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 14, 2024 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.

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.

The meeting will be broadcast on City of Garland Government Access Television (CGTV). CGTV is available via GarlandTX.gov, channel 16 (Spectrum), Channel 44 (Frontier), and channel 99 (AT&T U-verse). Meetings are broadcast online via live-streaming, on-demand, and air on CGTV with several rebroadcasts during the week of the meeting.

Public Comments
Your comments must relate to an item on this agenda - non-germane comments are not in order. Time limits will be imposed by the Chairman as appropriate to the nature of the agenda item. Generally, public speakers are given three minutes.

IN-PERSON COMMENTS: Registration will be required for any citizen wishing to speak. Speakers shall register using the electronic registration kiosks in the lobby of City Hall.

Garland City Hall and Council Chambers are wheelchair accessible. Special parking is available on the east side of City Hall and on Austin & State Street west of City Hall. Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services must contact the City Secretary's Office at (972) 205-2404 at least two working days prior to the meeting so that appropriate arrangements can be made. BRAILLE IS NOT AVAILABLE.

If the Plan Commission adjourns into executive session during this meeting, the executive session will be conducted between and among the members of the Plan Commission and relevant City staff. Public access to that meeting is prohibited by State law.

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 Plan Commission Minutes for the September 9, 2024 meeting.

2. PLATS

a. P 24-24 Jupiter Miller Business Center - Replat

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 **Olsson**, requesting approval of 1) a Specific Use Provision for a Restaurant, Drive-Through Use on a property zoned Community Retail (CR) District and 2) a Plan for a Restaurant, Drive-Through Use. This property is located at 3285 Broadway Boulevard. (District 4) (File Z 24-31)

4. MISCELLANEOUS

a. Discussion and possible adoption of amendments to the Plan Commission By-laws

At the request of the Development Services Committee, a recommendation was made to the Council that the Plan Commission Pre-Meeting and Regular Plan Commission Meetings be combined with an earlier start time of 6:30 p.m.

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 priviledged and unpriviledged 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: 10/14/2024
Item Title: Plan Commission Minutes for September 9, 2024

Summary:
Consider approval of the Plan Commission Minutes for the September 9, 2024 meeting.

Attachments

September 9, 2024 Plan Commission Minutes

GARLAND

MINUTES

The Plan Commission of the City of Garland convened in regular session at 7:00 p.m. on Monday, September 9, 2024, in the Council Chambers at the William E. Dollar Municipal Building, 200 N. Fifth Street, Garland, Texas, with the following members present:

Present:	Scott Roberts, Chairman
	Julius Jenkins, 1st Vice Chair
	Wayne Dalton, 2nd Vice Chair
	Stephanie Paris, Commissioner
	Georgie Cornelius, Commissioner
	Jaric Jones, Commissioner
	Michael Rose, Commissioner
	Bob Duckworth, Commissioner
	Patrick Abell, Commissioner
Staff Present:	Angela Self, Interim Planning Director
	Matthew Wolverton, Planner II
	Trey Lansford, DeputyCity Attorney
	Elisa Morales, Recording Secretary

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.

Motion was made by Commissioner Paris to **approve** the Consent Agenda. Seconded by Commissioner Cornelius. **Motion carried**: **6** Ayes, **0** Nays.

1. MINUTES

a. Consider approval of the Plan Commission Minutes for the August 12, 2024 meeting. **APPROVED**

2. PLATS

a. P 24-22 Tricon Garland - Final **APPROVED**

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. MISCELLANEOUS

a. Election of Officers

Motion was made by Commissioner Rose to nominate Commissioner Roberts for Chairman, Commissioner Jenkins for First Vice-Chairman and Commissioner Dalton as Second Vice-Chairman. Seconded by Commissioner Paris. **Motion carried**: **6** Ayes, **0** Nays.

b. Discussion and possible adoption of amendments to the Plan Commission By-laws **APPROVED**

Commissioner Duckworth provided the following recommendations for the Commissioner's to consider:

- On Article 6, Section 7 (b)(2), add the words, "for the notice," between "proper time" and "to be mailed." The complete wording recommendation, if accepted, would read, "Written request by the applicant for hearing postponement made after mailing hearing notices shall be honored if there is proper time for the notice to be mailed to property owners. In the event there is not adequate time for notification, a postponement request shall be subject to the discretion of the Commission."
- On Article 8, under Amendments, the word "for" needs to be removed. The complete wording recommendation, if accepted, would read, "These Bylaws may be changed at any regular meeting of the Commission by a two-thirds vote of all members. Any proposed change or amendment of these rules shall be delivered to Plan Commission members not less than three days in advance of the meeting at which a change or amendment is considered for adoption."

Motion was made by Commissioner Rose to **approve** the Bylaws with the recommended changes as presented. Seconded by Commissioner Duckworth. **Motion carried**: **6** Ayes, **0** Nays.

c. Plan Commission Teams IT Training

4. ADJOURN

There being no further business to come before the Plan Commission, the meeting adjourned at 7:39 p.m.

CITY OF GARLAND, TEXAS

/s/ Scott Roberts, Chairman

/s/ Elisa Morales, Secretary

GARLAND

Plan Commission **2. a.**

Meeting Date: 10/14/2024

Item Title: P 24-24 Jupiter Miller Business Center - Replat

Summary:

P 24-24 Jupiter Miller Business Center - Replat

Attachments

P 24-24 Jupiter Miller Business Center Replat Report & Attachments

Planning Report

File No: P 24-24 /District 6
Agenda Item:
Meeting: Plan Commission
Date: October 14, 2024

REPLAT
Jupiter Miller Business Center

LOCATION
3350 Marquis

ZONING
Specific Use Provision (SUP) S 20-18, Industrial (IN) District.

NUMBER OF LOTS
Two (2) lots.

ACREAGE
18.736 acres

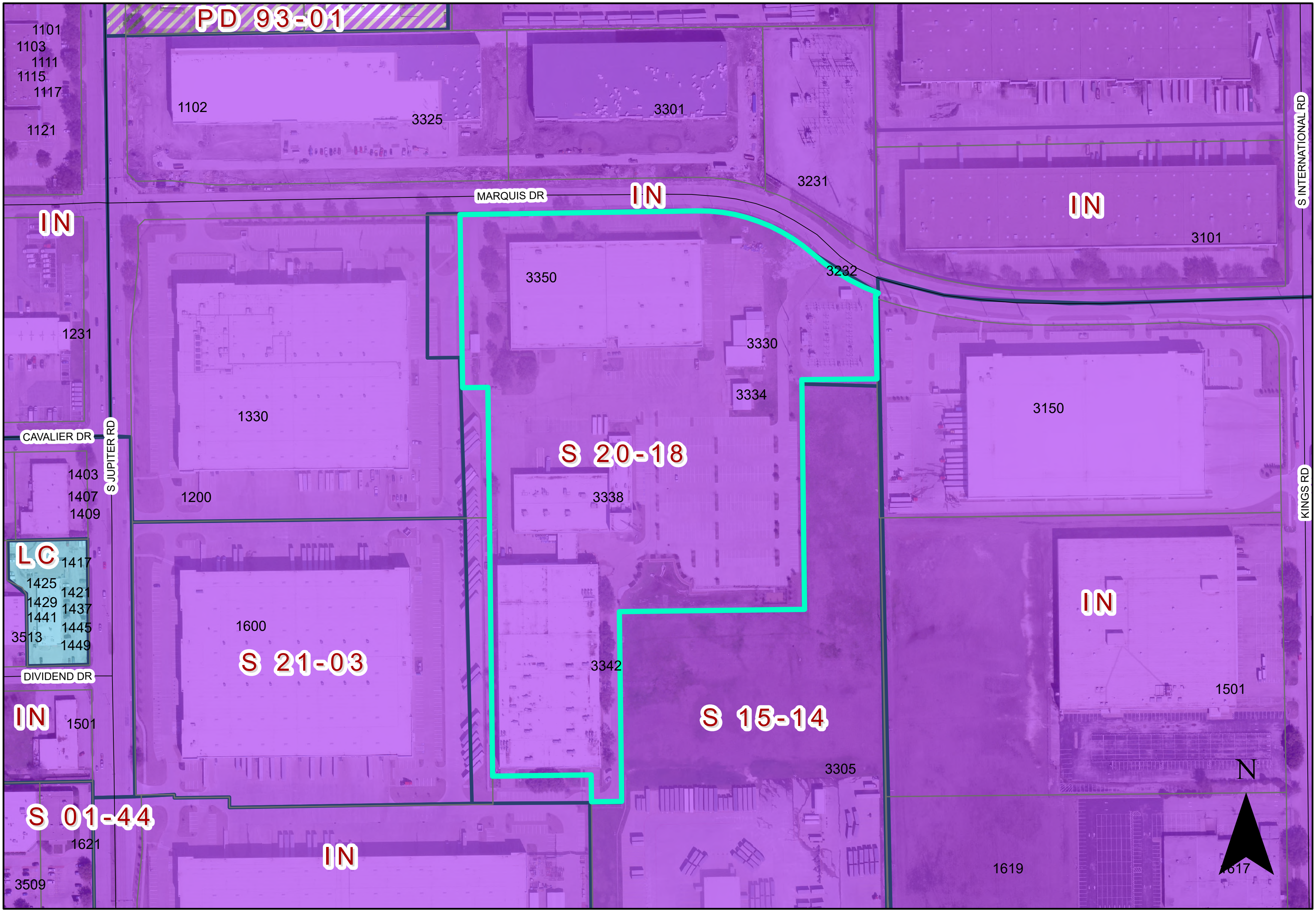
BACKGROUND
The purpose of this Replat is to divide one lot into two lots.

