GARLAND

# AGENDA

## REGULAR MEETING OF THE CITY COUNCIL
**City of Garland**

**REMOTE MEETING**

**Tuesday, January 5, 2021**
**7:00 p.m.**

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

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

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

**https://garlandtx.zoom.us/webinar/register/WN_zcXbpsSUQO6oNxhj3Nv8nA**

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

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

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

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

**The Meeting ID is: 919 1281 9442**

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

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

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

## COUNCIL HOUSE RULES

**1. Decisions based on issues, goals and vision.**

**2. Do not take things personal.**

**3. Project a positive attitude.**

**4. Focus on issues, not on the person.**

**5. Be prepared to discuss issues.**

**6. Maintain decorum.**

**7. Keep your sense of humor.**

**8. Honor and respect each other; accept each other as individuals.**

**9. Follow goals, principles and action agenda.**

**10. Decide, vote and move on.**

**11. Avoid ambushes - Council or staff.**

**12. Talk to staff before meetings.**

**13. Vote our convictions, but be willing to compromise *"What is best for Garland."***

**14. Follow Roberts Rules of Order consistently.**

**15. Agree to disagree.**

**16. Be open and honest.**

## LEGISLATIVE PRAYER AND PLEDGE OF ALLEGIANCE

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

## MAYORAL PROCLAMATIONS, RECOGNITIONS AND ANNOUNCEMENTS

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

## CONSENT AGENDA

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

**1. Consider approval of the minutes of the December 15, 2020 Regular Meeting.**

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

**a. Energy Trading Risk Management Software System Hosting and Support Fees** **Bid No. 0298-21**

**Power Costs, Inc.** **$238,000.00**

*This request is for annual support and hosting fees for the GP&L Energy Trading Risk Management Software System and Test/TQA environment. The service agreement will renew annually as long as GP&L continues to use the software.*

**b. GP&L Electric Motor Repair and Maintenance** **Bid No. 0628-18**

**Brandon & Clark, Inc.** **$23,750.00**

*This request is to approve a Change Order for GP&L electric motor maintenance and repair services. This Change Order is necessary to cover greater-than-anticipated motor repairs required during the past year.*

**c. Major Thoroughfare Right-of-Way Maintenance and Litter Control** **Bid No. BL 08287**

**Carruthers Landscape Management, Inc.** **$193,293.92**

*The purpose of this change order is to provide additional Litter Pickup and Maintenance visit to our mowing contract BL08287 . The proposed change order increases the existing contract amount of $78,780 by 246% for a new total of $272,060.*

**d. Distribution Overhead Line Maintenance & Construction** **Bid No. 0626-19**

**Irby Construction Company** **$1,000,000.00**

*This request is to approve a Change Order for GP&L distribution overhead line maintenance and construction. This Change Order will allow for additional overhead construction services that are anticipated as a result of the modification to the distribution pole inspection and replacement process.*

**e. 2019 Alley Replacement Project** **Bid No. 0987-19**

**Tri-Con Services, Inc.** **$98,156.37**

*The purpose of this request is to approve a Change Order for the 2019 Alley Replacement Project. The original project included the removal/replacement of ten (10) alleys located in the northern portion of the city. This Change Order is to complete additional concrete street/sidewalk repairs that include removing/replacing additional street/sidewalk pavement adjacent to the alley improvements.*

**3. Public hearing(s) were previously conducted for the following zoning case(s). Council approved the request(s) and instructed staff to bring forth the following ordinance(s) for consideration.**

**a. Zoning File No. Z 20-37, Masterplan (District 7)**

*Consider an ordinance amending the Garland Development Code of the City of Garland, Texas, by approving 1) an Amendment to Planned Development (PD) District 16-35 for Multi-Family Use and 2) a Detail Plan on a 15.179-acre tract of land located at 4501 North Garland Avenue; providing for conditions, restrictions, and regulations; providing a penalty under the provisions of Sec. 10.05 of the Code of Ordinances of the City of Garland, Texas; providing a Notice of Conditions of Compliance Clause; a Savings Clause, and a Severability Clause; and providing an effective date.*

**b. Zoning File No. Z 20-33, Josh Adams (District 4)**

*Consider an ordinance amending the Garland Development Code of the City of Garland, Texas, by approving a Change of Zoning from Single-Family-7 (SF-7) District to Agricultural (AG) District on 3.54-acre tract of land located at 905 and 911 East Oates Road; providing for conditions, restrictions, and regulations; providing a penalty under the provisions of Sec. 10.05 of the Code of Ordinances of the City of Garland, Texas; providing a Notice of Conditions of Compliance Clause; a Savings Clause, and a Severability Clause; and providing an effective date.*

**4. Buckingham Road Railroad Crossing Rehabilitation Agreement**

*The railroad crossing on Buckingham Road just west of SH 78 was reconstructed as part of the widening and reconstruction of that street between First Street and SH 78 in 2001.*

## 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.**

**5. Hold public hearing(s) on:**

**a. Public hearing and adoption of ordinance to expand boundaries of TIF #3 and adopt a Project and Financing Plan**

*On November 18, 2020, the Board of Directors for TIF Zone #3 met to discuss expanding the boundaries and to create a Project and Financing Plan. A Project and Financing Plan is required to allow the City to utilize TIF funds on projects within the zone.*

*The Board unanimously recommends to Council the expansion of the Zone boundaries to include the VA hospital and surrounding properties. In addition, a listing of projects was approved by the Board to be included in the Project and Financing Plan and staff was instructed to complete the required schedules outlined in Chapter 311 of the Tax Code for Council to formally consider.*

*A public hearing is required before Council acts to approve the modifications to TIF #3.*

**b. Consider a Variance request by Ryan Johnston to allow a monument sign setback less than the required five (5) feet from the property line. The applicant is appealing the Plan Commission's denial of the request. The applicant represents Lavon Drive Baptist Church, located at 1520 Lavon Drive in District 2.**

*Consideration of the application of Ryan Johnston, requesting approval of a Variance to Chapter 4, Article 5 of the Garland Development Code regarding setbacks for a monument sign to allow a reduced setback from the property line where five (5) feet is required. This property is located at 1520 Lavon Drive. (File No. SV 20-01, District 2)*

**c. Consider a Zoning request by Ocean Star Metals, Inc. to re-zone the property at 521, 523, 525 Shepherd Drive (District 6), which is used for recyclying operations, from Heavy Commercial (HC) District to Industrial (IN) District.**

*Consideration of the application of Ocean Star Metals, Inc., requesting approval of a Change in Zoning from Heavy Commercial (HC) District to Industrial (IN) District. The business is currently a non-conforming use due to a change in the Garland Development Code. the experation of the SUP requires a change in zoning classification in order to continue operations. (File No. Z 20-32, District 6)*

**d. Consider a Specific Use Provision request by Ocean Star Metals, Inc. to continue operating a metal recycling facility for a period of ten (10) years. The property is located at 521, 523, 525 Shepherd Drive in District 6.**

*Consideration of the application of Ocean Star Metals, Inc., requesting approval of a Specific Use Provision to allow a Recycling Salvage Yard (unlimited outside storage) Use. (File No. Z 20-32, District 6)*

**e. Consider a Site Plan request by Ocean Star Metals, Inc. for an existing metal recycling facility located at 521, 523, 525 Shepherd Drive in District 6.**

*Consideration of the application of Ocean Star Metals, Inc., requesting approval of a Site Plan for a Recycling Salvage Yard (unlimited outside storage) Use. This site is located at 521, 523, 525 Shepherd Drive. (File No. Z 20-32, District 6)*

**f. Consider a Specific Use Provision request by Smashin Gas Motors to allow Automobile Sales at 1220 North First Street in District 8.**

*Consideration of the application of Smashin Gas Motors, requesting approval of a Specific Use Provision to allow Automobile Sales, New or Used on a property zoned Industrial (IN) District. (File No. Z 20-36, District 8)*

**g. Consider a Site Plan request by Smashin Gas Motors for Automobile Sales at 1220 North First Street in District 8.**

*Consideration of the application of Smashin Gas Motors, requesting approval of a Site Plan for Automobile Sales, New or Used on a property zoned Industrial (IN) District. (File No. Z 20-36, District 8)*

**6. 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.*

**7. Adjourn.**

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

GARLAND

**City Council Regular Session Agenda** **1.**

**Meeting Date:** 01/05/2021

**Item Title:** Minutes December 15

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

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**Summary:**

**Consider approval of the minutes of the December 15, 2020 Regular Meeting.**

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**Attachments**

Minutes December 15

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GARLAND

# MINUTES

The City Council of the City of Garland convened in regular session at 7 p.m. on Tuesday, December 15, pursuant to Section 551.045, by telephone or internet in Garland, Texas, with the following members present:

| | |
|---|---|
| Present: | Mayor Scott LeMay |
| | Mayor Pro Tem Robert John Smith |
| | Deputy Mayor Pro Tem Robert Vera |
| | Council Member Ricky McNeal |
| | Council Member Deborah Morris |
| | Council Member Jerry A. Nickerson |
| | Council Member B. J. Williams |
| | Council Member Rich Aubin |
| | Council Member Dylan Hedrick |
| Staff Present: | City Manager Bryan Bradford |
| | Deputy City Manager Mitch Bates |
| | Assistant City Manager John Baker |
| | City Attorney Brad Neighbor |
| | City Secretary Eloyce René Dowl |

## LEGISLATIVE PRAYER AND PLEDGE OF ALLEGIANCE

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## MAYORAL PROCLAMATIONS, RECOGNITIONS AND ANNOUNCEMENTS

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## CONSENT AGENDA

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

Motion was made by Mayor Pro Tem Robert John Smith, and seconded by Council Member Deborah Morris to approve the Consent Agenda as presented. Motion carried:

**Vote:** 9 - 0

**1. APPROVED Consider approval of the minutes of the December 1 Regular Meeting and December 4 Special Session.**

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

**a. APPROVED Self-Contained Breathing Apparatus (SCBA) Bid No. 0238-21**

**Municipal Emergency Services $1,206,304.00**

This request is to provide replacement/upgrades of Self-Contained Breathing Apparatus (SCBA) for Fire, Water, Health and Police (SWAT and Jail).

**b. APPROVED Playground Program Equipment (Whirlix) Bid No. 0270-21**

**Whirlix Design, Inc. $485,554.15**

This request is for the purchase of playground equipment in support of the Playground Replacement Program.

**c. APPROVED Playground Program Equipment (KOMPAN) Bid No. 0271-21**

**KOMPAN, Inc. $290,879.57**

This request is for the purchase of playground equipment in support of the Playground Replacement Program.

**d. APPROVED** **College Manors Subdivision Wastewater Main Replacement** **Bid No. 0276-21**

**Metropolitan Infrastructure, PLLC** **$136,643.32**

This request is to obtain professional engineering services for the design of approximately 2,110 linear feet of 6" wastewater main replacement, including manholes and service laterals.

**e. APPROVED** **GP&L Newman 69kV Substation Civil Site Construction** **Bid No. 1361-20**

| | |
|---|---|
| **DynaGrid Construction Group, LLC** | **$565,538.35** |
| **Optional Contingency** | **113,107.67** |
| **TOTAL:** | **$678,646.02** |

This request is to provide Civil Site construction services for the Newman 69kV Substation. An Optional Contingency is included for any additional work that may be required.

**f. APPROVED** **Police Property and Evidence Building Construction** **Bid No. 0583-20**

**CORE Construction Services of Texas, Inc.** **$9,738,536.00**

This request is for the construction of the new Police Property and Evidence Building.

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

**a. APPROVED** **Zoning File No. Z 19-31, Masterplan (District 3)**

**Ordinance No. 7183** amending the Garland Development Code of the City of Garland, Texas, by approving 1) a Change in Zoning from Multi-Family (MF) District to a Planned Development (PD) District for Multi-Family Use and 2) a Detail Plan for Multi-Family Use on a 1.9484-acre tract of land located at 5751 Marvin Loving Drive; providing for conditions, restrictions, and regulations; providing a penalty under the provisions of Sec. 10.05 of the Code of Ordinances of the City of Garland, Texas; providing a Notice of Conditions of Compliance Clause; a Savings Clause, and a Severability Clause; and providing an effective date.

**b. APPROVED Zoning File No. Z 19-40, Monk Consulting Engineers (District 2)**

**Ordinance No. 7184** amending the Garland Development Code of the City of Garland, Texas, by approving 1) a Planned Development (PD) District to allow a Church or Place of Worship on a property zoned Planned Development (PD) 13-01 for Single Family-7 Uses and 2) a Detail Plan for a Church or Place of Worship Use on a 38.37-acre tract of land located at 2201 East Miller Road and 2214 East Centerville Road; providing for conditions, restrictions, and regulations; providing a penalty under the provisions of Sec. 10.05 of the Code of Ordinances of the City of Garland, Texas; providing a Notice of Conditions of Compliance Clause; a Savings Clause, and a Severability Clause; and providing an effective date.

**c. APPROVED Zoning File No. Z 20-25, Nationwide Construction (District 1)**

**Ordinance No. 7185** amending the Garland Development Code of the City of Garland, Texas, by approving 1) an Amendment to Planned Development (PD) District 07-42 to add a Church or Place of Worship and 2) a Detail Plan for a Church or Place of Worship on 3.00-acre tract of land located at 1706, 1710, and 1714 Pleasant Valley Road; providing for conditions, restrictions, and regulations; providing a penalty under the provisions of Sec. 10.05 of the Code of Ordinances of the City of Garland, Texas; providing a Notice of Conditions of Compliance Clause; a Savings Clause, and a Severability Clause; and providing an effective date.

**d. APPROVED Zoning File No. Z 20-30, Spiars Engineering (District 3)**

**Ordinance No. 7186** amending the Garland Development Code of the City of Garland, Texas, by approving 1) a Change in Zoning from Community Retail (CR) District to a Planned Development (PD) District for Community Retail Uses and 2) a Detail Plan to allow deviations for the existing nonconforming pylon sign on a 2.964-acre tract of land located at 3414 Broadway Boulevard; providing for conditions, restrictions, and regulations; providing a penalty under the provisions of Sec. 10.05 of the Code of Ordinances of the City of Garland, Texas; providing a Notice of Conditions of Compliance Clause; a Savings Clause, and a Severability Clause; and providing an effective date.

**4. APPROVED** **Ordinance No. 7187** amending Chapter 52, "Environmental Waste Services," of the Code of Ordinances of the City of Garland, Texas; repealing Section 52.27; adding Section 52.39 prohibiting collection of commercial waste without a franchise; adding Section 52.40 assigning franchise administration duties; adding Section 52.41 regarding the granting of non-exclusive franchises; adding Section 52.42 providing for a franchise fee of five percent of the operator's gross revenues; adding Section 52.43 providing a penalty; providing that a violation subjects the person to audit and is a misdemeanor punishable by a fine; providing a savings clause; providing a severability clause; and providing an effective date.

At the November 9, 2020 Work Session, Council considered approving an amendment to Chapter 52 of the City Ordinance "Environmental Waste Services" in order to provide a penalty for the collection of commercial waste without first entering a franchise agreement and add enforcement actions for noncompliance.

5. **APPROVED** **Resolution No. 10462** amending the City's authorized representatives for purposes of participation in the Texas Local Government Investment Pool; designating a person with primary responsibility; providing an additional but limited representative; and providing an effective date.

At the December 14, 2020 Work Session, Council considered a resolution amending the authorized TexPool Representatives due to staff changes in the Financial Services Department.

6. **APPROVED** **Resolution No. 10463** authorizing the City Manager to execute a Project Specific Agreement with Dallas County for transportation improvements on Holford Road from SH 190 to the county line (Project 22017), within the City of Garland, Dallas County; and providing an effective date **.**

In 2012 the City executed a Master Agreement with Dallas County that provides general terms regarding funding availability, agency responsibilities, etc., for “partnering” on eligible Transportation Improvements on roads inside Dallas County. The Master Agreement is the contractual agreement for eventual specific projects. A Project Specific Agreement (PSA) is then required to finalize specific costs and project management. Generally, Dallas County provides a 50% share of all eligible paving and drainage costs.

7. **APPROVED** **Resolution No. 10464** authorizing the submission of a grant application to the Office of the Governor of the State of Texas for certain public safety, law enforcement and homeland security projects; and providing an effective date.

At the December 14, 2020 Work Session, Council considered the 2020 HSGP Resolution identifying the Authorized Official and the 2020 Homeland Security Grant Program City of Garland submitted projects.

8. **APPROVED** **Resolution No. 10465** authorizing the City Manager to execute a Project Specific Agreement with Dallas County for transportation improvements on Holford Road from Naaman Forest to SH 190 (Project 22018), within the City of Garland, Dallas County and providing an effective date.

In 2012 the City executed a Master Agreement with Dallas County that provides general terms regarding funding availability, agency responsibilities, etc., for “partnering” on eligible Transportation Improvements on roads inside Dallas County. The Master Agreement is thecontractual agreement for eventual specific projects. A (Project Specific Agreement) PSA is then required to finalize specific costs and project management. Generally, Dallas County provides a 50% share of all eligible paving and drainage costs.

9. **APPROVED** **Council approved the CDBG-CV and ESG-CV Round 3 CARES Act grant allocations.**

This is formal approval of the CDBG-CV and ESG-CV Round 3 CARES Act grant allocations. This item has been previously discussed by Council during the November 9th, and December 14th, Work Sessions. A Public Hearing was held on November 10, 2020 to obtain any comments on the distribution of funding.

**10. APPROVED Council approved of the 2020 Neighborhood Vitality Matching Grant applications as presented.**

The City Council reviewed several Fall 2020 Neighborhood Vitality Matching Grant applications at the November 30 Work Session, and recommended approval.

## ITEMS FOR INDIVIDUAL CONSIDERATION

**Speaker Regulations:**

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

**11. APPROVED Water and Wastewater Service Agreement with D.R. Horton, Dallas County Municipal Utility District No. 4**

Council is requested to authorize the City Manager to execute the Contracts with D.R. Horton, Dallas County Municipal Utility District No. 4.

The staff report was presented by Wes Kucera, Managing Director, Water.

Motion was made by Council Member Jerry A. Nickerson, and seconded by Mayor Pro Tem Robert John Smith to approve the Memorandum of Understanding for the water and wastewater agreements with D.R. Horton, Dallas County Municipal Utility district No. 4. Motion carried:

**Vote:** 9 - 0

**12.** **Hold public hearings on:**

**a. APPROVED** **Consider a Zoning request by Josh Adams to re-zone the property at 905 and 911 East Oates Road in District 4 from Single-Family-7 (SF-7) District to Agricultural (AG) District, to allow a small farm for growing fruits and vegetables.**

Consideration of the application of Josh Adams, requesting approval of a Change in Zoning from Single-Family-7 (SF-7) District to Agricultural (AG) District at 905 and 911 East Oates Road. This request is a Change in Zoning only. (File No. Z 20-33, District 4)

The staff report was presented by Nabiha Ahmed, Development Planner and Jim Olk, Building Official. Speaker on this item was Josh Adams, applicant.

There was discussion by the Council.

Brad Neighbor, City Attorney, explained to the Council their role to consider this item as a straight zoning request and to bear in mind there should be no regulation on how the farm is operated.

Motion was made by Council Member B. J. Williams, and seconded by Council Member Jerry A. Nickerson to approve the reqeust as presented. Motion carried:

**Vote:** 9 - 0

**b. APPROVED** **Consider a request by Masterplan to amend the Ordinance PD 16-35 which was approved in 2017 for multi-family use at 4501 North Garland Avenue (District 7). Due to a prospective real estate transaction, the amendment would modify the PD to reflect minor changes required during construction.**

Consideration of the application of Masterplan, requesting an Amendment to Planned Development (PD) 16-35 for Multi-Family Use ordinance. This property is located at 4501 North Garland Avenue. (File No. Z 20-37, District 7)

The staff report was presented by Nabiha Ahmed, Development Planner, Will Guerin, Director of Planning and Jim Olk, Building Official. Speaker on this item was Maxwell Fisher, representing JPI, applicant.

There was discussion by the Council.

Motion was made by Council Member Dylan Hedrick, and seconded by Deputy Mayor Pro Tem Robert Vera to approve the Ordinance Planned Development 16-35 amendment (Item 7b) and the Detail Plan (Item 7c) in one motion. Motion carried:

**Vote:** 9 - 0

c. **APPROVED** **Consider approval of a Detail Plan request by Masterplan for an existing apartment complex at 4501 North Garland Avenue in District 7. No physical changes to the existing site are being requested.**

Consideration of the application of Masterplan, requesting approval of a Detail Plan. This property is located at 4501 North Garland Avenue. (File No. Z 20-37, District 7)

**13.** **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**

- Lisa Araiza - Community Multicultural Commission

Council Member Nickerson presented Ms. Lisa Araiza as his nominee to the Community Multicultural Commission.

A vote was cast to nominate Ms. Araiza:

**Vote:** 9 - 0

**14.** **Consider the Appointment of a Mayor Pro Tem and Deputy Mayor Pro Tem**

Council considered the appointment of a Mayor Pro Tem, and if so desired, a Deputy Mayor Pro-Tem.

Mayor Pro Tem Smith presented a nomination for Council Member Nickerson to serve as Mayor Pro Tem.

A vote was cast for Council Member Nickerson to serve as Mayor Pro Tem:

**Vote:** 9 - 0

Mayor Pro Tem Smith presented a nomination for Council Member Morris to serve as Deputy Mayor Pro Tem.

A vote was cast for Council Member Morris to serve as Deputy Mayor Pro Tem:

**Vote:** 9 - 0

**15.** **Citizen comments:** Joshua Garcia

**16.** **Adjourn:** There being no further business to come before the City Council, Mayor LeMay adjourned the meeting at 8:03 p.m.

**Submitted By:**

_____

**Scott LeMay, Mayor**

_____

**Eloyce René Dowl, City Secretary**

GARLAND
**PURCHASING REPORT**

**City Council Regular Session Agenda** **2. a.**

**Meeting Date:** 01/05/2021
**Item Title:** Energy Trading Risk Management Software System Hosting and Support Fees
**Submitted By:** Dan Bailey, Energy Services Director
**Bid Number:** 0298-21

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**Purchase Justification:**

This request is for annual support and hosting fees for the GP&L Energy Trading Risk Management Software System and Test/TQA environment. The service agreement will renew annually as long as GP&L continues to use the software.

**Evaluation:**

Power Costs, Inc., is the Sole Source provider for the necessary support services for the software currently installed on GP&L systems.

**Award Recommendation:**

| ***Vendor*** | ***Item*** | ***Amount*** |
|---|---|---|
| Power Costs, Inc. | All | $238,000.00 |
| | | |
| | | |
| | **TOTAL:** | **$238,000.00** |

**Basis for Award:** Sole Source
**Purchase Requisition #:** 44642

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**Fiscal Impact**

**Total Project/Account:** $4,093,015
**Expended/Encumbered to Date:** 1,068,309
**Balance:** $3,024,706
**This Item:** 238,000
**Proposed Balance:** $2,786,706
**Account #:** 211-3612-7121, 211-3121-7121

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

Electric Utility Fund

| | | |
|---|---|---|
| GP&L Administration | = | $119,000 |
| GP&L Energy Services | = | 119,000 |
| **Total Contract** | **=** | **$238,000** |

**Attachments**

Bid Recap

| | |
|---|---|
| Fiscal Reference: | |
| Budget Type: | Operating Budget |
| Fiscal Year: | 2020-21 |
| Document Location: | Oper. Budget - Page 233 |

| | | | |
|---|---|---|---|
| Budget Director Approval: | Ron Young | Approval Date: | 12/22/2020 |
| Purchasing Director Approval: | Gary L. Holcomb | Approval Date: | 12/17/2020 |

**CITY OF GARLAND - BID RECAP SHEET**
**OPENED:**
**REQ. NO. PR 44642**
**BID NO. 0298-21**
**PAGE: 1 of 1**
**BUYER: D. Gamero**

| ITEM | QTY | UNIT | DESCRIPTION | Power Costs, Inc. UNIT PRICE | Power Costs, Inc. TOTAL | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | UNIT PRICE | TOTAL | UNIT PRICE | TOTAL | UNIT PRICE | TOTAL | UNIT PRICE | TOTAL |
| 1 | ea | 1 | Energy Trading Risk Management | $238,000.00 | $238,000.00 | | | | | | |
| | | | Software System 2021 Hosting | | | | | | | | |
| | | | and Support Fees | | | | | | | | |
| | | | TOTAL GROSS PRICE | | $238,000.00 | | | | | | |
| | | | CASH DISCOUNT | | | | | | | | |
| | | | TOTAL NET PRICE | | $238,000.00 | | | | | | |
| | | | F.O.B. | DELIVERED | | DELIVERED | | DELIVERED | | DELIVERED | |
| | | | DELIVERY | | | | | | | | |

**NEXT LOW:** **$0.00**
**LOW:** **$0.00**
**SAVINGS:** **$0.00**

# IonWave Notifications
# IonWave HUBS
# Direct Contact HUBS
# 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:** 01/05/2021
**Item Title:** GP&L Electric Motor Repair and Maintenance
**Submitted By:** Dan Bailey, Energy Services Director
**Bid Number:** 0628-18

**Purchase Justification:**

This request is to approve a Change Order for GP&L electric motor maintenance and repair services. This Change Order is necessary to cover greater-than-anticipated motor repairs required during the past year.

**Evaluation:**

Brandon & Clark, Inc., was awarded the original Purchase Order - BL 08104 in the amount of $95,000. This Change Order will increase the Purchase Order to $118,750.

**Award Recommendation:**

| ***Vendor*** | ***Item*** | ***Amount*** |
|---|---|---|
| Brandon & Clark, Inc. | All | $23,750.00 |
| | | |
| | | |
| | **TOTAL:** | **$23,750.00** |

**Basis for Award:** Change Order
**Purchase Requisition #:** 44633

**Fiscal Impact**

**Total Project/Account:** $3,848,451
**Expended/Encumbered to Date:** 952,391
**Balance:** $2,896,060
**This Item:** 23,750
**Proposed Balance:** $2,872,310
**Account #:** 211-3433-7111

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

Electric Utility Fund / GP&L Production

**Attachments**

Bid Recap

| | |
|---|---|
| Fiscal Reference: | |
| Budget Type: | Operating Budget |
| Fiscal Year: | 2020-21 |
| Document Location: | Oper. Budget - Page 233 |

| | | | |
|---|---|---|---|
| Budget Director Approval: | Ron Young | Approval Date: | 12/22/2020 |
| Purchasing Director Approval: | Gary L. Holcomb | Approval Date: | 12/18/2020 |

**CITY OF GARLAND - BID RECAP SHEET**
**OPENED:** N/A
**REQ. NO.** PR 44633
**BID NO.** 0628-18
**PAGE:** 1 of 1
**BUYER:** Teresa Smith

| ITEM | QTY | UNIT | DESCRIPTION | Brandon & Clark, Inc. UNIT PRICE | Brandon & Clark, Inc. TOTAL | UNIT PRICE | TOTAL | UNIT PRICE | TOTAL | UNIT PRICE | TOTAL |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | Change Order #1 to BL 08104 | | $23,750.00 | | | | | | |
| | | | TOTAL GROSS PRICE | | $23,750.00 | | | | | | |
| | | | CASH DISCOUNT | | | | | | | | |
| | | | TOTAL NET PRICE | | $23,750.00 | | | | | | |
| | | | F.O.B. | DELIVERED | | DELIVERED | | DELIVERED | | DELIVERED | |
| | | | DELIVERY | | | | | | | | |

**NEXT LOW:** n/a
**LOW:** n/a
**SAVINGS:** n/a

n/a # IonWave Notifications
n/a # IonWave HUBS
n/a # Direct Contact HUBS
n/a # 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. c.**

**Meeting Date:** 01/05/2021
**Item Title:** Major Thoroughfare Right-of-Way Maintenance and Litter Control
**Submitted By:** Matthew Grubisich, Parks Director
**Bid Number:** 0381-19

**Purchase Justification:**

This request is to approve a Change Order to provide additional Litter Pickup and Maintenance to our current contract. The current contract covers weekly mowing, edging, line trimming, litter control, bed de-weeding, and other miscellaneous landscape/turf maintenance for Forest Lane and entry medians/smartscape medians. This Change Order will add 134 acres of daily (M-F) litter/debris control along I.H. 30/I.H. 635 and other major entryways into Garland and will add 60 acres of mowing along I.H. 30 entry/rights-of-way. This contract increase will save close to two (2) FTE hours a year. The proposed Change Order increases the existing contract amount of $78,780 by 246% for a new total of $272,074. The additional scope of services was initially bid out publicly, and the City received no responses. Subsequently, the Purchasing Department was able to add the additional litter pickup and mowing services to an existing contract that provided similar services.

**Evaluation:**

A request for bids was issued in accordance with Purchasing Procedures on February 21, 2019. Five (5) bids were received and evaluated based on published criteria. Carruthers Landscape Management, Inc., received the highest evaluated score, offering the Best Value for the City and was awarded the original BL 7585 in the amount of $78,780.

**Award Recommendation:**

| ***Vendor*** | ***Item*** | ***Amount*** |
|---|---|---|
| Carruthers Landscape Management, Inc. | All | $193,293.92 |
| | | |
| | | |
| | **TOTAL:** | **$193,293.92** |

**Basis for Award:** Change Order
**Purchase Requisition #:** TBD

## Fiscal Impact

| | |
|---|---|
| **Total Project/Account:** | $1,398,856 |
| **Expended/Encumbered to Date:** | 485,866 |
| **Balance:** | $912,990 |
| **This Item:** | 193,294 |
| **Proposed Balance:** | $719,696 |
| **Account #:** | 261-4685-7111 |

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

Stormwater Management Fund / Litter Control

The proposed Change Order for $193,293.92 for litter control will be charged to the Stormwater Management Fund.

## Attachments

Bid Recap

| | |
|---|---|
| Fiscal Reference: | |
| Budget Type: | Operating Budget |
| Fiscal Year: | 2020-21 |
| Document Location: | Page 262 |

| | | | |
|---|---|---|---|
| Budget Director Approval: | Ron Young | Approval Date: | 12/31/2020 |
| Purchasing Director Approval: | Gary L. Holcomb | Approval Date: | 12/31/2020 |

**CITY OF GARLAND - BID RECAP SHEET**
**OPENED: 12/31/20**
**REQ. NO. 44644**
**BID NO. 0381-19**
**PAGE: 1 of 1**
**BUYER: L. Segura**

| ITEM | QTY | UNIT | DESCRIPTION | Carruthers Landscape Management, Inc. UNIT PRICE | TOTAL | UNIT PRICE | TOTAL | UNIT PRICE | TOTAL | UNIT PRICE | TOTAL |
|---|---|---|---|---|---|---|---|---|---|---|---|
| 1 | 1 | 1 | Major Thoroughfare Right-of-Way | | $193,293.92 | | | | | | |
| | | | and Litter | | | | | | | | |
| | | | TOTAL GROSS PRICE | | $193,293.92 | | | | | | |
| | | | CASH DISCOUNT | | | | | | | | |
| | | | TOTAL NET PRICE | | $193,293.92 | | | | | | |
| | | | F.O.B. | DELIVERED | | DELIVERED | | DELIVERED | | DELIVERED | |
| | | | DELIVERY | | | | | | | | |

**NEXT LOW: n/a**
**LOW: n/a**
**SAVINGS: n/a**

n/a # IonWave Notifications
n/a # IonWave HUBS
n/a # Direct Contact HUBS
n/a # 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. d.**

**Meeting Date:** 01/05/2021
**Item Title:** Distribution Overhead Line Maintenance & Construction
**Submitted By:** Jonas Whitehead, Distribution Director
**Bid Number:** 0626-19

**Purchase Justification:**

This request is to approve a Change Order for GP&L distribution overhead line maintenance and construction. This Change Order will allow for additional overhead construction services that are anticipated as a result of the modification to the distribution pole inspection and replacement process.

**Evaluation:**

Irby Construction Company was awarded the original Purchase Order - BL 07641 in the amount of $750,000 at the May 21, 2019, City Council meeting.

**Award Recommendation:**

| ***Vendor*** | ***Item*** | ***Amount*** |
|---|---|---|
| Irby Construction Company | All | $1,000,000.00 |
| | | |
| | | |
| | **TOTAL:** | **$1,000,000.00** |

**Basis for Award:** Change Order
**Purchase Requisition #:** 44687

**Fiscal Impact**

**Total Project/Account:** N/A
**Expended/Encumbered to Date:** N/A
**Balance:** N/A
**This Item:** $1,000,000
**Proposed Balance:** N/A

**Account #:** 451-6999

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

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

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**Attachments**

Bid Recap

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| | |
|---|---|
| Fiscal Reference: | |
| Budget Type: | CIP |
| Fiscal Year: | 2020 |
| Document Location: | CIP - Page 278 |

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| | | | |
|---|---|---|---|
| Budget Director Approval: | Ron Young | Approval Date: | 12/23/2020 |
| Purchasing Director Approval: | Gary L. Holcomb | Approval Date: | 12/22/2020 |

**CITY OF GARLAND - BID RECAP SHEET**
**OPENED:** N/A
**REQ. NO.** PR 44687
**BID NO.** 0626-19
**PAGE:** 1 of 1
**BUYER:** Teresa Smith

| ITEM | QTY | UNIT | DESCRIPTION | Irby Construction Company UNIT PRICE | Irby Construction Company TOTAL | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | Change Order #1 to BL 08088 | | $1,000,000.00 | | | | | | |
| | | | TOTAL GROSS PRICE | | $1,000,000.00 | | | | | | |
| | | | CASH DISCOUNT | | | | | | | | |
| | | | TOTAL NET PRICE | | $1,000,000.00 | | | | | | |
| | | | F.O.B. | DELIVERED | | DELIVERED | | DELIVERED | | DELIVERED | |
| | | | DELIVERY | | | | | | | | |

**NEXT LOW:** n/a
**LOW:** n/a
**SAVINGS:** n/a

n/a # IonWave Notifications
n/a # IonWave HUBS
n/a # Direct Contact HUBS
n/a # 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. e.**

**Meeting Date:** 01/05/2021
**Item Title:** 2019 Alley Replacement Project
**Submitted By:** Steve Oliver, Streets Director
**Bid Number:** 0987-19

**Purchase Justification:**

This request is to approve a Change Order for the 2019 Alley Replacement Project. The original project included the removal/replacement of ten (10) alleys located in the northern portion of the city. This Change Order is to complete additional concrete street/sidewalk repairs that include removing/replacing additional street/sidewalk pavement adjacent to the alley improvements. The new alley pavement would have been tied into existing street pavement that was in very poor condition, which necessitated replacement of that street pavement at the time of the alley improvements.

**Evaluation:**

Tri-Con Services, Inc., was awarded the original PO 29338 in the amount of $1,335,000 at the September 17, 2019, City Council Meeting.

**Award Recommendation:**

| ***Vendor*** | ***Item*** | ***Amount*** |
|---|---|---|
| Tri-Con Services, Inc. | All | $98,156.37 |
| | | |
| | | |
| | **TOTAL:** | **$98,156.37** |

**Basis for Award:** Change Order
**Purchase Requisition #:** 29338

**Fiscal Impact**

**Total Project/Account:** $15,976,685
**Expended/Encumbered to Date:** 11,961,645
**Balance:** $4,015,040

| | |
|---|---|
| **This Item:** | 98,157 |
| **Proposed Balance:** | $3,916,883 |
| **Account #:** | 831-4693-7111 |

**Attachments**

Bid Recap

| | |
|---|---|
| Fiscal Reference: | |
| Budget Type: | Operating Budget |
| Fiscal Year: | 2020-21 |
| Document Location: | Oper. Budget - Page 211 |

| | | | |
|---|---|---|---|
| Budget Director Approval: | Ron Young | Approval Date: | 12/23/2020 |
| Purchasing Director Approval: | Gary L. Holcomb | Approval Date: | 12/22/2020 |

**CITY OF GARLAND - BID RECAP SHEET**
**OPENED: 12/21/20**
**REQ. NO. 29338**
**BID NO. 0987-19**
**PAGE: 1 of 1**
**BUYER: L. Segura**

| ITEM | QTY | UNIT | DESCRIPTION | Tri Con Services, Inc. UNIT PRICE | Tri Con Services, Inc. TOTAL | UNIT PRICE | TOTAL | UNIT PRICE | TOTAL | UNIT PRICE | TOTAL |
|---|---|---|---|---|---|---|---|---|---|---|---|
| 1 | 1 | 1 | 2019 Replacement Project | | $98,156.37 | | | | | | |
| | | | TOTAL GROSS PRICE | | $98,156.37 | | | | | | |
| | | | CASH DISCOUNT | | | | | | | | |
| | | | TOTAL NET PRICE | | $98,156.37 | | | | | | |
| | | | F.O.B. | DELIVERED | | DELIVERED | | DELIVERED | | DELIVERED | |
| | | | DELIVERY | | | | | | | | |

**NEXT LOW: n/a**
**LOW: n/a**
**SAVINGS: n/a**

n/a # IonWave Notifications
n/a # IonWave HUBS
n/a # Direct Contact HUBS
n/a # 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

# CITY COUNCIL ITEM SUMMARY SHEET

**City Council Regular Session Agenda** **3. a.**

**Meeting Date:** 01/05/2021

**Item Title:** Z 20-37 Masterplan (District 7)

**Submitted By:** Nabiha Ahmed, Development Planner

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**Summary of Request/Problem**

Zoning Ordinance Z 20-37 Masterplan

**Recommendation/Action Requested and Justification**

Consider adoption of the attached ordinance.

---

**Attachments**

Z 20-37 Ordinance

Z 20-37 Exhibit A

Z 20-37 Exhibit B

Z 20-37 Exhibits C & D

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ZONING FILE NO. Z 20-37

**ORDINANCE NO. ____**

**AN ORDINANCE AMENDING THE GARLAND DEVELOPMENT CODE OF THE CITY OF GARLAND, TEXAS, BY APPROVING 1) AN AMENDMENT TO PLANNED DEVELOPMENT (PD) DISTRICT 16-35 FOR MULTI-FAMILY USE AND 2) A DETAIL PLAN ON A 15.179-ACRE TRACT OF LAND LOCATED AT 4501 NORTH GARLAND AVENUE; PROVIDING FOR CONDITIONS, RESTRICTIONS, AND REGULATIONS; PROVIDING A PENALTY UNDER THE PROVISIONS OF SEC. 10.05 OF THE CODE OF ORDINANCES OF THE CITY OF GARLAND, TEXAS; PROVIDING A NOTICE OF CONDITIONS OF COMPLIANCE CLAUSE; A SAVINGS CLAUSE AND A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, at its regular meeting held on the 23rd day of November, 2020, the Plan Commission did consider and make recommendations on a certain request for approval of 1) an Amendment to Planned Development (PD) District 16-35 for Multi-Family Use and 2) a Detail Plan by **Masterplan**; and

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

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

**Section 1**

The Garland Development Code is hereby amended by approving of 1) an Amendment to Planned Development (PD) District 16-35 for Multi-Family Use and 2) a Detail Plan on 15.179-acre tract of land located at 4501 North Garland Avenue and being more particularly described in Exhibit A, attached hereto and made a part hereof.

**Section 2**

Development shall be in conformance with the conditions, restrictions, and regulations set forth in Exhibit B, attached hereto and made a part hereof.

**Section 3**

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

**Section 4**

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

**Section 5**

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

**Section 6**

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

**Section 7**

ZONING FILE NO. Z 20-37

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

**PASSED AND APPROVED** this _____day of_____, 2021.

**CITY OF GARLAND, TEXAS**

By:

_____
Mayor

**ATTEST:**

_____
City Secretary

**Published:**

**EXHIBIT A**

**LEGAL DESCRIPTION**

**Zoning File Z 20-37**

BEING an approximate 15.179-acre tract of land described as Lot 1, Block 1 of Jefferson Woodlands Addition, an Addition to the City of Garland, Texas, according to the plat thereof recorded at instrument No. 201800082094 of the Official Public Records of Dallas County, Texas.

**EXHIBIT B**

**PLANNED DEVELOPMENT CONDITIONS**

**ZONING FILE Z 20-37**

**4501 North Garland Avenue**

I. **Statement of Purpose:** The purpose of this Planned Development is to amend and align the zoning ordinance with the as-built conditions.

II. **Statement of Effect:** This Planned Development shall not affect any regulation found in the Garland Development Code, Ordinance No. 6773 and Planned Development (PD) District 16-35 as amended prior to adoption of this ordinance, except as specifically provided herein.

III. **General Regulations:** All regulations of the Multi-Family (MF) District as set forth in Chapter 2 of the Garland Development Code and Planned Development (PD) 16-35 District are included by reference and shall apply, except as otherwise specified by this ordinance.

IV. **Development Plans:**

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

V. **Specific Conditions:**

A. Permitted Uses: Permitted uses are those uses allowed in the Multi-Family (MF) District.

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

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

D. Tandem Parking Spaces: A maximum of fifty-five (55) tandem parking spaces are allowed.

E. Garage Parking Spaces: A minimum of 147 garage spaces are required on the subject property.

F. Minimum One-Bedroom Floor Area: The minimum area for a one-bedroom unit shall be 712 square feet.

G. Average Unit Floor Area: The average unit floor area is 926 square feet.

**EXHIBIT B**

# EXHIBIT C

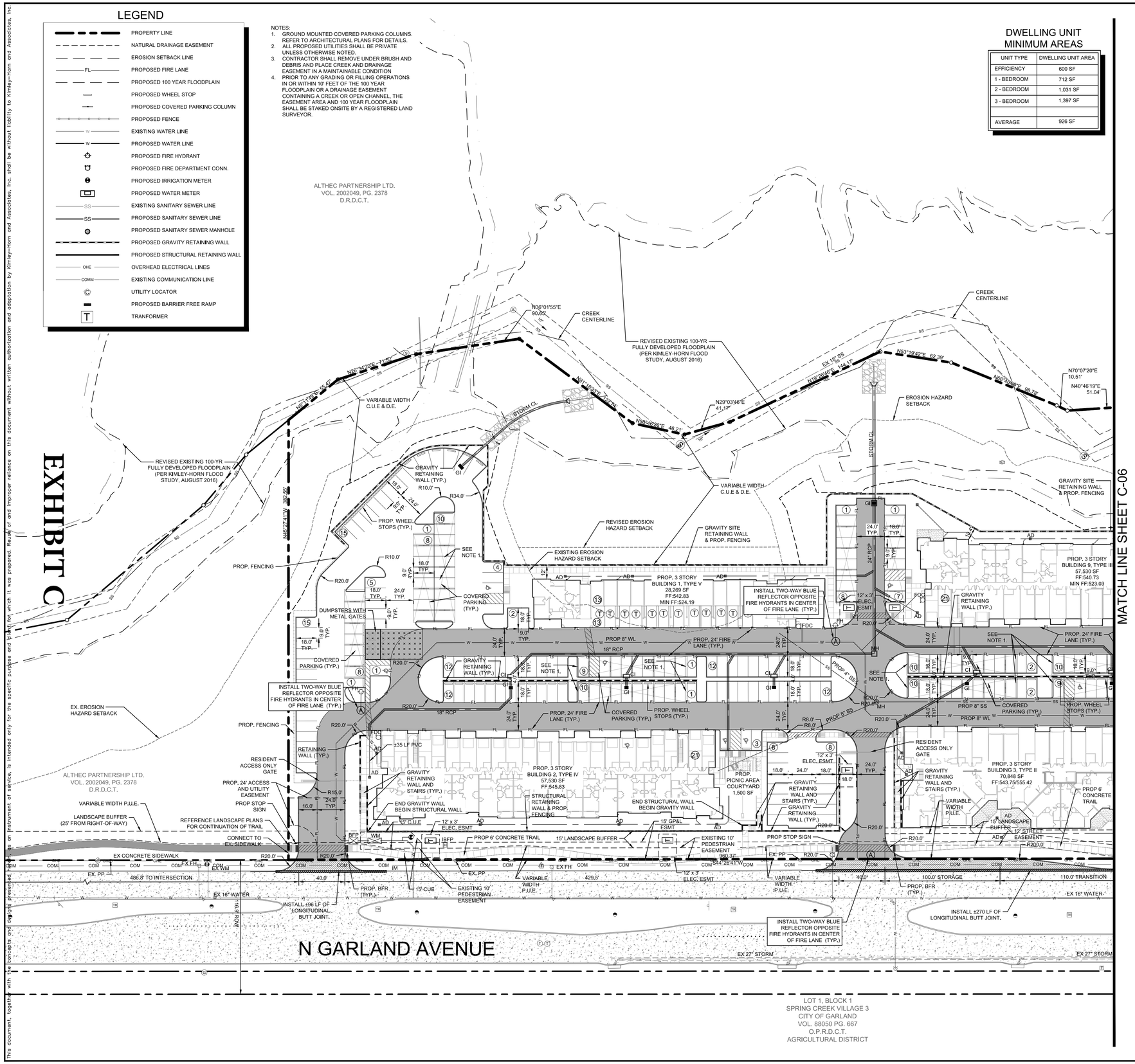
## LEGEND

- PROPERTY LINE
- NATURAL DRAINAGE EASEMENT
- EROSION SETBACK LINE
- FL — PROPOSED FIRE LANE
- PROPOSED 100 YEAR FLOODPLAIN
- PROPOSED WHEEL STOP
- PROPOSED COVERED PARKING COLUMN
- PROPOSED FENCE
- W — EXISTING WATER LINE
- W — PROPOSED WATER LINE
- PROPOSED FIRE HYDRANT
- PROPOSED FIRE DEPARTMENT CONN.
- PROPOSED IRRIGATION METER
- PROPOSED WATER METER
- SS — EXISTING SANITARY SEWER LINE
- SS — PROPOSED SANITARY SEWER LINE
- PROPOSED SANITARY SEWER MANHOLE
- PROPOSED GRAVITY RETAINING WALL
- PROPOSED STRUCTURAL RETAINING WALL
- OHE — OVERHEAD ELECTRICAL LINES
- COMM — EXISTING COMMUNICATION LINE
- UTILITY LOCATOR
- PROPOSED BARRIER FREE RAMP
- T — TRANFORMER

NOTES:
1. GROUND MOUNTED COVERED PARKING COLUMNS. REFER TO ARCHITECTURAL PLANS FOR DETAILS.
2. ALL PROPOSED UTILITIES SHALL BE PRIVATE UNLESS OTHERWISE NOTED.
3. CONTRACTOR SHALL REMOVE UNDER BRUSH AND DEBRIS AND PLACE CREEK AND DRAINAGE EASEMENT IN A MAINTAINABLE CONDITION
4. PRIOR TO ANY GRADING OR FILLING OPERATIONS IN OR WITHIN 10' FEET OF THE 100 YEAR FLOODPLAIN OR A DRAINAGE EASEMENT CONTAINING A CREEK OR OPEN CHANNEL, THE EASEMENT AREA AND 100 YEAR FLOODPLAIN SHALL BE STAKED ONSITE BY A REGISTERED LAND SURVEYOR.

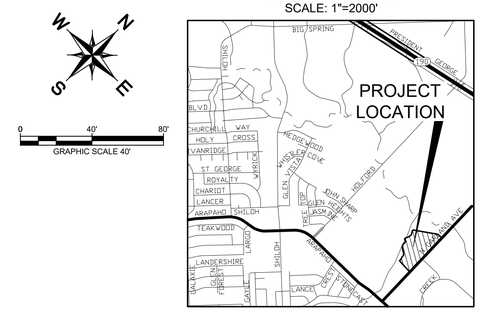
## DWELLING UNIT MINIMUM AREAS

| UNIT TYPE | DWELLING UNIT AREA |
|---|---|
| EFFICIENCY | 600 SF |
| 1 - BEDROOM | 712 SF |
| 2 - BEDROOM | 1,031 SF |
| 3 - BEDROOM | 1,397 SF |
| | |
| AVERAGE | 926 SF |




## VICINITY MAP

SCALE: 1"=2000'




## SITE DATA SUMMARY TABLE

| | |
|---|---|
| TOTAL LOT AREA | 661,233 SF |
| NET LOT AREA (W/OUT REVISED EXISTING 100-YR FULLY DEVELOPED FLOODPLAIN) | 577,529 SF |
| PROPOSED USE | RESIDENTIAL |
| TOTAL BUILDING AREA (gross square footage) | 433,745 SF |
| BUILDING HEIGHT (number of stories and height) | 3-4 STORY MAXIMUM 55'-0" |
| TOTAL PARKING REQUIRED | 609 SPACES |
| TOTAL PARKING PROVIDED | 614 SPACES |
| SURFACE SPACES PROVIDED | 204 SPACES (10 ADA) |
| COVERED SPACES PROVIDED | 208 SPACES (4 ADA) |
| GARAGE SPACES PROVIDED | 147 SPACES (3 ADA) |
| TANDEM SPACES PROVIDED | 42 SPACES |
| TANDEM COVERED SPACES | 13 SPACES |
| FLOOR AREA RATIO | 0.66:1 |
| IMPERVIOUS AREA | 386,405 SF |
| % IMPERVIOUS COVER | 58.4% |
| LOT COVERAGE | 26.8% |
| TOTAL LEISURE AREA | 14,000 SF |
| POOL COURTYARD | 12,500 SF PIECES OF PLAY (2): RECLINING CHAIRS & BAR AREA |
| SECOND COURTYARD | 1,500 SF PEICES OF PLAY (2): PICNIC AREA & GRILLING AREA |

## BUILDING SUMMARY TABLE

| BUILDING NO. | TOTAL GROSS AREA | GA 1ST FLOOR | GA TYPICAL | FINISHED FLOOR ELEVATION |
|---|---|---|---|---|
| 1 | 57,530 SF | 19,177 SF | 19,177 SF | 545.83 |
| 2 | 28,267 SF | 9,423 SF | 9,423 SF | 542.83 |
| 3 | 57,530 SF | 19,177 SF | 19,177 SF | 540.73 |
| 4 | 70,848 SF | 23,495 SF | 23,495 SF | 543.75/555.42 |
| 5 | 70,848 SF | 23,495 SF | 23,495 SF | 542.73/553.40 |
| 6 | 57,530 SF | 19,177 SF | 19,177 SF | 539.08/549.79 |
| 7 | 70,848 SF | 23,495 SF | 23,495 SF | 528.75 |
| 8 | 9,103 SF | 3,034 SF | 3,034 SF | 538.90 |
| CLUBHOUSE | 11,241 SF | 5,621 SF | N/A | 542.30 |

GARLAND WOODLANDS — JPI — 10/20/2020
UNIT TABULATION - 3 AND 4 STORY URBAN

| UNIT NAME | UNIT TYPE | NET AREA (SF) | UNIT COUNT | PERCENTAGE | TOTAL AREA | % BREAKDOWN |
|---|---|---|---|---|---|---|
| E0, E0-ALT1 | efficiency | 600 | 16 | 4% | 9,600 | 4% |
| A1 | 1br/1ba | 712 | 116 | 32% | 82,592 | 28% |
| A2, A2 ANSI, A2-ALT1 | 1br/1ba | 814 | 52 | 14% | 42,328 | |
| A3 | 1br/1ba | 925 | 26 | 7% | 24,050 | |
| A3-ALT1 | 1br/1ba | 839 | 16 | 4% | 13,424 | |
| A3-ALT2 | 1br/1ba | 901 | 6 | 2% | 5,406 | |
| B1, B1-ALT1 | 2br/2ba | 1038 | 32 | 9% | 33,216 | 23% |
| B2, B2 ANSI | 2br/2ba | 1152 | 32 | 9% | 36,864 | |
| B3 | 2br/2ba | 1153 | 6 | 2% | 6,918 | |
| B3-ALT1 | 2br/2ba | 1100 | 12 | 3% | 13,200 | |
| B4, B4-ALT1 | 2br/2ba | 1338 | 24 | 7% | 32,112 | |
| C1, C1 ANSI | 3br/3ba | 1410 | 22 | 6% | 31,020 | 6% |
| TOTALS | | | 360 | 100% | 330,730 | |

TOTAL UNIT AVERAGE NET SF: 926

* NET AREA IS COMPUTED TO INCLUDE SQUARE FOOTAGE FROM EXTERIOR FACE OF ALL EXTERIOR FRAME WALLS THAT ENCLOSE A/C SPACE. IT DOES NOT INCLUDE PATIOS, BALCONIES, PATIO/BALCONY STORAGE.

GARLAND WOODLANDS — JPI — 10/20/2020
UNIT TABULATION - TH's

| UNIT NAME | UNIT TYPE | NET AREA (SF) | UNIT COUNT | PERCENTAGE | TOTAL AREA | % BREAKDOWN |
|---|---|---|---|---|---|---|
| B1-TH, B1-ALT1, B1-ALT2 | 2br/2ba | 1591 | 4 | 100% | 6,364 | 100% |
| TOTALS | | | 4 | 100% | 6,364 | |

TOTAL UNIT AVERAGE NET SF: 926

* NET AREA IS COMPUTED TO INCLUDE SQUARE FOOTAGE FROM EXTERIOR FACE OF ALL EXTERIOR FRAME WALLS THAT ENCLOSE A/C SPACE. IT DOES NOT INCLUDE PATIOS, BALCONIES, PATIO/BALCONY STORAGE.

*DETAIL SITE PLAN*
*JEFFERSON WOODLANDS*
*NEC N. Garland Avenue & Arapaho Road*
*GARLAND, TEXAS*

***Approved: April 18, 2017***
***Resubmitted: November 11, 2020***


*Owner:*
Jefferson Woodlands LLC
600 E Las Colinas Blvd, Suite 1800
Irving, Texas 75039
Contact: Miller Sylvan
Phone: (972) 373-3931

*Engineer/Surveyor:*
Kimley-Horn and Associates, Inc.
13455 Noel Road
Two Galleria Office Tower, Suite 700
Dallas, Texas 75240
Contact: Peyton E. McGee, P.E.
Phone: (469) 914-8611


| No. | REVISIONS | DATE | BY |
|---|---|---|---|
| | | | |


Kimley»Horn
© 2018 KIMLEY-HORN AND ASSOCIATES, INC.
106 WEST LOUISIANA STREET, MCKINNEY, TEXAS 75069
PHONE: 469-301-2590
WWW.KIMLEY-HORN.COM TX F-928


KHA PROJECT 068109017
LEVEL IV
DATE: 03/05/2018

SCALE: AS SHOWN
DESIGNED BY: AML
DRAWN BY: CAA
CHECKED BY: PEM

# JEFFERSON WOODLANDS ADDITION, LOT 1, BLOCK 1
4501 N GARLAND AVE.
GARLAND, TX
CITY CASE #200019-0

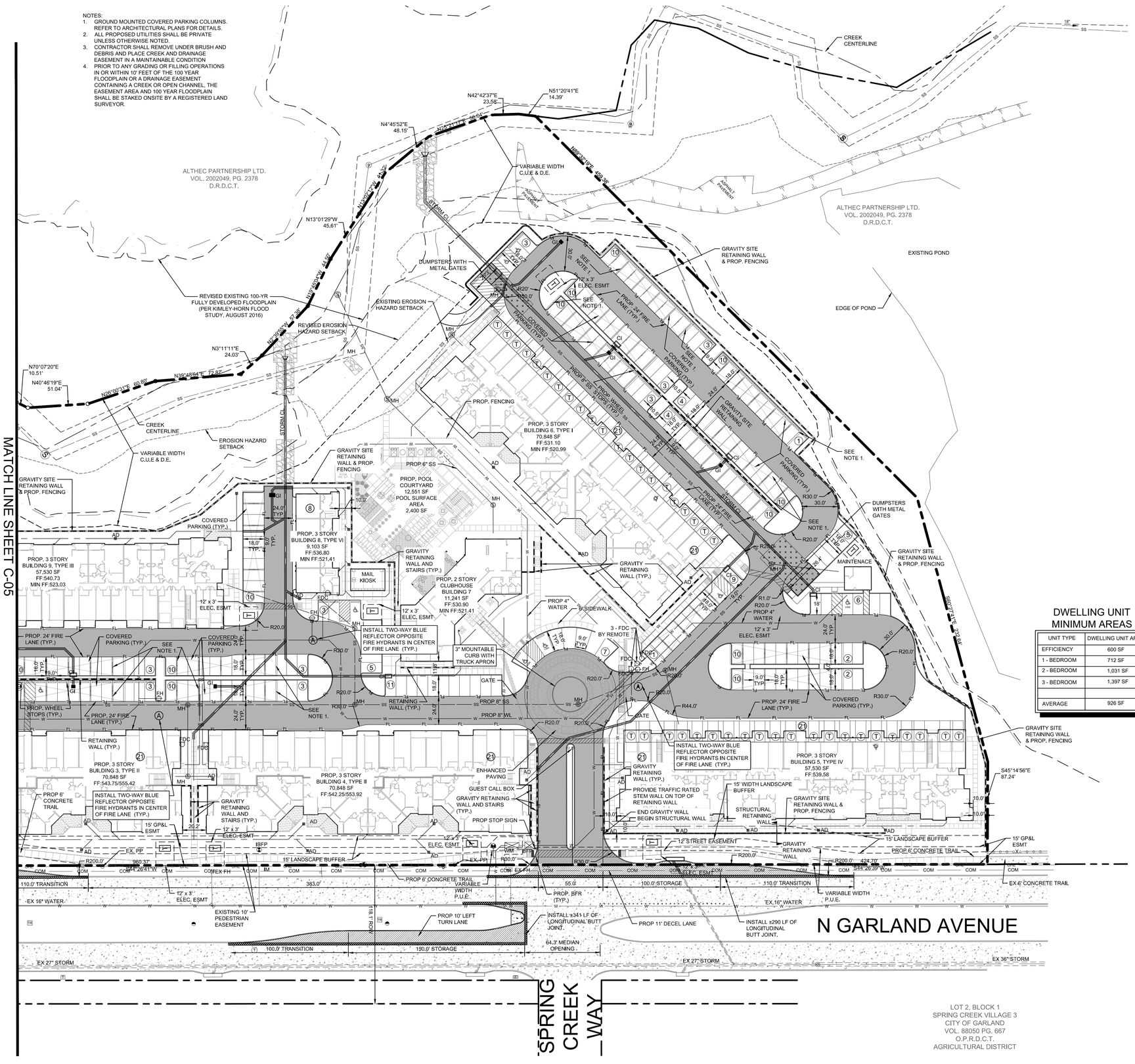
SITE PLAN - 01

SHEET NUMBER
C-05
LEVEL IV


This document, together with the concepts and designs presented herein, as an instrument of service, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.

