



GARLAND

AGENDA

REGULAR MEETING OF THE CITY COUNCIL

City of Garland

REMOTE MEETING

Tuesday, April 6, 2021
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.

NOTICE: Due to the COVID-19 emergency and, pursuant to Section 551.125 of the Texas Government Code and the executive orders of Governor Greg Abbott suspending provisions of the Texas Government Code and other applicable laws of the State regarding normal open meetings, the City Council will hold this meeting by internet/telephonic remote means.

The meeting will be broadcast by webinar or telephone at the following URL:

https://garlandtx.zoom.us/webinar/register/WN_Az84D7r1Q7aFk8mWV1Eiaw

Registration for the online meeting is required. The meeting will be recorded and will be available for viewing the next day at www.garlandtx.gov.

For those without internet access to the meeting, a dial-in option is available. The numbers are:

Additionally, the meeting may be accessed by phone at the following number:

346-248-7799
470-250-9358
470-381-2552

The Meeting ID is: 976 9386 8000

For participants (online and by phone) who wish to speak on an item on the agenda, you must use the "raise hand" feature in order to be recognized. Similarly, if you wish to provide a comment at the end of the agenda during the open public comments portion of the meeting, you must use the "raise hand" feature.

You are invited to offer a comment or make a statement on any item on the agenda as that item is called. Your comments must relate to an item on this agenda - non-germane comments are not in order. Time limits will be imposed by the Mayor as appropriate to the nature of the agenda item. Generally, public speakers are given three minutes. Due to legal restrictions, the City Council is not able to answer questions during the public comments portion of the agenda.

If the City Council adjourns into Executive Session during this meeting, the Executive Session will be conducted by teleconference between and among the members of the City Council and relevant City staff. Public access to that call is prohibited by State law.



COUNCIL HOUSE RULES

1. Decisions based on issues, goals and vision.
2. Do not take things personal.
3. Project a positive attitude.
4. Focus on issues, not on the person.
5. Be prepared to discuss issues.
6. Maintain decorum.
7. Keep your sense of humor.
8. Honor and respect each other; accept each other as individuals.
9. Follow goals, principles and action agenda.
10. Decide, vote and move on.
11. Avoid ambushes - Council or staff.
12. Talk to staff before meetings.
13. Vote our convictions, but be willing to compromise *"What is best for Garland."*
14. Follow Roberts Rules of Order consistently.
15. Agree to disagree.
16. Be open and honest.

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 March 16, 2021 Regular Meeting.
2. Consider approval of the following bids:
 - a. **GP&L As-Needed Emergency Spill Response** **Bid No. 0667-21**

TAS Environmental Services (Primary)	\$195,000.00
Spur Environmental Services (Secondary)	<u>40,000.00</u>
TOTAL:	\$235,000.00

This request is for emergency spill response services for GP&L Production, Distribution, Transmission and Substations. This approval is for a Term Agreement with two optional renewals.

- b. First Street/Southwood Water and Rilla Drive Alley Wastewater Main Replacements** **Bid No. 0397-21**

Tri-Con Services, Inc.	\$1,046,515.00
Optional Contingency	<u>104,651.50</u>
TOTAL:	\$1,151,166.50

This request is to provide construction services for the replacement of approximately 1,760 linear feet of water lines along First Street from Miller to Southwood and 960 linear feet of sanitary sewer lines in the Rilla Drive alley from Broadway to Keen. An Optional Contingency is included for any additional work that may be required.

- c. Modification of Single Stream Recyclable Materials Transport, Processing and Marketing Agreement** **Bid No. 1268-19**

Formento De Construcciones Y Contratas, Inc. (FCC)	\$290,000.00
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This request is to approve a Change Order to extend our current recycling contract through September 30, 2021.

- d. McCree Substation Autotransformer** **Bid No. 1058-19**

Texas Electric Cooperatives, Inc.	\$77,750.00
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This request is to approve a Change Order for the additional cost of mobilization and storage fees resulting from delays in delivery of the McCree Substation Autotransformer.

- e. Term Agreement for Traffic Loops** **Bid No. 0401-21**

Durable Specialties, Inc.	\$150,325.00
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This request is to provide services required to install, repair, or replace vehicle detection loops for traffic signals on an as-needed basis. This approval is for a Term Agreement with four optional renewals.

- f. **GP&L 200-Amp Underground Loop Replacements** **Bid No. 0452-21**

Infratech Corporation **\$694,637.33**

This request is for the replacement of four underground loops on the GP&L Distribution system.

- g. **GP&L Shiloh Road to McCree Transmission Line Underbuild Reconstruction Engineering Services** **Bid No. 0587-21**

R-Delta Engineers **\$132,500.00**
Optional Contingency **13,200.00**
TOTAL: **\$145,700.00**

This request is to obtain surveying, electrical, civil and structural engineering services for the reconstruction of the GP&L Shiloh Road to McCree Transmission Line underbuild. An Optional Contingency is included for any additional services that may be required.

- h. **GP&L and TMPA Substation Utility Equipment Maintenance** **Bid No. 0529-21**

National Field Services **\$150,000.00**

This request is to provide as-needed substation utility equipment maintenance, testing, inspection and repair services for the GP&L and TMPA substations. This approval is for a Term Agreement with four optional renewals.

- i. **Engineering Consulting Services for Landfill Permit Amendment** **Bid No. 1305-20**

Weaver Consultants Group **\$500,00.00**

This request is to obtain professional engineering consulting services to assist the City with TCEQ permit modifications to expand the Hinton Landfill site boundary.

j. Microsoft Solutions Services **Bid No. 0245-21**

Planet Technologies, Inc. \$1,000,000.00

This request is to procure comprehensive Microsoft solutions services for the purpose of developing and enhancing digital services on the Microsoft platform. This approval is for a Term Agreement with four optional renewals.

k. Forest Ridge Water & Wastewater Mains Replacement **Bid No. 0387-21**

GRod Construction, LLC \$1,383,477.25
Optional Contingency 138,347.73
TOTAL: \$1,521,824.98

This request is to provide construction services to replace approximately 6,740 linear feet of sanitary sewer and 1,150 linear feet of water lines among various alleyways and streets in the Forest Ridge subdivision. An Optional Contingency is included for any additional work that may be required.

l. Design Services for Lon Wynne Park Improvements **Bid No. 0633-21**

MHS Planning & Design \$115,620.00

This request is to obtain professional services for the design and construction administration of improvements at Lon Wynne Park.

m. Single Stream Recyclable Materials Transport, Processing and Marketing Agreement **Bid No. 0212-20**

Formento De Construcciones Y Contratas, Inc. \$2,850,000.00
(FCC)

This request is to provide transportation, processing and marketing of recyclable materials that are gathered through typical citywide EWS routes. This approval is for a three year fixed-rate Term Agreement with two optional one year renewals.

n. Replacement Equipment for Parks Department Bid No. 0641-21

Kubota Tractor Corporation \$127,585.85

This request is for the replacement purchase of various tractors and mowers to be utilized by the Parks Department.

o. Replacement Buses for Parks & Recreation Bid No. 0642-21

Creative Bus Sales \$146,671.22

This request is for the replacement purchase of two buses to be utilized by the Senior Activity Center.

p. Various Replacement Equipment for Parks Department Bid No. 0644-21

Professional Turf Products, LP \$169,064.22

This request is for the replacement purchase of aerators, mowers and sprayers to be utilized by the Parks Department.

q. Side-Loader Cab and Chassis Bid No. 0645-21

Bond Equipment Company, Inc. \$1,297,804.00

This request is for the purchase of seven replacement side-loader cab and chassis for EWS.

r. Replacement Front-Loader Chassis for EWS Bid No. 0648-21

Chastang Enterprises, Inc. \$380,224.00

This request is for the purchase of two replacement front-loader chassis to be used by EWS.

s. Side-Loader and Front-Loader Bodies Bid No. 0646-21

Reliance Truck And Equipment \$1,400,686.69

This request is for the purchase of nine (9) replacement side-loader and front-loader bodies for EWS.

t. Heavy Duty Trucks Bid No. 0643-21

Freightliner of Austin \$317,683.00

This request is for the purchase of two Heavy Duty Trucks to be utilized by the EWS and Water Departments.

u. ADA Transition Plan Bid No. 0606-21

Kimley-Horn & Associates, Inc. \$120,000.00

This request is to obtain engineering services to expand the ADA Transition Plan for the City in order to recognize the efforts that the City has made and is making with regard to accessibility for all citizens and in order to be in compliance with federal law.

v. Landfill Equipment Bid No. 0649-21

Caterpillar, Inc. \$1,456,568.75

This request is for the purchase of one replacement excavator and one new bulldozer to be used at the Hinton Landfill.

w. GP&L Newman Substation Phase II Distribution Feeder Duct Line Installation Bid No. 0478-21

Kiewit Infrastructure South Co. \$323,332.00

Optional Contingency 57,970.76

TOTAL: \$381,302.76

This request is for the labor and equipment needed for the installation of new feeder duct bank facilities at the Newman 138kv Substation. An optional contingency is included for any additional work that may be required.

x. Roll-Off Trucks

Bid No. 0664-21

Lonestar Freightliner Group, LLC

\$335,372.00

This request is for the purchase of one replacement and one new roll-off truck to be used by EWS.

y. Spencer Cooling Tower #4 Repair

Bid No. 0671-21

MasterTech Services, Inc.

\$329,644.00

Optional Contingency

32,964.00

TOTAL:

\$362,608.40

This request is to provide emergency repair of the Spencer Plant Unit #4 cooling tower. An Optional Contingency is included for any additional work that may be required.

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 20-29, Masterplan (District 2)

Consider an ordinance amending the Garland Development Code of the City of Garland, Texas, by approving 1) an Amendment to Planned Development (PD) District 14-23 for Downtown District Uses and Mixed Uses; 2) a Specific Use Provision to allow a Drive-Through Service; and 3) a Detail Plan for Downtown District Uses and Mixed Uses on a 4.646-acre property located at 111 and 217 South Garland Avenue; 1413 West Avenue B; and 1412 and 1413 Rodando Drive; 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; a Savings Clause and a Severability Clause; and providing an effective date.

b. Zoning File No. Z 20-41, Armando Palacios (District 4)

Consider an ordinance amending the Garland Development Code of the City of Garland, Texas, by approving 1) an amendment to Planned Development (PD) District 80-42 for Community Retail Uses; 2) a Specific Use Provision to allow a Restaurant, Drive-Through Use and 3) a Detail Plan on a property located at 5621 Broadway Boulevard; providing for conditions, restrictions, and regulations; providing a penalty under the provisions of Sec. 10.05 of the Code of Ordinances of the City of Garland, Texas; providing a Notice of Conditions of Compliance Clause; a Savings Clause and a Severability Clause; and providing an effective date.

c. Zoning File No. Z 20-46, JDJR Engineers & Consultants, Inc. / Jim Dewey, Jr. (District 3)

Consider an ordinance amending the Garland Development Code of the City of Garland, Texas, by approving 1) a Change of Zoning from Community Retail (CR) District to a Planned Development (PD) District to allow deviations for an existing pole sign and a new pylon sign; 2) a Specific Use Provision renewal to continue a Restaurant, Drive-Through Use and a Fuel Pumps, Retail Use and 3) a Detail Plan for Community Retail Uses on a property located at 801 East Interstate 30; 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; a Savings Clause and a Severability Clause; and providing an effective date.

- 4. Consider an ordinance Amending Chapter 30, "Building Inspection," of the Code of Ordinances of the City of Garland, Texas, repealing Article VI, "Sign Regulations," of the Garland Code of Ordinances; providing a Savings Clause; providing a penalty under the provision of Section 10.05 of the Code of Ordinances of the City of Garland, Texas; providing a Severability Clause; and setting an effective date.**

At the March 15, 2021 Work Session, Council considered approving the repeal of Article VI, Chapter 30, "Sign Regulations," of the Code of Ordinances. Article VI, Chapter 30 of the Code of Ordinances is a duplication of the sign ordinance provisions to the GDC under which the City has been operating.

- 5. Consider an ordinance amending Chapter 33, "Transportation," of the Code of Ordinances of the City of Garland, Texas to provide a parking offense for certain parking on public property; providing a penalty under the provisions of Sec. 10.05 of the Code of Ordinances of the City of Garland, Texas; providing a Savings Clause and a Severability Clause; and providing an effective date.**

At the March 1, 2021 Work Session, Council considered an ordinance to prohibit the parking of a vehicle on public property, other than a roadway, in a place other than in a designated parking place.

- 6. Consider a resolution of the City of Garland, Texas, authorizing the City Manager to enter into a Master Agreement for Major Capital Improvement Program Projects with Dallas County; and providing an effective date.**

Council is requested to approve a resolution authorizing the City Manager to execute the attached Master Agreement with the County for MCIP projects.

7. Consider a resolution approving and authorizing publication of Notice of Intention to Issue Certificates of Obligation

At the April 5, 2021 Work Session, Council considered authorizing the publication of a Notice of Intent to Issue Certificates of Obligation in an amount of approximately \$24 million to fund a portion of the CIP.

ITEMS FOR INDIVIDUAL CONSIDERATION

Speaker Regulations:

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

8. Hold a Public Hearing Related to the 2021-2022 CDBG, HOME and ESG Grants

At the April 5, 2021 Work Session, Council considered background information regarding anticipated 2021-2022 Community Development Block Grant (CDBG), HOME Infill Partnership Grant (HOME) and Emergency Solutions Grant (ESG) entitlement funding, along with summaries of submitted applications.

9. Hold public hearings on:

- a. Consider a Zoning request by II Stephens Development, LLC to re-zone property to allow for 74 single-family homes with trails and open spaces. This property is located at 2040 West Miller Road in District 5.**

Consideration of the application of II Stephens Development, LLC, requesting approval of a Change in Zoning from Single-Family-10 (SF-10) District to a Planned Development (PD) District for Single-Family-5 (SF-5) Uses. This property is located at 2040 West Miller Road. (File No. Z 20-42, District 5)

- b. Consider a Detail Plan request by II Stephens Development, LLC to allow the construction of 74 single-family homes with trails and open spaces. This property is located at 2040 West Miller Road in District 5.**

Consideration of the application of II Stephens Development, LLC, requesting approval of a Detail Plan for Single-Family Detached Homes. This property is located at 2040 West Miller Road. (File No. Z 20-42, District 5)

c. Consider a Development Agreement regarding Zoning File No. Z 20-42.

Consider a Development Agreement between II Stephens Development, LLC and the City of Garland. This Development Agreement relates to Zoning Case Z 20-42 for a proposed single-family development at 2040 West Miller Road. The agreement addresses the dedication of parks and trails, tree mitigation fees, and building materials.

10. Citizen comments.

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

11. Adjourn.

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



GARLAND

City Council Regular Session Agenda

1.

Meeting Date: 04/06/2021

Item Title: Minutes March 16

Submitted By: Rene Dowl, City Secretary, City Secretary

Summary:

Consider approval of the minutes of the Mach 16, 2021 Regular Meeting.

Attachments

Minutes March 16



GARLAND

MINUTES

The City Council of the City of Garland convened in regular session at 7 p.m. on Tuesday, March 16, 2021, 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 Jerry A. Nickerson
Deputy Mayor Pro Tem Deborah Morris
Council Member Ricky McNeal
Council Member B. J. Williams
Council Member Rich Aubin
Council Member Robert Vera
Council Member Dylan Hedrick
Council Member Robert John Smith

Staff Present: City Manager Bryan Bradford
Assistant City Manager John Baker
Assistant City Manager Judson Rex
City Attorney Brad Neighbor
City Secretary Eloyce René Dowl

LEGISLATIVE PRAYER AND PLEDGE OF ALLEGIANCE

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MAYORAL PROCLAMATIONS, RECOGNITIONS AND ANNOUNCEMENTS

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

Mayor LeMay presented a proclamation to Danielle Blanco, Volunteer and Community Outreach Manager and A Frye, President of Jonathan's House, proclaiming March 21-27 to be National Safe Place Week in Garland.

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 Vera to approved the Consent Agenda as presented, seconded by Deputy Mayor Pro Tem Morris. Motion carried:

Vote: 9 - 0

1. **APPROVED** Consider approval of the minutes of the March 2, 2021 Regular Meeting.

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

a. **APPROVED** GP&L Joint Use Management Services

Bid No. 0396-21

TRC Solutions

\$220,000.00

This request is for the continuation of the Joint Use Management Service Program to manage GP&L's foreign pole attachment processes for existing and future pole attaching entities.

- b. **APPROVED** **TMPA 345/138kV Gibbons Creek Switchyard Phase 1 Plant Disconnection Engineering Services** **Bid No. 0539-21**

Black & Veatch **\$117,161.00**

This request is to obtain electrical design engineering services to support the first stage of the disconnect of the TMPA Gibbons Creek Switchyard from the adjacent power plant.

- c. **APPROVED** **GP&L Server, Storage and Network Gear Replacement Equipment** **Bid No. 0559-21**

Dell Marketing LLP **\$283,087.23**

This request is for the purchase of FY 2020-21 GP&L IT Replacement Fund (ITRF) equipment including corporate server, storage and network equipment in the GP&L primary data center.

- d. **APPROVED** **Replacement Vehicles** **Bid No. 0570-21**

Caldwell Country Ford **\$549,995.00**

This request is for the purchase of seventeen replacement vehicles to be utilized by various City departments.

- e. **APPROVED** **GP&L Substation Instrument Transformers & Surge Arrestors** **Bid No. 0443-21**

Keasler Sales, LLC **\$900,000.00**

This request is for the purchase of instrument transformers and surge arrestors on an as-needed basis for GP&L Substations. This approval is for a Term Agreement with four optional renewals.

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

- a. **APPROVED** **Zoning File No. 20-35, JM Civil Engineering (District 7)**

Ordinance No. 7204 amending the Garland Development Code of the City of Garland, Texas, by approving 1) an Amendment to Planned Development (PD) District 18-47 for Neighborhood Office and Limited Community Retail Uses; 2) a Specific Use Provision to allow Fuel Pumps, Retail Use; and 3) a Detail Plan for Fuel Pumps, Retail Use on a 4.684-acre property located at 4680 North Shiloh 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; a Savings Clause and a Severability Clause; and providing an effective date.

b. APPROVED Zoning File No. 20-43, Baldwin Associates (District 7)

Ordinance No. 7205 amending the Garland Development Code of the City of Garland, Texas, by approving a Specific Use Provision for a Charter School on a 2.33-acre tract of land zoned Single-Family-7 (SF-7) District and located at 2266 Arapaho 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; a Savings Clause and a Severability Clause; and providing an effective date.

c. APPROVED Zoning File No. 20-47, R-Delta Engineers, Inc. (District 1)

Ordinance No. 7206 amending the Garland Development Code of the City of Garland, Texas, by approving a Specific Use Provision for an Electric Substation Use on a 3.00-acre tract of land zoned Agricultural (AG) District and located at 2900 Elm Grove 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; a Savings Clause and a Severability Clause; and providing an effective date.

4. APPROVED Resolution No. 10480 of the City Council of the City of Garland, Texas, authorizing the City Manager to take the necessary action to provide relief measures for Garland residents impacted by the winter storm and providing an effective date.

At the March 1, 2021 Work Session, Council considered a one-time 2,000-gallon water drip credit for single and multi-family residents, including omitting the month of February from the annual History Base Consumption (HBC) in the calculation of the winter months average for wastewater. This one-time calculation would use December, January and March to calculate the HBC for sewer service volume charge.

5. APPROVED Resolution No. 10481 authorizing the submission of a Grant Application to the Office of the Governor of the State of Texas for certain public safety, law enforcement and Homeland Security projects; and providing an effective date.

At the March 15, 2021 Work Session, Council considered a resolution to support the 2019 Homeland Security Grant Program (HSGP) additional allocation application.

6. APPROVED Minute action approving of the proposed lease agreement with Garland Emergency Corps Lease

At the March 1, 2021 Work Session, Council considered authorizing the execution of a ground lease for the Garland Emergency Corps to continue operations at 401 Rescue St., a building located within the City of Garland Water Department complex, commonly addressed as 2434 Forest Lane.

7. APPROVED Minute action approving a Child Care Group Lease

At the March 1, 2021 Work Session, Council considered authorizing execution of a ground lease for Child Care Group to continue operations at a City owned facility located at 625 E. Avenue B.

8. APPROVED Minute action approving a Head Start Lease Renewal

At the March 1, 2021 Work Session, Council considered authorizing execution of a lease for Head Start of Greater Dallas, Inc. to continue operations at a City owned facility located at 3709 West Walnut.

9. APPROVED Minute action approving a Specific Use Provision (SUP) Time Period Policy Guide

City Council approved by Minute action the SUP Time Period Guide, as recommended by the Development Services Committee, to be used as a Council-recommended guide for SUP applicants. This item was discussed during the March 1, 2021 City Council Work Session.

ITEMS FOR INDIVIDUAL CONSIDERATION

Speaker Regulations:

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10. APPROVED Hold a Public Hearing and Adopt an Ordinance Related to Youth Programs Standards of Care Ordinance

Mayor LeMay opened the public hearing on the Youth Programs Standards of Care at 7:15 p.m.; there were no speakers on this item and the hearing was closed at 7:16 p.m.

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

Vote: 9 - 0 Adopting **Ordinance No. 7207** the Youth Programs Standards of Care.

11. APPROVED Consider Amendments to Chapter 2, Section 2.61 of the Garland Development Code regarding Home Occupations

At the March 1st and 15th Work Sessions, Council considered amendments to Chapter 2, Section 2.61 of the Garland Development Code regarding Home Occupations.

Mayor LeMay opened the public hearing at 7:17 p.m. Speakers on this item were: Sean Davis. City Attorney Brad Neighbor was asked to address concerns presented by Mr. Davis.

There was discussion by the Council.

Mayor LeMay closed the public hearing at 7:30 p.m.

Motion was made by Deputy Mayor Pro Tem Morris to approve the ordinance as presented, seconded by Council Member Vera. Motion carried:

Vote: 9 - 0 Adopting **Ordinance No. 7208** amending Chapter 2, Section 2.61 of the Garland Development Code for Home Occupations.

12. Hold public hearings on:

- a. APPROVED Consider a Zoning request by Masterplan to develop a mixed-use community. Three buildings would be constructed for apartment dwelling units in Phase 1. An existing Chase Bank building would be repurposed to add upper-floor apartment units in Phase 2. This property is located at 111 and 217 South Garland Avenue; 1413 West Avenue B; and 1412 and 1413 Rodando Drive in District 2.**

Consideration of the application of Masterplan, requesting approval of an Amendment to Planned Development (PD) District 14-23 for Downtown District Uses and Mixed Uses. This property is located at 111 and 217 South Garland Avenue; 1413 West Avenue B; and 1412 and 1413 Rodando Drive. (File No. Z 20-29, District 2)

Mayor LeMay requested to take action on the three related items in one vote; Deputy Mayor Pro Tem Morris concurred.

The staff report was presented by Will Guerin, Director of Planning. Speaker on this item: Maxwell Fisher, Masterplan.

There was discussion by the Council.

Motion was made by Deputy Mayor Pro Tem Morris to approve the Zoning request, Specific Use Provision and Detail Plan request by Masterplan as amended by the Plan Commission with the exception of the post construction, five year parking study to develop a mixed use community, seconded by Council Member McNeal. Motion carried:

Vote: 9 - 0

- b. APPROVED Consider a Specific Use Provision request by Masterplan to allow the continuation of a drive-through lane for a bank for a period of fifteen (15) years. This property is located at 111 and 217 South Garland Avenue; 1413 West Avenue B; and 1412 and 1413 Rodando Drive in District 2.**

Consideration of the application of Masterplan, requesting approval of a Specific Use Provision to allow a Drive-Through Service on a property zoned Planned Development (PD) District 14-23 for Downtown District Uses and

Mixed Uses. This property is located at 111 and 217 South Garland Avenue; 1413 West Avenue B; and 1412 and 1413 Rodando Drive. (File No. Z 20-29, District 2)

- c. APPROVED Consider a Detail Plan request by Masterplan to develop a mixed-use community. Three buildings would be constructed for apartment dwelling units in Phase 1. An existing Chase Bank building would be repurposed to add upper-floor apartment units in Phase 2. This property is located at 111 and 217 South Garland Avenue; 1413 West Avenue B; and 1412 and 1413 Rodando Drive in District 2.**

Consideration of the application of Masterplan, requesting approval of a Detail Plan for Multi-Family (MF) Uses on a property zoned Planned Development (PD) 14-23 for Downtown Uses. This property is located at 111 and 217 South Garland Avenue; 1413 West Avenue B; and 1412 and 1413 Rodando Drive. (File No. Z 20-29, District 2)

- d. APPROVED Consider a Zoning request by Armando Palacios to allow the reconstruction of a restaurant with a drive-through. This property is located at 5621 Broadway Boulevard in District 4.**

Consideration of the application of Armando Palacios, requesting approval of an Amendment to Planned Development (PD) District 80-42 for Community Retail Uses to reconstruct an existing drive-through restaurant. This property is located at 5621 Broadway Boulevard. (File No. Z 20-41, District 4)

Mayor LeMay requested the action on the three related items be taken in one vote; Council Member Williams concurred:

The staff report was presented by Will Guerin, Director of Planning. Speakers on this item were Armando Palacios, applicant and Josh Garcia.

There was discussion by the Council.

Motion was made by Council Member Williams to approve the Zoning Request, Specific Use Provision and Detail Plan as presented, seconded by Council Member Nickerson. Motion carried:

Vote: 9 - 0

- e. APPROVED Consider a Specific Use Provision request by Armando Palacios to allow the reconstruction of a restaurant with a drive-through for a period of thirty (30) years. This property is located at 5621 Broadway Boulevard in District 4.**

Consideration of the application of Armando Palacios, requesting approval of a Specific Use Provision for a drive-through restaurant. This property is located at 5621 Broadway Boulevard. (File No. Z 20-41, District 4)

- f. APPROVED Consider a Detail Plan request by Armando Palacios for the reconstruction of a restaurant with a drive-through. This property is located at 5621 Broadway Boulevard in District 4.**

Consideration of the application of Armando Palacios, requesting approval of a Detail Plan for a drive-through restaurant. This property is located at 5621 Broadway Boulevard. (File No. Z 20-41, District 4)

- g. APPROVED Consider a Zoning request by JDJR Engineers & Consultants, Inc. / Jim Dewey Jr. to improve an existing pole sign and reconstruct a new pylon sign. Additionally, the applicant requests to continue the gas station (including gas pumps for trucks) and drive-through restaurant uses. This property is located at 801 East Interstate Highway 30 in District 3.**

Consideration of the application of JDJR Engineers & Consultants, Inc., Jim Dewey Jr., requesting approval of a Change of Zoning from Community Retail (CR) District to a Planned Development (PD) District to allow deviations for an existing pole sign and a new pylon sign. This property is located at 801 East Interstate Highway 30. (File No. Z 20-46, District 3)

Mayor LeMay requested the action on the three related items be taken in one vote; Mayor Pro Tem Nickerson concurred:

The staff report was presented by Will Guerin, Director of Planning. Speakers on this item were: Sean Davis, Mohamed Sharaf and Melinda Nelson, applicant and Deputy City Attorney Betz, providing a response to the a question on signage.

There was discussion by the Council.

Motion was made by Mayor Pro Tem Nickerson to approve the Zoning request, Specific Use Provision and the Detail plan, seconded by Council Member Vera. Motion carried:

Vote: 9 - 0

- h. APPROVED Consider a Specific Use Provision request by JDJR Engineers & Consultants, Inc. / Jim Dewey Jr. to continue a drive-through restaurant use and a gas station (including gas pumps for trucks) use for a period of thirty (30) years. This property is located at 801 East Interstate Highway 30 in District 3.**

Consideration of the application of JDJR Engineers & Consultants, Inc., Jim Dewey Jr., requesting approval of a Specific Use Provision renewal to continue the Drive-Through, Restaurant Use and Fuel Pumps, Retail Use. This property is located at 801 East Interstate Highway 30. (File No. Z 20-46, District 3)

- i. APPROVED Consider a Detail Plan request by JDJR Engineers & Consultants, Inc. / Jim Dewey Jr. to improve an existing pole sign and reconstruct a new pylon sign. Additionally, the applicant requests to continue the gas station (including gas pumps for trucks) and drive-through restaurant uses. This property is located at 801 East Interstate Highway 30 in District 3.**

Consideration of the application of JDJR Engineers & Consultants, Inc., Jim Dewey Jr., requesting approval of a Detail Plan for Community Retail Uses. This property is located at 801 East Interstate Highway 30. (File No. Z 20-46, District 3)

13. **Citizen comments:** Kristal Berry, Josh Garcia, Stephanie Anne, Pastor Robby Green, Lindsey Fiegelman, Kristen Guerra, and Jennifer Ernst.
14. **Adjourn:** There being no further business to come before the City Council, Mayor LeMay adjourned the meeting at 9:31 p.m.

Submitted By:

Scott LeMay, Mayor

Eloyce René Dowl, City Secretary



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

2. a.

Meeting Date: 04/06/2021

Item Title: GP&L As-Needed Emergency Spill Response

Submitted By: Steve Martin, Transmission Director

Bid Number: 0667-21

Purchase Justification:

This request is for emergency spill response services for GP&L Production, Distribution, Transmission and Substations. This approval is for a Term Agreement with two (2) optional renewals.

Evaluation:

The emergency spill response services are being provided by TAS Environmental Services and Spur Environmental Services through the Tarrant County Cooperative Purchasing Contract 2020-191.

Award Recommendation:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
TAS Environmental Services (Primary)		\$195,000.00
Spur Environmental Services (Secondary)		40,000.00
TOTAL:		\$235,000.00

Basis for Award: Cooperative Purchase

Purchase Requisition #: 44951

Fiscal Impact

Total Project/Account: N/A
Expended/Encumbered to Date: N/A
Balance: N/A
This Item: \$235,000
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 various GP&L operating accounts as incurred.

Attachments

Bid Recap

Fiscal Reference:

Budget Type: Operating Budget

Fiscal Year: 2020-21

Document Location: Page 233

Budget Director Approval: Ron Young

Approval Date: 03/26/2021

Purchasing Director Approval: Gary L. Holcomb

Approval Date: 03/25/2021



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

2. b.

Meeting Date: 04/06/2021

Item Title: First Street/Southwood Water and Rilla Drive Alley Wastewater Main Replacements

Submitted By: Wes Kucera, Managing Director

Bid Number: 0397-21

Purchase Justification:

This request is to provide construction services for the replacement of approximately 1,760 linear feet of water lines along First Street from Miller to Southwood and 960 linear feet of sanitary sewer lines in the Rilla Drive alley from Broadway to Keen. An Optional Contingency is included for any additional work that may be required.

Evaluation:

A request for bids was issued in accordance with Purchasing procedures. Four (4) bids were received and evaluated with Tri-Con Services, Inc., submitting the Straight Low Bid.

Award Recommendation:

	<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
	Tri-Con Services, Inc.	All	\$1,046,515.00
	Optional Contingency		104,651.50
		TOTAL:	\$1,151,166.50

Basis for Award: Straight Low Bid

Purchase Requisition #: 44757

Fiscal Impact

Total Project/Account: \$17,976,458

Expended/Encumbered to Date: 10,637,406

Balance: \$7,339,052

This Item: 1,151,167

Proposed Balance: \$6,187,885

Account #: 220-4049-3019000-9213, 225-4049-3019000-9213, & 230-4149-3219000-9305

Fund/Dept/Project – Description and Comments:

Water CIP / Transmission Mains (16-Inch and Above)	\$ 961,939
Wastewater CIP / Rehab Sewer Collection Mains in Dirt Alleys	189,228
Total	\$1,151,167

Attachments

Bid Recap

Fiscal Reference:

Budget Type: CIP

Fiscal Year: 2021

Document Location: Pages 234 & 270

Budget Director Approval:	Ron Young	Approval Date:	03/22/2021
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Purchasing Director Approval:	Gary L. Holcomb	Approval Date:	03/22/2021
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**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

2. c.

Meeting Date: 04/06/2021

Item Title: Modification of Single Stream Recyclable Materials Transport, Processing and Marketing Agreement

Submitted By: Uriel Villalpando, EWS Director

Bid Number: 1268-19

Purchase Justification:

The request is to approve a Change Order to extend our current recycling contract through September 30, 2021. The current contract provides single stream recyclable materials transport, processing and marketing services. This extension will allow the new fixed-rate contract to start on the same day as the new fiscal year.

Evaluation:

Formento De Construcciones Y Contratas, Inc. (FCC), was awarded the original single stream recycling contract in the amount of \$290,000 at the November 5, 2018, City Council meeting.

Award Recommendation:

Vendor	Item	Amount
Formento De Construcciones Y Contratas, Inc. (FCC)	All	\$290,000.00
TOTAL:		\$290,000.00

Basis for Award: Change Order

Purchase Requisition #: 45023

Fiscal Impact

Total Project/Account:	\$1,714,887
Expended/Encumbered to Date:	1,138,166
Balance:	\$576,721
This Item:	290,000
Proposed Balance:	\$286,721

Account #:

241-4315-7111

Attachments

Bid Recap

Fiscal Reference:

Budget Type: Operating Budget

Fiscal Year: 2020-21

Document Location: Oper. Budget - Page 255

Budget Director Approval: Ron Young

Approval Date: 03/23/2021

Purchasing Director Approval: Gary L. Holcomb

Approval Date: 03/22/2021



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

2. d.

Meeting Date: 04/06/2021

Item Title: McCree Substation Autotransformer

Submitted By: Steve Martin, Transmission Director

Bid Number: 1058-19

Purchase Justification:

This request is to approve a Change Order for the additional cost of mobilization and storage fees resulting from delays in delivery of the McCree Substation Autotransformer.

Evaluation:

Texas Electric Cooperatives, Inc., was awarded the initial Purchase Order 29654 in the amount of \$3,356,111.00 at the October 8, 2019, City Council Meeting.

Award Recommendation:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
Texas Electric Cooperatives, Inc.	All	\$77,750.00
TOTAL:		\$77,750.00

Basis for Award: Change Order

Purchase Requisition #: 44952

Fiscal Impact

Total Project/Account: \$24,296,000
Expended/Encumbered to Date: 14,571,496
Balance: \$9,724,504
This Item: 77,750
Proposed Balance: \$9,646,754
Account #: 210-3799-3178401-6051
Fund/Dept/Project – Description and Comments:

Electric CIP / Substations Upgrades Program

Attachments

Bid Recap

Fiscal Reference:

Budget Type: CIP

Fiscal Year: 2021

Document Location: CIP - Page 290

Budget Director Approval: Ron Young

Approval Date: 03/22/2021

Purchasing Director Approval: Gary L. Holcomb

Approval Date: 03/19/2021



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

2. e.

Meeting Date: 04/06/2021

Item Title: Term Agreement for Traffic Loops

Submitted By: Paul Luedtke, Transportation Director

Bid Number: 0401-21

Purchase Justification:

This request is to provide services required to install, repair, or replace vehicle detection loops for traffic signals on an as-needed basis. Vehicle detection loops play an integral role in the efficient operations of traffic signals; therefore, having an on-call contract is important in order to maintain these loops. This approval is for a Term Agreement with four (4) optional renewals.

Evaluation:

A request for bids was issued in accordance with Purchasing procedures. Two (2) bids were received and evaluated with Durable Specialties, Inc., submitting the Straight Low Bid.

Award Recommendation:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
Durable Specialties, Inc.	All	\$150,325.00
TOTAL:		\$150,325.00

Basis for Award: Straight Low Bid

Purchase Requisition #: 44772

Fiscal Impact

Total Project/Account: N/A
Expended/Encumbered to Date: N/A
Balance: N/A
This Item: \$150,325
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 accounts as incurred.

Attachments

Bid Recap

Fiscal Reference:

Budget Type: Operating Budget

Fiscal Year: 2021

Document Location: Oper. Budget.- Page 110

Budget Director Approval: Ron Young

Approval Date: 03/22/2021

Purchasing Director Approval: Gary L. Holcomb

Approval Date: 03/22/2021



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

2. f.

Meeting Date: 04/06/2021

Item Title: GP&L 200-Amp Underground Loop Replacements

Submitted By: Jonas Whitehead, Distribution Director

Bid Number: 0452-21

Purchase Justification:

This request is for the replacement of four (4) underground loops on the GP&L Distribution system. This is part of the UG 200-Amp Loop Replacement CIP project for the replacement of aging underground infrastructure to reduce cable failures.

Evaluation:

A request for bids was issued in accordance with Purchasing procedures. Six (6) bids were received and evaluated based on the published criteria. Infratech Corporation received the highest evaluated score, offering the Best Value for the City.

Award Recommendation:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
Infratech Corporation	All	\$694,637.33
TOTAL:		\$694,637.33

Basis for Award: Best Value

Purchase Requisition #: 44602

Fiscal Impact

Total Project/Account:	\$3,378,625
Expended/Encumbered to Date:	1,842,697
Balance:	\$1,535,928
This Item:	694,637
Proposed Balance:	\$841,291
Account #:	210-3299-3162501-7111

Fund/Dept/Project – Description and Comments:Electric CIP / Distribution Lines - Underground Program

AttachmentsBid Recap

Fiscal Reference:

Budget Type: CIP

Fiscal Year: 2021

Document Location: CIP - Page 289

Budget Director Approval: Ron Young

Approval Date: 03/22/2021

Purchasing Director Approval: Gary L. Holcomb

Approval Date: 03/19/2021



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

2. g.

Meeting Date: 04/06/2021

Item Title: GP&L Shiloh Road to McCree Transmission Line Underbuild Reconstruction Engineering Services

Submitted By: Jonas Whitehead, Distribution Director

Bid Number: 0587-21

Purchase Justification:

This request is to obtain surveying, electrical, civil and structural engineering services for the reconstruction of the GP&L Shiloh Road to McCree Transmission Line underbuild. Services will also include procurement and construction phase support as well as coordination and permitting activities associated with a planned roadway alignment study being conducted by the Transportation Department. An Optional Contingency is included for any additional services that may be required. This is part of the approved McCree to Shiloh Transmission Line Upgrade CIP project.

Evaluation:

R-Delta Engineers was selected as the Most Qualified firm for this project from RFQ 0753-19.

Award Recommendation:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
R-Delta Engineers	All	\$132,500.00
Optional Contingency		13,200.00
TOTAL:		\$145,700.00

Basis for Award: Most Qualified

Purchase Requisition #: 45012

Fiscal Impact

Total Project/Account: \$1,588,000
Expended/Encumbered to Date: 452,469
Balance: \$1,135,531

This Item: 145,700
Proposed Balance: \$989,831
Account #: 210-3599-3144801-7111
Fund/Dept/Project – Description and Comments:
Electric CIP / Transmission Lines Program

Attachments

Bid Recap

Fiscal Reference:

Budget Type: CIP

Fiscal Year: 2021

Document Location: CIP - Page 284

Budget Director Approval: Ron Young

Approval Date: 03/19/2021

Purchasing Director Approval: Gary L. Holcomb

Approval Date: 03/18/2021



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

2. h.

Meeting Date: 04/06/2021

Item Title: GP&L and TMPA Substation Utility Equipment Maintenance

Submitted By: Steve Martin, Transmission Director

Bid Number: 0529-21

Purchase Justification:

This request is to provide as-needed substation utility equipment maintenance, testing, inspection and repair services for the GP&L and TMPA substations. This approval is for a Term Agreement with four (4) optional renewals.

Evaluation:

A request for bids was issued per Purchasing procedures. Two (2) bids were received and evaluated based on the published criteria. National Field Services received the highest evaluated score, offering the Best Value for the City.

Award Recommendation:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
National Field Services	All	\$150,000.00
TOTAL:		\$150,000.00

Basis for Award: Best Value

Purchase Requisition #: 44926

Fiscal Impact

Total Project/Account: N/A
Expended/Encumbered to Date: N/A
Balance: N/A
This Item: \$150,000
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 GP&L and TPA Substations operating accounts as incurred.

Attachments

Bid Recap

Fiscal Reference:

Budget Type: Operating Budget

Fiscal Year: 2020-21

Document Location: Oper. Budget - Page 233

Budget Director Approval: Ron Young Approval Date: 03/25/2021

Purchasing Director Approval: Gary L. Holcomb Approval Date: 03/25/2021



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

2. i.

Meeting Date: 04/06/2021

Item Title: Engineering Consulting Services for Landfill Permit Amendment

Submitted By: Christopher Hoofnagle, EWS Disposal Operations Director

Bid Number: 1305-20

Purchase Justification:

This request is to obtain professional engineering consulting services to assist the City with TCEQ permit modifications to expand the Hinton Landfill site boundary.

Evaluation:

A request for qualifications was issued in accordance with Purchasing procedures. Four (4) proposals were received and evaluated based on published criteria. Weaver Consultants Group received the highest evaluated score, and was selected as the Most Qualified firm for this project.

Award Recommendation:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
Weaver Consultants Group	All	\$500,000.00
TOTAL:		\$500,000.00

Basis for Award: Most Qualified

Purchase Requisition #: 44155

Fiscal Impact

Total Project/Account:	\$500,000
Expended/Encumbered to Date:	0
Balance:	\$500,000
This Item:	500,000
Proposed Balance:	\$0
Account #:	691-1609-1717300-7111

Fund/Dept/Project – Description and Comments:Landfill CIP / Landfill Land Acquisition & Permit Amendment

A permit amendment from the Texas Commission on Environmental Quality (TCEQ) is necessary in order to expand operations into recently acquired parcel adjacent to existing landfill. Activities in this phase of development include engineering/design, sub-surface hydro/geological characterizations, and regulatory agency coordination.

Attachments

Bid Recap

Fiscal Reference:

Budget Type: CIP

Fiscal Year: 2021

Document Location: CIP - Page 226

Budget Director Approval: Ron Young

Approval Date: 03/22/2021

Purchasing Director Approval: Gary L. Holcomb

Approval Date: 03/18/2021



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

2. j.

Meeting Date: 04/06/2021

Item Title: Microsoft Solutions Services

Submitted By: Steven Niekamp, Chief Information Officer

Bid Number: 0245-21

Purchase Justification:

This request is to procure comprehensive Microsoft solutions services for the purpose of developing and enhancing digital services on the Microsoft platform. Information Technology envisions a vendor relationship that will result in consistency across multiple Statements of Work over time. Information Technology sought a solutions provider experienced with implementation, development, and post-implementation support for the following Microsoft solutions:

- Microsoft Dynamics CRM
- Microsoft 365 (formerly Office 365)
- Microsoft Power Platform
- Microsoft SharePoint
- Other Microsoft and related applications relevant to this request

This approval is for a Term Agreement with four (4) optional renewals.

Evaluation:

A request for proposals was issued in accordance with Purchasing procedures. Ten (10) proposals were received and evaluated based on published criteria. Planet Technologies, Inc., received the highest evaluated score, offering the Best Value for the City.

Award Recommendation:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
Planet Technologies, Inc.	All	\$1,000,000.00
TOTAL:		\$1,000,000.00

Basis for Award: Best Value

Purchase Requisition #: 44565

Fiscal Impact

Total Project/Account: N/A

Expended/Encumbered to Date: N/A

Balance: N/A

This Item: \$1,000,000

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 Information Technology Fund and IT Project Fund accounts as incurred.

Attachments

Bid Recap 1 of 2

Bid Recap 2 of 2

Fiscal Reference:

Budget Type: Operating Budget

Fiscal Year: 2020-21

Document Location: Pages 313 & 317

Budget Director Approval: Ron Young

Approval Date: 03/24/2021

Purchasing Director Approval: Gary L. Holcomb

Approval Date: 03/22/2021



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

2. k.

Meeting Date: 04/06/2021

Item Title: Forest Ridge Water & Wastewater Mains Replacement

Submitted By: Wes Kucera, Managing Director

Bid Number: 0387-21

Purchase Justification:

This request is to provide construction services to replace approximately 6,740 linear feet of sanitary sewer and 1,150 linear feet of water lines among various alleyways and streets in the Forest Ridge subdivision. An Optional Contingency is included for any additional work that may be required.

Evaluation:

A request for bids was issued in accordance with Purchasing procedures. Six (6) bids were received and evaluated with GRod Construction, LLC, submitting the Straight Low Bid.

Award Recommendation:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
GRod Construction, LLC	All	\$1,383,477.25
Optional Contingency		138,347.73
TOTAL:		\$1,521,824.98

Basis for Award: Straight Low Bid

Purchase Requisition #: 44743

Fiscal Impact

Total Project/Account:	\$20,920,524
Expended/Encumbered to Date:	13,204,416
Balance:	\$7,716,108
This Item:	1,521,825
Proposed Balance:	\$6,194,283
Account #:	220-4049-3019100-9214 & 230-4149-3219000-9305

Fund/Dept/Project – Description and Comments:

Wastewater CIP / Rehab Sewer Collection Mains in Dirt Alleys	\$1,397,900
Water CIP / Distribution Lines (Up to 14-Inch)	123,925
Total	\$1,521,825

Attachments

Bid Recap

Fiscal Reference:

Budget Type: CIP

Fiscal Year: 2021

Document Location: Pages 235 and 270

Budget Director Approval:	Ron Young	Approval Date:	03/22/2021
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Purchasing Director Approval:	Gary L. Holcomb	Approval Date:	03/19/2021
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**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

2. I.

Meeting Date: 04/06/2021

Item Title: Design Services for Lon Wynne Park Improvements

Submitted By: Rick Galceran, Capital Project Management Director

Bid Number: 0633-21

Purchase Justification:

This request is to obtain professional services for the design and construction administration of improvements at Lon Wynne Park. The services include planning, engineering, landscape architecture, surveying and construction administration to facilitate the development of a new splash pad, library kiosk, art sculpture base and other improvements such as sidewalks, lighting and utilities for the project. This project will be coordinated with the playground replacement design currently in progress, and design efforts will facilitate the seamless integration of both major park improvements. This scope of this project is part of the 2019 Bond Program and approved in the 2021 CIP.

Evaluation:

MHS Planning & Design was selected as the Most Qualified firm for this project based on their prior experience providing design and construction services in the Playground Replacement Program. MHS Planning & Design is a short-listed firm through RFQ 0141-20.

Award Recommendation:

<u><i>Vendor</i></u>	<u><i>Item</i></u>	<u><i>Amount</i></u>
MHS Planning & Design	All	\$115,620.00
TOTAL:		\$115,620.00

Basis for Award: Most Qualified

Purchase Requisition #: 45083

Fiscal Impact

Total Project/Account: \$1,314,000

Expended/Encumbered to Date: 0

Balance: \$1,314,000
This Item: 115,620
Proposed Balance: \$1,198,380
Account #: 654-1429-1837319-710120, 655-1429-1959119-710120

Fund/Dept/Project – Description and Comments:

Lon Wynne Park Improvements

Park CIP / Aquatics Program - Splash Pads = \$101,000

Library CIP / Modernization/Upgrades - Library Kiosks = 14,620

Total = \$115,620

Attachments

Bid Recap

Fiscal Reference:

Budget Type: CIP

Fiscal Year: 2021

Document Location: Pages 83 and 146

Budget Director Approval: Ron Young

Approval Date: 03/26/2021

Purchasing Director Approval: Gary L. Holcomb

Approval Date: 03/25/2021



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

2. m.

Meeting Date: 04/06/2021

Item Title: Single Stream Recyclable Materials Transport, Processing and Marketing Agreement

Submitted By: Uriel Villalpando, EWS Director

Bid Number: 0212-20

Purchase Justification:

This request is to provide transportation, processing and marketing of recyclable materials that are gathered through typical citywide EWS routes. This approval is for a three (3) year fixed-rate Term Agreement with two (2) optional one (1) year renewals.

Evaluation:

A request for proposals was issued in accordance with Purchasing procedures. Two (2) proposals were received and evaluated based on published criteria. Republic Services did not offer firm fixed pricing as requested and was, therefore, deemed nonresponsive. Formento De Construcciones Y Contratas, Inc. (FCC), received the highest evaluated score, offering the Best Value for the City.

Award Recommendation:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
Formento De Construcciones Y Contratas, Inc. (FCC)	All	\$2,850,000.00

TOTAL:	\$2,850,000.00
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Basis for Award: Best Value

Purchase Requisition #: 45031

Fiscal Impact

Total Project/Account: N/A

Expended/Encumbered to Date: N/A

Balance: N/A

This Item: \$2,850,000

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 241-4315-7111 as incurred. This Term Agreement will begin after the expiration of the City's current FCC recycling agreement at the conclusion of this fiscal year.

Attachments

Bid Recap

Fiscal Reference:

Budget Type: Operating Budget

Fiscal Year:

Document Location: FY 2021-22 - 2023-24 Oper. Budget

Budget Director Approval: Ron Young Approval Date: 03/23/2021

Purchasing Director Approval: Gary L. Holcomb Approval Date: 03/22/2021

[illegible]



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

2. n.

Meeting Date: 04/06/2021

Item Title: Replacement Equipment for Parks Department

Submitted By: Terry Anglin, Fleet Services Director

Bid Number: 0641-21

Purchase Justification:

This request is for the replacement purchase of various tractors and mowers to be utilized by the Parks Department.

Evaluation:

The tractors and mowers are available from Kubota Tractor Corporation through the BuyBoard Cooperative Purchasing Contracts 597-19 and 611-20.

Award Recommendation:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
Kubota Tractor Corporation	All	\$127,585.85
TOTAL:		\$127,585.85

Basis for Award: Cooperative Purchase

Purchase Requisition #: 45085

Fiscal Impact

Total Project/Account: \$746,345
Expended/Encumbered to Date: 308,083
Balance: \$438,262
This Item: 127,586
Proposed Balance: \$310,676
Account #: 100-2412-9007
Fund/Dept/Project – Description and Comments:

Attachments

Bid Recap

Fiscal Reference:

Budget Type: Operating Budget

Fiscal Year: 2020-21

Document Location: Page 131

Budget Director Approval: Ron Young

Approval Date: 03/24/2021

Purchasing Director Approval: Gary L. Holcomb

Approval Date: 03/22/2021



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

2. o.

Meeting Date: 04/06/2021

Item Title: Replacement Buses for Parks & Recreation

Submitted By: Terry Anglin, Fleet Services Director

Bid Number: 0642-21

Purchase Justification:

This request is for the replacement purchase of two (2) buses to be utilized by the Senior Activity Center.

Evaluation:

The buses are available from Creative Bus Sales through the HGAC Cooperative Purchasing Contract BT01-21.

Award Recommendation:

	<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
	Creative Bus Sales	All	\$146,671.22

	TOTAL:	\$146,671.22
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Basis for Award: Cooperative Purchase

Purchase Requisition #: 45080

Fiscal Impact

Total Project/Account:	\$1,414,678
Expended/Encumbered to Date:	831,162
Balance:	\$583,516
This Item:	146,671
Proposed Balance:	\$436,845
Account #:	100-2361-9009 and 444-2351-9009

Fund/Dept/Project – Description and Comments:

General Fund / PRCAD / Capital	\$ 74,835
Equipment Replacement Fund / PRCAD Replacements	71,836
Total	\$146,671

Attachments

Bid Recap

Fiscal Reference:

Budget Type: Operating Budget
Fiscal Year: 2020-21
Document Location: Pages 131 and 275

Budget Director Approval:	Ron Young	Approval Date:	03/25/2021
Purchasing Director Approval:	Gary L. Holcomb	Approval Date:	03/22/2021



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

2. p.

Meeting Date: 04/06/2021

Item Title: Various Replacement Equipment for Parks Department

Submitted By: Terry Anglin, Fleet Services Director

Bid Number: 0644-21

Purchase Justification:

This request is for the replacement purchase of aerators, mowers and sprayers to be utilized by the Parks Department.

Evaluation:

The aerators, mowers, and sprayers are available from Professional Turf Products, LP, through the BuyBoard Cooperative Purchasing Contract 611-20.

Award Recommendation:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
Professional Turf Products, LP	All	\$169,064.22
TOTAL:		\$169,064.22

Basis for Award: Cooperative Purchase

Purchase Requisition #: 45089

Fiscal Impact

Total Project/Account: \$746,345
Expended/Encumbered to Date: 435,669
Balance: \$310,676
This Item: 169,064
Proposed Balance: \$141,612
Account #: 100-2412-9007
Fund/Dept/Project – Description and Comments:

Attachments

Bid Recap

Fiscal Reference:

Budget Type: Operating Budget

Fiscal Year: 2020-21

Document Location: Page 131

Budget Director Approval: Ron Young

Approval Date: 03/25/2021

Purchasing Director Approval: Gary L. Holcomb

Approval Date: 03/24/2021



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

2. q.

Meeting Date: 04/06/2021

Item Title: Side-Loader Cab and Chassis

Submitted By: Terry Anglin, Fleet Services Director

Bid Number: 0645-21

Purchase Justification:

This request is for the purchase of seven (7) replacement side-loader cab and chassis for EWS. This request includes a training and chassis inspection package for four (4) City employees at the Crane Carrier facility.

Evaluation:

The side-loader cab and chassis are available from Bond Equipment Company, Inc., through the BuyBoard Cooperative Purchasing Contract 601-19.

Award Recommendation:

<u><i>Vendor</i></u>	<u><i>Item</i></u>	<u><i>Amount</i></u>
Bond Equipment Company, Inc.	All	\$1,297,804.00
TOTAL:		\$1,297,804.00

Basis for Award: Cooperative Purchase

Purchase Requisition #: 45102

Fiscal Impact

Total Project/Account: \$3,708,071
Expended/Encumbered to Date: 1,291,552
Balance: \$2,416,519
This Item: 1,297,804
Proposed Balance: \$1,118,715
Account #: 246-4319-2106800-9007, 246-4319-2106900-9007
Fund/Dept/Project – Description and Comments:

Miscellaneous Revenue Supported CIP / EWS Delivery

Replacement of Six Side-Load Residential Trucks - \$1,113,032.00

Replaces Units #430-1427, #430-1428, #430-1429, #430-1580, #430-1582, and #430-1583

Replacement of One Recycling Truck - \$184,772.00

Replaces Unit #430-1430

Attachments

Bid Recap

Fiscal Reference:

Budget Type: CIP

Fiscal Year: 2021

Document Location: Pages 201 and 202

Budget Director Approval: Ron Young

Approval Date: 03/26/2021

Purchasing Director Approval: Gary L. Holcomb

Approval Date: 03/22/2021



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

2. r.

Meeting Date: 04/06/2021

Item Title: Replacement Front-Loader Chassis for EWS

Submitted By: Terry Anglin, Fleet Services Director

Bid Number: 0648-21

Purchase Justification:

This request is for the purchase of two (2) replacement front-loader chassis to be used by EWS.

Evaluation:

The front-loader chassis are available from Chastang Enterprises, Inc., through the BuyBoard Cooperative Purchasing Contract 601-19.

Award Recommendation:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
Chastang Enterprises, Inc.	All	\$380,224.00
TOTAL:		\$380,224.00

Basis for Award: Cooperative Purchase

Purchase Requisition #: 45105

Fiscal Impact

Total Project/Account: \$2,492,841
Expended/Encumbered to Date: 1,830,645
Balance: \$662,196
This Item: 380,224
Proposed Balance: \$281,972
Account #: 246-4319-2107500-9007
Fund/Dept/Project – Description and Comments:

Miscellaneous Revenue Supported CIP / EWS Delivery

Replacement of Two Commercial Front-Load Trucks - \$380,224

Replaces units #430-0362 and #430-1600

Attachments

Bid Recap

Fiscal Reference:

Budget Type: CIP

Fiscal Year: 2021

Document Location: Page 204

Budget Director Approval: Ron Young

Approval Date: 03/26/2021

Purchasing Director Approval: Gary L. Holcomb

Approval Date: 03/22/2021



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

2. s.

Meeting Date: 04/06/2021

Item Title: Side-Loader and Front-Loader Bodies

Submitted By: Terry Anglin, Fleet Services Director

Bid Number: 0646-21

Purchase Justification:

This request is for the purchase of nine (9) replacement side-loader and front-loader bodies for EWS.

Evaluation:

The side-loader and front-loader bodies are available from Reliance Truck and Equipment through the BuyBoard Cooperative Purchasing Contract 599-19.

Award Recommendation:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
Reliance Truck And Equipment	All	\$1,400,686.69
TOTAL:		\$1,400,686.69

Basis for Award: Cooperative Purchase

Purchase Requisition #: 45103

Fiscal Impact

Total Project/Account: \$6,200,912 *

Expended/Encumbered to Date: \$4,800,225

Balance: \$1,400,687

This Item: 1,400,687

Proposed Balance: \$0

Account #: 246-4319-2106800-9007, 246-4319-2106900-9007,
246-4319-2107500-9007

Fund/Dept/Project – Description and Comments:

Miscellaneous Revenue Supported CIP / EWS Delivery

Replacement of Six Side-Load Residential Trucks - \$958,898.58

Replacement bodies for Units #430-1427, #430-1428, #430-1429, #430-1580, #430-1582, and #430-1583

Replacement of One Recycling Truck - \$159,816.43

Replacement body for Unit #430-1430

Replacement of Two Commercial Front-Load Trucks

Replacement body for Unit #430-0362 - \$149,635.84

Replacement body for Unit #430-1618 - \$132,335.84

* A Budget Amendment to the 2021 Capital Improvement Program will be brought to City Council for consideration at a future date to appropriate an additional \$126,414 to the Replacement of Side-Load Residential Trucks capital project for this request. The City's cash reserves will be used to fund this capital request, and a Reimbursement Certificate will be issued allowing the reserve to be replenished when Certificates of Obligation are issued to fund this request and the 2022 CIP.

Attachments

Bid Recap

Fiscal Reference:

Budget Type: CIP

Fiscal Year: 2021

Document Location: Pages 201, 202, and 204

Budget Director Approval: Ron Young

Approval Date: 03/26/2021

Purchasing Director Approval: Gary L. Holcomb

Approval Date: 03/22/2021



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

2. t.

Meeting Date: 04/06/2021

Item Title: Heavy Duty Trucks

Submitted By: Terry Anglin, Fleet Services Director

Bid Number: 0643-21

Purchase Justification:

This request is for the purchase of two (2) Heavy Duty Trucks to be utilized by the EWS and Water Departments.

Evaluation:

These trucks are available from Freightliner of Austin through the TIPS Cooperative Purchasing Contract 200206.

Award Recommendation:

	<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
	Freightliner of Austin	All	\$317,683.00

	TOTAL:	\$317,683.00
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Basis for Award: Cooperative Purchase

Purchase Requisition #: 45093

Fiscal Impact

Total Project/Account:	\$1,512,962
Expended/Encumbered to Date:	1,151,569
Balance:	\$361,393
This Item:	317,683
Proposed Balance:	\$43,710
Account #:	221-4032-9009 & 246-4319-2107800-9007

Fund/Dept/Project – Description and Comments:

Water Utility Fund / Capital	\$118,233
Misc. Revenue Supported CIP / EWS Delivery / Replacement of Knuckle Boom Truck	199,450
Total	\$317,683

Attachments

Bid Recap

Fiscal Reference:

Budget Type: Operating Budget
 CIP

Fiscal Year: 2020-21

Document Location: Oper. Budget - Page 240 and CIP - Page 205

Budget Director Approval:	Ron Young	Approval Date:	03/26/2021
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Purchasing Director Approval:	Gary L. Holcomb	Approval Date:	03/22/2021
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**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

2. u.

Meeting Date: 04/06/2021

Item Title: ADA Transition Plan

Submitted By: Paul Luedtke, Transportation Director

Bid Number: 0606-21

Purchase Justification:

This request is to obtain engineering services to expand the ADA Transition Plan for the City in order to recognize the efforts that the City has made and is making with regard to accessibility for all citizens and in order to be in compliance with federal law.

Evaluation:

Kimley-Horn & Associates, Inc., was selected as the Most Qualified firm for this project from RFQ 0788-18.

Award Recommendation:

<u><i>Vendor</i></u>	<u><i>Item</i></u>	<u><i>Amount</i></u>
Kimley-Horn & Associates, Inc.	All	\$120,000.00
TOTAL:		\$120,000.00

Basis for Award: Most Qualified

Purchase Requisition #: 45055

Fiscal Impact

Total Project/Account:	\$31,602,243
Expended/Encumbered to Date:	19,529,327
Balance:	\$12,072,916
This Item:	120,000
Proposed Balance:	\$11,952,916
Account #:	831-4693-7101

Attachments

Bid Recap

Fiscal Reference:

Budget Type: Operating Budget

Fiscal Year: 2020-21

Document Location: Oper. Budget - Page 211

Budget Director Approval: Ron Young

Approval Date: 03/24/2021

Purchasing Director Approval: Gary L. Holcomb

Approval Date: 03/22/2021



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

2. v.

Meeting Date: 04/06/2021

Item Title: Landfill Equipment

Submitted By: Terry Anglin, Fleet Services Director

Bid Number: 0649-21

Purchase Justification:

This request is for the purchase of one (1) replacement excavator and one (1) new bulldozer to be used at the Hinton Landfill.

Evaluation:

The excavator and bulldozer are available from Caterpillar, Inc., through the Sourcewell Cooperative Purchasing Contract 032119.

Award Recommendation:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
Caterpillar, Inc.	All	\$1,456,568.75
TOTAL:		\$1,456,568.75

Basis for Award: Cooperative Purchase

Purchase Requisition #: 45109

Fiscal Impact

Total Project/Account: \$5,519,000
Expended/Encumbered to Date: 2,991,912
Balance: \$2,527,088
This Item: 1,456,569
Proposed Balance: \$1,070,519
Account #: 692-1609-1715400-9009, 691-1609-1717621-9007
Fund/Dept/Project – Description and Comments:

Landfill CIP / Replacement of Landfill Equipment

\$399,084.00 for a new Caterpillar 349FL Excavator to replace Unit #160-1722

Landfill CIP / New Landfill Equipment

\$1,057,484.75 for a new additional Caterpillar D8T Bulldozer

Attachments

Bid Recap

Fiscal Reference:

Budget Type: CIP

Fiscal Year: 2021

Document Location: Pages 219 and 223

Budget Director Approval: Ron Young

Approval Date: 03/25/2021

Purchasing Director Approval: Gary L. Holcomb

Approval Date: 03/22/2021



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

2. w.

Meeting Date: 04/06/2021

Item Title: GP&L Newman Substation Phase II Distribution Feeder Duct Line Installation

Submitted By: Jonas Whitehead, Distribution Director

Bid Number: 0478-21

Purchase Justification:

This request is for the labor and equipment needed for the installation of new feeder duct bank facilities at the Newman 138kv Substation. This is part of the approved Newman Substation Modifications CIP project. An optional contingency is included for any additional work that may be required.

Evaluation:

A request for bids was issued in accordance with Purchasing procedures. Six (6) bids were received. Sayers Construction was considered non-responsive due to discrepancies in their bid documents. The other five (5) responses were evaluated based on the published criteria. Kiewit Infrastructure South Co. received the highest evaluated score, offering the Best Value for the City.

Award Recommendation:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
Kiewit Infrastructure South Co.	All	\$323,332.00
Optional Contingency		57,970.76
TOTAL:		\$381,302.76

Basis for Award: Best Value

Purchase Requisition #: 44852

Fiscal Impact

Total Project/Account: \$5,730,000
Expended/Encumbered to Date: 3,410,700
Balance: \$2,319,300

This Item: 381,303
Proposed Balance: \$1,937,997
Account #: 210-3799-3178501-7111
Fund/Dept/Project – Description and Comments:
Electric CIP / Substations Upgrades Program

Attachments

Bid Recap

Fiscal Reference:

Budget Type: CIP

Fiscal Year: 2021

Document Location: Page 290

Budget Director Approval: Ron Young

Approval Date: 03/25/2021

Purchasing Director Approval: Gary L. Holcomb

Approval Date: 03/25/2021



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

2. x.

Meeting Date: 04/06/2021

Item Title: Roll-Off Trucks

Submitted By: Terry Anglin, Fleet Services Director

Bid Number: 0664-21

Purchase Justification:

This request is for the purchase of one (1) replacement and one (1) new roll-off truck to be used by EWS.

Evaluation:

The roll-off trucks are available from Lonestar Freightliner Group, LLC, through the BuyBoard Cooperative Purchasing Contract 601-19.

Award Recommendation:

<u><i>Vendor</i></u>	<u><i>Item</i></u>	<u><i>Amount</i></u>
Lonestar Freightliner Group, LLC	All	\$335,372.00
TOTAL:		\$335,372.00

Basis for Award: Cooperative Purchase

Purchase Requisition #: 45104

Fiscal Impact

Total Project/Account: \$335,372

Expended/Encumbered to Date: 0

Balance: \$335,372

This Item: 335,372

Proposed Balance: \$0

Account #: 246-4319-2108100-9007, 246-4319-2109221-9007

Fund/Dept/Project – Description and Comments:

Miscellaneous Revenue Supported & Internal Service CIP / EWS Delivery
Replacement of Commercial Roll-Off Truck / Unit #430-1636 - \$167,686.00
New Commercial Roll-Off Truck / New Additional Unit - \$167,686.00

Attachments

Bid Recap

Fiscal Reference:

Budget Type: CIP

Fiscal Year: 2021

Document Location: Pages 206 and 209

Budget Director Approval: Ron Young

Approval Date: 03/26/2021

Purchasing Director Approval: Gary L. Holcomb

Approval Date: 03/24/2021



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

2. y.

Meeting Date: 04/06/2021

Item Title: Spencer Cooling Tower #4 Repair

Submitted By: Dan Bailey, Energy Services Director

Bid Number: 0671-21

Purchase Justification:

This request is to provide emergency repair of the Spencer Plant Unit #4 cooling tower. An engineering study has identified several structural conditions that could lead to immediate safety and operational issues with the tower. Repairs are needed to correct these issues and to ensure the unit is in working order to be available to safely meet service demands. An Optional Contingency is included for any additional work that may be required.

Evaluation:

MasterTech Services, Inc., will be providing these repairs as an Emergency purchase.

Award Recommendation:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
MasterTech Services, Inc.	All	\$329,644.00
Optional Contingency		32,964.40
TOTAL:		\$362,608.40

Basis for Award: Emergency

Purchase Requisition #: 45112

Fiscal Impact

Total Project/Account: \$1,242,995
Expended/Encumbered to Date: 574,593
Balance: \$668,402
This Item: 362,608
Proposed Balance: \$305,794
Account #: 211-3457-7111

Fund/Dept/Project – Description and Comments:

Electric Utility Fund / GP&L Spencer Plant

AttachmentsBid Recap

Fiscal Reference:

Budget Type: Operating Budget

Fiscal Year: 2020-21

Document Location: Page 233

Budget Director Approval: Allyson Bell Steadman

Approval Date: 04/01/2021

Purchasing Director Approval: Gary L. Holcomb

Approval Date: 04/01/2021



**GARLAND
CITY COUNCIL ITEM SUMMARY SHEET**

City Council Regular Session Agenda

3. a.

Meeting Date: 04/06/2021

Item Title: Z 20-29 Masterplan (District 2)

Submitted By: Will Guerin, Planning Director

Summary of Request/Problem

Zoning Ordinance Z 20-29 Masterplan

Recommendation/Action Requested and Justification

Consider adoption of the attached ordinance.

Attachments

Z 20-29 Ordinance

Z 20-29 Exhibit A

Z 20-29 Exhibit B

Z 20-29 Exhibit C

Z 20-29 Exhibit D

Z 20-29 Exhibit 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 14-23 FOR DOWNTOWN DISTRICT USES AND MIXED USES; 2) A SPECIFIC USE PROVISION TO ALLOW A DRIVE-THROUGH SERVICE; AND 3) A DETAIL PLAN FOR DOWNTOWN DISTRICT USES AND MIXED USES ON A 4.646-ACRE PROPERTY LOCATED AT 111 AND 217 SOUTH GARLAND AVENUE; 1413 WEST AVENUE B; AND 1412 AND 1413 RODANDO DRIVE; 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 SAVINGS CLAUSE AND A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, at its regular meeting held on the 22nd day of February, 2021, the Plan Commission did consider and make recommendations on a certain request for approval of 1) an Amendment to Planned Development (PD) District 14-23 for Downtown District Uses and Mixed Uses; 2) a Specific Use Provision to allow a Drive-Through Service; and 3) a Detail Plan for Downtown District Uses and Mixed Uses by **MASTERPLAN**; 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 Garland Development Code 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 of 1) an Amendment to Planned Development (PD) District 14-23 for Downtown District Uses and Mixed Uses; 2) a Specific Use Provision to allow a Drive-Through Service; and 3) a Detail Plan for Downtown District Uses and Mixed Uses 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 Exhibit B, attached hereto and made a part hereof.

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 Exhibit B 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 Exhibit B of 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

ZONING FILE NO. Z 20-29

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

Section 7

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

PASSED AND APPROVED this _____ day of _____, 2021.

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary

Published:

EXHIBIT A

LEGAL DESCRIPTION

Zoning File Z 20-29

SURVEYED DESCRIPTION:

FIELD NOTES TO THAT CERTAIN TRACT SITUATED IN THE WILLIAM BASSELL SURVEY, ABSTRACT NO. 156, CITY OF GARLAND, DALLAS COUNTY, TEXAS, SAID TRACT BEING ALL OF AN ABANDONMENT OF STREET R.O.W., BY THE CITY OF GARLAND, AS RECORDED IN ORDINANCE NUMBER 2211, ALSO BEING ALL OF LOT 1, BLOCK C, AND PART OF LOT 2, BLOCK C AND LOT 16, BLOCK A, RIO LINDA SUBDIVISION, AS RECORDED IN VOLUME 10, PAGE 435, MAP RECORDS, DALLAS COUNTY, TEXAS, FURTHER BEING THE SAME TRACT DESCRIBED IN THE SPECIAL WARRANTY DEED TO THE DRAPER GARLAND, LLC, RECORDED UNDER INSTRUMENT NUMBERS 201900112961 AND 201900112962, OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS (O.P.R.D.C.T.); THE SUBJECT TRACT, SURVEYED BY JPH LAND SURVEYING, INC., IS MORE PARTICULARLY DESCRIBED AS FOLLOWS (BEARINGS ARE BASED ON GRID NORTH PER THE TEXAS COORDINATE SYSTEM OF 1983, NORTH CENTRAL ZONE):

BEGINNING AT AN "X" CUT FOUND AT THE SOUTHWEST END OF A CORNER CLIP (PER LICENSE AGREEMENT RECORDED IN VOLUME 88117, PAGE 3446, DEED RECORDS, DALLAS COUNTY, TEXAS) OF THE NORTH RIGHT-OF-WAY LINE OF AVENUE B (DESCRIBED IN DEED TO BE A VARIABLE WIDTH PUBLIC RIGHT-OF-WAY) AND THE WEST RIGHT-OF-WAY LINE OF SOUTH GARLAND AVENUE (A 100 FEET WIDE PUBLIC RIGHT-OF-WAY, AS SHOWN ON INSTRUMENT NUMBER 201500195003,

O.P.R.D.C.T.), FROM SAID BEGINNING POINT A FOUND "X" CUT BEARS N 85° E, A DISTANCE OF 1.0 FOOT;

THENCE S 87° 18' 01" W, WITH SAID NORTH RIGHT-OF-WAY LINE OF AVENUE B, A DISTANCE OF 36.88 FEET FROM WHICH A FOUND "X" CUT BEARS S 37° W, A DISTANCE OF 0.3 OF A FOOT;

THENCE N 89° 56' 55" W, CONTINUING WITH SAID RIGHT-OF-WAY LINE, A DISTANCE OF 411.01 FEET TO A 1/2 INCH REBAR FOUND AT THE INTERSECTION OF THE SAID RIGHT-OF-WAY LINE AND THE EAST RIGHT-OF-WAY LINE OF RODANDO DRIVE (50 FEET WIDE PUBLIC RIGHT-OF-WAY PER SAID RIO LINDA SUBDIVISION PLAT);

THENCE N 00° 41' 26" W, WITH SAID EAST RIGHT-OF-WAY LINE OF RODANDO DRIVE, A DISTANCE OF 272.10 FEET TO A 1/2 INCH REBAR FOUND AT THE SOUTHWEST CORNER OF THE SAID ABANDONMENT OF STREET R.O.W., BY THE CITY OF GARLAND;

THENCE N 03° 15' 31" W, WITH THE WEST LINE OF SAID ABANDONMENT, A DISTANCE OF 50.02 FEET TO A 1/2 INCH CAPPED REBAR

STAMPED "PIBURN PARTNERS" FOUND AT THE NORTHWEST CORNER OF SAID ABANDONMENT OF STREET R.O.W., BY THE CITY OF GARLAND;

THENCE N 00° 49' 58" W, A DISTANCE OF 116.64 FEET TO A 1/2 INCH REBAR FOUND ON THE SOUTH RIGHT-OF-WAY LINE OF WILSON STREET (A VARIABLE WIDTH PUBLIC RIGHT-OF-WAY, AS SHOWN ON INSTRUMENT NUMBER 20070349807, O.P.R.D.C.T.)

THENCE WITH SAID SOUTH RIGHT-OF-WAY LINE OF WILSON STREET, THE FOLLOWING CALLS:

EXHIBIT A

1.

86° 35' 46" E, A DISTANCE OF 67.19 FEET TO A FOUND "X" CUT;

2.

00° 51' 50" E, A DISTANCE OF 5.31 FEET TO A FOUND "X" CUT;

3.

89° 11' 16" E, A DISTANCE OF 402.00 FEET TO AN "X" CUT FOUND AT THE INTERSECTION OF THE SAID RIGHT-OF-WAY LINE AND THE WEST RIGHT-OF-WAY LINE OF THE AFOREMENTIONED SOUTH GARLAND AVENUE;

THENCE S 00° 51' 50" E, ALONG THE SAID WEST RIGHT-OF-WAY LINE OF SOUTH GARLAND AVENUE, A DISTANCE OF 412.79 FEET TO A 1/2 INCH CAPPED REBAR STAMPED "PIBURN PARTNERS" FOUND AT THE NORTHEAST END OF THE AFOREMENTIONED CORNER CLIP;

THENCE S 43° 13' 06" W, ALONG THE SAID CORNER CLIP, A DISTANCE OF 28.72 FEET RETURNING TO THE POINT OF BEGINNING AND ENCLOSING 4.646 ACRES (±202,358 SQUARE FEET).

EXHIBIT B

PLANNED DEVELOPMENT CONDITIONS

ZONING FILE Z 20-29

**111 and 217 South Garland Avenue; 1413 West Avenue B; and
1412 and 1413 Rodando Drive**

- I. Statement of Purpose:** The purpose of this Planned Development (PD) District is to approve a Detail Plan for Multi-Family Residential development (apartments), Financial Institution (Bank) and Retail Uses in a Two-Phase development.
- II. Statement of Effect:** This Planned Development (PD) District shall not affect any regulation found in the Garland Development Code, Ordinance No. 6773, as amended prior to adoption of this ordinance, except as specifically provided herein.
- III. General Regulations:** All regulations of the Planned Development (PD) District 14-23 and Downtown (DT) 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. Detail Plan:** Development shall be in general conformance with the site plan, landscape plan, and elevation plans respectively labeled Exhibit C, Exhibit D, and Exhibit E. In the event of conflict between the conditions and development plans, the conditions listed below are to apply.
- V. Specific Conditions:**
 - A. Site Plan and Phasing:** The phasing, site layout, building placement, parking and other development proposed shall be in general conformance with the approved Site Plan labeled Exhibit C.
 - B. Residential Density and Non-Residential Floor Area:**
 - 1. The maximum density shall be as shown on the Site Plan.
 - 2. The minimum non-residential floor area shall be as shown on the site plan.
 - C. Landscape Plan:** Screening and landscaping shall be in general conformance with the landscape plan labeled Exhibit D.

D. Maintenance Requirements:

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

(2) Any dead or dying plant or vegetation, whether or not a component of required landscaping, must be promptly replaced with another approved plant or vegetation variety that complies with the approved landscape plan and in no event later than sixty days after notification by the City. In the event the property owner fails to remedy a violation of any landscaping maintenance regulation within sixty days of the City sending notice, the City may, in addition to any other remedy available by law, suspend, withhold, or revoke city permits, approvals, consents and the certificate of occupancy for the retail fuel pumps and convenience store. See Section 4 of the granting ordinance.

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

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

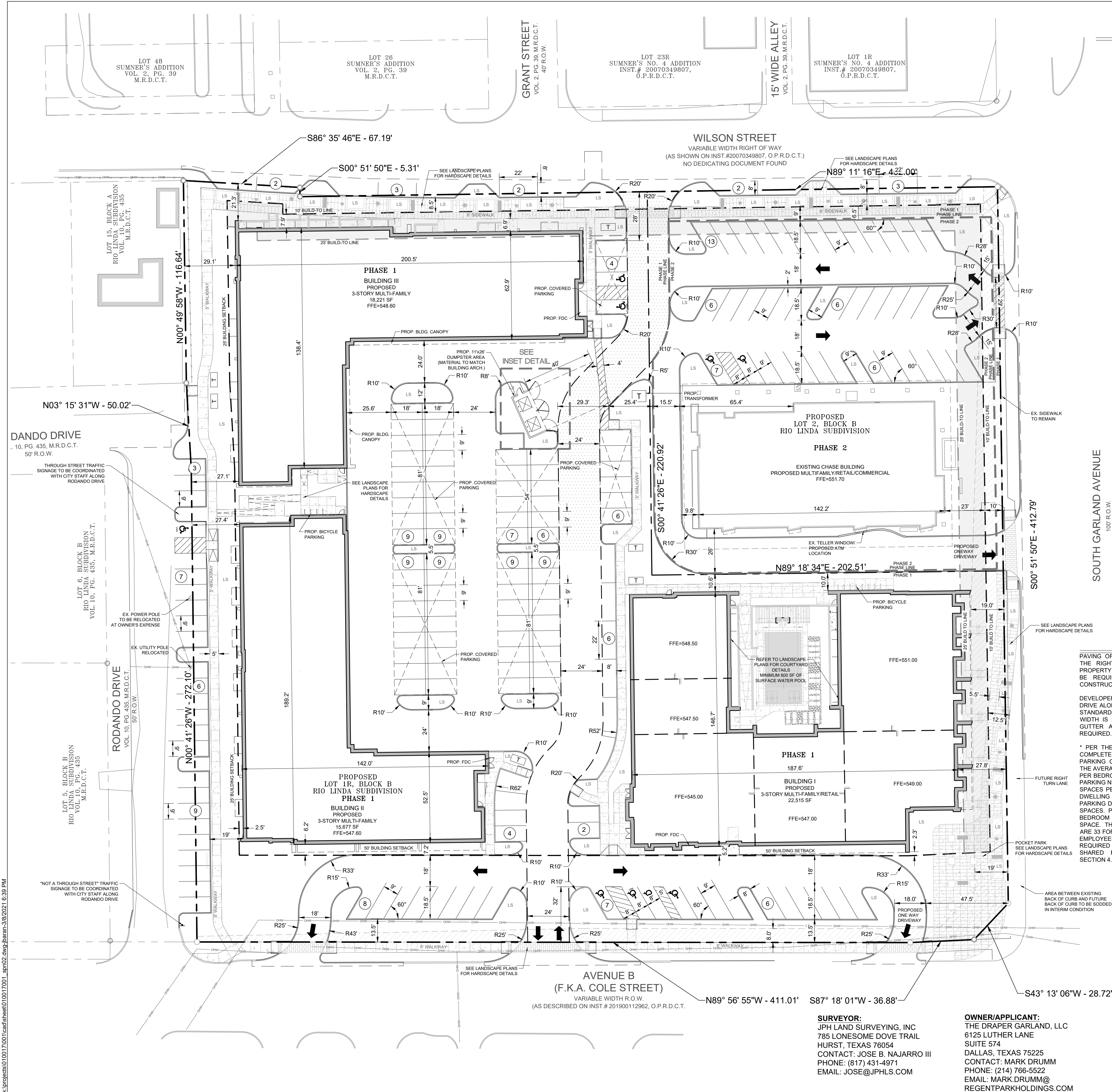
SPECIFIC USE PROVISION CONDITIONS

ZONING FILE Z 20-29

**111 and 217 South Garland Avenue; 1413 West Avenue B; and
1412 and 1413 Rodando Drive**

- I. Statement of Purpose:** The purpose of this Specific Use Provision is to approve a Drive-Through Service.
- II. Statement of Effect:** This Specific Use Provision shall not affect any regulation found in the Garland Development Code, Ordinance No. 6773, as amended prior to adoption of this ordinance, except as specifically provided herein.
- III. General Regulations:** All regulations of the Planned Development (PD) District 20-29 and Downtown (DT) 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 Use Provision:**
- A. SUP Time Period: The Specific Use Provision shall be in effect for a period of fifteen (15) years.

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SOUTH GARLAND AVENUE
100' R.O.W.
(AS SHOWN ON INST. # 201000195003, O.P.R.D.C.T.)
NO DEDICATING DOCUMENT FOUND

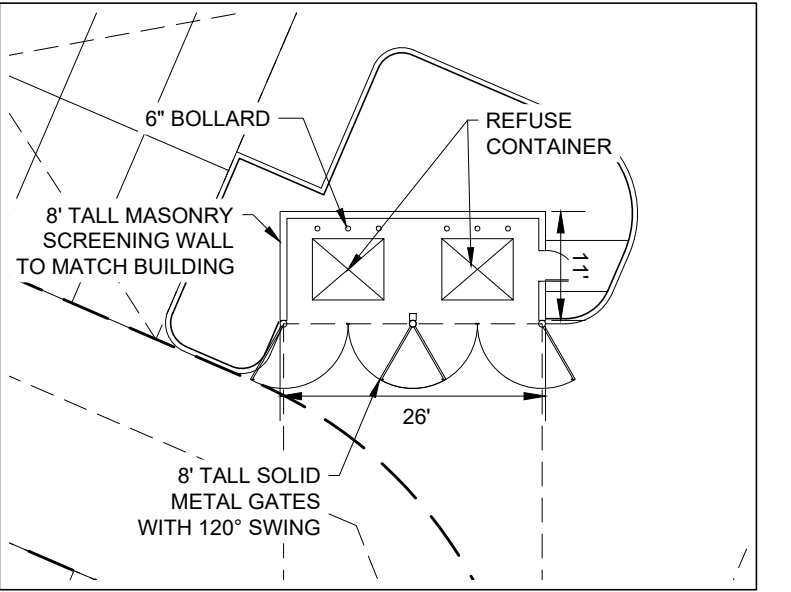
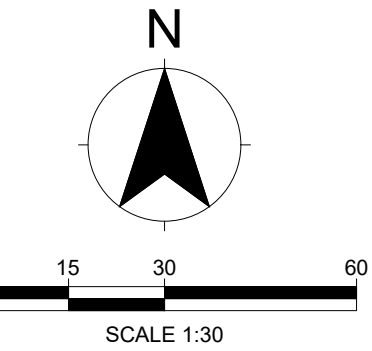
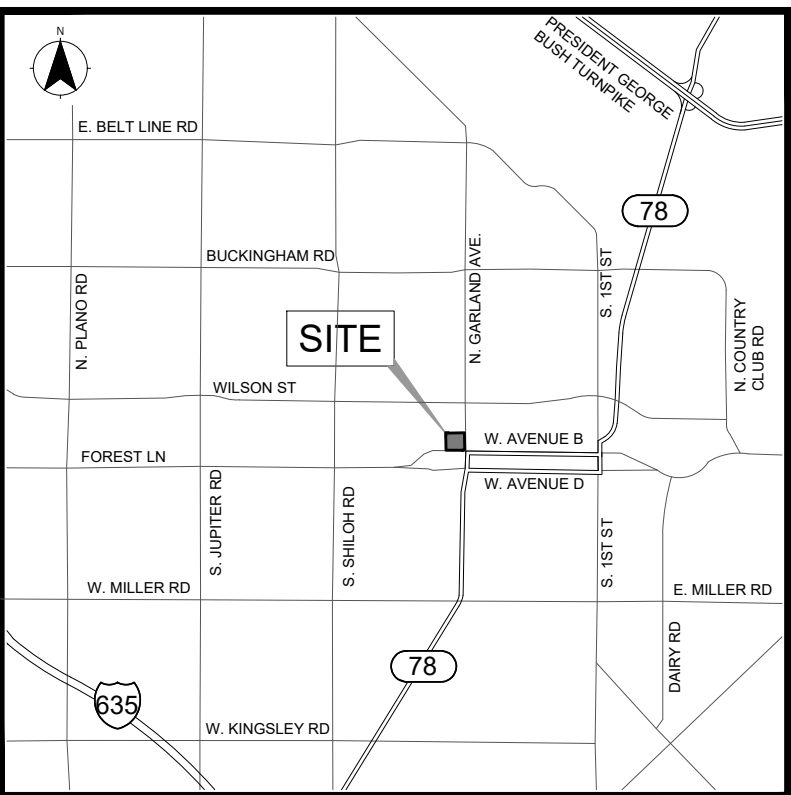
- LEGEND
- PROPOSED FIRE LANE & ACCESS EASEMENT
 - PROPOSED FIRE LANE, ACCESS & UTILITY EASEMENT
 - PROPOSED STREET, PEDESTRIAN & UTILITY EASEMENT (S.F.U.)
 - BUILD-TO ZONE
 - VAN ACCESSIBLE PARKING
 - ACCESSIBLE PARKING
 - PROPOSED FIRE HYDRANT
 - PARKING COUNT
 - EXISTING
 - PROPOSED
 - FIRE DEPARTMENT CONNECTION
 - LANDSCAPE
 - FINISH FLOOR ELEVATION
 - OVERHEAD WIRE

SITE PLAN NOTES

PAVING OF ON STREET PARKING PROVIDED WITHIN THE RIGHT OF WAY SHALL BE MAINTAINED BY PROPERTY OWNER AND LICENSE AGREEMENT WILL BE REQUIRED FROM ENGINEERING AT TIME OF CONSTRUCTION.

DEVELOPER IS REQUIRED TO IMPROVE RODANDO DRIVE ALONG FRONTAGE OF PROPERTY TO CURRENT STANDARDS. MINIMUM CONCRETE STREET PAVING WIDTH IS 27-FEET BACK TO BACK WITH CURB AND GUTTER AND NECESSARY DRAINAGE SYSTEM AS REQUIRED.

