



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
October 22, 2018 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 5:15 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 the October 8, 2018 Plan Commission meeting minutes.

2. PLATS

- a.** P 18-32 Lakeways West No. 1 Addition Replat
- b.** P 18-33 Hidden Oaks Phase 1 Preliminary Plat
- c.** P 18-34 Mansions at Spring Creek Addition Lot 1, Block 1 Final Plat
- d.** P 18-35 SDC-VII Addition Lots 1, 2 & 3, Block 1 Final Plat

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 **Eco-Site, LLC.**, requesting approval of a Specific Use Provision for a Commercial Antenna on a property zoned Community Retail (CR) District. This property is located at 1921 North Plano Road. (District 6) (File Z 18-39)
- b.** Consideration of the application of **Monk Consulting Engineers, Inc.**, requesting approval of a Specific Use Provision for a Truck/Bus Storage use. This property is located at 3877 Miller Park Drive. (District 6) (File Z 18-43)

4. MISCELLANEOUS

- a.** Consider amendments to Chapter 4, Article 5, "Signs", of the Garland Development Code regarding changes to the sign regulations.

5. 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: 10/22/2018

Item Title: Plan Commission Minutes - October 8, 2018

Summary:

Consider approval of the October 8, 2018 Plan Commission meeting minutes.

Attachments

Plan Commission Minutes - October 8, 2018 Attachment

Minutes of the Garland Plan Commission Meeting

The Plan Commission of the City of Garland met in regular session on Monday, October 8, 2018, 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	Wayne Dalton
Commissioner	Steven Hallman
Commissioner	Preston Edwards
Commissioner	John O'Hara
Commissioner	Douglas Williams
Commissioner	Dylan Hedrick
Commissioner	Christopher Ott

STAFF PRESENT

Deputy City Attorney	Brian England
Secretary	Tracy Allmendinger
Staff	Will Guerin
Staff	Kira Wauwie
Staff	Nabiha Ahmed

CALL TO ORDER

Chairman Roberts called the meeting to order and Commissioner O'Hara gave the Invocation and led the Pledge of Allegiance to the United States Flag.

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 Williams to **approve** the Consent Agenda as presented, seconded by Commissioner Edwards, to approve item 1a. **Motion carried: 8 ayes, 0 Nays.**

MINUTES

1a. APPROVED** **Approval** of Minutes for the regular meeting of September 24, 2018.

PLATS

2a. APPROVED P 18-30 Lavon Senior Villas Final Plat, Lot 1, Block 1

2b. APPROVED P 18-31 Oak Grove Plaza Replat, Lot 4R, Block 1

ITEMS FOR INDIVIDUAL CONSIDERATION

ZONING

3a. APPROVED

Consideration of the application of **Cates-Clark & Associates, LLP**, requesting approval of 1) Amendments to Planned Development (PD) 03-53, 2) an amended Concept Plan, and 3) a Detail Plan for Dwelling, Multi-Family Uses. This property is located at 3400 Firewheel Parkway. (District 1) (File Z 18-33) (The applicant requests postponement to the November 26, 2018 Plan Commission meeting.)

Motion was made by Commissioner Williams, seconded by Commissioner Dalton to **postpone** the request to the November 26, 2018 Plan Commission meeting. **Motion carried: 8 Ayes, 0 Nays**

3b. APPROVED

Consideration of the application of **City of Garland**, requesting approval of a Change in Zoning from Planned Development (PD) 77-08 District for Retail Uses, Planned Development (PD) 86-15 District for Retail Uses, and Planned Development (PD) District 83-12 for Retail Uses to a Planned Development (PD) for Community Retail Uses and Single-Family-7 Detached Uses. This property extends from 5605 Broadway Boulevard to Little Lane, and those with frontage along Robin Road. (District 4) (File 18-40)

Staff, Will Guerin, provided a brief overview of the request.

Citizens speaking in opposition of the request:

Richard Paredes, 433 Wildbriar, Garland, Texas 75043,
Stephen Miller, 5314 Robin Road, Garland, Texas 75043
Billy Bagwell, 5633 Sundown, Garland, Texas 75043
Martin Gilbert, 10550 N. Central Expressway, Garland, Texas 75023

Citizens raised concern regarding late notification, increase of traffic, and potential code violations.

Citizen speaking in support of the request:

Jerry Rice, 402 Little Lane, Garland, Texas 75043

Motion was made by Commissioner O'Hara, seconded by Commissioner Dalton to close the public and open the case for discussion. **Motion carried: 8 Ayes, 0 Nays.**

Commissioner O'Hara spoke in support of the request, but understands the restrictions on developing this property, and would like to keep as much of the property residential as possible.

Commissioner Dalton requested of the City Attorney if each property could be zoned independently of each other and asked for clarification of staff regarding the zoning of the property.

Commissioner Dalton and Ott raised concern regarding the purchase of property from a resident that was unaware of the zoning change.

Commissioner Edwards asked of staff if Office Use would be allowed with the current zoning.

Chairman Roberts raised concern due to the property rights and zoning. Also suggested adding the zoning use of Single Family – 7 uses (SF-7).

Motion was made by Commissioner O'Hara, seconded by Commissioner Dalton to approve the request, and lift the restriction requiring a comprehensive site plan for the whole area for any application, and Single-Family-7 (SF-7) Uses be added as allowable to the remaining portions of property along Little Lane and Robin Road. **Motion carried: 8 Ayes, 0 Nays.**

3c. APPROVED

Consideration of the application of **Kimley-Horn & Associates, Inc.**, requesting approval of an amended Concept Plan for Dwelling, Multi-Family and Office, Retail & Service Uses on a property zoned Planned Development (PD) 12-41 District for Mixed-Use. The property is located at 6310 Naaman Forest Boulevard and 6501 North George Bush Highway. (District 7) (File Z 18-41) (The applicant requests indefinite postponement of this case. This case will be re-notified for a future Plan Commission meeting date accordingly.)

Motion was made by Commissioner Hedrick, seconded by Commissioner Ott to **postpone** the request indefinitely. **Motion carried: 8 Ayes, 0 Nays.**

MISCELLANEOUS

3c. APPROVED

Consider cancellation of the May 27, 2019 and December 23, 2019 Plan Commission Meetings.

Motion was made by Commissioner Dalton, seconded by Commissioner Edwards to cancel the May 27, 2019 and December 23, 2019 Plan Commission meetings. **Motion carried: 8 Ayes, 0 Nays.**

ADJOURNMENT

There being no further business to come before the Plan Commission, the meeting was adjourned at 7:34 p.m.

City of Garland, Texas

Approved:

Chairman

Attested:

Secretary



GARLAND

Plan Commission

2.a.

Meeting Date: 10/22/2018

Item Title: P 18-32 Lakeways West No. 1 Addition (District 3)

Summary:

P 18-32 Lakeways West No. 1 Addition Replat

Attachments

P 18-32 Lakeways West No. 1 Addition Report and Attachments



GARLAND
TEXAS MADE HERE

Planning Report

File No: P 18-32/District 3

Agenda Item:

Meeting: Plan Commission

Date: October 22, 2018

REPLAT

Lakeways West No. 1 Addition

LOCATION

4901 Peninsula Way

ZONING

Multi-Family (MF) District and Planned Development (PD) District 82-31 for Multi-Family Use.

NUMBER OF LOTS

3

ACREAGE

15.131

BACKGROUND

The proposed Replat is comprised of Lot 1, Lot 2 and Lot 3, Block 1. The purpose of this Replat is to create three (3) platted lots. Lot 2 will be developed with multi-family dwelling units.

STAFF RECOMMENDATION

Approval of the plat. All technical requirements of the plat have been addressed and the plat is in order as submitted.

ADDITIONAL INFORMATION

- i. Location Map
- ii. 8x11 Plat

PREPARED BY:

Nabiha Ahmed
Development Planner
Planning & Community Development
972-205-2453
nahmed@garlandtx.gov

REVIEWED BY:

Will Guerin, AICP
Director of Planning

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	5879.64'	279.20'	279.17'	N58°55'08"E	02°43'15"
C2	5879.65'	519.29'	519.12'	N54°49'57"E	05°03'37"
C3	339.73'	207.86'	204.63'	S41°29'51"E	35°03'21"
C4	80.00'	83.03'	79.35'	S29°17'27"E	59°27'57"
C5	96.61'	33.10'	32.94'	S35°52'18"E	19°37'46"
C6	59.88'	35.78'	35.25'	S66°34'06"E	34°14'01"

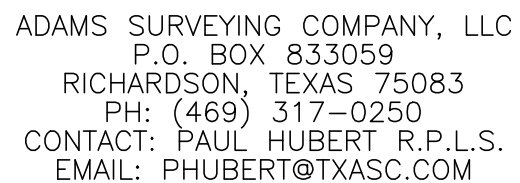
CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
EC1	20.00'	8.58'	8.52'	N78°21'52"E	24°35'25"
EC2	44.00'	21.03'	20.83'	N76°46'03"E	27°23'25"
EC3	20.00'	31.42'	28.28'	N71°55'41"W	89°59'57"
EC4	107.00'	115.86'	110.29'	N58°51'38"W	62°02'32"
EC5	83.00'	89.88'	85.55'	S58°13'38"E	62°02'32"
EC6	20.00'	31.42'	28.28'	S18°04'19"W	90°00'03"
EC7	20.00'	9.56'	9.47'	S76°46'03"W	27°23'25"
EC8	20.00'	8.26'	8.20'	N77°42'21"W	23°39'48"
EC9	10.69'	15.63'	14.27'	S42°53'57"E	83°47'05"
EC10	12.59'	38.42'	25.15'	N02°12'07"W	174°54'46"

PG	= PAGE	ADS = 3-1/4" ALUMINUM DISK SET STAMPED "LAKEWAYS WEST No.1 ADDITION"
VOL	= VOLUME	
ESMT.	= EASEMENT	CIRS = 5/8" YELLOW CAPPED IRON ROD SET "ADAMS SURVEYING COMPANY LLC."
IRF	= IRON ROD FOUND	
C.U.E.	= CITY UTILITY EASEMENT	
CIRF	= CAPPED IRON ROD FOUND	
C.M.	= CONTROLLING MONUMENT	
XF	= "X" CUT FOUND IN CONCRETE	
M.R.D.C.T.	= MAP RECORD DALLAS COUNTY TEXAS	
D.R.D.C.T.	= DEED RECORDS DALLAS COUNTY TEXAS	
O.P.R.D.C.T.	= OFFICIAL PUBLIC RECORDS DALLAS COUNTY TEXAS	

1. Bearings herein are referenced to the northern lines of subject tract as determined by found record monumentation per the plat recorded under Volume 83111, Page 1598 of the Map Records Dallas County, Texas.
2. Coordinates shown herein are NAD (83) tied to the Texas State Plane Coordinate System of 1983, North Central Zone 4202, Geoid Model 12A, using VRS-RTK methods.
3. Controlling Monument 1 is located at the northeast corner of the subject tract, also being the northwest corner of a tract of land described as Exhibit "N" Faulkner Investment Company, Ltd. as recorded in Volume 99006 Page 711 of the Deed Records Dallas County, Texas. Controlling Monument 2 is located at the southeast corner of the subject tract, also being the northeast corner of Lot 2, Block 1 of Faulkner Point West No. 1 as recorded in Volume 83006, Page 870 of the Map Records Dallas County, Texas.
4. All corners are monumented by a set 5/8 inch iron rod with yellow cap stamped "ADAMS SURVEYING COMPANY LLC." unless otherwise noted.
5. The purpose of this replat is to create three lots for development and to partially abandon an existing utility easement, dedicate an access easement, an additional utility easement, and a detention easement.

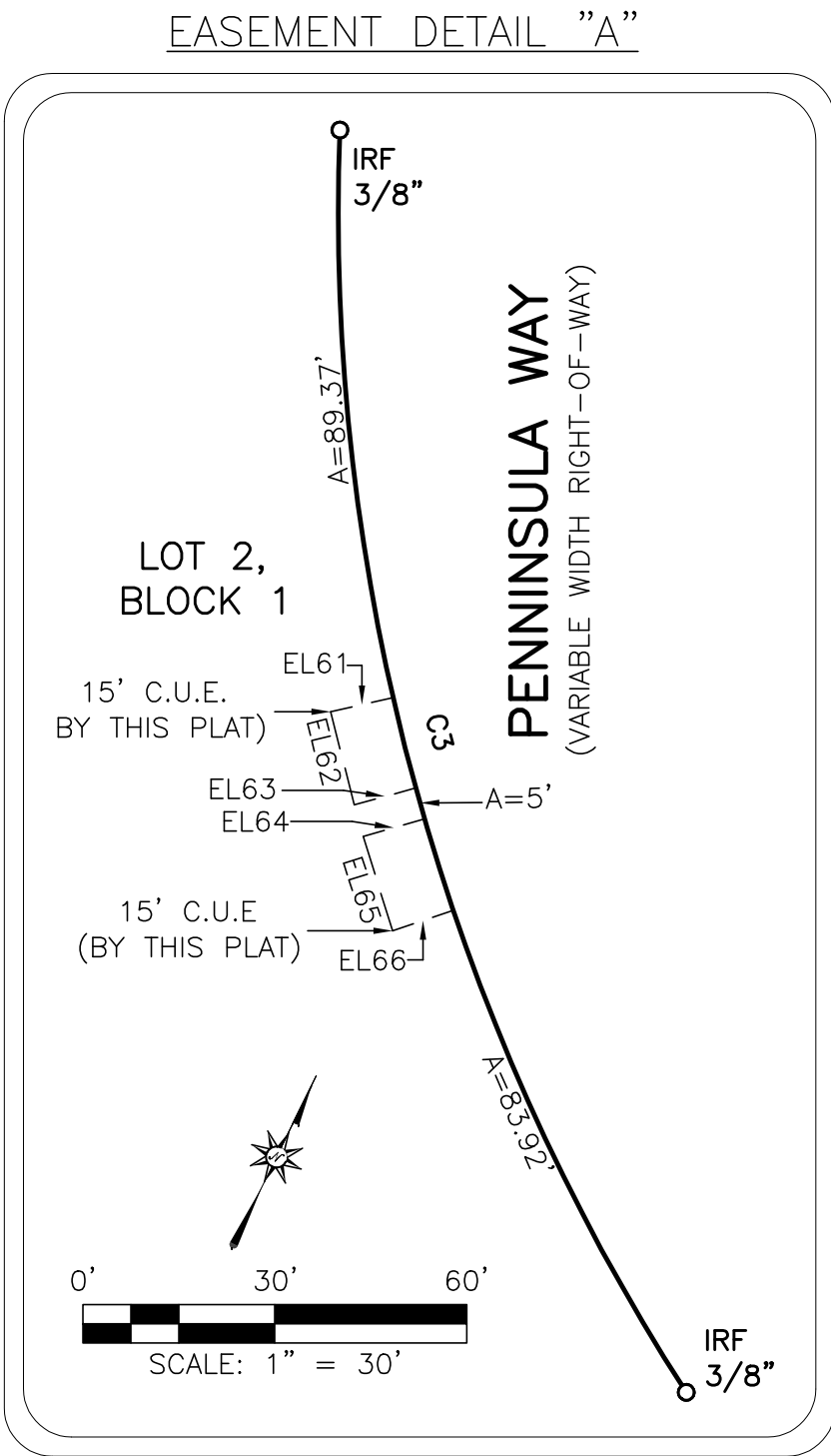
Selling a portion of the addition by metes and bounds is a violation of the City of Garland Development Code and is subject to fines and withholding of utilities and building permits.

Property owners of corner lots shall maintain sight visibility triangles in accordance with Chapter Eight of the Technical Standards Manual of the City of Garland, Texas.



CATES-CLARK & ASSOCIATES, LLC
14800 QUORUM DRIVE, SUITE 200
DALLAS, TEXAS 75254
PH: (972) 385-2272
CONTACT: MICHAEL L. CLARK P.E.
EMAIL: MCLARK@CATES-CLARK.COM

LANDMARK AT LAKEWAYS WEST LLC
C/O CBRE
2100 MCKINNON STREET, SUITE 900
DALLAS, TEXAS 78251
PH: (267) 575-2666
CONTACT: STEPHANIE GALINDO
EMAIL: STEPHANIE.GALINDO@CBRE.COM



LOTS 1 - 3, BLOCK 1,
A REPLAT OF LOT 3, BLOCK 1 OF
FAULKNER POINT WEST NO. 1 &
LOTS 1-3, BLOCK 1 OF
FAULKNER POINT WEST NO. 3
MES LOVING SURVEY, ABSTRACT NO. 791
Y OF GARLAND, DALLAS COUNTY, TEXAS
CITY CASE # 180104-2
OCTOBER 1, 2018
PAGE 1 OF 2

OWNER’S CERTIFICATE

STATE OF TEXAS §

COUNTY OF DALLAS §

WHEREAS Landmark at Lakeways West, LLC., is the owner of a 15.131 acre tract of land located in the James Loving Survey, Abstract No. 791, in the City of Garland, Dallas County Texas, as recorded in a special warranty deed recorded under Instrument Number 2015002020839 Official Public Records Dallas County, Texas, and being all of Lots 1–3, Block 1, Faulkner Point West No. 3, an Addition to the City of Garland as recorded in Volume 83111, Page 1598, Deed Records Dallas County Texas (D.R.D.C.T.), and all of Lot 3, Block 1, Faulkner Point West No. 1, an Addition to the City of Garland as recorded in Volume 83006, Page 870, D.R.D.C.T., said 15.131 acres being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod found for a corner in the south right–of–way line of Interstate Highway 30 (300–foot right–of–way at this point), said point being the northeast corner of this tract, and the northwest corner of that tract of land described by Exhibit "N" to Special Warranty Deed to Faulkner Investment Company, LTD. as recorded in Volume 99006, Page 711, D.R.D.C.T.;

THENCE S 23°56'29" E leaving said south right of way line and along the west line of said Faulkner Investment Company, LTD tract a distance of 73.04 feet to a "X" cut found for corner;

THENCE N 66°03'29" E with the southern line of said Faulkner tract a distance of 30.00 feet to a 3/8 inch iron rod found for a corner in the west line of Peninsula Way (variable right–of–way);

THENCE southerly along and with the west right–of–way line of Peninsula Way as follows:

S 23°54'18" E, a distance of 151.69 feet to a 3/8 inch iron rod found for the beginning of a curve to the left;

Along said curve to the left, having a delta angle of 35°03'21", a radius of 339.73 feet, an arc length of 207.86 feet, and a chord of S 41°29'51" E, 204.63 feet to a 3/8 inch iron rod found for a point of reverse curvature;

Along said curve to the right, having a delta of 59°27'57" a radius of 80.00 feet, an arc length of 83.03 feet, and a chord of S 29°17'27" E, 79.35 feet to a 3/8 inch iron rod found for corner;

S 00°27'45" W, a distance of 281.94 feet to a 1/2 inch rod found for corner;

S 00°12'25" W, a distance of 194.50 feet to a 1/2 inch iron rod found for the southeast corner of said Lot 3, Block 1, Faulkner Point West No. 1;

THENCE S 63°05'16" W leaving the west right–of–way line of said Peninsula Way, and along the south line of said Lot 3, a distance of 523.00 feet to a X cut found on top of a manhole for the southwest corner of said Lot 3;

THENCE N 26°54'44" W with the west line of said Lot 3, a distance of 317.56 feet to a 5/8 inch yellow plastic capped iron rod stamped "ADAMS SURVEYING COMPANY LLC," (CIRS) for the northwest corner of said Lot 3 and being on the south line of said Lot 1, Block 1, Faulkner Point West No. 3;

THENCE S 63°05'16" W with said south line, a distance of 145.15 feet to a 5/8 inch CIRS for the southwest corner of said Lot 1;

THENCE N 26°54'51" W, a distance of 513.06 feet to a 5/8 inch rod with 3–1/4 inch aluminum disk stamped "LAKEWAYS WEST No.1 ADDITION" set (ADS) for the northwest corner of said Lot 1 and being on the aforesaid south right–of–way line for Interstate Highway 30;

THENCE easterly with said right–of–way and along a curve to the left, having a delta angle of 02°43'15", a radius of 5879.64 feet, an arc length of 279.20, and a chord of N 58°55'08" E, 279.17 feet to a 1/2 inch blue plastic capped iron rod stamped "SANDS" found for the northwest corner of Tract 8–A described in Deed Without Warranty to David W. Gleeson, Trustee of the Lake Ray Hubbard Acquisition Trust as recorded in Volume 89173, Page 267, D.R.D.C.T.;

THENCE S 27°06'16" E, leaving said south right–of–way line, a distance of 79.13 feet to a 3/8 inch iron rod found for corner;

THENCE N 63°04'35" E, a distance of 20.00 feet to a 3/8 inch iron rod for found corner;

THENCE N 27°06'16" W, a distance of 81.10 feet to a 1/2 inch blue plastic capped iron rod stamped "SANDS" found for corner along the south right–of–way line of said Interstate Highway 30;

THENCE along said south right–of–way line and with a curve to the left, having a delta angle of 05°03'37", a radius of 5879.65 feet, an arc length of 519.29 feet, and a chord of N 54°49'57" E, 519.12 feet, to the POINT OF BEGINNING, and containing 15.131 acres (659,088 square feet) of land, more or less.

OWNERS DEDICATION

NOW THEREFORE, KNOW ALL BY THESE PRESENTS:

That LANDMARK AT LAKEWAYS WEST LLC, C/O CBRE, the owner of the property described in this plat, acting by and through its duly authorized agent, does hereby adopt this plat, designating the property as an **LAKEWAYS WEST No.1 ADDITION** addition to the City of Garland, Dallas County, Texas and does hereby dedicate, in fee simple and to the public use forever, the streets and alleys shown thereon and does further dedicate to the public use forever the easements shown thereon for the purposes indicated. All easements dedicated by this plat shall be open to, without limitation, all public and private utilities using or desiring to use the same for the purposes indicated. No building, fence, tree, shrub, or other structure, improvement or growth shall be constructed, reconstructed or placed upon, over or across any easement dedicated by this plat. Any public or private utility shall have: (1) the right to remove and keep removed all or any part of any building, fence, tree, shrub, or other structure, improvement or growth which in any way may endanger or interfere with the construction, reconstruction, maintenance, operation or efficiency of such utility; and (2) the right of ingress and egress to or from and upon such easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to, enlarging, or removing all or parts of its operation without the necessity at any time of procuring the permission of anyone. The maintenance of paving on utility easements and fire lanes is the responsibility of the property owner.

All utility easements dedicated by this plat shall also include an additional area of working space for construction, reconstruction, additions, enlargements, and maintenance including such additional area necessary for installation and maintenance of manholes, cleanouts, fire hydrants, water services and wastewater services from the main to the curb or pavement line.

The City of Garland, Texas shall not be responsible for the maintenance or operation of any detention area designated on this plat or for any damage or injury to property or persons that results from the flow of water along, into or out of those detention areas, or for the control of erosion. The construction, operation, and maintenance of any detention area designated on this plat is controlled by and subject to the provisions of Sec. 31.36 of the Code of Ordinances of the City of Garland, Texas.

The undersigned does covenant and agree that the access easement(s) dedicated on this plat may be utilized by any person, including the general public, for ingress and egress to other real property, for both vehicular and pedestrian use and access, in, along, upon and across the premises containing the access easement(s).

This plat approved subject to all applicable ordinances, rules, regulations, and resolutions of the City of Garland,Texas.

WITNESS, my hand at Garland, Texas, this the _____ day of _____, 2018.

BY: _____
OWNER

PRINTED NAME AND TITLE

STATE OF TEXAS §

COUNTY OF DALLAS §

BEFORE ME,the undersigned authority,on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration and under the authority therein expressed.

GIVEN under my hand and seal of office this _____ day of _____, 2018.

Notary Public for and in the State of Texas
My commission expires: _____

SURVEYOR’S STATEMENT

NOW THEREFORE, KNOW ALL BY THESE PRESENTS:

I, Paul Hubert, a Registered Professional Land Surveyor, licensed by the State of Texas, affirm that this plat was prepared under my direct supervision, from recorded documentation, evidence collected on the ground during field perations and other reliable documentation; and that this plat substantially complies with Rules and Regulations of the Texas Board of Professional Land Surveying, Texas Local Government Code, Chapter 212, and the subdivision rules and regulations of the City of Garland, Texas. I further affirm that monumentation shown hereon was either found or placed as described hereon and is in substantial compliance with the City of Garland Development Code; and that the digital drawing file accompanying this plat is a precise representation of this Signed Final Plat.

Dated this the _____ day of _____, 2018.

PRELIMINARY, THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE

Paul Hubert
Texas Registered Professional Land Surveyor No. 1942

STATE OF TEXAS §

COUNTY OF DALLAS §

BEFORE ME, the undersigned authority,on this day personally appeared Paul Hubert, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein stated.

GIVEN under my hand and seal of office this _____ day of _____, 2018.

Notary Public for and in the State of Texas
My commission expires: _____

APPROVED and ACCEPTED for the City of Garland this _____ day of _____, 2018 by the City Plan Commision of the City of Garland, Texas.

CHAIRMAN of the City Plan Commision

DIRECTOR of the City Planning Department

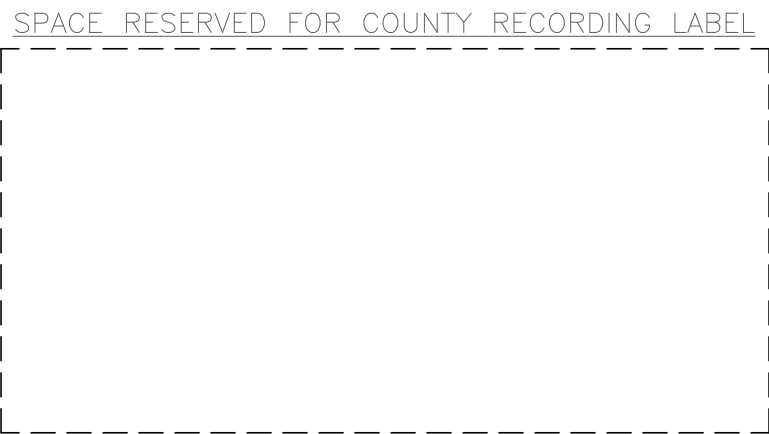
The approval of this plat is contingent upon the plat being filed with the County Clerk of Dallas County, Texas within 180 days from the above date.



SURVEYOR
ADAMS SURVEYING COMPANY, LLC
P.O. BOX 833059
RICHARDSON, TEXAS 75083
PH: (469) 317–0250
CONTACT: PAUL HUBERT R.P.L.S.
EMAIL: PHUBERT@TXASC.COM

ENGINEER
CATES–CLARK & ASSOCIATES, LLC
14800 QUORUM DRIVE, SUITE 200
DALLAS, TEXAS 75254
PH: (972) 385–2272
CONTACT: MICHAEL L. CLARK P.E.
EMAIL: MCLARK@CATES–CLARK.COM

OWNER
LANDMARK AT LAKEWAYS WEST LLC
C/O CBRE
2100 MCKINNON STREET, SUITE 900
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PH: (267) 575–2666
CONTACT: STEPHANIE GALINDO
EMAIL: STEPHANIE.GALINDO@CBRE.COM



REPLAT
LAKEWAYS WEST No.1 ADDITON
LOTS 1 – 3, BLOCK 1,
A REPLAT OF LOT 3, BLOCK 1 OF
FAULKNER POINT WEST NO. 1 &
LOTS 1–3, BLOCK 1 OF
FAULKNER POINT WEST NO. 3
JAMES LOVING SURVEY, ABSTRACT NO. 791
CITY OF GARLAND, DALLAS COUNTY, TEXAS
CITY CASE # 180104–2
OCTOBER 1, 2018
PAGE 2 OF 2



GARLAND

Plan Commission

2.b.

Meeting Date: 10/22/2018

Item Title: P 18-33 Hidden Oaks Phase 1 Preliminary Plat (District 1)

Summary:

P 18-33 Hidden Oaks Phase 1 Preliminary Plat

Attachments

P 18-33 Hidden Oaks Phase 1 Preliminary Plat Report and Attachments



GARLAND
TEXAS MADE HERE

Planning Report

File No: P 18-33/District 1

Agenda Item:

Meeting: Plan Commission

Date: October 22, 2018

PRELIMINARY PLAT

Hidden Oaks Phase 1

LOCATION

2845 Crist Road

ZONING

Planned Development (PD) District 18-07 for Single Family-Attached Use.