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

ADDITIONAL INFORMATION
i. Location Map
ii. 24 x 36 Plat

PREPARED BY:
Matthew Wolverton
Planner II
Planning and Development
972-205-2454
mwolverton@garlandtx.gov

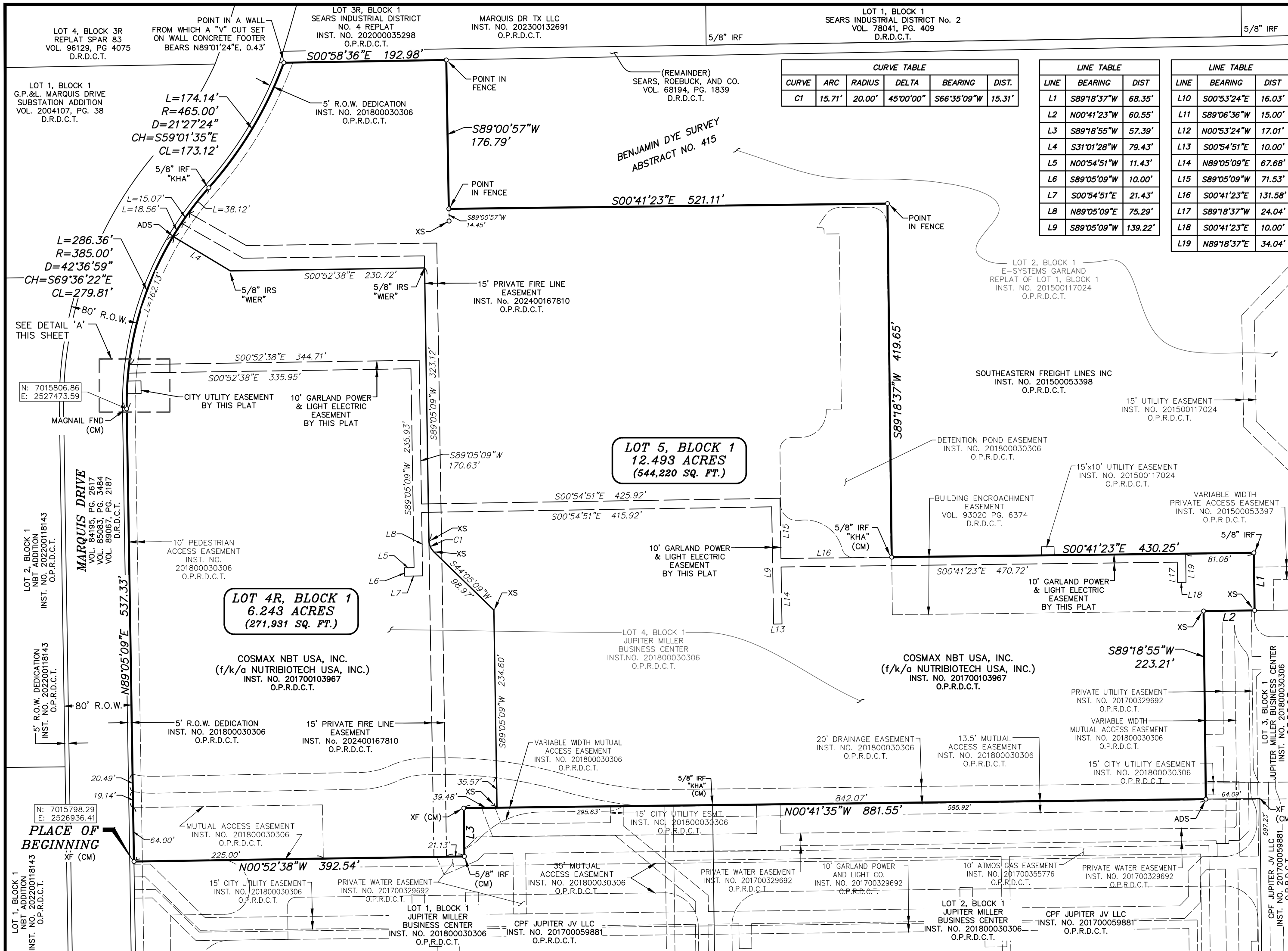
REVIEWED BY:
Angela Self, FAICP
Interim Director of Planning



0 250 500 Feet

PLAT MAP P 24-24

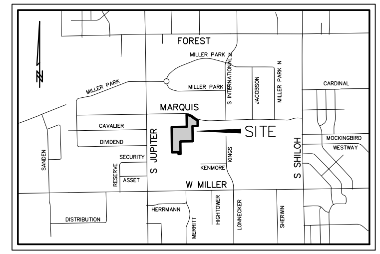
INDICATES AREA OF REQUEST



CURVE TABLE					
CURVE	ARC	RADIUS	DELTA	BEARING	DIST.
C1	15.71'	20.00'	45°00'00"	S66°35'09"W	15.31'

LINE TABLE		
LINE	BEARING	DIST
L1	S89°18'37"W	68.35'
L2	N00°41'23"W	60.55'
L3	S89°18'55"W	57.39'
L4	S31°01'28"W	79.43'
L5	N00°54'51"W	11.43'
L6	S89°05'09"W	10.00'
L7	S00°54'51"E	21.43'
L8	N89°05'09"E	75.29'
L9	S89°05'09"W	139.22'

LINE TABLE		
LINE	BEARING	DIST
L10	S00°53'24"E	16.03'
L11	S89°06'36"W	15.00'
L12	N00°53'24"W	17.01'
L13	S00°54'51"E	10.00'
L14	N89°05'09"E	67.68'
L15	S89°05'09"W	71.53'
L16	S00°41'23"E	131.58'
L17	S89°18'37"W	24.04'
L18	S00°41'23"E	10.00'
L19	N89°18'37"E	34.04'



VICINITY MAP
NOT TO SCALE

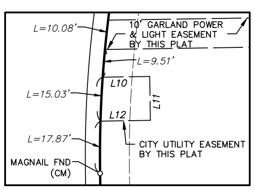
LEGEND

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 SET WITH 3-1/4" ALUMINUM DISC STAMPED "SUBDIVISION MONUMENT JUPITER MILLER BUSINESS CENTER DO NOT DISTURB 2024" WITH ALUMINUM ACCESS COVER STAMPED "WIER & ASSOC INC SUBDIVISION MONUMENT JUPITER MILLER BUSINESS CENTER - 2024"
CM	CONTROLLING MONUMENT
IRF	IRON ROD FOUND
IRS	IRON ROD SET
"KHA"	RED PLASTIC CAP STAMPED "KHA"
TXDOT	TEXAS DEPT. OF TRANSPORTATION
"WIER"	YELLOW PLASTIC CAP STAMPED "WIER & ASSOC INC"
XF	"X" CUT FOUND
XS	"X" CUT SET

THE PURPOSE OF THIS REPLAT IS TO DIVIDE A SINGLE LOT INTO TWO LOTS.

SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS IS A VIOLATION OF THE CITY OF GARLAND DEVELOPMENT CODE AND IS SUBJECT TO WITHHOLDING OF UTILITIES AND BUILDING PERMITS.

SPACE RESERVED FOR COUNTY RECORDING LABEL



DETAIL 'A'
SCALE: 1"=20'

0 60 120 180

OWNER / DEVELOPER
COSMAX NBT USA, INC
3350 MARQUIS DR
GARLAND, TEXAS 75012
CONTACT: JAY AHN
PH: (469) 661-9700
FAX: (469) 626-0270

ENGINEER / SURVEYOR
WIER & ASSOCIATES, INC.
5151 HEADQUARTERS DRIVE, SUITE 115
PLANO, TEXAS 75024
CONTACT: AARON L. STRINGFELLOW, R.P.L.S.
PH: (817) 467-7700
EMAIL: AARONLS@WIERASSOCIATES.COM

PREPARED BY:
WIER & ASSOCIATES, INC.
ENGINEERS SURVEYORS LAND PLANNERS
2201 E. LAMAR BLVD., SUITE 200E ARLINGTON, TEXAS 76006 METRO (817)467-7700
Texas Firm Registration No. F-2776 www.WierAssociates.com
Texas Board of Professional Land Surveying Registration No. 10033900

REPLAT
JUPITER MILLER BUSINESS CENTER
REPLAT OF LOT 4
LOTS 4R & 5, BLOCK 1

A REPLAT OF LOT 4, BLOCK 1
AN ADDITION TO THE CITY OF GARLAND, DALLAS COUNTY, TEXAS
BEING 18.736 ACRES OF LAND LOCATED IN THE
BENJAMIN DYE SURVEY, ABSTRACT No. 415, DALLAS COUNTY, TEXAS
CITY CASE No. 240220-2

SHEET 1 OF 2

DATE: 9/23/2024
W.A. No. 14101.03

PRINTED: 9/24/2024 STB FILE: WIER-SURVEY.STB LAST SAVED: 9/23/2024 6:36 PM SAVED BY: AARONLS FILE: 14101.03-REPLAT.DWG

BAR IS ONE INCH ON ORIGINAL FULL-SIZE PRINT

OWNER'S CERTIFICATE

STATE OF TEXAS §
COUNTY OF DALLAS §

BEING A TRACT OF LAND LOCATED IN THE BENJAMIN DYE SURVEY, ABSTRACT NO. 415, DALLAS COUNTY, TEXAS, BEING ALL OF LOT 4, BLOCK 1, JUPITER MILLER BUSINESS CENTER, AN ADDITION TO THE CITY OF GARLAND, DALLAS COUNTY, TEXAS ACCORDING TO THE PLAT RECORDED IN INSTRUMENT NUMBER 201800030306, OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS (O.P.R.D.C.T.), AND DESCRIBED IN A DEED TO COSMAX NBT USA, INC. F/K/A NUTRIBIOTECH USA, INC., RECORDED IN INSTRUMENT NUMBER 201700103967, O.P.R.D.C.T., AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT AN "X" CUT IN CONCRETE FOUND IN THE SOUTH RIGHT-OF-WAY LINE OF MARQUIS DRIVE (80' RIGHT-OF-WAY), SAID "X" CUT BEING THE NORTHWEST CORNER OF SAID LOT 4 AND THE NORTHEAST CORNER OF LOT 1, BLOCK 1 OF SAID JUPITER MILLER BUSINESS CENTER ADDITION;

THENCE ALONG THE NORTH LINE OF SAID LOT 4 AND THE SOUTH RIGHT-OF-WAY LINE OF SAID MARQUIS DRIVE AS FOLLOWS:

1) N 89°05'09" E, A DISTANCE OF 537.33 FEET TO A MAGNAIL FOUND, BEING THE BEGINNING OF A CURVE TO THE RIGHT;

2) SOUTHEASTERLY, AN ARC LENGTH OF 286.36 FEET ALONG SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 385.00 FEET, A DELTA ANGLE OF 42°36'59", AND A CHORD BEARING OF S 69°36'22" E, 279.81 FEET TO A 5/8" IRON ROD FOUND WITH A RED PLASTIC CAP STAMPED "KHA", BEING THE BEGINNING OF A REVERSE CURVE TO THE LEFT;

3) SOUTHEASTERLY, AN ARC LENGTH OF 174.14 FEET ALONG SAID REVERSE CURVE TO THE LEFT, HAVING A RADIUS OF 465.00 FEET, A DELTA ANGLE OF 21°27'24", AND A CHORD BEARING OF S 59°01'35" E, 173.12 FEET TO A POINT IN A WALL, BEING THE NORTHEAST CORNER OF SAID LOT 4, FROM WHICH A "V" CUT SET ON THE CONCRETE FOOTER OF SAID WALL BEARS N 89°01'24" E, 0.43 FEET;

THENCE S 00°58'36" E, DEPARTING THE SOUTH RIGHT-OF-WAY LINE OF SAID MARQUIS DRIVE AND ALONG THE EAST LINE OF SAID LOT 4, A DISTANCE OF 192.98 FEET TO A POINT IN A FENCE, BEING THE NORTHEAST CORNER OF LOT 2, BLOCK 1, E-SYSTEMS GARLAND, AN ADDITION TO THE CITY OF GARLAND, DALLAS COUNTY, TEXAS ACCORDING TO THE PLAT RECORDED IN INSTRUMENT NUMBER 201500117024, O.P.R.D.C.T.;

THENCE ALONG THE COMMON LINE OF SAID LOT 4 AND SAID LOT 2 AS FOLLOWS:

1) S 89°00'57" W, A DISTANCE OF 176.79 FEET TO A POINT IN A FENCE, BEING THE MOST NORTHERLY NORTHWEST CORNER OF SAID LOT 2, FROM WHICH AN "X" CUT SET IN CONCRETE BEARS S 89°00'57" W, 14.45 FEET;

2) S 00°41'23" E, A DISTANCE OF 521.11 FEET TO A POINT IN A FENCE, BEING AN ELL CORNER OF SAID LOT 2;

3) S 89°18'37" W, A DISTANCE OF 419.65 FEET TO A 5/8" IRON ROD FOUND WITH A RED PLASTIC CAP STAMPED "KHA", SAID IRON ROD BEING AN ELL CORNER OF SAID LOT 2;

4) S 00°41'23" E, A DISTANCE OF 430.25 FEET TO A 5/8" IRON FOUND, BEING AN ELL CORNER OF SAID LOT 2;

5) S 89°18'37" W, A DISTANCE OF 68.35 FEET TO AN "X" CUT SET IN CONCRETE IN THE EAST LINE OF LOT 3, BLOCK 1 OF SAID JUPITER MILLER BUSINESS CENTER, SAID "X" CUT BEING THE MOST SOUTHERLY SOUTHWEST CORNER OF SAID LOT 4 AND A NORTHWEST CORNER OF SAID LOT 2;

THENCE ALONG THE SOUTH LINE OF SAID LOT 4 AND THE NORTH LINE OF SAID LOT 3 AS FOLLOWS:

1) N 00°41'23" W, DEPARTING THE NORTH LINE OF SAID LOT 2, A DISTANCE OF 60.55 FEET TO AN "X" CUT SET IN CONCRETE, BEING THE NORTHEAST CORNER OF SAID LOT 3;