* PER THE RESIDENTIAL PARKING DEMAND REVIEW COMPLETED BY PACHECO KOCH, UTILIZING THE PARKING GENERATION MANUAL, 5TH EDITION (2019) THE AVERAGE PEAK PARKING DEMAND IS 0.75 SPACES PER BEDROOM. THE CURRENT UNIT MIX RESULTS IN A PARKING NEED OF 155 SPACES (EQUivalent TO 0.99 SPACES PER UNIT). BASED ON THIS, 1:1 SPACES PER DWELLING UNIT IS PROPOSED RESULTING IN A PARKING DEMAND FOR PHASE I (155 UNITS) TO BE 171 SPACES. PHASE II WILL BE COMPRISED OF 30 ONE BEDROOM UNITS AND A FIRST FLOOR RETAIL/FLEX SPACE. THE REQUIRED PARKING FOR THESE UNITS ARE 33 FOR MULTIFAMILY USE AND 10 SPACES FOR 10 EMPLOYEES IN RETAIL FLEX SPACE. 5 OF THESE REQUIRED SPACES WILL BE SHARED BASED ON THE SHARED PARKING PROVISIONS SET FORTH BY SECTION 4.20G OF THE GDC.



Item	Proposed Lot 1R (Proposed Multifamily)	Proposed Lot 2 (Existing Chase Building)
General Site Data		
Proposed Use	Multifamily	Bank (first floor)
Lot Area (acres)	3.619	1.027
Lot Area (square feet)	157,643	44,715
Building Footprint Area (square feet)	54,651	9,738
Total Building Area (square feet)	163,953	40,140
Floor Area Ratio (ratio x x:1)	1.04	0.90
Building Height (proposed)	45'-11"	existing
Building Height (permitted)	65'	65'
Multifamily Unit Mix		
Efficiency	21	
One Bedroom	85	30
Two Bedroom	49	
Total Units	155	30
Parking		
Parking Ratio (from Zoning Ordinance)	* 1:1:1 Dwelling Unit	1/300 GFA 1/employee
Number of Units	155	1:1:1 Dwelling Unit
1st Floor Square Footage		7,000
Required Parking (Multifamily) (# spaces)	171	33
Required Parking (Retail) - 4 employees		4
Required Parking (Retail) - SF		23
Required Parking Total	171	60
Provided Garage Parking (# spaces)	28	0
Provided Carport Parking (# spaces)	60	0
Provided Surface Parking (# spaces)	87	37
Total Provided Parking (# spaces)	174	37
Accessible Parking (# spaces)	6	2
Accessible Parking Provided (# spaces)	7	2
Bicycle Parking Required (# spaces)	18	3
Bicycle Parking Provided (# spaces)	18	6
Parking in Excess of 110% of required parking (# spaces)	0	0
Permeable Area		
Permeable (square feet)	22,784	12,216
Total Permeable Area (square feet)	22,784	12,216
Impervious Area		
Building Footprint Area (square feet)	54,651	9,738
Area of Sidewalks, Pavement & other Impervious	80,208	22,761
Flatwork (square feet)		
Other Impervious Area	0	0
Total Impervious Area	134,859	32,499
Sum of Total Landscape Area + Total Permeable Area + Total Impervious Area (square feet) Note: Sum must equal Lot Area	157,643	44,715

DOWNTOWN DEVELOPMENT PLAN
CASE # Z 20-29
THE DRAPER - MULTIFAMILY
3.619 ACRES - LOT 1R
1.027 ACRES - LOT 2
ALL OF LOT 1, BLOCK C, PORTION OF LOT 2, BLOCK C &
LOT 16, BLOCK A, OF RIO LINDA SUBDIVISION
WILLIAM BASSELL SURVEY ABSTRACT NO. 156
CITY OF GARLAND, DALLAS COUNTY, TEXAS
FEBRUARY 26, 2021

SURVEYOR:
JPH LAND SURVEYING, INC
785 LONESOME DOVE TRAIL
HURST, TEXAS 76054
CONTACT: JOSE B. NAJARRO III
PHONE: (817) 431-4971
EMAIL: JOSE@JPHLS.COM

OWNER/APPLICANT:
THE DRAPER GARLAND, LLC
6125 LUTHER LANE
SUITE 574
DALLAS, TEXAS 75225
CONTACT: MARK DRUMM
PHONE: (214) 766-5522
EMAIL: MARK.DRUMM@REGENTPARKHOLDINGS.COM

ENGINEER/PREPARER:
KFM ENGINEERING & DESIGN, LLC
621 N. MAIN STREET
SUITE 415
GRAPEVINE, TEXAS 76051
CONTACT: JOSH MILLSAP, P.E.
PHONE: (817) 416-4536
EMAIL: JMILLSAP@KFM-LLC.COM

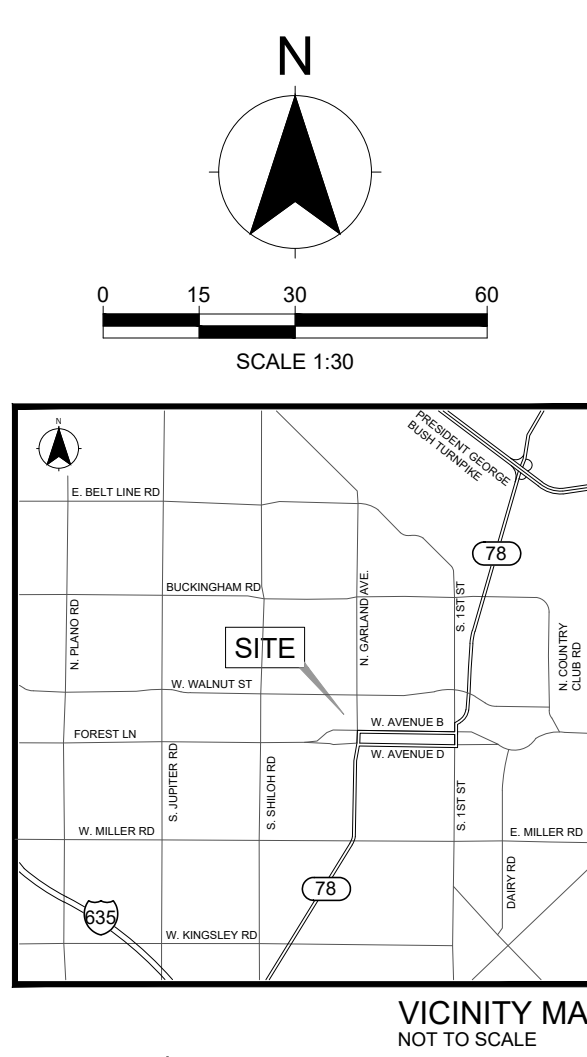
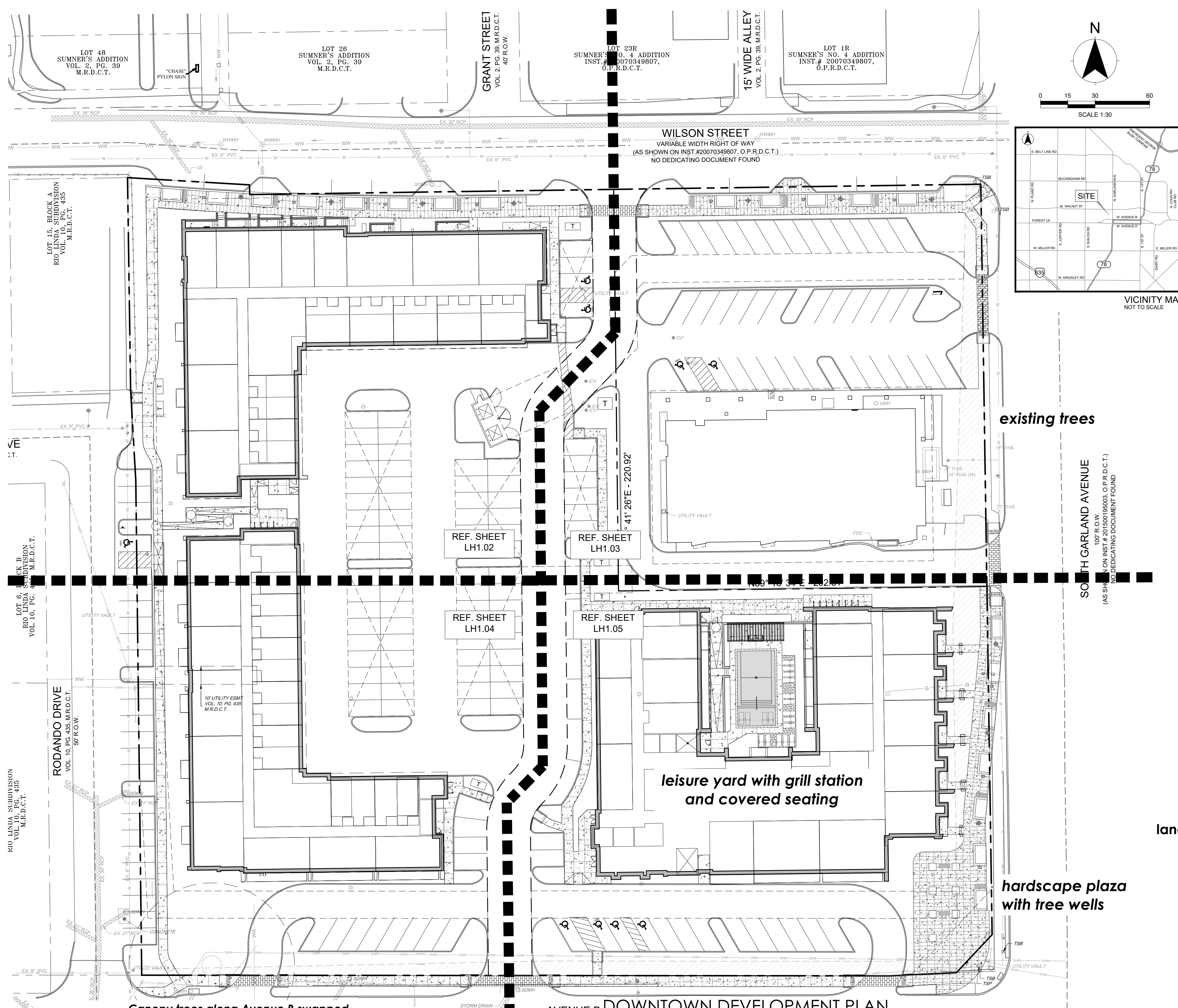
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DESCRIPTION:	
DELTA:	
DATE:	
DESCRIPTION:	
ISSUE:	

CLIENT
GROUND FLOOR DEVELOPMENT

PROJECT
THE DRAPER

SHEET TITLE
SITE PLAN

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SITE MATERIALS SCHEDULE				
CONCRETE/ STONE/ BRICK/STEEL				
KEY	DESCRIPTION/MODEL	FINISH/COLOR	CONTACT	REMARKS
C.1	CONCRETE PAVING	NATURAL GRAY LIGHT BROCKW - PERPENDICULAR TO PATH OF TRAVEL	DAYTON SUPERIOR DAYTONSUPERIOR.COM, 937.866.0711	CONTRACTOR TO PROVIDE 5' X 5' MOCK-UP FOR LANDSCAPE ARCHITECT APPROVAL PRIOR TO CONSTRUCTION
C.2	INTEGRAL COLORED CONCRETE	SLATE GREEN TOPCAST FINISH - 03 VIOLET, #309055	DAVIS COLORS 303.265.8303, DAVISCOLORS.COM	CONTRACTOR TO PROVIDE 5' X 5' MOCK-UP FOR LANDSCAPE ARCHITECT APPROVAL PRIOR TO CONSTRUCTION
C.3	TREE WELL BAND PAVING			
C.4	24 x 48" SCORED CONCRETE	MEDIUM BROOM FINISH		
C.5	CLAY PAVERS	HEARTLAND FLASHED (FIELD) SAVANNAH BROWN (HEADER)	BORAL BRICKS 972.245-1542	
C.6	TRUNCATED DOME/ADA PAVERS	CINNAMON	METRO BRICK AND STONE COMPANY 972.991-4488	OR APPROVED EQUAL
C.7	TREE GRATE	DUCTILE CAST IRON	RESOURCE CONSULTING SERVICES 972.492-2428	
C.8	CIP RETAINING WALL			
C.9	CIP CHEEK WALL			
C.10	STEEL SHADE STRUCTURE			
C.11	HANDRAILS			
POOL				
KEY	DESCRIPTION/MODEL	FINISH/COLOR	CONTACT	REMARKS
P.1	WATERLINE TILE - 1 X 2, BRICK JOINTED, AMI GLASS FINANCING24861	N/A	MASTERTILE 972.484.9777 MASTERTILE.NET	
P.2	STEP TILE - 2X2 UNGLAZED SERIES MAS 202 BLA UNIG	BLACK, UNGLAZED	MASTERTILE 972.484.9777 MASTERTILE.NET	
P.3	DECK LOUNGE - COCHRAN CHAISE LOUNGE	WHITE	LANDSCAPE FORMS - LARA MOFFAT 269.337.1339 LARAMLANDSCAPEFORMS.COM	OR APPROVED EQUAL
P.4	WET DECK LOUNGE - CHILL CHAISE LOUNGE	WHITE	LANDSCAPE FORMS - LARA MOFFAT 269.337.1339 LARAMLANDSCAPEFORMS.COM	OR APPROVED EQUAL
P.5	HANDRAIL - ARTISAN SERIES STAIR RAIL ART-1002	STAINLESS STEEL	S.R. SMITH 800.824.4387 SRSMITH.COM	
P.6	PLASTER - DIAMOND BRITE	DOVE GRAY	MASTERTILE 972.484.9777 MASTERTILE.NET	
P.7	CORING - 12" CONCRETE	TBD	MASTERTILE 972.484.9777 MASTERTILE.NET	
P.8	WET DECK LED BUBBLER - BRILLIANT WONDERS 8" LED BUBBLER GUNITE UNIT, CMP 4.5714E-29 CORN #25503025-0001	N/A	CMP 800.733.9060 C-M-P.COM	
GRILL STATION				
KEY	DESCRIPTION/MODEL	FINISH/COLOR	CONTACT	REMARKS
G.1	BULL ANGUS 30" DROP-IN GRILL	STAINLESS STEEL	BULL OUTDOOR PRODUCTS 800.521.2655 BULLBBQ.COM	OR APPROVED EQUAL
G.2	CONCRETE COUNTERTOP	POLISHED	N/A	
G.3	CMU WALLS WITH STONE VENEER	STONE VENEER TO MATCH ARCHITECTURE	N/A	
STREET FURNISHINGS				
KEY	DESCRIPTION/MODEL	FINISH/COLOR	CONTACT	REMARKS
S.1	BENCH 19" - DUMOR SITE FURNISHINGS	BLACK STEEL POWDERCOAT TO MATCH CITY SQUARE LOFTS	PAUL E. ALLEN CO. 972.724-2656	OR APPROVED EQUAL
S.2	TRASH RECEPTACLE - SCARBROUGH - LANDSCAPE FORMS	BLACK STEEL POWDERCOAT TO MATCH CITY SQUARE LOFTS	LANDSCAPE FORMS - DALLAS SALES OFFICE - 214-343-1145	OR APPROVED EQUAL
S.3	PEDESTRIAN LIGHT POLE - ERA HERITAGE - KIM LIGHTING	BLACK STEEL POWDERCOAT TO MATCH CITY SQUARE LOFTS	HOSSLEY LIGHTING 214-413-7011	
S.4	ASH URN - NAPOLEAN - LANDSCAPE FORMS	BLACK STEEL POWDERCOAT TO MATCH CITY SQUARE LOFTS	LANDSCAPE FORMS - DALLAS SALES OFFICE - 214-343-1145	OR APPROVED EQUAL
S.5	PLANTER POTS - JACKSON POTTERY	N/A	JACKSON POTTERY 214-350-2900	

landscape tabulations (garland downtown district)article 6 -landscape 7.17 streetscaping

trees shall be space (1) every 25' on center and be atleast 3" in caliper. Trees shall be planted in 6' x 8' tree wells

Along avenues b and d where there is no on-street parking allowed, trees may be planted in a continuous 6' landscape strip long back of curb

7.20 interior parking lot landscaping

Each row of parking shall be configured so that there is a minimum 9' wide landscape island with each run of eight parking spaces. Parking lots shall have (1) tree for every six parking spaces - 159 internal parking spaces/6 =

parking lot trees required 27 provided 27+

article 3 - screening & landscape 4.34 perimeter screening - site and perimeter landscape

Along major thoroughfares, 7 shrubs or ornamental grasses per every 30' lineal feet are required.

s. garland ave shrubs required 77 provided 77+ avenue b shrubs required 88 provided 88+

4.39 perimeter screening - single family adjacency

Option 2 - ornamental metal fence - minimum 5' tall ornamental metal fence with masonry columns spaced a maximum of 50' on center with a continuous row of evergreen high level screening shrubs.

required yes provided yes

LANDSCAPE ARCHITECT:
KFM ENGINEERING & DESIGN, LLC
621 N. MAIN STREET
SUITE 415
GRAPEVINE, TEXAS 76051
CONTACT: NATE PARROTT, PLA
PHONE: (817) 416-4536
EMAIL: NPARROTT@KFM-LLC.COM

SURVEYOR:
JPH LAND SURVEYING, INC
785 LONESOME DOVE TRAIL
HURST, TEXAS 76054
CONTACT: JOSE B. NAJARRO III
PHONE: (817) 431-4971
EMAIL: JOSE@JPHLS.COM

DEVELOPER:
GROUND FLOOR DEVELOPMENT
8117 PRESTON ROAD, STE. 300
DALLAS, TEXAS 75225
CONTACT: MARK DRUMM
PHONE: (214) 766-5522
EMAIL: MARK.DRUMM@REGENTPARKHOLDINGS.COM

ENGINEER/PREPARER:
KFM ENGINEERING & DESIGN, LLC
621 N. MAIN STREET
SUITE 415
GRAPEVINE, TEXAS 76051
CONTACT: JOSH MILLSAP, P.E.
PHONE: (817) 416-4536
EMAIL: JMILLSAP@KFM-LLC.COM

DOWNTOWN DEVELOPMENT PLAN
CASE # 191022-2
THE DRAPER
3.619 ACRES

ALL OF LOT 1, BLOCK C, PORTION OF LOT 2, BLOCK C & LOT 16, BLOCK A, OF RIO LINDA SUBDIVISION
WILLIAM BASSELL SURVEY ABSTRACT NO. 156
CITY OF GARLAND, DALLAS COUNTY, TEXAS
JUNE 29, 2020

s. garland ave - 310 ft.
street trees required 13
provided 13

avenue b - 295 ft.
street trees required 15
provided 15

wilson street 387 ft.
street trees required 18
provided 18

rodando drive - 315 ft.
street trees required 13
provided 13

PRELIMINARY
NOT FOR CONSTRUCTION

KFM
ENGINEERING & DESIGN

LANDSCAPE
ARCHITECT: Nathan R. Parrott
TBAE No.: 3237 DATE: 01/25/21

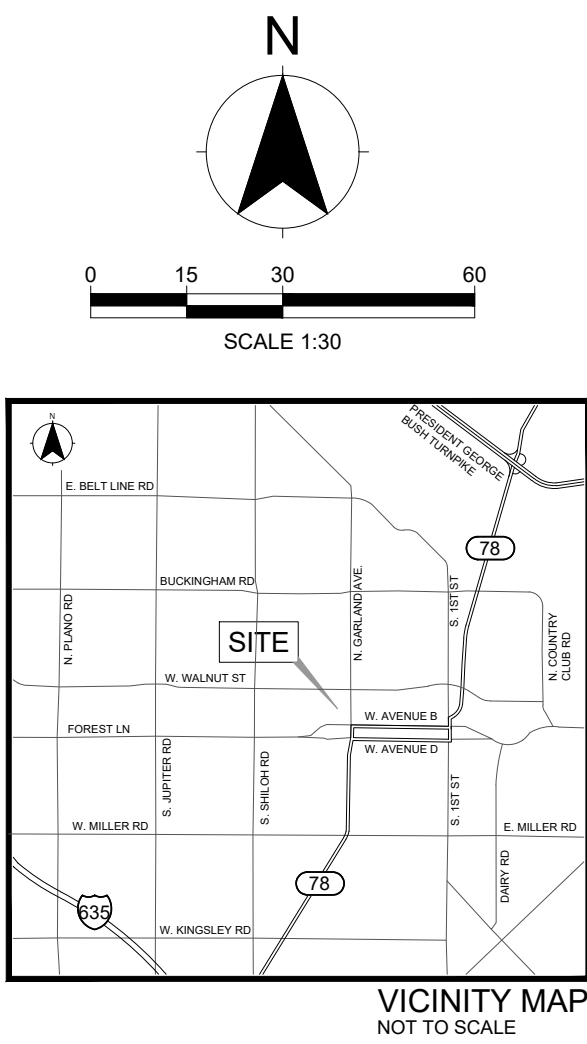
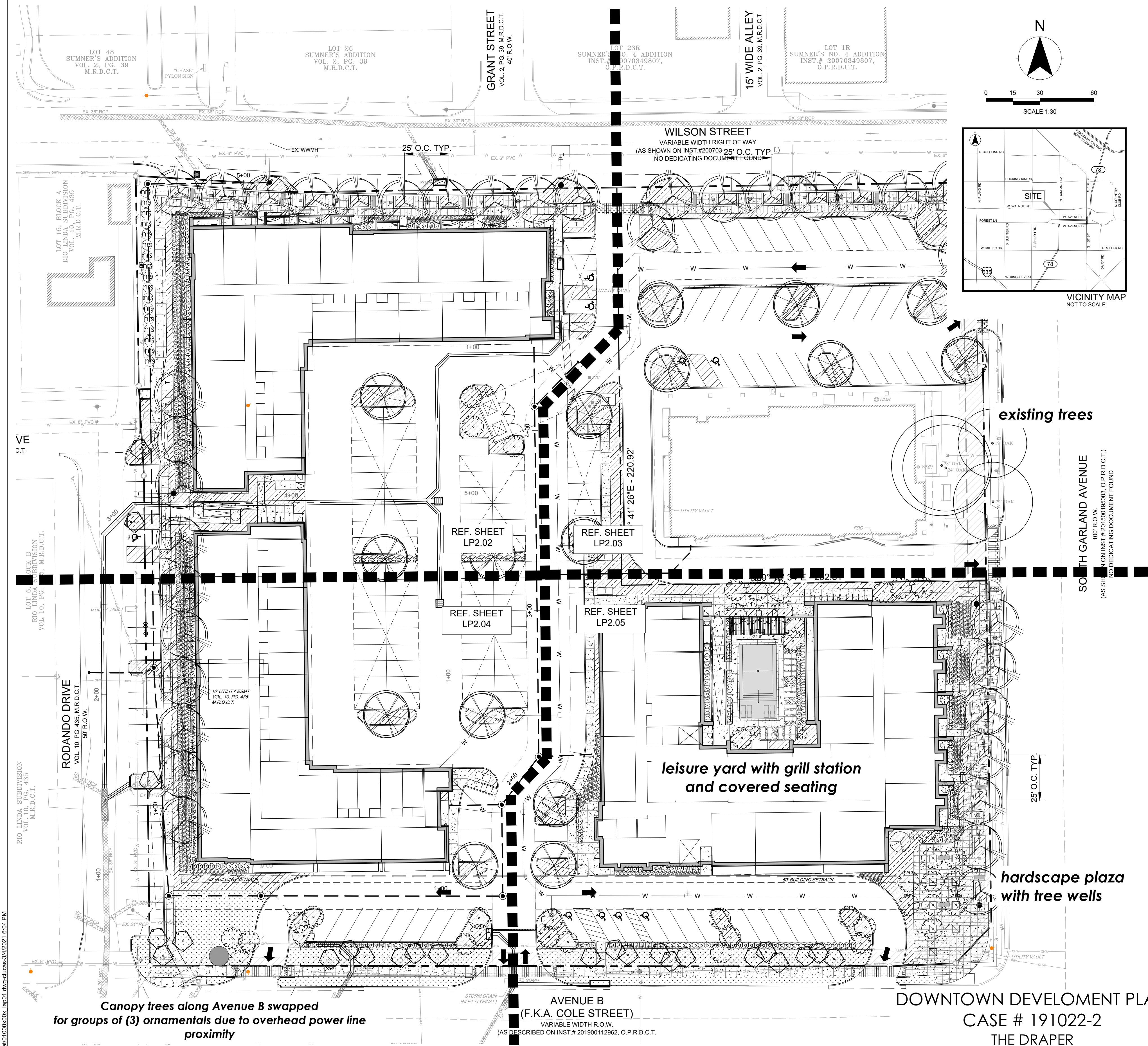
PROJECT: THE DRAPER
SHEET TITLE: LANDSCAPE HARDSCAPE PLAN

CLIENT: GROUND FLOOR DEVELOPMENT

DATE: 2021/02/26

SHEET: LH 1.01

EXHIBIT D



canopy trees		
symbol	count	species
	38	Allee Elm <i>ulmus parvifolia 'emer II'</i>
	16	Highrise™ Live Oak <i>quercus virginiana 'highrise™'</i>
specifications		
		4" caliper, minimum 10' height, full canopy
		4" caliper, minimum 10' height, full canopy

ornamental trees		
symbol	count	species
	1	Pond Cypress <i>taxodium ascendens</i>
	25	Chaste Tree <i>vitex agnus-castus</i>
	43	Timeless Beauty® Desert Willow <i>chilopsis linearis 'monhews'</i>
	11	Fireglow Japanese Maple <i>acer palmatum 'fireglow'</i>
specifications		
		2" caliper, 6-8' height, even canopy
		3 canes minimum w/ average of 2" caliper, 6' height, full canopy, 30g
		3 canes minimum w/ average of 2" caliper, 6' height, full canopy
		3 canes minimum w/ average of 2" caliper, 6' height, full canopy

shrubs/succulents/grasses		
symbol	count	species
	245	Texas Sage 'Green Cloud' <i>leucophyllum frutescens 'green cloud'</i>
	602	Mexican Feather Grass <i>nassella tenuissima</i>
	17	Holly 'Nellie R. Stevens' <i>ilex x 'Nellie R. Stevens'</i>
	66	Mr. Goldstrike Aucuba <i>aucuba japonica 'mr. goldstrike'</i>
	104	Purple Diamond® Fringe Flower <i>loropetalum chinense 'shang-hi'</i>
	212	Pink Muhly Grass 'Regal Mist' <i>muhlenbergia capillaris 'lenca'</i>
	25	Variegated Pittosporum <i>pittosporum tobira variegata</i>
	48	Wax Myrtle <i>Myrica cerifera</i>
specifications		
		3g, 3' on center. 4' height minimum
		1g, 18" on center, ref. details
		7g, 6' on center. 4' height minimum
		3g, 3' on center, ref. details
		1g, 2' on center
		1g, 18" on center, ref. details
		3g, 3' on center, ref. details
		3g, 3' on center, ref. details

groundcovers/native seed mixes		
symbol	count	species
	x sf	Mondo Grass <i>ophiopogon japonicus</i>
	x sf	Bermuda Turfgrass
specifications		
		4" pot, 1' on center, ref. details
		ref. seedsources.com for seeding rates/ instructions

landscape tabulations (garland) downtown district - article 6 - landscape	
7.17 streetscaping	
trees shall be space (1) every 25' on center and be atleast 3" in caliper. Trees shall be planted in 6' x 8' tree wells	
Along avenues b and d where there is no on-street parking allowed, trees may be planted in a continuous 6' landscape strip long back of curb	
7.20 interior parking lot landscaping	
Each row of parking shall be configured so that there is a minimum 9' wide landscape island with each run of eight parking spaces. Parking lots shall have (1) tree for every six parking spaces - 159 internal parking spaces/6 =	
parking lot trees required	27
provided	27+
article 3 - screening & landscape	
4.34 perimeter screening - site and perimeter landscape	
Along major thoroughfares, 7 shrubs or ornamental grasses per every 30' lineal feet are required.	
s. garland ave	
shrubs required	77
provided	77+
avenue b	
shrubs required	88
provided	88+
4.39 perimeter screening - single family adjacency	
Option 2 - ornamental metal fence - minimum 5' tall ornamental metal fence with masonry columns spaced a maximum of 50' on center with a continuous row of evergreen high level screening shrubs.	
required	yes
provided	yes

DOWNTOWN DEVELOPMENT PLAN
CASE # 191022-2
THE DRAPER
3.619 ACRES
ALL OF LOT 1, BLOCK C, PORTION OF LOT 2, BLOCK C & LOT 16, BLOCK A, OF RIO LINDA SUBDIVISION
WILLIAM BASSELL SURVEY ABSTRACT NO. 156
CITY OF GARLAND, DALLAS COUNTY, TEXAS
JUNE 29, 2020

LANDSCAPE ARCHITECT:
KFM ENGINEERING & DESIGN, LLC
621 N. MAIN STREET
SUITE 415
GRAPEVINE, TEXAS 76051
CONTACT: NATE PARROTT, PLA
PHONE: (817) 416-4536
EMAIL: NPARROTT@KFM-LLC.COM

SURVEYOR:
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785 LONESOME DOVE TRAIL
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CONTACT: JOSE B. NAJARRO III
PHONE: (817) 431-4971
EMAIL: JOSE@JPHLS.COM

OWNER:
THE DRAPER GARLAND, LLC
6125 LUTHER LANE, STE. 574
DALLAS, TEXAS 75225
CONTACT: MARK DRUMM
PHONE: (214) 766-5522
EMAIL: MARK.DRUMM@REGENTPARKHOLDINGS.COM

DEVELOPER:
GROUND FLOOR DEVELOPMENT
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CONTACT: MARK DRUMM
PHONE: (214) 766-5522
EMAIL: MARK.DRUMM@REGENTPARKHOLDINGS.COM

ENGINEER/PREPARER:
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621 N. MAIN STREET
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CONTACT: JOSH MILLSAP, P.E.
PHONE: (817) 416-4536
EMAIL: JMILLSAP@KFM-LLC.COM

ENGINEERING & DESIGN

3501 OLYMPUS BLVD, SUITE 100
DALLAS, TEXAS 75019
PHONE: (817) 416-4536
WWW.KFM-LLC.COM
TBE # F-20821

CLIENT: THE DRAPER

PROJECT: THE DRAPER

SHEET TITLE: LANDSCAPE PLANTING PLAN

PRELIMINARY
NOT FOR CONSTRUCTION

LANDSCAPE ARCHITECT: Nathan R. Parrott
TBAE No.: 3237 DATE: 01/25/21

PROJECT NUMBER: 010017001

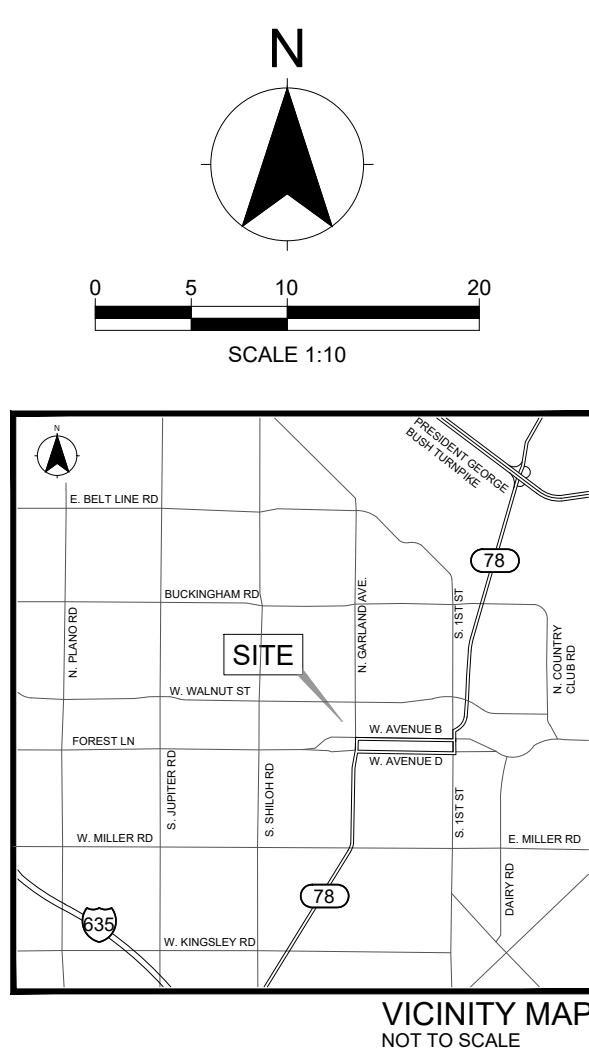
DRAWN BY: LL/GW DESIGNED BY: JDB CHECKED BY: JAM

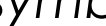
DATE: 2021/03/01

SHEET: LP 2.01

GROUND FLOOR DEVELOPMENT

EXHIBIT D



canopy trees			
symbol	count	species	specifications
	38	Allee Elm <i>ulmus parvifolia</i> 'emer II'	4" caliper, minimum 10' height, full canopy
	16	Highrise™ Live Oak <i>quercus virginiana</i> 'highrise'™	4" caliper, minimum 10' height, full canopy

ornamental trees			
symbol	count	species	specifications
	1	Pond Cypress <i>taxodium ascendens</i>	2" caliper, 6-8' height, even canopy
	25	Chaste Tree <i>vifex agnus-castus</i>	3 canes minimum w/ average of 2" caliper, 6' height, full canopy, 30g
	43	Timeless Beauty® Desert Willow <i>chilopsis linearis 'monhews'</i>	3 canes minimum w/ average of 2" caliper, 6' height, full canopy
	11	Fireglow Japanese Maple <i>acer palmatum 'fireglow'</i>	3 canes minimum w/ average of 2" caliper, 6' height, full

shrubs/succulents/grasses			canopy
symbol	count	species	specifications
(ts)	245	Texas Sage 'Green Cloud' <i>leucophyllum frutescens</i> 'green cloud'	3g, 3' on center. 4' height minimum
(tg)	602	Mexican Feather Grass <i>nassella tenuissima</i>	1g, 18" on center, ref. details
(nrs)	17	Holly 'Nellie R. Stevens' <i>ilex</i> x 'Nellie R. Stevens'	7g, 6' on center. 4' height minimum
(ag)	66	Mr. Goldstrike Aucuba <i>aucuba japonica</i> 'mr. goldstrike'	3g, 3' on center, ref. details
(ff)	104	Purple Diamond® Fringe Flower <i>loropetalum chinense</i> 'shang-hi'	1g, 2' on center
(mg)	212	Pink Muhly Grass 'Regal Mist' <i>muhlenbergia capillaris</i> 'lenca'	1g, 18" on center, ref. details
(ry)	25	Variegated Pittosporum <i>pittosporum tobira</i> 'variegata'	3g, 3' on center, ref. details
(wm)	48	Wax Myrtle <i>myrica caribaea</i>	3g, 3' on center, ref. details

groundcovers/native seed mixes			
symbol	count	species	specifications
	x sf	Mondo Grass <i>othipogon japonicus</i>	4" pot, 1' on center, ref. details
	x sf	Bermuda Turfgrass	ref. seedsources.com for seeding rates/ instructions
	x sf	Cobble Rock	2-4"

landscape tabulations (garland)	
downtown district - article 6 - landscape	
7.17 streetscaping	
trees shall be space (1) every 25' on center and be atleast 3" in caliper. Trees shall be planted in 6' x 8' tree wells	
Along avenues b and d where there is no on-street parking allowed, trees may be planted in a continuous 6' landscape strip long back of curb	
7.20 interior parking lot landscaping	
s. garland ave - 187 ft.	
street trees required	13
provided	13
avenue b - 473 ft.	
street trees required	15
provided	15
wilson street - 459 ft.	
street trees required	18
provided	18
rodando drive - 327 ft.	
street trees required	13
provided	13

Each row of parking shall be configured so that there is a minimum 9' wide landscape island with each run of eight parking spaces. Parking lots shall have (1) tree for every six parking spaces - $159 \text{ internal parking spaces} / 6 =$

parking lot trees required 27
provided 27+

article 3 - screening & landscape

4.34 perimeter screening - site and perimeter landscape

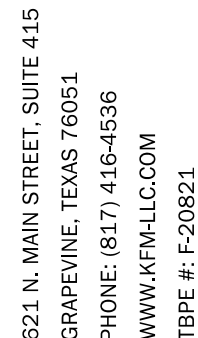
N Along major thoroughfares, 7 shrubs or ornamental grasses per every 30' lineal feet are required.

shrubs required	<u>77</u>	shrubs required	<u>88</u>
provided	<u>77+</u>	provided	<u>88+</u>

4.39 perimeter screening - single family adjacency

Option 2 - ornamental metal fence - minimum 5' tall ornamental metal fence with masonry columns spaced a maximum of 50' on center with a continuous row of evergreen high level screening shrubs.

required yes provided yes



No.:	BY:	DATE:	REVISION:

EXHIBIT D

PROJECT THE DRAPER

SHEET TITLE POOL DETAILS

PRELIMINARY
NOT FOR CONSTRUCTION

KFM
ENGINEERING & DESIGN

LANDSCAPE
ARCHITECT: Nathan R. Parrott
TBAE No.: 3237 DATE: 01/25/21

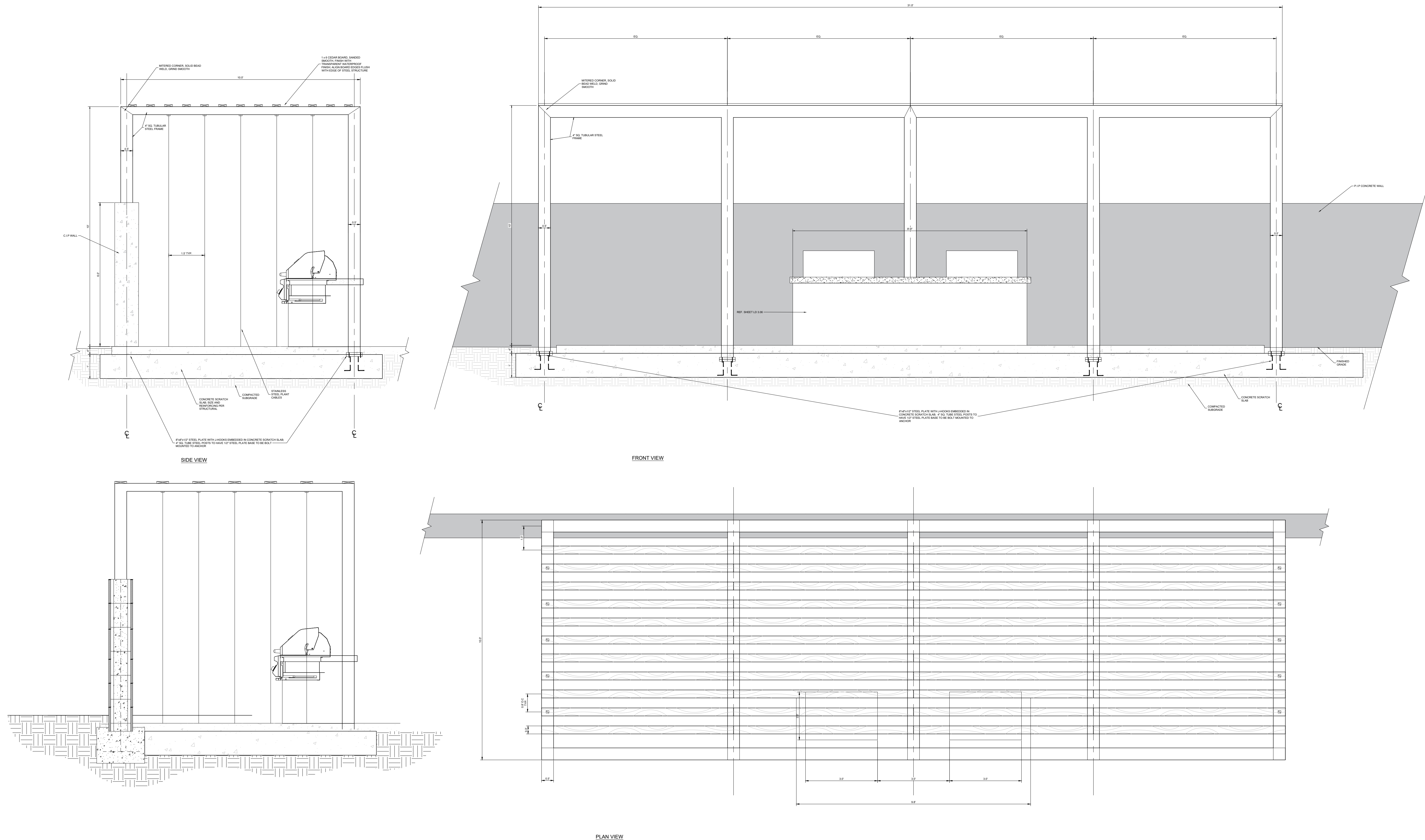
PROJECT NUMBER:
010017001

DRAWN BY: DESIGNED BY: CHECKED BY:
GDW JDB JAM

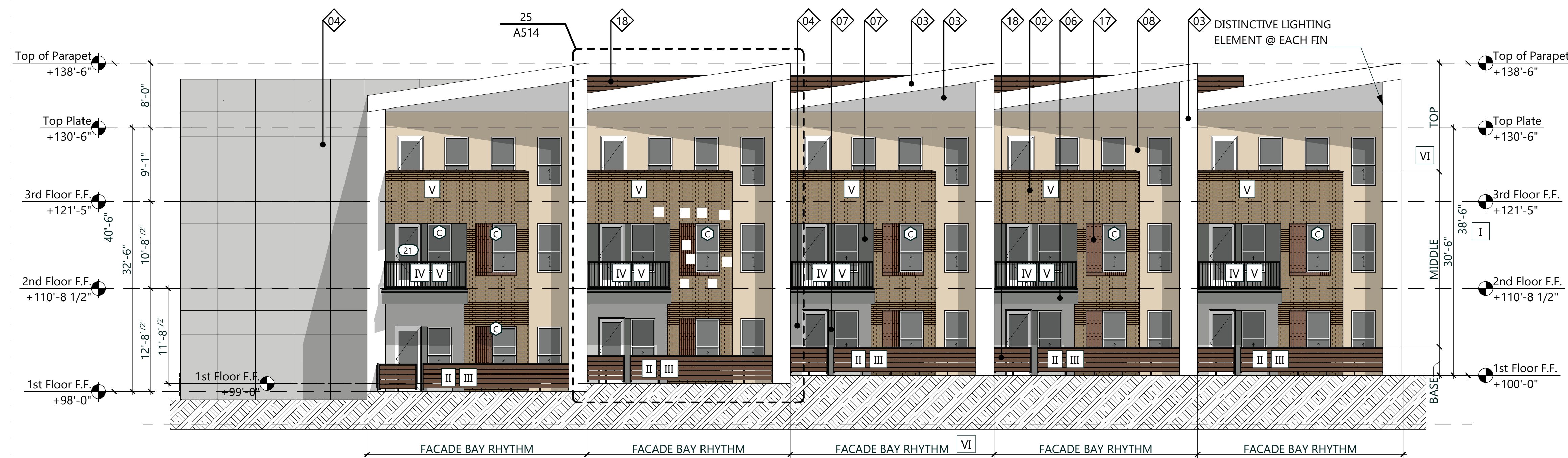
DATE:
2021/01/25

SHEET:

LD 3.05



POOL SHELTER
SCALE: 1" = 2'



07 Building 1 East Elevation
Scale: 1/8" = 1'-0"

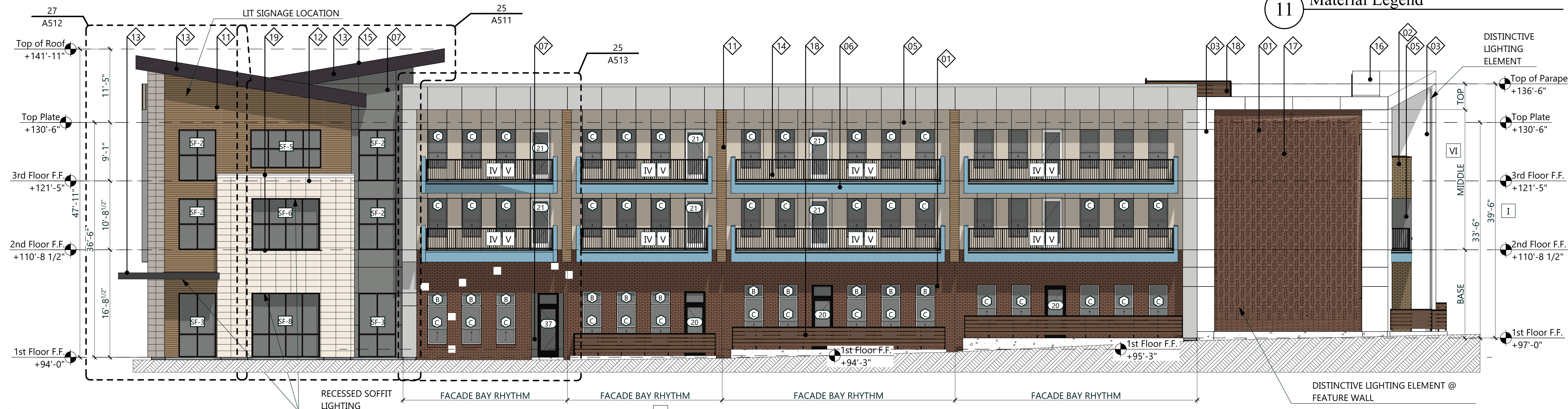
FIBER CEMENT PANEL JOINTS TO BE IDENTIFIED AND PROVIDED PRIOR TO CONSTRUCTION.

05 Metal Balcony Railing

Scale: 3/4" = 1'-0"

ID	Material	Color
01	BRICK	COLOR 1
02	BRICK	COLOR 2
03	FIBER CEMENT PANEL	COLOR 1
04	FIBER CEMENT PANEL	COLOR 2
05	FIBER CEMENT PANEL	COLOR 3
06	FIBER CEMENT PANEL	COLOR 4
07	FIBER CEMENT PANEL	COLOR 5
08	FIBER CEMENT PANEL	COLOR 6
10	FIBER CEMENT SIDING	COLOR 2
11	PREFINISHED SIDING	COLOR 1
12	LIMESTONE	SMOOTH CUT
13	FLUSH SEAM METAL PANEL	COLOR 1
14	METAL PICKETS	BRONZE
15	STANDING SEAM METAL ROOF	
16	TPO ROOF	
17	BRICK	DECORATIVE PATTERN
18	RAILING	COMPOSITE WOOD
19	MTL. FLAT SEAM ROOF	ANODIZED

11 Material Legend



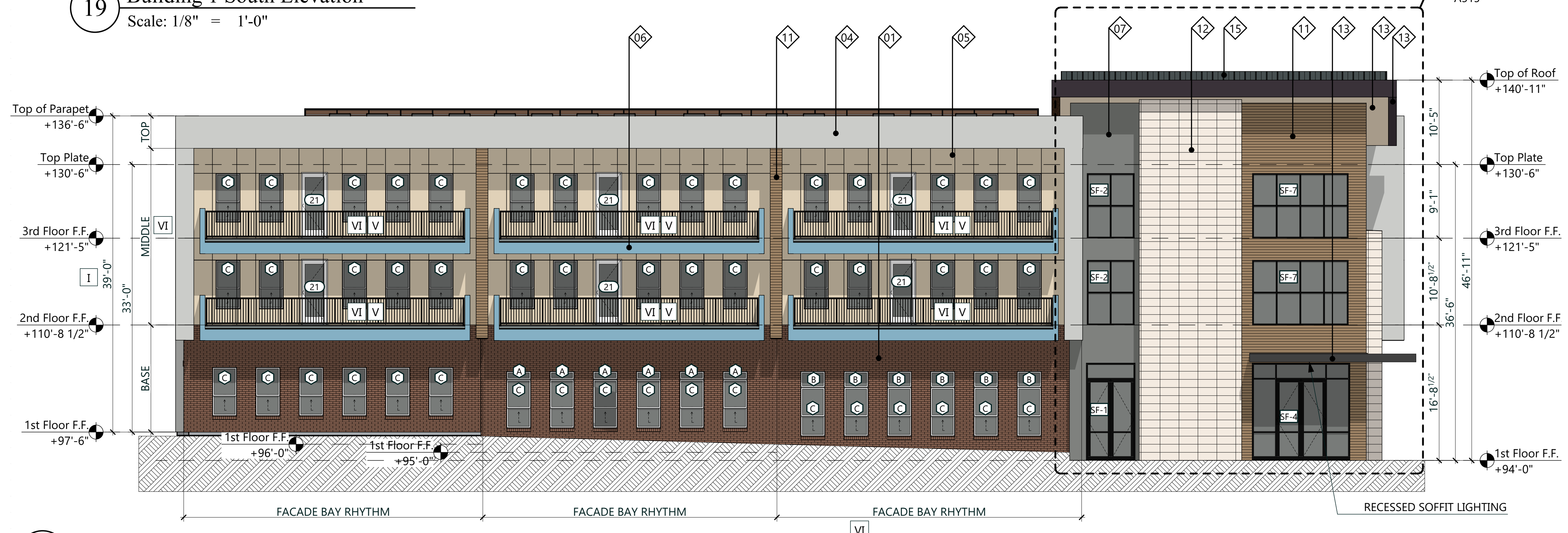
19 Building 1 South Elevation
Scale: 1/8" = 1'-0"

1/8" = 1'-0" Scale
Article 6 - Building Design, Div. 1 - Exterior Building Requirements, sect 4.83 - Nonresidential & Multifamily Building Materials & Design
(A) Architectural Elements

(1) Except as provided for Industrial (IN) districts in Subsections 4.83(G) and 4.83(H) below, all nonresidential and multifamily buildings must incorporate design elements which create character or reflect regional architecture by including at least six of the following elements, photos and examples of which are provided below:

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

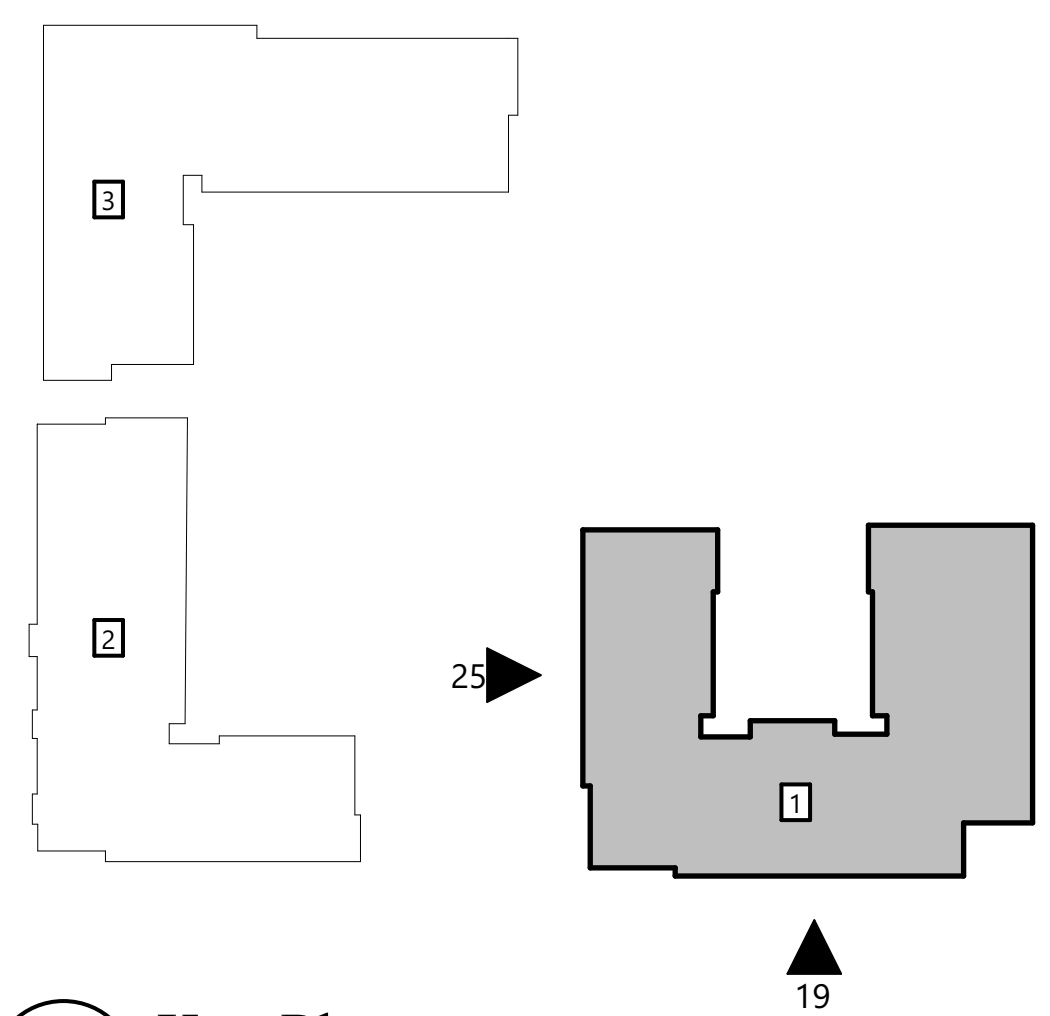
29 GDC Facade Requirements



25 Building 1 West Elevation
Scale: 1/8" = 1'-0"

PD Ordinance NO. 6713 Requirements:	
V. Specific Regulations	
G. Building Height Number of Stories	
Maximum height for new construction is 65 feet, allowing maximum of 4 stories for residential structure and 5 stories for parking structures.	
H. Residential Units at Grade:	
i. All buildings which have residential unit floor plates within four feet of grade facing streets shall include a front door entrance into the unit which is accessed from the sidewalk for a minimum of 70% of exterior units.	
# of units applicable per H, i: 18	
# of units required: 70% x 18 = 13	
# of units complying: 13	
ii. Entries for grade-level units should be located a minimum of one foot above the sidewalk and include a minimum twenty four square foot stoop...	
All applicable units provide min. requirements per H, ii.	
iv. Balcony and patio railings and fences shall be largely transparent...	
I. Residential Units above Grade:	
i. At least fifty percent of residential units above-grade shall have balconies that are at least four feet in depth.	
# of units above grade: 128	
# of balconies required: 50% x 128 = 64	
# of balconies provided: 112	
GDC Downtown District Requirements:	
(H) Architectural Articulation: Where clearly visible from a public street or open space, buildings shall demonstrate both horizontal and vertical articulation...	
(1) All buildings shall be designed and constructed in tri-partite architecture, with a distinct base, middle and top...	
(2) Buildings shall generally maintain a facade rhythm of twenty to thirty feet...	
(H) Building Entries: Each building and separate lease space at-grade along the street edge shall have a functioning primary entry from the sidewalk... Entries to lease spaces from a courtyard, plaza or parking may be flush with the building facade provided there is an awning or other weather protective cover.	
GDC Multi-family District Requirements:	
Ch. 2 Zoning Article 4, Div. 2	
(1) Other Requirements	
(1) Storage Space: An enclosed storage facility must be constructed on-site for each dwelling unit in a MF structure, with convenient access to its corresponding unit. The minimum size of each storage facility must be twenty-five square feet, and must contain not less than one hundred and seventy-five cubic feet. A garage may not count as a storage facility unless the required storage space is added to the size of the garage. Deviation proposed: The total storage requirements be met with compilation of unit storage, unit closets and building storage. Refer to A200's for unit storage data and A321 and A331 for building storage data.	
(2) Clubhouse:	
(a) An MF development with two hundred dwelling units of less must have a clubhouse that is a minimum 2,500 square feet in size.	
Club/Lounge: 7625Q FT	
Fitness: 1328 SQ FT	
Total: 2090 SQ FT	
Deviation proposed: The clubhouse will have a minimum of 2000 square feet in size.	

24 Zoning Compliance



30 Key Plan

GFNT
Opportunity II, LC

Project Number: 2019028
Drawn By: epariente
Issue for: City Submittal
1.25.2021

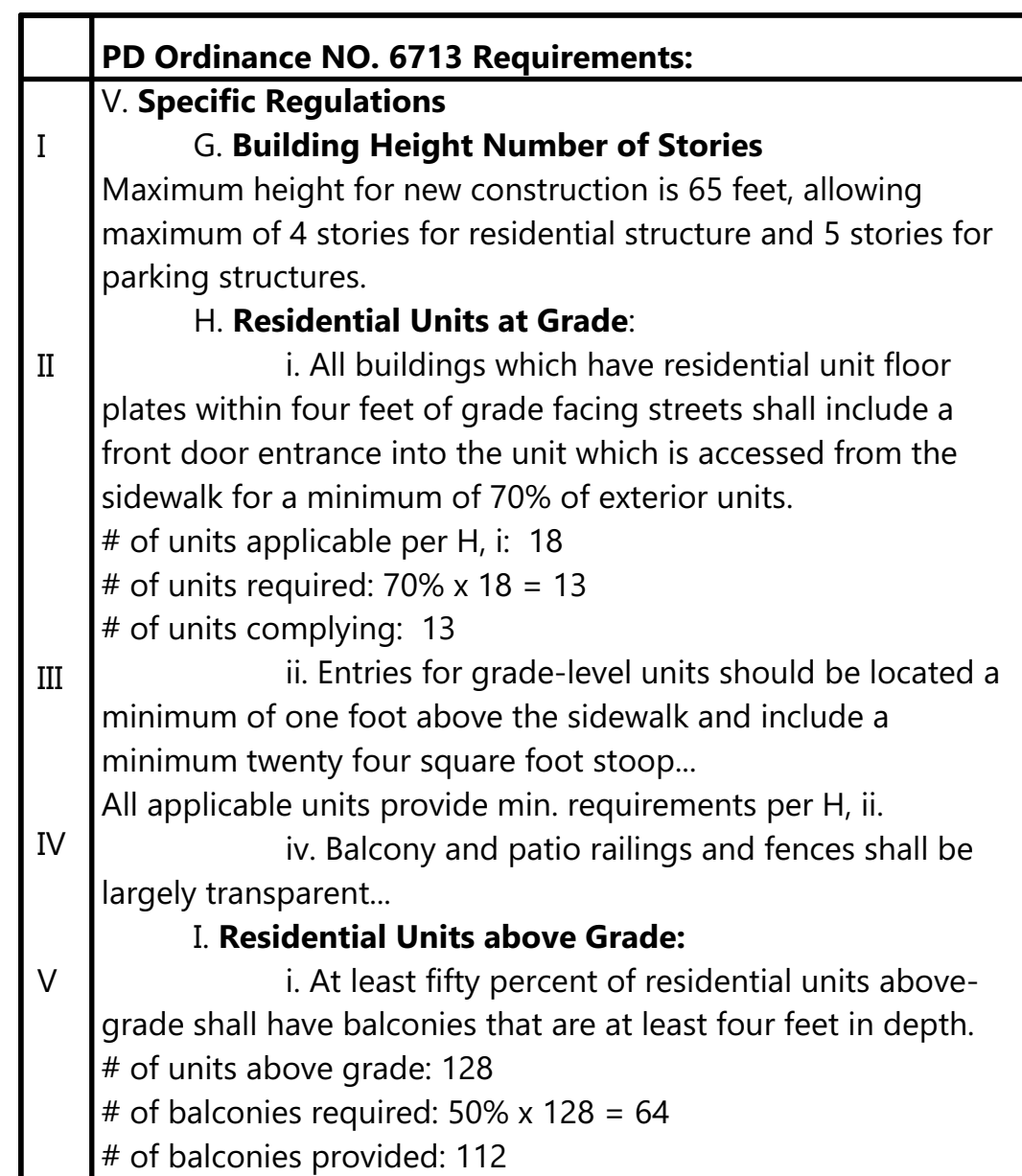
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Delta	Issue Name	Date

The Draper
Garland, Texas



07 Building 1 North Elevation
Scale: 1/8" = 1'-0"



VI	(H) Architectural Articulation: Where clearly visible from a public street or open space, buildings shall demonstrate both horizontal and vertical articulation... (1) All buildings shall be designed and constructed in tri-partite architecture, with a distinct base, middle and top... (2) Buildings shall generally maintain a facade rhythm of twenty to thirty feet...
----	--

	GDC Multi-family District Requirements:
--	--

(1) Other Requirements

(1) Storage Space: An enclosed storage facility must be constructed on-site for each dwelling unit in a MF structure, with convenient access to its corresponding unit. The minimum size of each storage facility must be twenty-five square feet, and must contain not less than one hundred and seventy-five cubic feet. A garage may not count as a storage facility unless the required storage space is added to the size of the garage.

Deviation proposed: The total storage requirements be met with compilation of unit storage, unit closets and building storage.

Refer to A200's for unit storage data and A321 and A331 for building storage data.

(2) Clubhouse:

(a) An MF development with two hundred dwelling units of less must have a clubhouse that is a minimum 2,500 square feet in size.

Club/Lounge: 7625 SQ FT
Fitness: 1328 SQ FT
Total: 2090 SQ FT

Deviation proposed: The clubhouse will have a minimum of 2000 square feet in size.

19 Building 1 Courtyard North Elevation
Scale: 1/8" = 1'-0"

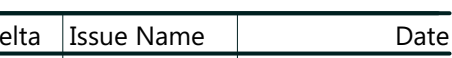
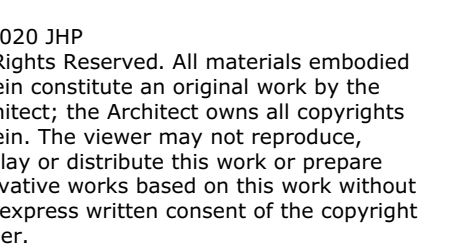
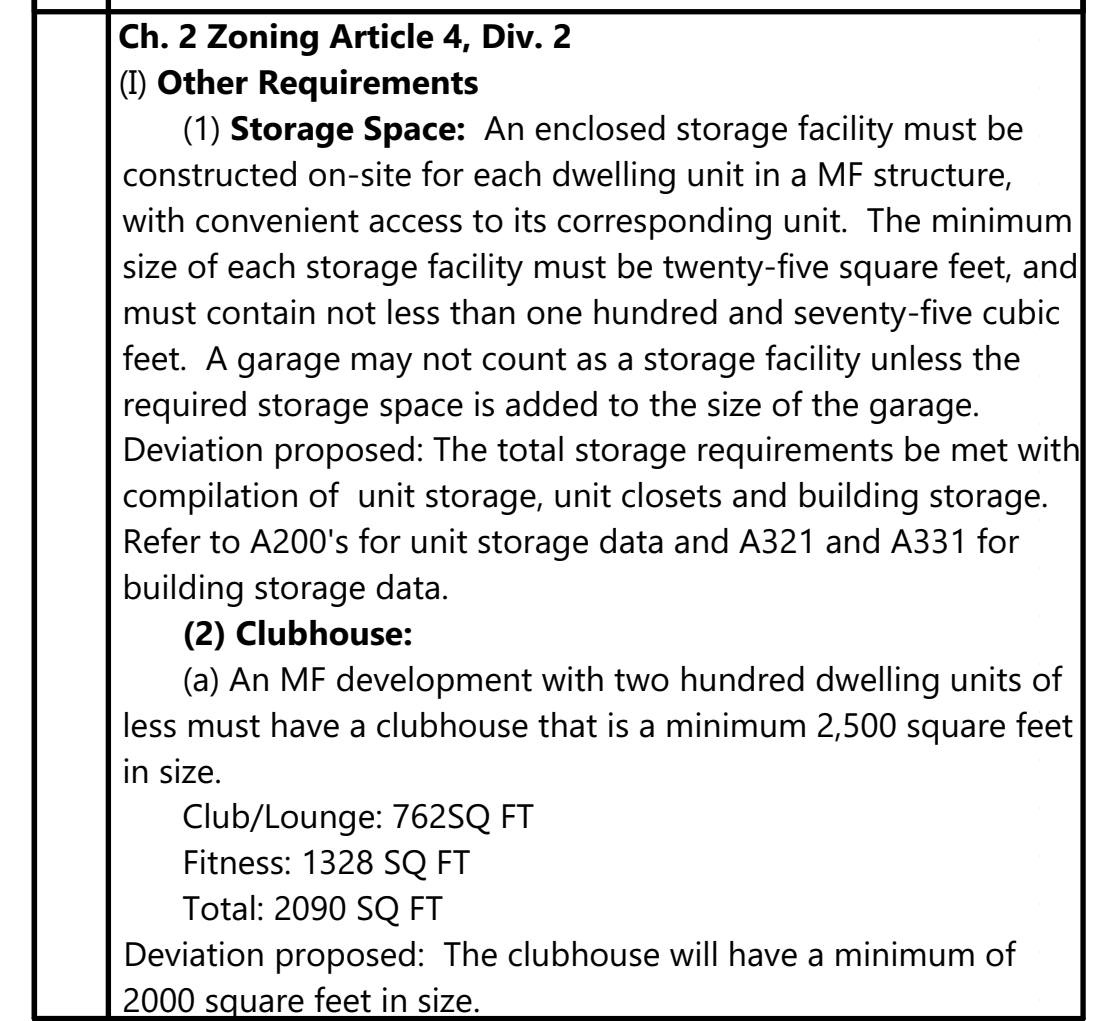
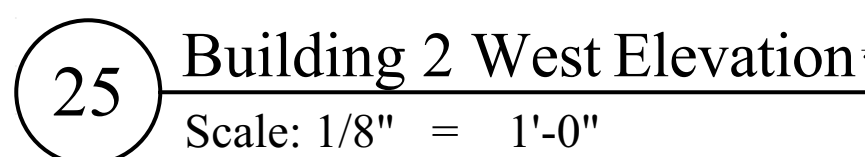
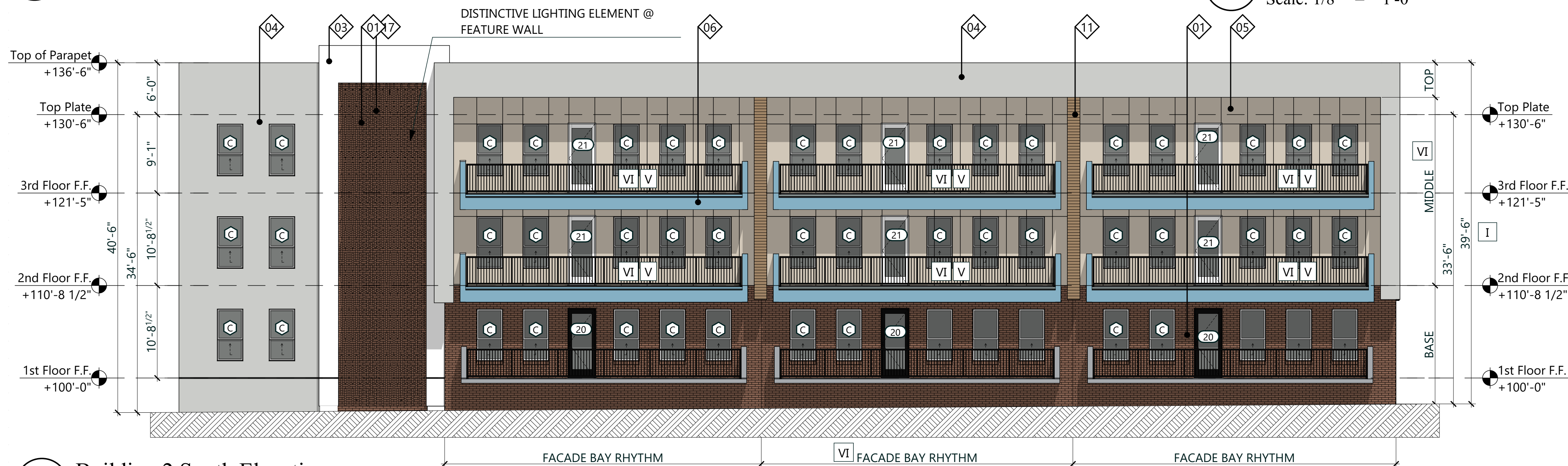
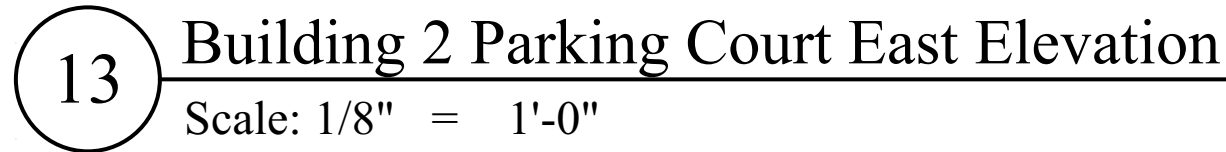
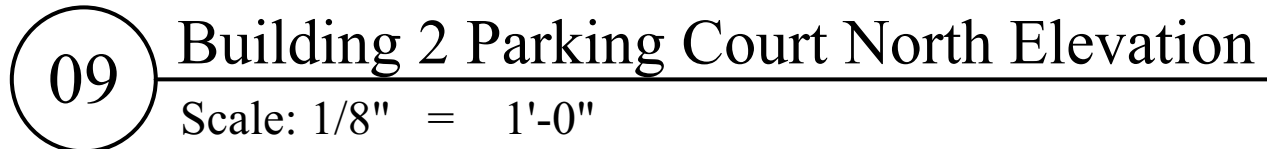
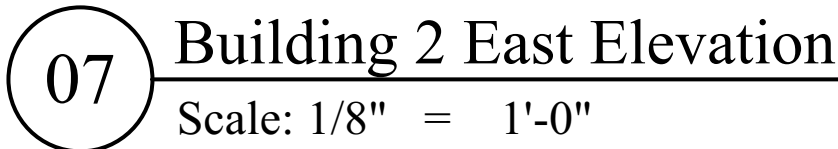


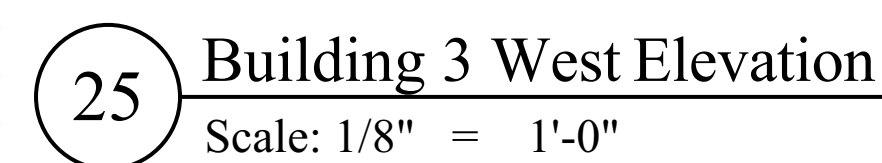
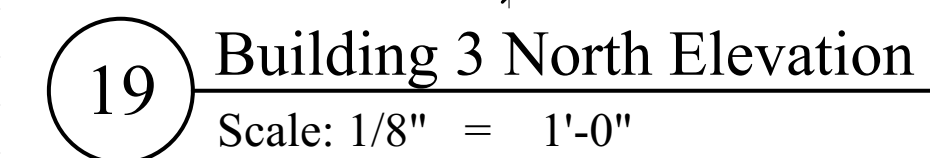
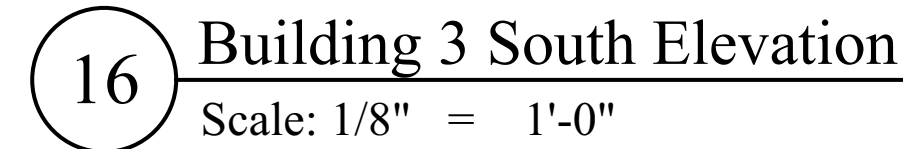
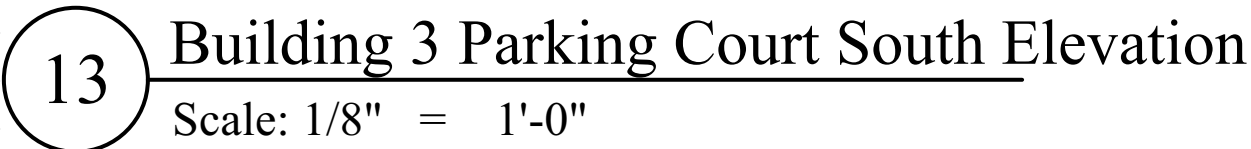
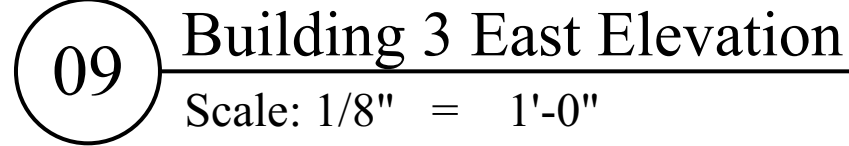
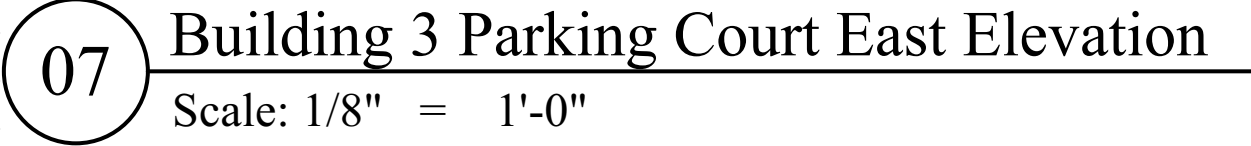
25 Building 1 Courtyard East Elevation
Scale: 1/8" = 1'-0"

15 Building 1 Courtyard West Elevation
Scale: 1/8" = 1'-0"

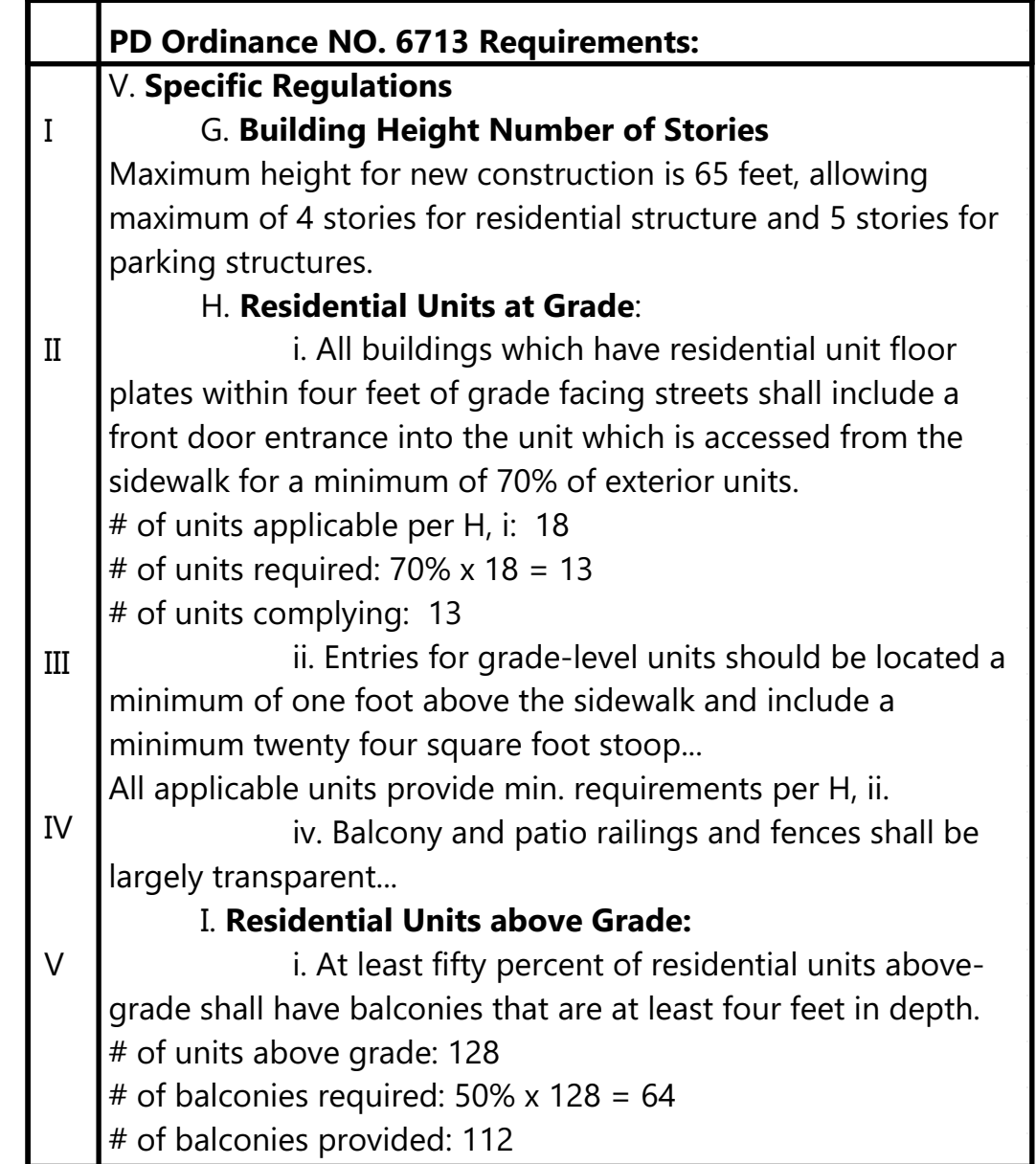
29 Material Legend







20 Material Legend



GDC Downtown District Requirements:	
VI	(H) <u>Architectural Articulation:</u> Where clearly visible from a public street or open space, buildings shall demonstrate both horizontal and vertical articulation... (1) All buildings shall be designed and constructed in tri-parite architecture, with a distinct base, middle and top... (2) Buildings shall generally maintain a facade rhythm of twenty to thirty feet...
VII	(H) <u>Building Entries.</u> Each building and separate lease space at-grade along the street edge shall have a functioning primary entry from the sidewalk....Entries to lease spaces from a courtyard, plaza or parking may be flush with the building facade provided there is an awning or other weather protective cover.

	GDC Multi-family District Requirements:
	Ch. 2 Zoning Article 4, Div. 2
	(1) Other Requirements
	(1) Storage Space: An enclosed storage facility must be constructed on-site for each dwelling unit in a MF structure, with convenient access to its corresponding unit. The minimum size of each storage facility must be twenty-five square feet, and must contain not less than one hundred and seventy-five cubic feet. A garage may not count as a storage facility unless the required storage space is added to the size of the garage.
	Deviation proposed: The total storage requirements be met with compilation of unit storage, unit closets and building storage.
	Refer to A200's for unit storage data and A321 and A331 for building storage data.
	(2) Clubhouse:
	(a) An MF development with two hundred dwelling units or less must have a clubhouse that is a minimum 2,500 square feet in size.
	Club/Lounge: 762SQ FT
	Fitness: 1328 SQ FT
	Total: 2090 SQ FT
	Deviation proposed: The clubhouse will have a minimum of 2000 square feet in size.

30 Key Plan

EXHIBIT E

The Draper

Garland, Texas

Issue Name	Date

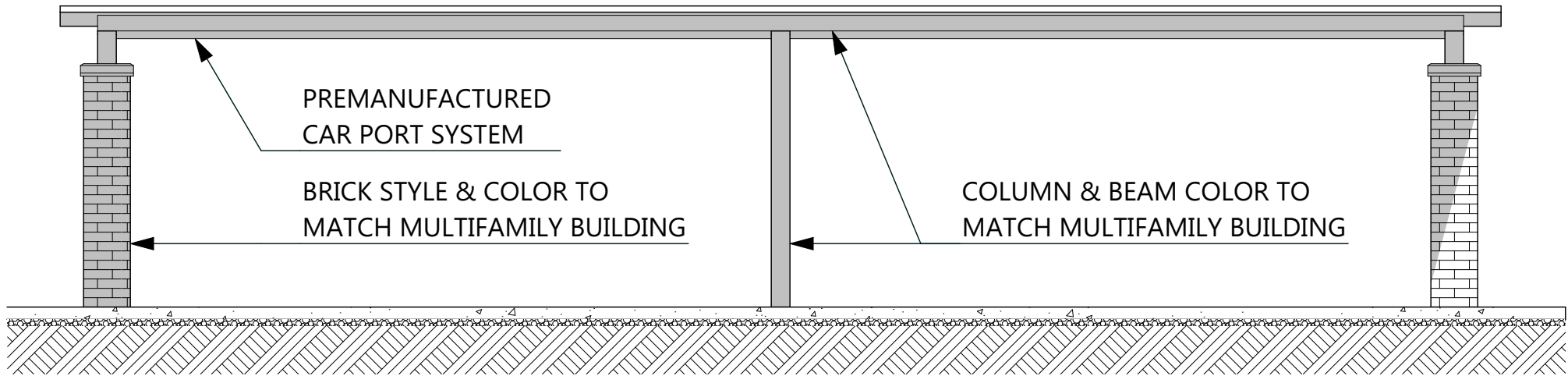
431

NOT FOR REGULATORY
APPROVAL, PERMIT, OR
CONSTRUCTION.

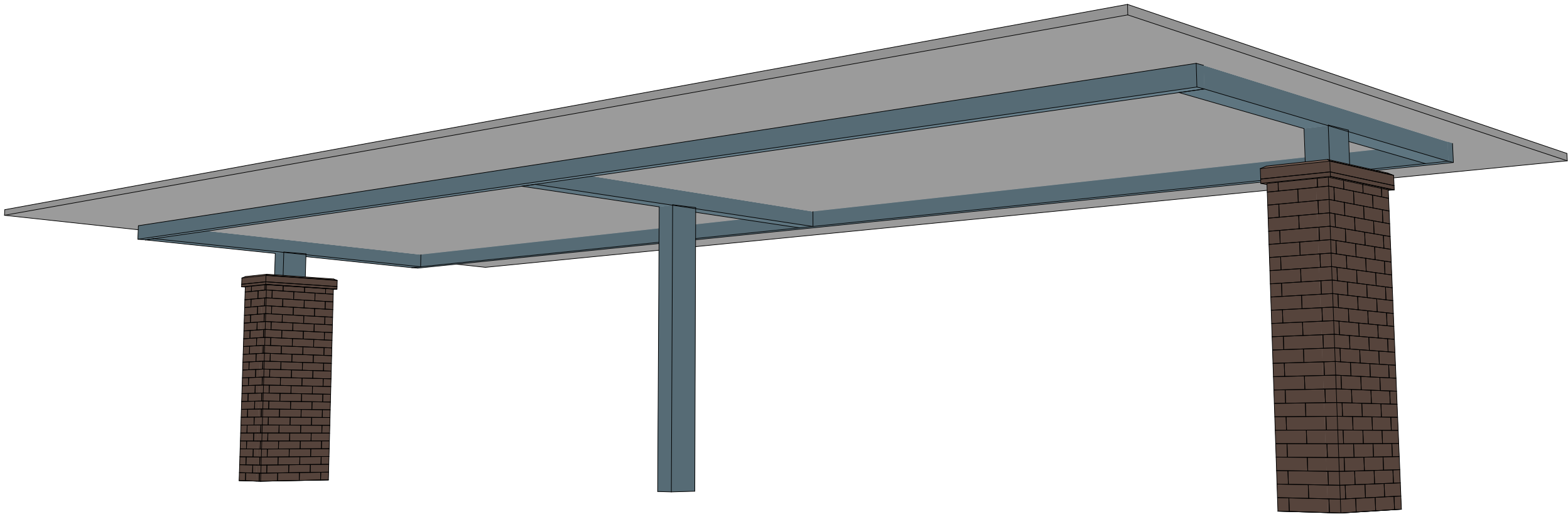
J. Mark Wolf

Registered Architect of the State of:
Texas

Registration Number:
9129



1 Elevation
Scale: 1/4" = 1'-0"



2 Car Port Perspective

EXHIBIT E
The Draper
Garland, Texas

The Draper, LLC

Project Number: 2019028
Drawn By: epariente
Issue for: City Submittal
1.25.2021

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Delta	Issue Name	Date

Car Port



**GARLAND
CITY COUNCIL ITEM SUMMARY SHEET**

City Council Regular Session Agenda

3. b.

Meeting Date: 04/06/2021

Item Title: Z 20-41 Armando Palacios (District 4)

Submitted By: Will Guerin, Planning Director

Summary of Request/Problem

Zoning Ordinance Z 20-41 Armando Palacios

Recommendation/Action Requested and Justification

Consider adoption of the attached ordinance.

Attachments

Z 20-41 Ordinance

Z 20-41 Exhibit A

Z 20-41 Exhibit B

Z 20-41 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 80-42 FOR COMMUNITY RETAIL USES; 2) A SPECIFIC USE PROVISION TO ALLOW A RESTAURANT, DRIVE-THROUGH USE AND 3) A DETAIL PLAN ON A 0.627-ACRE TRACT OF LAND LOCATED AT 5621 BROADWAY BOULEVARD; PROVIDING FOR CONDITIONS, RESTRICTIONS, AND REGULATIONS; PROVIDING A PENALTY UNDER THE PROVISIONS OF SEC. 10.05 OF THE CODE OF ORDINANCES OF THE CITY OF GARLAND, TEXAS; PROVIDING A NOTICE OF CONDITIONS OF COMPLIANCE CLAUSE; A SAVINGS CLAUSE AND A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, at its regular meeting held on the 22nd day of February, 2021, the Plan Commission did consider and make recommendations on a certain request for approval of 1) an amendment to Planned Development (PD) District 80-42 for Community Retail Uses; 2) a Specific Use Provision to allow a Restaurant, Drive-Through Use and 3) a Detail Plan by **Armando Palacios** 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 Garland Development Code 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 80-42 for Community Retail Uses; 2) a Specific Use Provision to allow a Restaurant, Drive-Through Use and 3) a Detail Plan on a property located at 5621 Broadway Boulevard and being more particularly described in Exhibit A, attached hereto and made a part hereof.

Section 2

ZONING FILE NO. Z 20-41

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.

ZONING FILE NO. Z 20-41

Section 7

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

PASSED AND APPROVED this _____ day of _____, 2021.

