property zoned Planned Development (PD) District 20-17.

BACKGROUND

In 2015, City Council approved a zoning change from Agricultural (AG) District to Planned Development (PD) District 15-20 for Mixed Uses.

The PD 20-17 Zoning Framework Plan includes five (5) Character Zones, each zone implements specific aspects of the vision for a regional mixed-use destination with significant employment and residential uses. The following districts within the PD are: Employment Mixed

Use Zone EMU), Retail Mixed Use Zone (RMU), Mixed Use-Mixed Residential Zone (MU-MR), Mixed Use-Mixed Residential Zone (MU-MR), and Transitional Zone (T). The proposed project is located within the Retail Mixed Use Zone (RMU).

The applicant requests approval of a Garland Fire Station [Station No. 6]. The Fire Station is considered allowed by right. However, a Detail Plan through the public hearing process is required per PD 20-17. In addition, the applicant is requesting deviations from the ground floor commercial zone in Planned Development (PD) District 20-17 and a landscaping buffer requirement from the Garland Development Code.

SITE DATA

The proposed Detail Plan portion of the site is approximately 2.745 acres with 479 linear feet of frontage along North President George Bush Turnpike. The primary access is from North President George Bush Turnpike and the property can also be accessed from Ferris Road through a mutual access easement.

USE OF PROPERTY UNDER CURRENT ZONING

The subject property is zoned Planned Development (PD) District 20-17 and within the Retail Mixed Use (RMU) character zone. The Retail Mixed Use (RMU) Zone is adjacent to SH 190 with access conducive to destination and regional retail uses. This area shall contain design and development standards that allow for retail and office use; but also encourage connections and transitional uses with the adjacent development.

In 2017, City Council approved an amendment to Planned Development (PD) District 15-20 for Mixed Use to remove the Transition Zone located at the southwest corner of Campbell Road and Lookout Drive and Rezone to Mixed Use-Mixed Residential. In 2020, City Council approved an amendment to Planned Development (PD) District 17-3537 for Mixed Use to 1) remove Dwelling, Multi-Family Use and Elder Care Independent Living Use from several character zones; 2) change the character zones of certain properties; and 3) remove the Concept Plan and require Detail Plans through a public hearing process.

CONSIDERATIONS

1. The subject property is currently undeveloped. The applicant proposes a Fire Station on the subject site. The site consists of two (2) buildings, which are the following:
 - Building 1: Two (2) story 12,791 square-foot building footprint. (Fire Station)
 - Building 2: One (1) story 636 square-foot building footprint. (Fitness Center)
2. The applicant requests to deviate from some of the requirements of PD 20-17 and the Garland Development Code (GDC). The table below indicates the deviations proposed.

Development Standards	Required	Proposed	Analysis
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Landscape Buffer:	As per the Garland Development Code: Section 4.34(B) (3) (a); requires a minimum of seven (7) shrubs per thirty (30) linear feet. The frontage along North George Bush Turnpike requires 91 shrubs for the proposed development.	The applicant proposes 33 shrubs along the N. PGBT frontage.	The applicant proposes to install larger shrubs such as sea green juniper (7 gallon). By proposing larger shrubs, the applicant states the landscaping will create an instant screening effect and reduce maintenance. The applicant prefers better visibility in the area between the driveways and proposes to cluster the shrubs otherwise.
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3. The applicant meets all landscaping requirements for the site except for the landscape buffer requirement along the frontage road.
4. The site plan (Exhibit C) meets the GDC parking requirement.
5. The design of the building complies with the applicable building design regulations of GDC.
6. No deviations have been requested for signage. Therefore, signage will meet the GDC requirements.

COMPREHENSIVE PLAN

The Envision Garland Plan designates the subject property as Business Center. Business centers provide a cluster of business offices and/or low impact industry, including campus-type development that cumulatively employ large numbers of people. Operations within this development type occur internal to buildings resulting in minimal negative impacts (sound, air, traffic, outdoor lighting, storage, etc.) and are compatible with adjacent development types in architecture, character, scale, and intensity. 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.

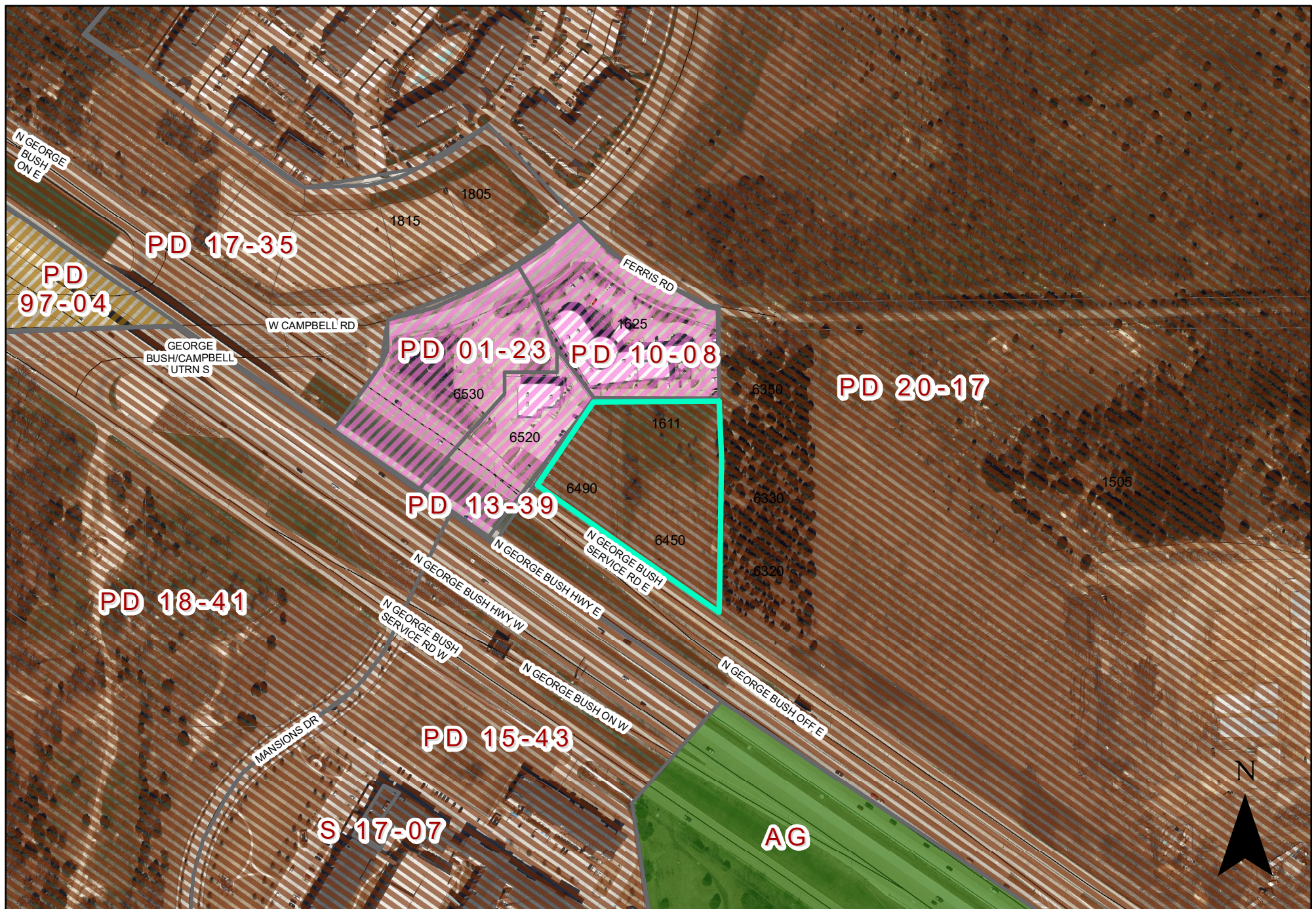
The proposed Garland Fire Station supports the area for emergency services.

COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

The properties to west is zoned Planned Development (PD) District 13-39 and Planned Development (PD) District 10-08. The Planned Development (PD) District 01-23 is developed with an urgent care and the Planned Development (PD) 10-08 is developed with a school. The properties to the south across North President George Bush Turnpike are zoned Planned Development (PD) District 15-43 for Mixed Uses and Agricultural (AG) District; these properties are developed with an apartment complex and restaurant. The property to the immediate east is zoned Planned Development (PD) District 20-17 for Mixed Uses and is currently proposed for a Self-Storage (Mini-warehouse) use. The property further to the east is developed with an entertainment complex (Strike + Reel).

Attachments

Z 22-13 Hart Gaugler + Associates Attachments (Detail Plan)
Z 22-13 Hart Gaugler + Associates Responses
Z 22-13 Hart Gaugler + Associates Staff Presentation



0 180 360 Feet
1 inch = 280 feet

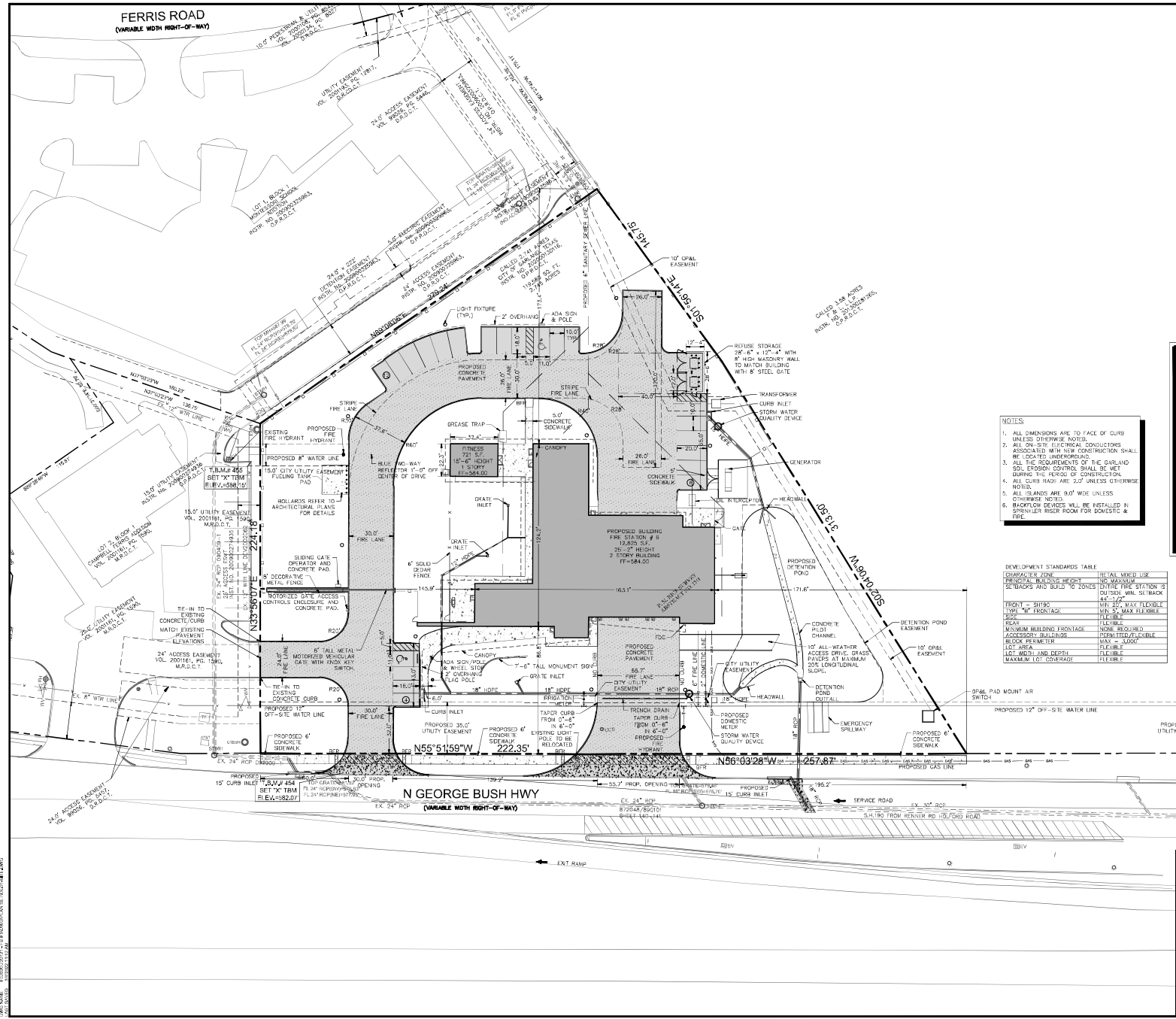
ZONING MAP Z 22-13

INDICATES AREA OF REQUEST

INDICATES NOTIFICATION AREA

6450 N President George Bush Hwy

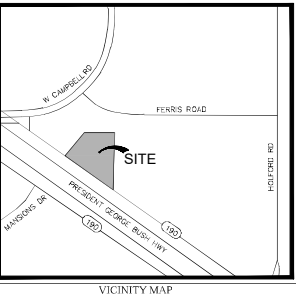
NOTES: 1. ALL DIMENSIONS ARE TO FACE OF CURB UNLESS OTHERWISE NOTED. 2. ALL ON-SITE ELECTRICAL CONDUCTIONS ASSOCIATED WITH NEW CONSTRUCTION SHALL BE LOCATED UNDERGROUND. 3. ALL THE REQUIREMENTS OF THE DRAINAGE & SOIL EROSION CONTROL SHALL BE MET DURING THE PERIOD OF CONSTRUCTION. 4. ALL CURB RADIUS ARE 2.0' UNLESS OTHERWISE NOTED. 5. ALL ISLANDS ARE 9.0' WIDE UNLESS OTHERWISE NOTED. 6. BACKFLOW DEVICES WILL BE INSTALLED IN SINK/DRIP RISER ROOM FOR DOMESTIC & FIRE.



LEGEND	
[Symbol]	PROPERTY LINE
[Symbol]	EXISTING WATER LINE
[Symbol]	EXISTING SEWER LINE
[Symbol]	EXISTING GAS LINE
[Symbol]	EXISTING STORM LINE
[Symbol]	PROPOSED WATER LINE
[Symbol]	PROPOSED SEWER LINE
[Symbol]	PROPOSED STORM LINE
[Symbol]	5' CONCRETE SIDEWALK
[Symbol]	1' CONCRETE PAVEMENT
[Symbol]	7' CONCRETE PAVEMENT FIRE LANE
[Symbol]	10' CONCRETE PAVEMENT IN ROW
[Symbol]	PARKING COUNT

- NOTES:
1. ALL DIMENSIONS ARE TO FACE OF CURB UNLESS OTHERWISE NOTED.
 2. ALL ON-SITE ELECTRICAL CONDUCTIONS ASSOCIATED WITH NEW CONSTRUCTION SHALL BE LOCATED UNDERGROUND.
 3. ALL THE REQUIREMENTS OF THE DRAINAGE & SOIL EROSION CONTROL SHALL BE MET DURING THE PERIOD OF CONSTRUCTION.
 4. ALL CURB RADIUS ARE 2.0' UNLESS OTHERWISE NOTED.
 5. ALL ISLANDS ARE 9.0' WIDE UNLESS OTHERWISE NOTED.
 6. BACKFLOW DEVICES WILL BE INSTALLED IN SINK/DRIP RISER ROOM FOR DOMESTIC & FIRE.

DEVELOPMENT STANDARDS TABLE	
CHARACTER ZONE	RETAIL MIXED USE
FRONT - STREET	10' MINIMUM
FRONT - SIDEWALK	5' MINIMUM
FRONT - LOT FRONTAGE	10' MINIMUM
FRONT - LOT FRONTAGE	10' MINIMUM
FRONT - LOT FRONTAGE	10' MINIMUM
FRONT - LOT FRONTAGE	10' MINIMUM
FRONT - LOT FRONTAGE	10' MINIMUM
FRONT - LOT FRONTAGE	10' MINIMUM
FRONT - LOT FRONTAGE	10' MINIMUM
FRONT - LOT FRONTAGE	10' MINIMUM



SITE DATA SUMMARY TABLE	
LOT	27.45 AC (119,580 S.F.)
EXISTING ZONING	PD 20-77 MIXED USE
PROPOSED ZONING	PD 20-77 MIXED USE
PROPOSED USE	PD 20-77 MIXED USE
LOT AREA (ACRES)	27.45
LOT AREA (SQUARE FEET)	119,580
BUILDING FOOTPRINT AREA (SQUARE FEET)	12,618
PERMANENT IMPERVIOUS AREA (SQUARE FEET)	12,618
PERMANENT IMPERVIOUS AREA (SQUARE FEET)	12,618
PERMANENT IMPERVIOUS AREA (SQUARE FEET)	12,618
PERMANENT IMPERVIOUS AREA (SQUARE FEET)	12,618
PERMANENT IMPERVIOUS AREA (SQUARE FEET)	12,618
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PERMANENT IMPERVIOUS AREA (SQUARE FEET)	12,618
PERMANENT IMPERVIOUS AREA (SQUARE FEET)	12,618

SITE PLAN
GARLAND FIRE STATION NO. 6
LOT 1, BLOCK 1
27.45 AC (119,580 S.F.)
F.M. RICE SURVEY, ABSTRACT NO. 1241
CITY OF GARLAND, DALLAS COUNTY, TEXAS
CITY OF GARLAND CASE # 210514

OWNER: CITY OF GARLAND
DESIGNED BY: HART GAUGLER & ASSOCIATES
DRAWN BY: HGA
CHECKED BY: JHB
DATE: MAY 2022
PROJECT NO.: 2205-01

ENGINEER: HART GAUGLER & ASSOCIATES, INC.
12000 N. CENTRAL EXPRESSWAY, SUITE 1400
DALLAS, TEXAS 75243
PHONE: 214-444-4444
FAX: 214-444-4444
WWW.HARTGAUGLER.COM

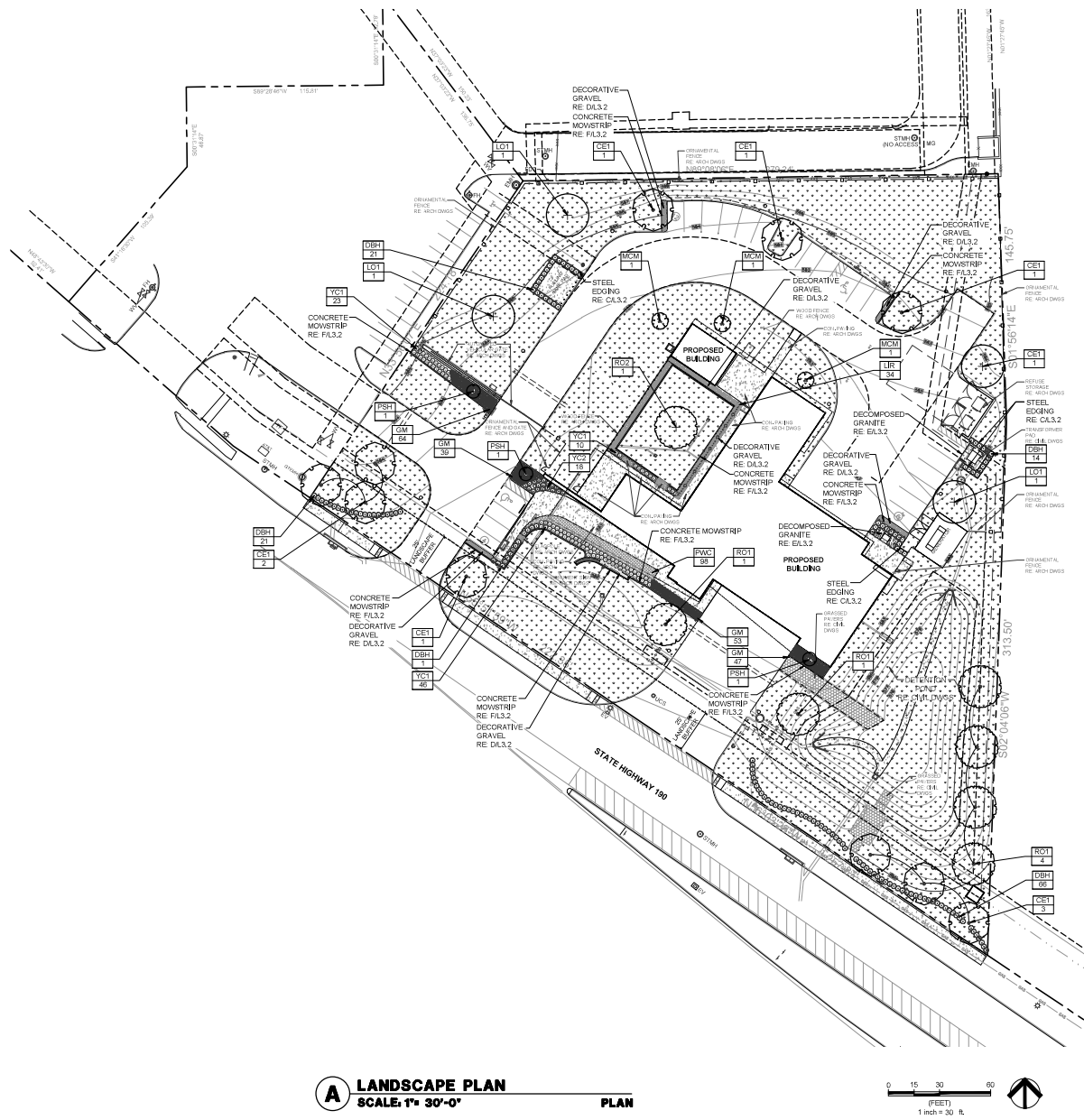
SEAL: [Professional Engineer Seal]
HART GAUGLER & ASSOCIATES, INC.
12000 N. CENTRAL EXPRESSWAY, SUITE 1400
DALLAS, TEXAS 75243
PHONE: 214-444-4444
FAX: 214-444-4444
WWW.HARTGAUGLER.COM

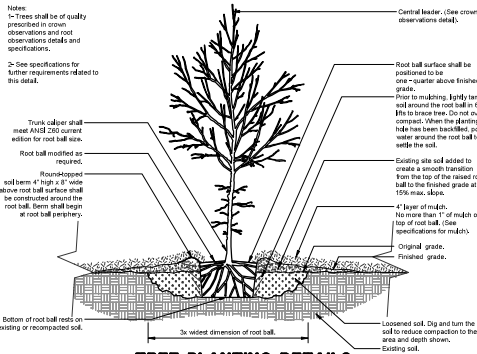
HART GAUGLER & ASSOCIATES
Structural • Civil Engineering Services
12000 N. CENTRAL EXPRESSWAY, SUITE 1400
DALLAS, TEXAS 75243
972.239.2311 / 972.239.5055 fax
www.hartgaugler.com
Texas Registered Engineering Firm #E-0023

THE CITY OF GARLAND
FIRE STATION NO. 6
6450 N GEORGE BUSH HWY
LOT 1, BLOCK 1
FIRE STATION NO. 6 ADDITION
CITY OF GARLAND, DALLAS COUNTY, TEXAS