NUMBER OF LOTS

Seventy (70) Lots:

- Sixty-eight (68) dwelling unit lots
- Two (2) common area lots (HOA lots)

ACREAGE

14.255 (Right-Of-Way dedication included)

BACKGROUND

The applicant requests approval of a preliminary plat. The proposed preliminary plat is comprised of sixty-eight (68) dwelling unit lots and two (2) common area lots. The preliminary plat is in conformance with the Detail Plan and conditions tied to Planned Development (PD) 18-07 approved on March 20, 2018. Provided the preliminary plat is approved, the applicant would bring forward an application for approval of a final plat prior to issuance of any building permits.

The Hidden Oaks community is being developed in two (2) phases; the preliminary plat is to subdivide the properties in Phase 1 (first phase).

STAFF RECOMMENDATION

Approval of the plat. All technical requirements of the plat have been addressed and the plat is in order as submitted.

ADDITIONAL INFORMATION

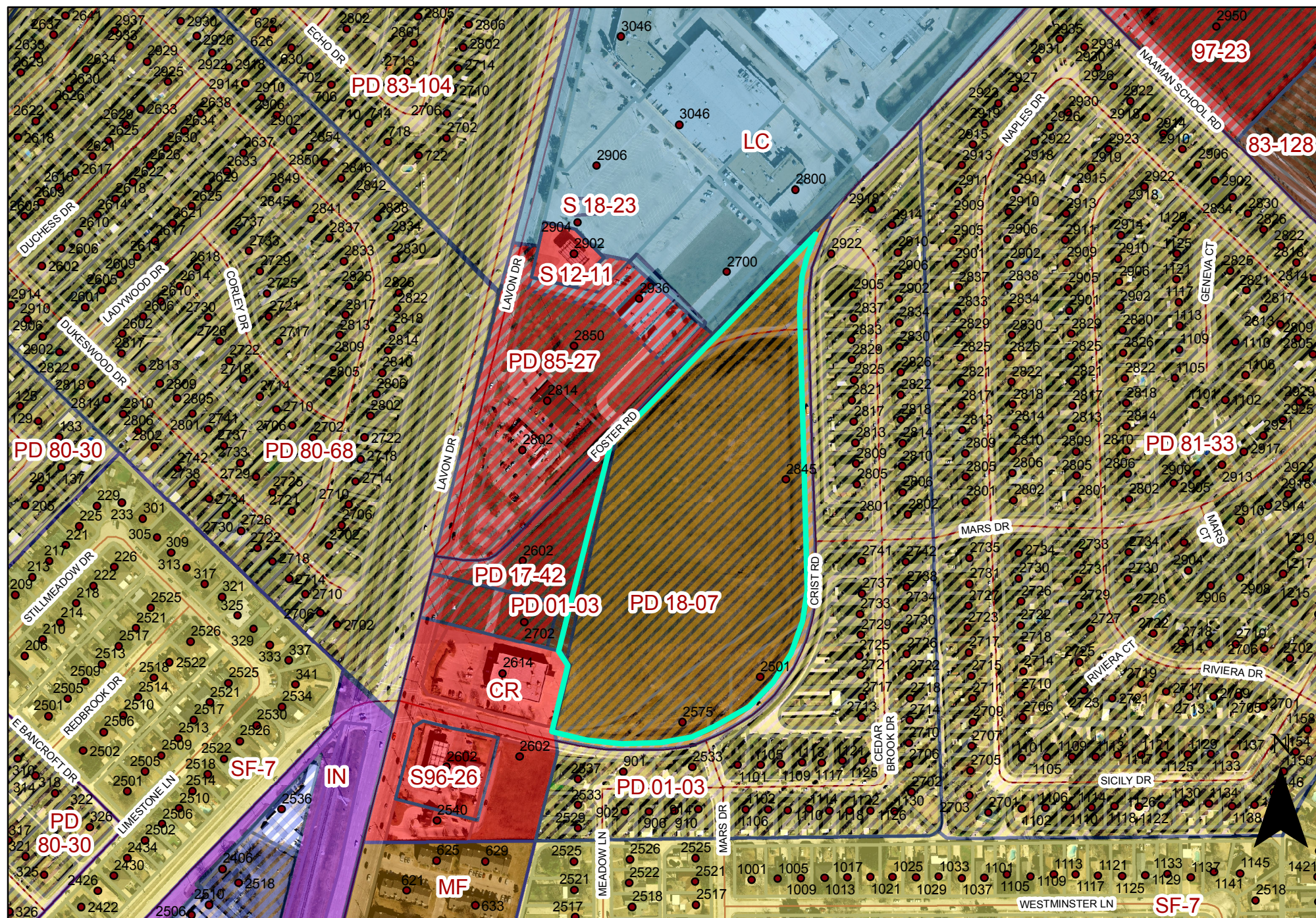
- Location Map
- 8x11 Plat

PREPARED BY:

Nabiha Ahmed
Development Planner
Planning & Community Development
972-205-2453
nahmed@garlandtx.gov

REVIEWED BY:

Will Guerin, AICP
Director of Planning



0 150 300 Feet

1 inch = 337 feet

PLAT MAP P18-33

INDICATES AREA
OF REQUEST

STATE OF TEXAS
COUNTY OF DALLAS

OWNER'S CERTIFICATE

WHEREAS, HIDDEN OAKS LOT VENTURE, LTD., is the owner of a tract of land situated in the Thacker V. Griffin Survey, Abstract No. 528 and J. Reagor Survey, Abstract No. 1259, in the City of Garland, Dallas County, Texas, being all of a 13.3868 acre tract, as recorded in Doc. No. 201700335439 in the Official Public Records of Dallas County, Texas and being all of the Right of Way Abandonment Foster Road (formerly Crist and County Road 596), as recorded in Doc. No. _____ in Official Public Records, Dallas County, Texas, being more particularly described as follows:

BEGINNING, at an "X" in concrete found at the most westerly northwest corner of Whispering Oaks, an addition to the City of Garland, Texas, as described in Volume 2002131, Page 00071, in the Deed Records of Dallas County, Texas, same being the southwest corner of said 13.3868 acre tract and in the east line of Lot 1, Block A, Walgreens - Crist Addition, an addition to the City of Garland, Texas recorded in Volume 97102, Page 02450 of said Deed Records;

THENCE, North 08°02'31" East, with the west line of said 13.3868 acre tract and the east line of said Walgreens - Crist Addition, for a distance of 31.61 feet, to a 1/2 inch iron rod found with a yellow cap stamped "NDM" at the southeast corner of Lot 1 Block A of said Walgreens-Crist Addition;

THENCE, North 13°56'34" East, continuing with the west line of said 13.3868 and the east line of said Lot 1, Block A of Walgreens-Crist Addition, for a distance of 169.66 feet, to a 1/2 inch iron rod found with a yellow cap stamped "NDM";

THENCE, North 31°03'26" West, continuing with said east and west lines, for a distance of 43.27 feet, to a 1/2 inch iron rod found with a red cap stamped "Peiser&Mankin Surv" at the northeast corner of said Walgreens-Crist Addition and being the southeast corner of Golden Chick of Garland Replat, an addition to the City of Garland, Texas as described in Doc. No. 201500188800, in said Official Public Records;

THENCE, North 13°56'34" East, continuing with said west line and the east line of said Golden Chick, at 123.58 feet passing a 1/2 inch iron rod found with a red cap stamped "Peiser&Mankin Surv" at the northeast corner of said Golden Chick of Garland, and continuing for a total distance of 567.30 feet, to a 1/2 inch iron rod found with a red cap stamped "PJB Surveying", being the apparent southeast line of said Foster Road (Formerly Crist Road and County Road 596);

THENCE, North 44°01'35" East, with the northwest line of said 13.3868 acre tract, for a distance of 95.73 feet, to a 1/2 inch iron rod found with a red cap stamped "PBJ Surveying", at the most southerly east corner of said Right of way Abandonment Foster Road, and being on a non-tangent curve to the left, having a radius of 60.00 feet, and a central angle of 40°40'27";

THENCE, with the west line of said Right of way Abandonment Foster Road and continuing with said curve to the left, for an arc distance of 42.59 feet (Chord Bearing North 57°18'16" West - 41.71 feet), to a 1/2 inch iron rod found with a red cap stamped "PJB Surveying";

THENCE, North 45°54'47" West, continuing with said west line, for a distance of 27.67 feet, to a 1/2 inch iron rod found with a red cap stamped "PJB Surveying", at the most southerly west corner of said Right of way Abandonment Foster Road, being in the southeast line of Crist 78 Addition, an addition to the City of Garland, Texas recorded in Volume 86010, Page 706, in said Deed Records;

THENCE, North 44°05'34" East, with said northwest line of said Right of way Abandonment Foster Road and being the southeast line of said Crist 78 Addition, for a distance of 557.97 feet, to a 1/2 inch iron rod found with a red cap stamped "PJB Surveying", being the northeast corner of said Right of way Abandonment Foster Road;

THENCE, South 45°58'25" East, with the northeast line of said Right of way Abandonment Foster Road, for a distance of 67.91 feet, to a 1/2 inch iron rod found with a red cap stamped "PJB Surveying" at the most northerly west corner of said Right of way Abandonment Foster Road and being in the northwest line of said 13.3868 acre tract;

THENCE, North 44°01'35" East, with the northwest line of said 13.3868 acre tract, for a distance of 147.04 feet, to an Aluminum disk stamped "Hidden Oaks Phase 1" on 5/8 iron rod set at the most northerly corner of said 13.3868 acre tract and being in a northwest line of said Whispering Oaks, also being on a non-tangent curve to the left, having a radius of 425.00 feet, and a central angle of 29°01'24";

THENCE, with an easterly line of said 13.3868 acre tract and the northwest line of said Whispering Oaks and with said curve to the left for an arc distance of 215.28 feet (Chord Bearing South 12°48'14" West - 212.99 feet), to an 1/2 iron rod found;

THENCE, South 01°42'28" East, continuing with said west and east lines, for a distance of 719.90 feet, to a 1/2 inch iron rod found at the point of curvature of a curve to the right, having a radius of 425.00 feet, and a central angle of 90°27'58";

THENCE, continuing with said lines and with said curve to the right for an arc distance of 671.05 feet (Chord Bearing South 43°31'30" West - 603.48 feet), to an 1/2 inch iron rod found at the point of tangency;

THENCE, South 88°45'27" West, continuing with said lines, for a distance of 150.30 feet, to an 1/2 inch iron rod found at the point of curvature of a curve to the right, having a radius of 425.00 feet, and a central angle of 15°11'17";

THENCE, continuing with said lines and with said curve to the right, for an arc distance of 112.66 feet (Chord Bearing North 83°38'55" West - 112.33 feet), to an "X" found in concrete at the point of tangency;

THENCE, North 76°03'17" West, continuing with said lines, for a distance of 7.19 feet, to the POINT OF BEGINNING and containing 14.255 acres or 620,947.80 square feet of land.

SAVE & ACCEPT

WHEREAS, HIDDEN OAKS LOT VENTURE, LTD., is the owner of a tract of land situated in the Thacker V. Griffin Survey, Abstract No. 528, in the City of Garland, Dallas County, Texas, being part of a 13.3868 acre tract, as recorded in Doc. No. 201700335439 in the Official Public of Records Dallas County, Texas, being more particularly described as follows:

COMMENCING, at an "X" found in concrete at the most westerly northwest corner of Whispering Oaks, an addition to the City of Garland, Texas, as described in Volume 2002131, Page 00071, in the Deed Records of Dallas County, Texas, same being the southwest corner of said 13.3868 acre tract;

THENCE, South 76°03'17" East, with a north line of said Whispering Oaks and with a south line of said 13.3868 acre tract, for a distance of 7.19 feet, to an "X" found in concrete at the point of curvature of a curve to the left, having a radius of 425.00 feet, and a central angle of 15°11'17";

THENCE, continuing with said lines and with said curve to the left for an arc distance of 112.66 feet (Chord Bearing South 83°38'55" East - 112.33 feet), to an "X" found in concrete at the point of tangency;

THENCE, North 88°45'27" East, continuing with said lines, for a distance of 72.40 feet;

THENCE, North 01°14'33" West, for a distance of 55.50 feet, to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng. Inc." at the POINT OF BEGINNING;

THENCE, North 01°20'11" East, for a distance of 101.35 feet, to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.";

THENCE, North 59°45'57" East, for a distance of 20.91 feet, to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.";

THENCE, North 13°56'34" East, for a distance of 50.00 feet, to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.", on a non-tangent curve to the left, having a radius of 200.00 feet, and a central angle of 26°44'37";

THENCE, with said curve to the left for an arc distance of 93.35 feet (Chord Bearing South 89°25'45" East - 92.51 feet), to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.";

THENCE, North 13°56'34" East, for a distance of 371.47 feet, to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.";

THENCE, South 76°03'26" East, for a distance of 112.71 feet, to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng. Inc. ", being on a non-tangent of curve to the right, having a radius of 60.00 feet, and a central angle of 101°05'06";

THENCE, with said curve to the right for an arc distance of 105.86 feet (Chord Bearing North 81°45'37" East - 92.65 feet), to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.";

THENCE, North 88°17'32" East, for a distance of 25.43 feet, to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.";

THENCE, South 01°42'28" East, for a distance of 124.65 feet, to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.", being at the point of curvature of a curve to the right, having a radius of 375.00 feet, and a central angle of 86°35'39";

THENCE, with said curve to the right for an arc distance of 566.76 feet (Chord Bearing South 41°35'22" West - 514.34 feet); to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.";

THENCE, North 88°39'49" West, for a distance of 103.32 feet, to the POINT OF BEGINNING and containing 3.145 acres or 136,996.20 of land.

OWNER'S DEDICATION

NOW THEREFORE, KNOW ALL BY THESE PRESENTS:

That HIDDEN OAKS LOT VENTURE, LTD., the owner of the property described in this plat acting by and through its duly authorized agent, does hereby adopt this plat, designating the property as **HIDDEN OAKS PHASE 1**, an addition to the City of Garland, Dallas County, Texas and does hereby dedicate, in fee simple and to the public use forever, the streets and alleys shown thereon and does further dedicate to public use forever the easements shown thereon for the purposes indicated. All easements dedicated by this plat shall be open to, without limitation, all public and private utilities using or desiring to use the same for the purpose dedicated. No building, fence, tree, shrub, or any other structure, improvement or growth shall be constructed, reconstructed or placed upon, over or across any easement dedicated by this plat. Any public or private utility shall have: (1) the right to remove and keep removed all or any part of any building, fence, tree, shrub, or other structure, improvement or growth which in any way may endanger or interfere with the construction, reconstruction, maintenance, operation or efficiency of such utility; and (2) the right of ingress and egress to or from and upon the such easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to, enlarging, or removing all or parts of its operation without the necessity at any time of procuring the permission of anyone. The maintenance of paving on utility easements and fire lanes is the responsibility of the property owner.

All utility easements dedicated by this plat shall also include an additional area of working space for construction, reconstruction, additions, enlargements, and maintenance including such additional area necessary for installation and maintenance of manholes, cleanouts, fire hydrants, water services and wastewater services from the main to the curb or pavement line.

Each property owner shall keep the drainage channels and/or drainage and floodway easements traversing or adjacent to his property clean and free of debris, silt, and any other substance which may impede the flow of stormwaters or result in unsanitary conditions. This includes all necessary mowing, weeding, litter pickup, and other normal property owner responsibilities. The City shall have the right of ingress and egress for the purposes of inspection and supervision of maintenance work by the property owner to alleviate any undesirable conditions which may occur.

No obstruction to the natural flow of stormwater runoff shall be permitted by filling or by construction of any type, including, but not limited to, construction of any dam, building, fence, bridge, walkway, or any other structure within the drainage channels or easements, unless approved by the City, provided, however, it is understood that in the event it becomes necessary for the City to erect any type of drainage structure in order to improve the storm drainage that may be occasioned by the streets and alleys in or adjacent to the subdivision, then in such event, the City shall have the right to enter upon the drainage or floodway easements at any point or points to erect, construct, or maintain any drainage facility deemed necessary for drainage purposes.

The City of Garland, Texas shall not be responsible for the maintenance or operation of any detention area designated on this plat or for any damage or injury to property or persons that results from the flow of water along, into or out of those detention areas, or for the control of erosion. The construction, operation, and maintenance of any detention area designated on this plat is controlled by and subject to the provisions of Sec. 31.36 of the Code of Ordinances of the City of Garland, Texas.

This plat approved subject to all applicable ordinances, rules, regulations, and resolutions of the City of Garland, Texas.

WITNESS, my hand at _____ County, Texas, this the _____ day of _____, 2018.

HIDDEN OAKS LOT VENTURE, LTD. a Texas limited partnership By: HIDDEN OAKS LOT VENTURE, GP Corporation, a Texas corporation, its General Partner

Richard M. Skorburg President

THE STATE OF TEXAS
COUNTY OF COLLIN

BEFORE ME, the undersigned, a Notary Public in and for the State of Texas, on this day personally appeared RICHARD M. SKORBURG, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same in the capacity therein stated and for the purposes and considerations therein expressed.

WITNESS MY HAND AND SEAL OF OFFICE, this the _____ day of _____, 2018.

Notary Public in and for the State of Texas

SURVEYOR'S STATEMENT

I, WARREN L. CORWIN, a Registered Professional Land Surveyor, licensed by the State of Texas, affirm that this plat was prepared under my direct supervision, from recorded documentation, evidence collected on the ground during field operations and other reliable documentation; and that this plat substantially complies with the Rules and Regulations of the Texas Board of Professional Land Surveying, Texas Local Government Code, Chapter 212, and the City of Garland Development Code. I further affirm that monumentation shown hereon was either found or placed as described hereon and is in substantial compliance with the City of Garland Development Code; and that the digital drawing file accompanying this plat is a precise representation of this Signed Final Plat.

Dated this the _____ day of _____, 2018.

Warren L. Corwin
Texas Registered Professional Land Surveyor No. 4621

THE STATE OF TEXAS
COUNTY OF COLLIN

BEFORE ME, the undersigned, a Notary Public in and for the State of Texas, on this day personally appeared WARREN L. CORWIN, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same in the capacity therein stated and for the purposes and considerations therein expressed.

WITNESS MY HAND AND SEAL OF OFFICE, this the _____ day of _____, 2018.

Notary Public in and for the State of Texas

Approved and accepted for the City of Garland this _____ day of _____, 2018, by the City Plan Commission of the City of Garland, Texas.

Chairman of the Plan Commission

Director of Planning Department

The approval of the plat is contingent upon the plat being filed with the County Clerk of Dallas County within 180 days from above date.

[SPACE RESERVED FOR COUNTY RECORDING LABEL]

SHEET 2 OF 2

PRELIMINARY PLAT
OF
**HIDDEN OAKS
PHASE 1**
RESIDENTIAL LOTS 1-41, BLOCK 1
COMMON AREA LOT 42, BLOCK 1
RESIDENTIAL LOTS 27-53, BLOCK 2
COMMON AREA LOT 18, BLOCK 2
SITUATED IN THE
THACKER V. GRIFFIN SURVEY ABSTRACT NO. 528
J. REAGOR SURVEY ABSTRACT NO. 1259
CITY CASE NO. 161129-3
IN THE
CITY OF GARLAND
DALLAS COUNTY, TEXAS
PREPARED BY
CORWIN ENGINEERING, INC.
TBPLS FIRM NO. 10031700
200 W. BELMONT, SUITE E
ALLEN, TEXAS 75013
972-396-1200
OWNER
HIDDEN OAKS LOT VENTURE, LTD.
8214 WESTCHESTER DRIVE, SUITE 710
DALLAS, TEXAS 75225
214-522-4945
SEPTEMBER 2018 SCALE 1" = 50'



GARLAND

Plan Commission

2.c.

Meeting Date: 10/22/2018

Item Title: P 18-34 Mansions at Spring Creek Addition Lot 1, Block 1 Final Plat (District 7)

Summary:

P 18-34 Mansions at Spring Creek Addition Lot 1, Block 1 Final Plat

Attachments

P 18-34 Mansions at Spring Creek Addition Report and Attachments

Planning Report

File No: P 18-34/District 7

Agenda Item:

Meeting: Plan Commission

Date: October 22, 2018



GARLAND

TEXAS MADE HERE

FINAL PLAT

Mansions at Spring Creek Addition

LOCATION

The property is located southwest of PGBT/SH 190, northwest of Holford Road, south of the expansion of Naaman Forest Boulevard and east of Shiloh Road.

ZONING

Planned Development (PD) District 15-42 for Multi-Family Uses

NUMBER OF LOTS

1 Lot

ACREAGE

42.030 acres

BACKGROUND

The subject property is being platted and is zoned for a multi-family development. The proposed final plat is in compliance with Planned Development (PD) 15-42 District. It should be noted that the proposed final plat was originally approved by the Plan Commission on January 8, 2018. The Garland Development Code (GDC) requires the applicant to file the plat, upon approval, at the applicable county within six months (that is, 180 calendar days) following the approval date. However, the recordation process was not completed by the applicant causing the proposed final plat to expire, and requiring the applicant to re-initiate the platting process.

STAFF RECOMMENDATION

Approval of the final plat. All technical requirements have been addressed and the plat is in order as submitted.

ADDITIONAL INFORMATION

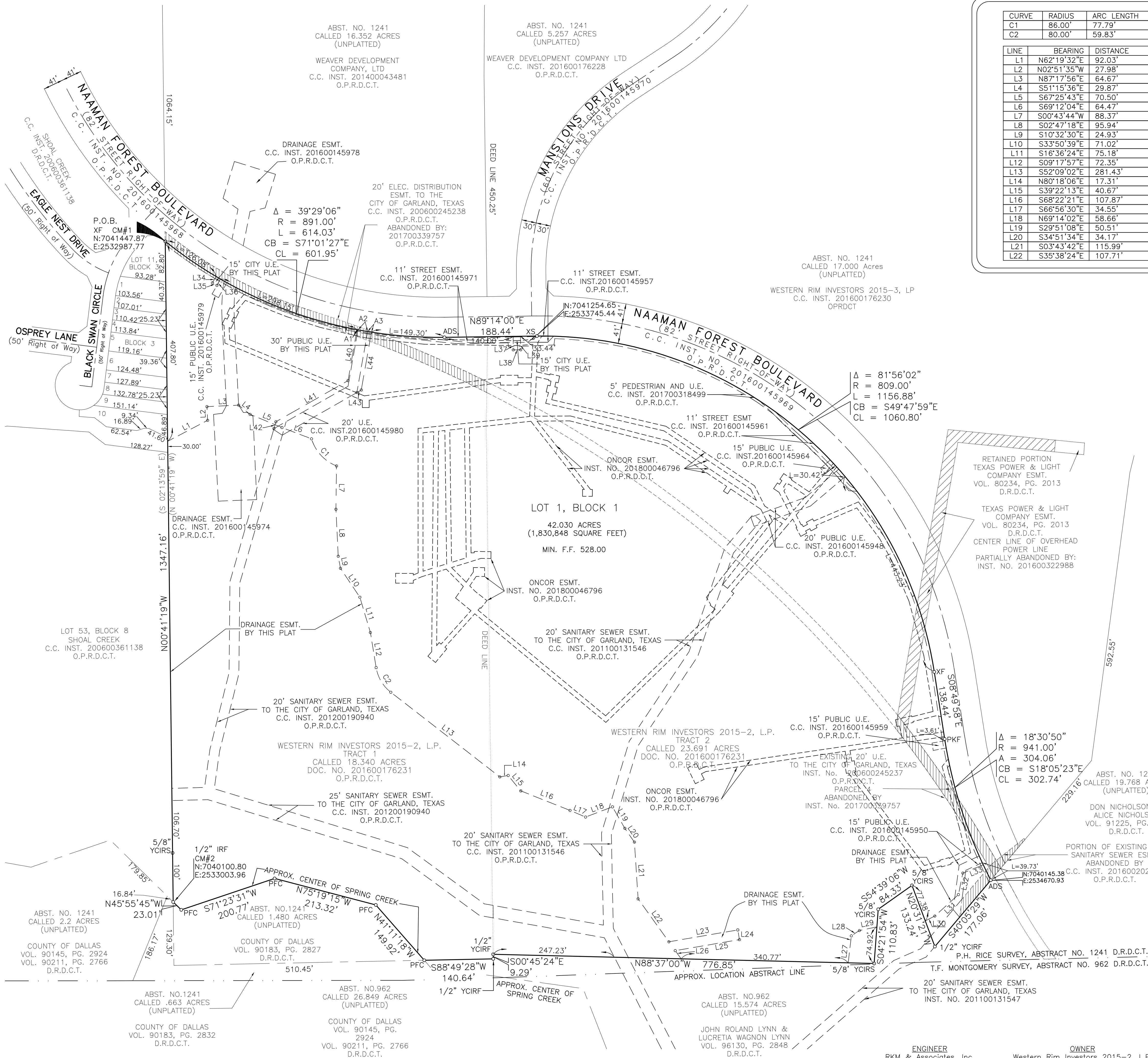
- i. Location Map
- ii. 8x11 Plat

PREPARED BY:

Josue De La Vega, MCRP
Senior Development Planner
Planning and Community Development
972-205-2454
jdelaavega@garlandtx.gov

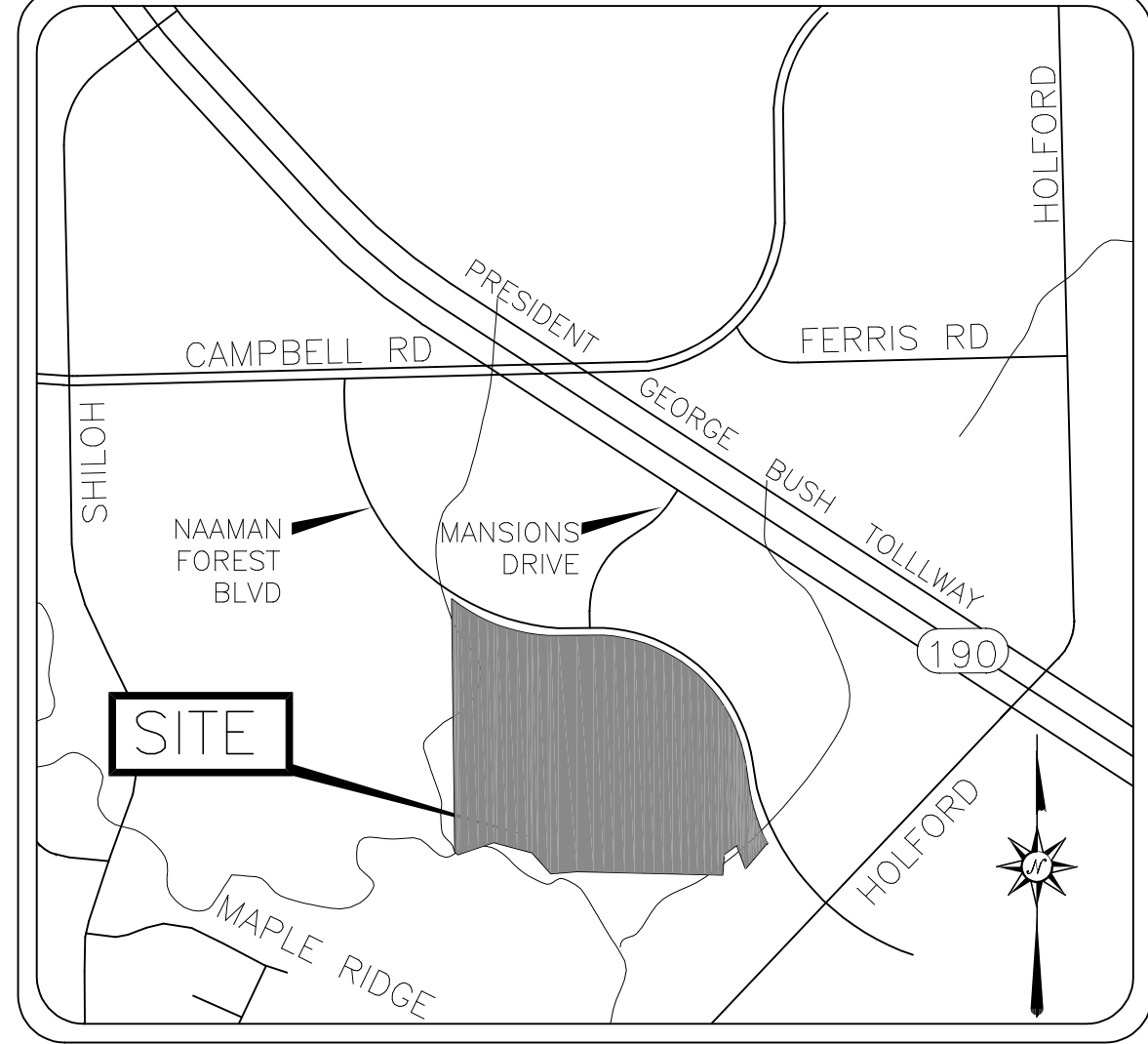
REVIEWED BY:

Will Guerin, AICP
Director of Planning



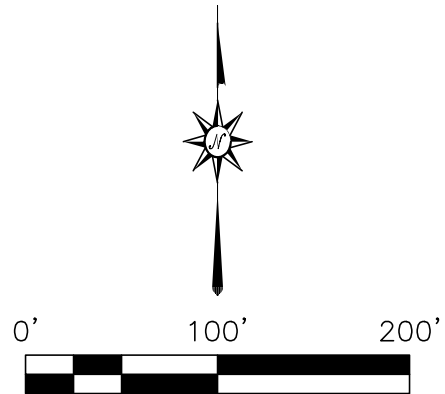
CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	86.00'	77.79'	75.16'	S42°36'55"E	51°49'27"
C2	80.00'	59.83'	58.45'	S30°43'30"E	42°51'05"

LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE	A1=2.03'	A2=20.00'	A3=7.98'
L1	N62°19'32"E	92.03'	L23	N80°15'07"E	142.54'			
L2	N02°51'35"W	27.98'	L24	S09°43'18"E	19.99'			
L3	N87°17'56"E	64.67'	L25	S80°15'07"W	132.84'			
L4	S51°15'36"E	29.87'	L26	S35°39'01"E	20.55'			
L5	S67°25'43"E	70.50'	L27	N06°31'54"E	55.38'			
L6	S69°12'04"E	64.47'	L28	N56°43'18"E	19.67'			
L7	S00°43'44"W	88.37'	L29	N78°03'30"E	36.52'			
L8	S02°47'18"E	95.94'	L30	N62°57'28"E	21.81'			
L9	S10°32'30"E	24.93'	L31	N47°41'02"E	64.98'			
L10	S33°50'39"E	71.02'	L32	N11°47'23"E	44.82'			
L11	S16°36'24"E	75.18'	L33	N67°55'20"E	44.84'			
L12	S09°17'57"E	72.35'	L34	S29°27'15"W	15.00'			
L13	S52°09'02"E	281.43'	L35	S60°32'45"E	10.49'			
L14	N80°18'06"E	17.31'	L36	N29°27'15"E	14.85'			
L15	S39°22'13"E	40.67'	L37	S00°45'50"E	27.50'			
L16	S68°22'21"E	107.87'	L38	N89°14'09"E	15.00'			
L17	S66°56'30"E	34.55'	L39	N00°45'51"W	27.50'			
L18	N69°14'02"E	58.66'	L40	S09°59'25"W	105.60'			
L19	S29°51'08"E	50.51'	L41	S60°17'14"W	169.24'			
L20	S34°51'34"E	34.17'	L42	S16°01'49"W	14.33'			
L21	S03°43'42"E	115.99'	L43	S59°51'34"W	10.43'			
L22	S35°38'24"E	107.71'	L44	S09°59'25"W	119.79'			



VICINITY MAP

NOT TO SCALE



LEGEND

- | | |
|--------------|---|
| ESMT. | EASEMENT |
| U.E. | UTILITY EASEMENT |
| I.R.F. | IRON ROD FOUND |
| R.O.W. | RIGHT-OF-WAY |
| P.F.C. | POINT FOR CORNER |
| P.O.B. | POINT OF BEGINNING |
| C.M. | CONTROLLING MONUMENT |
| Y.C.I.R.F. | 1/2" YELLOW CAPPED IRON ROD FOUND "JBI" |
| Y.C.I.R.S. | 5/8" YELLOW CAPPED IRON ROD SET "ADAMS SURVEYING COMPANY LLC." |
| D.R.D.C.T. | DEED RECORDS, DALLAS COUNTY, TEXAS |
| O.P.R.D.C.T. | OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS |
| ADS | 5/8" IRON ROD WITH 3" ALUMINUM DISK STAMPED "MANSIONS AT SPRING CREEK ADDITION" |
| () | PLAT DEED CALL |
| /// | ABANDON EASEMENT AREA |

NOTES

- Bearings hereon are referenced to the west line of subject tract per Inst. No. 201600176231 (called N 00°41'19" W).
- Coordinates shown hereon are NAD (83) tied to the Texas State Plane Coordinate System of 1983, North Central Zone 4202, Geoid Model 12A, using VRS-RTK methods.
- Controlling Monument 1 is located at the Northwest corner of the subject tract, also being the Northeast corner of Lot 11, Block 3, of Shoal Creek. Controlling Monument 2 is located at the Southwest corner of the subject tract, also being the Southeast corner of Lot 53, Block 8, of Shoal Creek.
- All corners are monumented as shown.
- Minimum finish floor elevation determined using floodplain management report prepared by Albert H. Halff Associates, Inc., dated August 1987.

NOTICE

Selling a portion of the addition by metes and bounds is a violation of the City of Garland Development Code and is subject to fines and withholding of utilities and building permits.

Property owners of corner lots shall maintain sight visibility triangles in accordance with Chapter Eight of the Technical Standards Manual of the City of Garland, Texas.

FINAL PLAT

MANSIONS AT SPRING CREEK ADDITON

LOT 1, BLOCK 1,

BEING 42.030 ACRES

IN THE

P.H. RICE SURVEY, ABSTRACT NO. 1241

CITY OF GARLAND, DALLAS COUNTY, TEXAS

CITY CASE # 150602-1

OCTOBER 16, 2018



TBPLS Firm Registration No. 10177500

ENGINEER
RKM & Associates, Inc.
1700 Alma Drive, Suite 227
Plano, Texas 75075
PH: (469) 361-1416
CONTACT: Robert K. Manaos, P.E.

OWNER
Western Rim Investors 2015-2, L.P.
2505 N. State Hwy. 360, Ste 800
Grand Prairie, Texas 75050
PHONE: (972) 471-8700
CONTACT: Mathew Hiles

APPLICANT
Western Rim Investors 2015-2, L.P.
2505 N. State Hwy. 360, Ste 800
Grand Prairie, Texas 75050
PHONE: (972) 471-8700
CONTACT: Mathew Hiles

SURVEYOR
ADAMS SURVEYING COMPANY, LLC
P.O. BOX 833059
RICHARDSON, TEXAS 75083
PH: (469) 317-0250
CONTACT: Paul Hubert, R.P.L.S.
Email: phubert@txasc.com
TBPLS Firm Registration No. 10177500

OWNER’S CERTIFICATE

STATE OF TEXAS §
COUNTY OF DALLAS §

WHEREAS Western Rim Investors 2015–2, L.P. is the owner of a parcel or tract of land situated in the P.H. Rice Survey, Abstract No. 1241, City of Garland, Dallas County, Texas, being Tracts 1 and 2, as described in Special Warranty Deed to Western Rim Investors, 2015–2, L.P., as recorded in County Clerk Instrument Number 201600176231, Official Public Records, Dallas County, Texas (O.P.R.D.C.T.), and being more particularly described as follows;

BEGINNING at a “X” cut in concrete found (hereinafter referred to as XF), for the northwest corner of said Tract1, being in the south line of Naaman Forest Boulevard (82–foot right–of–way), and being the northeast corner of Lot 11, Block 3 of Shoal Creek Addition, an addition to the City of Garland, Texas, as recorded in County Clerk Instrument Number 20060361138, O.P.R.D.C.T., and being at the beginning of a curve to the left whose chord bears S 71°01’27” E, 601.95 feet;

THENCE along said southerly right of way line of Naaman Forest Boulevard the following courses and distances:

Along said curve to the left having a central angle of 39°29’06”, a radius of 891.00 feet, an arc length of 614.03 feet, whose chord bears S 71°01’27” E, a distance 601.95 feet to a to a 5/8 inch iron rod set with 3 inch Aluminum Disk Stamped “Mansions at Spring Creek Addition”, (ADS) for corner;

N 89°14’00” E a distance of 188.44 feet, “X” cut set in concrete for corner, at the beginning of a curve to the right, whose chord bears S 49°47’59” E, 1060.80 feet;

Along said curve to the right having a central angle of 81°56’02”, a radius of 809.00 feet, and an arc length of 1156.88 feet to a XF for corner;

S 08°49’58” E a distance of 138.44 feet to a PK nail found for the beginning of a curve to the left, whose chord bears S 18°05’23” E, 302.74 feet;

THENCE along said curve to the left having a central angle of 18°30’50”, a radius of 941.00 feet, and an arc length of 304.06 feet to an ADS for the most easterly southeast corner of the herein described parcel, the southeast corner of the aforesaid Tract 2, and being on the west line of a called 19.768 acre tracts of land described to Don Nicholson & Alice Nicholson as recorded in Volume 91225, Page 245, of the Deed Records, Dallas County, Texas (D.R.D.C.T.);

THENCE S 40°05’29” W with the common line of said Tract 2 and said 19.768 acre tract of land, a distance of 177.06 feet to a 1/2 inch yellow capped iron rod stamped “JB” found (CIRF) being in the north line of a called 15.574 acre tract of land described to John Roland Lynn and Lucretia Wagnon Lynn as described in Volume 96130, Page 2848 D.R.D.C.T.;

THENCE with the common line of said Wester Rim Investors tract and said 15.574 acre tract of land the following courses and distances:

N 20°31’21” W a distance of 133.24 feet to a 5/8 inch yellow capped iron rod stamped “Adams Surveying Company LLC.” (CIRS) set for corner;

S 54°39’06” W a distance of 84.33 feet to a CIRS for corner;

S 04°21’54” W a distance of 110.83 feet to a CIRS for corner;

N 88°37’00” W a distance of 776.85 feet to a CIRF for corner;

S 00°45’24” E a distance of 9.29 feet to a CIRF for corner;

S 88°49’28” W a distance of 140.64 feet to a point for corner, being in the approximate center line of Spring Creek, and being the called southeast corner of a called 1.480 acre tract of land described to the County of Dallas as recorded in Volume 90183, Page 2827, D.R.D.C.T.;

THENCE along the south line of said Western Rim Investors tract and generally with the center line of Spring Creek and the north line of said 1.480 acre tract of land the following courses and distances:

N 41°11’18” W a distance of 149.92 feet to a point for corner;

N 75°19’15” W a distance of 213.32 feet to a point for corner;

S 71°23’31” W a distance of 200.77 feet to a point for corner;

N 45°55’45” W a distance of 23.01 feet to a 1/2 inch iron rod found for corner being the northwest corner of said 1.480 acre tract of land, being the southwest corner of the aforesaid Tract 1, and being the Southeast corner of Lot 53, Block 8, Shoal Creek Addition, an addition to the City of Garland, Texas, as recorded in County Clerk Instrument Number 200600361138 in the O.P.D.C.T.;

THENCE N 00°41’19” W with the west line of said Tract 1 and the east line of said Lot 53, Block 8, a distance of 1347.16 feet, to the POINT OF BEGINNING and containing 42.030 acres or 1,830,848 square feet of land more or less.

Electrical or Utility easement crossing Tract II of Special Warranty Deed to Western Rim Investors 2015–2, L.P. (CC# 201600176231 OPRDCT), located between 20’ Elec. Distribution Easement (CC#200600245238 O.P.R.D.C.T.) and 20’ Utility Easement (CC#200600245237 O.P.R.D.C.T.) was appertainly never filed of record. By abandonment of the listed easements by the City of Garland (CC#201700339757 O.P.R.D.C.T.), all claim to easement rights for this area are abandoned by this Plat.

OWNERS DEDICATION

NOW THEREFORE, KNOW ALL BY THESE PRESENTS:

That Western Rim Investors 2015–2, L.P., the owner of the property described in this plat, acting by and through its duly authorized agent, does hereby adopt this plat, designating the property as **MANSIONS AT SPRING CREEK ADDITION** an addition to the City of Garland, Dallas County, Texas and does hereby dedicate, in fee simple and to the public use forever, the streets and alleys shown thereon and does further dedicate to the public use forever the easements shown thereon for the purposes indicated. All easements dedicated by this plat shall be open to, without limitation, all public and private utilities using or desiring to use the same for the purposes dedicated. No building, fence, tree, shrub, or other structure, improvement or growth shall be constructed, reconstructed or placed upon, over or across any easement dedicated by this plat. Any public or private utility shall have: (1) the right to remove and keep removed all or any part of any building, fence, tree, shrub, or other structure, improvement or growth which in any way may endanger or interfere with the construction, reconstruction, maintenance, operation or efficiency of such utility; and (2) the right of ingress and egress to or from and upon such easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to, enlarging, or removing all or parts of its operation without the necessity at any time of procuring the permission of anyone. The maintenance of paving on utility easements and fire lanes is the responsibility of the property owner.

All utility easements dedicated by this plat shall also include an additional area of working space for construction, reconstruction, additions, enlargements, and maintenance including such additional area necessary for installation and maintenance of manholes, cleanouts, fire hydrants, water services and wastewater services from the main to the curb or pavement line.

Each property owner shall keep the drainage channels and/or drainage and floodway easements traversing or adjacent to his property clean and free of debris, silt, and any other substance which may impede the flow of stormwaters or result in unsanitary conditions. This includes all necessary establishment of ground cover, slope stabilization, mowing, weeding, litter pick–up, and other normal property owner responsibilities. The City of Garland shall have the right of ingress and egress for the purposes of inspection and supervision of maintenance work by the property owner to alleviate any undesirable conditions which may occur. No obstruction to the natural flow of stormwater runoff shall be permitted by filling or by construction of any type, including, but not limited to, construction of any dam, building, fence, bridge, walkway, or any other structure within the drainage channels or easements, unless approved by the City of Garland, provided, however, it is understood that in the event it becomes necessary for the City of Garland to erect any type of drainage structure in order to improve the storm drainage that may be occasioned by the streets and alleys in or adjacent to the subdivision, then in such event, the City shall have the right to enter upon the drainage or floodway easements at any point or points to erect, construct, or maintain any drainage facility deemed necessary for drainage purposes.

This plat approved subject to all applicable ordinances, rules, regulations, and resolutions of the City of Garland,Texas.

WITNESS, my hand at Garland, Texas, this the ____ day of October, 2018

BY: MATTHEW HILES, VICE PRESIDENT

STATE OF TEXAS §
COUNTY OF DALLAS §

BEFORE ME,the undersigned authority,on this day personally appeared Mathew Hiles, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration and under the authority therein expressed.

GIVEN under my hand and seal of office this ____ day of October, 2018.

Notary Public for and in the State of Texas
My commission expires: _____

SURVEYOR’S AFFIRMATION

NOW THEREFORE, KNOW ALL BY THESE PRESENTS:

I, Paul Hubert, a Registered Professional Land Surveyor, licensed by the State of Texas, affirm that this plat was prepared under my direct supervision, from recorded documentation, evidence collected on the ground during field perations and other reliable documentation; and that this plat substantially complies with Rules and Regulations of the Texas Board of Professional Land Surveying, Texas Local Government Code, Chapter 212, and the subdivision rules and regulations of the City of Garland, Texas. I further affirm that monumentation shown hereon was either found or placed as described hereon and is in substantial compliance with the City of Garland Development Code; and that the digital drawing file accompanying this plat is a precise representation of this Signed Final Plat.

Dated this the 2nd day of October, 2018.

Paul Hubert, Texas Registered Professional Land Surveyor No. 1942

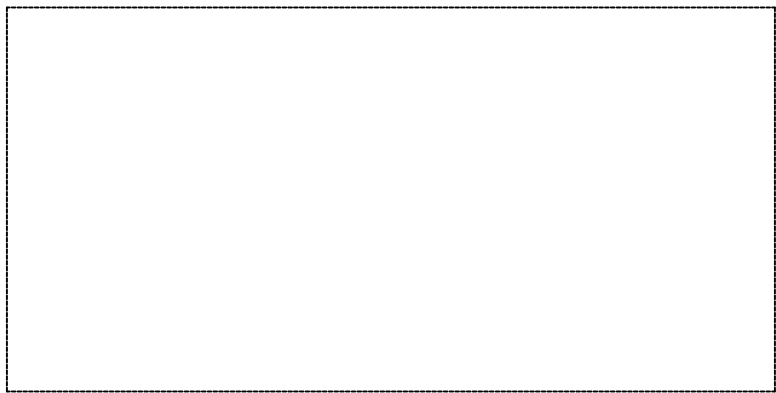
STATE OF TEXAS §
COUNTY OF DALLAS §

BEFORE ME, the undersigned authority,on this day personally appeared Paul Hubert, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein stated.

GIVEN under my hand and seal of office this 2nd day of October, 2018.

Notary Public for and in the State of Texas
My commission expires: _____

SPACE RESERVED FOR COUNTY RECORDING LABEL



APPROVED and ACCEPTED for the City of Garland this ____ day of _____, 2018 by the City Plan Commision of the City of Garland, Texas.

CHAIRMAN of the City Plan Commision _____

DIRECTOR of the City Planning Department _____

The approval of this plat is contingent upon the plat being filed with the County Clerk of Dallas County, Texas within 180 days from the above date.

FINAL PLAT
MANSIONS AT SPRING CREEK ADDITON

LOT 1, BLOCK 1,

BEING 42.030 ACRES
IN THE

P.H. RICE SURVEY, ABSTRACT NO. 1241
CITY OF GARLAND, DALLAS COUNTY, TEXAS
CITY CASE # 150602–1
OCTOBER 16, 2018



TBPLS Firm Registration No. 10177500

ENGINEER
RKM & Associates, Inc.
1709 Alma Drive, Suite 227
Plano, Texas 75075
PH: (469) 361–1416
CONTACT: Robert K. Manaos, P.E.

OWNER
Western Rim Investors 2015–2, L.P.
2505 N. State Hwy. 360, Ste 800
Grand Prairie, Texas 75050
PHONE: (972) 471–8700
CONTACT: Mathew Hiles

APPLICANT
Western Rim Investors 2015–2, L.P.
2505 N. State Hwy. 360, Ste 800
Grand Prairie, Texas 75050
PHONE: (972) 471–8700
CONTACT: Mathew Hiles

SURVEYOR
ADAMS SURVEYING COMPANY, LLC
P.O. BOX 833059
RICHARDSON, TEXAS 75083
PH: (469) 317–0250
CONTACT: Paul Hubert, R.P.L.S.
Email: phubert@txasc.com
TBPLS Firm Registration No. 10177500



GARLAND

Plan Commission

2.d.

Meeting Date: 10/22/2018

Item Title: P 18-35 SDC-VII Addition Lots 1, 2 & 3, Block 1 Final Plat (District 1)

Summary:

P 18-35 SDC-VII Addition Lots 1, 2 & 3, Block 1 Final Plat

Attachments

P 18-35 SDC-VII Addition Report and Attachments

Planning Report

File No: P 18-35/District 1

Agenda Item:

Meeting: Plan Commission

Date: October 22, 2018



GARLAND

TEXAS MADE HERE

FINAL PLAT

SDC-VII Addition

LOCATION

1613 Lookout Road

ZONING

Planned Development (PD) District 17-35 for Mixed Use with Specific Use Provision Z 18-27 for Electric Substation.

NUMBER OF LOTS

3 Lots

ACREAGE

Approximately 22.89 acres

BACKGROUND

The purpose of the proposed final plat is to replat to create three (3) lots for the development of a data center on Lot 1 and electrical substations on Lot 2 and Lot 3. The proposed final plat is in conformance with Planned Development (PD) District 17-35 and Specific Use Provision Z 18-27.

STAFF RECOMMENDATION

Approval of the final plat. All technical requirements have been addressed and the plat is in order as submitted.

ADDITIONAL INFORMATION

- i. Location Map
- ii. 8x11 Plat

PREPARED BY:

Josue De La Vega, MCRP
Senior Development Planner
Planning and Community Development
972-205-2454
jdelaavega@garlandtx.gov

REVIEWED BY:

Will Guerin, AICP
Director of Planning

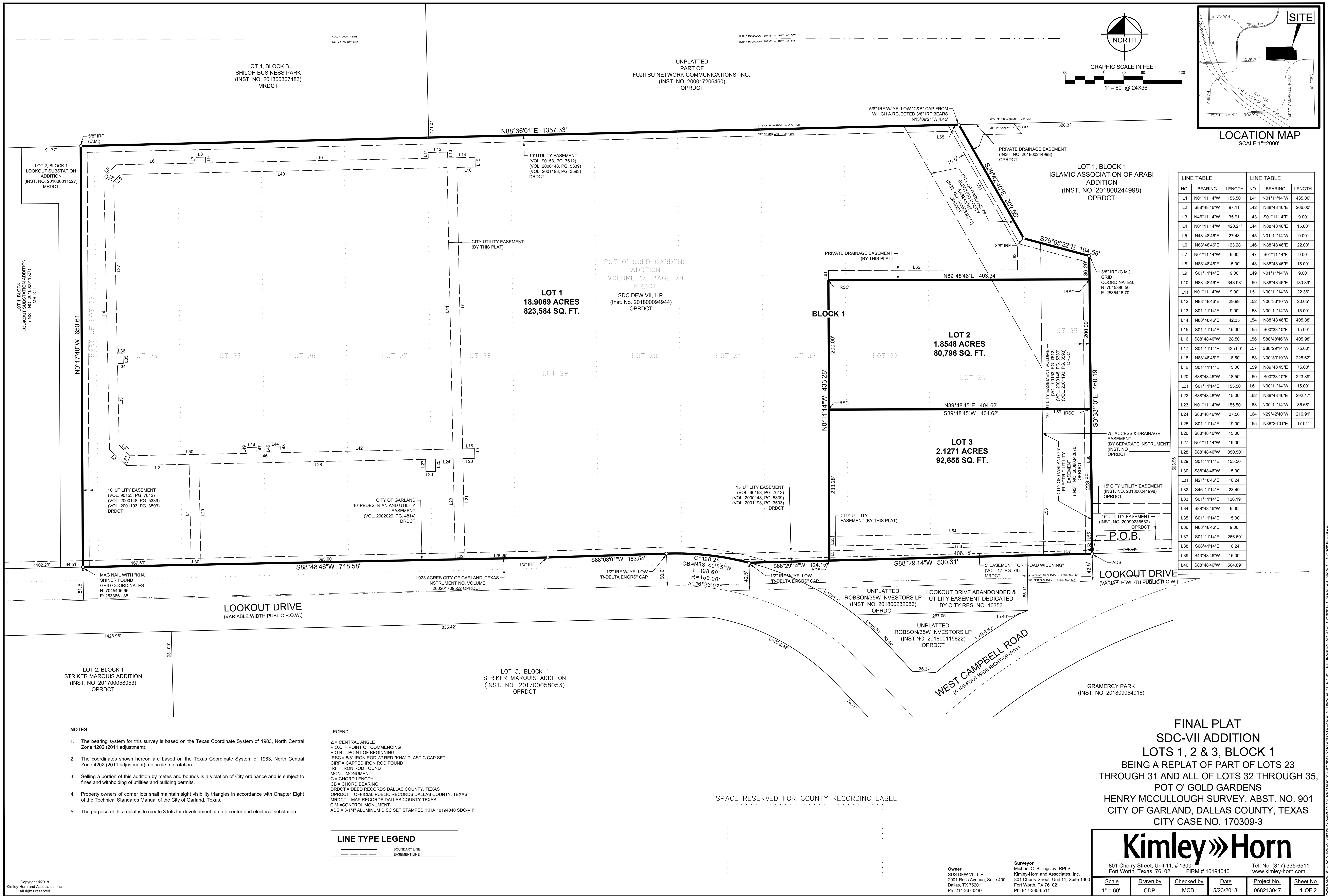
City of Richardson



PLAT MAP P18-35



INDICATES AREA
OF REQUEST



OWNERS CERTIFICATE

STATE OF TEXAS

COUNTY OF DALLAS

§

§

WHEREAS SDC DFW VII, L.P. is the owner of a tract of land in the HENRY McCULLOUGH SURVEY, Abstract No. 901, City of Garland, Dallas County, Texas, said tract being part of Lots 23 through 31 and all of Lots 32 through 35, POT O' GOLD GARDENS, an addition to the City of Garland according to the plat recorded in Volume 17, Page 79 of the Map Records of Dallas County, Texas, and being all of that tract of land described in the Special Warranty Deed to SDC DFW VII, L.P. recorded in Instrument No. 201800094944 of the Official Public Records of Dallas County, Texas and being more particularly described as follows:

BEGINNING at a 3-1/4" aluminum disc set stamped "KHA 10194040 SDC-VII" in the north right-of-way line of Lookout Drive (a variable width right-of-way); said point being the southeast corner of said Lot 35;

THENCE in a westerly direction along the said north line of Lookout Drive, the following four (4) calls:

South 88°29'14" West, a distance of 530.31 feet to a 1/2-inch iron rod with yellow "R-DELTA ENGRS" cap found for corner; said point being the beginning of a non-tangent curve to the left;

Along said curve to the left, having a central angle of 16°23'07", a radius of 450.00 feet, an arc length of 128.69 feet and a long chord bearing and distance of North 83°40'55" West, 128.25 feet to a 1/2-inch iron rod with yellow "R-DELTA ENGRS" cap found for corner;

South 88°08'01" West, a distance of 183.54 feet to a 1/2-inch iron rod found for corner;

South 88°48'46" West, a distance of 718.58 feet to a 5/8-inch iron rod with "KHA" cap set for corner; said point being the southeast corner of Lot 2, Block 1, LOOKOUT SUBSTATION ADDITION, an addition to the City of Garland according to the plat recorded in Instrument No. 201600011527 of said Official Public Records;

THENCE North 0°17'40" West, departing the said north line of Lookout Drive and along the east line of said Lot 2, a distance of 650.61 feet to a 5/8-inch iron rod found for corner; said point being the northeast corner of said Lot 2 and being in the north line of said POT O' GOLD GARDENS;

THENCE North 88°36'01" East, along the said north line of said POT O' GOLD GARDENS, a distance of 1,357.33 feet to a 5/8-inch iron rod with yellow "C&B" cap found for corner;

THENCE South 29°42'40" East, a distance of 202.56 feet to a 3/8-inch iron rod found for the northwest corner of said Lot 35;

THENCE South 75°05'22" East, along the north line of said Lot 35, a distance of 104.58 feet to a 3/8-inch iron rod found for the northeast corner of said Lot 35;

THENCE South 0°33'10" East, along the east line of said Lot 35, a distance of 460.19 feet to the **POINT OF BEGINNING** and containing 22.8888 acres or 997.035 square feet of land, more or less.

OWNER'S DEDICATION

NOW THEREFORE, KNOW ALL BY THESE PRESENTS:

That SDC DFW VII, L.P., the owner of the property described in this plat, acting by and through its duly authorized agent, does hereby adopt this plat, designating the property as SDC-VII ADDITION an addition to the City of Garland, Dallas County, Texas and does hereby dedicate, in fee simple and to the public use forever, the streets and alleys shown thereon and does further dedicate to the public use forever the easements shown thereon for the purposes indicated; provided, however, that no public dedication is made or intended as to any private easement shown on this plat. All easements dedicated by this plat shall be open to, without limitation, all public and private utilities using or desiring to use the same for the purposes dedicated. No building, fence, tree, shrub, or other structure, improvement or growth shall be constructed, reconstructed or placed upon, over or across any public easement dedicated by this plat. Any public or private utility shall have: (1) the right to remove and keep removed all or any part of any building, fence, tree, shrub, or other structure, improvement or growth which in any way may endanger or interfere with the construction, reconstruction, maintenance, operation or efficiency of such utility within a public easement; and (2) the right of ingress and egress to or from and upon the such easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to, enlarging, or removing all or parts of its operation without the necessity at any time of procuring the permission of anyone. Any and all maintenance of private easements and fire lanes is the responsibility of the property owner.

All public utility easements dedicated by this plat shall also include an additional area of working space for construction, reconstruction, additions, enlargements, and maintenance including such additional area necessary for installation and maintenance of manholes, cleanouts, fire hydrants, water services and wastewater services from the main to the curb or pavement line. The maintenance of paving on public utility easements is the responsibility of the property owner.

