



AGENDA

REGULAR MEETING OF THE CITY COUNCIL

City of Garland
Council Chambers, City Hall
William E. Dollar Municipal Building
200 North Fifth Street
Garland, Texas
Tuesday, March 19, 2019
7:00 p.m.

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

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

Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services must contact the City Secretary's Office at (972) 205-2404 at least two working days prior to the meeting so that appropriate arrangements can be made.
BRAILLE IS NOT AVAILABLE.



LEGISLATIVE PRAYER AND PLEDGE OF ALLEGIANCE

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

MAYORAL PROCLAMATIONS, RECOGNITIONS AND ANNOUNCEMENTS

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

CONSENT AGENDA

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

1. Consider approval of the minutes of the March 5, 2019 Regular Meeting.
2. Consider approval of the following bids:
 - a. **New Home Construction at 1441 Nash Street** **Bid No. 0364-19**

MG Luxury Homes, LLC **\$136,856.00**

This request is for the construction of a new single family home at 1441 Nash Street using the HOME infill federal grant funding. HOME funding may be utilized to further affordable housing within a community for low to moderate income qualified buyers in accordance with HUD's national objectives for HOME funding.
 - b. **GP&L Dent Road to Shelby 138kV** **Bid No. 0380-19**
Transmission Line Steel Structures

KBS Electrical Distributors, Inc.

\$2,655,099.75

This request is for the purchase of steel structures to be used in the construction of the Dent Road to Shelby 138kV Transmission Line. This is part of the approved Dent Road to Shelby 138kV Transmission Line CIP project.

**c. GP&L Dent Road to Shelby 138kV
Transmission Line Engineering and
Construction Management Services**

Bid No. 0561-19

Burns & McConnell

\$258,500.00

This request is to obtain engineering and construction management services related to the new 138kV transmission line in Greenville. The line will extend from the new Dent Road 138kV Switch Station to the existing Shelby Substation. An on-site field engineer will provide oversight of construction activities for the duration of the project. This is part of the approved Dent Road to Shelby 138kV Transmission Line CIP project.

**d. GP&L Dent Road 138kV Switch Station
Engineering and Construction Management
Services**

Bid No. 0562-19

Burns & McDonnell

\$341,000.00

This request is to obtain engineering and construction management services related to the new Dent Road 138kV Switch Station. An on-site field engineer will provide oversight of construction activities for the duration of the project. This is part of the approved Dent Road Switch Station CIP project.

**e. GP&L Lookout to Apollo 138kV Transmission
Line Steel Structures**

Bid No. 0407-19

Techline, Inc.

\$1,432,925.00

Optional Contingency

143,292.50

TOTAL:

\$1,576,217.50

This request is for the purchase of tubular steel structures for phase II of the Lookout to Apollo 138kV Transmission Line Rebuild CIP project. The bid award includes 30 complete galvanized steel transmission monopoles with all necessary components and incidentals per engineering detail drawings and specifications. Due to the complex nature of the project, an optional contingency is included for any additional materials that may be required.

f. GP&L Dent Road 138kV Switch Station Steel Structures Bid No. 0410-19

Klute Inc. Steel Fabrication \$312,859.64

This request is for the purchase of steel structures to be used in the construction of the Dent Road 138kV Switch Station. This is part of the approved Dent Road Switch Station CIP project.

g. Term Agreement for Electrical Services Bid No. 0265-19

Boyd Operating Company, LLC \$200,000.00

This request is to provide a full range of electrical services to the various City departments on an as-needed basis. This is a term agreement with four (4) optional renewals. A term is defined as either the annual expiration date or the expenditure of funds, whichever occurs first. Subsequent renewals do not require additional City Council approval. If all optional renewals are exercised, the potential financial impact will be \$1,000,000 over the life of the agreement. Expenditures will not exceed appropriated funds.

h. TMPA Breaker and Relay Protection and Control Services Bid No. 0601-19

Power Testing & Energization \$300,000.00

This request is to provide relay protection and control services at TMPA substations on an as-needed basis. Services will include testing of transformers, breakers, and relays in addition to relay setting changes, firmware upgrades, and unplanned control circuit repairs. This is a TMPA expense and will be reimbursed at 100%.

i. GP&L Campbell Road Switch Station Construction Materials Bid No. 0477-19

Techline, Inc. \$199,271.91
Optional Contingency 19,927.19
TOTAL \$219,199.10

This request is to provide insulators, bus, jumpers, control cable and associated materials for construction at the Campbell Road Switch Station. This purchase also includes material to loop the transmission line into the new substation. This is part of the approved GP&L Campbell Road Switch Station CIP project. Due to the complex nature of the project, an optional contingency is included for any additional materials that may be required.

3. **Public hearing(s) were previously conducted for the following zoning case(s). Council approved the request(s) and instructed staff to bring forth the following ordinance(s) for consideration.**
 - a. **Consider an ordinance amending the Garland Development Code of the City of Garland, Texas, by approving a Change in Zoning from Planned Development (PD) 99-44 District for Cluster and Patio Homes to Single-Family Attached (SFA) District (townhouses) on approximately 1.29 acres of land located at 2901 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. Zoning File No. Z 18-49, City of Garland, (District 7)**
 - b. **Consider an ordinance amending the Garland Development Code of the City of Garland, Texas, by approving 1) an Amendment to Planned Development (PD) 03-53 for Freeway Uses, 2) an amended Concept Plan, and 3) a Detail Plan for Dwelling, Multi-Family Uses on a 39.64-acre tract of land located at 3400 Firewheel Parkway; 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. (Zoning File No. Z 18-33, Development Engineering Consultants, LLC (District 1)**
4. **Consider an ordinance amending Chapter 32 of the Code of Ordinances relating to hotel taxes and lodging establishments.**

At the City Council Work Session on December 17, 2018, the Council instructed the City attorney to draft an ordinance including short-term rentals within the definition of "hotel" (as allowed under current Texas law) for purposes of collecting hotel taxes. The ordinance also includes an amendment to the City's current lodging standards that will bring some, but not all, short-term rentals within the scope of the City's existing lodging establishment regulations.

5. **Consider an ordinance amending Chapter 26 "Police-Miscellaneous Provisions and Offenses" of the Code of Ordinances of the City of Garland.**

At the March 4, 2019 Council Work Session, Council discussed the Public Safety Committee recommended revisions to the ordinance related to the Safelight Program.

6. Youth Programs Standards of Care Ordinance

Council is requested to adopt an ordinance with public comments for Youth Programs Standards of Care to meet requirements of Texas Human Resource Code, Section 42.041(b)(14) to exempt recreational programs for children operated by municipalities from state child care licensing.

7. Consider a resolution agreeing to the sale of certain property located within the City of Garland and owned by taxing authorities including the City of Garland as the result of a tax sale; authorizing the Mayor to execute a Deed Without Warranty; and providing an effective date.

At the March 4, 2019 City Council Work Session, Council was briefed on the potential sale of property located at 2510 Arcady Drive. The City of Garland has received an unsolicited offer from Ryan Z and Associates, Inc. related to the purchase of City owned property obtained through a 2011 Sheriff's Sale. Ryan Z and Associates, Inc. has presented an offer of \$23,000 for the property. The City of Garland will receive \$11,108.98 from the proceeds of this sale.

8. Consider a resolution agreeing to the sale of certain property located within the City of Garland and owned by taxing authorities including the City of Garland as the result of a tax sale; authorizing the Mayor to execute a Deed Without Warranty; and providing an effective date.

At the March 4, 2019 City Council Work Session, Council was briefed on the potential sale of property located at 1105 Glynn Drive. The City of Garland has received an unsolicited offer from Ryan Z and Associates, Inc. related to the purchase of City owned property obtained through a 2011 Sheriff's Sale. Ryan Z and Associates, Inc. has presented an offer of \$13,500 for the property. The City of Garland will receive \$3,497.50 from the proceeds of this sale.

9. Consider a resolution agreeing to the sale of certain property located within the City of Garland and owned by taxing authorities including the City of Garland as the result of a tax sale; authorizing the Mayor to execute a Deed Without Warranty; and providing an effective date.

At the March 4, 2019 City Council Work Session, Council was briefed on the potential sale of property located at 145 Rio Rita Drive. The City of Garland has received an unsolicited offer from Mr. Jose Velasquez related to the purchase of City owned property obtained through a 2011 Sheriff's Sale. Mr. Velasquez has presented an offer of \$26,000 for the property. The City of Garland will receive \$7,630.81 from the proceeds of this sale.

10. **Consider a resolution agreeing to the sale of certain property located within the City of Garland and owned by taxing authorities including the City of Garland as the result of a tax sale; authorizing the Mayor to execute a Deed Without Warranty; and providing an effective date.**

At the March 4, 2019 City Council Work Session, Council was briefed on the potential sale of property located at 822 Greencove Drive. The City of Garland has received an unsolicited offer from Ryan Z and Associates, Inc. related to the purchase of City owned property obtained through a 2010 Sheriff's Sale. Ryan Z and Associates, Inc. has presented an offer of \$18,500 for the property. The City of Garland will receive \$6,558.64 from the proceeds of this sale.

11. **Consider a resolution agreeing to the sale of certain property located within the City of Garland and owned by taxing authorities including the City of Garland as the result of a tax sale; authorizing the Mayor to execute a Deed Without Warranty; and providing an effective date.**

At the March 4, 2019 City Council Work Session, Council was briefed on the potential sale of property located at 814 Waikiki Drive. The City of Garland has received an unsolicited offer from Ryan Z and Associates, Inc. related to the purchase of City owned property obtained through a 2012 Sheriff's Sale. Ryan Z and Associates, Inc. has presented an offer of \$17,000 for the property. The City of Garland will receive \$7,527.86 from the proceeds of this sale.

12. **Consider a resolution agreeing to the sale of certain property located within the City of Garland and owned by taxing authorities including the City of Garland as the result of a tax sale; authorizing the Mayor to execute a Deed Without Warranty; and providing an effective date.**

At the March 4, 2019 City Council Work Session, Council was briefed on the potential sale of property located at 134 E. Kingsley Road. The City of Garland has received an unsolicited offer from Mr. Jeff Robertson related to the purchase of City owned property obtained through a 2010 Sheriff's Sale. Mr. Robertson has presented an offer of \$16,787.88 for the property. The City of Garland will receive \$4,666.29 from the proceeds of this sale.

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.

Hold public hearing(s) on:

13. Hold a public hearing to receive comments on the 2019-2020 CDBG, HOME and ESG Budgets

At the March 18, 2019 Work Session, City Council was provided background information regarding anticipated 2019-2020 CDBG, HOME and ESG entitlement funding and submitted application requests.

14. Consider the application of Tread Source LLC, requesting approval of a Specific Use Provision (SUP) for Truck/Bus Repair on a property zoned Industrial (IN) District. This property is located at 1305 South Shiloh Road. (File No. Z 19-01, District 6)

BEING a portion of Lot 1, Block A of Globe Union Addition, an addition to the City of Garland, Texas according to the plat recorded in Volume 71125, Page 2122 of the Official Public Records of Dallas County, Texas, and a portion of a tract of land situated in the Benjamin Dye Survey, Abstract No. 415 of the Official Public Records of Dallas County, Texas. This proposal is to allow the operation of a truck/bus repair shop on an already developed site (an area of approximately 1.8 acres with a building and parking area).

15. Consider the application of Kimley-Horn, requesting approval of 1) an amendment to Planned Development (PD) 12-41 District, 2) an amended Concept Plan for Dwelling, Multi-Family and Office, Retail & Service Uses and 3) a Detail Plan for Dwelling, Multi-Family on a property zoned Planned Development (PD) 12-41 District for Mixed-Use. This property is located at 6310 Naaman Forest Boulevard and 6501 North George Bush Highway. (File No. Z 18-41, District 7)

BEING an approximate 22.44-acre tract of land out of the P. H. Rice Survey, Abstract No. 1241 in the City of Garland, Dallas County, Texas, being a portion of a tract of land described in deed to Weaver Development Company, Ltd. recorded in Instrument No. 201400043481 of the Official Public Records of Dallas County, Texas, and being all of a tract of land described in deed to Weaver Development Company, Ltd. recorded in Instrument No. 201600176228 of the Official Public Records of Dallas County, Texas. This proposal is to allow a Concept Plan to divide the property into two tracts and assign land uses to each tract as follows: Multi-Family use (with Commercial uses allowed) on the southern tract and Commercial [Retail, Office and Hospitality] uses on the northern tract. Additionally, a Detail Plan is being proposed to develop an apartment complex (Multi-Family use, with Commercial uses allowed) on the southern tract.

16. Consider a request to waive a required payment to Tree Fund as outlined in the Garland Development Code Chapter 4: Article 4: Tree Preservation & Mitigation.

This request is associated with Zoning Application Z 18-41. The subject site is located at the north corner of Naaman Forest Boulevard and Mansions Drive; it is an 8.96-acre unimproved area identified as part of Block 1 on an approved Concept Plan in Planned Development (PD) 12-41 District.

17. 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.

18. Adjourn.

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



**GARLAND
CITY COUNCIL ITEM SUMMARY SHEET**

City Council Regular Session Agenda

1.

Meeting Date: 03/19/2019

Item Title: Minutes March 5

Submitted By: Rene Dowl, City Secretary

Summary of Request/Problem

Consider approval of the minutes of the March 5, 2019 Regular Meeting.

Recommendation/Action Requested and Justification

Attachments

Minutes March 5

Minutes of the Garland City Council Regular Meeting

The City Council of the City of Garland convened in regular session at 7:00 p.m. on Tuesday, March 5, 2019 in the Council Chambers at City Hall, 200 North Fifth Street, Garland, Texas, with the following members present:

COUNCIL PRESENT:	Mayor	Lori Barnett Dodson
	Mayor Pro Tem	Rich Aubin
	Council Member	David Gibbons
	Council Member	Deborah Morris
	Council Member	Jerry Nickerson
	Council Member	Jim Bookhout
	Council Member	Robert Vera
	Deputy Mayor Pro Tem	Scott LeMay
	Council Member	Robert Smith

STAFF PRESENT:	City Manager	Bryan Bradford
	City Attorney	Brad Neighbor
	City Secretary	Eloyce René Dowl

CEREMONIALS: Amy Vorster presented the Pet of the Month.

Mayor Dodson presented a Special Recognition to Parks Department Employees Christopher Hallmark, Robert Searle and Anthony Adamo in the Special Events & Marketing, for their two Texas Recreation and Parks Society Awards: Lone Star Programming Achievement Award for the Garland Guzzler 0.5K Race and Oktoberfest and third Place in the State for the Nail Driving Competition.

CALL TO ORDER: The meeting was called to order by Mayor Dodson.

CONSENT AGENDA: All items marked with asterisks (**) on the Consent Agenda were voted on at the beginning of the meeting. Mayor Dodson read those items into the record. Motion was made by Council Member Bookhout to approve the Consent Agenda as presented, seconded by Council Member Nickerson, to approve items 1, 2a, 2b, 2c, 2d, 2e, 2f, 2g, 3, and 4. Motion carried, 9 ayes, 0 nays.

1. APPROVED** Approval of the Minutes of the February 19, 2019 Regular Meeting February 26, 2019 Capital Improvement Program Public Hearing.

2a. APPROVED**

Bid No. 2288-11 awarded to Nathan D. Maier Consulting Engineers, Inc. in the amount of \$64,900.00 for Design Modification Services for Shiloh Road.

This request is to provide additional engineering design services to revise the existing Shiloh Road construction documents.

2b. APPROVED**

Bid No. 0498-19 awarded to Core Construction Services of Texas in the amount of \$139,157.00 for Fencing Improvements at Winters Park and Audubon Park Soccer Facilities.

2c. APPROVED**

Bid No. 0230-19 awarded to Techline, Inc. in the amount of \$585,808.00, which includes an optional contingency of \$58,580.00, for a total bid of \$644,388.00 for TMPA Ben Davis to McCree 138kV Transmission Line Tubular Steel Poles.

This request provides six tubular steel poles as part of the TMPA Ben Davis to McCree 138kV Transmission Line Reconductor CIP project. Due to the complex nature of the project, an optional contingency is included for any additional work that may be required.

2d. APPROVED**

Bid No. 0551-19 awarded to Guard-All Building Solutions in the amount of \$142,420.00 for Carter Softball Complex Canopy Replacement.

This request is to replace the five barrel-shaped shade canopies at the Carter Softball Complex in Audubon Park.

2e. APPROVED**

Bid No. 0540-19 awarded to Power Engineers in the amount of \$1,172,122.00 for King Mountain Switch Station Engineering and Project Management Services.

This request is to provide civil, structural, and design engineering services for the construction of the GP&L King Mountain Switch Station.

2f. APPROVED**

Bid No. 0541-19 awarded to Burns & McDonnell in the amount of \$170,500.00 for the Concho Bluff CCN Application and Support Services.

This request is to provide professional engineering services necessary for the preparation of an Environmental Assessment (EA) and Certificate of Convenience and Necessity (CCN) Application for the proposed Concho Bluff 345kV Transmission Line Project.

2g. APPROVED**

Bid No. 0370-19 awarded to Tri-Con Services, Inc. in the amount of \$2,067,135.00, which includes an optional contingency of \$206,713.50, for a total bid of \$2,273,848.50 for Campbell Road Switch Station Civil Site Grading, Fencing and Foundations.

3. APPROVED**

Ordinance No. 7041 amending Chapter 32, "Property Sanitation and Housing Services," of the Code of Ordinances of the City of Garland, Texas; adding subsection 32.53(N) regarding rental bicycles and rental motorized scooters; 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 February 5, 2019 Work Session, Council considered an ordinance to resolve bike share issues and the regulation of motorized scooters. Council is requested to approve an ordinance amending Chapter 32 "Property Sanitation and Housing Services," of the Code of Ordinances of the City of Garland adding Subsection 32.53 regarding rental bicycles and rental motorized scooters.

4. APPROVED**

Ordinance No. 7042 authorizing an amendment to the 2018-19 Operating Budget (Budget Amendment No. 1), providing for supplemental appropriation of funds in the General Fund,

the Infrastructure Repair & Replacement Fund, the Information Technology Replacement Fund, the Hotel/Motel Tax Fund, the Equipment Replacement Fund, the Safelight Fund, the Narcotic Seizure Fund, the Environmental Waste Services Fund, the Water Utility Fund, and various funds associated with Purchase Order Encumbrances; and providing an effective date.

At the February 18, 2019 Work Session, the City Council reviewed a Policy Report recommending an amendment to the 2018-19 Adopted Budget. The Council directed staff to prepare an Ordinance amending the Budget for (1) projects approved in last year's Budget but uncompleted by the fiscal year-end, (2) the rollover of open Purchase Orders from the 2017-18 fiscal year, and (3) expenditures not anticipated in the 2018-19 Adopted Budget. All funds required to cover the increases in appropriations are in the respective fund balances. As a result, Budget Amendment No. 1 has no financial impact to the City.

ITEMS FOR INDIVIDUAL CONSIDERATION

5. PH HELD

Hold a public hearing to receive comment on the 2019 Proposed Capital Improvement Program (CIP)

A public hearing will be held on the 2019 Proposed Capital Improvement Program (CIP). At the public hearing, all interested persons will be given the opportunity to be heard for or against the proposed program. The 2019 Proposed CIP has been available for public inspection in the City's libraries and the City Secretary's Office and has been on the City's website since February 20, 2019.

A public hearing was also held on February 26, 2019.

Mayor Dodson opened the public hearing at 7:11 p.m.

There were no speakers on this item and no discussion by Council; the hearing was closed at 7:12 p.m.

6. APPROVED

Consider an ordinance approving the 2019 Capital Improvement Program

On February 19, 2019, the City Council was presented with the Proposed Capital Improvement Program (CIP) for 2019. The 2019 Proposed CIP has been available for public inspection in the City's libraries and the City Secretary's Office and has been on the City's website since February 20, 2019. The City Council held a Special Budget Work Session on February 26, 2019, to review the proposed program. In addition, a Public Hearing on the Proposed CIP was held on February 26, 2019.

Motion was made by Mayor Pro Tem Aubin to approve the 2019 CIP as presented by staff with amendments from the March 4, 2018 Work Session, seconded by Council Member Vera. Motion carried 8 ayes, 1 nay (Council Member Bookhout) to adopt Ordinance No. 7043.

7a. APPROVED

Consider the application of Development Engineering Consultants, LLC, requesting approval of 1) an Amendment to Planned Development (PD) 03-53 for Freeway Uses, 2) an amended Concept Plan, and 3) a Detail Plan for Dwelling, Multi-Family Uses. This property is located at 3400 Firewheel Parkway. (File No. Z 18-33, District 1)

BEGINNING at a ½" iron rod with cap stamped "Dal-Tech" found at the intersection of the easterly right-of-way line of Firewheel Parkway (called 120' ROW) and the northerly right-of-way line of President George Bush Turnpike (variable width ROW), being the beginning of a curve to the right; THENCE along the easterly right-of-way line of Firewheel Parkway along said curve to the right, through a central angle of 42°47'25", a radius of 890.00 feet, an arc length of 664.68 feet, a chord bearing North 16°31'22" East and a chord distance of 649.34 feet to a point; THENCE along the easterly

right-of-way line of Firewheel Parkway North $37^{\circ}53'11''$ East a distance of 236.36 feet to a point, being the beginning of a curve to the left; THENCE along the easterly right-of-way line of Firewheel Parkway along said curve to the left, through a central angle of $52^{\circ}03'33''$, a radius of 1,010.00 feet, an arc length of 917.69 feet, a chord bearing North $11^{\circ}51'26''$ East and a chord distance of 886.45 feet to a point; THENCE departing the easterly right-of-way line of Firewheel Parkway North $43^{\circ}40'25''$ East a distance of 173.58 feet to a point; THENCE North $29^{\circ}39'26''$ East a distance of 40.84 feet to a point; THENCE South $29^{\circ}44'45''$ East a distance of 138.85 feet to a point; THENCE South $46^{\circ}19'35''$ East a distance of 139.30 feet to a point, being the beginning of a curve to the right; THENCE along said curve to the right, through a central angle of $18^{\circ}16'45''$, a radius of 500 feet, an arc length of 159.52 feet, a chord bearing South $37^{\circ}11'12''$ East and a chord distance of 158.84 feet to a point; THENCE South $28^{\circ}02'50''$ East a distance of 393.88 feet to a point; THENCE South $07^{\circ}56'17''$ East a distance of 196.38 feet to a point; THENCE South $56^{\circ}00'21''$ East a distance of 163.65 feet to a point; THENCE South $04^{\circ}44'32''$ West a distance of 27.81 feet to a point; THENCE South $55^{\circ}39'11''$ East a distance of 320.07 feet to a point, being the beginning of a curve to the right; THENCE along said curve to the right, through a central angle of $17^{\circ}46'57''$, a radius of 2,249.73 feet, an arc length of 698.23 feet, a chord bearing South $46^{\circ}45'44''$ East and a chord distance of 695.43 feet to a point, being in the northerly right-of-way line of said President George Bush Turnpike; THENCE along the northerly right-of-way line of said President George Bush Turnpike South $79^{\circ}44'36''$ West a distance of 555.61 feet to a point; THENCE along the northerly right-of-way line of said President George Bush Turnpike South $84^{\circ}55'55''$ West a distance of 195.60 feet to a point; THENCE along the northerly right-of-way line of said President George Bush Turnpike North $89^{\circ}08'05''$ West a distance of 501.41 feet to a point; THENCE along the northerly right-of-way line of said President George Bush Turnpike South $82^{\circ}03'44''$ West a distance of 747.38 feet to a

point; THENCE along the northerly right-of-way line of said President George Bush Turnpike North 52°56'17" West a distance of 63.97 feet to the POINT OF BEGINNING and containing 1,726,765.66 square feet (39.64 acres) of land, more or less. The applicant requests to develop a multi-family (apartment) complex and future commercial use.

The staff report was presented by Kira Wauwie, Sr. Development Planner. Speakers on this item were R. J. Grogan, Jr., applicant and Mike Dyer, in support of the application.

There was discussion commentary by Council Member Gibbons. Motion was made by Council Member Gibbons to approve the Amendment to PD 03-53, in accordance with staff and Plan Commission recommendations, seconded by Mayor Pro Tem Aubin. Motion carried 9 ayes, 0 nays.

7b. APPROVED**

Consider the application of the City of Garland, requesting approval of a Change in Zoning from Planned Development (PD) 99-44 District for Cluster and Patio Homes to Single-Family Attached (SFA) District (townhouses). This property is located at 2901 Arapaho Road. (File No. Z 18-49, District 7)

Being a tract of land situated in the FREDERICK MOSS SURVEY, ABSTRACT NO. 941 in the City of Garland, Dallas County, Texas and being a part of that land conveyed to William F. Callejo, Trustee, by deed recorded in Volume 576, Page 1326 of the Deed Records of Dallas County, Texas containing 1.299 acres of land more or less. The existing PD 99-44 zoning intended to allow cluster home and patio home development in conjunction with the abutting unimproved property to the east. The zoning of that unimproved property to the east has since changed from PD 99-44 to Single-Family Attached (SFA) District (townhouses). As a result there are challenges to develop the property as a whole. This proposal is intended to relieve inconsistent zoning challenges by re-zoning the subject property to SFA.

There was no opposition to the approval of the application. Motion was made by Deputy Mayor Pro Tem LeMay to approve the application to change zoning from Planned Development, cluster homes, patio homes to Single-Family Attached (SFA) District (townhouses), seconded by Council Member Smith. Motion carried 9 ayes, 0 nays.

8. CITIZEN COMMENTS: There were no comments.

9. ADJOURN There being no further business to come before the City Council, Mayor Dodson adjourned the meeting at 7:42 p.m.

CITY OF GARLAND, TEXAS

/s/ Lori Barnett Dodson, Mayor

/s/ Eloyce René Dowl, City Secretary



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

2.a.

Meeting Date: 03/19/2019

Item Title: New Home Construction at 1441 Nash Street

Submitted By: Mona Woodard, Neighborhood Services Administrator

Bid Number: 0364-19

Purchase Justification:

This request is for the construction of a new single family home at 1441 Nash Street using the HOME infill federal grant funding. HOME funding may be utilized to further affordable housing within a community for low to moderate income qualified buyers in accordance with HUD's national objectives for HOME funding.

Evaluation:

A request for bids was issued in accordance with Purchasing procedures. Three bids were received and evaluated with MG Luxury Homes, LLC submitting the Straight Low Bid.

Award Recommendation:

<u><i>Vendor</i></u>	<u><i>Item</i></u>	<u><i>Amount</i></u>
MG Luxury Homes, LLC	All	\$136,856.00
	TOTAL:	\$136,856.00

Basis for Award: Straight Low Bid

Purchase Requisition #: 41010

Fiscal Impact

Total Project/Account: \$1,143,021

Expended/Encumbered to Date: 182,361

Balance: \$960,660

This Item: 136,856

Proposed Balance: \$823,804

Account #: 823-8231-3919419-711128

Fund/Dept/Project – Description and Comments:

HOME Grant Fund / Infill Housing FY 2018-19

Attachments

Bid Recap

Fiscal Reference:

Budget Type: Operating Budget

Fiscal Year: 2018-19

Document Location: Page 226

Budget Director Approval: Ron Young

Approval Date: 03/06/2019

Purchasing Director Approval: Gary L. Holcomb

Approval Date: 03/05/2019



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

2.b.

Meeting Date: 03/19/2019

Item Title: GP&L Dent Road to Shelby 138kV Transmission Line Steel Structures

Submitted By: Ross Owen, Director of Transmission & Distr

Bid Number: 0380-19

Purchase Justification:

This request is for the purchase of steel structures to be used in the construction of the Dent Road to Shelby 138kV Transmission Line. This is part of the approved Dent Road to Shelby 138kV Transmission Line CIP project.

Evaluation:

A request for bids was issued in accordance with Purchasing procedures. Six bids were received and evaluated with KBS Electrical Distributors, Inc. submitting the Straight Low Bid.

Award Recommendation:

<u><i>Vendor</i></u>	<u><i>Item</i></u>	<u><i>Amount</i></u>
KBS Electrical Distributors, Inc.	All	\$2,655,099.75
	TOTAL:	\$2,655,099.75

Basis for Award: Straight Low Bid

Purchase Requisition #: 40984

Fiscal Impact

Total Project/Account: \$8,842,737
Expended/Encumbered to Date: 3,236,202
Balance: \$5,606,535
This Item: 2,655,100
Proposed Balance: \$2,951,435
Account #: 210-3599-3143401-6051

Fund/Dept/Project – Description and Comments:

Electric CIP - Transmission Lines: This request is for the purchase of steel structures to be used in the construction of the Dent Road to Shelby 138kV Transmission Line. This is part of the approved Dent Road to Shelby 138kV Transmission Line CIP project.

Attachments

Bid Recap 1 of 2

Bid Recap 2 of 2

Fiscal Reference:

Budget Type: CIP

Fiscal Year: 2019

Document Location: Page E01

Budget Director Approval:

Approval Date:

Purchasing Director Approval: Gary L. Holcomb

Approval Date: 03/05/2019



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

2.c.

Meeting Date: 03/19/2019

Item Title: GP&L Dent Road to Shelby 138kV Transmission Line Engineering and Construction Management Services

Submitted By: Ross Owen, Director of Transmission & Distr

Bid Number: 0561-19

Purchase Justification:

This request is to obtain engineering and construction management services related to the new 138kV transmission line in Greenville. The line will extend from the new Dent Road 138kV Switch Station to the existing Shelby Substation. An on-site field engineer will provide oversight of construction activities for the duration of the project. This is part of the approved Dent Road to Shelby 138kV Transmission Line CIP project.

Evaluation:

Burns & McDonnell was selected as the Most Qualified firm for this project from a short-list of consultants evaluated and scored in RFQ 0942-17.

Award Recommendation:

<u><i>Vendor</i></u>	<u><i>Item</i></u>	<u><i>Amount</i></u>
Burns & McDonnell	All	\$258,500.00
	TOTAL:	\$258,500.00

Basis for Award: Most Qualified

Purchase Requisition #: 41238

Fiscal Impact

Total Project/Account: \$8,842,737

Expended/Encumbered to Date: 6,187,637

Balance: \$2,655,100

This Item: 258,500

Proposed Balance: \$2,396,600
Account #: 210-3599-3143401-7111

Fund/Dept/Project – Description and Comments:

Electric CIP - Transmission Lines: This request provides engineering and construction management services related to the new 138kV transmission line in Greenville that will extend from the new Dent Road 138kV Switch Station to the existing Shelby Substation. An on-site field engineer will provide oversight of construction activities for the duration of the project, and this is part of the approved Dent Road to Shelby 138kV Transmission Line CIP project.

Attachments

Bid Recap

Fiscal Reference:

Budget Type: CIP

Fiscal Year: 2019

Document Location: Page E01

Budget Director Approval:

Approval Date:

Purchasing Director Approval: Gary L. Holcomb

Approval Date: 03/05/2019



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

2.d.

Meeting Date: 03/19/2019

Item Title: GP&L Dent Road 138kV Switch Station Engineering and Construction Management Services

Submitted By: Ross Owen, Director of Transmission & Distr

Bid Number: 0562-19

Purchase Justification:

This request is to obtain engineering and construction management services related to the new Dent Road 138kV Switch Station. An on-site field engineer will provide oversight of construction activities for the duration of the project. This is part of the approved Dent Road Switch Station CIP project.

Evaluation:

Burns & McDonnell was selected as the Most Qualified firm for this project from a short-list of consultants evaluated and scored in RFQ 0942-17.

Award Recommendation:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
Burns & McDonnell	All	\$341,000.00
	TOTAL:	\$341,000.00

Basis for Award: Most Qualified

Purchase Requisition #: 41237

Fiscal Impact

Total Project/Account: \$8,778,160
Expended/Encumbered to Date: 7,750,223
Balance: \$1,027,937
This Item: 341,000
Proposed Balance: \$686,937

Account #: 210-3799-3177401-7111

Fund/Dept/Project – Description and Comments:

Electric CIP - Substations Upgrades: This request provides engineering and construction management services related to the new Dent Road 138kV Switch Station. An on-site field engineer will provide oversight of construction activities for the duration of the project. This is part of the approved Dent Road Switch Station CIP project.

Attachments

Bid Recap

Fiscal Reference:

Budget Type: CIP

Fiscal Year: 2019

Document Location: Page E10

Budget Director Approval:

Approval Date:

Purchasing Director Approval: Gary L. Holcomb

Approval Date: 03/05/2019



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

2.e.

Meeting Date: 03/19/2019

Item Title: GP&L Lookout to Apollo 138kV Transmission Line Steel Structures

Submitted By: Ross Owen, Director of Transmission & Distr

Bid Number: 0407-19

Purchase Justification:

This request is for the purchase of tubular steel structures for phase II of the Lookout to Apollo 138kV Transmission Line Rebuild CIP project. The bid award includes 30 complete galvanized steel transmission monopoles with all necessary components and incidentals per engineering detail drawings and specifications. Due to the complex nature of the project, an optional contingency is included for any additional materials that may be required.

Evaluation:

A request for bids was issued in accordance with Purchasing procedures. Four bids were received and evaluated with Techline, Inc. submitting the Straight Low Bid.

Award Recommendation:

<u><i>Vendor</i></u>	<u><i>Item</i></u>	<u><i>Amount</i></u>
Techline, Inc.	All	\$1,432,925.00
Optional Contingency		143,292.50
	TOTAL:	----- \$1,576,217.50

Basis for Award: Straight Low Bid

Purchase Requisition #: 41173

Fiscal Impact

Total Project/Account: \$3,530,000

Expended/Encumbered to Date: 550,000

Balance: \$2,980,000

This Item: 1,576,218

Proposed Balance: \$1,403,782
Account #: 215-3599-3143801-6051

Fund/Dept/Project – Description and Comments:

Electric CIP - Transmission Lines: This request is for the purchase of tubular steel structures for phase II of the Lookout to Apollo 138kV Transmission Line Rebuild CIP project. The bid award includes 30 complete galvanized steel transmission monopoles with all necessary components and incidentals per engineering detail drawings and specifications. Due to the complex nature of the project, an optional contingency is included for any additional materials that may be required.

Attachments

Bid Recap

Fiscal Reference:
Budget Type: CIP
Fiscal Year: 2019
Document Location: Page E01

Budget Director Approval:	Approval Date:
Purchasing Director Approval: Gary L. Holcomb	Approval Date: 03/05/2019



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

2.f.

Meeting Date: 03/19/2019

Item Title: GP&L Dent Road 138kV Switch Station Steel Structures

Submitted By: Ross Owen, Director of Transmission & Distr

Bid Number: 0410-19

Purchase Justification:

This request is for the purchase of steel structures to be used in the construction of the Dent Road 138kV Switch Station. This is part of the approved Dent Road Switch Station CIP project.

Evaluation:

A request for bids was issued in accordance with Purchasing procedures. Five bids were received and evaluated based on price. The apparent low bidder, SAE Towers, did not include the required bonds as part of their proposal and was therefore deemed non-responsive. Klute, Inc. Steel Fabrication submitted the Lowest Responsible Bid meeting all requirements of the specifications.

Award Recommendation:

<u><i>Vendor</i></u>	<u><i>Item</i></u>	<u><i>Amount</i></u>
Klute Inc. Steel Fabrication	All	\$312,859.64
	TOTAL:	\$312,859.64

Basis for Award: Lowest Responsible Bid

Purchase Requisition #: 40953

Fiscal Impact

Total Project/Account: \$8,778,160

Expended/Encumbered to Date: 7,437,363

Balance: \$1,304,797

This Item: 312,860

Proposed Balance: \$1,027,937
Account #: 210-3799-3177401-6051

Fund/Dept/Project – Description and Comments:

Electric CIP - Substations Upgrades: This request is for the purchase of steel structures to be used in the construction of the Dent Road 138kV Switch Station as part of the approved Dent Road Switch Station CIP project.

Attachments

Bid Recap

Fiscal Reference:

Budget Type: CIP

Fiscal Year: 2019

Document Location: Page E10

Budget Director Approval:

Approval Date:

Purchasing Director Approval: Gary L. Holcomb

Approval Date: 03/05/2019



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

2.g.

Meeting Date: 03/19/2019

Item Title: Term Agreement for Electrical Services

Submitted By: Ginny Holliday, Facilities Management Director

Bid Number: 0265-19

Purchase Justification:

This request is to provide a full range of electrical services to the various City departments on an as-needed basis. This is a term agreement with four (4) optional renewals. A term is defined as either the annual expiration date or the expenditure of funds, whichever occurs first. Subsequent renewals do not require additional City Council approval. If all optional renewals are exercised, the potential financial impact will be \$1,000,000 over the life of the agreement. Expenditures will not exceed appropriated funds.

Evaluation:

A request for bids was issued in accordance with Purchasing procedures. Three bids were received and evaluated based on the published criteria of price, references, proposed personnel, response time, and methodology. Boyd Operating Company, LLC received the highest evaluated score, offering the best value for the City.

Award Recommendation:

<u><i>Vendor</i></u>	<u><i>Item</i></u>	<u><i>Amount</i></u>
Boyd Operating Company, LLC	All	200,000.00
	TOTAL:	\$200,000.00

Basis for Award: Best Value

Purchase Requisition #: 40869

Fiscal Impact

Total Project/Account: N/A

Expended/Encumbered to Date: N/A

Balance: N/A
This Item: \$200,000
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 accounts as incurred.

Attachments

Bid Recap

Fiscal Reference:

Budget Type: Operating Budget
Fiscal Year: 2018-19
Document Location: N/A

Budget Director Approval:	Ron Young	Approval Date: 03/06/2019
Purchasing Director Approval:	Gary L. Holcomb	Approval Date: 03/05/2019



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

2.h.

Meeting Date: 03/19/2019

Item Title: TMPA Breaker and Relay Protection and Control Services

Submitted By: Ross Owen, Director of Transmission & Distr

Bid Number: 0601-19

Purchase Justification:

This request is to provide relay protection and control services at TMPA substations on an as-needed basis. Services will include testing of transformers, breakers, and relays in addition to relay setting changes, firmware upgrades, and unplanned control circuit repairs. This is a TMPA expense and will be reimbursed at 100%.

Evaluation:

These services will be provided by Power Testing & Energization through an Interlocal Agreement with the City of Denton.

Award Recommendation:

<u><i>Vendor</i></u>	<u><i>Item</i></u>	<u><i>Amount</i></u>
Power Testing & Energization	All	\$300,000.00
	TOTAL:	\$300,000.00

Basis for Award: Cooperative Purchase

Purchase Requisition #: 41261

Fiscal Impact

Total Project/Account: N/A
Expended/Encumbered to Date: N/A
Balance: N/A
This Item: \$300,000
Proposed Balance: N/A
Account #: 451-6999

Fund/Dept/Project – Description and Comments:

Term Contract - Power Testing. Term contract sets price but does not commit funds. Expenses will be charged to 211-3542-7111 as incurred. This provides relay protection and control services at TMPA substations on an as-needed basis. Services will include testing of transformers, breakers, and relays in addition to relay setting changes, firmware upgrades, and unplanned control circuit repairs. This is a TMPA expense and will be reimbursed at 100%.

Attachments

Bid Recap

Fiscal Reference:

Budget Type: Operating Budget

Fiscal Year: 2018-19

Document Location: Page 215

Budget Director Approval:

Approval Date:

Purchasing Director Approval: Gary L. Holcomb

Approval Date: 03/06/2019



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

2.i.

Meeting Date: 03/19/2019

Item Title: GP&L Campbell Road Switch Station Construction Materials

Submitted By: Ross Owen, Director of Transmission & Distr

Bid Number: 0477-19

Purchase Justification:

This request is to provide insulators, bus, jumpers, control cable and associated materials for construction at the Campbell Road Switch Station. This purchase also includes material to loop the transmission line into the new substation. This is part of the approved GP&L Campbell Road Switch Station CIP project. Due to the complex nature of the project, an optional contingency is included for any additional materials that may be required.

Evaluation:

A request for bids was issued in accordance with Purchasing procedures. The apparent low bidder, Wesco Distribution, misquoted the conductor and withdrew their bid. Techline, Inc submitted the Lowest Responsible Bid meeting all requirements of the specifications.

Award Recommendation:

<u><i>Vendor</i></u>	<u><i>Item</i></u>	<u><i>Amount</i></u>
Techline, Inc.	All	\$199,271.91
Optional Contingency		19,927.19
	TOTAL:	\$219,199.10

Basis for Award: Lowest Responsible Bid

Purchase Requisition #: 41176

Fiscal Impact

Total Project/Account: \$8,650,000

Expended/Encumbered to Date: 5,158,528

Balance: \$3,491,472

This Item: 219,200
Proposed Balance: \$3,272,272
Account #: 210-3799-3177901-6051

Fund/Dept/Project – Description and Comments:

Electric CIP - Substations Upgrades: This request provides insulators, bus, jumpers, control cables and associated materials for construction at the Campbell Road Switch Station. This purchase also includes materials to loop the transmission line into the new substation. This is part of the approved GP&L Campbell Road Switch Station CIP project. Due to the complex nature of the project, an optional contingency is included for any additional materials that may be required.

Attachments

Bid Recap

Fiscal Reference:

Budget Type: CIP

Fiscal Year: 2019

Document Location: Page E10

Budget Director Approval:

Approval Date:

Purchasing Director Approval: Gary L. Holcomb

Approval Date: 03/06/2019



**GARLAND
CITY COUNCIL ITEM SUMMARY SHEET**

City Council Regular Session Agenda

3.a.

Meeting Date: 03/19/2019

Item Title: Z 18-49 City of Garland (District 7)

Submitted By: Kira Wauwie, Principal Development Planner

Summary of Request/Problem

Zoning Ordinance Z 18-49 City of Garland

Recommendation/Action Requested and Justification

Consider adoption of attached ordinance.

Attachments

Z 18-49 City of Garland Ordinance

Z 18-49 City of Garland Exhibit A

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE GARLAND DEVELOPMENT CODE OF THE CITY OF GARLAND, TEXAS, BY APPROVING A CHANGE IN ZONING FROM PLANNED DEVELOPMENT (PD) DISTRICT 99-44 FOR CLUSTER AND PATIO HOMES TO SINGLE-FAMILY ATTACHED (SFA) DISTRICT ON APPROXIMATELY 1.29 ACRES OF LAND LOCATED AT 2901 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.

WHEREAS, at its regular meeting held on the 11th day of February, 2019, the Plan Commission did consider and make recommendations on a certain request for approval of a Change in Zoning made by **the City of Garland**; 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 a Change In Zoning From Planned Development (PD) District 99-44 for Cluster and Patio Homes to Single-Family Attached (SFA) District on approximately 1.29 acres of land located at 2901 Arapaho Road and being more particularly described in Exhibit A, attached hereto and made a part hereof.

Section 2

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

Section 3

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

Section 4

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

Section 5

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

Section 6

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

Section 7

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

PASSED AND APPROVED this _____ day of _____, 2019.

ZONING FILE NO. Z 18-49

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary

Published:

EXHIBIT A

LEGAL DESCRIPTION

Zoning File Z 18-49

Being a tract of land situated in the FREDERICK MOSS SURVEY, ABSTRACT NO. 941 in the City of Garland, Dallas County, Texas and being a part of that land conveyed to William F. Callejo, Trustee, by deed recorded in Volume 576, Page 1326 of the Deed Records of Dallas County, Texas and being more particularly described as follows:

COMMENCING at the intersection of the east line of Galaxie Road (55' R.O.W.) with the North_ line of Arapaho Road (75' R.O.W.), a point for corner; thence S 89° 44' 32" W, along the North line of Arapaho Road, 25.00 feet to a point on the centerline of future Galaxie Road for corner; thence S 24° 09' 10" W, along the centerline of future Galaxie Road, 27.45 feet to a point on the centerline of future Arapaho Road and the POINT OF BEGINNING;

THENCE N 24° 09' 10" E, along the centerline of future Galaxie Road, 303.02 feet to a point for corner;

THENCE N 89° 24' 33" E, along the South line of a 15 feet wide alley, 150.00 feet to a point for corner;

THENCE S 00° 35' 27" E, 247.96 feet to a point on the centerline of future Arapaho Road {100' R.O.W.) for corner;

THENCE Southwesterly, along the centerline of future Arapaho Road and along a curve to the left which has a chord that bears S 78° 58' 06" W, a central angle of 03° 16' 13" and a radius of 800.00 feet, for an arc distance of 45.66 feet to the end of said curve and the beginning of a

curve to the right, a point for corner;

THENCE Westerly, along the centerline of future Arapaho Road and along the curve to the right which has a chord that bears S 83° 32' 16" W, a central angle of 12° 24' 32" and a radius of 869.44 feet for an arc distance of 188.30 feet to the end of said curve, a point for corner;

THENCE S 89° 44' 32" W, along the centerline of future Arapaho Road, 44.99 feet to the POINT OF BEGINNING and containing 1.299 acres of land more or less.



GARLAND
CITY COUNCIL ITEM SUMMARY SHEET

City Council Regular Session Agenda

3.b.

Meeting Date: 03/19/2019

Item Title: Z 18-33 Development Engineering Consultants, LLC (District 1)

Submitted By: Kira Wauwie, Principal Development Planner

Summary of Request/Problem

Zoning Ordinance Z 18-33 Development Engineering Consultants, LLC

Recommendation/Action Requested and Justification

Consider adoption of attached ordinance.

Attachments

Z 18-33 Development Engineering Consultants, LLC Ordinance

Z 18-33 Development Engineering Consultants, LLC Exhibit A

Z 18-33 Development Engineering Consultants, LLC Exhibit B

Z 18-33 Development Engineering Consultants, LLC Exhibits C-F

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE GARLAND DEVELOPMENT CODE OF THE CITY OF GARLAND, TEXAS, BY APPROVING 1) AN AMENDMENT TO PLANNED DEVELOPMENT (PD) 03-53 FOR FREEWAY USES, 2) AN AMENDED CONCEPT PLAN, AND 3) A DETAIL PLAN FOR DWELLING, MULTI-FAMILY USES ON A 39.64-ACRE TRACT OF LAND ZONED PLANNED DEVELOPMENT (PD) DISTRICT 03-53 FOR FREEWAY USES AND LOCATED AT 3400 FIREWHEEL PARKWAY; 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 11th day of February, 2019, the Plan Commission did consider and make recommendations on a certain request for approval of 1) an amendment to Planned Development (PD) 03-53 for Freeway Uses, 2) an Amended Concept Plan, and 3) a Detail Plan for Dwelling, Multi-Family Uses by **Development Engineering Consultants, LLC**; and

WHEREAS, the City Council, after determining all legal requirements of notice and hearing have been met, has further determined the following amendment to the 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) 03-53 for Freeway Uses, 2) an Amended Concept Plan, and 3) a Detail Plan for Dwelling, Multi-Family Uses on a 39.64-acre tract of land located at 3400 Firewheel Parkway 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

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 18-33

Section 7

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

PASSED AND APPROVED this _____ day of _____, 2019.

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary

Published:

EXHIBIT A

LEGAL DESCRIPTION

Zoning File Z 18-33

BEGINNING at a ½" iron rod with cap stamped "Dal-Tech" found at the intersection of the easterly right-of-way line of Firewheel Parkway (called 120' ROW) and the northerly right-of-way line of President George Bush Turnpike (variable width ROW), being the beginning of a curve to the right;

THENCE along the easterly right-of-way line of Firewheel Parkway along said curve to the right, through a central angle of 42°47'25", a radius of 890.00 feet, an arc length of 664.68 feet, a chord bearing North 16°31'22" East and a chord distance of 649.34 feet to a point;

THENCE along the easterly right-of-way line of Firewheel Parkway North 37°53'11" East a distance of 236.36 feet to a point, being the beginning of a curve to the left;

THENCE along the easterly right-of-way line of Firewheel Parkway along said curve to the left, through a central angle of 52°03'33", a radius of 1,010.00 feet, an arc length of 917.69 feet, a chord bearing North 11°51'26" East and a chord distance of 886.45 feet to a point;

THENCE departing the easterly right-of-way line of Firewheel Parkway North $43^{\circ}40'25''$ East a distance of 173.58 feet to a point;

THENCE North $29^{\circ}39'26''$ East a distance of 40.84 feet to a point;

THENCE South $29^{\circ}44'45''$ East a distance of 138.85 feet to a point;

THENCE South $46^{\circ}19'35''$ East a distance of 139.30 feet to a point, being the beginning of a curve to the right;

THENCE along said curve to the right, through a central angle of $18^{\circ}16'45''$, a radius of 500 feet, an arc length of 159.52 feet, a chord bearing South $37^{\circ}11'12''$ East and a chord distance of 158.84 feet to a point;

THENCE South $28^{\circ}02'50''$ East a distance of 393.88 feet to a point;

THENCE South $07^{\circ}56'17''$ East a distance of 196.38 feet to a point;

THENCE South $56^{\circ}00'21''$ East a distance of 163.65 feet to a point;

THENCE South $04^{\circ}44'32''$ West a distance of 27.81 feet to a point;

EXHIBIT A

THENCE South $55^{\circ}39'11''$ East a distance of 320.07 feet to a point, being the beginning of a curve to the right;

THENCE along said curve to the right, through a central angle of $17^{\circ}46'57''$, a radius of 2,249.73 feet, an arc length of 698.23 feet, a chord bearing South $46^{\circ}45'44''$ East and a chord distance of 695.43 feet to a point, being in the northerly right-of-way line of said President George Bush Turnpike;

THENCE along the northerly right-of-way line of said President George Bush Turnpike South $79^{\circ}44'36''$ West a distance of 555.61 feet to a point;

THENCE along the northerly right-of-way line of said President George Bush Turnpike South $84^{\circ}55'55''$ West a distance of 195.60 feet to a point;

THENCE along the northerly right-of-way line of said President George Bush Turnpike North $89^{\circ}08'05''$ West a distance of 501.41 feet to a point;

THENCE along the northerly right-of-way line of said President George Bush Turnpike South $82^{\circ}03'44''$ West a distance of 747.38 feet to a point;

THENCE along the northerly right-of-way line of said President George Bush Turnpike North $52^{\circ}56'17''$ West a distance of 63.97

EXHIBIT A

feet to the POINT OF BEGINNING and containing 1,726,765.66
square feet (39.64 acres) of land, more or less.

PLANNED DEVELOPMENT CONDITIONS

ZONING FILE Z 18-33

3400 Firewheel Parkway

- I. Statement of Purpose:** The purpose of this Planned Development is to permit the development of Mixed Uses.
- II. Statement of Effect:** This Planned Development shall not affect any regulation found in the Garland Development Code, Ordinance No. 6773, as amended prior to adoption of this ordinance, except as specifically provided herein.
- III. General Regulations:** All regulations of the Multi-Family (MF) District as set forth in Chapter 2 of the Garland Development Code, and Planned Development (PD) District 03-53 and Planned Development (PD) District 12-36 are included by reference and shall apply, except as otherwise specified by this ordinance.
- IV. Development Plans:**
- Concept Plan:** The development shall be in general conformance with the Concept Plan set forth in Exhibit C; however in the event of a conflict between the Concept Plan and Specific Regulations below, the Specific Regulations shall apply.
- Detail Plan:** Development on Lot 1 of Tract 2 shall be in general conformance with the Detail Plan labeled Exhibit D. In the event there is conflict between the approved Detail Plan and the Specific Regulations below, the Specific Regulations shall govern.
- V. Specific Regulations to the Concept Plan:**
- A. Permitted Uses:** Ground floor retail use is not required in multi-family buildings within Tract 2. Additionally Lot 3 (being the northeast corner of S.H. 190 and Firewheel Parkway) shall be limited to nonresidential uses currently allowed for Tract 2 as stated in Planned Development (PD) District 03-53.

- B. Maximum Number of Dwelling Units: The maximum permitted aggregate number of dwelling units on Tract 2 is 1,800 multi-family units.
- C. Building Height: The maximum permitted building height for Lot 1 is as indicated below. Future building height on the other portions of Tract 2 shall be reviewed with future Detail Plans.
- D. Carports: Carports shall be no more than ten (10) parking stalls in length in each instance and cover a maximum of twenty (20) parking spaces and two rows of parking maximum throughout Tract 2 in each instance.
- E. Future Access:
- (1) In the event the real property abutting Tract 2 on the east (the "East Offsite Tract") is developed in the future, then the owner(s) of the portion of Tract 2 south of Lot 1 shall cooperate with the City of Garland and the then owner of the East Offsite Tract to provide a location for an appropriate access easement across such portion of Tract 2, so long as all construction, lighting, and maintenance of such access is done per prevailing city standards.
 - (2) Lot 1 shall provide vehicular access to Lot 2 and to Lot 4 as shown on the Concept Plan (Exhibit C) and Detail Plan (Exhibit D).
- F. Open Space: Lot 1 shall provide open space as indicated below. All remaining Detail Plans submitted for each project within Tract 2 shall provide site and perimeter landscaping for a minimum of ten percent (10%) of the total site area for each such project. Any required buffers and internal landscaping areas shall count towards meeting the total landscape area requirement. Additionally, all portions of Tract 2 (including Lots 1, 2, 3, and 4) shall comply with the following conditions:
- (1) Landscaping must be regularly maintained in a healthy, growing condition and in compliance with this PD Ordinance, the Garland Development Code, the Code of Ordinances of the City of Garland, and the landscaping plan attached hereto at all times. The property owner is responsible for regular weeding, mowing of grass, irrigation, fertilizing, pruning, or other maintenance of all plantings as needed. All exposed ground surfaces on or within the premises shall be properly improved, covered with screening or other approved solid material, or protected with a vegetative growth that

prevents soil erosion and ameliorates objectionable dust conditions.

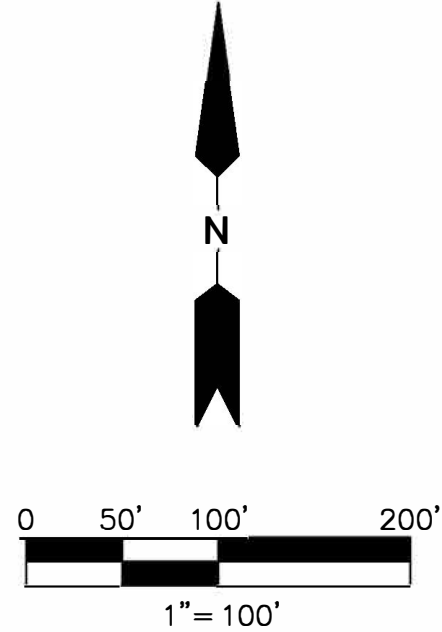
- (2) Any plant or vegetation that dies must be replaced with another approved plant variety that complies with the approved landscape plan within sixty (60) days after receipt of written notification from the City. In the event the property owner fails to remedy a violation of any landscaping maintenance regulation within sixty (60) days after receipt of written notification from the City, the City may, in addition to any other remedy available by law, withhold future city permits, licenses and/or certificates requested by the property owner for the premises to which such violation applies.
- (3) Screening and paving must be regularly maintained in compliance with this PD Ordinance, the Garland Development Code, and the Code of Ordinances of the City of Garland at all times. The property owner is responsible for regular maintenance of all screening and paving as needed. In the event the property owner fails to remedy a violation of any screening or paving maintenance regulation within sixty (60) days after receipt of written notification from the City, the City may, in addition to any other remedy available by law, withhold future city permits, licenses and/or certificates requested by the property owner for the premises to which such violation applies.

VI. Specific Regulations to Lot 1:

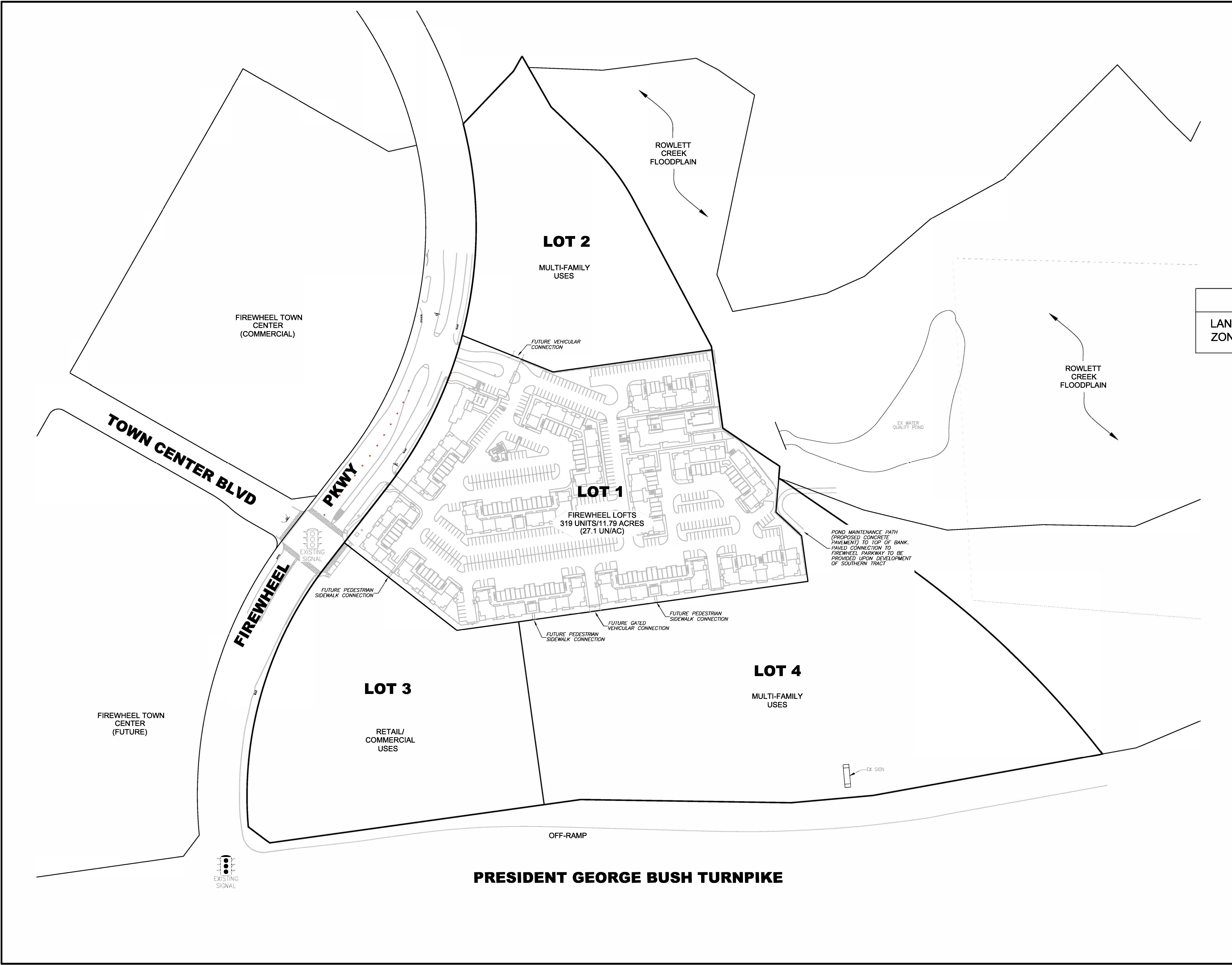
- A. Building Placement: Thirty-degree (30⁰) angled placement of buildings along street frontages is not required for Tract 2.
- B. Open Space: Lot 1 open space shall be provided as generally shown on the Detail Plan (Exhibit D) and Landscape Plan (Exhibit E).
- C. Tandem Parking: Tandem parking is allowed and may be counted towards the required amount of parking for Lot 1.
- D. Multi-Family Amenities: One swimming pool is allowed on Lot 1 as shown on the Detail Plan (Exhibit D).
- E. Site Plan: Development of the proposed Multi-Family project on Lot 1 shall be in general conformance with the Detail Plan labeled Exhibit D.
- F. Screening and Landscaping: Screening and landscaping for the multi-family project on Lot 1 shall be in general

conformance with the landscape plan labeled Exhibit E. In addition, the Concept Plan Open Space conditions above shall apply to all of Tract 2 including Lot 1.

- G. Elevations: Building and structure elevations for the multi-family project on Lot 1 shall be as shown generally on the elevations labeled Exhibit F.
- H. Building Height: The maximum permitted building height for the multi-family project on Lot 1 is forty-four (44) feet for the elevations shown on the elevation plans (Exhibit F).
- I. Future Access: Vehicular and pedestrian access from Lot 1 shall be provided to Lot 2 and Lot 4 as shown on the Detail Plan (Exhibit D).