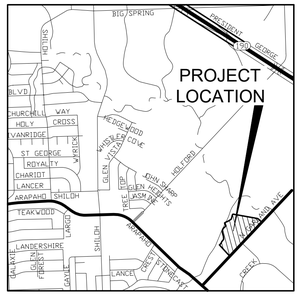

ISSUED FOR:
XREFS:
PLOT STYLE:
PLOTTED BY:
LAST SAVED: 11/12/2020 1:55 PM
DWG NAME: C:\KHA_CIVIL\068109017-PLGARLAND\DEVELOPMENT\EXHIBITS\POST CONSTRUCTION DETAIL SITE PLAN
DWG SIZE: 36.00W X 24.00H

NOTES:
1. GROUND MOUNTED COVERED PARKING COLUMNS. REFER TO ARCHITECTURAL PLANS FOR DETAILS.
2. ALL PROPOSED UTILITIES SHALL BE PRIVATE UNLESS OTHERWISE NOTED.
3. CONTRACTOR SHALL REMOVE UNDER BRUSH AND DEBRIS AND PLACE CREEK AND DRAINAGE EASEMENT IN A MAINTAINABLE CONDITION
4. PRIOR TO ANY GRADING OR FILLING OPERATIONS IN OR WITHIN 10' FEET OF THE 100 YEAR FLOODPLAIN OR A DRAINAGE EASEMENT CONTAINING A CREEK OR OPEN CHANNEL, THE EASEMENT AREA AND 100 YEAR FLOODPLAIN SHALL BE STAKED ONSITE BY A REGISTERED LAND SURVEYOR.




## VICINITY MAP

SCALE: 1"=2000'




## SITE DATA SUMMARY TABLE

| | |
|---|---|
| TOTAL LOT AREA | 661,233 SF |
| NET LOT AREA (W/OUT REVISED EXISTING 100-YR FULLY DEVELOPED FLOODPLAIN) | 577,529 SF |
| PROPOSED USE | RESIDENTIAL |
| TOTAL BUILDING AREA (gross square footage) | 433,745 SF |
| BUILDING HEIGHT (number of stories and height) | 3-4 STORY MAXIMUM 55'-0" |
| TOTAL PARKING REQUIRED | 609 SPACES |
| TOTAL PARKING PROVIDED | 614 SPACES |
| SURFACE SPACES PROVIDED | 204 SPACES (10 ADA) |
| COVERED SPACES PROVIDED | 208 SPACES (4 ADA) |
| GARAGE SPACES PROVIDED | 147 SPACES (3 ADA) |
| TANDEM SPACES PROVIDED | 42 SPACES |
| TANDEM COVERED SPACES | 13 SPACES |
| FLOOR AREA RATIO | 0.66:1 |
| IMPERVIOUS AREA | 386,405 SF |
| % IMPERVIOUS COVER | 58.4% |
| LOT COVERAGE | 26.8% |
| TOTAL LEISURE AREA | 14,000 SF |
| POOL COURTYARD | 12,500 SF<br>PIECES OF PLAY (2): RECLINING CHAIRS & BAR AREA |
| SECOND COURTYARD | 1,500 SF<br>PEICES OF PLAY (2): PICNIC AREA & GRILLING AREA |

## BUILDING SUMMARY TABLE

| BUILDING NO. | TOTAL GROSS AREA | GA 1ST FLOOR | GA TYPICAL | FINISHED FLOOR ELEVATION |
|---|---|---|---|---|
| 1 | 57,530 SF | 19,177 SF | 19,177 SF | 545.83 |
| 2 | 28,267 SF | 9,423 SF | 9,423 SF | 542.83 |
| 3 | 57,530 SF | 19,177 SF | 19,177 SF | 540.73 |
| 4 | 70,848 SF | 23,495 SF | 23,495 SF | 543.75/555.42 |
| 5 | 70,848 SF | 23,495 SF | 23,495 SF | 542.73/553.40 |
| 6 | 57,530 SF | 19,177 SF | 19,177 SF | 539.08/549.79 |
| 7 | 70,848 SF | 23,495 SF | 23,495 SF | 528.75 |
| 8 | 9,103 SF | 3,034 SF | 3,034 SF | 538.90 |
| CLUBHOUSE | 11,241 SF | 5,621 SF | N/A | 542.30 |

## DWELLING UNIT MINIMUM AREAS

| UNIT TYPE | DWELLING UNIT AREA |
|---|---|
| EFFICIENCY | 600 SF |
| 1 - BEDROOM | 712 SF |
| 2 - BEDROOM | 1,031 SF |
| 3 - BEDROOM | 1,397 SF |
| | |
| AVERAGE | 926 SF |

GARLAND WOODLANDS — JPI — 10/20/2020
UNIT TABULATION - 3 AND 4 STORY URBAN

| UNIT NAME | UNIT TYPE | NET AREA (SF) | UNIT COUNT | PERCENTAGE | TOTAL AREA | % BREAKDOWN |
|---|---|---|---|---|---|---|
| E0, E0-ALT1 | efficiency | 600 | 16 | 4% | 9,600 | 4% |
| A1 | 1br/1ba | 712 | 116 | 32% | 82,592 | 28% |
| A2, A2 ANSI, A2-ALT1 | 1br/1ba | 814 | 52 | 14% | 42,328 | |
| A3 | 1br/1ba | 925 | 26 | 7% | 24,050 | |
| A3-ALT1 | 1br/1ba | 839 | 16 | 4% | 13,424 | |
| A3-ALT2 | 1br/1ba | 901 | 6 | 2% | 5,406 | |
| B1, B1-ALT1 | 2br/2ba | 1038 | 32 | 9% | 33,216 | 23% |
| B2, B2 ANSI | 2br/2ba | 1152 | 32 | 9% | 36,864 | |
| B3 | 2br/2ba | 1153 | 6 | 2% | 6,918 | |
| B3-ALT1 | 2br/2ba | 1100 | 12 | 3% | 13,200 | |
| B4, B4-ALT1 | 2br/2ba | 1338 | 24 | 7% | 32,112 | |
| C1, C1 ANSI | 3br/3ba | 1410 | 22 | 6% | 31,020 | 6% |
| | | | | | | |
| TOTALS | | | 360 | 100% | 330,730 | |

TOTAL UNIT AVERAGE NET SF: 926

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GARLAND WOODLANDS — JPI — 10/20/2020
UNIT TABULATION - TH's

| UNIT NAME | UNIT TYPE | NET AREA (SF) | UNIT COUNT | PERCENTAGE | TOTAL AREA | % BREAKDOWN |
|---|---|---|---|---|---|---|
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| | | | | | | |
| TOTALS | | | 4 | 100% | 6,364 | |

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*JEFFERSON WOODLANDS*
*NEC N. Garland Avenue & Arapaho Road*
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***Approved: April 18, 2017***
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| No. | REVISIONS | DATE | BY |
|---|---|---|---|
| | | | |


Kimley»Horn
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106 WEST LOUISIANA STREET, MCKINNEY, TEXAS 75069
PHONE: 469-301-2590
WWW.KIMLEY-HORN.COM TX F-928


KHA PROJECT 068109017
LEVEL IV
DATE: 03/05/2018
SCALE AS SHOWN
DESIGNED BY AML
DRAWN BY CAA
CHECKED BY PEM

JEFFERSON WOODLANDS ADDITION, LOT 1, BLOCK 1
4501 N GARLAND AVE.
GARLAND, TX
CITY CASE #200019-0

SITE PLAN - 02

SHEET NUMBER
C-06
LEVEL IV

EXHIBIT C


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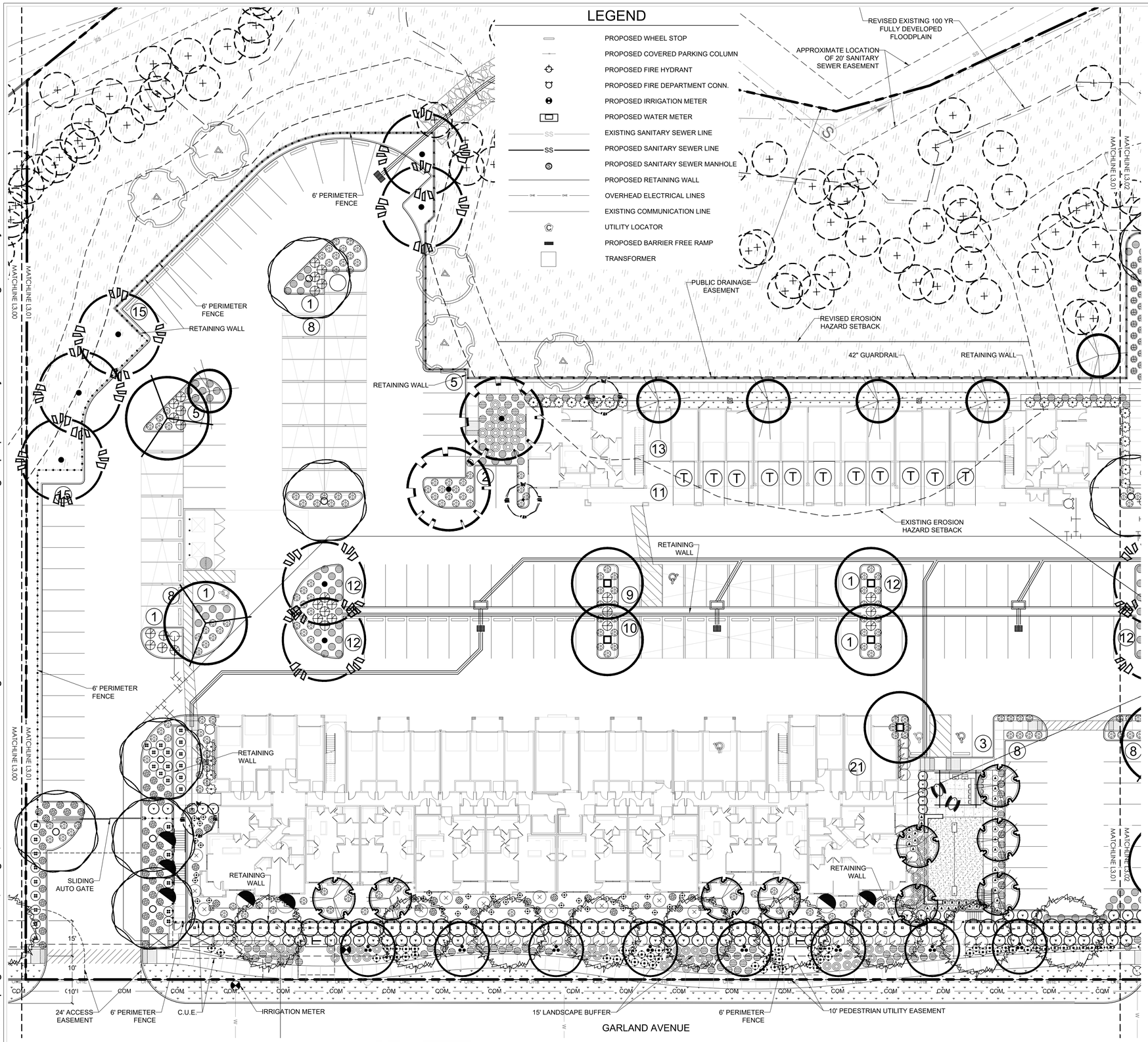
LAYOUT NAME: C-06 SITE PLAN - 02

# EXHIBIT D

NOTE: No landscaping such as trees, hedges, or structures above & below ground shall be located within existing or proposed utility easements & rights of way




## LANDSCAPE PLAN

## PLANT PALETTE - OVERALL

Zone Reference - GDC Zoning: AG ORD_4647_ZONING_AG

### CANOPY TREES

| NAME | SIZE/QUANTITY |
|---|---|
| EXISTING TREES - shall be preserved in compliance w/ Tree Preservation Ordinance 4698 | |
| *Taxodium distichum* BALD CYPRESS | 4" Cal/Single Trunk Qty: 17 |
| *Quercus shumardii* SHUMARD OAK | 4" Cal/Single Trunk Qty: 14 |
| *Quercus virginiana* LIVE OAK | 4" Cal./Single Trunk Qty: 09 |
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| *Fraxinus americana* WHITE ASH | 4" Cal/Single Trunk Qty: 14 |

### ORNAMENTAL/UNDERSTORY TREES

| NAME | SIZE/QUANTITY |
|---|---|
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| *Lagerstroemia indica 'Natchez'* CRAPE MYRTLE | 3" Cal/Single Trunk Qty: 15 |
| *Sophora affinis* EVE'S NECKLACE | 3" Cal/Single Trunk Qty: 04 |
| *Diospyros texana* TEXAS PERSIMMON | 3" Cal/Single Trunk Qty: 06 |
| *Prunus mexicana* MEXICAN PLUM | 3" Cal/Multi Trunk Qty: 53 |
| *Ilex decidua* POSSUMHAW HOLLY | 3" Cal/Multi Trunk Qty: 05 |
| *Ilex vomitoria* YAUPON HOLLY | 3" Cal/Single Trunk Qty: 11 |
| *Lagerstroemia indica* CRAPE MYRTLE | 3" Cal./Single Trunk Qty: 35 |

### SHRUBS

| NAME | SIZE/QUANTITY |
|---|---|
| *Prunus caroliniana* CAROLINA CHERRY LAUREL (SCREEN) | 7 Gal. \| Qty: 190 |
| *Forsythia x Intermedia* FORSYTHIA | 5 Gal. \| Qty: 10 |
| *Ilex cornuta 'Burfordii'* BURFORD HOLLY (SCREEN) | 7 Gal. \| Qty: 56 |
| *Hydrangea quercifolia* OAKLEAF HYDRANGEA | 5 Gal. \| Qty: 105 |
| *Salvia greggii* AUTUMN SAGE | 5 Gal. \| Qty: 177 |
| *Leucophyllum frutescens* TEXAS SAGE | 5 Gal. \| Qty: 174 |
| *Juniperus conferta* SHORE JUNIPER | 3 Gal. \| Qty: 307 |
| *Abelia x grandiflora* GLOSSY ABELIA | 5 Gal. \| Qty: 36 |
| *Mahonia repens* CREEPING HOLLY | 3 Gal. \| Qty: 89 |
| *Loropetalum chinense 'Rubrum'* CHINESE FRINGE FLOWER | 5 Gal. \| Qty: 132 |
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| *Rhus aromatica* AROMATIC SUMAC | 3 Gal. \| Qty: 169 |
| *Cornus sericea* RED TWIG DOGWOOD | 5 Gal. \| Qty: 24 |

### ACCENTS | ORNAMENTAL GRASSES

| NAME | SIZE/QUANTITY |
|---|---|
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| *Muhlenbergia capillaris 'Regal Mist'* REGAL MIST GULF MUHLY | 5 Gal. \| Qty: 176 |
| *Agave celsii* CELSII AGAVE | 7 Gal. \| Qty: 06 |

### GROUNDCOVERS | VINES

| NAME | SIZE/QUANTITY |
|---|---|
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| *Carex texensis* TEXAS SEDGE | 1 Gal. \| Qty: 188 |
| *Ajuga reptans* AJUGA | 1 Gal. \| Qty: 233 |
| *Trachelospermum asiaticum* ASIATIC JASMINE | 1 Gal. \| Qty: 630 |
| *Lobelia cardinalis* CARDINAL FLOWER | 3 Gal. \| Qty: 06 |
| *Mytosis scorpoides* FORGET-ME-NOT | 1 Gal. \| Qty: 24 |

### SURFACE MATERIALS

| DESCRIPTION | |
|---|---|
| SHREDDED HARDWOOD MULCH 4" DEPTH MIN. IN ALL BEDS | |
| BUFFALO GRASS *Bouteloua dactyloides* | 28,880 S.F. |
| UNDISTURBED WOODLANDS (TO REMAIN AS-IS TO CREEKSIDE) | |

**LANDSCAPE CALCULATIONS**

Net Lot: 577,529 s.f. (13.30 acres)
Gross Lot: 661,233 s.f. (15.20 acres)
Impervious Cover: 397,259 s.f.
Unit Tabulations: 126,818 s.f.
Landscape Buffers at Thoroughfare & Parking:
- 6' high ornamental fence w/ brick columns at 50' o.c.
(Per 30 l.f. of frontage) - MIN. (1) shade tree, 7 evergreen shrubs (24" tall at install), 10 1 gal. groundcovers, turf w/ 75% max coverage.
- Per Section 4.34(B)(1)(b) - the landscape buffer will be at least 15 feet wide along the entire length of the streetscape.

| | required | provided |
|---|---|---|
| Total Landscape Area: | 40% | 69% |
| Landscape in Parking Lot: | 9,749 s.f. (5%) | 14,928 s.f. (8%) |
| Canopy Tree at Parking: | 61 trees (1:10 spaces) | 65 trees |
| Landscape Buffer Trees: | 49 trees (1 per 30 lf) | 49 trees |
| Landscape Buffer Shrubs: | 96 shrubs (7 per 30 lf) | 168 shrubs |

| | |
|---|---|
| DESIGNED BY: | SPENCER OKESON |
| DRAWN BY: | SPENCER OKESON |
| AOR: | DANIEL R. ERLANDSON |
| PLOT DATE: | 01/11/2018 |

ISSUE FOR PRICING/BIDDING:
ISSUE DATE

ISSUE FOR PERMIT APPLICATION:
ISSUE DATE

ISSUE FOR CONSTRUCTION:
ISSUE DATE

### REVISION SCHEDULE

| NO: | DATE: | DESCRIPTION: |
|---|---|---|
| A | 10/06/2017 | ADDENDUM A |
| B | 11/21/2017 | ADDENDUM B |
| | | |
| | | |


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**JEFFERSON WOODLANDS**

LOT 1, BLOCK 1
4501 N GARLAND AVENUE
GARLAND, TX 75040
CITY CASE #2000019-0

PROJECT #: 16018

REGISTERED LANDSCAPE ARCHITECT
DANIEL R. ERLANDSON
STATE OF TEXAS


**HUMPHREYS & PARTNERS LANDSCAPE ARCHITECTURE, L.L.C.**
5339 ALPHA ROAD SUITE 300
DALLAS, TX 75240
T: (972) 701-9636
F: (972) 701-9639
W: www.hplastudio.com

**CLIENT**
JPI - RE: MILLER SYLVAN
600 E. LAS COLINAS SUITE 1800
IRVING, TX 75039
E: Miller.Sylvan□ jpi.com
T: (972) 373-3931


SHEET TITLE
LANDSCAPE PLAN

SHEET NUMBER
L3.01

SCALE: AS INDICATED

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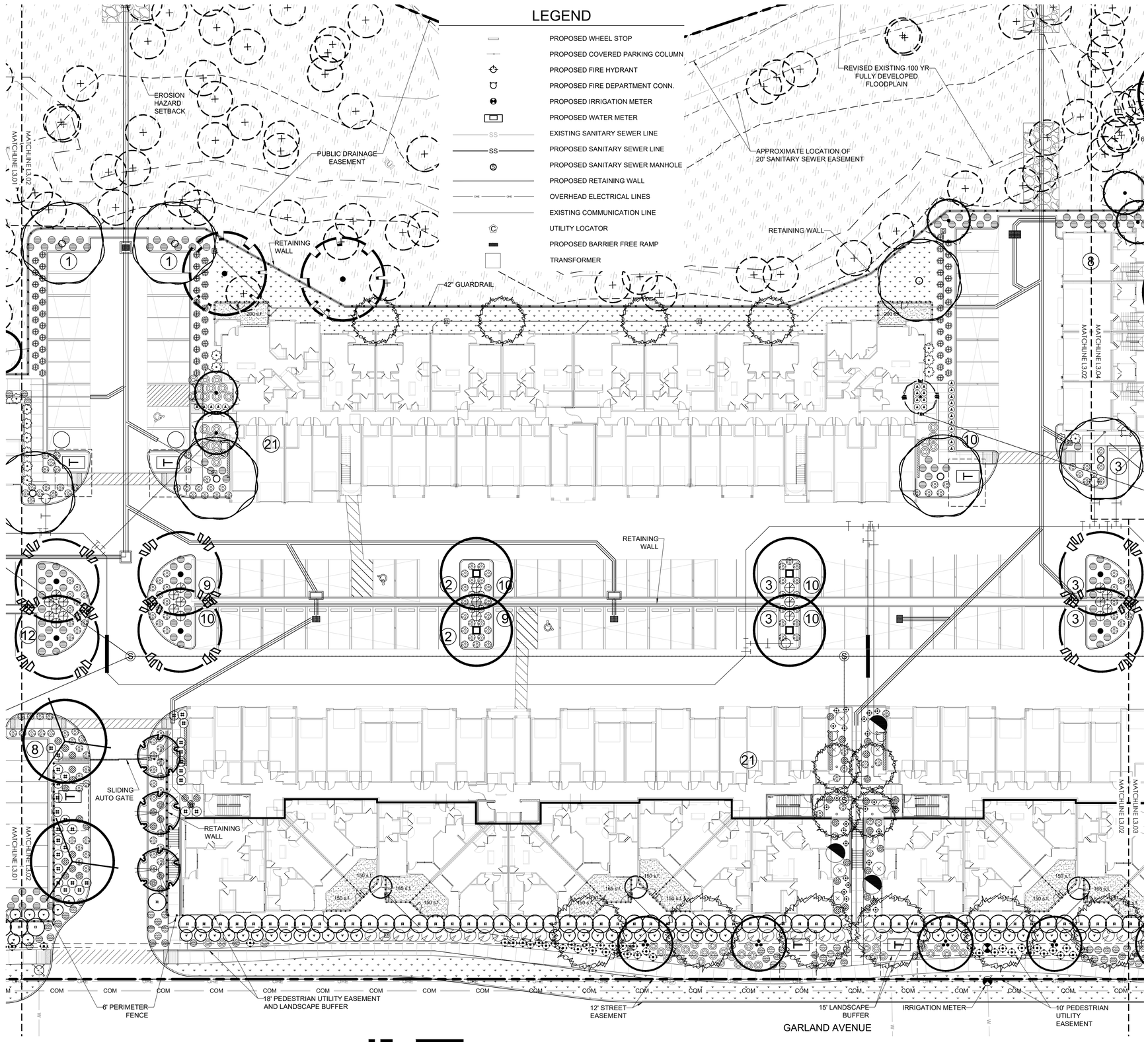


## LEGEND

- PROPOSED WHEEL STOP
- PROPOSED COVERED PARKING COLUMN
- PROPOSED FIRE HYDRANT
- PROPOSED FIRE DEPARTMENT CONN.
- PROPOSED IRRIGATION METER
- PROPOSED WATER METER
- EXISTING SANITARY SEWER LINE
- PROPOSED SANITARY SEWER LINE
- PROPOSED SANITARY SEWER MANHOLE
- PROPOSED RETAINING WALL
- OVERHEAD ELECTRICAL LINES
- EXISTING COMMUNICATION LINE
- UTILITY LOCATOR
- PROPOSED BARRIER FREE RAMP
- TRANSFORMER

# LANDSCAPE PLAN

0' 10' 20' 40'
SCALE: 1" = 20'-0"

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|---|---|
| DESIGNED BY: | SPENCER OKESON |
| DRAWN BY: | SPENCER OKESON |
| AOR: | DANIEL R. ERLANDSON |
| PLOT DATE: | 01/11/2018 |

ISSUE FOR PRICING/BIDDING:
ISSUE DATE

ISSUE FOR PERMIT APPLICATION:
ISSUE DATE

ISSUE FOR CONSTRUCTION:
ISSUE DATE

### REVISION SCHEDULE

| NO: | DATE: | DESCRIPTION: |
|---|---|---|
| A | 10/06/2017 | ADDENDUM A |
| B | 11/21/2017 | ADDENDUM B |
| | | |
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**JEFFERSON WOODLANDS**

LOT 1, BLOCK 1
4501 N GARLAND AVENUE
GARLAND, TX 75040
CITY CASE #200019-0

PROJECT #: 16018

REGISTERED LANDSCAPE ARCHITECT
DANIEL R. ERLANDSON
STATE OF TEXAS

**HUMPHREYS & PARTNERS LANDSCAPE ARCHITECTURE, L.L.C.**
5339 ALPHA ROAD SUITE 300
DALLAS, TX 75240
T: (972) 701-9636
F: (972) 701-9639
W: www.hplastudio.com

**CLIENT**
JPI - RE: MILLER SYLVAN
600 E. LAS COLINAS SUITE 1800
IRVING, TX 75039
E: Miller.Sylvan□ jpi.com
T: (972) 373-3931

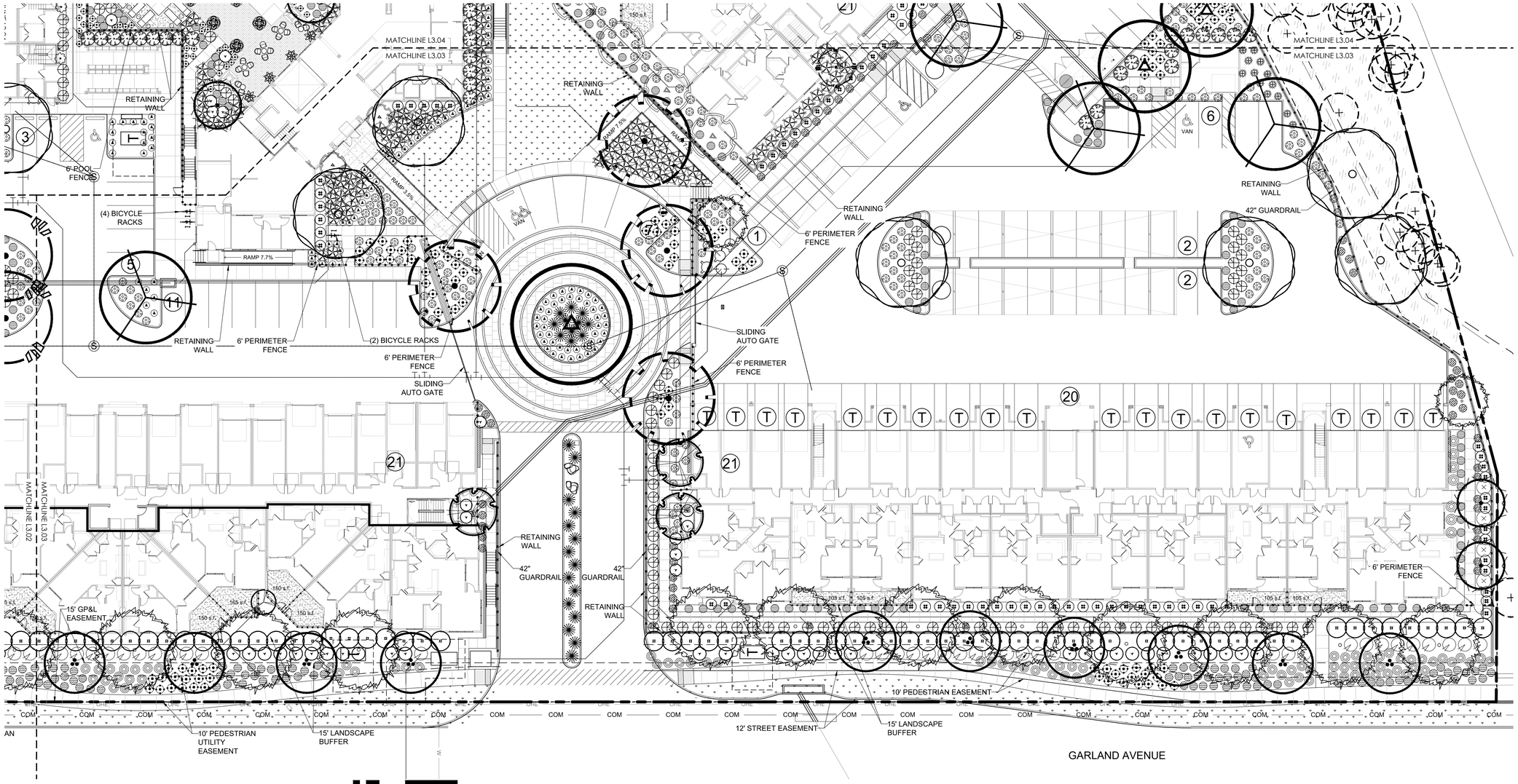
SHEET TITLE
LANDSCAPE PLAN

SHEET NUMBER
L3.02

SCALE: AS INDICATED

# EXHIBIT D

NOTE: No landscaping such as trees, hedges, or structures above & below ground shall be located within existing or proposed utility easements & rights of way




## LANDSCAPE PLAN

SCALE: 0" 10' 20' 40'
1" = 20'-0"

## PLANT PALETTE - OVERALL

Zone Reference - GDC Zoning: AG ORD_4647_ZONING_AG

### CANOPY TREES

| NAME | SIZE/QUANTITY |
|---|---|
| EXISTING TREES - shall be preserved in compliance w/ Tree Preservation Ordinance 4698 | |
| *Taxodium distichum* BALD CYPRESS | 4" Cal/Single Trunk Qty: 17 |
| *Quercus shumardii* SHUMARD OAK | 4" Cal/Single Trunk Qty: 14 |
| *Quercus virginiana* LIVE OAK | 4" Cal./Single Trunk Qty: 09 |
| *Ulmus crassifolia* CEDAR ELM | 4" Cal/Single Trunk Qty: 20 |
| *Ginkgo biloba 'Autumn Gold'* AUTUMN GOLD GINKGO | 4" Cal./Single Trunk Qty: 11 |
| *Fraxinus americana* WHITE ASH | 4" Cal/Single Trunk Qty: 14 |

### ORNAMENTAL/UNDERSTORY TREES

| NAME | SIZE/QUANTITY |
|---|---|
| *Cercis canadensis var. 'texensis'* TEXAS REDBUD | 3" Cal/Single Trunk Qty: 16 |
| *Lagerstroemia indica 'Natchez'* CRAPE MYRTLE | 3" Cal/Single Trunk Qty: 15 |
| *Sophora affinis* EVE'S NECKLACE | 3" Cal/Single Trunk Qty: 04 |
| *Diospyros texana* TEXAS PERSIMMON | 3" Cal/Single Trunk Qty: 06 |
| *Prunus mexicana* MEXICAN PLUM | 3" Cal/Multi Trunk Qty: 53 |
| *Ilex decidua* POSSUMHAW HOLLY | 3" Cal/Multi Trunk Qty: 05 |
| *Ilex vomitoria* YAUPON HOLLY | 3" Cal/Single Trunk Qty: 11 |
| *Lagerstroemia indica* CRAPE MYRTLE | 3" Cal./Single Trunk Qty: 35 |

### SHRUBS

| NAME | SIZE/QUANTITY |
|---|---|
| *Prunus caroliniana* CAROLINA CHERRY LAUREL (SCREEN) | 7 Gal. \| Qty: 190 |
| *Forsythia x Intermedia* FORSYTHIA | 5 Gal. \| Qty: 10 |
| *Ilex cornuta 'Burfordii'* BURFORD HOLLY (SCREEN) | 7 Gal. \| Qty: 56 |
| *Hydrangea quercifolia* OAKLEAF HYDRANGEA | 5 Gal. \| Qty: 105 |
| *Salvia greggii* AUTUMN SAGE | 5 Gal. \| Qty: 177 |
| *Leucophyllum frutescens* TEXAS SAGE | 5 Gal. \| Qty: 174 |
| *Juniperus conferta* SHORE JUNIPER | 3 Gal. \| Qty: 307 |
| *Abelia x grandiflora* GLOSSY ABELIA | 5 Gal. \| Qty: 36 |
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| *Rosmarinus officinalis 'Tuscan Blue'* TUSCAN BLUE ROSEMARY | 5 Gal. \| Qty: 55 |
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### ACCENTS | ORNAMENTAL GRASSES

| NAME | SIZE/QUANTITY |
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| *Agave celsii* CELSII AGAVE | 7 Gal. \| Qty: 06 |

### GROUNDCOVERS | VINES

| NAME | SIZE/QUANTITY |
|---|---|
| *Rudbeckia fulgida 'Goldstrum'* BLACK-EYED SUSAN | 1 Gal. \| Qty: 332 |
| *Carex texensis* TEXAS SEDGE | 1 Gal. \| Qty: 188 |
| *Ajuga reptans* AJUGA | 1 Gal. \| Qty: 233 |
| *Trachelospermum asiaticum* ASIATIC JASMINE | 1 Gal. \| Qty: 630 |
| *Lobelia cardinalis* CARDINAL FLOWER | 3 Gal. \| Qty: 06 |
| *Myrtosis scorpoides* FORGET-ME-NOT | 1 Gal. \| Qty: 24 |

### SURFACE MATERIALS

| DESCRIPTION | |
|---|---|
| SHREDDED HARDWOOD MULCH 4" DEPTH MIN. IN ALL BEDS | |
| BUFFALO GRASS *Bouteloua dactyloides* | 28,880 S.F. |
| UNDISTURBED WOODLANDS (TO REMAIN AS-IS TO CREEKSIDE) | |

### LANDSCAPE CALCULATIONS

Net Lot: 577,529 s.f. (13.30 acres)
Gross Lot: 661,233 s.f. (15.20 acres)
Impervious Cover: 397,259 s.f.
Unit Tabulations: 126,818 s.f.
Landscape Buffers at Thoroughfare & Parking:
- 6' high ornamental fence w/ brick columns at 50' o.c.
(Per 30 l.f. of frontage) - MIN. (1) shade tree, 7 evergreen shrubs (24" tall at install), 10 1 gal. groundcovers, turf w/ 75% max coverage.
- Per Section 4.34(B)(1)(b) - the landscape buffer will be at least 15 feet wide along the entire length of the streetscape.

| | required | provided |
|---|---|---|
| Total Landscape Area: | 40% | 69% |
| Landscape in Parking Lot: | 9,749 s.f. (5%) | 14,928 s.f. (8%) |
| Canopy Tree at Parking: | 61 trees (1:10 spaces) | 65 trees |
| Landscape Buffer Trees: | 49 trees (1per 30 ft) | 49 trees |
| Landscape Buffer Shrubs: | 96 shrubs (7 per 30 ft) | 168 shrubs |

## LEGEND

- PROPOSED WHEEL STOP
- PROPOSED COVERED PARKING COLUMN
- PROPOSED FIRE HYDRANT
- PROPOSED FIRE DEPARTMENT CONN.
- PROPOSED IRRIGATION METER
- PROPOSED WATER METER
- EXISTING SANITARY SEWER LINE
- PROPOSED SANITARY SEWER LINE
- PROPOSED SANITARY SEWER MANHOLE
- PROPOSED RETAINING WALL
- OVERHEAD ELECTRICAL LINES
- EXISTING COMMUNICATION LINE
- UTILITY LOCATOR
- PROPOSED BARRIER FREE RAMP
- TRANSFORMER

| | |
|---|---|
| DESIGNED BY: | SPENCER OKESON |
| DRAWN BY: | SPENCER OKESON |
| AOR: | DANIEL R. ERLANDSON |
| PLOT DATE: | 01/11/2018 |

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| B | 11/21/2017 | ADDENDUM B |
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**JEFFERSON WOODLANDS**

LOT 1, BLOCK 1
4501 N GARLAND AVENUE
GARLAND, TX 75040
CITY CASE #2000190

PROJECT #: 16018

REGISTERED LANDSCAPE ARCHITECT
DANIEL R. ERLANDSON
STATE OF TEXAS

hpla


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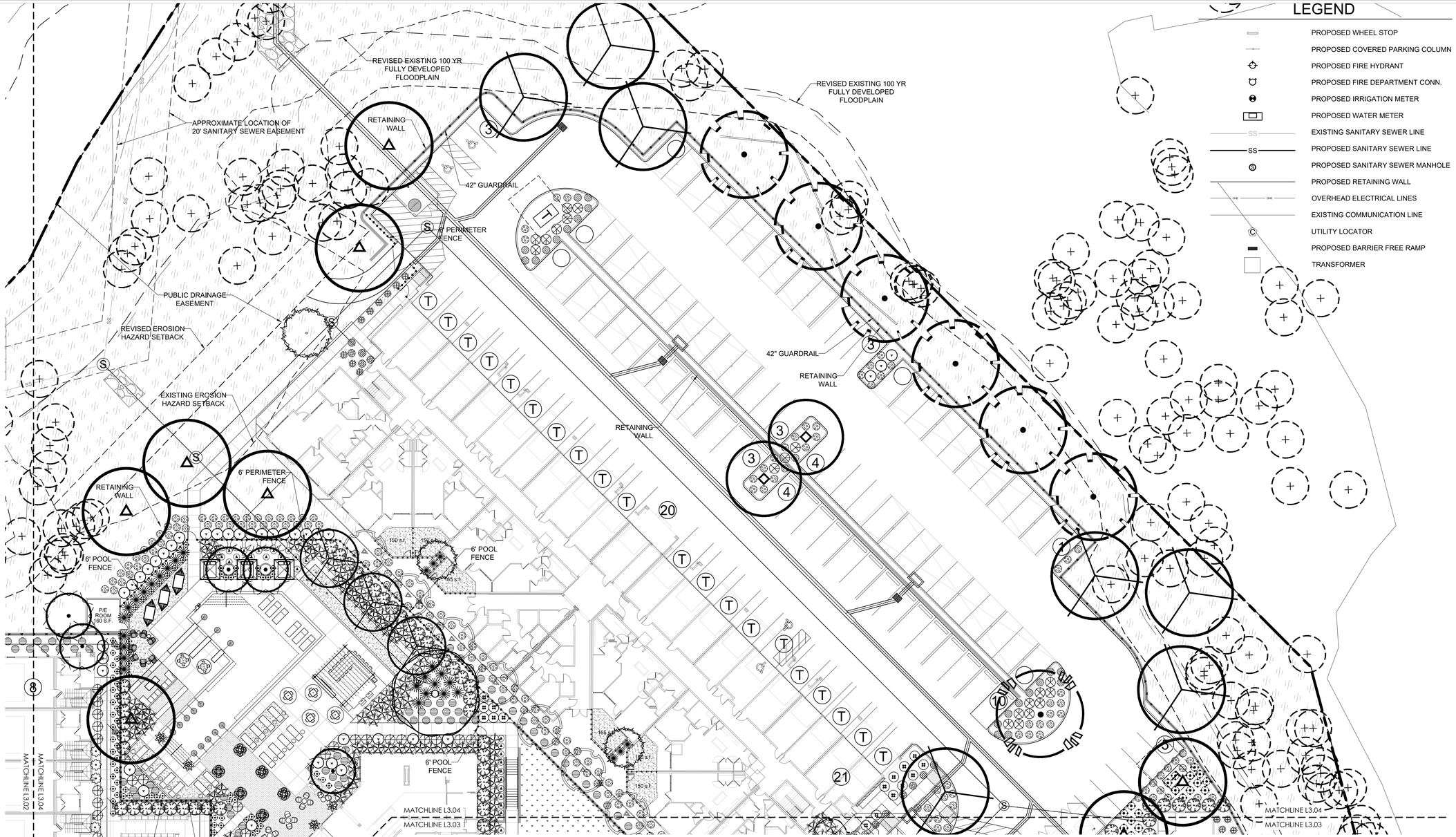
SHEET TITLE
LANDSCAPE PLAN

SHEET NUMBER
L3.03

SCALE: AS INDICATED

# EXHIBIT D

NOTE: No landscaping such as trees, hedges, or structures above & below ground shall be located within existing or proposed utility easements & rights of way

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- PROPOSED FIRE DEPARTMENT CONN.
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- PROPOSED BARRIER FREE RAMP
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## LANDSCAPE PLAN

SCALE: 0" 10' 20' 40' — 1" = 20'-0"

## PLANT PALETTE - OVERALL

Zone Reference - GDC Zoning: AG ORD_4647_ZONING_AG

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### SURFACE MATERIALS

| DESCRIPTION | |
|---|---|
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| UNDISTURBED WOODLANDS (TO REMAIN AS-IS TO CREEKSIDE) | |

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| DESIGNED BY: | SPENCER OKESON |
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| PLOT DATE: | 01/11/2018 |

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CITY CASE #200019-0

PROJECT #: 16018

REGISTERED LANDSCAPE ARCHITECT — DANIEL R. ERLANDSON — STATE OF TEXAS

hpla


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SHEET TITLE
LANDSCAPE PLAN

SHEET NUMBER
L3.04

SCALE: AS INDICATED

EXHIBIT D

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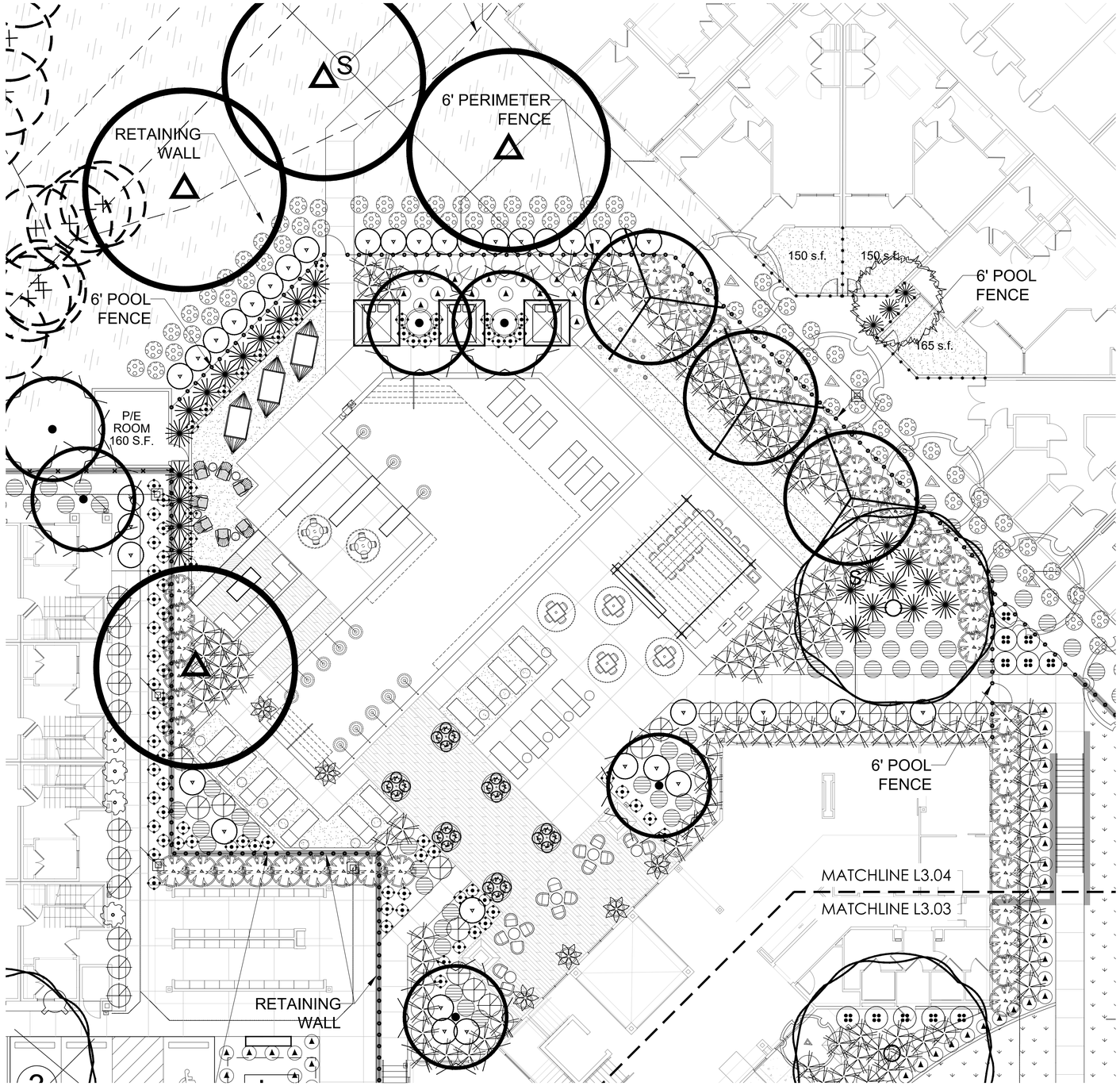


LANDSCAPE PLAN

0" 5' 10' 20'
SCALE: 1" = 10'-0"

## PLANT PALETTE - OVERALL

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REVISION SCHEDULE

| NO: | DATE: | DESCRIPTION: |
|---|---|---|
| A | 10/06/2017 | ADDENDUM A |
| B | 11/21/2017 | ADDENDUM B |
| | | |
| | | |


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**JEFFERSON WOODLANDS**

LOT 1, BLOCK 1
4501 N GARLAND AVENUE
GARLAND, TX 75040
CITY CASE #2000119-0

PROJECT #: 16018

REGISTERED LANDSCAPE ARCHITECT
DANIEL R. ERLANDSON
STATE OF TEXAS

hpla

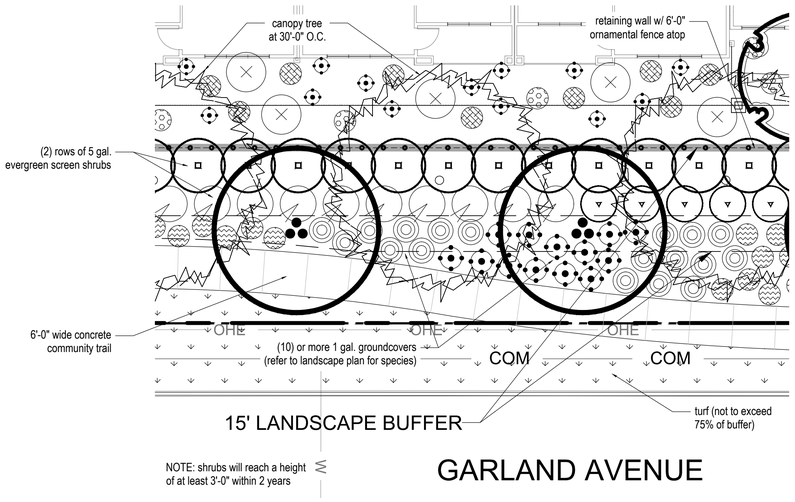

**HUMPHREYS & PARTNERS LANDSCAPE ARCHITECTURE, L.L.C.**
5339 ALPHA ROAD SUITE 300
DALLAS, TX 75240
T: (972) 701-9636
F: (972) 701-9639
W: www.hplastudio.com

**CLIENT**
JPI - RE: MILLER SYLVAN
600 E. LAS COLINAS SUITE 1800
IRVING, TX 75039
E: Miller.Sylvan□ jpi.com
T: (972) 373-3931


SHEET TITLE
LANDSCAPE PLAN - POOL AMENITY SPACE

SHEET NUMBER
L3.05

SCALE: AS INDICATED




## LANDSCAPE BUFFER AT PARKING & THOROUGHFARE

0" 5' 10' 20'
SCALE: 1" = 10'-0"

## PLANT PALETTE - OVERALL

Zone Reference - GDC Zoning: AG ORD_4647_ZONING_AG

### CANOPY TREES

| NAME | SIZE/QUANTITY |
|---|---|
| EXISTING TREES - shall be preserved in compliance w/ Tree Preservation Ordinance 4698 | |
| *Taxodium distichum* BALD CYPRESS | 4" Cal/Single Trunk Qty: 17 |
| *Quercus shumardii* SHUMARD OAK | 4" Cal/Single Trunk Qty: 14 |
| *Quercus virginiana* LIVE OAK | 4" Cal./Single Trunk Qty: 09 |
| *Ulmus crassifolia* CEDAR ELM | 4" Cal/Single Trunk Qty: 20 |
| *Ginkgo biloba 'Autumn Gold'* AUTUMN GOLD GINKGO | 4" Cal./Single Trunk Qty: 11 |
| *Fraxinus americana* WHITE ASH | 4" Cal/Single Trunk Qty: 14 |

### ORNAMENTAL/UNDERSTORY TREES

| NAME | SIZE/QUANTITY |
|---|---|
| *Cercis canadensis var. 'texensis'* TEXAS REDBUD | 3" Cal/Single Trunk Qty: 16 |
| *Lagerstroemia indica 'Natchez'* CRAPE MYRTLE | 3" Cal/Single Trunk Qty: 15 |
| *Sophora affinis* EVE'S NECKLACE | 3" Cal/Single Trunk Qty: 04 |
| *Diospyros texana* TEXAS PERSIMMON | 3" Cal/Single Trunk Qty: 06 |
| *Prunus mexicana* MEXICAN PLUM | 3" Cal/Multi Trunk Qty: 53 |
| *Ilex decidua* POSSUMHAW HOLLY | 3" Cal/Multi Trunk Qty: 05 |
| *Ilex vomitoria* YAUPON HOLLY | 3" Cal/Single Trunk Qty: 11 |
| *Lagerstroemia indica* CRAPE MYRTLE | 3" Cal./Single Trunk Qty: 35 |

### SHRUBS

| NAME | SIZE/QUANTITY |
|---|---|
| *Prunus caroliniana* CAROLINA CHERRY LAUREL (SCREEN) | 7 Gal. \| Qty: 190 |
| *Forsythia x Intermedia* FORSYTHIA | 5 Gal. \| Qty: 10 |
| *Ilex cornuta 'Burfordii'* BURFORD HOLLY (SCREEN) | 7 Gal. \| Qty: 56 |
| *Hydrangea quercifolia* OAKLEAF HYDRANGEA | 5 Gal. \| Qty: 105 |
| *Salvia greggii* AUTUMN SAGE | 5 Gal. \| Qty: 177 |
| *Leucophyllum frutescens* TEXAS SAGE | 5 Gal. \| Qty: 174 |
| *Juniperus conferta* SHORE JUNIPER | 3 Gal. \| Qty: 307 |
| *Abelia x grandiflora* GLOSSY ABELIA | 5 Gal. \| Qty: 36 |
| *Mahonia repens* CREEPING HOLLY | 3 Gal. \| Qty: 89 |
| *Loropetalum chinense 'Rubrum'* CHINESE FRINGE FLOWER | 5 Gal. \| Qty: 132 |
| *Rosmarinus officinalis 'Tuscan Blue'* TUSCAN BLUE ROSEMARY | 5 Gal. \| Qty: 55 |
| *Rhus aromatica* AROMATIC SUMAC | 3 Gal. \| Qty: 169 |
| *Cornus sericea* RED TWIG DOGWOOD | 5 Gal. \| Qty: 24 |

### ACCENTS | ORNAMENTAL GRASSES

| NAME | SIZE/QUANTITY |
|---|---|
| *Pennisetum alopecuroides 'Hameln'* HAMELN FOUNTAIN GRASS | 5 Gal. \| Qty: 227 |
| *Muhlenbergia capillaris 'Regal Mist'* REGAL MIST GULF MUHLY | 5 Gal. \| Qty: 176 |
| *Agave celsii* CELSII AGAVE | 7 Gal. \| Qty: 06 |

### GROUNDCOVERS | VINES

| NAME | SIZE/QUANTITY |
|---|---|
| *Rudbeckia fulgida 'Goldstrum'* BLACK-EYED SUSAN | 1 Gal. \| Qty: 332 |
| *Carex texensis* TEXAS SEDGE | 1 Gal. \| Qty: 188 |
| *Ajuga reptans* AJUGA | 1 Gal. \| Qty: 233 |
| *Trachelospermum asiaticum* ASIATIC JASMINE | 1 Gal. \| Qty: 630 |
| *Lobelia cardinalis* CARDINAL FLOWER | 3 Gal. \| Qty: 06 |
| *Mytosis scorpoides* FORGET-ME-NOT | 1 Gal. \| Qty: 24 |

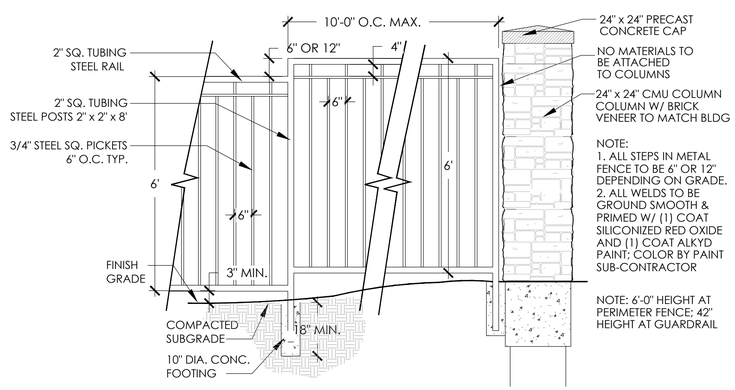
### SURFACE MATERIALS

| DESCRIPTION | |
|---|---|
| SHREDDED HARDWOOD MULCH 4" DEPTH MIN. IN ALL BEDS | |
| BUFFALO GRASS *Bouteloua dactyloides* | 28,880 S.F. |
| UNDISTURBED WOODLANDS (TO REMAIN AS-IS TO CREEKSIDE) | |

**LANDSCAPE CALCULATIONS**

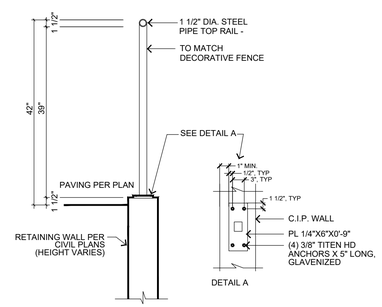
Net Lot: 577,529 s.f. (13.30 acres)
Gross Lot: 661,233 s.f. (15.20 acres)
Impervious Cover: 397,259 s.f.
Unit Tabulations: 126,818 s.f.
Landscape Buffers at Thoroughfare & Parking:
- 6' high ornamental fence w/ brick columns at 50' o.c.
(Per 30 l.f. of frontage) - MIN. (1) shade tree, 7 evergreen shrubs (24" tall at install), 10 1 gal. groundcovers, turf w/ 75% max coverage.
- Per Section 4.34(B)(1)(b) - the landscape buffer will be at least 15 feet wide along the entire length of the streetscape.

| | required | provided |
|---|---|---|
| Total Landscape Area: | 40% | 69% |
| Landscape in Parking Lot: | 9,749 s.f. (5%) | 14,928 s.f. (8%) |
| Canopy Tree at Parking: | 61 trees (1:10 spaces) | 65 trees |
| Landscape Buffer Trees: | 49 trees (1 per 30 lf) | 49 trees |
| Landscape Buffer Shrubs: | 96 shrubs (7 per 30 lf) | 168 shrubs |




01 6'-0" ORNAMENTAL PERIMETER FENCE

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




02 RETAINING WALL W/ GUARDRAIL

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

NOTE: No landscaping such as trees, hedges, or structures above & below ground shall be located within existing or proposed utility easements & rights of way

EXHIBIT D

DESIGNED BY: SPENCER OKESON
DRAWN BY: SPENCER OKESON
AOR: DANIEL R. ERLANDSON
PLOT DATE: 01/11/2018

ISSUE FOR PRICING/BIDDING:
ISSUE DATE

ISSUE FOR PERMIT APPLICATION:
ISSUE DATE

ISSUE FOR CONSTRUCTION:
ISSUE DATE

REVISION SCHEDULE

| NO: | DATE: | DESCRIPTION: |
|---|---|---|
| A | 10/06/2017 | ADDENDUM A |
| B | 11/21/2017 | ADDENDUM B |
| | | |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**JEFFERSON WOODLANDS**

LOT 1, BLOCK 1
4501 N GARLAND AVENUE
GARLAND, TX 75040
CITY CASE #200019-0

PROJECT #: 16018

REGISTERED LANDSCAPE ARCHITECT
DANIEL R. ERLANDSON
STATE OF TEXAS


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JPI - RE: MILLER SYLVAN
600 E. LAS COLINAS SUITE 1800
IRVING, TX 75039
E: Miller.Sylvan□ jpi.com
T: (972) 373-3931


SHEET TITLE
LANDSCAPE PLAN - SUPPLEMENTAL DETAILS

SHEET NUMBER
L3.06

SCALE: AS INDICATED

GARLAND

# CITY COUNCIL ITEM SUMMARY SHEET

**City Council Regular Session Agenda** **3. b.**

**Meeting Date:** 01/05/2021

**Item Title:** Z 20-33 Josh Adams (District 4)

**Submitted By:** Nabiha Ahmed, Development Planner

---

**Summary of Request/Problem**

Zoning Ordinance Z 20-33 Josh Adams

**Recommendation/Action Requested and Justification**

Consider adoption of the attached ordinance.

