



GARLAND

NOTICE OF MEETING CITY OF GARLAND, TEXAS

**PLAN COMMISSION
City Hall, Council Chambers
William E. Dollar Municipal Building
200 N. Fifth Street
Garland, Texas
December 9, 2019 at 7:00 p.m.**

A meeting of the Plan Commission of the City of Garland, Texas will be held at the aforementioned location, date, and time to discuss and consider the following agenda items.

A pre-meeting will begin at 6:40 p.m. at the same location as the regular meeting. The agenda for the pre-meeting is the same as for the regular meeting, and may include additional items as set forth below.

INVOCATION AND PLEDGE OF ALLEGIANCE: It is the custom and tradition of the members of the Plan Commission 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 Plan Commission and will not affect the decisions to be made during the meeting.

CONSENT AGENDA

All items under this section are recommended for approval by a single motion of the Plan Commission, without discussion. The Plan Commission has had the opportunity to review each of these items during a pre-meeting. The Chairman will announce the agenda and provide an opportunity for members of the audience and the Plan Commission to request that an item be removed and considered separately.

1. MINUTES

- a.** Consider approval of Minutes for the November 25, 2019 meeting.

2. MISCELLANEOUS

- a. Consider cancellation of the May 25, 2020 and December 28, 2020 Plan Commission meetings.

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 Plan Commission Secretary before speaking (cards are located at the entrance to the Council Chambers). The Chairman 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.

3. ZONING

- a. Consideration of the application of **Bill Swisher**, requesting approval of a Zoning Change from Community Retail (CR) District to a Planned Development (PD) District for Community Retail Uses; Indoor Automobile Sales, New or Used; Motorcycle/ATV Sales (New and Used - Indoors Only); and Pawn Shop Use. This property is located at 484 West I-30 Freeway. (District 3) (File Z 19-37 - Zoning)
- b. Consideration of the application of **Bill Swisher**, requesting approval of a Detail Plan for Indoor Automobile Sales, New or Used; Motorcycle/ATV Sales (New and Used -Indoors Only); and Pawn Shop Use. This property is located at 484 West I-30 Freeway. (District 3) (File Z 19-37 – Detail Plan)

4. ADJOURN

NOTICE: The Plan Commission may recess from the open session and convene in a closed session if the discussion of any of the listed agenda items concerns matters regarding privileged and unprivileged client information deemed confidential by Rule 1.05 of the Texas Disciplinary Rules of Professional Conduct. Sec. 551.071, Tex. Gov't Code.

NOTE: A quorum of the City Council may be in attendance and may or may not participate in the discussions of the Committee or board.



GARLAND

Plan Commission

1. a.

Meeting Date: 12/09/2019

Item Title: Plan Commission Minutes for November 25, 2019 meeting

Summary:

Consider approval of Minutes for the November 25, 2019 meeting.

Attachments

Plan Commission Minutes for November 25, 2019 meeting

Minutes of the Garland Plan Commission Meeting

The Plan Commission of the City of Garland met in regular session on Monday, November 25, 2019, at 7:00 p.m. in the Council Chambers at the William E. Dollar Municipal Building, (City Hall), with the following members present:

COMMISSION PRESENT

Chairman	Scott Roberts
Commissioner	Preston Edwards
Commissioner	John O'Hara
Commissioner	Truett Welborn
Commissioner	Douglas Williams
Commissioner	Michael Rose
Commissioner	Christopher Ott

STAFF PRESENT

First Assistant City Attorney	Brian England
Recording Secretary	Tracy Allmendinger
Staff	Will Guerin
Staff	Kira Wauwie
Staff	Kimberly Hopkins

CONSENT AGENDA

All items marked with asterisks (**) on the Consent Agenda were voted on at the beginning of the meeting. Chairman Roberts read those items into the record. **Motion** was made by Commissioner Ott to **approve** the Consent Agenda as presented with the exception of Item 2d, seconded by Commissioner Welborn. **Motion carried: 7 Ayes, 0 Nays.**

MINUTES

1a. APPROVED** Approval of Minutes for the regular meeting of November 11, 2019.

PLATS

2a. APPROVED** P 19-27 Ministerios "El Rey Ya Viene" Addition Final Plat

2b. APPROVED** P 19-29 Parks at Rosehill Final Plat

2c. APPROVED** P 19-30 The Foundry Church Addition Replat

MISCELLANEOUS

3a. APPROVED** Impact Fee Report

2d. P 19-31 Lakeshore RV Resort Addition Final Plat

This item was removed from the Consent agenda for individual consideration.

