



GARLAND

AGENDA

REGULAR MEETING OF THE CITY COUNCIL

City of Garland
Council Chambers, City Hall
William E. Dollar Municipal Building
200 North Fifth Street
Garland, Texas
Tuesday, January 4, 2022
7:00 p.m.

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

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

https://garlandtx.zoom.us/webinar/register/WN_rfk1PNwOQjmJ9PIrDRVWCQ

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: 812 9472 9485

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

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

BRAILLE IS NOT AVAILABLE.



LEGISLATIVE PRAYER AND PLEDGE OF ALLEGIANCE

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

MAYORAL PROCLAMATIONS, RECOGNITIONS AND ANNOUNCEMENTS

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

CONSENT AGENDA

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

1. Consider approval of the minutes of the December 14, 2021, Regular Meeting.
2. Consider approval of the following bids:
 - a. Turbine & Generator Maintenance Bid No. 1372-21
HPI, LLC \$1,000,000.00

This request is to provide as-needed turbine and generator maintenance and repair services at the Garland Power & Light Olinger and Spencer power plants. This approval is for a term agreement with four optional renewals.
 - b. GP&L College to Brand 138kV Transmission Bid No. 0072-22
Line Tubular Steel Structures
Grid Structures \$2,99,280.00
Optional Contingency 300,000.00

TOTAL: \$3,29,280.00

This request is for the purchase of forty-seven tubular steel structures and associated materials needed for the 138kV College to Brand Transmission Line, as well as portions of the College to Jupiter and Fairdale to Plastipak Transmission Lines. An optional contingency is included for any additional materials that may be required.

c. Wynn Joyce Road Water Main Upgrade and Replacement Bid No. 0064-22

Flow-Line Construction, Inc. \$1,036,035.00
Optional Contingency 104,000.00
TOTAL: \$1,140,035.00

The request is to provide construction services to replace and upgrade approximately 1,500 linear feet of existing 16" water line with a new 24" line between the intersections of S. Country Club Road and Wynn Joyce Road. An Optional Contingency is included for any additional work that may be required.

d. GP&L Production Plant Project Management & Engineering Services Bid No. 0266-22

Sargent & Lundy, LLC \$250,000.00

This request is to obtain construction management and support services for capital improvement projects associated with GP&L power plants.

e. GP&L Naaman Substation Circuit Switchers Bid No. 0088-22

Stuart C Irby, Co. \$136,100.00

This request is for the purchase of two 1,200-amp circuit switchers for use in the GP&L Naaman Substation.

f. Demolition of Cinemark Theater Bid No. 0256-22

Intercon Environmental, Inc. \$245,558.73

This request is for the demolition of the Cinemark Theater building located at 4040 S. Shiloh Road to allow for future redevelopment of the site.

g. Data Center Firewall Replacement and Enhancements Bid No. 0281-22

FutureCom LTD \$519,237.14

This request is to purchase replacement high availability data center firewalls with expanded capacity and advanced security to protect data and employees of the City of Garland from ongoing cybersecurity threats.

- h. Rosehill Linear Park Design Services** **Bid No. 0288-22**
JBI Partners, Inc. **\$340,000.00**

This request is to obtain professional services for the design of the improvements to the Rosehill linear park and trail system.

- i. Highway 66 Turn Lane Construction** **Bid No. 0492-20**
Hill & Wilkinson General Contractors **\$99,612.00**

This request is to approve a Change Order for the relocation (lowering) of utility lines associated with the Highway 66 turn lane and entrance drive construction.

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

- a. Zoning File No. Z 21-43, AJ Real Estate Investments, LLC (District 5)**

Consider an ordinance amending the Garland Development Code of the City of Garland, Texas, by approving a Change of Zoning from Planned Development (PD) District 69-31 for Community Retail Uses and Planned Development (PD) District 86-26 for Community Office Uses to Community Retail (CR) District on a 3.52-acre tract of land located at 1640 and 1680 Eastgate 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.

- 4. Neighborhood Vitality Matching Grant Fall 2021 Applications**

Council is requested to approve the Fall 2021 Neighborhood Vitality Matching Grant applications as presented.

- 5. Consider an ordinance amending Chapter 50, "Utility Rates and Fees;" Chapter 52, "Environmental Waste Services" to the Code of Ordinances of the City of Garland, Texas; and section 1.11, "Structure of the Development Review Committee," of division 1, "General Provisions," Article 1, "Authority, Purpose," of Chapter 1, "General Provisions" of the Garland Development Code of the City of Garland, Texas; providing a Savings Clause; providing a Severability Clause; and setting an effective date.**

Council is requested to approve amendments to Chapter 50 "Utility Rates and Fees" and Chapter 52 "Environmental Waste Services" in order to reflect approved utility rates for Sanitation and Landfill services and replace "Environmental Waste Services" with "Sanitation."

6. Request for Development Assistance from Zobebe USA Inc.

Council is requested to approve a partial rebate of the applicable Business Personal Property (BPP) taxes.

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.

7. Consider a resolution of the City of Garland, Texas finding and determining that the public necessity and convenience require the acquisition of various property rights located along Naaman School Road, east of Brand Road, and west of State Highway 78, in the City of Garland, County of Dallas, Texas, said property interests being more particularly described below; providing authorizations to acquire such property rights by purchase or condemnation and making certain findings pertaining thereto; providing further authorizations as may be necessary to carry out the purposes of this resolution; and providing an effective date.

Council is requested to approve a resolution authorizing the acquisition of the property rights described in the proposed resolution. The City has been able to negotiate with property owners of whole-takes in the project area to acquire the necessary property interests. The City has also been able to negotiate with some strips and clips owners in the area, as well, to acquire the necessary property interests. However, the City has not been able to successfully negotiate a final purchase price with two strips and clips property owners. The owners are named in the proposed resolution. State law requires particular wording to be used in a motion to adopt a resolution authorizing the initiation of condemnation proceedings. The City Attorney will provide in written form the appropriate wording of the motion. Council was briefed on requirements for land acquisition on the Naaman School Road project on February 1, 2021 and April 5, 2021 in Executive Session.

8. Consider a resolution of the City of Garland, Texas finding and determining that the public necessity and convenience require the acquisition of various property rights located at the intersection of Buckingham and Plano, in the cities of Richardson and Garland, Texas situated in the Buckingham Square East Addition, in the City of Richardson, County of Dallas, Texas, said property interests being more particularly described below; providing authorizations to acquire such property rights by purchase or condemnation and making certain findings pertaining thereto; providing further authorizations as may be

necessary to carry out the purposes of this resolution; and providing an effective date.

Council is requested to approve a resolution authorizing the acquisition of the property rights described in the proposed resolution. The City has been able to negotiate with a number of property owners in the program/project area to acquire the necessary property interests. However, the City has not been able to successfully negotiate a final purchase price with one property owner. The owner is named in the proposed resolution. State law requires particular wording to be used in a motion to adopt a resolution authorizing the initiation of condemnation proceedings. The City Attorney will provide in written form the appropriate wording of the motion. Council was briefed on requirements for land acquisition on the Bottleneck Improvements Program on February 1, 2021, in Executive Session.

9. Hold public hearings on:

- a. Consider a Zoning request by Lars Anderson & Associates, Inc. to expand the existing Home Depot for a tool rental center and storage room, and to propose outdoor rentals for equipment and trucks. This property is located at 3261 North President George Bush Turnpike in District 1.**

Consideration of the application of Lars Anderson & Associates, Inc., requesting approval of an amendment to Planned Development (PD) District 97-23 for Community Retail (CR) Uses. This property is located at 3261 North President George Bush Turnpike. (File Z 21-42, District 1)

- b. Consider a Detail Plan request by Lars Anderson & Associates, Inc. to expand the existing Home Depot for a tool rental center and storage room, and to propose outdoor rentals for equipment and trucks. This property is located at 3261 North President George Bush Turnpike in District 1.**

Consideration of the application of Lars Anderson & Associates, Inc., requesting approval of a Detail Plan for a building expansion and outdoor rentals of vehicles and equipment on a property zoned Planned Development (PD) District 97-23. This property is located at 3261 North President George Bush Turnpike. (File Z 21-42, District 1)

- c. Consider a Specific Use Provision renewal request by Zone Systems, Inc. to continue the operation of an existing gas station. The property is located at 1810 West Kingsley Road in District 5.**

Consideration of the application of Zone Systems, Inc., requesting approval of a Specific Use Provision (SUP) renewal for Fuel Pumps, Retail. This property is located at 1810 West Kingsley Road. (File Z 21-47, District 5)

- d. **Consider a Site Plan request by Zone Systems, Inc. for the continued operation of an existing gas station. The property is located at 1810 West Kingsley Road in District 5.**

Consideration of the application of Zone Systems, Inc., requesting approval of a Plan for Fuel Pumps, Retail. This property is located at 1810 West Kingsley Road. (File Z 21-47, District 5)

- e. **Consider a Zoning request by Wood Partners % Masterplan to construct 250 Multi-Family dwelling units. This site is located at 3422 Firewheel Parkway in District 1.**

Consideration of the application of Wood Partners % Masterplan, requesting approval of an amendment to Planned Development (PD) 18-33 and Planned Development (PD) District 03-53. This property is located at 3422 Firewheel Parkway. (File Z 21-48, District 1)

- f. **Consider a Detail Plan request by Wood Partners % Masterplan to construct 250 Multi-Family dwelling units. This site is located at 3422 Firewheel Parkway in District 1.**

Consideration of the application of Wood Partners % Masterplan, requesting approval of a Detail Plan for Multi-Family development. This property is located at 3422 Firewheel Parkway. (File Z 21-48, District 1)

- g. **Consider a Zoning request by Stantec Consulting Services, Inc. to expand the car staging parking lot for Carmax. This site is located at 2101, 2110 and 2201 Millay Boulevard and 12715 Lyndon B Johnson Freeway in District 5.**

Consideration of the application of Stantec Consulting Services, Inc., requesting approval of an amendment to Planned Development (PD) District 00-21 and Planned Development (PD) District 97-12 to allow Automobile Sales, New or Used. This property is located at 2101, 2110 and 2201 Millay Boulevard and 12715 Lyndon B Johnson Freeway. (File Z 21-49, District 5)

- h. **Consider a Detail Plan request by Stantec Consulting Services, Inc. to expand the car staging parking lot for Carmax. This site is located at 2101, 2110 and 2201 Millay Boulevard and 12715 Lyndon B Johnson Freeway in District 5.**

Consideration of the application of Stantec Consulting Services, Inc., requesting approval of a Detail Plan for Automobile Sales, New or Used on a property zoned Planned Development (PD) District 00-21 and Planned Development (PD) District 97-12. This property is located at 2101, 2110 and 2201 Millay Boulevard and 12715 Lyndon B Johnson Freeway. (File Z 21-49, District 5)

10. Citizen comments.

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

11. Adjourn.

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



GARLAND

City Council Regular Session Agenda

1.

Meeting Date: 01/04/2022

Item Title: Minutes December 14

Submitted By: Rene Dowl, City Secretary, City Secretary

Summary:

Consider approval of the minutes of the December 14, 2021, Regular Meeting.

Attachments

Minutes December 14



GARLAND

MINUTES

The City Council of the City of Garland convened in regular session at 7 p.m. on Tuesday, December 14, 2021, in the Council Chambers at the William E. Dollar Municipal Building, 200 North Fifth Street, Garland, Texas, with the following members present:

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

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

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.

Mayor LeMay acknowledged members from Leadership Garland Class 41.

Mayor LeMay congratulated Dana Lodge, Director of Convention & Visitors Bureau and Special Events, for receiving the 2021 Texas Travel Alliance Hospitality Award at the 36th Annual Texas Travel Summit.

Mayor LeMay presented Misty Gardner, Director of Emergency Management, with the Neighborhoods USA, 2021 Garland Public Servant Award. Mrs. Gardner, was accompanied by Matt Gardner (husband) and their children: Marlie (daughter), Matthew and Mason (sons).

CONSENT AGENDA

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

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

Vote: 9 ayes, 0 nays

1. **APPROVED** Consider approval of the minutes of the December 7, 2021, Regular Meeting.

2. Consider approval of the following bids:

a. **APPROVED** Paving Machine

Bid No. 0173-22

Kirby-Smith Machinery, Inc.

\$405,980.00

This request is for the replacement purchase of a Paving Machine to be utilized by the Street Department.

b. APPROVED Wastewater Improvements in Alleys - Phase 1 Construction Bid No. 1143-21

Trinity Miller Utility & Construction, LLC	\$879,524.00
Optional Contingency	<u>87,953.00</u>
TOTAL:	\$967,477.00

This request is for Phase 1 wastewater improvements which includes replacement of approximately 5,700 linear feet of existing wastewater lines in four of nine unimproved alleys. An Optional Contingency is included for any additional work that may be required.

c. APPROVED Bridge Remediation - Group 1C Bid No. 1086-21

IBCTX, LLC	\$1,796,969.00
Optional Contingency	<u>179,697.00</u>
TOTAL:	\$1,976,666.00

This request is to provide repairs for Bridge Inventory, Inspection and Appraisal Program (BRINSAP) - Group 1C, which includes existing bridges at 18 locations in the city of Garland. An Optional Contingency is included for any additional work that may be required.

d. APPROVED Ridgewood, Vista, Celeste Alley and Forestbrook Wastewater Main Replacements Bid No. 0016-22

La Banda, LLC	\$1,371,014.00
Optional Contingency	<u>145,000.00</u>
TOTAL:	\$1,516,014.00

This request is to provide construction services to replace wastewater mains in the alleys described as: Alley between E. Ridgewood Drive and Vista Drive from Cumberland Drive to Dairy Road, Alley between Vista Drive and E. Celeste Drive from Cumberland Drive to Dairy Road and Alley along Forestbrook Drive from Pleasant Valley Road to the cul-de-sac. An Optional Contingency is included for any additional work that may be required.

e. APPROVED South First Street and Alleys Wastewater Main Replacement Bid No. 0181-22

Jones Carter	\$139,500.00
----------------	---------------------

This request is to obtain engineering and surveying services associated with replacement of approximately 5,975 linear feet of 8" wastewater mains including manholes and service laterals.

- f. **APPROVED Aerial Bucket Trucks** **Bid No. 0222-22**
Altec Industries, Inc. **\$376,426.00**

This request is for the replacement purchase of two Aerial Bucket Trucks to be utilized by the Transportation Department and Garland Power & Light.

- g. **APPROVED Playground Program Equipment (Lea)** **Bid No. 0223-22**
Lea Park & Play, Inc. **\$296,615.00**

This request is for the purchase of playground equipment for Armstrong Park, Yarborough Park and Tinsley Park in support of the Playground Replacement Program.

- h. **APPROVED Sewer Vacuum Truck** **Bid No. 0174-22**
Lonestar Freightliner Group, LLC **\$479,464.75**

This request is for the replacement purchase of a Sewer Vacuum Truck to be utilized by the Wastewater Department.

- i. **APPROVED Jet Truck** **Bid No. 0212-22**
Rush Truck Centers of Texas **\$243,110.35**

This request is for a new purchase of a Jet Truck to be utilized by the Water Department.

- j. **APPROVED Sewer Surveillance Van** **Bid No. 0117-22**
Rush Truck Centers of Texas **\$253,407.00**

This request is for a replacement purchase of a Sewer Surveillance Van to be utilized by the Wastewater Department.

- k. **APPROVED Pickup Trucks** **Bid No. 0219-22**
Silsbee Ford **\$575,552.80**

This request is for the replacement purchase of nine Pickup Trucks to be utilized by various departments within the City.

- l. **APPROVED 2022 Alley Reconstruction Group-A Design** **Bid No. 0210-22**
Grantham & Associates, Inc. **\$147,000.00**

This request is for the design of the 2022 Alley Reconstruction Group-A project. This project consists of reconstructing eleven alleys located in Council District 8 and includes approximately 8,500 SY of concrete paving and all incidentals.

- m. **APPROVED Dump Truck** **Bid No. 0221-22**
Freightliner of Austin **\$125,822.00**

This request is for the replacement purchase of one 12-yard Dump Truck to be utilized by the Water Department.

- n. **APPROVED Playground Program Equipment** **Bid No. 0224-22**
(Kompan)
Kompan, Inc. **\$310,516.92**

This request is for the purchase of playground equipment for Carter Softball Complex, Woodland Park, Spring Creek Greenbelt and Montgomery Park in support of the Playground Replacement Program.

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

- a. **APPROVED Zoning File No. Z 21-38, Kimley-Horn (District 6)**

Ordinance No. 7278 amending the Garland Development Code of the City of Garland, Texas, by approving 1) an amendment to Planned Development (PD) District 17-37 to allow additional Single-Family Detached Homes and 2) a Detail Plan for Single-Family Detached Homes on a 2.904-acre tract of land located at 1902 Patterson lane; providing for conditions, restrictions, and regulations; providing a penalty under the provisions of Sec. 10.05 of the Code of Ordinances of the City of Garland, Texas; providing a Notice of Conditions of Compliance Clause; providing a Savings Clause and a Severability Clause; and providing an effective date.

4. **APPROVED Resolution No. 10516** authorizing the City Manager to execute an agreement to rehabilitate the West Kingsley Road crossing with the Kansas City Southern Railway Company (KCS); and providing an effective date.

At the December 6, 2021 Work Session, Council considered authorizing the City Manager to execute an agreement with KCS to rehabilitate the West Kingsley Road railroad crossing.

5. **APPROVED Resolution No. 10517** acknowledging the Dallas, Garland Northeastern Railroad Incorporated's Continued Rights, Title, and Interest to and upon that certain spur railroad crossings along with the public right-of-way on Miller Park Road north and south of Marquis Drive, and granting permission to reinstall crossing facilities in the future; and providing an effective date.

At the December 6, 2021, Work Session, Council considered authorizing the City Manager to execute an agreement with Dallas, Garland & Northeastern Railroad, Inc. to rehabilitate West Miller Road railroad crossing.

6. **APPROVED Resolution No. 10518** authorizing the City Manager to execute an agreement to rehabilitate the South Jupiter Road Crossing with the Dallas, Garland & Northeastern Railroad, Inc.; and providing an effective date.

At the December 6, 2021, Work Session, Council considered approving a resolution authorizing the City Manager to execute an agreement with Dallas, Garland & Northeastern Railroad, Inc. to rehabilitate the South Jupiter Road railroad crossing.

7. **APPROVED Resolution No. 10519** authorizing the City Manager to execute an agreement to rehabilitate the West Miller Road Crossing with the Dallas, Garland & Northeastern Railroad, Inc.; and providing an effective date.

At the December 6, 2021, Work Session, Council considered authorizing the City Manager to execute an agreement with Dallas, Garland & Northeastern Railroad, Inc. (DGNO) to rehabilitate the West Miller Road railroad crossing.

8. **APPROVED Resolution No. 10520** of the City Council of the City of Garland, Texas, adopting an amendment to the 2019 Our Garland Parks, Recreation and Cultural Arts Strategic Master Plan ("Plan"); and providing an effective date.

At the November 15, 2021 Work Session, staff presented recommendations for a park land acquisition policy, which seeks to provide guidance and best practices to the City Council and City staff towards strategic and equitable investment of public park land.

9. **APPROVED Resolution No. 10521** authorizing the donation of certain surplus and operationally obsolete equipment to the Garland Emergency Corps ("GEC") for public purpose and benefit, and providing an effective date.

At the December 6, 2021 Work Session, Council considered donating a small dump truck and a 20' / 22' utility equipment trailer to the Garland Emergency Corps (GEC).

10. **APPROVED Request for Development Assistance from RMR Estate LLC**

Council approved the staff recommendation for a partial rebate of the applicable City development fees.

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. Hold a public hearing on:

- a. APPROVED Consider a request by AJ Real Estate Investments, LLC to rezone the property to use the existing building for retail and restaurant uses. This property is located at 1640 and 1680 Eastgate Drive in District 5.**

Consideration of the application of AJ Real Estate Investments, LLC, requesting approval of a Change in Zoning from Planned Development (PD) District 69-31 for Community Retail Uses and Planned Development (PD) District 86-26 for Community Office Use to Community Retail (CR) District. This property is located at 1640 and 1680 Eastgate Drive. (File Z 21-43, District 5)

The staff report was presented by Will Guerin, Director of Planning. Speaker on this item was Arlene Macias, applicant.

There was discussion by the Council.

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

Vote: 9 ayes, 0 nays

12. 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.

APPROVED Council Member Deborah Morris

- Ira Fuller Jr. - Senior Citizens Advisory Board

13. Citizen comments: P C Mathew

14. Adjourn: There being no further business to come before the City Council, Mayor LeMay adjourned the meeting at 7:36 p.m.

Submitted By:

Scott LeMay, Mayor

Eloyce René Dowl, City Secretary



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

2. a.

Meeting Date: 01/04/2022

Item Title: Turbine & Generator Maintenance

Submitted By: Dan Bailey, Energy Services Director

Bid Number: 1372-21

Purchase Justification:

This request is to provide as-needed turbine and generator maintenance and repair services at the Garland Power & Light Olinger and Spencer power plants. This approval is for a term agreement with four (4) optional renewals.

Evaluation:

A request for bids was issued in accordance with Purchasing procedures. Eight (8) bids were received and evaluated based on the published criteria. Allied Power Group was considered non-responsive due to the number of exceptions they took to our Term and Conditions. OMICRON Electronics Corp USA and Precision Cast Mechanical, LLC were considered non-responsive due to submitting incomplete bids. HPI, LLC received the highest evaluated score, offering the Best Value for the City.

Award Recommendation:

	<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
	HPI, LLC	All	\$1,000,000.00
		TOTAL:	\$1,000,000.00

Basis for Award: Best Value

Purchase Requisition #: 46086

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 GP&L
Production operating accounts as incurred.

Attachments

Bid Recap 1 of 2

Bid Recap 2 of 2

Fiscal Reference:

Budget Type: Operating Budget

Fiscal Year: 2021-22

Document Location: Page 235

Budget Director Approval: Allyson Bell Steadman

Approval Date: 12/22/2021

Purchasing Director Approval: Gary L. Holcomb

Approval Date: 12/21/2022



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

2. b.

Meeting Date: 01/04/2022

Item Title: GP&L College to Brand 138kV Transmission Line Tubular Steel Structures

Submitted By: Steve Martin, Transmission Director

Bid Number: 0072-22

Purchase Justification:

This request is for the purchase of forty-seven (47) tubular steel structures and associated materials needed for the 138kV College to Brand Transmission Line, as well as portions of the College to Jupiter and Fairdale to Plastipak Transmission Lines. This is part of the approved College to Brand 138kV Transmission Line Upgrade CIP project. An optional contingency is included for any additional materials that may be required.

Evaluation:

A request for bids was issued in accordance with Purchasing procedures. Five (5) bids were received and evaluated with Grid Structures submitting the Straight Low Bid.

Award Recommendation:

	<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
Grid Structures		All	\$2,999,280.00
Optional Contingency			300,000.00
		TOTAL:	\$3,299,280.00

Basis for Award: Straight Low Bid

Purchase Requisition #: 46226

Fiscal Impact

Total Project/Account:	\$5,585,510
Expended/Encumbered to Date:	790,501
Balance:	\$4,795,009
This Item:	3,299,280
Proposed Balance:	\$1,495,729
Account #:	210-3599-3144901-6051

Fund/Dept/Project – Description and Comments:

Electric CIP / Transmission Lines Program

AttachmentsBid Recap

Fiscal Reference:

Budget Type: CIP

Fiscal Year: 2021

Document Location: Page 284

Budget Director Approval: Allyson Bell Steadman

Approval Date: 12/21/2021

Purchasing Director Approval: Gary L. Holcomb

Approval Date: 12/20/2021



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

2. c.

Meeting Date: 01/04/2022

Item Title: Wynn Joyce Road Water Main Upgrade and Replacement

Submitted By: Wes Kucera, Managing Director

Bid Number: 0064-22

Purchase Justification:

The request is to provide construction services to replace and upgrade approximately 1,500 linear feet of existing 16" water line with a new 24" line between the intersections of S. Country Club Road and Wynn Joyce Road. Pavement will be removed and replaced in the area of the new water main. This upgrade will increase transmission capacity from the Broadway pump station and remove a hydraulic bottleneck as indicated in the 2020 Water Master Plan. An Optional Contingency is included for any additional work that may be required.

Evaluation:

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

Award Recommendation:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
Flow-Line Construction, Inc.	All	\$1,036,035.00
Optional Contingency		104,000.00
TOTAL:		\$1,140,035.00

Basis for Award: Straight Low Bid

Purchase Requisition #: 46215

Fiscal Impact

Total Project/Account:	\$11,971,458
Expended/Encumbered to Date:	9,445,832
Balance:	\$2,525,626
This Item:	1,140,035
Proposed Balance:	\$1,385,591

Account #: 220-4049-3019000-9213

Fund/Dept/Project – Description and Comments:

Water CIP / Transmission Mains (16-Inch and Above)

Attachments

Bid Recap

Fiscal Reference:

Budget Type: CIP

Fiscal Year: 2021

Document Location: Page 234

Budget Director Approval: Allyson Bell Steadman

Approval Date: 12/21/2021

Purchasing Director Approval: Gary L. Holcomb

Approval Date: 12/20/2021

[illegible]



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

2. d.

Meeting Date: 01/04/2022

Item Title: GP&L Production Plant Project Management & Engineering Services

Submitted By: Dan Bailey, Energy Services Director

Bid Number: 0266-22

Purchase Justification:

This request is to obtain construction management and support services for capital improvement projects associated with GP&L power plants. Engineering services will include timeline and schedule maintenance, red line drawings, installation oversight and contractor coordination.

Evaluation:

Sargent & Lundy, LLC was selected as the Most Qualified firm for this project from RFQ 0753-19. Sargent & Lundy has prior involvement in each of the projects chosen for oversight ranging from project design to failure analysis. They also have extensive knowledge of engineering design, consulting, and project services for the electric power generation and power delivery industry worldwide.

Award Recommendation:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
Sargent & Lundy, LLC	All	\$250,000.00
TOTAL:		\$250,000.00

Basis for Award: Most Qualified

Purchase Requisition #: 46100

Fiscal Impact

Total Project/Account: N/A
Expended/Encumbered to Date: N/A
Balance: N/A
This Item: \$250,000
Proposed Balance: N/A
Account #: 451-6999

Fund/Dept/Project – Description and Comments:

Electric CIP / Production Program

Expenses will be charged to Electric CIP Production projects as incurred.

Attachments

Bid Recap

Fiscal Reference:

Budget Type: CIP

Fiscal Year: 2021

Document Location: Page 288

Budget Director Approval: Allyson Bell Steadman

Approval Date: 12/21/2021

Purchasing Director Approval: Gary L. Holcomb

Approval Date: 12/20/2021



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

2. e.

Meeting Date: 01/04/2022

Item Title: GP&L Naaman Substation Circuit Switchers

Submitted By: Steve Martin, Transmission Director

Bid Number: 0088-22

Purchase Justification:

This request is for the purchase of two (2) 1,200-amp circuit switchers for use in the GP&L Naaman Substation. This is part of the approved Naaman Substation Rebuild CIP project.

Evaluation:

A request for bids was issued in accordance with Purchasing procedures. Four (4) bids were received and evaluated with Stuart C Irby, Co. submitting the Straight Low Bid.

Award Recommendation:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
Stuart C Irby, Co.	All	\$136,100.00
TOTAL:		\$136,100.00

Basis for Award: Straight Low Bid

Purchase Requisition #: 44986

Fiscal Impact

Total Project/Account: \$889,897
Expended/Encumbered to Date: 339,365
Balance: \$550,532
This Item: 136,100
Proposed Balance: \$414,432
Account #: 210-3799-3177601-6051

Fund/Dept/Project – Description and Comments:

Electric CIP / Substations Upgrades Program

Attachments

Bid Recap

Fiscal Reference:

Budget Type: CIP

Fiscal Year: 2021

Document Location: Page 290

Budget Director Approval: Allyson Bell Steadman

Approval Date: 12/21/2021

Purchasing Director Approval: Gary L. Holcomb

Approval Date: 12/20/2021



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

2. f.

Meeting Date: 01/04/2022

Item Title: Demolition of Cinemark Theater

Submitted By: Ginny Holliday, Facilities Management Director

Bid Number: 0256-22

Purchase Justification:

This request is for the demolition of the Cinemark Theater building located at 4040 S. Shiloh Road to allow for future redevelopment of the site.

Evaluation:

Intercon Environmental, Inc. will be providing the demolition services through the TIPS Cooperative Purchasing Contract RCSP 200201.

Award Recommendation:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
Intercon Environmental, Inc.	All	\$245,558/73
TOTAL:		\$245,558.73

Basis for Award: Cooperative Purchase

Purchase Requisition #: 46510

Fiscal Impact

Total Project/Account:	\$500,000
Expended/Encumbered to Date:	15,200
Balance:	\$484,800
This Item:	245,559
Proposed Balance:	\$239,241
Account #:	104-1523-7111

Attachments

Bid Recap

Fiscal Reference:

Budget Type: Operating Budget

Fiscal Year: 2021-22

Document Location: Page 211

Budget Director Approval: Allyson Bell Steadman

Approval Date: 12/22/2021

Purchasing Director Approval: Gary L. Holcomb

Approval Date: 12/20/2021



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

2. g.

Meeting Date: 01/04/2022

Item Title: Data Center Firewall Replacement and Enhancements

Submitted By: Steven Niekamp, Chief Information Officer

Bid Number: 0281-22

Purchase Justification:

This request is to purchase replacement high availability data center firewalls with expanded capacity and advanced security to protect data and employees of the City of Garland from ongoing cybersecurity threats.

Evaluation:

FutureCom LTD will be providing this equipment under the TIPS Cooperative Purchasing Contract 200105.

Award Recommendation:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
FutureCom LTD	All	\$519,237.14
TOTAL:		\$519,237.14

Basis for Award: Cooperative Purchase

Purchase Requisition #: 46533

Fiscal Impact

Total Project/Account: \$1,420,455
Expended/Encumbered to Date: 464,429
Balance: \$956,026
This Item: 519,237
Proposed Balance: \$436,789
Account #: 415-4599-2344821-9029 & 413-4511-9029
Fund/Dept/Project – Description and Comments:

IT Project Fund / Data Center Firewall Enhancements	\$399,237.14
---	--------------

IT Replacement Fund / Data Center Firewall Replacement	120,000.00
Total	\$519,237.14

Attachments

Bid Recap

Fiscal Reference:

Budget Type: Operating Budget

Fiscal Year: 2021-22

Document Location: Pages 322 & 324 (Adopted Document)

Budget Director Approval: Allyson Bell Steadman Approval Date: 12/21/2021

Purchasing Director Approval: Gary L. Holcomb Approval Date: 12/20/2021



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

2. h.

Meeting Date: 01/04/2022

Item Title: Rosehill Linear Park Design Services

Submitted By: Rick Galceran, Capital Project Management Director

Bid Number: 0288-22

Purchase Justification:

This request is to obtain professional services for the design of the improvements to the Rosehill linear park and trail system. The proposed trail will connect to the proposed Rosehill Road streetscape improvements at Thackery Road and extend through the designated open spaces within the adjacent Parks at Rosehill subdivision. This project is part of the 2019 Bond Program and approved in the 2021 CIP.

Evaluation:

JBI Partners, Inc. was selected as the Most Qualified firm for this project from RFQ 0212-19.

Award Recommendation:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
JBI Partners, Inc.	All	\$340,000.00
TOTAL:		\$340,000.00

Basis for Award: Most Qualified

Purchase Requisition #: 46559

Fiscal Impact

Total Project/Account: \$360,000
Expended/Encumbered to Date: 31,496
Balance: \$328,504
This Item: 340,000
Proposed Balance: \$(11,496) *
Account #: 654-1429-1851619-710120
Fund/Dept/Project – Description and Comments:

Park CIP / Parks Catalyst Improvements Program - Rosehill Linear Park

* This project will continue into 2022. Additional 2019 Bond funding will be requested in the 2022 Proposed Capital Improvement Program for this project.

Attachments

Bid Recap

Fiscal Reference:

Budget Type: CIP

Fiscal Year: 2021

Document Location: Page 87

Budget Director Approval: Allyson Bell Steadman

Approval Date: 12/22/2021

Purchasing Director Approval: Gary L. Holcomb

Approval Date: 12/21/2021



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

2. i.

Meeting Date: 01/04/2022

Item Title: Highway 66 Turn Lane Construction

Submitted By: Rick Galceran, Capital Project Management Director

Bid Number: 0492-20

Purchase Justification:

This request is to approve a Change Order for the relocation (lowering) of utility lines associated with the Highway 66 turn lane and entrance drive construction. During construction, the gas and water lines in the Right-of-Way were found to be higher than the standard depth. The lines must be lowered to allow clearance for the new approach off of Highway 66. Negotiations with the utilities are ongoing and the amount of this change may decrease. This project is part of the 2019 Bond Program and approved in the 2021 CIP.

Evaluation:

Hill & Wilkinson General Contractors was awarded the original PO 31120 for site construction at the November 11, 2020, City Council Meeting in the amount of \$1,330,796. They were awarded PO 31411 for the remaining facility construction at the January 12, 2021 City Council Meeting in the amount of \$11,117,990 and a Change Order for the Highway 66 turn lane construction at the September 14, 2021 City Council Meeting in the amount of \$553,885.

Award Recommendation:

<u><i>Vendor</i></u>	<u><i>Item</i></u>	<u><i>Amount</i></u>
Hill & Wilkinson General Contractors	All	\$99,612.00
TOTAL:		\$99,612.00

Basis for Award: Change Order

Purchase Requisition #: 46558

Fiscal Impact

Total Project/Account: \$250,000
Expended/Encumbered to Date: 250,000
Balance: \$0

This Item: 99,612 **
Proposed Balance: \$(99,612) *
Account #: 651-1429-1452619-9011

Fund/Dept/Project – Description and Comments:

Street/Transportation CIP / Operational & Safety Improvements Program - Highway 66 Turn Lane project **

* Construction will continue into 2022, and additional funding will be requested in the 2022 Proposed Capital Improvement Program.

** Final cost may be shared by utilities pending negotiations.

Attachments

Bid Recap

Fiscal Reference:

Budget Type: CIP

Fiscal Year: 2021

Document Location: Page 116

Budget Director Approval: Allyson Bell Steadman

Approval Date: 12/23/2021

Purchasing Director Approval: Gary L. Holcomb

Approval Date: 12/22/2021



**GARLAND
CITY COUNCIL ITEM SUMMARY SHEET**

City Council Regular Session Agenda

3. a.

Meeting Date: 01/04/2022

Item Title: Z 21-43 AJ Real Estate Investments, LLC (District 5)

Submitted By: Will Guerin, Planning Director

Summary of Request/Problem

Zoning Ordinance Z 21-43 AJ Real Estate Investments, LLC

Recommendation/Action Requested and Justification

Consider adoption of the attached ordinance.

Attachments

Z 21-43 Ordinance

Z 21-43 Exhibit A

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE GARLAND DEVELOPMENT CODE OF THE CITY OF GARLAND, TEXAS, BY APPROVING A CHANGE OF ZONING FROM PLANNED DEVELOPMENT (PD) DISTRICT 69-31 FOR COMMUNITY RETAIL USES AND PLANNED DEVELOPMENT (PD) DISTRICT 86-26 FOR COMMUNITY OFFICE USES TO COMMUNITY RETAIL (CR) DISTRICT ON A 3.52-ACRE TRACT OF LAND LOCATED AT 1640 AND 1680 EASTGATE 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.

WHEREAS, at its regular meeting held on the 22nd day of November, 2021, the Plan Commission did consider and make recommendations on a certain request for approval of a Change of Zoning from Planned Development (PD) District 69-31 for Community Retail Uses and Planned Development (PD) District 86-26 for Community Office Uses to Community Retail (CR) District by **AJ Real Estate Investments, LLC**; and

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

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

Section 1

The Garland Development Code is hereby amended by approving of a Change of Zoning from Planned Development (PD) District 69-31 for Community Retail Uses and Planned Development (PD) District 86-26 for Community Office Use to Community Retail (CR) District on 3.52-acre tract of land located at 1640 and 1680 Eastgate Drive and being more particularly described in Exhibit A, attached hereto and made a part hereof.

Section 2

ZONING FILE NO. Z 21-43

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

Section 3

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

Section 4

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

Section 5

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

Section 6

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

Section 7

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

PASSED AND APPROVED this _____ day of _____, 2022.

CITY OF GARLAND, TEXAS

By:

Mayor

ATTEST:

City Secretary

Published:

EXHIBIT A

LEGAL DESCRIPTION

Zoning File Z 21-43

BEGINNING, at a 1/2 inch iron rod found in the North right-of-way line of Eastgate Drive (52' right-of-way - Volume 70059, Page 1473 -

Deed Records of Dallas County, Texas), being the Southwest corner of Lot 7R of Centerville Marketplace Second Replat, a subdivision of

record in Document Number 20070428023 of said Official Public Records, also being in the South line of said Lot 1R, for the Southeast

corner hereof;

THENCE, N54°06'49"W, leaving the West line of said Lot 7R, along the North right-of-way line of Eastgate Drive and the common South

line of said Lot 1R, a distance of 394.95 feet to a 1/2 inch iron rod with green plastic cap stamped "Eagle Surveying" set for the Southwest

corner of said Lot 1R and hereof;

THENCE, N35°53'40"E, leaving the North right-of-way line of Eastgate Drive, along the West line of said Lot 1R, a distance of 388.35 feet

to a 1/2 inch iron rod with green plastic cap stamped "Eagle Surveying" set in the South right-of-way line of Marketplace

Drive (54' right-of-way Volume 70057, Page 1 of said Deed Records), being the Northwest corner of said Lot 1R and hereof;

EXHIBIT A

THENCE, S54°06'20"E, along the South right-of-way line of Marketplace Drive and in part, the common North line of said Lot 1R, passing
at a distance of 289.57 feet, a 1/2 inch iron rod found at the Northwest corner of said Lot 2R and said 0.241 acre tract and continuing
along the common North line of said Lot 2R and said 0.241 acre tract, a total distance of a distance of 346.46 feet to a 5/8 inch iron rod
found at the point of curvature of a non-tangent curve to the left;
THENCE, along the South right-of-way line of Marketplace Drive and the common North line of said Lot 2R and said 0.241 acre tract,
along said non-tangent curve to the left, having a radius of 179.95 feet, a chord bearing of S61°52'14"E, a chord length of 48.49 feet, a
delta angle of 15°29'06", an arc length of 48.63 feet to a 1/2 inch iron rod with green plastic cap stamped "Eagle Surveying" set at the
Northwest corner of said Lot 7R, being the Northeast corner of said 0.241 acre tract and hereof;
THENCE, S35°49'48"W, leaving the South right-of-way line of Marketplace Drive, along the West line of said Lot 7R, a distance of 394.84
feet to the POINT OF BEGINNING and containing an area of 3.52 Acres, or (153,385 Square Feet) of land, more or less.

EXHIBIT A



**GARLAND
CITY COUNCIL ITEM SUMMARY SHEET**

City Council Regular Session Agenda

4.

Meeting Date: 01/04/2022

Item Title: Neighborhood Vitality Matching Grant Fall 2021 Applications

Submitted By: Scott Bollinger, Neighborhood Resource Manager

Summary of Request/Problem

The City Council reviewed the Fall 2021 Neighborhood Vitality Matching Grant applications at the December 6 Work Session, and recommended approval by minute action.

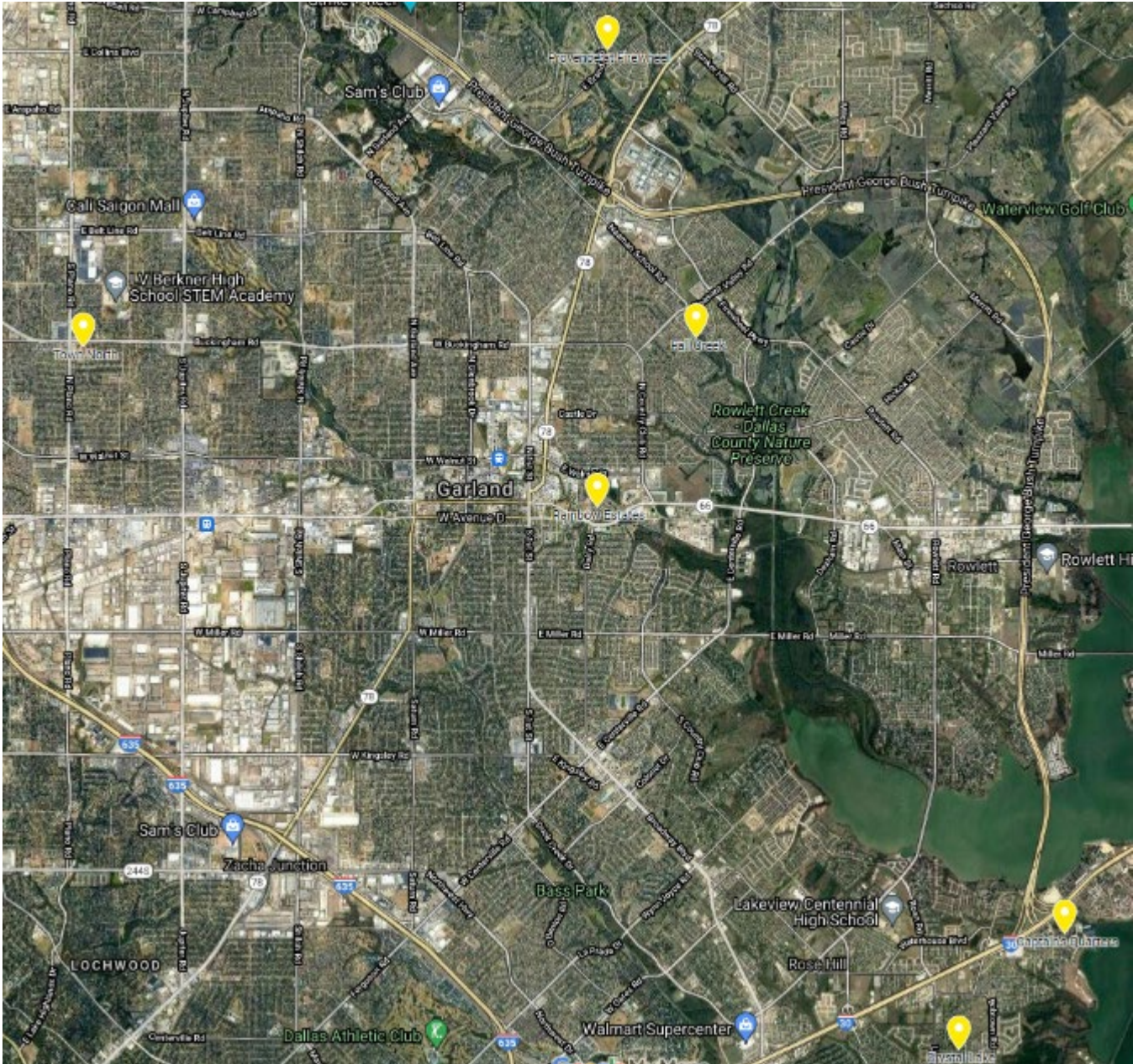
Recommendation/Action Requested and Justification

Approve the applications as presented.

Attachments

2021 NVMG Fall Projects

Proposed Project Locations for Matching Grant Program Fall 2021



1. Captain's Quarters	2. Crystal Lake	3. Fall Creek
4. Provence	5. Rainbow Estates	6. Town North

NEIGHBORHOOD VITALITY MATCHING GRANT FALL 2021

1. Neighborhood-Based Group: Captain's Quarters HOA

Project Name: Retaining Walls Construction

Project Location: Marina Drive

Total Project Cost:	\$41,125.40
Requesting Amount:	\$32,900.32
Neighborhood Match:	\$8,225.08
Match %:	20%

Project Summary

- Replace four large retaining walls with enhanced drainage
- Install four (4) heavy duty park benches

Location

5800 – 5900 Marina Drive

Identified Neighborhood Boundaries

North – Marina Drive

South – Longcrest Drive

West – Shoregate

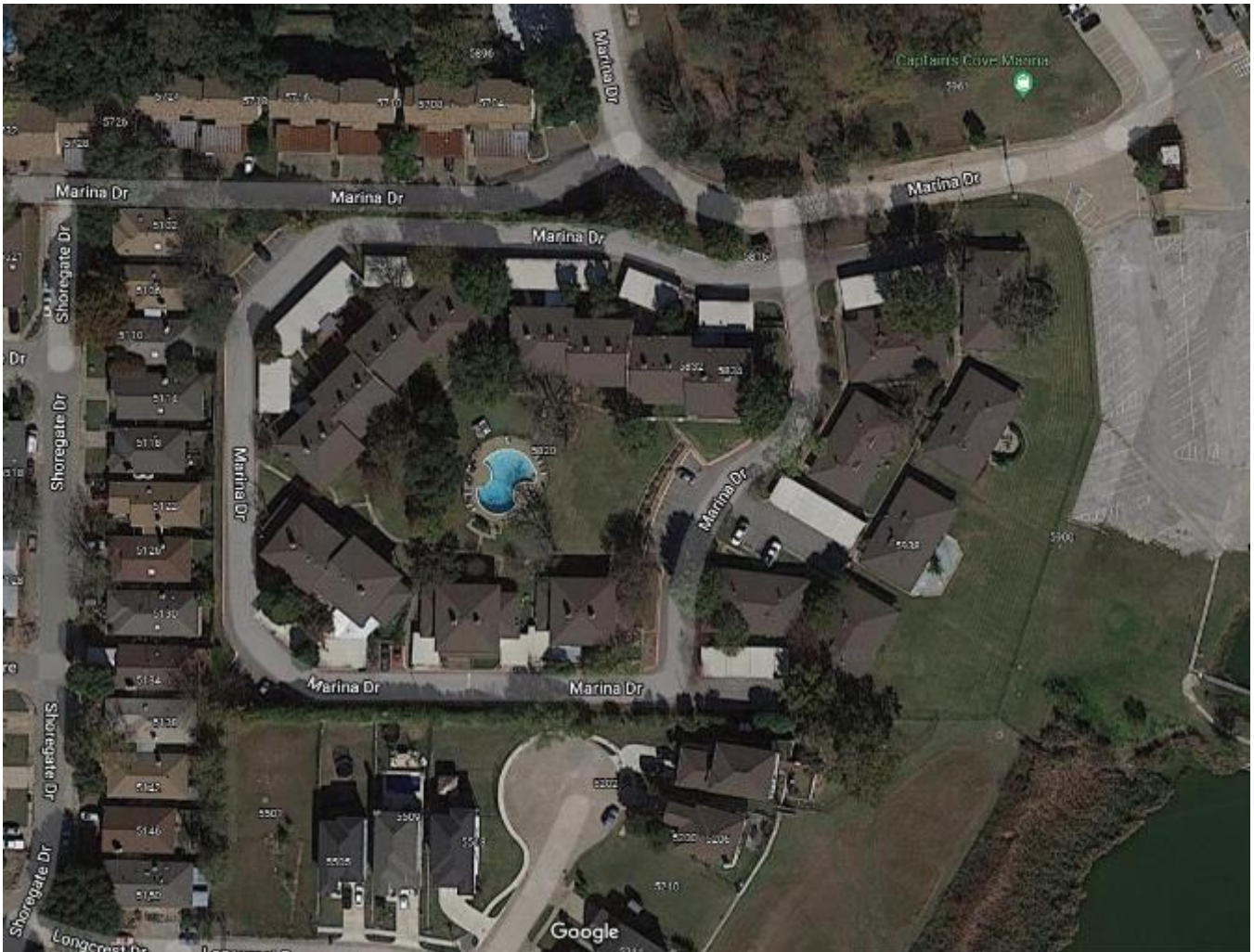
East – Captain's Cove Marina

Stated Goals

"To protect our common areas and provide erosion control as well as add park benches for comfort, relaxation, and have a nice area to visit with neighbors."

Stated Maintenance

Biannual inspection performed by installer. Repairs as necessary.



Comments from Letter of Intent Phase

Neighborhood Vitality

- Common area or recreational improvements (new construction) and neighborhood park improvements are both eligible projects under the matching grant program. Repairs or maintenance of existing structures are not eligible.

Building Inspection

- Retaining walls over 4' in height require a permit and engineering design. If they are not over 4' in height no permit required.

Engineering

- Provide exact locations of retaining walls in order for us to give more specific feedback.

Application Phase Comments

Neighborhood Vitality

- Common area or recreational improvements (new construction) and neighborhood park improvements are both eligible projects under the matching grant program. Repairs or maintenance of existing structures are not eligible.
- 9/28/2021: requested exact locations of retaining walls, as these were not included in the application despite direction to do so in the Letter of Intent feedback
- Similar to Fall 2020 application from Windjammer HOA, which was denied.

Building Inspection

- A Building Permit is required from the Building Inspection Department for all retaining walls greater than 4' and must be engineered.

Engineering

- Provide exact locations of retaining walls in order for us to give more specific feedback. Please show/label the locations of the 4 retaining walls on an aerial imagery map.
 - This was requested on September 28 (see ONV comments, above). No response to date has been given by the applicant.

2. Neighborhood-Based Group: Crystal Lake Estates

Project Name: Retaining Walls and Erosion Control

Project Location: Shoreline at lake behind Sasaki Way

Total Project Cost:	\$109,925.00
Requesting Amount:	\$82,443.75
Neighborhood Match:	\$27,481.25
Match %:	25%

Project Summary

- Install 164 linear feet of riprap retaining wall along the eastern shoreline

Location

Between Crystal Lane and Sasaki Way

Identified Neighborhood Boundaries

North – Crystal Lane

South – Sasaki Way

West – Bobtown Road

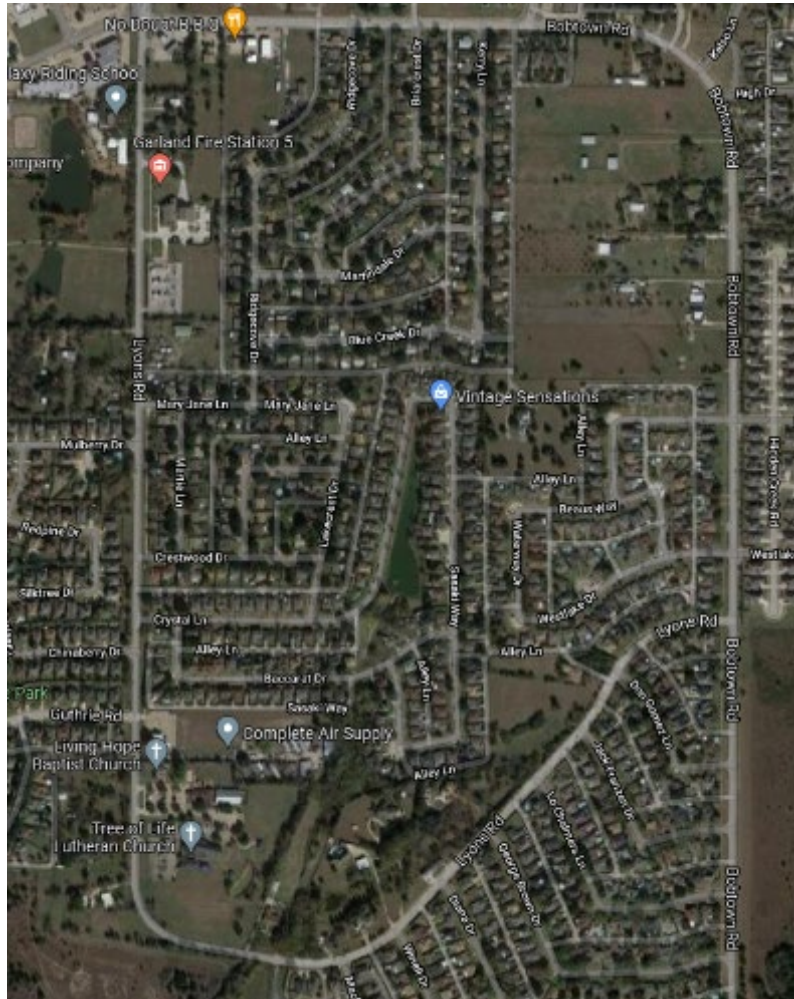
East – Sasaki Way

Stated Goals

“The lake located inside the Crystal Lake HOA neighborhood provides residents a beautiful place to gather and exercise. Over time, the lake banks have eroded back and are dangerously close to residents [sic] backyard fences.”

Stated Maintenance

Inspected by Knight Erosion on an as-needed basis.



Comments from Letter of Intent Phase

Neighborhood Vitality

- Common area or recreational improvements (new construction) and neighborhood park improvements are both eligible projects under the matching grant program. Repairs or maintenance of existing structures are not eligible.

Building Inspection

- Retaining walls over 4' in height require a permit and engineering design. If they are not over 4' in height no permit required.

Engineering

- The proposed retaining wall will be considered private by the Engineering Department since the wall will be located outside of public R.O.W. and within the HOA Common Area lot per the Crystal Lake plat.
- Refer to the Technical Standards Manual Section 7.05 for design criteria that may apply to the proposed retaining wall.
 - i. Be advised: at the discretion of the Director of Engineering, the Director may require the developer to reimburse the City for the City's structural engineering consultant's evaluation of the structural integrity of retaining walls within the zone of influence of public right-of-way and easements.
 - ii. One applicable criterion is walls exceeding 4' in height must be engineered and the structural design must be submitted to the Building Inspections Department for review.

Application Phase Comments

Neighborhood Vitality

- Common area or recreational improvements (new construction) and neighborhood park improvements are both eligible projects under the current matching grant program guidelines, as long as a license agreement is obtained and the improvements are made available to the general public.
- Repairs or maintenance of existing structures are not eligible under current program guidelines.

Building Inspection

- Retaining walls over 4' in height require a permit and engineering design. If they are not over 4' in height no permit required.

Engineering

- Same as Letter of Intent comments.

3. Neighborhood-Based Group: Fall Creek Estates HOA

Project Name: Park and Playground

Project Location: 2002 Harvest Run

Total Project Cost:	\$79,000
Requesting Amount:	\$59,250
Neighborhood Match:	\$19,750
Match %:	25%

*\$59,266.34 eligible for the City's contribution for proposed NVMG projects, see Neighborhood Vitality comment, below.

Project Summary

- Shaded picnic area with tables and benches
- Gated playground
- Contingency, additional features
- First phase of three planned phases

Location

Greenspace east of Harvest Run cul-de-sac

Identified Neighborhood Boundaries

North – Turning Leaf

South – Harvest Run

West – Shalimar

East – Mossy Glen

Stated Goals

“...encourage a strong sense of community for our neighbors to create a safe, welcoming neighborhood that promotes acceptance and well being [sic]. We want to encourage all neighbors to know each other, welcome one another, and to not feel isolated in times of need.”

Stated Maintenance

Playground safety inspection conducted every three years or as advised by the playground manufacturer, whichever is more frequent.



Comments from Letter of Intent Phase

Neighborhood Vitality

- Common area or recreational improvements (new construction) are eligible projects under the matching grant program.
- A gate around the playground is permitted and can have normal park operating hours. May not be closed off to the general public.
- The City of Garland does not support charging a fee for non-HOA residents to use future amenities.

Parks and Recreation

- The area at the end of the cul-de-sac outlined in green for proposed activity is owned by the City of Garland.



Building Inspection

- Permits will be required for different structures such indoor activity center, fencing, lighting, pool, any pavilions and possible some of the playground equipment. There are also other plans in the works by a homeowner for this property.

Engineering

- See General Note #1 for the Lot 36, Block 2 common area shown on the Fall Creek Estates plat:

GENERAL NOTES:

1. Lot 9 and Lot 36, Block 2 are dedicated to the City of Garland as easements for landscape, utilities, public access, and drainage. The mandatory Homeowners Association responsibilities for these areas are outlined in the " Homeowners Association Agreement" on page 2 of this plat.

- You may need to verify with the City Surveyor, but based on the our reading of the plat, a Real Property Improvement Authorization will likely be required through the Engineering Department for the proposed playground in the HOA common area.
- Existing 100-year floodplain elevation is approximately 486.08 at the downstream face of the Ravine Crossing Drive culvert (see record drawing #DEV2001046), which is likely much lower than the playground and fence. Verify, but do not locate any proposed improvements within the 100-year floodplain plus 1' of freeboard.
- The area at the end of the Harvest Run cul-de-sac is owned by the City of Garland (see pink shading on the GIS map). You cannot place buildings or amenities on City of Garland owned property. If interested in purchasing (or leasing?) the property for the proposed use, you would need to talk to the Parks Department or City Surveyor.

Application Phase Comments

Neighborhood Vitality

- A gate around the playground is permitted and the playground may operate with normal park hours. May not be closed off to the general public. Signage should be included.
- A NVMG project was completed in 2018, starting the \$100,000 five-year timeframe as provided in the current NVMG guidelines. Within this timeframe, the City of Garland has disbursed \$41,233.66 to Fall Creek Estates HOA, leaving \$59,266.34 eligible for the City's contribution for proposed NVMG projects.
- Maintenance plan should include costs associated with trash bins.

Building Inspection

- The shade structure will require a permit through Building Inspection and will need to be engineered. However, fabric is not an approved roofing material and will need to be changed to something else such as shingles or an approved metal.
- A permit will be required for the fence and possibly some of the playground equipment depending on what is being built or installed

Engineering

- The area at the end of the Harvest Run cul-de-sac is owned by the City of Garland. If other departments approve of these improvements on City property, City of Garland would need to execute a License Agreement through the Engineering Department. See Appendix 3D of the Technical Standards Manual for further instructions.

4. Neighborhood-Based Group: Provence at Firewheel HOA

Project Name: Entrance and Common Area Improvements

Project Location: Provence Boulevard and 1201 Howard

Total Project Cost:	\$109,172.95
Requesting Amount:	\$81,879.71
Neighborhood Match:	\$27,293.24
Match %:	25%

*Last project completed in January 2017. See Neighborhood Vitality note, below.

Project Summary

- Landscaping improvements around existing pavilion
- Landscaping improvements around existing pond
- Landscaping improvements at entryway
- Landscaping improvements along screening wall
- Landscaping improvements along wrought iron fence

Location

Identified Neighborhood Boundaries

North – Chumley

South – Rimes

West – Provence

East – Todd

Stated Goals

“To increase the look of the entrance to our neighborhood and common space.”

Stated Maintenance

None included in application.

Building Inspection

- If it is just landscaping, plants and shrubs then no permit required from Building Inspection. If they are installing any irrigation, lighting or entry wall features permits will be required.

Engineering

- Replace any medium/large trees in the same location. If proposing new location, you will need to provide and exhibit to Engineering so we can verify the locations relative to public utility lines.

Application Phase Comments

Neighborhood Vitality

- No maintenance plan is included.
- As of August 2, 2021, “softscape,” or live vegetation, is not an eligible program expenditure. Using the estimate provided, \$56,850.32 of the total estimate is eligible.
- Provence at Firewheel HOA was approved for a project in Spring 2016, which was completed in September 2016, and was approved for a project in Fall 2016, which was completed in January 2017. September 2016 would be the start of their five-year \$100,000 timeframe, which they did not exceed. Their five year-timeframe would restart with any approved project henceforth.

Building Inspection

- If only landscaping, plants and shrubs, then no permit required from Building Inspection. If they are installing any irrigation, lighting or entry wall features, permits will be required.

Engineering

- Replacement of any medium/large trees in the same location does not require further review. If proposing a new location, the applicant must provide and exhibit to Engineering so we can verify the locations relative to public utility lines.

5. Neighborhood-Based Group: Rainbow Estates

Project Name: Neighborhood Benches

Project Location: Neighborhood Entrance, Parker Drive, Parker Circle, Davidson

Total Project Cost:	\$10,000
Requesting Amount:	\$10,000
Neighborhood Match:	\$0
Match %:	0%

Project Summary

- Four benches placed throughout the neighborhood
- Picnic table at park
- Flowers around monument sign
- Trash bins

Location

Identified Neighborhood Boundaries

North – Davidson

South – Hwy. 66

West – Parker

East – Davidson

Stated Goals

“Our goal is beautification with a more down-home look and feel to the community.”

Stated Maintenance

None included in application.



Comments from Letter of Intent Phase

No letter of intent submitted, none required.

Application Phase Comments

Neighborhood Vitality

- Neighborhood Vitality will work with Rainbow Estates regarding the details of the project.
- Any equipment on City-owned property would require a license agreement, including maintenance conditions for fixtures and waste collectors.

Building Inspection

- No permit required for picnic tables and benches. If a shade structure is built, then a permit will be required.

Engineering

- We cannot confirm the exact location of the proposed improvements within the subdivision. Please show/label the locations of all proposed improvements on an overall aerial imagery map.
- No landscaping such as trees, hedges, above and underground structures can be located within existing utility / drainage easements OR right of way without an approved Real Property Improvement Authorization form or License Agreement. See Appendix 3D & 3E of the Technical Standards Manual for further instructions.

6. Neighborhood-Based Group: Town North HOA

Project Name: River Rock Flower Beds

Project Location: East and west common areas

Total Project Cost:	\$12,736.26
Requesting Amount:	\$10,825.82
Neighborhood Match:	\$1,910.44
Match %:	15%

Project Summary

- Landscaping in four flower beds within the HOA village, including hardscaping and metal sculptures

Location

Identified Neighborhood Boundaries

North – Buckingham

South – Justice

West – Plano

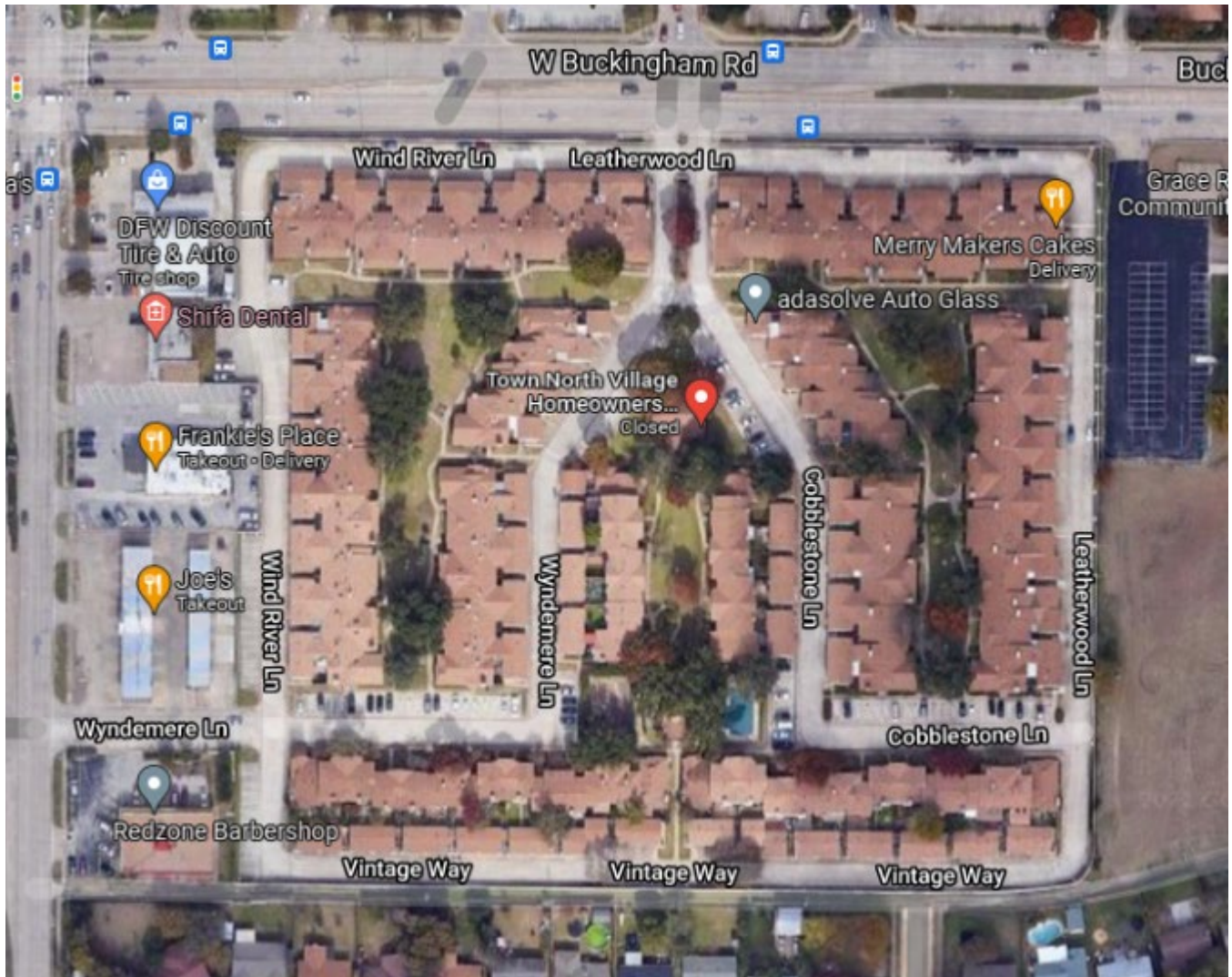
East – Rice

Stated Goals

To improve the appearance of the common area flower beds.

Stated Maintenance

HOA will replace where needed, improvements intended to be permanent.



Comments from Letter of Intent Phase

Neighborhood Vitality

- As of August 2nd, City Council voted for that softscape is now an ineligible project in this program.
- Entry features and common area improvements (new construction) are permitted under the matching

Building Inspection

- We would need to know exactly what they are doing with the entrance wall, it may or may not require a permit. No comment on the landscaping.

Engineering

- There are public water and wastewater mains running through the east and west common areas.
- Large trees cannot be placed on top of our public utility lines.
- Do not install any objects that penetrate the ground more than 36-inches to avoid any damage to the public mains.
- Texas811 should be called to locate the public utility lines prior to construction.
- The entrance wall is within the public Right of Way. Any expansion or replacement of the existing entry sign may require a License Agreement from the Engineering Department since we do not have one on file.

Application Phase Comments

Neighborhood Vitality

- Proposed work to the entryway feature has been dropped from the application.
- As of August 2, 2021, “softscape,” or live vegetation, is not an eligible program expenditure. Using the estimate provided, \$11,748.31 of the total estimate is eligible.

Building Inspection

- We do not require a permit for landscaping and probably not for the metal art but we would need more details on that.

Engineering

- There are public water and wastewater mains running through the east and west common areas (see record drawing #720841). We do not recommend locating the sculptures within 7.5 feet on either side of the public mains in case of emergency repair.
- Do not install any objects that penetrate the ground more than 36-inches to avoid any damage to the public mains.
- Texas811 should be called to locate the public utility lines prior to installation.

Funding Summary

Total All Projects	\$271,358
Total Neighborhood Match	\$63,589
Total City Contribution	\$207,769

Community Services Committee Recommendation

- Crystal Lake HOA: approve as submitted
- Fall Creek HOA: approve as submitted, with acknowledgement that fabric roof coverings are not allowed
- Rainbow Estates: approve as submitted, with acknowledgement that Neighborhood Vitality will work with this neighborhood to design and manage specifics

- Captain's Quarters HOA: approve park benches only
- Provence at Firewheel HOA: approve application, except for items that are live vegetation, or "softscape," in accordance with current guidelines
- Town North HOA: approve application, except for items that are live vegetation, or "softscape," in accordance with current guidelines



**GARLAND
CITY COUNCIL ITEM SUMMARY SHEET**

City Council Regular Session Agenda

5.

Meeting Date: 01/04/2022

Item Title: Amendment to Chapter 50 "Utility Rates and Fees" and Chapter 52 "Environmental Waste Services"

Submitted By: Uriel Villalpando, Sanitation Services Director

Summary of Request/Problem

Consider an ordinance amending Chapter 50, "Utility Rates and Fees" and Chapter 52 "Environmental Waste Services" of the Code of Ordinances in order to reflect approved Sanitation and Landfill rates approved in the operating budget for FY21/22, and replace "Environmental Waste Services" with "Sanitation".

This item was discussed at the June 23, 2021 Budget Meeting.

Recommendation/Action Requested and Justification

Approve amendments to Chapter 50 "Utility Rates and Fees" and Chapter 52 "Environmental Waste Services" in order to reflect approved utility rates for Sanitation and Landfill services and replace "Environmental Waste Services" with "Sanitation".

Attachments

Ordinance Amendments

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 50, "UTILITY RATES AND FEES;" CHAPTER 52, "ENVIRONMENTAL WASTE SERVICES" OF THE CODE OF ORDINANCES OF THE CITY OF GARLAND, TEXAS; AND SECTION 1.11, "STRUCTURE OF THE DEVELOPMENT REVIEW COMMITTEE," OF DIVISION 1, "GENERAL PROVISIONS," ARTICLE 1, "AUTHORITY, PURPOSE," OF CHAPTER 1, "GENERAL PROVISIONS" OF THE GARLAND DEVELOPMENT CODE OF THE CITY OF GARLAND, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND SETTING AN EFFECTIVE DATE.

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

Section 1

That Chapter 50, "Utility Rates and Fees" and Chapter 52, "Environmental Waste Services" of the Code of Ordinances of the City of Garland, Texas are amended *in part* by replacing the terms "EWS" or "Environmental Waste Services" with the department's new name, "Sanitation Department," in each of the sections listed below.

- (1) Section 50.51 "Commercial monthly charges;"
- (2) Section 50.55 "Transfer station fees;"
- (3) Section 52.01 "Definitions;"
- (4) Section 52.13 "Placement of residential solid waster for collection;"
- (5) Section 52.17 "Replacement of containers;"
- (6) Section 52.35 "Recycling contamination;" and
- (7) Section 52.50 "Landfill user fees."

Section 2

That Chapter 50, "Utility Rates and Fees" and Chapter 52, "Environmental Waste Services" of the Code of Ordinances of the City of Garland, Texas are amended *in part* by replacing the term "Managing Director" with "Director" in each of the sections listed below.

- (1) Section 50.51 "Commercial monthly charges;"
- (2) Section 50.55 "Transfer station fees;"
- (3) Section 52.01 "Definitions;"
- (4) Section 52.02 "General Duties of Managing Director;"
- (5) Section 52.10 "Application and contract for sanitation services;"

- (6) Section 52.13 "Placement of residential solid waster for collection;"
- (7) Section 52.14 "Commerical container service, use of containers;"
- (8) Section 52.15 "Shared front-load containers;"
- (9) Section 52.20 "Commercial services pricing adjustments;"
- (10) Section 52.22 "Option to buy out of service agreement;"
- (11) Section 52.23 "Automated container service for commercial businesses;"
- (12) Section 52.28 "Title to solid waste placed collection;"
- (13) Section 52.40 "Franchise administration;"
- (14) Section 52.41 "Granting of franchise;"
- (15) Section 52.47 "General regulations;"
- (16) Section 52.48 "Hours of operation;"
- (17) Section 52.49 "Prohibited articles;"
- (18) Section 52.50 "Landfill user fees;"
- (19) Section 52.52 "Use of facilities;"
- (20) Section 52.54 "Acceptance of special waste;"
- (21) Section 52.58 "Prohibited materials at landfill;"
- (22) Section 52.59 "Acceptable materials at transfer station;" and
- (23) Section 52.60 "Prohibited materials at transfer station."

Section 3

That the title of Chapter 52 "Environmental Waste Services" of the Code of Ordinances of the City of Garland, Texas, is hereby amended to read as follows:

"CHAPTER 52 SANITATION AND LANDFILL SERVICES"

Section 4

That the definition, "Environmental waste services (EWS)" in Section 52.01, "Definitions, Article I, "In General," of Chapter 52, "Environmental Waste Services" of the Code of Ordinances of the City of Garland, Texas, is hereby amended to read as follows:

"Sec. 52.01 Definitions

Sanitation Department. The department of the City responsible for sanitation services, including, but not limited to:

collection, transportation and disposal of solid waste, landscape waste, bulky waste, and recycle materials."

Section 5

That the title of Article II, "Service Delivery," of Chapter 52, "Environmental Waste Services" of Code of Ordinances of the City of Garland, Texas, is hereby amended to read as follows:

"Article II. SANITATION SERVICES"

Section 6

That Chapter 52, "Environmental Waste Services" of the Code of Ordinances of the City of Garland, Texas is amended *in part* by replacing the term "Solid Wastes" with "Sanitation" in each of the sections listed below.

- (1) Section 52.10 "Application and contract for sanitation services;"
- (2) Section 52.11 "Solid waste customers to give notice of change of address;"
- (3) Section 52.19 "Requirements for service applications, agreements and addenda;"
- (4) Section 52.20 "Commercial services pricing adjustments;" and
- (5) Section 52.29 "Premium solid waste service;"

Section 7

That the title of Section 52.20 "Commercial services pricing adjustments" of Chapter 52, "Environmental Waste Services" of Code of Ordinances of the City of Garland, Texas, is hereby amended to read as follows:

"Commercial sanitation services pricing adjustments"

Section 8

That Section 52.23 "Automated container service for commercial businesses" of Chapter 52, "Environmental Waste Services" of Code of Ordinances of the City of Garland, Texas, is hereby amended *in part* to read as follows:

"Sec. 52.23 Automated container service for commercial businesses"

(A) Commercial businesses may obtain a maximum of five plastic 96-gallon solid waste containers if one or more of the following criteria is determined by the ..."

Section 9

That Section 52.31 "Single stream recycle containers and additional recycling capacity" of Chapter 52, "Environmental Waste Services" of Code of Ordinances of the City of Garland, Texas, is hereby amended to read as follows:

"Sec. 52.31 Single stream recycle containers and additional recycling capacity"

A customer may obtain one single stream recycle container depending upon the customer's designated collection area. The City shall retain ownership of the recycling receptacles. Single stream recycle containers shall not be moved from the residence of record to another location."

Section 10

That the title of Section 52.31 "Single stream recycle containers and additional recycling capacity" of Chapter 52, "Environmental Waste Services" of Code of Ordinances of the City of Garland, Texas, is hereby amended to read as follows:

"Single stream recycle containers"

Section 11

That Section 52.32 "Placement of recycle materials for collection" of Chapter 52, "Environmental Waste Services" of Code of Ordinances of the City of Garland, Texas, is hereby amended *in part* to read as follows:

"Sec. 52.32 Placement of recycle materials for collection"

Single stream recycle containers shall be:

..."

Section 12

That Section 52.34 "Prohibited materials for recycling collection" of Chapter 52, "Environmental Waste Services" of Code of Ordinances of the City of Garland, Texas, is hereby amended *in part* to read as follows:

"Sec. 52.34 Prohibited materials for recycling collection

The following materials are not acceptable for placement inside single stream recycle containers for collection:

..."

Section 13

That Section 1.11(A) (6), of Section 1.1.11 "Structure of the Development Review Committee," of Division 1, "General Provisions," Article 1, "Authority; Purpose," and Chapter 1, "General Provisions" of the Garland Development Code for the City of Garland, Texas, is hereby amended to read as follows:

" (6) The Director of Sanitation Department;"

Section 14

That Chapters 50 and 52 of the Code of Ordinances, and Chapter 1 of the Garland Development Code for the City of Garland, Texas, as amended, shall be and remain in full force and effect save and except as amended by this Ordinance.

Section 15

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 16

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

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

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary



GARLAND POLICY REPORT

City Council Regular Session Agenda

6.

Meeting Date: 01/04/2022
Item Title: Request for Development Assistance from Zobebe USA Inc.
Submitted By: Ayako Schuster, Economic Development Director
Strategic Focus Areas: Growing Economic Base

ISSUE

Consider a development incentive request from Zobebe USA Inc. (Zobebe) for a partial rebate of applicable Business Personal Property (BPP) taxes for a specific period, in regards to a proposed new expansion project.

OPTIONS

1. Approve the staff recommendation for a partial rebate of the applicable BPP taxes.
2. Not approve a partial rebate of the applicable BPP taxes.

RECOMMENDATION

The City would provide a rebate of BPP tax attributed to new BPP value for 5 years, forty percent (40%) rebate from 2022 through 2026. The City will provide the incentive upon the company:

1. Add and maintain a minimum of \$22.7 million in new BPP valuation to the city's tax roll; and
2. Maintain and operate the project for ten (10) years

The City would provide a rebate of BPP tax attributed to new BPP value for a bonus 2 years, forth percent (40%) rebate from 2027 through 2028. The City will provide the bonus incentive upon the company:

1. Extend lease by five (5) years
2. Maintain and operate the project for fifteen (15) years

BACKGROUND

Zobebe has been leasing 165,244 square foot building on 3502 Regency Crest Drive since 2018. In summer 2021, they began phase I of their expansion project. This consists of construction 76,000 square feet of additional building space. Phase II consists of adding two production lines and one packing line. About 150 jobs will be created, a mezzanine level will be added, and interior upgrades will take place for the breakroom, conference room, floor, lights, security cameras and more.

Zobebe was established in 1919 and is headquartered in Italy. The company is a leading manufacturer of air, laundry, personal care, and pest control products. They have over 7,000 employees across 15 locations in North/South America, Europe, and Asia. In Garland, they produce laundry and fabric care products. The proposed expansion will allow for an increase of up to 34 million bottles per year, which would double the plant's production.

CONSIDERATION

This is a target cluster industry - chemicals. They are planning to add new jobs, with an estimated annual payroll of \$9.23 million. The positions are in operations, administration, and engineering. They also invest in workforce training for topics such as safety, quality, and other specific technical training.

Phase I represents about \$9 million in capital investment. Phase II represents \$20.8 million, with \$18 million going towards new equipment and machinery. The company has a current lease that ends in 2031, with the possibility of extending the lease by 5 years to 2036.

Attachments

Proposed Economic Development Incentive Agreement

ECONOMIC DEVELOPMENT INCENTIVE AGREEMENT

This Economic Development Incentive Agreement ("Agreement") is made by and between the **City of Garland, a Texas home-rule municipality** ("City"), and **Zobebe USA Inc., a Texas corporation** ("Developer") (collectively, "Parties"), acting by and through their respective authorized officers.

RECITALS:

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

WHEREAS, the City desires to further the public interest and welfare and to induce the investment of private resources in productive business enterprises located in certain areas of the City that will increase tax revenue and promote or develop new business enterprises; and

WHEREAS, the Developer and Affiliates is the lessee of that certain tract of real property consisting of approximately 12.81 acres and commonly known as 3502 Regency Crest, City of Garland, Dallas County, Texas ("Property"); and

WHEREAS, Developer and Affiliates proposes to expand and improve its current manufacturing facility located on the Property with a \$29.8 million capital investment to construct an additional 72,000 +/- square feet in building space, adding a total of three new production lines and one new packing line, and creating approximately 190 additional jobs with an approximate annual payroll of \$11.6 million ("Project"); and

WHEREAS, the Project shall consist of 2 phases: (1) during Phase One, Developer and Affiliates shall expand the existing commercial building by 72,000 +/- square feet, with a capital investment of \$9 million, and add 40 new jobs by the end of the 4th quarter of 2021; and (2) during Phase Two, Developer and Affiliates shall add 2 new production lines and 1 new packing line, conduct certain building renovations, with a capital investment of \$20.8 million, and add 150 new jobs by the 4th quarter of 2022; and

WHEREAS, Developer and Affiliates intends to maintain and operate the manufacturing facility on the Property for a minimum of 10 years after execution of this Agreement; and

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

WHEREAS, the Developer has advised the City that a contributing factor of inducing the Developer and Affiliates to improve the Property and expand business operations within the City, is this Agreement to provide an economic development grant to the Developer as set forth herein; and

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

WHEREAS, City hereby finds that this Agreement promotes economic development in the City and, as such, meets the requisites under Chapter 380 of the Texas Local Government Code, and is in the best interests of the City; and

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

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

Section 1. Term. This Agreement shall, unless extended or terminated by mutual agreement or as otherwise provided in this Agreement of the Parties, terminate upon the full and complete performance of all obligations and conditions precedent by the Parties.