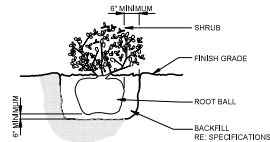
SITE PLAN

SHEET
C0.01

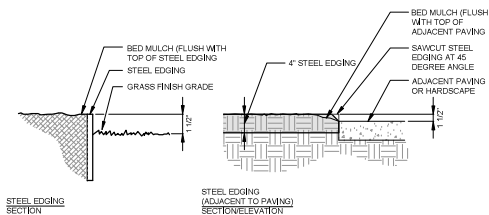




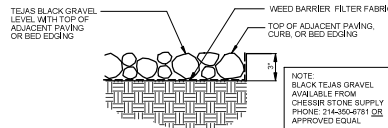
A TREE PLANTING DETAILS
TREES IN ALL SOIL TYPES
SCALE: N.T.S. SECTION/ELEVATION



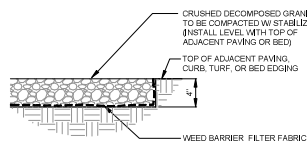
B SHRUB PLANTING DETAIL
SCALE: N.T.S. SECTION



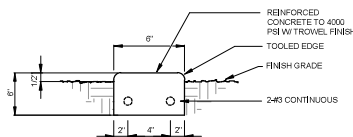
C STEEL EDGING
SCALE: N.T.S. SECTION/ELEVATION



D GRAVEL LANDSCAPE MULCH
SCALE: N.T.S. SECTION



E CRUSHED DECOMPOSED GRANITE
SCALE: 3/4\"/>



F CONCRETE MOWSTRIP
SCALE: 1\"/>

SYMBOL	QTY	DESCRIPTION	SYMBOL	QTY	DESCRIPTION	SYMBOL	QTY	DESCRIPTION
101	25	Tree (See Note)	102	10	Shrub (See Note)	103	10	Shrub (See Note)
104	10	Shrub (See Note)	105	10	Shrub (See Note)	106	10	Shrub (See Note)
107	10	Shrub (See Note)	108	10	Shrub (See Note)	109	10	Shrub (See Note)
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398	10	Shrub (See Note)	399	10	Shrub (See Note)	400	10	Shrub (See Note)

LANDSCAPE GENERAL NOTES (REFERENCE SECTION 32.03.00 OF THE TECHNICAL SPECIFICATIONS FOR FURTHER DETAIL)

- QUANTITIES SHOWN ON PLANT LIST ARE LANDSCAPE ARCHITECT'S ESTIMATE ONLY AND SHOULD BE VERIFIED PRIOR TO BIDDING. CONTRACTOR SHALL BE RESPONSIBLE FOR BIDDING AND PROVIDING QUANTITY OF PLANTS REQUIRE AT SPOILING DESIGNATED FOR BED SIZES AND CONFIGURATIONS SHOWN ON PLANS REGARDLESS OF QUANTITIES DESIGNATED ON PLANT LIST.
- CONTRACTOR SHALL NOTIFY LANDSCAPE ARCHITECT OF ANY DISCREPANCIES, AMBIGUITY, OR UNLABELED PLANTS ON PLANS PRIOR TO BID SUBMITTAL. IF DISCREPANCY, AMBIGUITY, OR UNLABELED PLANT IS NOT CLARIFIED BY LANDSCAPE ARCHITECT PRIOR TO BID SUBMITTAL DATE, CONTRACTOR SHALL NOTE SUCH ITEM ON BID.
- CONTRACTOR SHALL PROVIDE REPRESENTATIVE SAMPLES OF SHRUB AND GROUND COVER STOCK FOR LANDSCAPE ARCHITECT'S AND/OR OWNER'S APPROVAL PRIOR TO MAJOR SHIPMENT OF MATERIALS TO SITE. IF REPRESENTATIVE SAMPLES CANNOT BE PROVIDED, CONTRACTOR SHALL FURNISH GOOD QUALITY PHOTOGRAPH OF LANDSCAPE MATERIALS TO LANDSCAPE ARCHITECT AND/OR OWNERS. PHOTOGRAPHS SHALL HAVE A MEANS OF DETERMINING SCALE AND SIZE OF MATERIALS WITHIN THE PHOTOGRAPH (I.E. FIELD POLE WITH ONE FOOT INCREMENT FOR TREES).
- ALL SIZE REQUIREMENTS AND CONTAINER SIZES FOR PLANT MATERIALS SHOWN ON THE PLANT LIST MUST BE MET AS MINIMUM. IF ANY SPECIFIC REQUIREMENT CANNOT BE MET (I.E. IF A 100 GALLON TREE CANNOT MEET THE SPECIFIED REQUIREMENT), THE CONTRACTOR SHALL NOTIFY THE LANDSCAPE ARCHITECT PRIOR TO BIDDING. THE CONTAINER SIZE MUST BE MET REGARDLESS WHETHER THE SPECIFIED SIZES CAN BE REACHED WITH A SMALLER SIZE CONTAINER.
- AFTER TILLAGE AND CLEANING, ALL AREAS TO BE GRASSED SHALL BE LEVELED, AND FINE GRADED. THE REQUIRED RESULT SHALL BE THE ELIMINATION OF RUTS, DEPRESSIONS, HUMPS, AND OBJECTIONABLE SOIL CLOS, SURFING THE SOIL PREPARATION PROCESS, A "ROCK PICK" OR "ROCK RAKE" SHALL BE USED TO GATHER SURFACE STONES AS SMALL AS ONE INCH (1") IN DIAMETER.
- CONTRACTOR SHALL GUARANTEE A FULL STAND OF GRASS, REGARDLESS OF WHETHER A PERMANENT LANDSCAPE IRRIGATION SYSTEM IS INSTALLED. CONTRACTOR SHALL PROVIDE TEMPORARY IRRIGATION OR HAND WATER AS REQUIRED FOR TURF ESTABLISHMENT.
- TREE HOLES TO BE EXCAVATED 2' GREATER THAN BALL DIAMETER AND 6" DEEPER. TREE BACKFILL SHOULD BE COMPOSED OF 5 PARTS OF EXISTING SOIL EXCAVATED FROM THE HOLE TO ONE PART SOIL AMENDMENT, THOROUGHLY MIXED WITH 5 LBS. PER CUBIC YARD BACKFILL FERTILIZER (15-15-15 ANALYSIS BULK FERTILIZER). TREE BACKFILL TO BE MECHANICALLY MIXED PRIOR TO BACKFILL OPERATIONS.
- ALL LANDSCAPING WILL BE WATERED BY AN AUTOMATIC UNDERGROUND WATERING SYSTEM.

DESIGN TEAM

DCBA
LANDSCAPE ARCHITECTURE
A WHOLLY OWNED
SUBSIDIARY OF **LA**

IRRIGATION DESIGNER

SETH HEIDMAN
IRRIGATION DESIGN & CONSULTING, LLC
1000 W. FAYETTE BLVD. #200, DALLAS, TEXAS 75201-1000

PROJECT

**GARLAND FIRE
STATION No. 6**
GARLAND, TEXAS

CITY OF GARLAND
CASE NUMBER:
21051-1

DNT105-0172

SEAL



May 04, 2022

REVISION DATE REMARKS

1. 10/10/2022

2. 10/10/2022

3. 10/10/2022

4. 10/10/2022

5. 10/10/2022

6. 10/10/2022

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10. 10/10/2022

11. 10/10/2022

12. 10/10/2022

13. 10/10/2022

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SYMBOL LEGEND:			
SYMBOL	DESCRIPTION	MANUFACTURER	MODEL NO.
	LAWN SPRAY HEAD	RAMBRID (36 PSI)	1664PS W/ MP PLASTIC NOZZLE ON OR RAMBRID 12" SPX SWING PIPE
	TREE BUBBLER HEAD TWO PER TREE	RAMBRID (36 PSI)	#1401 PLASTIC BUBBLER NOZZLE ON OR RAMBRID 12" SPX SWING PIPE AND METAL STAKES
	TREE BUBBLER HEAD TWO PER TREE	RAMBRID (36 PSI)	#1401 PLASTIC BUBBLER NOZZLE ON OR RAMBRID 12" SPX SWING PIPE AND METAL STAKES
	ROTARY HEAD FULL-CIRCLE	RAMBRID (40 PSI)	5004 W/ #1.5 NOZZLE ON 3/4" LASCO T72S-212 SWING JOINT
	ROTARY HEAD FULL-CIRCLE	RAMBRID (40 PSI)	5004 W/ #3.0 NOZZLE ON 3/4" LASCO T72S-212 SWING JOINT
	ROTARY HEAD FULL-CIRCLE	RAMBRID (40 PSI)	5004 W/ #4.0 NOZZLE ON 3/4" LASCO T72S-212 SWING JOINT
	ROTARY HEAD FULL-CIRCLE	RAMBRID (40 PSI)	5004 W/ #6.0 NOZZLE ON 3/4" LASCO T72S-212 SWING JOINT
	QUICK COUPLING VALVE	RAMBRID	#33-CRP WITH LASCO BALL VALVE, PURPLE LED HEADS TWELFOLD WATER, DO NOT DRINK IN ENGLISH AND "NO TONIC" IN SPANISH
	REMOTE CONTROL VALVE	RAMBRID	P2B, REFER TO PLANS FOR SIZE
	BALL VALVE	LASCO	COMPACT, LINE SIZE
	CONTROLLER	HUNTER	ICG-1200 WALLMOUNT SERIES WITH WRF-CLIC RAIN AND FREEZE SENSOR
	MAINLINE PIPING	REFER TO SPEC.	2-1/2" SCHEDULE 40 PVC
	LATERAL PIPING	REFER TO SPEC.	3/4" & LARGER - CLASS 200 PVC 1/2" & CLASS 315 PVC
	REMOTE CONTROL DRIP VALVE	RAMBRID	325A-1000-010M COMPACT, 2016 KIT VALVE, REFER TO PLAN FOR SIZE
	DRIP HEADER PIPING	REFER TO SPEC.	1/4" CLASS 200 PVC UNLESS NOTED OTHERWISE
	PLANTING BED TECHNIQUE TURB	NETAFIM	TLOW-12 AT 10" O.C. WITH BARBED INSERT FITTINGS, GALVANIZED STEEL, & 20-10000 OPERATION INDICATOR W/ VAN NOZZLE
	WATER METER	REFER TO SPEC.	PER LOCAL BUILDING CODE
	ISOLATION VALVE	LASCO	MP BALL VALVE, REFER TO PLAIN FOR SIZE
	WYE STRAINER	FEBCO	#650A, REFER TO PLAN FOR SIZE
	BACKFLOW PREVENTER	FEBCO	#850, REFER TO PLAN FOR SIZE
	MASTER VALVE	RAMBRID	P2B, REFER TO PLAIN FOR SIZE
	STATION NUMBER VALVE SIZE GSI (AS200 X)		

FLOW CHART

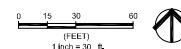
NOZZLE	RADIUS	GPR
18F	18"	6.5
18F	18"	4.5
18Q	18"	2.5
15F	15"	4.1
15E	15"	3.1
15C	15"	2.7
15H	15"	2.0
15S	15"	1.4
15Q	15"	1.0
12F	12"	2.9
12E	12"	2.2
12C	12"	1.9
12H	12"	1.4
12S	12"	1.0
12Q	12"	.7
10F	10"	1.7
10H	10"	.9
10S	10"	.6
10Q	10"	.4
8F	8"	1.4
8H	8"	.9
8S	8"	.6
8Q	8"	.4
6V	6"	.5

FLOW CHART

22" PART-CIRCLE	1.0
22" FULL-CIRCLE	2.0
30" PART-CIRCLE	1.5
30" FULL-CIRCLE	3.0
40" PART-CIRCLE	4.0
40" FULL-CIRCLE	8.0

PIPE SIZE CHART

<u>FLOW/GPM:</u>	<u>PIPE SIZE:</u>
4.1 - 9.5	3/4"
9.6 - 14.5	1"
14.6 - 27.0	1-1/4"
27.1 - 35.0	1-1/2"
35.1 - 55.0	2"
55.1 - 70.0	2-1/2"



A IRRIGATION PLAN
SCALE: 1"= 30'-0" PLAN

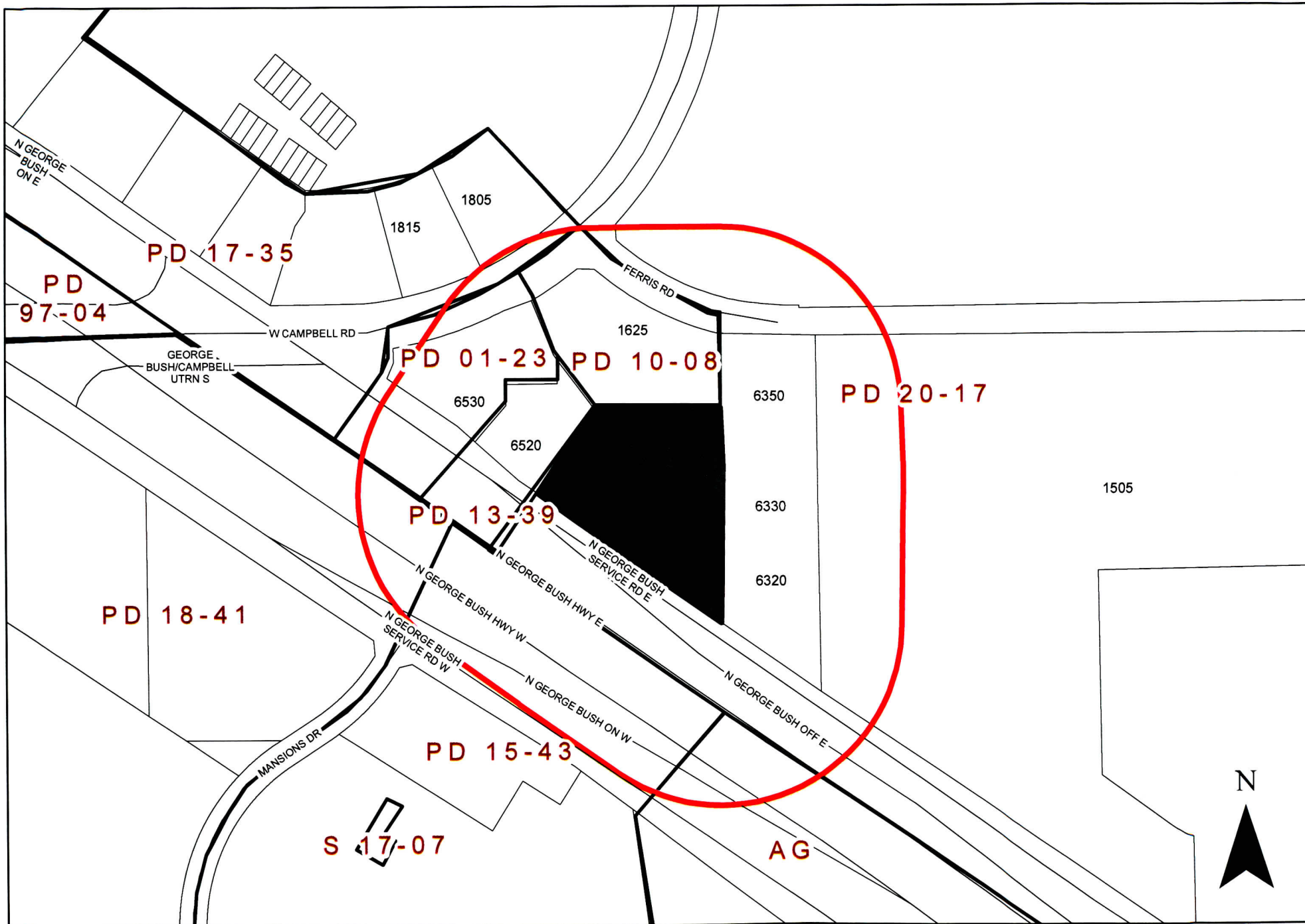
Date/Time : Wed, 04 May 2022 - 11:18am User Name : shield
Path Name : L:\Documents\2022\Jobs\22034\100% CDs dated 5.4.22\Irrigation Plans.dwg

REPORT & MINUTES

P.C. Meeting, May 9, 2022

Consideration of the application of **Hart Gaugler + Associates**, requesting approval of a Detail Plan for a Garland Fire Station on a property zoned Planned Development (PD) District 20-17 for Mixed Uses. This property is located at 6450 North President George Bush Turnpike. (District 1) (File Z 22-13 – Detail Plan)

Motion was made by Commissioner Dalton to close the public hearing and **approve** the request as presented. Seconded by Commissioner Ott. **Motion carried: 5 Ayes, 1 Nay** from Commissioner Rose.



ZONING MAP Z 22-13

6450 N President George Bush Hwy



Zoning Response Case Comments

Case Number	PC Hearing Date	CC Hearing Date	Planner Name
Z 22-13	May 9, 2022	June 7, 2022	Kimberly Hopkins

A Garland Fire Station is proposed on the subject property. The site is located at 6450 North President George Bush Turnpike. (District 1)

Brandon Lee

For

5/4/2022
4:06:06 AM

1711 W Campbell Rd

Outside the Notification Area

Garland
TX
United States
75044

Anna M Plote

For

5/4/2022
4:03:08 AM

1711 W Campbell Rd

Outside the Notification Area

anna.m.plote@gmail.com

Garland
TX
United States
75044

9154942577

Z 22-13

A Garland Fire Station is proposed on the subject property.

[Approval of an Amendment to Planned Development (PD) District 20-17 for Mixed Uses.

Approval of a Detail Plan for a Fire Station on a property zoned Planned Development (PD) District 20-17.]

**City Council Meeting
June 7, 2022**



GARLAND

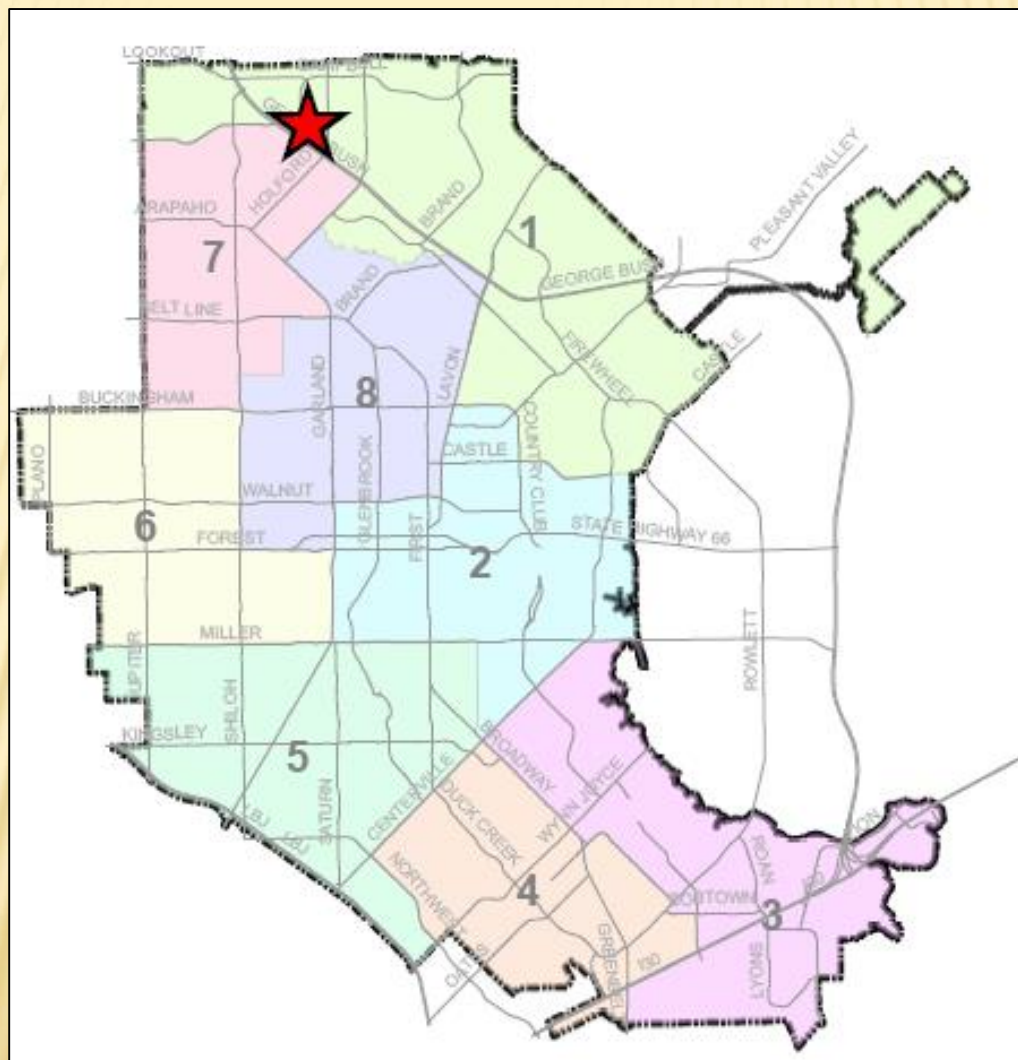
TEXAS MADE HERE

CASE INFORMATION

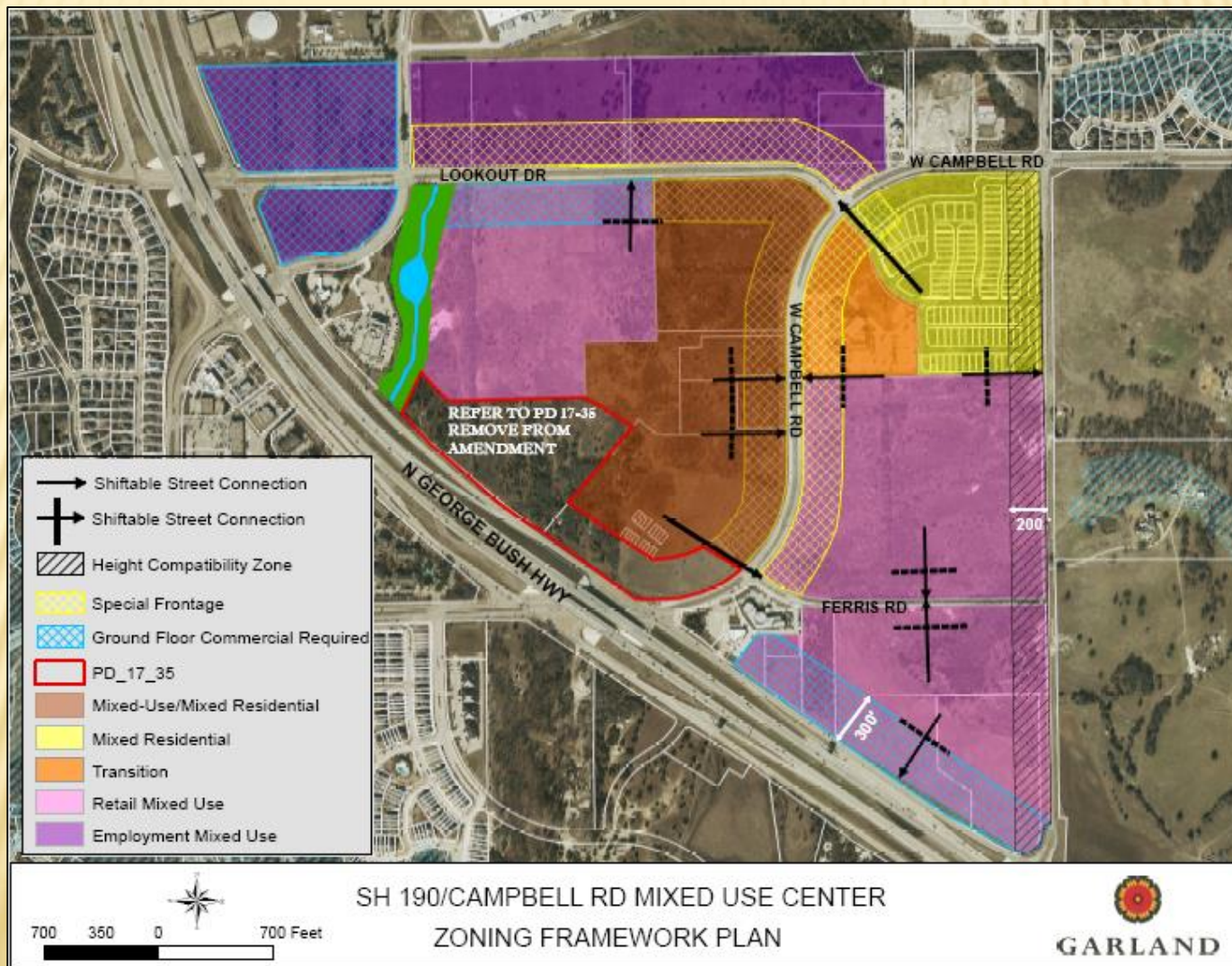
<u>Location:</u>	6450 North President George Bush Turnpike
<u>Applicant:</u>	Hart Gaugler + Associates
<u>Owner:</u>	City of Garland
<u>Acreage:</u>	2.745 acres
<u>Zoning:</u>	Planned Development (PD) District 20-17