CITY OF GARLAND, TEXAS

By:

Mayor

ATTEST:

City Secretary

Published:

EXHIBIT A

LEGAL DESCRIPTION

Zoning File Z 20-41

BEING a 0.627-acre tract out of the John Little Survey, Abstract No. 761 in the City of Garland, Dallas County, Texas, being a portion of Lot 1, Block 1, New West No. 5, an addition to the City of Garland, Dallas County, Texas, according to the plat thereof recorded in Volume 78204, Page 882, Map Records, Dallas County, Texas, being a portion of that certain 6.663 acre tract of land conveyed to KPP Group, LLC by Special Warranty Deed as recorded in Instrument No. 201900326713, Official Public Records, Dallas County, Texas and being more particularly described as follows:

BEGINNING at an "X" cut set in concrete for corner at the intersection of the southwesterly right-of-way line of Broadway Boulevard (a 100.0 foot width right-of-way) and the northerly right-of-way line of Duck Creek Drive (a 100.0 foot width right-of-way), said point being the east corner of said Lot 1, Block 1;

THENCE South 70 degrees 14 minutes 50 seconds West, along the northerly line of said Duck Creek Drive, a distance of 45.64 feet to a 1/2 inch iron pipe found for corner, said point being the beginning of a curve to the left, a radius of 854.57 feet, a delta angle of 06 degrees 24 minutes 53 seconds, and a chord bearing and distance of South 67 degrees 07 minutes, 50 seconds West, 95.63 feet;

THENCE in a southwesterly direction, along the curve to the left and along the northerly line of said Duck Creek Drive, an arc distance of 95.68 feet to an "X" cut set in concrete for corner, said point being the south corner of said 0.627 acre tract of land being described;

THENCE North 26 degrees 24 minutes 27 seconds West, departing the northerly line of said Duck Creek Drive and through the interior of said Lot 1, Block 1, a distance of 135.76 feet to an "X" cut set in concrete for corner, said point being the beginning of a curve to the left, a radius of 300.00 feet, a delta angle of 10 degrees 06 minutes 11 seconds, and a chord bearing and distance of North 31 degrees 27 minutes, 32 seconds West, 52.83 feet;

THENCE in a northwesterly direction, along the curve to the left and through interior of said Lot 1, Block 1, an arc distance of 52.90 feet to an "X" cut set in concrete for corner;

THENCE North 36 degrees 30 minutes 38 seconds West, continuing through interior of said Lot 1, Block 1, a distance of 11.41 feet to an "X" cut set in concrete for corner, said point being the west corner of said 0.627 acre tract of land being described, same point being in the southerly line of that certain tract of land conveyed to Michele Group, LLC by deed as recorded in Instrument No. 201200081861, Official Public Records, Dallas County, Texas;

THENCE North 74 degrees 40 minutes 58 seconds East, continuing through interior of said Lot 1, Block 1 and along the common line of said Michele Group, LLC tract and said KPP Group, LLC tract, a distance of 121.99 feet to an "X" cut set in concrete for corner;

EXHIBIT A

THENCE North 62 degrees 30 minutes 00 seconds East, continuing through interior of said Lot 1, Block 1 and along the common line of said Michele Group, LLC tract and said KPP Group, LLC tract, a distance of 30.00 feet to an "X" cut set in concrete for corner, said point being north corner of said 0.627 acre tract of land being described, same point being the east corner of said Michele Group, LLC tract, said point also being in the southwesterly right-of-way line of said Broadway Boulevard;

THENCE South 27 degrees 30 minutes 00 seconds East, along the southwesterly right-of-way line of said Broadway Boulevard, a distance of 74.68 feet to an "X" cut found in concrete for corner, said point being the beginning of a curve to the right, a radius of 1095.92 feet, a delta angle of 05 degrees 55 minutes 36 seconds, and a chord bearing and distance of South 24 degrees 32 minutes, 12 seconds East, 113.31 feet;

THENCE in a southeasterly direction, along the curve to the right and along the southwesterly right-of-way line of said Broadway Boulevard, an arc distance of 113.36 feet to the POINT of BEGINNING and containing 27,328 square feet and 0.627 acre of computed land.

EXHIBIT B

PLANNED DEVELOPMENT CONDITIONS

ZONING FILE Z 20-41

5621 BROADWAY BOULEVARD

I. Statement of Purpose: The purpose of this Planned Development (PD) District is to approve a Detail Plan for a Restaurant, Drive-Through.

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

III. General Regulations: All regulations of Planned Development (PD) District 80-42 and the Community Retail (CR) District as set forth in Chapter 2 of the Garland Development Code are included by reference and shall apply, except as otherwise specified by this ordinance.

IV. Development Plans:

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

V. Specific Conditions:

A. Permitted Uses: Land Uses are permitted as in the Community Retail (CR) District.

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

C. Landscape Plan: Screening and landscaping shall be in general conformance with the landscape plan labeled Exhibit D.

D. Maintenance requirements:

(1) Landscaping must be continuously maintained in a healthy, growing condition and in compliance

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

(2) Any dead or dying plant or vegetation, whether or not a component of required landscaping, must be promptly replaced with another approved plant or vegetation variety that complies with the approved landscape plan and in no event later than sixty days after notification by the City. In the event the property owner fails to remedy a violation of any landscaping maintenance regulation within sixty days of the City sending notice, the City may, in addition to any other remedy available by law, suspend, withhold, or revoke city permits, approvals, consents and the certificate of occupancy for the retail fuel pumps and convenience store. See Section 4 of the granting ordinance.

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

E. Elevations: Building Elevations shall be in general

conformance with the elevations labeled Exhibit E.

SPECIFIC USE PROVISION CONDITIONS

ZONING FILE Z 20-41

5621 BROADWAY BOULEVARD

- I. Statement of Purpose:** The purpose of this Specific Use Provision is to allow a Restaurant, Drive-Through Use.
- II. Statement of Effect:** This Specific Use Provision shall not affect any regulation found in the Garland Development Code, Ordinance No. 6773, as amended prior to adoption of this ordinance, except as specifically provided herein.
- III. General Regulations:** All regulations of Planned Development (PD) District 80-42 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 Use Provision:**
- A. SUP Time Period:** The Specific Use Provision shall be in effect for thirty (30) years.

NOTES BY SYMBOL:

- 1

EXISTING RESTAURANT STRUCTURE.
- 2

INSTALL 8' TALL DUMPSTER WITH ENCLOSURE. REFER TO ARCHITECTURAL PLANS FOR DETAILS
- 3

ADA COMPLIANT PARKING SPACE (TYP.) 2 PLACES
- 4

ACCESSIBLE PARKING POLE SIGNAGE & WHEELSTOPS (TYP.) - 2 PLACES
(1 REGULAR AND 1 VAN ACCESSIBLE SIGNAGE)
- 5

BARRIER FREE RAMP
- 6

ADA COMPLIANT WALKWAY
- 7

EXISTING SIDEWALK IN CITY R.O.W.
- 8

CONNECT WALKWAY TO SIDEWALK
- 9

EXISTING FIRE HYDRANT 233' NORTH OF THIS POINT ALONG BROADWAY BLVD
- 10

EXISTING POLE SIGNAGE. ALL SIGNAGE TO BE APPROVED AND INSTALLED UNDER SEPARATE SIGNAGE PERMIT.
- 11

BUILDING TOWER WITH SIGNAGE. (SIGNAGE BY SEPARATE PERMIT)
- 12

PICKUP WINDOW
- 13

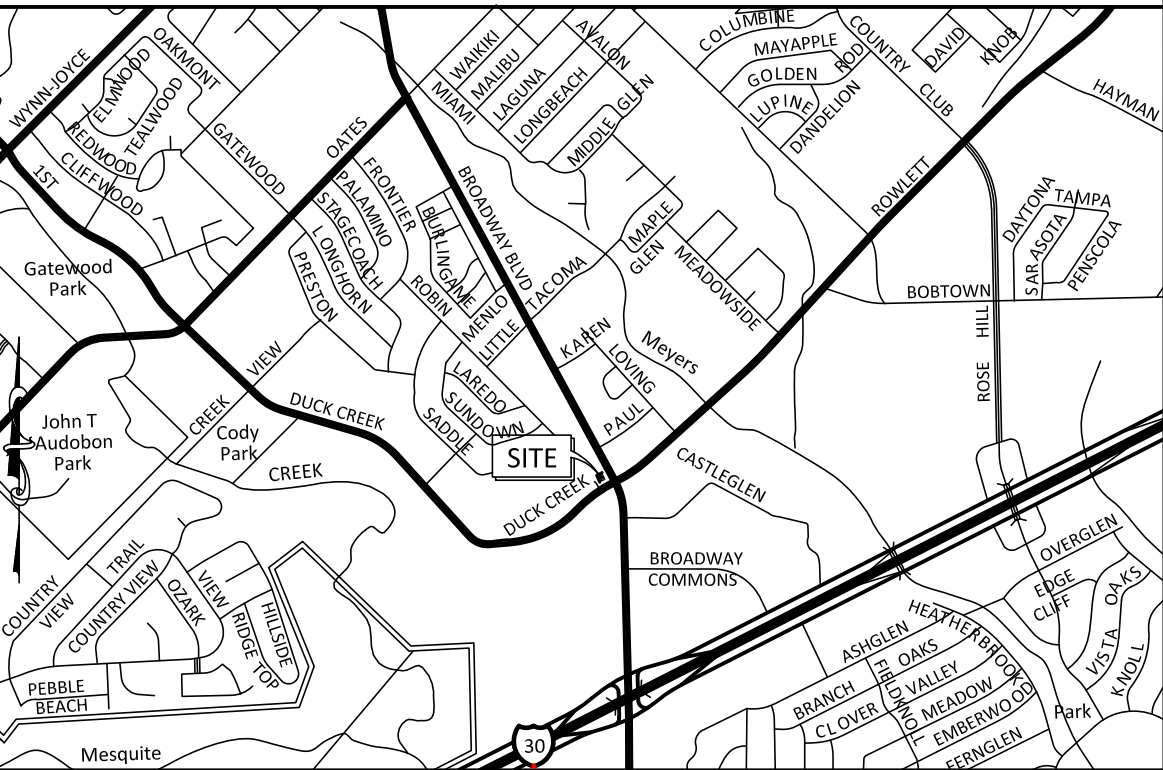
10'X25' LOADING AREA
- 14

FIRE LANE STRIPING PER CITY OF GARLAND FIRE DEPARTMENT
- 15

BENCH
- 16

PLANTER

VICINITY MAP (NTS)



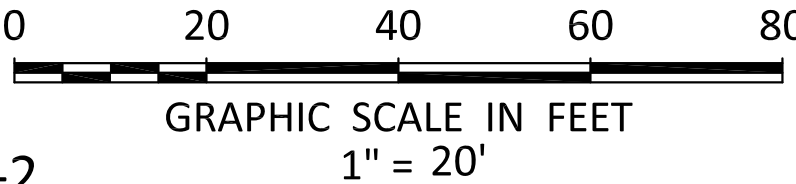
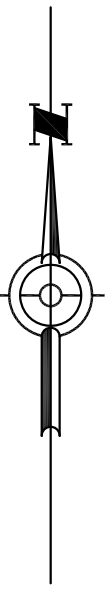
LEGEND:

- PROPERTY LINE
- ADJOINED PROPERTY
- BUILDING SETBACK LINE
- EASEMENTS
- EXISTING CURB
- PROPOSED CURB AND GUTTER
- PAINTED STRIPE (TRAFFIC WHITE)
- PAINTED WALKWAY (TRAFFIC WHITE)
- NEW CONCRETE PAVING
- 4" THICK CONC. SIDEWALK
- INTERIOR LANDSCAPED AREA (RE: LANDSCAPE PLANS)
- PARKING STALL COUNT

LAND USE CHART

PROPOSED DEVELOPMENT	BURGER KING RESTAURANT
EXISTING ZONING	PD 80-42 (COMM. RETAIL BASE ZONING)
PROPOSED USE	RESTAURANT WITH DRIVE-THRU
SITE AREA (Ac.)	0.627 Ac. (27,312 sf)
BUILDING AREA (sf)	2,760
PROPOSED DINING AREA (sf)	682
BUILDING HEIGHT (ft) ALLOWED/PROPOSED	30' / 19'-9"
FLOOR AREA RATIO	0.09
FLOOR AREA RATIO ALLOWED	0.75
LOT COVERAGE ALLOWED/PROPOSED	60% / 8%
FRONT SETBACK REQUIRED / PROVIDED	60' /68.82' MIN
SIDE/REAR SETBACK REQUIRED / PROVIDED	0' / 56.46' (MIN.)
PARKING REQUIRED (1 PER 100SF GFA)	28
PARKING PROVIDED	26
DRIVE THRU STACKING REQUIRED	5 SPACES FROM MENU BOARD
DRIVE THRU STACKING PROVIDED	6
HANDICAP SPACE PROVIDED	2 SPACES

BENCHMARKS:
1. CITY OF GARLAND GPS 85, 2" BRASS DISK STAMPED 85.
N : 6996087.91396 ; E : 2553351.66166
ELEVATION : 505.70765
2. TEMPORARY BENCHMARK: 3/4" IRON ROD FOUND AT NORTHWEST CORNER OF DUCK CREEK DR. & ROBIN ROAD.
ELEVATION : 504.69



CASE NO.: 201008-2

SITE PLAN

0.627 Acre PORTION OF LOT 1, BLOCK 1
NEW WEST NO. 5
VOL. 78204, PAGE 882, P.R.D.C.T.
DALLAS COUNTY, GARLAND, TEXAS

OWNER

BURGER KING

4515 LYNDON B. JOHNSON FWY

FARMERS BRANCH, TEXAS 75244

ATTN: ALEJANDRO ORFANOS PH: 972.620.2287 X 297

ENGINEER

THOMAS SITE DEVELOPMENT ENGINEERING INC.

P.O. BOX 1261, COLLETVILLE, TX 76034

ATTN: MATHEW THOMAS, PE

PH: (214) 680-2728

BURGER KING RESTAURANT

5621 BROADWAY BLVD.
GARLAND, TEXAS 75043

THOMAS

SITE DEVELOPMENT
ENGINEERING INC.

REGISTRATION NO. F-10289
7001 BEDFORD ROAD, SUITE 300, BEDFORD, TX 76021
PHONE: (214) 680-2728; THOMAS-ENG.COM
EMAIL: MATHEW@THOMAS-ENG.COM

REVISION	DESCRIPTION	DATE

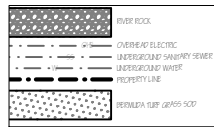
C-2.0

GENERAL NOTES

1. ALL PAVEMENT DIMENSIONS ARE TO FACE OF CURB UNLESS INDICATED OTHERWISE. ALL BUILDING DIMENSIONS ARE TO OUTSIDE FACE OF WALL UNLESS INDICATED OTHERWISE.
2. SEE ARCHITECTURAL SHEETS FOR EXACT DIMENSIONS OF BUILDING, AND DETAILS AROUND THE BUILDING.
3. ALL CURVE RADII ARE 3' UNLESS NOTED OTHERWISE.
4. SEE ARCHITECTURAL PLANS FOR SITE LIGHTING DESIGN AND DETAILS.
5. MECHANICAL AND HEATING AND AIR CONDITIONING EQUIPMENT IN NON-RESIDENTIAL USES SHALL BE SCREENED FROM VIEW FROM THE PUBLIC RIGHT-OF-WAY AND FROM ADJACENT RESIDENTIAL PROPERTIES
6. LIGHTING FOR THIS PROPERTY TO BE CONSTRUCTED AND OPERATED IN CONFORMANCE TO CHAPTER 58 OF THE CITY OF MCKINNEY CODE OF ORDINANCES.
7. SANITATION CONTAINER SCREENING WALLS WILL BE BRICK MASONRY, STONE MASONRY, OR OTHER ARCHITECTURAL MASONRY FINISH, INCLUDING A METAL GATE, PRIMED AND PAINTED, AND THE SANITATION CONTAINER SCREENING WALLS, GATE, AND PAD SITE WILL BE CONSTRUCTED IN ACCORDANCE WITH THE CITY'S DESIGN SPECIFICATIONS."

EXHIBIT C

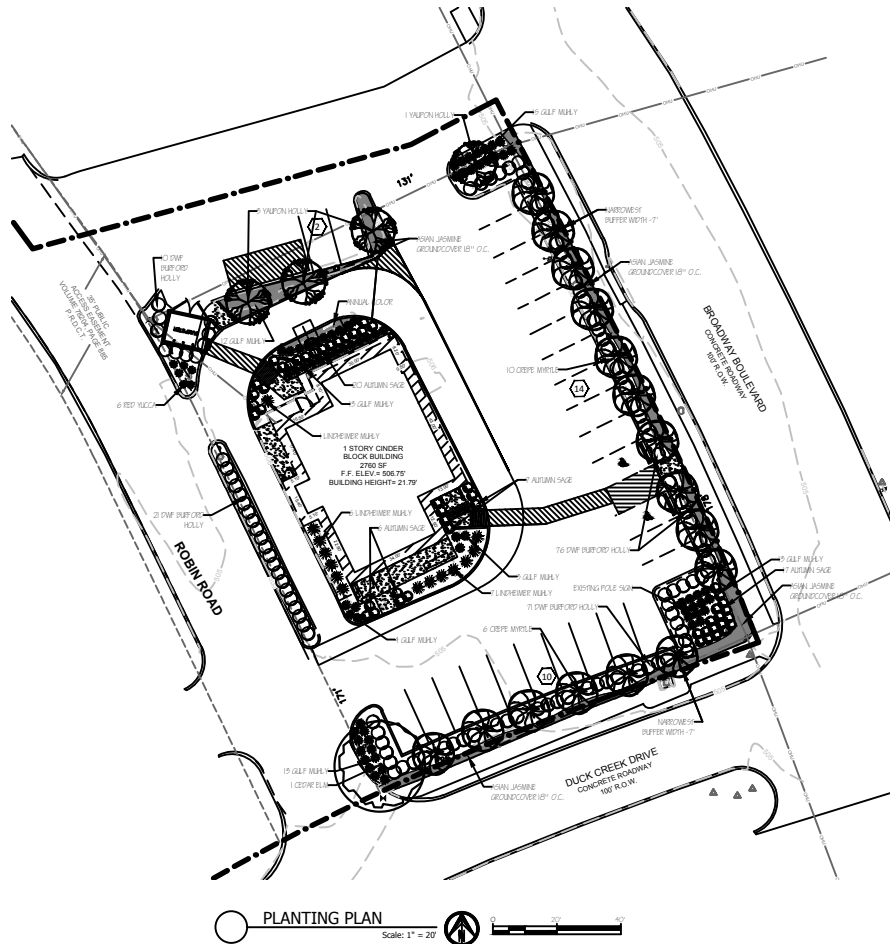
EXHIBIT D



DRAWING KEY

Common Name	Botanical Name	Season	Native	Size	Qty	Remarks
Asian Jasmine	Carissa indica	Groundcover	No	1 gal	500	flat pot
Asian Sage - Shihin greigi (tall)	Salvia greigi	Perennial	No	1 gal	500	flat pot
Columbine	Uranula crenulata	Yes	Yes	65 gal	1	min 3' cal
Crab Apple	<i>Lagerströmia speciosa</i> 'Mimo'	Small tree	No	12 gal	16	1-1/2' cal & 5' min height
Crab Myrtle Holly	<i>Myrica caroliniana</i>	Shrub	No	107	1	1-1/2' cal & 5' min height
Golf Mistle	<i>Malvaceae capillaris</i>	Shrub	Yes	3 gal	71	flat
Indochinese Mistle / Big Mistle	<i>Malvaceae capillaris</i> Indochinese	Grass	Yes	3 gal	14	flat
And Yucca	<i>Hesperaloe parviflora</i>	Shrub like	Yes	5 gal	6	flat
Yuccan Holly	<i>ilex vomitoria</i>	Small tree	Yes	15 gal	4	1-1/2' cal & 5' min height
Annual Core	<i>Several annual plantings</i>		sf		42	
Berardus azara and	<i>Fill #19</i>		sf		10000	

PLANT LIST



Jurisdiction of Project

REGULATORY AUTHORITIES:

CITY OF GARLAND
DEVELOPMENT SERVICES
200 N FIFTH ST
GARLAND, TEXAS 75040
972.706.7000

TEXAS DEPARTMENT OF LICENSING AND REGULATION
ELIMINATION OF ARCHITECTURAL BARRIERS
E.O. THOMPSON STATE OFFICE BUILDING
920 COLORADO
AUSTIN, TEXAS 78701
(512) 463-3211
(512) 475-2886 (FAX)

Landscaping Requirements

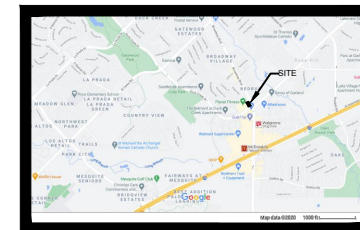
CITY OF GARLAND DEVELOPMENT CODE
CHAPTER 4 SITE DEVELOPMENT
ARTICLE 3 - SCREENING & LANDSCAPING

- A. LANDSCAPE AREAS MIN 10% SITE, PROVIDED 2.7% SHAD
REQUIRED: 2.7% SHAD PROVIDED: 3.95% SHAD
- B. LANDSCAPE BUFFERS
BROADWAY RW
REQUIRED: 15 LIN FT WIDTH
PROVIDED: 15 LIN FT WIDTH
DUCK CREEK DRIVE, "C"
REQUIRED: 15 LIN FT WIDTH
PROVIDED: 17 LIN FT WIDTH
- C. 1 TREE AND 4 SHRUBS OR ORNAMENTAL GRASSES PER 30 LIN FT OF
ADJACENT TO THOROUGHFARE
BROADWAY (17 LIN FT)
PROVIDED: 1 ORNAMENTAL TREE & 41 SHRUBS OR ORNAMENTAL
GRASSES
PROVIDED: 10 ORNAMENTAL TREES & 55 SHRUBS OR ORNAMENTAL
GRASSES
- TREE COUNT DOES NOT COMPLY, OVERHEAD POWER LINES
- D. DUCK CREEK (16 LIN FT)
PROVIDED: 1 TREE & 29 SHRUBS OR ORNAMENTAL GRASSES
PROVIDED: 6 ORNAMENTAL TREES 1 CANOPY TREE & 43 SHRUBS &
ORNAMENTAL GRASSES
- TREE COUNT DOES NOT COMPLY, OVERHEAD POWER LINES
- E. MAX 7% OF BUFFER IN TURF GRASS
TOTAL
- F. LIVING LANDSCAPE MATERIAL TO BE GREATER THAN 5% OF PARKING
LOT AREA (TOTAL PARKING AREA 4,600 SF)
REQUIRED: 232 SF
PROVIDED: 232 SF
- G. F. ONE LARGE CANOPY TREE LOCATED IN THE TERMINUS ISLAND OF
EACH PARKING ROW
- TREE REQUIREMENT DOES NOT COMPLY
- H. EVERY PARKING SPACE WITH 60% OF A CANOPY TREE.
- TREE REQUIREMENT DOES NOT COMPLY
- I. ONE LARGE CANOPY TREE PER EVERY 10 PARKING SPACES (25 SPACES
REQUIRED) - CANOPY TREES
PROVIDED: 1 CANOPY TREE (4 FOURGEON ORNAMENTAL HAVE BEEN
REMOVED FROM LANDSCAPE OVERHEAD POWER LINES)
- TREE REQUIREMENT DOES NOT COMPLY
- J. SCREENING OF PARKING AREAS ADJACENT TO A PUBLIC STREET
PROVIDING CONTINUOUS ROW OF SHRUBS OR BROADWAY & ON
DUCK CREEK DRIVE
- K. LANDSCAPE DOES NOT OBSTRUCT TRAFFIC VISIBILITY.
- L. NO EXISTING TREES ON SITE.

Irrigation Requirements

UNDERGROUND AUTOMATIC SPRINKLING SYSTEM PROVIDED.
SYSTEM DESIGNED AND INSTALLED ACCORDING TO TCEQ LAWS AND
REGULATIONS PROVIDING FOR 100% COVERAGE ON ALL LANDSCAPE AND TURF.
THE SYSTEM SHALL INCLUDE A FREEZE & MOISTURE SENSOR.

Site Location



Owner & Professionals Information

OWNER
BURGER KING
4515 LYNDON B. JOHNSON FWY.
FARMERS BRANCH, TEXAS 7524
ATTN: ALEJANDRO ORFANOS
PH: 972.620.2287 X 297

ENGINEER
THOMAS SITE DEVELOPMENT ENGINEERING INC.
4604 BILL SIMMONS ROAD
COLLIYVILLE, TX. 76034
ATTN: MATHEW THOMAS, PE, 214-680-2728

ARCHITECT
AP DESIGNS
ATTEN: ARMANDO
PALACIOS,214-551-0921
APALACIOS0127@GMAIL.COM

LANDSCAPE ARCHITECT
FELDMAN DESIGN STUDIOS
 P.O. BOX 832346, RICHARDSON, TEXAS 75083
 ATTN: CAROL FELDMAN, 972-523-4944
 CAROL@FELDMANDESIGN.COM

**FELDMAN
DESIGN STUDIO**
P.O. Box 852346, Richardson, Texas 75085
Office: 972.980.1750 Mobile: 972.980.1750
feldman@feldmandesign.com

NO.	ITEM DESCRIPTION	DATE:
1.	SITE PLAN SUBMITTAL	12/7/20
2.	REVISED PER COMMENTS	1/12/21
3.	REVISED PER COMMENTS	2/1/21
4.		
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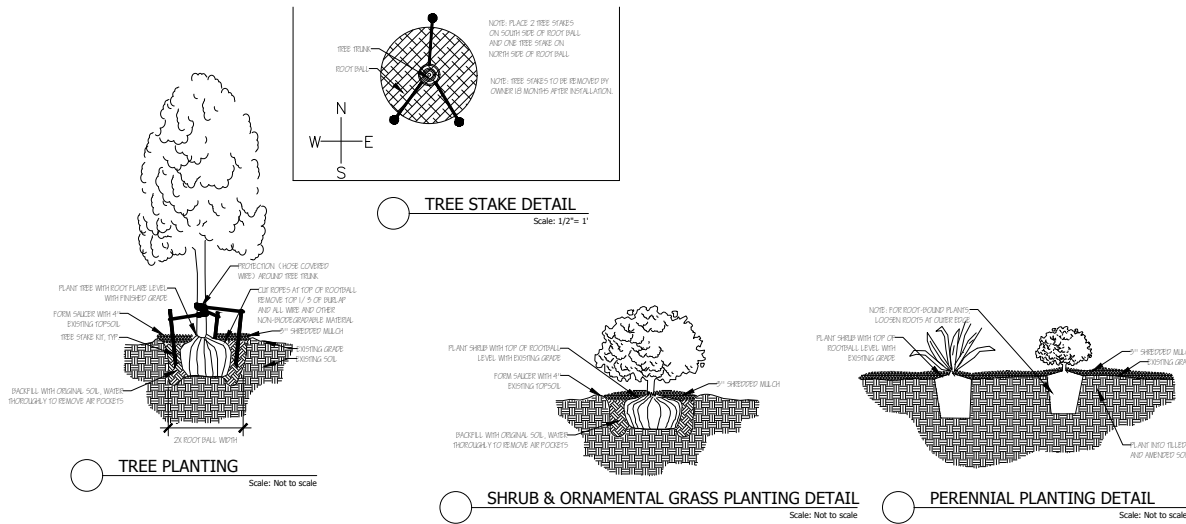
These drawings have been prepared by or under the supervision of Carol Feldman, Registered Landscape Architect #2080, Licensed Irrigator LI #20245

BURGER KING
5621 BROADWAY
GARLAND, TEXAS

SHEET NO.

L1.01

CASE #201008-2
LANDSCAPE PLANTING PLAN



SECTION 02910 – SOIL PREPARATION

PART 1 – GENERAL

A. DESCRIPTION

1. PROVIDE COMPLETE GRADING AND SOIL PREPARATION, INCLUDING AMENDMENTS, AS SPECIFIED HEREIN.
2. EXAMINATION
EXAMINE SITE TO VERIFY REQUIRED ROUGH GRADING HAS BEEN COMPLETED CORRECTLY PRIOR TO BED PREPARATION WORK.
3. EXAMINE SITE TO VERIFY THAT ALL INVASIVE PLANTS AND THEIR ROOTS HAVE BEEN REMOVED PRIOR TO BED PREPARATION WORK.

C. APPROVALS

1. ALL 'APPROVED EQUAL' MATERIALS MUST BE APPROVED BY LANDSCAPE ARCHITECT.

PART 2 – PRODUCTS

A. MATERIALS

1. COMPOST:
 - 1.1. COTTON BUR COMPOST.
 - 1.2. SHALL BE SUPPLIED BY: GREENSENSE COMPOST, GARLAND, TX, OR CLEAR FARM MATERIALS, ALEDO, TX, OR APPROVED EQUAL.
2. FERTILIZERS AND SUPPLEMENTS:
 - 2.1. A 6-2-4 GRANULAR FERTILIZER WITH A WATER SOLUBLE SLOW RELEASE ORGANIC BASE SUCH AS GREENSENSE, OR SUSTANE, OR APPROVED EQUAL.
3. MULCH
 - 3.1. SHALL BE SHREDDED HARDWOOD MULCH, SHREDDED CEDAR MULCH, SHREDDED NATIVE MULCH, OR APPROVED EQUAL.

PART 3 – EXECUTION

A. BED PREPARATION AND PREPARATION FOR SOD INSTALLATION

1. GENERAL
 - 1.1. INSPECT ALL EXISTING CONDITIONS AND OTHER ITEMS OF WORK PREVIOUSLY COMPLETED. DO NOT PROCEED UNTIL DEFECTS ARE CORRECTED.
 - 1.2. INSPECT THAT ALL INVASIVE PLANTS AND THEIR ROOTS HAVE BEEN REMOVED COMPLETELY.
 - 1.3. ALL AREAS TO BE PREPARED WITH ORGANIC TECHNIQUES ONLY.
2. SHRUB BEDS:
 - 2.1. BREAK UP AND TILL EXISTING SOIL TO A DEPTH OF 8 INCHES.
 - 2.2. ADD A 3 INCH LAYER OF COMPOST TO THE BEDS.
 - 2.3. TILL EXISTING SOIL AND COMPOST TOGETHER TO A TOTAL OVERALL DEPTH OF 8 INCHES.
 - 2.4. RAKE OUT ROCKS AND CLODS AND FINE GRADE THE BEDS TO DRAIN IN APPROPRIATE DIRECTIONS.
 - 2.5. TOP-DRESS BED WITH A 3 INCH LAYER OF MULCH AFTER PLANTING.
3. SOD AND SEED AREAS
 - 3.1. LIGHTLY CULTIVATE COMPACTED SOIL AND RAKE THE SOIL SMOOTH.
 - 3.2. ADD 3/4 INCH COMPOST TO ALL AREAS.
 - 3.3. FINE GRADE TO DRAIN IN APPROPRIATE DIRECTIONS.

END OF SECTION 02910

NOTES

GENERAL LANDSCAPE

1. LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR LOCATING ALL UNDERGROUND UTILITIES AND STRUCTURES WHETHER OR NOT SHOWN ON THE PLANS, AND SHALL BE RESPONSIBLE FOR DAMAGE TO SAID UTILITIES OR STRUCTURES CAUSED BY HIS/HER CREW AND SUBCONTRACTORS.
2. NO PLANTING TO TAKE PLACE UNTIL OWNER HAS INSPECTED AND APPROVED THE BED PREPARATION.
3. NO PLANTING TO TAKE PLACE UNTIL OWNER HAS INSPECTED AND APPROVED ALL PLANT MATERIAL AND ALL PLANT PLACEMENT. FIELD ADJUSTMENTS OF PLANT LOCATIONS TO BE COORDINATED WITH OWNER.
4. ALL CANOPY AND ORNAMENTAL TREES TO BE STAKED (SEE DETAIL.)
5. 14 GAUGE EDGING TO SEPARATE BED AND GROUND COVER IN LOCATIONS SHOWN ON PLANS.

SECTION 02915 – LANDSCAPE PLANTING

PART 1 – GENERAL

A. SPECIAL CONDITIONS

1. COMPLY WITH APPLICABLE FEDERAL, STATE, COUNTY AND LOCAL REGULATIONS CONCERNING LANDSCAPE MATERIALS AND WORK.
2. EMPLOY ONLY EXPERIENCE PERSONNEL FAMILIAR WITH REQUIRED WORK. PROVIDE ADEQUATE SUPERVISION BY A QUALIFIED FOREMAN WITH A MINIMUM OF TEN(10) YEARS EXPERIENCE WITH PROJECTS OF SIMILAR COMPLEXITY.
3. DO NOT MAKE SUBSTITUTIONS OF TREE, SHRUB AND GRASS MATERIALS. IF REQUIRED MATERIAL IS NOT OBTAINABLE, SUBMIT PROOF OF NON-AVAILABILITY TO OWNER'S REPRESENTATIVE.
4. PROVIDE QUANTITY, SIZE, GENUS, SPECIES AND VARIETY OF TREES AND SHRUBS INDICATED AND SCHEDULED FOR LANDSCAPE WORK WHICH COMPLY WITH APPLICABLE REQUIREMENTS OF ANSI Z60.1 AMERICAN STANDARD FOR NURSERY STOCK, AND ANY APPLICABLE STATE AND FEDERAL LAWS CONCERNING DISEASE AND INSECT INFESTATION.

B. REFERENCE STANDARDS

1. AMERICAN STANDARD FOR NURSERY STOCK, ANSI Z60.1, 2014 BY AMERICAN NATIONAL STANDARDS INSTITUTE, INC.
2. SHINNERS & MAHLER'S, ILLUSTRATED FLORA OF NORTH CENTRAL TEXAS, BOTANICAL RESEARCH INSTITUTE OF TEXAS (BRIT), FORT WORTH, TEXAS, 1999.
3. HORTUS THIRD, CORNELL UNIVERSITY, 1967.

C. PREPARATION

4. COORDINATION WITH BUILDING AND ENGINEERING PROJECT ACTIVITIES.
5. COORDINATE THE WORK OF THIS SECTION WITH THAT OF REGULAR AND EMERGENCY WATER UTILITY ACTIVITIES ON THE SITE.
6. COORDINATION WITH IRRIGATION SYSTEM:
 - 6.1. THE UNDERGROUND IRRIGATION SYSTEM MUST BE INSTALLED PRIOR TO COMMENCEMENT OF THE PLANTING OPERATIONS.
 - 6.2. THE IRRIGATION SYSTEM SHALL BE OPERATIONAL AT THE TIME THAT PLANTING OPERATIONS COMMENCE.
 - 6.3. COORDINATE WORK WITH THE IRRIGATION CONTRACTOR TO PREVENT DAMAGE TO THE IRRIGATION SYSTEM.

D. ALL PLANT MATERIALS FOR THIS PROJECT SHALL BE NURSERY-GROWN, INCLUDING TREES.

1. CONTAINER GROWN PLANTS SHALL HAVE BEEN STEPPED-UP AS NECESSARY TO PREVENT ROOT GIRDLING.
2. CONTAINER GROWN PLANTS SHALL HAVE BEEN IN THE CONTAINER FOR A MINIMUM OF SIX (6) MONTHS PRIOR TO DELIVERY TO THE SITE TO ENSURE ADEQUATE ROOT DEVELOPMENT.
3. THE 'ROOT FLARE' OF ALL TREES AND SHRUBS SHALL NOT BE COVERED WITH SOIL.

E. THE FOLLOWING TREE CARE PROCEDURES SHALL BE ADHERED TO:

1. DO NOT MAKE FLUSH CUTS OR LEAVE STUBS WHEN PRUNING. LEAVE THE BRANCH COLLAR INTACT.
2. DO NOT USE ANY TYPE OF PRUNING PAINT ON WOUNDS.
3. DO NOT USE ANY TYPE OF TREE WRAP, EXCEPT, TRUNKS MAY BE WRAPPED WITH BURLAP DURING PLANTING OPERATIONS ONLY.
4. STAKE AND BUY ANY TREES AS PER DETAIL. THE CONTRACTOR WILL BE RESPONSIBLE FOR THE REMOVAL OF STAKES AND GUYS AFTER TREES HAVE BEEN IN THE GROUND 6 MONTHS, AND BEFORE THE ONE YEAR ANNIVERSARY OF PLANTING.
5. DO NOT HANDLE ANY TREE BY ITS TRUNK. ANY TREE HANDLED IN SUCH A MANNER SHOULD BE REJECTED.

F. WARRANTY

1. UNCONDITIONALLY WARRANT ALL PLANTS FOR A PERIOD OF ONE (1) YEAR AFTER THE DATE OF INSTALLATION INITIAL ACCEPTANCE. REPLACE MATERIALS NOT IN VIGOROUS, THRIVING CONDITION AS SOON AS WEATHER PERMITS AFTER NOTIFICATION BY OWNERS THAT THE PLANTS HAVE DIED OR ARE OTHERWISE NOT ACCEPTABLE. GUARANTEE REPLACEMENT PLANTS FOR ONE YEAR, STARTING FROM THE DATE REPLACEMENT IS MADE.
2. WARRANTY EXCLUDES REPLACEMENT OF PLANTS BECAUSE OF INJURY BY STORM, NATURAL DROUGHT, DROWNING, HAIL FOR FREEZING, IF REASONABLE CARE WAS TAKEN TO ADEQUATELY PROTECT THE MATERIAL, AND IN THE OPINION OF THE OWNER'S REPRESENTATIVE THAT THE PROBLEM OCCURRED AFTER THE DATE OF INITIAL ACCEPTANCE.

PART 3 – EXECUTION

A. PREPARATION FOR PLANT MATERIAL INSTALLATION

1. EXAMINE THE SUB-GRADE UPON WHICH THE WORK IS TO BE PERFORMED. VERIFY GRADE ELEVATIONS AND VERIFY THAT BEDS HAVE BEEN LEFT LOW BY OTHER TRADES. OBSERVE THE CONDITIONS UNDER WHICH THE WORK IS TO BE PERFORMED AND CONFIRM THAT UNSATISFACTORY CONDITIONS HAVE BEEN CORRECTED PRIOR TO PROCEEDING.

B. TIME OF PLANTING

1. CARE IS TO BE TAKEN SO THAT NO PLANTS SIT IN POTS IN THE SUMMER HEAT FOR MORE THAN 1 HOUR. IF PLANTING DURING HOT SEASONS (NOT PREFERRED) PLANTING IS TO BE DONE IN SMALL SECTIONS WITH STOCKPILED PLANTS TO BE PROTECTED FROM THE SUMMER HEAT (SHADE AREAS).

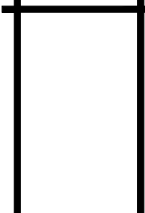
C. TREE PLANTING

1. STAKE LOCATIONS FOR TREES PRIOR TO DIGGING HOLES.
2. DIG PITS WITH ROUGH SIDES AND WHICH HAVE TAPERED WALLS. A MINIMUM OF TWICE THE WIDTH OF THE TREE BALL. A PEDESTAL SHOULD BE LEFT IN THE CENTER OF THE HOLE AND THE TREE BALL SET UPON THAT PEDESTAL.
3. SET PLANTS IN THE CENTER OF THE HOLE AND ON THE PEDESTAL PLUMB AND VERTICAL, AND AT SUCH A DEPTH THAT THE CROWN OF THE TREE BALL WILL BE LEVEL WITH THE SURROUNDING GRADE.
4. ALL PLANTS SHALL BE SET TO MEET THE SAME RELATIONSHIP TO THE FINISHED GRADE OF THE SURROUNDING SOIL THAT THEY BORE TO PREVIOUS EXISTING GRADE OF SOIL.
5. BACKFILL WITH EXISTING TOPSOIL AND WATER IMMEDIATELY.
6. FORM A SHALLOW BASIN SLIGHTLY LARGER THAN THE PIT TO FACILITATE WATERING. REMOVE PRIOR TO MULCHING.
7. COVER ALL TREE BALLS WITH A MINIMUM OF 3" OF SPECIFIED MULCH. EXTEND MULCH OUT TO THE EDGE OF THE TREE PIT BUT KEEP AWAY FROM TRUNKS.
8. ALL EXCAVATED MATERIAL UNACCEPTABLE FOR REUSE SHALL BE DISPOSED OF OFF SITE, OR AS DIRECTED BY THE OWNER.
9. SHRUBS, TALL GRASSES AND PERENNIAL PLANTING.
 1. REMOVE CONTAINER AND SET PLANT MATERIAL AT SUCH A LEVEL THAT AFTER SETTLEMENT, THE CROWN OF THE BALL WILL BE AT FINISHED GRADE.
 2. GENTLY CUT OUTER ROOTS OF ANY ROOTBALLS THAT HAVE POT-BOUND PRIOR TO INSTALLATION.
 3. COVER PLANTING BEDS WITH A MINIMUM 3 LAYER OF SPECIFIED MULCH.

END OF SECTION 02915



NO.	ITEM DESCRIPTION	DATE
1.	SITE PLAN SUBMITTAL	12/7/20
2.	REVISED PER COMMENTS	1/19/21
3.	REVISED PER COMMENTS	2/1/21
4.		
5.		
6.		
7.		



BURGER KING
5621 BROADWAY
GARLAND, TEXAS

SHEET NO.

L1.02

**CASE #201008-2
LANDSCAPE DETAILS**

Manufacturer: Nichiha
Material: Fiber Cement Cladding
Product: Vintage Wood
Color: Faux Cedar
Location: Heritage Tower, Kitchen
Enclosure
Contact: Andrew Briggs
abriggs@nichiha.com

Manufacturer: STQ or approved equal
Material: Stucco
Color: P-2
Finish: Smooth Finish
Description: Horizontal and vertical reveals to align with adjacent FRC-1 or Storefront

Material: Steel flat sheet roofing
Location: Drive-Thru Red Canopy
Project: Gateway Branding
Date: 7/3/2012

Material: Light metal framing with PT plywood substrate wrapped in 30# felt and clad with aluminum panels
Color: P-7
Location: Silver Band

Manufacturer: PPG
Color: Custom BURGER KING® Flaming Red
Location: Drive-Thru Red Canopy
Contact: Kevin Lastacy
(616) 335-3259

Manufacturer: PPG
Color: 1021-4 Diversion
Location: Stucco
Contact: Kevin Lastacy
(616) 335-3259
klastacy@ppg.com

Manufacturer: PPG
Color: 1078-6 Cocoa Delight
Location: Site Accents, Stucco
Contact: Kevin Lastacy
(616) 335-3259
klastacy@ppg.com

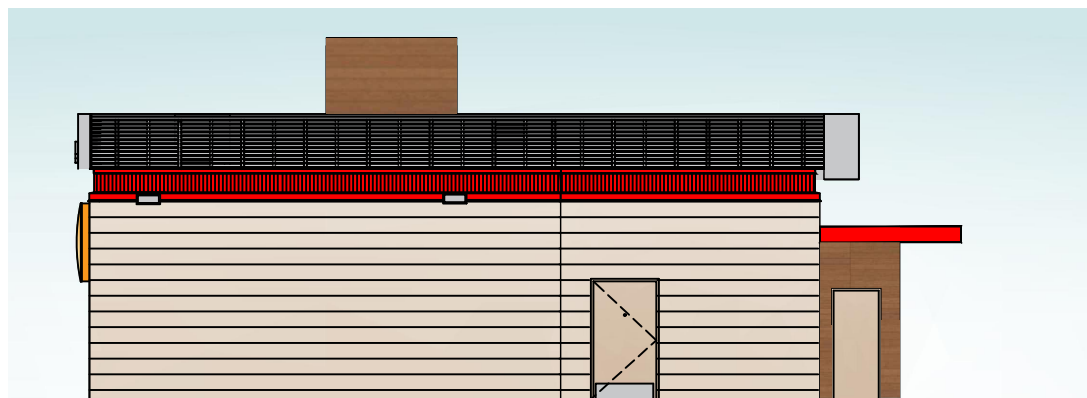
Manufacturer: PPG
Color: 6-230 Lesing Silver Aluminum
Location: Textured coated metal
Contact: Kevin Lastacy
(616) 335-3259
klastacy@ppg.com

Manufacturer: GMP Glazing
Color: Anodized Aluminum, Clear Glazing
Location: Entry/Dining
Description: Series 7000 Aluminum Window Wall System
Contact: www.gmpglazing.com

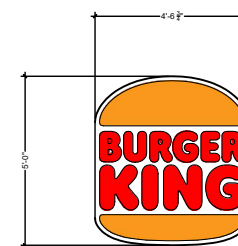
Manufacturer: Akzonobel
Material: Aluminum extruded metal
Finish: low gloss binder, single stage
Color: Gray-Brown J0021915091
Location: Metal Screens
Contact: Entera Branding
800.743.7569



2 PROPOSED FRONT ELEVATION (SOUTH) - DUCK CREEK DRIVE
SCALE : 1/4" = 1'-0"



③ PROPOSED REAR ELEVATION (NORTH)
SCALE: 1/4" = 1'-0"



BK BUN LOGO

THIS PROPOSED SIGNAGE WILL COMPLY WITH GDC.

ARCHITECTURAL ELEMENTS

FRONT RED OPEN METAL TRELLIS
SILVER BAND OVERHANG
DRIVE THRU RED CANOPY
PLANTER (SOUTH & EAST ELEVATIONS)
BENCH (SOUTH & EAST ELEVATIONS)
RECESSED ENTRY

NOTES:

ROOF MOUNTED RTU UNITS WILL BE
SCREENED WITH METAL SCREEN PAINTED TO
MATCH SILVER METAL BAND.

SIGNS VENDOR SHOULD APPLY FOR PERMIT
AND COMPLY WITH GDC.



**KR FENCE
PLANTER**



KR BENCH

CASE NUMBER 201008-2
date: 02-02-21



214-551-0921





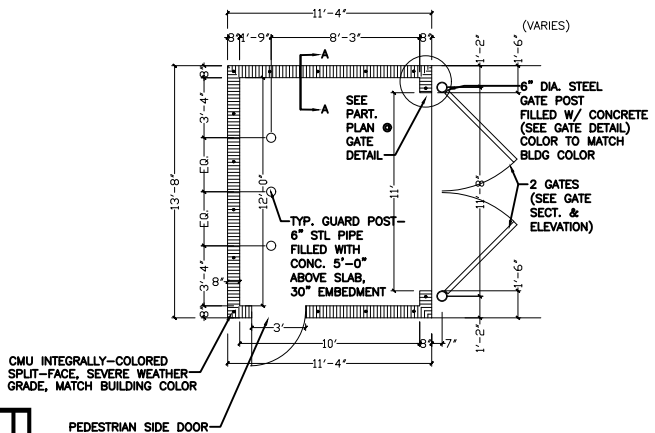
214-551-0921



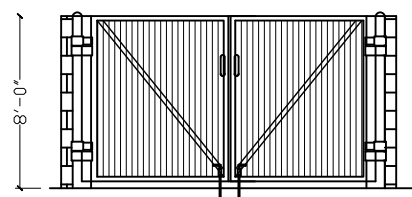
BURGER

KING

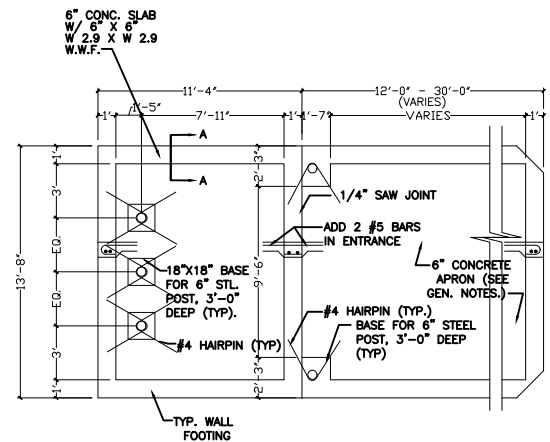
1. DEPTH OF T/E APRON VARIES DEPENDING ON SITE CONDITIONS.



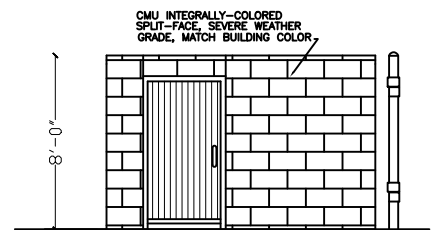
WALL PLAN
3/8"=1'-0"



FRONT ELEVATION
3/8"=1'-0"



FOUNDATION PLAN
3/8"=1'-0"

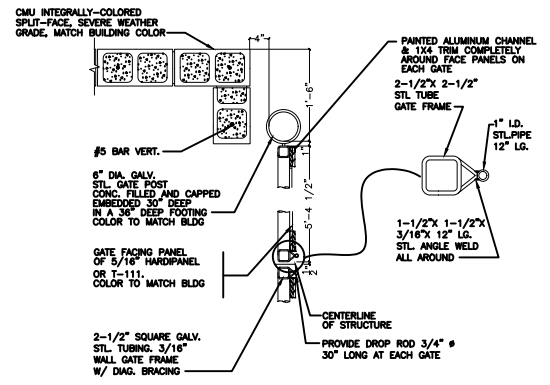


SIDE ELEVATION
3/8"=1'-0"

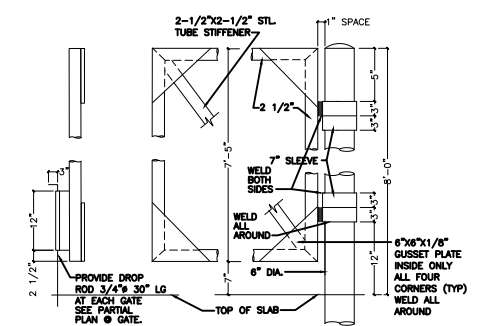
PEDESTRIAN SIDE DOOR
3' WIDE BY 7" TALL
GATE REQUIRED
SECTION 4.45 OF THE GDC

NOTE:
THE CONCRETE TRASH ENCLOSURE APRON SHALL BE 6" THICK OF 3,000 PSI CONC. REINFORCED W/ #4 @ 16" O.C. EACH WAY. OPTIONAL TO COLOR CONCRETE BLACK USING ADMIXTURE (CHROMIX C-24 CHARCOAL BY SCOFIELD CO., OR EQUAL.)

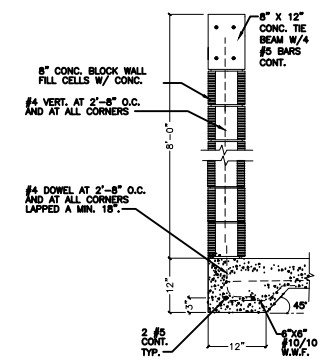
6" CONC. SLAB
W/ 6" X 6"
W 2.9 X W 2.9
W.W.F.



PART.GATE PLAN FRAME DETAIL
3/4"=1'-0"



PART.GATE SECTION / GATE ELEV.
3/4"=1'-0"



NOTES:

1. CMU INTEGRALLY-COLORED SPLIT-FACE, SEVERE WEATHER GRADE, MATCH BUILDING COLOR. SEE SECTION 'A-A' FOR DETAILS.
2. ALL STEEL & ALUMINUM FINISHES ARE TO BE PAINTED TO MATCH BUILDING COLOR.
3. ALL PANELS FOR GATES ARE TO BE THRU-BOLTED TO TUBE FRAME WITH 3/8" GALV. BOLTS AND HARDWARE.



**GARLAND
CITY COUNCIL ITEM SUMMARY SHEET**

City Council Regular Session Agenda

3. c.

Meeting Date: 04/06/2021

Item Title: Z 20-46 JDJR Engineers & Consultants, Inc. / Jim Dewey Jr. (District 3)

Submitted By: Will Guerin, Planning Director

Summary of Request/Problem

Zoning Ordinance Z 20-46 JDJR Engineers & Consultants, Inc. / Jim Dewey Jr.

Recommendation/Action Requested and Justification

Consider adoption of the attached ordinance.

Attachments

Z 20-46 Ordinance

Z 20-46 Exhibit A

Z 20-46 Exhibit B

Z 20-46 Exhibits C-F

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE GARLAND DEVELOPMENT CODE OF THE CITY OF GARLAND, TEXAS, BY APPROVING 1) A CHANGE OF ZONING FROM COMMUNITY RETAIL (CR) DISTRICT TO A PLANNED DEVELOPMENT (PD) DISTRICT TO ALLOW DEVIATIONS FOR AN EXISTING POLE SIGN AND A NEW PYLON SIGN; 2) A SPECIFIC USE PROVISION RENEWAL TO CONTINUE A RESTAURANT, DRIVE-THROUGH USE AND FUEL PUMPS, RETAIL USE AND 3) A DETAIL PLAN FOR COMMUNITY RETAIL USES ON A 2.322-ACRE TRACT OF LAND LOCATED AT 801 EAST INTERSTATE 30; 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; A SAVINGS CLAUSE AND A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, at its regular meeting held on the 22nd day of February, 2021, the Plan Commission did consider and make recommendations on a certain request for approval of 1) a Change of Zoning from Community Retail (CR) District to a Planned Development (PD) District to allow deviations for an existing pole sign and a new pylon sign; 2) a Specific Use Provision renewal to continue a Restaurant, Drive-Through Use and a Fuel Pumps, Retail Use and 3) a Detail Plan for Community Retail Uses by **JDJR Engineers & Consultants, Inc. / Jim Dewey, Jr.** 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 Garland Development Code would provide for and would be in the best interest of the health, safety, morals, and general welfare:

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

Section 1

The Garland Development Code is hereby amended by approving 1) a Change of Zoning from Community Retail (CR) District to a Planned Development (PD) District to allow deviations for an existing pole sign and a new pylon sign; 2) a Specific Use Provision renewal to continue a Restaurant, Drive-Through Use and a Fuel Pumps, Retail Use and 3) a Detail Plan for

ZONING FILE NO. Z 20-46

Community Retail Uses on a property located at 801 East Interstate 30, 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 Exhibit B 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.

ZONING FILE NO. Z 20-46

Section 6

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

Section 7

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

PASSED AND APPROVED this _____ day of _____, 2021.

CITY OF GARLAND, TEXAS

By:

Mayor

ATTEST:

City Secretary

Published:

EXHIBIT A

LEGAL DESCRIPTION

Zoning File Z 20-46

BEING a 2.322-acre tract situated in the THOMAS STONE SURVEY, Abstract No. 1330, City of Garland, Dallas County, Texas, and being a portion of Lot 1, Block 1, ECOL ADDITION, an Addition to the City of Garland, Dallas County, Texas, as recorded in Volume 82128, Page 1488, Map Records, Dallas County, Texas; said tract also being that certain tract described in Sheriff's Deed to Victron Stores LP, recorded County Clerk's Instrument Number 201700116040, Official Public Records, Dallas County, Texas; and being more particularly described by metes and bounds as follows:

BEGINNING at a set 5/8 inch iron rod with yellow plastic cap marked "JDJR" for the southwest corner of said Lot 1, Block 1, ECOL ADDITION; said set iron rod also being located at a corner clip located at the intersection of the northwest right-of-way line of Interstate Highway 30 (a 300-foot wide right-of-way) with the east right-of-way line of Zion Road (a variable-width right-of-way);

THENCE North 26 degrees 35 minutes 07 seconds West, along the west line of said ECOL ADDITION and said corner clip, a distance of 164.22 feet to a set 5/8 inch iron rod with yellow plastic cap marked "JDJR" on said east right-of-way line of Zion Road;

THENCE North 19 degrees 59 minutes 42 seconds East, along the west line of said ECOL ADDITION and said east right-of-way line, a distance of 145.77 feet to a set 5/8 inch iron rod with yellow plastic cap marked "JDJR";

THENCE North 23 degrees 34 minutes 45 seconds West, continuing along the west line of said ECOL ADDITION and said east right-of-way line, a distance of 40.40 feet to a set 5/8 inch iron rod with yellow plastic cap marked "JDJR";

THENCE North 14 degrees 11 minutes 09 seconds East, continuing along the west line of said ECOL ADDITION and said right-of-way line, a distance of 195.64 feet to a found 1/2 inch iron rod for the most northerly corner of said ECOL ADDITION;

THENCE South 58 degrees 43 minutes 31 seconds East, along the northeast line of said ECOL ADDITION, a distance of 189.48 feet to a set 5/8 inch iron rod with yellow plastic cap marked "JDJR", from which a found 5/8 inch iron rod bears North 00 degrees 25 minutes 09 seconds East, 0.49 feet;

THENCE South 30 degrees 47 minutes 56 seconds West, a distance of 33.88 feet to a found 1/2 inch iron rod;

THENCE South 26 degrees 38 minutes 27 seconds East, a distance of 273.80 feet to a set 5/8 inch iron rod with yellow plastic cap marked "JDJR" on the aforementioned northwest right-of-way line of Interstate Highway 30; from said set 5/8 inch iron rod with yellow plastic cap marked

EXHIBIT A

"JDJR" a found 1 inch iron rod for the southeast corner of said ECOL ADDITION bears North 63 degrees 20 minutes 14 seconds East, 211.59 feet;

THENCE South 63 degrees 20 minutes 14 seconds West, along the southeast line of said ECOL ADDITION and said northwest right-of-way line, a distance of 308.29 feet to the Point of Beginning, and containing 2.322 Acres (101,150 square feet) of land.

EXHIBIT B

PLANNED DEVELOPMENT CONDITIONS

ZONING FILE Z 20-46

801 EAST IH-30

I. Statement of Purpose: The purpose of this Planned Development (PD) District is to approve a Detail Plan for signage.

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

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

IV. Development Plans:

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

V. Specific Conditions:

A. Permitted Uses:

Land Uses are permitted as in the Community Retail (CR) District.

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

C. Landscape Plan: Screening and landscaping shall be in general conformance with the landscape plan labeled Exhibit D.

D. Maintenance requirements:

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

(2) Any dead or dying plant or vegetation, whether or not a component of required landscaping, must be promptly replaced with another approved plant or vegetation variety that complies with the approved landscape plan and in no event later than sixty days after notification by the City. In the event the property owner fails to remedy a violation of any landscaping maintenance regulation within sixty days of the City sending notice, the City may, in addition to any other remedy available by law, suspend, withhold, or revoke city permits, approvals, consents and the certificate of occupancy for the retail fuel pumps and convenience store. See Section 4 of the granting ordinance.

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

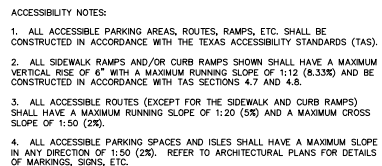
- E. Elevations: Building Elevations shall be in general conformance with the elevations labeled Exhibit E.
- F. Pole Sign: A total of one (1) pole sign shall be permitted per Exhibit C. The existing sign is located along East Interstate 30. The maximum sign height shall be seventy-five (75) feet and the maximum sign surface area shall be six hundred two (602) square feet per Exhibit F.
- G. Pylon Sign: A total of one (1) pylon sign shall be permitted per Exhibit C. The sign shall be located at the corner of East Interstate 30 and Zion Road. The maximum sign height shall be twenty-seven (27) feet and the maximum sign surface area shall be one hundred thirty-six (136) square feet per Exhibit F.

SPECIFIC USE PROVISION CONDITIONS

ZONING FILE Z 20-46

801 EAST IH-30

- I. Statement of Purpose:** The purpose of this Specific Use Provision is to allow continuation of a Fuel Pumps, Retail Use and a Restaurant, Drive-Through Use.
- II. Statement of Effect:** This Specific Use Provision shall not affect any regulation found in the Garland Development Code, Ordinance No. 6773, as amended prior to adoption of this ordinance, except as specifically provided herein.
- III. General Regulations:** All regulations of the Community Retail (CR) District 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 Use Provision:**
- A. SUP Time Period: The Specific Use Provision shall be in effect for thirty (30) years.



VICTRON STORES, LP
105 YMCA DRIVE
WAXAHACHIE, TEXAS 75165-5124
CONTACT: MELINDA NELSON
TEL: 469-517-2051
email: mnelson@victrongroup.com



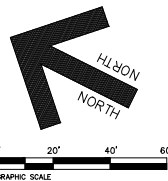


EXHIBIT D

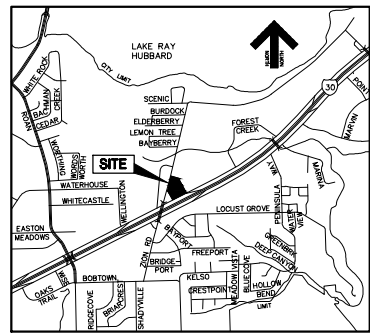
- NOTES:
1. LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR MAKING HIMSELF FAMILIAR IN ALL UNDERGROUND UTILITIES, PIPES, STRUCTURES AND LINE BODIES.
 2. CONTRACTOR IS RESPONSIBLE FOR VERIFICATION OF ALL QUANTITIES PER DRAWING AND SPECIFICATIONS BY LANDSCAPE DESIGNER. PLANT QUANTITIES HAVE BEEN PROVIDED AS A CONVENIENCE ONLY TO THE CONTRACTOR AND SHALL NOT BE CONSIDERED GUARANTEES.
 3. ALL BED AREAS SHALL BE REVEGETATED TO A DEPTH OF 6" ADDING PLANTING SOIL TEXTURE DURING PROCESS. THE LEVEL OF THE BED AREAS SHALL BE LEFT 2" ABOVE THE PROPOSED FINISHED GRADE TO ALLOW FOR COMPACTION AND SETTLEMENT.
 4. AFTER SETTLEMENT AND COMPACTION ALL PLANTING BEDS SHALL RECEIVE A 2" (1/8") LAYER OF FINISHED CYPRESS MULCH.
 5. PLANTING SOIL TEXTURE FOR BED AREAS SHALL BE BARN EXISTING SOIL, 50% BUMPY SAND AND 40% SOIL CONDITIONER (BACK TO BARN ON SOIL).
 6. ALL TREES ARE TO BE SEARED AND SKIVED THROUGH THE ONE YEAR WARRANTY AT WHICH TIME THE COVER SHALL DETERMINE IF RETENTION IS NECESSARY.
 7. ALL BED AREAS SHALL BE SEPARATED FROM TURF AREAS USING RYNGRASS STEEL EDGING.
 8. ALL LANDSCAPED AREAS SHALL BE IRRIGATED WITH AN UNDERGROUND IRRIGATION SYSTEM WITH AN AUTOMATIC CONTROLLER PER CITY CODE.

ZION ROAD
(VARIABLE WIDTH RIGHT-OF-WAY)

PLANT SCHEDULE						
COMMON NAME	BOTANICAL NAME	QUANTITY	SIZE	SPACING	REMARKS	
HIGHRISE LIVE OAK	QUERCUS VIRGINIANA	20	3" CAL.	AS SHOWN	BALLED/BURLAP	
CELANO ELM	ULMUS CRASSIFOLIA	10	3" CAL.	AS SHOWN	BALLED/BURLAP	
CARISSA HOLLY	ILEX CORNATA	05	5 CAL.	30" C-C	CONTAINER	
BAY HARBOR JUNIPER	JUNIPERUS HORIZONTALIS	3,024 SF.	5 CAL.	30" C-C	CONTAINER	
BERMUDA TURF	CYNODON DACTYLON	6,042 SF.	-	-	SOD/HYDROMULCH	

OWNER/APPLICANT:

VICTRON STORES, LP
105 YMCA DRIVE
WAXAHACHIE, TEXAS 75165-5124
CONTACT: MELINDA NELSON
TEL: 469-517-2051
email: mnelson@victrongroup.com



LANDSCAPE LEGEND

- PROPOSED HIGH RISE LIVE OAK TREE (OR APPROVED EQUAL)
- PROPOSED CEDAR ELM (OR APPROVED EQUAL)
- PROPOSED CARISSA HOLLY (OR APPROVED EQUAL)
- BAY HARBOR JUNIPER
- BERMUDA TURF

REVISIONS		
1-26-21	TECH. REVIEW MTD.	
2-9-20	REV. TITLE BLOCK	

CASE NO. 201013-3

SHEET TITLE:

LANDSCAPE PLAN

EXHIBIT D / SONIC DRIVE IN LOT 10, BLOCK 1, ECOL ADDITION

801 E INTERSTATE HIGHWAY 30, GARLAND, TEXAS

PREPARED BY:

JDJR

ENGINEERS AND CONSULTANTS

ENGINEERS • SURVEYORS • LAND PLANNERS

2000 Texas Drive Suite 100 Irving, Texas 75060

Tel: 972-255-0550 Fax: 972-255-0550

DATE: DEC. 14, 2020

SCALE: 1" = 20'

DRAWN BY: JDJR

CHECKED BY: JDJR

SHEET NO.

L1 of 1

LEGEND

 DOOR NUMBER DOOR TAG REL. 1/3A3.01	 DWG. NUMBER REL. 1/3A3.01 SHEET BUILDING SECTION	 PARTITION TYPE NEW WOOD STUD PARTITION REL. WALL TYPE SCHEDULE A2.02
 WINDOW TAG REL. A3.01 WINDOW SCHEDULE	 DWG. NUMBER REL. A3.01 WINDOW SCHEDULE SHEET ELEVATION REFERENCE	 ONE HOUR RATED WALL PARTITION UL DESIGN UL 1418.
 1/3A4.01 SHEET ENLARGED PLAN OR DETAIL DWG. NUMBER	 KEYNOTE.	

GENERAL NOTES	
DIMENSIONS OF REVEALS ARE TO CENTERLINE	
VERY FINE GRADE FROM TO CONSTRUCTION	
NO HOT SCALE DRAWINGS	
CONTACT ARCHITECT FOR ANY DISCREPANCIES OR INQUIRY	
FOR COST DRAWINGS FOR ADDITIONAL PRELIMINARY AND CANOPY PROVISIONS	
KEYED NOTES	
1. PREMANUFACTURED VELLO METAL ROOF DOOR FRAME WITH 1.5" LIFT STRAPLIFTS PROVIDED BY SUPPLIER	2. DASHED LINE INDICATE ROOF MOUNTED EQUIPMENT - BEYOND
3. PREMANUFACTURED VELLO METAL DRIVE-TROUGH ROOF (GREEN) U.S.S. STRIP GUTTER SUPPLIED BY GUTTER VENDOR	3. ROOF JOISTS - REFER TO 34-65.6
4. PREMANUFACTURED VELLO METAL U.S.S. LAMIN/CLIFF ROOF WITH YELLOW AND RED U.S.S. STRIPS SUPPORTED BY 2" X 4" JOISTS	4. PATED GUTTER WITH METAL FLAT TO BE SUPPLIED BEYOND - REFER TO 35-64.1 AND 35.1 FOR ADDITIONAL INFORMATION
5. GUTTER DOWNSPOUTS TO BE PROVIDED BY GUTTER VENDOR	5. AVAILABLE ROOF HEIGHTS AS DETERMINED BY VENDOR FOR THIS CANOPY DIMENSIONS. ROOF IS BORN ROOM
6. GUTTER DOWNSPOUTS 8" X 4" P.F. TO EJECT	6. ROOF CONTRACTOR TO PROVIDE ELECTION
7. ACCESS PANELS AND HALLWAY FRAMES - COLOR -	7. DOWN-SLOPE FUTURE REPAIRS TO ELECTRICAL DRAWINGS NEEDED AS BEING AS THE EMERGENCY REPAIR TO DIMENSION FOR LOCALITY HEIGHT
8. PREFINISHED METAL COLOR #2	8. REPAIRS TO BE MADE AS NECESSARY
9. ADDITIONAL PANEL - VERY LITTLE LOCATED WITHIN THE ELECTRICAL	9. REFER TO DIMENSION FOR LOCALITY HEIGHT
10. DASHED LINE INDICATES ROOF BEYOND	10. MOUNTED OPEN ROOF SUPPLIED BY OWNER AS BEING TO PROVIDE 1" PATED GUTTER
11. MATCH - COLOR #4	11. ELECTRICAL CONTRACTOR
12. UNFACTORY-CONCRETE VENER WITH OPEN EXISTING BRICK VENER	12. MULLION METAL DOOR FRAME - COLOR #6
13. UNFACTORY-CONCRETE ROOF TO BE 16" VERTICAL	13. PITCH EXPANSION JOINT
14. OWNER WANTED THE LOCAL AREA TO BE SHOWN ARCHITECT - PROVIDING AND INSTALLED BY THE CONTRACTOR	14. CAST STONE CAP
15. AUTOMATIC DRAINING PANEL MOUNTED AT 1" FROM THE ROOF - PROVIDING AND INSTALLED BY THE CONTRACTOR	15. EXISTING GUTTER BRICK VENER TO REMAIN
16. AUTOMATIC DRAINING PANEL MOUNTED AT 1" FROM THE ROOF - PROVIDING AND INSTALLED BY THE CONTRACTOR	16. EXISTING GUTTER BRICK VENER TO REMAIN
17. 1" STICK OVER ROOF WITH 1" MINIMUM LIFT DAY	17. EXISTING GUTTER BRICK VENER TO REMAIN
18. 1" STICK OVER ROOF WITH 1" MINIMUM LIFT DAY	18. 1" METAL PANELS IN 24" OVER 36" FIELD ON 18" CENTER
19. 1" STICK OVER ROOF WITH 1" MINIMUM LIFT DAY	19. 1" METAL PANELS IN 24" OVER 36" FIELD ON 18" CENTER
20. 1" STICK OVER ROOF WITH 1" MINIMUM LIFT DAY	20. 1" METAL PANELS IN 24" OVER 36" FIELD ON 18" CENTER
21. 1" STICK OVER ROOF WITH 1" MINIMUM LIFT DAY	21. 1" METAL PANELS IN 24" OVER 36" FIELD ON 18" CENTER
22. 1" STICK OVER ROOF WITH 1" MINIMUM LIFT DAY	22. 1" METAL PANELS IN 24" OVER 36" FIELD ON 18" CENTER
23. 1" STICK OVER ROOF WITH 1" MINIMUM LIFT DAY	23. 1" METAL PANELS IN 24" OVER 36" FIELD ON 18" CENTER
24. 1" STICK OVER ROOF WITH 1" MINIMUM LIFT DAY	24. 1" METAL PANELS IN 24" OVER 36" FIELD ON 18" CENTER
25. 1" STICK OVER ROOF WITH 1" MINIMUM LIFT DAY	25. 1" METAL PANELS IN 24" OVER 36" FIELD ON 18" CENTER
26. 1" STICK OVER ROOF WITH 1" MINIMUM LIFT DAY	26. 1" METAL PANELS IN 24" OVER 36" FIELD ON 18" CENTER
27. 1" STICK OVER ROOF WITH 1" MINIMUM LIFT DAY	27. 1" METAL PANELS IN 24" OVER 36" FIELD ON 18" CENTER
28. 1" STICK OVER ROOF WITH 1" MINIMUM LIFT DAY	28. 1" METAL PANELS IN 24" OVER 36" FIELD ON 18" CENTER
29. 1" STICK OVER ROOF WITH 1" MINIMUM LIFT DAY	29. 1" METAL PANELS IN 24" OVER 36" FIELD ON 18" CENTER
30. 1" STICK OVER ROOF WITH 1" MINIMUM LIFT DAY	30. 1" METAL PANELS IN 24" OVER 36" FIELD ON 18" CENTER
31. 1" STICK OVER ROOF WITH 1" MINIMUM LIFT DAY	31. 1" METAL PANELS IN 24" OVER 36" FIELD ON 18" CENTER
32. 1" STICK OVER ROOF WITH 1" MINIMUM LIFT DAY	32. 1" METAL PANELS IN 24" OVER 36" FIELD ON 18" CENTER
33. 1" STICK OVER ROOF WITH 1" MINIMUM LIFT DAY	33. 1" METAL PANELS IN 24" OVER 36" FIELD ON 18" CENTER
34. 1" STICK OVER ROOF WITH 1" MINIMUM LIFT DAY	34. 1" METAL PANELS IN 24" OVER 36" FIELD ON 18" CENTER
35. 1" STICK OVER ROOF WITH 1" MINIMUM LIFT DAY	35. 1" METAL PANELS IN 24" OVER 36" FIELD ON 18" CENTER
36. 1" STICK OVER ROOF WITH 1" MINIMUM LIFT DAY	36. 1" METAL PANELS IN 24" OVER 36" FIELD ON 18" CENTER
37. 1" STICK OVER ROOF WITH 1" MINIMUM LIFT DAY	37. 1" METAL PANELS IN 24" OVER 36" FIELD ON 18" CENTER
38. 1" STICK OVER ROOF WITH 1" MINIMUM LIFT DAY	38. 1" METAL PANELS IN 24" OVER 36" FIELD ON 18" CENTER
39. 1" STICK OVER ROOF WITH 1" MINIMUM LIFT DAY	39. 1" METAL PANELS IN 24" OVER 36" FIELD ON 18" CENTER
40. 1" STICK OVER ROOF WITH 1" MINIMUM LIFT DAY	40. 1" METAL PANELS IN 24" OVER 36" FIELD ON 18" CENTER
41. 1" STICK OVER ROOF WITH 1" MINIMUM LIFT DAY	41. 1" METAL PANELS IN 24" OVER 36" FIELD ON 18" CENTER
42. 1" STICK OVER ROOF WITH 1" MINIMUM LIFT DAY	42. 1" METAL PANELS IN 24" OVER 36" FIELD ON 18" CENTER
43. 1" STICK OVER ROOF WITH 1" MINIMUM LIFT DAY	43. 1" METAL PANELS IN 24" OVER 36" FIELD ON 18" CENTER
44. 1" STICK OVER ROOF WITH 1" MINIMUM LIFT DAY	44. 1" METAL PANELS IN 24" OVER 36" FIELD ON 18" CENTER
45. 1" STICK OVER ROOF WITH 1" MINIMUM LIFT DAY	45. 1" METAL PANELS IN 24" OVER 36" FIELD ON 18" CENTER
46. 1" STICK OVER ROOF WITH 1" MINIMUM LIFT DAY	46. 1" METAL PANELS IN 24" OVER 36" FIELD ON 18" CENTER
47. 1" STICK OVER ROOF WITH 1" MINIMUM LIFT DAY	47. 1" METAL PANELS IN 24" OVER 36" FIELD ON 18" CENTER
48. 1" STICK OVER ROOF WITH 1" MINIMUM LIFT DAY	48. 1" METAL PANELS IN 24" OVER 36" FIELD ON 18" CENTER
49. 1" STICK OVER ROOF WITH 1" MINIMUM LIFT DAY	49. 1" METAL PANELS IN 24" OVER 36" FIELD ON 18" CENTER
50. 1" STICK OVER ROOF WITH 1" MINIMUM LIFT DAY	50. 1" METAL PANELS IN 24" OVER 36" FIELD ON 18" CENTER
51. 1" STICK OVER ROOF WITH 1" MINIMUM LIFT DAY	51. 1" METAL PANELS IN 24" OVER 36" FIELD ON 18" CENTER
52. 1" STICK OVER ROOF WITH 1" MINIMUM LIFT DAY	52. 1" METAL PANELS IN 24" OVER 36" FIELD ON 18" CENTER
53. 1" STICK OVER ROOF WITH 1" MINIMUM LIFT DAY	53. 1" METAL PANELS IN 24" OVER 36" FIELD ON 18" CENTER
54. 1" STICK OVER ROOF WITH 1" MINIMUM LIFT DAY	54. 1" METAL PANELS IN 24" OVER 36" FIELD ON 18" CENTER
55. 1" STICK OVER ROOF WITH 1" MINIMUM LIFT DAY	55. 1" METAL PANELS IN 24" OVER 36" FIELD ON 18" CENTER
56. 1" STICK OVER ROOF WITH 1" MINIMUM LIFT DAY	56. 1" METAL PANELS IN 24" OVER 36" FIELD ON 18" CENTER
57. 1" STICK OVER ROOF WITH 1" MINIMUM LIFT DAY	57. 1" METAL PANELS IN 24" OVER 36" FIELD ON 18" CENTER
58. 1" STICK OVER ROOF WITH 1" MINIMUM LIFT DAY	58. 1" METAL PANELS IN 24" OVER 36" FIELD ON 18" CENTER
59. 1" STICK OVER ROOF WITH 1" MINIMUM LIFT DAY	59. 1" METAL PANELS IN 24" OVER 36" FIELD ON 18" CENTER
60. 1" STICK OVER ROOF WITH 1" MINIMUM LIFT DAY	60. 1" METAL PANELS IN 24" OVER 36" FIELD ON 18" CENTER
61. 1" STICK OVER ROOF WITH 1" MINIMUM LIFT DAY	61. 1" METAL PANELS IN 24" OVER 36" FIELD ON 18" CENTER
62. 1" STICK OVER ROOF WITH 1" MINIMUM LIFT DAY	62. 1" METAL PANELS IN

CITY OF GARLAND
BUILDER'S REVIEWED
THIS PERMITTED SET OF
KEPT ON THE JOB SITE
AVAILABLE FOR USE
THEIR REQUEST.

AS NOTED
PROJECT NO.
131-02
BY INSPECTORS AT

EXTERIOR ELEVATIONS

SONIC.

SONIC DRIVE-IN RESTAURANT
801 EAST I-30 GARLAND, TX.

DATE	DESCRIPTION	BY
10/04/18	CLIENT REVIEW	
1 2-6-19	REV:1 CITY COMMENTS	
2 12-9-19	REVISION - CITY COMMENTS	RJK

SCALE:

SHEET NO.
A3.01

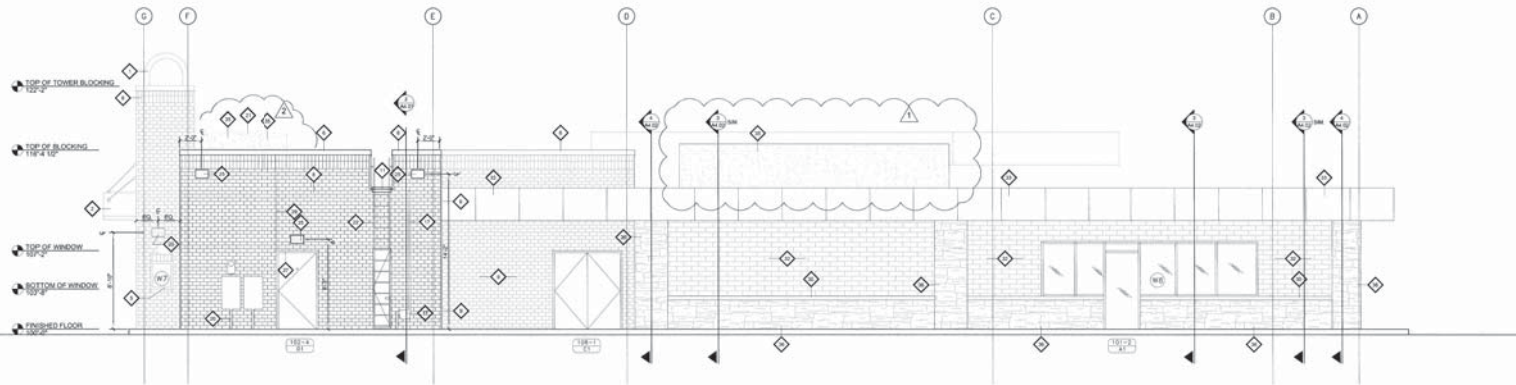
DRAWN BY: KRB2
CHECKED BY: RK

C&D
CROWN ARCHITECTURE & DEVELOPMENT, PLLC
WWW.CROWN-A-D.COM
2109 CHURCH LN. GRIEED, TEXAS 75044
RICHARD KING, AIA, TX. LICENSE 10092; 214-228-9240

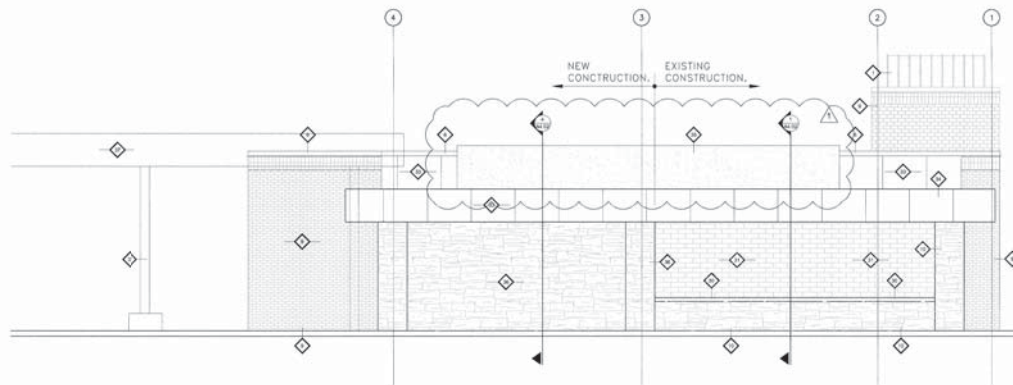
SONIC
America's Indus-tr-y

SONIC CORP.
300 JOHNNY BENCH DR.
OKLAHOMA CITY, OK 73104
OFFICES: 405-225-5000
FAX: 405-225-5991

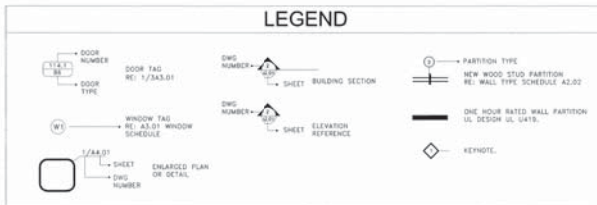
EXHIBIT E



1 NORTH ELEVATION
SCALE: 3/16" = 1'-0"
RE: 1A2.01



2 WEST ELEVATION
SCALE: 3/16" = 1'-0"
RE: 1A2.01



DRAWING LEGEND

GENERAL NOTES	
DIMENSIONS OF REVEALS ARE TO CENTERLINE	
VERIFY SHOTS PRIOR TO CONSTRUCTION	
DO NOT SCALE DRAWINGS	
CONTACT ARCHITECT FOR ANY DISCREPANCIES ARE FOUND	
REFER TO CANOPY DRAWINGS FOR ADDITIONAL PREMANUFACTURED CANOPY INFORMATION	
KEYED NOTES	
1) PREMANUFACTURED METAL YELLOW ROOF DOME WITH BLUE LED LIGHT STRIPS - PROVIDED BY CANOPY VENDOR	2) DASHED LINES INDICATE ROOF MOUNTED EQUIPMENT - REFER TO 3A&B
2) PREMANUFACTURED YELLOW METAL DRIVE THRU RAMP WITH GREEN LED STRIP LIGHTS SUPPLIED BY CANOPY VENDOR	3) ROOF LADDERS - REFER TO 3A&B
3) PREMANUFACTURED SILVER ALUMINUM CANOPY FRAMES WITH YELLOW AND RED LED STRIP LIGHTS SUPPLIED AND INSTALLED BY CANOPY VENDOR	4) PAINT CANOPY WITH METALLIC SILVER STANDING SEAM ROOF - REFER TO SHEET A1.01.01 AND 3B.01 FOR ADDITIONAL INFORMATION
4) COG ADDRESS PANELS 4" x 4" A.F.F. TO CENTER	5) AVAILABLE SIGN LOCATION AS DETERMINED BY COMMERICAL LOCAL SIGN ORDINANCES. SIGN BY SIGN COMPANY. GENERAL CONTRACTOR TO PROVIDE ELECTRICAL
5) STOREFRONT DOORS AND WINDOW FRAMES - COLOR #1	6) DOWN LIGHT FIXTURES - REFER TO ELECTRICAL DRAWINGS
6) PREFINISHED METAL - COLOR #2	7) INTERIOR SIGNAGE - REFER TO 3A&B
7) ADDITIONAL PAINT LIFT - VERIFY LOCATION WITH OWNER - REFER TO ELECTRICAL	8) ROUNDED OPEN SIGN SUPPLIED BY OWNER AND MOUNTED TO FRONT OF PAINT CANOPY
8) DASHED LINE INDICATES ROOF LINE BEYOND	9) ELECTRICAL CONTRACTOR TO PROVIDE ELECTRICAL CONNECTION
9) BRICK - COLOR #4	10) YELLOW METAL DOOR AND FRAME - COLOR #2
10) MANUFACTURED STONE VENEER APPLIED OVER EXISTING BRICK VENEER	11) BRICK EXPANSION JOINT
11) DOWNFLOW SPLITTER - REFER TO 11A&B	12) CAST STONE CAP
12) ADDRESS NUMBERS PER LOCAL FIRE DEPARTMENT AUTHORITY - PROVIDED AND INSTALLED BY GENERAL CONTRACTOR	13) EXISTING C-STONE BRICK VENEER TO REMAIN
13) ALUMINUM GRAPHIC PANEL - MOUNTED 11" x 4" A.F.F. TO CENTER - PROVIDED BY OWNER AND INSTALLED BY GENERAL CONTRACTOR	14) EXISTING BRICK REVEAL FROM OLD NORTH AND EAST ELEVATION EXTERIOR WALLS
14) ROUNDED OPEN SIGN - REFER TO 3A&B	15) METAL PANELS 24 GA. OVER 36 IN. PLY ON EXTERIOR TREATED PLYWOOD SUBSTRATE
15) ROUNDED OPEN SIGN - REFER TO 3A&B	16) METAL PANELS 24 GA. OVER 36 IN. PLY ON EXTERIOR TREATED PLYWOOD SUBSTRATE
16) LED SIGN OVER WINDOW - METAL MOUNTED 11" x 4" A.F.F. TO CENTER - PROVIDED BY OWNER AND INSTALLED BY GENERAL CONTRACTOR	17) STUCCO MOUNTED SIGN REFER TO ROOF PLANS FOR LOCATION AND SIZE. THE ROOF SIGNAGE SHALL BE STUCCO APPEARANCE WITH COLOR TO MATCH EXISTING BRICK COLOR
17) ROUNDED OPEN SIGN - REFER TO 3A&B	18) ARCHITECT INSTALL SIGN FRAME IN CONCRETE
18) LED SIGN OVER WINDOW - METAL MOUNTED 11" x 4" A.F.F. TO CENTER - PROVIDED BY OWNER AND INSTALLED BY GENERAL CONTRACTOR	19) BOLTED FRAME TO ROOF DECK AND ANGLE BRACING MEMBERS AT 4' O.C. - SPACES AROUND WALL UNITS. ROOF FLASH ALL ROOF PENETRATIONS. TYP.
19) GAS SERVICE - PAINT TO MATCH COLOR #4	20) STONE VENEER
20) GREASE EXTRACTION SYSTEM CONNECTION 1" x 4" TO CENTER	21) EXISTING STONE SECTION CANOPY TO REMAIN - PAINT RED
21) AIR RETURN DUCT - REFER TO 3B.01 FOR ADDITIONAL INFORMATION	
22) ELECTRICAL SERVICE - PAINT TO MATCH COLOR #4	
COLOR SCHEDULE	
COLOR #1 WINDOW AND STOREFRONT DOOR FRAMES COLOR: DARK BRONZE ANODIZED MATERIAL: ALUMINUM CORP.	
COLOR #2 PREFINISHED METAL BELLOUP FLASHING COLOR: ENAMELED BRONZE BUTTES	
COLOR #3 NOT USED	
COLOR #4 BRICK BRICKING IRISH MATERIAL: ADAMS BRICK COLOR: BRICKING VENEER MATERIAL: GRAY 3 SOLID COULES @ PARAPET 1 SOLID COURSE ABOVE WINDOWS & DOORS NON-SLICK BALL BELOW WINDOW OPENINGS SUECHT DRIVE THRU WINDOW	

CITY OF GARLAND
BUILDER'S REVIEWED COPY
THIS PRINTED SET OF PLANS IS
TO BE KEPT ON THE JOB SITE AT ALL TIMES
AVAILABLE FOR USE BY INSPECTORS
AT THE PROJECT.