Section 2. Definitions. For purposes of this Agreement, each of the following terms will have the meaning set forth herein unless the context clearly indicates otherwise:

"Bonus Incentive" means the extension of the Incentive (as defined below) for an additional two (2) tax years beginning in tax year 2027 and continuing through tax year 2028, if the lease is extended by five (5) years through the calendar year 2036 and the manufacturing/packing operations at the property remain at a substantially similar production level.

"Bonus Performance Period" means the period of time beginning with the 2027 tax year and continuing through the 2028 tax year, in which Developer may qualify for the Bonus Incentive if applicable terms and conditions contained herein are met by Developer and Affiliates.

"Affiliates" means any other entity directly or indirectly controlled by or under direct or indirect common control as the Developer. As used in this definition, the term "control", "controlling" or "controlled by" shall mean the possession, directly or indirectly, of the power either to (a) vote fifty percent (50%) or more of the securities or interests having ordinary voting power for the election of directors (or other comparable controlling body) of such entity or (b) direct or cause the direction of management or policies of such entity, whether through the ownership of voting securities or interests, by contract or otherwise, excluding in each case, any lender of such entity or any affiliate of such lender.

"Incentive" means the rebate of forty percent (40%) of the business personal property taxes actually paid by Developer and Affiliates to the City for any new business personal property value added to the Property during a five-year period beginning in tax year 2022 and continuing through tax year 2026.

“Initial Performance Period” means the period of time beginning with the 2022 tax year and continuing through the 2026 tax year.

“Phase I” means the phase of the Project in which Developer and Affiliates shall expand the existing commercial building by 72,000 +/- square feet, with a capital investment of \$9 million, and add 40 new jobs by the end of the 4th quarter of 2022.

“Phase II” means the phase of the Project in which Developer and Affiliates shall add 2 new production lines and 1 new packing line, conduct certain building renovations, with a capital investment of \$20.8 million, and add 150 new jobs by the 4th quarter of 2022.

“Program” means the economic development program for the Project established by the City pursuant to Texas Local Government Code Chapter 380 and this Agreement to promote local economic development and stimulate business and commercial activity within the City.

“Project” has the meaning described in the recitals to this Agreement.

“Property” has the meaning described in the recitals to this Agreement, and more particularly depicted in attached Exhibit “A,” which is incorporated herein by reference.

Section 3. Developer’s Obligations. In consideration of the City’s participation in the Program, the following are conditions precedent to the City’s payment of the Incentive or Bonus Incentive under this Agreement:

(A) *Business Personal Property Tax Appraisal Performance Obligations.* Developer and Affiliates shall construct, or caused to be constructed, the Project on the Property. The City and Developer acknowledge and agree that, for purposes of this Agreement, in addition to the conditions precedent enumerated below, Developer shall not be eligible for any annual Incentive or Bonus Incentive, unless the Project meets the express Minimum Nonexempt Taxable Assessed Values of Business Personal Property specifically described in Table 3(A) below, based on DCAD’s assessment, located on the Property. **As part of consideration of this Agreement, Developer hereby waives any future causes of action or claims based on any theory that asserts that any minimum Business Personal Property Value, as agreed upon herein, is inaccurate or was improperly determined.**

(B) The annual minimum required assessed values of nonexempt taxable Business Personal Property to be eligible for any Incentive or Bonus Incentive are shown in the table below:

TABLE 3(B)		
Tax Year	Minimum Nonexempt Taxable Assessed Value of Business Personal Property	Applicable Rebate Percentage
2021	-----	----
2022	\$26,614,580	40%
2023	\$38,852,396	40%
2024	\$35,403,260	40%
2025	\$33,144,967	40%
2026	\$30,109,482	40%
2027	\$27,125,045	40% (if Bonus Incentive criteria is met)
2028	\$24,994,651	40% (if Bonus Incentive criteria is met)

(C) *Property Occupation and Operation.* Developer and Affiliates agree to maintain and operate, or lease the Property for the occupation and operation of, a manufacturing/packing facility on the Property for a minimum of 10 years after execution of this Agreement.

(D) Beginning in the year 2023, and once each year thereafter, Developer may request an Incentive Payment or a Bonus Incentive Payment by written application submitted to the City. The City shall not be required to make an Incentive Payment or Bonus Incentive Payment for any applicable tax year until:

(1) Developer submits to the City a compliance certificate in substantially the form attached as Exhibit "B" (the "Compliance Certificate") together with all information required under the Compliance Certificate necessary to verify Developer's material compliance with its obligations under this Agreement for the applicable tax year; and

(2) the City has actually received all of Developer and Affiliates Business Personal Property Taxes owed for the preceding year; and

(3) funds are appropriated by the Garland City Council for the specific purpose of making a Performance Rebate Payment under this Agreement as part of the City's ordinary budget and appropriations approval process or through any subsequent appropriation.

(E) *Tax Protests.* Developer agrees that by submitting to the City a request for the payment of an Incentive or Bonus Incentive rebate payment, the Developer and Affiliates has (i) finally agreed to the DCAD assessed tax values and the City's tax rate and procedures on which the Incentive or Bonus Incentive rebate payment will be based

without further protest or challenge; (ii) will not make any claim for a refund, repayment, or reduction of those taxes after settling on any appealed tax assessments or bills from any source, including the City; and (iii) once any existing tax protest has been settled, waives, to the extent allowed by law, the right to protest, challenge, or otherwise contest those taxes in any manner. Notwithstanding any other provision of this Agreement to the contrary, no Incentive or Bonus Incentive rebate payment shall become due for any tax year in which or for which Developer and Affiliates is protesting the assessed value or contesting an ad valorem business personal property tax due until the protest has been finalized by DCAD, Developer and Affiliates, and the affected taxing authority. Developer and Affiliates shall promptly notify the City in writing of any ad valorem tax protest relating to any Business Personal Property located for tax situs purposes on the Property. If Developer receives any refund of ad valorem taxes paid to the City after an Incentive or Bonus Incentive rebate payment has been made for the tax year for which the refund was paid, Developer shall refund to the City the pro rata amount that the City would have been entitled to retain as calculated by the applicable percentage provided in this Agreement.

(F) *“Furthering Garland Recognition and Pride”*. Developer acknowledges that the City is engaging in and administering the Program to further the economic interests of the people of Garland and that it is important to the City in that regard that Garland receive recognition for its efforts. In its communications, branding, marketing, and promotions throughout the term of this Agreement, the Developer shall recognize that its Project is located in Garland, Texas rather than “in the Dallas area” or similar non-Garland specific descriptors.

Section 4. City’s Obligations.

(A) Subject to the terms and provisions of this Agreement, the City agrees to reimburse Developer a portion of Developer and Affiliates Business Personal Property taxes actually paid to the City, in the form of Incentive and Bonus Incentive payments, in accordance with the terms and conditions of this Agreement. Notwithstanding any other provision contained herein to the contrary, the City is not obligated to reimburse Developer for an amount greater than 40% of the Business Personal Property taxes actually paid by the Developer and Affiliates and received by the City for the Project within the Initial Performance Period or the Bonus Performance Period.

(B) The City agrees to nominate the Project for the Texas Enterprise Zone Program for the year 2022.

(C) The City agrees to assist in workforce training needs, where requested, in partnership with the Garland Chamber of Commerce, Workforce Solutions of Greater Dallas, and Dallas College.

(D) The City agrees to designate the Project as an important economic development project, which will continue to ensure that Project Maker is processed, reviewed, and permitted in the most expeditious manner.

Section 5. Force Majeure. All obligations of Developer and City shall be subject to events of “force majeure” which shall mean any contingency or cause beyond the reasonable control of a party, as

applicable, including, without limitations, acts of God or the public enemy, war, riot, civil commotion, insurrection, adverse weather, government or de facto governmental action or inaction (unless caused by negligence or omissions of such party), fires, explosions, floods, strikes, slowdowns or work stoppages, shortage of materials and labor. **Notwithstanding any other provision to the contrary, tax valuations, as determined by DCAD, are not subject to, and expressly excluded from, events of "force majeure." DCAD tax valuations are strictly subject to the sole determination of DCAD, without regard to any event, contingency, or cause beyond the control of either Party.**

Section 6. Rules of Construction. The capitalized terms listed in this Agreement shall have the meanings set forth herein whenever the terms appear in this Agreement, whether in the singular or the plural or in the present or past tense. Other terms used in this Agreement shall have meanings as commonly used in the English language. Words not otherwise defined herein that have well known and generally accepted technical or trade meanings are used herein in accordance with such recognized meanings. In addition, the following rules of interpretation shall apply:

- (A) The masculine shall include the feminine and neuter.
- (B) References to "Articles," "Sections," or "Exhibits" shall be to articles, sections, or exhibits of this Agreement.
- (C) The Exhibits attached hereto are incorporated in and are intended to be part of this Agreement; provided that in the event of a conflict between the terms of any Exhibit and the terms of this Agreement, the terms of this Agreement shall take precedence.
- (D) This Agreement was negotiated and prepared by both Parties with the advice and participation of counsel. The Parties have agreed to the wording of this Agreement and none of the provisions hereof shall be construed against one Party on the ground that such Party is the author of this Agreement or any part hereof.
- (E) Unless expressly provided otherwise in this Agreement, (a) where the Agreement requires the consent, approval, or similar action by a Party, such consent or approval shall not be unreasonably withheld, conditioned or delayed, and (b) wherever the Agreement gives a Party a right to determine, require, specify or take similar action with respect to a matter, such determination, requirement, specification or similar action shall be reasonable.
- (F) Use of the words "include" or "including" or similar words shall be interpreted as "including but not limited to" or "including, without limitation."
- (G) The recitals to this Agreement are incorporated herein.

Section 7. Remedies. Unless a specific remedy and associated cure period (such as recapture of an amount paid as the Incentive) is set forth elsewhere in this Agreement, in the event of event of default by Developer and Affiliates, the City, as its sole remedy, may terminate all commitments of City under this Agreement after providing the Developer written notice of such default and 90 days to cure such

default. If any event of default by the City exists, Developer shall provide written notice of such default to the City; then, the City shall have 90 days to cure such default. In the event the City is not able to cure such default, Developer and Affiliates may pursue such remedies available to it by law or equity, including, specific performance. The City and Developer hereby agree that Section 271.152 of the Texas Local Government Code (relating to a limited waiver of immunity to suit for certain claims) applies to this Agreement regardless whether this Agreement is construed as a governmental or proprietary act of the City.

Section 8. Dispute Resolution and Step Negotiations. The Parties shall attempt in good faith to resolve all disputes arising out of or relating to this Agreement or any of the transactions contemplated hereby promptly by negotiation, as follows:

(A) Either Party may give the other Party written notice of any such dispute not resolved in the normal course of business. Executives of both Parties at levels one level above the Project personnel who have previously been involved in the dispute shall meet at a mutually acceptable time and place within ten days after delivery of such notice, and thereafter as often as they reasonably deem necessary, to exchange relevant information and to attempt to resolve the dispute. If the matter has not been resolved within thirty days from the referral of the dispute to such executives, or if no meeting of such executives has taken place within fifteen days after such referral, either Party may initiate mediation as provided hereinafter. If a Party intends to be accompanied at a meeting by an attorney, the other Party shall be given at least three business days' notice of such intention and may also be accompanied by an attorney. All negotiations pursuant to this clause are confidential and shall be treated as compromise and settlement negotiations for purposes of the Federal Rules of Evidence and state rules of evidence. Each Party will bear its own costs for this dispute resolution phase.

(B) In the event that any dispute arising out of or relating to this Agreement or any of the transactions contemplated hereby is not resolved in accordance with the procedures set forth in this Section, such dispute shall be submitted to non-binding mediation to a person mutually agreed by the Parties. The mediation may take place at a mutually agreed upon location. If the mediation process has not resolved the dispute within thirty days of the submission of the matter to mediation or within such longer period as the Parties may agree to, either Party may exercise all remedies available at law or in equity under this Agreement, including the initiation of court proceedings. Each Party will bear its own costs, and share equally in the costs of mediators, for this dispute resolution phase.

(C) Nothing in this Section shall preclude, or be construed to preclude, the resort by either Party to a court of competent jurisdiction solely for the purposes of securing a temporary or preliminary injunction or other relief to preserve the status quo or avoid irreparable harm. The Parties shall continue to perform each of their respective obligations under this Agreement during the pendency of any dispute; provided that this obligation shall not apply after the termination of this Agreement (except with respect to payments of amounts due and owing under this Agreement).

Section 9. Jurisdiction and Venue. City and Developer and Affiliates, to the fullest extent permitted by applicable law, irrevocably (i) submit to the exclusive jurisdiction of the district courts located in Dallas County, Texas and any appellate court thereof; (ii) waive any objection which either may have to the laying of venue of any proceedings brought in any such court and (iii) waive any claim that such proceedings have been brought in an inconvenient forum. Nothing in this provision shall prohibit a Party from bringing an action to enforce a money judgment in any other jurisdiction where the courts of such jurisdiction have jurisdiction over the other Party.

Section 10. Audits. The City has the right, at its sole expense, during normal working hours and upon thirty days' written notice, to examine copies of the relevant portions of the records of the Developer and Affiliates to the extent reasonably necessary to verify the accuracy of any invoice, charge or calculation made pursuant to this Agreement within the twelve month period immediately preceding such notice. The City shall not have the right to conduct such an audit more than once during any given twelve month period.

Section 11. Accommodation of Financing Parties. To facilitate Developer and Affiliates obtaining of financing to construct and operate the Project, City shall make governmentally reasonable efforts to provide such consents to assignments, certifications, representations, information or other documents as may be reasonably requested by Developer and Affiliates or the Developer's financing parties in connection with the financing of the Project; provided that in responding to any such request, the City shall have no obligation to provide any consent, certification, representation, information or other document, or enter into any agreement, that materially adversely affects, or could reasonably be expected to have or result in a material adverse effect on, any of City's rights, benefits, risks or obligations under this Agreement. Developer and Affiliates shall reimburse, or shall cause the financing parties to reimburse, the City for the incremental, direct, and documented third party expenses (including, without limitation, the reasonable fees and expenses of outside counsel) incurred by the City in the preparation, negotiation, execution or delivery of any documents requested by Developer and Affiliates or the financing parties.

Section 12. Entire Agreement. This Agreement constitutes the entire understanding and agreement of the parties as to the matters set forth in this Agreement. No alteration of or amendment to this Agreement shall be effective unless given in writing and signed by the party or parties sought to be charged or bound by the alteration or amendment.

Section 13. Binding Effect; Successors and Assigns. The terms and conditions of this Agreement are binding upon the successors and assigns of the parties hereto. This Agreement, or the right to receive grant payments, pursuant to this Agreement, may not be assigned, in whole or in part, without the express written consent of the City; provided that Developer may, without the City's consent, assign this Agreement to a wholly-owned subsidiary or affiliate of Developer. For purposes of this Agreement, performance by a successor or an affiliate of Developer, or performance by a party with whom Developer or its affiliates contract shall be deemed to be performance by Developer.

Section 14. Amendments. No modifications or amendments to this Agreement shall be valid unless in writing and signed by a duly authorized signatory.

Section 15. Severability. In the event any provision of this Agreement shall be determined by any court of competent jurisdiction to be invalid or unenforceable, the Agreement shall, to the extent reasonably possible, remain in force as to the balance of its provisions as if such invalid provision were not a part hereof.

Section 16. Notices. All notices required to be given under this Agreement shall be in writing and shall be given by either party or its counsel in person, via an express mail service or via courier or via receipted facsimile transmission (but only if duplicate notice is also given via express mail service or via courier or via certified mail) or certified mail, return receipt requested, to the respective parties at the below addresses (or at such other address as a party may hereafter designate for itself by notice to the other party as required hereby). All notices given pursuant to this paragraph shall be deemed effective, as applicable, on the date such notice may be given in person, next business day following the date on which such communication is transferred via facsimile transmission, or as applicable, deposited with the express mail service, courier, or in the United States mails. Any party may change its address for notices under this Agreement by giving formal written notice to the other parties, specifying that the purpose of the notice is to change the party's address.

If to City:

City of Garland
200 N. Fifth Street
P.O. Box 469002
Garland Texas 75046-9002
Attn: City Manager
Phone: (972) 205-2000
Fax: (972) 205-2504

If to Developer:

Zobe USA Inc.
3502 Regency Crest Drive
Garland, Texas 75041
Attn: Ken Sundstrom
Phone: 469.367.5900
Email: kenneth.sundstrom@zobe.com

With a required copy to:

City Attorney
200 N. Fifth Street
P.O. Box 469002
Garland, Texas 75046-9002
Phone: (972) 205-2380
Fax: (972) 205-2389

Economic Development Director
P.O. Box 469002
Garland, Texas 75046-9002
Phone: (972) 205-3800
Fax: (972) 205-3801

Section 17. Employment of Undocumented Workers. During the term of this Agreement the Developer agrees not to knowingly employ any undocumented workers and if convicted of a violation

under 8 U.S.C. Section 1324a (f), the Developer shall repay the amount of the Annual Grants and any other funds received by the Developer from the City as of the date of such violation within 120 business days after the date the Developer is notified by the City of such violation, plus interest at the rate of 6% compounded annually from the date of violation until paid. The Developer is not liable for a violation of this Section in relation to any workers employed by a subsidiary, affiliate, or franchisee of the Developer or by a person or entity with whom the Developer contracts.

Section 18. Non-Collusion. Developer represents and warrants that neither Developer nor anyone on Developer's behalf has given, made, promised or paid, nor offered to give, make, promise or pay any gift, bonus, commission, money or other consideration to any employee, agent, representative or official of the City as an inducement to or in order to obtain the benefits to be provided by the City under this Agreement.

Section 19. Time of the Essence. Time is of the essence in the performance of this Agreement. If any deadline contained herein ends on a Saturday, Sunday or a legal holiday recognized by the Texas Supreme Court, such deadline shall automatically be extended to the next day that is not a Saturday, Sunday or legal holiday.

Section 20. Multiple Counterparts. This Agreement may be executed in multiple counterparts, each of which shall have the force and effect of any original, as of the Effective Date.

EXECUTED and effective as of the _____ day of _____, 2021.

DEVELOPER

Zobe USA Inc., a Texas corporation

By: KEN SUNOSTROM

Name: Ken Sundstrom

Title: FINANCIAL CONTROLLER

Date Executed: 12-7-2021

CITY

City of Garland, a Texas home-rule municipality

By: _____

Bryan Bradford
City Manager

Date Executed: _____

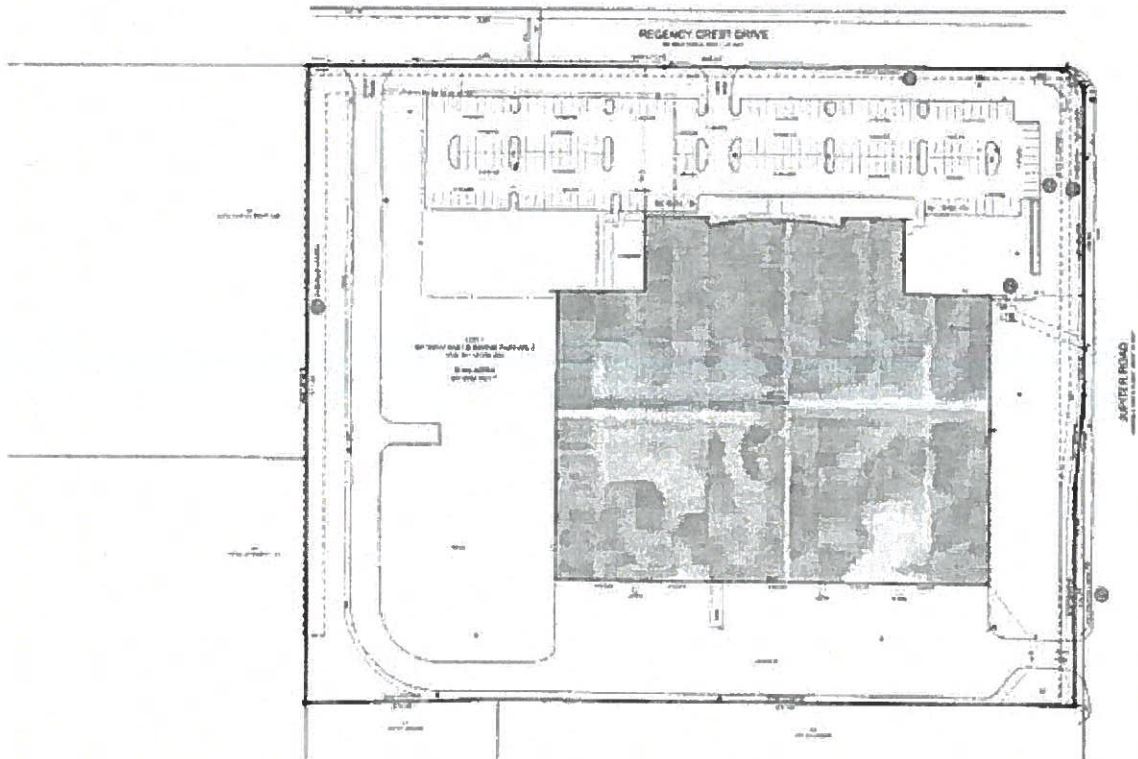
Exhibit A
Property Legal Description

Project Site: 3502 Regency Crest Drive, Garland, Texas



Being Lot 1, Block 1 of GATEWAY EAST BUSINESS PARK NO. 4, an Addition to the City of Garland, Dallas County, Texas, according to the Map thereof recorded in Volume 97119, Page 244, Map Records, Dallas County, Texas

Exhibit A-1
Drawing Depicting the Land and the Building





GARLAND
CITY COUNCIL ITEM SUMMARY SHEET

City Council Regular Session Agenda

7.

Meeting Date: 01/04/2022

Item Title: Use of Eminent Domain Authority for Property Related to Reconstruction of Naaman School Road

Submitted By: Brian England, Deputy City Attorney

Summary of Request/Problem

As part of the 2019 Bond Program, voters approved reconstruction of Naaman School Road from a two-lane roadway into a four-lane divided street stretching from Brand Road to State Highway 78 (Lavon Drive). This project will alleviate road congestion by providing twice the number of travel lanes in each direction and alleviate flooding issues during significant rainfall. Because the City does not already own all the property upon which the project will be constructed, the City has engaged in an effort to acquire the necessary easements and right-of-way. The project has transitioned from parcels needed in their entirety ("whole-takes"), and negotiations are now underway for parcels where a portion thereof is needed for easements and right-of-way ("strips and clips"). While the whole-take properties have been negotiated, negotiations continue with property owners for the necessary strips and clips. The City has been able to negotiate with some strips and clips owners in the area to acquire the necessary property interests. However, the City has not been able to successfully negotiate a final purchase price with all property owners. The City continues to negotiate with additional landowners. If these negotiations are unsuccessful, we may need to seek to add additional properties to a future resolution.

Council was briefed on requirements for land acquisition on the Naaman School Road project on February 1, 2021 and April 5, 2021 in Executive Session.

Recommendation/Action Requested and Justification

Council is requested to approve a resolution authorizing the acquisition of the property rights described in the proposed resolution. The City has been able to negotiate with property owners of whole-takes in the project area to acquire the necessary property interests. The City has also been able to negotiate with some strips and clips owners in the area, as well, to acquire the necessary property interests. However, the City has not been able to successfully negotiate a final purchase price with two strips and clips property owners. The owners are named in the proposed resolution. State law requires particular wording to be used in a motion to adopt a resolution authorizing the initiation of condemnation proceedings. The City Attorney will provide in written form the appropriate wording of the motion.

The motion and resolution will authorize the acquisition of property interests in the following

properties located in Garland, Dallas County, Texas:

232 E Kingsbridge Dr, being part of the Orofee Alvarado Survey, Abstract No. 2, Dallas County, Texas, and being a portion of Lot 8, Block 7, Meadowood No. 3, Phase A Addition, an addition to the City of Garland, Dallas County, Texas as recorded in Volume 84065, Page 1147, Plat Records, Dallas County, Texas, and being described in the General Warranty Deed to Luke Smith and Katelyn Smith recorded in Instrument Number 201700182629, Official Public Records of Dallas County, Texas; and

3313 Naaman School Rd, being part of the Jacob Reagor Survey, Abstract No. 1259 and being a portion of Lot 1, Block 1, Christian Brothers Addition, an addition to the City of Garland, Dallas County, Texas and being described in the Special Warranty Deed to Aderemi Adewuyi and Florence Adewuyi recorded in Instrument Number 20070365185, Official Public Records of Dallas County, Texas.

Attachments

Naaman School Road - Condemnation Resolution

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF GARLAND, TEXAS FINDING AND DETERMINING THAT THE PUBLIC NECESSITY AND CONVENIENCE REQUIRE THE ACQUISITION OF VARIOUS PROPERTY RIGHTS LOCATED ALONG NAAMAN SCHOOL ROAD, EAST OF BRAND ROAD, AND WEST OF STATE HIGHWAY 78, IN THE CITY OF GARLAND, COUNTY OF DALLAS, TEXAS, SAID PROPERTY INTERESTS BEING MORE PARTICULARLY DESCRIBED BELOW; PROVIDING AUTHORIZATIONS TO ACQUIRE SUCH PROPERTY RIGHTS BY PURCHASE OR CONDEMNATION AND MAKING CERTAIN FINDINGS PERTAINING THERETO; PROVIDING FURTHER AUTHORIZATIONS AS MAY BE NECESSARY TO CARRY OUT THE PURPOSES OF THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Garland, ("Garland"), has found and determined the need to acquire property rights necessary to reconstruct Naaman School Road, which will necessitate the acquisition of property from Brand Road to State Highway 78 ("Project");

WHEREAS, public convenience and necessity requires acquisition of the Properties described below (referred to as "Properties"), which exhibits are attached hereto and incorporated herein by reference, for the construction, operation, and maintenance of the Project;

WHEREAS, Garland is required to make an initial offer as defined by, and in compliance with, Texas Property Code §21.0111 ("Initial Offer"), and a bona fide offer, as defined by, and in compliance with, Texas Property Code §21.0113 ("Final Offer") to acquire the Properties for public use from the Property Owners (as hereinafter defined) voluntarily before beginning the acquisition of the Properties through a condemnation proceeding;

WHEREAS, the Properties are located in the City of Garland, Dallas County, Texas as described below, and the fee owners of the Properties are as follows:

Luke Smith and Katelyn Smith: 232 E Kingsbridge Dr, being part of the Orofee Alvarado Survey, Abstract No. 2, Dallas County, Texas, and being a portion of Lot 8, Block 7, Meadowood No. 3, Phase A Addition, an addition to the City of Garland, Dallas County, Texas as recorded in Volume 84065, Page 1147, Plat Records, Dallas County, Texas, and being described in the General Warranty Deed to Luke Smith and Katelyn Smith recorded in Instrument Number 201700182629, Official Public Records of Dallas County, Texas;

Amount Offered: \$17,443; and

Aderemi Adewuyi and Florence Adewuyi: 3313 Naaman School Rd, being part of the Jacob G. Reagor Survey, Abstract No. 1259, Dallas County, Texas, and being a portion of Lot 1, Block 1, Christian Brothers Addition, an addition to the City of Garland, Dallas County, Texas and being described in the Special Warranty Deed to Aderemi Adewuyi and Florence Adewuyi recorded in Instrument Number 20070365185, Official Public Records of Dallas County, Texas;

Amount Offered: \$33,403;

WHEREAS, independent professional appraisal reports of the Properties have been submitted to the City as required by Chapter 21 of the Texas Property Code, and the City Manager or his designee has established a certain amount determined to be just compensation for the Properties based on the appraisals and fair market value of the Properties and any applicable fees necessary to acquire the Properties;

WHEREAS, Garland, through agents or representatives employed by or contracted with Garland, has entered into good faith negotiations with the owners of the Properties in order to acquire necessary property rights on the Properties for the Project, and has been unsuccessful in acquiring the necessary property rights on the Properties; and

WHEREAS, in conjunction with the enactment of this Resolution, Garland authorized the initiation of eminent domain proceedings to acquire property rights to the Properties at a public meeting by a record vote, and the notice for the public meeting included all required information, including the consideration of the use of eminent domain to condemn property as an agenda item;

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

Section 1

That Garland, its staff, and its attorneys are specifically authorized to purchase property rights of the Properties; that the public convenience and necessity requires the acquisition of certain property rights on the Properties for the public purpose of the Project; that Garland has made a good faith effort to negotiate a voluntary acquisition of certain property rights on the Properties; that it appears to Garland that further negotiations to purchase certain property rights on the Properties voluntarily would be futile; that the public necessity requires the condemnation of Properties for the Project; and that Garland, its staff, and its attorneys are hereby authorized and directed to

institute proceedings in eminent domain against the owners of the Properties, and against all other owners, lienholders, or holders of an interest in the Properties, in order to acquire certain property rights on the Properties.

Section 2

That Garland, its staff, and its attorneys are hereby authorized to do all things necessary and proper to carry out the intent and purpose of this Resolution, including determination of the property rights that are proper and necessary for the Project.

Section 3

It is the intent of the City Council that this Resolution authorize the City Manager and City Attorney, or their designees, to perform all steps necessary to obtain the Properties necessary for the Project, whether through negotiation or condemnation, including the expenditure of funds.

Section 4

It is the intent of the City Council that this Resolution authorize the condemnation of all property required for the construction, improvement, maintenance, and reconstruction of Naaman School Road on the property in an area along Naaman School Road, east of Brand Road, and west of State Highway 78 located in the City, to serve the public and citizens of the City.

Section 5

If it is determined that there are scrivener errors in the descriptions contained herein or if later surveys contain more accurate revised descriptions, the City Attorney or his designee is authorized to have such errors corrected or revisions made without the necessity of obtaining a new City Council Ordinance authorizing condemnation of the corrected or revised properties.

Section 6

Following an award by the Special Commissioners or a judgment of a court of competent jurisdiction on appeal from a Special Commissioners' award, the City Manager or his designee, is hereby authorized to make payment in an amount not to exceed the Special Commissioners' award or the judgment of a court of competent jurisdiction, to enable the City to take possession of the Properties without further action of the City Council. However, nothing contained herein shall be interpreted to limit the spending

authority of the City Manager granted by Council Resolution or Policy. It is the intent of the City Council that this Resolution grants the City Manager the authority, in addition to the authority granted by Council policy, to settle disputes related to the value of the Properties.

Section 7

That this Resolution shall take effect immediately from and after its adoption.

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

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary

EXHIBIT "A"

PEDESTRIAN AND UTILITY EASEMENT
NAAMAN SCHOOL ROAD
443 SQUARE FEET, OR 0.010 ACRES
LOT 8, BLOCK 7
MEADOWOOD NO. 3, PHASE A

Being a 443 square foot or 0.010 of an acre tract of land out of the Orofee Alvaradeo Survey, Abstract Number 2, Dallas County, Texas and being a portion of a Lot 8, Block 7, of the Meadowood No. 3, Phase A addition, an addition to the City of Garland, Texas as recorded in Volume 84065, Page 1147, Plat Records, Dallas County, Texas, same being a tract of land conveyed by Texas General Warranty Deed to Luke and Katelyn Smith in Instrument Number 201700182629 of the Official Public Records of Dallas County, Texas and being more particularly described as follows;

COMMENCING at a 1/2 inch iron rod found at the intersection of the southwest right-of-way line of Naaman School Road (a variable width right-of-way) a 15-foot Alley as shown on said Meadowood No. 3, Phase A addition and being the east corner of Lot 8, Block 7 of said Meadowood No. 3, Phase A addition;

THENCE South 44 degrees 42 minutes 01 seconds West along the northwest right-of-way line of said 15-foot Alley and the southeast line of said Lot 8, Block 7, a distance of 11.28 feet to the POINT-OF-BEGINNING;

THENCE South 44 degrees 42 minutes 01 seconds West along the northwest right-of-way line of said 15-foot Alley and the southeast line of said Lot 8, Block 7, a distance of 5.11 feet to a point for corner;

THENCE departing the northwest right-of-way line of said 15-foot Alley and the southeast line of said Lot 8, Block 7, over and across said Lot 8, Block 7, the following three (3) courses and distances:

North 33 degrees 13 minutes 43 seconds West, a distance of 13.98 feet to an angle point;

North 42 degrees 58 minutes 48 seconds West, a distance of 11.93 feet to an angle point;

North 35 degrees 38 minutes 46 seconds West, a distance of 77.93 feet to a point for corner being on the southwest right-of-way line of said Naaman School Road and the northeast line of said Lot 8, Block 7;

THENCE South 45 degrees 15 minutes 18 seconds East, along the southwest right-of-way line of said Naaman School Road and the northeast line of said Lot 8, Block 7, a distance of 29.95 feet to a point for corner;

THENCE departing the southwest right-of-way line of said Naaman School Road and the northeast line of said Lot 8, Block 7, over and across said Lot 8, Block 7, the following three (3) courses and distances:

South 35 degrees 38 minutes 46 seconds East, a distance of 48.08 feet to an angle point;

South 42 degrees 58 minutes 48 seconds East, a distance of 12.04 feet to an angle point;

South 33 degrees 13 minutes 43 seconds East, a distance of 13.33 feet to the POINT-OF-BEGINNING containing 443 square feet, or 0.010 of an acre of land.



NOTES:

A drawing of even date accompanies this description

PEDESTRIAN AND UTILITY EASEMENT

LOT 8, BLOCK 7

MEADOWOOD NO. 3 PHASE A

CITY OF GARLAND, DALLAS COUNTY, TEXAS

PROJECT INFORMATION

Project No.: GLD 20139
Date: June 15, 2021
Drawn By: JJ
Scale: 1"=40'

teague nall & perkins

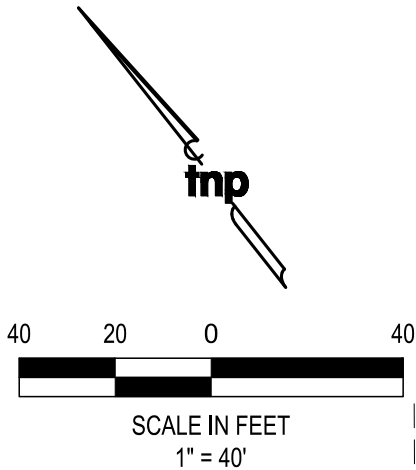
820 Watters Creek Boulevard, Suite M300
Allen, Texas 75013
214.461.9867 ph www.tnpinc.com
T.B.P.L.S. Firm No. 10194381



Brian J. Maddox II, R.P.L.S., No. 6659

EXHIBIT "A"

PEDESTRIAN AND UTILITY EASEMENT
NAAMAN SCHOOL ROAD
443 SQUARE FEET, OR 0.010 ACRES
LOT 8, BLOCK 7
MEADOWOOD NO. 3, PHASE A



NAAMAN SCHOOL ROAD
OFFICE CONDOMINIUMS
VOL. 2005108, PG. 37
O.P.R.D.C.T.
LOT 1
BLOCK 1

BILL E. CRUMP AND
MARTHA KEY CRUMP
VOL. 91247, PG. 595
D.R.D.C.T.

JAMES HOWARD SURVEY
ABSTRACT NO. 542

OROFEE ALVARDEO SURVEY
ABSTRACT NO. 2

NAAMAN SCHOOL ROAD

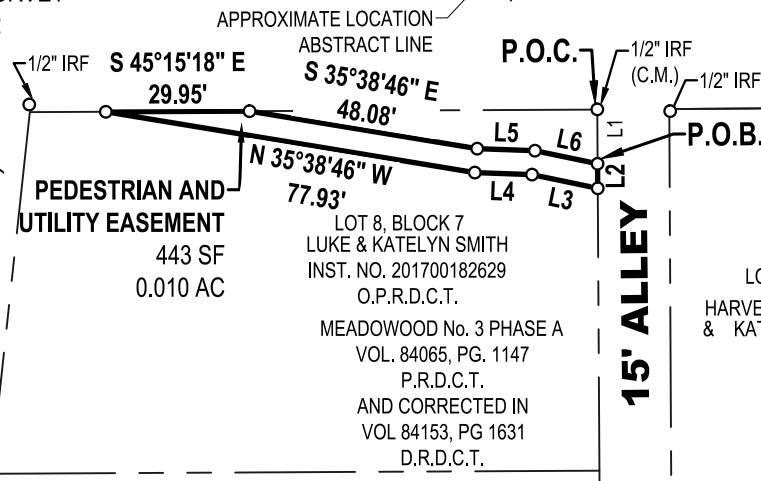
(VARIABLE WIDTH R.O.W.)

LEGEND

P.O.B. - Point of Beginning
P.O.C. - Point of Commencing
IRF - Iron Rod Found
IPF - Iron Pipe Found
R.O.W. - Right-of-Way
C.M. - Controlling Monument
SF - Square feet
AC - Acres
VOL. - Volume
PG. - Page
INST. NO. - Instrument Number

BOUNDARY LINE TABLE		
LINE #	BEARING	LENGTH
L1	S44°42'01"W	11.28'
L2	S44°42'01"W	5.11'
L3	N33°13'43"W	13.98'
L4	N42°58'48"W	11.93'
L5	S42°58'48"E	12.04'
L6	S33°13'43"E	13.33'

KINGSBRIDGE DRIVE
(60' R.O.W.)



NOTES:

Bearings are referenced to Grid North of the Texas Coordinate System of 1983 North Central Zone; (4202) and based on the City of Garland's Geodetic Control Network. An average combined factor of 1.000136506 was used to scale grid coordinates and distances to surface at 0.0. All distances shown are reported as horizontal surface measurements.

This exhibit was performed without the benefit of an abstractor or title commitment, therefore, no search of record easements was performed on the subject property.

All objects noted as "set" on this graphical exhibit will be set either 30 days following construction of the improvements or prior acceptance by the City of Garland.

A description of even date accompanies this drawing

PEDESTRIAN AND UTILITY EASEMENT

LOT 8, BLOCK 7

MEADOWOOD NO. 3 PHASE A

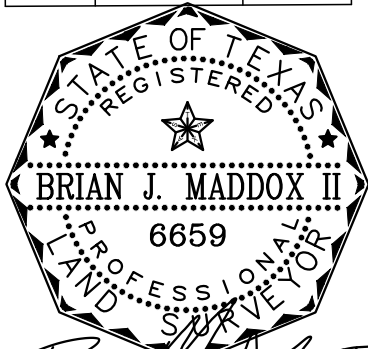
CITY OF GARLAND, DALLAS COUNTY, TEXAS

PROJECT INFORMATION

Project No.: GLD 20139
Date: June 15, 2021
Drawn By: JJ
Scale: 1"=40'

teague nall & perkins

820 Watters Creek Boulevard, Suite M300
Allen, Texas 75013
214.461.9867 ph www.tnpsc.com
T.B.P.L.S. Firm No. 10194381



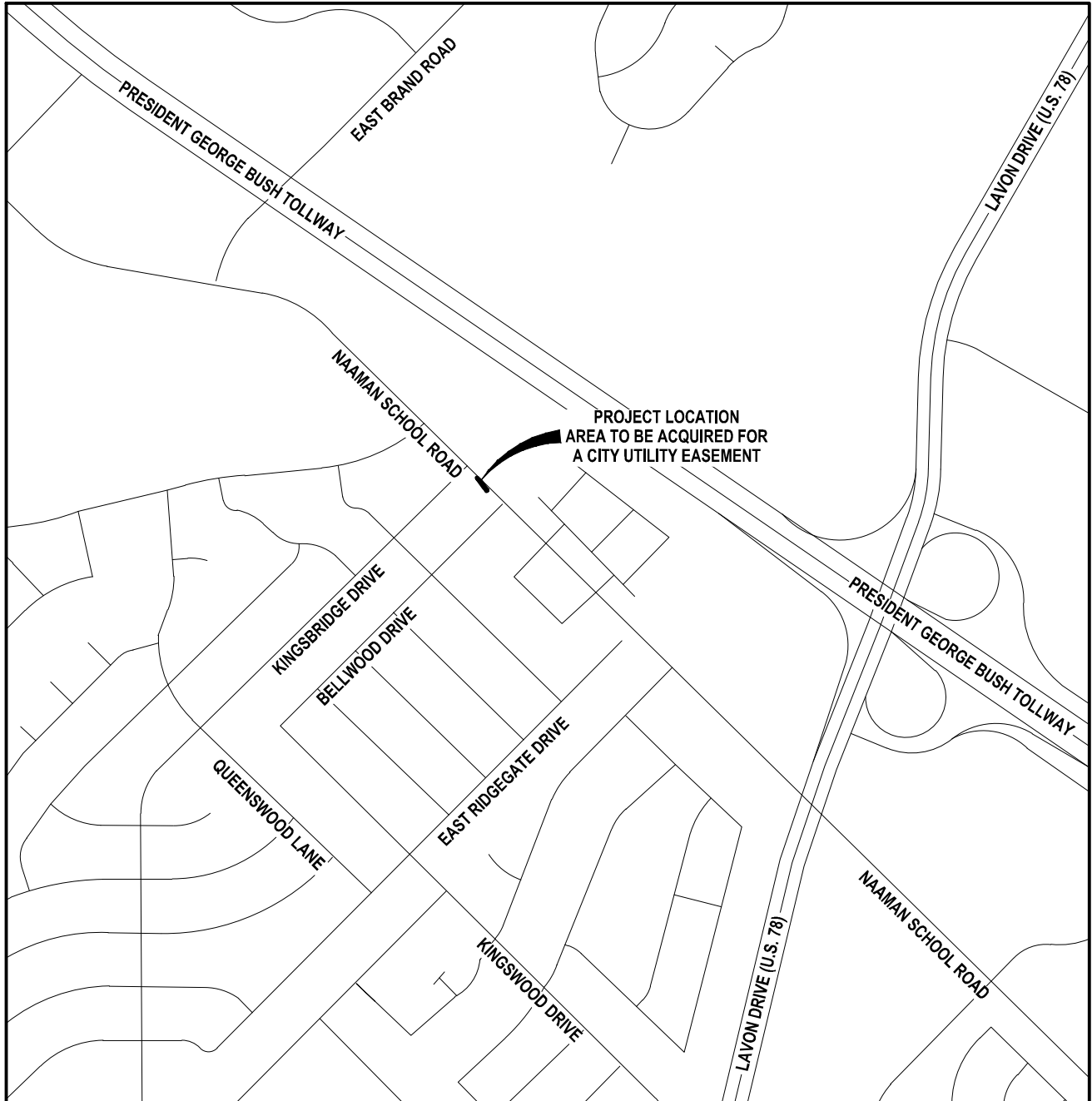
Brian J. Maddox II, R.P.L.S., No. 6659



EXHIBIT "A"
VICINITY MAP

tnp

"NOT TO SCALE"



PEDESTRIAN AND UTILITY EASEMENT

LOT 8, BLOCK 7

MEADOWOOD NO. 3 PHASE A

CITY OF GARLAND, DALLAS COUNTY, TEXAS

PROJECT INFORMATION

Project No.: GLD 20139
Date: June 15, 2021
Drawn By: JJ
Scale: 1"=40'

teague nall & perkins

820 Watters Creek Boulevard, Suite M300
Allen, Texas 75013
214.461.9867 ph www.tnpsc.com
T.B.P.L.S. Firm No. 10194381



EXHIBIT "A"

RIGHT-OF-WAY DEDICATION
NAAMAN SCHOOL ROAD
419 SQUARE FEET, OR 0.010 ACRES
LOT 8, BLOCK 7
MEADOWOOD NO. 3, PHASE A

Being a 419 square foot or 0.010 of an acre tract of land out of the Orofee Alvaradeo Survey, Abstract Number 2, Dallas County, Texas and being a portion of a Lot 8, Block 7, of the Meadowood No. 3, Phase A addition, an addition to the City of Garland, Texas as recorded in Volume 84065, Page 1147, Plat Records, Dallas County, Texas, same being a tract of land conveyed by Texas General Warranty Deed to Luke and Katelyn Smith in Instrument Number 201700182629 of the Official Public Records of Dallas County, Texas and being more particularly described as follows;

BEGINNING at a 1/2 inch iron rod found at the intersection of the southwest right-of-way line of Naaman School Road (a variable width right-of-way) a 15-foot Alley as shown on said Meadowood No. 3, Phase A addition and being the east corner of Lot 8, Block 7 of said Meadowood No. 3, Phase A addition;

THENCE South 44 degrees 42 minutes 01 seconds West, along the northwest right-of-way line of said 15-foot Alley and the southeast line of said Lot 8, Block 7, a distance of 11.28 feet to a 5/8 inch iron rod with 3-1/4 inch aluminum disk stamped "CITY OF GARLAND R.O.W." set for corner;

THENCE departing the northwest right-of-way line of said 15-Alley and the southeast line of said Lot 8, Block 7, over and across said Lot 8, Block 7, the following three (3) courses and distances:

North 33 degrees 13 minutes 43 seconds West, a distance of 13.33 feet to a 5/8 inch iron rod with 3-1/4 inch aluminum disk stamped "CITY OF GARLAND R.O.W." set for an angle point;

North 42 degrees 58 minutes 48 seconds West, a distance of 12.04 feet to a 5/8 inch iron rod with 3-1/4 inch aluminum disk stamped "CITY OF GARLAND R.O.W." set for an angle point;

North 35 degrees 38 minutes 46 seconds West, a distance of 48.08 feet to a 5/8 inch iron rod with 3-1/4 inch aluminum disk stamped "CITY OF GARLAND R.O.W." set for a corner and being on the southwest right-of-way line of said Naaman School Road and the northeast line of said Lot 8, Block 7;

THENCE South 45 degrees 15 minutes 18 seconds East along the southeast right-of-way line of said Naaman School Road and the northeast line of said Lot 8, Block 7, a distance of 72.46 feet to the POINT-OF-BEGINNING containing 419 square feet, or 0.010 of an acre of land.



Brian J. Maddox II
Brian J. Maddox II, R.P.L.S., No. 6659

NOTES:

A drawing of even date accompanies this description



RIGHT-OF-WAY DEDICATION

LOT 8, BLOCK 7

MEADOWOOD NO. 3 PHASE A

CITY OF GARLAND, DALLAS COUNTY, TEXAS

PROJECT INFORMATION

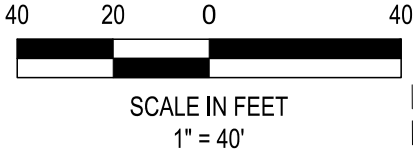
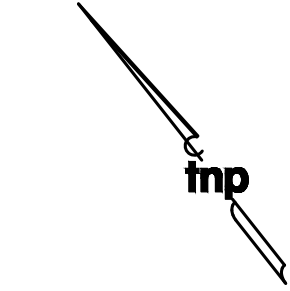
Project No.: GLD 20139
Date: June 15, 2021
Drawn By: JJ
Scale: 1"=40'

teague nall & perkins

820 Watters Creek Boulevard, Suite M300
Allen, Texas 75013
214.461.9867 ph www.tnpinc.com
T.B.P.L.S. Firm No. 10194381

EXHIBIT "A"

RIGHT-OF-WAY DEDICATION
NAAMAN SCHOOL ROAD
419 SQUARE FEET, OR 0.010 ACRES
LOT 8, BLOCK 7
MEADOWOOD NO. 3, PHASE A



UTILITY EASEMENT
VOL. 2005108, PG. 37
O.P.R.D.C.T.

NAAMAN SCHOOL ROAD
OFFICE CONDOMINIUMS
VOL. 2005108, PG. 37
O.P.R.D.C.T.

LOT 1
BLOCK 1

BILL E. CRUMP AND MARTHA KEY CRUMP
VOL. 91247, PG. 595
D.R.D.C.T.

1/2" IRF

JAMES HOWARD SURVEY
ABSTRACT NO. 542

OROFEE ALVARDEO SURVEY
ABSTRACT NO. 2

NAAMAN SCHOOL ROAD

(VARIABLE WIDTH R.O.W.)

APPROXIMATE LOCATION
ABSTRACT LINE

LEGEND

P.O.B. - Point of Beginning
P.O.C. - Point of Commencing
ADF - 5/8 inch iron rod with 3-1/4 inch aluminum
disk stamped "City of Garland R.O.W." found
ADS - 5/8 inch iron rod with 3-1/4 inch aluminum
disk stamped "City of Garland R.O.W." set
IRF - Iron Rod Found
IPF - Iron Pipe Found
R.O.W. - Right-of-Way
C.M. - Controlling Monument
SF - Square feet
AC - Acres
VOL. - Volume
PG. - Page
INST. NO. - Instrument Number

**KINGSBRIDGE
DRIVE**
(60' R.O.W.)

**RIGHT-OF-WAY
DEDICATION**
419 SF
0.010 AC

LOT 8, BLOCK 7
LUKE & KATELYN SMITH
INST. NO. 201700182629
O.P.R.D.C.T.
MEADOWOOD No. 3 PHASE A
VOL. 84065, PG. 1147
P.R.D.C.T.
AND CORRECTED IN
VOL 84153, PG 1631
D.R.D.C.T.

15' ALLEY

LOT 7, BLOCK 7

HARVEY E. McCREARY, JR.
& KATHLEEN M. McCREARY

P.O.B.

1/2" IRF
(C.M.)

S 45°15'18" E 72.46'

ADS

N 35°38'46" W
48.08'

ADS

L3

ADS

L2

ADS

NOTES:

Bearings are referenced to Grid North of the Texas
Coordinate System of 1983 North Central Zone;
(4202) and based on the City of Garland's Geodetic
Control Network. An average combined factor of
1.000136506 was used to scale grid coordinates and
distances to surface at 0.0. All distances shown are
reported as horizontal surface measurements.

This exhibit was performed without the benefit of an
abstractor or title commitment, therefore, no search of
record easements was performed on the subject
property.

All objects noted as "set" on this graphical exhibit will
be set either 30 days following construction of the
improvements or prior acceptance by the City of
Garland.

A description of even date accompanies this drawing

BOUNDARY LINE TABLE

LINE #	BEARING	LENGTH
L1	S44°42'01"W	11.28'
L2	N33°13'43"W	13.33'
L3	N42°58'48"W	12.04'

RIGHT-OF-WAY DEDICATION

LOT 8, BLOCK 7

MEADOWOOD NO. 3 PHASE A

CITY OF GARLAND, DALLAS COUNTY, TEXAS

PROJECT INFORMATION

Project No.: GLD 20139
Date: June 15, 2021
Drawn By: JJ
Scale: 1"=40'

teague nall & perkins

820 Watters Creek Boulevard, Suite M300
Allen, Texas 75013
214.461.9867 ph. www.tnpsc.com
T.B.P.L.S. Firm No. 10194381



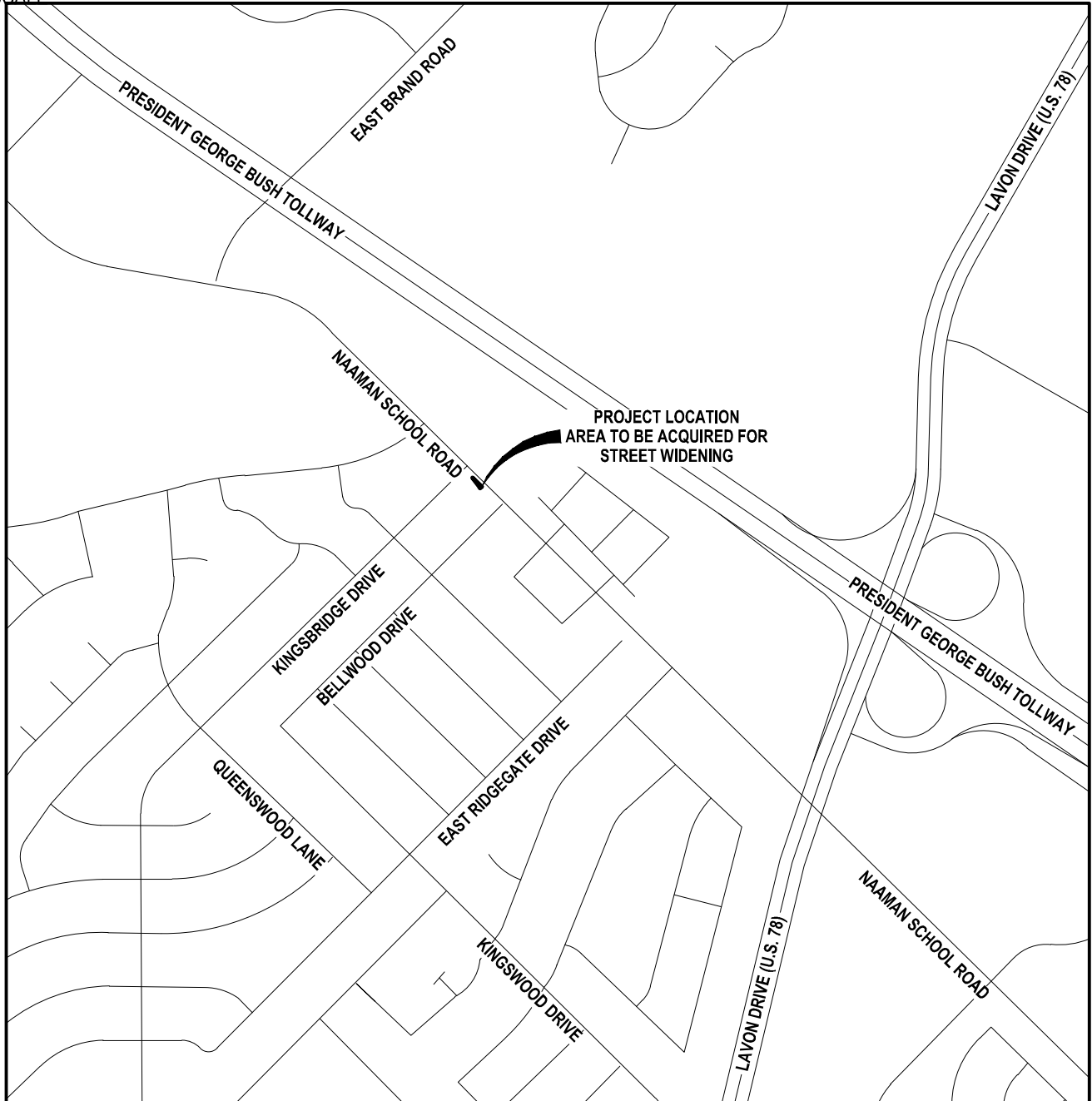
Brian J. Maddox II, R.P.L.S., No. 6659



EXHIBIT "A"
VICINITY MAP

tnp

NOT TO SCALE



RIGHT-OF-WAY DEDICATION

LOT 8, BLOCK 7

MEADOWOOD NO. 3 PHASE A

CITY OF GARLAND, DALLAS COUNTY, TEXAS

PROJECT INFORMATION **teague nall & perkins**

Project No.: GLD 20139
Date: June 15, 2021
Drawn By: JJ
Scale: 1"=40'

820 Watters Creek Boulevard, Suite M300
Allen, Texas 75013
214.461.9867 ph www.tnpinc.com
T.B.P.L.S. Firm No. 10194381
Project No. AML 17349



EXHIBIT "A"

RIGHT-OF-WAY DEDICATION
NAAMAN SCHOOL ROAD
50 SQUARE FEET, OR 0.001 ACRES
LOT 8, BLOCK 7
MEADOWOOD NO. 3, PHASE A

Being a 50 square foot or 0.010 of an acre tract of land out of the Orofee Alvaradeo Survey, Abstract Number 2, Dallas County, Texas and being a portion of a Lot 8, Block 7, of the Meadowood No. 3, Phase A addition, an addition to the City of Garland, Texas as recorded in Volume 84065, Page 1147, Plat Records, Dallas County, Texas, same being a tract of land conveyed by Texas General Warranty Deed to Luke and Katelyn Smith in Instrument Number 201700182629 of the Official Public Records of Dallas County, Texas and being more particularly described as follows;

COMMENCING at a 1/2 inch iron rod found at the intersection of the southwest right-of-way line of Naaman School Road (a variable width right-of-way) a 15-foot Alley as shown on said Meadowood No. 3, Phase A addition and being the east corner of Lot 8, Block 7 of said Meadowood No. 3, Phase A addition;

THENCE North 45 degrees 15 minutes 18 seconds West along the southwest right-of-way line of said Naaman School Road and the northeast line of said Lot 8, Block 7, a distance of 108.24 feet to a 5/8 inch iron rod with 3-1/4 inch aluminum disk stamped "CITY OF GARLAND R.O.W." set for the POINT-OF-BEGINNING;

THENCE North 87 degrees 03 minutes 21 seconds West departing the southwest right-of-way line of said Naaman School Road the northeast line of said Lot 8, Block 7, a distance of 14.91 feet to a 5/8 inch iron rod with 3-1/4 inch aluminum disk stamped "CITY OF GARLAND R.O.W." set for corner; said corner being on the southeast right-of-way line of Kingsbridge Drive (60-foot right-of-way) and the northwest line of said Lot 8, Block 7;

THENCE North 51 degrees 08 minutes 36 seconds East along the southeast right-of-way line of said Kingsbridge Drive and the northwest line of said Lot 8, Block 7, a distance of 10.00 feet to a 5/8 inch iron rod with 3-1/4 inch aluminum disk stamped "CITY OF GARLAND R.O.W." set for corner; said corner being at the south intersection of said Kingsbridge Drive and Naaman School Road and the being the north corner of said Lot 8, Block 7;

THENCE South 45 degrees 15 minutes 18 seconds East along the southwest right-of-way line of said Naaman School Road and the northeast line of said Lot 8, Block 7, a distance of 10.00 feet to the POINT-OF-BEGINNING containing 50 square feet, or 0.001 of an acre of land.



NOTES:

A drawing of even date accompanies this description

Brian J. Maddox II
Brian J. Maddox II, R.P.L.S., No. 6659



RIGHT-OF-WAY DEDICATION

LOT 8, BLOCK 7

MEADOWOOD NO. 3 PHASE A

CITY OF GARLAND, DALLAS COUNTY, TEXAS

PROJECT INFORMATION

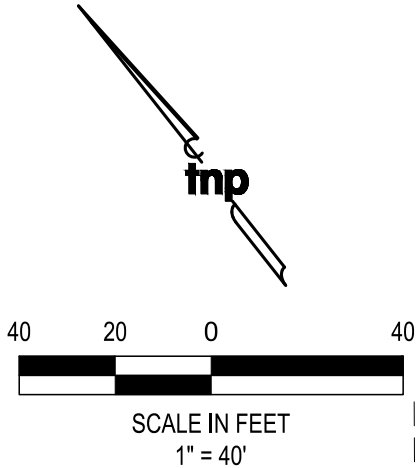
Project No.: GLD 20139
Date: June 15, 2021
Drawn By: JJ
Scale: 1"=40'

teague nall & perkins

820 Watters Creek Boulevard, Suite M300
Allen, Texas 75013
214.461.9867 ph www.tnpsc.com
T.B.P.L.S. Firm No. 10194381

EXHIBIT "A"

RIGHT-OF-WAY DEDICATION
NAAMAN SCHOOL ROAD
50 SQUARE FEET, OR 0.001 ACRES
LOT 8, BLOCK 7
MEADOWWOOD NO. 3, PHASE A



BILL E. CRUMP AND MARTHA KEY CRUMP
VOL. 91247, PG. 595
D.R.D.C.T

UTILITY EASEMENT
VOL. 2005108, PG. 37
O.P.R.D.C.T.

NAAMAN SCHOOL ROAD
OFFICE CONDOMINIUMS
VOL. 2005108, PG. 37
O.P.R.D.C.T.

LOT 1
BLOCK 1

1/2" IRF

JAMES HOWARD SURVEY
ABSTRACT NO. 542

OROFEE ALVARDEO SURVEY
ABSTRACT NO. 2

NAAMAN SCHOOL ROAD

(VARIABLE WIDTH R.O.W.)

APPROXIMATE LOCATION
ABSTRACT LINE

LEGEND

P.O.B. - Point of Beginning
P.O.C. - Point of Commencing
ADF - 5/8 inch iron rod with 3-1/4 inch aluminum
disk stamped "City of Garland R.O.W." found
ADS - 5/8 inch iron rod with 3-1/4 inch aluminum
disk stamped "City of Garland R.O.W." set
IRF - Iron Rod Found
IPF - Iron Pipe Found
R.O.W. - Right-of-Way
C.M. - Controlling Monument
SF - Square feet
AC - Acres
VOL. - Volume
PG. - Page
INST. NO. - Instrument Number

**KINGSBRIDGE
DRIVE**
(60' R.O.W.)

ADS L3
P.O.B.
ADS L2
ADS L1

**RIGHT-OF-WAY
DEDICATION**
50 SF
0.001 AC

N 45°15'18" W
108.24'

LOT 8, BLOCK 7
LUKE & KATELYN SMITH
INST. NO. 201700182629
O.P.R.D.C.T.

MEADOWWOOD No. 3 PHASE A
VOL. 84065, PG. 1147
P.R.D.C.T.
AND CORRECTED IN
VOL. 84153, PG. 1631
D.R.D.C.T.

P.O.C.
1/2" IRF
(C.M.)

15' ALLEY

LOT 7, BLOCK 7
HARVEY E. McCREARY, JR.
& KATHLEEN M. McCREARY

NOTES:

Bearings are referenced to Grid North of the Texas
Coordinate System of 1983 North Central Zone;
(4202) and based on the City of Garland's Geodetic
Control Network. An average combined factor of
1.000136506 was used to scale grid coordinates and
distances to surface at 0.0. All distances shown are
reported as horizontal surface measurements.

This exhibit was performed without the benefit of an
abstractor or title commitment, therefore, no search of
record easements was performed on the subject
property.

All objects noted as "set" on this graphical exhibit will
be set either 30 days following construction of the
improvements or prior acceptance by the City of
Garland.

A description of even date accompanies this drawing

BOUNDARY LINE TABLE

LINE #	BEARING	LENGTH
L1	N87°03'21"W	14.91'
L2	N51°08'36"E	10.00'
L3	S45°15'18"E	10.00'

RIGHT-OF-WAY DEDICATION

LOT 8, BLOCK 7

MEADOWWOOD NO. 3 PHASE A

CITY OF GARLAND, DALLAS COUNTY, TEXAS

PROJECT INFORMATION

Project No.: GLD 20139
Date: June 15, 2021
Drawn By: JJ
Scale: 1"=40'

teague nall & perkins

820 Watters Creek Boulevard, Suite M300
Allen, Texas 75013
214.461.9867 ph www.tnppinc.com
T.B.P.L.S. Firm No. 10194381



Brian J. Maddox II, R.P.L.S., No. 6659

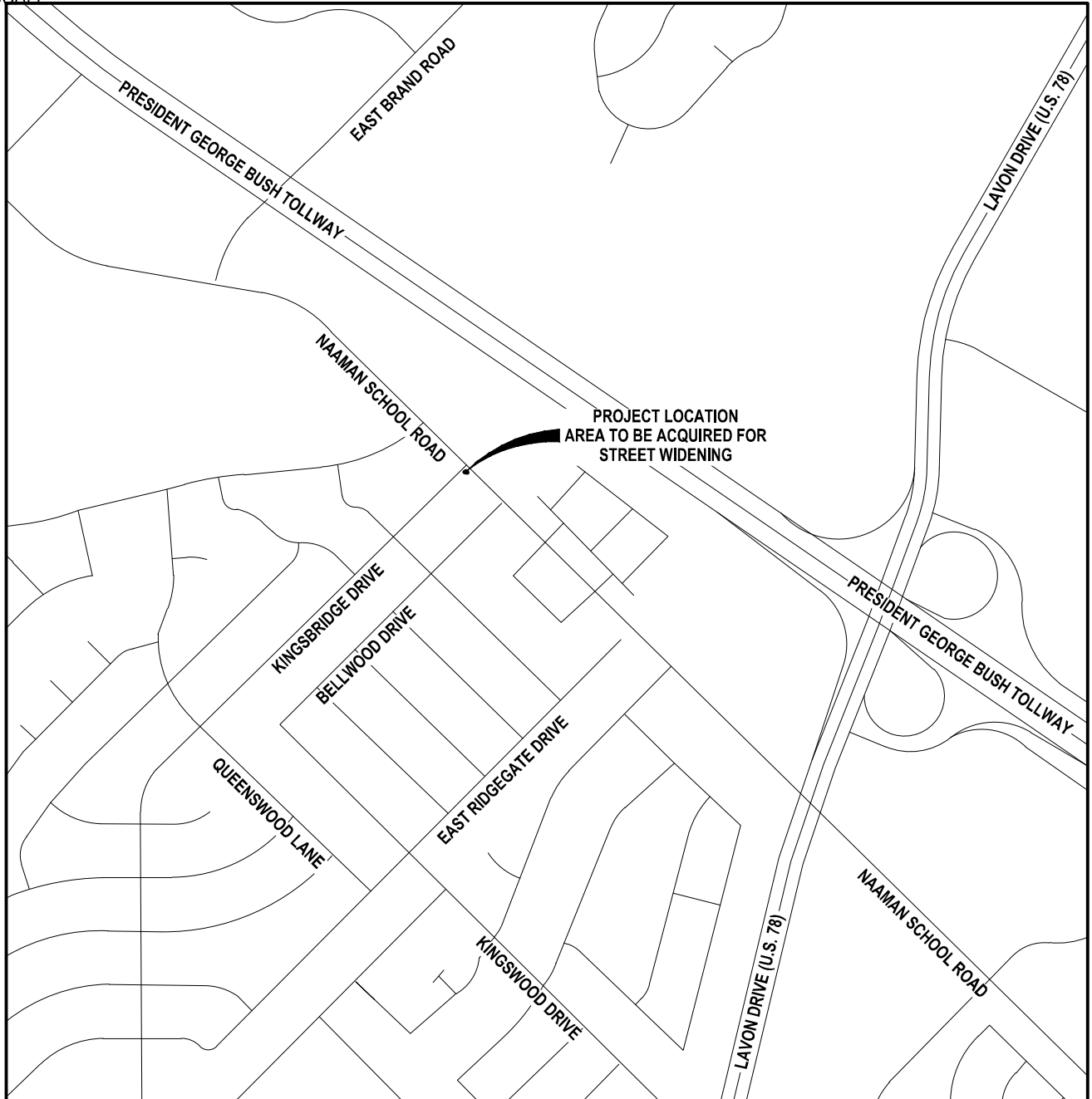


EXHIBIT "A"

VICINITY MAP

tnp

NOT TO SCALE



PROJECT LOCATION
AREA TO BE ACQUIRED FOR
STREET WIDENING

RIGHT-OF-WAY DEDICATION

LOT 8, BLOCK 7

MEADOWOOD NO. 3 PHASE A

CITY OF GARLAND, DALLAS COUNTY, TEXAS

PROJECT INFORMATION **teague nall & perkins**

Project No.: GLD 20139
Date: June 15, 2021
Drawn By: JJ
Scale: 1"=40'

820 Watters Creek Boulevard, Suite M300
Allen, Texas 75013
214.461.9867 ph www.tnpinc.com
T.B.P.L.S. Firm No. 10194381
Project No. AML 17349



EXHIBIT "A"

RIGHT-OF-WAY DEDICATION
NAAMAN SCHOOL ROAD
1,417 SQUARE FEET, OR 0.033 ACRES
LOT 1, BLOCK 1
CHRISTIAN BROTHERS ADDITION

Being a 1,417 square foot or 0.033 of an acre tract of land out of the Jacob G. Reagor Survey, Abstract Number 1259, Dallas County, Texas and being a portion of Lot 1, Block 1, of the Christian Brothers Addition, an addition to the City of Garland as recorded in Volume 2003217, Page 82 of the Plat Records of Dallas County, Texas same being a tract of land conveyed by a Special Warranty Deed to Aderemi Adewuyi and wife Florence Adewuyi recorded in Instrument Number 20070365185, Official Public Records, Dallas County, Texas and being more particularly described as follows;

BEGINNING at a 1/2 inch iron rod found on the southwest right-of-way line of Naaman School Road, (a variable width right-of-way), the east corner of said Lot 1, Block 1 and the north corner of Lot 2, Block 1 of said Christian Brothers Addition;

THENCE South 44 degrees 22 minutes 02 seconds West along the common line between said Lot 1, Block 1 and Lot 2, Block 1, a distance of 23.09 feet to a 5/8 inch iron rod with 3-1/4 inch aluminum disk stamped "CITY OF GARLAND R.O.W." set for corner and the beginning of a non-tangent curve to the right;

THENCE departing the common line between said Lot 1, Block 1 and Lot 2, Block 1, over and across said Lot 1, Block 1, the following two (2) calls and distances:

Along said curve to the right having a radius of 909.50 feet, a central angle of 04 degrees 26 minutes 41 seconds, an arc length of 70.55 feet, a chord bearing of North 34 degrees 50 minutes 50 seconds West, a distance of 70.53 feet to a 5/8 inch iron rod with 3-1/4 inch aluminum disk stamped "CITY OF GARLAND R.O.W." set for the beginning of a reverse curve to the left;

Along said reverse curve to the left having a radius of 839.00 feet, a central angle of 03 degrees 31 minutes 09 seconds, an arc length of 51.53 feet, a chord bearing of North 34 degrees 23 minutes 05 seconds West, a distance of 51.52 feet to a 5/8 inch iron rod with 3-1/4 inch aluminum disk stamped "CITY OF GARLAND R.O.W." set for the end of said curve on the southwest right-of-way line of said Naaman School Road same being the northeast line of said Lot 1, Block 1, from which a 1/2 inch iron rod with cap stamped "CBG SURVEYING" found for a northeast corner of said Lot 1, Block 1 bears North 45 degrees 33 minutes 32 seconds West, a distance of 10.27 feet;

THENCE South 45 degrees 33 minutes 32 seconds East along the southwest right-of-way line of said Naaman School Road and the northeast line of said Lot 1, Block 1, a distance of 119.82 feet to the POINT OF BEGINNING containing 1,417 square feet, or 0.033 acres of land.

NOTES:

A drawing of even date accompanies this description.



Brian J. Maddox II
Brian J. Maddox II, R.P.L.S., No. 6659



RIGHT-OF-WAY DEDICATION

LOT 1, BLOCK 1

CHRISTIAN BROTHERS ADDITION

CITY OF GARLAND, DALLAS COUNTY, TEXAS

PROJECT INFORMATION

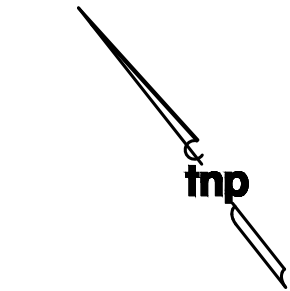
Project No.: GLD 20139
Date: June 15, 2021
Drawn By: JJ
Scale: 1"=40'

teague nall & perkins

820 Watters Creek Boulevard, Suite M300
Allen, Texas 75013
214.461.9867 ph www.tnpinc.com
T.B.P.L.S. Firm No. 10194381

EXHIBIT "A"

RIGHT-OF-WAY DEDICATION
NAAMAN SCHOOL ROAD
1,417 SQUARE FEET, OR 0.033 ACRES
LOT 1, BLOCK 1
CHRISTIAN BROTHERS ADDITION



SCALE IN FEET
1" = 40'

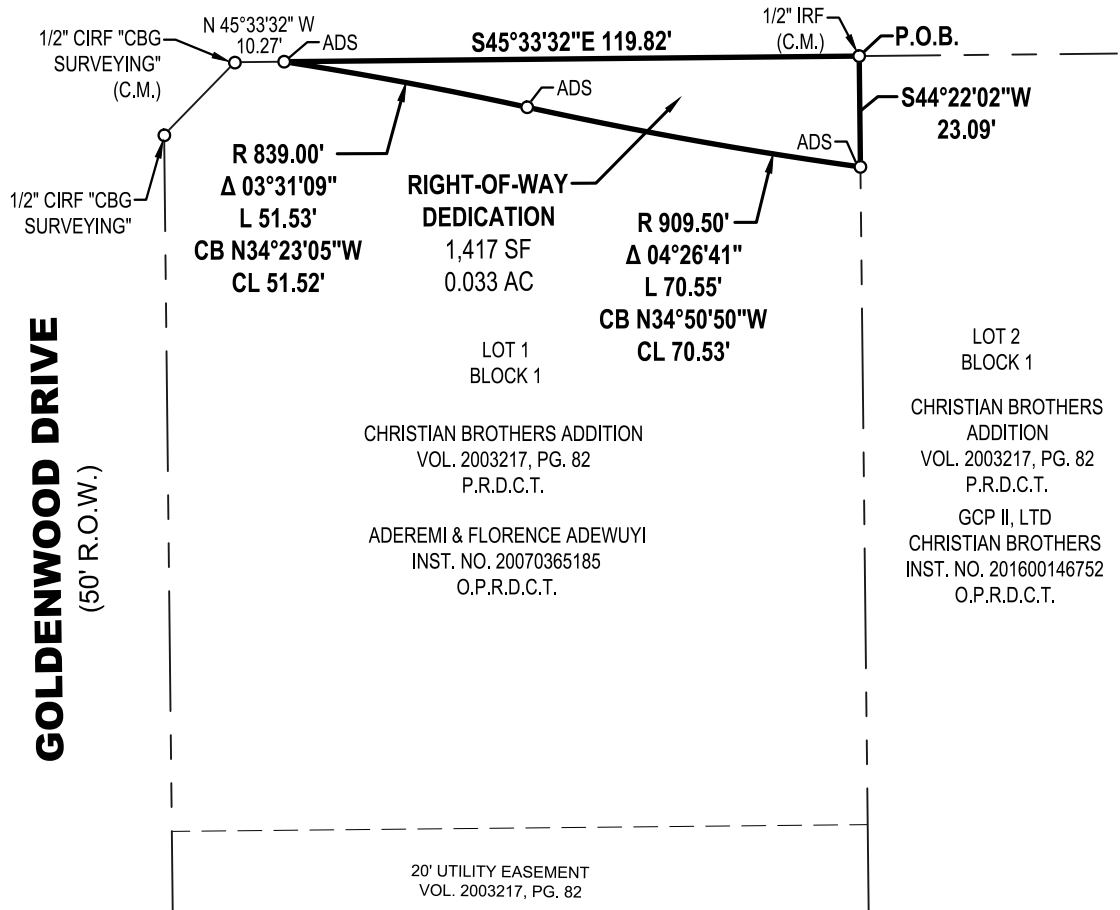
DANIEL CRIST SURVEY
ABSTRACT NO. 226

JACOB G. REAGOR SURVEY
ABSTRACT NO. 1259

NAAMAN SCHOOL ROAD

(VARIABLE WIDTH R.O.W.)

APPROXIMATE LOCATION
ABSTRACT LINE



NOTES:

Bearings are referenced to Grid North of the Texas Coordinate System of 1983 North Central Zone; (4202) and based on the City of Garland's Geodetic Control Network. An average combined factor of 1.000136506 was used to scale grid coordinates and distances to surface at 0.0. All distances shown are reported as horizontal surface measurements.

This exhibit was performed without the benefit of an abstractor or title commitment, therefore, no search of record easements was performed on the subject property.

All objects noted as "set" on this graphical exhibit will be set either 30 days following construction of the improvements or prior acceptance by the City of Garland.

A description of even date accompanies this drawing.

LEGEND

P.O.B. - Point of Beginning
P.O.C. - Point of Commencing
ADS - 5/8 inch iron rod with 3-1/4 inch aluminum disk stamped "City of Garland R.O.W." set
IRF - Iron Rod Found
R.O.W. - Right-of-Way
C.M. - Controlling Monument
SF - Square feet
AC - Acres
VOL. - Volume
PG. - Page
INST. NO. - Instrument Number

RIGHT-OF-WAY DEDICATION

LOT 1, BLOCK 1

CHRISTIAN BROTHERS ADDITION

CITY OF GARLAND, DALLAS COUNTY, TEXAS

PROJECT INFORMATION

Project No.: GLD 20139
Date: June 15, 2021
Drawn By: JJ
Scale: 1"=40'

teague nall & perkins

820 Watters Creek Boulevard, Suite M300
Allen, Texas 75013
214.461.9867 ph www.tnpsc.com
T.B.P.L.S. Firm No. 10194381



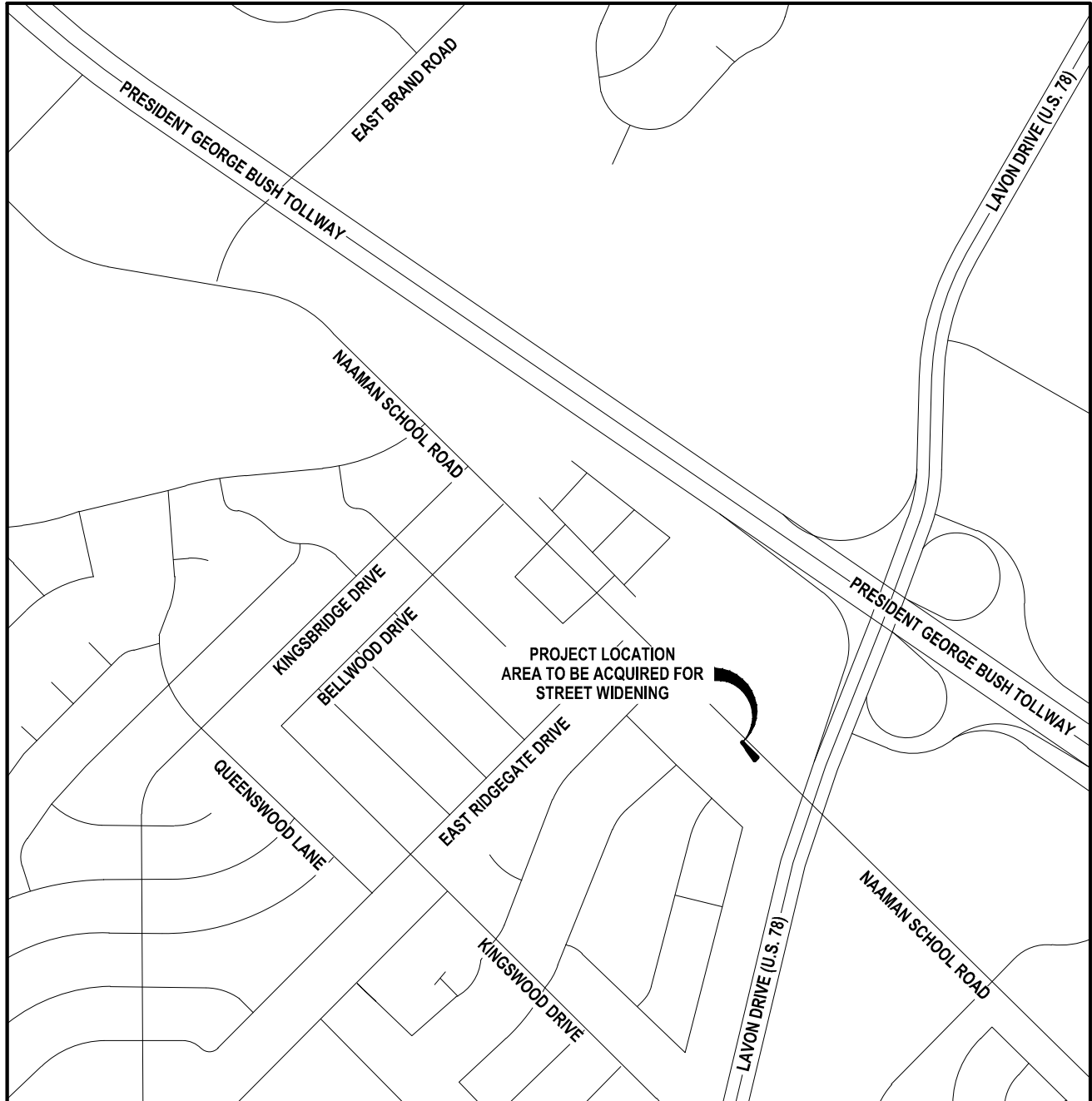
Brian J. Maddox II, R.P.L.S., No. 6659



EXHIBIT "A"
VICINITY MAP

tnp

"NOT TO SCALE"



RIGHT-OF-WAY DEDICATION

LOT 1, BLOCK 1

CHRISTIAN BROTHERS ADDITION

CITY OF GARLAND, DALLAS COUNTY, TEXAS

PROJECT INFORMATION

Project No.: GLD 20139
Date: June 15, 2021
Drawn By: JJ
Scale: 1"=40'

teague nall & perkins

820 Watters Creek Boulevard, Suite M300
Allen, Texas 75013
214.461.9867 ph www.tnpsc.com
T.B.P.L.S. Firm No. 10194381





**GARLAND
CITY COUNCIL ITEM SUMMARY SHEET**

City Council Regular Session Agenda

8.