SITE DATA	
LAND AREA:	±39.1 ACRES
ZONING:	PD03-53 & PD12-36



CASE NO. 180208-3

CONCEPT PLAN		
TRACT 2 - FIREWHEEL TOWN CENTER		
NEC PGBT & FIREWHEEL PARKWAY		
THE CITY OF GARLAND, TEXAS		
	DESIGN	
		
	405 STATE HIGHWAY 121, SUITE A250 LEWISVILLE, TEXAS 75067 (214) 274-4039 TBPE FIRM NO. F-202255	
	DATE 01/29/19	DEC. FILE NO. 0051
	CITY FILE NO. 180208-3	SHEET NO. C

SITE AREA:	11,79 ACRES (51,719 SF)
ZONING:	PLANNED DEVELOPMENT PD 03-63 AND PD 12-38
PROPOSED ZONING:	PLANNED DEVELOPMENT
CURRENT USE:	UNDVELOPED
PROPOSED USE:	MULTI-FAMILY
MAX BUILDING HEIGHT:	4-2 FT
BUILDING AREA:	154,234 SF [NO MAXIMUM]
BUILDING COVERAGE:	30.0% [40% MAXIMUM]
FLOOR AREA RATIO:	0.621 [NO MAXIMUM]
DENSITY:	27.915 UNITS/AC [60 UNITS/AC MAXIMUM]
OPEN SPACE:	130,885 SF (72.2%)
IMPERVIOUS AREA:	23,348 SF (72.8%)
LOADING SPACES:	N/A
PARKING SPACES REQUIRED:	521 SPACES [OFF-STREET + 1.5% BORN + 22(3) BORN]
PARKING SPACES PROVIDED:	319 COVERED [1 PER UNIT]
	COVERED: 319 SPACES (106 ATTACHED)
	SURFACE: 202 SPACES
	TOTAL: 521 SPACES (116 AC)

**TOWN
CENTER
BLVD**
(50' RIGHT-OF-WAY)

LEGEND	
	EXISTING LIGHT POLE
	EXISTING FIRE HYDRANT
	EXISTING SIGN
	EXISTING POWER POLE
	PROPOSED FIRE HYDRANT
	PROPOSED DOMESTIC WATER METER

VICINITY MAP
NTS

ROWLETT CREEK
100 YR FLOODPLAIN -47
PER FEMA FIRM
48113C0230K DATED
7/7/2014

EXHIBIT D

CASE NO. 180208-3

BUILDING DATA					
UNIT	AREA PER UNIT	BUILDING TYPE			
		A	B	C	D
EFFICIENCY	0.75 SF	0	0	0	30
1 BEDROOM	7-87 SF	16	20	13	1675
2 BEDROOM	1,139-1,226 SF	6	12	12	6
3 BEDROOM	1,464 SF	6	12		96
LEASING OFFICE	3,102 SF				18
CLUBHOUSE	4,289 SF				
TOTAL FLOOR AREA (SF) PER BUILDING (CONDITIONED AREAS)					
		31,366	31,702	24,102	18,938
UNITS PER BUILDING		34	38	25	122
NO. OF BUILDINGS		3	2	3	
TOTAL UNITS		102	78	76	66
TOTAL FLOOR AREA (CONDITIONED AREAS)		94,098	63,404	72,306	56,814
					286,622

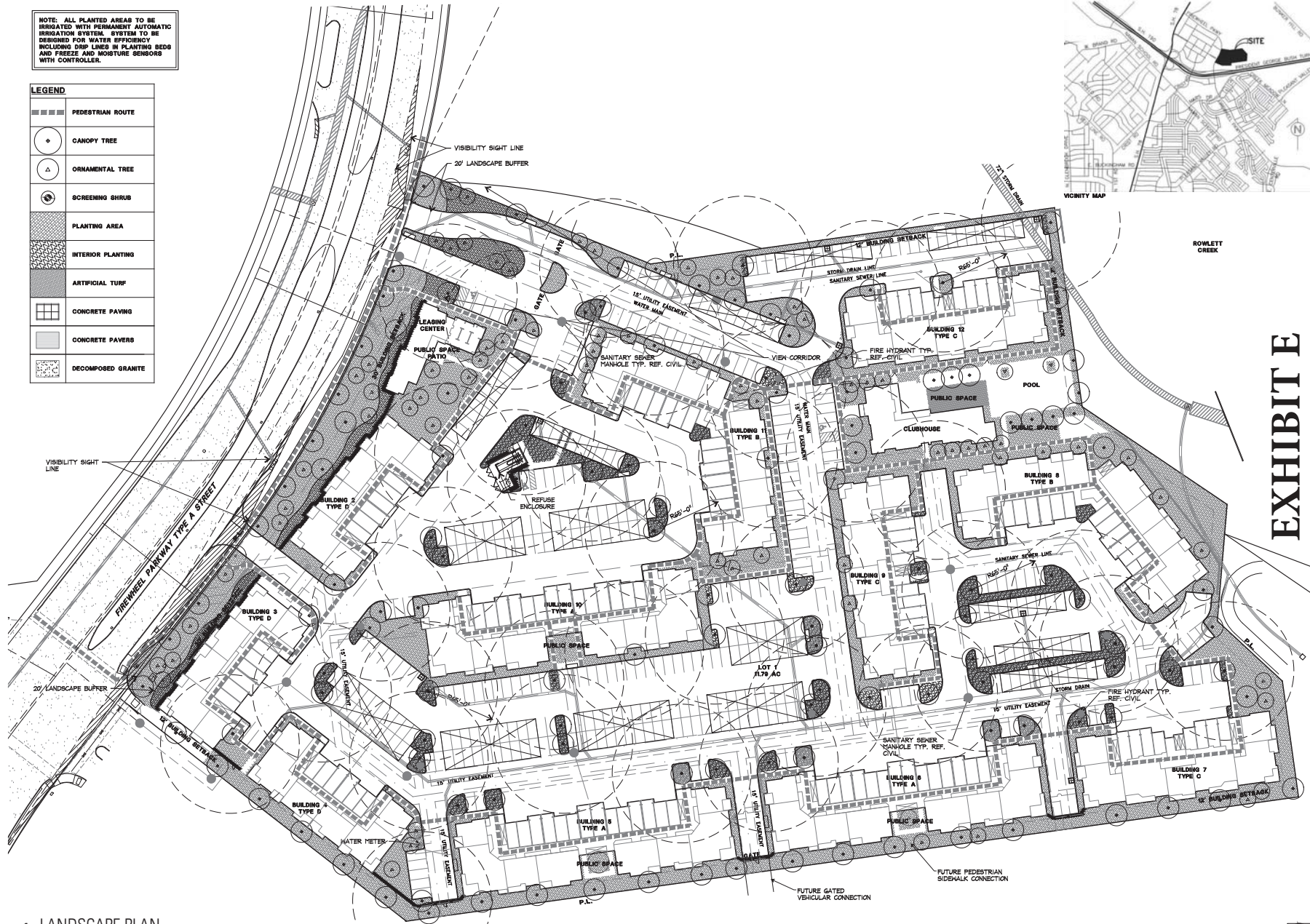
DEVELOPER
PHOENIX PROPERTY COMPANY
5950 SHERRY LANE, SUITE 320
DALLAS, TEXAS 75225
(214) 880-0350
CONTACT: GREGORY A. JONES

APPLICANT/ENGINEER
CATES-CLARK & ASSOCIATES, LLP
14800 QUORUM DRIVE, SUITE 200
DALLAS, TEXAS 75254
(972) 385-2272
CONTACT: DANIEL B. STEWART, P.E.

REV.	DATE	REMARKS					
SITE PLAN FIREWHEEL LOFTS NEC FIREWHEEL PARKWAY & TOWN CENTER BOULEVARD THE CITY OF GARLAND, TEXAS							
 CALSK-CLARK		14800, Oceanview Drive, Suite 200 Dallas, Texas 75244 (972) 251-5555					
DESIGN	DRAWN	DATE	SCALE	NOTES	FILE	NO.	
CCA	CCA	05/07/18	1"=40'	SCI	243-091 SITE	CO.1	

NOTE: ALL PLANTED AREAS TO BE IRRIGATED WITH PERMANENT AUTOMATIC IRRIGATION SYSTEM. SYSTEM TO BE DESIGNED FOR WATER EFFICIENCY INCLUDING DRIP LINES IN PLANTING BEDS AND FREEZE AND MOISTURE SENSORS WITH CONTROLLER.

LEGEND	
	PEDESTRIAN ROUTE
	CANOPY TREE
	ORNAMENTAL TREE
	SCREENING SHRUB
	PLANTING AREA
	INTERIOR PLANTING
	ARTIFICIAL TURF
	CONCRETE PAVING
	CONCRETE PAVERS
	DECOMPOSED GRANITE



ROWLETT CREEK

EXHIBIT E



Landscapes Architects • Planners
2001 Bryan Street, Suite 1450
Dallas, Texas 75201
(214) 744-6757 Fax: (214) 744-6765
Austin • Dallas • Fort Lauderdale
Fort Worth • Houston • San Antonio

Project:
**FIREWHEEL LOFTS
CASE NO 180208-3**

SITE PLAN
SUBMITTAL

PHOENIX
PROPERTIES
GARLAND, TEXAS

Project Number:
D18011

Designed: CC, AH

Drawn: CC, AH

Reviewed: ML

Date Issued:
May 07, 2018

Revisions:

Sheet Title:
**LANDSCAPE
SITE PLAN**

Sheet Number:
L-1.01





Project:

FIREWHEEL LOFTS
CASE NO 180208-3

SITE PLAN
SUBMITTAL

PHOENIX
PROPERTIES
GARLAND, TEXAS

Project Number:
D18011

Designed: CC, AH

Drawn: CC, AH

Reviewed: ML

Date Issued:
May 07, 2018

Revisions:

Sheet Title:
LANDSCAPE
SITE PLAN
TABULATIONS

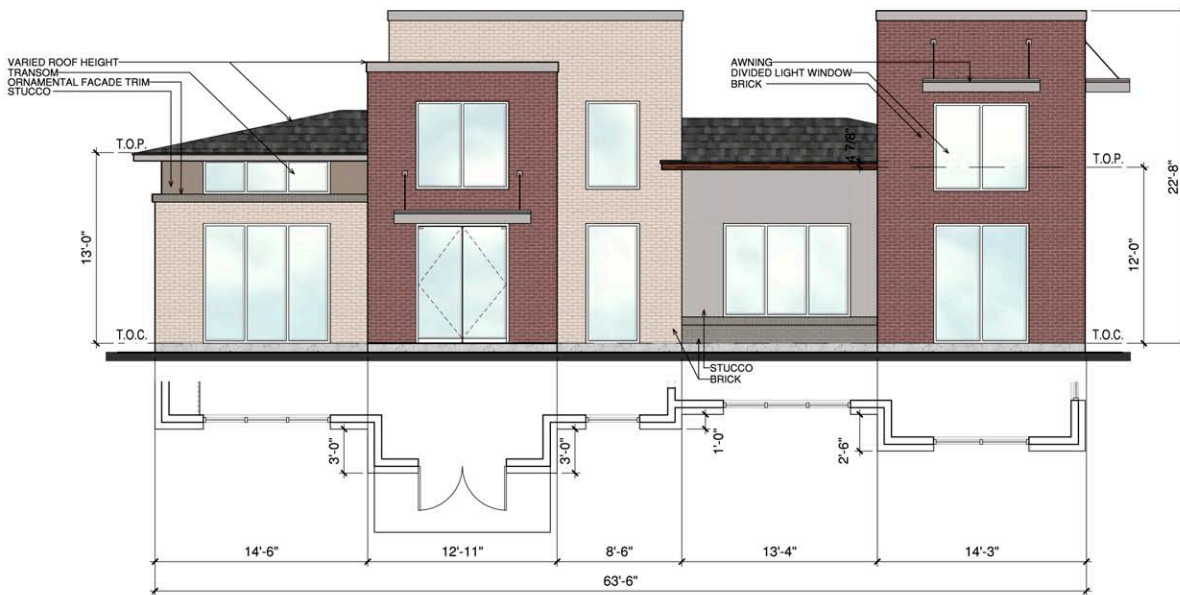
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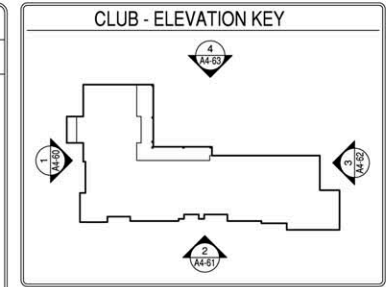
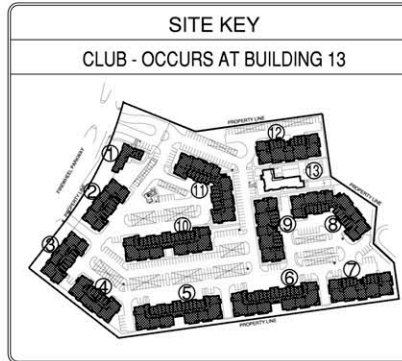
SITE DATA	
SITE AREA:	11.79 ACRES (513,719 SF)
ZONING:	PLANNED DEVELOPMENT PD 03-53 & PD 12-36
PROPOSED ZONING:	PLANNED DEVELOPMENT UNDEVELOPED
PROPOSED USE:	MULTIFAMILY
MAX BUILDING HEIGHT:	41.27 FT
BUILDING AREA:	154,234 SF
BUILDING COVERAGE:	30%
FLOOR AREA RATIO:	0.56:1
DENSITY:	27.1 UNITS/ACRE
OPEN SPACE:	139,805 SF (27.2%)
IMPERVIOUS AREA:	373,914 SF (72.8%)
LOADING SPACES:	N/A
PARKING SPACES REQUIRED:	521 SPACES TOTAL
PARKING SPACES PROVIDED:	319 COVERED
	COVERED & ATTACHED: 319
	SURFACE: 206 SPACES
	TOTAL: 525 SPACES

PLANT LIST					
SHADE TREES					
GRAPHIC	KEY	COMMON NAME	SCIENTIFIC NAME	SIZE	REMARKS
314	CT	CANOPY TREE	TBD	MIN. 3" CAL.; MIN. 7' HT	MIXTURE OF CANOPY TREES FROM CITY RECOMMENDED SPECIES LIST
ORNAMENTAL TREES					
GRAPHIC	KEY	COMMON NAME	SCIENTIFIC NAME	SIZE	REMARKS
72	OT	ORNAMENTAL TREE	TBD	MIN. 1.5" CAL.; MIN. 8' HT	MIXTURE OF ORNAMENTAL TREES FROM CITY RECOMMENDED SPECIES LIST
SHRUBS, ORNAMENTAL GRASSES, AND VINES					
GRAPHIC	KEY	COMMON NAME	SCIENTIFIC NAME	SIZE	REMARKS
314	SS	SCREENING SHRUB	TBD	MIN. 2' HT. AT INSTALL	MIXTURE OF SHRUBS FROM CITY RECOMMENDED SPECIES LIST
PERENNIALS, GROUNDCOVERS, AND ANNUALS					
GRAPHIC	KEY	COMMON NAME	SCIENTIFIC NAME	SIZE	REMARKS
	IP	INTERIOR PLANTING	NONE	NONE	PLANTING AREA WITHIN PARKING
	PA	PLANTING AREA	NONE	NONE	MIXTURE OF SHRUBS, ORNAMENTAL GRASSES AND GROUNDCOVERS

LANDSCAPE CALCULATIONS - FIREWHEEL LOFTS		
PER CITY OF GARLAND CODE OF ORDINANCES, PD 03-53 / PD 12-36 & GDC		
PROVISION	REQUIRED	PROVIDED
TOTAL LANDSCAPE AREA: 40% OF TOTAL SITE AREA TO BE LANDSCAPED		
	513,719 SF X 0.4 = 205,502 SF	139,805 SF
LANDSCAPE BUFFER FRONTAGE: 20' WIDE LANDSCAPE BUFFER ALONG STREET R.O.W. WITH TREES 50' O.C.		
	YES	YES
LANDSCAPE BUFFER FRONTAGE: ONE (1) CANOPY TREE AND SEVEN (7) ORNAMENTAL GRASSES (O.G.) OR SHRUBS PER 30 LINEAL FEET		
	579 LF / 30 = 20 TREES & 140 O.G. OR SHRUBS	20 TREES & 202 O.G. / SHRUBS
PARKING TREES: (1) 3" CALIPER TREE FOR EVERY 10 PARKING SPACES, WITH NO PARKING SPOT FARTHER THAN 65' FROM TREE		
TOTAL PARKING SPACES: 418	417 SPACES / 10 = 42 TREES	75 TREES
PARKING INTERIOR LANDSCAPE AREA: MIN. 5% INTERIOR LANDSCAPE AREA WITHIN PARKING AREA		
TOTAL PARKING 219,168 SF	219,168 SF X 5% = 10,984 SF	15,945 SF



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



CLUB MATERIAL CALCULATION			
MATERIAL		MATERIAL	
BRICK	55%	BRICK	669 SF 70%
STUCCO	14%	STUCCO	177 SF 20%
GLAZING	31%		
BUILDING FACADES COMPLY WITH:			
GCC CHAPTER 4 (ARTICLE 6, DIVISION 01, SEC. 4.83)			
MINIMUM BDL MASONRY CONSTRUCTION			
EXCLUDING DOORS, WINDOWS, WINDOW WALLS			
MINIMUM OF 8 ARCHITECTURAL ELEMENTS			
ELEMENT	ELEMENT		
AWNINGS/CANOPES	RECESSED ENTRY		
DIVIDED LIGHT WINDOWS	VARIED ROOF HEIGHTS		
TRANSOMS	ORNAMENTAL FACADE TRIMS		
EQUIPMENT IS MOUNTED ON THE GROUND			

CLUB ARTICULATION		CLUB ARTICULATION	
A. HORIZONTAL ARTICULATION FOR FOOTPRINT	STATUS	B. VERTICAL ARTICULATION FOR ELEVATION	STATUS
BUILDING FACADE LENGTH: 63.5 FT. X 20% = 12.7 FT. MINIMUM PERPENDICULAR OFFSET OF 2 FEET	OK	BUILDING FACADE LENGTH: 63.5 FT. X 20% = 12.7 FT. MINIMUM VERTICAL ELEVATION CHANGE	OK
BUILDING FACADE LENGTH: 63.5 FT. X 30% = 19.0 FT. MINIMUM PERPENDICULAR OFFSET OF 4 FEET	NA	MINIMUM 3 FOOT VERTICAL ELEVATION CHANGE EVERY 50 FEET VERTICAL ELEVATION CHANGE (FLAT ROOFS)	OK
MINIMUM 2 FOOT PERPENDICULAR BUILDING OFFSET EVERY 30 FEET	OK	AVERAGE NON-ARTICULATED BUILDING HEIGHT	12.5 FT

EXHIBIT F

02/15/2019

REVISIONS

FIREWHEEL LOFTS

GARLAND, TX

REVIEW PRINTS NOT TO
BE USED FOR CONSTRUCTION

BGO ARCHITECTS

4202 Beltway Rd.
Addison, TX 75001
214.520.8878
bgoarchitects.com

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DATE: 02-15-2019

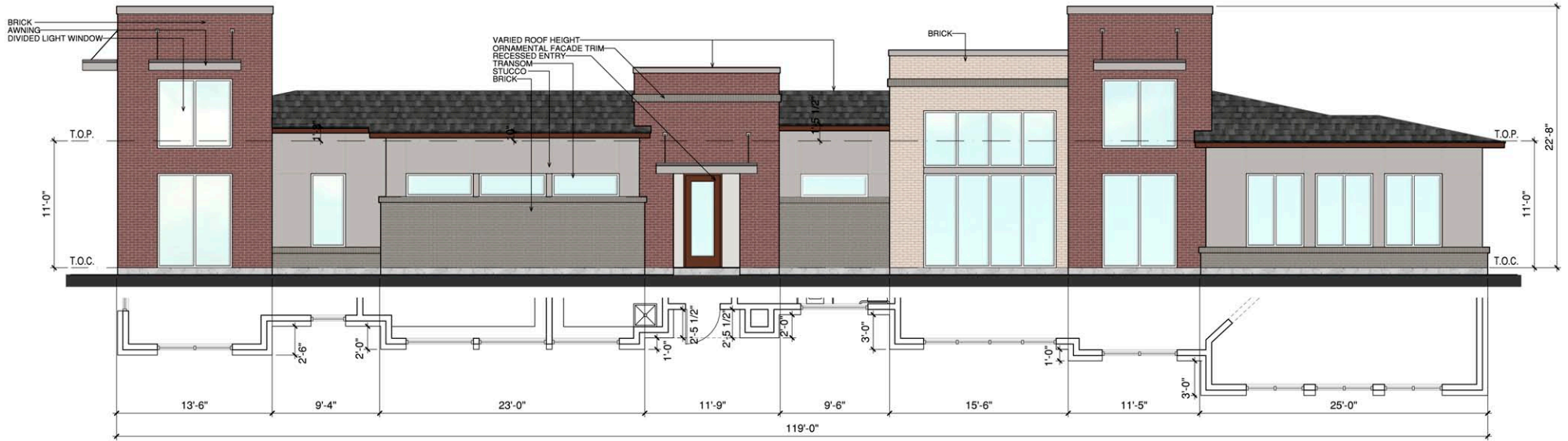
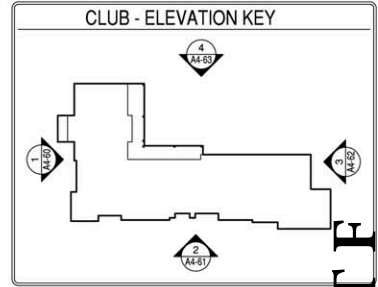
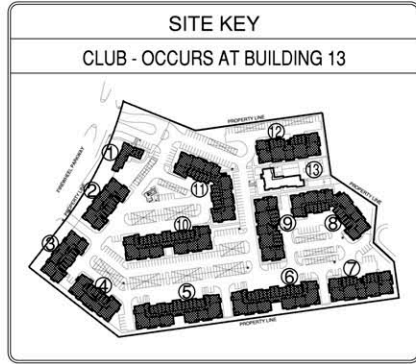
PROJECT: 17236

SHEET NUMBER: **A4-60**

CLUB EXTERIOR ELEVATIONS

CLUB ARTICULATION		
A. HORIZONTAL ARTICULATION FOR FOOTPRINT		
BUILDING FACADE LENGTH 119.0 FT. X 30% = 35.7 FT. MINIMUM PERPENDICULAR OFFSET OF 2 FEET	OK	
BUILDING FACADE LENGTH 119.0 FT. X 30% = 35.7 FT. MINIMUM PERPENDICULAR OFFSET OF 4 FEET	OK	
MINIMUM 2 FOOT PERPENDICULAR BUILDING OFFSET EVERY 30 FEET	OK	
B. VERTICAL ARTICULATION FOR ELEVATION		
N/A	OK	
BUILDING FACADE LENGTH 119.0 FT. X 30% = 35.7 FT. MINIMUM VERTICAL ELEVATION CHANGE	OK	
MINIMUM 3 FOOT VERTICAL ELEVATION CHANGE EVERY 50 FEET	OK	
MINIMUM 3 FOOT VERTICAL ELEVATION CHANGE (FLAT ROOFS)	OK	
AVERAGE NON-ARTICULATED BUILDING HEIGHT	11.0 FT.	

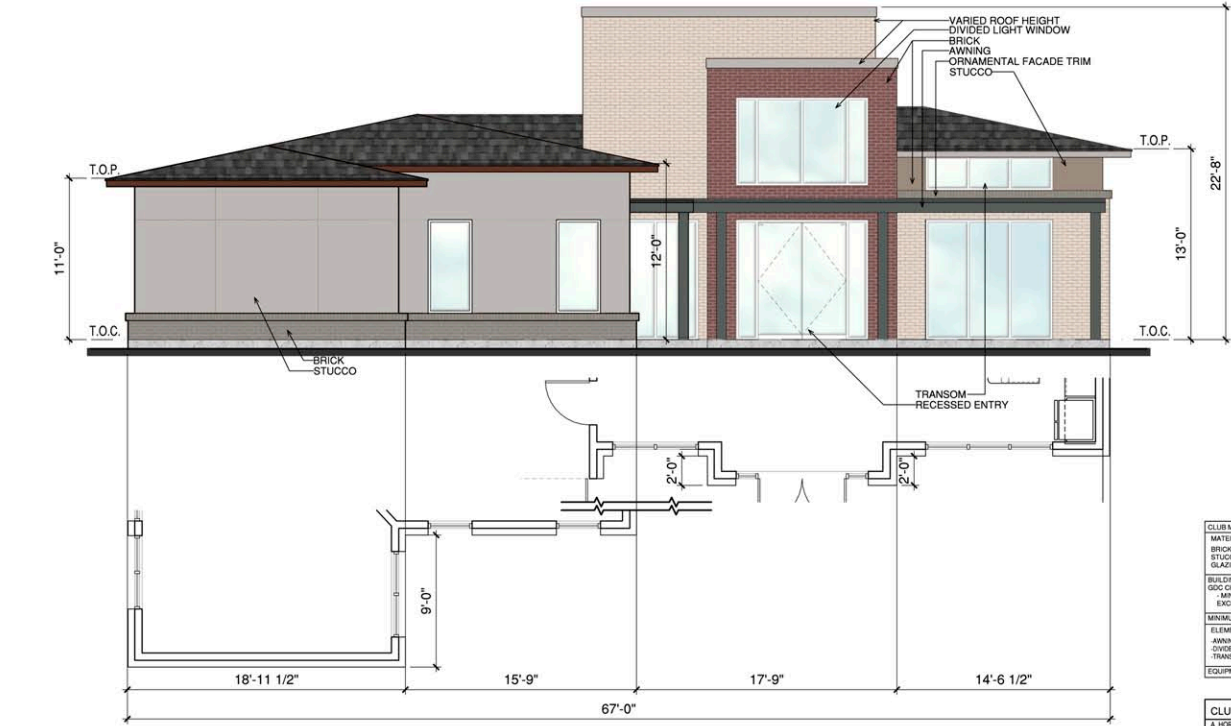
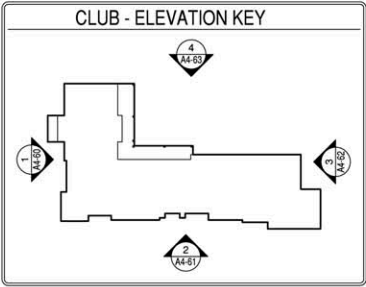
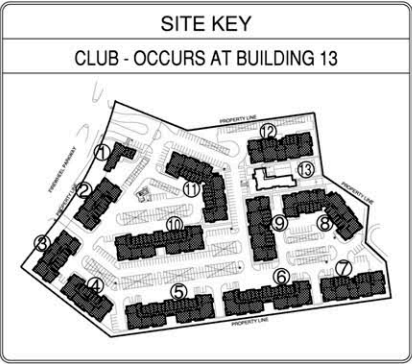
CLUB MATERIAL CALCULATION	
MATERIAL	PERCENTAGE
BRICK	50%
STUCCO	18%
GLAZING	28%
BUILDING FACADES COMPLY WITH:	
GCC CHAPTER 4, ARTICLE 5, DIVISION 01, SEC. 4.80	
MINIMUM 80% MASONRY CONSTRUCTION	
EXCLUDING DOORS, WINDOWS, WINDOW WALLS	
MINIMUM OF 8 ARCHITECTURAL ELEMENTS	
ELEMENT	PERCENTAGE
AWNINGS/CANOPES	100%
DIVIDED LIGHT WINDOWS	100%
TRANSOMS	100%
EQUIPMENT IS MOUNTED ON THE GROUND	



2 CLUB END ELEVATION
SCALE: 1/4" = 1'-0"

	REVISIONS <table border="1"> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> </table>											FIREWHEEL LOFTS GARLAND, TX	REVIEW PRINTS NOT TO BE USED FOR CONSTRUCTION	BGO ARCHITECTS 4202 Beltway Rd. Addison, TX 75001 214.520.8878 bgoarchitects.com	COPYRIGHT © BGO Architects ALL RIGHTS RESERVED DATE: 02-15-2019	SHEET NUMBER: A4-61 CLUB EXTERIOR ELEVATIONS
PROJECT: 17236																

EXHIBIT F



3 CLUB COURTYARD ELEVATION
SCALE: 1/4" = 1'-0"

CLUB MATERIAL CALCULATION	
MATERIAL	MATERIAL
BRICK 42%	BRICK 412 SF 99%
STUCCO 28%	STUCCO 281 SF 41%
GLAZING 30%	
BUILDING FACADES COMPLY WITH: GCC CHAPTER 4, ARTICLE 6, DIVISION 01, SEC. 4.83 MINIMUM MDL MASONRY CONSTRUCTION EXCLUDING DOORS, WINDOWS, WINDOW WALLS	
MINIMUM OF 6 ARCHITECTURAL ELEMENTS	
ELEMENT	ELEMENT
AWNING/CANOPES	RECESSED ENTRY
DIVIDED LIGHT WINDOWS	VARIED ROOF HEIGHTS
TRANSOMS	ORNAMENTAL FACADE TRIMS
EQUIPMENT IS LOCATED ON THE GROUND	

CLUB ARTICULATION	
A. HORIZONTAL ARTICULATION FOR FOOTPRINT	STATUS
BUILDING FACADE LENGTH: 67' 0" FT. X 25% = 13' 4" FT. MINIMUM PERPENDICULAR OFFSET OF 2 FEET	OK
BUILDING FACADE LENGTH: 67' 0" FT. X 30% = 20' 1" FT. MINIMUM PERPENDICULAR OFFSET OF 4 FEET	NA
MINIMUM 2 FOOT PERPENDICULAR BUILDING OFFSET EVERY 30 FEET	OK
B. VERTICAL ARTICULATION FOR ELEVATION	STATUS
BUILDING FACADE LENGTH: 67' 0" FT. X 25% = 13' 4" FT. MINIMUM VERTICAL ELEVATION CHANGE	OK
MINIMUM 3 FOOT VERTICAL ELEVATION CHANGE EVERY 50 FEET VERTICAL ELEVATION CHANGE (FLAT ROOFS)	OK
AVERAGE NON-ARTICULATED BUILDING HEIGHT	12.0 FT

REVISIONS

FIREWHEEL LOFTS
GARLAND, TX

REVIEW PRINTS NOT TO BE USED FOR CONSTRUCTION

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DATE: 02-15-2019
PROJECT: 17236

SHEET NUMBER: A4-62
CLUB EXTERIOR ELEVATIONS

CLUB ARTICULATION			
A. HORIZONTAL ARTICULATION FOR FOOTPRINT		B. VERTICAL ARTICULATION FOR ELEVATION	
BUILDING FACADE LENGTH 117.5 FT. X 20% = 23.5 FT. MINIMUM PERPENDICULAR OFFSET OF 2 FEET	NA	BUILDING FACADE LENGTH 117.5 FT. X 20% = 23.5 FT. MINIMUM VERTICAL ELEVATION CHANGE	OK
BUILDING FACADE LENGTH 117.5 FT. X 30% = 35.25 FT. MINIMUM PERPENDICULAR OFFSET OF 4 FEET	OK	MINIMUM 3 FOOT VERTICAL ELEVATION CHANGE EVERY 50 FEET VERTICAL ELEVATION CHANGE (FLAT ROOFS)	OK
MINIMUM 2 FOOT PERPENDICULAR BUILDING OFFSET EVERY 30 FEET	OK	AVERAGE NON-ARTICULATED BUILDING HEIGHT	12.5 FT.

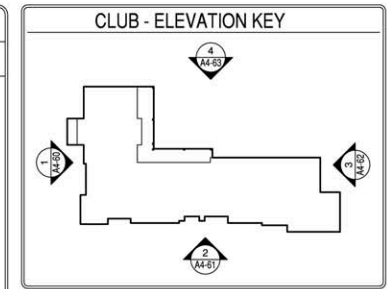
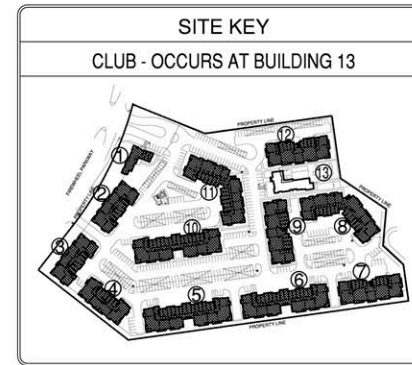
CLUB MATERIAL CALCULATION			
MATERIAL		MATERIAL	
BRICK	22%	BRICK	305 SF 39%
STUCCO	35%	STUCCO	487 SF 61%
GLAZING	42%		

BUILDING FACADES COMPLY WITH:
 IRC CHAPTER 4 ARTICLE 6 DIVISION 01, SEC. 4.803
 MINIMUM 80% MASONRY CONSTRUCTION
 EXCLUDING DOORS, WINDOWS, WINDOW WALLS

MINIMUM OF 6 ARCHITECTURAL ELEMENTS

ELEMENT	ELEMENT
AWNINGS/TRANSOMS	RECESSED ENTRY
DIVIDED LIGHT WINDOWS	VARIED ROOF HEIGHTS
TRANSOMS	ORNAMENTAL FACADE TRIMS

EQUIPMENT IS LOCATED ON THE GROUND



4 CLUB END ELEVATION
 SCALE: 1/4" = 1'-0"

EXHIBIT F

	REVISIONS 	FIREWHEEL LOFTS GARLAND, TX	REVIEW PRINTS NOT TO BE USED FOR CONSTRUCTION	BGO ARCHITECTS 4202 Beltway Rd. Addison, TX 75001 214.520.8878 bgonarchitects.com	COPYRIGHT © BGO Architects ALL RIGHTS RESERVED DATE: 02-15-2019 PROJECT: 17236	SHEET NUMBER: A4-63 CLUB EXTERIOR ELEVATIONS



REVISIONS	

FIREWHEEL GARLAND, TX

BE REVIEWED FOR CONSTRUCTION

EXHIBIT F

BGO ARCHITECTS
4202 Beltway Rd.
Addicks, TX 75001
214.520.8878
bgoarchitects.com

DATE
02-15-2019

PROJECT
17236

A4-50
LEASING
EXTERIOR ELEVATIONS

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LEASING MATERIAL CALCULATION			
MATERIAL	52%	BRICK	807 SF 83%
STUCCO	11%	STUCCO	174 SF 17%
GLAZING	37%		

BUILDING FACADES COMPLY WITH:
GDC CHAPTER 4, ARTICLE 5, DIVISION (1, SEC. 4.85)
MINIMUM 80% MASONRY CONSTRUCTION
EXCLUDING DOORS, WINDOWS, WINDOW WALLS

MINIMUM OF 6 ARCHITECTURAL ELEMENTS	
ELEMENT	ELEMENT
AWNING/CANOPIES	RECESSED ENTRY
DIVIDED LIGHT WINDOWS	VARIED ROOF HEIGHTS
TRANSOMS	ORNAMENTAL FACADE TRIMS

EQUIPMENT IS LOCATED ON THE GROUND

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

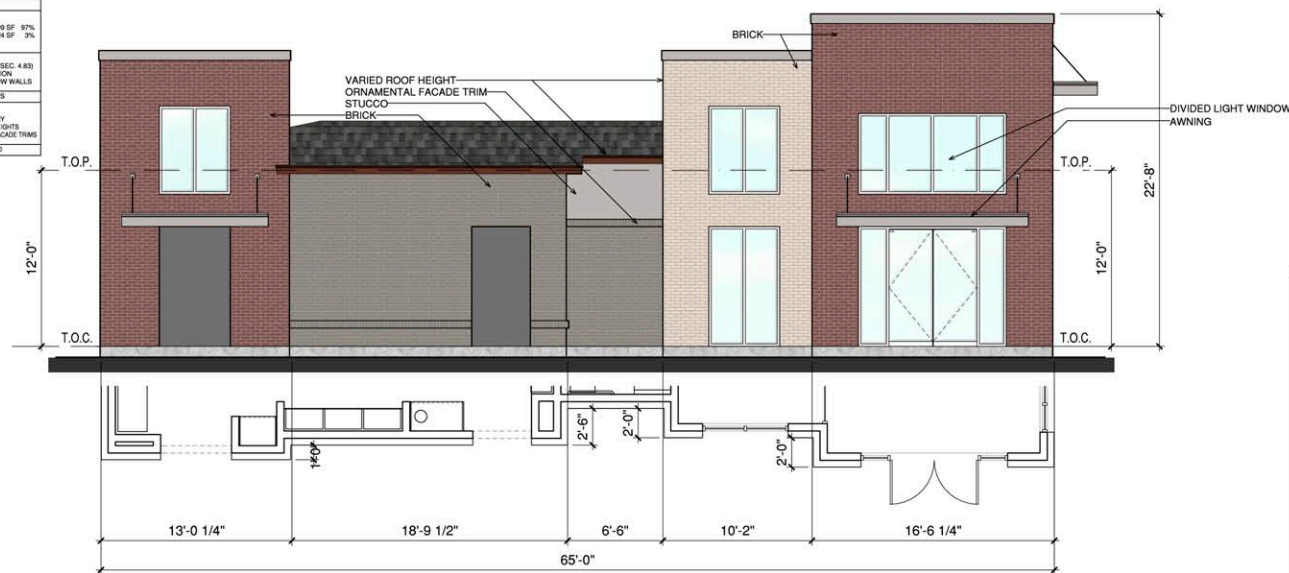
LEASING ARTICULATION			
A. HORIZONTAL ARTICULATION FOR FOOTPRINT	STATUS	B. VERTICAL ARTICULATION FOR ELEVATION	STATUS
BUILDING FACADE LENGTH: 65.0 FT. X 20% = 13.0 FT. MINIMUM PERPENDICULAR OFFSET OF 2 FEET	OK	BUILDING FACADE LENGTH: 65.0 FT. X 20% = 13.0 FT. MINIMUM VERTICAL ELEVATION CHANGE	OK
BUILDING FACADE LENGTH: 65.0 FT. X 30% = 19.5 FT. MINIMUM PERPENDICULAR OFFSET OF 4 FEET	NA	MINIMUM 3 FOOT VERTICAL ELEVATION CHANGE EVERY 50 FEET VERTICAL ELEVATION CHANGE (FLAT ROOFS)	OK
MINIMUM 2 FOOT PERPENDICULAR BUILDING OFFSET EVERY 30 FEET	OK	AVERAGE NON-ARTICULATED BUILDING HEIGHT	12.0 FT.

LEASING MATERIAL CALCULATION			
MATERIAL	71%	MATERIAL	809 SF 97%
BRICK	71%	BRICK	809 SF 97%
STUCCO	3%	STUCCO	24 SF 3%
GLAZING	26%		

BUILDING FACADES COMPLY WITH:
GDC CHAPTER 4, ARTICLE 5, DIVISION (1, SEC. 4.85)
MINIMUM 80% MASONRY CONSTRUCTION
EXCLUDING DOORS, WINDOWS, WINDOW WALLS

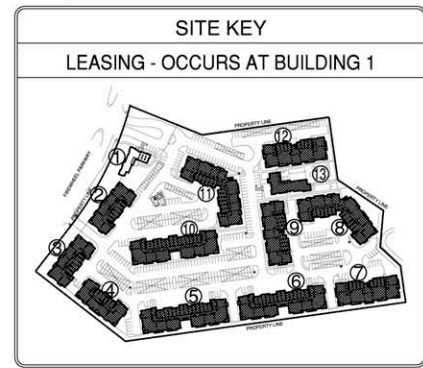
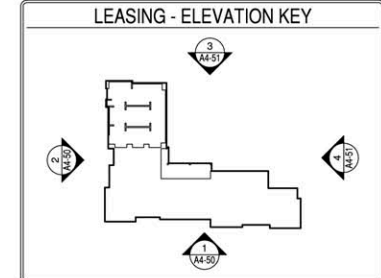
MINIMUM OF 6 ARCHITECTURAL ELEMENTS	
ELEMENT	ELEMENT
AWNING/CANOPIES	RECESSED ENTRY
DIVIDED LIGHT WINDOWS	VARIED ROOF HEIGHTS
TRANSOMS	ORNAMENTAL FACADE TRIMS

EQUIPMENT IS LOCATED ON THE GROUND

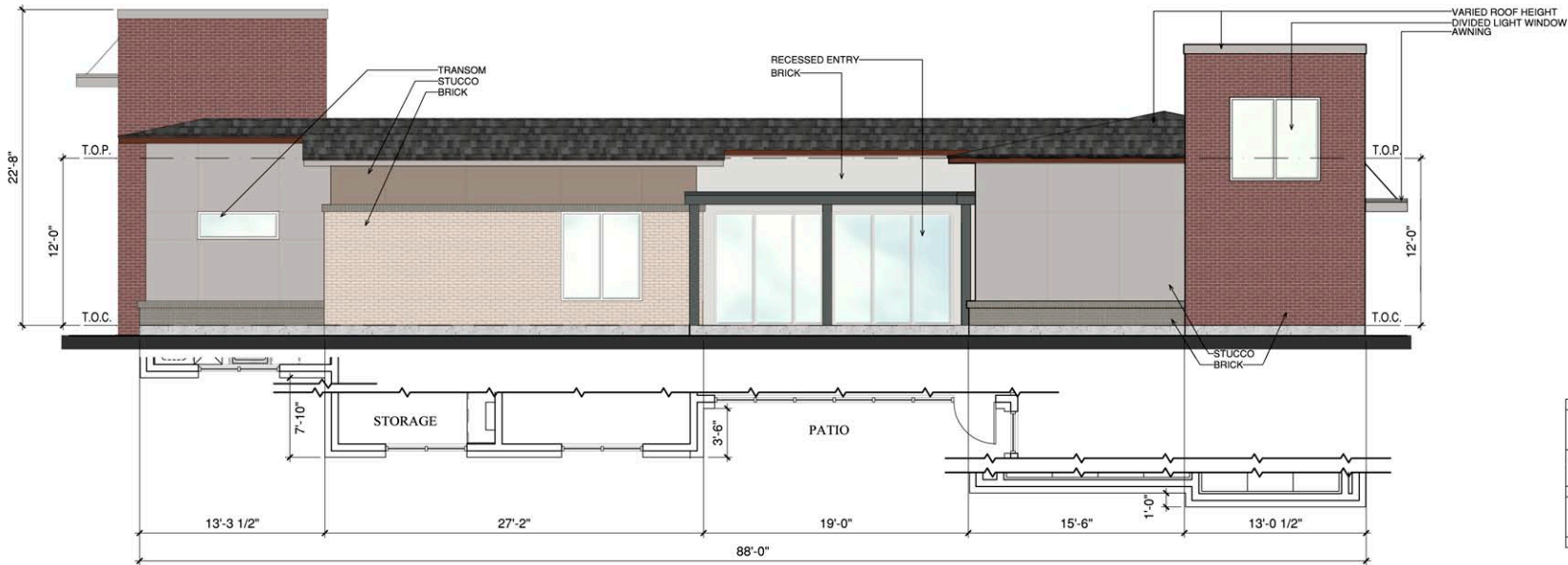


2 LEASING END ELEVATION
SCALE: 1/4" = 1'-0"

LEASING ARTICULATION			
A. HORIZONTAL ARTICULATION FOR FOOTPRINT	STATUS	B. VERTICAL ARTICULATION FOR ELEVATION	STATUS
BUILDING FACADE LENGTH: 90.0 FT. X 20% = 18.0 FT. MINIMUM PERPENDICULAR OFFSET OF 2 FEET	NA	BUILDING FACADE LENGTH: 90.0 FT. X 20% = 18.0 FT. MINIMUM VERTICAL ELEVATION CHANGE	OK
BUILDING FACADE LENGTH: 90.0 FT. X 30% = 27.0 FT. MINIMUM PERPENDICULAR OFFSET OF 4 FEET	OK	MINIMUM 3 FOOT VERTICAL ELEVATION CHANGE EVERY 50 FEET VERTICAL ELEVATION CHANGE (FLAT ROOFS)	OK
MINIMUM 2 FOOT PERPENDICULAR BUILDING OFFSET EVERY 30 FEET	OK	AVERAGE NON-ARTICULATED BUILDING HEIGHT	12.0 FT.



VIEW FROM NORTH PROPERTY LINE AT BUILDING 1



LEASING MATERIAL CALCULATION	
MATERIAL	MATERIAL
BRICK 38%	BRICK 395 SF 47%
STUCCO 42%	STUCCO 447 SF 53%
GLAZING 20%	

BUILDING FACADES COMPLY WITH:
BGC CHAPTER 4 ARTICLE 6 DIVISION 01, SEC. 4.83
MINIMUM 80% MASONRY CONSTRUCTION
EXCLUDING DOORS, WINDOWS, WINDOW WALLS

MINIMUM OF 6 ARCHITECTURAL ELEMENTS	
ELEMENT	ELEMENT
AWNING/CANOPIES	RECESSED ENTRY
DIVIDED LIGHT WINDOWS	VARIED ROOF HEIGHTS
TRANSOMS	ORNAMENTAL FACADE TRIMS

EQUIPMENT IS LOCATED ON THE GROUND

3 LEASING REAR ELEVATION

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

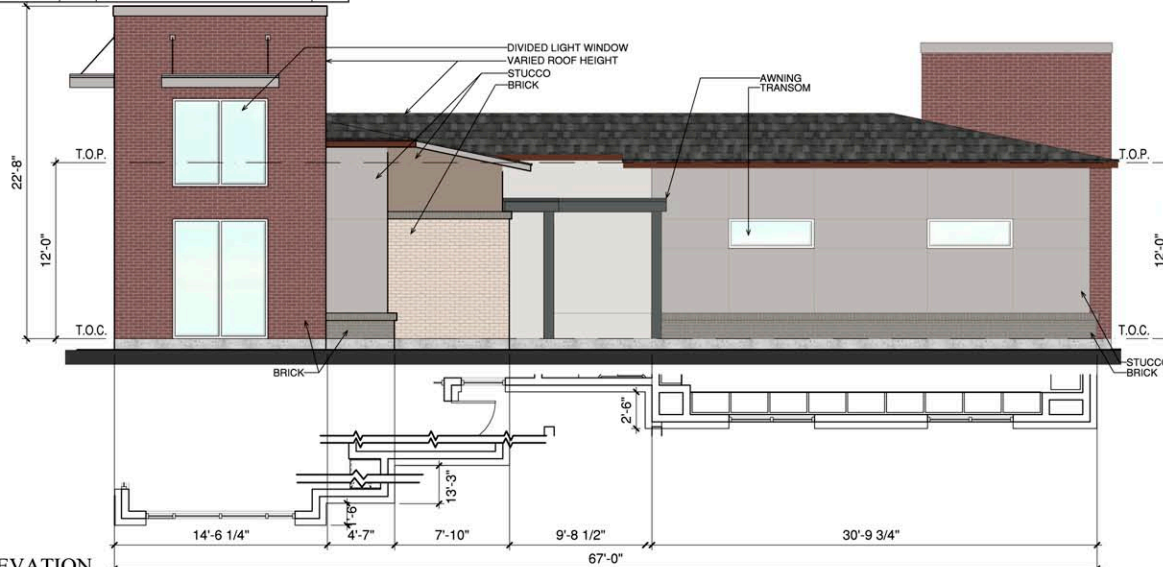
LEASING ARTICULATION				
A. HORIZONTAL ARTICULATION FOR FOOTPRINT		STATUS	B. VERTICAL ARTICULATION FOR ELEVATION	STATUS
BUILDING FACADE LENGTH: 87.0 FT. X 20% = 13.4 FT. MINIMUM PERPENDICULAR OFFSET OF 2 FEET		OK	BUILDING FACADE LENGTH: 87.0 FT. X 20% = 13.4 FT. MINIMUM VERTICAL ELEVATION CHANGE EVERY 50 FEET	OK
BUILDING FACADE LENGTH: 87.0 FT. X 30% = 26.1 FT. MINIMUM PERPENDICULAR OFFSET OF 4 FEET		OK	MINIMUM 3 FOOT VERTICAL ELEVATION CHANGE (PLAT ROOF)	OK
MINIMUM 2 FOOT PERPENDICULAR BUILDING OFFSET EVERY 30 FEET		N/A	AVERAGE NON-ARTICULATED BUILDING HEIGHT	12.0 FT.

LEASING MATERIAL CALCULATION	
MATERIAL	MATERIAL
BRICK 38%	BRICK 395 SF 44%
STUCCO 50%	STUCCO 471 SF 56%
GLAZING 12%	

BUILDING FACADES COMPLY WITH:
BGC CHAPTER 4 ARTICLE 6 DIVISION 01, SEC. 4.83
MINIMUM 80% MASONRY CONSTRUCTION
EXCLUDING DOORS, WINDOWS, WINDOW WALLS

MINIMUM OF 6 ARCHITECTURAL ELEMENTS	
ELEMENT	ELEMENT
AWNING/CANOPIES	RECESSED ENTRY
DIVIDED LIGHT WINDOWS	VARIED ROOF HEIGHTS
TRANSOMS	ORNAMENTAL FACADE TRIMS

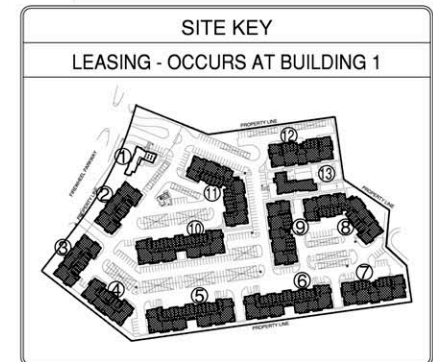
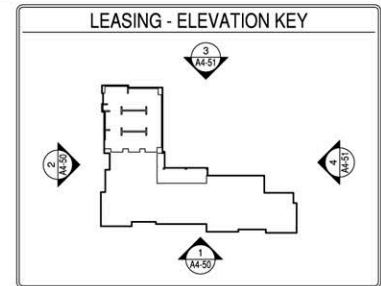
EQUIPMENT IS LOCATED ON THE GROUND



4 LEASING END ELEVATION

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

LEASING ARTICULATION				
A. HORIZONTAL ARTICULATION FOR FOOTPRINT		STATUS	B. VERTICAL ARTICULATION FOR ELEVATION	STATUS
BUILDING FACADE LENGTH: 88.0 FT. X 20% = 17.6 FT. MINIMUM PERPENDICULAR OFFSET OF 2 FEET		N/A	BUILDING FACADE LENGTH: 88.0 FT. X 20% = 17.6 FT. MINIMUM VERTICAL ELEVATION CHANGE	OK
BUILDING FACADE LENGTH: 88.0 FT. X 30% = 26.4 FT. MINIMUM PERPENDICULAR OFFSET OF 4 FEET		OK	MINIMUM 3 FOOT VERTICAL ELEVATION CHANGE EVERY 50 FEET VERTICAL ELEVATION CHANGE (FLAT ROOF)	OK
MINIMUM 2 FOOT PERPENDICULAR BUILDING OFFSET EVERY 30 FEET		OK	AVERAGE NON-ARTICULATED BUILDING HEIGHT	12.0 FT.



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A4-51
LEASING
EXTERIOR ELEVATIONS

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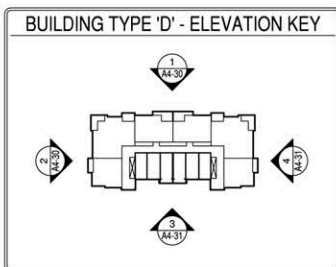
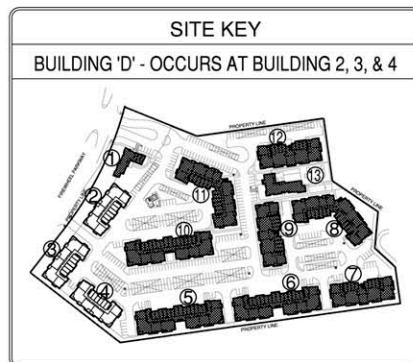
BUILDING 'D' ARTICULATION			
A. HORIZONTAL ARTICULATION FOR FOOTPRINT		B. VERTICAL ARTICULATION FOR ELEVATION	
BUILDING FACADE LENGTH 150.0 FT. X 20% = 30.0 FT. MINIMUM PERPENDICULAR OFFSET OF 2 FEET	N/A	BUILDING FACADE LENGTH 150.0 FT. X 20% = 30.0 FT. MINIMUM VERTICAL ELEVATION CHANGE	OK
BUILDING FACADE LENGTH 150.0 FT. X 30% = 45.0 FT. MINIMUM PERPENDICULAR OFFSET OF 4 FEET	OK	MINIMUM 3 FOOT VERTICAL ELEVATION CHANGE EVERY 50 FEET	OK
MINIMUM 2 FOOT PERPENDICULAR BUILDING OFFSET EVERY 30 FEET	OK	AVERAGE NON-ARTICULATED BUILDING HEIGHT	12.0 FT.

BUILDING 'D' MATERIAL CALCULATION	
MATERIAL	MATERIAL
BRICK 26%	BRICK 1240 SF 36%
STUCCO 47%	STUCCO 2233 SF 64%
GLAZING 27%	
BUILDING FACADES COMPLY WITH: SBC CHAPTER 4, ARTICLE 5, DIVISION 01, SEC. 4.4.3.3 - MINIMUM 80% MASONRY CONSTRUCTION - INCLUDING DOORS, WINDOWS, WINDOW WALLS	
MINIMUM OF 6 ARCHITECTURAL ELEMENTS	
ELEMENT	ELEMENT
AWNING/CANOPIES	RECESSED ENTRY
DIVIDED LIGHT WINDOWS	VARIED ROOF HEIGHTS
TRANSOMS	ORNAMENTAL FACADE TRIM



BUILDING 'D' ARTICULATION			
A. HORIZONTAL ARTICULATION FOR FOOTPRINT		B. VERTICAL ARTICULATION FOR ELEVATION	
BUILDING FACADE LENGTH 65.3 FT. X 20% = 13.06 FT. MINIMUM PERPENDICULAR OFFSET OF 2 FEET	OK	BUILDING FACADE LENGTH 65.3 FT. X 20% = 13.06 FT. MINIMUM VERTICAL ELEVATION CHANGE	OK
BUILDING FACADE LENGTH 65.3 FT. X 30% = 19.59 FT. MINIMUM PERPENDICULAR OFFSET OF 4 FEET	N/A	MINIMUM 3 FOOT VERTICAL ELEVATION CHANGE EVERY 50 FEET	OK
MINIMUM 2 FOOT PERPENDICULAR BUILDING OFFSET EVERY 30 FEET	OK	AVERAGE NON-ARTICULATED BUILDING HEIGHT	30.3 FT.

BUILDING 'D' MATERIAL CALCULATION	
MATERIAL	MATERIAL
BRICK 26%	BRICK 491 SF 30%
STUCCO 46%	STUCCO 885 SF 64%
GLAZING 28%	
BUILDING FACADES COMPLY WITH: SBC CHAPTER 4, ARTICLE 5, DIVISION 01, SEC. 4.4.3.3 - MINIMUM 80% MASONRY CONSTRUCTION - INCLUDING DOORS, WINDOWS, WINDOW WALLS	
MINIMUM OF 6 ARCHITECTURAL ELEMENTS	
ELEMENT	ELEMENT
AWNING/CANOPIES	RECESSED ENTRY
DIVIDED LIGHT WINDOWS	VARIED ROOF HEIGHTS
TRANSOMS	ORNAMENTAL FACADE TRIM



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A4-30
BUILDING D
EXTERIOR ELEVATIONS

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BUILDING 'D' ARTICULATION			
A. HORIZONTAL ARTICULATION FOR FOOTPRINT		STATUS	B. VERTICAL ARTICULATION FOR ELEVATION
BUILDING FACADE LENGTH 148.3 FT. X 20% = 29.66 FT. MINIMUM PERPENDICULAR OFFSET OF 2 FEET		N/A	BUILDING FACADE LENGTH 148.3 FT. X 20% = 29.66 FT. MINIMUM VERTICAL ELEVATION CHANGE
BUILDING FACADE LENGTH 148.3 FT. X 30% = 44.49 FT. MINIMUM PERPENDICULAR OFFSET OF 4 FEET		OK	MINIMUM 3 FOOT VERTICAL ELEVATION CHANGE EVERY 50 FEET VERTICAL ELEVATION CHANGE (FLAT ROOFS)
MINIMUM 2 FOOT PERPENDICULAR BUILDING OFFSET EVERY 30 FEET		OK	AVERAGE NON-ARTICULATED BUILDING HEIGHT
			30.3 FT.

BUILDING 'D' MATERIAL CALCULATION		
MATERIAL	PERCENT	AREA
BRICK	20%	1270 SF
STUCCO	47%	1880 SF
GLAZING	23%	910 SF
BUILDING FACADES COMPLY WITH:		
SBC CHAPTER 4 ARTICLE 6 DIVISION D1, SEC. 4.8.3		
- MINIMUM 80% MASONRY CONSTRUCTION		
- EXCLUDING DOORS, WINDOWS, WINDOW WALLS		
MINIMUM OF 6 ARCHITECTURAL ELEMENTS		
ELEMENT	ELEMENT	
AWNING/CANOPES	RECESSED ENTRY	
DIVIDED LIGHT WINDOWS	VARIED ROOF HEIGHTS	
TRANSOMS	ORNAMENTAL FACADE TRIMS	



3 BUILDING TYPE 'D' REAR ELEVATION
SCALE: 1/8" = 1'-0"

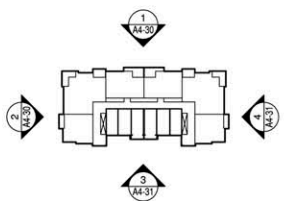
BUILDING 'D' ARTICULATION				
A. HORIZONTAL ARTICULATION FOR FOOTPRINT		STATUS	B. VERTICAL ARTICULATION FOR ELEVATION	STATUS
BUILDING FACADE LENGTH 65.3 FT. X 20% = 13.06 FT. MINIMUM PERPENDICULAR OFFSET OF 2 FEET		OK	BUILDING FACADE LENGTH 65.3 FT. X 20% = 13.06 FT. MINIMUM VERTICAL ELEVATION CHANGE	OK
BUILDING FACADE LENGTH 65.3 FT. X 30% = 19.59 FT. MINIMUM PERPENDICULAR OFFSET OF 4 FEET		N/A	MINIMUM 3 FOOT VERTICAL ELEVATION CHANGE EVERY 50 FEET VERTICAL ELEVATION CHANGE (FLAT ROOF)	OK
MINIMUM 2 FOOT PERPENDICULAR BUILDING OFFSET EVERY 30 FEET		OK	AVERAGE NON-ARTICULATED BUILDING HEIGHT	30.3 FT.

BUILDING 'D' MATERIAL CALCULATION		
MATERIAL	PERCENT	AREA
BRICK	22%	427 SF
STUCCO	48%	885 SF
GLAZING	30%	593 SF
BUILDING FACADES COMPLY WITH:		
SBC CHAPTER 4 ARTICLE 6 DIVISION D1, SEC. 4.8.3		
- MINIMUM 80% MASONRY CONSTRUCTION		
- EXCLUDING DOORS, WINDOWS, WINDOW WALLS		
MINIMUM OF 6 ARCHITECTURAL ELEMENTS		
ELEMENT	ELEMENT	
AWNING/CANOPES	RECESSED ENTRY	
DIVIDED LIGHT WINDOWS	VARIED ROOF HEIGHTS	
TRANSOMS	ORNAMENTAL FACADE TRIMS	

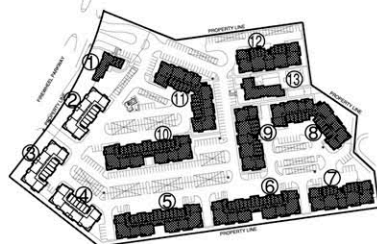


4 BUILDING TYPE 'D' END ELEVATION
SCALE: 1/8" = 1'-0"

BUILDING TYPE 'D' - ELEVATION KEY



SITE KEY
BUILDING 'D' - OCCURS AT BUILDING 2, 3, & 4



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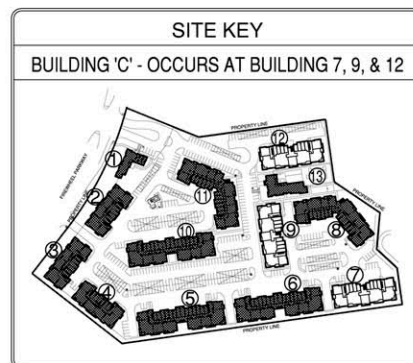
A4-31
BUILDING D
EXTERIOR ELEVATIONS

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BUILDING 'C' MATERIAL CALCULATION			
MATERIAL		MATERIAL	
BRICK	27%	BRICK	1479 SF 36%
STUCCO	49%	STUCCO	2647 SF 64%
GLAZING	24%		
BUILDING FACADES COMPLY WITH: GDC CHAPTER 4 (ARTICLE 8; DIVISION 01, SEC. 4.83) - MINIMUM 80% MASONRY CONSTRUCTION EXCLUDING DOORS, WINDOWS, WINDOW WALLS			
MINIMUM OF 6 ARCHITECTURAL ELEMENTS			
ELEMENT		ELEMENT	
-AWNINGS/CANOPIES		-RECESSED ENTRY	
-GLAZED LIGHT WINDOWS		-VARIABLE ROOF HEIGHTS	
-TRANSOMS		-ORNAMENTAL FACADE TRIMS	



BUILDING "C" MATERIAL CALCULATION			
MATERIAL		MATERIAL	
BRICK	23%	BRICK	478 SF 32%
STUCCO	49%	STUCCO	1023 SF 68%
GLAZING	28%		
BUILDING FACADES COMPLY WITH: GDC CHAPTER 4 (ARTICLE 6; DIVISION 01, SEC. 4.83) - MINIMUM 80% MASONRY CONSTRUCTION EXCLUDING DOORS, WINDOWS, WINDOW WALLS			
MINIMUM OF 6 ARCHITECTURAL ELEMENTS			
ELEMENT		ELEMENT	
AWNINGS/CANOPIES		RECESSED ENTRY	
DIVIDED LIGHT WINDOWS		VARED ROOF HEIGHTS	
TRANSOMS		ORNAMENTAL FACADE TRIMS	



A4-20

BUILDING C
EXTERIOR ELEVATIONS

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A4-21
BUILDING C
EXTERIOR ELEVATIONS

BUILDING 'C' ARTICULATION					
A. HORIZONTAL ARTICULATION FOR FOOTPRINT		STATUS	B. VERTICAL ARTICULATION FOR ELEVATION		STATUS
BUILDING FACADE LENGTH 185.5 FT. X 20% = 37.1 FT. MINIMUM PERPENDICULAR OFFSET OF 2 FEET		N/A	BUILDING FACADE LENGTH 185.5 FT. X 20% = 37.1 FT. MINIMUM VERTICAL ELEVATION CHANGE		OK
BUILDING FACADE LENGTH 185.5 FT. X 30% = 55.65 FT. MINIMUM PERPENDICULAR OFFSET OF 4 FEET		N/A	MINIMUM 3 FOOT VERTICAL ELEVATION CHANGE EVERY 50 FEET VERTICAL ELEVATION CHANGE (FLAT ROOFS)		OK
MINIMUM 2 FOOT PERPENDICULAR BUILDING OFFSET EVERY 30 FEET		OK	AVERAGE NON-ARTICULATED BUILDING HEIGHT		30.3 FT.

BUILDING 'C' MATERIAL CALCULATION	
MATERIAL	MATERIAL
BRICK 24%	BRICK 1387 SF 31%
STUCCO 50%	STUCCO 2037 SF 69%
GLAZING 24%	
BUILDING FACADES COMPLY WITH: - DGC CHAPTER 4 ARTICLE 6 DIVISION D1, SEC. 4.8.3 - MINIMUM 80% MASONRY CONSTRUCTION - EXCLUDING DOORS, WINDOWS, WINDOW WALLS	
MINIMUM OF 6 ARCHITECTURAL ELEMENTS	
ELEMENT	ELEMENT
AWNING/CANOPES	RECESSED ENTRY
DIVIDED LIGHT WINDOWS	VARIED ROOF HEIGHTS
TRANSOMS	ORNAMENTAL FACADE TRIMS



3 BUILDING TYPE 'C' FRONT ELEVATION
SCALE: 1/8" = 1'-0"

VIEW FROM SOUTH PROPERTY
LINE AT BUILDING Z

BUILDING 'C' ARTICULATION			
A. HORIZONTAL ARTICULATION FOR FOOTPRINT		B. VERTICAL ARTICULATION FOR ELEVATION	
BUILDING FACADE LENGTH 87.5 FT. X 20% = 13.5 FT. MINIMUM PERPENDICULAR OFFSET OF 2 FEET	OK	BUILDING FACADE LENGTH 87.5 FT. X 20% = 13.5 FT. MINIMUM VERTICAL ELEVATION CHANGE	OK
BUILDING FACADE LENGTH 87.5 FT. X 30% = 26.25 FT. MINIMUM PERPENDICULAR OFFSET OF 4 FEET	N/A	MINIMUM 3 FOOT VERTICAL ELEVATION CHANGE EVERY 50 FEET VERTICAL ELEVATION CHANGE (FLAT ROOFS)	OK
MINIMUM 2 FOOT PERPENDICULAR BUILDING OFFSET EVERY 30 FEET	OK	AVERAGE NON-ARTICULATED BUILDING HEIGHT	30.3 FT.