This plat approved subject to all applicable ordinances, rules, regulations, and resolutions of the City of Garland, Texas.

Witness our hands at Dallas County, Texas _____ DAY OF _____, 2018

SDC DFW VII, L.P., a Delaware limited partnership

By: Stream Development XXIII, L.L.C., a Texas limited liability company, its General Partner

By: _____

Name: _____

Title: _____

By: SOM Garland Member, LLC, a Delaware limited liability company, its Limited Partner

By: Principal Life Insurance Company, an Iowa corporation, for its Group Annuity Contract No. GA 4-43579, its Managing Member

By: Principal Real Estate Investors, LLC, a Delaware limited liability company, its authorized signatory

By: _____

Name: _____

Title: _____

By: _____

Name: _____

Title: _____

By: Stream Garland DC Investors, L.P., a Texas limited partnership, its Limited Partner

By: Stream Garland DC Investors GP, L.L.C., a Texas limited liability company, its General Partner

By: _____

Name: _____

Title: _____

STATE OF TEXAS §

COUNTY OF DALLAS §

BEFORE ME, the undersigned, a Notary Public in and for The State of Texas, on this day personally appeared _____, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the _____ day of _____, 2018.

Notary Public, State of Texas

SURVEYOR'S CERTIFICATION

I, Michael Cleo Billingsley, a Registered Professional Land Surveyor of the State of Texas, a Registered Professional Land Surveyor, licensed by the State of Texas, affirm that this plat was prepared under my direct supervision, from recorded documentation, evidence collected on the ground during field operations and other reliable documentation; and that this plat substantially complies with the Rules and Regulations of the Texas Board of Professional Land Surveying, Texas Local Government Code, Chapter 212, and the City of Garland Development Code. I further affirm that monumentation shown hereon was either found or placed as described hereon and is in substantial compliance with the City of Garland Development Code; and that the digital drawing file accompanying this plat is a precise representation of this Signed Final Plat.

Dated this the _____ day of _____, 2018

PRELIMINARY

THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT

Michael Cleo Billingsley
801 Cherry Street
Suite 1300
Fort Worth, TX 76108
Fort Worth, TX 76102
817-335-6511
michael.billingsley@kimley-horn.com

STATE OF TEXAS §

COUNTY OF TARRANT §

BEFORE ME, the undersigned, a Notary Public in and for The State of Texas, on this day personally appeared Michael Cleo Billingsley, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the _____ day of _____, 2018.

Notary Public, State of Texas

NOTES:

- The bearing system for this survey is based on the Texas Coordinate System of 1983, North Central Zone 4202 (2011 adjustment).
- The coordinates shown hereon are based on the Texas Coordinate System of 1983, North Central Zone 4202 (2011 adjustment), no scale, no rotation.
- Selling a portion of this addition by metes and bounds is a violation of City ordinance and is subject to fines and withholding of utilities and building permits.
- Property owners of corner lots shall maintain sight visibility triangles in accordance with Chapter Eight of the Technical Standards Manual of the City of Garland, Texas.
- The purpose of this replat is to create 3 lots for development of data center and electrical substation.

LOCATION MAP

SCALE 1"=2000'

FINAL PLAT

SDC-VII ADDITION

LOTS 1, 2 & 3, BLOCK 1

BEING A REPLAT OF PART OF LOTS 23

THROUGH 31 AND ALL OF LOTS 32 THROUGH 35,

POT O' GOLD GARDENS

HENRY MCCULLOUGH SURVEY, ABST. NO. 901

CITY OF GARLAND, DALLAS COUNTY, TEXAS

CITY CASE NO. 170309-3

Kimley»Horn

801 Cherry Street, Unit 11, # 1300
Fort Worth, Texas 76102
FIRM # 10194040
Tel. No. (817) 335-6511
www.kimley-horn.com

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	CDP	MCB	5/23/2018	068213047	2 OF 2

Surveyor

Michael C. Billingsley, RPLS
Kimley-Horn and Associates, Inc.
801 Cherry Street, Unit 11, Suite 1300
Fort Worth, TX 76102
Ph. 817-335-6511

Owner
SDS DFW VII, L.P.
2001 Ross Avenue, Suite 400
Dallas, TX 75201
Ph. 214-267-0487

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DRG NAME: K:\FTW_SURVEY\068213047_GARLAND STREAM\PLAT.DWG PLOTTED BY: BILLINGSLEY, MICHAEL 10/10/2018 1:29 PM LAST SAVED 10/10/2018 8:59 AM



GARLAND

Plan Commission

3.a.

Meeting Date: 10/22/2018

Item Title: Z 18-39 Eco-Site, LLC (District 6)

Summary:

Consideration of the application of **Eco-Site, LLC.**, requesting approval of a Specific Use Provision for a Commercial Antenna on a property zoned Community Retail (CR) District. This property is located at 1921 North Plano Road. (District 6) (File Z 18-39)

Attachments

Z 18-39 Eco-Site, LLC Report and Attachments

Planning Report

File No: Z 18-39/District 6

Agenda Item:

Meeting: Plan Commission

Date: October 22, 2018



GARLAND

TEXAS MADE HERE

REQUEST

Approval of Specific Use Provision for Antenna, Commercial on property zoned Community Retail (CR) District

LOCATION

1921 North Plano Road

APPLICANT

Eco-Site, LLC.

OWNER

JJJ & K Corp.

BACKGROUND

In 2006, City Council approved a Specific Use Provision (S 06-70) for a Retail Sales with Gas Pumps for a period of twenty (20) years. The applicant intends to lease 0.0385 acres of the property to build a 90-foot tall (including the appurtenances) commercial antenna/telecommunications tower support structure. The lease area is currently planted with grass and trees.

SITE DATA

The subject site (overall site) contains approximately 0.92 acres in total area and is developed with a retail sales with gas pumps, an ice kiosk and a retail store. The lease area is approximately 0.0385 acres. The lease area has no street frontage but as part of the subject property, it would be accessed from North Plano Road.

USE OF PROPERTY UNDER CURRENT ZONING

The Community Retail (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 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.

The development of a clock design telecommunication tower requires approval of a Specific Use Provision through a public hearing process.

CONSIDERATIONS

1. The applicant is proposing to build a ninety (90)-foot tall clock design stealth tower that will be enclosed in a lease area of approximately 0.0385 acres. The applicant is proposing to place a lightning rod on top of the tower. The lightning rod is included in the total height of 90 feet. The proposed height is not allowed in the Community Retail (CR) District without approval of a Specific Use Provision.
2. The initial installation will have six (6) antennas. The carriers will have the ability to mount up to twelve (12) antennas., thereby having a possible configuration of up to a

total of thirty-six (36) antennas within the structure. The first carrier is known but other two carriers are undetermined at this time.

3. Section 2.65 (D) of the GDC states that freestanding commercial antenna support structures must be a minimum distance of five thousand feet from another wireless telecommunications antenna. The applicant requested a variance from the Board of Adjustment and that was approved in March 2018.
4. Section 2.65 (C) of the GDC states no commercial antenna support structure may be closer to any residential district boundary line or the residential dwelling property line than a distance equal to three times the height of the support structure. Based on this ratio, a 90-foot tall commercial antenna support structure must be placed a minimum of 180 lineal feet from a single-family zoning district boundary line. The existing tower is approximately 330 feet from the nearest single-family zoning district boundary line, which is south of the subject property.
5. Section 2.65 (M) of the GDC states that support buildings and storage areas or buildings must be screened from public view by a dense, opaque, evergreen landscaped screen with an initial planting height of three feet, and which will attain an ultimate height of six feet at maturity. A six-foot solid masonry wall may be used in lieu of the landscaped screen provided exterior finish materials are compatible with nearby structures. The applicant is proposing an 8-foot masonry screening wall.
6. Given the extent and size of the proposed improvements on the lease area, the GDC screening and landscape standards, under this Specific Use Provision request, are not applicable to the development. However, the applicant is proposing to place shrubs around the masonry screening wall.
7. The applicant is requesting that the Specific Use Provision be granted for an indefinite time period.

COMPREHENSIVE PLAN

The Future Land Use Map of the Envision Garland Plan recommends Neighborhood Centers for the subject property. Neighborhood centers provide a mix of retail, services and community gathering places appropriately scaled to adjacent residential areas. This type of center is predominately, but not exclusively non-residential. Neighborhood centers are served by local roads and transit routes.

COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

The properties to the north across West Buckingham Road are commercial development and are within the Richardson city limits. The properties to the east across North Plano Road are zoned Community Retail (CR) District and are developed with an Auto Repair shop and a Dental Clinic. The properties to the south are zoned Community Retail (CR) District and are developed with auto repair shops. The property to the west is zoned Community Retail (CR) District and is developed with an eye care clinic.

STAFF RECOMMENDATION

Denial of a Specific Use Provision for a Commercial Antenna on a property zoned Community Retail (CR) District. The applicant has presented a "stealth" design that is intended to provide a more aesthetic appearance than a typical cellular tower design, as was originally submitted with this application. However, given the compact nature of the developed site and the proposed total height of 90 feet which far exceeds the height of surrounding and nearby buildings, staff finds the proposal incompatible with the immediate surrounding area.

ADDITIONAL INFORMATION

- i. Location Map
- ii. SUP Conditions

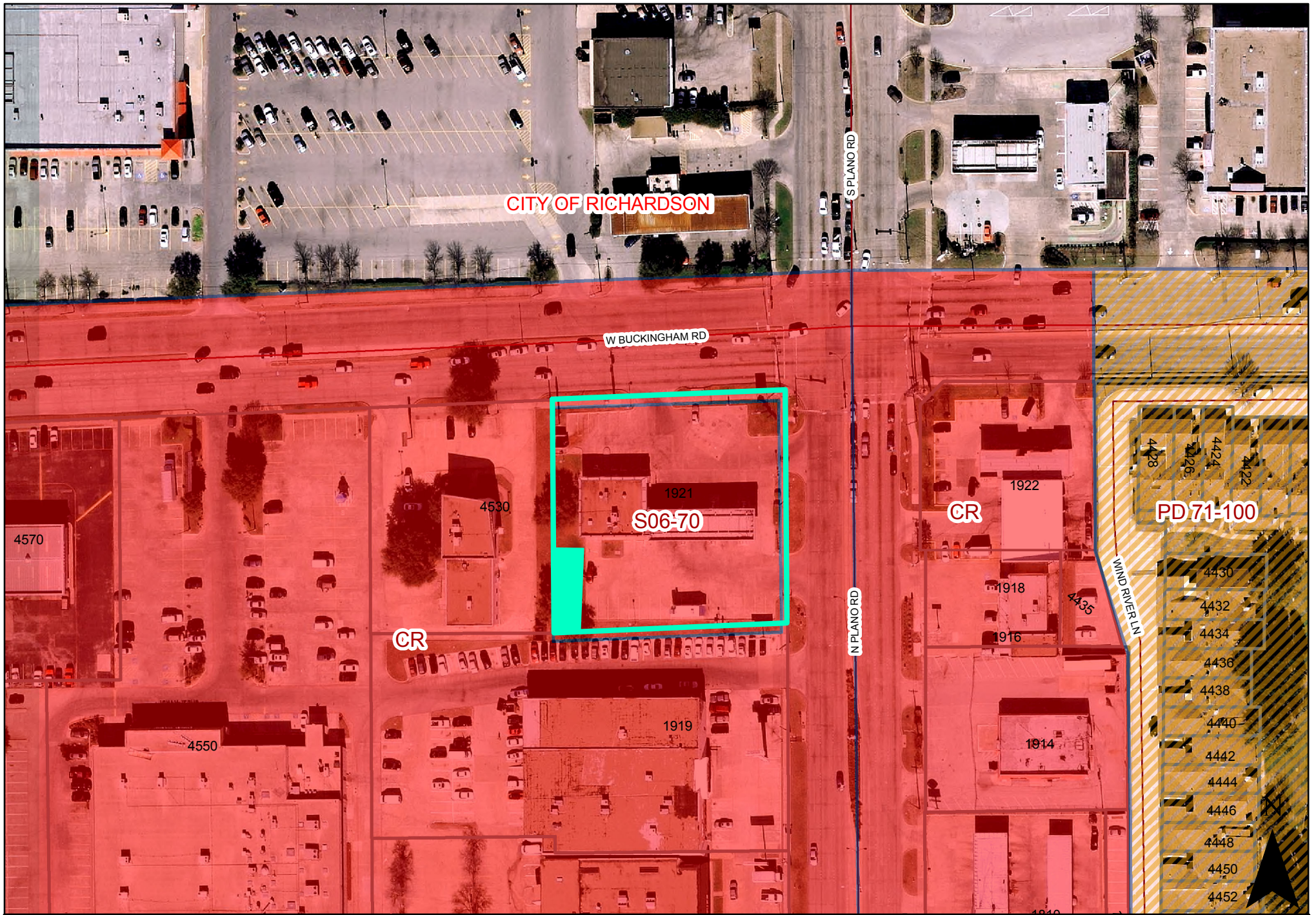
CITY COUNCIL DATE: November 13, 2018

PREPARED BY:

Nabiha Ahmed
Development Planner
Planning and Community Development
972-205-2453
nahmed@garlandtx.gov

REVIEWED BY:

Will Guerin, AICP
Director of Planning

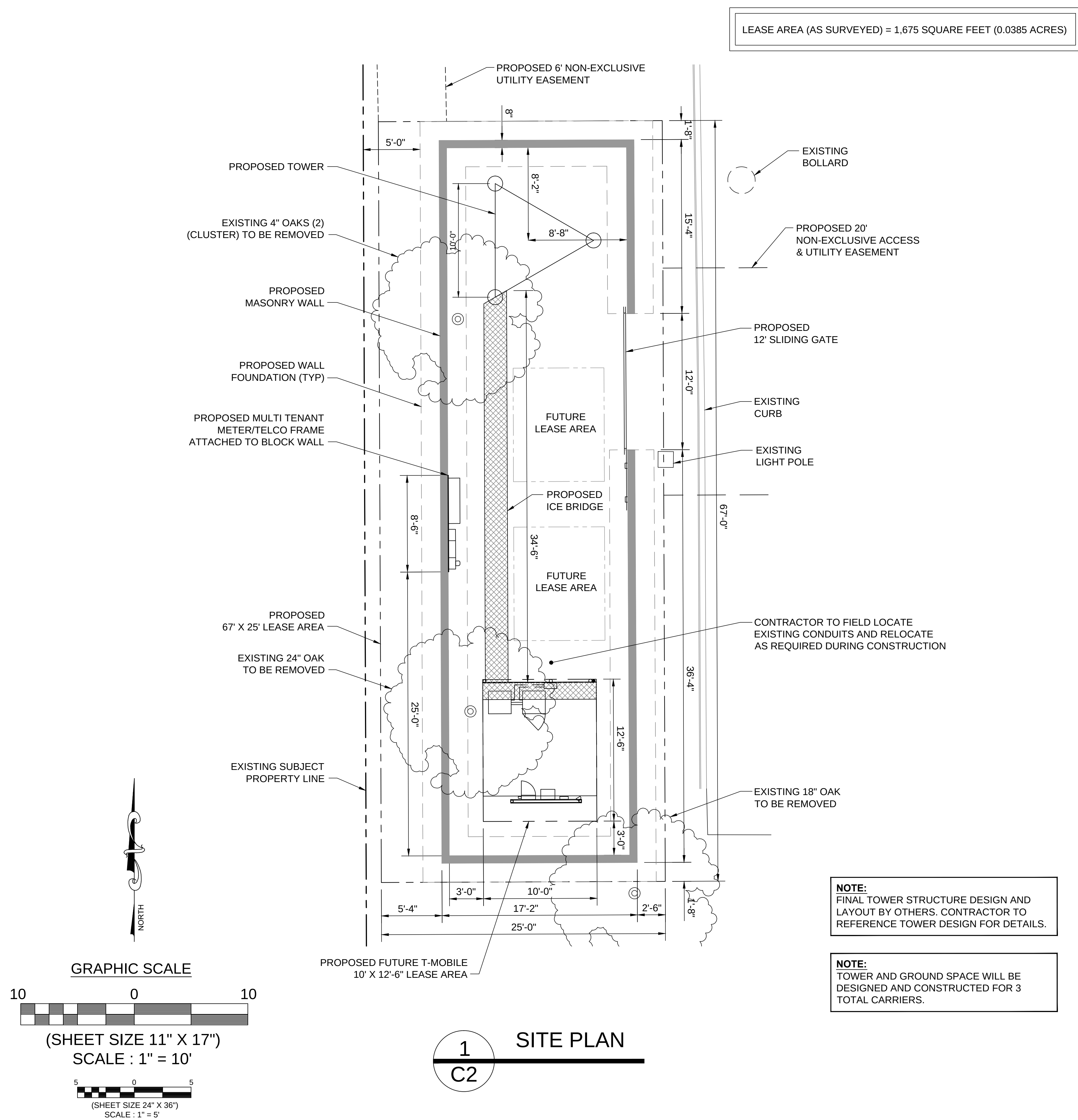


SPECIFIC USE PROVISION CONDITIONS

ZONING FILE Z 18-39

1921 North Plano Road

- I. Statement of Purpose:** The purpose of this Specific Use Provision is to allow an Antenna, Commercial.
- 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 Use Provision:**
- A. SUP Time Period: The Specific Use Provision for an Antenna, Commercial shall be in effect for an indefinite time period.
 - B. Site Layout: Antenna, Commercial operation shall be limited to the 0.0385-acre lease area, in accordance with the site layout in Exhibit C.
 - C. Screening and Landscaping: Screening and Landscaping shall conform to the layout reflected in Exhibit D.
 - D. Building Elevations: Building elevations shall conform to the elevations reflected on Exhibit E.
 - E. Height: The total height shall be limited to ninety (90) feet.



GENERAL NOTES:

- ALL MATERIALS AND WORKMANSHIP SHALL CONFORM TO THE DRAWINGS AND SPECIFICATIONS. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITION OF THE STATE, LOCAL AND NATIONAL CODES, ORDINANCES AND OR REGULATIONS APPLICABLE TO THIS PROJECT.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATING THE WORK OF ALL TRADES AND SHALL CHECK ALL DIMENSIONS. ALL DISCREPANCIES SHALL BE CALLED TO THE ATTENTION OF THE ECO-SITE CONSTRUCTION MANAGER AND/OR ENGINEER AND BE RESOLVED BEFORE PROCEEDING WITH WORK. WHERE THERE IS A CONFLICT BETWEEN DRAWING AND ECO-SITE SPECIFICATIONS, THE ECO-SITE CONSTRUCTION MANAGER SHOULD BE CONTACTED FOR CLARIFICATION.
- ALL INFORMATION SHOWN ON THE DRAWINGS RELATIVE TO EXISTING CONDITIONS IS GIVEN AS THE BEST PRESENT KNOWLEDGE, BUT WITHOUT GUARANTEE OF ACCURACY. WHERE ACTUAL CONDITIONS CONFLICT WITH THE DRAWINGS, THEY SHALL BE REPORTED TO THE ECO-SITE CONSTRUCTION MANAGER AND/OR ENGINEER SO THAT PROPER REVISIONS MAY BE MADE. MODIFICATION OF DETAILS OF CONSTRUCTION SHALL NOT BE MADE WITHOUT WRITTEN APPROVAL OF THE CONSTRUCTION MANAGER AND/OR ENGINEER.
- CONTRACTOR SHALL REVIEW AND BE FAMILIAR WITH SITE CONDITIONS AS SHOWN ON THE ATTACHED SITE PLAN AND/OR SURVEY DRAWINGS.
- WAVEGUIDE BRIDGE ARE SHOWN FOR REFERENCE ONLY. REFER TO SEPARATE PRE-ENGINEERED DRAWINGS FOR SPECIFIC INFORMATION INCLUDING FOOTINGS AND WAVEGUIDE BRIDGE LOCATION.
- ALL FINISHED GRADES SHALL SLOPE MINIMUM 1/4 IN./FT. AWAY FROM EQUIPMENT IN ALL DIRECTIONS. CONTRACTOR SHALL SLOPE SWALES AS REQUIRED ALONG EXISTING TERRAIN TO DRAIN AWAY FROM COMPOUND AND ACCESS DRIVE.
- THE PROPOSED TOWER AND TOWER FOUNDATIONS WERE DESIGNED BY OTHERS. TOWER INFORMATION PROVIDED ON THESE PLANS ARE PROVIDED FOR REFERENCE PURPOSES ONLY. TOWER DIMENSIONS SHOWN ON THIS PLAN ARE FOR TOWER CENTER LOCATION. DO NOT SCALE. NOTIFY ENGINEER OR ECO-SITE CONSTRUCTION MANAGER OF ANY CONFLICTS OR DISCREPANCIES. CONTRACTOR TO OBTAIN COPY OF TOWER DESIGN DRAWINGS FROM ECO-SITE CONSTRUCTION MANAGER TO CONFIRM COAX ROUTING AND ANTENNA MOUNT INFORMATION.
- THE CONTRACTOR SHALL PROVIDE ADEQUATE EXCAVATION SLOPING, SHORING, BRACING, AND GUYS IN ACCORDANCE WITH ALL NATIONAL, STATE, AND LOCAL SAFETY ORDINANCES.
- UPON COMPLETION OF CONSTRUCTION, CONTRACTOR IS RESPONSIBLE FOR REPAIRING ANY DAMAGE CAUSED BY CONSTRUCTION ACTIVITIES TO THE EXISTING ACCESS ROAD AND COMPOUND GRAVEL AREAS. ANY NEW FILL MATERIALS SHALL BE COMPACTED.
- THE CONTRACTOR IS HEREBY NOTIFIED THAT PRIOR TO COMMENCING CONSTRUCTION, HE IS RESPONSIBLE FOR CONTACTING THE UTILITY COMPANIES INVOLVED AND SHALL REQUEST A VERIFICATION AT THE CONSTRUCTION SITE OF THE LOCATIONS OF THEIR UNDERGROUND UTILITIES AND WHERE THEY MAY POSSIBLY CONFLICT WITH THE PLACEMENT OF IMPROVEMENTS AS SHOWN ON THESE PLANS. THE CONTRACTOR OR ANY SUBCONTRACTOR FOR THIS CONTRACT WILL BE REQUIRED TO NOTIFY "STATE 811" 48 HOURS IN ADVANCE OF PERFORMING. ANY UTILITIES DAMAGED BY CONSTRUCTION ACTIVITIES SHALL BE REPAIRED BY THE CONTRACTOR, AT NO EXPENSE TO THE OWNER.
- CONTRACTOR TO PROVIDE DUMPSTER AND PORTABLE TOILET FACILITY DURING CONSTRUCTION.
- CONTRACTOR TO PROVIDE STYMIE LOCK OR EQUIVALENT AS APPROVED BY ECO-SITE CONSTRUCTION MANAGER.

COAX NOTE:

- ROUTE COAX UP TOWER PER TOWER DESIGN DRAWING BY TOWER OWNER.

PREPARED FOR:

Eco-Site
240 LEIGH FARM ROAD, SUITE 230
DURHAM, NC 27707

A&E FIRM:
towersource
1875 OLD ALABAMA ROAD, SUITE 1008
ROSWELL, GA 30076
TEL: 678-990-2338 FAX: 678-990-2342

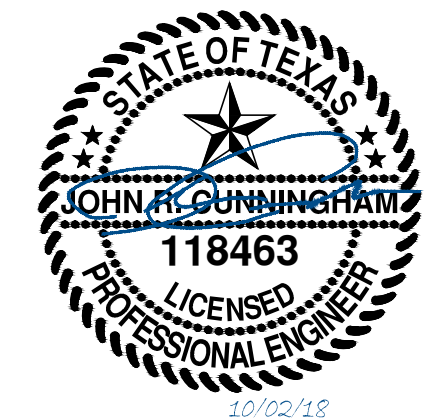
THE INFORMATION CONTAINED IN THIS SET OF DOCUMENTS IS PROPRIETARY BY NATURE. ANY USE OR DISCLOSURE OTHER THAN THAT WHICH RELATES TO THE CLIENT IS STRICTLY PROHIBITED.

PROJECT INFORMATION:

TX-0255
WEST BUCKINGHAM
1921 N PLANO RD
GARLAND, TX 75042

DRAWN BY:	JW
CHECKED BY:	MSB
APPROVED BY:	JC

REVISIONS		
REV.	DATE	DESCRIPTION
A	11/15/17	ISSUED FOR REVIEW
B	01/16/18	ISSUED FOR REVIEW
C	06/05/18	ISSUED FOR REVIEW
D	06/13/18	ISSUED FOR REVIEW
E	06/15/18	ISSUED FOR REVIEW
F	08/06/18	REVISED PER NEW SURVEY
G	09/13/18	REVISED PER COMMENTS
H	10/01/18	REVISED PER COMMENTS



SHEET TITLE:
SITE PLAN

SHEET #:
C2

REVISION:
H

LANDSCAPE NOTES

1. ALL PLANTS MUST BE HEALTHY, VIGOROUS MATERIAL, FREE OF PESTS AND DISEASE.
2. ALL PLANTS MUST BE CONTAINER-GROWN OR BALLED AND BURLAPPED AS SPECIFIED.
3. ALL TREES MUST BE STRAIGHT TRUNKED, FULL HEADED AND MEET ALL REQUIREMENTS SPECIFIED.
4. ALL PLANTS ARE SUBJECT TO THE APPROVAL OF THE OWNER'S REPRESENTATIVE BEFORE, DURING, AND AFTER INSTALLATION.
5. ALL TREES MUST BE GUYED OR STAKED AS SHOWN.
6. ALL PLANTS AND PLANTING AREAS MUST BE COMPLETELY MULCHED AS SPECIFIED.
7. PRIOR TO CONSTRUCTION, THE CONTRACTOR SHALL BE RESPONSIBLE FOR LOCATING ALL UNDERGROUND UTILITIES AND SHALL AVOID DAMAGE TO ALL UTILITIES DURING COURSE OF THE WORK. THE CONTRACTOR IS RESPONSIBLE FOR REPAIRING ALL DAMAGE TO UTILITIES, STRUCTURES, SITE APPURTENANCES, ETC. WHICH OCCURS AS A RESULT OF THE LANDSCAPE CONSTRUCTION.
8. THE CONTRACTOR IS RESPONSIBLE FOR FULLY MAINTAINING ALL PLANTING (INCLUDING, BUT NOT LIMITED TO: WATERING, SPRAYING, MULCHING, FERTILIZATION, ETC.) OF PLANTING AREAS UNTIL THE WORK IS ACCEPTED IN TOTAL BY THE ENGINEER'S REPRESENTATIVE.
9. THE CONTRACTOR SHALL COMPLETELY GUARANTEE ALL PLANT MATERIAL FOR A PERIOD OF ONE (1) YEAR BEGINNING AT THE DATE OF TOTAL ACCEPTANCE. THE CONTRACTOR SHALL PROMPTLY MAKE ALL REPLACEMENTS BEFORE OR AT THE END OF THE GUARANTEE PERIOD.
10. THE OWNER'S REPRESENTATIVE WILL APPROVE THE STAKED LOCATION OF ALL PLANT MATERIAL PRIOR TO INSTALLATION.
11. AFTER BEING DUG AT THE NURSERY SOURCE, ALL TREES IN LEAF SHALL BE ACCLIMATED FOR TWO (2) WEEKS UNDER A MIST SYSTEM PRIOR TO INSTALLATION.
12. ANY PLANT MATERIAL THAT DIES, TURNS BROWN OR DEFOLIATES (PRIOR TO TOTAL ACCEPTANCE OF THE WORK) SHALL BE PROMPTLY REMOVED FROM THE SITE AND REPLACED WITH MATERIAL OF THE SAME SPECIES, QUANTITY, SIZE AND MEETING ALL SPECIFICATIONS.
13. STANDARDS SET FORTH IN "AMERICAN STANDARD FOR NURSERY STOCK", LATEST EDITION, REPRESENT GUIDELINE SPECIFICATIONS ONLY AND SHALL CONSTITUTE MINIMUM QUALITY REQUIREMENTS FOR PLANT MATERIAL.