Z 22-13

CITYWIDE LOCATION MAP



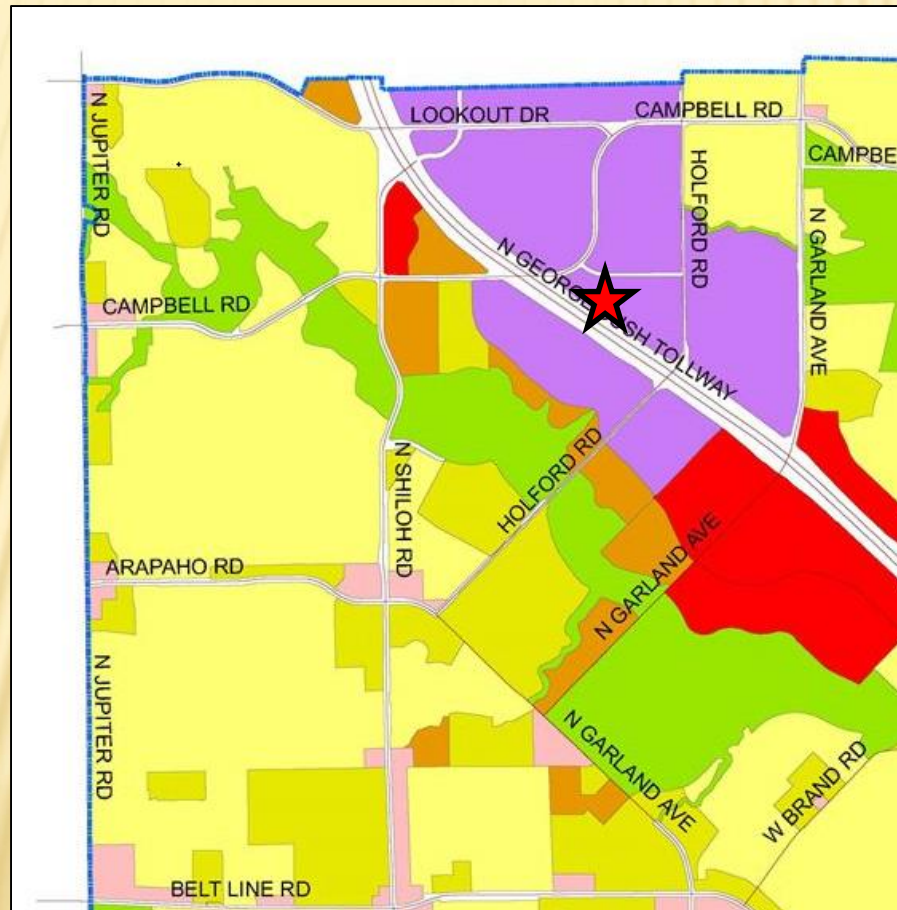
SH 190/CAMPBELL ROAD MIXED USE CENTER



LOCATION MAP



COMPREHENSIVE PLAN





The Envision Garland Plan designates the subject property as Business Center. Business centers provide a cluster of business offices and/or low impact industry, including campus-type development that cumulatively employ large numbers of people. Operations within this development type occur internal to buildings resulting in minimal negative impacts (sound, air, traffic, outdoor lighting, storage, etc.) and are compatible with adjacent development types in architecture, character, scale, and intensity. 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 Fire Station supports the area for emergency services.

PHOTOS

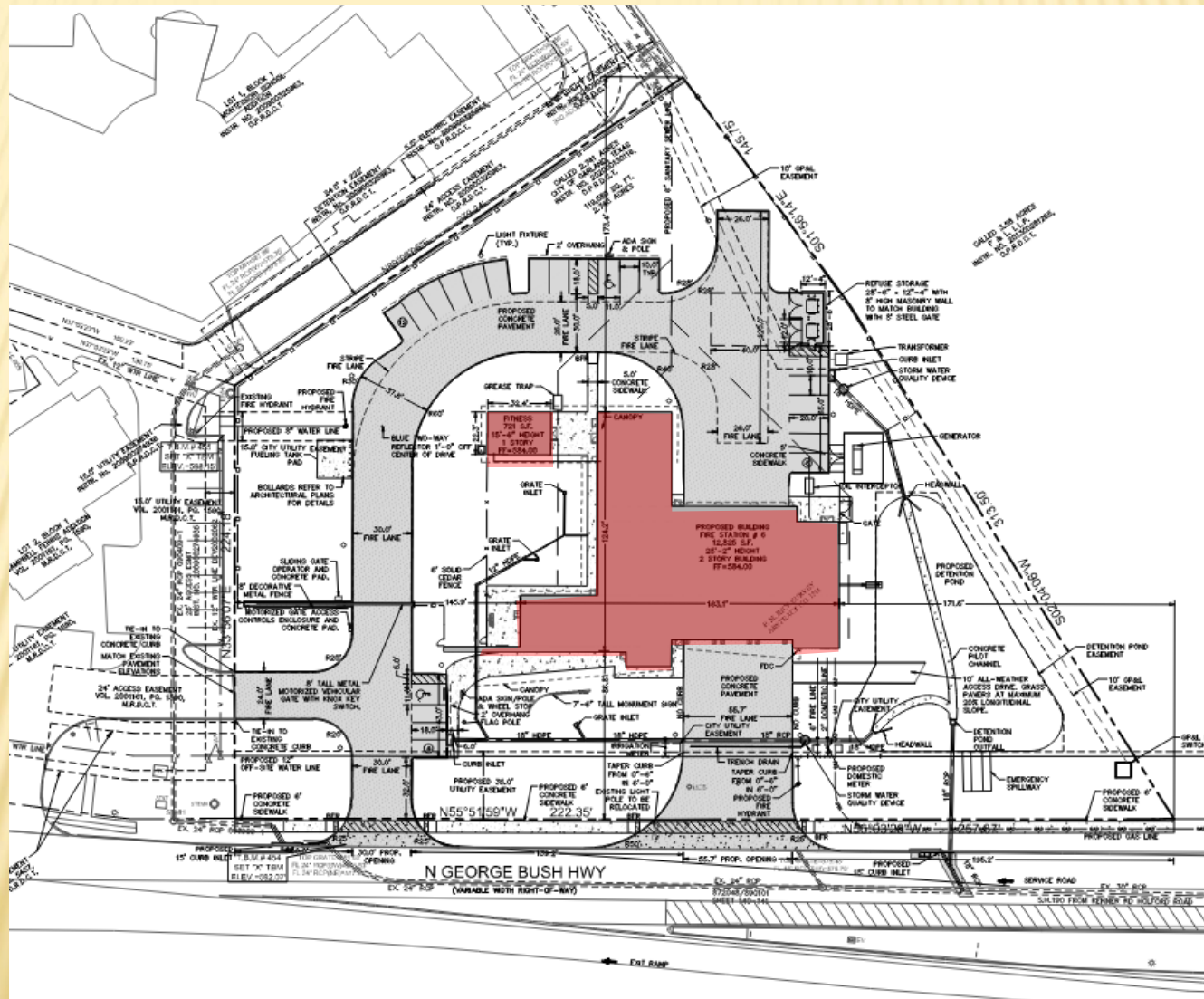


PHOTOS





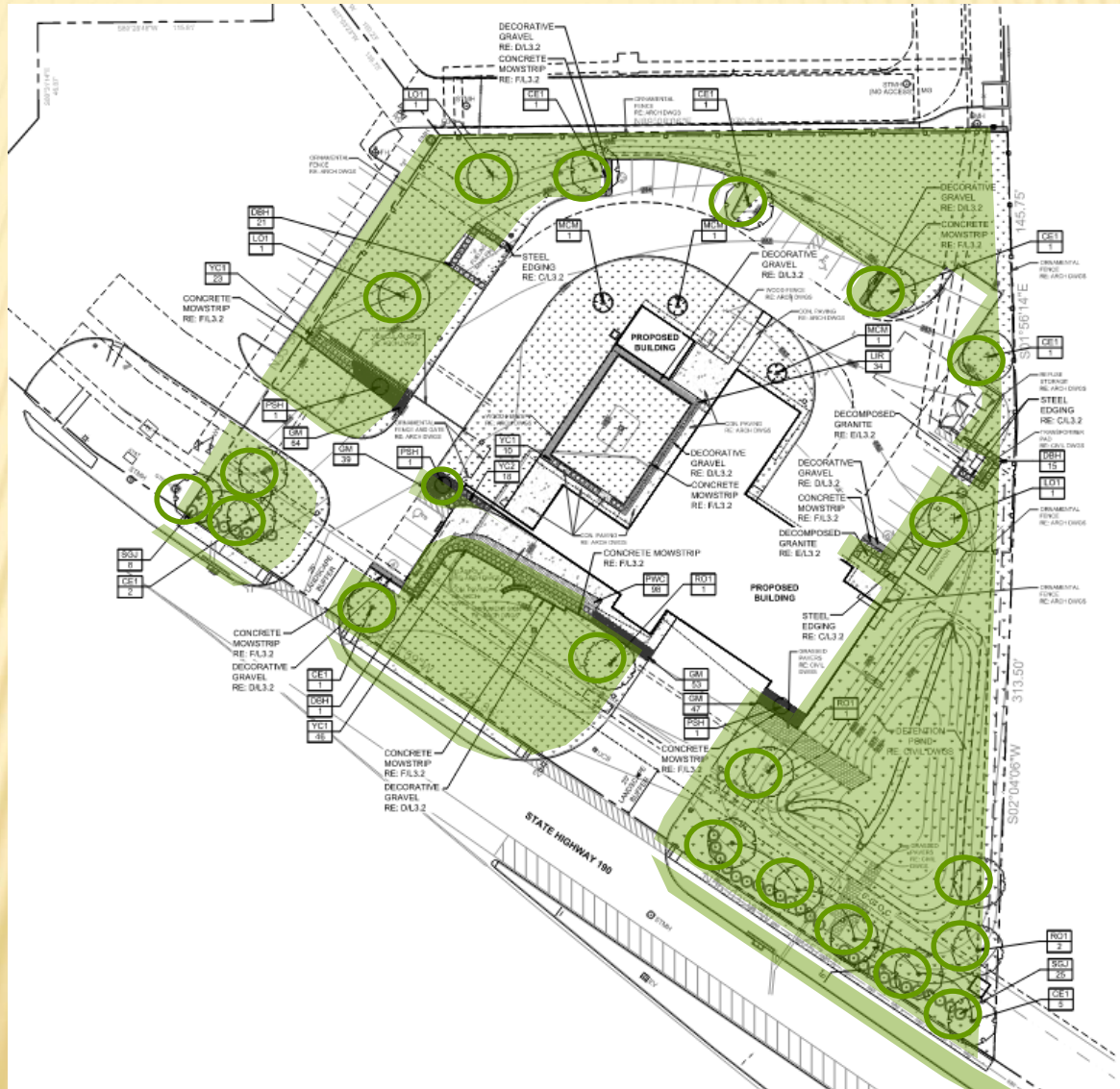
SITE PLAN





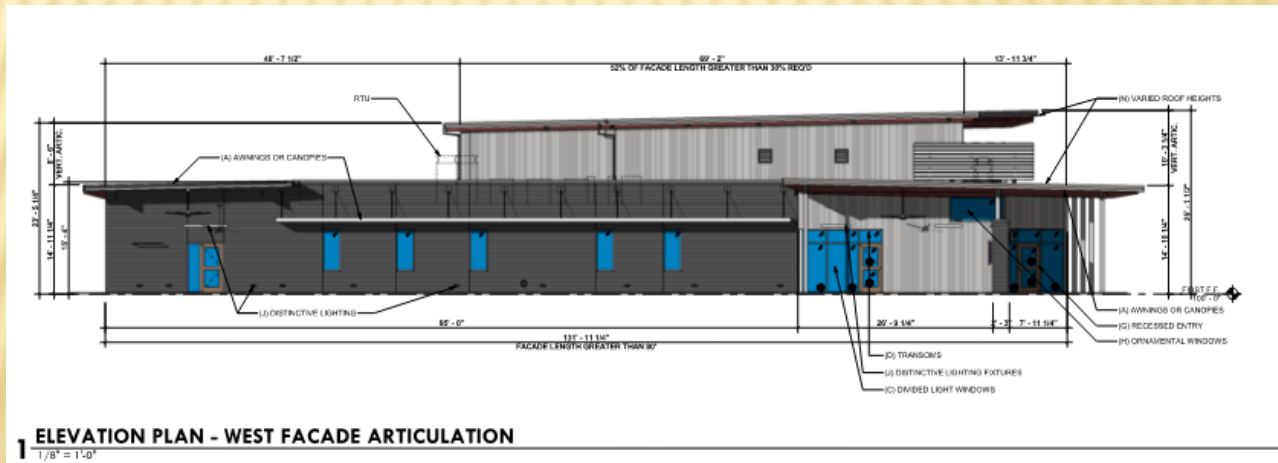
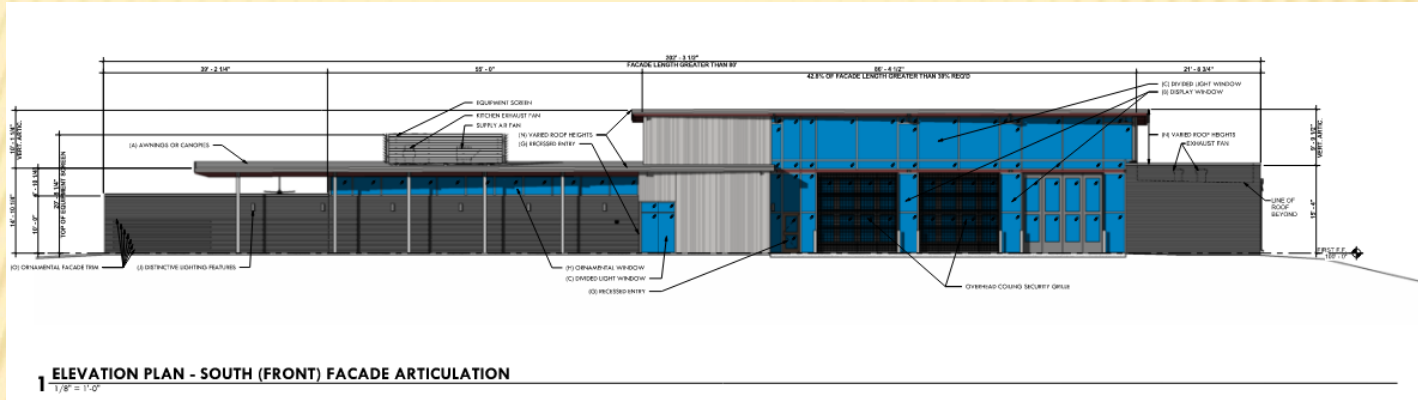
GARLAND
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LANDSCAPE PLAN



Z 22-13

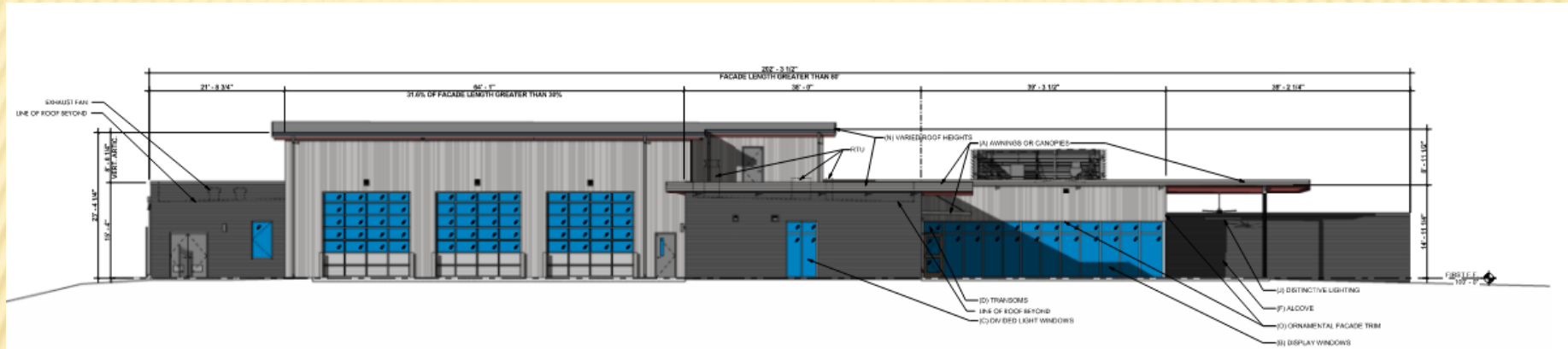
BUILDING ELEVATIONS





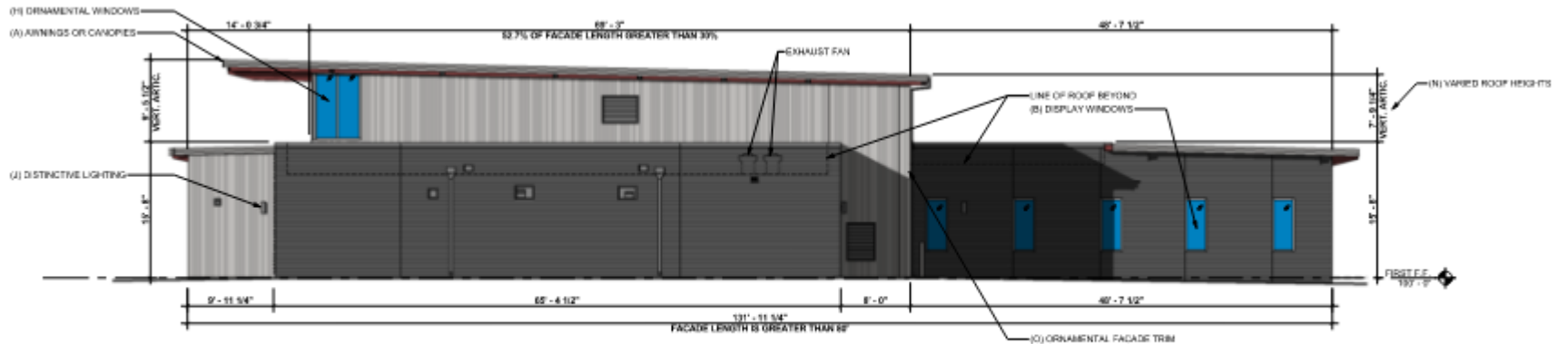
GARLAND
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BUILDING ELEVATIONS



ELEVATION PLAN - NORTH (REAR) FACADE ARTICULATION

1/8" = 1'-0"

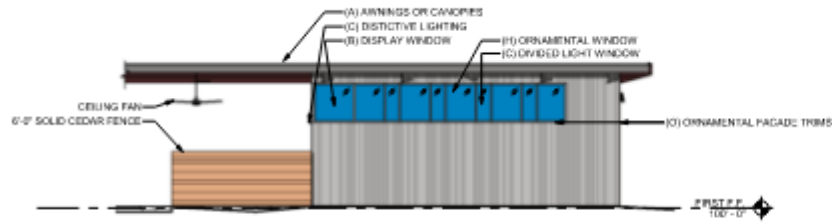


1 EXTERIOR ELEVATION - (EAST) FACADE ARTICULATION

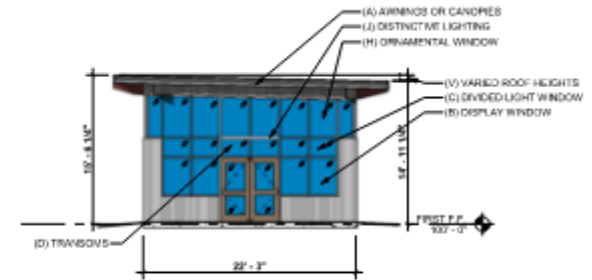
1/8" = 1'-0"



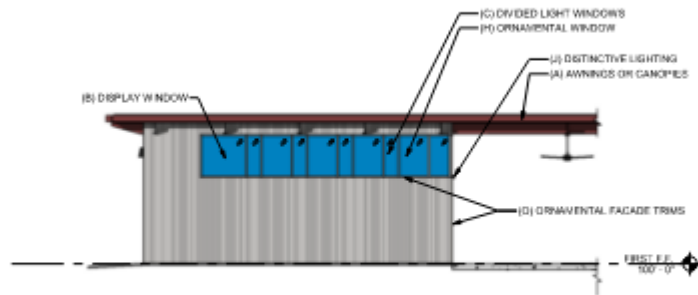
BUILDING ELEVATIONS



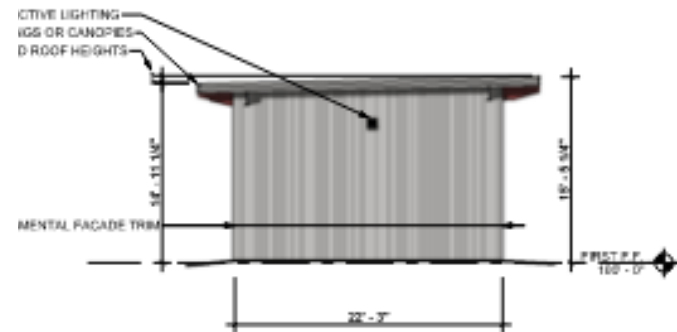
3 EXTERIOR ELEVATION - (EAST) FITNESS
1/8" = 1'-0"



2 EXTERIOR ELEVATION - (FRONT) SOUTH FITNESS
1/8" = 1'-0"



4 EXTERIOR ELEVATION - (WEST) FITNESS
1/8" = 1'-0"



1 EXTERIOR ELEVATION - (NORTH) FITNESS
1/8" = 1'-0"



SUMMARY OF DEVIATIONS

Development Standards	Required	Proposed	Analysis
Frontage Standards:	Ground Floor Commercial uses shall be within 300 feet deep from the North George Bush Turnpike frontage road.	The applicant proposes to eliminate the ground floor commercial component on the site.	Due to the intended use of the site, ground floor commercial use (such as retail) would not be applicable.
Landscape Buffer:	As per the Garland Development Code: Section 4.34(B) (3) (a); requires a minimum of seven (7) shrubs per thirty (30) linear feet. The frontage along North George Bush Turnpike requires 91 shrubs for the proposed development.	The applicant proposes 33 shrubs along the NGBT frontage.	The applicant proposes to install larger shrubs such as sea green juniper (7 gallon). By proposing larger shrubs, the applicant states the landscaping will create an instant screening effect and reduce maintenance. The applicant prefers better visibility in the area between the driveways and proposes to cluster the shrubs otherwise.

