



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
July 22, 2019 at 7:00 p.m.**

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

A pre-meeting will begin at 6:15 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 Minutes for the July 8, 2019 meeting.

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.

2. EXECUTIVE SESSION

Consult with Attorney: The Plan Commission may go into a closed session under the authority of the Government Code, Chapter 551, Texas Open Meetings Act, to discuss:

- *Consultation with Attorney – Attorney/Client Privileged Consultations (§ 551.071). Consultation with attorney regarding the legal obligations, limitations, and duties of the Commission when deliberating and discussing land use matters brought before them, in accordance with new laws passed by the Texas Legislature during the 2019 legislative session.*

3. MISCELLANEOUS

- a. Consider amendments to Chapter 34, “Planning”, of the Code of Ordinances and the Garland Development Code of the City of Garland, Texas, regarding changes to the regulation of building materials, the development approval process, and Planning and Zoning fees in accordance with new laws passed by the Texas Legislature during the 2019 legislative session.

4. ADJOURN

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

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



GARLAND

Plan Commission

1.a.

Meeting Date: 07/22/2019

Item Title: Plan Commission Minutes for July 8, 2019

Summary:

Consider approval of Minutes for the July 8, 2019 meeting.

Attachments

Plan Commission Minutes for July 8, 2019 Attachment

Minutes of the Garland Plan Commission Meeting

The Plan Commission of the City of Garland met in regular session on Monday, July 8, 2019, at 7:00 p.m. in the Council Chambers at the William E. Dollar Municipal Building, (City Hall), with the following members present:

COMMISSION PRESENT

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

STAFF PRESENT

Deputy City Attorney	Brian England
Asst. Recording Secretary	Denise Phillips
Staff	Will Guerin
Staff	Kira Wauwie
Staff	Nabiha Ahmed

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 Welborn to **approve** the Consent Agenda as presented, seconded by Commissioner Williams, to **approve** item 1a. **Motion carried: 6 Ayes, 0 Nays.** Commissioners Dalton, Rose and Ott did not vote due to their absence from this meeting.

MINUTES

1a. APPROVED** Approval of Minutes for the regular meeting of June 24, 2019.

ZONING

2a. APPROVED** Consideration of the application of **Provident Realty**, requesting approval of 1) an amendment to Planned Development (PD) District 95-56 for Community Retail Uses, 2) a Concept Plan and 3) a Detail Plan for a Convenience Store Use and a Retail, Fuel Pumps Use. This property is located at 5345 North George Bush Turnpike. (District 1) (File Z 19-07)

The applicant, Dorothy Parks, 7040 Westlake, Dallas, Texas, 75214, presented a brief overview of the request and provided additional information on the number of fuel pumps, roadway access locations, and the access agreement already established.

The applicant's representative from Murphy USA, Jared Westmoreland, 1818 Summit Avenue, Dallas, Texas, 75206 stated that this location will be an independent fuel station and is not in connection with Walmart.

Chairman Roberts inquired as to the number of roadway access locations and the access agreement already established.

Commissioner Welborn inquired as to the location of the proposal in conjunction to the surrounding area's fuel pump locations.

Commissioner Rose inquired as to how many fuel pumps are proposed.

Motion was made by Commissioner Dalton, to close the public hearing and **approve** the request with an amendment to exclude from the PD the following uses: Automotive Repair, Minor; Equipment Leasing; Indoor, Athletic Club / Instruction, Indoor; Landscape Nursery; and Temporary Use or Building. Seconded by Commissioner Edwards. **Motion carried: 9 Ayes, 0 Nays**

ADJOURNMENT

There being no further business to come before the Plan Commission, the meeting was adjourned at 7:11 p.m.

City of Garland, Texas

Approved:

Chairman

Attested:

Asst. Recording Secretary



GARLAND

Plan Commission

3.a.

Meeting Date: 07/22/2019

Item Title: GDC Amendment

Summary:

Consider amendments to Chapter 34, "Planning", of the Code of Ordinances and the Garland Development Code of the City of Garland, Texas, regarding changes to the regulation of building materials, the development approval process, and Planning and Zoning fees in accordance with new laws passed by the Texas Legislature during the 2019 legislative session.

Attachments

GDC Amendment Report

Planning Report

Agenda Item: GDC amendments

Meeting: Plan Commission

Date: July 22, 2019



GARLAND
TEXAS MADE HERE

ISSUE

Consider amendments to Chapter 34, "Planning", of the Code of Ordinances and the Garland Development Code of the City of Garland, Texas, regarding changes to the regulation of building materials, the development approval process, and Planning and Zoning fees in response to recently passed State legislation.

BACKGROUND

As a result of recently passed legislation [Texas House Bills 2439, 3167, and 3314], staff is bringing forward needed changes to the Garland Development Code (GDC) in order to ensure compliance with new State law. The amendments will be provided to the Commission and possibly discussed further in Executive Session with the City Attorney's Office. The effective date for the House Bills is September 1, 2019.