Meeting Date: 01/04/2022

Item Title: Use of Eminent Domain Authority for Property Related to Bottleneck Improvements Program (Buckingham/Plano Intersection)

Submitted By: Brian England, Deputy City Attorney

Summary of Request/Problem

As part of the 2019 Bond Program, voters approved the Bottlenecks Improvements Program. The program will widen improvements and provide additional turn bays to relieve bottlenecks at 12 major intersections throughout the city and alleviate road congestion. The program requires the acquisition of easements and right-of-way (only “strips and clips” are needed for the program). Because the City does not already own all the property upon which the project will be constructed, the City has engaged in an effort to acquire the necessary easements and right-of-way. The City has been able to negotiate with some property owners in the area to acquire the necessary property interests. However, the City has not been able to successfully negotiate a final purchase price with all property owners. The City continues to negotiate with additional landowners. If these negotiations are unsuccessful, we may need to seek to add additional properties in a future resolution.

Council was briefed on requirements for land acquisition on the Bottleneck Improvements Program on February 1, 2021, in Executive Session.

Recommendation/Action Requested and Justification

Council is requested to approve a resolution authorizing the acquisition of the property rights described in the proposed resolution. The City has been able to negotiate with a number of property owners in the program/project area to acquire the necessary property interests. However, the City has not been able to successfully negotiate a final purchase price with one property owner. The owner is named in the proposed resolution. State law requires particular wording to be used in a motion to adopt a resolution authorizing the initiation of condemnation proceedings. The City Attorney will provide in written form the appropriate wording of the motion.

The motion and resolution will authorize the acquisition of property interests in the following property located in Richardson, Dallas County, Texas:

1455 E Buckingham Rd, being a portion of Lot 1A, in Block 1, of the 1st Installment of Buckingham Square East Addition, an Addition to the City of Richardson, Dallas County, Texas as recorded in Volume 2000146, page 5005 of the Deed Records of Dallas County, Texas.

Attachments

Bottleneck Improvements Program - Condemnation Resolution

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF GARLAND, TEXAS FINDING AND DETERMINING THAT THE PUBLIC NECESSITY AND CONVENIENCE REQUIRE THE ACQUISITION OF VARIOUS PROPERTY RIGHTS LOCATED AT THE INTERSECTION OF BUCKINGHAM AND PLANO, IN THE CITIES OF RICHARDSON AND GARLAND, TEXAS, SITUATED IN THE BUCKINGHAM SQUARE EAST ADDITION, IN THE CITY OF RICHARDSON, COUNTY OF DALLAS, TEXAS, SAID PROPERTY INTERESTS BEING MORE PARTICULARLY DESCRIBED BELOW; PROVIDING AUTHORIZATIONS TO ACQUIRE SUCH PROPERTY RIGHTS BY PURCHASE OR CONDEMNATION AND MAKING CERTAIN FINDINGS PERTAINING THERETO; PROVIDING FURTHER AUTHORIZATIONS AS MAY BE NECESSARY TO CARRY OUT THE PURPOSES OF THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Garland, ("Garland"), has found and determined the need to acquire property rights necessary to widen intersection improvements for the Bottleneck Improvements Program, which will necessitate the acquisition of property at the intersection of Buckingham and Plano ("Project");

WHEREAS, public convenience and necessity requires acquisition of the Property described below (referred to as "Property"), which an exhibit is attached hereto and incorporated herein by reference, for the construction, operation, and maintenance of the Project;

WHEREAS, Garland is required to make an initial offer as defined by, and in compliance with, Texas Property Code §21.0111 ("Initial Offer"), and a bona fide offer, as defined by, and in compliance with, Texas Property Code §21.0113 ("Final Offer") to acquire the Property for public use from the Property Owner (as hereinafter defined) voluntarily before beginning the acquisition of the Property through a condemnation proceeding;

WHEREAS, the Property is located in the City of Richardson, Dallas County, Texas as described below, and the fee owner of the Property is as follows:

Buckingham Station, LLC: 1455 E Buckingham Rd, being a portion of Lot 1A, in Block 1, of the 1st Installment of Buckingham Square East Addition, an Addition to the City of Richardson, Dallas County, Texas as recorded in Volume 2000146, page 5005 of the Deed Records of Dallas County, Texas;

Amount Offered: \$12,195;

WHEREAS, an independent professional appraisal report of the Property has been submitted to the City as required by Chapter 21 of the Texas Property Code, and the City Manager or his designee has established a certain amount determined to be just compensation for the Property based on the appraisal and fair market value of the Property and any applicable fees necessary to acquire the Property;

WHEREAS, Garland, through agents or representatives employed by or contracted with Garland, has entered into good faith negotiations with the owner of the Property in order to acquire necessary property rights on the Property for the Project, and has been unsuccessful in acquiring the necessary property rights on the Property; and

WHEREAS, in conjunction with the enactment of this Resolution, Garland authorized the initiation of eminent domain proceedings to acquire property rights to the Property at a public meeting by a record vote, and the notice for the public meeting included all required information, including the consideration of the use of eminent domain to condemn property as an agenda item;

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

Section 1

That Garland, its staff, and its attorneys are specifically authorized to purchase property rights of the Property; that the public convenience and necessity requires the acquisition of certain property rights on the Property for the public purpose of the Project; that Garland has made a good faith effort to negotiate a voluntary acquisition of certain property rights on the Property; that it appears to Garland that further negotiations to purchase certain property rights on the Property voluntarily would be futile; that the public necessity requires the condemnation of Property for the Project; and that Garland, its staff, and its attorneys are hereby authorized and directed to institute proceedings in eminent domain against the owner of the Property, and against all other owners, lienholders, or holders of an interest in the Property, in order to acquire certain property rights on the Property.

Section 2

That Garland, its staff, and its attorneys are hereby authorized to do all things necessary and proper to carry out the intent and

purpose of this Resolution, including determination of the property rights that are proper and necessary for the Project.

Section 3

It is the intent of the City Council that this Resolution authorize the City Manager and City Attorney, or their designees, to perform all steps necessary to obtain the Property necessary for the Project, whether through negotiation or condemnation, including the expenditure of funds.

Section 4

It is the intent of the City Council that this Resolution authorize the condemnation of all property required for the construction, improvement, maintenance, and reconstruction of a bottleneck improvement on the property at the intersection of Buckingham and Plano located in the Cities of Garland and Richardson, to serve the public and citizens of the City.

Section 5

If it is determined that there are scrivener errors in the descriptions contained herein or if later surveys contain more accurate revised descriptions, the City Attorney or his designee is authorized to have such errors corrected or revisions made without the necessity of obtaining a new City Council Ordinance authorizing condemnation of the corrected or revised property.

Section 6

Following an award by the Special Commissioners or a judgment of a court of competent jurisdiction on appeal from a Special Commissioners' award, the City Manager or his designee, is hereby authorized to make payment in an amount not to exceed the Special Commissioners' award or the judgment of a court of competent jurisdiction, to enable the City to take possession of the Property without further action of the City Council. However, nothing contained herein shall be interpreted to limit the spending authority of the City Manager granted by Council Resolution or Policy. It is the intent of the City Council that this Resolution grants the City Manager the authority, in addition to the authority granted by Council policy, to settle disputes related to the value of the Property.

Section 7

That this Resolution shall take effect immediately from and after its adoption.

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

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary

EXHIBIT "A"

STREET, PEDESTRIAN, UTILITY, DRAINAGE & TRAFFIC CONTROL EASEMENT
BUCKINGHAM ROAD
613 SQUARE FEET, OR 0.014 ACRES
LOT 1A, BLOCK 1, FIRST INSTALLMENT OF BUCKINGHAM SQUARE EAST
BUCKINGHAM STATION LLC

Being a 613 square foot or 0.014 of an acre tract of land out of the Warren A. Ferris Survey, Abstract Number 1158, Dallas County, Texas and being a portion of Lot 1A, Block 1, First Installment of Buckingham Square East, an addition to the City of Richardson, Texas as recorded in Volume 2000146, Page 5005 of the Deed Records of Dallas County, Texas, same being a portion of a tract of land described in Special Warranty Deed to Buckingham Station LLC as recorded in Instrument Number 20070304618 of the Official Public Records of Dallas County, Texas and being more particularly described as follows;

BEGINNING at an X cut found on the north right-of-way line of Buckingham Road (a variable width right-of-way) for the southwest corner of said Lot 1A, same being the southeast corner of Lot 2, Block 1, University Village South, an addition to the City of Richardson, Texas as recorded in Volume 96036, Page 3488 of the Deed Records of Dallas County, Texas;

THENCE North 00 degrees 16 minutes 13 seconds West along the west line of said Lot 1A, same being the east line of said Lot 2, Block 1 University Village South, a distance of 8.71 feet to a point for corner;

THENCE departing the common line of said Lot 1A and said Lot 2, Block 1 University Village South and through the interior of said Lot 1A, the following courses and distances;

South 89 degrees 12 minutes 18 seconds East, a distance of 19.72 feet to a point for corner;

South 59 degrees 12 minutes 18 seconds East, a distance of 12.00 feet to a point for corner;

South 89 degrees 12 minutes 18 seconds East, a distance of 99.29 feet to a point for corner;

North 60 degrees 47 minutes 42 seconds East, a distance of 12.00 feet to a point for corner;

South 89 degrees 12 minutes 18 seconds East, a distance of 41.11 feet to a point for corner on the east line of said Lot 1A, same being the west line of Lot 2, Block 1 First Installment Buckingham of Buckingham Square East, an addition to the City of Richardson, Texas as recorded in Volume 2000146, Page 5005 of the Deed Records of Dallas County, Texas;

THENCE South 00 degrees 09 minutes 09 seconds East along the common line of said Lot 1A and said Lot 2, Block 1 First Installment of Buckingham Square East, a distance of 5.35 feet to an X cut found on the north right-of-way line of said Buckingham Road for the southeast corner of said Lot 1A, same being the southwest corner of said Lot 2, Block 1, First Installment of Buckingham Square East;

THENCE South 89 degrees 43 minutes 47 seconds West departing the common line of said Lot 1A and said Lot 2, Block 1 First Installment of Buckingham Square East and along the north right-of-way line of said Buckingham Road, a distance of 180.86 feet to the POINT OF BEGINNING containing 613 square feet, or 0.014 of an acre of land.



NOTES:

Bearings are referenced to Grid North of the Texas Coordinate System of 1983 North Central Zone; (4202) and based on the City of Garland's Geodetic Control Network. An average combined factor of 1.000136506 was used to scale grid coordinates and distances to surface at 0.0. All distances shown are reported as horizontal surface measurements.

All objects noted as "set" in this set of field notes will be set either 30 days following construction of the improvements or prior acceptance by the City of Garland.



STREET, PEDESTRIAN, UTILITY, DRAINAGE & TRAFFIC CONTROL EASEMENT

LOT 1A, BLOCK 1, FIRST INSTALLMENT OF
BUCKINGHAM SQUARE EAST
BUCKINGHAM STATION, LLC
CITY OF RICHARDSON, DALLAS COUNTY, TEXAS

PROJECT INFORMATION

Project No.: GLD 20138
Date: October 20, 2020
Drawn By: JM
Scale: 1"=40'

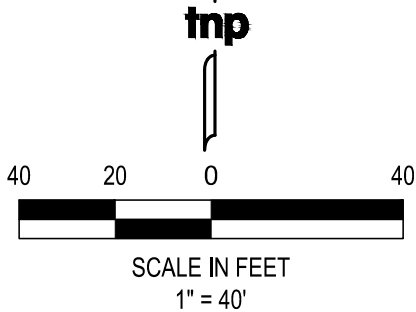
teague nall & perkins

820 Watters Creek Boulevard, Suite M300
Allen, Texas 75013
214.461.9867 ph www.tnppinc.com
T.B.P.L.S. Firm No. 10194381
Project No. AML 17349

Brian J. Maddox II, R.P.L.S., No. 6659

EXHIBIT "A"

STREET, PEDESTRIAN, UTILITY, DRAINAGE & TRAFFIC CONTROL EASEMENT
BUCKINGHAM ROAD
613 SQUARE FEET, OR 0.014 ACRES
LOT 1A, BLOCK 1, FIRST INSTALLMENT OF BUCKINGHAM SQUARE EAST
BUCKINGHAM STATION LLC



LEGEND

P.O.B. - Point of Beginning
P.O.C. - Point of Commencing
CIRF - Capped iron rod found
CIRS - Iron rod with yellow plastic cap set
R.O.W. - Right-of-Way
SF - Square feet
AC - Acres
VOL. - Volume
PG. - Page
INST. NO. - Instrument Number

NOTES:

Bearings are referenced to Grid North of the Texas Coordinate System of 1983 North Central Zone; (4202) and based on the City of Garland's Geodetic Control Network. An average combined factor of 1.000136506 was used to scale grid coordinates and distances to surface at 0.0. All distances shown are reported as horizontal surface measurements.

This exhibit was performed without the benefit of an abstractor or title commitment, therefore, no search of record easements was performed on the subject property.

All objects noted as "set" on this graphical exhibit will be set either 30 days following construction of the improvements or prior acceptance by the City of Garland.



Brian J. Maddox II
Brian J. Maddox II, R.P.L.S., No. 6659



LOT 2, BLOCK 1
UNIVERSITY VILLAGE SOUTH
VOL. 96036, PG. 3488
D.R.D.C.T.

SPIRIT SPE LOAN PORTFOLIO 2013-2, LLC
INST. NO. 201300239840
INST. NO. 201300236819
O.P.R.D.C.T.

LOT 2, BLOCK 1
FIRST INSTALLMENT OF
BUCKINGHAM SQUARE EAST
VOL. 2000146, PG. 5005
D.R.D.C.T.

WAL-MART REAL ESTATE
BUSINESS TRUST
INST. NO. 200001027145
D.R.D.C.T.

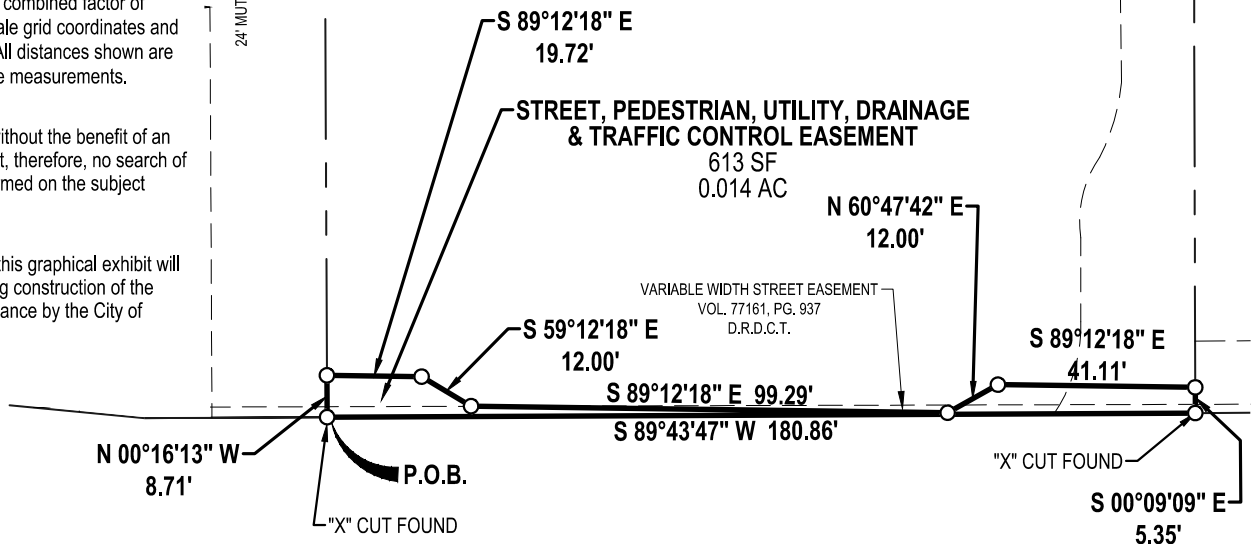
LOT 1A, BLOCK 1
FIRST INSTALLMENT OF BUCKINGHAM
SQUARE EAST
VOL. 2000146, PG. 5005
D.R.D.C.T.

BUCKINGHAM STATION LLC
INST. NO. 20070304618
O.P.R.D.C.T.

WARREN A. FERRIS SURVEY
ABSTRACT NUMBER 488

24' MUTUAL ACCESS & FIRE LANE EASEMENT
VOL. 96036, PG. 3488
D.R.D.C.T.

FIRE LANE & MUTUAL ACCESS EASEMENT
VOL. 2000146, PG. 5005
D.R.D.C.T.



W. BUCKINGHAM RD.
(A VARIABLE WIDTH R.O.W.)

STREET, PEDESTRIAN, UTILITY, DRAINAGE & TRAFFIC CONTROL EASEMENT

LOT 1A, BLOCK 1, FIRST INSTALLMENT OF
BUCKINGHAM SQUARE EAST
BUCKINGHAM STATION, LLC

CITY OF RICHARDSON, DALLAS COUNTY, TEXAS

PROJECT INFORMATION

Project No.: GLD 20138
Date: October 20, 2020
Drawn By: JM
Scale: 1"=40'

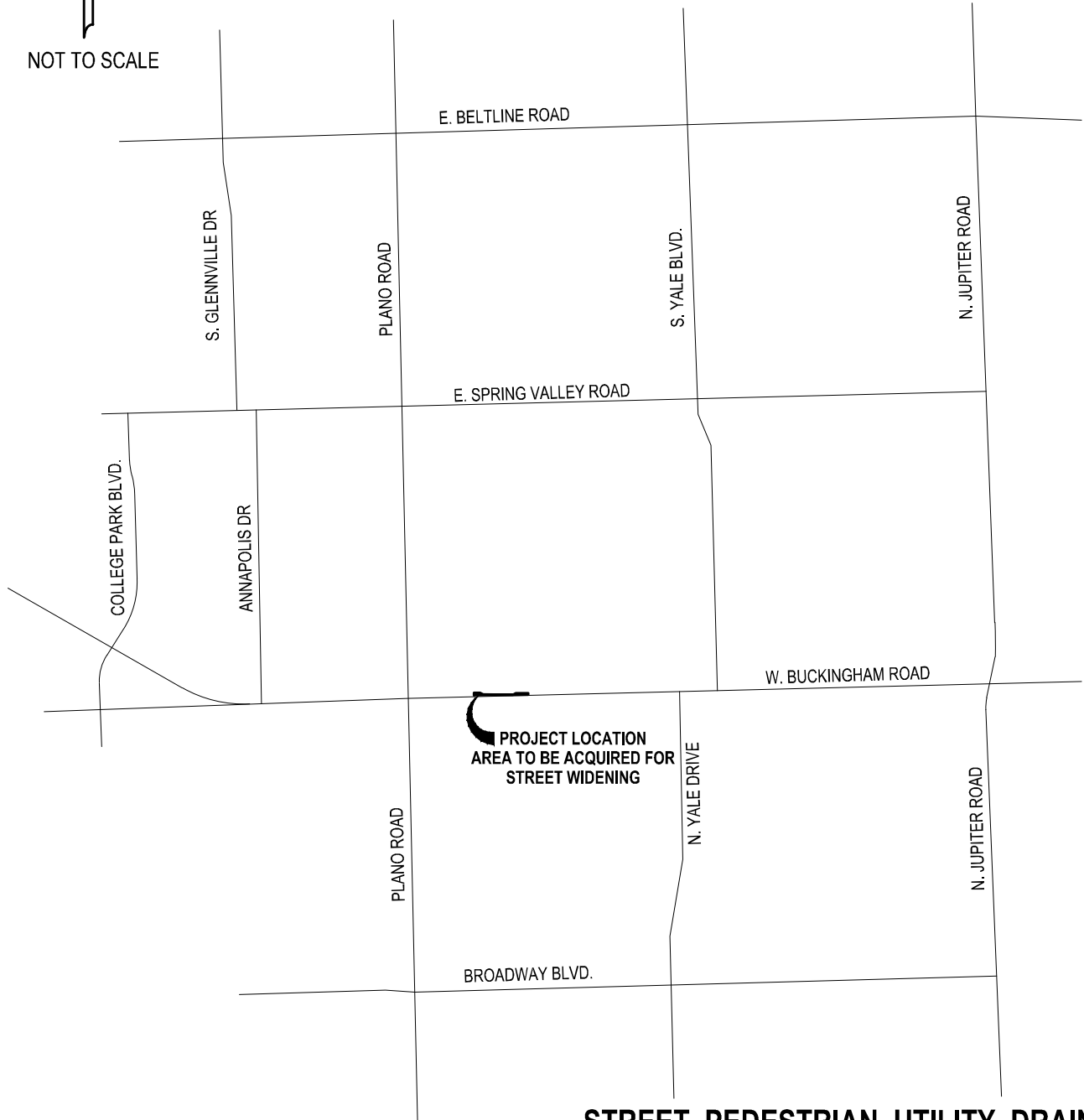
teague nall & perkins

820 Watters Creek Boulevard, Suite M300
Allen, Texas 75013
214.461.9867 ph www.tnppinc.com
T.B.P.L.S. Firm No. 10194381
Project No. AML 17349

EXHIBIT "A" VICINITY MAP

tnp

NOT TO SCALE



STREET, PEDESTRIAN, UTILITY, DRAINAGE & TRAFFIC CONTROL EASEMENT

LOT 1A, BLOCK 1, FIRST INSTALLMENT OF

BUCKINGHAM SQUARE EAST

BUCKINGHAM STATION, LLC

CITY OF RICHARDSON, DALLAS COUNTY, TEXAS

PROJECT INFORMATION

Project No.: GLD 20138
Date: October 20, 2020
Drawn By: JM
Scale: 1"=40'

teague nall & perkins

820 Watters Creek Boulevard, Suite M300
Allen, Texas 75013
214.461.9867 ph www.tnpinc.com
T.B.P.L.S. Firm No. 10194381
Project No. AML 17349





GARLAND PLANNING REPORT

City Council Regular Session Agenda

9. a.

Meeting Date: 01/04/2022

Item Title: Z 21-42 Lars Anderson & Associates, Inc. - Zoning (District 1)

Submitted By: Kimberly Hopkins, Development Planner

REQUEST

Approval of an amendment to Planned Development (PD) District 97-23 for Community Retail Uses.

Approval of a Detail Plan for a building expansion and outdoor rentals of trucks and equipment on a property zoned Planned Development (PD) District 97-23.

LOCATION

3261 North President George Bush Turnpike

OWNER

HD Development Properties, LP

PLAN COMMISSION RECOMMENDATION

On December 15, 2021 the Plan Commission, by a vote of six (6) to one (1), recommended approval of an amendment to Planned Development (PD) District 97-23 for Community Retail Uses.

The Plan Commission, by a vote of six (6) to one (1), also recommended approval of a Detail Plan for a building expansion on a property zoned Planned Development (PD) District 97-23.

The Plan Commission further recommended excluding outdoor rentals of trucks and equipment on site. In response, the applicant has proposed additional landscaping (minimum 6 feet in height) along Crist Road to screen the large equipment.

STAFF RECOMMENDATION

Approval of an amendment to Planned Development (PD) District 97-23 for Community Retail Uses.

Approval of a Detail Plan for a building expansion and outdoor rentals of trucks and equipment on a property zoned Planned Development (PD) District 97-23.

BACKGROUND

In 1997, City Council approved a Planned Development (PD) District 97-23 and Detail Plan for a variety of retail, restaurants and commercial service uses including The Home Depot. The applicant is requesting approval of a building expansion for a tool rental center and outdoor display and rentals for the subject property (Home Depot).

SITE DATA

The subject property is 11.66 acres with approximately 196 lineal feet along North President George Bush Turnpike and 580 lineal feet along Crist Road. The site can be accessed from North President George Bush Turnpike and Crist Road.

USE OF PROPERTY UNDER CURRENT ZONING

The subject property is zoned Planned Development (PD) District 97-23 which allows Community Retail (CR) District Uses. The CR District is intended to accommodate a variety of retail, service, and business establishments that may or may not be designed in a shopping center configuration. The district may be used as a transition district between lower intensity retail or office uses and more intense uses. A Community Retail (CR) District is generally appropriate along major transportation corridors but is generally not appropriate in proximity to low density residential districts without significant buffering and screening features. An example of allowed use in a Community Retail (CR) District is a retail shopping area that may be large in scale with very limited or no outside storage. Traffic generated by uses in a Community Retail (CR) District must be focused onto the major thoroughfare network. Development in a Community Retail (CR) District may not be designed in a manner that increases traffic through residential areas.

The applicant intends to expand the square footage of the existing Home Depot. The building expansion includes a tool rental center, storage room, and outdoor storage for larger equipment and trucks. The proposal requires an amendment to the Planned Development (PD) District 97-23 and a Detail Plan.

CONSIDERATIONS

1. The applicant proposes to expand the existing 130,696 square-foot Home Depot by approximately 4,473 square feet for a new total building area of 134,199 square feet. This expansion is for a tool rental center, storage room for pickup items, and a tool rental enclosure for large tools. In addition to the total rental center, the applicant proposes outdoor rentals for large equipment, which includes ten (10) spaces for equipment rental and eight (8) spaces for truck rental. Large equipment consists of Trencher, Tractor Loader Backhoe, Skid Steer, Mini Excavator, Home Depot Truck Rental and other larger equipment. The proposal would deviate from GDC standards related to outdoor displays and storage, such as screening from public view and day/time restrictions of displays. It should be noted that Home Depot locations often include this operation as an accessory use.
2. The site plan (Exhibit C) complies with the GDC parking requirements.
3. No parking lot expansion is being proposed with this request. Landscaping and screening currently exist on the site. However, in response to concerns from the Plan Commission, the applicant is proposing additional Nandina Domestica shrubs along Crist Road to screen the large equipment. The applicant is not proposing additional screening for the

proposed truck rental area.

4. The design of the building expansion complies with the applicable building design regulations of the GDC.

COMPREHENSIVE PLAN

The Future Land Use Map for the Envision Garland 2030 Comprehensive Plan identifies this area as Community center.

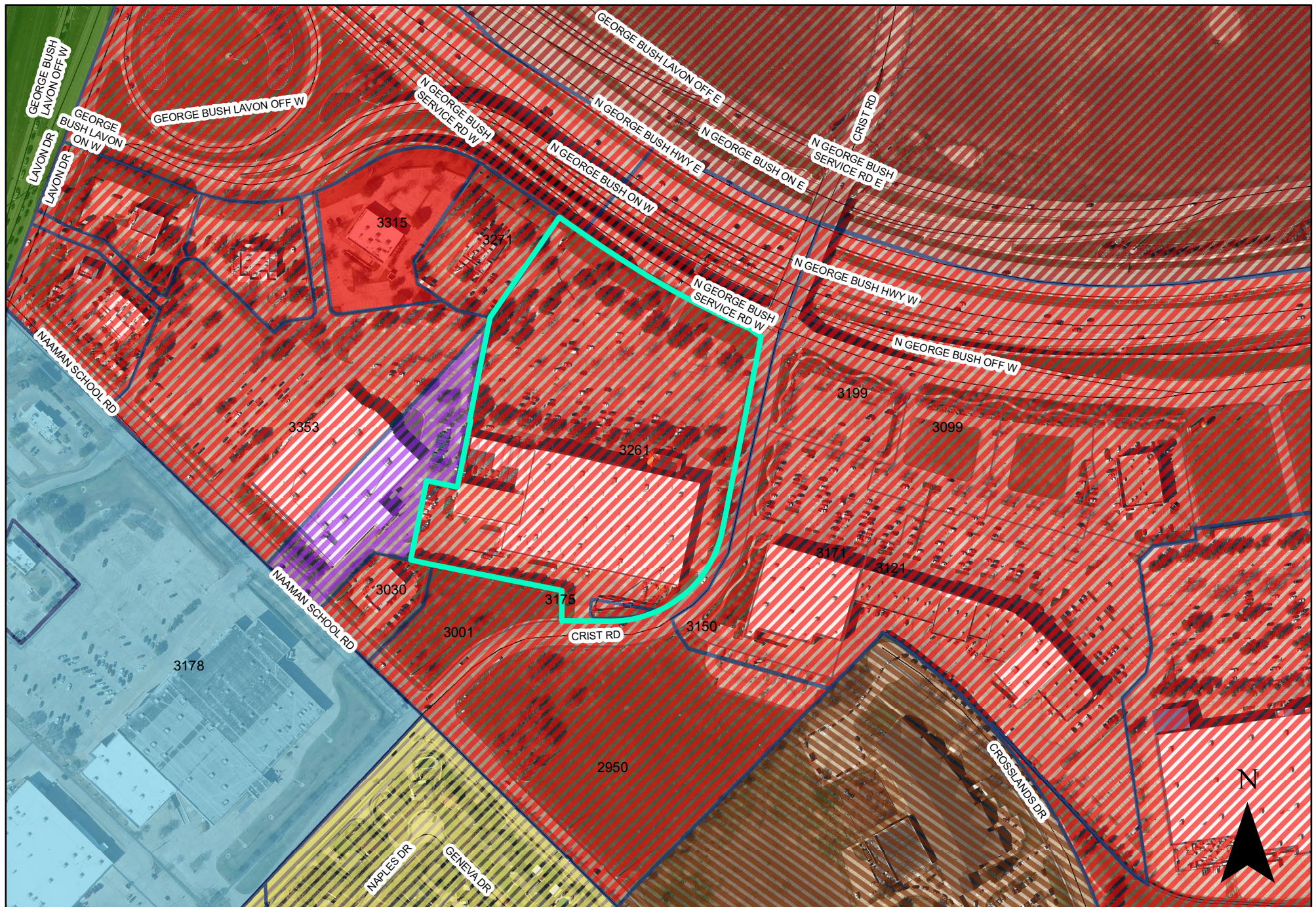
Community Centers are areas with compact development, primarily non-residential, serving a collection of neighborhoods. This type of development consists of a mix of uses, including retail, services, office use, multi-family residential, and entertainment. Community centers may be developed at the intersections of major arterial streets and along major arterials, highways, and turnpike corridors. This type of area is served by numerous roads and transit routes, providing a variety of connections to adjacent residential neighborhoods, retail centers, and employment centers.

COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

The properties to the south, east, and west are developed with a variety of retail and restaurant uses. The property to the north across North President George Bush Turnpike is zoned Planned Development (PD) District 02-25 and it is currently unimproved.

Attachments

Z 21-42 Lars Anderson & Associates, Inc. (Zoning) Attachments
Z 21-42 Lars Anderson & Associates, Inc. Responses
Z 21-42 Staff Presentation



0 200 400 Feet
1 inch = 300 feet

ZONING MAP Z 21-42

3261 North George Bush Highway

 INDICATES AREA OF REQUEST

PLANNED DEVELOPMENT CONDITIONS

ZONING FILE Z 21-42

3261 North President George Bush Turnpike

- I. Statement of Purpose:** The purpose of this Planned Development District is to amend the Planned Development (PD) District 97-23 to allow a building expansion and outdoor vehicle and equipment displays and rentals.
- II. Statement of Effect:** This Planned Development (PD) shall not affect any regulation found in the Garland Development Code, Ordinance No. 6773 and Planned Development (PD) District 97-23, as amended prior to adoption of this ordinance, except as specifically provided herein.
- III. General Regulations:** All regulations of the Planned Development (PD) District 97-23 and the Community Retail (CR) District as set forth in Chapter 2 of the Garland Development Code, Ordinance 6773, are included by reference and shall apply, except as otherwise specified by this ordinance.
- IV. Development Plans:**
- A. Detail Plan: Development is to be in general conformance with the approved Detail Plan set forth in Exhibit C, Exhibit D and Exhibit E. In the event of conflict between the conditions and Detail Plan, the conditions listed below are to apply.
- V. Specific Conditions:**
- A. Site Layout: The development shall be in conformance with the site layout in Exhibit C.
- B. Landscaping and Screening: Landscaping and screening shall be in conformance with Exhibit D.
- C. Building Elevations: Building elevations shall be in general conformance with Exhibit E.

REPORT & MINUTES

P.C. Meeting, December 15, 2021

3a. APPROVED Consideration of the application of **Lars Anderson & Associates, Inc.**, requesting approval of an amendment to Planned Development (PD) District 97-23 for Community Retail (CR) Uses. This property is located at 3261 North President George Bush Turnpike. (District 1) (File Z 21-42 - Zoning)

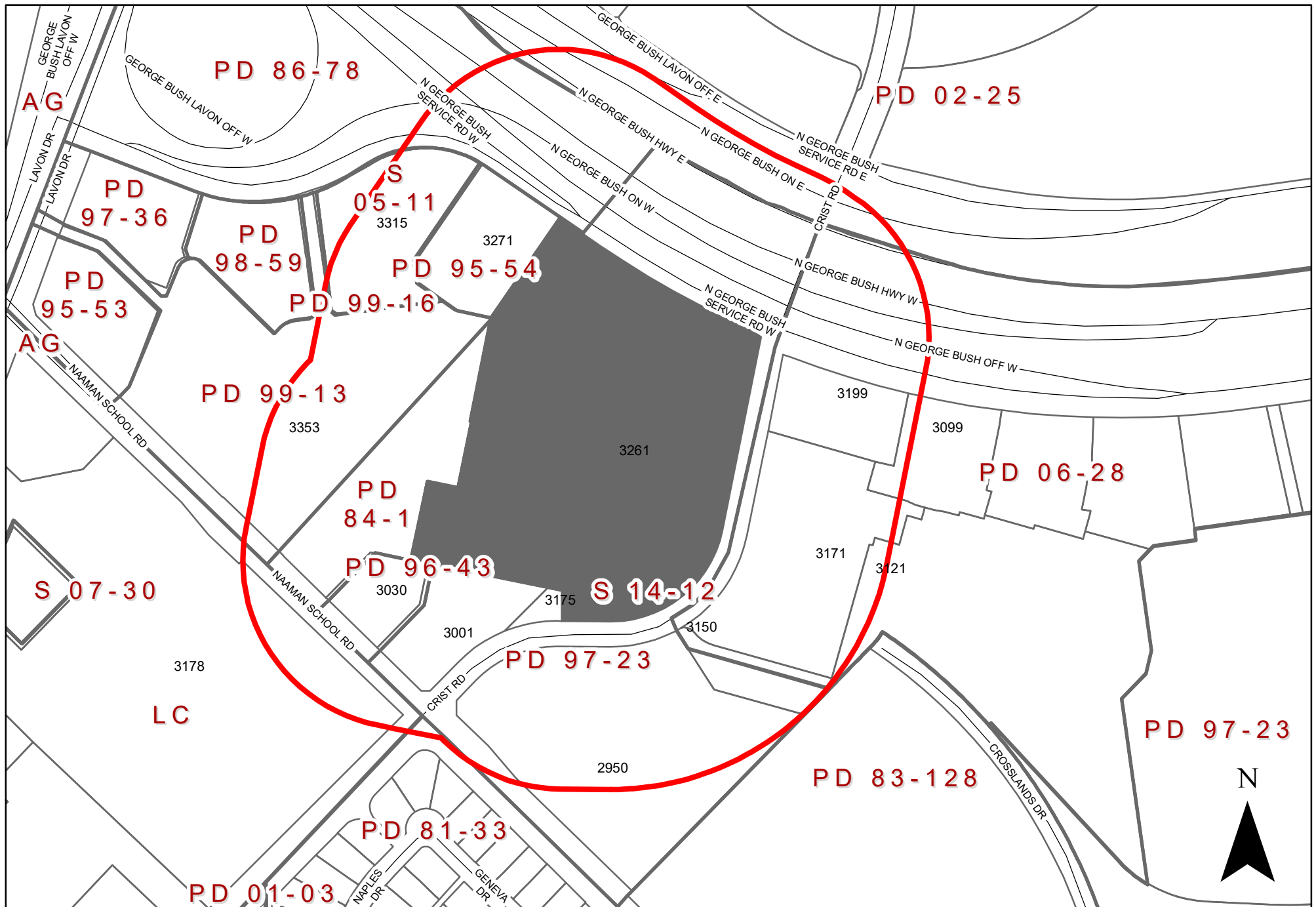
There was discussion among the Plan Commission regarding absence of landscape screening and outside storage of heavy equipment in proximity to residential neighborhoods.

Motion was made by Commissioner Rose to close the public hearing and **deny** the request. Motion failed due to the lack of a Second.

Motion was made by Commissioner Rose to close the public hearing and open for discussion. Seconded by Commissioner Williams. **Motion carried: 7 Ayes, 0 Nays.**

There was further discussion regarding landscaping and clarification of the motion.

Motion was made by Commissioner Jenkins to approve the request for the building expansion and tool rental and deny the request for outdoor storage of heavy equipment and rental trucks. Seconded by Commissioner Williams. **Motion carried: 6 Ayes, 1 Nay** from Commission Rose.



ZONING MAP Z 21-42

3261 North President George Bush Turnpike

To date we have not received any responses for this case.

Z 21-42

The applicant proposes to expand the existing Home Depot for a tool rental center and storage room, and proposes outdoor rentals for equipment and trucks.

[Approval of an amendment to Planned Development (PD) District 97-23 for Community Retail Uses.

Approval of a Detail Plan for a building expansion and outdoor rentals of trucks and equipment on a property zoned Planned Development (PD) District 97-23.]



GARLAND

TEXAS MADE HERE

**City Council Meeting
January 4, 2022**

Location: 3261 North President George Bush
Turnpike

Applicant: Lars Anderson & Associates, Inc.

Owner: HD Development Properties, LP

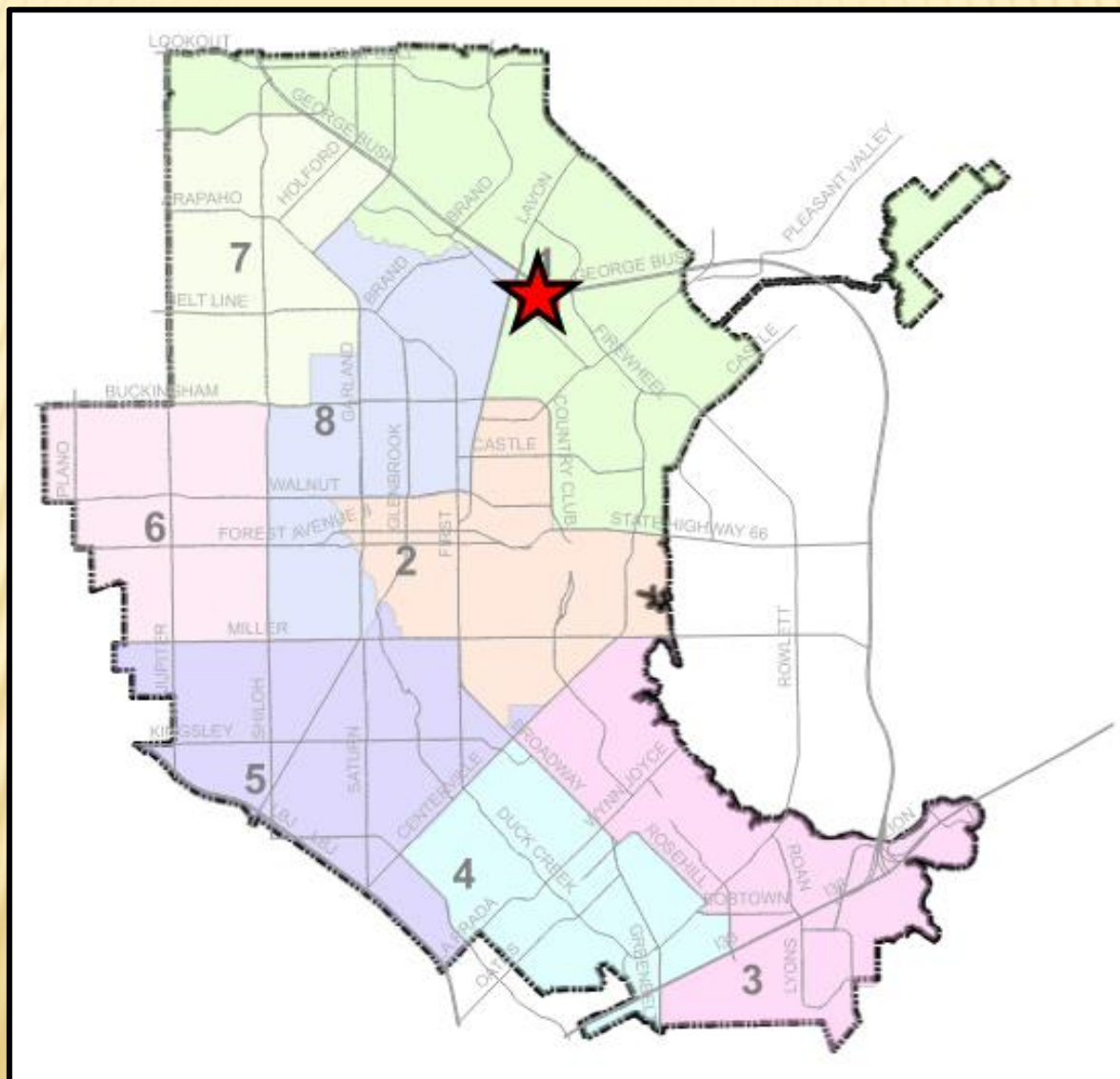
Acreage: 11.66 acres

Zoning: Planned Development (PD) District 97-23



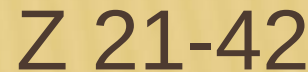
GARLAND
TEXAS MADE HERE

CITYWIDE LOCATION MAP

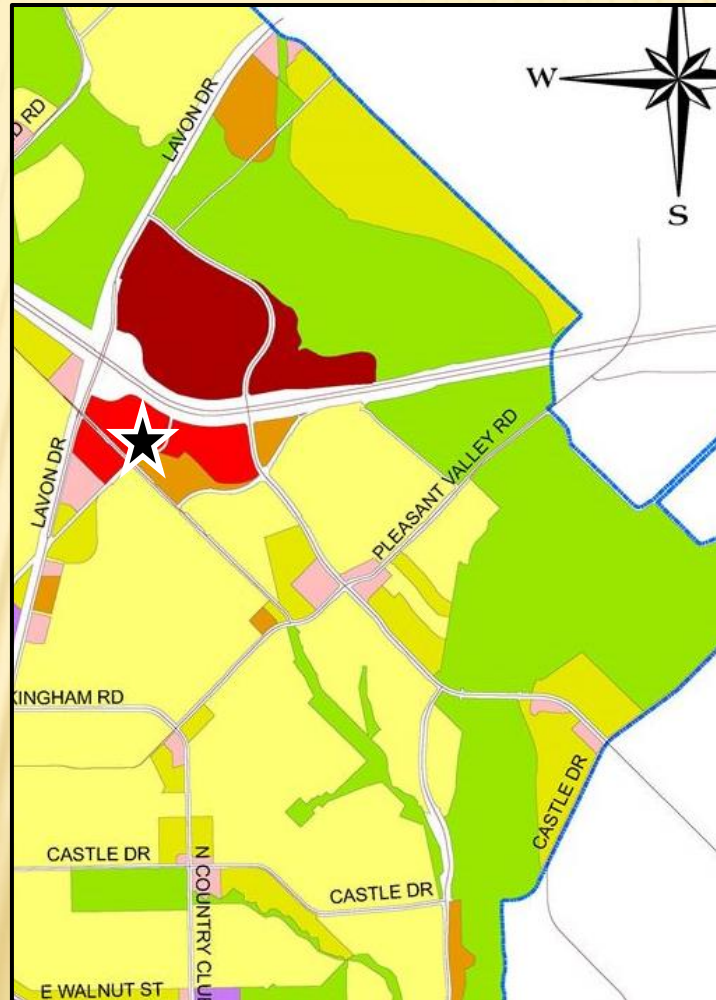
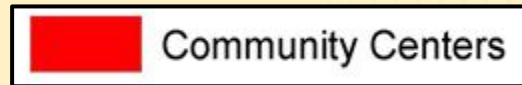




LOCATION MAP



COMPREHENSIVE PLAN

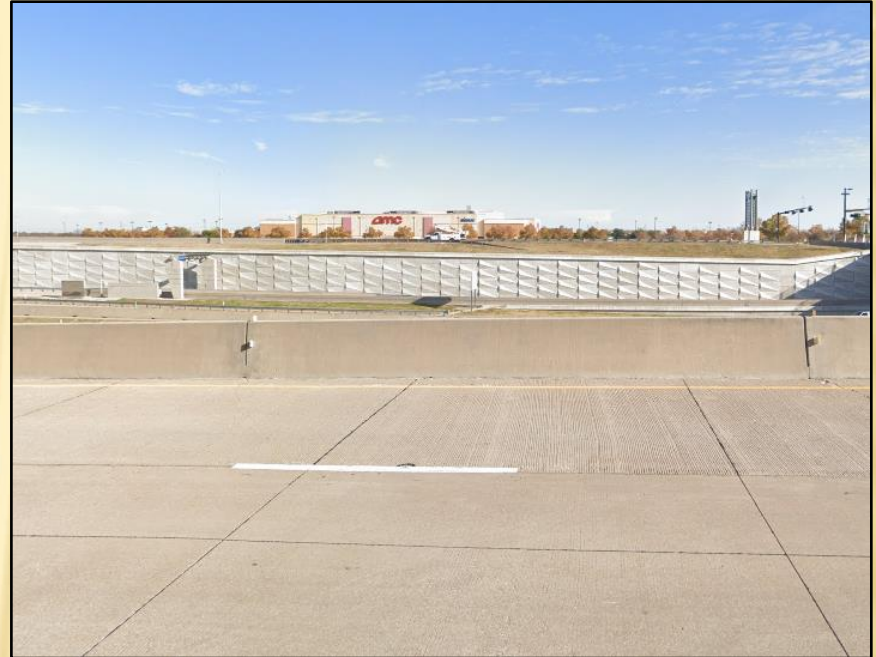




The Future Land Use Map of the Envision Garland Plan recommends Community Center for the subject property. Community Centers are areas with compact development, primarily non-residential, serving a collection of neighborhoods. This type of development consists of a mix of uses, including retail, services, office use, multi-family residential, and entertainment. Community centers may be developed at the intersections of major arterial streets and along major arterials, highways, and turnpike corridors. This type of area is served by numerous roads and transit routes, providing a variety of connections to adjacent residential neighborhoods, retail centers, and employment centers.



View of the subject property
from
President George Bush
Turnpike.



View of the property to the
north.



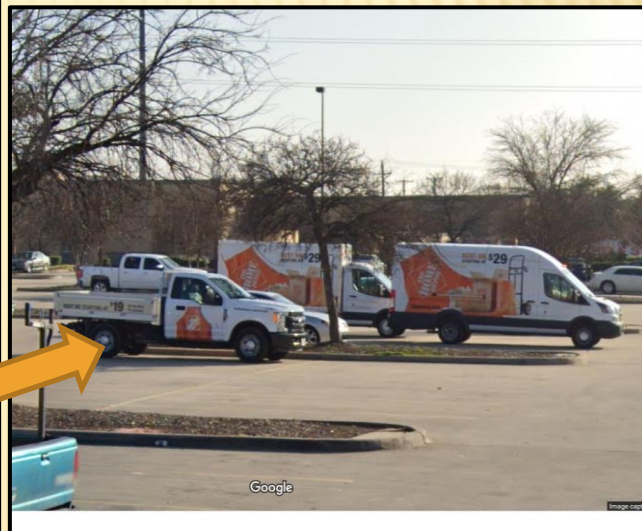
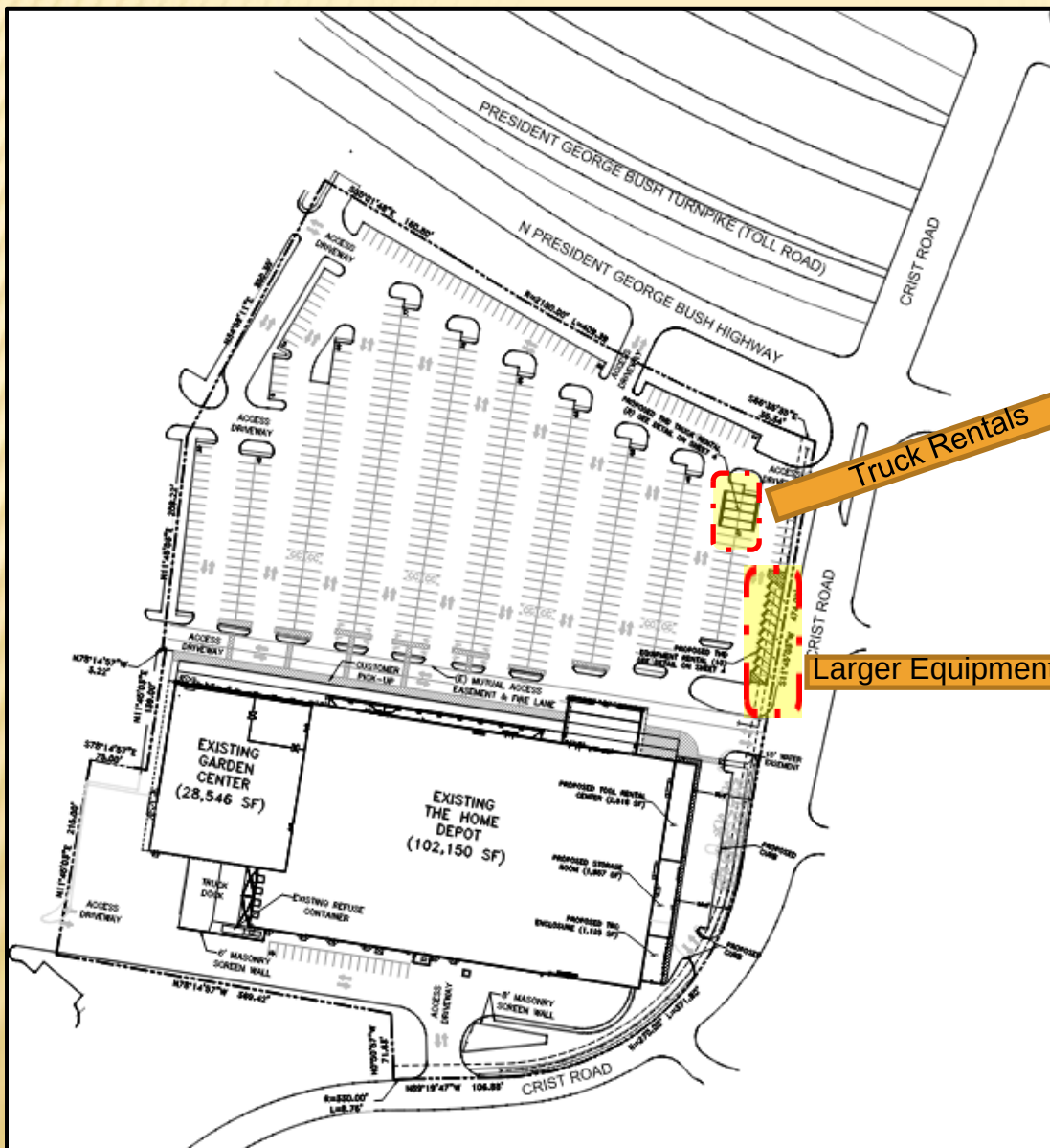
View of the property to the west.



View of the property to the east.



SITE PLAN

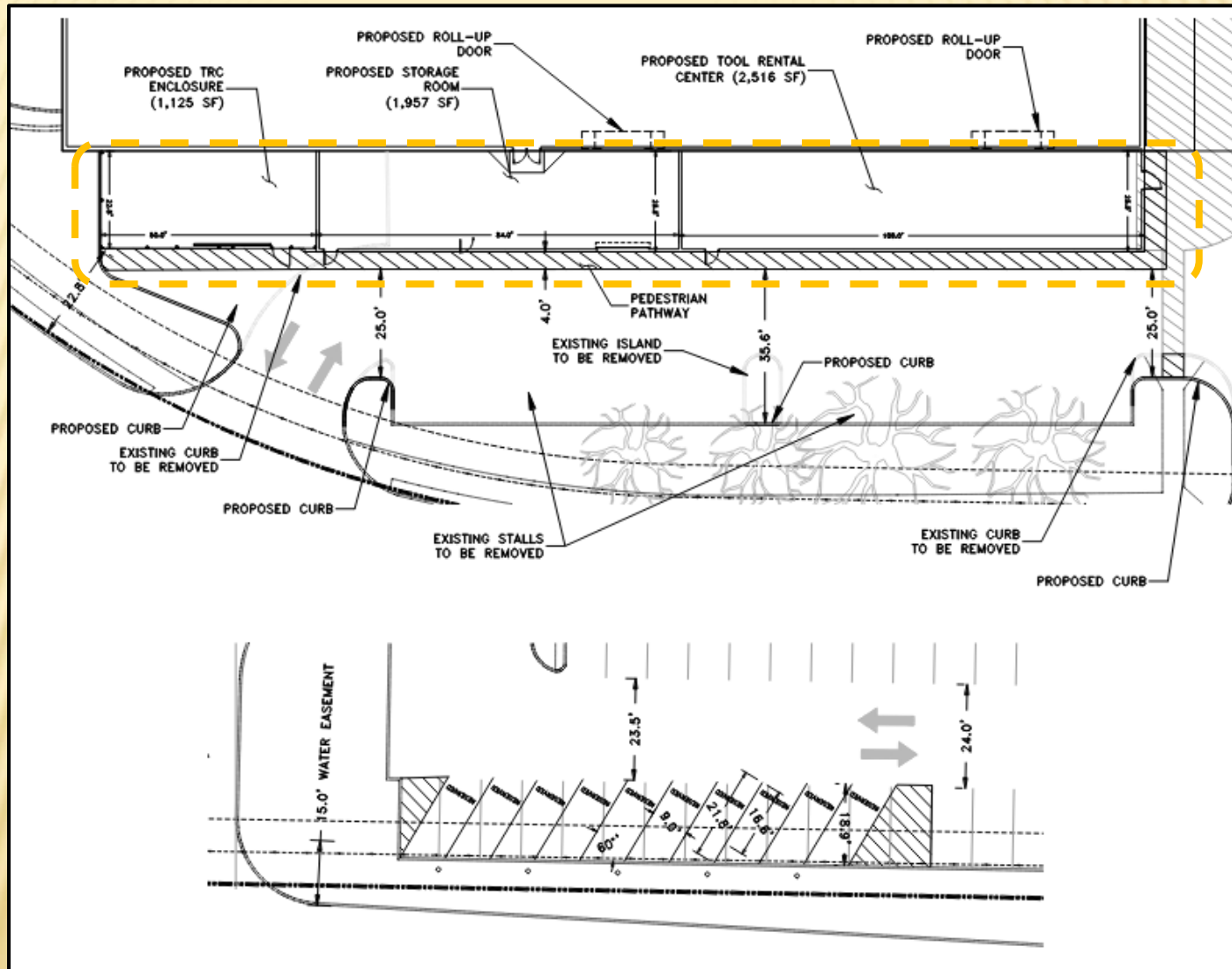


Z 21-42



GARLAND
TEXAS MADE HERE

SITE PLAN



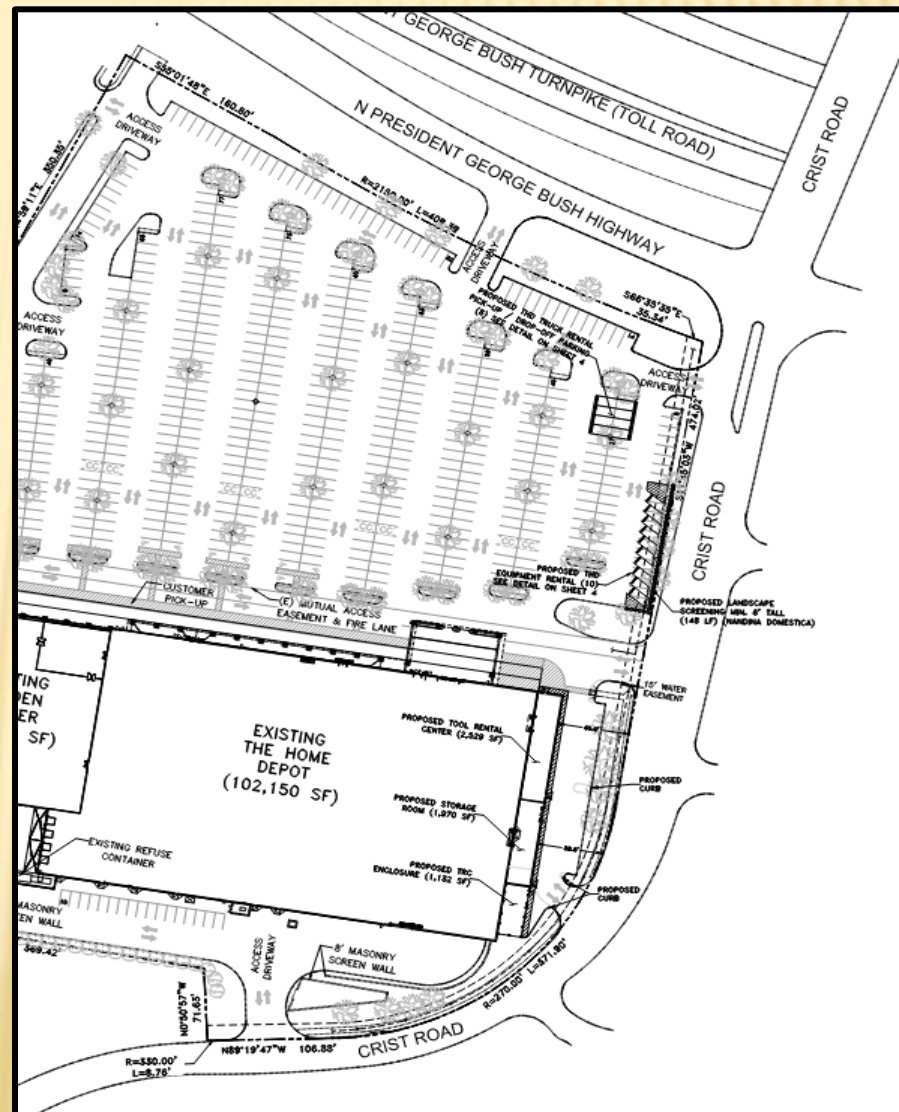
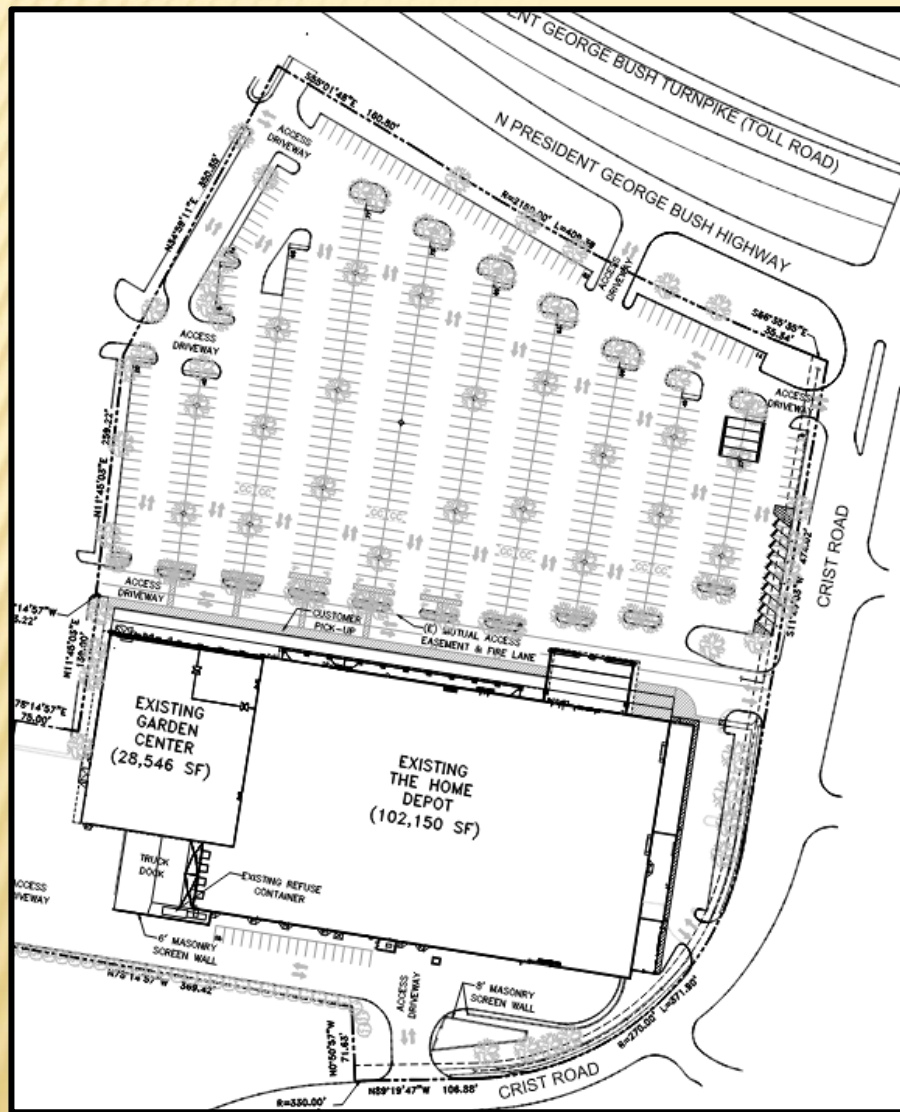
Z 21-42



LANDSCAPE PLAN

PLAN COMMISSION

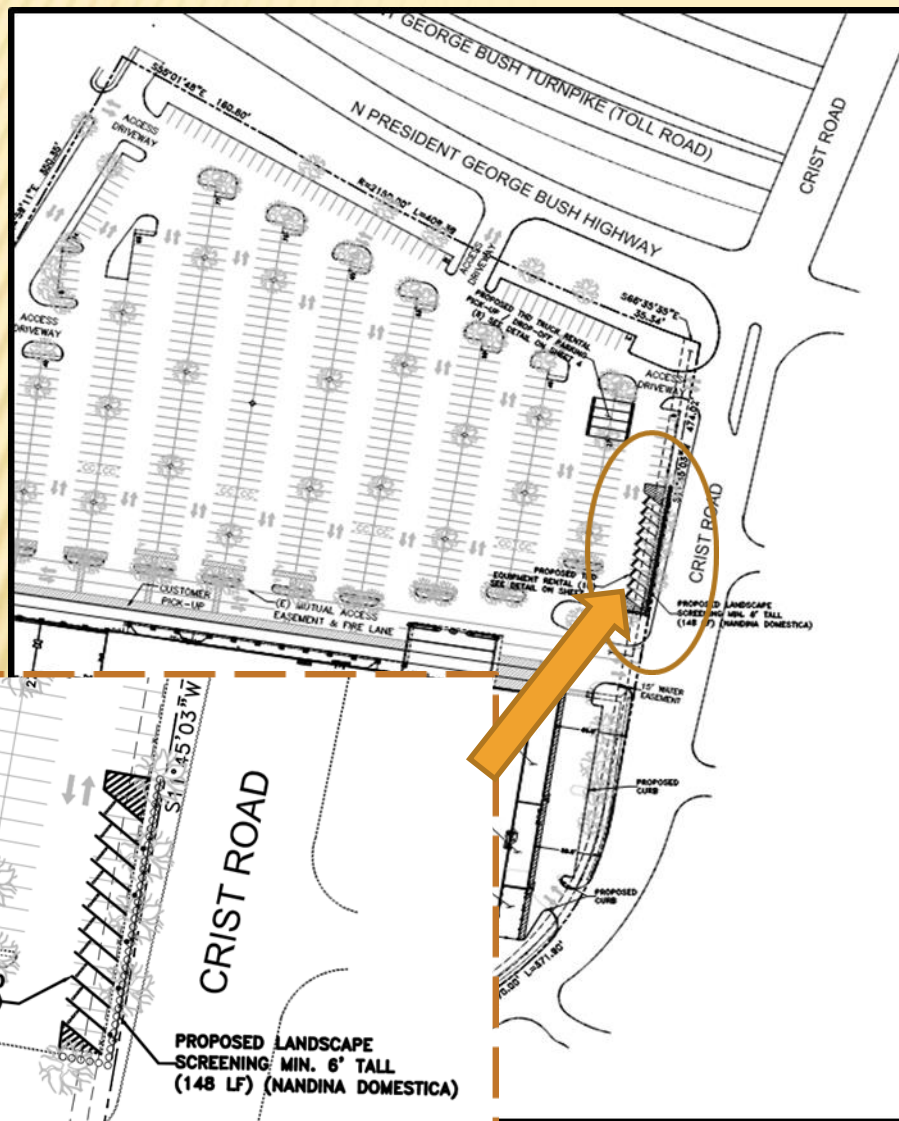
CITY COUNCIL





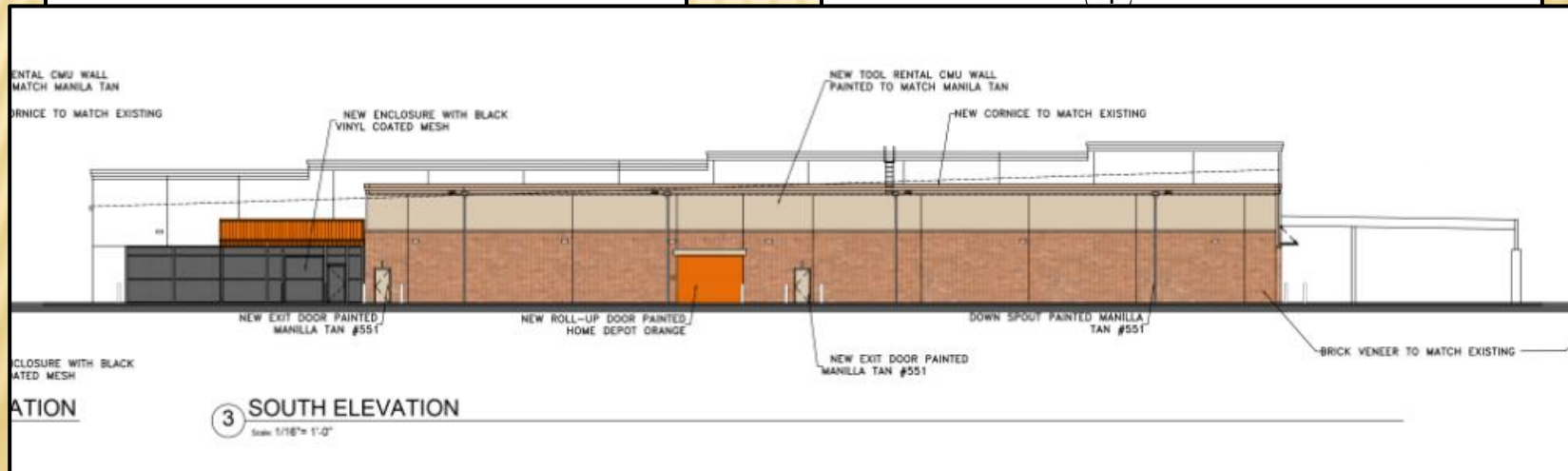
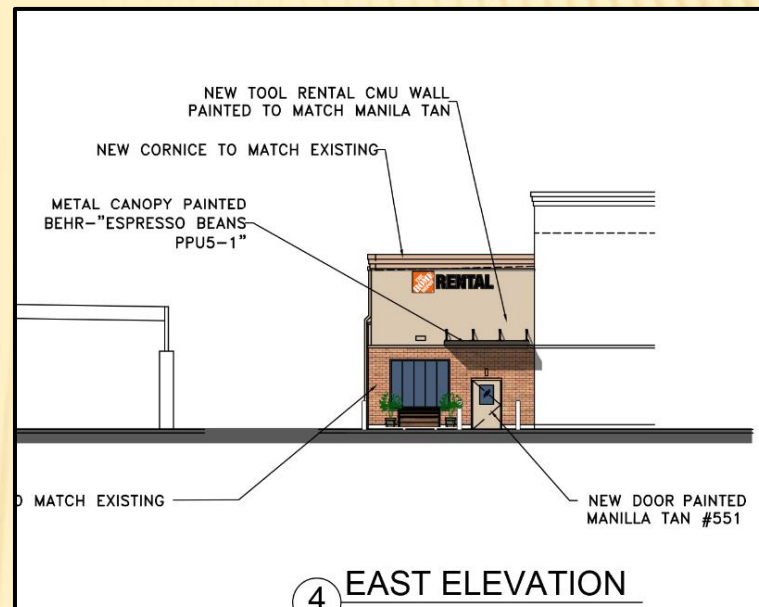
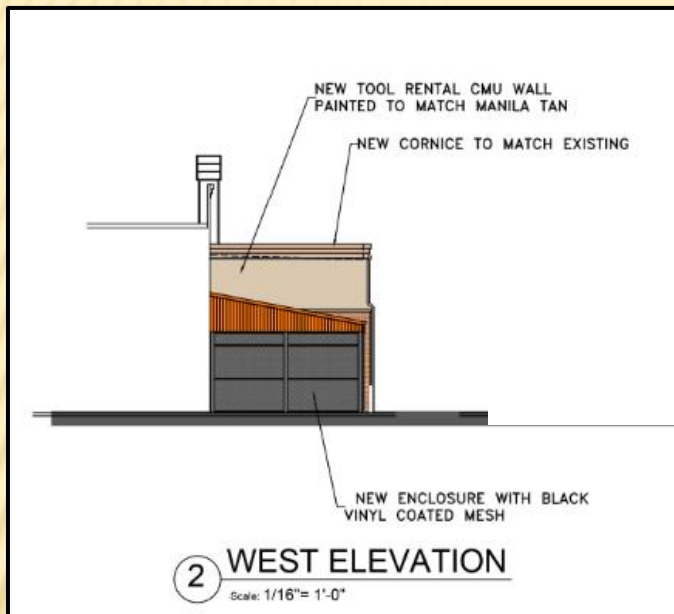
LANDSCAPE PLAN

CITY COUNCIL





ELEVATIONS





STAFF RECOMMENDATION

Approval of an amendment to Planned Development (PD) District 97-23 for Community Retail Uses.

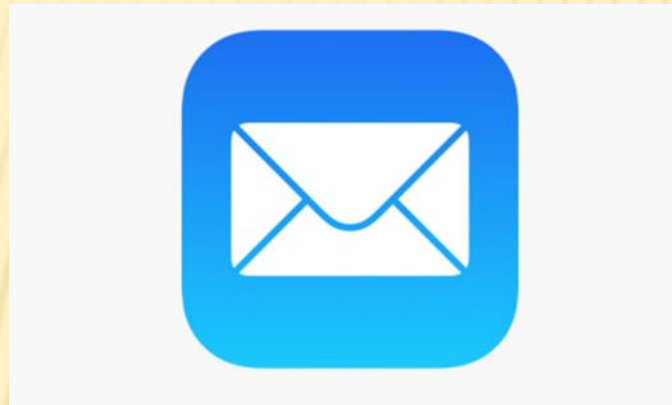
Approval of a Detail Plan for a building expansion and outdoor rentals of trucks and equipment on a property zoned Planned Development (PD) District 97-23.

PLAN COMMISSION RECOMMENDATION

On December 15, 2021 the Plan Commission, by a vote of six (6) to one (1), recommended approval of an amendment to Planned Development (PD) District 97-23 for Community Retail Uses.

The Plan Commission, by a vote of six (6) to one (1), also recommended approval of a Detail Plan for a building expansion on a property zoned Planned Development (PD) District 97-23.

The Plan Commission further recommended excluding outdoor rentals of trucks and equipment on site. In response, the applicant has proposed additional landscaping (minimum 6 feet in height) along Crist Road to screen the large equipment.



Z 21-42



GARLAND PLANNING REPORT

City Council Regular Session Agenda

9. b.

Meeting Date: 01/04/2022

Item Title: Z 21-42 Lars Anderson & Associates, Inc. - Detail Plan (District 1)

Submitted By: Kimberly Hopkins, Development Planner

REQUEST

Approval of an amendment to Planned Development (PD) District 97-23 for Community Retail Uses.

Approval of a Detail Plan for a building expansion and outdoor rentals of trucks and equipment on a property zoned Planned Development (PD) District 97-23.

LOCATION

3261 North President George Bush Turnpike

OWNER

HD Development Properties, LP

PLAN COMMISSION RECOMMENDATION

On December 15, 2021 the Plan Commission, by a vote of six (6) to one (1), recommended approval of an amendment to Planned Development (PD) District 97-23 for Community Retail Uses.

The Plan Commission, by a vote of six (6) to one (1), also recommended approval of a Detail Plan for a building expansion on a property zoned Planned Development (PD) District 97-23.

The Plan Commission further recommended excluding outdoor rentals of trucks and equipment on site. In response, the applicant has proposed additional landscaping (minimum 6 feet in height) along Crist Road to screen the large equipment.

STAFF RECOMMENDATION

Approval of an amendment to Planned Development (PD) District 97-23 for Community Retail Uses.

Approval of a Detail Plan for a building expansion and outdoor rentals of trucks and equipment on a property zoned Planned Development (PD) District 97-23.

BACKGROUND

In 1997, City Council approved a Planned Development (PD) District 97-23 and Detail Plan for a variety of retail, restaurants and commercial service uses including The Home Depot. The applicant is requesting approval of a building expansion for a tool rental center and outdoor display and rentals for the subject property (Home Depot).

SITE DATA

The subject property is 11.66 acres with approximately 196 lineal feet along North President George Bush Turnpike and 580 lineal feet along Crist Road. The site can be accessed from North President George Bush Turnpike and Crist Road.

USE OF PROPERTY UNDER CURRENT ZONING

The subject property is zoned Planned Development (PD) District 97-23 which allows Community Retail (CR) District Uses. The CR District is intended to accommodate a variety of retail, service, and business establishments that may or may not be designed in a shopping center configuration. The district may be used as a transition district between lower intensity retail or office uses and more intense uses. A Community Retail (CR) District is generally appropriate along major transportation corridors but is generally not appropriate in proximity to low density residential districts without significant buffering and screening features. An example of allowed use in a Community Retail (CR) District is a retail shopping area that may be large in scale with very limited or no outside storage. Traffic generated by uses in a Community Retail (CR) District must be focused onto the major thoroughfare network. Development in a Community Retail (CR) District may not be designed in a manner that increases traffic through residential areas.

The applicant intends to expand the square footage of the existing Home Depot. The building expansion includes a tool rental center, storage room, and outdoor storage for larger equipment and trucks. The proposal requires an amendment to the Planned Development (PD) District 97-23 and a Detail Plan.

CONSIDERATIONS

1. The applicant proposes to expand the existing 130,696 square-foot Home Depot by approximately 4,473 square feet for a new total building area of 134,199 square feet. This expansion is for a tool rental center, storage room for pickup items, and a tool rental enclosure for large tools. In addition to the total rental center, the applicant proposes outdoor rentals for large equipment, which includes ten (10) spaces for equipment rental and eight (8) spaces for truck rental. Large equipment consists of Trencher, Tractor Loader Backhoe, Skid Steer, Mini Excavator, Home Depot Truck Rental and other larger equipment. The proposal would deviate from GDC standards related to outdoor displays and storage, such as screening from public view and day/time restrictions of displays. It should be noted that Home Depot locations often include this operation as an accessory use.
2. The site plan (Exhibit C) complies with the GDC parking requirements.
3. No parking lot expansion is being proposed with this request. Landscaping and screening currently exist on the site. However, in response to concerns from the Plan Commission, the applicant is proposing additional Nandina Domestica shrubs along Crist Road to screen the large equipment. The applicant is not proposing additional screening for the

proposed truck rental area.

4. The design of the building expansion complies with the applicable building design regulations of the GDC.

COMPREHENSIVE PLAN

The Future Land Use Map for the Envision Garland 2030 Comprehensive Plan identifies this area as Community center.

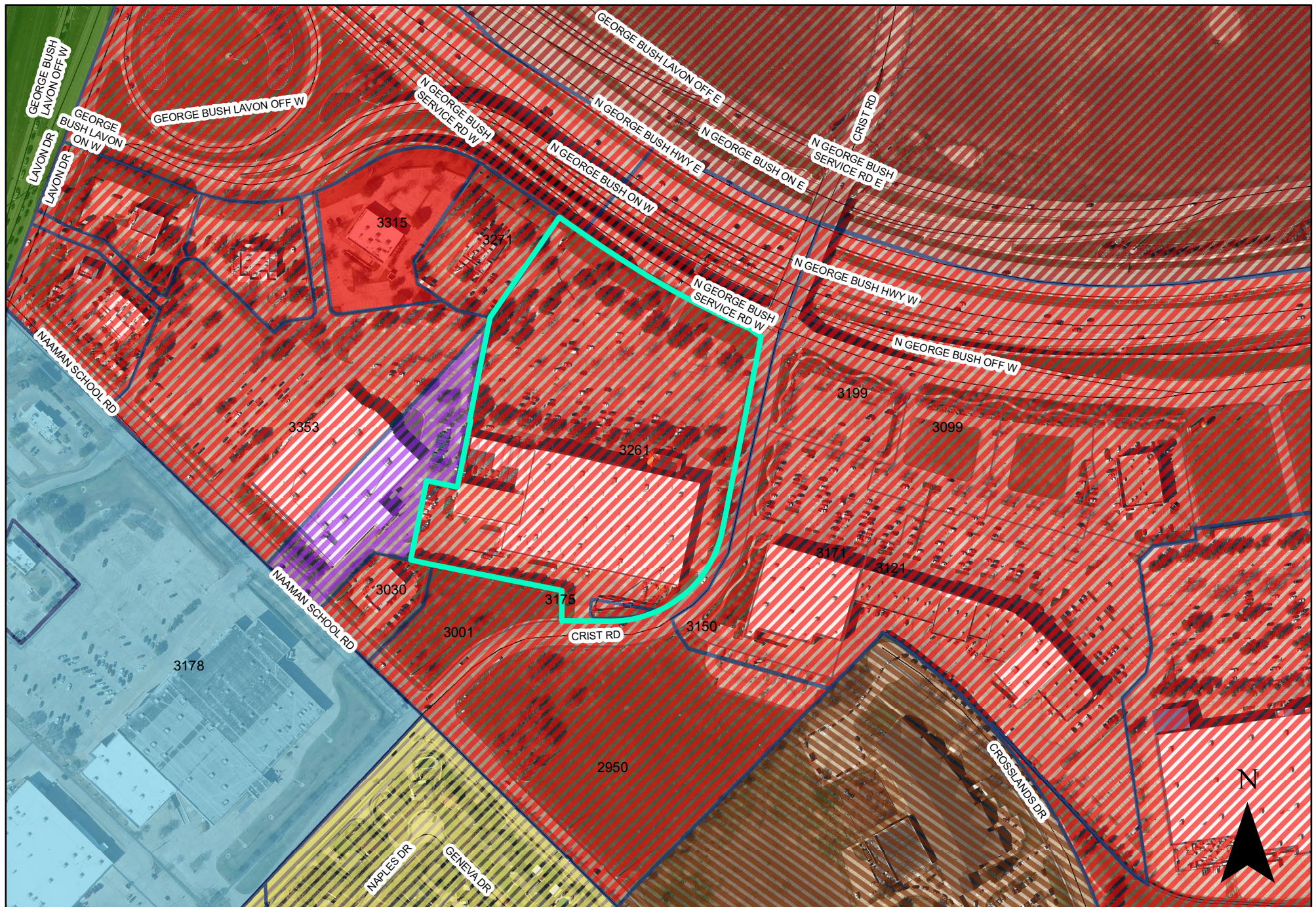
Community Centers are areas with compact development, primarily non-residential, serving a collection of neighborhoods. This type of development consists of a mix of uses, including retail, services, office use, multi-family residential, and entertainment. Community centers may be developed at the intersections of major arterial streets and along major arterials, highways, and turnpike corridors. This type of area is served by numerous roads and transit routes, providing a variety of connections to adjacent residential neighborhoods, retail centers, and employment centers.

COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

The properties to the south, east, and west are developed with a variety of retail and restaurant uses. The property to the north across North President George Bush Turnpike is zoned Planned Development (PD) District 02-25 and it is currently unimproved.

Attachments

Z 21-42 Lars Anderson & Associates, Inc. (Detail Plan) Attachments
Z 21-42 Lars Anderson & Associates, Inc. Responses
Z 21-42 Staff Presentation

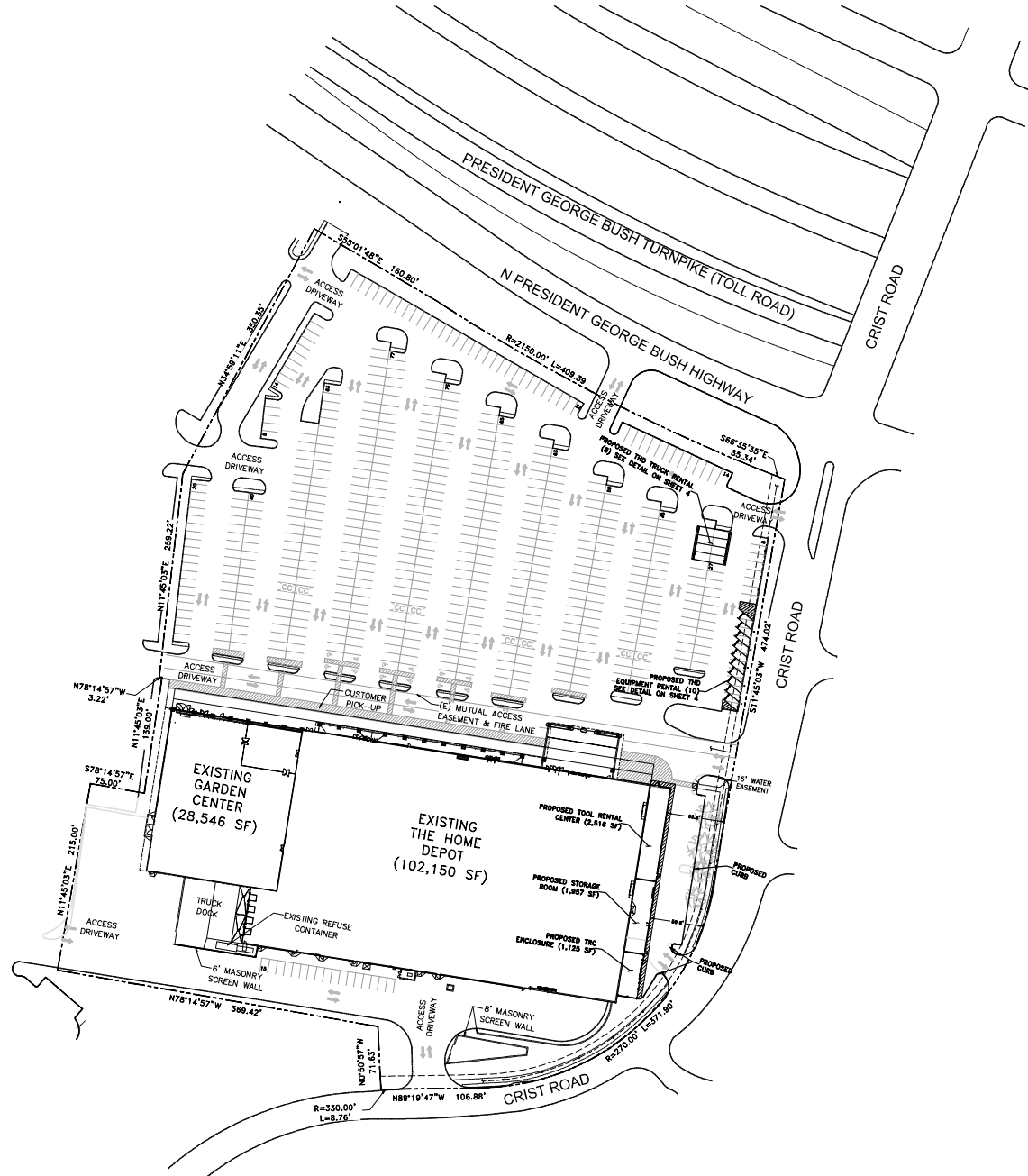


0 200 400 Feet
1 inch = 300 feet

ZONING MAP Z 21-42

3261 North George Bush Highway

 INDICATES AREA OF REQUEST



LARS ANDERSEN & ASSOCIATES, INC.
 CIVIL ENGINEERS • LAND SURVEYORS • PLANNERS
 4894 WEST JACQUILYN AVENUE - FRESNO, CALIFORNIA 93722
 TEL: 559 276-2700 FAX: 559 276-0850 WWW.LARSANDERSEN.COM
 Texas Registered Engineering Firm F-18450



VICINITY MAP
 NOT TO SCALE

PROJECT INFORMATION

HOME DEPOT SITE DATA	
HOME DEPOT PARCEL AREA	+/- 11.66 AC
APN	2612545-061-001-0000
ZONE	PLANNED DEVELOPMENT 2-42 (CR)
JURISDICTION:	CITY OF GARLAND
HOME DEPOT BUILDING AREAS	
EXISTING HOME DEPOT AREA	102,150 SF
PROPOSED TOOL RENTAL CENTER	4,473 SF
EXISTING GARDEN CENTER AREA	+ 28,546 SF
TOTAL HD AREA	134,169 SF
PARKING REQUIRED PER CITY CODE	
HOME DEPOT (@ 1/250 SF) GFA	409 STALLS
PROPOSED TRC (@ 1/250 SF) GFA	18 STALLS
GARDEN CENTER (@ 1/250 SF) GFA	114 STALLS
EQUIPMENT RENTAL (OUTDOOR) (@ 1/600 SF)	+ 4 STALLS
TOTAL HD PARKING REQUIRED	543 STALLS
HOME DEPOT PARKING PROVIDED	
FRONT FIELD PARKING	596 STALLS
REAR FIELD PARKING	0 STALLS
REAR FIELD PARKING	+ 17 STALLS
TOTAL HD PARKING PROVIDED	603 STALLS
INCLUDED WITHIN PARKING PROVIDED	
ACCESSIBLE PARKING (2% REQ AT 50'-1000')	12 STALLS
NOT INCLUDED WITHIN PARKING PROVIDED	
EQUIPMENT RENTAL	10 STALLS
TRUCK RENTAL	8 STALLS

CASE #: 210937-2

TRC SITE PLAN

DATE: 07/26/2021
 REVISION DATES: 10/25/2021
 SITE PLANNER: DAVID BORSCH
 SITE DEV. COORDINATOR: SCOTT MOMMER



**GARLAND, TX
 STORE # 0553**

ADDRESS: 3261 N PRESIDENT GEORGE BUSH HWY
 GARLAND, TX 75040

LA PROJECT NUMBER 18178.00



SCALE 1"=50'

[illegible]

CASE #: 210907-2

DATE:	07/26/2021
REVISION DATES:	10/25/2021
SITE PLANNER	DAVID BORSCH
SITE DEV. COORDINATOR	SCOTT MOMMER



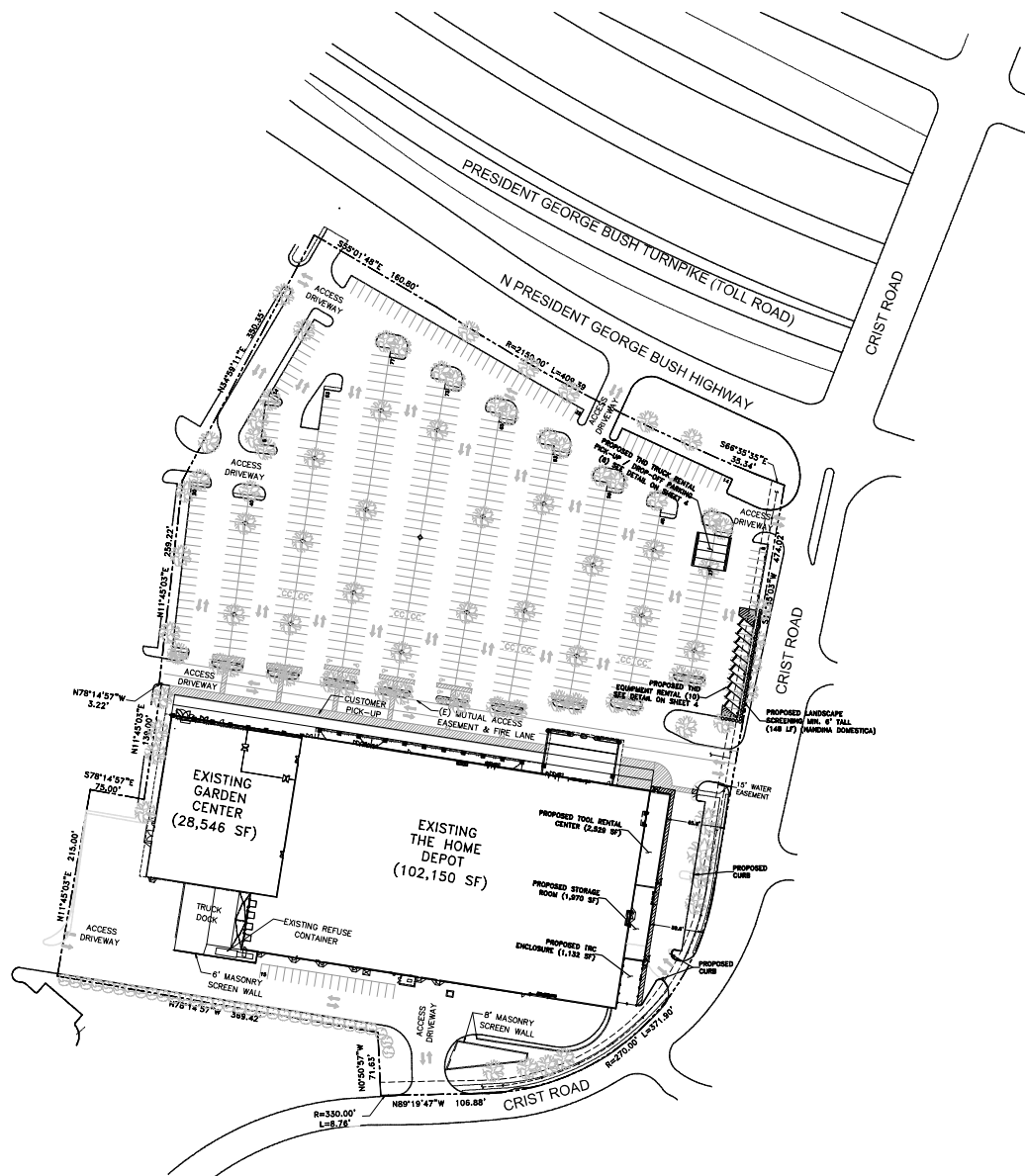
ADDRESS. 3261 N PRESIDENT GEORGE BUSH HWY
GARLAND, TX 75040

LA PROJECT NUMBER	18178.00
-------------------	----------



SHEET 2 OF 3

EXHIBIT D



LARS ANDERSEN & ASSOCIATES, INC.
 CIVIL ENGINEERS - LAND SURVEYORS - PLANNERS
 4634 WEST JACQUELYN AVENUE - FRESNO CALIFORNIA 93722
 TEL: 559 276-2790 FAX: 559 276-0850 WWW.LARSANDERSEN.COM
 Texas Registered Engineering Firm F-18450



PROJECT INFORMATION

HOME DEPOT SITE DATA	
HOME DEPOT PARCEL AREA	11.1166 AC
APN	20*254000*001*0023
ZONE	PLANNED DEVELOPMENT 21-42 (CR)
JURISDICTION	CITY OF GARLAND
HOME DEPOT BUILDING AREAS	
EXISTING HOME DEPOT AREA	102,150 SF
PROPOSED TOOL RENTAL CENTER	4,499 SF
EXISTING GARDEN CENTER AREA	28,546 SF
TOTAL HD AREA	136,195 SF
PARKING REQUIRED PER CITY CODE	
HOME DEPOT (@ 1750 SF/GFA)	409 STALLS
PROPOSED TRC (@ 1250 SF/GFA)	18 STALLS
GARDEN CENTER (@ 1050 SF/GFA)	114 STALLS
EQUIPMENT RENTAL OUTDOOR (@ 1800 SF)	2 STALLS
TOTAL HD PARKING REQUIRED	545 STALLS
HOME DEPOT PARKING PROVIDED	
FRONT FIELD PARKING	589 STALLS
MID FIELD PARKING	0 STALLS
REAR FIELD PARKING	0 STALLS
TOTAL HD PARKING PROVIDED	601 STALLS
INCLUDED WITHIN PARKING PROVIDED	
ACCESSIBLE PARKING (2% REQ AT 501-1000)	12 STALLS
NOT INCLUDED WITHIN PARKING PROVIDED	
EQUIPMENT RENTAL	10 STALLS
TRUCK RENTAL	8 STALLS

CASE # 2100742

TRC SITE PLAN

DATE: 07/26/2021
 REVISION DATES: 12/22/2021
 SITE PLANNER: LUIS REBELO
 SITE DEV. COORDINATOR: SCOTT MOMMER



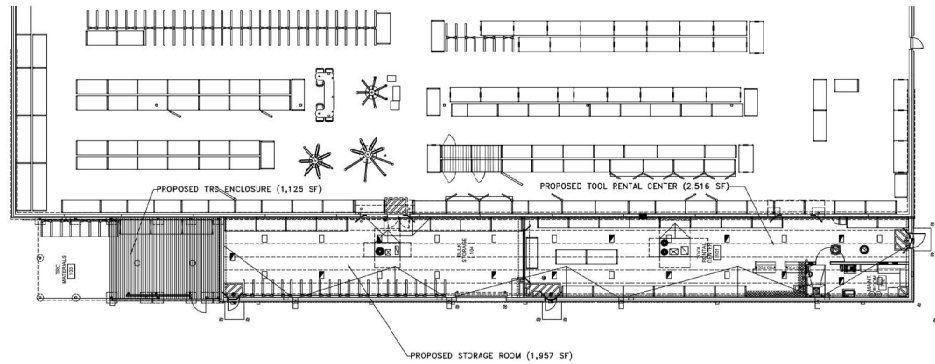
GARLAND, TX
STORE # 0553

ADDRESS: 3261 N PRESIDENT GEORGE BUSH HWY
 GARLAND, TX 75040

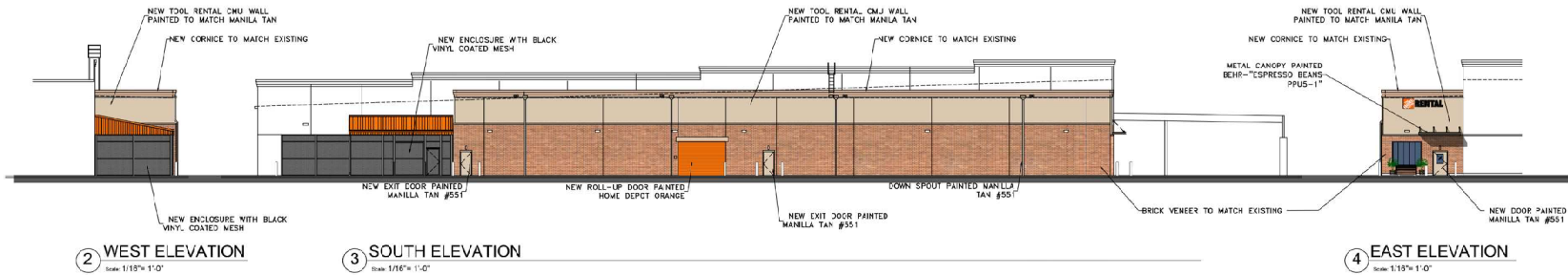
LA PROJECT NUMBER 18178.00



SCALE 1"=60'



① PARTIAL FLOOR PLAN (NEW TOOL RENTAL CENTER)
Scale: 1/16" = 1'-0"



② WEST ELEVATION
Scale: 1/16" = 1'-0"

③ SOUTH ELEVATION
Scale: 1/16" = 1'-0"

④ EAST ELEVATION
Scale: 1/16" = 1'-0"

CASE # 210907-2

TRC ELEVATIONS

DATE: 10/25/2021
REVISION DATES:



**GARLAND, TX
STORE # 0553**

ADDRESS: 3261 N PRESIDENT GEORGE BUSH HWY
GARLAND, TX

LA PROJECT NUMBER 18178.00



0' 16' 32'
SCALE 1" = 16'

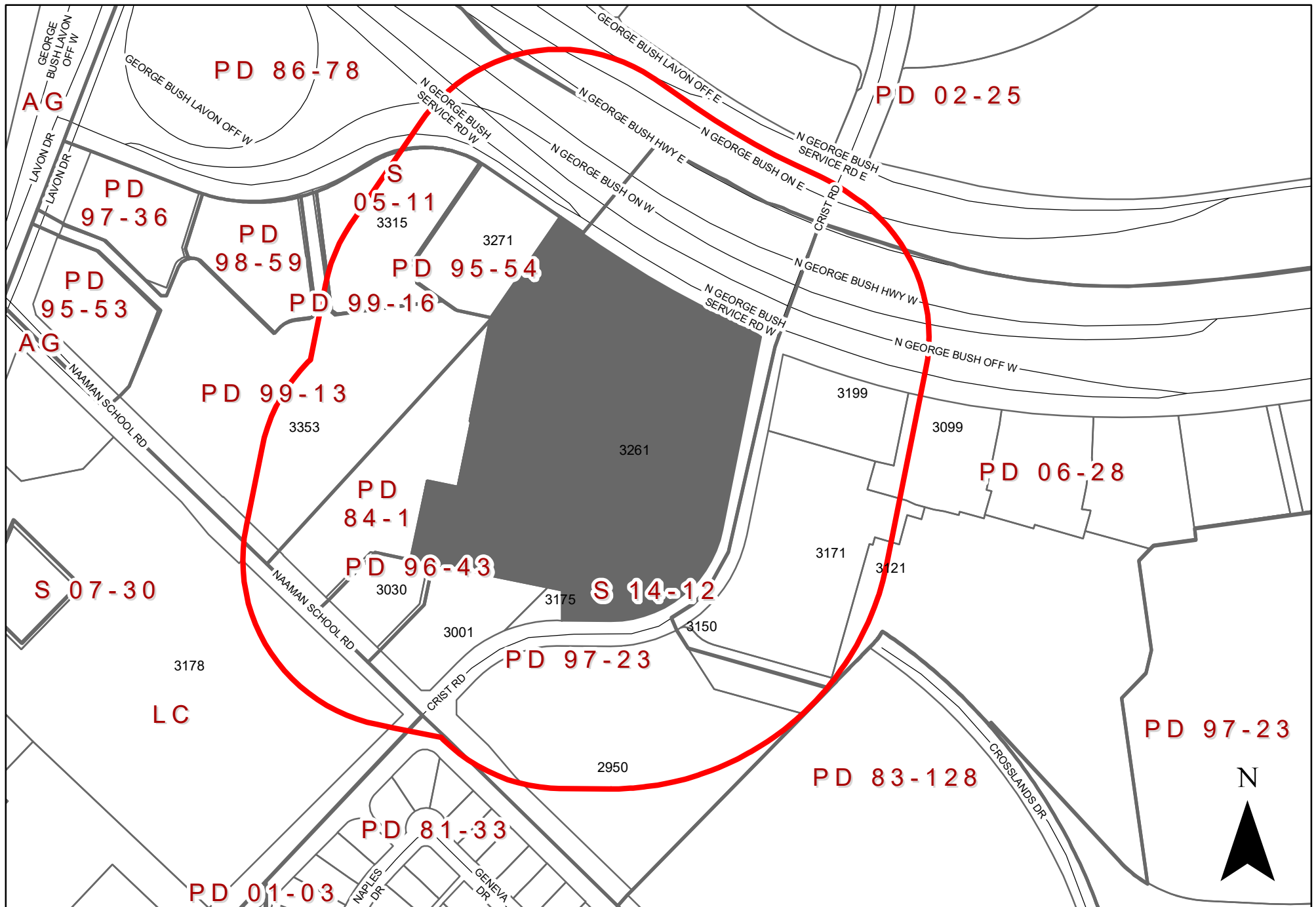
REPORT & MINUTES

P.C. Meeting, December 15, 2021

3b. APPROVED Consideration of the application of **Lars Anderson & Associates, Inc.**, requesting approval of a Detail Plan for a building expansion and outdoor rentals of vehicles and equipment on a property zoned Planned Development (PD) District 97-23. This property is located at 3261 North President George Bush Turnpike. (District 1) (File Z 21-42 – Detail Plan)

Motion was made by Commissioner Jenkins to approve the request for the building expansion and tool rental and deny

the request for outdoor storage of heavy equipment and rental trucks. Seconded by Commissioner Williams. **Motion carried: 6 Ayes, 1 Nay** from Commission Rose.



0 190 380 Feet
1 inch = 300 feet

ZONING MAP Z 21-42

 INDICATES AREA OF REQUEST  INDICATES NOTIFICATION AREA

3261 North President George Bush Turnpike

To date we have not received any responses for this case.

Z 21-42

The applicant proposes to expand the existing Home Depot for a tool rental center and storage room, and proposes outdoor rentals for equipment and trucks.

[Approval of an amendment to Planned Development (PD) District 97-23 for Community Retail Uses.

Approval of a Detail Plan for a building expansion and outdoor rentals of trucks and equipment on a property zoned Planned Development (PD) District 97-23.]



GARLAND

TEXAS MADE HERE

**City Council Meeting
January 4, 2022**

Location: 3261 North President George Bush
Turnpike

Applicant: Lars Anderson & Associates, Inc.

Owner: HD Development Properties, LP

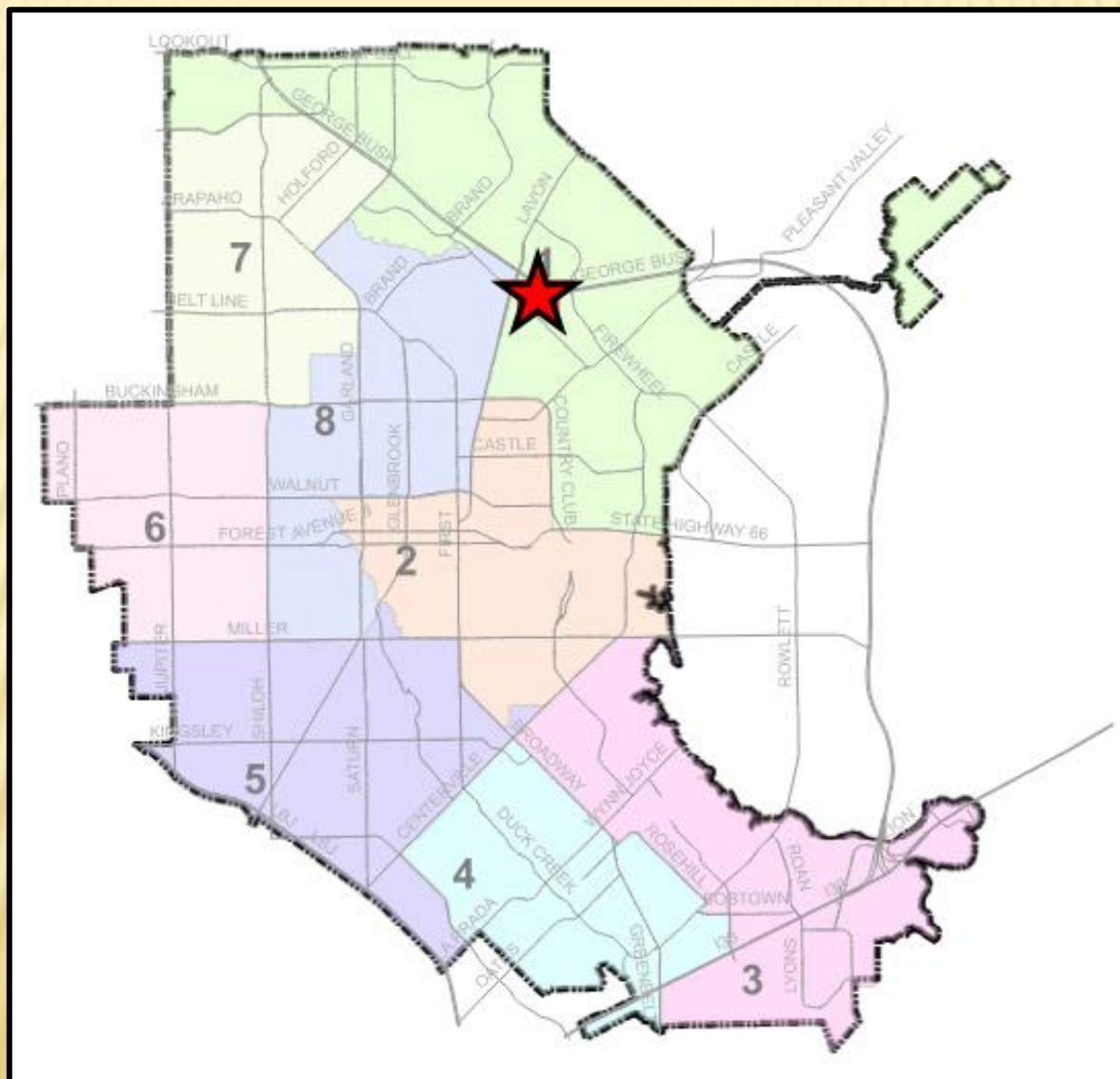
Acreage: 11.66 acres

Zoning: Planned Development (PD) District 97-23



GARLAND
TEXAS MADE HERE

CITYWIDE LOCATION MAP



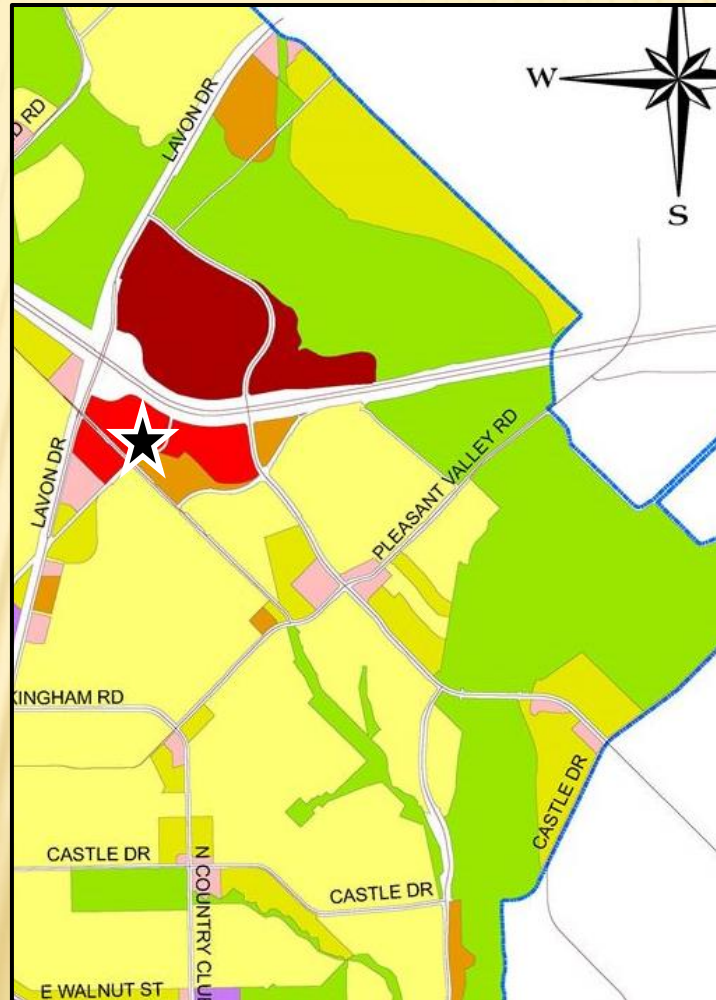
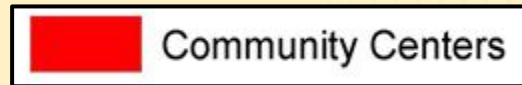
Z 21-42



3261 North George Bush Highway

Z 21-42

COMPREHENSIVE PLAN



Z 21-42

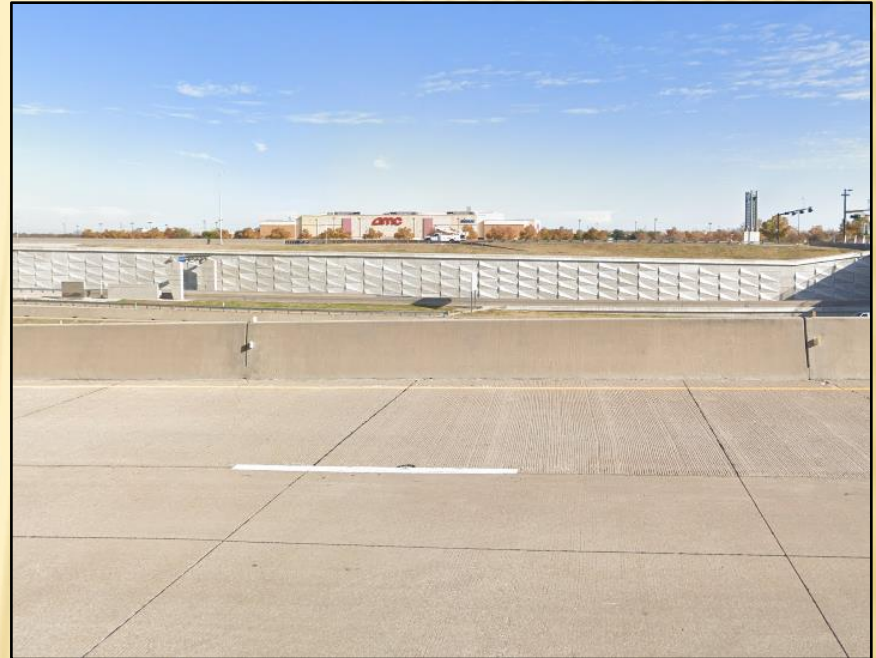


The Future Land Use Map of the Envision Garland Plan recommends Community Center for the subject property. Community Centers are areas with compact development, primarily non-residential, serving a collection of neighborhoods. This type of development consists of a mix of uses, including retail, services, office use, multi-family residential, and entertainment. Community centers may be developed at the intersections of major arterial streets and along major arterials, highways, and turnpike corridors. This type of area is served by numerous roads and transit routes, providing a variety of connections to adjacent residential neighborhoods, retail centers, and employment centers.

This use is supportive to the surrounding area and compatible with the Comprehensive Plan.



View of the subject property
from
President George Bush
Turnpike.



View of the property to the
north.



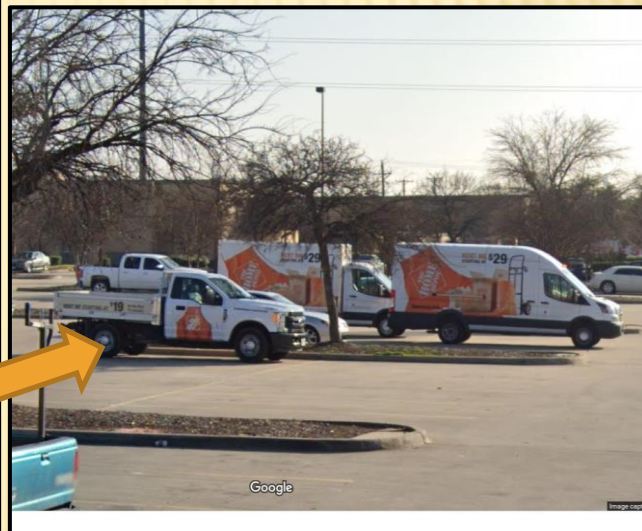
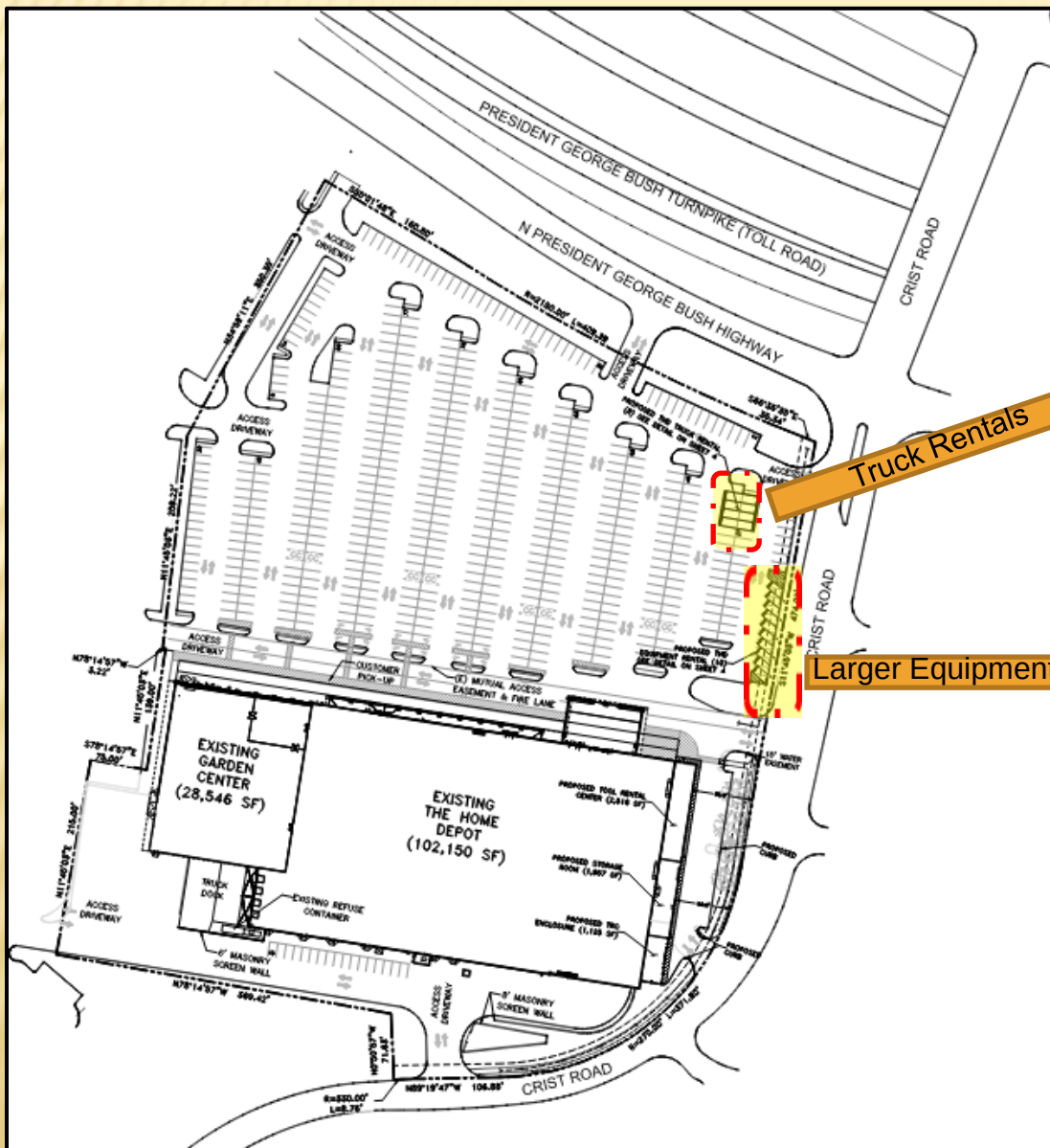
View of the property to the west.



View of the property to the east.



SITE PLAN

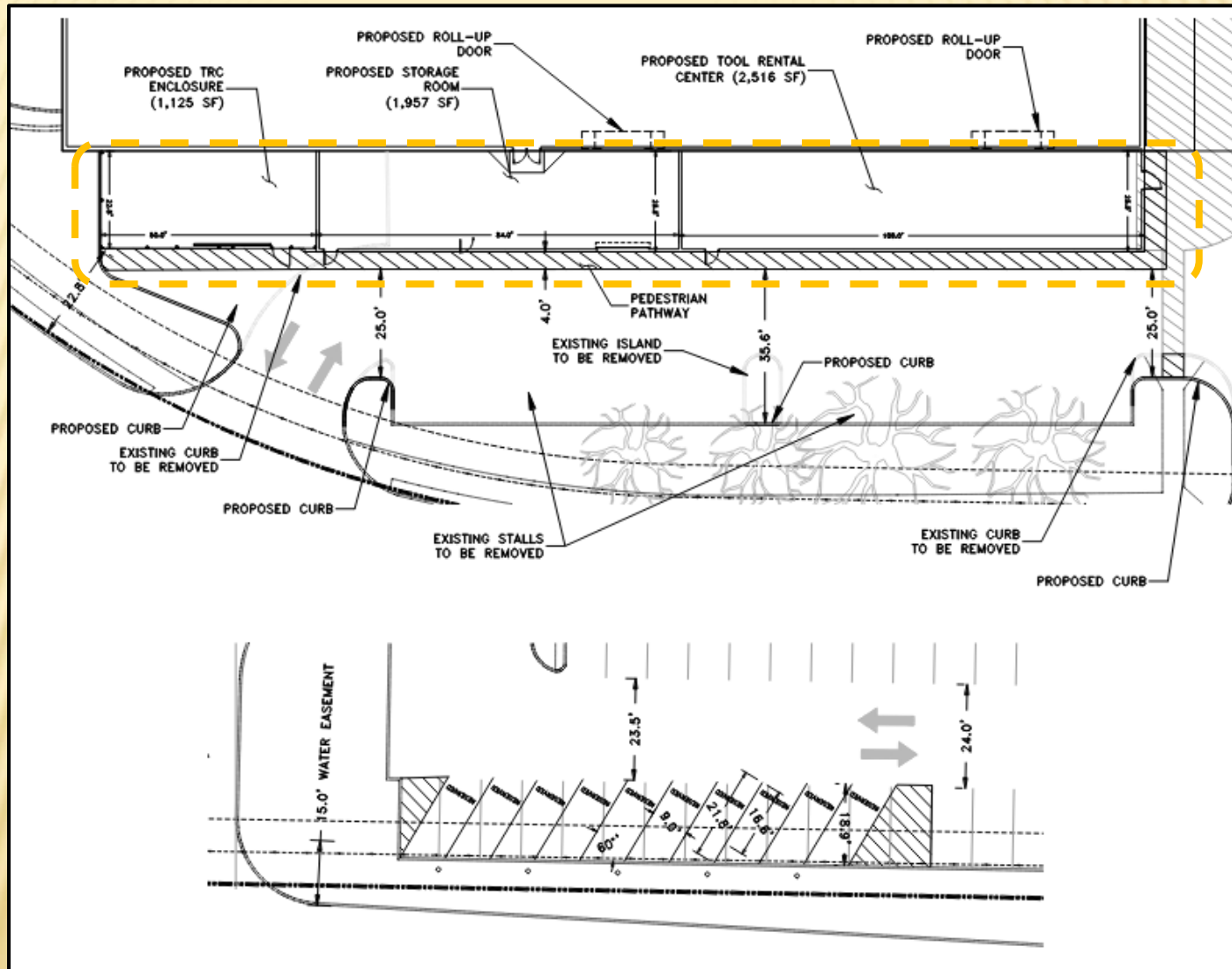


Z 21-42



GARLAND
TEXAS MADE HERE

SITE PLAN

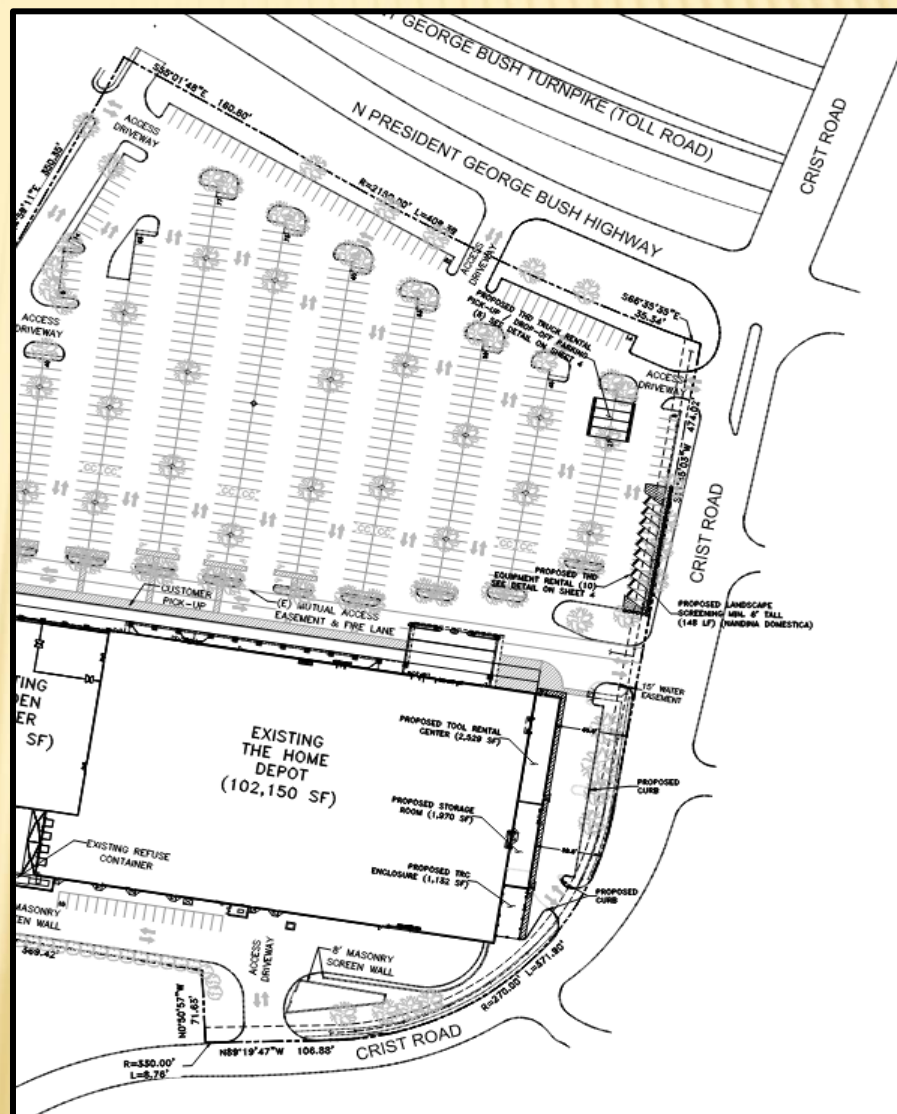


Z 21-42



PLAN COMMISSION

CITY COUNCIL

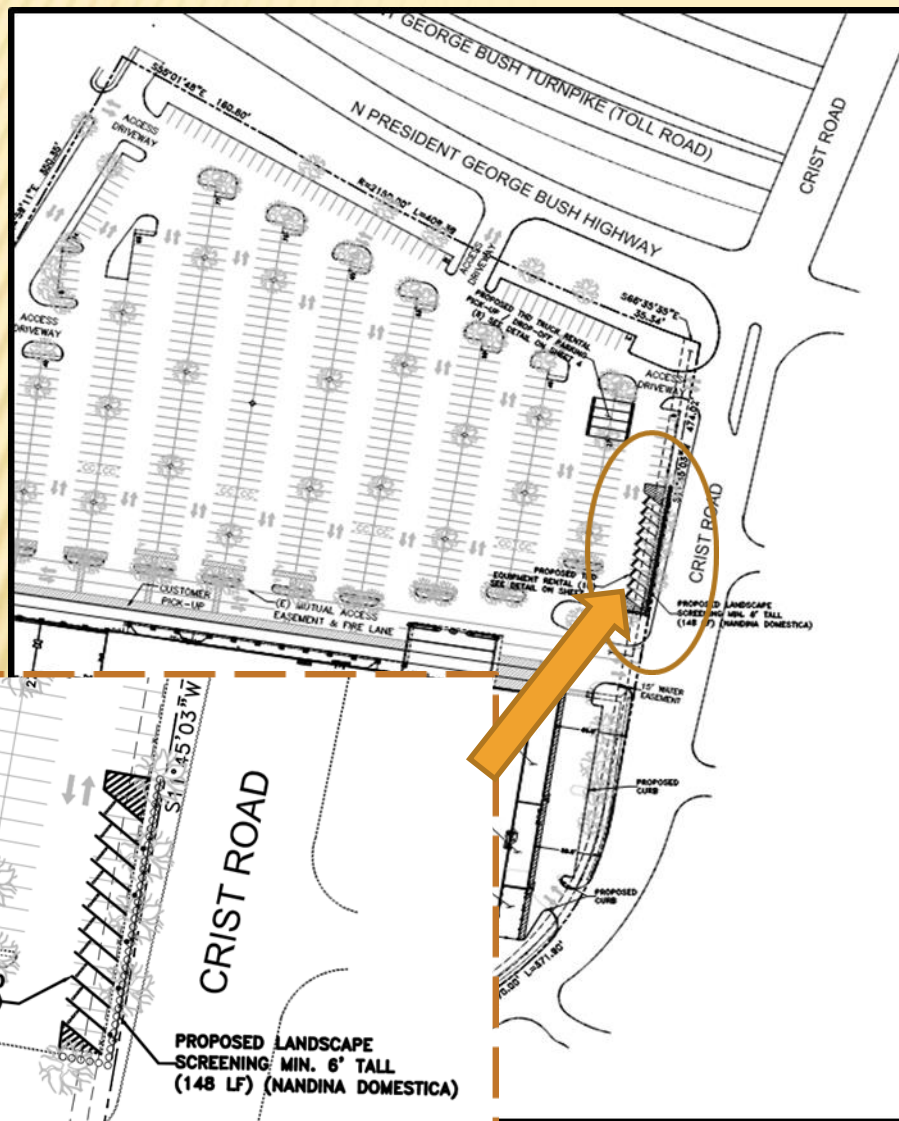


Z 21-42



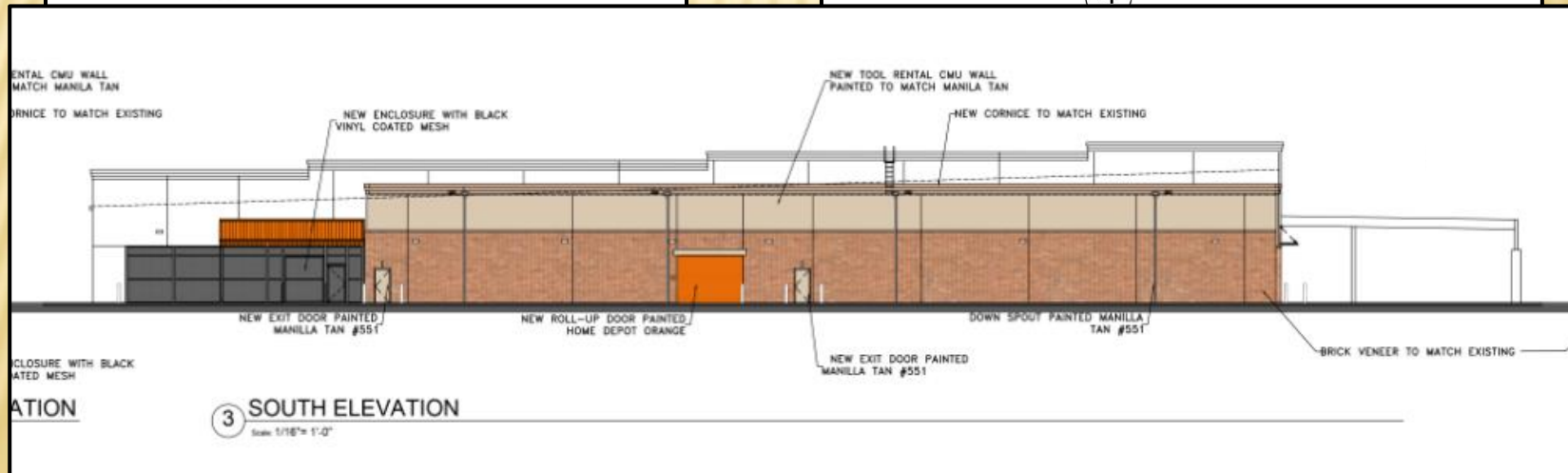
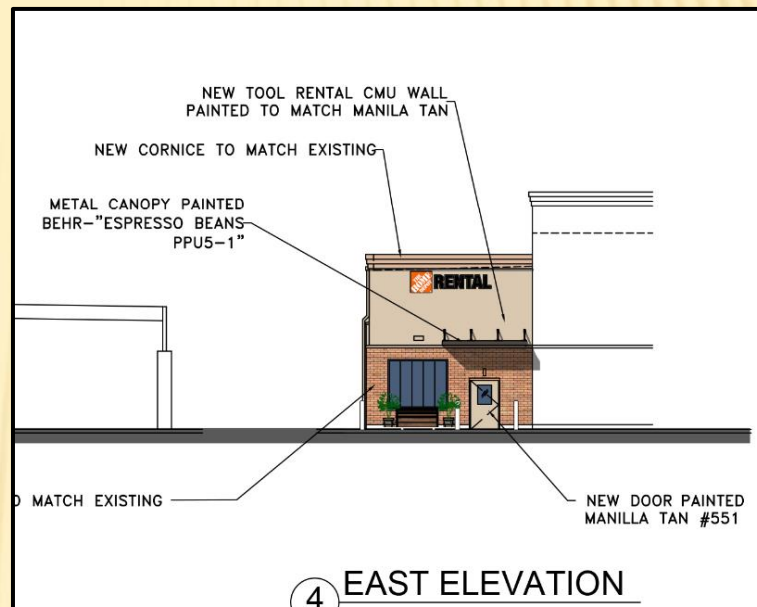
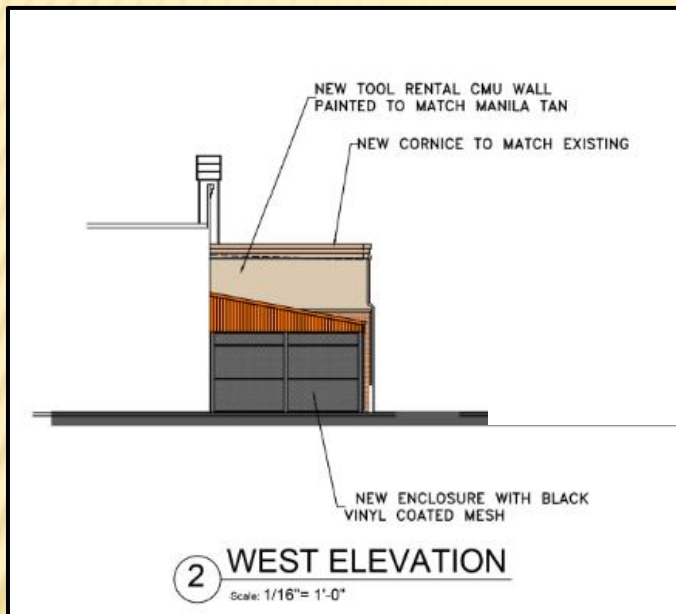
LANDSCAPE PLAN

CITY COUNCIL





ELEVATIONS





STAFF RECOMMENDATION

Approval of an amendment to Planned Development (PD) District 97-23 for Community Retail Uses.

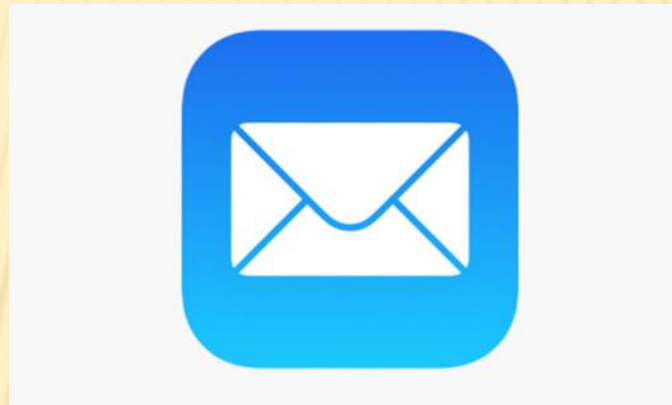
Approval of a Detail Plan for a building expansion and outdoor rentals of trucks and equipment on a property zoned Planned Development (PD) District 97-23.

PLAN COMMISSION RECOMMENDATION

On December 15, 2021 the Plan Commission, by a vote of six (6) to one (1), recommended approval of an amendment to Planned Development (PD) District 97-23 for Community Retail Uses.

The Plan Commission, by a vote of six (6) to one (1), also recommended approval of a Detail Plan for a building expansion on a property zoned Planned Development (PD) District 97-23.

The Plan Commission further recommended excluding outdoor rentals of trucks and equipment on site. In response, the applicant has proposed additional landscaping (minimum 6 feet in height) along Crist Road to screen the large equipment.



Z 21-42



GARLAND PLANNING REPORT

City Council Regular Session Agenda

9. c.

Meeting Date: 01/04/2022

Item Title: Z 21-47 Zone Systems, Inc. - SUP (District 5)

Submitted By: Josue De La Vega, Sr. Development Planner

REQUEST

Approval of 1) a Specific Use Provision (SUP) renewal for Fuel Pumps, Retail and 2) a Plan for Fuel Pumps, Retail.

LOCATION

1810 West Kingsley Road

OWNER

Eviad LLC

PLAN COMMISSION RECOMMENDATION

On December 15, 2021 the Plan Commission, by a vote of seven (7) to zero (0), recommended approval of 1) a Specific Use Provision (SUP) renewal for Fuel Pumps, Retail for a period of twenty (20) years and 2) a Plan for Fuel Pumps, Retail.

STAFF RECOMMENDATION

Approval of 1) a Specific Use Provision (SUP) renewal for Fuel Pumps, Retail and 2) a Plan for Fuel Pumps, Retail.

BACKGROUND

The subject site is developed with a multi-tenant building that includes a convenience store and associated fuel pumps. In 1998, City Council approved an SUP and development plans (i.e. site plan and exterior elevations) to allow the construction of the multi-tenant building and fuel pumps. The approved SUP was for a period of twenty (20) years. The applicant seeks to renew the SUP to continue the sales of fuel.

SITE DATA

The site contains 0.94 acres with approximately 190 lineal feet of frontage along West Kingsley Road and 220 lineal feet of frontage along Cortez Drive.

USE OF PROPERTY UNDER CURRENT ZONING

The subject property is zoned Community Retail (CR) District where Fuel Pumps, Retail is permitted only by SUP; hence, the requirement to renew the SUP.

CONSIDERATIONS

1. The site consists of a 7,565 square-foot multi-tenant building and three (3) fuel pumps under a canopy. The applicant is not proposing any additions or modifications to the existing site.
2. Given that the applicant is neither proposing any modifications nor introducing a new land use to the site under this request, site development requirements such as parking, landscaping and signage are not triggered with this application.
3. The applicant is requesting approval of a Specific Use Provision renewal for a period of twenty (20) years. The SUP Time Period Guide recommends a range of twenty (20) to twenty-five (25) years.

COMPREHENSIVE PLAN

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

These areas also accommodate uses such as convenience retail (goods and services), office space, and public services.

COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

The properties to the north are zoned for Single-Family-7 (SF-7) Uses and mostly developed with single-family homes. The properties to the south are zoned for Multi-Family (MF) and Single-Family (SF-7) Uses and are mostly developed with apartments and single-family homes. The properties to the east are zoned for Community Retail (CR), Single-Family-7 (SF-7), Neighborhood Office (NO), Two-Family (2F), Multi-Family (MF) and Heavy Commercial (HC) Uses; these properties are developed with a church, single-family homes, apartments, office/retail/personal services, gas station and auto repair shops. The properties to the west are zoned for Community Retail (CR), Light Commercial (LC), Multi-Family and Heavy Commercial (HC) Uses; these properties are developed with a carwash, self-storage, apartments, a single-family home, a grocery store, auto sales and a truck rental business.

Attachments

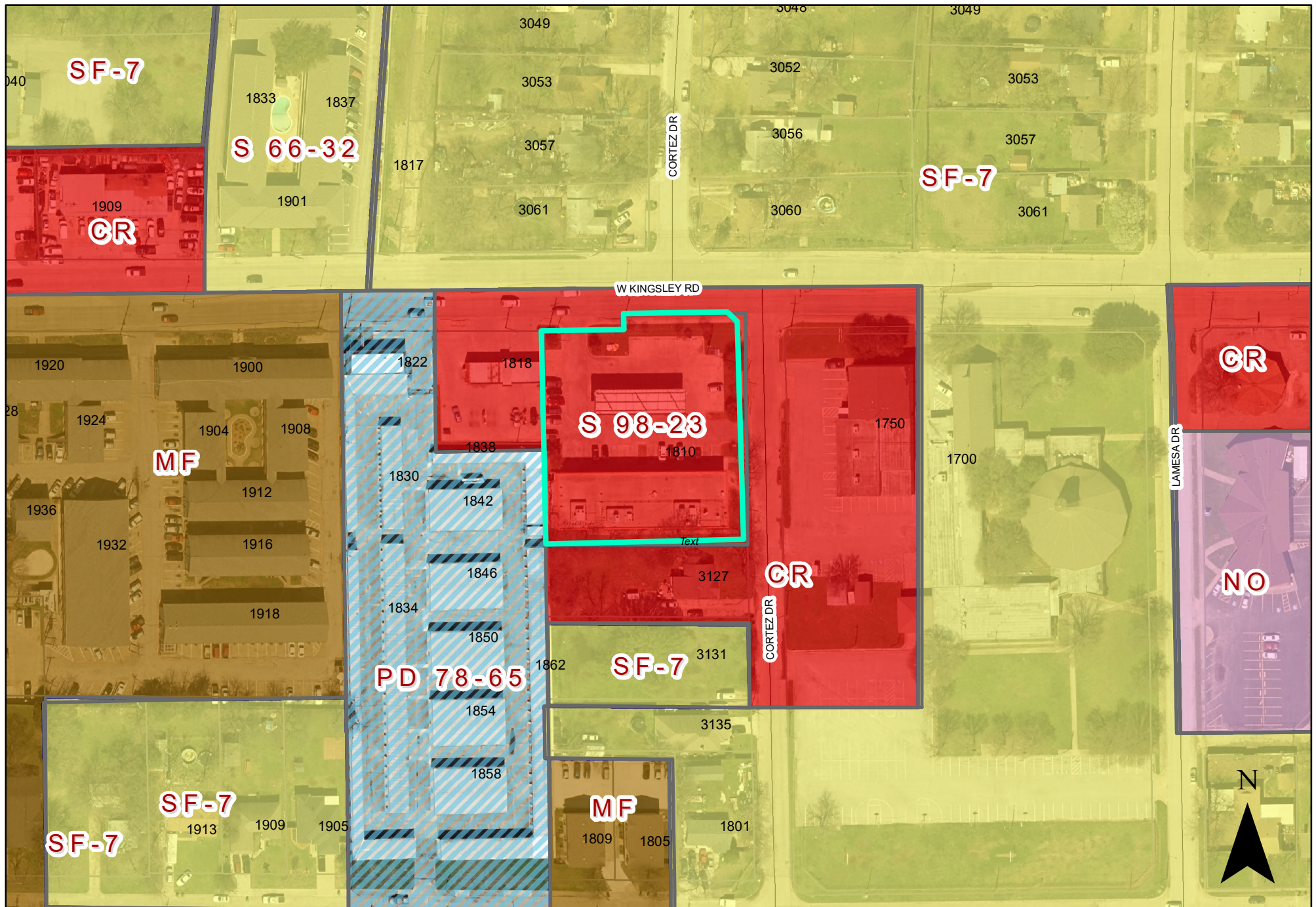
Z 21-47 Location Map

Z 21-47 Exhibit B

Z 21-47 R&M - SUP

Z 21-47 Responses

Z 21-47 Staff Presentation



0 80 160 Feet
1 inch = 122 feet

ZONING MAP Z 21-47

1810 West Kingsley Road

 INDICATES AREA OF REQUEST

SPECIFIC USE PROVISION CONDITIONS

ZONING FILE Z 21-47

1810 West Kingsley Road

- I. Statement of Purpose:** The purpose of this Specific Use Provision is to allow Fuel Pumps, Retail.
- II. Statement of Effect:** This Specific Use Provision shall not affect any regulation found in the Garland Development Code, Ordinance No. 6773, as amended prior to adoption of this ordinance, except as specifically provided herein.
- III. General Regulations:** All regulations of the Community Retail (CR) District as set forth in Chapter 2 of the Garland Development Code Ordinance 6773, are included by reference and shall apply, except as otherwise specified by this ordinance.
- IV. Specific Regulations:**
- A. **Site Layout:** The site shall be in conformance to the site layout reflected on Exhibit C.
- B. **Time Period:** The Specific Use Provision shall be in effect for a period of twenty (20) years.

REPORT & MINUTES

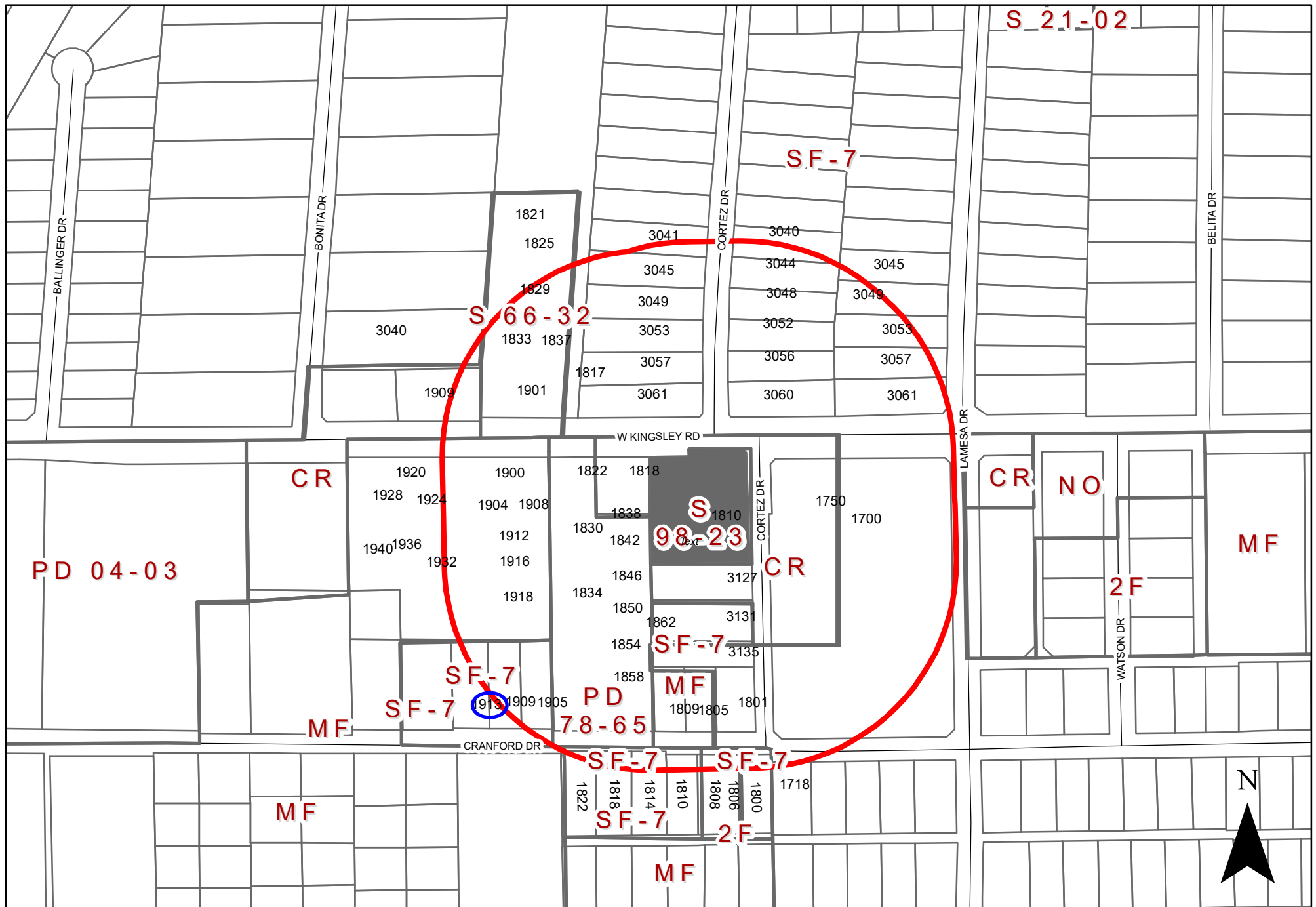
P.C. Meeting, December 15, 2021

3c. APPROVED Consideration of the application of **Zone Systems**, requesting approval of a Specific Use Provision (SUP) renewal for Fuel Pumps, Retail. This property is located at 1810 West Kingsley Road. (District 5) (File Z 21-47 – Specific Use Provision)

The applicant Peter Kavanagh, 1620 Handley Drive, Dallas, Texas, provided a brief overview of the request and remained available for questions.

There were no questions of this applicant.

Motion was made by Commissioner Lucht to close the public hearing and **approve** the application for a period of 20 years. Seconded by Commissioner Jenkins. **Motion carried: 7 Ayes, 0 Nays.**



0 160 320 Feet
1 inch = 244 feet

ZONING MAP Z 21-47

1810 West Kingsley Road

INDICATES AREA OF REQUEST INDICATES NOTIFICATION AREA

From: [sohair makke](#)
To: [Planning Group](#)
Subject: [EXTERNAL] Case Z 21-47
Date: Tuesday, December 14, 2021 7:48:51 AM

Comment Form Case Z 21-47

Z 21-47 Zone Systems. The applicant requests renewal of a Specific Use Provision to continue the operation of an existing gas station. The property is located at 1810 West Kingsley Road. (District 5)

Z 21-47 Zone Systems. El solicitante pide la renovación de un permiso para la continua operación de la existente gasolinera. La propiedad está ubicada en 1810 West Kingsley Road. (Distrito 5)

Z 21-47 Zone Systems. Người nộp đơn yêu cầu gia hạn Điều khoản sử dụng cụ thể để tiếp tục hoạt động của một trạm xăng hiện có. Nơi nghỉ này tọa lạc tại 1810 West Kingsley Road. (Quận 5)

Please Check One Below / Marque uno a continuación / Vui lòng kiểm tra một bên dưới



For / A Favor / Đúng



Against / En Contra / Không

Please complete the following information and email the form to Planning@garlandtx.gov; deliver to the Planning Department at 800 Main Street Garland, TX; or mail to City of Garland, Planning Department, P.O. Box 469002 Garland, TX 75406-9002. / Por favor Complete la siguiente información y envíe el formulario por correo electrónico a Planning@garlandtx.gov; entregar al Departamento de Planificación en 800 Main Street Garland, TX; o envíelo por correo a City of Garland, Planning Department, P.O. Box 469002 Garland, TX 75406-9002. / Vui lòng điền đầy đủ thông tin sau và gửi biểu mẫu qua email tới Planning@garlandtx.gov; giao cho Phòng Kế hoạch tại 800 Main Street Garland, TX; hoặc gửi thư đến Thành phố Garland, Sở Kế hoạch, P.O. Hộp 469002 Garland, TX 75406-9002.

Sohair Makke Owner

Printed Name & Title / Nombre Impreso y Título / Tên in và Tiêu đề

(Property Owner, Business Owner, Tenant, etc.) / (Dueño de la propiedad, Dueño de la empresa, Inquilino, etc.) / (Chủ sở hữu bất động sản, Chủ doanh nghiệp, Người thuê, v.v.)

1913 Cranford

Your Property Address / La dirección de su propiedad / địa chỉ tài sản

Cranford TX

City, State / Estado de la Ciudad / Thành bang

75040

Zip Code / Código postal / Mã Bưu Chính

Sohair Makke

Signature / Firma / Chữ ký

12/14/2021

Date / Fecha / Ngày

Providing email address and phone number is optional. / La dirección de correo electrónico y el número de teléfono son opcionales. / Địa chỉ email và số điện thoại là tùy chọn.)

Z 21-47

The applicant requests renewal of a Specific Use Provision to continue the operation of an existing gas station.

Approval of 1) a Specific Use Provision (SUP) renewal for Fuel Pumps, Retail and 2) a Plan for Fuel Pumps, Retail.

**City Council Meeting
January 4, 2022**



GARLAND

TEXAS MADE HERE

Location: 1810 West Kingsley Road

Applicant: Zone Systems

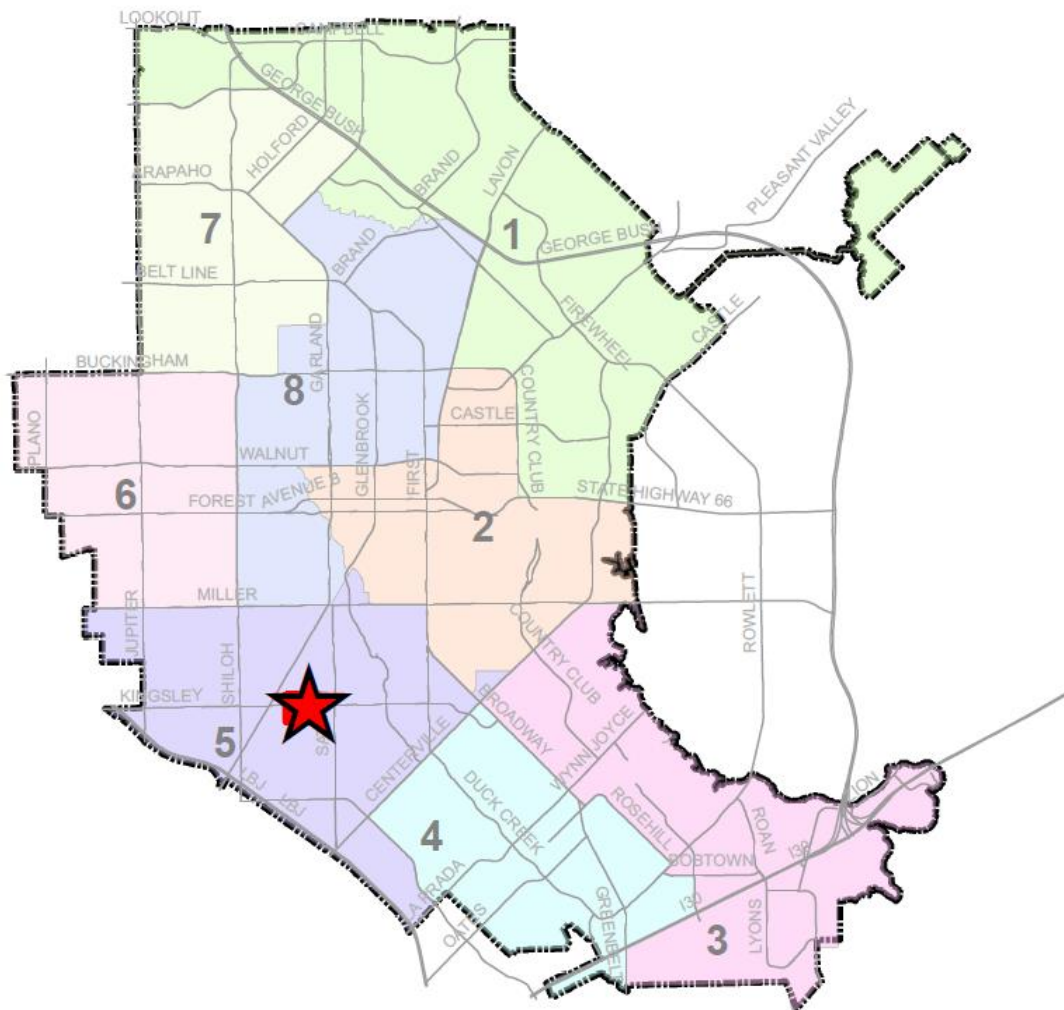
Owner: Eviad LLC

Acreage: 0.94 acres

Zoning: Community Retail (CR) District where Fuel
Pumps, Retail is permitted only by
SUP

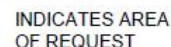


CITYWIDE LOCATION MAP



0 1 2 Miles
| | | 1 in = 2 miles

Zoning Map Z 21-47

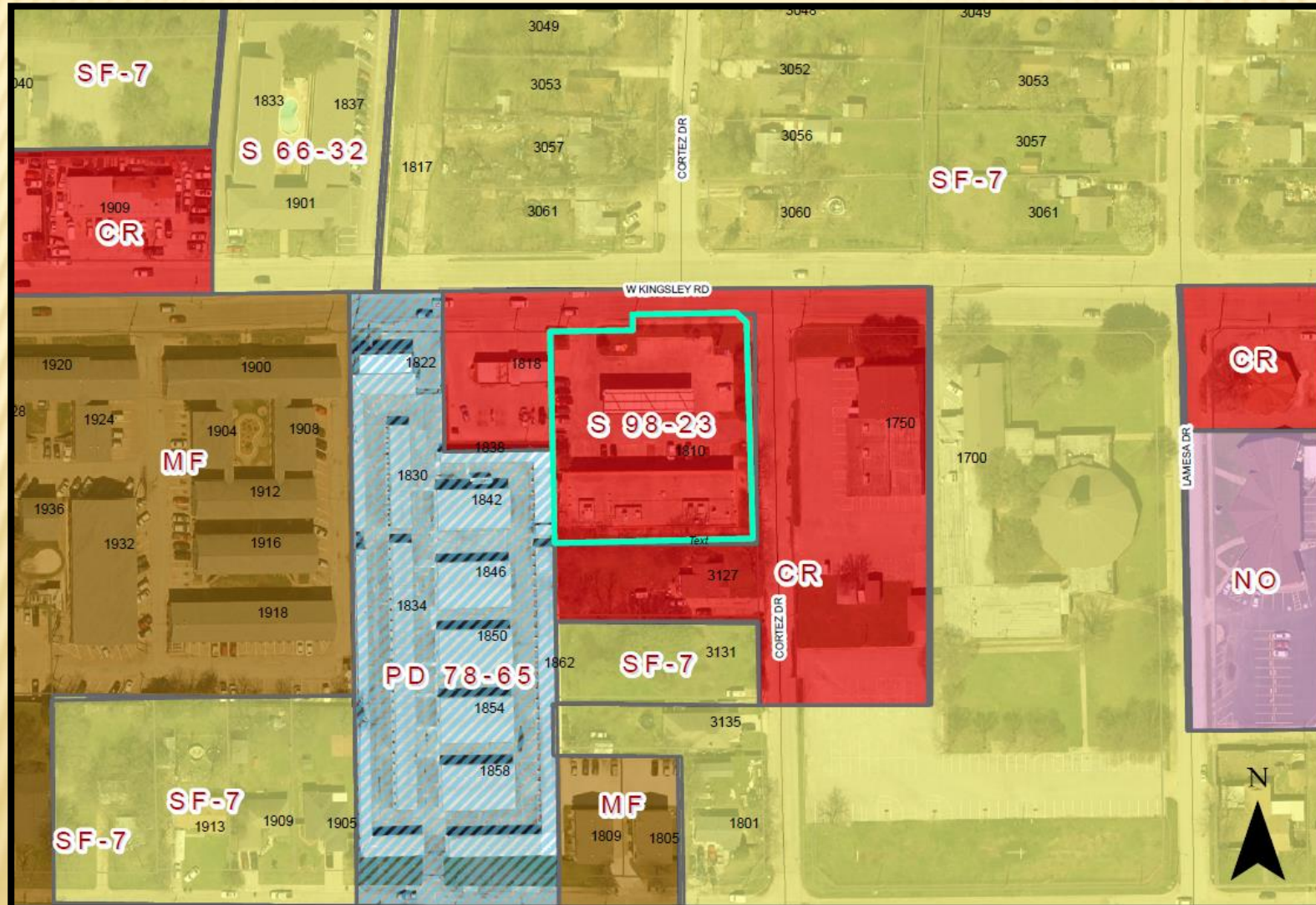
INDICATES AREA
OF REQUEST

Z 21-47



GARLAND
TEXAS MADE HERE

LOCATION MAP



0 80 160 Feet
1 inch = 122 feet

ZONING MAP Z 21-47

 INDICATES AREA OF REQUEST

Z 21-47



The Envision Garland Plan designates the subject property as Compact Neighborhoods.

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

These areas also accommodate uses such as convenience retail (goods and services), office space, and public services.



View of subject site from Kingsley Rd.



GARLAND

TEXAS MADE HERE



View of subject site from Kingsley Rd.



View of properties located across Kingsley Rd.
from subject site



View of properties located to the east from
subject site

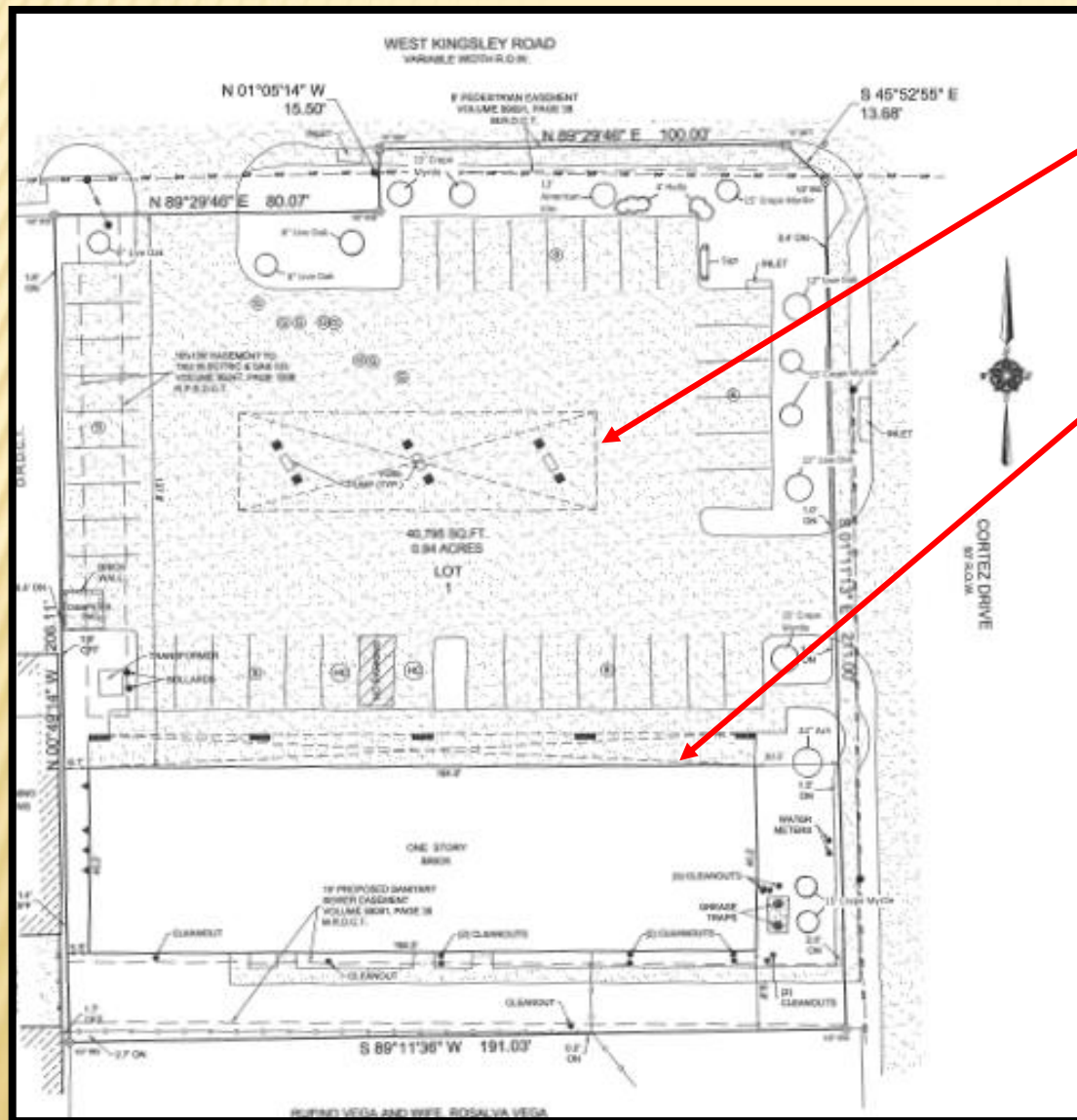


View of properties located to the west from
subject site

BACKGROUND

The subject site is developed with a multi-tenant building that includes a convenience store and associated fuel pumps. In 1998, City Council approved an SUP and development plans (i.e. site plan and exterior elevations) to allow the construction of the multi-tenant building and fuel pumps. The approved SUP was for a period of twenty (20) years. The applicant seeks to renew the SUP to continue the sales of fuel.