2) S 89°18'55" W, A DISTANCE OF 223.21 FEET TO A 5/8" IRON ROD SET WITH 3-1/4" ALUMINUM DISC STAMPED "SUBDIVISION MONUMENT JUPITER MILLER BUSINESS CENTER DO NOT DISTURB 2024" WITH AN ALUMINUM ACCESS COVER STAMPED "WIER & ASSOC INC SUBDIVISION MONUMENT JUPITER MILLER BUSINESS CENTER – 2024" (HEREINAFTER CALLED "ALUMINUM DISC") IN THE EAST LINE OF LOT 2, BLOCK 1 OF SAID JUPITER MILLER BUSINESS CENTER ADDITION, SAID ALUMINUM DISC BEING THE NORTHWEST CORNER OF SAID LOT 3 AND THE MOST SOUTHERLY SOUTHWEST CORNER OF SAID LOT 4, FROM WHICH AN "X" CUT FOUND IN CONCRETE BEARS S 00°41'35" E, A DISTANCE OF 64.09 FEET, SAID "X" CUT BEING THE SOUTHEAST CORNER OF SAID LOT 2, BLOCK 1, JUPITER MILLER BUSINESS CENTER ADDITION;

THENCE N 00°41'35" W, DEPARTING THE NORTH LINE OF SAID LOT 3 AND ALONG THE WEST LINE OF SAID LOT 4 AND THE EAST LINE OF SAID LOTS 1 AND 2, BLOCK 1, JUPITER MILLER BUSINESS CENTER ADDITION, AT A DISTANCE OF 585.92 FEET, PASSING A 5/8" IRON ROD FOUND WITH A RED PLASTIC CAP STAMPED "KHA", SAID IRON ROD BEING THE NORTHEAST CORNER OF SAID LOT 2, BLOCK 1, JUPITER MILLER BUSINESS CENTER ADDITION, AND THE SOUTHEAST CORNER OF SAID LOT 1, BLOCK 1, JUPITER MILLER BUSINESS CENTER ADDITION, AND CONTINUING IN ALL A TOTAL DISTANCE OF 881.55 FEET TO AN "X" CUT FOUND IN CONCRETE, BEING THE MOST EASTERLY NORTHEAST CORNER OF SAID LOT 1, BLOCK 1, JUPITER MILLER BUSINESS CENTER ADDITION;

THENCE S 89°18'55" W, CONTINUING ALONG THE WEST LINE OF SAID LOT 4 AND THE EAST LINE OF SAID LOT 1, A DISTANCE OF 57.39 FEET TO A 5/8" IRON ROD FOUND, BEING AN ELL CORNER OF SAID LOT 1 AND THE MOST WESTERLY SOUTHWEST CORNER OF SAID LOT 4;

THENCE N 00°52'38" W, A DISTANCE OF 392.54 FEET TO THE PLACE OF BEGINNING AND CONTAINING 18.736 ACRES (816,151 SQUARE FEET) OF LAND, MORE OR LESS.

OWNER'S DEDICATION

NOW THEREFORE, KNOW ALL BY THESE PRESENTS:

THAT COSMAX NBT USA, INC., 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 JUPITER MILLER BUSINESS CENTER REPLAT OF LOT 4 AN ADDITION TO THE CITY OF GARLAND, DALLAS COUNTY, TEXAS AND DOES HEREBY DEDICATE, IN FEE SIMPLE AND TO THE PUBLIC USE FOREVER, ANY 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, SCREEN WALL EASEMENT, OR WALL MAINTENANCE 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 EASEMENT DEDICATED BY THIS PLAT IN SUCH A MANNER AS TO RESTRICT THE USE OR SCOPE OF, OR INTERFERE WITH THE PURPOSE AND INTENT OF THE EASEMENT. 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. ANY AND ALL MAINTENANCE OF SCREENING WALLS, SCREEN WALL EASEMENTS, RETAINING WALLS, AND WALL MAINTENANCE EASEMENTS IS THE RESPONSIBILITY OF THE PROPERTY OWNER, ITS SUCCESSORS, OR ASSIGNS.

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 APPLICABLE PROVISIONS OF THE CODE OF ORDINANCES OF THE CITY OF GARLAND, AS AMENDED, OR THE GARLAND DEVELOPMENT CODE, AS AMENDED.

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 ______________, 2024.

COSMAX NBT USA, INC.

SIGNATURE: ________________________________
NAME: JAY AHN
TITLE: CHIEF EXECUTIVE OFFICER

STATE OF ________________

COUNTY OF ________________

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE SAID COUNTY AND STATE, ON THIS DAY APPEARED JAY AHN, KNOWN TO ME TO BE THE PERSON AND OFFICER WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE HAS EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED, AND IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND SEAL OF OFFICE THIS ______ DAY OF ______________, 2024.

____
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS.

SURVEYOR'S STATEMENT

I, AARON L. STRINGFELLOW, 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 ENGINEERS AND LAND SURVEYORS, TEXAS LOCAL GOVERNMENT CODE, CHAPTER 212, AND THE CITY OF GARLAND DEVELOPMENT CODE. I FURTHER AFFIRM THAT THE MONUMENTAL SHOWN HEREON WAS EITHER FOUND OR PLACED AS DESCRIBED HEREON AND IS IN THE 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 ______________, 2024

____
AARON L. STRINGFELLOW
REGISTERED PROFESSIONAL LAND SURVEYOR
STATE OF TEXAS NO. 6373
EMAIL: AaronLS@WierAssociates.com

STATE OF TEXAS
COUNTY OF COLLIN

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE SAID COUNTY AND STATE, ON THIS DAY APPEARED AARON L. STRINGFELLOW, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE HAS EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED.

GIVEN UNDER MY HAND SEAL OF OFFICE THIS ______ DAY OF ______________, 2024.

____
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

PLAN COMMISSION

APPROVED AND ACCEPTED FOR THE CITY OF GARLAND THIS _______ DAY OF __________________, 2024 BY THE CITY PLAN COMMISSION OF THE CITY OF GARLAND, TEXAS.

____
CHAIRMAN OF THE CITY PLAN COMMISSION

____
PLANNING DIRECTOR

THE APPROVAL OF THIS PLAT IS CONTINGENT UPON THE PLAT BEING FILED FOR RECORD WITH THE COUNTY CLERK OF DALLAS COUNTY WITHIN (180) DAYS FROM THE ABOVE DATE.

NOTES

1. ALL COORDINATES AND BEARINGS SHOWN HEREON ARE CORRELATED TO THE TEXAS COORDINATE SYSTEM OF 1983, NORTH CENTRAL ZONE 4202, AS DERIVED BY FIELD OBSERVATIONS UTILIZING THE CITY OF GARLAND MONUMENTS #27 & #32, WITH A COMBINED SCALE FACTOR OF 0.99985112

2. THE PURPOSE OF THIS PLAT IS TO DIVIDE A SINGLE LOT INTO TWO LOTS.

3. SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS IS A VIOLATION OF THE CITY OF GARLAND DEVELOPMENT CODE AND IS SUBJECT TO WITHHOLDING OF UTILITIES AND BUILDING PERMITS.