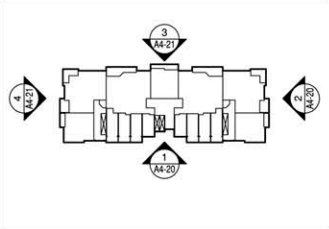
BUILDING 'C' MATERIAL CALCULATION	
MATERIAL	MATERIAL
BRICK 26%	BRICK 545 SF 30%
STUCCO 50%	STUCCO 1023 SF 69%
GLAZING 24%	
BUILDING FACADES COMPLY WITH: - DGC CHAPTER 4 ARTICLE 6 DIVISION D1, SEC. 4.8.3 - MINIMUM 80% MASONRY CONSTRUCTION - EXCLUDING DOORS, WINDOWS, WINDOW WALLS	
MINIMUM OF 6 ARCHITECTURAL ELEMENTS	
ELEMENT	ELEMENT
AWNING/CANOPES	RECESSED ENTRY
DIVIDED LIGHT WINDOWS	VARIED ROOF HEIGHTS
TRANSOMS	ORNAMENTAL FACADE TRIMS



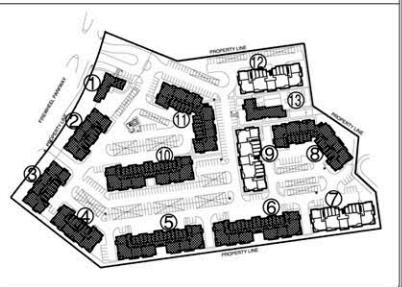
4 BUILDING TYPE 'C' END ELEVATION
SCALE: 1/8" = 1'-0"

VIEW FROM EAST PROPERTY
LINE AT BUILDINGS 7 & 12

BUILDING TYPE 'C' - ELEVATION KEY



SITE KEY
BUILDING 'C' - OCCURS AT BUILDING 7, 9, & 12



BUILDING 'B' ARTICULATION			
A. HORIZONTAL ARTICULATION FOR FOOTPRINT		STATUS	B. VERTICAL ARTICULATION FOR ELEVATION
BUILDING FACADE LENGTH 141.0 FT. X 20% = 28.2 FT. MINIMUM PERPENDICULAR OFFSET 2 FEET		NA	BUILDING FACADE LENGTH 141.0 FT. X 20% = 28.2 FT. MINIMUM VERTICAL ELEVATION CHANGE
BUILDING FACADE LENGTH 141.0 FT. X 30% = 42.3 FT. MINIMUM PERPENDICULAR OFFSET OF 4 FEET		OK	MINIMUM 3 FOOT VERTICAL ELEVATION CHANGE EVERY 50 FEET VERTICAL ELEVATION CHANGE (FLAT ROOFS)
MINIMUM 2 FOOT PERPENDICULAR BUILDING OFFSET EVERY 30 FEET		OK	AVERAGE NON-ARTICULATED BUILDING HEIGHT
			30.3 FT

BUILDING 'B' MATERIAL CALCULATION	
MATERIAL	PERCENTAGE
BRICK	21%
STUCCO	89%
GLAZING	29%

BUILDING FACADES COMPLY WITH:
GDC CHAPTER 4 (ARTICLE 6 DIVISION 01, SEC. 4.4.3)
MINIMUM 80% MASONRY CONSTRUCTION EXCLUDING DOORS, WINDOWS, WINDOW WALLS

MINIMUM OF 6 ARCHITECTURAL ELEMENTS	
ELEMENT	ELEMENT
AWNING/CANOPIES	RECESSED ENTRY
DIVIDED LIGHT WINDOWS	VARIED ROOF HEIGHTS
TRANSOMS	ORNAMENTAL FACADE TRIMS



1 BUILDING TYPE 'B' FRONT ELEVATION
SCALE: 1/8" = 1'-0"

VIEW FROM EAST PROPERTY LINE AT BUILDING B

BUILDING 'B' ARTICULATION				
A. HORIZONTAL ARTICULATION FOR FOOTPRINT		STATUS	B. VERTICAL ARTICULATION FOR ELEVATION	STATUS
BUILDING FACADE LENGTH 152.0 FT. X 20% = 30.4 FT. MINIMUM PERPENDICULAR OFFSET OF 2 FEET		NA	BUILDING FACADE LENGTH 152.0 FT. X 20% = 30.4 FT. MINIMUM VERTICAL ELEVATION CHANGE	OK
BUILDING FACADE LENGTH 152.0 FT. X 30% = 45.6 FT. MINIMUM PERPENDICULAR OFFSET OF 4 FEET		OK	MINIMUM 3 FOOT VERTICAL ELEVATION CHANGE EVERY 50 FEET VERTICAL ELEVATION CHANGE (FLAT ROOFS)	OK
MINIMUM 2 FOOT PERPENDICULAR BUILDING OFFSET EVERY 30 FEET		OK	AVERAGE NON-ARTICULATED BUILDING HEIGHT	30.3 FT

BUILDING 'B' MATERIAL CALCULATION	
MATERIAL	PERCENTAGE
BRICK	27%
STUCCO	47%
GLAZING	30%

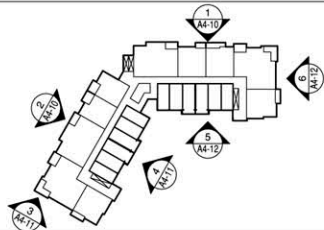
BUILDING FACADES COMPLY WITH:
GDC CHAPTER 4 (ARTICLE 6 DIVISION 01, SEC. 4.4.3)
MINIMUM 80% MASONRY CONSTRUCTION EXCLUDING DOORS, WINDOWS, WINDOW WALLS

MINIMUM OF 6 ARCHITECTURAL ELEMENTS	
ELEMENT	ELEMENT
AWNING/CANOPIES	RECESSED ENTRY
DIVIDED LIGHT WINDOWS	VARIED ROOF HEIGHTS
TRANSOMS	ORNAMENTAL FACADE TRIMS



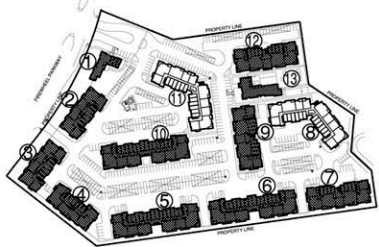
2 BUILDING TYPE 'B' FRONT ELEVATION
SCALE: 1/8" = 1'-0"

BUILDING TYPE 'B' - ELEVATION KEY



SITE KEY

BUILDING 'B' - OCCURS AT BUILDING 8, & 11



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DATE
02-15-2019

PROJECT
17236

A4-10
BUILDING B
EXTERIOR ELEVATIONS

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BUILDING 'B' ARTICULATION

A. HORIZONTAL ARTICULATION FOR FOOTPRINT	STATUS	B. VERTICAL ARTICULATION FOR ELEVATION	STATUS
BUILDING FACADE LENGTH 65.0 FT. X 20% = 13.0 FT. MINIMUM PERPENDICULAR OFFSET OF 2 FEET	OK	BUILDING FACADE LENGTH 65.0 FT. X 20% = 13.0 FT. MINIMUM VERTICAL ELEVATION CHANGE	OK
BUILDING FACADE LENGTH 65.0 FT. X 30% = 19.5 FT. MINIMUM PERPENDICULAR OFFSET OF 4 FEET	NA	MINIMUM 3 FOOT VERTICAL ELEVATION CHANGE EVERY 50 FEET VERTICAL ELEVATION CHANGE (PLAT ROOF)	OK
MINIMUM 3 FOOT PERPENDICULAR BUILDING OFFSET EVERY 30 FEET	OK	AVERAGE NON-ARTICULATED BUILDING HEIGHT	30.3 FT.

BUILDING 'B' MATERIAL CALCULATION	MATERIAL	PERCENT	QUANTITY
BRICK	33%	671 SF	44%
STUCCO	4%	881 SF	56%
GLAZING	28%		

BUILDING FACADES COMPLY WITH:
ODC CHAPTER 4 (ARTICLE 6) DIVISION 01, SEC. 4.83
MINIMUM 80% MASONRY CONSTRUCTION
EXCLUDING DOORS, WINDOWS, WINDOW WALLS

MINIMUM OF 6 ARCHITECTURAL ELEMENTS

ELEMENT	ELEMENT
AWNING CANOPIES	RECESSED ENTRY
DIVIDED LIGHT WINDOWS	VARIED ROOF HEIGHTS
TRANSOMS	ORNAMENTAL FACADE TRIMS

DIVIDED LIGHT WINDOW
ORNAMENTAL FACADE TRIM
VARIED ROOF HEIGHT



3 BUILDING TYPE 'B' END ELEVATION

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

BUILDING 'B' ARTICULATION

A. HORIZONTAL ARTICULATION FOR FOOTPRINT	STATUS	B. VERTICAL ARTICULATION FOR ELEVATION	STATUS
BUILDING FACADE LENGTH 118.0 FT. X 20% = 23.6 FT. MINIMUM PERPENDICULAR OFFSET OF 2 FEET	NA	BUILDING FACADE LENGTH 118.0 FT. X 20% = 23.6 FT. MINIMUM VERTICAL ELEVATION CHANGE	OK
BUILDING FACADE LENGTH 118.0 FT. X 30% = 35.4 FT. MINIMUM PERPENDICULAR OFFSET OF 4 FEET	OK	MINIMUM 3 FOOT VERTICAL ELEVATION CHANGE EVERY 50 FEET VERTICAL ELEVATION CHANGE (PLAT ROOF)	OK
MINIMUM 3 FOOT PERPENDICULAR BUILDING OFFSET EVERY 30 FEET	OK	AVERAGE NON-ARTICULATED BUILDING HEIGHT	30.3 FT.

BUILDING 'B' MATERIAL CALCULATION	MATERIAL	PERCENT	QUANTITY
BRICK	25%	844 SF	33%
STUCCO	49%	1681 SF	67%
GLAZING	26%		

BUILDING FACADES COMPLY WITH:
ODC CHAPTER 4 (ARTICLE 6) DIVISION 01, SEC. 4.83
MINIMUM 80% MASONRY CONSTRUCTION
EXCLUDING DOORS, WINDOWS, WINDOW WALLS

MINIMUM OF 6 ARCHITECTURAL ELEMENTS

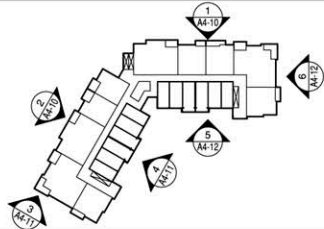
ELEMENT	ELEMENT
AWNING CANOPIES	RECESSED ENTRY
DIVIDED LIGHT WINDOWS	VARIED ROOF HEIGHTS
TRANSOMS	ORNAMENTAL FACADE TRIMS



4 BUILDING TYPE 'B' REAR ELEVATION

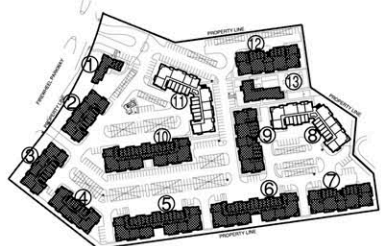
SCALE: 1/8" = 1'-0"

BUILDING TYPE 'B' - ELEVATION KEY



SITE KEY

BUILDING 'B' - OCCURS AT BUILDING 8, & 11



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GARLAND, TX

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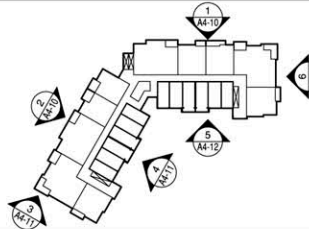
BUILDING 'B' ARTICULATION			
A. HORIZONTAL ARTICULATION FOR FOOTPRINT		B. VERTICAL ARTICULATION FOR ELEVATION	
BUILDING FACADE LENGTH 115.0 FT X 20% = 23.0 FT. MINIMUM PERPENDICULAR OFFSET OF 3 FEET	NA	BUILDING FACADE LENGTH 115.0 FT X 20% = 23.0 FT. MINIMUM VERTICAL ELEVATION CHANGE	OK
BUILDING FACADE LENGTH 115.0 FT X 30% = 34.5 FT. MINIMUM PERPENDICULAR OFFSET OF 4 FEET	OK	MINIMUM 3 FOOT VERTICAL ELEVATION CHANGE EVERY 30 FEET VERTICAL ELEVATION CHANGE (FLAT ROOFS)	OK
MINIMUM 2 FOOT PERPENDICULAR BUILDING OFFSET EVERY 30 FEET	OK	AVERAGE NON-ARTICULATED BUILDING HEIGHT	30.3 FT.

BUILDING 'B' MATERIAL CALCULATION			
MATERIAL	PERCENT	MATERIAL	PERCENT
BRICK	24%	BRICK	838 SF 33%
STUCCO	49%	STUCCO	1670 SF 57%
GLAZING	27%		
BUILDING FACADES COMPLY WITH: ODG CHAPTER 4 ARTICLE 6 DIVISION D1, SEC. 4.803 - MINIMUM 80% MASONRY CONSTRUCTION EXCLUDING DOORS, WINDOWS, WINDOW WALLS			
MINIMUM OF 6 ARCHITECTURAL ELEMENTS			
ELEMENT	MINIMUM OF 6 ARCHITECTURAL ELEMENTS	ELEMENT	MINIMUM OF 6 ARCHITECTURAL ELEMENTS
AWNINGS/CANOPES	RECESSED ENTRY	AWNINGS/CANOPES	RECESSED ENTRY
DIVIDED LIGHT WINDOWS	VARIED ROOF HEIGHTS	DIVIDED LIGHT WINDOWS	VARIED ROOF HEIGHTS
TRANSOMS	ORNAMENTAL FACADE TRIMS	TRANSOMS	ORNAMENTAL FACADE TRIMS



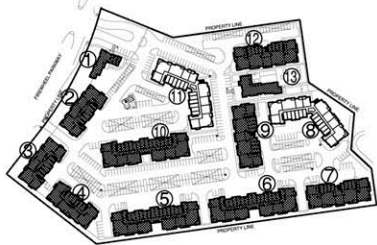
5 BUILDING TYPE 'B' REAR ELEVATION
SCALE: 1/8" = 1'-0"

BUILDING TYPE 'B' - ELEVATION KEY



SITE KEY

BUILDING 'B' - OCCURS AT BUILDING 8, & 11



BUILDING 'B' ARTICULATION

A. HORIZONTAL ARTICULATION FOR FOOTPRINT		B. VERTICAL ARTICULATION FOR ELEVATION	
BUILDING FACADE LENGTH 65.0 FT X 20% = 13.0 FT. MINIMUM PERPENDICULAR OFFSET OF 3 FEET	OK	BUILDING FACADE LENGTH 65.0 FT X 20% = 13.0 FT. MINIMUM VERTICAL ELEVATION CHANGE	OK
BUILDING FACADE LENGTH 65.0 FT X 30% = 19.5 FT. MINIMUM PERPENDICULAR OFFSET OF 4 FEET	NA	MINIMUM 3 FOOT VERTICAL ELEVATION CHANGE EVERY 30 FEET VERTICAL ELEVATION CHANGE (FLAT ROOFS)	OK
MINIMUM 2 FOOT PERPENDICULAR BUILDING OFFSET EVERY 30 FEET	OK	AVERAGE NON-ARTICULATED BUILDING HEIGHT	30.3 FT.

BUILDING 'B' MATERIAL CALCULATION			
MATERIAL	PERCENT	MATERIAL	PERCENT
BRICK	32%	BRICK	671 SF 43%
STUCCO	49%	STUCCO	880 SF 57%
GLAZING	20%		
BUILDING FACADES COMPLY WITH: ODG CHAPTER 4 ARTICLE 6 DIVISION D1, SEC. 4.803 - MINIMUM 80% MASONRY CONSTRUCTION EXCLUDING DOORS, WINDOWS, WINDOW WALLS			
MINIMUM OF 6 ARCHITECTURAL ELEMENTS			
ELEMENT	MINIMUM OF 6 ARCHITECTURAL ELEMENTS	ELEMENT	MINIMUM OF 6 ARCHITECTURAL ELEMENTS
AWNINGS/CANOPES	RECESSED ENTRY	AWNINGS/CANOPES	RECESSED ENTRY
DIVIDED LIGHT WINDOWS	VARIED ROOF HEIGHTS	DIVIDED LIGHT WINDOWS	VARIED ROOF HEIGHTS
TRANSOMS	ORNAMENTAL FACADE TRIMS	TRANSOMS	ORNAMENTAL FACADE TRIMS



6 BUILDING TYPE 'B' END ELEVATION
SCALE: 1/8" = 1'-0"



REVISIONS

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GARLAND, TX

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EXHIBIT F

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A4-12
BUILDING B
EXTERIOR ELEVATIONS

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1 BUILDING TYPE 'A' FRONT ELEVATION
SCALE: 1/8" = 1'-0"

BUILDING 'A' MATERIAL CALCULATION	
MATERIAL	31% BRICK 889 SF 41%
BRICK	48% STUCCO 833 SF 39%
STUCCO	23%
GLAZING	

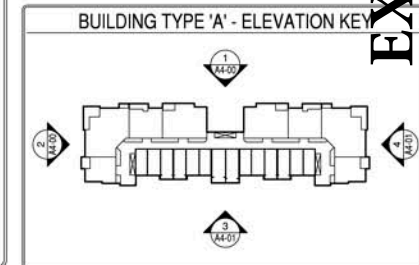
LEASING ARTICULATION	
A. HORIZONTAL ARTICULATION FOR FOOTPRINT	STATUS
BUILDING FACADE LENGTH: 68.0 FT. X 30% = 20.4 FT. MINIMUM PERPENDICULAR OFFSET OF 2 FEET	OK
BUILDING FACADE LENGTH: 68.0 FT. X 30% = 20.4 FT. MINIMUM PERPENDICULAR OFFSET OF 4 FEET	OK
MINIMUM 2 FOOT PERPENDICULAR BUILDING OFFSET EVERY 30 FEET	OK



2 BUILDING TYPE 'A' END ELEVATION
SCALE: 1/8" = 1'-0"

BUILDING 'A' MATERIAL CALCULATION	
MATERIAL	23% BRICK 1920 SF 34%
BRICK	48% STUCCO 3681 SF 66%
STUCCO	27%
GLAZING	

LEASING ARTICULATION	
A. HORIZONTAL ARTICULATION FOR FOOTPRINT	STATUS
BUILDING FACADE LENGTH: 258.0 FT. X 30% = 77.4 FT. MINIMUM PERPENDICULAR OFFSET OF 2 FEET	OK
BUILDING FACADE LENGTH: 258.0 FT. X 30% = 77.4 FT. MINIMUM PERPENDICULAR OFFSET OF 4 FEET	OK
MINIMUM 2 FOOT PERPENDICULAR BUILDING OFFSET EVERY 30 FEET	OK



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				PROJECT 17236		

EXHIBIT F



3 BUILDING TYPE 'A' REAR ELEVATION
SCALE: 1/8" = 1'-0"

BUILDING 'A' MATERIAL CALCULATION			
MATERIAL	BRICK	745 SF	44%
STUCCO	993 SF	56%	
GLAZING	24%		
BUILDING FACADES COMPLY WITH: GDC CHAPTER 4 ARTICLE 6 DIVISION 01, SEC. 4.8.3 MINIMUM 80% MASONRY CONSTRUCTION EXCLUDING DOORS, WINDOWS, WINDOW WALLS			
MINIMUM OF 6 ARCHITECTURAL ELEMENTS			
ELEMENT	ELEMENT	ELEMENT	ELEMENT
AWNINGS/CANOPES	RECESSED ENTRY	VARIED ROOF HEIGHTS	ORNAMENTAL FACADE TRIMS
DIVIDED LIGHT WINDOWS			
TRANSOMS			

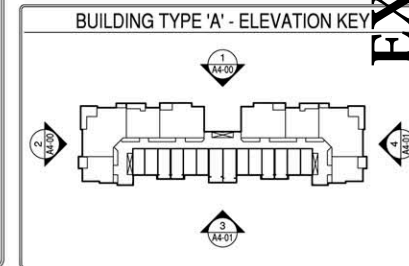
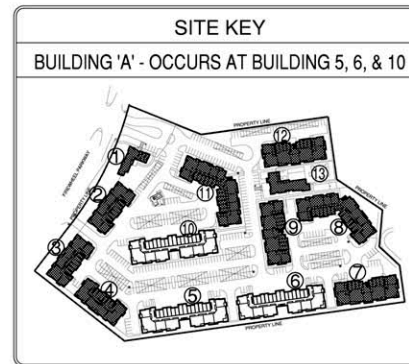
BUILDING 'A' ARTICULATION			
A. HORIZONTAL ARTICULATION FOR FOOTPRINT		B. VERTICAL ARTICULATION FOR ELEVATION	
BUILDING FACADE LENGTH	89.0 FT. X.20% = 13.8 FT. MINIMUM PERPENDICULAR OFFSET OF 2 FEET	BUILDING FACADE LENGTH	89.0 FT. X.20% = 13.8 FT. MINIMUM VERTICAL ELEVATION CHANGE
STATUS	OK	STATUS	OK
BUILDING FACADE LENGTH	89.0 FT. X.30% = 20.7 FT. MINIMUM PERPENDICULAR OFFSET OF 4 FEET	MINIMUM 3 FOOT VERTICAL ELEVATION CHANGE EVERY 50 FEET (VERTICAL ELEVATION CHANGE FLAT ROOFS)	OK
STATUS	OK	AVERAGE NON-ARTICULATED BUILDING HEIGHT	30.3 FT.
MINIMUM 2 FOOT PERPENDICULAR BUILDING OFFSET EVERY 30 FEET	OK		



4 BUILDING TYPE 'A' END ELEVATION
SCALE: 1/8" = 1'-0"

BUILDING 'A' MATERIAL CALCULATION			
MATERIAL	BRICK	1806 SF	34%
STUCCO	48%	3569 SF	66%
GLAZING	28%		
BUILDING FACADES COMPLY WITH: GDC CHAPTER 4 ARTICLE 6 DIVISION 01, SEC. 4.8.3 MINIMUM 80% MASONRY CONSTRUCTION EXCLUDING DOORS, WINDOWS, WINDOW WALLS			
MINIMUM OF 6 ARCHITECTURAL ELEMENTS			
ELEMENT	ELEMENT	ELEMENT	ELEMENT
AWNINGS/CANOPES	RECESSED ENTRY	VARIED ROOF HEIGHTS	ORNAMENTAL FACADE TRIMS
DIVIDED LIGHT WINDOWS			
TRANSOMS			

BUILDING 'A' ARTICULATION			
A. HORIZONTAL ARTICULATION FOR FOOTPRINT		B. VERTICAL ARTICULATION FOR ELEVATION	
BUILDING FACADE LENGTH	256.0 FT. X.20% = 51.2 FT. MINIMUM PERPENDICULAR OFFSET OF 2 FEET	STATUS	OK
BUILDING FACADE LENGTH	256.0 FT. X.30% = 76.8 FT. MINIMUM PERPENDICULAR OFFSET OF 4 FEET	MINIMUM 3 FOOT VERTICAL ELEVATION CHANGE EVERY 50 FEET (VERTICAL ELEVATION CHANGE FLAT ROOFS)	OK
STATUS	OK	AVERAGE NON-ARTICULATED BUILDING HEIGHT	30.3 FT.
MINIMUM 2 FOOT PERPENDICULAR BUILDING OFFSET EVERY 30 FEET	OK		



02/15/2019

REVISIONS

FIREWHEEL LOFTS

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A4-01
BUILDING 'A'
EXTERIOR ELEVATIONS



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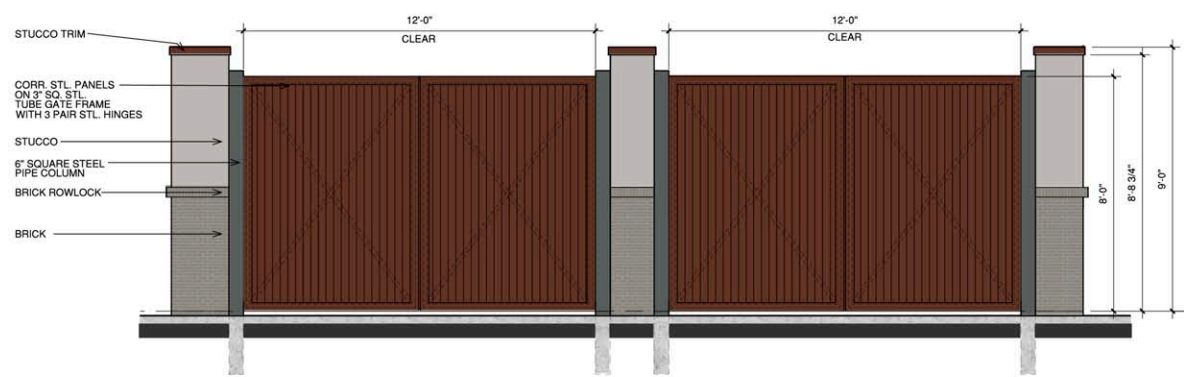
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A2-61
TRASH
ENCLOSURE

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EXHIBIT F

FACADE MATERIAL %				
BRICK	STONE	STUCCO	FIBER CEMENT ACCENT	TOTAL
27 S.F.	15 S.F.	0 S.F.	0 S.F.	42 S.F.
64%	36%	0%	0%	100%



2 TRASH ENCLOSURE-FRONT NORTH ELEVATION
SCALE: 1/2" = 1'-0"

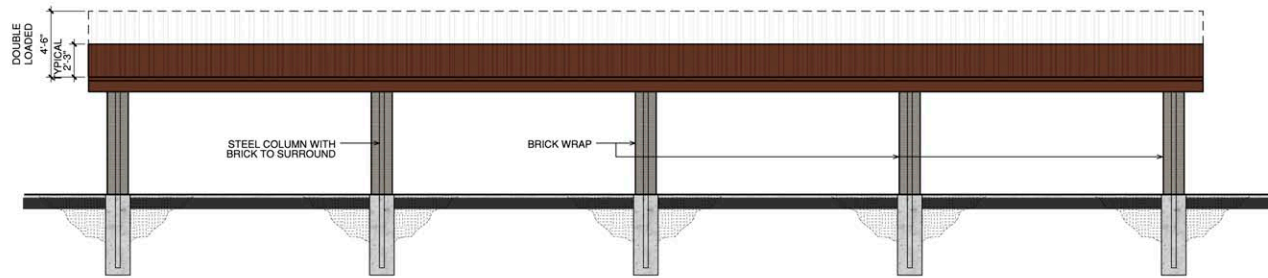
FACADE MATERIAL %				
BRICK	STONE	STUCCO	FIBER CEMENT ACCENT	TOTAL
200 S.F.	94 S.F.	0 S.F.	0 S.F.	294 S.F.
68%	32%	0%	0%	100%



NOTE: HOLE IN WALL TO BE 41"x41"
SECURITY DOOR FITS WALLS FROM
6 TO 14 INCHES THICK

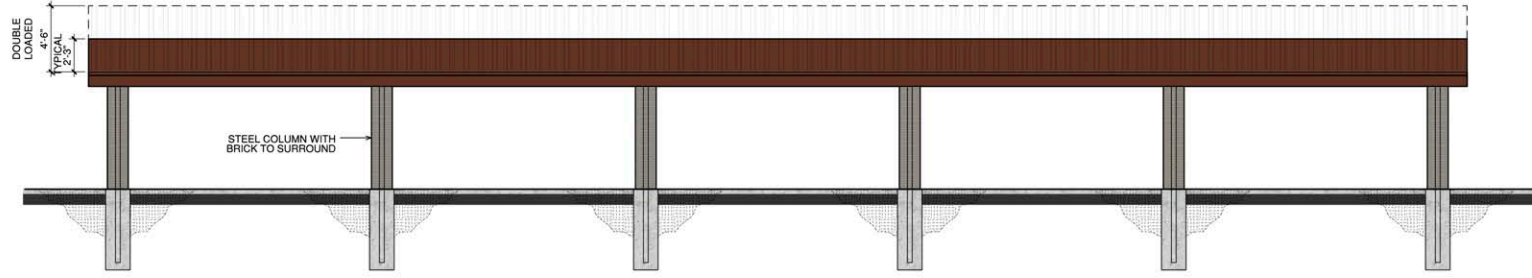
6 TRASH ENCLOSURE - WEST ELEVATION
SCALE: 1/2" = 1'-0"

NOTE:
ALL CARPORT STRUCTURES ARE TO HAVE THE SAME BRICK
USED ON BUILDING A WRAP THE SUPPORT COLUMNS



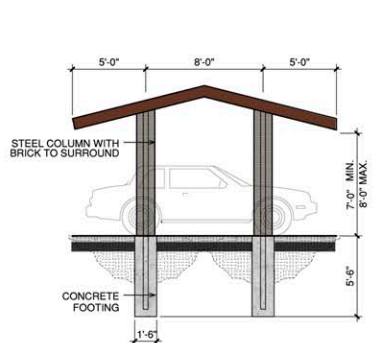
3 CARPORT ELEVATION - 8 EVEN SPACES
SCALE 1/4"=1'-0"

REFER TO CARPORT MANUFACTURER
FOR ENGINEERING AND INSTALLATION

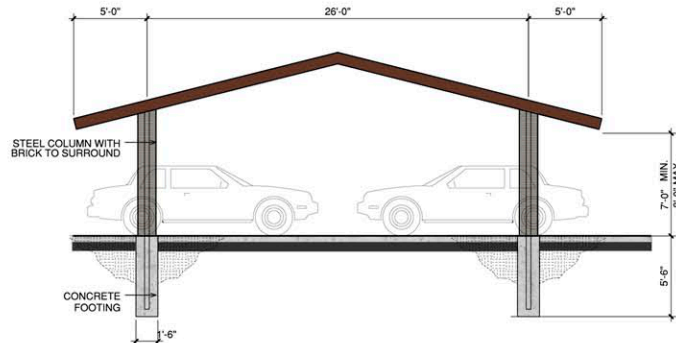


1 CARPORT ELEVATION - 10 EVEN SPACES
SCALE 1/4"=1'-0"

REFER TO CARPORT MANUFACTURER
FOR ENGINEERING AND INSTALLATION



2 CARPORT ELEVATION (TYPICAL)
SCALE 1/4"=1'-0"
REFER TO CARPORT MANUFACTURER
FOR ENGINEERING AND INSTALLATION



2 CARPORT ELEVATION (DOUBLE-LOADED)
SCALE 1/4"=1'-0"
REFER TO CARPORT MANUFACTURER
FOR ENGINEERING AND INSTALLATION

EXHIBIT F



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A2-32
CARPORT

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GARLAND
CITY COUNCIL ITEM SUMMARY SHEET

City Council Regular Session Agenda

.4.

Meeting Date: 03/19/2019

Item Title: Consider an ordinance regulating short-term rentals

Submitted By: Brad Neighbor, City Attorney

Summary of Request/Problem

The Community Services Committee was assigned the project of considering whether Garland has problems associated with short-term rentals and, if so, how to address them. The committee determined that the bulk of the complaints received do not merit a full-on short-term rental ordinance of the sort other cities with high tourism have adopted. The committee reported its findings to the City Council at the work session of December 17, 2018.

To address Garland's needs and taking the direction of the Community Services Committee and the comments of the City Council at the work session at which this item was discussed, the City Attorney drafted an ordinance that amends the Code of Ordinances in two important ways.

First, the amendments will include short-term rentals within the definition of "hotel" (as allowed under current Texas law) for purposes of collecting hotel taxes. Thus, the owner of a short-term rental residence will have to charge, collect, and remit hotel taxes for the days the residential property is rented.

The second major aspect addressed by the proposed ordinance is an amendment to the City's current lodging standards that will bring some, but not all, short-term rentals within the scope of the City's existing lodging establishment regulations. The intent of those amendments is to restrict and regulate what the City has experienced in the short-term rental market. Garland's experience has been less with true short-term, episodic rentals of residences for special events and the like, and more along the lines of companies renting residences to house workers while working on local construction jobs. The proposed amendments change the definition of "lodging establishment" to include those sorts of short-term rentals for purposes of imposing most of the same standards that apply to traditional lodging establishments. (Long-term rentals of residential properties are governed under the City's single-family rental program).

The amended definitions complement and track one another, that is, the definition of "hotel" (for tax purposes) and the definition of "lodging establishment" (for regulatory purposes) will be amended to duplicate one another with one major difference. For regulatory purposes, the licensing requirement and operational standards that otherwise apply to lodging establishments will not apply to a short-term rental if the premises are: (1) occupied by the owner as the primary, permanent residence of the owner and; (2) the premises are not used as a short term

rental for more than five days consecutive days in any 30 day period, and for not more than 30 days in any calendar year. Thus, occasional use of a residence for short-term rentals will not subject the owner to the licensing requirements and operational standards, but the owner must still charge, collect, and remit hotel taxes for each day of the rental. The owner of a short-term rental must already abide by existing standards as to noise control and legal parking.

The amending ordinance also contains a compatibility clause to address situations that sometimes arise with motels that start renting rooms on a monthly basis, essentially converting the motel to a multifamily use. The amended ordinance clarifies that just because a hotel may sometimes look like a multifamily use, that does not excuse any underlying zoning violation (and vice versa). In other words, if a hotel wants to convert to a multifamily use, it would have to have appropriate zoning in place to do so, obtain a multifamily license, and otherwise abide by the building and operational standards applicable to multifamily uses.

Finally, the proposed ordinance will update a number of provisions of the Code of Ordinances relating to hotel taxes and lodging establishments. Those provisions have not been updated in some time. In keeping with the practice of updating ordinances when given the opportunity, the City Attorney, the Tax Assessor, and the Director of Code Compliance worked together to re-write the ordinances that regulate the hotel tax provisions of Chapter 40 of the Code of Ordinances and the lodging establishments provisions of Chapter 32 of the Code of Ordinances to be clearer, more concise, and more enforceable.

Recommendation/Action Requested and Justification

The attached ordinance makes the changes described above along with certain conforming and technical changes to Chapters 40 and 32 of the Code of Ordinance. Council is requested to consider and approve the draft attached to this item summary sheet.

Attachments

short-term rental amendments 2019

ORDINANCE NO.

AN ORDINANCE AMENDING ARTICLE II OF CHAPTER 40, "TAXATION", OF THE CODE OF ORDINANCES OF THE CITY OF GARLAND, TEXAS; AMENDING CHAPTER 32, "; 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 Article II, "Hotel Occupancy Tax" of Chapter 40, "Taxation", of the Code of Ordinances of the City of Garland, Texas, is hereby amended to read as follows:

"Sec. 40.10 Definitions

As used in this article, the following words, terms, and phrases are defined as follows:

(1) Consideration means the price of or value received for the right to use all or a portion of a hotel, but does not include the cost of any food served or personal services rendered to the occupant not related to cleaning and readying the room or space for occupancy, and does not include any tax assessed by any other governmental agency for occupancy of the room or space.

(2) Hotel means any building, complex of buildings, trailer, or any other facility in which the public may, for a consideration, obtain sleeping accommodations. The term includes hotels, motels, tourist homes, houses or courts, lodging houses, cabins, inns, rooming houses, trailer houses, trailer motels, dormitories where bed space is rented, apartments not occupied by permanent residents, short-term rentals, and all other facilities where rooms or sleeping facilities or space are furnished for consideration. The term "hotel" does not include hospitals, sanitariums, nursing homes, jails, prisons or detention centers, dormitories or housing facilities of the type described in Section 156.001(2) of the Texas Tax Code or an oilfield portable unit, as defined by Section 152.001 of the Texas Tax Code.

(3) Monthly period means the regular calendar months of the year.

(4) Occupancy means the use or possession of, or the exclusive right to the use or possession, of a sleeping space, room, or facility in a hotel.

(5) Occupant means any person who has paid consideration for the exclusive right to use a sleeping space, room, or facility in a hotel.

(6) Permanent resident means any occupant who has occupied or has paid for the exclusive right to occupy a particular sleeping space, room, or facility in a hotel for at least thirty consecutive days so long as there is no interruption of payment for the period.

(7) Residential property means a property zoned AG, SF-E, SF-10, SF-7, SF-5, SFA, 2F or MF under the Garland Development Code and on which is located a building used for residential purposes.

(8) Short-term rental means the rental of all or part of a residential property to a person who is not a permanent resident.

(9) Tax means the hotel occupancy tax levied in this article pursuant to Chapter 351 of the Texas Tax Code.

Sec. 40.11 Tax authorized; tax rate; exceptions to tax

(A) A tax upon the cost of or consideration paid by a person who, under a lease, concession, permit, right of access, license, contract, or agreement, has the use or possession or the right to the use or possession of a room that is in a hotel is hereby levied at the rate of seven percent of the total price to include all goods and services provided by the hotel which are not ordinarily subject to sales tax.

(B) The following are exceptions to the tax:

(1) There is no tax on the cost of or consideration paid for occupancy of a hotel sleeping space, room, or facility priced at less than \$2.00 per day.

(2) The cost of or consideration paid for a hotel space, room, or facility not ordinarily used for sleeping, such as a conference space or a meeting room, is not subject to this tax.

(3) The cost of or consideration paid for a sleeping space, room, or facility occupied by a permanent resident is not subject to this tax.

(4) A person described in Section 156.101, Section 156.103(a), or Section 156.103(d) of the Texas Tax Code is exempt from the payment of the tax imposed under this article.

(5) A state governmental entity described in Section 156.103(b) or a person described in Section 156.103(c) of the Texas Tax Code shall pay the tax imposed by this article, but the state governmental entity is entitled to a refund of the tax paid.

Sec. 40.12 Collection; reporting

(A) Every person owning, operating, managing, or controlling any hotel shall collect the tax imposed under this article and pay same to the City together with the report required in this article.

(B) The tax shall be reported and submitted to the City not later than ten days from the last day of March, June, September, and December of each year, on forms provided by the City.

(C) Each person required to collect the tax must make records relating to the tax available for inspection by the City. The City shall, upon reasonable notice, have access to books and records necessary to determine the correctness of a report filed under this article or the amount of taxes due under this article. The City shall have authority to require additional information to determine the correctness of a report filed under this article or the amount of taxes due under this article.

(D) If a person who is liable for the payment of a tax under this article is the owner of the hotel and sells the hotel, the successor to the sale or the seller's assignee shall withhold an amount of the purchase price sufficient to pay the tax due until the seller provides a receipt from the City showing that the amount has been paid or a certificate showing that no tax is due.

(1) The purchaser of a hotel who fails to withhold an amount of the purchase price as required by this subsection is liable for the amount required to be withheld to the extent of the value of the purchase price.

(2) The purchaser of a hotel may request that the City issue a certificate stating that no tax is due or issue a statement of the amount required to be paid before a certificate may be issued. The City shall issue the certificate or statement not later than sixty days after receiving the request. If the City fails to issue the certificate or statement within the time period, the purchaser is released from the obligation to withhold the purchase price or pay the amount due (but not from the obligation to pay any tax that may be due).

Sec. 40.13 Rules and regulations

The tax collector shall have the power to make any rules and regulations necessary to effectively collect the tax, penalty or interest levied herein. The tax collector is authorized to issue rules and regulations necessary to effectuate the full intent and purpose of this article concerning the information required on reports, the collection reporting periods, audits, the retention of records, the forcible seizure of records for auditing purposes, as allowed by law.

Sec. 40.14 Penalties

(A) A person commits an offense if a person:

- (1) Fails to collect the tax imposed by this article;
- (2) Fails to file a report as required by this article;
- (3) Fails to pay the tax when payment is due;
- (4) Files a false report; or

(5) Fails to comply with this article when purchasing a hotel.

(B) An offense committed under subsection (A) of this section is punishable by a fine not to exceed \$500 for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

(C) In addition to any criminal penalties imposed under subsection (B), a person shall pay fifteen percent of the tax due as a penalty if the person fails to pay the tax or file the report as required by this article by the due date. Delinquent taxes shall accrue interest at the rate of ten percent per annum beginning sixty days from the date the tax was due.

Sec. 40.15 Tax collection suit

(A) The City Attorney or other attorney authorized by the City may bring suit against a person who is required to collect the tax imposed by this article and who has failed file a tax report or pay the tax when due. The City may collect the tax not paid or enjoin the person from operating a hotel in the City until the tax is paid or the report is filed, as applicable, as provided by the court's order. In addition to any amount of any tax owed under this article, the person is liable to the City for:

- (1) Reasonable attorney's fees;

(2) The cost of an audit conducted under subsection (B), as determined by the City using a reasonable rate, but only if the tax has been delinquent for at least two complete municipal fiscal quarters at the time the audit is conducted;

(3) A penalty equal to fifteen percent of the total amount of the tax owed; and

(4) Interest on the delinquent taxes at the rate of ten percent per annum.

(B) If a person is required to file a tax report under this article does not file the report as required by this article, the City Attorney or other attorney authorized by the City may determine the amount of tax due under this article by:

(1) Conducting an audit of each hotel in relation to which the person did not file the report as required by this article; or

(2) Using the tax report filed for the appropriate reporting period under Section 156.151 of the Texas Tax Code in relation to that hotel.

(C) If the person did not file a tax report under Section 156.151 of the Texas Tax Code for that reporting period in relation to that hotel, the City Attorney or other attorney authorized by the City may estimate the amount of tax due by using the tax reports in relation to that hotel filed during the previous calendar year under this article or Section 156.151 of the Texas Tax Code. An estimate made under this subsection is prima facie evidence of the amount of the tax due for that period in relation to that hotel.

(D) The authority to conduct an audit under this section is in addition to any other audit authority provided by State law, charter, or ordinance.

(E) The remedies provided by this section are in addition to other available remedies.

Sec. 40.16 Compatibility and reconciliation with other ordinances and laws

Nothing contained in this article shall be construed as authorizing the use of any property in a manner contrary to any provision of this Code of Ordinances, the Garland Development Code, or other law. A premises may constitute a hotel for purposes of taxation under this article even though the premises are not zoned for hotel

uses under the Garland Development Code. Similarly, a hotel for taxation purposes may be regulated as a lodging establishment, a single family rental unit or as a multifamily dwelling under the provisions of Chapter 32 of this Code of Ordinances, as appropriate to the actual land use and notwithstanding the use of the term "hotel" in this article. A building designed, intended, and zoned as a hotel for purposes of the Garland Development Code may not be converted into a multifamily use merely by renting some or all of the sleeping rooms to "permanent residents" as that term is used in this article unless the premises are appropriately zoned and are licensed as a multifamily dwelling."

Section 2

That Sec. 32.01 of Chapter 32, "Property Sanitation and Housing Services", of the Code of Ordinances of the City of Garland, Texas, is hereby amended by amending the definition of "lodging establishment" to read as follows:

"Lodging establishment" means any building, complex of buildings, trailer, or any other facility in which the public may, for a consideration, obtain sleeping accommodations. The term includes hotels, motels, tourist homes, houses or courts, lodging houses, cabins, inns, rooming houses, trailer houses, trailer motels, dormitories where bed space is rented, apartments not occupied by permanent residents, short-term rentals, and all other facilities where rooms or sleeping facilities or space are furnished for consideration. The term "hotel" does not include hospitals, sanitariums, nursing homes, jails, prisons or detention centers, dormitories or housing facilities of the type described in Section 156.001(2) of the Texas Tax Code or an oilfield portable unit, as defined by Section 152.001 of the Texas Tax Code. For purposes of this article, the term "lodging establishment" does not include a short term rental if the premises are occupied by the owner as the primary, permanent residence of the owner and the premises are not used as a short term rental for more than five days consecutive days in any 30 day period, or for more than 30 days in any calendar year."

Section 3

That Sec. 32.01 of Chapter 32, "Property Sanitation and Housing Services", of the Code of Ordinances of the City of Garland, Texas, is hereby amended by adding a definition of "short term rental" to read as follows:

"Short term rental" means the rental of all or part of a residential property to a person who is not a permanent resident."

Section 4

That Sec. 32.07(B)(1) of Chapter 32, "Property Sanitation and Housing Services", of the Code of Ordinances of the City of Garland, Texas, is hereby amended to read as follows:

"(1) An application for a license, whether an original or a renewal, must be made to the Director of Code Compliance by the intended operator of the multifamily dwelling or lodging establishment. A signed, completed application form (which may, if allowed by the Director of Code Compliance, be in electronic form and electronically signed) shall be filed with the Director of Code Compliance. An unsigned or incomplete application will not be processed. The application shall require, and the applicant shall provide, the following information:

(a) The full name of the owner (whether or not the owner intends to directly operate the multifamily dwelling or lodging establishment) and the full name of the property manager or other intended operator (if the multifamily dwelling or lodging establishment will be operated by a third-party).

(b) The owner's and the property manager's or operator's (if any) street address, mailing address (if different), and telephone number.

(c) The trade name under which the multifamily dwelling or lodging establishment is or will be operated.

(d) The address of the premises on which the multifamily dwelling or lodging establishment is or will be located.

(e) The name, mailing address, and telephone number of a person who will act as the applicant's agent and liaison with the Director of Code Compliance for matters relating to inspections of the premises as required by this section, and to receive notices and other communications provided in this article. The applicant shall provide a telephone number at which a representative of the owner may be contacted at any time in emergencies. Notices sent to the address provided shall be considered as notice to the owner unless the owner provides new information as required in this subsection to the Director of Code Compliance.

(f) For multifamily dwellings that contain individually-owned condominium units that are managed by a homeowners

association or third-party property management company, the name, address, and telephone number of the homeowners association or third party management company."

Section 5

That Sec. 32.07(B)(2) of Chapter 32, "Property Sanitation and Housing Services", of the Code of Ordinances of the City of Garland, Texas, is hereby amended to read as follows:

"(B) (2) The original application shall be accompanied by the following:

(a) Payment in full, by certified check, cashier's check, money order or other same-day funds of the required license fee;

(b) A statement under oath or certified under penalty of perjury attesting to:

(1) the assumed name of the multifamily dwelling or lodging establishment it is operated under an assumed name;

(2) the current owner of the fee simple interest in the premises on which the multifamily dwelling or lodging establishment is located; and

(3) such other information as required by the Director of Code Compliance necessary to the enforcement of the provisions of this article."

Section 6

That Sec. 32.07(B)(3) of Chapter 32, "Property Sanitation and Housing Services", of the Code of Ordinances of the City of Garland, Texas, is hereby amended to read as follows:

"(3) Except for new construction, the applicant shall submit evidence with the application that the multifamily dwelling or lodging establishment has been treated for insects, rodents, and vermin within the preceding six (6) months by a person licensed under the Texas Structural Pest Control Act."

Section 7

That Sec. 32.07(B)(5) of Chapter 32, "Property Sanitation and Housing Services", of the Code of Ordinances of the City of Garland, Texas, is hereby amended to read as follows:

"(5) The applicant shall certify that each multifamily or lodging dwelling unit for which the application is submitted is equipped,

in accordance with the provisions of section 32.03(3), with properly working smoke alarms and, if the premises are equipped with a cooling tower for air conditioning, a certification of testing for the presence of *Legionella pneumophila* as required by section 32.04(D)(6); and"

Section 8

That Sec. 32.07(D) of Chapter 32, "Property Sanitation and Housing Services", of the Code of Ordinances of the City of Garland, Texas, is hereby amended to read as follows:

"(D) Posting required; non-transferable; new license required on transfer.

(1) A license issued pursuant to this section shall be posted and displayed in the multifamily dwelling or lodging establishment office or a conspicuous place to which occupants have access. A replacement license may be issued for one lost, destroyed, or mutilated upon application on the form provided by the City. A replacement license shall have the word "replacement" stamped across the face and shall bear the same number as the one it replaces.

(2) A multifamily dwelling or lodging establishment license is not assignable or transferrable.

(3) A new license must be obtained whenever there is a change in the ownership of the premises on which the multifamily dwelling or lodging establishment is located; a change in the management or operation of the premises occurs; or when other changes affecting the material terms or information contained in the application for the present license renders that information materially inaccurate."

Section 9

That Sec. 32.07(E)(2) of Chapter 32, "Property Sanitation and Housing Services", of the Code of Ordinances of the City of Garland, Texas, is hereby amended to read as follows:

"(2) The annual permit fee for a lodging establishment is \$200.00. A late fee of 1/12th of the annual license fee is due for each month the payment of the annual fee is delinquent. A fee of \$10.00 shall be paid for the issuance of a replacement license."

Section 10

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 11

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 12

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

PASSED AND APPROVED this the _____ day of _____, 2019.

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

PUBLISHED:

City Secretary



**GARLAND
CITY COUNCIL ITEM SUMMARY SHEET**

City Council Regular Session Agenda

.5.

Meeting Date: 03/19/2019

Item Title: Revisions to Ordinance Related to Safelight Program

Submitted By: Jeffrey Bryan, Chief of Police

Summary of Request/Problem

At the March 4, 2019 Council Work Session, Council discussed the Public Safety Committee recommended revisions to the ordinance related to the Safelight Program.

Recommendation/Action Requested and Justification

Approve an ordinance amending Chapter 26 "Police-Miscellaneous Provisions and Offenses" of the Code of Ordinances of the City of Garland.

Attachments

Safelight Ordinance

- DRAFT -

For Discussion Purposes Only – Non-Final and Unapproved

Additions are indicated by underlining

Deletions are indicated as strike-throughs

ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER 26, "POLICE-MISCELLANEOUS PROVISIONS AND OFFENSES", OF THE CODE OF ORDINANCES OF THE CITY OF GARLAND, TEXAS; PROVIDING A PENALTY UNDER THE PROVISIONS OF SEC. 10.05 OF THE CODE OF ORDINANCES OF THE CITY OF GARLAND, TEXAS; PROVIDING A SAVINGS CLAUSE AND A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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

Section 1

That Sec. 26.62(B) of Chapter 26, "Police - Miscellaneous Provisions and Offenses", of the Code of Ordinances of the City of Garland, Texas, is hereby amended to read as follows:

"(B) For the purposes of section 707.003(e), Texas Transportation Code, a citizen advisory committee is hereby created to be known as the Photographic Traffic Signal Enforcement System Citizen Advisory Committee. The committee shall consist of nine members appointed by the City Council. The City Council may each appoint a member to the committee who shall serve a term to coincide with that of the appointing member of the City Council. The committee shall meet at least annually. To the extent that section 707.003, Texas Transportation Code is applicable to the City, if at all, the engineering study described in section 707.003(c) shall be reported to the City Council through the committee. ~~which, for the purposes of section 707.003(e), Texas Transportation Code, hereby appoints the members of the Plan Commission as a citizen advisory committee~~"

Section 2

That Sec. 26.62(D)(10)(b) of Chapter 26, "Police - Miscellaneous Provisions and Offenses", of the Code of Ordinances of the City of Garland, Texas, is hereby amended to read as follows:

"(b) That imposition of the civil penalty may be contested by submitting a written request for an administrative adjudication

hearing or a written declaration as provided in Sec. 26.63(A) before the expiration of the period specified under subsection (8);"

Section 3

That Sec. 26.63(A) of Chapter 26, "Police - Miscellaneous Provisions and Offenses", of the Code of Ordinances of the City of Garland, Texas, is hereby amended to read as follows:

(A) A person who receives a notice of violation under this article may contest the imposition of the civil penalty by requesting in writing an administrative adjudication of the civil penalty within 30 days following the mailing of the notice. Upon receipt of the request, the department shall notify the person of the date and time of the hearing on the administrative adjudication. The administrative adjudication hearing shall be held before a hearing officer appointed under, and having the authority provided by, the provisions of chapter 24. A person who timely requests an administrative adjudication may, in lieu of making a personal appearance, submit a written declaration, under oath, containing a reasonably sufficient detail of the facts and legal arguments as to why a civil penalty should not assessed. The written declaration must be submitted within 60 days following the mailing of the notice of violation."

Section 4

That Sec. 26.63(J) of Chapter 26, "Police - Miscellaneous Provisions and Offenses", of the Code of Ordinances of the City of Garland, Texas, is hereby amended to read as follows:

"(J) The owner of a motor vehicle who is found liable after an administrative adjudication hearing may appeal that finding of liability to the municipal court by filing an appeal petition with the clerk of the municipal court. The appeal petition must be filed not later than the 31st day after the date on which the hearing officer entered the finding of liability and shall be accompanied by the payment of an appellate filing fee of \$50.00 and a notarized statement of personal financial obligation. A timely and properly perfected appeal stays the enforcement and collection of the civil penalty. An appeal shall be determined ~~by a judge of the municipal court~~ by trial de novo before the judge or a jury composed as provided in other cases in the municipal court. Affidavits and proof submitted under sections 707.013 and 707.014, Texas Transportation Code and any written declaration submitted under

Sec. 26.63(A) shall be admitted by the municipal judge in the trial de novo and submitted to the jury, if any, and the issues must be proved by a preponderance of the evidence. If a written declaration has been submitted under Sec. 26.63(A), de novo review shall be based upon and limited to the written record."

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 Chapter 26, "Police - Miscellaneous Provisions and Offenses", 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 7

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 8

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

PASSED AND APPROVED this the ____ day of _____, 2019.

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary



GARLAND
CITY COUNCIL ITEM SUMMARY SHEET

City Council Regular Session Agenda

.6.

Meeting Date: 03/19/2019

Item Title: Youth Programs Standards of Care Ordinance

Submitted By: D'Lee Williams, Recreation Director

Summary of Request/Problem

Council is requested to adopt an ordinance with public comments for Youth Programs Standards of Care to meet requirements of Texas Human Resource Code, Section 42.041(b)(14) to exempt recreational programs for children operated by municipalities from state child care licensing.

In order to receive exempt status for elementary age (ages 5-13) and teen recreation programs, a municipality must adopt a youth programs standards of care ordinance after a public hearing. Parks, Recreation and Cultural Arts Department staff has formulated standards of care for youth programs that includes staffing ratios, minimum staff, qualifications, minimum facilities, health and safety standards, and a mechanism for monitoring and enforcing the local standards; and further provides for notifying parents that the program is not licensed by the state and that the program may not be advertised as a day care facility.

This item was considered by Council at the March 4, 2019 Work Session.

Recommendation/Action Requested and Justification

Adopt an ordinance with public comments for Youth Programs Standards of Care.

Attachments

Standards of Care Ordinance

Standards of Care 2019

Ordinance NO. _____

AN ORDINANCE OF THE CITY OF GARLAND, TEXAS, ADOPTING STANDARDS OF CARE FOR YOUTH PROGRAMS OFFERED BY THE CITY OF GARLAND PARKS, RECREATION, CULTURAL ARTS DEPARTMENT; DIRECTING THAT A COPY OF THIS ORDINANCE, THE ADOPTED STANDARDS OF CARE AND OTHER PROGRAM INFORMATION BE DELIVERED TO THE STATE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Texas Human Resource Code, Section (b) (14) establishes requirements to exempt recreational programs operated by municipalities for children from State child care licensing;

WHEREAS, in order to receive exempt status for an elementary age (ages 5-13) recreation program, a municipality must a standards of care ordinance after a public hearing for the program, then submit a copy of the standards, a notice of the public hearing for the program, a copy of the program, and a copy of the ordinance adopting the standards to the State;

WHEREAS, the City of Garland, Texas, has formulated standards of care that at a minimum includes staffing ratios, minimum staff, qualifications, minimum facilities, health and safety standards, and a mechanism for monitoring and enforcing the local standards; and further provides for notifying parents that the program is not licensed by the state and that the program may not be advertised as a day care facility; and

WHEREAS, the City Council after conducting a public hearing and affording a full and fair hearing to all citizens, and in the exercise of legislative discretion, has concluded that the attached standards of care should be approved.

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

Section 1.

The City of Garland, Texas, hereby adopts the standards of care for an elementary age recreation program, which is attached as Exhibit "A" and incorporated herein by reference, pursuant to Section 42.041 (b) (14), Texas Human Resource Code.

Section 2.

That the Managing Director of Parks, Recreation, and Cultural Arts shall cause a copy of the standards, a notice of the public hearing for the program, a copy of the program, and a copy of this Ordinance adopting the standards be delivered to the State in accordance with the applicable regulations.

Section 3.

This Ordinance shall become effective immediately upon its passage and approval.

PASSED AND APPROVED this the _____ day of _____, 2019.

CITY OF GARLAND, TEXAS

Lori Dodson, Mayor

ATTEST:

Rene Dowl, City Secretary

By: _____



City of Garland

Youth Program Standards of Care

The following Youth Program Standards of Care (“Standards of Care”) allow for exemption from state licensing by the City of Garland, Texas pursuant to Texas Human Resources Code §42.041(b)(14). The Standards of Care are intended to be minimum standards by which the City of Garland Parks, Recreation and Cultural Arts Department will operate the City's Youth Programs. The programs operated by the City are recreational in nature and are not day care programs.

GENERAL ADMINISTRATION

1) Organization

- A. The governing body of the Programs is the City Council.
- B. Implementation of the Standards of Care is the responsibility of the Director and department employees.
- C. These Standards of Care apply to all programs.
- D. Each Garland recreation center will have available for public review a current copy of the Standards of Care.
- E. Parents will be provided access to a current copy of the Standards of Care through the City's web site.
- F. Criminal background checks will be conducted on prospective program employees ages 18 and older. If results of that criminal check indicate that an applicant has been convicted of any of the following offenses, he or she will not be considered for employment:
 - (1) a felony or a misdemeanor classified as an offense against a person or family;
 - (2) a felony or misdemeanor classified as public indecency;
 - (3) a felony or misdemeanor violation of any law intended to control the possession or distribution of any controlled substance;
 - (4) any offense involving moral turpitude; or
 - (5) any offense that would potentially put youth participants or the City at risk.

2) Definitions

As used in these Standards of Care, the following words and phrases shall have the following meanings unless the context clearly indicates a different meaning:

- A. *City*: City of Garland, a Texas home rule municipality located in Dallas County, Texas.
- B. *City Council*: City Council of the City of Garland.
- C. *Department*: City's Parks, Recreation and Cultural Arts Department.
- D. *Director*: The Recreation Director of the Department or their designee.
- E. *Employee(s)*: Term used to describe people who have been hired to work for the City and have been assigned responsibility for managing, administering, or implementing some portions of the

Programs.

F. *Parent(s)*: This term will be used to represent one or both parent(s) or adults who have legal custody and authority to enroll their child(ren) in Programs.

G. *Participant*: A youth whose parent(s) have completed all required registration procedures and determined to be eligible for a Program.

H. *Program* or *Youth Program*: City recreation programs consisting of the Standing Tall and Reaching for Success (STARS) Camp, the Duck Creek Adventure Camp, and such other recreation programs operated from time to time by the Department where the participants are Youth.

I. *Program Leader* or *Leader*: A Department part-time employee who has been assigned responsibility to implement the Programs.

J. *Program Manual*: Notebook of policies, procedures, required forms, and organizational and programming information relevant to Programs.

K. *Program Site*: The recreation center where program is located.

L. *Program Supervisor* or *Supervisor*: The Department's full-time Specialist who has been assigned administrative responsibility for one or more of the Programs.

M. *Recreation Center*: One of six facilities operated by the City of Garland.

N. *Youth*: A child who is at least five (5) years of age but not older than thirteen (13) years of age.

O. *Recreation Manager*: The Recreation Manager of the Department or their designee.

3) Inspections/Monitoring/Enforcement

A. The Director or Recreation Manager will make visual inspections of the Program based on the following schedule:

- (1) The STARS and Duck Creek Adventure camps will be inspected twice during its summer schedule.
- (2) Programs scheduled during winter break and spring break will be inspected once.
- (3) The inspection schedule of other Programs shall be determined when established and will be based on the duration of the Program.

B. Complaints regarding enforcement of the Standards of Care will be directed to the Supervisor. The Supervisor will be responsible to take the necessary steps to resolve the problems.

Complaints regarding enforcement of the Standards of Care and their resolution will be recorded by the Supervisor. Serious complaints regarding enforcement of the Standards of Care will be addressed by the Director and the complaint and the resolution will be noted.

4) Participation

A. Before a Youth can participate, a Parent must sign registration forms that contain:

- (1) The name, address, phone number of the Youth;
- (2) The name, address, and phone number of the Youth's Parent;
- (3) The names and phone numbers of people to whom the Youth can be released;
- (4) A statement/description of the Youth's special problems or needs;
- (5) Emergency medical authorization;
- (6) Proof of residency when appropriate; and
- (7) A liability waiver.

5) Suspected Abuse

Program employees will report suspected child abuse or neglect in accordance with the Texas Family Code. In the case where a City employee is involved in an incident with a Youth that could be construed as child abuse, the incident must be reported immediately to the Recreation Manager or

the Director. The Recreation Manager or Director will immediately notify the Police Department and any other agency as may be appropriate. Texas state law requires the staff of the Programs to report any suspected abuse or neglect of a child to the Texas Department of Protective and Regulatory Services or a law enforcement agency. Failure to report suspected abuse is punishable by fines up to \$1,000 and/or confinement up to 180 days. Confidential reports may be made by calling 1-800-252-5400.

STAFFING - RESPONSIBILITIES AND TRAINING

6) Youth Program Supervisor Qualifications

A. Supervisors will be full-time, professional employees of the City assigned to the Department and will be required to have all Program Leader qualifications as outlined in Section 7 of these Standards of Care.

B. Supervisors must be at least 21 years old

C. Supervisors must have a bachelor's degree from an accredited college or university or equivalent work experience.

Acceptable degrees include:

(1) Recreation Administration or General Recreation;

(2) Physical Education; or

(3) Any other comparable degree plan that would lend itself to working in a public recreation environment.