---

**Attachments**

Z 20-33 Ordinance

Z 20-33 Exhibit A

---

ZONING FILE NO. Z 20-33

**ORDINANCE NO. ____**

**AN ORDINANCE AMENDING THE GARLAND DEVELOPMENT CODE OF THE CITY OF GARLAND, TEXAS, BY APPROVING A CHANGE OF ZONING FROM SINGLE-FAMILY-7 (SF-7) DISTRICT TO AGRICULTURAL (AG) DISTRICT ON A 3.54-ACRE TRACT OF LAND LOCATED AT 905 AND 911 EAST OATES ROAD; PROVIDING FOR CONDITIONS, RESTRICTIONS, AND REGULATIONS; PROVIDING A PENALTY UNDER THE PROVISIONS OF SEC. 10.05 OF THE CODE OF ORDINANCES OF THE CITY OF GARLAND, TEXAS; PROVIDING A NOTICE OF CONDITIONS OF COMPLIANCE CLAUSE; A SAVINGS CLAUSE AND A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS,** at its regular meeting held on the 23rd day of November, 2020, the Plan Commission did consider and make recommendations on a certain request for approval of a Change of Zoning from Single-Family-7 (SF-7) to Agricultural (AG) District by **Josh Adams;** and

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

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

**Section 1**

The Garland Development Code is hereby amended by approving of a Change of Zoning from Single-Family-7 (SF-7) to Agricultural (AG) District on 3.54-acre tract of land located at 905 and 911 East Oates Road and being more particularly described in Exhibit A, attached hereto and made a part hereof.

**Section 2**

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

**Section 3**

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

**Section 4**

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

**Section 5**

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

**Section 6**

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

ZONING FILE NO. Z 20-33

**Section 7**

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

**PASSED AND APPROVED** this _____day of_____, 2021.

**CITY OF GARLAND, TEXAS**

By:

_____
Mayor

**ATTEST:**

_____
City Secretary

**Published:**

**EXHIBIT A**

**LEGAL DESCRIPTION**

**Zoning File Z 20-33**

BEING a 3.54-acre tract situated in a portion of Lots 44 and 45 of Rose Hill Acreage Homesites, an Addition to the City of Garland, Dallas County, Texas, according to the Plat recorded in Volume 7, Page 13, Map Records, Dallas County, Texas, same being that tract of land conveyed to Kathryn Miller and David Miller, by deed recorded in Volume 84186, Page 4705 and Laura Ann Ramsey and spouse, Victor Ramsey, by deed recorded in Volume 2005022, Page 9040, Deed Records, Dallas County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod set with a yellow plastic cap stamped "CBG Surveying" for corner, said corner being in the Northwest line of E. Oats Road (80 foot right-of-way) and being the East corner of that tract of land conveyed to Joshua Adams, by deed recorded in Instrument Number 201700296377, Official Public Records, Dallas County, Texas, from which a 1/2 inch iron rod found bears South 45 degrees 40 minutes 00 seconds East, a distance of 0.27 feet for witness;

THENCE North 44 degrees 14 minutes 07 seconds West, along the Northeast line of said Adams tract, a distance of 604.00 feet to a 5/8 inch iron rod found for corner, said corner being the North corner of said Adams tract and being

in the Southeast line of Rose Hill Acreage Homesites Replat, an Addition in the City of Garland, Dallas County, Texas, according to the Plat thereof recorded in Volume 86148, Page 4165, Deed Records, Dallas County, Texas;

THENCE North 45 degrees 00 minutes 00 seconds East, along the Southeast line of said Rose Hill Acreage Homesites Replat, a distance of 255.00 feet to a 1/2 inch iron rod set with a yellow plastic cap stamped "CBG Surveying" for corner, said corner being the West corner of that tract of land conveyed to George P. Howell, by deed recorded in Volume 83034, Page 502, Deed Records, Dallas County, Texas;

THENCE South 44 degrees 14 minutes 07 seconds East, along the Southwest line of said Howell tract, passing at a distance of 429.00 feet to a 5/8 inch iron rod found on line for reference, continuing a total distance of 604.00 feet to a point for corner, said corner being the South corner of said Howell tract and being in the Northwest line of E. Oats Road, from which a 1/2 inch iron rod found bears North 02 degrees 17 minutes 39 seconds East, a distance of 0.42 feet for witness;

THENCE South 45 degrees 00 minutes 00 seconds West, along the Northwest line of said E. Oats Road, a distance of 255.01 feet to the POINT OF BEGINNING; and containing 154,009 square feet or 3.54 acres of land.

**EXHIBIT A**

GARLAND
CITY COUNCIL ITEM SUMMARY SHEET

**City Council Regular Session Agenda** **4.**

**Meeting Date:** 01/05/2021

**Item Title:** Buckingham Road Railroad Crossing Rehabilitation Agreement

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

---

**Summary of Request/Problem**

The railroad crossing on Buckingham Road just west of SH 78 was reconstructed as part of the widening and reconstruction of that street between First Street and SH 78 in 2001. Over time, settlement of either the existing concrete roadway pavement or the railroad tracks has occurred, making the travel surface rough at any reasonable speed. Before this railroad crossing can be improved, The Kansas City Southern Railway Company (KCS) must approve any work within their right-of-way. KCS is requiring the railroad tracks and its subgrade to be removed and replaced as a part of the overall improvements. Their contractor will make these improvements and the City's contractor will perform pavement improvements adjacent to the railroad tracks/crossing. This issue was presented to City Council at the December 14, 2020 Work Session.

**Recommendation/Action Requested and Justification**

Staff recommends that the City Council approve the attached resolution authorizing the City Manager to execute the attached agreement with KCS to rehabilitate the Buckingham Road railroad crossing at the sole expense of the City of Garland.

---

**Attachments**

Resolution - Buckingham Crossing

Buckingham Railroad Crossing Agreement

---

**RESOLUTION NO.**

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT TO REHABILITATE THE BUCKINGHAM ROAD CROSSING WITH THE KANSAS CITY SOUTHERN RAILWAY COMPANY; 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 Agreement entitled Agreement for Crossing Rehabilitation Buckingham Road with The Kansas City Southern Railway Company in the form and substance of that attached hereto as Exhibit "A" and incorporated herein by reference.

**Section 2**

That pursuant to the terms and conditions of the Agreement, the City Manager is authorized to execute any ancillary documents, necessary to fulfill the obligations of the City under the Agreement.

**Section 3**

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

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

**CITY OF GARLAND, TEXAS**

_____
Mayor

**ATTEST:**

_____
City Secretary

# AGREEMENT FOR
# CROSSING REHABILITION BUCKINGHAM ROAD

This AGREEMENT is entered into this _____ day of _____, 2020 by and between **THE KANSAS CITY SOUTHERN RAILWAY COMPANY,** a Missouri corporation, called herein "KCS," to be addressed at 4601 Hilry Huckaby III Drive, Shreveport LA 71107, and the **CITY OF GARLAND, TEXAS**, called herein "City", to be addressed at 200 North Fifth Street., Garland, TX 75040 (KCS and the City being together called the "Parties").

WHEREAS, there is an existing highway-rail at-grade crossing in Garland, Texas, where Buckingham Road crosses KCS's main line at railroad mile post 209.38 on KCS's Dallas Subdivision, DOT # 022-079-M ("Crossing"); and

WHEREAS, the City wishes to reconstruct the Crossing as part of the Buckingham Road improvements project; and

WHEREAS, KCS is agreeable to perform the work necessary to install new crossing surface panels to allow the City to make roadway improvements, but only subject to the terms and conditions of this Agreement.

NOW, THEREFORE, KCS and the City agree as follows:

1. The City, with the cooperation of KCS, will be responsible for obtaining all required governmental authorizations, including approval of the Texas Department of Transportation.

2. KCS shall provide the necessary materials and labor to rehabilitate the grade crossing surface from end of tie to end of tie at the Crossing as per Exhibit A (altogether, the "Project").

3. KCS's estimate of the costs required to perform the Project is attached hereto as Exhibit B. The City shall pay 100% of KCS's actual costs of the Project, including temporary asphalt road approaches, labor, equipment, materials, shipping and handling of the material, and standard additives. The Parties acknowledge that Exhibit B is only an estimate, and that the City shall be responsible for 100% of the actual cost of the labor, material and other expenses incurred by KCS for the Project, determined according to the methodology shown in Exhibit B, whether such actual cost is more or less than shown on Exhibit B.

4. KCS estimates the cost to perform the Project to be TWO HUNDRED FORTY-NINE THOUSAND AND THIRTY-FIVE DOLLARS ($249,035.00), as shown on Exhibit B. Prior to KCS performing any work on the Project, City will deposit with KCS TWO HUNDRED FORTY-NINE THOUSAND AND THIRTY-FIVE DOLLARS ($249,035.00) to cover 100% of the estimated cost of the Project. KCS shall be under no

obligation to provide any materials or perform any labor until the City's deposit has been received and has cleared KCS's bank. The City acknowledges that KCS has advised the City that procurement of crossing surfaces normally requires several months. Following completion of the Project, KCS shall determine its actual cost of the Project. If the actual cost exceeds the estimated amount stated above, KCS shall invoice the City the difference between the estimated amount and the actual cost and the City shall pay that additional invoice within 30 days after the date it is received. If the estimated amount exceeds the actual cost, KCS shall refund to the City the difference between the estimated amount and the actual cost within 30 days of KCS determining the actual cost.

5. The City shall design, construct and maintain the road and approaches for the Crossing, including grading and the installation of all structures and facilities necessary to maintain the existing drainage, including installation of drainage pipe to maintain adequate flow of ditch line. All approach surfaces shall be constructed and maintained of a material that will not wash off or clog the ditch line, and that will provide adequate traction over the entire right of way. The road, approaches and drainage facilities must be constructed in such a manner as to avoid any damage to the embankment, roadbed, signal systems and tracks. The approaches and road will, to the greatest extent possible, be built to the same width as the Crossing and level with the Crossing surface.

   Approaches must be constructed and maintained flat to the cross level of the track for first ten feet (10') on each side from the centerline of track, and shall allow no more than three inches (3") of change in elevation within the next thirty feet (30') from the track on the west side of the Crossing and no more than seven inches (7") of change in elevation within the next thirty feet (30') from the track on the east side of the Crossing. The City shall be solely responsible for determining whether to restrict low ground clearance vehicles from using the Crossing due to the slope on the east side of the Crossing being in excess of KCS standard, and shall, if the City determines to restrict access by such vehicles to the Crossing, shall post appropriate advance warning signs at the Crossing. Prior to any construction or maintenance, City shall (unless otherwise agreed in writing by KCS, in KCS's sole discretion) give five (5) days advance notice to KCS at 318-676-6269.

6. City shall be responsible for providing and paying for all traffic and pedestrian control (including but not limited to barriers and flagmen) and be responsible for any required notification of the public if necessary during the Project (including the required 48 hour full closure), all in accordance with the Manual on Uniform Traffic Control Devices and other applicable safety standards, including KCS's. Whenever City's contractor or its personnel or equipment are within twenty-five feet (25') of KCS's track, their activities shall be attended by a KCS-approved railroad flagger, hired and paid by the City or its contractor. The City's contractor and its personnel and equipment shall clear the KCS track when so instructed by the railroad flagger. City and its contractors performing any work within KCS's right of way shall carry appropriate insurance which is sufficient, in the City's reasonable opinion, to fully compensate for any injury to or death of any person and for any damage to property occurring while City or its contractors are performing any work within KCS's right of way. City shall apply for a

Right of Entry (ROE) (including payment of applicable costs) prior to the City performing any of its work within 25 feet of the nearest rail. Information and ROE application can be obtained by contacting:

Denise Case
Jones Lang LaSalle Americas, Inc.
(817) 230-2614 – Office
Denise.case@am.jll.com
4200 Buckingham Road | Suite 110
Fort Worth, TX 76155

7. Upon completion of the Project, the crossing surface shall thereafter be maintained by KCS throughout its useful life.

8. All work will be done in accordance with the Manual on Uniform Traffic Control Devices.

9. KCS and the City shall abide by the requirements of 41 CFR §§ 60-1.4(a), 60-300.5(a) and 60741.5(a) and 29 CFR Section Part 471, Appendix A to Subpart A, if applicable. These regulations prohibit discrimination against qualified individuals based on their status as protected veterans or individuals with disabilities, and prohibit discrimination against all individuals based on their race, color, religion, sex, or national origin. Moreover, these regulations require that covered prime contractors and subcontractors take affirmative action to employ and advance in employment individuals without regard to race, color, religion, sex, national origin, protected veteran status or disability.

10. KCS shall maintain reasonably detailed records of all work done under this Agreement and of all expenses incurred for which KCS seeks payment or reimbursement and shall promptly provide such records to the City upon request. Such books and records will be maintained in accordance with generally accepted principles of accounting and will be adequate to enable determination of: 1) the substantiation and accuracy of any payment required to be made under this agreement; and 2) compliance with the provisions of this Agreement.

11. This Agreement may be terminated under the following conditions: (a) By mutual agreement and consent of both KCS and City; (b) By either party, upon the failure of the other party to fulfill its obligations under this Agreement; or (c) By satisfactory completion of all services and obligations described herein.

12. This Agreement and all of the transactions contemplated herein shall be governed by and construed in accordance with the laws of the State of Texas. The provisions and obligations of this Agreement are performable in Dallas County, Texas such that exclusive venue for any action arising out of this Agreement shall be in Dallas County, Texas.

13. It is understood and agreed that this Agreement contains the entire agreement between the Parties and supersedes any and all prior agreements, arrangements or understandings

between the Parties relating to the subject matter. No oral understandings, statements, promises or inducements contrary to the terms of this Agreement exist. This Agreement cannot be changed or terminated orally.

14. Nothing contained in this Agreement shall be deemed or construed by the Parties hereto or by any third party to create the relationship of principal and agent or of partnership or of joint venture or of any association whatsoever between the Parties, it being expressly understood and agreed that no provision contained in this Agreement nor any act or acts of the Parties hereto shall be deemed to create any relationship between the Parties other than the relationship of independent parties contracting with each other solely for the purpose of effecting the provisions of this Agreement.

15. To the extent, if any, that this Agreement imposes an obligation on the City to make a payment or other expenditure of any sort, such payment or expenditure shall be payable solely from current revenues that are immediately available for such purposes, and no debt is or is intended to be created by reason of this Agreement. The obligations under this Agreement shall never be construed to be a debt or pecuniary obligation of the City of such kind as to require the City to levy and collect ad valorem taxes to discharge its obligations and no obligation of the City to make a payment or other expenditure under this Agreement shall be payable through funds raised by taxation. The City has not created and is not required to create any sort of sinking fund to secure the obligations of payment or other expenditure under this Agreement. To the extent not otherwise covered in this Agreement, the City retains its governmental and sovereign immunities and its limitations of liability. The Parties agree that the City is entering into this Agreement in its governmental capacity and the subject and nature of this Agreement are governmental rather than proprietary.

IN WITNESS WHEREOF, the Parties hereto have caused this Agreement to be executed in duplicate by their duly-authorized representatives effective the day and year first above written.

| THE KANSAS CITY SOUTHERN RAILWAY COMPANY | CITY OF GARLAND, TEXAS |
|---|---|
| Signature:_____ | Signature:_____ |
| Printed Name:_____ | Printed Name:_____ |
| Title:_____ | Title:_____ |
| Date: _____ | Date: _____ |

GARLAND
CITY COUNCIL ITEM SUMMARY SHEET

**City Council Regular Session Agenda** **5. a.**

**Meeting Date:** 01/05/2021

**Item Title:** Public hearing and Adoption of an Ordinance to expand boundaries of TIF #3 and adopt a Project and Financing Plan

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

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**Summary of Request/Problem**

On November 18, 2020, the Board of Directors for TIF Zone #3 met to discuss expanding the boundaries and to create a Project and Financing Plan. A Project and Financing Plan is required by law in order to allow the City to utilize TIF funds on projects within the zone and is the primary responsibility of the Board of Directors for the TIF Zone.

The Board unanimously approved recommending to Council the expansion of the boundaries of the Zone to include the VA hospital and surrounding properties. In addition, a listing of projects was approved by the Board to be included in the Project and Financing Plan and staff was instructed to complete the required schedules outlined in Chapter 311 of the Tax Code for Council to formally consider.

On December 14, 2020, Council was briefed on the proposed boundary expansion and Project and Financing Plan.

Sec. 311.003. of the Texas Tax Code specifies the procedure for expanding the boundaries and adopting a Project and Financing Plan of reinvestment zones. A public hearing is required to obtain comments from interested parties regarding its boundaries or the concept of tax increment financing. Following the public hearing, Council will formally consider an ordinance to expand the boundaries of the TIF zone and adopt a Project and Financing Plan, as recommended by the TIF #3 Bourd of Directors.

**Recommendation/Action Requested and Justification**

(A) Hold a Public Hearing to obtain comments from interested parties.
(B) Adopt Ordinance

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**Attachments**

TIF No. 3 Ordinance

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**ORDINANCE NO.**

**AN ORDINANCE OF THE CITY OF GARLAND, TEXAS ESTABLISHING A PROJECT AND FINANCE PLAN FOR TAX INCREMENT FINANCING DISTRICT NUMBER 3; EXPANDING THE BOUNDARIES OF SUCH ZONE; AND PROVIDING A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.**

**WHEREAS**, on April 3, 2018, by Ordinance No. 6976, the City Council of the City of Garland, Texas (the "City Council"), established Tax Increment Financing Reinvestment Zone Number Three (the "Zone"); and

**WHEREAS**, the City Council thereafter appointed members to serve on the Board of Directors to make recommendations concerning the administration of the Zone, in accordance with the powers authorized by the Tax Increment Financing Act, Chapter 311 of the Texas Tax Code (the "Act"); and

**WHEREAS**, the Tax Increment Financing Zone Number 3 Board of Directors met on November 18, 2020 and unanimously approved a recommendation to the City Council to expand the boundaries of the Zone and adopt a certain Project and Financing Plan; and

**WHEREAS**, in compliance with the Act, the City Council held a public hearing on January 5, 2021 to hear public comments on the expansion of the boundaries, inclusion of additional properties in the Zone, and the approval of a Project and Financing Plan, notice of such hearing published as required not later than seven days prior to the date of the public hearing;

**WHEREAS**, the City Council wishes to expand the boundaries of the Zone and adopt a Project and Financing Plan to promote the development and redevelopment of a certain geographic area within its jurisdiction, as authorized by the Act;

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

## Section 1

That the facts and recitations contained in the preamble of this Ordinance are hereby found and declared to be true and correct.

**Section 2**

That the City Council, after conducting the public hearing, makes the following findings and determinations based on the evidence presented to it:

a) That a public hearing on the approval of the Project and Financing Plan and expansion of the boundaries of the Zone has been properly called, held, and conducted, and that notices of the public hearing were published as required by law;

b) That the expansion of the Zone as described in Exhibits "A" and the approval of a Project and Financing Plan attached hereto as Exhibit "B" will benefit the City, its residents and property owners, in general and to the property, residents, and property owners in the Zone;

c) That the expansion of the Zone's boundaries as defined in Exhibit "A" meets the criteria for the expansion of a reinvestment zone as set forth in Section 311.005 of the Act in that, more specifically:

   (1) It is a contiguous geographic area located wholly within the corporate limits of the City; and

   (2) The area contains a predominance of defective or inadequate sidewalk and street layouts, and has a faulty lot layout in relation to size, adequacy, accessibility, or usefulness that impairs the sound growth of the municipality;

d) That many of the goals and objectives in the Envision Garland Comprehensive Plan and the Forest-Jupiter Transit-Oriented Redevelopment Plan are related to creating opportunities for new development and redevelopment within the reinvestment zone;

e) That the closure of the Baylor Scott & White Medical Center - Garland on February 28, 2018 and subsequent acquisition of the Facility by the U.S Department of Veterans Affairs (VA) on April 6, 2020 to serve as an outpatient and specialty care clinic for veterans further enhanced the need for new development and redevelopment in the area;

f) That while there are areas within the Zone that have suffered a deterioration of site or other improvements, this Ordinance does not constitute a blanket criticism of all the properties within the Zone but is a recognition that there are some impediments to new development due to specific existing conditions that can be mitigated by the establishment and expansion of the Zone;

g) That at the time of the Zones creation less than thirty present of the property within the Zone, excluding that portion that is publicly owned, is used for residential purposes as described in Section 311.006(d) of the Act, and

h) That the total appraised value of all taxable real property in the reinvestment zone, after enlarging the boundaries of the Zone as defined in Exhibit "A", according to the most recent appraisal rolls of the City, together with the total appraised value of taxable real property in all other existing reinvestment zones within the City, according to the most recent appraisal rolls of the City, does not exceed a total of twenty five percent of the total appraised value of taxable real property in the City and in the industrial districts created by the City, if any;

i) That the improvements in the reinvestment zone will significantly enhance the value of all taxable real property in the Zone; and

j) That the development or redevelopment of the property in the Zone will not occur solely through private investment in the reasonably foreseeable future.

**Section 3**

That pursuant to the Act, the Zone's original tax increment base is the total taxable value of all real property taxable by the unit and located in the zone for tax year 2019. The expansion of the boundaries to include the Veterans Affairs hospital and surrounding properties will increase the tax increment base by the taxable value of the real property added to the zone for tax year 2021 as depicted in Exhibit "A".

**Section 4**

That if any portion of this Ordinance shall, for any reason, be declared invalid by any court of competent jurisdiction, such invalidity shall not affect the remaining provisions hereof.

**Section 5**

**PASSED AND APPROVED** this ___ day of January, 2021.

**CITY OF GARLAND, TEXAS**

_____
Mayor

**ATTEST:**

_____
City Secretary

**PUBLISHED:**

Exhibit "A"

Tax Increment Financing Reinvestment Zone No. 3

Boundary Expansion

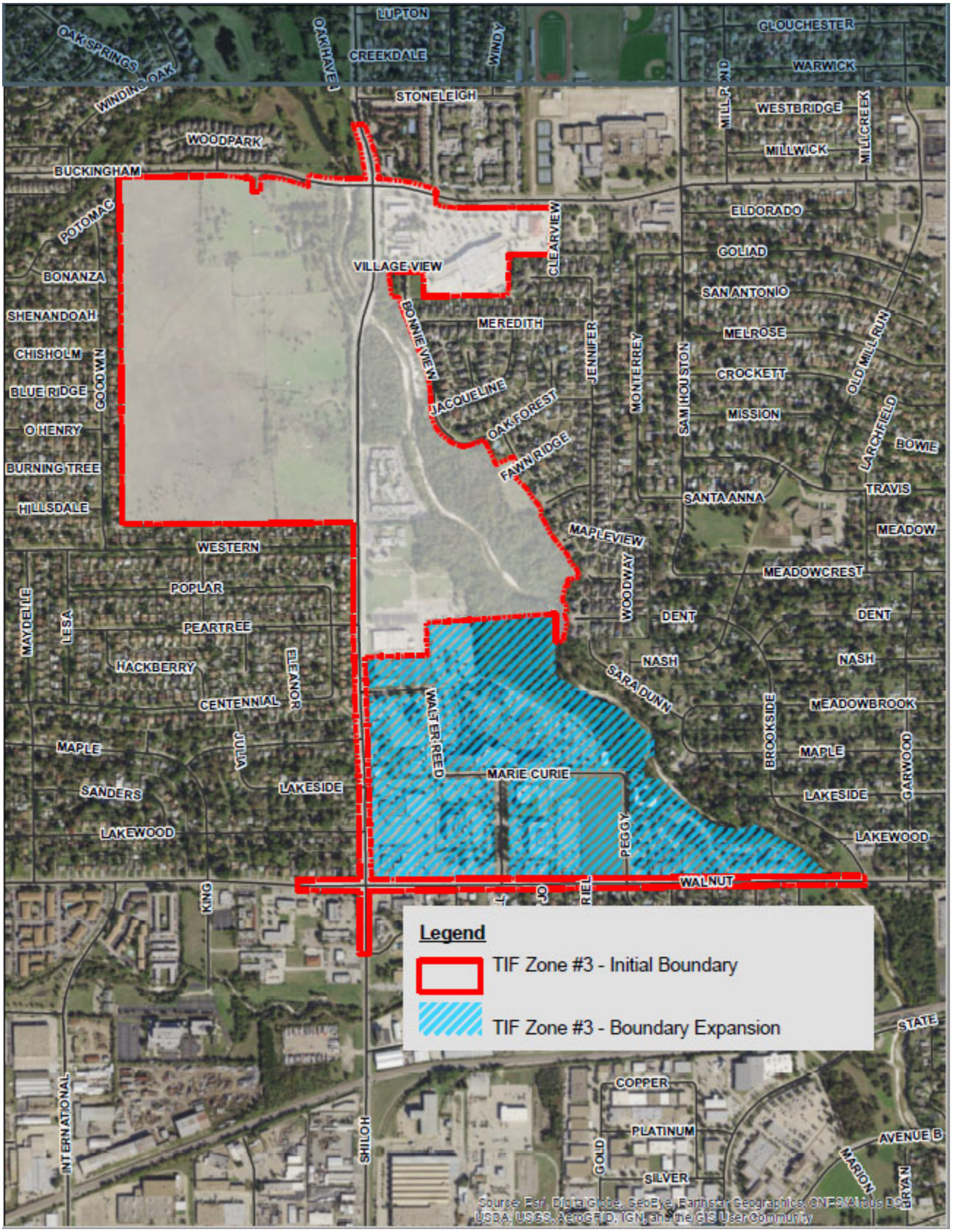

Exhibit "B"

# TIF No. 3

## Medical District
## Project and Financing Plan

Tax Increment Financing Reinvestment Zone, Number Three, City of Garland, Texas

**January 5th 2021**

GARLAND

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## Section 1:
# What's Tax Increment Financing?

Tax increment financing is a tool for inducing improvements in an area Texas law or custom calls a "Tax Increment Financing Reinvestment Zone," "TIF zone," or "TIRZ." The basic concept is that development or redevelopment of an area will generate new tax revenue that will be dedicated to financing local improvements that made possible the additional public revenue and/or public benefits. The dedicated tax may reimburse expenses originally paid by a developer or city or may secure bonds to finance the improvements.

TIF zones must be areas with unusual development challenges and opportunities for economic development. The City of Garland has three TIF zones . TIF zone 1 is located primarily in Downtown and along the Dallas Area Rapid Transit (DART) rail line to the Jupiter Road/Forest Lane area. Zone 2 is along the Interstate 30 Corridor from the Garland city limits east to Lake Ray Hubbard. Zone 3 is described in detail in section 2 of this document.

Statutes that authorize and govern tax increment financing are codified in Chapter 311 of the Texas Tax Code. To make an area eligible for tax increment financing, a city enacts an ordinance following procedural steps of Chapter 311. Steps preceding the designation ordinance include preparation of a preliminary financing plan and a duly advertised public hearing.

Tax growth added by increased value of real property in the TIF zone (and rarely--but not in this instance--sales tax) is called the "tax increment." A TIF zone's value growth is the difference between its total value liable for taxation by a governmental unit and that same indicator as of a base year. By statute, the base year is the year the TIF zone was designated. When real property is added to a TIF zone in a subsequent year, the base value is increased by the taxable value of the added properties for the year when the properties were added. To illustrate, if a TIF zone were created in 2018, its base value to the City of Garland would be the value liable for City real property tax on January 1, 2018, according to the most current version of the certified tax roll. If property were added to the TIF zone in 2019, base value would be increased by the value liable for City property tax as of January 1, 2019.

All or part of the tax increment flows to a tax increment fund ("TIF fund") for a specified term of years. If only part of the tax increment is to flow to the TIF fund, a city must so stipulate upon designation of the TIF zone and may not change the portion flowing to the TIF fund during its stated duration.

Money flowing to the TIF fund may be disbursed for projects and in approximate amounts consistent with a "project plan and financing plan" ("TIF plan," for short) approved by the City Council. Before approving a TIF plan, the Council must designate the TIF zone and then receive a recommendation about the plan from a TIF Board as prescribed by Chapter

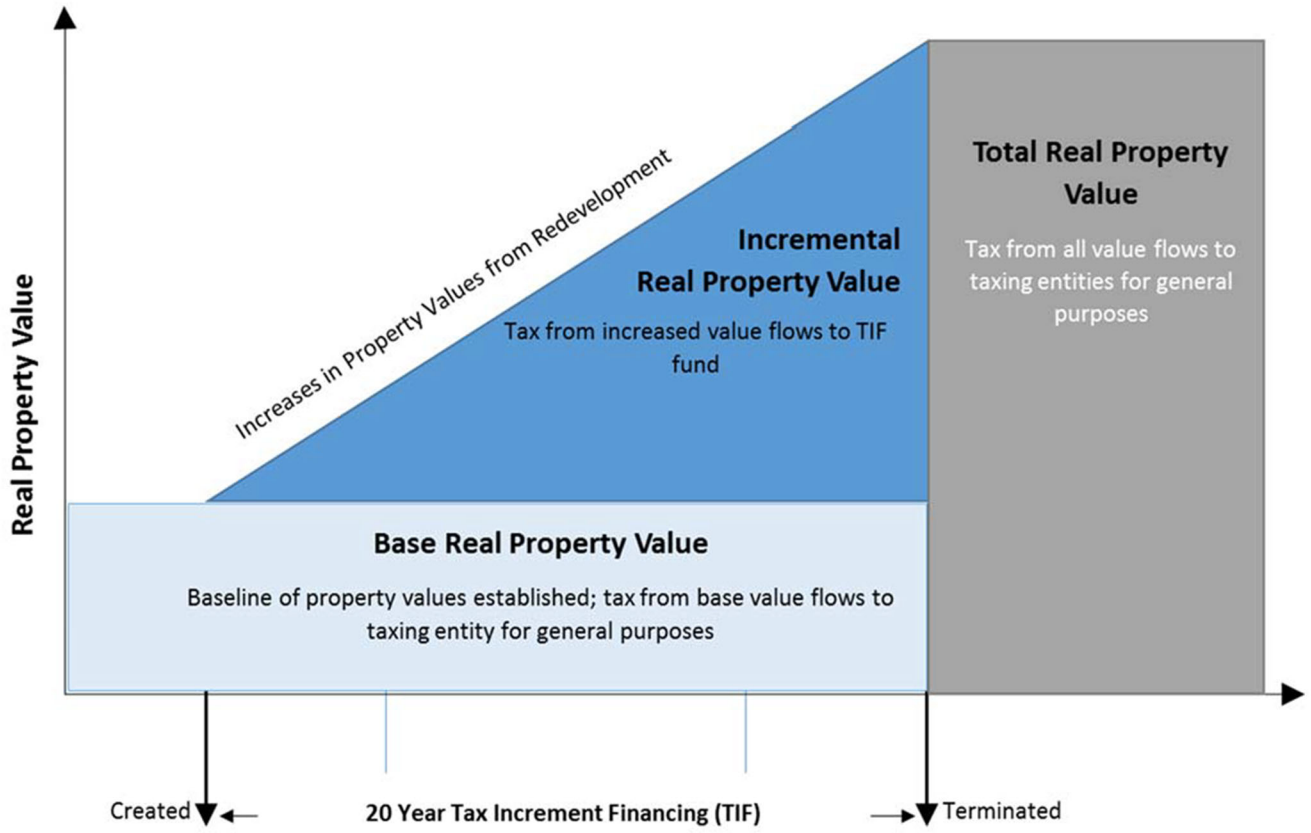
311. The TIF plan should resemble the preliminary financing plan, but it may differ, and it must address a checklist of items stipulated in Chapter 311. A TIF plan may be amended by the Council pursuant to Chapter 311. The TIF fund may be used for public purposes authorized by Chapter 311, including grants and loans to stimulate economic development. Disbursements from the TIF fund to entities other than the City itself should be pursuant to written contractual agreements.

Dallas County may consent by order of the County Commissioners Court to participate in TIF zone 3 after the City has designated the zone. Other local governmental units may participate, although recent history suggests other participations are unlikely.

Exhibit A illustrates how tax from real properties in a TIF zone flows to a taxing jurisdiction and to a TIF Fund. Exhibit A assumes real property values in the Zone rise after the Zone's designation.

**Exhibit A:**

## Real Property Tax Flow with Tax Increment Financing




Inclusion of a property in a TIF zone **doesn't** impact tax rates for the property. Rates in a TIF zone are the same as tax rates outside it and within the same taxing jurisdictions.

## Section 2:
# TIF Zone 3 Described

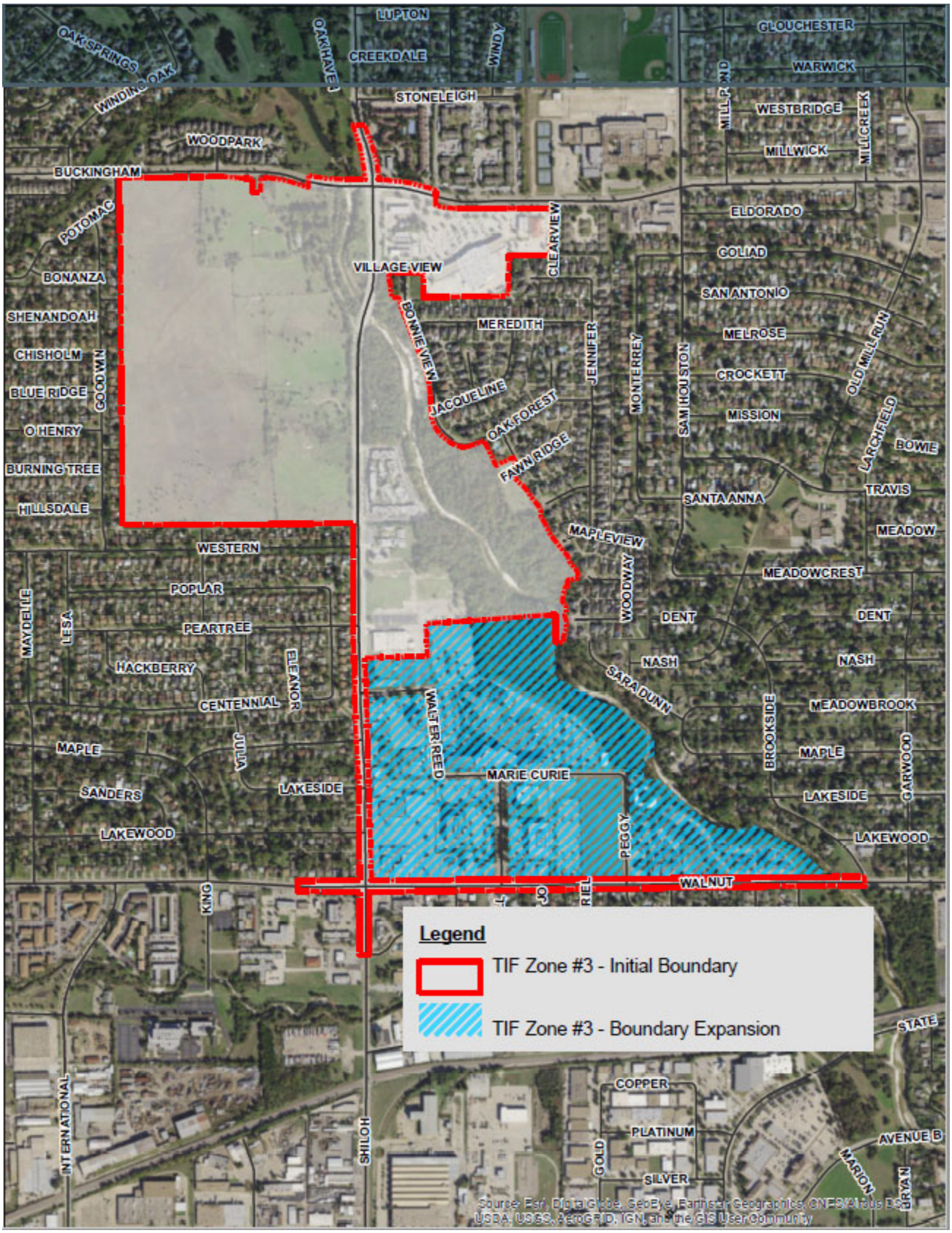
TIF zone 3 seeks to capture value added by Wilbow's development of the Wyrick Farm and value added to other real property in the zone, then to use the captured real property tax increments to pay for public improvements at Wyrick Farms and the area surrounding the Veterans Affairs (VA) hospital. TIF funds are anticipated to be used to make improvements to thoroughfares and drainage systems, create trails within the TIF zone, as well as potentially for property acquisitions within the zone to promote redevelopment in the VA hospital area for the benefit of Garland. It should be noted that a catalyst study of the area will be completed in 2021 that may yield additional opportunities for projects to be included in this plan.

The initial boundary of the TIF zone approved by City Council by ordinance on April 3, 2018 are shown in Exhibit B. Boundary lines that follow public streets and highways include all such rights-of-way. Boundaries that approximate property lines shall be construed to follow such property lines.

Taxable values of real properties with improvements east of Shiloh Road at the former Baylor Garland hospital site declined after the January 1, 2019 appraisal due to closure of the hospital and establishment of a tax-exempt Veterans Affairs (VA) Hospital at the site. Conversely, taxable values at the Wyrick Farm site increase after January 1, 2019. Accordingly, Garland designate TIF zone 3 with an initial boundary encompassing Wyrick Farms and nearby properties in calendar year 2019 and brought forward a second ordinance on December 15, 2020 to add the hospital area to the TIF zone after that area hit a probable low taxable value. This two-step process of setting the TIF zone boundary was designed to avoid burdening the TIF fund with a reduced value and revenue. Exhibit C maps the TIF zone 3 boundary after expansion.

**Exhibit B:**
# TIF Zone 3 Initial Boundary Map

**Exhibit C:**
# TIF Zone 3 Expanded Boundary Map



The Zone contains approximately 12,907,115 square feet of land. Prior to the Zone being expanded, the square footage was 8,661,352, which was primarily made up of vacant agricultural land. At the creation of the Zone, residential land in the Zone was far below the statutory maximum 30% of the entire zone. However, with the signing of an Economic Development Agreement between the City of Garland and Wilbow Corporation approximately 582 homes will be constructed in this area bringing in an estimated $156,000,000 million in taxable value to the City of Garland over the next 8 years. The corrected value of real property in Zone #3 taxable by the City of Garland in base year 2019 was $25,150,851 according to the Dallas Central Appraisal District. After expansion in 2021, the expanded zone base value will be $45,345,369. This value was significantly below the statutory maximum 25% of taxable real property a municipality may include in all its reinvestment zones.

Exhibits D and E map existing uses and conditions in the Zone. As shown in Exhibit D, a minimum amount of land in the Zone was residential. However, after the Wilbow Development is completed approximately 50% of the Zone will be Residential, as depicted in Exhibit E.

Chapter 311 requires the City Council to make findings about an area before designating a TIF zone. Findings must include the following:

- At the time of creation of the Zone, residential properties (defined as properties with houses having fewer than five living units) constitute less than 30% of the property in the zone, excluding property that is publicly owned.
- The taxable value of real property in the proposed zone plus all other reinvestment zones in Garland is less than 25% of the taxable value of all real property in Garland.
- Development or redevelopment would not occur solely through private investment in the foreseeable future.
- Either or both of the following are true:
    - The area impairs sound growth of the city, retards the provision of housing or constitutes an economic or social liability, menacing public health, safety, morals, or welfare in its present condition due to one or more of the conditions of Tax Code Section 311.005(a)(1).
    - The area is predominantly open or undeveloped and impairs sound growth of the city for some specified reason.

**Exhibit D:**

# Existing Land Use Map for Zone

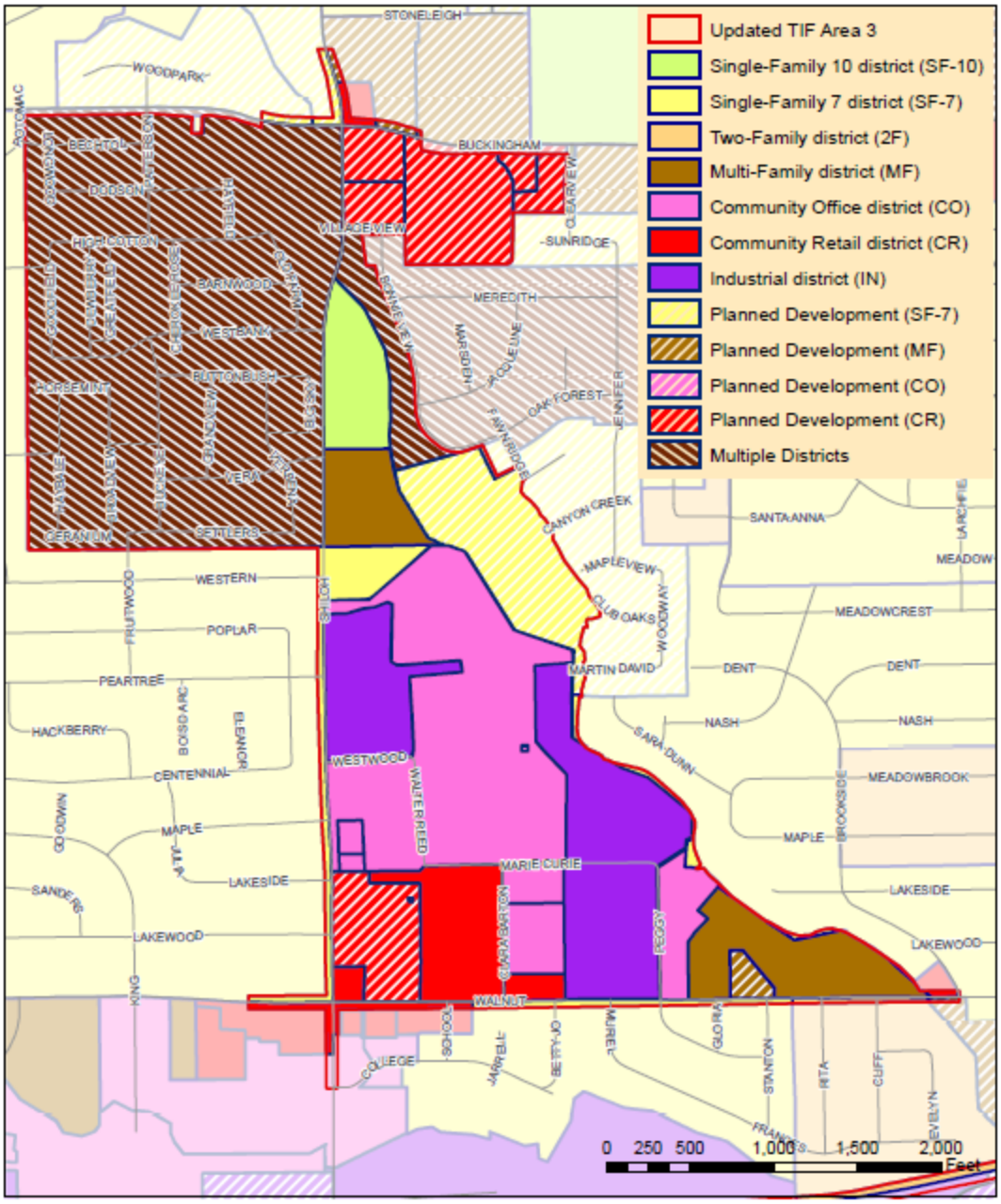
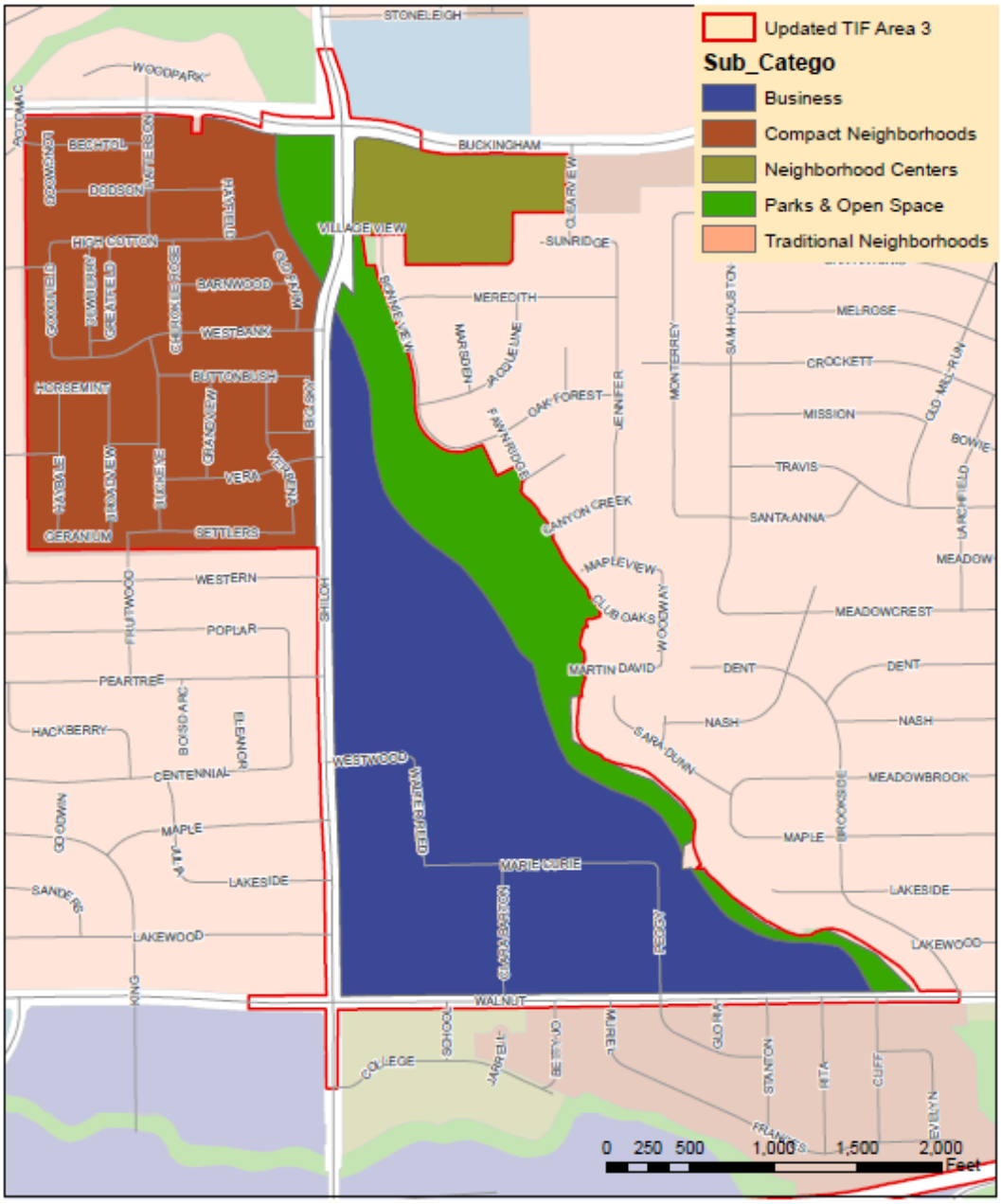


**Exhibit E:**

# Future Uses of Land in Zone



## Section 3:
# Forecast Revenue to TIF Fund 3

Tax increment revenues to TIF fund 3 for a term of twenty years (commencing with City tax assessments levied in September 2019) are forecast to total about $22.5 million. Annual revenue will ramp up gradually from less than $100,000 in year 1 to roughly $1.5 million in year 20. This anticipated tax increment revenue stems primarily from the Wilbow / Wyrick Farm development. Schedule 1 displays forecasts of annual taxable value, annual revenue to the TIF fund, and more for the TIF zone's proposed duration of twenty years. Schedule 1 assumes no major redevelopment of taxable property in either the initial or expanded area of the TIF zone other than Wyrick Farm.

Recognizing that a dollar received years in the future will almost certainly lack the buying power of a dollar today, the column at the right margin of Schedule 1 discounts revenue received in future years to express cumulative revenue in terms of worth in present (2020) dollars. The applicable discount rate for Garland is an estimate of the average long-term rate of interest the City will pay to borrow money. Applying a discount rate of 2.5% for each year into the future, the 2020 present value of the forecast $22.5 million total cash for the TIF fund is about $16.3 million, so Garland could use TIF fund revenue to purchase roughly $16.3 million of improvements or services valued in 2020 dollars.

Another potential way to add cash flow to the TIF fund is for Dallas County to participate. Dallas County ordinarily limits participation to fifteen years, with 55% of the County tax increment flowing to a TIF fund. County participation beginning in beginning in 2024 might potentially add about $2.1 million in revenue or $1.5 million of present value revenue. A typical condition of Dallas County participation in a TIF program, however, is that twenty percent of housing units in projects receiving TIF money must meet a Dallas County goal for affordable housing. Those units must be affordable to a household earning 80% or less of the median family income for the Dallas metropolitan area. The Wyrick Farm development does not meet the County's affordable housing goal. County participation may be precluded if a planned expenditure from the TIF fund is reimbursement of public improvement costs to Wilbow.

## Section 4:
# Potential TIF Fund 3 Expenditures

Schedule 2 is a list of infrastructure improvement needs within the Zone to which TIF fund revenue might be applied. The total project cost estimate is $39.2 million with the TIF projected to disburse approximately $22.5 million.

Given the Schedule 1 forecast of revenue for TIF fund 3, it's clear the list of potential expenditures for TIF projects exceeds probable revenue. Although economically infeasible to finance 100% of the projects on the Schedule 2 list, Garland may retain the full list with knowledge it will eventually be necessary to set priorities, using TIF revenue to secure only some of the proposed projects.

Garland has three methods for financing public improvements with TIF fund 3:

1) Contract with a developer or other private source to construct public improvements, transfer land, or provide a service. In exchange, the City may agree to reimburse an amount, ultimately using cash accumulated by the TIF fund.
2) Issue bonds secured wholly or partly by revenue to the TIF fund to pay for public improvements.
3) "Pay-as-you-go," allowing tax increment revenues to accumulate before a project is begun.

The Wilbow Development Agreement will be repaid on a pay-as-you-go basis. However, all other projects will be evaluated at a future date to determine the most effective method of financing. Future financing methods will be evaluated and approved by both the TIF Board of Directors and City Council.

No residents will be displaced as a result of implementing this project plan. No changes of zoning ordinances, the master plan of Garland, building codes, or other municipal ordinances will be necessary at this time to implement the project plan.

# Section 5:
# Additional Tax for Garland

In addition to the tax on greater real property values in the Zone, the City of Garland and other taxing jurisdictions will likely receive additional business personal property tax. Increased sales tax from new development in the Zone is possible, depending on the type of new development in the Zone and the stability of sales tax from existing development.

The Tax Increment Fund may have a residual balance of cash on hand after all financial obligations have been met. A residual balance of $12,699 is indicated on the bottom line of Schedule 3. Any residual balance will be prorated and returned to the general funds of participating taxing jurisdictions after all obligations of the TIF Fund have been discharged.

# Schedules and Appendix

## Schedule 1:

# Forecast Revenue to TIF Fund 3 with Wyrick Farm Development

**Notes:**

2019 taxable value represents the base year of the initial boundaries of the TIF zone.

2020 taxable value is based on the Certified Taxable Values provided by Dallas County Appraisal District (DCAD).

Annual inflation rates are set at a modest 1%. Actual adjustments may vary significantly from year to year.

Taxable value added by new construction for Jan. 1, 2020 and beyond represents the anticipated increase in taxable value associated with the Wyrick Farms development. Prior the land was vacant agricultural land.

2021 taxable values and beyond are based on an estimate combining the 2020 estimated taxable value of the initial and expanded boundaries of the zone, modest inflation, and to the zone

Base value for the zone will be the sum of freeze-adjusted taxable values for Jan. 1 of the calendar years when real properties were included in the zone. Based on DCAD's reports the base taxable value in 2019 was $25,150,851 and it is estimated that after expansion in 2021 the expanded zones base value will be $45,345,369.