CONSIDERATION

The applicant requests an amendment to the existing Planned Development (PD) 20-17 for Mixed Uses to allow a Fire Station. The Fire Station is considered allowed by right. However, the applicant is requesting deviations from the ground floor commercial zone in Planned Development (PD) District 20-17 and a landscaping buffer requirement from the Garland Development Code. In addition, a Detail Plan is required through the public hearing process per Planned Development (PD) District 20-17.

Approval of an Amendment to Planned Development (PD) District 20-17 for Mixed Uses.

Approval of a Detail Plan for a Fire Station on a property zoned Planned Development (PD) District 20-17.



PLAN COMMISSION RECOMMENDATION

On May 9, 2022 the Plan Commission, by a vote of five (5) to one (1), recommended approval of an Amendment to Planned Development (PD) District 20-17 for Mixed Uses.

The Plan Commission, by a vote of five (5) to one (1), also recommended approval of a Detail Plan for a Fire Station on a property zoned Planned Development (PD) District 20-17.



GARLAND
TEXAS MADE HERE





GARLAND PLANNING REPORT

City Council Regular Session Agenda

13. f.

Meeting Date: 06/07/2022

Item Title: Z 22-14 Chong Son Na - Specific Use Provision (District 8)

Submitted By: Kimberly Hopkins, Development Planner

REQUEST

Approval of a Specific Use Provision renewal for a Reception Facility Use.

Approval of a Plan for a Reception Facility on a property zoned Community Retail (CR) District.

LOCATION

1146 Belt Line Road

OWNER

Nasan Realty Group, LLC

PLAN COMMISSION RECOMMENDATION

On May 9, 2022 the Plan Commission, by a vote of six (6) to zero (0), recommended approval of a Specific Use Provision renewal for a Reception Facility.

The Plan Commission, by a vote of six (6) to zero (0), also recommended approval of a Plan for a Reception Facility on a property zoned Community Retail (CR) District.

The Plan Commission further recommended the applicant address noise concerns raised during the hearing.

STAFF RECOMMENDATION

Approval of a Specific Use Provision renewal for a Reception Facility Use.

Approval of a Plan for a Reception Facility on a property zoned Community Retail (CR) District.

BACKGROUND

In 2009, City Council approved a Specific Use Provision [S 09-25] for a Reception Facility Use. The SUP has expired and the applicant is requesting approval to allow the continued operation of a 31,114 square-foot Reception Facility in the existing building on the subject property.

SITE DATA

The existing building is approximately 31,114 square feet on an approximately 3.99-acre site with 435 linear feet of frontage along Belt Line Road. The property can be accessed from Belt Line Road.

USE OF PROPERTY UNDER CURRENT ZONING

The subject property is zoned Community Retail (CR) District. 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 Community Retail (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.

CONSIDERATIONS

1. The applicant proposes to continue the Reception Facility use within the existing 31,114 square-foot building. The typical hours of operation are from 5:00pm to 1:30am on Saturday. More specifically, the applicant states the music turns off at 1:15am. However, some events may request a one-hour extension, in which the music turns off at 2:15am. The facility caters to such events as weddings, wedding anniversaries, birthday parties, and celebrations of baptisms.
2. As per the GDC, Section 2.52(20)(a-h); Reception Facility must comply with the following provisions of this Subsection (20):
 - Security. The reception facility must provide security at every event where alcoholic beverages are provided or served, and also for any events occurring after 6:00 p.m. Security must be by a qualified person(s) who is authorized to provide private security under Chapter 1702 of the Texas Occupations Code.
 - Loitering, Outside Activities. Prolonged congregating or loitering of event attendees or participants outside the reception facility is prohibited. Outside activities, if any, must be in compliance with the City's noise regulations as set forth in the City Code.
 - Noise Mitigation. The applicant must add noise mitigation materials to the existing building if determined necessary by the City to protect surrounding properties and the public health, safety, and welfare.
 - Litter & Debris. Any litter or debris left on the premises must be removed immediately following the event. The owner of the facility is responsible for removal of all litter and debris.

The applicant concurs with the Special Standards for the proposed use. In addition, the applicant will have a Garland PD Officer supervising events on the subject property.

- Location. Reception Facilities may not be located within five hundred feet of the property line of any dwelling unit or residential subdivision, elder care facility, or

other Reception Facilities. The measurement of the distance between the establishment and a dwelling unit, elder care facility, or other Reception Facility shall be:

- (i) for residential property, along a direct line from any exterior wall of the Reception Facility to the nearest point on the property line of the nearest residential zoned property;
 - (ii) for an MF dwelling not located on the same tract of land as the Reception Facility, along a direct line from any exterior wall of the Reception Facility to the nearest point on the property line of the tract on which the MF dwelling is located;
 - iii) for an elder care facility or other Reception Facility not located on the same tract of land as the establishment, along a direct line from the nearest exterior wall of the Reception Facility to the nearest exterior wall of the elder care facility or other Reception Facility; or
 - (iv) for an elder care facility or other Reception Facility located on the same tract of land or in a commercial or retail center sharing a common parking area, the measurement shall be along a straight line from the midpoint of the nearest exterior door of the Reception Facility to the midpoint of the nearest exterior wall of the dwelling unit, elder care facility, or other Reception Facility in question.
- Reception Facilities located within a building containing other tenants, the measurement shall be from the nearest outer wall of the Reception Facility's leasehold space.
 - A Reception Facility may not be located on the same tract as any multifamily dwelling or elder care facility.

The property to the south is developed with a residential subdivision. The existing reception facility is approximately 50 feet from the nearest residential property line. It should be noted the Specific Use Provision for the reception facility was approved in 2009, prior to the GDC adoption. The above requirement was not applicable at the time.

3. The site plan (Exhibit C) meets the GDC parking requirement.
4. Neither a building expansion nor a parking lot expansion is being proposed with this request. However, landscaping currently exists on the site.
5. No deviations have been requested for signage. Therefore, signage will meet the GDC requirements.
6. The applicant requests the Specific Use Provision to be in effect for fifteen (15) years, which aligns with the SUP Time Period Guide.

COMPREHENSIVE PLAN

The Envision Garland Plan designates the subject property as Neighborhood Centers. 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.

COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

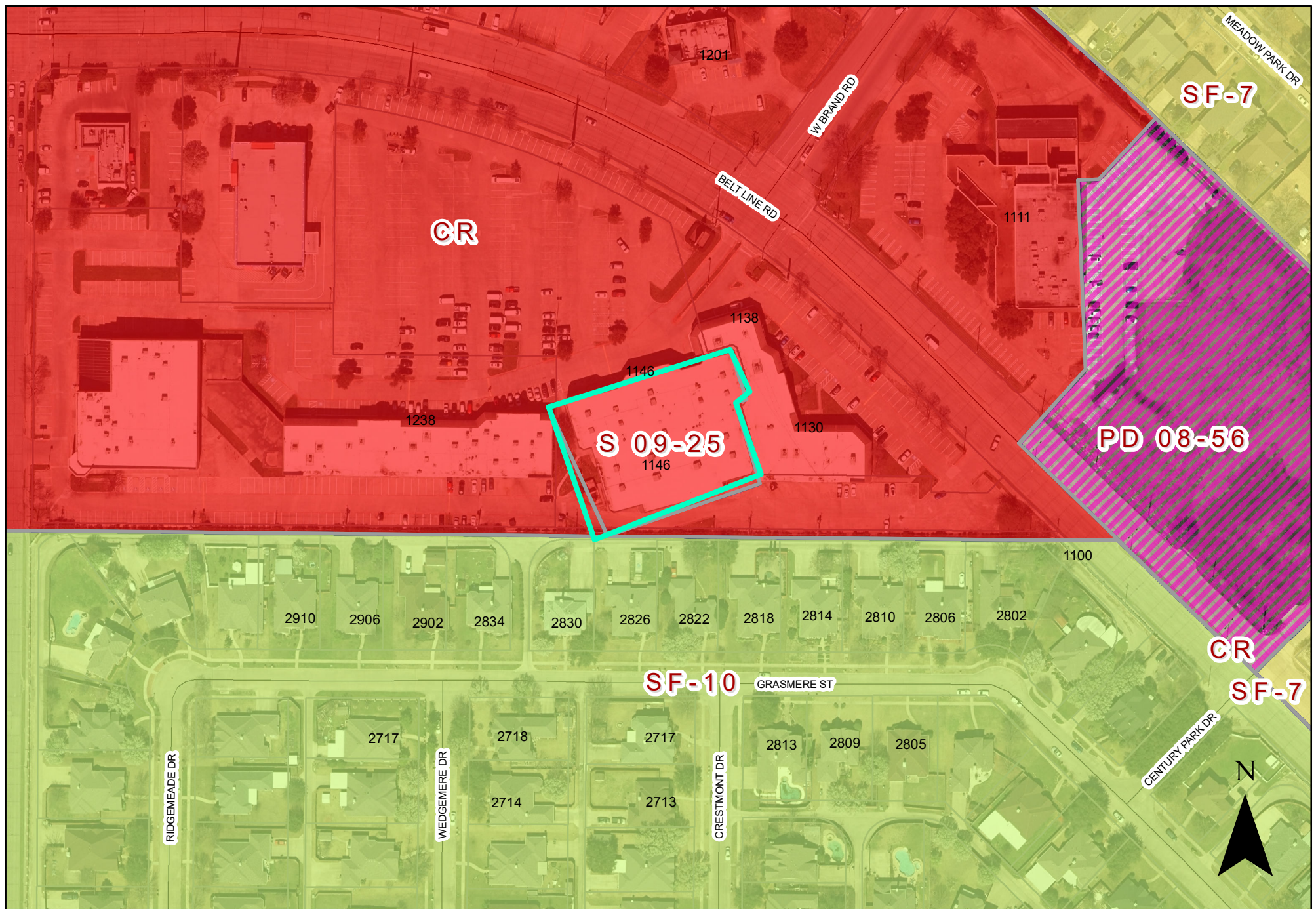
The properties to the south are zoned Single-Family-10 (SF-10) District and are developed with single-family homes. The properties to the north, across Belt Line Road, are zoned Community Retail (CR) District and are developed with retail uses. The properties to the east and west are zoned Community Retail (CR) District; these properties are developed with multi-tenant retail buildings. The subject property is within a shopping center and with shared access and parking spaces.

Attachments

Z 22-14 Chong Son Na Attachments (Specific Use Provision)

Z 22-14 Chong Son Na Responses

Z 22-14 Staff Presentation



0 100 200 Feet
1 inch = 152 feet

ZONING MAP Z 22-14

 INDICATES AREA OF REQUEST

1146 Belt Line Road

SPECIFIC USE PROVISION CONDITIONS

ZONING FILE Z 22-14

1146 Belt Line Road

- I. Statement of Purpose:** The purpose of this Specific Use Provision is to allow a Reception Facility Use.
- II. Statement of Effect:** This Specific Use Provision shall not affect any regulations found in the Garland Development Code, Ordinance No. 6773 and Community Retail (CR) District, as amended prior to the 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. Development Plans:**
 - A. Development is to be in general conformance with the approved site plan labeled Exhibit C. In the event of conflict between the conditions and development plans, the conditions listed below are to apply.
- V. Specific Use Provision:**
 - A. Site Plan: The site shall be in conformance with the site layout in Exhibit C.
 - B. Hours of Operation: No event shall be allowed to occur beyond 2:30 A.M.
 - C. Parking: There shall be a minimum of 96 parking spaces available for the Reception Facility and staff.
 - D. Signage: All signage shall comply with the Garland Development Code signage requirements.
 - E. Security: Security shall be provided at every event where alcohol is provided. Security will be provided by a person authorized to provide private security under Chapter 1702 of the Texas Occupations Code.
 - F. Loitering: No congregation or loitering will be

allowed to occur outside the facility.

- G. SUP Time Period: The Specific Use Provision for Reception Facility shall be in effect for fifteen (15) years.

REPORT & MINUTES

P.C. Meeting, May 9, 2022

Consideration of the application of **Chong Son Na**, requesting approval of a Specific Use Provision Renewal for a Reception Facility on a property zoned Community Retail (CR) District. This property is located at 1146 Belt Line Road. (District 8) (File Z 22-14 – Specific Use Provision)

The applicant Chong Son Na, 1146 Belt Line Road, Garland, Texas, provided an overview of the request and remained available for questions.

There was discussion among the Plan Commission, Staff, and applicant regarding use of rear exits, soundproofing, any police involved incidents.

Mr. Na provided additional information regarding steps taken for soundproofing and dampening, no issues needing police involvement.

Ohn Pham, 2830 Grasmere Street, Garland, Texas spoke in opposition of the request and raised concerns regarding the noise and vibrations created from the music.

Lei Nguyen, 2834 Grasmere Street, Garland, Texas, spoke in opposition of the request and raised concerns regarding the noise, vibrations created from the music and trash being thrown over their fence. Mr. Thuy provided translation for Ms. Nguyen to the Plan Commission.

There was discussion between the Plan Commission and Mr. Pham regarding the music and occurrence times.

There were additional discussions between the Plan Commission and staff regarding a sound study to determine the levels, to provide additional steps to dampen sound prior to the June 7, 2022 City Council meeting.

Discussions between the Plan Commission and Mr. Na resumed. Mr. Na provided information regarding conversations with the neighbors prior to opening the establishment.

The Plan Commission spoke regarding the noise levels and reverberations, and if there were any complaints from the neighbors.

Motion was made by Commissioner Paris to close the public hearing and open for discussion. Seconded by Commissioner Williams.
Motion carried: 6 Ayes, 0 Nay.

There was discussion between the Plan Commission and staff of the origination of the noise, sound study showing compliance in accordance with the ordinance, requiring a sound study as part of the motion, and how compliance is determined.

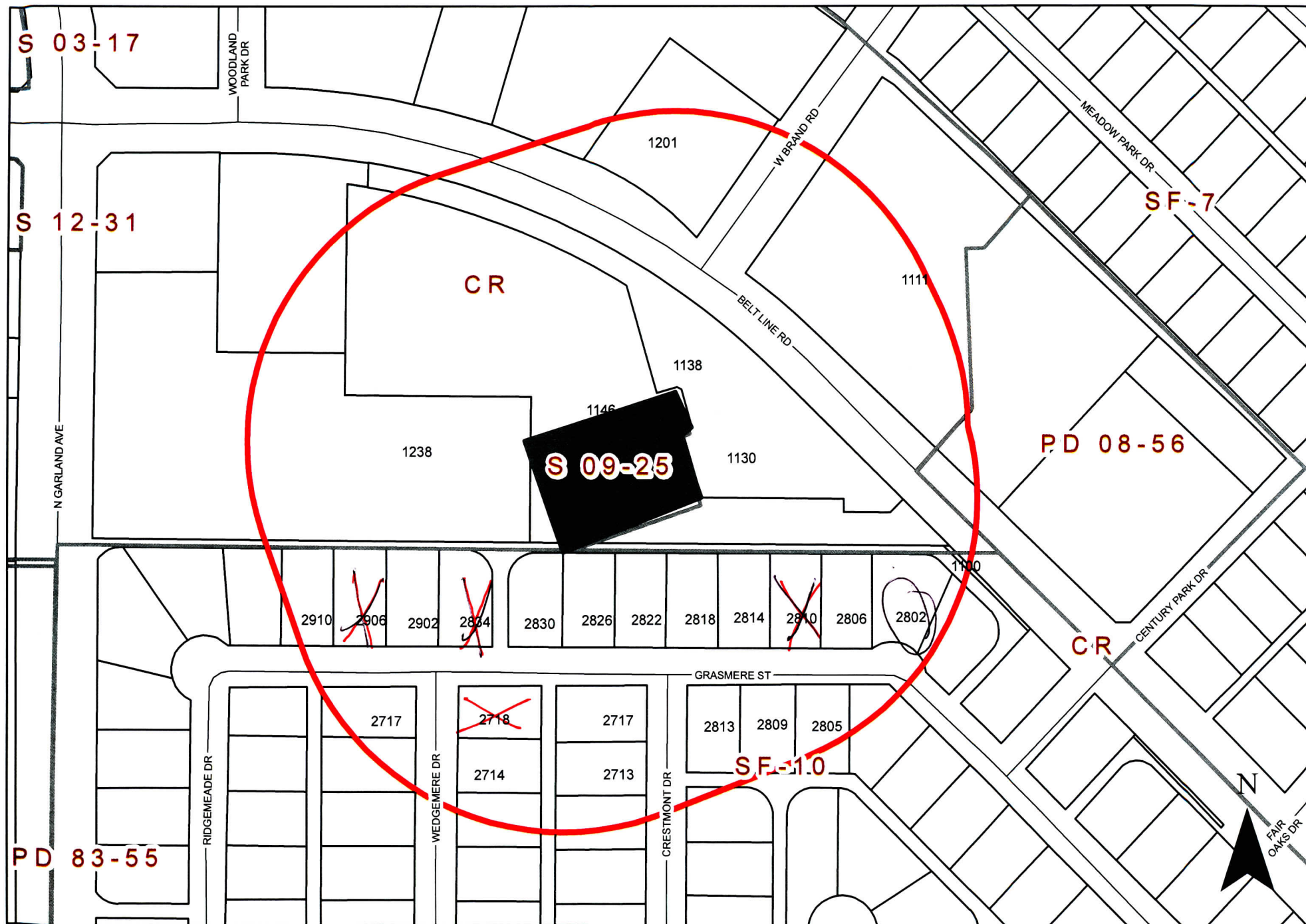
The Plan Commission recessed for staff to consult on the request at 8:22 p.m.

The Plan Commission returned at 8:32 p.m.

Chairman Roberts addressed the Plan Commission, applicant and audience members, stating City Council will review what has been discussed at this meeting; and the applicant should be prepared to address the sound issues; and suggested the citizens attend the City Council meeting; and recommended the applicant and citizens meet regarding their opposition.

Motion was made by Commissioner Ott to **approve** the request for a Specific Use Provision for a period of 15 years,

with the stipulation the applicant is prepared to present any and all solutions made to mitigate the noise issue. Seconded by Commissioner Rose. **Motion carried: 6 Ayes, 0 Nay.**



0 120 240 Feet
1 inch = 183 feet

ZONING MAP Z 22-14

INDICATES AREA OF REQUEST
INDICATES NOTIFICATION AREA

1146 Belt Line Road

Comment Form

Case Z 22-14

Z 22-14 Chong Son Na. The applicant proposes to renew a Specific Use Provision (SUP) for an existing reception facility. The site is located at 1146 Belt Line Road. (District 8)

Z 22-14 Chong Son Na. El solicitante propone renovar una Disposición de uso específico (SUP) para una instalación de recepción existente. El sitio está ubicado en 1146 Belt Line Road. (Distrito 8)

Z 22-14 Chong Son Na. Người nộp đơn đề xuất gia hạn Điều khoản Sử dụng Cụ thể (SUP) cho một cơ sở tiếp nhận hiện có. Địa điểm tọa lạc tại 1146 Belt Line Road. (Quận 8)

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

☐

For / A Favor / Đúng

☒

Against / En Contra / Không

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

GRACE NELSON

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

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

2718 WEDGE MERE DR.

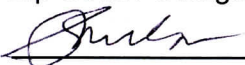
Your Property Address / La dirección de su propiedad / địa chỉ tài sản

GARLAND

City, State / Estado de la Ciudad / Thành bang

75040

Zip Code / Código postal / Mã B u Chính



Signature / Firma / Chữ ký

5.2.2022

Date / Fecha / Ngày

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

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

MAY 9 '22 AM 10:47

Comment Form – Continued

Case Z 22-14

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

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

Loud music till late night

Comment Form

Case Z 22-14

Z 22-14 Chong Son Na. The applicant proposes to renew a Specific Use Provision (SUP) for an existing reception facility. The site is located at 1146 Belt Line Road. (District 8)

Z 22-14 Chong Son Na. El solicitante propone renovar una Disposición de uso específico (SUP) para una instalación de recepción existente. El sitio está ubicado en 1146 Belt Line Road. (Distrito 8)

Z 22-14 Chong Son Na. Người nộp đơn đề xuất gia hạn Điều khoản Sử dụng Cụ thể (SUP) cho một cơ sở tiếp nhận hiện có. Địa điểm tọa lạc tại 1146 Belt Line Road. (Quận 8)

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

☐

For / AFavor / Đúng

☒

Against / En Contra / Không

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

PATRICIA + DON DURHAM, Patricia Cruise
property owner

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

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

2810 Grasmere St.

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

Garland, TX

City, State / Estado de la Ciudad / Thành bang

75040

Zip Code / Código postal / Mã B u Chính

Patricia Durham (formerly Cruise)

Signature / Firma / Chữ ký

4-30-22

Date / Fecha / Ngày

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

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

Comment Form – Continued

Case Z 22-14

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

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

I am opposed to the SUP renewal. The agreement was that the property between the business and residential area would be secured with a fence and plantings to both screen and secure one from the other. The fence was erected. However the fencing contractor destroyed or severely damaged the hedge that existed. To date the SUP property owner has taken no action to improve the screening plants.