SPACE RESERVED
FOR COUNTY
RECORDING LABEL

PREPARED BY:
WIER & ASSOCIATES, INC.
ENGINEERS SURVEYORS LAND PLANNERS
2201 E. LAMAR BLVD., SUITE 200E ARLINGTON, TEXAS 76006 METRO (817)467-7700
Texas Firm Registration No. F-2776 www.WierAssociates.com
Texas Board of Professional Land Surveying Registration No. 10033900

REPLAT
JUPITER MILLER BUSINESS CENTER
REPLAT OF LOT 4
LOTS 4R & 5, BLOCK 1

A REPLAT OF LOT 4, BLOCK 1
AN ADDITION TO THE CITY OF GARLAND, DALLAS COUNTY, TEXAS
BEING 18.736 ACRES OF LAND LOCATED IN THE
BENJAMIN DYE SURVEY, ABSTRACT No. 415, DALLAS COUNTY, TEXAS
CITY CASE No. 240220-2

OWNER / DEVELOPER
COSMAX NBT USA, INC
3350 MARQUIS DR
GARLAND, TEXAS 75012
CONTACT: JAY AHN
PH: (469) 661-9700
FAX: (469) 626-0270

ENGINEER / SURVEYOR
WIER & ASSOCIATES, INC.
5151 HEADQUARTERS DRIVE, SUITE 115
PLANO, TEXAS 75024
CONTACT: AARON L. STRINGFELLOW, R.P.L.S.
PH: (817) 467-7700
EMAIL: AARONLS@WIERASSOCIATES.COM

DATE: 9/23/2024
W.A. No. 14101.03

GARLAND

Plan Commission 3. a.
Meeting Date: 10/14/2024
Item Title: Z 24-31 Olsson (District 4)

Summary:
Consideration of the application of **Olsson**, requesting approval of 1) a Specific Use Provision for a Restaurant, Drive-Through Use on a property zoned Community Retail (CR) District and 2) a Plan for a Restaurant, Drive-Through Use. This property is located at 3285 Broadway Boulevard. (District 4) (File Z 24-31)

Attachments

Z 24-31 Olsson Report & Attachments
Z 24-31 Olsson Responses

Planning Report

File No: Z 24-31/District 4
Agenda Item:
Meeting: Plan Commission
Date: October 14, 2024

REQUEST
Approval of 1) a Specific Use Provision for a Restaurant, Drive-Through Use on a property zoned Community Retail (CR) District and 2) a Plan for a Restaurant, Drive-Through Use.

LOCATION
3285 Broadway Boulevard

APPLICANT
Olsson

OWNER
McDonald's Corporation

BACKGROUND
The subject property contains a legal-nonconforming Restaurant, Drive-Through [McDonald's]. The McDonald's is remodeling and slightly expanding the building, which requires the property to conform to the Garland Development Code (GDC). A Specific Use Provision (SUP) is required for all Restaurant, Drive-Through Uses in Garland per the Garland Development Code (GDC).

SITE DATA
The subject property contains approximately 0.995 acres and has approximately 190 linear feet of frontage along Broadway Boulevard and approximately 217 linear feet of frontage along East Kingsley Road. The site can be accessed from Broadway Boulevard and East Kingsley Road.

USE OF PROPERTY UNDER CURRENT ZONING
The subject property is zoned Community Retail (CR) District. A Specific Use Provision (SUP) is required for a Restaurant, Drive-Through Use.

CONSIDERATIONS

Specific Use Provision:

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

COMPREHENSIVE PLAN
The Future Land Use Map of the Envision Garland Plan recommends Neighborhood Centers for the subject site. Neighborhood centers provide a mix of retail, services and community gathering places. This center should be appropriately scaled to adjacent residential areas. This type of center is predominantly, but not exclusively, non-residential. Neighborhood

centers are served by local roads and transit routes. The proposal would continue to provide a supporting restaurant use to the nearby residential neighborhoods.

COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

The property to the North is zoned Neighborhood Office (NO) District and contains a vacant structure. The properties to the West, South, and East are zoned Community Retail (CR) District and provide a number of commercial services. A shopping center is located to the South providing fitness, restaurants, and retail. The property to the West is a Church, and the property to the East contains both a gas station, convenience store and an empty lot.

The proposed use is generally compatible with the surrounding area.

STAFF RECOMMENDATION

Approval of 1) a Specific Use Provision for a Restaurant, Drive-Through Use on a property zoned Community Retail (CR) District and 2) a Plan for a Restaurant, Drive-Through Use.

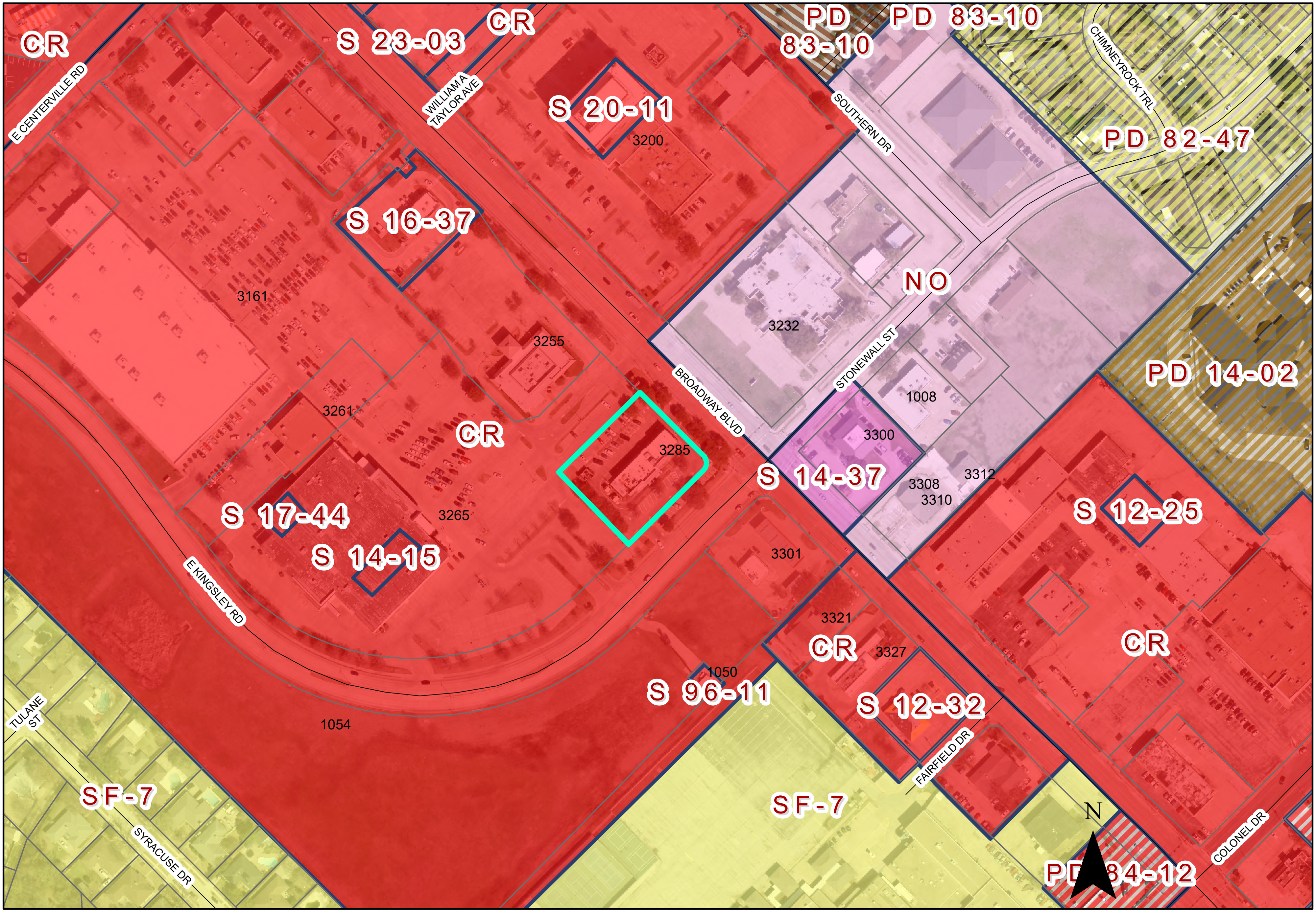
ADDITIONAL INFORMATION

i. Location Map
ii. SUP Conditions
iii. Exhibits
iv. Photos

CITY COUNCIL DATE: November 5, 2024

PREPARED BY:
Matthew Wolverton
Planner II
Planning & Development
972-205-2454
mwolverton@garlandtx.gov