The tax rate is assumed constant from 2020 onward. However, due to Senate Bill 2 passed during the 2019 legislative session actual rates will fluctuate slightly. However, based in this model it is not expected to materially impact this analysis

Participation by Dallas County in TIF zone 3 for fifteen years with 55% of the County tax increment could add an estimated $1.9 million of 2018 present value to the fund.

| (a) | (b) | (c) | (d) | (e) | (f) | (f) | (g) | (h) | (i) | (j) | (k) | (l) |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Year | Real Property Value for Jan. 1, | Tax Due Without Penalty by Jan 31, | Taxable Real Property Value Carried from Previous Year Net Change @ 1.00% Annually After 2017 | Estimated Taxable Value Added by New Construction Added to Roll for Jan. 1, in 2020 Dollars | Taxable Value Added to Roll by New Construction, If 0.00% Annual Inflation | Taxable Value of Real Property within TIF Zone | City Real Property Tax Levy Levy, If $0.7696 Per $100 After 2020 | City's Captured Appraised Value ("CAV"=Taxable Less Base Value) | Real Property Tax on CAV (the" Tax Increment") | % of City Tax Increment to TIF Fund | City Tax Increment to TIF Fund This Year | 2020 Present Value of Cumulative Tax Increments to TIF Fund @ 2.50% Annual Discounts |
| -1 | 2018 | 2019 | | | | $25,150,851 | $177,213 | | | | | $0 |
| Base | 2019 | 2020 | $26,278,721 | $0 | $0 | $26,278,721 | $202,241 | $1,127,870 | $8,680 | 100% | $8,680 | $8,468 |
| 1 | 2020 | 2021 | $27,694,028 | $21,653,870 | $21,653,870 | $49,347,898 | $379,781 | $24,197,047 | $184,358 | 100% | $184,358 | $183,943 |
| 2 | 2021 | 2022 | $70,035,895 | $20,511,807 | $20,511,807 | $90,547,702 | $696,855 | $44,598,238 | $341,512 | 100% | $341,512 | $501,071 |
| 3 | 2022 | 2023 | $91,453,179 | $20,511,807 | $20,511,807 | $111,964,986 | $861,683 | $66,015,522 | $505,515 | 100% | $505,515 | $959,043 |
| 4 | 2023 | 2024 | $113,084,636 | $20,511,807 | $20,511,807 | $133,596,443 | $1,028,158 | $87,646,979 | $671,158 | 100% | $671,158 | $1,552,249 |
| 5 | 2024 | 2025 | $134,932,408 | $18,380,710 | $18,380,710 | $153,313,118 | $1,179,898 | $107,363,654 | $822,139 | 100% | $822,139 | $2,261,177 |
| 6 | 2025 | 2026 | $154,846,249 | $18,380,710 | $18,380,710 | $173,226,960 | $1,333,155 | $127,277,496 | $974,630 | 100% | $974,630 | $3,081,100 |
| 7 | 2026 | 2027 | $174,959,229 | $18,380,710 | $18,380,710 | $193,339,940 | $1,487,944 | $147,390,476 | $1,128,646 | 100% | $1,128,646 | $4,007,432 |
| 8 | 2027 | 2028 | $195,273,339 | $16,705,873 | $16,705,873 | $211,979,212 | $1,631,392 | $166,029,748 | $1,271,376 | 100% | $1,271,376 | $5,025,458 |
| 9 | 2028 | 2029 | $214,099,004 | $0 | $0 | $214,099,004 | $1,647,706 | $168,149,540 | $1,287,608 | 100% | $1,287,608 | $6,031,336 |
| 10 | 2029 | 2030 | $216,239,994 | $0 | $0 | $216,239,994 | $1,664,183 | $170,290,530 | $1,304,003 | 100% | $1,304,003 | $7,025,175 |
| 11 | 2030 | 2031 | $218,402,394 | $0 | $0 | $218,402,394 | $1,680,825 | $172,452,930 | $1,320,562 | 100% | $1,320,562 | $8,007,087 |
| 12 | 2031 | 2032 | $220,586,418 | $0 | $0 | $220,586,418 | $1,697,633 | $174,636,954 | $1,337,286 | 100% | $1,337,286 | $8,977,181 |
| 13 | 2032 | 2033 | $222,792,283 | $0 | $0 | $222,792,283 | $1,714,609 | $176,842,819 | $1,354,177 | 100% | $1,354,177 | $9,935,569 |
| 14 | 2033 | 2034 | $225,020,205 | $0 | $0 | $225,020,205 | $1,731,756 | $179,070,741 | $1,371,238 | 100% | $1,371,238 | $10,882,362 |
| 15 | 2034 | 2035 | $227,270,407 | $0 | $0 | $227,270,407 | $1,749,073 | $181,320,943 | $1,388,469 | 100% | $1,388,469 | $11,817,669 |
| 16 | 2035 | 2036 | $229,543,112 | $0 | $0 | $229,543,112 | $1,766,564 | $183,593,648 | $1,405,872 | 100% | $1,405,872 | $12,741,601 |
| 17 | 2036 | 2037 | $231,838,543 | $0 | $0 | $231,838,543 | $1,784,229 | $185,889,079 | $1,423,449 | 100% | $1,423,449 | $13,654,268 |
| 18 | 2037 | 2038 | $234,156,928 | $0 | $0 | $234,156,928 | $1,802,072 | $188,207,464 | $1,441,202 | 100% | $1,441,202 | $14,555,780 |
| 19 | 2038 | 2039 | $236,498,497 | $0 | $0 | $236,498,497 | $1,820,092 | $190,549,033 | $1,459,133 | 100% | $1,459,133 | $15,446,247 |
| 20 | 2039 | 2040 | $238,863,482 | $0 | $0 | $238,863,482 | $1,838,293 | $192,914,018 | $1,477,243 | 100% | $1,477,243 | $16,325,777 |
| Total for years 1-20 | | | | $155,037,296 | $155,037,296 | | $29,495,901 | | $22,469,578 | | $22,469,578 | |

## Schedule 2:
# Potential Expenditures for TIF Fund 3

Notes:
Projects and cost estimates are current estimates from City of Garland personnel.
Many of the public infrastructure projects identified in the area exceed the projected revenue of the TIF zone. Therefore, funding will have to be identified from other sources to complete these projects.
A catalyst area study will be completed in this area in 2021 that may yield additional projects. Therefore, it is anticipated that this plan will be updated and/or changed in the future by the TIF Board of Directors and City Council.
High-confidence cost estimates are +/-15%. Medium-confidence estimates are +/- 25%. Low-confidence estimates are +/- 50%. Confidence levels for cost estimates are not indicators of relative project priority.

| (a)<br>Project | (b)<br>TIF Cost Estimate | (c)<br>Non-Project Cost Estimate | (d)<br>Confidence in Cost Estimates |
|---|---|---|---|
| Wilbow Development Agreement<br>*cash reimbursement incentives as outlined in the development agreement* | $3,100,000 | $0 | High |
| Establishing a TIRZ<br>*professional services associated with establishing a TIRZ* | $0 | $13,500 | High |
| Target Investment Area - Market Study<br>*professional services to conduct a market analysis and recommend a redevelopment plan for the area* | $0 | $250,000 | High |
| Trail - Detailed Engineering Study<br>*professional engineering consulting services to assess the site condition, determine appropriate alignment, and construction cost estimate* | $150,000 | $0 | High |
| Trail - Design and Construction<br>*12-ft trail along the Creekside from Shiloh to Walnut, connecting to Wyrick tract, acquiring easements* | $3,321,120 | $0 | Low |
| *Screening Wall*<br>*aesthetic enhancements to the screening wall including landscaping, lighting, and decorative elements* | $760,000 | $0 | Medium |
| *Public Infrastructure Improvements*<br>*This Category will provide funding for Public Infrastructure improvements within the TIF zone that may include upsizing drainage box culverts at an estimated cost of $4 million, Walnut Street pavement replacement and reconstruction at an estimated cost of $7.7 million, and Shiloh road pavement replacement or reconstruction at an estimated cost of $15 million.* | $10,168,880 | $16,477,009 | Medium |
| Land Acquisition<br>*acquiring land along Walnut and Shiloh as market presents opportunities* | $5,000,000 | $0 | Low |
| Total Estimated Cost | $22,500,000 | $16,740,509 | |

## Schedule 3:
# TIF Fund Prospective Disbursement Schedule

**Notes:**
Revenue projections are based on schedule 1 information and interest rates are assumed to be modest at .05%.
The $3.1 million incentive associated with the Wilbow/Wyrick Agreement will be reimbursed to the City of Garland by the TIF Fund between tax years 2024 -2033
It is assumed that the City will be required to issue debt to accomplish the Trails and Public Infrastructure projects. The analysis assumes the TIF will reimburse the City for debt service as funds are available for disbursement. Debt service cost may be higher than the amounts reflected below and will need to be absorbed within the debt service tax rate of the City.
This schedule is required by Chapter 311 of the Texas Tax Code. However, actual expenditures may fluctuate significantly from what is provided below.
It should be noted that a Catalyst Area Study for this zone will be completed in 2021. The TIF Board of Directors and City Council may make adjustments to the project plan based on the results of this study. Future updates to the plan are anticipated.
Only City of Garland Tax Increments are reflected in the schedule below. Updates will be made if the County or another taxing jurisdiction participates in the TIF in the future.

| | | | | | | PROJECTS IN TIF PLAN | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| TIF Year | Real Property Value for Jan. 1, | Tax Due Without Penalty by Jan 31, | Estimated Tax Increment to TIF Fund | Estimated Int. Earnings to TIF Fund | **TOTAL REVENUE** | Wilbow Development Agreement | Trail Study | Trail Design & Construction | Screening Walls | Public Infrastructure Improvements | Land Acquisition | **Total Expenditures** | Revenue Over (Under) Expenditures | **Beginning Fund Balance** | **Change In Fund Balance** | **Ending Fund Balance** |
| 1 | 2020 | 2021 | 184,358 | 43 | **184,402** | - | - | - | - | - | - | **-** | 184,402 | 8,696 | 184,402 | 193,098 |
| 2 | 2021 | 2022 | 341,512 | 965 | **342,477** | - | 150,000 | - | - | - | 263,158 | **413,158** | (70,681) | 193,098 | (70,681) | 122,417 |
| 3 | 2022 | 2023 | 505,515 | 612 | **506,127** | - | - | - | - | - | 263,158 | **263,158** | 242,969 | 122,417 | 242,969 | 365,386 |
| 4 | 2023 | 2024 | 671,158 | 1,827 | **672,985** | - | - | 100,000 | - | 250,000 | 263,158 | **613,158** | 59,827 | 365,386 | 59,827 | 425,214 |
| 5 | 2024 | 2025 | 822,139 | 2,126 | **824,265** | 310,000 | - | 100,000 | - | 250,000 | 263,158 | **923,158** | (98,893) | 425,214 | (98,893) | 326,321 |
| 6 | 2025 | 2026 | 974,630 | 1,632 | **976,262** | 310,000 | - | 100,000 | 260,000 | 250,000 | 263,158 | **1,183,158** | (206,896) | 326,321 | (206,896) | 119,425 |
| 7 | 2026 | 2027 | 1,128,646 | 597 | **1,129,243** | 310,000 | - | 100,000 | 250,000 | 250,000 | 263,158 | **1,173,158** | (43,915) | 119,425 | (43,915) | 75,509 |
| 8 | 2027 | 2028 | 1,271,376 | 378 | **1,271,754** | 310,000 | - | 100,000 | 250,000 | 250,000 | 263,158 | **1,173,158** | 98,596 | 75,509 | 98,596 | 174,105 |
| 9 | 2028 | 2029 | 1,287,608 | 871 | **1,288,479** | 310,000 | - | 175,000 | - | 500,000 | 263,158 | **1,248,158** | 40,321 | 174,105 | 40,321 | 214,426 |
| 10 | 2029 | 2030 | 1,304,003 | 1,072 | **1,305,075** | 310,000 | - | 175,000 | - | 500,000 | 263,158 | **1,248,158** | 56,917 | 214,426 | 56,917 | 271,343 |
| 11 | 2030 | 2031 | 1,320,562 | 1,357 | **1,321,918** | 310,000 | - | 175,000 | - | 500,000 | 263,158 | **1,248,158** | 73,760 | 271,343 | 73,760 | 345,104 |
| 12 | 2031 | 2032 | 1,337,286 | 1,726 | **1,339,011** | 310,000 | - | 175,000 | - | 500,000 | 263,158 | **1,248,158** | 90,853 | 345,104 | 90,853 | 435,957 |
| 13 | 2032 | 2033 | 1,354,177 | 2,180 | **1,356,357** | 310,000 | - | 175,000 | - | 500,000 | 263,158 | **1,248,158** | 108,199 | 435,957 | 108,199 | 544,157 |
| 14 | 2033 | 2034 | 1,371,238 | 2,721 | **1,373,959** | 310,000 | - | 250,000 | - | 750,000 | 263,158 | **1,573,158** | (199,199) | 544,157 | (199,199) | 344,957 |
| 15 | 2034 | 2035 | 1,388,469 | 1,725 | **1,390,194** | - | - | 250,000 | - | 750,000 | 263,158 | **1,263,158** | 127,036 | 344,957 | 127,036 | 471,993 |
| 16 | 2035 | 2036 | 1,405,872 | 2,360 | **1,408,232** | - | - | 250,000 | - | 750,000 | 263,158 | **1,263,158** | 145,074 | 471,993 | 145,074 | 617,067 |
| 17 | 2036 | 2037 | 1,423,449 | 3,085 | **1,426,535** | - | - | 250,000 | - | 750,000 | 263,158 | **1,263,158** | 163,377 | 617,067 | 163,377 | 780,443 |
| 18 | 2037 | 2038 | 1,441,202 | 3,902 | **1,445,105** | - | - | 250,000 | - | 1,000,000 | 263,158 | **1,513,158** | (68,053) | 780,443 | (68,053) | 712,390 |
| 19 | 2038 | 2039 | 1,459,133 | 3,562 | **1,462,695** | - | - | 325,000 | - | 1,250,000 | 263,158 | **1,838,158** | (375,463) | 712,390 | (375,463) | 336,927 |
| 20 | 2039 | 2040 | 1,477,243 | 1,685 | **1,478,928** | - | - | 371,120 | - | 1,168,880 | 263,156 | **1,803,156** | (324,228) | 336,927 | (324,228) | 12,699 |
| | | **TOTALS** | **22,469,578** | **34,425** | **22,504,003** | **3,100,000** | **150,000** | **3,321,120** | **760,000** | **10,168,880** | **5,000,000** | **22,500,000** | | | | |

## Appendix 1:

# Anticipated Wyrick Farm Development and Taxable Real Property Values Added For the City of Garland

**Notes:**
Annual home completions for Wyrick Farm are current estimates by the developer.
Average taxable value added per home is an estimate.
No commercial completions are assumed for Wyrick Farm in this time horizon.

| (a) | (b) | (c) | (d) | (e) | (f) |
|---|---|---|---|---|---|
| Project Site | Completed During Year Ended Dec. 31 | Appraised as Complete Jan. 1, | Detached Homes @ Average of $266,387 Each | Commercial Floor Area @ $130 per Sq. Ft. | Estimated Taxable Value Added |
| Wyrick Farm | | | | | |
| | 2019 | 2020 | 75 | | $21,653,870 |
| | 2020 | 2021 | 77 | | $20,511,807 |
| | 2021 | 2022 | 77 | | $20,511,807 |
| | 2022 | 2023 | 77 | | $20,511,807 |
| | 2023 | 2024 | 69 | | $18,380,710 |
| | 2024 | 2025 | 69 | | $18,380,710 |
| | 2025 | 2026 | 69 | | $18,380,710 |
| | 2026 | 2027 | 69 | | $16,705,873 |
| Total | | | | | $155,037,296 |

## Appendix 2:

# Forecast Revenue to TIF Fund 3 with Wyrick Farm Development

**Notes:**
Lot mix and estimated average home sale prices for each lot size are from Wilbow.
All dollar values on this page are expressed in 2018 dollars, before adjustment for inflation.
Adjustments from sales volume to taxable home value are based on local observations.

### Sale Prices and Total Sales Volume

| Approx. Lot Dimensions | Number of Lots | % of Lots | Mean Sale Price per Unit (Land and Improvements) | Total Sales Volume |
|---|---|---|---|---|
| 22' x 100' | 293 | 50% | $250,000 | $73,250,000 |
| 33' x 75' | 94 | 16% | $337,500 | $31,725,000 |
| 40' x 115' | 136 | 23% | $375,000 | $51,000,000 |
| 50' x 115' | 59 | 10% | $400,000 | $23,600,000 |
| All | 582 | 100% | | $179,575,000 |
| | | Mean Sale Price per New Home = | $308,548 | $179,575,000 |

### Adjustments from Sales Value to Taxable Value

| | | Consequence of Adjustment for Taxable Value of Whole Site |
|---|---|---|
| Assumed long-term relation of DCAD "market" to true sale price | 95% | ($8,978,750) |
| Exemption for veteran with 100% disability rating = | 100% | |
| Assumed % of homesteads with 100% disability rating = | 2% | ($3,411,925) |
| City of Garland exemption for homestead status = | 8% | |
| Assumed % of homes with homestead exemption = | 75% | ($9,763,565) |
| City homestead exemption supplement for over-65 = | $51,000 | |
| Assumed % of homesteads with over-65 supplements = | 10% | ($2,166,786) |
| City homestead exemption supplement for disability = | $56,000 | |
| Assumed % of homesteads with City disability supplements = | 1% | ($216,679) |
| Taxable value after adjustments = | | $155,037,296 |

Mean Taxable Value per Home = $266,387

GARLAND
PLANNING REPORT

**City Council Regular Session Agenda** **5. b.**

**Meeting Date:** 01/05/2021

**Item Title:** SV 20-01 Ryan Johnston (District 2)

**Submitted By:** Kimberly Hopkins, Development Planner

---

## REQUEST

Approval of a Variance to Chapter 4, Article 5 of the Garland Development Code regarding setbacks for a monument sign to allow a reduced setback from the property line where five (5) feet is required per the GDC.

## LOCATION

1520 Lavon Drive

## OWNER

Lavon Drive Baptist Church

## PLAN COMMISSION RECOMMENDATION

On December 14, 2020 the Plan Commission, by a motion to approve the request, voted four (4) ayes and five (5) nays. A three quarters majority vote is required for approval of a sign variance per Chapter 4, Article 5 of the Garland Development Code. Further, an applicant may appeal.

In response, the applicant has submitted an appeal for City Council consideration. Per the Garland Development Code, a three-quarters (3/4) vote of the City Council members present and voting is required to overrule a sign variance denial by the Plan Commission.

## BACKGROUND

The subject site is currently developed with a church use. The applicant is proposing to relocate and install one (1) monument (non-illuminated) sign at the northwest entry of the property. The proposed monument sign requires a five (5) foot setback from the property line. The applicant requests a variance to reduce the setback to six (6) inches from the property line along Lavon Drive.

Section 4.81 of the GDC grants the Plan Commission the authority to approve variances and exceptions to the ordinance when there is a finding from the evidence presented that strict compliance with the requirement will result in a hardship or inequity to the applicant. This section states that economic or self-created hardships alone shall not be sufficient basis for

granting a variance.

The applicant is appealing the Plan Commission's denial of the variance request to the City Council.

**SITE DATA**

The subject property is approximately 5.627 acres with 637 feet of frontage along Lavon Drive.

**CONSIDERATIONS**

1. The applicant is requesting to install a monument sign on the north side of an existing driveway along Lavon Drive. The applicant contends the required five (5) foot setback causes a hardship due to the visibility of the sign from the six-lane roadway, as well as logistical issues with the newly installed landscape island. A setback reduction to six (6) inches would allow the proposed monument sign while not creating an encroachment into the driveway nor obstructing the fire lanes. Additionally, all requirements for sight visibility lines associated with traffic visibility standards are satisfied. All other provisions for a monument sign are met.

2. Section 4.78(K)(1) of the Garland Development Code (GDC) states the maximum permitted height for the monument sign is seven (7) feet, including the monument base. The proposed height is seven (7) feet.

3. Section 4.78(K)(2) of the Garland Development Code (GDC) states the maximum surface area of a monument sign is fifty (50) square feet. The applicant is proposing twenty-seven (27) square feet. Therefore, aside from the requested setback variance, the proposed sign meets GDC standards.

4. As mentioned earlier in this report, a three-quarters (3/4) vote of the City Council members present and voting is required to overrule a sign variance denial by the Plan Commission.

---

**Attachments**

SV 20-01 Ryan Johnston Attachments and Exhibits

SV 20-01 Ryan Johnston Responses

SV 20-01 Ryan Johnston Staff Presentation

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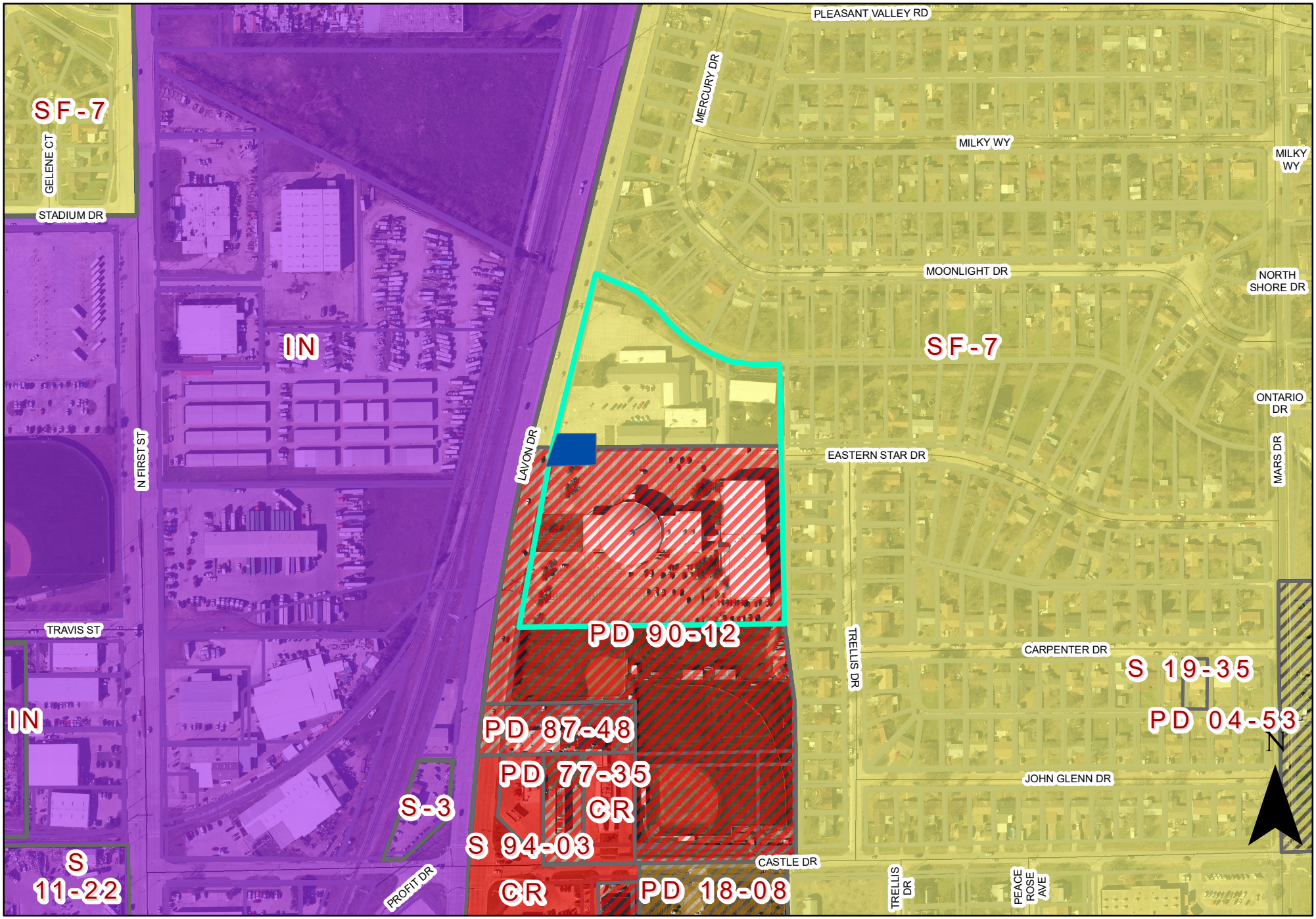


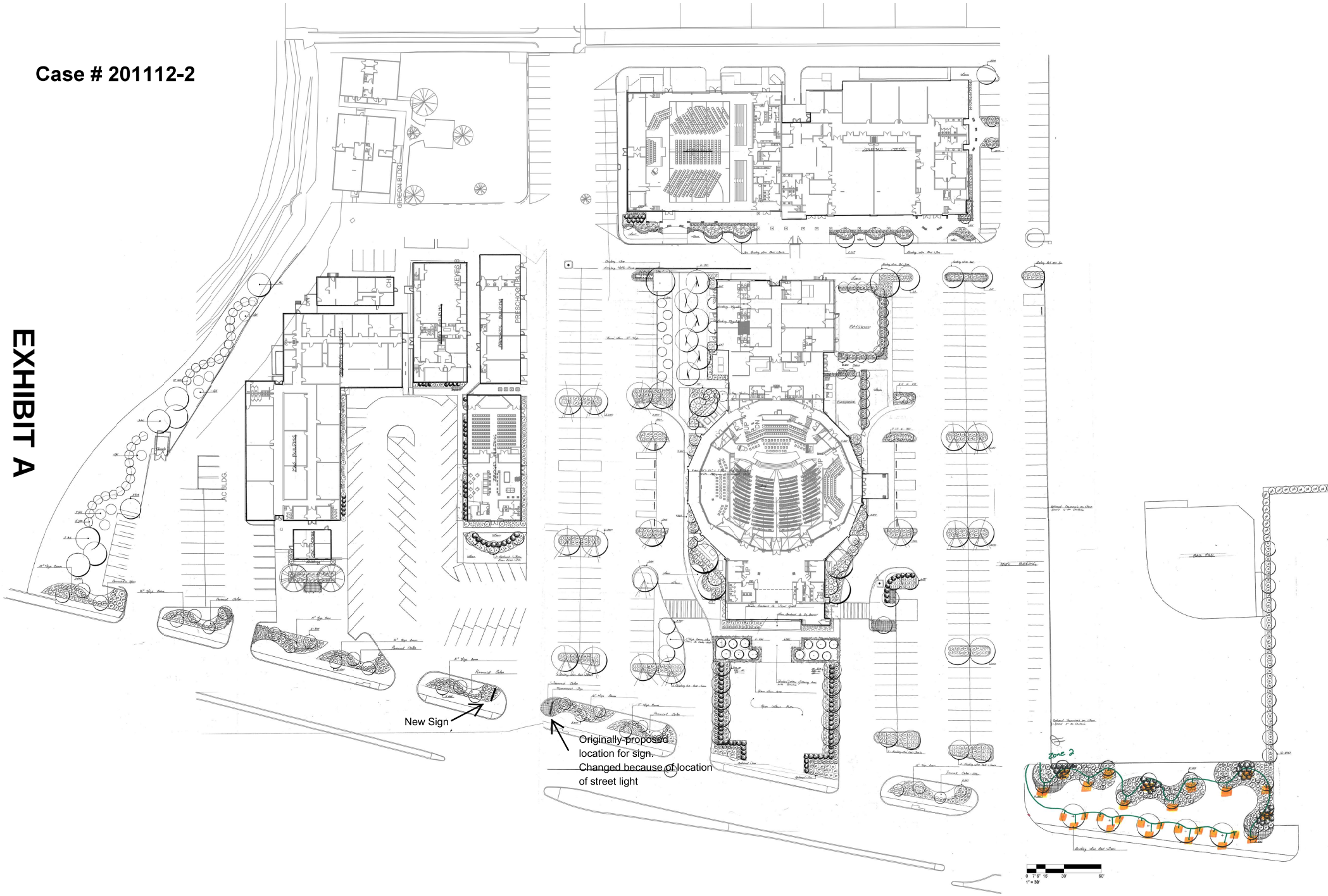

0 225 450 Feet
1 inch = 310 feet

# Sign Variance SV 20-01

SUBJECT PROPERTY
AREA OF REQUEST

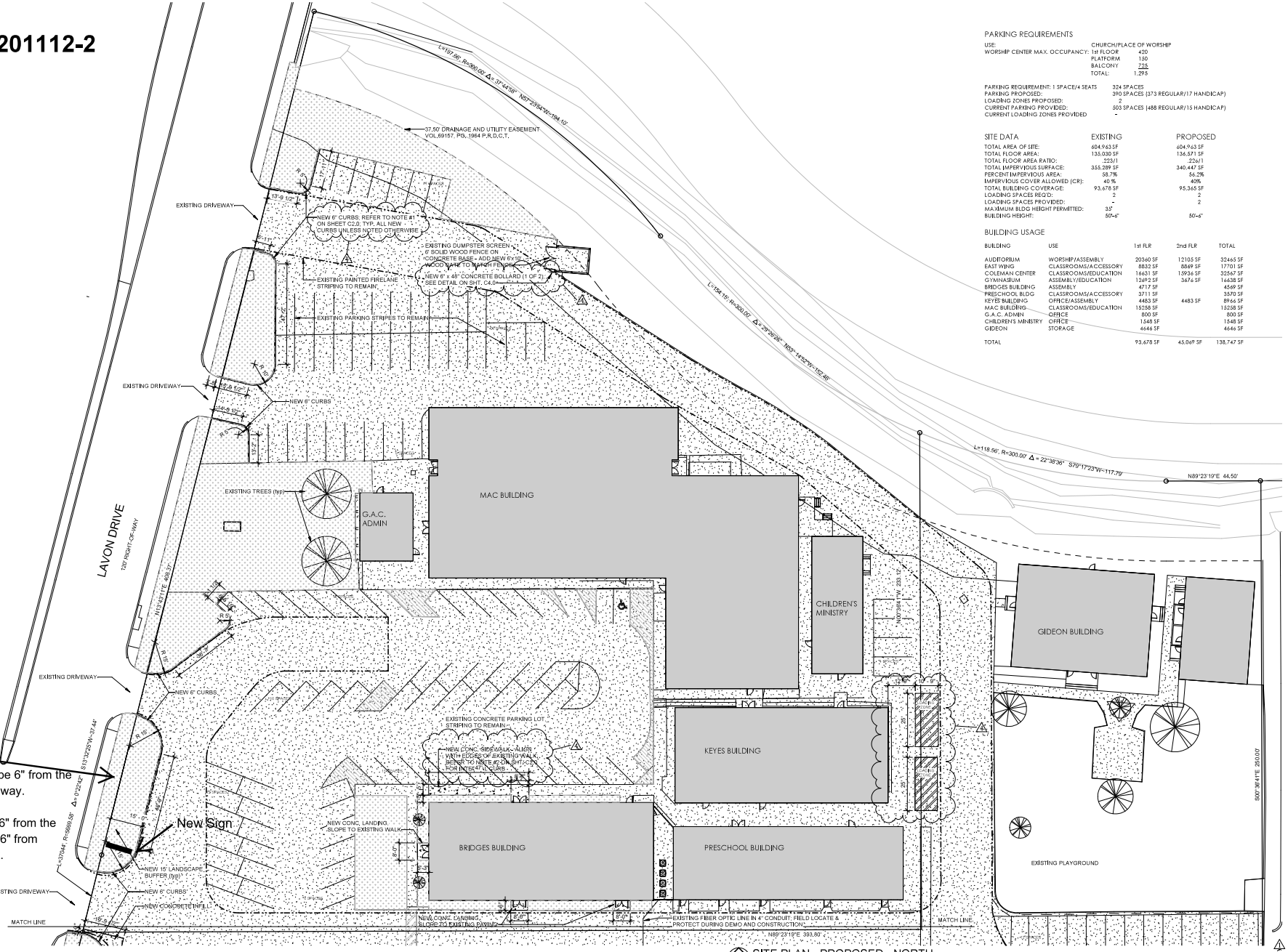
**Case # 201112-2**

# EXHIBIT A



**Case # 201112-2**

# EXHIBIT A




SITE PLAN - PROPOSED - NORTH
1" = 20'-0"

0 10' 20' 40'

## PARKING REQUIREMENTS

| | | |
|---|---|---|
| USE: | CHURCH/PLACE OF WORSHIP | |
| WORSHIP CENTER MAX. OCCUPANCY: | 1st FLOOR | 420 |
| | PLATFORM | 150 |
| | BALCONY | 725 |
| | TOTAL: | 1,295 |

| | |
|---|---|
| PARKING REQUIREMENT: 1 SPACE/4 SEATS | 324 SPACES |
| PARKING PROPOSED: | 390 SPACES (373 REGULAR/17 HANDICAP) |
| LOADING ZONES PROPOSED: | 2 |
| CURRENT PARKING PROVIDED: | 503 SPACES (488 REGULAR/15 HANDICAP) |
| CURRENT LOADING ZONES PROVIDED | - |

## SITE DATA

| | EXISTING | PROPOSED |
|---|---|---|
| TOTAL AREA OF SITE: | 604,963 SF | 604,963 SF |
| TOTAL FLOOR AREA: | 135,030 SF | 136,571 SF |
| TOTAL FLOOR AREA RATIO: | .223/1 | .226/1 |
| TOTAL IMPERVIOUS SURFACE: | 355,289 SF | 340,447 SF |
| PERCENT IMPERVIOUS AREA: | 58.7% | 56.2% |
| IMPERVIOUS COVER ALLOWED (CR): | 40 % | 40% |
| TOTAL BUILDING COVERAGE: | 93,678 SF | 95,365 SF |
| LOADING SPACES REQ'D: | 2 | 2 |
| LOADING SPACES PROVIDED: | - | 2 |
| MAXIMUM BLDG HEIGHT PERMITTED: | 35' | |
| BUILDING HEIGHT: | 50'-6" | 50'-6" |

## BUILDING USAGE

| BUILDING | USE | 1st FLR | 2nd FLR | TOTAL |
|---|---|---|---|---|
| AUDITORIUM | WORSHIP/ASSEMBLY | 20360 SF | 12105 SF | 32465 SF |
| EAST WING | CLASSROOMS/ACCESSORY | 8832 SF | 8869 SF | 17701 SF |
| COLEMAN CENTER | CLASSROOMS/EDUCATION | 16631 SF | 15936 SF | 32567 SF |
| GYMNASIUM | ASSEMBLY/EDUCATION | 12692 SF | 3676 SF | 16638 SF |
| BRIDGES BUILDING | ASSEMBLY | 4717 SF | | 4569 SF |
| PRESCHOOL BLDG | CLASSROOMS/ACCESSORY | 3711 SF | | 3570 SF |
| KEYES BUILDING | OFFICE/ASSEMBLY | 4483 SF | 4483 SF | 8966 SF |
| MAC BUILDING | CLASSROOMS/EDUCATION | 15258 SF | | 15258 SF |
| G.A.C. ADMIN | OFFICE | 800 SF | | 800 SF |
| CHILDREN'S MINISTRY | OFFICE | 1548 SF | | 1548 SF |
| GIDEON | STORAGE | 4646 SF | | 4646 SF |
| TOTAL | | 93,678 SF | 45,069 SF | 138,747 SF |


COSCO & ASSOCIATES, INC
215 EAST JAMES LEE BLVD.
CRESTVIEW, FLORIDA 32539
850.682.6226


COLOSSIANS 3:23

CBC 1250268 / TIM SONGSTER

REGISTERED ARCHITECT TIM SONGSTER 12684 STATE OF TEXAS

# LAVON DRIVE BAPTIST
RENOVATION/ADDITION
1520 LAVON DRIVE, GARLAND, TX 75040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ISSUE DATE
10 March 2020

**REVISION SCHEDULE**

| | | |
|---|---|---|
| 1 | 6/10/19 | GBRfton Review |
| 4 | 12/2/19 | Site Clarifications |

SITE PLAN
NEW WORK - NORTH

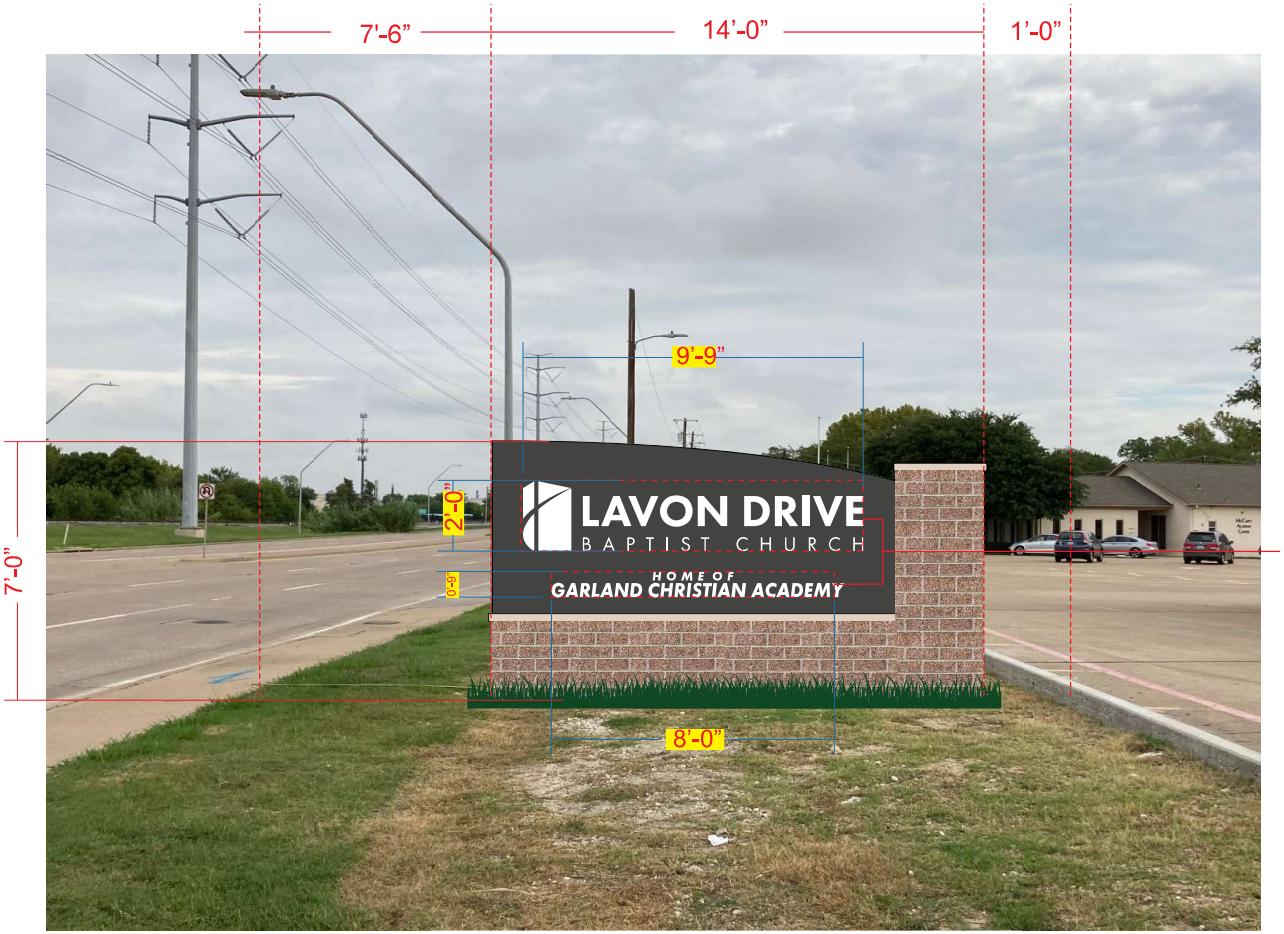
SHEET NO.
**A1.0.1**

Case # 201112-2

EXHIBIT B

# PROPOSED SIGNAGE

Proposed Monument Sign - Double Sided Non-Illuminated




Signage sqft: 27 sf total

1" = 1' 8"

Project#: 2020

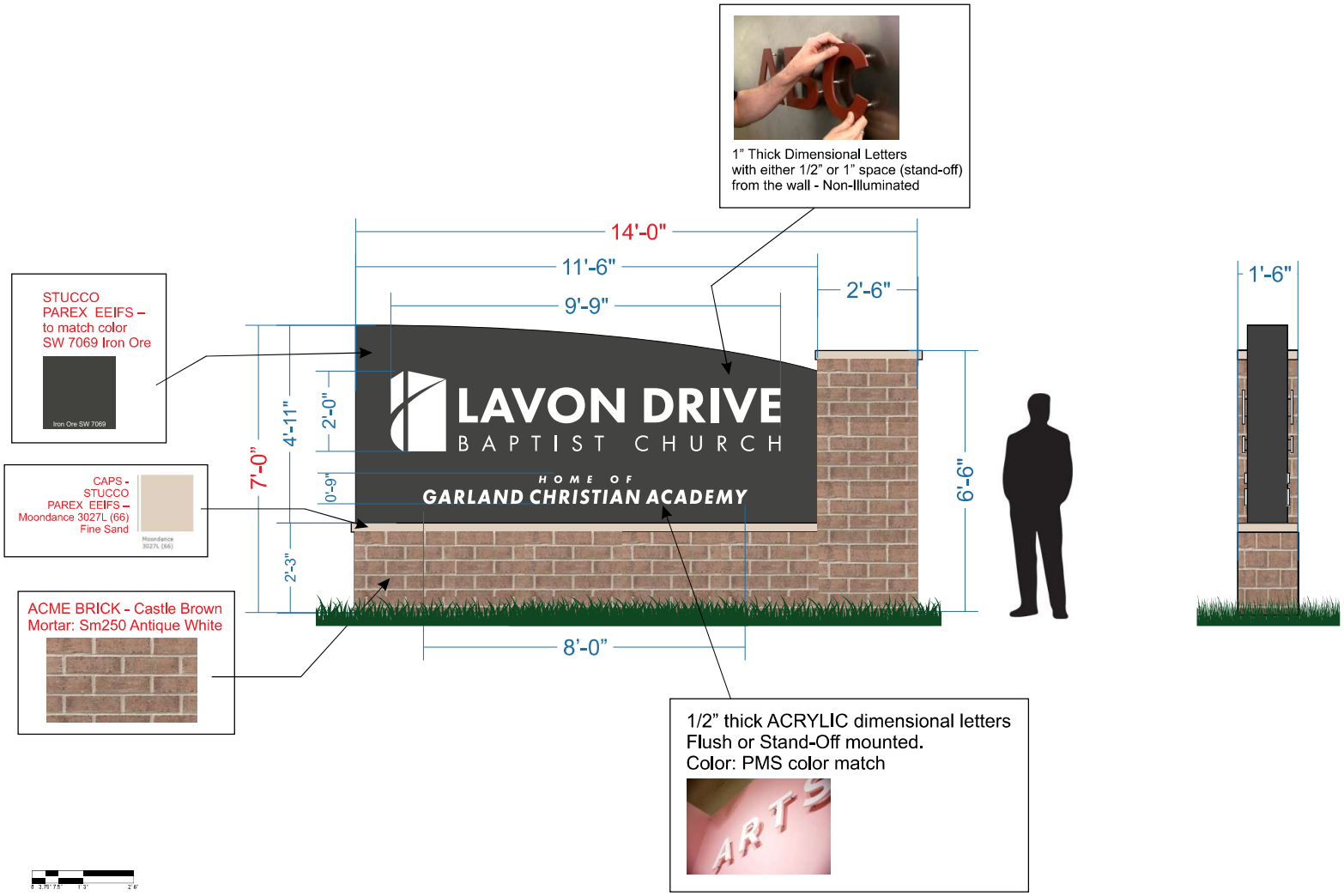
imageflow
Signs & Graphics Solutions
imageflowusa.com

Case # 201112-2

EXHIBIT B

PROPOSED SIGNAGE

## Proposed Monument Sign - Double Sided
## Non-Illuminated




1" = 1' 3"

imageflow
Signs & Graphics Solutions
imageflowusa.com

Project#: 2020

# REPORT & MINUTES

**P.C. Meeting, December 14, 2020**

Consideration of the application of **Ryan Johnston**, requesting approval of a Variance to Chapter 4, Article 5 of the Garland Development Code regarding setbacks for a monument sign to allow a reduced setback from the property line where five (5) feet is required. This property is located at 1520 Lavon Drive. (District 2) (File SV 20-01)

Kimberly Hopkins, Development Planner, presented the staff report.

The applicant, Ryan Johnston, 1522 Lavon Drive, Garland, Texas 75040 provided a brief overview of the request.

Commissioner Rose asked if the proposed sign will be lighted.

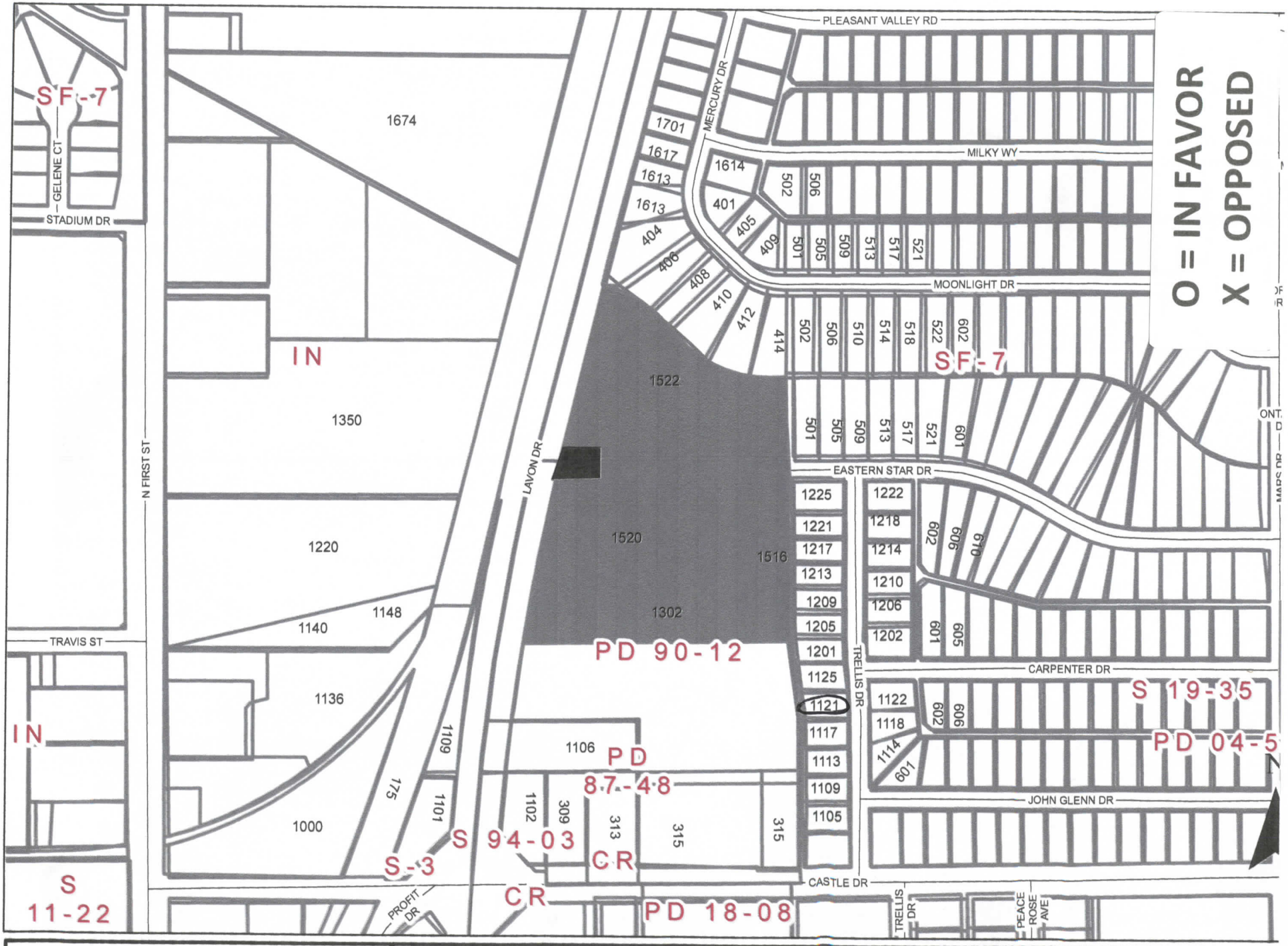
Mr. Johnston stated it is a full masonry sign that will be front-lighted.

Chairman Roberts inquired as to the location choice of signage.

Mr. Johnston stated the choice was to have one strategically and centrally located sign to promote the church and school.

There was discussion among staff and the Commission regarding the specifications on which a variance can be granted, a hardship cannot be self-imposed by the applicant or owner, and to pass the variance would require a 3/4 majority.

**Motion** was made by Commissioner Rose to close the public hearing and **approve** the request. Seconded by Commissioner Dalton. **Motion failed: 4** Ayes, **5** Nays from Chairman Roberts and Commissioners Edwards, Jenkins, Welborn, and Williams.




0 225 450 Feet
1 inch = 310 feet

# Sign Variance SV 20-01

SUBJECT PROPERTY
AREA OF REQUEST

(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.

Lavon Drive Baptist Church has always been a great supporter of the Starcrest Estates neighborhood. Their recent upgrades should help neighborhood property values :)

(Please complete the following information)

1122 Trellis Drive, Garland, TX, 75040
Your Property Address

MARCIA Murphy
Printed Name

1122 Trellis Drive, Garland, TX 75040
Address City, State Zip

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

Marcia Murphy — property owner
Signature Title

Date: 12-4-20

DEC 13 '20 PM 2:07

(Please Check One Below)

_X_ 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)

GISD Sellers Middle School, 1009 Mars Drive, Garland 75040
Your Property Address

Paul Gonzales
Printed Name

| 701 N. First Street | Garland, TX | 75040 |
|---|---|---|
| Address | City, State | Zip |

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

Paul Mar, GISD Executive Director of Facilities & Maintenance
Signature Title

Date: 12/9/20

Outside the Notification Area

# SV 20-01

Approval of a Variance to Chapter 4, Article 5 of the Garland Development Code regarding setbacks for a monument sign to allow a reduced setback from the property line where five (5) feet is required per the GDC.

City Council Meeting
January 5, 2021

GARLAND
TEXAS MADE HERE

GARLAND
TEXAS MADE HERE

# Case Information

Location: 1520 Lavon Drive

Applicant: Ryan Johnston

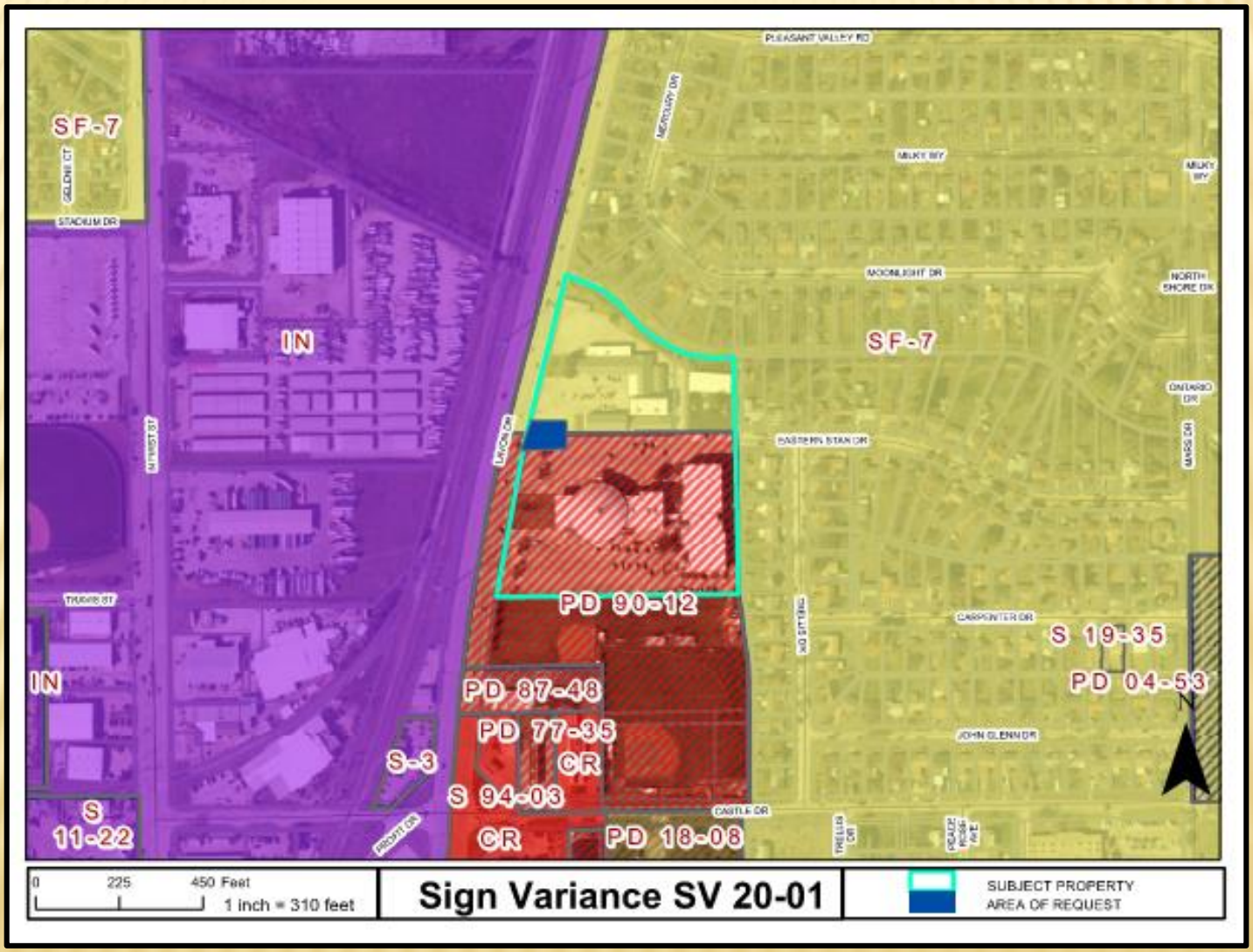
Owner: Lavon Drive Baptist Church

Acreage: 5.627

Zoning: Planned Development (PD) District 90-12
Single-Family-7 (SF-7) District

GARLAND
TEXAS MADE HERE

# Location Map



# Photos

Looking at main campus building.

Looking west across Lavon Drive.

# Photos

Looking north along site and Lavon Drive.

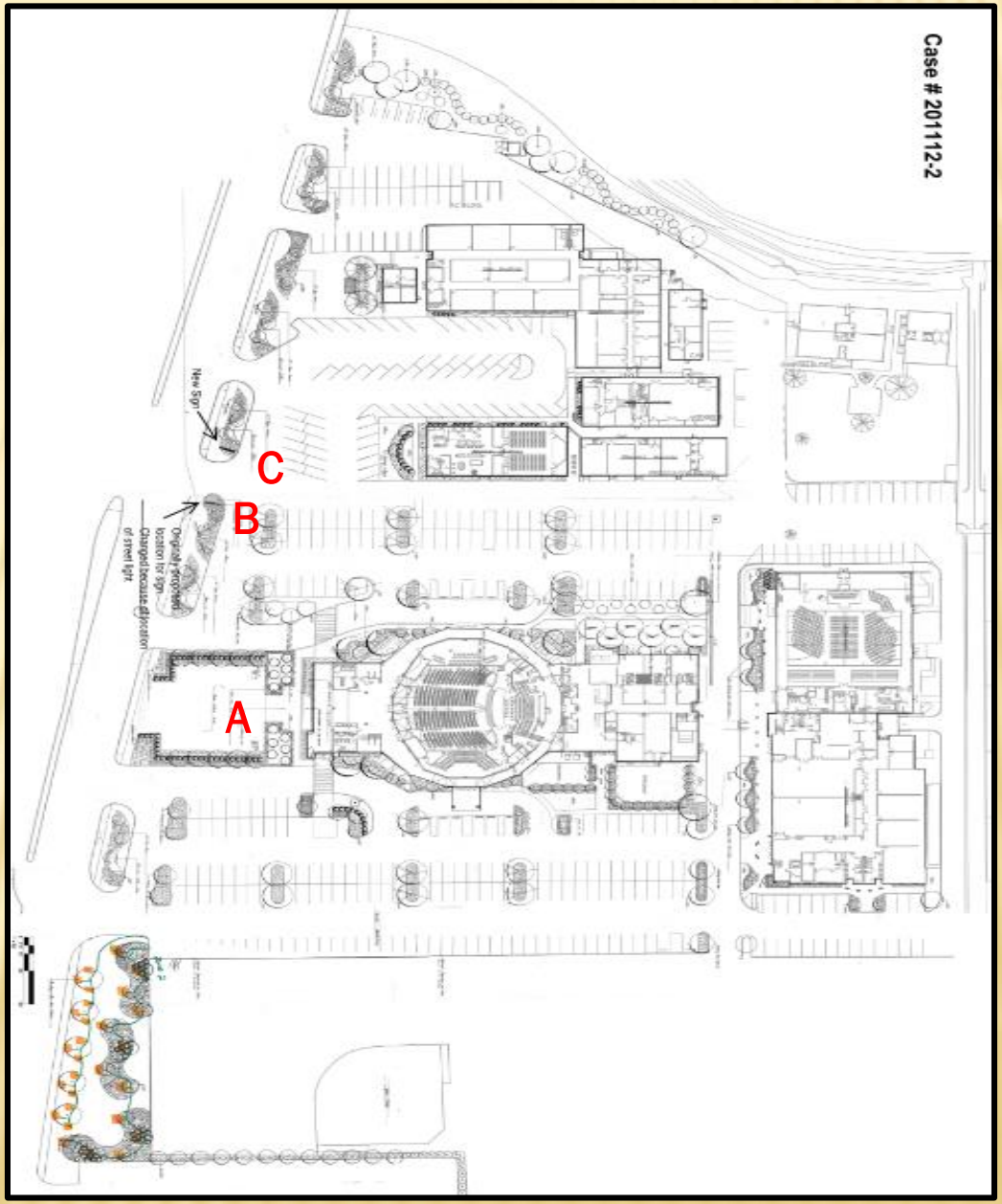
Looking south along Lavon Drive

# Overall Site Plan

A = Prior to Site Renovation Sign Location

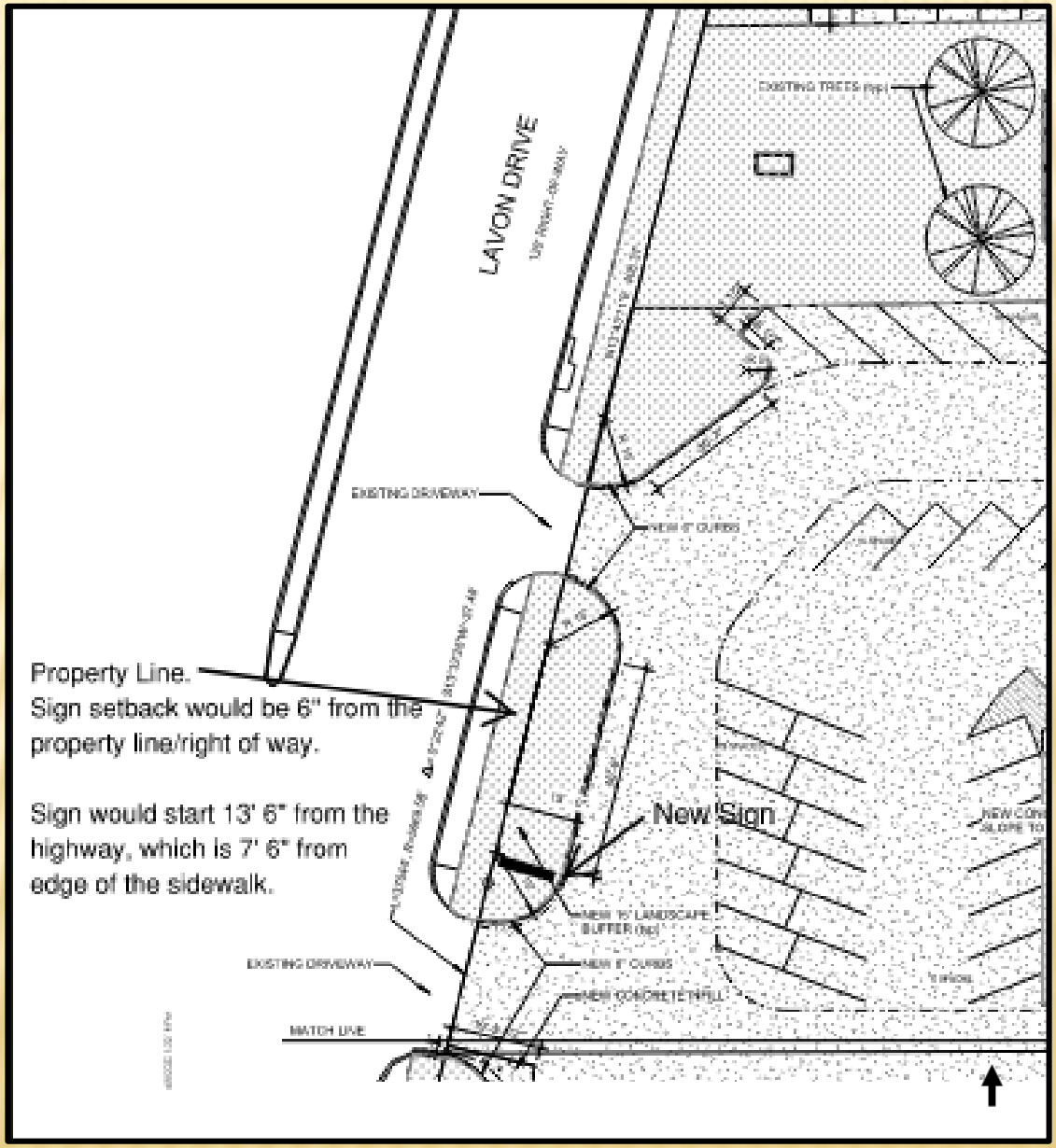
B = Originally Proposed Sign Location

C = Requested Sign Location in SV 20-01



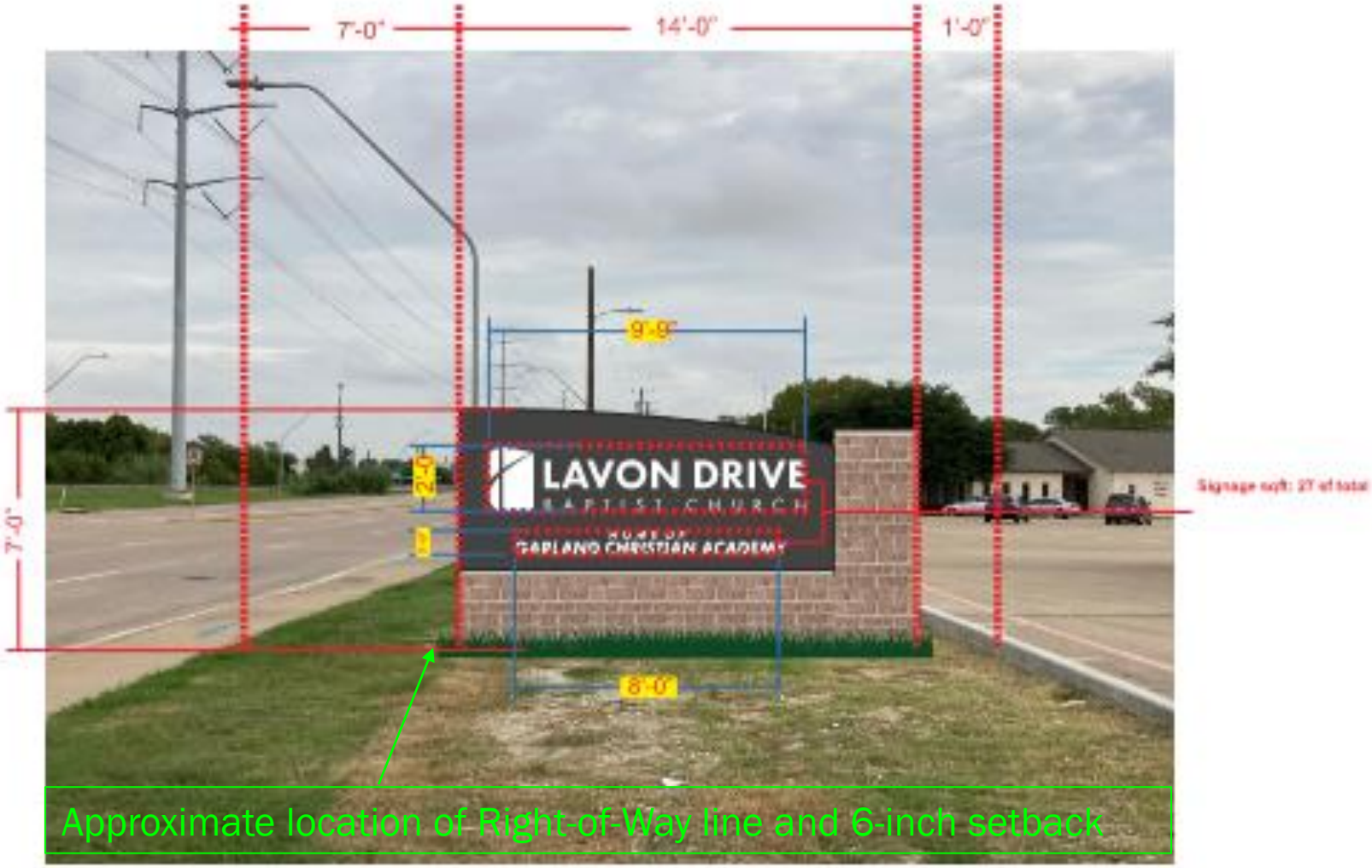

SV 20-01

# Site Plan



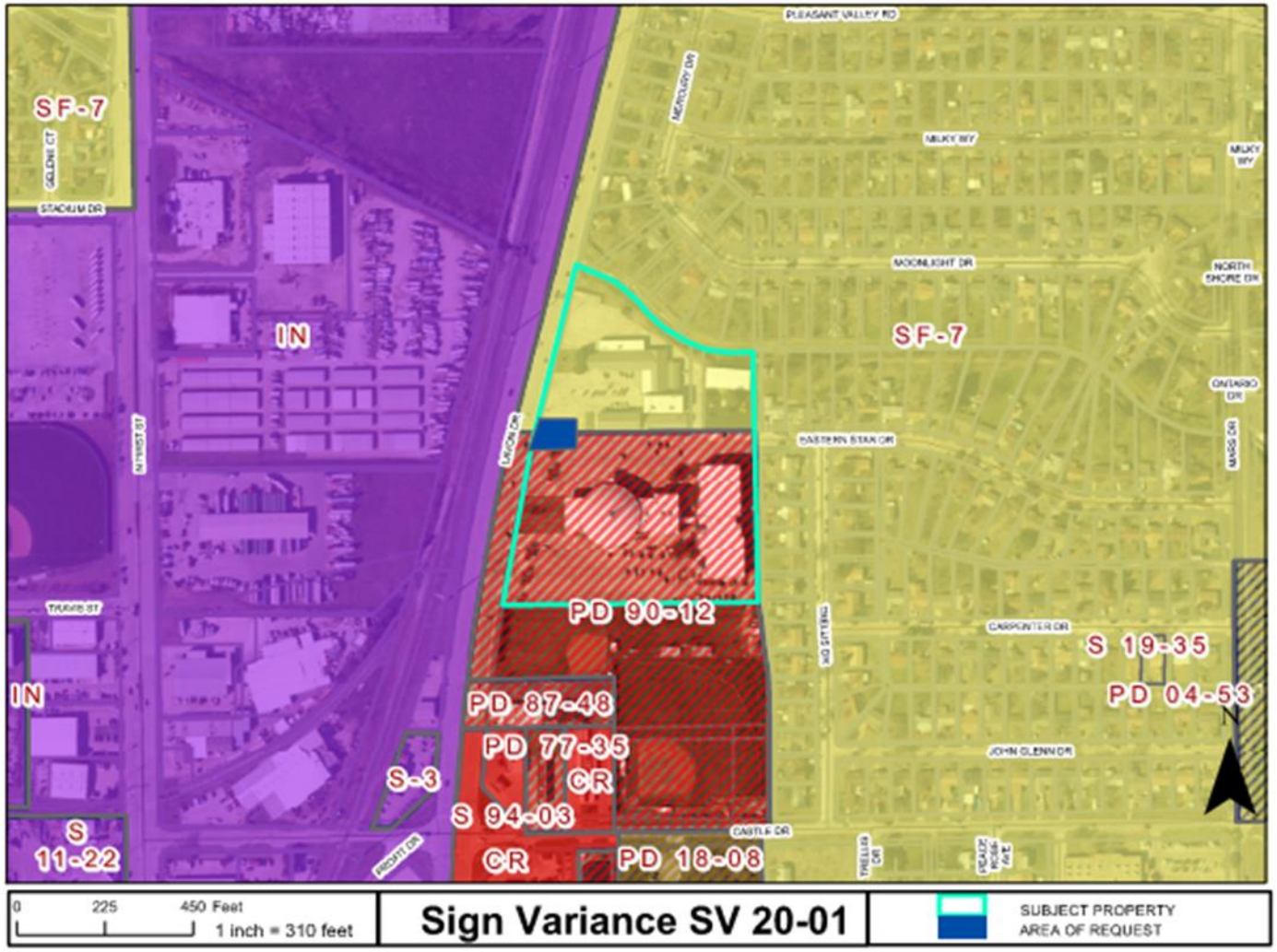

SV 20-01

# Elevations


7'-0"
14'-0"
1'-0"
9'-9"
7'-0"
2'-0"
LAVON DRIVE
BAPTIST CHURCH
HOME OF
GARLAND CHRISTIAN ACADEMY
8'-0"
Signage sqft: 27 of total
Approximate location of Right-of-Way line and 6-inch setback

GARLAND
TEXAS MADE HERE

# Location Map



GARLAND
TEXAS MADE HERE

# Old Sign

SV 20-01

GARLAND
PLANNING REPORT

**City Council Regular Session Agenda** **5. c.**

**Meeting Date:** 01/05/2021

**Item Title:** Z 20-32 Ocean Star Metals, Inc. - Plan (District 6)

**Submitted By:** Kimberly Hopkins, Development Planner

---

## REQUEST

Approval of a Plan to allow a Recycling Salvage Yard (unlimited outside storage) Use.