EXTERIOR ELEVATIONS
SONIX
SONIX DRIVE-IN RESTAURANT
801 EAST I-30 GARLAND, TX.

DATE	DESCRIPTION	BY
11/11/19	CLIENT REVIEW	RK
11/12/19	REV. CITY COMMENTS	RK
11/12/19	REVISION - CITY COMMENTS	RK

SCALE:
AS NOTED
PROJECT NO.
131-02
SHEET NO.
A3.02

CA&D
CITY OF GARLAND ELECTRICAL & CONSTRUCTION LLC
WWW.CA&D.COM
300 BRANDY LN. GARLAND, TEXAS 75044
PHONE: 409-225-5000
FAX: 409-225-5001

SONIX
Sonix Corporation
300 JOHNNY BRENCH DR.
OKLAHOMA CITY, OK 73104
OFFICE: 405-225-5000
FAX: 405-225-5001

REGISTERED ARCHITECT
STATE OF TEXAS
MAY 14, 2018

EXHIBIT F

Sign B
Existing
Pylon Sign

Sign A
Existing
Pole Sign

INTERSTATE HIGHWAY 30

30'-0"

54'-0"



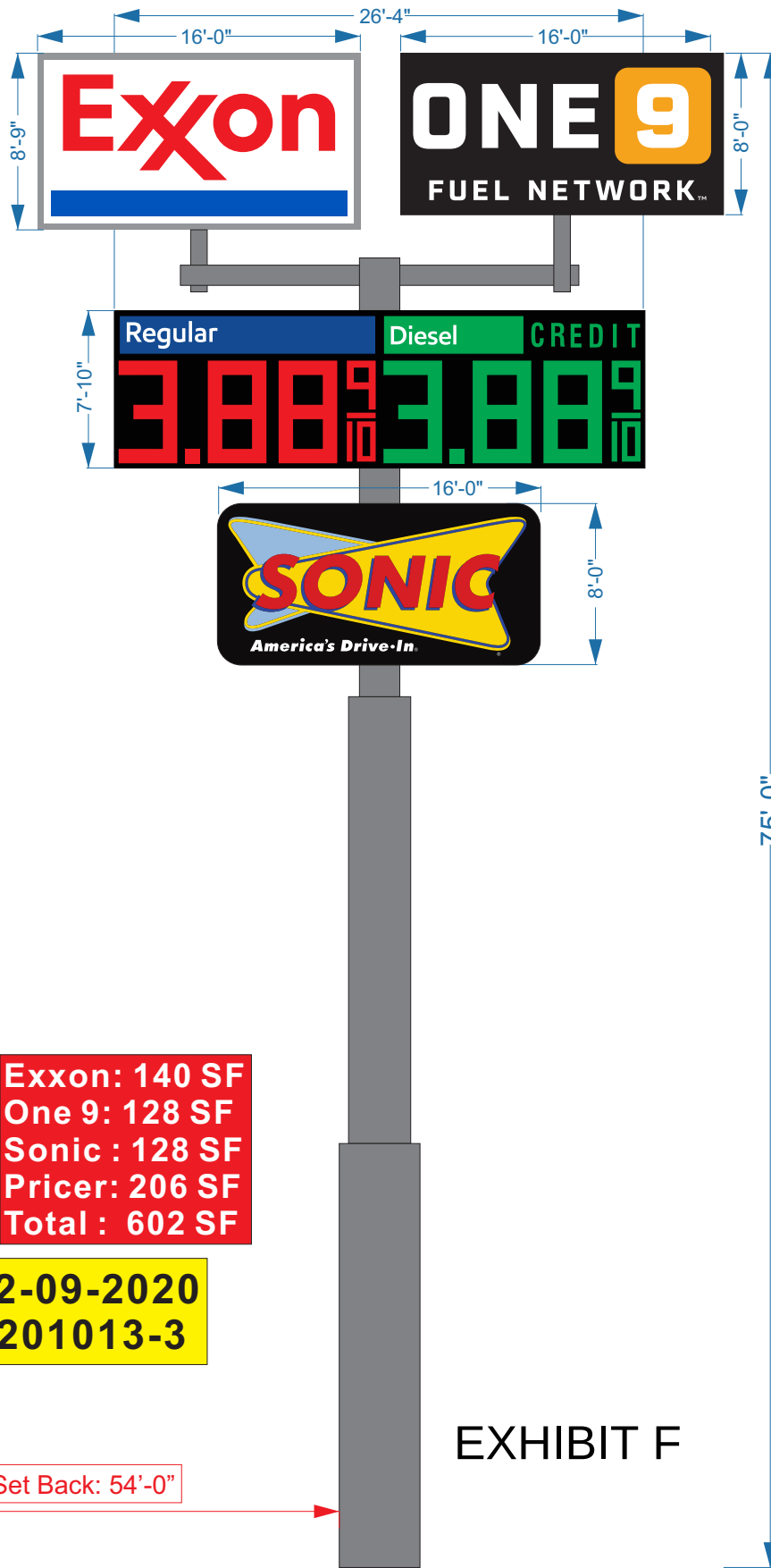
Date: 12-09-2020
Case # 201013-3



Site Plan

<> SPELLING IS YOUR RESPONSIBILITY <> SIZES ARE NOTED <> PROOF IS NOT TO SCALE <> COLORS ON FINISHED PRODUCT MAY VARY SLIGHTLY FROM ELECTRONIC PROOF

	CUSTOMER	Exxon / Sonic	REINFORCEMENT OF BUILDING, PHYSICAL CONDITIONS: If installation is a part of this Agreement, Buyer shall be responsible and pay for all necessary reinforcements to the building or any other structures on which Display is installed, for relocating power lines or other obstacles, and for any additional installation costs incurred by Seller due to adverse soil conditions, underground or other obstructions including but not limited to drilling for excavation or removal of any rock. Unless notified of sprinkler lines or private utility lines prior to drilling Seller is not responsible for damage caused and shall be indemnified against claims, losses or proceeding arising by replacement, repair or diversion of such services. When pier drilling is necessary, Seller will contact Dig Toss or other agents for location of all public utilities. Location of private utilities is the sole responsibility of the Buyer. In the event rock or adverse soil conditions are encountered in the drilling process, additional monies will be requested by the Seller. Customer Signature:	CUSTOMER	DATE
	COMPANY	VICTRON ENERGY, INC.			
	LOCATION	801 East I30			
	CITY/STATE	Garland TX 75043			
PHONE: (972) - 205 - 9090	EMAIL: SALES@MYFUTURESIGNS.COM		ADDRESS: 11624 Chairman Dr Dallas, TX 75243	WEB: myfuturesigns.com	

**Proposed Pole Sign (Sign A)**

Requesting deviation to maintain, reface, add programmable component, and add square footage to the existing non-conforming sign. The height will remain the same 75 feet and the proposed square footage is 602. The setback is the same as existing.

A

Exxon: 140 SF
One 9: 128 SF
Sonic : 128 SF
Pricer: 206 SF
Total : 602 SF

Date: 12-09-2020
Case # 201013-3

EXHIBIT F

◁ SPELLING IS YOUR RESPONSIBILITY ▷ SIZES ARE NOTED ▷ PROOF IS NOT TO SCALE ▷ COLORS ON FINISHED PRODUCT MAY VARY SLIGHTLY FROM ELECTRONIC PROOF



CUSTOMER: Exxon / Sonic
COMPANY: VICTRON ENERGY, INC.
LOCATION: 801 East I30
CITY/STATE: Garland TX 75043

REINFORCEMENT OF BUILDING, PHYSICAL CONDITIONS: If installation is a part of this Agreement, Buyer shall be responsible and pay for all necessary reinforcements to the building or any other structures on which Display is installed, for relocating power lines or other obstacles, and for any additional installation costs incurred by Seller due to adverse soil conditions, underground or other obstructions including but not limited to drilling for excavation or removal of any rock. Unless notified of sprinkler lines or private utility lines prior to drilling Seller is not responsible for damage caused and shall be indemnified against claims, losses or proceeding arising by replacement, repair or diversion of such services. When pier drilling is necessary, Seller will contact Dig Toss or other agents for location of all public utilities. Location of private utilities is the sole responsibility of the Buyer. In the event rock or adverse soil conditions are encountered in the drilling process, additional monies will be requested by the Seller.

CUSTOMER: DATE
LANDLORD: DATE

PHONE: (972) - 205 - 9090

EMAIL: SALES@MYFUTURESIGNS.COM

ADDRESS: 11624 Chairman Dr Dallas, TX 75243

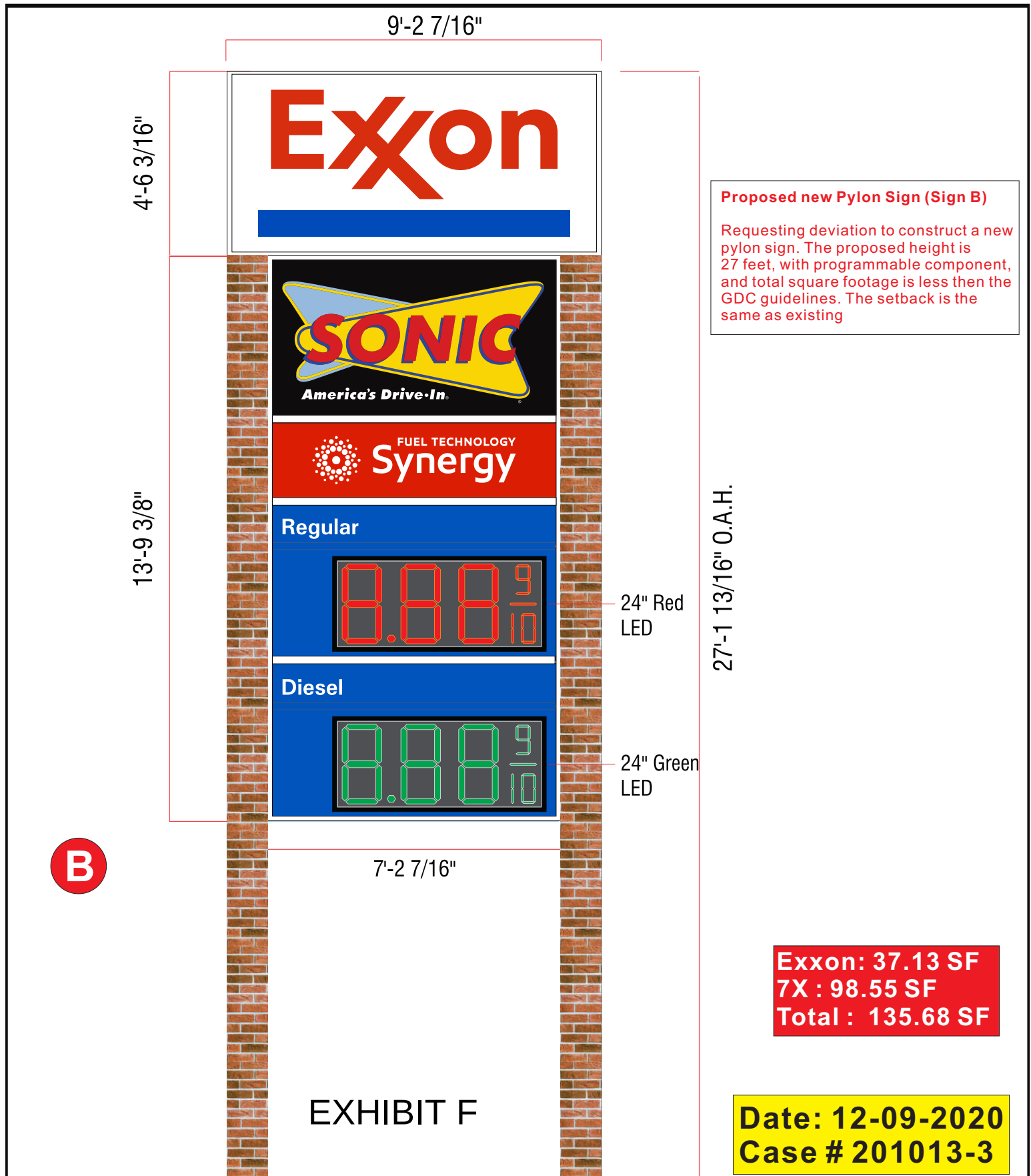
WEB: myfuturesigns.com



MATERIAL AND INSTALLATION COMPLIES WITH NATIONAL ELECTRICAL
SIGN CODE AND USES ONLY UL LISTED COMPONENTS

Regulated by the Texas Department of Licensing & Regulation
Website: www.license.state.tx.us

ATTN ELECTRICAL SIGNS: FINAL PLANS ARE DESIGNED, PERMITTED, MANUFACTURED, INSTALLED, AND INSPECTED BY A
LICENSED MASTER SIGN ELECTRICIAN AS REGULATED BY THE TEXAS DEPARTMENT OF LICENSING AND REGULATION



◀ SPELLING IS YOUR RESPONSIBILITY ▶ SIZES ARE NOTED ▶ PROOF IS NOT TO SCALE ▶ COLORS ON FINISHED PRODUCT MAY VARY SLIGHTLY FROM ELECTRONIC PROOF			
	CUSTOMER	Exxon / Sonic	REINFORCEMENT OF BUILDING, PHYSICAL CONDITIONS: If installation is a part of this Agreement, Buyer shall be responsible and pay for all necessary reinforcements to the building or any other structures on which Display is installed, for relocating power lines or other obstacles, and for any additional installation costs incurred by Seller due to adverse soil conditions, underground or other obstructions including but not limited to drilling for excavation or removal of any rock. Unless notified of sprinkler lines or private utility lines prior to drilling Seller is not responsible for damage caused and shall be indemnified against claims, losses or proceeding arising by replacement, repair or diversion of such services. When pier drilling is necessary, Seller will contact Dig Tress or other agents for location of all public utilities. Location of private utilities is the sole responsibility of the Buyer. In the event rock or adverse soil conditions are encountered in the drilling process, additional monies will be requested by the Seller.
	COMPANY	VICTRON ENERGY, INC.	
	LOCATION	801 East I30	
	CITY/STATE	Garland TX 75043	
PHONE: (972) - 205 - 9090		Customer Signature:	
EMAIL: SALES@MYFUTURESIGNS.COM		ADDRESS: 11624 Chairman Dr Dallas, TX 75243	
		WEB: myfuturesigns.com	
 MATERIAL AND INSTALLATION COMPLIES WITH NATIONAL ELECTRICAL SIGN CODE AND USES ONLY UL LISTED COMPONENTS		Regulated by the Texas Department of Licensing & Regulation Website: www.license.state.tx.us	
ATTN ELECTRICAL SIGNS: FINAL PLANS ARE DESIGNED, PERMITTED, MANUFACTORY, INSTALLED, AND INSPECTED BY A LICENSED MASTER SIGN ELECTRICIAN AS REGULATED BY THE TEXAS DEPARTMENT OF LICENSING AND REGULATION			



**GARLAND
CITY COUNCIL ITEM SUMMARY SHEET**

City Council Regular Session Agenda

4.

Meeting Date: 04/06/2021

Item Title: Consider An Ordinance Amending Chapter 30, "Sign Regulations," of the Code of Ordinances

Submitted By: Brad Neighbor, City Attorney

Summary of Request/Problem

This item was brought to Council as a written briefing during the March 15, 2021 Work Session. With the passing and adoption of the Garland Development Code (GDC) in 2015, many provisions of the Code of Ordinances became obsolete. The sign provisions of Chapter 30 of the Code of Ordinances were left in place as the City transitioned to the GDC. Having operated under the sign provisions of the GDC for several years, including making several amendments, the obsolete sign provisions of Chapter 30 of the Code of Ordinances should now be removed.

Recommendation/Action Requested and Justification

Approve the amendments to Article VI, Chapter 30, "Sign Regulations," of the Code of Ordinances.

Attachments

Ordinance to Remove Sign Provisions from Chapter 30

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 30, "BUILDING INSPECTION," OF THE CODE OF ORDINANCES OF THE CITY OF GARLAND, TEXAS, REPEALING ARTICLE VI, "SIGN REGULATIONS," OF THE GARLAND CODE OF ORDINANCES; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY UNDER THE PROVISIONS OF SECTION 10.05 OF THE CODE OF ORDINANCES OF THE CITY OF GARLAND, TEXAS; PROVIDING A SEVERABILITY CLAUSE; AND SETTING AN EFFECTIVE DATE.

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

Section 1

That Section 30.85, "Purpose," of Article VI, "Sign Regulations," of Chapter 30, "Building Inspection," of the Code of Ordinances of the City of Garland, Texas, is hereby renamed and amended in its entirety to read as follows:

"Section 30.85 General.

(A) Garland Development Code. It being the intent of the City to consolidate ordinances regarding or related to property development in the City into a comprehensive set of development ordinances apart from those contained in this Code, the former provisions of this Article VI, "Sign Regulations," have been recodified in the Garland Development Code ("GDC"). To the extent any portion of this Article VI conflicts with the most recent iteration of the GDC, the provision contained in the GDC shall control.

(B) Imitation of Traffic and Emergency Signs Prohibited. No person shall cause to be erected or maintained any sign using any combination of forms, words, colors or lights which imitate standard public traffic regulatory, emergency signs or signals.

(C) Powers and Duties of the Building Official.

(1) Generally. The Building Official is hereby authorized and directed to enforce all the provisions of this Code.

(2) Stop orders. Whenever any work is being done contrary to the provisions of this article, the Building Official may order the work stopped by notice in writing served on any person engaged in the doing or causing of such work to be done, and any such person shall forthwith stop such work until authorized by the Building Official to proceed with the work.

(D) Design.

(1) Construction. All signs and their supports shall be built, constructed, and erected in conformance with the requirements of all laws and ordinances, including this Code and the GDC.

(2) Structural. Signs shall comply with the design standards of the Building Code as adopted by the City.

(3) Electrical. Signs in which electrical wiring and connections are used shall comply with the requirements of the Electrical Code of the City.

(4) Plumbing and mechanical. Signs in which plumbing or mechanical devices are used shall comply with the requirements of the Plumbing Code and Mechanical Code of the City.

(5) Materials. The type of materials used in the construction, wiring, plumbing or mechanical portion of a sign shall conform to the structural codes of the City (Building, Electrical, Mechanical, and Plumbing Codes).

(6) Protection. Electrical devices within reach of persons on public property shall be protected by wire glass, safety glass, locked box of metal or wood, or other approved methods. No sign shall be erected nearer than two feet from any telephone cable, electrical street light standard, electrical power poles, or electrical power distribution lines when voltage between conductors is less than three hundred (300) volts. If the voltage between conductors is three hundred (300) volts or greater, clearances shall be maintained as follows:

Voltage of Conductors	Horizontal Clearance in Feet	Vertical Clearance in Feet
300 to 8,700	3	8
8,700 to 15,000	8	8
15,000 to 50,000	10	10
50,000 and up	10 plus 9.5" per kv in excess	10 plus .5" per kv in excess
Note: For spans greater than one hundred fifty (150) feet, refer to the National Electrical Safety Code.		

(7) Clearance from fire escapes, exits, or standpipes. No sign or its supports shall be erected in such a manner which will interfere in any way with the use of any fire escape, exit or standpipe. No sign or its supports shall be attached to a standpipe or fire escape.

(8) Obstruction of openings in buildings. No sign or its supports shall obstruct any required openings to such an extent that light or ventilation is reduced below that required.

(9) Weatherproofing. All signs shall be constructed so as to prevent the accumulation of water.

(10) Materials. All freestanding signs shall be constructed of materials that are noncombustible or slow burning (as in the case of plastic insert of facings) and shall be supported by noncombustible material only and finished in a presentable manner. Untreated wood or unpainted or nongalvanized steel supports are specifically prohibited."

Section 2

That the following Sections 30.86 - 30.116 of Article VI, "Sign Regulations", of Chapter 30, "Building Inspection", of the Code of Ordinances of the City of Garland, Texas, are hereby repealed in their entirety:

- (1) Section 30.86, "Definitions;"
- (2) Section 30.87, "General Provisions;"
- (3) Section 30.88, "Imitation of Traffic and Emergency Signs Prohibited;"
- (4) Section 30.89, "Roof Signs;"
- (5) Section 30.90, "Signs in Rights-Of-Way Prohibited;"
- (6) Section 30.91, "Signs on Public Property;"
- (7) Section 30.92, "Floating Sign Prohibited;"
- (8) Section 30.93, "Portable Signs Prohibited;"
- (9) Section 30.94, "Special Purpose Signs;"
- (10) Section 30.95, "Movement Control Signs;"
- (11) Section 30.96, "Protective Signs;"
- (12) Section 30.97, "Sale or Lease Signs;"
- (13) Section 30.98, "Homebuilder/Real Estate Directional Signs;"
- (14) Section 30.99, "Vehicular Signs;"
- (15) Section 30.100, "Government Signs;"
- (16) Section 30.101, "Creation of Site;"
- (17) Section 30.102, "Presumption;"
- (18) Section 30.103, "Provisions for Business Zoning Districts;"
- (19) Section 30.104, "Programmable Signs, Changeable Images, and Sign Illumination;"
- (20) Section 30.105, "Freestanding Signs;"
- (21) Section 30.106, "Attached Signs;"
- (22) Section 30.107, "Provisions for Residential Zoning Districts;"
- (23) Section 30.108, "General Provisions Applicable to Signs in Residential Zoning Districts;"
- (24) Section 30.109, "Freestanding Signs;"
- (25) Section 30.110, "Attached Signs;"
- (26) Section 30.111, "Powers and Duties of the Building Official;"
- (27) Section 30.112, "Permits, Applications, Fees;"
- (28) Section 30.113, "Design;"
- (29) Section 30.114, "Existing Signs;"
- (30) Section 30.115, "Variance Procedure/Plan Commission;"
and
- (31) Section 30.116, "Public Hearings Provided."

Section 3

That Sections 30.86 through 30.124 of Chapter 30 of the Code of Ordinances for the City of Garland, Texas, be reserved.

Section 4

That Chapter 30 of the Code of Ordinances for the City of Garland, Texas, as amended, shall be and remain in full force and effect save and except as amended by this Ordinance.

Section 5

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

Section 6

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

Section 7

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

PASSED AND APPROVED this the ____ day of _____, 2021.

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary



**GARLAND
CITY COUNCIL ITEM SUMMARY SHEET**

City Council Regular Session Agenda

5.

Meeting Date: 04/06/2021

Item Title: Consider an Amendment to the City's Parking Ordinances

Submitted By: Brad Neighbor, City Attorney

Summary of Request/Problem

This matter was discussed during the Work Session of March 1, 2021 as a part of the Public Safety Committee's report. The City Council concurred in bringing forward an ordinance to prohibit the parking of a vehicle on public property, other than a roadway, in a place other than in a designated parking place. In order to make that change, the Code of Ordinances must be amended in two places, Sec. 33.55(A) and Sec. 33.55(B). The violation is the same in both instances, but liability for the payment of the fine is different (one relating to the liability of the owner of an illegally parked vehicle, the other relating to the liability of the person who illegally parked the vehicle), thus the need to change those two sections.

Recommendation/Action Requested and Justification

Council is requested to adopt the attached ordinance.

Attachments

Ordinance amending Sec. 33.55 regarding parking on public property

ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER 33, "TRANSPORTATION", OF THE CODE OF ORDINANCES OF THE CITY OF GARLAND, TEXAS TO PROVIDE A PARKING OFFENSE FOR CERTAIN PARKING ON PUBLIC PROPERTY; PROVIDING A PENALTY UNDER THE PROVISIONS OF SEC. 10.05 OF THE CODE OF ORDINANCES OF THE CITY OF GARLAND, TEXAS; PROVIDING A SAVINGS CLAUSE AND A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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

Section 1

That Sec. 33.55(A) of Chapter 33, "Transportation", of the Code of Ordinances of the City of Garland, Texas, is hereby amended by adding a new subsection (A)(17) to read as follows:

"(17) On public property, other than a roadway, not in a designated parking space."

Section 2

That Sec. 33.55(B) of Chapter 33, "Transportation", of the Code of Ordinances of the City of Garland, Texas, is hereby amended by adding a new subsection (B)(17) to read as follows:

"(17) On public property, other than a roadway, not in a designated parking space."

Section 3

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

Section 4

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

Section 5

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 6

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

PASSED AND APPROVED this the _____ day of _____, 2021.

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary

PUBLISHED:



**GARLAND
CITY COUNCIL ITEM SUMMARY SHEET**

City Council Regular Session Agenda

6.

Meeting Date: 04/06/2021

Item Title: Master Agreement with Dallas County for Major Capital Improvements Program

Submitted By: Michael Polocek, Engineering Director

Summary of Request/Problem

In 1999, Dallas County adopted their Major Capital Improvements Program (MCIP) providing a cost share program between the County and individual Cities in Dallas County to construct major transportation projects. As part of the County's program, each City is required to execute a Master Agreement with the County. The agreement establishes the governing and general financial responsibilities for each agency with respect to the design, right-of-way acquisition and construction of individual projects.

The City signed its original Master Agreement with the County in 2002 and signed a new Master Agreement in September 2012. The County requires a new Master Agreement every 10 years. Although the current agreement is not set to expire until 2022, Dallas County has requested the City of Garland to execute the Master Agreement now so that we are on the same 10-year cycle as all other Cities in Dallas County.

Recommendation/Action Requested and Justification

Approve a resolution authorizing the City Manager to execute the attached Master Agreement with the County for MCIP projects.

Attachments

Resolution for MCIP Master Agreement

MCIP Master Agreement

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF GARLAND, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO A MASTER AGREEMENT FOR MAJOR CAPITAL IMPROVEMENT PROGRAM PROJECTS WITH DALLAS COUNTY; AND PROVIDING AN EFFECTIVE DATE.

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

Section 1

That the City Manager is hereby authorized to execute a Master Agreement for Major Capital Improvement Program Projects with Dallas County, Texas, in the form and substance of that attached hereto as Exhibit "A".

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 _____, 2021.

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary

**MASTER AGREEMENT GOVERNING
MAJOR CAPITAL IMPROVEMENT PROGRAM**

THIS MASTER AGREEMENT is made by and between the City of Garland, Texas, hereinafter ("City"), and Dallas County, hereinafter ("County"), acting by and through its duly authorized officials, which desire to enter into an Interlocal Agreement, hereinafter ("Master Agreement" or "MA") for the purpose of transportation improvements on roads inside Dallas County that are in the Dallas County Mobility Plan, hereinafter ("Mobility Plan").

WITNESSETH

WHEREAS, pursuant to Court Order _____, dated _____, County Commissioners Court approved participation in Transportation Major Capital Improvement Program ("MCIP") within the cities and towns inside Dallas County; and

WHEREAS, the approved MCIP project lists and MCIP funding commitment amounts may be modified, updated or approved by the Commissioners Court on a periodic, as-needed basis; and

WHEREAS, Chapter 791 of the Texas Government Code, as amended, provides authorization for local governments to enter into interlocal agreements; and

NOW THEREFORE, THIS AGREEMENT is hereby made and entered into by City and County for the mutual consideration stated herein:

ARTICLE I. DEFINITIONS

The following definitions are incorporated into this agreement for all purposes.

- A. **AMENDMENT** shall mean a written document executed by all parties detailing changes, additions or deletions in the Master Agreement.
- B. **AMENITY** shall mean Project features not included in the Standard Basic Project Design including but not limited to street pavers, colored concrete, planters, irrigation, decorative lighting, special signage, or any other feature above and beyond the Standard Basic Project Design or any increase in capacity in excess of County determined requirements based on anticipated future traffic flow.
- C. **CITY** shall mean the City of Garland, Dallas County, Texas.
- D. **CONTEXT SENSITIVE SOLUTIONS ("CSS")** is a collaborative, interdisciplinary approach that involves all stakeholders to develop a transportation facility that fits its physical setting and preserves scenic, aesthetic, historic and environmental resources, while maintaining safety and mobility. CSS is an approach that considers the total context within which a transportation improvement project will exist. CSS principles include the employment of early, continuous and meaningful involvement of the public and all stakeholders throughout the project development process. It is the intent of the Dallas County Public Works Department to

use the essential elements of CSS in all approaches to deliver the project. Some projects will dictate a very intense use of CSS, while others will only use a few of the elements, but the County will always consider CSS.

- E. **COUNTY** shall mean County of Dallas, State of Texas.
- F. **DIRECT PROJECT and PROGRAM COSTS** shall mean those costs that can be identified specifically with a particular project or program cost objective. These costs generally include compensation of employees for the time devoted and identified specifically to the performance of the project or program, cost of materials acquired, consumed or expended specifically for the purpose of the project or program; equipment changes; damage claims and other approved capital expenditures; change orders; travel expenses incurred specifically to carry out the project including, but not limited to, design, right-of-way, road or street drainage, utility relocation and adjustment, and construction. Direct Cost does not include the City or the County's general overhead.
- G. **EFFECTIVE DATE** shall mean the date of the signature of the last person necessary for this Master Agreement to become effective.
- H. **FIVE PHASE PROJECT DELIVERY SYSTEM** shall mean the process for delivering a project from conception to completion as detailed in Attachment A, Project Management Practices Manual ("Practices Manual" or "Attachment A"), which is attached hereto and incorporated herein by reference, as well as any amendments, updates, additions, or supplements thereto, which are also incorporated herein by reference. This Master Agreement references the most current edition of the Practices Manual. Amendments, updates, additions, or supplements may be issued by the Dallas County Public Works Department to the Practices Manual, which may be provided to the City on an as-needed basis during the term of this Master Agreement. The five phases of the project delivery system are planning, design, right- of-way, utility clearance, and construction.
- I. **FUNDING AGREEMENT ("FA")** shall mean the agreement between the County and a City to establish a preliminary proposed budget for a project, including the required funding match from the City in an amount equal to or greater than County MCIP funding commitment. As design is completed and the engineering estimate is refined, the Funding Agreement ("FA") shall be incorporated into the Project Specific Agreement ("PSA"). A FA and/or PSA is necessary before beginning engineering design.
- J. **INDIRECT COSTS** shall mean those costs that benefit more than one project and cannot be readily identified with a particular final project or program cost objective. Their precise benefits to a specific project are often difficult or impossible to trace.
- K. **IN-HOUSE PROJECT DELIVERY COSTS ("IHPD")** shall mean all costs associated with the development of the Major Capital Improvement Program (MCIP) "Call for Projects", selection of projects, scoping of projects, project design, property acquisition and construction of projects. Cost Accounting shall include but is not limited to employee time reimbursement, materials, equipment, and other expenditures necessary for the management and continuation of the MCIP.
- L. **INTERLOCAL AGREEMENTS** shall mean contracts or agreements entered into between City and County in accordance with the Texas Government Code, Chapter 791.
- M. **LEAD AGENCY** shall mean that entity responsible for project management, including, but not limited to planning, design, right-of-way acquisition, approved utility relocation or adjustment and construction unless otherwise designated.

- N. **MASTER AGREEMENT (“MA”)** shall mean this document including all incorporated documents, attachments, and exhibits.
- O. **MEMORANDUM OF AGREEMENT (“MOA”)** shall mean a written document that includes, but is not limited to a MOA, MOU, FA, and/or PSA, which incorporates the results of the Preliminary Design Charrette.
- P. **MEMORANDUM OF UNDERSTANDING “MOU”)** shall mean a written document that includes, but is not limited to a MOA, MOU, FA, and/or PSA, which incorporates the results of the Preliminary Design Charrette.
- Q. **MULTI-MODAL CONNECTIVITY IMPROVEMENTS** shall mean projects which comply with the concepts in the Moving Ahead for Progress in the 21st Century Act (“MAP-21”), any supplements and/or amendments thereto, or any future federal transportation acts which increase safety, accessibility, flexibility, efficiency, and enhance the integration and connectivity of the transportation system, across and between modes throughout the County for motorized and non-motorized users.
- R. **ORPHAN ROADS** shall mean all or part of a street or road right-of-way, which are outside the incorporated limits of a municipality (or municipalities) and the incorporated area of the municipality (or municipalities) abuts or extends into the right-of-way. These roadway segments have, in effect, been “orphaned” by the abutting City (or cities) that they serve in that they have been left unincorporated. Thus, the County has primary responsibility for maintenance, operation, enforcement, police and/or emergency services within these unincorporated rights of way.
- S. **PARCEL OR PARCELS** shall mean those portions or part of land and improvements located either wholly or partially thereon, identified by County, City or other stakeholder as required for right-of-way requirements of the Project. Such right-of-way shall include the existing street, road, drainage or other City or County real property ownership and all additional real property to be utilized for the Project.
- T. **PRELIMINARY CONCEPT CHARRETTE (“PCC”)** shall have the same meanings and purposes as the Preliminary Design Charrette, but be conducted very early in the design start, before substantial design is underway. The conditions for which a PCC is appropriate will be determined by the lead agency. Use of CSS will usually mean that a PCC will be conducted, since its use fits perfectly into CSS concepts. Other conditions encountered may dictate the use of a PCC, such as poor soils, presence of unconsolidated solid waste dumps, innovative integration of master planning with project delivery, unusual right-of-way (“ROW”) challenges, budgetary constraints (thus calling for significant Value Engineering efforts), etc. The results of properly using a PCC will be that early consensus will be achieved on a basic approach to the project design and construction, thus avoiding wasted design funding and loss of momentum for project delivery.
- U. **PRELIMINARY DESIGN CHARRETTE (“PDC”)** shall mean meetings of representatives of independent engineers and stakeholders of the contracting parties of the project for the purpose of discussing feasible design alternatives, forging consensus for the selected alternative, and includes entering into a MOA, MOU, FA, and/or a PSA for the overall estimate, alignment, and scope of the project. The PDC will be scheduled when the preliminary design is complete or near completion. This means horizontal and vertical alignment alternatives have been designed, ROW requirements are at least approximately known for each alternative, and the design is 40% to 60% complete. The result of a PDC that is conducted with all the stakeholders present is that it may help assure the project is able to

overcome any challenges with design completion, ROW acquisition, utility design and relocation, and finally, road construction.

- V. **PROJECT MANAGER** shall mean the person appointed by the Lead Agency who is assigned the primary duty for assuring Project Participant coordination and timely project delivery. There will be only one Project Manager assigned to a Project.
- W. **PROJECT PARTICIPANTS/TEAM** shall mean independent representatives from the County, City, and other stakeholders of the contracting parties as may be mutually agreed upon by the County, City, and stakeholders or otherwise with responsibility for delivering the completed Project.
- X. **PROJECT(S)** shall mean the proposed thoroughfare and multi-modal connectivity improvements approved by the Commissioners Court for inclusion in the Transportation MCIP and approved by the City.
- Y. **PROJECT DURATION** shall mean the active life of the Project. Project shall commence with the application for a Project by the City and approval by the Dallas County Commissioners Court. The Project shall be considered complete when construction has been fully completed and the maintenance period has expired or the Project has been terminated in accordance with Article IV of this Master Agreement.
- Z. **PROJECT SPECIFIC AGREEMENT (“PSA”)** shall mean a written agreement subsequent to this Master Agreement, which is entered into to establish the contractual rights and responsibilities of the City and County as it relates to a particular Project. A PSA supersedes a MOA, MOU or FA.
- AA. **RIGHT – OF - WAY (“ROW”)** is a strip of land that is granted, through a ROW deed, an easement or other mechanism, for the Project. ROW shall mean that real property or property interest identified by the County or the City, as necessary for the construction of the Project which shall include the existing street, road, drainage or other City or County real property ownership and all additional real property to be utilized for the Project.
- BB. **SCOPING SHEETS** will be attached to PSA’s involving construction. Scoping sheets may be attached to PSA’s involving a study or design. These sheets will set forth the design criteria to be used for the Project, including the alignment, appropriate specifications, typical section and other parameters of the Project. As project goals and needs are more clearly defined, the Scoping Sheets shall be updated and revised by the Project Manager to reflect current construction goals.
- CC. **SMALL WATERSHED DAM** shall mean floodwater retarding structures that were constructed by the United States Department of Agriculture (“USDA”) Natural Resources Conservation Service (“NRCS”), formerly named the Soil Conservation Service (“SCS”), in watersheds less than 250,000 acres under the authority of the Flood Control Act of 1944 and the Watershed Protection and Flood Prevention Act of 1954. These structures typically have earthen embankments with principal and auxiliary spillways.
- DD. **STANDARD BASIC PROJECT DESIGN** shall mean the standard County-approved City criteria for paving, bridges, drainage and appurtenances, traffic control items including pavement marking, warranted uniform signals, street light foundations, pull boxes, conduit, sidewalks, medians, storage/turn lanes, access, required structural retaining walls and standard driveways excluding road or street amenities, or such design criteria as may be agreed upon by the contracting parties and listed in a Project’s Scoping Sheets.

- EE. **TxDOT** shall mean the Texas Department of Transportation.
- FF. **UTILITIES** shall mean each City utility, public utility, common carrier, governmental or quasi-governmental facility, fiber optic facility, or other facility located within the limits of the Project by virtue of Texas or federal law or agreement between the entity and the City, County, or State of Texas.
- GG. **UTILITY, CITY**, also known as **CITY UTILITY** shall mean those utilities that are owned or operated by the City, which requires relocation or adjustment for the purpose of the construction of the Project as identified by Project plans.
- HH. **UTILITY IN PUBLIC RIGHT-OF-WAY** shall mean all Utilities located within the limits of any governmental entity.
- II. **UTILITY IN PRIVATELY OWNED RIGHT-OF-WAY** shall mean all Utilities, excluding City Utilities, whose facilities are located within a private easement.
- JJ. **UTILITY BETTERMENT** shall mean any increase in the capacity of any Utility's Facility adjusted or relocated as a part of the Project as compared to the existing Facility, or any upgrading of the Utility's Facility above the standard practices, devices or materials, specified by the Utility and customarily used by the City or Utility on Projects solely financed by the City or Utility. Provided, however, that any adjustments necessary to successfully accomplish the Project shall not be considered a Betterment, and further, that any increase in the capacity of the Utility Facility resulting solely from the replacement of devices or materials no longer regularly manufactured, processed or installed shall not be considered a Betterment, provided that such replacement shall be only to the standard devices or materials currently used on other projects financed solely by the City or Utility. This meaning shall apply to utilities that are part of the Project as well as the standard basic street components (See "STANDARD BASIC PROJECT DESIGN").

ARTICLE II. PERIOD OF THE AGREEMENT

This Master Agreement becomes effective when signed by the last party whose signing makes the respective agreement fully executed (The "Effective Date"). This Master Agreement shall expire ten (10) years from the Effective Date unless terminated in accordance with Article IV of this Master Agreement.

ARTICLE III. AMENDMENTS

This Master Agreement may be amended with the mutual consent of the City and County. Any amendment must be in writing and approved by the parties' respective governing bodies through either a Court Order from Commissioners Court or a City Council Resolution.

ARTICLE IV. TERMINATION, DEFAULT, TIME OF THE ESSENCE AND FORCE MAJEURE

A. TERMINATION

- a. This Master Agreement may be terminated by any of the following conditions:
 1. By expiration of the term of the agreement.

2. By either party, by providing written notice of termination pursuant to Article XIX, Paragraph I. of this Master Agreement establishing the effective date of termination to the other party as consequence of the party being in default of the provisions of this Master Agreement and/or any original, supplemental and/or any amended MOA, MOU, FA, and/or PSA or the failure to timely provide funding, with proper allowances being made for circumstances beyond the control of the defaulting party.
 3. By either party for any reason with ninety (90) days written notice to the other party pursuant to Article XIX, Paragraph I. of this Master Agreement.
- b. Should either party terminate this Master Agreement as herein provided, all existing, fully executed original and/or supplemental and/or amended MOA, MOU, FA, and/or PSA made under this Master Agreement shall not be terminated and shall automatically incorporate all the provisions of this Master Agreement.
 - c. In the event that any original and/or supplemental and/or amended MOA, MOU, FA, and/or PSA is terminated prior to completion of the Project, no additional Costs shall be incurred other than Costs due and payable at the time of termination for services actually performed or that shall become due and payable due to such termination. The Lead Agency, to the extent permitted, may terminate all Project contracts, unless written notice is given by either party to the other of its intent to complete the Project, and prepare a final accounting for the Project.
 - d. If the Project is terminated by the City prior to the award of any construction contract and the Project is located within the City limits, City shall pay to the County the full amount expended by the County on the Project and the County shall transfer to the City its rights and all deliverables that it may be entitled to receive under the existing professional services or other project contracts or agreements. Such amount shall be included in the final accounting for the Project. Such amount shall be due and payable in full ninety (90) days subsequent to the termination, or thirty days subsequent to delivery of final accounting.
 - e. Once the construction contract has been awarded by the governing body of the Lead Agency, the PSA for that Project cannot be terminated until completion of the construction.
 - f. In the event that a Project is terminated prior to the award of the construction contract, either party may, upon written notice pursuant to Article XIX, Paragraph I. of this Master Agreement, take over the Project and prosecute the work to completion by contract or otherwise at its sole cost and expense. In the event that the party completing the work is not the Lead Agency, it is agreed that the Project Manager will furnish to the Completing Party a listing of current records pertaining to any outstanding obligations or other records or information required by any project contract, including any Work Order, or requested in writing by Completing Party in either printed or electronic format or both. The Lead Agency agrees to cooperate with the Completing Party. The Lead Agency will use its best efforts to transfer to the Completing Party all contracts. Obligations under such contracts shall become the sole obligation of the Completing Party upon transfer. Completing party agrees to timely pay all future obligations under such contract as they become due and payable. Completing Party hereby releases the Lead Agency from any and all liability under such assigned contracts subsequent to date of transfer, effective upon the transfer date. Lead Agency shall exercise its best efforts to ensure a transition of services without interruption.

Either party shall have the right to retain copies of all data, information, engineering, studies, or other items produced to the date of termination.

- g. In the event that no FA is approved within five (5) years of Commissioners Court approval of County MCIP funding commitment, then the County in its sole discretion, can reallocate the County MCIP funding commitment.
- h. In the event the Project is being completed in phases and more than five (5) years has transpired after a completed phase without any activity on subsequent approved phases, then the County in its sole discretion, can terminate the Project and reallocate the remaining County MCIP funding.
- i. In the event that the City enters into a PSA with the County, if the Project has not been completed within ten (10) years from the date of Commissioners Court approval of the original PSA, then the County in its sole discretion, can terminate the Project and reallocate the remaining County MCIP funding.
- j. Provisions b through j of this Article IV, Section A shall survive the termination of this Master Agreement and any MOA, MOU, FA, and/or PSA and shall be a continuing obligation until the transition of services, all payments made and the Projects are complete. All items listed or required in this provision shall be furnished by Lead Agency to Completing Party without additional cost or expense to completing party.

B. FORCE MAJEURE:

Neither County nor City shall be in default or responsible for delays or failures in performance resulting from causes reasonably beyond its control and not attributable to its neglect. Such acts include but are not limited to acts of God, fire, storm, pandemic, epidemic, flood, earthquake, natural disaster, nuclear accident, strike, air traffic disruption, invasion, insurrection, lockout, stoppage of labor, riot, freight embargo, disruptions in service from public regulated utility, or governmental statutes, orders, or regulations superimposed after the fact. Any party delayed by force majeure shall as soon as reasonably possible give the other party written notice of the delay. If reasonably practical, the party claiming the suspension shall give notice of such impediment or delay in performance to the other party within ten (10) days of the knowledge of such occurrence. The party delayed shall use reasonable diligence to correct the cause of the delay, if correctable, and if the condition that caused the delay is corrected, the party delayed shall immediately give the other party written notice thereof and shall resume performance under this Master Agreement as soon as practicable. In the event of such an occurrence, the time for performance of such obligations or duty shall be suspended until such time that such inability to perform, shall be removed. Each party shall make all reasonable efforts to mitigate the effects of any suspension. The provisions of this Article IV, Section B shall survive the termination of this Master Agreement.

ARTICLE V. IMMUNITY AND LIABILITY FOR ACT AND OMISSIONS

County and City agree that no provision of this Master Agreement is in any way intended to constitute a waiver of any immunities from suit or liability, or a waiver of any tort limitation, that the parties have by operation of law, or otherwise. County and City agree that both County and City shall each be responsible for their own negligent acts or omissions or other tortious conduct in the course of performance of this Master Agreement without waiving any sovereign or governmental immunity available to either County or City or their respective officials, officers, employees, or agents under Texas or other law and without waiving any available defenses under Texas or other law. In the event of joint and concurrent negligence of the parties to this Master Agreement, responsibility, if any, shall be apportioned

comparatively in accordance with the laws of the State of Texas, without waiving any defenses, including sovereign or governmental immunity, or other defenses available to the parties under federal or Texas law. Nothing in this paragraph shall be construed to create or grant any rights, contractual or otherwise, in or to any third persons or entities. The provisions of this Article V shall survive the termination, expiration, or cancellation of this Master Agreement, or any determination that this Master Agreement or any portion hereof is void, voidable, invalid, or unenforceable.

ARTICLE VI. LEAD AGENCY

- A. Lead Agency shall be that entity which is responsible for the Project from conception through to completion of construction. City and County may choose for the County to manage the Project through design and construction and for the City to acquire ROW.
- B. In the event that the City is the Lead Agency the City shall:
 - a. Provide project management and leadership from Project selection to construction completion following the 5 Phase Project Delivery System as detailed in Attachment A to this Master Agreement, which is attached hereto and incorporated herein by reference, as well as any amendments, updates, additions, or supplements thereto, which are also incorporated herein by reference. Amendments, updates, additions, or supplements may be issued by the Dallas County Public Works Department to the Practices Manual, which may be provided to the City on an as-needed basis during the term of this Master Agreement;
 - b. Lead Agency shall be responsible for hosting the Preliminary Concept Charrettes and or Preliminary Design Charrettes and Neighborhood Public Workshops;
 - c. Acquire ROW necessary for the Project;
 - d. Enter into or obtain whatever agreements or permits necessary for Project completion;
 - e. Provide County with the opportunity for significant input in plan development and periodic progress reviews; and
 - f. Provide records for periodic auditing for either financial accounting or engineering accounting or both.
- C. For City-led projects in which the City is considering to specify transportation infrastructure elements exceeding the Standard Basic Project Design criteria, County funding will only be eligible to the Standard Basic Project Design criteria unless the City and County have arrived at a mutual agreement through involvement of the County during the initial design phases, including the Design Kick-off Meeting and as necessary, the Preliminary Concept Charrette and Preliminary Design Charrette meetings.

ARTICLE VII. CITY AGREES AS FOLLOWS:

- A. To execute, within five (5) years of Commissioners Court approval of funding commitment, the necessary agreements with the County for the implementation of design and construction of the Projects mutually agreed upon and incorporated herein by reference with a PSA. If the City and County have not executed a FA within five (5) years of Commissioners Court approval of the funding commitment, the County in its sole discretion can reallocate the funding commitment.

- B. City agrees not to allow more than five (5) years to transpire after a completed phase without any activity on subsequent approved phases, if the Project is being completed in phases. If more than five (5) years transpire after a completed phase without any activity on subsequent approved phases, the County in its sole discretion, can reallocate the remaining County MCIP funding.
- C. City agrees to complete the Project within ten (10) years from the date of Commissioners Court approval of the PSA. If more than ten (10) years transpire, the County in its sole discretion can reallocate the remaining County MCIP funding.
- D. To provide City Council Resolution adopting approved preferred alignment, proposed estimated budget, and commitment to meet MCIP Project funding for each milestone as specified in this MA, the FA, and/or the PSA.
- E. The County in its sole discretion can require the City to provide a plan to address outstanding issues before entering into necessary agreements for the Project to proceed.
- F. City agrees to share the funding of each Project with County on an equal share basis of 50%/50% or an otherwise agreed cost sharing arrangement as specified in a FA and/or PSA with the following exclusions:
 - a. City shall bear the entire cost of:
 - 1. City owned utilities relocation or adjustment such as water and sanitary sewer facilities, except utility adjustments directly attributable to storm sewer improvement conflicts;
 - 2. Amenities including but not limited to street pavers, colored concrete, planters, decorative lighting, special signage, or any other feature over the Standard Basic Project Design;
 - 3. Utility Betterments;
 - 4. Direct costs of City which is fulfilling the role of Lead Agency, shall be totally funded by City unless supported by a detailed hourly accounting system equal to County's accounting system; and
 - 5. City Indirect Costs.
- G. After the City and County enter into a MOA, MOU, FA and/or PSA, regarding the Project's concepts, design elements and limits by the County and City at the PDC, the City agrees to acquire ROW required for designated projects by voluntary dedication, the subdivision platting process and/or other legal means, to the maximum extent possible, and to ensure through the building permitting process that setback requirements are imposed to limit encroachment upon the required ROW. City agrees to fund ROW not acquired, but reasonably expected to be acquired. City also agrees to fund the removal of improvements that are encroachments within existing or proposed ROW areas.
- H. In the event of any proposed use of the Project ROW that will conflict with the proposed Project and City is unable to obtain such ROW as described above, City shall notify County of such conflict. County and City shall determine if the acquisition of the conflicting parcel would be in the best interest of the Project. In the event that agreement is reached and the parcel is acquired such cost shall be included in the pro rated cost of the project in the agreed upon proportions.

- I. City hereby grants the County authority to enter into eminent domain proceedings within the City limits on each specific ROW alignment and/or project as approved by the City and County.
- J. To require all Utilities located within or using the present public ROW on all designated transportation projects within City's/Town's municipal limits to adjust and/or relocate said Utilities as required by the proposed improvement of the designated transportation project. City Utilities shall be relocated or adjusted at no cost to County except as may be specifically set forth in this Master Agreement.
- K. City agrees to be cooperative on issues relating to billboards, advertising signs, non-conforming uses, zoning and similar restrictions and to exercise its best efforts to provide variances when possible to minimize costs and minimize delays of the Project. Additional Project costs caused or contributed to by the City ordinance, zoning, non-conforming use determination or other requirement shall be paid in full by the City.
- L. City shall require the adjustment and/or relocation of Utilities to be accomplished and finalized, as expeditiously as possible after approval of final plans to prevent Project schedule delays. Notwithstanding anything contained herein to the contrary, all Utilities shall be adjusted or relocated and the ROW clear for construction not later than thirty (30) days prior to the award of the construction contract. City will notify the County and other stakeholders when utility conflicts would impact progress of the Project's completion. County and City agree to work with all stakeholders to solve the problem; which includes engaging elected officials in the problem's resolution to prevent delays in the commencement or prosecution of construction on the Project.
- M. Where planned roadway improvements (including, but not limited to storm drainage,) are in conflict with City owned water and sanitary sewer systems, that could otherwise remain in place, the actual costs of the necessary adjustment of City water and sewer utilities shall be pro rated at the overall percentage agreed to by City and County for cost sharing. City shall be responsible for funding one hundred percent (100%) of any Betterment; as well as 100% of any relocation that is caused by City installation during the Project Duration. Except as provided herein, all costs for adjustment and/or relocation of utilities in the public ROW shall be the responsibility of the Utility Owner or of the City Utility. Any Project delay or other damages caused by City or the Utility's failure to timely relocate or adjust the facility shall be at the entire cost of City.
- N. To provide for continuing surveillance and control of ROW to prevent the construction, placement, storage or encroachment of any signs, personal property or other appurtenances in the existing or proposed ROW. In the event that the aforementioned features are allowed by City to encroach on necessary ROW during the duration of the project, City shall bear the entire cost of removal or relocation of said encroachment.
- O. To provide to County for County's or County's designee's use, at no cost, adequate copies of all construction standards, codes, (specifically including zoning and development codes), plats, specifications, guidelines, standards or any other pertinent information as determined by County to be required for the completion of the Project. Additionally, City shall furnish County, at no cost, such documents as necessary to keep all items previously furnished to County current.
- P. To actively participate and provide authorized representation with decision-making power at the PCC and/or the PDC, preconstruction meeting, and project meetings, which are necessary to Project development and completion.

- Q. City agrees to provide timely review of interim submittals. “Timely review” will be agreed upon during the PCC and/or PDC as a part of the Project schedule. City further agree that if no review notes are submitted by the City in writing to the County in a timely basis, plans are approved as submitted.
- R. When City is Lead Agency, City agrees to allow forty-five (45) days for County review of submittals and that any of the County’s comments shall be incorporated into the final document.
- S. City agrees that it will pay all additional Project cost for any City requested discretionary change, including, but not limited to Amenities and Utility Betterments, in or in addition to the design or construction of the Project subsequent to the City’s opportunity to review the sixty five percent (65%) design plans.
- T. Provide at City’s/Town’s cost for the continuing maintenance of all the Project ROW, such as mowing, drainage, trash removal, etc., during the period between acquisition and construction.
- U. During the construction of the Project and after completion of the Project, City will be responsible for the control, operation, police enforcement and/or emergency services, without cost or contribution from the County.
- V. After the completion of a Project and the maintenance period, the City will be responsible for all future maintenance without cost or contribution from the County.
- W. City shall bear the entire cost of design, construction and administration for landscaping, streetscaping, streetlighting, as such items are not included in the Standard Basic Project Design and other amenities specified or requested by the City in excess of the Standard Basic Project Design.
- X. It is the intent of this Master Agreement that the County will be the Lead Agency. In the event that the City and County agree in writing that the City will manage and administer one or more projects, the City and the County will enter into a FA and/or PSA as to that project(s). In such instance, the City agrees to assume all Lead Agency responsibilities except as may be determined by mutual agreement and set forth in the FA and/or PSA.

ARTICLE VIII. UTILITY IMPACTS.

- A. In cases where a Utility is located in a Privately Owned ROW, and it is necessary to relocate the facility or make adjustments by reason of the widening or improvement of the designated Project, the County (or City if acting as the Lead Agency) will, after submission by the utility company of ROW documentation and cost estimates acceptable to the City, County and other stakeholders, assign the actual costs for the relocation and/or adjustment of said utility to the Project.
- B. In cases where a Utility in Public ROW, excluding City Utilities, occupies any portion of the Project ROW by Texas or federal law or by agreement with the City that allows or permits the City to cause the relocation of the utility for the construction of the Project, the City shall timely require and enforce the relocation or adjustment requirement at no cost to the Project. In the event that the City has no legal or contractual right to cause the relocation, the relocation or adjustment shall be relocated or adjusted and all cost shall be a Project Cost. City shall take all steps necessary to ensure that such relocation or adjustment shall not conflict with or delay the Project schedule.

ARTICLE IX. COUNTY AGREES AS FOLLOWS:

- A. To provide, as a Project Cost, preliminary engineering which will define project details, e.g., location, scope of work and specific right-of-way alignment for each improvement. Such preliminary engineering shall be submitted to the City for approval, prior to proceeding with the final design and any right-of-way acquisition.
- B. To provide, as a Project Cost, for the construction of transportation improvements based upon design criteria conforming to Standard Basic Project Design in conformity with applicable City ordinances and standards, to the extent of Commissioners Court approved program funding. Scope of work shall include the agreed upon design standards as the basis for improvement criteria. Deviations from mutually agreed upon application of City standards and/or design criteria shall require prior approval of the City. Where City standards do not exist, TxDOT standards as of the Effective Date of this Master Agreement shall be utilized unless otherwise mutually agreed to by the parties in the FA and/or PSA.
- C. To actively participate and provide authorized representation at the PCC and/or the PDC, preconstruction meetings, and Project meetings, which are necessary to project development through project completion.
- D. To provide project management of each Project where the County is Lead Agency from commencement to completion of construction. City and County may agree to redefine project management roles as beneficial to the Project as defined in the MOA, MOU, FA, and/or PSA, and/or supplemental and/or amended agreements.
- E. Upon receipt of written request detailing the information requested, to provide information related to the Project to the City or the City /Town's designee at no cost to the City.
- F. County agrees to provide review of interim submittals within forty-five (45) days of receipt, and hereby agrees that if no review notes are submitted by the County (if City is filling the role as Project Manager) in writing to the City within that time period, plans are to be approved as submitted.
- G. To submit final engineering plans for review and written approval by the City forty-five (45) days prior to submitting documents to the County Purchasing Department for advertising the project for construction.
- H. To provide for the acquisition, including acquisition by Eminent Domain, of the necessary additional ROW, on designated projects, in accordance with minimum standard requirements and utilizing existing public ROW to the maximum extent possible as a Project cost.
- I. To require all contractors to secure all necessary permits required by the City on said construction projects.
- J. To furnish record drawings of construction plans for the permanent records of the City within twelve (12) months upon completion and acceptance of the transportation improvement Project.
- K. To transfer the real property or property interest acquired by the County and used for the Project to the City.
- L. In the event the County and the City agree in writing that the City will be the Lead Agency for the agreed upon Project, the County will reimburse the City for agreed costs as detailed in Article XII. (Funding) in this MA in an amount not to exceed the Project cost as approved by Dallas County Commissioners Court and incorporated in the FA and/or PSA.

All County payments shall be in accordance with Texas law and such County policies and procedures as may be mutually agreed to by the parties and incorporated by reference in a FA and/or a PSA.

ARTICLE X. PRELIMINARY DESIGN CHARRETTE (PDC), PRELIMINARY CONCEPT CHARRETTE (PCC)

- A. City and County, as specified in Articles VII, IX, and X of this MA, respectively, will designate officials or representatives to participate in a PCC and/or PDC to be conducted on a mutually agreed to date and location. At least part of this meeting will be conducted on the Project site.
- B. Results from the PCC will identify the general project scope, the basic approach and concepts to be taken with the project, the elements of CSS that will be included, and some ideas for alignments alternatives. The Lead agency will already have been determined, as well as the project administration and management roles, which include the Project Manager. Key project participants shall be introduced to stakeholders at the PCC and or PDC. Results from the PDC will identify the preferred alignment of the project, and provide all stakeholders a commitment for project delivery schedules and project budgets.

ARTICLE XI. FISCAL FUNDING

Notwithstanding anything to the contrary herein, this Master Agreement is expressly contingent upon the availability of County funding for each item and obligation contained herein. City shall have no right of action against the County as regards this Master Agreement, specifically including any funding by County of the Project in the event that the County is unable to fulfill its obligations under this Master Agreement as a result of the lack of sufficient funding for any item or obligation from any source utilized to fund this Master Agreement or failure of any funding party to budget or authorize funding for this Master Agreement during the current or future fiscal years. In the event of insufficient funding, or if funds become unavailable in whole or part, the County, at its sole discretion, may provide funds from a separate source or terminate this Master Agreement. In the event that payments or expenditures are made, they shall be made from current funds as required by Chapter 791, Texas Government Code.

Notwithstanding anything to the contrary herein, this Master Agreement is expressly contingent upon the availability of City funding for each item and obligation contained herein. County shall have no right of action against the City as regards this Master Agreement, specifically including any funding by City of the Project in the event that the City is unable to fulfill its obligations under this Master Agreement as a result of the lack of sufficient funding for any item or obligation from any source utilized to fund this Master Agreement or failure of any funding party to budget or authorize funding for this Master Agreement during the current or future fiscal years. In the event of insufficient funding, or if funds become unavailable in whole or part, the City, at its sole discretion, may provide funds from a separate source or terminate this Master Agreement. In the event that payments or expenditures are made, they shall be made from current funds as required by Chapter 791, Texas Government Code.

ARTICLE XII. FUNDING

- A. City and County mutually agree to proportionately fund the Direct Project and Program costs as agreed by the parties in a FA and/or PSA. Unless otherwise specified in the FA and/or PSA, the County shall bear fifty percent (50%) of the total Direct Project and Program costs excluding the

Amenities, relocation or adjustment of City Utilities, Utility Betterment, Indirect Cost, Direct Cost not supported by detailed hourly accounting system and other items as specified in this Master Agreement, FA, and/or PSA. County shall not be responsible for any amount of funding in excess of the Project not-to-exceed amount as shown in the FA and/or PSA. Unless otherwise specified in the FA and/or PSA, the City shall bear fifty percent (50%) of all Direct Project and Program costs. In addition, the City agrees to fund all other City cost as provided herein, including, but not limited to, Amenities, relocation or adjustment of City Utilities, Utility Betterment, Indirect Cost, Direct Cost not supported by detailed hourly accounting system, and other items as specified in this Master Agreement, FA, and/or PSA.

- B. Unless otherwise stated in a FA and/or PSA, the milestones for each project shall be (1) preliminary and primary design (2) ROW acquisition and utility relocation or adjustment and (3) construction. The Lead Agency shall prepare an estimated cost for each milestone. Upon approval of the cost by the other party, each party shall fund its share of the respective milestones by placing that amount of money in an escrow account or otherwise encumber the funds to ensure that the Lead Agency will have sufficient funding available from current revenue for the timely payment of Project milestone costs. The Lead Agency may bill the other party for periodic payments for the actual amount of work completed toward the completion of the milestone. Upon completion of the milestone, the non-management party will be furnished a notice that such work has been completed and the amount of funding that may be utilized to pay subsequent milestone Project cost. Notwithstanding any other term or condition contained herein in this Master Agreement or in any FA and/or PSA, neither party will be required to award any contract until written certification has been received that funding has been placed in escrow or encumbered for the payment of the non-awarding party's portion of the Project cost.
- C. In the event that the cost of the Project shall exceed the not-to-exceed amount, City and County agree to either reduce the scope of construction or seek additional funding to complete the Project at the agreed upon cost share percentages. At the termination of the Project, the Lead Agency will do a final cost accounting of the Project. In the event that the amount paid by either party exceeds its portion of the actual cost, the difference will be remitted to such party. In the event that additional funds are due, the Lead Agency will bill the other party who agrees to pay such funds within thirty (30) days of receipt of such billing.
- D. If the City elects to manage the Project, the County will reimburse the City based on invoices for actual costs expended as supported by documentation approved by the County Auditor. Any and all supporting documentation required by the County Auditor shall be included with the invoice from the City.
- E. After approval by the County's Commissioners Court and the City's City Council, and after the execution of an FA and/or PSA, the City shall escrow an amount adequate for estimated Project costs, which the County may use to pay for professional services, which include, but are not limited to scoping, preliminary design, and primary design.
- F. City and County shall enter into a FA to establish funding commitments for both parties as required for each project within at least five (5) years of project selection unless the County and City decide to enter directly into a PSA. If the City agrees the Project is to be completed in phases, no more than five (5) years may transpire after a completed phase without any activity on subsequent approved phases.

- G. If the City and County agree to enter into a PSA without first entering into a FA, the City shall enter into a PSA with the County and complete the Project within ten (10) years or less.
- H. Suggested timeframes for FA's, PSA's, and/or any supplements and/or amendments thereto are:
- a. As soon as the project is accepted by Commissioners Court and as a result of the Kick-off meeting, a FA to establish the Lead Agency for preliminary engineering and general funding responsibilities and procedures for reimbursement by the Participating Agency; or
 - b. For a PSA, when the preliminary engineering plans are at sixty percent (60%) complete, providing specific details on project scope to enter into a PSA; or
 - c. After construction bids are opened, amend the PSA as needed.

ARTICLE XIII. NO THIRD PARTY BENEFICIARY ENFORCEMENT

It is expressly understood and agreed that enforcement of the terms and conditions of this Master Agreement and all rights of action relating to such enforcement shall be strictly reserved to the City and the County. Nothing contained in this Master Agreement shall give or allow any claim or right of action whatsoever to any other person or entity. The terms and provisions of this Master Agreement are for the benefit of the parties hereto and not for the benefit of any third party. It is the express intention of the City and the County that any entity or person other than the City or the County receiving services or benefits under this Master Agreement shall be deemed an incidental beneficiary only. This Master Agreement is intended only to set forth the contractual right and responsibilities of the parties hereto.

ARTICLE XIV. RIGHT OF ENTRY

The City agrees that the County shall have the right to enter upon the Project area for the time period necessary for the completion of the Project. The City agrees to furnish such police or other City personnel as requested by the County for traffic control or other public safety matters at no cost to the Project or the County.

ARTICLE XV. LIST OF PROJECTS

City agrees that it has been furnished with a list of the potential Projects as approved by the Dallas County Commissioners Court, subject to the agreement between the parties in a MOA, MOU, FA and/or PSA. City stipulates and agrees that the Commissioners Court Order approving the projects identifies the potential project location and describes the type of project in sufficient detail that the City is fully aware of the location and type of projects being considered.

ARTICLE XVI. REALLOCATION OF COUNTY MCIP FUNDING

The County in its sole discretion may reallocate County MCIP funding away from the City's Project if the City has not entered into a FA confirming the City funding match within five (5) years from Commissioners Court approval of the funding commitment. The County in its sole discretion has the ability to reallocate the remaining County MCIP funding in the event the Project is being completed in phases and more than five (5) years has transpired after a completed phase without any activity on subsequent approved phases. The County, in its sole discretion, also has the ability to reallocate the remaining County MCIP funding away from the City's Project if the City has not completed the Regional Transportation milestone within ten (10) years.

ARTICLE XVII. ORPHAN ROAD POLICY

- A. The County encourages all cities adjacent to orphan roads in the county to develop, commit to and submit a plan to the County for completing the annexation of the orphan road segments and assuming full responsibility for these roadways. In instances where two cities abut the same orphan road segment, the County encourages the two cities to jointly develop a plan for the annexation of that segment. The County offers its assistance to the cities in developing such plans.
- B. The County, at the discretion of the Commissioners Court, may give additional selection value to projects in cities that have submitted a specific plan for the annexation of orphan roads when the County selects, approves, and schedules projects for funding in the County's Major Capital Improvement Program ("MCIP"). Such preference may also be given in approving projects for road and bridge district participation (Type "B" work).
- C. The County, at the discretion of the Commissioners Court, may also refuse to participate in discretionary projects, such as road and bridge district projects or MCIP projects, in a City that elects not to pursue the annexation of orphan road segments that abut its boundaries. Failure to notify the County of the City's intent to annex and/or failure to submit a plan for annexation in a timely manner shall be construed by the County as the City's election not to pursue annexation.
- D. The County, at the discretion of the Commissioners Court, may select specific orphan road segments for improvement when a City commits to annexation of the segment upon completion of the project. However, the specific plan for annexation of orphan roads submitted by the City will not be limited to annexation upon completion of improvements by the County. The County improvements may be made as road and bridge projects or as MCIP Projects (subject to other MCIP criteria, including but not limited to regional thoroughfare plan designation and City cost participation).
- E. This policy application is prospective and projects selected by the County and approved by the Commissioners Court prior to the date of the adoption of this policy shall not be impacted by this policy.
- F. The County shall provide written notification of the adoption of, and future revisions of, this policy to the cities abutting orphan road segments.
- G. The County Director of Public Works shall maintain a listing of orphan roads and the city or cities they abut and shall provide updates to the Commissioners Court and to the cities as changes occur. The listing and changes to the listing shall be based on municipal boundary and annexation information provided to the County's Public Works by the cities as required by Texas Local Government Code, Section 242.001(c).
- H. The provisions of this Article XVII of this Master Agreement shall survive the termination of this Master Agreement.

(Dallas County Code, Chapter 102, Article IV, Sec. 102-131 - 102-133, 6-27-2006, 8-10-2020).

ARTICLE XVIII. SMALL WATERSHED DAMS

The County encourages all cities/towns adjacent to small watershed dams maintained by the County to develop, commit to and submit a plan to the County for assuming full responsibility for the operations and maintenance of these dams. In instances where more than one City abuts a small watershed dam, the County encourages the cities/towns to develop a plan for operation and maintenance of the dam. The County offers its assistance to the cities/towns in developing such plans.

- A. The County, at the discretion of the Commissioners Court, may refuse to participate in MCIP projects in a City that elects not to pursue accepting full responsibility for the operations and maintenance of small watershed dams within their jurisdiction. Failure to notify the County of the City's intent to submit a plan for operations and maintenance of small watershed dams in a timely manner shall be construed by the County as the City's election not to pursue operations and maintenance of these dams.
- B. Projects selected by the County and approved by the Commissioners Court prior to the Effective Date of the adoption of this policy, shall not be impacted by this policy.
- C. The County shall provide written notification of the adoption of, and future revisions of, this policy to the cities abutting small watershed dams.
- D. The provisions of this Article XVIII shall survive the termination of this Master Agreement.

ARTICLE XIX. MISCELLANEOUS GENERAL PROVISIONS

A. **Applicable Law/Venue.** This Master Agreement and all matters pertinent thereto shall be governed by and enforced in accordance with the laws and case decisions of the State of Texas. Exclusive venue for any legal action regarding this Master Agreement and all matters pertinent thereto filed by either the County or the City shall be in Dallas County, Texas. Notwithstanding anything herein to the contrary, this Master Agreement is expressly made subject to the County's and the City's sovereign and/or governmental immunity, pursuant to Title 5 of the Texas Civil Practice and Remedies Code, and all applicable State of Texas and federal laws.

B. **Entire Agreement.** This Master Agreement constitutes the entire agreement between the parties respecting the subject matter contained herein, supersedes all prior and contemporaneous understandings and agreements, whether oral or in writing, between the parties respecting same, and may not be modified except by an instrument in writing executed by the parties hereto as herein provided.

C. **Severability.** If one or more of the provisions in this Master Agreement shall for any reason be held to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not cause this Master Agreement to be invalid, illegal or unenforceable, but this Master Agreement shall be construed as if such provision had never been contained herein, and shall not affect the remaining provisions of this Master Agreement, which shall remain in full force and effect.

D. **Default/Waiver/Mitigation.** It is not a waiver of default if the non-defaulting party fails to declare immediately a default or delays in taking any action. Pursuit of any remedies set forth in this Master Agreement does not preclude pursuit of other remedies in this Master Agreement or as provided by law.

E. **Federal or State of Texas Funding.** In the event that any work or part thereof is funded by State of Texas or U. S. Government funding and any statute, rule, regulation, grant, contract provision or other State of Texas or U. S. Government law, rule, regulation or other provision imposes additional or greater requirement(s) than stated herein, the City agrees to timely comply therewith without additional cost or expense to the County.

F. **Headings.** The headings and titles, which are used following the roman numeral of each paragraph are only for convenience in locating various provisions of this Master Agreement and shall not be deemed to affect the interpretation or construction of such provisions.

G. **Number and Gender.** Words of any gender used in this Master Agreement shall be held and construed to include any other gender, and words in the singular shall include the plural and vice versa, unless the text clearly requires otherwise.

H. **Counterparts.** This Master Agreement may be executed in multiple counterparts, each of which shall be deemed an original, but all of which shall constitute one and the same instrument.

I. **Notice.** Any notice provided for in this Master Agreement to be given by either party to the other, shall be required to be in writing and shall be deemed given when personally delivered, or three (3) business days after being deposited in the United States Mail, postage prepaid, via certified mail, return receipt requested, or via registered mail, and addressed as follows:

County: County of Dallas
Director of Public Works
Dallas County
Administration Building
411 Elm Street, Fourth Floor
Dallas, Texas 75202-3389

To City: City of Garland
Director of Engineering
800 Main Street
Garland, Texas 75040

Either party may change its address for notice by giving the other party written notice thereof.

J. **Assignment.** This Master Agreement may not be assigned or transferred by either party without the prior written consent of the other party and formal approval by the governing body of each party.

K. **Binding Agreement, Parties Bound.** When this Master Agreement has been duly executed and delivered by both parties, this Master Agreement shall constitute a legal, valid, and binding obligation of the parties, their successors, and permitted assigns.

L. **Amendment.** This Master Agreement may not be amended except in a written instrument specifically referring to this Master Agreement and signed by the parties hereto.

M. **Effective Date.** This Master Agreement shall commence on the Effective Date. The Effective Date of this Master Agreement shall be the date it is executed by the last of the parties. Reference to the date of execution shall mean the Effective Date.

N. **Contingent.** This Master Agreement is expressly subject to and contingent upon formal approval by the Dallas County Commissioners Court and by resolution of the City Council.

O. **No Joint Enterprise/Venture.** City and County agree that neither party is an agent, servant, or employee of the other party. The parties, including their agents, servants, or employees, are independent contractors, and not an agent, servant, joint enterprise/venture, or employee of any other party, and are responsible for their own acts, forbearance, negligence, and deeds, and for those of their agents, servants, or employees in conjunction with this Master Agreement. No joint enterprise/venture exists between the City and County.

The City of _____, State of Texas, has executed this Master Agreement pursuant to duly authorized City Council Resolution _____, Minutes _____ dated the ____ day of _____, 2021.

The County of Dallas, State of Texas, has executed this Master Agreement pursuant to Commissioners Court Order Number _____ and passed on the ____ day of _____, 2021.

(the remainder of this page intentionally left blank)

(signatures appear on the following page)

CITY OF GARLAND

COUNTY OF DALLAS

BY _____

BY _____
Clay Lewis Jenkins, County Judge

TITLE _____

DATE _____

DATE _____

ATTEST _____
CITY SECRETARY \ ATTORNEY

APPROVED AS TO FORM*:
JOHN CREUZOT
DISTRICT ATTORNEY

BY _____
Jana Prigmore Ferguson
Assistant District Attorney

*By law, the District Attorney's Office may only advise or approve contracts or legal documents on behalf of its clients. It may not advise or approve a contract or legal document on behalf of other parties. Our review of this document was conducted solely from the legal perspective of our client. Our approval of this document was offered solely for the benefit of our client. Other parties should not rely on this approval, and should seek review and approval by their own respective attorney(s).

ATTACHMENT A

PROJECT MANAGEMENT PRACTICES MANUAL

5 PHASE PROJECT DELIVERY SYSTEM

2021

PREAMBLE

City and County agree that neither party is an agent, servant, or employee of the other party. The parties, including their agents, servants, or employees, are independent contractors, and not an agent, servant, joint enterprise/venture, or employee of any other party, and are responsible for their own acts, forbearance, negligence, and deeds, and for those of their agents, servants, or employees in conjunction with this Master Agreement. No joint enterprise/venture exists between the City and County.

Nothing in this manual creates a joint enterprise/venture between the County and the City. This manual is being included so that it could help encourage these protocols to be followed because it will assist in the efficiencies and thereby possibly help reduce monetary obligations and duration of the projects. These guidelines are strongly recommended to be followed in order to avoid potential cost-related and/or time delay issues.

INTRODUCTION

The purpose of this Dallas County Public Works Project Management Practices Manual (“Practices Manual”) is primarily to provide a standard practice guide on project management practices within the Dallas County Public Works (“DCPW”) department. It is meant to ensure that a standard approach is used by all Project Managers (“PMs”) and other project members in the delivery of County Major Capital Improvement Program (“MCIP”) funded transportation projects. The guidelines are meant to meet the requirements and intent of the American Public Works Association’s (“APWA”) publication entitled “The Public Works Management Practices Manual” (“the APWA Manual”). The APWA Manual contains recommended practice statements that describe the critical elements necessary for a full-service public works agency to accomplish its mission. The practice statements in the APWA Manual “call for the development and implementation of a policy or procedure in the form of a rule, regulation, written directive, or for the execution of an activity, report, procedure or other action.”

The resulting Practices Manual is intended to list a number of applicable recommended practice statements. Our basic methodology is a strong matrix approach, so that our PMs are assigned from the time a planning initiative becomes an approved project, to completion of the total project. We use the terminology found in the Project Management Institute’s “A Guide to the Project Management Body of Knowledge” (“PMBOK”). This includes the definition of a “Matrix Organization.” The definition is “any organization structure in which the project manager shares responsibility with the functional managers for assigning priorities and for directing the work of individuals assigned to the project.”

When we speak of a project participants/team, we are referring to a group led by an appointed DCPW Project Manager (“PM”) who has team members from throughout the four functional divisions of DCPW. These four divisions in DCPW are Transportation & Planning, Property Management & Utility Coordination, Engineering & Construction, and Program & Engineering Management. The PMs manage projects from cradle to completion without switching between functional divisions.

The intent of this Practices Manual is to provide an overview guide to project delivery practices, not an exhaustive “how to” manual. Greater detail on these and other Public Works practices can be found in the APWA Manual for more detailed instructions on the specific elements of project delivery. Our experience is that really thick manuals are not used as much as shorter guidelines that provide the boundaries of good practice and a standard approach on the essentials, with empowerment to individual PMs on the details of how they work to deliver their individual projects.

This Practices Manual can also serve as a guideline for the City to follow when the City is leading an MCIP project. Dallas County can provide input on the consultant selection process used by the City and the bidding process.

PHASE 1 -- PLANNING & PRELIMINARY DESIGN

STEP ONE, PROJECT DEFINITION

1. Dallas County Public Works, in conjunction with other Dallas County departments and with approval from Dallas County Commissioners Court (“Commissioners Court”), initiates a “Call for Projects”. The Dallas County Public Works Transportation & Planning Division will adjust the project selection criteria based on the Dallas County Mobility Plan developed from input provided from the cities and/or towns, criteria that the North Central Texas Council of Governments (“NCTCOG”) is using, and guidance from the County Commissioners. The final criteria and Call for Projects process will be briefed and approved by the Commissioners Court and a 5-signature letter will be used to invite the cities to participate in the MCIP Call for Projects.
2. The MCIP Call for Projects is a process that involves Dallas County, requesting a nomination of projects from all cities/towns in Dallas County, which can also involve stakeholders such as NCTCOG, Texas Department of Transportation (“TxDOT”), Dallas Area Rapid Transit (“DART”) and/or others. The nomination period is open for four to six months to allow cities/towns to submit projects to the County for review. Soon after sending out notification about the MCIP Call for Projects, Dallas County Public Works will host a workshop on the

MCIP and the application process. Various aspects of this Call for Projects Workshop and process will be adjusted based on prior input from the cities/towns in Dallas County. The amount of time and submittal deadline for the cities and/or towns to nominate projects will be adjusted based on feedback from the cities/towns. This is to ensure that the cities/towns have enough time to brief their elected officials, plan for inclusion of projects in city bond elections, etc.

3. DCPW's Transportation & Planning Division helps ensure that all of the information has been submitted correctly by cities/towns. If necessary, assistance may be provided to some of the smaller City staffs with preparation of their project submissions. A matrix team that consists of DCPW employees begins with field evaluations of the projects for conducting a feasibility review that precedes developing recommendations for selection of projects by Commissioners Court to be included in the County's MCIP. The DCPW team, with staff participation from each of the four DCPW divisions involved, provides assistance with risk assessments from various perspectives, which include cost estimates, scope definition, political aspects, funding, technical issues, utilities, safety, environmental, and traffic factors, etc. The DCPW Property Division team members examine Right-of-Way ("ROW"), utilities involvement, railroad involvement, relocations, etc.
4. Every project selected for MCIP funding commitments is then placed into a Program Year (PY) (year slated for construction start) in a spreadsheet called the "MCIP Transportation Funding Commitments" that is presented in Briefing format in a public forum to the Commissioners Court for their formal approval.
5. The MCIP has been formulated on the premise that legal agreements should reflect the nature and character of the program. Equal funding, Project Management (groups of independent stakeholders and cities/towns) methods of project delivery, and principles applied in every phase of project delivery are the essential elements of the MCIP. The time it takes for getting interlocal agreements approved should never be on the critical path of project delivery. Therefore, much effort was expended between the Civil Division of the Dallas County District Attorney's staff and DCPW staff to formulate a Master Agreement Governing Transportation Major Capital Improvement Projects ("Master Agreement"). This MCIP Master Agreement has been signed by all the cities/towns with approved projects and serves as the legal basis for future agreements between the various cities/towns and Dallas County, including but not limited to a Memorandum of Agreement ("MOA") and Memorandum of Understanding ("MOU"). Later, during project design, enough information will be known to forge a Funding Agreement ("FA") or a Project Specific Agreement ("PSA") that details the specifics of that particular project. None of the basic elements of a city-county legal agreement have to be repeated in the FA and/or the PSA, thus simplifying the process and time involved.
6. A project management planning meeting is held next with each City or Town, which has projects selected. This meeting is to initially review the selected projects and determine the basic parameters for each of the projects, such as cash flow requirements, for each participant of the project, who the lead agency for project delivery will be, agreed upon technical criteria, known risks, roles for each stakeholder, etc., all focused on assuring timely project delivery and moving the project into construction during the selected PY. If there is a great deal of uncertainty associated with the project (e.g. part of some economic development such as transit oriented development, or part of brown field development, or other significant environmental challenges, or a very significant change in planned use of an area in the future

such as industrial area converted to mixed use, etc), then the lead agency may conduct a Planning Charrette.

The purpose of the Planning Charrette meeting, with all significant participants and stakeholders, is to determine the beginning scope and the realm of possible approaches. Serious design cannot begin until there is an agreement on a relatively reasonable set of alternatives, which bear some relationship to the scope of funding currently available. Relationships will also be established at the Planning Charrette meeting involving the City, stakeholders, utilities and other participants of the project, which may be sustained throughout the life of the project.

7. DCPW commits to using Principles of Trust, Commitment, and Shared Vision in addition to Best Practices of Project Management Principles throughout the life of the project. Each City is invited to use the same principles to deliver the selected projects. This type of approach is also an integral part of Context Sensitive Solutions (“CSS”), which is a design methodology that involves early and continuous involvement of all participants and stakeholders of a project. The Planning Charrette meeting is a form of CSS. The Dallas County Mobility Plan should also be considered as part of applying CSS for project delivery.
8. For every project that the city and/or town and county stakeholders agree to assign Dallas County as the Lead Agent, a PM will be assigned by DCPW. In addition, the DCPW Assistant Director (“AD”), in consultation with the PM and other AD’s or designated DCPW business unit leaders, will identify their own matrix team members for the project. Any available Project Management tools will be used to optimal effect during the life of the project.
9. An initial Project Funding & Execution Status (“PFES”) and Program Management & Planning Status (“PMAPS”) form will be developed by the PM for each project in coordination with the ADs (or designees) from the DCPW divisions including Program & Engineering Management Division (“PEMD”), the Engineering & Construction division and Transportation & Planning Division. Each AD or designated DCPW business unit leader will review PFES and PMAPS in order to provide an adequate workforce for each project, and ensure that their own employees’ assignments are balanced.
10. A decision on the use of Subsurface Utility Engineering (“SUE”) will be made before initiating design. In the analysis of candidate projects, utility relocation risks will have been identified. When these risks are high (the usual situation), then funding will be planned in the design for SUE efforts. Dallas County Public Works (“DCPW”) will have in place an Indefinite Delivery, Indefinite Quantity (“IDIQ”) contract for quick implementation of SUE consultant efforts. Initiatives for joint efforts of utilities are anticipated between independent participants and stakeholders wherever feasible. This information will be critical for designers to use as they launch the design. Total integration of the SUE methodology will help ensure that all utility impacts are considered in every phase of project delivery.

STEP TWO, PRELIMINARY DESIGN

1. A systematic decision process as part of the DCPW Business Operating Plans (“PWBOP”) updating is done to determine which design efforts will be completed with in-house designers and which will be done by consultants. For consultant selection, a rigorous and systematic process will be used to select the best qualified consultants for each project. An initial contract will be signed with a best qualified consultant to perform the entire preliminary design, or participate as a Preliminary Design liaison, trainer, or expert to advise an in-house design force for the project. As much as possible, an Indefinite Delivery, Indefinite Quantity (“IDIQ”) methodology will be used to help ensure that inordinate amounts of time are not used in the best qualified selection process required by state law. Cities and/or towns who participate in the process are welcome to provide input to the County in the consultant selection process.
2. The DCPW’s team of in-house design staff, a City, or a selected consultant firm will begin the initial design efforts under the leadership of the PM. One initial objective is to resolve alignment issues early in the design process with the participation of all stakeholders. In some circumstances, a feasibility study may be required to compare and contrast different alternatives before real design can begin. Estimated ROW takes, utility impacts, and environmental effects for each alternative may need to be reported before stakeholders decide on a preferred alternative for preliminary design.
3. CSS methodology will continue to be used, stressing total stakeholder involvement, throughout the project delivery process. Task Force meetings will be scheduled. Dallas County Public Works employees’ matrix team meetings will also be scheduled.
4. When a consultant is used as the design agent, a contract will be negotiated for the preliminary design only, unless the project is relatively simple and the final solutions are not in question. The goal is to avoid protracted negotiations on the total scope and fee at the very beginning of the project, when many of the factors influencing final design consideration are not yet known. The decision to issue a new work order for completion of the Primary Design will be made after an interim evaluation on the Preliminary Design is completed using the County’s consultant evaluation system.
5. A Preliminary Design Charrette (“PDC”) will be planned by the PM who will lead the execution with all stakeholders (cities/towns, utilities, county, any private parties or other decision-makers/stakeholders). The scope of invitees to the PDC will be dependent upon the project’s complexity and number of unknowns. The goal of the PDC is to build support behind the project and the alignment alternative that is selected. Many projects have been derailed by a lack of support by the project’s independent representatives from the county, City, and other stakeholders. A great effort will be made to ensure attendance of all of the independent key players.
6. This consensus building effort is an integral part of any CSS approach to design. The DCPW Director and/or AD’s will be personally involved and the PM will make special efforts to notify political leaders of meetings, so that the political leaders can have the meetings on

their calendars and may plan to attend. In addition, individual contacts will have to be made to ensure that utility company representatives attend meetings, since key alignment decisions will be made that can affect, or be affected by, probable utility locations. If applicable, the PDC will include an orientation walk-thru of the project site, which includes right-of-way assessment. The PM will highlight specific City zoning and other ROW requirements, or ask the city to highlight these.

7. As part of the CSS approach, a public involvement strategy will be forged under the leadership of the PM, and the advisement of the DCPW Transportation & Planning Division ("T&P"). Staff of DCPW's T&P will advise PMs on various public involvement techniques and methods to use to best involve the public and other stakeholders. DCPW will use innovative methods, such as workshop/small group formats. City methods and approaches will be respected and adhered to in this area.
8. Phase 1 ends with approval of the Preliminary Design Report, Preliminary Alignment/Profile and Preliminary Sizing of bridges and drainage structures along with SUE determination, Preliminary Survey Report, and Preliminary Utility Investigation Report.
9. The design firm or DCPW in-house design team will have begun necessary permitting and environmental assessments. Basically, the level of effort will approximate that required of the Preliminary Schematic and Environmental Assessment Phase that currently is required on TxDOT projects.
10. Project plans are estimated to be 60-65% complete at the end of Preliminary Design. A risk assessment may occur before proceeding into Primary Design to identify key aspects that may need to be resolved before or during the Primary Design.