D. Supervisors must have one years' experience planning and implementing recreational activities or 2 years without a degree.

E. Supervisors must pass a background investigation including testing for illegal substances.

F. Supervisors must have successfully completed a course in first aid, Cardio Pulmonary Resuscitation (CPR), and AED based on either American Heart Association or American Red Cross standards.

7) Supervisor's Responsibilities

A. Supervisors are responsible to administer the Programs' daily operations in compliance with the adopted Standards of Care.

B. Supervisors are responsible to recommend for hire, supervise, and evaluate Leaders.

C. Supervisors are responsible to plan, implement, and evaluate programs.

8) Youth Program Leader Qualifications

A. Leaders will be part-time or temporary employees of the City assigned to the Department.

B. Leaders working with Youth must be age 18 or older; however, each age group will have at least one employee 18 years old or older present at all times.

C. Leaders should be able to consistently exhibit competency, good judgment, and self-control when working with Youth.

D. Leaders must relate to Youth with courtesy, respect, tolerance, and patience.

E. Leaders must have successfully completed a course in first aid, CPR, and AED based on either American Heart Association or American Red Cross standards. An exception can be made for no more than one staff person at each site, and that person shall successfully complete a first aid and CPR course within four weeks of starting work.

G. Leaders must pass a background investigation including testing for illegal substances.

9) Leader Responsibilities

- A. Leaders will be responsible for providing Participants with an environment in which they can feel safe, can enjoy wholesome recreation activities, and can participate in appropriate social opportunities with their peers.
- B. Leaders will be responsible to know and follow all City, Departmental, and Program standards, policies, and procedures that apply to the Youth Programs.
- C. Leaders must ensure that Participants are released only to a Parent or an adult designated in writing by the Parent. A copy of the Department-approved plan to verify the identity of a person authorized to pick up a Participant if that person is not known to the Leader will be on file at the Recreation Center.

10) Training/Orientation

- A. The Department is responsible for providing training and orientation to Program employees working with children and for specific job responsibilities. Supervisors will provide each Leader with a Program manual specific to Youth Programs.
- B. Program employees must be familiar with the Standards of Care as adopted by the City Council.
- C. Program employees must be familiar with the Program's policies including discipline, guidance, and release of participants as outlined in the Program Manual.
- D. Program employees will be trained in appropriate procedures to handle emergencies.
- E. Program employees will be trained in areas including City, Departmental, and Program policies and procedures, provision of recreation activities, safety issues, child psychology, and organization.
- F. Program employees will be required to sign an acknowledgement that they received the required training.

OPERATIONS

11) Staff-Participant Ratio

- A. The standard ratio of Participants to Leaders in the Programs will be 15 to 1. In the event a Leader is unable to report to work, a replacement will be assigned.
- B. Each Participant shall have a Program employee who is responsible for the Participant and who is aware of the Participant's habits, interests, and any special problems as identified by the Participant's Parent(s) during the registration process.

12) Discipline

- A. Program employees will implement discipline and guidance in a consistent manner based on the best interests of Program participants.
- B. There must be no cruel or harsh punishment or treatment.
- C. Program employees may use brief, supervised separation from the group if necessary.
- D. As necessary, Program employees will initiate discipline reports to the Parent(s) of Participants. Parents will be asked to sign discipline reports to indicate they have been advised about specific problems or incidents.
- E. A sufficient number and/or severe nature of discipline reports as detailed in the Program Manual may result in a Participant being suspended from the Program.
- F. In instances where there is a danger to Participants or Program staff, offending Participants will be removed from the Program Site as soon as possible.

13) Programming

A. Program employees will attempt to provide activities for each group according to the Participants' ages, interests, and abilities. The activities must be appropriate to Participants' health, safety, and well-being. The activities also must be flexible and promote the Participants' emotional, social, and mental growth.

B. Program employees will attempt to provide time periods that include:

- (1) Alternating active and passive activities;
- (2) opportunity for individual and group activities, and
- (3) outdoor time each day as weather permits.

C. Program employees will be attentive and considerate of the participants' safety on field trips and during any transportation provided by the Program.

(1) During trips, Program employees supervising Participants must have immediate access to emergency medical forms and emergency contact information for each Participant.

(2) Program employees must have a written list of the Participants in the group and must check the roll frequently.

(3) Program employees must have first aid supplies and a guide to first aid and emergency care available on field trips.

14) Communication

A. Each age group will have communication availability to allow the age group to be contacted by Recreation Center personnel.

B. The Supervisor will make available the following phone numbers adjacent to a phone accessible to all Program employees at the Recreation Center:

- (1) Garland ambulance or emergency medical services
- (2) Garland Police Department
- (3) Garland Fire Department
- (4) Recreation Center
- (5) Numbers at which Parents may be reached
- (6) The phone number for the Program Site itself

15) Transportation

A. Before a Participant may be transported to and from the Program Site or other location by means of transportation provided by the City, a transportation form, completed by the Parent, must be filed with the Supervisor.

B. First aid supplies and a first aid and emergency care guide will be available in all Program vehicles that transport Participants.

FACILITY STANDARDS

16) Safety

A. Program employees will inspect Program areas daily to detect sanitation and safety concerns that might affect the health and safety of the Participants.

B. Buildings, grounds, and equipment on the Program site will be inspected, cleaned, repaired, and maintained to protect the health of the Participants.

C. Program equipment and supplies must be safe for the Participants' use.

D. Program employees must have first aid supplies readily available in a designated location at each Program Site, during transportation to an off-site activity, and for the duration of any off-site activity.

Program employees must have an immediately accessible guide to first aid and emergency care.

E. Air conditioners, electric fans, and heaters at the Program Site must be mounted out of Participants' reach or have safeguards that keep Participants from being injured.

F. Porches and platforms more than 30 inches above the ground at the Program Site must be equipped with railings Participants can reach.

G. All swing seats at Program Sites must be constructed of durable, lightweight, relatively pliable material.

17) Fire

A. In case of fire, danger of fire, explosion, or other emergency, Program employees' first priority is to evacuate the Participants to a designated safe area.

B. The Program Site will have an annual fire inspection and the resulting report will detail any safety concerns observed. The report will be forwarded to the Director who will review and establish deadlines and criteria for compliance.

C. All Program employees will be trained in the proper use of fire extinguishers as well as locations of fire extinguishers throughout the Recreation Center.

D. Fire drills will be initiated at the Recreation Center based on the following schedule:

- (1) STARS and Duck Creek Adventure Camp: A fire drill twice during the summer sessions.
- (2) Winter and spring break camps: A fire drill once during the winter and spring sessions.
- (3) Other Programs: The time and frequency will be determined at the time the Program is established and will be based on the duration of the Program.

18) Health

A. Illness or Injury

- (1) A Participant who is considered to be a health or safety concern to other Participants or Program employees will not be admitted to the Program.
- (2) Illnesses and injuries will be handled in a manner to protect the health of all Participants and Program employees.
- (3) Program employees will follow plans to provide emergency care for injured Participants with symptoms of an acute illness as specified in the Program manual.
- (4) Program employees will follow the recommendation of the Texas Department of Health concerning the admission or readmission of any Participant after a communicable disease.

B. Administration of Medication

Program employees will administer medication to a Participant only if:

- (1) Parent(s) complete and sign a medication form that provides authorization for staff to dispense medication with details as to time and dosages.
- (2) Prescription medications are in the original containers labeled with the Participant's name, a date, directions, and the physician's name. Program employees will administer the medication only as stated on the label. Program employees will not administer medication after the expiration date.
- (3) Nonprescription medications are labeled with the Participant's name and the date the medication was brought to the Program. Nonprescription medication must be in the original container. Program employees will administer it only according to label direction.

(4) Medication dispensed will be limited to routine oral ingestion not requiring special knowledge or skills on the part of Program employees. No injections will be administered by the Program employees.

(5) Program employees must ensure medications are inaccessible to Participants or, if it is necessary to keep medications in the refrigerator (when available), medications will be kept separate from food.

C. Toilet Facilities

(1) The Program site will have inside toilets located and equipped so children can use them independently and Program staff can supervise as needed.

(2) There must be one flush toilet for every 30 children. Urinals may be counted in the ratio of toilets to children, but they must not exceed 50% of the total number of toilets.

(3) An appropriate and adequate number of lavatories will be provided.

D. Sanitation

(1) Each Program Site must have adequate light, ventilation, and heat.

(2) Each Program Site must have an adequate supply of water meeting the standards of the Texas Department of Health for drinking water and ensure that it will be supplied to the participants in a sanitary manner.

(3) Program employees must see that garbage is removed from buildings daily.



**GARLAND
CITY COUNCIL ITEM SUMMARY SHEET**

City Council Regular Session Agenda

.7.

Meeting Date: 03/19/2019

Item Title: Sale of Property - 2510 Arcady Drive

Submitted By: Corey Worsham, Tax Administrator

Summary of Request/Problem

At the March 4, 2019 City Council Work Session, Council was briefed on the potential sale of property located at 2510 Arcady Drive. The City of Garland has received an unsolicited offer from Ryan Z and Associates, Inc. related to the purchase of City owned property obtained through a 2011 Sheriff's Sale. Ryan Z and Associates, Inc. has presented an offer of \$23,000 for the property. The City of Garland will receive \$11,108.98 from the proceeds of this sale.

Recommendation/Action Requested and Justification

Staff recommends that the City Council accept the offer and sell the property to Ryan Z and Associates, Inc. This property has been held by the City of Garland since 2011 and pursuant to Section 34.05 of the Texas Property Tax Code it may be resold to a private entity with approval of the governing body.

Attachments

2510 Arcady - Resolution

2510 Arcady - Offer

2510 Arcady - Deed

2510 Arcady - County Consent

2510 Arcady - GISD Consent

2510 Arcady - Map and Picture

RESOLUTION NO. _____

A RESOLUTION AGREEING TO THE SALE OF CERTAIN PROPERTY LOCATED WITHIN THE CITY OF GARLAND AND OWNED BY TAXING AUTHORITIES INCLUDING THE CITY OF GARLAND AS THE RESULT OF A TAX SALE; AUTHORIZING THE MAYOR TO EXECUTE A DEED WITHOUT WARRANTY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, taxing entities including the City of Garland, Texas, have become owners of certain real property by virtue of a foreclosure sale conducted pursuant to an order of the 116th Judicial District Court of Dallas County, Texas in cause number TX05-41125, and

WHEREAS, it is to the benefit of all taxing entities that the property ultimately be returned to the tax rolls

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

Section 1

The City does hereby consent to the sale by public sale 2510 Arcady Drive, situated in the City of Garland, Count of Dallas, State of Texas, to wit:

BEING LOT 22, BLOCK 29, MONICA PARK NO. 5 ADDITION, AKA 2510 ARCADY DRIVE, CITY OF GARLAND, DALLAS COUNTY, TEXAS, AS RECORDED IN VOLUME 99236, PAGE 2341 OF THE DALLAS COUNTY DEED RECORDS (the "Property").

That the Mayor is hereby authorized to execute a deed without warranty in the form and substance of that attached hereto as Exhibit "A".

Section 3

This Resolution shall take effect immediately from and after its passage in accordance with the provisions of the law.

PASSED AND APPROVED this the _____ day of _____, 2019.

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary



J. DOUGLAS BURNSIDE
Attorney at Law
1919 S. Shiloh Rd, Ste 310, LB 40
Garland, Texas 75042
p: 972-278-8282
f: 972-278-8222
w: www.pbfcml.com

September 27, 2018

Mr. Corey Worsham
Tax Assessor/Collector
City of Garland
217 N. 5th Street
Garland, Texas 75040

Via electronic-mail

Re: Offer from Ryan Z and Associates, Inc. to purchase
2510 Arcady drive, Garland, Texas

Dear Mr. Worsham:

Ryan Z and Associates, Inc. has offered to purchase 2510 Arcady drive, Garland, Texas (BEING LOT 22, BLOCK 29, MONICA PARK NO. 5 ADDITION, AKA 2510 ARCADY DRIVE, CITY OF GARLAND, DALLAS COUNTY, TEXAS, AS RECORDED IN VOLUME 99236, PAGE 2341 OF THE DALLAS COUNTY DEED RECORDS) for \$23,000.00.

This property was sold at a Sheriff's Sale on June 7, 2011 pursuant to delinquent tax collection suit number TX05-41125. There were no bidders and the property was struck off to the City of Garland for itself and on behalf of the other taxing jurisdictions.

The property's most recent value according to the Appraisal District is \$22,000.00. The property was struck off for the total judgment amount, \$19,871.65, which includes taxes, penalties and interest, abatement liens, costs of court, and costs of sale.

Pursuant to the Texas Property Tax Code, City reimbursement for post-sale maintenance, court costs and costs of sale must be paid first out of the proceeds of a resale. Those expenses and costs total \$8,562.80. The remainder would be distributed to the taxing jurisdictions pro-rata. A breakdown of amounts each taxing entity will receive is enclosed.

This offer is being made pursuant to §34.05(j) of the Texas Property Tax Code. This section allows the City to sell for an amount equal to or greater than the current assessed value by the Dallas CAD. Pursuant to a sale under §34.05(j), any unit not consenting to the sale would be liable to the City for their pro-rata share of any costs incurred in maintaining the property from the date of the non-consent forward. As part of this sale, in addition to all amounts included in the judgment, all post-judgment taxes will also be extinguished by the sale. The total amount of post-judgment taxes is \$20,169.47 of which the City of Garland's portion is \$7,188.46.

An offer made pursuant to Section 34.05(j) requires the consent of the other taxing entities

participating in the Judgment. Our office will obtain the necessary consent for the sale to proceed. Pursuant to a sale under §34.05(j), any unit not consenting to the sale would be liable to the City for their pro-rata share of any costs incurred in maintaining the property from the date of the non-consent forward.

If the City decides to accept this offer, enclosed for execution is a Special Warranty Deed our office prepared for this resale. When the Deed is executed, please return it to me so that I may finalize the transaction.

If you have any questions or need additional information, please do not hesitate to call me.

Sincerely,

A handwritten signature in blue ink, appearing to read "J. Douglas Burnside", is written over a light blue rectangular background.

J. Douglas Burnside

Enclosure

Re-sale Disbursement Worksheet
City of Garland

CAD Acct #:	26356500290220000
Property address:	2510 Arcady drive
Cause No.:	TX05-41125
Judgment Date:	October 11, 2006
Sheriff's Sale Date:	June 7, 2011
Judgment amount:	GISD 2004-2005 taxes \$2,806.69 (32.8%)
	City 1999-2005 taxes \$3,778.37 (44.1%)
	County 2002-2005 taxes \$1,979.75 (23.1%)
Total Judgment for Taxes:	\$8,564.81
City Abatement Liens:	\$2,697.14
Court costs:	\$2,226.15
Sheriff's fees for sale:	\$1,273.52
Publication fees for sheriff's sale, paid by lawfirm:	\$323.13
Total Costs:	\$3,822.80

Checks to be disbursed as follows:

1.	Dallas County District Clerk	\$2,226.15
2.	Dallas County Sheriff	\$1,273.52
3.	Perdue Brandon Fielder Collins & Mott, LLP	\$323.13
4.	City of Garland (administrative fee)	\$1,500.00
5.	City of Garland (Post Judgment Demolition)	\$3,240.00
6.	City of Garland (Pro-rata Judgment tax year distribution)	\$6,368.98
7.	Garland ISD (Pro-rata Judgment tax year distribution)	\$4,731.07
8.	John Ames, Dallas County Tax Assessor (Pro-rata Judgment tax year distribution)	\$3,337.15
	TOTAL	\$23,000.00

DEED WITHOUT WARRANTY

THE STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF DALLAS §

That the **City of Garland**, a Texas home-rule municipality ("Grantor"), for and in consideration of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration to Grantor, the receipt and sufficiency of which is hereby acknowledged, paid in hand by **Ryan Z and Associates, Inc., 1415 Legacy Drive, Suite 350, Frisco, TX 75034** ("Grantee"), has GRANTED, SOLD and CONVEYED, and by these presents does GRANT, SELL and CONVEY unto Grantee that certain lot, tract, or parcel of land, commonly known as **2510 Arcady drive**, situated in the City of Garland, County of Dallas, State of Texas, to wit:

**BEING LOT 22, BLOCK 29, MONICA PARK NO. 5 ADDITION,
AKA 2510 ARCADY DRIVE, CITY OF GARLAND, DALLAS
COUNTY, TEXAS, AS RECORDED IN VOLUME 99236, PAGE
2341 OF THE DALLAS COUNTY DEED RECORDS (the
"Property").**

This Deed Without Warranty is subject to:

- (i) any and all visible and apparent easements and encroachments, whether of record or not;
- (ii) any and all covenants, conditions, reservations, restrictions, exceptions, easements, rights-of-way, mineral interests, mineral leases, or other instruments of record applicable to the land or any part thereof;
- (iii) rights of the public to any portion of the above described property lying within the boundaries of dedicated or existing roadways or which may be used for road or street purposes;
- (iv) rights of parties in possession; and
- (v) any right of redemption as specified in Chapter 34, Subchapter B, Texas Property Tax Code.

It is understood and agreed that Grantor is not making any warranties or representations of any kind or character, express, implied or statutory, with respect to the Property, its physical condition or any other matter or thing relating to or affecting the Property and that the Property is being conveyed and transferred to Grantee "AS IS, WHERE IS, AND WITH ALL FAULTS." Grantor does not warrant or make any representations, express or implied, as to fitness for a particular purpose, merchantability, design, quantity, physical condition, operation compliance with specifications, absence of latent defects or compliance with laws and regulations (including, without limitation, those relating to zoning, health, safety and the environment) or any other matter affecting the Property.

THIS DEED IS MADE WITHOUT WARRANTY, EXPRESS OR IMPLIED, AND GRANTOR EXPRESSLY DISCLAIMS, EXCEPTS AND EXCLUDES ANY AND ALL WARRANTIES OF TITLE OR OTHERWISE FROM THIS CONVEYANCE, INCLUDING, WITHOUT LIMITATION, ANY WARRANTIES ARISING UNDER COMMON LAW OR STATUTE.

The intent of this Deed Without Warranty is to transfer the Property foreclosed on by the Grantor taxing jurisdictions in Cause TX05-41125 in the 116th Judicial District Court, Dallas County, Texas, and no more. This conveyance is being made pursuant to Texas Property Tax Code Section 34.05(j) and all liens foreclosed by the judgment and the post-judgment tax liens through tax year 2011 are discharged and extinguished.

When the context requires, singular nouns and pronouns include the plural.

TO HAVE AND TO HOLD the Property, together with all and singular the rights and appurtenances thereto and in anywise belonging unto Grantee, his heirs, successors and assigns forever; **WITHOUT WARRANTY AND SUBJECT IN ALL RESPECTS TO THE DISCLAIMERS SET FORTH ABOVE.**

EXECUTED on the dates set forth in the acknowledgements below, to be EFFECTIVE on the ____ day of _____ 201__.

GRANTOR:

CITY OF GARLAND, a Texas home-rule municipality

By: _____

Title: _____

THE STATE OF TEXAS §
 §
COUNTY OF DALLAS §

The foregoing instrument was acknowledged before me on the ____ day of _____, 201__, by _____, in her capacity as Mayor of the City of Garland.

NOTARY PUBLIC, STATE OF TEXAS

PRINTED NAME OF NOTARY

MY COMMISSION EXPIRES:

**COURT ORDER
2019-0030**



Request to Consent to Sale of Tax Foreclosed Properties Struck off to the City of Garland,
Trustee located at 145 Rio Rita Dr., 2510 Arcady Dr., and 1105 Glynn, Garland

On a motion made by Commissioner Dr. Theresa M. Daniel, District 1, and seconded by Commissioner John Wiley Price, District 3, the following order was passed and adopted by the Commissioners Court of Dallas County, State of Texas:

BRIEFING DATE: 1/8/2019
FUNDING SOURCE: N/a

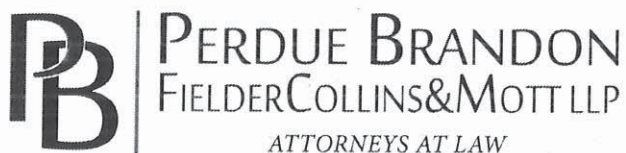
Be it resolved and ordered that the Dallas County Commissioners Court does hereby consents in its own behalf, and on behalf of the Dallas County Community College District, the Parkland Hospital District, and the Dallas County School Equalization Fund, to the sale of , 145 Rio Rita Drive as described in Exhibit "A", 2510 Arcady Drive as described in Exhibit "B", and 1105 Glynn as described in Exhibit "C", attached hereto and made a part hereof, in compliance with Section 34.05(i) of the Property Tax Code, subject to the previous owner's remaining right of redemption, if any, and to the purchaser's obligation to pay post judgment taxes, if any, and the pro rata property taxes for the remaining part of the current year.

Done in open court January 8, 2019, by the following vote:

IN FAVOR: Honorable Clay Lewis Jenkins, County Judge
Commissioner Dr. Theresa M. Daniel, District 1
Commissioner J.J. Koch, District 2
Commissioner John Wiley Price, District 3
Commissioner Dr. Elba Garcia, District 4
OPPOSED: None
ABSTAINED: None
ABSENT: None

Recommended by: John Mears
Originating Department: Public Works

Exhibit A



J. DOUGLAS BURNSIDE
Attorney at Law
1919 S. Shiloh Rd, Ste 310, LB 40
Garland, Texas 75042
p: 972-278-8282
f: 972-278-8222
w: www.pbfcml.com

November 9, 2018

Ms. Pam Easterling
Dallas County Public Works
411 Elm Street, Suite 300
Dallas, Texas 75202

Via electronic-mail

Re: Offer by Jose Velasquez to purchase 145 Rio Rita Drive, Garland, Texas

Dear Ms. Easterling:

The above referenced property was struck off to the City of Garland on October 4, 2011 at a Sheriff's Sale pursuant to delinquent tax suit No. TX05-40785, Garland ISD v. Cowetta Hall, et al. The City of Garland is requesting that Dallas County, on its on behalf, and on behalf of the Dallas County Community College District, the Parkland Hospital District, and the Dallas County School Equalization Fund (collectively "Dallas County") to:

- (1) consent to the sale of the tax-foreclosed property located at 145 Rio Rita Drive, Garland, Texas, and described as BEING LOT 14, BLOCK H OF THE ROUTH TERRACE, 2ND INSTALLMENT ADDITION TO THE CITY OF GARLAND, COMMONLY KNOWN AS 145 RIO RITA DRIVE, CITY OF GARLAND, DALLAS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED IN THE DEED FILED AT VOLUME 68233, PAGE 0692, OF THE DALLAS COUNTY DEED RECORDS; and
- (2) consent to the execution by the City of Garland of a Deed without Warranty for such property conveying the right, title and interest acquired or held by Dallas County in said property to such purchaser.

The sale of the tax-foreclosed property as further described in Exhibit "A" shall be pursuant to Texas Property Tax Code §34.05(i).

Please advise me whether Dallas County agrees to the sale of this lot. If they elect to do so, please send me a copy of the Order approving the sale.

If you have any questions or need additional information, please contact me.

Yours truly,

J. Douglas Burnside
Attorney at Law

AMARILLO ARLINGTON AUSTIN CONROE EDINBURG GARLAND
HOUSTON LUBBOCK MIDLAND SAN ANTONIO TYLER WICHITA FALLS

Exhibit A
Re-sale Disbursement Worksheet

CAD Acct #:	26503500080140000
Property address:	145 Rio Rita Drive
Cause No.:	TX05-40785
Offer Amount:	\$12,349.54
DCAD Value:	\$26,000.00
Judgment Date:	April 2, 2007
Sheriff's Sale Date:	October 4, 2011
Judgment amount:	GISD 2000-2006 taxes \$7,160.57 (67.1%)
	City 2003-2006 taxes \$2,134.42 (20.0%)
	County 2003, 2005-2006 taxes \$1,377.35 (12.9%)
Total Judgment for Taxes:	\$10,672.34
City Post Sale Demolition:	\$2,250.00
Court costs:	\$1,224.78
Sheriff's fees for sale:	\$1,304.48
Publication fees for sheriff's sale, paid by lawfirm:	\$316.25
Total Costs:	\$2,845.51

Checks to be disbursed as follows:

1.	Dallas County District Clerk	\$1,224.78
2.	Dallas County Sheriff	\$1,304.48
3.	Perdue Brandon Fielder Collins & Mott, LLP	\$316.25
4.	City of Garland (administrative fee)	\$1,500.00
5.	City of Garland (Post Sale Demolition)	\$2,250.00
6.	City of Garland (Pro-rata Judgment tax year distribution)	\$1,150.78
7.	Garland ISD (Pro-rata Judgment tax year distribution)	\$3,860.65
8.	Dallas County (Pro-rata Judgment tax year distribution)	\$742.60
	TOTAL	\$12,349.54

Post Judgment Distribution:

9.	City of Garland (Post Judgment tax year distribution)	\$3,828.07
10.	Garland ISD (Post Judgment tax year distribution)	\$6,572.65
11.	Dallas County (Post Judgment tax year distribution)	\$3,249.74
	TOTAL Post Judgment Distribution	\$13,650.46

	TOTAL Distribution	\$26,000.00
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Exhibit B



J. DOUGLAS BURNSIDE
Attorney at Law
1919 S. Shiloh Rd, Ste 310, LB 40
Garland, Texas 75042
p: 972-278-8282
f: 972-278-8222
w: www.pbfcmlaw.com

November 9, 2018

Ms. Pam Easterling
Dallas County Public Works
411 Elm Street, Suite 300
Dallas, Texas 75202

Via electronic-mail

Re: Offer by Ryan Z and Associates, Inc. to purchase 2510 Arcady drive, Garland, Texas

Dear Ms. Easterling:

The above referenced property was struck off to the City of Garland on June 7, 2011 at a Sheriff's Sale pursuant to delinquent tax suit No. TX05-41125, City of Garland v. Steve Summers, et al.. The City of Garland is requesting that Dallas County, on its on behalf, and on behalf of the Dallas County Community College District, the Parkland Hospital District, and the Dallas County School Equalization Fund (collectively "Dallas County") to:

- (1) consent to the sale of the tax-foreclosed property located at 2510 Arcady drive, Garland, Texas, and described as BEING LOT 22, BLOCK 29, MONICA PARK NO. 5 ADDITION, AKA 2510 ARCADY DRIVE, CITY OF GARLAND, DALLAS COUNTY, TEXAS, AS RECORDED IN VOLUME 99236, PAGE 2341 OF THE DALLAS COUNTY DEED RECORDS; and
- (2) consent to the execution by the City of Garland of a Deed without Warranty for such property conveying the right, title and interest acquired or held by Dallas County in said property to such purchaser.

The sale of the tax-foreclosed property as further described in Exhibit "A" shall be pursuant to Texas Property Tax Code §34.05(i).

Please advise me whether Dallas County agrees to the sale of this lot. If they elect to do so, please send me a copy of the Order approving the sale.

If you have any questions or need additional information, please contact me.

Yours truly,

J. Douglas Burnside
Attorney at Law

Exhibit B
Re-sale Disbursement Worksheet

CAD Acct #:	26356500290220000
Property address:	2510 Arcady drive
Cause No.:	TX05-41125
Offer Amount:	\$2,742.25
DCAD Value:	\$27,000.00
Judgment Date:	October 11, 2006
Sheriff's Sale Date:	June 7, 2011
Judgment amount:	GISD 2004-2005 taxes \$2,806.69 (32.8%)
	City 1999-2005 taxes \$3,778.37 (44.1%)
	County 2002-2005 taxes \$1,979.75 (23.1%)
Total Judgment for Taxes:	\$8,564.81
City Abatement Liens:	\$2,697.14
City Post Sale Demolition:	\$3,240.00
Court costs:	\$2,226.15
Sheriff's fees for sale:	\$1,273.52
Publication fees for sheriff's sale, paid by lawfirm:	\$323.13
Total Costs:	\$3,822.80

Checks to be disbursed as follows:

1.	City of Garland (Post Sale Demolition)	\$2,742.25
	TOTAL	\$2,742.25

Post Judgment Tax Distribution:

2.	City of Garland (Post Judgment tax year distribution)	\$7,220.03
3.	Garland ISD (Post Judgment tax year distribution)	\$13,037.72
	TOTAL Post Judgment Tax Distribution	\$20,257.75

	TOTAL Distribution	\$23,000.00
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Please Note: All Dallas County judgment taxes post-judgment were paid after the date of the sale. There is \$0.00 due to Dallas County on the account.

Exhibit C



J. DOUGLAS BURNSIDE

Attorney at Law

1919 S. Shiloh Rd, Ste 310, LB 40

Garland, Texas 75042

p: 972-278-8282

f: 972-278-8222

w: www.pbfcml.com

November 9, 2018

Ms. Pam Easterling
Dallas County Public Works
411 Elm Street, Suite 300
Dallas, Texas 75202

Via electronic-mail

Re: Offer by Ryan Z and Associates, Inc. to purchase 1105 Glynn, Garland, Texas

Dear Ms. Easterling:

The above referenced property was struck off to the City of Garland on December 6, 2011 at a Sheriff's Sale pursuant to delinquent tax suit No. TX09-40521, City of Garland and Garland ISD v. Heirs and Unknown Heirs of Vernell Stephens. The City of Garland is requesting that Dallas County, on its on behalf, and on behalf of the Dallas County Community College District, the Parkland Hospital District, and the Dallas County School Equalization Fund (collectively "Dallas County") to:

- (1) consent to the sale of the tax-foreclosed property located at 1105 Glynn, Garland, Texas, and described as BEING LOT 29, BLOCK 3, GLYNNHILL ESTATES ADDITION, AKA 1105 GLYNN DRIVE, CITY OF GARLAND, DALLAS COUNTY, TEXAS, AS RECORDED AT VOLUME 73133, PAGE 1634 OF THE DALLAS COUNTY DEED RECORDS; and
- (2) consent to the execution by the City of Garland of a Deed without Warranty for such property conveying the right, title and interest acquired or held by Dallas County in said property to such purchaser.

The sale of the tax-foreclosed property as further described in Exhibit "A" shall be pursuant to Texas Property Tax Code §34.05(i).

Please advise me whether Dallas County agrees to the sale of this lot. If they elect to do so, please send me a copy of the Order approving the sale.

If you have any questions or need additional information, please contact me.

Yours truly,



J. Douglas Burnside
Attorney at Law

AMARILLO ARLINGTON AUSTIN CONROE EDINBURG GARLAND
HOUSTON LUBBOCK MIDLAND SAN ANTONIO TYLER WICHITA FALLS

Exhibit C
Re-sale Disbursement Worksheet

CAD Acct #:	26242500030290000
Property address:	1105 Glynn
Cause No.:	TX09-40521
Offer Amount:	\$13,500.00
DCAD Value:	\$20,000.00
Judgment Date:	June 22, 2011
Sheriff's Sale Date:	December 6, 2011
Judgment amount:	GISD 1994-2010 taxes \$25,174.79 (65.5%)
	City 1996-2010 taxes \$8,284.38 (21.6%)
	County 1997-2010 taxes \$4,971.24 (12.9%)
Total Judgment for Taxes:	\$38,430.41
City Abatement Liens:	\$6,970.96
Court costs:	\$4,592.76
Sheriff's fees for sale:	\$1,545.40
Publication fees for sheriff's sale, paid by Perdue Brandon:	\$330.00
Total Costs:	\$6,468.16

Funds to be disbursed as follows:

1.	Dallas County District Clerk	\$4,592.76
2.	Dallas County Sheriff	\$1,545.40
3.	Perdue Brandon Fielder Collins & Mott, LLP	\$330.00
4.	City of Garland (administrative fee)	\$1,500.00
5.	City of Garland (Pro-rata Judgment tax year distribution)	\$1,192.49
6.	Garland ISD (Pro-rata Judgment tax year distribution)	\$3,623.77
7.	Dallas County (Pro-rata Judgment tax year distribution)	\$715.58
	TOTAL Judgment Distribution	\$13,500.00

Post Judgment Distribution:

8.	City of Garland (Post Judgment tax year distribution)	\$805.01
9.	Garland ISD (Post Judgment tax year distribution)	\$1,372.23
10.	Dallas County (Post Judgment tax year distribution)	\$712.65
	TOTAL Post Judgment Distribution	\$2,889.89

	TOTAL Distribution	\$16,389.89
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RESOLUTION

A RESOLUTION AUTHORIZING THE CITY OF GARLAND TO RE-SELL TAX FORECLOSED PROPERTY LOCATED AT 2510 ARCADY DRIVE, GARLAND, TEXAS, BY PUBLIC OR PRIVATE SALE, AS PROVIDED BY SECTION 34.05 OF THE TEXAS PROPERTY TAX CODE

WHEREAS, pursuant to a delinquent tax collection lawsuit and tax foreclosure sale, the property located at 2510 Arcady drive, Garland, Texas, ("The Property") was struck off to the City of Garland on its own behalf and as Trustee for the Garland Independent School District and Dallas County, pursuant to Section 34.01(j) of the Property Tax Code, and

WHEREAS, Garland Independent School District desires to resell The Property pursuant to Section 34.05 of the Property Tax Code for an amount not less than \$2,742.25, and

WHEREAS, Garland Independent School District desires to authorize the City of Garland to act as Trustee to offer The Property for sale pursuant to Section 34.05 of the Texas Property Tax Code,

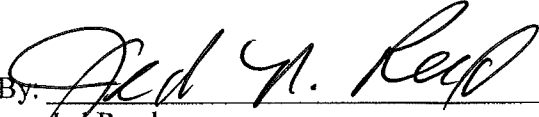
NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE GARLAND INDEPENDENT SCHOOL DISTRICT, GARLAND, TEXAS THAT:

Section 1. The Garland Independent School District does hereby provide specific authorization to the City of Garland to act as Trustee to offer for sale by public or private sale 2510 Arcady drive, Garland, Texas, more fully described in Exhibit "A," attached hereto and made a part hereof, and the Board of Trustees for Garland Independent School District does hereby consent to the sale of 2510 Arcady drive, Garland, Texas for an amount not less than \$2,742.25 in compliance with Section 34.05 of the Texas Property Tax Code, and each taxing unit entitled to receive proceeds of the sale consents to the sale for that amount.

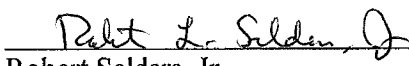
Section 2. This Resolution shall take effect immediately from and after its passage in accordance with the provisions of the law.

PASSED AND APPROVED this 11th day of December, 2018, by the Board of Trustees for the Garland Independent School District.

GARLAND INDEPENDENT SCHOOL DISTRICT

By: 
Jed Reed
President, Board of Trustees

ATTEST:


Robert Selders, Jr.
Secretary, Board of Trustees
Garland Independent School District

2510 Arcady
Map and Picture





**GARLAND
CITY COUNCIL ITEM SUMMARY SHEET**

City Council Regular Session Agenda

.8.

Meeting Date: 03/19/2019

Item Title: Sale of Property - 1105 Glynn Drive

Submitted By: Corey Worsham, Tax Administrator

Summary of Request/Problem

At the March 4, 2019 City Council Work Session, Council was briefed on the potential sale of property located at 1105 Glynn Drive. The City of Garland has received an unsolicited offer from Ryan Z and Associates, Inc. related to the purchase of City owned property obtained through a 2011 Sheriff's Sale. Ryan Z and Associates, Inc. has presented an offer of \$13,500 for the property. The City of Garland will receive \$3,497.50 from the proceeds of this sale.

Recommendation/Action Requested and Justification

Staff recommends that the City Council accept the offer and sell the property to Ryan Z and Associates, Inc. This property has been held by the City of Garland since 2011 and pursuant to Section 34.05 of the Texas Property Tax Code it may be resold to a private entity with approval of the governing body.

Attachments

1105 Glynn - Resolution

1105 Glynn - Offer

1105 Glynn - Deed

1105 Glynn - County Consent

1105 Glynn - GISD Consent

1105 Glynn - Map and Picture

RESOLUTION NO. _____

A RESOLUTION AGREEING TO THE SALE OF CERTAIN PROPERTY LOCATED WITHIN THE CITY OF GARLAND AND OWNED BY TAXING AUTHORITIES INCLUDING THE CITY OF GARLAND AS THE RESULT OF A TAX SALE; AUTHORIZING THE MAYOR TO EXECUTE A DEED WITHOUT WARRANTY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, taxing entities including the City of Garland, Texas, have become owners of certain real property by virtue of a foreclosure sale conducted pursuant to an order of the 192nd Judicial District Court of Dallas County, Texas in cause number TX09-40521, and

WHEREAS, it is to the benefit of all taxing entities that the property ultimately be returned to the tax rolls

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

Section 1

The City does hereby consent to the sale by public sale 1105 Glynn Drive, situated in the City of Garland, Count of Dallas, State of Texas, to wit:

BEING LOT 29, BLOCK 3, GLYNNHILL ESTATES ADDITION, AKA 1105 GLYNN DRIVE, CITY OF GARLAND, DALLAS COUNTY, TEXAS, AS RECORDED AT VOLUME 73133, PAGE 1634 OF THE DALLAS COUNTY DEED RECORDS (the "Property").

That the Mayor is hereby authorized to execute a deed without warranty in the form and substance of that attached hereto as Exhibit "A".

Section 3

This Resolution shall take effect immediately from and after its passage in accordance with the provisions of the law.

PASSED AND APPROVED this the _____ day of _____, 2019.

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary



J. DOUGLAS BURNSIDE
Attorney at Law
1919 S. Shiloh Rd, Ste 310, LB 40
Garland, Texas 75042
p: 972-278-8282
f: 972-278-8222
w: www.pbfcml.com

October 17, 2018

Mr. Corey Worsham
Tax Assessor/Collector
City of Garland
217 N. 5th Street
Garland, Texas 75040

Via electronic-mail

Re: Offer from Ryan Z and Associates, Inc. to purchase
1105 Glynn, Garland, Texas

Dear Mr. Worsham:

Ryan Z and Associates, Inc. has offered to purchase 1105 Glynn, Garland, Texas (BEING LOT 29, BLOCK 3, GLYNNHILL ESTATES ADDITION, AKA 1105 GLYNN DRIVE, CITY OF GARLAND, DALLAS COUNTY, TEXAS, AS RECORDED AT VOLUME 73133, PAGE 1634 OF THE DALLAS COUNTY DEED RECORDS) for \$13,500.00. In addition to that amount, all post-judgment taxes for the year 2011 will be paid at closing. The total amount of post-judgment taxes will be approximately \$2,889.89 of which the City of Garland will receive approximately \$805.01.

This property was sold at a Sheriff's Sale on December 6, 2011 pursuant to delinquent tax collection suit number TX09-40521. There were no bidders and the property was struck off to the City of Garland for itself and on behalf of the other taxing jurisdictions. The property was struck off for the assessed value in the judgment, \$53,570.00.

The property's most recent value according to the Appraisal District is \$16,000.00. The total judgment amount was \$53,979.52, which includes taxes, penalties and interest, costs of court, and costs of sale.

Pursuant to the Texas Property Tax Code, City reimbursement for post-sale maintenance, court costs and costs of sale must be paid first out of the proceeds of a resale. Those expenses and costs total \$7,968.16. The remainder would be distributed to the taxing jurisdictions pro-rata. A breakdown of amounts each taxing entity will receive is enclosed.

Because the purchase price is less than either the Judgment amount of taxes and court costs, \$53,979.52, or the market value as stated in the judgment, \$53,570.00, all jurisdictions included in the judgment must consent to the sale. Our office will obtain the necessary consent for the sale to proceed.

If the City decides to accept this offer, enclosed for execution is a Special Warranty Deed our office prepared for this resale. When the Deed is executed, please return it to me so that I may finalize the transaction.

If you have any questions or need additional information, please do not hesitate to call me.

Sincerely,

A handwritten signature in blue ink, appearing to read "J. Douglas Burnside", is written over a light gray rectangular background.

J. Douglas Burnside

Enclosure

Re-sale Disbursement Worksheet
City of Garland

CAD Acct #:	26242500030290000
Property address:	1105 Glynn
Cause No.:	TX09-40521
Judgment Date:	June 22, 2011
Sheriff's Sale Date:	December 6, 2011
Judgment amount:	GISD 1994-2010 taxes \$25,174.79 (65.5%)
	City 1996-2010 taxes \$8,284.38 (21.6%)
	County 1997-2010 taxes \$4,971.24 (12.9%)
Total Judgment for Taxes:	\$38,430.41
City Abatement Liens:	\$6,970.96
Court costs:	\$4,592.76
Sheriff's fees for sale:	\$1,545.40
Publication fees for sheriff's sale, paid by Perdue Brandon:	\$330.00
Total Costs:	\$6,468.16

Funds to be disbursed as follows:

1.	Dallas County District Clerk	\$4,592.76
2.	Dallas County Sheriff	\$1,545.40
3.	Perdue Brandon Fielder Collins & Mott, LLP	\$330.00
4.	City of Garland (administrative fee)	\$1,500.00
5.	City of Garland (Pro-rata Judgment tax year distribution)	\$1,192.49
6.	Garland ISD (Pro-rata Judgment tax year distribution)	\$3,623.77
7.	Dallas County (Pro-rata Judgment tax year distribution)	\$715.58
	TOTAL Judgment Distribution	\$13,500.00

Post Judgment Distribution:

8.	City of Garland (Post Judgment tax year distribution)	\$805.01
9.	Garland ISD (Post Judgment tax year distribution)	\$1,372.23
10.	Dallas County (Post Judgment tax year distribution)	\$712.65
	TOTAL Post Judgment Distribution	\$2,889.89
	TOTAL Distribution	\$16,389.89

DEED WITHOUT WARRANTY

THE STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF DALLAS §

That the **City of Garland**, a Texas home-rule municipality ("Grantor"), for and in consideration of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration to Grantor, the receipt and sufficiency of which is hereby acknowledged, paid in hand by **Ryan Z and Associates, Inc., 1415 Legacy Drive, Suite 350, Frisco, TX 75034** ("Grantee"), has GRANTED, SOLD and CONVEYED, and by these presents does GRANT, SELL and CONVEY unto Grantee that certain lot, tract, or parcel of land, commonly known as **1105 Glynn**, situated in the City of Garland, County of Dallas, State of Texas, to wit:

BEING LOT 29, BLOCK 3, GLYNNHILL ESTATES ADDITION, AKA 1105 GLYNN DRIVE, CITY OF GARLAND, DALLAS COUNTY, TEXAS, AS RECORDED AT VOLUME 73133, PAGE 1634 OF THE DALLAS COUNTY DEED RECORDS (the "Property").

This Deed Without Warranty is subject to:

- (i) any and all visible and apparent easements and encroachments, whether of record or not;
- (ii) any and all covenants, conditions, reservations, restrictions, exceptions, easements, rights-of-way, mineral interests, mineral leases, or other instruments of record applicable to the land or any part thereof;
- (iii) rights of the public to any portion of the above described property lying within the boundaries of dedicated or existing roadways or which may be used for road or street purposes;
- (iv) rights of parties in possession; and
- (v) any right of redemption as specified in Chapter 34, Subchapter B, Texas Property Tax Code.

It is understood and agreed that Grantor is not making any warranties or representations of any kind or character, express, implied or statutory, with respect to the Property, its physical condition or any other matter or thing relating to or affecting the Property and that the Property is being conveyed and transferred to Grantee "AS IS, WHERE IS, AND WITH ALL FAULTS." Grantor does not warrant or make any representations, express or implied, as to fitness for a particular purpose, merchantability, design, quantity, physical condition, operation compliance with specifications, absence of latent defects or compliance with laws and regulations (including, without limitation, those relating to zoning, health, safety and the environment) or any other matter affecting the Property.

THIS DEED IS MADE WITHOUT WARRANTY, EXPRESS OR IMPLIED, AND GRANTOR EXPRESSLY DISCLAIMS, EXCEPTS AND EXCLUDES ANY AND ALL WARRANTIES OF TITLE OR OTHERWISE FROM THIS CONVEYANCE, INCLUDING, WITHOUT LIMITATION, ANY WARRANTIES ARISING UNDER COMMON LAW OR STATUTE.

The intent of this Deed Without Warranty is to transfer the Property foreclosed on by the Grantor taxing jurisdictions in Cause TX09-40521 in the 192nd Judicial District Court, Dallas County, Texas, and no more.

When the context requires, singular nouns and pronouns include the plural.

TO HAVE AND TO HOLD the Property, together with all and singular the rights and appurtenances thereto and in anywise belonging unto Grantee, his heirs, successors and assigns forever; **WITHOUT WARRANTY AND SUBJECT IN ALL RESPECTS TO THE DISCLAIMERS SET FORTH ABOVE.**

EXECUTED on the dates set forth in the acknowledgements below, to be EFFECTIVE on the _____ day of _____ 201_.

GRANTOR:

CITY OF GARLAND, a Texas home-rule
municipality

By: _____

Title: _____

THE STATE OF TEXAS §
 §
COUNTY OF DALLAS §

The foregoing instrument was acknowledged before me on the _____ day of _____, 201_, by _____, in her capacity as Mayor of the City of Garland.

NOTARY PUBLIC, STATE OF TEXAS

PRINTED NAME OF NOTARY

MY COMMISSION EXPIRES:

**COURT ORDER
2019-0030**



Request to Consent to Sale of Tax Foreclosed Properties Struck off to the City of Garland,
Trustee located at 145 Rio Rita Dr., 2510 Arcady Dr., and 1105 Glynn, Garland

On a motion made by Commissioner Dr. Theresa M. Daniel, District 1, and seconded by Commissioner John Wiley Price, District 3, the following order was passed and adopted by the Commissioners Court of Dallas County, State of Texas:

BRIEFING DATE: 1/8/2019
FUNDING SOURCE: N/a

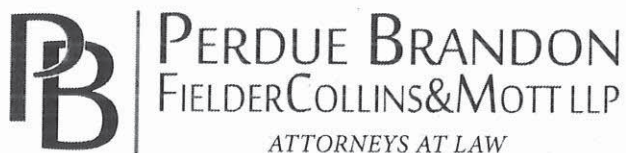
Be it resolved and ordered that the Dallas County Commissioners Court does hereby consents in its own behalf, and on behalf of the Dallas County Community College District, the Parkland Hospital District, and the Dallas County School Equalization Fund, to the sale of , 145 Rio Rita Drive as described in Exhibit "A", 2510 Arcady Drive as described in Exhibit "B", and 1105 Glynn as described in Exhibit "C", attached hereto and made a part hereof, in compliance with Section 34.05(i) of the Property Tax Code, subject to the previous owner's remaining right of redemption, if any, and to the purchaser's obligation to pay post judgment taxes, if any, and the pro rata property taxes for the remaining part of the current year.

Done in open court January 8, 2019, by the following vote:

IN FAVOR: Honorable Clay Lewis Jenkins, County Judge
Commissioner Dr. Theresa M. Daniel, District 1
Commissioner J.J. Koch, District 2
Commissioner John Wiley Price, District 3
Commissioner Dr. Elba Garcia, District 4
OPPOSED: None
ABSTAINED: None
ABSENT: None

Recommended by: John Mears
Originating Department: Public Works

Exhibit A



J. DOUGLAS BURNSIDE
Attorney at Law
1919 S. Shiloh Rd, Ste 310, LB 40
Garland, Texas 75042
p: 972-278-8282
f: 972-278-8222
w: www.pbfcmlaw.com

November 9, 2018

Ms. Pam Easterling
Dallas County Public Works
411 Elm Street, Suite 300
Dallas, Texas 75202

Via electronic-mail

Re: Offer by Jose Velasquez to purchase 145 Rio Rita Drive, Garland, Texas

Dear Ms. Easterling:

The above referenced property was struck off to the City of Garland on October 4, 2011 at a Sheriff's Sale pursuant to delinquent tax suit No. TX05-40785, Garland ISD v. Cowetta Hall, et al. The City of Garland is requesting that Dallas County, on its on behalf, and on behalf of the Dallas County Community College District, the Parkland Hospital District, and the Dallas County School Equalization Fund (collectively "Dallas County") to:

- (1) consent to the sale of the tax-foreclosed property located at 145 Rio Rita Drive, Garland, Texas, and described as BEING LOT 14, BLOCK H OF THE ROUTH TERRACE, 2ND INSTALLMENT ADDITION TO THE CITY OF GARLAND, COMMONLY KNOWN AS 145 RIO RITA DRIVE, CITY OF GARLAND, DALLAS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED IN THE DEED FILED AT VOLUME 68233, PAGE 0692, OF THE DALLAS COUNTY DEED RECORDS; and
- (2) consent to the execution by the City of Garland of a Deed without Warranty for such property conveying the right, title and interest acquired or held by Dallas County in said property to such purchaser.

The sale of the tax-foreclosed property as further described in Exhibit "A" shall be pursuant to Texas Property Tax Code §34.05(i).

Please advise me whether Dallas County agrees to the sale of this lot. If they elect to do so, please send me a copy of the Order approving the sale.

If you have any questions or need additional information, please contact me.

Yours truly,

J. Douglas Burnside
Attorney at Law

AMARILLO ARLINGTON AUSTIN CONROE EDINBURG GARLAND
HOUSTON LUBBOCK MIDLAND SAN ANTONIO TYLER WICHITA FALLS

Exhibit A
Re-sale Disbursement Worksheet

CAD Acct #:	26503500080140000
Property address:	145 Rio Rita Drive
Cause No.:	TX05-40785
Offer Amount:	\$12,349.54
DCAD Value:	\$26,000.00
Judgment Date:	April 2, 2007
Sheriff's Sale Date:	October 4, 2011
Judgment amount:	GISD 2000-2006 taxes \$7,160.57 (67.1%)
	City 2003-2006 taxes \$2,134.42 (20.0%)
	County 2003, 2005-2006 taxes \$1,377.35 (12.9%)
Total Judgment for Taxes:	\$10,672.34
City Post Sale Demolition:	\$2,250.00
Court costs:	\$1,224.78
Sheriff's fees for sale:	\$1,304.48
Publication fees for sheriff's sale, paid by lawfirm:	\$316.25
Total Costs:	\$2,845.51

Checks to be disbursed as follows:

1.	Dallas County District Clerk	\$1,224.78
2.	Dallas County Sheriff	\$1,304.48
3.	Perdue Brandon Fielder Collins & Mott, LLP	\$316.25
4.	City of Garland (administrative fee)	\$1,500.00
5.	City of Garland (Post Sale Demolition)	\$2,250.00
6.	City of Garland (Pro-rata Judgment tax year distribution)	\$1,150.78
7.	Garland ISD (Pro-rata Judgment tax year distribution)	\$3,860.65
8.	Dallas County (Pro-rata Judgment tax year distribution)	\$742.60
	TOTAL	\$12,349.54

Post Judgment Distribution:

9.	City of Garland (Post Judgment tax year distribution)	\$3,828.07
10.	Garland ISD (Post Judgment tax year distribution)	\$6,572.65
11.	Dallas County (Post Judgment tax year distribution)	\$3,249.74
	TOTAL Post Judgment Distribution	\$13,650.46

	TOTAL Distribution	\$26,000.00
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Exhibit B



J. DOUGLAS BURNSIDE
Attorney at Law
1919 S. Shiloh Rd, Ste 310, LB 40
Garland, Texas 75042
p: 972-278-8282
f: 972-278-8222
w: www.pbfcmlaw.com

November 9, 2018

Ms. Pam Easterling
Dallas County Public Works
411 Elm Street, Suite 300
Dallas, Texas 75202

Via electronic-mail

Re: Offer by Ryan Z and Associates, Inc. to purchase 2510 Arcady drive, Garland, Texas

Dear Ms. Easterling:

The above referenced property was struck off to the City of Garland on June 7, 2011 at a Sheriff's Sale pursuant to delinquent tax suit No. TX05-41125, City of Garland v. Steve Summers, et al.. The City of Garland is requesting that Dallas County, on its on behalf, and on behalf of the Dallas County Community College District, the Parkland Hospital District, and the Dallas County School Equalization Fund (collectively "Dallas County") to:

- (1) consent to the sale of the tax-foreclosed property located at 2510 Arcady drive, Garland, Texas, and described as BEING LOT 22, BLOCK 29, MONICA PARK NO. 5 ADDITION, AKA 2510 ARCADY DRIVE, CITY OF GARLAND, DALLAS COUNTY, TEXAS, AS RECORDED IN VOLUME 99236, PAGE 2341 OF THE DALLAS COUNTY DEED RECORDS; and
- (2) consent to the execution by the City of Garland of a Deed without Warranty for such property conveying the right, title and interest acquired or held by Dallas County in said property to such purchaser.

The sale of the tax-foreclosed property as further described in Exhibit "A" shall be pursuant to Texas Property Tax Code §34.05(i).

Please advise me whether Dallas County agrees to the sale of this lot. If they elect to do so, please send me a copy of the Order approving the sale.

If you have any questions or need additional information, please contact me.

Yours truly,

J. Douglas Burnside
Attorney at Law

Exhibit B
Re-sale Disbursement Worksheet

CAD Acct #:	26356500290220000
Property address:	2510 Arcady drive
Cause No.:	TX05-41125
Offer Amount:	\$2,742.25
DCAD Value:	\$27,000.00
Judgment Date:	October 11, 2006
Sheriff's Sale Date:	June 7, 2011
Judgment amount:	GISD 2004-2005 taxes \$2,806.69 (32.8%)
	City 1999-2005 taxes \$3,778.37 (44.1%)
	County 2002-2005 taxes \$1,979.75 (23.1%)
Total Judgment for Taxes:	\$8,564.81
City Abatement Liens:	\$2,697.14
City Post Sale Demolition:	\$3,240.00
Court costs:	\$2,226.15
Sheriff's fees for sale:	\$1,273.52
Publication fees for sheriff's sale, paid by lawfirm:	\$323.13
Total Costs:	\$3,822.80

Checks to be disbursed as follows:

1.	City of Garland (Post Sale Demolition)	\$2,742.25
	TOTAL	\$2,742.25

Post Judgment Tax Distribution:

2.	City of Garland (Post Judgment tax year distribution)	\$7,220.03
3.	Garland ISD (Post Judgment tax year distribution)	\$13,037.72
	TOTAL Post Judgment Tax Distribution	\$20,257.75

	TOTAL Distribution	\$23,000.00
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Please Note: All Dallas County judgment taxes post-judgment were paid after the date of the sale. There is \$0.00 due to Dallas County on the account.

Exhibit C



J. DOUGLAS BURNSIDE

Attorney at Law

1919 S. Shiloh Rd, Ste 310, LB 40

Garland, Texas 75042

p: 972-278-8282

f: 972-278-8222

w: www.pbfcml.com

November 9, 2018

Ms. Pam Easterling
Dallas County Public Works
411 Elm Street, Suite 300
Dallas, Texas 75202

Via electronic-mail

Re: Offer by Ryan Z and Associates, Inc. to purchase 1105 Glynn, Garland, Texas

Dear Ms. Easterling:

The above referenced property was struck off to the City of Garland on December 6, 2011 at a Sheriff's Sale pursuant to delinquent tax suit No. TX09-40521, City of Garland and Garland ISD v. Heirs and Unknown Heirs of Vernell Stephens. The City of Garland is requesting that Dallas County, on its on behalf, and on behalf of the Dallas County Community College District, the Parkland Hospital District, and the Dallas County School Equalization Fund (collectively "Dallas County") to:

- (1) consent to the sale of the tax-foreclosed property located at 1105 Glynn, Garland, Texas, and described as BEING LOT 29, BLOCK 3, GLYNNHILL ESTATES ADDITION, AKA 1105 GLYNN DRIVE, CITY OF GARLAND, DALLAS COUNTY, TEXAS, AS RECORDED AT VOLUME 73133, PAGE 1634 OF THE DALLAS COUNTY DEED RECORDS; and
- (2) consent to the execution by the City of Garland of a Deed without Warranty for such property conveying the right, title and interest acquired or held by Dallas County in said property to such purchaser.

The sale of the tax-foreclosed property as further described in Exhibit "A" shall be pursuant to Texas Property Tax Code §34.05(i).

Please advise me whether Dallas County agrees to the sale of this lot. If they elect to do so, please send me a copy of the Order approving the sale.

If you have any questions or need additional information, please contact me.

Yours truly,



J. Douglas Burnside
Attorney at Law

AMARILLO ARLINGTON AUSTIN CONROE EDINBURG GARLAND
HOUSTON LUBBOCK MIDLAND SAN ANTONIO TYLER WICHITA FALLS

Exhibit C
Re-sale Disbursement Worksheet

CAD Acct #:	26242500030290000
Property address:	1105 Glynn
Cause No.:	TX09-40521
Offer Amount:	\$13,500.00
DCAD Value:	\$20,000.00
Judgment Date:	June 22, 2011
Sheriff's Sale Date:	December 6, 2011
Judgment amount:	GISD 1994-2010 taxes \$25,174.79 (65.5%)
	City 1996-2010 taxes \$8,284.38 (21.6%)
	County 1997-2010 taxes \$4,971.24 (12.9%)
Total Judgment for Taxes:	\$38,430.41
City Abatement Liens:	\$6,970.96
Court costs:	\$4,592.76
Sheriff's fees for sale:	\$1,545.40
Publication fees for sheriff's sale, paid by Perdue Brandon:	\$330.00
Total Costs:	\$6,468.16

Funds to be disbursed as follows:

1.	Dallas County District Clerk	\$4,592.76
2.	Dallas County Sheriff	\$1,545.40
3.	Perdue Brandon Fielder Collins & Mott, LLP	\$330.00
4.	City of Garland (administrative fee)	\$1,500.00
5.	City of Garland (Pro-rata Judgment tax year distribution)	\$1,192.49
6.	Garland ISD (Pro-rata Judgment tax year distribution)	\$3,623.77
7.	Dallas County (Pro-rata Judgment tax year distribution)	\$715.58
	TOTAL Judgment Distribution	\$13,500.00

Post Judgment Distribution:

8.	City of Garland (Post Judgment tax year distribution)	\$805.01
9.	Garland ISD (Post Judgment tax year distribution)	\$1,372.23
10.	Dallas County (Post Judgment tax year distribution)	\$712.65
	TOTAL Post Judgment Distribution	\$2,889.89

	TOTAL Distribution	\$16,389.89
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RESOLUTION

A RESOLUTION AUTHORIZING THE CITY OF GARLAND TO RE-SELL TAX FORECLOSED PROPERTY LOCATED AT 1105 GLYNN, GARLAND, TEXAS, BY PUBLIC OR PRIVATE SALE, AS PROVIDED BY SECTION 34.05 OF THE TEXAS PROPERTY TAX CODE

WHEREAS, pursuant to a delinquent tax collection lawsuit and tax foreclosure sale, the property located at 1105 Glynn, Garland, Texas, ("The Property") was struck off to the City of Garland on its own behalf and as Trustee for the Garland Independent School District and Dallas County, pursuant to Section 34.01(j) of the Property Tax Code, and

WHEREAS, Garland Independent School District desires to resell The Property pursuant to Section 34.05 of the Property Tax Code for an amount not less than \$13,500.00, and

WHEREAS, Garland Independent School District desires to authorize the City of Garland to act as Trustee to offer The Property for sale pursuant to Section 34.05 of the Texas Property Tax Code,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE GARLAND INDEPENDENT SCHOOL DISTRICT, GARLAND, TEXAS THAT:

Section 1. The Garland Independent School District does hereby provide specific authorization to the City of Garland to act as Trustee to offer for sale by public or private sale 1105 Glynn, Garland, Texas, more fully described in Exhibit "A," attached hereto and made a part hereof, and the Board of Trustees for Garland Independent School District does hereby consent to the sale of 1105 Glynn, Garland, Texas for an amount not less than \$13,500.00 in compliance with Section 34.05 of the Texas Property Tax Code, and each taxing unit entitled to receive proceeds of the sale consents to the sale for that amount.

Section 2. This Resolution shall take effect immediately from and after its passage in accordance with the provisions of the law.

PASSED AND APPROVED this 11th day of December, 2018, by the Board of Trustees for the Garland Independent School District.

GARLAND INDEPENDENT SCHOOL DISTRICT

By: Jed N. Reed
Jed Reed
President, Board of Trustees

ATTEST:

Robert L. Selders, Jr.
Robert Selders, Jr.
Secretary, Board of Trustees
Garland Independent School District

1105 Glynn Dr
Map and Picture





**GARLAND
CITY COUNCIL ITEM SUMMARY SHEET**

City Council Regular Session Agenda

.9.

Meeting Date: 03/19/2019

Item Title: Sale of Property - 145 Rio Rita Drive

Submitted By: Corey Worsham, Tax Administrator

Summary of Request/Problem

At the March 4, 2019 City Council Work Session, Council was briefed on the potential sale of property located at 145 Rio Rita Drive. The City of Garland has received an unsolicited offer from Mr. Jose Velasquez related to the purchase of City owned property obtained through a 2011 Sheriff's Sale. Mr. Velasquez has presented an offer of \$26,000 for the property. The City of Garland will receive \$7,630.81 from the proceeds of this sale.

Recommendation/Action Requested and Justification

Staff recommends that the City Council accept the offer and sell the property to Mr. Jose Velasquez. This property has been held by the City of Garland since 2011 and pursuant to Section 34.05 of the Texas Property Tax Code it may be resold to a private entity with approval of the governing body.

Attachments

145 Rio Rita - Resolution
145 Rio Rita - Offer
145 Rio Rita - Deed
145 Rio Rita - County Consent
145 Rio Rita - GISD Consent
145 Rio Rita - Map and Picture

RESOLUTION NO. _____

A RESOLUTION AGREEING TO THE SALE OF CERTAIN PROPERTY LOCATED WITHIN THE CITY OF GARLAND AND OWNED BY TAXING AUTHORITIES INCLUDING THE CITY OF GARLAND AS THE RESULT OF A TAX SALE; AUTHORIZING THE MAYOR TO EXECUTE A DEED WITHOUT WARRANTY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, taxing entities including the City of Garland, Texas, have become owners of certain real property by virtue of a foreclosure sale conducted pursuant to an order of the 95th Judicial District Court of Dallas County, Texas in cause number TX05-40785, and

WHEREAS, it is to the benefit of all taxing entities that the property ultimately be returned to the tax rolls

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

Section 1

The City does hereby consent to the sale by public sale 145 Rio Rita Drive, situated in the City of Garland, Count of Dallas, State of Texas, to wit:

BEING LOT 14, BLOCK H OF THE ROUTH TERRACE, 2ND INSTALLMENT ADDITION, A/K/A 145 RIO RITA DRIVE, CITY OF GARLAND, DALLAS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED IN THE DEED FILED AT VOLUME 68233, PAGE 0692, OF THE DALLAS COUNTY DEED RECORDS (the "Property").

