



# GARLAND

## AGENDA

### **REGULAR MEETING OF THE CITY COUNCIL**

**City of Garland  
Council Chambers, City Hall  
William E. Dollar Municipal Building  
200 North Fifth Street  
Garland, Texas  
February 6, 2018  
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.**

### **Vision Statements**

In November 2017, Council adopted the following ten Vision Statements that reflect the attributes that they want to accurately describe the Garland community.

- **Growing Economic Base**
- **Commercially Thriving Downtown**
- **Well-Maintained City Infrastructure**
- **Amenities, Arts, and Events that Add to Quality of Life**
- **Safe**
- **Vibrant Neighborhoods and Commercial Centers**
- **Reliable, Cost-Efficient Utility Services**
- **Customer-Focused City Services**
- **Well-Established Governance and Financially Sound**
- **City Organization that is Future Focused**

## **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 January 11, 2018 Special Meeting and the January 16, 2018 Regular Meeting.

2. Consider approval of the following bids:

- a. Base Sealing Membrane

**Bid No. 0201-18**

**Professional Coating Technologies, Inc.**

**\$108,240.00**

*This request is to purchase base sealing membrane for the Street Department.*



**b. Asphalt Road Materials** **Bid No. 0204-18**

**Texas Bit** **\$3,046,800.00**

*This request is to purchase various hot mix and cold mix products for the use on Street Department projects throughout the city.*

**c. GP&L Firewheel to Lookout 138kV Transmission Line Rebuild Materials** **Bid No. 0215-18**

**Techline, Inc.** **\$205,444.95**  
**Optional Contingency** **19,351.00**  
**TOTAL:** **224,795.95**

*This request is to purchase materials associated with the rebuild of the Firewheel to Lookout 138kV Transmission Line. Due to the complex nature of the project, an Optional Contingency is included for any additional materials that may be required.*

**d. Backhoe Loader Tractors for Street Department** **Bid No. 0340-18**

**Holt Texas, Ltd.** **\$297,000.00**

*This request is to purchase three Backhoe Loader Tractors to be used by the Street Department in their daily operations.*

**e. Telehandler for GP&L** **Bid No. 0341-18**

**Equipment Depot** **\$128,033.22**

*This request is to purchase one Genie Telehandler to be used by GP&L in their daily operations.*

**f. Light Duty Trucks and Van for GP&L** **Bid No. 0338-18**

**Caldwell Country Chevrolet** **\$119,129.00**

*This request is to purchase one Flatbed Truck, one Pickup Truck, and one Cargo Van to be used by GP&L in their daily operations.*

**g. Water Main Rehabilitation**

**Bid No. 0306-18**

|                                     |                          |
|-------------------------------------|--------------------------|
| <b>Insituform Technologies, LLC</b> | <b>\$1,557,677.75</b>    |
| <b>Optional Contingency</b>         | <b><u>155,767.78</u></b> |
| <b>TOTAL:</b>                       | <b>1,713,445.53</b>      |

*This request is to provide trenchless rehabilitation of the existing water lines for the following locations: Alto Drive from Freemont to Dairy Road, Bardfield from Keele to Saturn Road, Thistle Drive from Thicket to Hartford, and Curtis Drive from Susan to Davidson Drive. Due to the complex nature of the project, an Optional Contingency is included for unforeseen additional repairs that may be required.*

**h. Sanitary Sewer Line Rehabilitation**

**Bid No. 0324-18**

|                                     |                         |
|-------------------------------------|-------------------------|
| <b>Insituform Technologies, LLC</b> | <b>\$871,970.00</b>     |
| <b>Optional Contingency</b>         | <b><u>87,000.00</u></b> |
| <b>TOTAL:</b>                       | <b>958,970.00</b>       |

*This request is to provide trenchless rehabilitation of the existing 1,400 feet of 10-inch cast iron sanitary sewer pipe from Collins to Campbell Road utilizing pipe-burst technology. Due to the complex nature of the project, an Optional Contingency is included for unforeseen additional repairs that may be required.*

**i. TMPA Keith Switch to Steep Hollow OPGW Materials**

**Bid No. 0214-18**

|                             |                         |
|-----------------------------|-------------------------|
| <b>WESCO Distribution</b>   | <b>\$174,402.85</b>     |
| <b>Optional Contingency</b> | <b><u>17,440.00</u></b> |
| <b>TOTAL:</b>               | <b>191,842.85</b>       |

*This request is to purchase materials associated with the installation of OPGW fiber on the TMPA Keith Switch to Steep Hollow 138kV Transmission Line. Due to the complex nature of the project, an Optional Contingency is included for any additional materials that may be required.*

**j. Centerville Road Street and Sidewalk Repairs - S.H. 66 to Broadway**

**Bid No. 0262-17**

|                                          |                     |
|------------------------------------------|---------------------|
| <b>XIT Paving and Construction, Inc.</b> | <b>\$300,000.00</b> |
|------------------------------------------|---------------------|

*This request is to provide additional repairs for the Centerville Road Street and Sidewalk Repairs - S.H. 66 to Broadway Boulevard project.*

**k. Street Department Material Hauling Services**

**Bid No. 0270-18**

**Denali Services & Transport, LLC**

**\$255,000.00**

*This request is provide material hauling services to support Street Department construction projects.*

- 3. Consider a resolution authorizing the City Manager to execute Companion Economic Development Agreements related to the development of a Fairfield Inn Hotel within Firewheel Town Center Shopping Center; and providing an effective date.**

*Council is requested to consider a companion Economic Development Incentive Agreements with Simon Property Group and REVA Hospitality Garland, LLC.*

**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.**

- 4. Conduct a public hearing and consider an ordinance calling a special election for the purpose of submitting proposed amendments to the City Charter**

*Consider a public hearing and consider ordinance calling a special election to be held May 5, 2018 for the purpose of submitting proposed amendments to the City Charter for adoption or rejection by the voters, and providing for other matters relating to that election.*

- 5. Consider an ordinance ordering of a general election for the City of Garland, Texas to be held on the 5th day of May, 2018; providing a date for a run-off election; providing for a process to determine position of names on ballots; providing for locations of polling places; providing for early voting; providing for notice, publication, and posting of this order; and providing an effective date.**

*Consider an ordinance calling a general election to be held May 5, 2018 for the purpose of electing members to Council Districts 1, 2, 4, and 5, providing a date for a run-off, and providing for other matters relating to that election.*

6. **Consider an ordinance ordering a special election for the City of Garland, Texas to be held on the 5th day of May, 2018, for the purpose of electing a Mayor to fill a vacancy for the remainder of the current term of office; providing a date for a run-off election; providing for a process to determine position of names on ballots; providing for locations of polling places; providing for early voting; providing for notice, publication, and posting of this order; and providing an effective date.**

*Consider an ordinance calling a special election to be held May 5, 2018 for the purpose of electing a Mayor to fill the unexpired term of office, and providing for other matters relating to that election.*

7. **Hold a public hearing to receive comment on the 2018 Proposed Capital Improvement Program (CIP).**

*A public hearing will be held on the 2018 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 2018 Proposed CIP is available for public inspection in the City's libraries and the City Secretary's Office and has been on the City's website since January 17, 2018.*

8. **Hold public hearings on:**

- a. **Consider the application of Dunaway Associates, LP, requesting approval of 1) an amendment to Planned Development (PD) District 84-73; 2) an amended Concept Plan; and 3) a Detail Plan for a Grocery/Supermarket (>5,000sf), on property zoned Planned Development (PD) 84-73 for Neighborhood Office (NO) District Uses. This property is located at 4680 North Shiloh Road. (File No. Z 17-24, District 7) (This request has been withdrawn by the applicant.)**

*BEING a 4.686-acre tract of land situated in the Thomas Montgomery Survey, Abstract Number 962, Dallas County, Texas, in the City of Garland. Being a portion of the tract of land described in the deed to William F. Callejo, Trustee recorded in Volume 67197, Page 1530, Deed Records of Dallas County, Texas. This site is located at 4680 North Shiloh Road. Approval of the proposal would allow for the development of an approximately 36,000 square foot grocery store.*

- b. **Consider the application of Fasil Kagnew, requesting approval of 1) a Planned Development (PD) District for Multi-Family Uses and 2) a Detail Plan for Elder Care-Assisted Living Facility on a property zoned Community Office (CO). This property is located at 1922 Castle Drive. (File No. Z 17-25, District 1)**

*Being a 2.52-acre tract of land situated in the W. CARTER SURVEY, ABSTRACT NO. 324 according to Special Warranty Deed recorded in Instrument number 201400133931 Official Public Records of Dallas County, Texas, and being Lot 1, Block A, of Northlake Estates No. 6, Second Section, an addition to the City of Garland, Dallas County, Texas, according to the plat recorded in Volume 73147 Page 1060 of Deed Records of Dallas County, Texas. The subject property is located at*

*1922 Castle Drive. Approval of the proposal would allow for a Planned Development (PD) and Detail Plan for an Elder Care Assisted Living Facility. The request is to restore and renovate the existing site and building and provide Assisted Living care.*

- c. **Consider the application of J. Volk Consulting, Inc. requesting approval of 1) an amendment to Planned Development (PD) 07-17 District for Single-Family-7 Uses, 2) an amendment to a Concept Plan, and 3) a Detail Plan for Dwelling, Single-Family Detached. This property is located on the south and east side of Ben Davis Road, approximately 1,500 feet southwest from the intersection of Ben Davis Road and Bunker Hill Road. (File No. Z 17-38, District 1)**

*BEING a 39.977-acre tract of land situated in the DANIEL CRIST SURVEY, ABSTRACT NO. 226, City of Garland, Dallas County, Texas and being all of that tract of land described in Deed to Standard Pacific of Texas, L.P., as recorded in Document No. 200600175717, Deed Records, Dallas County, Texas and being all of that tract of land described in Deed to Standard Pacific of Texas, L.P., as recorded in Document No. 200600339517, Deed Records, Dallas County, Texas. The site is located on the south and east side of Ben Davis Road, approximately 1,500 feet southwest from the intersection of Ben Davis Road and Bunker Hill Road. Approval of the proposal would allow for the development of a residential (single-family homes) subdivision.*

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

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

**Council Member Jerry Nickerson**

- Aaron Albert Floarea - Senior Citizens Advisory Committee

**10. Citizen comments.**

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

**11. Adjourn.**

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





**GARLAND**

**City Council Regular Session Agenda**

**1.**

**Meeting Date:** February 6, 2018

**Item Title:**

**Submitted By:** Courtney Vanover, Department Coordinator I, City Secretary

---

**Summary:**

**Consider approval of the minutes of the January 11, 2018 Special Meeting and the January 16, 2018 Regular Meeting.**

---

**Attachments**

January 11 2018

January 16 2018

---

## Minutes of the Garland City Council Regular Meeting

The City Council of the City of Garland convened in Special session at 6:00 p.m. on Thursday, January 11, 2018 in the Council Chambers at City Hall, 200 North Fifth Street, Garland, Texas, with the following members present:

|                  |                |                 |
|------------------|----------------|-----------------|
| COUNCIL PRESENT: | Mayor          | Douglas Athas   |
|                  | Mayor Pro Tem  | David Gibbons   |
|                  | Council Member | Anita Goebel    |
|                  | Council Member | Jerry Nickerson |
|                  | Council Member | B. J. Williams  |
|                  | Council Member | Rich Aubin      |
|                  | Council Member | Robert Vera     |
|                  | Council Member | Scott LeMay     |
|                  | Council Member | Robert Smith    |

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

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

1. PUBLIC HEARING  
HELD

Conduct a public hearing on amendments to the City Charter:  
The City Council, with the Charter Review Committee, will  
Consider public testimony regarding amendments to the City  
Charter.

Brad Neighbor, City Attorney provided a briefing on the  
Charter Review process.

Mike Rose, Chairman of the Charter Review Committee,  
introduced members of the committee and presented the  
committee report.

2. DISCUSSION HELD

Discuss amendments to the City Charter

Speakers with comments and suggestions on the proposed  
Charter revisions were: Darren Lathen, John Willis, and  
Deborah Morris. Ms. Morris read proposed changes from Mr.  
Bob Duckworth, who was not in attendance. Additional  
speakers were: Greg Yearsley, Louis Moore, and Jason  
Collard.



There was discussion by the Council and citizens were instructed to send additional comments on the Charter to the City Secretary.

3. ADJOURN

There being no further business to come before the City Council, Mayor Athas adjourned the meeting at 6:57 p.m.

CITY OF GARLAND, TEXAS

APPROVED: \_\_\_\_\_

Douglas Athas, Mayor

ATTEST: \_\_\_\_\_

Eloyce René Dowl, City Secretary

## 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, January 16, 2018 in the Council Chambers at City Hall, 200 North Fifth Street, Garland, Texas, with the following members present:

|                  |                |                  |
|------------------|----------------|------------------|
| COUNCIL PRESENT: | Mayor          | Douglas Athas    |
|                  | Mayor Pro Tem  | David Gibbons    |
|                  | Council Member | Anita Goebel     |
|                  | Council Member | Jerry Nickerson  |
|                  | Council Member | B. J. Williams   |
|                  | Council Member | Rich Aubin       |
|                  | Council Member | Robert Vera      |
|                  | Council Member | Scott LeMay      |
|                  | Council Member | Robert Smith     |
| STAFF PRESENT:   | City Manager   | Bryan Bradford   |
|                  | City Attorney  | Brad Neighbor    |
|                  | City Secretary | Eloyce René Dowl |

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

CONSENT AGENDA: All items marked with asterisks (\*\*) on the Consent Agenda were voted on at the beginning of the meeting. Mayor Athas read those items into the record. Motion was made by Mayor Pro Tem Gibbons to approve the Consent Agenda as presented, to include the revised resolution from Item 13 supporting I 635, seconded by Council Member Aubin, to approve items 1, 2a, 2b, 2c, 2d, 2e, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, and 13. Motion carried, 8 ayes, 0 nays.

1. APPROVED\*\* Approval of the Minutes of the January 9, 2018 Regular Meeting.

2a. APPROVED\*\* Bid No. 3233-13 awarded to MPI Architects in the amount of \$87,700.00 for Rowlett Creek WWTP Operations Expansion.

This request is to approve a Change Order for the Rowlett Creek WWTP Expansion project.

2b. APPROVED\*\* Bid No. 0256-18 awarded to: GT Distributors, Inc. in the amount of \$84,043.10, Plastix Plus, LLC \$24,230.00, Defender Supply, LLC \$2,562.78, Kustom signals, Inc. \$15,534.20, and Stop Stick, LTD \$870.47 for a total bid of \$127,240.55.

This request is to fit the new Police Department Tahoes with the equipment necessary to make them fully functioning patrol vehicles.

2c. APPROVED\*\*

Bid No. 1096-17 awarded to Hill & Wilkinson General Contractors in the amount of \$1,137,155.00 for Library Automated Materials Handling Systems.

This request is to award a Construction Manager at Risk (CMAR) contract for the installation for the automated materials handling systems at all four library locations.

2d. APPROVED\*\*

Bid No. 0281-18 awarded to Grantham & Associates, Inc. in the amount of \$63,810.00 for Engineering Services for Pleasant Valley Road Bridge and Utility Improvements.

This request is to provide additional engineering services for the Hike and Bike Trail from the south side to the north side of Rowlett Creek.

2e. APPROVED\*\*

Bid No. 0262-18 awarded to Civil Associates, Inc. in the amount of \$83,828.00 for Engineering Services for Ridgedale and Glenbrook.

This request is to provide additional engineering services for drainage improvements to Ridgedale and Glenbrook Drives.

3. APPROVED\*\*

Ordinance No. 6951 amending the Garland Development Code of the City of Garland, Texas, by approving a Specific Use Provision for a Reception Facility on a 7.194-acre tract of land zoned Community Retail (CR) District and located at 3265 Broadway Boulevard, Suite 104; providing for conditions, restrictions and regulations; providing for 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. (File Z 17-44, Arleen Macias, District 4)

4. APPROVED\*\*

Ordinance No. 6952 amending Chapter 21, "Fire Prevention and Protection," Chapter 26 "Police-Miscellaneous Provisions and Offenses," Chapter 30, "Building Inspection: and Chapter

51, "General Utility Provisions, " of the Code of Ordinances of the City of Garland, Texas, to consolidate various boards and commissions into a single unified building standards commission; 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.

The Administrative Services Committee directed City Staff to draft an ordinance for review and approval by the City Council that would combine the three construction code boards into one board and to address any Code of Ordinance amendments that would impact this recommended action.

5. APPROVED\*\*

Resolution No. 10320 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.

Council accepted the offer and sold 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.

6. APPROVED\*\*

Resolution No. 10321 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.

Council accepted the offer and sold the property to Ryan Z. and Associates, Inc. This property has been held by the City of Garland since 2012. 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. The sale of this property further supports a stable tax base and future development opportunities.

7. APPROVED\*\*

Resolution No. 10322 authorizing the Garland Independent School District to re-sell tax foreclosed property located at 6498 Beltline Road, Garland Texas, by public or private sale, as provided by Section 34.05 of the Texas Property Tax Code.

Council provided a consent of sale to Garland Independent School District. The City of Garland will collect a total of \$24,798.98 from the proceeds of this sale with \$15,615.38 being disbursed for maintenance and \$9,183.60 for taxes. In its current state, once returned to private ownership, the property is expected to generate an estimated \$593.00 annually City property tax revenue.

8. APPROVED\*\*

City Manager Employment Agreement

Council approved by minute action an employment agreement with Bryan L. Bradford to continue his employment in the position of City Manager.

9. APPROVED\*\*

City Attorney Employment Agreement

Council approved by minute action an employment agreement with Brad Neighbor to continue his employment in the position of City Attorney.

10. APPROVED\*\*

City Auditor Employment Agreement

Council approved by minute action an employment agreement with Jedson Johnson to continue his employment in the position of City Auditor.

11. APPROVED\*\*

Retirement Stability Benefit (RSB) for Civil Service Employees

Council authorized the City Manager to execute a 457(b) Plan and all related documents necessary to establish a 457(b) deferred compensation RSB for Civil Service employees with Lincoln Financial Group.

12. APPROVED\*\*

Optional Redemption of Tax Notes

Council approved the issuance of \$8,305,000 Tax Notes, Series 2017 on September 5, 2017, it was contemplated that the City would exercise the call provision to redeem the notes on February 15, 2018 prior to their scheduled maturity date of November 15, 2018. Council adopted Resolution No. 10323 to redeem the Tax Notes, Series 2017 as contemplated.

13. APPROVED\*\*

Resolution No. 10324 in support of LBJ East

Council approved a Resolution for support for the LBJ East project.

**ITEMS FOR INDIVIDUAL CONSIDERATION**

14. PRESENTED

Presentation of the 2018 Proposed CIP

City Manager Bradford presented the 2018 Proposed Capital Improvement Program (CIP) for the City Council's review and deliberation.

15. PUBLIC HEARING  
HELD

Conduct a public hearing on amendments to the City Charter

The Council considered public testimony regarding amendments to the City Charter.

There were no speakers on this item.

16. CITIZEN COMMENTS: None

RECESSED

Mayor Athas recessed the Regular Session to return to the Work Session at 6:45 p.m. for presentations on the Texas Department of Housing and Community Affairs 2018 Competitive Housing Tax Credit Grant Program.

RECONVENED

Mayor Athas reconvened the Regular Session at 8:45 p.m. to begin the staff report on the 2018 Competitive Housing Tax Credit Grant Program.

17. APPROVED  
(formerly Item 15)

Consider adoption of Resolutions for the Texas Department of Housing and Community Affairs 2018 Competitive Housing Tax Credit Grant Program

Council is requested to approve a resolution in support of, a resolution of non-opposition, or take no action on the applications. If the Council is not prepared to take action, this will be scheduled for consideration at the January 20, 2018 Work Session.

It was Council consensus to table this item until after the Work Session discussion and address as the last item on the Regular Session.

The staff report was presented by Mona Woodard, Neighborhood Services Administrator. There was discussion by the Council. A motion was made by Council Member Smith to approve resolutions of support for Reserves at Garland Ranch, Residences at Merriwood Ranch, Evergreen Basswood Community, Rowlett Senior Apartment Homes, Lakeview Center, Lavon Senior Apartment Homes, and Evergreen Senior Community, with additional language for Evergreen Garland Senior Community and Lavon Senior Apartment Homes, seconded by Council member Vera, to adopt Resolution No. 10325. Motion carried, 8 ayes, 0 nays.

18. ADJOURN

There being no further business to come before the City Council, Mayor Athas adjourned the meeting at 8:45 p.m.

CITY OF GARLAND, TEXAS

APPROVED: \_\_\_\_\_  
Douglas Athas, Mayor

ATTEST: \_\_\_\_\_  
Eloyce René Dowl, City Secretary



**GARLAND  
PURCHASING REPORT**

**City Council Regular Session Agenda**

**2.a.**

**Meeting Date:** February 6, 2018

**Item Title:** Base Sealing Membrane

**Submitted By:** Steve Oliver, Streets Director

**Bid Number:** 0201-18

---

**Purchase Justification:**

The purpose of this request is to purchase base sealing membrane for the Street Department. This product is a liquid membrane agent that will be applied on the base material to provide a protective, waterproof membrane and a reflective crack-sealer on street reconstruction projects. This is a Term Agreement with four 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 \$541,200 over the life of the agreement. Expenditures will not exceed appropriated funds.

**Evaluation:**

A request for bids was issued in accordance with Purchasing procedures. One bid response was received and evaluated from Professional Coating Technologies, Inc., who is the current vendor for the Street Department's base sealing membrane contract.

**Award Recommendation:**

| <u><b>Vendor</b></u>                    | <u><b>Item</b></u> | <u><b>Amount</b></u> |
|-----------------------------------------|--------------------|----------------------|
| Professional Coating Technologies, Inc. | All                | \$108,240.00         |
| <b>TOTAL:</b>                           |                    | <b>\$108,240.00</b>  |

**Basis for Award:** Straight Low Bid

**Purchase Requisition #:** PR 39097

---

**Fiscal Impact**

**Total Project/Account:** N/A

**Expended/Encumbered to Date:** N/A



**Balance:** N/A  
**This Item:** \$108,240  
**Proposed Balance:** N/A  
**Account #:** 451-6999  
**Fund/Dept/Project – Description and Comments:**  
Term Contract - Base Sealing Membrane

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:** 2017-18

**Document Location:** Page 276

---

---

**Budget Director Approval:** Ron Young

**Approval Date:** 01/25/2018

**Purchasing Director Approval:** Gary L. Holcomb

**Approval Date:** 01/24/2018

**BUYER:** Guy Trampe

## Professional Coating Technologies

[illegible]

|           |              |
|-----------|--------------|
| NEXT LOW: | \$0.00       |
| LOW:      | \$108,240.00 |
| SAVINGS:  | \$0.00       |

```
181 # IonWave Notifications
50 # IonWave HUBS
1 # Direct Contact HUBS
0 # HUBS Responded
```

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



**GARLAND  
PURCHASING REPORT**

**City Council Regular Session Agenda**

**2.b.**

**Meeting Date:** February 6, 2018

**Item Title:** Asphalt Road Materials

**Submitted By:** Steve Oliver, Streets Director

**Bid Number:** 0204-18

---

**Purchase Justification:**

The purpose of this request is to purchase various hot mix and cold mix products for the use on Street Department projects throughout the city. The asphalt may be either picked up from the vendor's plant or delivered to the job site, at the City's discretion. This is a Term Agreement with four 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 \$15,234,000 over the life of the agreement. Expenditures will not exceed appropriated funds.

**Evaluation:**

A request for bids was issued in accordance with Purchasing procedures. Two (2) bids were received and evaluated with Texas Bit submitting the only complete and responsive bid. Texas Bit is the current vendor for the Street Department's asphalt contract.

**Award Recommendation:**

|  | <u><b>Vendor</b></u> | <u><b>Item</b></u> | <u><b>Amount</b></u>  |
|--|----------------------|--------------------|-----------------------|
|  | Texas Bit            | All                | \$3,046,800.00        |
|  |                      | <b>TOTAL:</b>      | <b>\$3,046,800.00</b> |

**Basis for Award:** Straight Low Bid

**Purchase Requisition #:** PR 39111

---

**Fiscal Impact**

**Total Project/Account:** N/A

**Expended/Encumbered to Date:** N/A

**Balance:** N/A  
**This Item:** \$3,046,800  
**Proposed Balance:** N/A  
**Account #:** 451-6999  
**Fund/Dept/Project – Description and Comments:**  
Term Contract - Asphalt Road Materials

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:** 2017-18

**Document Location:** Page 276

---

---

**Budget Director Approval:** Ron Young

**Approval Date:** 01/25/2018

**Purchasing Director Approval:** Gary L. Holcomb

**Approval Date:** 01/24/2018

| CITY OF GARLAND - BID RECAP SHEET<br>OPENED: 1/4/2018<br>REQ. NO. PR 39111<br>BID NO. 0204-18<br>PAGE: 1 of 1<br>BUYER: Guy Trampe |       |      |                                                                 | Texas Bit                                                                                         |                | KLPCCommercial<br>(Not Responsive)                                                                                                                                                                                                                                                                                                                                                                                                      |             |            |       |            |       |
|------------------------------------------------------------------------------------------------------------------------------------|-------|------|-----------------------------------------------------------------|---------------------------------------------------------------------------------------------------|----------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|------------|-------|------------|-------|
| ITEM                                                                                                                               | QTY   | UNIT | DESCRIPTION                                                     | UNIT PRICE                                                                                        | TOTAL          | UNIT PRICE                                                                                                                                                                                                                                                                                                                                                                                                                              | TOTAL       | UNIT PRICE | TOTAL | UNIT PRICE | TOTAL |
|                                                                                                                                    |       |      | Hot & Cold Asphaltic Product                                    |                                                                                                   |                |                                                                                                                                                                                                                                                                                                                                                                                                                                         |             |            |       |            |       |
| 1                                                                                                                                  | 100   | tons | High Performance Cold Mix                                       | \$98.00                                                                                           | \$9,800.00     | \$110.00                                                                                                                                                                                                                                                                                                                                                                                                                                | \$11,000.00 |            |       |            |       |
| 2                                                                                                                                  | 3000  | tons | Hot Mix Asphaltic Concrete<br>Pavement, City Patch Mix or Equal | \$60.00                                                                                           | \$180,000.00   | No Bid                                                                                                                                                                                                                                                                                                                                                                                                                                  | No Bid      |            |       |            |       |
| 3                                                                                                                                  | 500   | tons | Hot Mix Asphaltic Concrete<br>TXDOT Item 340, Type B            | \$54.00                                                                                           | \$27,000.00    | No Bid                                                                                                                                                                                                                                                                                                                                                                                                                                  | No Bid      |            |       |            |       |
| 4                                                                                                                                  | 25000 | tons | Hot Mix Asphaltic Concrete<br>TXDOT Item 340, Type D            | \$56.00                                                                                           | \$1,400,000.00 | No Bid                                                                                                                                                                                                                                                                                                                                                                                                                                  | No Bid      |            |       |            |       |
| 5                                                                                                                                  | 22000 | tons | Delivery of Asphaltic Pavement<br>TXDOT Item 340, Type B&D      | \$65.00                                                                                           | \$1,430,000.00 | No Bid                                                                                                                                                                                                                                                                                                                                                                                                                                  | No Bid      |            |       |            |       |
|                                                                                                                                    |       |      | TOTAL GROSS PRICE                                               | \$3,046,800.00                                                                                    |                | \$11,000.00                                                                                                                                                                                                                                                                                                                                                                                                                             |             |            |       |            |       |
|                                                                                                                                    |       |      | CASH DISCOUNT                                                   |                                                                                                   |                |                                                                                                                                                                                                                                                                                                                                                                                                                                         |             |            |       |            |       |
|                                                                                                                                    |       |      | TOTAL NET PRICE                                                 | \$3,046,800.00                                                                                    |                | \$11,000.00                                                                                                                                                                                                                                                                                                                                                                                                                             |             |            |       |            |       |
|                                                                                                                                    |       |      | F.O.B.                                                          | DELIVERED                                                                                         |                | DELIVERED                                                                                                                                                                                                                                                                                                                                                                                                                               |             |            |       |            |       |
|                                                                                                                                    |       |      | DELIVERY                                                        |                                                                                                   |                |                                                                                                                                                                                                                                                                                                                                                                                                                                         |             |            |       |            |       |
| NEXT LOW: \$0.00<br>LOW: \$3,046,800.00<br>SAVINGS: \$0.00                                                                         |       |      |                                                                 | 240 # IonWave Notifications<br>55 # IonWave HUBS<br>0 # Direct Contact HUBS<br>1 # HUBS Responded |                | All bids submitted for the designated project are reflected on this bid tab sheet. However, the listing of bid on this sheet should not be construed as a comment on the responsiveness of such bid or as any indication that the city accepts such bid as responsive. The City will notify the successful bidder upon award of the contract and, according to the law, all bids received will be available for inspection at the time. |             |            |       |            |       |



**GARLAND  
PURCHASING REPORT**

**City Council Regular Session Agenda**

**2.c.**

**Meeting Date:** February 6, 2018

**Item Title:** GP&L Firewheel to Lookout 138kV Transmission Line Rebuild Materials

**Submitted By:** Jeff Janke, Administration

**Bid Number:** 0215-18

---

**Purchase Justification:**

The purpose of this request is to purchase materials associated with the rebuild of the Firewheel to Lookout 138kV Transmission Line. This line is needed to serve load growth in the North Garland area. Due to the complex nature of the project, an Optional Contingency is included for any additional materials that may be required. This project was approved in the Capital Improvement Program.

**Evaluation:**

A request for bids was issued in accordance with Purchasing procedures. One bid response was received and evaluated from Techline, Inc.

**Award Recommendation:**

| <u>Vendor</u>        | <u>Item</u> | <u>Amount</u>      |
|----------------------|-------------|--------------------|
| Techline, Inc.       | All         | \$205,444.95       |
| Optional Contingency |             | 19,351.00          |
| <b>TOTAL:</b>        |             | <hr/> \$224,795.95 |

**Basis for Award:** Straight Low Bid

**Purchase Requisition #:** 39122

---

**Fiscal Impact**

**Total Project/Account:** \$1,748,000  
**Expended/Encumbered to Date:** 1,240,050  
**Balance:** \$507,950  
**This Item:** 224,796

**Proposed Balance:** \$283,154  
**Account #:** 210-3599-3143501-6051  
**Fund/Dept/Project – Description and Comments:**  
Electric CIP / Transmission Lines

---

**Attachments**

Bid Recap

---

**Fiscal Reference:**  
**Budget Type:** CIP  
**Fiscal Year:** 2017  
**Document Location:** Page E01

---

**Budget Director Approval:** Ron Young  
**Purchasing Director Approval:** Gary L. Holcomb

**Approval Date:** 01/26/2018  
**Approval Date:** 01/22/2018







**GARLAND  
PURCHASING REPORT**

**City Council Regular Session Agenda**

**2.d.**

**Meeting Date:** February 6, 2018

**Item Title:** Backhoe Loader Tractors for Street Department

**Submitted By:** Terry Anglin, Fleet Services Director

**Bid Number:** 0340-18

---

**Purchase Justification:**

The purpose of this request is to purchase three Backhoe Loader Tractors to be used by the Street Department in their daily operations.

**Evaluation:**

The Backhoe Loader Tractors are being provided by Holt Texas, Ltd., through the Texas BuyBoard Cooperative Contract 515-16.

**Award Recommendation:**

| <u>Vendor</u>    | <u>Item</u> | <u>Amount</u>      |
|------------------|-------------|--------------------|
| Holt Texas, Ltd. | All         | \$297,000.00       |
| <b>TOTAL:</b>    |             | <hr/> \$297,000.00 |

**Basis for Award:** Cooperative Purchase

**Purchase Requisition #:** 39316

---

**Fiscal Impact**

**Total Project/Account:** \$1,761,844  
**Expended/Encumbered to Date:** 889,120  
**Balance:** \$872,724  
**This Item:** 297,000  
**Proposed Balance:** \$575,724  
**Account #:** 831-4693-9007  
**Fund/Dept/Project – Description and Comments:**

**Attachments**

Bid Recap

---

**Fiscal Reference:**

**Budget Type:** Operating Budget

**Fiscal Year:** 2017-18

**Document Location:** Page 276

---

**Budget Director Approval:** Ron Young

**Approval Date:** 01/25/2018

**Purchasing Director Approval:** Gary L. Holcomb

**Approval Date:** 01/22/2018





**GARLAND  
PURCHASING REPORT**

**City Council Regular Session Agenda**

**2.e.**

**Meeting Date:** February 6, 2018

**Item Title:** Telehandler for GP&L

**Submitted By:** Terry Anglin, Fleet Services Director

**Bid Number:** 0341-18

---

**Purchase Justification:**

The purpose of this request is to purchase one Genie Telehandler to be used by GP&L in their daily operations.

**Evaluation:**

The Telehandler is being provided by Equipment Depot through the Texas Buyboard Cooperative Contract 515-16.

**Award Recommendation:**

| <u>Vendor</u>   | <u>Item</u> | <u>Amount</u>      |
|-----------------|-------------|--------------------|
| Equipment Depot | All         | \$128,033.22       |
| <b>TOTAL:</b>   |             | <hr/> \$128,033.22 |

**Basis for Award:** Cooperative Purchase

**Purchase Requisition #:** 39319

---

**Fiscal Impact**

**Total Project/Account:** \$128,034  
**Expended/Encumbered to Date:** 0  
**Balance:** \$128,034  
**This Item:** 128,034  
**Proposed Balance:** \$0  
**Account #:** 211-3711-9007  
**Fund/Dept/Project – Description and Comments:**

Electric Operating Fund 211 - Substations

---

**Attachments**

Bid Recap

---

**Fiscal Reference:**

**Budget Type:** Operating Budget

**Fiscal Year:** 2017-18

**Document Location:** Page 218

---

**Budget Director Approval:** Ron Young

**Approval Date:** 01/25/2018

**Purchasing Director Approval:** Gary L. Holcomb

**Approval Date:** 01/22/2018





**GARLAND  
PURCHASING REPORT**

**City Council Regular Session Agenda**

**2.f.**

**Meeting Date:** February 6, 2018

**Item Title:** Light Duty Trucks and Van for GP&L

**Submitted By:** Terry Anglin, Fleet Services Director

**Bid Number:** 0338-18

---

**Purchase Justification:**

The purpose of this request is to purchase one Flatbed Truck, one Pickup Truck, and one Cargo Van to be used by GP&L in their daily operations.