PHASE 2 -- PRIMARY DESIGN

1. The initial task is the assignment of either a DCPW In-house design team or the negotiation of a new work order with the consultant, specifically for completing the Primary Design. A new work order for completion of the Primary Design can be negotiated after Preliminary Design is nearing completion when the unknowns should be relatively few.
2. Scope of Work is now well defined by all Phase 1 effort and includes geotechnical investigations, utility analysis (including an appropriate level of SUE), constructability review, environmental analysis, traffic analysis, ROW parcels (based on Preliminary Design), and integration of context sensitive solution elements. Other aspects in Phase 1 that may be included but not limited to are: neighborhood public workshops, key stakeholder meetings and initial coordination with utilities, as necessary. With the scope defined a PSA can be executed with attached scoping sheets defining the critical parameters for the project.
3. Part of negotiations, both with DCPW In-house design teams and consultants, includes definitive delivery dates for various deliverables, phases, and reviews. In paying submitted invoices for progress during the design period, earned value analysis concepts will be used to

track cost and schedule progress. DCPW generally does not make “cost plus” assumptions about a consultant’s work efforts. Greater clarity on scope definition can be achieved with the typical multi-phase design approach of issuing separate work orders for Preliminary Design and Primary Design avoiding or minimizing the instances of misunderstanding on the true project scope.

4. The consultant or DCPW in-house design team works with all stakeholders, including utilities, under the guidance and direction of the County PM. The lead designer is the Technical Manager at this point in the process, and is always under the leadership of the PM. When an IDIQ consultant is hired to perform a survey, miscellaneous design, SUE, or materials testing, the PM is closely monitoring the progress. Also, the design firm for water and/or wastewater services will be integrated, and whenever possible, we will attempt to ensure that the design consultant for the transportation or infrastructure project is also selected by the City to design the municipal utility improvements. We anticipate and expect our consultants to become familiar with our 5 Phase Project Delivery System’s processes and deliverables.
5. Traffic and utilities data will be considered in design, with data from the City, County, NCTCOG, and/or consultant. An agreed upon level of SUE will be key to input into the design details, and including utility companies involvement throughout all phases of the project.
6. Environmental assessment will be completed during this phase. Significant issues should be addressed without wasting time on clearly unimportant areas. An environmental impact analysis will be completed if the assessment shows that this analysis is required. The goal is to execute environmentally sustainable solutions that improve the overall quality of life of the transportation users and citizens of Dallas County and the City.
7. Right-of-Way (ROW) documents will be finalized, with quality control by the consultant or DCPW’s in-house design team. The quality assurance (“QA”) function will be completed by both the PM and DCPW’s Property Management & Utility Coordination Division (“PMUC”) in a smooth manner, using pre-coordinated checklists. At the appropriate time, the documents will be delivered to PMUC, but the PM still retains overall responsibility for timely project delivery. Early involvement on ROW issues, including utility relocation aspects such as getting possible Rights of Entry (“ROE”) can be critical for obtaining vital information to ensure successful utility relocations. Early provision of final and accurate ROW documents will be a critical milestone of the design contract.
8. The Design Consultant or the DCPW In-house design team completes the work on a provided schedule. Consultants and/or DCPW’s In-house design team are expected to ensure that they accomplish “muddy boots” design with true “eyes-on” on the total project site. These actions will avoid lengthy rounds of passing designs back and forth, in favor of “over-the-shoulder” reviews, as required to meet design completion timelines. These will include City, utilities and other interested stakeholders under the orchestration of the PM.
9. The PM completes the interim evaluation of the consultant. Special note will be taken of the consultant’s system for assuring quality control (“QC”) of all design efforts, including ROW documents.
10. After construction is complete, the PM performs a final consultant evaluation, using the standard evaluation system. The Consultant is given an opportunity to evaluate DCPW’s project management process.

PHASE 3 – DESIGN COMPLETION & RIGHT-OF-WAY INITIATION

1. This phase begins with the delivery of the initial, unsealed ROW documents to the County by the consultant. Consultants will first bring a few ROW documents for initial review by the PM and DCPW Property Division team members, to ensure that they fully understand the details and level of Quality Control that the County expects in their submittals. Standards and scheduling will be clearly spelled out in writing within the Consultant's contract. Deliverables will include ROW maps and deed records.
2. Consultant is required by contract to submit property owner deeds along with right-of-way maps, which have received an internal quality control process. The PM ensures utility representatives are informed of the project and all known utilities are shown on the plans. Diligent efforts must be made to ensure that all private or public utility easements are identified on the maps and plans as required in Consultant Contract. All the SUE efforts should be included in the design documents.
3. Consultants or In-house Design Team are to avoid taking ROW that is not necessary to the construction of the project. The PM works with the project participants to minimize the ROW takings and ensures the appropriate leadership is used so that project delivery dates are met.
4. The PM ensures that the county or the City's ROW Functional Manager works towards the efficient execution of ROW planning, appraisal and acquisition services. The DCPW's Property Division will manage the ROW Acquisition Services IDIQ contract, if this delivery tool is used. Before writing a Work Order for the ROW Acquisition Services IDIQ, the DCPW Property Division Manager may meet with the DCPW Engineering & Construction Manager or DCPW Transportation & Planning Manager, DCPW Program Engineering Manager and the PM, to ensure that an adequate project budget is available for the added cost of procuring ROW services.
5. The county or City PM monitors and tracks progress on ROW acquisition. The County or the City's PM resolves issues as they develop, keeping all stakeholders, including utilities, informed.
6. DCPW may have further final discussions with City, utilities and stakeholders, early enough to preclude re-work by the prime consultant. The goal is to achieve this prior to completing the final design documents.
7. Consultant will make minor design changes as directed by the PM resulting from property owner requests or other changes that arise naturally in ROW negotiations.
8. As required, the PM will be prepared to present expert testimony at any Eminent Domain hearings and any related litigation.
9. ROW is complete when all parcels necessary for construction have been acquired.

PHASE 4 – ROW Completion & Utility Adjustment

1. ROW acquisition is carried to completion under the active project management and leadership of the PM, with proactive activity of the ROW acquisition group. If the City or other governmental entity such as TxDOT, is the ROW acquisition agency, the PM will still track the progress and proactively keep progress on schedule.
2. The PM will inform project participants about results of the SUE to ensure utility adjustments are accomplished in time to keep scheduled project advertisement and contract award dates. The relevant APWA practices will be used as the guide.
3. The County or City PM tracks and resolves issues and work schedules, to proactively lead efforts to minimize or avoid the obstacles of property acquisition and utilities relocation to ensure project schedule. The use of utilities Rights of Entry (“ROE”) may be explored as a way that could take the utility adjustment time off the project critical path if the utility companies are agreeable. If the utility company is not agreeable to the use of ROE, then the ROW will need to be obtained before the utility company relocates. Road and Bridge (“R&B”) forces may be available to help clear trees from the new ROW.
4. The City works with the PM and other project participants to help expedite utility relocations. Many times, franchise utilities have relationships with cities/towns that can be used beneficially to secure better cooperation. Monthly Task Force meetings are initiated during this phase to ensure early and frequent communication of all stakeholders. All project participants are to proactively work with the utilities and facilitate their relocation. DCPW policy is to have Zero Relocation of Relocations (“ORR”).
5. Prior to engaging the Dallas County Purchasing Department (“Purchasing”) for advertising the project for construction bids an “Advertising Risk Assessment” (“ARA”) is completed. Advertising is not issued until all utilities are within a reasonable and confirmable clearance date. A deliberate decision will be made on how many days from bid opening until contract award, and how many days until the Work Order is given. Work Order dates will not be projected to occur before high assurance that all known utilities will have been relocated. A second important function of the ARA is to ascertain all the funding commitments, to update the PFES to include all funds already expended, and to calculate an up-to-date construction estimate. All of the above actions will be coordinated and finalized at a meeting scheduled and run by the PM with the DCPW Director, AD and a City’s representative in attendance. This meeting will be scheduled as one of the critical milestones for the project.
6. The PM will ensure designers (in-house or consultant) will be kept on-call for projects if required to complete requested engineering support services during construction, such as shop drawing submittal review and consultation on design intent, assumptions, etc. The intent is to retain the best part of the effort and focus that the consultant or DCPW In-house design team has just expended in designing the project.
7. DCPW will coordinate with Purchasing and any other departments as necessary to facilitate Pre-Project Meetings to notify the nearby community and regional contractor community about the upcoming advertisement of the project for construction bids.

PHASE 5 -- CONSTRUCTION

STEP ONE, CONSTRUCTION

1. The PM works with PEMD to advertise a project in coordination with the Dallas County Purchasing Department for advertisement, pre-bid meetings, bid opening, and award. A one hundred percent (100%) design completion up-to-date construction estimate will be completed by the PM and will be used as the fair-cost government estimate for construction bidding purposes.
2. DCPW leads the drafting of the PSA and any necessary amendments/supplements to the PSA with each City giving approval of final funding on a timely basis. An updated PFES will be needed at this time.
3. The PM works with PEMD to help the Dallas County Purchasing Department facilitate the construction contract award. PM works with all cities/towns to ensure a logical and timely notice to proceed is given. This order to begin work and the contract time period will be based on the status of utility relocations, any city requirements, etc.
4. The PM will plan, schedule, and execute the Pre-Construction Meeting involving key stakeholders of the project, including utility companies. The PM will schedule for attendance and participation, the DCPW Director and the AD for Engineering & Construction and/or the AD for Transportation& Planning. Careful pre-planning helps ensure the attendance of the right stakeholders and staff. The PM will normally facilitate their own meetings since they have the expertise and experience to accomplish these tasks without hiring specialized consultants.
5. Construction proceeds on schedule with Construction Management services provided by the County or the City. The PM helps ensure that principles of collaboration (Trust, Commitment, and Shared Vision) are maintained throughout the project construction phase by the independent project participants such as contractors, cities, utility companies, transportation agencies and other key stakeholders.
6. The PM ensures constant communication with customers and other project stakeholders. This may include a construction oriented neighborhood meeting, as well as periodic project newsletters, notices of key construction events or phasing, meeting with neighborhood interests (property owners, schools, churches, businesses, etc). We are interested in not only achieving a high quality end-product, but also in delivering the project in a user-friendly manner. This is all part of total Context Sensitive Solutions project delivery.

STEP TWO, PROJECT CLOSE OUT

1. The PM ensures the final pay estimate is paid to Contractor on a timely basis with assistance from the DCPW Program & Engineering Management Division (“PEMD”).
2. The PM completes final Evaluation on the Contractor, using interim evaluation results (if one was done), and performance during the entire contract period. Contractor evaluates DCPW (on a voluntary basis).
3. The PM ensures that as-built plans are provided to the ultimate owner of the project, typically the City, from marked-up construction plans.
4. The PM works with the PEMD to ensure total project costs are finalized, a final PFES is completed, and Program Management is able to disencumber any remaining funds to be put back into the MCIP fund.
5. The PM ensures the City is invoiced for their remaining portion of the Total Project Costs.
6. The PM formally turns the project over to the City by letter citing the date of return to City for maintenance.
7. The PM plans an After Action Review (“AAR”) to capture lessons learned and celebrate project completion with all participants involved in project delivery from design to construction completion.
8. The PM conducts the applicable one (1) or two (2) year Maintenance Bond Inspection in conjunction with all applicable stakeholders.
9. The PM completes close out project report, including retaining the key project documents digitally and documenting key lessons learned.

Dallas County Public Works Department's Project Delivery Team's Essential Elements for Utility Relocations

1. Know the utilities' customers **and remember that we have the same customers.**
2. Make utilities move **only if absolutely necessary to achieve the project purpose.**
3. Move utilities only once if the move is, in fact, **essential.**
4. Get involved with actual field reconnaissance early. Include and engage Project representatives or constructability personnel very early.
5. Get the acquiring agency's Right-of-Way personnel involved early.
6. Schedule initial utility meetings early. Make collaboration among independent project participants the theme.
7. Involve and invite utility representatives to neighborhood or public meetings.
8. Distribute roadway plans early to get started with the utility planning.
9. Coordinate with all utilities to ensure that one has no negative impact on another. Coordination should ensure that enough right-of-way is acquired to accommodate all of the facilities.
10. When plans are changed, get them to utility companies promptly. Provide a list of changes for all cities/towns, utilities and stakeholders in a timely manner.
11. Communicate with utilities frequently to ensure knowledge of changing personnel and the appropriate contact person.
12. Review and comment on plans to identify conflicts between utilities and the project plans.
13. If applicable, verify with utility companies their ability to move their utilities before construction needs to begin.
14. Do not begin implementing a project schedule without total feedback from all companies.
15. Identify the precise sequence of utility relocations that need to occur. Many companies are predecessors of other companies' relocations. Communicate this sequence to all utilities and other stakeholders. Ensure that the sequence is streamlined as much as possible.
16. One way of ensuring the streamlining of the utility relocation sequence is web-based notification when each utility company is completed or is scheduled to be completed with relocating their utility lines/facilities. Scheduling is as vital as the actual sequence of relocations.
17. Consider that seasonal shutdown restrictions will have significant and adverse schedule impacts, sometimes up to one (1) year. Also consider that certain times of day are restricted from utility relocation. In addition, develop procedures for emergency situations and learn the appropriate "windows of opportunity" for changeovers, etc.

18. Share accurate information with all companies and try to help ensure that they share information with each other.
19. Communicate the need to follow City ordinances, particularly those relating to traffic control, backfill and pavement restoration. Traffic control plan must be filed and approved.
20. Ensure that the companies have measures for handling complaints about their work and that they do not inconvenience customers more than is absolutely essential. **Remember, ORR!!**

GUIDELINES FOR ENSURING SMOOTH RELATIONSHIPS BETWEEN LOCAL GOVERNMENTS AND THE UNION PACIFIC RAILROAD (UPRR)

- **Start Early Coordination** – Set up a meeting with UPRR’s local representative to share project selection lists and to ascertain projects with UPRR impacts. Then on impacted projects, share preliminary designs, invite UPRR to early meetings, such as stakeholder preliminary design charrettes, public workshops, etc.
- **Work out precisely the location of railroad project impacts**, before contacting UPRR. This speeds the coordination process greatly. Use MAPSCO location, subdivision, and RR Mile Post wherever possible.
- **Use the UPRR website for a wealth of information, maps, etc.** This can save time in answering questions and can provide much information about UPRR, including points of contact, e-mail and telephone information, instructions, applications, specifications, DOT crossing information, permit requirements, ROW agreements, etc. DCPW in-house or consultant designers need to explore this web-site before launching road design whenever there is going to be a RR crossing. Procedures and responsibilities are clearly laid out, as are design guidelines and specifications. Avoid nasty surprises that can impact project costs if not budgeted.
- **Expect the UPRR owned ROW to contain many other utilities (telecommunications, power, pipelines, etc.), that you will have to pay to relocate.** These are private easements the utilities have paid for and the project will have to bear the costs of relocation. UPRR is a good source of information on the potential conflicts that you will encounter. Budgeting accurately for these costs will avoid nasty surprises later.
- **Check with UPRR before pursuing any changes to their standard agreement or attachments.** UPRR has agreements to work out in 23 states, and their lawyers are very vigilant to watch for precedents that might bind UPRR elsewhere. Work on win-wins in the body of the agreement.
- **Avoid adversarial actions and relationships.** Do not presume upon the UPRR (e.g., impossible requests that are not pursued in a timely manner, making demands they cannot meet, presuming the worst).
- **Look for ways to forge win-wins, for UPRR and the local community.** Understand that the United States Department Of Transportation (“USDOT”) has a policy to reduce at-grade RR crossings. This puts tremendous pressure on railroad companies to accomplish this goal. Are there some rarely used at-grade railroad crossings in the City that could possibly be closed? Explore ways to eliminate them and UPRR could be more interested to meet the needs of the project that is needing UPRR assistance.
- **When appropriate, have Dallas County’s attorneys communicate directly with UPRR attorneys.** If we follow the spirit of win-win, then both sides will have better results, even if our attorneys are involved, as they may have to be. The Project Manager should stay involved to ensure that going down “legal rabbit trails” is avoided whenever possible.
- **When you are in doubt and have searched all the readily available information, contact UPRR’s Real Estate Division in Omaha, NE.** Even though UPRR staff have large territories to cover, they are never too busy to help you proactively solve a problem and forge a win-win situation. If you setup a “folder number,” with UPRR this will save them much time in looking up the project file information.



**GARLAND
CITY COUNCIL ITEM SUMMARY SHEET**

City Council Regular Session Agenda

7.

Meeting Date: 04/06/2021

Item Title: Consider Approval of a Resolution Authorizing Publication of a Notice of Intent to Issue Certificates of Obligation

Submitted By: Matt Watson, Finance Director

Summary of Request/Problem

At the April 5, 2021 Work Session, Council considered authorizing the publication of a Notice of Intent to Issue Certificates of Obligation in an amount of approximately \$24 million to fund a portion of the CIP.

Recommendation/Action Requested and Justification

Approve a Resolution authorizing publication of a Notice of Intent to Issue Certificates of Obligation.

Attachments

Garland Certificates of Obligation 2021

RESOLUTION NO. _____

A RESOLUTION Approving and Authorizing Publication of
Notice of Intention to Issue Certificates of Obligation.

WHEREAS, the City Council of the City of Garland, Texas (the "City"), has determined that certificates of obligation should be issued under and pursuant to the provisions of Subchapter C of Chapter 271, Texas Local Government Code, as amended, for the purpose of paying contractual obligations to be incurred for: (i) constructing, equipping and improving municipal park and recreation facilities, the Firewheel Golf Park, municipal animal shelter and adoption facilities, municipal landfill/transfer station facilities and information management services systems, (ii) constructing and improving streets, including drainage, landscaping, streetscaping, retaining walls, curbs, gutters, sidewalks, signage, traffic signalization, street noise abatement and utility system relocation incidental thereto and the acquisition of land and rights-of-way therefor, (iii) acquiring public safety and environmental waste services equipment, (iv) acquiring, constructing, renovating, improving and equipping existing municipal buildings, including HVAC replacement upgrade, roof replacement and safety upgrades, (v) constructing drainage improvements, including bridge remediation and (vi) professional services rendered in connection therewith; and

WHEREAS, prior to the issuance of such certificates, the City Council is required to publish notice of its intention to issue the same in a newspaper of general circulation in the City, said notice stating (i) the time and place the Council tentatively proposes to pass the ordinance authorizing the issuance of the certificates, (ii) the maximum amount proposed to be issued, (iii) the purposes for which the certificates are to be issued and (iv) the manner in which the Council proposes to pay the certificates; now, therefore,

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

SECTION 1: That the City Secretary is hereby authorized and directed to cause notice to be published of the Council's intention to issue certificates of obligation in one or more series in the principal amount not to exceed TWENTY-FIVE MILLION DOLLARS (\$25,000,000) for the purpose of paying contractual obligations to be incurred for: (i) constructing, equipping and improving municipal park and recreation facilities, the Firewheel Golf Park, municipal animal shelter and adoption facilities, municipal landfill/transfer station facilities and information management services systems, (ii) constructing and improving streets, including drainage, landscaping, streetscaping, retaining walls, curbs, gutters, sidewalks, signage, traffic signalization, street noise abatement and utility system relocation incidental thereto and the acquisition of land and rights-of-way therefor, (iii) acquiring public safety and environmental waste services equipment, (iv) acquiring, constructing, renovating, improving and equipping existing municipal buildings, including HVAC replacement upgrade, roof replacement and safety upgrades, (v) constructing drainage improvements, including bridge remediation and (vi) professional services rendered in connection therewith; such certificates to be payable from ad valorem taxes and a limited pledge of the net revenues of the City's Water and Sewer System. The notice hereby approved and authorized to be published shall read substantially in the form and content of **Exhibit A** hereto attached and incorporated herein by reference as a part of this resolution for all purposes.

SECTION 2: That the City Secretary shall cause the aforesaid notice to be (i) published in a newspaper of general circulation in the City, once a week for two consecutive weeks, the date of the first publication to be at least forty-six (46) days prior to the date stated therein for the passage of the ordinance authorizing the issuance of the certificates of obligation and (ii) posted continuously on the City's website for at least forty-five (45) days before the date stated therein for the passage of the ordinance authorizing the issuance of the certificates of obligation.

PASSED AND ADOPTED, this April 6, 2021.

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary

(City Seal)

EXHIBIT A

CITY OF GARLAND, TEXAS NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION

TAKE NOTICE that the City Council of the City of Garland, Texas, shall convene at 7:00 p.m. on June 8, 2021, at the City Council chambers located at 200 N. Fifth, in the City of Garland, Texas, and, during such meeting, the City Council will consider the passage of one or more ordinances authorizing the issuance of certificates of obligation in one or more series in an amount not to exceed TWENTY-FIVE MILLION DOLLARS (\$25,000,000) for the purpose of paying contractual obligations to be incurred for: (i) constructing, equipping and improving municipal park and recreation facilities, the Firewheel Golf Park, municipal animal shelter and adoption facilities, municipal landfill/transfer station facilities and information management services systems, (ii) constructing and improving streets, including drainage, landscaping, streetscaping, retaining walls, curbs, gutters, sidewalks, signage, traffic signalization, street noise abatement and utility system relocation incidental thereto and the acquisition of land and rights-of-way therefor, (iii) acquiring public safety and environmental waste services equipment, (iv) acquiring, constructing, renovating, improving and equipping existing municipal buildings, including HVAC replacement upgrade, roof replacement and safety upgrades, (v) constructing drainage improvements, including bridge remediation and (vi) professional services rendered in connection therewith; such certificates to be payable from ad valorem taxes and a limited pledge of the net revenues of the City's Water and Sewer System. In accordance with Texas Local Government Code Section 271.049, (i) the current principal amount of all of the City's outstanding public securities secured by and payable from ad valorem taxes is \$232,850,000; (ii) the current combined principal and interest required to pay all of the City's outstanding public securities secured by and payable from ad valorem taxes on time and in full is \$286,929,860; (iii) the estimated combined principal and interest required to pay the certificates of obligation to be authorized on time and in full is \$31,240,442; (iv) the maximum interest rate for the certificates may not exceed the maximum legal interest rate; and (v) the maximum maturity date of the certificates to be authorized is February 15, 2041. The certificates are to be issued, and this notice is given, pursuant to the provisions of Texas Local Government Code, Subchapter C of Chapter 271, as amended.

City Secretary
City of Garland, Texas



GARLAND
CITY COUNCIL ITEM SUMMARY SHEET

City Council Regular Session Agenda

8.

Meeting Date: 04/06/2021

Item Title: 2021-2022 CDBG, HOME and ESG Federal Grant Application Summaries

Submitted By: Mona Woodard, Neighborhood Services Administrator

Summary of Request/Problem

During the April 5, 2021 Work Session, Council was provided background information regarding anticipated 2021-2022 Community Development Block Grant (CDBG), HOME Infill Partnership Grant (HOME), and Emergency Solutions Grant (ESG) entitlement funding, along with summaries of submitted applications.

As part of the allocation process, a public hearing is required to solicit comments from any interested parties relating to 2021-2022 CDBG, HOME and ESG grants.

Recommendation/Action Requested and Justification

Hold a public hearing to obtain comments from any interested parties.



GARLAND PLANNING REPORT

City Council Regular Session Agenda

9. a.

Meeting Date: 04/06/2021

Item Title: Z 20-42 II Stephens Development, LLC - Zoning (District 5)

Submitted By: Kira Wauwie, Principal Development Planner

REQUEST

Approval of a Change in Zoning from Single-Family-10 (SF-10) District to a Planned Development (PD) District for Single-Family-5 (SF-5) Uses.

Approval of a Detail Plan for Single-Family Detached Homes.

LOCATION

2040 West Miller Road

OWNER

Indian Pentecostal Church Hebron Dallas, Inc.

PLAN COMMISSION RECOMMENDATION

On March 8, 2021 the Plan Commission, by a vote of nine (9) to zero (0), recommended approval of a Change in Zoning from Single-Family-10 (SF-10) District to a Planned Development (PD) District for Single-Family-5 (SF-5).

The Plan Commission, by a vote of nine (9) to zero (0), recommended approval of a Detail Plan for Single-Family Detached Homes.

The Plan Commission by a vote of nine (9) to zero (0), also approved an Alley Waiver.

The applicant has provided documentation to the City Attorney's Office, as requested by the Plan Commission, demonstrating proper authorization of the listed applicant to sign the application.

The Plan Commission recommended a condition that the proposal include benches, tables, and amenities. The applicant submitted plans accordingly.

The Plan Commission also recommended the developer provide an appropriate transition between neighborhoods along Sherwood Drive. The plans have not been revised to show an alternative transition from the site layout presented at the Plan Commission meeting.

STAFF RECOMMENDATION

Approval of 1) a Change in Zoning from Single-Family-10 (SF-10) District to a Planned Development (PD) District for Single-Family-5 (SF-5) Uses.

Approval of a Detail Plan for Single-Family Detached Homes.

BACKGROUND

The site is currently zoned Single-Family-10 (SF-10) District. Existing improvements on the property include one (1) single-family dwelling and accessory buildings. The applicant requests approval of a Change in Zoning for a Planned Development (PD) District based in the Single-Family-5 (SF-5) District allowing for modification of development standards. Accompanying this request is a proposed Detail Plan for Single-Family Detached Homes.

The applicant intends to develop the property into a residential community with seventy-four (74) lots for single-family residential dwellings and areas for trails and open space.

SITE DATA

The subject property contains 15.27 acres and has approximately 468 feet of frontage along Miller Road and approximately 1,140 feet of frontage along Sherwood Drive. Vehicular and non-motorized (pedestrian, bicycles) access to the site would be accomplished from each of the abutting streets.

The site slopes from north to south. A tributary stream of Duck Creek is located at its south boundary.

USE OF PROPERTY UNDER CURRENT ZONING

The subject property is zoned Single-Family-10 (SF-10) District which allows single-family residential use. The Single-Family Residential districts are intended to provide for development of primarily low-density detached, single-family residences on a variety of lot sizes, churches, schools, and public parks in logical, livable, and sustainable neighborhoods.

CONSIDERATIONS

Detail Plan

1. The applicant proposes Single-Family (SF-5) District as the base district for the Planned Development (PD) District. The Detail Plan shows seventy-four (74) single-family detached homes and five (5) HOA lots.
2. The application indicates that this development is modeled after the Riverset master-planned community currently under construction at the southwest corner of Shiloh Road and Buckingham Road. Although the subject site is smaller with approximately fifteen (15) acres in comparison to the Riverset's approximate 100 acres, the intent of this proposed development is to establish a community with generous open spaces including a trail system, homes on Garden Home Lots, and a row of mews lots with homes that have front doors oriented onto an open space area and garage access from an oversized (thirty (30) foot wide, compared to the standard twenty (20) foot wide alley) back alley.

In order to accomplish this style of community the applicant requests to deviate from the

SF-5 District development standards per Section 2.34 (Table 2-3) of the GDC. The deviations include lesser lot area, width, setbacks, increased building height and increased lot coverage. The applicant indicates the deviations would achieve less yard area and lower maintenance living. The table in Consideration 7 indicates the specific deviations proposed.

3. Screening and Landscaping

The application includes entry walls, open spaces/common areas and greenbelts with a trail system. Along the trail system includes benches and landscaping to create a useful and passive open space for the community. Sidewalks will be provided along the public streets. The proposed landscape improvements are shown on Exhibit D.

The Garland Development Code (GDC) requires perimeter screening between residential development and a Type D thoroughfare. Miller Road is a Type D street. The applicant proposes a six-foot high masonry screen wall and large canopy trees. The GDC requires one large canopy tree for every fifty feet of street of street frontage. Nine (9) large canopy trees are required whereas the plan shows thirteen (13) large canopy trees in an HOA tract ranging from nine (9) feet, ten (10) inches to fifty-four (54) feet of width although only eight (8) feet is required. The greater degree of open space and trees at the entry of the development establishes a more open setting for the smaller lots.

Although not required, tubular steel fencing is proposed as an option in open space areas.

Individual Lot Fencing

The application proposes screening of garbage containers along alleys with wood butt joint fencing from four to six feet in height. Additionally, the residential street side corner lots and all “return fencing” are proposed to be constructed of cedar butt joint stained pickets with a flat top rail or tubular steel painted black. These additional fencing proposals are not required by the GDC and add to the character and quality of the development proposal.

Fencing on residential lots abutting an open space lot or greenbelt is proposed as tubular steel painted black; no solid fencing other than a masonry courtyard wall under 42-inches would be permitted abutting an open space or greenbelt. However, landscape borders such as trimmed hedges would be allowed.

Trees on Individual Lots

Two large canopy trees are required for each individual lot per the GDC. One of the trees is to be placed in the front yard while the other tree may be placed in another location on the lot. The applicant proposes that lots fronting onto common open space lots are allowed to place their required tree in the common open space lot. The GDC does not specify the number or location of trees in common open space areas. The placement of the trees in the common open space will contribute to that HOA open space resulting in the individual residential lot(s) with fewer trees unless the home owner elects to place a tree in their front yard. It is recommended to place the tree in the open space in front of the respective individual lot.

Open Space

The applicant proposes areas for parks and trails. These areas would be dedicated for public park use, further detailed in the associated draft development agreement. The

common area will include floodplain, detention areas, and mini parks connected with a pedestrian trail system which connects to public sidewalks along streets. The plans show benches, barbeque stations and picnic tables in the development's open space.

4. Garages

Front and Alley Access to Garages

The proposed development will consist of front entry garages for lots without alleys and rear entry garages for lots with alleys and mews alley. The setback for garages is proposed at a minimum of twenty (20) feet from the street or alley right-of-way line. The western and southern lots would have front garages accessed from the street and no alley access. All of the other lots would have alley access with rear garages accessed from the alley. The Paving Plan (Exhibit F) displays the location of driveways. The application also indicates that the garage doors would not be placed behind the street facing façade of the house. That is the garages could sit in-line with the front façade of the house or in front of the house. However, the twenty (20) foot setback of the garage to the street/property line or alley/property line would be required.

Specifically, the applicant is proposing to deviate from the following requirements per Section 4.84 (C)(2) listed below:

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

The small Garden Home lot sizes, lots proposed without alleys, and existing overall site width contribute to these garage deviation requests.

5. Building Facades

The building materials proposed would be in accordance with the sample house elevations, also incorporated into the draft development agreement.

Variation of Elevations

The application proposes that the home designs with the same or similar façade, materials, or colors should be separated by a minimum of three (3) houses on the same side of the street and should not be located directly across or diagonally across the street from one another. Furthermore, if a home design is repeated on an adjacent lot it should be of a different architectural style or two (2) of the following three (3) elevation changes: brick color, roof color, or flipped (mirrored) plan.

The GDC includes requirements for variation of elevations, which encourage a more interesting and less monotonous visual appearance to the street fronts. The GDC specifies the front building elevation of a dwelling must not be duplicated on the three (3) adjacent houses on both sides, or on the four (4) houses directly across the street. Relief of this requirement is allowed however if the building materials and the architectural elements, such as windows, dormers, facade offsets, or overhangs, of a home are significant enough to make the front facade of the home look substantially different from its neighboring structures.

With the exception of the variation of façade elevation for home directly across the street, the proposal generally upholds the intent of the GDC.

Architectural Elements

Per the GDC, each dwelling unit shall incorporate at least three (3) of the following Architectural Elements:

- Multiple pane windows featuring either divided light or simulated divided light;
- A front porch area enclosed by a railing at least thirty (30) inches in height, and containing decorative columns at least six (6) inches in diameter;
- Gable(s) with window(s);
- Dormer(s);
- Bay windows with a minimum projection of twenty-four (24) inches;
- Minimum 8:12 roof pitch;
- Split garage doors with a separate door for each vehicle bay; or
- Front covered porch with at least forty (40) square feet of usable space, and a minimum depth of five feet.

The design elements that are proposed for each dwelling unit include:

- a. Multiple pane windows featuring either divided light or simulated divided light windows;
- b. Minimum 8:12 roof pitch; and
- c. Front covered porch with at least thirty (30) square feet of usable space, and a minimum depth of five feet (a deviation from the required forty (40) square feet of usable space, and minimum depth of five feet).

Windows and Doors

The application proposes not to include GDC requirements for windows and doors for the wall area of the front building face of the dwellings. The GDC requires a minimum twenty-five (25) percent of the wall area of the front building face of a dwelling to be windows and doors. However, the applicant's sample elevations indicate doors and windows on the front building face.

6. Summary of Standards and Deviations:

Development Standards	Required	Proposed	Analysis Summary
Lot Area Minimum	5,000 square feet	4,000 square feet	The modification of these development standards are warranted due to the long and narrow infill property; off-setting the smaller lots and minimized setbacks the applicant is including open space with a trail system. Additionally, the layout of the lots results in front yards facing existing front yards and rear yards backing to existing back yards in the adjacent developments. This pattern of lots creates a continuous street pattern which is a positive contribution to an existing development pattern.
Lot Width Minimum	55 feet 60 feet corner	40 feet for the majority of lots; 35 feet minimum eyebrow on lot number 25, 26, and 28 of Block A; and 30 feet minimum on Lot 2 Block C all as shown on Exhibit C	
Lot Coverage Maximum	50%	65%	
Front Setback Adjacent to Street Minimum	20 feet	10 feet with a maximum 5 foot encroachment for architectural features such as stoops, overhangs, courtyard walls, masonry chimneys, and bay windows, and 20 feet from the garage	
Side Setback Adjacent to Street Minimum	15 feet	10 feet	
Building Height Maximum	35 feet	40 feet, 2 stories	The GDC does not regulate the number of trees in open space areas, this allowance would enhance the open space areas while providing the same number of trees required for the residential lots; the tree should be placed in the open space in front of the respective individual lot
Trees on Individual Lots	2 large canopy trees per individual lot, one in the front yard	Lots fronting onto open space are allowed to place the required front yard tree into the open space	

Garages	5 foot offset, behind the street facing façade of the house where a garage door faces the street	Garage doors without an offset.	Due to the Garden Homes proposed, the compact site, and smaller lot size, the placement of garage doors with an offset is limited.
Variation of elevations	No elevation duplication on 3 adjacent houses on same side or 4 houses directly across the street	No elevation duplication on 3 adjacent houses on same side of street or 3 houses directly across the street.	Although not exact, the intent of variation is close to the GDC standard.
Architectural Elements	Select from list, including front covered porch with 40 square feet of useable area and	Covered porch with 30 square feet of useable area.	The small Garden Home style lot limits useable space.
Windows and Doors	25 percent of the wall area to be windows and doors	No minimum standard	The sample elevations include doors and windows on the front building face.

COMPREHENSIVE PLAN

The Future Land Use Map of the Envision Garland 2030 Comprehensive Plan designates this site for Traditional Neighborhoods. Traditional Neighborhoods are currently found throughout Garland and provide areas for low to moderate density single-family detached residential housing.

The Traditional Neighborhood development type is primarily characterized as low density, single-family detached (between one (1) and six (6) dwelling units per acre). Non-residential sites within this category are typically up to three acres in size.

The proposal is consistent with the recommendation of the Envision Garland Plan in that it would allow for a density of four and eight tenths (4.8) dwelling units per acre, within the recommended one (1) to six (6) units per acre. Additionally, the Garden Home concept, mews open space and alley, along with passive open spaces with a trail network would add to the variety of housing options in the area.

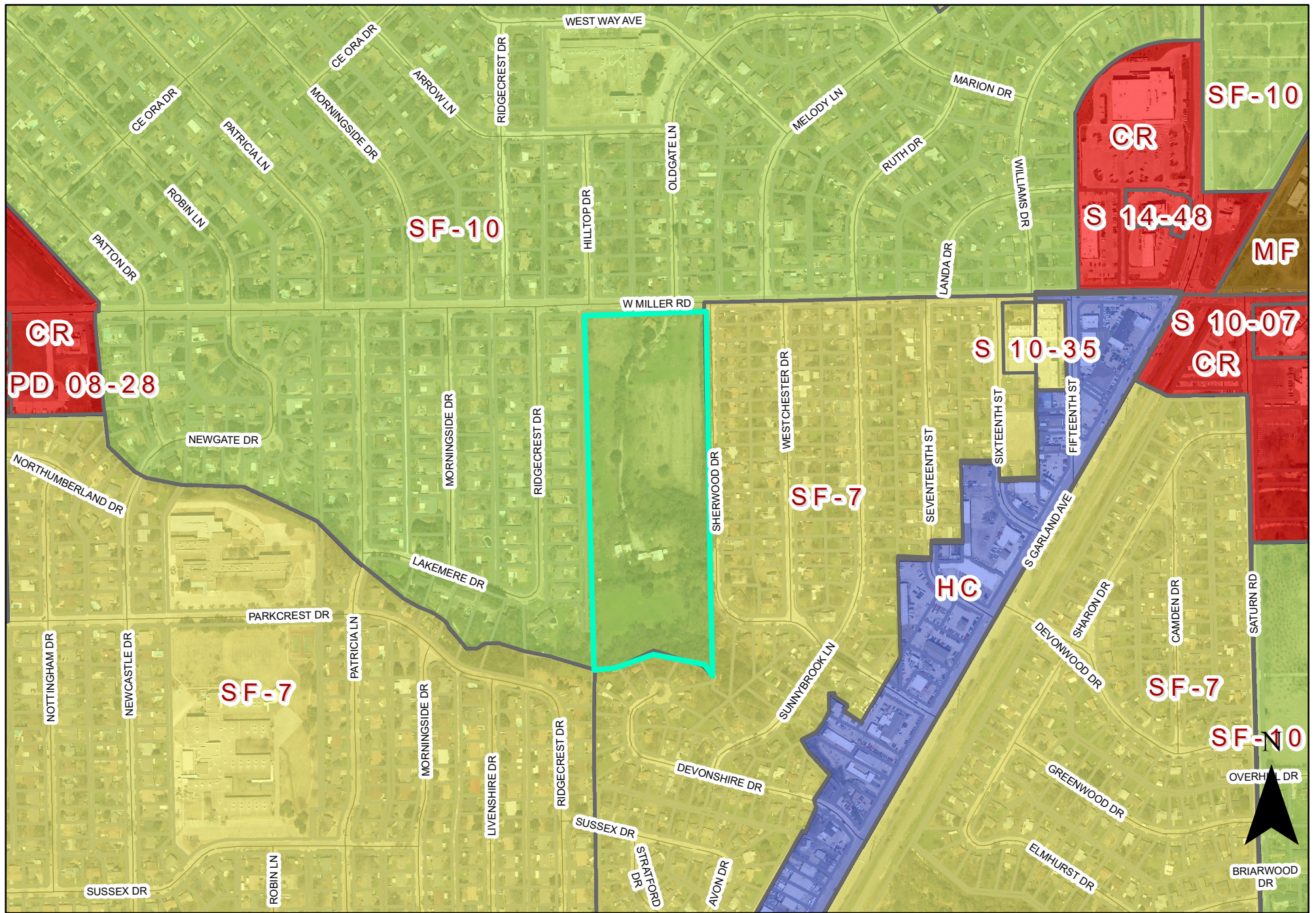
COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

The properties to the north and west are zoned Single-Family-10 (SF-10) District and are developed with single-family residential homes. The properties to the east and south are zoned Single-Family-7 (SF-7) District and are developed with single-family residential homes.

The subject property is a large infill property located in the midst of existing residential neighborhoods. The proposed development maintains the residential uses established in the area. Although the proposed lots are smaller at 4,000+ square feet in comparison to the existing adjacent 7,000 and 10,000 square-foot lots, the proposal creates compatible adjacency by abutting back yards to back yards and facing front yard to front yards of the adjacent subdivisions. Further the proposed Garden Home subdivision, although providing smaller lots, adds a community with park areas to the neighborhood.

Attachments

Z 20-42 Z 20-42 II Stephens Development, LLC Location Map
Z 20-42 Stephens Development LLC Exhibit B
Z 20-42 Z 20-42 II Stephens Development, LLC R&M (Zoning)
Z 20-42 II Stephens Development, LLC Responses
Z 20-42 II Stephens Development, LLC Staff Presentation



0 350 700 Feet
1 inch = 500 feet

Zoning Map Z 20-42



INDICATES AREA
OF REQUEST

EXHIBIT B

PLANNED DEVELOPMENT CONDITIONS

ZONING FILE Z 20-42

2040 West Miller Road

- I. Statement of Purpose:** The purpose of this Planned Development (PD) District is to approve a Detail Plan for seventy-four (74) Single-Family Detached Homes.
- II. Statement of Effect:** This Planned Development (PD) District 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 Single-Family-5 (SF-5) 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. Detail Plan: Development shall be in general conformance with the site plan and landscape plan plans respectively labeled Exhibit C and Exhibit D. In the event of conflict between the conditions and development plans, the conditions listed below are to apply.
- V. Specific Conditions:**
- A. Permitted Uses: Only Dwelling, Single-Family-5 (SF-5) detached uses are permitted.
- B. Maximum Number of Lots: A maximum of seventy-four (74) single-family lots and five (5) open space lot are permitted.
- C. Minimum Lot Area: The smallest minimum lot area is 4,000 square feet and as shown on the Detail Plan.
- D. Minimum Lot Width: The minimum lot width is forty (40) feet; 35 feet minimum eyebrow on lot number 25, 26, and 28 of Block A; and 30 feet minimum on Lot 2 Block C, all as shown on Exhibit C
- E. Minimum Lot Depth: The minimum lot depth is one-hundred (100) feet.
- F. Maximum Lot Coverage: The maximum lot coverage is

sixty-five (65) percent.

G. Minimum Setbacks: The minimum setbacks are as follows:

Front Setback Adjacent to Street:

10 feet with a maximum 5-foot encroachment for architectural features such as stoops, overhangs, courtyard walls, masonry chimneys, and bay windows, and 20 feet from the garage

Side Setback Adjacent to Street

10 feet

Rear Setback Adjacent to Street

20 feet

Side Setback not Adjacent to Street

5 feet on each side

Rear Setback not Adjacent to Street

10 feet from the rear façade of the residence (excluding porches and projecting architectural features), and 20 feet from the garage

H. Building Height: The maximum building height is forty (40) feet; the dwelling units may have two stories within this forty (40) foot height limit.

I. Trees on Individual Lots: Lots fronting onto open space are allowed to place the required front yard tree into the open space in front of the respective individual lot.

J. Garages:

- Front entry garages shall be allowed.
- Offset front entry with the garage door set back at least five (5) feet behind the front of building face is not required.
- Regardless of other setbacks, a street-facing garage door shall have a minimum of twenty (20) feet from the applicable street right of way line.
- "J" and "Swing" drives are not required.

K. Garage Setbacks: All garages shall be setback a minimum of twenty (20) feet from the property line.

L. Alleys, Streets, and Mews Alley:

1. Alleys are not required for the lots in Block A located along the west and south sides of the proposed public street shown on Exhibit C.
2. A mews is allowed to provide alley access to the all other lots shown on Exhibit C.
3. Lot 1 in Block C, and Lots 1-21 in Block B will have street frontage access onto the mews alley as shown on Exhibit C and Exhibit F.

M. Roof Pitch: Each dwelling unit must be constructed with a minimum roof pitch of 8:12.

N. Screening and Landscaping: Screening and landscaping shall be in conformance with the Landscape Plan set forth in Exhibit D.

O. Open Space Amenities: Benches and barbeque locations shall be provided as shown on Exhibit C. Additionally, a minimum of two picnic tables shall be provided in the open space area of the development and shall be located within reasonable proximity to the barbeque locations.

P. Variation of Elevations: Elevations are allowed such that there will be no duplication of elevations on the three (3) adjacent houses on the same side of the street or on the three (3) houses directly across the street.

Q. Architectural Elements: Architectural elements shall include:

1. Multiple pane windows featuring either divided light or simulated divided light windows;
2. Minimum 8:12 roof pitch; and
3. Front covered porch with at least thirty (30) square feet of usable space, and a minimum depth of five feet (a deviation from the required forty (40) square feet of usable space, and minimum depth of five feet).

R. Windows and Doors: A minimum twenty-five (25) percent of the wall area of the front building face of a dwelling to be windows and doors is not required.

S. Signage: All signs shall meet the Garland

Development Code requirements.

- T. Homeowners Association: A Homeowners Association shall be incorporated, and each lot/homeowner shall be a mandatory member. The bylaws and/or declaration of this association shall establish a system of payment of dues; a system of enforcement of its rules and regulations; shall establish a clear and distinct definition of the responsibility of each member; shall obligate the association, through assessment of homeowners, to maintain all open space areas; and other provisions as deemed appropriate to secure a sound and stable association.
- U. Maintenance of Open/Common Space and Landscaped Areas,—Entry Features, Access Easements, and Amenities in HOA Lots: Pursuant to the declaration for the Homeowner's Association, the Homeowners Association shall be obligated to repair and maintain all common areas of the community (including open/common space, landscaped areas, entry features, access easements, and amenities in HOA lots) and the bylaws and/or declaration for the association shall authorize the association to pay for the cost thereof through the assessment of homeowners within the community.
- V. Development Agreement: The development is required to be constructed and developed in accordance with the terms and conditions of that certain development agreement between the City, Property Owner, and Developer.

REPORT & MINUTES

P.C. Meeting, March 8, 2021

Consideration of the application of **Il Stephens Development, LLC**, requesting approval of 1) a Change in Zoning from Single-Family-10 (SF-10) District to a Planned Development (PD) District for Single-Family-5 (SF-5) Uses and 2) an Alley Waiver. This property is located at 2040 West Miller Road. (District 5) (File Z 20-42 - Zoning)

Kira Wauwie, Principal Planner, presented the staff report.

There was discussion between the Plan Commission and Ms. Wauwie regarding property ownership, amenities, homeowner's association requirements, traffic, and proposed housing density.

The applicant speakers include:

Eugene Middleton 2785 Rockbrook Drive, Suite 105, Lewisville, TX
Jesty Varughese, 102 Big Bend Circle, Sunnyvale, TX
Puthuvelil Johnson, 227 Elizabeth Trail, Murphy, TX
Bill Travis, 1700 Alma Drive, #310, Plano, TX
Sabuson George, 2266 Arapaho Road, Garland, TX

Mr. Middleton was available for questions. There were no immediate questions of this applicant.

Citizens speaking in opposition raised concerns regarding property ownership, traffic, property devaluation, and public safety:

Stephen Thomas, 1110 Burnett Court, Garland, TX
Shane Sparks, 1928 Hilltop Drive, Garland, TX
Anayeli Ramirez, 1908 Melody Lane, Garland, TX
Angela Davis, 2036 Sherwood Drive, Garland, TX
Justin Philip, 2348 Shoreham Circle, Lewisville, TX

Holli Sanborn, 2402 Ridgecrest, Garland, Texas, spoke in support of the request and appreciated the developers reaching out to the surrounding neighbors.

There was discussion between Rick Ellis, 15725 N. Dallas Parkway, Suite 300 Addison, TX, representing the developer, and the Plan Commission regarding the development and amenities.

Chairman Roberts read into the record the opposition from William Stevens: "My residence is 2134 Ridgecrest Drive. Unless the alleyway is paved and speed humps are installed on Ridgecrest Drive, Lakemere Drive, and Morningside Drive prior to construction, I am opposed. Our house was damaged in a traffic accident on 5-24-2020 to the tune of \$168,610.81. Additional traffic to and from the

neighborhood schools is going to cause more problems. Without these additions included, I am opposed to this density and development.”

There were additional discussions with the applicant regarding traffic concerns, homeowner’s association management, development quality and density, amenities, and a flood plain study.

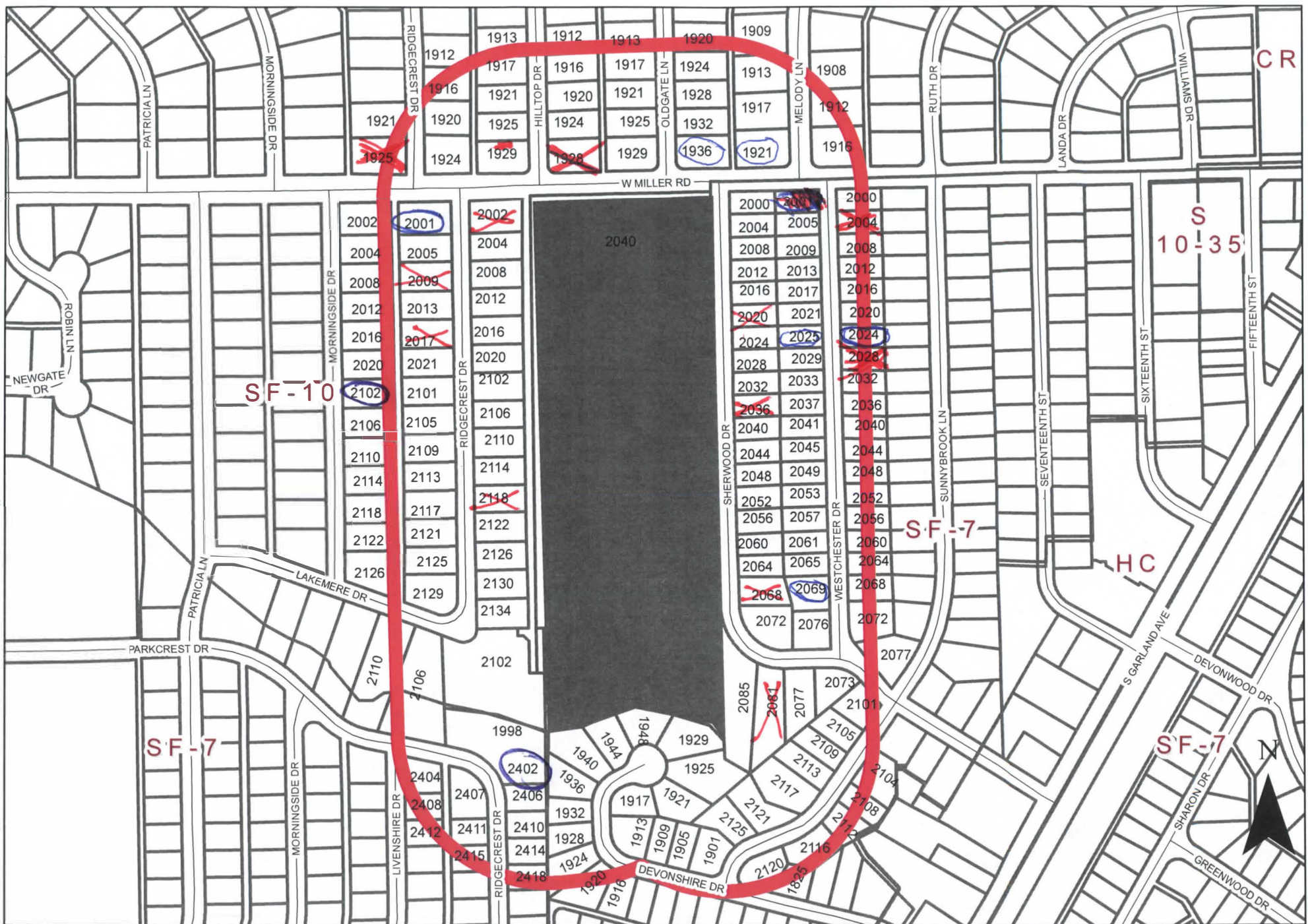
Commissioner Dalton spoke in opposition to the request.

Motion was made by Commissioner Welborn to **close** the public hearing and open for discussion. Seconded by Commissioner Williams. **Motion carried: 9 Ayes, 0 Nays**

There was discussion among the Plan Commission regarding the proposed housing type being proposed, density, traffic circulation, and amenity additions.

Commissioners spoke both in support of and in opposition to the request.

Motion was made by Commissioner Welborn to **approve** the Planned Development per staff recommendation with the provision that proper documentation is provided to the Planning Department authorizing the listed applicant to sign the application; benches, tables, and amenities are provided; and the developer provide an appropriate transition between neighborhoods. Seconded by Commissioner Williams. **Motion carried: 9 Ayes, 0 Nays**



Zoning Map Z 20-42

2040 West Miller Road

Comment Form

Case Z 20-42

Z 20-42 II Stephens Development, LLC. – The applicant proposes to build approximately 74 single-family houses in a subdivision with trails and open spaces. This site is located at 2040 West Miller Road, Garland, Texas. (District 5)

II Stephens Development, LLC. - El solicitante propone construir aproximadamente 74 casas unifamiliares en una subdivisión con senderos y espacios abiertos. Este sitio está ubicado en 2040 West Miller Road, Garland, Texas. (Distrito 5)

II Stephens Development, LLC. - Người nộp đơn đề xuất xây dựng khoảng 74 ngôi nhà dành cho một gia đình trong một khu nhỏ có đường mòn và không gian mở. Địa chỉ này nằm ở 2040 West Miller Road, Garland, Texas. (Quận 5)

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

☐

For / A Favor / Đúng



Against / En Contra / Không

Please complete the following information / Por favor complete la siguiente información / Vui lòng điền các thông tin sau:

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.)

Juan A Valle.

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

1928 Ridgcrest Dr. Garland TX

City, State / Estado de la Ciudad / Thành bang

75042

Zip Code / Código postal / Mã Bưu Chính

Juan A Valle.

3/2/2021

Signature / Firma / Chữ ký

Date / Fecha / Ngày

Comment Form Continued – Case Z 20-42

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

Nuestra inconbeniencia es por
Cuestion de seguridad al barrio
y eso afectaria el valor a las propie-
dades.



John A. Nault

1998 Ridgecrest Dr. Garland TX

72049

1600/G/E

John A. Nault

Comment Form

Case Z 20-42

II Stephens Development, LLC. – The applicant proposes to build approximately 74 single-family houses in a subdivision with trails and open spaces. This site is located at 2040 West Miller Road, Garland, Texas. (District 5)

II Stephens Development, LLC. - El solicitante propone construir aproximadamente 74 casas unifamiliares en una subdivisión con senderos y espacios abiertos. Este sitio está ubicado en 2040 West Miller Road, Garland, Texas. (Distrito 5)

II Stephens Development, LLC. - Người nộp đơn đề xuất xây dựng khoảng 74 ngôi nhà dành cho một gia đình trong một khu nhỏ có đường mòn và không gian mở. Địa chỉ này nằm ở 2040 West Miller Road, Garland, Texas. (Quận 5)

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

☒

For / A Favor / Đúng

☐

Against / En Contra / Không

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

Anthony Medina / 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.)

2041 Ridgeway Dr

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

Garland TX

City, State / Estado de la Ciudad / Thành bang

75041

Zip Code / Código postal / Mã Bưu Chính

[Signature]

Signature / Firma / Chữ ký

Date / Fecha / Ngày

Comment Form

Case Z 20-42

Dwner

Z 20-42 II Stephens Development, LLC. – The applicant proposes to build approximately 74 single-family houses in a subdivision with trails and open spaces. This site is located at 2040 West Miller Road, Garland, Texas. (District 5)

II Stephens Development, LLC. - El solicitante propone construir aproximadamente 74 casas unifamiliares en una subdivisión con senderos y espacios abiertos. Este sitio está ubicado en 2040 West Miller Road, Garland, Texas. (Distrito 5)

II Stephens Development, LLC. - Người nộp đơn đề xuất xây dựng khoảng 74 ngôi nhà dành cho một gia đình trong một khu nhỏ có đường mòn và không gian mở. Địa chỉ này nằm ở 2040 West Miller Road, Garland, Texas. (Quận 5)

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

☐

For / A Favor / Đúng

☒

Against / En Contra / Không

Please complete the following information / Por favor complete la siguiente información / Vui lòng điền các thông tin sau:

Mr. Robert J. Christopher Jr.

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

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

2002 Ridgcrest Dr.

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

Garland, TX

City, State / Estado de la Ciudad / Thành bang

75041

Zip Code / Código postal / Mã Bưu Chính

Robert J. Christopher

Signature / Firma / Chữ ký

Date / Fecha / Ngày

MAR 4 '21 PM 3:46

Comment Form Continued – Case Z 20-42

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

1. A major consideration in my purchase of this house was the green space that is the subject of this proposed change. Garland needs more green space, not more houses.

2. The addition of 74 single family homes in this area would over-burden the existing infrastructure. Miller Rd. would become even more congested with traffic. Garland P&L could not handle the recent freeze (we were without power for an 8-hour period at one time), and there seems to be continuing problems with water and sewage in the area. It would profit the city to concentrate on solving existing infrastructure problems in the area, as opposed to adding pressure on existing systems.

3. The existing neighborhood is a great place to live. Please do not threaten the community with the proposed zone change.

Owner

Comment Form

Case Z 20-42

Z 20-42 II Stephens Development, LLC. – The applicant proposes to build approximately 74 single-family houses in a subdivision with trails and open spaces. This site is located at 2040 West Miller Road, Garland, Texas. (District 5)

II Stephens Development, LLC. - El solicitante propone construir aproximadamente 74 casas unifamiliares en una subdivisión con senderos y espacios abiertos. Este sitio está ubicado en 2040 West Miller Road, Garland, Texas. (Distrito 5)

II Stephens Development, LLC. - Người nộp đơn đề xuất xây dựng khoảng 74 ngôi nhà dành cho một gia đình trong một khu nhỏ có đường mòn và không gian mở. Địa chỉ này nằm ở 2040 West Miller Road, Garland, Texas. (Quận 5)

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

☐

For / A Favor / Đúng

☒

Against / En Contra / Không

Please complete the following information / Por favor complete la siguiente información / Vui lòng điền các thông tin sau:

ROBERT W RITCHEY

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.)

2009 RIDGECREST DR

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

GARLAND TX

City, State / Estado de la Ciudad / Thành bang

75041

Zip Code / Código postal / Mã Bưu Chính

Robert W Ritchey

Signature / Firma / Chữ ký

04 MAR 2021

Date / Fecha / Ngày

MAR 9 '21 PM 1:45

Comment Form Continued – Case Z 20-42

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

DENSITY WILL FURTHER IMPAIR TRAFFIC SIGNIFICANTLY.

Owners

Comment Form

Case Z 20-42

Z 20-42 II Stephens Development, LLC. – The applicant proposes to build approximately 74 single-family houses in a subdivision with trails and open spaces. This site is located at 2040 West Miller Road, Garland, Texas. (District 5)

II Stephens Development, LLC. - El solicitante propone construir aproximadamente 74 casas unifamiliares en una subdivisión con senderos y espacios abiertos. Este sitio está ubicado en 2040 West Miller Road, Garland, Texas. (Distrito 5)

II Stephens Development, LLC. - Người nộp đơn đề xuất xây dựng khoảng 74 ngôi nhà dành cho một gia đình trong một khu nhỏ có đường mòn và không gian mở. Địa chỉ này nằm ở 2040 West Miller Road, Garland, Texas. (Quận 5)

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

☐

For / A Favor / Đúng

☒

Against / En Contra / Không

Please complete the following information / Por favor complete la siguiente información / Vui lòng điền các thông tin sau:

Todd & Ana Allen, Homeowners

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.)

2017 Ridgcrest Dr.

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

Garland, TX 75041

City, State / Estado de la Ciudad / Thành bang

75041

Zip Code / Código postal / Mã Bưu Chính

Ana Allen

Signature / Firma / Chữ ký

2/28/2021

Date / Fecha / Ngày

MAR 9 '21 PM 1:45

Comment Form Continued – Case Z 20-42

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

- ① Feel like you are "cramming" 74 houses into a small area which ~~obv~~ obviously leads to overcrowding + an undesirable community.
- ② Should have a brick wall between the "new housing" and where it backup to Ridgenest
- ③ All trees, desirable or not, should have to be replaced!

Comment Form

Case Z 20-42

Z 20-42 II Stephens Development, LLC. – The applicant proposes to build approximately 74 single-family houses in a subdivision with trails and open spaces. This site is located at 2040 West Miller Road, Garland, Texas. (District 5)

II Stephens Development, LLC. - El solicitante propone construir aproximadamente 74 casas unifamiliares en una subdivisión con senderos y espacios abiertos. Este sitio está ubicado en 2040 West Miller Road, Garland, Texas. (Distrito 5)

II Stephens Development, LLC. - Người nộp đơn đề xuất xây dựng khoảng 74 ngôi nhà dành cho một gia đình trong một khu nhỏ có đường mòn và không gian mở. Địa chỉ này nằm ở 2040 West Miller Road, Garland, Texas. (Quận 5)

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

☐

For / A Favor / Đúng

☒

Against / En Contra / Không

Please complete the following information / Por favor complete la siguiente información / Vui lòng điền các thông tin sau:

JULIO & MARY SOTO 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.)

2118 RIDGECREST DR

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

GARLAND, TX

City, State / Estado de la Ciudad / Thành bang

75041

Zip Code / Código postal / Mã Bưu Chính

[Signature]

Signature / Firma / Chữ ký

2/28/2021
Date / Fecha / Ngày

Comment Form Continued – Case Z 20-42

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

- More homes will add more traffic to Miller Rd.
- During construction there will too much noise (we have a newborn)
- To construct the neighborhood trees will be cut down
- There will be displacement of wild animals.
- Miller Rd is already in Poor Condition added traffic will exacerbate issue to unsafe conditions
- No incentive For current Residents to be in favor of:
 - ° Property Values already increasing
 - ° Two story homes nearby will take away our privacy, since Ridgecrest homes are single story

Comment Form

Case Z 20-42

Owens

Z 20-42 II Stephens Development, LLC. – The applicant proposes to build approximately 74 single-family houses in a subdivision with trails and open spaces. This site is located at 2040 West Miller Road, Garland, Texas. (District 5)

II Stephens Development, LLC. - El solicitante propone construir aproximadamente 74 casas unifamiliares en una subdivisión con senderos y espacios abiertos. Este sitio está ubicado en 2040 West Miller Road, Garland, Texas. (Distrito 5)

II Stephens Development, LLC. - Người nộp đơn đề xuất xây dựng khoảng 74 ngôi nhà dành cho một gia đình trong một khu nhỏ có đường mòn và không gian mở. Địa chỉ này nằm ở 2040 West Miller Road, Garland, Texas. (Quận 5)

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

☐

For / A Favor / Đúng

☒

Against / En Contra / Không

Please complete the following information / Por favor complete la siguiente información / Vui lòng điền các thông tin sau:

GEORGE AND DEBBIE OWEN 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.)

2081 SHERWOOD DR

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

GARLAND, TEXAS

City, State / Estado de la Ciudad / Thành bang

75041

Zip Code / Código postal / Mã Bưu Chính

George Owen Debbie Owen

Signature / Firma / Chữ ký

3/1/21

Date / Fecha / Ngày

Comment Form Continued – Case Z 20-42

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

Removal of trees to build a wall around the sub-division is not aesthetically pleasing to residents living along Sherwood Dr. It is also a environmental problem that will ^{cause} displacement of wildlife that residents enjoy hearing and watching. Examples: Owls, 4 diff. species of woodpeckers, Finches, Cedar Wax Wings, Hawks and many other types of wildlife. When all this land is cleared it will cause a significant amount of runoff into a live creek.

The construction of 74 houses will cause a traffic flow ^{problem} for many along Sherwood Dr. and create ~~noise~~ city noise instead of the peaceful sound of the wildlife we are used to. ~~the homes sound like~~

This seems like an unnecessary amount of homes on this property. Due to the lack of exits from this property we are concerned where new exits will be created. This will cause traffic issues that could be avoided. This property sits between two school zones along Miller Rd. We believe this creates many safety issues for children walking to and from school.

We hope these issues will be addressed and the residents concerns will be considered before moving forward with the plans of building 74 homes on this property. We were sad when the Williams Estate was ~~used~~ sold, but at least those buyers preserved the land and trees were not removed.

Comment Form

Case Z 20-42

II Stephens Development, LLC. – The applicant proposes to build approximately 74 single-family houses in a subdivision with trails and open spaces. This site is located at 2040 West Miller Road, Garland, Texas. (District 5)

II Stephens Development, LLC. - El solicitante propone construir aproximadamente 74 casas unifamiliares en una subdivisión con senderos y espacios abiertos. Este sitio está ubicado en 2040 West Miller Road, Garland, Texas. (Distrito 5)

II Stephens Development, LLC. - Người nộp đơn đề xuất xây dựng khoảng 74 ngôi nhà dành cho một gia đình trong một khu nhỏ có đường mòn và không gian mở. Địa chỉ này nằm ở 2040 West Miller Road, Garland, Texas. (Quận 5)

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

☐

For / A Favor / Đúng

☒

Against / En Contra / Không

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

Angela Davis

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.)

2036 Sherwood Drive

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

Garland, Texas

City, State / Estado de la Ciudad / Thành bang

75041

Zip Code / Código postal / Mã Bưu Chính

Angela Davis

Signature / Firma / Chữ ký

3/19/2021

Date / Fecha / Ngày

Comment Form

Case Z 20-42

Z 20-42 II Stephens Development, LLC. – The applicant proposes to build approximately 74 single-family houses in a subdivision with trails and open spaces. This site is located at 2040 West Miller Road, Garland, Texas. (District 5)

II Stephens Development, LLC. - El solicitante propone construir aproximadamente 74 casas unifamiliares en una subdivisión con senderos y espacios abiertos. Este sitio está ubicado en 2040 West Miller Road, Garland, Texas. (Distrito 5)

II Stephens Development, LLC. - Người nộp đơn đề xuất xây dựng khoảng 74 ngôi nhà dành cho một gia đình trong một khu nhỏ có đường mòn và không gian mở. Địa chỉ này nằm ở 2040 West Miller Road, Garland, Texas. (Quận 5)

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

☐

For / A Favor / Đúng

☒

Against / En Contra / Không

Please complete the following information / Por favor complete la siguiente información / Vui lòng điền các thông tin sau:

Ellen Hairston, 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.)

2068 Sherwood Dr.

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

Garland, TX ~~75041~~ 75041

City, State / Estado de la Ciudad / Thành bang

75041

Zip Code / Código postal / Mã Bưu Chính

[Signature]

3/8/2021

Signature / Firma / Chữ ký

Date / Fecha / Ngày

MAR 8 '21 PM 2:57

Comment Form Continued – Case Z 20-42

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 number of homes is of concern. Miller Road is already very congested - adding another potentially 150 cars to this section of the street will make getting out onto Miller from my street almost impossible. 74 houses is way too many for approx 15 acres. They ^(the developer) have requested a reduction of the minimum of 5,000 sq ft for a lot required ~~by~~ the City of Garland will result in houses being crammed together with very little space between. By the time they are finished I will have to see the back of peoples houses, trash cans, etc. from my ~~front~~ porch. So shows their plot plan. I am retired and ~~am~~ physically + financially unable to move, so I'm stuck with whatever you decide. Lot sizes and homes in keeping with the surrounding area would not put so much stress on the traffic and resources of the area. And don't make people look at the backside of other houses. I feel it would negatively impact the desirability of the existing homes.

Comment Form

Case Z 20-42

Z 20-42 II Stephens Development, LLC. – The applicant proposes to build approximately 74 single-family houses in a subdivision with trails and open spaces. This site is located at 2040 West Miller Road, Garland, Texas. (District 5)

II Stephens Development, LLC. - El solicitante propone construir aproximadamente 74 casas unifamiliares en una subdivisión con senderos y espacios abiertos. Este sitio está ubicado en 2040 West Miller Road, Garland, Texas. (Distrito 5)

II Stephens Development, LLC. - Người nộp đơn đề xuất xây dựng khoảng 74 ngôi nhà dành cho một gia đình trong một khu nhỏ có đường mòn và không gian mở. Địa chỉ này nằm ở 2040 West Miller Road, Garland, Texas. (Quận 5)

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

☐

For / A Favor / Đúng

☒

Against / En Contra / Không

Please complete the following information / Por favor complete la siguiente información / Vui lòng điền các thông tin sau:

Tommie Frances Allison

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.)

2004 Westchester DR

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

Garland, Texas

City, State / Estado de la Ciudad / Thành bang

75041

Zip Code / Código postal / Mã Bưu Chính

Tommie Frances Allison

3-2-21

Signature / Firma / Chữ ký

Date / Fecha / Ngày

Comment Form Continued – Case Z 20-42

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

Poor Housing brings down our
neighborhood as far as property
values and safety.

Comment Form

Case Z 20-42

Owner

Z 20-42 II Stephens Development, LLC. – The applicant proposes to build approximately 74 single-family houses in a subdivision with trails and open spaces. This site is located at 2040 West Miller Road, Garland, Texas. (District 5)

II Stephens Development, LLC. - El solicitante propone construir aproximadamente 74 casas unifamiliares en una subdivisión con senderos y espacios abiertos. Este sitio está ubicado en 2040 West Miller Road, Garland, Texas. (Distrito 5)

II Stephens Development, LLC. - Người nộp đơn đề xuất xây dựng khoảng 74 ngôi nhà dành cho một gia đình trong một khu nhỏ có đường mòn và không gian mở. Địa chỉ này nằm ở 2040 West Miller Road, Garland, Texas. (Quận 5)

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

☐

For / A Favor / Đúng

☒

Against / En Contra / Không

Please complete the following information / Por favor complete la siguiente información / Vui lòng điền các thông tin sau:

Donald Rios

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.)

2028 Westchester.

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

Garland TX 75041

City, State / Estado de la Ciudad / Thành bang

75041

Zip Code / Código postal / Mã Bưu Chính

Donald Rios

22621

Signature / Firma / Chữ ký

Date / Fecha / Ngày

MAR 3 '21 PM 3:27

Comment Form Continued – Case Z 20-42

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

NO hay de Acuerdo mas
trafico mas delincuencia mas
gente. ~~qu~~ creo que no es
conveniente para nuestra
gente x por lo tanto no
hay de acuerdo

Espero tomen mi Opinion.

Gracias

Donaldo Rios

Comment Form

Case Z 20-42

Il Stephens Development, LLC. – The applicant proposes to build approximately 74 single-family houses in a subdivision with trails and open spaces. This site is located at 2040 West Miller Road, Garland, Texas. (District 5)

Il Stephens Development, LLC. - El solicitante propone construir aproximadamente 74 casas unifamiliares en una subdivisión con senderos y espacios abiertos. Este sitio está ubicado en 2040 West Miller Road, Garland, Texas. (Distrito 5)

Il Stephens Development, LLC. - Người nộp đơn đề xuất xây dựng khoảng 74 ngôi nhà dành cho một gia đình trong một khu nhỏ có đường mòn và không gian mở. Địa chỉ này nằm ở 2040 West Miller Road, Garland, Texas. (Quận 5)

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



For / A Favor / Đúng



Against / En Contra / Không

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

AUBURN LEE BARROW 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.)

2024 WESTCHESTER, DR

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

GARLAND, TEX

City, State / Estado de la Ciudad / Thành bang

75041

Zip Code / Código postal / Mã Bưu Chính

Auburn Lee Barrow

Signature / Firma / Chữ ký

March 20-2021

Date / Fecha / Ngày

MAR 24 '21 PM 1:58

**Comment Form Continued –
Case Z 20-42**

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

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

Comment Form

Case Z 20-42

Garland
Resident

Z 20-42 II Stephens Development, LLC. – The applicant proposes to build approximately 74 single-family houses in a subdivision with trails and open spaces. This site is located at 2040 West Miller Road, Garland, Texas. (District 5)

II Stephens Development, LLC. - El solicitante propone construir aproximadamente 74 casas unifamiliares en una subdivisión con senderos y espacios abiertos. Este sitio está ubicado en 2040 West Miller Road, Garland, Texas. (Distrito 5)

II Stephens Development, LLC. - Người nộp đơn đề xuất xây dựng khoảng 74 ngôi nhà dành cho một gia đình trong một khu nhỏ có đường mòn và không gian mở. Địa chỉ này nằm ở 2040 West Miller Road, Garland, Texas. (Quận 5)

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

☒

For / A Favor / Đúng

☐

Against / En Contra / Không

Please complete the following information / Por favor complete la siguiente información / Vui lòng điền các thông tin sau:

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.)

RICHARD PATTEN / GARLAND WESTCHESTER LLC
(RENTAL)

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

GARLAND

City, State / Estado de la Ciudad / Thành bang

Zip Code / Código postal / Mã Bưu Chính

Signature / Firma / Chữ ký

Date / Fecha / Ngày

MAR 3 '21 PM 3:26

Comment Form

Owner

Case Z 20-42

Z 20-42 II Stephens Development, LLC. – The applicant proposes to build approximately 74 single-family houses in a subdivision with trails and open spaces. This site is located at 2040 West Miller Road, Garland, Texas. (District 5)

II Stephens Development, LLC. - El solicitante propone construir aproximadamente 74 casas unifamiliares en una subdivisión con senderos y espacios abiertos. Este sitio está ubicado en 2040 West Miller Road, Garland, Texas. (Distrito 5)

II Stephens Development, LLC. - Người nộp đơn đề xuất xây dựng khoảng 74 ngôi nhà dành cho một gia đình trong một khu nhỏ có đường mòn và không gian mở. Địa chỉ này nằm ở 2040 West Miller Road, Garland, Texas. (Quận 5)

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



For / A Favor / Đúng



Against / En Contra / Không

Please complete the following information / Por favor complete la siguiente información / Vui lòng điền các thông tin sau:

Joyce Rogers - 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.)

2029 Westchester Drive

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

Garland, Texas

City, State / Estado de la Ciudad / Thành bang

75041-1538

Zip Code / Código postal / Mã Bưu Chính

Joyce Rogers

Signature / Firma / Chữ ký

2/27/2021

Date / Fecha / Ngày

MAR 3 '21 PM 3:27

Comment Form

Case Z 20-42

Z 20-42 II Stephens Development, LLC. – The applicant proposes to build approximately 74 single-family houses in a subdivision with trails and open spaces. This site is located at 2040 West Miller Road, Garland, Texas. (District 5)

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

☒

For / A Favor / Đúng

☐

Against / En Contra / Không

Please complete the following information / Por favor complete la siguiente información / Vui lòng điền các thông tin sau:

John Willis

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.)

1921 Melody Lane

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

Garland, TX

City, State / Estado de la Ciudad / Thành bang

75042

Zip Code / Código postal / Mã Bưu Chính

John Willis
Signature / Firma / Chữ ký

03/06/2021

Date / Fecha / Ngày

Comment Form Continued – Case Z 20-42

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

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

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

I've lived in this part of Garland all my life. I greatly enjoyed having the more natural area from the Williams Estate for all these years. That being said, change happens, and I support this project. The proposed development will increase housing options in this part of Garland. The amenities will benefit the surrounding neighborhoods. This project will also add to the city's property tax base, it will add new residents to the area, and will create more demand for retail in a part of Garland that needs additional retail.

Owner

Comment Form

Case Z 20-42

Z 20-42 II Stephens Development, LLC. – The applicant proposes to build approximately 74 single-family houses in a subdivision with trails and open spaces. This site is located at 2040 West Miller Road, Garland, Texas. (District 5)

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☒

For / A Favor / Đúng

☐

Against / En Contra / Không

Please complete the following information / Por favor complete la siguiente información / Vui lòng điền các thông tin sau:

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

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1936 Old Gate Lane

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

Garland, TX

City, State / Estado de la Ciudad / Thành bang

75041

Zip Code / Código postal / Mã Bưu Chính

John Willis

Signature / Firma / Chữ ký

03/06/2021

Date / Fecha / Ngày

Comment Form Continued – Case Z 20-42

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and will create more demand for retail in a
part of Garland that needs additional retail.

Comment Form

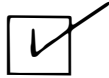
Case Z 20-42

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



For / A Favor / Đúng



Against / En Contra / Không

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

Holli Sanborn

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.)

2402 Ridgcrest

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

Garland, TX

City, State / Estado de la Ciudad / Thành bang

75041

Zip Code / Código postal / Mã Bưu Chính

Holli Sanborn

Signature / Firma / Chữ ký

3/21/2021

Date / Fecha / Ngày

MAR 25 '21 AM 10:56

Comment Form Continued –

Case Z 20-42

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

My husband and I are very much in favor of this development for the following reasons:

- (1) Develop the 15 acre property (long since vacant) with attractive homes
- (2) Available, accessible walking paths and park at the south end as green spaces + trails are non-existent in our immediate area
- (3) Removing old, decaying hackberries + elms trees with red + live oak trees is a plus as they tend to be healthier + live longer.
- (4) The development will be managed by an HOA which will ensure the area will be maintained.
- (5) Potentially facilitate improvements to existing homes in the area
- (6) Tax revenue dollars generated for the city.
- (7) Higher end real estate will help boost property values in the surrounding area.

There have been numerous complaints of congestion and traffic on Miller, however that's a given whether we have a new development or not. It's par for the course in Dallas county.

Please approve this development.

Thank you!

Comment Form

Case Z 20-42

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For / A Favor / Đúng



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Stem-Erik & Lisa Armitage

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

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2102 Lakemere Dr.

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

Garland, TX

City, State / Estado de la Ciudad / Thành bang

75041

Zip Code / Código postal / Mã Bưu Chính

Signature / Firma / Chữ ký

Date / Fecha / Ngày

Comment Form Continued – Case Z 20-42

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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 wholeheartedly endorse this project.

Zoning Response Case Comments

Case Number	PC Hearing Date	CC Hearing Date	Planner Name
Z 20-42	March 8, 2021	April 6, 2021	Kira Wauwie

The applicant II Stephens Development, LLC., proposes to build approximately 74 single-family houses in a subdivision with trails and open spaces. This site is located at 2040 West Miller Road.

Heriberto De La Cruz Gomez

against

Owner

2020 sherwood dr
garland tx 75041
Garland
Texas
United States
75041

Jack Melton

Against

Outside the Notification Area

1608 Patton
Garland
Texas
United States
<null>

Rhojack.melton@gmail.com
972-278-2230

Definitely Against the addition of a cluster of houses being built on this plot of land. Traffic flow on Miller Road and Sherwood would be overcrowded. Certain times of day you are nearly unable to access Miller Road now!!!!

DAVID

Against

Outside the Notification Area

3705 Cherryhill Lane
Garland
Texas
United States
75042

Devo312014@gmail.com
2148409686

Catherine

Against

Outside the Notification Area

2604 Scotswood Dr.
Garland
Texas
United States

Cat138c@gmail.com
2146252198

Case Number	PC Hearing Date	CC Hearing Date	Planner Name
Z 20-42	March 8, 2021	April 6, 2021	Kira Wauwie

75041

Heriberto De La Cruz Gomez

against

2020 sherwood dr
garland tx 75041
Garland
Texas
United States
75041

*Owner -
duplicate*

Timothy Covington

Against

Outside the Notification Area

2053 Sunnybrook Ln
Garland
Texas
United States
75041

horm.phelan@gmail.com
2144369671

The traffic from 74 new homes would overwhelm local streets in the mornings and evenings. I think there should be a maximum of 50 homes and a light installed where the development exits onto Miller.

Crystal

Against

Outside the Notification Area

2604 Scotswood Dr
Garland
Texas
United States
75041

clazo1221@gmail.com
2139231939

Stop destroying agriculture land! Building more homes but what about taking care of the people that are already established here.

William Dixon Wiles

Against

Outside the Notification Area

2005 MORNINGSIDE DR
GARLAND
Texas
United States

dixonwiles@yahoo.com
4695563790

Case Number	PC Hearing Date	CC Hearing Date	Planner Name
Z 20-42	March 8, 2021	April 6, 2021	Kira Wauwie

75041

I'd need more information to support this. If that tract is to be developed then single-family homes are preferred, but the home density they are proposing is approximately twice the surrounding neighborhoods...and somehow they promise "open spaces" and "trails" too while cramming 74 homes on that tract? Color me skeptical. Sounds like a bunch of cheap zero lot line construction where the developer wants...understandably...to maximize their profits. The density they are proposing, however, is not in keeping with the surrounding area. I'd have to see more plans to support this.

Lucia

Against

Outside the Notification Area

2604 Scotswood Dr.

Garland

(214) 927-4211

Texas

United States

75041

Allmendinger, Tracy

From: Teresa Sutherland <TSutherl@garlandisd.net>
Sent: Wednesday, March 24, 2021 11:08 AM
To: Planning Group
Subject: [EXTERNAL] Z 20-42 City of Garland Notice of Public Hearing-Stephens Development Inc. (4/6/21)
Attachments: Z 20-42 City of Garland Notice of Public Hearing-Stephens Development Inc (4.6.21).pdf

Attached is the Z 20-42 City of Garland Notice of Public Hearing-Stephens Development Inc. signed by Paul Gonzales

TERESA L. SUTHERLAND, CEOP

Garland Independent School District

Secretary to Paul P. Gonzales Sr., Executive Director of Facilities & Maintenance

Marvin Padgett Auxiliary Services Center | 701 N. First Street | Garland, TX 75040

Phone: (972)487-4101

tsutherl@garlandisd.net



Comment Form Case Z 20-42

II Stephens Development, LLC. – The applicant proposes to build approximately 74 single-family houses in a subdivision with trails and open spaces. This site is located at 2040 West Miller Road, Garland, Texas. (District 5)

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

☒

For / A Favor / Đúng

☐

Against / En Contra / Không

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Paul Gonzales, GISD Executive Director of Facilities & Maintenance

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.)

2117 Sunnybrook Lane

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

Garland, TX

City, State / Estado de la Ciudad / Thành bang

75041

Zip Code / Código postal / Mã Bưu Chính



Signature / Firma / Chữ ký

3-22-21

Date / Fecha / Ngày

From: [Wauwie, Kira](#)
To: [Guerin, Will](#); [Allmendinger, Tracy](#)
Subject: FW: [EXTERNAL] Z 20-42 II
Date: Tuesday, March 9, 2021 8:30:31 AM

Below is a community response for the file.

-Kira

From: rtoula@tx.rr.com <rtoula@tx.rr.com>
Sent: Monday, March 8, 2021 9:01 PM
To: Wauwie, Kira <KWauwie@garlandtx.gov>
Cc: shanesparks04@yahoo.com
Subject: [EXTERNAL] Z 20-42 II

Ms. Wauwie,

My future husband and I have been online during the Zoom Meeting this evening. My fiancé's name is Shane Sparks 1928 Hilltop Dr. Garland, TX 75042 and was able to speak briefly.

There are so many things that were not addressed and more homeowners need to be heard. The paperwork that was sent to Shane did not have a return envelope or a date to turn it in by...do you hand deliver it and if so where???? Why was this not addressed at this meeting? I would like to know how many residents are for and against this. Where can this information be found?

#1 The church is in a legal battle. I think that's a pretty big deal. I can't even believe that we are talking about anything until this is resolved.

#2 What about the issue of the land and the creek being contaminated? This is ongoing with the EPA. How would the developer address this to keep future homeowners safe?

#3 All I am hearing is there needs to be SO MANY houses put on this acreage "Like Riverset". Sure you want to stick as many houses on there as you can....means more tax money to the city....right? Just like the constant building of apartments in the city making this a more dangerous place to live.

#4 Miller Rd. is not going to be able to be widened, so how does anyone expect that there won't be TOO MUCH traffic for this already congested area. This will make this more unsafe than it already is. So is the council saying Miller Rd. is to be widened at some point in the future? Which means multiple houses will have to be demolished in that case from Shiloh to Garland Rd?

#5 This property would be better served and preserved for the residents of Garland. Such as a nature preserve (which it already is in many ways). This property has historical value that no one seems to care about...maybe because they haven't spent their whole life in this city as I have.

#6 Because we (as many others) were unable to attend this meeting in person I believe that a lot of residents are going unheard. The navigation of even getting to the meeting online was difficult at

best. As government parliamentary procedure, everyone has the right to be heard and I do not believe they have been.

Honestly I could go on with more, however these are most definitely things we want to know about as soon as possible. We will look to your response as soon as possible.

Sincerely,

Shane Sparks and Robin Toula

Z 20-42

The applicant proposes to build approximately 74 single-family houses in a subdivision with trails and open spaces.

[Change in Zoning from Single-Family-10 (SF-10) District to a Planned Development (PD) District for Single-Family-5 (SF-5) Uses; and a Detail Plan for Single-Family Detached Homes.]



GARLAND

TEXAS MADE HERE

**City Council Meeting
April 6, 2021**

CASE INFORMATION

Location: 2040 West Miller Road

Applicant: II Stephens Development, LLC

Owner: Indian Pentecostal Church Hebron Dallas, Inc.