That the Mayor is hereby authorized to execute a deed without warranty in the form and substance of that attached hereto as Exhibit "A".

Section 3

This Resolution shall take effect immediately from and after its passage in accordance with the provisions of the law.

PASSED AND APPROVED this the _____ day of _____, 2019.

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary



J. DOUGLAS BURNSIDE
Attorney at Law
1919 S. Shiloh Rd, Ste 310, LB 40
Garland, Texas 75042
p: 972-278-8282
f: 972-278-8222
w: www.pbfcml.com

September 24, 2018

Mr. Corey Worsham
Tax Assessor/Collector
City of Garland
217 N. 5th Street
Garland, Texas 75040

Via electronic-mail

Re: Offer from Jose Velasquez to purchase
145 Rio Rita Drive, Garland, Texas

Dear Mr. Worsham:

Jose Velasquez has offered to purchase 145 Rio Rita Drive, Garland, Texas (BEING LOT 14, BLOCK H OF THE ROUTH TERRACE, 2ND INSTALLMENT ADDITION TO THE CITY OF GARLAND, COMMONLY KNOWN AS 145 RIO RITA DRIVE, CITY OF GARLAND, DALLAS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED IN THE DEED FILED AT VOLUME 68233, PAGE 0692, OF THE DALLAS COUNTY DEED RECORDS) for \$26,000.00.

This property was sold at a Sheriff's Sale on October 4, 2011 pursuant to delinquent tax collection suit number TX05-40785. There were no bidders and the property was struck off to the City of Garland for itself and on behalf of the other taxing jurisdictions.

The property's most recent value according to the Appraisal District is \$14,000.00. The property was struck off for the total judgment amount, \$19,293.19, which includes taxes, penalties and interest, abatement liens, costs of court, and costs of sale.

Pursuant to the Texas Property Tax Code, City reimbursement for post-sale maintenance, post-sale demolition, court costs and costs of sale must be paid first out of the proceeds of a resale. Those expenses and costs total \$6,595.51. The remainder would be distributed to the taxing jurisdictions pro-rata. A breakdown of amounts each taxing entity will receive is enclosed.

This offer is being made pursuant to §34.05(j) of the Texas Property Tax Code. This section allows the City to sell for an amount equal to or greater than the current assessed value by the Dallas CAD. As part of this sale, in addition to all amounts included in the judgment, all post-judgment taxes will also be extinguished by the sale. The total amount of post-judgment taxes is \$13,526.86 of which the City of Garland's portion is \$3,793.44.

An offer made pursuant to Section 34.05(j) requires the consent of the other taxing entities participating in the Judgment. Our office will obtain the necessary consent for the sale to proceed. Pursuant to a sale under §34.05(j), any unit not consenting to the sale would be liable to the City for their pro-rata share of any costs incurred in maintaining the property from the date of the non-consent forward.

If the City decides to accept this offer, enclosed for execution is a Special Warranty Deed our office prepared for this resale. When the Deed is executed, please return it to me so that I may finalize the transaction.

If you have any questions or need additional information, please do not hesitate to call me.

Sincerely,

A handwritten signature in blue ink, appearing to read "J. Douglas Burnside", is written over a light blue rectangular background.

J. Douglas Burnside

Enclosure

Re-sale Disbursement Worksheet
City of Garland

CAD Acct #:	26503500080140000
Property address:	145 Rio Rita Drive
Cause No.:	TX05-40785
Judgment Date:	April 2, 2007
Sheriff's Sale Date:	October 4, 2011
Judgment amount:	GISD 2003-2006 taxes \$7,160.57 (67.1%)
	City 2003-2006 taxes \$2,134.42 (20.0%)
	County 2003, 2005-2006 taxes \$1,377.35 (12.9%)
Total Judgment for Taxes:	\$10,672.34
Court costs:	\$1,224.78
Sheriff's fees for sale:	\$1,304.48
Publication fees for sheriff's sale, paid by lawfirm:	\$316.25
Total Costs:	\$2,845.51

Checks to be disbursed as follows:

1.	Dallas County District Clerk	\$1,224.78
2.	Dallas County Sheriff	\$1,304.48
3.	Perdue Brandon Fielder Collins & Mott, LLP	\$316.25
4.	City of Garland (administrative fee)	\$1,500.00
5.	City of Garland (Post Judgment Demolition)	\$2,250.00
6.	City of Garland (Pro-rata Judgment tax year distribution)	\$3,880.81
7.	Garland ISD (Pro-rata Judgment tax year distribution)	\$13,019.38
8.	John Ames, Dallas County Tax Assessor (Pro-rata Judgment tax year distribution)	\$2,504.30
	TOTAL	\$26,000.00

DEED WITHOUT WARRANTY

THE STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF DALLAS §

That the **City of Garland**, a Texas home-rule municipality ("Grantor"), for and in consideration of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration to Grantor, the receipt and sufficiency of which is hereby acknowledged, paid in hand by **Jose Velasquez, 4513 Willett Lane, Garland, TX 75043** ("Grantee"), has GRANTED, SOLD and CONVEYED, and by these presents does GRANT, SELL and CONVEY unto Grantee that certain lot, tract, or parcel of land, commonly known as **145 Rio Rita Drive**, situated in the City of Garland, County of Dallas, State of Texas, to wit:

**BEING LOT 14, BLOCK H OF THE ROUTH TERRACE, 2ND
INSTALLMENT ADDITION, A/K/A 145 RIO RITA DRIVE,
CITY OF GARLAND, DALLAS COUNTY, TEXAS, AND BEING
MORE PARTICULARLY DESCRIBED IN THE DEED FILED
AT VOLUME 68233, PAGE 0692, OF THE DALLAS COUNTY
DEED RECORDS (the "Property").**

This Deed Without Warranty is subject to:

- (i) any and all visible and apparent easements and encroachments, whether of record or not;
- (ii) any and all covenants, conditions, reservations, restrictions, exceptions, easements, rights-of-way, mineral interests, mineral leases, or other instruments of record applicable to the land or any part thereof;
- (iii) rights of the public to any portion of the above described property lying within the boundaries of dedicated or existing roadways or which may be used for road or street purposes;
- (iv) rights of parties in possession; and
- (v) any right of redemption as specified in Chapter 34, Subchapter B, Texas Property Tax Code.

It is understood and agreed that Grantor is not making any warranties or representations of any kind or character, express, implied or statutory, with respect to the Property, its physical condition or any other matter or thing relating to or affecting the Property and that the Property is being conveyed and transferred to Grantee "AS IS, WHERE IS, AND WITH ALL FAULTS." Grantor does not warrant or make any representations, express or implied, as to fitness for a particular purpose, merchantability, design, quantity, physical condition, operation compliance with specifications, absence of latent defects or compliance with laws and regulations (including, without limitation, those relating to zoning, health, safety and the environment) or any other matter affecting the Property.

THIS DEED IS MADE WITHOUT WARRANTY, EXPRESS OR IMPLIED, AND GRANTOR EXPRESSLY DISCLAIMS, EXCEPTS AND EXCLUDES ANY AND ALL WARRANTIES OF TITLE OR OTHERWISE FROM THIS CONVEYANCE, INCLUDING, WITHOUT LIMITATION, ANY WARRANTIES ARISING UNDER COMMON LAW OR STATUTE.

The intent of this Deed Without Warranty is to transfer the Property foreclosed on by the Grantor taxing jurisdictions in Cause TX05-40785 in the 95th Judicial District Court, Dallas County, Texas, and no more. This conveyance is being made pursuant to Texas Property Tax Code Section 34.05(j) and all liens foreclosed by the judgment and the post-judgment tax liens through tax year 2011 are discharged and extinguished.

When the context requires, singular nouns and pronouns include the plural.

TO HAVE AND TO HOLD the Property, together with all and singular the rights and appurtenances thereto and in anywise belonging unto Grantee, his heirs, successors and assigns forever; **WITHOUT WARRANTY AND SUBJECT IN ALL RESPECTS TO THE DISCLAIMERS SET FORTH ABOVE.**

EXECUTED on the dates set forth in the acknowledgements below, to be EFFECTIVE on the _____ day of _____ 201_.

GRANTOR:

CITY OF GARLAND, a Texas home-rule
municipality

By: _____

Title: _____

THE STATE OF TEXAS §
 §
COUNTY OF DALLAS §

The foregoing instrument was acknowledged before me on the _____ day of _____, 201_, by _____, in her capacity as Mayor of the City of Garland.

NOTARY PUBLIC, STATE OF TEXAS

PRINTED NAME OF NOTARY

MY COMMISSION EXPIRES:

**COURT ORDER
2019-0030**



Request to Consent to Sale of Tax Foreclosed Properties Struck off to the City of Garland,
Trustee located at 145 Rio Rita Dr., 2510 Arcady Dr., and 1105 Glynn, Garland

On a motion made by Commissioner Dr. Theresa M. Daniel, District 1, and seconded by Commissioner John Wiley Price, District 3, the following order was passed and adopted by the Commissioners Court of Dallas County, State of Texas:

BRIEFING DATE: 1/8/2019
FUNDING SOURCE: N/a

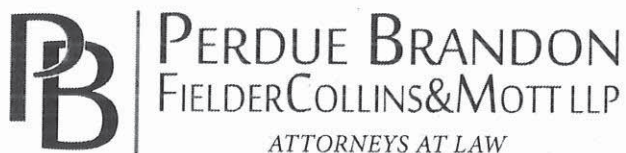
Be it resolved and ordered that the Dallas County Commissioners Court does hereby consents in its own behalf, and on behalf of the Dallas County Community College District, the Parkland Hospital District, and the Dallas County School Equalization Fund, to the sale of , 145 Rio Rita Drive as described in Exhibit "A", 2510 Arcady Drive as described in Exhibit "B", and 1105 Glynn as described in Exhibit "C", attached hereto and made a part hereof, in compliance with Section 34.05(i) of the Property Tax Code, subject to the previous owner's remaining right of redemption, if any, and to the purchaser's obligation to pay post judgment taxes, if any, and the pro rata property taxes for the remaining part of the current year.

Done in open court January 8, 2019, by the following vote:

IN FAVOR: Honorable Clay Lewis Jenkins, County Judge
Commissioner Dr. Theresa M. Daniel, District 1
Commissioner J.J. Koch, District 2
Commissioner John Wiley Price, District 3
Commissioner Dr. Elba Garcia, District 4
OPPOSED: None
ABSTAINED: None
ABSENT: None

Recommended by: John Mears
Originating Department: Public Works

Exhibit A



J. DOUGLAS BURNSIDE
Attorney at Law
1919 S. Shiloh Rd, Ste 310, LB 40
Garland, Texas 75042
p: 972-278-8282
f: 972-278-8222
w: www.pbfcmlaw.com

November 9, 2018

Ms. Pam Easterling
Dallas County Public Works
411 Elm Street, Suite 300
Dallas, Texas 75202

Via electronic-mail

Re: Offer by Jose Velasquez to purchase 145 Rio Rita Drive, Garland, Texas

Dear Ms. Easterling:

The above referenced property was struck off to the City of Garland on October 4, 2011 at a Sheriff's Sale pursuant to delinquent tax suit No. TX05-40785, Garland ISD v. Cowetta Hall, et al. The City of Garland is requesting that Dallas County, on its on behalf, and on behalf of the Dallas County Community College District, the Parkland Hospital District, and the Dallas County School Equalization Fund (collectively "Dallas County") to:

- (1) consent to the sale of the tax-foreclosed property located at 145 Rio Rita Drive, Garland, Texas, and described as BEING LOT 14, BLOCK H OF THE ROUTH TERRACE, 2ND INSTALLMENT ADDITION TO THE CITY OF GARLAND, COMMONLY KNOWN AS 145 RIO RITA DRIVE, CITY OF GARLAND, DALLAS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED IN THE DEED FILED AT VOLUME 68233, PAGE 0692, OF THE DALLAS COUNTY DEED RECORDS; and
- (2) consent to the execution by the City of Garland of a Deed without Warranty for such property conveying the right, title and interest acquired or held by Dallas County in said property to such purchaser.

The sale of the tax-foreclosed property as further described in Exhibit "A" shall be pursuant to Texas Property Tax Code §34.05(i).

Please advise me whether Dallas County agrees to the sale of this lot. If they elect to do so, please send me a copy of the Order approving the sale.

If you have any questions or need additional information, please contact me.

Yours truly,

J. Douglas Burnside
Attorney at Law

AMARILLO ARLINGTON AUSTIN CONROE EDINBURG GARLAND
HOUSTON LUBBOCK MIDLAND SAN ANTONIO TYLER WICHITA FALLS

Exhibit A
Re-sale Disbursement Worksheet

CAD Acct #:	26503500080140000
Property address:	145 Rio Rita Drive
Cause No.:	TX05-40785
Offer Amount:	\$12,349.54
DCAD Value:	\$26,000.00
Judgment Date:	April 2, 2007
Sheriff's Sale Date:	October 4, 2011
Judgment amount:	GISD 2000-2006 taxes \$7,160.57 (67.1%)
	City 2003-2006 taxes \$2,134.42 (20.0%)
	County 2003, 2005-2006 taxes \$1,377.35 (12.9%)
Total Judgment for Taxes:	\$10,672.34
City Post Sale Demolition:	\$2,250.00
Court costs:	\$1,224.78
Sheriff's fees for sale:	\$1,304.48
Publication fees for sheriff's sale, paid by lawfirm:	\$316.25
Total Costs:	\$2,845.51

Checks to be disbursed as follows:

1.	Dallas County District Clerk	\$1,224.78
2.	Dallas County Sheriff	\$1,304.48
3.	Perdue Brandon Fielder Collins & Mott, LLP	\$316.25
4.	City of Garland (administrative fee)	\$1,500.00
5.	City of Garland (Post Sale Demolition)	\$2,250.00
6.	City of Garland (Pro-rata Judgment tax year distribution)	\$1,150.78
7.	Garland ISD (Pro-rata Judgment tax year distribution)	\$3,860.65
8.	Dallas County (Pro-rata Judgment tax year distribution)	\$742.60
	TOTAL	\$12,349.54

Post Judgment Distribution:

9.	City of Garland (Post Judgment tax year distribution)	\$3,828.07
10.	Garland ISD (Post Judgment tax year distribution)	\$6,572.65
11.	Dallas County (Post Judgment tax year distribution)	\$3,249.74
	TOTAL Post Judgment Distribution	\$13,650.46

	TOTAL Distribution	\$26,000.00
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Exhibit B



J. DOUGLAS BURNSIDE
Attorney at Law
1919 S. Shiloh Rd, Ste 310, LB 40
Garland, Texas 75042
p: 972-278-8282
f: 972-278-8222
w: www.pbfcmlaw.com

November 9, 2018

Ms. Pam Easterling
Dallas County Public Works
411 Elm Street, Suite 300
Dallas, Texas 75202

Via electronic-mail

Re: Offer by Ryan Z and Associates, Inc. to purchase 2510 Arcady drive, Garland, Texas

Dear Ms. Easterling:

The above referenced property was struck off to the City of Garland on June 7, 2011 at a Sheriff's Sale pursuant to delinquent tax suit No. TX05-41125, City of Garland v. Steve Summers, et al.. The City of Garland is requesting that Dallas County, on its on behalf, and on behalf of the Dallas County Community College District, the Parkland Hospital District, and the Dallas County School Equalization Fund (collectively "Dallas County") to:

- (1) consent to the sale of the tax-foreclosed property located at 2510 Arcady drive, Garland, Texas, and described as BEING LOT 22, BLOCK 29, MONICA PARK NO. 5 ADDITION, AKA 2510 ARCADY DRIVE, CITY OF GARLAND, DALLAS COUNTY, TEXAS, AS RECORDED IN VOLUME 99236, PAGE 2341 OF THE DALLAS COUNTY DEED RECORDS; and
- (2) consent to the execution by the City of Garland of a Deed without Warranty for such property conveying the right, title and interest acquired or held by Dallas County in said property to such purchaser.

The sale of the tax-foreclosed property as further described in Exhibit "A" shall be pursuant to Texas Property Tax Code §34.05(i).

Please advise me whether Dallas County agrees to the sale of this lot. If they elect to do so, please send me a copy of the Order approving the sale.

If you have any questions or need additional information, please contact me.

Yours truly,

J. Douglas Burnside
Attorney at Law

Exhibit B
Re-sale Disbursement Worksheet

CAD Acct #:	26356500290220000
Property address:	2510 Arcady drive
Cause No.:	TX05-41125
Offer Amount:	\$2,742.25
DCAD Value:	\$27,000.00
Judgment Date:	October 11, 2006
Sheriff's Sale Date:	June 7, 2011
Judgment amount:	GISD 2004-2005 taxes \$2,806.69 (32.8%)
	City 1999-2005 taxes \$3,778.37 (44.1%)
	County 2002-2005 taxes \$1,979.75 (23.1%)
Total Judgment for Taxes:	\$8,564.81
City Abatement Liens:	\$2,697.14
City Post Sale Demolition:	\$3,240.00
Court costs:	\$2,226.15
Sheriff's fees for sale:	\$1,273.52
Publication fees for sheriff's sale, paid by lawfirm:	\$323.13
Total Costs:	\$3,822.80

Checks to be disbursed as follows:

1.	City of Garland (Post Sale Demolition)	\$2,742.25
	TOTAL	\$2,742.25

Post Judgment Tax Distribution:

2.	City of Garland (Post Judgment tax year distribution)	\$7,220.03
3.	Garland ISD (Post Judgment tax year distribution)	\$13,037.72
	TOTAL Post Judgment Tax Distribution	\$20,257.75

	TOTAL Distribution	\$23,000.00
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Please Note: All Dallas County judgment taxes post-judgment were paid after the date of the sale. There is \$0.00 due to Dallas County on the account.

Exhibit C



J. DOUGLAS BURNSIDE

Attorney at Law

1919 S. Shiloh Rd, Ste 310, LB 40

Garland, Texas 75042

p: 972-278-8282

f: 972-278-8222

w: www.pbfcml.com

November 9, 2018

Ms. Pam Easterling
Dallas County Public Works
411 Elm Street, Suite 300
Dallas, Texas 75202

Via electronic-mail

Re: Offer by Ryan Z and Associates, Inc. to purchase 1105 Glynn, Garland, Texas

Dear Ms. Easterling:

The above referenced property was struck off to the City of Garland on December 6, 2011 at a Sheriff's Sale pursuant to delinquent tax suit No. TX09-40521, City of Garland and Garland ISD v. Heirs and Unknown Heirs of Vernell Stephens. The City of Garland is requesting that Dallas County, on its on behalf, and on behalf of the Dallas County Community College District, the Parkland Hospital District, and the Dallas County School Equalization Fund (collectively "Dallas County") to:

- (1) consent to the sale of the tax-foreclosed property located at 1105 Glynn, Garland, Texas, and described as BEING LOT 29, BLOCK 3, GLYNNHILL ESTATES ADDITION, AKA 1105 GLYNN DRIVE, CITY OF GARLAND, DALLAS COUNTY, TEXAS, AS RECORDED AT VOLUME 73133, PAGE 1634 OF THE DALLAS COUNTY DEED RECORDS; and
- (2) consent to the execution by the City of Garland of a Deed without Warranty for such property conveying the right, title and interest acquired or held by Dallas County in said property to such purchaser.

The sale of the tax-foreclosed property as further described in Exhibit "A" shall be pursuant to Texas Property Tax Code §34.05(i).

Please advise me whether Dallas County agrees to the sale of this lot. If they elect to do so, please send me a copy of the Order approving the sale.

If you have any questions or need additional information, please contact me.

Yours truly,



J. Douglas Burnside
Attorney at Law

AMARILLO ARLINGTON AUSTIN CONROE EDINBURG GARLAND
HOUSTON LUBBOCK MIDLAND SAN ANTONIO TYLER WICHITA FALLS

Exhibit C
Re-sale Disbursement Worksheet

CAD Acct #:	26242500030290000
Property address:	1105 Glynn
Cause No.:	TX09-40521
Offer Amount:	\$13,500.00
DCAD Value:	\$20,000.00
Judgment Date:	June 22, 2011
Sheriff's Sale Date:	December 6, 2011
Judgment amount:	GISD 1994-2010 taxes \$25,174.79 (65.5%)
	City 1996-2010 taxes \$8,284.38 (21.6%)
	County 1997-2010 taxes \$4,971.24 (12.9%)
Total Judgment for Taxes:	\$38,430.41
City Abatement Liens:	\$6,970.96
Court costs:	\$4,592.76
Sheriff's fees for sale:	\$1,545.40
Publication fees for sheriff's sale, paid by Perdue Brandon:	\$330.00
Total Costs:	\$6,468.16

Funds to be disbursed as follows:

1.	Dallas County District Clerk	\$4,592.76
2.	Dallas County Sheriff	\$1,545.40
3.	Perdue Brandon Fielder Collins & Mott, LLP	\$330.00
4.	City of Garland (administrative fee)	\$1,500.00
5.	City of Garland (Pro-rata Judgment tax year distribution)	\$1,192.49
6.	Garland ISD (Pro-rata Judgment tax year distribution)	\$3,623.77
7.	Dallas County (Pro-rata Judgment tax year distribution)	\$715.58
	TOTAL Judgment Distribution	\$13,500.00

Post Judgment Distribution:

8.	City of Garland (Post Judgment tax year distribution)	\$805.01
9.	Garland ISD (Post Judgment tax year distribution)	\$1,372.23
10.	Dallas County (Post Judgment tax year distribution)	\$712.65
	TOTAL Post Judgment Distribution	\$2,889.89

	TOTAL Distribution	\$16,389.89
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RESOLUTION

A RESOLUTION AUTHORIZING THE CITY OF GARLAND TO RE-SELL TAX FORECLOSED PROPERTY LOCATED AT 145 RIO RITA DRIVE, GARLAND, TEXAS, BY PUBLIC OR PRIVATE SALE, AS PROVIDED BY SECTION 34.05 OF THE TEXAS PROPERTY TAX CODE

WHEREAS, pursuant to a delinquent tax collection lawsuit and tax foreclosure sale, the property located at 145 Rio Rita Drive, Garland, Texas, ("The Property") was struck off to the City of Garland on its own behalf and as Trustee for the Garland Independent School District and Dallas County, pursuant to Section 34.01(j) of the Property Tax Code, and

WHEREAS, Garland Independent School District desires to resell The Property pursuant to Section 34.05 of the Property Tax Code for an amount not less than \$12,349.54, and

WHEREAS, Garland Independent School District desires to authorize the City of Garland to act as Trustee to offer The Property for sale pursuant to Section 34.05 of the Texas Property Tax Code,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE GARLAND INDEPENDENT SCHOOL DISTRICT, GARLAND, TEXAS THAT:

Section 1. The Garland Independent School District does hereby provide specific authorization to the City of Garland to act as Trustee to offer for sale by public or private sale 145 Rio Rita Drive, Garland, Texas, more fully described in Exhibit "A," attached hereto and made a part hereof, and the Board of Trustees for Garland Independent School District does hereby consent to the sale of 145 Rio Rita Drive, Garland, Texas for an amount not less than \$12,349.54 in compliance with Section 34.05 of the Texas Property Tax Code, and each taxing unit entitled to receive proceeds of the sale consents to the sale for that amount.

Section 2. This Resolution shall take effect immediately from and after its passage in accordance with the provisions of the law.

PASSED AND APPROVED this 11th day of December, 2018, by the
Board of Trustees for the Garland Independent School District.

GARLAND INDEPENDENT SCHOOL DISTRICT

By: Jed N. Reed
Jed Reed
President, Board of Trustees

ATTEST:

Robert L. Selders, Jr.
Robert Selders, Jr.
Secretary, Board of Trustees
Garland Independent School District

145 Rio Rita Map and Picture





GARLAND
CITY COUNCIL ITEM SUMMARY SHEET

City Council Regular Session Agenda

.10.

Meeting Date: 03/19/2019

Item Title: Sale of Property - 822 Greencove Drive

Submitted By: Corey Worsham, Tax Administrator

Summary of Request/Problem

At the March 4, 2019 City Council Work Session, Council was briefed on the potential sale of property located at 822 Greencove Drive. The City of Garland has received an unsolicited offer from Ryan Z and Associates, Inc. related to the purchase of City owned property obtained through a 2010 Sheriff's Sale. Ryan Z and Associates, Inc. has presented an offer of \$18,500 for the property. The City of Garland will receive \$6,558.64 from the proceeds of this sale.

Recommendation/Action Requested and Justification

Staff recommends that the City Council accept the offer and sell the property to Ryan Z and Associates, Inc. This property has been held by the City of Garland since 2010 and pursuant to Section 34.05 of the Texas Property Tax Code it may be resold to a private entity with approval of the governing body.

Attachments

822 Greencove - Resolution

822 Greencove - Offer

822 Greencove - Deed

822 Greencove - County Consent

822 Greencove - GISD Consent

822 Greencove - Map and Picture

RESOLUTION NO. _____

A RESOLUTION AGREEING TO THE SALE OF CERTAIN PROPERTY LOCATED WITHIN THE CITY OF GARLAND AND OWNED BY TAXING AUTHORITIES INCLUDING THE CITY OF GARLAND AS THE RESULT OF A TAX SALE; AUTHORIZING THE MAYOR TO EXECUTE A DEED WITHOUT WARRANTY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, taxing entities including the City of Garland, Texas, have become owners of certain real property by virtue of a foreclosure sale conducted pursuant to an order of the 68th Judicial District Court of Dallas County, Texas in cause number TX08-40739, and

WHEREAS, it is to the benefit of all taxing entities that the property ultimately be returned to the tax rolls

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

Section 1

The City does hereby consent to the sale by public sale 822 Greencove Drive, situated in the City of Garland, Count of Dallas, State of Texas, to wit:

BEING LOT 6, BLOCK 18, SHOREHAVEN NO. 7 ADDITION, AKA 822 GREENCOVE DRIVE, CITY OF GARLAND, DALLAS COUNTY, TEXAS, AS RECORDED IN VOLUME 97135, PAGE 2228 OF THE DALLAS COUNTY DEED RECORDS (the "Property").

That the Mayor is hereby authorized to execute a deed without warranty in the form and substance of that attached hereto as Exhibit "A".

Section 3

This Resolution shall take effect immediately from and after its passage in accordance with the provisions of the law.

PASSED AND APPROVED this the _____ day of _____, 2019.

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary



J. DOUGLAS BURNSIDE
Attorney at Law
1919 S. Shiloh Rd, Ste 310, LB 40
Garland, Texas 75042
p: 972-278-8282
f: 972-278-8222
w: www.pbfcml.com

October 17, 2018

Mr. Corey Worsham
Tax Assessor/Collector
City of Garland
217 N. 5th Street
Garland, Texas 75040

Via electronic-mail

Re: Offer from Ryan Z and Associates, Inc. to purchase
822 Greencove Drive, Garland, Texas

Dear Mr. Worsham:

Ryan Z and Associates, Inc. has offered to purchase 822 Greencove Drive, Garland, Texas (BEING LOT 6, BLOCK 18, SHOREHAVEN NO. 7 ADDITION, AKA 822 GREENCOVE DRIVE, CITY OF GARLAND, DALLAS COUNTY, TEXAS, AS RECORDED IN VOLUME 97135, PAGE 2228 OF THE DALLAS COUNTY DEED RECORDS) for \$18,500.00. In addition to that amount, all post-judgment taxes for the years 2009-2010 will be paid at closing. The total amount of post-judgment taxes will be approximately \$4,510.83 of which the City of Garland will receive approximately \$1,195.27.

This property was sold at a Sheriff's Sale on February 2, 2010 pursuant to delinquent tax collection suit number TX08-40739. There were no bidders and the property was struck off to the City of Garland for itself and on behalf of the other taxing jurisdictions. The property was struck off for the assessed value in the judgment, \$91,900.00.

The property's most recent value according to the Appraisal District is \$22,000.00. The total judgment amount was \$460,075.12, which includes taxes, penalties and interest, abatement liens, civil penalties lien, costs of court, and costs of sale.

Pursuant to the Texas Property Tax Code, City reimbursement for post-sale maintenance, court costs and costs of sale must be paid first out of the proceeds of a resale. Those expenses and costs total \$4,483.48. The remainder would be distributed to the taxing jurisdictions pro-rata. A breakdown of amounts each taxing entity will receive is enclosed.

Because the purchase price is less than either the Judgment amount of the judgment, \$460,075.12, or the market value as stated in the judgment, \$91,900.00, all jurisdictions included in the judgment must consent to the sale. Our office will obtain the necessary consent for the sale to proceed.

If the City decides to accept this offer, enclosed for execution is a Special Warranty Deed our office prepared for this resale. When the Deed is executed, please return it to me so that I may finalize the transaction.

If you have any questions or need additional information, please do not hesitate to call me.

Sincerely,

A handwritten signature in blue ink, appearing to read "J. Douglas Burnside", is written over a light gray rectangular background.

J. Douglas Burnside

Enclosure

Re-sale Disbursement Worksheet
City of Garland

CAD Acct #:	26527500180060000
Property address:	822 Greencove Drive
Cause No.:	TX08-40739
Judgment Date:	July 2, 2009
Sheriff's Sale Date:	February 2, 2010
Judgment amount:	GISD 2002-2008 taxes \$13,941.68 (62.0%)
	City 2002-2008 taxes \$6,200.28 (27.5%)
	County 2006-2008 taxes \$2,352.99 (10.5%)
Total Judgment for Taxes:	\$22,494.95
City Abatement Liens:	\$1,268.40
City Civil Penalties Lien:	\$329,532.49
Court costs:	\$1,322.00
Sheriff's fees for sale:	\$1,310.85
Publication fees for sheriff's sale, paid by Perdue Brandon:	\$350.63
Total Costs:	\$2,983.48

Checks to be disbursed as follows:

1.	Dallas County District Clerk	\$1,322.00
2.	Dallas County Sheriff	\$1,310.85
3.	Perdue Brandon Fielder Collins & Mott, LLP	\$350.63
4.	City of Garland (administrative fee)	\$1,500.00
5.	City of Garland (Pro-rata Judgment tax year distribution)	\$3,863.37
6.	Garland ISD (Pro-rata Judgment tax year distribution)	\$8,687.01
7.	Dallas County (Pro-rata Judgment tax year distribution)	\$1,466.14
	TOTAL Judgment Distribution	\$18,500.00

Post Judgment Distribution:

8.	City of Garland (Post Judgment tax year distribution)	\$1,195.27
9.	Garland ISD (Post Judgment tax year distribution)	\$2,206.31
10.	Dallas County (Post Judgment tax year distribution)	\$1,109.25
	TOTAL Post Judgment Distribution	\$4,510.83

	TOTAL Distribution	\$23,010.83
--	---------------------------	--------------------

DEED WITHOUT WARRANTY

THE STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF DALLAS §

That the **City of Garland**, a Texas home-rule municipality ("Grantor"), for and in consideration of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration to Grantor, the receipt and sufficiency of which is hereby acknowledged, paid in hand by **Ryan Z and Associates, Inc., 1415 Legacy Drive, Suite 350, Frisco, TX 75034** ("Grantee"), has GRANTED, SOLD and CONVEYED, and by these presents does GRANT, SELL and CONVEY unto Grantee that certain lot, tract, or parcel of land, commonly known as **822 Greencove Drive**, situated in the City of Garland, County of Dallas, State of Texas, to wit:

**BEING LOT 6, BLOCK 18, SHOREHAVEN NO. 7 ADDITION,
AKA 822 GREENCOVE DRIVE, CITY OF GARLAND,
DALLAS COUNTY, TEXAS, AS RECORDED IN VOLUME
97135, PAGE 2228 OF THE DALLAS COUNTY DEED
RECORDS (the "Property").**

This Deed Without Warranty is subject to:

- (i) any and all visible and apparent easements and encroachments, whether of record or not;
- (ii) any and all covenants, conditions, reservations, restrictions, exceptions, easements, rights-of-way, mineral interests, mineral leases, or other instruments of record applicable to the land or any part thereof;
- (iii) rights of the public to any portion of the above described property lying within the boundaries of dedicated or existing roadways or which may be used for road or street purposes;
- (iv) rights of parties in possession; and
- (v) any right of redemption as specified in Chapter 34, Subchapter B, Texas Property Tax Code.

It is understood and agreed that Grantor is not making any warranties or representations of any kind or character, express, implied or statutory, with respect to the Property, its physical condition or any other matter or thing relating to or affecting the Property and that the Property is being conveyed and transferred to Grantee "AS IS, WHERE IS, AND WITH ALL FAULTS." Grantor does not warrant or make any representations, express or implied, as to fitness for a particular purpose, merchantability, design, quantity, physical condition, operation compliance with specifications, absence of latent defects or compliance with laws and regulations (including, without limitation, those relating to zoning, health, safety and the environment) or any other matter affecting the Property.

THIS DEED IS MADE WITHOUT WARRANTY, EXPRESS OR IMPLIED, AND GRANTOR EXPRESSLY DISCLAIMS, EXCEPTS AND EXCLUDES ANY AND ALL WARRANTIES OF TITLE OR OTHERWISE FROM THIS CONVEYANCE, INCLUDING, WITHOUT LIMITATION, ANY WARRANTIES ARISING UNDER COMMON LAW OR STATUTE.

The intent of this Deed Without Warranty is to transfer the Property foreclosed on by the Grantor taxing jurisdictions in Cause TX08-40739 in the 68th Judicial District Court, Dallas County, Texas, and no more.

When the context requires, singular nouns and pronouns include the plural.

TO HAVE AND TO HOLD the Property, together with all and singular the rights and appurtenances thereto and in anywise belonging unto Grantee, his heirs, successors and assigns forever; **WITHOUT WARRANTY AND SUBJECT IN ALL RESPECTS TO THE DISCLAIMERS SET FORTH ABOVE.**

EXECUTED on the dates set forth in the acknowledgements below, to be EFFECTIVE on the _____ day of _____ 201_.

GRANTOR:

CITY OF GARLAND, a Texas home-rule
municipality

By: _____

Title: _____

THE STATE OF TEXAS §
 §
COUNTY OF DALLAS §

The foregoing instrument was acknowledged before me on the _____ day of _____, 201_, by _____, in her capacity as Mayor of the City of Garland.

NOTARY PUBLIC, STATE OF TEXAS

PRINTED NAME OF NOTARY

MY COMMISSION EXPIRES:

**COURT ORDER
2018-1520**



Request to Consent to Sale of Tax Foreclosed Property Struck off to the City of Garland,
Trustee, for property located at 822 Greencove Drive, Garland, Texas

On a motion made by Commissioner John Wiley Price, District 3, and seconded by Commissioner Dr. Theresa M. Daniel, District 1, the following order was passed and adopted by the Commissioners Court of Dallas County, State of Texas:

BRIEFING DATE: 12/18/2018
FUNDING SOURCE: N/A

Be it resolved and ordered that the Dallas County Commissioners Court does hereby consents on its own behalf, and on behalf of the Dallas County Community College District, the Parkland Hospital District, and the Dallas County School Equalization Fund, to the sale of 822 Greencove Drive, Garland, Texas, said parcel of land, described in Exhibit "A", attached hereto and made a part hereof, to the highest qualified purchaser, even if the amount tendered is less than the market value of the property specified in the judgment of foreclosure or the total amount of the judgment against the property in compliance with Section 34.05(i) of the Property Tax Code, subject to the previous owner's remaining right of redemption, if any, and to the purchaser's obligation to pay post judgment taxes, if any, and the pro rata property taxes for the remaining part of the current year.

Done in open court December 18, 2018, by the following vote:

IN FAVOR: Honorable Clay Lewis Jenkins, County Judge
Commissioner Dr. Theresa M. Daniel, District 1
Commissioner Mike Cantrell, District 2
Commissioner John Wiley Price, District 3
Commissioner Dr. Elba Garcia, District 4
OPPOSED: None
ABSTAINED: None
ABSENT: None

Recommended by: Alberta Blair
Originating Department: Public Works

Recommended by: Alberta Blair
Originating Department: Public Works

EXHIBIT "A"



J. DOUGLAS BURNSIDE
Attorney at Law
1919 S. Shiloh Rd, Ste 310, LB 40
Garland, Texas 75042
p: 972-278-8282
f: 972-278-8222
w: www.pbfcml.com

November 9, 2018

Ms. Pam Easterling
Dallas County Public Works
411 Elm Street, Suite 300
Dallas, Texas 75202

Via electronic-mail

Re: Offer by Ryan Z and Associates, Inc. to purchase 822 Greencove Drive, Garland, Texas

Dear Ms. Easterling:

The above referenced property was struck off to the City of Garland on February 2, 2010 at a Sheriff's Sale pursuant to delinquent tax suit No. TX08-40739, City of Garland and Garland ISD v. Brent M. Klinger. The City of Garland is requesting that Dallas County, on its on behalf, and on behalf of the Dallas County Community College District, the Parkland Hospital District, and the Dallas County School Equalization Fund (collectively "Dallas County") to:

- (1) consent to the sale of the tax-foreclosed property located at 822 Greencove Drive, Garland, Texas, and described as LOT 6, BLOCK 18, SHOREHAVEN NO. 7 ADDITION, AKA 822 GREENCOVE DRIVE, CITY OF GARLAND, DALLAS COUNTY, TEXAS, AS RECORDED IN VOLUME 97135, PAGE 2228 OF THE DALLAS COUNTY DEED RECORDS; and
- (2) consent to the execution by the City of Garland of a Deed without Warranty for such property conveying the right, title and interest acquired or held by Dallas County in said property to such purchaser.

This sale of the tax-foreclosed property as further described in Exhibit "A" shall be pursuant to Texas Property Tax Code §34.05(i).

Please advise me whether Dallas County agrees to the sale of this lot. If they elect to do so, please send me a copy of the Order approving the sale.

If you have any questions or need additional information, please contact me.

Yours truly,

J. Douglas Burnside
Attorney at Law

EXHIBIT "A"

TAX FORECLOSURE PROPERTIES STRUCK OFF TO THE CITY OF GARLAND
AS TRUSTEE FOR GARLAND I.S.D. AND DALLAS COUNTY

R&B DIST.	PROPERTY ADDRESS/ MAPSCO #	JUDGMENT CAUSE #	TAX YEARS INCLUDED IN JUDGMENT (COUNTY, CITY, SCHOOL)	DATE OF SHERIFF'S SALE	TAX ACCOUNT #	IMPROVED / UNIMP.	LAND SIZE (APPROX.)	CURRENT DCAD VALUE	MARKET VALUE IN JUDGMENT	STRIKE OFF AMOUNT	OFFER AMOUNT	POST JUDGMENT TAX YEARS & AMOUNT OWED (through [month/year] if applicable)	% OF DCAD VALUE (Offer Amt + Post Judgment Taxes (if applicable))	PURSUANT TO TAX CODE
1	822 Greencove Drive, Garland Mapsc 19A-X	TX08-40739	County: 2006-2008 City: 2002-2008 GISD: 2002-2008	2/2/2010	26527500180060000	Unimproved	7,387 Sq. Ft	\$40,000 *	\$91,900	\$91,900.00	\$18,500	2009-2010 \$4,510.83 Through December 2018	58%	34.05(i)

* The prospective purchaser will be paying \$18,500 for the parcel of land, plus \$4,510.83 in Post Judgment taxes if paid in December 2018, a total of \$23,010.83 representing 58% of the 2018 certified DCAD value of \$40,000, increased from \$22,000 for the prior year.

RESOLUTION

A RESOLUTION AUTHORIZING THE CITY OF GARLAND TO RE-SELL TAX FORECLOSED PROPERTY LOCATED AT 822 GREENCOVE DRIVE, GARLAND, TEXAS, BY PUBLIC OR PRIVATE SALE, AS PROVIDED BY SECTION 34.05 OF THE TEXAS PROPERTY TAX CODE

WHEREAS, pursuant to a delinquent tax collection lawsuit and tax foreclosure sale, the property located at 822 Greencove Drive, Garland, Texas, ("The Property") was struck off to the City of Garland on its own behalf and as Trustee for the Garland Independent School District and Dallas County, pursuant to Section 34.01(j) of the Property Tax Code, and

WHEREAS, Garland Independent School District desires to resell The Property pursuant to Section 34.05 of the Property Tax Code for an amount not less than \$18,500.00, and

WHEREAS, Garland Independent School District desires to authorize the City of Garland to act as Trustee to offer The Property for sale pursuant to Section 34.05 of the Texas Property Tax Code,

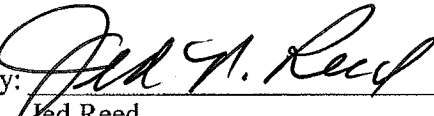
NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE GARLAND INDEPENDENT SCHOOL DISTRICT, GARLAND, TEXAS THAT:

Section 1. The Garland Independent School District does hereby provide specific authorization to the City of Garland to act as Trustee to offer for sale by public or private sale 822 Greencove Drive, Garland, Texas, more fully described in Exhibit "A," attached hereto and made a part hereof, and the Board of Trustees for Garland Independent School District does hereby consent to the sale of 822 Greencove Drive, Garland, Texas for an amount not less than \$18,500.00 in compliance with Section 34.05 of the Texas Property Tax Code, and each taxing unit entitled to receive proceeds of the sale consents to the sale for that amount.

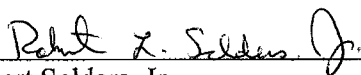
Section 2. This Resolution shall take effect immediately from and after its passage in accordance with the provisions of the law.

PASSED AND APPROVED this 11th day of December, 201⁸, by the
Board of Trustees for the Garland Independent School District.

GARLAND INDEPENDENT SCHOOL DISTRICT

By: 
Jed Reed
President, Board of Trustees

ATTEST:


Robert Selders, Jr.
Secretary, Board of Trustees
Garland Independent School District

822 Greencove Dr. Map and Picture





**GARLAND
CITY COUNCIL ITEM SUMMARY SHEET**

City Council Regular Session Agenda

.11.

Meeting Date: 03/19/2019

Item Title: Sale of Property - 814 Waikiki Drive

Submitted By: Corey Worsham, Tax Administrator

Summary of Request/Problem

At the March 4, 2019 City Council Work Session, Council was briefed on the potential sale of property located at 814 Waikiki Drive. The City of Garland has received an unsolicited offer from Ryan Z and Associates, Inc. related to the purchase of City owned property obtained through a 2012 Sheriff's Sale. Ryan Z and Associates, Inc. has presented an offer of \$17,000 for the property. The City of Garland will receive \$7,527.86 from the proceeds of this sale.

Recommendation/Action Requested and Justification

Staff recommends that the City Council accept the offer and sell the property to Ryan Z and Associates, Inc. This property has been held by the City of Garland since 2012 and pursuant to Section 34.05 of the Texas Property Tax Code it may be resold to a private entity with approval of the governing body.

Attachments

814 Waikiki - Resolution

814 Waikiki - Offer

814 Waikiki - Deed

814 Waikiki - County Consent

814 Waikiki - GISD Consent

814 Waikiki - Map and Picture

RESOLUTION NO. _____

A RESOLUTION AGREEING TO THE SALE OF CERTAIN PROPERTY LOCATED WITHIN THE CITY OF GARLAND AND OWNED BY TAXING AUTHORITIES INCLUDING THE CITY OF GARLAND AS THE RESULT OF A TAX SALE; AUTHORIZING THE MAYOR TO EXECUTE A DEED WITHOUT WARRANTY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, taxing entities including the City of Garland, Texas, have become owners of certain real property by virtue of a foreclosure sale conducted pursuant to an order of the 298th Judicial District Court of Dallas County, Texas in cause number TX10-40035, and

WHEREAS, it is to the benefit of all taxing entities that the property ultimately be returned to the tax rolls

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

Section 1

The City does hereby consent to the sale by public sale 814 Waikiki Drive, situated in the City of Garland, Count of Dallas, State of Texas, to wit:

BEING LOT 4, BLOCK 3, SOUTHLAKE ESTATES NO. 1 ADDITION, AKA 814 WAIKIKI DRIVE, CITY OF GARLAND, DALLAS COUNTY, TEXAS, AS DESCRIBED IN VOLUME 79128, PAGE 1068 OF THE DALLAS COUNTY DEED RECORDS (the "Property").Section 2

That the Mayor is hereby authorized to execute a deed without warranty in the form and substance of that attached hereto as Exhibit "A".

Section 3

This Resolution shall take effect immediately from and after its passage in accordance with the provisions of the law.

PASSED AND APPROVED this the _____ day of _____, 2019.

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary



J. DOUGLAS BURNSIDE
Attorney at Law
1919 S. Shiloh Rd, Ste 310, LB 40
Garland, Texas 75042
p: 972-278-8282
f: 972-278-8222
w: www.pbfcml.com

September 21, 2018

Mr. Corey Worsham
Tax Assessor/Collector
City of Garland
217 N. 5th Street
Garland, Texas 75040

Via electronic-mail

Re: Offer from Ryan Z and Associates, Inc. to purchase
814 Waikiki, Garland, Texas

Dear Mr. Worsham:

Ryan Z and Associates, Inc. has offered to purchase 814 Waikiki, Garland, Texas (BEING LOT 4, BLOCK 3, SOUTHLAKE ESTATES NO. 1 ADDITION, AKA 814 WAIKIKI DRIVE, CITY OF GARLAND, DALLAS COUNTY, TEXAS, AS DESCRIBED IN VOLUME 79128, PAGE 1068 OF THE DALLAS COUNTY DEED RECORDS) for \$17,000.00. In addition to that amount, all post-judgment taxes for the years 2011-2012 will be paid at closing. The total amount of post-judgment taxes will be approximately \$4,422.04 of which the City of Garland will receive approximately \$1,230.42.

This property was sold at a Sheriff's Sale on March 6, 2012 pursuant to delinquent tax collection suit number TX10-40035. There were no bidders and the property was struck off to the City of Garland for itself and on behalf of the other taxing jurisdictions.

The property's most recent value according to the Appraisal District is \$20,000.00. The property was struck off for the total judgment amount, \$44,202.58, which includes taxes, penalties and interest, costs of court, and costs of sale.

Pursuant to the Texas Property Tax Code, City reimbursement for post-sale maintenance, post-sale demolition, court costs and costs of sale must be paid first out of the proceeds of a resale. Those expenses and costs total \$9,684.19. The remainder would be distributed to the taxing jurisdictions pro-rata. A breakdown of amounts each taxing entity will receive is enclosed.

Because the purchase price is less than either the Judgment amount of taxes and court costs, \$44,202.58, or the market value as stated in the judgment, \$67,780.00, all jurisdictions included in the judgment must consent to the sale. Our office will obtain the necessary consent for the sale to proceed.

If the City decides to accept this offer, enclosed for execution is a Special Warranty Deed our office prepared for this resale. When the Deed is executed, please return it to me so that I may finalize the transaction.

If you have any questions or need additional information, please do not hesitate to call me.

Sincerely,

A handwritten signature in blue ink, appearing to read "J. Douglas Burnside", is written over a light gray rectangular background.

J. Douglas Burnside

Enclosure

Re-sale Disbursement Worksheet
City of Garland

CAD Acct #:	26574500030040000
Property address:	814 Waikiki
Cause No.:	TX10-40035
Judgment Date:	September 14, 2011
Sheriff's Sale Date:	March 6, 2012
Judgment amount:	GISD 1997-2010 taxes \$21,375.18 (59.8%)
	City 1996-2010 taxes \$8,783.82 (24.6%)
	County 1994-2010 taxes \$5,592.19 (15.6%)
Total Judgment for Taxes:	\$35,751.19
City Abatement Liens:	\$1,060.39
City Post Judgment Demolition:	\$3,000.00
Court costs:	\$3,343.10
Sheriff's fees for sale:	\$1,517.96
Publication fees for sheriff's sale, paid by lawfirm:	\$323.13
Total Costs:	\$5,184.19

Checks to be disbursed as follows:

1.	Dallas County District Clerk	\$3,343.10
2.	Dallas County Sheriff	\$1,517.96
3.	Perdue Brandon Fielder Collins & Mott, LLP	\$323.13
4.	City of Garland (administrative fee)	\$1,500.00
5.	City of Garland (Post Judgment Demolition)	\$3,000.00
6.	City of Garland (Pro-rata Judgment tax year distribution)	\$1,797.44
7.	Garland ISD (Pro-rata Judgment tax year distribution)	\$4,374.03
8.	Dallas County (Pro-rata Judgment tax year distribution)	\$1,144.34
	TOTAL	\$17,000.00

Post Judgment Distribution:

9.	City of Garland (Post Judgment tax year distribution)	\$1,230.42
10.	Garland ISD (Post Judgment tax year distribution)	\$2,097.43
11.	Dallas County (Post Judgment tax year distribution)	\$1,094.19
	TOTAL Post Judgment Distribution	\$4,422.04

	TOTAL Distribution	\$21,422.04
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DEED WITHOUT WARRANTY

THE STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF DALLAS §

That the **City of Garland**, a Texas home-rule municipality ("Grantor"), for and in consideration of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration to Grantor, the receipt and sufficiency of which is hereby acknowledged, paid in hand by **Ryan Z and Associates, Inc., 1415 Legacy Drive, Suite 350, Frisco, TX 75034** ("Grantee"), has GRANTED, SOLD and CONVEYED, and by these presents does GRANT, SELL and CONVEY unto Grantee that certain lot, tract, or parcel of land, commonly known as **814 Waikiki**, situated in the City of Garland, County of Dallas, State of Texas, to wit:

**BEING LOT 4, BLOCK 3, SOUTHLAKE ESTATES NO. 1
ADDITION, AKA 814 WAIKIKI DRIVE, CITY OF GARLAND,
DALLAS COUNTY, TEXAS, AS DESCRIBED IN VOLUME
79128, PAGE 1068 OF THE DALLAS COUNTY DEED
RECORDS (the "Property").**

This Deed Without Warranty is subject to:

- (i) any and all visible and apparent easements and encroachments, whether of record or not;
- (ii) any and all covenants, conditions, reservations, restrictions, exceptions, easements, rights-of-way, mineral interests, mineral leases, or other instruments of record applicable to the land or any part thereof;
- (iii) rights of the public to any portion of the above described property lying within the boundaries of dedicated or existing roadways or which may be used for road or street purposes;
- (iv) rights of parties in possession; and
- (v) any right of redemption as specified in Chapter 34, Subchapter B, Texas Property Tax Code.

It is understood and agreed that Grantor is not making any warranties or representations of any kind or character, express, implied or statutory, with respect to the Property, its physical condition or any other matter or thing relating to or affecting the Property and that the Property is being conveyed and transferred to Grantee "AS IS, WHERE IS, AND WITH ALL FAULTS." Grantor does not warrant or make any representations, express or implied, as to fitness for a particular purpose, merchantability, design, quantity, physical condition, operation compliance with specifications, absence of latent defects or compliance with laws and regulations (including, without limitation, those relating to zoning, health, safety and the environment) or any other matter affecting the Property.

THIS DEED IS MADE WITHOUT WARRANTY, EXPRESS OR IMPLIED, AND GRANTOR EXPRESSLY DISCLAIMS, EXCEPTS AND EXCLUDES ANY AND ALL WARRANTIES OF TITLE OR OTHERWISE FROM THIS CONVEYANCE, INCLUDING, WITHOUT LIMITATION, ANY WARRANTIES ARISING UNDER COMMON LAW OR STATUTE.

The intent of this Deed Without Warranty is to transfer the Property foreclosed on by the Grantor taxing jurisdictions in Cause TX10-40035 in the 298th Judicial District Court, Dallas County, Texas, and no more.

When the context requires, singular nouns and pronouns include the plural.

TO HAVE AND TO HOLD the Property, together with all and singular the rights and appurtenances thereto and in anywise belonging unto Grantee, his heirs, successors and assigns forever; **WITHOUT WARRANTY AND SUBJECT IN ALL RESPECTS TO THE DISCLAIMERS SET FORTH ABOVE.**

EXECUTED on the dates set forth in the acknowledgements below, to be EFFECTIVE on the _____ day of _____ 201_.

GRANTOR:

CITY OF GARLAND, a Texas home-rule
municipality

By: _____

Title: _____

THE STATE OF TEXAS §
 §
COUNTY OF DALLAS §

The foregoing instrument was acknowledged before me on the _____ day of _____, 201_, by _____, in her capacity as Mayor of the City of Garland.

NOTARY PUBLIC, STATE OF TEXAS

PRINTED NAME OF NOTARY

MY COMMISSION EXPIRES:

**COURT ORDER
2018-1519**



Request to Consent to Sale of Tax Foreclosed Properties Struck off to the
City of Garland, Trustee: 134 E. Kingsley Road, 184 Waikiki

On a motion made by Commissioner John Wiley Price, District 3, and seconded by Commissioner Dr. Theresa M. Daniel, District 1, the following order was passed and adopted by the Commissioners Court of Dallas County, State of Texas:

BRIEFING DATE: 12/18/2018
FUNDING SOURCE: N/A

Be it resolved and ordered that the Dallas County Commissioners Court does hereby consents in its own behalf, and on behalf of the Dallas County Community College District, the Parkland Hospital District, and the Dallas County School Equalization Fund, to the sale of the tax foreclosed properties at 134 E. Kingsley Road and 814 Waikiki Drive in the City of Garland, further described in Exhibit "A", attached hereto and made a part hereof, to the highest qualified purchasers, even if the amounts tendered are less than the market values of the properties specified in the respective judgments of foreclosure or the total amount of the judgments against each respective property in compliance with Section 34.05(i) of the Property Tax Code, subject to the previous owner's remaining right of redemption, if any, and to the purchaser's obligation to pay post judgment taxes, if any, and the pro rata property taxes for the remaining part of the current year.

Done in open court December 18, 2018, by the following vote:

IN FAVOR: Honorable Clay Lewis Jenkins, County Judge
Commissioner Dr. Theresa M. Daniel, District 1
Commissioner Mike Cantrell, District 2
Commissioner John Wiley Price, District 3
Commissioner Dr. Elba Garcia, District 4

OPPOSED: None

ABSTAINED: None

Recommended by: Alberta Blair
Originating Department: Public Works

ABSENT: None

Recommended by: Alberta Blair
Originating Department: Public Works

EXHIBIT "A"

TAX FORECLOSURE PROPERTIES STRUCK OFF TO THE CITY OF GARLAND
AS TRUSTEE FOR GARLAND I.S.D. AND DALLAS COUNTY

R&B DIST.	PROPERTY ADDRESS/ MAPSCO #	JUDGMENT CAUSE #	TAX YEARS INCLUDED IN JUDGMENT (COUNTY, CITY, SCHOOL)	DATE OF SHERIFF'S SALE	TAX ACCOUNT #	IMPROVED / UNIMP.	LAND SIZE (APPROX.)	Court Costs	CURRENT DCAD VALUE	MARKET VALUE IN JUDGMENT	STRIKE OFF AMOUNT	OFFER AMOUNT	POST JUDGMENT TAX YEARS & AMOUNT OWED (through month/year) if applicable)	% OF DCAD VALUE (Offer Amt + Post Judgment Taxes (if applicable))	PURSUANT TO TAX CODE
1	134 E. Kingsley Rd., Garland 29A-N	TX-07-41768 9/28/2009	County: 2004-2008 City: 2004-2008 GISD: 2004-2008	5/4/2010	26617500040050000	U	7.976 SF	\$3,533.52	\$18,000.00	\$39,350.00	\$39,350.00	\$16,787.88	2009-2010 \$1,212.12	100%	34.05 (i)
1	814 Waikiki Dr., Garland 29A-Z	TX-10-40035 9/14/2011	County: 1994-1999, 2002- 2010 City: 1996-2010 GISD: 1997-2010	3/6/2012	26574500030040000	U	7.366 SF	\$5,184.19	\$20,000.00	\$67,780.00	\$44,202.58	\$15,577.96	2011-2012 \$4,422.04	100%	34.05 (i)

RESOLUTION

A RESOLUTION AUTHORIZING THE CITY OF GARLAND TO RE-SELL TAX FORECLOSED PROPERTY LOCATED AT 814 WAIKIKI, GARLAND, TEXAS, BY PUBLIC OR PRIVATE SALE, AS PROVIDED BY SECTION 34.05 OF THE TEXAS PROPERTY TAX CODE

WHEREAS, pursuant to a delinquent tax collection lawsuit and tax foreclosure sale, the property located at 814 Waikiki, Garland, Texas, ("The Property") was struck off to the City of Garland on its own behalf and as Trustee for the Garland Independent School District and Dallas County, pursuant to Section 34.01(j) of the Property Tax Code, and

WHEREAS, Garland Independent School District desires to resell The Property pursuant to Section 34.05 of the Property Tax Code for an amount not less than \$15,577.96, and

WHEREAS, Garland Independent School District desires to authorize the City of Garland to act as Trustee to offer The Property for sale pursuant to Section 34.05 of the Texas Property Tax Code,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE GARLAND INDEPENDENT SCHOOL DISTRICT, GARLAND, TEXAS THAT:

Section 1. The Garland Independent School District does hereby provide specific authorization to the City of Garland to act as Trustee to offer for sale by public or private sale 814 Waikiki, Garland, Texas, more fully described in Exhibit "A," attached hereto and made a part hereof, and the Board of Trustees for Garland Independent School District does hereby consent to the sale of 814 Waikiki, Garland, Texas for an amount not less than \$15,577.96 in compliance with Section 34.05 of the Texas Property Tax Code, and each taxing unit entitled to receive proceeds of the sale consents to the sale for that amount.

Section 2. This Resolution shall take effect immediately from and after its passage in accordance with the provisions of the law.

PASSED AND APPROVED this 11th day of December, 201⁸, by the
Board of Trustees for the Garland Independent School District.

GARLAND INDEPENDENT SCHOOL DISTRICT

By: Jed M. Reed
Jed Reed
President, Board of Trustees

ATTEST:

Robert L. Selders, Jr.
Robert Selders, Jr.
Secretary, Board of Trustees
Garland Independent School District

814 Waikiki Map and Picture



26574500030040000



GARLAND
CITY COUNCIL ITEM SUMMARY SHEET

City Council Regular Session Agenda

.12.

Meeting Date: 03/19/2019

Item Title: Sale of Property - 134 E. Kingsley Road

Submitted By: Corey Worsham, Tax Administrator

Summary of Request/Problem

At the March 4, 2019 City Council Work Session, Council was briefed on the potential sale of property located at 134 E. Kingsley Road. The City of Garland has received an unsolicited offer from Mr. Jeff Robertson related to the purchase of City owned property obtained through a 2010 Sheriff's Sale. Mr. Robertson has presented an offer of \$16,787.88 for the property. The City of Garland will receive \$4,666.29 from the proceeds of this sale.

Recommendation/Action Requested and Justification

Staff recommends that the City Council accept the offer and sell the property to Mr. Jeff Robertson. This property has been held by the City of Garland since 2010 and pursuant to Section 34.05 of the Texas Property Tax Code it may be resold to a private entity with approval of the governing body.

Attachments

134 Kingsley - Resolution

134 Kingsley - Offer

134 Kingsley - Deed

134 Kingsley - County Consent

134 Kingsley - GISD Consent

134 Kingsley - Map and Picture

RESOLUTION NO. _____

A RESOLUTION AGREEING TO THE SALE OF CERTAIN PROPERTY LOCATED WITHIN THE CITY OF GARLAND AND OWNED BY TAXING AUTHORITIES INCLUDING THE CITY OF GARLAND AS THE RESULT OF A TAX SALE; AUTHORIZING THE MAYOR TO EXECUTE A DEED WITHOUT WARRANTY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, taxing entities including the City of Garland, Texas, have become owners of certain real property by virtue of a foreclosure sale conducted pursuant to an order of the 193rd Judicial District Court of Dallas County, Texas in cause number TX07-41768, and

WHEREAS, it is to the benefit of all taxing entities that the property ultimately be returned to the tax rolls

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

Section 1

The City does hereby consent to the sale by public sale 134 Kingsley Road, situated in the City of Garland, Count of Dallas, State of Texas, to wit:

BEING LOT 5, BLOCK D OF THE VALLEY VIEW ADDITION TO THE CITY OF GARLAND, A/K/A 134 E. KINGSLEY ROAD, CITY OF GARLAND, DALLAS COUNTY, TEXAS AS DESCRIBED IN VOLUME 897, PAGE 0611 OF THE DALLAS COUNTY DEED RECORDS (the "Property").

Section 2

That the Mayor is hereby authorized to execute a deed without warranty in the form and substance of that attached hereto as Exhibit "A".

Section 3

This Resolution shall take effect immediately from and after its passage in accordance with the provisions of the law.

PASSED AND APPROVED this the _____ day of _____, 2019.

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary



J. DOUGLAS BURNSIDE
Attorney at Law
1919 S. Shiloh Rd, Ste 310, LB 40
Garland, Texas 75042
p: 972-278-8282
f: 972-278-8222
w: www.pbfcml.com

November 6, 2018

Mr. Corey Worsham
Tax Assessor/Collector
City of Garland
217 N. 5th Street
Garland, Texas 75040

Via electronic-mail

Re: Offer from Jeff Robertson to purchase
134 Kingsley Road, Garland, Texas

Dear Mr. Worsham:

Jeff Robertson has offered to purchase 134 Kingsley Road, Garland, Texas (BEING LOT 5, BLOCK D OF THE VALLEY VIEW ADDITION TO THE CITY OF GARLAND, A/K/A 134 E. KINGSLEY ROAD, CITY OF GARLAND, DALLAS COUNTY, TEXAS AS DESCRIBED IN VOLUME 897, PAGE 0611 OF THE DALLAS COUNTY DEED RECORDS) for \$16,787.88. In addition to that amount, all post-judgment taxes for the years 2009-2010 will be paid at closing. The total amount of post-judgment taxes will be approximately \$1,212.12 of which the City of Garland will receive approximately \$276.48.

This property was sold at a Sheriff's Sale on May 4, 2010 pursuant to delinquent tax collection suit number TX07-41768. There were no bidders and the property was struck off to the City of Garland for itself and on behalf of the other taxing jurisdictions. The property was struck off for the assessed value in the judgment, \$39,350.00.

The property's most recent value according to the Appraisal District is \$18,000.00. The total judgment amount was \$81,404.94, which includes taxes, penalties and interest, costs of court, and costs of sale.