## LOCATION

521, 523, and 525 Shepherd Drive

## OWNER

Ocean Star Metals, Inc.

## PLAN COMMISSION RECOMMENDATION

On December 14, 2020 the Plan Commission, by a vote of six (6) to three (3) recommended approval of a Change in Zoning from Heavy Commercial (HC) District to Industrial (IN) District.

The Plan Commission by a vote of six (6) to three (3) also recommended approval of a Specific Use Provision to allow a Recycling Salvage Yard (unlimited outside storage) Use for a period of ten (10) years. The Plan Commission further recommended the outside storage shall not exceed the eight (8) foot existing fence.

The Plan Commission by a vote of six (6) to three (3) also recommended approval of a Plan to allow a Recycling Salvage Yard (unlimited outside storage) Use.

The applicant concurs with the ten (10) year time period.

## STAFF RECOMMENDATION

Denial of 1) a Change in Zoning from Heavy Commercial (HC) District to Industrial (IN) District, 2) a Specific Use Provision to allow a Recycling Salvage Yard (unlimited outside storage) Use, and 3) a Plan to allow a Recycling Salvage Yard (unlimited outside storage) Use. Given the small site, the operation does not appear to maintain truck traffic circulation on site per the Garland Development Code's requirement for Recycling Salvage Yard Uses, and requires frequent interference of traffic lanes on Shepherd Drive.

## BACKGROUND

The applicant is requesting a zoning change from Heavy Commercial (HC) District to Industrial (IN) District and requesting approval to allow the continued operation of an existing Recycling Salvage Yard (unlimited outside storage) use. The use requires a Specific Use Provision in the Industrial (IN) District.

In 2010, File Z 10-30 was approved for the operation of a Recycling Center for a period of ten (10) years.

**SITE DATA**

The site contains approximately 0.947 acres with approximately 204 lineal feet of frontage along Shepherd Drive, which is used as the main access point to and from the property.

**USE OF PROPERTY UNDER CURRENT ZONING**

The Heavy Commercial (HC) District is intended to provide locations for commercial and service-related establishments, such as building material and wholesale product sales, contractors' shops, automotive repair services, upholstery shops, and other similar commercial uses. The uses envisioned for the district will typically have operation characteristics that are generally not compatible with residential uses and some nonresidential uses. Uses in this district may utilize outside storage areas that are screened from public view. Some light manufacturing uses may also be allowed subject to certain conditions. The uses envisioned for the district will typically have operation characteristics that are generally not compatible with residential uses and some nonresidential uses. Convenient access to major thoroughfares and other transportation systems is a primary consideration for the types of uses that are found in the Commercial districts.

The applicant’s site operations include recycling of scrap metal materials with outdoor storage as approved in 2010. However, due to the GDC adoption in 2015, the use is now classed as a Recycling Salvage Yard (unlimited outdoor storage) which requires a Specific Use Provision in the Industrial (IN) District only. A Recycling Salvage Yard is defined as: A facility which provides for the collection, sorting, storage, bundling and shipping of recoverable and recyclable non-automotive, non-consumable and non-compostable materials such as aluminum cans, glass, papers including magazines and newspapers, cardboard, wood pallets, metals, plastics, tires, computers and electronics, oil, paints, solvents, and textiles.

**CONSIDERATIONS**

1. Recycling Salvage Yards are not permitted in the Heavy Commercial (HC) District; therefore, the applicant requests a Change in Zoning to the Industrial (IN) District which allows Recycling Salvage Yards by Specific Use Provision (SUP) only. Due to the GDC adoption in 2015, the use is now classified as a Recycling Salvage Yard which includes outdoor storage and requires a Specific Use Provision (SUP) in the Industrial (IN) District only.

   The Industrial (IN) District is intended to provide locations for a wide range of industrial uses that may or may not be compatible with some nonresidential uses. Such uses include manufacturing, processing, assembling, research and development, and warehousing and distribution. The Industrial District also accommodates support services for industrial development such as office, commercial, personal and professional services, and limited retail activities, commercial and service-related establishments, such as building material and wholesale product sales, contractors' shops, automotive repair

services, upholstery shops, and other similar commercial uses.

2. <u>Recycling Salvage Yard Special Standards</u>:
    a. The recycling salvage yard must be attended during all hours of business or collection.
    b. Processing of materials may include weighing, sorting, flattening, crushing, shredding, bundling, and palletizing materials for shipment by hand or by machine, and may also include smelting, melting, refining, or other conversion back to a "raw material" state.
    c. All processing operations (such as, crushing, bundling, or palletizing) must occur within a building or within an outside storage yard.
    d. Outside storage of materials are permitted, where located behind the main building, where and where screened from all public streets and from neighboring properties with a fully opaque, minimum eight-foot tall masonry screening wall, as applicable (unless another form of screening is approved with the initial development application). *Although on-site operations and stacks of materials may be visible from the street, the site has a gate located between the operations / storage area and the street. The site is improved with an eight (8) foot high chain-link fence with screening mesh along its property lines.*
    e. Recycling salvage yards must have an on-site vehicle circulation plan. The plan must be designed and operated so that all truck and other vehicle traffic associated with the recycling salvage yard is accommodated on-site and does not interfere with the traffic lanes on the adjacent street. *The site is small and does not appear to have turnarounds for trucks on-site, requiring traffic lane interference on Shepherd Drive.*

3. Outside Storage is a use associated with the Recycling Salvage Yard and is permitted in the Industrial (IN) District, in accordance with the following Special Standard:
    a. Outside storage is not to be located between the front of the building and the street, nor on top of any structure, nor stacked higher than the building or device that screens the stored materials. The applicant indicates the business would comply with the outside storage requirements.

4. The applicant proposes a Recycling Savage Yard (unlimited outside storage) use, specializing in scrap metal recycling, in three (3) existing buildings totaling 15,182 square feet. The applicant is not proposing any expansions or exterior remodeling. The establishment would operate Monday through Friday, 8:00 a.m. to 5:00 p.m.

5. The previous Specific Use Provision was approved with thirteen (13) parking spaces. The site plan (Exhibit C in the Plan agenda item) shows existing pavement and seventeen (17) parking spaces on the overall site, which brings the site closer to meeting the 18 required parking spaces per the GDC.

6. Landscaping currently exists on the site. Neither a building expansion nor a parking lot expansion is proposed with this request; therefore, new landscaping compliance is not triggered by this request.

7. Signage is existing and no changes to signs are proposed with this application.

8. The applicant requested a time period of thirty (30) years but concurs with the Plan Commission's recommendation of ten (10) years.

## COMPREHENSIVE PLAN

The Future Land Use Map of the Envision Garland Plan recommends Industry Center for the subject property. Industry Centers provide a cluster of trade and industry that cumulatively employ large numbers of people. Operations may include such elements as semi-truck traffic, loading docks, and visible outdoor storage. Overall, the architecture, character, scale, and intensity should be compatible with adjacent development types. Industry Centers range in scale and intensity based on the surrounding vicinity and may consist of one or more buildings. This development type includes a variety of primary and secondary uses that support the industry employment sector.

## COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

The properties to the north, south, east and west are zoned Heavy Commercial (HC) District and Industrial (IN) District, consisting of such uses as a self-storage facility, printing company, building material company, catering company, and auto part facility.

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**Attachments**

Z 20-32 Ocean Star Metals, Inc. (Plan) Attachments

Z 20-32 Ocean Star Metals, Inc. Responses

Z 20-32 Ocean Star Metals, Inc. Staff Presentation

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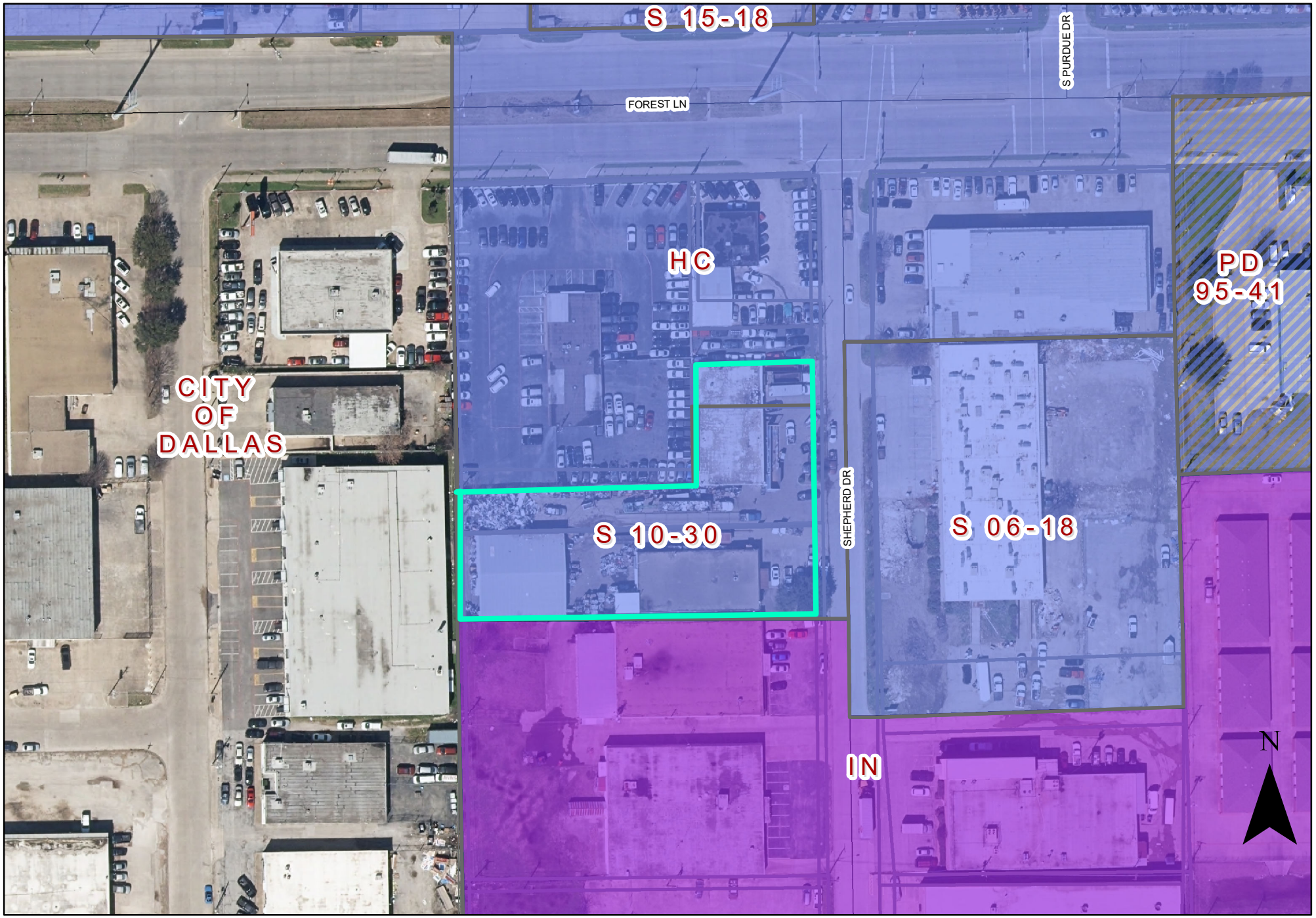
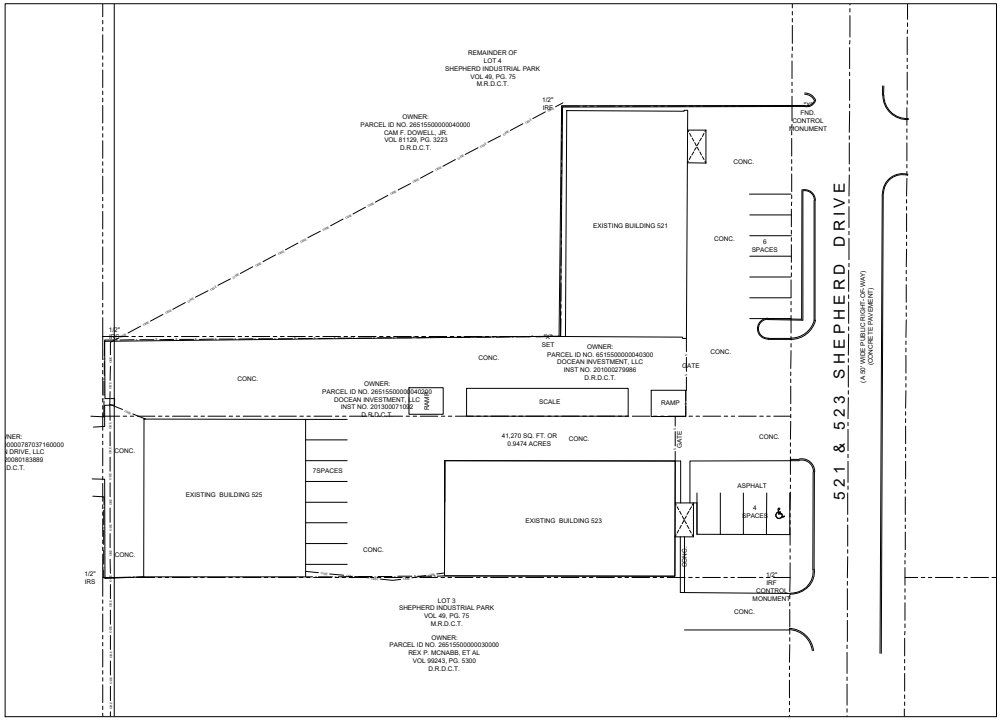



0 75 150 Feet
1 inch = 104 feet

# Zoning File Z 20-32

INDICATES AREA OF REQUEST

EXHIBIT C




## PROJECT SITE

| | |
|---|---|
| LOT AREA | 41270 SF |
| OFFICE AREA | 900 SF |
| TOTAL BUILDING AREA | 15182 SF |
| FLOOR/LOT AREA RATIO | 0.36 |
| BUILDING CONSTRUCTION | STEEL FRAME – 80% BRICK FACADE AGGREGATE TOTAL OF ALL WALLS WILL BE BRICK VENEER |

## LEGAL

ADDRESS 525&521&523 Shepherd Drive

LAND LOT 4, SHEPHERD INDUSTRIAL PARK
SITUATED IN THE
McCANNE SURVEY, ABSTRACT NO. 959
CITY OF GARLAND, DALLAS COUNTY, TEXAS

BUILDING 521:ONE STORY CONCRETE BUILDING

OUTSIDE BUILDING AREA: 5,152 SQ. FT.
BUILDING HEIGHT 12.2'

BUILDING 523:ONE STORY BRICK BUILDING

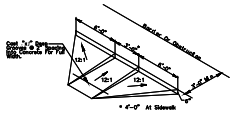
OUTSIDE BUILDING AREA: 5,015 SQ. FT.
BUILDING HEIGHT 11.8'

BUILDING3 525 :ONE STORY METAL BUILDING

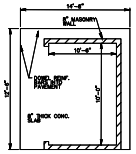
OUTSIDE BUILDING AREA: 5,015 SQ. FT.
BUILDING HEIGHT 16.5'

## PARKING CALCULATIONS

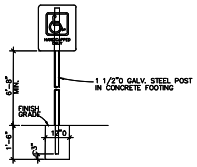
| | |
|---|---|
| REQUIRED PARKING | 17 |
| PARKING PROVIDED | 17 (INCLUDING 1 HANDICAP) |



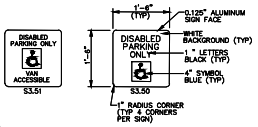

BARRIER FREE RAMP DETAIL

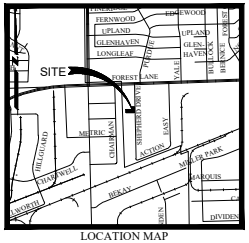



DUMPSTER LAYOUT DETAIL




HANDICAP SIGN INSTALLATION




LOCATION MAP
N.T.S.

# SITE PLAN

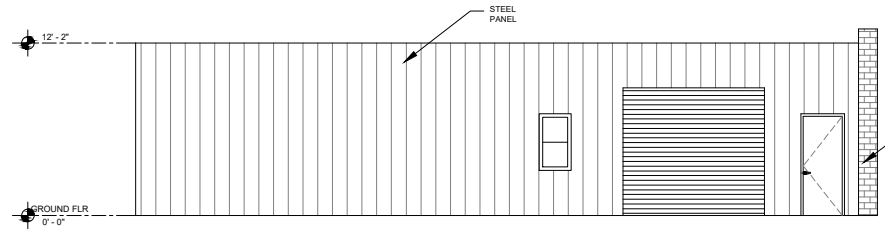
DDR CONSULTING
952 Windy Meadow Dr.
Plano TX 75023-4953
Registration Number F-13518

525&521&523 Shepherd Drive,
Garland, TX 76248

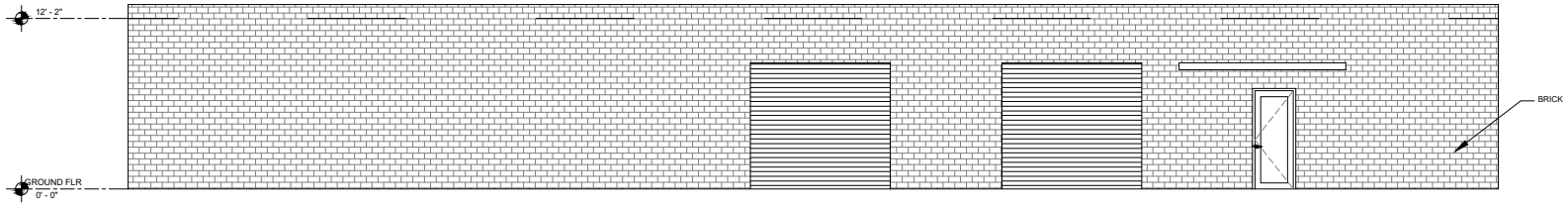
Case Number: 200528-2
Drawn By:SN
Checked By:SK
Date Issued:SEP/03/20

SHEET NUMBER
**A0.0**

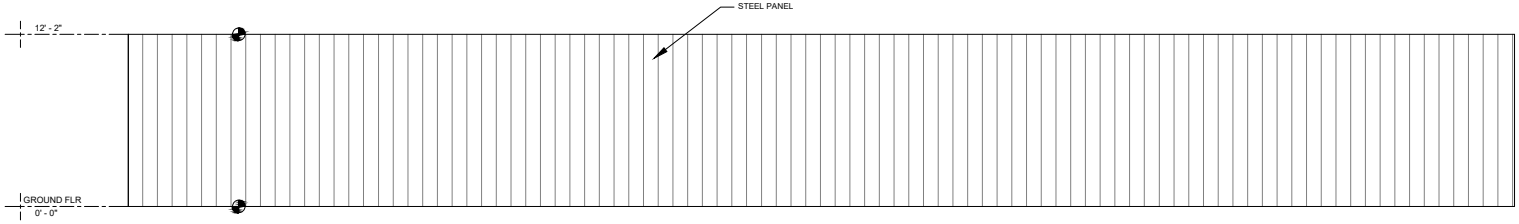
EXHIBIT D



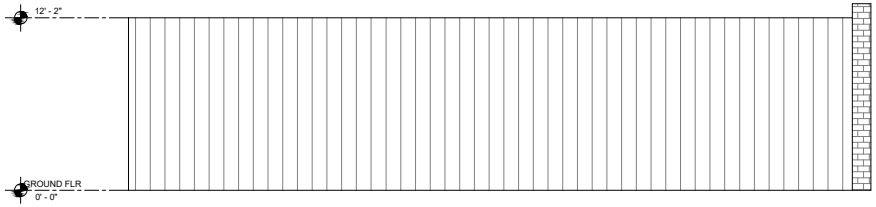

EXISTING SOUTH ELEVATION
1/4" = 1'-0"




EXISTING EAST ELEVATION
1/4" = 1'-0"

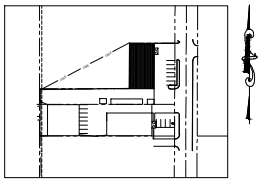



EXISTING WEST ELEVATION
1/4" = 1'-0"




EXISTING NORTH ELEVATION
1/4" = 1'-0"

BUILDING 521



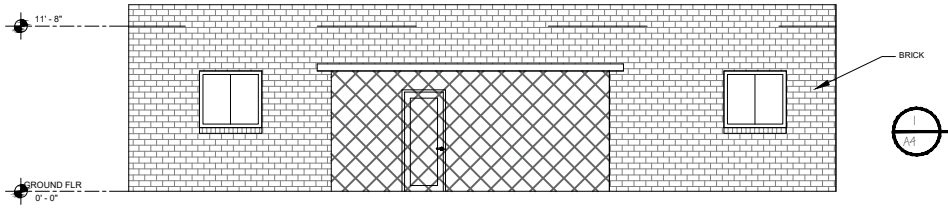
DDR CONSULTING
952 Windy Meadow Dr.
Plano TX 75023-4953
Registration Number F-13518

525&521&523 Shepherd Drive,
Garland, TX 76248

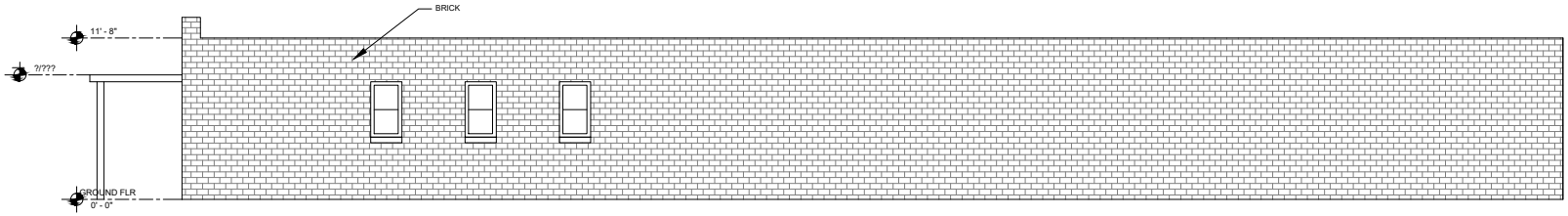
Case Number: 200528-2
Drawn By:SN
Checked By:SK
Date Issued:SEP/03/20

SHEET NUMBER
**A2.0**

EXHIBIT D




EXISTING EAST ELEVATION
1/4" = 1'-0"

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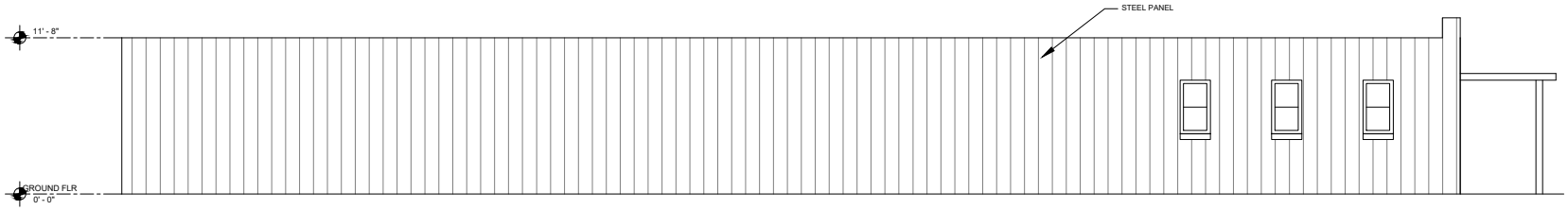
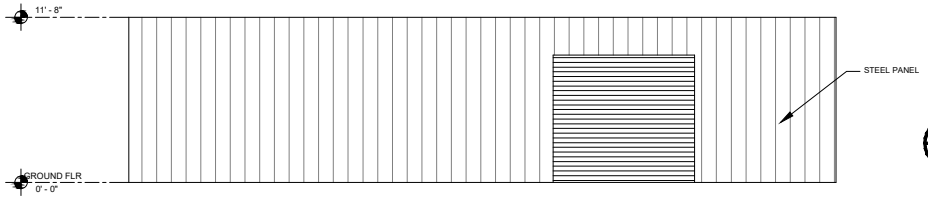
1/4" = 1'-0"

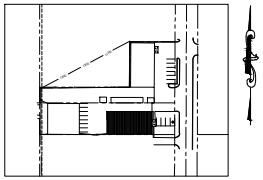



EXISTING SOUTH ELEVATION
1/4" = 1'-0"




EXISTING WEST ELEVATION
1/4" = 1'-0"

BUILDING 523



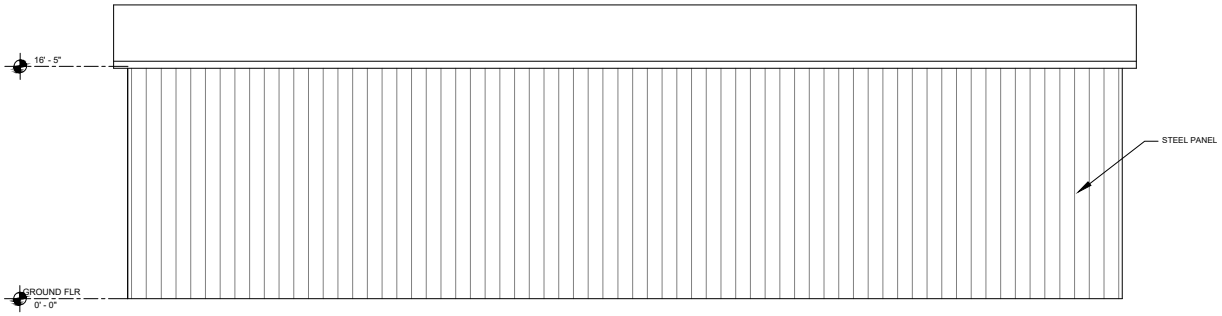
DDR CONSULTING
952 Windy Meadow Dr.
Plano TX 75023-4953
Registration Number F-13518

525&521&523 Shepherd Drive,
Garland, TX 76248

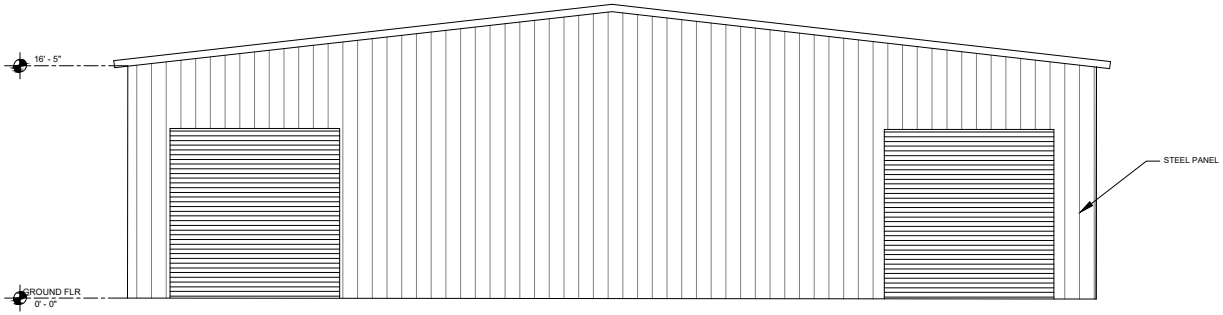
Case Number: 200528-2
Drawn By:SN
Checked By:SK
Date Issued:SEP/03/20

SHEET NUMBER
**A4.0**

EXHIBIT D

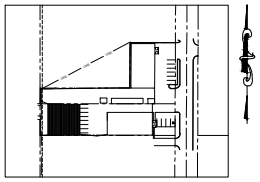



1 EXISTING NORTH ELEVATION
A6 1/4" = 1'-0"




1 EXISTING EAST ELEVATION
A6 1/4" = 1'-0"

BUILDING 525



DDR CONSULTING
952 Windy Meadow Dr.
Plano TX 75023-4953
Registration Number F-13518

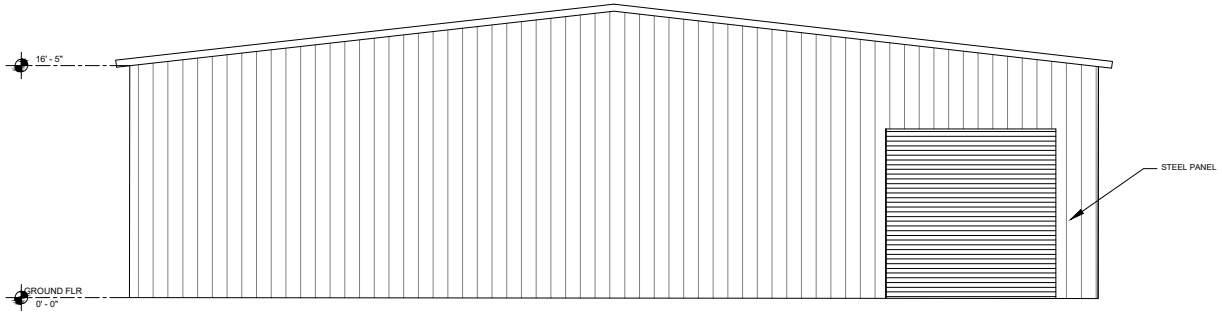
525&521&523 Shepherd Drive,
Garland, TX 76248

Case Number: 200526-2
Drawn By:SN
Checked By:SK
Date Issued:SEP/03/20

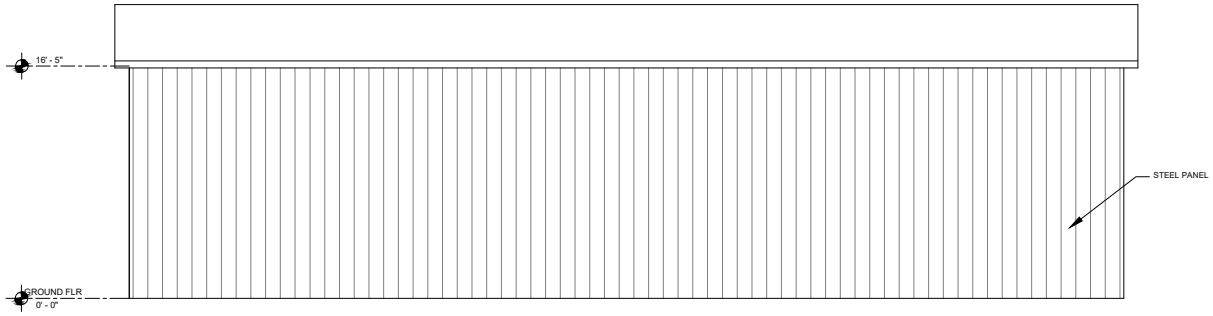
SHEET NUMBER
**A6.0**

EXHIBIT D

NEL

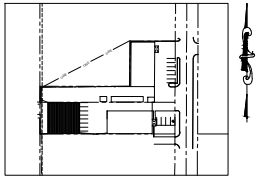



1 A7 EXISTING WEST ELEVATION
1/4" = 1'-0"




1 A7 EXISTING SOUTH ELEVATION
1/4" = 1'-0"

BUILDING 525




DDR CONSULTING
952 Windy Meadow Dr.
Plano TX 75023-4953
Registration Number F-13518


525&521&523 Shepherd Drive,
Garland, TX 76248

Case Number: 200528-2
Drawn By:SN
Checked By:SK
Date Issued:SEP/03/20

SHEET NUMBER
**A7.0**

# REPORT & MINUTES

**P.C. Meeting, December 14, 2020**

Consideration of the application of **Ocean Star Metals, Inc.,** requesting approval of a Plan for a Recycling Salvage Yard (unlimited outside storage) Use. This site is located at 521, 523, 525 Shepherd Drive. (District 6) (File Z 20-32 - Plan)

**Motion** was made by Commissioner Dalton to close the public hearing and **approve** the request as it meets all technical requirements given the SUP approval. Seconded by Commissioner Ott. **Motion carried: 6** Ayes, **3** Nays from Commissioner Edwards, O'Hara and Williams.

0 175 350 Feet
1 inch = 256 feet

# Zoning File Z 20-32

INDICATES AREA OF REQUEST

(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.

stealing Metal parts off cars (by Homeless) and selling to Next door Ocean star Metals inc,. Abandoned Shopping carts in my parking Lot. 18 Wheelers in & out going over Grass damaging Curbside & Grass. Thieves & Homeless digging in Trash Looking for Metal, asking to use Restroom.

(Please complete the following information)

4240 & 4250 Forest Ln Garland TX 75042
Your Property Address

Mid-Asia Management LLC & H & H Pars INC. DBA Firstchoice Auto
Printed Name

1109 Rushmore Dr Allen TX 75002
Address City, State Zip

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

[signature] owner
Signature Title

Date: Dec, 13-2020

| | |
|---|---|
| **From:** | Lawrence Piccagli |
| **To:** | Planning Group |
| **Cc:** | Stacy Piccagli |
| **Subject:** | [EXTERNAL] File Z 20-32 - Ocean Star Metals, Inc. |
| **Date:** | Tuesday, December 8, 2020 9:38:40 AM |
| **Attachments:** | PDF2189092020120808494 5.pdf |

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Dear Planning Commission,
Attached is the form you sent us, which I have filled out. We adamantly oppose the zoning change which would allow the property to continue to be used as a metal recycling facility for the reasons I have spelled out.
If you have any questions, please call me.
Thanks,
Lawrence Piccagli, VP
Wilson Plywood & Door
602 Shepherd Drive
833 Shepherd Drive — Outside the notification area
Garland, TX 75042
(972)494-3545

-----Original Message-----
From: Administrator <admin@wilsonplywood.com>
Sent: Tuesday, December 8, 2020 8:50 AM
To: Lawrence Piccagli <lawrencep@wilsonplywood.com>
Subject:

---
CS 3501i
[00:c0:ee:af:a3:9b]
---

(Please Check One Below)

_____ I am in favor of the request.

_X_ I am opposed to the request.

Please include any comments you wish to provide supporting your position in the space provided below.

Shepherd drive cannot continue to support a metal recycling operation. The street is too small for the traffic that comes in and out of this facility, including the large trucks which stop all traffic to back into the facility. This creates a safety hazard every day for everyone else using the street.

(Please complete the following information)

602 Shepherd Drive, Garland, TX 75042
Your Property Address

Lawrence Piccagli
Printed Name

833 Shepherd Dr. Garland, TX 75042
Address City, State Zip

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

[signature] V.P. of Wilson Plywood + Door
Signature Title

Date: 12-8-2020

This type of operation, metal recycling, belongs on a much larger piece of land, where the vehicular traffic can safely move in and out without creating hazard for everyone else on the street.

(Please Check One Below)

_____ I am in favor of the request.

_X_ I am opposed to the request.

Please include any comments you wish to provide supporting your position in the space provided below.

Safety hazard: Parking and maneuvering big 18 wheeler/dumpster trucks down the day and overnight. Two or Three times where fire department got called in. Attracting people in shopping carts and trucks to the neighborhood to dump the trash and leaving trash on the street and parking lots.

(Please complete the following information)

520 & 530 Shepherd Dr
Your Property Address

Tyler Shin
Printed Name

520 & 530 Shepherd dr. Garland Tx 75042
Address City, State Zip

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

Signature Title: Manager, partner/owner

Date: 12/09/2020

Ocean Star

**December 2, 2020**
**Z 20-32**
Page 2 of 2

(Please Check One Below)

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Safety Hazard, they park Big 18 wheelers in the street overnight. Block the Road 20 min at a time trying to back-up 18 wheelers into their loading spot. 2 Fires where the Fire department was called to put it out.

(Please complete the following information)

538 Shepherd Dr.
Your Property Address

Ru Patel
Printed Name

538 Shepherd Dr. Garland, TX 75042
Address City, State Zip

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

R Patel COO
Signature Title

Date: 12-4-20

# Z 20-32

**Approval of a Change in Zoning from Heavy Commercial (HC) District to Industrial (IN) District.**

**Approval of a Specific Use Provision to allow a Recycling Salvage Yard (unlimited outside storage) Use.**

**Approval of a Plan to allow a Recycling Salvage Yard (unlimited outside storage) Use.**

GARLAND

TEXAS MADE HERE

City Council Meeting
January 5, 2020

# Case Information

Location: 521, 523, and 525 Shepherd Drive

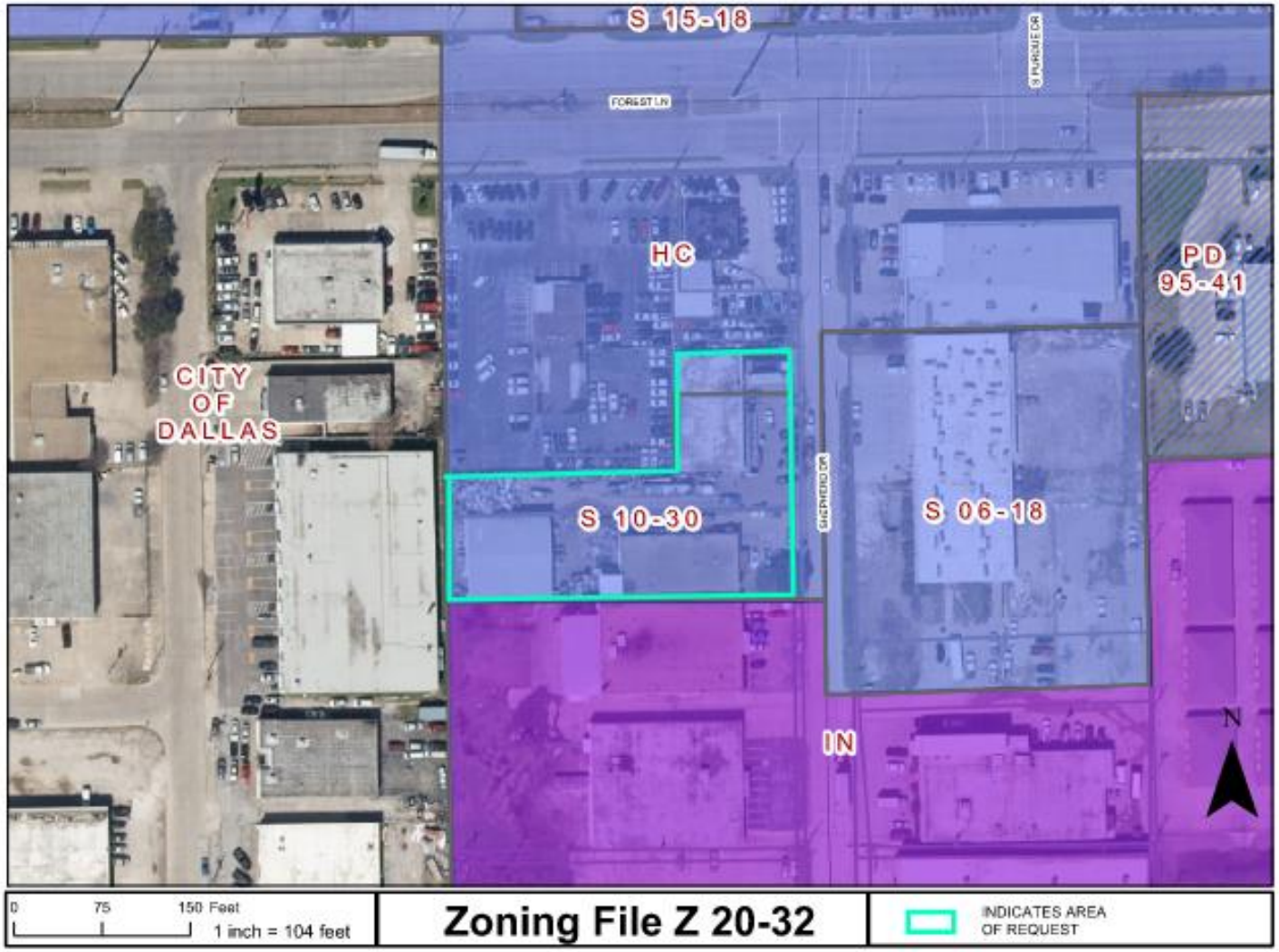
Applicant: Ocean Star Metals, Inc.

Owner: Ocean Star Metals, Inc.

Acreage: 0.947 acres

Zoning: Heavy Commercial (HC) District

# Location Map

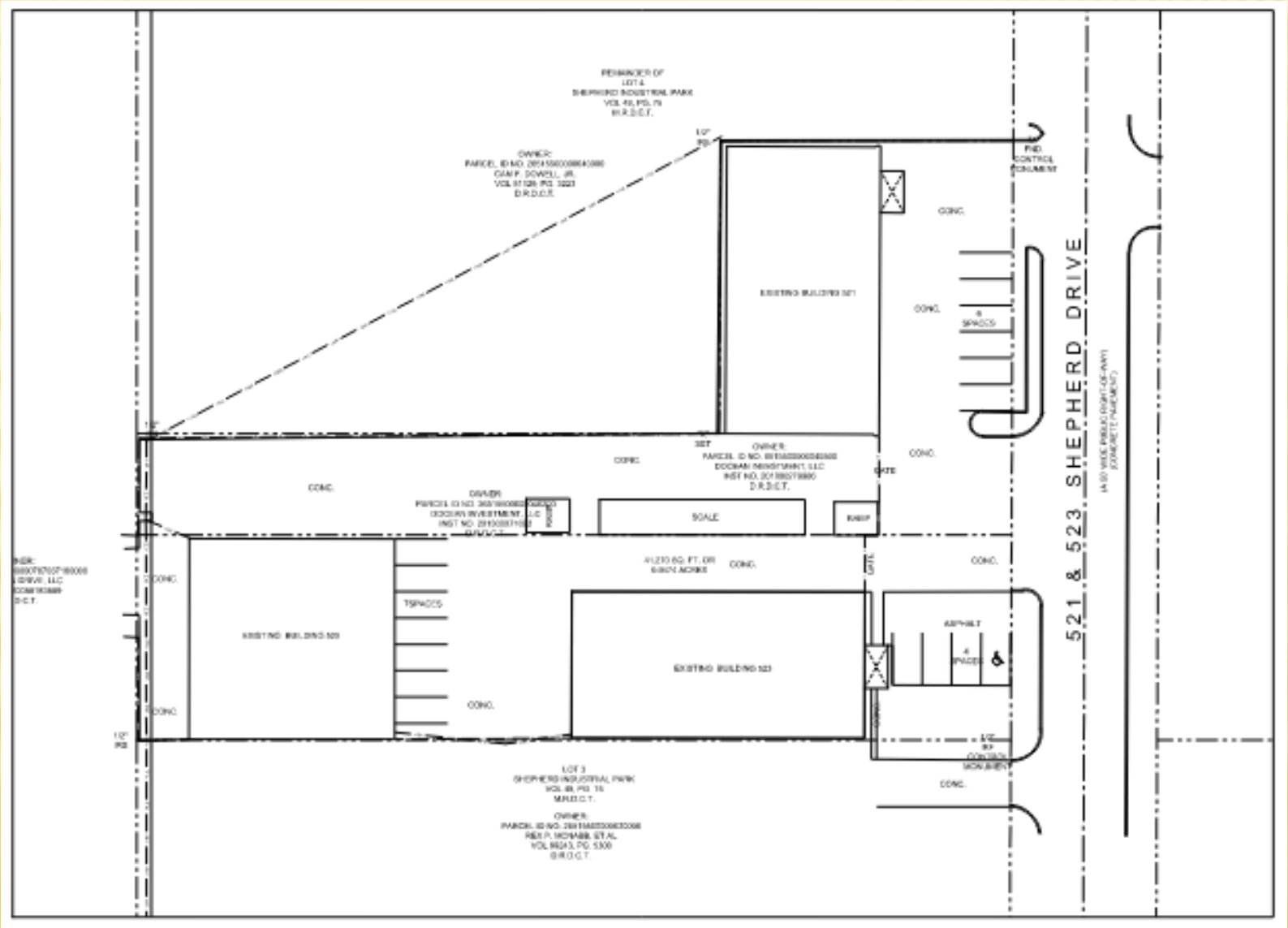


GARLAND
TEXAS MADE HERE

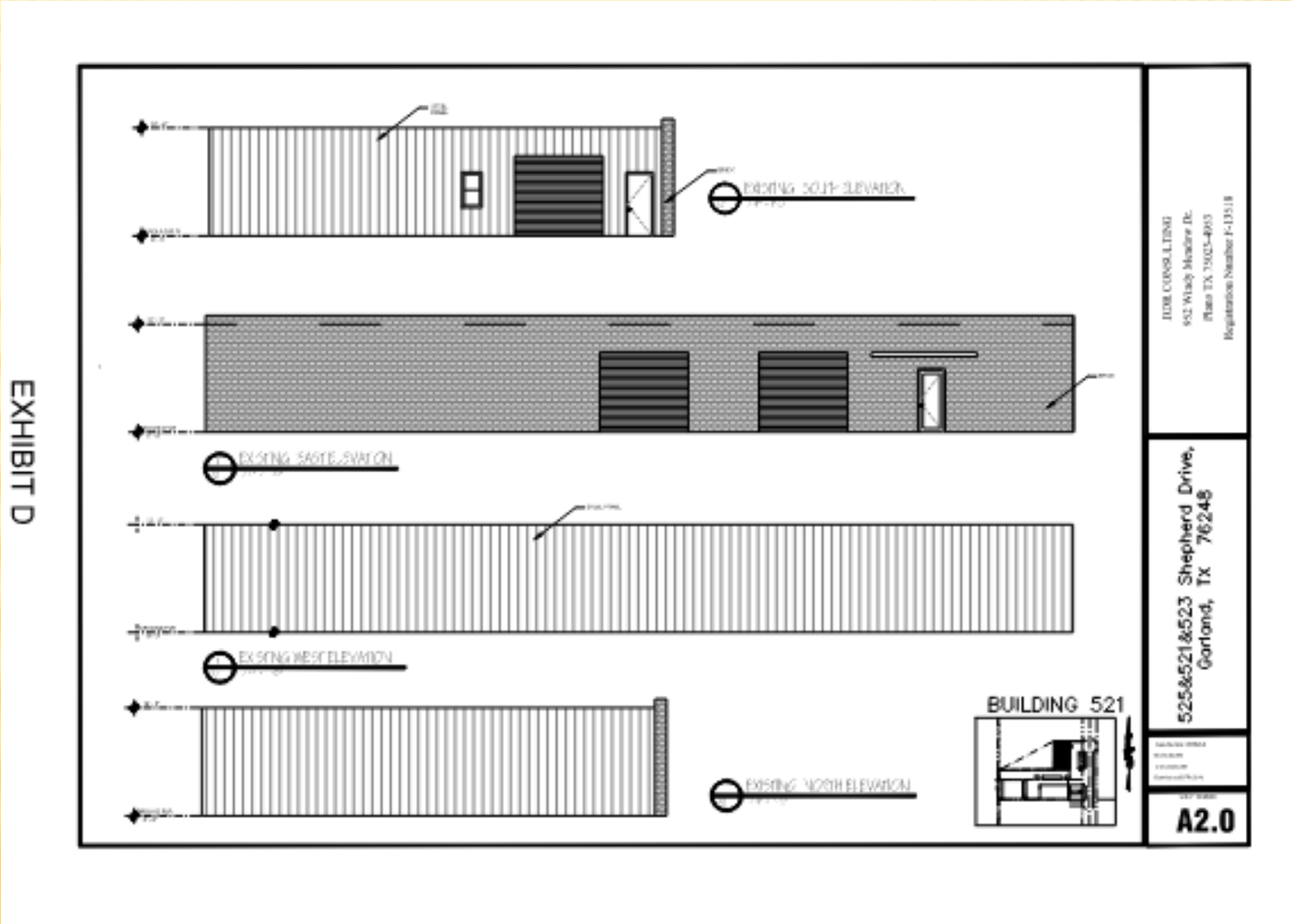
# Photos

GARLAND
TEXAS MADE HERE

# Site Plan

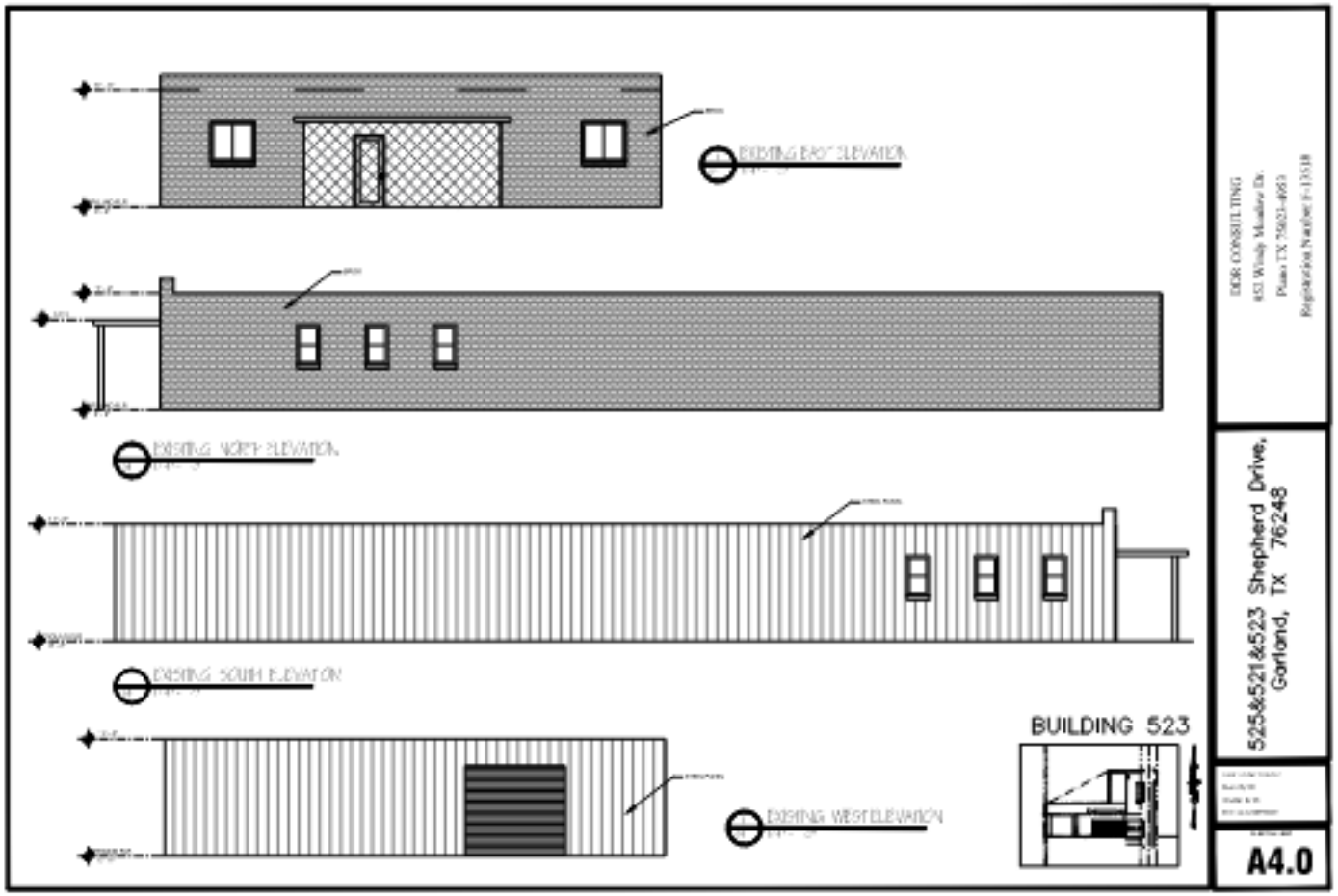


# Elevations


EXISTING SOUTH ELEVATION
EXISTING EAST ELEVATION
EXISTING WEST ELEVATION
EXISTING NORTH ELEVATION
BUILDING 521
525&521&523 Shepherd Drive,
Garland, Tx 76248
A2.0
EXHIBIT D