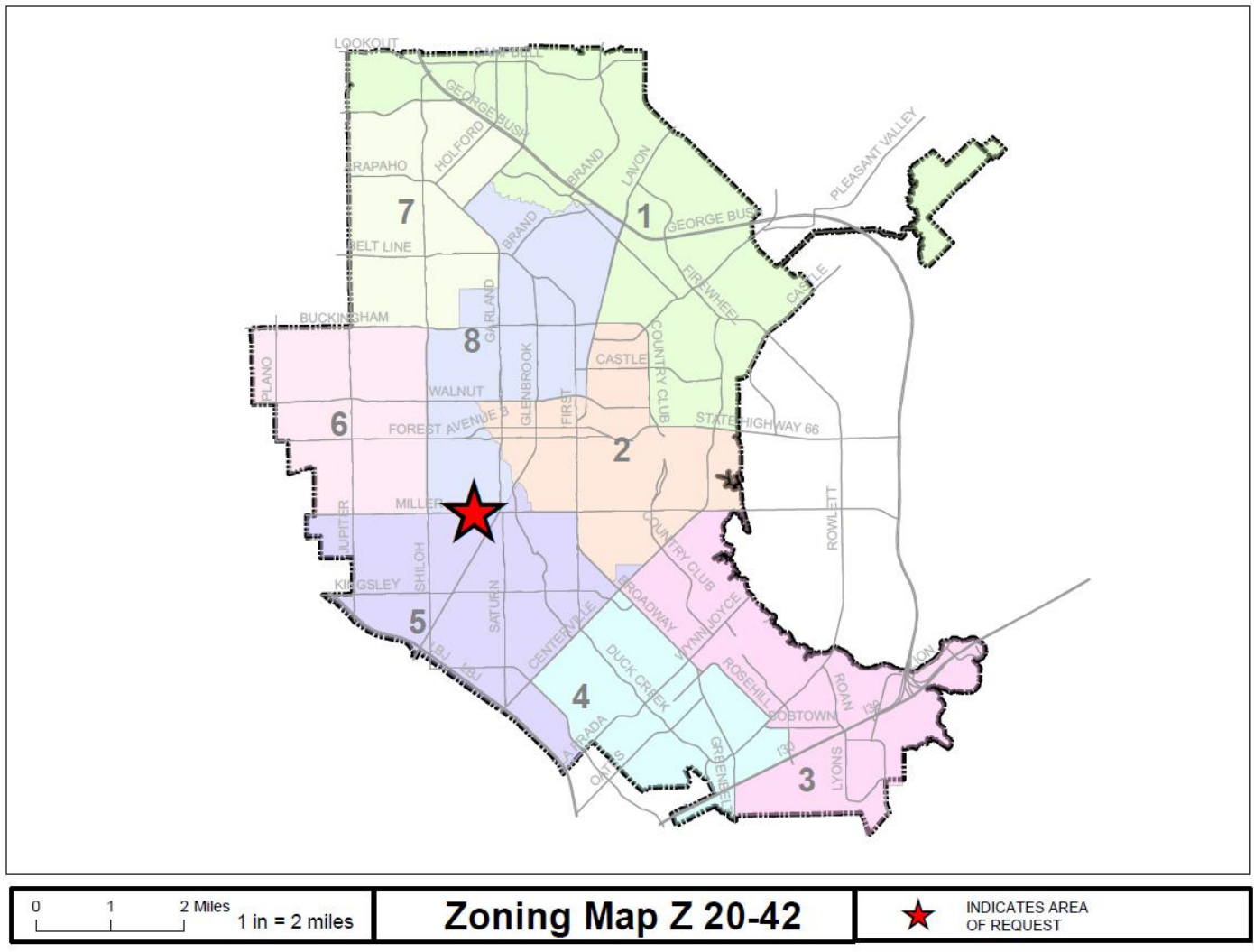
Acreage: 15.27 acres

Zoning: Single-Family-10 (SF-10) District



GARLAND
TEXAS MADE HERE

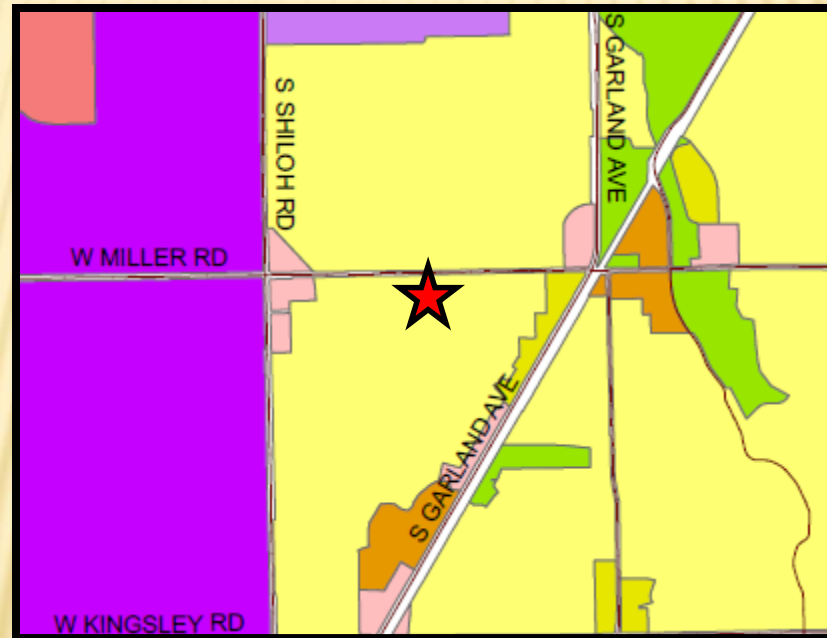
CITYWIDE LOCATION MAP



Z 20-42



COMPREHENSIVE PLAN





COMPREHENSIVE PLAN

- ✘ The Future Land Use Plan of the Envision Garland 2030 Comprehensive Plan designates this site for Traditional Neighborhoods. Traditional Neighborhoods are currently found throughout Garland and provide areas for low to moderate density single-family detached residential housing.
- ✘ The Traditional neighborhood development type is primarily characterized as low density, single-family detached (between one (1) and six (6) dwelling units per acre).
- ✘ The proposal is consistent with the recommendation of the Envision Garland Plan in that it would allow for a density of four and eight tenths (4.8) dwelling units per acre, within the recommended one (1) to six (6) units per acre. Additionally, the Garden Home concept, mews open space and alley, along with passive open spaces with a trail network would add to the variety of housing options in the area.



GARLAND
TEXAS MADE HERE

PHOTOS



Looking southeast towards the site Miller Road



View of Sherwood Street to east of the site



Residential to west along Ridgeview Drive



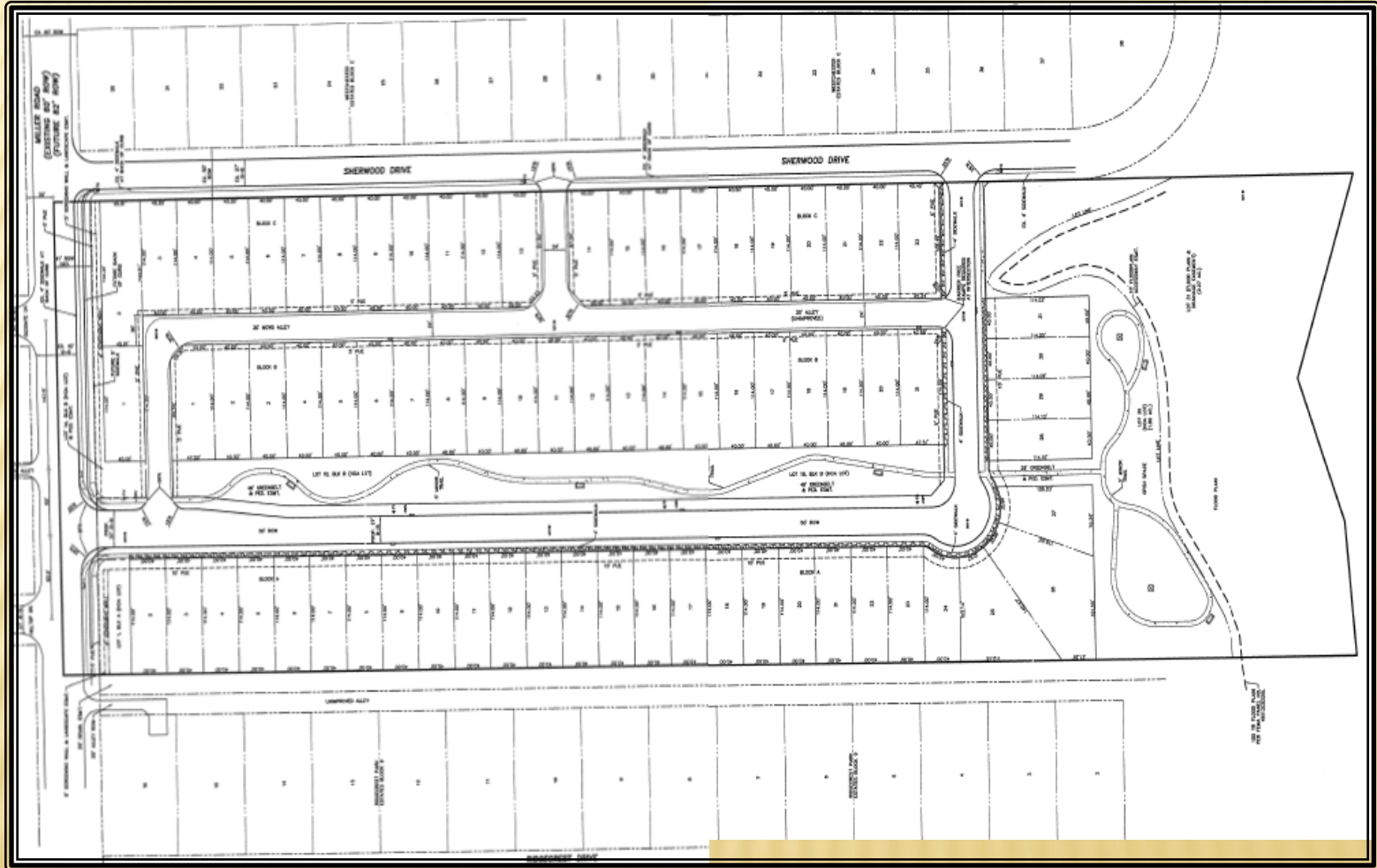
Looking north of site across Miller Road

Z 20-42



GARLAND
TEXAS MADE HERE

SITE PLAN

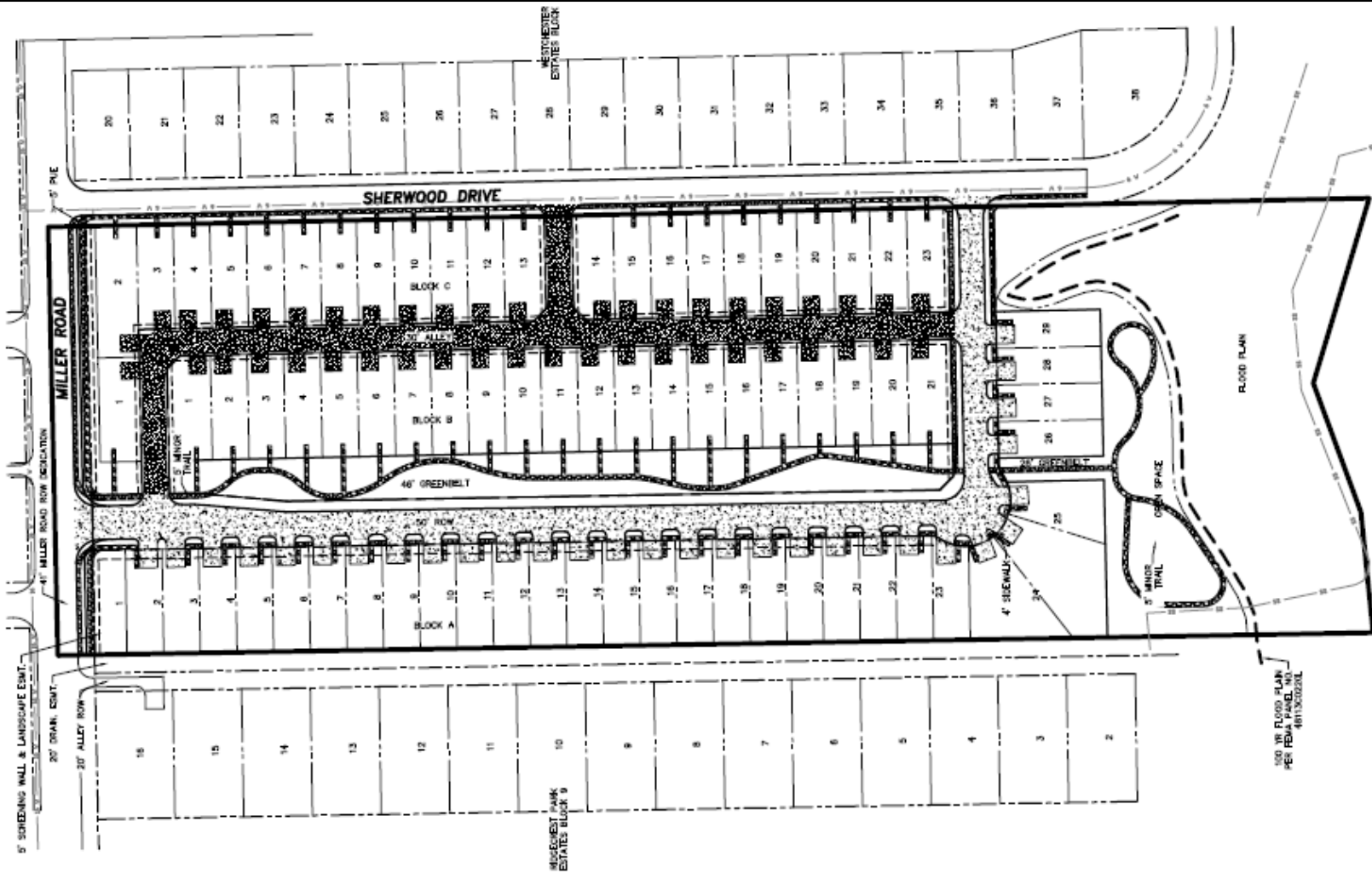


Z 20-42



GARLAND
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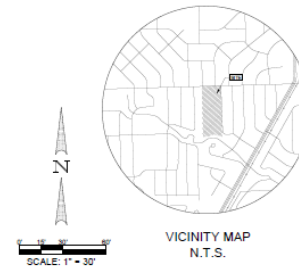
DRIVEWAY LOCATIONS



Z 20-42



1. **Вопрос:** Какое из следующих утверждений является верным?



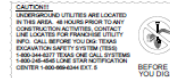
CITY OF GARLAND RESIDENTIAL LANDSCAPE REQUIREMENTS		
RESIDENTIAL DEVELOPMENT LANDSCAPING	TWO LANDSCAPE TREES ARE REQUIRED ON ALL SINGLE FAMILY DETACHED AND TWO AND AT LEAST ONE OF WHICH MUST BE LOCATED WITHIN THE FRONT YARD	
	REQUIRED	PROVIDED
	3 TREES PER LOT	2 TREES PER LOT
PERIMETER SCREENING BETWEEN RESIDENTIAL DEVELOPMENT AND THOROUGHFARES	A MAGNOLIA WALL IS REQUIRED IN ACCORDANCE WITH SECTION 13. ALL PLANTS MUST BE 5' C.G. MAX. THE TREES AND SCREENING WALL MUST BE WITHIN A MINIMUM 5' BUFFER STRIP (DEDICATED TO THE HOMEOWNERS USE) LOCATED OFF-ROADWAY	
	REQUIRED	PROVIDED
	SCREENING MAGNOLIA WALL = TREES 5' C.G.	SCREENING MAGNOLIA WALL = TREES 5' C.G.

- PLANTING NOTES:**
1. PLANT SIZE, TYPE AND CONNECTION SUBJECT TO APPROVAL OF OWNER'S REPRESENTATIVE.
 2. ALL PLANT MATERIAL TO BE INSTALLED THROUGH CONCRETE.
 3. CONTRACTOR RESPONSIBLE FOR OBTAINING ALL PLANT MATERIALS, PLANT SPECIES, PLANT ACCEPTANCE.
 4. CONTRACTOR TO PROVIDE GROWN PLANTS TO HAVE FULL, VIGOROUS ROOT SYSTEM, COMPLETELY DEVELOPED LEAFY CANOPY.
 5. CONTRACTOR TO PROVIDE FULLY BRANCHED, ALL TREES WITH SPREAD OF 20% OF COMPACT CANOPY.
 6. CONTRACTOR TO PROVIDE CROWN WITH PREPARED MAINTENANCE SCHEDULE OF ALL PLANTS AND LANDSCAPE.
 7. CONTRACTOR TO PROVIDE VISIBILITY TRAILING WITH PLANT MATERIAL PER CITY STANDARDS AT ALL ENTRANCES TO SITE.
 8. CONTRACTOR TO PROVIDE ALL DEFINED PLANTING BEDS WITH MAX 6" OUTLINE IN SPEC. OWNER SPURLS ARE LOCATED ALONG CURB, SET DRUBUS BACK FROM CURB 3".
 9. CONTRACTOR TO PROVIDE ALL COLUMBIA PLANTING BEDS WITH MAX 6" OUTLINE IN SPEC.
 10. CONTRACTOR RESPONSIBLE FOR LOCATION OF ALL UTILITIES INCLUDING BUT NOT LIMITED TO: WATER, SEWER, GAS, CABLE, TELEPHONE, ETC. CONTRACTOR TO BE RESPONSIBLE FOR IDENTIFICATION OF ALL UTILITIES TO BE REPAIRED BY CONTRACTOR AT NO COST TO OWNER.
 11. CONTRACTOR TO PROVIDE SKEWERS AND BRACKETING TO BE DISPOSED BY OWNER'S REPRESENTATIVE, WORKER TO INCLUDE REMOVAL OF ALL SKEWER GROUNDING AND ALL INTERFERING BRACKETING, MAKE ALL CUTS FLUSH TO REMAINING LIMB, RETAIN NUTRITIONAL VALUE OF PLANT, ALL WORK SUBJECT TO APPROVAL OF OWNER'S REPRESENTATIVE.
 12. QUANTITIES ARE PROVIDED AS A COUNTRY AND NOT INTENDED FOR BID PURPOSES.
 13. CONTRACTOR TO VERIFY ALL QUANTITIES AND SPECIFICATIONS.
 14. LINAL EXCING BETWEEN LINAL AND PLANTING BEDS, REFER TO SPECIFICATIONS FILE FOR DETAILS.
 15. ALL CUTS OF BLANKET (OR EQUAL) PER MANUFACTURERS INSTRUCTIONS ON ALL MATERIALS TO BE SUBMITTED TO THE OWNER FOR APPROVAL.
 16. INITIAL CROWN PRUNING OR SEASONAL PLANT AVAILABILITY CANNOT BE DETERMINED AT THE TIME OF BIDDING. CONTRACTOR TO PROVIDE PLANTING SCHEDULE OF ALL PLANTS WHEN AVAILABLE IN CASE ACTION, INITIALS LOCATIONS OCCURING DURING THE BIDDING PERIOD AND TO INCLUDE PLANTS FOR PLANTING SCHEDULE IN BIDDING PERIOD.
 17. PLANT TO PLANTING, CONTRACTOR SHALL STATE LOCATION FOR APPROVAL BY

EXHIBIT D



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



REF. SHEET L-7 FOR PLANT LEGEND

LANDSCAPE PLAN
City Case No. 200702-2

Date 1992 03 20
Drawn By JS
Checked By TAC
Reviewed

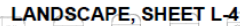


**CENTRAL PARK
MILLER ROAD
GARLAND, TEXAS**

Sheet No.
L-5

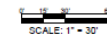


1. **Introduction**



MATCHLINE A

MATCHLINE B



VICINITY MAP
N.T.S.

CITY OF GARLAND RESIDENTIAL LANDSCAPE REQUIREMENTS		
RESIDENTIAL DEVELOPMENT LANDSCAPING	TWO LARGE CANOPY TREES ARE REQUIRED ON ALL SINGLE FAMILY DETACHED AND ON AT LEAST ONE OF WHICH MUST BE LOCATED WITHIN THE FRONT YARD	
	REQUIRED	PROVIDED
PERMITTEE SCREENING BETWEEN RESIDENTIAL DEVELOPMENT AND THOROUGHFARES	2 TREES PER LOT	
	TO BE PROVIDED	
	A MASONRY WALL IS REQUIRED IN ACCORDANCE WITH SECTION 4.3.4.3 (1) WITH TREES 6" O.C. MAX. THE TREES AND SCREENING WALL MUST BE WITHIN A MINIMUM 5' BUFFER STRIPS DESIGNATED TO THE HOMEOWNER'S DISCRETION FOR MAINTENANCE	
	REQUIRED	PROVIDED
	SCREENING MASONRY WALL - TREES 6" O.C.	SCREENING MASONRY WALL - TREES 6" O.C.

[illegible]

EXHIBIT D



CENTRAL PARK
WILLER ROAD
GARLAND, TEXAS

Sheet No.
L-6

LANDSCAPE PLAN
City Case No. 200702-2

REF. SHEET L-7 FOR PLANT LEGEND

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

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

CAUTION!
UNDERGROUND UTILITIES ARE LOCATED
IN THIS AREA. 48 HOURS PRIOR TO ANY
CONSTRUCTION ACTIVITIES, CONTACT
LINE LOCATES FOR FRANCHISE UTILITY
INFO. CALL BEFORE YOU DIG: TEXAS
EXCAVATION SAFETY SYSTEM (TESS)
1-800-344-6277 TEXAS ONE CALL SYSTEMS
1-800-245-4545 LONG STAR NOTIFICATION
CENTER 1-800-669-6244 EXT. 5

BEFORE
YOU DRIVE



EXPLORE THE WORLD



**CENTRAL PARK
MILLER ROAD
GARLAND, TEXAS**

Sheet No.
L-7

LANDSCAPE PLAN
City Case No. 200702-2



EXTRA BOOKS



WALL SHALL
STEP AT
COLUMNS ONLY,
6" CONSISTENT

6' TALL SOLID
BRICK PANELS IN
LOCATIONS
- SHOWN ON
PLANS

3" DIA. WEEPHOLE APPROX.
CENTERED IN EACH PANEL.
INSTALL AT MORTAR JOINT.

TYPICAL WALL ELEVATION
Scale: 1/4"=1'-0"

WALL PLAN

ELEVATIONS



ELEVATIONS



Elevation B



Elevation B



Elevation C



Elevation C

ELEVATIONS



Elevation A





GARLAND
TEXAS MADE HERE

ELEVATIONS



Elevation B



Elevation A



Elevation C



Elevation D

Z 20-42

ELEVATIONS



Elevation C



Elevation A



Elevation D



Elevation B

ELEVATIONS



Elevation A



Elevation G



Elevation A



Elevation G



Elevation B



Elevation H



Elevation B



Elevation H



ELEVATIONS



Elevation A



Elevation G



Elevation A



Elevation G



Elevation B



Elevation H



Elevation B



Elevation H



Elevation D



Elevation L



Elevation D



Elevation I

ELEVATIONS



Elevation A



Elevation B



Elevation C



Elevation D



Elevation E



Elevation F



Elevation G



Elevation H



Elevation I



Elevation J



Elevation K



Elevation L

ELEVATIONS



Elevation A



Elevation B



Elevation D



Elevation C



Elevation E

ELEVATIONS



Elevation A



Elevation G



Elevation A



Elevation G



Elevation B



Elevation H



Elevation B



Elevation H



DEVIATIONS

Development Standards	Required	Proposed
Lot Area Minimum	5,000 square feet	4,000 square feet
Lot Width Minimum	55 feet 60 feet corner	40 feet for the majority of lots; 35 feet minimum eyebrow on lot number 25, 26, and 28 of Block A; and 30 feet minimum on Lot 2 Block C all as shown on Exhibit C
Lot Depth Minimum	90 feet	100 feet
Lot Coverage Maximum	50%	65%
Front Setback Adjacent to Street Minimum	20 feet	10 feet with a maximum 5 foot encroachment for architectural features such as stoops, overhangs, courtyard walls, masonry chimneys, and bay windows, and 20 feet from the garage
Side Setback Adjacent to Street Minimum	15 feet	10 feet

DEVIATIONS

Development Standards	Required	Proposed
Building Height Maximum	35 feet	40 feet, 2 stories
Trees on Individual Lots	2 large canopy trees per individual lot, one in the front yard	Lots fronting onto open space are allowed to place the required front yard tree into the open space
Garages	5 foot offset, behind the street facing façade of the house where a garage door faces the street	Garage doors without an offset

DEVIATIONS

Development Standards	Required	Proposed
Variation of elevations	No elevation duplication on 3 adjacent houses on same side or 4 houses directly across the street	No elevation duplication on 3 adjacent houses on same side of street or 3 houses directly across the street
Architectural Elements	Select from list, including front covered porch with 40 square feet of useable area and	Covered porch with 30 square feet of useable area
Windows and Doors	25 percent of the wall area to be windows and doors	No minimum standard

STAFF RECOMMENDATION

- ✘ Approval of 1) a Change in Zoning from Single-Family-10 (SF-10) District to a Planned Development (PD) District for Single-Family-5 (SF-5) Uses.
- ✘ Approval of a Detail Plan for Single-Family Detached Homes.
- ✘ In addition, a development agreement is recommended to facilitate the requested deviations, proposed masonry standards by the applicant. A draft development agreement is included on the same April 6, 2021 City Council Agenda for consideration.
- ✘ In response to the picnic table recommendation, staff has included a recommendation that a minimum of two picnic tables be provided and be located near the barbeque stations.

PLAN COMMISSION RECOMMENDATION

- ✘ Approval of 1) a Change in Zoning from Single-Family-10 (SF-10) District to a Planned Development (PD) District for Single-Family-5 (SF-5).
- ✘ Approval of a Detail Plan for Single-Family Detached Homes.
- ✘ The applicant has provided documentation requested by the Plan Commission demonstrating proper authorization of the listed applicant to sign the application.
- ✘ The Plan Commission recommended a condition that the proposal include benches, tables, and amenities. The applicant submitted plans showing park benches and grills although no tables are shown on the plans.
- ✘ The Plan Commission also recommended the developer provide an appropriate transition between neighborhoods with adjustment to the lot widths along Sherwood Drive. The plans have not been revised to show an alternative transition from the site layout presented at the Plan Commission Meeting.



GARLAND PLANNING REPORT

City Council Regular Session Agenda

9. b.

Meeting Date: 04/06/2021

Item Title: Z 20-42 II Stephens Development, LLC - Detail Plan (District 5)

Submitted By: Kira Wauwie, Principal Development Planner

REQUEST

Approval of a Change in Zoning from Single-Family-10 (SF-10) District to a Planned Development (PD) District for Single-Family-5 (SF-5) Uses.

Approval of a Detail Plan for Single-Family Detached Homes.

LOCATION

2040 West Miller Road

OWNER

Indian Pentecostal Church Hebron Dallas, Inc.

PLAN COMMISSION RECOMMENDATION

On March 8, 2021 the Plan Commission, by a vote of nine (9) to zero (0), recommended approval of a Change in Zoning from Single-Family-10 (SF-10) District to a Planned Development (PD) District for Single-Family-5 (SF-5).

The Plan Commission, by a vote of nine (9) to zero (0), recommended approval of a Detail Plan for Single-Family Detached Homes.

The Plan Commission by a vote of nine (9) to zero (0), also approved an Alley Waiver.

The applicant has provided documentation to the City Attorney's Office, as requested by the Plan Commission, demonstrating proper authorization of the listed applicant to sign the application.

The Plan Commission recommended a condition that the proposal include benches, tables, and amenities. The applicant submitted plans accordingly.

The Plan Commission also recommended the developer provide an appropriate transition between neighborhoods along Sherwood Drive. The plans have not been revised to show an alternative transition from the site layout presented at the Plan Commission meeting.

STAFF RECOMMENDATION

Approval of 1) a Change in Zoning from Single-Family-10 (SF-10) District to a Planned Development (PD) District for Single-Family-5 (SF-5) Uses.

Approval of a Detail Plan for Single-Family Detached Homes.

BACKGROUND

The site is currently zoned Single-Family-10 (SF-10) District. Existing improvements on the property include one (1) single-family dwelling and accessory buildings. The applicant requests approval of a Change in Zoning for a Planned Development (PD) District based in the Single-Family-5 (SF-5) District allowing for modification of development standards. Accompanying this request is a proposed Detail Plan for Single-Family Detached Homes.

The applicant intends to develop the property into a residential community with seventy-four (74) lots for single-family residential dwellings and areas for trails and open space.

SITE DATA

The subject property contains 15.27 acres and has approximately 468 feet of frontage along Miller Road and approximately 1,140 feet of frontage along Sherwood Drive. Vehicular and non-motorized (pedestrian, bicycles) access to the site would be accomplished from each of the abutting streets.

The site slopes from north to south. A tributary stream of Duck Creek is located at its south boundary.

USE OF PROPERTY UNDER CURRENT ZONING

The subject property is zoned Single-Family-10 (SF-10) District which allows single-family residential use. The Single-Family Residential districts are intended to provide for development of primarily low-density detached, single-family residences on a variety of lot sizes, churches, schools, and public parks in logical, livable, and sustainable neighborhoods.

CONSIDERATIONS

Detail Plan

1. The applicant proposes Single-Family (SF-5) District as the base district for the Planned Development (PD) District. The Detail Plan shows seventy-four (74) single-family detached homes and five (5) HOA lots.
2. The application indicates that this development is modeled after the Riverset master-planned community currently under construction at the southwest corner of Shiloh Road and Buckingham Road. Although the subject site is smaller with approximately fifteen (15) acres in comparison to the Riverset's approximate 100 acres, the intent of this proposed development is to establish a community with generous open spaces including a trail system, homes on Garden Home Lots, and a row of mews lots with homes that have front doors oriented onto an open space area and garage access from an oversized (thirty (30) foot wide, compared to the standard twenty (20) foot wide alley) back alley.

In order to accomplish this style of community the applicant requests to deviate from the

SF-5 District development standards per Section 2.34 (Table 2-3) of the GDC. The deviations include lesser lot area, width, setbacks, increased building height and increased lot coverage. The applicant indicates the deviations would achieve less yard area and lower maintenance living. The table in Consideration 7 indicates the specific deviations proposed.

3. Screening and Landscaping

The application includes entry walls, open spaces/common areas and greenbelts with a trail system. Along the trail system includes benches and landscaping to create a useful and passive open space for the community. Sidewalks will be provided along the public streets. The proposed landscape improvements are shown on Exhibit D.

The Garland Development Code (GDC) requires perimeter screening between residential development and a Type D thoroughfare. Miller Road is a Type D street. The applicant proposes a six-foot high masonry screen wall and large canopy trees. The GDC requires one large canopy tree for every fifty feet of street of street frontage. Nine (9) large canopy trees are required whereas the plan shows thirteen (13) large canopy trees in an HOA tract ranging from nine (9) feet, ten (10) inches to fifty-four (54) feet of width although only eight (8) feet is required. The greater degree of open space and trees at the entry of the development establishes a more open setting for the smaller lots.

Although not required, tubular steel fencing is proposed as an option in open space areas.

Individual Lot Fencing

The application proposes screening of garbage containers along alleys with wood butt joint fencing from four to six feet in height. Additionally, the residential street side corner lots and all “return fencing” are proposed to be constructed of cedar butt joint stained pickets with a flat top rail or tubular steel painted black. These additional fencing proposals are not required by the GDC and add to the character and quality of the development proposal.

Fencing on residential lots abutting an open space lot or greenbelt is proposed as tubular steel painted black; no solid fencing other than a masonry courtyard wall under 42-inches would be permitted abutting an open space or greenbelt. However, landscape borders such as trimmed hedges would be allowed.

Trees on Individual Lots

Two large canopy trees are required for each individual lot per the GDC. One of the trees is to be placed in the front yard while the other tree may be placed in another location on the lot. The applicant proposes that lots fronting onto common open space lots are allowed to place their required tree in the common open space lot. The GDC does not specify the number or location of trees in common open space areas. The placement of the trees in the common open space will contribute to that HOA open space resulting in the individual residential lot(s) with fewer trees unless the home owner elects to place a tree in their front yard. It is recommended to place the tree in the open space in front of the respective individual lot.

Parks and Open Space

The applicant proposes areas for parks and trails. These areas would be dedicated for

public park use, further detailed in the associated draft development agreement. The common area will include floodplain, detention areas, and mini parks connected with a pedestrian trail system which connects to public sidewalks along streets. The plans show benches, barbeque stations and picnic tables in the development's open space.

4. Garages

Front and Alley Access to Garages

The proposed development will consist of front entry garages for lots without alleys and rear entry garages for lots with alleys and mews alley. The setback for garages is proposed at a minimum of twenty (20) feet from the street or alley right-of-way line. The western and southern lots would have front garages accessed from the street and no alley access. All of the other lots would have alley access with rear garages accessed from the alley. The Paving Plan (Exhibit F) displays the location of driveways. The application also indicates that the garage doors would not be placed behind the street facing façade of the house. That is the garages could sit in-line with the front façade of the house or in front of the house. However, the twenty (20) foot setback of the garage to the street/property line or alley/property line would be required.

Specifically, the applicant is proposing to deviate from the following requirements per Section 4.84 (C)(2) listed below:

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

The small Garden Home lot sizes, lots proposed without alleys, and existing overall site width contribute to these garage deviation requests.

5. Building Facades

The building materials proposed would be in accordance with the sample house elevations; also incorporated into the draft development agreement.

Variation of Elevations

The application proposes that the home designs with the same or similar façade, materials, or colors should be separated by a minimum of three (3) houses on the same side of the street and should not be located directly across or diagonally across the street from one another. Furthermore, if a home design is repeated on an adjacent lot it should be of a different architectural style or two (2) of the following three (3) elevation changes: brick color, roof color, or flipped (mirrored) plan.

The GDC includes requirements for variation of elevations, which encourage a more interesting and less monotonous visual appearance to the street fronts. The GDC specifies the front building elevation of a dwelling must not be duplicated on the three (3) adjacent houses on both sides, or on the four (4) houses directly across the street. Relief of this requirement is allowed however if the building materials and the architectural elements, such as windows, dormers, facade offsets, or overhangs, of a home are significant enough to make the front facade of the home look substantially different from its neighboring structures.

With the exception of the variation of façade elevation for home directly across the street, the proposal generally upholds the intent of the GDC.

Architectural Elements

Per the GDC, each dwelling unit shall incorporate at least three (3) of the following Architectural Elements:

- Multiple pane windows featuring either divided light or simulated divided light;
- A front porch area enclosed by a railing at least thirty (30) inches in height, and containing decorative columns at least six (6) inches in diameter;
- Gable(s) with window(s);
- Dormer(s);
- Bay windows with a minimum projection of twenty-four (24) inches;
- Minimum 8:12 roof pitch;
- Split garage doors with a separate door for each vehicle bay; or
- Front covered porch with at least forty (40) square feet of usable space, and a minimum depth of five feet.

The design elements that are proposed for each dwelling unit include:

- a. Multiple pane windows featuring either divided light or simulated divided light windows;
- b. Minimum 8:12 roof pitch; and
- c. Front covered porch with at least thirty (30) square feet of usable space, and a minimum depth of five feet (a deviation from the required forty (40) square feet of usable space, and minimum depth of five feet).

Windows and Doors

The application proposes not to include GDC requirements for windows and doors for the wall area of the front building face of the dwellings. The GDC requires a minimum twenty-five (25) percent of the wall area of the front building face of a dwelling to be windows and doors. However, the applicant's sample elevations indicate doors and windows on the front building face.

6. Summary of Standards and Deviations:

Development Standards	Required	Proposed	Analysis Summary
Lot Area Minimum	5,000 square feet	4,000 square feet	The modification of these development standards are warranted due to the long and narrow infill property; off-setting the smaller lots and minimized setbacks the applicant is including open space with a trail system. Additionally, the layout of the lots results in front yards facing existing front yards and rear yards backing to existing back yards in the adjacent developments. This pattern of lots creates a continuous street pattern which is a positive contribution to an existing development pattern.
Lot Width Minimum	55 feet 60 feet corner	40 feet for the majority of lots; 35 feet minimum eyebrow on lot number 25, 26, and 28 of Block A; and 30 feet minimum on Lot 2 Block C all as shown on Exhibit C	
Lot Coverage Maximum	50%	65%	
Front Setback Adjacent to Street Minimum	20 feet	10 feet with a maximum 5 foot encroachment for architectural features such as stoops, overhangs, courtyard walls, masonry chimneys, and bay windows, and 20 feet from the garage	
Side Setback Adjacent to Street Minimum	15 feet	10 feet	
Building Height Maximum	35 feet	40 feet, 2 stories	The GDC does not regulate the number of trees in open space areas, this allowance would enhance the open space areas while providing the same number of trees required for the residential lots; the tree should be placed in the open space in front of the respective individual lot
Trees on Individual Lots	2 large canopy trees per individual lot, one in the front yard	Lots fronting onto open space are allowed to place the required front yard tree into the open space	

Garages	5 foot offset, behind the street facing façade of the house where a garage door faces the street	Garage doors without an offset.	Due to the Garden Homes proposed, the compact site, and smaller lot size, the placement of garage doors with an offset is limited.
Variation of elevations	No elevation duplication on 3 adjacent houses on same side or 4 houses directly across the street	No elevation duplication on 3 adjacent houses on same side of street or 3 houses directly across the street.	Although not exact, the intent of variation is close to the GDC standard.
Architectural Elements	Select from list, including front covered porch with 40 square feet of useable area and	Covered porch with 30 square feet of useable area.	The small Garden Home style lot limits useable space.
Windows and Doors	25 percent of the wall area to be windows and doors	No minimum standard	The sample elevations include doors and windows on the front building face.

COMPREHENSIVE PLAN

The Future Land Use Map of the Envision Garland 2030 Comprehensive Plan designates this site for Traditional Neighborhoods. Traditional Neighborhoods are currently found throughout Garland and provide areas for low to moderate density single-family detached residential housing.

The Traditional Neighborhood development type is primarily characterized as low density, single-family detached (between one (1) and six (6) dwelling units per acre). Non-residential sites within this category are typically up to three acres in size.

The proposal is consistent with the recommendation of the Envision Garland Plan in that it would allow for a density of four and eight tenths (4.8) dwelling units per acre, within the recommended one (1) to six (6) units per acre. Additionally, the Garden Home concept, mews open space and alley, along with passive open spaces with a trail network would add to the variety of housing options in the area.

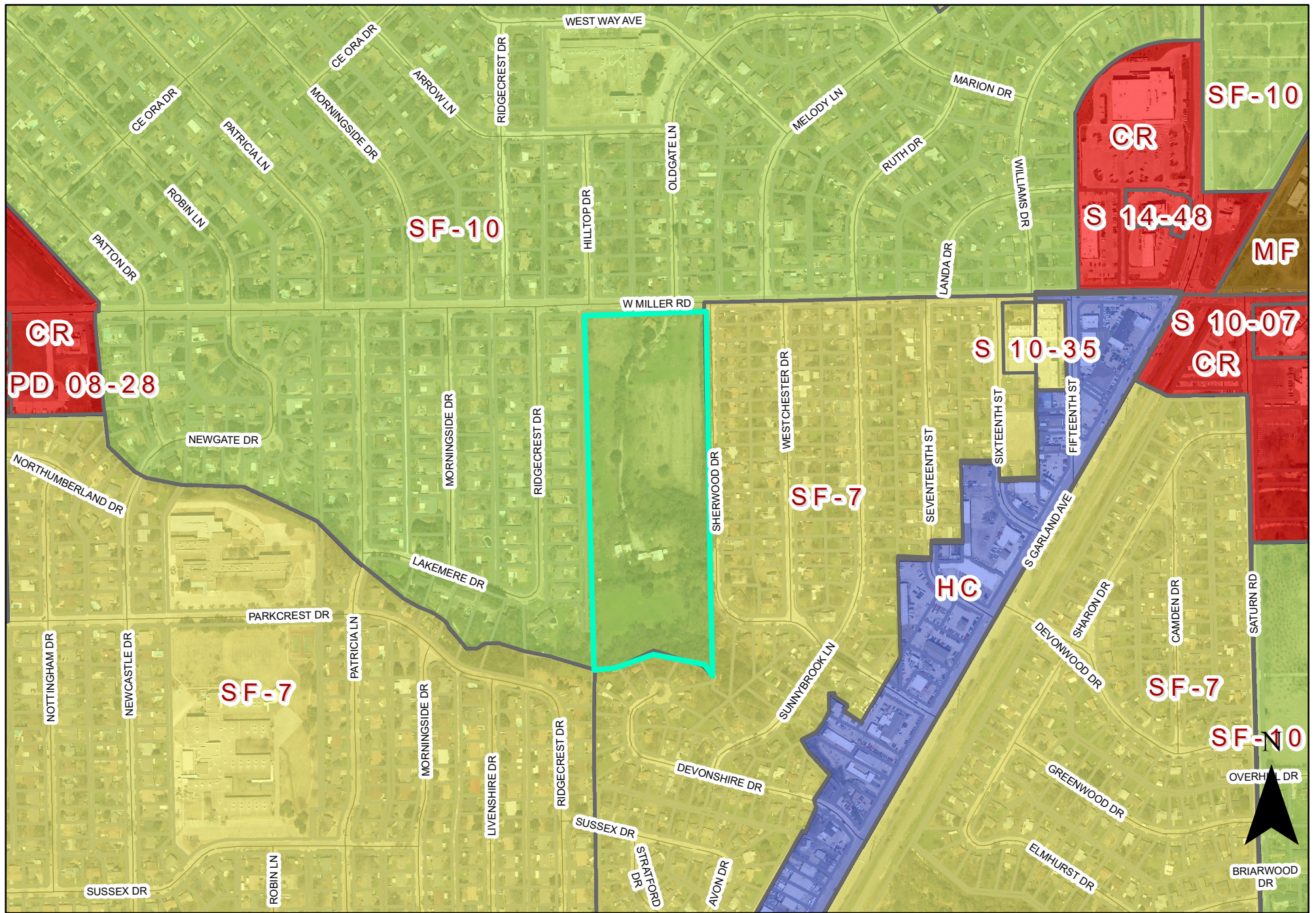
COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

The properties to the north and west are zoned Single-Family-10 (SF-10) District and are developed with single-family residential homes. The properties to the east and south are zoned Single-Family-7 (SF-7) District and are developed with single-family residential homes.

The subject property is a large infill property located in the midst of existing residential neighborhoods. The proposed development maintains the residential uses established in the area. Although the proposed lots are smaller at 4,000+ square feet in comparison to the existing adjacent 7,000 and 10,000 square-foot lots, the proposal creates compatible adjacency by abutting back yards to back yards and facing front yard to front yards of the adjacent subdivisions. Further the proposed Garden Home subdivision, although providing smaller lots, adds a community with park areas to the neighborhood.

Attachments

Z 20-42 Z 20-42 II Stephens Development Location Map
Z 20-42 II Stephens Development LLC Exhibit C
Z 20-42 Z 20-42 II Stephens Development, LLC Exhibit D
Z 20-42 Z 20-42 II Stephens Development, LLC Exhibit E
Z 20-42 Z 20-42 II Stephens Development, LLC Exhibit F
Z 20-42 Z 20-42 II Stephens Development, LLC R&M (Detail Plan)
Z 20-42 II Stephens Development, LLC Responses
Z 20-42 Staff Presentation

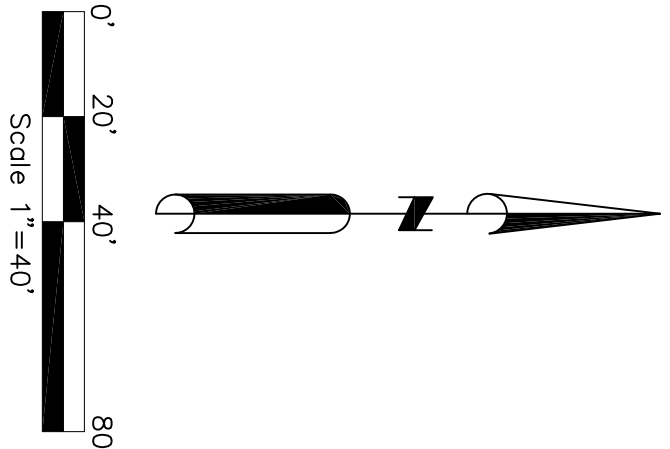
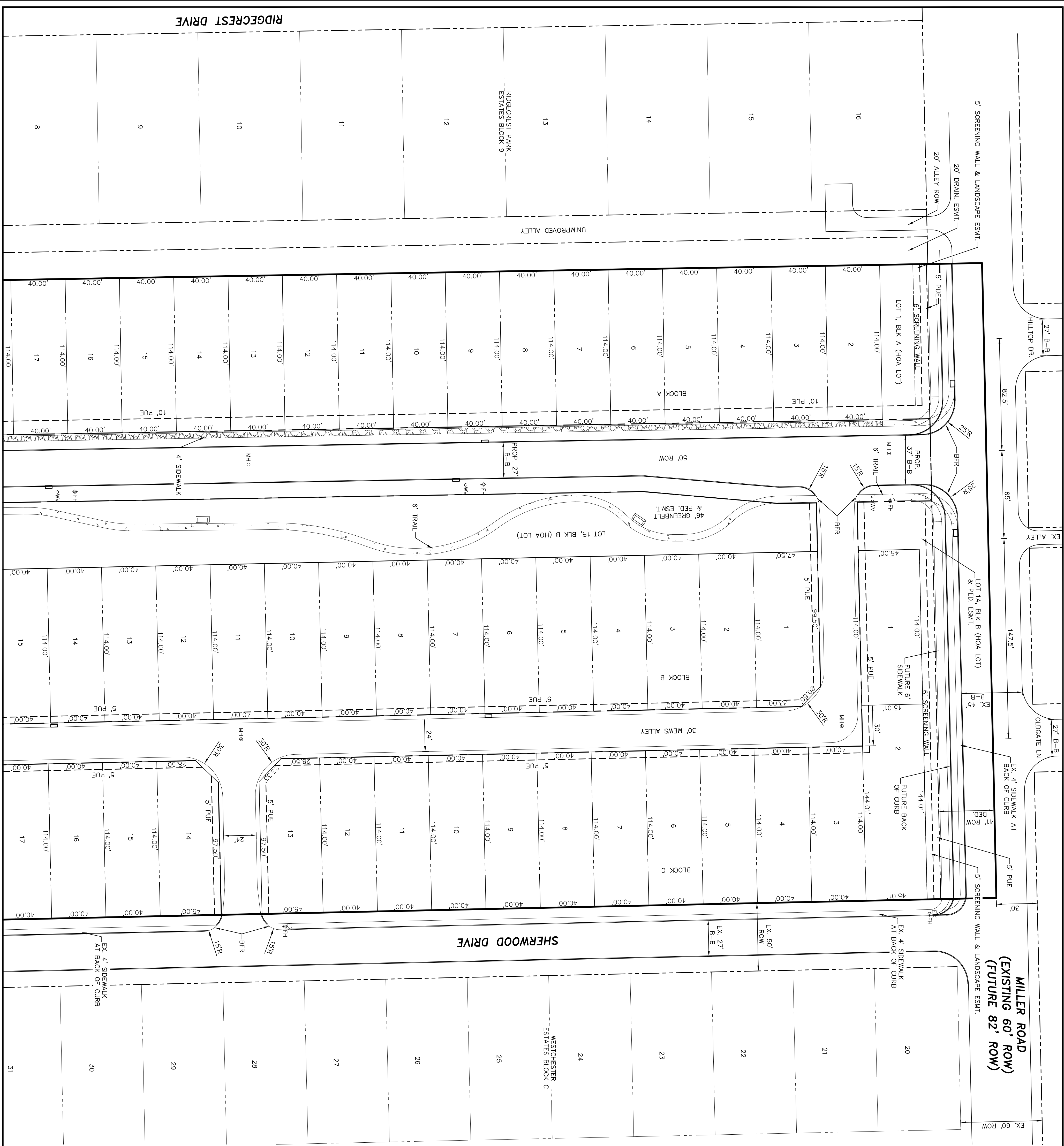


0 350 700 Feet
1 inch = 500 feet

Zoning Map Z 20-42



INDICATES AREA
OF REQUEST



LEGEND	
	DEVELOPER SIDEWALK/TRAIL
	HOME BUILDER SIDEWALK
	PARK BENCH
	GRILL
	PICNIC TABLE

OPEN SPACE/GREEN BELTS = 4.36 AC.

EXHIBIT C

THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY
FLOD E. MIDDLETON, JR., P.E. REGISTRATION #67449 ON 2-12-21.
ANY ALTERATION OF A SEALED DOCUMENT WITHOUT PROPER
PERMISSION OF THE SEALING ENGINEER IS AN OFFENSE UNDER
THE TEXAS ENGINEERING PRACTICE ACT.

PRELIMINARY - FOR REVIEW ONLY
These documents are for design review
and not intended for construction or
permit purposes. The work was prepared
by or under the supervision of
F. E. MIDDLETON, JR., P.E. 67449

NO.	DATE	REVISION	APPROVED

F. E. MIDDLETON, JR.
67449
REGISTERED PROFESSIONAL ENGINEER

Middleton PROJECT ENGINEER:
& Associates, LLC.

CONSULTING CIVIL ENGINEERS & LAND PLANNERS
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2785 ROCKBROOK DRIVE, SUITE 105
LEWISVILLE, TEXAS 75067 (972) 393-9800

DETAILED SITE PLAN

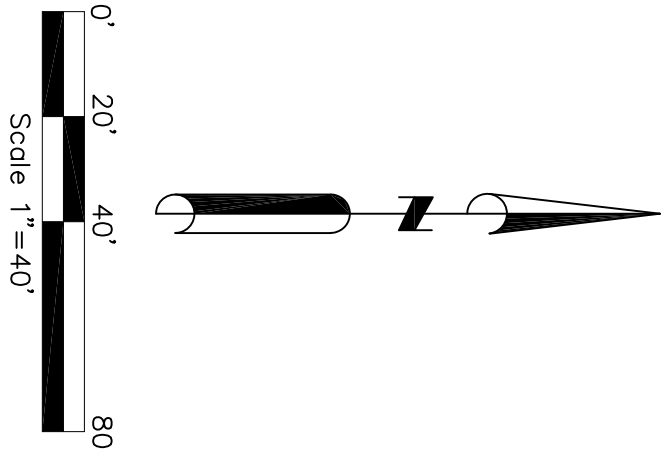
CENTRAL PARK
GARLAND, DALLAS COUNTY, TX
2040 W. MILLER ROAD

Drawing File: 0001031CON10SITE.DWG
Project No. 0001031

DATE: 2-12-21
SCALE: 1"=40'

SHEET NO.: SITE1

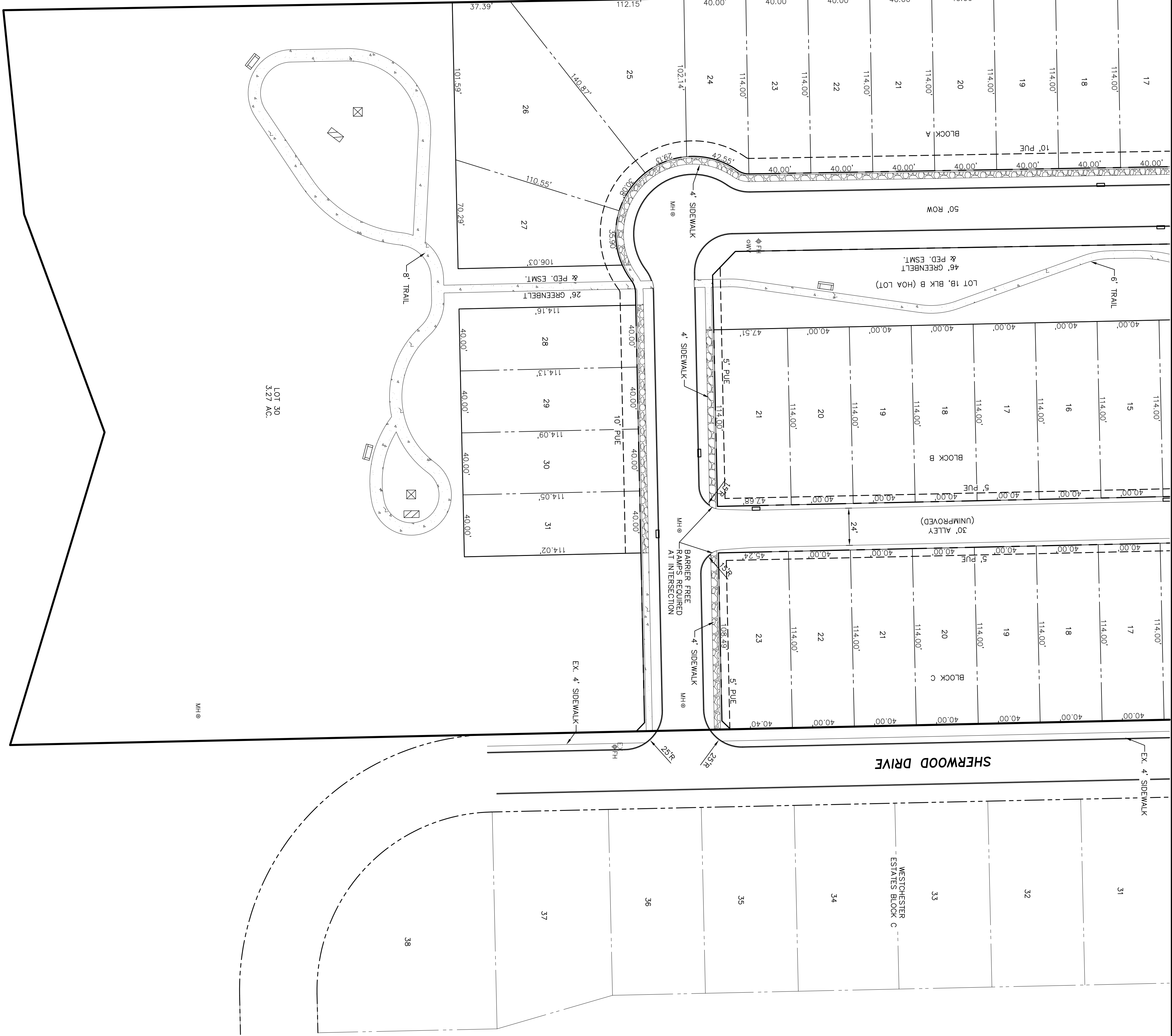
CITY CASE NO. 200702-2



LEGEND	
	DEVELOPER SIDEWALK/TRAIL
	HOME BUILDER SIDEWALK
	PARK BENCH
	GRILL
	PICNIC TABLE

OPEN SPACE/GREEN BELTS = 4.36 AC.

EXHIBIT C



THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY:
FLOYD E. MIDDLETON, JR., P.E. REGISTRATION #67449 ON 2-12-21.
ANY ALTERATION OF A SEALED DOCUMENT WITHOUT PROPER
PERMISSION OF THE REGISTERED PROFESSIONAL ENGINEER IS AN OFFENSE UNDER
THE TEXAS ENGINEERING PRACTICE ACT.

STATE OF TEXAS REGISTERED PROFESSIONAL ENGINEER F. E. MIDDLETON, JR. 07449			
No.	DATE	REVISION	APPROVAL

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M

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A

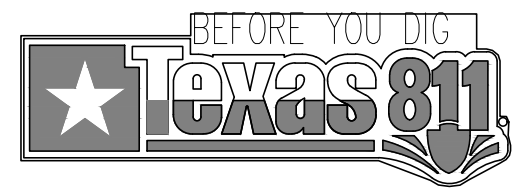
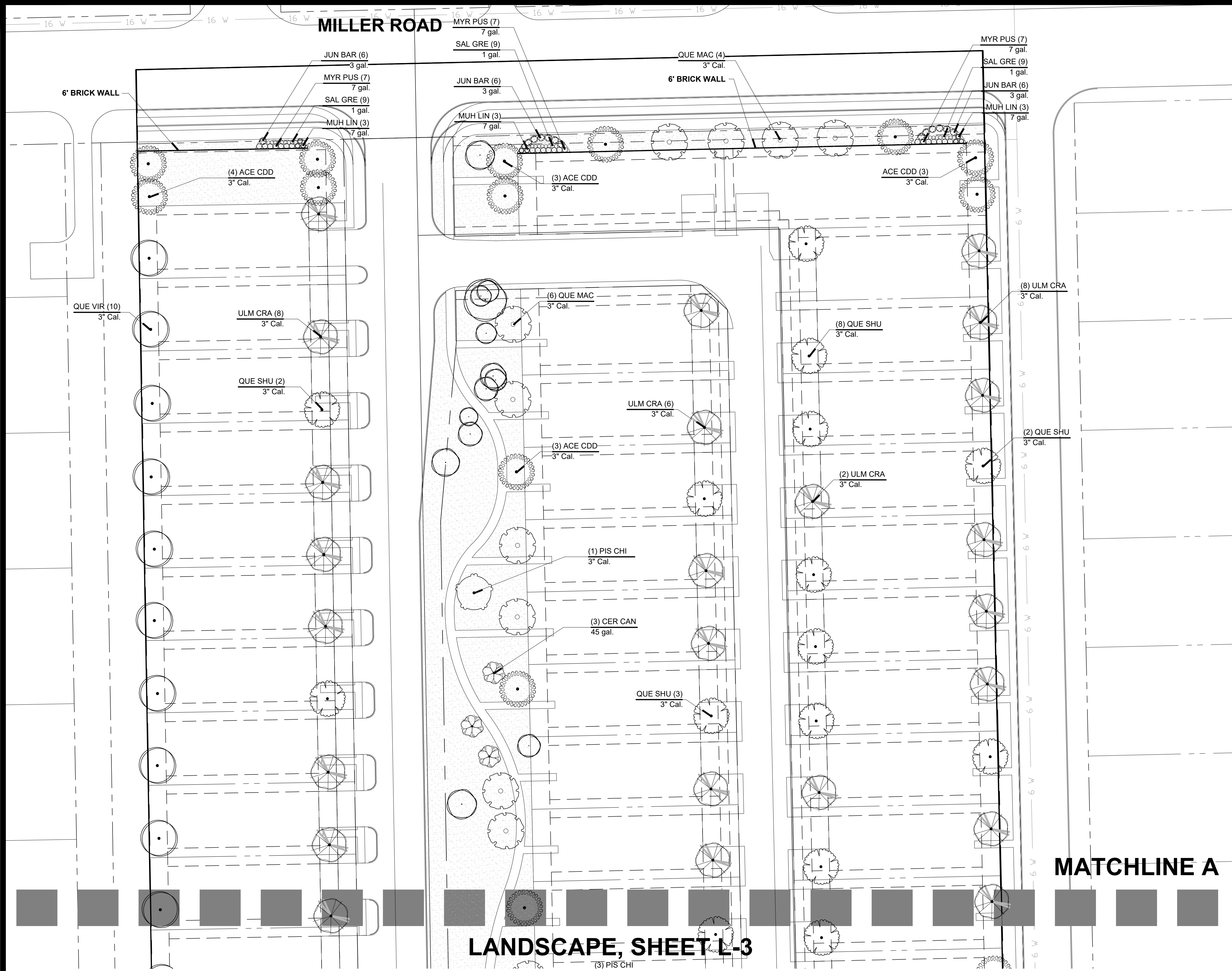
Middleton PROJECT ENGINEER:
& Associates, LLC.
CONSULTING CIVIL ENGINEERS & LAND PLANNERS
TBPE #F-10900 © Copyright 2021
2785 ROCKBROOK DRIVE, SUITE 105
LEWISVILLE, TEXAS 75067 (972) 393-9800

DETAILED SITE PLAN
CENTRAL PARK
GARLAND, DALLAS COUNTY, TX
2040 W. MILLER ROAD

Drawing File: 0001031CON10SITE.DWG	DATE: 2-12-21	SCALE: 1"=40'	SHEET NO: SITE2
Project No. 0001031			

CITY CASE NO. 200702-2

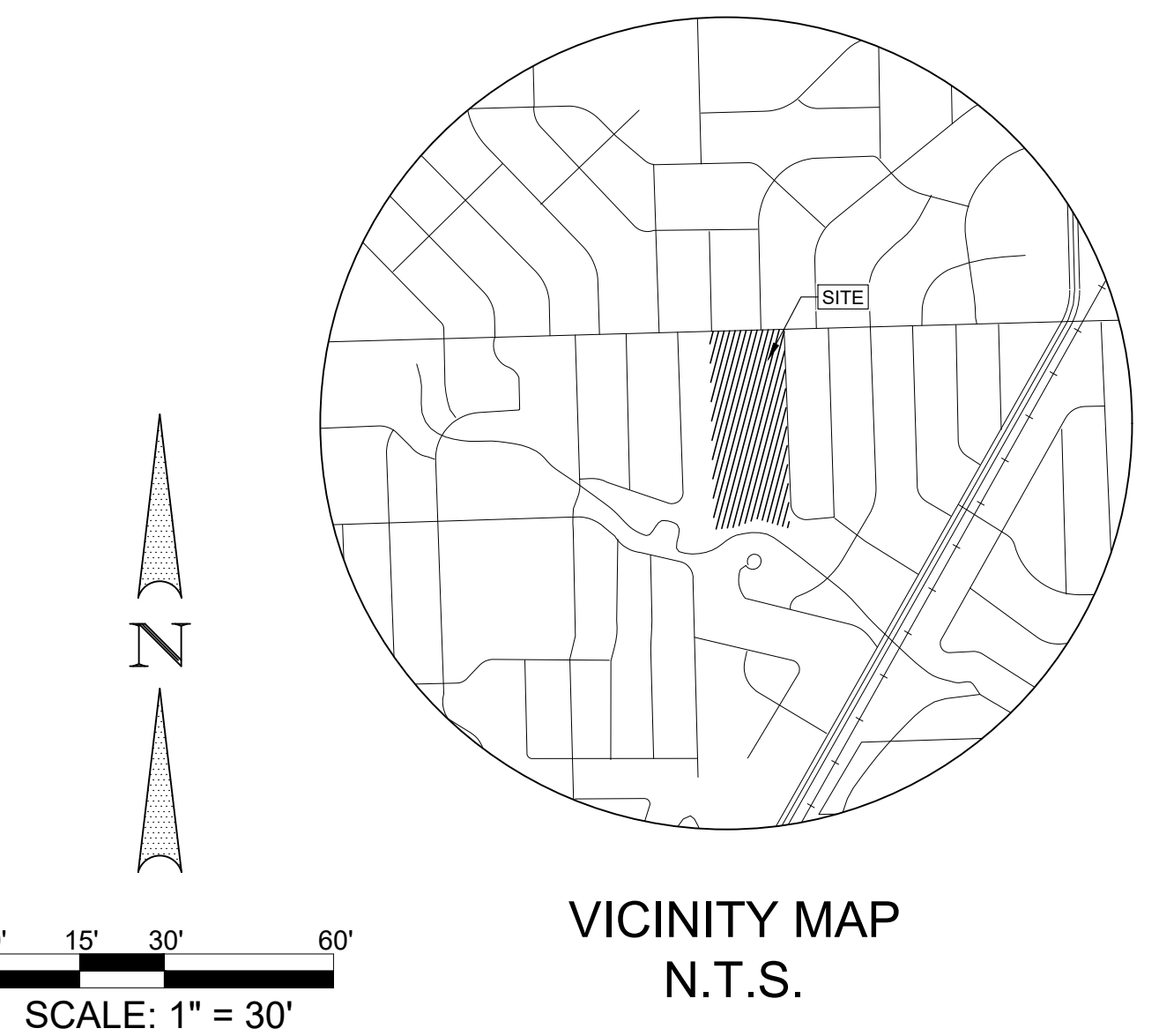
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TEMPORARY IRRIGATION WILL BE REQUIRED TO ESTABLISH TURF IN ALL DISTURBED AREAS WITHOUT A PERMANENT IRRIGATION SYSTEM. INSTALL SOD TO ESTABLISH TURF IN ALL DISTURBED AREAS AS IDENTIFIED ON GRADING AND EROSION CONTROL PLANS.

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

BEFORE YOU DIG...



CITY OF GARLAND RESIDENTIAL LANDSCAPE REQUIREMENTS		
RESIDENTIAL DEVELOPMENT LANDSCAPING	TWO LARGE CANOPY TREES ARE REQUIRED ON ALL SINGLE FAMILY DETACHED AND AND AT LEAST ONE OF WHICH MUST BE LOCATED WITHIN THE FRONT YARD	
	REQUIRED	PROVIDED
	2 TREES PER LOT	2 TREES PER LOT
PERIMETER SCREENING BETWEEN RESIDENTIAL DEVELOPMENT AND THOROUGHFARES	A MASONRY WALL IS REQUIRED IN ACCORDANCE WITH SECTION 4.39 (A) (1) WITH TREES 50' O.C. MAX. THE TREES AND SCREENING WALL MUST BE WITHIN A MINIMUM 8' WIDE BUFFER STRIP DEDICATED TO THE HOMEOWNERS ASSOCIATION FOR MAINTENANCE	
	REQUIRED	PROVIDED
	SCREENING MASONRY WALL + TREES 50' O.C.	SCREENING MASONRY WALL + TREES 50' O.C.

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

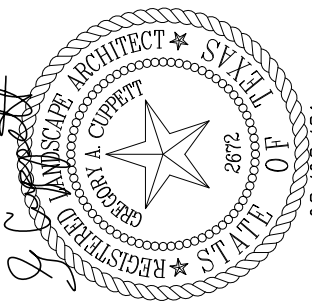
REF. SHEET L-7 FOR PLANT LEGEND

LANDSCAPE PLAN

City Case No. 200702-2

Date MAR 03, 2021
Drawn By RKR
Checked By GAC
Revisions

FAN • CUPPETT
LANDSCAPE ARCHITECTS, LLC
10301 Cedar Brook, Suite 200
North Richland Hills, TX 76182-4781
817-799-0730
PAPER AND E-FILED UNDER: L-00000000 - LANDSCAPE ARCHITECTURE - RESIDENTIAL

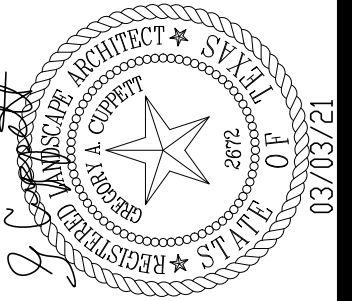


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CENTRAL PARK
MILLER ROAD
GARLAND, TEXAS

Sheet No.
L-5

EXHIBIT D

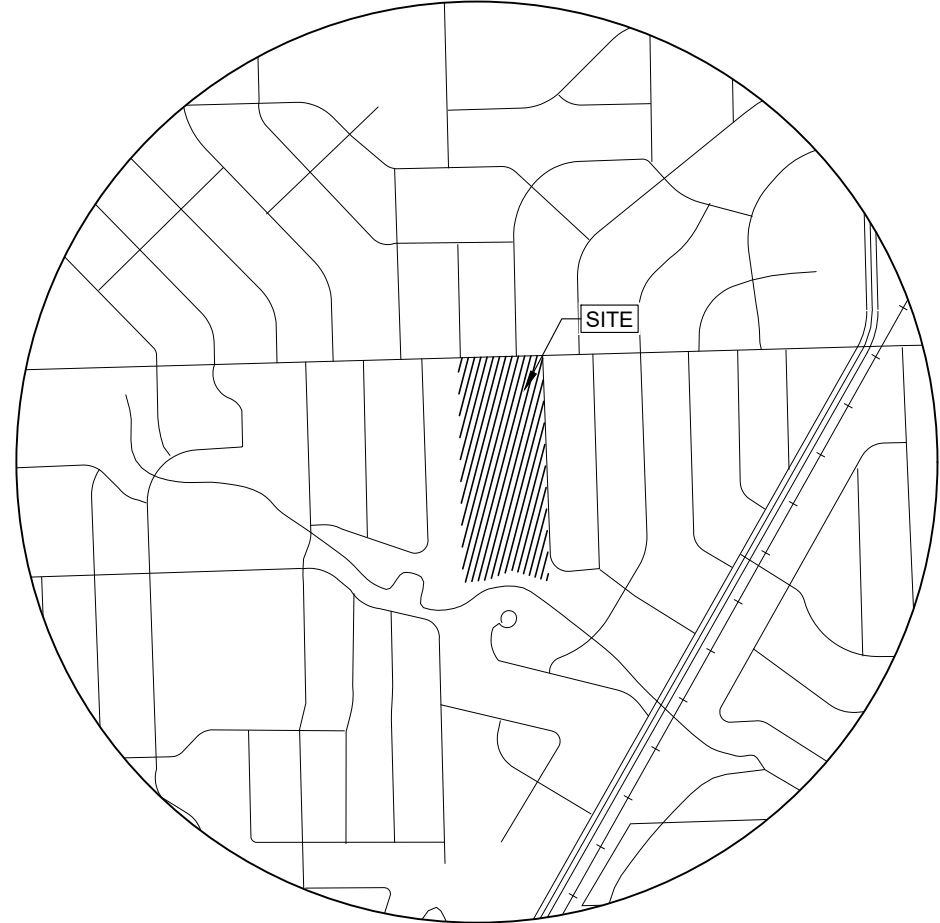
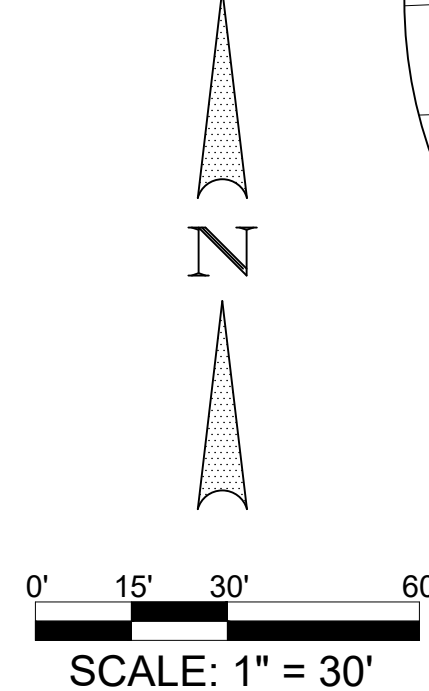


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CENTRAL PARK
MILLER ROAD
GARLAND, TEXAS

Sheet No.

L-6

VICINITY MAP
N.T.S.

CITY OF GARLAND RESIDENTIAL LANDSCAPE REQUIREMENTS		
RESIDENTIAL DEVELOPMENT LANDSCAPING	TWO LARGE CANOPY TREES ARE REQUIRED ON ALL SINGLE FAMILY DETACHED AND AT LEAST ONE OF WHICH MUST BE LOCATED WITHIN THE FRONT YARD	
	REQUIRED	PROVIDED
	2 TREES PER LOT	TO BE PROVIDED
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	SCREENING MASONRY WALL + TREES 50' O.C.	SCREENING MASONRY WALL + TREES 50' O.C.

PLANTING NOTES:

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

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

CAUTION!!!
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LINE LOCATES FOR FRANCHISE UTILITY
INFO. CALL BEFORE YOU DIG: TEXAS
EXCAVATION SAFETY SYSTEM (TESS)
1-800-344-8377 TEXAS ONE CALL SYSTEMS
1-800-245-4545 LONE STAR NOTIFICATION
CENTER 1-800-669-8344 EXT. 5

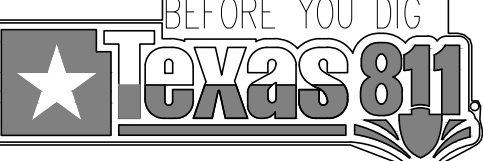


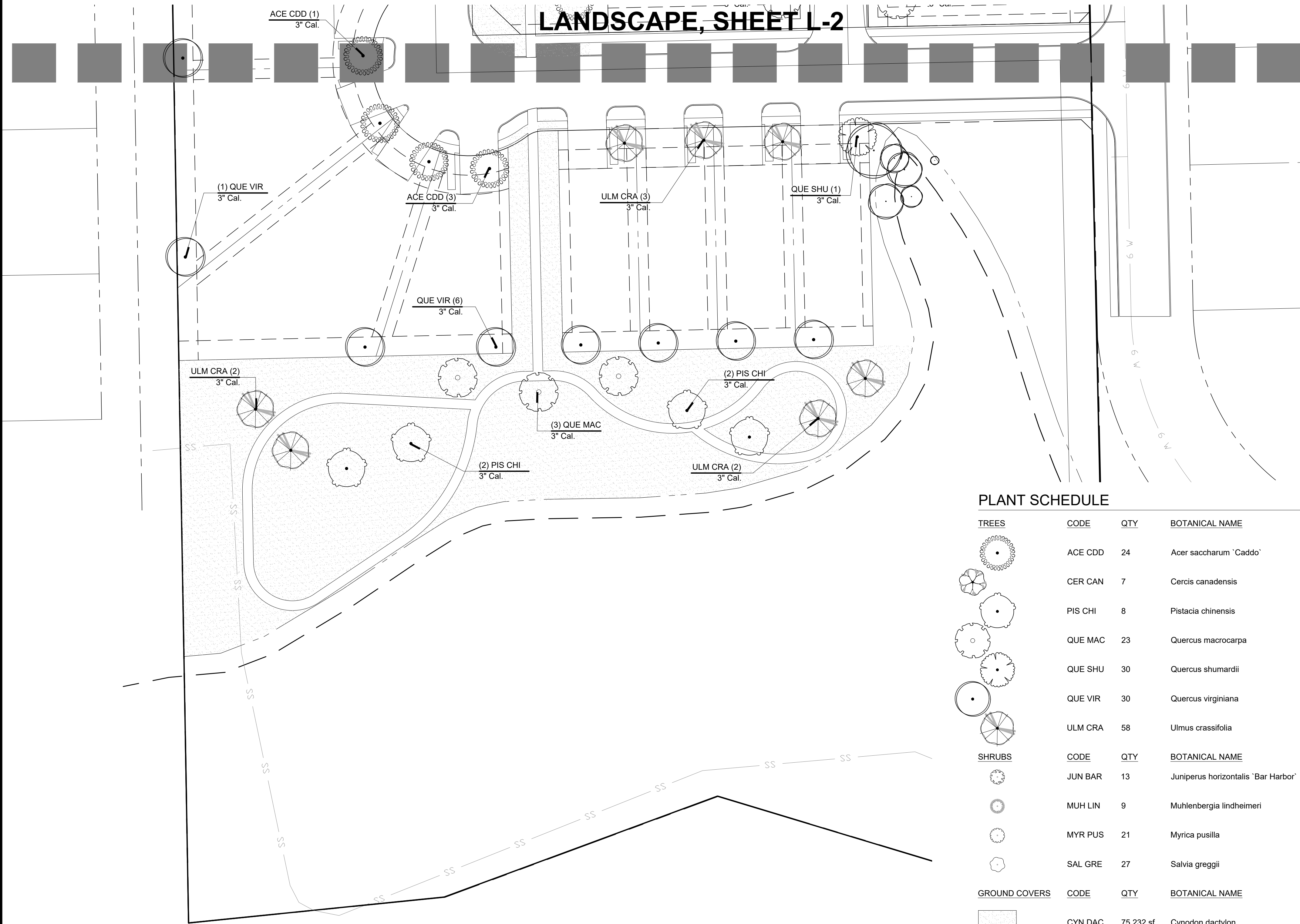
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REF. SHEET L-7 FOR PLANT LEGEND

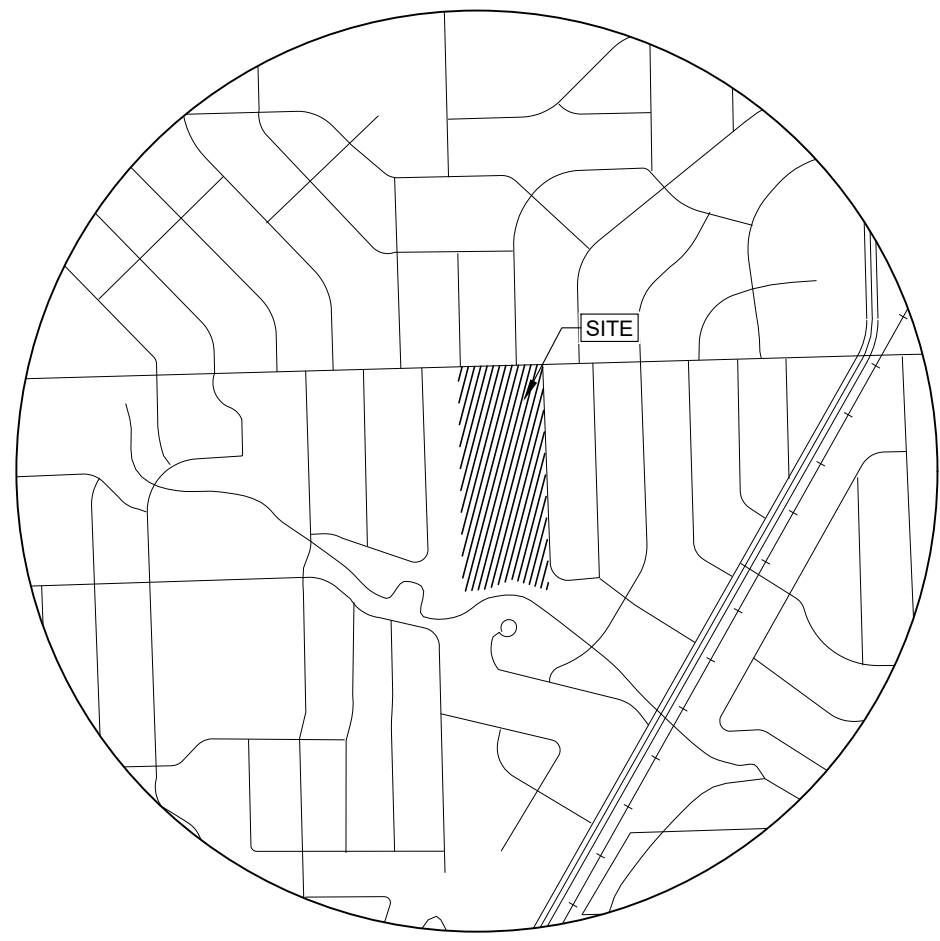
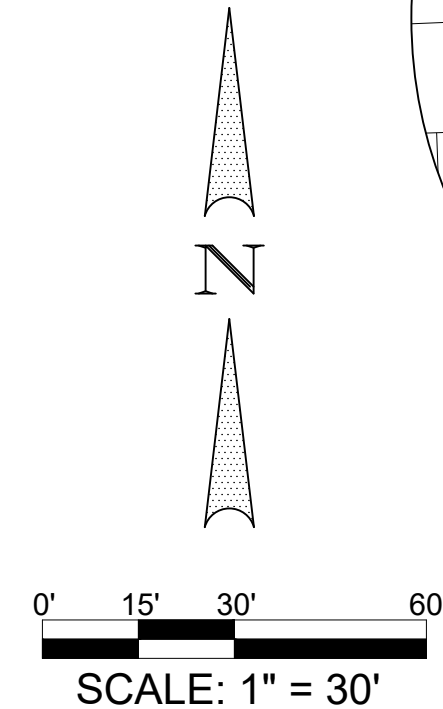
LANDSCAPE PLAN

City Case No. 200702-2



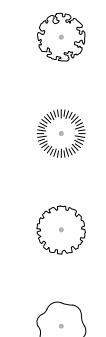
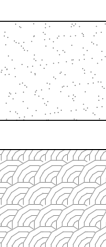


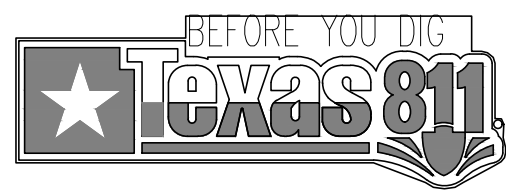
MATCHLINE B



VICINITY MAP
N.T.S.

PLANT SCHEDULE

TREES	CODE	QTY	BOTANICAL NAME	COMMON NAME	SIZE	HEIGHT	SPACING	REMARKS	
	ACE CDD	24	Acer saccharum 'Caddo'	Caddo Sugar Maple	3" Cal.	12' Height Min	As Shown	B&B/ Single straight trunk	
	CER CAN	7	Cercis canadensis	Eastern Redbud	45 gal.	8'-10' Ht.	As Shown	B&B/ Single straight trunk	
	PIS CHI	8	Pistacia chinensis	Chinese Pistache	3" Cal.	10' Min.	As Shown	Single Straight Trunk	
	QUE MAC	23	Quercus macrocarpa	Burr Oak	3" Cal.	12' Height Min	As Shown	B&B/ Single straight trunk	
	QUE SHU	30	Quercus shumardii	Shumard Red Oak	3" Cal.	12' Height Min	As Shown	B&B/ Single straight trunk	
	QUE VIR	30	Quercus virginiana	Southern Live Oak	3" Cal.	12' Height Min	As Shown	B&B/ Single straight trunk	
	ULM CRA	58	Ulmus crassifolia	Cedar Elm	3" Cal.	12' Height Min	As Shown	B&B/ Single straight trunk	
SHRUBS	CODE	QTY	BOTANICAL NAME	COMMON NAME	SIZE	HEIGHT	SPACING	REMARKS	
	JUN BAR	13	Juniperus horizontalis 'Bar Harbor'	Bar Harbor Creeping Juniper	3 gal.		48" O.C.		
	MUH LIN	9	Muhlenbergia lindheimeri	Lindheimer's Muhly	7 gal.	24"-36"	36" O.C.		
	MYR PUS	21	Myrica pusilla	Dwarf Southern Wax Myrtle	7 gal.	24"-36"	36" O.C.		
	SAL GRE	27	Salvia greggii	Autumn Sage	1 gal.		24" O.C.		
GROUND COVERS	CODE	QTY	BOTANICAL NAME	COMMON NAME	SIZE	HEIGHT	SPACING	SPACING	REMARKS
	CYN DAC	75,232 sf	Cynodon dactylon	Bermuda Grass	Hydro-Mulch				
	NAS PON	44 sf	Nassella tenuissima 'Pony Tails'	Mexican Feathergrass	1 gal.		18" O.C.		



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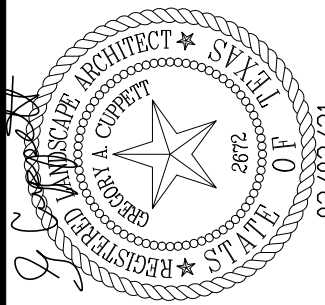


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EROSION CONTROL PLANS.

EXHIBIT D

Date MAR 03, 2021
Drawn By RKR
Checked By GAC
Revisions

FAN • CUPPET
LANDSCAPE ARCHITECTS, LLC
10000 Cedar Brook, Suite 200
North Houston, TX 77060-7781 817-790-0730
PHONE AND OFFICE: 817-790-0730 • LANDSCAPE ARCHITECTURE • RESIDENTIAL DESIGN

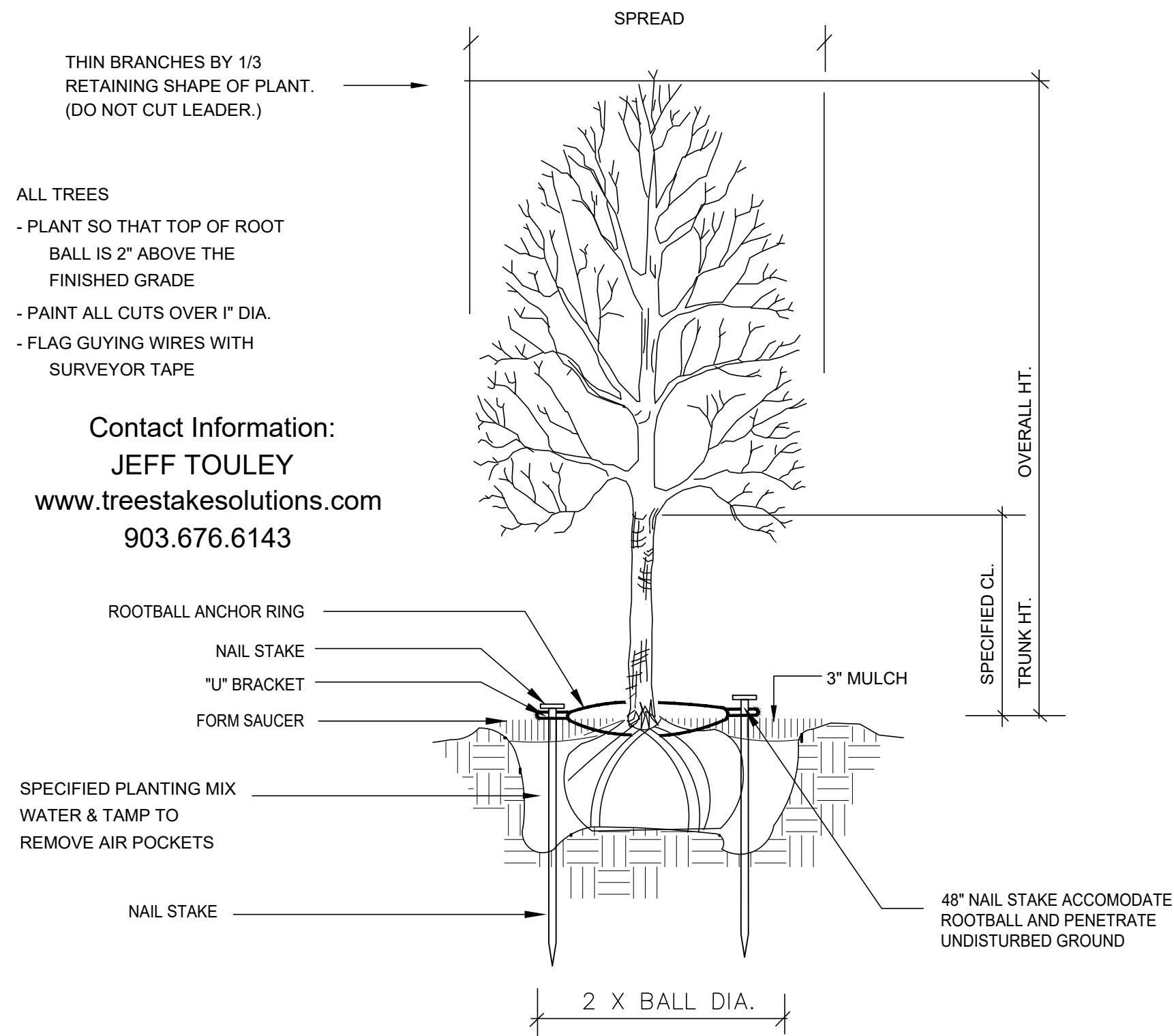


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CENTRAL PARK
MILLER ROAD
GARLAND, TEXAS

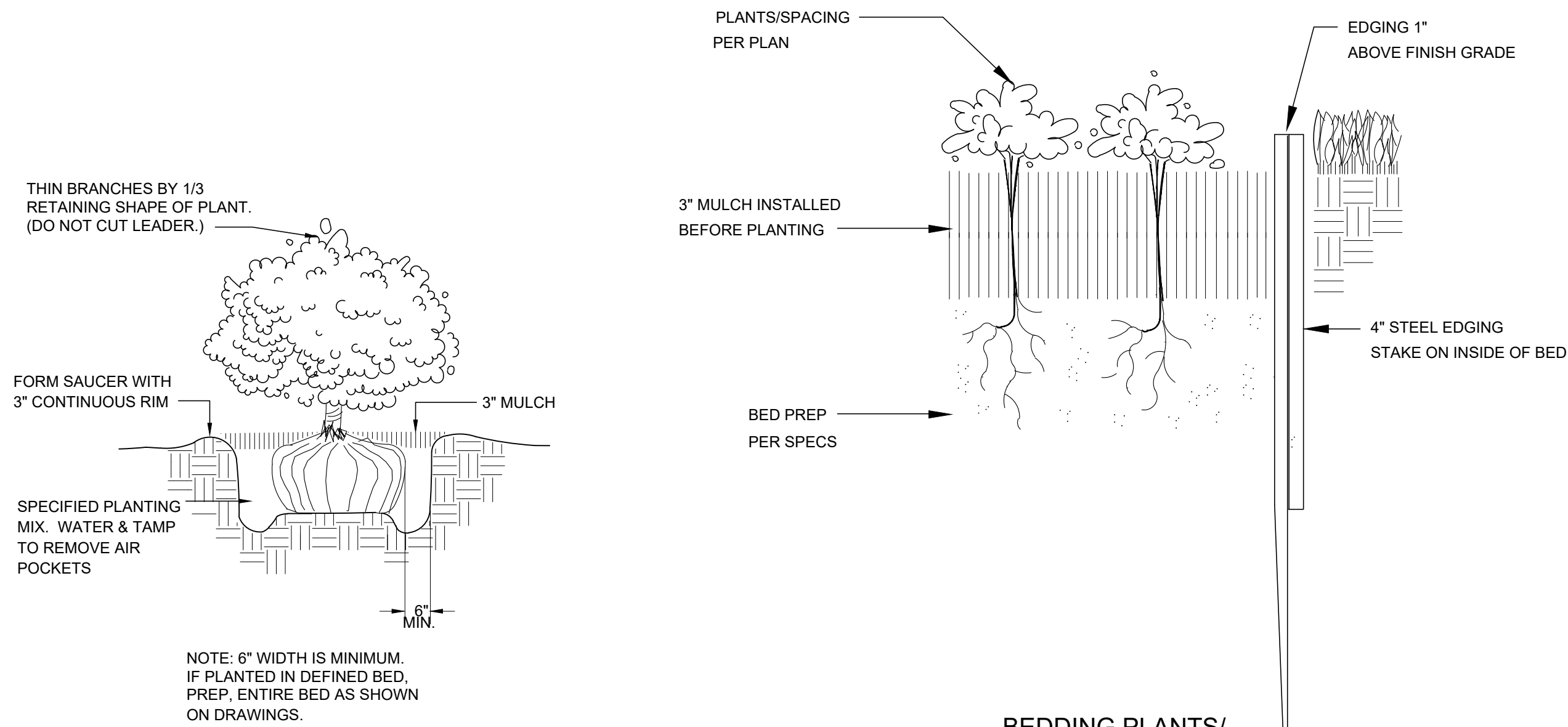
Sheet No.