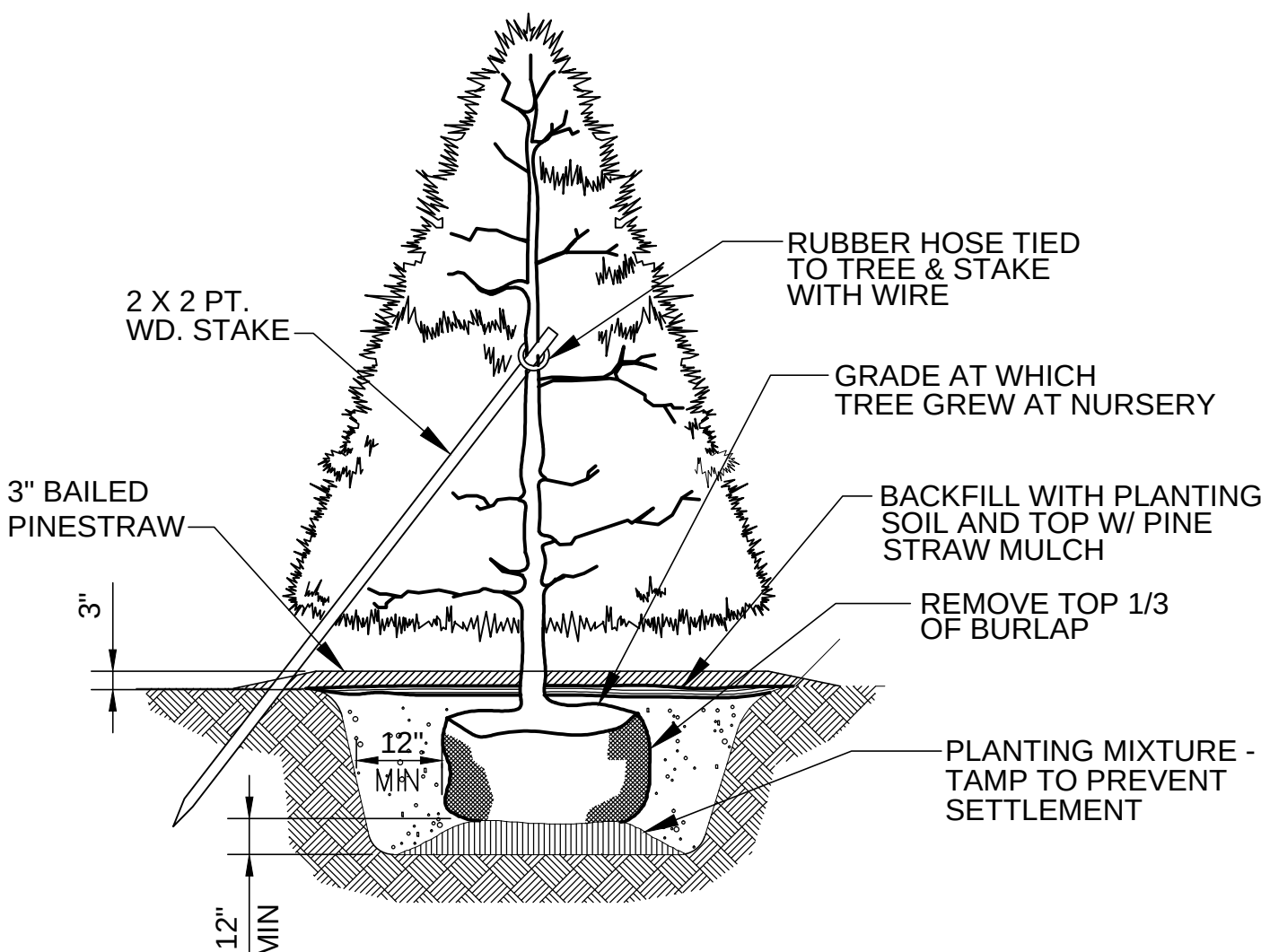
TOTAL AREA OF LANDSCAPE BUFFER: 260 SF - .006 ACRES

PLANT LIST:

QTY.	COMMON NAME	BOTANICAL NAME	SIZE/REMARKS
32	LEYLAND CYPRESS	CUPRESSOCYPARIS LEYLANDII	6' MIN. HEIGHT AT PLANTING

260 SF PINESTRAW MULCH - 3" SETTLED LAYER OF CLEAN STRAW

LEASE AREA (AS SURVEYED) = 1,675 SQUARE FEET (0.0385 ACRES)



TREE PLANTING DETAIL
NOT TO SCALE

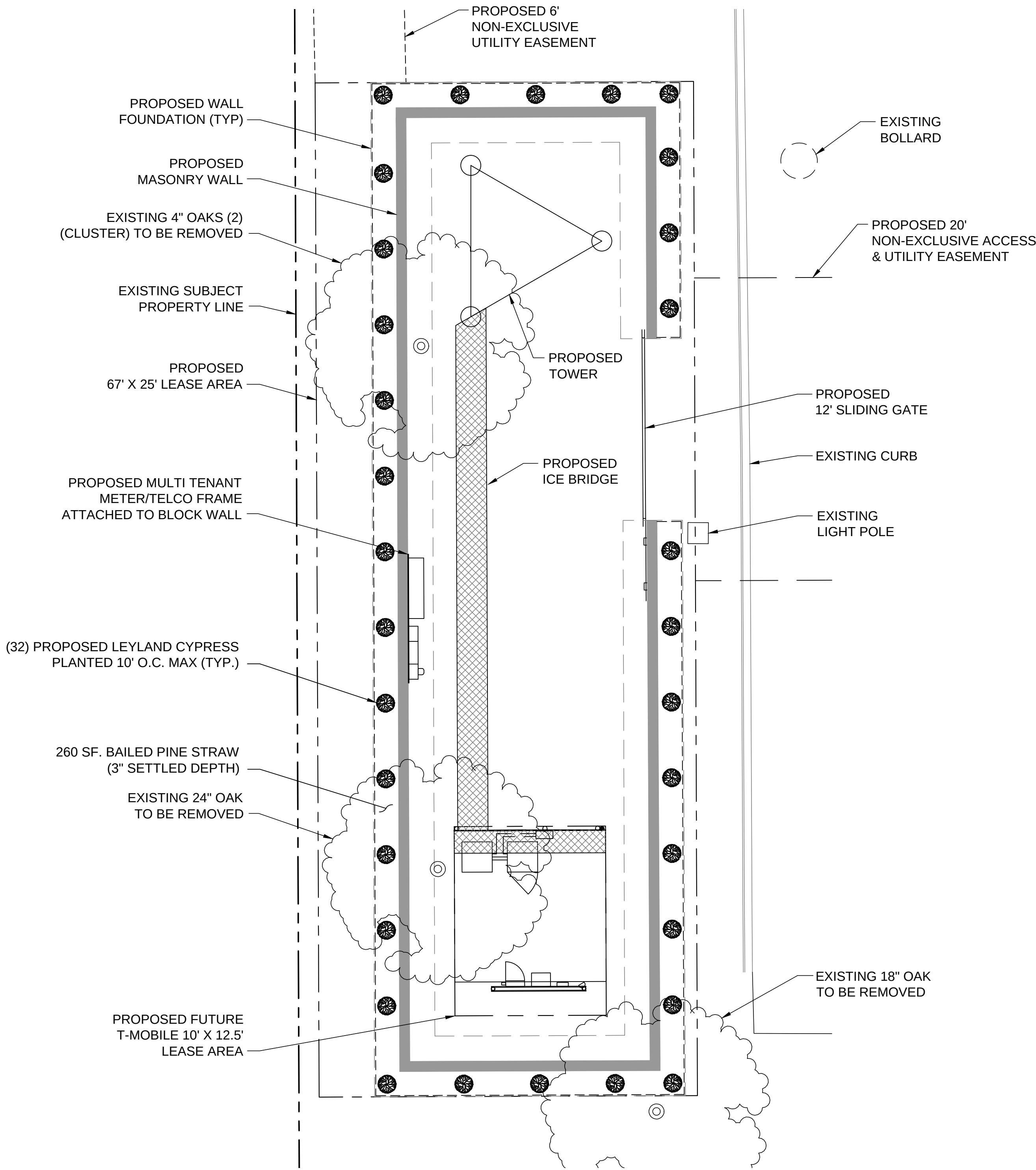
GRAPHIC SCALE



(SHEET SIZE 11" X 17")
SCALE : 1" = 10'



(SHEET SIZE 24" X 36")
SCALE : 1" = 5'



1
L1 LANDSCAPE PLAN

PREPARED FOR:

Eco-Site

240 LEIGH FARM ROAD, SUITE 230
DURHAM, NC 27707

A&E FIRM:

towersource

1875 OLD ALABAMA ROAD, SUITE 1008
ROSWELL, GA 30076
TEL: 678-990-2338 FAX: 678-990-2342

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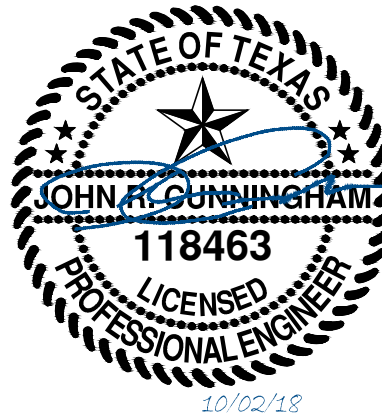
PROJECT INFORMATION:

TX-0255
WEST BUCKINGHAM
1921 N PLANO RD
GARLAND, TX 75042

DRAWN BY:	JW
CHECKED BY:	MSB
APPROVED BY:	JC

REVISIONS

REV.	DATE	DESCRIPTION
A	11/15/17	ISSUED FOR REVIEW
B	01/16/18	ISSUED FOR REVIEW
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F	08/06/18	REVISED PER NEW SURVEY
G	09/13/18	REVISED PER COMMENTS
H	10/01/18	REVISED PER COMMENTS



SHEET TITLE:

LANDSCAPE PLAN

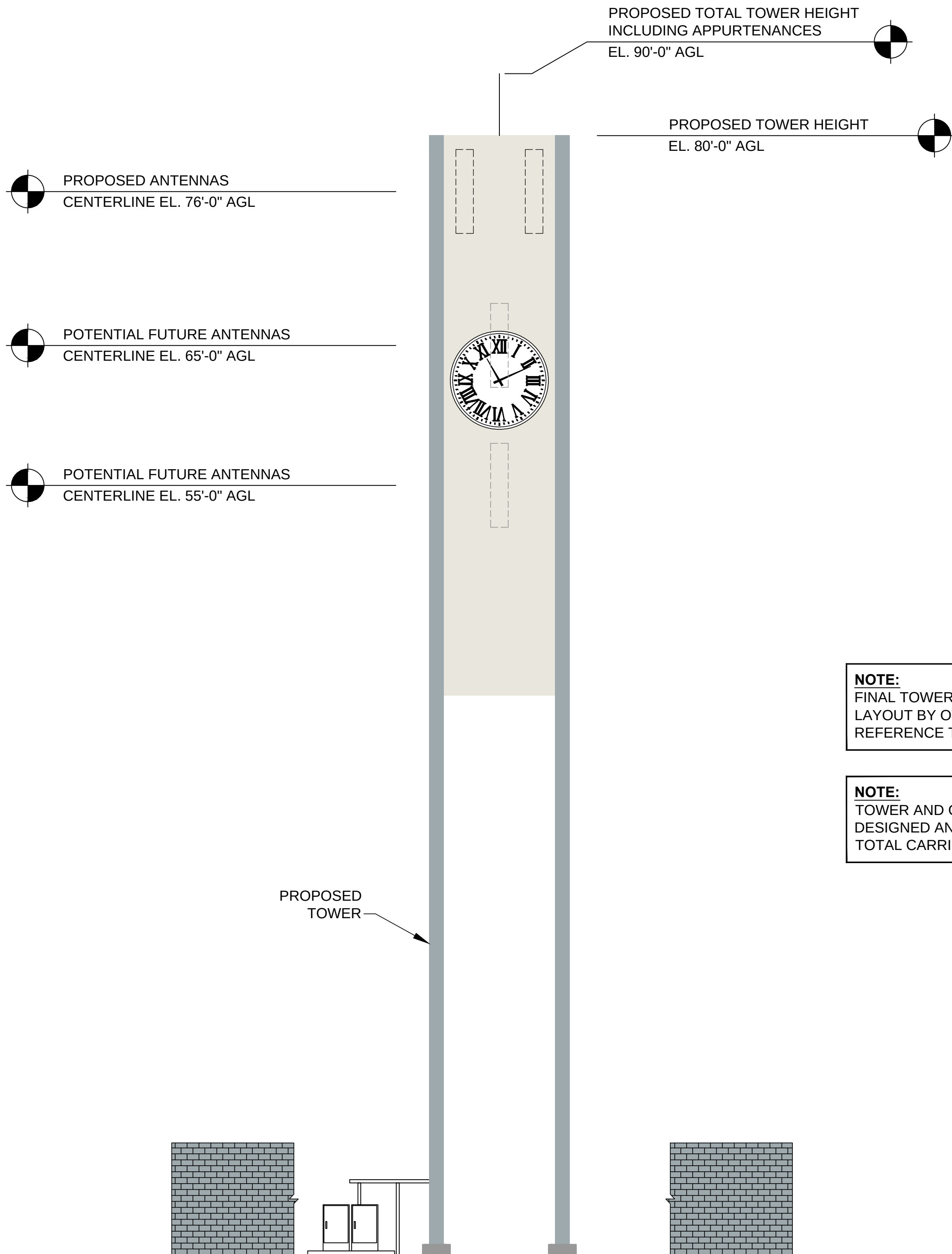
SHEET #:

L1

REVISION:

H

MATERIALS TABLE		
PIPES & BRACING	810 SQ. FT.	40%
RF COMPLIANT MATERIAL	1,180 SQ. FT.	60%



NOTE:
FINAL TOWER STRUCTURE DESIGN AND LAYOUT BY OTHERS. CONTRACTOR TO REFERENCE TOWER DESIGN FOR DETAILS.

NOTE:
TOWER AND GROUND SPACE WILL BE DESIGNED AND CONSTRUCTED FOR 3 TOTAL CARRIERS.

NOTE:
ALL INFORMATION ON THIS PAGE IS PROVIDED BY ECO-SITE AND/OR OTHERS AND IS SHOWN FOR ILLUSTRATIVE PURPOSES ONLY. CONTRACTOR SHALL CONTACT THE ECO-SITE CONSTRUCTION MANAGER PRIOR TO CONSTRUCTION FOR ALL DETAILED ANTENNA, MOUNT, AND COAX CABLE INFORMATION.

1 TOWER ELEVATION
C5 NOT TO SCALE

PREPARED FOR:

Eco-Site

240 LEIGH FARM ROAD, SUITE 230
DURHAM, NC 27707

A&E FIRM:

towersource

1875 OLD ALABAMA ROAD, SUITE 1008
ROSWELL, GA 30076
TEL: 678-990-2338 FAX: 678-990-2342

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PROJECT INFORMATION:

TX-0255
WEST BUCKINGHAM
1921 N PLANO RD
GARLAND, TX 75042

DRAWN BY:	JW
CHECKED BY:	MSB
APPROVED BY:	JC

REVISIONS		
REV.	DATE	DESCRIPTION
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F	08/06/18	REVISED PER NEW SURVEY
G	09/13/18	REVISED PER COMMENTS
H	10/01/18	REVISED PER COMMENTS

Professional Engineer Seal for John R. Cunningham, State of Texas, License No. 118463, dated 10/02/18.

SHEET TITLE:

TOWER ELEVATION & ANTENNA MOUNT DETAILS

SHEET #:	REVISION:
C5	H



Project Name:
TX-0255 West Buckingham

Prepared For:

Eco-Site[®]

240 LEIGH FARM ROAD, SUITE 230
DURHAM, NC 27707

Prepared By:

 **towersource**

www.TOWERSOURCEINC.com

Photosimulation
2A After

Location
32° 55' 50.90"
-96° 42' 03.16"

Z 18-39



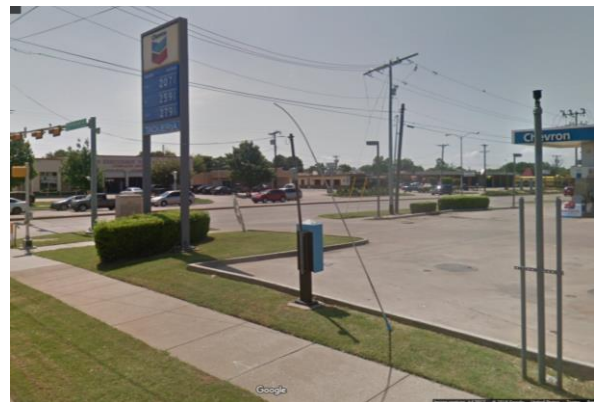
Looking at the subject property from West Buckingham Road



Looking west of subject site from West Buckingham Road



Looking north of subject site from West Buckingham Road



Looking east of subject site from N Plano Road



GARLAND

Plan Commission

3.b.

Meeting Date: 10/22/2018

Item Title: Z 18-43 Monk Consulting Engineers, Inc (District 6)

Summary:

Consideration of the application of **Monk Consulting Engineers, Inc.**, requesting approval of a Specific Use Provision for a Truck/Bus Storage use. This property is located at 3877 Miller Park Drive. (District 6) (File Z 18-43)

Attachments

Z 18-43 Monk Consulting Engineers, Inc Report and Attachments

Planning Report

File No: 18-43/District 6

Agenda Item:

Meeting: Plan Commission

Date: October 22, 2018



GARLAND

TEXAS MADE HERE

REQUEST

Approval of a Specific Use Provision for Truck/Bus Storage on a property zoned Industrial (IN) District

LOCATION

3877 Miller Park Drive

APPLICANT

Monk Consulting Engineers, Inc.

OWNER

Ribelin Distributors, Inc.

BACKGROUND

The applicant requests approval of a Specific Use Provision that will allow the operation of a truck/bus storage use from the subject property. The Garland Development Code defines Truck/Bus Storage as an area for the temporary parking or long-term storage of operable (that is, no junked, wrecked, or inoperable) trucks, buses, RVs, trailers, boats, and other types of special and heavy load vehicles, owned by others, for a fee.

SITE DATA

The subject property contains approximately 3.42 acres with 305 lineal feet of frontage along Miller Park Drive. The site is accessed from Miller Park Drive.

USE OF PROPERTY UNDER CURRENT ZONING

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

CONSIDERATIONS

1. The subject property is currently undeveloped. The applicant requests to build a 689 square-foot, 1-story building to use as a general office and twenty-six (26) parking spaces for semi-truck trailers. The semi-truck trailers will be moved in and out periodically. The general office would operate from Monday to Sunday from 7:00 a.m to 7:00 p.m.
2. The Garland Development Code requires screening of heavy vehicles in nonresidential loading areas. For heavy load vehicle loading areas located adjacent to a public streets designated as Type E, F or G on the City's adopted Major Thoroughfare Plan (or a smaller street), acceptable screening from the street may be accomplished by a coated chain-link fence with a continuous row of evergreen, high-level screening shrubs. The applicant will provide a coated chain-link fence with high level screening shrubs along Miller Park Drive to screen the semi-truck trailers from the public right-of-way.

3. The proposed use requires a minimum of three (3) parking spaces for the general office. The subject property will provide three (3) parking spaces for the general office.
4. The applicant requests the Specific Use Provision for a period of twenty-five (25) years.

COMPREHENSIVE PLAN

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

COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

The subject property is located within an area that is primarily zoned Industrial (IN) District and developed with buildings that are currently utilized for manufacturing, light industrial and heavy commercial uses.

The nature of the surrounding area is currently primarily heavy commercial and industrial; therefore, the subject property is suitable for the operation of truck/bus storage.

STAFF RECOMMENDATION

Approval of a Specific Use Provision for Truck/Bus Storage for a period of twenty-five (25) years.

ADDITIONAL INFORMATION

- i. Location Map
- ii. SUP Conditions
- iii. Photos

CITY COUNCIL DATE: November 13, 2018

PREPARED BY:

Nabiha Ahmed
Development Planner
Planning & Community Development
972-205-2453
nahmed@garlandtx.gov

REVIEWED BY:

Will Guerin, AICP
Director of Planning

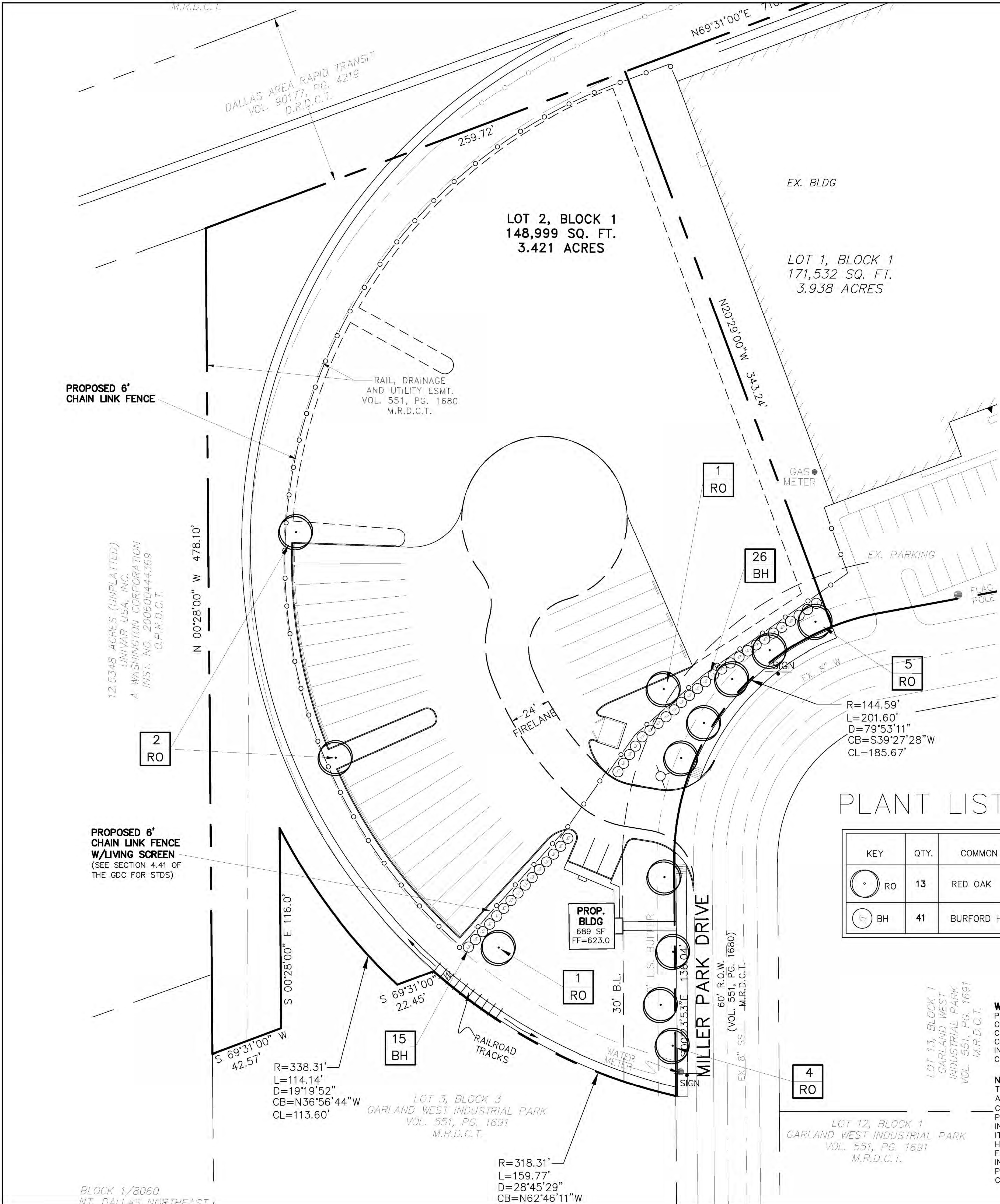


SPECIFIC USE PROVISION CONDITIONS

ZONING FILE 18-43

3877 Miller Park Drive

- I. Statement of Purpose:** The purpose of this Specific Use Provision is to permit a Truck/Bus Storage subject to conditions.
- II. Statement of Effect:** This Specific Use Provision shall not affect any regulation found in the Garland Development Code, Ordinance No. 6773, as amended prior to adoption of this ordinance, except as specifically provided herein.
- III. General Regulations:** All regulations of the Industrial (IN) District as set forth in Chapter 2 of the Garland Development Code are included by reference and shall apply, except as otherwise specified by this ordinance.
- IV. Specific Regulations:**
- A. Time Period: The Specific Use Provision shall be in effect for period of twenty-five (25) years.
 - B. Site Plan: Development shall be in general conformance with the site plan labeled Exhibit C.
 - C. Screening and Landscaping: Screening and Landscaping shall conform to the layout reflected in Exhibit D.
 - D. Building Elevations: Building elevations shall conform to the elevations reflected on Exhibit E.
 - E. Parking: At least three (3) parking spaces shall be provided for the Office, General and a maximum of twenty-six (26) parking spaces shall be provided for the Truck/Bus Storage.



**** NOTICE TO CONTRACTORS ****

TOPOGRAPHIC INFORMATION TAKEN FROM A TOPOGRAPHIC SURVEY PERFORMED BY **CBG SURVEYING, INC.** OF DALLAS, TEXAS. THE CONTRACTOR SHALL NOTIFY THE ENGINEER IMMEDIATELY, IN WRITING, OF ANY DISCREPANCIES OR OMISSIONS TO THE TOPOGRAPHIC INFORMATION. THE CONTRACTOR(S) SHALL BE RESPONSIBLE FOR CONFIRMING THE LOCATION (HORIZONTAL/VERTICAL) OF ANY BURIED CABLES, CONDUITS, PIPES, AND STRUCTURES (STORM SEWER, SANITARY SEWER, WATER, GAS, TELEVISION, TELEPHONE, ETC.) WHICH IMPACT THE CONSTRUCTION SITE. THE CONTRACTOR(S) SHALL NOTIFY THE OWNER AND ENGINEER IF ANY DISCREPANCIES ARE FOUND BETWEEN THE ACTUAL CONDITIONS VERSUS THE DATA CONTAINED IN THE CONSTRUCTION PLANS. ANY COSTS INCURRED AS THE RESULT OF NOT CONFIRMING THE ACTUAL LOCATION (HORIZONTAL/VERTICAL) OF SAID CABLES, CONDUITS, PIPES, AND STRUCTURES SHALL BE BORNE BY THE CONTRACTOR. ADDITIONALLY, THE CONTRACTOR(S) SHALL NOTIFY THE OWNER AND ENGINEER IF ANY ERRORS OR DISCREPANCIES ARE FOUND ON THE CONSTRUCTION DOCUMENTS, WHICH NEGATIVELY IMPACT THE PROJECT. ENGINEER AND OWNER SHALL BE INDEMNIFIED OF PROBLEMS AND/OR COST WHICH MAY RESULT FROM CONTRACTOR'S FAILURE TO NOTIFY ENGINEER AND OWNER.

- NOTES:**
- 1) ALL WORK MUST CONFORM TO CITY OF GARLAND & NCTCOG STANDARDS AND DETAILS.
 - 2) ALL WORK IN PUBLIC RIGHT-OF-WAY SHALL CONFORM TO CITY OF GARLAND "RIGHT-OF-WAY MANAGEMENT ORDINANCE No.5504" STANDARDS AND DETAILS
 - 3) SEE DETAILS SHEETS FOR PRIVATE DETAILS. ALL PRIVATE DETAILS ARE SUPERSEDED BY STANDARD CITY DETAILS.
 - 4) ALL DIMENSIONS ARE FACE OF CURB TO FACE OF CURB UNLESS OTHERWISE NOTED.
 - 5) ALL SCREENING WALLS SHALL COMPLY WITH THE SCREENING WALL DETAILS OF THE "CITY OF GARLAND ENGINEERING DEPT. STANDARD DETAILS, 2006" AS AN ALTERNATIVE, AN EQUIVALENT SCREENING WALL PLAN, DESIGNED BY A STATE OF TEXAS PROFESSIONAL ENGINEER, MAY BE SUBMITTED TO THE BUILDING INSPECTION DEPT. FOR REVIEW AND APPROVAL.