**Evaluation:**

These vehicles are being provided by Caldwell Country Chevrolet through the Texas BuyBoard Cooperative Contract 521-16.

**Award Recommendation:**

| <u>Vendor</u>              | <u>Item</u> | <u>Amount</u>      |
|----------------------------|-------------|--------------------|
| Caldwell Country Chevrolet | All         | \$119,129.00       |
| <b>TOTAL:</b>              |             | <hr/> \$119,129.00 |

**Basis for Award:** Cooperative Purchase

**Purchase Requisition #:** 39312

---

**Fiscal Impact**

**Total Project/Account:** \$485,031  
**Expended/Encumbered to Date:** 96,986  
**Balance:** \$388,045  
**This Item:** 119,129  
**Proposed Balance:** \$268,916  
**Account #:** 444-3224-9009, 444-3621-9009, 444-3711-9009  
**Fund/Dept/Project – Description and Comments:**

Equipment Replacement Fund

|                              |          |               |
|------------------------------|----------|---------------|
| GP&L Distribution Operations | \$36,889 | 444-3224-9009 |
| GP&L Operation Load Dispatch | 30,420   | 444-3621-9009 |
| GP&L Substation Operations   | 51,820   | 444-3711-9009 |

---

**Attachments**

Bid Recap

---

**Fiscal Reference:**

**Budget Type:** Operating Budget

**Fiscal Year:** 2017-18

**Document Location:** Page 124

---

**Budget Director Approval:** Ron Young

**Approval Date:** 01/26/2018

**Purchasing Director Approval:** Gary L. Holcomb

**Approval Date:** 01/22/2018







**GARLAND  
PURCHASING REPORT**

**City Council Regular Session Agenda**

**2.g.**

**Meeting Date:** February 6, 2018

**Item Title:** Water Main Rehabilitation

**Submitted By:** Wes Kucera, Managing Director

**Bid Number:** 0306-18

---

**Purchase Justification:**

The purpose of this request is to provide trenchless rehabilitation of the existing water lines for the following locations: Alto Drive from Freemont to Dairy Road, Bardfield from Keele to Saturn Road, Thistle Drive from Thicket to Hartford, and Curtis Drive from Susan to Davidson Drive. These water lines are greater than 50 years old and have experienced varying degrees of repairs caused by water main breaks. Due to the complex nature of the project, an Optional Contingency is included for unforeseen additional repairs that may be required.

**Evaluation:**

The requested water line rehabilitation is being provided by Insituform Technologies, LLC, through the BuyBoard Purchasing Cooperative Contract 462-14.

**Award Recommendation:**

| <u>Vendor</u>                | <u>Item</u> | <u>Amount</u>         |
|------------------------------|-------------|-----------------------|
| Insituform Technologies, LLC | All         | \$1,557,677.75        |
| Optional Contingency         |             | 155,767.78            |
| <b>TOTAL:</b>                |             | <b>\$1,713,445.53</b> |

**Basis for Award:** Cooperative Purchase

**Purchase Requisition #:** PR 39279

---

**Fiscal Impact**

**Total Project/Account:** \$7,518,125  
**Expended/Encumbered to Date:** 1,868,427  
**Balance:** \$5,649,698  
**This Item:** 1,713,446

**Proposed Balance:** \$3,936,252  
**Account #:** 220-4049-3019100-9214  
**Fund/Dept/Project – Description and Comments:**  
Water CIP / Distribution Lines (Up to 14-Inch)

**NOTE:** This request is related to projects and funding in the 2018 CIP that have yet to be approved by Council.

---

---

**Attachments**

Bid Recap

---

**Fiscal Reference:**

**Budget Type:** CIP

**Fiscal Year:** 2018

**Document Location:** Page W02

---

**Budget Director Approval:** Ron Young

**Approval Date:** 01/26/2018

**Purchasing Director Approval:** Gary L. Holcomb

**Approval Date:** 01/24/2018





**GARLAND  
PURCHASING REPORT**

**City Council Regular Session Agenda**

**2.h.**

**Meeting Date:** February 6, 2018

**Item Title:** Sanitary Sewer Line Rehabilitation

**Submitted By:** Wes Kucera, Managing Director

**Bid Number:** 0324-18

---

**Purchase Justification:**

The purpose of this request is to provide trenchless rehabilitation of the existing 1,400 feet of 10-inch cast iron sanitary sewer pipe from Collins to Campbell Road utilizing pipe-burst technology. The sewer pipe in this area is greater than 40 years old and is in need of replacement. Due to the complex nature of the project, an Optional Contingency is included for unforeseen additional repairs that may be required.

**Evaluation:**

The requested sewer line rehabilitation is being provided by Insituform Technologies, LLC, through the BuyBoard Purchasing Cooperative Contract 462-14.

**Award Recommendation:**

| <u>Vendor</u>                | <u>Item</u> | <u>Amount</u>       |
|------------------------------|-------------|---------------------|
| Insituform Technologies, LLC | All         | \$871,970.00        |
| Optional Contingency         |             | 87,000.00           |
| <b>TOTAL:</b>                |             | <b>\$958,970.00</b> |

**Basis for Award:** Cooperative Purchase

**Purchase Requisition #:** PR 39280

---

**Fiscal Impact**

**Total Project/Account:** \$1,970,754  
**Expended/Encumbered to Date:** 17,282  
**Balance:** \$1,953,472  
**This Item:** 958,970  
**Proposed Balance:** \$994,502

**Account #:** 237-4149-3216107-9305, 230-4149-3216100-9305,  
236-4149-3216100-9305

**Fund/Dept/Project – Description and Comments:**

Wastewater Collection CIP Fund / ROWL-I Campbell to Shiloh

---

**Attachments**

Bid Recap

---

**Fiscal Reference:**

**Budget Type:** CIP

**Fiscal Year:** 2018

**Document Location:** Page WW08

---

**Budget Director Approval:** Ron Young

**Approval Date:** 01/26/2018

**Purchasing Director Approval:** Gary L. Holcomb

**Approval Date:** 01/24/2018

[illegible]



**GARLAND  
PURCHASING REPORT**

**City Council Regular Session Agenda**

**2.i.**

**Meeting Date:** February 6, 2018

**Item Title:** TMPA Keith Switch to Steep Hollow OPGW Materials

**Submitted By:** Ross Owen, Director of Transmission & Distr

**Bid Number:** 0214-18

---

**Purchase Justification:**

The purpose of this request is to purchase materials associated with the installation of OPGW fiber on the TMPA Keith Switch to Steep Hollow 138kV Transmission Line. This will allow a second fiber path out of Gibbons Creek into the Bryan Texas Utilities system and the Bryan East/Greens Prairie fiber path. This project will also allow for enhancements to security and protection of the TMPA transmission system and eliminate the need for the TMPA/Brazos microwave communication contract which expires September, 2018. Due to the complex nature of the project, an Optional Contingency is included for any additional materials that may be required. This is a TMPA CIP project that will be reimbursed at 100%.

**Evaluation:**

A request for bids was issued in accordance with Purchasing procedures. Two bids were received and evaluated with WESCO Distribution offering the lowest bid.

**Award Recommendation:**

| <u>Vendor</u>        | <u>Item</u> | <u>Amount</u>       |
|----------------------|-------------|---------------------|
| WESCO Distribution   | All         | \$174,402.85        |
| Optional Contingency |             | 17,440.00           |
| <b>TOTAL:</b>        |             | <b>\$191,842.85</b> |

**Basis for Award:** Lowest Responsible Bid

**Purchase Requisition #:** 39096

---

**Fiscal Impact**

**Total Project/Account:** \$1,130,000

**Expended/Encumbered to Date:** 53,336



**Balance:** \$1,076,664  
**This Item:** 191,843  
**Proposed Balance:** \$884,821  
**Account #:** 215-3542-3125901-6051

**Fund/Dept/Project – Description and Comments:**

Electric CIP Fund/Transmission Lines

This is a TMPA CIP project that will be reimbursed at 100%.

---

**Attachments**

Bid Recap

---

**Fiscal Reference:**

**Budget Type:** CIP

**Fiscal Year:** 2017

**Document Location:** Page E01

---

**Budget Director Approval:** Ron Young

**Approval Date:** 02/26/2018

**Purchasing Director Approval:** Gary L. Holcomb

**Approval Date:** 01/23/2018





**GARLAND  
PURCHASING REPORT**

**City Council Regular Session Agenda**

**2.j.**

**Meeting Date:** February 6, 2018

**Item Title:** Centerville Road Street and Sidewalk Repairs - S.H. 66 to Broadway

**Submitted By:** Steve Oliver, Streets Director

**Bid Number:** 0262-17

---

**Purchase Justification:**

The purpose of this request is to provide additional concrete repairs for the Centerville Road Street and Sidewalk Repairs - S.H. 66 to Broadway Boulevard project. The original plans that identified the failed areas of pavement in need of replacement were developed in 2016. During the course of construction, the City and contractor have identified \$300,000.00 in additional concrete repairs that were not included in the original plans.

**Evaluation:**

XIT Paving and Construction, Inc., was awarded the original contract at the March 7, 2017, City Council Meeting. This Change Order #1 represents an approximate 23% increase to the original PO 25608 in the amount of \$1,273,553.00.

**Award Recommendation:**

| <u><i>Vendor</i></u>              | <u><i>Item</i></u> | <u><i>Amount</i></u> |
|-----------------------------------|--------------------|----------------------|
| XIT Paving and Construction, Inc. | All                | \$300,000.00         |
| <b>TOTAL:</b>                     |                    | <b>\$300,000.00</b>  |

**Basis for Award:** Change Order

**Purchase Requisition #:** PR 39333

---

**Fiscal Impact**

|                                     |              |
|-------------------------------------|--------------|
| <b>Total Project/Account:</b>       | \$10,468,000 |
| <b>Expended/Encumbered to Date:</b> | 9,427,972    |
| <b>Balance:</b>                     | \$1,040,028  |
| <b>This Item:</b>                   | 300,000      |
| <b>Proposed Balance:</b>            | \$740,028    |

**Account #:** 692-4699-3981800-7111

**Fund/Dept/Project – Description and Comments:**

Street / Street Reconstruction and Improvements / 692-4699-3981800-7111

---

**Attachments**

Bid Recap

---

**Fiscal Reference:**

**Budget Type:** CIP

**Fiscal Year:** 2017

**Document Location:** Page ST34

---

**Budget Director Approval:** Ron Young

**Approval Date:** 01/25/2018

**Purchasing Director Approval:** Gary L. Holcomb

**Approval Date:** 01/24/2018





**GARLAND  
PURCHASING REPORT**

**City Council Regular Session Agenda**

**2.k.**

**Meeting Date:** February 6, 2018

**Item Title:** Street Department Material Hauling Services

**Submitted By:** Steve Oliver, Streets Director

**Bid Number:** 0270-18

---

**Purchase Justification:**

The purpose of this request is to provide material hauling services to support Street Department construction projects. Materials to be hauled include, but are not limited to, asphalt and concrete pavement and base material from the removal of alleys, streets, curbs, gutters, sidewalks, and driveways. This will serve as a supplement to the Street Department's internal hauling capacity. This is a Term Agreement with four 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 \$1,275,000.00 over the life of the agreement. Expenditures will not exceed appropriated funds.

**Evaluation:**

A request for bids was issued in accordance with Purchasing procedures. One bid was received and evaluated from Denali Services & Transport, LLC, who is the current vendor for the Street Department's material hauling services.

**Award Recommendation:**

| <u>Vendor</u>                    | <u>Item</u> | <u>Amount</u>       |
|----------------------------------|-------------|---------------------|
| Denali Services & Transport, LLC |             | \$255,000.00        |
| <b>TOTAL:</b>                    |             | <b>\$255,000.00</b> |

**Basis for Award:** Straight Low Bid

**Purchase Requisition #:** PR 39169

---

**Fiscal Impact**

**Total Project/Account:** N/A

**Expended/Encumbered to Date:** N/A

**Balance:** N/A

**This Item:** 255,000

**Proposed Balance:** N/A

**Account #:** 451-6999

**Fund/Dept/Project – Description and Comments:**

Term Contract - Material Hauling Services

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:** 2017-18

**Document Location:** Page 276

---

**Budget Director Approval:** Ron Young

**Approval Date:** 01/25/2018

**Purchasing Director Approval:** Gary L. Holcomb

**Approval Date:** 01/23/2018







**GARLAND  
CITY COUNCIL ITEM SUMMARY SHEET**

**City Council Regular Session Agenda**

**3.**

**Meeting Date:** February 6, 2018

**Item Title:** Companion Economic Development Incentive Agreements with Simon Property Group and REVA Hospitality Garland, LLC

**Submitted By:** Matt Watson, Finance Director

---

**Summary of Request/Problem**

Council is requested to consider companion Economic Development Incentive Agreements with Simon Property Group and REVA Hospitality Garland, LLC.

Simon Property Group is considering the sale of a .304 acre building pad site to Reva Hospitality Garland, LLC in order to construct a Fairfield Inn and Suites by Marriott Hotel. The site is located at the corner of Town Center Boulevard and Prairie Clover Drive within the Firewheel Town Center. The hotel being considered is six stories high with 90 rooms and will contain an indoor swimming pool, fitness room, lounge/meeting space, and two exterior patios. This item was considered by Council at the December 5, 2017 Executive Work Session.

**Recommendation/Action Requested and Justification**

Approve by resolution the companion Economic Development Incentive Agreements with Simon Property Group and REVA Hospitality Garland, LLC.

---

**Attachments**

Fairfield Inn Resolution

---

**RESOLUTION NO.**

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE COMPANION ECONOMIC DEVELOPMENT AGREEMENTS RELATED TO THE DEVELOPMENT OF A FAIRFIELD INN HOTEL WITHIN FIREWHEEL TOWN CENTER SHOPPING CENTER; AND PROVIDING AN EFFECTIVE DATE.**

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

**Section 1**

That the City Manager is hereby authorized to execute an economic development agreement with the Simon Property Group (Texas), L.P., attached hereto as Exhibit "A" ("Simon Agreement"), and incorporated herein by reference, and a development agreement for the waiver of certain fees with REVA Hospitality Garland, LLC, which is attached hereto as Exhibit "B" ("REVA Agreement"), and incorporated herein by reference (collectively, "Agreements").

**Section 2**

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

**PASSED AND APPROVED** this the \_\_\_\_\_ of \_\_\_\_\_, 2018.

**CITY OF GARLAND, TEXAS**

\_\_\_\_\_  
Mayor

**ATTEST:**

\_\_\_\_\_  
City Secretary



**GARLAND  
CITY COUNCIL ITEM SUMMARY SHEET**

**City Council Regular Session Agenda**

**4.**

**Meeting Date:** February 6, 2018

**Item Title:** Consider an Ordinance Calling a Special Election for the Purpose of Submitting Proposed Amendments to the City Charter

**Submitted By:** Rene Dowl, City Secretary

---

**Summary of Request/Problem**

Conduct a public hearing and consider ordinance calling a special election to be held May 5, 2018 for the purpose of submitting proposed amendments to the City Charter for adoption or rejection by the voters, and providing for other matters relating to that election.

**Recommendation/Action Requested and Justification**

Council discussion.

---

**Attachments**

Charter Amendments Ordinance

---

## **ORDINANCE NO.**

**AN ORDINANCE ORDERING AND PROVIDING NOTICE OF A SPECIAL HOME-RULE ELECTION IN THE CITY OF GARLAND, TEXAS, TO BE HELD ON MAY 5, 2018, FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED VOTERS, FOR ADOPTION OR REJECTION, PROPOSED AMENDMENTS TO THE EXISTING CHARTER OF THE CITY OF GARLAND, TEXAS; PROVIDING 35 PROPOSED AMENDMENTS TO THE EXISTING CHARTER; DESIGNATING LOCATIONS OF POLLING PLACES; PROVIDING FOR EARLY VOTING; ORDERING NOTICE OF ELECTION TO BE GIVEN AS PRESCRIBED BY LAW; PROVIDING A STATEMENT OF ANTICIPATED FISCAL IMPACT OF CHARTER AMENDMENTS; AND PROVIDING A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.**

**WHEREAS**, the City Council of the City of Garland, Texas, in the exercise of the discretion reposed in it by the Constitution and laws of this State, and in accordance with the provisions of Chapter 9 of the Texas Local Government Code, has determined to submit the following proposed amendments to the existing Charter of the City of Garland at a special election to be held concurrently with the general election of May 5, 2018, which date is not less than thirty nor more than 90 days from the date of this ordinance;

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

### **Section 1 ORDER AND NOTICE OF SPECIAL ELECTION**

There is hereby ordered a Special Election to be participated in by the qualified voters of the City of Garland, Texas, to be held on the first Saturday in May, being the 5<sup>th</sup> day of May, 2018, between the hours of 7:00 a.m. and 7:00 p.m., for the purpose of submitting to the qualified voters of the City, for adoption or rejection, the following proposed amendments to the existing Charter of the City of Garland, Texas:

### **Section 2 PROPOSED AMENDMENTS**

#### **A.**

Amending the Charter to provide for gender neutrality, deletion and correction of obsolete incorrect citations, references, titles of city officials, and correction of typographical errors.

**B.**

Amending Section 2, "Powers to acquire property inside or outside the City for public purposes" of Article II, "General Powers" of the Charter to update and clarify the City's authority to purchase electric utility facilities inside or outside the City limits so that the same shall read as follows:

"The City of Garland shall have the power to acquire by condemnation or purchase either private or public property located inside or outside of the corporate limits for the extension, improvement and enlargement of its water system, water supply reservoirs, standpipes, watersheds, dams; the laying, building, maintenance and construction of water mains and the laying, erection, establishment or maintenance of any necessary appurtenances or facilities which will furnish to the inhabitants of the City an abundant supply of wholesome water; for sewerage plants and systems; right-of-way for water and sewer lines; parks, playgrounds, hospitals, fire stations, police stations, airports and landing fields; incinerators or other garbage disposal plants; electric generating facilities and right-of-way for lines in connection therewith; gas plants and right-of-way for gas lines in connection therewith; extension, improvement, or enlargement of electric transmission or distribution facilities; streets, boulevards and alleys or other public ways; City jails; prison farms; City Halls and other municipal buildings; or any right-of-way needed in connection with any property used for any purpose hereinabove named; for the straightening or improving of the channel of any stream, branch or drain and for any other municipal or public purpose though not enumerated herein even though the property may be outside of the corporate limits. The procedure to be followed in any condemnation proceeding hereunder and authorized herein shall be in accordance with the provisions of the state law with reference to eminent domain."

**C.**

Amending Section 1(C), "Number, terms, Council districts, etc." of Article III, "The Council" of the Charter by changing the residency

requirements for a person running for Councilmember from a requirement that the candidate reside within the Council district at the time of his or her nomination to a requirement that the candidate reside for a minimum of one year in the Council district at the time of his or her election or appointment so that the same shall read as follows:

"(C) One (1) Councilmember shall be elected from each of the eight districts established by ordinance. The districts shall be designated as District 1, 2, 3, 4, 5, 6, 7 and 8. A candidate for Councilmember must at the time of his or her election or appointment have resided continuously within the Council district for which the candidate is running for office, or within the City if he or she is a candidate for Mayor, for a minimum of one (1) year. Failure to continuously reside within the district from which a Councilmember is elected or appointed, other than due to a change resulting from realignment of Council district boundaries, shall constitute immediate termination of office. A person who, by reason of the application of the term limitations provided in subsection (D), below, would not be able to serve a full term of office, is disqualified to be a candidate for or to serve in that office. The provisions of this subsection shall be and become effective on and after May 15, 2018."

**D.**

Amending Section 1(E), "Number, terms, Council districts, etc." of Article III, "The Council," of the Charter by moving in its entirety to subsection (F) and replacing it with a provision that prohibits a Councilmember, including the Mayor, who vacates his or her office prior to the end of the scheduled term from serving again in the same capacity until one complete subsequent term has elapsed so that the same shall read as follows:

"(E) In the event the Mayor or a Councilmember vacates his or her office prior to the end of the scheduled term, the Mayor or Councilmember vacating his or her respective office shall not again be eligible to serve on the Council in the same capacity until one complete term subsequent to the term for which he or she was elected or appointed has elapsed."

**E.**

Amending Section 3, "Compensation." of Article III, "The Council," of the Charter to increase the compensation for the Mayor and City Council to take into account an inflation adjustment since May of 2000 so that the same shall read as follows:

"From and after October 1, 2018, the Mayor shall receive compensation in the base amount of five hundred and seventy five dollars (\$575.00) per month, each Councilmember shall receive compensation in the base amount of two hundred and eighty eight dollars (\$288.00) per month beginning October 1, 2018, and all members of the Council shall receive compensation in the base amount of seventy two dollars (\$72.00) for each work session attended by the member preceding a regular Council meeting, and for each regular meeting of the Council attended by the member. Each Councilmember shall be entitled to reimbursement of reasonable expenses incurred in the performance of their official duties when approved by the Council."

**F.**

Amending Section 5, "Vacancies." of Article III, "The Council," of the Charter to be consistent with state law and to further provide that in the event of a vacancy on Council where the member of the vacant seat is unable or unwilling to hold-over until such time as the vacancy may be filled pursuant to a lawful election and the Governor of the State of Texas does not call an election to fill the vacancy after being petitioned by the City, the remaining members of the Council may by a three-fourths super-majority vote appoint a qualified person to fill the vacancy; that a person so appointed by Council shall not be eligible to serve again on Council in the same capacity until one complete subsequent term has elapsed; and that vacancies occurring within the first nine months of a term may be filled by an interim appointment until such time as a special election may be called so that the same shall read as follows:

"(A) In the event a vacancy in the office of Mayor or City Council occurs the City Council may call a special election in accordance with state law and the Texas Constitution. Alternatively, where the member vacating

his or her office is unable or unwilling to hold-over until such time as the vacancy may be filled pursuant to a lawful election and the Governor of the State of Texas does not call an election to fill the vacancy after being petitioned by the City, the remaining members of the Council may by a three-fourths super-majority appoint a qualified person to fill the vacancy.

(B) In the event the City Council elects to appoint a qualified person to fill a vacant seat, upon expiration of the partial term for which he or she was appointed, that person shall not again be eligible to serve in the same capacity on Council until one complete subsequent term of office has elapsed. In the event a vacancy occurs within the first nine (9) months of a term, subject to the provisions of above subsection (A), any appointment shall be for an interim term until such time as a special election may be called in accordance with state law and the Texas Constitution and a successor is sworn into office. The Mayor or Councilmember vacating an office shall remain in office, if still qualified, until such time as a successor is sworn into the vacated office."

#### G.

Amending in part Section 8, "Regular Meetings." of Article III, "The Council," of the Charter to allow Council to hold regular meetings at City Hall or other locations designated by Council within the city limits so that the same shall read as follows:

". . .

Regular meetings of the Council shall be held at City Hall or other location designated by Council within the city limits."

#### H.

Amending in part Section 9, "Rules of Procedure." of Article III, "The Council," of the Charter to clarify that the Council shall adopt its own rules of procedure at the beginning of each term, but in the event the Council does not amend the rules at that time, the rules for the prior term shall be deemed to be adopted by the Council; and to increase the time the City Secretary has to enter



the minutes of all meetings in the permanent record from 48 hours to 72 hours so that the same shall read as follows:

"At the first regular meeting of the Council in January of each year, the Council shall adopt its own rules and order of business by a majority vote of five (5) of the Council. In the event the Council does not amend the rules and order of business at the first regular meeting, the rules and order of business in effect for the prior year shall be deemed to be adopted by the Council. However, these rules may be amended at any time by a majority vote of five (5) of the Council. The Council shall cause and require the City Secretary to keep a permanent record or journal reflecting the minutes of these proceedings and the permanent record or journal shall always be open to public inspection..."

#### **I.**

Amending in part Section 9, "Rules of Procedure." of Article III, "The Council," of the Charter to increase the time the City Secretary has to enter the minutes of all meetings in the permanent record from 48 hours to 72 hours so that the same shall read as follows:

"...Minutes of all meetings of the Council shall be promptly entered within seventy-two (72) hours in the journal or minute book of the Council and the City Secretary shall at the same time provide a permanent and adequate index showing the action of the Council in regard to all matters submitted to it at both regular and special meetings."

#### **J.**

Amending Section 11, "Resign for candidacy." of Article III, "The Council," of the Charter to be consistent with state law and the Texas Constitution and clarify that in the event of a vacancy on Council, or any member of a board or commission appointed by Council, due to filing for candidacy, the person vacating their respective office shall remain in office until such time as a successor is sworn into the vacated office so that the same shall read as follows:

"If, at any time, any member of the Council, or any officer, boardmember or commissioner appointed by the Council, files to become a candidate (as defined by State law) in any general, special or primary election for any office of profit or trust under the laws of this State or the United States other than the office then held, such candidacy shall constitute a resignation of the office then held, and the vacancy thereby created shall be filled pursuant to this Charter in the same manner as other vacancies for such office are filled. The Mayor or other member of the City Council vacating their respective office shall remain in office until such time as a successor is sworn into the vacated office."

**K.**

Amending in part Section 1, "Powers of the Council." of Article IV, "Powers Vested in Council," of the Charter to clarify that an appointed councilmember may not receive a council appointment as City Manager, City Attorney, City Auditor, or Municipal Judge within two (2) years of the expiration of the term for which he or she was elected so that the same shall read as follows:

"All powers of the City and the determination of all matters of policy shall be vested in the Council. Without limitation of the special and general powers granted or delegated to the City by the Constitution, statutes or this Charter, the Council shall have power to:

(A) Appoint the City Manager, City Auditor, and City Attorney pursuant to this Charter and terms and conditions deemed appropriate by the City Council. Provided, the Mayor nor any Councilmember shall not receive an appointment as City Manager, City Attorney, City Auditor, or Municipal Judge during or within two (2) years of the expiration of the term for which the Mayor or Councilmember shall have been elected or appointed;

. . ."

**L.**

Amending Section 3, "Council not to interfere with appointments." of Article IV, "Powers Vested in Council," of the Charter to clarify that Council does not have the authority to direct or

request the City Manager, the City Attorney, the City Auditor, or Municipal Judge to hire or remove any person from an office directed by the respective Council appointee so that the same shall read as follows:

"Neither the City Council nor any of its members shall direct or request the hiring or removal of any person from an office directed by the City Manager, the City Attorney, the City Auditor, or a Municipal Judge, or by any subordinate of one of the aforementioned Council appointees. However, the Council may consult and advise with a Council appointee, make inquiry regarding the appointments or removals, and may express their opinion in regard thereto. In regard to administrative and executive duties under a Council appointee, the Council and its members shall deal solely through the Council appointee and neither the Council nor any member thereof shall give orders to any subordinates of a Council appointee, either publicly or privately. Willful violation of the foregoing provisions of this Charter by any member of the Council shall constitute official misconduct and shall authorize the Council, by a vote of a majority of its membership, to expel such offending member from the Council, if found guilty after public hearing, and thereby create a vacancy in the place held by such member."

**M.**

Moving Section 5, "City Secretary." of Article IV, "Powers Vested in Council," of the Charter to Section 3, "Powers and duties of the City Manager." of Article V, "City Manager," and amending so that the City Manager has the authority to appoint a City Secretary, upon confirmation of City Council, manage, supervise, and remove the City Secretary, and describe the general duties of the Office of City Secretary.

**N.**

Amending Section 6, "Municipal Judge." of Article IV, "Powers Vested in Council," of the Charter to set the term of office for the Municipal judge to two (2) years so that the same shall read as follows:

"There shall be a magistrate of the Municipal Court known as the Municipal Judge who shall be appointed by the Council to serve for a term of two (2) years. The Municipal Judge may be removed by the Council at any time for incompetency, misconduct, malfeasance, or disability. The Municipal Judge shall receive such salary as may be fixed by the Council from time to time. All costs and fines imposed by the Municipal Court, or by any Court in cases appealed from judgments of the Municipal Court, shall be paid into the general fund of the City for the use and benefit of the City. The Council shall appoint such alternate Municipal Judges as it from time to time may deem necessary, and shall designate the order of their priority to act in the place of the Municipal Judge in the event of the Municipal Judge's unavailability or failure to act for any reason, or in the event of a vacancy in such office. Any person appointed to serve as a Municipal Judge or alternate Municipal Judge under this section shall be an attorney licensed to practice law in the State of Texas."

**0.**

Amending Section 9, "Selection of City Auditor." of Article IV, "Powers Vested in Council," of the Charter by adding provisions related to the qualifications, general powers, and duties of the office of City Auditor, which shall be revised and moved from Article VII, Sections 4 and 5 so that the same shall read as follows:

"The City Auditor shall be chosen by Council.

(A) **Qualifications and Term.** The City Auditor shall be a person knowledgeable in generally accepted government auditing standards, principles of municipal accounting, and local government policies, operations, and processes.

The City Council may enter into an employment agreement with the City Auditor for a definite term of two (2) years. The City Council may terminate the employment agreement at its will and pleasure by a vote of not less than five (5) members of the City Council. The action of the City Council in removing the City Auditor shall be final, it being the intention of this Charter to vest

all authority and fix all responsibility for such removal in the City Council.

**(B) Powers and duties of the City Auditor.** The City Auditor shall serve the public interest by providing independent and objective audits, investigations, special projects, overseeing internal audit functions, and performing other duties as assigned by the City Council.

The City Auditor shall have access to all records, personnel, and physical properties owned by the City, as authorized by City Council, relevant to the performance of audits, investigations, or special projects.

**(C)** The City Auditor shall have such assistants as shall be provided for in the budget from time to time, to be appointed by the City Auditor. Any such assistant may be discharged at any time by the City Auditor. All powers and duties imposed on the City Auditor may be exercised and performed by an assistant, upon City Auditor's designation."

**P.**

Amending Section 2, "Term and salary." of Article V, "City Manager," of the Charter to provide that the City Council may appoint a City Manager for a definite term of three years so that the same shall read as follows:

"The Council shall appoint a City Manager who shall be the chief administrative officer of the City. The Council may appoint the City Manager for day-to-day without a definite fixed term or may enter into an employment agreement with the City Manager for a definite term of three (3) years. In any event, the Council may remove the City Manager at its will and pleasure by a vote of five (5) members of the Council. The action of the Council in removing the City Manager shall be final, it being the intention of this Charter to vest all authority and fix all responsibility for such removal in the Council. Nothing in the employment agreement entered into with the City Manager shall conflict with or supercede this Charter and, in the event

of a conflict, the provisions of the Charter shall control."

**Q.**

Amending Section 1, "Qualification." of Article VI, "City Attorney," of the Charter to provide that the City Council may appoint a City Attorney for a definite term of three years so that the same shall read as follows:

"The City Attorney shall be chosen by the City Council on the basis of his or her qualifications as a competent practicing attorney of recognized ability. The City Council may enter into an employment agreement with the City Attorney for a definite term of three (3) years. The Council may terminate the employment agreement at its will by a vote of five (5) members of the Council. The action of the City Council in removing the City Attorney shall be final, it being the intention of this Charter to vest all authority and fix all responsibility for such removal in the Council."

**R.**

Amending Section 2, "Preparation and submission of budget." of Article VIII, "Budget," of the Charter to provide that the City Manager shall file the budget with the City Secretary on or before the date set by state law so that the same shall read as follows:

"The City Manager shall file with the City Secretary, and furnish to each member of the Council, a proposed budget to cover the proposed expenditures for the succeeding year, not including capital projects, on or before the date set by state law."

**S.**

Amending in part Section 3, "Budget form." of Article VIII, "Budget," of the Charter to delete the list of the required contents of the City Manager's budget message and provide that the budget be prepared in accordance with, and contain all information required by, state law so that the same shall read as follows:

"The proposed budget shall be prepared in accordance with, and in the form and substance, required by state law.

. . ."

**T.**

Amending Section 4, "Budget a public record." of Article VIII, "Budget," of the Charter to accommodate digital and electronic access by the public so that the same shall read as follows:

"The proposed budget shall be available for inspection in the Office of the City Secretary by any person. The City Secretary shall take action to ensure that the proposed budget is posted on the official website or other electronic media platform of the City of Garland."

**U.**

Amending Section 5, "Publication and notice of public hearing." of Article VIII, "Budget," of the Charter so that publication and notice of the public hearing is in accordance with state law so that the same shall read as follows:

"After receiving the proposed budget from the City Manager, the Council shall determine the place and time of the public hearing on the budget and cause notice of the public hearing to be published in accordance with state law."

**V.**

Amending Section 6, "Hearing and adoption of budget." of Article VIII, "Budget," of the Charter (a) to update terminology, (b) so that the scheduling and adoption of the budget is done in accordance with state law, and (c) setting the 21<sup>st</sup> day of September as the last day on which Council may approve a final budget prior to the proposed budget as submitted by the City Manager being deemed to have been finally adopted by the Council so that the same shall read as follows:

"The Council shall hold a public hearing on the proposed budget as submitted by the City Manager, at which all

interested persons shall be given an opportunity to be heard for or against the estimates or any item therein at a time and place consistent with state law. After the conclusion of such public hearing, the Council may make such changes, if any, in the budget as in their judgment the law warrants and the best interests of the taxpayers of the City demand.

The budget, as amended, if there be changes, may then be adopted by a favorable vote of at least five (5) members of the Council.

If no final action has been taken by the Council on or prior to the 21st day of September, the budget as submitted for the succeeding fiscal year shall be deemed to have been finally adopted by the Council."

#### W.

Amending Section 1, "Power to issue bonds." of Article X, "Issuance and Sale of Bonds," of the Charter so that the City shall have the authority to borrow money, issue bonds, notes and other evidences of indebtedness permitted by, and in accordance with, state law so that the same shall read as follows:

"The City of Garland shall have the right and power to borrow money on the credit of the City, in accordance with state law and the Texas Constitution, for permanent public improvements or for any other public purpose not prohibited by state law and the Texas Constitution, including but not limited to the funding of economic development projects or programs.