L-7

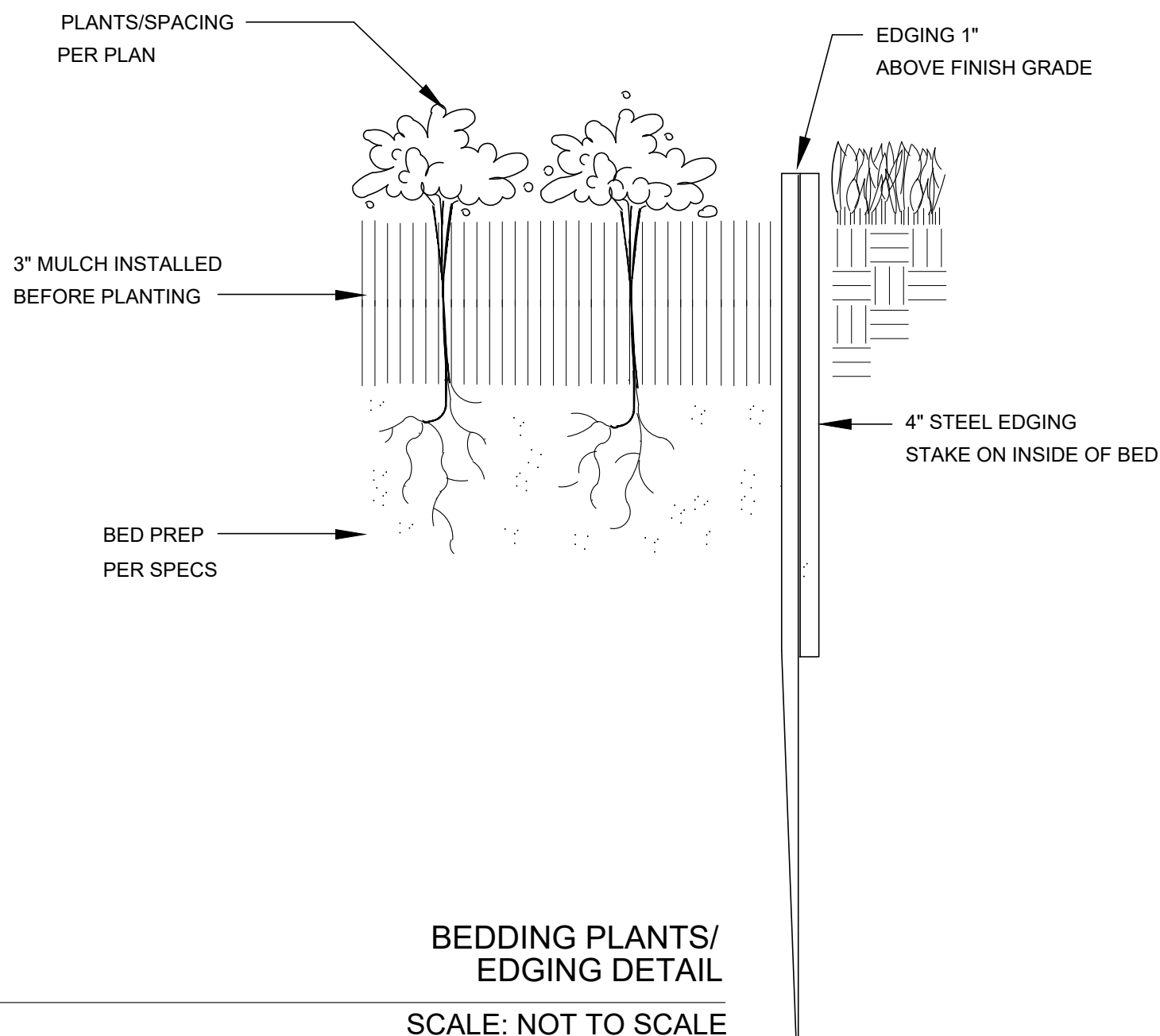


Contact Information:
JEFF TOULEY
www.treestakesolutions.com
903.676.6143

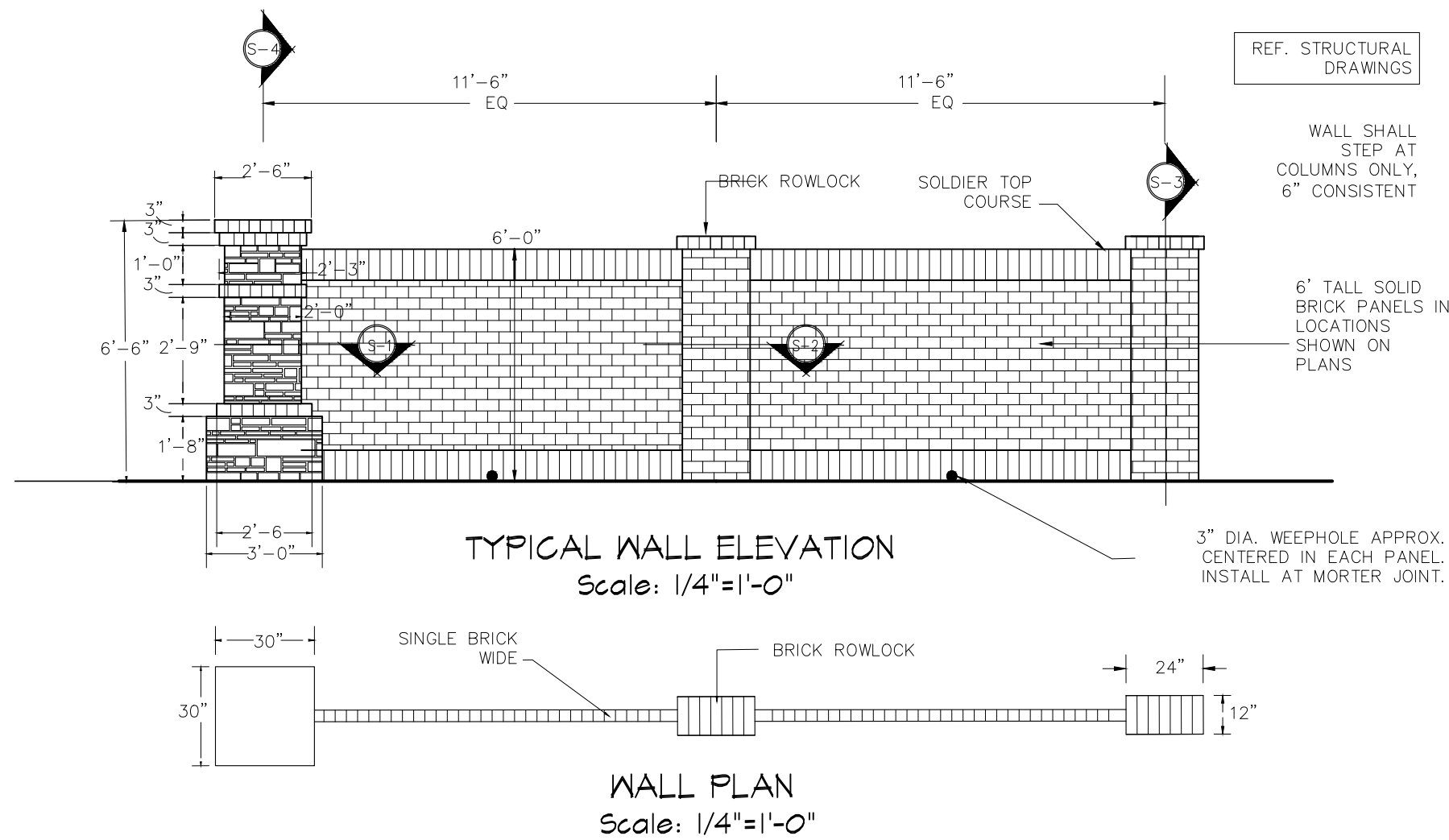
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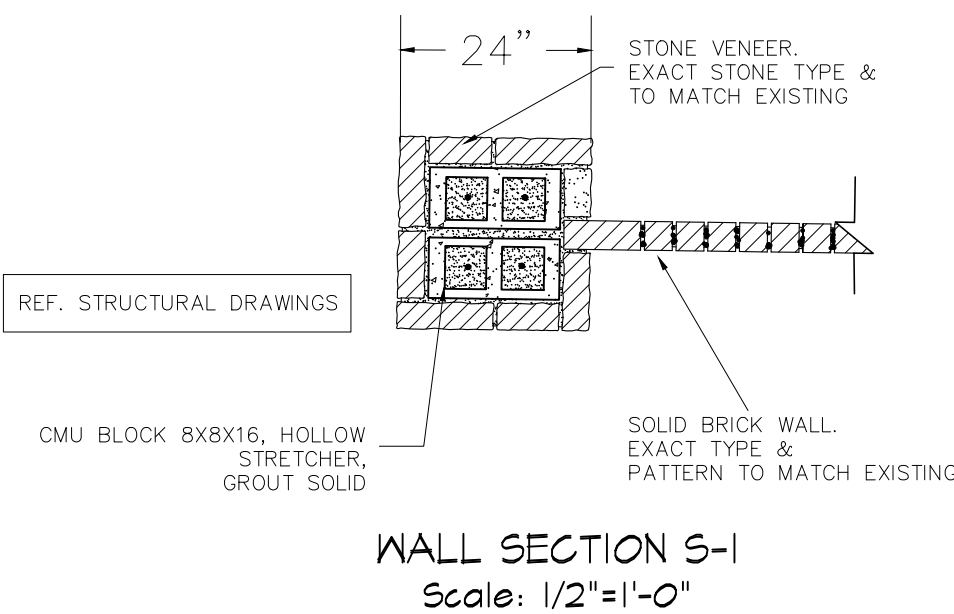
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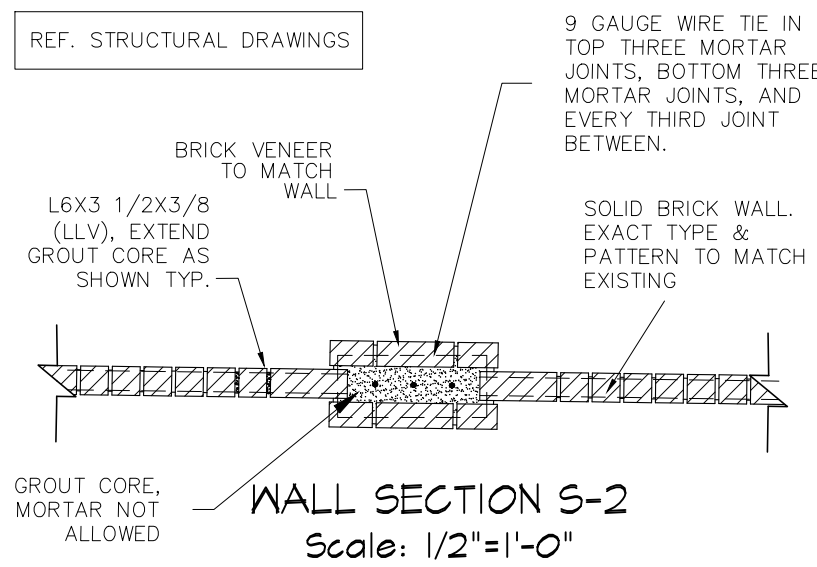
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EDGING DETAIL
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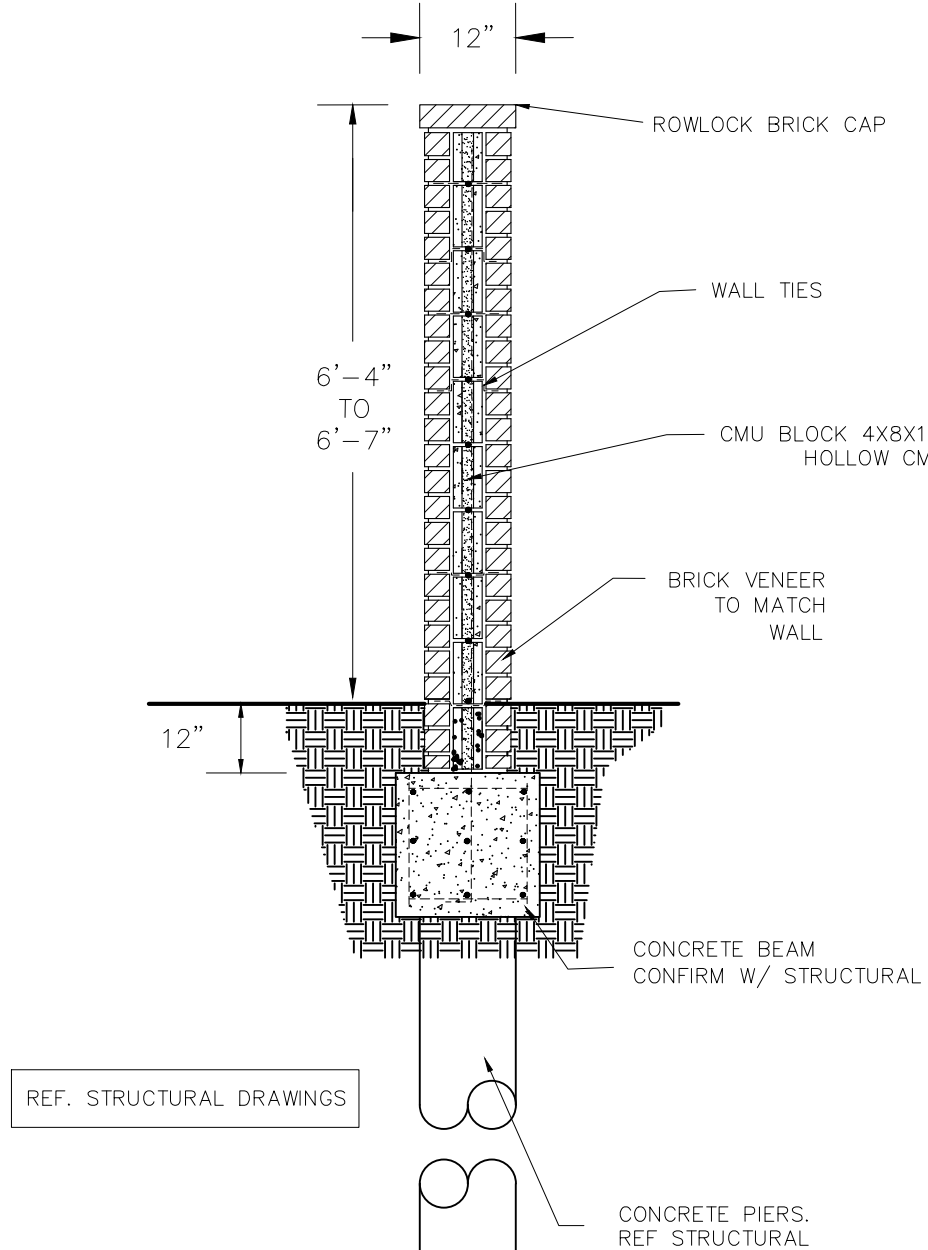
NOTE: BOTTOM OF WALL TO FOLLOW GRADE



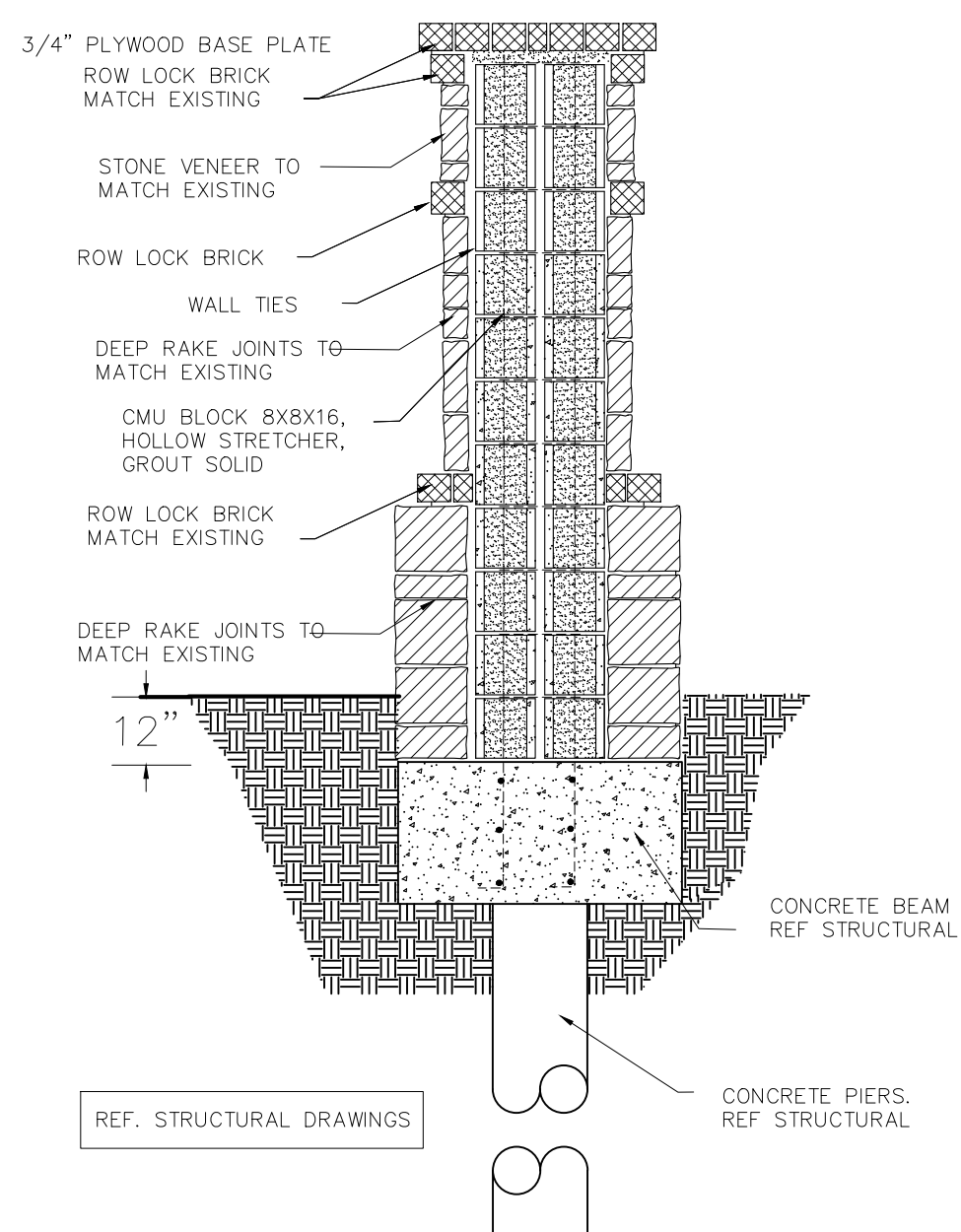
WALL SECTION S-1
Scale: 1/2"=1'-0"



WALL SECTION S-2
Scale: 1/2"=1'-0"



COLUMN SECTION S-3,
Scale: 1/2"=1'-0"



COLUMN SECTION S-4,
Scale: 1/2"=1'-0"

EXHIBIT D

Date MAR 03, 2021
Drawn By RKR
Checked By GAC
Revisions

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13301 Cedar Brook, Suite 200
North Houston, TX 77060-2781
817-479-0730
FAN AND CUPPETT ARCHITECTS • LANDSCAPE ARCHITECTURE • HOUSTON, TEXAS



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CENTRAL PARK
MILLER ROAD
GARLAND, TEXAS

Sheet No.

DETAILS
City Case No. 200702-2

L-8

VERNE

2,710 Approx. Square Feet

4 – 5 Beds 2-Car Garage
3 – 4 Baths 2-Story Home

Options

Luxury Master Suite | Walk-in Shower with Luxury Master Suite
4th Bath | 5th Bedroom | Fireplace



Elevation A

ELEVATION OPTIONS



Elevation B



Elevation C

EXHIBIT E

Availability of elevation options vary by community and are subject to additional charge. | REV 08.03.20

ORWELL

2,400 Approx. Square Feet

3 – 4 Beds

2.5 Baths

2-Car Garage

2-Story Home

Options

Island | Remove Pocket Office | 2-Story Family Room | 4th Bedroom

Walk-in Shower | Extended Family Room | Fireplace



Elevation A

ELEVATION OPTIONS



Elevation B



Elevation C

EXHIBIT E

Availability of elevation options vary by community and are subject to additional charge. | REV 08.03.20

HEMINGWAY

2,340 Approx. Square Feet

3 Beds
2.5 Baths

2 – 3-Car Garage
2-Story Home

Options

Island | Walk-in Shower | Extended Covered Patio | Fireplace



Elevation A

ELEVATION OPTIONS



Elevation B



Elevation C

EXHIBIT E

Availability of elevation options vary by community and are subject to additional charge. | REV 08.03.20

DICKENS

1,900 Approx. Square Feet

3 – 4 Beds

2-Car Garage

2 – 3 Baths

1 – 2-Story Home

Options

Study | Luxury Master Suite | Walk-in Shower | Fireplace
4th Bedroom and 3rd Bath with Game Room



Elevation A



Elevation B

ELEVATION OPTIONS



Elevation C



Elevation D

EXHIBIT E

Availability of elevation options vary by community and are subject to additional charge. | REV 08.03.20

CARROLL

1,860 Approx. Square Feet

3 Beds
2 Baths

2-Car Garage
1-Story Home

Options

Luxury Master Suite | Walk-in Shower with Luxury Master Suite
Pantry | Storage | Enlarged Dining Room | Fireplace



Elevation A



Elevation B

POLARIS

2,230 Approx. Square Feet

4 Bedrooms
2.5 Bathrooms

2-Car Garage
2-Story Home

Options

Master Bath Layouts | Island | Covered Patio



ELEVATION OPTIONS



Elevation A



Elevation G



Elevation B



Elevation H



Elevation D



Elevation I

MERIDIAN

2,100 Approx. Square Feet

3 – 4 Bedrooms 2-Car Garage
2.5 – 3.5 Bathrooms 2-Story Home

Options

Master Bath Layouts | Islands | 4th Bedroom | 4th Bedroom with 3rd Bath
Game Room | Covered Patio



Elevation A



Elevation G



Elevation B



Elevation H



Elevation D



Elevation I

ELEVATION OPTIONS

EXHIBIT E

Availability of elevation options vary by community and are subject to additional charge. | REV 10.14.19

LEGEND

1,990 Approx. Square Feet

3 – 4 Bedrooms 2-Car Garage
2.5 – 3.5 Bathrooms 2-Story Home

Options

Master Bath Layouts | Islands | 4th Bedroom with 3rd Bath | Patio | Covered Patio



ELEVATION OPTIONS



Elevation A



Elevation G



Elevation B



Elevation H



Elevation D



Elevation I

LATITUDE

1,750 Approx. Square Feet

3 – 4 Bedrooms 2-Car Garage
2.5 – 3.5 Bathrooms 2-Story Home

Options

Master Bath Layouts | 2nd Bath Vanity Sink | Islands | 4th Bedroom with 3rd Bath
4th Bedroom | Game Room | Covered Patio



Elevation A



Elevation G



Elevation B



Elevation H



Elevation D



Elevation I

ELEVATION OPTIONS

NAVIGATOR

1,600 Approx. Square Feet
3 – 4 Bedrooms
2 Bathrooms

Options
Kitchen | Island | Master Bath Layouts | Master Box-Out Window
4th Bedroom | Covered Patio



ELEVATION OPTIONS



Elevation A



Elevation G



Elevation B



Elevation H



Elevation D



Elevation I

HEMISPHERE

1,590 Approx. Square Feet

3 Bedrooms
2 Bathrooms

Options

Master Bath Layouts | Master Box-Out Window | Pocket Office



Elevation A



Elevation G



Elevation B



Elevation H



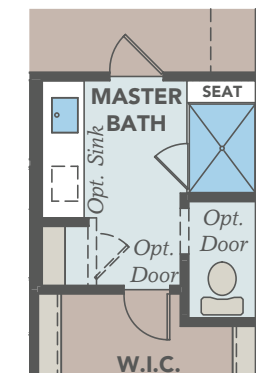
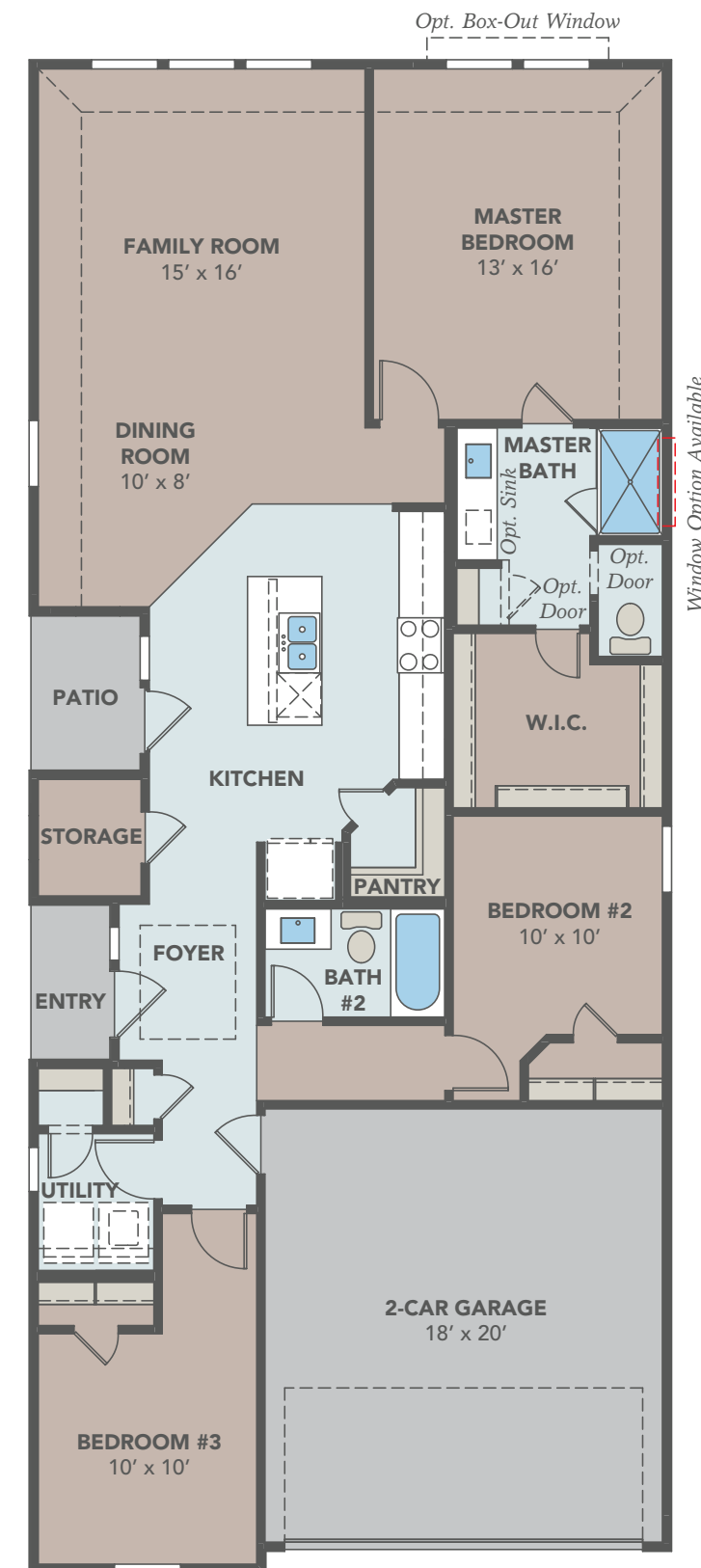
Elevation D



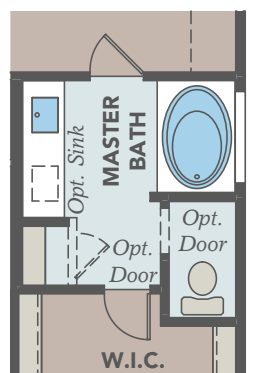
Elevation I

EXHIBIT E

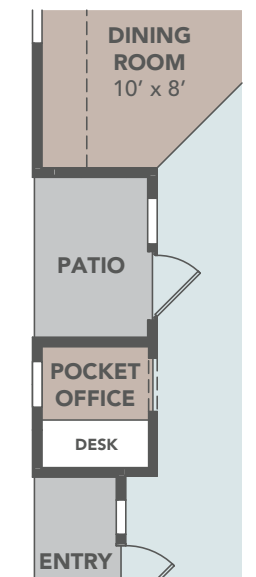
HEMISPHERE | FLOOR PLAN



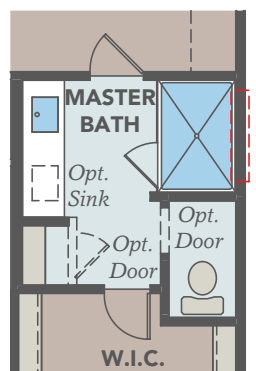
*Opt. Master
Shower Seat*



*Opt. Master
Tub/Shower*



Opt. Pocket Office



*Opt. 42" Wide
Master Shower*

EXHIBIT E

HORIZON

1,520 Approx. Square Feet

3 Bedrooms
2 Bathrooms

2-Car Garage
1-Story Home

Options

Kitchen | Kitchen with Island | Master Bath Layouts | Pocket Office | Covered Patio



ELEVATION OPTIONS



Elevation A



Elevation G



Elevation B



Elevation H



Elevation D



Elevation I

COMPASS

1,400 Approx. Square Feet

3 Bedrooms
2 Bathrooms

2-Car Garage
1-Story Home

Options

Kitchen, Family and 2nd Bath Layout | Master Bath Layouts | Covered Patios



ELEVATION OPTIONS



Elevation A



Elevation G



Elevation B



Elevation H



Elevation D



Elevation I

AVIATOR

1,300 Approx. Square Feet
3 Bedrooms
2 Bathrooms

2-Car Garage
1-Story Home

Options
Master Vanity | Master Box-Out Window | Covered Patio



ELEVATION OPTIONS



Elevation A



Elevation B



Elevation D

ELEVATION OPTIONS



Elevation C



Elevation D

EXHIBIT E

Availability of elevation options vary by community and are subject to additional charge. | REV 08.03.20

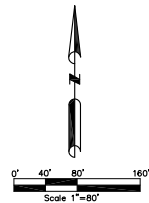
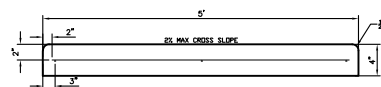
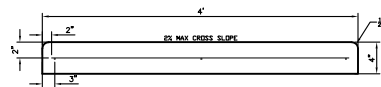
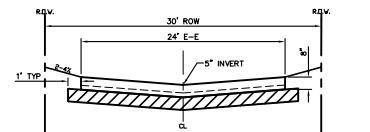
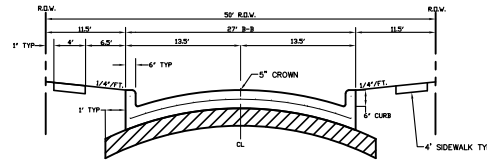
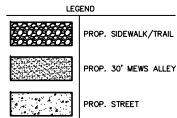
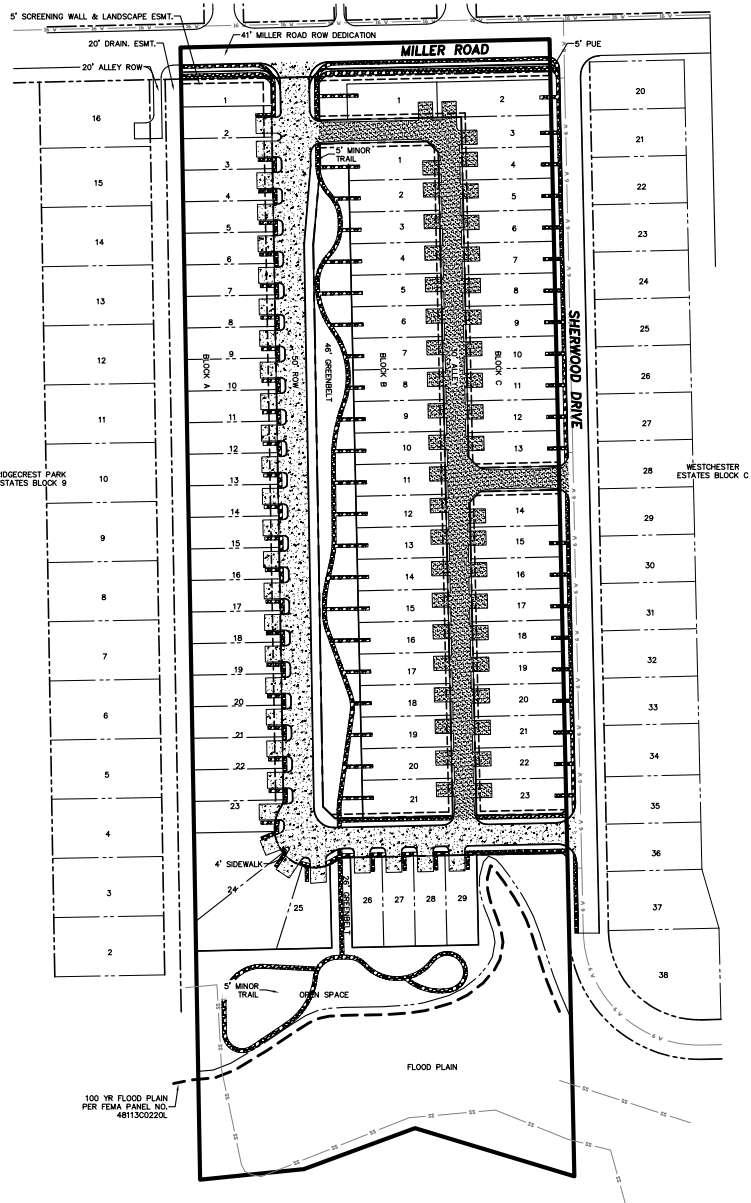


EXHIBIT F

THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY FLOYD E. MIDDLETON, JR., P.E. REGISTRATION #071449 ON 2-12-21. ANY ALTERATION OF A SEALED DOCUMENT WITHOUT PROPER NOTIFICATION TO THE RESPONSIBLE ENGINEER IS AN OFFENSE UNDER THE TEXAS ENGINEERING PRACTICE ACT.

PRELIMINARY FOR REVIEW ONLY
This drawing is not intended to be used for construction or for any other purpose without the written consent of the Engineer. The Engineer is not responsible for any errors or omissions in this drawing.

No.	DATE	REVISION	APPROVED

Middleton & Associates, LLC.
PROJECT ENGINEER:
CONSULTING CIVIL ENGINEERS & LAND PLANNERS
TBPE #F-10900
2785 ROCKBROOK DRIVE, SUITE 105
LEWISVILLE, TEXAS 75067 (972) 393-9800
© Copyright 2021

PAVING PLAN
CENTRAL PARK
GARLAND, DALLAS COUNTY, TX
2040 W. MILLER ROAD

Drawing File: 0001031CON10PAV.DWG	DATE: 2-12-21	SCALE: 1"=80'	SHEET NO.: PAVI
Project No. 0001031			

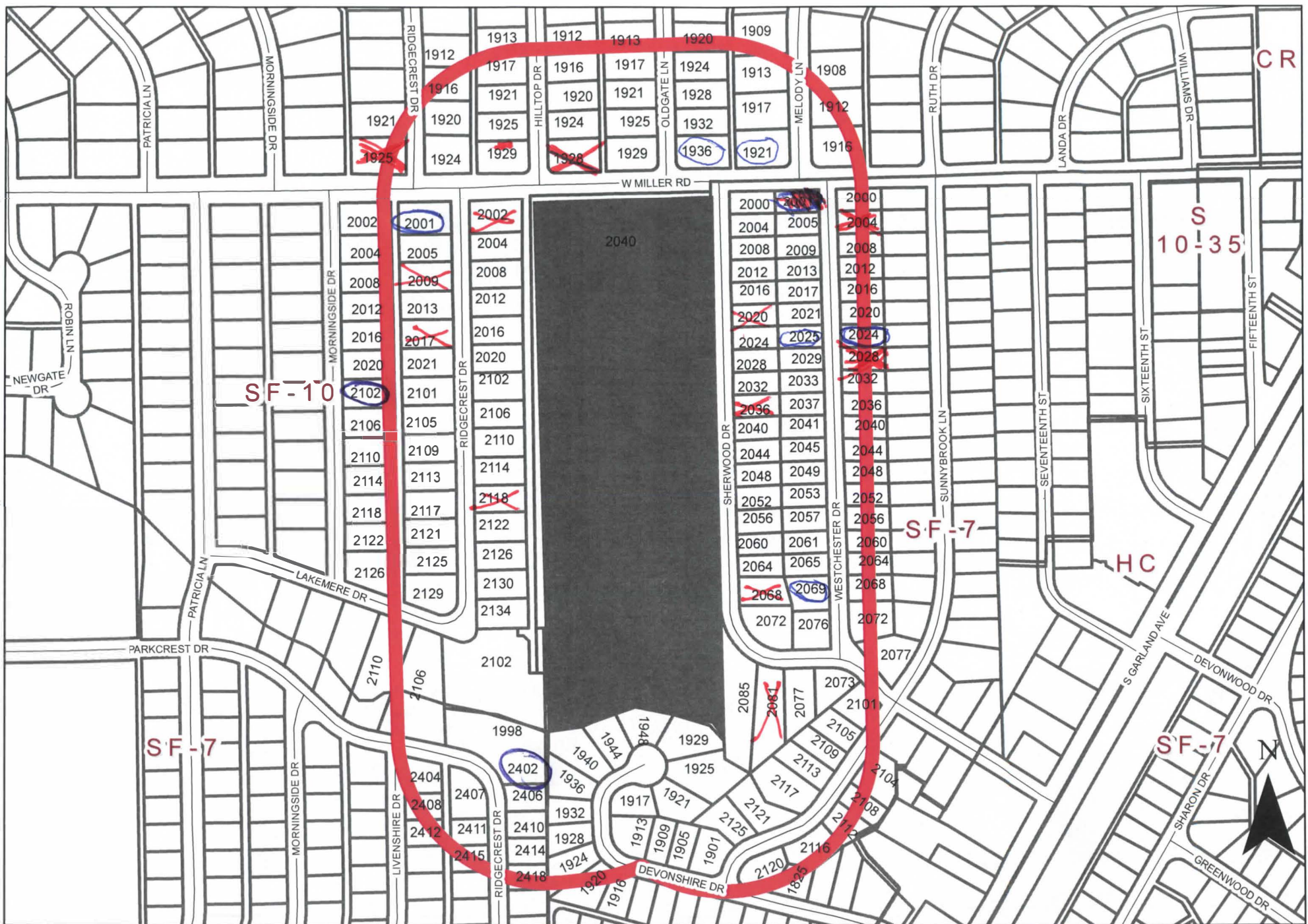
REPORT & MINUTES

P.C. Meeting, March 8, 2021

Consideration of the application of **II Stephens Development, LLC**, requesting approval of a Detail Plan for Single-Family Detached Homes. This property is located at 2040 West Miller Road. (District 5) (File Z 20-42 - Detail Plan)

Motion was made by Commissioner Welborn to **approve** the Detail Plan per staff recommendation with the provision that proper documentation is provided to the Planning Department authorizing the listed applicant to sign the application; benches, tables, and amenities are provided; and the developer provide an appropriate transition between neighborhoods. Seconded by Commissioner Williams.

Motion carried: 9 Ayes, 0 Nays



Comment Form

Case Z 20-42

Z 20-42 II Stephens Development, LLC. – The applicant proposes to build approximately 74 single-family houses in a subdivision with trails and open spaces. This site is located at 2040 West Miller Road, Garland, Texas. (District 5)

II Stephens Development, LLC. - El solicitante propone construir aproximadamente 74 casas unifamiliares en una subdivisión con senderos y espacios abiertos. Este sitio está ubicado en 2040 West Miller Road, Garland, Texas. (Distrito 5)

II Stephens Development, LLC. - Người nộp đơn đề xuất xây dựng khoảng 74 ngôi nhà dành cho một gia đình trong một khu nhỏ có đường mòn và không gian mở. Địa chỉ này nằm ở 2040 West Miller Road, Garland, Texas. (Quận 5)

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

☐

For / A Favor / Đúng



Against / En Contra / Không

Please complete the following information / Por favor complete la siguiente información / Vui lòng điền các thông tin sau:

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.)

Juan A Valle.

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

1928 Ridgcrest Dr. Garland TX

City, State / Estado de la Ciudad / Thành bang

75042

Zip Code / Código postal / Mã Bưu Chính

Juan A Valle.

3/2/2021

Signature / Firma / Chữ ký

Date / Fecha / Ngày

Comment Form Continued – Case Z 20-42

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

Nuestra inconbeniencia es por
Cuestion de seguridad al barrio
y eso afectaria el valor a las propie-
dades.



John A. Nault

1998 Ridgecrest Dr. Garland TX

72049

1600/G/E

John A. Nault

Comment Form

Case Z 20-42

II Stephens Development, LLC. – The applicant proposes to build approximately 74 single-family houses in a subdivision with trails and open spaces. This site is located at 2040 West Miller Road, Garland, Texas. (District 5)

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

☒

For / A Favor / Đúng

☐

Against / En Contra / Không

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.

Anthony Medina / 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.)

2041 Ridgeway Dr

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

Garland TX

City, State / Estado de la Ciudad / Thành bang

75041

Zip Code / Código postal / Mã Bưu Chính

[Signature]

Signature / Firma / Chữ ký

Date / Fecha / Ngày

Comment Form

Case Z 20-42

Dwner

Z 20-42 II Stephens Development, LLC. – The applicant proposes to build approximately 74 single-family houses in a subdivision with trails and open spaces. This site is located at 2040 West Miller Road, Garland, Texas. (District 5)

II Stephens Development, LLC. - El solicitante propone construir aproximadamente 74 casas unifamiliares en una subdivisión con senderos y espacios abiertos. Este sitio está ubicado en 2040 West Miller Road, Garland, Texas. (Distrito 5)

II Stephens Development, LLC. - Người nộp đơn đề xuất xây dựng khoảng 74 ngôi nhà dành cho một gia đình trong một khu nhỏ có đường mòn và không gian mở. Địa chỉ này nằm ở 2040 West Miller Road, Garland, Texas. (Quận 5)

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

☐

For / A Favor / Đúng

☒

Against / En Contra / Không

Please complete the following information / Por favor complete la siguiente información / Vui lòng điền các thông tin sau:

Mr. Robert J. Christopher Jr.

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

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

2002 Ridgcrest Dr.

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

Garland, TX

City, State / Estado de la Ciudad / Thành bang

75041

Zip Code / Código postal / Mã Bưu Chính

Robert J. Christopher

Signature / Firma / Chữ ký

Date / Fecha / Ngày

MAR 4 '21 PM 3:46

Comment Form Continued – Case Z 20-42

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

1. A major consideration in my purchase of this house was the green space that is the subject of this proposed change. Garland needs more green space, not more houses.

2. The addition of 74 single family homes in this area would over-burden the existing infrastructure. Miller Rd. would become even more congested with traffic. Garland P&L could not handle the recent freeze (we were without power for an 8-hour period at one time), and there seems to be continuing problems with water and sewage in the area. It would profit the city to concentrate on solving existing infrastructure problems in the area, as opposed to adding pressure on existing systems.

3. The existing neighborhood is a great place to live. Please do not threaten the community with the proposed zone change.

Owner

Comment Form

Case Z 20-42

Z 20-42 II Stephens Development, LLC. – The applicant proposes to build approximately 74 single-family houses in a subdivision with trails and open spaces. This site is located at 2040 West Miller Road, Garland, Texas. (District 5)

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II Stephens Development, LLC. - Người nộp đơn đề xuất xây dựng khoảng 74 ngôi nhà dành cho một gia đình trong một khu nhỏ có đường mòn và không gian mở. Địa chỉ này nằm ở 2040 West Miller Road, Garland, Texas. (Quận 5)

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

☐

For / A Favor / Đúng

☒

Against / En Contra / Không

Please complete the following information / Por favor complete la siguiente información / Vui lòng điền các thông tin sau:

ROBERT W RITCHEY

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.)

2009 RIDGECREST DR

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

GARLAND TX

City, State / Estado de la Ciudad / Thành bang

75041

Zip Code / Código postal / Mã Bưu Chính

Robert W Ritchey

Signature / Firma / Chữ ký

04 MAR 2021

Date / Fecha / Ngày

MAR 9 '21 PM 1:45

Comment Form Continued – Case Z 20-42

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

DENSITY WILL FURTHER IMPAIR TRAFFIC SIGNIFICANTLY.

Owners

Comment Form

Case Z 20-42

Z 20-42 II Stephens Development, LLC. – The applicant proposes to build approximately 74 single-family houses in a subdivision with trails and open spaces. This site is located at 2040 West Miller Road, Garland, Texas. (District 5)

II Stephens Development, LLC. - El solicitante propone construir aproximadamente 74 casas unifamiliares en una subdivisión con senderos y espacios abiertos. Este sitio está ubicado en 2040 West Miller Road, Garland, Texas. (Distrito 5)

II Stephens Development, LLC. - Người nộp đơn đề xuất xây dựng khoảng 74 ngôi nhà dành cho một gia đình trong một khu nhỏ có đường mòn và không gian mở. Địa chỉ này nằm ở 2040 West Miller Road, Garland, Texas. (Quận 5)

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

☐

For / A Favor / Đúng

☒

Against / En Contra / Không

Please complete the following information / Por favor complete la siguiente información / Vui lòng điền các thông tin sau:

Todd & Ana Allen, Homeowners

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.)

2017 Ridgcrest Dr.

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

Garland, TX 75041

City, State / Estado de la Ciudad / Thành bang

75041

Zip Code / Código postal / Mã Bưu Chính

Ana Allen

Signature / Firma / Chữ ký

2/28/2021

Date / Fecha / Ngày

MAR 9 '21 PM 1:45

Comment Form Continued – Case Z 20-42

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

- ① Feel like you are "cramming" 74 houses into a small area which ~~obv~~ obviously leads to overcrowding + an undesirable community.
- ② Should have a brick wall between the "new housing" and where it backup to Ridgenest
- ③ All trees, desirable or not, should have to be replaced!

Comment Form

Case Z 20-42

Z 20-42 II Stephens Development, LLC. – The applicant proposes to build approximately 74 single-family houses in a subdivision with trails and open spaces. This site is located at 2040 West Miller Road, Garland, Texas. (District 5)

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

☐

For / A Favor / Đúng

☒

Against / En Contra / Không

Please complete the following information / Por favor complete la siguiente información / Vui lòng điền các thông tin sau:

JULIO & MARY SOTO 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.)

2118 RIDGECREST DR

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

GARLAND, TX

City, State / Estado de la Ciudad / Thành bang

75041

Zip Code / Código postal / Mã Bưu Chính

[Signature]

Signature / Firma / Chữ ký

2/28/2021
Date / Fecha / Ngày

Comment Form Continued – Case Z 20-42

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

- More homes will add more traffic to Miller Rd.
- During construction there will too much noise (we have a newborn)
- To construct the neighborhood trees will be cut down
- There will be displacement of wild animals.
- Miller Rd is already in Poor Condition added traffic will exacerbate issue to unsafe conditions
- No incentive for current Residents to be in favor of:
 - ° Property Values already increasing
 - ° Two story homes nearby will take away our privacy, since Ridgecrest homes are single story

Comment Form

Case Z 20-42

Owens

Z 20-42 II Stephens Development, LLC. – The applicant proposes to build approximately 74 single-family houses in a subdivision with trails and open spaces. This site is located at 2040 West Miller Road, Garland, Texas. (District 5)

II Stephens Development, LLC. - El solicitante propone construir aproximadamente 74 casas unifamiliares en una subdivisión con senderos y espacios abiertos. Este sitio está ubicado en 2040 West Miller Road, Garland, Texas. (Distrito 5)

II Stephens Development, LLC. - Người nộp đơn đề xuất xây dựng khoảng 74 ngôi nhà dành cho một gia đình trong một khu nhỏ có đường mòn và không gian mở. Địa chỉ này nằm ở 2040 West Miller Road, Garland, Texas. (Quận 5)

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

☐

For / A Favor / Đúng

☒

Against / En Contra / Không

Please complete the following information / Por favor complete la siguiente información / Vui lòng điền các thông tin sau:

GEORGE AND DEBBIE OWEN 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.)

2081 SHERWOOD DR

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

GARLAND, TEXAS

City, State / Estado de la Ciudad / Thành bang

75041

Zip Code / Código postal / Mã Bưu Chính

George Owen Debbie Owen

Signature / Firma / Chữ ký

3/1/21

Date / Fecha / Ngày

**Comment Form Continued –
Case Z 20-42**

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

Removal of trees to build a wall around the sub-division is not aesthetically pleasing to residents living along Sherwood Dr. It is also a environmental problem that will ^{cause} displacement of wildlife that residents enjoy hearing and watching. Examples: Owls, 4 diff. species of woodpeckers, Finches, Cedar Wax Wings, Hawks and many other types of wildlife. When all this land is cleared it will cause a significant amount of runoff into a live creek.

The construction of 74 houses will cause a traffic flow ^{problem} for many along Sherwood Dr. and create ~~noise~~ city noise instead of the peaceful sound of the wildlife we are used to. ~~the homes sound like~~

This seems like an unnecessary amount of homes on this property. Due to the lack of exits from this property we are concerned where new exits will be created. This will cause traffic issues that could be avoided. This property sits between two school zones along Miller Rd. We believe this creates many safety issues for children walking to and from school.

We hope these issues will be addressed and the residents concerns will be considered before moving forward with the plans of building 74 homes on this property. We were sad when the Williams Estate was ~~was~~ sold, but at least those buyers preserved the land and trees were not removed.

Comment Form

Case Z 20-42

II Stephens Development, LLC. – The applicant proposes to build approximately 74 single-family houses in a subdivision with trails and open spaces. This site is located at 2040 West Miller Road, Garland, Texas. (District 5)

II Stephens Development, LLC. - El solicitante propone construir aproximadamente 74 casas unifamiliares en una subdivisión con senderos y espacios abiertos. Este sitio está ubicado en 2040 West Miller Road, Garland, Texas. (Distrito 5)

II Stephens Development, LLC. - Người nộp đơn đề xuất xây dựng khoảng 74 ngôi nhà dành cho một gia đình trong một khu nhỏ có đường mòn và không gian mở. Địa chỉ này nằm ở 2040 West Miller Road, Garland, Texas. (Quận 5)

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

☐

For / A Favor / Đúng

☒

Against / En Contra / Không

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

Angela Davis

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.)

2036 Sherwood Drive

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

Garland, Texas

City, State / Estado de la Ciudad / Thành bang

75041

Zip Code / Código postal / Mã Bưu Chính

Angela Davis

Signature / Firma / Chữ ký

3/19/2021

Date / Fecha / Ngày

Comment Form

Case Z 20-42

Z 20-42 II Stephens Development, LLC. – The applicant proposes to build approximately 74 single-family houses in a subdivision with trails and open spaces. This site is located at 2040 West Miller Road, Garland, Texas. (District 5)

II Stephens Development, LLC. - El solicitante propone construir aproximadamente 74 casas unifamiliares en una subdivisión con senderos y espacios abiertos. Este sitio está ubicado en 2040 West Miller Road, Garland, Texas. (Distrito 5)

II Stephens Development, LLC. - Người nộp đơn đề xuất xây dựng khoảng 74 ngôi nhà dành cho một gia đình trong một khu nhỏ có đường mòn và không gian mở. Địa chỉ này nằm ở 2040 West Miller Road, Garland, Texas. (Quận 5)

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

☐

For / A Favor / Đúng

☒

Against / En Contra / Không

Please complete the following information / Por favor complete la siguiente información / Vui lòng điền các thông tin sau:

Ellen Hairston, 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.)

2068 Sherwood Dr.

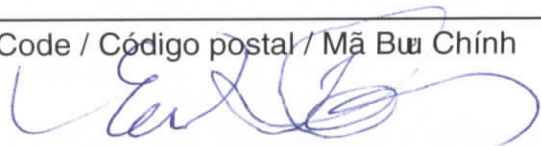
Your Property Address / La dirección de su propiedad / địa chỉ tài sản

Garland, TX 75041

City, State / Estado de la Ciudad / Thành bang

75041

Zip Code / Código postal / Mã Bưu Chính



3/8/2021

Signature / Firma / Chữ ký

Date / Fecha / Ngày

MAR 8 '21 PM 2:57

Comment Form Continued – Case Z 20-42

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 number of homes is of concern. Miller Road is already very congested - adding another potentially 150 cars to this section of the street will make getting out onto Miller from my street almost impossible. 74 houses is way too many for approx 15 acres. They ^(the developer) have requested a reduction of the minimum of 5,000 sq ft for a lot required ~~by~~ the City of Garland will result in houses being crammed together with very little space between. By the time they are finished I will have to see the back of peoples houses, trash cans, etc. from my ~~front~~ porch. So shows their plot plan. I am retired and ~~am~~ physically + financially unable to move, so I'm stuck with whatever you decide. Lot sizes and homes in keeping with the surrounding area would not put so much stress on the traffic and resources of the area. And don't make people look at the backside of other houses. I feel it would negatively impact the desirability of the existing homes.

Comment Form

Case Z 20-42

Z 20-42 II Stephens Development, LLC. – The applicant proposes to build approximately 74 single-family houses in a subdivision with trails and open spaces. This site is located at 2040 West Miller Road, Garland, Texas. (District 5)

II Stephens Development, LLC. - El solicitante propone construir aproximadamente 74 casas unifamiliares en una subdivisión con senderos y espacios abiertos. Este sitio está ubicado en 2040 West Miller Road, Garland, Texas. (Distrito 5)

II Stephens Development, LLC. - Người nộp đơn đề xuất xây dựng khoảng 74 ngôi nhà dành cho một gia đình trong một khu nhỏ có đường mòn và không gian mở. Địa chỉ này nằm ở 2040 West Miller Road, Garland, Texas. (Quận 5)

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

☐

For / A Favor / Đúng

☒

Against / En Contra / Không

Please complete the following information / Por favor complete la siguiente información / Vui lòng điền các thông tin sau:

Tommie Frances Allison

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.)

2004 Westchester DR

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

Garland, Texas

City, State / Estado de la Ciudad / Thành bang

75041

Zip Code / Código postal / Mã Bưu Chính

Tommie Frances Allison

3-2-21

Signature / Firma / Chữ ký

Date / Fecha / Ngày

Comment Form Continued – Case Z 20-42

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

Poor Housing brings down our
neighborhood as far as property
values and safety.

Comment Form

Case Z 20-42

Owner

Z 20-42 II Stephens Development, LLC. – The applicant proposes to build approximately 74 single-family houses in a subdivision with trails and open spaces. This site is located at 2040 West Miller Road, Garland, Texas. (District 5)

II Stephens Development, LLC. - El solicitante propone construir aproximadamente 74 casas unifamiliares en una subdivisión con senderos y espacios abiertos. Este sitio está ubicado en 2040 West Miller Road, Garland, Texas. (Distrito 5)

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

☐

For / A Favor / Đúng

☒

Against / En Contra / Không

Please complete the following information / Por favor complete la siguiente información / Vui lòng điền các thông tin sau:

Donald Rios

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.)

2028 Westchester.

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

Garland TX 75041

City, State / Estado de la Ciudad / Thành bang

75041

Zip Code / Código postal / Mã Bưu Chính

Donald Rios

22621

Signature / Firma / Chữ ký

Date / Fecha / Ngày

MAR 3 '21 PM 3:27

Comment Form Continued – Case Z 20-42

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

NO hay de Acuerdo mas
trafico mas delincuencia mas
gente. ~~qu~~ creo que no es
conbeniente para nuestra
gente x por lo tanto no
hay de acuerdo

Espero tomen mi Opinion.

Gracias

Donaldo Rios

Comment Form

Case Z 20-42

Il Stephens Development, LLC. – The applicant proposes to build approximately 74 single-family houses in a subdivision with trails and open spaces. This site is located at 2040 West Miller Road, Garland, Texas. (District 5)

Il Stephens Development, LLC. - El solicitante propone construir aproximadamente 74 casas unifamiliares en una subdivisión con senderos y espacios abiertos. Este sitio está ubicado en 2040 West Miller Road, Garland, Texas. (Distrito 5)

Il Stephens Development, LLC. - Người nộp đơn đề xuất xây dựng khoảng 74 ngôi nhà dành cho một gia đình trong một khu nhỏ có đường mòn và không gian mở. Địa chỉ này nằm ở 2040 West Miller Road, Garland, Texas. (Quận 5)

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



For / A Favor / Đúng



Against / En Contra / Không

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

AUBURN LEE BARROW 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.)

2024 WESTCHESTER, DR

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

GARLAND, TEX

City, State / Estado de la Ciudad / Thành bang

75041

Zip Code / Código postal / Mã Bưu Chính

Auburn Lee Barrow

Signature / Firma / Chữ ký

March 20-2021

Date / Fecha / Ngày

MAR 24 '21 PM 1:58

**Comment Form Continued –
Case Z 20-42**

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

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

Comment Form

Case Z 20-42

Garland
Resident

Z 20-42 II Stephens Development, LLC. – The applicant proposes to build approximately 74 single-family houses in a subdivision with trails and open spaces. This site is located at 2040 West Miller Road, Garland, Texas. (District 5)

II Stephens Development, LLC. - El solicitante propone construir aproximadamente 74 casas unifamiliares en una subdivisión con senderos y espacios abiertos. Este sitio está ubicado en 2040 West Miller Road, Garland, Texas. (Distrito 5)

II Stephens Development, LLC. - Người nộp đơn đề xuất xây dựng khoảng 74 ngôi nhà dành cho một gia đình trong một khu nhỏ có đường mòn và không gian mở. Địa chỉ này nằm ở 2040 West Miller Road, Garland, Texas. (Quận 5)

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



For / A Favor / Đúng



Against / En Contra / Không

Please complete the following information / Por favor complete la siguiente información / Vui lòng điền các thông tin sau:

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.)

RICHARD PATTEN / GARLAND WESTCHESTER LLC
(RENTAL)

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

2025 WESTCHESTER DR
GARLAND

City, State / Estado de la Ciudad / Thành bang

TX 75041

Zip Code / Código postal / Mã Bưu Chính

Signature / Firma / Chữ ký

Date / Fecha / Ngày

214/629/4071

2/26/2021

MAR 3 '21 PM 3:26

Comment Form

Owner

Case Z 20-42

Z 20-42 II Stephens Development, LLC. – The applicant proposes to build approximately 74 single-family houses in a subdivision with trails and open spaces. This site is located at 2040 West Miller Road, Garland, Texas. (District 5)

II Stephens Development, LLC. - El solicitante propone construir aproximadamente 74 casas unifamiliares en una subdivisión con senderos y espacios abiertos. Este sitio está ubicado en 2040 West Miller Road, Garland, Texas. (Distrito 5)

II Stephens Development, LLC. - Người nộp đơn đề xuất xây dựng khoảng 74 ngôi nhà dành cho một gia đình trong một khu nhỏ có đường mòn và không gian mở. Địa chỉ này nằm ở 2040 West Miller Road, Garland, Texas. (Quận 5)

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



For / A Favor / Đúng



Against / En Contra / Không

Please complete the following information / Por favor complete la siguiente información / Vui lòng điền các thông tin sau:

Joyce Rogers - 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.)

2029 Westchester Drive

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

Garland, Texas

City, State / Estado de la Ciudad / Thành bang

75041-1538

Zip Code / Código postal / Mã Bưu Chính

Joyce Rogers

Signature / Firma / Chữ ký

2/27/2021

Date / Fecha / Ngày

MAR 3 '21 PM 3:27

Comment Form

Case Z 20-42

Z 20-42 II Stephens Development, LLC. – The applicant proposes to build approximately 74 single-family houses in a subdivision with trails and open spaces. This site is located at 2040 West Miller Road, Garland, Texas. (District 5)

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

☒

For / A Favor / Đúng

☐

Against / En Contra / Không

Please complete the following information / Por favor complete la siguiente información / Vui lòng điền các thông tin sau:

John Willis

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.)

1921 Melody Lane

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

Garland, TX

City, State / Estado de la Ciudad / Thành bang

75042

Zip Code / Código postal / Mã Bưu Chính

John Willis

Signature / Firma / Chữ ký

03/06/2021

Date / Fecha / Ngày

Comment Form Continued – Case Z 20-42

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

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

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

I've lived in this part of Garland all my life. I greatly enjoyed having the more natural area from the Williams Estate for all these years. That being said, change happens, and I support this project. The proposed development will increase housing options in this part of Garland. The amenities will benefit the surrounding neighborhoods. This project will also add to the city's property tax base, it will add new residents to the area, and will create more demand for retail in a part of Garland that needs additional retail.

Owner

Comment Form

Case Z 20-42

Z 20-42 II Stephens Development, LLC. – The applicant proposes to build approximately 74 single-family houses in a subdivision with trails and open spaces. This site is located at 2040 West Miller Road, Garland, Texas. (District 5)

II Stephens Development, LLC. - El solicitante propone construir aproximadamente 74 casas unifamiliares en una subdivisión con senderos y espacios abiertos. Este sitio está ubicado en 2040 West Miller Road, Garland, Texas. (Distrito 5)

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

☒

For / A Favor / Đúng

☐

Against / En Contra / Không

Please complete the following information / Por favor complete la siguiente información / Vui lòng điền các thông tin sau:

John Willis

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.)

1936 Old Gate Lane

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

Garland, TX

City, State / Estado de la Ciudad / Thành bang

75041

Zip Code / Código postal / Mã Bưu Chính

John Willis

Signature / Firma / Chữ ký

03/06/2021

Date / Fecha / Ngày

Comment Form Continued – Case Z 20-42

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

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

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

I've lived in this part of Garland all my life. I greatly enjoyed having the more natural area from the Williams Estate for all these years. That being said, change happens, and I support this project. The proposed development will increase housing options in this part of Garland. The amenities will benefit the surrounding neighborhoods. This project will also add to the city's property tax base, it will add new residents to the area, and will create more demand for retail in a part of Garland that needs additional retail.

Comment Form

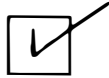
Case Z 20-42

II Stephens Development, LLC. – The applicant proposes to build approximately 74 single-family houses in a subdivision with trails and open spaces. This site is located at 2040 West Miller Road, Garland, Texas. (District 5)

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



For / A Favor / Đúng



Against / En Contra / Không

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.

Holli Sanborn

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.)

2402 Ridgcrest

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

Garland, TX

City, State / Estado de la Ciudad / Thành bang

75041

Zip Code / Código postal / Mã Bưu Chính

Holli Sanborn

Signature / Firma / Chữ ký

3/21/2021

Date / Fecha / Ngày

MAR 25 '21 AM 10:56

Comment Form Continued –

Case Z 20-42

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

My husband and I are very much in favor of this development for the following reasons:

- (1) Develop the 15 acre property (long since vacant) with attractive homes
- (2) Available, accessible walking paths and park at the south end as green spaces + trails are non-existent in our immediate area
- (3) Removing old, decaying hackberries + elms trees with red + live oak trees is a plus as they tend to be healthier + live longer.
- (4) The development will be managed by an HOA which will ensure the area will be maintained.
- (5) Potentially facilitate improvements to existing homes in the area
- (6) Tax revenue dollars generated for the city.
- (7) Higher end real estate will help boost property values in the surrounding area.

There have been numerous complaints of congestion and traffic on Miller, however that's a given whether we have a new development or not. It's par for the course in Dallas county.

Please approve this development.

Thank you!

Comment Form

Case Z 20-42

II Stephens Development, LLC. – The applicant proposes to build approximately 74 single-family houses in a subdivision with trails and open spaces. This site is located at 2040 West Miller Road, Garland, Texas. (District 5)

II Stephens Development, LLC. - El solicitante propone construir aproximadamente 74 casas unifamiliares en una subdivisión con senderos y espacios abiertos. Este sitio está ubicado en 2040 West Miller Road, Garland, Texas. (Distrito 5)

II Stephens Development, LLC. - Người nộp đơn đề xuất xây dựng khoảng 74 ngôi nhà dành cho một gia đình trong một khu nhỏ có đường mòn và không gian mở. Địa chỉ này nằm ở 2040 West Miller Road, Garland, Texas. (Quận 5)

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



For / A Favor / Đúng



Against / En Contra / Không

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

Stem-Erik & Lisa Armitage

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.)

2102 Lakemere Dr.

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

Garland, TX

City, State / Estado de la Ciudad / Thành bang

75041

Zip Code / Código postal / Mã Bưu Chính

Signature / Firma / Chữ ký

Date / Fecha / Ngày

Comment Form Continued – Case Z 20-42

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

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

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

We wholeheartedly endorse this project.

Zoning Response Case Comments

Case Number	PC Hearing Date	CC Hearing Date	Planner Name
Z 20-42	March 8, 2021	April 6, 2021	Kira Wauwie

The applicant II Stephens Development, LLC., proposes to build approximately 74 single-family houses in a subdivision with trails and open spaces. This site is located at 2040 West Miller Road.

Heriberto De La Cruz Gomez

against

Owner

2020 sherwood dr
garland tx 75041
Garland
Texas
United States
75041

Jack Melton

Against

Outside the Notification Area

1608 Patton
Garland
Texas
United States
<null>

Rhojack.melton@gmail.com
972-278-2230

Definitely Against the addition of a cluster of houses being built on this plot of land. Traffic flow on Miller Road and Sherwood would be overcrowded. Certain times of day you are nearly unable to access Miller Road now!!!!

DAVID

Against

Outside the Notification Area

3705 Cherryhill Lane
Garland
Texas
United States
75042

Devo312014@gmail.com
2148409686

Catherine

Against

Outside the Notification Area

2604 Scotswood Dr.
Garland
Texas
United States

Cat138c@gmail.com
2146252198

Case Number	PC Hearing Date	CC Hearing Date	Planner Name
Z 20-42	March 8, 2021	April 6, 2021	Kira Wauwie

75041

Heriberto De La Cruz Gomez

against

Owner - duplicate

2020 sherwood dr
garland tx 75041
Garland
Texas
United States
75041

Timothy Covington

Against

Outside the Notification Area

2053 Sunnybrook Ln
Garland
Texas
United States
75041

horm.phelan@gmail.com
2144369671

The traffic from 74 new homes would overwhelm local streets in the mornings and evenings. I think there should be a maximum of 50 homes and a light installed where the development exits onto Miller.

Crystal

Against

Outside the Notification Area

2604 Scotswood Dr
Garland
Texas
United States
75041

clazo1221@gmail.com
2139231939

Stop destroying agriculture land! Building more homes but what about taking care of the people that are already established here.

William Dixon Wiles

Against

Outside the Notification Area

2005 MORNINGSIDE DR
GARLAND
Texas
United States

dixonwiles@yahoo.com
4695563790

Case Number	PC Hearing Date	CC Hearing Date	Planner Name
Z 20-42	March 8, 2021	April 6, 2021	Kira Wauwie

75041

I'd need more information to support this. If that tract is to be developed then single-family homes are preferred, but the home density they are proposing is approximately twice the surrounding neighborhoods...and somehow they promise "open spaces" and "trails" too while cramming 74 homes on that tract? Color me skeptical. Sounds like a bunch of cheap zero lot line construction where the developer wants...understandably...to maximize their profits. The density they are proposing, however, is not in keeping with the surrounding area. I'd have to see more plans to support this.

Lucia

Against

Outside the Notification Area

2604 Scotswood Dr.

Garland

(214) 927-4211

Texas

United States

75041

Allmendinger, Tracy

From: Teresa Sutherland <TSutherl@garlandisd.net>
Sent: Wednesday, March 24, 2021 11:08 AM
To: Planning Group
Subject: [EXTERNAL] Z 20-42 City of Garland Notice of Public Hearing-Stephens Development Inc. (4/6/21)
Attachments: Z 20-42 City of Garland Notice of Public Hearing-Stephens Development Inc (4.6.21).pdf

Attached is the Z 20-42 City of Garland Notice of Public Hearing-Stephens Development Inc. signed by Paul Gonzales

TERESA L. SUTHERLAND, CEOP
Garland Independent School District
Secretary to Paul P. Gonzales Sr., Executive Director of Facilities & Maintenance
Marvin Padgett Auxiliary Services Center | 701 N. First Street | Garland, TX 75040
Phone: (972)487-4101
tsutherl@garlandisd.net



Comment Form

Case Z 20-42

II Stephens Development, LLC. – The applicant proposes to build approximately 74 single-family houses in a subdivision with trails and open spaces. This site is located at 2040 West Miller Road, Garland, Texas. (District 5)

II Stephens Development, LLC. - El solicitante propone construir aproximadamente 74 casas unifamiliares en una subdivisión con senderos y espacios abiertos. Este sitio está ubicado en 2040 West Miller Road, Garland, Texas. (Distrito 5)

II Stephens Development, LLC. - Người nộp đơn đề xuất xây dựng khoảng 74 ngôi nhà dành cho một gia đình trong một khu nhỏ có đường mòn và không gian mở. Địa chỉ này nằm ở 2040 West Miller Road, Garland, Texas. (Quận 5)

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

☒

For / A Favor / Đúng

☐

Against / En Contra / Không

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

Paul Gonzales, GISD Executive Director of Facilities & Maintenance

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.)

2117 Sunnybrook Lane

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

Garland, TX

City, State / Estado de la Ciudad / Thành bang

75041

Zip Code / Código postal / Mã Bưu Chính

Signature / Firma / Chữ ký

Date / Fecha / Ngày

3-22-21

From: [Wauwie, Kira](#)
To: [Guerin, Will](#); [Allmendinger, Tracy](#)
Subject: FW: [EXTERNAL] Z 20-42 II
Date: Tuesday, March 9, 2021 8:30:31 AM

Below is a community response for the file.

-Kira

From: rtoula@tx.rr.com <rtoula@tx.rr.com>
Sent: Monday, March 8, 2021 9:01 PM
To: Wauwie, Kira <KWauwie@garlandtx.gov>
Cc: shanesparks04@yahoo.com
Subject: [EXTERNAL] Z 20-42 II

Ms. Wauwie,

My future husband and I have been online during the Zoom Meeting this evening. My fiancé's name is Shane Sparks 1928 Hilltop Dr. Garland, TX 75042 and was able to speak briefly.

There are so many things that were not addressed and more homeowners need to be heard. The paperwork that was sent to Shane did not have a return envelope or a date to turn it in by...do you hand deliver it and if so where???? Why was this not addressed at this meeting? I would like to know how many residents are for and against this. Where can this information be found?

#1 The church is in a legal battle. I think that's a pretty big deal. I can't even believe that we are talking about anything until this is resolved.

#2 What about the issue of the land and the creek being contaminated? This is ongoing with the EPA. How would the developer address this to keep future homeowners safe?

#3 All I am hearing is there needs to be SO MANY houses put on this acreage "Like Riverset". Sure you want to stick as many houses on there as you can....means more tax money to the city....right? Just like the constant building of apartments in the city making this a more dangerous place to live.

#4 Miller Rd. is not going to be able to be widened, so how does anyone expect that there won't be TOO MUCH traffic for this already congested area. This will make this more unsafe than it already is. So is the council saying Miller Rd. is to be widened at some point in the future? Which means multiple houses will have to be demolished in that case from Shiloh to Garland Rd?

#5 This property would be better served and preserved for the residents of Garland. Such as a nature preserve (which it already is in many ways). This property has historical value that no one seems to care about...maybe because they haven't spent their whole life in this city as I have.

#6 Because we (as many others) were unable to attend this meeting in person I believe that a lot of residents are going unheard. The navigation of even getting to the meeting online was difficult at

best. As government parliamentary procedure, everyone has the right to be heard and I do not believe they have been.

Honestly I could go on with more, however these are most definitely things we want to know about as soon as possible. We will look to your response as soon as possible.

Sincerely,

Shane Sparks and Robin Toula

Z 20-42

The applicant proposes to build approximately 74 single-family houses in a subdivision with trails and open spaces.

[Change in Zoning from Single-Family-10 (SF-10) District to a Planned Development (PD) District for Single-Family-5 (SF-5) Uses; and a Detail Plan for Single-Family Detached Homes.]



GARLAND

TEXAS MADE HERE

**City Council Meeting
April 6, 2021**

CASE INFORMATION

Location: 2040 West Miller Road

Applicant: II Stephens Development, LLC

Owner: Indian Pentecostal Church Hebron Dallas, Inc.

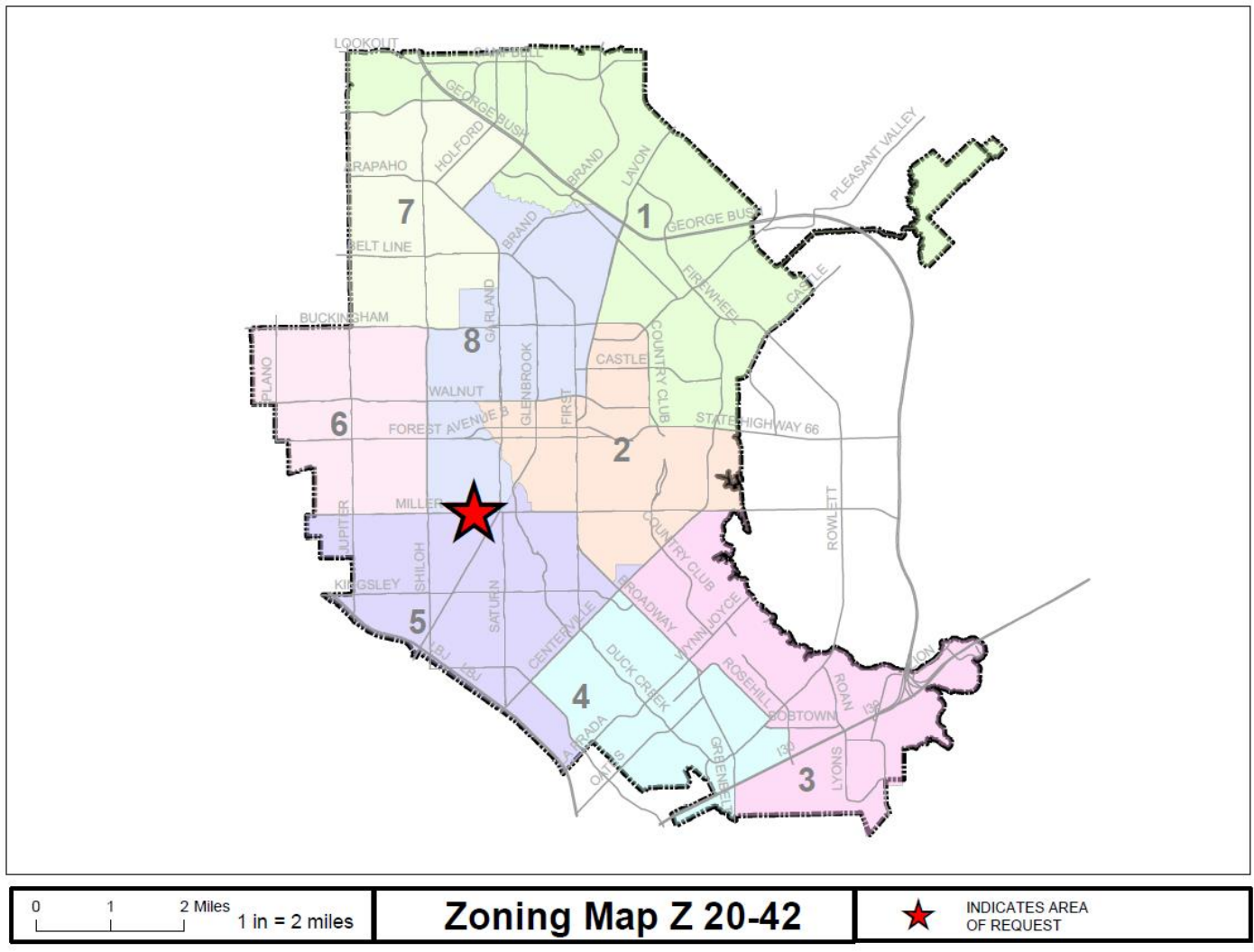
Acreage: 15.27 acres

Zoning: Single-Family-10 (SF-10) District



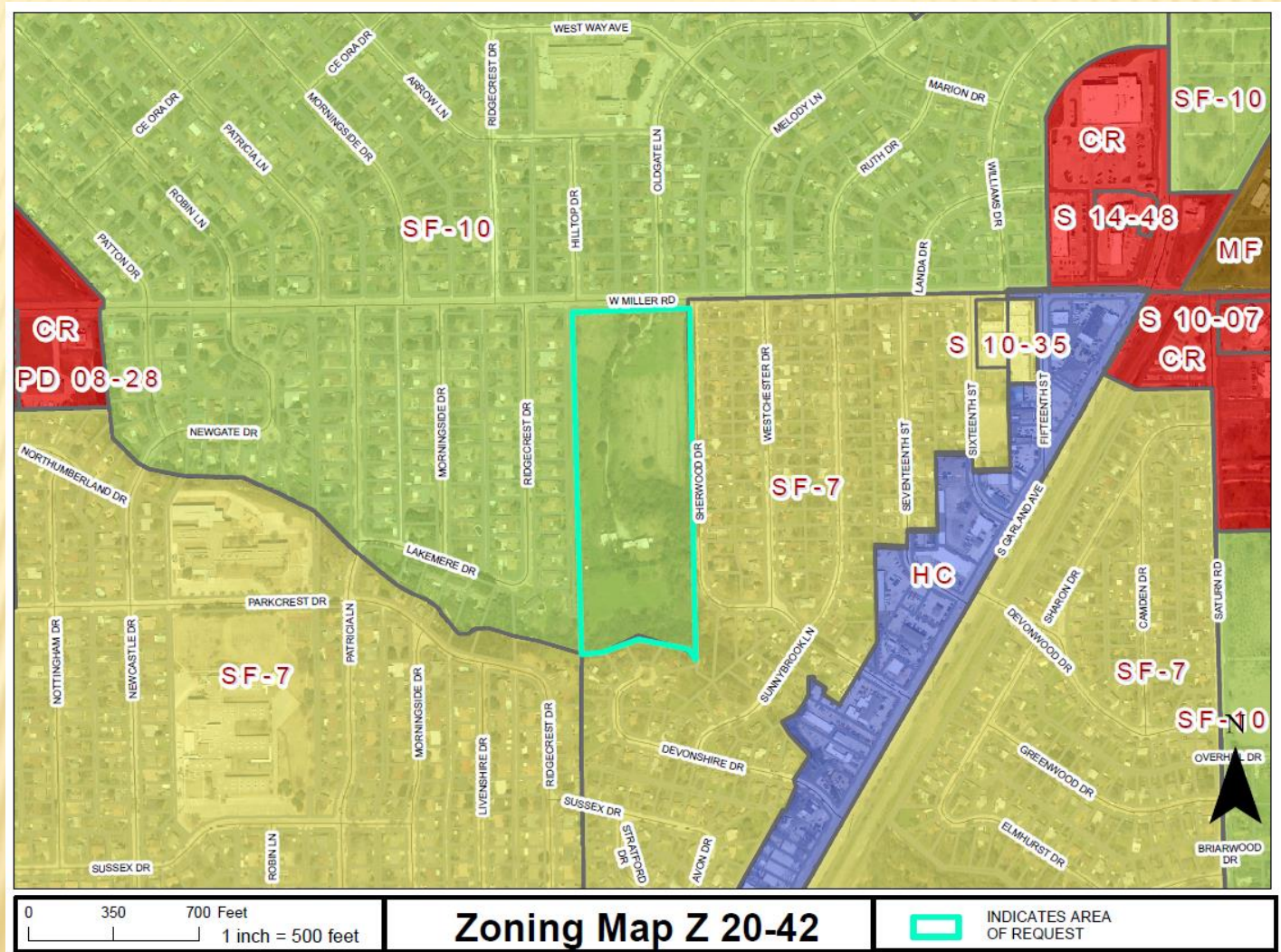
GARLAND
TEXAS MADE HERE

CITYWIDE LOCATION MAP

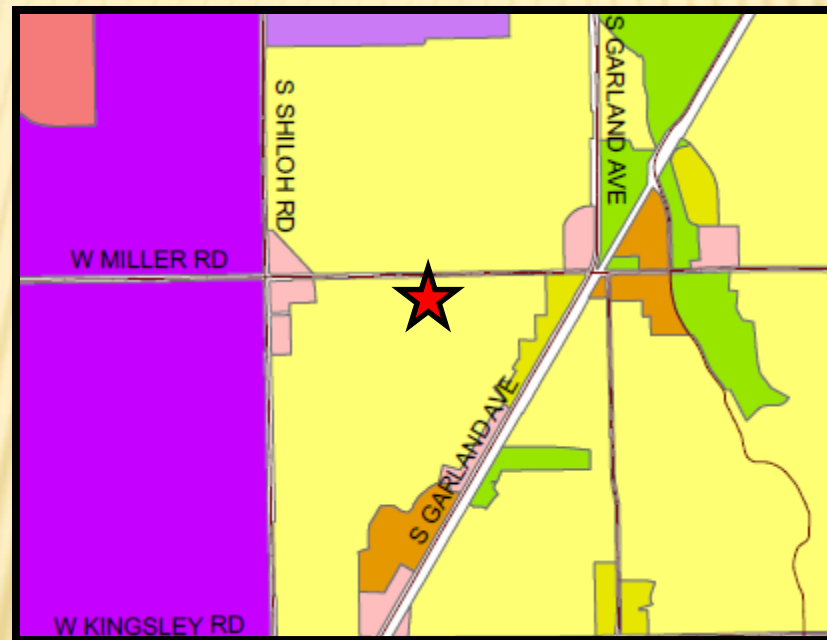


Z 20-42

LOCATION MAP



COMPREHENSIVE PLAN





COMPREHENSIVE PLAN

- ✘ The Future Land Use Plan of the Envision Garland 2030 Comprehensive Plan designates this site for Traditional Neighborhoods. Traditional Neighborhoods are currently found throughout Garland and provide areas for low to moderate density single-family detached residential housing.
- ✘ The Traditional neighborhood development type is primarily characterized as low density, single-family detached (between one (1) and six (6) dwelling units per acre).
- ✘ The proposal is consistent with the recommendation of the Envision Garland Plan in that it would allow for a density of four and eight tenths (4.8) dwelling units per acre, within the recommended one (1) to six (6) units per acre. Additionally, the Garden Home concept, mews open space and alley, along with passive open spaces with a trail network would add to the variety of housing options in the area.