CONSIDERATIONS (SITE PLAN)



- Three (3) fuel pumps under a canopy
- 7,565 square-foot multi-tenant building
- The applicant is not proposing any additions or modifications to the existing site.

CONSIDERATIONS (SUP)

- The applicant is requesting approval of a Specific Use Provision for a period of twenty (20) years.
- The SUP Time Period Guide recommends a range of twenty (20) to twenty-five (25) years.



GARLAND
TEXAS MADE HERE

STAFF RECOMMENDATION

Approval of 1) a Specific Use Provision (SUP) renewal for Fuel Pumps, Retail and 2) a Plan for Fuel Pumps, Retail.

PLAN COMMISSION RECOMMENDATION

On December 15, 2021 the Plan Commission, by a vote of seven (7) to zero (0), recommended approval of 1) a Specific Use Provision (SUP) renewal for Fuel Pumps, Retail for a period of twenty (20) years and 2) a Plan for Fuel Pumps, Retail.



GARLAND PLANNING REPORT

City Council Regular Session Agenda

9. d.

Meeting Date: 01/04/2022

Item Title: Z 21-47 Zone Systems, Inc. - Plan (District 5)

Submitted By: Josue De La Vega, Sr. Development Planner

REQUEST

Approval of 1) a Specific Use Provision (SUP) renewal for Fuel Pumps, Retail and 2) a Plan for Fuel Pumps, Retail.

LOCATION

1810 West Kingsley Road

OWNER

Eviad LLC

PLAN COMMISSION RECOMMENDATION

On December 15, 2021 the Plan Commission, by a vote of seven (7) to zero (0), recommended approval of 1) a Specific Use Provision (SUP) renewal for Fuel Pumps, Retail for a period of twenty (20) years and 2) a Plan for Fuel Pumps, Retail.

STAFF RECOMMENDATION

Approval of 1) a Specific Use Provision (SUP) renewal for Fuel Pumps, Retail and 2) a Plan for Fuel Pumps, Retail.

BACKGROUND

The subject site is developed with a multi-tenant building that includes a convenience store and associated fuel pumps. In 1998, City Council approved an SUP and development plans (i.e. site plan and exterior elevations) to allow the construction of the multi-tenant building and fuel pumps. The approved SUP was for a period of twenty (20) years. The applicant seeks to renew the SUP to continue the sales of fuel.

SITE DATA

The site contains 0.94 acres with approximately 190 lineal feet of frontage along West Kingsley Road and 220 lineal feet of frontage along Cortez Drive.

USE OF PROPERTY UNDER CURRENT ZONING

The subject property is zoned Community Retail (CR) District where Fuel Pumps, Retail is permitted only by SUP; hence, the requirement to renew the SUP.

CONSIDERATIONS

1. The site consists of a 7,565 square-foot multi-tenant building and three (3) fuel pumps under a canopy. The applicant is not proposing any additions or modifications to the existing site.
2. Given that the applicant is neither proposing any modifications nor introducing a new land use to the site under this request, site development requirements such as parking, landscaping and signage are not triggered with this application.
3. The applicant is requesting approval of a Specific Use Provision renewal for a period of twenty (20) years. The SUP Time Period Guide recommends a range of twenty (20) to twenty-five (25) years.

COMPREHENSIVE PLAN

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

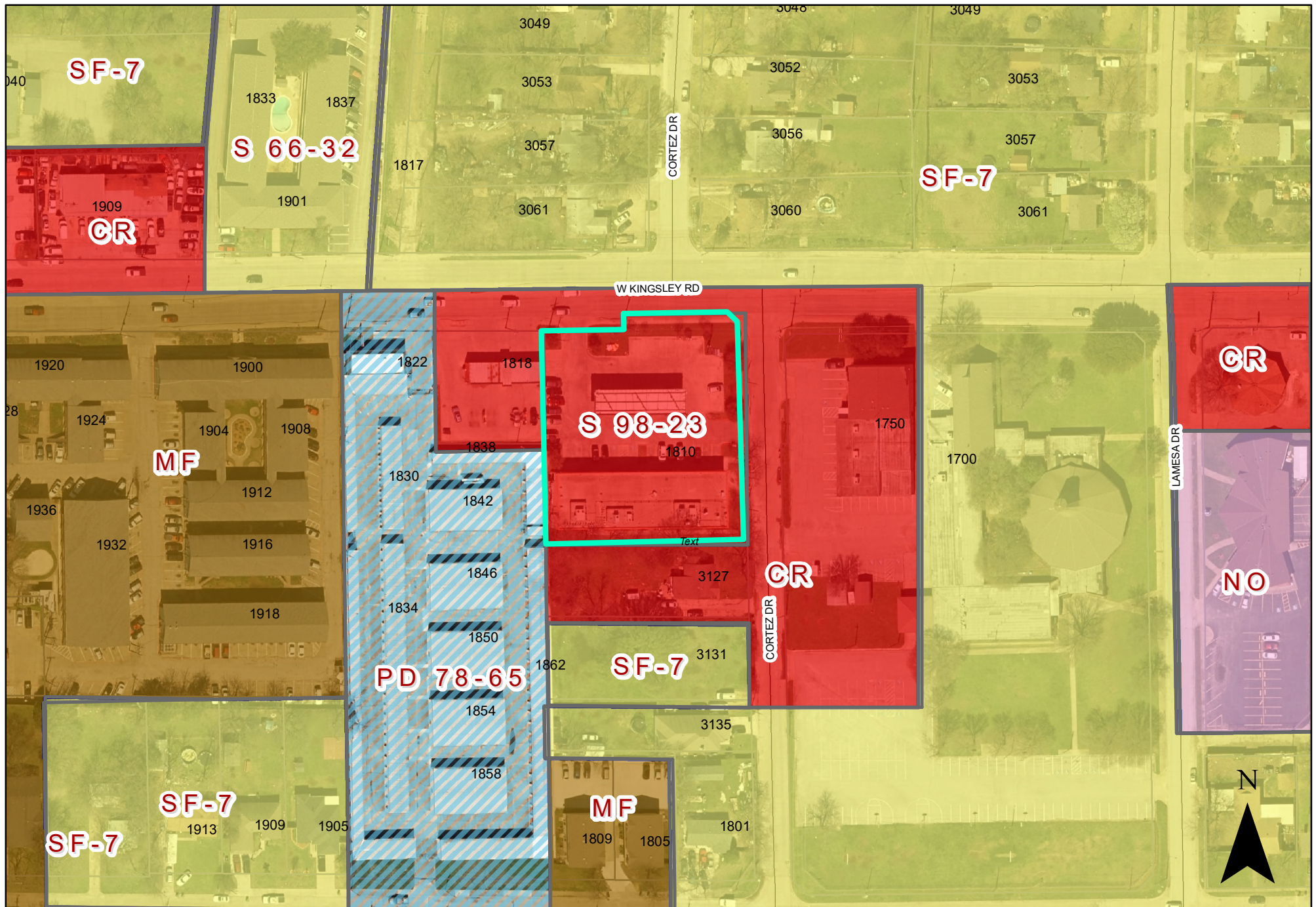
These areas also accommodate uses such as convenience retail (goods and services), office space, and public services.

COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

The properties to the north are zoned for Single-Family-7 (SF-7) Uses and mostly developed with single-family homes. The properties to the south are zoned for Multi-Family (MF) and Single-Family (SF-7) Uses and are mostly developed with apartments and single-family homes. The properties to the east are zoned for Community Retail (CR), Single-Family-7 (SF-7), Neighborhood Office (NO), Two-Family (2F), Multi-Family (MF) and Heavy Commercial (HC) Uses; these properties are developed with a church, single-family homes, apartments, office/retail/personal services, gas station and auto repair shops. The properties to the west are zoned for Community Retail (CR), Light Commercial (LC), Multi-Family and Heavy Commercial (HC) Uses; these properties are developed with a carwash, self-storage, apartments, a single-family home, a grocery store, auto sales and a truck rental business.

Attachments

Z 21-47 Location Map
Z 21-47 Exhibit C
Z 21-47 R&M - Plan
Z 21-47 Responses



0 80 160 Feet
1 inch = 122 feet

ZONING MAP Z 21-47

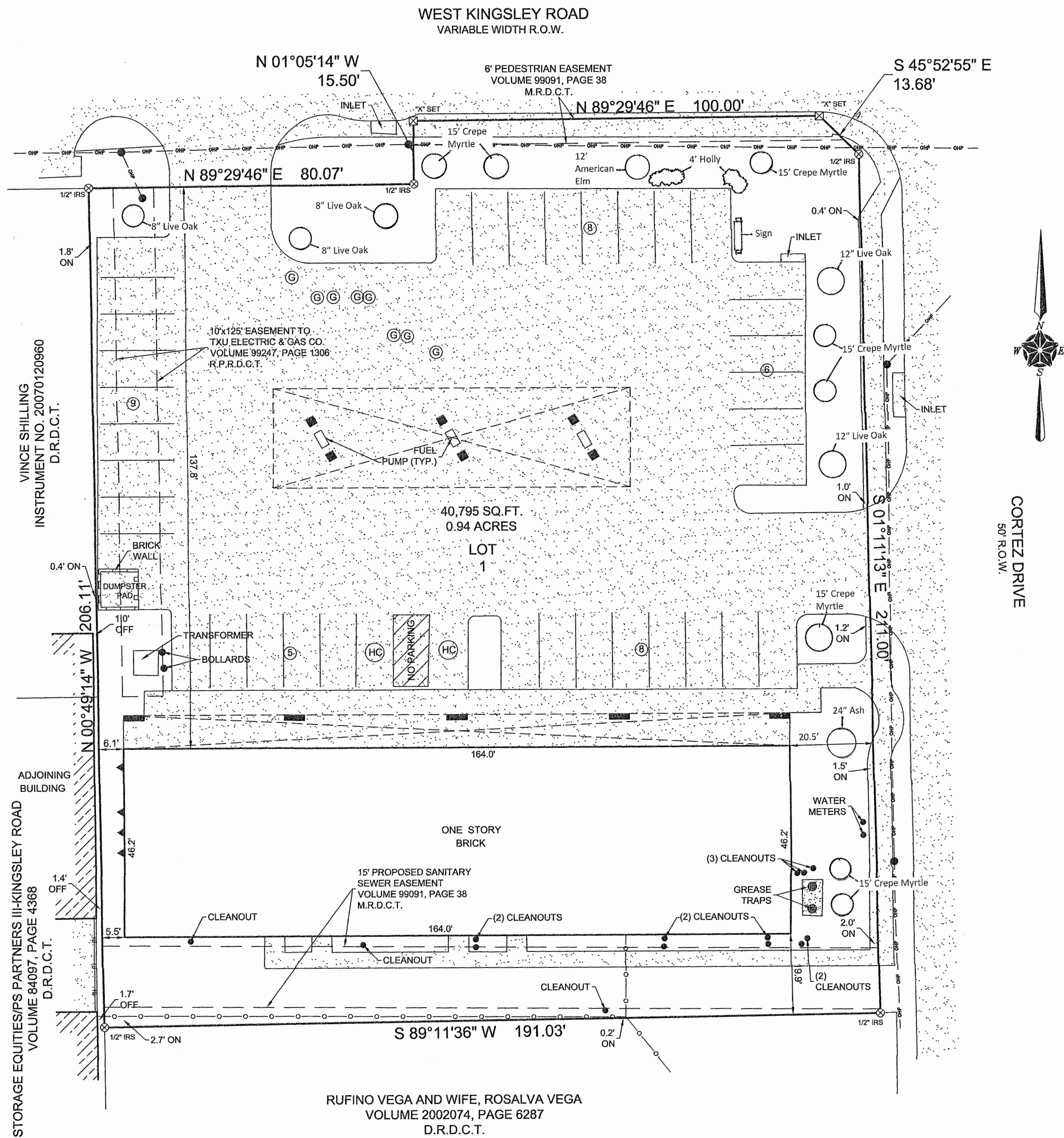
1810 West Kingsley Road

 INDICATES AREA OF REQUEST

VICINITY MAP



LEGEND	
	HANDICAPPED SPACE
	PARKING SPACE
	IRON ROD SET
	FOUND / SET
	CHAIN LINK FENCE
	WOOD FENCE
	IRON FENCE
	COVERED PORCH, DECK OR CARPORT
	CONCRETE PAVING
	NO PARKING
	OVERHEAD POWER LINE
	POWER POLE
	BRICK COLUMN
	AIR CONDITIONING
	GAS TANK LIDS
	ELECTRIC METER



COVERAGE	
Total Area (0.9366 AC)	40,798 Sq Ft
Total Building Coverage	7,565 Sq Ft
Floor Area Ratio	19 %
Impervious Surface Sq Ft	32,345 Sq Ft
Impervious Surface %	79%

PARKING	
Building Area	7565 Sq Ft
PARKING AVAILABLE	
Regular	36 spaces
Handicap	2 spaces
Total	38 spaces
REQUIRED PARKING	
Laundry 2200 Sq Ft	9 spaces
Hair Salon 1100 Sq Ft	4 spaces
Office 1100 Sq Ft	4 spaces
Restaurant 1100 Sq Ft	11 spaces
Convenience 1235 Sq Ft	5 spaces
Total	33 spaces

CASE NO. 210805-3
Lot 1, Bk 1 WAZIR ADDITION

EVIAD LLC
1810 W. Kingsley Road
Garland, TX

SITE PLAN
SPECIFIC USE PROVISION

September 27, 2021
Zoning: CR

OWNER: EVIAD LLC
1810 Kingsley Road
GARLAND, TX 75041

APPLICANT: PETER KAVANAGH
ZONE SYSTEMS, INC.
1620 HANDLEY DRIVE, STE A, DALLAS TX 75208
214-941-4440
PeterK@ZoneSystems.com

AREA: 0.9366 ACRES
USE: Retail Sales with Gas Pumps

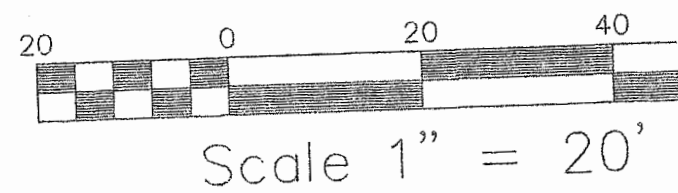


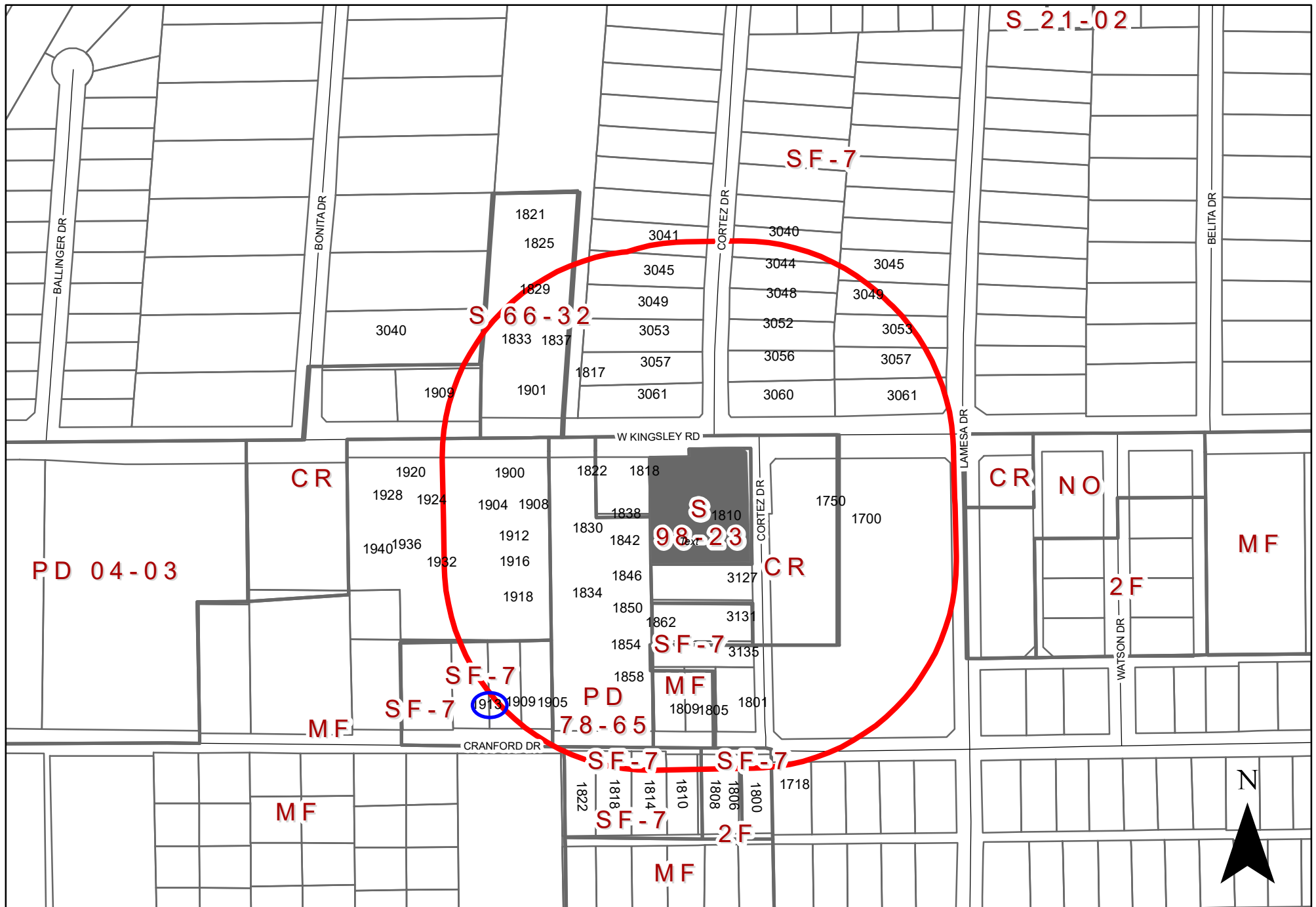
Exhibit C

REPORT & MINUTES

P.C. Meeting, December 15, 2021

3d. APPROVED Consideration of the application of **Zone Systems**, requesting approval of a Plan for Fuel Pumps, Retail. This property is located at 1810 West Kingsley Road. (District 5) (File Z 21-47 - Plan)

Motion was made by Commissioner Lucht to close the public hearing and **approve** the application. Seconded by Commissioner Jenkins. **Motion carried: 7 Ayes, 0 Nays.**



ZONING MAP Z 21-47

1810 West Kingsley Road

From: [sohair makke](#)
To: [Planning Group](#)
Subject: [EXTERNAL] Case Z 21-47
Date: Tuesday, December 14, 2021 7:48:51 AM

Comment Form Case Z 21-47

Z 21-47 Zone Systems. The applicant requests renewal of a Specific Use Provision to continue the operation of an existing gas station. The property is located at 1810 West Kingsley Road. (District 5)

Z 21-47 Zone Systems. El solicitante pide la renovación de un permiso para la continua operación de la existente gasolinera. La propiedad está ubicada en 1810 West Kingsley Road. (Distrito 5)

Z 21-47 Zone Systems. Người nộp đơn yêu cầu gia hạn Điều khoản sử dụng cụ thể để tiếp tục hoạt động của một trạm xăng hiện có. Nơi nghỉ này tọa lạc tại 1810 West Kingsley Road. (Quận 5)

Please Check One Below / Marque uno a continuación / Vui lòng kiểm tra một bên dưới



For / A Favor / Đúng



Against / En Contra / Không

Please complete the following information and email the form to Planning@garlandtx.gov; deliver to the Planning Department at 800 Main Street Garland, TX; or mail to City of Garland, Planning Department, P.O. Box 469002 Garland, TX 75406-9002. / Por favor Complete la siguiente información y envíe el formulario por correo electrónico a Planning@garlandtx.gov; entregar al Departamento de Planificación en 800 Main Street Garland, TX; o envíelo por correo a City of Garland, Planning Department, P.O. Box 469002 Garland, TX 75406-9002. / Vui lòng điền đầy đủ thông tin sau và gửi biểu mẫu qua email tới Planning@garlandtx.gov; giao cho Phòng Kế hoạch tại 800 Main Street Garland, TX; hoặc gửi thư đến Thành phố Garland, Sở Kế hoạch, P.O. Hộp 469002 Garland, TX 75406-9002.

Sohair Makke Owner

Printed Name & Title / Nombre Impreso y Título / Tên in và Tiêu đề

(Property Owner, Business Owner, Tenant, etc.) / (Dueño de la propiedad, Dueño de la empresa, Inquilino, etc.) / (Chủ sở hữu bất động sản, Chủ doanh nghiệp, Người thuê, v.v.)

1913 Cranford

Your Property Address / La dirección de su propiedad / địa chỉ tài sản

Cranford TX

City, State / Estado de la Ciudad / Thành bang

75040

Zip Code / Código postal / Mã Bưu Chính

Sohair Makke

Signature / Firma / Chữ ký

12/14/2021

Date / Fecha / Ngày

Providing email address and phone number is optional. / La dirección de correo electrónico y el número de teléfono son opcionales. / Địa chỉ email và số điện thoại là tùy chọn.)

The applicant requests renewal of a Specific Use Provision to continue the operation of an existing gas station.

Approval of 1) a Specific Use Provision (SUP) renewal for Fuel Pumps, Retail and 2) a Plan for Fuel Pumps, Retail.

**City Council Meeting
January 4, 2022**



GARLAND

TEXAS MADE HERE

Location: 1810 West Kingsley Road

Applicant: Zone Systems

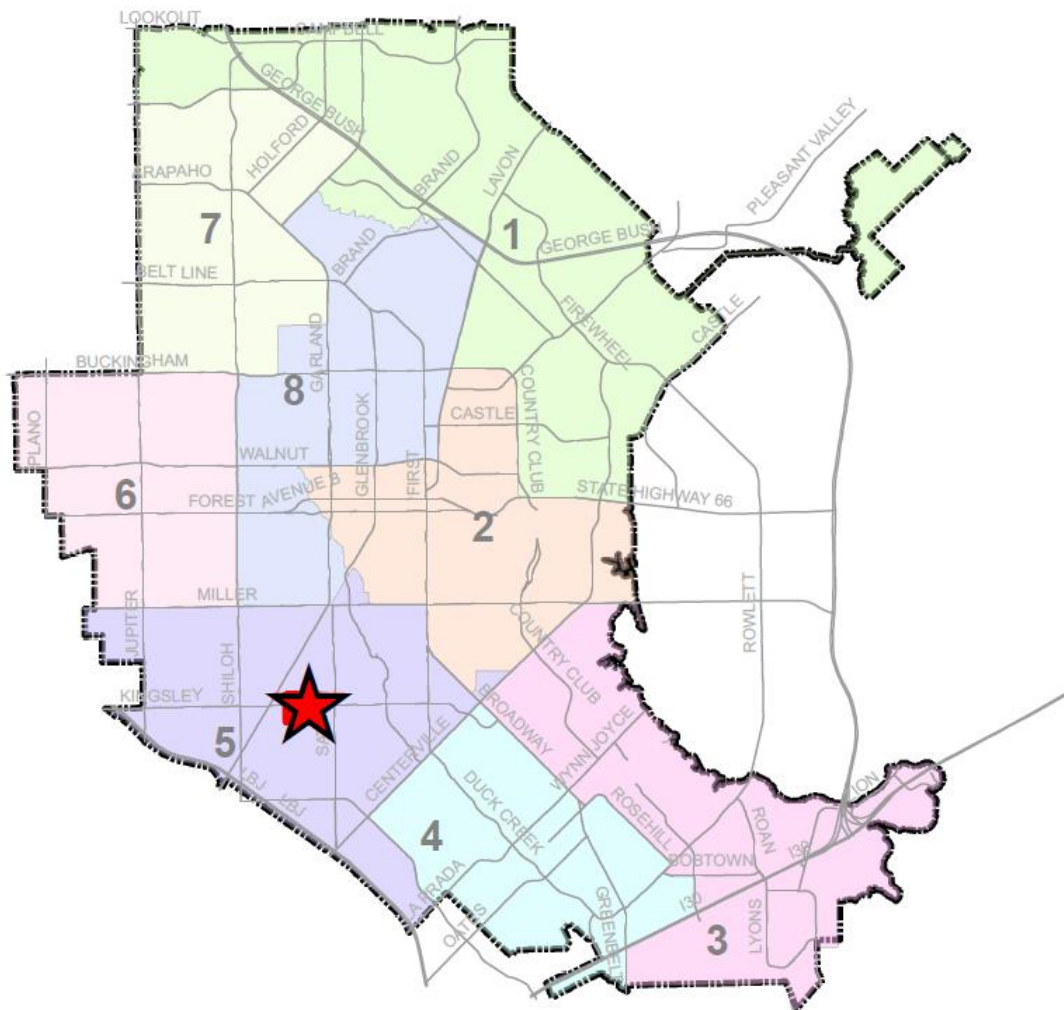
Owner: Eviad LLC

Acreage: 0.94 acres

Zoning: Community Retail (CR) District where Fuel
Pumps, Retail is permitted only by
SUP

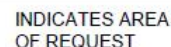


CITYWIDE LOCATION MAP



0 1 2 Miles
| | | 1 in = 2 miles

Zoning Map Z 21-47

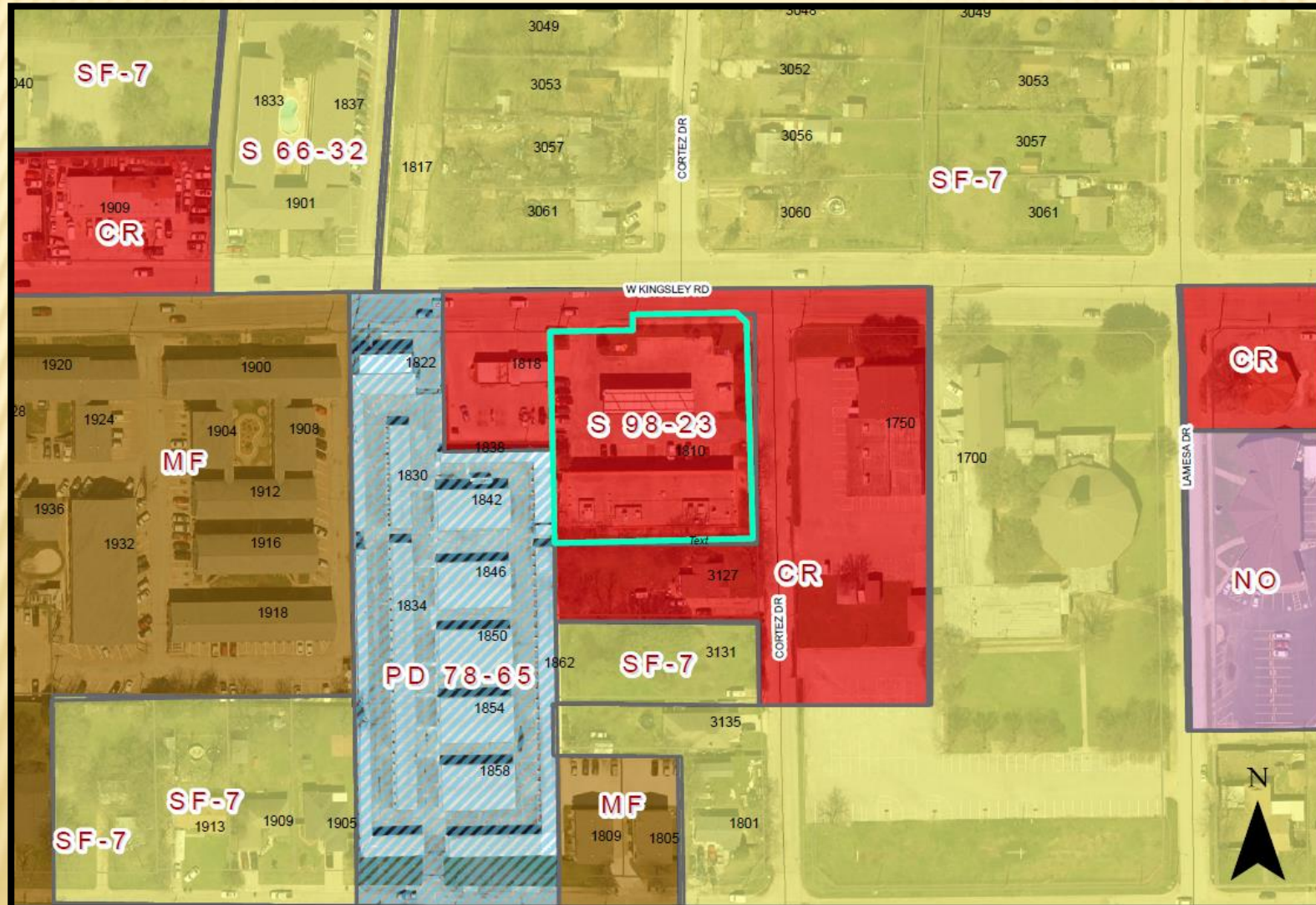
INDICATES AREA
OF REQUEST

Z 21-47



GARLAND
TEXAS MADE HERE

LOCATION MAP



0 80 160 Feet
1 inch = 122 feet

ZONING MAP Z 21-47

 INDICATES AREA OF REQUEST

Z 21-47



The Envision Garland Plan designates the subject property as Compact Neighborhoods.

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

These areas also accommodate uses such as convenience retail (goods and services), office space, and public services.



View of subject site from Kingsley Rd.



GARLAND

TEXAS MADE HERE



View of subject site from Kingsley Rd.



View of properties located across Kingsley Rd.
from subject site



View of properties located to the east from
subject site

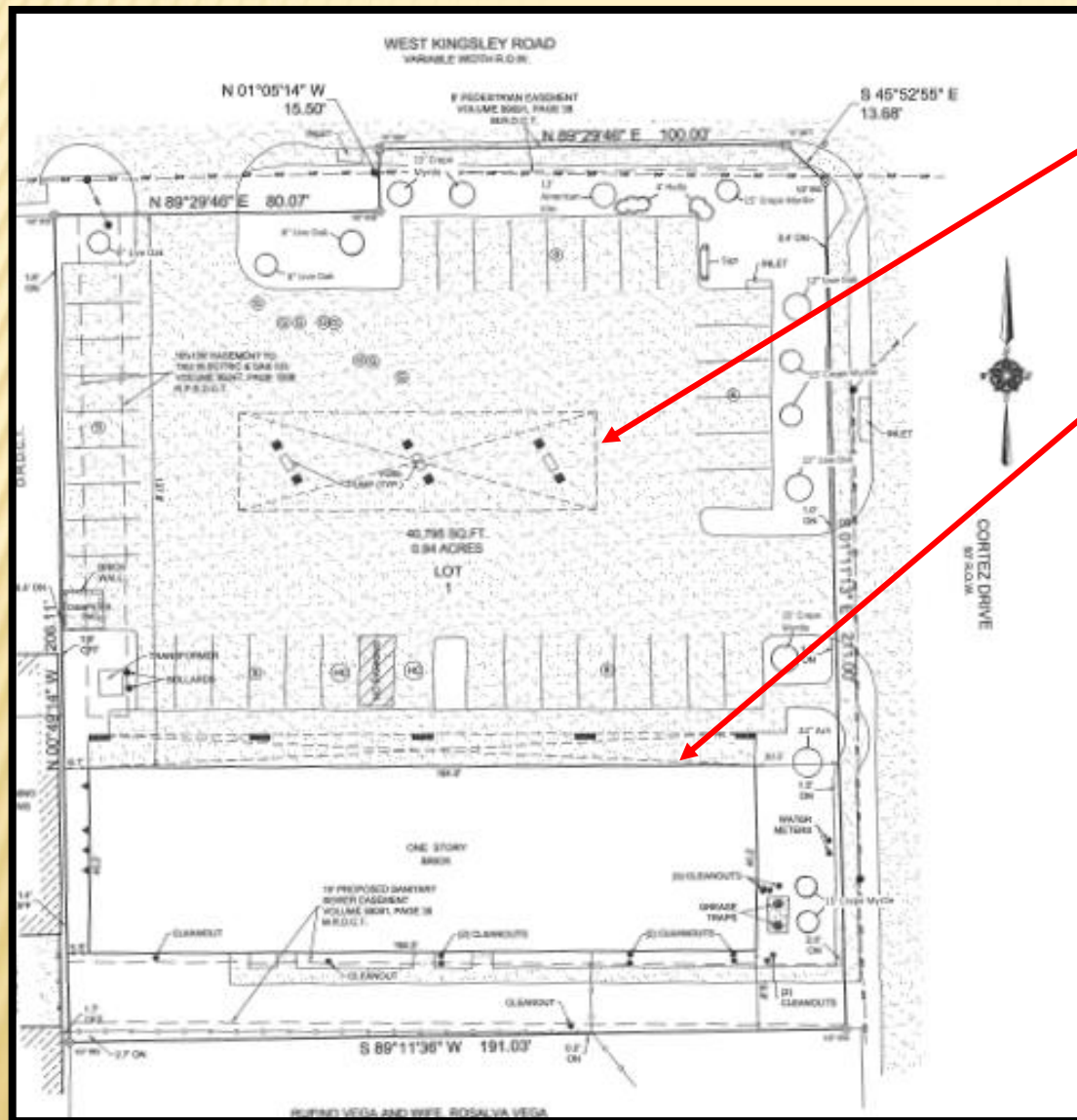


View of properties located to the west from
subject site

BACKGROUND

The subject site is developed with a multi-tenant building that includes a convenience store and associated fuel pumps. In 1998, City Council approved an SUP and development plans (i.e. site plan and exterior elevations) to allow the construction of the multi-tenant building and fuel pumps. The approved SUP was for a period of twenty (20) years. The applicant seeks to renew the SUP to continue the sales of fuel.

CONSIDERATIONS (SITE PLAN)



- Three (3) fuel pumps under a canopy
- 7,565 square-foot multi-tenant building
- The applicant is not proposing any additions or modifications to the existing site.

CONSIDERATIONS (SUP)

- The applicant is requesting approval of a Specific Use Provision for a period of twenty (20) years.
- The SUP Time Period Guide recommends a range of twenty (20) to twenty-five (25) years.



GARLAND
TEXAS MADE HERE

STAFF RECOMMENDATION

Approval of 1) a Specific Use Provision (SUP) renewal for Fuel Pumps, Retail and 2) a Plan for Fuel Pumps, Retail.

PLAN COMMISSION RECOMMENDATION

On December 15, 2021 the Plan Commission, by a vote of seven (7) to zero (0), recommended approval of 1) a Specific Use Provision (SUP) renewal for Fuel Pumps, Retail for a period of twenty (20) years and 2) a Plan for Fuel Pumps, Retail.



GARLAND PLANNING REPORT

City Council Regular Session Agenda

9. e.

Meeting Date: 01/04/2022

Item Title: Z 21-48 Wood Partners % Masterplan - Zoning (District 1)

Submitted By: Nabiha Ahmed, Lead Development Planner

REQUEST

Approval of an amendment to Planned Development (PD) 18-33 and Planned Development (PD) District 03-53.

Approval of a Detail Plan for Multi-Family development.

LOCATION

3422 Firewheel Parkway

OWNER

L & S Land Company, LTD, By: L&S Partners, LLC % Jay Grogan, Jr

MVB Associates, LTD, By: MVB Group, LLC, George Baldwin

Valley Creek State Highway 190 Partners, LP By: Sunrise Partners, LLC MA Reilly

PLAN COMMISSION RECOMMENDATION

On December 15, 2021 the Plan Commission, by a vote of seven (7) to zero (0), recommended approval of an amendment to Planned Development (PD) 18-33 and Planned Development (PD) District 03-53.

The Plan Commission, by a vote of seven (7) to zero (0), recommended approval of a Detail Plan for Multi-Family development.

STAFF RECOMMENDATION

Approval of an amendment to Planned Development (PD) 18-33 and Planned Development (PD) District 03-53.

Approval of a Detail Plan for Multi-Family development.

BACKGROUND

In 2003, City Council approved Planned Development (PD) 03-53 District to allow the development of a mixed-use town center regional shopping mall and complementary peripheral development. PD 03-53 requires review of a Detail Plan through a public hearing process. The core tract of the Planned Development has been constructed with an urban style, outdoor-oriented shopping mall.

In 2018, the applicant brought forward a Concept Plan and a Detail Plan only for Tract 2 of PD 03-53 to build an apartment complex. The Concept Plan reflected four (4) lots.

Lot 1: Multi-Family Uses

Lot 2: Multi-Family Uses

Lot 3: Retail/Commercial Uses

Lot 4: Multi-Family Uses

The Detail Plan approved in 2018 was for Lot 1 to build The Lively at Firewheel. Any other developments on the remainder of the lots requires a Detail Plan approval through the Public Hearing process. The applicant now requests a Detail Plan for Lot 2 to build an apartment complex.

SITE DATA

The overall site consists of approximately 9.80 acres with approximately 506 lineal feet of frontage along Firewheel Parkway. The site plan (Exhibit C) shows two (2) access points; one access point is directly from Firewheel Parkway and the other point is a "Resident Only" access from the southern multi-family development.

USE OF PROPERTY UNDER CURRENT ZONING

The site is currently undeveloped and consists of two (2) zoning districts; Planned Development (PD) District 03-53 and Planned Development (PD) District 18-33 for Multi-Family Use.

The Planned Development (PD) 03-53 District identifies Tract 1 and Tract 2 for development regulations. Tract 1, the core area of the Firewheel Town Center, allows uses including retail, office, restaurant, personal services. Tract 2 also allows Multi-Family Use, Retail Sales with Gas Pumps (Fuel Pumps, Retail) and Commercial Antenna Type 2 (Commercial Antenna) uses. Planned Development (PD) District 18-33 is an amendment of Tract 2 of Planned Development (PD) District 03-53. A Detail Plan was approved for a Multi-Family Use on Lot 1. The remainder of the lots requires Detail Plan approval.

The subject property is designated as Lot 2 in Planned Development (PD) District 18-33, which allows Multi-Family Uses.

CONSIDERATIONS

1. Development and Site Plan

The applicant requests the development of 250 multi-family dwelling units on an unimproved property. The development will consist of five (5) multi-family buildings along with public space, a swimming pool, dog park and other amenities (Exhibit C in the Plan agenda item).

Planned Development (PD) District 18-33 restricts the maximum permitted aggregate number of dwelling units on Tract 2 to 1,800 multi-family units. A total of 319 units were proposed for Lot 1, reducing the available number of multi-family units from 1,800 to 1,481 on Tract 2. The applicant requests a total of 250 units for Lot 2, which now reduces the future available number to 1,231 units.

2. Parking

The GDC requires 417 parking spaces for this proposal. The site layout shows 417 parking spaces. Additionally, the GDC provides the required covered parking spaces including carports, tuck under garages and tandem parking. It should be noted that Planned Development (PD) District 18-33 allowed tandem parking towards the required amount of parking for Lot 1.

3. Building Height

Planned Development (PD) 18-33 states the maximum building height will be reviewed with future Detail Plans. The applicant proposes a maximum height of fifty-three (53) feet for building types A and B. The maximum height for building types C and D is forty (40) feet. It should be noted the maximum height allowed per the GDC is forty (40) feet and the Firewheel Town Center Core (Tract 1) is allowed a maximum height of fifty-five (55) feet.

4. Building Setbacks

Planned Development (PD) District 03-53 requires a thirty (30)-foot setback along Firewheel Parkway. The applicant proposes a twenty (20)-foot setback along Firewheel Parkway, which aligns with the building setback established in the GDC. The floodplain to the rear of the site limits the depth of the property. The proposed building position allows for greater space for amenities behind the building. Moreover, the reduced setback provides a more urban streetscape along Firewheel Parkway.

The subject property complies with all other applicable building setbacks.

5. Connectivity

Planned Development (PD) District 03-53 highly emphasizes street connectivity. The applicant has worked with staff to provide a trail easement around the perimeter of the property. The trail easement would provide an option for future alignment to the spine trail.

6. Amenities

- **Clubhouse:** Section 2.39 (I) states that a minimum 3,500 square-foot clubhouse must be constructed on site and made available to all residents. The site plan (Exhibit C) notes a 6,000 square-foot clubhouse.
- **Swimming Pool:** A swimming pool having a minimum of eight hundred (800) square feet of surface water must be provided for each multi-family development. The applicant proposes a swimming pool with a minimum of 800 square feet of surface water in the interior courtyard.

- **Leisure Areas:** One (1) leisure area having a minimum area of one thousand square feet, containing at least two (2) pieces of play equipment, or other outdoor amenities (such as, picnic areas with tables, barbeque pits, arbors, or gazebos) must be provided for each multi-family development. The applicant will comply with this requirement by providing a dog park and a gaming area.
- **Public Space:** Planned Development (PD) District 03-53 emphasizes public spaces. The streets are the most important public space within the development and the building massing and orientation shall reinforce and enhance the streetscape by creating quality public spaces and pedestrian corridors. The landscape plan (Exhibit D) delineates the public spaces along Firewheel Parkway.

7. Dwelling unit/mix

The submittal materials indicate compliance with the required unit size and mix. More specifically:

Average minimum dwelling unit size.

Required: 725 square feet

Proposed: 956 square feet

Total number of units: 250 units

Minimum dwelling unit size.

Required Efficiency: 500 square feet

Proposed: 673 square feet

Number of units: 7 units (2.8%)

Required one- bedroom: 650 square feet

Proposed: 816 square feet

Number of units: 153 units (61.2%)

Required two-bedroom: 800 square feet

Proposed: 1,017 square feet

Number of units: 78 units (31.2%)

Required three-bedroom: 950 square feet

Proposed: 1,475 square feet

Number of units: 12 units (4.8%)

8. Screening and Landscaping

The proposed landscaping conforms to the screening and landscaping requirements of the Planned Development (PD) District 03-53, Planned Development (PD) District 18-33 and the GDC. The landscape theme must be consistent throughout the Firewheel Town Center Core and the peripheral developments. The applicant contends the proposed plant theme follows the same palette of native and adapted species and mimics the arrangement of the adjacent Lot 1 development with a curvilinear arrangement of groundcovers along Firewheel Parkway. The planting design opens up to signify to motorists and pedestrians where the primary entries to the site are and provides an aesthetically pleasing environment with a rhythm of formalized clusters and groupings of the taller shrubs buffering the proposed buildings.

In addition, Planned Development (PD) District 18-33 requires a minimum of ten (10%) of the site to be landscaped. The applicant is following the GDC requirement by landscaping forty-four (44%) of the site.

9. Building Design

The building design complies with the architectural elements and articulation requirements of the GDC and Planned Development (PD) District 03-53.

The applicant contends the proposed multi-family development has been designed to be compatible to the Core Building Area of the Firewheel Town Center by emphasizing massing, materiality, and architectural elements and a traditional architectural style. Each building includes a calculated amount of vertical and horizontal articulation to create aesthetic building elevations and break monotony.

10. Transportation

A Traffic Impact Analysis was not required with this development. The Transportation Department did not have any concerns with the proposed development and it meets technical requirements.

11. Signage

No deviations were requested regarding signage.

12. Summary of Deviations

The applicant requests to deviate from Planned Development (PD) District 03-53. The table below indicated the deviation as proposed.

Development Standards	Required	Proposed	Analysis
Building Setback	Planned Development (PD) District 03-53 requires a thirty (30)-foot setback along Firewheel Parkway.	The applicant proposes a twenty (20)-foot setback along Firewheel Parkway, which aligns with the building setback established in the GDC.	The floodplain to the rear of the site limits the depth of the property. The proposed building position allows for greater space for amenities behind the building. Moreover, the reduced setback provides a more urban streetscape along Firewheel Parkway.

COMPREHENSIVE PLAN

The Envision Garland Plan designates the subject property as Regional Centers, which are areas with a higher concentration of activity that serve as a destination for residents and visitors. Uses within this development type provide a mix of retail, services, entertainment, and employment and may include residential uses. Regional centers may be found along major highways and turnpikes, and at significant bus or rail stations.

Regional centers generally cover an area greater than thirty (30) acres and consist of one or

more buildings with more than 450,000 square feet of gross leasable area. This development type typically serves a five to fifteen-mile radius trade area, within a 20-minute drive time, and serves a minimum population of 150,000.

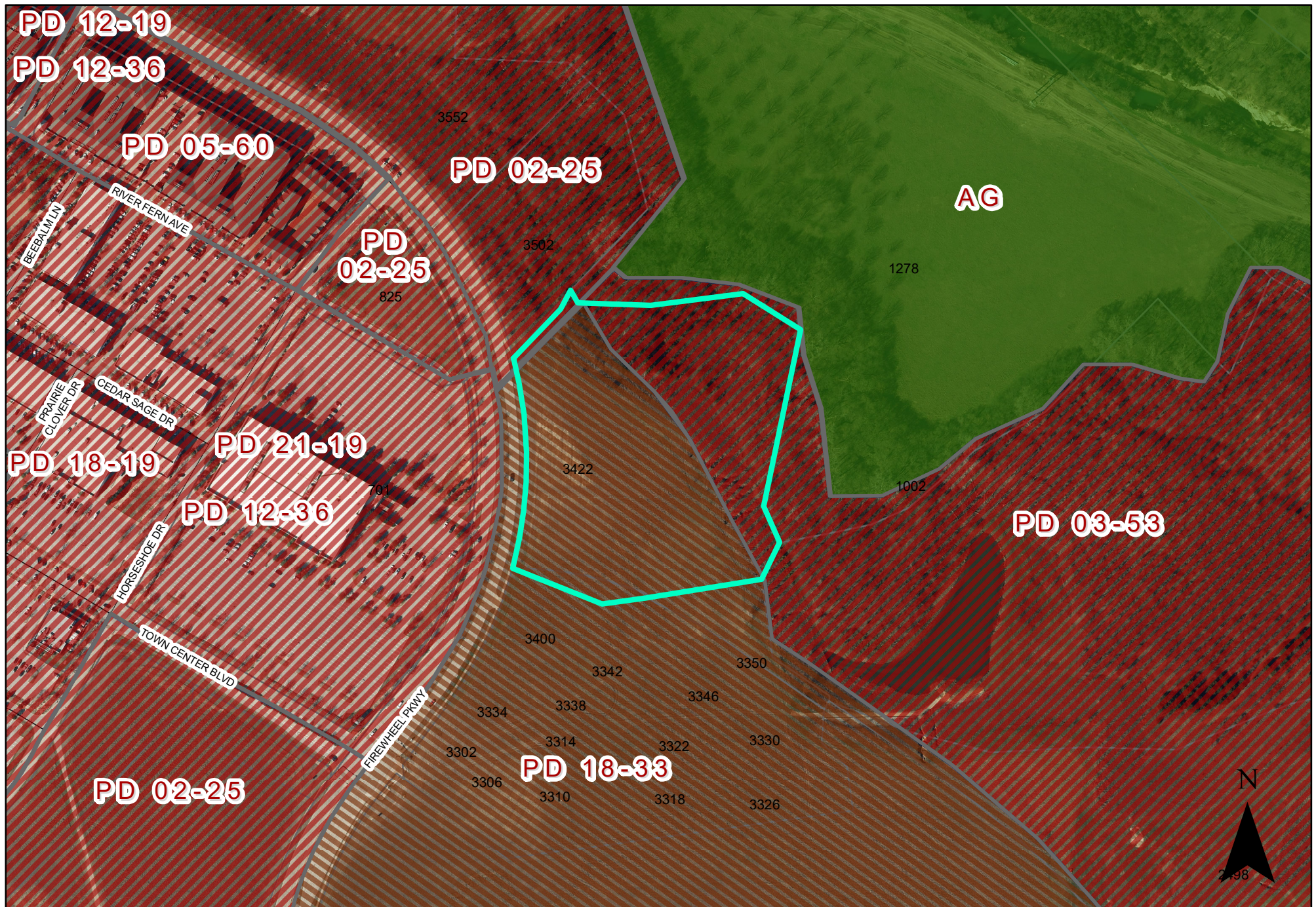
The proposed use is compatible with the Comprehensive Plan.

COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

The areas to the north are zoned Agricultural (AG) District and Planned Development (PD) District 02-25; these properties are unimproved. The property to the east is zoned Planned Development (PD) District 03-53; it is currently unimproved. The property to the south is zoned Planned Development (PD) District 18-33 for Multi-Family Use; it is developed with an apartment complex. The property to the west, across Firewheel Parkway, is zoned Planned Development (PD) District 02-25 and Planned Development (PD) District 21-19; it is part of the Core Area of the Firewheel Town Center.

Attachments

Z 21-48 Wood Partners % Masterplan (Zoning) Attachments
Z 21-48 Wood Partners % Masterplan Responses
Z 21-48 Wood Partners % Masterplan Staff Presentation



0 200 400 Feet
1 inch = 304 feet

ZONING MAP Z 21-48

 INDICATES AREA OF REQUEST

3422 Firewheel Parkway

PLANNED DEVELOPMENT CONDITIONS

ZONING FILE Z 21-48

3422 Firewheel Parkway

I. Statement of Purpose: The purpose of this Planned Development is to approve a multi-family development.

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

III. General Regulations: All regulations of the Multi-Family (MF) District as set forth in Chapter 2 of the Garland Development Code and Planned Development (PD) District 18-33 and Planned Development (PD) District 03-53 are included by reference and shall apply, except as otherwise specified by this ordinance.

IV. Development Plans:

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

V. Specific Conditions:

A. Permitted Uses: Land Uses are only permitted as in the Multi-Family (MF) District.

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

C. Building Height: The maximum height shall be fifty-three (53) feet for Building types A and B. The maximum height for building types C and D is forty (40) feet.

D. Building Setback: The minimum building setback shall be twenty (20) feet.

- E. Dwelling Units: A maximum of 250 dwelling units shall be permitted.
- F. Amenities: Amenities shall be provided as shown on the Exhibits C and D.
- G. Landscape Plan: Screening and landscaping shall be in general conformance with the landscape plan labeled Exhibit D.
1. Landscaping must be regularly maintained in a healthy, growing condition and in compliance with this PD Ordinance, the Garland Development Code, the Code of Ordinances of the City of Garland, and the landscaping plan attached hereto at all times. The property owner is responsible for regular weeding, mowing of grass, irrigation, fertilizing, pruning, or other maintenance of all plantings as needed. All exposed ground surfaces on or within the premises shall be properly improved, covered with screening or other approved solid material, or protected with a vegetative growth that prevents soil erosion and ameliorates objectionable dust conditions.
 2. Any plant or vegetation that dies must be replaced with another approved plant variety that complies with the approved landscape plan within sixty (60) days after receipt of written notification from the City. In the event the property owner fails to remedy a violation of any landscaping maintenance regulation within sixty (60) days after receipt of written notification from the City, the City may, in addition to any other remedy available by law, withhold future city permits, licenses and/or certificates requested by the property owner for the premises to which such violation applies.
 3. Screening and paving must be regularly maintained in compliance with this PD Ordinance, the Garland Development Code, and the Code of Ordinances of the City of Garland at all times. The property owner is responsible for regular maintenance of

all screening and paving as needed. In the event the property owner fails to remedy a violation of any screening or paving maintenance regulation within sixty (60) days after receipt of written notification from the City, the City may, in addition to any other remedy available by law, withhold future city permits, licenses and/or certificates requested by the property owner for the premises to which such violation applies.

- H. Elevations: Building Elevations shall be in general conformance with the elevations labeled Exhibit E.
- I. Carports: Carports shall be no more than ten (10) parking stalls in length in each instance and cover a maximum of twenty (20) parking spaces and two rows of parking maximum.
- J. Tandem Parking: Tandem parking is allowed and may be counted towards the required amount of parking.
- K. Trails: The trail easement shall be provided as shown in Exhibit C.

REPORT & MINUTES

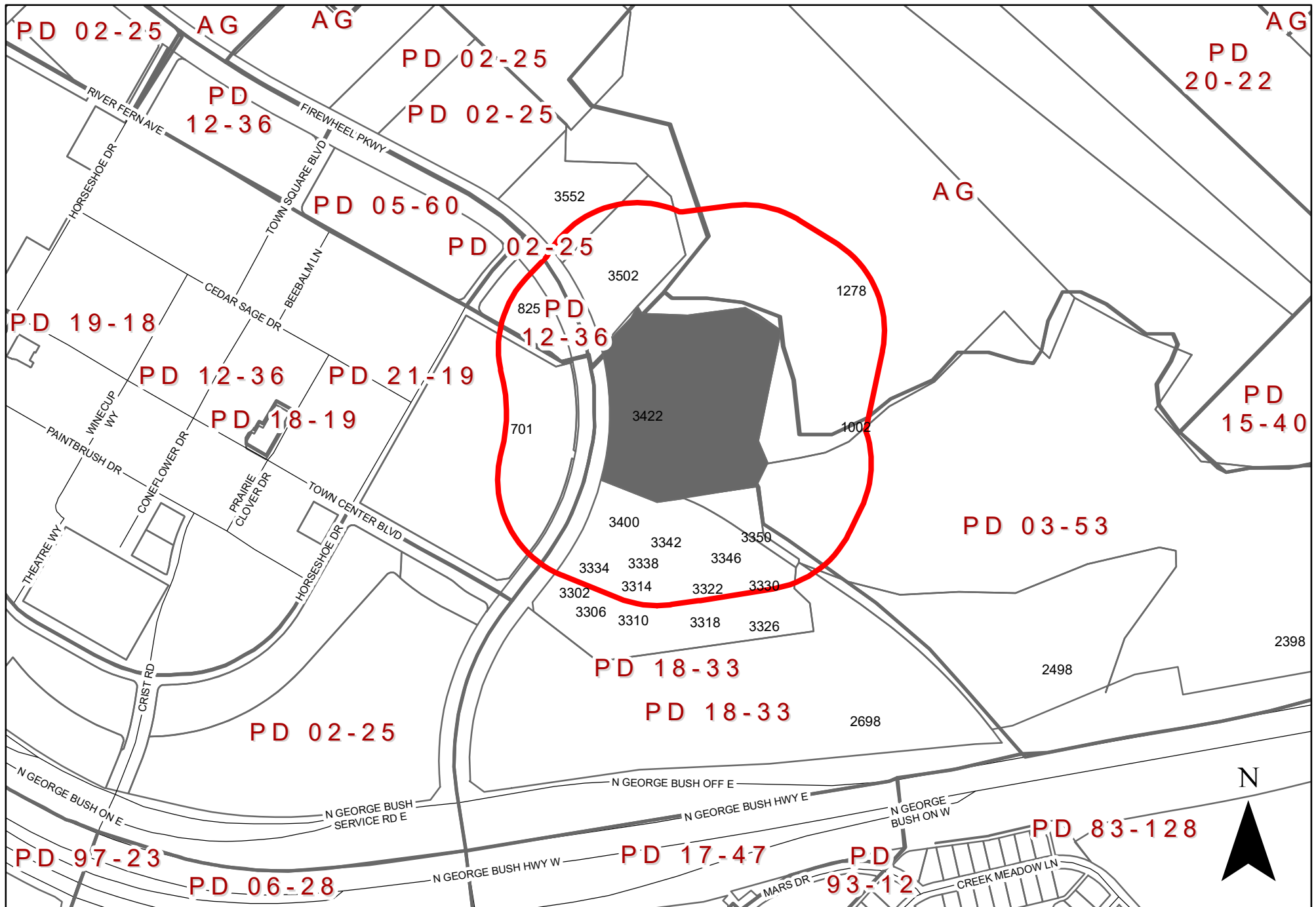
P.C. Meeting, December 15, 2021

3e. APPROVED Consideration of the application of **Wood Partners % Masterplan**, requesting approval of an amendment to Planned Development (PD) 18-33 and Planned Development (PD) District 03-53. This property is located at 3422 Firewheel Parkway. (District 1) (File Z 21-48 - Zoning)

The applicant Maxwell Fisher, 2595 Dallas Parkway, Frisco, Texas, provided an overview of the request and remained available for questions.

There was discussion between Chair Roberts and Mr. Fisher regarding entry points into the complex.

Motion was made by Commissioner Dalton to close the public hearing and **approve** the application as presented. Seconded by Commissioner Rose. **Motion carried: 7 Ayes, 0 Nays.**



0 325 650 Feet
1 inch = 487 feet

ZONING MAP Z 21-48

INDICATES AREA OF REQUEST
INDICATES NOTIFICATION AREA

3422 Firewheel Parkway

To date we have not received any responses for this case.

Z 21-48

The applicant proposes to construct an apartment complex with 250 dwelling units.

[Planned Development amendment and Detail Plan for Multi-Family Use on a property zoned Planned Development (PD) District 18-33 and Planned Development (PD) District 03-53.]

**City Council Meeting
January 4, 2022**

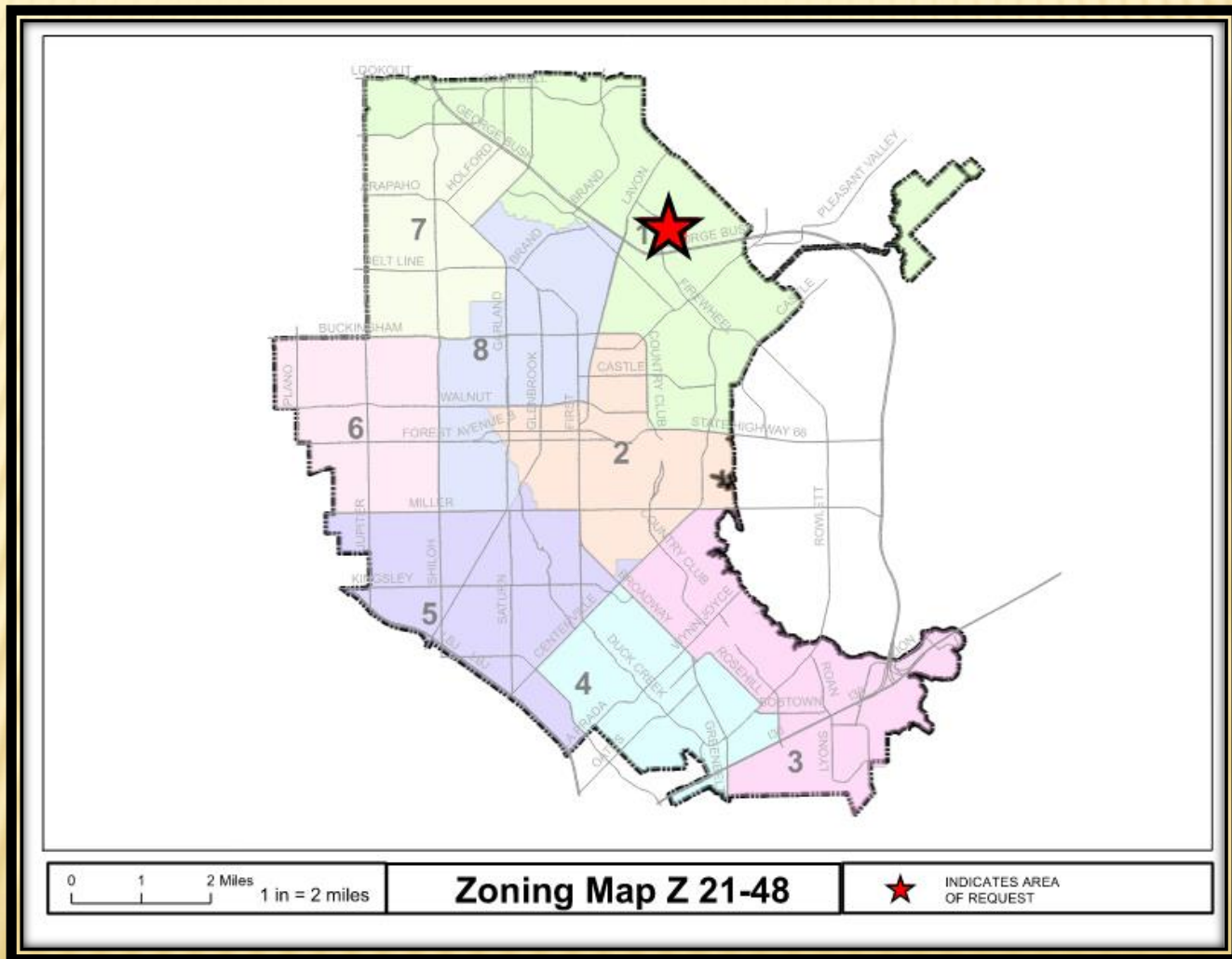


GARLAND

TEXAS MADE HERE

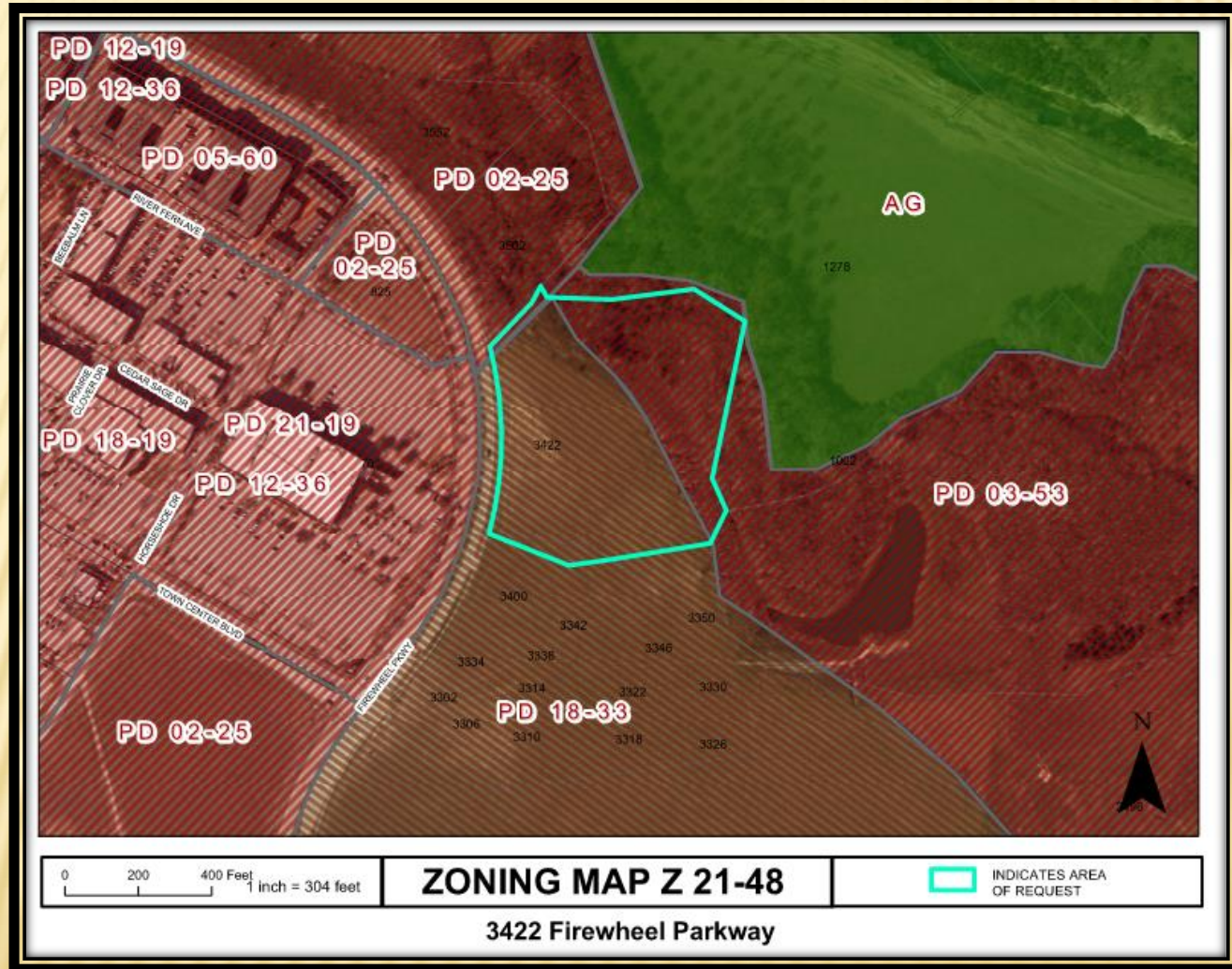
<u>Location:</u>	3422 Firewheel Parkway
<u>Applicant:</u>	Wood Partners % Masterplan
<u>Owner:</u>	L & S Land Company, LTD, By: L&S Partners, LLC % Jay Grogan, Jr MVB Associates, LTD, By: MVB Group, LLC, George Baldwin Valley Creek State Highway 190 Partners, LP By: Sunrise Partners, LLC MA Reilly
<u>Acreage:</u>	9.80 acres
<u>Zoning:</u>	Planned Development (PD) District 18-33 and Planned Development (PD) District 03-53

CITYWIDE LOCATION MAP

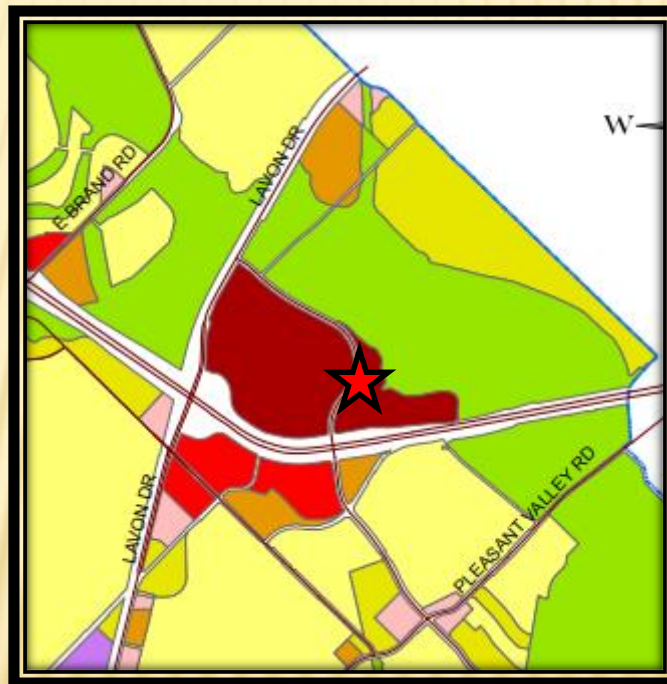


Z 21-48

LOCATION MAP



COMPREHENSIVE PLAN



COMPREHENSIVE PLAN

The Envision Garland Plan designates the subject property as Regional Centers, which are areas with a higher concentration of activity that serve as a destination for residents and visitors. Uses within this development type provide a mix of retail, services, entertainment, and employment and may include residential uses. Regional centers may be found along major highways and turnpikes, and at significant bus or rail stations.

Regional centers generally cover an area greater than thirty (30) acres and consist of one or more buildings with more than 450,000 square feet of gross leasable area. This development type typically serves a five to fifteen-mile radius trade area, within a 20 minute drive time, and serves a minimum population of 150,000.

The proposed use is compatible with the Comprehensive Plan.