The City shall have the power to issue general obligation bonds, revenue bonds, funding and refunding bonds, time warrants, certificates of obligation, notes and other evidences of indebtedness permitted by state law and the Texas Constitution. However, in no event shall revenue bonds be considered an indebtedness of the City of Garland nor to be repaid from funds secured by taxation.

The City shall have the right to fund any maturing bonds by the issuance of new bonds in lieu thereof at the same or a lower rate of interest, and may apply thereto the sinking fund belonging to any series of bonds so funded, and may pay and retire any bonds by using the sinking



fund thereof if there is no danger of causing default in other bonds for which that sinking fund was created."

X.

Amending Section 3, "Bond elections." of Article X, "Issuance and Sale of Bonds," of the Charter so that the Council is required to establish a Bond Study Committee preceding a bond election, any proposition on a ballot to issue bonds payable from ad valorem taxes must first be submitted to a vote of the qualified voters of the City of Garland, and all bond elections and issuance and payments of bonds shall be done in accordance with state law so that the same shall read as follows:

"Before submitting a proposition to issue new or additional bonds for approval by the voters, the Council shall first convene a Bond Study Committee, composed of not less than nine (9) residents of the City, to make recommendations to the Council on all such propositions. The Council shall establish the Bond Study Committee at a regular meeting preceding an election. Any proposition to issue new or additional bonds, payable from the ad valorem taxes as authorized herein, shall be first submitted to a vote of the qualified voters of the City at an election to be held for that purpose. Any such election shall be held and conducted in accordance with state law and the Texas Constitution.

After an issue of bonds has been ordered, the Council shall have power to issue bonds payable serially or otherwise as in its opinion the Council may deem best. All bonds shall be issued in accordance with the procedures provided for and required by state law. When any bonds are issued by the City a fund shall be provided to pay the interest and create a sinking fund sufficient to pay the bonds at maturity, and said sinking funds may be invested in accordance with state law."

Y.

Amending in part Section 10, "Bond propositions." of Article X, "Issuance and Sale of Bonds," of the Charter so that each bond proposition must expressly state all information required by state law so that the same shall read as follows:

"Each bond proposition shall expressly state (i) all information required by state law, (ii) the expected maximum tax impact on the ad valorem tax rate for each project, and (iii) the purpose of the proposition and the amount thereof by project or category, as the Council may direct, so that the voters may pass upon each proposition separately and apart from another in order that each voter may vote "for" or "against" any proposition or propositions without voting "for" or "against" all such propositions.

. . ."

## **Z.**

Amending in part Section 1, "Plan Commission." of Article XI, "Planning, Zoning, and Housing," of the Charter by deleting the real property ownership requirement to serve as a member and substituting it with a residency requirement so that the same shall read as follows:

"There shall be a Plan Commission composed of nine (9) commissioners who reside in the City of Garland. Eight (8) of the commissioners shall reside in the eight (8) Council districts, respectively, while one (1) commissioner may reside anywhere within the corporate limits of the City. Eight of the commissioners shall each be respectively nominated by the Councilmember from the district in which that commissioner resides, and the at-large commissioner shall be nominated by the Mayor. All nominations shall be subject to and continue until confirmation by a majority vote of the Council.

. . ."

## **AA.**

Amending by addition Section 10, "Qualifications and term limits for appointed board members and commissioners." of Article XI, "Planning, Zoning, and Housing," of the Charter by requiring that a person must be a resident of the City for a period of not less than one (1) year prior to his or her appointment and setting term limits of three consecutive terms for offices commencing after May of 2018 so that the same shall read as follows:

**"(A) Qualifications.** A person must be a resident of the City for a period of not less than one (1) year prior to his or her appointment to be eligible to serve on a board or commission for the City of Garland.

**(B) Term Limits.** Unless otherwise expressly set by state law or this Charter, a person appointed by a member of Council, including Mayor, to serve on a board or commission for the City of Garland may serve in the office for which he or she was appointed for three (3) consecutive terms, but thereafter shall not again be eligible to serve on the same board or commission until at least one complete term of the office for which he or she held has elapsed. Any term of office for a member of a board or commission beginning prior to May of 2018 shall not count toward the limitation of three (3) consecutive terms. A "term" as used in this paragraph shall be construed in the same manner as in Article III, Section 1(D) of this Charter."

**BB.**

Amending in part Section 2, "Nominations." of Article XII, "Nomination, Election, and Removal of City Council," of the Charter so that the number of signatures required on a petition of a person desiring to become a candidate for an office on City Council and the filing deadlines are consistent with state law so that the same shall read as follows:

**"(A)** Any person having the qualifications required by this Charter and desiring to become a candidate for a place on the Council, shall be entitled to have his or her name placed on the official ballot, if the person files with the City Secretary in accordance with the filing period set forth in the Texas Election Code a petition or petitions designating the place sought by the candidate and properly signed by qualified voters of the City of Garland equal to, or in excess of, the minimum number prescribed by state law.

. . .

**(D)** Nominating petitions shall be signed and filed in the Office of the City Secretary during regular office hours not earlier than ninety-one (91) days nor later than sixty-two (62) days before the election, unless

otherwise set by state law; provided that if the last day of filing falls on a Saturday, Sunday or holiday declared by the City Council, the petitions may be filed on the next succeeding regular business day. Any petitions filed on the last day for filing must be received in the Office of the City Secretary no later than 5:00 p.m., and any petition received after 5:00 p.m. on the last day of filing shall be void and shall not be accepted. Any candidate may withdraw his or her nomination not later than four (4) days succeeding the last day for filing nomination petitions by filing an affidavit in the Office of the City Secretary of the City of Garland, stating that the candidate refuses the nomination and directing that the name be withdrawn from the ballot.

. . ."

#### **CC.**

Amending Section 8, "Recall of Mayor and Councilmember." of Article XII, "Nomination, Election, and Removal of City Council," of the Charter to update the petition submittal requirements, the petition process and schedule, the form of the petition, the required number of signatures, and clarify and update vacancy and holdover terms so that the same shall read as follows:

"Any member or all members of the Council (including the Mayor) may be recalled and removed from office by the electors qualified to vote for a successor of such incumbent by the following procedure:

(A) A statement of intent to initiate recall proceedings signed by one or more voters qualified to vote for a successor to the member being recalled, naming the member and stating specific grounds for the recall must be presented to the City Secretary, who shall mark the statement with the date received and retain it for office files.

(B) Within five (5) working days, not including the date of submission, after receiving a statement of intent for each official whose removal is sought, the City Secretary shall prepare and have available at City Hall for delivery to the person who submitted the

statement of intent, a sufficient number of sequentially-numbered petition forms. Each form shall:

- (i) bear the seal of the City Secretary;
- (ii) name the member intended to be recalled;
- (iii) state the grounds for the recall as they appear on the statement of intent;
- (iv) provide space for each signatory's: (a) printed name, (b) address of residence, (c) signature, (d) date of signing, (e) voter registration number or date of birth; and
- (v) contain an affidavit to be signed by the person circulating the petition form swearing that each signature on the respective petition form is that of the person whose name it purports to be.

(C) A Person accepting the petition forms provided by the City Secretary shall acknowledge delivery by signing a receipt bearing the date of delivery which shall be retained by the City Secretary for office files. A petitioner shall take delivery of the prepared petition forms within three (3) working days of notification that they are available. In the event a petitioner does not take delivery of the prepared petition forms within three (3) working days, the statement of intent to initiate recall proceedings shall be deemed to be withdrawn.

(D) The petition must be fully and properly completed and signed by qualified voters entitled to vote for a successor to each member sought to be removed, equal in number to twenty-five (25) percent of the number of votes cast at the last regular municipal election for that office which is the subject of the petition; provided, that not less than eight hundred (800) signatures shall be required in the case of the Councilmembers and not less than two thousand (2,000) signatures shall be required in the case of the Mayor.

(E) Within thirty (30) days of the delivery date, as indicated on the receipt signed at the time of receiving the petition, with all required information and

signatures provided on the petition forms, must be filed with the City Secretary for verification. In the event the petition (i) is not signed by the required number of qualified voters, (ii) does not contain a fully executed affidavit required by above Section (B), and (iii) is not filed within the prescribed delivery period, it shall be invalid. Petitions on forms other than those provided by the City Secretary shall be invalid. The City Secretary shall provide additional sequentially-numbered petition forms promptly on request of the initiators of the recall if the original supply is inadequate and if the request is made within the original thirty-day period.

(F) Within ten (10) working days from the filing of the petition, the City Secretary shall examine same and, from the list of qualified voters, ascertain whether or not the petition is signed by the requisite number of qualified voters, and, if requested to do so, the Council shall allow extra help for that purpose. The City Secretary shall attach to the petition a certificate showing the results of such examination. The City Secretary shall not make a determination of the authenticity of the signatures or investigate whether an individual resides at an address purported on the petition form. If by the City Secretary's certificate, the petition is shown to be insufficient, the petition shall be returned to the person or persons who filed the statement of intent. Persons accepting delivery must acknowledge delivery by signing a receipt bearing the date of delivery which will be retained by the City Secretary for office files. Petitioners must take delivery of the prepared petition forms within three (3) working days of notification, not including the date of notification, that they are available. In the event a petitioner does not take delivery of the petition within three (3) working days, the statement of intent to initiate recall proceedings shall be deemed to be withdrawn. The petition shall be invalid unless amended and refiled within ten (10) working days from the date of accepting delivery by obtaining additional signatures. The City Secretary shall, within ten (10) days after any such amendment is filed, make like examination of the amended petition and, if the City Secretary's certificate shall show same to be insufficient, that petition shall be invalid and shall

be returned to the person filing same and shall not be subject to amendment.

(G) If a sufficient number of petition forms shall be found to contain the required number of qualified signatures, the City Secretary shall, after being properly posted as an item on the agenda, submit the certificate indicating the results of the examination to the Council at the Council meeting immediately following the completion of the examination by the City Secretary. Upon receipt of the certificate by the Council, the Mayor or Councilmember named in the recall petition shall have ten (10) working days to elect to either resign or be placed on the ballot for a recall election. In the event the Mayor or Councilmember named in the recall petition fails to resign within ten (10) working days, including the date of the Council meeting on which the petition was submitted, the Council shall order and fix a date for holding the recall election on the next election date allowed by state law after forty (40) days from the date of the City Secretary's certificate. In the event the Mayor or Councilmember that is the subject of the recall resigns, their respective seat shall be considered vacant for purposes of holding a recall election. The resigning officer shall continue to serve in their position until such time as their successor is sworn in to office.

(H) If a recall election is required, the Council shall make or cause to be made publication of notice and provide the holding of such election and the same shall be conducted, returned and the results thereof declared in all respects as other City elections. Any officer so elected shall hold office only during the unexpired term of the officer's predecessor. Any person sought to be removed may be a candidate to succeed himself or herself, and, unless that person requests otherwise in writing, the City Secretary shall place that person's name on the official ballot without nomination. The names of other candidates for such position shall be placed on the official ballot by petition in the same manner as provided for in other portions of this Charter. At such election, if such person other than the incumbent is elected, the incumbent shall thereupon be deemed removed from the office upon the qualification of the incumbent's successor. If the incumbent is elected at such election, the incumbent shall continue in office

and shall not be subject to any other recall for any grounds existing prior to the filing of the statement of intent to initiate recall proceedings."

**DD.**

Amending Section 5, "Publication of proposed ordinances." of Article XIV, "Initiative and Referendum Ordinances," of the Charter so that publication of proposed ordinances by referendum is consistent with all other publication requirements of the Charter and in accordance with state law so that the same shall read as follows:

"Whenever any ordinance or proposition is required by the Charter to be submitted to the voters of the City of Garland, the City Secretary shall cause the ordinance or proposition to (a) be published on the City's website and (b) be printed and shall send a printed copy thereof to each voter at least ten (10) days prior to the date set for the vote thereon. However, the Council may order such ordinance or proposition to be printed in a newspaper having a general circulation in both Dallas and Collin Counties instead of sending such copies to the voters."

**EE.**

Amending Section 1, "General Powers related to utility systems." of Article XV, "Utilities," of the Charter so that the general powers of the City related to utility systems are consistent with state law so that the same shall read as follows:

"(A) In this section, "utility system" means a water, stormwater, sewer, gas, or electric system.

(B) The City may purchase, construct, or operate a utility system inside or outside the municipal boundaries and may regulate the system in a manner that protects the interests of the City. The City may own land inside or outside its boundaries for these purposes.



(C) The City may extend the lines of its utility systems outside the municipal boundaries and may sell water, sewer, gas, or electric service to any person outside its boundaries. The City may contract with persons outside its boundaries to permit them to connect with those utility systems on terms the City considers to be in its best interest.

(D) The City may prescribe the kind of water or gas mains, sewer pipes, and electric appliances that may be used inside or outside the City. The City may inspect those facilities and appliances, require that they be kept in good condition at all times, and prescribe the necessary rules, which may include penalties, concerning them."

#### **FF.**

Amending Section 2, "Franchise tax." of Article XV, "Utilities," of the Charter to update terminology and be consistent with state law so that the same shall read as follows:

"Each public utility using the public rights-of-way or public property within the City shall be required to reasonably compensate the City for the use thereof. Except as otherwise controlled by state law, the Council shall in its discretion determine by ordinance or by contract the franchise fees associated with the use of public rights-of-way or public property by a public utility."

#### **GG.**

Amending Section 6, "Franchises." of Article XV, "Utilities," of the Charter relating to the terms and conditions of granting franchises to public utilities, and the notification thereof, be amended to be consistent with state law so that the same shall read as follows:

"The Council may by ordinance grant franchises to public utilities upon charges, terms and conditions fixed by the Council, unless otherwise controlled by state law, but not to exceed twenty-five (25) years' duration. Such

ordinance and franchise shall be subject to referendum as herein provided for legislative ordinances and the City Secretary shall cause a notice of the passage of each franchise ordinance fairly stating the substance thereof to be published once each week for four (4) consecutive weeks in a newspaper having a general circulation in both Dallas and Collin County, or as otherwise allowed by state law. The grantee of any franchise shall pay the costs of all publication thereof required by this Charter."

#### **HH.**

Repealing Section 7, "Reports." of Article XV, "Utilities," of the Charter relating to obsolete reporting requirements of public utility franchises.

#### **II.**

Amending Section 4, "Claims against the City." of Article XVII, "Miscellaneous," of the Charter to update terminology and clarify substantive requirements of any written notices of personal injury or death submitted to the City to be consistent with state law so that the same shall read as follows:

"(A) The City of Garland shall never be liable for any personal injury, whether resulting in death or not, unless the person injured or someone in his or her behalf, or in the event the injury results in death, the person or persons who may have cause of action under the law by reason of such death or injury, shall file a notice in writing with the City Manager or City Secretary within six (6) months after the same has been sustained. The written notice must expressly state facts in sufficient detail so a determination can be made as to when, where and how the death or injury occurred and the full extent thereof, together with the amount of damages claimed or asserted.

(B) The City of Garland shall never be liable for any claim for damage or injury to personal property unless the person whose personal property has been injured or damaged, or someone in his or her behalf, shall file a

claim in writing with the City Manager or the City Secretary within six (6) months after said damage or injury has occurred. The written notice shall expressly state facts in sufficient detail so a determination can be made as to when, where and how the injury or damage occurred and the amount of damage claimed.

(C) The City of Garland shall never be liable on account of any damage or injury to person or to personal property arising from or occasioned by any defect in any public street, highway, alley, grounds or public work of the City of Garland unless the specific defect causing the damage or injury shall have been actually known to the City Manager at least twenty-four (24) hours prior to the occurrence of the injury or damage, or unless the attention of the City Manager shall have been called thereto by a notice thereof in writing at least twenty-four (24) hours prior to the occurrence of the injury or damage and proper diligence has not been exercised to rectify the defect. The notice herein required to be given to the City Manager of the specific defect causing the damage or injury shall apply where the defect arose from any omission of the City itself, through its agents, servants or employees, or acts of third parties."

## **JJ.**

Amending in part Section 14, "Claims against the City." of Article XVII, "Miscellaneous," of the Charter by addition to exclude liability coverage by the City on claims arising out of the criminal conduct of city officials and any claim that is excluded from coverage under a policy of insurance of the City so that the same shall read as follows:

". . .

(12) Any claim arising out of the criminal conduct of the official or officer above the level of a Class C misdemeanor;

(13) Any claim for which the City is insured under a policy of insurance involving conduct by the official or

officer that is excluded from coverage under the policy of insurance."

### **Section 3 BALLOT PROPOSITIONS**

The official ballots to be used in this special election shall be in compliance with the applicable provisions of the Texas Election Code, shall state each proposed amendment so that the voters shall pass upon each amendment separately and apart from another so that each voter may vote "For" or "Against" any amendment or amendments without voting "For" or "Against" all such amendments, and shall have written or printed thereon the following:

#### **CHARTER AMENDMENTS**

##### **Garland Proposition A.**

- ☐ **FOR**  
☐ **AGAINST**

"Shall the Charter be amended to provide for gender neutrality, deletion and correction of obsolete and incorrect citations, references, titles of city officials, and correction of typographical errors?"

##### **Garland Proposition B.**

- ☐ **FOR**  
☐ **AGAINST**

"Shall Article II, Section 2, of the Charter be amended to update and clarify the City's authority to purchase electric utility facilities inside or outside the City limits?"

**Garland Proposition C.**

- ☐ **FOR**  
☐ **AGAINST**

"Shall Article III, Section 1(C), of the Charter be amended by changing the residency requirements for a person running for Councilmember, including Mayor, from a requirement that the candidate reside within the Council district at the time of his or her nomination to a requirement that the candidate reside for a minimum of one year in the Council district at the time of his or her election or appointment?"

**Garland Proposition D.**

- ☐ **FOR**  
☐ **AGAINST**

"Shall Article III, Section 1(E), of the Charter be moved in its entirety to subsection (F) and replaced with a provision that prohibits a Councilmember, including the Mayor, who vacates his or her office prior to the end of the scheduled term from serving again in the same capacity until one complete subsequent term has elapsed?"

**Garland Proposition E.**

- ☐ **FOR**  
☐ **AGAINST**

"Shall Article III, Section 3, of the Charter be amended to increase the compensation for the Mayor and City Council to take into account an inflation adjustment since May of 2000?"

**Garland Proposition F.**

- ☐ **FOR**  
☐ **AGAINST**

"Shall Section 5, "Vacancies" of Article III, "The Council" of the Charter be amended to be consistent with state law and to further provide that in the event of a vacancy on Council where the member of the vacant seat is unable or unwilling to hold-over until such time as the vacancy may be filled pursuant to a lawful election and the Governor of the State of Texas does not call an election to fill the vacancy after being petitioned by the City, the remaining members of the Council may by a three-fourths super-majority vote to appoint a qualified person to fill the vacancy; that a person so appointed by Council shall not be eligible to serve again on Council in the same capacity until one complete subsequent term has elapsed; and that subject to these conditions, a vacancy occurring within the first nine months of a term may be filled only by an interim appointment until such time as a special election may be called?"

**Garland Proposition G.**

- ☐ **FOR**  
☐ **AGAINST**

Shall Article III, Section 8, of the Charter relating to the location of regular meetings of the Council be amended to allow Council to hold regular meetings at City Hall or other location designated by Council within the city limits?"

**Garland Proposition H.**

- ☐ **FOR**  
☐ **AGAINST**

"Shall Article III, Section 9, of the Charter be amended to clarify that the Council shall adopt its own rules of procedure at the first

regular meeting in January of each year, but in the event the Council does not amend the rules at that time, the rules for the prior year shall be deemed to be adopted by the Council.

**Garland Proposition I.**

- ☐ **FOR**  
☐ **AGAINST**

"Shall Article III, Section 9, of the Charter be amended to increase the time the City Secretary has to enter the minutes of all meetings in the permanent record from 48 hours to 72 hours?"

**Garland Proposition J.**

- ☐ **FOR**  
☐ **AGAINST**

"Shall Article III, Section 11, of the Charter be amended to be consistent with state law and the Texas Constitution and clarify that in the event of a vacancy on Council, or any officer appointed by Council, the person vacating their respective office shall remain in office until such time as a successor is sworn into the vacated office?"

**Garland Proposition K.**

- ☐ **FOR**  
☐ **AGAINST**

"Shall Article IV, Section 1, of the Charter be amended to provide that an appointed councilmember may not receive a council appointment as City Manager, City Attorney, City Auditor, or Municipal Judge within two (2) years of the expiration of the term for which he or she was elected?"

**Garland Proposition L.**

☐ **FOR**

☐ **AGAINST**

"Shall Article IV, Section 3, of the Charter be amended to clarify that Council does not have the authority to direct or request the City Manager, the City Attorney, the City Auditor, or Municipal Judge to hire or remove any person from an office directed by the respective Council appointee?"

**Garland Proposition M.**

☐ **FOR**

☐ **AGAINST**

"Shall Article IV, Section 5, of the Charter be moved to Article V, Section 3, and amended so that the City Manager has the authority to appoint a City Secretary, upon confirmation of City Council, manage, supervise, and remove the City Secretary, and describe the general duties of the Office of City Secretary?"

**Garland Proposition N.**

☐ **FOR**

☐ **AGAINST**

"Shall Article IV, Section 6, of the Charter be amended to set the term of office for the Municipal Judge to be consistent with state law, which sets the term of office as 2 years?"

**Garland Proposition O.**

☐ **FOR**

☐ **AGAINST**

"Shall Article IV, Section 9, of the Charter be amended by inserting



provisions related to the qualifications, general powers, and duties of the office of City Auditor, which shall be revised and moved from Article VII, Sections 4 and 5?"

**Garland Proposition P.**

- ☐ **FOR**  
☐ **AGAINST**

"Shall Article V, Section 2, of the Charter be amended to provide that the City Council may appoint a City Manager for a definite term of three years?"

**Garland Proposition Q.**

- ☐ **FOR**  
☐ **AGAINST**

"Shall Article VI, Section 1, of the Charter be amended to provide that the City Council may appoint a City Attorney for a definite term of three years?"

**Garland Proposition R.**

- ☐ **FOR**  
☐ **AGAINST**

"Shall Article VIII, Section 2, of the Charter relating to the submission of the city budget be amended to provide that the City Manager shall file the budget with the City Secretary on or before the date set by state law?"

**Garland Proposition S.**

- ☐ **FOR**  
☐ **AGAINST**

"Shall Article VIII, Section 3, of the Charter relating to the form of the city budget by the City Manager be amended to delete the list of the required contents of the City Manager's budget message and provide that the budget be prepared in accordance with, and contain all information required by, state law?"

**Garland Proposition T.**

- ☐ **FOR**  
☐ **AGAINST**

"Shall Article VIII, Section 4, of the Charter relating to public access of the proposed budget be amended to accommodate digital and electronic access by the public?"

**Garland Proposition U.**

- ☐ **FOR**  
☐ **AGAINST**

"Shall Article VIII, Section 5, of the Charter relating to publication and notice of the public hearing on the proposed budget be amended so that publication and notice of the public hearing is in accordance with state law?"

**Garland Proposition V.**

- ☐ **FOR**  
☐ **AGAINST**

"Shall Article VIII, Section 6, of the Charter relating to scheduling the public hearing and adopting the budget be amended to update terminology, so that the scheduling and adoption of the

budget is done in accordance with state law, and setting the 21<sup>st</sup> day of September as the last day on which Council may approve a final budget prior to the proposed budget as submitted by the City Manager being deemed to have been finally adopted by the Council?"

**Garland Proposition W.**

- ☐ **FOR**  
☐ **AGAINST**

"Shall Article X, Section 1, of the Charter relating to the authority of the City to issue bonds be amended so that the City shall have the authority to borrow money, issue bonds, notes and other evidences of indebtedness permitted by, and in accordance with, state law?"

**Garland Proposition X.**

- ☐ **FOR**  
☐ **AGAINST**

"Shall Article X, Section 3, of the Charter relating to bond election procedures be amended so that the Council is required to establish a Bond Study Committee preceding a bond election, any proposition on a ballot to issue bonds payable from ad valorem taxes must first be submitted to a vote of the qualified voters of the City of Garland, and all bond elections and issuance and payments of bonds shall be done in accordance with state law?"

**Garland Proposition Y.**

- ☐ **FOR**  
☐ **AGAINST**

"Shall Article X, Section 10, of the Charter relating to bond elections be amended so that each bond proposition must expressly state all information required by state law?"

**Garland Proposition Z.**

- ☐ **FOR**  
☐ **AGAINST**

"Shall Article XI, Section 1, of the Charter relating to the requirements to be a member of the Plan Commission be amended by deleting the real property ownership requirement to serve as a member and substituting it with a residency requirement?"

**Garland Proposition AA.**

- ☐ **FOR**  
☐ **AGAINST**

"Shall Article XI, Section 10, of the Charter be amended by replacing the property ownership requirement with a requirement that a person be a resident of the City for a period of not less than one (1) year prior to his or her appointment as a board member or commissioner, and setting term limits of three consecutive terms for offices commencing after May of 2018?"

**Garland Proposition BB.**

- ☐ **FOR**  
☐ **AGAINST**

"Shall Article XII, Section 2, of the Charter be amended so that the number of signatures required on a petition of a person desiring to become a candidate for an office on City Council and the filing deadlines are consistent with state law?"

**Garland Proposition CC.**

- ☐ **FOR**  
☐ **AGAINST**

"Shall Article XII, Section 8, of the Charter relating to the recall

of the Mayor or Councilmember be amended to update the petition submittal requirements, the petition process and schedule, the form of the petition, the required number of signatures, the duties and obligations of the City Secretary, and clarify and update vacancy and holdover terms?"

**Garland Proposition DD.**

☐ **FOR**

☐ **AGAINST**

"Shall Article XIV, Section 5, of the Charter be amended so that publication of proposed ordinances by referendum is electronically published on the City website and consistent with all other publication requirements of the Charter and in accordance with state law?"

**Garland Proposition EE.**

☐ **FOR**

☐ **AGAINST**

"Shall Article XV, Section 1, of the Charter relating to the general powers of the City in regard to utility systems be amended to be consistent with state law?"

**Garland Proposition FF.**

☐ **FOR**

☐ **AGAINST**

"Shall Article XV, Section 2, of the Charter relating to franchise fees be amended to update terminology and be consistent with state law?"

**Garland Proposition GG.**

- ☐ **FOR**  
☐ **AGAINST**

"Shall Article XV, Section 6, of the Charter relating to the terms and conditions of granting franchises to public utilities, and the notification thereof, be amended to be consistent with state law?"

**Garland Proposition HH.**

- ☐ **FOR**  
☐ **AGAINST**

"Shall Article XV, Section 7, of the Charter relating to obsolete reporting requirements of public utility franchises be repealed?"

**Garland Proposition II.**

- ☐ **FOR**  
☐ **AGAINST**

"Shall Article XVII, Section 4, of the Charter relating to claims against the City be amended to update terminology and clarify substantive requirements of any written notices of personal injury or death submitted to the City to be consistent with state law?"

**Garland Proposition JJ.**

- ☐ **FOR**  
☐ **AGAINST**

"Shall Article XVII, Section 14, of the Charter be amended by addition to exclude liability coverage by the City on claims arising out of the criminal conduct of city officials and any claim that is excluded from coverage under a policy of insurance of the City?"

**Section 4**  
**POLLING PLACES**

That the polling places for this special election shall be the same as those established for purposes of the general election to be held concurrently with this special election, that is, those established by the Dallas County Elections Administrator by virtue of a Joint Election Contract with the County of Dallas.

**Section 5**  
**EARLY VOTING**

The main early voting place is the George L. Allen, Sr. Courts Building, 600 Commerce Street, Dallas, Texas 75202. A voter lawfully registered to vote in Dallas County may vote at any authorized early voting location. Within the City of Garland, early voting by personal appearance shall be conducted at the Richland College-Garland Campus, 675 W. Walnut Street, Garland, Texas 75040. Applications for ballot by mail shall be mailed to:

Early Voting Clerk  
Dallas County Elections  
2377 N. Stemmons Freeway, Suite 820  
Dallas, Texas 75207-2706

Early voting by personal appearance for the special election as ordered by Section 1, above, shall be conducted on weekdays beginning on Monday, April 23, 2018 through Friday, April 27, 2018 between the hours of 8:00 a.m. and 5:00 p.m.; Saturday, April 28, 2018 between the hours of 8:00 a.m. and 5:00 p.m.; Sunday, April 29, 2018 between the hours of 1:00 p.m. and 6:00 p.m.; and Monday, April 30, 2018 through Tuesday, May 1, 2018 between the hours of 7:00 a.m. and 7:00 p.m. Applications for ballots by mail for the special election must be received no later than the close of business on April 24, 2018.

**Section 6**  
**NEW TERRITORY**

That in all the territory annexed to the City of Garland which is not included in an established district of the City of Garland, the qualified voters therein may vote in the district contiguous thereto.

**Section 7**  
**NOTICE OF ELECTION; PUBLICATION AND POSTING**

That this election order shall constitute a notice of election and this notice shall be:

(1) published in a newspaper of general circulation for Dallas and Collin Counties on the same day in each of two successive weeks, with the first publication occurring before the 14<sup>th</sup> day before the date of the election, which publication shall include a complete listing of all polling places; and

(2) posted on the bulletin board used for posting notices of the meetings of the City Council, which copy shall also include a complete listing of all polling places, not later than the 21st day before the special election.

**Section 8**  
**STATEMENT OF ANTICIPATED FISCAL IMPACT**

Pursuant to Section 9.004(c)(2) of the Texas Local Government Code (requiring a statement of the anticipated fiscal impact to the City if the proposed amendments are approved), the City asserts that an that should proposition "E" relating to Compensation for the City Council be approved it will have an estimated annual fiscal impact of \$21,586.00; however, an overall analysis reflects that there should be no negative fiscal impact to the economic costs to the City if all of the remaining proposed amendments are approved.

**Section 9**  
**SEVERABILITY CLAUSE**

That the terms, phrases, clauses, sentences, paragraphs, and sections of this ordinance are severable.



**Section 10**  
**EFFECTIVE DATE**

This ordinance shall be and become effective immediately upon and after its passage and approval.

**PASSED AND APPROVED** this the \_\_\_\_\_ day of February, 2018.

**CITY OF GARLAND, TEXAS**

By: \_\_\_\_\_  
Mayor

**ATTEST:**

\_\_\_\_\_  
City Secretary



**GARLAND  
CITY COUNCIL ITEM SUMMARY SHEET**

**City Council Regular Session Agenda**

**5.**

**Meeting Date:** February 6, 2018

**Item Title:** May 5 General Election Ordinance

**Submitted By:** Rene Dowl, City Secretary

---

**Summary of Request/Problem**

Consider an ordinance calling a general election to be held May 5, 2018 for the purpose of electing members to Council Districts 1, 2, 4, and 5, providing a date for a run-off, and providing for other matters relating to that election.

**Recommendation/Action Requested and Justification**

Approve an ordinance ordering and providing notice of a General Election for the City of Garland to be held on the 5th day of May 2018.

---

**Attachments**

General Election Ordinance

---

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE ORDERING OF A GENERAL ELECTION FOR THE CITY OF GARLAND, TEXAS TO BE HELD ON THE 5th DAY OF MAY, 2018; PROVIDING A DATE FOR A RUN-OFF ELECTION; PROVIDING FOR A PROCESS TO DETERMINE POSITION OF NAMES ON BALLOTS; PROVIDING FOR LOCATIONS OF POLLING PLACES; PROVIDING FOR EARLY VOTING; PROVIDING FOR NOTICE, PUBLICATION, AND POSTING OF THIS ORDER; AND PROVIDING AN EFFECTIVE DATE.**

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

**Section 1**

**ELECTION ORDER FOR JOINT ELECTION AND NOTICE OF ELECTION**

There is hereby ordered a general election to be participated in by the qualified voters of the City of Garland, Texas, to be held on the 5th day of May, 2018, between the hours of 7:00 a.m. and 7:00 p.m., for the purpose of electing one Councilmember each to respectively represent Districts 1, 2, 4, and 5.

Candidates for Districts 1, 2, 4, and 5 must reside in each respective District. Every qualified voter within Districts 1, 2, 4, and 5 may cast one vote for a candidate for the respective district within which such voter resides.

The candidate for each respective office who shall receive a majority of all votes cast for the office for which that person is a candidate shall be declared elected.

The election shall be held as a joint election pursuant to a joint election agreement by and between the City of Garland, Dallas County, and such other political subdivisions as may be participating in the joint election. Pursuant to the joint election agreement, the Dallas County Election Administrator shall serve as election administrator for the election and who shall appoint such election officials as may be required by law, according to the terms of the law and the joint election agreement.

**Section 2**

**RUN-OFF ELECTION**

In the event any candidate fails to receive a majority of all votes

cast for the office for which that person is a candidate, a run-off election shall be held on the 16th day of June, 2018 between the hours of 7:00 a.m. and 7:00 p.m. for the purpose of resolving the run-off for each office for which a candidate did not receive a majority of all votes cast at the general election.

### **Section 3**

#### **POSITIONS OF NAMES OF CANDIDATES ON BALLOTS**

The positions of the names of the candidates for the general election and, if necessary, for the run-off election, shall be determined by lot in an open meeting to be held at the offices of the City Secretary located at Garland City Hall. The City Secretary shall notify each candidate of the time of the meeting to draw lots and shall preside at the drawing.

### **Section 4**

#### **POLLING PLACES**

The polling places for the election shall be those established by the Dallas County Elections Administrator by virtue of the joint election agreement.

### **Section 5**

#### **EARLY VOTING**

The main early voting place is the George L. Allen, Sr. Courts Building, 600 Commerce Street, Dallas, Texas 75202. A voter lawfully registered to vote in Dallas County may vote at any authorized early voting location. Within the City of Garland, early voting by personal appearance shall be conducted locally at Richland College - Garland Campus, 675 W. Walnut Street, Garland, Texas 75040. Applications for ballot by mail shall be mailed to:

Early Voting Clerk  
Dallas County Elections Department, 8th Floor  
Health and Human Service Building  
2377 N. Stemmons Freeway, Suite 820  
Dallas, Texas 75207

An application for ballot by mail may also be obtained by sending a completed, scanned application containing an original signature by email to [evapplications@dallascounty.org](mailto:evapplications@dallascounty.org) or by fax to 214-819-6303.