We frequently find beer cans and other trash from parties that are thrown over the fence (trash not parties thrown over ☺)

I don't feel continuing to allow SUP which consists primarily of teenage parties is "the best interest of Meadowcrest and the surrounding area."

Cordially
Patricia (Cruse) Durham

Comment Form

Case Z 22-14

Z 22-14 Chong Son Na. The applicant proposes to renew a Specific Use Provision (SUP) for an existing reception facility. The site is located at 1146 Belt Line Road. (District 8)

Z 22-14 Chong Son Na. El solicitante propone renovar una Disposición de uso específico (SUP) para una instalación de recepción existente. El sitio está ubicado en 1146 Belt Line Road. (Distrito 8)

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

☐

For / A Favor / Đúng

☒

Against / En Contra / Không

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Walton A. James

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

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

2906 Grasmere St

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

Garland TX

City, State / Estado de la Ciudad / Thành bang

75040

Zip Code / Código postal / Mã Bưu Chính

Walton A. James

Signature / Firma / Chữ ký

4/29/22

Date / Fecha / Ngày

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

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

(over)

MAY 4 '22 AM 11:48

Comment Form – Continued

Case Z 22-14

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

Property originally was a United Artist 8 Movie Theatre. Property was empty, then became an "Events Center". Substantial traffic behind the facility, large quantity of parked vehicles, frequent loud music from events has become common on Friday and Saturday evenings. Facility is behind our property and it's effects are negative to our residential property, and to the peace and quiet our neighborhood should enjoy.

Additionally, large crowds and traffic from outside our area, coupled with alcohol sales all have negative effects.

We request this renewal be declined and the property owner be required to re-develop the property into parcels more favorable to the needs of our neighborhood.

Walton A James

4/29/22

2906 Grasmere St

Garland Tx 75040

Comment Form

Case Z 22-14

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~~LEE~~ LE NGUYEN

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

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

2834 Grammore St.

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Garland TX

City, State / Estado de la Ciudad / Thành bang

75040

Zip Code / Código postal / Mã B u Chính



Signature / Firma / Chữ ký

04/29/2022

Date / Fecha / Ngày

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

MAY 4 '22 11:43

Comment Form – Continued

Case Z 22-14

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

We don't want they stay in our area. They play music is too loud. We can't sleep.

Zoning Response Case Comments

Case Number	PC Hearing Date	CC Hearing Date	Planner Name
Z 22-14	May 9, 2022	June 7, 2022	Kimberly Hopkins

The applicant proposes to renew a Specific Use Provision (SUP) for an existing reception facility. The site is located at 1146 Belt Line Road. (District 8)

Judi Lazerus

For

5/4/2022
2:52:18 AM

2802 GRASMERE ST

jalazerus@verizon.net

Garland

2147254606

Texas

United States

<null>

Z 22-14

The applicant proposes to renew a Specific Use Provision (SUP) for an existing reception facility.

[Approval of a Specific Use Provision for a Reception Facility Use.

Approval of a Plan for a Reception Facility on a property zoned Community Retail (CR) District.]

**City Council Meeting
June 7, 2022**



GARLAND

TEXAS MADE HERE

CASE INFORMATION

Location: 1146 Belt Line Road

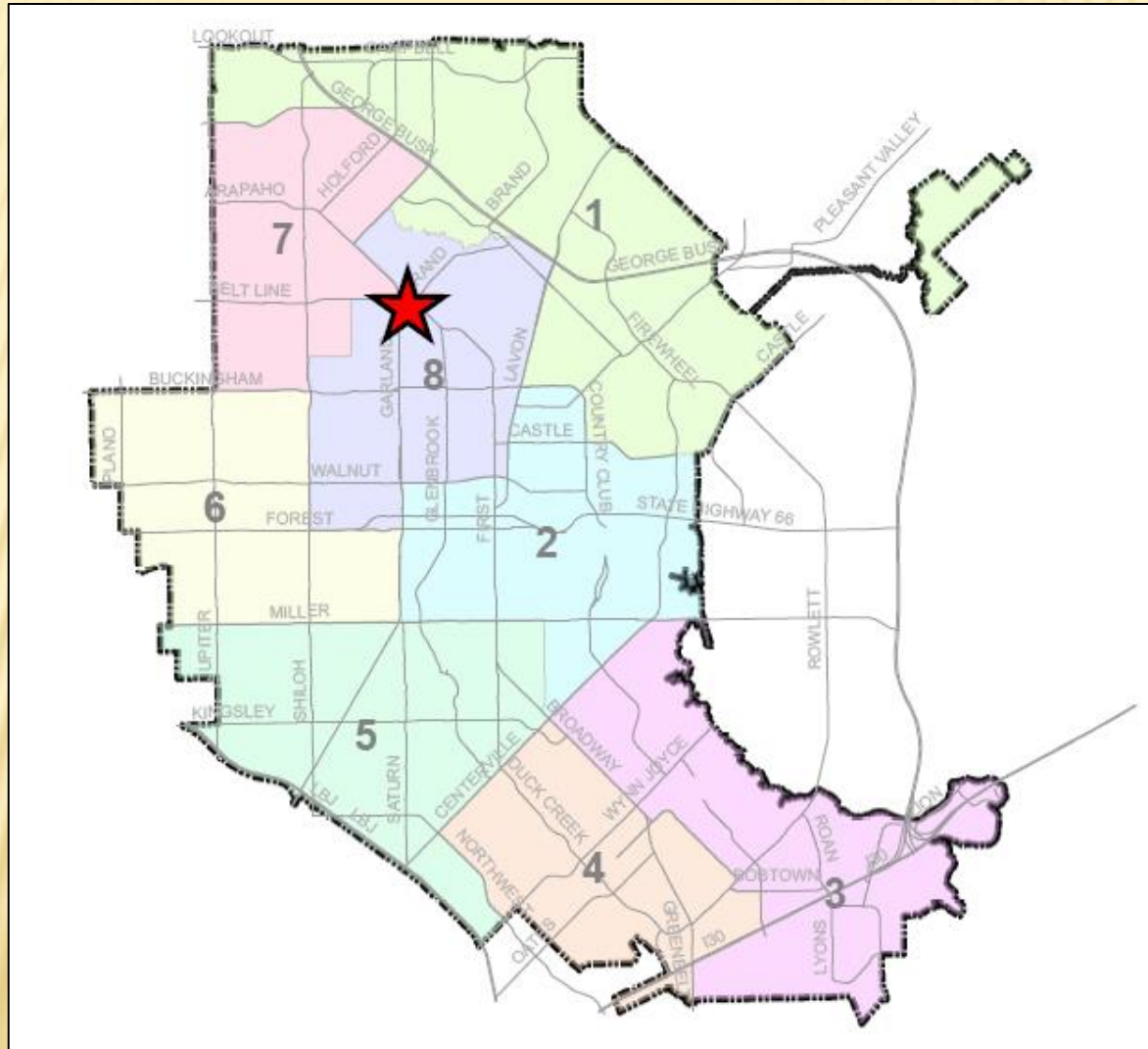
Applicant: Chong Son Na

Owner: Nasan Realty Group, LLC

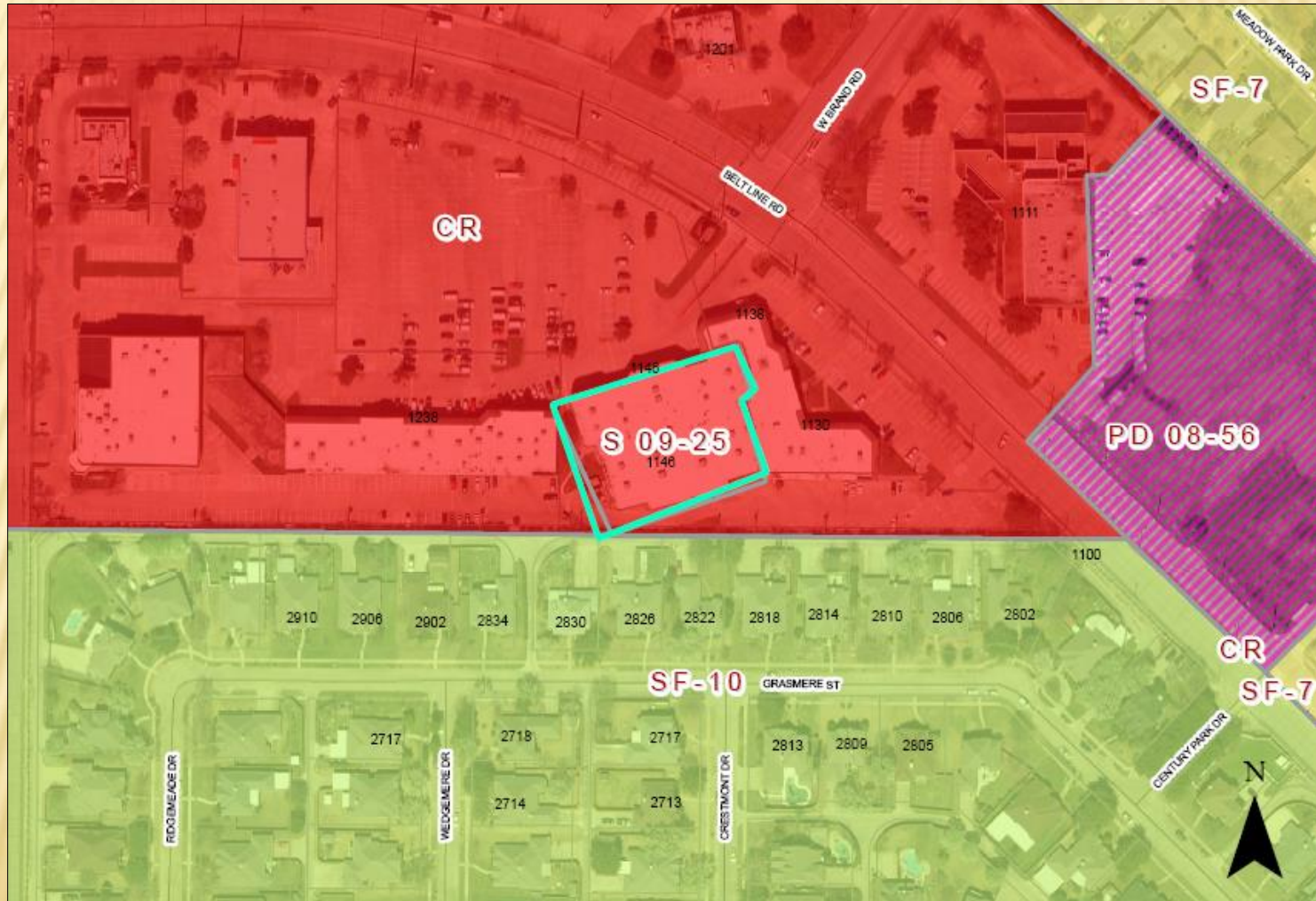
Acreage: 3.99 acres (overall property)
31,114 sq. ft. building

Zoning: Community Retail (CR) District

CITYWIDE LOCATION MAP



LOCATION MAP



COMPREHENSIVE PLAN





GARLAND
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PHOTOS



Z 22-14



GARLAND
TEXAS MADE HERE

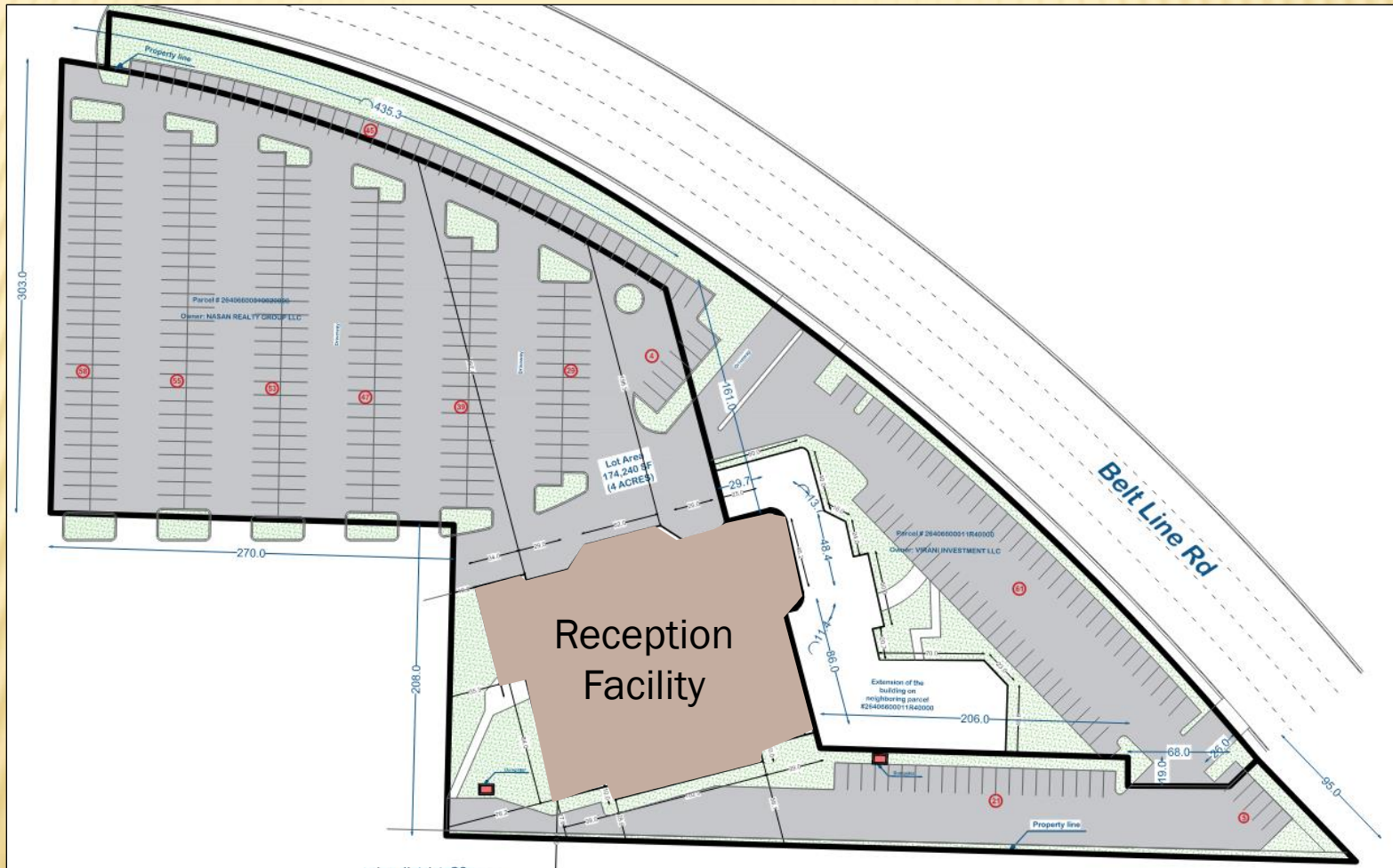
PHOTOS



Z 22-14



STILL LEARN



Z 22-14

CONSIDERATION

The applicant requests the Specific Use Provision to be in effect for fifteen (15) years, which aligns with the SUP Time Period Guide.

Approval of an Specific Use Provision for a Reception Facility Use.

Approval of a Plan for a Reception Facility on a property zoned Community Retail (CR) District.

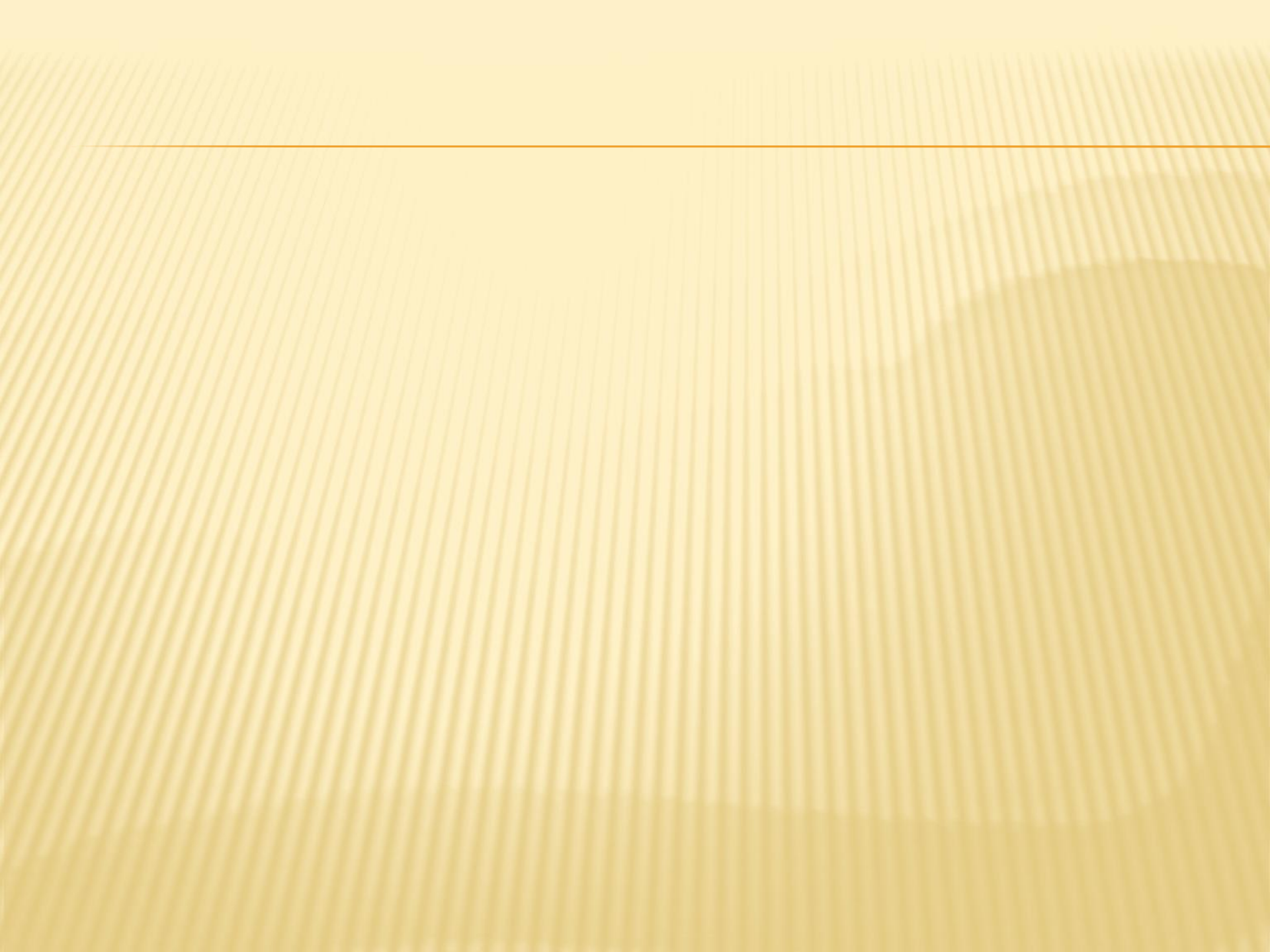
PLAN COMMISSION RECOMMENDATION

On May 9, 2022 the Plan Commission, by a vote of six (6) to zero (0), recommended approval of a Specific Use Provision renewal for a Reception Facility.

The Plan Commission, by a vote of six (6) to zero (0), also recommended approval of a Plan for a Reception Facility on a property zoned Community Retail (CR) District.

The Plan Commission further recommended the applicant address noise concerns raised during the meeting.

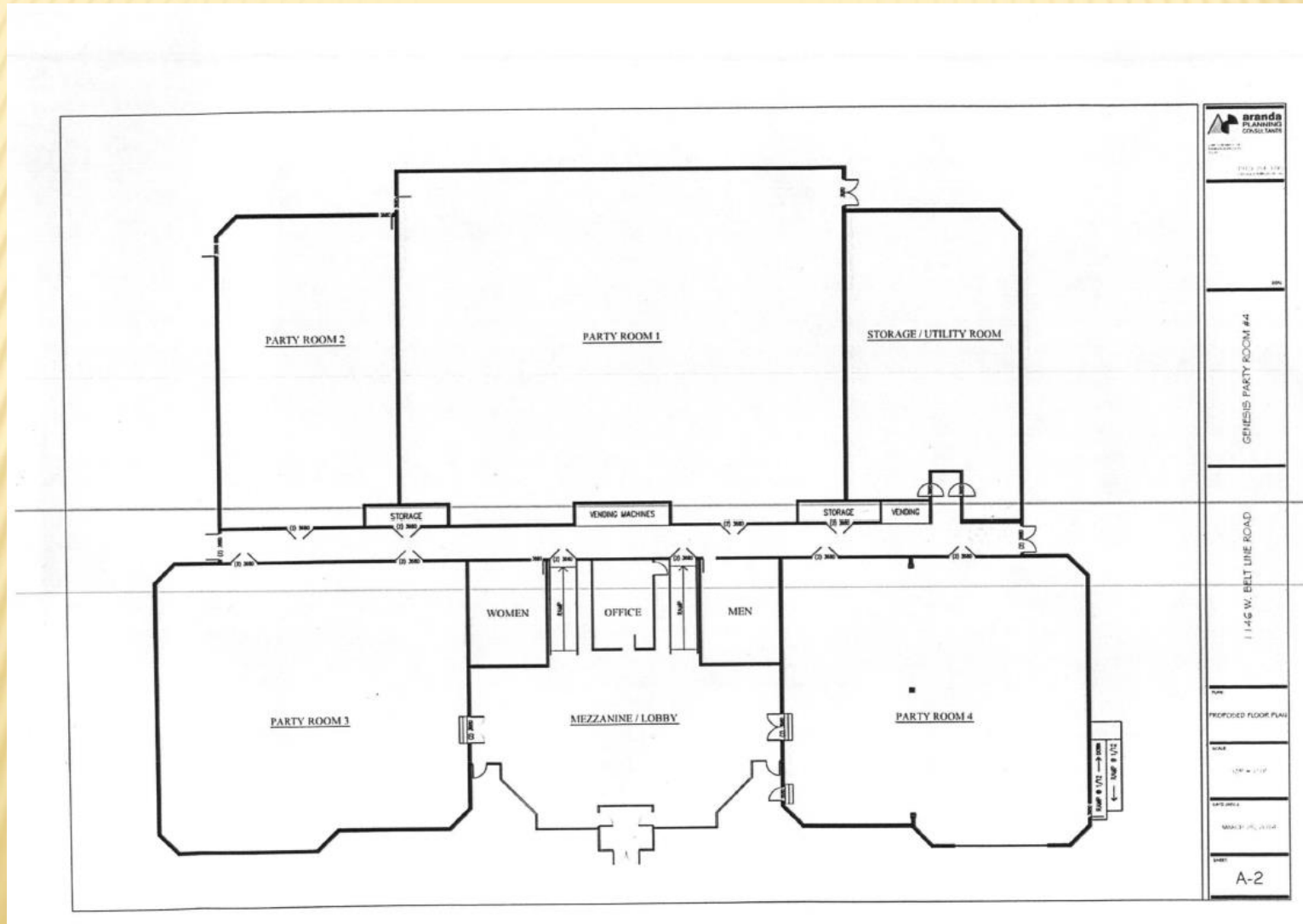






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FLOOR PLAN





GARLAND PLANNING REPORT

City Council Regular Session Agenda

13. g.