GARLAND
TEXAS MADE HERE

PHOTOS



View of the subject property from Firewheel Parkway



Looking west of the subject property



Looking north of the subject property

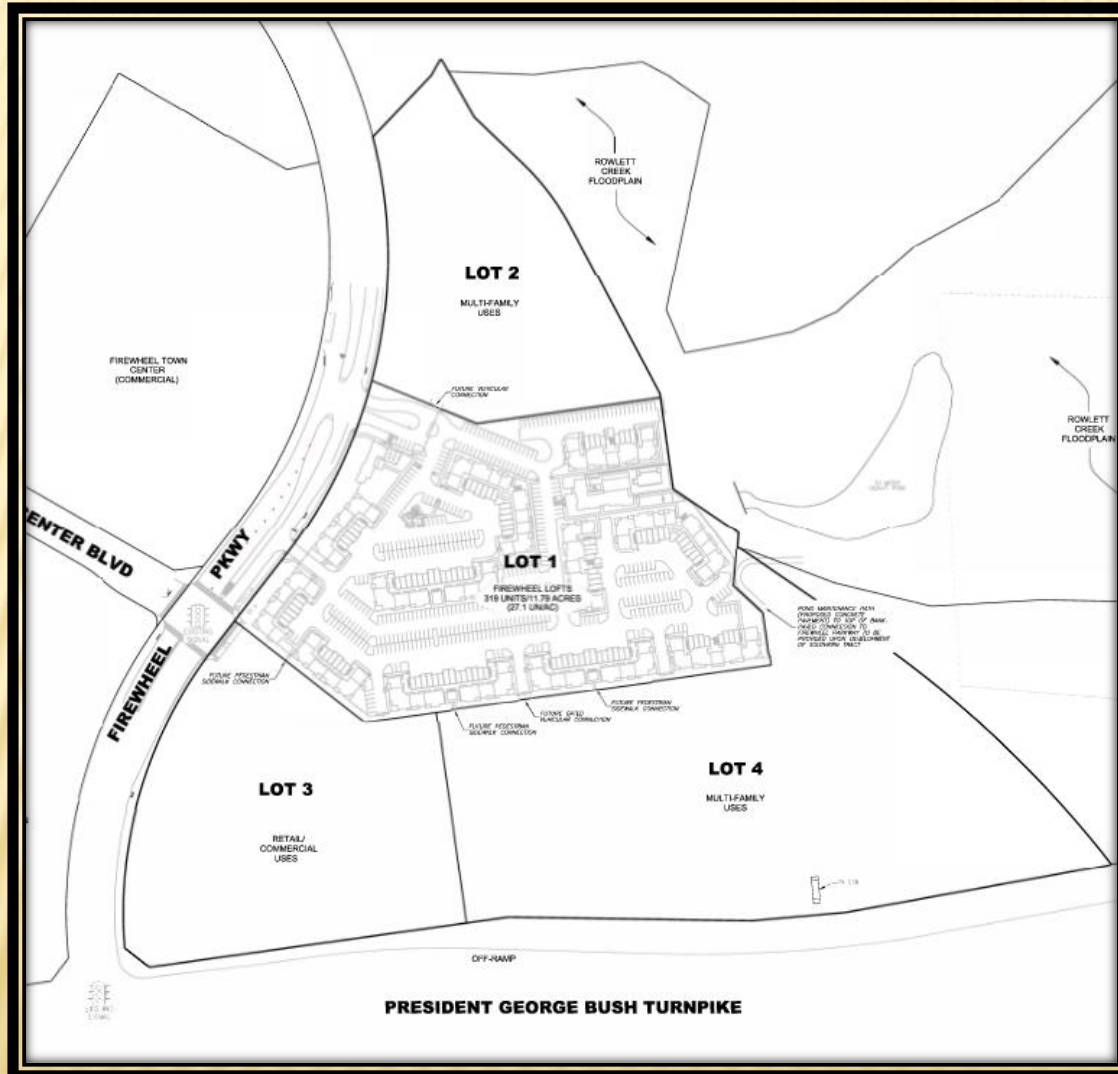


Looking south of the subject property



GARLAND
TEXAS MADE HERE

PD 18-33 CONCEPT PLAN





Leisure
areas with
amenities

Pool Courtyard

Public Spaces

Z 21-48



Z 21-48

[illegible]

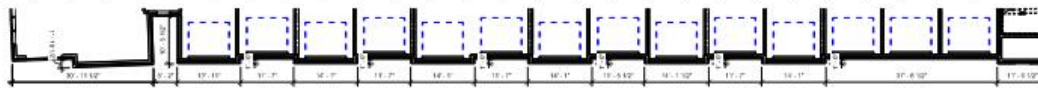


GARLAND
TEXAS MADE HERE

BUILDING ELEVATIONS



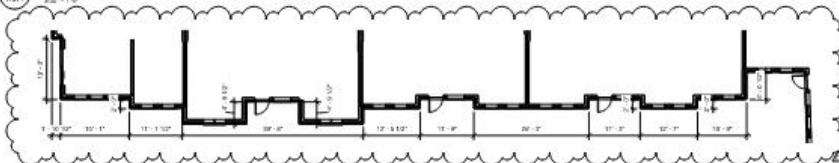
BUILDING A1 - NORTH ELEVATION



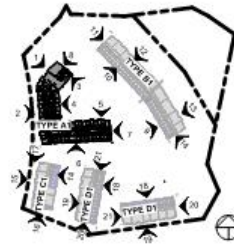
BUILDING ARTICULATION NOT FACING STREET (NOT REQUIRED)



BUILDING A1 - SOUTH ELEVATION



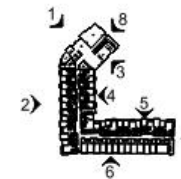
BUILDING ARTICULATION NOT FACING STREET (NOT REQUIRED)



SITE KEY
1" = 50'-0"

ARCHITECTURAL SYMBOLS
BRICK - COLOR 1
BRICK - COLOR 2
BRICK - COLOR 3
STUCCO - COLOR 1
STUCCO - COLOR 2
GLAZING

MATERIAL LEGEND

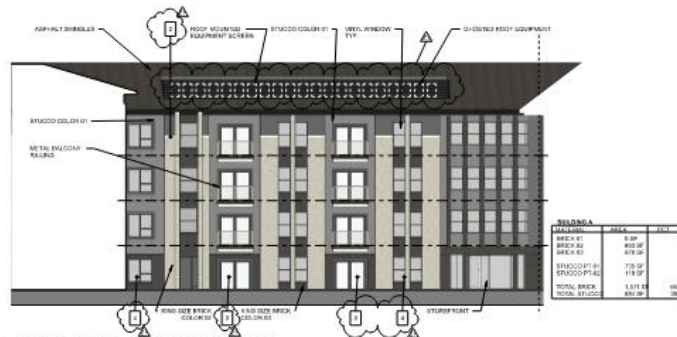


KEY PLAN - A
1" = 100'-0"

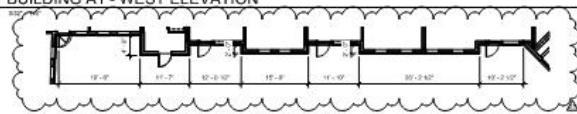


GARLAND
TEXAS MADE HERE

BUILDING ELEVATIONS



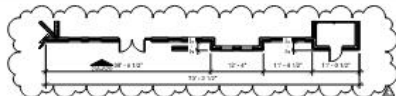
BUILDING A1 - WEST ELEVATION
1/4" = 1'-0"



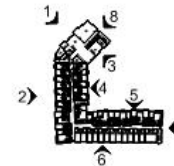
BUILDING ARTICULATION NOT FACING STREET (NOT REQUIRED)



BUILDING A1 - NORTH-WEST ELEVATION
1/4" = 1'-0"



SITE KEY
1/4" = 1'-0"



KEY PLAN - A
1/4" = 1'-0"

ARCHITECTURAL ELEMENT	DESCRIPTION
1	BRICK - COLOR 1
2	BRICK - COLOR 2
3	BRICK - COLOR 3
4	STUCCO - COLOR 1
5	STUCCO - COLOR 2
6	GLAZING

MATERIAL LEGEND

BRICK - COLOR 1	BRICK - COLOR 1
BRICK - COLOR 2	BRICK - COLOR 2
BRICK - COLOR 3	BRICK - COLOR 3
STUCCO - COLOR 1	STUCCO - COLOR 1
STUCCO - COLOR 2	STUCCO - COLOR 2
GLAZING	GLAZING



BUILDING ELEVATIONS



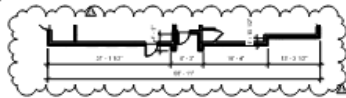
BUILDING A1 - WEST ELEVATION



BUILDING ARTICULATION NOT FACING STREET (NOT REQUIRED)



BUILDING A1 - SOUTH-WEST ELEVATION



BUILDING ARTICULATION NOT FACING STREET (NOT REQUIRED)



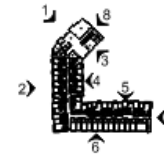
SITE KEY
 17 = 100-20'

HIGH-LEVEL, BROAD ELEMENTS	
1	TRAINING SHOULD BE AN
2	EXERCISE IN THE FUTURE OF THE
3	WORKING INDUSTRY
4	AND THE FUTURE OF THE
5	WORKING INDUSTRY
6	AND THE FUTURE OF THE
7	WORKING INDUSTRY
8	AND THE FUTURE OF THE
9	WORKING INDUSTRY
10	AND THE FUTURE OF THE
11	WORKING INDUSTRY
12	AND THE FUTURE OF THE
13	WORKING INDUSTRY
14	AND THE FUTURE OF THE
15	WORKING INDUSTRY
16	AND THE FUTURE OF THE
17	WORKING INDUSTRY
18	AND THE FUTURE OF THE
19	WORKING INDUSTRY
20	AND THE FUTURE OF THE
21	WORKING INDUSTRY
22	AND THE FUTURE OF THE
23	WORKING INDUSTRY
24	AND THE FUTURE OF THE
25	WORKING INDUSTRY
26	AND THE FUTURE OF THE
27	WORKING INDUSTRY
28	AND THE FUTURE OF THE
29	WORKING INDUSTRY
30	AND THE FUTURE OF THE
31	WORKING INDUSTRY
32	AND THE FUTURE OF THE
33	WORKING INDUSTRY
34	AND THE FUTURE OF THE
35	WORKING INDUSTRY
36	AND THE FUTURE OF THE
37	WORKING INDUSTRY
38	AND THE FUTURE OF THE
39	WORKING INDUSTRY
40	AND THE FUTURE OF THE
41	WORKING INDUSTRY
42	AND THE FUTURE OF THE
43	WORKING INDUSTRY
44	AND THE FUTURE OF THE
45	WORKING INDUSTRY
46	AND THE FUTURE OF THE
47	WORKING INDUSTRY
48	AND THE FUTURE OF THE
49	WORKING INDUSTRY
50	AND THE FUTURE OF THE
51	WORKING INDUSTRY
52	AND THE FUTURE OF THE
53	WORKING INDUSTRY
54	AND THE FUTURE OF THE
55	WORKING INDUSTRY
56	AND THE FUTURE OF THE
57	WORKING INDUSTRY
58	AND THE FUTURE OF THE
59	WORKING INDUSTRY
60	AND THE FUTURE OF THE
61	WORKING INDUSTRY
62	AND THE FUTURE OF THE
63	WORKING INDUSTRY
64	AND THE FUTURE OF THE
65	WORKING INDUSTRY
66	AND THE FUTURE OF THE
67	WORKING INDUSTRY
68	AND THE FUTURE OF THE
69	WORKING INDUSTRY
70	AND THE FUTURE OF THE
71	WORKING INDUSTRY
72	AND THE FUTURE OF THE
73	WORKING INDUSTRY
74	AND THE FUTURE OF THE
75	WORKING INDUSTRY
76	AND THE FUTURE OF THE
77	WORKING INDUSTRY
78	AND THE FUTURE OF THE
79	WORKING INDUSTRY
80	AND THE FUTURE OF THE
81	WORKING INDUSTRY
82	AND THE FUTURE OF THE
83	WORKING INDUSTRY
84	AND THE FUTURE OF THE
85	WORKING INDUSTRY
86	AND THE FUTURE OF THE
87	WORKING INDUSTRY
88	AND THE FUTURE OF THE
89	WORKING INDUSTRY
90	AND THE FUTURE OF THE
91	WORKING INDUSTRY
92	AND THE FUTURE OF THE
93	WORKING INDUSTRY
94	AND THE FUTURE OF THE
95	WORKING INDUSTRY
96	AND THE FUTURE OF THE
97	WORKING INDUSTRY
98	AND THE FUTURE OF THE
99	WORKING INDUSTRY
100	AND THE FUTURE OF THE

MATERIAL LEGEND

	BRICK - COLOR 1
	BRICK - COLOR 2
	BRICK - COLOR 3
	STUCCO - COLOR 1
	STUCCO - COLOR 2
	GRASS

VICINITY MAP

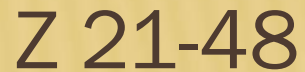


KEY PLAN - A





ΒΟΛΕΥΜΑΤΑ ΕΓΓΛΩΤΙΣΜΟΥ





GARLAND
TEXAS MADE HERE

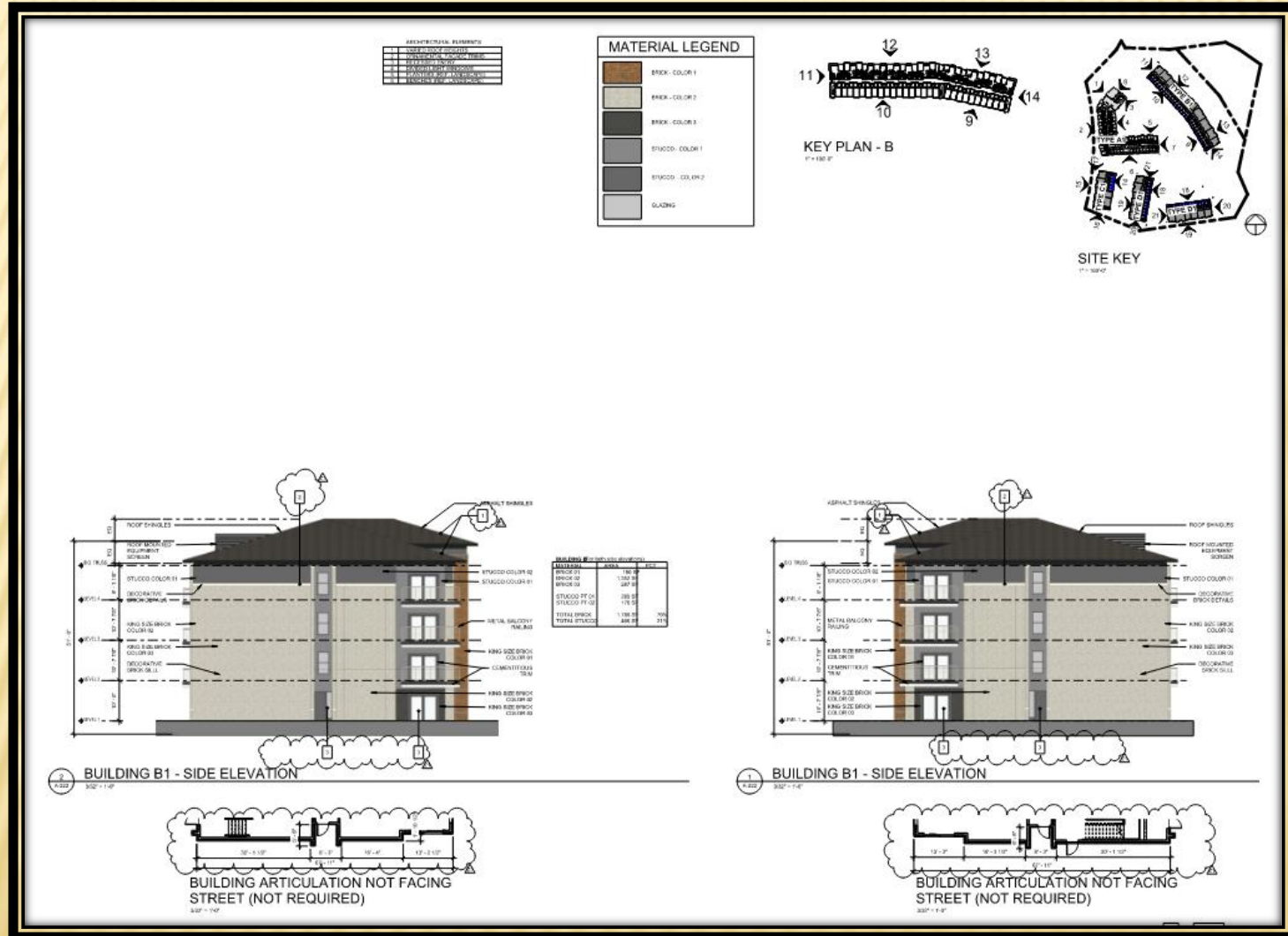
BUILDING ELEVATIONS





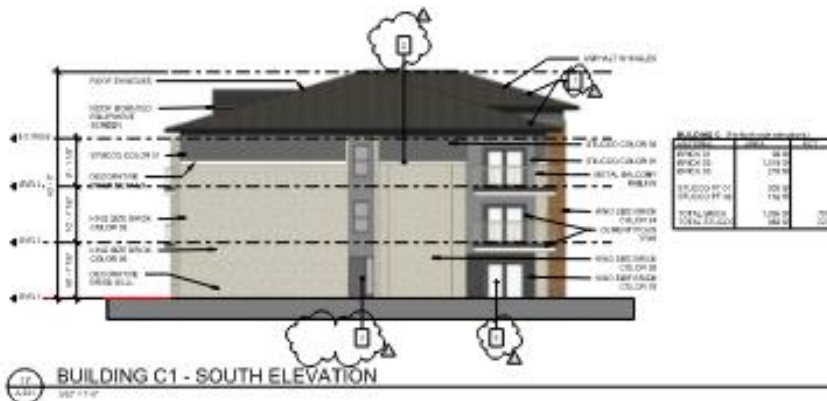
GARLAND
TEXAS MADE HERE

BUILDING ELEVATIONS



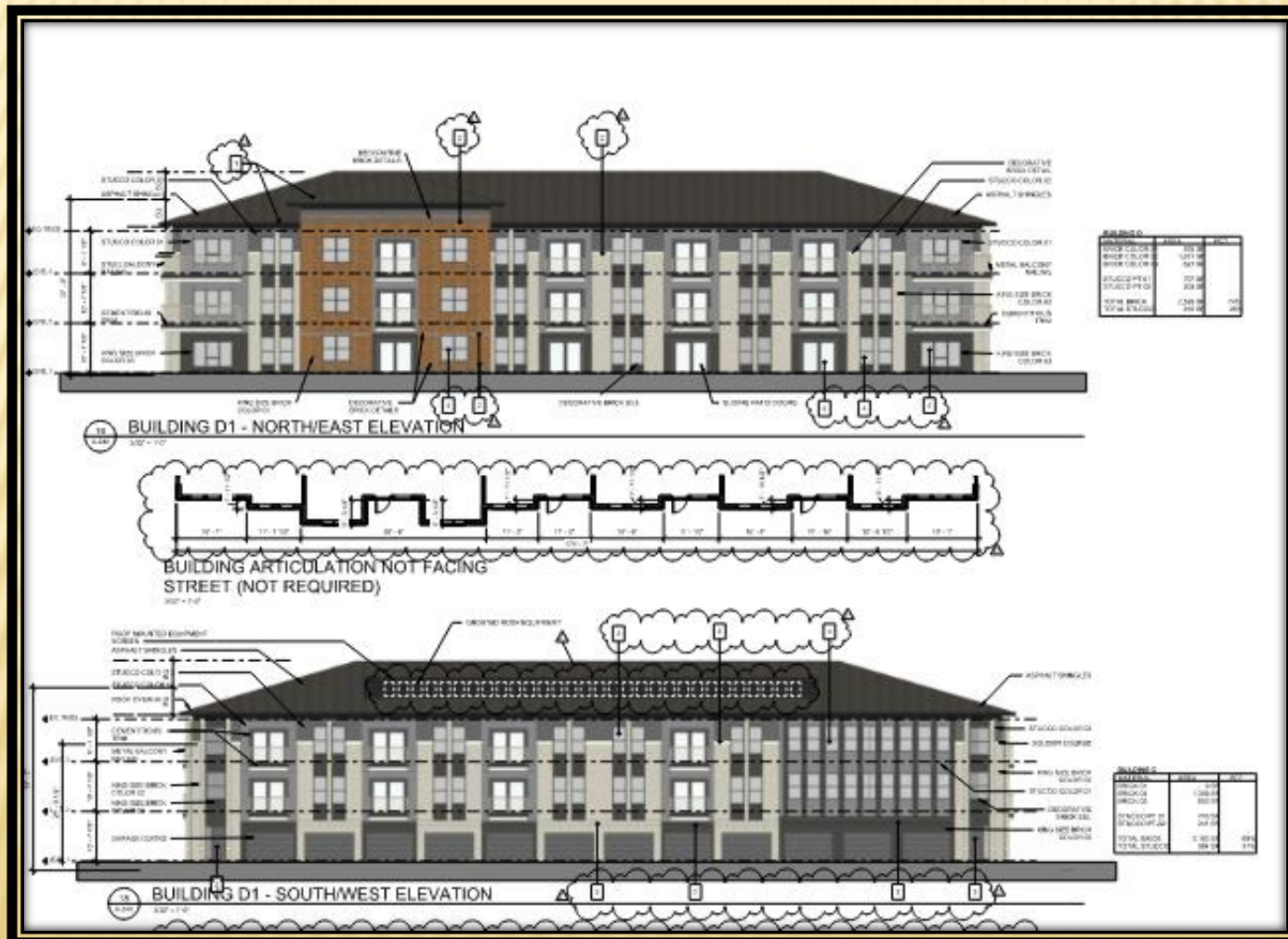


BUILDING ELEVATIONS





Z 21-48





BUILDING ELEVATIONS



BUILDIN D1 - SIDE ELEVATION

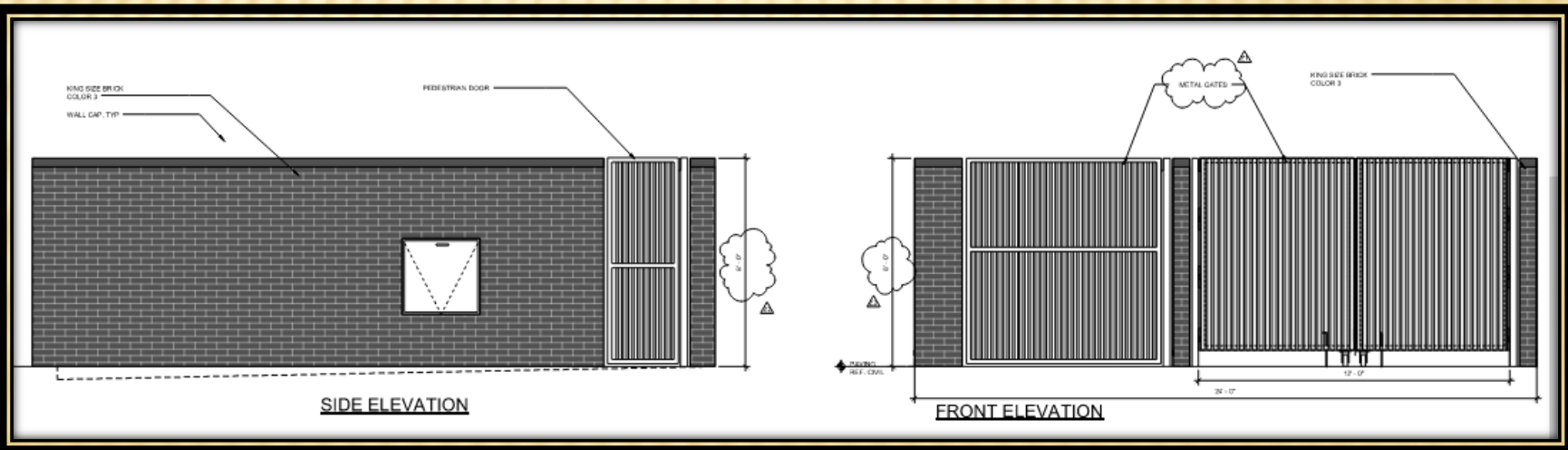
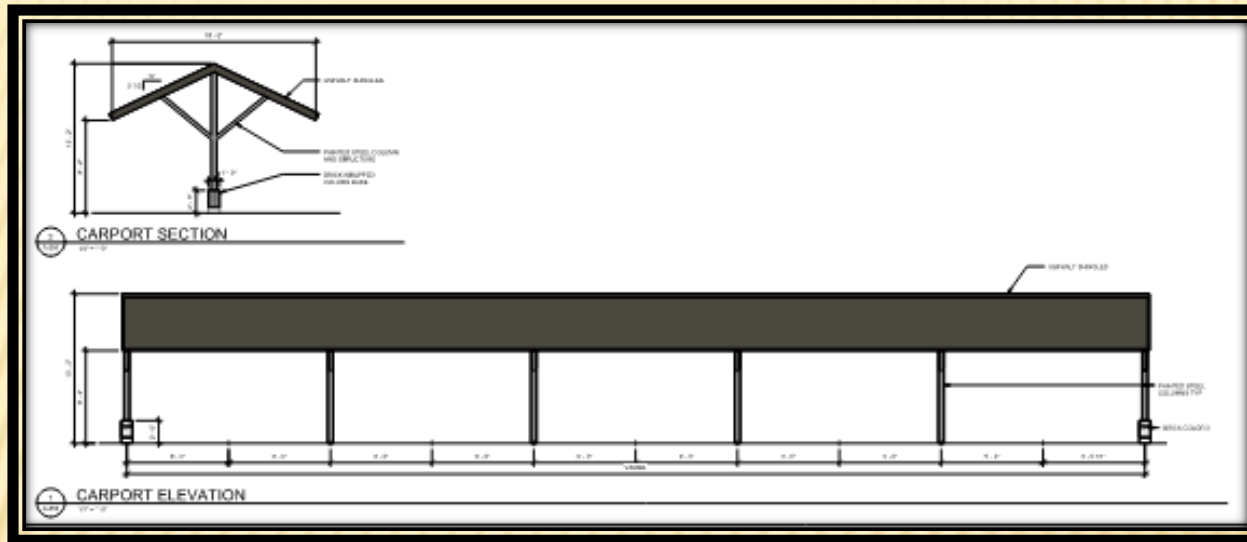


BUILDIN D1 - SIDE ELEVATION



GARLAND
TEXAS MADE HERE

DUMPSTER ENCLOSURE AND CARPORT



Z 21-48

SUMMARY TABLE

Development Standards	Required	Proposed	Analysis
Building Setback	Planned Development (PD) District 03-53 requires a thirty (30)-foot setback along Firewheel Parkway.	The applicant proposes a twenty (20)-foot setback along Firewheel Parkway, which aligns with the building setback established in the GDC.	The floodplain to the rear of the site limits the depth of the property. The proposed building position allows for greater space for amenities behind the building. Moreover, the reduced setback provides a more urban streetscape along Firewheel Parkway.

STAFF RECOMMENDATION

Approval of an amendment to Planned Development (PD) 18-33 and Planned Development (PD) District 03-53.

Approval of a Detail Plan for Multi-Family development.

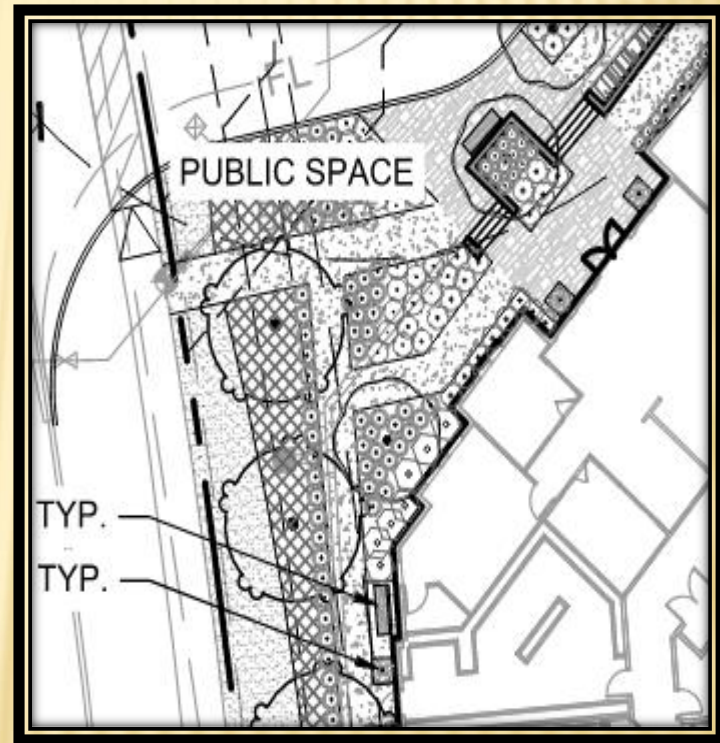
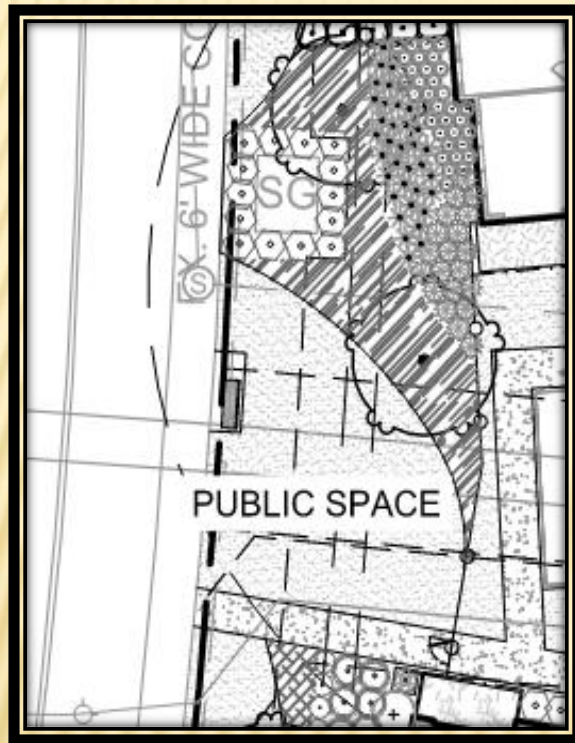
PLAN COMMISSION RECOMMENDATION

On December 15, 2021 the Plan Commission, by a vote of seven (7) to zero (0), recommended approval of an amendment to Planned Development (PD) 18-33 and Planned Development (PD) District 03-53.

The Plan Commission, by a vote of seven (7) to zero (0), recommended approval of a Detail Plan for Multi-Family development.



PUBLIC SPACE





GARLAND PLANNING REPORT

City Council Regular Session Agenda

9. f.

Meeting Date: 01/04/2022

Item Title: Z 21-48 Wood Partners % Masterplan - Detail Plan (District 1)

Submitted By: Nabiha Ahmed, Lead Development Planner

REQUEST

Approval of an amendment to Planned Development (PD) 18-33 and Planned Development (PD) District 03-53.

Approval of a Detail Plan for Multi-Family development.

LOCATION

3422 Firewheel Parkway

OWNER

L & S Land Company, LTD, By: L&S Partners, LLC % Jay Grogan, Jr

MVB Associates, LTD, By: MVB Group, LLC, George Baldwin

Valley Creek State Highway 190 Partners, LP By: Sunrise Partners, LLC MA Reilly

PLAN COMMISSION RECOMMENDATION

On December 15, 2021 the Plan Commission, by a vote of seven (7) to zero (0), recommended approval of an amendment to Planned Development (PD) 18-33 and Planned Development (PD) District 03-53.

The Plan Commission, by a vote of seven (7) to zero (0), recommended approval of a Detail Plan for Multi-Family development.

STAFF RECOMMENDATION

Approval of an amendment to Planned Development (PD) 18-33 and Planned Development (PD) District 03-53.

Approval of a Detail Plan for Multi-Family development.

BACKGROUND

In 2003, City Council approved Planned Development (PD) 03-53 District to allow the development of a mixed-use town center regional shopping mall and complementary peripheral development. PD 03-53 requires review of a Detail Plan through a public hearing process. The core tract of the Planned Development has been constructed with an urban style, outdoor-oriented shopping mall.

In 2018, the applicant brought forward a Concept Plan and a Detail Plan only for Tract 2 of PD 03-53 to build an apartment complex. The Concept Plan reflected four (4) lots.

Lot 1: Multi-Family Uses

Lot 2: Multi-Family Uses

Lot 3: Retail/Commercial Uses

Lot 4: Multi-Family Uses

The Detail Plan approved in 2018 was for Lot 1 to build The Lively at Firewheel. Any other developments on the remainder of the lots requires a Detail Plan approval through the Public Hearing process. The applicant now requests a Detail Plan for Lot 2 to build an apartment complex.

SITE DATA

The overall site consists of approximately 9.80 acres with approximately 506 lineal feet of frontage along Firewheel Parkway. The site plan (Exhibit C) shows two (2) access points; one access point is directly from Firewheel Parkway and the other point is a "Resident Only" access from the southern multi-family development.

USE OF PROPERTY UNDER CURRENT ZONING

The site is currently undeveloped and consists of two (2) zoning districts; Planned Development (PD) District 03-53 and Planned Development (PD) District 18-33 for Multi-Family Use.

The Planned Development (PD) 03-53 District identifies Tract 1 and Tract 2 for development regulations. Tract 1, the core area of the Firewheel Town Center, allows uses including retail, office, restaurant, personal services. Tract 2 also allows Multi-Family Use, Retail Sales with Gas Pumps (Fuel Pumps, Retail) and Commercial Antenna Type 2 (Commercial Antenna) uses. Planned Development (PD) District 18-33 is an amendment of Tract 2 of Planned Development (PD) District 03-53. A Detail Plan was approved for a Multi-Family Use on Lot 1. The remainder of the lots requires Detail Plan approval.

The subject property is designated as Lot 2 in Planned Development (PD) District 18-33, which allows Multi-Family Uses.

CONSIDERATIONS

1. Development and Site Plan

The applicant requests the development of 250 multi-family dwelling units on an unimproved property. The development will consist of five (5) multi-family buildings along with public space, a swimming pool, dog park and other amenities (Exhibit C in the Plan agenda item).

Planned Development (PD) District 18-33 restricts the maximum permitted aggregate number of dwelling units on Tract 2 to 1,800 multi-family units. A total of 319 units were proposed for Lot 1, reducing the available number of multi-family units from 1,800 to 1,481 on Tract 2. The applicant requests a total of 250 units for Lot 2, which now reduces the future available number to 1,231 units.

2. Parking

The GDC requires 417 parking spaces for this proposal. The site layout shows 417 parking spaces. Additionally, the GDC provides the required covered parking spaces including carports, tuck under garages and tandem parking. It should be noted that Planned Development (PD) District 18-33 allowed tandem parking towards the required amount of parking for Lot 1.

3. Building Height

Planned Development (PD) 18-33 states the maximum building height will be reviewed with future Detail Plans. The applicant proposes a maximum height of fifty-three (53) feet for building types A and B. The maximum height for building types C and D is forty (40) feet. It should be noted the maximum height allowed per the GDC is forty (40) feet and the Firewheel Town Center Core (Tract 1) is allowed a maximum height of fifty-five (55) feet.

4. Building Setbacks

Planned Development (PD) District 03-53 requires a thirty (30)-foot setback along Firewheel Parkway. The applicant proposes a twenty (20)-foot setback along Firewheel Parkway, which aligns with the building setback established in the GDC. The floodplain to the rear of the site limits the depth of the property. The proposed building position allows for greater space for amenities behind the building. Moreover, the reduced setback provides a more urban streetscape along Firewheel Parkway.

The subject property complies with all other applicable building setbacks.

5. Connectivity

Planned Development (PD) District 03-53 highly emphasizes street connectivity. The applicant has worked with staff to provide a trail easement around the perimeter of the property. The trail easement would provide an option for future alignment to the spine trail.

6. Amenities

- **Clubhouse:** Section 2.39 (I) states that a minimum 3,500 square-foot clubhouse must be constructed on site and made available to all residents. The site plan (Exhibit C) notes a 6,000 square-foot clubhouse.
- **Swimming Pool:** A swimming pool having a minimum of eight hundred (800) square feet of surface water must be provided for each multi-family development. The applicant proposes a swimming pool with a minimum of 800 square feet of surface water in the interior courtyard.

- **Leisure Areas:** One (1) leisure area having a minimum area of one thousand square feet, containing at least two (2) pieces of play equipment, or other outdoor amenities (such as, picnic areas with tables, barbeque pits, arbors, or gazebos) must be provided for each multi-family development. The applicant will comply with this requirement by providing a dog park and a gaming area.
- **Public Space:** Planned Development (PD) District 03-53 emphasizes public spaces. The streets are the most important public space within the development and the building massing and orientation shall reinforce and enhance the streetscape by creating quality public spaces and pedestrian corridors. The landscape plan (Exhibit D) delineates the public spaces along Firewheel Parkway.

7. Dwelling unit/mix

The submittal materials indicate compliance with the required unit size and mix. More specifically:

Average minimum dwelling unit size.

Required: 725 square feet

Proposed: 956 square feet

Total number of units: 250 units

Minimum dwelling unit size.

Required Efficiency: 500 square feet

Proposed: 673 square feet

Number of units: 7 units (2.8%)

Required one- bedroom: 650 square feet

Proposed: 816 square feet

Number of units: 153 units (61.2%)

Required two-bedroom: 800 square feet

Proposed: 1,017 square feet

Number of units: 78 units (31.2%)

Required three-bedroom: 950 square feet

Proposed: 1,475 square feet

Number of units: 12 units (4.8%)

8. Screening and Landscaping

The proposed landscaping conforms to the screening and landscaping requirements of the Planned Development (PD) District 03-53, Planned Development (PD) District 18-33 and the GDC. The landscape theme must be consistent throughout the Firewheel Town Center Core and the peripheral developments. The applicant contends the proposed plant theme follows the same palette of native and adapted species and mimics the arrangement of the adjacent Lot 1 development with a curvilinear arrangement of groundcovers along Firewheel Parkway. The planting design opens up to signify to motorists and pedestrians where the primary entries to the site are and provides an aesthetically pleasing environment with a rhythm of formalized clusters

and groupings of the taller shrubs buffering the proposed buildings.

In addition, Planned Development (PD) District 18-33 requires a minimum of ten (10%) of the site to be landscaped. The applicant is following the GDC requirement by landscaping forty-four (44%) of the site.

9. Building Design

The building design complies with the architectural elements and articulation requirements of the GDC and Planned Development (PD) District 03-53.

The applicant contends the proposed multi-family development has been designed to be compatible to the Core Building Area of the Firewheel Town Center by emphasizing massing, materiality, and architectural elements and a traditional architectural style. Each building includes a calculated amount of vertical and horizontal articulation to create aesthetic building elevations and break monotony.

10. Transportation

A Traffic Impact Analysis was not required with this development. The Transportation Department did not have any concerns with the proposed development and it meets technical requirements.

11. Signage

No deviations were requested regarding signage.

12. Summary of Deviations

The applicant requests to deviate from Planned Development (PD) District 03-53. The table below indicated the deviation as proposed.

Development Standards	Required	Proposed	Analysis
Building Setback	Planned Development (PD) District 03-53 requires a thirty (30)-foot setback along Firewheel Parkway.	The applicant proposes a twenty (20)-foot setback along Firewheel Parkway, which aligns with the building setback established in the GDC.	The floodplain to the rear of the site limits the depth of the property. The proposed building position allows for greater space for amenities behind the building. Moreover, the reduced setback provides a more urban streetscape along Firewheel Parkway.

COMPREHENSIVE PLAN

The Envision Garland Plan designates the subject property as Regional Centers, which are areas with a higher concentration of activity that serve as a destination for residents and visitors. Uses within this development type provide a mix of retail, services, entertainment, and employment and may include residential uses. Regional centers may be found along major highways and turnpikes, and at significant bus or rail stations.

Regional centers generally cover an area greater than thirty (30) acres and consist of one or more buildings with more than 450,000 square feet of gross leasable area. This development type typically serves a five to fifteen-mile radius trade area, within a 20-minute drive time, and serves a minimum population of 150,000.

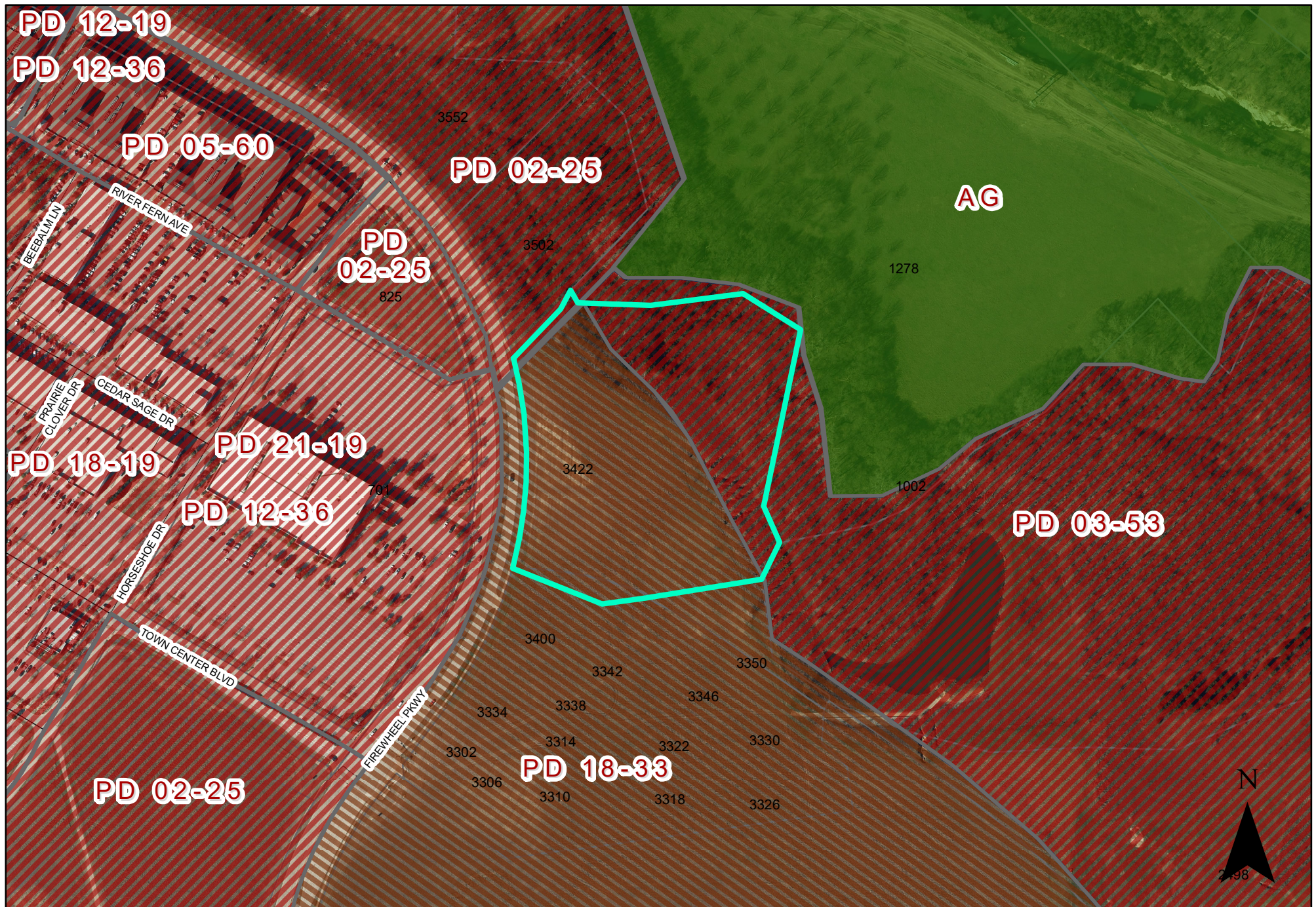
The proposed use is compatible with the Comprehensive Plan.

COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

The areas to the north are zoned Agricultural (AG) District and Planned Development (PD) District 02-25; these properties are unimproved. The property to the east is zoned Planned Development (PD) District 03-53; it is currently unimproved. The property to the south is zoned Planned Development (PD) District 18-33 for Multi-Family Use; it is developed with an apartment complex. The property to the west, across Firewheel Parkway, is zoned Planned Development (PD) District 02-25 and Planned Development (PD) District 21-19; it is part of the Core Area of the Firewheel Town Center.

Attachments

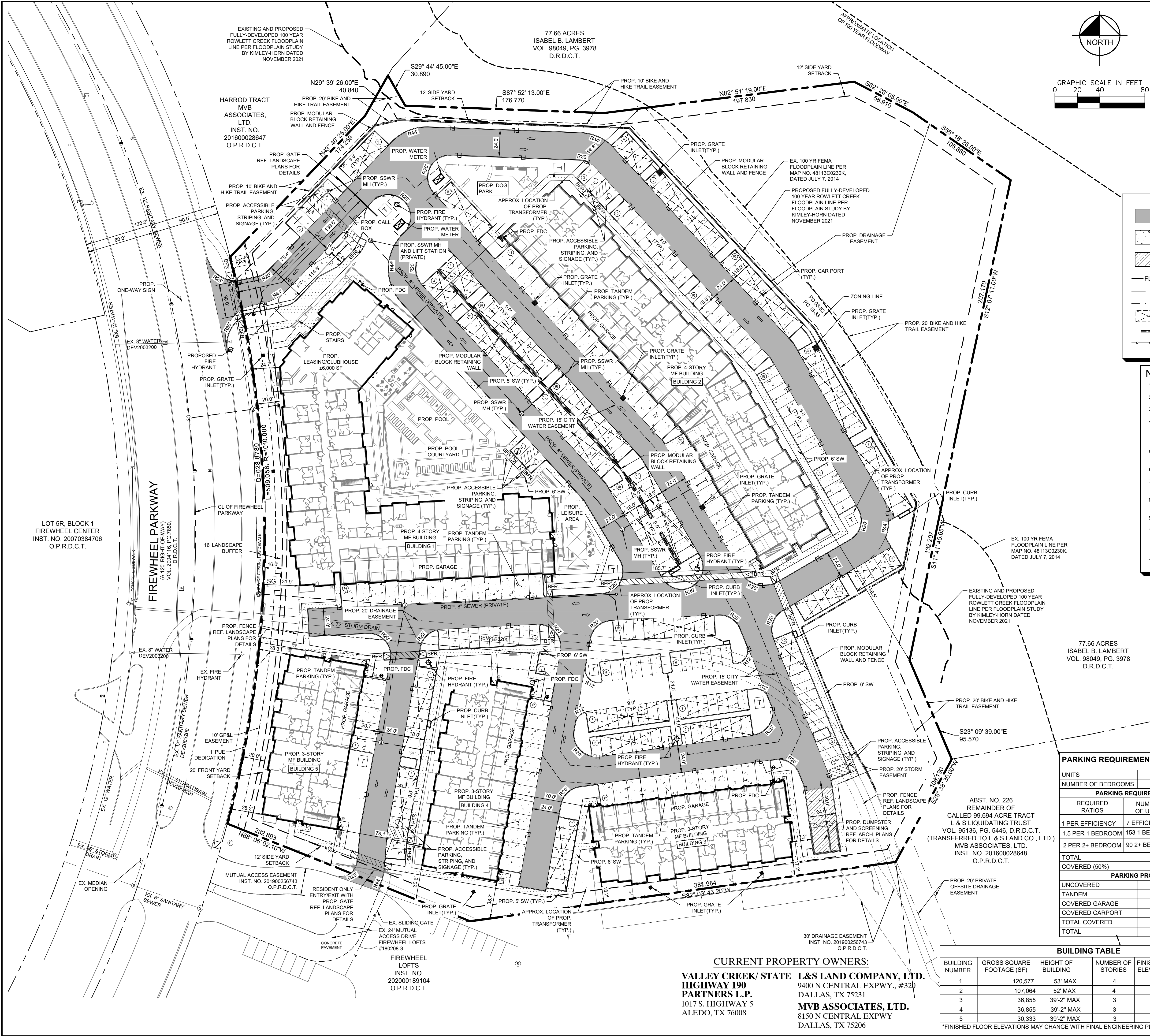
Z 21-48 Wood Partners % Masterplan (Detail Plan) Attachments
Z 21-48 Wood Partners % Masterplan Responses
Z 21-48 Wood Partners % Masterplan Staff Presentation



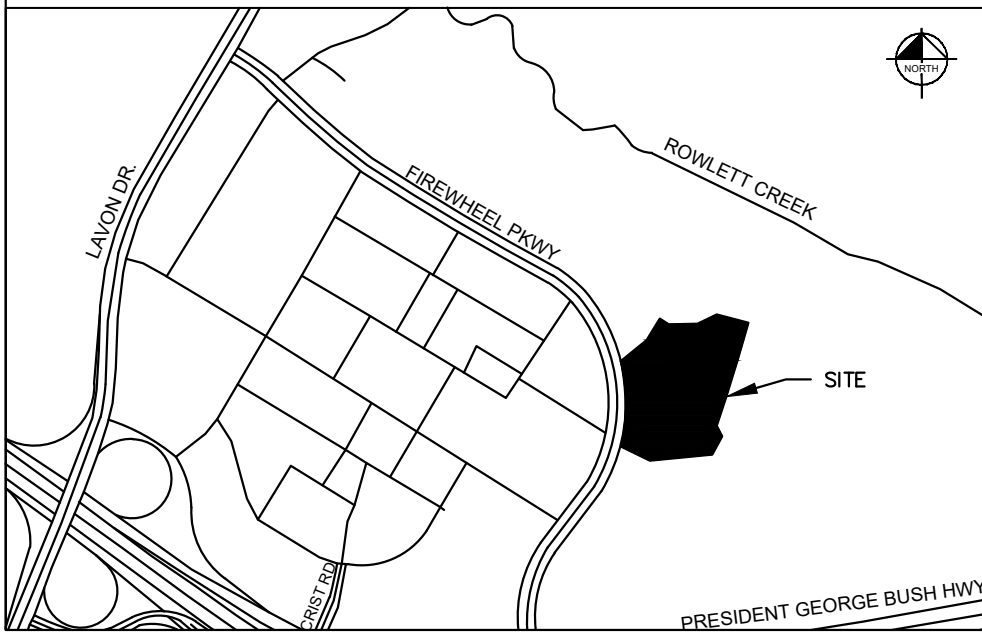
ZONING MAP Z 21-48

 INDICATES AREA OF REQUEST

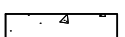
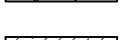
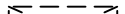
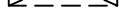
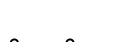
3422 Firewheel Parkway



VICINITY MAP



LEGEND

	PROPOSED CONCRETE FIRELANE		TRANSFORMER PAD (SEE MEP PLANS)
	PROPOSED CONCRETE PAVEMENT		SANITARY SEWER MANHOLE
	PROPOSED DUMPSTER PAVEMENT		PROPOSED 2" WATER METER
			PROPOSED 4" WATER METER
			PROPOSED FIRE DEPARTMENT CONNECTION
	FIRELINE STRIPING		PROPOSED LIGHT STANDARD
	FULL DEPTH SAWCUT		TRAFFIC FLOW ARROW
	BUILDING SETBACK LINE		PROPOSED CURB INLET
	CARPORT		PROPOSED GRATE INLET
	PROPOSED RETAINING WALL		PROPOSED FIRE HYDRANT
	PROPOSED FENCE (REF. LSCP PLANS FOR DETAILS)		

NOTES

1. THE SITE IS ZONED IN PD 18 - 33 AND PD 03-53.
2. ALL DIMENSIONS ARE TO FACE OF CURB UNLESS OTHERWISE NOTED.
3. ALL CURB RADII ARE 2' UNLESS SHOWN OTHERWISE.
4. DIMENSIONS SHOWN FOR BUILDING CORNERS ARE APPROXIMATE OUTER BUILDING ENVELOPE FOR THE PURPOSES OF GRADING. CONTRACTOR SHALL USE ARCHITECT'S STRUCTURAL SLAB PLANS FOR FORM BOARD STAKING AND CONTRACTOR SHALL PROVIDE A FORM BOARD SURVEY, FOR APPROVAL BY THE OWNER, PRIOR TO POURING BUILDING SLABS.
5. ALL SIDEWALKS, BFR'S, AND DRIVE APPROACHES SHALL BE CONSTRUCTED IN CONFORMANCE WITH THE CITY OF GARLAND STANDARD DETAILS.
6. MINIMUM FIRE LANE RADIUS IS TO BE 20'.
7. THE REFUSE FACILITY IS TO BE 26' 4\"/>

SITE TABLE

TOTAL SITE AREA	9.80	AC
TOTAL SITE AREA	426,706	SF
TOTAL FLOODPLAIN AREA	1.2	AC
NET DEVELOPABLE SITE ACERAGE	8.60	AC
TOTAL FLOOR AREA RATIO	0.8:1	
TOTAL IMPERVIOUS AREA	237,399	SF
PERC. OF IMPERVIOUS COVER	56%	
TOTAL LANDSCAPE AREA	189,307	SF
PERC. OF LANDSCAPE AREA	44%	
BUILDING COVERAGE	90,697	SF
TOTAL UNITS	250	UNITS
NET DENSITY	29.41	UNITS/NET AC
GROSS DENSITY	25.54	UNITS/TOT AC
CLUBHOUSE MINIMUM SIZE (PER CODE)	3,500	SF
POOL MINIMUM SIZE (PER CODE)	800	SF
LEISURE AREA MINIMUM SIZE (PER CODE)	1,000	SF

BUILDING SETBACKS

FRONT YARD SETBACK ON FIREWHEEL PARKWAY	20'
SIDE AND REAR YARD SETBACK	12'

BUILDING UNIT DATA

UNIT	MIN DWELLING AREA	NUMBER OF UNITS
EFFICIENCIES	673 SF	7
1-BEDROOM	816 SF	153
2-BEDROOM	1017 SF	78
3-BEDROOM	1475 SF	12
AVERAGE AREA	956 SF	

BENCHMARKS

BM # 53 - SQUARE CUT W/ "X" LOCATED OVER AN INLET ON THE NORTH BOUND SIDE OF FIREWHEEL PKWY. LOCATED ± 600 FEET NORTHEAST OF THE INTERSECTION OF FIREWHEEL PKWY AND TOWN CENTER BLVD. ELEV. = 506.05

BM #55 - SQUARE CUT W/ "X" LOCATED ON EAST SIDE OF SIDEWALK ON THE NORTH BOUND SIDE OF FIREWHEEL PKWY. LOCATED ± 15 FEET EAST OF A FIRE HYDRANT, AND ± 1,000 FEET NORTHEAST OF THE INTERSECTION OF FIREWHEEL PKWY AND TOWN CENTER BLVD. AND ± 1,805 FEET NORTHEAST OF THE INTERSECTION OF THE WEST BOUND SERVICE ROAD OF PRESIDENT GEORGE BUSH TURNPIKE AND FIREWHEEL PKWY. ELEV. = 512.35

BM #56 - SQUARE CUT W/ "X" LOCATED AT THE CENTER OF CONCRETE NOSE OF MEDIAN. LOCATED ± 1,375 FEET NORTHEAST OF THE INTERSECTION OF FIREWHEEL PKWY AND TOWN CENTER BLVD. AND ± 2,160 FEET NORTHEAST OF THE INTERSECTION OF THE WEST BOUND SERVICE ROAD OF PRESIDENT GEORGE BUSH TURNPIKE AND FIREWHEEL PKWY. AND ± 2,745 FEET SOUTHEAST OF THE INTERSECTION OF LAYON DR. AND FIREWHEEL PKWY. ELEV. = 510.12

PARKING REQUIREMENT TABLE

UNITS	250	
NUMBER OF BEDROOMS	345	
PARKING REQUIRED		
REQUIRED RATIOS	NUMBER OF UNITS	REQUIRED PARKING
1 PER EFFICIENCY	7 EFFICIENCY	7 SPACES
1.5 PER 1 BEDROOM	153 1 BEDROOM	230 SPACES
2 PER 2+ BEDROOM	90 2+ BEDROOM	180 SPACES
TOTAL	417	
COVERED (50%)	209	
PARKING PROVIDED		
UNCOVERED	90	
TANDEM	70	
COVERED GARAGE	70	
COVERED CARPORT	191	
TOTAL COVERED	261	
TOTAL	417	

BUILDING TABLE

BUILDING NUMBER	GROSS SQUARE FOOTAGE (SF)	HEIGHT OF BUILDING	NUMBER OF STORIES	FINISHED FLOOR ELEVATION (FT)*	NUMBER OF UNITS
1	120,577	53' MAX	4	511-508	92
2	107,064	52' MAX	4	492	77
3	36,855	39'-2" MAX	3	505	28
4	36,855	39'-2" MAX	3	507	28
5	30,333	39'-2" MAX	3	508	25

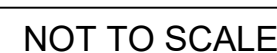
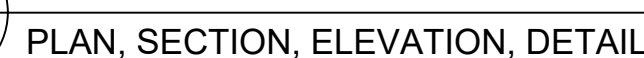
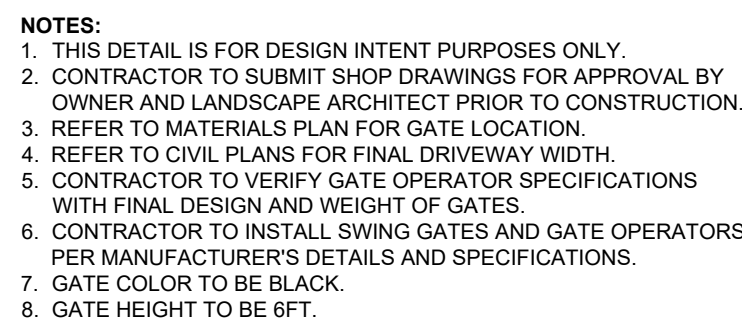
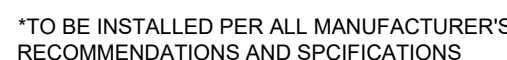
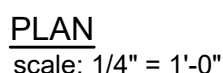
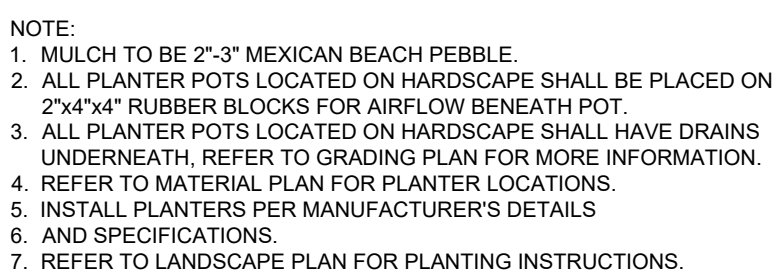
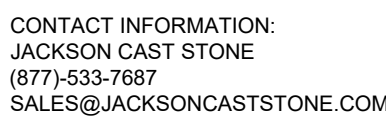
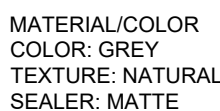
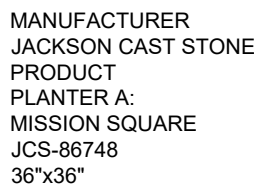
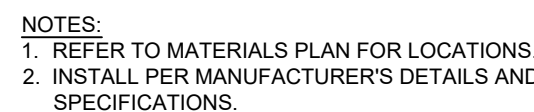
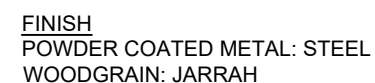
*FINISHED FLOOR ELEVATIONS MAY CHANGE WITH FINAL ENGINEERING PLANS

CURRENT PROPERTY OWNERS:

VALLEY CREEK/ STATE HIGHWAY 190 PARTNERS L.P.
9400 N CENTRAL EXPWY., #320
DALLAS, TX 75231

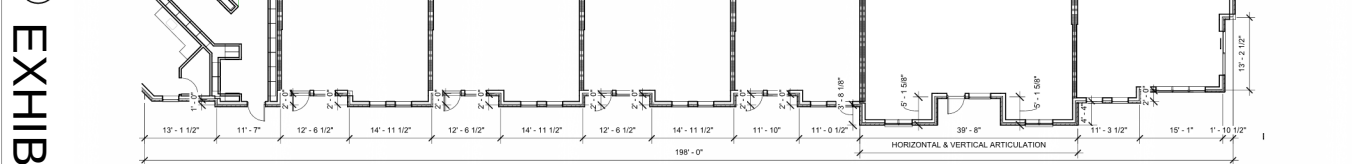
L&S LAND COMPANY, LTD.
9400 N CENTRAL EXPWY., #320
DALLAS, TX 75231

MVB ASSOCIATES, LTD.
8150 N CENTRAL EXPWY
DALLAS, TX 75206





BUILDING A1 - EAST ELEVATION
3/32" = 1'-0"



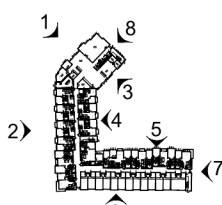
BUILDING ARTICULATION FACING STREET (REQUIRED)
3/32" = 1'-0"



ISOMETRIC VIEW
1/8" = 1'-0"

MATERIAL LEGEND	
	BRICK - COLOR 1
	BRICK - COLOR 2
	BRICK - COLOR 3
	STUCCO - COLOR 1
	STUCCO - COLOR 2
	GLAZING

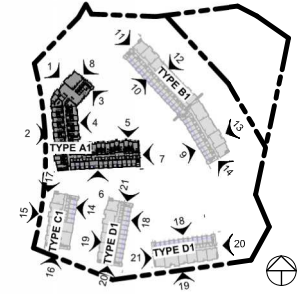
ARCHITECTURAL ELEMENTS	
1	VARIED ROOF HEIGHTS
2	ORNAMENTAL FACADE TRIMS
3	RECESSED ENTRY
4	DIVIDED LIGHT WINDOWS
5	PLANTERS (REF. LANDSCAPE)
6	BENCHES (REF. LANDSCAPE)



KEY PLAN - A
1" = 100'-0"

BUILDING A		
MATERIAL	AREA	PCT.
BRICK 01	925 SF	
BRICK 02	1,856 SF	
BRICK 03	747 SF	
STUCCO PT 01	1,218 SF	
STUCCO PT 02	313 SF	
TOTAL BRICK	3,538 SF	70%
TOTAL STUCCO	1,531 SF	30%

BUILDING 'A' ARTICULATION
HORIZONTAL ARTICULATION
BUILDING TOTAL STREET-FACING LENGTH = 299'-0 1/2"
30% REQUIRED HORIZONTAL = 89'-6 1/2"
PROVIDED HORIZONTAL ARTICULATION = 95'-8 1/2"
VERTICAL ARTICULATION
BUILDING TOTAL STREET-FACING HEIGHT = 29'-0 1/2"
20% REQUIRED VERTICAL = 5'-9 1/2"
PROVIDED VERTICAL ARTICULATION = 95'-8 1/2"

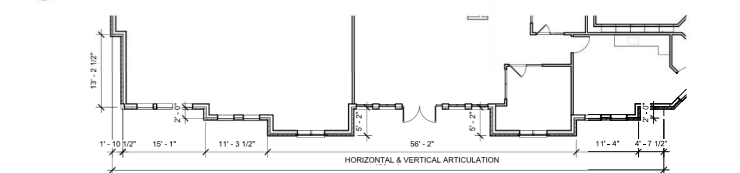


SITE KEY
1" = 160'-0"

BUILDING A		
MATERIAL	AREA	PCT.
BRICK 01	923 SF	
BRICK 02	484 SF	
BRICK 03	592 SF	
STUCCO PT 01	764 SF	
STUCCO PT 02	122 SF	
TOTAL BRICK	1,999 SF	69%
TOTAL STUCCO	886 SF	31%



BUILDING A1 - SOUTH-EAST ELEVATION
3/32" = 1'-0"



BUILDING ARTICULATION FACING STREET
3/32" = 1'-0"

DESIGN BALANCE, INC.
2231 RIDGE ROAD
SUITE 200
ROCKWALL, TX 75087
214.668.2306

WOOD PARTNERS
WOOD PARTNERS
5440 HARVEST HILL ROAD
SUITE 206
DALLAS, TEXAS 75230

OWNER:

ALTA FIREWHEEL
GARLAND, TEXAS

SEAL:

JOHN M. WOMBLE, AIA
11/10/2021

PROJECT NUMBER:

21018

DATE ISSUED:

11/10/2021

REVISIONS:

21	CITY COMMENTS	11/10/21
22	CITY COMMENTS	11/29/21

SHEET TITLE:

ELEVATIONS
BUILDING A1

SHEET NAME:

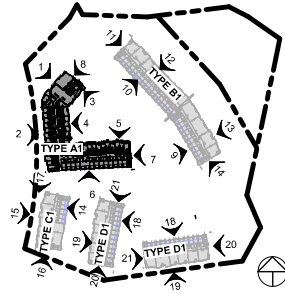
A-210



BUILDING ARTICULATION NOT FACING STREET (NOT REQUIRED)



BUILDING ARTICULATION NOT FACING STREET (NOT REQUIRED)

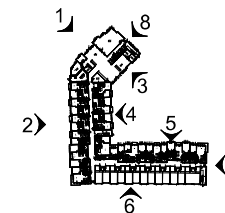


SITE KEY
1" = 160'-0"

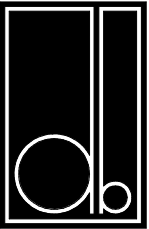
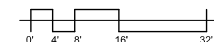
ARCHITECTURAL ELEMENTS	
1	VARIABLE ROOF HEIGHTS
2	ENVIRONMENTAL FACADE TRIMS
3	RECESSED ENTRY
4	BRICKY LEAF WINDOWS
5	PLANTERS (REF. LANDSCAPE)
6	BENCHES (REF. LANDSCAPE)

MATERIAL LEGEND

	BRICK - COLOR 1
	BRICK - COLOR 2
	BRICK - COLOR 3
	STUCCO - COLOR 1
	STUCCO - COLOR 2
	GLAZING



KEY PLAN - A
1" = 100'-0"



DESIGN BALANCE, INC.
2231 RIDGE ROAD
SUITE 200
ROCKWALL, TX 75087
214.668.2306



WOOD PARTNERS
5440 HARVEST HILL ROAD
SUITE 206
DALLAS, TEXAS 75230

ALTA FIREWHEEL
GARLAND, TEXAS

CASE: 210819-1

SEAL:

JOHN M. WOMBLE, AIA
11/10/2021

PROJECT NUMBER:
21018

DATE ISSUED:
11/10/2021

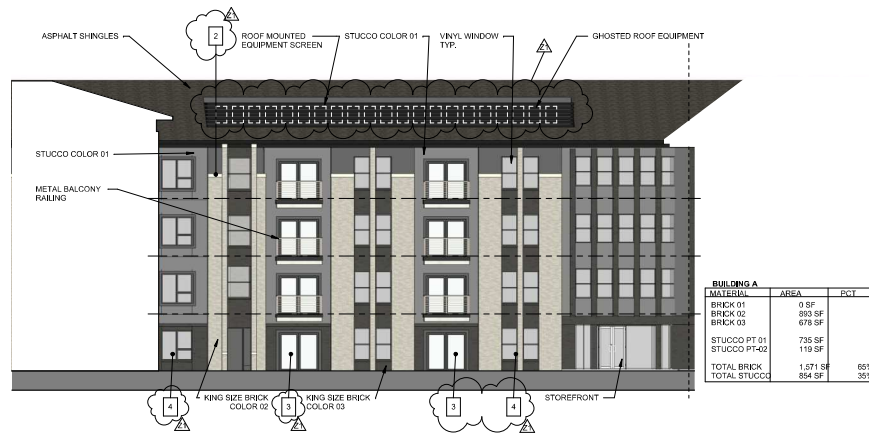
REVISIONS:
21 CITY COMMENTS 11/09/21

SHEET TITLE:

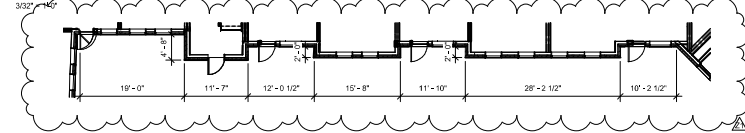
ELEVATIONS
BUILDING A1

SHEET NAME:

A-211

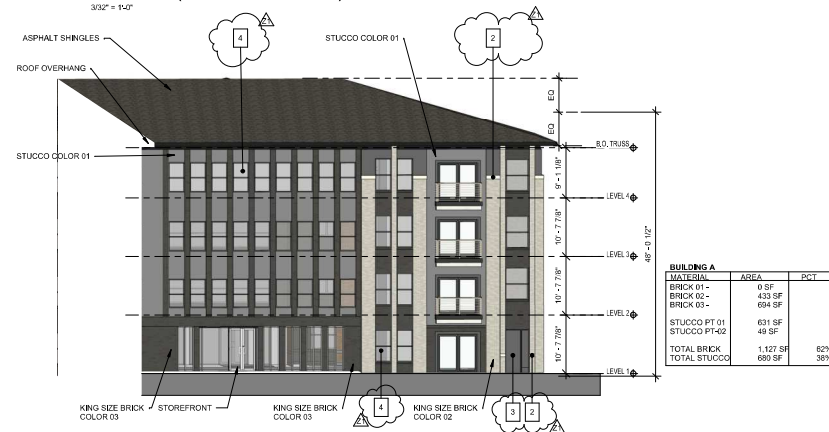


BUILDING A1 - WEST ELEVATION

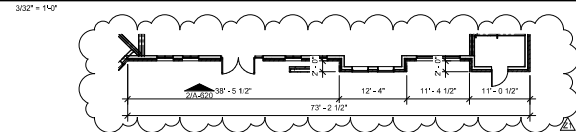


BUILDING ARTICULATION NOT FACING STREET (NOT REQUIRED)

3/32" = 1'-0"

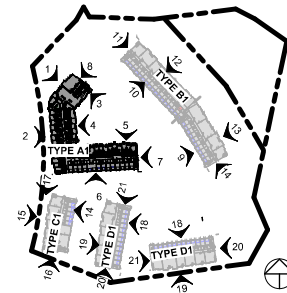


BUILDING A1 - NORTH-WEST ELEVATION



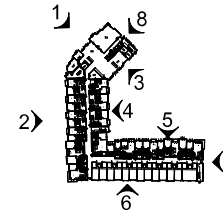
BUILDING ARTICULATION NOT FACING STREET (NOT REQUIRED)

3/32" = 1'-0"



SITE KEY

1" = 160'-0"

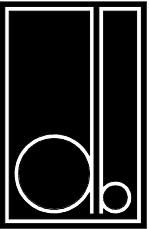
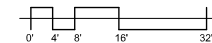


KEY PLAN - A

1" = 100'-0"

ARCHITECTURAL ELEMENTS	
1	VARIED ROOF HEIGHTS
2	ORNAMENTAL FACADE TRIMS
3	RECESSED ENTRY
4	DIVIDED LIGHT WINDOWS
5	PLANTERS (REF. LANDSCAPE)
6	BENCHES (REF. LANDSCAPE)

MATERIAL LEGEND	
	BRICK - COLOR 1
	BRICK - COLOR 2
	BRICK - COLOR 3
	STUCCO - COLOR 1
	STUCCO - COLOR 2
	GLAZING



DESIGN BALANCE, INC.
2231 RIDGE ROAD
SUITE 200
ROCKWALL, TX 75087
214.668.2306



WOOD PARTNERS
5440 HARVEST HILL ROAD
SUITE 206
DALLAS, TEXAS 75230

ALTA FIREWHEEL
GARLAND, TEXAS

CASE: 210819-1

SEAL:

JOHN M. WOMBLE, AIA
11/10/2021

PROJECT NUMBER:
21018

DATE ISSUED:
11/10/2021

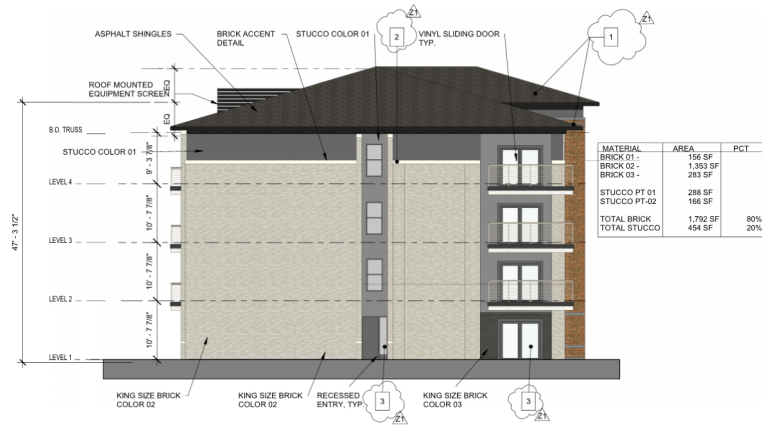
REVISIONS:
X1 CITY COMMENTS 11/10/21

SHEET TITLE:

ELEVATIONS
BUILDING A1

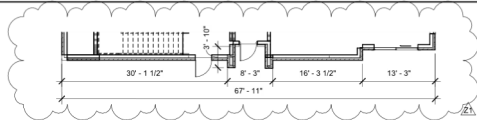
SHEET NAME:

A-211a



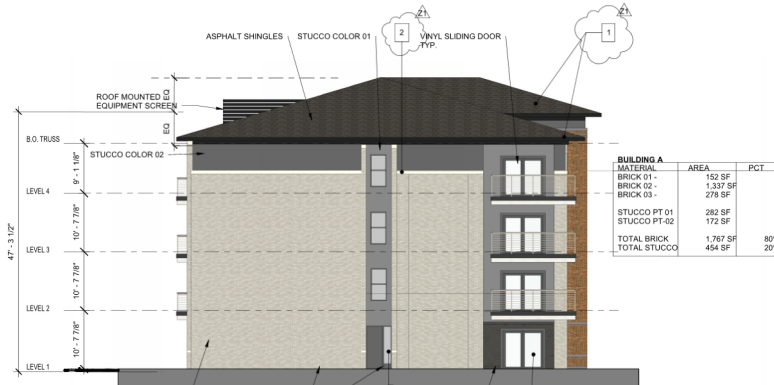
7 BUILDING A1 - WEST ELEVATION

3/32" = 1'-0"



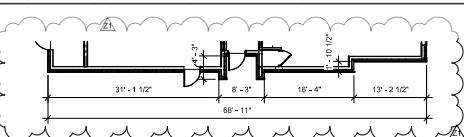
BUILDING ARTICULATION NOT FACING STREET (NOT REQUIRED)

3/32" = 1'-0"



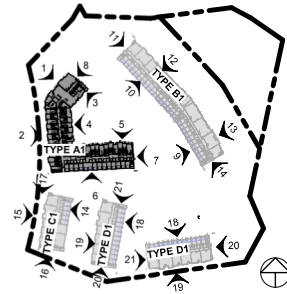
8 BUILDING A1 - SOUTH-WEST ELEVATION

3/32" = 1'-0"



BUILDING ARTICULATION NOT FACING STREET (NOT REQUIRED)

3/32" = 1'-0"



SITE KEY

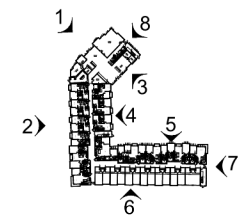
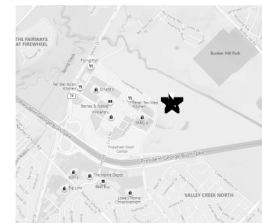
1" = 160'-0"

ARCHITECTURAL ELEMENTS	
1	VARIABLE ROOF BRICKS
2	ORNAMENTAL FACADE TRIMS
3	RECESSED ENTRY
4	VARIABLE LEFT WINDOWS
5	PLANTERS (TREE + LANDSCAPE)
6	BRICKS TREE (LANDSCAPE)

MATERIAL LEGEND

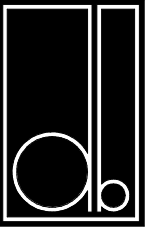
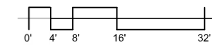
	BRICK - COLOR 1
	BRICK - COLOR 2
	BRICK - COLOR 3
	STUCCO - COLOR 1
	STUCCO - COLOR 2
	GLAZING

VICINITY MAP



KEY PLAN - A

1" = 100'-0"



DESIGN BALANCE, INC.
2231 RIDGE ROAD
SUITE 200
ROCKWALL, TX 75087
214.668.2306

OWNER:



WOOD PARTNERS
5440 HARVEST HILL ROAD
SUITE 206
DALLAS, TEXAS 75230

ALTA FIREWHEEL
GARLAND, TEXAS

CASE: 210819-1

SEAL:

JOHN M. WOMBLE, AIA
11/10/2021

PROJECT NUMBER:
21018

DATE ISSUED:
11/10/2021

REVISIONS:
21 CITY COMMENTS 11/09/21

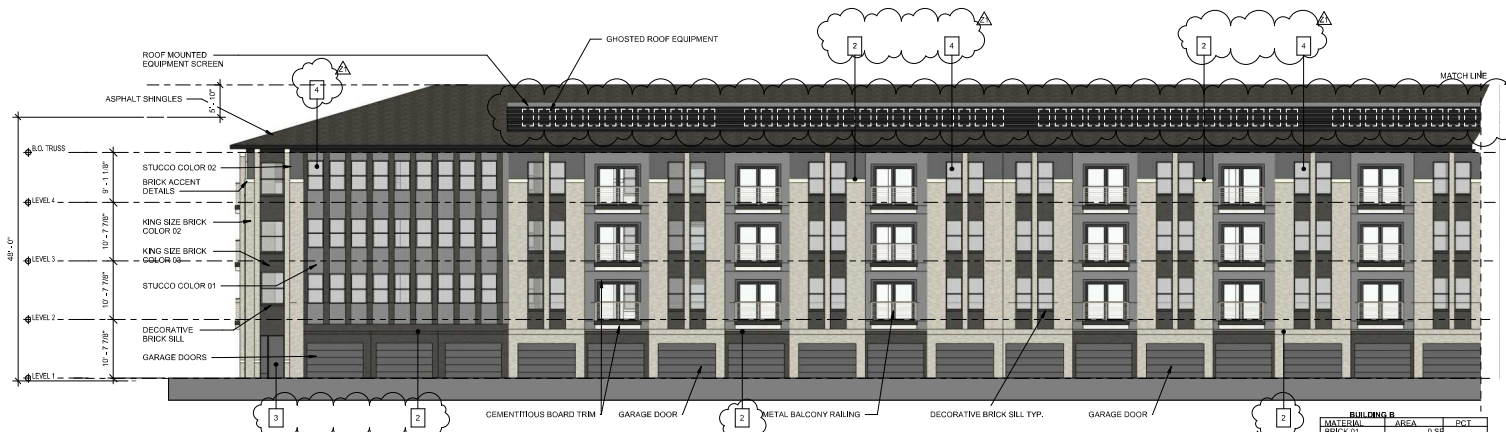
REVISIONS:
21 CITY COMMENTS 11/09/21

SHEET TITLE:

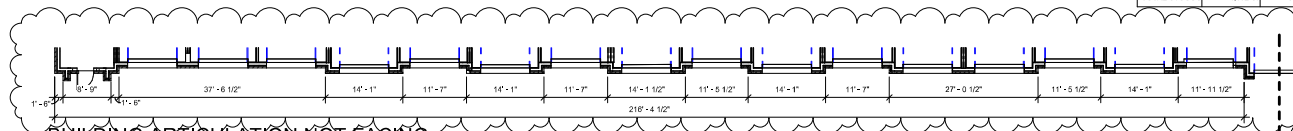
ELEVATIONS
BUILDING A1

SHEET NAME:

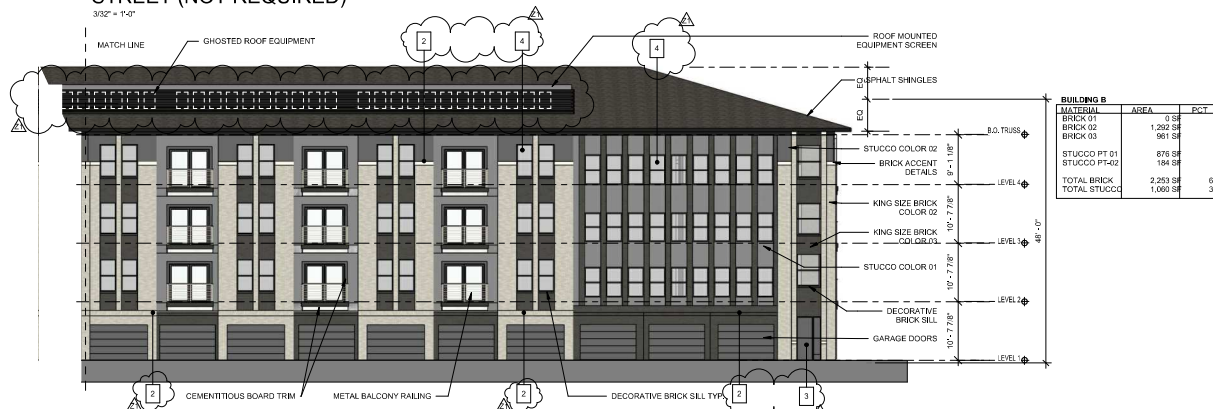
A-212



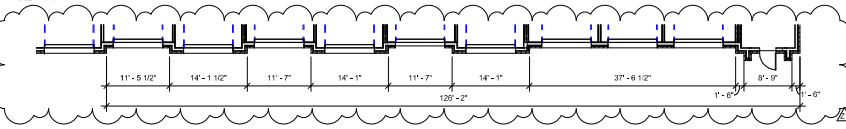
BUILDING B1 - NORTH-EAST ELEVATION
3/32" = 1'-0"



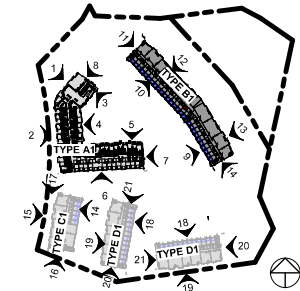
BUILDING ARTICULATION NOT FACING STREET (NOT REQUIRED)
3/32" = 1'-0"



BUILDING B1 - NORTH-EAST ELEVATION
3/32" = 1'-0"



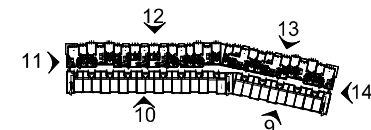
BUILDING ARTICULATION NOT FACING STREET (NOT REQUIRED)
3/32" = 1'-0"



SITE KEY
1" = 160'-0"

ARCHITECTURAL ELEMENTS	
1	VARIED ROOF PITCHES
2	PERMANENT FACADE TRIMS
3	RECESSED ENTRY
4	WORKED LIGHT WINDOWS
5	PLANTERS (REF. LANDSCAPE)
6	BENCHES (REF. LANDSCAPE)

MATERIAL LEGEND	
	BRICK - COLOR 1
	BRICK - COLOR 2
	BRICK - COLOR 3
	STUCCO - COLOR 1
	STUCCO - COLOR 2
	GLAZING



KEY PLAN - B
1" = 100'-0"



DESIGN BALANCE, INC.
2231 RIDGE ROAD
SUITE 200
ROCKWALL, TX 75087
214.668.2306

OWNER:

WOOD PARTNERS
WOOD PARTNERS
5440 HARVEST HILL ROAD
SUITE 206
DALLAS, TEXAS 75230

ALTA FIREWHEEL
GARLAND, TEXAS

CASE: 210819-1

SEAL:

JOHN M. WOMBLE, AIA
11/10/2021

PROJECT NUMBER:
21018

DATE ISSUED:
11/10/2021

REVISIONS:
X1 CITY COMMENTS: 11/10/21

SHEET TITLE:
ELEVATIONS
BUILDING B1

SHEET NAME:
A-220

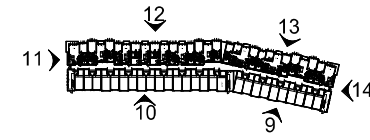
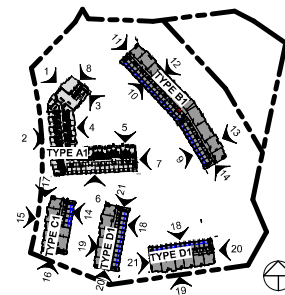
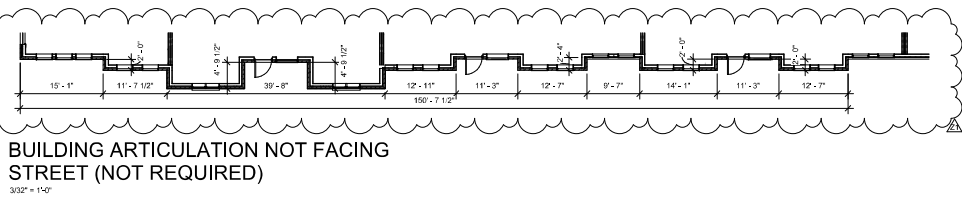
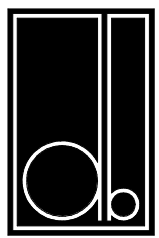
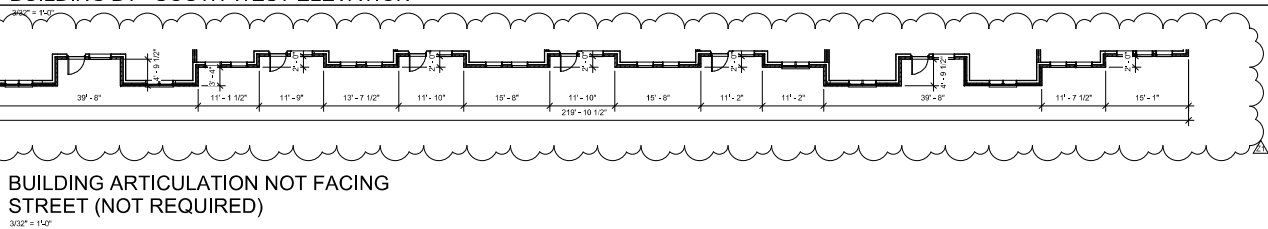


EXHIBIT E



ARCHITECTURAL ELEMENTS	
1	VARIED ROOF HEIGHTS
2	ORNAMENTAL FACADE TRIMS
3	RECESSED ENTRY
4	DIVIDED LIGHT WINDOWS
5	PLANTERS (REF. LANDSCAPE)
6	BENCHES (REF. LANDSCAPE)

MATERIAL LEGEND	
	BRICK - COLOR 1
	BRICK - COLOR 2
	BRICK - COLOR 3
	STUCCO - COLOR 1
	STUCCO - COLOR 2
	GLAZING



DESIGN BALANCE, INC.
2231 RIDGE ROAD
SUITE 200
ROCKWALL, TX 75087
214.668.2306



ALTA FIREWHEEL
GARLAND, TEXAS

CASE: 210819-1

SEAL:

JOHN M. WOMBLE, AIA
11/10/2021

PROJECT NUMBER:
21018

DATE ISSUED:
11/10/2021

REVISIONS:
X1 CITY COMMENTS 11/10/21

SHEET TITLE:

ELEVATIONS
BUILDING B1

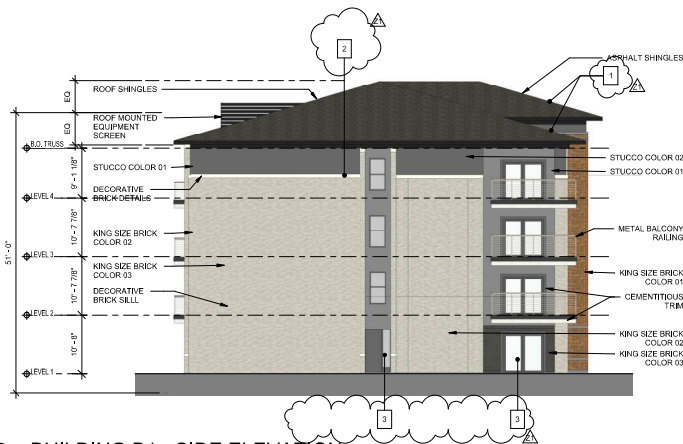
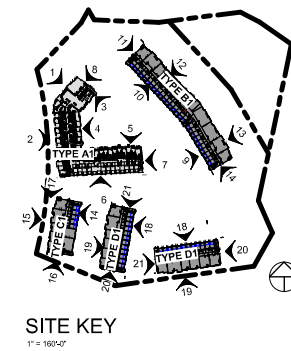
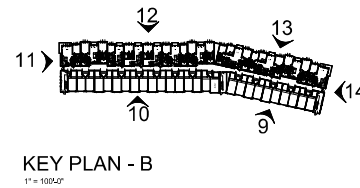
SHEET NAME:

A-221

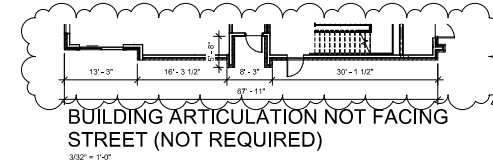
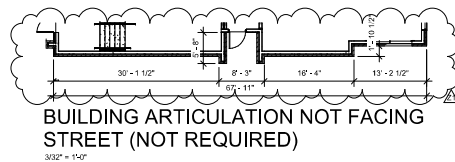
EXHIBIT E

ARCHITECTURAL ELEMENTS	
1	WOOD SHOE TRIM
2	ORNAMENTAL FACADE TRIMS
3	RECESSED ENTRY
4	DIVIDED LIGHT WINDOWS
5	PLANTERS (REF. LANDSCAPE)
6	BENCHES (REF. LANDSCAPE)

MATERIAL LEGEND	
	BRICK - COLOR 1
	BRICK - COLOR 2
	BRICK - COLOR 3
	STUCCO - COLOR 1
	STUCCO - COLOR 2
	GLAZING



BUILDING B1 (or both side elevations)			
MATERIAL	AREA	sq ft	Pct
BRICK 01	150 SF	150	1%
BRICK 02	1,300 SF	1,300	10%
BRICK 03	287 SF	287	2%
STUCCO PT 01	289 SF	289	2%
STUCCO PT-02	176 SF	176	1%
TOTAL BRICK	1,759 SF	1,759	79%
TOTAL STUCCO	465 SF	465	21%



DESIGN BALANCE, INC.
2231 RIDGE ROAD
SUITE 200
ROCKWALL, TX 75087
214.668.2306

OWNER:

WOOD
PARTNERS
WOOD PARTNERS
5440 HARVEST HILL ROAD
SUITE 206
DALLAS, TEXAS 75230

ALTA FIREWHEEL
GARLAND, TEXAS

CASE: 210819-1

SEAL:

JOHN M. WOMBLE, AIA
11/10/2021

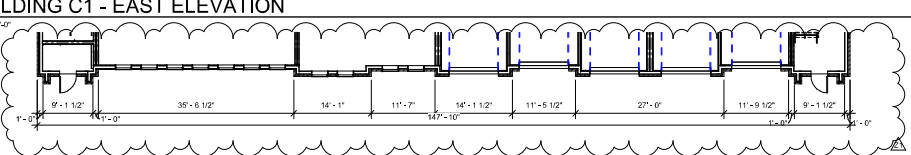
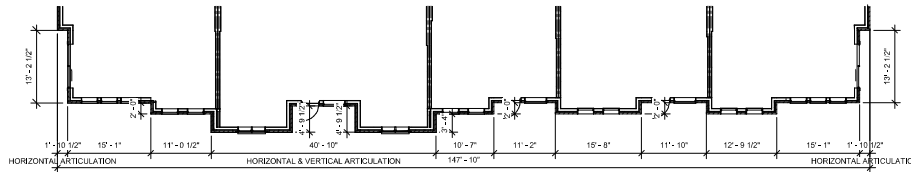
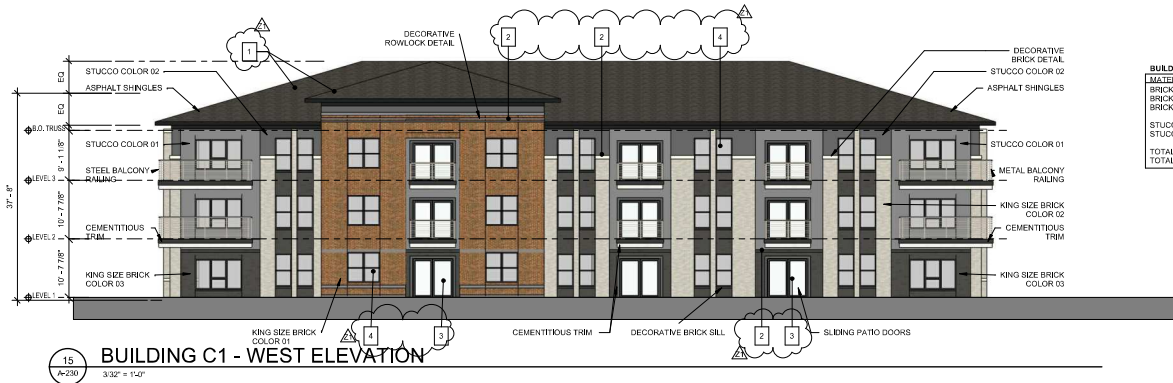
PROJECT NUMBER:
21018

DATE ISSUED:
11/10/2021

REVISIONS:
X1 CITY COMMENTS 11/09/21

SHEET TITLE:
ELEVATIONS
BUILDING B1

SHEET NAME:
A-222

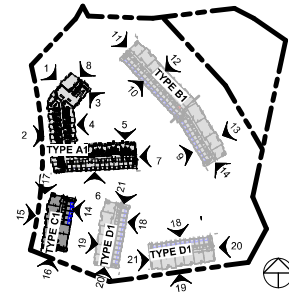


BUILDING 'A' ARTICULATION

HORIZONTAL ARTICULATION
BUILDING TOTAL STREET-FACING LENGTH = 147'-8 1/2"
30% REQUIRED HORIZONTAL = 44'-4"
PROVIDED HORIZONTAL ARTICULATION = 44'-4"

VERTICAL ARTICULATION
BUILDING TOTAL STREET-FACING LENGTH = 147'-8 1/2"
30% REQUIRED VERTICAL = 29'-6 1/2"
PROVIDED VERTICAL ARTICULATION = 44'-4"

MATERIAL	AREA	PCT
BRICK COLOR #1	0 SF	
BRICK COLOR #2	1,121 SF	
BRICK COLOR #3	737 SF	
STUCCO COLOR #1	742 SF	
STUCCO COLOR #2	197 SF	
TOTAL BRICK	1,858 SF	66%
TOTAL STUCCO	939 SF	34%



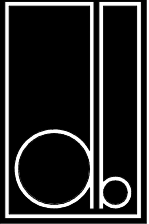
SITE KEY
1" = 100'-0"

KEY PLAN - C
1" = 100'-0"

ARCHITECTURAL ELEMENTS	
1	WINDOW DOOR PROFILES
2	ORNAMENTAL FACADE TRIMS
3	RICKSHAW ENTRY
4	DIVIDED LIGHT WINDOWS
5	PLANTERS (REF. LANDSCAPE)
6	BENCHES (REF. LANDSCAPE)

MATERIAL LEGEND

	BRICK - COLOR 1
	BRICK - COLOR 2
	BRICK - COLOR 3
	STUCCO - COLOR 1
	STUCCO - COLOR 2
	GLAZING



DESIGN BALANCE, INC.
2231 RIDGE ROAD
SUITE 200
ROCKWALL, TX 75087
214.668.2306

OWNER:



WOOD PARTNERS
WOOD PARTNERS
5440 HARVEST HILL ROAD
SUITE 206
DALLAS, TEXAS 75230

ALTA FIREWHEEL
GARLAND, TEXAS

CASE: 210819-1

SEAL:

JOHN M. WOMBLE, AIA
11/10/2021

PROJECT NUMBER:
21018

DATE ISSUED:
11/10/2021

REVISIONS:
X1 CITY COMMENTS 11/10/21

SHEET TITLE:

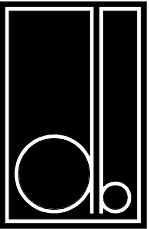
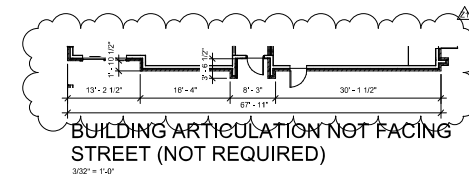
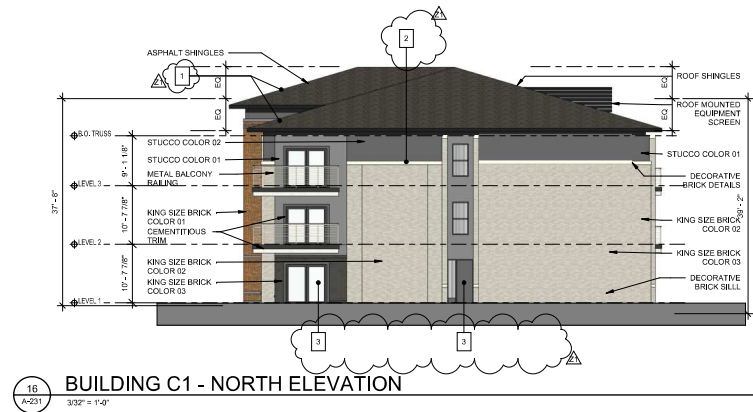
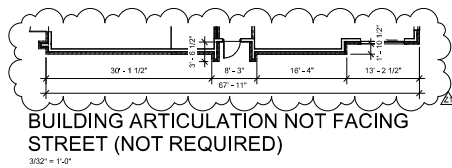
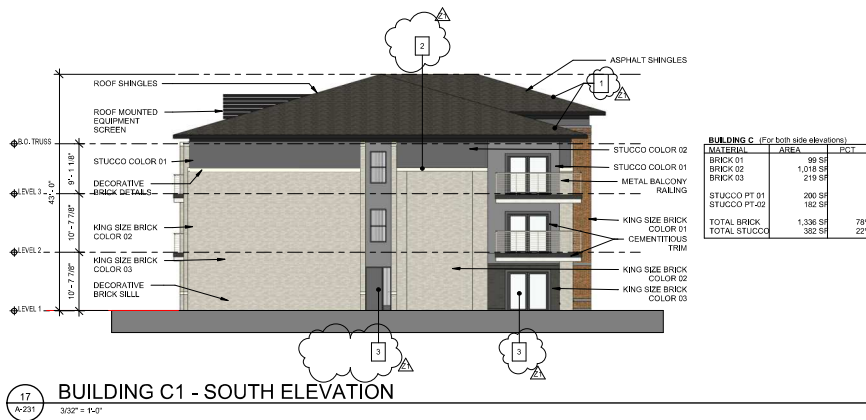
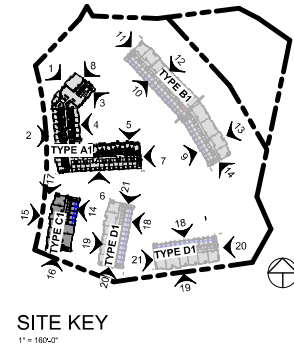
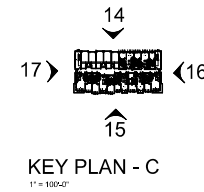
ELEVATIONS
BUILDING C1

SHEET NAME:

A-230

ARCHITECTURAL ELEMENTS	
1	VARIED ROOF HEIGHTS
2	ORNAMENTAL FACADE TRIMS
3	RECESSED ENTRY
4	DIVIDED LIGHT WINDOWS
5	PLANTERS (REF. LANDSCAPE)
6	BENCHES (REF. LANDSCAPE)

MATERIAL LEGEND	
	BRICK - COLOR 1
	BRICK - COLOR 2
	BRICK - COLOR 3
	STUCCO - COLOR 1
	STUCCO - COLOR 2
	GLAZING



DESIGN BALANCE, INC.
2231 RIDGE ROAD
SUITE 200
ROCKWALL, TX 75087
214.668.2306

OWNER:

WOOD PARTNERS
WOOD PARTNERS
5440 HARVEST HILL ROAD
SUITE 206
DALLAS, TEXAS 75230

ALTA FIREWHEEL
GARLAND, TEXAS
CASE: 210819-1

SEAL:

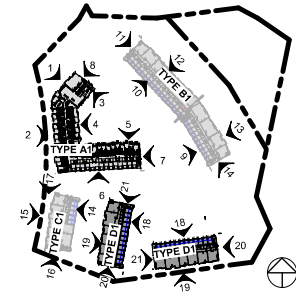
JOHN M. WOMBLE, AIA
11/10/2021
PROJECT NUMBER:
21018
DATE ISSUED:
11/10/2021
REVISIONS:
X1 CITY COMMENTS 11/10/21

SHEET TITLE:
**ELEVATIONS
BUILDIN C1**

SHEET NAME:
A-231



MATERIAL	AREA	PCT
BRICK COLOR 01	825 SF	
BRICK COLOR 02	1,077 SF	
BRICK COLOR 03	627 SF	
STUCCO PT-01	707 SF	
STUCCO PT-02	203 SF	
TOTAL BRICK	2,529 SF	74%
TOTAL STUCCO	910 SF	26%



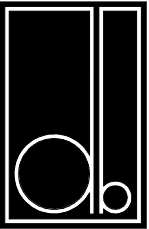
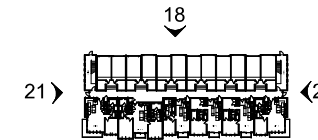
BUILDING D1 - SOUTH/WEST ELEVATION
3/32" = 1'-0"

MATERIAL LEGEND

	BRICK - COLOR 1
	BRICK - COLOR 2
	BRICK - COLOR 3
	STUCCO - COLOR 1
	STUCCO - COLOR 2
	GLAZING

ARCHITECTURAL ELEMENTS
1. VERTICAL KNOCK-OUT PANELS
2. ORNAMENTAL FACADE TRIMS
3. DISCREET ENTRY
4. CHURCH LIGHT WINDOWS
5. PLANTER BEDS (LANDSCAPE)
6. BRICKS WITH ANTI-SLIP

MATERIAL	AREA	PCT
BRICK 01	0 SF	
BRICK 02	1,310 SF	
BRICK 03	853 SF	
STUCCO PT-01	713 SF	
STUCCO PT-02	241 SF	
TOTAL BRICK	2,163 SF	69%
TOTAL STUCCO	954 SF	31%



DESIGN BALANCE, INC.
2231 RIDGE ROAD
SUITE 200
ROCKWALL, TX 75087
214.668.2306

OWNER:



ALTA FIREWHEEL
GARLAND, TEXAS

CASE: 210819-1

SEAL:

JOHN M. WOMBLE, AIA
11/10/2021

PROJECT NUMBER:
21018

DATE ISSUED:
11/10/2021

REVISIONS:
21 CITY COMMENTS 11/10/21

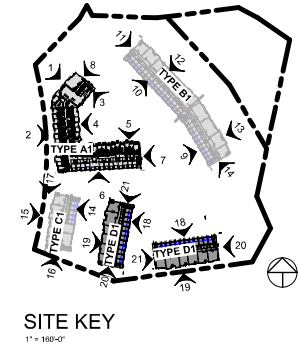
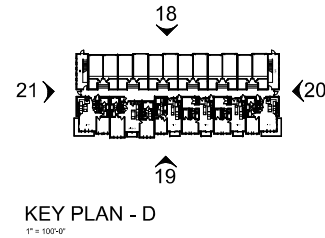
SHEET TITLE:
ELEVATIONS
BUILDING D1

SHEET NAME:
A-240

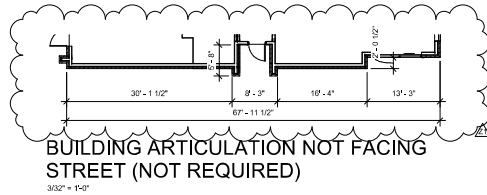
ARCHITECTURAL ELEMENTS	
1	VARIABLE ROOF HEIGHTS
2	ORNAMENTAL FACADE TRIMS
3	RECESSED ENTRY
4	DIVIDED LIGHT WINDOWS
5	PLANTERS (REF. LANDSCAPE)
6	BENCHES (REF. LANDSCAPE)

MATERIAL LEGEND

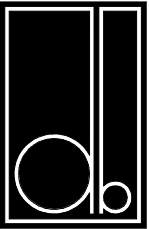
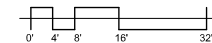
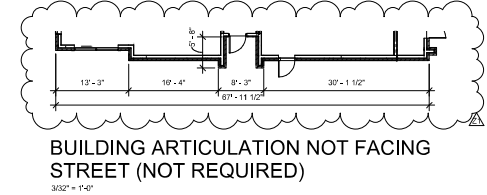
	BRICK - COLOR 1
	BRICK - COLOR 2
	BRICK - COLOR 3
	STUCCO - COLOR 1
	STUCCO - COLOR 2
	GLAZING



21 BUILDING D1 - SIDE ELEVATION
3/32" = 1'-0"



20 BUILDING D1 - SIDE ELEVATION
3/32" = 1'-0"



DESIGN BALANCE, INC.
2231 RIDGE ROAD
SUITE 200
ROCKWALL, TX 75087
214.668.2306

OWNER:

WOOD PARTNERS
WOOD PARTNERS
5440 HARVEST HILL ROAD
SUITE 206
DALLAS, TEXAS 75230

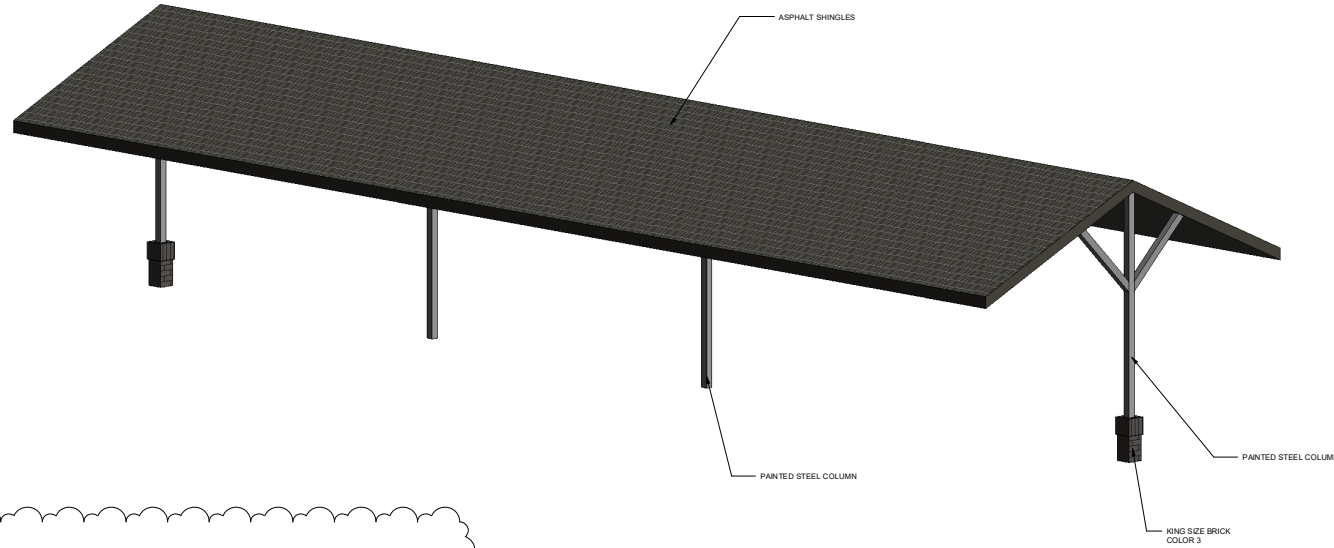
ALTA FIREWHEEL
GARLAND, TEXAS
CASE: 210819-1

SEAL:

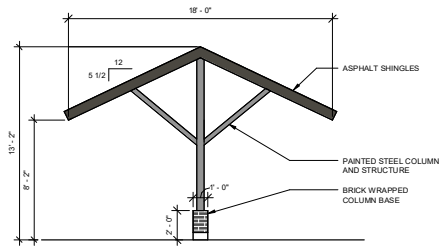
JOHN M. WOMBLE, AIA
11/10/2021
PROJECT NUMBER:
21018
DATE ISSUED:
11/10/2021
REVISIONS:
X1 CITY COMMENTS 11/10/21

SHEET TITLE:
**ELEVATIONS
BUILDING D1**

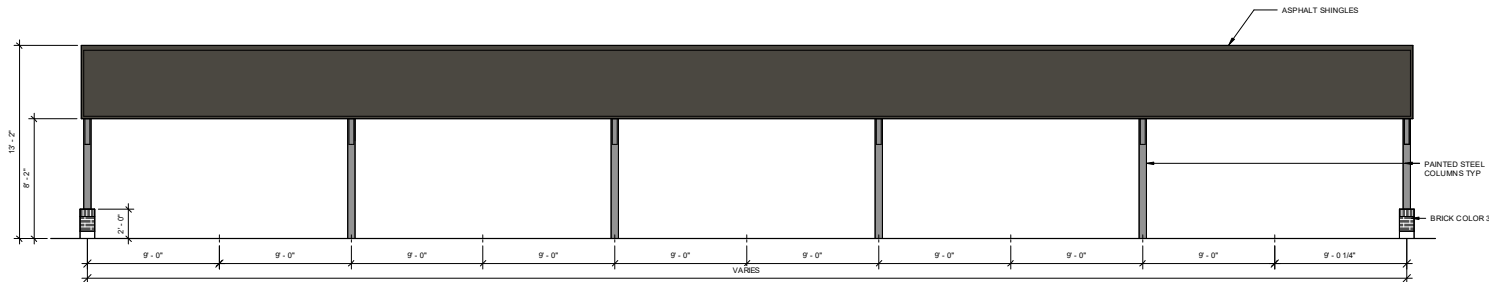
SHEET NAME:
A-241



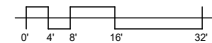
4 CARPORT 3D



2 CARPORT SECTION



1 CARPORT ELEVATION



DESIGN BALANCE, INC.
2231 RIDGE ROAD
SUITE 200
ROCKWALL, TX 75087
214.668.2306

OWNER:



WOOD PARTNERS
5440 HARVEST HILL ROAD
SUITE 206
DALLAS, TEXAS 75230

ALTA FIREWHEEL
GARLAND, TEXAS

CASE: 210819-1

SEAL:

JOHN M. WOMBLE, AIA
11/10/2021

PROJECT NUMBER:
21018

DATE ISSUED:
11/10/2021

REVISIONS:		
21	QTY COMMENTS	11/18/21

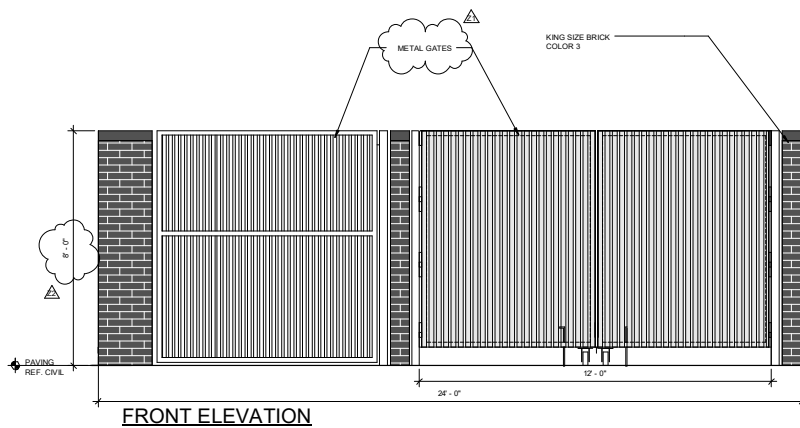
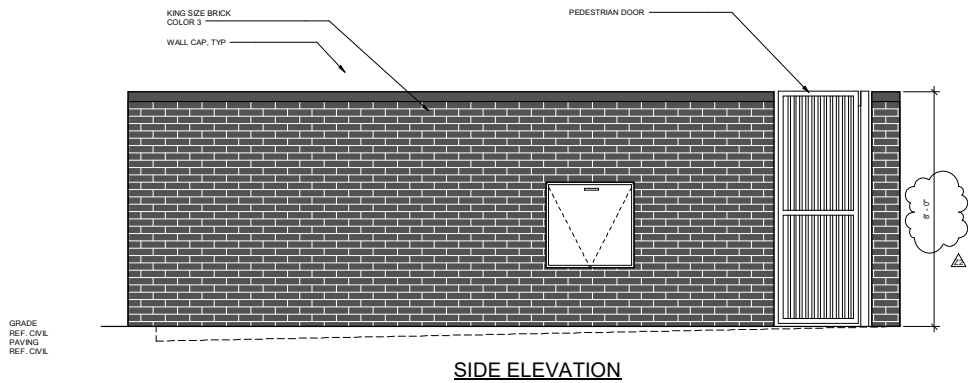
SHEET TITLE:

CARPORTS

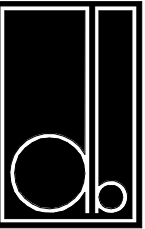
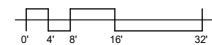
SHEET NAME:

A-250

EXHIBIT E



2 TRASH ENCLOSURE
A-251 1/2" = 1'-0"



DESIGN BALANCE, INC.
2231 RIDGE ROAD
SUITE 200
ROCKWALL, TX 75087
214.668.2306

OWNER:



WOOD
PARTNERS
WOOD PARTNERS
5440 HARVEST HILL ROAD
SUITE 206
DALLAS, TEXAS 75230

ALTA FIREWHEEL
GARLAND, TEXAS

CASE: 210819-1

SEAL:

JOHN M. WOMBLE, AIA
11/10/2021

PROJECT NUMBER:
21018

DATE ISSUED:
11/10/2021

REVISIONS:
21 QTY COMMENTS 11/10/21
22 QTY COMMENTS 11/26/21

SHEET TITLE:

TRASH ENCLOSURE

SHEET NAME:

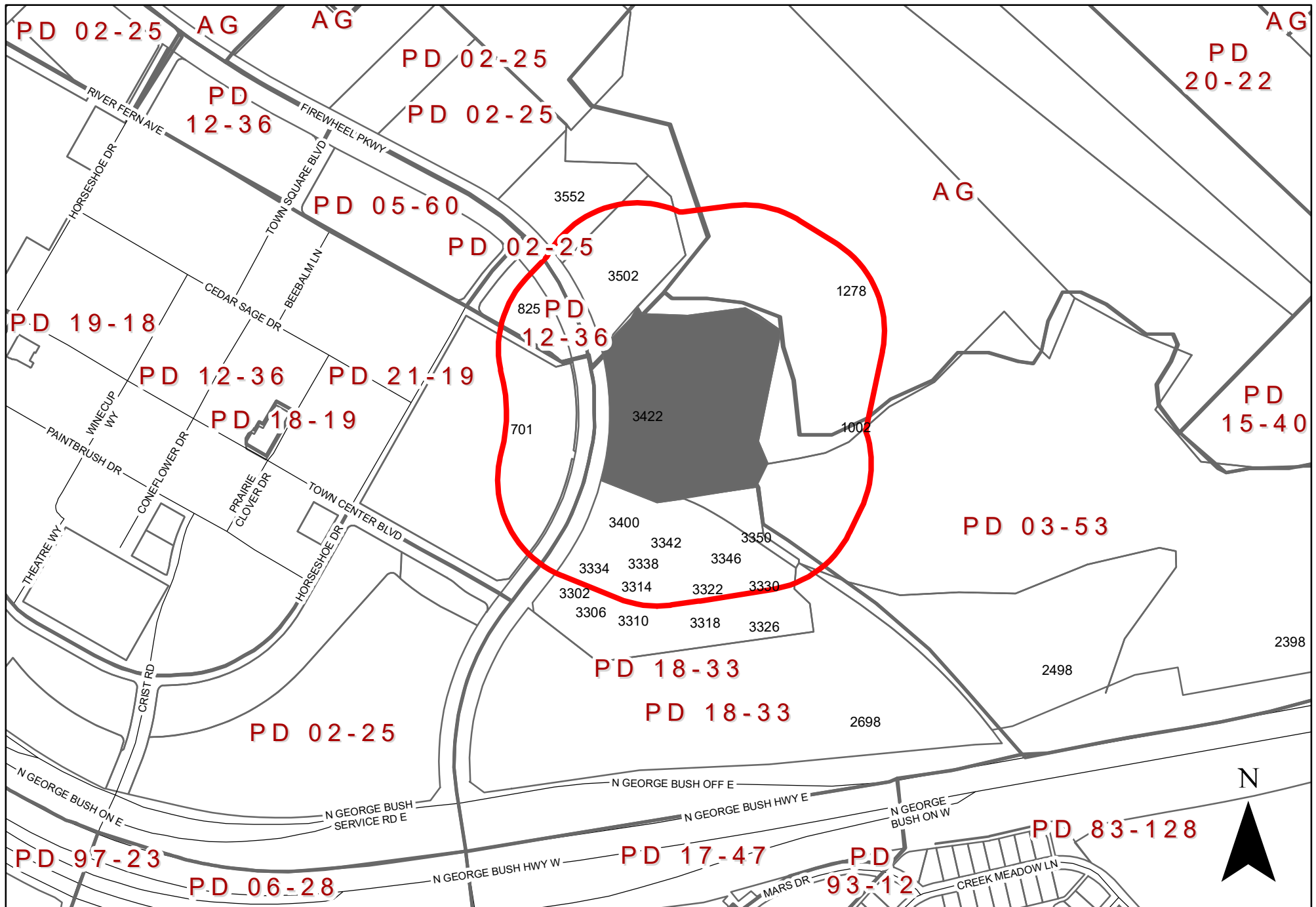
A-251

REPORT & MINUTES

P.C. Meeting, December 15, 2021

3f. APPROVED Consideration of the application of **Wood Partners % Masterplan**, requesting approval of a Detail Plan for Multi-Family development. This property is located at 3422 Firewheel Parkway. (District 1) (File Z 21-48 – Detail Plan)

Motion was made by Commissioner Dalton to close the public hearing and **approve** the application as presented. Seconded by Commissioner Rose. **Motion carried: 7 Ayes, 0 Nays.**



ZONING MAP Z 21-48

3422 Firewheel Parkway

INDICATES AREA OF REQUEST
INDICATES NOTIFICATION AREA

To date we have not received any responses for this case.

Z 21-48

The applicant proposes to construct an apartment complex with 250 dwelling units.

[Planned Development amendment and Detail Plan for Multi-Family Use on a property zoned Planned Development (PD) District 18-33 and Planned Development (PD) District 03-53.]

**City Council Meeting
January 4, 2022**

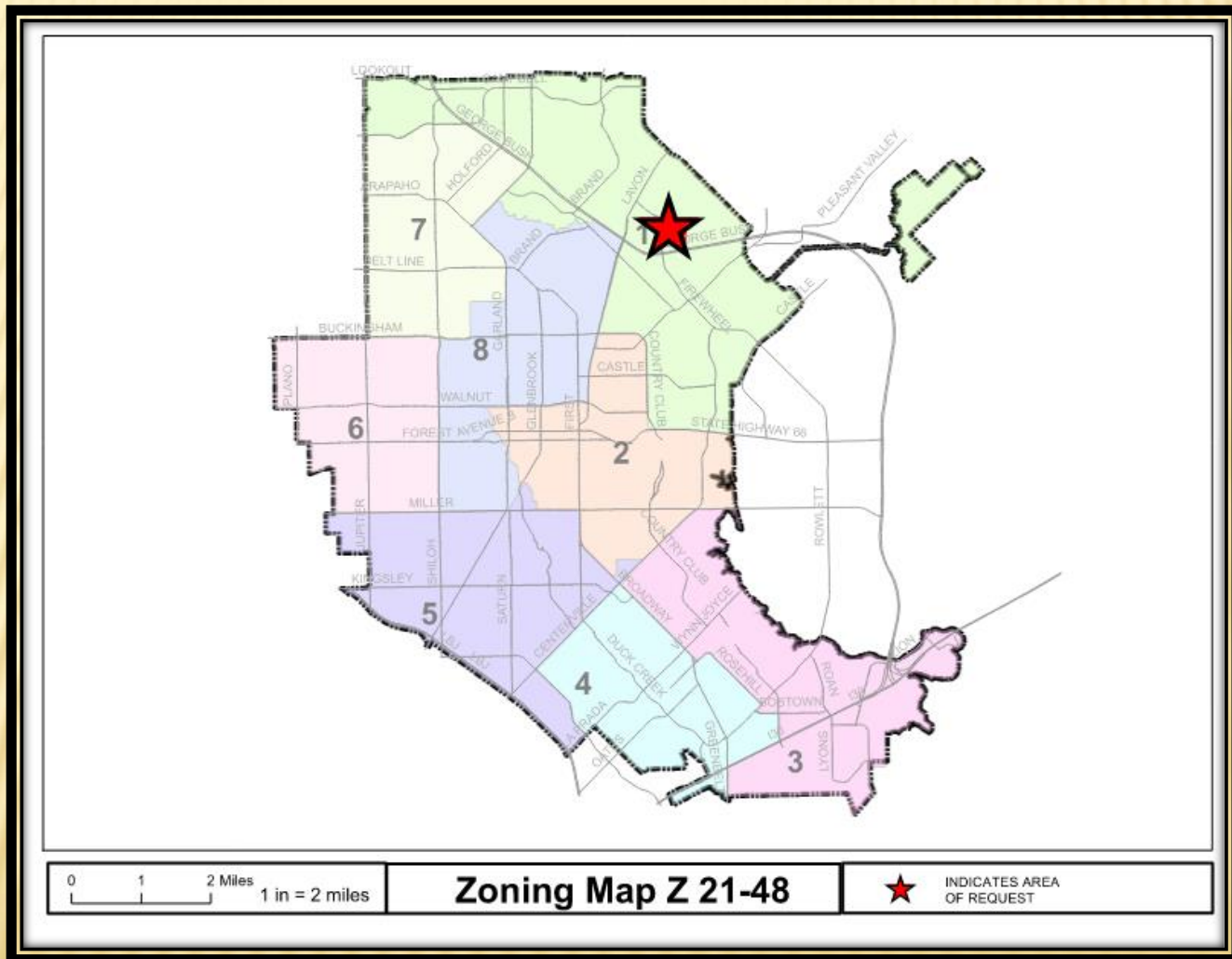


GARLAND

TEXAS MADE HERE

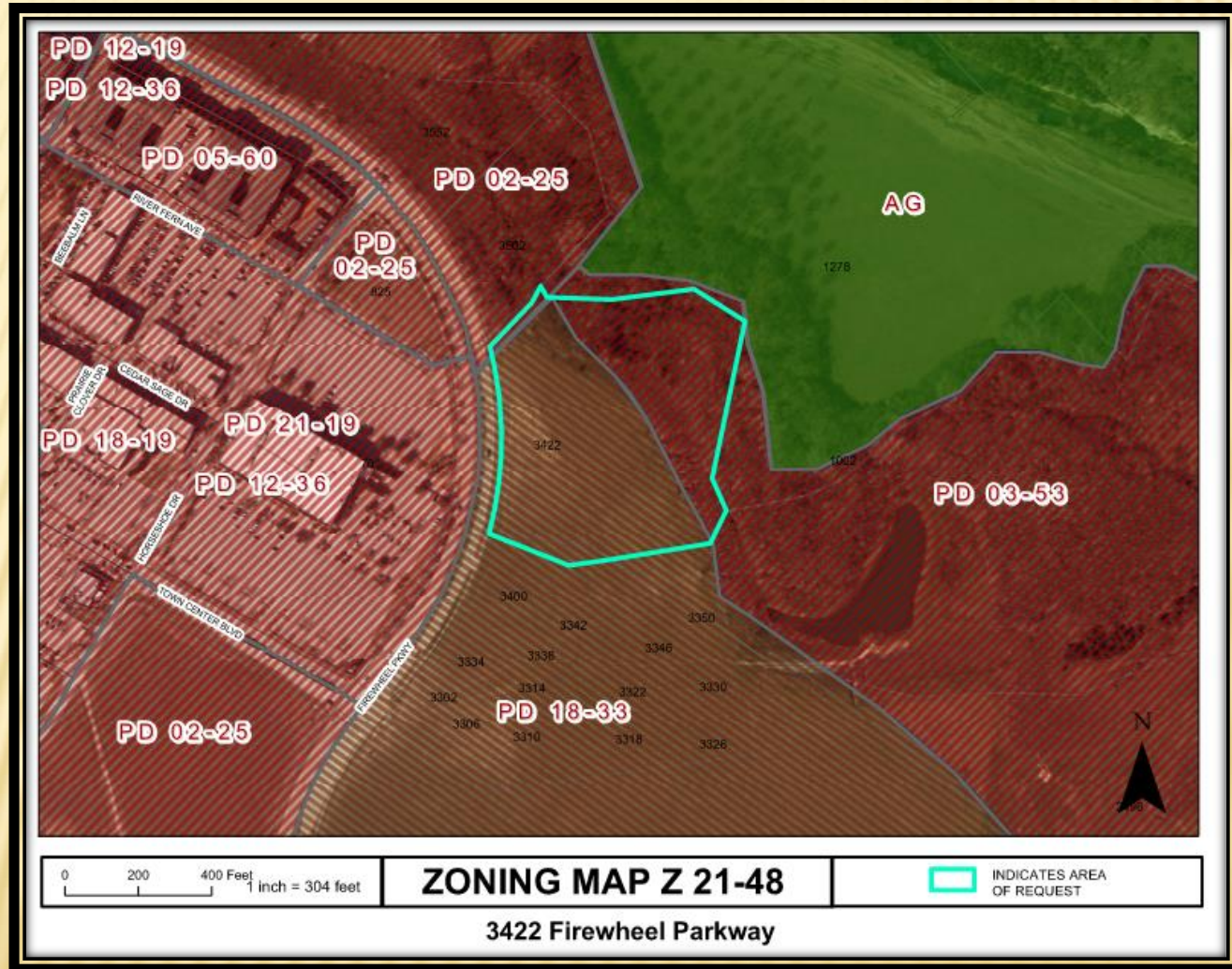
<u>Location:</u>	3422 Firewheel Parkway
<u>Applicant:</u>	Wood Partners % Masterplan
<u>Owner:</u>	L & S Land Company, LTD, By: L&S Partners, LLC % Jay Grogan, Jr MVB Associates, LTD, By: MVB Group, LLC, George Baldwin Valley Creek State Highway 190 Partners, LP By: Sunrise Partners, LLC MA Reilly
<u>Acreage:</u>	9.80 acres
<u>Zoning:</u>	Planned Development (PD) District 18-33 and Planned Development (PD) District 03-53

CITYWIDE LOCATION MAP



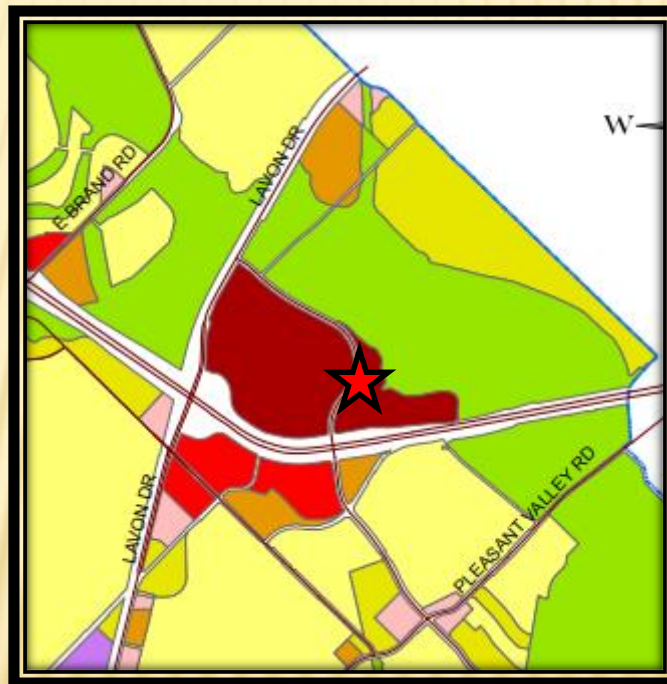
Z 21-48

LOCATION MAP



Z 21-48

COMPREHENSIVE PLAN



COMPREHENSIVE PLAN

The Envision Garland Plan designates the subject property as Regional Centers, which are areas with a higher concentration of activity that serve as a destination for residents and visitors. Uses within this development type provide a mix of retail, services, entertainment, and employment and may include residential uses. Regional centers may be found along major highways and turnpikes, and at significant bus or rail stations.

Regional centers generally cover an area greater than thirty (30) acres and consist of one or more buildings with more than 450,000 square feet of gross leasable area. This development type typically serves a five to fifteen-mile radius trade area, within a 20 minute drive time, and serves a minimum population of 150,000.

The proposed use is compatible with the Comprehensive Plan.



GARLAND
TEXAS MADE HERE

PHOTOS



View of the subject property from Firewheel Parkway



Looking west of the subject property



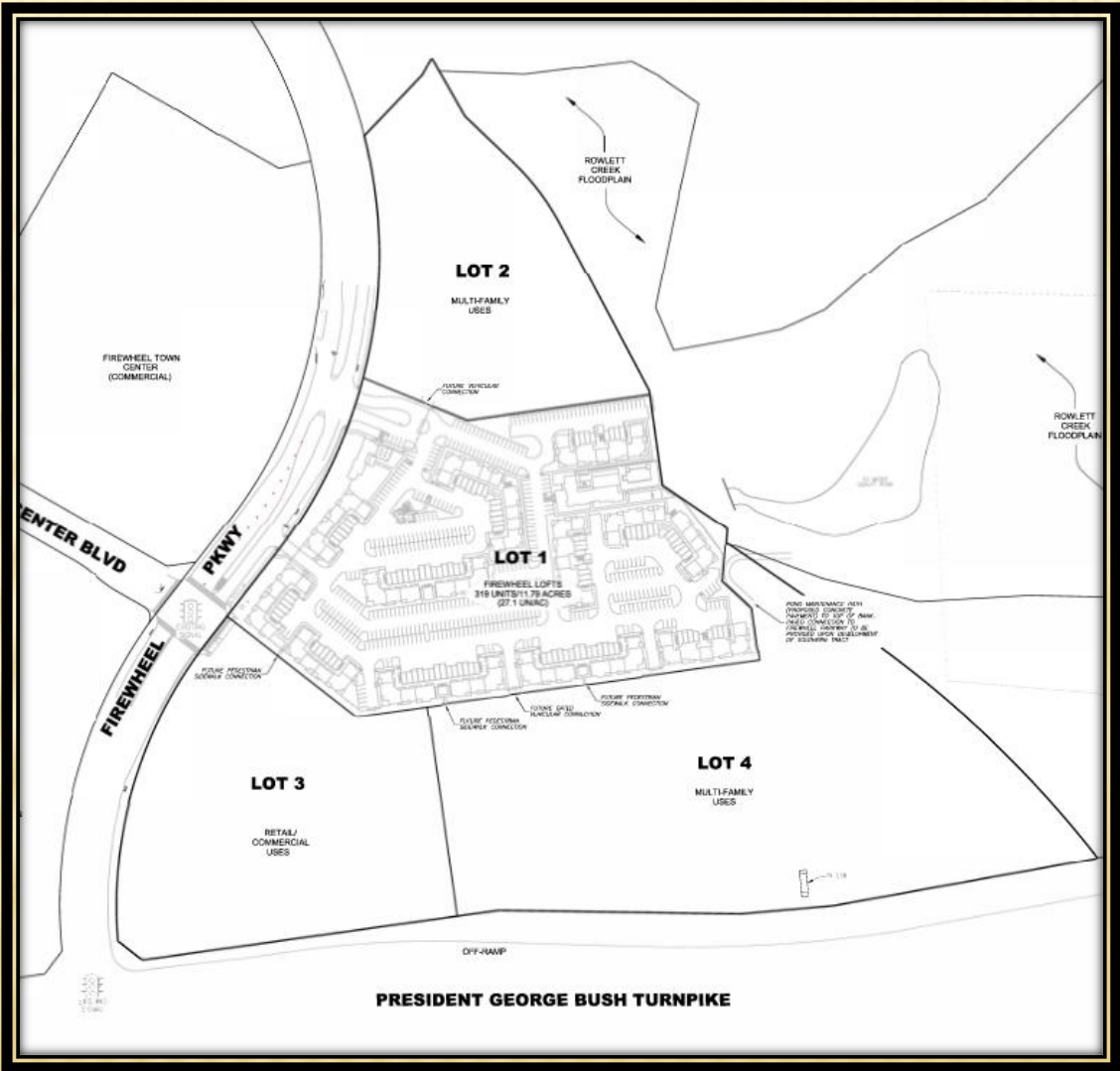
Looking north of the subject property



Looking south of the subject property



PD 18-33 CONCEPT PLAN





Leisure
areas with
amenities

Pool Courtyard

Public Spaces

Z 21-48



Z 21-48

[illegible]

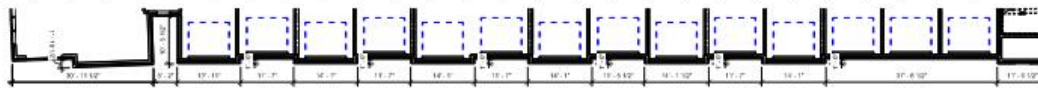


GARLAND
TEXAS MADE HERE

BUILDING ELEVATIONS



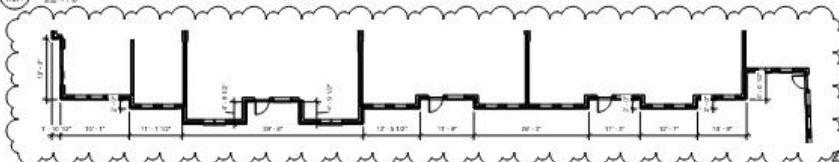
BUILDING A1 - NORTH ELEVATION



BUILDING ARTICULATION NOT FACING STREET (NOT REQUIRED)
3/32" = 1'-0"



BUILDING A1 - SOUTH ELEVATION



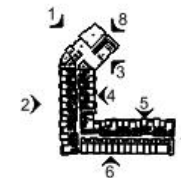
BUILDING ARTICULATION NOT FACING STREET (NOT REQUIRED)
3/32" = 1'-0"



SITE KEY
1" = 50'-0"

ARCHITECTURAL SYMBOLS
EXISTING BUILDING
PROPOSED BUILDING
PROPOSED DRIVEWAY
PROPOSED PARKING
PROPOSED LANDSCAPE
PROPOSED FENCE

MATERIAL LEGEND



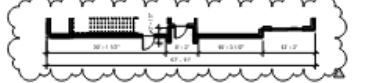
KEY PLAN - A
1" = 100'-0"



ΒΟΥΛΗ ΕΓΓΛΩΤΙΣΜΟΥ



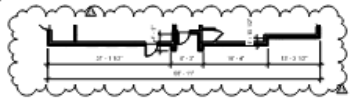
BUILDING A1 - WEST ELEVATION



BUILDING ARTICULATION NOT FACING STREET (NOT REQUIRED)



BUILDING A1 - SOUTH-WEST ELEVATION



BUILDING ARTICULATION NOT FACING STREET (NOT REQUIRED)



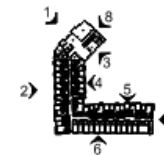
SITE KEY
1" = 100'-0"

HIGH-LEVEL, BROAD ELEMENTS	
1	TRAINING SHOULD BE AN
2	EXPERIENCE IN THE WORKING WORLD
3	WORKING IN THE
4	WORKING IN THE
5	WORKING IN THE
6	WORKING IN THE
7	WORKING IN THE

MATERIAL LEGEND

	BRICK - COLOR 1
	BRICK - COLOR 2
	BRICK - COLOR 3
	WOOD - COLOR 1
	WOOD - COLOR 2
	GLASS

VICINITY MAP

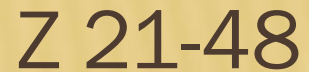


KEY PLAN - A





BUILDING EVALUATION?





GARLAND
TEXAS MADE HERE

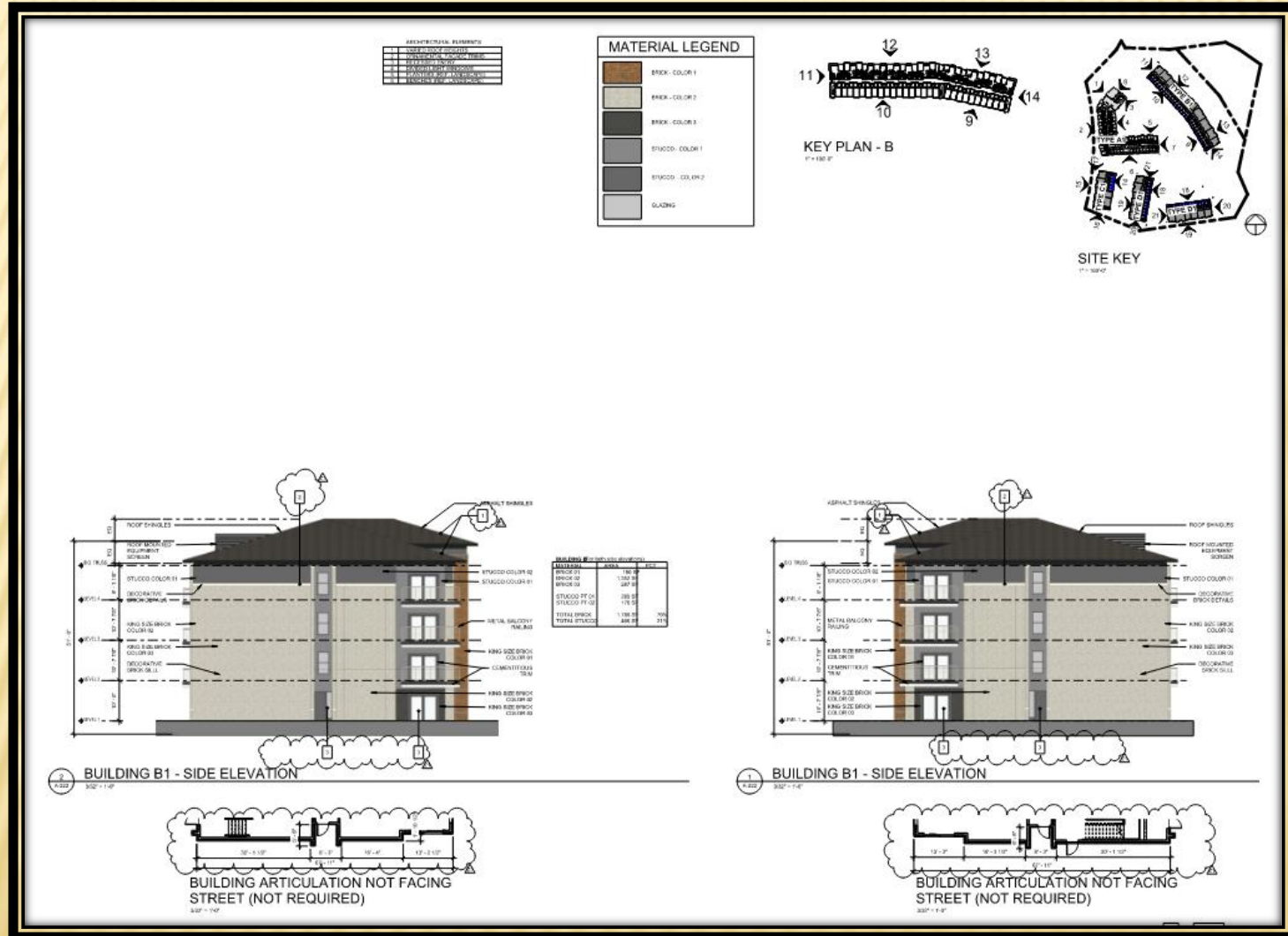
BUILDING ELEVATIONS





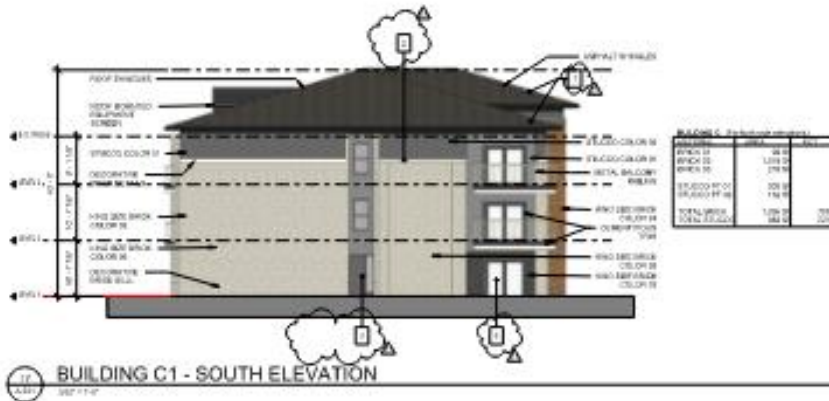
GARLAND
TEXAS MADE HERE

BUILDING ELEVATIONS





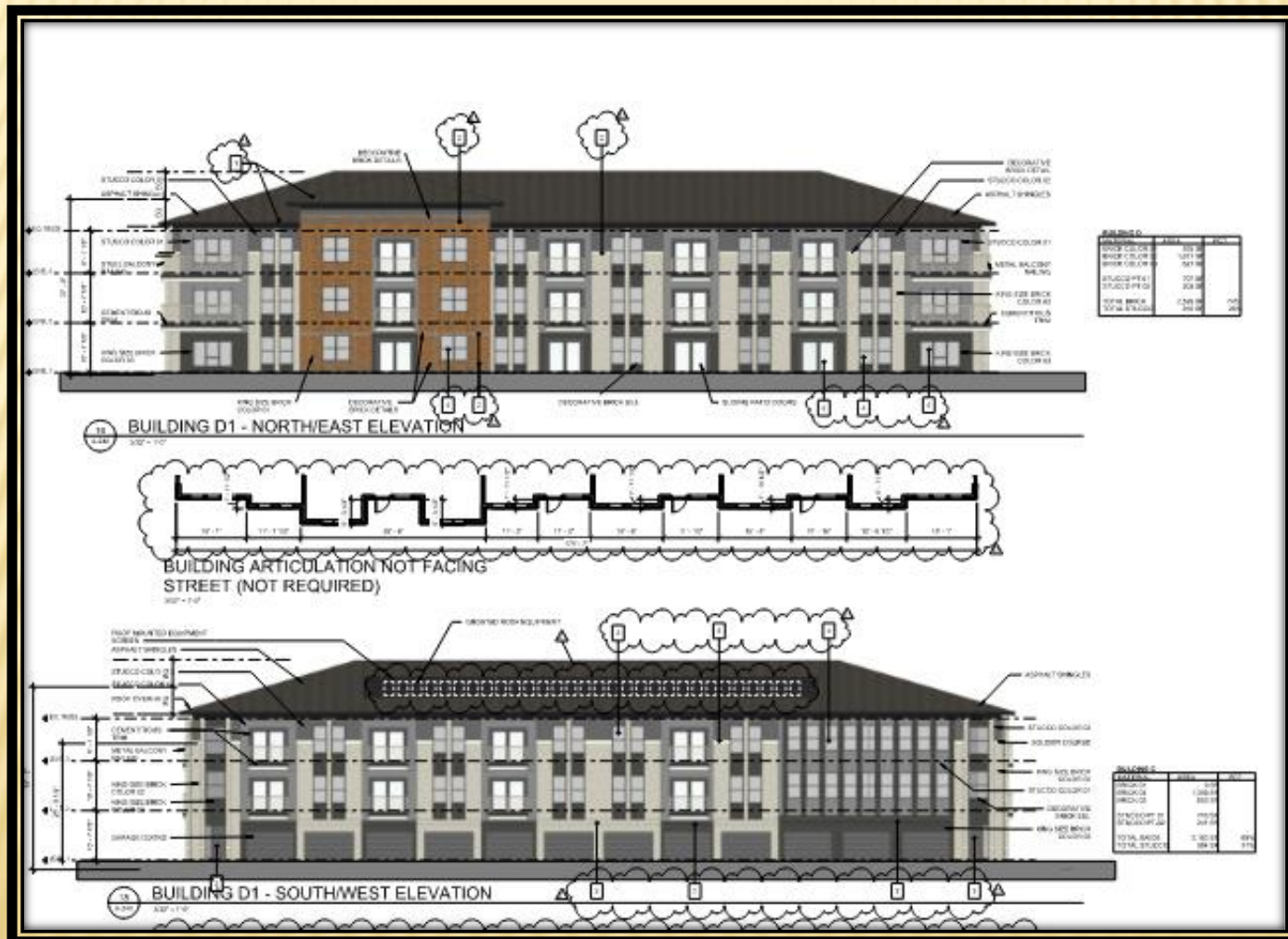
BUILDING ELEVATIONS





GARLAND
TEXAS MADE HERE

BUILDING ELEVATIONS



Z 21-48



BUILDING ELEVATIONS



BUILDIN D1 - SIDE ELEVATION

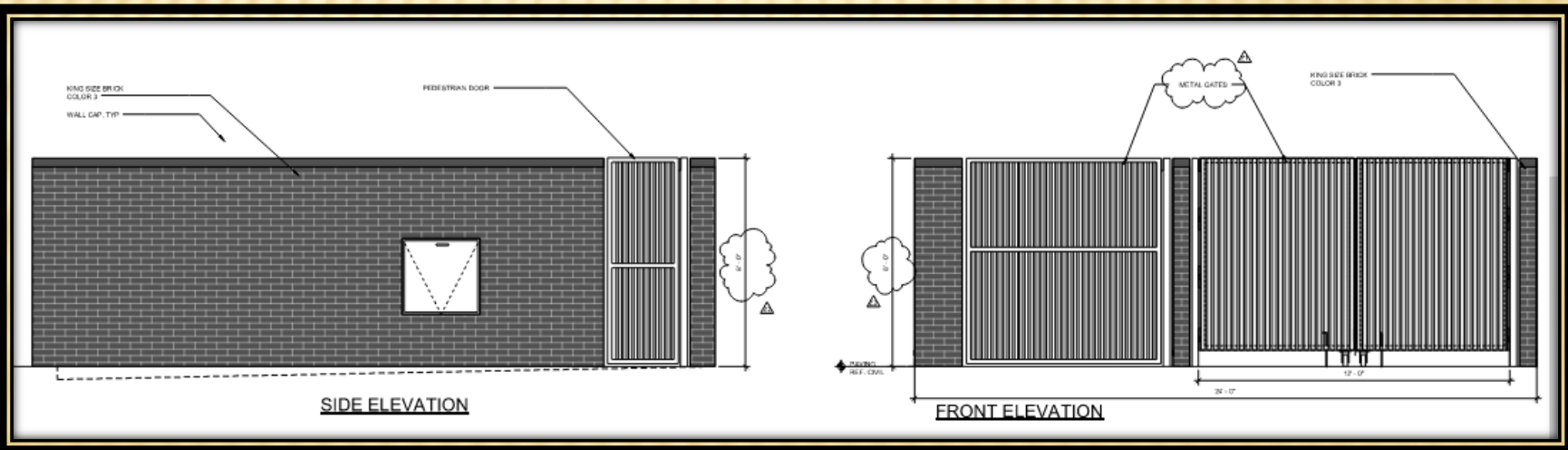
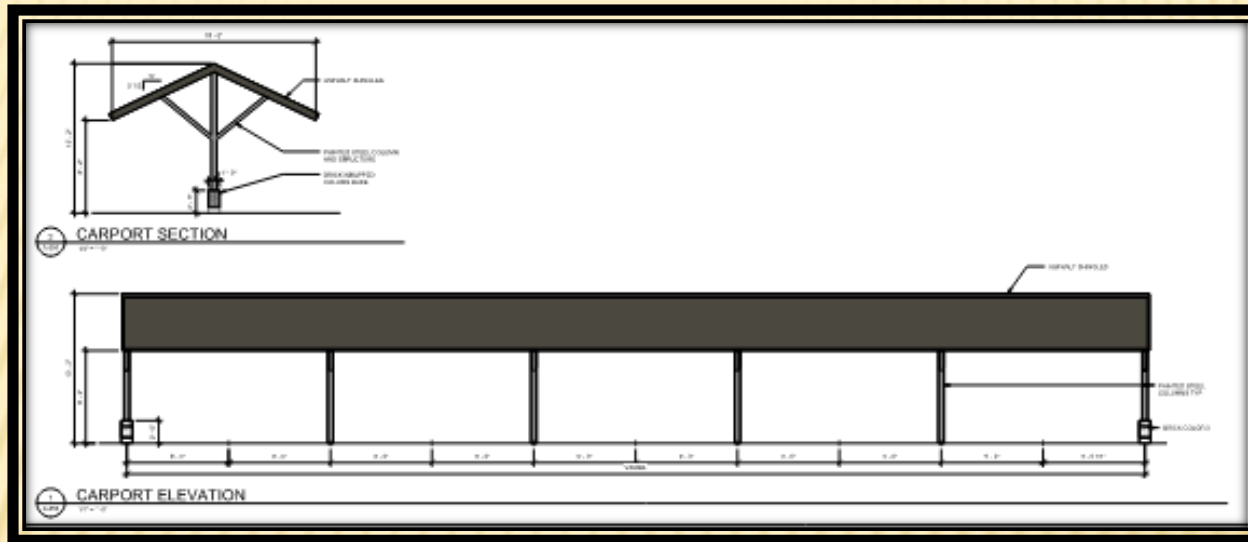


BUILDIN D1 - SIDE ELEVATION



GARLAND
TEXAS MADE HERE

DUMPSTER ENCLOSURE AND CARPORT



Z 21-48

SUMMARY TABLE

Development Standards	Required	Proposed	Analysis
Building Setback	Planned Development (PD) District 03-53 requires a thirty (30)-foot setback along Firewheel Parkway.	The applicant proposes a twenty (20)-foot setback along Firewheel Parkway, which aligns with the building setback established in the GDC.	The floodplain to the rear of the site limits the depth of the property. The proposed building position allows for greater space for amenities behind the building. Moreover, the reduced setback provides a more urban streetscape along Firewheel Parkway.

STAFF RECOMMENDATION

Approval of an amendment to Planned Development (PD) 18-33 and Planned Development (PD) District 03-53.

Approval of a Detail Plan for Multi-Family development.

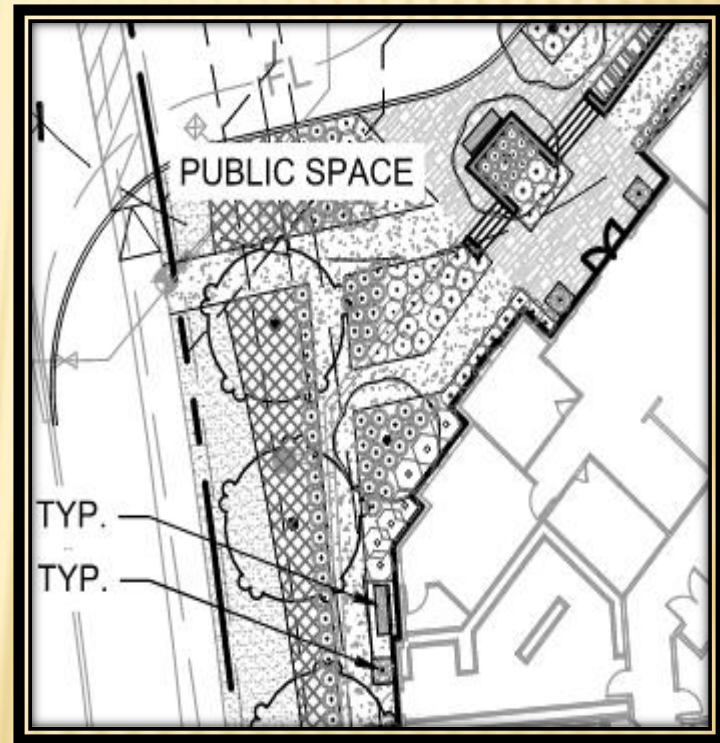
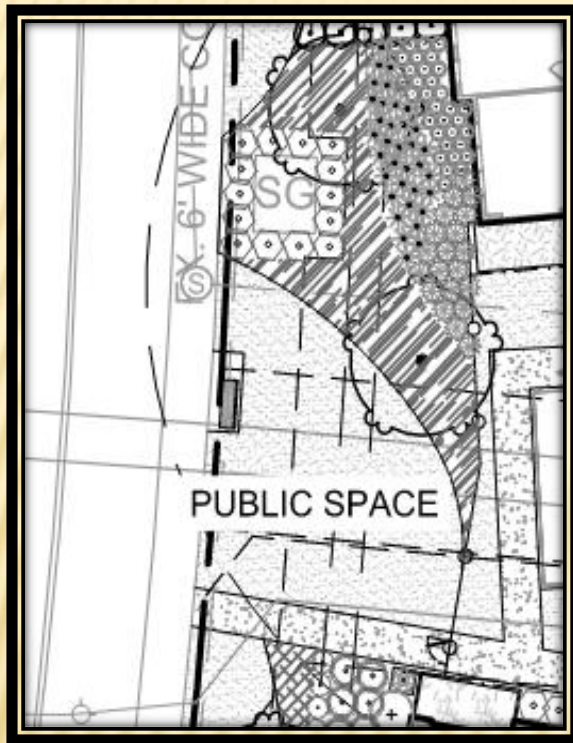
PLAN COMMISSION RECOMMENDATION

On December 15, 2021 the Plan Commission, by a vote of seven (7) to zero (0), recommended approval of an amendment to Planned Development (PD) 18-33 and Planned Development (PD) District 03-53.

The Plan Commission, by a vote of seven (7) to zero (0), recommended approval of a Detail Plan for Multi-Family development.



PUBLIC SPACE





GARLAND PLANNING REPORT

City Council Regular Session Agenda

9. g.

Meeting Date: 01/04/2022

Item Title: Z 21-49 Stantec Consulting Services, Inc. - Zoning (District 5)

Submitted By: Kimberly Hopkins, Development Planner

REQUEST

Approval of 1) an amendment to Planned Development (PD) District 97-12 and Planned Development (PD) District 00-21 to allow Automobile Sales, New or Used.

Approval of a Detail Plan for Automobile Sales, New or Used Use on a property zoned Planned Development (PD) District 97-12.

LOCATION

12675 and 12715 Lyndon B Johnson Freeway
2110, 2101 and 2201 Millay Boulevard

OWNER

Carmax Auto Superstores & Realty Income Properties 8, LLC

PLAN COMMISSION RECOMMENDATION

On December 15, 2021 the Plan Commission, by a vote of seven (7) to zero (0), recommended approval of an amendment to Planned Development (PD) District 97-12 and Planned Development (PD) District 00-21 to allow Automobile Sales, New or Used.

The Plan Commission, by a vote of seven (7) to zero (0), also recommended approval of a Detail Plan for Automobile Sales, New or Used use on a property zoned Planned Development (PD) District 97-12.

The Plan Commission further recommended prohibiting automobile repairs on the subject site.

STAFF RECOMMENDATION

Approval of 1) an amendment to Planned Development (PD) District 97-12 and Planned Development (PD) District 00-21 to allow Automobile Sales, New or Used.

Approval of a Detail Plan for Automobile Sales, New or Used on a property zoned Planned Development (PD) District 97-12.

BACKGROUND

In 1997, City Council approved a Planned Development (PD) District 97-12 for Industrial uses, but it requires approval of a Detail Plan through the public hearing process prior to a building permit. In 2000, City Council approved a Planned Development (PD) District 00-21 for Industrial uses along with an approval of a Specific Use Provision for Automobile Sales (New or Used), Leasing and Repair for the CarMax dealership. The applicant is requesting approval of a car staging area, which would be an accessory use to the existing Carmax Dealership across the street. Carmax currently owns both properties.

SITE DATA

The subject property is 4.408 acres with approximately 191 lineal feet along Millay Boulevard. The site can be accessed only from Millay Boulevard.

USE OF PROPERTY UNDER CURRENT ZONING

The subject property is zoned Planned Development (PD) District 97-12 which allows Industrial Use (IN) District Uses. 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 applicant intends to use Tract 2 in Planned Development (PD) District 97-12 for staging to be conducted in a tandem parking lot style as an accessory use to the Carmax dealership. PD 97-12 allows Automobile Sales use by right, and a portion of the subject property was identified as a “future expansion” for Carmax. However, a Planned Development amendment and Detail Plan are required.

CONSIDERATIONS

1. The applicant proposes to expand the parking area of Tract 1A for CarMax into Tract 2 and a portion of Tract 1B of Planned Development (PD) District 97-12 (eastern side of Millay Boulevard). The expansion does not include new buildings or development other than car staging for Carmax. The applicant is proposing six hundred and nine (609) parking spaces in a tandem style for the proposed staging area.
2. The applicant is proposing a six-foot chain-link mesh fence along Millay Boulevard and landscaping to enhance the screening of the staging area. The landscaping includes large canopy trees and a continuous row of shrubs.
3. PD 97-12 requires trees no greater than fifty (50) feet on center along the eastern edge of the Planned Development. The applicant does not propose trees along the eastern edge. There is an existing wall, a drainage creek, and a dense row of vegetation currently screening the subject property from the residential area to the east. The proposed staging area (parking lot) otherwise complies with the applicable GDC landscaping and screening requirements.
4. PD 97-12 requires all exterior parking lot lighting to be directed onto the subject property using concealed sources of light such as shoebox type fixtures. The applicant concurs with this requirement.

COMPREHENSIVE PLAN

The Future Land Use Map for the Envision Garland 2030 Comprehensive Plan identifies this area as Transit-Oriented Center.

Transit-oriented centers are areas of concentrated activity and increased density with maximum access to public transportation options. This type of center should be developed as mixed-use with live/work/play/shop opportunities. Transit-oriented development should be within $\frac{1}{4}$ to $\frac{1}{2}$ mile of transit centers and/or rail stations and provide pedestrian and bicycle friendly access.

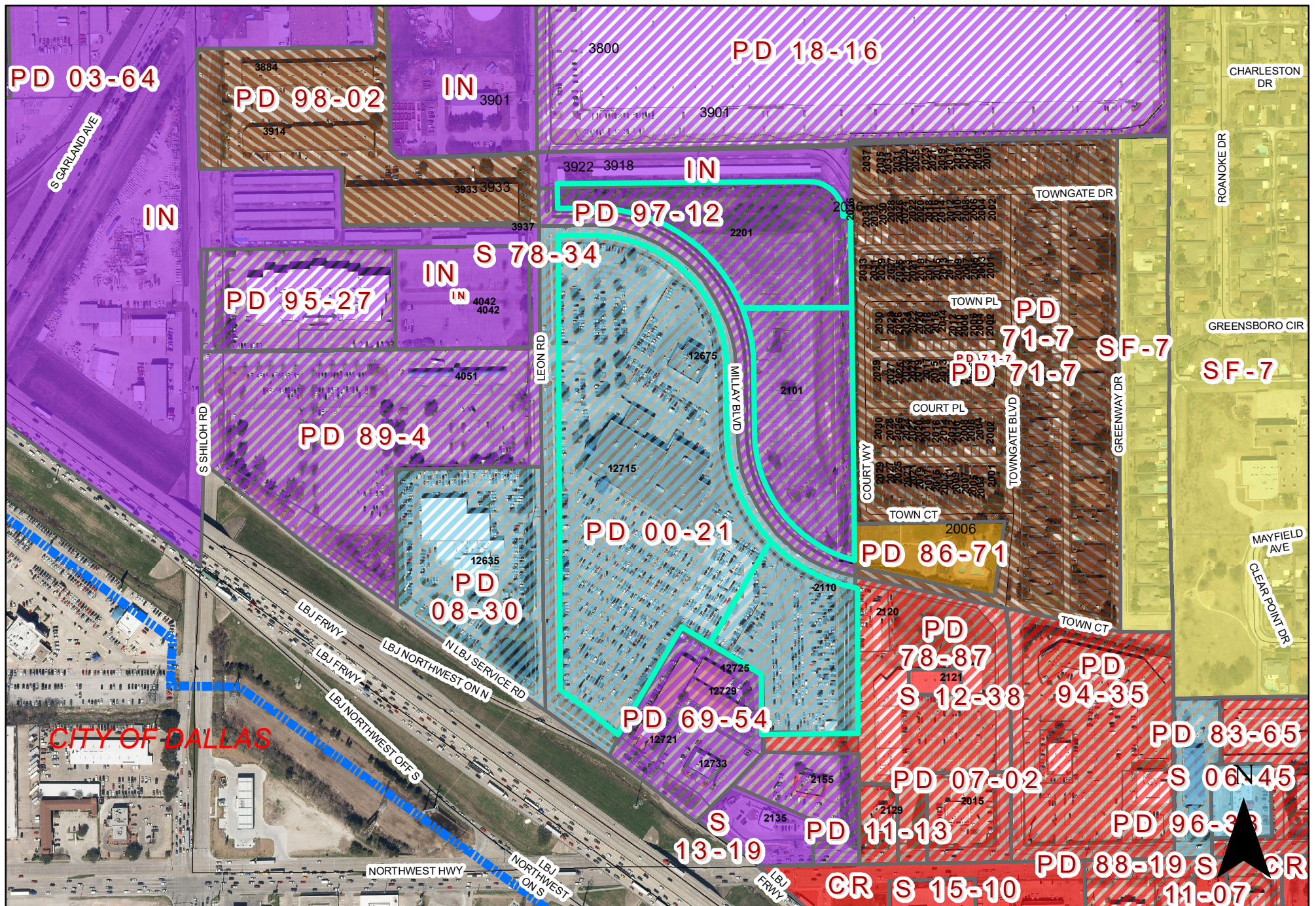
This use which involves mostly paving, with landscaping and screening, leaves future redevelopment opportunities open that would be more supportive to the Transit-Oriented Center designation.

COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

The properties surrounding the subject site are primarily residential, commercial and industrial. The property to the north is zoned Industrial (IN) District and is developed with a self-storage use. The property to the south and west are zoned Planned Development (PD) District 00-21 and is developed with an Automobile Sales, New or Used (Carmax dealership) which is part of the request. The property to the east is zoned Planned Development (PD) District 71-7 and is developed with Single-Family Attached (SFA) homes.

Attachments

Z 21-49 Stantec Consulting Services, Inc. (Zoning) Attachments
Z 21-49 Stantec Consulting Services, Inc. Responses
Z 21-49 Stantec Consulting Services, Inc. Additional Responses
Z 21-49 Staff Presentation



0 240 480 Feet
1 inch = 365 feet

ZONING MAP Z 21-49

INDICATES AREA OF REQUEST

2101, 2110 and 2201 Millay Blvd and 12715 Lyndon B. Johnson Frwy

PLANNED DEVELOPMENT CONDITIONS

ZONING FILE Z 21-49

**12675 and 12715 Lyndon B Johnson Freeway
2110, 2101 and 2201 Millay Boulevard**

- I. Statement of Purpose:** The purpose of this Planned Development District is to amend the Planned Development (PD) District 97-12 to allow Automobile Sales, New or Used.
- II. Statement of Effect:** This Planned Development (PD) shall not affect any regulation found in the Garland Development Code, Ordinance No. 6773 and Planned Development (PD) District 97-12, as amended prior to adoption of this ordinance, except as specifically provided herein.
- III. General Regulations:** All regulations of the Planned Development (PD) District 97-12 and 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. Detail Plan: Development is to be in general conformance with the approved Detail Plan set forth in Exhibit C and Exhibit D. In the event of conflict between the conditions and Detail Plan, the conditions listed below are to apply.
- V. Specific Conditions:**
- A. Site Layout: The staging area shall be in conformance with the site layout in Exhibit C.
- B. Landscaping and Screening: Landscaping and screening shall be in conformance with Exhibit D.
- C. Lighting: In addition to meeting the requirements of the City's Glare and Lighting Standards, all exterior parking lot lighting and lighting on buildings shall be directed onto property within the Planned Development District using concealed sources of light such as shoebox type fixtures.
- D. Noise: No outside loud speaker system shall be installed in accordance with Planned Development 97-12.

- E. Automobile Repair: Automobile repairs are prohibited on the subject property, more specifically within the car staging area along the eastern and northeastern side of Millay Boulevard.

REPORT & MINUTES

P.C. Meeting, December 15, 2021

3g. APPROVED Consideration of the application of **Stantec Consulting Services, Inc.**, requesting approval of an amendment to Planned Development (PD) District 00-21 and Planned Development (PD) District 97-12 to allow Automobile Sales, New or Used. This property is located at 2101, 2110 and 2201 Millay Boulevard and 12715 Lyndon B Johnson Freeway. (District 5) (File Z 21-49 – Zoning)

The applicant David Savaras, 13075 West Emerly Ct, Lake Forest Illinois and Paul Hames, 6080 Tennyson Parkway, Suite 200, Plano, Texas, provided a brief overview and remained available for questions.

There was discussion between the Commission and applicant regarding accessibility to the parking lot, flood plain and drainage, resurfacing of the parking lot, noise levels, and safety concerns were raised with employees having to cross the street to get from and to the subject sites.

Motion was made by Commissioner Jenkins to close the public hearing and **approve** the application with the provision of no vehicle repairs on the actual lot. Seconded by Commissioner Ott. **Motion carried: 7 Ayes, 0 Nays.**



2101, 2110 and 2201 Millay Blvd and 12715 Lyndon B. Johnson Frwy

Comment Form

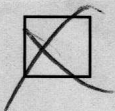
Case Z 21-49

Z 21-49 Stantec Consulting Services, Inc. The applicant proposes an expansion of the car staging parking lot for Carmax. This site is located at 2101, 2110 and 2201 Millay Boulevard and 12715 Lyndon B Johnson Freeway. (District 5)

Z 21-49 Stantec Consulting Services, Inc. La demandante propone una ampliación del aparcamiento de estacionamiento de vehículos de Carmax. Este sitio está ubicado en 2101, 2110 y 2201 Millay Boulevard y 12715 Lyndon B Johnson Freeway. (Distrito 5)

Z 21-49 Stantec Consulting Services, Inc. Người nộp đơn đề xuất mở rộng bãi đậu xe cho Carmax. Địa điểm này nằm ở 2101, 2110 và 2201 Millay Boulevard và 12715 Lyndon B Johnson Freeway. (Quận 5)

Please Check One Below / Marque uno a continuación / Vui lòng kiểm tra một bên dưới



For / A Favor / Đúng



Against / En Contra / Không

Please complete the following information and email the form to Planning@garlandtx.gov; deliver to the Planning Department at 800 Main Street Garland, TX; or mail to City of Garland, Planning Department, P.O. Box 469002 Garland, TX 75406-9002./ Por favor Complete la siguiente información y envíe el formulario por correo electrónico a Planning@garlandtx.gov; entregar al Departamento de Planificación en 800 Main Street Garland, TX; o envíelo por correo a City of Garland, Planning Department, P.O. Box 469002 Garland, TX 75406-9002./ Vui lòng điền đầy đủ thông tin sau và gửi biểu mẫu qua email tới Planning@garlandtx.gov; giao cho Phòng Kế hoạch tại 800 Main Street Garland, TX; hoặc gửi thư đến Thành phố Garland, Sở Kế hoạch, P.O. Hộp 469002 Garland, TX 75406-9002.

Monte Brown

Printed Name & Title / Nombre Impreso y Título / Tên in và Tiêu đề

(Property Owner, Business Owner, Tenant, etc.) / (Dueño de la propiedad, Dueño de la empresa, Inquilino, etc.) / (Chủ sở hữu bất động sản, Chủ doanh nghiệp, Người thuê, v.v.)

2005 Town Ct

Your Property Address / La dirección de su propiedad / địa chỉ tài sản

Garland, TX

City, State / Estado de la Ciudad / Thành bang

75041

Zip Code / Código postal / Mã B u Chính

Monte Brown

Signature / Firma / Ch ữ ký

12/19/21

Date / Fecha / Ngày

(Providing email address and phone number is optional. / La dirección de correo electrónico y el número de teléfono son opcionales. / Địa chỉ email và số điện thoại là tùy chọn.)

Comment Form

Case Z 21-49

Z 21-49 Stantec Consulting Services, Inc. The applicant proposes an expansion of the car staging parking lot for Carmax. This site is located at 2101, 2110 and 2201 Millay Boulevard and 12715 Lyndon B Johnson Freeway. (District 5)

Z 21-49 Stantec Consulting Services, Inc. La demandante propone una ampliación del aparcamiento de estacionamiento de vehículos de Carmax. Este sitio está ubicado en 2101, 2110 y 2201 Millay Boulevard y 12715 Lyndon B Johnson Freeway. (Distrito 5)

Z 21-49 Stantec Consulting Services, Inc. Người nộp đơn đề xuất mở rộng bãi đậu xe cho Carmax. Địa điểm này nằm ở 2101, 2110 và 2201 Đại lộ Millay và 12715 Đường cao tốc Lyndon B Johnson Freeway. (Quận 5)

Please Check One Below / Marque uno a continuación / Vui lòng kiểm tra một bên dưới

☐

For / A Favor / Đúng

☒

Against / En Contra / Không

Please complete the following information and email the form to Planning@garlandtx.gov; deliver to the Planning Department at 800 Main Street Garland, TX; or mail to City of Garland, Planning Department, P.O. Box 469002 Garland, TX 75406-9002./ Por favor Complete la siguiente información y envíe el formulario por correo electrónico a Planning@garlandtx.gov; entregar al Departamento de Planificación en 800 Main Street Garland, TX; o envíelo por correo a City of Garland, Planning Department, P.O. Box 469002 Garland, TX 75406-9002./ Vui lòng điền đầy đủ thông tin sau và gửi biểu mẫu qua email tới Planning@garlandtx.gov; giao cho Phòng Kế hoạch tại 800 Main Street Garland, TX; hoặc gửi thư đến Thành phố Garland, Sở Kế hoạch, P.O. Hộp 469002 Garland, TX 75406-9002.

Judy Ford - Property Owner

Printed Name & Title / Nombre Impreso y Título / Tên in và Tiêu đề

(Property Owner, Business Owner, Tenant, etc.) / (Dueño de la propiedad, Dueño de la empresa, Inquilino, etc.) / (Chủ sở hữu bất động sản, Chủ doanh nghiệp, Người thuê, v.v.)

2027 Town Court

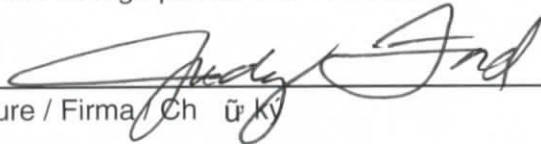
Your Property Address / La dirección de su propiedad / địa chỉ tài sản

Garland, TX

City, State / Estado de la Ciudad / Thành bang

75041

Zip Code / Código postal / Mã B u Chính



Signature / Firma / Chữ ký

12-7-2021

Date / Fecha / Ngày

(Providing email address and phone number is optional. / La dirección de correo electrónico y el número de teléfono son opcionales. / Địa chỉ email và số điện thoại là tùy chọn.)