### **Early Voting for the General Election:**

Early voting by personal appearance for the general election as ordered by Section 1, above, shall be conducted on weekdays beginning on Monday, April 23, 2018 through Friday, April 27, 2018 between the hours of 8:00 a.m. and 5:00 p.m.; Saturday, April 28, 2018 between the hours of 8:00 a.m. and 5:00 p.m.; Sunday, April 29, 2018 between the hours of 1:00 p.m. and 6:00 p.m.; and Monday, April 30, 2018 through Tuesday, May 1, 2018 between the hours of 7:00 a.m. and 7:00 p.m. Applications for ballots by mail for the special election must be received no later than the close of business on April 24, 2018.

### **Early Voting for a Run-off Election:**

Early voting by personal appearance for the run-off election, if a run-off election is necessary, shall be conducted on Monday, June 4, 2018 through Friday, June 8, 2018 between the hours of 8:00 a.m. and 5:00 p.m.; Saturday, June 9, 2018 between the hours of 8:00 a.m. and 5:00 p.m.; Sunday, June 10, 2018 between the hours of 1:00 p.m. and 6:00 p.m.; and Monday, June 11, 2018, through Tuesday, June 12, 2018 between the hours of 7:00 a.m. to 7:00 p.m.

## **Section 6 NOTICE OF ELECTION; PUBLICATION AND POSTING**

This election order shall constitute a notice of election and this notice shall be:

(1) published at least once, not earlier than the 30th day or later than the 10th day before the general election day, which publication shall include a complete listing of all polling places; and

(2) posted on the bulletin board used for posting notices of the meetings of the City Council, which copy shall also include a complete listing of all polling places, not later than the 21st day before the general election.

## **Section 7**

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

**PASSED AND APPROVED** this the 6th day of February, 2018.

**CITY OF GARLAND, TEXAS**

\_\_\_\_\_  
Mayor

**ATTEST:**

\_\_\_\_\_  
City Secretary

Posted: \_\_\_\_\_



**GARLAND  
CITY COUNCIL ITEM SUMMARY SHEET**

**City Council Regular Session Agenda**

**6.**

**Meeting Date:** February 6, 2018

**Item Title:** May 5 Special Election - Mayor

**Submitted By:** Rene Dowl, City Secretary

---

**Summary of Request/Problem**

Consider an ordinance calling a special election to be held May 5, 2018 for the purpose of electing a Mayor to fill the unexpired term of office, and providing for other matters relating to that election.

**Recommendation/Action Requested and Justification**

Approve an ordinance ordering and providing notice of a Special Election for the City of Garland to be held on the 5th day of May 2018.

---

**Attachments**

Special Election Ordinance

---

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE ORDERING A SPECIAL ELECTION FOR THE CITY OF GARLAND, TEXAS TO BE HELD ON THE 5th DAY OF MAY, 2018, FOR THE PURPOSE OF ELECTING A MAYOR TO FILL A VACANCY FOR THE REMAINDER OF THE CURRENT TERM OF OFFICE; PROVIDING A DATE FOR A RUN-OFF ELECTION; PROVIDING FOR A PROCESS TO DETERMINE POSITION OF NAMES ON BALLOTS; PROVIDING FOR LOCATIONS OF POLLING PLACES; PROVIDING FOR EARLY VOTING; PROVIDING FOR NOTICE, PUBLICATION, AND POSTING OF THIS ORDER; AND PROVIDING AN EFFECTIVE DATE.**

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

**Section 1**

**ELECTION ORDER FOR JOINT ELECTION AND NOTICE OF ELECTION**

There is hereby ordered a special election to be participated in by the qualified voters of the City of Garland, Texas, to be held on the 5th day of May, 2018, between the hours of 7:00 a.m. and 7:00 p.m., for the purpose of electing a person to fill a vacancy for the remainder of the current term of office.

Candidates for Mayor must reside within the City. Every qualified voter within the City may cast one vote for a candidate for Mayor.

The candidate for Mayor who shall receive a majority of all votes cast for the office of Mayor shall be declared elected.

The election shall be held as a joint election pursuant to a joint election agreement by and between the City of Garland, Dallas County, and such other political subdivisions as may be participating in the joint election. Pursuant to the joint election agreement, the Dallas County Election Administrator shall serve as election administrator for the election and who shall appoint such election officials as may be required by law, according to the terms of the law and the joint election agreement.

**Section 2**

**RUN-OFF ELECTION**

In the event any candidate fails to receive a majority of all votes cast for the office of Mayor, a run-off election shall be held on the 16th day of June, 2018 between the hours of 7:00 a.m. and 7:00 p.m. for the purpose of resolving the run-off for which a candidate



did not receive a majority of all votes cast at the general election.

### **Section 3**

#### **POSITIONS OF NAMES OF CANDIDATES ON BALLOTS**

The positions of the names of the candidates for the special election and, if necessary, for the run-off election, shall be determined by lot in an open meeting to be held at the offices of the City Secretary located at Garland City Hall. The City Secretary shall notify each candidate of the time of the meeting to draw lots and shall preside at the drawing.

### **Section 4**

#### **POLLING PLACES**

The polling places for the election shall be those established by the Dallas County Elections Administrator by virtue of the joint election agreement.

### **Section 5**

#### **EARLY VOTING**

The main early voting place is the George L. Allen, Sr. Courts Building, 600 Commerce Street, Dallas, Texas 75202. A voter lawfully registered to vote in Dallas County may vote at any authorized early voting location. Within the City of Garland, early voting by personal appearance shall be conducted locally at Richland College - Garland Campus, 675 W. Walnut Street, Garland, Texas 75040. Applications for ballot by mail shall be mailed to:

Early Voting Clerk  
Dallas County Elections Department, 8th Floor  
Health and Human Service Building  
2377 N. Stemmons Freeway, Suite 820  
Dallas, Texas 75207

An application for ballot by mail may also be obtained by sending a completed, scanned application containing an original signature by email to [evapplications@dallascounty.org](mailto:evapplications@dallascounty.org) or by fax to 214-819-6303.

#### **Early Voting for the Special Election:**

Early voting by personal appearance for the special election as

ordered by Section 1, above, shall be conducted on weekdays beginning on Monday, April 23, 2018 through Friday, April 27, 2018 between the hours of 8:00 a.m. and 5:00 p.m.; Saturday, April 28, 2018 between the hours of 8:00 a.m. and 5:00 p.m.; Sunday, April 29, 2018 between the hours of 1:00 p.m. and 6:00 p.m.; and Monday, April 30, 2018 through Tuesday, May 1, 2018 between the hours of 7:00 a.m. and 7:00 p.m. Applications for ballots by mail for the special election must be received no later than the close of business on April 24, 2018.

#### **Early Voting for a Run-off Election:**

Early voting by personal appearance for the run-off election, if a run-off election is necessary, shall be conducted on Monday, June 4, 2018 through Friday, June 8, 2018 between the hours of 8:00 a.m. and 5:00 p.m.; Saturday, June 9, 2018 between the hours of 8:00 a.m. and 5:00 p.m.; Sunday, June 10, 2018 between the hours of 1:00 p.m. and 6:00 p.m.; and Monday, June 11, 2018, through Tuesday, June 12, 2018 between the hours of 7:00 a.m. to 7:00 p.m.

### **Section 6 NOTICE OF ELECTION; PUBLICATION AND POSTING**

This election order shall constitute a notice of election and this notice shall be:

- (1) published at least once, not earlier than the 30th day or later than the 10th day before the general election day, which publication shall include a complete listing of all polling places; and
- (2) posted on the bulletin board used for posting notices of the meetings of the City Council, which copy shall also include a complete listing of all polling places, not later than the 21st day before the general election.

### **Section 7**

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

**PASSED AND APPROVED** this the 6th day of February, 2018.

**CITY OF GARLAND, TEXAS**

\_\_\_\_\_  
Mayor

**ATTEST:**

\_\_\_\_\_  
City Secretary

Posted: \_\_\_\_\_



**GARLAND**  
**CITY COUNCIL ITEM SUMMARY SHEET**

**City Council Regular Session Agenda**

**7.**

**Meeting Date:** February 6, 2018

**Item Title:** 2018 Proposed CIP Public Hearing

**Submitted By:** Ron Young, Budget Director

---

**Summary of Request/Problem**

A public hearing will be held on the 2018 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 2018 Proposed CIP is available for public inspection in the City's libraries and the City Secretary's Office and has been on the City's website since January 17, 2018.

**Recommendation/Action Requested and Justification**

Receive public comment.

---



**GARLAND**  
**CITY COUNCIL ITEM SUMMARY SHEET**

**City Council Regular Session Agenda**

**8.a.**

**Meeting Date:** February 6, 2018

**Item Title:** Z 17-24 Dunaway Associates, LP (District 7)

**Submitted By:** Will Guerin, Planning Director

---

**Summary of Request/Problem**

The request has been withdrawn by the applicant.

**Recommendation/Action Requested and Justification**

N/A

---



## **GARLAND PLANNING REPORT**

### **City Council Regular Session Agenda**

**8.b.**

**Meeting Date:** February 6, 2018

**Item Title:** Z 17-25 Fasil Kagnev (District 1)

**Submitted By:** Isaac Williams, Development Planner

---

### **REQUEST**

Approval of 1) a Planned Development (PD) District for Multi-Family Uses and 2) a Detail Plan for an Elder Care – Assisted Living.

### **OWNER**

REFA Investment, LLC

### **PLAN COMMISSION RECOMMENDATION**

On January 8, 2018 the Plan Commission, by a vote of seven (7) to zero (0), recommended approval of a Planned Development (PD) District for Multi-Family Uses and 2) a Detail Plan for an Elder Care – Assisted Living.

### **STAFF RECOMMENDATION**

Staff recommends approval of 1) a zoning change from Community Office (CO) District to Planned Development (PD) District for Multi-Family Uses and 2) a Detail Plan for an Elder Care – Assisted Living Care Facility.

### **BACKGROUND**

The applicant requests a change in zoning from Community Office (CO) District to a Planned Development (PD) District for the redevelopment of the approximately 22,000 square-foot facility at 1922 Castle Drive previously operating as Green Acres Nursing Home [Nursing/Convalescent Care Facility]. The applicant's request is to establish an Elder Care - Assisted Living use within the existing building and update the site with additional landscaping and refreshing of the building facades.

### **SITE DATA**

The subject site contains approximately 2.38 acres and contains frontage along Castle Drive for approximately 300.21 feet. The subject site provides two access points from Castle Drive, and will utilize an existing access drive for circulation around the periphery of the existing building.

### **USE OF PROPERTY UNDER CURRENT ZONING**

The subject property is zoned Community Office (CO) District. The CO District is intended to create an appropriate setting for medium and higher intensity office and professional uses. The District may be used as a transition between low intensity office/retail uses and more intense uses. Elder Care facilities are not specifically permitted within the Community Office (CO) District; these uses require Specific Use Provision (SUP) approval. Records indicate that the subject site had no SUP approval for the previous Elder Care use; therefore, any new elder care operations will require approval through a public hearing process. The applicant requests development of the site through a Planned Development (PD) District based in the Multi-Family (MF) District where the use is permitted “by-right” and where specific development conditions may be implemented. Additionally, no SUP is required for Elder Care uses with the establishment of this Planned Development (PD) District.

## CONSIDERATIONS

**1. Landscape and Screening.** The GDC Section 2.52 (A) (12) requires senior living facilities to dedicate a minimum of forty (40) percent of the total site to landscaping, open space areas, pools and similar outdoor recreation activities. The Landscape Plan reflects the appropriate quantity of tree plantings and landscaping materials within the landscape buffer along Castle Drive. The parking area landscaping is consistent with the previous elder care layout; however, additional landscaping has been added and designed in accordance with the standards of Chapter 4, Article 3. The development is compliant with the Landscape and Screening standards of Chapter 4 Article 3.

**2. Building Design.** The Castle Home Assisted Living Facility is largely utilizing the existing single-story building except that additional square footage will be added to ends of five (5) of the seven (7) “wings” of the building. The proposed building meets the horizontal and vertical articulation requirements by utilizing mixed roof heights, and varying degrees of recesses and projections including alcoves and covered entries. The Building Elevation Plan reflects the incorporation of approved architectural design elements (e.g. distinct lighting features, divided light, awnings and canopies) as set forth in Chapter 4, Article 6 of the Garland Development Code.

The existing building consists mostly of brick, and the proposed façade refreshing will maintain the high percentage of masonry. Each external building elevation contains a 100 percent masonry façade that incorporates a predominantly brick face with stucco and stone trims. The applicant utilizes variations in masonry color and material textures to complete the updated aesthetic.

**3. Site Design.** Section 2.52 (A) (12) requires that indoor common or recreation areas must be provided at a rate of at least 100 square feet of gross floor area per dwelling unit; accordingly the site must provide 5,000 square feet of common area to accommodate the fifty (50) units. The development provides 5,100 square feet and is compliant with this regulation. The facility also provides outdoor and indoor common areas that include living, sitting, dining, games, exercise, café, library and music areas.

GDC Section 2.52 (A) (12) also requires the facility to provide a six-foot high perimeter fence. The Detail Plan reflects development without the perimeter fencing. Typically, the perimeter fencing element of a senior living facility is a safety feature. The applicant has indicated that the facility will provide the perimeter fencing along the southern and eastern property boundary.

However, on the western property boundary the applicant intends to utilize the existing wooden fence associated with the adjacent Elder Care - Independent Living community. Although under most conditions, the perimeter fencing as required may be the most effective tool for site definition and security, placement of the required fencing at this location would either create an undesirable gap between the existing fence and proposed fence, or cause damage and possible removal of an existing fence that is otherwise stable and serves to meet the development requirements of the neighboring property.

**4. Landscape and Screening.** The GDC Section 2.52 (A) (12) requires senior living facilities to dedicate a minimum of forty (40) percent of the total site to landscaping, open space areas, pools and similar outdoor recreation activities. The Landscape Plan reflects the appropriate quantity of tree plantings and landscaping materials within the landscape buffer along Castle Drive. The parking area landscaping is consistent with the previous elder care layout; however, additional landscaping has been added and designed in accordance with the standards of Chapter 4, Article 3. The development is compliant with the Landscape and Screening standards of Chapter 4 Article 3.

**5. Parking.** The GDC requires that Elder Care- Assisted Living facilities provide parking at a rate of one space per three dwelling units. Each bedroom is considered a dwelling unit; the facility provides fifty (50) units, which yields approximately seventeen (17) parking spaces. The site is designed for twenty-seven (27) parking spaces; the additional spaces will accommodate the necessary staffing during shift changes, and visitors. The additional parking as proposed is appropriate for the development.

## **COMPREHENSIVE PLAN**

The Envision Garland Plan 2030 Comprehensive Plan designates the site as Compact Neighborhoods. Compact Neighborhoods provide areas for moderate increases in residential density, including single-family attached and single-family detached housing. Development within this designation is intended to expand housing options through infill and redevelopment, while continuing walkable development patterns. The applicant's request is consistent with the designation of Compact Neighborhoods as the facility provides housing for a specific aged segment of the community, and also reactivates an otherwise inactive site.

## **COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES**

The properties to the north and northeast across Castle Drive are zoned Single-Family-7 (SF-7) District and are developed with the Northlake Estates No. 6 single-family residential subdivision. The property immediately to the southeast is zoned Single Family-7 District and is developed with a single-family dwelling. The property to the northwest is zoned Planned Development PD 10-33 for an Elder Care-Independent Living facility.

The proposed facility is a continuation of an Elder Care facility, except the specific characteristics of the use will be changed. The proposed Elder Care - Assisted Living facility will provide limited assistance with daily living activities. It is not anticipated that operations of the new facility will create a greater impact than the previous facility or introduce adverse effects on the surrounding residential uses.

---

## **Attachments**

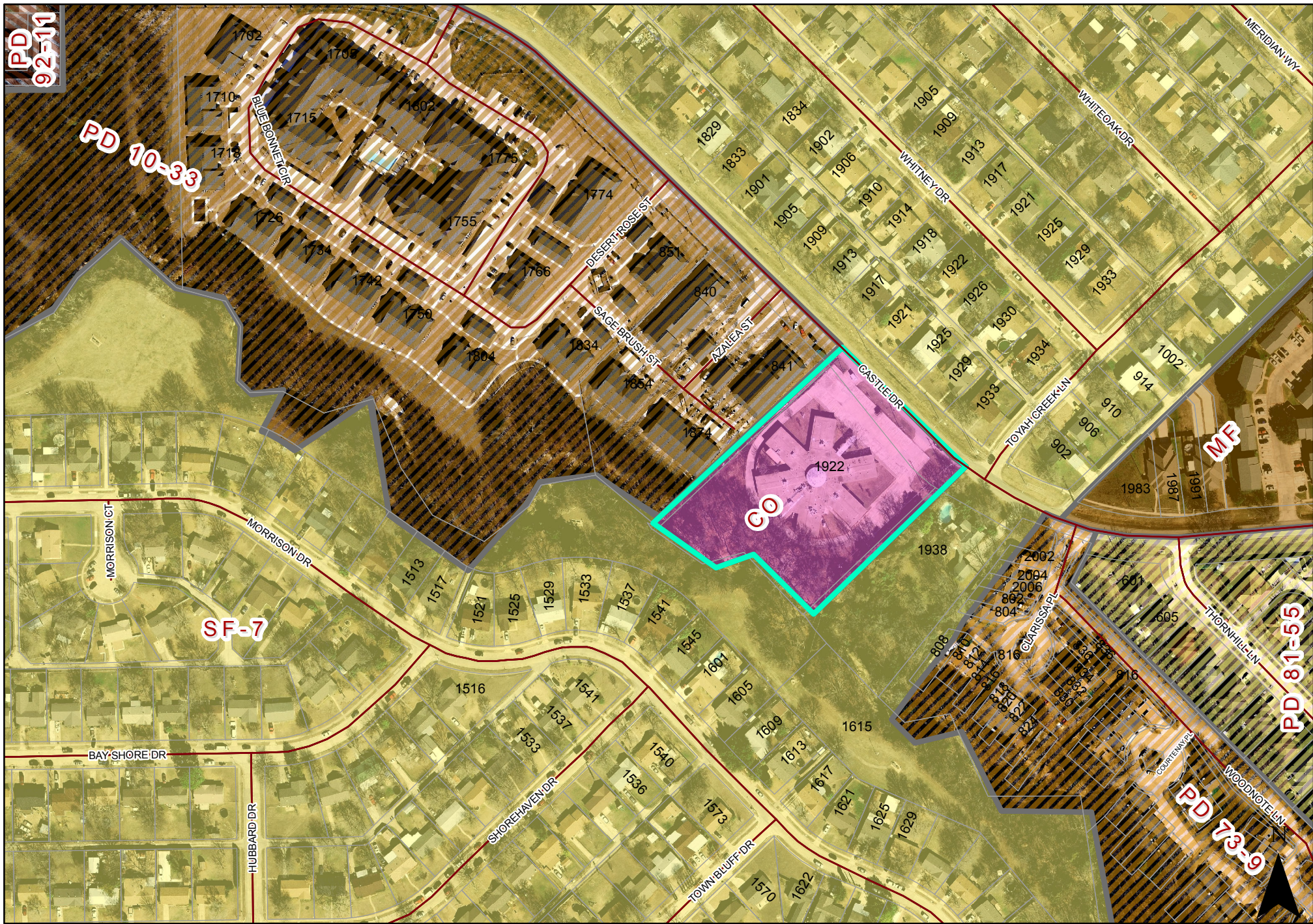
Z 17-25 Location Map



Z 17-25 Exhibit B  
Z 17-25 Exhibit C  
Z 17-25 Exhibit D  
Z 17-25 Exhibit E  
Z 17-25 R&M  
Z 17-25 Responses  
Z 17-25 Staff presentation

---





0 200 400 Feet  
1 inch = 219 feet

# ZONING MAP Z 17-25

 INDICATES AREA OF INTEREST



## **PLANNED DEVELOPMENT CONDITIONS**

### **ZONING FILE Z 17-25**

- I. Statement of Purpose:** The purpose of this Planned Development is to permit the development of an Elder Care - Assisted Living Care Facility.
- II. Statement of Effect:** This Planned Development shall not affect any regulation found in the Garland Development Code, Ordinance No. 6773, as amended prior to adoption of this ordinance, except as specifically provided herein.
- III. General Regulations:** All regulations of the Multi-Family (MF) District as set forth in Chapter 2 of the Garland Development Code are included by reference and shall apply, except as otherwise specified by this ordinance.
- IV. Detail Plan:** Development shall be in general conformance with the Detail Plan labeled Exhibit C. In the event there is conflict between the approved Detail Plan and the Specific Regulations below, the Specific Regulations shall apply.
- V. Specific Regulations:**
  - A. Permitted Uses:** No uses shall be permitted except for an Elder Care - Assisted Living Care Facility.
  - B. Screening and Landscaping:** The Elder Care perimeter fencing along the northwest property line is permitted to utilize the existing wood fencing. At all other locations the perimeter fencing shall be developed with ornamental metal fencing containing masonry columns. All other Screening and landscaping shall be in general conformance with the landscape plan labeled Exhibit D.
  - C. Elevations:** Building and fence elevations shall be in general conformance with the elevations labeled Exhibit E.





1925 CASTEL DR  
GARLAND , TX

JUNE 10, 2017

e

---

e

ELDER CARE LIVING FACILITY RESTORATION AND REMODELING

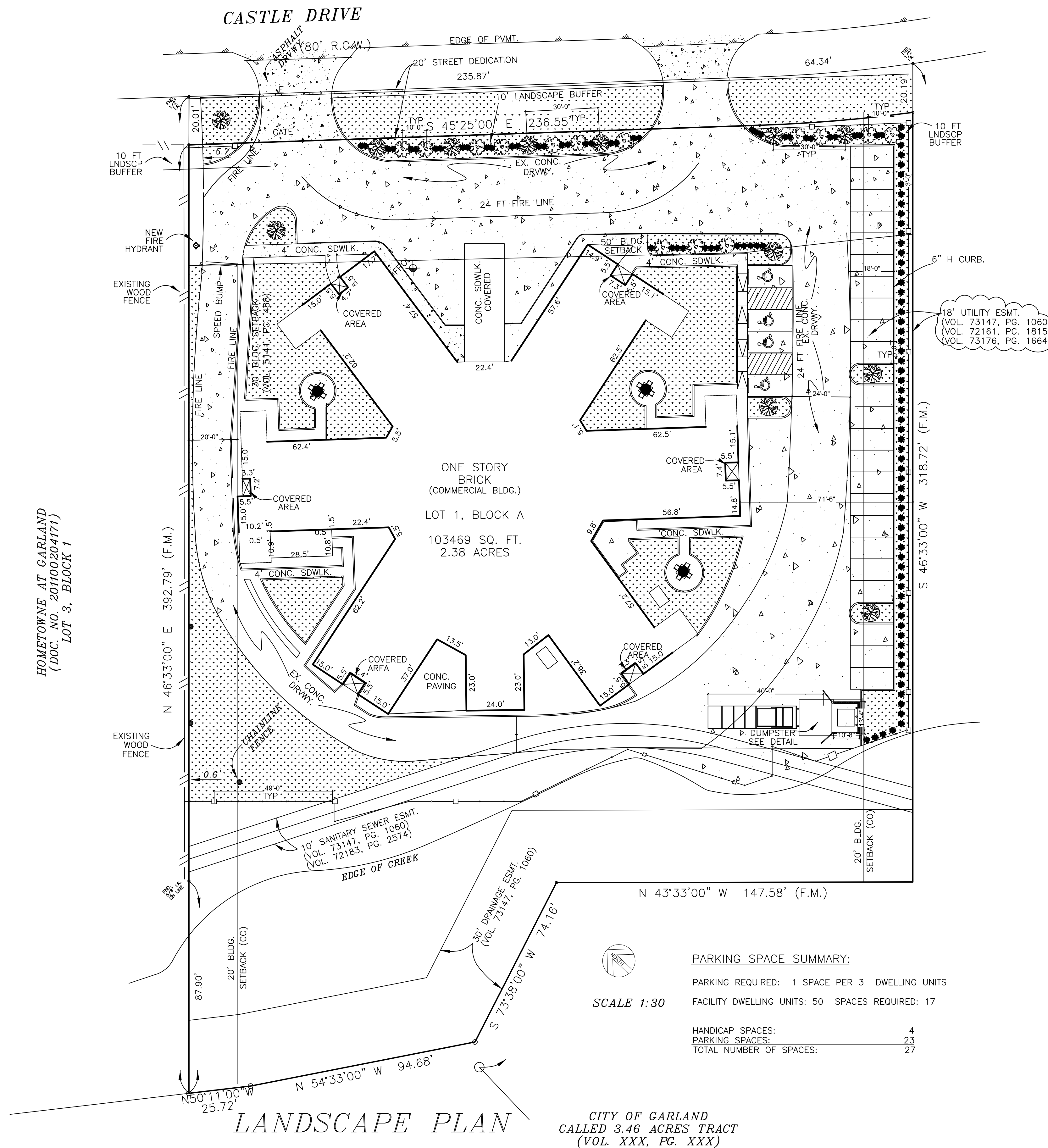
REFA INVESTMENT LLC

1925 CASTEL DR  
GARLAND, TX

## SITE PLAN

[illegible]

|          |          |                |
|----------|----------|----------------|
| Designer | Designer | Project Status |
| Drafter  | Author   | Drawing No.    |
| Checker  | Checker  | Sheet No       |
| Scale    |          | A02            |
| Date     | 10/24/17 |                |



### SITE AREA CALCULATIONS

|                       |         |    |
|-----------------------|---------|----|
| TOTAL SITE AREA       | 103,469 | SF |
| BUILDING AREA         | 22,172  | SF |
| PAVING AND WALKS      | 26,284  | SF |
| TOTAL IMPERVIOUS AREA | 48,456  | SF |
|                       |         |    |
| TOTAL SITE OPEN AREA  | 55,013  | SF |
| PERCENT OPEN          | 53.2%   |    |
| FENCED SITE AREA      | 80,880  | SF |
| FENCED SITE OPEN AREA | 32,424  | SF |
| PERCENT OPEN          | 40.1%   |    |

*LEGEND:*

-  - 3" CALIPER LIVE OAK, (10 Trees)
-  - 3" DWARF BURFORD HOLY, (115 Trees)  
(7-9 GALLON PLANTS ON 3 FT CTC)
-  - 3" CRAPE MYRTLE, (14 Trees)
-  - GREEN (13,969 SQ FT)

## Exhibit D



1922 CASTEL DR  
GARLAND , TX

Approval Stamp JUNE 10, 2017

|                              |      |
|------------------------------|------|
| Owner / Owner Representative | Date |
|------------------------------|------|

---

Contractor \_\_\_\_\_ Date \_\_\_\_\_

Conditions:

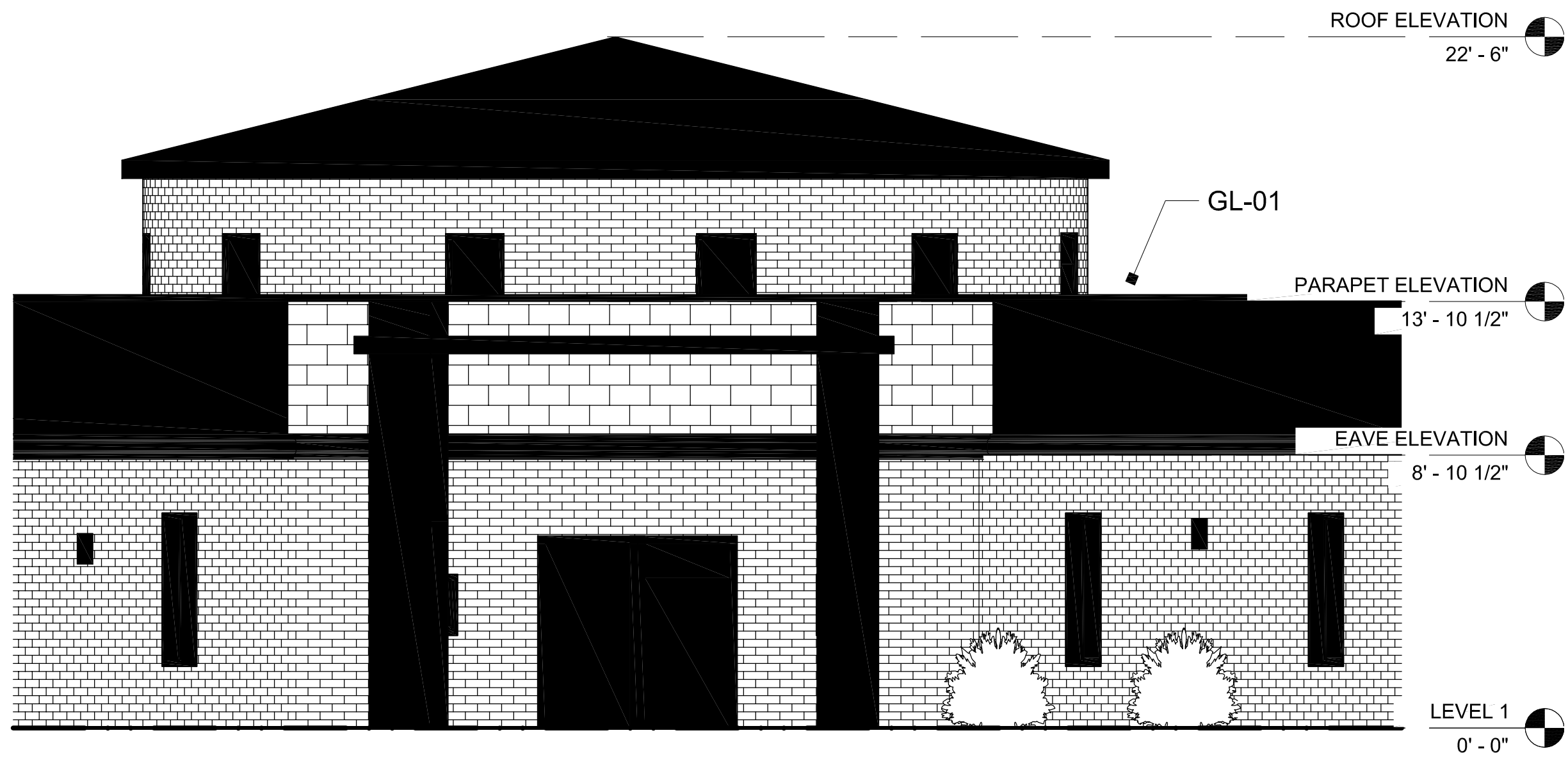
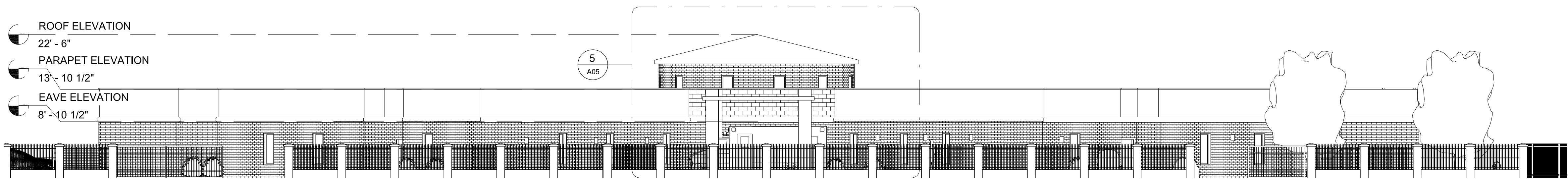
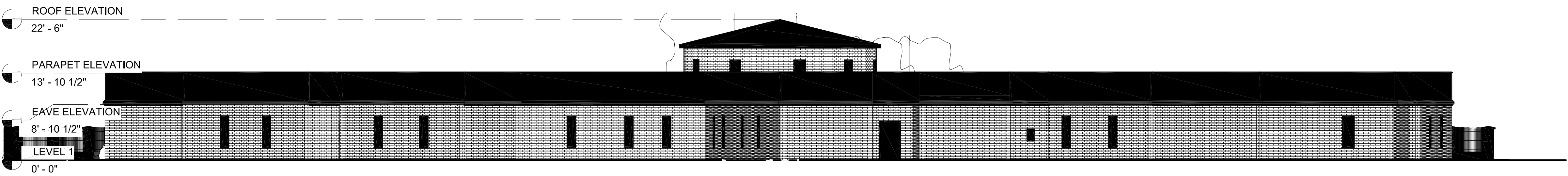
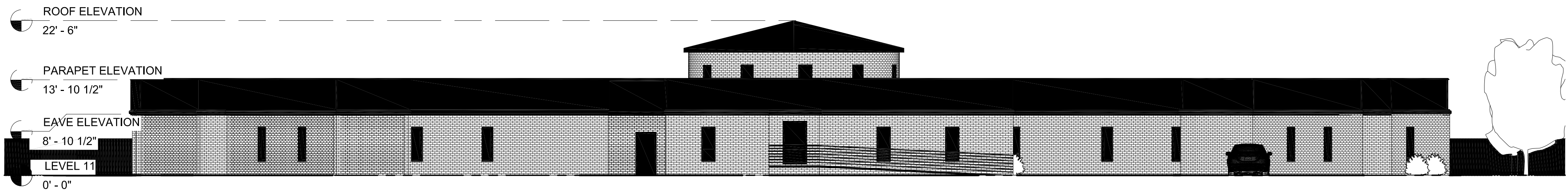
| MARK   | DESCRIPTION                                                  |
|--------|--------------------------------------------------------------|
| STU-01 | STUCCO SYSTEM - FIELD COLOR (WARM TAN)                       |
| MAS-01 | BRICK VENEER - WARM TAN                                      |
| MAS-02 | MANUFACTURED STONE VENEER 1 (CREAM LEDGESTONE)               |
| GL-01  | ALUMINUM STOREFRONT GLAZING SYSTEM (DARK BRONZE, GREY GLASS) |

| FACADE     | TOTAL SF      | MAS-01      | MAS-02    | STU-01     | TOTAL MASONRY |                   |
|------------|---------------|-------------|-----------|------------|---------------|-------------------|
| NORTH WEST | 2958<br>100%  | 910<br>31%  | 205<br>7% | 623<br>21% | 41%           | FACES ROW         |
| NORTH EAST | 2848<br>100%  | 760<br>27%  | 150<br>5% | 500<br>17% | 435<br>15%    | FACES CASTEL DR.  |
| SOUTH WEST | 2628<br>100%  | 303<br>11%  | 0<br>0%   | 579<br>20% | 0<br>0%       | PARTIAL FROM ROW  |
| SOUTH EAST | 2714<br>100%  | 1732<br>18% | 0<br>0%   | 938<br>0%  | 20%           | FACES RESIDENTIAL |
| TOTAL      | 11849<br>100% |             |           |            |               |                   |