Meeting Date: 06/07/2022

Item Title: Z 22-14 Chong Son Na - Plan (District 8)

Submitted By: Kimberly Hopkins, Development Planner

REQUEST

Approval of a Specific Use Provision renewal for a Reception Facility Use.

Approval of a Plan for a Reception Facility on a property zoned Community Retail (CR) District.

LOCATION

1146 Belt Line Road

OWNER

Nasan Realty Group, LLC

PLAN COMMISSION RECOMMENDATION

On May 9, 2022 the Plan Commission, by a vote of six (6) to zero (0), recommended approval of a Specific Use Provision renewal for a Reception Facility.

The Plan Commission, by a vote of six (6) to zero (0), also recommended approval of a Plan for a Reception Facility on a property zoned Community Retail (CR) District.

The Plan Commission further recommended the applicant address noise concerns raised during the hearing.

STAFF RECOMMENDATION

Approval of a Specific Use Provision renewal for a Reception Facility Use.

Approval of a Plan for a Reception Facility on a property zoned Community Retail (CR) District.

BACKGROUND

In 2009, City Council approved a Specific Use Provision [S 09-25] for a Reception Facility Use. The SUP has expired and the applicant is requesting approval to allow the continued operation of a 31,114 square-foot Reception Facility in the existing building on the subject property.

SITE DATA

The existing building is approximately 31,114 square feet on an approximately 3.99-acre site with 435 linear feet of frontage along Belt Line Road. The property can be accessed from Belt Line Road.

USE OF PROPERTY UNDER CURRENT ZONING

The subject property is zoned Community Retail (CR) District. 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 Community Retail (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.

CONSIDERATIONS

1. The applicant proposes to continue the Reception Facility use within the existing 31,114 square-foot building. The typical hours of operation are from 5:00pm to 1:30am on Saturday. More specifically, the applicant states the music turns off at 1:15am. However, some events may request a one-hour extension, in which the music turns off at 2:15am. The facility caters to such events as weddings, wedding anniversaries, birthday parties, and celebrations of baptisms.
2. As per the GDC, Section 2.52(20)(a-h); Reception Facility must comply with the following provisions of this Subsection (20):
 - Security. The reception facility must provide security at every event where alcoholic beverages are provided or served, and also for any events occurring after 6:00 p.m. Security must be by a qualified person(s) who is authorized to provide private security under Chapter 1702 of the Texas Occupations Code.
 - Loitering, Outside Activities. Prolonged congregating or loitering of event attendees or participants outside the reception facility is prohibited. Outside activities, if any, must be in compliance with the City's noise regulations as set forth in the City Code.
 - Noise Mitigation. The applicant must add noise mitigation materials to the existing building if determined necessary by the City to protect surrounding properties and the public health, safety, and welfare.
 - Litter & Debris. Any litter or debris left on the premises must be removed immediately following the event. The owner of the facility is responsible for removal of all litter and debris.

The applicant concurs with the Special Standards for the proposed use. In addition, the applicant will have a Garland PD Officer supervising events on the subject property.

- Location. Reception Facilities may not be located within five hundred feet of the property line of any dwelling unit or residential subdivision, elder care facility, or

other Reception Facilities. The measurement of the distance between the establishment and a dwelling unit, elder care facility, or other Reception Facility shall be:

- (i) for residential property, along a direct line from any exterior wall of the Reception Facility to the nearest point on the property line of the nearest residential zoned property;
 - (ii) for an MF dwelling not located on the same tract of land as the Reception Facility, along a direct line from any exterior wall of the Reception Facility to the nearest point on the property line of the tract on which the MF dwelling is located;
 - iii) for an elder care facility or other Reception Facility not located on the same tract of land as the establishment, along a direct line from the nearest exterior wall of the Reception Facility to the nearest exterior wall of the elder care facility or other Reception Facility; or
 - (iv) for an elder care facility or other Reception Facility located on the same tract of land or in a commercial or retail center sharing a common parking area, the measurement shall be along a straight line from the midpoint of the nearest exterior door of the Reception Facility to the midpoint of the nearest exterior wall of the dwelling unit, elder care facility, or other Reception Facility in question.
- Reception Facilities located within a building containing other tenants, the measurement shall be from the nearest outer wall of the Reception Facility's leasehold space.
 - A Reception Facility may not be located on the same tract as any multifamily dwelling or elder care facility.

The property to the south is developed with a residential subdivision. The existing reception facility is approximately 50 feet from the nearest residential property line. It should be noted the Specific Use Provision for the reception facility was approved in 2009, prior to the GDC adoption. The above requirement was not applicable at the time.

3. The site plan (Exhibit C) meets the GDC parking requirement.
4. Neither a building expansion nor a parking lot expansion is being proposed with this request. However, landscaping currently exists on the site.
5. No deviations have been requested for signage. Therefore, signage will meet the GDC requirements.
6. The applicant requests the Specific Use Provision to be in effect for fifteen (15) years, which aligns with the SUP Time Period Guide.

COMPREHENSIVE PLAN

The Envision Garland Plan designates the subject property as Neighborhood Centers. 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.

COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

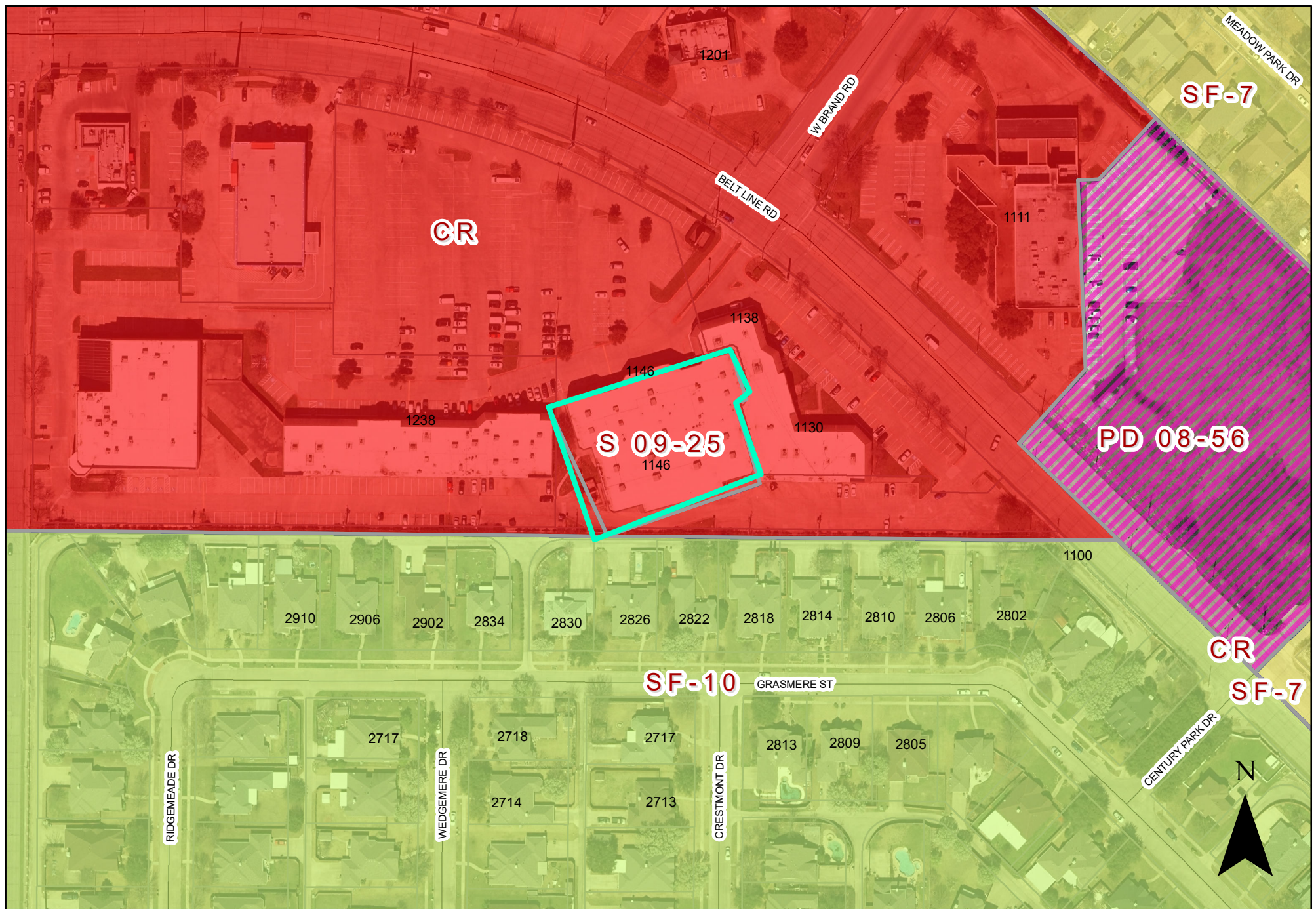
The properties to the south are zoned Single-Family-10 (SF-10) District and are developed with single-family homes. The properties to the north, across Belt Line Road, are zoned Community Retail (CR) District and are developed with retail uses. The properties to the east and west are zoned Community Retail (CR) District; these properties are developed with multi-tenant retail buildings. The subject property is within a shopping center and with shared access and parking spaces.

Attachments

Z 22-14 Chong Son Na Attachments (Plan)

Z 22-14 Chong Son Na Responses

Z 22-14 Staff Presentation



0 100 200 Feet
1 inch = 152 feet

ZONING MAP Z 22-14

 INDICATES AREA OF REQUEST

1146 Belt Line Road



Parcel No. 26-40660-001-002-00-00
Address for site plan :
1146 Belt Line Rd
City, State, ZIP: Garland, TX 75040
Purpose of site plan:?
Special use permit with city of garland planning dept
Scale 1" = 40'

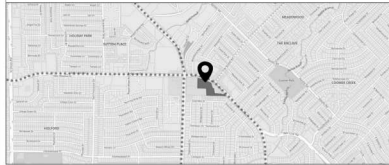
Owner:
NASAN REALITY GROUP LLC
Legal Info:
NORTH STAR CROSSING BLK 1 LOT 2 4.0 ACS INT200900122264 DD04282009 CO-DC 4066000100200
2CG40660001
Land use cat Commercial
Case #: 210810 - 3



EXHIBIT C



VICINITY MAP



Zoning district: SC
Building height: 45'
Square footage of building: 31114 SF
Required Parking 310
Existing parking count: 417
Acreage of the site: 4 Acres for parcel 26406600010020000 and
1.67 Acres for parcel 264066000011R40000

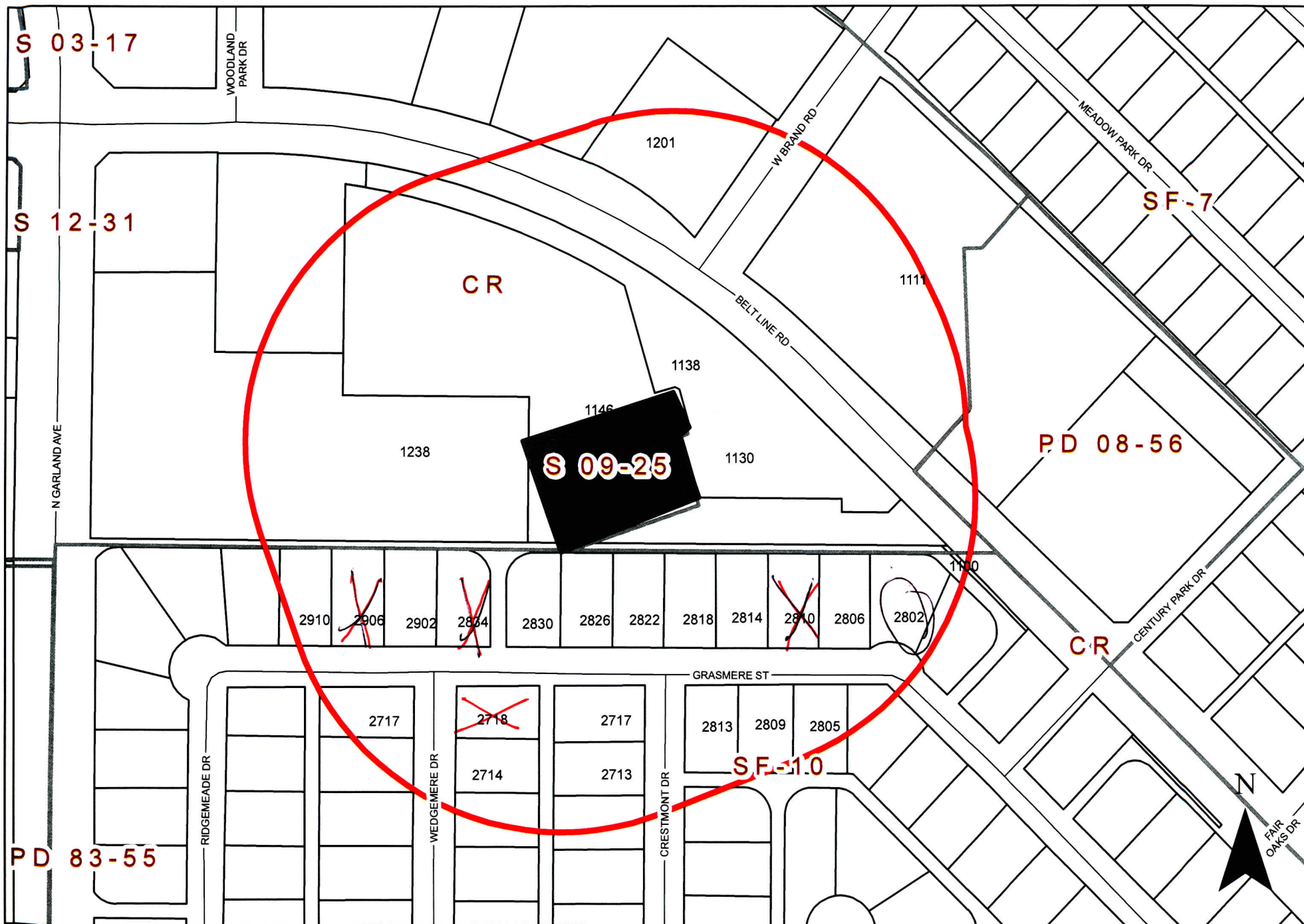
Note: Both Building and Parking spots are located over two separate parcels with separate numbers and owners as indicated on the plan

REPORT & MINUTES

P.C. Meeting, May 9, 2022

Consideration of the application of **Chong Son Na**, requesting approval of a Plan for a Reception Facility on a property zoned Community Retail (CR) District. This property is located at 1146 Belt Line Road. (District 8) (File Z 22-14 – Plan)

Motion was made by Commissioner Ott to **approve** the request with the stipulation the applicant is prepared to present any and all solutions made to mitigate the noise issue. Seconded by Commissioner Rose. **Motion carried: 6 Ayes, 0 Nay.**



0 120 240 Feet
1 inch = 183 feet

ZONING MAP Z 22-14

INDICATES AREA OF REQUEST
INDICATES NOTIFICATION AREA

1146 Belt Line Road

Comment Form

Case Z 22-14

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

☐

For / A Favor / Đúng

☒

Against / En Contra / Không

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GRACE NELSON

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

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

2718 WEDGE MERE DR.

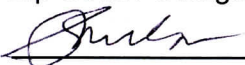
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GARLAND

City, State / Estado de la Ciudad / Thành bang

75040

Zip Code / Código postal / Mã B u Chính



Signature / Firma / Chữ ký

5.2.2022

Date / Fecha / Ngày

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

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

MAY 9 '22 AM 10:47

Comment Form – Continued

Case Z 22-14

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

Loud music till late night

Comment Form

Case Z 22-14

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

☐

For / AFavor / Đúng

☒

Against / En Contra / Không

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

PATRICIA + DON DURHAM, Patricia Cruise
property owner

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

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

2810 Grasmere St.

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

Garland, TX

City, State / Estado de la Ciudad / Thành bang

75040

Zip Code / Código postal / Mã B u Chính

Patricia Durham (formerly Cruise)

Signature / Firma / Chữ ký

4-30-22

Date / Fecha / Ngày

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

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

Comment Form – Continued

Case Z 22-14

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

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

I am opposed to the SUP renewal. The agreement was that the property between the business and residential area would be secured with a fence and plantings to both screen and secure one from the other. The fence was erected. However the fencing contractor destroyed or severely damaged the hedge that existed. To date the SUP property owner has taken no action to improve the screening plants.

We frequently find beer cans and other trash from parties that are thrown over the fence (trash not parties thrown over ☺)

I don't feel continuing to allow SUP which consists primarily of teenage parties is "the best interest of Meadowcrest and the surrounding area."

Cordially
Patricia (Cruse) Durham

Comment Form

Case Z 22-14

Z 22-14 Chong Son Na. The applicant proposes to renew a Specific Use Provision (SUP) for an existing reception facility. The site is located at 1146 Belt Line Road. (District 8)

Z 22-14 Chong Son Na. El solicitante propone renovar una Disposición de uso específico (SUP) para una instalación de recepción existente. El sitio está ubicado en 1146 Belt Line Road. (Distrito 8)

Z 22-14 Chong Son Na. Người nộp đơn đề xuất gia hạn Điều khoản Sử dụng Cụ thể (SUP) cho một cơ sở tiếp nhận hiện có. Địa điểm tọa lạc tại 1146 Belt Line Road. (Quận 8)

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

☐

For / A Favor / Đúng

☒

Against / En Contra / Không

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Walton A. James

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

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

2906 Grasmere St

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

Garland TX

City, State / Estado de la Ciudad / Thành bang

75040

Zip Code / Código postal / Mã Bưu Chính

Walton A. James

Signature / Firma / Chữ ký

4/29/22

Date / Fecha / Ngày

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

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

(over)

MAY 4 '22 AM 11:48

Comment Form – Continued

Case Z 22-14

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

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

Property originally was a United Artist 8 Movie Theatre. Property was empty, then became an "Events Center". Substantial traffic behind the facility, large quantity of parked vehicles, frequent loud music from events has become common on Friday and Saturday evenings. Facility is behind our property and it's effects are negative to our residential property, and to the peace and quiet our neighborhood should enjoy.

Additionally, large crowds and traffic from outside our area, coupled with alcohol sales all have negative effects.

We request this renewal be declined and the property owner be required to re-develop the property into parcels more favorable to the needs of our neighborhood.

Walton A James

4/29/22

2906 Grasmere St

Garland Tx 75040

Comment Form

Case Z 22-14

Z 22-14 Chong Son Na. The applicant proposes to renew a Specific Use Provision (SUP) for an existing reception facility. The site is located at 1146 Belt Line Road. (District 8)

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

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For / A Favor / Đúng

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~~LEE~~ LE NGUYEN

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

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

2834 Grammore St.

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

Garland TX

City, State / Estado de la Ciudad / Thành bang

75040

Zip Code / Código postal / Mã B u Chính



Signature / Firma / Ch ữ ký

04/29/2022

Date / Fecha / Ngày

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

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

MAY 4 '22 11:43

Comment Form – Continued

Case Z 22-14

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

We don't want they stay in our area. They play music is too loud. We can't sleep.

Zoning Response Case Comments

Case Number	PC Hearing Date	CC Hearing Date	Planner Name
Z 22-14	May 9, 2022	June 7, 2022	Kimberly Hopkins

The applicant proposes to renew a Specific Use Provision (SUP) for an existing reception facility. The site is located at 1146 Belt Line Road. (District 8)

Judi Lazerus

For

5/4/2022
2:52:18 AM

2802 GRASMERE ST

jalazerus@verizon.net

Garland

2147254606

Texas

United States

<null>

Z 22-14

The applicant proposes to renew a Specific Use Provision (SUP) for an existing reception facility.

[Approval of a Specific Use Provision for a Reception Facility Use.

Approval of a Plan for a Reception Facility on a property zoned Community Retail (CR) District.]