Comment Form Continued – Case Z 21-49

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

Las declaraciones a continuación reflejan mi (nuestra) opinión con respecto a las solicitudes propuestas.

Các tuyên bố dưới đây phản ánh quan điểm của tôi (chúng tôi) về (các) yêu cầu được đề xuất

I strongly oppose the expansion of car staging parking for Carmax. I live directly behind Carmax.

- The construction on LBJ has created a noise problem so bad that the best I can do to avoid it is stay in my house with all windows and doors closed. The LBJ construction generates hazardous odor and pollution.
- The concrete plant has increased heavy vehicle traffic and noise. It intensifies the pollution to the neighborhood with loud vehicles, their emissions, and their production of cement.
- The logistics plant on Leon has added considerable commercial traffic and noise to the neighborhood. For months after its opening, 18-wheelers got stuck in our neighborhood. The noise from the late-night/early-morning loading and unloading of trucks is a nuisance.
- After the completion of LBJ, the increased traffic will continue to create unhealthy noise, pollution and smells in my neighborhood.
- I have no confidence the City of Garland will actually terminate the agreement with the cement plant after its initial 5 years term. It will be a permanent fixture in Garland. It will be our "gateway" to the City. It is ugly, polluting, smelly and dangerous to the health of the citizens of Garland.

Do I want Carmax to add to this mess? **NO!** Car staging will create more consumer traffic, more commercial traffic, noise, odors, and pollution.

The Garland Planning Commission should weigh heavily in favor of its citizens ensuring we have clean air and are not bombarded with noise and odors. Citizens of Garland want a healthy safe environment. Do not add to the injuries already fixed upon us.

Comment Form

Case Z 21-49

Z 21-49 Stantec Consulting Services, Inc. The applicant proposes an expansion of the car staging parking lot for Carmax. This site is located at 2101, 2110 and 2201 Millay Boulevard and 12715 Lyndon B Johnson Freeway. (District 5)

Z 21-49 Stantec Consulting Services, Inc. La demandante propone una ampliación del aparcamiento de estacionamiento de vehículos de Carmax. Este sitio está ubicado en 2101, 2110 y 2201 Millay Boulevard y 12715 Lyndon B Johnson Freeway. (Distrito 5)

Z 21-49 Stantec Consulting Services, Inc. Người nộp đơn đề xuất mở rộng bãi đậu xe cho Carmax. Địa điểm này nằm ở 2101, 2110 và 2201 Đại lộ Millay và 12715 Đường cao tốc Lyndon B Johnson Freeway. (Quận 5)

Please Check One Below / Marque uno a continuación / Vui lòng kiểm tra một bên dưới

☐

For / A Favor / Đúng

☒

Against / En Contra / Không

Please complete the following information and email the form to Planning@garlandtx.gov; deliver to the Planning Department at 800 Main Street Garland, TX; or mail to City of Garland, Planning Department, P.O. Box 469002 Garland, TX 75406-9002./ Por favor Complete la siguiente información y envíe el formulario por correo electrónico a Planning@garlandtx.gov; entregar al Departamento de Planificación en 800 Main Street Garland, TX; o envíelo por correo a City of Garland, Planning Department, P.O. Box 469002 Garland, TX 75406-9002./ Vui lòng điền đầy đủ thông tin sau và gửi biểu mẫu qua email tới Planning@garlandtx.gov; giao cho Phòng Kế hoạch tại 800 Main Street Garland, TX; hoặc gửi thư đến Thành phố Garland, Sở Kế hoạch, P.O. Hộp 469002 Garland, TX 75406-9002.

Printed Name & Title / Nombre Impreso y Título / Tên in và Tiêu đề

(Property Owner, Business Owner, Tenant, etc.) / (Dueño de la propiedad, Dueño de la empresa, Inquilino, etc.) / (Chủ sở hữu bất động sản, Chủ doanh nghiệp, Người thuê, v.v.)

2029 Court Pl

Your Property Address / La dirección de su propiedad / địa chỉ tài sản

Garland TX

City, State / Estado de la Ciudad / Thành bang

75041

Zip Code / Código postal / Mã B u Qhính

Don Ferrell

Signature / Firma / Ch ữ ký

Date / Fecha / Ngày

12-8-21

(Providing email address and phone number is optional. / La dirección de correo electrónico y el número de teléfono son opcionales. / Địa chỉ email và số điện thoại là tùy chọn.)

Comment Form Continued – Case Z 21-49

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

Las declaraciones a continuación reflejan mi (nuestra) opinión con respecto a las solicitudes propuestas.

Các tuyên bố dưới đây phản ánh quan điểm của tôi (chúng tôi) về (các) yêu cầu được đề xuất

I THINK AND FEEL THIS IS A BAD
IDEA DUE TO IT WILL BRING
MORE CRIMINAL ACTIVITY TO THE AREA
WE ALREADY HAVE PEOPLE BREAKING INTO
CARS IN THE AREA AND IT WILL BRING
THE PROPERTY VALUE DOWN.

Comment Form

Case Z 21-49

Z 21-49 Stantec Consulting Services, Inc. The applicant proposes an expansion of the car staging parking lot for Carmax. This site is located at 2101, 2110 and 2201 Millay Boulevard and 12715 Lyndon B Johnson Freeway. (District 5)

Z 21-49 Stantec Consulting Services, Inc. La demandante propone una ampliación del aparcamiento de estacionamiento de vehículos de Carmax. Este sitio está ubicado en 2101, 2110 y 2201 Millay Boulevard y 12715 Lyndon B Johnson Freeway. (Distrito 5)

Z 21-49 Stantec Consulting Services, Inc. Người nộp đơn đề xuất mở rộng bãi đậu xe cho Carmax. Địa điểm này nằm ở 2101, 2110 và 2201 Đại lộ Millay và 12715 Đường cao tốc Lyndon B Johnson Freeway. (Quận 5)

Please Check One Below / Marque uno a continuación / Vui lòng kiểm tra một bên dưới

☐

For / A Favor / Đúng

☒

Against / En Contra / Không

Please complete the following information and email the form to Planning@garlandtx.gov; deliver to the Planning Department at 800 Main Street Garland, TX; or mail to City of Garland, Planning Department, P.O. Box 469002 Garland, TX 75406-9002./ Por favor Complete la siguiente información y envíe el formulario por correo electrónico a Planning@garlandtx.gov; entregar al Departamento de Planificación en 800 Main Street Garland, TX; o envíelo por correo a City of Garland, Planning Department, P.O. Box 469002 Garland, TX 75406-9002./ Vui lòng điền đầy đủ thông tin sau và gửi biểu mẫu qua email tới Planning@garlandtx.gov; giao cho Phòng Kế hoạch tại 800 Main Street Garland, TX; hoặc gửi thư đến Thành phố Garland, Sở Kế hoạch, P.O. Hộp 469002 Garland, TX 75406-9002.

HH HOUSE SERIES LLC, SERIES D1, HUI-JUAN XU, BUSINESS OWNER

Printed Name & Title / Nombre Impreso y Título / Tên in và Tiêu đề

(Property Owner, Business Owner, Tenant, etc.) / (Dueño de la propiedad, Dueño de la empresa, Inquilino, etc.) / (Chủ sở hữu bất động sản, Chủ doanh nghiệp, Người thuê, v.v.)

2020 TOWN PL

Your Property Address / La dirección de su propiedad / địa chỉ tài sản

GARLAND, TX

City, State / Estado de la Ciudad / Thành bang

75041

Zip Code / Código postal / Mã B u Chính

Signature / Firma / Chữ ký

12/05/2021

Date / Fecha / Ngày

(Providing email address and phone number is optional. / La dirección de correo electrónico y el número de teléfono son opcionales. / Địa chỉ email và số điện thoại là tùy chọn.)

Comment Form

Case Z 21-49

Z 21-49 Stantec Consulting Services, Inc. The applicant proposes an expansion of the car staging parking lot for Carmax. This site is located at 2101, 2110 and 2201 Millay Boulevard and 12715 Lyndon B Johnson Freeway. (District 5) NOT!

Z 21-49 Stantec Consulting Services, Inc. La demandante propone una ampliación del aparcamiento de estacionamiento de vehículos de Carmax. Este sitio está ubicado en 2101, 2110 y 2201 Millay Boulevard y 12715 Lyndon B Johnson Freeway. (Distrito 5)

Z 21-49 Stantec Consulting Services, Inc. Người nộp đơn đề xuất mở rộng bãi đậu xe cho Carmax. Địa điểm này nằm ở 2101, 2110 và 2201 Millay Boulevard và 12715 Lyndon B Johnson Freeway. (Quận 5)

Please Check One Below / Marque uno a continuación / Vui lòng kiểm tra một bên dưới



For / A Favor / Đúng



Against / En Contra / Không

Please complete the following information and email the form to Planning@garlandtx.gov; deliver to the Planning Department at 800 Main Street Garland, TX; or mail to City of Garland, Planning Department, P.O. Box 469002 Garland, TX 75406-9002. / Por favor Complete la siguiente información y envíe el formulario por correo electrónico a Planning@garlandtx.gov; entregar al Departamento de Planificación en 800 Main Street Garland, TX; o envíelo por correo a City of Garland, Planning Department, P.O. Box 469002 Garland, TX 75406-9002. / Vui lòng điền đầy đủ thông tin sau và gửi biểu mẫu qua email tới Planning@garlandtx.gov; giao cho Phòng Kế hoạch tại 800 Main Street Garland, TX; hoặc gửi thư đến Thành phố Garland, Sở Kế hoạch, P.O. Hộp 469002 Garland, TX 75406-9002.

Patsy Caropresi

Printed Name & Title / Nombre Impreso y Título / Tên in và Tiêu đề

(Property Owner, Business Owner, Tenant, etc.) / (Dueño de la propiedad, Dueño de la empresa, Inquilino, etc.) / (Chủ sở hữu bất động sản, Chủ doanh nghiệp, Người thuê, v.v.)

2016 Towngate DR

Your Property Address / La dirección de su propiedad / địa chỉ tài sản

Garland, TX 75041

City, State / Estado de la Ciudad / Thành bang

75041

Zip Code / Código postal / Mã B u Chính

[Signature]

Signature / Firma / Chữ ký

12/18/21

Date / Fecha / Ngày

(Providing email address and phone number is optional. / La dirección de correo electrónico y el número de teléfono son opcionales. / Địa chỉ email và số điện thoại là tùy chọn.)

Comment Form Continued – Case Z 21-49

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

Las declaraciones a continuación reflejan mi (nuestra) opinión con respecto a las solicitudes propuestas.

Các tuyên bố dưới đây phản ánh quan điểm của tôi (chúng tôi) về (các) yêu cầu được đề xuất

The proposed expansion is too close to my home & to this residential area. I do not want a car dealership parking lot within 400 feet of my home!!!! Keep the area north & east of Milay as it is currently. (2101 & 2201) The proposed expansion south & west of Milay is mildly acceptable, but areas 2101 & 2201 are not acceptable for this quiet residential area.

Zoning Response Case Comments

Case Number	PC Hearing Date	CC Hearing Date	Planner Name
Z 21-49	December 15, 2021	January 4, 2021	Kimberly Hopkins

The applicant proposes an expansion of the car staging parking lot for Carmax. This site is located at 2101, 2110 and 2201 Millay Boulevard and 12715 Lyndon B Johnson Freeway. (District 5)

Patsy Caropresi

against

12/14/2021
9:24:20 PM

2016 Towngate Drive

pcaropresi@yahoo.com

Garland

214-728-2903

Texas

United States

75041

It appears that Leon Road and Millay will become a car lot. This is a negative impact on the Towngate residential neighborhood.

Patsy Caropresi

against

12/14/2021
9:24:15 PM

2016 Towngate Drive

pcaropresi@yahoo.com

Garland

214-728-2903

Texas

United States

75041

It appears that Leon Road and Millay will become a car lot. This is a negative impact on the Towngate residential neighborhood.

Michael

Against

12/6/2021
6:17:29 PM

Carroll

windashine@earthlink.net

Garland

2149081481

Texas

United States

75041

I live next to the northeast corner of this property - It is my understanding that Stantec and Carmax want to use the flood control Retention Pond for a used car holding lot - there is the problem, that land is designated for Flood Control, therefore, no logic exist's to store junk assests such as old car's in it's place. The loud speakers currently used to deter unauthorized access currently exhibit an infrigment on peace and quiet times during the dark of

Case Number	PC Hearing Date	CC Hearing Date	Planner Name
Z 21-49	December 15, 2021	January 4, 2021	Kimberly Hopkins

night. Once again, the only thing this retention pond needs, is removal of the asphalt for absorbing water, and effective storm water run-off drainage of the 15' tall dike surrounding this ill-conceived zoning problem. Stantec's consulting service should of done the job they are paid to do, for example, perhaps, suggesting to store old car's in the Hollywood theater Parking lot. Thank you for the opportunity to point out this problem. Michael Carroll, 2035 Towngate Dr. P.S. the main Carmax parking lot could have a 2nd layer !

Comment Form

Case Z 21-49

Z 21-49 Stantec Consulting Services, Inc. The applicant proposes an expansion of the car staging parking lot for Carmax. This site is located at 2101, 2110 and 2201 Millay Boulevard and 12715 Lyndon B Johnson Freeway. (District 5)

Z 21-49 Stantec Consulting Services, Inc. La demandante propone una ampliación del aparcamiento de estacionamiento de vehículos de Carmax. Este sitio está ubicado en 2101, 2110 y 2201 Millay Boulevard y 12715 Lyndon B Johnson Freeway. (Distrito 5)

Z 21-49 Stantec Consulting Services, Inc. Người nộp đơn đề xuất mở rộng bãi đậu xe cho Carmax. Địa điểm này nằm ở 2101, 2110 và 2201 Millay Boulevard và 12715 Lyndon B Johnson Freeway. (Quận 5)

Please Check One Below / Marque uno a continuación / Vui lòng kiểm tra một bên dưới



For / A Favor / Đúng



Against / En Contra / Không

Please complete the following information and email the form to Planning@garlandtx.gov; deliver to the Planning Department at 800 Main Street Garland, TX; or mail to City of Garland, Planning Department, P.O. Box 469002 Garland, TX 75406-9002./ Por favor Complete la siguiente información y envíe el formulario por correo electrónico a Planning@garlandtx.gov; entregar al Departamento de Planificación en 800 Main Street Garland, TX; o envíelo por correo a City of Garland, Planning Department, P.O. Box 469002 Garland, TX 75406-9002./ Vui lòng điền đầy đủ thông tin sau và gửi biểu mẫu qua email tới Planning@garlandtx.gov; giao cho Phòng Kế hoạch tại 800 Main Street Garland, TX; hoặc gửi thư đến Thành phố Garland, Sở Kế hoạch, P.O. Hộp 469002 Garland, TX 75406-9002.

RIC MITCHELL

Printed Name & Title / Nombre Impreso y Título / Tên in và Tiêu đề

(Property Owner, Business Owner, Tenant, etc.) / (Dueño de la propiedad, Dueño de la empresa, Inquilino, etc.) / (Chủ sở hữu bất động sản, Chủ doanh nghiệp, Người thuê, v.v.)

3901 LEON RD.

Your Property Address / La dirección de su propiedad / địa chỉ tài sản

GARLAND, TX 75041

City, State / Estado de la Ciudad / Thành bang

75041

Zip Code / Código postal / Mã B u Chính

Signature / Firma / Chữ ký

Date / Fecha / Ngày

(Providing email address and phone number is optional. / La dirección de correo electrónico y el número de teléfono son opcionales. / Địa chỉ email và số điện thoại là tùy chọn.)

Z 21-49

The applicant proposes an expansion of the car staging parking lot for Carmax.

[Approval of 1) an amendment to Planned Development (PD) District 97-12 and Planned Development (PD) District 00-21 to allow Automobile Sales, New or Used.

Approval of a Detail Plan for Automobile Sales, New or Used Use on a property zoned Planned Development (PD) District 97-12.]



GARLAND

TEXAS MADE HERE

**City Council Meeting
January 4, 2022**

Location: 12715 Lyndon B Johnson Freeway
2110, 2101, and 2201 Millay Boulevard

Applicant: Stantec Consulting Services, Inc.

Owner: Carmax Auto Superstores & Realty Income
Properties 8, LLC.

Acreage: 4.408 acres

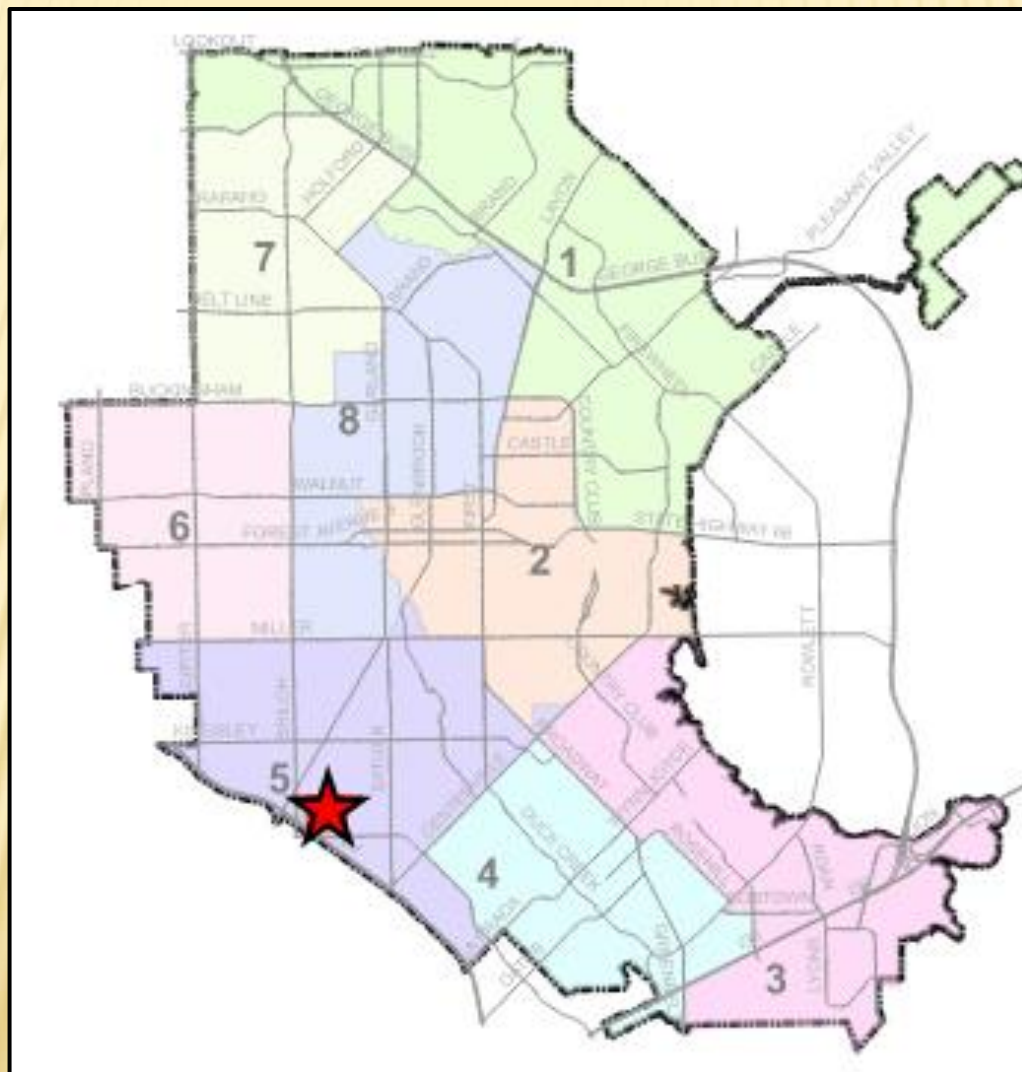
Zoning: Planned Development (PD) District 97-12

Z 21-49



GARLAND
TEXAS MADE HERE

CITYWIDE LOCATION MAP





LOCATION MAP



COMPREHENSIVE PLAN





The Future Land Use Map of the Envision Garland Plan recommends Transit- Oriented Center for the subject property. Transit-oriented centers are areas of concentrated activity and increased density with maximum access to public transportation options. This type of center should be developed as mixed-use with live/work/play/shop opportunities. Transit-oriented development should be within $\frac{1}{4}$ to $\frac{1}{2}$ mile of transit centers and/or rail stations and provide pedestrian and bicycle friendly access.

This use which involves mostly paving, with landscaping and screening, leaves future redevelopment opportunities open that would be more supportive to the Transit-Oriented Center designation.



View of the subject property
from
Millay Boulevard.



View of the CarMax property to
the south.



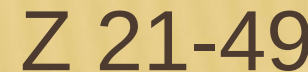
View of the property to the west
off Leon Road.



View of the property to the east.

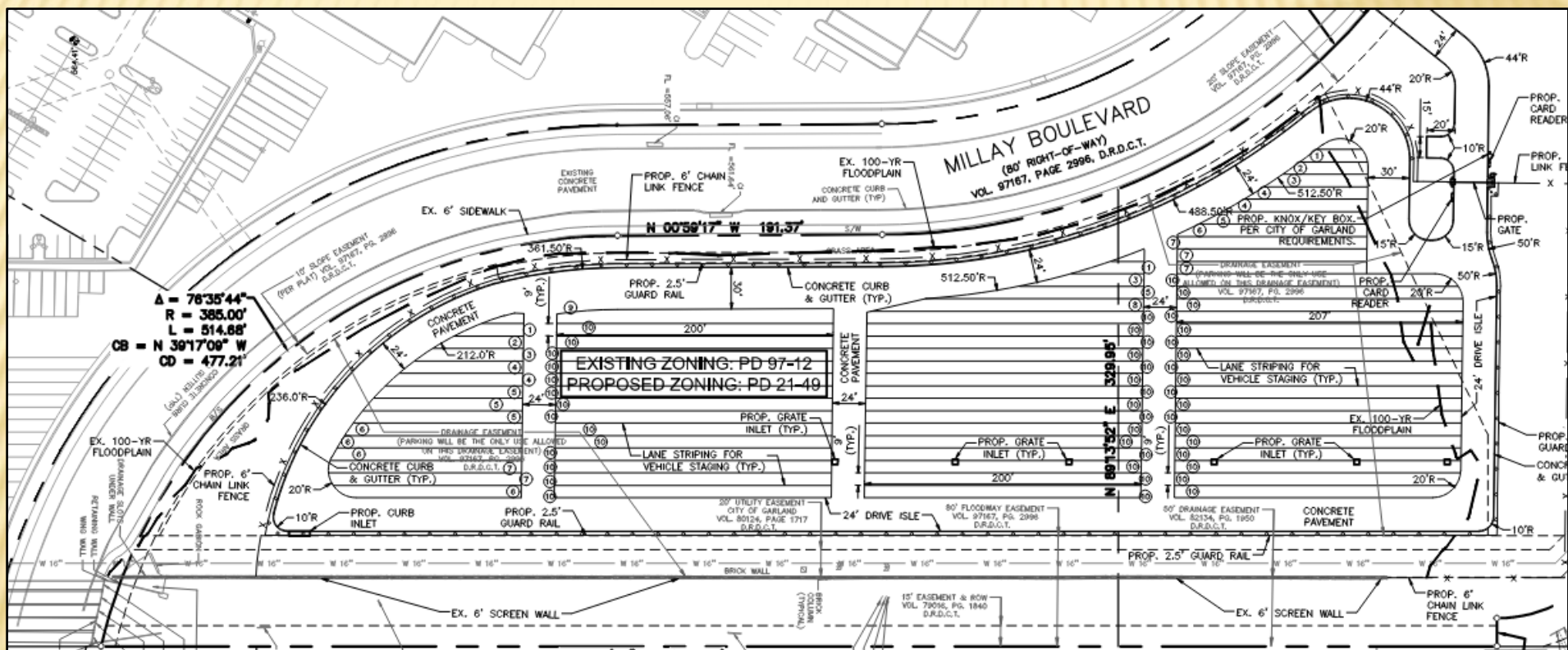


OVERALL SITE PLAN



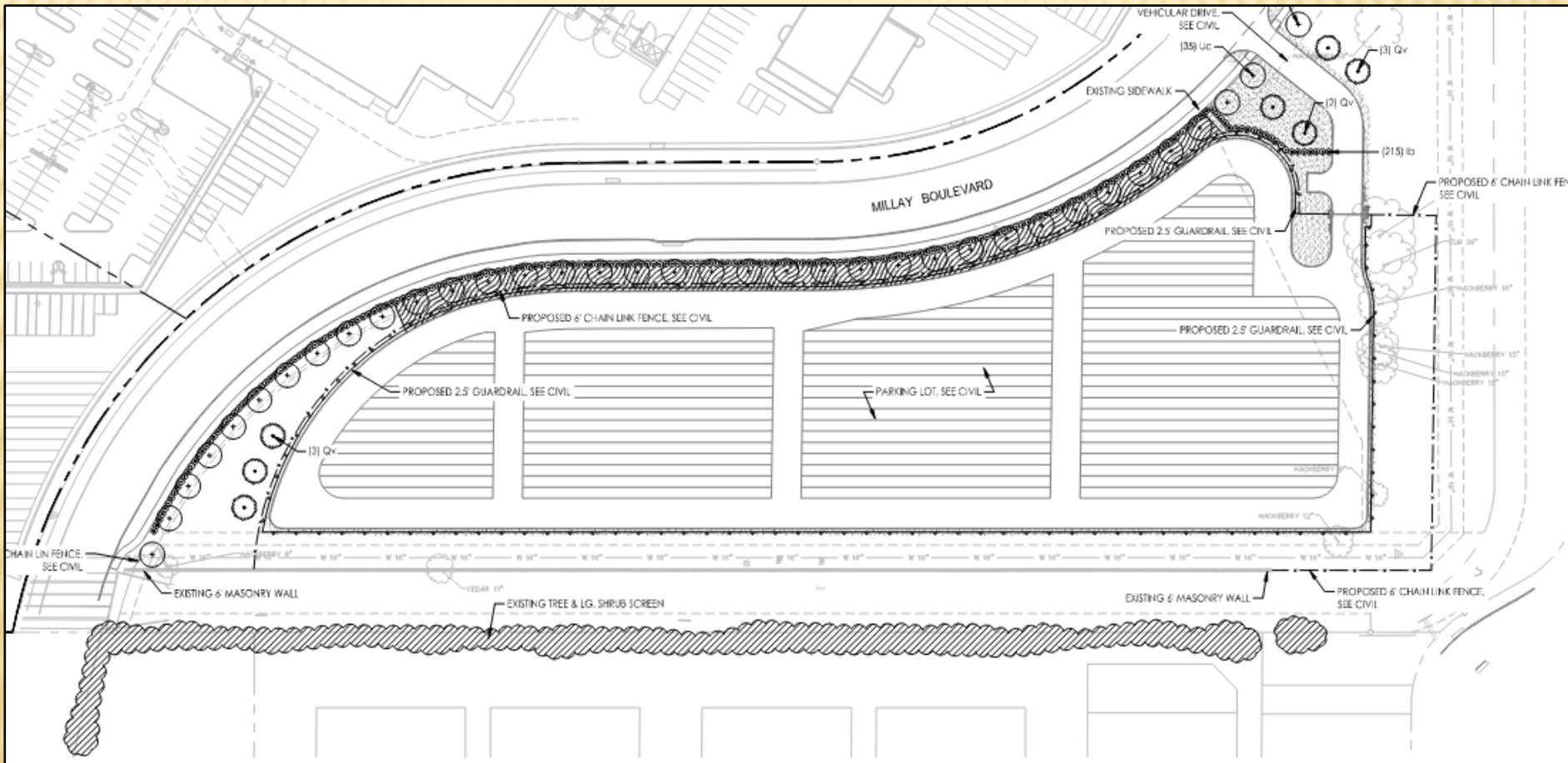


Z 21-49





LANDSCAPE PLAN





Existing Wall, drainage creek,
and a dense row of vegetation.



Landscaping along Millay
Boulevard



STAFF RECOMMENDATION

Approval of 1) an amendment to Planned Development (PD) District 97-12 and Planned Development (PD) District 00-21 to allow Automobile Sales, New or Used.

Approval of a Detail Plan for Automobile Sales, New or Used Use on a property zoned Planned Development (PD) District 97-12.

PLAN COMMISSION RECOMMENDATION

On December 15, 2021 the Plan Commission, by a vote of seven (7) to zero (0), recommended approval of an amendment to Planned Development (PD) District 97-12 and Planned Development (PD) District 00-21 to allow Automobile Sales, New or Used.

The Plan Commission, by a vote of seven (7) to zero (0), also recommended approval of a Detail Plan for Automobile Sales, New or Used use on a property zoned Planned Development (PD) District 97-12.

The Plan Commission further recommended prohibiting automobile repairs on the subject site.

Z 21-49



GARLAND PLANNING REPORT

City Council Regular Session Agenda

9. h.

Meeting Date: 01/04/2022

Item Title: Z 21-49 Stantec Consulting Services, Inc. - Detail Plan (District 5)

Submitted By: Kimberly Hopkins, Development Planner

REQUEST

Approval of 1) an amendment to Planned Development (PD) District 97-12 and Planned Development (PD) District 00-21 to allow Automobile Sales, New or Used.

Approval of a Detail Plan for Automobile Sales, New or Used Use on a property zoned Planned Development (PD) District 97-12.

LOCATION

12675 and 12715 Lyndon B Johnson Freeway
2110, 2101 and 2201 Millay Boulevard

OWNER

Carmax Auto Superstores & Realty Income Properties 8, LLC

PLAN COMMISSION RECOMMENDATION

On December 15, 2021 the Plan Commission, by a vote of seven (7) to zero (0), recommended approval of an amendment to Planned Development (PD) District 97-12 and Planned Development (PD) District 00-21 to allow Automobile Sales, New or Used.

The Plan Commission, by a vote of seven (7) to zero (0), also recommended approval of a Detail Plan for Automobile Sales, New or Used use on a property zoned Planned Development (PD) District 97-12.

The Plan Commission further recommended prohibiting automobile repairs on the subject site.

STAFF RECOMMENDATION

Approval of 1) an amendment to Planned Development (PD) District 97-12 and Planned Development (PD) District 00-21 to allow Automobile Sales, New or Used.

Approval of a Detail Plan for Automobile Sales, New or Used on a property zoned Planned Development (PD) District 97-12.

BACKGROUND

In 1997, City Council approved a Planned Development (PD) District 97-12 for Industrial uses, but it requires approval of a Detail Plan through the public hearing process prior to a building permit. In 2000, City Council approved a Planned Development (PD) District 00-21 for Industrial uses along with an approval of a Specific Use Provision for Automobile Sales (New or Used), Leasing and Repair for the CarMax dealership. The applicant is requesting approval of a car staging area, which would be an accessory use to the existing Carmax Dealership across the street. Carmax currently owns both properties.

SITE DATA

The subject property is 4.408 acres with approximately 191 lineal feet along Millay Boulevard. The site can be accessed only from Millay Boulevard.

USE OF PROPERTY UNDER CURRENT ZONING

The subject property is zoned Planned Development (PD) District 97-12 which allows Industrial Use (IN) District Uses. 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 applicant intends to use Tract 2 in Planned Development (PD) District 97-12 for staging to be conducted in a tandem parking lot style as an accessory use to the Carmax dealership. PD 97-12 allows Automobile Sales use by right, and a portion of the subject property was identified as a “future expansion” for Carmax. However, a Planned Development amendment and Detail Plan are required.

CONSIDERATIONS

1. The applicant proposes to expand the parking area of Tract 1A for CarMax into Tract 2 and a portion of Tract 1B of Planned Development (PD) District 97-12 (eastern side of Millay Boulevard). The expansion does not include new buildings or development other than car staging for Carmax. The applicant is proposing six hundred and nine (609) parking spaces in a tandem style for the proposed staging area.
2. The applicant is proposing a six-foot chain-link mesh fence along Millay Boulevard and landscaping to enhance the screening of the staging area. The landscaping includes large canopy trees and a continuous row of shrubs.
3. PD 97-12 requires trees no greater than fifty (50) feet on center along the eastern edge of the Planned Development. The applicant does not propose trees along the eastern edge. There is an existing wall, a drainage creek, and a dense row of vegetation currently screening the subject property from the residential area to the east. The proposed staging area (parking lot) otherwise complies with the applicable GDC landscaping and screening requirements.
4. PD 97-12 requires all exterior parking lot lighting to be directed onto the subject property using concealed sources of light such as shoebox type fixtures. The applicant concurs with this requirement.

COMPREHENSIVE PLAN

The Future Land Use Map for the Envision Garland 2030 Comprehensive Plan identifies this area as Transit-Oriented Center.

Transit-oriented centers are areas of concentrated activity and increased density with maximum access to public transportation options. This type of center should be developed as mixed-use with live/work/play/shop opportunities. Transit-oriented development should be within $\frac{1}{4}$ to $\frac{1}{2}$ mile of transit centers and/or rail stations and provide pedestrian and bicycle friendly access.

This use which involves mostly paving, with landscaping and screening, leaves future redevelopment opportunities open that would be more supportive to the Transit-Oriented Center designation.

COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

The properties surrounding the subject site are primarily residential, commercial and industrial. The property to the north is zoned Industrial (IN) District and is developed with a self-storage use. The property to the south and west are zoned Planned Development (PD) District 00-21 and is developed with an Automobile Sales, New or Used (Carmax dealership) which is part of the request. The property to the east is zoned Planned Development (PD) District 71-7 and is developed with Single-Family Attached (SFA) homes.

Attachments

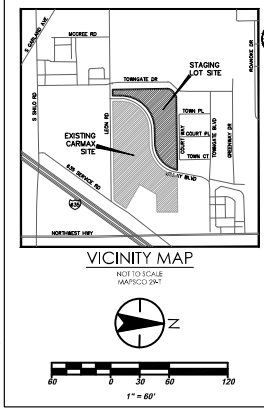
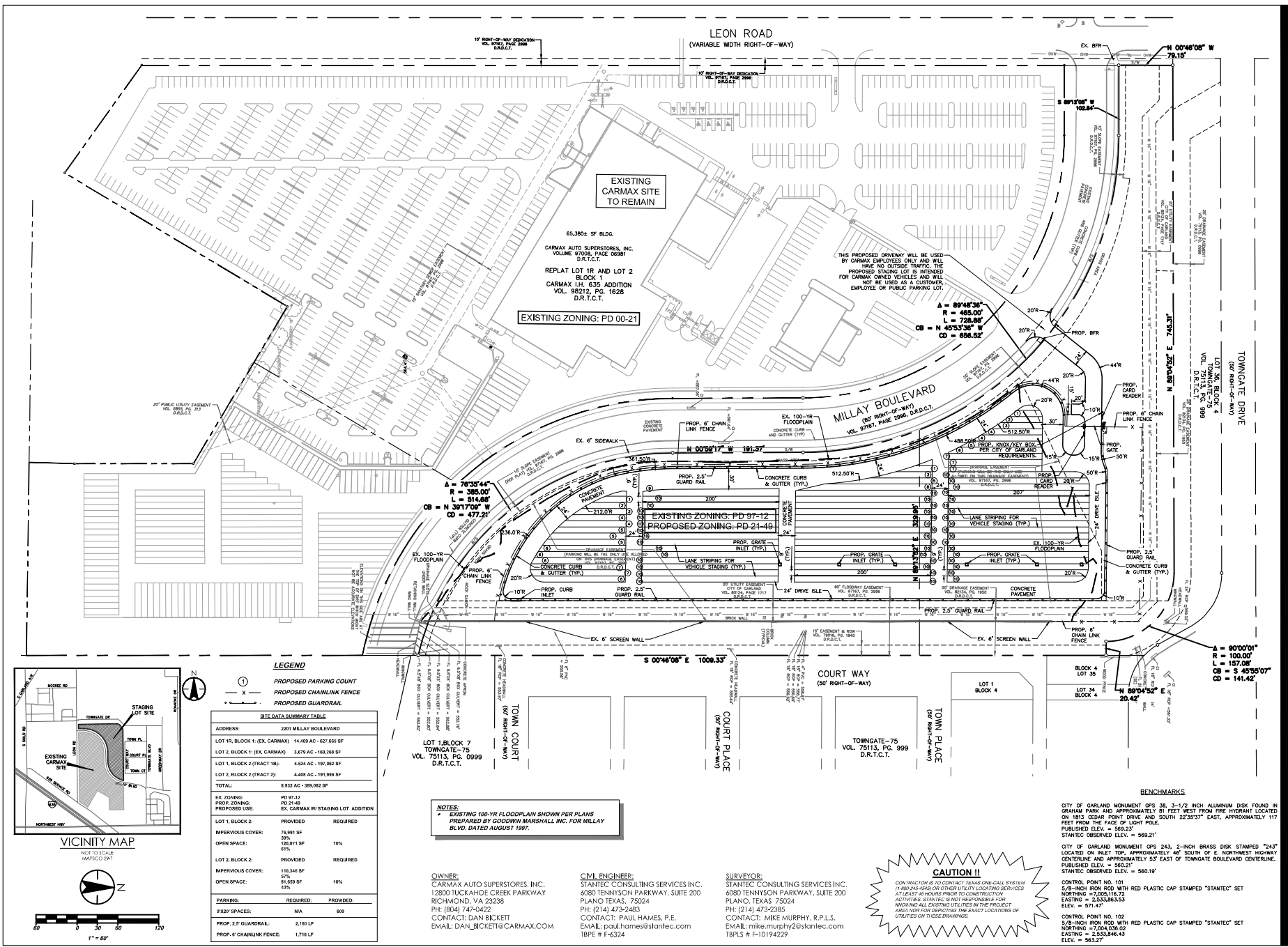
Z 21-49 Stantec Consulting Services, Inc. (Detail Plan) Attachments
Z 21-49 Stantec Consulting Services, Inc. Responses
Z 21-49 Stantec Consulting Services, Inc. Additional Responses
Z 21-49 Staff Presentation



2101, 2110 and 2201 Millay Blvd and 12715 Lyndon B. Johnson Frwy



EXHIBIT C



OWNER:
CARMAX AUTO SUPERSTORES, INC.
12800 TUCKAHOE CREEK PARKWAY
RICHMOND, VA 23238
PH: (804) 747-0422
CONTACT: DAN BICKETT
EMAIL: DAN.BICKETT@CARMAX.COM

CIVIL ENGINEER:
STANTEC CONSULTING SERVICES INC.
6080 TENNYSON PARKWAY, SUITE 200
PLANO, TEXAS 75024
PH: (214) 475-2483
CONTACT: PAUL HAMES, P.E.
EMAIL: paul.hames@stantec.com
TBPE # F-6324

SURVEYOR:
STANTEC CONSULTING SERVICES INC.
6080 TENNYSON PARKWAY, SUITE 200
PLANO, TEXAS 75024
PH: (214) 475-2483
CONTACT: MIKE MURPHY, R.L.S.
EMAIL: mike.murphy@stantec.com
TBPLS # F-10194229

CONTRACTOR IS TO CONTACT TEXAS ONE-CALL SYSTEM (1-800-4-AHEAD) OR OTHER UTILITY LOCATING SERVICES AT LEAST 48 HOURS PRIOR TO CONSTRUCTION. ACTIVITIES STATED ARE NOT RECOMMENDED FOR KNOWING ALL EXISTING UTILITIES IN THE PROJECT AREA AND FOR DETERMINING THE EXACT LOCATIONS OF UTILITIES ON THESE DRAWINGS.

BENCHMARKS

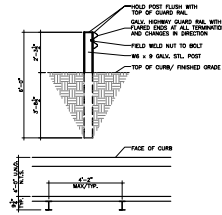
CITY OF GARLAND MONUMENT GPS 243, 2-1/2" INCH ALUMINUM DISK STAMPED "243" LOCATED ON ALLEY TOP, APPROXIMATELY 46' SOUTH OF E. NORTHWEST HIGHWAY CENTERLINE AND APPROXIMATELY 53' EAST OF TOWNGATE BOULEVARD CENTERLINE. PUBLISHED ELEV. = 560.21'
STANTEC OBSERVED ELEV. = 560.21'

CITY OF GARLAND MONUMENT GPS 243, 2-1/2" INCH ALUMINUM DISK STAMPED "243" LOCATED ON ALLEY TOP, APPROXIMATELY 46' SOUTH OF E. NORTHWEST HIGHWAY CENTERLINE AND APPROXIMATELY 53' EAST OF TOWNGATE BOULEVARD CENTERLINE. PUBLISHED ELEV. = 560.21'
STANTEC OBSERVED ELEV. = 560.21'

CONTROL POINT NO. 101
5/8" INCH IRON ROD WITH RED PLASTIC CAP STAMPED "STANTEC" SET
NORTHING = 7,005,176.72
EASTING = 2,553,863.55
ELEV. = 571.47'

CONTROL POINT NO. 102
5/8" INCH IRON ROD WITH RED PLASTIC CAP STAMPED "STANTEC" SET
NORTHING = 7,004,036.02
EASTING = 2,553,846.43
ELEV. = 563.37'

V:\2220\active\2220\2341\cml\phone_01\drawing\sheet\2341.cd\301_3d.dwg
2021/12/08 1:34 AM by: Guimaraes, Joa



NOT USED

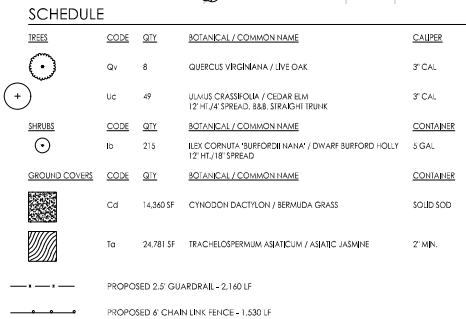
NOT USED
SCALE: N.T.S.

NOT USED
SCALE: N.T.S.



Project Number: 222012341			
File Name: 12341c01_501.dwg			
JG	PMH	JGW	21.12.08
Dwn.	Chkd.	Sign.	YY.MM.DD
Drawing No.		C1.01	
Revision		Sheet	

6080 Tennyson Parkway Suite 200
Plano, TX 75024-6003
Phone TX 75024-6003
www.startnet.com

[illegible]

LANDSCAPE SUMMARY TABLE		
2101' & 2201 Midway Blvd. - Carmax Staging Parking Lot		
Existing PD 97-12		
New PD 21-49		
	Required	Provided
Lot 1 (Tract 1B) 4,521 AC - 197,062 sf	10%	81%
	10,704 SF	120,071 SF
Lot 2 (Tract 2) 4,038 AC - 191,996	10%	43%
	19,199 SF	81,550 SF
PD Tree Requirement: 1 per 30 LF of Frontage (1,427.94)		49
Parking Lot Screening along Frontage	Req.	Provided

BENCHMARKS

CITY OF GARLAND MONUMENT GPS 33, 1/2-1/2 INCH ALUMINUM DISK FOUND IN
 GRAMIAN PARK AND APPROXIMATELY 81 FEET WEST OF FIVE HYDRANT LOCATED
 ON BELLEVUE POINT DRIVE AND SOUTH 22°35'37" EAST, APPROXIMATELY 117
 FEET FROM THE FACE OF LIGHT POLE.
 PUBLISHED ELEVATION = 560.21
 STANTEC OBSERVED ELEVATION = 560.21

CITY OF GARLAND MONUMENT GPS 243, 2-1/2 INCH BRASS DISK STAMPED "243"
 LOCATED ON INLET TPO, APPROXIMATELY 46° SOUTH OF E. NORTHWEST HWY
 CENTERLINE, APPROXIMATELY 53' EAST OF TOWHAGE BOULEVARD CENTERLINE.
 PUBLISHED ELEVATION = 560.21
 STANTEC OBSERVED ELEVATION = 560.19

CONTROL POINT NO. 101
 5/8"-NICH IRON ROD WITH RED PLASTIC CAP STAMPED "STANTEC" SET
 ELEVATION = 7000.11472
 EASTING = 2,533,068.53
 NORTING = 571.47

CONTROL POINT NO. 102
 5/8"-NICH IRON ROD WITH RED PLASTIC CAP STAMPED "STANTEC" SET
 ELEVATION = 7004.03962
 EASTING = 2,533,068.43
 NORTING = 563.27



60800 Tennyson Parkway Suite 200
Plano TX 75024-6003
www.starlinec.com

[illegible]

Client/Project
CARMAX #7109
2201 MILLAY BOULEVARD
EXISTING CARMAX WITH STAGING PARKING LOT EXPANSION
CASE NO.: 210923-1
CITY OF GARLAND, DALLAS COUNTY, TEXAS

Title
LANDSCAPE PLAN



Project Number: 222012341			
File Name: 222012341_Landscape sheet.dwg			
MY	CY	CX	21.12.08
Dwn.	Chkd	Disgn.	YY.MM.CD
Drawing No.		L1.00	
Revision		Sheet	

REPORT & MINUTES

P.C. Meeting, December 15, 2021

3h. APPROVED Consideration of the application of **Stantec Consulting Services, Inc.**, requesting approval of a Detail Plan for Automobile Sales, New or Used on a property zoned Planned Development (PD) District 00-21 and Planned Development (PD) District 97-12. This property is located at 2101, 2110 and 2201 Millay Boulevard and 12715 Lyndon B Johnson Freeway. (District 5) (File Z 21-49 – Detail Plan)

Motion was made by Commissioner Jenkins to close the public hearing and **approve** the application with the provision of no vehicle repairs on the actual lot. Seconded by Commissioner Ott. **Motion carried: 7 Ayes, 0 Nays.**



2101, 2110 and 2201 Millay Blvd and 12715 Lyndon B. Johnson Frwy

Comment Form

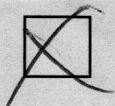
Case Z 21-49

Z 21-49 Stantec Consulting Services, Inc. The applicant proposes an expansion of the car staging parking lot for Carmax. This site is located at 2101, 2110 and 2201 Millay Boulevard and 12715 Lyndon B Johnson Freeway. (District 5)

Z 21-49 Stantec Consulting Services, Inc. La demandante propone una ampliación del aparcamiento de estacionamiento de vehículos de Carmax. Este sitio está ubicado en 2101, 2110 y 2201 Millay Boulevard y 12715 Lyndon B Johnson Freeway. (Distrito 5)

Z 21-49 Stantec Consulting Services, Inc. Người nộp đơn đề xuất mở rộng bãi đậu xe cho Carmax. Địa điểm này nằm ở 2101, 2110 và 2201 Millay Boulevard và 12715 Lyndon B Johnson Freeway. (Quận 5)

Please Check One Below / Marque uno a continuación / Vui lòng kiểm tra một bên dưới



For / A Favor / Đúng



Against / En Contra / Không

Please complete the following information and email the form to Planning@garlandtx.gov; deliver to the Planning Department at 800 Main Street Garland, TX; or mail to City of Garland, Planning Department, P.O. Box 469002 Garland, TX 75406-9002./ Por favor Complete la siguiente información y envíe el formulario por correo electrónico a Planning@garlandtx.gov; entregar al Departamento de Planificación en 800 Main Street Garland, TX; o envíelo por correo a City of Garland, Planning Department, P.O. Box 469002 Garland, TX 75406-9002./ Vui lòng điền đầy đủ thông tin sau và gửi biểu mẫu qua email tới Planning@garlandtx.gov; giao cho Phòng Kế hoạch tại 800 Main Street Garland, TX; hoặc gửi thư đến Thành phố Garland, Sở Kế hoạch, P.O. Hộp 469002 Garland, TX 75406-9002.

Monte Brown

Printed Name & Title / Nombre Impreso y Título / Tên in và Tiêu đề

(Property Owner, Business Owner, Tenant, etc.) / (Dueño de la propiedad, Dueño de la empresa, Inquilino, etc.) / (Chủ sở hữu bất động sản, Chủ doanh nghiệp, Người thuê, v.v.)

2005 Town Ct

Your Property Address / La dirección de su propiedad / địa chỉ tài sản

Garland, TX

City, State / Estado de la Ciudad / Thành bang

75041

Zip Code / Código postal / Mã B u Chính

Monte Brown

Signature / Firma / Ch ữ ký

12/15/21

Date / Fecha / Ngày

(Providing email address and phone number is optional. / La dirección de correo electrónico y el número de teléfono son opcionales. / Địa chỉ email và số điện thoại là tùy chọn.)

Comment Form

Case Z 21-49

Z 21-49 Stantec Consulting Services, Inc. The applicant proposes an expansion of the car staging parking lot for Carmax. This site is located at 2101, 2110 and 2201 Millay Boulevard and 12715 Lyndon B Johnson Freeway. (District 5)

Z 21-49 Stantec Consulting Services, Inc. La demandante propone una ampliación del aparcamiento de estacionamiento de vehículos de Carmax. Este sitio está ubicado en 2101, 2110 y 2201 Millay Boulevard y 12715 Lyndon B Johnson Freeway. (Distrito 5)

Z 21-49 Stantec Consulting Services, Inc. Người nộp đơn đề xuất mở rộng bãi đậu xe cho Carmax. Địa điểm này nằm ở 2101, 2110 và 2201 Đại lộ Millay và 12715 Đường cao tốc Lyndon B Johnson Freeway. (Quận 5)

Please Check One Below / Marque uno a continuación / Vui lòng kiểm tra một bên dưới

☐

For / A Favor / Đúng



Against / En Contra / Không

Please complete the following information and email the form to Planning@garlandtx.gov; deliver to the Planning Department at 800 Main Street Garland, TX; or mail to City of Garland, Planning Department, P.O. Box 469002 Garland, TX 75406-9002./ Por favor Complete la siguiente información y envíe el formulario por correo electrónico a Planning@garlandtx.gov; entregar al Departamento de Planificación en 800 Main Street Garland, TX; o envíelo por correo a City of Garland, Planning Department, P.O. Box 469002 Garland, TX 75406-9002./ Vui lòng điền đầy đủ thông tin sau và gửi biểu mẫu qua email tới Planning@garlandtx.gov; giao cho Phòng Kế hoạch tại 800 Main Street Garland, TX; hoặc gửi thư đến Thành phố Garland, Sở Kế hoạch, P.O. Hộp 469002 Garland, TX 75406-9002.

Judy Ford - Property Owner

Printed Name & Title / Nombre Impreso y Título / Tên in và Tiêu đề

(Property Owner, Business Owner, Tenant, etc.) / (Dueño de la propiedad, Dueño de la empresa, Inquilino, etc.) / (Chủ sở hữu bất động sản, Chủ doanh nghiệp, Người thuê, v.v.)

2027 Town Court

Your Property Address / La dirección de su propiedad / địa chỉ tài sản

Garland, TX

City, State / Estado de la Ciudad / Thành bang

75041

Zip Code / Código postal / Mã B u Chính

Judy Ford

Signature / Firma / Chữ ký

12-7-2021

Date / Fecha / Ngày

(Providing email address and phone number is optional. / La dirección de correo electrónico y el número de teléfono son opcionales. / Địa chỉ email và số điện thoại là tùy chọn.)

Comment Form Continued – Case Z 21-49

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

Las declaraciones a continuación reflejan mi (nuestra) opinión con respecto a las solicitudes propuestas.

Các tuyên bố dưới đây phản ánh quan điểm của tôi (chúng tôi) về (các) yêu cầu được đề xuất

I strongly oppose the expansion of car staging parking for Carmax. I live directly behind Carmax.

- The construction on LBJ has created a noise problem so bad that the best I can do to avoid it is stay in my house with all windows and doors closed. The LBJ construction generates hazardous odor and pollution.
- The concrete plant has increased heavy vehicle traffic and noise. It intensifies the pollution to the neighborhood with loud vehicles, their emissions, and their production of cement.
- The logistics plant on Leon has added considerable commercial traffic and noise to the neighborhood. For months after its opening, 18-wheelers got stuck in our neighborhood. The noise from the late-night/early-morning loading and unloading of trucks is a nuisance.
- After the completion of LBJ, the increased traffic will continue to create unhealthy noise, pollution and smells in my neighborhood.
- I have no confidence the City of Garland will actually terminate the agreement with the cement plant after its initial 5 years term. It will be a permanent fixture in Garland. It will be our "gateway" to the City. It is ugly, polluting, smelly and dangerous to the health of the citizens of Garland.

Do I want Carmax to add to this mess? **NO!** Car staging will create more consumer traffic, more commercial traffic, noise, odors, and pollution.

The Garland Planning Commission should weigh heavily in favor of its citizens ensuring we have clean air and are not bombarded with noise and odors. Citizens of Garland want a healthy safe environment. Do not add to the injuries already fixed upon us.

Comment Form

Case Z 21-49

Z 21-49 Stantec Consulting Services, Inc. The applicant proposes an expansion of the car staging parking lot for Carmax. This site is located at 2101, 2110 and 2201 Millay Boulevard and 12715 Lyndon B Johnson Freeway. (District 5)

Z 21-49 Stantec Consulting Services, Inc. La demandante propone una ampliación del aparcamiento de estacionamiento de vehículos de Carmax. Este sitio está ubicado en 2101, 2110 y 2201 Millay Boulevard y 12715 Lyndon B Johnson Freeway. (Distrito 5)

Z 21-49 Stantec Consulting Services, Inc. Người nộp đơn đề xuất mở rộng bãi đậu xe cho Carmax. Địa điểm này nằm ở 2101, 2110 và 2201 Đại lộ Millay và 12715 Đường cao tốc Lyndon B Johnson Freeway. (Quận 5)

Please Check One Below / Marque uno a continuación / Vui lòng kiểm tra một bên dưới

☐

For / A Favor / Đúng

☒

Against / En Contra / Không

Please complete the following information and email the form to Planning@garlandtx.gov; deliver to the Planning Department at 800 Main Street Garland, TX; or mail to City of Garland, Planning Department, P.O. Box 469002 Garland, TX 75406-9002./ Por favor Complete la siguiente información y envíe el formulario por correo electrónico a Planning@garlandtx.gov; entregar al Departamento de Planificación en 800 Main Street Garland, TX; o envíelo por correo a City of Garland, Planning Department, P.O. Box 469002 Garland, TX 75406-9002./ Vui lòng điền đầy đủ thông tin sau và gửi biểu mẫu qua email tới Planning@garlandtx.gov; giao cho Phòng Kế hoạch tại 800 Main Street Garland, TX; hoặc gửi thư đến Thành phố Garland, Sở Kế hoạch, P.O. Hộp 469002 Garland, TX 75406-9002.

Printed Name & Title / Nombre Impreso y Título / Tên in và Tiêu đề

(Property Owner, Business Owner, Tenant, etc.) / (Dueño de la propiedad, Dueño de la empresa, Inquilino, etc.) / (Chủ sở hữu bất động sản, Chủ doanh nghiệp, Người thuê, v.v.)

2029 Court Pl

Your Property Address / La dirección de su propiedad / địa chỉ tài sản

Garland TX

City, State / Estado de la Ciudad / Thành bang

75041

Zip Code / Código postal / Mã B u Qhính

Don Ferrell

Signature / Firma / Ch ữ ký

Date / Fecha / Ngày

12-8-21

(Providing email address and phone number is optional. / La dirección de correo electrónico y el número de teléfono son opcionales. / Địa chỉ email và số điện thoại là tùy chọn.)

Comment Form Continued – Case Z 21-49

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

Las declaraciones a continuación reflejan mi (nuestra) opinión con respecto a las solicitudes propuestas.

Các tuyên bố dưới đây phản ánh quan điểm của tôi (chúng tôi) về (các) yêu cầu được đề xuất

I THINK AND FEEL THIS IS A BAD
IDEA DUE TO IT WILL BRING
MORE CRIMINAL ACTIVITY TO THE AREA
WE ALREADY HAVE PEOPLE BREAKING INTO
CARS IN THE AREA AND IT WILL BRING
THE PROPERTY VALUE DOWN.

Comment Form

Case Z 21-49

Z 21-49 Stantec Consulting Services, Inc. The applicant proposes an expansion of the car staging parking lot for Carmax. This site is located at 2101, 2110 and 2201 Millay Boulevard and 12715 Lyndon B Johnson Freeway. (District 5)

Z 21-49 Stantec Consulting Services, Inc. La demandante propone una ampliación del aparcamiento de estacionamiento de vehículos de Carmax. Este sitio está ubicado en 2101, 2110 y 2201 Millay Boulevard y 12715 Lyndon B Johnson Freeway. (Distrito 5)

Z 21-49 Stantec Consulting Services, Inc. Người nộp đơn đề xuất mở rộng bãi đậu xe cho Carmax. Địa điểm này nằm ở 2101, 2110 và 2201 Đại lộ Millay và 12715 Đường cao tốc Lyndon B Johnson Freeway. (Quận 5)

Please Check One Below / Marque uno a continuación / Vui lòng kiểm tra một bên dưới

☐

For / A Favor / Đúng

☒

Against / En Contra / Không

Please complete the following information and email the form to Planning@garlandtx.gov; deliver to the Planning Department at 800 Main Street Garland, TX; or mail to City of Garland, Planning Department, P.O. Box 469002 Garland, TX 75406-9002. / Por favor Complete la siguiente información y envíe el formulario por correo electrónico a Planning@garlandtx.gov; entregar al Departamento de Planificación en 800 Main Street Garland, TX; o envíelo por correo a City of Garland, Planning Department, P.O. Box 469002 Garland, TX 75406-9002. / Vui lòng điền đầy đủ thông tin sau và gửi biểu mẫu qua email tới Planning@garlandtx.gov; giao cho Phòng Kế hoạch tại 800 Main Street Garland, TX; hoặc gửi thư đến Thành phố Garland, Sở Kế hoạch, P.O. Hộp 469002 Garland, TX 75406-9002.

HH HOUSE SERIES LLC, SERIES D1, HUI-JUAN XU, BUSINESS OWNER

Printed Name & Title / Nombre Impreso y Título / Tên in và Tiêu đề

(Property Owner, Business Owner, Tenant, etc.) / (Dueño de la propiedad, Dueño de la empresa, Inquilino, etc.) / (Chủ sở hữu bất động sản, Chủ doanh nghiệp, Người thuê, v.v.)

2020 TOWN PL

Your Property Address / La dirección de su propiedad / địa chỉ tài sản

GARLAND, TX

City, State / Estado de la Ciudad / Thành bang

75041

Zip Code / Código postal / Mã B u Chính

Signature / Firma / Chữ ký

12/05/2021

Date / Fecha / Ngày

(Providing email address and phone number is optional. / La dirección de correo electrónico y el número de teléfono son opcionales. / Địa chỉ email và số điện thoại là tùy chọn.)

Comment Form

Case Z 21-49

Z 21-49 Stantec Consulting Services, Inc. The applicant proposes an expansion of the car staging parking lot for Carmax. This site is located at 2101, 2110 and 2201 Millay Boulevard and 12715 Lyndon B Johnson Freeway. (District 5) NOT!

Z 21-49 Stantec Consulting Services, Inc. La demandante propone una ampliación del aparcamiento de estacionamiento de vehículos de Carmax. Este sitio está ubicado en 2101, 2110 y 2201 Millay Boulevard y 12715 Lyndon B Johnson Freeway. (Distrito 5)

Z 21-49 Stantec Consulting Services, Inc. Người nộp đơn đề xuất mở rộng bãi đậu xe cho Carmax. Địa điểm này nằm ở 2101, 2110 và 2201 Millay Boulevard và 12715 Lyndon B Johnson Freeway. (Quận 5)

Please Check One Below / Marque uno a continuación / Vui lòng kiểm tra một bên dưới



For / A Favor / Đúng



Against / En Contra / Không

Please complete the following information and email the form to Planning@garlandtx.gov; deliver to the Planning Department at 800 Main Street Garland, TX; or mail to City of Garland, Planning Department, P.O. Box 469002 Garland, TX 75406-9002. / Por favor Complete la siguiente información y envíe el formulario por correo electrónico a Planning@garlandtx.gov; entregar al Departamento de Planificación en 800 Main Street Garland, TX; o envíelo por correo a City of Garland, Planning Department, P.O. Box 469002 Garland, TX 75406-9002. / Vui lòng điền đầy đủ thông tin sau và gửi biểu mẫu qua email tới Planning@garlandtx.gov; giao cho Phòng Kế hoạch tại 800 Main Street Garland, TX; hoặc gửi thư đến Thành phố Garland, Sở Kế hoạch, P.O. Hộp 469002 Garland, TX 75406-9002.

Patsy Caropresi

Printed Name & Title / Nombre Impreso y Título / Tên in và Tiêu đề

(Property Owner, Business Owner, Tenant, etc.) / (Dueño de la propiedad, Dueño de la empresa, Inquilino, etc.) / (Chủ sở hữu bất động sản, Chủ doanh nghiệp, Người thuê, v.v.)

2016 Towngate DR

Your Property Address / La dirección de su propiedad / địa chỉ tài sản

Garland, TX 75041

City, State / Estado de la Ciudad / Thành bang

75041

Zip Code / Código postal / Mã B u Chính

[Signature]

Signature / Firma / Chữ ký

12/18/21

Date / Fecha / Ngày

(Providing email address and phone number is optional. / La dirección de correo electrónico y el número de teléfono son opcionales. / Địa chỉ email và số điện thoại là tùy chọn.)

Comment Form Continued – Case Z 21-49

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

Las declaraciones a continuación reflejan mi (nuestra) opinión con respecto a las solicitudes propuestas.

Các tuyên bố dưới đây phản ánh quan điểm của tôi (chúng tôi) về (các) yêu cầu được đề xuất

The proposed expansion is too close to my home & to this residential area. I do not want a car dealership parking lot within 400 feet of my home!!!! Keep the area north & east of Milay as it is currently. (2101 & 2201) The proposed expansion south & west of Milay is mildly acceptable, but areas 2101 & 2201 are not acceptable for this quiet residential area.

Zoning Response Case Comments

Case Number	PC Hearing Date	CC Hearing Date	Planner Name
Z 21-49	December 15, 2021	January 4, 2021	Kimberly Hopkins

The applicant proposes an expansion of the car staging parking lot for Carmax. This site is located at 2101, 2110 and 2201 Millay Boulevard and 12715 Lyndon B Johnson Freeway. (District 5)

Patsy Caropresi

against

12/14/2021
9:24:20 PM

2016 Towngate Drive

pcaropresi@yahoo.com

Garland

214-728-2903

Texas

United States

75041

It appears that Leon Road and Millay will become a car lot. This is a negative impact on the Towngate residential neighborhood.

Patsy Caropresi

against

12/14/2021
9:24:15 PM

2016 Towngate Drive

pcaropresi@yahoo.com

Garland

214-728-2903

Texas

United States

75041

It appears that Leon Road and Millay will become a car lot. This is a negative impact on the Towngate residential neighborhood.

Michael

Against

12/6/2021
6:17:29 PM

Carroll

windashine@earthlink.net

Garland

2149081481

Texas

United States

75041

I live next to the northeast corner of this property - It is my understanding that Stantec and Carmax want to use the flood control Retention Pond for a used car holding lot - there is the problem, that land is designated for Flood Control, therefore, no logic exist's to store junk assests such as old car's in it's place. The loud speakers currently used to deter unauthorized access currently exhibit an infrigment on peace and quiet times during the dark of

Case Number	PC Hearing Date	CC Hearing Date	Planner Name
Z 21-49	December 15, 2021	January 4, 2021	Kimberly Hopkins

night. Once again, the only thing this retention pond needs, is removal of the asphalt for absorbing water, and effective storm water run-off drainage of the 15' tall dike surrounding this ill-conceived zoning problem. Stantec's consulting service should of done the job they are paid to do, for example, perhaps, suggesting to store old car's in the Hollywood theater Parking lot. Thank you for the opportunity to point out this problem. Michael Carroll, 2035 Towngate Dr. P.S. the main Carmax parking lot could have a 2nd layer !

Comment Form

Case Z 21-49

Z 21-49 Stantec Consulting Services, Inc. The applicant proposes an expansion of the car staging parking lot for Carmax. This site is located at 2101, 2110 and 2201 Millay Boulevard and 12715 Lyndon B Johnson Freeway. (District 5)

Z 21-49 Stantec Consulting Services, Inc. La demandante propone una ampliación del aparcamiento de estacionamiento de vehículos de Carmax. Este sitio está ubicado en 2101, 2110 y 2201 Millay Boulevard y 12715 Lyndon B Johnson Freeway. (Distrito 5)

Z 21-49 Stantec Consulting Services, Inc. Người nộp đơn đề xuất mở rộng bãi đậu xe cho Carmax. Địa điểm này nằm ở 2101, 2110 và 2201 Millay Boulevard và 12715 Lyndon B Johnson Freeway. (Quận 5)

Please Check One Below / Marque uno a continuación / Vui lòng kiểm tra một bên dưới



For / A Favor / Đúng



Against / En Contra / Không

Please complete the following information and email the form to Planning@garlandtx.gov; deliver to the Planning Department at 800 Main Street Garland, TX; or mail to City of Garland, Planning Department, P.O. Box 469002 Garland, TX 75406-9002./ Por favor Complete la siguiente información y envíe el formulario por correo electrónico a Planning@garlandtx.gov; entregar al Departamento de Planificación en 800 Main Street Garland, TX; o envíelo por correo a City of Garland, Planning Department, P.O. Box 469002 Garland, TX 75406-9002./ Vui lòng điền đầy đủ thông tin sau và gửi biểu mẫu qua email tới Planning@garlandtx.gov; giao cho Phòng Kế hoạch tại 800 Main Street Garland, TX; hoặc gửi thư đến Thành phố Garland, Sở Kế hoạch, P.O. Hộp 469002 Garland, TX 75406-9002.

RIC MITCHELL

Printed Name & Title / Nombre Impreso y Título / Tên in và Tiêu đề

(Property Owner, Business Owner, Tenant, etc.) / (Dueño de la propiedad, Dueño de la empresa, Inquilino, etc.) / (Chủ sở hữu bất động sản, Chủ doanh nghiệp, Người thuê, v.v.)

3901 LEON RD.

Your Property Address / La dirección de su propiedad / địa chỉ tài sản

GARLAND, TX 75041

City, State / Estado de la Ciudad / Thành bang

75041

Zip Code / Código postal / Mã Bưu Chính

Signature / Firma / Chữ ký

Date / Fecha / Ngày

(Providing email address and phone number is optional. / La dirección de correo electrónico y el número de teléfono son opcionales. / Địa chỉ email và số điện thoại là tùy chọn.)

Z 21-49

The applicant proposes an expansion of the car staging parking lot for Carmax.

[Approval of 1) an amendment to Planned Development (PD) District 97-12 and Planned Development (PD) District 00-21 to allow Automobile Sales, New or Used.

Approval of a Detail Plan for Automobile Sales, New or Used Use on a property zoned Planned Development (PD) District 97-12.]



GARLAND

TEXAS MADE HERE

**City Council Meeting
January 4, 2022**

Location: 12715 Lyndon B Johnson Freeway
2110, 2101, and 2201 Millay Boulevard

Applicant: Stantec Consulting Services, Inc.

Owner: Carmax Auto Superstores & Realty Income
Properties 8, LLC.

Acreage: 4.408 acres

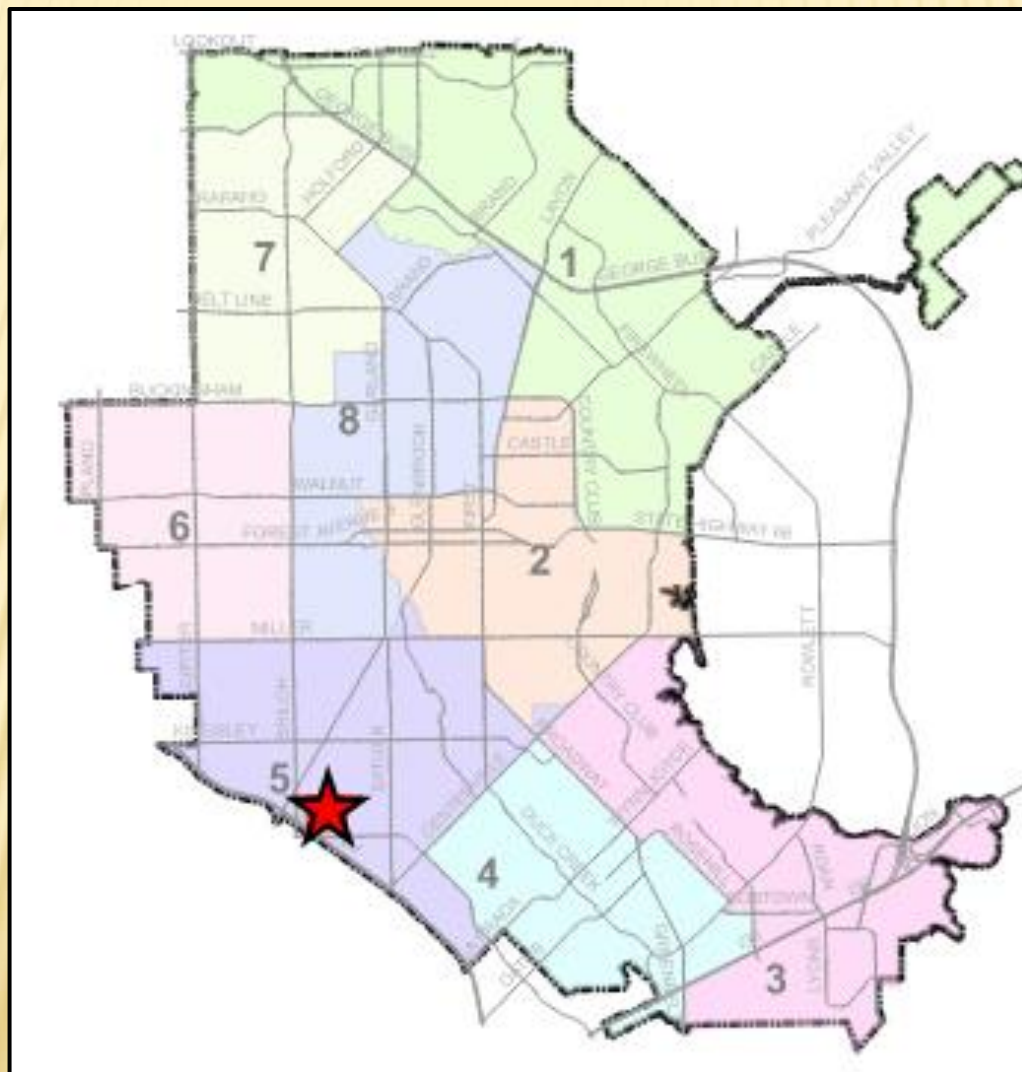
Zoning: Planned Development (PD) District 97-12

Z 21-49



GARLAND
TEXAS MADE HERE

CITYWIDE LOCATION MAP





GARLAND
TEXAS MADE HERE

LOCATION MAP



Z 21-49

COMPREHENSIVE PLAN





The Future Land Use Map of the Envision Garland Plan recommends Transit- Oriented Center for the subject property. Transit-oriented centers are areas of concentrated activity and increased density with maximum access to public transportation options. This type of center should be developed as mixed-use with live/work/play/shop opportunities. Transit-oriented development should be within $\frac{1}{4}$ to $\frac{1}{2}$ mile of transit centers and/or rail stations and provide pedestrian and bicycle friendly access.

This use which involves mostly paving, with landscaping and screening, leaves future redevelopment opportunities open that would be more supportive to the Transit-Oriented Center designation.



View of the subject property
from
Millay Boulevard.



View of the CarMax property to
the south.



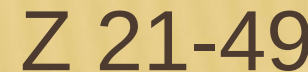
View of the property to the west
off Leon Road.



View of the property to the east.

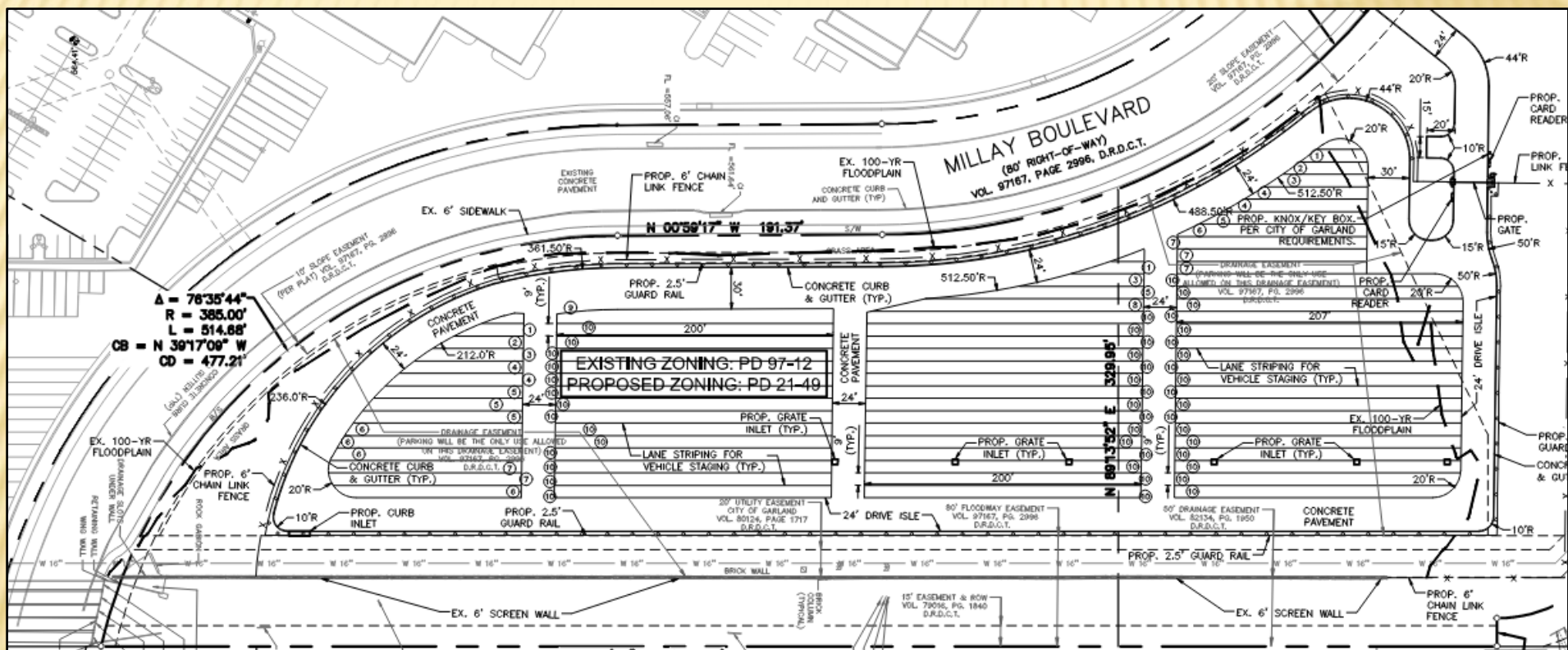


OVERALL SITE PLAN



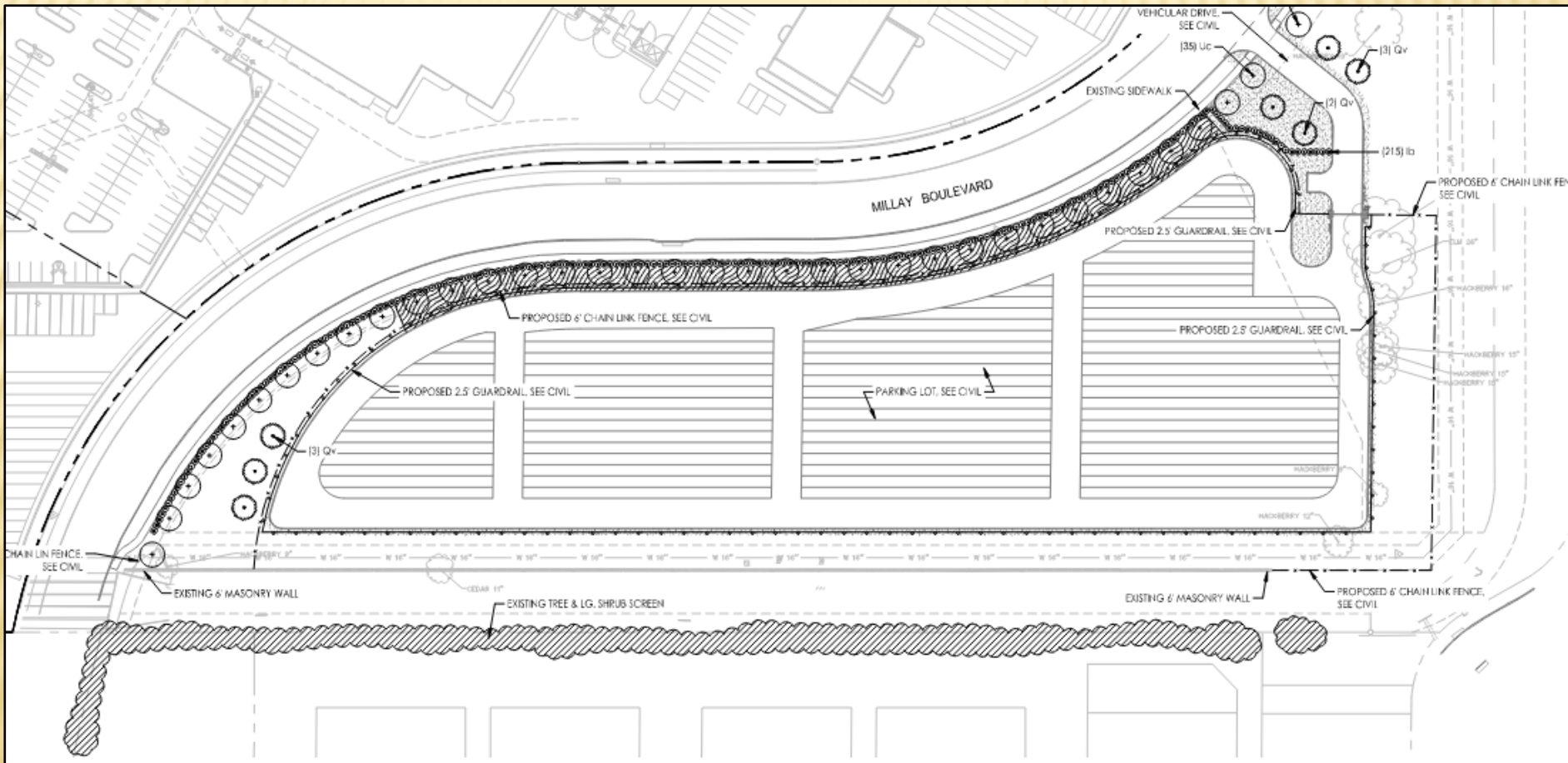


Z 21-49





LANDSCAPE PLAN



Z 21-49



Existing Wall, drainage creek,
and a dense row of vegetation.



Landscaping along Millay
Boulevard



STAFF RECOMMENDATION

Approval of 1) an amendment to Planned Development (PD) District 97-12 and Planned Development (PD) District 00-21 to allow Automobile Sales, New or Used.

Approval of a Detail Plan for Automobile Sales, New or Used Use on a property zoned Planned Development (PD) District 97-12.

PLAN COMMISSION RECOMMENDATION

On December 15, 2021 the Plan Commission, by a vote of seven (7) to zero (0), recommended approval of an amendment to Planned Development (PD) District 97-12 and Planned Development (PD) District 00-21 to allow Automobile Sales, New or Used.

The Plan Commission, by a vote of seven (7) to zero (0), also recommended approval of a Detail Plan for Automobile Sales, New or Used use on a property zoned Planned Development (PD) District 97-12.

The Plan Commission further recommended prohibiting automobile repairs on the subject site.

Z 21-49