Motion was made by Commissioner Williams to **approve** the plat as it meets all technical requirements. Seconded by Commissioner Welborn. **Motion carried: 6 Ayes, 0 Nays.** Chairman Roberts recused himself from this case.

ZONING

4a. Consideration of the application of **Market Mission, Inc.**, requesting approval of a Specific Use Provision for a Food Processing and Storage Use on a property zoned Industrial (IN) District. This property is located at 2960 Market Street. (District 5) (File Z 19-34)

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

Motion was made by Commissioner Welborn to close the public hearing and **approve** the request per staff recommendation. Seconded by Commissioner Edwards. **Motion carried: 7 Ayes, 0 Nays.**

ADJOURNMENT

There being no further business to come before the Plan Commission, the meeting was adjourned at 7:07 p.m.

City of Garland, TX

Approved:

Chairman

Attested:

Recording Secretary



GARLAND

Plan Commission

2. a.

Meeting Date: 12/09/2019

Item Title: Consider cancellation of the May 25, 2020 and December 28, 2020 Plan Commission meetings.

Summary:

Consider cancellation of the May 25, 2020 and December 28, 2020 Plan Commission meetings.



GARLAND

Plan Commission

3. a.

Meeting Date: 12/09/2019

Item Title: Z 19-37 Bill Swisher - Zoning (District 3)

Summary:

Consideration of the application of **Bill Swisher**, requesting approval of a Zoning Change from Community Retail (CR) District to a Planned Development (PD) District for Community Retail Uses; Indoor Automobile Sales, New or Used; Motorcycle/ATV Sales (New and Used - Indoors Only); and Pawn Shop Use. This property is located at 484 West I-30 Freeway. (District 3) (File Z 19-37 - Zoning)

Attachments

Z 19-37 Bill Swisher (Zoning) Report and Attachments

Planning Report

File No: Z 19-37/District 3

Agenda Item:

Meeting: Plan Commission

Date: December 9, 2019



GARLAND

TEXAS MADE HERE

REQUEST

Approval of 1) a Zoning Change from Community Retail (CR) District to a Planned Development (PD) District for Community Retail Uses; Indoor Automobile Sales, New or Used; Motorcycle/ATV Sales, New or Used; and Pawn Shop Use; and 2) a Detail Plan.

LOCATION

484 West I-30 Freeway

APPLICANT

Bill Swisher

OWNER

American Pawn & Jewelry, Inc.

BACKGROUND

The applicant proposes to add indoor automobile and motorcycle/ATV sales to an existing pawn shop business. All operations would be conducted inside an existing 35,311 square foot building.

SITE DATA

The site contains approximately 2.83 acres with approximately 144 lineal feet of frontage along the east-bound service road of I-30, which is used as the main access point to and from the property. The property is improved with an existing 47,245 square-foot building and its associated parking and loading areas. The building consists of two stories: a 43,276 square-foot first floor and a 3,987 square-foot second floor.

USE OF PROPERTY UNDER CURRENT ZONING

The subject site is currently zoned Community Retail (CR) District, which is intended to accommodate a variety of retail, service, and business establishments. The district may be used as a transition district between lower intensity retail or office uses and more intense uses. A 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 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 CR District must be focused onto the major thoroughfare network.

The application request would allow CR District uses per the Garland Development Code (GDC), and continue the operation of an existing pawn shop with the addition of indoor automobile, motorcycle, and ATV sales.

CONSIDERATIONS

Change in Zoning

1. Pawn Shop use was permitted by right on the site under the General Business (GB) District which was in effect in 1985. A Certificate of Occupancy was issued in 1991 for the Pawn Shop. Subsequently, the site was zoned Freeway (FW) District which did not permit Pawn Shop use. In 2015 the Garland Development Code was adopted along with

a revised Zoning Map which designated the site for Community Retail (CR) District which does not permit Pawn Shop use.