# Elevations

EXHIBIT D



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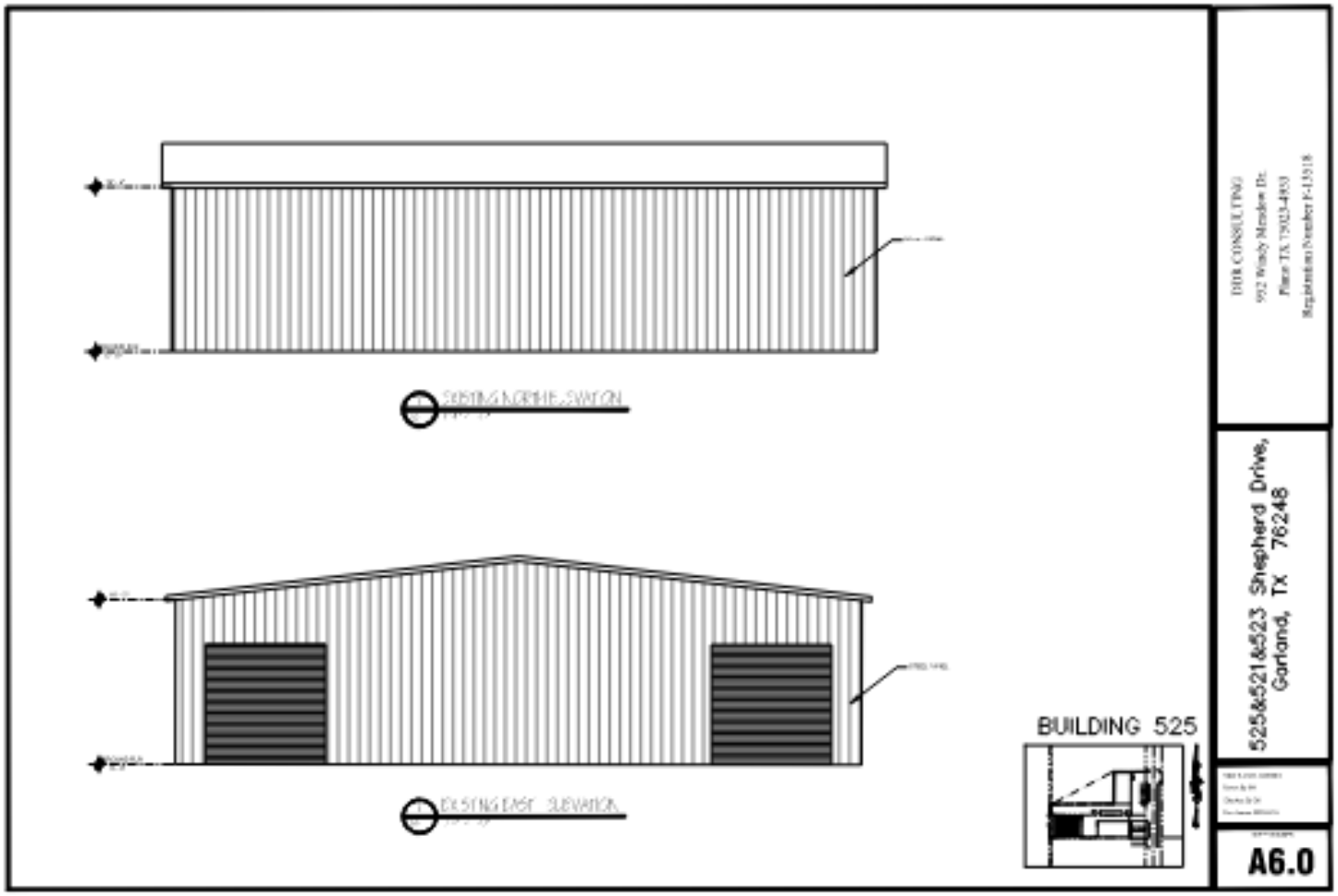

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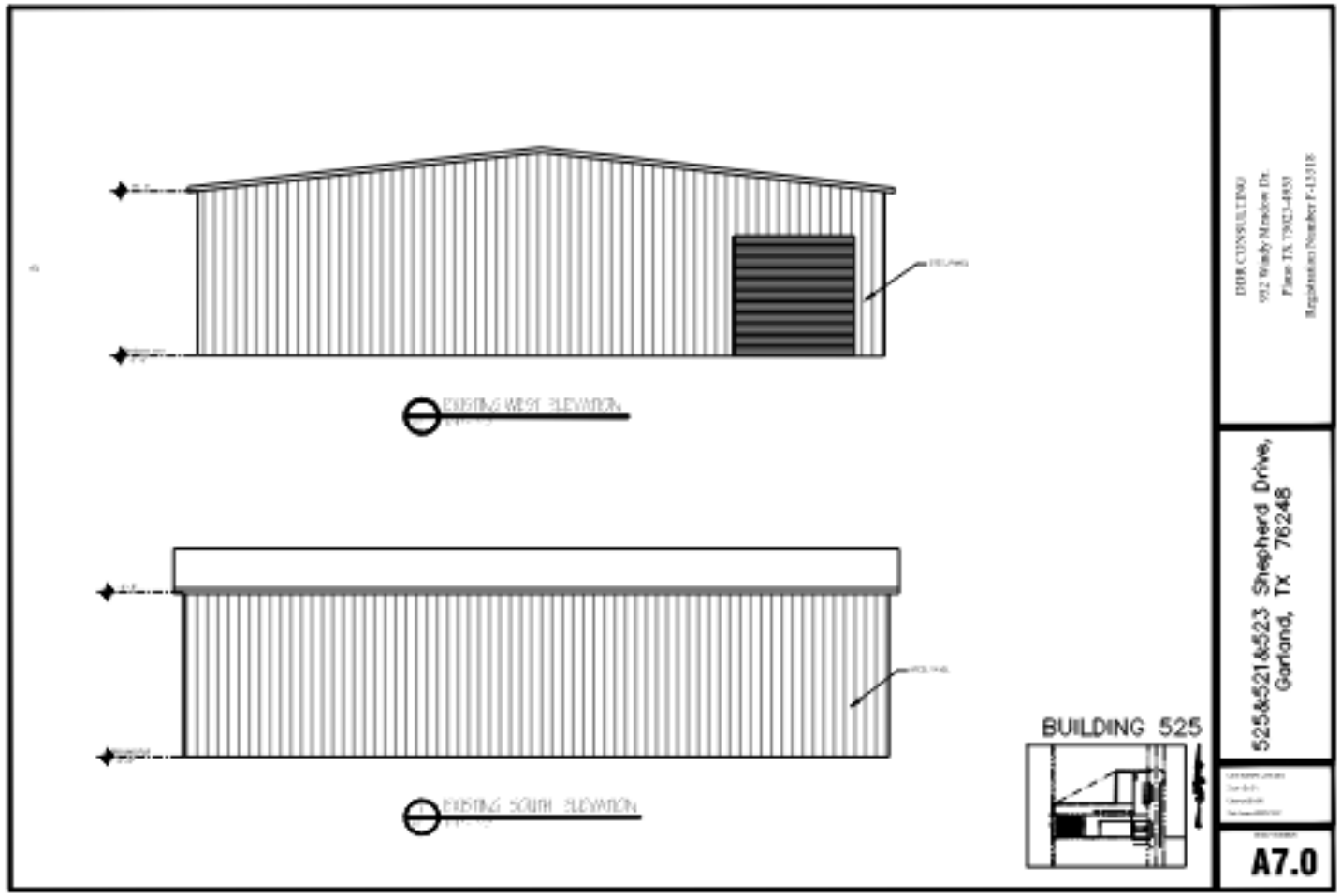

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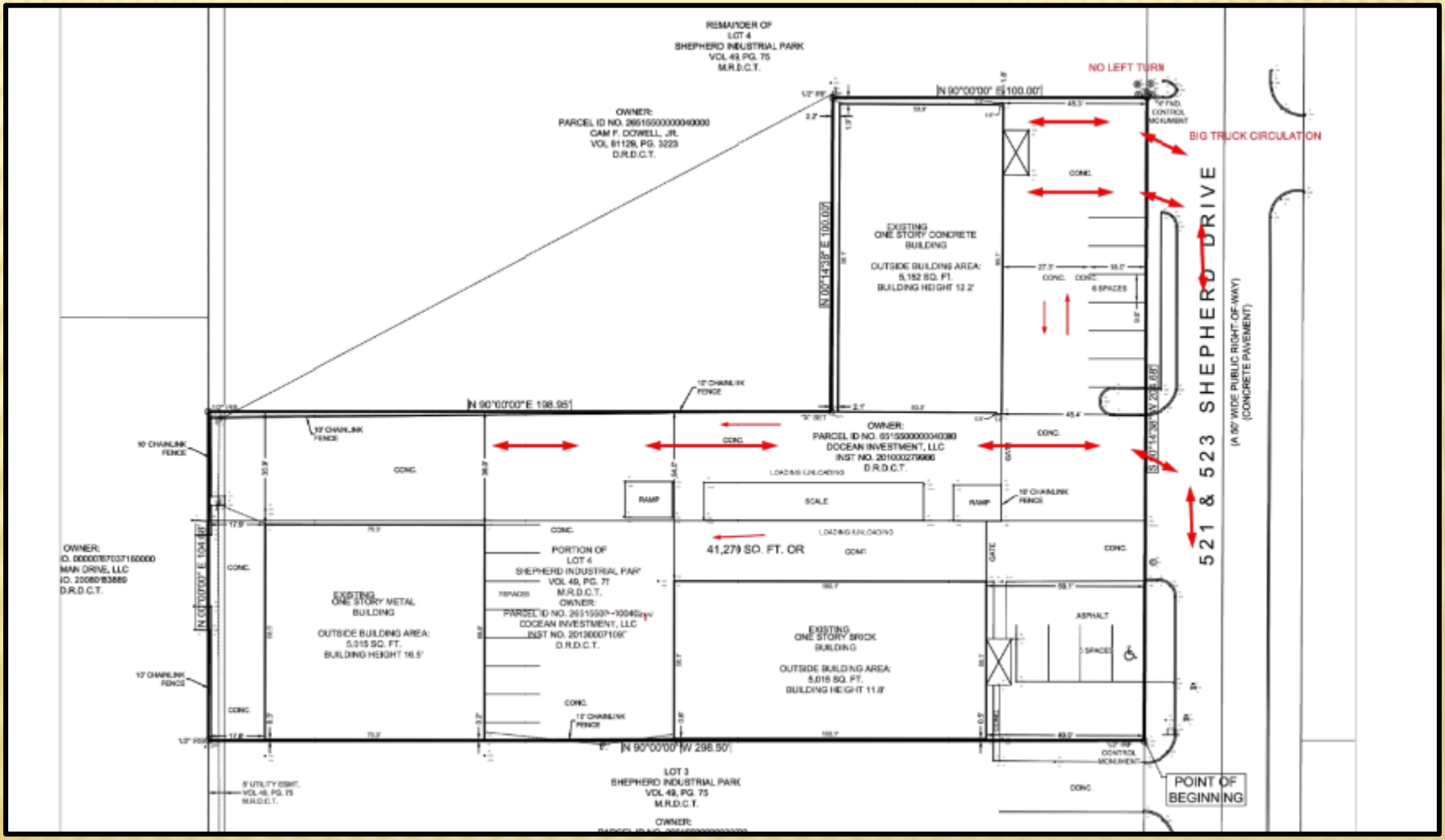

# Summary

| Item | Required | Existing and Proposed | |
|---|---|---|---|
| Development Standards | | | |
| Circulation Plan | Recycling salvage yards must have an on-site vehicle circulation plan. The plan must be designed and operated so that all truck and other vehicle traffic associated with the recycling salvage yard is accommodated on-site and does not interfere with the traffic lanes on the adjacent street. | The applicant's existing operation and circulation plan indicates interference with the traffic lanes on Shepherd Drive. | |
| Parking | The GDC requires 18 parking spaces. | The previous Specific Use Provision was approved with thirteen (13) parking spaces. The site plan shows existing pavement and seventeen (17) parking spaces on the overall site. | |
| Fence | A minimum eight-foot tall masonry screening wall is required, (unless another form of screening is approved with the initial development application) | The applicant proposes to keep the existing eight (8) foot tall fence to screen the outdoor storage and processing area. The fencing was approved with the previous SUP. | |
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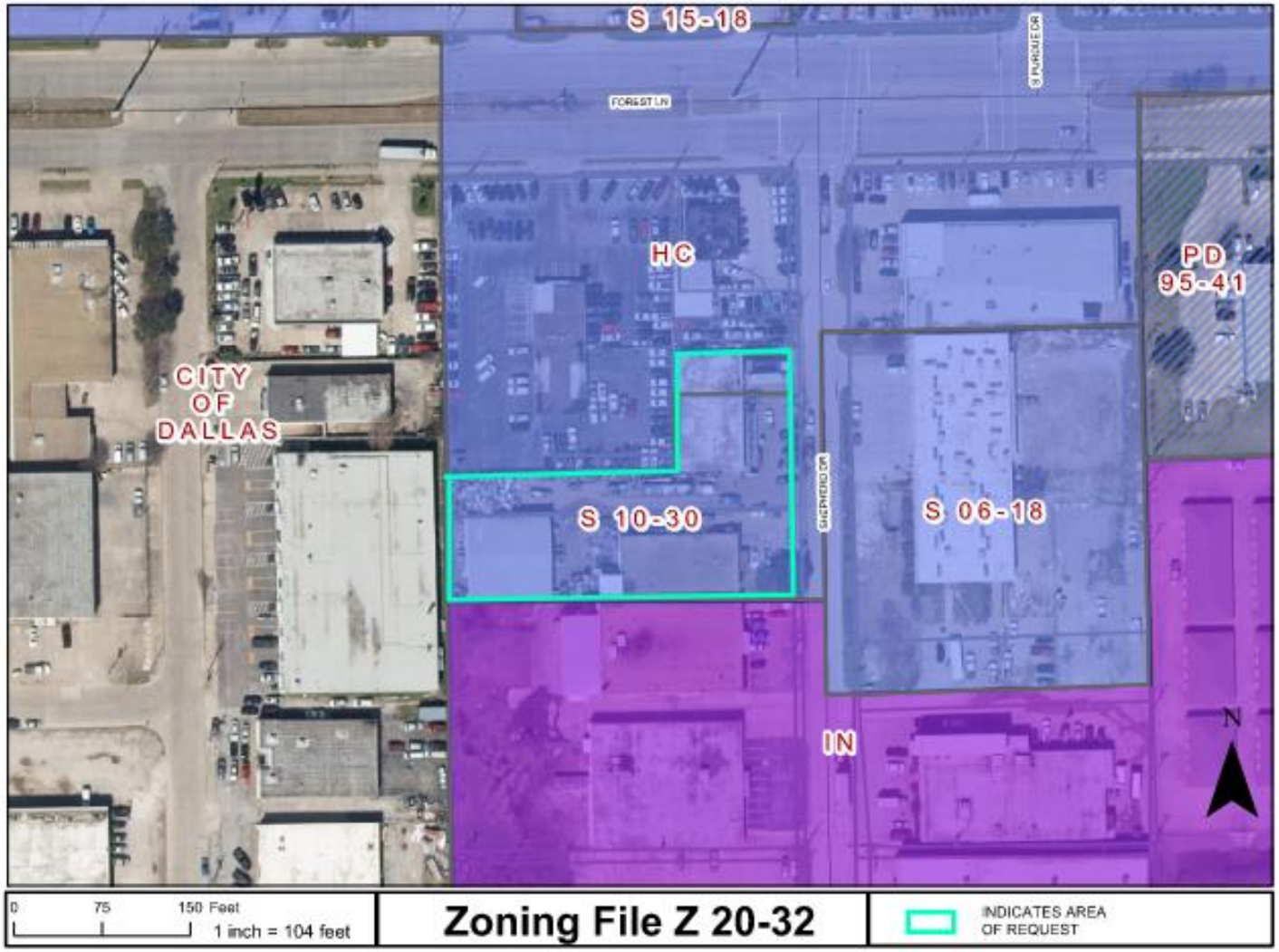
# Consideration

The applicant requested the Specific Use Provision (SUP) to be in effect for a period of thirty (30) years. However, the applicant concurs with the Plan Commission's recommendation of ten (10) years.

# Location Map



GARLAND
PLANNING REPORT

**City Council Regular Session Agenda** **5. d.**

**Meeting Date:** 01/05/2021

**Item Title:** Z 20-32 Ocean Star Metals, Inc. - SUP (District 6)

**Submitted By:** Kimberly Hopkins, Development Planner

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## REQUEST

Approval of a Specific Use Provision to allow a Recycling Salvage Yard (unlimited outside storage) Use.

## LOCATION

521, 523, and 525 Shepherd Drive

## OWNER

Ocean Star Metals, Inc.

## PLAN COMMISSION RECOMMENDATION

On December 14, 2020 the Plan Commission, by a vote of six (6) to three (3) recommended approval of a Change in Zoning from Heavy Commercial (HC) District to Industrial (IN) District.

The Plan Commission by a vote of six (6) to three (3) also recommended approval of a Specific Use Provision to allow a Recycling Salvage Yard (unlimited outside storage) Use for a period of ten (10) years. The Plan Commission further recommended the outside storage shall not exceed the eight (8) foot existing fence.

The Plan Commission by a vote of six (6) to three (3) also recommended approval of a Plan to allow a Recycling Salvage Yard (unlimited outside storage) Use.

The applicant concurs with the ten (10) year time period.

## STAFF RECOMMENDATION

Denial of 1) a Change in Zoning from Heavy Commercial (HC) District to Industrial (IN) District, 2) a Specific Use Provision to allow a Recycling Salvage Yard (unlimited outside storage) Use, and 3) a Plan to allow a Recycling Salvage Yard (unlimited outside storage) Use. Given the small site, the operation does not appear to maintain truck traffic circulation on site per the Garland Development Code's requirement for Recycling Salvage Yard Uses, and requires frequent interference of traffic lanes on Shepherd Drive.

## BACKGROUND

The applicant is requesting a zoning change from Heavy Commercial (HC) District to Industrial (IN) District and requesting approval to allow the continued operation of an existing Recycling Salvage Yard (unlimited outside storage) use. The use requires a Specific Use Provision in the Industrial (IN) District.

In 2010, File Z 10-30 was approved for the operation of a Recycling Center for a period of ten (10) years.

## SITE DATA

The site contains approximately 0.947 acres with approximately 204 lineal feet of frontage along Shepherd Drive, which is used as the main access point to and from the property.

## USE OF PROPERTY UNDER CURRENT ZONING

The Heavy Commercial (HC) District is intended to provide locations for commercial and service-related establishments, such as building material and wholesale product sales, contractors' shops, automotive repair services, upholstery shops, and other similar commercial uses. The uses envisioned for the district will typically have operation characteristics that are generally not compatible with residential uses and some nonresidential uses. Uses in this district may utilize outside storage areas that are screened from public view. Some light manufacturing uses may also be allowed subject to certain conditions. The uses envisioned for the district will typically have operation characteristics that are generally not compatible with residential uses and some nonresidential uses. Convenient access to major thoroughfares and other transportation systems is a primary consideration for the types of uses that are found in the Commercial districts.

The applicant’s site operations include recycling of scrap metal materials with outdoor storage as approved in 2010. However, due to the GDC adoption in 2015, the use is now classed as a Recycling Salvage Yard (unlimited outdoor storage) which requires a Specific Use Provision in the Industrial (IN) District only. A Recycling Salvage Yard is defined as: A facility which provides for the collection, sorting, storage, bundling and shipping of recoverable and recyclable non-automotive, non-consumable and non-compostable materials such as aluminum cans, glass, papers including magazines and newspapers, cardboard, wood pallets, metals, plastics, tires, computers and electronics, oil, paints, solvents, and textiles.

## CONSIDERATIONS

1. Recycling Salvage Yards are not permitted in the Heavy Commercial (HC) District; therefore, the applicant requests a Change in Zoning to the Industrial (IN) District which allows Recycling Salvage Yards by Specific Use Provision (SUP) only. Due to the GDC adoption in 2015, the use is now classified as a Recycling Salvage Yard which includes outdoor storage and requires a Specific Use Provision (SUP) in the Industrial (IN) District only.

   The Industrial (IN) District is intended to provide locations for a wide range of industrial uses that may or may not be compatible with some nonresidential uses. Such uses include manufacturing, processing, assembling, research and development, and warehousing and distribution. The Industrial District also accommodates support services for industrial development such as office, commercial, personal and professional services, and limited retail activities, commercial and service-related establishments, such as

building material and wholesale product sales, contractors' shops, automotive repair services, upholstery shops, and other similar commercial uses.

2. Recycling Salvage Yard Special Standards:

    a. The recycling salvage yard must be attended during all hours of business or collection.
    b. Processing of materials may include weighing, sorting, flattening, crushing, shredding, bundling, and palletizing materials for shipment by hand or by machine, and may also include smelting, melting, refining, or other conversion back to a “raw material” state.
    c. All processing operations (such as, crushing, bundling, or palletizing) must occur within a building or within an outside storage yard.
    d. Outside storage of materials are permitted, where located behind the main building, where and where screened from all public streets and from neighboring properties with a fully opaque, minimum eight-foot tall masonry screening wall, as applicable (unless another form of screening is approved with the initial development application). *Although on-site operations and stacks of materials may be visible from the street, the site has a gate located between the operations / storage area and the street. The site is improved with an eight (8) foot high chain-link fence with screening mesh along its property lines.*
    e. Recycling salvage yards must have an on-site vehicle circulation plan. The plan must be designed and operated so that all truck and other vehicle traffic associated with the recycling salvage yard is accommodated on-site and does not interfere with the traffic lanes on the adjacent street. *The site is small and does not appear to have turnarounds for trucks on-site, requiring traffic lane interference on Shepherd Drive.*

3. Outside Storage is a use associated with the Recycling Salvage Yard and is permitted in the Industrial (IN) District, in accordance with the following Special Standard:

    a. Outside storage is not to be located between the front of the building and the street, nor on top of any structure, nor stacked higher than the building or device that screens the stored materials. The applicant indicates the business would comply with the outside storage requirements.

4. The applicant proposes a Recycling Savage Yard (unlimited outside storage) use, specializing in scrap metal recycling, in three (3) existing buildings totaling 15,182 square feet. The applicant is not proposing any expansions or exterior remodeling. The establishment would operate Monday through Friday, 8:00 a.m. to 5:00 p.m.

5. The previous Specific Use Provision was approved with thirteen (13) parking spaces. The site plan (Exhibit C in the Plan agenda item) shows existing pavement and seventeen (17) parking spaces on the overall site, which brings the site closer to meeting the 18 required parking spaces per the GDC.

6. Landscaping currently exists on the site. Neither a building expansion nor a parking lot expansion is proposed with this request; therefore, new landscaping compliance is not triggered by this request.

7. Signage is existing and no changes to signs are proposed with this application.

8. The applicant requested a time period of thirty (30) years but concurs with the Plan Commission's recommendation of ten (10) years.

**COMPREHENSIVE PLAN**

The Future Land Use Map of the Envision Garland Plan recommends Industry Center for the subject property. Industry Centers provide a cluster of trade and industry that cumulatively employ large numbers of people. Operations may include such elements as semi-truck traffic, loading docks, and visible outdoor storage. Overall, the architecture, character, scale, and intensity should be compatible with adjacent development types. Industry Centers range in scale and intensity based on the surrounding vicinity and may consist of one or more buildings. This development type includes a variety of primary and secondary uses that support the industry employment sector.

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

The properties to the north, south, east and west are zoned Heavy Commercial (HC) District and Industrial (IN) District, consisting of such uses as a self-storage facility, printing company, building material company, catering company, and auto part facility.

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**Attachments**

Z 20-32 Ocean Star Metals, Inc. (Specific Use Provision) Attachments

Z 20-32 Ocean Star Metals, Inc. Responses

Z 20-32 Ocean Star Metals, Inc. Staff Presentation

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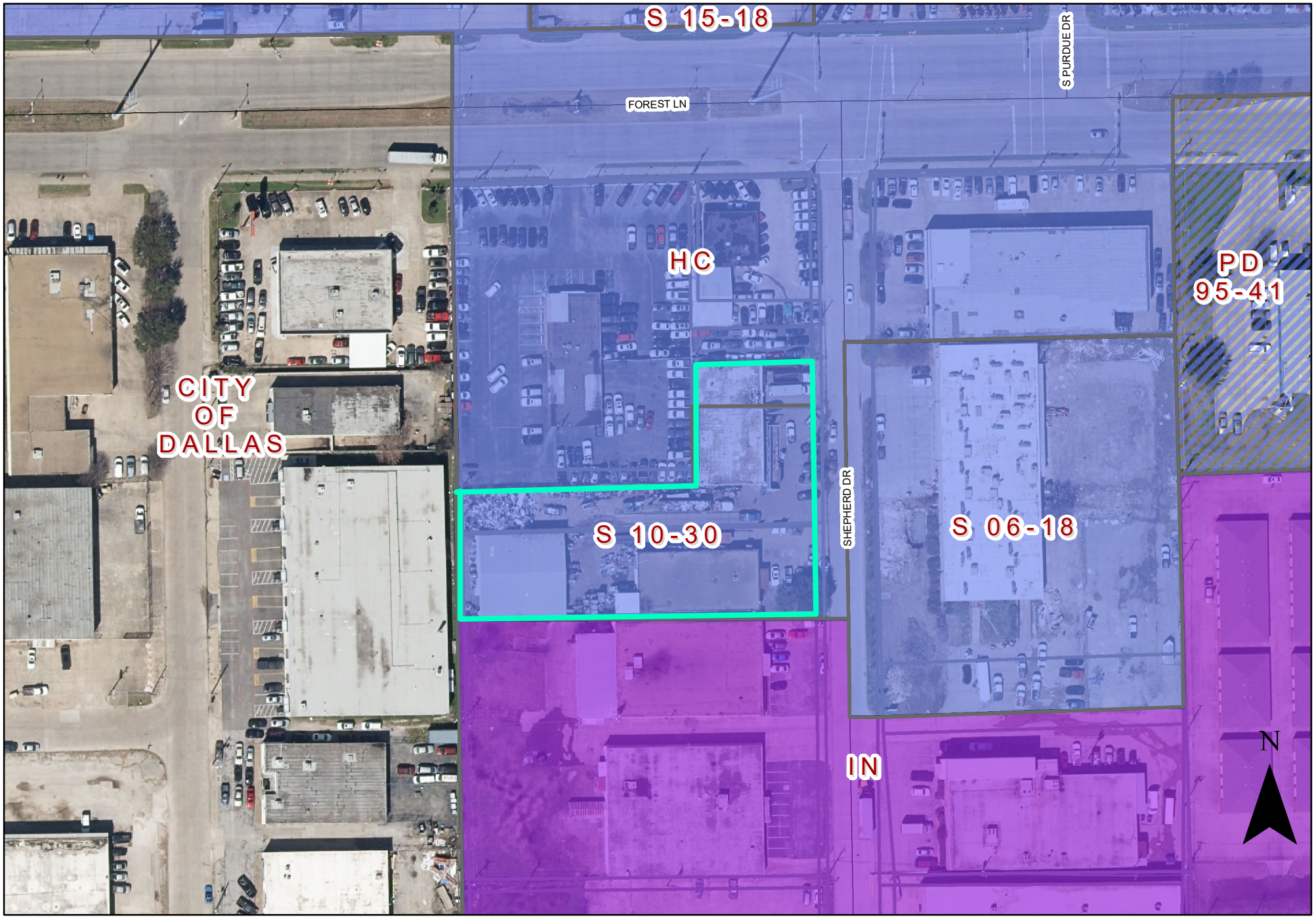


0 75 150 Feet
1 inch = 104 feet

# Zoning File Z 20-32

INDICATES AREA OF REQUEST

# EXHIBIT B

## SPECIFIC USE PROVISION CONDITIONS

## ZONING FILE Z 20-32

## 521, 523, and 525 Shepherd Dr.

I. **Statement of Purpose:** The purpose of this Specific Use Provision is to allow a Recycling Salvage Yard (unlimited outside storage) use.

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

III. **General Regulations:** All regulations of the Heavy Commercial (HC) District as set forth in Chapter 2 of the Garland Development Code, Ordinance 6773, are included by reference and shall apply, except as otherwise specified by this ordinance.

IV. **Development Plans:**

A. Development is to be in general conformance with the approved site plan and building elevations labeled Exhibit C. In the event of conflict between the conditions and development plans, the conditions listed below are to apply.

V. **Specific Use Provision:**

A. SUP Time Period: The Specific Use Provision for the Recycling Collection Center shall be in effect for a period of ten (10) years.

B. Site Layout: The site shall be in conformance with the site layout in Exhibit C.

C. Fencing: A minimum eight (8) foot tall solid shall be provided to screen the outdoor storage and processing area.

D. Outdoor Storage: All materials stored outdoors shall be prohibited above the height of the fence.

# REPORT & MINUTES

**P.C. Meeting, December 14, 2020**

Consideration of the application of **Ocean Star Metals, Inc.,** requesting approval of a Specific Use Provision to allow a Recycling Salvage Yard (unlimited outside storage) Use. This property is located at 521, 523, 525 Shepherd Drive. (District 6) (File Z 20-32-Specific Use Provision)

There was discussion among the Commission regarding the type and height of fencing surrounding the subject property.

**Motion** was made by Commissioner Rose to close the public hearing and **approve** a ten (10) year Specific Use Provision and keeping the SUP condition regarding the 8-foot stacking height of the material. Seconded by Commissioner Welborn. **Motion carried: 6** Ayes, **3** Nays from Commissioner Edwards, O'Hara and Williams.

0 175 350 Feet
1 inch = 256 feet

# Zoning File Z 20-32

INDICATES AREA OF REQUEST

(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.

stealing Metal parts off cars (by Homeless) and selling to Next door Ocean star Metals inc,. Abandoned Shopping carts in my parking Lot. 18 Wheelers in & out going over Grass damaging Curbside & Grass. Thieves & Homeless digging in Trash Looking for Metal, asking to use Restroom.

(Please complete the following information)

4240 & 4250 Forest Ln Garland TX 75042
Your Property Address

Mid-Asia Management LLC & H & H Pars INC. DBA Firstchoice Auto
Printed Name

1109 Rushmore Dr Allen TX 75002
Address City, State Zip

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

[signature] owner
Signature Title

Date: Dec, 13-2020

| | |
|---|---|
| **From:** | Lawrence Piccagli |
| **To:** | Planning Group |
| **Cc:** | Stacy Piccagli |
| **Subject:** | [EXTERNAL] File Z 20-32 - Ocean Star Metals, Inc. |
| **Date:** | Tuesday, December 8, 2020 9:38:40 AM |
| **Attachments:** | PDF2189092020120808494 5.pdf |

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Dear Planning Commission,
Attached is the form you sent us, which I have filled out. We adamantly oppose the zoning change which would allow the property to continue to be used as a metal recycling facility for the reasons I have spelled out.
If you have any questions, please call me.
Thanks,
Lawrence Piccagli, VP
Wilson Plywood & Door
602 Shepherd Drive
833 Shepherd Drive — Outside the notification area
Garland, TX 75042
(972)494-3545

-----Original Message-----
From: Administrator <admin@wilsonplywood.com>
Sent: Tuesday, December 8, 2020 8:50 AM
To: Lawrence Piccagli <lawrencep@wilsonplywood.com>
Subject:

---
CS 3501i
[00:c0:ee:af:a3:9b]
---

(Please Check One Below)

_____ I am in favor of the request.

_X_ I am opposed to the request.

Please include any comments you wish to provide supporting your position in the space provided below.

Shepherd drive cannot continue to support a metal recycling operation. The street is too small for the traffic that comes in and out of this facility, including the large trucks which stop all traffic to back into the facility. This creates a safety hazard every day for everyone else using the street.

(Please complete the following information)

602 Shepherd Drive, Garland, TX 75042
Your Property Address

Lawrence Piccagli
Printed Name

833 Shepherd Dr. Garland, TX 75042
Address City, State Zip

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

[signature] V.P. of Wilson Plywood + Door
Signature Title

Date: 12-8-2020

This type of operation, metal recycling, belongs on a much larger piece of land, where the vehicular traffic can safely move in and out without creating hazard for everyone else on the street.

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Your Property Address

Tyler Shin
Printed Name

520 & 530 Shepherd dr. Garland Tx 75042
Address City, State Zip

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

Signature Title: Manager, partner/owner

Date: 12/09/2020

Ocean Star

**December 2, 2020**
**Z 20-32**
Page 2 of 2

(Please Check One Below)

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Printed Name

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R Patel COO
Signature Title

Date: 12-4-20

# Z 20-32

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GARLAND

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City Council Meeting
January 5, 2020

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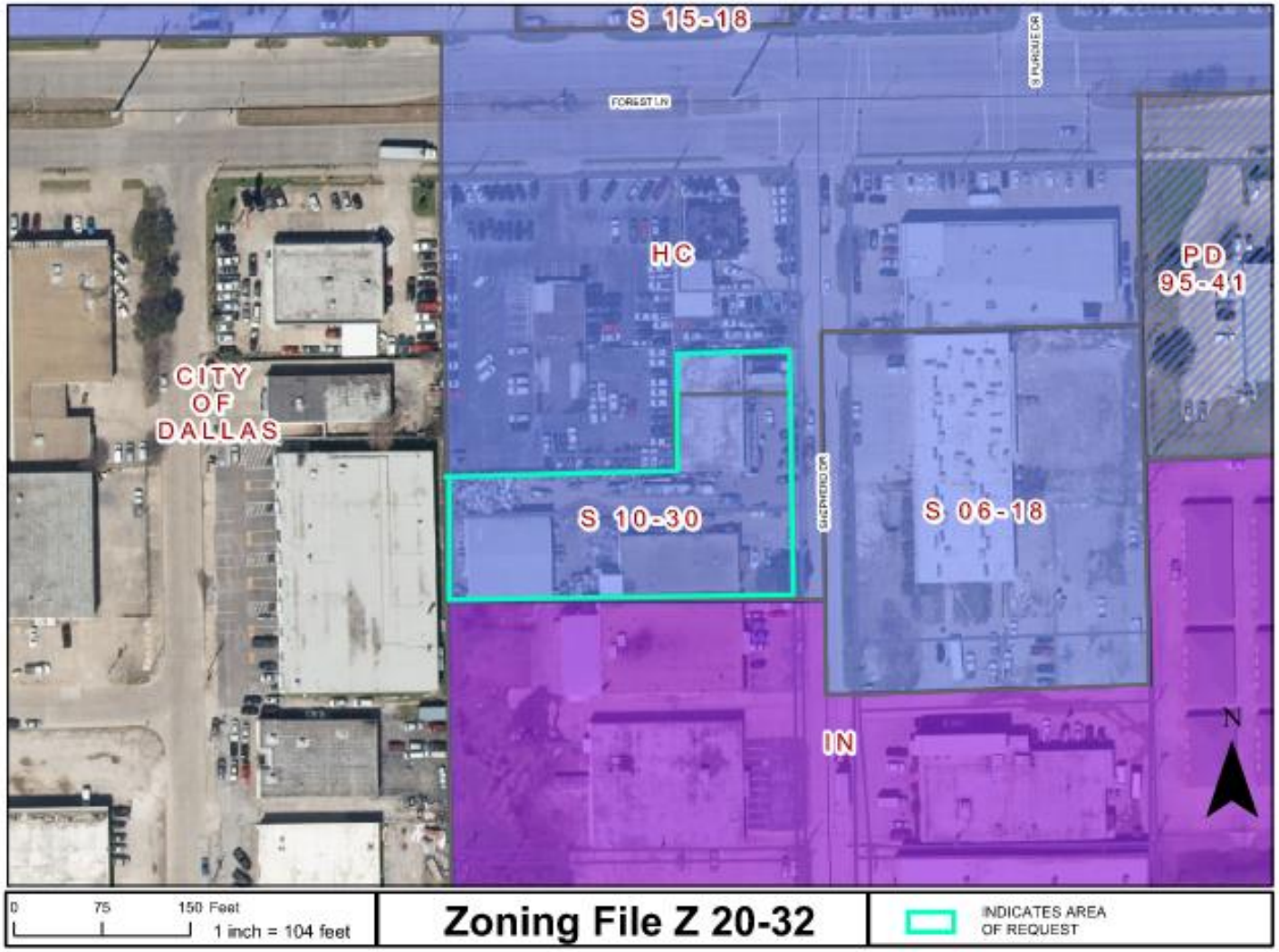

GARLAND
TEXAS MADE HERE

# Photos

GARLAND
TEXAS MADE HERE

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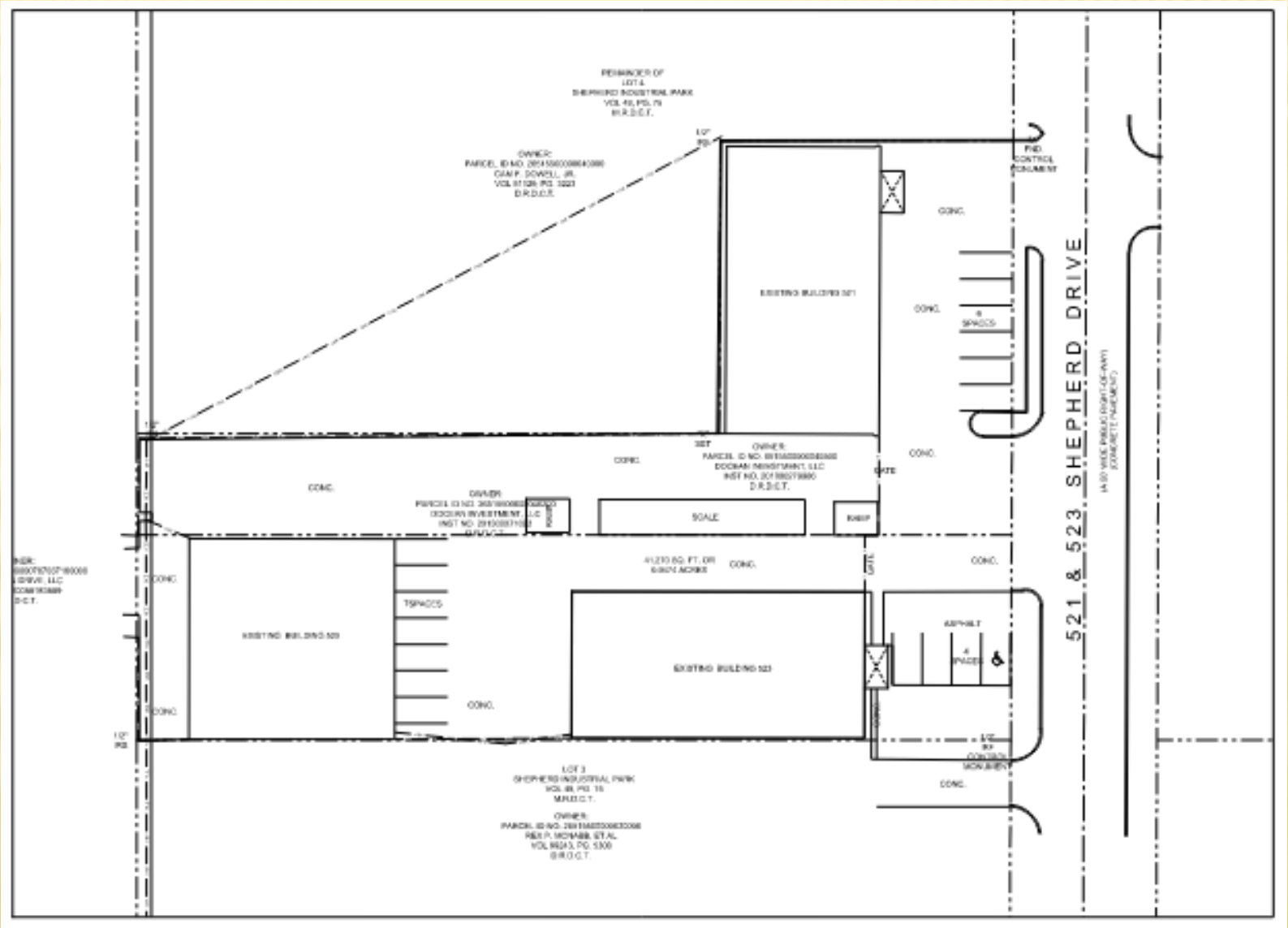

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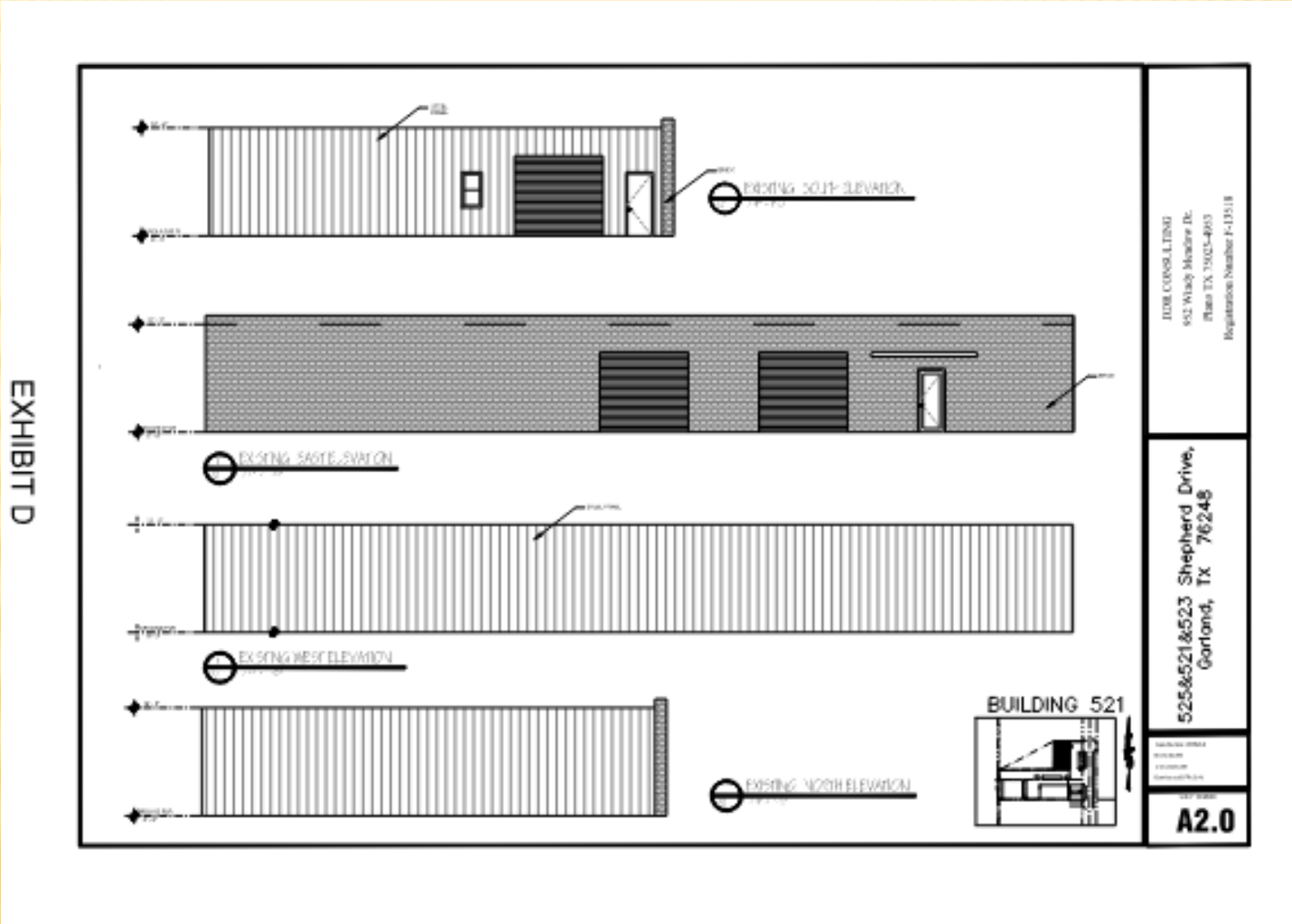
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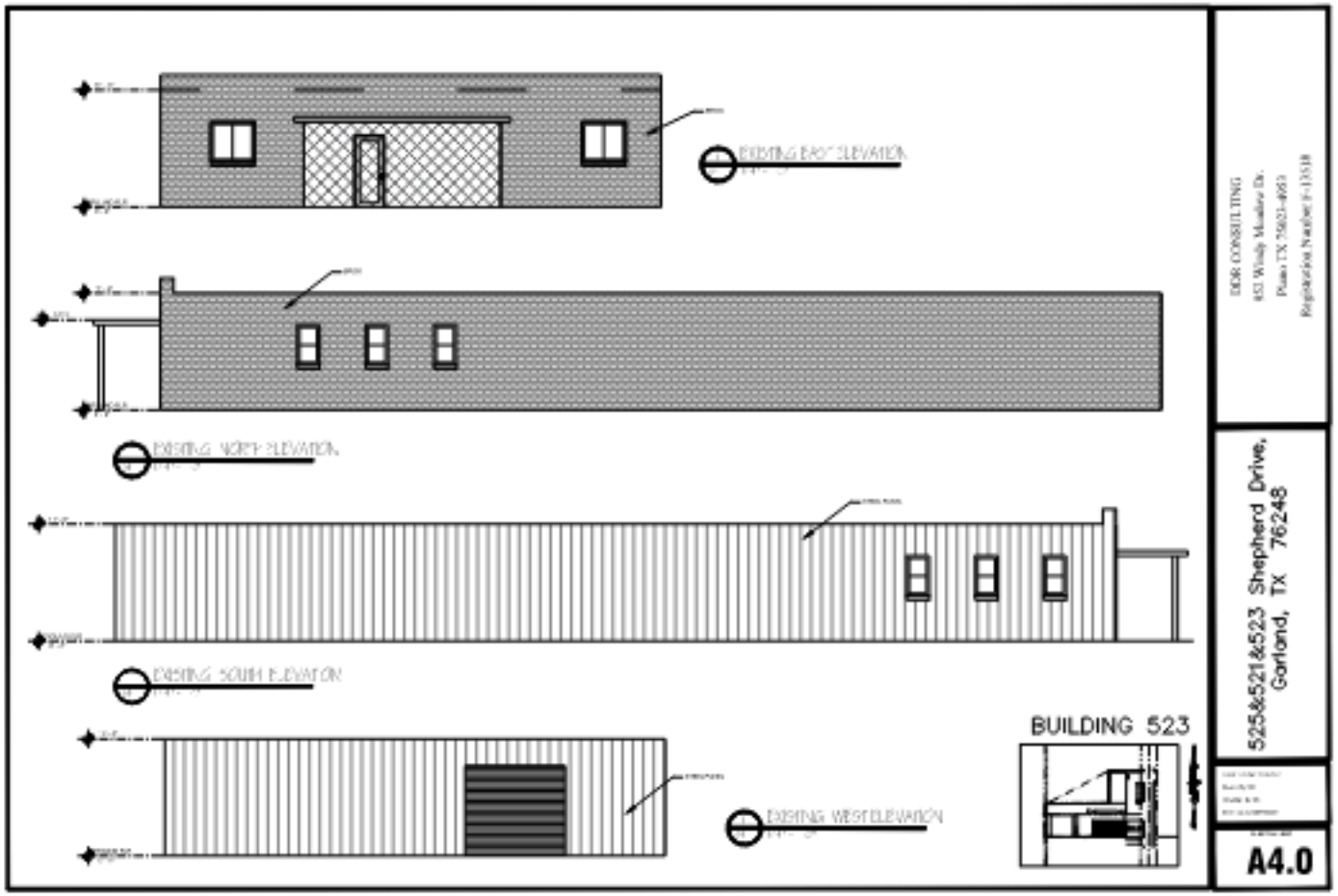

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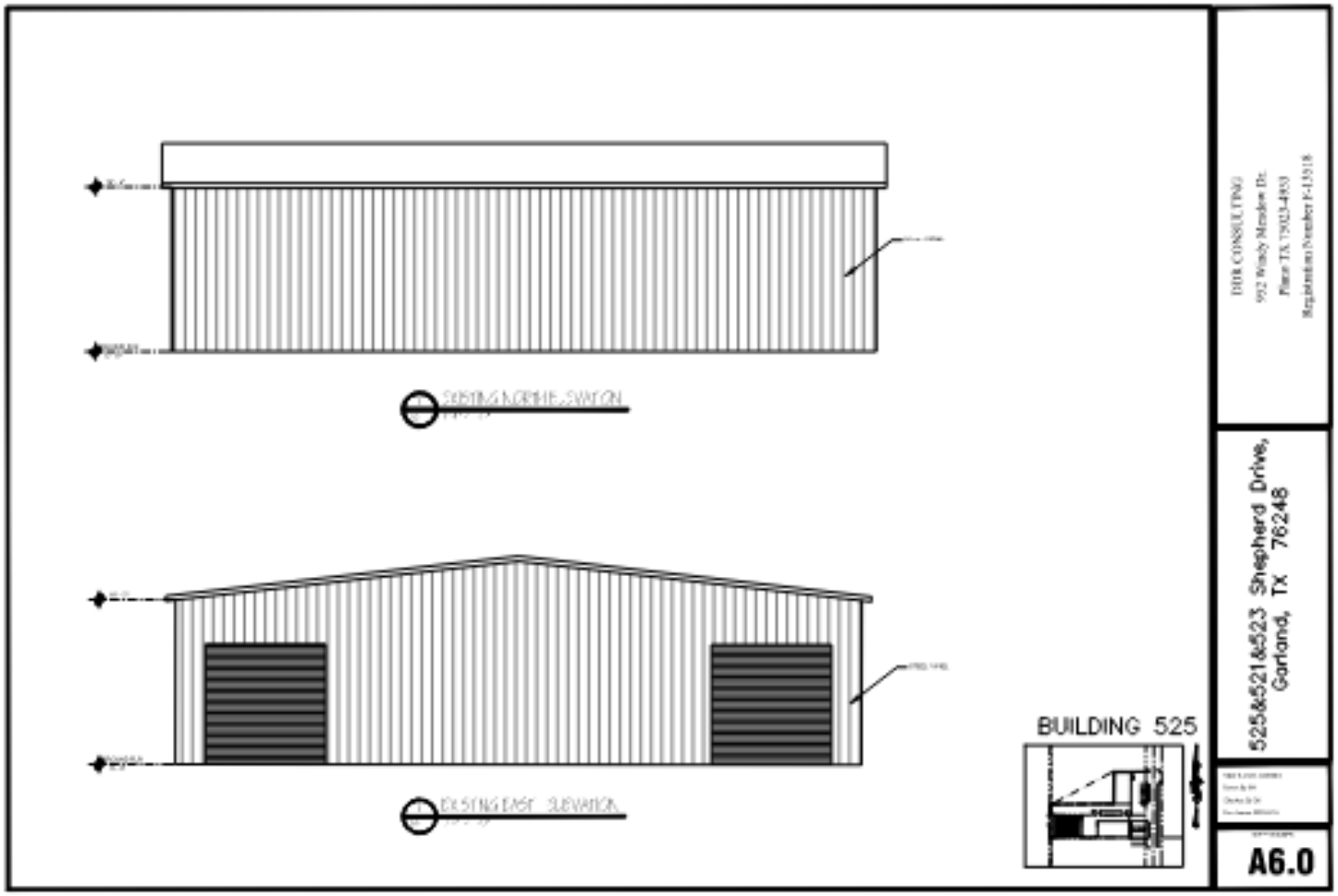

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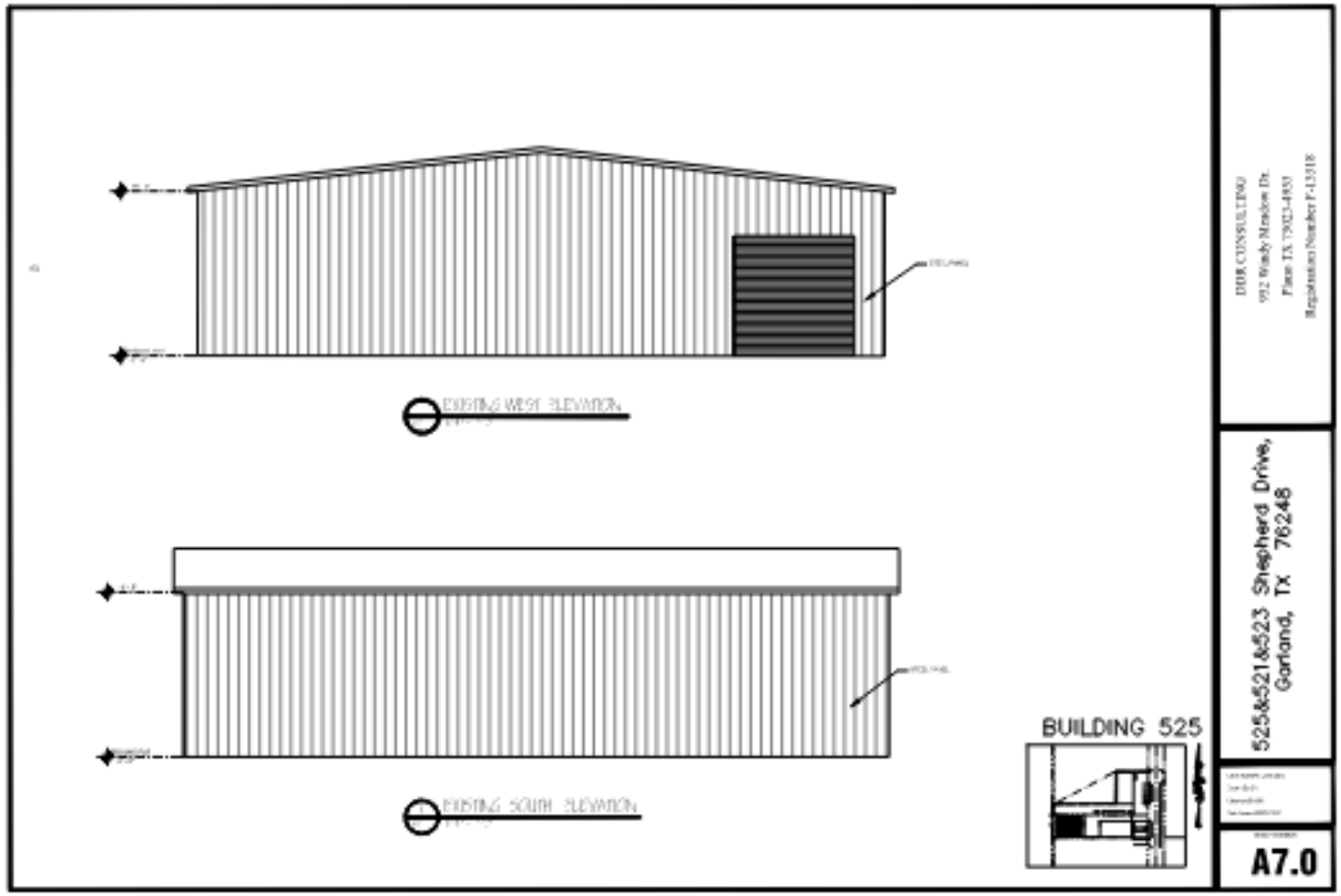

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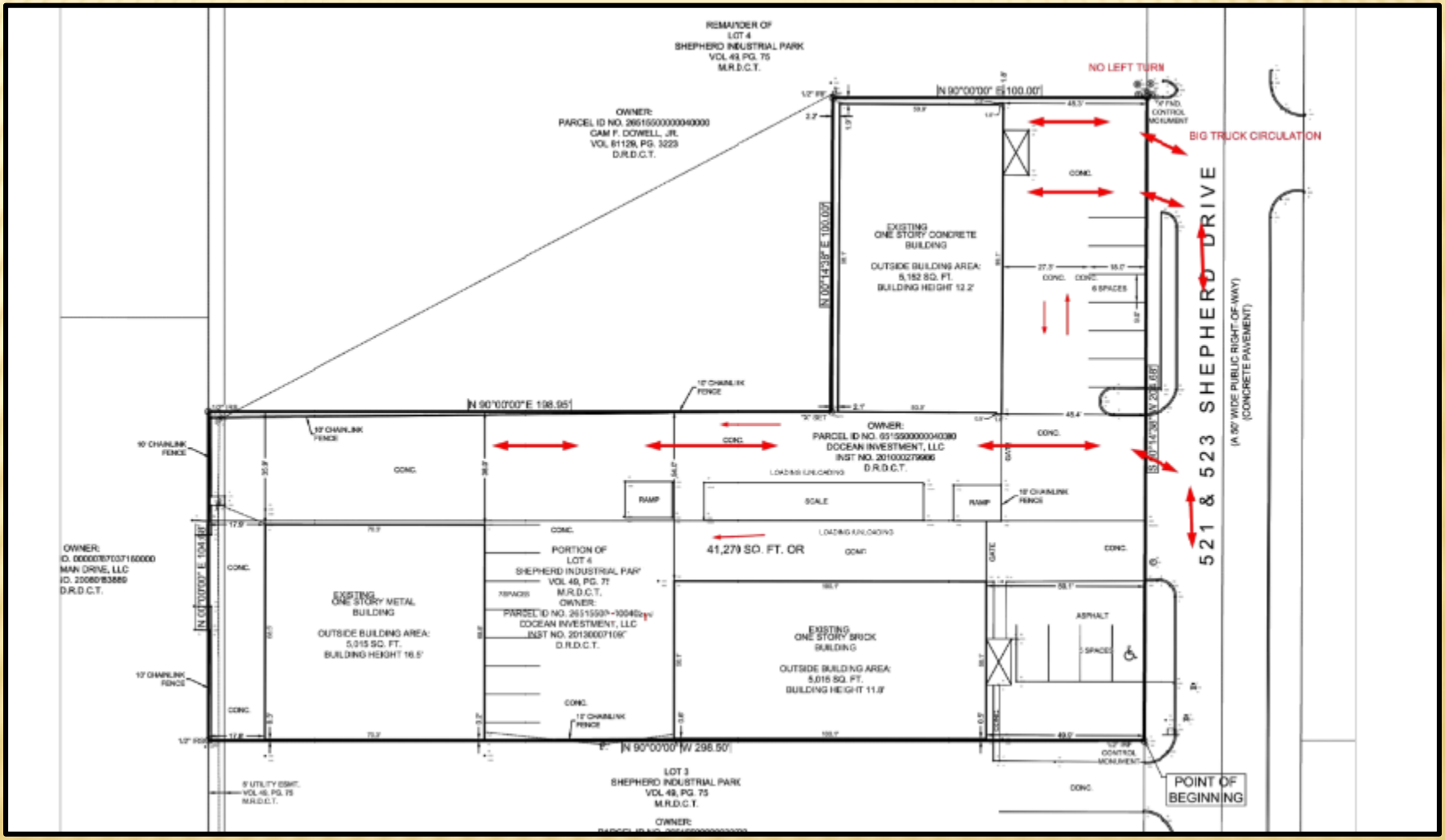

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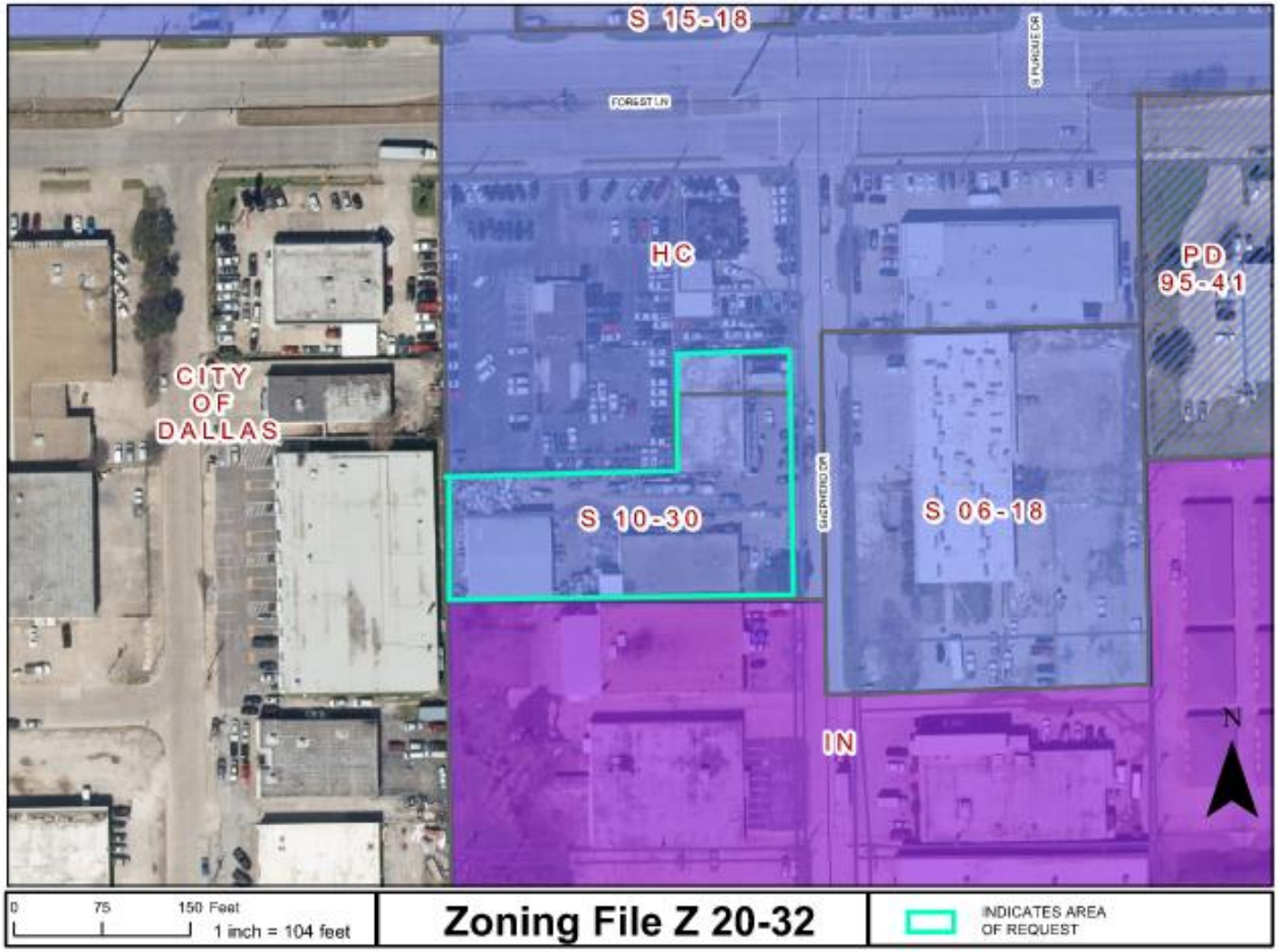
The applicant requested the Specific Use Provision (SUP) to be in effect for a period of thirty (30) years. However, the applicant concurs with the Plan Commission's recommendation of ten (10) years.