**NOTE: THERE IS ~1250 SF OF MASONRY THAT IS NOT VISIBLE IN THE ELEVATIONS DUE TO LOCATION AND ORIENTATION. IT IS HOWEVER, VISIBLE WHEN THE BUILDING IS VIEWED AT AN ANGLE. THIS WOULD INCREASE THE MASONRY PERCENTAGE ON THE NORTH AND WEST CONSIDERABLY.**

**NOTE:** MISC METALS, PARAPET CAPS, AND CANOPY FASCIAS ARE APROXIMATELY 5% OF ALL FACADES

PERIMETER FENCE IS BRICK MASONARY WITH ORNAMENTAL METAL.


$$1/4" = 1'-0"$$

$$1'' = 10'-0''$$

$$1'' = 10'-0''$$

$$1'' = 10'-0''$$

## Exhibit E

ELDER CARE LIVING FACILITY RESTORATION AND REMODELING

REFA INVESTMENT LLC

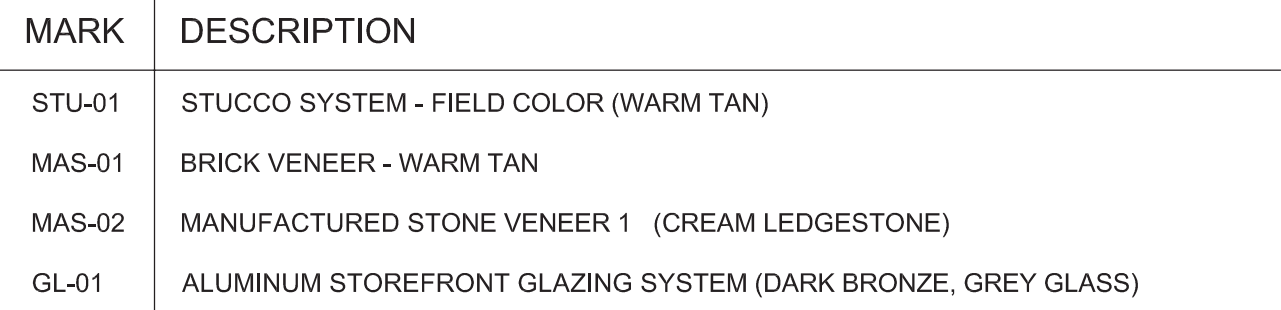
1922 CASTEL DR  
GARLAND, TX

ELEVATION 02

[illegible]

|         |              |                |
|---------|--------------|----------------|
| esigner | Designer     | Project Status |
| rafter  | Author       | Drawing No.    |
| hecker  | Checker      | Sheet No       |
| scale   | As indicated | <b>A05</b>     |
| ate     | 07/19/17     |                |





| FACADE     | TOTAL SF      | MAS-01         | MAS-02      | STU-01         | TOTAL MASONRY  |                   |
|------------|---------------|----------------|-------------|----------------|----------------|-------------------|
| NORTH WEST | 3306<br>100%  | 2201<br>66%    | --<br>--    | 1096<br>33%    | 2201<br>66%    | FACES ROW         |
| NORTH EAST | 3259<br>100%  | 1959<br>60%    | 288<br>8.8% | 1012<br>31.2%  | 2247<br>68.9%  | FACES CASTEL DR.  |
| SOUTH WEST | 3165<br>100%  | 2157<br>68.15% | 0<br>0%     | 1008<br>31.85% | 2157<br>68.15% | PARTIAL FROM ROW  |
| SOUTH EAST | 2987<br>100%  | 1732<br>57.9%  | 0<br>0%     | 1255<br>42.1%  | 1732<br>57.9%  | FACES RESIDENTIAL |
| TOTAL      | 12717<br>100% |                |             |                |                |                   |

**NOTE: THERE IS ~1250 SF OF MASONRY THAT IS NOT VISIBLE IN THE ELEVATIONS DUE TO LOCATION AND ORIENTATION. IT IS HOWEVER, VISIBLE WHEN THE BUILDING IS VIEWED AT AN ANGLE. THIS WOULD INCREASE THE MASONRY PERCENTAGE ON THE NORTH AND WEST CONSIDERABLY.**

**NOTE:** MISC METALS, PARAPET CAPS, AND CANOPY FASCIAS ARE APPROXIMATELY 5% OF ALL FACADES

PERIMETER FENCE IS BRICK MASONRY WITH ORNAMENTAL METAL.

# ELDER CARE LIVING FACILITY RESTORATION AND REMODELING

1922 CASTEL DR  
GARLAND , TX

Approval Stamp

JUNE 10, 2017

Owner / Owner Representative

ate

contract

ate

Conditions:

# Exhibit E

ELDER CARE LIVING FACILITY RESTORATION AND REMODELING

REFA INVESTMENT LLC

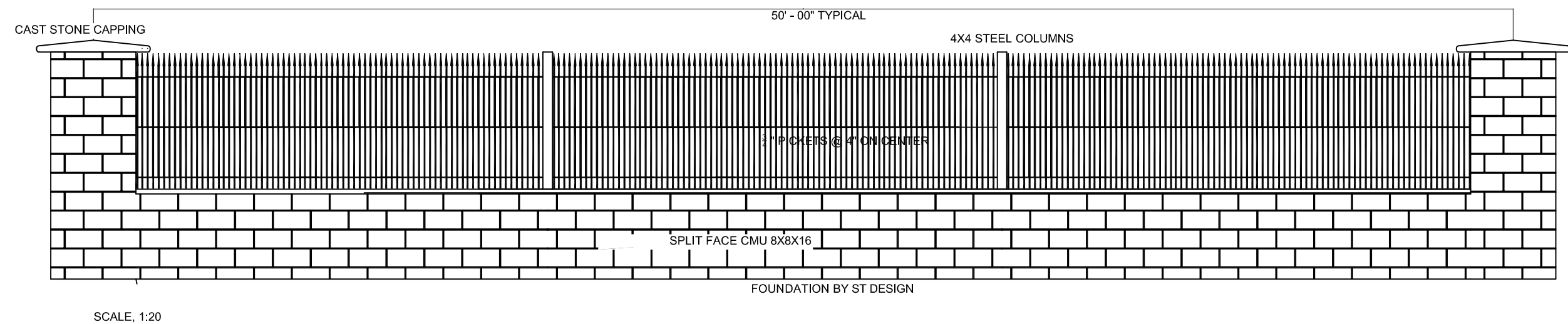
1922 CASTEL DR  
GARLAND, TX

## ELEVATION 02

[illegible]

|          |              |                |
|----------|--------------|----------------|
| Designer | Designer     | Project Status |
| Drafter  | Author       | Drawing No.    |
| Checker  | Checker      | Sheet No.      |
| Scale    | As indicated | <b>A05</b>     |
| Date     | 07/19/17     |                |

## TYPICAL PROPOSED FENCE LOOK



1922 CASTEL DR PROPOSED ASSISTED LIVING FACILITY



## REPORT & MINUTES

### P.C. Meeting, January 8, 2018

Consideration of the application of **Fasil Kagnew**, requesting 1) a Planned Development (PD) District for Multi-Family Uses and 2) a Detail Plan for Elder Care-Assisted Living Facility on a property zoned Community Office (CO). This property is located at 1922 Castle Drive. (District 1) (File Z 17-25)

The applicant was available for questions. There were no questions of this applicant.

**Motion** was made by Commissioner Dalton, seconded by Commissioner Moore to **approve** per staff recommendation.

**Motion carried: 7 Ayes, 0 Nays.**

PD  
92-11

PD 10-33

SF-7

MF

PD 73-9

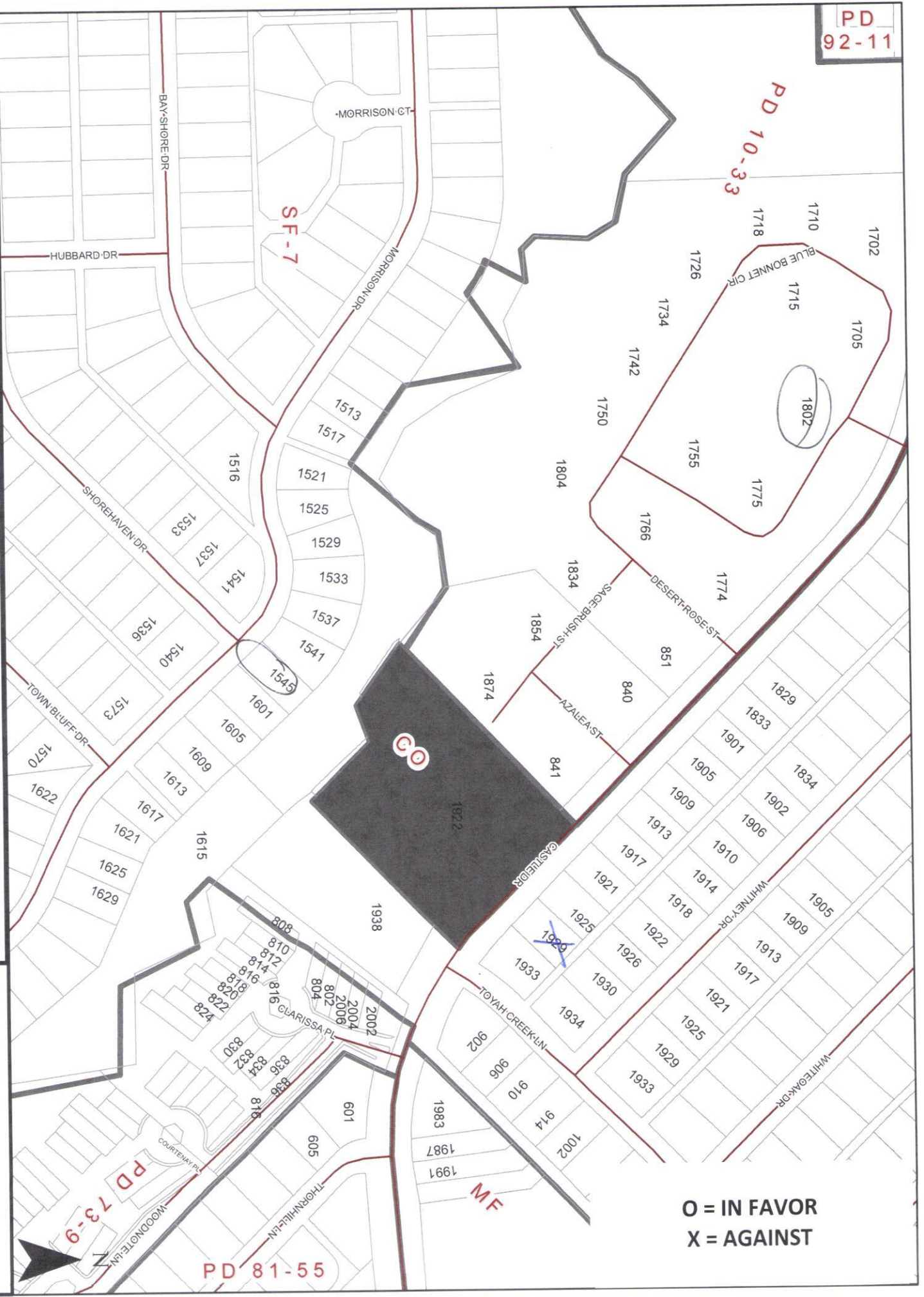
PD 81-55

O = IN FAVOR  
X = AGAINST

0 200 400 Feet  
1 inch = 219 feet

# ZONING MAP Z 17-25

INDICATES AREA  
OF INTEREST







# GARLAND

December 27, 2017

CITY OF GARLAND  
PLANNING DEPARTMENT  
P.O. BOX 469002  
GARLAND, TX 75046-9002

**HEARING DATE/TIME:** Plan Commission: January 8, 2018 – 7:00 PM

**APPLICANT:** Fasil Kagnev

**File:** Z 17-25

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, January 8, 2018 in the Council Chambers of the William E. Dollar Municipal Building (City Hall), 200 North Fifth Street, to consider the application of **Fasil Kagnev**, requesting 1) a Planned Development (PD) District for Multi-Family Uses and 2) a Detail Plan for Elder Care-Assisted Living Facility on a property zoned Community Office (CO). The property is shown on the enclosed sketch and is described as follows:

Being a 2.52-acre tract of land situated in the W. CARTER SURVEY, ABSTRACT NO. 324 according to Special Warranty Deed recorded in Instrument number 201400133931 Official Public Records of Dallas County, Texas, and being Lot 1, Block A, of Northlake Estates No. 6, Second Section, an addition to the City of Garland, Dallas County, Texas, according to the plat recorded in Volume 73147 Page 1060 of Deed Records of Dallas County, Texas. The subject property is located at 1922 Castle Drive. (District 1)

**Note: The applicant requests approval of a Planned Development (PD) and Detail Plan for an Elder Care Assisted Living Facility. The request is to restore and renovate the existing site and building and provide Assisted Living care.**

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](mailto: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 Isaac Williams at 972-205-2459.  
(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.

1929 Whitney Dr Garland TX 75040  
(Please complete the following information)

Your Property Address

LINDA D FINNALL

Printed Name

1929 Whitney Dr Garland, TX 75040-5497  
Address City, State Zip

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

Linda D Finnall  
Signature

OWNER  
Title

Date: 03-JAN-2018

JAN 5 2018 AM 7:39



# GARLAND

December 27, 2017

CITY OF GARLAND  
PLANNING DEPARTMENT  
P.O. BOX 469002  
GARLAND, TX 75046-9002

**HEARING DATE/TIME:** Plan Commission: January 8, 2018 – 7:00 PM

**APPLICANT:** Fasil Kagnev

**File:** Z 17-25

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, January 8, 2018 in the Council Chambers of the William E. Dollar Municipal Building (City Hall), 200 North Fifth Street, to consider the application of **Fasil Kagnev**, requesting 1) a Planned Development (PD) District for Multi-Family Uses and 2) a Detail Plan for Elder Care-Assisted Living Facility on a property zoned Community Office (CO). The property is shown on the enclosed sketch and is described as follows:

Being a 2.52-acre tract of land situated in the W. CARTER SURVEY, ABSTRACT NO. 324 according to Special Warranty Deed recorded in Instrument number 201400133931 Official Public Records of Dallas County, Texas, and being Lot 1, Block A, of Northlake Estates No. 6, Second Section, an addition to the City of Garland, Dallas County, Texas, according to the plat recorded in Volume 73147 Page 1060 of Deed Records of Dallas County, Texas. The subject property is located at 1922 Castle Drive. (District 1)

**Note: The applicant requests approval of a Planned Development (PD) and Detail Plan for an Elder Care Assisted Living Facility. The request is to restore and renovate the existing site and building and provide Assisted Living care.**

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](mailto: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 Isaac Williams at 972-205-2459.  
(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)

Your Property Address

Printed Name

Address

City, State

Zip

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

Signature

Title

Date:

JAN 9 2018 PM 2:57





# GARLAND

December 27, 2017

CITY OF GARLAND  
PLANNING DEPARTMENT  
P.O. BOX 469002  
GARLAND, TX 75046-9002

HEARING DATE/TIME: Plan Commission: January 8, 2018 – 7:00 PM

APPLICANT: Fasil Kagnew

File: Z 17-25



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, January 8, 2018 in the Council Chambers of the William E. Dollar Municipal Building (City Hall), 200 North Fifth Street, to consider the application of **Fasil Kagnew**, requesting 1) a Planned Development (PD) District for Multi-Family Uses and 2) a Detail Plan for Elder Care-Assisted Living Facility on a property zoned Community Office (CO). The property is shown on the enclosed sketch and is described as follows:

Being a 2.52-acre tract of land situated in the W. CARTER SURVEY, ABSTRACT NO. 324 according to Special Warranty Deed recorded in Instrument number 201400133931 Official Public Records of Dallas County, Texas, and being Lot 1, Block A, of Northlake Estates No. 6, Second Section, an addition to the City of Garland, Dallas County, Texas, according to the plat recorded in Volume 73147 Page 1060 of Deed Records of Dallas County, Texas. The subject property is located at 1922 Castle Drive. (District 1)

**Note: The applicant requests approval of a Planned Development (PD) and Detail Plan for an Elder Care Assisted Living Facility. The request is to restore and renovate the existing site and building and provide Assisted Living care.**

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](mailto: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 Isaac Williams at 972-205-2459.  
(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)

Your Property Address  
Kenneth W Fambro II  
Printed Name  
1802 Castle Drive Garland 75040  
Address City, State Zip

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

[Signature] Vice Mayor  
Signature Title

Date: 1.12.2017

JAN 22 2018 PM 2:01

**Z 17-25**

**Approval of 1) a Planned Development (PD) District for Multi-Family Uses and 2) a Detail Plan for an Elder Care – Assisted Living.**

**Plan Commission Meeting  
January 8, 2018**



**GARLAND**

**TEXAS MADE HERE**





# Case Information

---

Location: 1922 Castle Drive

Applicant: Fasil Kagnev

Owner: REFA Investment, LLC

Acreage: 2.38 Acres

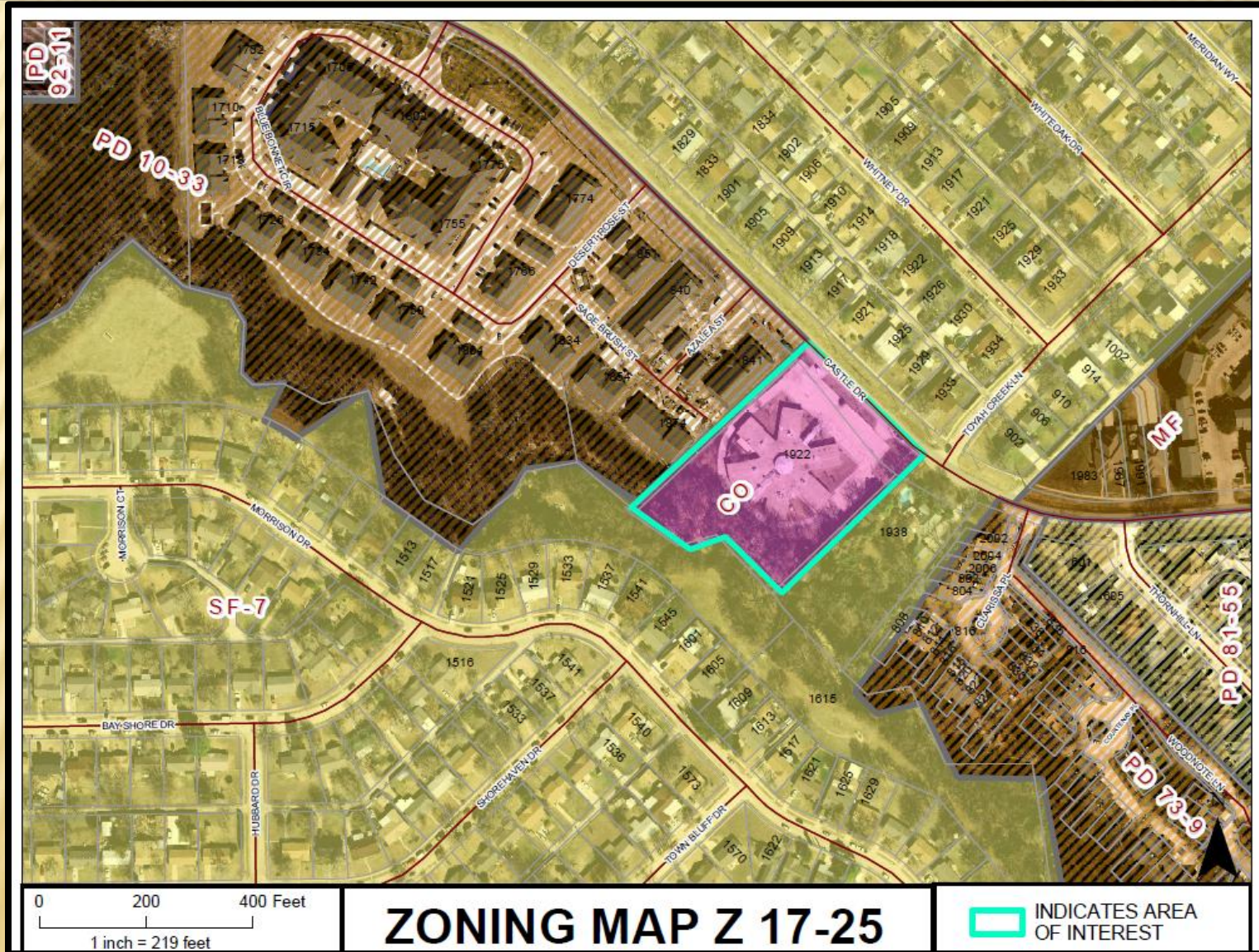
Zoning: Community Office (CO) District





**GARLAND**  
TEXAS MADE HERE

# Considerations



**Z 17-25**





**GARLAND**  
TEXAS MADE HERE

# Background & Image of Property



- The applicant requests a change in zoning from Community Office (CO) District to a Planned Development (PD) District for the redevelopment of the approximately 22,000 square-foot facility at 1922 Castle Drive previously operating as Green Acres Nursing Home [Nursing/Convalescent Care Facility].
- The applicant's request is to establish an Elder Care - Assisted Living use within the existing building and update the site with additional landscaping and refreshing of the building facades.



## Detail Plan







## Landscape Plan



# Considerations

## **Elder Care (Operation)**

- GDC Section 2.52 (A) (12) also requires the facility to provide a six-foot high perimeter fence. The Detail Plan reflects development without the perimeter fencing. Typically, the perimeter fencing element of a senior living facility is a safety feature.
- The applicant has indicated that the facility will provide the perimeter fencing along the southern and eastern property boundary. However, on the western property boundary the applicant intends to utilize the existing wooden fence associated with the adjacent Elder Care - Independent Living community.
- Placement of the required fencing at this location would either create an undesirable gap between the existing fence and proposed fence, or cause damage and possible removal of an existing fence that is otherwise stable and serves to meet the development requirements of the neighboring property.



# Considerations

## Elder Care (Operation)



- Placement of the required fencing at this location would either create an undesirable gap between the existing fence and proposed fence, or cause damage and possible removal of an existing fence that is otherwise stable and serves to meet the development requirements of the neighboring property.

# Considerations

## **Elder Care (Operation)**

Elder Care facilities are not specifically permitted within the Community Office (CO) District; these uses require Specific Use Provision (SUP) approval. Records indicate that the subject site had no SUP approval for the previous Elder Care use; therefore, any new elder care operations will require approval through a public hearing process. The applicant requests development of the site through a Planned Development (PD) District based in the Multi-Family (MF) District where the use is permitted “by-right” and where specific development conditions may be implemented. Additionally, no SUP is required for Elder Care uses with the establishment of this Planned Development (PD) District.





## Elevation Plan



Exhibit D

ELEVATION 02

[illegible]

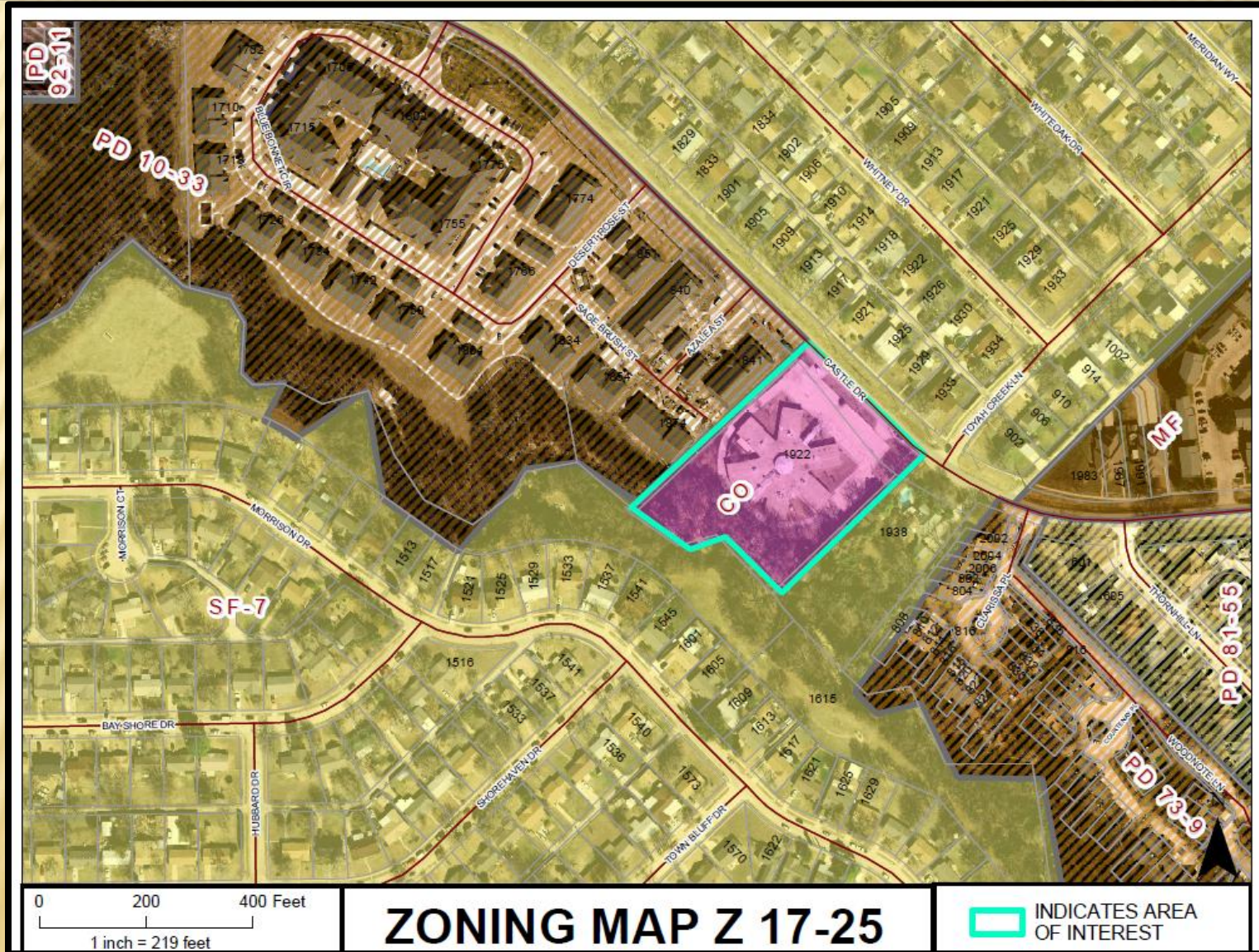
|          |                |
|----------|----------------|
| Designer | Project Status |
| Author   | Drawing No.    |
| Checker  | Sheet No.      |
| Scale    | A05            |
| Date     |                |





**GARLAND**  
TEXAS MADE HERE

# Considerations



**Z 17-25**



# Considerations

## Surrounding Properties

- The properties to the north and northeast across Castle Drive are zoned Single-Family-7 (SF-7) District and are developed with the Northlake Estates No. 6 single-family residential subdivision. The property immediately to the southeast, is zoned Single Family-7 District, and is developed with a single-family dwelling. The property to the northwest is zoned Planned Development PD 10-33 for an Elder Care-Independent Living facility.
- The proposed facility is a continuation of an Elder Care facility, except the specific characteristics of the use will be changed. The proposed Elder Care - Assisted Living facility will provide limited assistance with daily living activities. It is not anticipated that operations of the new facility will create a greater impact than the previous facility or introduce adverse effects on the surrounding residential uses.

# Considerations

## Surrounding Properties





## **Comprehensive Plan Recommendation:**

The Envision Garland Comprehensive Plan recommends the subject area as a Neighborhood Center. Neighborhood Centers provide a mix of retail, services and community gathering places. This Center should be appropriately scaled to adjacent residential areas. This type of Center is predominantly, but not exclusively, non-residential. Neighborhood Centers are served by local roads and transit routes.

The subject site is developed with uses consistent with the intent of a Neighborhood Center.



## **GARLAND PLANNING REPORT**

### **City Council Regular Session Agenda**

**8.c.**

**Meeting Date:** February 6, 2018

**Item Title:** Z 17-38 J. Volk Consulting, Inc. (District 1)

**Submitted By:** Josue De La Vega, Development Planner

---

### **REQUEST**

**Approval of 1) an amendment to Planned Development (PD) 07-17 District for Single-Family-7 Uses, 2) an amendment to a Concept Plan and 3) a Detail Plan for Dwelling, Single-Family Detached.**

### **OWNER**

CalAtlantic Homes

### **PLAN COMMISSION RECOMMENDATION**

On January 8, 2018 the Plan Commission, by a vote of seven (7) to zero (0), recommended approval of 1) an amendment to Planned Development (PD) 07-17 District for Single-Family-7 Uses, 2) an amendment to a Concept Plan and 3) a Detail Plan for Dwelling, Single-Family Detached. Furthermore, the Plan Commission recommended a minimum dwelling unit area of 2,000 square feet.

Additionally, the Plan Commission approved 1) a Variance to Section 4.37 of the Garland Development Code regarding residential development landscaping and 2) an Alley Waiver.

The applicant concurs with the recommendation made by the Plan Commission including the increase of the minimum dwelling unit area to 2,000 square feet.

### **STAFF RECOMMENDATION**

Staff recommends approval of the request as presented.

### **BACKGROUND**

In 2007 City Council approved Planned Development (PD) 07-17 District along with a Concept Plan (Exhibit E) to allow the development of a residential subdivision consisting of 110 single-family detached dwelling units subject to approval of a Detail Plan.

The applicant proposes to amend Planned Development (PD) 07-17 District as well as the Concept Plan and establish a Detail Plan for the development of a residential subdivision with 143 residential lots.

## **SITE DATA**

The subject property consists of approximately 40 acres. The site has approximately 530 linear feet of frontage along Ben Davis Road. The proposed residential subdivision would be accessed from Ben Davis Road.

## **USE OF PROPERTY UNDER CURRENT ZONING**

Planned Development (PD) 07-17 District limits the permitted land uses on the subject property to those uses as allowed in the Single-Family-7 (SF-7) District, including Dwelling, Single-Family Detached.

## **CONSIDERATIONS**

Amendment to Plan Development (PD) 07-17:

1. The applicant proposes a new Planned Development (PD) District with amendments to Planned Development (PD) 07-17 District including allowing the development of dwelling units on smaller lots. The attached table provides a side by side comparison between the conditions in Planned Development (PD) 07-17 District and the proposed Planned Development (PD) District.

Amendment to Concept Plan:

2. The most significant amendments to the approved Concept Plan (Exhibit E) are to the street layouts and the number of residential lots which is being increased from 110 lots to 143 lots. However, the proposed Detail Plan is largely in compliance with the approved Concept Plan.

Detail Plan:

3. The applicant proposes a Detail Plan (Exhibit C) for 143 residential lots and six (6) HOA lots. Of the 143 residential lots, eighty-nine (89) lots have a minimum area of 4,000 square feet, thirty-three (33) lots have a minimum area of 5,700 square feet and twenty-one (21) lots have a minimum area of 6,000 square feet. The Detail Plan includes an eight (8) foot wide concrete trail and several pocket parks to serve as recreational amenities for the residents. An existing Texas Municipal Power Agency easement will include much of the aforementioned trail. The Detail Plan also includes a main entry feature consisting of a sign wall and a tower monument at the end of the sign wall.

4. The application does not include any deviations from the GDC Residential Building Materials and Design Standards. Rather, the applicant proposes several additional architectural features to the front elevations of each home, as reflected in the PD Conditions (Exhibit B).

5. The Streets Department is aware of the proposal as it relates to the current surface condition of Ben Davis Road. Staff will continue to work with the applicant during the development process to ensure that appropriate street improvements to Ben Davis Road are made accordingly.

## **COMPREHENSIVE PLAN**

The Envision Garland Plan designates most of the subject property as Compact Neighborhoods, a smaller portion is designated as Parks and Open Space.

Compact Neighborhoods provide areas for moderate increases in residential density, including single-family attached and single-family detached housing. It expands housing options through infill and redevelopment, while continuing walkable development patterns. The Compact Neighborhood development type is primarily characterized as moderate residential (between six and twelve dwelling units per acre).

The proposed residential development would have a density of 6.56 dwelling units per acre, remaining consistent with the Envision Garland Plan.

### **COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES**

All the contiguous properties are zoned Agricultural (AG) District. With the exception of a church complex and a few single-family residences, most of these properties are undeveloped. Based on the recommendation in the Envision Garland Plan, it is anticipated that these properties will develop as compact neighborhoods, parks/open space and urban neighborhoods.