2. Automotive uses permitted by the existing CR District zoning include Automobile Leasing/Rental and Minor Automobile Repair. A Specific Use Provision is required for Boat Sales, Leasing & Repair (outside storage), Automated/Rollover Car Wash, Full Service/Detail Car Wash, and Personal Watercraft Sales, Leasing & Repair (new and used). The proposal would be restricted to the identified indoor activities and limited to automobiles, motorcycles, and ATV's (all-terrain vehicles). Automobile Sales, New or Used and Motorcycle/ATV Sales uses are not allowed in the CR District. The application indicates the vehicles would be "unique and classic vehicles".
3. The Planned Development (PD) District would permit Community Retail uses, Pawn Shop use and the indoor sales of automobiles, motorcycles, and ATV's (all-terrain vehicles).
4. The site plan (Exhibit C) shows existing pavement and eighty-three (83) parking spaces on site, and nine (9) parking spaces off-site. The GDC requires 189 parking spaces for Pawn Shop Use based on the square footage provided. However, no expansion of the building is proposed and there are no changes proposed to the existing parking count. There have been no documented complaints or concerns regarding insufficient parking for the existing site and its use. It is not anticipated that the proposal would result in insufficient parking.
5. Neither a building expansion nor a parking lot expansion is being proposed with this request. Landscaping and screening compliance is not triggered by this request.
6. The existing site improvements include building signs attached to the building façade and a free-standing pylon sign. The application does not include new or revised signage.

COMPREHENSIVE PLAN

The Future Land Use Map of the Envision Garland Plan recommends Community Centers 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. Furthermore, the I-30 Corridor Catalyst Area Plan, adopted in 2017, recognizes this site for Community Centers.

The proposed use is consistent with commercial operations within the Community Center land use designation.

COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

The property to the north, east, west, and southwest are zoned Community Retail (CR) District and PD 98-32 for Community Retail (CR) District Uses; these properties include restaurants, car wash, hotel/motel, and retail uses. The properties to the south are zoned Single-Family-7 (SF-7) District and are improved with detached single-family dwellings. The proposed use is compatible with the surrounding area and uses.

STAFF RECOMMENDATION

Approval of 1) a Zoning Change from Community Retail (CR) District to a Planned Development (PD) District for Community Retail Uses; Indoor Automobile Sales, New or Used; Motorcycle/ATV Sales, New or Used; and Pawn Shop Use; and 2) a Detail Plan.