REVIEWED BY:
Angela Self, FAICP
Interim Director of Planning



ZONING MAP Z 24-31

3285 Broadway Boulevard

SPECIFIC USE PROVISION CONDITIONS

ZONING FILE Z 24-31

3285 Broadway Boulevard

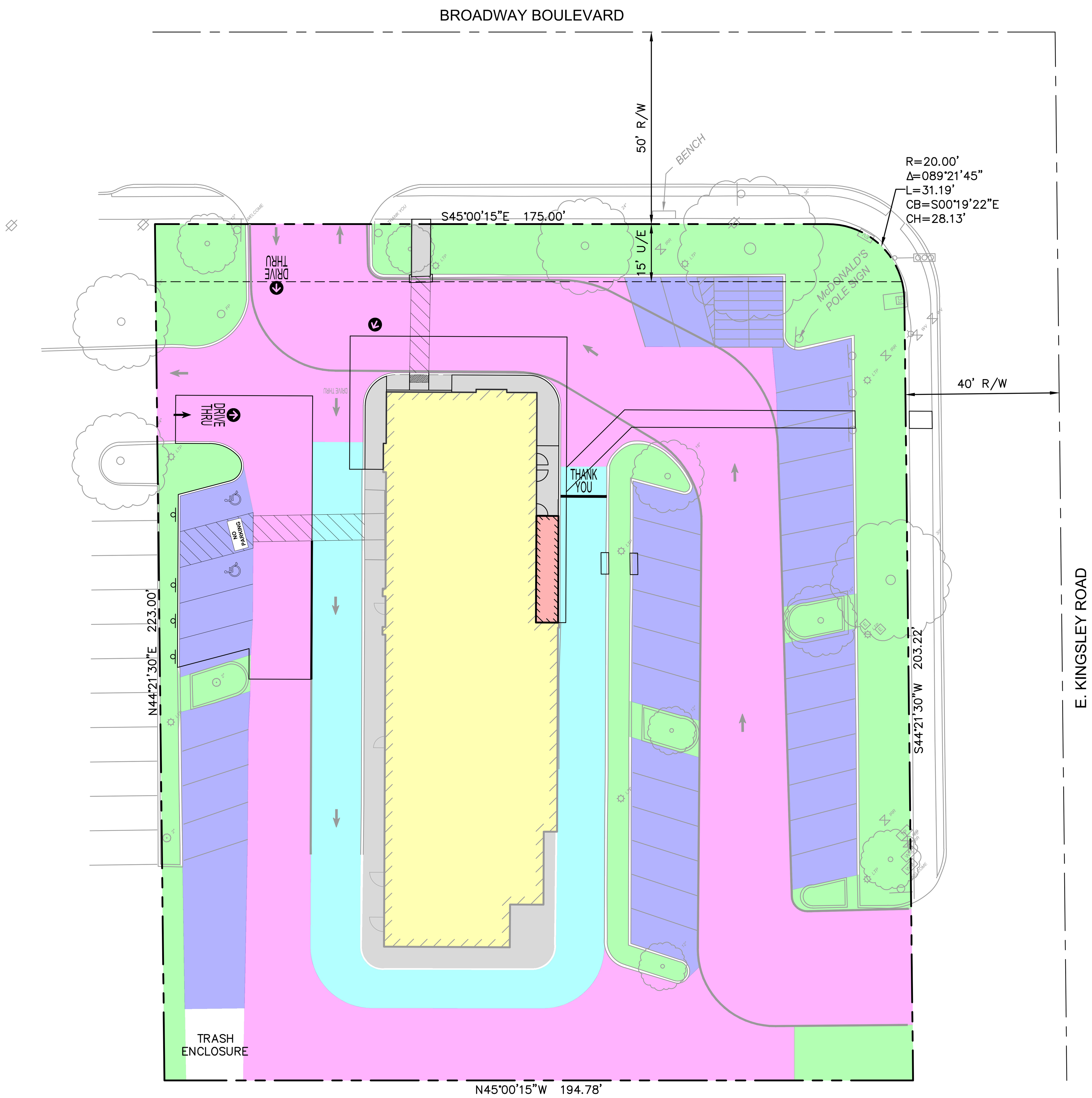
I. Statement of Purpose: The purpose of this Specific Use Provision is to allow a Restaurant, Drive-Through.

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 and Site Development Standards as set forth in Chapter 2 and 4 of the Garland Development Code, Ordinance 6773, are included by reference and shall apply, except as otherwise specified by this ordinance.

IV. Specific Regulations:

A. Time Period: The Specific Use Provision shall have a twenty-five-year time period.



LEGEND

- EXISTING BUILDING
- PROPOSED BUILDING ADDITION
- DRIVE THRU
- PARKING
- DRIVE AISLE
- SIDEWALK
- GREEN SPACE / LANDSCAPING

VICINITY MAP
NOT TO SCALE

EXISTING ZONING
COMMUNITY RETAIL DISTRICT

EXISTING/PROPOSED LAND USE
RESTAURANT WITH DRIVE THRU

SITE AREA
43,350 SF, 0.995 ACRES

PROPERTY OWNER
McDONALD'S CORPORATION
110 N. CARPENTER STREET
CHICAGO, IL 60607
ATTN: AMANDA GOODIE
281.789.2646

APPLICANT
OLSSON
302 S. 4TH STREET, SUITE 110
MANHATTAN, KS 66502
ATTN: ANDY KRUSE
785.320.7855

NOTE
SITE DESIGN AND CONSTRUCTION PLANS SHALL CONFORM TO ALL REQUIREMENTS OF THE GARLAND DEVELOPMENT CODE (GDC), TECHNICAL STANDARD MANUAL (TSM), AND CITY CODES UNLESS AN APPROVED PD NARRATIVE CONDITION EXPRESSLY PROVIDES OTHERWISE. THE CONCEPT PLAN SHALL BE USED TO REPRESENT THE GENERAL IDEA OF THE PROPOSED LAND USE AND SITE ELEMENTS. THE CONCEPT PLAN SHALL NOT SUPERSEDE, AND SHALL BE SUBORDINATE TO, THE STANDARDS, REQUIREMENTS, AND CONDITIONS OF THE GDC, TSM, CITY CODE, OR THE APPROVED PD.

N

0' 10' 20' 40'
SCALE IN FEET

REV | DATE | DESCRIPTION | BY

olsson
Olsson - Engineering
Texas Registered Engineering Firm F-4253
302 S. 4th Street, Suite 110
Manhattan, Kansas 66502
TEL 785.539.6900
FAX 785.539.6901
www.olsson.com

PREPARED FOR:
McDonald's USA, LLC

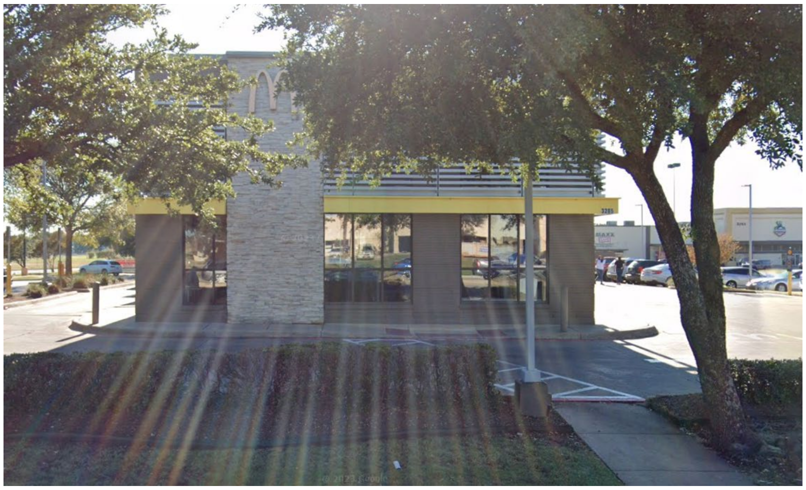
DRAWN BY: AJK
STD ISSUE DATE
REVIEWED BY
DATE ISSUED: 09.19.24

TITLE: CONCEPT PLAN
DESCRIPTION: McDONALD'S RESTAURANT GARLAND, TEXAS
SITE ID: 042-0578
SITE ADDRESS: 3285 BROADWAY BLVD, GARLAND, TEXAS