**City Council Meeting
June 7, 2022**



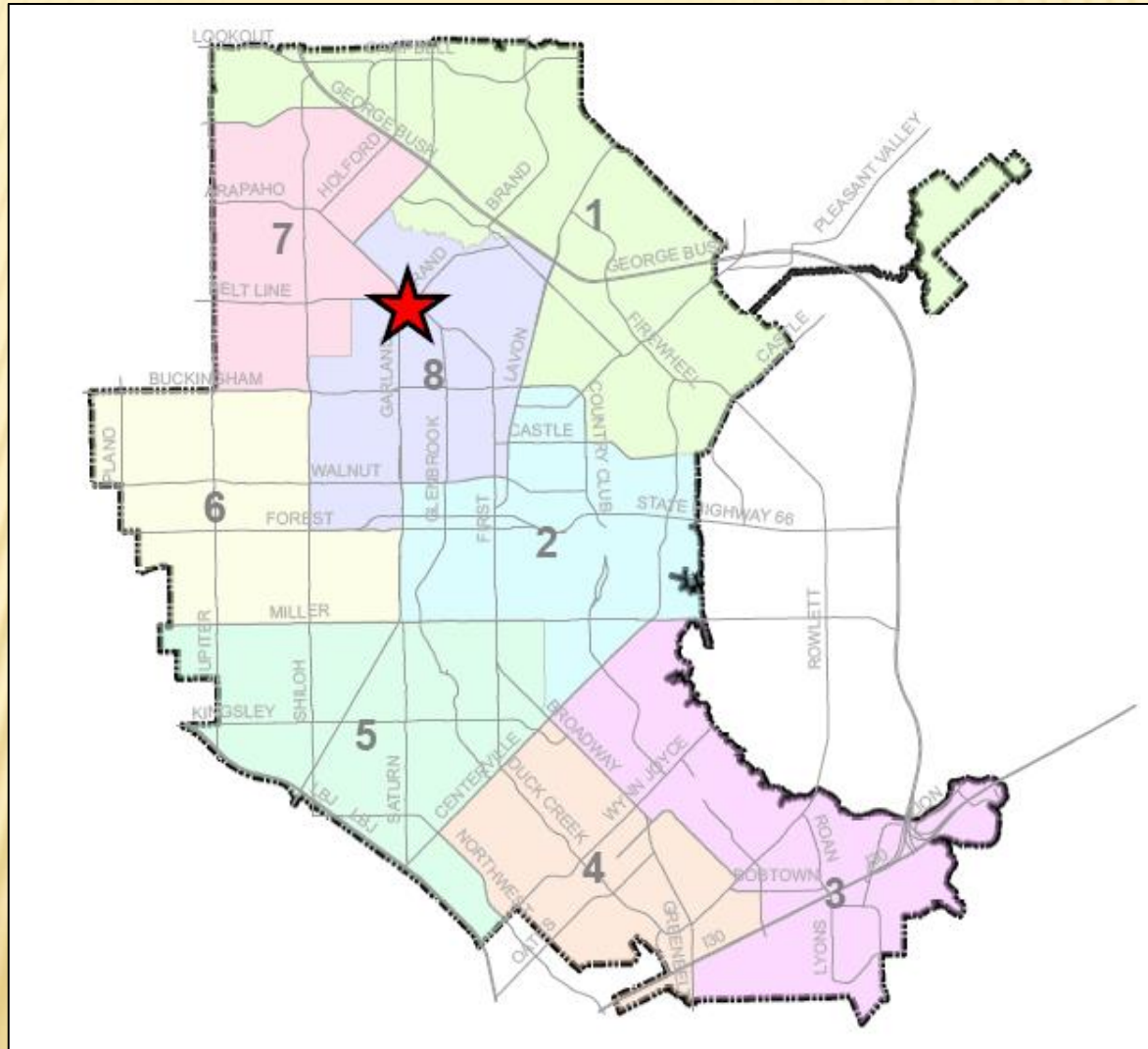
GARLAND

TEXAS MADE HERE

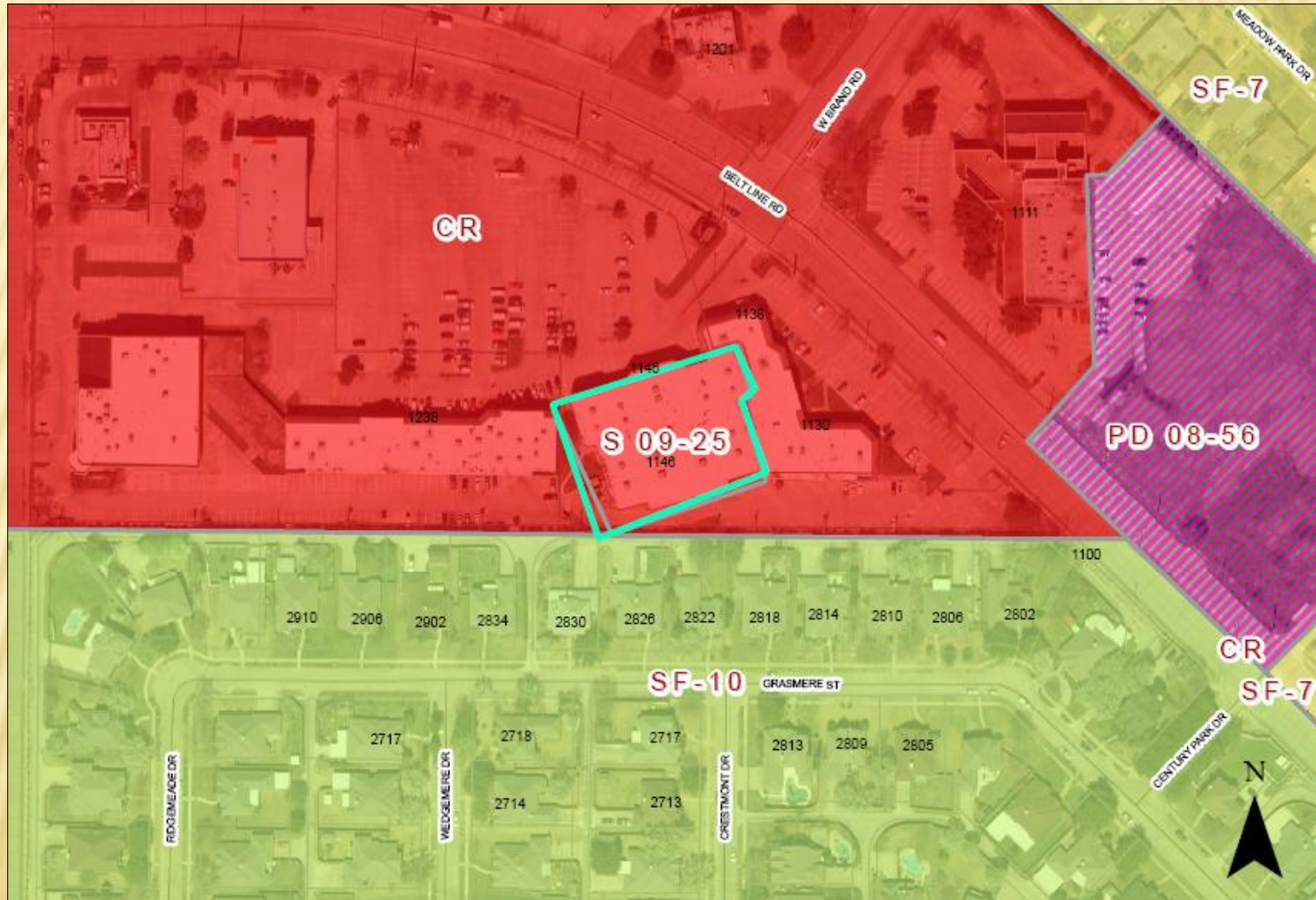
CASE INFORMATION

<u>Location:</u>	1146 Belt Line Road
<u>Applicant:</u>	Chong Son Na
<u>Owner:</u>	Nasan Realty Group, LLC
<u>Acreage:</u>	3.99 acres (overall property) 31,114 sq. ft. building
<u>Zoning:</u>	Community Retail (CR) District

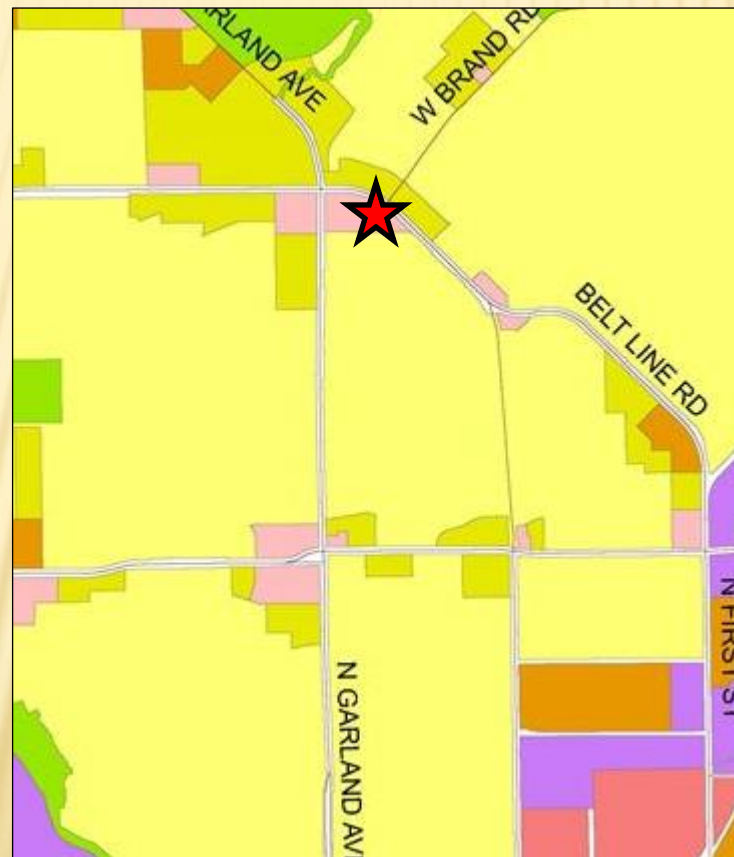
CITYWIDE LOCATION MAP



LOCATION MAP



COMPREHENSIVE PLAN





GARLAND
TEXAS MADE HERE

PHOTOS



Z 22-14



GARLAND
TEXAS MADE HERE

PHOTOS



Z 22-14



The site plan illustrates the layout of the Reception Facility. The central feature is the 'Reception Facility' building, a large brown-shaded polygon. To its north and west are two large parking lots, shaded in light gray with individual parking spaces marked. The western parking lot is associated with Parcel # 26-4366209-00000000 and owner NASAN REALTY GROUP LLC. The northern parking lot is associated with Parcel # 26-4366209-00000000 and owner VIKAM INVESTMENT LLC. A 'Lot Area 174,240 SF (4 ACRES)' is labeled near the building. The plan includes various dimensions: a total width of 303.0' on the left, a length of 270.0' for the western parking lot, and a depth of 208.0' for the building area. The eastern boundary is defined by 'Belt Line Rd'. Other dimensions include 435.3', 161.0', 29.7', 48.4', 98.0', 206.0', 68.0', 46.0', 19.0', and 95.0'. The plan also shows 'Property line' markers and an 'Extension of the building on neighboring parcel #26-4366209-00000000'. Red circular markers with numbers (1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100) are distributed across the site, likely indicating specific locations or features.

Z 22-14



CONSIDERATION

The applicant requests the Specific Use Provision to be in effect for fifteen (15) years, which aligns with the SUP Time Period Guide.

Approval of an Specific Use Provision for a Reception Facility Use.

Approval of a Plan for a Reception Facility on a property zoned Community Retail (CR) District.

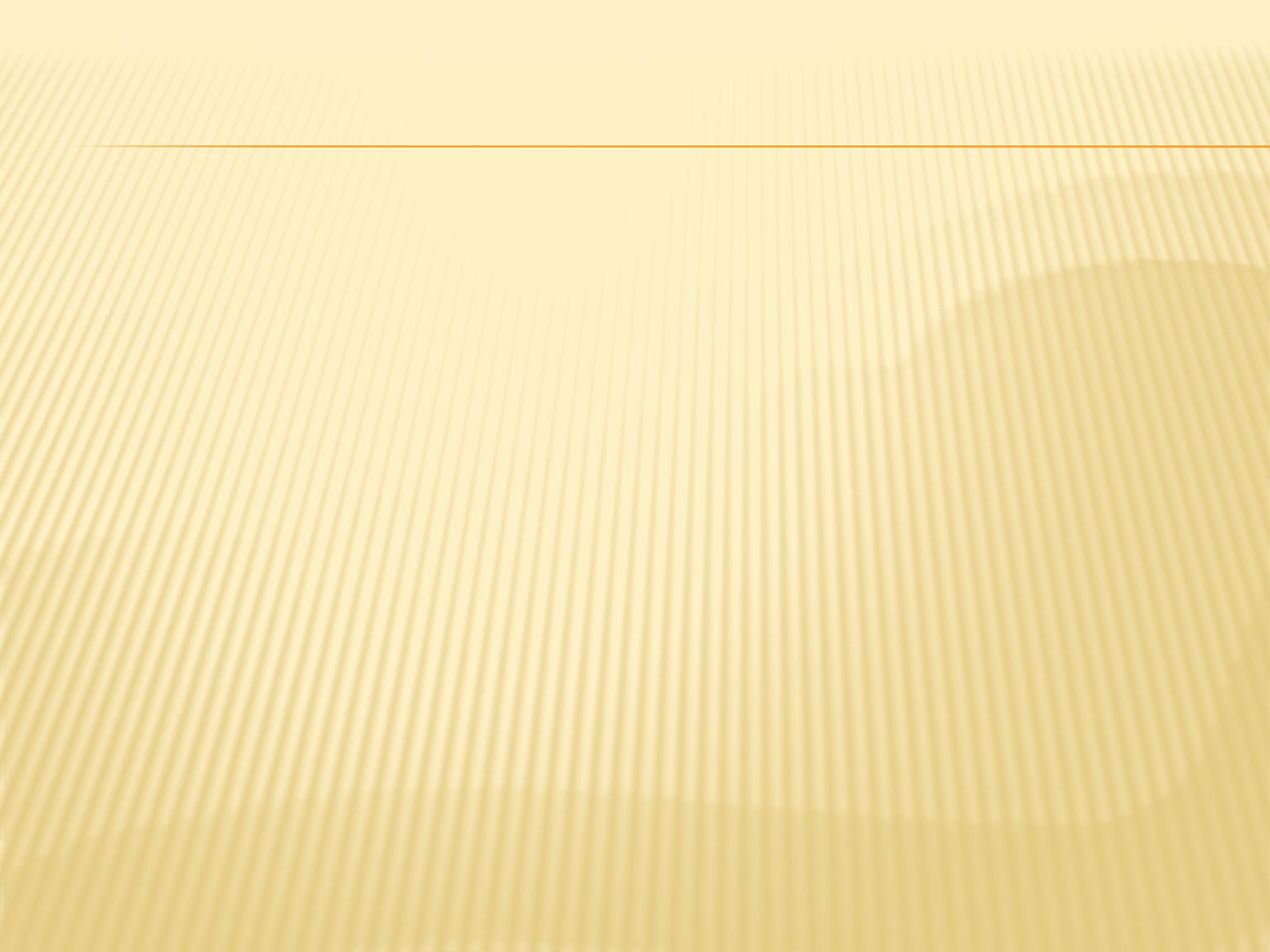
PLAN COMMISSION RECOMMENDATION

On May 9, 2022 the Plan Commission, by a vote of six (6) to zero (0), recommended approval of a Specific Use Provision renewal for a Reception Facility.

The Plan Commission, by a vote of six (6) to zero (0), also recommended approval of a Plan for a Reception Facility on a property zoned Community Retail (CR) District.

The Plan Commission further recommended the applicant address noise concerns raised during the meeting.

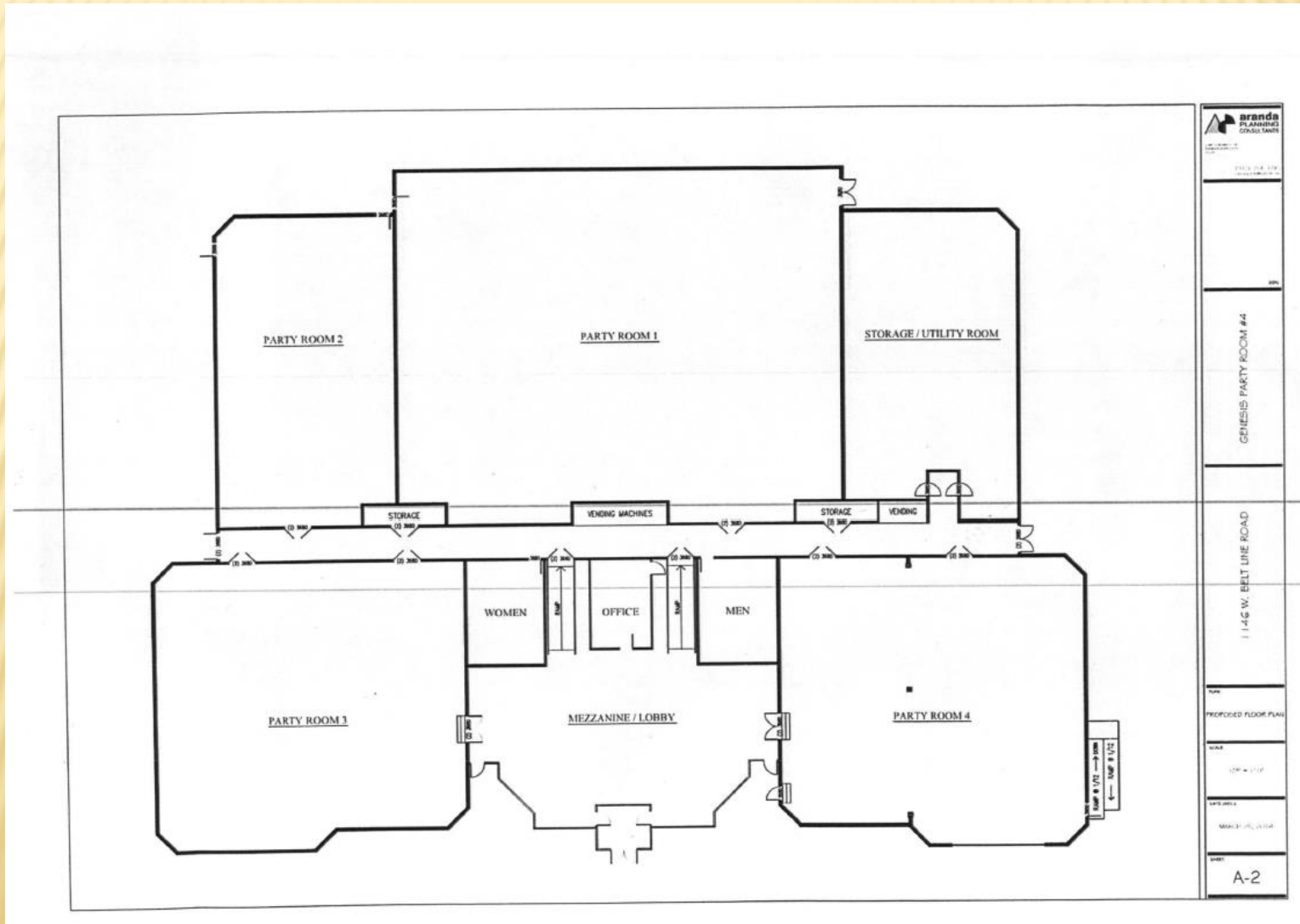






GARLAND
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FLOOR PLAN





City Council Regular Session Agenda

13. h.

Meeting Date: 06/07/2022
Item Title: TMP 22-01 MVAH Partners (District 8)
Submitted By: Will Guerin, Planning Director
Strategic Focus Areas:

ISSUE

Consider a request to waive a required payment to the Tree Fund as outlined in the Garland Development Code Chapter 4: Article 4: Tree Preservation & Mitigation.

OPTIONS

1. Waive the required payment to the Tree Fund.
2. Grant partial relief from the required payment to the Tree Fund.
3. Deny the request.

BACKGROUND

This request is associated with Planned Development (PD) District 21-04 for a multi-family development, which was approved on July 20, 2021. The subject site is located at 1102 North Shiloh Road; it is an 11.90-acre unimproved area.

A Detail Plan, including the Landscape Plan, for the development of Multi-Family on the subject site was submitted with Planned Development (PD) District 21-04 showing the location of buildings, parking, landscaping, and areas of non-disturbance. The applicant is requesting a waiver of the required mitigation funds to be paid to the Reforestation and Tree Management Fund.

CONSIDERATION

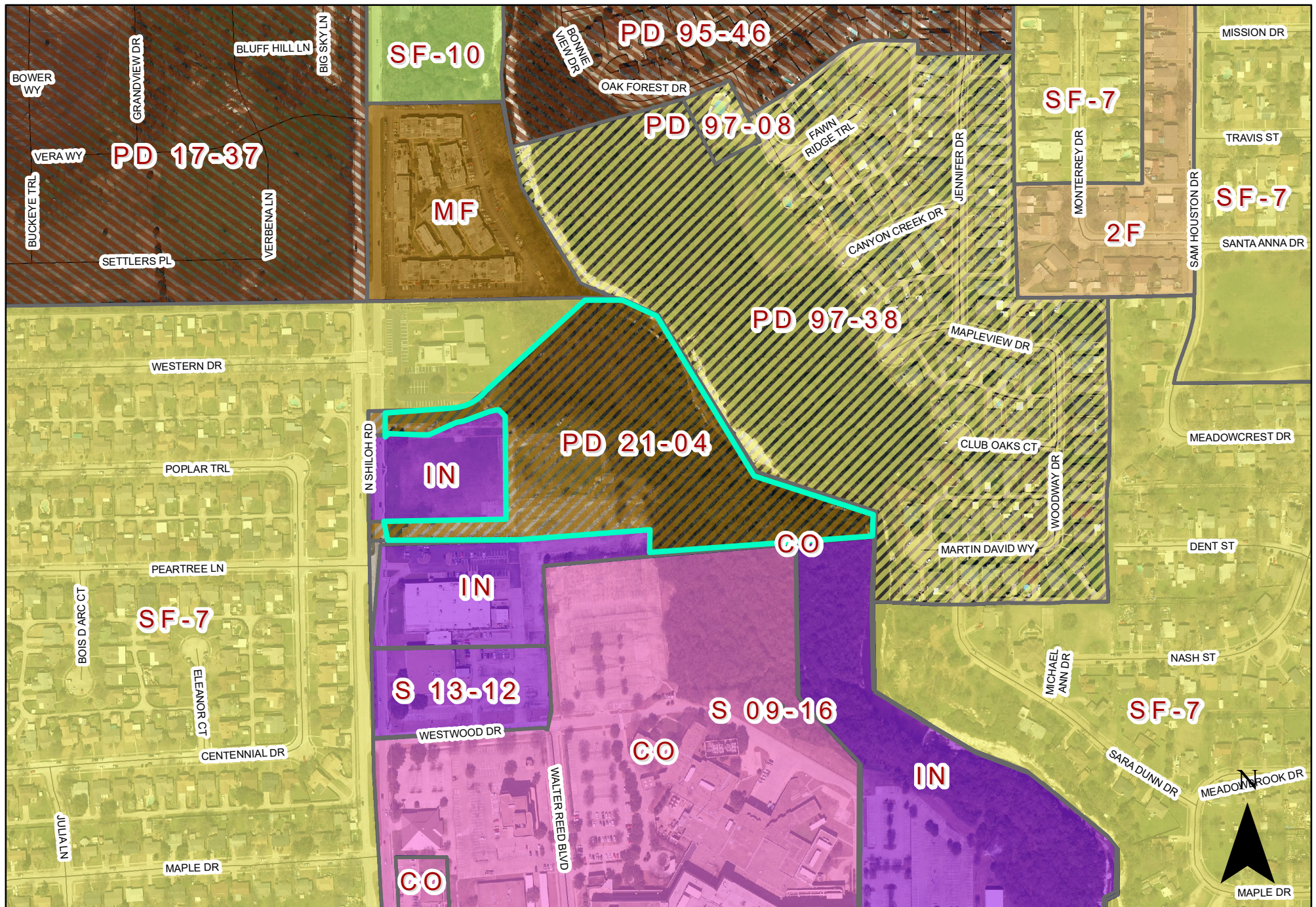
1. The Garland Development Code (GDC) Chapter 4 Article 4 – Tree Preservation & Mitigation intends that existing significant trees and tree groupings be incorporated into the overall design of a development, prevent clear-cutting and the unnecessary removal of trees with development. Preservation and replacement of trees is intended to further the benefit of public health and welfare, reducing runoff and erosion, and providing other environmental benefits to the community, enhancing community appearance and property values. However, if the property size, shape or topography is unworkable, then the mitigation of protected trees may be considered through the payment to a City Reforestation and Tree Management Fund. The fee is one hundred and fifty dollars per caliper inch.

2. The applicant is requesting a waiver of the fee based upon the following factors:
- a. Mitigation Costs. The tree inventory identifies 624 caliper inches of trees with a mitigation cost of \$150.00 per caliper inch for a total of \$93,600, which is the calculation for non-replaced trees.
 - b. New Tree Planting. Future tree planting of approximately 233 caliper inches of new trees with the proposed Multi-Family development.
 - c. Tree Preservation. Preserving trees to the greatest extent possible.