ADDITIONAL INFORMATION

- i. Location Map

- ii. PD Conditions
- iii. Photos

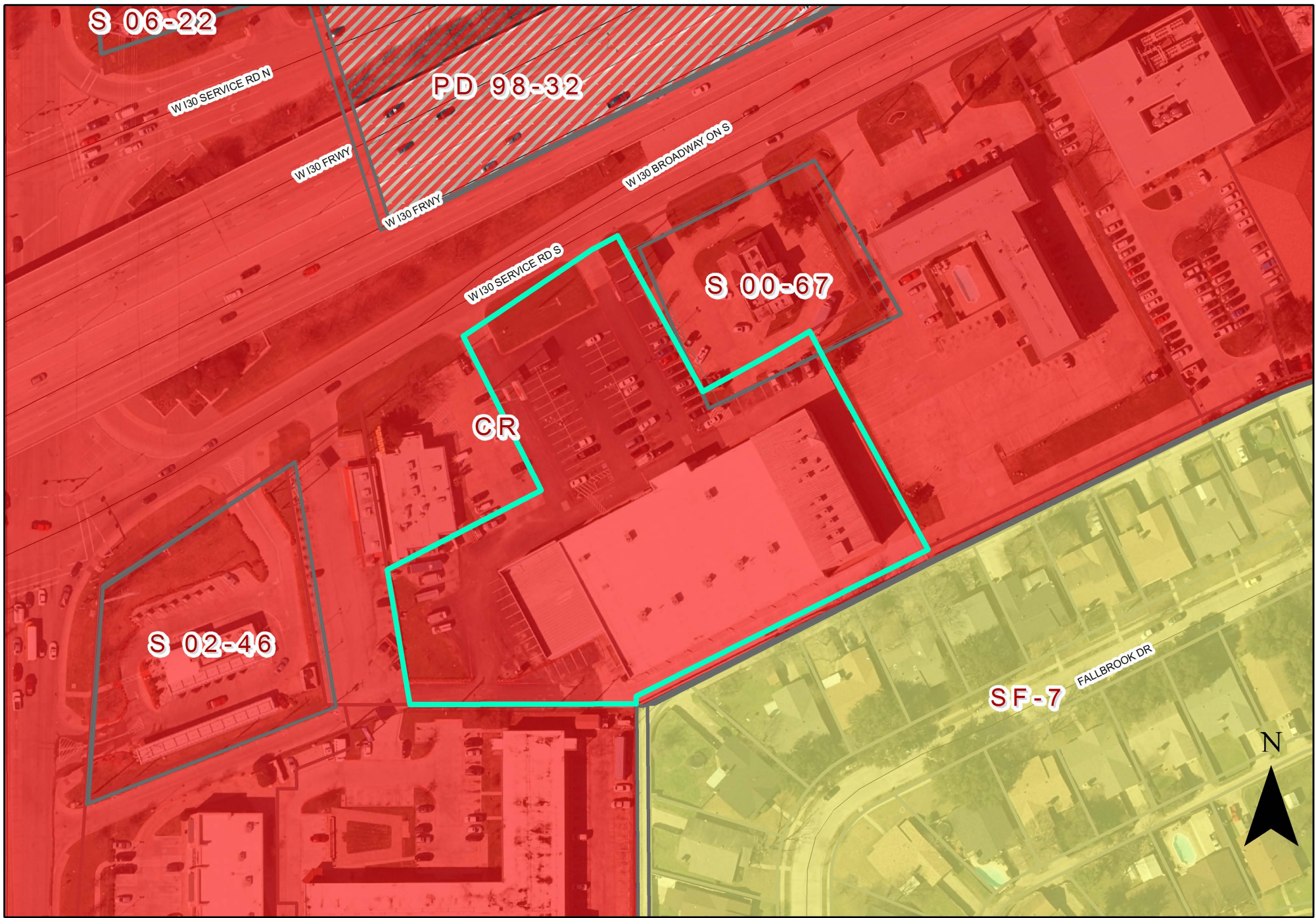
CITY COUNCIL DATE: January 7, 2019

PREPARED BY:

Kira Wauwie, AICP
Principal Development Planner
Planning & Community Development
972-205-2456
kwauwie@garlandtx.gov

REVIEWED BY:

Will Guerin, AICP
Director of Planning



0 85 170 Feet
1 inch = 118 feet

Zoning Map Z 19-37



INDICATES AREA
OF REQUEST

PLANNED DEVELOPMENT CONDITIONS

ZONING FILE Z 19-37

484 West I-30 Freeway

- I. Statement of Purpose:** The purpose of this Planned Development (PD) is to allow Community Retail Uses; Indoor Automobile Sales, New or Used; Motorcycle/ATV Sales, New or Used; and Pawn Shop Uses.
- II. Statement of Effect:** This Planned Development shall not affect any regulation found in the Garland Development Code, Ordinance No. 6773, as amended prior to adoption of this ordinance, except as specifically provided herein.
- III. General Regulations:** All regulations of the Community Retail (CR) District as set forth in the Garland Development Code, Ordinance 6773, are included by reference and shall apply, except as otherwise specified by this ordinance.
- IV. Development Plan:**
- A. Detail Plan: Development shall conform to the Detail Plan set forth in Exhibit C.
- V. Specific Regulations:**
- A. Permitted Uses:
The following uses shall be permitted; all other uses are prohibited:
- i. Community Retail (CR) District Uses, as listed and regulated by the Garland Development Code;
 - ii. Indoor Automobile Sales, New or Used (indoors);
 - iii. Indoor Motorcycle/ATV Sales, New or Used (indoors); and
 - iv. Pawn Shop.
- B. Site Layout: The site shall be in conformance with the site layout in Exhibit C.

Z 19-37



View of the adjacent property and subject site from the frontage road looking southwest



View of subject site from the north



View of properties located to the west of the subject property



View the properties to the south of the the subject site



GARLAND

Plan Commission

3. b.

Meeting Date: 12/09/2019

Item Title: Z 19-37 Bill Swisher - Detail Plan (District 3)

Summary:

Consideration of the application of **Bill Swisher**, requesting approval of a Detail Plan for Indoor Automobile Sales, New or Used; Motorcycle/ATV Sales (New and Used -Indoors Only); and Pawn Shop Use. This property is located at 484 West I-30 Freeway. (District 3) (File Z 19-37 – Detail Plan)

Attachments

Z 19-37 Bill Swisher (Detail Plan) Report and Attachments

Planning Report

File No: Z 19-37/District 3

Agenda Item:

Meeting: Plan Commission

Date: December 9, 2019



GARLAND

TEXAS MADE HERE

REQUEST

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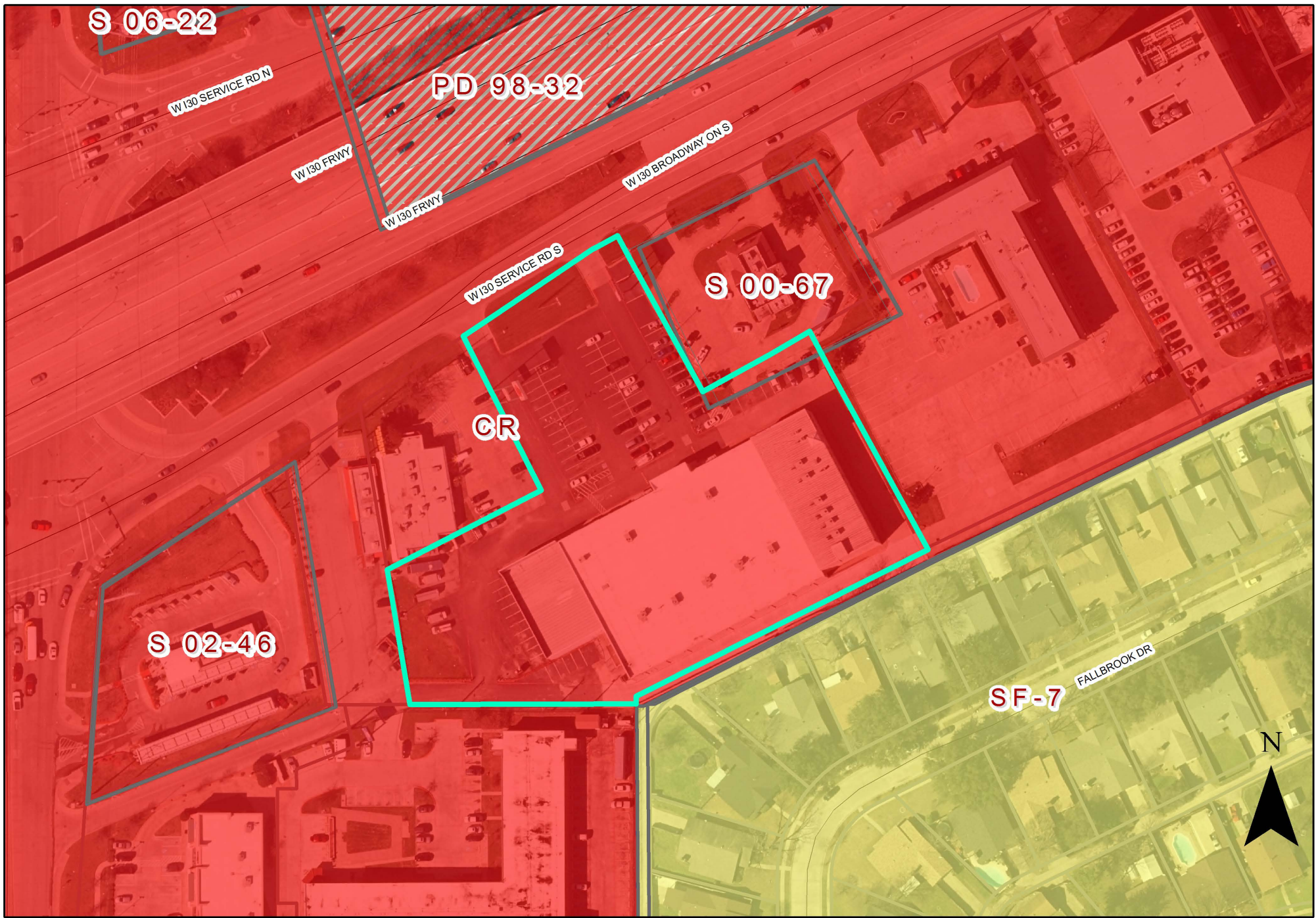
CITY COUNCIL DATE: January 7, 2019

PREPARED BY:

Kira Wauwie, AICP
Principal Development Planner
Planning & Community Development
972-205-2456
kwauwie@garlandtx.gov

REVIEWED BY:

Will Guerin, AICP
Director of Planning



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Zoning Map Z 19-37



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OF REQUEST

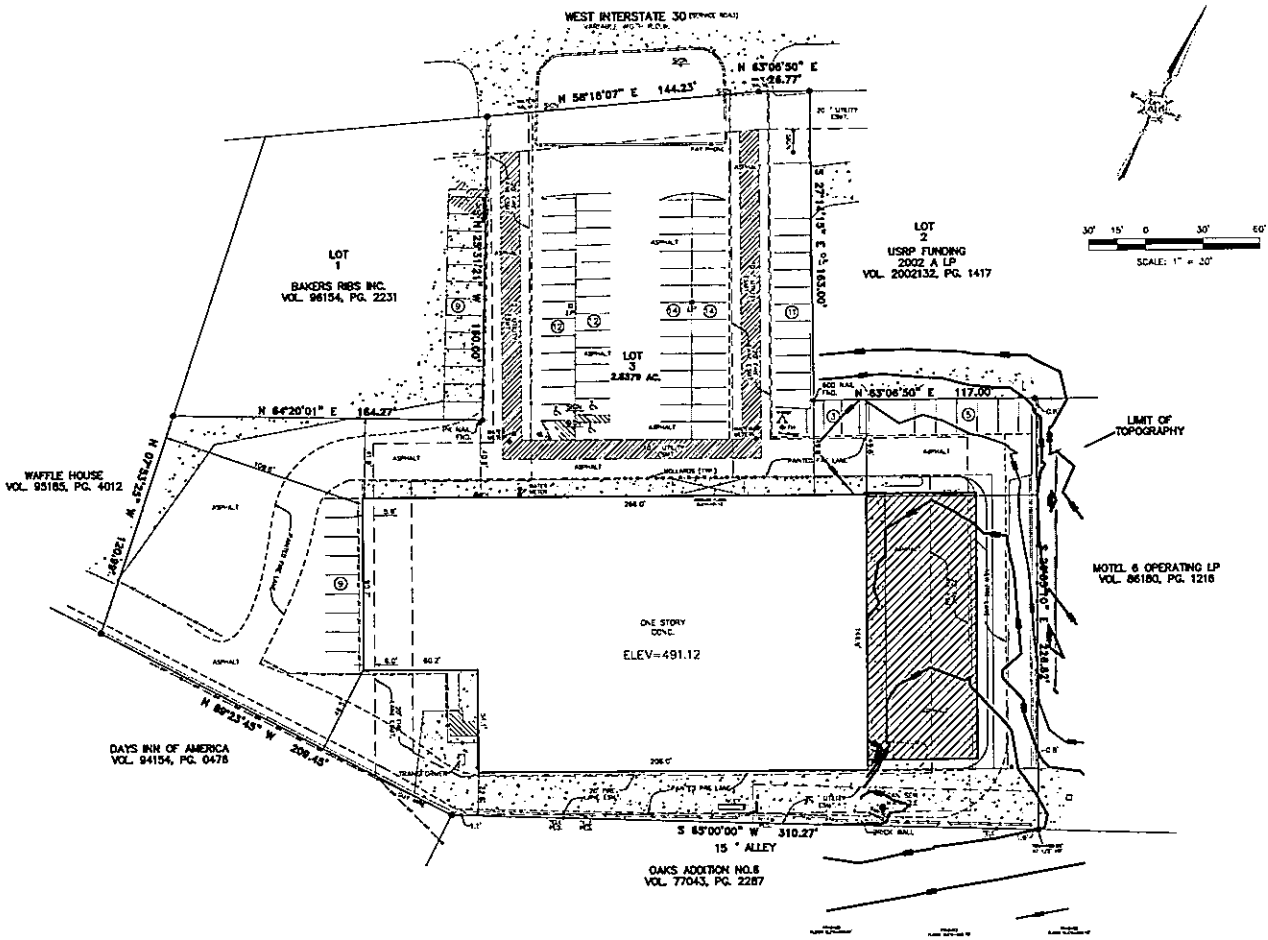


EXHIBIT C

SITE LAYOUT	
AMERICAN PAWN	
484 W. INTERSTATE 30 LOT 3, 2.84 ACRES OAKS ADDITION NO. 4 City of Garland, Dallas County, Texas	
DESIGNED BY MCMK CONSULTING ENGINEERS 1300 N. State Street, Garland, Texas 75042 972.272-1763 Fax 972.272-0701	
© 2019 MCM Consulting Engineers, Inc., All Rights Reserved	
PROJECT NO:	MSC-2019-07583
DATE:	09/01
11/13/18	1"=30'

C101

Z 19-37



View of the adjacent property and subject site from the frontage road looking southwest



View of subject site from the north



View of properties located to the west of the subject property



View the properties to the south of the the subject site