Pursuant to the Texas Property Tax Code, City reimbursement for post-sale maintenance, court costs and costs of sale must be paid first out of the proceeds of a resale. Those expenses and costs total \$5,033.52. The remainder would be distributed to the taxing jurisdictions pro-rata. A breakdown of amounts each taxing entity will receive is enclosed.

Because the purchase price is less than either the Judgment amount of taxes and court costs, \$81,404.94, or the market value as stated in the judgment, \$39,350.00, all jurisdictions included in the judgment must consent to the sale. Our office will obtain the necessary consent for the sale to proceed.

If the City decides to accept this offer, enclosed for execution is a Special Warranty Deed our office prepared for this resale. When the Deed is executed, please return it to me so that I may finalize the transaction.

If you have any questions or need additional information, please do not hesitate to call me.

Sincerely,

A handwritten signature in blue ink, appearing to read "J. Douglas Burnside", is written over a light blue rectangular background.

J. Douglas Burnside

Enclosure

Re-sale Disbursement Worksheet
City of Garland

CAD Acct #:	26617500040050000
Property address:	134 E. Kingsley Road
Cause No.:	TX07-41768
Judgment Date:	September 29, 2009
Sheriff's Sale Date:	May 4, 2010
Judgment amount:	GISD 2004-2008 taxes \$7,974.86 (55.1%)
	City 2004-2008 taxes \$3,558.96 (24.6%)
	County 2004-2008 taxes \$2,942.32 (20.3%)
Total Judgment for Taxes:	\$14,476.14
City Abatement Liens:	\$6,482.60
City Demolition Lien:	\$5,091.00
City Civil Penalties Lien:	\$40,049.76
Court costs:	\$1,939.00
Sheriff's fees for sale:	\$1,285.14
Publication fees for sheriff's sale, paid by Perdue Brandon:	\$309.38
Total Costs:	\$3,533.52

Checks to be disbursed as follows:

1.	Dallas County District Clerk	\$1,939.00
2.	Dallas County Sheriff	\$1,285.14
3.	Perdue Brandon Fielder Collins & Mott, LLP	\$309.38
4.	City of Garland (administrative fee)	\$1,500.00
5.	City of Garland (Pro-rata Judgment tax year distribution)	\$2,889.81
6.	Garland ISD (Pro-rata Judgment tax year distribution)	\$6,475.44
7.	Dallas County (Pro-rata Judgment tax year distribution)	\$2,389.11
	TOTAL Judgment Distribution	\$16,787.88

Post Judgment Distribution:

8.	City of Garland (Post Judgment tax year distribution)	\$276.48
9.	Garland ISD (Post Judgment tax year distribution)	\$621.40
10.	Dallas County (Post Judgment tax year distribution)	\$314.24
	TOTAL Post Judgment Distribution	\$1,212.12

	TOTAL Distribution	\$18,000.00
--	---------------------------	--------------------

DEED WITHOUT WARRANTY

THE STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF DALLAS §

That the **City of Garland**, a Texas home-rule municipality ("Grantor"), for and in consideration of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration to Grantor, the receipt and sufficiency of which is hereby acknowledged, paid in hand by **Jeff Robertson, P.O. Box 3603, McKinney, TX 75070** ("Grantee"), has GRANTED, SOLD and CONVEYED, and by these presents does GRANT, SELL and CONVEY unto Grantee that certain lot, tract, or parcel of land, commonly known as **134 E. Kingsley Road**, situated in the City of Garland, County of Dallas, State of Texas, to wit:

**BEING LOT 5, BLOCK D OF THE VALLEY VIEW ADDITION
TO THE CITY OF GARLAND, A/K/A 134 E. KINGSLEY ROAD,
CITY OF GARLAND, DALLAS COUNTY, TEXAS AS
DESCRIBED IN VOLUME 897, PAGE 0611 OF THE DALLAS
COUNTY DEED RECORDS (the "Property").**

This Deed Without Warranty is subject to:

- (i) any and all visible and apparent easements and encroachments, whether of record or not;
- (ii) any and all covenants, conditions, reservations, restrictions, exceptions, easements, rights-of-way, mineral interests, mineral leases, or other instruments of record applicable to the land or any part thereof;
- (iii) rights of the public to any portion of the above described property lying within the boundaries of dedicated or existing roadways or which may be used for road or street purposes;
- (iv) rights of parties in possession; and
- (v) any right of redemption as specified in Chapter 34, Subchapter B, Texas Property Tax Code.

It is understood and agreed that Grantor is not making any warranties or representations of any kind or character, express, implied or statutory, with respect to the Property, its physical condition or any other matter or thing relating to or affecting the Property and that the Property is being conveyed and transferred to Grantee "AS IS, WHERE IS, AND WITH ALL FAULTS." Grantor does not warrant or make any representations, express or implied, as to fitness for a particular purpose, merchantability, design, quantity, physical condition, operation compliance with specifications, absence of latent defects or compliance with laws and regulations (including, without limitation, those relating to zoning, health, safety and the environment) or any other matter affecting the Property.

THIS DEED IS MADE WITHOUT WARRANTY, EXPRESS OR IMPLIED, AND GRANTOR EXPRESSLY DISCLAIMS, EXCEPTS AND EXCLUDES ANY AND ALL WARRANTIES OF TITLE OR OTHERWISE FROM THIS CONVEYANCE, INCLUDING, WITHOUT LIMITATION, ANY WARRANTIES ARISING UNDER COMMON LAW OR STATUTE.

The intent of this Deed Without Warranty is to transfer the Property foreclosed on by the Grantor taxing jurisdictions in Cause TX07-41768 in the 193rd Judicial District Court, Dallas County, Texas, and no more.

When the context requires, singular nouns and pronouns include the plural.

TO HAVE AND TO HOLD the Property, together with all and singular the rights and appurtenances thereto and in anywise belonging unto Grantee, his heirs, successors and assigns forever; **WITHOUT WARRANTY AND SUBJECT IN ALL RESPECTS TO THE DISCLAIMERS SET FORTH ABOVE.**

EXECUTED on the dates set forth in the acknowledgements below, to be EFFECTIVE on the _____ day of _____ 201_.

GRANTOR:

CITY OF GARLAND, a Texas home-rule
municipality

By: _____

Title: _____

THE STATE OF TEXAS §
 §
COUNTY OF DALLAS §

The foregoing instrument was acknowledged before me on the _____ day of _____, 201_, by _____, in her capacity as Mayor of the City of Garland.

NOTARY PUBLIC, STATE OF TEXAS

PRINTED NAME OF NOTARY

MY COMMISSION EXPIRES:

**COURT ORDER
2018-1519**



Request to Consent to Sale of Tax Foreclosed Properties Struck off to the
City of Garland, Trustee: 134 E. Kingsley Road, 184 Waikiki

On a motion made by Commissioner John Wiley Price, District 3, and seconded by Commissioner Dr. Theresa M. Daniel, District 1, the following order was passed and adopted by the Commissioners Court of Dallas County, State of Texas:

BRIEFING DATE: 12/18/2018
FUNDING SOURCE: N/A

Be it resolved and ordered that the Dallas County Commissioners Court does hereby consents in its own behalf, and on behalf of the Dallas County Community College District, the Parkland Hospital District, and the Dallas County School Equalization Fund, to the sale of the tax foreclosed properties at 134 E. Kingsley Road and 814 Waikiki Drive in the City of Garland, further described in Exhibit "A", attached hereto and made a part hereof, to the highest qualified purchasers, even if the amounts tendered are less than the market values of the properties specified in the respective judgments of foreclosure or the total amount of the judgments against each respective property in compliance with Section 34.05(i) of the Property Tax Code, subject to the previous owner's remaining right of redemption, if any, and to the purchaser's obligation to pay post judgment taxes, if any, and the pro rata property taxes for the remaining part of the current year.

Done in open court December 18, 2018, by the following vote:

IN FAVOR: Honorable Clay Lewis Jenkins, County Judge
Commissioner Dr. Theresa M. Daniel, District 1
Commissioner Mike Cantrell, District 2
Commissioner John Wiley Price, District 3
Commissioner Dr. Elba Garcia, District 4

OPPOSED: None

ABSTAINED: None

Recommended by: Alberta Blair
Originating Department: Public Works

ABSENT: None

Recommended by: Alberta Blair
Originating Department: Public Works

EXHIBIT "A"

TAX FORECLOSURE PROPERTIES STRUCK OFF TO THE CITY OF GARLAND
AS TRUSTEE FOR GARLAND I.S.D. AND DALLAS COUNTY

R&B DIST.	PROPERTY ADDRESS/ MAPSCO #	JUDGMENT CAUSE #	TAX YEARS INCLUDED IN JUDGMENT (COUNTY, CITY, SCHOOL)	DATE OF SHERIFF'S SALE	TAX ACCOUNT #	IMPROVED / UNIMP.	LAND SIZE (APPROX.)	Court Costs	CURRENT DCAD VALUE	MARKET VALUE IN JUDGMENT	STRIKE OFF AMOUNT	OFFER AMOUNT	POST JUDGMENT TAX YEARS & AMOUNT OWED (through month/year) if applicable)	% OF DCAD VALUE (Offer Amt + Post Judgment Taxes (if applicable))	PURSUANT TO TAX CODE
1	134 E. Kingsley Rd., Garland 29A-N	TX-07-41768 9/28/2009	County: 2004-2008 City: 2004-2008 GISD: 2004-2008	5/4/2010	26617500040050000	U	7.976 SF	\$3,533.52	\$18,000.00	\$39,350.00	\$39,350.00	\$16,787.88	2009-2010 \$1,212.12	100%	34.05 (i)
1	814 Waikiki Dr., Garland 29A-Z	TX-10-40035 9/14/2011	County: 1994-1999, 2002- 2010 City: 1996-2010 GISD: 1997-2010	3/6/2012	26574500030040000	U	7.366 SF	\$5,184.19	\$20,000.00	\$67,780.00	\$44,202.58	\$15,577.96	2011-2012 \$4,422.04	100%	34.05 (i)

RESOLUTION

A RESOLUTION AUTHORIZING THE CITY OF GARLAND TO RE-SELL TAX FORECLOSED PROPERTY LOCATED AT 134 E. KINGSLEY ROAD, GARLAND, TEXAS, BY PUBLIC OR PRIVATE SALE, AS PROVIDED BY SECTION 34.05 OF THE TEXAS PROPERTY TAX CODE

WHEREAS, pursuant to a delinquent tax collection lawsuit and tax foreclosure sale, the property located at 134 E. Kingsley Road, Garland, Texas, ("The Property") was struck off to the City of Garland on its own behalf and as Trustee for the Garland Independent School District and Dallas County, pursuant to Section 34.01(j) of the Property Tax Code, and

WHEREAS, Garland Independent School District desires to resell The Property pursuant to Section 34.05 of the Property Tax Code for an amount not less than \$16,787.88, and

WHEREAS, Garland Independent School District desires to authorize the City of Garland to act as Trustee to offer The Property for sale pursuant to Section 34.05 of the Texas Property Tax Code,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE GARLAND INDEPENDENT SCHOOL DISTRICT, GARLAND, TEXAS THAT:

Section 1. The Garland Independent School District does hereby provide specific authorization to the City of Garland to act as Trustee to offer for sale by public or private sale 134 E. Kingsley Road, Garland, Texas, more fully described in Exhibit "A," attached hereto and made a part hereof, and the Board of Trustees for Garland Independent School District does hereby consent to the sale of 134 E. Kingsley Road, Garland, Texas for an amount not less than \$16,787.88 in compliance with Section 34.05 of the Texas Property Tax Code, and each taxing unit entitled to receive proceeds of the sale consents to the sale for that amount.

Section 2. This Resolution shall take effect immediately from and after its passage in accordance with the provisions of the law.

PASSED AND APPROVED this 11th day of December, 2018, by the
Board of Trustees for the Garland Independent School District.

GARLAND INDEPENDENT SCHOOL DISTRICT

By Jed M. Reed
Jed Reed
President, Board of Trustees

ATTEST:

Robert L. Selders, Jr.
Robert Selders, Jr.
Secretary, Board of Trustees
Garland Independent School District

134 E Kingsley Road Map and Pictures





**GARLAND
CITY COUNCIL ITEM SUMMARY SHEET**

City Council Regular Session Agenda

13.

Meeting Date: 03/19/2019

Item Title: 2019-2020 CDBG, HOME and ESG Federal Grant Allocation

Submitted By: Mona Woodard, Neighborhood Services Administrator

Summary of Request/Problem

At the March 18, 2019 Work Session, City Council was provided background information regarding anticipated 2019-2020 CDBG, HOME and ESG entitlement funding and submitted application requests.

As part of the allocation process, a public hearing is required to solicit comments from any interested parties relating to 2019-2020 CDBG, HOME and ESG grants.

Recommendation/Action Requested and Justification

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



GARLAND PLANNING REPORT

City Council Regular Session Agenda

14.

Meeting Date: 03/19/2019

Item Title: Z 19-01 Tread Source LLC (District 6)

Submitted By: Josue De La Vega, Sr. Development Planner

REQUEST

Approval of a Specific Use Provision (SUP) for Truck/Bus Repair on a property zoned Industrial (IN) District.

OWNER

Realm Management LLC (Danny Ralhan)

PLAN COMMISSION RECOMMENDATION

On February 25, 2019 the Plan Commission, by a vote of five (5) to zero (0), recommended approval of a Specific Use Provision (SUP) for Truck/Bus Repair for a period of fifteen (15) years, with the provision that trees are planted as applicable every seventy-five (75) feet on center along the two street frontage areas.

STAFF RECOMMENDATION

Approval of a Specific Use Provision (SUP) for Truck/Bus Repair for a period of fifteen (15) years.

BACKGROUND

The applicant makes the above request to allow the operation of a truck/bus repair shop on a 1.8-acre lease area (subject site) developed with a building and parking area. The Garland Development Code (GDC) defines Truck/Bus Repair as an establishment that provides major and minor repairs to trucks, buses, trailers, and other heavy load vehicles. The term includes no outside storage except the parking of vehicles being repaired, which may remain on-site for no longer than ninety (90) calendar days.

SITE DATA

The site contains approximately 1.8 acres with 165 lineal feet of frontage along South Shiloh Road and 500 lineal feet of frontage along Marquis Drive. The site is accessed from Marquis Drive.

USE OF PROPERTY UNDER CURRENT ZONING

The Industrial (IN) District is intended to provide for a wide range of industrial uses that are generally not compatible adjacent to residential neighborhoods, and may or may not be compatible with some nonresidential uses. Such uses include manufacturing, processing, assembling, research and development, and warehousing and distribution. The Industrial (IN) District also accommodates support services for industrial development such as office, commercial, personal and professional services, and limited retail activities. Truck/Bus Repair is allowed only upon approval of a Specific Use Provision (SUP).

CONSIDERATIONS

1. The site is currently developed with a 4,843-square foot building and a parking area with thirty-nine (39) parking spaces. The site, prior to becoming vacant, was occupied by a truck/bus repair shop that was permitted by right under the ordinance that preceded the GDC. However, under the GDC all new truck/bus repair shops are permitted only with the approval of a Specific Use Provision (SUP). The applicant is proposing to establish a new truck/bus repair shop (not associated with the previous truck/bus repair shop) that would be open Monday through Friday from 8:00 a.m. to 5:00 p.m. and Saturday from 8:00 a.m. to 12:00 p.m. The applicant would occupy the site as is with no proposals for building expansions or redevelopment.
2. The GDC establishes a parking requirement of eight (8) customer/employee parking spaces for the proposed truck/bus repair shop. Of the thirty-nine (39) existing parking spaces, fourteen (14) will be dedicated for customers and employees while the remaining will be reserved for the parking of vehicles being repaired, which per the GDC may remain on-site for no longer than ninety (90) calendar days.
3. Given that the scope of the site improvements under this request is limited to the interior of the building, neither screening/landscape standards nor building design standards are triggered.
4. The applicant requests the Specific Use Provision (SUP) to be in effect for a period of fifteen (15) years.

COMPREHENSIVE PLAN

The Future Land Use Map of the Envision Garland Plan recommends Industry Center for the subject property. Industry Centers provide a cluster of trade and industry that cumulatively employ large numbers of people. Operations may include such elements as semi-truck traffic, loading docks, and visible outdoor storage. Overall, the architecture, character, scale, and intensity should be compatible with adjacent development types. Industry Centers range in scale and intensity based on the surrounding vicinity and may consist of one or more buildings. This development type includes a variety of primary and secondary uses that support the industry employment sector.

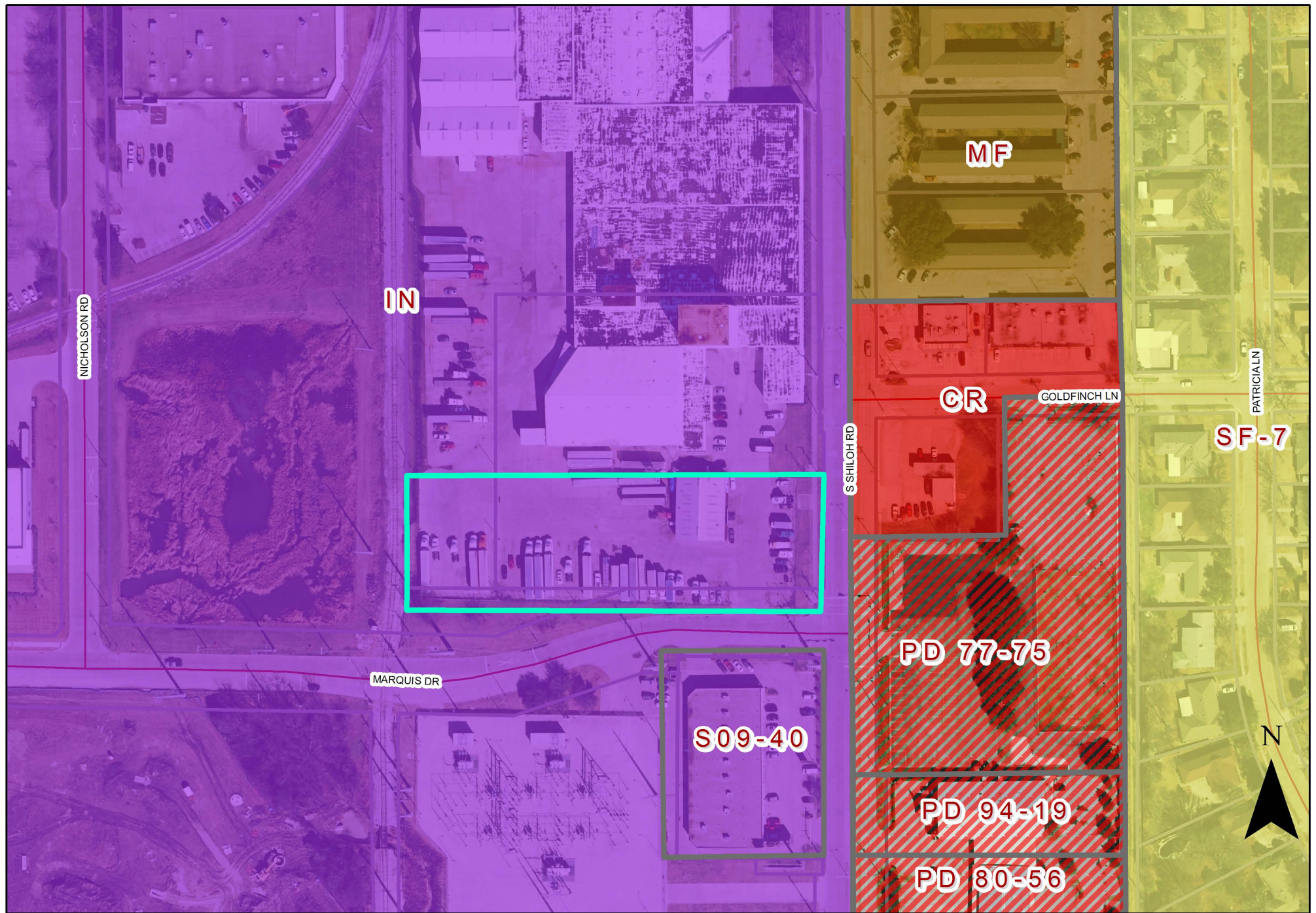
COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

The properties to the north, west and south are primarily zoned Industrial (IN) District and developed with buildings that are currently utilized for manufacturing, light industrial and heavy commercial uses. The properties to the east, across South Shiloh Road, are zoned for Community Retail (CR) Uses and Multi-Family (MF) Uses; these properties are developed with an auto repair shop, a convenience store, a commercial multi-tenant building and an apartment complex. Further east, the properties are zoned Single-Family-7 (SF-7) District and developed as a residential neighborhood; however, these properties do not have any adjacency or direct visibility to the subject property.

With the exception of the properties immediately to the east, the nature of the subject property and most of the properties by which it is surrounded is primarily industrial and heavy commercial; the proposed truck/bus repair shop should not impact the character established in the area.

Attachments

Z 19-01 Tread Source LLC Attachments and Exhibit
Z 19-01 Tread Source LLC Notification Responses
Z 19-01 Tread Source LLC Staff Presentation



0 100 200 Feet
1 inch = 156 feet

Zoning Map Z 19-01



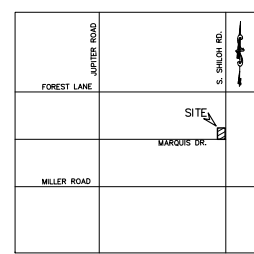
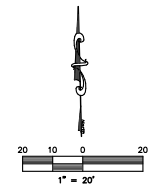
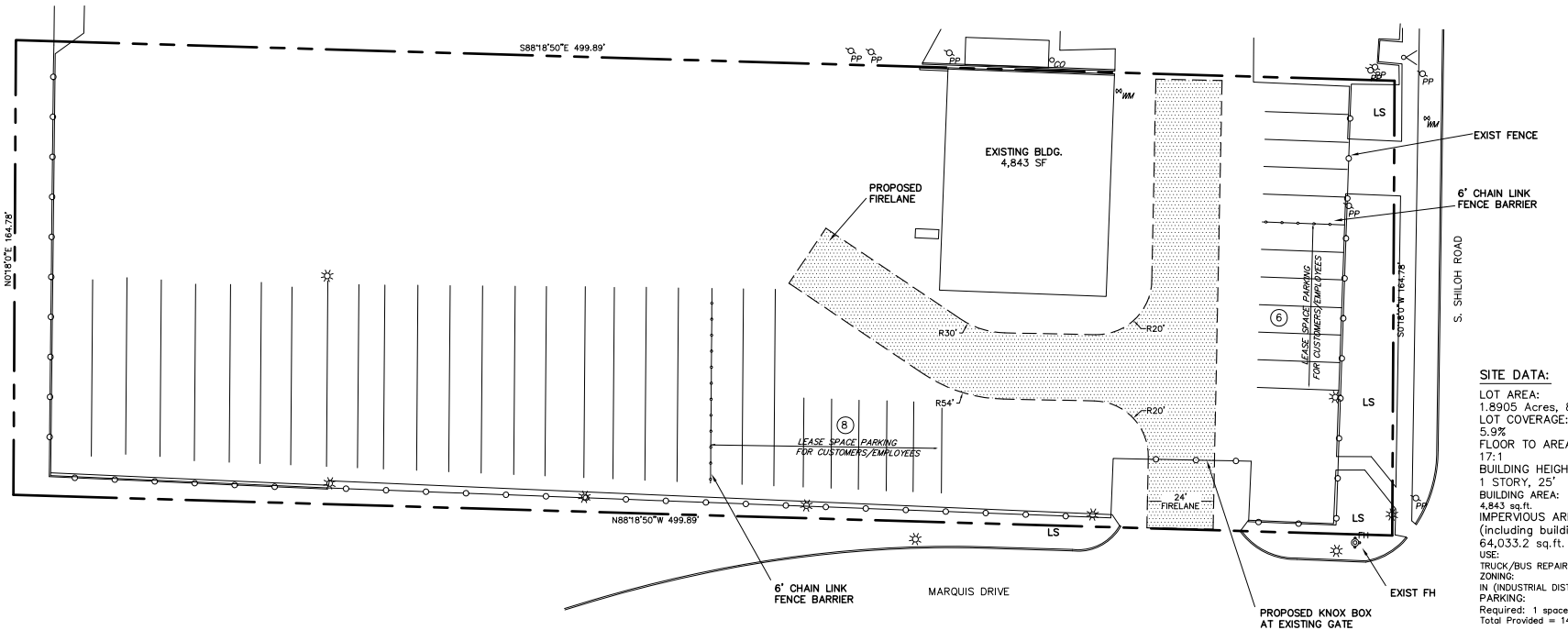
INDICATES AREA
OF REQUEST

SPECIFIC USE PROVISION CONDITIONS

ZONING FILE Z 19-01

1305 South Shiloh Road

- I. Statement of Purpose:** The purpose of this Specific Use Provision is to allow Truck/Bus Repair.
- II. Statement of Effect:** This Specific Use Provision shall not affect any regulation found in the Garland Development Code, Ordinance No. 6773, as amended prior to adoption of this ordinance, except as specifically provided herein.
- III. General Regulations:** All regulations of the Industrial (IN) District as set forth in Chapter 2 of the Garland Development Code, Ordinance 6773, are included by reference and shall apply, except as otherwise specified by this ordinance.
- IV. Development Plans:**
- A. Site Layout: The site should be in general conformance with the approved site plan labeled Exhibit C. In the event of conflict between the conditions and the site plan, the conditions listed below are to apply.
- V. Specific Use Provision:**
- A. SUP Time Period: The Specific Use Provision for Truck/Bus Repair shall be in effect for a period of fifteen (15) years and shall apply only to the area depicted on the approved site plan labeled Exhibit C.
- B. Outside Storage and Parking: Outside storage of trucks, buses, trailers, equipment and any other vehicles is prohibited except the parking of vehicles being repaired, which may remain on-site for no longer than ninety (90) calendar days.
- C. Truck/Bus Repairs: All repairs and services shall be conducted inside the existing building (indoors).



LEGEND

- = PROPERTY LINE
- EX. # = EX. WATER
- EX. SS = EX. SANITARY SEWER
- SS = EX. SS MANHOLE
- CO = EX. SS CLEANOUT
- GM = EX. GAS METER
- WM = EX. WATER METER
- T = EX. WATER VALVE
- LP = EX. LIGHT POLE
- PP = EX. POWER POLE
- TP = EX. TELEPHONE BOX
- SM = EX. SWELL MANHOLE
- FH = EX. FIRE HYDRANT
- [Dashed Line] = PROPOSED FIRELANE

SITE DATA:

LOT AREA:
1.8905 Acres, 82,349.93 sq. ft.
LOT COVERAGE:
5.9%
FLOOR TO AREA RATIO:
17:1
BUILDING HEIGHT:
1 STORY, 25'
BUILDING AREA:
4,843 sq.ft.
IMPERVIOUS AREA
(including buildings):
64,033.2 sq.ft.
USE:
TRUCK/BUS REPAIR
ZONING:
IN (INDUSTRIAL DISTRICT)
PARKING:
Required: 1 space/600 (4843/600) = 8
Total Provided = 14

NOTES:

- 1) SITE IS FULLY DEVELOPED
NO WATER/SEWER REQ'D.
- 2) A KNOX BOX IS REQUIRED ON
GATES BLOCKING FIRELANE.

NOTES:

- 1) ALL WORK MUST CONFORM TO CITY OF GARLAND
& NCTCOG STANDARDS AND DETAILS 3rd EDITION.
- 2) ALL WORK IN PUBLIC RIGHT-OF-WAY SHALL
CONFORM TO CITY OF GARLAND STANDARDS
AND DETAILS
- 3) SEE PLAT FOR ALL INFORMATION REGARDING
EASEMENTS, PROPERTY LINES, ETC.

WARNING:

PRIOR TO THE BEGINNING OF ANY CONSTRUCTION
OR CONSTRUCTION STAKING, IT SHALL BE THE
CONTRACTOR'S RESPONSIBILITY TO CONTACT THE
CIVIL ENGINEER TO ENSURE THAT ALL PARTIES ARE
IN POSSESSION OF THE MOST CURRENT SET OF
CONSTRUCTION DOCUMENTS.

NOTE:

THE CONTRACTOR SHALL BE RESPONSIBLE FOR FIELD VERIFYING THE LOCATION OF ALL EXISTING UTILITIES AND EASEMENTS PRIOR TO START OF OPERATIONS. CONTRACTOR WILL NOTIFY THE OWNER'S REPRESENTATIVE OF ANY DISCREPANCIES PRIOR TO STARTING THE WORK. EXISTING UTILITIES AND UNDERGROUND FACILITIES INDICATED ON THESE PLANS HAVE BEEN LOCATED FROM REFERENCE INFORMATION. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY BOTH THE HORIZONTAL AND VERTICAL LOCATION OF ALL EXISTING UTILITIES AND UNDERGROUND FACILITIES PRIOR TO START OF CONSTRUCTION. TAKE THE NECESSARY PRECAUTIONS IN ORDER TO PROTECT ALL FACILITIES ENCOUNTERED. THE CONTRACTOR SHALL PRESERVE AND PROTECT ALL EXISTING UTILITIES FROM DAMAGE DURING CONSTRUCTION.



SUP SITE PLAN

1305 S. SHILOH RD.

City of Garland, Dallas County, Texas

ORIGIN
TREAD SOURCE
802 Nicholson, Garland Texas 75042
Contact: Mark Madson 214-228-8787

prepared by
MONK CONSULTING ENGINEERS

1200 W. State Street, Garland Texas 75040
972 272-1763 Fax 972 272-8761

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REG. NO: F-2567

date: 1/8/19 scale: 1"=20' sheet: C101

REPORT & MINUTES

P.C. Meeting, February 25, 2019

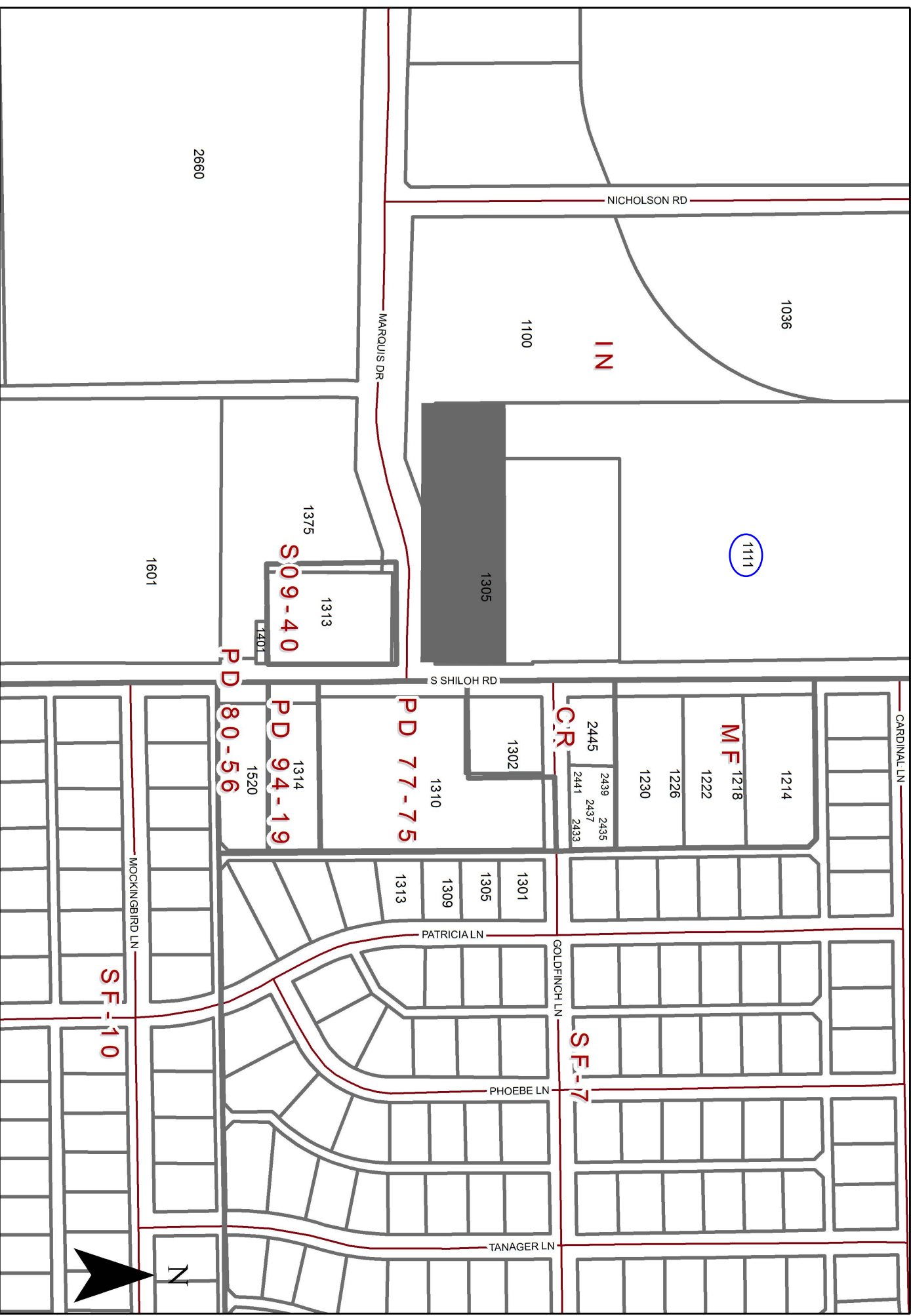
Consideration of the application of **Tread Source LLC**, requesting approval of a Specific Use Provision (SUP) for Truck/Bus Repair on a property zoned Industrial (IN) District. This property is located at 1305 South Shiloh Road. (District 6) (File Z 19-01)

The applicant, Mark Madison, 5301 Brougham Lane, Plano, Texas 75023 provided a brief overview of the request, their willingness to add trees to the frontage areas, and the storage time of vehicles on the property.

Commissioner Welborn inquired as to adding trees along the frontage areas.

Commissioner Edwards inquired as to the maximum storage time for vehicles on the property.

Motion was made by Commissioner Ott, to **approve** the application as presented and to amend by adding trees as applicable every 75 feet along both frontage areas. Seconded by Commissioner Welborn. **Motion carried: 5 Ayes, 0 Nays.**



0 150 300 Feet
1 inch = 249 feet

Zoning Map Z 19-01

INDICATES AREA
OF REQUEST



GARLAND

February 13, 2019

CITY OF GARLAND
PLANNING DEPARTMENT
P.O. BOX 469002
GARLAND, TX 75046-9002

HEARING DATE/TIME: Plan Commission: February 25, 2019 – 7:00 PM

APPLICANT: Tread Source LLC

File Z 19-01

Dear Property Owner:

A public hearing will be held by the Plan Commission of the City of Garland, Texas, at 7:00 P.M. Monday, February 25, 2019, in the Council Chambers of the William E. Dollar Municipal Building (City Hall), 200 North Fifth Street, to consider the application of **Tread Source LLC**, requesting approval of a Specific Use Provision (SUP) for Truck/Bus Repair on a property zoned Industrial (IN) District. The property is shown on the enclosed sketch and is described as follows:

BEING a portion of Lot 1, Block A of Globe Union Addition, an addition to the City of Garland, Texas according to the plat recorded in Volume 71125, Page 2122 of the Official Public Records of Dallas County, Texas, and a portion of a tract of land situated in the Benjamin Dye Survey, Abstract No. 415 of the Official Public Records of Dallas County, Texas. **The property is located at 1305 South Shiloh Road. (District 6)**

Note: The applicant makes the above request to allow the operation of a truck/bus repair shop on an already developed site (an area of approximately 1.8 acres with a building and parking area).

To convey any concerns or opinions regarding the aforementioned request, please complete the below-listed section and return that section using any of the following methods: mail to City of Garland, Planning Department, P.O. Box 469002, Garland, TX 75046-9002; fax to 972-205-2474; deliver to the Planning Department at 800 Main Street, Garland TX; or email Planning@Garlandtx.gov. It is important that your response include your property address, your name, and mailing address. Should you have any questions, please contact Josue De la Vega at 972-205-2454.

Para Español, por favor contactar a Josue De La Vega 972-205-2454.

(Please Check One Below)

☒ I am in favor of the request.

☐ I am opposed to the request.

Please include any comments you wish to provide supporting your position in the space provided below.

this change would have no effect on any existing businesses
or the residents in the area.

(Please complete the following information)

Your Property Address

Printed Name Copier Exporter Inc.
Address 1111 - 1301 S Shiloh RR Garland City, State TX Zip 75042

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

Signature [Signature] Title GM.

Date: 2-25-19

Z 19-01

**Approval of a Specific Use Provision (SUP) for Truck/Bus
Repair on a property zoned Industrial (IN) District**

**City Council Meeting
March 19, 2019**



GARLAND

TEXAS MADE HERE

Case Information

Location: 1305 South Shiloh Road

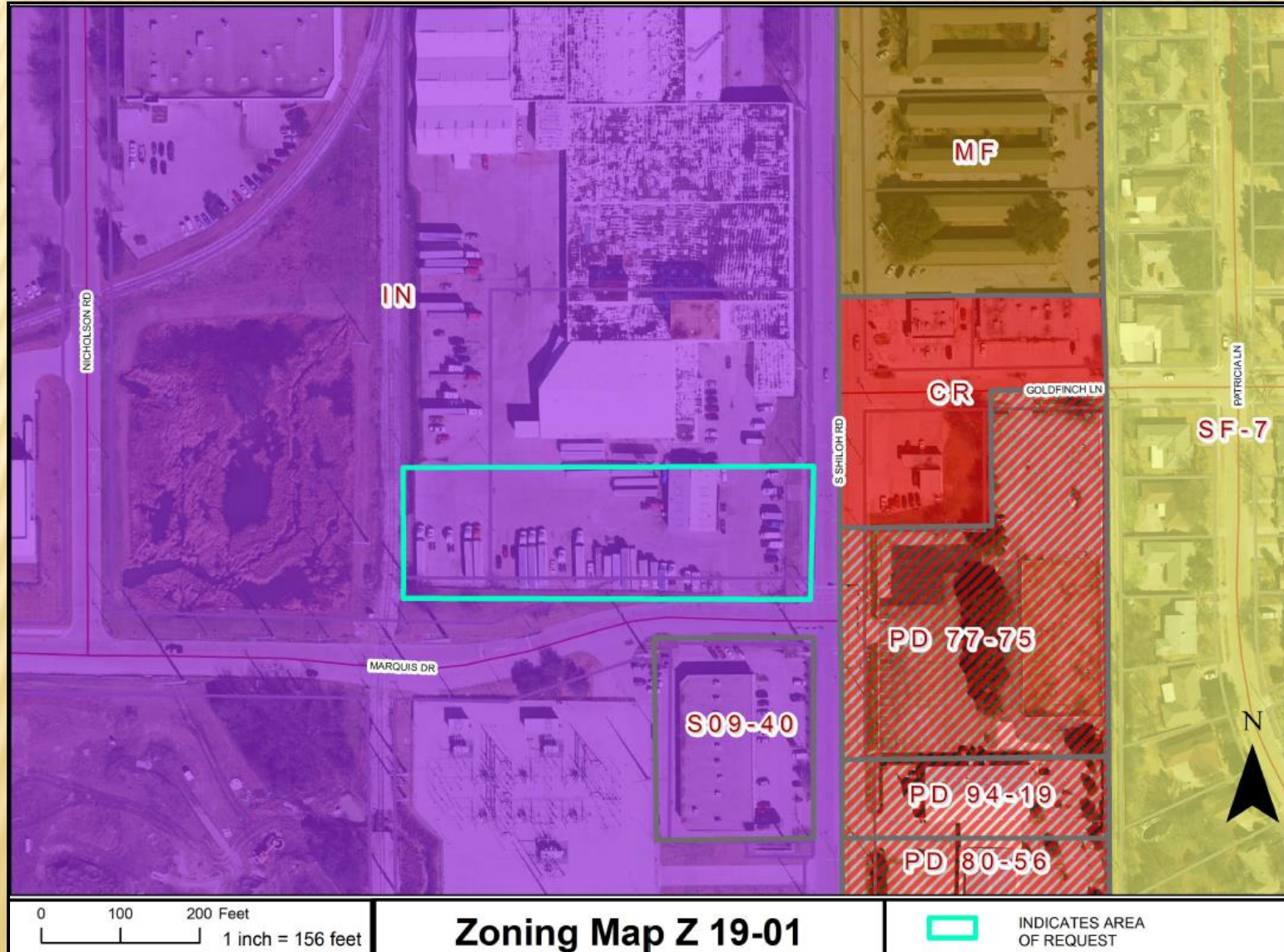
Applicant: Tread Source LLC

Owner: Realm Management LLC (Danny Ralhan)

Acreage: Approximately 1.8 acres

Zoning: Industrial (IN) District

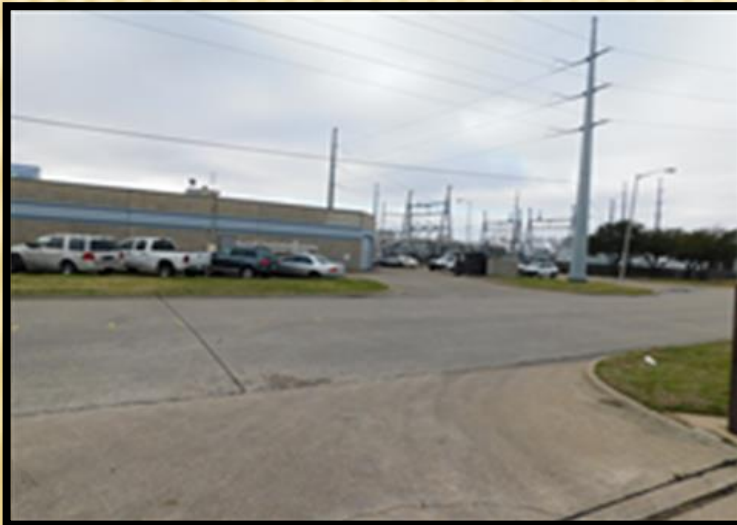
Location Map



Background



View of the subject property from Marquis Dr.



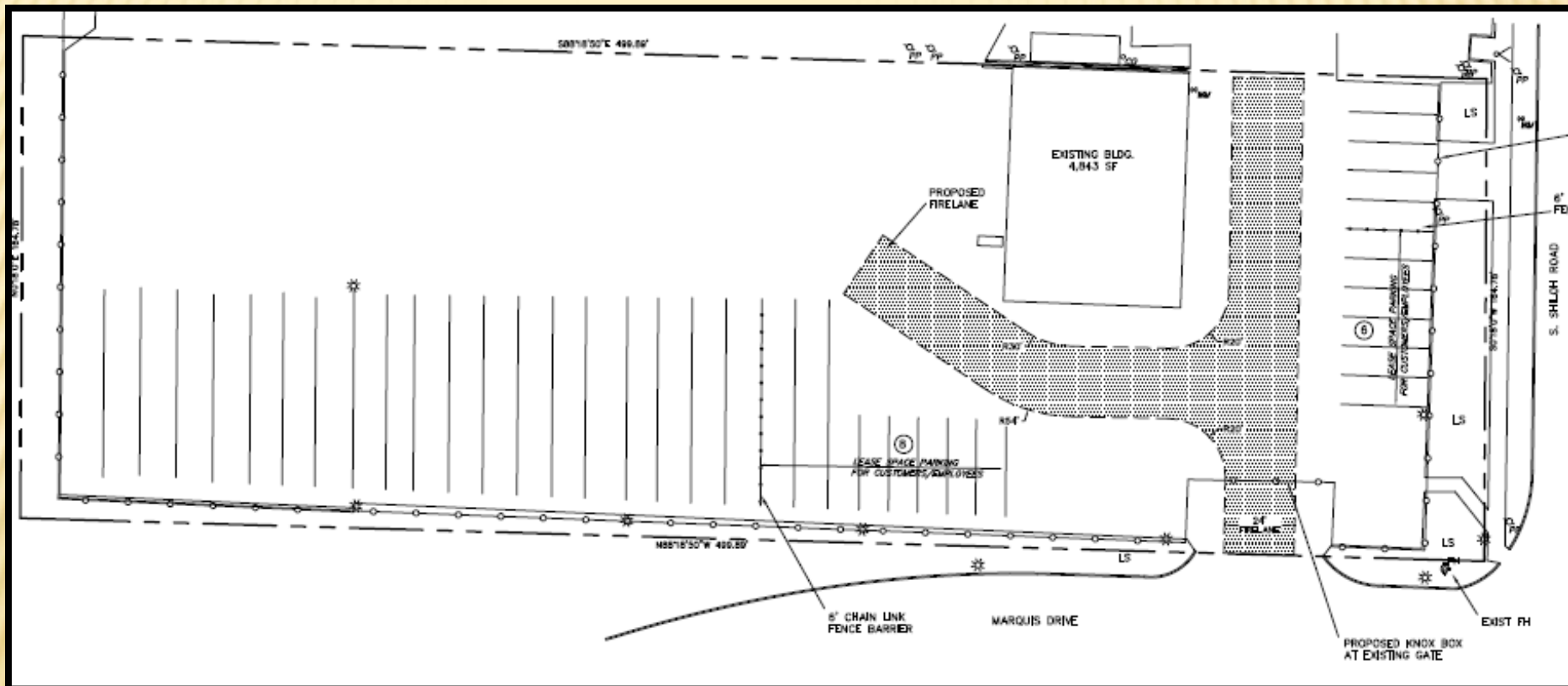
View of properties located to the south, across Marquis Dr. from the subject property

- An establishment that provides major and minor repairs to trucks, buses, trailers, and other heavy load vehicles.
- Outside storage of trucks, buses, trailers, equipment and any other vehicles is prohibited except the parking of vehicles being repaired, which may remain on-site for no longer than ninety (90) calendar days.
- All repairs and services shall be conducted inside the existing building (indoors).



View of properties located to the east, across Shiloh Rd. from the subject property.

Site Plan



Consideration

The applicant requests the Specific Use Provision (SUP) to be in effect for a period of fifteen (15) years.

Comprehensive Plan

The Future Land Use Map of the Envision Garland Plan recommends Industry Center for the subject property. Industry Centers provide a cluster of trade and industry that cumulatively employ large numbers of people. Operations may include such elements as semi-truck traffic, loading docks, and visible outdoor storage. Overall, the architecture, character, scale, and intensity should be compatible with adjacent development types. Industry Centers range in scale and intensity based on the surrounding vicinity and may consist of one or more buildings. This development type includes a variety of primary and secondary uses that support the industry employment sector.



GARLAND PLANNING REPORT

City Council Regular Session Agenda

15.

Meeting Date: 03/19/2019

Item Title: Z 18-41 Kimley-Horn (District 7)

Submitted By: Josue De La Vega, Sr. Development Planner

REQUEST

Approval of 1) an amendment to Planned Development (PD) 12-41 District, 2) an amended Concept Plan for Dwelling, Multi-Family and Office, Retail & Service Uses and 3) a Detail Plan for Dwelling, Multi-Family on a property zoned Planned Development (PD) 12-41 District for Mixed-Use.

OWNER

Campbell 190 Partners LLC

PLAN COMMISSION RECOMMENDATION

On February 25, 2019 the Plan Commission, by a vote of five (5) to zero (0), recommended approval of the application as presented, with the addition of picnic tables near the dog park area, and to allow painted poles on some of the carport areas rather than masonry columns.

STAFF RECOMMENDATION

Staff recommends approval of the request, with the provision of an additional recreational amenity along or within the green/wooded area on the western portion of Tract 1 as part of the proposed multi-family development, as further explained in Consideration 14.

BACKGROUND

In 2012 City Council approved Planned Development (PD) 12-41 District which establishes a wide range of detailed regulations including an approved Concept Plan (Exhibit G) for a mixed-use development that would be defined by pedestrian-oriented streetscape amenities, a diverse open space system, and a range of building types and uses that all combined would promote activity from the daytime through the evening. The intent through Planned Development (PD) 12-41 was to promote and regulate a mixed-use development that would serve the larger President George Bush Highway (SH 190) corridor by providing a center for living, commerce, community and recreation.

The approved Concept Plan (Exhibit G) divides the area under Planned Development (PD) 12-41 into four (4) blocks. In 2015 City Council approved a Detail Plan that combined Block 2 and Block 3 and allowed the construction of a multi-family development (The Towers at Spring

Creek) with 376 dwelling units, a 6,124-square foot restaurant with a drive-through, and a pad-site for a 1-story building with an area of 16,800 square feet for non-residential uses. Also in 2015, City Council approved a Detail Plan to allow the construction of a second multi-family development (The Mansions at Spring Creek) with 560 dwelling units on Block 4.

Planned Development (PD) 12-41 identifies the subject property as Block 1 on the approved Concept Plan and as an area prime for opportunities for more active retail and mixed-use development. As such, the allowable uses on the subject property include Community Retail, Senior Living, Multi-Family, Hotel and Health Care Uses.

The applicant proposes an amended Concept Plan for Block 1 and a Detail Plan for a multi-family development on an 8.96-acre portion of Block 1.

SITE DATA

Block 1 contains approximately 22.44 acres with approximately 1,100 lineal feet of frontage along the service road of SH 190 Highway, 815 linear feet of frontage along Mansions Drive, 760 lineal feet of frontage along Naaman Forest Boulevard and 250 lineal feet of frontage along Campbell Road.

USE OF PROPERTY UNDER CURRENT ZONING

Planned Development (PD) 12-41 allows Community Retail Uses, Senior Living, Hotel and Health Care Uses on Block 1 of the approved Concept Plan; Multi-Family is also permitted on Block 1 provided it is part of a mixed-use development (see Consideration No. 2). Furthermore, Planned Development (PD) 12-41 requires the approval of a Detail Plan on any portion of Block 1 prior to the issuance of development permits.

CONSIDERATIONS

Amended Concept Plan for Block 1:

1. The applicant has brought forward an amended Concept Plan (Exhibit C) that divides Block 1 of the approved Concept Plan into two tracts, Tract 1 (8.96 acres) and Tract 2 (13.48 acres). The amended Concept Plan assigns Multi-Family; Office, General and Personal Services as the three (3) allowable land uses on Tract 1 while it designates Office, Retail and Hotel as the three (3) allowable land uses on Tract 2. The permitted land uses for Tract 2 should be further refined or/and expanded upon the submittal of a subsequent Detail Plan for Tract 2.
2. Planned Development (PD) 12-41 allows Multi-Family Use on Block 1 only in a mixed-use development in which three (3) or more uses are present within Block 1 (e.g. a multi-family combined with office, hotel and retail). As mentioned above, the amended Concept Plan would establish non-residential land uses on Tract 1 and Tract 2 as well as requiring ground level dwelling units along Mansions Drive on Tract 1 to be constructed to accommodate eventual non-residential uses. This component of the amended Concept Plan is consistent with Planned Development (PD) 12-41 which requires at-grade units facing Mansions Drive to be constructed to accommodate non-residential uses. The applicant has expressed to staff and noted on the Detail Plan that the ground level units along Mansions Drive would be constructed in accordance with the aforementioned Planned Development (PD) 12-41 requirement but that such condition should not be

construed as an assurance that mixed-use (multi-family and non-residential uses) will occur on Tract 1 given that their intention is exclusively focused on developing multi-family on Tract 1.

Detail Plan for Tract 1:

3. **Unit Count and Density:** Planned Development (PD) 12-41 places limits on the number of multi-family units that could be developed on the entire Block 1 by limiting the number of dwelling units to 225 while it also establishes a minimum density of twenty-seven (27) dwelling units per net acreage. The applicant proposes a Detail Plan (Exhibit D through Exhibit F) on Tract 1 of Block 1 for the development of multi-family consisting of four (4) buildings identified on the Detail Plan as Building 1, Building 2, Building 3 and Building 4. This proposed multi-family development would provide a total of 225 dwelling units and a density of 28.99 dwelling units per net acreage.
4. **Unit Mix and Unit Sizes:** The proposed multi-family development would offer a unit mix of four (4) efficiency units, 140 one-bedroom units, seventy-two (72) two-bedroom units, and nine (9) three-bedroom units. Furthermore, the minimum area for the efficiency units would be 663 square feet, for the one-bedroom units 726 square feet, for the two-bedroom units 1,144 square feet and for the three-bedroom units 1,476 square feet; the minimum average dwelling unit area would be 930 square feet.
5. **Building Heights:** Planned Development (PD) 12-41 establishes a minimum height of thirty-six (36) feet for all multi-family buildings. Building 1 would have four (4) levels and a height of fifty-seven (57) feet while Buildings 2, 3 and 4 would have three (3) levels and a height of forty-five (45) feet.
6. **Parking:** Planned Development (PD) 12-41 prescribes a parking ratio of one (1) parking space for each bedroom. For a multi-family development with 315 bedrooms, 315 parking spaces are required. The proposed Detail Plan provides 339 parking spaces, of which 213 are surface parking spaces, seventy (70) parking spaces are provided under carports and fifty-six (56) parking spaces are provided in tuck under garages.
7. **Landscape Layout:** The proposed landscape layout (Exhibit E) is in compliance with the screening and landscape standards in Planned Development (PD) 12-41 and the Garland Development Code (GDC).
8. **Amenities:** The Garland Development Code (GDC) requires at least four (4) on-site amenities to be provided in the proposed multi-family development. The applicant proposes an on-site swimming pool, a fitness center, meeting/conference rooms and game/leisure rooms. These amenities would be located within Building 1 facing the pool/courtyard area.
9. **Building Design:** The proposed building elevations (Exhibit F) are in compliance with the building design standards in Planned Development (PD) 12-41.
10. **Signage:** The applicant has noted on the Site Plan (Exhibit D) that all signage will comply with all the applicable standards in Planned Development (PD) 12-41 and the Garland Development Code (GDC) including prohibiting freestanding signage with the exception of monument signs.

Deviations:

11. Planned Development (PD) 12-41 establishes minimum and maximum setbacks (build-to-zones); a minimum setback of twenty-two (22) feet and a maximum setback of thirty (30) feet along Naaman Forest Boulevard and a minimum setback of seventeen (17) feet and a maximum setback of twenty-five (25) along Mansions Drive, both measured from the back of the curb. Furthermore, Planned Development (PD) 12-41 requires at least eighty (80) percent of the building street frontage (the building facade facing the street) to be within the above established minimum and maximum setbacks; the applicant proposes to reduce this minimum percentage of building frontage within the minimum and maximum setbacks to fifty-two (52) percent for Building 1 along Mansions Drive.
12. Per Planned Development (PD) 12-41 any building feature, defined as architectural attachments to the primary building facade, may encroach up to four (4) feet from the building face into the minimum setback (beyond the build-to-zone). These features may include, but are not limited to stoops, planters and bay windows. The applicant proposes to increase the distance that these architectural attachments can encroach into the minimum setback to six (6) feet.
13. The Garland Development Code (GDC) requires at least fifty (50) percent of the required parking spaces in a multi-family development to be in attached enclosed garages and/or under detached multicar covered parking structures (carports). Additionally, each dwelling unit in the multi-family development must have at least one enclosed or covered parking space. Based on the aforementioned requirements, the proposed multi-family development would have to provide 225 enclosed and/or covered parking spaces. The applicant proposes to reduce the number of required enclosed and covered parking spaces to 126.

Outdoor Recreational Amenities:

14. The existing site contains a significant amount of mature trees with a creek along the western portion of the tract, offering an opportunity for recreational enjoyment for residents. While the applicant is proposing a dog park near the northwestern portion of the proposed development, staff recommends an additional recreational amenity within or along the green wooded area on the western side of Tract 1 as part of the proposed multi-family development. Additional amenities could include a pocket park, a picnic/gathering area, walking trail, or disc golf or other fitness amenities. Such amenities would enhance the character of the proposed multi-family development to a community that provides its residents a way to make full use of a green area that otherwise will remain underused or ignored. Moreover, there are numerous benefits to incorporating outdoor recreational features, including but not limited to providing a common space that promotes a sense of community and pride among the residents from the different developments within Planned Development (PD) 12-41 (The Towers at Spring Creek, The Mansions at Spring Creek and the proposed multi-family development, as well as future Tract 2), providing a more diverse open space system for the residents to enjoy which coincides with one of the goals of Planned Development (PD) 12-41 and fostering an active lifestyle as well as a physical environment that encourages pedestrian mobility. Should additional features be provided, staff encourages minimizing further tree loss in order to promote the enjoyment of the existing well-treed area.

COMPREHENSIVE PLAN

The Envision Garland Plan designates the subject property as Business Center. Business Centers provide a cluster of business offices and/or low impact industry, including campus-type developments, which cumulatively employ large numbers of people.

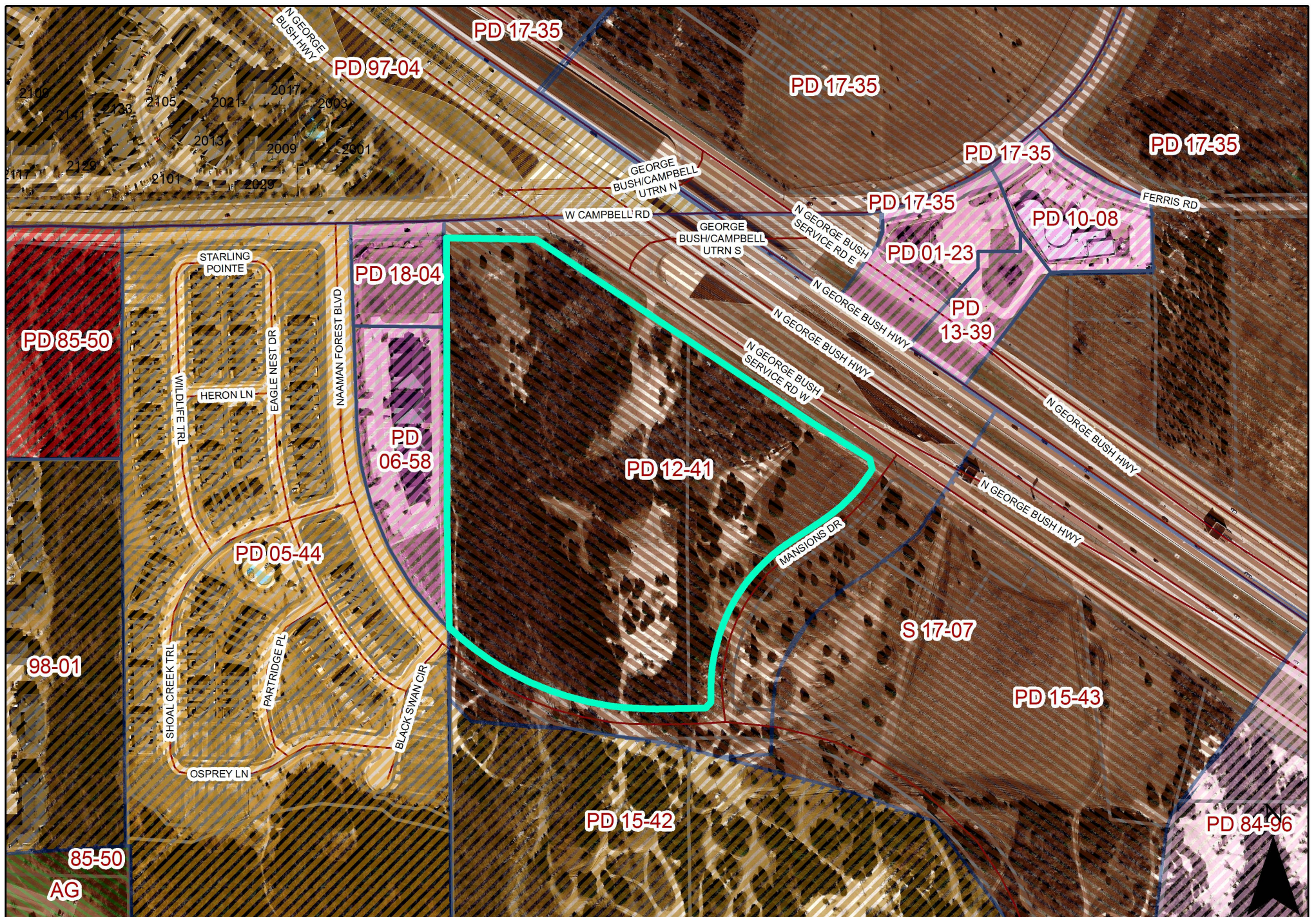
Business Centers are generally located at intersections of major streets or significant transit areas. Proximity and access to residential areas are encouraged to reduce travel times to employment. Site design addresses function and visual aesthetics providing appropriate buffering at gateway corridors, between adjacent developments, and for residential neighborhoods. This development type includes a variety of primary and secondary uses, including compatible residential uses that support the business employment sector.

COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

The properties to the south and east are zoned for mixed uses and are developed with multi-family and a restaurant with a drive-through. Properties to the north across President George Bush Turnpike include apartments and offices as well as land zoned for Mixed-Uses including apartments, retail, and office uses. To the west of the site is property zoned and developed for office uses.