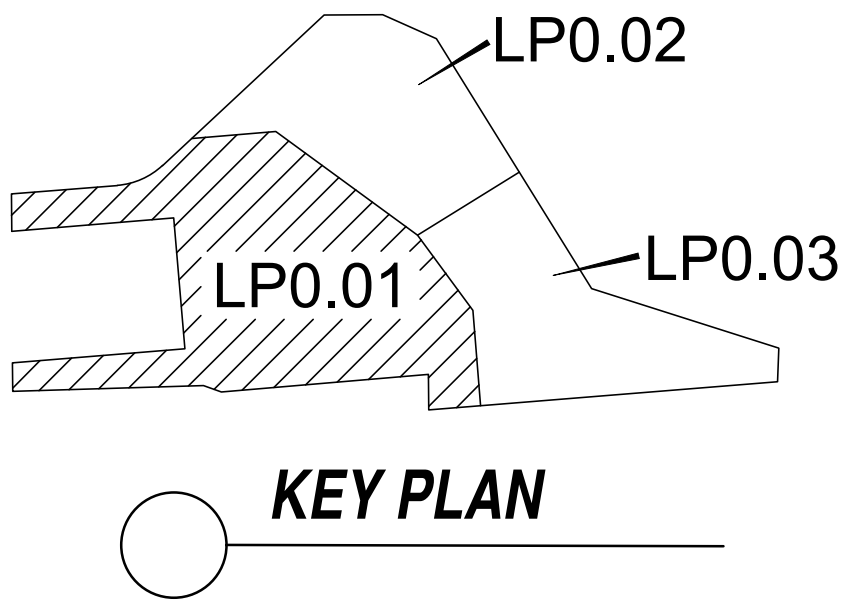
The specific relief the applicant requests is \$93,600 for on-site tree mitigation.

Attachments

TMP 22-01 Location Map
TMP 22-01 Exhibits
TMP 22-01 Staff Presentation



TMP 22-01

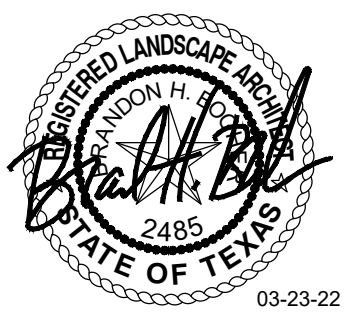


ISSUES:	
①	11-19-21 ISSUE FOR PERMIT/BID
○	
○	
REVISIONS:	
△	01-14-22 CITY COMMENTS
△	02-24-22 CITY COMMENTS
△	03-23-22 CITY COMMENTS
△	
△	
△	
△	
△	

CLIENT:
MVAH PARTNERS
9100 Centre Pointe Dr.
Suite 210
West Chester, OH 45069

RESERVE AT SHILOH
GARLAND, TEXAS
LOT 2, BLOCK 1 GARLAND CIRCLE

CASE # 201222-2



**ISSUE FOR
PERMIT / BID**

RESERVE AT SHILOH

GARLAND, TEXAS

JOB NUMBER: BGE-2102

LANDSCAPE PLAN

LP0.01

LANDSCAPE CALCULATIONS

SITE INFORMATION

ZONING: MF DISTRICT
TOTAL LOT AREA: 518,107 S.F. (11.89 ACRES)
PROPOSED USE: MULTIFAMILY APARTMENTS

LANDSCAPE AREA:

REQUIRED: MINIMUM OF 40% OF GROSS PLATTED SITE MUST BE DEVOTED TO LANDSCAPING
OPEN SPACE AREAS, POOLS, AND SIMILAR OUTDOOR ACTIVITY USE
518,107 S.F. X 40% = 207,243 S.F. LANDSCAPE AREA

PROVIDED: 360,000+ S.F. (69+%) LANDSCAPE AREA

NORTH SHILOH ROAD (75 L.F. WITHOUT ENTRY DRIVES):

REQUIRED: 15' WIDE LANDSCAPE BUFFER WITH:

- (1) CANOPY TREE PER 30 LINEAR FEET ($75/30 = 2.5$ TREES)
- (7) SHRUBS PER 30 LINEAR FEET ($75/30 = 2.5 \times 7 = 18$ SHRUBS)

PROVIDED: 15' WIDE LANDSCAPE BUFFER + (3) CANOPY TREES & (18) SHRUBS

REQUIRED: MAXIMUM 75% OF LANDSCAPE BUFFER IN TURF (1,028 S.F. X 75% = 771 S.F.)
MINIMUM 25% OF LANDSCAPE BUFFER IN PLANTING (1,028 S.F. X 25% = 257 S.F.)

PROVIDED: 554 S.F. TURF (54%), 474 S.F. GROUNDCOVER & SHRUBS (46%),

PARKING LOT:

REQUIRED: (1) CANOPY TREE PER 10 PARKING SPACES (207 SPACES / 10 = 21 TREES)
(1) CANOPY TREE AT THE TERMINUS OF EVERY PARKING ROW
EVERY PARKING SPACE WITHIN 65' OF A CANOPY TREE
LANDSCAPING TO ACCOUNT FOR 5% OF THE PARKING AREA (91,818 X 5% = 4,590 S.F.)

PROVIDED: (28) SHADE TREES + 5,000+ S.F. LANDSCAPE AREA

LANDSCAPE ARCHITECT

MEEKS DESIGN GROUP, INC.
BRANDON BOOHER
1755 NORTH COLLINS BLVD, STE 300
RICHARDSON, TX 75080
(972) 690-7474

APPLICANT/OWNER

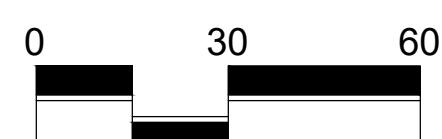
MVAH PARTNERS
JUSTIN GREGORY
5950 FAIRVIEW ROAD, STE 402
CHARLOTTE, NC 28210
(724) 561-3196

NO LANDSCAPING SUCH AS TREES, SHRUBS, ABOVE AND UNDERGROUND STRUCTURES SHALL BE LOCATED WITHIN EXISTING OR PROPOSED UTILITY EASEMENTS AND RIGHT OF WAY WITHOUT APPROVED CITY'S REAL PROPERTY IMPROVEMENT AUTHORIZATION FORM OR CITY'S LICENSE AGREEMENT

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

1 LANDSCAPE PLAN

SCALE: 1"=30'-0"



GRAPHIC SCALE IN FEET

TREE MITIGATION
PROVIDED ON SITE: 233 INCHES
EXCESS MITIGATION TO BE PAID
INTO CITY TREE FUND

TREE NO.	DBH	SPECIES	SAVE/REMOVE	MITIGATION
3000	11	CREPE MYRTLE	SAVE - OFFSITE	
3001	13	CREPE MYRTLE	SAVE - OFFSITE	
3002	14	CREPE MYRTLE	REMOVE - OFFSITE	
3003	13	CREPE MYRTLE	REMOVE - OFFSITE	
3004	11	CREPE MYRTLE	REMOVE - OFFSITE	
3005	12	CREPE MYRTLE	REMOVE - OFFSITE	
3006	12	CREPE MYRTLE	REMOVE - OFFSITE	
3008	14	CREPE MYRTLE	SAVE - OFFSITE	
3009	13	CREPE MYRTLE	SAVE - OFFSITE	
3010	23	LIVE OAK	SAVE - OFFSITE	
3011	24	LIVE OAK	SAVE - OFFSITE	
3012	15	AMERICAN ELM	REMOVE	15
3013	24	AMERICAN ELM	REMOVE	48
3014	17	CEDAR ELM	REMOVE	17
3015	10	CEDAR ELM	REMOVE	10
3016	24	COTTONWOOD	REMOVE	6
3017	16	LIVE OAK	REMOVE	16
3018	10	AMERICAN ELM	REMOVE	10
3019	18	AMERICAN ELM	REMOVE	18
3020	18	AMERICAN ELM	REMOVE	18
3021	16	AMERICAN ELM	REMOVE	16
3022	24	AMERICAN ELM	REMOVE	48
3023	36	TREE	REMOVE	36
3025	6	HACKBERRY	REMOVE	1.5
3026	7	HACKBERRY	REMOVE	1.75
3027	11	AMERICAN ELM	REMOVE	11
3028	12	AMERICAN ELM	REMOVE	12
3029	20	PECAN	REMOVE	40
3030	7	CEDAR ELM	REMOVE	7
3031	36	AMERICAN ELM	REMOVE	72
3032	16	AMERICAN ELM	REMOVE	16
3033	12	COTTONWOOD	REMOVE	3
3034	8	COTTONWOOD	REMOVE	2
3036	18	AMERICAN ELM	REMOVE	18
3037	18	PECAN	SAVE	
3038	14	AMERICAN ELM	SAVE	
3039	12	AMERICAN ELM	SAVE	
3040	12	AMERICAN ELM	REMOVE	8.4
3041	14	HACKBERRY	REMOVE	5.6
3042	18	AMERICAN ELM	SAVE	
3043	10	PECAN	SAVE	
3044	16	PECAN	SAVE	
3045	12	PECAN	SAVE	
3046	18	PECAN	SAVE	
3047	18	AMERICAN ELM	SAVE	
3048	11	PECAN	SAVE	
3049	11	PECAN	SAVE	
3050	11	PECAN	SAVE	
3051	16	ASH	SAVE	
3052	30	PECAN	SAVE	
3053	9	PECAN	SAVE	
3054	18	AMERICAN ELM	SAVE	
3055	8	PECAN	SAVE	
3056	18	PECAN	SAVE	
3057	10	PECAN	SAVE	
3058	20	PECAN	SAVE	
3059	14	AMERICAN ELM	SAVE - OFFSITE	
3060	16	PECAN	SAVE - OFFSITE	
3061	6	HACKBERRY	SAVE - OFFSITE	
3062	12	AMERICAN ELM	SAVE	
3063	14	PECAN	SAVE	
3064	16	AMERICAN ELM	SAVE	
3065	14	PECAN	REMOVE	14
3066	14	AMERICAN ELM	REMOVE	14
3067	12	PECAN	SAVE	
3068	14	PECAN	SAVE	
3069	16	PECAN	SAVE	
3070	10	PECAN	SAVE	
3071	13	AMERICAN ELM	SAVE	
3072	12	HACKBERRY	SAVE	
3073	10	PECAN	SAVE	
3074	8	AMERICAN ELM	SAVE	
3075	14	PECAN	REMOVE	14
3076	13	PECAN	REMOVE	13
3077	8	AMERICAN ELM	REMOVE	8
3078	14	PECAN	REMOVE	14
3079	11	PECAN	REMOVE	11
3080	12	PECAN	REMOVE	12
3081	30	PECAN	REMOVE	60
3082	8	CEDAR ELM	REMOVE	8
3083	14	CEDAR ELM	REMOVE	14
3084	12	CEDAR ELM	REMOVE	12
3085	16	CEDAR ELM	REMOVE	16
3086	16	PECAN	REMOVE	16
3087	12	CEDAR ELM	REMOVE	12
3088	16	CEDAR ELM	REMOVE	16
3089	12	CEDAR ELM	REMOVE	12
3090	8	CEDAR ELM	REMOVE	8
3091	16	CEDAR ELM	REMOVE	16
3092	14	HACKBERRY	REMOVE	3.5
3093	9	PECAN	SAVE	
3094	11	PECAN	SAVE	
3095	14	PECAN	REMOVE	14
3096	16	PECAN	REMOVE	16
3097	12	CEDAR ELM	REMOVE	12
3098	14	CEDAR ELM	REMOVE	14
3099	24	PECAN	REMOVE	48
3100	10	CEDAR ELM	REMOVE	10
3101	12	CEDAR ELM	REMOVE	12
3102	12	CEDAR ELM	REMOVE	12
1446		SAVE	589	887.75
		REMOVE	857	

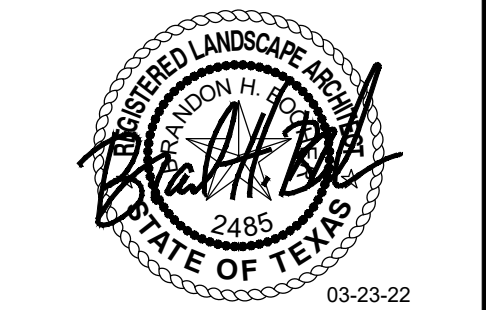
ISSUES:	
1	11-19-21 ISSUE FOR PERMIT/BID
2	
3	
REVISIONS:	
1	01-14-22 CITY COMMENTS
2	02-24-22 CITY COMMENTS
3	03-23-22 CITY COMMENTS
4	
5	
6	
7	

CLIENT:
MVAH PARTNERS
9100 Centre Pointe Dr.
Suite 210
West Chester, OH 45069

RESERVE AT SHILOH
GARLAND, TEXAS
LOT 2, BLOCK 1 GARLAND CIRCLE

CASE # 201222-2

landscape architects
MEEKS DESIGN GROUP, INC.
1755 N. COLLINS BLVD., SUITE 300
RICHARDSON, TX 75080
PH (972) 690-7474
F (972) 690-7878



ISSUE FOR PERMIT / BID

RESERVE AT SHILOH

GARLAND, TEXAS
JOB NUMBER: BGE-2102

TREE PRESERVATION/
MITIGATION PLAN

TS-1

LANDSCAPE ARCHITECT

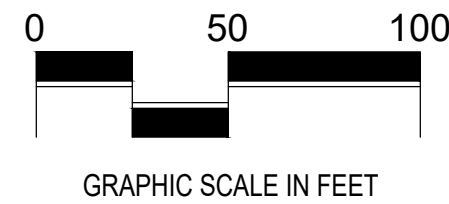
MEEKS DESIGN GROUP, INC.
BRANDON BOOHER
1755 NORTH COLLINS BLVD, STE 300
RICHARDSON, TX 75080
(972) 690-7474

APPLICANT/OWNER

MVAH PARTNERS
JUSTIN GREGORY
5950 FAIRVIEW ROAD, STE 402
CHARLOTTE, NC 28210
(724) 561-3196

1 TREE PRESERVATION/MITIGATION PLAN

SCALE: 1"=50'-0"



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

Brandon Booher
A. Rahman Khatry, P.E.
Engineering Administrator - Development
March 29, 2022

LEGEND

- TREES TO BE SAVED
- TREES TO BE REMOVED
- TREES SAVED OFFSITE

CASE # 201222-2

TMP 22-01

Consider a request to waive a required payment to the Tree Fund as outlined in the Garland Development Code Chapter 4: Article 4: Tree Preservation & Mitigation.

**City Council Meeting
June 7, 2022**



GARLAND

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Case Information

Location: 1102 North Shiloh Road

Applicant: MVAH Partners

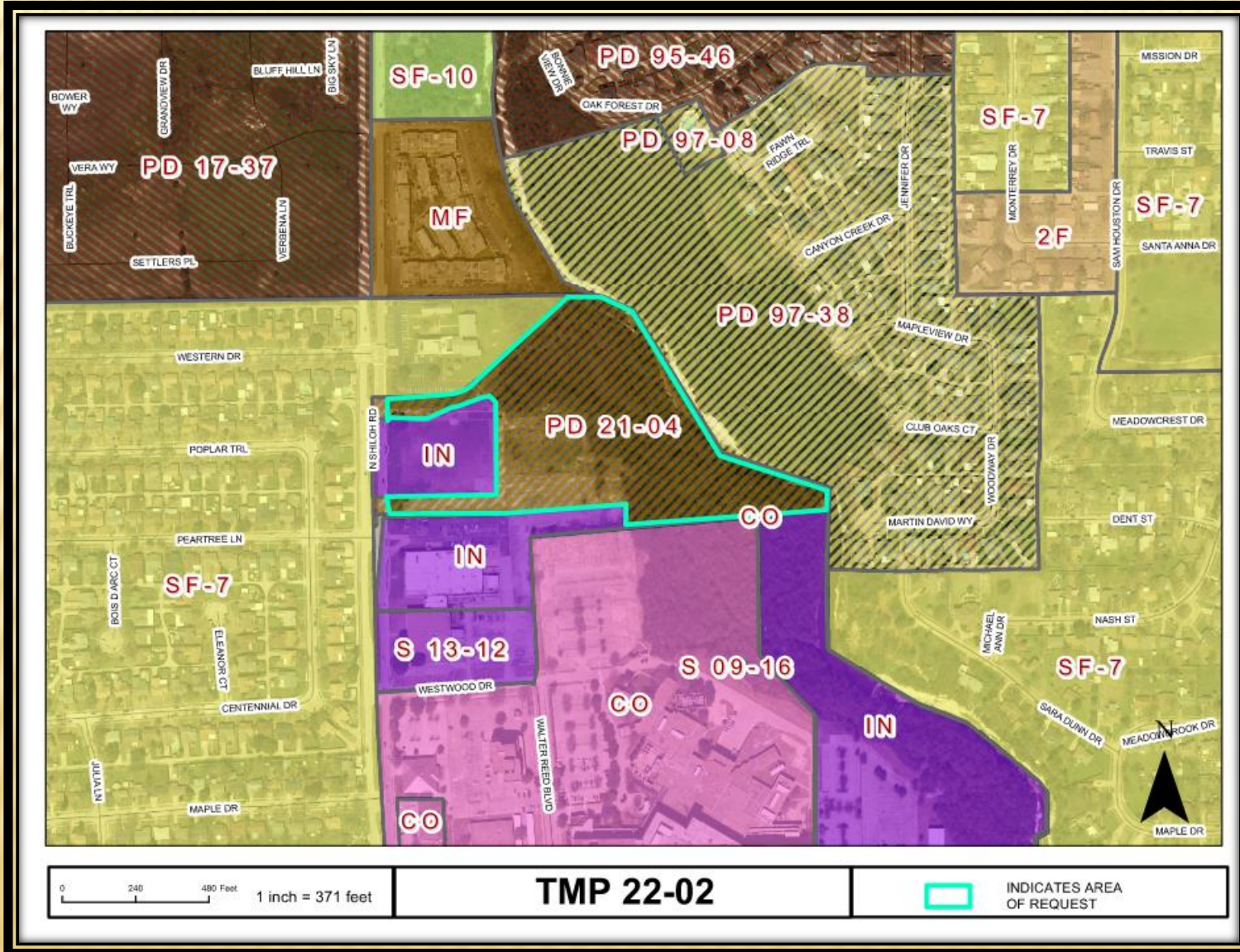
Owner: SHG Resources, LLC.

Zoning: Planned Development (PD) District 21-04 for Multi-Family Use



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Location Map & Background





Landscape Plan



Considerations

GDC – Preservation and replacement of trees by on-site planting of trees and/or payment to the City Reforestation and Tree Management Fund.

Considerations

Waiver of the fee based upon the following factors:

- Mitigation Costs. The tree inventory identifies 624 caliper inches of trees with a mitigation cost of \$150.00 per caliper inch for a total of \$93,600 which is the calculation of non-replaced trees.
- New Tree Planting. Future tree planting of approximately 233 caliper inches of new trees with the proposed Multi-Family development.
- Tree Preservation. Preserving trees to the greatest extend possible.

Options

1. Waive the required payment to the Tree Fund (\$93,600).
2. Grant partial relief from the required payment to the Tree Fund.
3. Deny the request.



Remaining
inches
requiring
mitigation:
624 caliper
inches





Tree Preservation & Mitigation

The Garland Development Code (GDC) Chapter 4 Article 4 – Tree Preservation & Mitigation intends that existing significant trees and tree groupings be incorporated into the overall design of a development, prevent clear-cutting and the unnecessary removal of trees with development. Preservation and replacement of trees is intended to further the benefit of public health and welfare, reducing runoff and erosion, and providing other environmental benefits to the community, enhancing community appearance and property values. However, if the property size, shape or topography is unworkable, then the mitigation of protected trees may be considered through the payment to a City Reforestation and Tree Management Fund. The fee is one hundred and fifty dollars per caliper inch.



GARLAND

City Council Regular Session Agenda

Meeting Date: 06/07/2022

Item Title: Board and Commission Appointment

Submitted By: Courtney Vanover, Department Coordinator I, City Secretary

Summary:

Council Member Robert Vera

- Larry E. Dunn - Senior Citizens Advisory Board

Attachments

Larry E. Dunn



GARLAND

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CITY OF GARLAND
RECEIVED
MAY 05 2022

CITY SECRETARY

Application for City of Garland Boards/Commissions/Committees

Return completed application to City Secretary's Office, 200 N Fifth St., Garland, Texas 75040 | Email: RDowd@GarlandTX.gov

Please Type or Print Clearly:

Date: May 5, 2022

Name: Larry E Dunn

Phone: [REDACTED]

Address: 608 Trails Pkwy

Phone: [REDACTED]

City, State, Zip: Garland, TX 75043

Email: [REDACTED]

Resident of Garland for 16 years Resident of Texas for 40 years

✓ Dallas County Voter Registration Number [REDACTED] Garland City Council District Number 4

Have you ever been convicted of a felony? ☐ Yes ☒ No

Have you ever been convicted of a Class A misdemeanor? ☐ Yes ☒ No

Please list any experience that qualifies you to serve in the areas you have indicated.

Coordinator for the NCW "THE TRAILS 3 TOWNHOMES"; Retired

If you have previously served on a City Board or Commission, please specify and list dates of service.

List civic or community endeavors with which you have been involved.

Past Member "DALLAS COUNTY VOLUNTEER ORGANIZATIONS ACTIVE DISASTERS", Past Member "TEXAS SAR", Past member "INFORMATION TECHNOLOGY DISASTER RESPONSE CENTER"; Past Member "NORTH TEXAS RENEWABLE ENERGY

What is your educational background?

BS Management Engineer; Trained in Air Traffic Control, Business Development, Business Planning, Cyber Security, Disaster Preparedness, Ethics, Facilities Management, Logistics Management, Programs & Project Management, Zero Base Budgeting.

What is your occupational experience?

Retired from "LOCKHEED MARTIN - Business & Program Management"; Vietnam Veteran 10 Years :U.S. AIR FORCE - Air Traffic Controller & Management Engineer"

I hereby affirm that all statements herein are true and correct

Larry E. Dunn

Board or Commission of first, second and third choice:

☐ Board of Adjustment

☐ Garland Cultural Arts Commission

☐ Parks and Recreation Board

☒ Environmental & Community Advisory Board

☐ Garland Youth Council **

☒ Plan Commission *

☐ Civil Service Commission

☐ Library Board

☒ Senior Citizens Advisory Committee

☐ Community Multicultural Commission

☐ Property Standards Board

☐ Unified Building Standards Commission

** Garland Youth Council has a separate application

FOR OFFICE USE ONLY

Ad Valorem Tax Status

Current

Past Due

Date Appointed

Utility Account Status

Current

Past Due

Appointed By

CSD Suit/Claim Filed

Yes

No

Date Notified

Clerk Signature & Date

Courtney Vanover
5-5-22

Disclosure Form Filed

Revised 05/2021