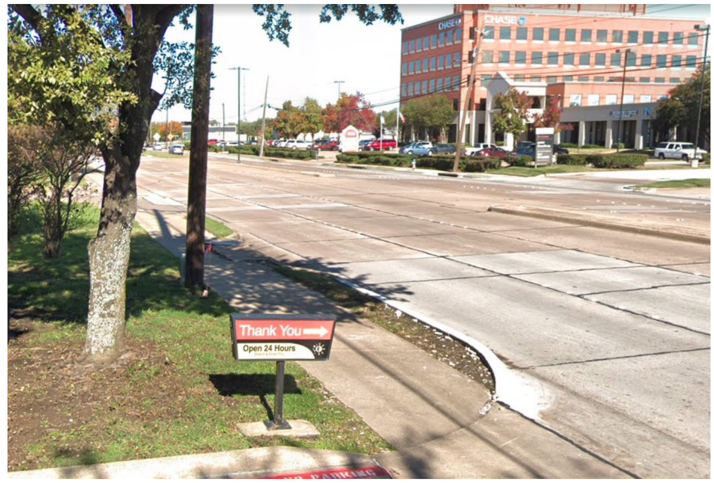
SHEET NO. CP
042-0578.00.0

DWG: F:\2024\00501-01000\024-00734-B\40-Design\Exhibits\SUP Concept Plan\SUP Concept Plan.dwg USER: okruse
DATE: Sep 25, 2024 8:53am XREFS: C_PBASE_B2400734 C_DBASE_B2400734

Z 24-31



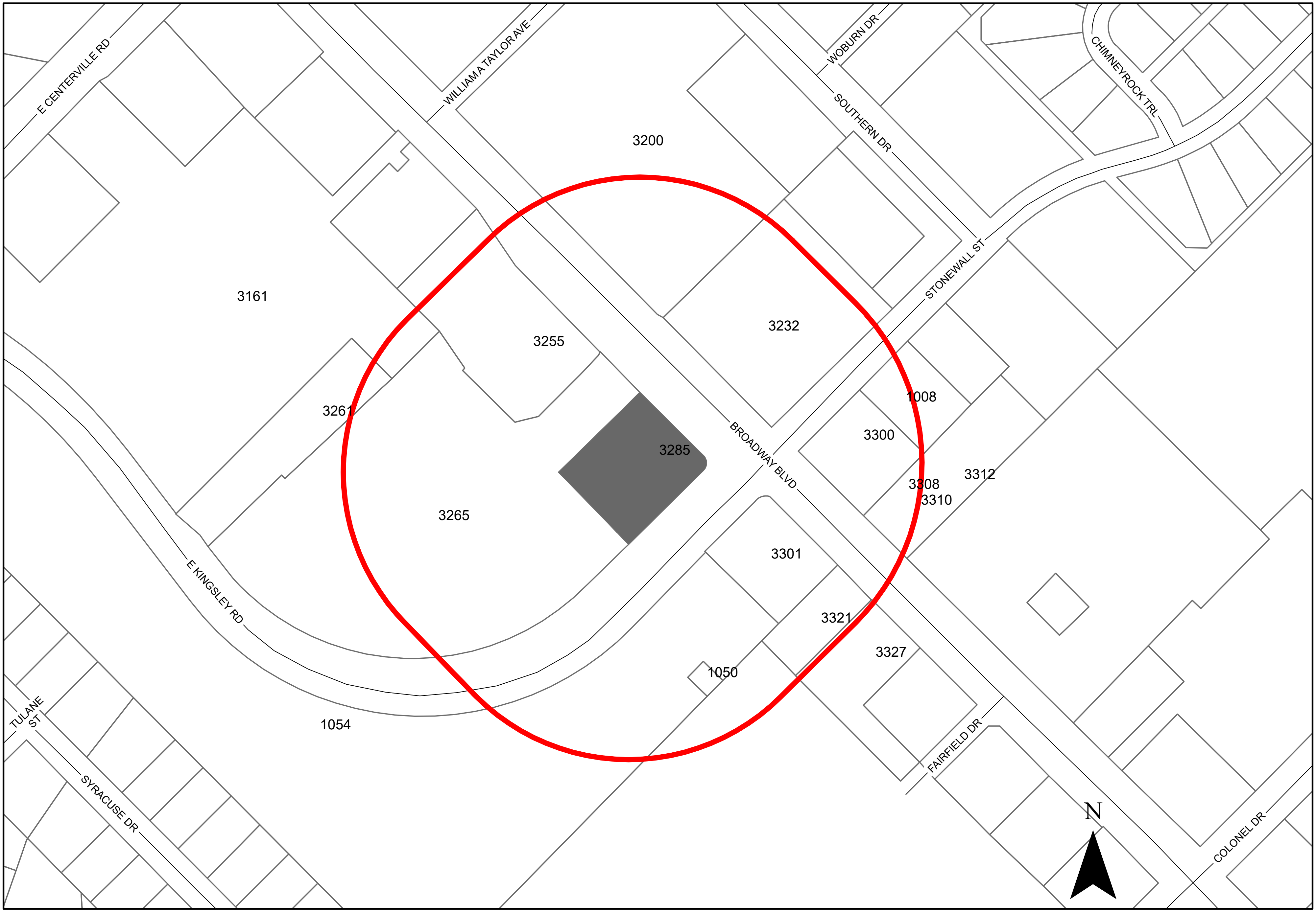
View of the subject property



Northeast of the subject property looking across Broadway Boulevard

East of the subject property across East Kingsley Road toward South Garland High School

Southeast of the subject property facing the intersection of Broadway and Kingsley



0 100 200 400 ft

ZONING MAP Z 24-31

INDICATES AREA OF REQUEST

INDICATES NOTIFICATION AREA

3285 Broadway Boulevard

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

GARLAND

Plan Commission **4. a.**

Meeting Date: 10/14/2024

Item Title: Plan Commission By-Laws

Summary:

Discussion and possible adoption of amendments to the Plan Commission By-laws

At the request of the Development Services Committee, a recommendation was made to the Council that the Plan Commission Pre-Meeting and Regular Plan Commission Meetings be combined with an earlier start time of 6:30 p.m.

Attachments

Plan Commission By-Laws

BYLAWS

OF

THE PLAN COMMISSION

GARLAND, TEXAS

ARTICLE I

Powers and Duties

Section 1. The powers, duties, objectives, and purposes of the Plan Commission of the City of Garland, Texas are those set forth under state law, the Garland City Charter, Garland Code of City Ordinances, and the Garland Development Code.

ARTICLE II

Officers

Section 1. The officers of the Plan Commission shall be a Chairperson, First Vice Chairperson, Second Vice Chairperson, and Secretary - the Secretary shall not be a member of the Commission.

Section 2. The Chairperson shall preside over all meetings of the Commission and have all duties conferred by Robert's Rules of Order, state or local law, or Council policy. The Chairperson may participate in the discussion of all matters before the Commission and vote thereon. The Chairperson, on behalf of the Commission, shall sign subdivision plats approved by the Commission and all other necessary papers and documents related to matters brought before the Commission. The Chairperson shall be responsible for appointing members to committees and may call special meetings of the Commission. The Chairperson shall be responsible for the efficient and orderly transaction of Commission business.

Section 3. The First Vice Chairperson shall have the authority to perform all duties of the Chairperson in the event the Chairperson is absent or unable to perform the duties of the office. In the event both the Chairperson and First Vice Chairperson are absent or unable to perform their duties, the Second Vice Chairperson shall have the authority to perform all duties of the Chairperson.

Section 4. The Secretary, or the Director of Planning's designee in the event the Secretary is absent or unable to perform the duties of the office, shall keep the minutes and records of the

Commission, prepare the agenda of regular and special meetings, provide notice of meetings and copies of minutes to members of the Commission, arrange proper and legal notice of all hearings, attend to the correspondence of the Commission, and other duties that are normally performed by the office of Secretary. It shall be the duty of the Secretary to submit to the Commission the minutes of the previous meeting so that the same may be corrected, if necessary, to accurately reflect the proceedings of the last meeting. The minutes shall not be official until they are adopted by a majority vote of the Commission.