Attachments

Z 18-41 Kimley-Horn Attachments and Exhibits
Z 18-41 Kimley-Horn Notification Responses
Z 18-41 Kimley-Horn Staff Presentation



0 150 300 Feet

1 inch = 338 feet

ZONING MAP Z 18-41



INDICATES AREA
OF REQUEST

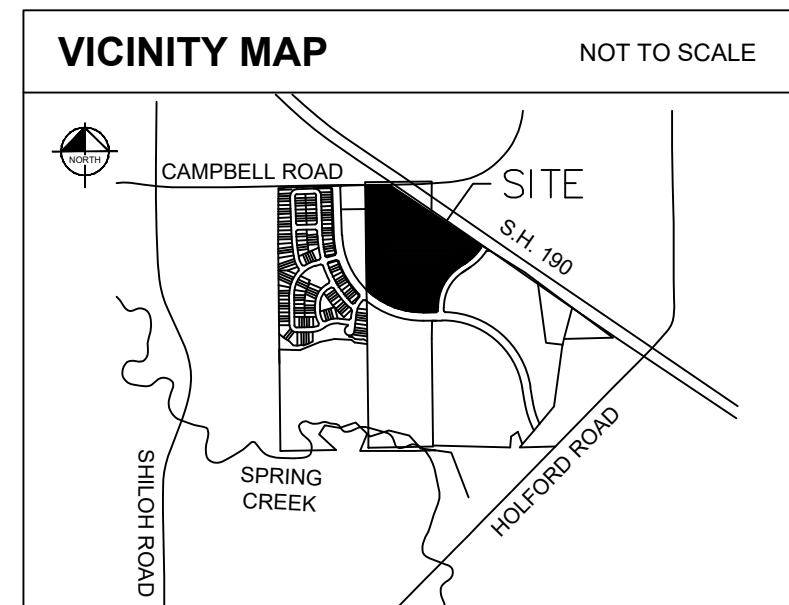
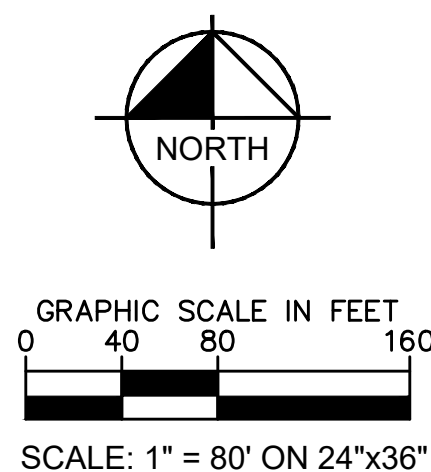
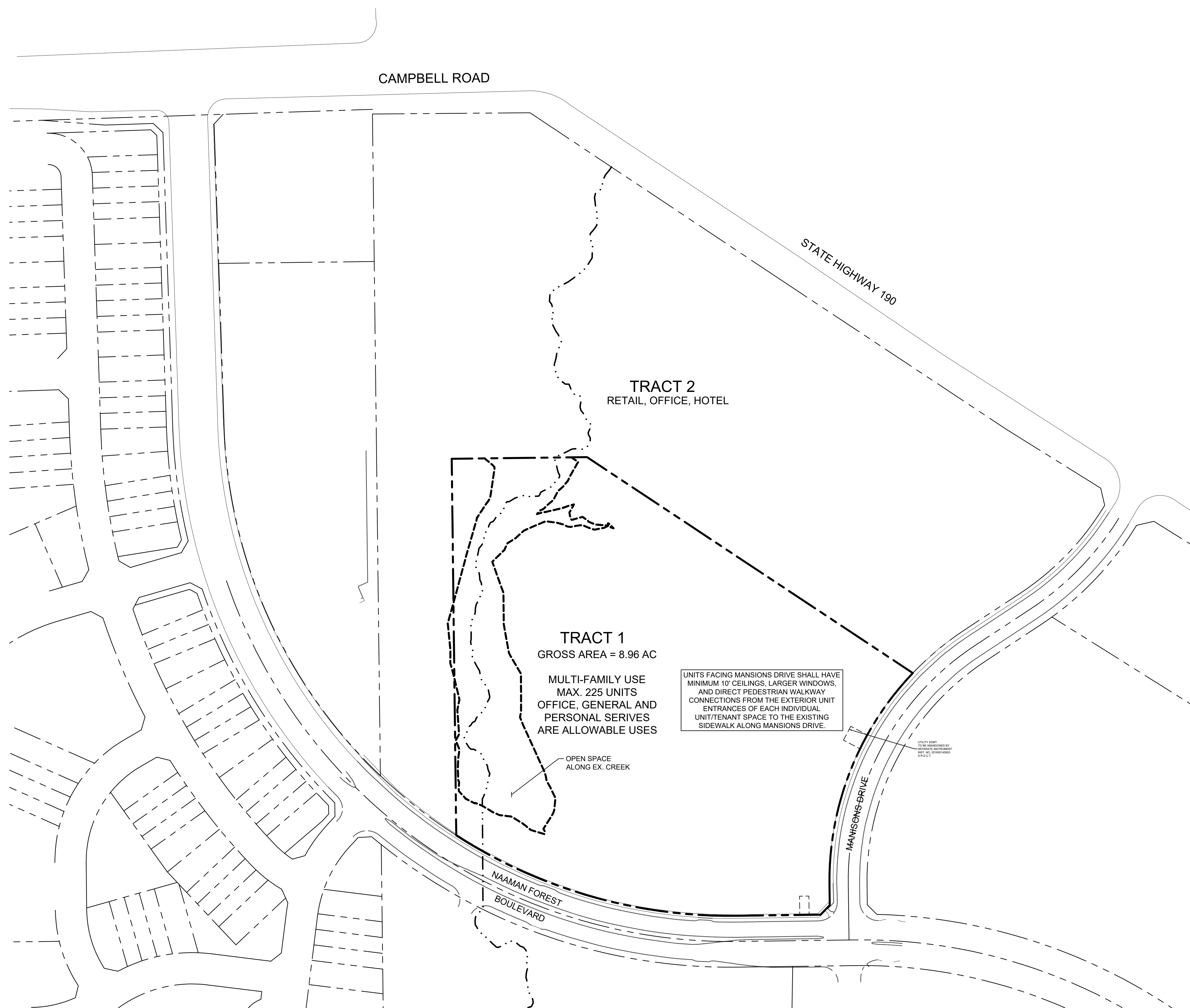
PLANNED DEVELOPMENT CONDITIONS

ZONING FILE Z 18-41

6310 Naaman Forest Boulevard and 6501 North President George Bush Highway

- I. Statement of Purpose:** The purpose of this Planned Development is to approve an amended Concept Plan and a Detail Plan subject to the conditions contain herein.
- II. Statement of Effect:** This Planned Development shall not affect any regulation found in the Garland Development Code, Ordinance No. 6773, and Planned Development (PD) 12-41 District as amended prior to adoption of this ordinance, except as specifically provided herein.
- III. General Regulations:** All regulations as set forth in Planned Development (PD) 12-41 District, Division 4 in Chapter 2 and Chapter 4 of the Garland Development Code are included by reference and shall apply, except as otherwise specified by this ordinance.
- IV. Development Plans:**
 - A. Concept Plan:** Development shall be in general conformance with the Concept Plan labeled Exhibit C.
 - B. Detail Plan:** Development shall be in general conformance with the Detail Plan labeled Exhibit D 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 Regulations for Detail Plan:**
 - A. Site Plan:** The site layout, building placement, parking and other development proposed shall be in general conformance with the approved Site Plan labeled Exhibit D.
 - B. Landscape Plan:** Screening, landscaping and street furniture shall be in general conformance with the approved Landscape Plan labeled Exhibit E.
 - C. Elevations:** Elevations shall be in general conformance with the approved elevations labeled Exhibit F.

- D. Building Street Frontage: The percentage of building street frontage within the minimum and maximum setbacks (build-to-zones) along Naaman Forest Boulevard and Mansions Drive shall be as shown on the Site Plan labeled Exhibit D.
- E. Setback Encroachment: Any building feature, defined as architectural attachments to the primary building facade, may encroach up to six (6) feet from the building face into the minimum setback area. These features may include, (but are not limited to): stoops, chimneys, awnings, porches, canopies, eaves, planters, bay windows, balconies, pilasters, tower elements.
- F. Enclosed/Covered Parking: A minimum of 126 parking spaces shall be covered parking, of which at least fifty-six (56) shall be provided in tuck under garages.



TRACT	LAND USE PROPOSED - BLOCK 1	ACREAGE
1	MULTI-FAMILY RESIDENTIAL/ OFFICE, GENERAL & PERSONAL SERVICES	8.96 AC
2	OFFICE/RETAIL/HOTEL	13.48 AC

CONCEPT PLAN
OF
SPRING CREEK RESERVE
TRACTS 1 & 2, BLOCK 1
22.44 ACRES
SITUATED IN THE P.H. RICE SURVEY ABSTRACT
NO. 1241
CITY OF GARLAND, DALLAS COUNTY, TEXAS
DATE: FEBRUARY 6, 2019

OWNER: CAMPBELL 190 PARTNERS, LLC. 511 E. John Carpenter Freeway, Suite 550 Irving, TX 75062 Tel. No. (214) 691-4900 Contact: Pete Flowers	CIVIL ENGINEER: KIMLEY-HORN AND ASSOCIATES, INC. 13455 Noel Road, Two Galleria Office Tower, Suite 700 Dallas, Texas 75240 Tel. No. 972-770-1300 Contact: Sarah E. Scott, P.E.
--	--

CASE # 180322-3

[illegible]

Kimley»»Horn

13455 NOEL ROAD, TWO GALLERIA OFFICE TOWER, SUITE 700
DALLAS, TEXAS 75240
PHONE: 972-770-1300 FAX: 972-239-3820
TEXAS REGISTERED ENGINEERING FIRM F-928

PROJECT No. 067780321
DATE: FEB. 2019
SCALE: AS SHOWN
DESIGNED BY: MM
DRAWN BY: RNI
CHECKED BY: SES

ALTA SPRING CREEK

CITY OF GARLAND
DALLAS COUNTY, TEXAS

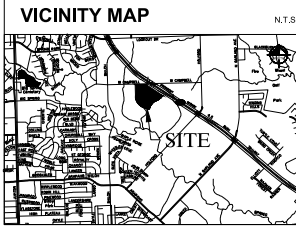
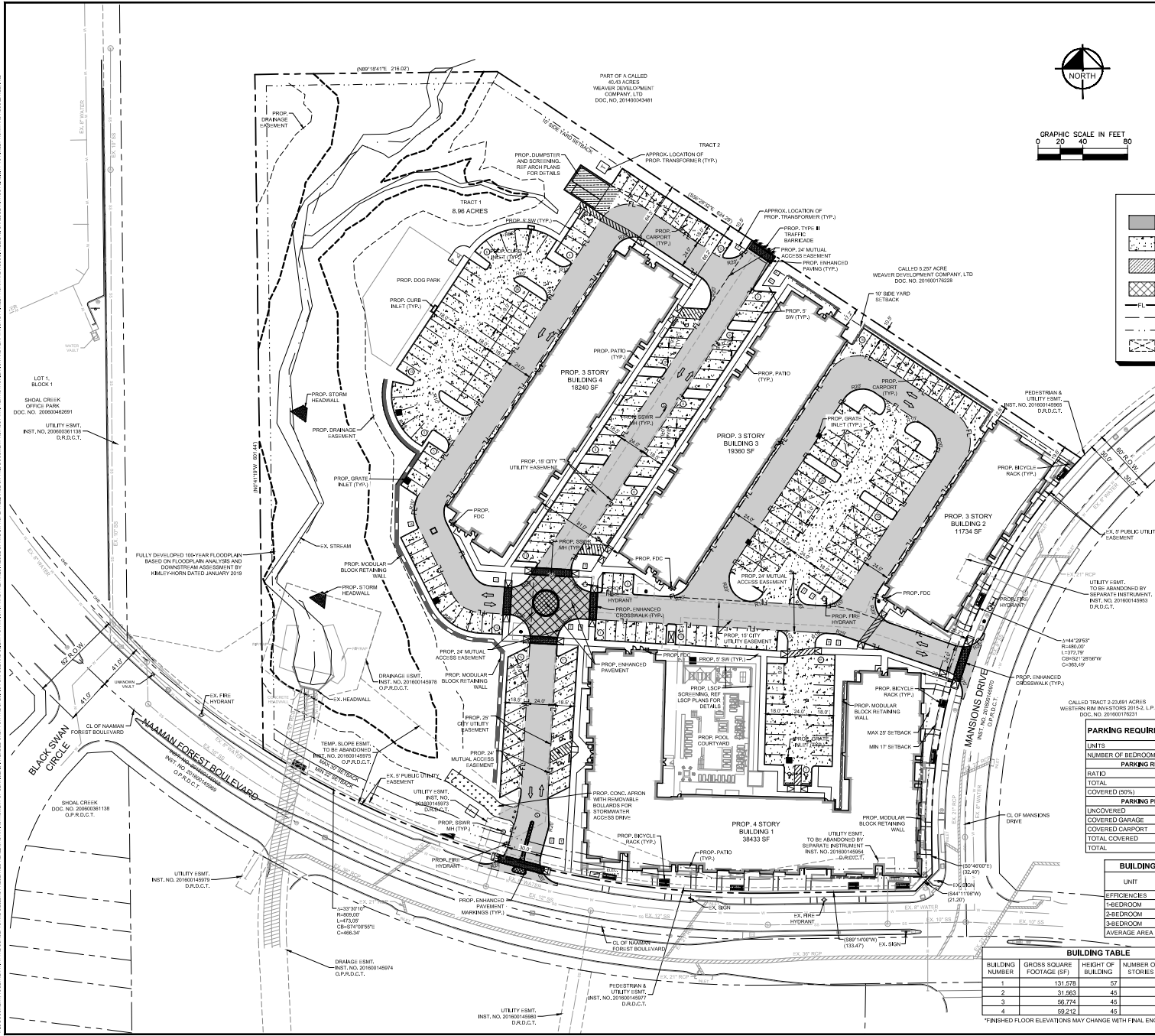
CONCEPT PLAN

SHEET NUMBER
1 OF 1

© 2018 KIMLEY-HORN AND ASSOCIATES, INC.

Exhibit C

DATE: 02/20/2019
DRAWN BY: JH
CHECKED BY: JH
DESIGNED BY: JH
PROJECT NO: 180322-3



LEGEND

[Symbol]	PROPOSED CONCRETE PERILANE	[Symbol]	TRANSFORMER PAD (SEE MEP PLANS)
[Symbol]	PROPOSED CONCRETE PAVEMENT	[Symbol]	PROPOSED SANITARY SEWER MANHOLE
[Symbol]	PROPOSED DUMPSITE PAVEMENT	[Symbol]	PROPOSED WATER METER & VALVE
[Symbol]	PROPOSED UNIMPAVED PAVEMENT	[Symbol]	PROPOSED FIRE DEPARTMENT CONNECTION
[Symbol]	PROPOSED INPAVED PAVEMENT	[Symbol]	PROPOSED LIGHT STANDARD
[Symbol]	PROPOSED CURB BUILT	[Symbol]	TRAFFIC FLOW ARROW
[Symbol]	PROPOSED GRATE BUILT	[Symbol]	PROPOSED CURB BUILT
[Symbol]	PROPOSED FIRE HYDRANT	[Symbol]	PROPOSED GRATE BUILT
[Symbol]	PROPOSED RETAINING WALL	[Symbol]	PROPOSED FIRE HYDRANT

- NOTES**
- THE SITE IS ZONED IN PD 12-41.
 - ALL DIMENSIONS ARE TO FACE OF CURB UNLESS OTHERWISE NOTED.
 - ALL CURB RADIUS 2' UNLESS SHOWN OTHERWISE.
 - DIMENSIONS SHOWN FOR BUILDING CORNERS ARE APPROXIMATE. CONTRACTOR SHALL USE ARCHITECT'S STRUCTURAL SLAB PLANS FOR FORM BOARD STAKING AND CONTRACTOR SHALL PROVIDE A FORM BOARD SURVEY, FOR APPROVAL BY THE OWNER, PRIOR TO POOLING BUILDING DETAILS.
 - ALL SIDEWALKS, BIKES, AND DRIVE APPROACHES SHALL BE CONSTRUCTED IN CONFORMANCE WITH THE CITY OF GARLAND STANDARD DETAILS.
 - MINIMUM FIRE LANE RADIUS IS TO BE 20'.
 - THE REFUSE FACILITY IS TO BE 30' L x 28' W x 7' H, AND CONSTRUCTED WITH CHICLAD WITH BRICK.
 - AMENITIES INCLUDE A SWIMMING POOL, FITNESS CENTER, MEETING/CONFERENCE ROOMS, AND GAME AND LEISURE ROOM.
 - ARCHITECTURAL ATTACHMENTS TO NOT ENCLOSE MORE THAN 6" INTO THE NEIGHBORING SETBACK AREA.
 - PER SECTION 2.5 IN PD 12-41, ALL BUILDINGS THAT FACE CENTRAL GREEN ALONG MANSON DRIVE SHALL BE CONSTRUCTED TO ALLOW FOR NON-IDENTICAL USES TO OCCUR AT GRADE.
 - RETAINING WALLS ADJACENT TO THE BUILDING WILL HAVE BRICK MATCHING THE BRICK ON THE MAIN BUILDINGS AS THE FINISH CLADDING MATERIAL. RETAINING WALLS IN LANDSCAPE AND ADJACENT TO THE CREEK TO HAVE COMPLEMENTARY MATERIALS TO THE DEVELOPMENT AND THE NATURAL SURROUNDINGS.
 - ALL BILLS WILL COMPLY WITH PD 12-41, SECTION 2.4 IN THE OGC AND APPROX 8 IN CHAPTER 4 OF THE OGC.

SITE TABLE

TOTAL SITE AREA	8.96 AC
TOTAL FLOODPLAIN AREA	1.2 AC
NET DEVELOPABLE SITE AREA	7.76 AC
TOTAL FLOOR AREA RATIO	0.721
TOTAL IMPERVIOUS AREA	242,511 SF
PERCENT IMPERVIOUS COVER	82.16%
BUILDING COVERAGE	279,127 SF
TOTAL UNITS	229 UNITS
DENSITY	25.55 UNITS/NET AC

BUILDING SETBACKS

FRONT YARD SETBACK ON NAAIMAN FOREST BOULEVARD	MIN. 22' MAX. 30'
FRONT YARD SETBACK ON MANSON DRIVE	MIN. 17' MAX. 25'
SIDE YARD SETBACK	10'

BUILDING STREET FRONTAGE

NAAIMAN FOREST BLVD	IN SETBACK	OVERALL	15 IN
BUILDING 1	240	FRONTAGE (FT)	80%
BUILDING 2	145	FRONTAGE (FT)	81%
TOTAL MANSONS DR	290	FRONTAGE (FT)	68%

BENCHMARKS

CITY OF GARLAND MONUMENT NO. 015 103.27 BRASS CIRC. STAMPED 1950 LOCATED ON MANSION DRIVE 10' SOUTH OF INTERSECTION OF MANSION DRIVE AND 100' NORTH OF CENTERLINE OF NAAIMAN FOREST BOULEVARD. ELEV. = 507.74
BM # 2 SQUARE CUT WITH "X" ON CENTER OF CURB BUILT ON WEST SIDE OF MANSONS DRIVE. 100' SOUTH OF SETBACK LINE TO POST AND 30' NORTH OF CENTERLINE OF NAAIMAN FOREST BOULEVARD. ELEV. = 505.97
BM # 3 SQUARE CUT WITH "X" ON CENTER OF CURB BUILT ON NORTH CURB OF NAAIMAN FOREST BOULEVARD AND 100' WEST OF INTERSECTION OF NAAIMAN FOREST BOULEVARD AND MANSONS DRIVE. ELEV. = 505.97
BM # 4 SQUARE CUT WITH "X" ON CENTER OF CURB BUILT ON NORTH CURB OF NAAIMAN FOREST BOULEVARD AND 100' WEST OF INTERSECTION OF NAAIMAN FOREST BOULEVARD AND MANSONS DRIVE. ELEV. = 505.97

PARKING REQUIREMENT TABLE

UNITS	229
NUMBER OF BEDROOMS	315
RATIO	1 PER BEDROOM
TOTAL	315
COVERED (50%)	158
UNCOVERED	213
COVERED GARAGE	55
COVERED CARPORT	70
TOTAL COVERED	125
TOTAL	339

BUILDING UNIT DATA

UNIT	MIN DWELLING AREA
EFFICIENCIES	663 SF
1-BEDROOM	726 SF
2-BEDROOM	1144 SF
3-BEDROOM	1476 SF
AVERAGE AREA	930 SF

BUILDING TABLE

BUILDING NUMBER	GROSS SQUARE FOOTAGE (SQ FT)	HEIGHT OF BUILDING	NUMBER OF STORES	FINISHED FLOOR ELEVATION (FT)
1	131,578	57	4	505.566
2	31,563	45	3	505.566
3	56,774	45	3	505.566
4	59,212	45	3	505.566

Kimley»Horn

13455 MOORE ROAD TWO GALLERIA OFFICE TOWER, SUITE 100
DALLAS, TEXAS 75243-3823
PHONE: (214) 743-1300 FAX: (214) 743-3823
TELETYPE: (214) 743-3823

PRELIMINARY

Kimley»Horn

Not for construction or other purposes without written approval of Kimley»Horn.

PROJECT NO: 180322-3
DATE: FEB. 2019
SCALE: AS SHOWN
DESIGNED BY: JH
DRAWN BY: JH
CHECKED BY: JH

ALTA SPRING CREEK

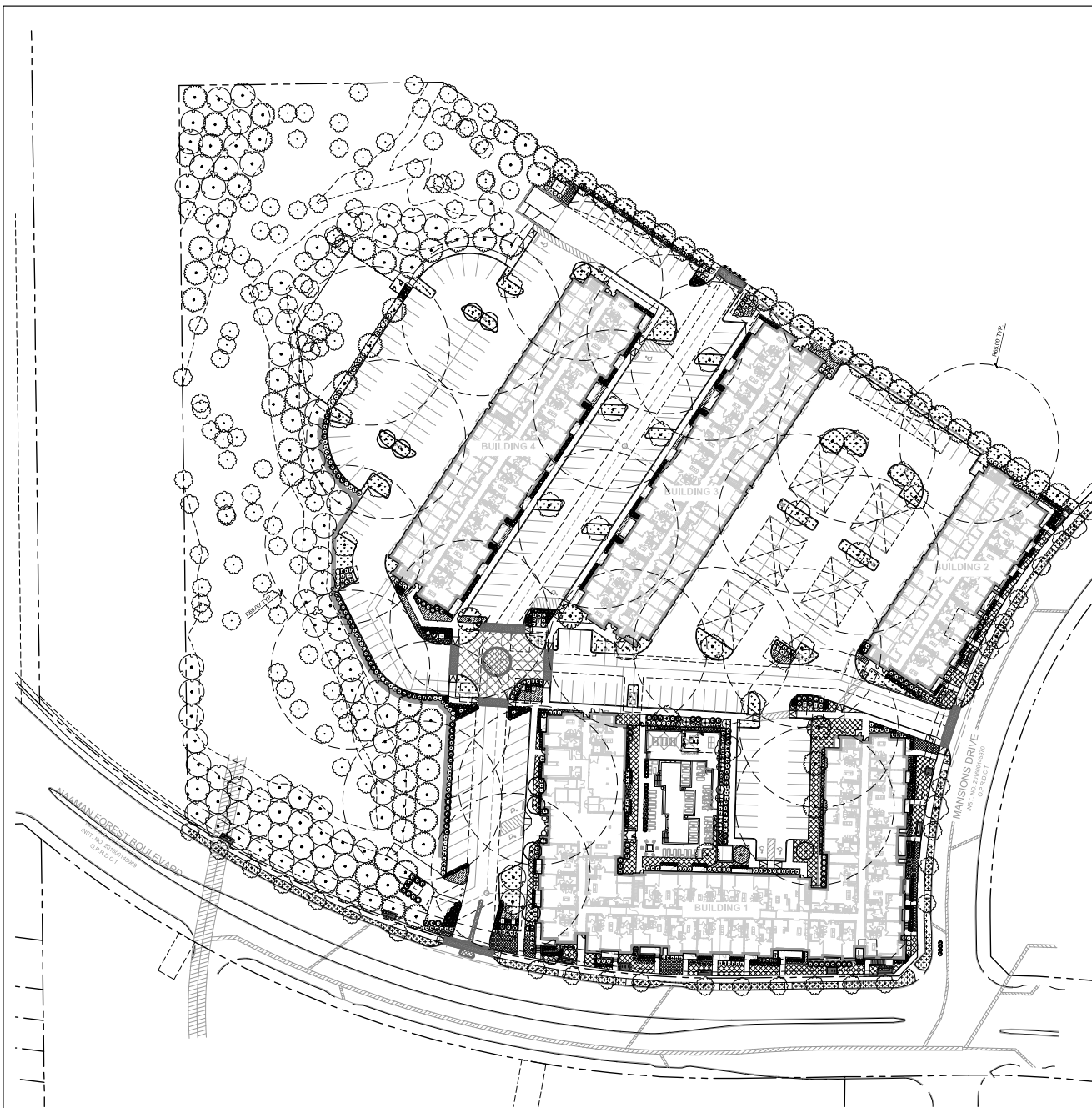
CITY OF GARLAND
DALLAS COUNTY, TEXAS

SITE PLAN

CASE # 180322-3

SHEET NUMBER
D-01

Exhibit D



PLANT SCHEDULE					
TREES	CODE	QTY	BOTANICAL NAME / COMMON NAME	CALIPER	SIZE
	CECA	1	Cercis canadensis 'venusta' / Texas Redbud	4" MIN.	6'-8" HT.
	FRTE	1	Fraxinus texensis / Texas Ash	4" MIN.	8'-10" HT.
	GBAG	3	Grigio ibkita 'Autumn Gold' TM / Masterton Tree	4" MIN.	8'-10" HT.
	BLVO	2	Ilex vomitoria / Yaupon Holly	4" MIN.	8' HT MIN.
	LAWN	8	Lagerströmia indica / Crape Myrtle	4" MIN.	8'-12" HT.
	QUOH	64	Quercus shumardii / Shumard Red Oak	4" MIN.	8'-10" HT.
	QUVA	3	Quercus virginiana / Southern Live Oak	4" MIN.	10'-12" HT.
	TACH	77	Taxodium distichum / Bald Cypress	4" MIN.	10'-12" HT.
	ALOR	37	Ulmus crassifolia / Cedar Elm	4" MIN.	10'-12" HT.
	VC	2	Vitis aestivalis / Chaste Tree	4" MIN.	8'-10" HT.
SHRUBS	CODE	QTY	BOTANICAL NAME / COMMON NAME	SPACING	SIZE
	ABGR	214	Aster x grandiflor / Glossy Aster	4' O.C.	2' HT MIN.
	CAMM	18	Calliandra americana / American Bougainvillea	4' O.C.	2' HT MIN.
	IVNA	538	Ilex vomitoria 'Nana' / Dwarf Yaupon	2' O.C.	1' HT MIN.
	LEFR	62	Leucophyllum frutescens / Texas Sage	3' O.C.	2' HT MIN.
	MGLG	9	Magnolia grandiflora 'Little Gem' / Dwarf Southern Magnolia	10' O.C.	6'-8" MIN. HT.
	MYNA	91	Myrica caroliniana / Dwarf Waxy Myrica	3' O.C.	2' HT MIN.
	PRCA	125	Prunus caroliniana / Carolina Laurel Cherry	4' O.C.	2' HT MIN.
GRASSES	CODE	QTY	BOTANICAL NAME / COMMON NAME	SPACING	SIZE
	MEAL	235	Meibomia serotina / Morning Light / Eklake Grass	3' O.C.	1' HT MIN.
GROUND COVERS	CODE	QTY	BOTANICAL NAME / COMMON NAME	SPACING	SIZE
	CD	12,044 sf	Cynodon dactylon / Bermuda Grass	-	800'
	ERT	-	Existing Turf To Remain	-	-
	LM	2,029 sf	Unripe muscad / Lily Turf	18" O.C.	12" HT MIN.
	TA	8,291 sf	Tachikopium asiaticum / Asian Jasmine	12" O.C.	12" HT MIN.

SITE AREA:		
	SQ. FT.	%
TOTAL SITE AREA	390,298	100%
LANDSCAPE AND OPEN SPACE	183,004	47%
PARKING AREA:		
	SQ. FT.	%
TOTAL PARKING AREA	121,533	100%
LANDSCAPED ISLANDS	6,077	5%

REQUIRED TREES:			
	RATIO	REQUIRED	PROVIDED
MANSIONS DRIVE -420 LF FRONTAGE	1 TREE/ 30 LF AVE.	14 TREES	14 TREES
NAAMAN FOREST DRIVE -621 LF FRONTAGE	1 TREE/ 35 LF AVE.	18 TREES	18 TREES
PARKING -356 SPACES	1 TREE/ 10 LF AVE.	36 TREES	36 TREES

REQUIRED SHRUBS:			
	RATIO	REQUIRED	PROVIDED
MANSIONS DRIVE -420 LF FRONTAGE -NOT LISTED ON THOROUGHFARE PLAN	NONE	NONE	FRONT YARD PLANTING PER PD 12-41
NAAMAN FOREST DRIVE -621 LF FRONTAGE -TYPE D THOROUGHFARE PLAN	7 SHRUBS / 30 LF	154 SHRUBS	FRONT YARD PLANTING PER PD 12-41 (MIN. 154 SHRUBS)

PLANTING NOTES:
1. ALL SHRUBS SCREENING PARKING AREAS WILL HAVE A MINIMUM HEIGHT OF 2 FEET AT TIME OF PLANTING AND WILL REACH A MINIMUM HEIGHT OF 3 FEET WITHIN 2 YEARS OF PLANTING.
2. ALL AREAS OF EXISTING VEGETATION DISTURBED BY CONSTRUCTION ACTIVITY AREA TO BE REPLANTED WITH SOO OR GROUNDCOVER UNLESS SPECIFIED OTHERWISE.

LandDesign
5301 ALPINE ROAD, SUITE 24
DALLAS, TX 75240
214-763-8808
WWW.LANDDESIGN.COM

OWNER / DEVELOPER
WOOD PARTNERS
5401 HARVEST HILL ROAD # 205
DALLAS, TX
214.983.0218

ARCHITECT
GFF
2808 FARMOUNT STREET SUITE 300
DALLAS, TX
214.303.1900

CIVIL ENGINEER
KIM E. HENDRICK
1805 PINE HILL ROAD
TWO GALLERIA OFFICE TOWER SUITE 100
DALLAS, TX
972.770.1300

REVISED

PRELIMINARY
FOR REVIEW PURPOSES ONLY
AND SHALL NOT BE USED FOR
BIDDING, PERMITTING, OR
CONSTRUCTION
C. Heth Kendrick
Registered Landscape Architect of the
State of TEXAS
Registration Number: 2948

**NOT FOR
CONSTRUCTION**

**ALTA SPRING
CREEK**

WOOD PARTNERS

REVISION / ISSUANCE

NO.	DESCRIPTION	DATE
1	TECHNICAL REVIEW	02/06/2019

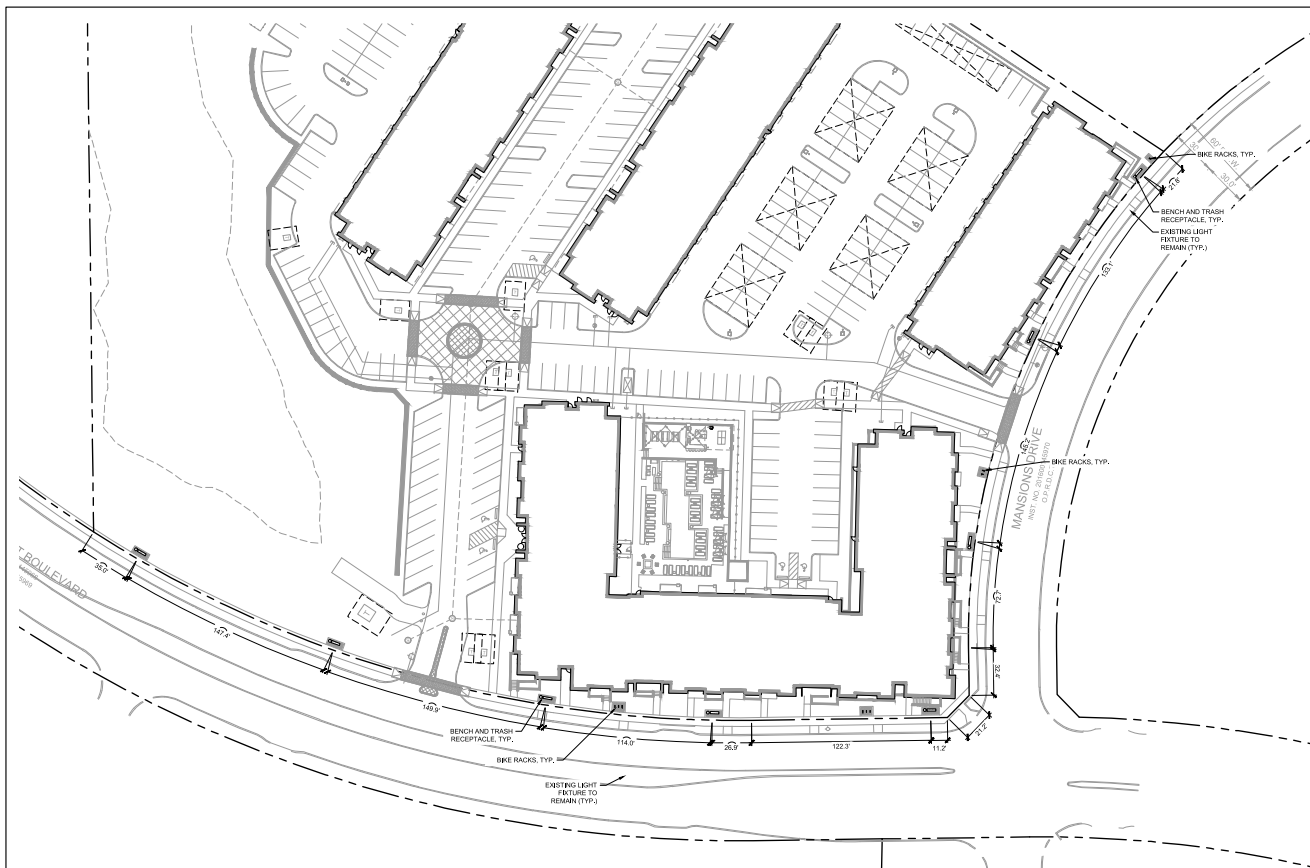
DESIGNED BY:
DRAWN BY:
CHECKED BY:

VERT: N/A
HORIZ: 1"=40'
0 20 40 60
FEET

PLANTING PLAN

SHEET NUMBER

L1-01



STREET FURNITURE		
	REQUIRED	PROVIDED
BIKE RACKS (1 PER 150 LF OF FRONTAGE, CLUSTERED)	MANSIONS DRIVE: 3 NAAMAN FOREST BOULEVARD: 5	MANSIONS DRIVE: 3 NAAMAN FOREST BOULEVARD: 5
BENCHES (1 PER 150 LF OF FRONTAGE)	MANSIONS DRIVE: 3 NAAMAN FOREST BOULEVARD: 5	MANSIONS DRIVE: 3 NAAMAN FOREST BOULEVARD: 5
TRASH RECEPTACLES (1 PER 150 LF OF FRONTAGE, CLUSTERED)	MANSIONS DRIVE: 3 NAAMAN FOREST BOULEVARD: 5	MANSIONS DRIVE: 3 NAAMAN FOREST BOULEVARD: 5

OWNER / DEVELOPER

WOOD PARTNERS
5401 HARVEST HILL ROAD # 200
DALLAS, TX
214.983.0218

ARCHITECT

2808 FARMOUNT STREET SUITE 300
DALLAS, TX
214.303.1500

CIVIL ENGINEER

KIM E. HORN
1505 JOHN ROAD
TWO GALLERIA OFFICE TOWER SUITE 100
DALLAS, TX
972.770.1300

REV 01

PRELIMINARY
FOR REVIEW PURPOSES ONLY
AND SHALL NOT BE USED FOR
BIDDING, PERMITTING, OR
CONSTRUCTION

C. Heth Kendrick
Registered Landscape Architect of the
State of TEXAS
Registration Number: 2948

**NOT FOR
CONSTRUCTION**

PROJECT

**ALTA SPRING
CREEK**

WOOD PARTNERS

REVISION / ISSUANCE

NO.	DESCRIPTION	DATE
1	TECHNICAL REVIEW	02/06/2019
2		
3		
4		
5		
6		
7		
8		
9		
10		

DESIGNED BY:
DRAWN BY:
CHECKED BY:

SCALE

VERT: N/A
HORIZ: 1"=40'
0 20' 40' 80'

STREET FURNITURE PLAN

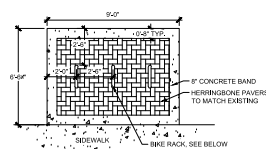
BHEET 000000

L1-02



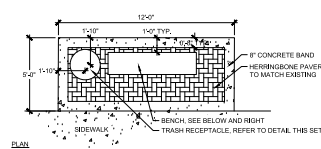
BIKE RACK
IMAGE

NOT TO SCALE



SPECIFICATIONS:
MANUFACTURER:
DUMOR SITE FURNISHINGS
PRODUCT:
BIKE RACK 654095-1
FINISH:
BLACK POWDERCOAT
CONTACT INFORMATION:
PAUL E. ALLEN CO.
6101 181 STREET
P: 972.724.2856
einfo@paulallenco.com
www.paulallenco.com

NOTE:
1. BIKE RACK TO MATCH EXISTING BIKE RACKS ON MANSIONS DRIVE.
2. REFER TO PLANS FOR LOCATIONS.
3. INSTALL PER MANUFACTURER'S DETAILS AND SPECIFICATIONS.



BENCH
PLAN, IMAGE

NOT TO SCALE

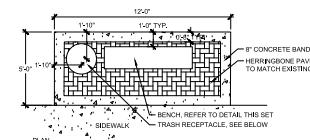
SPECIFICATIONS:
MANUFACTURER:
DUMOR SITE FURNISHINGS
PRODUCT:
BENCH 10-60
6" BACKLESS CAST STEEL BENCH
FINISH:
BLACK POWDERCOAT
CONTACT INFORMATION:
PAUL E. ALLEN CO.
6101 181 STREET
P: 972.724.2856
einfo@paulallenco.com
www.paulallenco.com

NOTE:
1. BENCH TO MATCH EXISTING BENCHES ON MANSIONS DRIVE.
2. REFER TO PLANS FOR LOCATIONS.
3. INSTALL PER MANUFACTURER'S DETAILS AND SPECIFICATIONS.



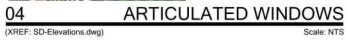
TRASH RECEPTACLE
IMAGE

NOT TO SCALE



SPECIFICATIONS:
MANUFACTURER:
LANDSCAPE FORMS
PRODUCT:
SCARBOROUGH SIDE OPENING LETTER W/ STRAP DETAILS
COLOR/FINISH:
POWDERCOATED METAL BLACK
POLYETHYLENE LINER: BLACK
CONTACT INFORMATION:
LANDSCAPE FORMS
LAURA MOFFAT
P: 855-482-7311

NOTE:
1. TRASH RECEPTACLE TO MATCH EXISTING TRASH RECEPTACLES ON MANSIONS DRIVE.
2. REFER TO PLANS FOR TRASH RECEPTACLE LOCATION.
3. INSTALL TRASH RECEPTACLE PER MANUFACTURER'S DETAILS AND SPECIFICATIONS.



Color and Material Schedule		
Material	Manufacturer	Color
King Size Brick* Color 1	ACME	Academy
King Size Brick* Color 2	ACME	Lunar Dark
Stucco Color 1	Sherwin Williams (Paint)	SW7045 Intellectual Gray
Stucco Color 2	Sherwin Williams (Paint)	SW7048 Urbane Bronze
Cementitious Trim	Sherwin Williams (Paint)	SW7048 Urbane Bronze
Windows	Plygem	Clay

*Non-veneer brick product

Accent Features Schedule	
Street-Facing	Varied Roof Heights
	Overhang Eaves
	Recessed Entries
	Ornamental Window Headers
	Articulated Window Sills
	Planters (see plans)
Non-Street Facing	Varied Roof Heights
	Overhang Eaves
	Recessed Entries

Building 1 Courtyard West Elevation	Percentage	Area (SF)
Brick (Primary)	22.1%	58
Stucco (Secondary)	76.7%	203
Cementitious Trim (Accent)	1.2%	3
Total	100.0%	265

Building 1 Courtyard West Elevation	Percentage	Area (SF)
Glazing (must be <50%)	31.2%	120



03 BUILDING 1 - WEST ELEVATION
(XREF: SD-Elevations.dwg) Scale: 1/16" = 1'-0"

0 8 16 32 Feet

Building 1 Northeast Elevation	Percentage	Area (SF)
Brick (Primary)	92.8%	1810
Stucco (Secondary)	3.9%	77
Cementitious Trim (Accent)	3.2%	63
Total	100.0%	1950

Building 1 Northeast Elevation	Percentage	Area (SF)
Glazing (must be <50%)	6.9%	145

Building 1 Courtyard North Elevation	Percentage	Area (SF)
Brick (Primary)	20.7%	1034
Stucco (Secondary)	78.4%	3918
Cementitious Trim (Accent)	0.9%	46
Total	100.0%	4998

Building 1 Courtyard North Elevation	Percentage	Area (SF)
Glazing (must be <50%)	28.7%	2014

Building 1 Northwest Elevation	Percentage	Area (SF)
Brick (Primary)	92.4%	2287
Stucco (Secondary)	3.8%	95
Cementitious Trim (Accent)	3.7%	92
Total	100.0%	2474

Building 1 Northwest Elevation	Percentage	Area (SF)
Glazing (must be <50%)	7.4%	198



ENTRY TO UNIT

02 BUILDING 1 - NORTH ELEVATION

(XREF: SD-Elevations.dwg) Scale: 1/16" = 1'-0"

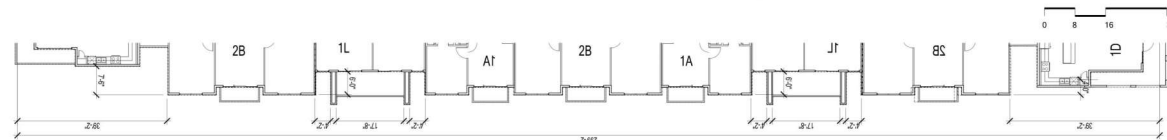
Building 1 South Elevation (Naaman Forest)	Percentage	Area (SF)
Brick (Primary)	84.1%	7597
Stucco (Secondary)	7.8%	705
Cementitious Trim (Accent)	8.1%	733
Total	100.0%	9035

Building 1 South Elevation (Naaman Forest)	Percentage	Area (SF)
Glazing (must be <50%)	28.9%	3681



01 BUILDING 1 - SOUTH (NAAMAN FOREST) ELEVATION

Building 1 South Elevation (Naaman Forest)	Percentage
Recessed Façade	130
Total	299.2
Percentage Recessed	43.40%



Accent Features Schedule	
Street-Facing	Varied Roof Heights
	Overhanging Eaves
	Recessed Entries
	Ornamental Window Headers
	Articulated Window Sills
	Planters (see plans)
Non-Street Facing	Varied Roof Heights
	Overhanging Eaves
	Recessed Entries

Building 1 Courtyard West Elevation	Percentage	Area (SF)
Brick (Primary)	22.1%	585
Stucco (Secondary)	76.7%	2035
Cementitious Trim (Accent)	1.2%	32
Total	100.0%	2652

Building 1 Courtyard West Elevation	Percentage	Area (SF)
Glazing (must be <50%)	31.2%	1201

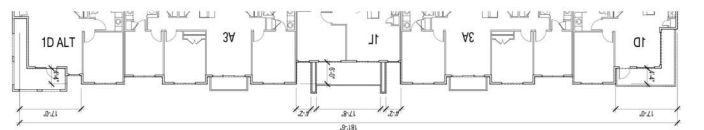
Building 1 Courtyard East Elevation	Percentage	Area (SF)
Brick (Primary)	21.4%	892
Stucco (Secondary)	75.5%	3142
Cementitious Trim (Accent)	3.1%	128
Total	100.0%	4162

Building 1 Courtyard East Elevation	Percentage	Area (SF)
Glazing (must be <50%)	32.1%	1970

Building 1 East Elevation (Mansion Dr)	Percentage	Area (SF)
Brick (Primary)	78.9%	3323
Stucco (Secondary)	11.6%	490
Cementitious Trim (Accent)	9.4%	396
Total	100.0%	4209

Building 1 East Elevation (Mansion Dr)	Percentage	Area (SF)
Glazing (must be <50%)	34.6%	2229

Building 1 East Elevation (Mansion Dr)	Percentage
Recessed Façade	60%
Total	181.5
Percentage Recessed	33.1%



Building 2 North Elevation	Percentage	Area (SF)
Glazing (must be <50%)	5.2%	87



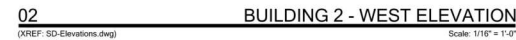
Building 2 South Elevation	Percentage	Area (SF)
Glazing (must be <50%)	4.2%	87



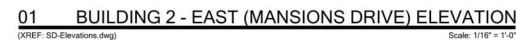
*Non-veneer brick product

Non-Street Facing

Building 2 West Elevation	Percentage	Area (SF)
Glazing (must be <50%)	22.2%	1248



Building 2 East Elevation (Mansion Dr)	Percentage	Area (SF)
Glazing (must be <50%)	29.5%	1058



Accent Features Schedule	
Street-Facing	Varied Roof Heights Overhang Eaves Recessed Entries Ornamental Window Headers Articulated Window Sills Planters (see plans)
Non-Street Facing	Varied Roof Heights Overhang Eaves Recessed Entries

Building 3 West Elevation	Percentage	Area (SF)
Brick (Primary)	72.4%	4743
Stucco (Secondary)	18.8%	1232
Cementitious Trim (Accent)	8.8%	573
Total	100.0%	6548

Building 3 West Elevation	Percentage	Area (SF)
Glazing (must be <50%)	32.6%	3169

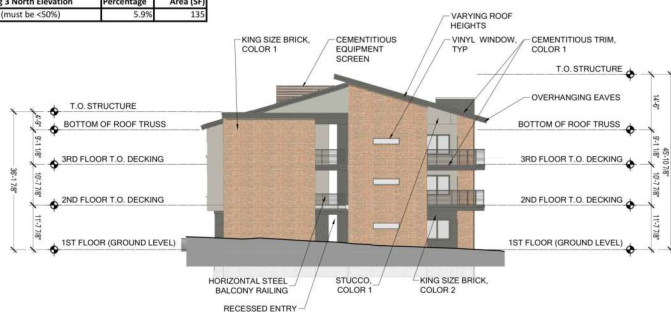


03 BUILDING 3 - WEST ELEVATION
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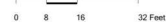


Building 3 North Elevation	Percentage	Area (SF)
Brick (Primary)	87.4%	1867
Stucco (Secondary)	9.2%	197
Cementitious Trim (Accent)	3.4%	72
Total	100.0%	2136

Building 3 North Elevation	Percentage	Area (SF)
Glazing (must be <50%)	5.9%	135



04 BUILDING 3 - NORTH ELEVATION
(XREF: SD-Elevations.dwg) Scale: 1/16" = 1'-0"

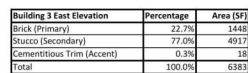
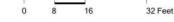


Building 3 South Elevation	Percentage	Area (SF)
Brick (Primary)	87.4%	186
Stucco (Secondary)	9.2%	19
Cementitious Trim (Accent)	3.4%	7
Total	100.0%	213

Building 3 South Elevation	Percentage	Area (SF)
Glazing (must be <50%)	5.9%	13



02 BUILDING 3 - SOUTH ELEVATION
(XREF: SD-Elevations.dwg) Scale: 1/16" = 1'-0"



Building 3 East Elevation	Percentage	Area (SF)
Glazing (must be <50%)	25.0%	2124



01 BUILDING 3 - EAST ELEVATION
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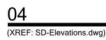


*Non-veneer brick product

Building 4 East Elevation	Percentage	Area (SF)
Glazing (must be <50%)	32.4%	3286

Building 4 South Elevation	Percentage	Area (SF)
Glazing (must be <50%)	5.9%	135

Building 4 North Elevation	Percentage	Area (SF)
Glazing (must be <50%)	5.9%	135



[illegible]

THIS DOCUMENT IS
NOT FOR
REGULATORY
APPROVAL,
PERMITTING, OR
CONSTRUCTION.

Drawn _____

Approved _____ TYLER CINI, AIA

RENDERED PERSPECTIVES

Project No.	17229.00
Date	01/08/19

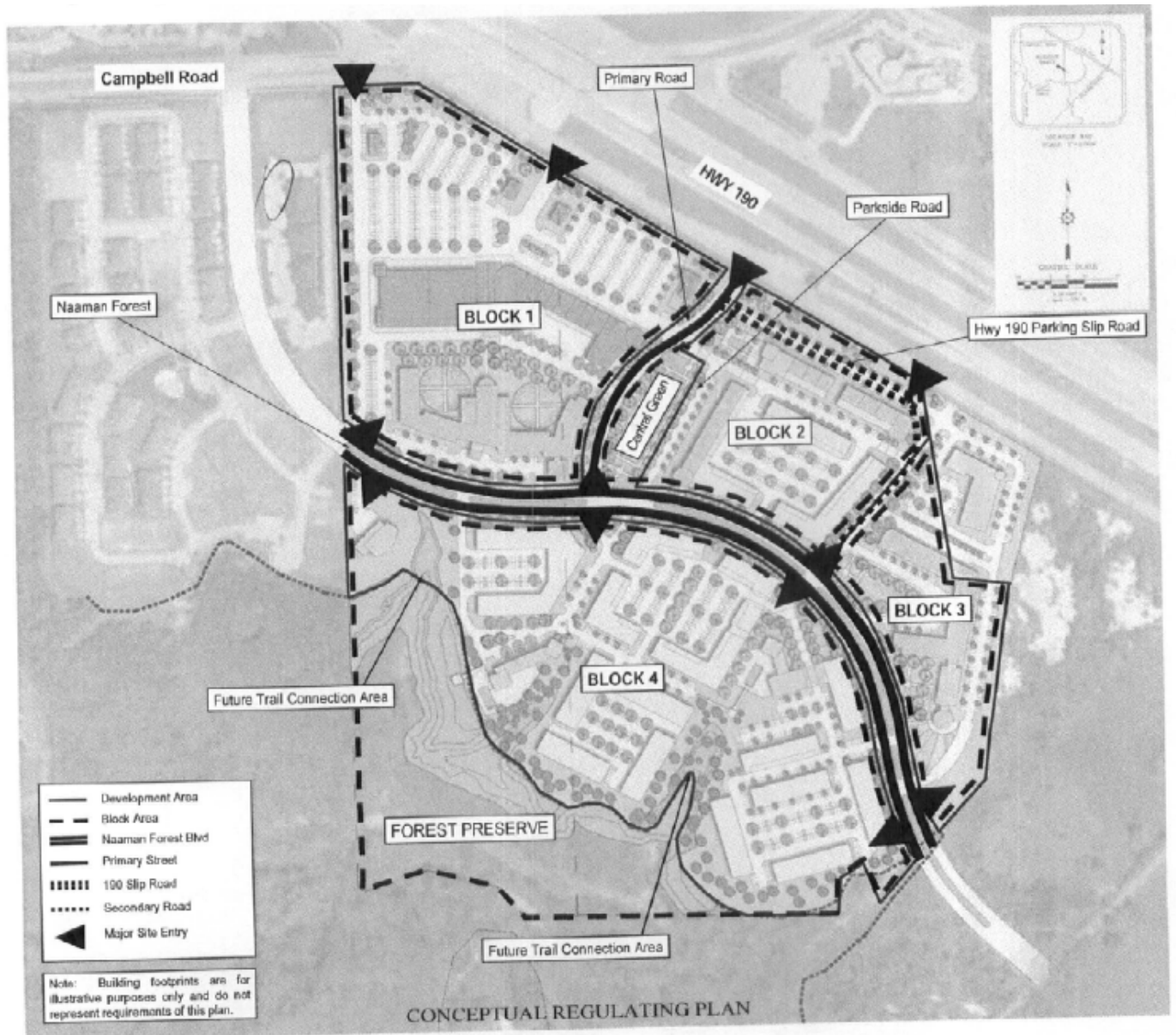


Exhibit G

REPORT & MINUTES

P.C. Meeting, February 25, 2019

Consideration of the application of **Kimley-Horn**, requesting approval of 1) an amendment to Planned Development (PD) 12-41 District, 2) an amended Concept Plan for Dwelling, Multi-Family and Office, Retail & Service Uses and 3) a Detail Plan for Dwelling, Multi-Family on a property zoned Planned Development (PD) 12-41 District for Mixed-Use. This property is located at 6310 Naaman Forest Boulevard and 6501 North President George Bush Highway. (District 7) (File Z 18-41)

The applicant, Maxwell Fisher, 900 Jackson Street, Dallas, Texas 75202 provided a brief overview of the request and provided additional information as to greenbelt area, the number of carports and the materials being used on the carports, and the size of the dog park and its amenities.

Resident, Bruce Grantham, 3122 Cross Timbers Lane, Garland, Texas 75044 spoke of concerns that commercial development possibilities are being lost in Tract 1, the number of units being constructed per acre, and the number of carports.

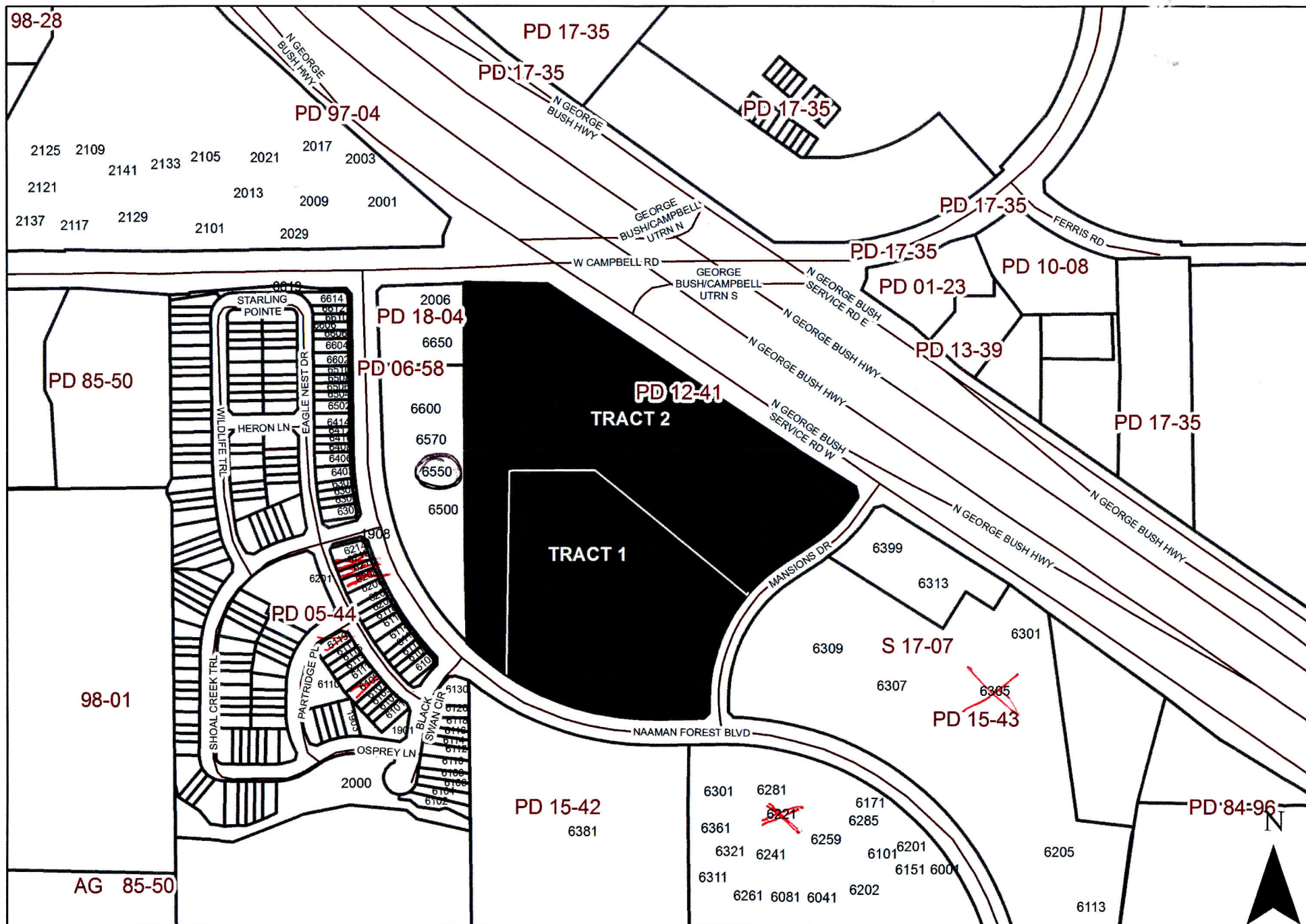
Commissioner Ott inquired as to enhancing the greenbelt area with possible walking trails connecting to the future development of Tract 2.

Chairman Roberts inquired as to the materials used on the carport areas.

Commissioner Welborn inquired as to the size of the dog park and the seating provided within the area.

Commissioner Dalton inquired as to the amenities within the dog park area.

Motion was made by Commissioner Ott, to **approve** the application as presented and to amend by adding picnic tables near the dog park area, and allow painted poles on some of the carport areas. Seconded by Commissioner Dalton. **Motion carried: 5 Ayes, 0 Nays.**



ZONING MAP Z 18-41



INDICATES AREA
OF REQUEST



GARLAND

February 13, 2019

HEARING DATE/TIME: Plan Commission: February 25, 2019 – 7:00 PM

APPLICANT: Kimley-Horn

File Z 18-41

Dear Property Owner:

A public hearing will be held by the Plan Commission of the City of Garland, Texas, at 7:00 P.M. Monday, February 25, 2019, in the Council Chambers of the William E. Dollar Municipal Building (City Hall), 200 North Fifth Street, to consider the application of Kimley-Horn, requesting approval of 1) an amendment to Planned Development (PD) 12-41 District, 2) an amended Concept Plan for Dwelling, Multi-Family and Office, Retail & Service Uses and 3) a Detail Plan for Dwelling, Multi-Family on a property zoned Planned Development (PD) 12-41 District for Mixed-Use. The property is shown on the enclosed sketch and is described as follows:

BEING an approximate 22.44-acre tract of land out of the P. H. Rice Survey, Abstract No. 1241 in the City of Garland, Dallas County, Texas, being a portion of a tract of land described in deed to Weaver Development Company, Ltd. recorded in Instrument No. 201400043481 of the Official Public Records of Dallas County, Texas, and being all of a tract of land described in deed to Weaver Development Company, Ltd. recorded in Instrument No. 201600176228 of the Official Public Records of Dallas County, Texas. The property is located at 6310 Naaman Forest Boulevard and 6501 North George Bush Highway. (District 7)

Note: The applicant proposes a Concept Plan to divide the property into two tracts and assign land uses to each tract as follows: Multi-Family use (with Commercial uses allowed) on the southern tract and Commercial [Retail, Office and Hospitality] uses on the northern tract. Additionally, a Detail Plan is being proposed to develop an apartment complex (Multi-Family use, with Commercial uses allowed) on the southern tract.

To convey any concerns or opinions regarding the aforementioned request, please complete the below-listed section and return that section using any of the following methods: mail to City of Garland, Planning Department, P.O. Box 469002, Garland, TX 75046-9002; fax to 972-205-2474; deliver to the Planning Department at 800 Main Street, Garland TX; or email Planning@Garlandtx.gov. It is important that your response include your property address, your name, and mailing address. Should you have any questions, please contact Josue De la Vega at 972-205-2454.

Para Español, por favor contactar a Josue De La Vega 972-205-2454.

(Please Check One Below)

- ☒ I am in favor of the request.
☐ I am opposed to the request.

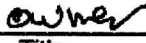
Please include any comments you wish to provide supporting your position in the space provided below.

(Please complete the following information)

6550 Naaman Forest Blvd. #200 Garland 75044
Your Property Address
Dr. Robert Doyle
Printed Name
same
Address City, State Zip

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


Signature


Title

Date: 2-21-19



GARLAND

February 13, 2019

CITY OF GARLAND
PLANNING DEPARTMENT
P.O. BOX 469002
GARLAND, TX 75046-9002

HEARING DATE/TIME: Plan Commission: February 25, 2019 – 7:00 PM

APPLICANT: Kimley-Horn

File Z 18-41

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Para Español, por favor contactar a Josue De La Vega 972-205-2454.

(Please Check One Below)

☐ I am in favor of the request.

☒ I am opposed to the request.

Please include any comments you wish to provide supporting your position in the space provided below.

THERE ARE NOT ENOUGH ACCESS POINTS IN/OUT OF EXISTING
NEIGHBORHOOD TO ACCOMMODATE TRAFFIC OF MORE APARTMENTS. APARTMENTS
ARE DEVALUING PROPERTY VALUES DOWN.

(Please complete the following information)

6119 EAGLE NEST Garland TX 75044
Your Property Address

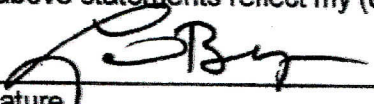
LORRAINE MYERS
Printed Name

6119 EAGLE NEST Garland TX 75044
Address City, State Zip

I'M OPPOSED TO ZONING THAT ALLOWS MORE APARTMENTS.

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

Signature



Title

HOME OWNER

Date:

2/21/19



GARLAND

February 13, 2019

CITY OF GARLAND
PLANNING DEPARTMENT
P.O. BOX 469002
GARLAND, TX 75046-9002

HEARING DATE/TIME: Plan Commission: February 25, 2019 – 7:00 PM

APPLICANT: Kimley-Horn

File Z 18-41

Dear Property Owner:

A public hearing will be held by the Plan Commission of the City of Garland, Texas, at 7:00 P.M. Monday, February 25, 2019, in the Council Chambers of the William E. Dollar Municipal Building (City Hall), 200 North Fifth Street, to consider the application of **Kimley-Horn**, requesting approval of 1) an amendment to Planned Development (PD) 12-41 District, 2) an amended Concept Plan for Dwelling, Multi-Family and Office, Retail & Service Uses and 3) a Detail Plan for Dwelling, Multi-Family on a property zoned Planned Development (PD) 12-41 District for Mixed-Use. The property is shown on the enclosed sketch and is described as follows:

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(Please Check One Below)

- ☐ I am in favor of the request.
- ☒ I am opposed to the request.

Please include any comments you wish to provide supporting your position in the space provided below.

There are too many multi-family units in the area to support a additional one that adds to the already impossible traffic flow.

(Please complete the following information)

6210 Eagle Nest Drive

Your Property Address

Laura Bero

Printed Name

6210 Eagle Nest Dr.

Address

Garland TX

City, State

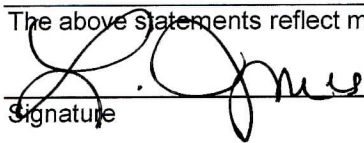
75044

Zip

FEB 20 '19 PM 1:58

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

Signature



Title

Property owner

Date:

2/16/2019



GARLAND

February 13, 2019

HEARING DATE/TIME: Plan Commission: February 25, 2019 – 7:00 PM

APPLICANT: Kimley-Horn

File Z 18-41

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(Please Check One Below)

- ☐ I am in favor of the request.
☒ I am opposed to the request.

Please include any comments you wish to provide supporting your position in the space provided below.