GARLAND
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PHOTOS



Looking southeast towards the site Miller Road



View of Sherwood Street to east of the site



Residential to west along Ridgeview Drive



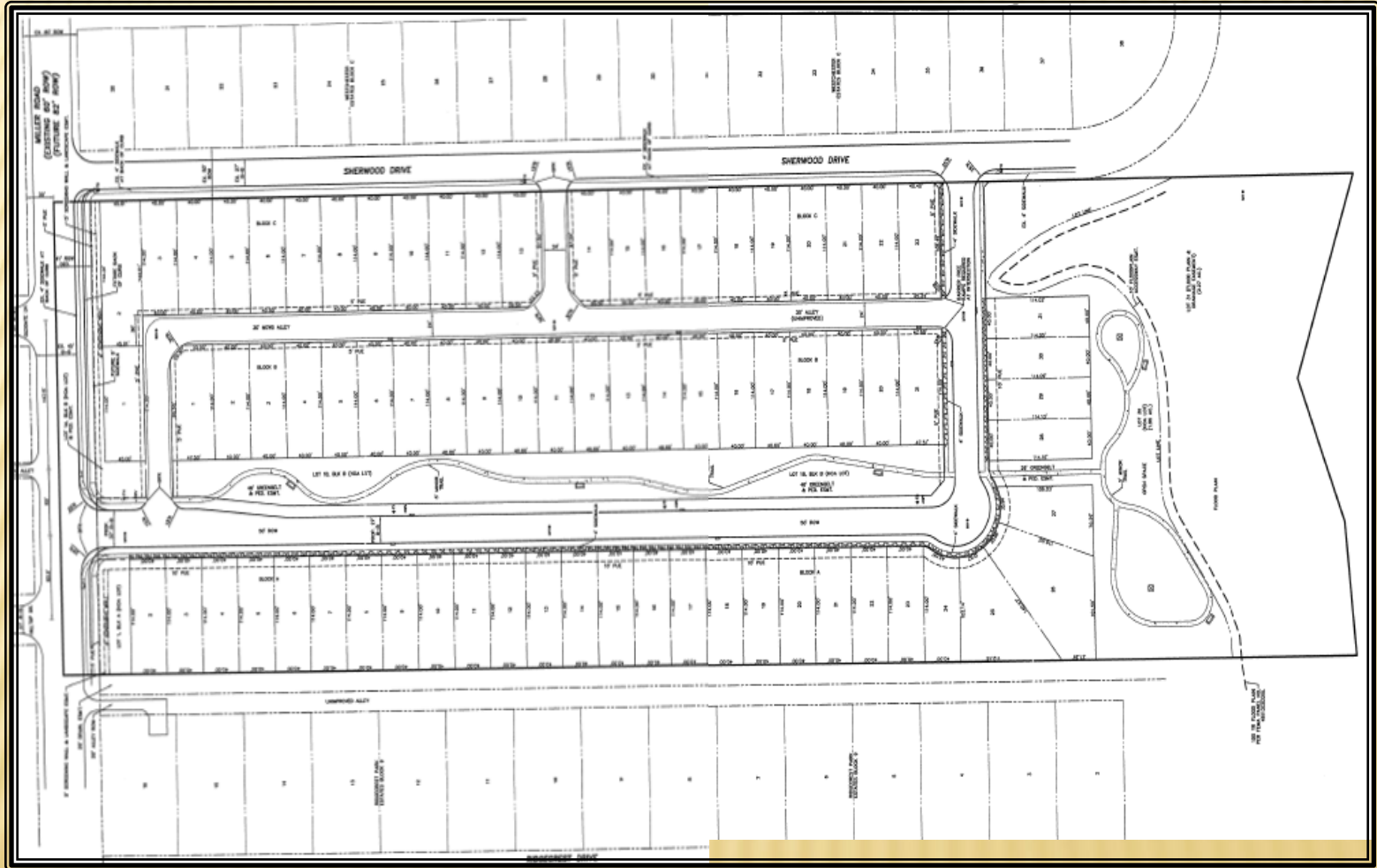
Looking north of site across Miller Road

Z 20-42



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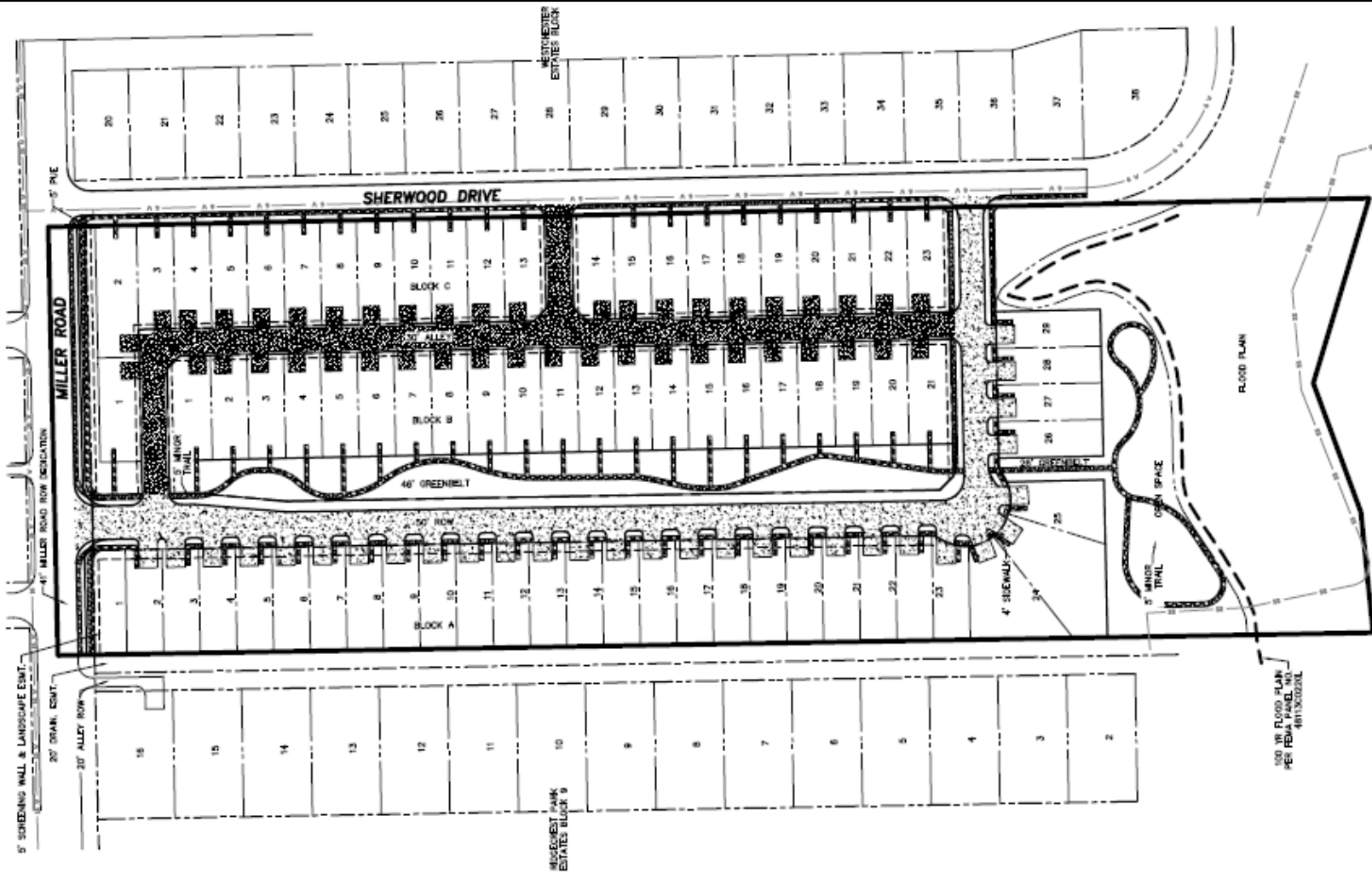
SITE PLAN





GARLAND
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DRIVEWAY LOCATIONS

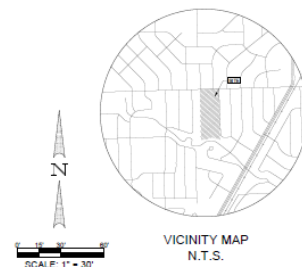
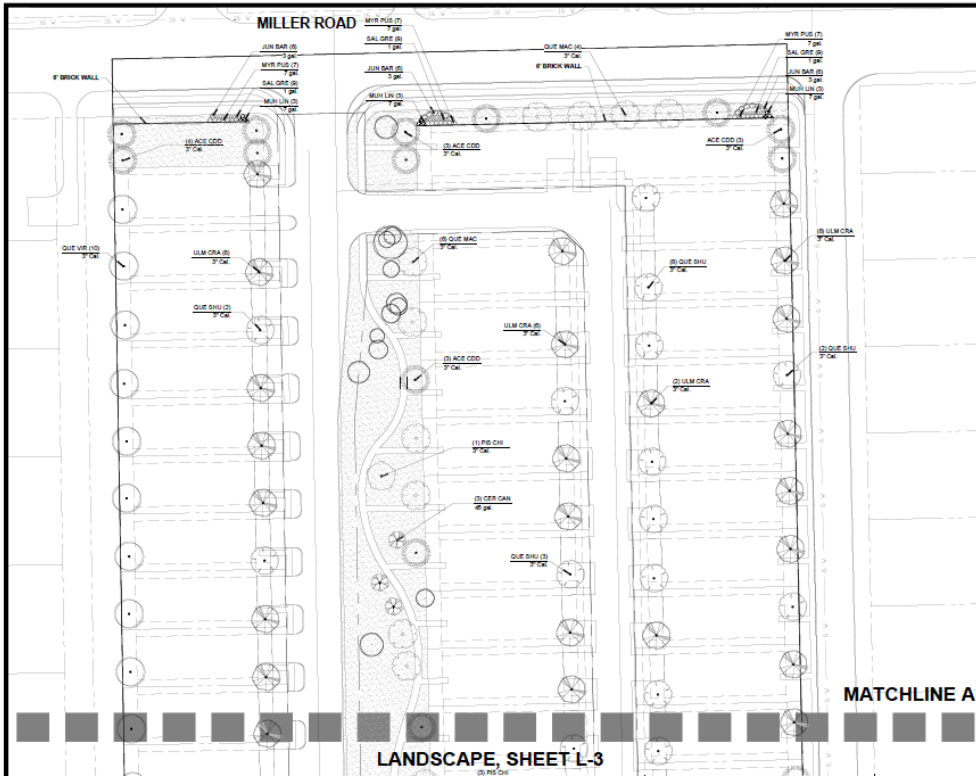


Z 20-42



GARLAND
TEXAS MADE HERE

LANDSCAPE PLAN



CITY OF GARLAND RESIDENTIAL LANDSCAPE REQUIREMENTS	
RESIDENTIAL DEVELOPMENT LANDSCAPING	REQUIRED / PROVIDED
PERIMETER SCREENING BETWEEN RESIDENTIAL DEVELOPMENT AND THOROUGHFARES	REQUIRED: A MASONRY WALL IS REQUIRED IN ACCORDANCE WITH SECTION 4.5.1.1 (1) WITH TREES 6" O.C. MAX. THE TREES AND SCREENING WALL MUST BE SPECIALLY MAINTAINED BY THE SUBMITTER DEDICATED TO THE HOMEOWNERS ASSOCIATION FOR MAINTENANCE.
PERIMETER SCREENING BETWEEN RESIDENTIAL DEVELOPMENT AND THOROUGHFARES	REQUIRED: A MASONRY WALL IS REQUIRED IN ACCORDANCE WITH SECTION 4.5.1.1 (1) WITH TREES 6" O.C. MAX. THE TREES AND SCREENING WALL MUST BE SPECIALLY MAINTAINED BY THE SUBMITTER DEDICATED TO THE HOMEOWNERS ASSOCIATION FOR MAINTENANCE.

- PLANTING NOTES:**
1. PLANT SIZE, TYPE, AND CONDITION SUBJECT TO APPROVAL OF OWNERS REPRESENTATIVE.
 2. ALL PLANT MATERIAL TO BE NURSERY GROWN STOCK.
 3. CONTRACTOR RESPONSIBLE FOR MAINTENANCE OF ALL PLANT MATERIAL UNTIL PROJECT ACCEPTANCE.
 4. ALL CONTAINER GROWN PLANTS TO HAVE FULL, VIGOROUS ROOT SYSTEM, COMPLETELY ENCOMPASSING CONTAINER.
 5. ALL PLANTS WELL ROUNDED AND FULLY BRANCHED. ALL TREES WITH SPREAD 25% OF HEIGHT.
 6. CONTRACTOR TO PROVIDE OWNER WITH PREFERRED MAINTENANCE SCHEDULE OF ALL PLANTS AND LAWN.
 7. MAINTAIN PROTECT VISIBILITY TRIANGLE WITH PLANT MATERIAL PER CITY STANDARDS AT ALL ENTRANCES TO SITE.
 8. PREP ENTIRE WIDTH OF ALL DEFINED PLANTING BEDS WITH MIX AS OUTLINED IN SPECS. WHERE DRILLS ARE LOCATED ALONG CURBS, SET SPRINGS BACK FROM CURBS 3 FT.
 9. SEE DETAIL SHEET FOLLOWING FOR PLANTING DETAILS.
 10. CONTRACTOR RESPONSIBLE FOR LOCATION OF ALL UTILITIES, INCLUDING BUT NOT LIMITED TO TELEPHONE, TELESCOPE, ELECTRIC, GAS, WATER AND SEWER. ANY DAMAGE TO UTILITIES TO BE REPAIRED BY CONTRACTOR AT NO COST TO OWNER.
 11. IF EXISTING TREES ARE SHOWN TO REMAIN, CONTRACTOR SHALL PRUNE AS DIRECTED BY OWNERS REPRESENTATIVE. WORK TO INCLUDE REMOVAL OF ALL SUCKER GROWTH, DEAD AND DISEASED BRANCHES AND LIMBS, VINES, BRUISES AND OTHER HARMING GROWTH, AND ALL INTERFERING BRANCHES. MAKE ALL CUTS FLUSH TO REMAINING LIMB. RETAIN NATURAL SHAPE OF PLANT. ALL WORK SUBJECT TO APPROVAL OF OWNERS REPRESENTATIVE.
 12. QUANTITIES ARE PROVIDED AS A COURTESY AND NOT INTENDED FOR BID PURPOSES. CONTRACTOR TO VERIFY PRIOR TO PRICING.
 13. INSTALL EXISTING BETWEEN LAWN AND PLANTING BEDS. REFER TO SPECIFICATIONS. FILE ALL CORNERS SMOOTH.
 14. INSTALL CURLEX BLANKET OR EQUAL PER MANUFACTURERS INSTRUCTIONS ON ALL GROUND COVERABLES BEDS WITH A SLOPE OF 4:1 OR GREATER.
 15. AT TIME OF PLAN PREPARATION, SEASONAL PLANT AVAILABILITY CANNOT BE DETERMINED. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO SECURE AND RESERVE ALL B&B PLANTS WHEN AVAILABLE IN CASE ACTUAL INSTALLATION OCCURS DURING THE OFF-SEASON. PURCHASE AND HOLD B&B PLANTS FOR LATE SEASON INSTALLATION.
 16. PRIOR TO PLANTING, CONTRACTOR SHALL STAKE TREE LOCATIONS FOR APPROVAL BY OWNER.

EXHIBIT D

CENTRAL PARK
MILLER ROAD
GARLAND, TEXAS

Sheet No.
L-5



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



REF. SHEET L-7 FOR PLANT LEGEND

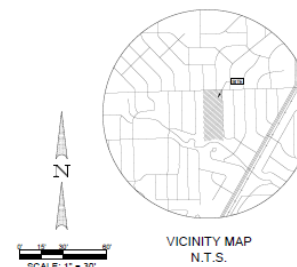
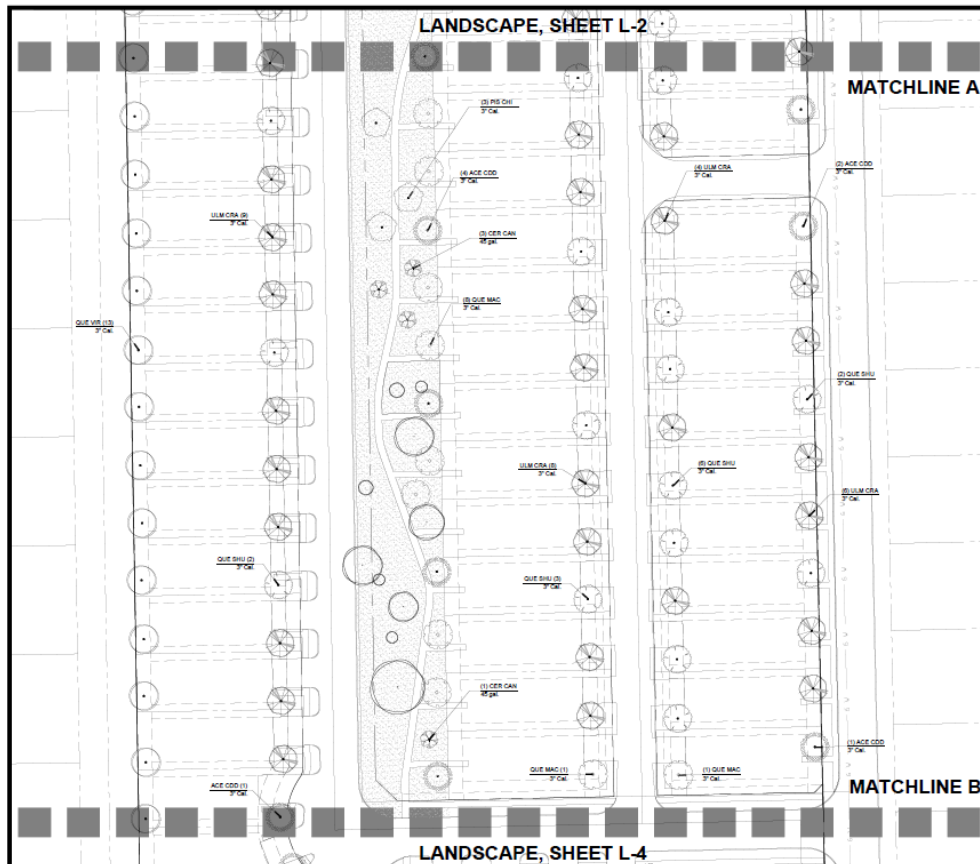
LANDSCAPE PLAN
City Case No. 200702-2

Z 20-42



GARLAND
TEXAS MADE HERE

LANDSCAPE PLAN



VICINITY MAP
N.T.S.

SCALE: 1" = 30'

CITY OF GARLAND RESIDENTIAL LANDSCAPE REQUIREMENTS	
RESIDENTIAL DEVELOPMENT LANDSCAPING	THE LARGE CANOPY TREES ARE REQUIRED ON ALL SINGLE FAMILY LOTS AND AT LEAST ONE OF WHICH MUST BE LOCATED WITHIN THE FRONT YARD.
REQUIRED	PROVIDED
2 TREES PER LOT	TO BE PROVIDED
PERIMETER SCREENING BETWEEN RESIDENTIAL DEVELOPMENT AND THOROUGHFARES	A MAJORITY WALL IS REQUIRED IN ACCORDANCE WITH SECTION 4.3.3 (A) (1) WITH TREES BY O.C. MAX. THE TREES AND SCREENING WALL MUST BE WITHIN AN ANNUAL INCE DUTY STOP DESIGN TO THE HOMEOWNERS ASSOCIATION FOR MAINTENANCE
REQUIRED	PROVIDED
SCREENING MAJORITY WALL - TREES BY O.C.	SCREENING MAJORITY WALL - TREES BY O.C.

PLANTING NOTES:

1. PLANT SIZE, TYPE, AND CONDITION SUBJECT TO APPROVAL OF OWNERS REPRESENTATIVE.
2. ALL PLANT MATERIAL TO BE NURSERY GROWN STOCK.
3. CONTRACTOR RESPONSIBLE FOR MAINTENANCE OF ALL PLANT MATERIAL UNTIL PROJECT ACCEPTANCE.
4. ALL CONTAINER GROWN PLANTS TO HAVE FULL, VIGOROUS ROOT SYSTEM, COMPLETELY ENCOMPASSING CONTAINER.
5. ALL PLANTS WELL ROUNDED AND FULLY BRANCHED. ALL TREES WITH SPREAD 2/3 OF HEIGHT.
6. CONTRACTOR TO PROVIDE OWNER WITH PREFERRED MAINTENANCE SCHEDULE OF ALL PLANTS AND LARVING.
7. MAINTAIN/PROTECT VISIBILITY TRIANGLE WITH PLANT MATERIAL PER CITY STANDARDS AT ALL ENTRANCES TO SITE.
8. PREP ENTIRE WIDTH OF ALL DEFINED PLANTING BEDS WITH MIX AS OUTLINED IN SPEC. WHERE SPURALS ARE LOCATED ALONG CURB, SET SPURALS BACK FROM CURB 3 FT.
9. SEE DETAIL SHEET FOLLOWING FOR PLANTING DETAILS.
10. CONTRACTOR RESPONSIBLE FOR LOCATION OF ALL UTILITIES, INCLUDING BUT NOT LIMITED TO TELEPHONE, TELEGRAPH, ELECTRIC, GAS, WATER AND SEWER. ANY DAMAGE TO UTILITIES TO BE REPAIRED BY CONTRACTOR AT NO COST TO OWNER.
11. IF EXISTING TREES ARE KNOWN TO BE HARM, CONTRACTOR SHALL PRUNE AS DIRECTED BY OWNER'S REPRESENTATIVE. WORK TO INCLUDE REMOVAL OF ALL SUCKER GROWTH, DEAD AND DISEASED BRANCHES AND LIMBS, VINES, BRANCHES AND OTHER INVASIVE GROWTH, AND ALL INTERFERING BRANCHES. MAKE ALL CUTS FLUSH TO REMAINING LIMBS. RETAIN NATURAL SHAPE OF PLANT. ALL WORK SUBJECT TO APPROVAL OF OWNERS REPRESENTATIVE.
12. QUANTITIES ARE PROVIDED AS A COURTESY AND NOT INTENDED FOR BID PURPOSES. CONTRACTOR TO VERIFY PRIOR TO PRICING.
13. INSTALL EDGING BETWEEN LAWN AND PLANTING BEDS. REFER TO SPECIFICATIONS FILE ALL CORNERS SMOOTH.
14. INSTALL CURB/EX BLANKET OR EQUAL PER MANUFACTURERS INSTRUCTIONS ON ALL DRIVEWAYS/VEHICLE BEDS WITH A SLOPE OF 4:1 OR GREATER.
15. AT TIME OF PLAN PREPARATION, SEASONAL PLANT AVAILABILITY CANNOT BE DETERMINED. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO SECURE AND RECEIVE ALL SBA PLANTS WHEN AVAILABLE IN CASE ACTUAL INSTALLATION OCCURS DURING THE OFF-SEASON. PURCHASE AND HOLD SBA PLANTS FOR LATE SEASON INSTALLATION.
16. PRIOR TO PLANTING, CONTRACTOR SHALL STAKE TREE LOCATIONS FOR APPROVAL BY OWNER.

EXHIBIT D



PAUL C. CLAYTON
LANDSCAPE ARCHITECT, LLC
1000-456-456
GARLAND, TEXAS 75042



CENTRAL PARK
VALLEY ROAD
GARLAND, TEXAS

Sheet No.

L-6

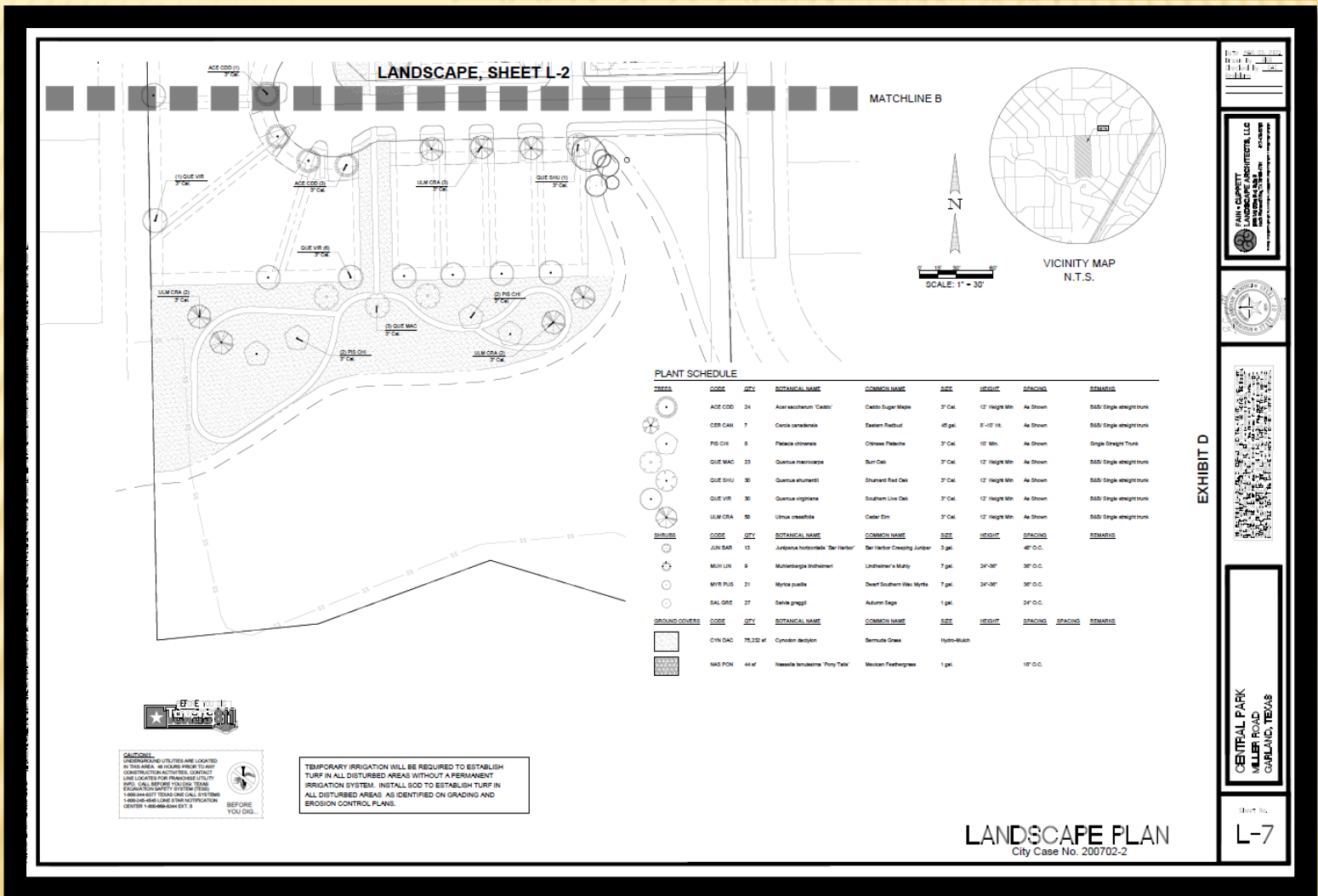
LANDSCAPE PLAN
City Case No. 200702-2

Z 20-42



GARLAND
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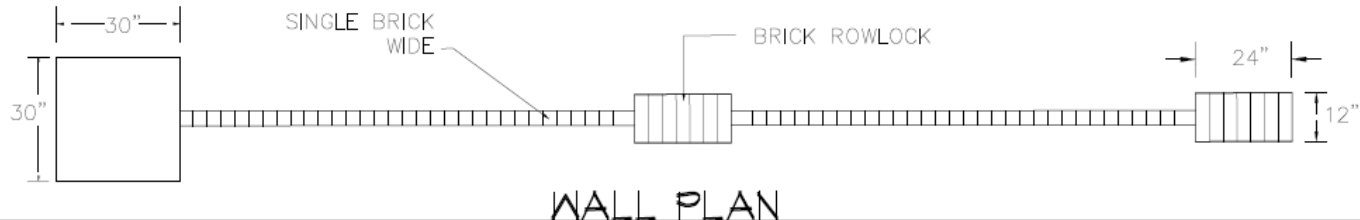
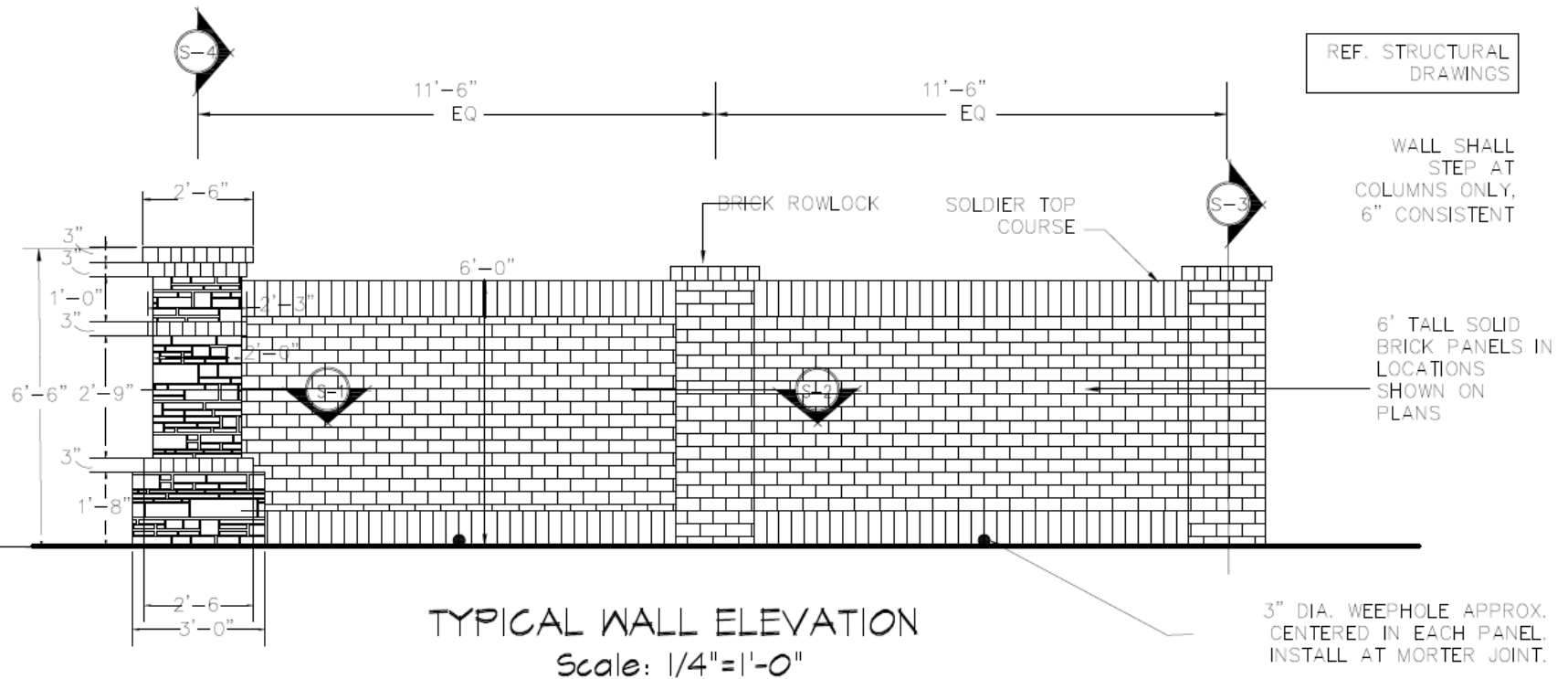
LANDSCAPE PLAN





GARLAND
TEXAS MADE HERE

LANDSCAPE PLAN



Z 20-42

ELEVATIONS



Elevation A



Elevation A

ELEVATIONS



Elevation B



Elevation B



Elevation C



Elevation C

ELEVATIONS



Elevation A





GARLAND
TEXAS MADE HERE

ELEVATIONS



Elevation B



Elevation A



Elevation C



Elevation D

Z 20-42

ELEVATIONS



Elevation C



Elevation A



Elevation D



Elevation B

ELEVATIONS



Elevation A



Elevation G



Elevation A



Elevation G



Elevation B



Elevation H



Elevation B



Elevation H



ELEVATIONS



Elevation A



Elevation G



Elevation A



Elevation G



Elevation B



Elevation H



Elevation B



Elevation H



Elevation D



Elevation L



Elevation D



Elevation I

ELEVATIONS



Elevation A



Elevation B



Elevation C



Elevation D



Elevation E



Elevation F



Elevation G



Elevation H



Elevation I



Elevation J



Elevation K



Elevation L

ELEVATIONS



Elevation A



Elevation B



Elevation D



Elevation C



Elevation E

ELEVATIONS



Elevation A



Elevation G



Elevation A



Elevation G



Elevation B



Elevation H



Elevation B



Elevation H



DEVIATIONS

Development Standards	Required	Proposed
Lot Area Minimum	5,000 square feet	4,000 square feet
Lot Width Minimum	55 feet 60 feet corner	40 feet for the majority of lots; 35 feet minimum eyebrow on lot number 25, 26, and 28 of Block A; and 30 feet minimum on Lot 2 Block C all as shown on Exhibit C
Lot Depth Minimum	90 feet	100 feet
Lot Coverage Maximum	50%	65%
Front Setback Adjacent to Street Minimum	20 feet	10 feet with a maximum 5 foot encroachment for architectural features such as stoops, overhangs, courtyard walls, masonry chimneys, and bay windows, and 20 feet from the garage
Side Setback Adjacent to Street Minimum	15 feet	10 feet

DEVIATIONS

Development Standards	Required	Proposed
Building Height Maximum	35 feet	40 feet, 2 stories
Trees on Individual Lots	2 large canopy trees per individual lot, one in the front yard	Lots fronting onto open space are allowed to place the required front yard tree into the open space
Garages	5 foot offset, behind the street facing façade of the house where a garage door faces the street	Garage doors without an offset

DEVIATIONS

Development Standards	Required	Proposed
Variation of elevations	No elevation duplication on 3 adjacent houses on same side or 4 houses directly across the street	No elevation duplication on 3 adjacent houses on same side of street or 3 houses directly across the street
Architectural Elements	Select from list, including front covered porch with 40 square feet of useable area and	Covered porch with 30 square feet of useable area
Windows and Doors	25 percent of the wall area to be windows and doors	No minimum standard

STAFF RECOMMENDATION

- ✘ Approval of 1) a Change in Zoning from Single-Family-10 (SF-10) District to a Planned Development (PD) District for Single-Family-5 (SF-5) Uses.
- ✘ Approval of a Detail Plan for Single-Family Detached Homes.
- ✘ In addition, a development agreement is recommended to facilitate the requested deviations, proposed masonry standards by the applicant. A draft development agreement is included on the same April 6, 2021 City Council Agenda for consideration.
- ✘ In response to the picnic table recommendation, staff has included a recommendation that a minimum of two picnic tables be provided and be located near the barbeque stations.

PLAN COMMISSION RECOMMENDATION

- ✘ Approval of 1) a Change in Zoning from Single-Family-10 (SF-10) District to a Planned Development (PD) District for Single-Family-5 (SF-5).
- ✘ Approval of a Detail Plan for Single-Family Detached Homes.
- ✘ The applicant has provided documentation requested by the Plan Commission demonstrating proper authorization of the listed applicant to sign the application.
- ✘ The Plan Commission recommended a condition that the proposal include benches, tables, and amenities. The applicant submitted plans showing park benches and grills although no tables are shown on the plans.
- ✘ The Plan Commission also recommended the developer provide an appropriate transition between neighborhoods with adjustment to the lot widths along Sherwood Drive. The plans have not been revised to show an alternative transition from the site layout presented at the Plan Commission Meeting.



**GARLAND
CITY COUNCIL ITEM SUMMARY SHEET**

City Council Regular Session Agenda

9. c.

Meeting Date: 04/06/2021

Item Title: Development Agreement regarding Zoning File No. Z 20-42

Submitted By: Will Guerin, Planning Director

Summary of Request/Problem

This development agreement relates to Zoning Case Z 20-42 for a proposed single-family development at 2040 West Miller Road. Notable agreement terms with II Stephens Development LLC include the following:

- Parks and trails will be dedicated for public use. Specifically, the approximately 3-acre parkland with trails on the southern portion of the property will be dedicated to the Garland Foundation for Development. The linear trail and open space which connects the park northward to Miller Road will be a public access easement maintained by the HOA.
- Any tree mitigation fees owed will be waived. The developer will replace 10% of the caliper inches in large canopy trees removed on the property.
- Building materials will be provided according to the agreement and the elevations provided.
- The developer will seed parkland areas disturbed during construction, will provide vehicular access to the parkland for future maintenance purposes, and will provide utility connections to the parkland.

Recommendation/Action Requested and Justification

A draft development agreement is attached for the Council's consideration, should Zoning Case Z 20-42 be approved.

Attachments

Draft Development Agreement

**DEVELOPMENT AGREEMENT BETWEEN
II STEPHENS DEVELOPMENT, LLC AND THE CITY OF GARLAND, TEXAS**

THIS DEVELOPMENT AGREEMENT ("Agreement") is made and executed effective as of _____, 2021, by and between _____, a Texas _____, and its successors or assigns, ("Developer"), _____, its successors or assigns, including but not limited to any successor in title to the Property ("Property Owner"), and the CITY OF GARLAND, TEXAS, a home-rule municipality ("City" or "Garland") (collectively, "Parties").

RECITALS:

The RECITALS in this Section are (1) true and correct; (2) incorporated as part of this Agreement for all purposes; (3) evidence the intent of the Parties in entering into this Agreement; and (4) to be used in interpreting this Agreement:

WHEREAS, Developer or an affiliate is the owner or prospective owner of that certain tract of land situated in the City of Garland, Dallas County, Texas, consisting of approximately 15.265 ± acres in the W.H. Bennett Survey, Abstract No. 62, City of Garland, Dallas County, Texas, as recorded in Instrument No. 201800093672 of the Official Public Records of Dallas County, Texas, commonly known as 2040 West Miller Road, and being more particularly described in Exhibit A, attached hereto and incorporated herein for all purposes ("Property");

WHEREAS, Developer has submitted a zoning application to the City, file no. Z 20-42, requesting a change in zoning from agricultural to a planned development for the development of approximately seventy-four (74) single-family residential lots on the Property in the subdivision to be known as Central Park Estates, as generally depicted in Exhibit B, attached hereto and incorporated herein for all purposes ("Development");

WHEREAS, Developer desires to enhance the quality, as well as the value of the Development to both the Developer and the City by (1) the construction and dedication of a certain recreational and pedestrian trail easement to the public, being more particularly depicted on Exhibit C, attached hereto and incorporated herein by reference ("Recreational Easement"), (2) the conveyance of property to the Garland Foundation for Development, Inc. to be subsequently transferred to the City to be used as a public park, (3) implementing a variety of architectural elements and the use of high quality building materials in the construction of buildings within the Development, and (4) establishing certain fencing and screening standards within the Development, which are more particularly described herein.

WHEREAS, Developer and City acknowledge and agree that the terms and conditions of this Agreement are mutually beneficial;

WHEREAS, Developer has advised the City that a primary factor inducing Developer to complete development of the Property is this Agreement;

WHEREAS, the development of the Property will increase or encourage (1) economic development in the City, (2) redevelopment in the area, (3) revitalization of the area, and (4) tax revenues because of investments in real property within the City;

WHEREAS, Developer and City recognize and acknowledge that the use of a variety of architectural elements and high quality building materials in the construction of buildings and structures add value and significance to property, which will also encourage the development or redevelopment of surrounding properties and promote future economic activity within the area;

NOW, THEREFORE, 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 consideration, the receipt and sufficiency of which are hereby acknowledged by both Developer and the City, and agree as follows:

CONSTRUCTION AND INTERPRETATION

- A. This Agreement is the final agreement of Developer and City with respect to the matters expressly stated herein and supersedes all prior negotiations, discussions, representations and understandings. This Agreement has been negotiated at arms-length between sophisticated parties, each represented by highly competent counsel of its choice and has been carefully read. It is intended to be liberally construed to accomplish its stated purposes. Parties waive any common law rules of construction against the drafter.
- B. Contingency. The terms and conditions of this Agreement are contingent upon the approval thereof by the City Council of the City of Garland, Texas ("City Council") and City Council approval of the change in zoning of the Property to a Planned Development for Single-Family-5 (SF-5) Uses and an Alley Waiver. Notwithstanding City Council approval of the terms and conditions of this Agreement, City Council is not obligated, and is not hereby promising or agreeing, to approve the change in zoning to the proposed PD District.
- C. Running with the Land. Developer shall record this Agreement, once fully executed, with the Real Property Records of Dallas County, Texas, within 10 business days of it being executed by the City. The terms and conditions of this Agreement shall run with the land until the latter of (1) the City's acceptance of the dedication of all of the completed public infrastructure associated with the Development, or (2) the final completion of 60% of the single-family residential units within the Project. Once the dedicated public infrastructure is complete and accepted by the City or Developer completes 60% of the residential units, Developer shall provide the City with a release of this Agreement to be executed by the City and subsequently recorded in the Real Property Records of Dallas County ("Release"). Upon receipt, City shall have 20 business days to execute the release and return it to Developer. Developer shall be responsible for recording this Agreement and drafting and recording the Release at its sole cost and expense.

TERMS AND CONDITIONS

A. Definitions.

1. "Agreement" is defined in the recitals.
2. "City" is defined in the recitals.
3. "City Requirements" mean ordinances, resolutions, rules, regulations, directives, and policies of the City that have been duly adopted and that are customarily and uniformly applied to public and private development within the City. "Developer" is defined in the recitals.
4. "Developer" is defined in the introductory paragraph.
5. "Development" is defined in the recitals.
6. "Party" and "Parties" are defined in the introductory paragraph.
7. "PD Ordinance" shall mean **PD Ordinance No. Z 20-42**, a Planned Development District for single-family residential uses, including an alley waiver. In the event City Council passes and approves the PD Ordinance, the PD Ordinance shall be incorporated herein by reference for all purposes and attached hereto as Exhibit E.
8. "Property" is defined in the recitals.
9. "Recreational Easement" is defined in the recitals.

B. Developer's Obligations.

1. **Dedication of Public Improvements, Easements and Parkland.** Parties acknowledge that the Development necessitates the dedication of certain public easements, including but not limited to certain pedestrian/recreational trails, and land for public parkland. Developer agrees to perform, or cause to be performed, the following:
 - a. **Internal Pedestrian Trail; Recreational Easement.** Developer agrees to construct a pedestrian/recreational trail and dedicate by plat a Recreational Easement for public access running generally north to south through the Property, being more particularly described and identified in Exhibit C. The pedestrian/recreational trail shall be designed and constructed to provide connectivity from Miller Road to a proposed City trail system along the southern portion of the Property. The trail shall be made of concrete, be 6-foot in width, and comply with all other City Requirements related to the construction of residential sidewalks in residential districts. All trails shall be constructed in conjunction with the construction of the contiguous phase

of development, and shall be constructed in accordance with the standards of the Texas Department of Licensing and Regulation to the extent possible with respect to the natural topography. Developer, and its successor and assigns, agrees to convey to the public by plat a pedestrian and recreational easement for the use of the trail system located on the Property. However, the Developer, or its successors or assigns, shall have the responsibility of maintaining the trail system in compliance with City Requirements in perpetuity.

- b. **Parkland.** Developer agrees to convey approximately 3.27 acres of property by separate instrument to Garland Foundation for Development, a Texas local government corporation ("Foundation"), to be held in trust on behalf of the City until such time as the City shall dedicate it as a public park. The public park area will include linear parks, greenbelts, open space, and floodplain. A pedestrian circulation system consisting of approximately 1,200 linear feet shall be provided that affords connectivity to the entire community and the perimeter of the Property. The pedestrian circulation system shall be constructed of 8-foot wide sidewalks and trails within the greenbelts and park areas. Trails in greenbelts shall be constructed of concrete or other durable surface material and shall connect with the project sidewalks. The pedestrian/recreational trail will allow for future off-site extension of a trail system by the City of Garland. The pedestrian trail system shall include benches, landscaping, signage, lighting, bike racks, trash cans, and doggie waste stations. For every 300 feet of linear trail, one bench shall be required along the trail system shown on the PD ordinance Site Plan and Landscape Plan. Additionally, a minimum two picnic tables and barbeque locations shall be provided in the open space area of the development. The public park areas and pedestrian circulation system is depicted on the "Site Plan," being more specifically described in Exhibit B, which is attached hereto and incorporated herein by reference.
- c. Developer agrees to provide, at its sole cost and expense, the legal descriptions and exhibits for all conveyance instruments.
- d. **Timing of Parkland Conveyance.** Developer shall convey the approximate 3.27 acre parkland to the Foundation and record the deed prior to the filing of the plat. The filing information of the deed shall be recorded on the plat. The Foundation shall be named on the Plat and shall execute the plat as an adjoining property owner.
- e. **Utility Connections to Parkland.** Developer agrees to provide and construct utility facilities for the purpose of providing electricity and water from the east to the Parkland. Generally, the utility facilities shall be constructed to the applicable City standards and shall consist of a 2" water service connection with meter for irrigation and drinking fountains and a 120v/240v power drop to electrical cabinet with 200Amp breaker and meter

base. The utility connections shall be located within the Parkland immediately adjacent to Sherwood Drive.

- f. **Vehicle Access to Parkland.** Developer agrees to construct a 12-foot wide concrete drive, constructed to City standards for residential driveways, and curb cut off of Sherwood Drive to allow for vehicle access and maintenance to the pedestrian circulation system within the Parkland. The drive shall transition into the pedestrian circulation system.
- g. **Seeding/Revegetation of Disturbed Surface.** Developer shall seed areas within the Parkland where the surface was disturbed by construction operations. Developer shall perform the seeding work to applicable City standards, which are attached hereto as Exhibit D and incorporated herein by reference.
- h. Developer agrees to maintain the Recreational Easement in perpetuity. Developer agrees to maintain the area being dedicated as a public park until the earlier of (1) Developer completing and passing final inspection of 60% of the single-family residential dwelling units, or (2) the City connecting the Project's pedestrian circulation system with the City's pedestrian oriented trail system.

- 2. **Design and Construction Standards.** Developer agrees to comply with the requirements of the PD Ordinance (collectively the "PD Requirements"), unless expressly modified herein for the mutual benefit of both Parties. In the event there is an express conflict between the PD Requirements and this Agreement, the terms and conditions of this Agreement shall control. Developer expressly agrees to the following design and construction standards:

- a. **Elevations.** Developer agrees that residential units and common structures will be designed and constructed in similar form and manner as depicted in the representative product elevations depicted in Exhibit C, attached hereto and incorporated herein by reference for all purposes, and reflects reasonable design and construction standards, architectural styles, elevations, roof forms, cladding detail, and porch, door, and window detail.
- b. **Definitions.** For the purpose of this Agreement, the following definitions apply to construction materials:
 - i. Masonry Construction. A form of construction consisting of brick, stone, glass block, tile, or other similar building units or materials, or any combination of these materials, laid up unit-by-unit, and set in mortar. Notwithstanding the foregoing, Masonry Construction expressly includes stucco construction. The term excludes wall areas devoted to doors and windows. When applied to meeting the

minimum requirements for exterior construction, this term includes the following materials:

- (a) Acceptable materials include hard-fired brick such as kiln-fired clay, shale, or slate material. Acceptable materials may also include integrally-colored concrete brick, known as concrete masonry units or CMUs, but only subject to the limitations in subsection (e) below and only if the concrete masonry units conform to the same ASTM standard for construction as typical hard-fired clay brick. Material under this Section must meet the classification of severe weather grade and have a minimum thickness of two and one-quarter inches when applied as a veneer. Acceptable materials under this Section do not include unfired or underfired clay, sand, or shale brick.
 - (b) Acceptable materials include stone such as naturally occurring granite, marble, limestone, slate, river rock, and other similar hard and durable, all-weather stone that is customarily used in exterior building construction. Acceptable materials may also include cast or manufactured stone product, provided that such product yields a highly textured, stone-like appearance, its coloration is integral to the masonry material, and it is demonstrated to be highly durable and maintenance-free. The surface of any manufactured stone must not be painted. Natural or man-made stone must have a minimum thickness of two and five-eighths inches when applied as a veneer.
 - (c) Acceptable materials include glass blocks or tiles of the type customarily used in exterior building construction. Glass blocks are counted as windows and must not comprise more than twenty percent of any exterior wall surface. Acceptable glass blocks must not be highly reflective or have a mirror-like finish.
 - (d) Acceptable materials include stucco, if such material is color-intrinsic and applied in a 3-stage process in accordance with industry standards. The Building Official shall review the proposed installation method, as detailed in the building plans, at the time of Building Permit application. The approved installation method shall be a condition of Building Permit issuance.
- ii. Non-Masonry Construction. The following materials do not qualify and do not meet the definition of “Masonry Construction” in

meeting the minimum requirements for the exterior construction of buildings:

- (a) Adobe or mortar wash surface material;
- (b) Exterior insulation and finish system (EIFS), acrylic matrix, synthetic plaster, or other similar synthetic material;
- (c) Vinyl-based siding material, as may be allowed by the City's Building Code;
- (d) Lightweight or featherweight concrete blocks or cinder blocks;
- (e) Exterior plaster that does not meet the definition of Stucco;
- (f) Any other cementitious product not listed above

- c. **Building Materials.** Developer agrees that all elevations within the Project facing a dedicated street shall have a minimum of eighty percent (80%) Masonry Construction materials excluding gables, windows, doors, dormers, insets, areas under covered porches or other architectural projections and/or accents.

C. City's Obligations.

Tree Mitigation Plan. In consideration of Developer agreeing to the aforementioned Developer obligations and the dedication of public easements and parkland, the City agrees to waive any tree mitigation fees owed by Developer. However, Developer shall submit a Tree Management Plan, pursuant to Section 4.56 of the GDC, to the Planning Director for his approval or denial based on a determination, in the Planning Director's sole discretion, that the Tree Management Plan is consistent with the purpose and intent of Article 4, Chapter 4, "Tree Preservation & Mitigation," of the GDC. Notwithstanding any term or provision contained herein to the contrary, Developer shall replace 10 percent of the total caliper inches removed in Large Canopy Trees on the Property, as more specifically identified within the Tree Management Plan and approved by the Planning Director.

D. **ACKNOWLEDGEMENT OF THE CITY'S COMPLIANCE WITH FEDERAL AND STATE CONSTITUTIONS, STATUTES AND CASE LAW AND FEDERAL, STATE AND LOCAL ORDINANCES, RULES AND REGULATIONS; DEVELOPER'S WAIVER AND RELEASE OF CLAIMS FOR OBLIGATIONS IMPOSED BY THIS AGREEMENT.**

1. **DEVELOPER ACKNOWLEDGES AND AGREES THAT:**

- a. **THE CONVEYANCES, CONSTRUCTION STANDARDS, DEDICATIONS, EASEMENTS AND/OR PAYMENT OF MONEY REQUIRED BY THIS AGREEMENT TO BE PERFORMED BY DEVELOPER, IN WHOLE OR IN PART, ARE CONTRACTUAL IN NATURE AND DO NOT CONSTITUTE A:**
 - i. **TAKING UNDER THE TEXAS OR UNITED STATES CONSTITUTION;**
 - ii. **VIOLATION OF THE TEXAS WATER CODE, AS IT EXISTS OR MAY BE AMENDED;**

- iii. **NUISANCE; OR**
 - iv. **A VALID CLAIM FOR DAMAGES OR REIMBURSEMENT AGAINST GARLAND FOR A VIOLATION OF ANY FEDERAL OR STATE CONSTITUTION, STATUTE OR CASE LAW OR ANY FEDERAL, STATE OR LOCAL ORDINANCE, RULE OR REGULATION.**
- b. **DEVELOPER SHALL INDEMNIFY AND HOLD HARMLESS GARLAND FROM AND AGAINST ANY CLAIMS AND SUITS OF THIRD PARTIES, INCLUDING BUT NOT LIMITED TO, DEVELOPER'S PARTNERS, OFFICERS, DIRECTORS, EMPLOYEES, REPRESENTATIVES, AGENTS, SUCCESSORS, ASSIGNEES, VENDORS, GRANTEES OR TRUSTEES, BROUGHT PURSUANT TO THIS SECTION 10.**
- 2. **DEVELOPER RELEASES GARLAND FROM ANY AND ALL CLAIMS OR CAUSES OF ACTION BASED ON EXCESSIVE OR ILLEGAL EXACTIONS.**
- 3. **DEVELOPER WAIVES ANY CLAIM FOR DAMAGES OR REIMBURSEMENT AGAINST GARLAND FOR A VIOLATION OF ANY FEDERAL OR STATE CONSTITUTION, STATUTE OR CASE LAW OR ANY FEDERAL, STATE OR LOCAL ORDINANCE, RULE OR REGULATION.**
- 4. **THIS SECTION D SHALL SURVIVE THE TERMINATION OF THIS AGREEMENT FOR A PERIOD OF TWO (2) YEARS AND ONE (1) DAY AFTER WHICH THEY SHALL TERMINATE AND EXPIRE.**
- E. Section 2270 Verification. Pursuant to Section 2270 of the Texas Government Code, Developer hereby certifies that it does not boycott Israel and will not boycott Israel during the term of this Agreement.
- F. Severability. If any term or provision of this Agreement is held to be illegal, invalid or unenforceable, the legality, validity or enforceability of the remaining terms or provisions of this Agreement shall not be affected thereby, and in lieu of each such illegal, invalid or unenforceable term or provision, there shall be added automatically to this Agreement a legal, valid or enforceable term or provision as similar as possible to the term or provision declared illegal, invalid or unenforceable.
- G. Waiver. Either the City or Developer shall have the right to waive any requirement contained in this Agreement, which is intended for the waiving party's benefit, but, except as otherwise provided herein, such waiver shall be effective only if in writing executed by the party for whose benefit such requirement is intended. No waiver of any breach or violation of any term of this Agreement shall be deemed or construed to constitute a waiver of any other breach or violation, whether concurrent or subsequent, and whether of the same or of a different type of breach or violation.
- H. Assignment. This Agreement may not otherwise be assigned by Developer without the City Manager's written consent which shall not be unreasonably withheld.

- I. Governing Law; Venue. This Agreement and all of the transactions contemplated herein shall be governed by and construed in accordance with the laws of the State of Texas. The provisions and obligations of this Agreement are performable in Dallas County, Texas such that exclusive venue for any action arising out of this Agreement shall be in Dallas County, Texas.
- J. Paragraph Headings. The paragraph headings contained in this Agreement are for convenience only and shall in no way enlarge or limit the scope or meaning of the various and several paragraphs hereof. Both parties have participated in the negotiation and preparation of this Agreement and this Agreement shall not be construed either more or less strongly against or for either party.
- K. Binding Effect. Except as limited herein, the terms and provisions of this Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, devisees, personal and legal representatives, successors and assigns.
- L. Exhibits. All exhibits to this Agreement are incorporated herein by reference for all purposes wherever reference is made to the same.
- M. Entire Agreement. It is understood and agreed that this Agreement contains the entire agreement between the parties and supersedes any and all prior agreements, arrangements or understandings between the parties relating to the subject matter. No oral understandings, statements, promises or inducements contrary to the terms of this Agreement exist. This Agreement cannot be changed or terminated orally and no written modification of this Agreement shall be effective unless executed by both parties.
- N. Relationship of Parties; No Third Party Beneficiaries. Nothing contained in this Agreement shall be deemed or construed by the parties hereto or by any third party to create the relationship of principal and agent or of partnership or of joint venture or of any association whatsoever between the parties, it being expressly understood and agreed that no provision contained in this Agreement nor any act or acts of the parties hereto shall be deemed to create any relationship between the parties other than the relationship of independent parties contracting with each other solely for the purpose of effecting the provisions of this Agreement. There are no third-party beneficiaries to this Agreement and no third-party beneficiaries are intended by implication or otherwise.
- O. Dispute Resolution. In accordance with the provisions of Subchapter I, Chapter 271, TEX. LOCAL GOV'T CODE, the parties agree that, prior to instituting any lawsuit or other proceeding arising from a dispute under this Agreement, the parties will first attempt to resolve the dispute by taking the following steps:
1. A written notice (the "Notice of Dispute") substantially describing the nature of the dispute shall be delivered by the dissatisfied party (the "Dissatisfied Party") to the other party (the "Responding Party"), which Notice of Dispute shall request a written response (the "Response") which attempts to resolve the dispute; and
 2. If the Responding Party fails to deliver the Response within ten (10) days after its receipt of the Notice of Dispute, either party may proceed to institute any lawsuit

or proceeding arising from this Agreement. If the Responding Party timely delivers the Response to the Dissatisfied Party and the Response does not reasonably resolve the dispute in the opinion of the Dissatisfied Party, the Dissatisfied Party shall deliver written notice to that effect (the "Notice of Continuing Dispute") to the Responding Party. Within thirty (30) days after the Responding Party's receipt of the Notice of Continuing Dispute, an individual appointed by the Dissatisfied Party having authority over the activities of the Dissatisfied Party and an individual appointed by the Responding Party having authority over the activities of the Responding Party shall meet in person at a time and location mutually acceptable to the parties in an effort to resolve the dispute. In the event that the Dissatisfied Party and the Responding Party are unable to agree on the time and location of such meeting, or after such meeting a dispute remains, either party may proceed to institute any lawsuit or proceeding arising from this Agreement.

- P. Authority. The City represents and warrants that this Agreement has been approved by resolution duly adopted by the Garland City Council in accordance with all applicable public meeting and public notice requirements (including, but not limited to, notices required by the Texas Open Meetings Act) and that the individual executing this Agreement on behalf of the City has been authorized to do so. Developer represents and warrants that this Agreement has been approved by appropriate action of Developer and that the individual executing this Agreement on behalf of Developer has been authorized to do so. Each assignee, lender, or successor who becomes a party to this Agreement represents and warrants that this Agreement has been approved by appropriate action of such assignee, lender, or successor and that the individual executing this Agreement on behalf of such assignee, lender, or successor has been authorized to do so.
- Q. Governmental Powers; Waiver of Immunity. By its execution of this Agreement, the City does not waive or surrender any of its governmental powers, immunities, or rights that would otherwise be available to it by law except for Developer to enforce the terms of this Agreement. Nothing in this Agreement is intended to delegate or impair the performance by the City of its governmental functions. The Parties acknowledge that this Agreement is a contract for goods or services and subject to the provisions of Subchapter I, Chapter 271 of the Texas Local Government Code.
- R. Survival. All indemnity provisions of this Agreement shall survive termination or expiration of this Agreement for a period of 3 years and one day.
- S. Effective Date. The effective date of this Agreement shall be the date on which this Agreement is executed by the City Manager, or his designee, of the City of Garland.
- T. Term. The term of this Agreement shall commence on the date this Agreement is approved by the City Council and executed by the Mayor of the City of Garland, Texas, and the change of zoning on the Property to the aforementioned PD District is approved. The term shall end once all the dedicated public infrastructure, including but not limited to streets and trails, for the Development are substantially completed by Developer and accepted by City, and a release of this Agreement is recorded with the Dallas County Real Property Records.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the ____ day of _____, 2021.

CITY:

The City of Garland, a Texas home-rule municipality

By: _____

Name: _____

Title: _____

Date: _____

PROPERTY OWNER:

_____,
a Texas _____

By: _____

Name: _____

Title: _____

Date: _____

DEVELOPER:

_____,
a Texas Corporation

By: _____

Name: _____

Title: _____

Date: _____

EXHIBIT "A"

EXHIBIT "A"

FIELD NOTE DESCRIPTION

STATE OF TEXAS
COUNTY OF DALLAS

BEING all of that certain lot, tract, or parcel of land, being part of the W.H. Bennett Survey, Abstract No. 62, Dallas County, Texas, and being all of that tract described in a deed to Indian Pentecostal Church being more completely described as follows, to-wit:

BEGINNING at a corner in the centerline of West Miller Road (a variable width right-of-way);

THENCE with the centerline of West Miller Road North 88°42'33" East a distance of 467.80 feet to a corner;

THENCE South 1°15'09" East, passing a ½ inch iron rod found at 30.00 feet for the northeast corner of the Indian Pentecostal Church tract and the west right-of-way line of Sherwood Drive (a 50 foot right-of-way) and passing a ½ inch iron rod found at 1343.85 feet in the west line of Lot 42, Block B of Third Installment Westchester Estates, an addition to the City of Garland recorded in Volume 16, Page 135 of the Map Records of Dallas County, Texas (MRDCT), for a total distance of 1,441.20 feet to a corner in the centerline of a creek;

THENCE with the centerline of a creek as follows:

North 73°11'09" West a distance of 210.90 feet to a corner;

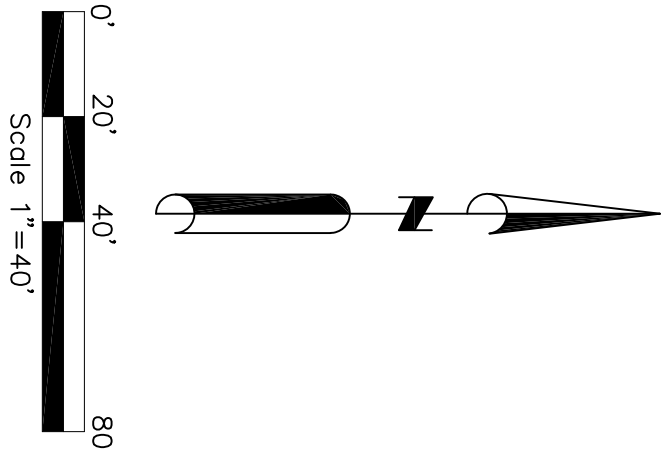
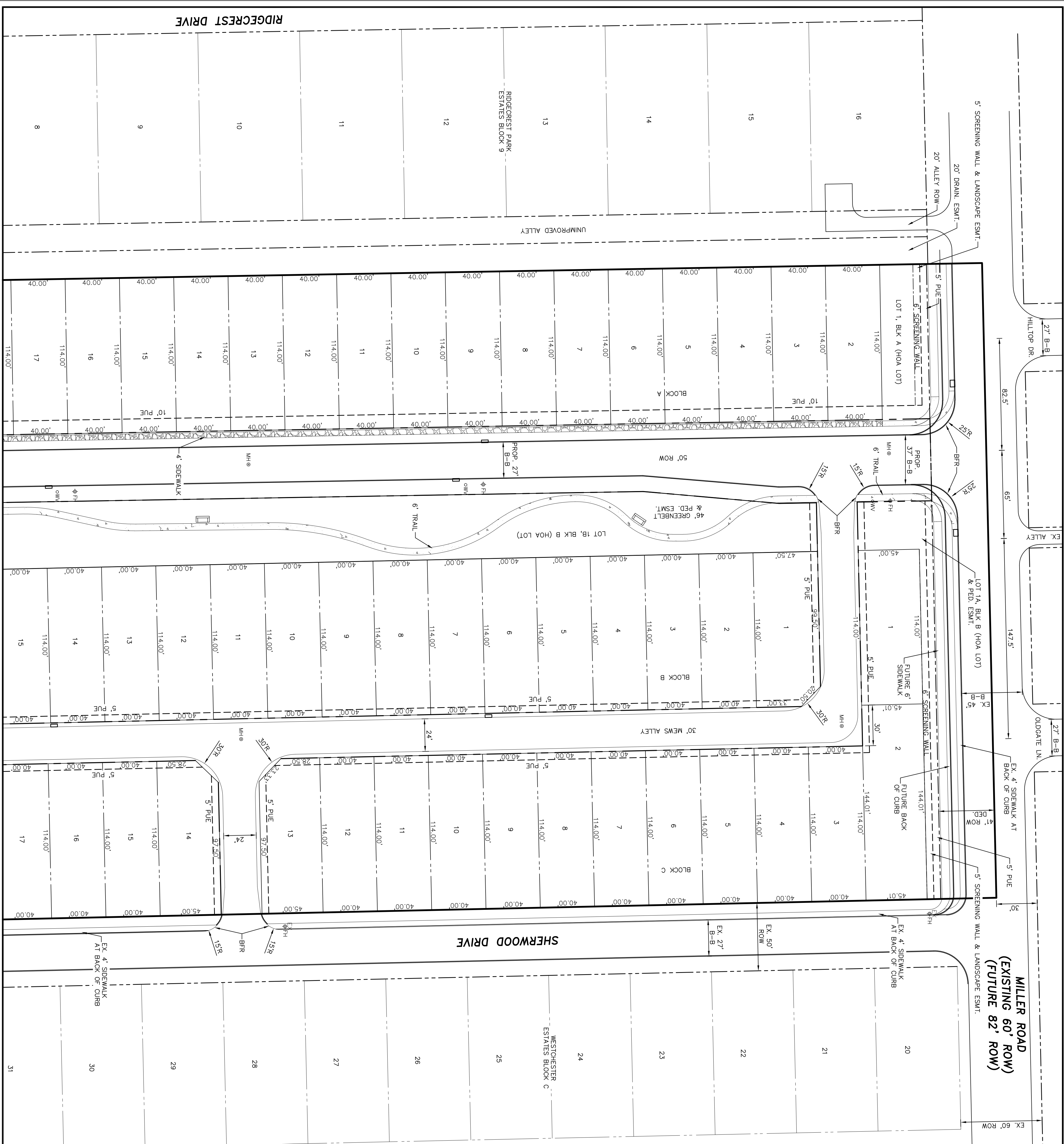
South 69°43'51" West a distance of 150.00 feet to a corner;

South 84°12'24" West a distance of 132.36 feet to a corner in the east line of Lot 1, Block 15 of Ridgecrest Park Estates No. 2, an addition to the City of Garland recorded in Volume 421, Page 1532 (MRDCT);

THENCE with the east line of Ridgecrest Park Estates No. 2 North 0°59'41" West, passing a ½ inch iron rod found at 260.95 feet for the southeast corner of the remainder of Block 9 of Ridgecrest Park Estates, an addition to the City of Garland recorded in Volume 37, Page 133 (MRDCT), with the east line of Block 9 of Ridgecrest Park Estates and passing a ½ inch iron rod found at 1404.85 feet for the northeast corner of Block 9 of Ridgecrest Park Estates and the northwest corner of the Indian Pentecostal Church tract for a total distance of 1434.85 feet to the Place of Beginning, containing 15.265 acres or 664,942 square feet of land.

Bearings oriented to Grid North of the Texas State Plane Coordinate System, NAD 83, North Central Zone, 4202.

EXHIBIT "B"



LEGEND	
	DEVELOPER SIDEWALK/TRAIL
	HOME BUILDER SIDEWALK
	PARK BENCH
	GRILL
	PICNIC TABLE

OPEN SPACE/GREEN BELTS = 4.36 AC.

THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY
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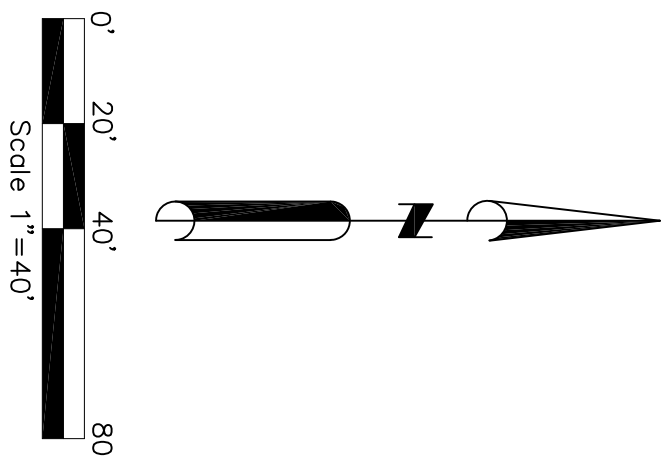
NO.	DATE	REVISION	APPROVED

**Middleton PROJECT ENGINEER:
& Associates, LLC.**
CONSULTING CIVIL ENGINEERS & LAND PLANNERS
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2785 ROCKBROOK DRIVE, SUITE 105
LEWISVILLE, TEXAS 75067 (972) 393-9800

DETAILED SITE PLAN
CENTRAL PARK
GARLAND, DALLAS COUNTY, TX
2040 W. MILLER ROAD

Drawing File: 0001031\CON10SITE.DWG	DATE: 2-12-21	SCALE: 1"=40'	SHEET NO: SITE1
Project No. 0001031			

CITY CASE NO. 200702-2



LEGEND	
	DEVELOPER SIDEWALK/TRAIL
	HOME BUILDER SIDEWALK
	PARK BENCH
	GRILL
	PICNIC TABLE

OPEN SPACE/GREEN BELTS = 4.36 AC.

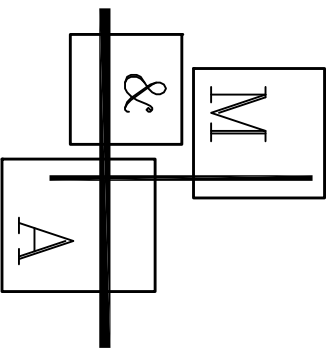
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by or under the supervision of
F. E. MIDDLETON, JR., P.E. #67449

NO.	DATE	REVISION	APPROVED



Middleton PROJECT ENGINEER:
& Associates, LLC.

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DETAILED SITE PLAN
CENTRAL PARK
GARLAND, DALLAS COUNTY, TX
2040 W. MILLER ROAD

Drawing File: 0001031CON10SITE.DWG	DATE: 2-12-21	SCALE: 1"=40'	SHEET NO.: SITE2
Project No. 0001031			

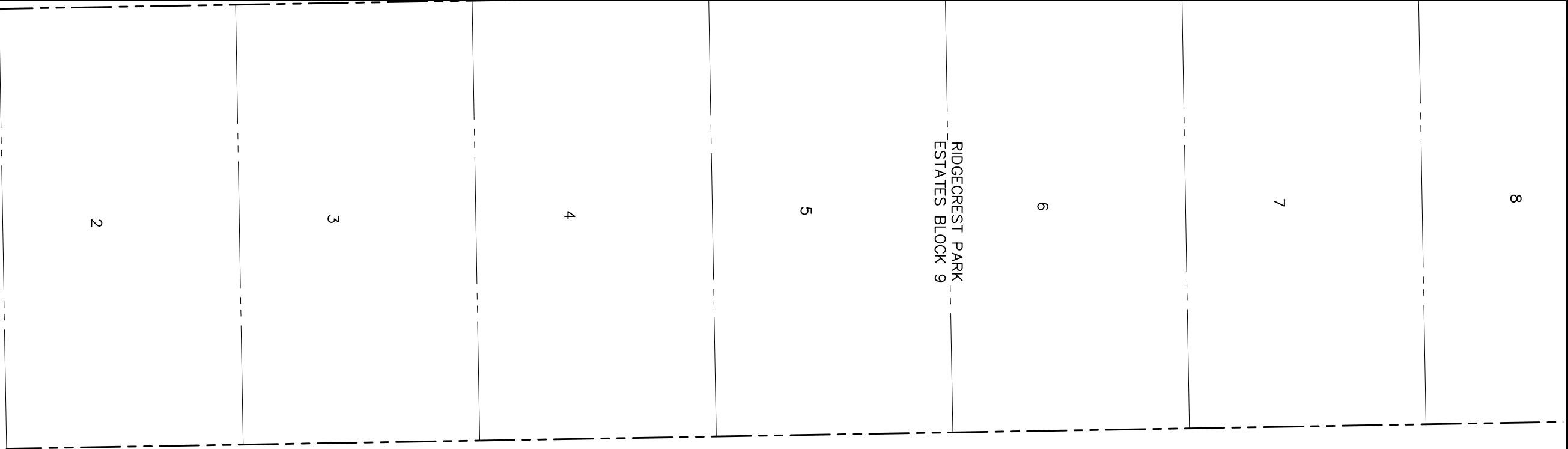


EXHIBIT "C"

VERNE

2,710 Approx. Square Feet

4 – 5 Beds 2-Car Garage
3 – 4 Baths 2-Story Home

Options

Luxury Master Suite | Walk-in Shower with Luxury Master Suite
4th Bath | 5th Bedroom | Fireplace



Elevation A

ELEVATION OPTIONS



Elevation B



Elevation C

ORWELL

2,400 Approx. Square Feet

3 – 4 Beds 2-Car Garage
2.5 Baths 2-Story Home

Options

Island | Remove Pocket Office | 2-Story Family Room | 4th Bedroom
Walk-in Shower | Extended Family Room | Fireplace



Elevation A

ELEVATION OPTIONS



Elevation B



Elevation C

HEMINGWAY

2,340 Approx. Square Feet

3 Beds
2.5 Baths

2 – 3-Car Garage
2-Story Home

Options

Island | Walk-in Shower | Extended Covered Patio | Fireplace



Elevation A

ELEVATION OPTIONS



Elevation B



Elevation C

DICKENS

1,900 Approx. Square Feet

3 – 4 Beds
2 – 3 Baths

2-Car Garage
1 – 2-Story Home

Options

Study | Luxury Master Suite | Walk-in Shower | Fireplace
4th Bedroom and 3rd Bath with Game Room



Elevation A



Elevation B

ELEVATION OPTIONS



Elevation C



Elevation D

CARROLL

1,860 Approx. Square Feet

3 Beds
2 Baths

2-Car Garage
1-Story Home

Options

Luxury Master Suite | Walk-in Shower with Luxury Master Suite
Pantry | Storage | Enlarged Dining Room | Fireplace



Elevation A



Elevation B

POLARIS

2,230 Approx. Square Feet

4 Bedrooms 2-Car Garage
2.5 Bathrooms 2-Story Home

Options

Master Bath Layouts | Island | Covered Patio



ELEVATION OPTIONS



Elevation A



Elevation G



Elevation B



Elevation H



Elevation D



Elevation I

MERIDIAN

2,100 Approx. Square Feet

3 – 4 Bedrooms 2-Car Garage
2.5 – 3.5 Bathrooms 2-Story Home

Options

Master Bath Layouts | Islands | 4th Bedroom | 4th Bedroom with 3rd Bath
Game Room | Covered Patio



Elevation A



Elevation G



Elevation B



Elevation H



Elevation D



Elevation I

LEGEND

1,990 Approx. Square Feet

3 – 4 Bedrooms 2-Car Garage
2.5 – 3.5 Bathrooms 2-Story Home

Options

Master Bath Layouts | Islands | 4th Bedroom with 3rd Bath | Patio | Covered Patio



ELEVATION OPTIONS



Elevation A



Elevation G



Elevation B



Elevation H



Elevation D



Elevation I

LATITUDE

1,750 Approx. Square Feet

3 – 4 Bedrooms 2-Car Garage
2.5 – 3.5 Bathrooms 2-Story Home

Options

Master Bath Layouts | 2nd Bath Vanity Sink | Islands | 4th Bedroom with 3rd Bath
4th Bedroom | Game Room | Covered Patio



Elevation A



Elevation G



Elevation B



Elevation H



Elevation D



Elevation I

NAVIGATOR

1,600 Approx. Square Feet
3 – 4 Bedrooms
2 Bathrooms

Options
Kitchen | Island | Master Bath Layouts | Master Box-Out Window
4th Bedroom | Covered Patio



ELEVATION OPTIONS



Elevation A



Elevation G



Elevation B



Elevation H



Elevation D



Elevation I

HEMISPHERE

1,590 Approx. Square Feet

3 Bedrooms
2 Bathrooms

2-Car Garage
1-Story Home

Options

Master Bath Layouts | Master Box-Out Window | Pocket Office



Elevation A



Elevation G



Elevation B



Elevation H

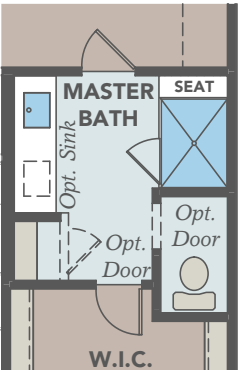
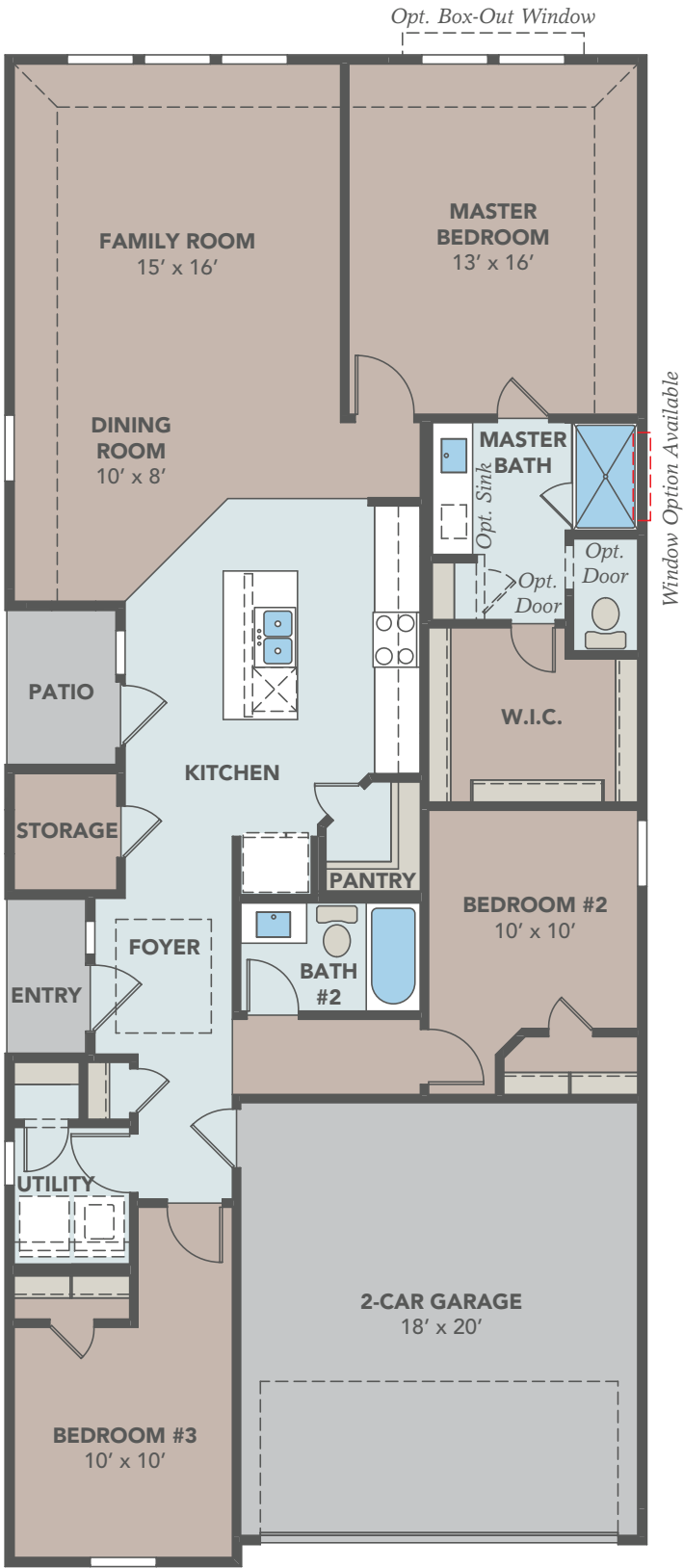


Elevation D

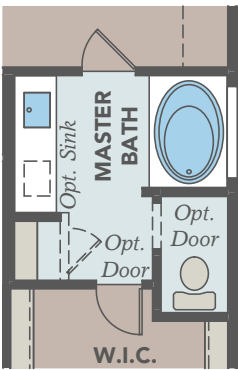


Elevation I

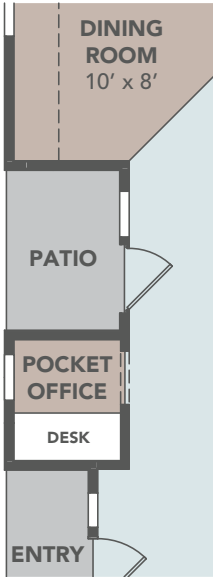
HEMISPHERE | FLOOR PLAN



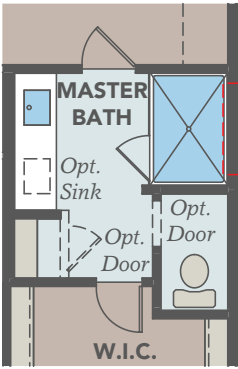
Opt. Master Shower Seat



Opt. Master Tub/Shower



Opt. Pocket Office



Opt. 42" Wide Master Shower

HORIZON

1,520 Approx. Square Feet

3 Bedrooms
2 Bathrooms

2-Car Garage
1-Story Home

Options

Kitchen | Kitchen with Island | Master Bath Layouts | Pocket Office | Covered Patio



ELEVATION OPTIONS



Elevation A



Elevation G



Elevation B



Elevation H



Elevation D



Elevation I

COMPASS

1,400 Approx. Square Feet

3 Bedrooms
2 Bathrooms

2-Car Garage
1-Story Home

Options

Kitchen, Family and 2nd Bath Layout | Master Bath Layouts | Covered Patios



ELEVATION OPTIONS



Elevation A



Elevation G



Elevation B



Elevation H



Elevation D



Elevation I

AVIATOR

1,300 Approx. Square Feet
3 Bedrooms
2 Bathrooms

2-Car Garage
1-Story Home

Options
Master Vanity | Master Box-Out Window | Covered Patio



ELEVATION OPTIONS



Elevation A



Elevation B



Elevation D

ELEVATION OPTIONS



Elevation C



Elevation D

EXHIBIT "D"

**SECTION 329219
SEEDING**

PART 1 - GENERAL

1.01 SUMMARY

- A. This section covers the preparation of ground surface for dry seed applications; the installation process; and maintenance of seeded areas necessary for a highly functioning system. The work in this section shall include all work required for labor, materials, equipment and services necessary to install and complete the work.

1.02 CONTRACT DOCUMENTS

- A. Shall consist of specifications, general conditions, and the drawings. The intent of these documents is to include all labor, materials, and services necessary for the proper execution of the work. The documents are to be considered as one. Whatever is called for by any parts shall be as binding as if called for in all parts.

1.03 RELATED WORK SPECIFIED ELSEWHERE

- A. Section 328400 – Planting Irrigation
B. Section 329100 – Planting Preparation
C. Section 329223 – Sodding
D. Section 329300 – Plants

1.04 QUALITY ASSURANCE

- A. Provide at least one person who shall be present at all times during execution of this portion of the work, who shall be thoroughly familiar with the type of materials being installed and the proper materials and methods for their installation, and who shall direct all work performed under this specification.
- B. Deliver all required certificates or documents to the Owner or designated representative.
- C. All project materials shall conform to all Federal, State, and City regulations prevailing at the supply source and job site.
- D. Project shall substantially conform to the General Conditions of the Contract for Construction (NCTCOG Standard Specifications for Public Works Construction (October 2004 Edition) unless otherwise specified in the Supplemental Technical Specifications for this project.

1.05 PERFORMANCE REQUIREMENTS

Urban Landscape Seed Mix

Recommended Planting Times	Vertisol Soils Species and Rates	Quantity
	Grasses	(lbs PLS / sf)
Mar. 1 – May 31	Schizachyrium scoparium - Little Bluestem Bouteloua curtipendula - Sideoats Grama Buchloe dactyloides - Buffalograss	1 lb / 500 sf 1 lb / 500 sf 1 lb / 350 sf
	Wildflowers	
Sept. 1 – Nov. 30	Gaillardia pulchella – Indian Blanket Helianthus maximiliani – Maximilian Sunflower Echinacea purpurea – Purple Coneflower Salvia farinacea – Mealy Blue Sage Aphanostephus sp. – Lazy Daisy	1 lb / 1,400 sf 1 lb / 1,200 sf 1 lb / 800 sf 1 lb / 1,000 sf 1 lb / 6,000 sf

**SECTION 329219
SEEDING**

1.06 SUBMITTALS

- A. Submittals shall conform to requirements of all provisions and sections of these specifications.
- B. Identification of the seed species, source, mixture, and PLS (pure live seed) of the seed as listed on the analysis tags and certification tags from all seed bags shall be submitted for review.
- C. The application log, including date, time, and quantity of product units placed on the soil shall be completed and submitted. This log may be requested at any time during construction by the Owner.

Table 1: Example of Proposed Seeding Application Schedule

Seed No.	Sheet No.	Area (sf)	PLS (%)	Quantity (Bags)	Date	Start Time	Finish Time
1	L2	15,000	91%	1.5	4/13	10:30	11:15
2	L3	9,500	93%	.75	4/17	2:00	2:30
3	L5	4,750	97%	.5	5/20	8:30	10:00

1.07 PRODUCT QUALITY

- A. The Contractor shall guarantee all materials used for this work to be the type, quality, and quantity specified.
- B. Seed lots for plants specified for this work shall have a minimum of 90% PLS.

1.08 WARRANTY

- A. The Contractor shall provide warranty for performance of product and shall warranty installation of product for the period of ninety (90) days from completion.
- B. Replacement operations shall be coordinated with the Owner.

PART 2 - PRODUCTS

2.01 MANUFACTURERS

- A. Specified native grass mix provided by the following or comparable manufacturer:
- B. Native American Seed. Mail Order Station P.O. Box 285, Junction, TX 76849; website: www.seedsource.com; email: info@seedsource.com

2.02 MATERIALS

- A. Topsoil. Conform to requirements of Section 329100 this project.
- B. Seed. Conform to U.S. Department of Agriculture rules and regulations of the Federal Seed Act and the Texas Seed Law. Seed shall be applied by dry seed application and shall be distributed evenly over the topsoil areas.
- C. Fertilizer. There shall be no fertilization to occur during seeding application. Organic fertility services are to be performed prior to seed application at a time designated by the Owner. A soil analysis shall be completed to establish the proper soil treatments.
- D. Soil Amendments. All existing and imported topsoil shall be amended using organic compost.
- E. Water. Water shall be free of substances harmful to germination and growth.

PART 3 - EXECUTION

3.01 PREPARATION

- A. The areas to which these specifications apply shall be as indicated on the contract drawings or as otherwise specified or directed by the Owner or designated representative.
- B. Verify finish grades are to elevations specified on plans. Any minor undulations or irregularities in the surface shall be leveled prior to seeding application.

**SECTION 329219
SEEDING**

- C. Ensure all areas to be planted are free from rocks and other debris that will inhibit direct seed to soil contact.

3.02 APPLICATION

- A. There shall be absolutely no weed control agent or pre-emergent product applied prior to work being performed.
- B. Seed shall be applied by hand, broadcast spreader, or hand spreader in dry conditions.
- C. Seed or seed mixture, in the quantity specified, shall be uniformly distributed over the areas shown on the plans or where directed.
- D. After placement is completed, fine organic compost shall be applied to a depth of no greater than 1/8" over the applied seeds, then lightly compacted with an empty sod roller.
- E. Immediately following application, the Contractor shall sweep with a broom all seed and soil material on paved areas to ensure project site is clean upon completion and prevent germination of plants in undesired areas.
- F. After application, the Contractor shall not operate any equipment over the covered area.
- G. The planting area shall be irrigated with an automatic irrigation system. Set irrigation controller to run each seeded area so as to saturate the soil. Adjust run times on controller to discourage overwatering and soil wash-out. Any areas that are overwatered, which causes seeds to wash out from the intended areas to be planted shall be re-seeded at the Contractor's expense.

3.03 PROTECTION

- A. The Contractor shall furnish and install construction fence around new planting areas to prevent public access. Fencing shall be maintained in place for a minimum of ninety (90) days after completion of installation, or as directed by the Owner or designated representative.
- B. Supplemental watering may be required.

PART 4 - MEASUREMENT AND PAYMENT

- A. Seeding application shall be measured by a lump sum in accordance with the plans and specifications. The price shall be the full compensation for loading, hauling, placing and for furnishing all labor, equipment, tools, supplies, and incidentals necessary to complete work.

END OF SECTION 329219

“EXHIBIT E”

Placeholder for Ordinance