ARTICLE III

Appointment of Officers

Section 1. The Chairperson, First Vice Chairperson and Second Vice Chairperson shall be elected annually at the first regular meeting in September. Nominations shall be made from the members of the Commission and the election shall follow immediately thereafter. The candidate receiving the most votes for the office for which the candidate was nominated shall be declared elected and shall take office immediately. Upon request of a member of the Commission, or at the discretion of the Chairperson, the election may be by ballot.

Section 2. The Director of Planning shall appoint the Secretary from staff of the Department of Planning.

Section 3. In the event of a mid-term vacancy, for whatever reason, it shall be filled by the Commission at a regular or special meeting pursuant to the procedures described in Section 1 of this Article III.

ARTICLE IV

Meetings

Section 1. Regular meetings will be held on the second and fourth Monday of each month at ~~7~~6:~~0~~30 p.m. In the event a regular meeting falls on a holiday or upon a day resulting in a conflict with another city or special event, the Commission, by a majority vote, may change the date and time of the regular meeting of the Commission.

Section 2. Special meetings may be called at any time by the Chairperson or upon written request by three members of the Commission.

Section 3. Five members of the Commission shall constitute a quorum. No official action shall be taken unless a quorum is present on the item or matter being considered by the Commission.

Section 4. Except as otherwise set by state or local law, or by these Bylaws, an affirmative vote of the majority of the Commission membership is required to approve any matter before the Commission. Each member of the Commission present, including the Chairperson, shall vote on all matters unless the member (1) has a direct interest as a neighboring property owner, (2) a conflict of interest as described in Section 10.52 of the City Code, (3) knows his or her participation in the discussion or decision of the matter is likely to affect the substantial economic interests of one of the entities or individuals described in Section 10.53(A), or (4) for reason of nepotism as defined by State law or prohibited by state law.

Section 5. All decisions and recommendations of the Commission shall be made in meetings open to the public and a vote taken at such meetings and duly recorded. All meetings shall be held in accordance with the provisions of the Open Meetings Act.

Section 6. Parliamentary procedure shall be governed by Roberts Rules of Order, which may be suspended upon a majority vote of the Commission, except when in conflict with state or local law. In the event of a conflict between Robert's rules of Order and state or local law, then state and local law shall govern.

Section 7. Subject to the time limitations set forth in state law and the Garland Development Code, the Commission may take a matter under advisement and announce its decision at a subsequent meeting that is open to the public. However, in order to do so, the Commission must first set a date certain when such hearing will be resumed.

Section 8. Upon a timely and written request directed to the Plan Director, from the Chairperson, or any two members of the Plan Commission, to place an item for consideration or recommendation on the agenda, the item shall be added to the next regularly scheduled Plan Commission meeting agenda.

ARTICLE V

Committees

Section 1. Special committees may, from time to time, be appointed by the Chairperson of the Commission. Among other tasks, including field inspections, a special committee may be assigned any issue that may be considered by the Commission. Special committees shall be composed of at least three members of the Commission.

Section 2. A committee chairperson shall be appointed from the membership of each committee by the Chairperson of the Commission. The committee chairperson shall preside over committee meetings, shall vote upon all matters and shall report the results of committee meetings to the Commission.

ARTICLE VI

Zoning Hearings, Procedures and Rules

Section 1. A special committee may make visual inspection of the site of an application, and the area around, and in the vicinity of, application subject property prior to or after a public hearing.

Section 2. At the hearing, proponents and opponents of a matter before the Commission shall be given a reasonable and adequate opportunity to be heard and present their respective views.

Section 3. The Secretary shall include in the minutes of a meeting a brief synopsis of the evidence presented at the hearing.

Section 4. After the Commission has reached a decision and taken official action on a zoning case, the recommendation shall be forwarded to the City Council so that the Council may review the report and recommendation when the matter comes before the Council.

Section 5. In a public hearing, the Chairperson may ask for each delegation to appoint a speaker, or speakers, to represent the delegation in order to conserve the Commission's time. The applicant shall have 15 minutes to present an application with a rebuttal time of 5 minutes, if necessary. All other speakers shall have 3 minutes to give testimony. The Chairperson, and the Commission upon a majority vote, shall have the authority to modify the time allotted to speakers.

Section 6. Rehearings.

(a) In the event that an applicant desires to submit an application for a change of zoning on a tract of land, or any portion thereof, to which the City Council has denied a zoning change with the previous 12 months, the Plan Commission shall adhere to processes and requirements set forth in the Garland Development Code, Article 2, Division 1, Section 2.05(K).

(b) In the event that the Plan Commission makes a recommendation to disapprove a request to change a zoning designation for a tract of land and the Council has not made a decision on the application, no additional zoning application may be considered by the Plan Commission within six months of the Commission's recommended disapproval, except:

1. Where reconsideration has been requested by the City Council;
2. Where the Plan Commission waives the six-month requirement at the time it recommends disapproval of the application for zoning change; or
3. Upon the written request of the applicant where pertinent facts are sufficient for the Plan Commission to determine that a new hearing is warranted.

In the event that a rehearing is granted by the Commission, then the procedure thereon will be the same as if the original application for a zoning change had been filed pursuant to the Garland Development Code, Article 2, Division 1.

Section 7. Withdrawals, postponements for same.

(a) Withdrawals

(1) Written request by the applicant to withdraw a petition for zoning change prior to mailing hearing notices shall be honored.

(2) Written request by the applicant for a withdrawal made after mailing hearing notices, but prior to commencement of the public hearing on such application, shall be honored but shall be subject to the hearing provisions

set forth in Article VI, Section 6(b) as if the application had been heard and the Plan Commission had recommended disapproval of the application.

(b) Postponements

(1) Written request by the applicant to postpone an application for zoning change prior to mailing hearing notices shall be honored.

(2) Written request by the applicant for hearing postponement made after mailing hearing notices shall be honored if there is proper time for the notice to be mailed to property owners. In the event there is not adequate time for notification, a postponement request shall be subject to the discretion of the Commission.

(3) In the event property owners of 20% of the land within 200 feet of the notification area are in opposition, only one request for postponement by the applicant may be permitted.

(4) If a request for a postponement is made by an applicant before the Commission hears the request, the applicant will have three months from the time this request is received to decide whether to proceed with the zoning change or the file will be closed.

Section 8. Plans

(a) A "Plan" has the meaning set forth in Section 2.04 of the Garland Development Code. Where required by the Garland Development Code or state law, a Plan must be submitted by the applicant in connection with a request for a change or amendment to the Zoning Regulations set forth in the Garland Development Code.

(b) The Plan Commission shall recommend approval, approval with conditions, or disapproval of a Plan within thirty (30) days after the date the Plan is filed with the Planning Department. The Plan Commission may, by written request of the applicant postpone making a decision on the application of a Plan for a period that does not exceed thirty (30) calendar days, in accordance with state law and Article 2, Division 1, Section 2.05(F) of the Garland Development Code.

ARTICLE VII

Special Hearings

Section 1. Special hearings may be held by the Commission or by a special committee, under the direction of the Commission, on any matter other than zoning and subdivision cases when a public hearing would be in the public interest.

Section 2. Notice of such special hearing shall be in accordance with the Texas Open Meetings Act, or other applicable state and local laws.

ARTICLE VIII

Amendments

These Bylaws may be changed at any regular meeting of the Commission by a two-thirds vote of all members. Any proposed change or amendment of these rules shall be delivered to Plan Commission members not less than three days in advance of the meeting at which a change or amendment is considered for adoption.

ARTICLE IX

Temporary Waiver of Bylaws

These Bylaws may be temporarily waived for the duration of a meeting by a two-thirds (2/3) vote of the members present.

ARTICLE X

Miscellaneous

Section 1. Severability. If any part or provision of these Bylaws, or the application of these Bylaws to any person or circumstance, is adjudged invalid by any court of competent jurisdiction, the judgment shall be confined in its operation to the part, provision or application directly involved in the controversy in which the