---

### **Attachments**

Z 17-38 Location Map  
Z 17-38 Exhibit B  
Z 17-38 Exhibits C-E  
Z 17-38 Proposed Development Table  
Z 17-38 Applicant Letter of Intent  
Z 17-38 Staff presentation  
Z 17-38 Applicant presentation  
Z 17-38 R&M  
Z 17-38 Responses

---







## **PLANNED DEVELOPMENT CONDITIONS**

### **ZONING FILE Z 17-38**

- I. Statement of Purpose:** The purpose of this Planned Development is to allow Dwelling, Single-Family Detached subject to conditions.
- 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 Single-Family-5 (SF-5) District as set forth in Chapter 2 of the Garland Development Code, Ordinance 6773, are included by reference and shall apply, except as otherwise specified by this ordinance.
- IV. Development Plans:**
- A. Detail Plan: Development shall be in general conformance with the Detail Plan set forth in Exhibit C. Any conflicts between the Detail Plan and the following conditions, the conditions shall prevail.
- V. Specific Conditions:**
- A. Permitted Uses: Only Dwelling, Single-Family Detached is permitted.
- B. Minimum Lot Area: The following shall be the minimum lot areas:
- 4,000 square feet for those lots denoted with an "A" on Detail Plan.
  - 5,700 square feet for those lots denoted with a "B" on the Detail Plan.
  - 6,000 square feet for those lots denoted with a "C" on the Detail Plan.
- C. Minimum Lot Depth: The minimum lot depth shall be 100 feet.
- D. Minimum Lot Width: The following shall be the

## **EXHIBIT B**



minimum lot widths:

- Forty (40) feet for lots with a minimum area of 4,000 square feet. Except for cul-de-sac or eyebrow fronting lots where a ten (10) foot reduction would be permitted
- Fifty (50) feet for lots with a minimum area of 5,700 square feet and 6,000 square feet. Except for cul-de-sac or eyebrow fronting lots where a ten (10) foot reduction would be permitted

E. Front Yard Setback: The following shall be the minimum front yard setbacks:

- Ten (10) feet for lots with a minimum area of 4,000 square feet. Minimum front yard setback may be reduced a maximum of five (5) feet from required setback on cul-de-sac or eyebrow fronting lots.
- Fifteen (15) feet for lots with a minimum area of 5,700 square feet and 6,000 square feet. Minimum front yard setback may be reduced a maximum of five (5) feet from required setback on cul-de-sac or eyebrow fronting lots.

F. Side Yard Setbacks: The following shall be the minimum side yard setbacks:

- Five (5) feet from interior lot lines.
- Fifteen (15) feet from lot lines adjacent to streets.

G. Rear Yard Setback: The following shall be the minimum rear yard setbacks:

- Fifteen (15) feet for lots with a minimum area of 4,000 square feet.
- Ten (10) feet for lots with a minimum area of 5,700 square feet and 6,000 square feet.

H. Garage Setback: The minimum garage setback shall be twenty (20) feet measured from the street right-of-way (alley right-of-way for alley loaded lots).

- I. Building Height: The maximum building height shall be thirty-five (35) feet.
- J. Dwelling Unit Area: The minimum dwelling unit area is 2,000 square feet.
- K. Garages: A minimum two-car garage shall be required for each dwelling unit. All front entry garages shall have a minimum five (5) foot offset behind the street facing façade. There shall be no offset requirement for garages facing an alley.
- L. Building Materials: Each wall shall be a minimum of eighty (80) percent masonry with the front elevation being 100 percent masonry. Masonry shall be defined as brick, cast stone, stone or stucco.
- M. Enhanced Pavement: All driveways, flatwork and lead walks shall be constructed on an enhanced quality paving material, including one of the following: stamped concrete, integral colored concrete, exposed aggregate or salt finished concrete.
- N. Continuous Pedestrian System: An eight (8) foot wide trail and four (4) foot wide sidewalks shall be provided as generally depicted on Exhibit C. Pocket parks containing seating and shade trees shall also be provided as activated open space within the continuous pedestrian system as generally depicted on Exhibit C.
- O. Architectural Features ("Gifts to the Street"): The front elevation of each home must contain at least 3 of the following architectural features::
- Garage doors with a decorative wood overlay
  - Dual coach lights on front elevation
  - Single bay garage doors divided by a column
  - Variable roof pitch
  - Decorative cast stone address marker
  - Two (2) or more types of masonry (ex: brick

**EXHIBIT B**

and stone, brick and cast stone, etc.)

- Cedar or wood accents (i.e. corbels, shutters, etc.)
- Metal or shed roof accents
- Divided light windows on the front elevation
- Bricked front porch

P. Minimum Lot Landscape Package: Each lot shall have an automatic programmable irrigation system with built-in rain and freeze sensor. Each lot shall have a fully sodded front, side and rear yard, in addition to the following plantings:

- A minimum of one (1) 4" caliper tree in the front yard of each home. The tree may be placed in the parkway (area between sidewalk and curb).
- A minimum of one (1) 4" caliper tree in the back yard of each home.
- Shrubs totaling a minimum of 30 gallons.

Q. Lot Coverage: Building coverage shall not exceed sixty (60) percent of each platted lot.

R. Landscaping: Except as provided in these conditions, landscaping shall be in general conformity to the Landscape Plan in Exhibit D.

S. Homeowners Association: A Homeowners Association shall be incorporated and each lot/homeowner shall be a mandatory member. The bylaws of this association shall establish a system of payment of dues; a system of enforcement of its rules and regulations; shall establish a clear and distinct definition of the responsibility of each member; and other provisions as deemed appropriate to secure a sound and stable association.

T. Maintenance of Open/Common Space, Landscaped Areas, Entry Features, Access Easements, Screening Walls/Fences In HOA Lots or Wall/Fence Maintenance Easements And Amenities In HOA Lots: Maintenance of open/common space, landscaped areas and entry features including

## EXHIBIT B

any allowed within the street medians,  
irrigation, access easements, screening  
walls/fences in HOA lots or wall/fence  
maintenance easements and amenities in HOA lots  
shall be the responsibility of the Homeowners  
Association.



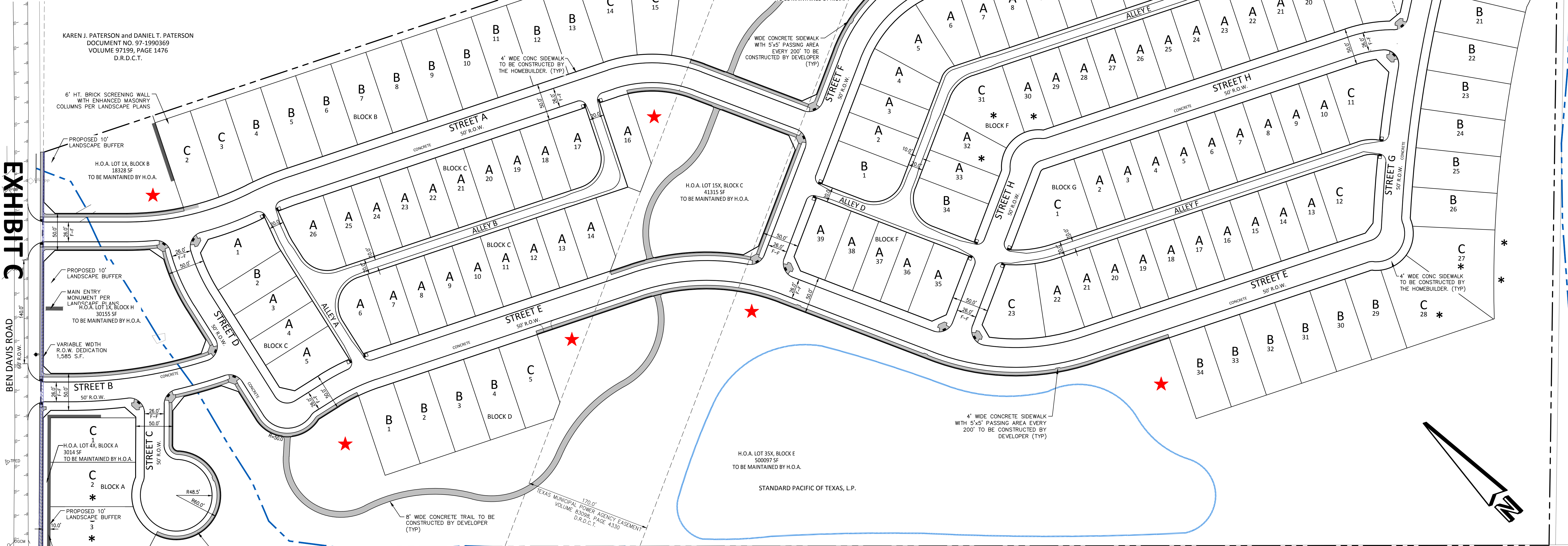
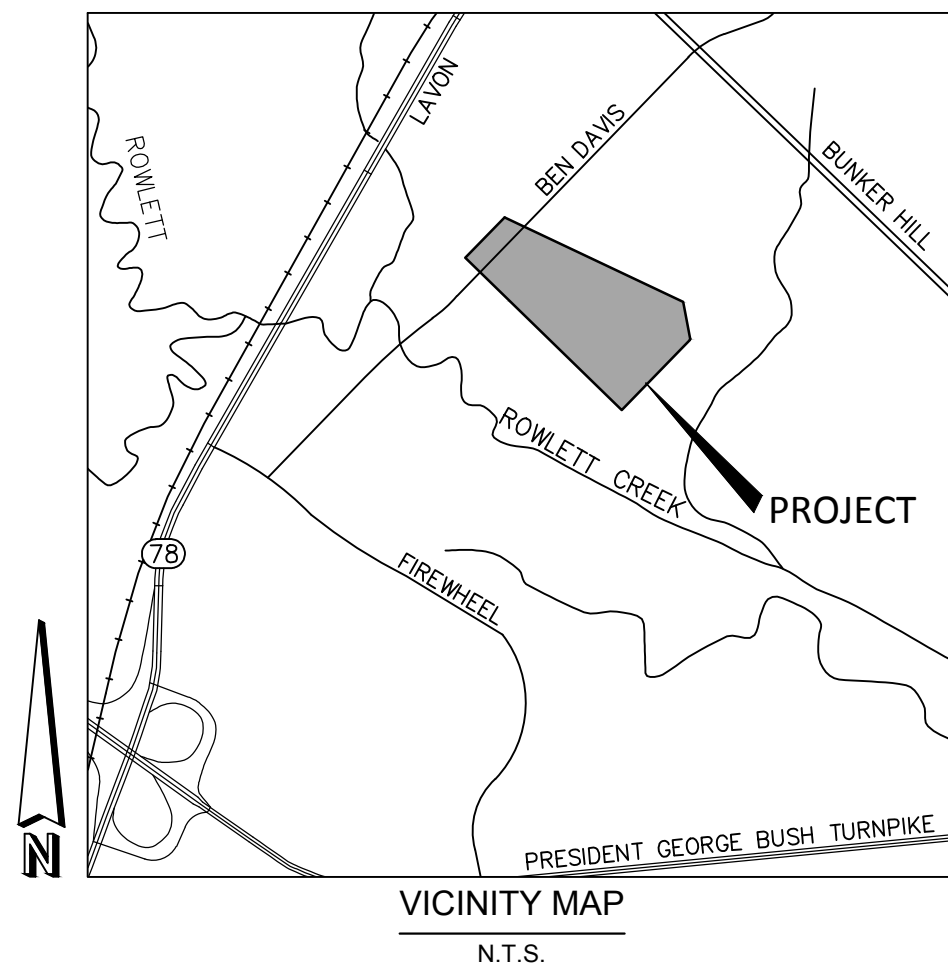


EXHIBIT C

BEN DAVIS ROAD

KAREN J. PATERSON and DANIEL T. PATERSON  
DOCUMENT NO. 97-1990369  
VOLUME 97199, PAGE 1476  
D.R.D.C.T.

6" HT. BRICK SCREENING WALL  
WITH ENHANCED MASONRY  
COLUMNS PER LANDSCAPE PLANS

PROPOSED 10' LANDSCAPE BUFFER  
H.O.A. LOT 1X, BLOCK B  
18328 SF  
TO BE MAINTAINED BY H.O.A.

PROPOSED 10' LANDSCAPE BUFFER  
MAIN ENTRY MONUMENT PER LANDSCAPE PLANS  
H.O.A. LOT 1X, BLOCK H  
30155 SF  
TO BE MAINTAINED BY H.O.A.

VARIABLE WIDTH  
R.O.W. DEDICATION  
1,585 S.F.

STREET B  
50' R.O.W.

H.O.A. LOT 4X, BLOCK A  
3014 SF  
TO BE MAINTAINED BY H.O.A.

PROPOSED 10' LANDSCAPE BUFFER  
3  
\*

SHIRLEY (JOY) LAMBERT  
VOLUME 92240, PAGE 3821  
D.R.D.C.T.

JAMES DANIEL LAMBERT, SR.  
VOLUME 92240, PAGE 3818  
D.R.D.C.T.

4' WIDE CONCRETE SIDEWALK  
WITH 5'x5' PASSING AREA EVERY  
200' TO BE CONSTRUCTED BY  
DEVELOPER (TYP)

8' WIDE CONCRETE TRAIL TO BE  
CONSTRUCTED BY DEVELOPER  
(TYP)

EXISTING 20" SANITARY SEWER  
EASEMENT  
DOCUMENT NO. 200600175718  
D.R.D.C.T.

TRANSMISSION TOWER

8' WIDE CONCRETE TRAIL  
TO BE CONSTRUCTED BY  
DEVELOPER (TYP)

TRANSMISSION TOWER

H.O.A. LOT 17X, BLOCK B  
71007 SF  
TO BE MAINTAINED BY H.O.A.

WIDE CONCRETE SIDEWALK  
WITH 5'x5' PASSING AREA  
EVERY 200' TO BE  
CONSTRUCTED BY DEVELOPER  
(TYP)

H.O.A. LOT 15X, BLOCK C  
41315 SF  
TO BE MAINTAINED BY H.O.A.

H.O.A. LOT 35X, BLOCK E  
500097 SF  
TO BE MAINTAINED BY H.O.A.

STANDARD PACIFIC OF TEXAS, L.P.

TEXAS MUNICIPAL POWER AGENCY EASEMENT  
VOLUME 63098, PAGE 4330  
D.R.D.C.T.

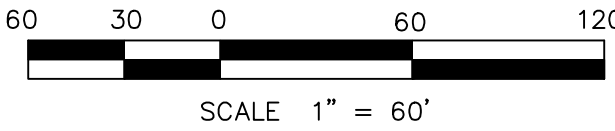
4' WIDE CONCRETE SIDEWALK  
WITH 5'x5' PASSING AREA EVERY  
200' TO BE CONSTRUCTED BY  
DEVELOPER (TYP)

4' WIDE CONCRETE SIDEWALK  
TO BE CONSTRUCTED BY  
THE HOMEOWNER. (TYP)

| LOT TYPE | TOTAL |
|----------|-------|
| A        | 89    |
| B        | 33    |
| C        | 21    |
| TOTAL    | 143   |

LEGEND

- A 4,000 SF MIN LOT
- B 5,700 SF MIN LOT
- C 6,000 SF MIN LOT
- \* 10' REDUCTION IN WIDTH OR 5' FRONT SETBACK PERMITTED.
- ★ POCKET PARK



Owner/Applicant:  
CalAtlantic Homes of Texas, Inc.  
2600 Network Blvd. Suite 600  
Frisco, TX 75034  
office: (469)731-3100

Engineer/Surveyor:  
J. Volk Consulting, Inc.  
830 Central Parkway East, Suite 300  
Plano, Texas 75074  
972-201-3100



J. VOLK  
consulting

830 Central Parkway East, Suite 300  
Plano, Texas 75074  
972.201.3100 Texas Registration No. F-11962

CASE NO. 170523-1

EXHIBIT C  
RIVERPLACE

101 LOTS @ 40' x 100'  
42 LOTS @ 50' x 120'  
143 TOTAL

40.0 ACRES IN THE DANIEL CRIST  
SURVEY ABSTRACT No. 226  
CITY OF GARLAND, TEXAS  
DALLAS COUNTY, TEXAS

21 November 2017



LANDSCAPE LEGEND

- 3" CALIPER SHADE TREE. SPECIES SHALL BE ON THE CITY OF GARLAND APPROVED LIST (94 TOTAL)
- 3" CALIPER ORNAMENTAL OR SMALL SHADE TREE. SPECIES SHALL BE ON THE CITY OF GARLAND APPROVED LIST. (83 TOTAL)
- EXISTING TREE MASS/TREE TO REMAIN UNDISTURBED.
- 6'-0" HT. BRICK SCREENING WALL WITH ENHANCED MASONRY COLUMNS
- MAIN ENTRY MONUMENT

LANDSCAPE PROVIDED:  
PER THE TREE SURVEY PLANS DATES NOVEMBER 10, 2017, THE TREE MITIGATION PENALTY IS 2,167.80 CALIPER INCHES.

BASED ON THE LANDSCAPE TABULATION ABOVE, THE DEVELOPER IS PLANTING 177 TOTAL 3" CALIPER TREES ON SITE. (531.00 CALIPER INCHES)

THE REMAINING PENALTY OF 1,536.80 (2,167.80 - 531.00) SHALL BE SATISFIED BY PAYING INTO THE CITY OF GARLAND TREE FUND.

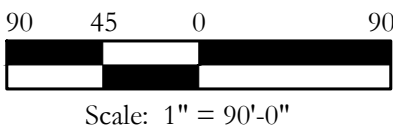
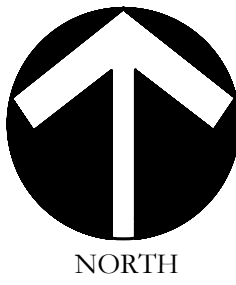
- LANDSCAPE PROVIDED:
- ALL COMMON AREAS SHOWN SHALL BE OWNER AND MAINTAINED BY THE HOA.
  - SHADE TREES SHALL BE PROVIDED ALONG ALL FRONTAGE ROADS AT ONE TREE PER 40 LINEAR FEET.
  - ORNAMENTAL TREES SHALL BE PLACED THROUGHOUT THE SITE TO PROVIDE ACCENT COLOR AT MAJOR FOCAL POINTS.
  - EXISTING TREES SHALL BE PRESERVED TO THE BEST OF THE DEVELOPER'S ABILITY, UNLESS OTHERWISE CONFLICTING WITH PUBLIC UTILITY IMPROVEMENTS AND MASS CIVIL GRADING.
  - MEANDERING SIDEWALKS HAVE BEEN PROVIDED THROUGHOUT THE SITE AS SHOWN ON THE CIVIL PLANS. SHADE TREES SHALL BE PLANTING ALONG ALL SIDEWALK AND SIDEWALK SYSTEMS, UNLESS A CONFLICT ARISES WITH UTILITY EASEMENTS.
  - NO TREES, OTHER THAN THOSE SHOWN ON THIS EXHIBIT, SHALL BE PLANTED IN ANY PUBLIC OR PRIVATE UTILITY EASEMENT.

PURPOSE STATEMENT:  
IT IS INTENDED THAT THESE CONCEPTUAL LANDSCAPE PLANS SHOW THAT THE PROPOSED COMMUNITY IS PEDESTRIAN ORIENTED. A SIDEWALK SYSTEM IS PROPOSED TO CONNECT PEDESTRIANS TO ALL OPEN SPACES IN A SAFELY MANNER. NO VISIBILITY EASEMENTS ARE ENCLOSED ON ALLOWING THE PEDESTRIANS, BICYCLISTS, AND MOTORISTS A SAFE ENVIRONMENT.

A COMBINATION OF SHADE TREES AND ORNAMENTAL/SMALL SHADE TREES ARE PROPOSED THROUGHOUT THIS DEVELOPMENT. SAID TREES ARE DROUGHT-TOLERANT AND WILL PROVIDE COLOR CHANGE THROUGHOUT THE YEAR AND SHALL BE PLACED TO PROVIDE ABUNDANT SHADE FOR ALL USERS.

RIVERPLACE  
Landscape Plan - Sheet 1

City of Garland, Dallas County, Texas



Bar is one inch on original drawing. If not one inch on this sheet, adjust scale as necessary.

One Inch



CODY JOHNSON  
s · t · u · d · i · o

9720 COIT ROAD, SUITE 220-333, PLANO, TX 75025  
PH. (903) 570-0162  
EMAIL: CODY@CODYJOHNSONSTUDIO.COM



November 10, 2017

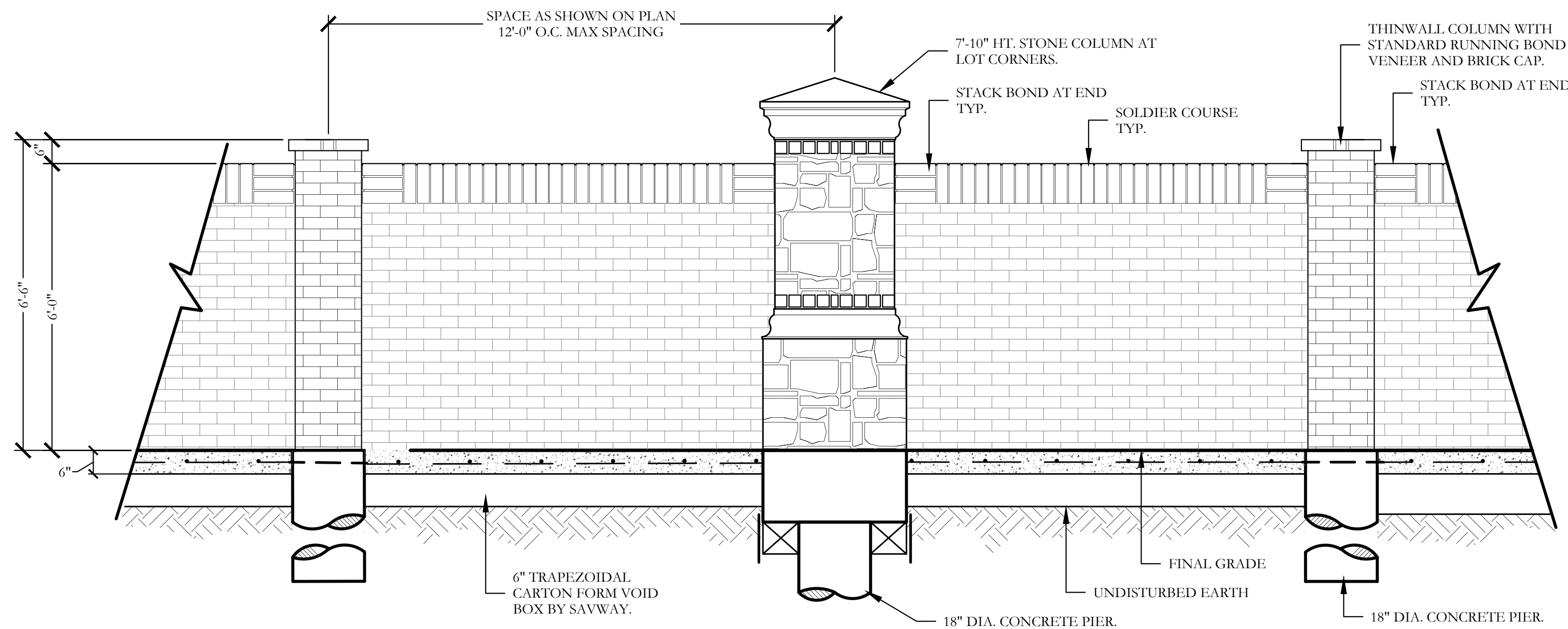
KAREN J. PATERSON and  
DANIEL T. PATERSON  
DOCUMENT NO. 97-1990369  
VOLUME 97199, PAGE 1476  
D.R.D.C.T.

SHIRLEY (JOY)  
LAMBERT  
VOLUME 92240, PAGE  
3821  
D.R.D.C.T.

JAMES DANIEL LAMBERT, SR.  
VOLUME 92240, PAGE 3818  
D.R.D.C.T.

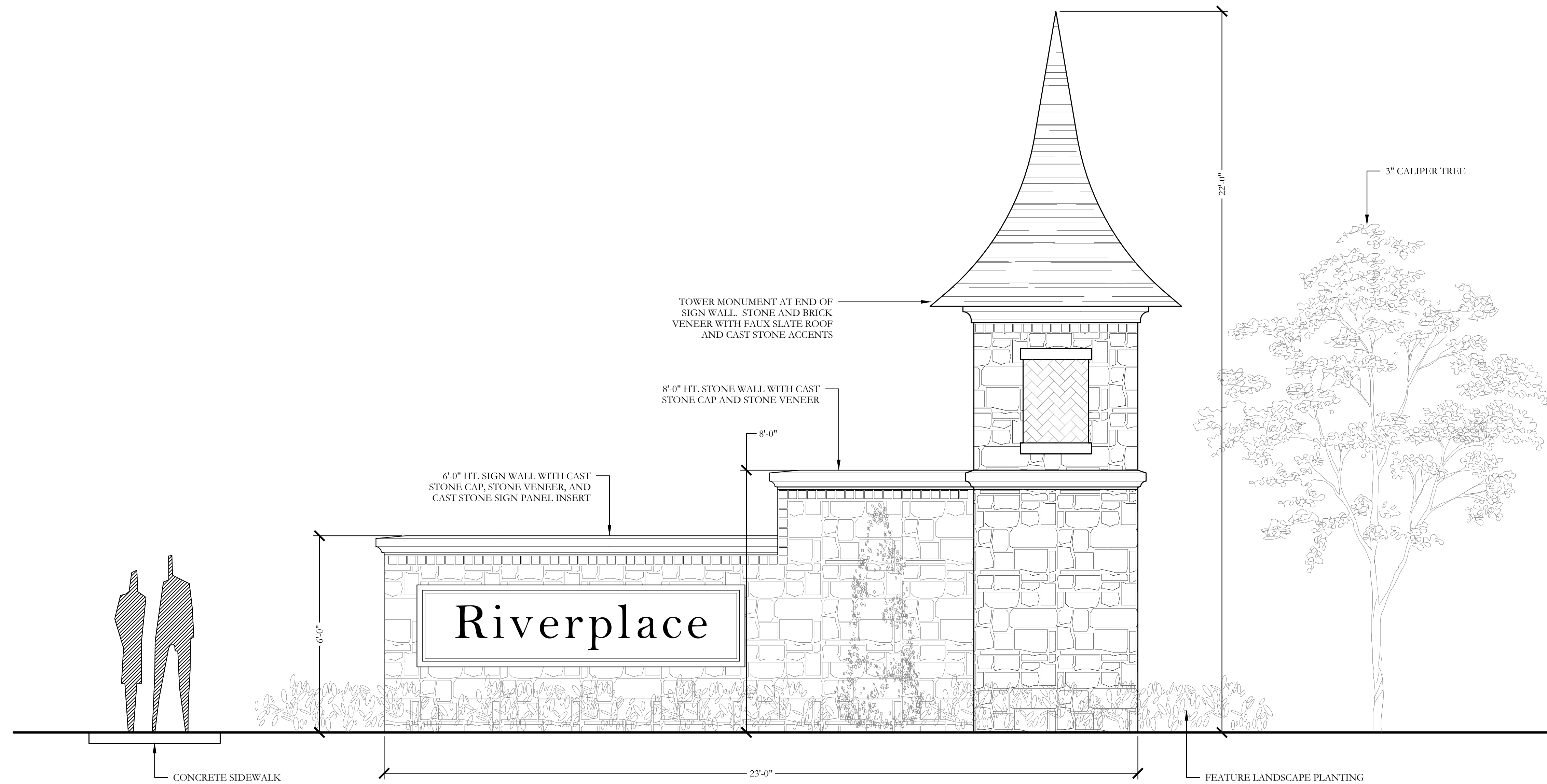
EXHIBIT D





1 6'-0" HT. BRICK SCREENING WALL WITH MASONRY COLUMN  
ELEVATION

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



2 MAIN ENTRY MONUMENT  
ELEVATION

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



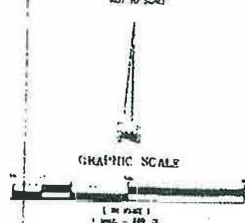
November 10, 2017

RIVERPLACE  
Landscape Plan - Sheet 2  
City of Garland, Dallas County, Texas

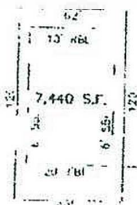
 **CODY JOHNSON**  
s · t · u · d · i · o  
9720 COIT ROAD, SUITE 220-333, PLANO, TX 75025  
PH. (903) 570-0162  
EMAIL: CODY@CODYJOHNSONSTUDIO.COM



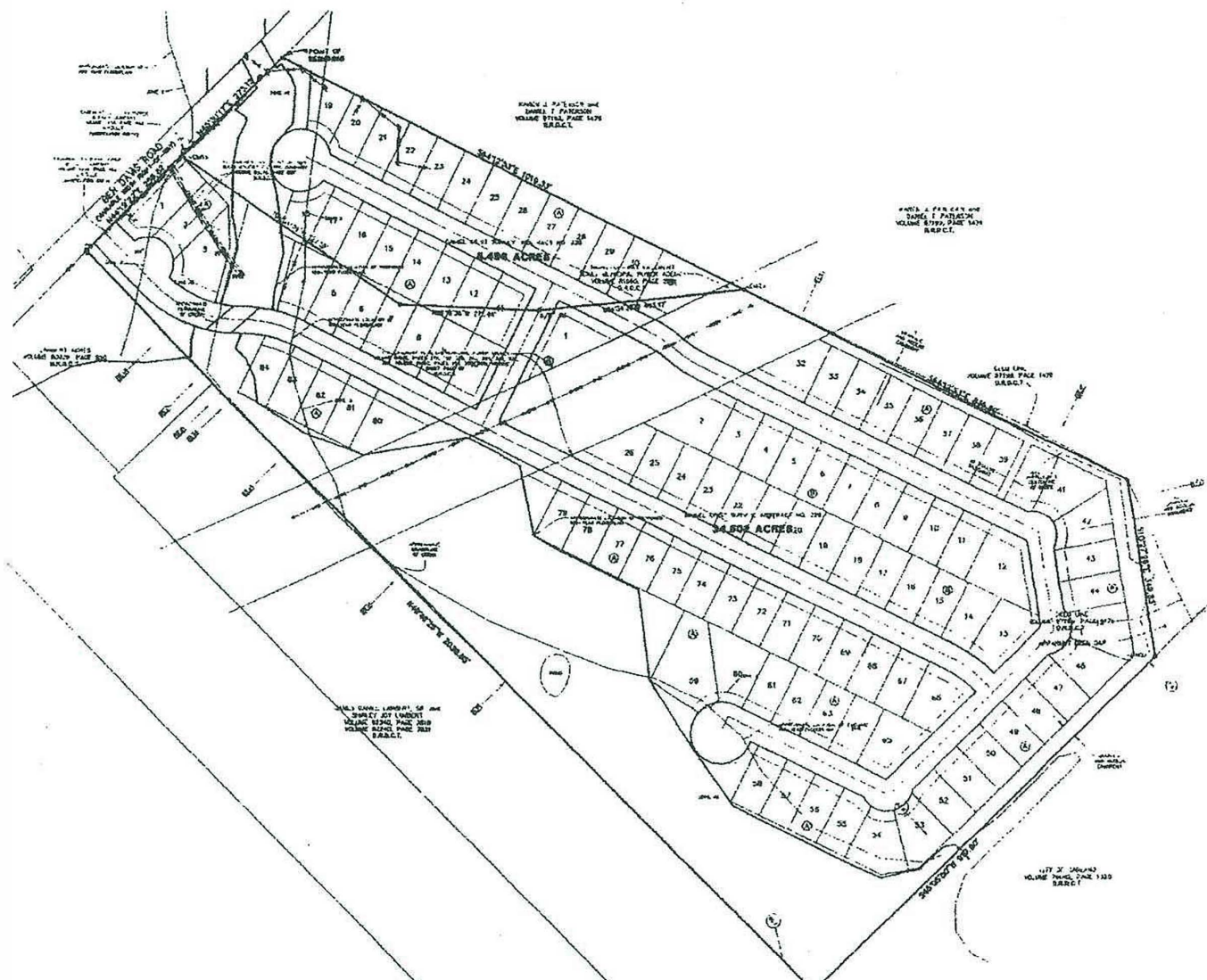
LOCATION NAME  
801 12 1-11



ZURICH, SWITZER.  
 MR. & MRS. A. J. JONES  
 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 9



TYPICAL LOT

[illegible]

|                                | Existing Planned Development (PD) 07-17 District                                                                       | Proposed Planned Development (PD) District                                                                                                 |                                                                                                                                      |                                                                                                                                      |
|--------------------------------|------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------|
| <b>Min. Lot Area</b>           | 7,000 square feet                                                                                                      | 4,000 square feet                                                                                                                          | 5,700 square feet                                                                                                                    | 6,000 square feet                                                                                                                    |
| <b>Min. Front Setback</b>      | 20 feet                                                                                                                | 10 feet. Minimum front yard setback may be reduced a maximum of 5 feet from required setback on cul-de-sac or eyebrow fronting lots        | 15 feet. Minimum front yard setback may be reduced a maximum of 5 feet from required setback on cul-de-sac or eyebrow fronting lots. | 15 feet. Minimum front yard setback may be reduced a maximum of 5 feet from required setback on cul-de-sac or eyebrow fronting lots. |
| <b>Min. Side Setback</b>       | 6 feet from interior lot lines/15 feet from lot lines adjacent to streets                                              | 5 feet from interior lot lines/15 feet from lot lines adjacent to streets                                                                  | 5 feet from interior lot lines/15 feet from lot lines adjacent to streets                                                            | 5 feet from interior lot lines/15 feet from lot lines adjacent to streets                                                            |
| <b>Min. Rear Setback</b>       | 10 feet                                                                                                                | 15 feet                                                                                                                                    | 10 feet                                                                                                                              | 10 feet                                                                                                                              |
| <b>Min. Dwelling Unit Area</b> | 2,250 square feet                                                                                                      | 2,000 square feet                                                                                                                          | 2,000 square feet                                                                                                                    | 2,000 square feet                                                                                                                    |
| <b>Min. Lot Width</b>          | 60 feet/50 feet for cul-de-sac or eyebrow fronting lots                                                                | 40 feet. Except for cul-de-sac or eyebrow fronting lots where a 10 foot reduction would be permitted                                       | 50 feet. Except for cul-de-sac or eyebrow fronting lots where a 10 foot reduction would be permitted                                 | 50 feet. Except for cul-de-sac or eyebrow fronting lots where a 10 foot reduction would be permitted                                 |
| <b>Min. Lot Depth</b>          | 120 feet                                                                                                               | 100 feet                                                                                                                                   | 100 feet                                                                                                                             | 100 feet                                                                                                                             |
| <b>Max. Lot Coverage</b>       | 55%                                                                                                                    | 60%                                                                                                                                        | 60%                                                                                                                                  | 60%                                                                                                                                  |
| <b>Max. Building Height</b>    | 30 feet                                                                                                                | 35 feet                                                                                                                                    | 35 feet                                                                                                                              | 35 feet                                                                                                                              |
| <b>Masonry Percentage</b>      | Min. 80% masonry on the sides and rear facades/100% masonry on the front façade. Masonry is defined as brick or stone. | Min. 80% masonry on the sides and rear facades/100% masonry on the front façade. Masonry is defined as brick, cast stone, stone or stucco. |                                                                                                                                      |                                                                                                                                      |

November 28, 2017

Josue De La Vega  
City of Garland  
Planning and Community Development  
800 Main Street  
Garland, Texas 75040

**RE: 170523-1 - Riverplace**

Dear Josue,

This application is for a rezoning request to adjust an existing Planned Development (PD) District on the northern edge of the city, on the southeast side of Ben Davis Road. The revised layout is very similar to what the existing PD contains but makes several engineering adjustments to allow for better treatment of the nearby creek and associated floodplain, provides a layout with moderate-sized lots more consistent with the vision of the comprehensive plan for this area (Compact Neighborhoods Future Land Use Map Designation), and adds placemaking amenities. The PD adjustments would allow for a different home product that is more suitable to market demand and national home and neighborhood preference trends.