LANDSCAPE DATA:

LOT AREA:
3.42 Acres, 148,999 sq. ft.
LANDSCAPE AREA:
Required:14,899 sq.ft.
Provided:109,106 sq.ft.
FRONTAGE TREES:
Required:9 (1/30LF)
Provided:9
PARKING TREES:
Required:1/65' of parking
Provided:4
LS BUFFER:
Required:10' along frontage

PLANT LIST

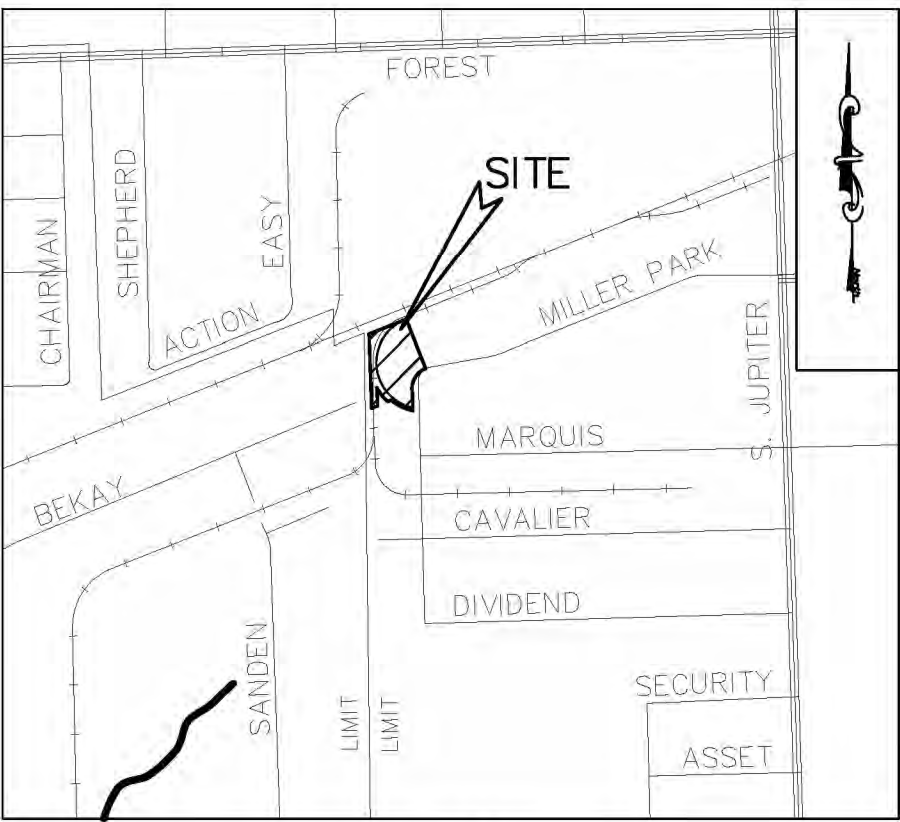
KEY	QTY.	COMMON NAME	BOTANICAL NAME	SIZE	REMARKS
RO	13	RED OAK	Quercus virginiana	Minimum 6" caliper; 10'-12' ht.	Nursery-grown B&B, full head, single trunk
BH	41	BURFORD HOLLY	Ilex cornuta "Burfordii"	Minimum 8' ht at time of planting	Full; plant 72" o.c.

WARNING:
PRIOR TO THE BEGINNING OF ANY CONSTRUCTION OR CONSTRUCTION STAKING, IT SHALL BE THE CONTRACTORS RESPONSIBILITY TO CONTACT THE CIVIL ENGINEER TO ENSURE THAT ALL PARTIES ARE IN POSSESSION OF THE MOST CURRENT SET OF CONSTRUCTION DOCUMENTS.

NOTE:
THE CONTRACTOR SHALL BE RESPONSIBLE FOR FIELD VERIFYING THE LOCATION OF ALL EXISTING UTILITIES AND EASEMENTS PRIOR TO START OF OPERATIONS. CONTRACTOR WILL NOTIFY THE OWNER'S REPRESENTATIVE OF ANY DISCREPANCIES PRIOR TO STARTING THE WORK. EXISTING UTILITIES AND UNDERGROUND FACILITIES INDICATED ON THESE PLANS HAVE BEEN LOCATED FROM REFERENCE INFORMATION. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY BOTH THE HORIZONTAL AND VERTICAL LOCATION OF ALL EXISTING UTILITIES AND UNDERGROUND FACILITIES PRIOR TO START OF CONSTRUCTION. TAKE THE NECESSARY PRECAUTIONS IN ORDER TO PROTECT ALL FACILITIES ENCOUNTERED. THE CONTRACTOR SHALL PRESERVE AND PROTECT ALL EXISTING UTILITIES FROM DAMAGE DURING CONSTRUCTION.

1) BENCHMARK:
CITY OF GARLAND GPS
MONUMENT NO. 225
N=7021507.639
E=2526082.896
ELEV = 610.56

2) BENCHMARK:
CITY OF GARLAND GPS
MONUMENT NO. 32
N=7011287.66
E=2526697.41
ELEV = 592.40



VICINITY MAP
NOT TO SCALE

LEGEND

- = PROPERTY LINE
- EX. SS = EXISTING SANITARY SEWER LINE
- EX. W = EXISTING WATER LINE
- ⊙ = EXISTING GAS MANHOLE
- ⊙ FH = EXISTING FIRE HYDRANT
- WM = EXISTING WATER METER
- PP = EXISTING POWER POLE
- LP = EXISTING LIGHT POLE
- ⊙ = EXISTING STORM MANHOLE
- ⊙ = EXISTING SS MANHOLE
- ⊙ = PROPOSED SS MANHOLE
- ⊙ = PROPOSED FIRE HYDRANT
- ⊙ = PROPOSED FIRE DEPT CONNECTION
- ⊙ = PROPOSED DETECTOR CHECK VALVE
- EXIST. or EX. = EXISTING
- PROP. = PROPOSED
- LS = LANDSCAPE
- RCP = REINFORCED CONCRETE PIPE
- min = MINIMUM
- max = MAXIMUM

ONLY DRAWINGS STAMPED "RELEASED FOR CONSTRUCTION" BY THE CITY OF GARLAND TO BE USED FOR CONSTRUCTION.



CASE # 180724-2

PRELIMINARY LANDSCAPE PLAN

STAR MILLER PARK DRIVE

**3877 MILLER PARK DRIVE
REBELIN-PARK ADDITION
LOT 2, BLOCK 1, 3.42 Acres**
City of Garland, Dallas County, Texas

developer/contractor

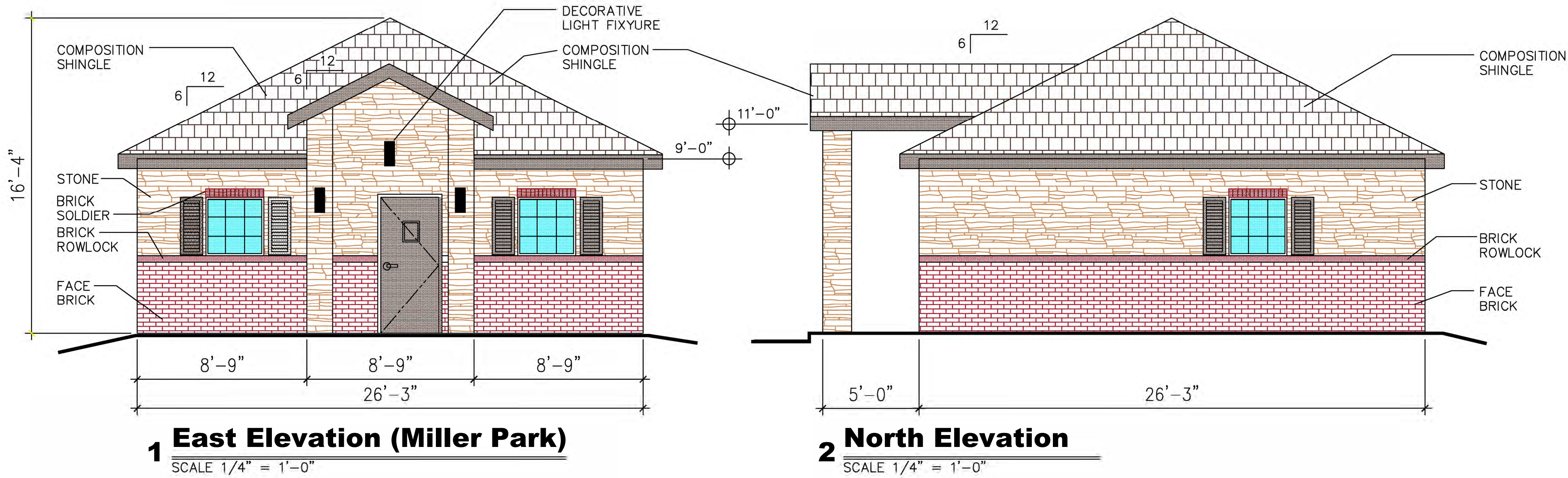
37 STARS REALTY, LLC
12101 Greenville Ave N. ste 102,
Dallas, Texas 75243
Contact: Moses NeGusse 972) 743-1223

prepared by

MONK CONSULTING ENGINEERS
1200 W. State Street, Garland Texas 75040
972 272-1765 Fax 972 272-8761

© 2018 Monk Consulting Engineers, Inc., All Rights Reserved
PROJECT NO.: 2018-11 REG. NO.: F-2567

date: 10/12/18 scale: 1"=30' sheet: L101



Material Information

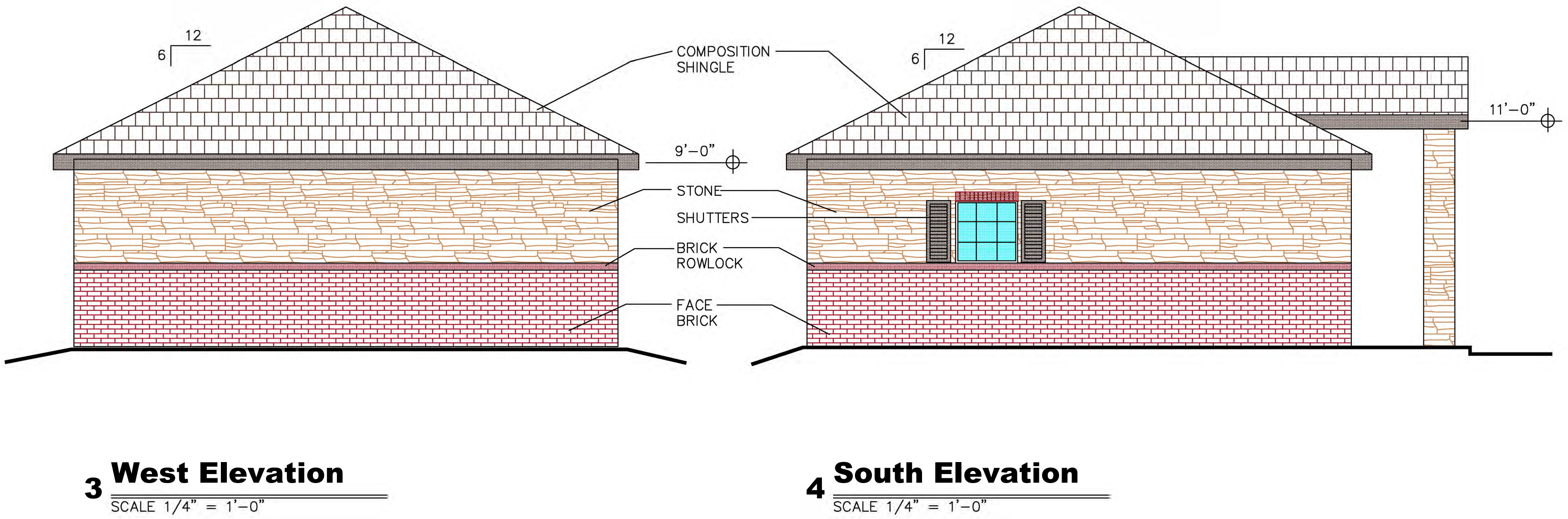
East Elevation	
Brick	45 %
Stone	55 %
Masonry %	100 %
North Elevation	
Brick	54 %
Stone	46 %
Masonry %	100 %
West Elevation	
Brick	54 %
Stone	46 %
Masonry %	100 %
South Elevation	
Brick	60 %
Stone	40 %
Masonry %	100 %

Articulations

Not required under 30'

Architectural Elements

- (c) Divided Light Windows
- (g) Recessed Entries
- (e) Shutters
- (i) Bench for outdoor seating
- (n) Varied Roof Heights
- (j) Distinctive Lighting Fixture



Park Bench (Located on North Side of building)
Refer to site Plan for location



CASE # 180724-2

ELEVATIONS

STAR MILLER PARK
3877 MILLER PARK DRIVE

REBELIN-PARK ADDITION
LOT 2, BLOCK 1, 3.42 Acres
City of Garland, Dallas County, Texas
developer/contractor

37 STARS REALTY, LLC
12101 Greenville Ave N. ste 102,
Dallas, Texas 75243
Contact: Moses NeGusse 972) 743-1223

prepared by
MONK CONSULTING ENGINEERS
1200 W. State Street, Garland Texas 75040
972 272-1763 Fax 972 272-8781

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PROJECT NO.: 2018-11 REG. NO.: F-2567

date:	scale:	sheet:
10/4/18	1/4"=1'-0"	A101

Z 18-43



Looking at the subject property from Miller Park Drive.



Looking east of subject site from Miller Park Drive.



Looking south of subject site from Miller Park Drive



GARLAND

Plan Commission

4.a.

Meeting Date: 10/22/2018

Item Title: Amendments to Chapter 4, Article 5, "Signs", of the Garland Development Code regarding changes to the signage regulations.

Summary:

Consider amendments to Chapter 4, Article 5, "Signs", of the Garland Development Code regarding changes to the sign regulations.

Attachments

Garland Development Code (GDC) Sign Regulation Amendment Report

Garland Development Code (GDC) Sign Regulation Amendment Attachment

Planning Report

Agenda Item: GDC amendments

Meeting: Plan Commission

Date: October 22, 2018



GARLAND

TEXAS MADE HERE

ISSUE

Consider amendments to Chapter 4, Article 5, "Signs", of the Garland Development Code regarding changes to the signage regulations.

BACKGROUND

The City Attorney's Office has brought forward needed changes to the Garland Development Code signage regulations, primarily due to case law regarding the review and classification of signs as it relates to the First Amendment to the United States Constitution. The changes have been discussed by the Development Services Committee of the City Council since April 2018. During these discussions, the Committee has recommended additional policy-level changes as it relates to various types of signs for commercial and non-commercial purposes.

It should be noted that the attached amended sign regulations is a clean version, as opposed to redlined, due to the extent of the needed language changes. The draft is essentially a re-write of the sign regulations.

CONSIDERATIONS

1. While the intent of the proposed amendments originates with case law as it relates to regulating content, there are draft policy-related amendments for the Plan Commission to consider involving both permanent and temporary signs, such as limiting the time duration and number of temporary banners.
2. One notable new consideration is a digital billboard conversion ratio allowance, as several other Cities in the region currently offer. It would allow for the conversion of an existing static billboard to a digital changeable display, with the subsequent and complete removal of a certain number of other billboards within Garland. In the attached draft regulations, the proposal is a 3:1 ratio (including the billboard undergoing digital conversion).
3. Following the Plan Commission's review and recommendation, the draft changes will then be discussed and considered for formal approval by the City Council. The draft Chapter 4 sign regulations amendments are attached for the Plan Commission's review.

PREPARED BY:

Will Guerin, AICP

Director of Planning

972-205-2449

wguerin@garlandtx.gov

Article 5 - Signs

Section 4.62 Legislative Findings; Interpretation; and General Matters

- (A) Purpose. The City Council hereby finds that the regulation of the size, quantity, illumination, movement, materials, location, height, and condition of all signs placed on private property within the City of Garland (1) is essential to the health, safety, and welfare of citizens of Garland, (2) promotes the free flow of traffic and protects pedestrians and motorists from injury and property damage caused by, or which may be fully or partially attributable to cluttered, distracting, or illegible signage, (3) is critical for the protection of property values and the aesthetic character of neighborhoods, and (4) is beneficial to economic development.
- (B) Interpretation. This article shall be interpreted in a manner consistent with the First Amendment of the Constitution of the United States and Article I of the Texas Constitution. If any provision of this article is found by a court of competent jurisdiction to be invalid, such finding shall not affect the validity of other provisions of this article and may be given effect without the invalid provision.
- (C) Governmental Signs. As a general matter, this article is not intended to, and does not apply to, signs erected, maintained, or otherwise posted by governmental entities, the State, the federal government, or the City. However, Sections 4.69 and 4.71 of this article shall apply to signs erected, maintained, or otherwise posted by the State or any of its departments or agencies, any school district, county, appraisal district, other municipality, quasi-governmental agency, or the federal government.
- (D) Substitution. A non-commercial message of any type may be substituted for any allowed commercial message or allowed noncommercial message; provided, that the sign structure or mounting device is legal without consideration of message content. A substitution of a noncommercial message may be made without any additional approval or permitting. This provision prevails over any more specific provision to the

contrary within this article. The purpose of this provision is to prevent any inadvertent favoring of commercial speech over noncommercial speech, or favoring of any particular noncommercial speech over any other noncommercial speech. This provision does not create a right to increase the total number or square feet of signs on a tract of land or property, nor does it affect the requirement that a sign structure or mounting device be properly permitted.

- (E) Conflict. In the event of a conflict between this article and an ordinance of the City, then the most restrictive provision shall apply.

Section 4.63 Definitions

The following terms and phrases, as used in this Article 5, have the following meanings:

- (A) "Sign" means a name, identification, description, messages, display or illustration, which is affixed to, painted or represented directly or indirectly upon a building, or other surface that directs attention to or is designed or intended to direct attention to the sign face or to an object, product, place, activity, person, institution, organization, or business. Signs located completely within an enclosed building, and not exposed to view from a street or public right-of-way shall not be considered a sign for purposes of this article. Each display surface of a sign or sign face shall be considered to be a sign. A closely associated grouping of signs, shall constitute a single sign where the distance separating each component does not exceed 2 feet from edge to edge.
- (B) "Sign area" means:
- (1) the space enclosed within the extreme edges of the sign for each sign face, not including the supporting structure; or
 - (2) where attached directly to a building wall or surface, the space within the outline enclosing all the characters of the words, numbers, or design.
- (C) "Sign face" means the entire display surface area of a sign upon, against, or through which copy is placed.

- (D) "Digital billboard" means an off-premise sign, display or device, which is capable of producing an animated or moving digital image, copy, or video by electronic means, and is operated by an entity possessing an outdoor advertising license issued by the Texas Department of Transportation and all other governmental agencies having jurisdiction.
- (E) "Electric" means any sign containing electric wiring. This does not include signs illuminated by an exterior floodlight source.
- (F) "Flashing" means any illumined sign on which the artificial light is not maintained stationary or constant in intensity and color at all times when such sign is in use. For the purpose of this article any moving illuminated sign, except electronic programmable signs, shall be considered a flashing sign.
- (G) "Freestanding" means a permanent sign erected and maintained on a freestanding frame, mast or pole not attached to any building.
- (H) "Regulatory sign" means a sign that is required to be constructed, placed, or maintained by the federal, state or local government or by the property owner to the extent necessary to enforce a property owner's rights.
- (I) "Integral" means a sign that is embedded, extruded or carved into the material of a building façade.
- (J) "Marquee" means a permanent canopy or covering structure, other than a roof or awning, bearing a signboard or copy projecting from and attached to a building.
- (K) "Main entry" means the front elevation of the tenant space or building where the primary entrance to the tenant space is located and where the building fronts the primary street address or parking lot servicing premises.
- (L) "Off-premise sign" means a sign that pertains to a business, person, organization, activity, event, or place not physically located on the premises upon which the sign is located.
- (M) "On-premise sign" means any sign that relates to the site on which it is located, pertaining to a tenant, business,

person, organization, activity, event, or place that has a physical presence located on the same site as the sign. For the purposes of this definition, "virtual tenants" shall not be considered to be located on the premises.

- (N) "Portable sign" means any device or sign without a permanent foundation or otherwise permanently attached to a fixed location, which can be carried, towed, hauled or driven and is primarily designed to be moved rather than be limited to a fixed location regardless of modifications that limit its movability.
- (O) "Roof sign" means a sign affixed to, applied on, or erected upon or above a roof or eave line of a building or structure. Signs attached to parapets or mansard roofs shall be considered attached signs.
- (P) "Temporary sign" means any sign that is constructed of materials that are temporary in nature, such as paper, cloth, canvas, plastic sheet, cardboard, wallboard, or plywood, and is reasonably determined by the Building Official to be displayed for a limited period of time.

Division 2 – Administration & Procedures

Section 4.64 Building Official Authority

The Building Official is the primary City official responsible for enforcing the provisions of this article. However, the City Manager, in his or her discretion, may delegate the authority of enforcing the provisions of this article to any official or employee of the City.

Section 4.65 Sign Permit & Fees

- (A) Permit Required. No person may erect, construct, alter, rebuild, enlarge, extend, convert, replace, or relocate, a sign, or cause or suffer the same to be done without first obtaining a sign permit for each sign (except for certain exempt signs as provided in Section 4.67 and as otherwise provided below). A sign permit applies to only one applicant and one physical location.

- (B) Responsible Official. The Building Official, or his or her designee, is the responsible official for issuance of a sign permit.
- (C) Creation of a Site. The Building Official may not issue a permit for construction, erection, or placement of any type of permanent sign until a site is established for the sign by an approved site permit, building permit, or certificate of occupancy (whichever comes first for a particular project).
- (D) Application. To obtain a sign permit, the applicant must file an official application in writing and include plans and all information required by the Building Inspection Department.
- (E) Fees & Refunding of Fees.
 - (1) Sign Permit Fee. The fee for a sign permit is provided in Chapter 30, Article XV of the City Code.

Where work is started or commenced without first obtaining a required sign permit, the sign permit fee shall be doubled. The Board of Adjustment may waive or reduce any amount over the standard sign permit fee, as provided for in Chapter 30, Article XV of the City Code, upon a reasonable determination that the sign was (a) designed and constructed in conformance with this article and all other City codes and ordinances, and (b) a reduction or waiver would be equitable after taking into account the facts and circumstances of the case. The payment of any fee does not relieve any person from fully complying with the requirements of this article or any other City codes or ordinances.
 - (2) Fee Refunds. The Building Official may authorize a refund of a sign permit fee if it is determined that a sign permit was issued in error or that a sign permit cannot be legally issued. Any such fee refund shall be processed in the manner provided in Chapter 30, Article XV of the City Code.
- (F) Issuance of Sign Permit. A sign permit shall be issued by the Building Official provided that the plans and specifications meet with all the requirement of this article, all other applicable codes of the City, and the appropriate fee has been paid.

- (G) Expiration of Sign Permit. A sign permit issued under the provisions of this article expires if the work authorized by the permit is not completed within 90 calendar days following the sign permit issuance date. Upon expiration of, and before work may recommence, the applicant must apply for and obtain a new sign permit.
- (H) Suspension or Revocation of Sign Permit. The Building Official may suspend or revoke any sign permit issued under the provisions of this article upon a determination that the permit was issued in error or on the basis of incorrect or false information, or whenever the permit was issued in violation of any of the provisions of this article or any other ordinance of the City or any state or federal law. The suspension or revocation is effective immediately upon written notice being personally delivered or mailed to the person to whom the sign permit was issued at the address provided by the applicant in the respective sign permit application, to the owner or benefactor of the sign, or to the owner of the premises upon which the sign is located. Any sign installed under a revoked sign permit must be removed by the permit holder, sign owner, or property owner within fifteen calendar days following the mailing of the written notice of the revocation.

Section 4.66 Inspections

- (A) All signs that require a permit are subject to a pre-inspection and a final inspection (see subsection (B) below), and any additional inspections as reasonably determined necessary by the Building Official.
- (B) Pre-Inspection. The Building Official, upon receipt of an application for a sign permit, may conduct a pre-inspection. The following requirements must be met by the applicant for the issuance of a sign permit: (i) the work described in an application for a sign permit complies with the provisions of this article, state, and federal law; (ii) the plans, specifications, and other information filed in the application comply with the provisions of this article, state, and federal law; and (iii) the related sign permit fees have been paid in full.

- (C) Final Inspection. The sign permit holder must, within 3 working days of completion of the sign installation, request a final inspection.

Section 4.67 Exempt from Sign Permit

The following types of signs or activities must comply with all sign requirements of this article, but are not required to have a sign permit:

- (A) Maintenance. No sign permit is required for maintenance to a lawfully placed sign. Maintenance includes all care and minor repair needed to maintain a safe, attractive, and finished structure, frame pole, brackets, or surface and that does not enlarge or materially alter any face or display portion of the sign. Replacing a damaged or structurally unsound frame pole with another frame pole on a legally conforming sign of the same size and height is considered maintenance. Changing the copy on a sign without changing the dimensions of the face or the size of the copy is considered maintenance if the sign serves the same establishment or entity after the change.
- (B) Temporary Signs on Single-family Lots. A sign permit is not required for temporary or seasonal signs on residential lots, not including multi-family tracts, lots, or properties.
- (C) Address signs. A sign permit is not required for address signs placed pursuant to Section 4.70(A)(3).
- (D) Traffic or Movement Control Sign. The following standards serve an important public health and safety function, and are intended to be used by the owners of private property that is open to the public to reduce confusion and to limit the risk of accidents involving vehicular and pedestrian traffic. Subject to the following provisions of Subsections (1) - (5), no permit is required for a small, incidental, on-site sign designated specifically for the purpose of directing or providing safety guidance to vehicular or pedestrian traffic on private property. Traffic control signs on private property:
 - (1) shall not exceed a maximum height of 3 feet from the ground;

- (2) shall not exceed a maximum surface area of 6 square feet;
 - (3) are permitted in all multi-family, single-family attached, mixed-use, and nonresidential zoning districts, and are allowed for any nonresidential use that is lawfully located in an agricultural, single-family, or two-family zoning district;
 - (4) shall be placed or setback a minimum of 3 feet from any right-of-way line; and
 - (5) if illuminated, a sign permit must be obtained through the Building Inspection Department.
- (E) Sandwich Board Sign. A permit is not required for a sandwich board sign. A sandwich board sign is a self-supporting A-shaped temporary sign with two visible sides that is placed in front of a business, generally on a sidewalk, to attract patrons into the establishment. A sandwich board sign must comply with the following provisions:
- (1) The maximum height shall be 4 feet.
 - (2) The maximum surface area of each side is 10 square feet and a maximum of 30 inches wide.
 - (3) A sandwich board sign is allowed in all mixed-use zoning districts.
 - (4) The sign may not be placed or located a distance greater than 5 feet from the building in which the advertised use is located, and must be placed within close proximity of the main entrance of the business. Sandwich board signs must be placed so that a minimum walkway width of 4 feet is maintained, not including the area upon which the sandwich board sign is located.
 - (5) A property or business may have only one sandwich board sign per street frontage.
 - (6) A sandwich board sign may be displayed only during hours of operation.
- (F) Vehicle Signs. A permit is not required for a vehicle sign that complies with the provisions of this article.
- (G) Window Sign. A window sign is a sign painted or affixed to the exterior or interior surface of a window, or placed

behind, or within 3 feet of, the window surface so as to be visible from the exterior. Window signs must comply with the following provisions:

- (1) Window signage, in aggregate, may occupy or cover no more than 25 percent of the total window surface area for each building facade that is visible from a public street or alley (maximum 25 percent coverage for all window surfaces combined).
- (2) Luminous gaseous tubing, LED lights, or other strip lighting attached directly to a window, window frame, door, doorframe, or within 3 feet of a window or door shall be considered a "window sign" when forming a border, when directing attention to a premises, or when forming letters, logos, symbols, or pictorial designs of any kind. Luminaires shall not blink, flash, rotate, scroll, change color, increase or decrease in intensity. In addition to these window sign limitations, electronic programmable window signs shall comply with Sections 4.78(0)(3),(7), and (8).

Division 3 - General Sign Provisions

Section 4.68 General Regulations for All Districts

- (A) Where Allowed. Signs defined and classified herein are allowed in all zoning districts unless expressly stated otherwise for a particular type of sign.
- (B) Compliance with Other Laws and Codes. All signs erected or maintained pursuant to the provisions of this article must be erected and maintained in compliance with all applicable state laws and with the Building Code, Electrical Code, and other applicable ordinances of the City. In the event of conflict between this article and other laws, the most restrictive standard applies.
- (C) Duration. Legal signs specifically defined and classified herein are allowed to remain in place for an unlimited period of time, unless specifically stated otherwise for a particular type or sign, or on the sign permit, provided that they have a valid sign permit (if required), and that they are not required to be removed under some provision in this Article 5.