# Location Map



GARLAND
PLANNING REPORT

**City Council Regular Session Agenda** **5. e.**
**Meeting Date:** 01/05/2021
**Item Title:** Z 20-32 Ocean Star Metals, Inc. - Zoning (District 6)
**Submitted By:** Kimberly Hopkins, Development Planner

## REQUEST
Approval of a Change in Zoning from Heavy Commercial (HC) District to Industrial (IN) District.

## LOCATION
521, 523, and 525 Shepherd Drive.

## OWNER
Ocean Star Metals, Inc.

## PLAN COMMISSION RECOMMENDATION
On December 14, 2020 the Plan Commission, by a vote of six (6) to three (3) recommended approval of a Change in Zoning from Heavy Commercial (HC) District to Industrial (IN) District.

The Plan Commission by a vote of six (6) to three (3) also recommended approval of a Specific Use Provision to allow a Recycling Salvage Yard (unlimited outside storage) Use for a period of ten (10) years. The Plan Commission further recommended the outside storage shall not exceed the eight (8) foot existing fence.

The Plan Commission by a vote of six (6) to three (3) also recommended approval of a Plan to allow a Recycling Salvage Yard (unlimited outside storage) Use.

The applicant concurs with the ten (10) year time period.

## STAFF RECOMMENDATION
Denial of 1) a Change in Zoning from Heavy Commercial (HC) District to Industrial (IN) District, 2) a Specific Use Provision to allow a Recycling Salvage Yard (unlimited outside storage) Use, and 3) a Plan to allow a Recycling Salvage Yard (unlimited outside storage) Use. Given the small site, the operation does not appear to maintain truck traffic circulation on site per the Garland Development Code's requirement for Recycling Salvage Yard Uses, and requires frequent interference of traffic lanes on Shepherd Drive.

## BACKGROUND

The applicant is requesting a zoning change from Heavy Commercial (HC) District to Industrial (IN) District and requesting approval to allow the continued operation of an existing Recycling Salvage Yard (unlimited outside storage) use. The use requires a Specific Use Provision in the Industrial (IN) District.

In 2010, File Z 10-30 was approved for the operation of a Recycling Center for a period of ten (10) years.

**SITE DATA**

The site contains approximately 0.947 acres with approximately 204 lineal feet of frontage along Shepherd Drive, which is used as the main access point to and from the property.

**USE OF PROPERTY UNDER CURRENT ZONING**

The Heavy Commercial (HC) District is intended to provide locations for commercial and service-related establishments, such as building material and wholesale product sales, contractors' shops, automotive repair services, upholstery shops, and other similar commercial uses. The uses envisioned for the district will typically have operation characteristics that are generally not compatible with residential uses and some nonresidential uses. Uses in this district may utilize outside storage areas that are screened from public view. Some light manufacturing uses may also be allowed subject to certain conditions. The uses envisioned for the district will typically have operation characteristics that are generally not compatible with residential uses and some nonresidential uses. Convenient access to major thoroughfares and other transportation systems is a primary consideration for the types of uses that are found in the Commercial districts.

The applicant’s site operations include recycling of scrap metal materials with outdoor storage as approved in 2010. However, due to the GDC adoption in 2015, the use is now classed as a Recycling Salvage Yard (unlimited outdoor storage) which requires a Specific Use Provision in the Industrial (IN) District only. A Recycling Salvage Yard is defined as: A facility which provides for the collection, sorting, storage, bundling and shipping of recoverable and recyclable non-automotive, non-consumable and non-compostable materials such as aluminum cans, glass, papers including magazines and newspapers, cardboard, wood pallets, metals, plastics, tires, computers and electronics, oil, paints, solvents, and textiles.

**CONSIDERATIONS**

1. Recycling Salvage Yards are not permitted in the Heavy Commercial (HC) District; therefore, the applicant requests a Change in Zoning to the Industrial (IN) District which allows Recycling Salvage Yards by Specific Use Provision (SUP) only. Due to the GDC adoption in 2015, the use is now classified as a Recycling Salvage Yard which includes outdoor storage and requires a Specific Use Provision (SUP) in the Industrial (IN) District only.

   The Industrial (IN) District is intended to provide locations for a wide range of industrial uses that may or may not be compatible with some nonresidential uses. Such uses include manufacturing, processing, assembling, research and development, and warehousing and distribution. The Industrial District also accommodates support services for industrial development such as office, commercial, personal and professional services, and limited retail activities, commercial and service-related establishments, such as building material and wholesale product sales, contractors' shops, automotive repair

services, upholstery shops, and other similar commercial uses.

2. <u>Recycling Salvage Yard Special Standards</u>:

    a. The recycling salvage yard must be attended during all hours of business or collection.
    b. Processing of materials may include weighing, sorting, flattening, crushing, shredding, bundling, and palletizing materials for shipment by hand or by machine, and may also include smelting, melting, refining, or other conversion back to a "raw material" state.
    c. All processing operations (such as, crushing, bundling, or palletizing) must occur within a building or within an outside storage yard.
    d. Outside storage of materials are permitted, where located behind the main building, where and where screened from all public streets and from neighboring properties with a fully opaque, minimum eight-foot tall masonry screening wall, as applicable (unless another form of screening is approved with the initial development application). *Although on-site operations and stacks of materials may be visible from the street, the site has a gate located between the operations / storage area and the street. The site is improved with an eight (8) foot high chain-link fence with screening mesh along its property lines.*
    e. Recycling salvage yards must have an on-site vehicle circulation plan. The plan must be designed and operated so that all truck and other vehicle traffic associated with the recycling salvage yard is accommodated on-site and does not interfere with the traffic lanes on the adjacent street. *The site is small and does not appear to have turnarounds for trucks on-site, requiring traffic lane interference on Shepherd Drive.*

3. Outside Storage is a use associated with the Recycling Salvage Yard and is permitted in the Industrial (IN) District, in accordance with the following Special Standard:
    a. Outside storage is not to be located between the front of the building and the street, nor on top of any structure, nor stacked higher than the building or device that screens the stored materials. The applicant indicates the business would comply with the outside storage requirements.

4. The applicant proposes a Recycling Savage Yard (unlimited outside storage) use, specializing in scrap metal recycling, in three (3) existing buildings totaling 15,182 square feet. The applicant is not proposing any expansions or exterior remodeling. The establishment would operate Monday through Friday, 8:00 a.m. to 5:00 p.m.

5. The previous Specific Use Provision was approved with thirteen (13) parking spaces. The site plan (Exhibit C in the Plan agenda item) shows existing pavement and seventeen (17) parking spaces on the overall site, which brings the site closer to meeting the 18 required parking spaces per the GDC.

6. Landscaping currently exists on the site. Neither a building expansion nor a parking lot expansion is proposed with this request; therefore, new landscaping compliance is not triggered by this request.

7. Signage is existing and no changes to signs are proposed with this application.

8. The applicant requested a time period of thirty (30) years but concurs with the Plan

Commission's recommendation of ten (10) years.

**COMPREHENSIVE PLAN**

The Future Land Use Map of the Envision Garland Plan recommends Industry Center for the subject property. Industry Centers provide a cluster of trade and industry that cumulatively employ large numbers of people. Operations may include such elements as semi-truck traffic, loading docks, and visible outdoor storage. Overall, the architecture, character, scale, and intensity should be compatible with adjacent development types. Industry Centers range in scale and intensity based on the surrounding vicinity and may consist of one or more buildings. This development type includes a variety of primary and secondary uses that support the industry employment sector.

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

The properties to the north, south, east and west are zoned Heavy Commercial (HC) District and Industrial (IN) District, consisting of such uses as a self-storage facility, printing company, building material company, catering company, and auto part facility.

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**Attachments**

Z 20-32 Ocean Star Metals, Inc (Zoning) Attachments

Z 20-32 Ocean Star Metals, Inc. Responses

Z 20-32 Ocean Star Metals, Inc Staff Presentation

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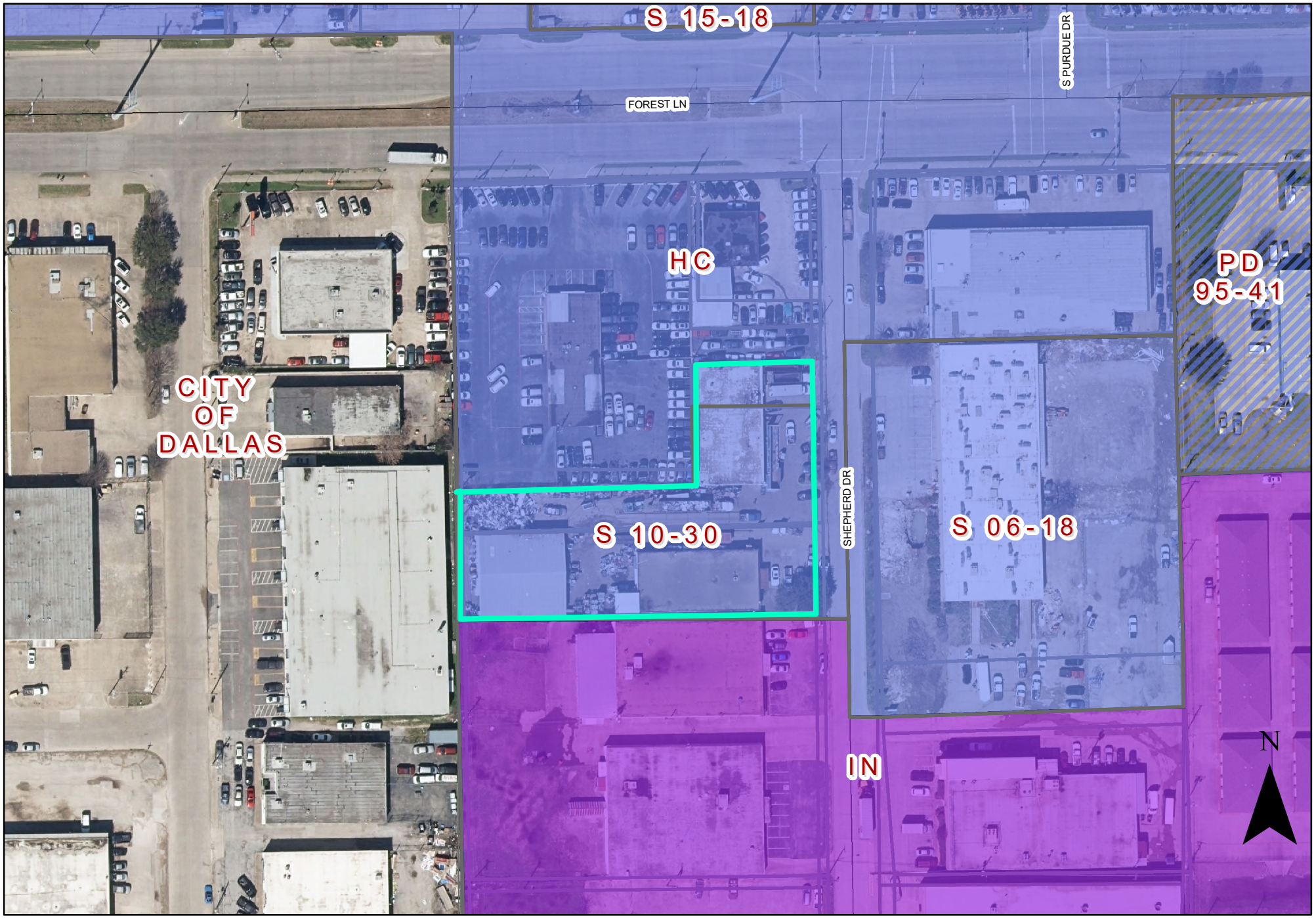


0 75 150 Feet
1 inch = 104 feet

# Zoning File Z 20-32

INDICATES AREA OF REQUEST

# REPORT & MINUTES

**P.C. Meeting, December 14, 2020**

Consideration of the application of **Ocean Star Metals, Inc.**, requesting approval of a Change in Zoning from Heavy Commercial (HC) District to Industrial (IN) District. This property is located at 521, 523, 525 Shepherd Drive. (District 6) (File Z 20-32- Change in Zoning)

Kimberly Hopkins, Development Planner, presented the staff report.

Commissioner Jenkins requested clarification from staff what the current business operations are and what they are seeking to establish.

Ms. Hopkins stated operations would remain as they are. The Garland Development Code (GDC) changed with the 2015 adoption not allowing Recycling Salvage Yard Use in the Heavy Commercial (HC) District.

Commissioner Rose asked if staff discussed the Specific Use Provision (SUP) time length with the applicant and asked for clarification of “unlimited outside storage.”

Mr. Guerin stated the applicant requested a longer time period allowed for the Specific Use Provision (SUP) and further explained the usage of “unlimited outside storage” is terminology within the Garland Development Code (GDC).

Commissioner Ott asked staff if a change in zoning was is required or could they have requested a Planned Development (PD) for the issuance of a Specific Use Provision (SUP).

Mr. Guerin stated a change of zoning was determined the appropriate request.

The applicant, Judy Wang, 523 Sheppard Drive, Garland, Texas 75042, stated she is the property owner.

Also assisting with the request, Joel Wilkinson, 11816 Inwood Road, #105, Dallas, Texas, provided additional information regarding traffic congestion, requested Specific Use Provision (SUP) period, and stated there will be no operational changes.

Commissioner Jenkins inquired as to the intentions for reinvestment to the site regarding masonry wall, material does not surpass a stated height.

Ms. Wang stated she has spoken to their surrounding neighbors and did not receive any negative feedback and the business is always open to ways to make the community and the City of Garland better.

Commissioner Rose asked if the applicant would be agreeable to an additional 10 year Specific Use Provision (SUP).

The applicant stated they would agree to a 10 year Specific Use Provision (SUP).

Commissioner Rose requested clarification of the number of customers per day.

Mr. Wilkinson stated one or two customers per day.

Commissioner Ott requested additional information pertaining to business operations such as number of employees, the suggestion of fires at the business, and spoke in support of a 10 year Specific Use Provision (SUP).

Ms. Wang explained there are 8-9 employees. She confirmed they have had fires and have since taken steps and changed business practices to prevent any future incidents.

Commissioner Dalton requested clarification on the number and types of vehicles bringing and removing recycling products.

Ms. Wang stated approximately 50 vehicles daily bringing items in and 1-2 semi-trucks bringing and taking recycling products.

**Motion** was made by Commissioner Williams to **deny** the request. Seconded by Commissioner Edwards. **Motion failed**: **3** Ayes, **6** Nays with Roberts, Ott, Rose, Jenkins, Dalton, and Welborn in opposition.

**Motion** was made by Commissioner Rose to close the public hearing and **approve** the request. Seconded by Commissioner Jenkins. **Motion carried: 6** Ayes, **3** Nays from Commissioner Edwards, O'Hara and Williams.

0 175 350 Feet
1 inch = 256 feet

# Zoning File Z 20-32

INDICATES AREA OF REQUEST

(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.

stealing Metal parts off cars (by Homeless) and selling to Next door Ocean star Metals inc,. Abandoned Shopping carts in my parking Lot. 18 Wheelers in & out going over Grass damaging Curbside & Grass. Thieves & Homeless digging in Trash Looking for Metal, asking to use Restroom.

(Please complete the following information)

4240 & 4250 Forest Ln Garland TX 75042
Your Property Address

Mid-Asia Management LLC & H & H Pars INC. DBA Firstchoice Auto
Printed Name

1109 Rushmore Dr Allen TX 75002
Address City, State Zip

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

[signature] owner
Signature Title

Date: Dec, 13-2020

| | |
|---|---|
| **From:** | Lawrence Piccagli |
| **To:** | Planning Group |
| **Cc:** | Stacy Piccagli |
| **Subject:** | [EXTERNAL] File Z 20-32 - Ocean Star Metals, Inc. |
| **Date:** | Tuesday, December 8, 2020 9:38:40 AM |
| **Attachments:** | PDF2189092020120808494 5.pdf |

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Dear Planning Commission,
Attached is the form you sent us, which I have filled out. We adamantly oppose the zoning change which would allow the property to continue to be used as a metal recycling facility for the reasons I have spelled out.
If you have any questions, please call me.
Thanks,
Lawrence Piccagli, VP
Wilson Plywood & Door
602 Shepherd Drive
833 Shepherd Drive — Outside the notification area
Garland, TX 75042
(972)494-3545

-----Original Message-----
From: Administrator <admin@wilsonplywood.com>
Sent: Tuesday, December 8, 2020 8:50 AM
To: Lawrence Piccagli <lawrencep@wilsonplywood.com>
Subject:

---
CS 3501i
[00:c0:ee:af:a3:9b]
---

(Please Check One Below)

_____ I am in favor of the request.

_X_ I am opposed to the request.

Please include any comments you wish to provide supporting your position in the space provided below.

Shepherd drive cannot continue to support a metal recycling operation. The street is too small for the traffic that comes in and out of this facility, including the large trucks which stop all traffic to back into the facility. This creates a safety hazard every day for everyone else using the street.

(Please complete the following information)

602 Shepherd Drive, Garland, TX 75042
Your Property Address

Lawrence Piccagli
Printed Name

833 Shepherd Dr. Garland, TX 75042
Address City, State Zip

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

[signature] V.P. of Wilson Plywood + Door
Signature Title

Date: 12-8-2020

This type of operation, metal recycling, belongs on a much larger piece of land, where the vehicular traffic can safely move in and out without creating hazard for everyone else on the street.

(Please Check One Below)

_____ I am in favor of the request.

_X_ I am opposed to the request.

Please include any comments you wish to provide supporting your position in the space provided below.

Safety hazard: Parking and maneuvering big 18 wheeler/dumpster trucks down the day and overnight. Two or Three times where fire department got called in. Attracting people in shopping carts and trucks to the neighborhood to dump the trash and leaving trash on the street and parking lots.

(Please complete the following information)

520 & 530 Shepherd Dr
Your Property Address

Tyler Shin
Printed Name

520 & 530 Shepherd dr. Garland Tx 75042
Address City, State Zip

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

Signature Title: Manager, partner/owner

Date: 12/09/2020

Ocean Star

**December 2, 2020**
**Z 20-32**
Page 2 of 2

(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.

Safety Hazard, they park Big 18 wheelers in the street overnight. Block the Road 20 min at a time trying to back-up 18 wheelers into their loading spot. 2 Fires where the Fire department was called to put it out.

(Please complete the following information)

538 Shepherd Dr.
Your Property Address

Ru Patel
Printed Name

538 Shepherd Dr. Garland, TX 75042
Address City, State Zip

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

R Patel COO
Signature Title

Date: 12-4-20

# Z 20-32

**Approval of a Change in Zoning from Heavy Commercial (HC) District to Industrial (IN) District.**

**Approval of a Specific Use Provision to allow a Recycling Salvage Yard (unlimited outside storage) Use.**

**Approval of a Plan to allow a Recycling Salvage Yard (unlimited outside storage) Use.**

GARLAND

TEXAS MADE HERE

City Council Meeting
January 5, 2020

# Case Information

Location: 521, 523, and 525 Shepherd Drive

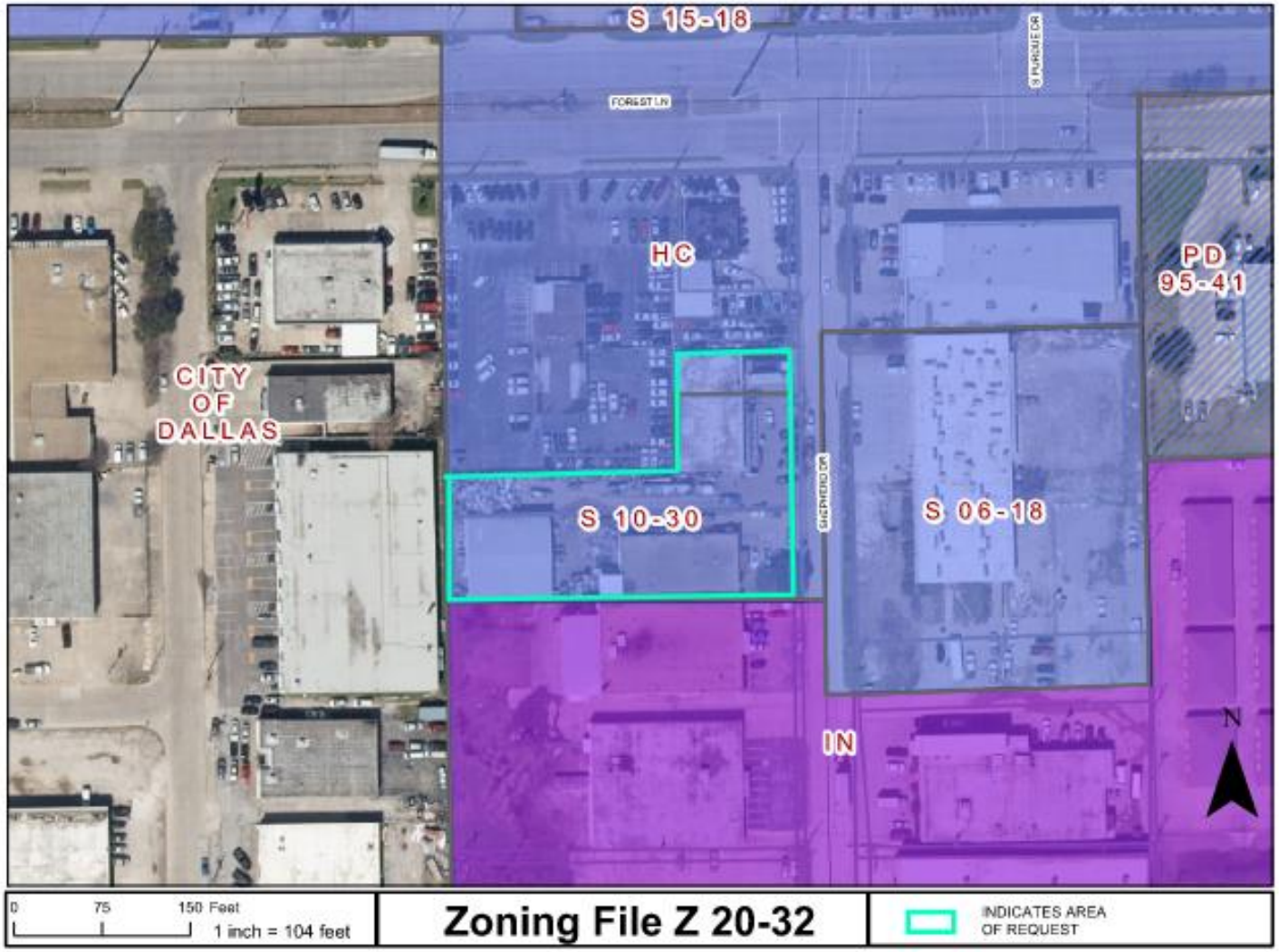
Applicant: Ocean Star Metals, Inc.

Owner: Ocean Star Metals, Inc.

Acreage: 0.947 acres

Zoning: Heavy Commercial (HC) District

# Location Map

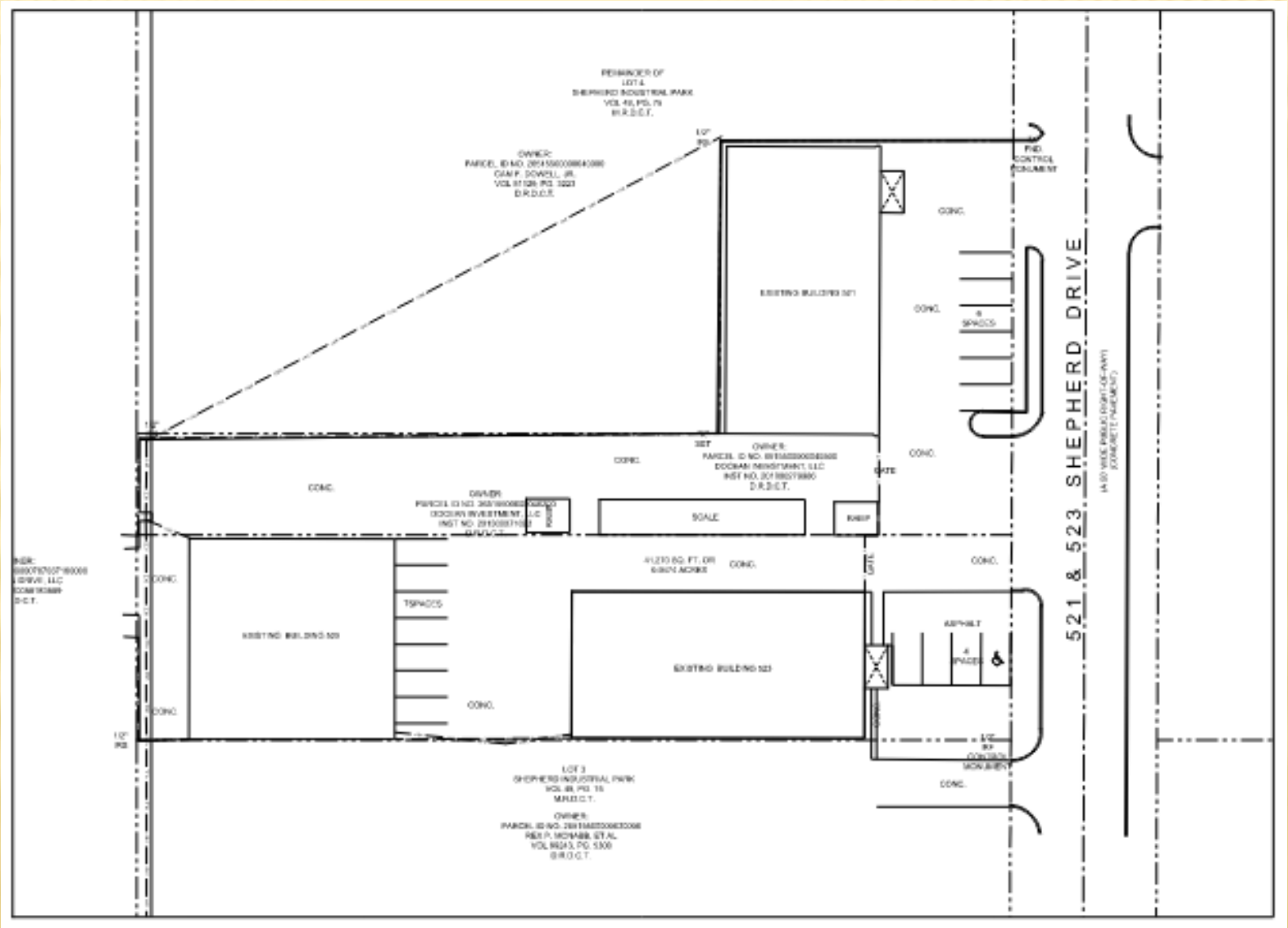


GARLAND
TEXAS MADE HERE

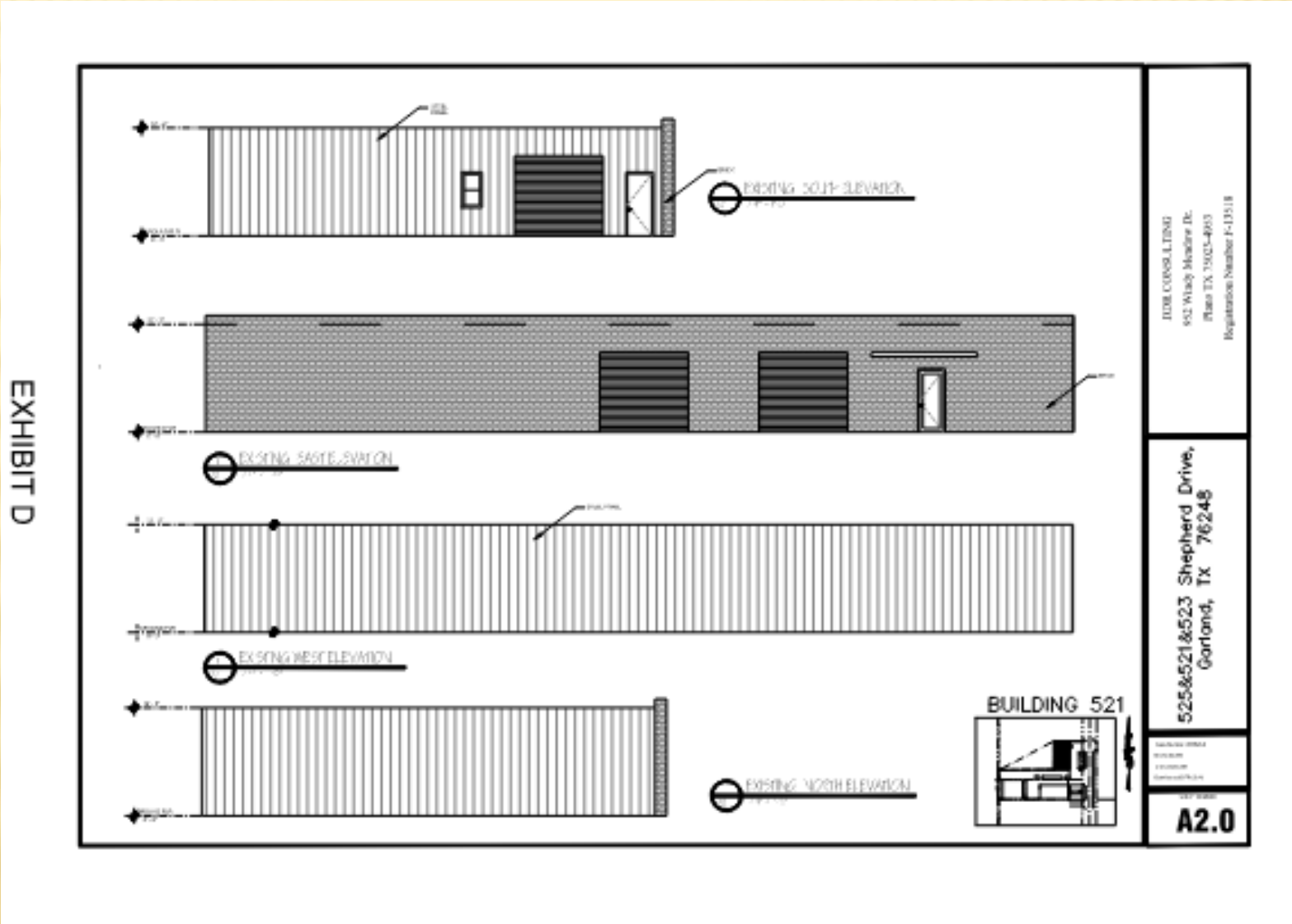
# Photos

GARLAND
TEXAS MADE HERE

# Site Plan

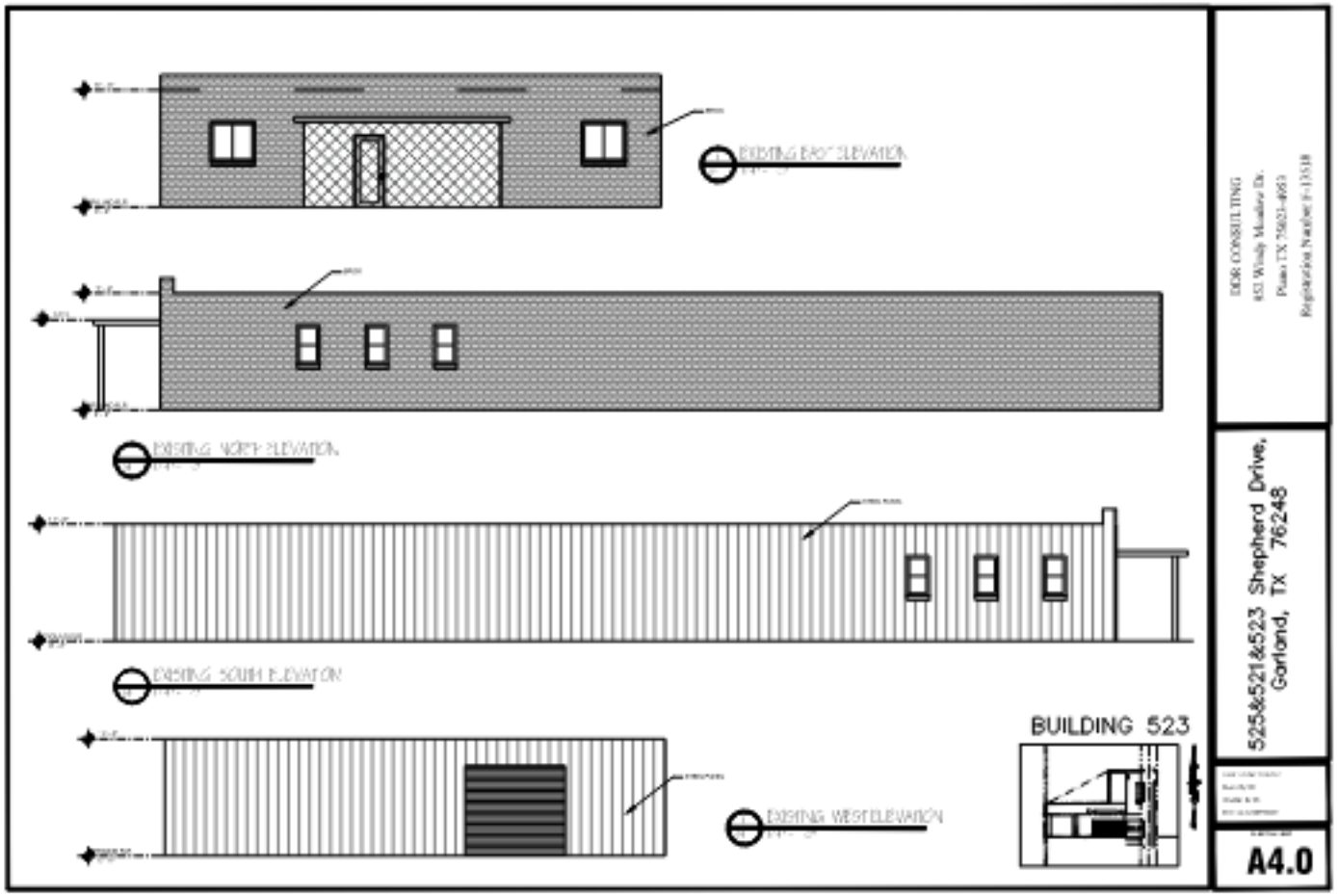


# Elevations


EXISTING SOUTH ELEVATION
EXISTING EAST ELEVATION
EXISTING WEST ELEVATION
EXISTING NORTH ELEVATION
BUILDING 521
525&521&523 Shepherd Drive,
Garland, Tx 76248
A2.0
EXHIBIT D

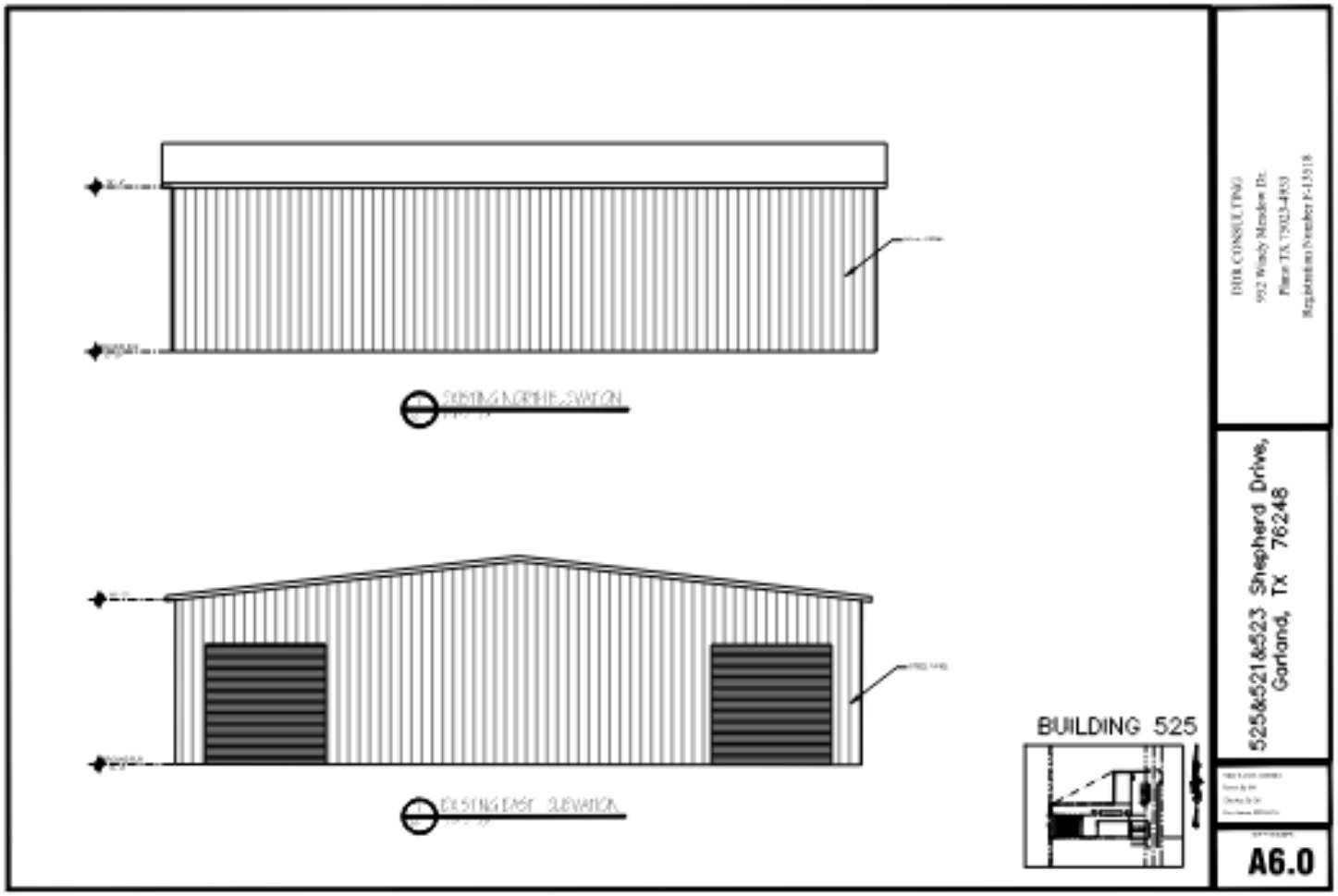
# Elevations

EXHIBIT D



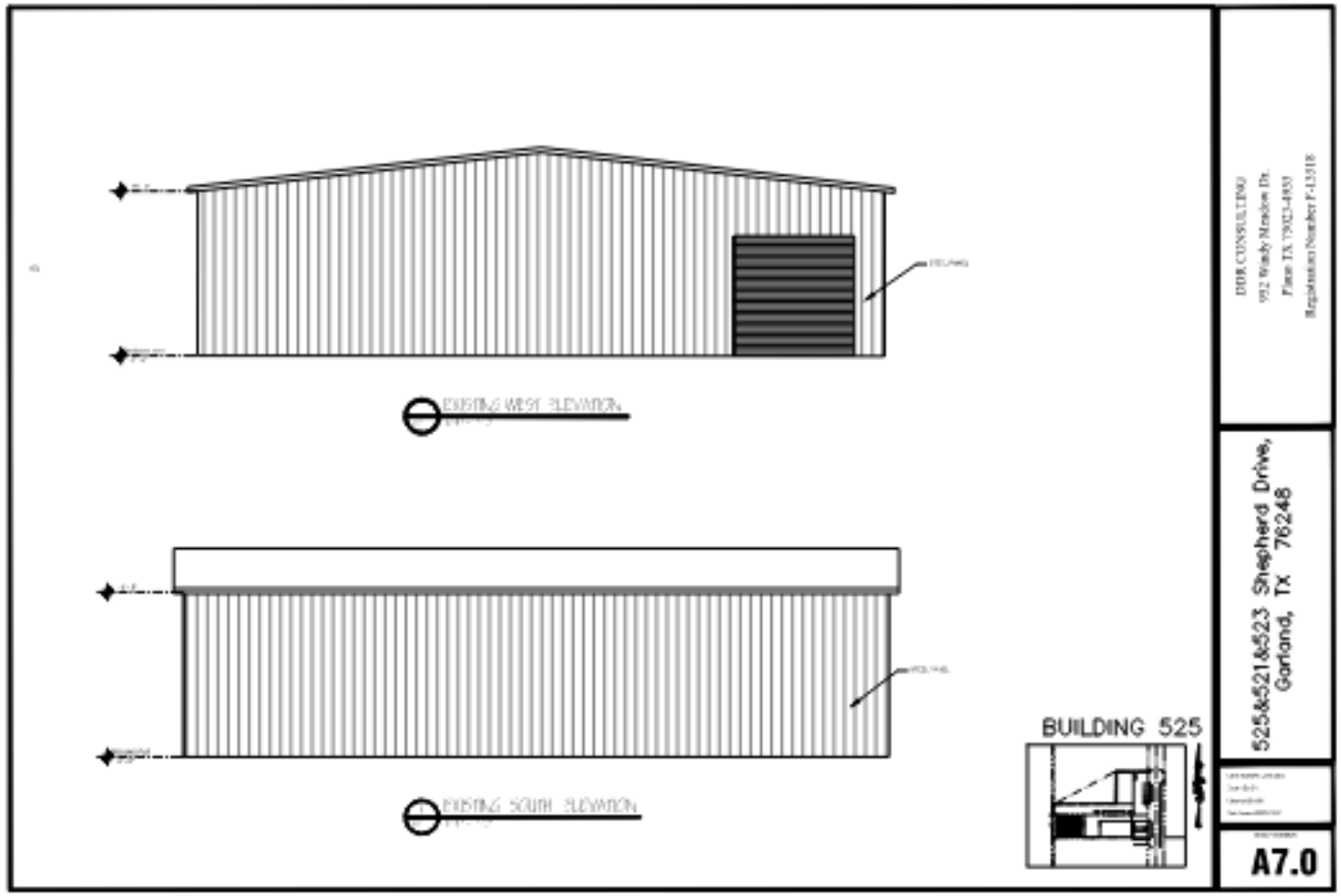
# Elevations

EXHIBIT D

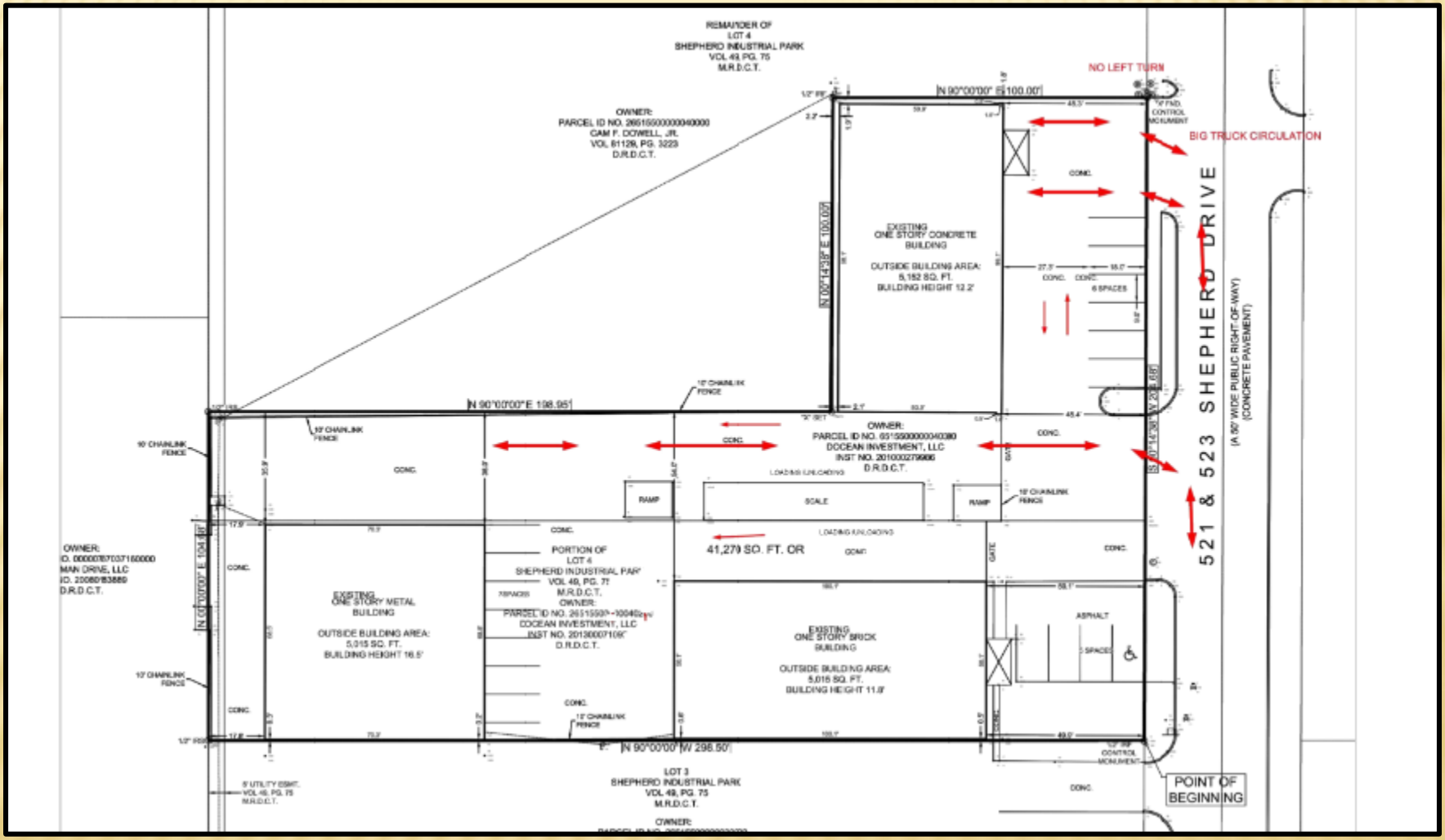


# Elevations

EXHIBIT D



# Circulation Plan



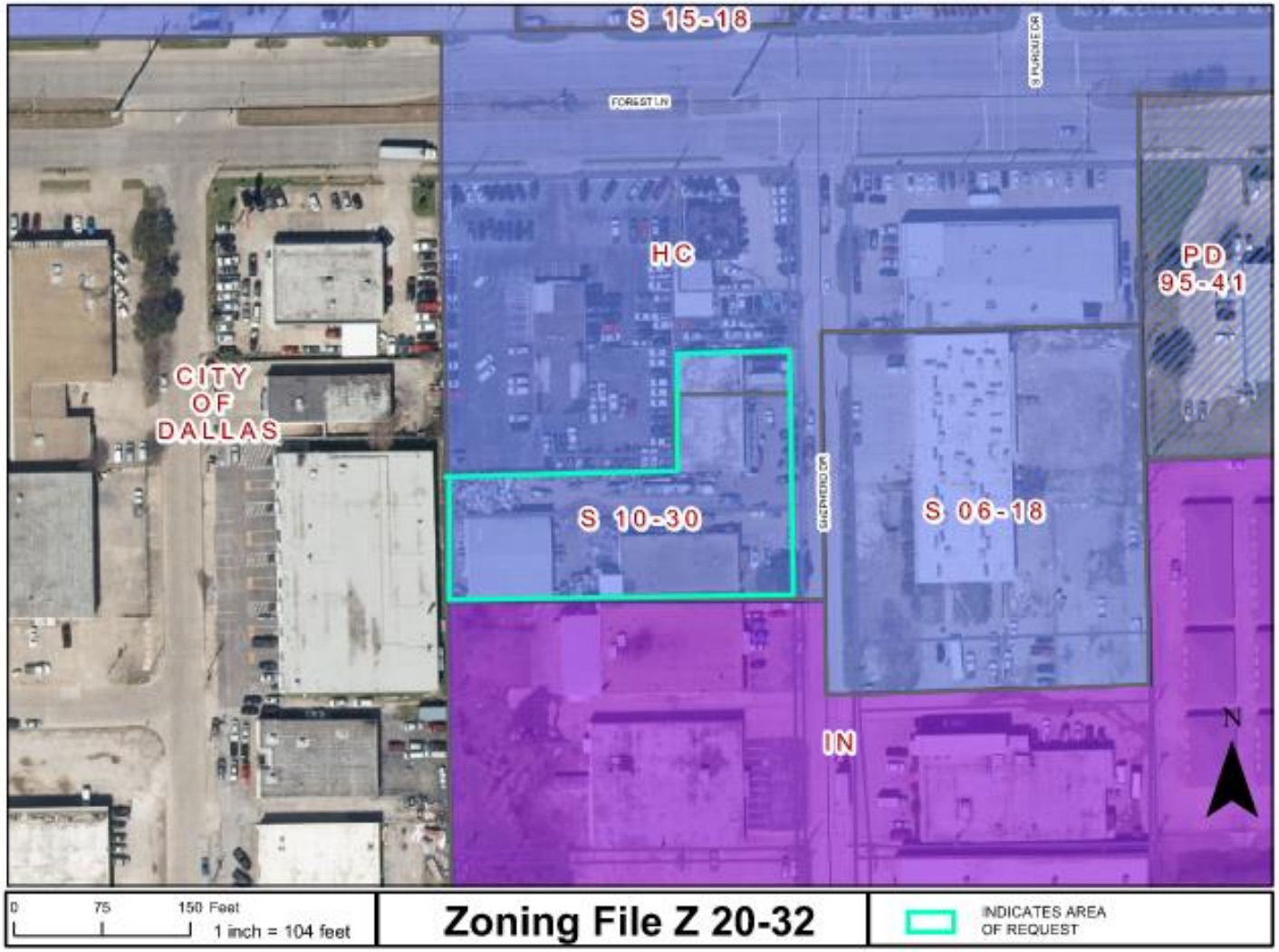
# Summary

| Item | Required | Existing and Proposed | |
|---|---|---|---|
| Development Standards | | | |
| Circulation Plan | Recycling salvage yards must have an on-site vehicle circulation plan. The plan must be designed and operated so that all truck and other vehicle traffic associated with the recycling salvage yard is accommodated on-site and does not interfere with the traffic lanes on the adjacent street. | The applicant's existing operation and circulation plan indicates interference with the traffic lanes on Shepherd Drive. | |
| Parking | The GDC requires 18 parking spaces. | The previous Specific Use Provision was approved with thirteen (13) parking spaces. The site plan shows existing pavement and seventeen (17) parking spaces on the overall site. | |
| Fence | A minimum eight-foot tall masonry screening wall is required, (unless another form of screening is approved with the initial development application) | The applicant proposes to keep the existing eight (8) foot tall fence to screen the outdoor storage and processing area. The fencing was approved with the previous SUP. | |
| | | | |

# Consideration

The applicant requested the Specific Use Provision (SUP) to be in effect for a period of thirty (30) years. However, the applicant concurs with the Plan Commission's recommendation of ten (10) years.