The lot sizes have been adjusted to correspond with the home product and to allow for a diverse mix of lot sizes and lot types. With a total of 145 lots, there are three proposed categories reflected on the proposed zoning exhibit: (A) 40-foot wide lots with a minimum of 4,000 square foot lot area, (B) 50-foot wide lots with a minimum of 5,700 square foot lot area, and (c) 50-foot wide lots that vary from 6,000 square feet to over 10,000 square feet.

With this rezoning request, the owner would also be the builder which is not always the case. CalAtlantic Homes, formerly Standard Pacific Homes, is a great builder with a reputation for building high quality, custom homes in new, creatively designed neighborhoods. In 2007 when the existing PD was adopted, the market conditions were artificially inflated with sub-prime lending issues which led to a national housing crisis.

Development under the existing PD is not possible from a perspective that is informed with land development costs, market data, and local demographics. Within the current market and for the foreseeable future, this neighborhood with this product is the absolute best that can go on this land. CalAtlantic intends on putting significant investment into these homes with custom upgrades and providing unique neighborhood features that maximize the natural constraints of the property and contribute to a high average sale price.

We are passionate about this project because we are certain that the new Riverplace neighborhood will have amazing value in a competitive regional housing market. What will make Riverplace a special neighborhood will be:

- Large custom homes with manageable yards,
- A modified “Texas Tudor” style of architecture with required architectural enhancements to the front elevations,
- Scenic vistas of a beautiful tree-lined pond and creek,
- A continuous pedestrian system with a trail and sidewalks which are complemented by several small and shaded “pocket parks,”
- A Homeowners’ Association (HOA) for maintenance and beautification, and
- Branded character showcased by stunning areas of preserved, mature trees with a Riverplace monument and other elements.

CalAtlantic Homes is ready to plat and submit building permits to begin construction as soon as possible after the rezoning request is approved. The significant demand for this housing product, especially in this area, means that homes will likely be sold before construction even begins. Although locking in minimum housing square footage is not legally recommended, housing square footages for these homes will be approximately 2,500 square feet on average for Type A lots and an average of 2,900 square feet for the Type B and C lots. This project is anticipated to have average sale prices ranging from approximately \$336,000 to \$389,000.

#### **Zoning Request Boundary:**

The subject property is the same boundary of existing PD Ordinance No. 6150, generally located on the southeast side of Ben Davis Road, approximately 875 feet southwest of Bunker Hill Road.

#### **Requested Zoning:**

If a base zoning designation is needed for the PD, which is not always the case, the proposed PD adjustment can replace the existing PD base zoning of SF-7 with SF-5 and note that some lots are under 5,000 square feet. The requested change maintains the single family land use for the property and is well-aligned with the policies of the comprehensive plan as detailed further below. We request that the existing PD be replaced/superseded with the new one for cleanliness of application/implementation. The new Riverplace neighborhood will be a very positive impact on the surrounding area and the city as a whole.

The proposed Riverplace neighborhood is significantly consistent with surrounding development, including, but not limited to, the approximately 5,000 square foot lots to the northwest, the townhomes across Bunker Hill Road to the north and the existing single family development also across Bunker Hill Road to the north. Ideally, the southeast corner of Bunker Hill Road and Ben Davis Road would develop with neighborhood retail/office or corporate campus uses with activated open spaces to support the rooftops in the area, consistent with *Envision Garland*. Riverplace would be a complement to this type of development and would positively contribute to the activity center.

#### **Proposed PD Special Ordinance Provisions:**

Please see the attached document.



### **Comprehensive Plan Conformance:**

The following excerpts were selected as highlights on how this new neighborhood exemplifies the goals and policies of the City's comprehensive plan, *Envision Garland*.

The subject property is designated "Compact Neighborhoods" on the Future Land Use Map which envisions moderate residential between six and 12 dwelling units per acre (does not specify net or gross density).

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                         |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|  <p><i>Compact Neighborhoods</i></p> <p><b>Description</b></p> <p>Compact neighborhoods provide areas for moderate increases in residential density, including single-family attached and single-family detached housing. It expands housing options through infill and redevelopment, while continuing walkable development patterns.</p> <p>These areas provide transitions between traditional residential neighborhoods and higher density residential neighborhoods and non-residential developments. These areas accommodate uses such as convenience retail (goods and services), office space, and public services. The architectural character and scale of these areas are compatible with adjacent residential development.</p> |  <p><b>Development Intensity</b></p> <p>The Compact neighborhood development type is primarily characterized as moderate residential (between six and twelve dwelling units per acre).</p> <p>Non-residential sites within this category are typically up to three acres in size.</p> |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

Gross density is the most widely used density calculation per industry standard. The Garland Development Code states density is calculated as follows: "The number of dwelling units per net acre of platted land being developed. Net acre shall be defined as the acreage of a site less any existing or proposed rights-of-way or floodplain that is not either reclaimed or substantially improved as open space and incorporated into the project." We feel that given the complex definition, the closest calculation is the one at 6.7 dwelling units per acre (provided below) since the pond is improved open space. With any variation of the calculation, however, this project is on the lowest end of the envisioned range of density for this area and is well below the maximum density envisioned regardless of the calculation methodology.

Density Calculations:

|                      |                   |
|----------------------|-------------------|
| SINGLE-FAMILY LOTS   | 143               |
| TOTAL LAND AREA (AC) | 40.00             |
| <b>GROSS DENSITY</b> | <b>3.58 du/ac</b> |

|                                                      |                   |
|------------------------------------------------------|-------------------|
| SINGLE-FAMILY LOT AREA                               | 16.28             |
| R.O.W. DEDICATIONS (AC)                              | -8.43             |
| IMPROVED OPEN SPACE (INCLUDING NEIGHBORHOOD POND)    | 13.95             |
| NET AREA                                             | 21.80             |
| <b>NET DENSITY (WITH NEIGHBORHOOD POND INCLUDED)</b> | <b>6.56 du/ac</b> |

|                                                         |                   |
|---------------------------------------------------------|-------------------|
| SINGLE-FAMILY LOT AREA                                  | 16.28             |
| R.O.W. DEDICATIONS (AC)                                 | -8.43             |
| IMPROVED OPEN SPACE (WITHOUT NEIGHBORHOOD POND)         | 6.96              |
| NET AREA                                                | 14.81             |
| <b>NET DENSITY (WITHOUT NEIGHBORHOOD POND INCLUDED)</b> | <b>9.66 du/ac</b> |

**Goal 4: Ensure that a broad range of housing alternatives are available for employees, employers and residents to accommodate various lifestyle stages.**

*ED Policy 4.2:* Consider the impact of housing product types on Garland's existing and future demographic profile when evaluating development proposals.

*ED Policy 4.3:* Encourage the development of housing product types that help to diversify Garland's existing housing stock.

**190 Catalyst Area:**

*The 190/PGBT Corridor represents the potential for new development. The City's overall strategy for this area is to preserve vacant land for high-quality development. As a largely greenfield opportunity, there is the potential for a regionally-important office and employment address (e.g., build-to-suit corporate headquarters/campus) with an **integrated mid- to higher-end residential component** and support retail. This area could also attract a lodging/conference center, again as a complement to the office/employment core but should not compete with already existing development.*

- Consider land use/architectural design regulations to preserve flexibility while

Catalyst Area Map





*promoting the vision in the Envision Garland Comprehensive Plan.*

- *Put in place a long-term strategy to convert flood plain land along the PGBT into tracts of developable land attractive to quality new development.*
- *Townhouse and small lot detached residential developments are popular, as they offer another owner-occupied housing option, often with less maintenance.*

***Goal 5: Strategically focus investment to catalyst areas to transform key locations and to capitalize on the community's investment.***

*HN Policy 5.3: Support the introduction of new, more compact housing and neighborhood types incorporating the elements of a vital neighborhood as well as promoting high standards of design, neighborhood character and identity. Where appropriate, encourage new residential development into the adjacent development pattern.*

***Goal 6: Support new development and redevelopment that enhances neighborhood stability, and desired development patterns and furthers community revitalization.***

*HN Policy 6.3: New residential development should be planned and designed to support the purpose and character of adjacent activity centers and/or catalyst areas by providing a resident population of potential customers, employees, or users.*

***Goal 3: Strengthen safe and convenient connections between destinations.***

*TRN Policy 3.1: Establish or strengthen pedestrian and non-vehicular connections among neighborhoods, activity centers, parks and recreational facilities, and other destinations.*

*TRN Policy 3.2: Develop a citywide trails system for mobility and recreation that utilizes the City's roadway and utility rights-of-way and/or natural corridors.*

***Goal 2: Utilize placemaking principles as a primary tool for development, revitalization, and redevelopment projects, including public facilities and infrastructure projects.***

*CD Policy 2.1: Support creative development and revitalization solutions with vibrant live/work/shop/play environments to attract and retain residents, highly skilled workers, businesses, and new employers.*

*CD Policy 2.2: Establish placemaking concepts as essential considerations for development and revitalization projects within Vital Neighborhoods, Activity Centers, Employment Centers, and Parks and Open Space Building Blocks, particularly those within catalyst areas.*

***Goal 4: Create a connected city with a choice of convenient, efficient, comfortable, and affordable mobility options by incorporating design elements that enhance alternative modes of transportation.***

*CD Policy 4.1: Provide interconnected streets, sidewalks, and pathways that link homes, schools, parks, and other area destinations.*

*CD Policy 4.2: Ensure provision of alternative modes of transportation for all users during the planning and design of private and public development projects.*

*CD Policy 4.3: Provide for inclusion of street furniture and amenities for transit users, pedestrians, and bicyclists at public facilities and in private development projects.*

***Goal 5: Incorporate practices within the built and natural environment which create durable, long-lasting places that can be passed on to future generations in as good or better condition than when they were inherited.***

*CD Policy 5.1: Promote concepts, such as compact development, use of new technology, adaptable building types, alternative modes of transportation, environmental stewardship, low impact design, resource efficiency, and social interaction within both private and public developments.*

*(More of the comprehensive plan is applicable but is left out for the sake of brevity. We feel very strongly that this project is exactly what the comprehensive plan details for new residential developments, especially ones within this future land use designation.)*

#### **Requested Waivers:**

1. Alleys – We request a waiver of the requirement to provide alleys for the 50' lots. These lots back up to open space and would be better served with front loaded lots. The existing PD ordinance for the property had already established an alley waiver in the conditions, so this is not a change from the existing zoning.
2. Street centerline radius – We are requesting a reduction in minimum centerline radius of streets from 350 feet (TSM Table 8.1) to 225 feet. This is still well above the accepted minimum radius of 180 feet for a 25 mph design speed as established in AASHTO's 2011 edition of *A Policy on Geometric Design of Highways and Streets*. The requested radii will serve as traffic calming measures and will encourage lower speeds, which is more consistent with the type of environment intended for this development.

#### **Tree Mitigation:**

This neighborhood will include significant areas of preserved, mature trees. We will be utilizing the natural topography and existing trees to complement the neighborhood's character, but we will also be adding trees to open space areas, the pocket parks, and to each individual lot. It is our intent to provide a portion of the tree mitigation requirements with on-site landscaping and the remaining mitigation requirements would be in the form of fees-in-lieu. The landscape concept plan and tree mitigation plans show the required tree mitigation requirements and the proposed location on site replacement trees. However, this plan is conceptual in nature and will be revised based on more detailed planning and in conjunction with final engineering. The current expected tree mitigation is 2,898" out of a total tree population of 10,110" for the site.

Please let me know if you need additional information regarding this submittal.

Sincerely,

**J. Volk Consulting, Inc.**



Jay Volk, PE  
President

**Z 17-38**

**Approval of 1) an amendment to Planned Development (PD) 07-17 District for Single-Family-7 Uses, 2) an amendment to a Concept Plan and 3) a Detail Plan for Dwelling, Single-Family Detached.**

**City Council Meeting  
February 6, 2018**



**GARLAND**

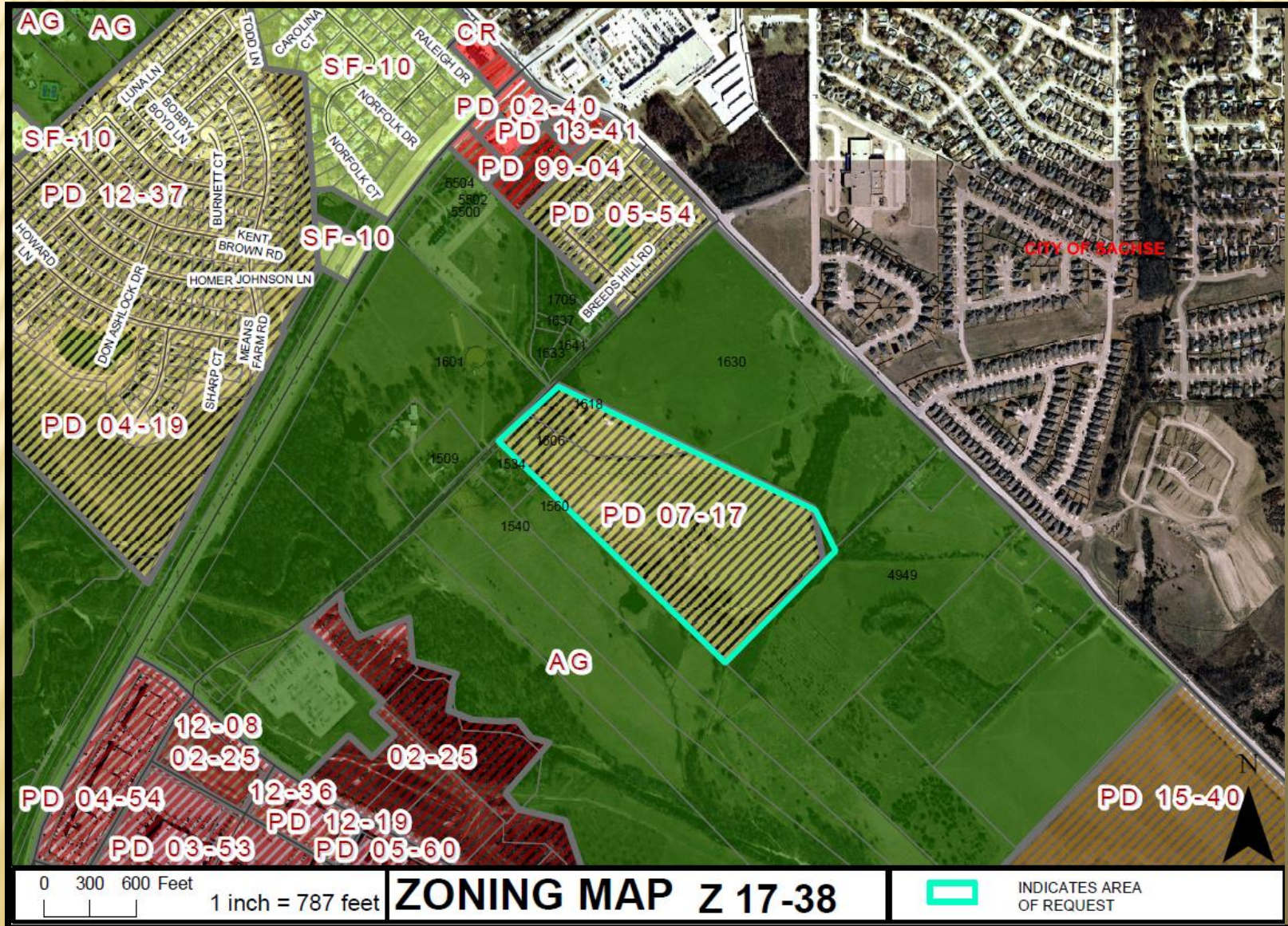
**TEXAS MADE HERE**





**GARLAND**  
TEXAS MADE HERE

# Location Map



**Z 17-38**





# Case Information

---

- Location: The subject property is located along Ben Davis Road, approximately 1,500 feet southwest of the intersection of Ben Davis Road and Bunker Hill Road
- Applicant: J. Volk Consulting, Inc.
- Owner: CalAtlantic Homes
- Acreage: 40 acres
- Zoning: Planned Development (PD) 07-17 District for Single-Family-7 Uses



# Background

In 2007 City Council approved Planned Development (PD) 07-17 District along with a Concept Plan to allow the development of a residential subdivision consisting of 110 single-family detached dwelling units subject to approval of a Detail Plan





# Amendments to PD 07-17

|                                | Existing Planned Development (PD) 07-17 District                          | Proposed Planned Development (PD) District                                                                                             |                                                                                                                                         |                                                                                                                                         |
|--------------------------------|---------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------|
| <b>Min. Lot Area</b>           | 7,000 square feet                                                         | 4,000 square feet                                                                                                                      | 5,700 square feet                                                                                                                       | 6,000 square feet                                                                                                                       |
| <b>Min. Front Setback</b>      | 20 feet                                                                   | 10 feet.<br>Minimum front yard setback may be reduced a maximum of 5 feet from required setback on cul-de-sac or eyebrow fronting lots | 15 feet.<br>Minimum front yard setback may be reduced a maximum of 5 feet from required setback on cul-de-sac or eyebrow fronting lots. | 15 feet.<br>Minimum front yard setback may be reduced a maximum of 5 feet from required setback on cul-de-sac or eyebrow fronting lots. |
| <b>Min. Side Setback</b>       | 6 feet from interior lot lines/15 feet from lot lines adjacent to streets | 5 feet from interior lot lines/15 feet from lot lines adjacent to streets                                                              | 5 feet from interior lot lines/15 feet from lot lines adjacent to streets                                                               | 5 feet from interior lot lines/15 feet from lot lines adjacent to streets                                                               |
| <b>Min. Rear Setback</b>       | 10 feet                                                                   | 15 feet                                                                                                                                | 10 feet                                                                                                                                 | 10 feet                                                                                                                                 |
| <b>Min. Dwelling Unit Area</b> | 2,250 square feet                                                         | 2,000 square feet                                                                                                                      | 2,000 square feet                                                                                                                       | 2,000 square feet                                                                                                                       |

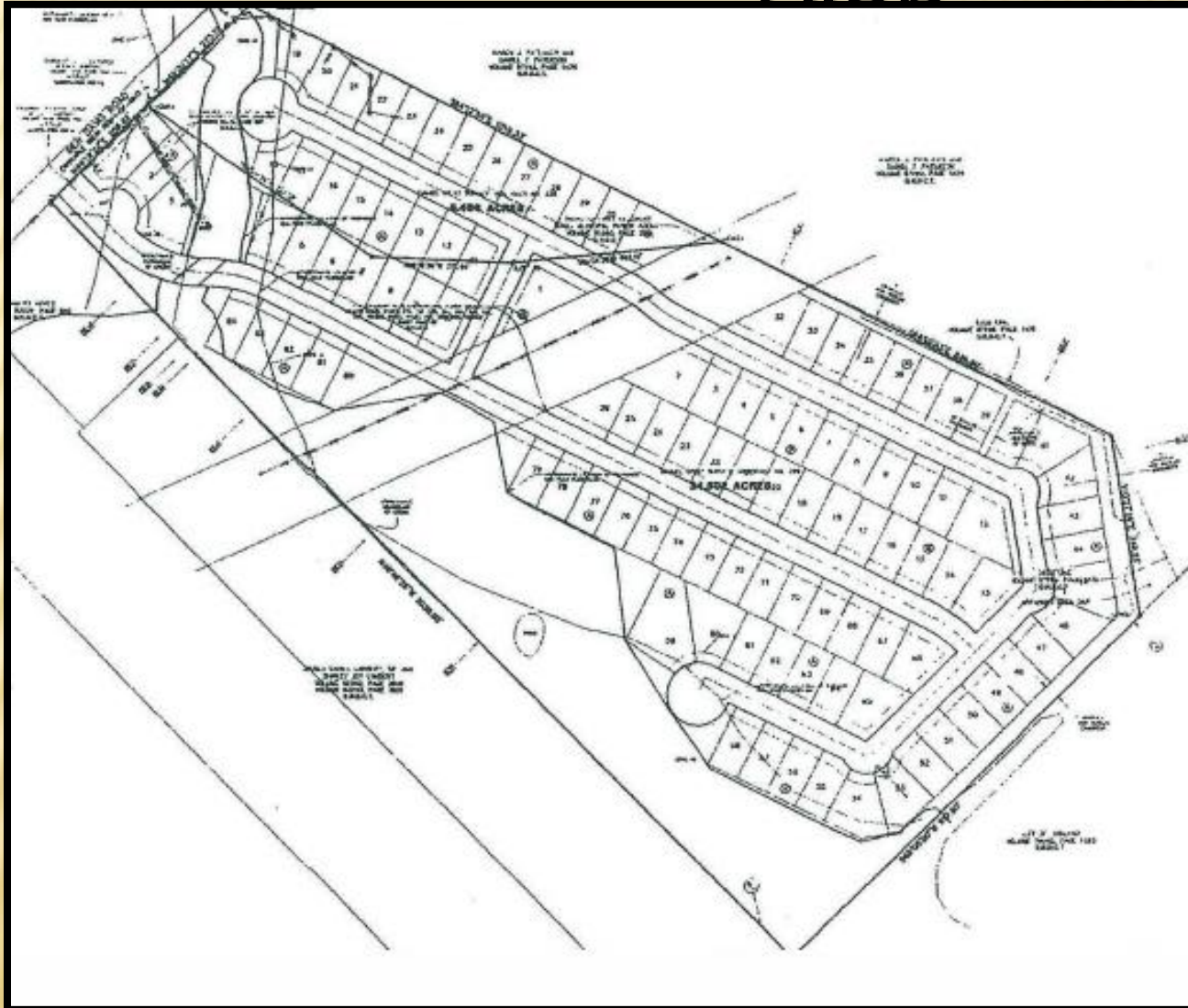
# Amendments to PD 07-17

|                             | Existing Planned Development (PD) 07-17 District                                                                       | Proposed Planned Development (PD) District                                                                                                 |                                                                                                      |                                                                                                      |
|-----------------------------|------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------|
| <b>Min. Lot Width</b>       | 60 feet/50 feet for cul-de-sac or eyebrow fronting lots                                                                | 40 feet.<br>Except for cul-de-sac or eyebrow fronting lots where a 10 foot reduction would be permitted                                    | 50 feet. Except for cul-de-sac or eyebrow fronting lots where a 10 foot reduction would be permitted | 50 feet. Except for cul-de-sac or eyebrow fronting lots where a 10 foot reduction would be permitted |
| <b>Min. Lot Depth</b>       | 120 feet                                                                                                               | 100 feet                                                                                                                                   | 100 feet                                                                                             | 100 feet                                                                                             |
| <b>Max. Lot Coverage</b>    | 55%                                                                                                                    | 60%                                                                                                                                        | 60%                                                                                                  | 60%                                                                                                  |
| <b>Max. Building Height</b> | 30 feet                                                                                                                | 35 feet                                                                                                                                    | 35 feet                                                                                              | 35 feet                                                                                              |
| <b>Masonry Percentage</b>   | Min. 80% masonry on the sides and rear facades/100% masonry on the front façade. Masonry is defined as brick or stone. | Min. 80% masonry on the sides and rear facades/100% masonry on the front façade. Masonry is defined as brick, cast stone, stone or stucco. |                                                                                                      |                                                                                                      |



# Amendments to Concept

Plan





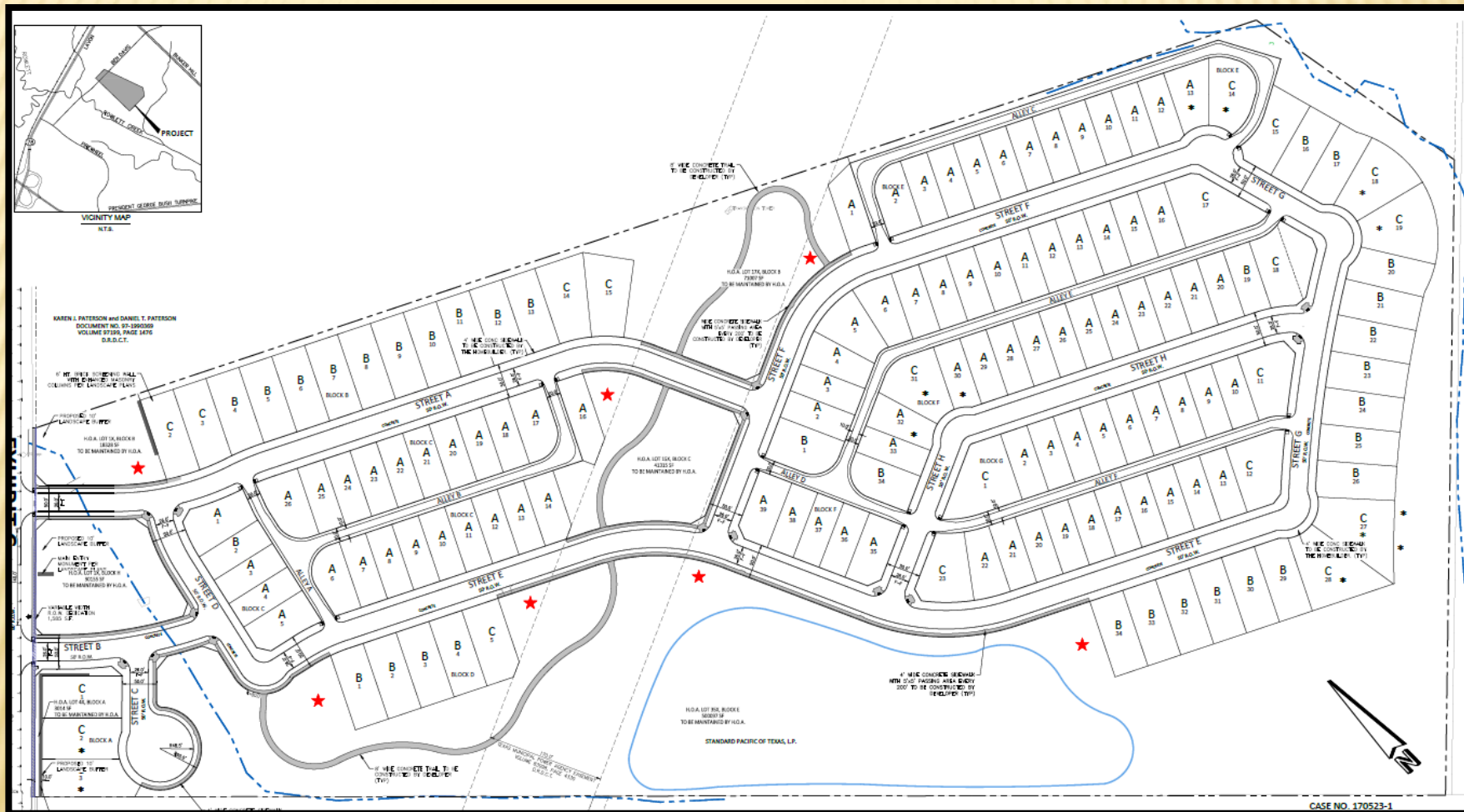
# Plan







**Z 17-38**







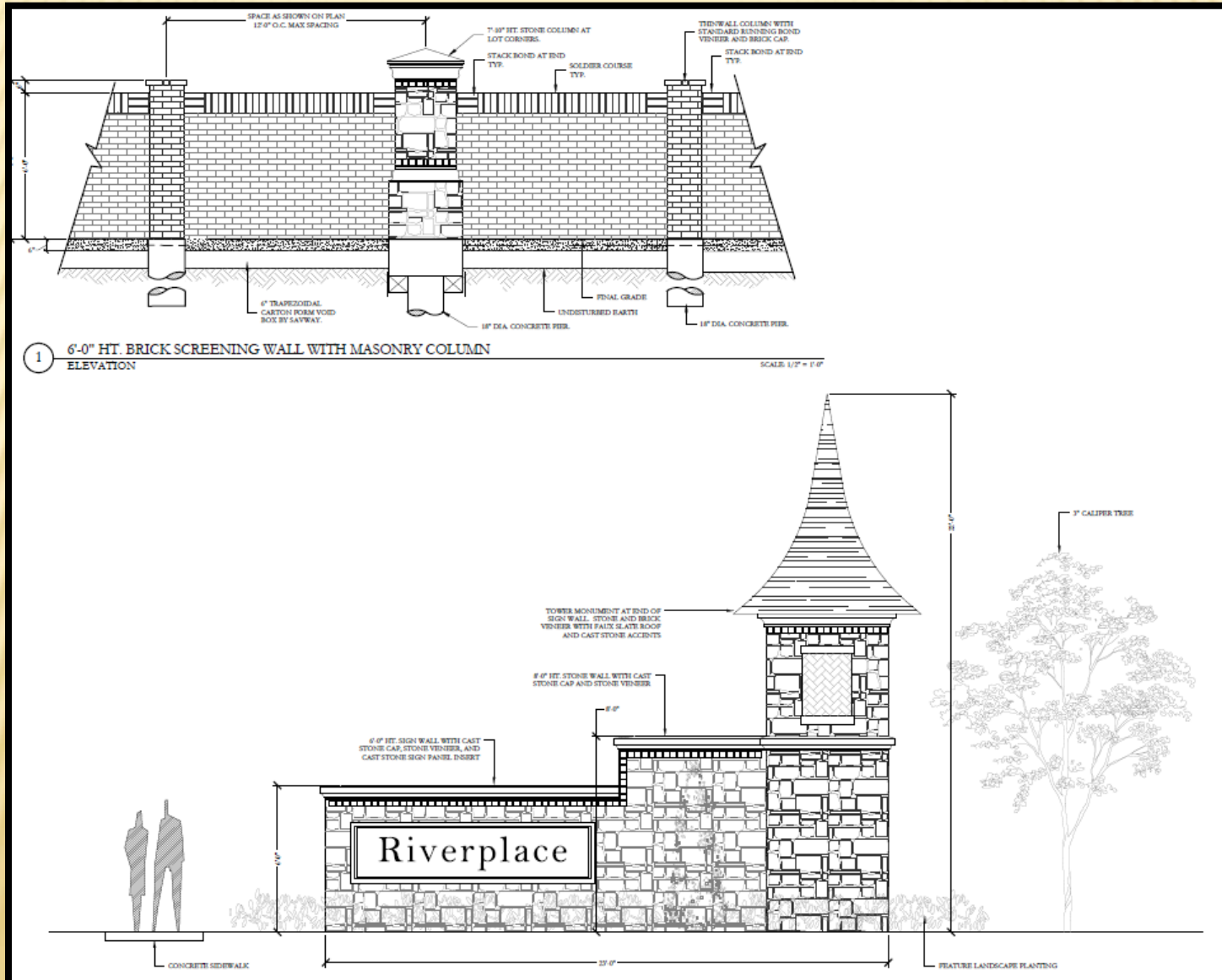
# Detail Plan





**GARLAND**  
TEXAS MADE HERE

# Detail Plan

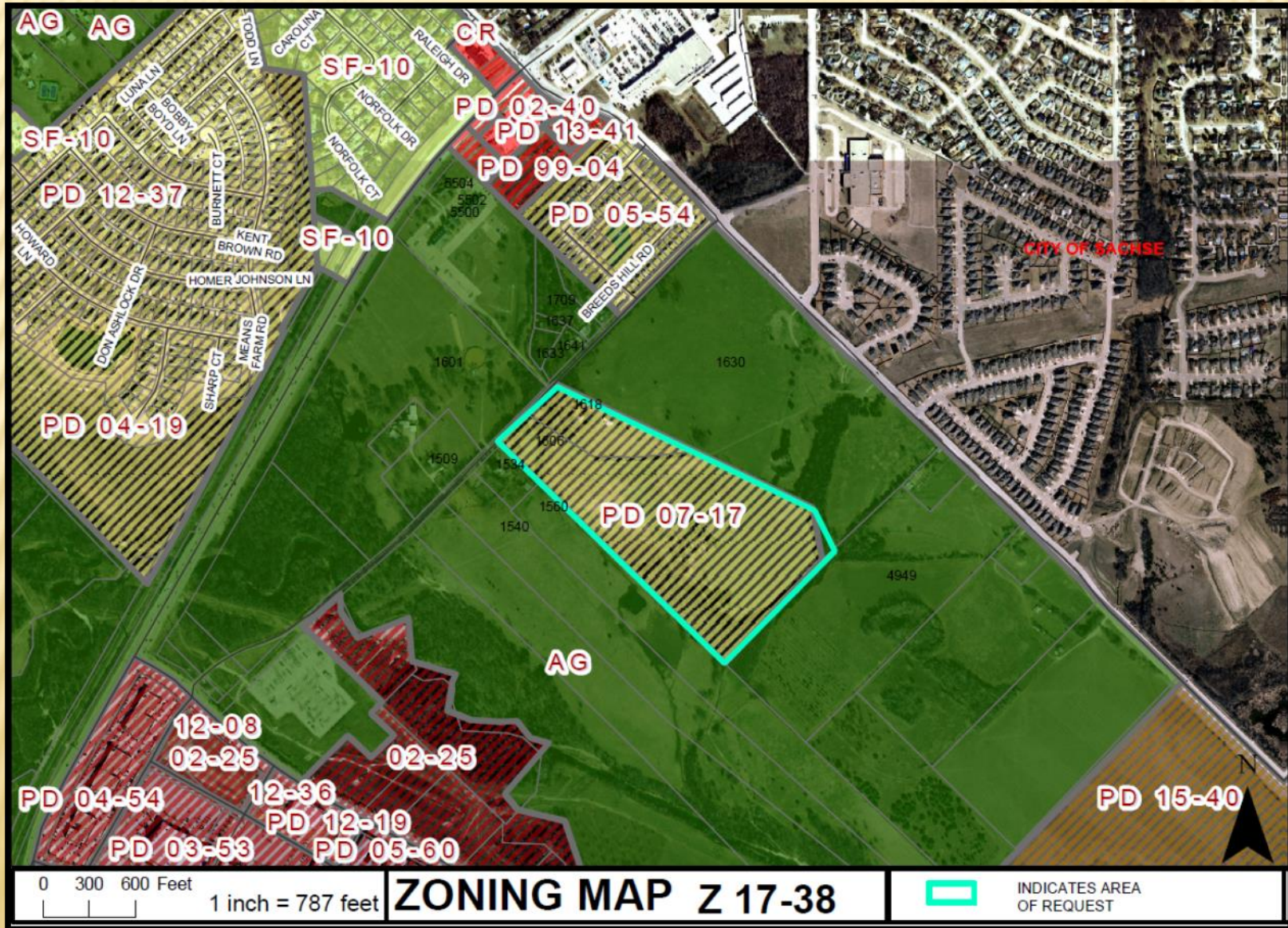


# Comprehensive Plan

The Envision Garland Plan designates most of the subject property as Compact Neighborhoods; a smaller portion is designated as Parks and Open Space