- (D) Number of Signs. Each business with a store front or main entry is entitled to display signage. The number of wall signs or attached signs is limited by allowable sign area as set forth in Section 4.78. The number of free standing signs is limited by the type, location, and proximity to other freestanding signs as set forth in Section 4.78. Temporary signs are limited as set forth in Section 4.70 & 4.78.
- (E) Freestanding Signs. All freestanding signs in excess of 8 feet in height must be designed, and the plans and specifications prepared and sealed by an engineer licensed in the State of Texas. Multi-family sites are prohibited from displaying any type of freestanding sign, except for monument signs, subject to the provisions of Section 4.78(L).
- (F) Wall/Attached Signs. Attached signs are permitted for multi-family premises, nonresidential districts, and nonresidential uses in residential zoning districts, subject to the provisions of Section 30.106 of the City Code, except that they must have a maximum sign area of one-half times the width of the building with a maximum of 160 square feet. All signs attached to any type of structure or building shall be reviewed by the Building Official. Plans and specifications for attached signs must be prepared and sealed by a licensed engineer if, in the reasonable opinion of the Building Official, the sign is of a size, weight, dimension, or mounting design that it might pose a structural or safety risk to the building, property or persons visiting the site.
- (G) Noncombustible Materials. All freestanding signs must be constructed of materials that are noncombustible or slow burning (as in the case of plastic inserts or facings) and must be supported by only noncombustible material and finished in a presentable manner. Untreated wood or unpainted or non-galvanized steel supports are specifically prohibited.
- (H) Weatherproofing. All signs must be designed and constructed in a manner to prevent the accumulation of water.
- (I) Vertical Clearance. All freestanding and projecting signs must maintain a minimum vertical clearance of 8 feet above any sidewalk or pedestrian travel surface, and 14 feet above

any vehicular parking or circulation surface (including streets, alleys, drive aisles, fire lanes, or parking spaces).

Section 4.69 Prohibited Signs

- (A) Prohibited Signs. Signs that are not expressly authorized under this article, by specific requirements in another portion of this chapter, or otherwise expressly allowed by the City Council are prohibited. Signs are prohibited in all Districts unless:
- (1) Constructed pursuant to a valid sign permit when required under this GDC; and
 - (2) Authorized under this GDC.
- (B) Commercial Signs in Residential Areas. Commercial signs, except as expressly provided for herein, are prohibited in residential zones and on property used for non-transient residential uses. A model home may have one on-premise sign subject to the provisions and limitations of below Section 4.71.
- (C) Handbills and Placards. Miscellaneous commercial advertising matter may not be scattered or placed on or suspended from buildings, poles, sidewalks, or fences; no person may paste, stick, stack, nail, affix, paint, mark, inscribe, or otherwise place any commercial advertisement, handbill, flyer, placard, inscription or any other type of written matter or object (including any goods, wares, or merchandise) for any commercial purpose upon any building, light or utility pole, post, structure, fence or wall, railing, tree, sidewalk, parkway, driveway, or parking area, or on any other public property other than a sign defined, regulated, and allowed by this article or other City ordinance (except street address numbers that are placed in compliance with the International Residential Code, as adopted by the City Code, are allowed on curbs and on residential fences to identify house numbers for emergency and service personnel);
- (D) Certain Illuminated and Animated Signs.
- (1) Any type of sign that is illuminated to an intensity, or in a manner, which causes a glare of brightness to

a degree that constitutes a hazard to traffic or a nuisance to adjacent properties is prohibited.

- (2) Except as otherwise expressly provided for in this article, a sign, including a programmable sign, may not emanate a luminance more than 0.3 foot-candles above the natural ambient light level of the location at the time of measurement, as measured from a point 250 feet from the sign face.
 - (3) Except as otherwise expressly provided for in this article, moving, flashing, animated, intermittently lighted, changing color, beacons (except for aircraft directional and warning beacons required by the FAA), revolving, swinging, fluttering, or similarly constructed signs are prohibited.
- (E) Roof Signs. Except as otherwise expressly provided for in this article, roof signs of all types are prohibited.
- (F) Temporary and Portable Signs. Temporary and portable signs are prohibited, except for certain temporary signs that may be expressly allowed for limited time periods in this article.
- (G) Searchlights. Searchlights of all types are prohibited.
- (H) Location Prohibitions. Any sign constructed, placed, or maintained that does not meet all of the following minimum standards is prohibited. Any sign allowed by this article, and not otherwise exempted, must be placed:
- (1) So that it maintains a vertical and horizontal clearance of at least 10 feet from any overhead or underground power line, utility pole, telephone wire or cable, electrical streetlight standard or other above- or below-ground utility equipment or structure, or as required by the City's electrical code (whichever is more stringent), except that such clearance is not required from the electrical feeder line to the sign itself, or to feeder electrical or telephone wires or cables that serve the building(s) on the same premises where the sign is to be located;
 - (2) So that it is not attached to or will not interfere in any way with the use of any fire escape, exit, or standpipe;

- (3) So that it will not obstruct any required building openings to such an extent that light or ventilation is reduced below that required;
 - (4) Completely outside of all public rights-of-way and easements (unless otherwise authorized in this article or other City ordinance), including street parkways and medians, except for governmental signs, special events signs that are authorized by the City, and subdivision entrance signs that are expressly authorized by the City;
 - (5) So that it will not block any fire lane, fire hydrant, or other fire hose connection; and
 - (6) So that it will not obstruct or interfere with the minimum sight line standards as set forth in Chapter 33 (Transportation), Article VI, Section 33.66 of the City Code.
- (I) Signs Encroaching Rights-of-Way or Easements. Signs encroaching into or over a public right-of-way or easement are prohibited, unless the encroachment is authorized under a licensing agreement with the City, in accordance with Section 31.117 of the City Code.
- (J) Obscene, Indecent, and Immoral Matter. It is unlawful for any person to display upon any sign obscene, indecent, or immoral matter.
- (K) Off-premise Signs. Off-premise signs are prohibited unless expressly authorized by this article.

Section 4.70 Authorized Signs

- (A) Authorized Signs. Notwithstanding any other provision of this GDC, the following signs are authorized in every district:
- (1) Although these regulations do not apply to signs erected, maintained or posted by the City, state, or federal government, these regulations clarify that governmental signs are allowed in every zoning district which form the expression of the City when erected and maintained and include the signs described and regulated in this subsection and subsections (A)(2)-

(4) of this Section 4.70, when erected and maintained pursuant to law.

- (2) Traffic control devices, not including directional signs, on private or public property must be erected and maintained to comply with the Manual on Uniform Traffic Control Devices adopted in this state and if not adopted by this state with the Manual on Uniform Traffic Control Devices adopted by the Federal Highway Administration. Comment: The Federal Highway Administration has established uniform standards for signs that regulate traffic or that are erected and maintained within road rights of way or adjacent property. These uniform standards serve an extraordinarily important public function and are intended to be used by the owners of private property that is open to the public to reduce confusion and limit the risk of accident.
- (3) Every improved property within the City shall be marked using numerals that accurately identify the address of the property so that public safety departments can easily identify the address from public right-of-way(s). Property owners shall comply with Section R319.1 of the International Residential Code, Section 505.1 of the International Fire Code as amended by Section 30.226, and Section 21.01 of the City Code.
- (4) Where a federal, state or local law requires a property owner to post a sign on the owner's property to warn of a danger or to prohibit access to the property either generally or specifically, the owner must comply with the federal, state or local law to exercise that authority by posting a sign on the property that meets the standards and dimensions required by applicable law.
- (5) For convenience stores signs, also see Section 26.163 for additional limitations on window signs and other required signs.

(B) Temporary Signs.

- (1) Purpose and Intent. It is the intent of this GDC to limit the aesthetic impact of signs on properties to prevent clutter and protect streetscapes, thereby

preserving property values and protecting traffic safety. The unreasonable accumulation of signs adversely affects these goals, property values, and public safety.

(2) The following are Temporary signs that are allowed at any time:

- (a) A property owner may place one sign, not including a noncommercial flag, with a sign face no larger than 6 square feet, and at a maximum height of 6 feet, on the property at any time; and
- (b) A property owner may place one sign, not including a noncommercial flag, no larger than 8.5 inches by 11 inches in one window on the property at any time.
- (c) Commercial signs or advertisements may not be displayed on any lot, tract, or property that is lawfully used as a residential use.

(3) Noncommercial Flags. For the purposes of this Article, noncommercial flags shall be considered temporary signs that do not require a permit for display. There are no time limitations for the display of noncommercial flags. The display of noncommercial flags are subject to the following provisions:

(a) *Commercial, Industrial, and Retail Districts.*

- (i) The maximum aggregate surface area of noncommercial flags located on a property or tract of land located within a commercial, industrial, or retail zoning district may be no greater than 200 square feet.
- (ii) Noncommercial flags attached to a building located on property or tract of land within a commercial, industrial, or retail zoning district may not exceed the height of the building. Freestanding flags must be attached to poles and may not exceed the height of the building or a maximum of 12 feet, whichever is less.

- (iii) In addition to the display of noncommercial flags allowed by above subsections (i) and (ii), a single free-standing noncommercial flag that is a maximum of 375 square feet may be flown on a property or tract of land located within a commercial, industrial, or retail zoning district that is immediately adjacent to IH635, IH30, and State Highway 190, at a height of no greater than 80 feet, as long as it is attached to a properly permitted and approved flag pole.
- (iv) All freestanding noncommercial flags must be securely attached to a structure or the ground capable of withstanding a 70 mph wind and be setback a minimum of 15 feet from the edge of the street or the back of the curb or a distance equal to the height of the pole, whichever is greater.

(b) Residential Zoning Districts

- (i) Freestanding noncommercial flags may not exceed the height of the primary structure located on the property or tract of land.
 - (ii) All freestanding noncommercial flags must be securely attached to a structure, or the ground, capable of withstanding a 70 mph wind and be setback a minimum of 15 from the edge of the street or back of the curb.
- (C) For purposes of this Section 4.70 the lessor of a property is considered the property owner where the lessor holds a right to use exclusive of others (that is, the sole right to occupy). In the event there are multiple lessors of a property, then each lessor shall have the same rights and duties as the property owner as to the property the lessor leases and has the sole right to occupy and the size of the property shall be deemed to be the property that the lessor has the sole right to occupy under the lease.
- (D) One banner may be used as a temporary sign at the same location to which the owner has properly submitted a new

application for a permanent sign or is in the process of replacing the old sign with a new one. The temporary banner sign may only remain until such time as the new sign is installed or for 60 days, whichever occurs first. The temporary banner must be similar in size as the permanent sign described in the owner's application for the permanent sign.

(E) Vehicle Signs. A vehicle sign is a type of sign that is mounted on, attached to, or painted on a vehicle, trailer, skid, or other wheeled or mobile conveyance.

- (1) Vehicles with attached signs being primarily used to create additional on-premise signage for a business are prohibited.
- (2) Vehicles with attached signs that cannot lawfully operate on a public street and are visible from a public right-of-way are prohibited.
- (3) Vehicles with attached signs parked on vacant property, land, or a structure, and that are visible from a public right-of-way are prohibited.

Section 4.71 Residential Districts

The following provisions apply to all signs in residential zoning districts, including signs within 25 feet of a residential district boundary, signs within 25 feet of a public park of more than one acre, or signs located where a multi-family residential use occurs within a nonresidential zoning district:

- (A) Sign Illumination. A sign, including a programmable sign, may not emanate a luminance more than 0.2 foot-candles above the natural ambient light level of the location at the time of measurement, as measured from the nearest residential property line; and
- (B) Electronic programmable signs. An electronic programmable sign located within a residential district or within 25 feet of a residential district are prohibited from displaying illuminated messages between 10:00 p.m. to 6:00 a.m., and must be oriented so that the sign face is facing perpendicular, as near as possible, to the street frontage on which the sign is located, and must comply with all limitations and regulations of Section 4.78(P).

- (C) Sign Movement. No portion of any sign may move, flash, rotate, or change its illumination or copy except for programmable signs that are expressly allowed by this Section or Section 4.78(P) for legal nonresidential uses in residential districts. Non-illuminated changeable message signs which meet all the requirements of either the attached or freestanding sign provisions are allowed.
- (D) Model Homes. A model home may have one temporary sign in residential subdivisions. Model home signs are subject to, and must comply with, the following provisions:
- (1) Maximum height: The maximum height for a model home sign is 15 feet.
 - (2) Maximum size/area: The maximum sign area for a model home sign is 32 square feet.
 - (3) Location: Model home signs are allowed in all single-family (including townhouses) and two-family residential zoning districts.
 - (4) Placement/setbacks: Model home signs must be placed no closer than 5 feet from any property or right-of-way line.
 - (5) Maximum number: Each builder within a development may have a maximum of one model home sign on each model home lot.
 - (6) Duration: A model home sign may not remain on a premises once the premises or 80 percent of the lots in the development where the sign is located are sold.
 - (7) Illumination: A model home sign may not be blinking, fluctuating, or moving. Lighting for the sign must be direct (that is, 90 percent of the emitted light must be directed onto the sign) and may not emanate a luminance more than 0.2 foot-candles above the natural ambient light level of the location at the time of measurement, as measured from the nearest residential property line..
- (E) Subdivision Entrance Signs. The Plan Commission may approve the placement of a subdivision entrance sign(s) on any legally placed structure at the entrance and within the common area of a subdivision, which is owned and maintained by a home owners' association for single-family or duplex

residential subdivision. The maximum sign area of a subdivision entrance sign may not exceed forty square feet. The maximum number of signs allowed for each subdivision is two signs per street entrance into the platted subdivision area. The sign height, maximum sign area, location on the site, setbacks, a graphic representation of the sign, and the total number of signs per subdivision must be prominently indicated on the plans submitted for consideration by the Plan Commission.

Exception - Administrative Approval. The Building Official may approve, and issue a sign permit for, a subdivision entrance sign that complies with the criteria above, with all other applicable provisions in this article, and with both of the following additional criteria:

- (1) The sign is attached to a screening wall that is not located within the street right-of-way; and
- (2) The sign is not animated or illuminated in any way.

Section 4.72 Existing Signs

(A) Nonconforming Signs.

(1) Continuation Generally. A legally nonconforming sign is allowed to remain as is in the same location as it existed on the effective date of this GDC. The right for a legally nonconforming sign to continue existing as is will terminate, and the sign must be removed within 15 calendar days (unless otherwise provided below), if and when one or more of the conditions stated below exists or occurs:

- (a) A sign becomes an illegal sign when it is altered, moved, or relocated without a Sign Permit pursuant to the provisions of this article;
- (b) A sign is damaged or destroyed and the cost to repair it exceeds 60 percent of the replacement cost of the sign on the date of damage; or
- (c) A sign that is intended to be perpendicular (90 degrees) to the ground leans at an angle 75 degrees or less, unless a variance is granted in accordance with Section 4.81 of this article (or, for a sign that was purposefully placed at an

angle upon installation, its angle to the ground decreases by 15 degrees or more; no sign, regardless of its original installation angle, is allowed to remain at less than a 45 degree angle to the ground).

- (2) Signs with Special Historic or Architectural Significance. Any sign designated by official action of the City Council as having special historic or architectural significance is exempt from the provisions of this article.
 - (3) Signs on Property Acquired by a Governmental Entity. A legally nonconforming sign located on property acquired by the City or another governmental entity may be temporarily relocated on-site provided the sign is removed or rebuilt to conform to this article (and any other applicable City codes or ordinances) within 365 calendar days following relocation of the sign. Relocation is limited to the same physical sign with no increase in height, area, or change in other physical attributes. For the purposes of this provision, a property acquisition by the City does not include right-of-way dedicated in the subdivision platting process.
- (B) Cessation of Business Operations. If a sign is nonconforming, to maintain its status as a legally nonconforming sign, the business must remain in operation and conduct normal business activities on the premises on a regular basis. If regular business operations cease for more than 365 calendar days, then the City may require the relocation, reconstruction, or removal of the sign.
- (C) Illegal Signs.
- (1) Illegal Conforming Signs. Owners of illegal conforming signs must apply for and obtain a sign permit from the City within 15 calendar days following notification of noncompliance.
 - (2) Illegal Nonconforming Signs. The owner of an illegal nonconforming sign that requires a sign permit must apply for a permit and upgrade the sign to conforming within thirty calendar days following original notification. If a sign permit is not granted, then

the sign must be removed by the property owner within 60 calendar days following original notification. In the case of painted wall signs for which a Sign Permit is not in effect, such signs must be removed or painted over (with a paint material and color that matches the exterior finish of the affected building façade such that the sign's location is not visible) within 30 calendar days following original notification of violation.

(D) Removal of Signs.

- (1) Obsolete or Abandoned Signs. In the event a business ceases to conduct regular business activities on the premises upon which a sign is located for a period of more than 365 calendar days, then the City may require the relocation, reconstruction, or removal of the sign. However, if the premises containing the sign or sign structure is leased the City may not require removal under this subsection sooner than the second anniversary after the date the most recent tenant ceases to operate on the premises.
- (2) Unsafe Signs. Any sign that is determined by the Building Official to be unsafe is subject to removal, upon notice per subsection (4) below, if the Building Official determines that removal is necessary in order to protect the public health, safety, and welfare.
- (3) Notice to Remove Sign or to Correct Noncompliance.
 - (a) Upon a determination that a sign must be removed, or that a sign is not in compliance with one or more provisions of this article, the Building Official shall give written notice to the owner of the premises upon which the sign is located, as indicated on city utility and tax appraisal records, to remove the sign, or to bring it into compliance, within 15 calendar days after notice is served. The written notice shall be sent to the property owner, who must remove the sign (or correct any noncompliance, as applicable) within 15 calendar days.
 - (b) The notice period, and removal/compliance period, for all temporary signs that are not in compliance

with this article shall be 72 hours rather than 15 calendar days.

(4) Storage of Impounded Signs.

- (a) The City shall store impounded signs for a minimum of 20 calendar days before destroying the signs pursuant to below subsection (c). The owner of the signs may claim them after paying all costs associated with their removal, transportation, and storage, as applicable.
- (b) Within 3 business days of taking possession of an illegal or abandoned sign on private property, the City shall send written notice to the owner of the property on which the sign was taken, as indicated or any known party having control over the real property. The notice shall:
 - i. Give the location of the facility in which the sign is being held;
 - ii. State that the sign can be reclaimed not later than the 20th day after the date of the notice on payment of towing, preservation, and storage fees; and
 - iii. State that failure of the owner to claim the sign during the 20 day holding period is a waiver by that person of all right, title, and interest in the sign.
- (c) Any impounded signs not claimed within 20 calendar days may be destroyed by the City. In calculating the length of the storage period and the storage fee, the first working day after the date of the impoundment shall be considered day number one; thereafter, all days including weekends and holidays shall be counted.

Section 4.73 Digital Display on Nonconforming Off-Premise Signs

- (A) Certain nonconforming detached off-premise signs may be modified to use digital display technology subject to the restrictions and provisions of this Section 4.73.

(B) Application. The owner of a nonconforming detached off-premise sign desiring to convert the sign to a digital display must submit a digital billboard sign permit application for a face modification. The Building Official shall review the application and make a determination as to whether the subject sign qualifies for an off-premise digital billboard conversion permit. In the event the Building Official approves the permit, the owner must apply for a demolition permit to remove the existing sign face area in accordance with subsection (D). The owner must complete demolition of the sign face according to the applicable ratio in below subsection (D) before the sign face is modified.

(C) Compliance Required.

- (1) Except as provided in this Section 4.73, off-premise digital billboards must fully comply with the size, height, spacing, setback, and all other applicable provisions in this article.
- (2) Off-premise digital billboard support structures must be built to comply with this GDC.
- (3) Off-premise digital billboards must comply with Title 43 Texas Administrative Code Section 21.163, "Electronic Signs," as amended.
- (4) Both existing and new digital billboards must comply with all lighting and safety standards mandated by federal, state, or local rules or statutes, including standards adopted or amended after the date of passage of these requirements. Lighting and safety standards include brightness, message duration, and proximity of the sign to other digital displays, ramps, and interchanges.

(D) Sign Face Exchange Ratio.

- (1) Except as provided in below paragraph (2), for every one square foot of sign face modified to use digital display technology, two square feet of detached non-premise conventional sign face area must be removed from within the City (not including the face of the

sign being modified), subject to the following provisions:

- (a) To receive credit for the removal of an area of detached off-premise conventional sign face, the entire sign face and structure supporting the removed sign face must be removed;
 - (b) At least one structure removed must be within a five mile radius of the conventional face being converted to digital;
 - (c) No credit is given for the area of the conventional face being removed for conversion to a digital display; and
 - (d) The removal of the entire nonconventional sign face area, including the entire support structure, must be completed before commencing construction work modifying the conventional sign to use digital display.
- (2) The new digital sign face may be no larger than the preexisting conventional sign face, but in no case may be larger than 700 square feet.

(E) Location and Number.

- (1) The conversion of conventional face nonconforming off-premise signs to digital face signs is limited to detached off-premise signs located adjacent to, and oriented toward the main travel lanes of, IH635 and IH30.
- (2) For support structures with only one digital display sign, signs must be located a minimum of 1,500 feet from any other digital display sign oriented to the same traffic direction along the main travel lanes of IH635 and IH30, measured linearly.
- (3) Digital display signs may not be located within 300 feet of any lot located in a residential district, measured radially.

(F) Support Structures.

- (1) Digital display sign support structures may not exceed an overall height of 50 feet or 42.5 feet above the nearest point on the travel surface of the highway, whichever is higher, except that no digital display sign may be higher than the conventional sign it replaced.
- (2) Support Structures with Two Sign Faces.
 - (a) If existing faces are pivoted at an angle of 10 degrees or greater from each other and toward the main travel lanes of the highway, one or both sign faces may be converted to digital display.
 - (b) If existing faces are pivoted at an angle of less than 10 degrees, only one face may be converted to a digital display. The other sign face must be removed.
- (3) Sign support structures and faces being converted to accommodate digital displays may not be modified to change the angle of a sign face.
- (4) Electrical service to sign support structures with digital displays must be underground between the property line and the sign.

(G) Display.

- (1) All digital displays must conform with the illumination restrictions of above Section 4.69(E). An off-premise digital display sign must be equipped with both a dimmer control and a photocell that automatically adjusts the display's intensity according to natural ambient light conditions.
- (2) An off-premise digital display may not increase the light level on a lot in a residential district over ambient conditions without the digital display, measured in footcandles at the point closest to the sign that is five feet inside the residential lot and five feet above the ground.

- (3) Before the issuance of a digital display sign permit, the applicant must provide an ambient light survey from adjacent residential properties and a written certification from the sign manufacturer that:
 - (a) the light intensity has been factory programmed to comply with the maximum brightness and dimming standards of this subsection; and
 - (b) the light intensity is protected from end-user manipulation by password-protected software or other method satisfactory to the Building Official.
- (H) Change of Message. Changes of message must comply with the following provisions:
 - (1) Each message must be displayed for a minimum of eight seconds;
 - (2) Changes of message must be accomplished within two seconds;
 - (3) Changes of message must occur simultaneously on the entire sign face; and
 - (4) No flashing, dimming, or brightening of message is permitted except to accommodate changes of message.
- (I) Malfunction. Digital display signs operators must respond to a malfunction within one hour after notification and must remedy the malfunction within 12 hours after notification. In case of sign malfunction, the digital display must freeze until the malfunction is remedied.

Section 4.74 Maintenance of Signs

- (A) General. All signs and sign support structures, together with all of their supports, braces, guys and anchors, must be kept in good repair, in safe condition, and in a proper state of appearance and preservation. Except as provided in Section 4.72(A) above, any sign or portion of a sign or sign support that is unsafe, an obstruction to the use of

any sidewalk or roadway, or that is in such dilapidated condition as to be unsightly and, therefore, detrimental to the public welfare must be repaired and maintained, or removed.

- (B) Deteriorated Signs. A sign of any type may not be kept in a dilapidated or deteriorated condition. Any sign which the Building Official determines is in an unacceptable deteriorated condition or unsafe is subject to removal. Prior to removing any such sign, the Building Official shall give written notice to the owner of the premises upon which the sign is located, as indicated on city utility and tax appraisal records, to remove the sign or remediate all defects or dangerous conditions as expressly stated in the notice, within 15 calendar days after notice is served. The written notice shall be sent to the property owner, who must remove the sign (or correct any noncompliance, as applicable) within 15 calendar days.

Section 4.75 Sign Area

Measurement of Sign Area. The measurement of sign area is as follows:

- (A) Square or Rectangular Signs. The length of the sign multiplied by the height of the sign (see **Illustration 4-4**).
- (B) Irregularly Shaped Signs. The area of horizontally oriented squares, rectangles or circles, or combination thereof, necessary to enclose the sign face (see **Illustration 4-5**).
- (C) Signs Composed of Individual Cutout Letters or Figures. The sign area of a sign made up of letters, words or symbols within a frame is determined from the outside edge of the frame of the sign. However, the sign area of signs composed of individual letters or figures is equal to the sum of the area of squares or rectangles necessary to enclose each word or groupings of letters or figures (see **Illustration 4-6**).
- (D) Freestanding Multi-Panel Signs. The sign area of a sign that is comprised of multiple separate panels (such as the three-panel shopping area sign shown in **Illustration 4-5**) is calculated as the aggregate area of all panels and does not include the space between panels, provided that all

associated panels are no greater than 2 feet apart. In the event the space between panels exceeds the 2 feet maximum distance allowed, each panel shall be construed as separate signs. Multi-panel signs require only one sign permit.

- (E) Sign Base/Support Structure. The base or support structure of the sign is not counted as part of the overall sign area computation provided that such base or support structure has no sign, advertising, commercial, or business message on it, not including incidental plates or stickers of no greater than one square foot, which display manufacturer or owner information or address signs placed pursuant to Section 4.70(A)(3). The base or support structure does count toward overall sign height.
- (F) Illuminated Borders. Luminous gaseous tubing, LED lights, or other strip lighting attached directly to a surface shall be considered a "wall sign or attached sign" when forming a border for the subject matter, when directing attention to the subject matter, or when forming letters, logos, symbols, or pictorial designs of any kind. The area of the sign shall be determined by a geometric shape that enclosed the entire luminaire(s).

Illustration 4-4
Sign Area - Square or Rectangular Square



Illustration 4-5
Sign Area - Irregularly Shaped Signs



Illustration 4-6
Sign Area - Signs Composed of Individual Cutout Words or Figures



Section 4.76. Reserved

Division 4 - Sign Types & Related Regulations

Section 4.77 Free Standing Sign Restrictions

Unless expressly authorized by this article, a premises may not have more than one free standing sign, not including temporary signs. Unless expressly authorized by this article, businesses may not advertise on both a multi-tenant sign and another free standing sign, not including temporary signs, located on the premises.

Section 4.78 Signs - Permit Required

- (A) Attached Sign (also termed Attached Wall Sign or Wall Sign).

An attached sign or attached wall sign is a sign that is attached to, applied to, applied on, or supported by any part of a building (such as a wall, parapet, canopy fascia, awning, arcade, mansard, or marquee) that encloses or covers usable space (as contrasted to a freestanding or detached sign).

An attached sign may be attached to, affixed upon, or painted upon a wall surface with the sign facing parallel to and projecting not more than eighteen inches from the surface of the building or appurtenance. Attached signs painted or applied directly upon an exterior wall surface must be professionally designed and constructed, consist of professional quality workmanship and exterior grade paints and materials, and be maintained at all times so that there is minimal fading, chipping, or peeling. The property owner shall remove any attached signs painted or applied directly upon an exterior wall surface that have not been properly maintained or are in a deteriorated condition.