# Location Map



GARLAND
PLANNING REPORT

**City Council Regular Session Agenda** **5. f.**

**Meeting Date:** 01/05/2021

**Item Title:** Z 20-36 Smashin Gas Motors - SUP (District 8)

**Submitted By:** Kimberly Hopkins, Development Planner

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## REQUEST

Approval of a Specific Use Provision to allow Automobile Sales, New or Used on a property zoned Industrial (IN) District.

## LOCATION

1220 North First Street

## OWNER

Asset Based Intermodal

## PLAN COMMISSION RECOMMENDATION

On December 14, 2020 the Plan Commission, by a vote of eight (8) to one (1) recommended approval of a Specific Use Provision for Automobile Sales, New or Used on a property zoned Industrial (IN) District for a period of five (5) years. The Plan Commission further recommended all automobile sales features are prohibited on the site, and automobile display spaces are limited only to those shown on the site plan (Exhibit C in the Plan item).

The Plan Commission by a vote of eight (8) to one (1) also recommended approval of a Plan for Automobile Sales, New or Used on a property zoned Industrial (IN) District.

The applicant concurs with the five (5) year time period.

## STAFF RECOMMENDATION

Denial of 1) a Specific Use Provision for an Automobile Sales, New or Used on a property zoned Industrial (IN) District, and 2) a Plan for an Automobile Sales, New or Used on a property zoned Industrial (IN) District. It is recommended that uses on the subject site contribute to or support industrial employment in keeping with the intent of the Industrial (IN) District.

Should the Council approve the request, parking spaces for auto sales display are recommended to be limited only to those shown on the site plan (Exhibit C in the Plan agenda item).

## BACKGROUND

The applicant is requesting approval to add outdoor used car sales at an existing trucking company facility.

## SITE DATA

The site contains approximately 5.627 acres with approximately 370 lineal feet of frontage along North First Street, which is uses as the main access point to and from the property.

## USE OF PROPERTY UNDER CURRENT ZONING

The Industrial (IN) District is intended to provide for a wide range of industrial uses that are generally not compatible adjacent to residential neighborhoods, and may or may not be compatible with some nonresidential uses. Such uses include manufacturing, processing, assembling, research and development, and warehousing and distribution. The Industrial (IN) District also accommodates support services for industrial development such as office, commercial, personal and professional services, and limited retail activities. The Industrial (IN) District regulations are designed to ensure compatibility among the various uses allowed in the district, and to protect adjacent non-industrial development from potentially incompatible uses and conditions.

The applicant intends to add outdoor used car sales at an existing trucking company facility. A used car sales operation requires a Specific Use Provision in the Industrial (IN) District.

## CONSIDERATIONS

<u>Specific Use Provision</u>

1. The applicant proposes to add used car sales to the site of an existing approximate 13,000 square-foot trucking business. The sales would include outdoor parking and display of vehicles.

2. Forty-five (45) parking spaces are required as per the GDC for the existing and proposed uses. The applicant is providing fifty-four (54) parking spaces; however, five (5) of the spaces are designated for display purposes for Smashin Gas Motors while forty-nine (49) parking spaces are for the trucking company. The additional larger spaces on the site are for heavy loading bays.

3. Neither a building expansion nor a parking lot expansion is proposed with this request. Landscaping and screening compliance is not triggered by this request.

4. The applicant's original SUP request was for ten (10) years but the applicant concurs with the Plan Commission's five (5) year recommendation.

## COMPREHENSIVE PLAN

The Future Land Use Map of the Envision Garland Plan recommends Business Center for the subject property. Business Centers provide a cluster of business offices and/or low impact industry, including campus-type development, that cumulatively employ large numbers of people. Operations within this development type occur internal to buildings resulting in minimal negative impacts (sound, air, traffic, outdoor lighting, storage, etc.) and are compatible with adjacent development types in architecture, character, scale, and intensity. Business Centers are generally located at intersections of major and/or secondary arterial streets or significant

transit areas (bus/rail).

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

The properties to the north, south, east and west are zoned Industrial (IN) District, consisting of such uses as a recycling center, paint shop, telecommunications equipment, and truck rentals. The Industrial (IN) District zoned property immediately west of the site is developed with a Garland Independent School District baseball facility and school bus operations/parking. There are no existing automobile sales uses along North First Street in this area. North of the GISD property is a single-family residential neighborhood. Further to the south of this site, south of Range Road and along North First Street, is the entry to the Downtown zoned area.

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**Attachments**

Z 20-36 Smashin Gas Motors Attachments

Z 20-36 Smashin Gas Motors Responses

Z 20-36 Smashin Gas Motors Staff Presentation

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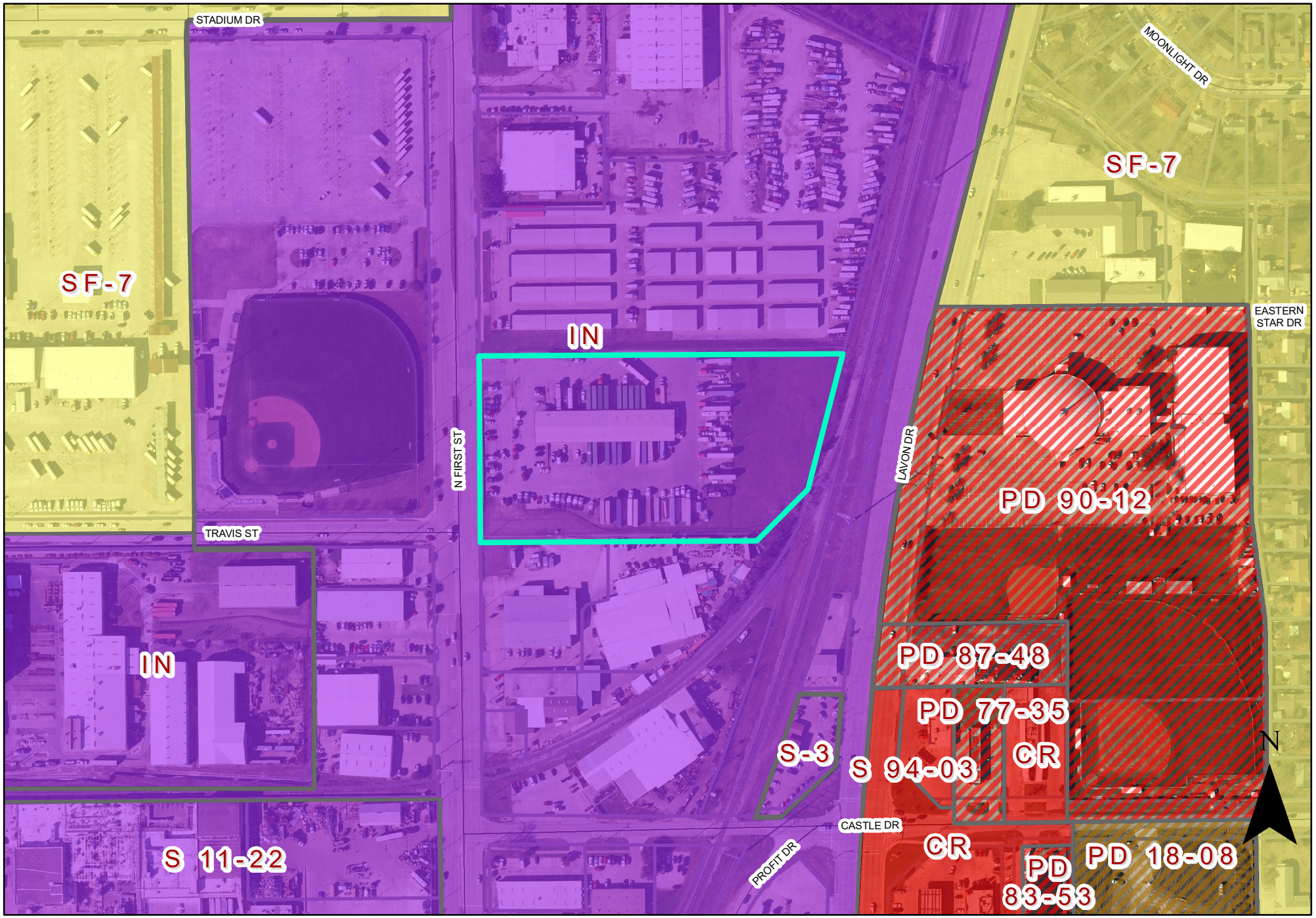



0 200 400 Feet
1 inch = 250 feet

# Zoning Map Z 20-36

INDICATES AREA OF REQUEST

# EXHIBIT B

## SPECIFIC USE PROVISION CONDITIONS

## ZONING FILE Z 20-36

## 1220 North First Street

I. **Statement of Purpose:** The purpose of this Specific Use Provision is to allow Automobile Sales, Used.

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

III. **General Regulations:** All regulations of the Industrial (IN) District as set forth in Chapter 2 of the Garland Development Code, Ordinance 6773, are included by reference and shall apply, except as otherwise specified by this ordinance.

IV. **Development Plans:**

A. Development is to be in general conformance with the approved site plan labeled Exhibit C. In the event of conflict between the conditions and development plans, the conditions listed below are to apply.

V. **Specific Use Provision:**

A. SUP Time Period: The Specific Use Provision for Automobile Sales, Used shall be in effect for a period of five (5) years.

B. Site Layout: The Automobile Sales, Used operation shall be in conformance with the site layout in Exhibit C.

C. Vehicles or other merchandise for sale may not occupy any required parking spaces, pose a safety or visibility hazard, or impede public vehicular or pedestrian circulation, either on-site or off-site. Vehicles or other merchandise for sale may not extend into a public right-of-way, over any public easement, or onto adjacent property. All vehicles or other merchandise for sale must be displayed in a neat, orderly manner, and the display area must be maintained in a clean, litter-free manner. No vehicles or other merchandise for sale may be displayed on any elevated portion of the premises, nor atop any building, pole, platform, or other

structure. The business may have a sign at the main entry to the building. The sign may not be digital, flashing, or electric. No other sign may be placed upon the premises.

**EXHIBIT B**

# REPORT & MINUTES

**P.C. Meeting, December 14, 2020**

Consideration of the application of **Smashin Gas Motors**, requesting approval of a Specific Use Provision to allow Automobile Sales, New or Used on a property zoned Industrial (IN) District. This property is located at 1220 North First Street. (District 8) (File Z 20-36 - Zoning)

Kimberly Hopkins, Development Planner, presented the staff report.

Commissioner Ott inquired as to ownership of the property.

The applicant, Brandon Arnold, 1220 N. First Street, Garland, Texas 75040 provided a brief overview of the request and stated they are leasing the subject property.

Commissioner Rose inquired as to maintenance of vehicles.

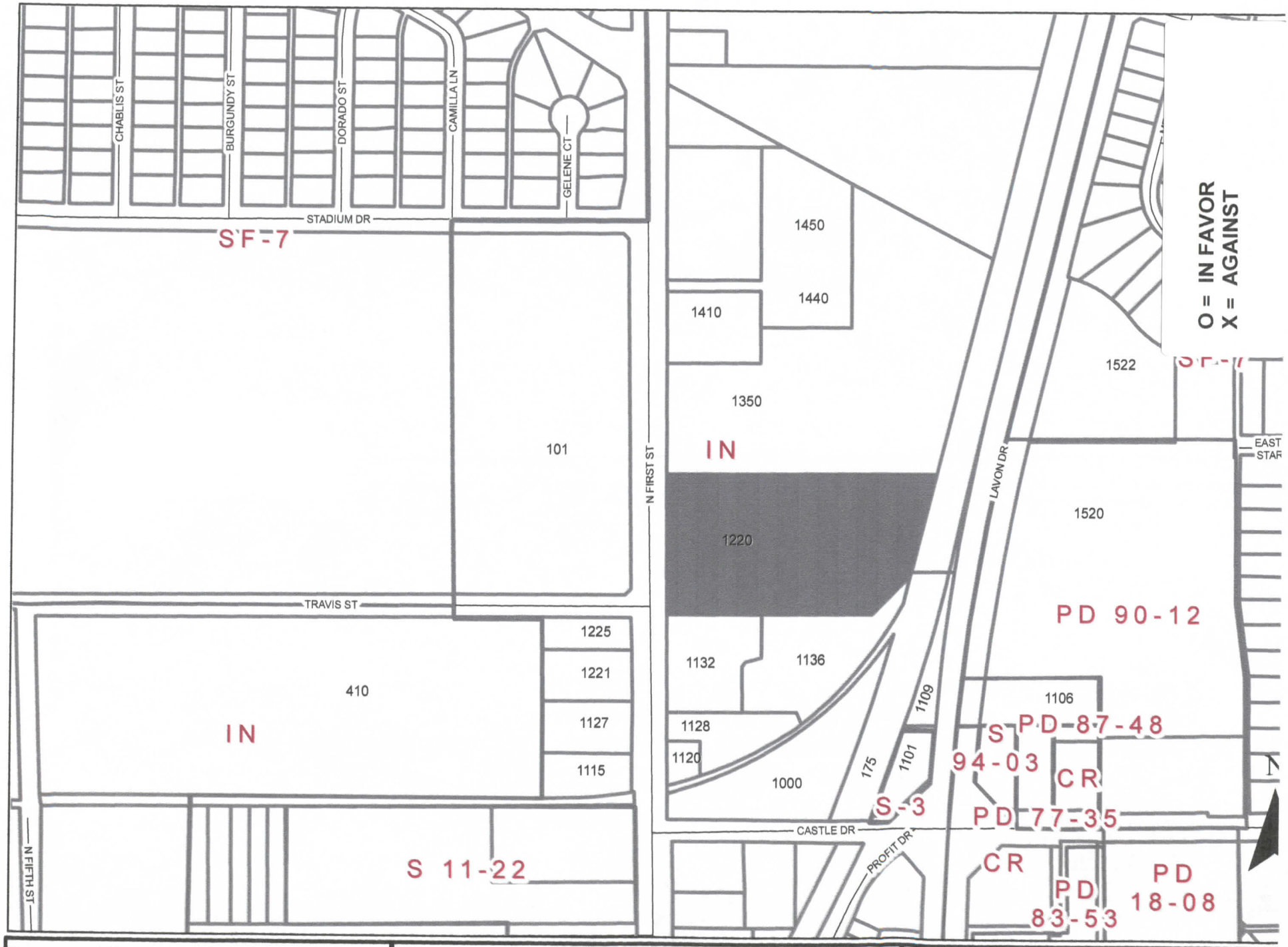
Mr. Arnold stated any repairs or maintenance would be completed offsite.

Commissioner Ott spoke in support of the request.

**Motion** was made by Commissioner Ott to **approve** the request for a 10 year Specific Use Provision and with the condition that the parking spaces for display purposes are limited to those shown on Exhibit C. Seconded by Commissioner Rose. **Motion failed**: **4** Ayes, **5** Nays with Chairman Roberts and Commissioners Edwards, O'Hara, Welborn, and Williams in opposition.

There was discussion among the Commission regarding the length requested for the Specific Use Provision (SUP) and location of dictated parking spaces.

**Motion** was made by Commissioner Ott to close the public hearing and **approve** a five (5) year Specific Use Provision (SUP) with all accoutrements of automotive sales removed and limit the parking spaces to those noted on Exhibit C. Seconded by Commissioner Rose. **Motion carried: 8** Ayes, **1** Nay from Commissioner O'Hara.




# Zoning Map Z 20-36

(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.

_____

_____

_____

_____

GISD Properties: (Please complete the following information)
Dr. Marvin D. Roden Technology Center, 410 Stadium Drive, Garland 75040; Tranporatation Building, 326 Stadium Drive, Garland 75040; Marvin Padgett Aux Svcs Center, 701 N. First Street, Garland 75040
Your Property Address

Paul Gonzales
Printed Name

| 701 N. First Street | Garland, TX | 75040 |
|---|---|---|
| Address | City, State | Zip |

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

, GISD Executive Director of Facilities & Maintenance
Signature Title

Date: 12/9/20

Outside the Notification Area
Outside the Notification Area

(Please Check One Below)

X 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)

Mr Car Shine Body Shop
Your Property Address

311 N Glenbrook Dr. #101
Printed Name

Garland, TX. 75040
Address City, State Zip

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

FAhmad Owner
Signature Title

Date: 12-7-2020

Received
12-14-20

Outside the Notification Area

# Z 20-36

**Approval of a Specific Use Provision for Automobile Sales, New or Used on a property zoned Industrial (IN) District.**

**Approval of a Plan for Automobile Sales, New or Used on a property zoned Industrial (IN) District.**

City Council Meeting
January 5, 2021

GARLAND
TEXAS MADE HERE

# Case Information

Location: 1220 North First Street

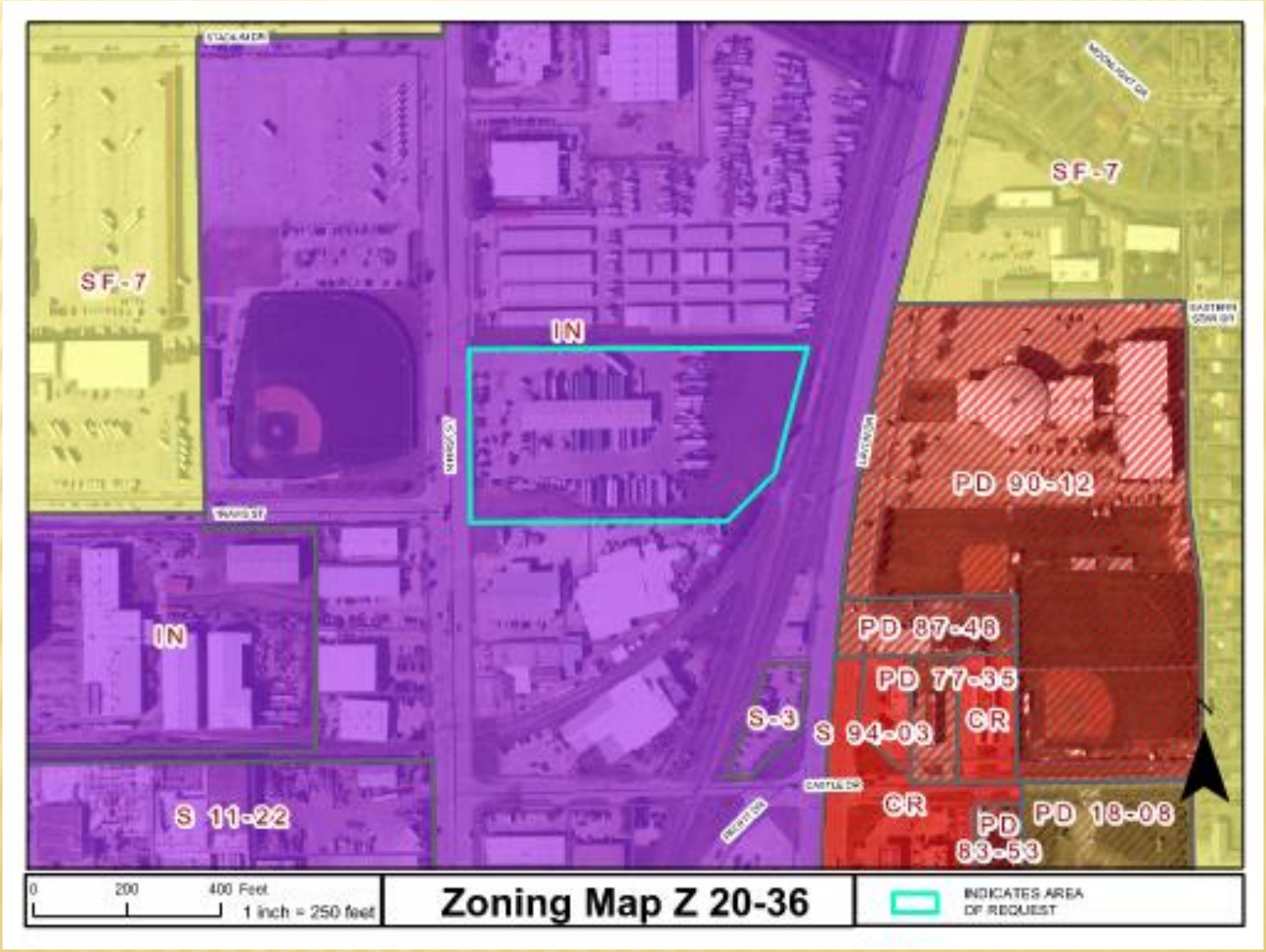
Applicant: Smashin Gas Motors

Owner: Asset Based Intermodal

Acreage: 5.627 acres

Zoning: Industrial (IN) District

# Location Map



GARLAND
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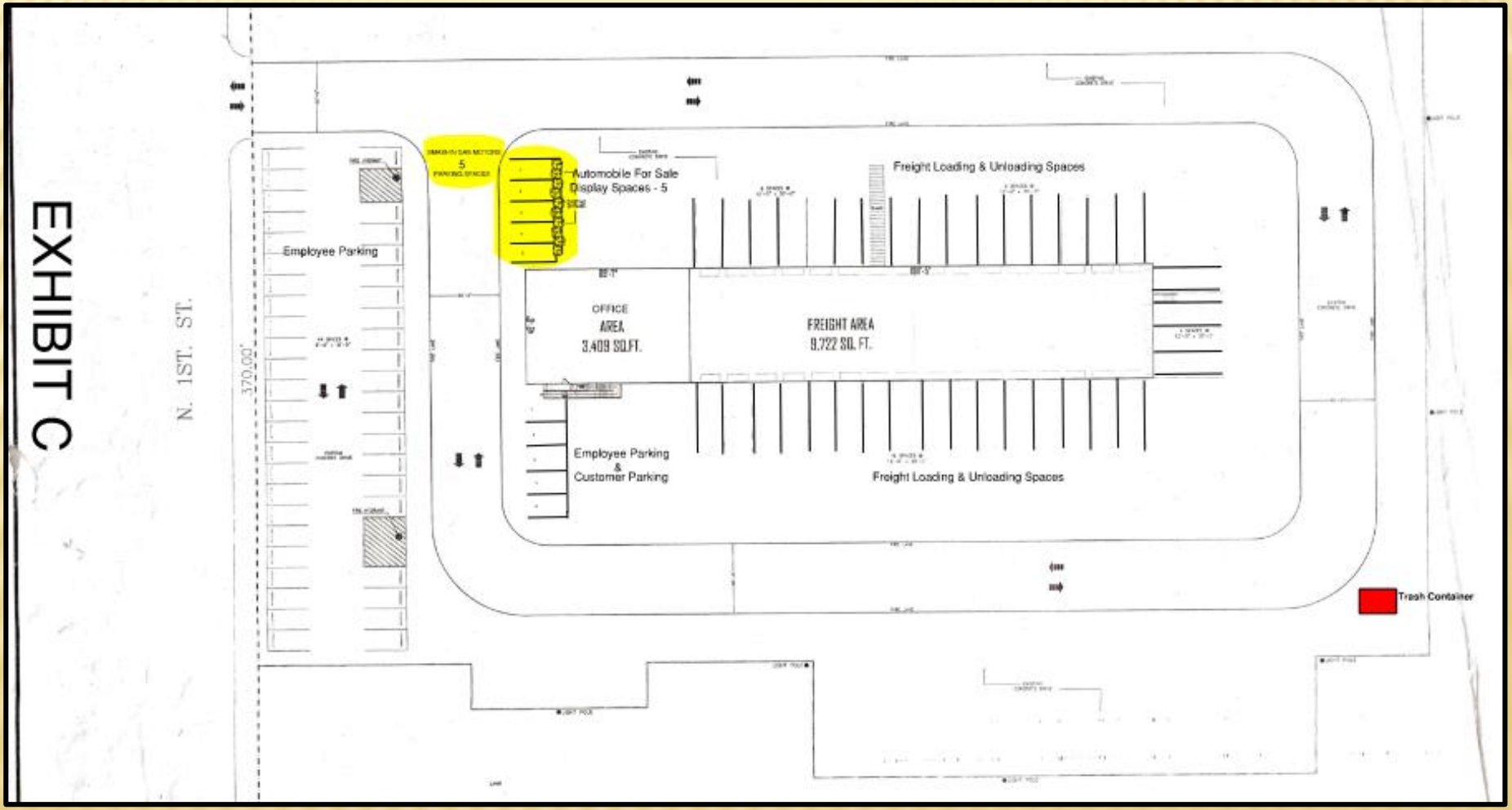
# Photos

GARLAND
TEXAS MADE HERE

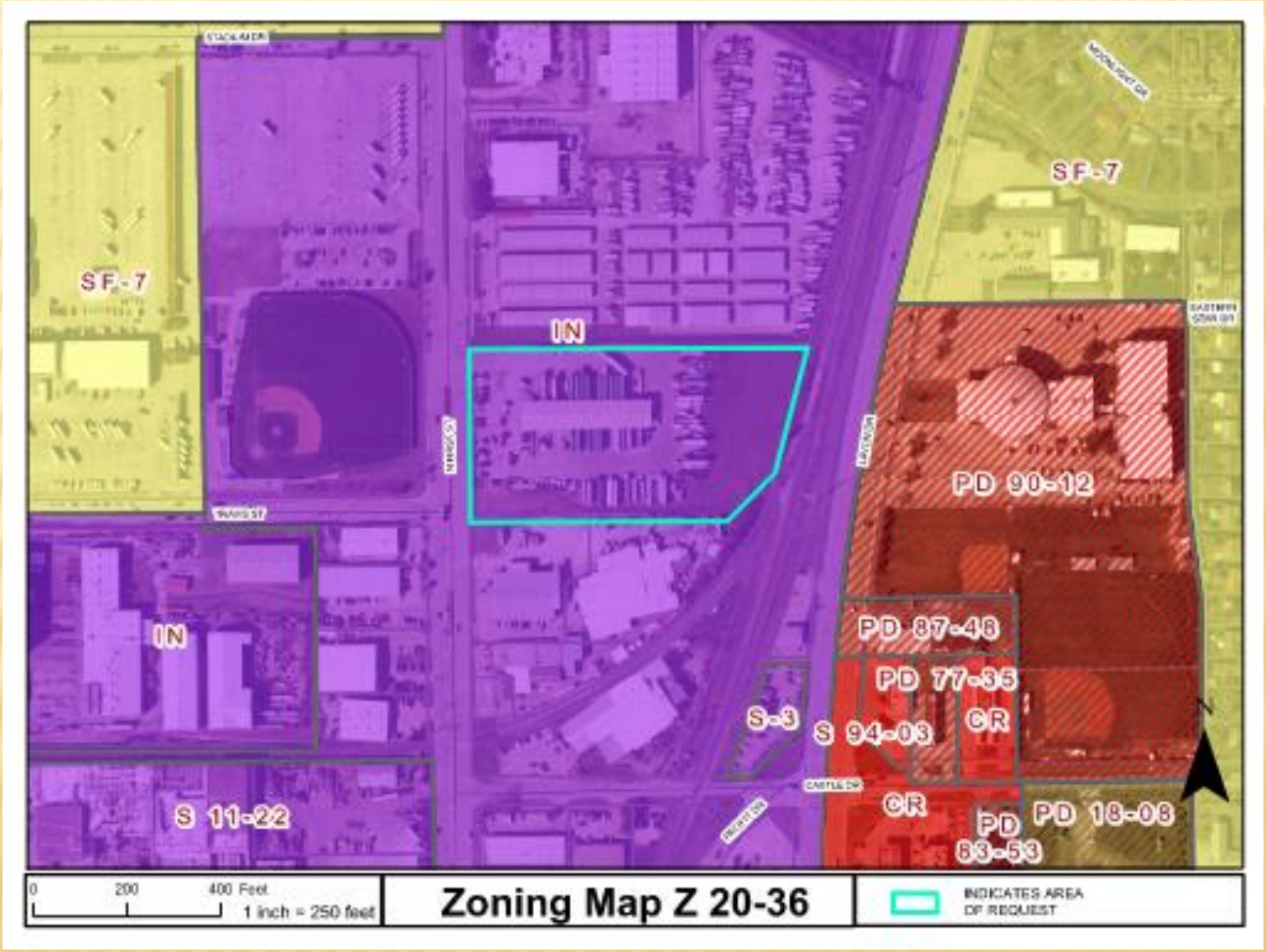
# Site Plan



# Consideration

The applicant's original request was for a Specific Use Provision (SUP) time period of ten (10) years. However, the applicant concurs with the Plan Commission's recommendation of five (5) years.

# Location Map



GARLAND
PLANNING REPORT

**City Council Regular Session Agenda** **5. g.**
**Meeting Date:** 01/05/2021
**Item Title:** Z 20-36 Smashin Gas Motors - Plan (District 8)
**Submitted By:** Kimberly Hopkins, Development Planner

## REQUEST
Approval of a Plan for Automobile Sales, New or Used on a property zoned Industrial (IN) District.

## LOCATION
1220 North First Street

## OWNER
Asset Based Intermodal

## PLAN COMMISSION RECOMMENDATION
On December 14, 2020 the Plan Commission, by a vote of eight (8) to one (1) recommended approval of a Specific Use Provision for Automobile Sales, New or Used on a property zoned Industrial (IN) District for a period of five (5) years. The Plan Commission further recommended all automobile sales features are prohibited on the site, and automobile display spaces are limited only to those shown on the site plan (Exhibit C).

The Plan Commission by a vote of eight (8) to one (1) also recommended approval of a Plan for Automobile Sales, New or Used on a property zoned Industrial (IN) District.

The applicant concurs with the five (5) year time period.

## STAFF RECOMMENDATION
Denial of 1) a Specific Use Provision for an Automobile Sales, New or Used on a property zoned Industrial (IN) District, and 2) a Plan for an Automobile Sales, New or Used on a property zoned Industrial (IN) District. It is recommended that uses on the subject site contribute to or support industrial employment in keeping with the intent of the Industrial (IN) District.

Should the Council approve the request, parking spaces for auto sales display are recommended to be limited only to those shown on the site plan (Exhibit C).

## BACKGROUND

The applicant is requesting approval to add outdoor used car sales at an existing trucking company facility.

## SITE DATA

The site contains approximately 5.627 acres with approximately 370 lineal feet of frontage along North First Street, which is uses as the main access point to and from the property.

## USE OF PROPERTY UNDER CURRENT ZONING

The Industrial (IN) District is intended to provide for a wide range of industrial uses that are generally not compatible adjacent to residential neighborhoods, and may or may not be compatible with some nonresidential uses. Such uses include manufacturing, processing, assembling, research and development, and warehousing and distribution. The Industrial (IN) District also accommodates support services for industrial development such as office, commercial, personal and professional services, and limited retail activities. The Industrial (IN) District regulations are designed to ensure compatibility among the various uses allowed in the district, and to protect adjacent non-industrial development from potentially incompatible uses and conditions.

The applicant intends to add outdoor used car sales at an existing trucking company facility. A used car sales operation requires a Specific Use Provision in the Industrial (IN) District.

## CONSIDERATIONS

1. The applicant proposes to add used car sales to the site of an existing approximate 13,000 square-foot trucking business. The sales would include outdoor parking and display of vehicles.

2. Forty-five (45) parking spaces are required as per the GDC for the existing and proposed uses. The applicant is providing fifty-four (54) parking spaces; however, five (5) of the spaces are designated for display purposes for Smashin Gas Motors while forty-nine (49) parking spaces are for the trucking company. The additional larger spaces on the site are for heavy loading bays.

3. Neither a building expansion nor a parking lot expansion is proposed with this request. Landscaping and screening compliance is not triggered by this request.

4. The applicant's original SUP request was for ten (10) years but the applicant concurs with the Plan Commission's five (5) year recommendation.

## COMPREHENSIVE PLAN

The Future Land Use Map of the Envision Garland Plan recommends Business Center for the subject property. Business Centers provide a cluster of business offices and/or low impact industry, including campus-type development, that cumulatively employ large numbers of people. Operations within this development type occur internal to buildings resulting in minimal negative impacts (sound, air, traffic, outdoor lighting, storage, etc.) and are compatible with adjacent development types in architecture, character, scale, and intensity. Business Centers are generally located at intersections of major and/or secondary arterial streets or significant transit areas (bus/rail).

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

The properties to the north, south, east and west are zoned Industrial (IN) District, consisting of such uses as a recycling center, paint shop, telecommunications equipment, and truck rentals. The Industrial (IN) District zoned property immediately west of the site is developed with a Garland Independent School District baseball facility and school bus operations/parking. There are no existing automobile sales uses along North First Street in this area. North of the GISD property is a single-family residential neighborhood. Further to the south of this site, south of Range Road and along North First Street, is the entry to the Downtown zoned area.

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**Attachments**

Z 20-36 Smashin Gas Motors Attachments

Z 20-36 Smashin Gas Motors Responses

Z 20-36 Smashin Gas Motors Staff Presentation

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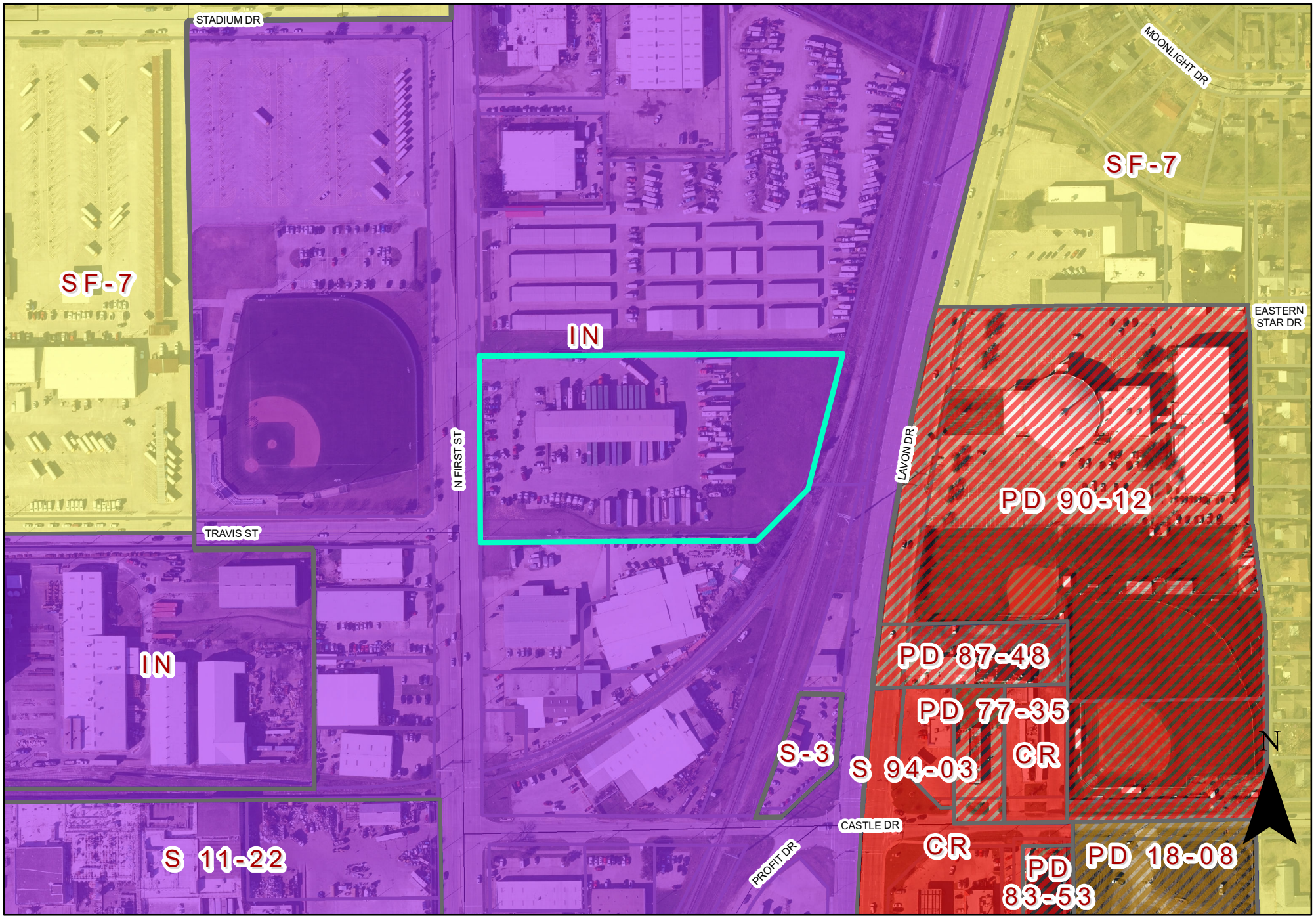
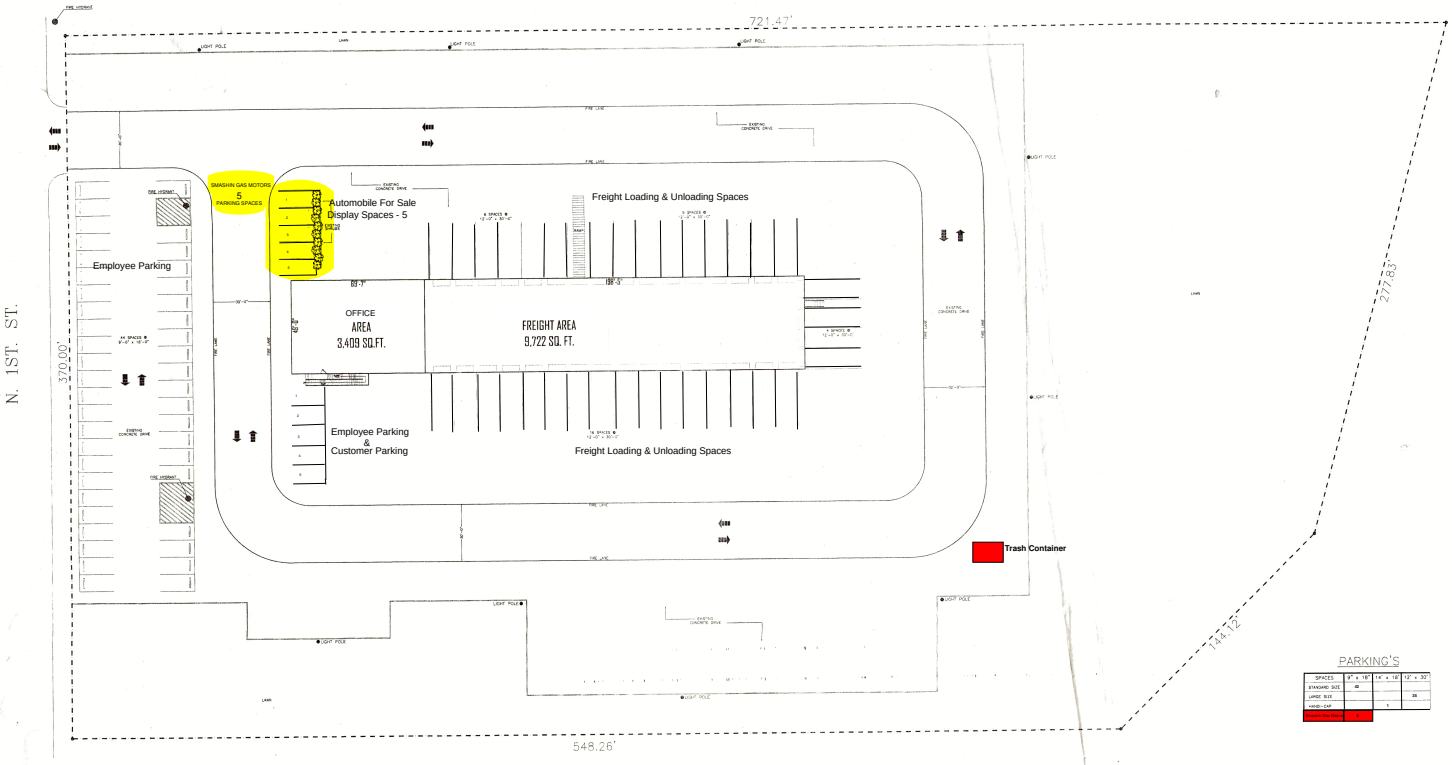



0 200 400 Feet
1 inch = 250 feet

# Zoning Map Z 20-36

INDICATES AREA OF REQUEST

EXHIBIT C




PARKING'S

| SPACES | 9' x 18' | 14' x 18' | 12' x 30' |
|---|---|---|---|
| STANDARD SIZE | 40 | | |
| LARGE SIZE | | | 36 |
| HANDI-CAP | | 5 | |
| TOTAL PARKING | 45 | | |

General Notes

Garland SUP Application - #200825-3
Smashin Gas Motors - 10/2020, Brandon Arnold
Existing Zoning - Industrial
Property Owner - Craig Ingram

| No. | Revision/Issue | Date |
|---|---|---|
| | | |
| | | |
| | | |

Firm Name and Address

CONSTRUCTION CONCEPTS INC.
"Planning and Designing a Better Tomorrow"
428 E. JEFFERSON BLVD.
SUITE 117
DALLAS, TX. 75203
TEL. (214) 946-4300
FAX. (214) 946-4307

Project Name and Address

Smashin Gas Motors
1220 N. 1ST. ST.
GARLAND, TEXAS 75040

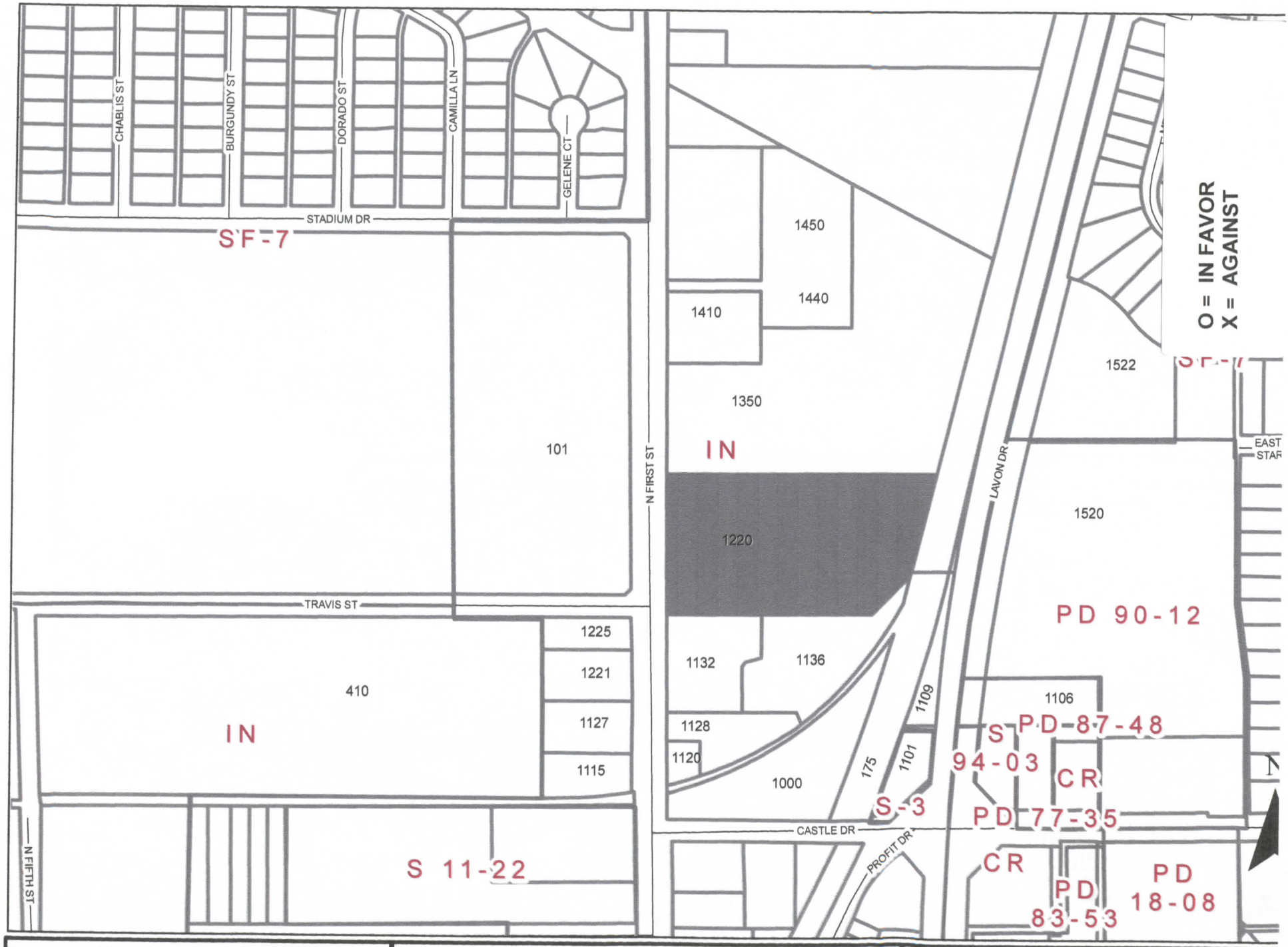
Project: SITE PLAN
Date: 06/07/05
Scale: 1'-0"=30'-0"
Sheet: 1

# REPORT & MINUTES

**P.C. Meeting, December 14, 2020**

Consideration of the application of **Smashin Gas Motors**, requesting approval of a Plan for Automobile Sales, New or Used on a property zoned Industrial (IN) District. This property is located at 1220 North First Street. (District 8) (File Z 20-36 - Plan)

**Motion** was made by Commissioner Ott to close the public hearing and **approve** as it meets all technical requirements given the SUP approval. Seconded by Commissioner Dalton. **Motion carried: 8** Ayes, **1** Nay from Commissioner O'Hara.

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Please include any comments you wish to provide supporting your position in the space provided below.

_____

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Your Property Address

Paul Gonzales
Printed Name

| 701 N. First Street | Garland, TX | 75040 |
|---|---|---|
| Address | City, State | Zip |

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

, GISD Executive Director of Facilities & Maintenance
Signature Title

Date: 12/9/20

Outside the Notification Area
Outside the Notification Area

(Please Check One Below)

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Printed Name

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Address City, State Zip

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Signature Title

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12-14-20

Outside the Notification Area

# Z 20-36

**Approval of a Specific Use Provision for Automobile Sales, New or Used on a property zoned Industrial (IN) District.**

**Approval of a Plan for Automobile Sales, New or Used on a property zoned Industrial (IN) District.**

City Council Meeting
January 5, 2021

GARLAND
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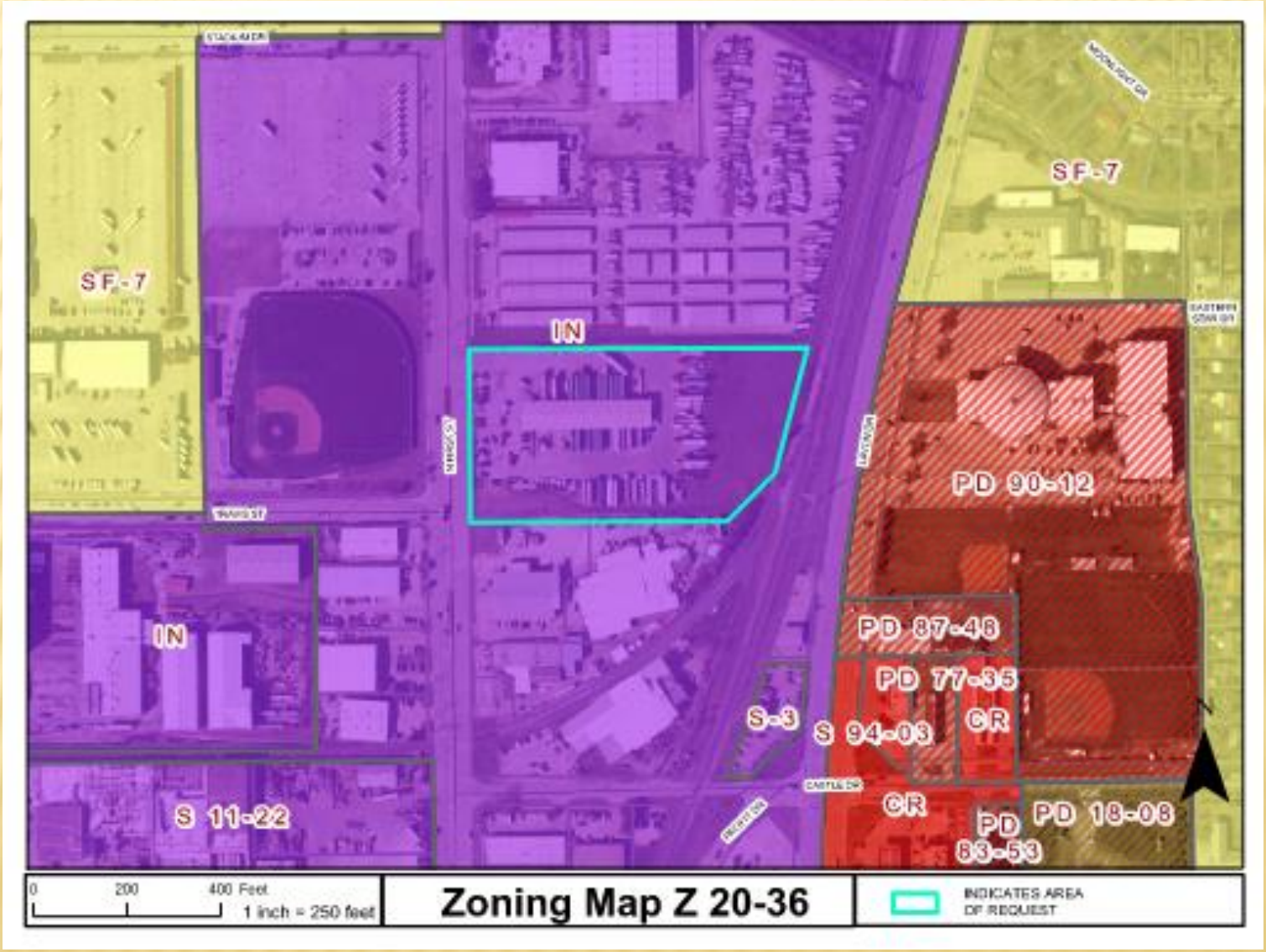

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# Photos

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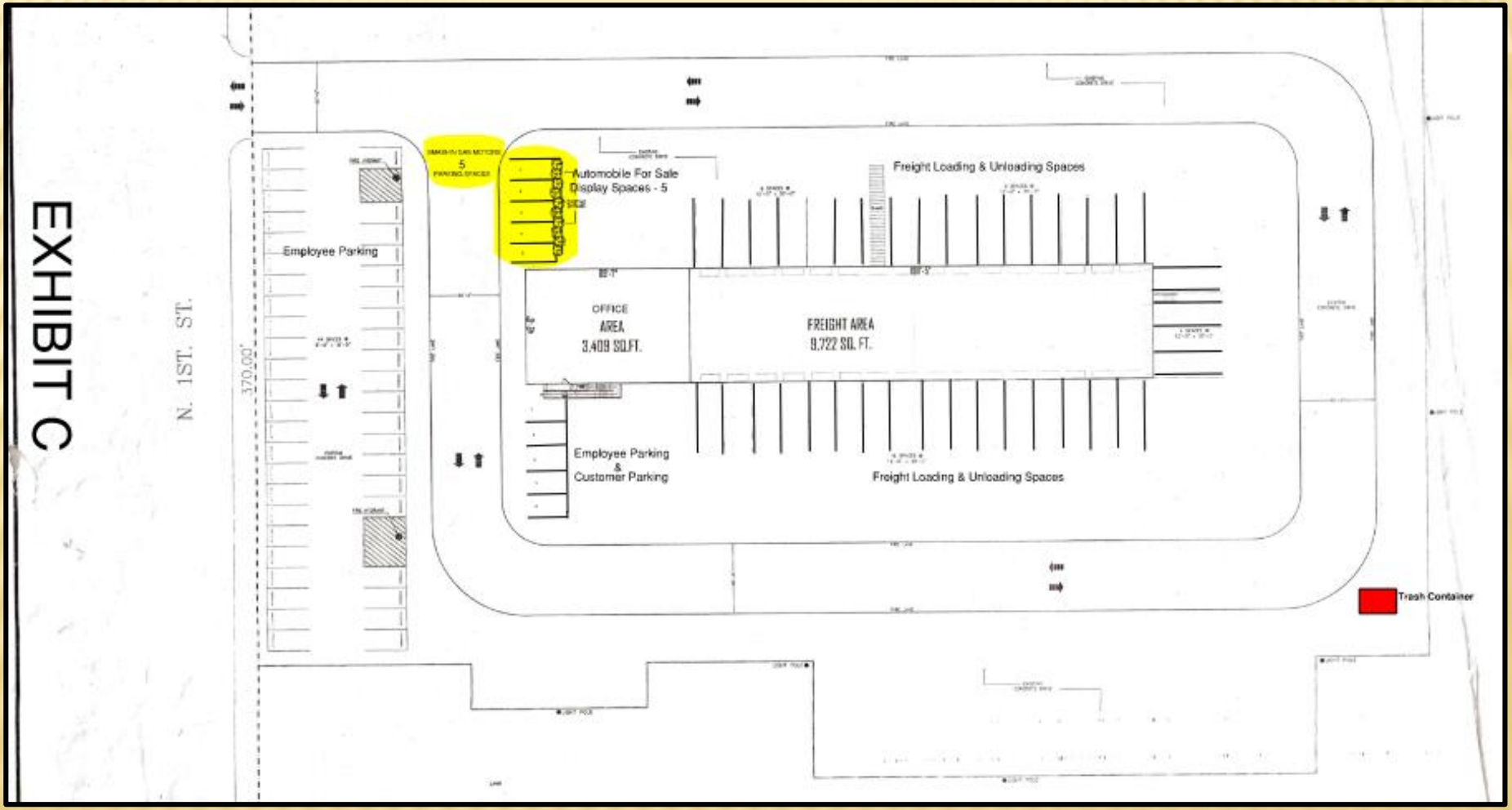

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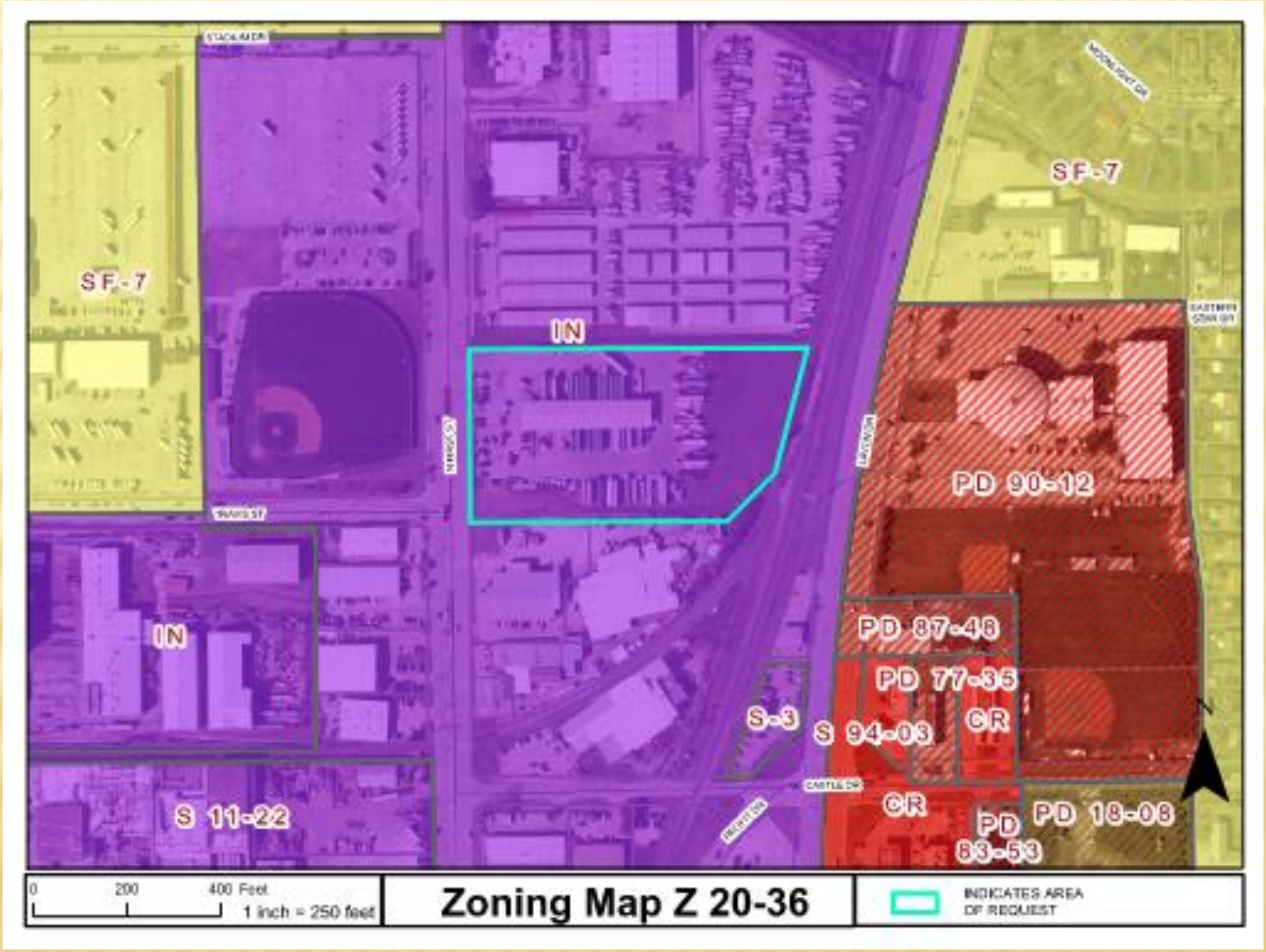
# Location Map