Existing apartments we built were in reliance on existing PD. Existing PD only allows age restricted senior apartments on the existing MF tract.

(Please complete the following information)

Towers At Spring Creek 6305 N. George Bush HWY, Garland, TX

Your Property Address

Matthew Hiles

Printed Name

2505 N. State Highway 360, Ste 800 Grand Prairie, TX 75050

Address

City, State

Zip

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

Matthew Hiler Executive Vice President
Signature Title

Date: 2/19/19



GARLAND

CITY OF GARLAND
PLANNING DEPARTMENT
P.O. BOX 469002
GARLAND, TX 75046-9002

February 13, 2019

HEARING DATE/TIME: Plan Commission: February 25, 2019 – 7:00 PM

APPLICANT: Kimley-Horn

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(Please Check One Below)

- ☐ I am in favor of the request.
☒ I am opposed to the request.

Please include any comments you wish to provide supporting your position in the space provided below.

*Existing apartments we built were in reliance on existing PD.
Existing PD only allows age restricted senior apartments on the
existing M.F. tract*

(Please complete the following information)

Mansions At Spring Creek 6221 Naaman Forest Blvd., Garland TX

Your Property Address

Matthew Hiles

Printed Name

2505 N. State Highway 360, Ste. 800 Grand Prairie, TX 75050

Address

City, State

Zip

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

Matthew Heles Executive Vice President
Signature Title

Date: 2/19/19



GARLAND

February 13, 2019

CITY OF GARLAND
PLANNING DEPARTMENT
P.O. BOX 469002
GARLAND, TX 75046-9002

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(Please Check One Below)

☐ I am in favor of the request.

☒ I am opposed to the request.

Please include any comments you wish to provide supporting your position in the space provided below.

Heavy Traffic
Decreased Value of Owned Property

(Please complete the following information)

6212 Eagle Nest Dr. Garland TX 75044
Your Property Address

Cornie Talbot - Ansellotti
Printed Name

Address City, State Zip

FEB 22 '19 PM 2:55

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

Signature Connie Talbot-Finellotti

Title Owner

Date: 2-18-2019



GARLAND

February 13, 2019

CITY OF GARLAND
PLANNING DEPARTMENT
P.O. BOX 469002
GARLAND, TX 75046-9002

HEARING DATE/TIME: Plan Commission: February 25, 2019 – 7:00 PM

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(Please Check One Below)

☐ I am in favor of the request.

☒ I am opposed to the request.

for what it is worth:

Please include any comments you wish to provide supporting your position in the space provided below.

We don't need more apartments. Density comes at a cost. I do believe that this site will be used and the planned tweaked to suit a few not the many.

(Please complete the following information)

6109 Eagle Nest Drive
Your Property Address

Joyce Spisak
Printed Name

6109 Eagle Nest Drive Garland TX 75044
Address City, State Zip

Green space should trump more apartments.

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

Signature

Title

Date:

17 Feb 19

It is inevitable that these ^{plans} or these plans tweaked, will prevail. Please consider traffic flow. The intersection is sure to be a bottle neck.

Just curious, besides the people who will profit from this, who else is in favor of these plans?



GARLAND

February 13, 2019

CITY OF GARLAND
PLANNING DEPARTMENT
P.O. BOX 469002
GARLAND, TX 75046-9002

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(Please Check One Below)

☐ I am in favor of the request.

☒ I am opposed to the request.

Please include any comments you wish to provide supporting your position in the space provided below.

Commercial, Retail, Office & Hospitality on N. tract is OK. I oppose Multi-family due to the added traffic it will cause on Naaman Forest. (over)

(Please complete the following information)

6208 Eagle Nest Dr

Your Property Address

George Mones

Printed Name

6208 Eagle Nest Dr

Address

Garland, TX

City, State

75044

Zip

currently
Campbell & Naaman Forest. Morning traffic won't
let us turn onto Campbell. Evening traffic won't
let us turn onto Naaman Forest.

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

A. J. Morris
Signature

Homeowner in Shoal Creek
Title
Townhomes

Date: 2/21/19

Z 18-41

Approval of 1) an amendment to Planned Development (PD) 12-41 District, 2) an amended Concept Plan for Dwelling, Multi-Family and Office, Retail & Service Uses and 3) a Detail Plan for Dwelling, Multi-Family on a property zoned Planned Development (PD) 12-41 District for Mixed-Use.

**City Council Meeting
March 19, 2019**



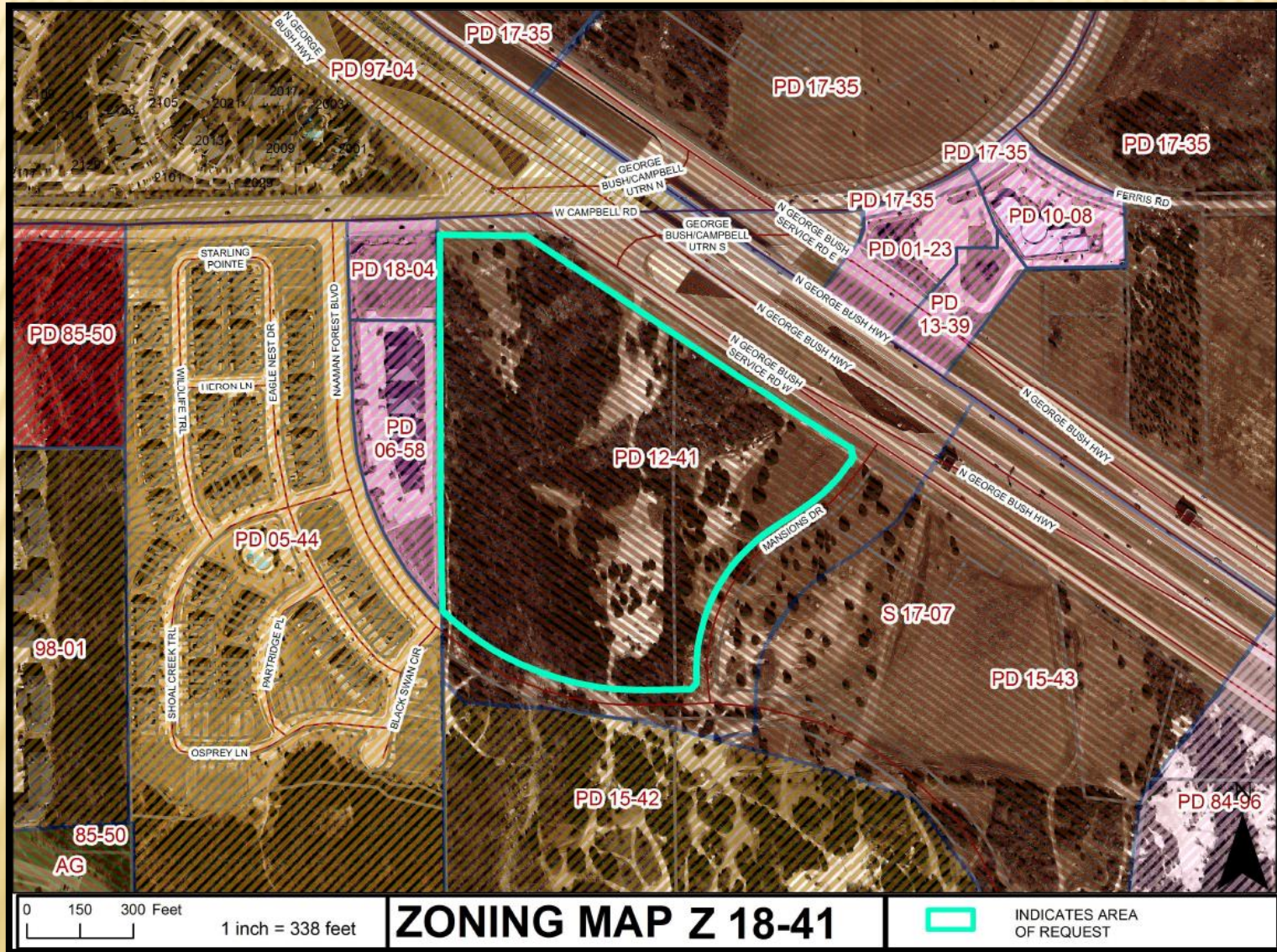
GARLAND

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GARLAND
TEXAS MADE HERE

Location Map & Surrounding Properties



Z 18-41

Case Information

Location: 6310 Naaman Forest Boulevard and 6501 North President George Bush Highway

Applicant: Kimley-Horn

Owner: Campbell 190 Partners LLC

Acreage: Block 1 has 22.44 acres (8.96 acres in Tract 1 and 13.48 in Tract 2)

Zoning: Planned Development (PD) 12-41 District for Mixed-Use



Background

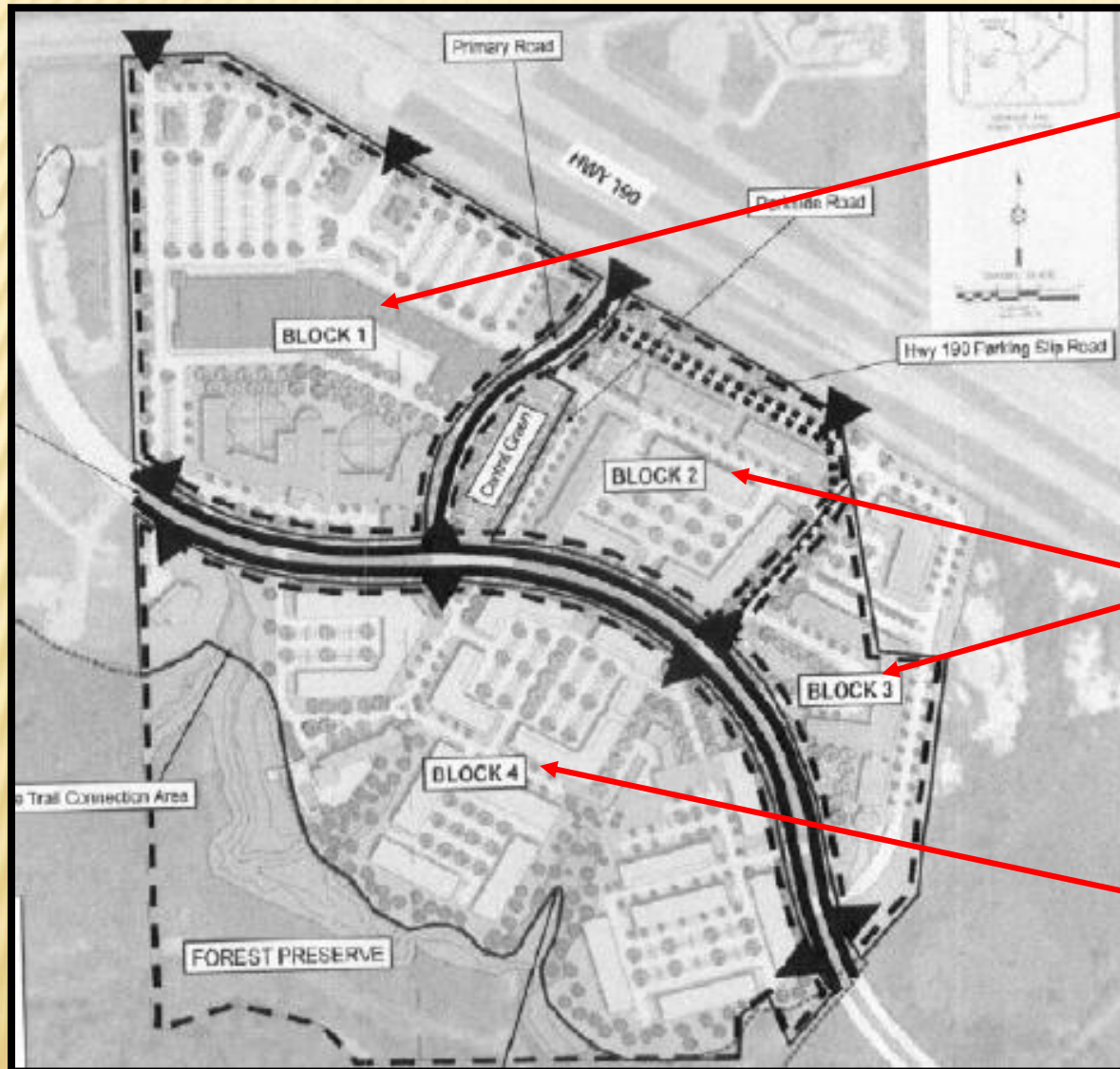
Concept Plan under PD 12-41

Block 1 (subject property)

PD 12-41 identifies Block 1 as an area prime for opportunities for more active retail and mixed-use development. Allowable land uses include Community Retail, Senior Living, Multi-Family, Hotel and Health Care Uses.

Block 2 & 3 (The Towers at Spring Creek; 376 apartment units and a restaurant w/a drive-through)

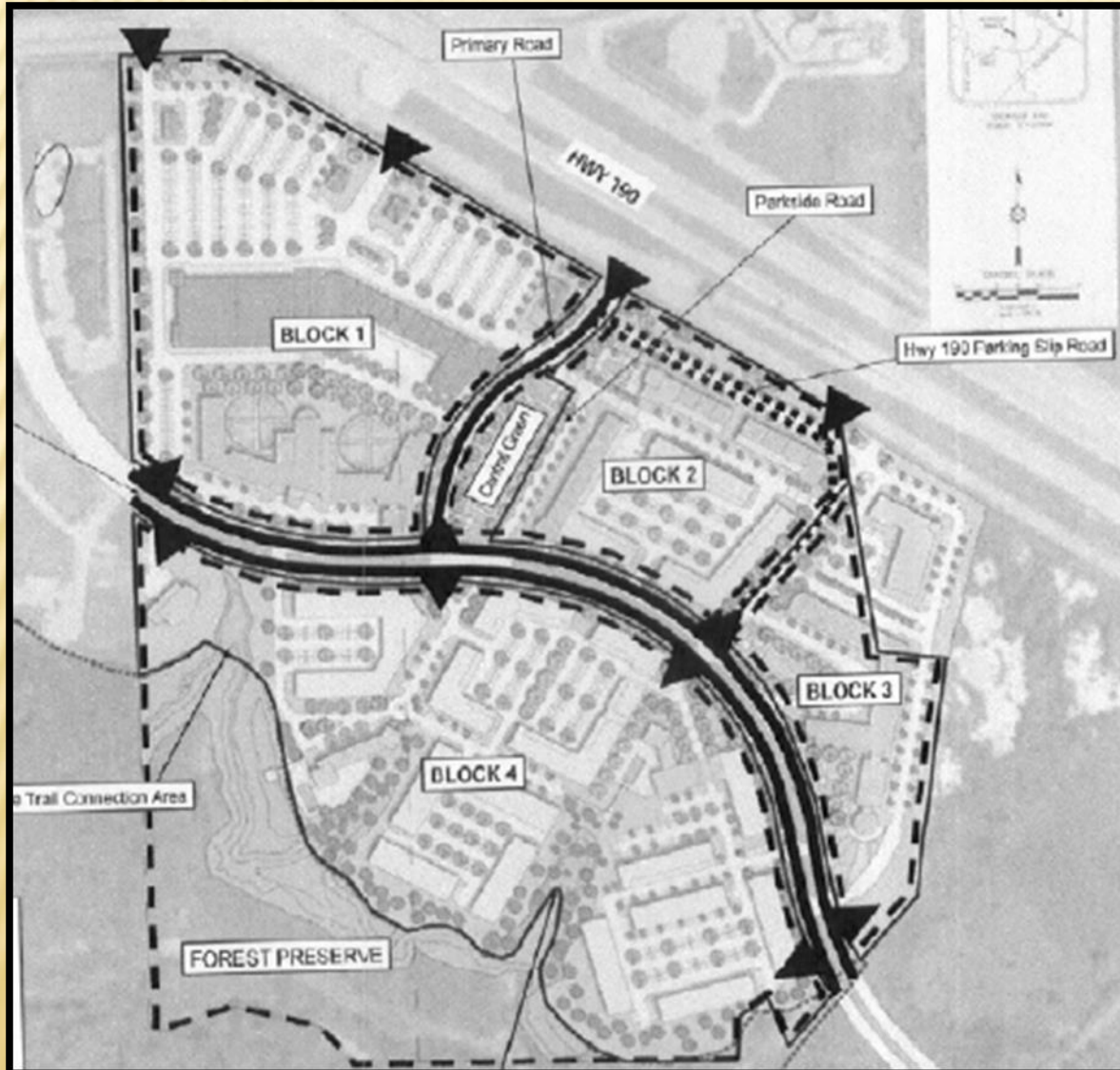
Block 4 (The Mansions at Spring Creek; 560 apartment units)





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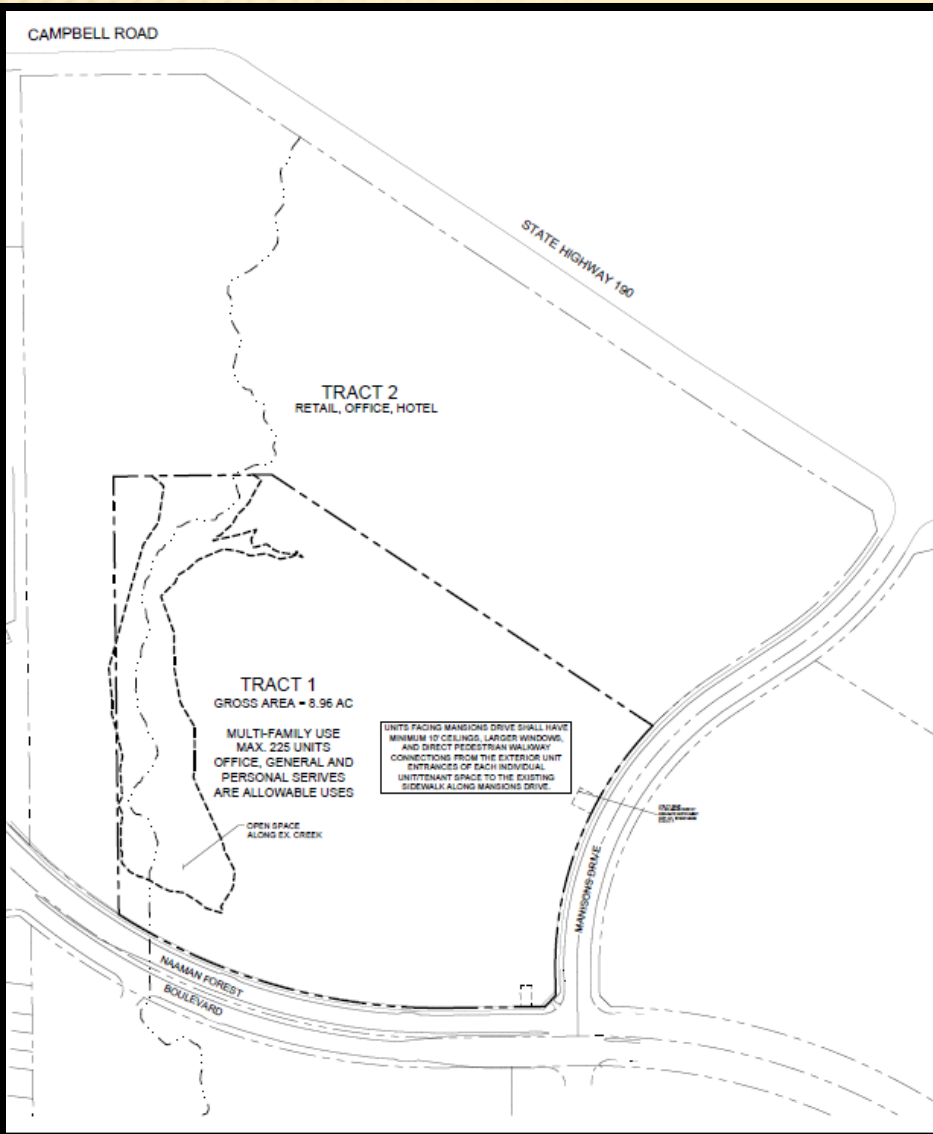
Considerations (Amended Concept Plan for Block 1)



Approved Concept Plan under
PD 12-41



Considerations (Amended Concept Plan for Block 1)

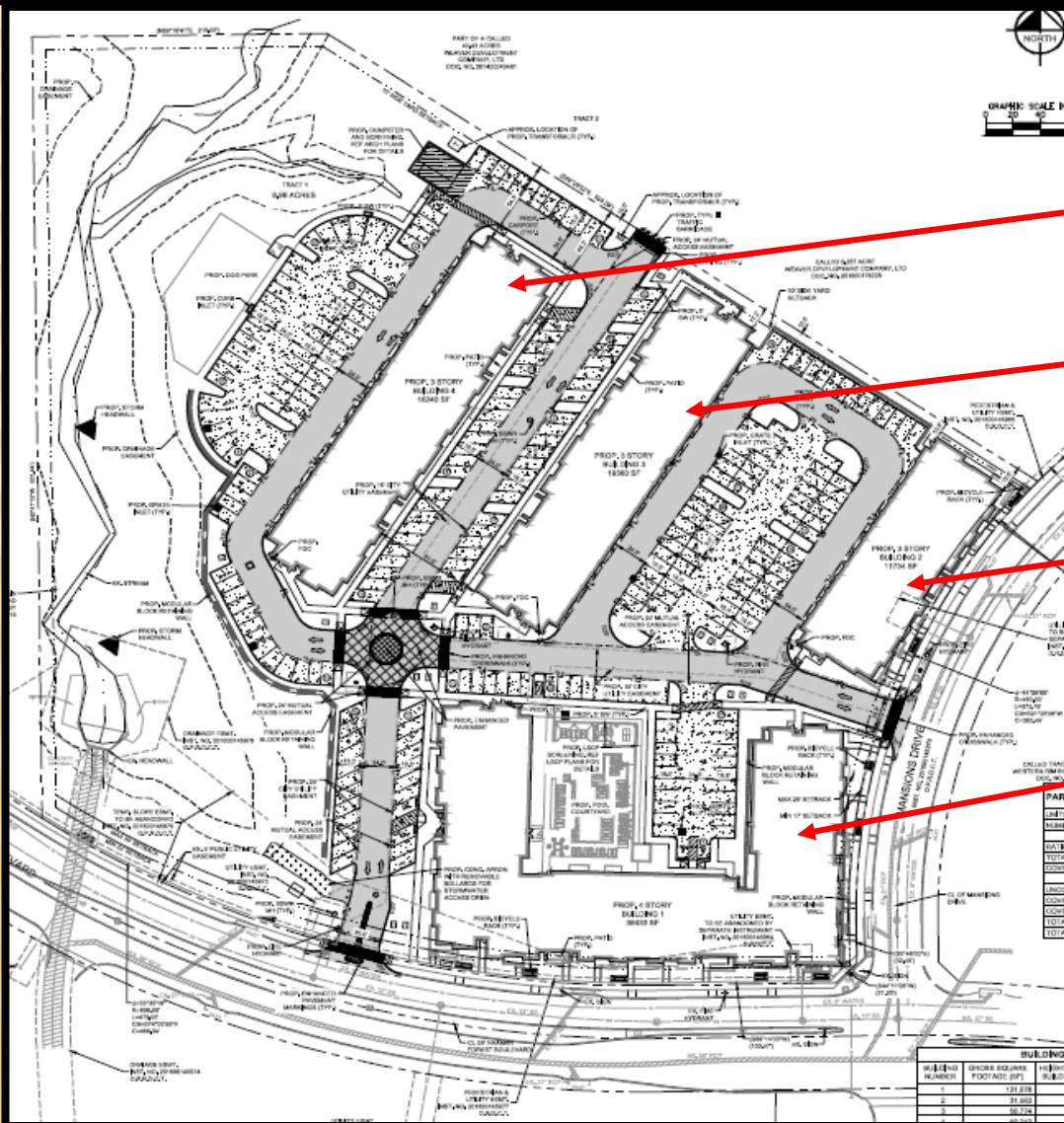


Proposed amended Concept Plan for Block 1

- It divides Block 1 into Tract 1 (8.96 acres) and Tract 2 (13.48 acres).
- It identifies Multi-Family; Office, General and Personal Services as the (3) permitted land uses on Tract 1
- It identifies Retail, Office and Hotel as the (3) permitted land uses on Tract 2
- PD 12-41 allows Multi-Family Use on Block 1 only in a mixed-use development in which 3 or more uses are present within Block 1 (e.g. a multi-family combined with office, hotel and retail). However, the applicant is exclusively focused on developing multi-family on Tract 1.



Considerations (Detail Plan for Tract 1)



Site Plan

Building 4

Building 3

Building 2

Building 1

Considerations (Detail Plan for Tract 1)

Unit Count and Density: PD 12-41 limits the number of MF units on the entire Block 1 by limiting the number of dwelling units to **225** and establishes a minimum density of **27** d.u. per net acreage. The applicant proposes **225** dwelling units at a density of **28.99** dwelling units per net acreage on Tract 1 of Block 1.

Unit Mix and Unit Sizes: The proposed multi-family development would offer a unit mix of 4 efficiency units, 140 one-bedroom units, 72 two-bedroom units, and 9 three-bedroom units. Furthermore, the minimum area for the efficiency units would be 663 square feet, for the one-bedroom units 726 square feet, for the two-bedroom units 1,144 square feet and for the three-bedroom units 1,476 square feet; the minimum average dwelling unit area would be 930 square feet.

Building Heights: PD 12-41 establishes a minimum height of 36 feet for all multi-family buildings. Building 1 would have 4 levels and a height of 57 feet while Buildings 2, 3 and 4 would have 3 levels and a height of 45 feet.

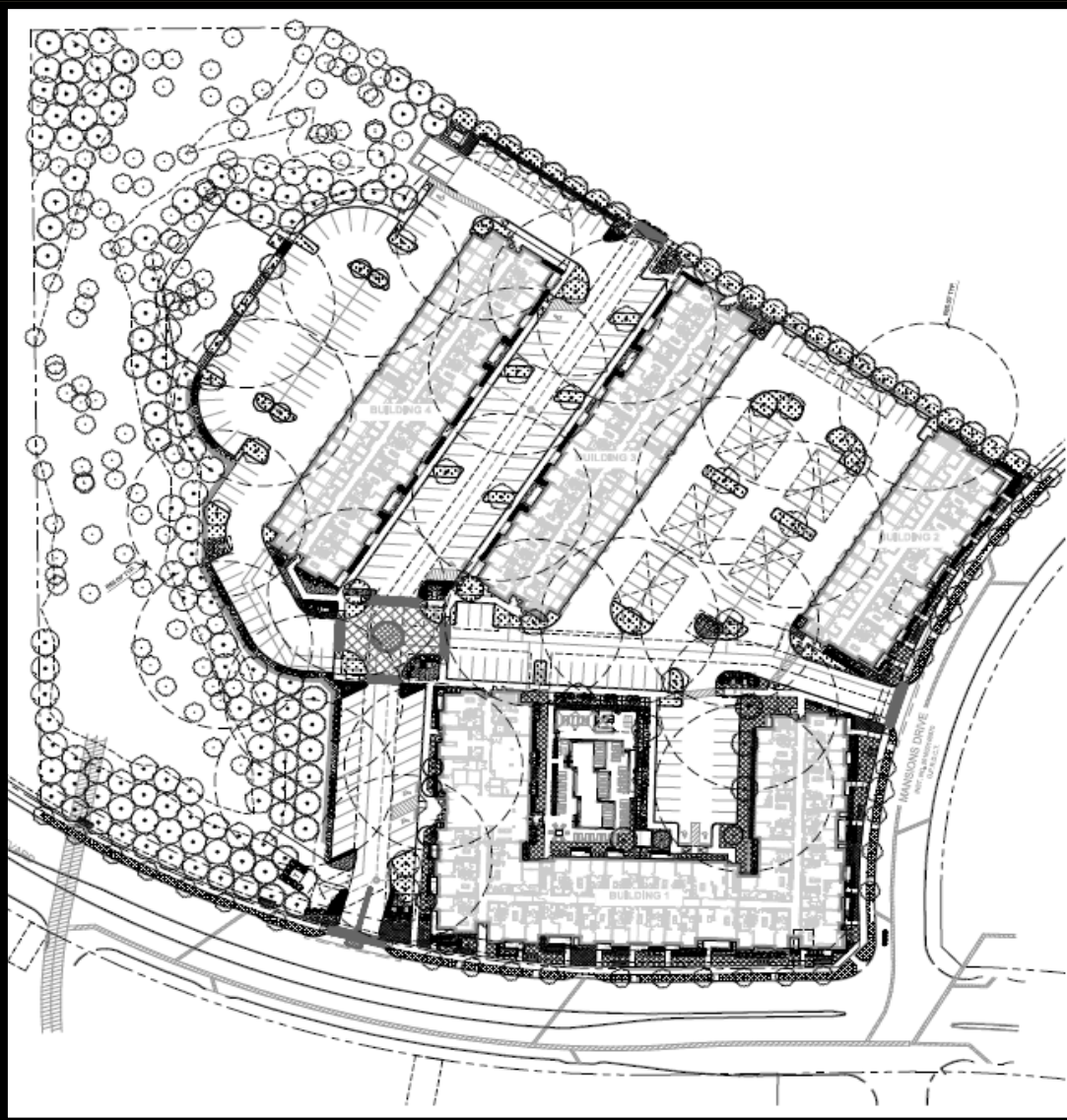
Parking: PD 12-41 prescribes a parking ratio of 1 space for each bedroom. For a multi-family development with 315 bedrooms, 315 parking spaces are required. The proposed Detail Plan provides 339 parking spaces, of which 213 are surface parking spaces, 70 parking spaces are provided under carports and 56 parking spaces are provided in tuck under garages.



GARLAND
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Considerations (Detail Plan for Tract 1)

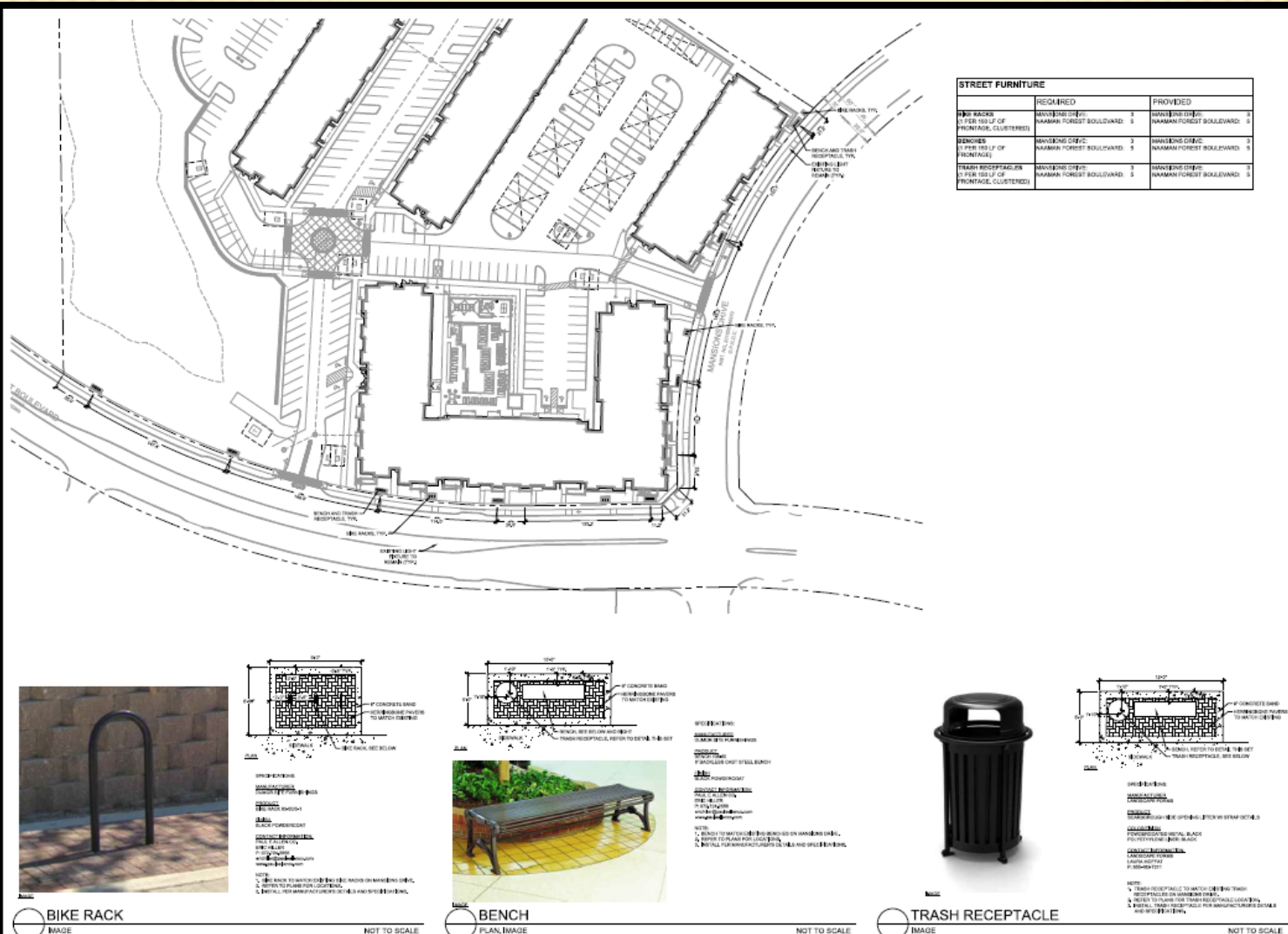
Landscape Plan





Considerations (Detail Plan for Tract 1)

Landscape Plan

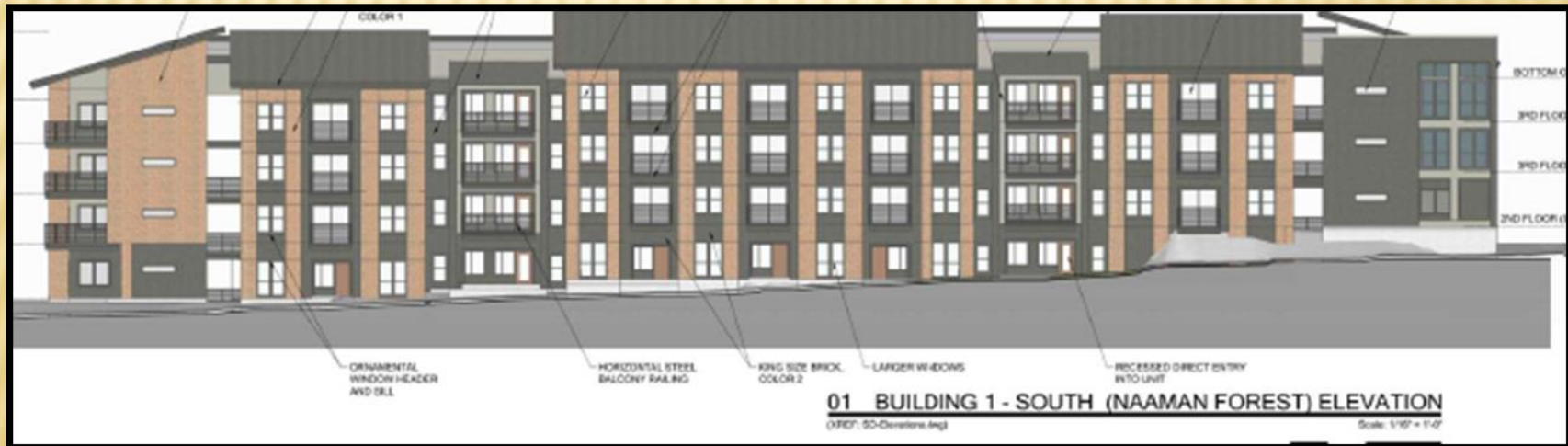




GARLAND
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Considerations (Detail Plan for Tract 1)

Building 1 Elevations





Considerations (Detail Plan for Tract 1)

Building 1 Elevations





Considerations (Detail Plan for Tract 1)

Building 1 Elevations

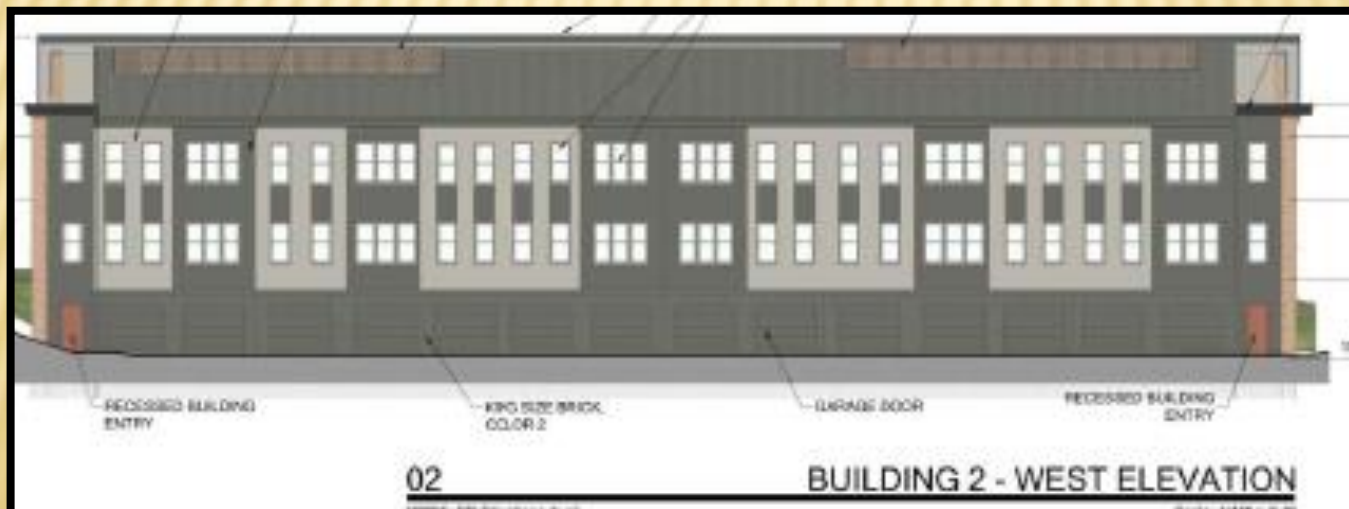




GARLAND
TEXAS MADE HERE

Considerations (Detail Plan for Tract 1)

Building 2 Elevations





Considerations (Detail Plan for Tract 1)



Building 2 Elevations





Considerations (Detail Plan for Tract 1)

Building 3 Elevations



Considerations (Detail Plan for Tract 1)

Building 3 Elevations





Considerations (Detail Plan for Tract 1)

Building 4 Elevations





GARLAND
TEXAS MADE HERE

Considerations (Detail Plan for Tract 1)

Building 4 Elevations



Considerations (Deviations)

- PD 12-41 requires at least 80 percent of the building street frontage (the building facade facing the street) to be within the minimum and maximum setbacks (build-to-zones) along Naaman Forest Blvd. and Mansions Dr. The applicant proposes to reduce this minimum percentage of building frontage within the minimum and maximum setbacks to 52 percent for Building 1 along Mansions Drive.
- Per PD 12-41 any building feature, defined as architectural attachments to the primary building facade, may encroach up to 4 feet from the building face into the minimum setback (beyond the build-to-zone). These features may include, but are not limited to stoops, planters and bay windows. The applicant proposes to increase the distance that these architectural attachments can encroach into the minimum setback to 6 feet.
- The GDC requires at least 50 percent of the required parking spaces in a multi-family development to be in attached enclosed garages and/or under detached multicar covered parking structures (carports). Additionally, each dwelling unit in the multi-family development must have at least one enclosed or covered parking space. Based on the aforementioned requirements, the proposed multi-family development would have to provide 225 enclosed and/or covered parking spaces. The applicant proposes to reduce the number of required enclosed and covered parking spaces to 126.



GARLAND
TEXAS MADE HERE

Considerations (Staff Recommendation)



Comprehensive Plan

The Envision Garland Plan designates the subject property as Business Center. Business centers provide a cluster of business offices and/or low impact industry, including campus-type developments, which cumulatively employ large numbers of people.

Business centers are generally located at intersections of major streets or significant transit areas. Proximity and access to residential areas are encouraged to reduce travel times to employment. Site design addresses function and visual aesthetics providing appropriate buffering at gateway corridors, between adjacent developments, and for residential neighborhoods. This development type includes a variety of primary and secondary uses, including compatible residential uses that support the business employment sector.



City Council Regular Session Agenda

16.

Meeting Date: 03/19/2019

Item Title: TM 19-01 Masterplan (District 7)

Submitted By: Josue De La Vega, Sr. Development Planner

Strategic Focus Areas:

ISSUE

Consider a request to waive a required payment to Tree Fund as outlined in the Garland Development Code Chapter 4: Article 4: Tree Preservation & Mitigation.

OPTIONS

1. Waive the required payment to the Tree Fund.
2. Grant partial relief from the required payment to the Tree Fund.
3. Deny the request.

BACKGROUND

This request is associated with Zoning Application Z 18-41. The subject site is located at the north corner of Naaman Forest Boulevard and Mansions Drive; it is an 8.96-acre unimproved area identified as part of Block 1 on an approved Concept Plan in Planned Development (PD) 12-41 District.

A Detail Plan, including the Landscape Plan, for the development of Multi-Family on the subject site was submitted with Zoning Application Z 18-41 showing the location of buildings, parking, landscaping, and areas of non-disturbance. The applicant is requesting a waiver of the required mitigation funds to be paid to the Reforestation and Tree Management Fund.

CONSIDERATION

1. The Garland Development Code (GDC) Chapter 4 Article 4 – Tree Preservation & Mitigation intends that existing significant trees and tree groupings be incorporated into the overall design of a development, prevent clear-cutting and the unnecessary removal of trees with development. Preservation and replacement of trees is intended to further the benefit of public health and welfare, reducing runoff and erosion, and providing other environmental benefits to the community, enhancing community appearance and property values. However, if the property size, shape or topography is unworkable, then the mitigation of protected trees may be considered through the payment to a City Reforestation and Tree Management Fund. The fee is one hundred and fifty dollars per caliper inch.

2. The applicant is requesting a waiver of the fee based upon the following factors:
- a. Extraordinary Mitigation Costs. The tree inventory identifies 1,343 caliper inches of trees with a mitigation cost of \$150.00 per caliper inch for a total of \$201,450.00.
 - b. New Tree Planting. Future tree planting of approximately 796 caliper inches of new trees with the proposed Multi-Family development.
 - c. Tree Caliper Increase. Increasing the minimum planting size from 3 inches to 4 inches.
 - d. Additional Tree Plantings. The landscaping program includes increasing the total number of trees planted on-site from 68 trees per the Garland Development Code (GDC) to 199 trees.
 - e. Tree Preservation. Preserving trees to the greatest extent possible.

The specific relief the applicant requests is for \$201,450.00 for on-site tree mitigation.

Attachments

TM 19-01 Masterplan Tree Fee Waiver Request and Attachments

TM 19-01 Staff Presentation

4 February 2019

TO: Will Guerin, AICP, Director
Planning & Community Development Department
800 Main Street, 2nd Floor
Garland, TX 75040

RE: Request for relief from Article 4 - Tree Preservation and Mitigation of the Garland Development Code for an 8.77-acre property, Alta Spring Creek

On behalf of Wood Partners, Masterplan requests relief from the city's tree mitigation regulations as part of a 225-unit multi-family residential community identified as Alta Spring Creek, at Mansions Drive and Naaman Forest Boulevard. The property terrain and grade change, and creek bed adjacency present challenges in development. As found with developing adjacent to floodplains, site grade change must occur to prepare appreciable flat areas for building pad sites and parking areas, resulting in tree loss. Wood Partners plans to preserve and replace trees to the maximum extent possible while accommodating the proposed development plan. Below is a summary of the proposed tree preservation and required mitigation:

TOTAL CALIPER INCHES PRESERVED	1,416 (110 TREES)
INCHES REQUIRED TO BE MITIGATED	2,139

Wood Partners proposes to mitigate trees through on-site planting per the enclosed Landscape Plan. The landscaping program includes increasing total trees planted on-site from the minimum Garland Development Code (GDC) required 68 to 199 trees. Moreover, the proposal includes increasing the minimum caliper inches at planting from 3" to 4" for canopy trees. With these additional trees planned, the tree planting plan is at maximum capacity without overcrowding trees for proper growth or conflicting with other planned site improvements.

Based on the tree management proposal, the tree planting plan and remaining mitigation summary is as follows:

INCHES TO MITIGATE	2,139
INCHES PLANTED ON-SITE TO COMPLY WITH LANDSCAPE ORD. (68 TREES)	(-272)
ON-SITE SURPLUS TREES (131)	(-524)
TOTAL INCHES PLANTED	(-796)
INCHES REMAINING	1,343
REQUIRED MITIGATION (\$150/INCH)	\$201,450.00

The large payment of \$201,450.00 puts an undue burden on the developer given the costs and provisions made. Wood Partners requests a full waiver based upon the following factors:

- Preserving trees to the greatest extent possible
- Increasing the minimum planting size to 4" for canopy trees
- Planting 131 additional on-site trees beyond the approved Landscape Plan
- Approximately \$132,000 of required mitigation is attributed to the lower quality Eastern Red Cedar
- Precedence of previous applications: City Council granted full waivers to:
 - Savoy at Garland, 608 Rowlett Road – 19 December 2006
 - Cypress Cove, Bobtown, north of Lyons Road – 6 February 2007
 - Fourth Avenue Investments (Apollo and Brand) 6 January 2015
 - JPI Jefferson Woodlands (Garland & Arapaho) January 2018

We look forward to working with Garland city staff and the City Council in review of this proposal. Wood Partners is also excited about being part of the Garland community and providing an excellent residential product.

Best Regards,

Maxwell J. Fisher, AICP
Chief Consultant
Masterplan

OWNER / DEVELOPER
WOOD PARTNERS
5401 HARVEST HILL ROAD # 200
DALLAS, TX
214.983.0218

ARCHITECT
GFF
2808 FARMOUNT STREET SUITE 300
DALLAS, TX
214.303.1900

CIVIL ENGINEER
KIM E. HENDRICK
1505 PINE ROAD
TWO GALLERIA OFFICE TOWER SUITE 100
DALLAS, TX
972.770.1300

REVISED

PRELIMINARY
FOR REVIEW PURPOSES ONLY
AND SHALL NOT BE USED FOR
BIDDING, PERMITTING, OR
CONSTRUCTION
C. Heth Kendrick
Registered Landscape Architect of the
State of TEXAS
Registration Number: 2948

**NOT FOR
CONSTRUCTION**

PROJECT

**ALTA SPRING
CREEK**

WOOD PARTNERS

REVISION / ISSUANCE

NO.	DESCRIPTION	DATE
1	TECHNICAL REVIEW	02/06/2019

DESIGNED BY:
DRAWN BY:
CHECKED BY:

VERT: N/A
HORIZ: 1"=40'
0 20 40 60
FEET

PLANTING PLAN

SHEET NUMBER

L1-01

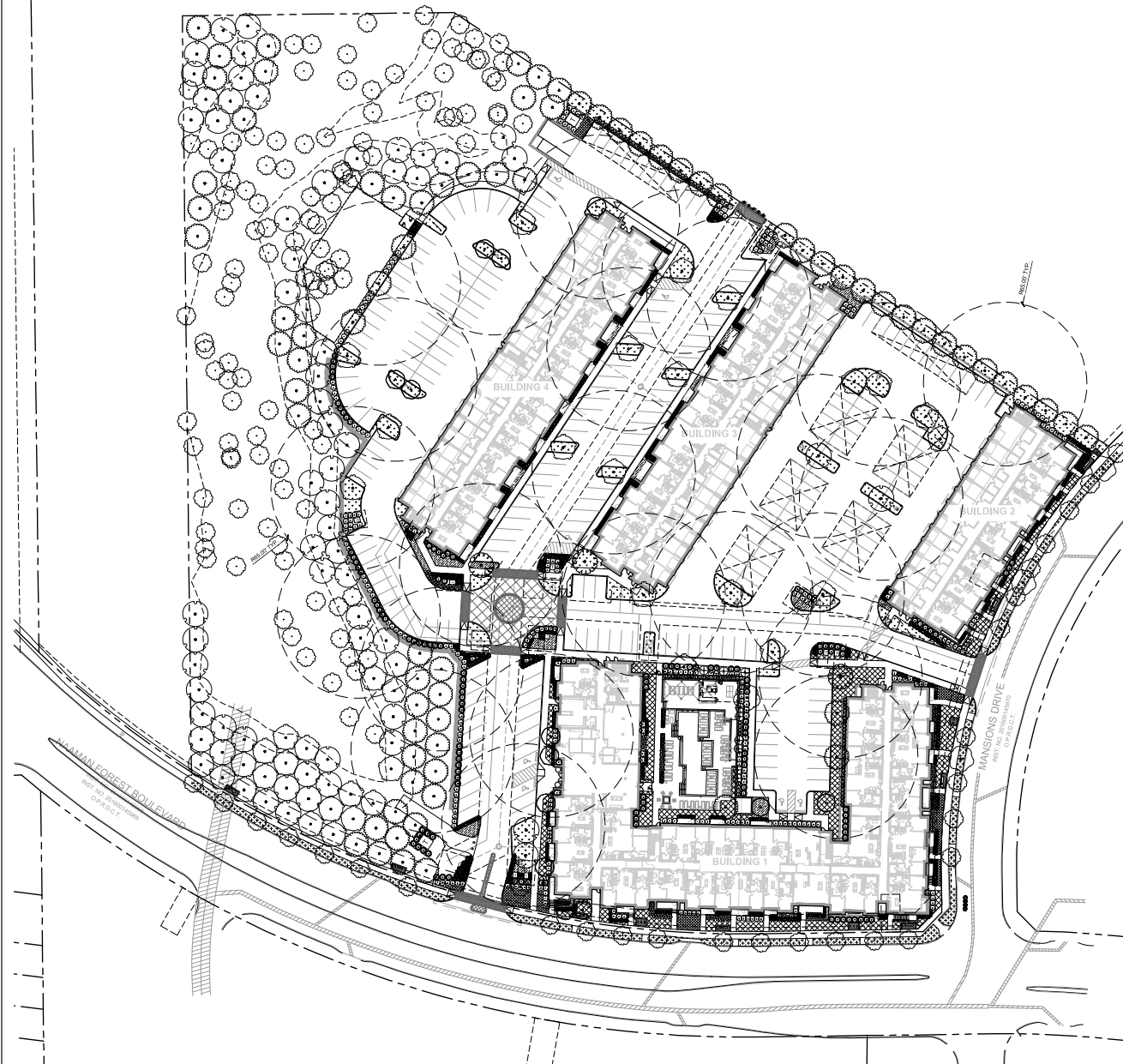
PLANT SCHEDULE						
TREES	CODE	QTY	BOTANICAL NAME / COMMON NAME	CALIPER	SIZE	MATURE SIZE
CECA	1		Cercis canadensis 'venusta' / Texas Redbud	4" MIN.	6'-8" HT.	20'-30" HT.
FRTE	1		Fraxinus texensis / Texas Ash	4" MIN.	8'-10" HT.	40'-60" HT.
GBAG	3		Grigio ibkita 'Autumn Gold' TM / Masterton Tree	4" MIN.	8'-10" HT.	40'-60" HT.
BLVO	2		Ilex vomitoria / Yaupon Holly	4" MIN.	8' HT MIN.	15'-20" HT.
LAWN	8		Lagerstrœmia indica / Crape Myrtle	4" MIN.	8'-12" HT.	20'-30" HT.
QUOH	64		Quercus shumardii / Shumard Red Oak	4" MIN.	8'-10" HT.	40'-60" HT.
QUVA	3		Quercus virginiana / Southern Live Oak	4" MIN.	10'-12" HT.	40'-60" HT.
TACO	77		Taxodium distichum / Bald Cypress	4" MIN.	10'-12" HT.	50'-100" HT.
ALOR	37		Ulmus crassifolia / Cedar Elm	4" MIN.	10'-12" HT.	40'-60" HT.
VC	2		Vitis aestivalis / Chaste Tree	4" MIN.	8'-10" HT.	15'-20" HT.
SHRUBS	CODE	QTY	BOTANICAL NAME / COMMON NAME	SPACING	SIZE	MATURE SIZE
ABGR	214		Aster x grandiflorus / Glossy Aster	4' O.C.	2' HT MIN.	2'-6" HT.
CAMM	18		Calliandra americana / American Bougainvillea	4' O.C.	2' HT MIN.	2'-6" HT.
IVNA	538		Ilex vomitoria 'Nana' / Dwarf Yaupon	2' O.C.	1' HT MIN.	2'-4" HT.
LEFR	62		Leucophyllum frutescens / Texas Sage	3' O.C.	2' HT MIN.	2'-4" HT.
MOLG	9		Magnolia grandiflora 'Little Gem' / Dwarf Southern Magnolia	10' O.C.	6'-8" MIN. HT.	20'-25" HT.
MYNA	91		Myrica caroliniana 'Nana' / Dwarf Wartybush	3' O.C.	2' HT MIN.	4'-6" HT.
PRCA	125		Prunus caroliniana / Carolina Laurel Cherry	4' O.C.	2' HT MIN.	4'-8" HT.
GRASSES	CODE	QTY	BOTANICAL NAME / COMMON NAME	SPACING	SIZE	SPACING
MEAL	235		Miscanthus sinensis 'Morning Light' / Eulalia Grass	3' O.C.	1' HT MIN.	30' x 4'
GROUND COVERS	CODE	QTY	BOTANICAL NAME / COMMON NAME	SPACING	SIZE	SPACING
CD	12,044 sf		Cynodon dactylon / Bermuda Grass	-	800'	-
ERT			Existing Turf To Remain	-	-	-
LM	2,029 sf		Unripe muscadine / Lily Turf	18" O.C.	12" HT MIN.	10'-18" HT MIN.
TA	8,291 sf		Tachyparpum asiaticum / Asian Jasmine	12" O.C.	9" HT MIN.	13'-18" HT MIN.

SITE AREA:		
	SQ. FT.	%
TOTAL SITE AREA	390,298	100%
LANDSCAPE AND OPEN SPACE	183,004	47%
PARKING AREA:		
	SQ. FT.	%
TOTAL PARKING AREA	121,533	100%
LANDSCAPED ISLANDS	6,077	5%

REQUIRED TREES:			
	RATIO	REQUIRED	PROVIDED
MANSIONS DRIVE -420 LF FRONTAGE	1 TREE/ 30 LF AVE.	14 TREES	14 TREES
NAAMAN FOREST DRIVE -621 LF FRONTAGE	1 TREE/ 35 LF AVE.	18 TREES	18 TREES
PARKING -356 SPACES	1 TREE/ 10 LF AVE.	36 TREES	36 TREES

REQUIRED SHRUBS:			
	RATIO	REQUIRED	PROVIDED
MANSIONS DRIVE -420 LF FRONTAGE -NOT LISTED ON THOROUGHFARE PLAN	NONE	NONE	FRONT YARD PLANTING PER PD 12-41
NAAMAN FOREST DRIVE -621 LF FRONTAGE -TYPE D THOROUGHFARE PLAN	7 SHRUBS / 30 LF	154 SHRUBS	FRONT YARD PLANTING PER PD 12-41 (MIN. 154 SHRUBS)

PLANTING NOTES:
1. ALL SHRUBS SCREENING PARKING AREAS WILL HAVE A MINIMUM HEIGHT OF 2 FEET AT TIME OF PLANTING AND WILL REACH A MINIMUM HEIGHT OF 3 FEET WITHIN 2 YEARS OF PLANTING.
2. ALL AREAS OF EXISTING VEGETATION DISTURBED BY CONSTRUCTION ACTIVITY AREA TO BE REPLANTED WITH SOO OR GROUND COVER UNLESS SPECIFIED OTHERWISE.



TM 19-01

**Consider a request to waive a required payment to Tree Fund
as outlined in the Garland Development Code Chapter 4:
Article 4: Tree Preservation & Mitigation.**

**City Council Meeting
March 19, 2019**



GARLAND

TEXAS MADE HERE

Case Information

Location: 6310 Naaman Forest Boulevard

Applicant: Masterplan

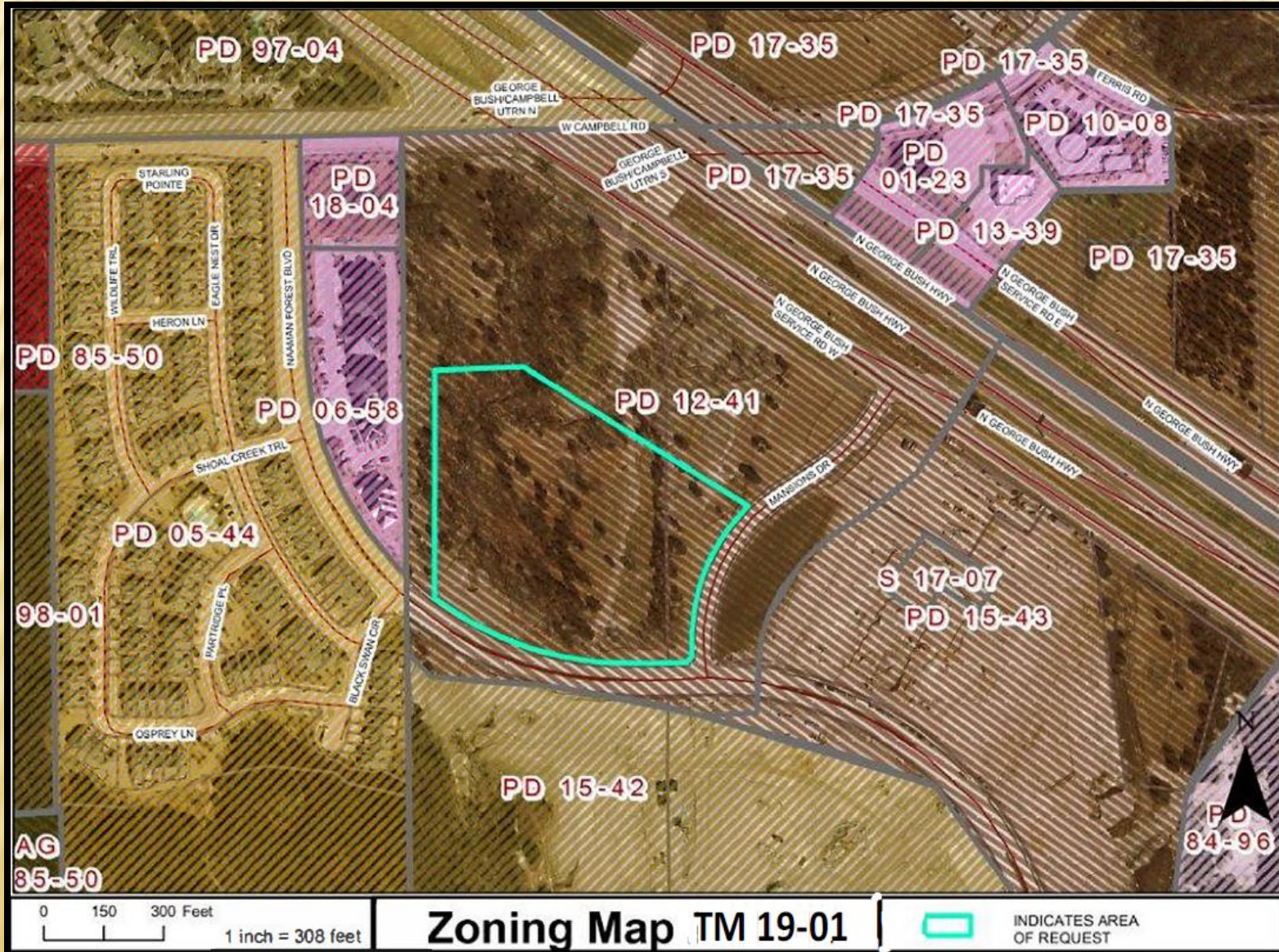
Owner: Campbell 190 Partners LLC

Zoning: Planned Development (PD) District 12-41 for Mixed-Use



GARLAND
TEXAS MADE HERE

Location Map & Background



TM 19-01



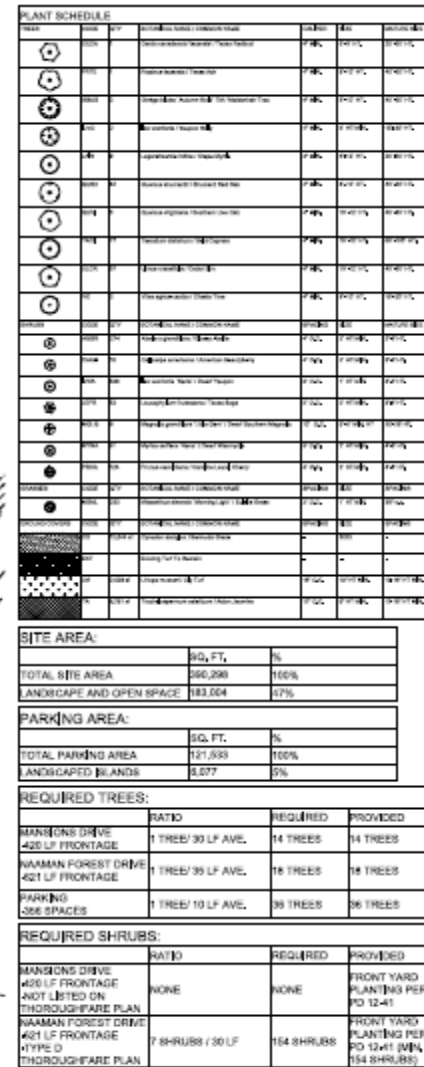
Tree Preservation & Mitigation

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Landscape Plan



PLANTING NOTES:

- 1. ALL WOODS BURNING PLANTS ARE TO BE PLANTED AT A 10' DISTANCE FROM ALL PLANTING AND ALL NEARBY BURNING PLANTS.
- 2. ALL PLANTS OF THE BURNING PLANT ARE TO BE PLANTED AT A 10' DISTANCE FROM ALL PLANTING AND ALL NEARBY BURNING PLANTS.

Considerations

1. GDC – Preservation and replacement of trees by on-site planting of trees and/or payment to the City Reforestation and Tree Management Fund.

Considerations

2. Waiver of the fee based upon the following factors:

- a. Extraordinary Mitigation Costs. The tree inventory identifies 1,343 caliper inches of trees with a mitigation cost of \$150.00 per caliper inch for a total of **\$201,450.00**.
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Options

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- 3. Deny the request.**