A sign attached to or painted upon an awning or a canopy and visible to the exterior is considered in the allowable calculations for wall signs (also see "awning sign" and "canopy sign" for additional limitations). Luminous gaseous tubing, LED lights, or other strip lighting attached directly to a wall surface is considered a "wall sign" when forming a border for the subject matter, when directing attention to the subject matter, or when forming letters, logos, symbols, or pictorial designs of any kind. Attached signs or attached wall signs must comply with the following provisions:

- (1) Maximum height: Attached signs may not extend higher than the height of the wall surface, unless noted below for parapet signs:
 - (a) Signs may be placed a maximum of 10 feet above the roof on a parapet or similar projection that is continuous on three or more sides; and
 - (b) Signs may not project above any portion of a parapet or similar projection.
- (2) Maximum size: Attached signs must comply with the following provisions for the total maximum surface area of all attached wall signs per façade in aggregate:
 - (a) For single-tenant buildings:
 - i. Front (main entry) façade only: The maximum square footage of an attached sign on the front of a single-tenant building may not exceed 2 square feet per lineal width in feet of building width of the wall upon which the

sign is mounted, and in no case may any of the sign's dimensions exceed 75 percent of the corresponding width or the height of the wall, with a maximum of 200 square feet.

ii. Side and rear facades: The maximum square footage of an attached sign on a side or rear façade of a single-tenant building may not exceed one square foot per lineal width in feet, of the wall upon which the sign is mounted, and in no case may any of the sign's dimensions exceed 50 percent of the corresponding width or the height of the wall, with a maximum of 100 square feet.

(b) For "end-cap" tenants in multi-tenant strip center buildings:

(i) Front (main entry) façade only: The maximum square footage of an attached sign on a front façade for "end cap" tenants in multi-tenant building may not exceed 2 times the lineal width, in feet, of the tenant frontage. Tenant wall sign shall only be permitted upon the wall fronting the tenant and in no case may the sign's dimensions exceed 75 percent of either the corresponding width or the height of the wall. The total maximum sign area may not exceed 200 square feet.

(ii) Side facade: The maximum square footage of an attached sign on a side façade for "end cap" tenants in a multi-tenant building may not exceed one square foot per lineal width, in feet, of the wall upon which the sign is mounted adjacent to the tenant space, and in no case may the sign's dimensions exceed 25 percent of either the corresponding width or the height of the wall. The total maximum sign area shall not exceed 100 square feet.

(c) For "interior" tenants in multi-tenant strip center buildings:

(i) Front (main entry) façade only: The maximum square footage of an attached sign on a front

façade for "interior" tenants in a multi-tenant building may not exceed the square footage of 2 times the lineal width of the wall upon which the sign is mounted, and in no case may the sign's dimensions exceed 75 percent of either the corresponding width or the height of the wall. The total maximum sign area shall not exceed 200 square feet.

- (ii) Side and rear facades: Attached wall signs are not permitted for interior tenants.
 - (d) For buildings three or more stories in height: The square footage of an attached sign that identifies the building name, and that is not attached to a tenant space, shall not exceed one square foot per the lineal width, in feet, of the frontage of the building, in addition to the total sign area otherwise allowed in this Section 4.78 (A) and the maximum area for the building name sign shall be 100 square feet.
 - (e) For multiple tenant building with "interior" tenants that do not have direct exterior exits (such as office buildings, indoor shopping malls, and other similar uses) the total sign area of all wall signs for all tenants combined may not exceed the allowable sign area allowed in Section 4.78 (2)(a).
 - (f) The total combined area of attached signs (including attached wall signs, awning signs, and canopy signs) for any elevational view shall not exceed that allowed for attached signs as set forth in Section 4.78 (2) (a).
- (3) Location: Attached signs are allowed in all nonresidential and mixed-use zoning districts.
 - (4) Placement/setbacks: On the vertical face only of a building; attached signs must be comprised of individual letters or characters attached directly to the building face or to a raceway, or unilluminated panels comprised of individual letters or characters (cans, illuminated panels or illuminated box type signs shall not be permitted) and must be professionally

designed, constructed, and applied in a workmanlike manner.

(B) Awning Sign. An awning sign is a sign that is painted or applied directly on the surface of an awning. Awning signs must comply with the following provisions:

- (1) Maximum height: The height of an awning sign shall be no greater than the vertical face only of the awning (for purposes of this subsection, the front vertical surface area for a "bubble" awning is located only on the front of the awning and not on its sides, and comprises the awning surface as measured from the bottom edge to that point on the awning that is less than 45 degrees to the ground plane, as viewed on the elevational view of the awning).
- (2) Maximum size/area: Awning signs must comply with the following provisions:
 - (a) Shall not exceed the lineal width of the awning upon which the sign is applied;
 - (b) Shall not be internally illuminated (can be illuminated using downward focused wall-mounted "gooseneck" or other decorative wall lighting);
 - (c) Shall be designed and installed as an integral, architectural element of the entire building system in a uniform, rhythmic systematic design pattern, including compatible color and lighting; and
 - (d) The total combined area of attached signs (including attached wall signs, awning signs, and canopy signs) for any elevational view shall not exceed that allowed for attached signs as set forth in Section 4.78(A).
- (3) Location: Awning signs are allowed in all nonresidential and mixed-use zoning districts.
- (4) Placement: Awning signs must have a minimum vertical clearance of 8 feet above any sidewalk or pedestrian travel surface, and 14 feet above any vehicular parking or circulation surface.

(C) Temporary Signs. Temporary signs include banners, balloons, pennants, inflatables, streamers, sails, air-supported devices, feathers, wind devices, and other similar types of temporary signs (but not including non-commercial flags, which are regulated by above Section 4.70) that may be placed on a structure or at a site that is intended to draw attention to a particular commercial event or commercial product must comply with the following provisions:

- (1) Maximum size/area: The maximum surface area of all temporary signs located on a property or tract of land, may be no greater than two times the width of the wall containing the main entrance of the building, or tenant space occupied by the applicant who intends to display the temporary signage. In no case may the total square footage of the surface area of all the temporary signs located on a property or tract of land exceed 200 square feet.
- (2) Maximum Height: Temporary signs attached to the building may not exceed the height of the building. Freestanding temporary signs such as balloons, inflatables, or wind devices shall not exceed the height of the building or a maximum of 12 feet, whichever is less.
- (3) Location: Temporary signs attached to the building are allowed in all nonresidential, mixed-use, multi-family, and townhouse zoning districts, and allowed for any nonresidential use (such as a church, school, or day care center) that is located in an agricultural, single-family, or two-family zoning district. Freestanding temporary signs (such as balloons, inflatables, streamers, sails, or wind devices) are only allowed in nonresidential and the commercial areas of mixed use zoning districts.
- (4) Placement: Temporary signs attached to a building must be securely attached to the vertical face only of a building or a canopy so that the banner does not move, flap, wave, flutter, or twirl. Temporary signs may not be attached to an object such as a fence, screening wall, tree, utility pole or structure, or permanent sign support, and may not extend vertically above the roofline of the structure. Nonresidential uses located in residential districts, such as schools and churches

may attach temporary signs to fences and other structures when approved by the Building Official where the temporary sign will not impose undue stress on the structure. All temporary signs must be on-premises and may not be located on public property or in the public right-of-way. All freestanding temporary signs must be securely affixed to the main structure or the ground capable of withstanding a 70 mph wind and be setback a minimum of 15 feet from the edge of the street or the back of the curb.

- (5) Maximum number: The maximum number of temporary signs shall be limited by the maximum total area of 200 square feet, but in no case shall the total number of temporary signs exceed 3.
- (6) Duration: Temporary signs may be displayed no more than 20 calendar days from the date the associated business, person, organization, activity, or event first opens to the public, which shall be indicated on the sign permit application.

(D) Blade Sign, Pedestrian. Pedestrian blade signs are generally placed perpendicular to the building's front entrance facade, and they are either suspended beneath a canopy or awning or attached directly to, and project out from, the building's facade. Blade signs may not encroach into any public right-of-way or over any public easement (except a pedestrian easement). A pedestrian blade sign must have a minimum clearance of 8 feet above any sidewalk or pedestrian travel surface, and fourteen feet above any vehicular parking or circulation surface. Pedestrian blade signs must comply with the following provisions:

- (1) Maximum size/area: The maximum surface area of a pedestrian blade sign is 4 square feet when suspended beneath a ground-level canopy or awning, or attached to a building on the ground-level facade. The blade sign may be no larger than 8 square feet when attached to the building's second or higher story.
- (2) Location: Pedestrian blade signs are allowed in all nonresidential and mixed-use zoning districts, and allowed for any nonresidential use (such as a church, school, or day care center) that is located in an agricultural or residential zoning district.

- (3) Placement/setbacks: A pedestrian blade sign must be suspended beneath a canopy or awning, or attached to building's entrance façade at a minimum height of 8 feet from the grade of the sidewalk and a maximum height of 10 feet, measured from the lowest portion of the frame or structure of the sign.
- (4) Maximum number: A business may have one pedestrian blade sign per public entrance.
- (E) Canopy Sign. A canopy sign is a type of attached sign that is painted or applied directly on the surface of an attached or freestanding canopy, or that is designed to be an integral part of the face of a canopy. Canopy signs must comply with the following provisions:
 - (1) Maximum height: The height of a canopy sign may not extend beyond the vertical face of the canopy.
 - (2) Maximum size/area: A canopy sign's size and area must comply with the following:
 - (a) The sign may not exceed 75 percent of the area of the face of the canopy of which it is a part or to which it is attached, or a maximum of twenty-five square feet, whichever is smaller;
 - (b) The copy or artwork may or may not be illuminated; and
 - (c) Gaseous, LED, or illuminated lighting on a canopy must be in conformance with Section 4.98(A) in Article 7 in this Chapter 4.
 - (d) The total combined area of attached signs (including attached wall signs, awning signs, and canopy signs) for any elevational view may not exceed that allowed for attached signs as set forth in Section 4.78(A).
 - (3) Location: Canopy signs are allowed in all nonresidential and mixed-use zoning districts.
 - (4) Quality: Canopy signs must be professionally designed and constructed, consist of professional quality workmanship and exterior grade paints and materials, and be maintained at all times so that there is minimal fading, chipping, or peeling.

- (5) Placement/setbacks: Canopy signs may be placed on the vertical face only of a canopy (not on the roof). Canopy signs must have a minimum vertical clearance of 8 feet above any sidewalk or pedestrian travel surface, and 14 feet above any vehicular parking or circulation surface.
- (6) Maximum number: There may be no more than one canopy sign per canopy face.
- (F) Changeable Message Sign (non-electronic, also termed Reader Board Sign). A non-electronic changeable message sign is a wall-mounted or freestanding sign (or a portion of a larger sign), with manually interchangeable letters and symbols. It includes non-electronic bulletin boards and theater marquees; but, it is not a "Programmable Sign". A changeable message sign may be a component of another type of sign, such as a monument or pylon sign, and all applicable standards for the type of sign of which it is a part apply including, but not limited to, those pertaining to maximum height, maximum size/area, permissibility in each zoning district, placement/setbacks, or number of signs permissible per lot.
- (G) Changeable Message Signs (Electronic). See "Programmable Sign".
- (H) Construction Sign. A construction sign is a temporary accessory sign allowed while a development project is being constructed on the premises upon which the sign is located. Construction signs must comply with the following provisions:
 - (1) Maximum height: A construction sign may be no more than 15 feet in height.
 - (2) Maximum size/area: A construction sign may be no more 32 square feet.
 - (3) Location: Construction signs are allowed in all zoning districts, but not on lots containing model home signs.
 - (4) Placement/setbacks: Construction signs must be placed a minimum of 10 feet from any property or right-of-way line.
 - (5) Maximum number: The maximum number of construction signs at a single site is one per 1,500 feet of total

street frontage (or portion thereof). The total street frontage shall be based on the frontage of the street named on the construction permit as the address of the site.

- (6) Duration: Construction signs may remain at a project until it is complete. Construction signs must be removed prior to final building inspection or occupancy of the structure.

(J) Menu Board. A menu board is an on-site display that is utilized by restaurant, entertainment, and other business establishments in a drive-through operation. The menu board may be wall-mounted near the establishment's primary entrance, or may be freestanding at a drive-in or drive-through food service establishment, and may have a speaker and an electronic visual order display board or panel that verifies what the patron is ordering at the drive-through. Menu boards must comply with the following provisions:

- (1) Maximum height: The maximum height of a menu board is 8 feet if freestanding; if it is mounted upon a wall above a sidewalk, the top edge must be no higher than 7 feet above nearest sidewalk grade.
- (2) Maximum size/area: The maximum surface area of a menu board is 45 square feet.
- (3) Location: Menu boards are allowed in the zoning districts that allow the associated use by right (or by SUP where applicable).
- (4) Placement/setbacks: Menu boards, if freestanding, are prohibited in the front building setback(s); menu boards are prohibited in a side or rear yard where adjacent to any residential zoning district.
- (5) Maximum number: If freestanding, two menu boards per establishment (or per drive-through lane, if more than one) are allowed. However, drive-in style restaurants may have one menu board per parking stall, plus up to two menu boards for a drive-through lane. If wall-mounted, one menu board per business is allowed.

(K) Monument Sign. A monument sign is a type of freestanding ground mounted sign having a low profile and the structure of which being made of stone, concrete, decorative metal,

brick, or similar materials that is designed to complement the architecture of the building or complex on the premises where the sign is located. The lower edge of a monument sign must be contiguous with the ground (that is, solid from the ground up), and may not be elevated above grade by the use of poles, struts or wires, and may not incorporate embellishments or cut-outs. All sign panels on a monument sign must be architecturally compatible and cohesively designed. Monument signs must comply with the following provisions:

- (1) Maximum height: The maximum height for a monument sign is 7 feet, including the monument base, as measured from the average ground level at the base to the topmost portion of the sign or structure. The ground upon which a monument sign is located may be bermed (or designed as a raised planter with heavy evergreen landscaping to conceal the planter on all sides) a maximum of 2 feet above average grade where the sign is placed.
- (2) Maximum size/sign area: The maximum surface area of a monument sign is 50 square feet.
- (3) Location: A monument sign is allowed in all zoning districts, but is prohibited on individual single- or two-family residential lots.
- (4) Placement/setbacks: A monument sign must be placed a minimum of 5 feet from any property or right-of-way line.
- (5) Maximum number: A site is allowed only one monument sign per street frontage, or a maximum of one per 300 feet of total street frontage if no pole or pylon sign is also used, but in no case are more than 3 monument signs allowed.

(L) Multi-Tenant Complex Sign.

- (1) A "Unified-lot" means two or more contiguous premises, whether in a single building or multiple buildings, which are a part of the same site plan, shopping center, business complex, or other similar type of multi-tenant development.

- (2) Except as expressly provided for within this subsection (L), owners or tenants of property located within a unified-lot may not construct, or advertise on, freestanding signs, except on multi-tenant complex signs that are the subject of a unified-lot sign agreement, to which they are a party, as further detailed in below subsection (f).
- (3) A multi-tenant complex sign is a type of freestanding sign that is used to identify the name of a multiple-building and multiple-tenant retail shopping center, a business park, or an industrial, commercial or office center or complex to assist public safety and emergency personnel in identifying individual businesses or tenants on the site or within the shopping center or business complex. A multi-tenant complex sign must be mounted on a single structural element on one of the lots represented on the sign. A multi-tenant complex sign is allowed with a fully executed unified lot agreement, as more particularly described in below subsection (6). Freestanding businesses that are represented on a multi-tenant complex sign, and that have a minimum building square footage of 5,000 square feet, are also allowed one monument sign on their own lot, in addition to representation on a site-applicable multi-tenant complex sign. All sign panels on a multi-tenant complex sign must be architecturally compatible and cohesively designed. Multi-tenant complex signs must comply with the following provisions:
 - (a) Maximum height: The maximum height of a multi-tenant complex sign is 35 feet. If located within 100 feet of an elevated portion of Interstate Highway 635, Interstate Highway 30 or President George Bush Turnpike/State Highway 190 and if sign visibility is impeded due to the highway elevation, the Planning Director may approve up to 10 feet of additional height, but in no case may it exceed a total height of 40 feet, in accordance with the alternative compliance provisions of Article 1, Division 2 of this Chapter 4.
 - (b) Maximum size/area: The maximum surface area of multi-tenant complex signs is 150 square feet per

side for pylon style signs, and 200 square feet per side for monument style signs.

- (c) Location: Multi-tenant complex signs are allowed in all nonresidential and mixed-use zoning districts on a unified-lot development site of combined contiguous lots that is at least 5 acres in size.
- (d) Placement/setbacks: Multi-tenant complex signs must be placed a minimum of 10 feet from any property or right-of-way line. Multi-tenant complex signs may be only masonry pylon or monument style (that is, they may not be pole signs).
- (e) Maximum number: Only one multi-tenant complex sign is allowed per 20 acres in the development and only one per street frontage.
- (f) Unified-lot sign agreement: A unified-lot sign agreement, in a form provided by the City, is required whenever the owners (or the sole owner if only one) of 2 or more contiguous lots agree to treat their separate lots as one unified lot for the limited purpose of sharing a multi-tenant complex sign. The property owners must both be named as parties and execute the agreement. The agreement shall provide the following: (i) a legal description of the properties subject to the agreement; (ii) the parties agree to treat their separate lots as one unified lot; (iii) the parties agree to maintain the sign in accordance with Section 4.72 of this Article 5; (iv) a provision that the parties, their heirs, and assigns forego any rights to additional freestanding street front signage on the premises covered by the agreement (except for freestanding businesses who may have one additional monument sign on their own lot); (v) a provision that the agreement is a covenant running with the land to be filed and made a part of the Deed Records of the applicable county of jurisdiction; and (vi) a provision that the agreement cannot be amended or terminated without the consent of the Building Official. A unified-lot sign agreement is not effective until a true and correct copy of the approved agreement is filed

with the applicable county and a copy is filed with the Building Official.

- (M) Mural (also termed Original Art Display). A mural is a non-electronic, static work of art applied directly to a building's wall surface. Murals are intended for viewing and enjoyment by the public as art. Murals must comply with the following provisions:
- (1) Maximum height: A mural may extend no higher than the height of wall surface.
 - (2) Maximum size/area: The maximum surface area of murals is 20 square feet, or 20 percent of the wall surface area, whichever is less.
 - (3) Location: Murals are allowed in all nonresidential and mixed-use zoning districts.
 - (4) Placement/setbacks: Murals may only be placed on the vertical face only of a building. They must be professionally applied by an experienced mural-painting artisan(s) using paint that will weather well and will generally remain legible and in its original appearance for at least 5 years following application.
 - (5) Maximum number: The number of murals is limited to one per building, or one per street frontage for a corner or through lot or property.
- (N) Pole Sign. A pole sign is a single-support style sign that is placed on or anchored in the ground, and that is structurally independent of any building or other structure. Pole signs are prohibited in all zoning districts. .
- (O) Programmable Signs (Electronic). A programmable sign is a sign capable of displaying changing content through still, animated, scrolling or moving messages or images by remote or automatic means without the need to physically touch the sign face. The term includes signs that project images, display messages or images by means of electronic or 'digital' illumination such as cathode ray tubes, light emitting diodes (LED), plasma screens, liquid crystal displays, fiber optics, lasers, projectors and similar technology. Electronic programmable signs must comply with the following provisions:

- (1) Maximum height: The maximum height for an electronic programmable sign is the same standard as the type of sign on which it is attached (such as a monument sign, pole, or pylon sign).
- (2) Maximum size/area: The maximum surface area of an electronic sign is the same standard as the type of sign on which it is attached (such as a monument sign, pole, or pylon sign)
- (3) Location: Electronic programmable signs are allowed as on-premise, freestanding signs in all nonresidential and mixed-use districts. An electronic programmable sign is also permitted in a residential district on a site that contains and operates as a lawful nonresidential use, and that has at least one frontage on a Type D (four-lane, divided) or larger thoroughfare, as shown on the City's adopted *Major Thoroughfare Plan*, in which case the electronic programmable sign may only be placed on a Type D or larger street frontage. Additionally, where located within a residential district or within 25 feet of a residential district, electronic programmable signs are prohibited from displaying illuminated messages between 10:00 p.m. to 6:00 a.m. to further minimize potential negative impacts on surrounding residential properties.
- (4) Attached signs or Attached Wall Signs. Attached programmable signs are prohibited in all districts.
- (5) Placement/setbacks: The placement and setback standard for an electronic programmable sign is the same as the type of sign on which it is attached (such as a monument sign or pylon sign).
- (6) Maximum number: One electronic programmable sign is allowed per site. Except on a site in a nonresidential zoning district with frontage on 2 or more streets, or more than 300 feet of frontage on a single street, a maximum of 2 electronic programmable signs are allowed, both of which must be monument signs.
- (7) Electronic programmable signs are prohibited from:
 - (a) Displaying animated, full-motion or other moving images, or display a flashing or blinking image,

an image that incorporates intermittent or bursts of illumination, or an image that scrolls, fades, rolls, shades, dissolves, or otherwise gives the appearance of movement that is not solely a transition between displays as provided by Subsection 4.78(P)(7)(c) below;

- (b) Projecting an image onto a structure, building, the ground, or another object;
 - (c) Displaying an image for a period of less than eight seconds, or exceeding a period of two seconds during a transition between a complete change of message (other than black screen);
 - (d) Transitioning from one display to the next in a manner that requires the viewer to read subsequent displays in order to determine the message being conveyed; or
 - (e) Including any audio message.
- (8) A programmable sign must be equipped with a properly functioning automatic dimmer to adjust the luminance of the sign relative to ambient light so that at no time the sign will exceed the luminance limitations of Subsections 4.70(I) and 4.70(J). A programmable sign must be equipped with a properly functioning default mechanism that will cause the sign to revert immediately to a single, fixed, non-transitory image or to a black screen if the sign malfunctions. The owner of a programmable sign must provide the Building Official with current, valid contact information for a person who is authorized and able to turn off the programmable sign within four hours of notification in the event of a malfunction.
- (9) The sign face(s) of a freestanding on-premise pylon or monument signs may be converted to a programmable sign only in a manner that fully conforms to the provisions of this GDC. A lawfully existing, nonconforming on-premise sign must be made conforming in all respects including, without limitation, setbacks, sign area, height, and number in order to convert the sign face(s) of the sign to a programmable sign.

(P) Pylon Sign. A pylon sign is a double- (or multiple-) support single-tenant or multi-tenant style sign that is placed on, or anchored in, the ground, and that is structurally independent of any building or other structure. Pylon signs must be designed in such a manner so that the support structures are architecturally and visibly distinct from one another. Pylon signs must be located entirely on private property and not within any public right-of-way or easement. All sign panels on a multi-tenant pylon sign must be architecturally compatible and cohesively designed. All supports for a pylon sign must be constructed of masonry products (or be constructed in such a manner as to have the appearance of masonry (however, stucco construction is not allowed). Pylon signs must comply with the following provisions:

- (1) Maximum height: A pylon sign may be a maximum height of 22 feet.
- (2) Maximum size/area: The maximum surface area of a pylon sign is 150 square feet.
- (3) Location: Pylon signs are allowed in all nonresidential zoning districts with the exception of NS, NO, UR, UB and DT districts (only monument-style freestanding signs are allowed in those districts).
- (4) Placement/setbacks: A pylon sign must be placed a minimum of 20 feet from any property or right-of-way line.
- (5) Maximum number: One pylon sign per site per public street frontage is allowed (not allowed if property only has access from an access easement or non-public street); minimum spacing between freestanding pylon signs on-site and from those on adjacent properties shall be at least 150 feet.

(Q) Reader Board Sign. Reader board signs must comply with the standards of a "Changeable Message Sign, Non-Electronic."

Division 6 – Variances; Appeals

Section 4.81 Variances; Appeals

A request for a variance to one or more of the sign-related regulations cited in Subsection (D) below may be submitted to the Planning Department in the format specified by the Department, and will be processed and scheduled for consideration for approval by the Plan Commission using the processing procedures set forth in Division 4 of Chapter 5 of this GDC, and using the notification and public hearing procedures set forth in Article 2, Division 2 and Division 3 of Chapter 1 of this GDC.

- (A) The Plan Commission may, in specific cases and subject to appropriate conditions, authorize variances and exceptions to the regulations established in this Article 5 when the Commission has made a finding from the evidence presented that strict compliance with a requirement will result in a hardship or inequity to the applicant in accomplishing the objectives of this article, provided that economic or self-created hardship alone is not a sufficient basis for the granting of a variance or exception. A three-quarters (3/4) vote of the Plan Commission members present and voting is required to approve a sign variance. Upon appeal (if any), a three-quarters (3/4) vote of the City Council members present and voting is required to overrule a sign variance denial by the Plan Commission.
- (B) The Plan Commission, in considering an application for a sign variance, shall apply the criteria for approval set forth in Section 5.12, Division 4 of Chapter 5, including, but not limited to, the extent to which the site for which the applicant seeks a variance differs from adjoining sites, the extent that the hardship or inequity claimed by the applicant is self-created or based upon financial need of the applicant, and the adverse effects that the granting of a variance may or would create.
- (C) Allowed Variances. The following sign-related regulations may be varied in accordance with the provisions of the above Subsection (C):
 - (1) Increase the maximum sign area up to an additional 25 percent; and
 - (2) Encroachment into a required sign setback.

- (D) Administrative Approval for Increased Sign Area. An increase in sign area for attached signs and freestanding signs up to 10 percent of the allowable sign area may be approved by the Planning Director provided that the request meets the criteria outlined for development variances in Section 5.12, Division 4 of Chapter.

DRAFT



GARLAND

Plan Commission

5.

Meeting Date: 10/22/2018

Item Title:

Summary:

ADJOURN

Attachments

Future Cases Memo - November 12, 2018



GARLAND

PLANNING & COMMUNITY DEVELOPMENT

MEMORANDUM

TO: Chairman Roberts and Members of the Plan Commission

FROM: Kira Wauwie, AICP, and Principal Planner

DATE: October 22, 2018

SUBJECT: New Development Applications

The following development applications have been submitted for review and are tentatively scheduled to be heard at the November 12, 2018 Plan Commission meeting.

ZONING

1. Consideration of the application of **Platinum Storage & Masterplan**, requesting approval of 1) an amendment to Planned Development (PD) District 80-32; 2) a Detail Plan; and 3) a Specific Use Provision for a Self-Storage Facility (mini-warehouse) on a property zoned Planned Development (PD) District 80-32 for Community Office Uses and Community Retail Uses. This property is located at 648, 658 and 702 West IH-30 Freeway, west of Broadway Boulevard and northwest of the current Guthrie Road end point. (District 4) (File Z 17-46)
2. Consideration of the application of **Alejandro F. Herrera, Ph.D.**, requesting approval of a Detail Plan on a property zoned Planned Development (PD) District 16-23 for Single-Family-10 (SF-10) Homes. This property is located at 2675 East Brand Road. (District 1) (File Z 17-51)
3. Consideration of the application of **Evergreen Basswood Senior Community, L.P.**, requesting approval of 1) an amendment to Planned Development (PD) District 02-38 for Mixed Use to allow an Elder Care – Independent Living Use and 2) a Detail Plan for Elder Care – Independent Living Use. This property is located at 1901 Highway 66. (District 1) (File Z 18-11)
4. Consideration of the application of **Evergreen Garland Senior Community, L.P.**, requesting approval of 1) a Change in Zoning from Commercial Office (CO) District to Planned Development (PD) District for Community Office (CO) District Uses and Elder Care – Independent Living Use and 2) a Detail Plan for Elder Care – Independent Living Use. This property is located at 1102 North Shiloh Road. (District 8) (File Z 18-12)

5. Consideration of the application of **Pankaj Patel**, requesting approval of 1) an amendment to Planned Development (PD) District 03-53 and PD 12-36 for Urban Business Uses; 2) an amended Detail Plan for Hotel/Motel, Limited Service; and 3) a Specific Use Provision for Hotel/Motel, Limited Service Use. This property is located at the north corner of Town Center and Prairie Clover. (District 1) (File Z 18-19)
6. Consideration of the application of **Firewheel Real Estate Development**, requesting approval of an amendment to Planned Development (PD) District 15-09 for Community Retail Use to allow a 100 square-foot programmable monument sign (49 square feet permitted) and with a height of 15 feet, 4 inches (7 feet permitted). This property is located at 4880 North President George Bush Highway. (District 1) (File Z 18-25)
7. Consideration of the application of **Masterplan**, requesting approval of 1) an amendment to Planned Development (PD) District 85-50 for Shopping Center Uses to allow Dwelling, Multi-Family Use and 2) a Detail Plan for Dwelling, Multi-Family Use. This property is located at 2200 West Campbell Road. (District 7) (File Z 18-32)
8. Consideration of the application of **Spiars Engineering, Inc.**, requesting approval of 1) Master Concept Plan and 2) a Detail Plan for Multi-Family Use on a property zoned Planned Development (PD) District 17-35 for Mixed Uses. This property is located at 1718 Lookout Drive. (District 1) (File Z 18-44)