# Surrounding Properties







## **Riverplace**

City Council

February 6, 2018

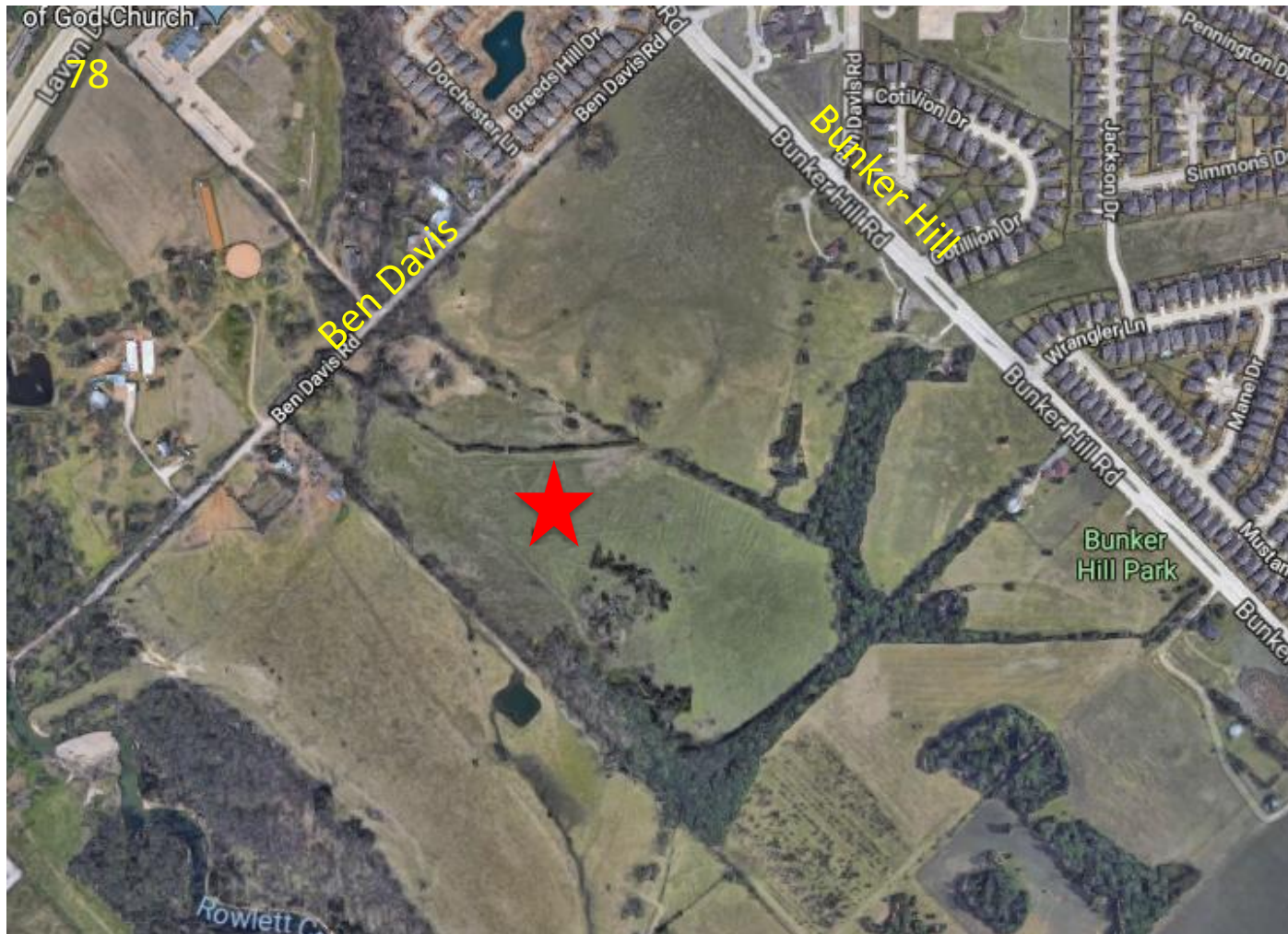
- 
- ❑ Abra Nusser, AICP, President & CEO of Ideation Planning
    - PO Box 1303, Bedford, TX 76095
  
  - ❑ Chip Boyd, Vice President of Land Development for CalAtlantic Homes
  
  - ❑ Jay Volk, PE, President of J. Volk Consulting



## Location Map



# Riverplace





**Neighborhood Elements:**

- 143 lots with diverse lot sizes (4,000 to over 10,000sf)
- Activated open space with continuous pedestrian system and trail
- Seven “pocket parks”
- Pond with fountain
- Beautiful landscaping
- Average sales price anticipated of \$336,000 to \$389,000



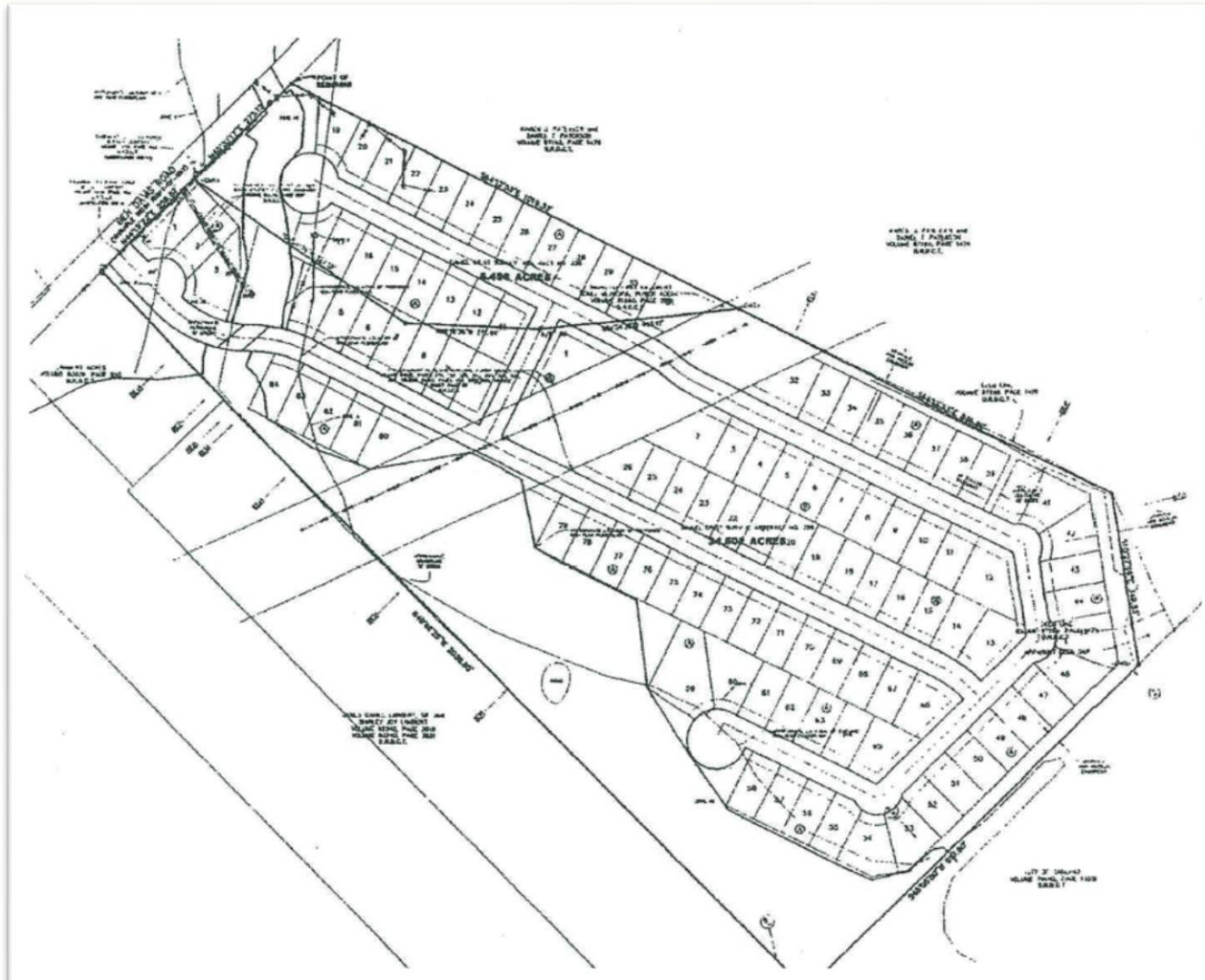
Concept Plan

## Regarding Discussion from P&Z

---

- ❑ Not received any correspondence.
- ❑ **Condition of Ben Davis:** Proposing to meet all required minimums and dedication. Have discussed several options with Staff.
- ❑ **Minimum Dwelling Unit Size:** P&Z recommended minimum 2,000 square feet, and that is acceptable.
- ❑ **Alley Waiver:** Current PD from 2007 contains 100% front-loaded product so “alley waiver” was already conceptually approved previously.
- ❑ **Drainage:** Proposing to meet all required minimums and have done additional study on the creek that is typically required later in the process to ensure proper setbacks and drainage.

## Regarding Discussion from P&Z







40-Foot Wide Lots - Renderings





40-Foot Wide Lots - Renderings





40-Foot Wide Lots – Similar Homes





50-Foot Wide Lots - Renderings



50-Foot Wide Lots - Renderings





50-Foot Wide Lots – Similar Homes



50-Foot Wide Lots – Similar Homes





50-Foot Wide Lots – Similar Homes

## Conditions/Special Ordinance Provisions

---

- ❑ **Enhanced Pavement:** All driveways, flatwork and leadwalks shall be constructed on an enhanced quality paving material, including one of the following: stamped concrete, integral colored concrete, exposed aggregate or salt finished concrete.
  
- ❑ **Continuous Pedestrian System:** An eight-foot wide trail and four-foot wide sidewalks shall be provided as generally depicted on the attached Exhibit C. Pocket parks containing seating and shade trees shall also be provided as activated open space within the continuous pedestrian system as generally depicted on the attached Exhibit C.

## Conditions/Special Ordinance Provisions

---

- ❑ **Gifts to the Street:** The front elevation of each home must contain at least 3 of the following architectural features, known as 'Gifts to the Street':
  - ❑ Garage doors with a decorative wood overlay
  - ❑ Dual coach lights on front elevation
  - ❑ Single bay garage doors divided by a column
  - ❑ Variable roof pitch
  - ❑ Decorative cast stone address marker
  - ❑ 2 or more types of masonry (ex: brick and stone, brick and cast stone, etc.)
  - ❑ Cedar or wood accents (i.e. corbels, shutters, etc.)
  - ❑ Metal or shed roof accents
  - ❑ Divided light windows on the front elevation
  - ❑ Bricked front porch



## Conditions/Special Ordinance Provisions

---

- ❑ Minimum Lot Landscape Package:
  - ❑ Each lot shall have an automatic programmable irrigation system with built-in rain and freeze sensor. Each lot shall have a fully sodded front, side and rear yard, in addition to the following plantings:
    - A minimum of (1) 4" caliper tree in the front yard of each home. Can be placed in the parkway. (next slide)
    - A minimum of (1) 4" caliper tree in the back yard of each home.
    - Shrubs totaling a minimum of 30 gallons.

## Conditions/Special Ordinance Provisions

---

- ❑ Required front yard trees in the parkway (between curb and sidewalk), with root barriers, to reduce design speeds of the roads, provide an appealing street landscape, and allow for more front yard space. Staff is in support. Number of trees will not be reduced from typical requirements.
- ❑ Continuation of previous Alley Waiver so that 42 of the homes will not be alley-loaded. Staff is in support.



# Overall Request

- ❑ Conforms with comprehensive plan



## *Compact Neighborhoods*

### Description

Compact neighborhoods provide areas for moderate increases in residential density, including single-family attached and single-family detached housing. It expands housing options through infill and redevelopment, while continuing walkable development patterns.

These areas provide transitions between traditional residential neighborhoods and higher density residential neighborhoods and non-residential developments. These areas accommodate uses such as convenience retail (goods and services), office space, and public services. The architectural character and scale of these areas are compatible with adjacent residential development.



### Development Intensity

The Compact neighborhood development type is primarily characterized as moderate residential (between six and twelve dwelling units per acre).

Non-residential sites within this category are typically up to three acres in size.

## Overall Request

- ❑ Conforms with comprehensive plan

Envision Garland 6-12 dwelling  
units per acre

### Density Calculations:

|                      |                   |
|----------------------|-------------------|
| SINGLE-FAMILY LOTS   | 145               |
| TOTAL LAND AREA (AC) | 40.00             |
| <b>GROSS DENSITY</b> | <b>3.63 du/ac</b> |

|                                                      |                  |
|------------------------------------------------------|------------------|
| SINGLE-FAMILY LOT AREA                               | 16.61            |
| R.O.W. DEDICATIONS (AC)                              | -8.45            |
| IMPROVED OPEN SPACE (INCLUDING NEIGHBORHOOD POND)    | 13.62            |
| NET AREA                                             | 21.78            |
| <b>NET DENSITY (WITH NEIGHBORHOOD POND INCLUDED)</b> | <b>6.7 du/ac</b> |

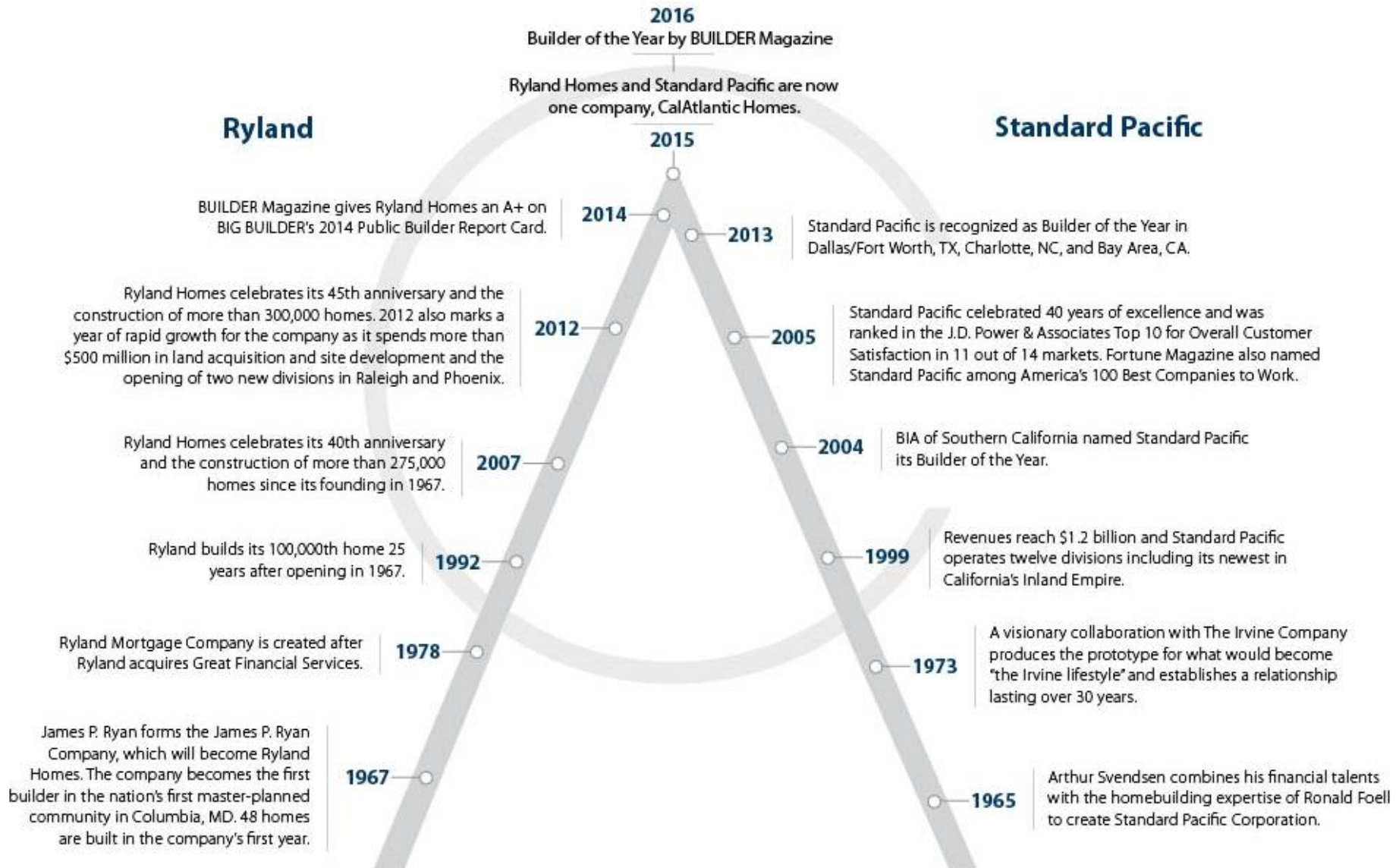
|                                                         |                   |
|---------------------------------------------------------|-------------------|
| SINGLE-FAMILY LOT AREA                                  | 16.61             |
| R.O.W. DEDICATIONS (AC)                                 | -8.45             |
| IMPROVED OPEN SPACE (WITHOUT NEIGHBORHOOD POND)         | 6.63              |
| NET AREA                                                | 14.79             |
| <b>NET DENSITY (WITHOUT NEIGHBORHOOD POND INCLUDED)</b> | <b>9.80 du/ac</b> |

## Overall Request

---

- ❑ Neighborhood will be a special place with unique outdoor amenities to enjoy
- ❑ Prime location for proposed housing stock
- ❑ Developer/builder is known for building high quality homes and great neighborhoods





# 2016 Builder of the Year-Builder Magazine

---



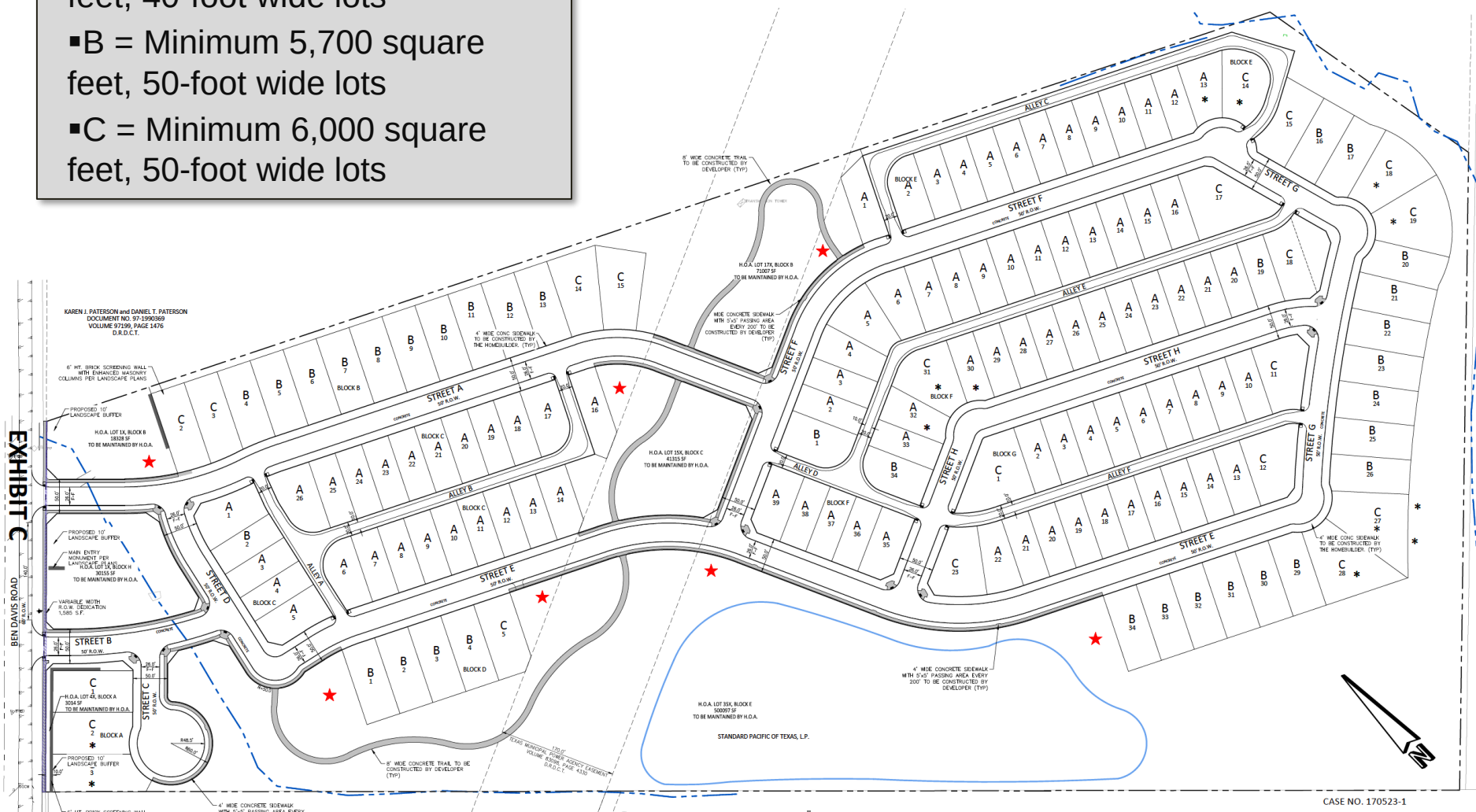




***THANK YOU!***



- A = Minimum 4,000 square feet, 40-foot wide lots
- B = Minimum 5,700 square feet, 50-foot wide lots
- C = Minimum 6,000 square feet, 50-foot wide lots



## REPORT & MINUTES

### P.C. Meeting, January 8, 2018

- 3c. Consideration of the application of **J. Volk Consulting, Inc.**, requesting approval of 1) an amendment to Planned Development (PD) 07-17 District for Single-Family-7 Uses, 2) an amendment to a Concept Plan, 3) a Detail Plan for Dwelling, Single-Family Detached, 4) a Variance to Section 4.37 of the Garland Development Code regarding residential development landscaping and 5) an Alley Waiver. This property is located on the south and east side of Ben Davis Road, approximately 1,500 feet southwest from the intersection of Ben Davis Road and Bunker Hill Road. (District 1) (File Z 17-38)

Representing the applicant, Abra Nusser, PO Box 1303 Bedford, Texas 76095, provided an overview of the request and additional information regarding the maximum lot coverage, proposed alleys, lot width, setback reductions, traffic and drainage issues.

The applicant, Chip Boyd, 2600 Network Blvd., Frisco, Texas and Jay Volk, 830 Central Pkwy, East #310, Plano, Texas provided information regarding the quality and type of proposed product, elaborated on the flood study for the proposed property and the developer's responsibility for Ben Davis Road.

Charles Ehrman, 1641 Ben Davis Road, Garland, Texas spoke of concerns regarding the increase of traffic, current condition of Ben Davis Road and asked who is/would be responsible for the maintenance of Ben Davis Road.

Commissioner Moore inquired as to the number of times Ben Davis Road has been rebuilt.



**Motion** was made by Commissioner Dalton, seconded by Commissioner Hedrick to **close** the public hearing and open the case for discussion. **Motion carried: 7 Ayes, 0 Nays.**

There was discussion among the Commission.

Commissioner Moore stated he agreed with the proposed development. However, he raised concerns regarding the current state of Ben Davis Road and asked if staff could verify the City's responsibility in relation to Ben Davis Road.

Chairman Roberts also commented on the need for City departments to determine where the responsibility lies with Ben Davis Road.

Commissioner Dodson commented on the consequences and cost of holding the case up, would like to see 60% of lot areas being 5,700 square feet or greater and minimum dwelling area 2,000 square foot while maintaining the total 143 proposed lots. Planning staff work with City departments, County, and the City of Sachse for a decision on who is ultimately responsible and who will be maintaining Ben Davis Road.

**Motion** was made by Commissioner Dalton, seconded by Commissioner Dodson to **approve** the request per staff recommendation with the addition of the minimum dwelling unit size of 2,000 square feet. **Motion carried: 7 Ayes, 0 Nays.**



**From:** Charles Ehrman <charles.ehrman@yahoo.com>  
**Sent:** Tuesday, January 02, 2018 11:42 AM  
**To:** Planning Group  
**Subject:** Re: File Z 17-38

Memo to: City of Garland, Planning Commission  
**RE: File Z 17-38**

Jan. 2, 2018

We welcome any and all responsible development in our neighborhood. That said, we are questioning if construction and/or subdivision access will be on Ben Davis Road? If so, how does the developer intend to do this?

As you are probably aware, this section of Ben Davis Road has been repaved at least three times since we purchased our property in 1985. The road degrades after a few years, I assume because the water table is only at 14' and minimum roadbed preparation was done. If any increase in traffic is expected, the road condition will need to be addressed.

Again we welcome any and all responsible development in our neighborhood, but we are extremely concerned that the city's intentions and responsibilities in this area of Garland will be responsible as well. We have tried to be very cautious about complaining about anything, and again experiencing the city's backlash that we have experienced before.

We will be at the Planning Commission meeting on Jan 8 to listen and discuss. We will not be either for or against until we know what the intentions are.

Thank You.

Charles & Barbara Ehrman  
charles.ehrman@yahoo.com  
972-495-0965  
1641 Ben Davis Road  
&  
1637 Ben Davis. Rd.  
Garland, TEXAS 75040

JAN 2 2018 PM 2:1E



# GARLAND

CITY OF GARLAND  
PLANNING DEPARTMENT  
P.O. BOX 469002  
GARLAND, TX 75046-9002

December 27, 2017

HEARING DATE/TIME: Plan Commission: January 8, 2018 – 7:00 PM

APPLICANT: J. Volk Consulting, Inc.

File Z 17-38

RECEIVED

JAN 03 2018

SCHOOL FACILITIES

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, January 8, 2018, in the Council Chambers of the William E. Dollar Municipal Building (City Hall), 200 North Fifth Street, to consider the application of **J. Volk Consulting, Inc.**, requesting approval of 1) an amendment to Planned Development (PD) 07-17 District for Single-Family-7 Uses, 2) an amendment to a Concept Plan, 3) a Detail Plan for Dwelling, Single-Family Detached, 4) a Variance to Section 4.37 of the Garland Development Code regarding residential development landscaping and 5) an Alley Waiver. The property is shown on the enclosed sketch and is described as follows:

BEING a 39.977-acre tract of land situated in the DANIEL CRIST SURVEY, ABSTRACT NO. 226, City of Garland, Dallas County, Texas and being all of that tract of land described in Deed to Standard Pacific of Texas, L.P., as recorded in Document No. 200600175717, Deed Records, Dallas County, Texas and being all of that tract of land described in Deed to Standard Pacific of Texas, L.P., as recorded in Document No. 200600339517, Deed Records, Dallas County, Texas. The site is located on the south and east side of Ben Davis Road, approximately 1,500 feet southwest from the intersection of Ben Davis Road and Bunker Hill Road. (District 1)

**Note: The applicant proposes the construction of a residential (single-family homes) subdivision.**

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](mailto: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 972-205-2445.

(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)

Your Property Address

Garland ISD-Armstrong Elementary School

Printed Name

4750 Ben Davis Road

Garland, TX

75048

Address

City, State

Zip

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

Signature

*Joel Falcon*

Joel Falcon, GISD Exec Director of Facilities & Maintenance

Title

Date: 1/5/18

Outside the Notification Area

**From:** [Guerin, Will](#)  
**To:** [Allmendinger, Tracy](#)  
**Subject:** FW: Z 17-38  
**Date:** Monday, January 22, 2018 3:16:31 PM  
**Attachments:** [image002.jpg](#)  
[image003.png](#)

---

Please record the below email from Mr. Paterson as an opposition letter to Z 17-38 (J. Volk Consulting, Inc.).

---

**From:** Dan Paterson [mailto:DanP@swearingen.com]

**Sent:** Monday, January 22, 2018 3:05 PM

**To:** Guerin, Will

**Subject:** RE: Z 17-38

William,

Got it thanks. The site plan looks extremely dense and overcrowded and the 4 K Size lots represent the majority of lots, which are extremely small. I can tell you I will not be supporting this overcrowded and dense lot use.

The City of Garland can do much better!

**Dan Paterson**

**President**

Swearingen Realty Group, L.L.C.  
5950 Berkshire Lane, Suite 500  
Dallas, TX 75225  
Phone: 214-365-2738



[www.swearingen.com](http://www.swearingen.com)

---

**From:** Guerin, Will [mailto:WGuerin@garlandtx.gov]

**Sent:** Monday, January 22, 2018 1:25 PM

**To:** Dan Paterson <DanP@swearingen.com>

**Subject:** Z 17-38

Hi Dan:

Below is a link where you can find more information on the proposed Ben Davis Road subdivision (case Z 17-38).

[https://destinyhosted.com/garladocs/2018/PLANC/20180108\\_1388/AGENDApacket\\_\\_01-08-18\\_1520\\_1383.pdf](https://destinyhosted.com/garladocs/2018/PLANC/20180108_1388/AGENDApacket__01-08-18_1520_1383.pdf)

Feel free to let me know if you have any more questions. Thanks,

**William L. Guerin**, AICP, CNU-A

Director

Planning & Community Development

City of Garland

Office: (972) 205-2449 | Fax: (972) 205-2474

[wguerin@garlandtx.gov](mailto:wguerin@garlandtx.gov) | [GarlandTx.gov](http://GarlandTx.gov)





This e-mail transmission is covered by the Electronic Communications Privacy Act, 18 U.S.C. 2510-2521 and is legally privileged, confidential and protected from disclosure. If you are not the intended recipient, any dissemination, distribution or copying is strictly prohibited. If you think you have received this e-mail message in error, please e-mail the sender and destroy the original e-mail transmission. We cannot take any responsibility for the accuracy of the information contained herein.



GARLAND

## **City Council Regular Session Agenda**

**Meeting Date:** February 6, 2018

**Item Title:**

**Submitted By:** Elisa Morales, Management Services Coordinator , Administration

---

**Summary:**

**Council Member Jerry Nickerson**

- Aaron Albert Floarea - Senior Citizens Advisory Committee
- 

### **Attachments**

Aaron Floarea - Senior Citizens Advisory Committee

---





# GARLAND

TEXAS MADE HERE

CITY OF GARLAND  
RECEIVED  
JUL 06 2017  
CITY SECRETARY

## Application for City of Garland Boards/Commissions/Committees

Please Type or Print Clearly:

Date: 5/30/2017

Name: Aaron Albert Floarea

Phone:

(Home)

Address: 4630 Candlestick Dr

Phone:

(Other)

City, State, Zip: Garland, TX 75043

Email:

Resident of Garland for 3 years

Resident of Texas for 4 years

Dallas County Voter Registration Number

Garland City Council District Number 3

Have you ever been convicted of a felony? ☐ Yes ☒ No

Have you ever been convicted of a Class A misdemeanor? ☐ Yes ☒ No

Please list any experience that qualifies you to serve in the areas you have indicated.

If you have previously served on a City Board or Commission, please specify and list dates of service.

NA

List civic or community endeavors with which you have been involved.

NA

What is your educational background?

Engineering Associates, Pastoral Undergraduate, Masters of Divinity in Organizational Leadership

What is your occupational experience?

My wife and I own a Residential Care Home - LIsenced Assisted Living & Memory Care

I hereby affirm that all statements herein are true and correct.

Board or Commission of first, second, and third choice:

☒ Board of Adjustment

☐ Garland Cultural Arts Commission

☐ Parks and Recreation Board

☐ Building and Fire Codes Board

☐ Garland Youth Council \*\*

☒ Plan Commission \*

☐ Citizens Environmental and Neighborhood Advisory Committee

☐ Property Standards Board

☐ Plumbing and Mechanical Codes Board

☐ Community Multicultural Commission

☐ Library Board

☒ Senior Citizens Advisory Committee

☐ Electrical Board

\* Plan Commission members must live in district

\*\* Garland Youth Council has a separate application

Return completed application to:

City Secretary's Office  
200 North Fifth Street  
Garland, TX 75040  
Fax: 972-205-2504  
Email: rdowl@GarlandTx.gov

Revised 03/2015

utilities: current  
taxes: current  
Claims: none us