CONSIDERATIONS

1. Texas House Bill 2439 restricts, with some exemptions such as nationally-recognized historic districts, a municipality's ability to regulate the building products, materials, or methods used in the construction or renovation of residential or commercial buildings. As a result, the City Attorney's Office recommends ordinance changes which largely eliminate the GDC's building façade material requirements. It should be noted that masonry standards may still be applied towards screening fences.
2. Texas House Bill 3167 affects the municipal approval procedure for land development applications, requiring certain types of "plans" to be considered for formal action within 30 days of application filing, similarly to current State law on subdivision plats. The City Attorney's Office has worked with staff on ordinance language which allows two different development processes for applicants from which to choose. One process allows the applicant to go through a pre-submittal review process to better ensure that plans comply with technical requirements prior to formal application filing and the subsequent public hearing process. Alternately, an applicant may choose to file an application without a pre-submittal meeting or pre-submittal review. The Plan Commission and City Council may approve, approve with conditions, or disapprove applications accordingly.
3. HB 3314 eliminates the public hearing requirement for replats that do not involve variances or exceptions to local standards. In its place are new provisions that require the municipality to provide notice following approval, with information regarding the outcome and contact for more information.
4. It should be noted that staff will be proposing to the City Council a fee schedule amendment to account for the HB 3167-related amendments that affect the development approval process.
5. Following the Plan Commission's review and recommendation of the draft amendments, which will be provided by the City Attorney's Office, the draft changes will then be discussed and considered for formal approval by the City Council.

PREPARED BY:

Will Guerin, AICP

Director of Planning

972-205-2449

wguerin@garlandtx.gov



GARLAND

Plan Commission

4.

Meeting Date: 07/22/2019

Item Title:

Summary:

ADJOURN

Attachments

Future Cases Memo - August 12, 2019



GARLAND
**PLANNING &
COMMUNITY DEVELOPMENT**

MEMORANDUM

TO: Chairman Roberts and Members of the Plan Commission
FROM: Kira Wauwie, AICP, Principal Planner
DATE: July 22, 2019
SUBJECT: New Development Applications

The following development applications have been submitted for review and are tentatively scheduled to be heard at the August 12, 2019 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 for Community Retail and Community Office Uses, 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 **Pankaj Patel**, requesting approval of 1) an amendment to Planned Development (PD) District 03-53 for Urban Business Uses, 2) an amended Detail Plan for Hotel/Motel, Limited Service Use, and 3) a Specific Use Provision for Hotel/Motel, Limited Service. This property is located at the north corner of Town Center and Prairie Clover. (District 1) (File Z 18-19)
3. Consideration of the application of **Kristen Russell**, requesting approval of an amendment to Planned Development (PD) District 85-44 for Mixed Residential Uses to change the requirement of materials used for the perimeter screening wall. This property is located at 5201-5211 Waltham Court. (District 3) (File Z 18-46)
4. Consideration of the application of **Environmental Reconstruction Services, Inc.**, requesting approval of an amendment to Planned Development (PD) District 83-32 for Retail Uses and a Specific Use Provision for Fuel Pumps, Retail to 1)

relocate existing fuel pumps and canopy; and 2) add an additional two fuel pumps. This property is located at 5150 Duck Creek Drive. (District 4) (File Z 19-03)

5. Consideration of the application of **Amir Zandevakili, K1 Concept, LLC**, requesting approval of a Specific Use Provision to allow Used Goods, Retail Sales (Indoors) on a property zoned Community Retail (CR) District. This property is located at 1725 South First Street. (District 2) (File Z 19-08)
6. Consideration of the application of **TTI – Tack Team Investments, LLC**, requesting approval of 1) a Change in Zoning from Community Office (CO) District to Planned Development (PD) District for Single-Family Attached (Townhouse) Uses, 2) a Concept Plan, and 3) a Detail Plan. This property is located at 2302 West Campbell Road. (District 7) (File Z 19-10)
7. Consideration of the application of **Hidden Oaks Lot Venture Ltd.**, requesting approval to 1) amend Planned Development PD 18-07 District to a Planned Development (PD) District for Single-Family-5 (SF-5 District) for Single-Family Detached Homes with an allowed minimum lot size of 4,200 square feet; 2) a Detail Plan; and 3) an Alley Waiver. This property is located at 2845 Crist Road. (District 1) (File Z 19-16)
8. Consideration of the application of **Baldwin Associates, LLC**, requesting approval of 1) amendments to Planned Development (PD) 07-57 District for Multi-Family Use and 2) a Detail Plan. This property is located at 3232 N. Garland Avenue. (District 8) (File Z 19-17)
9. Consideration of the application of **BGE, INC.**, requesting approval of a Concept Plan for Commercial and Retail Uses on a property zoned Planned Development (PD) 03-53. This property is located at 270 Town Center Boulevard and 3800 Lavon Drive. (District 1) (File Z 19-18)
10. Consideration of the application of **Masterplan**, requesting approval of 1) an amendment to Planned Development (PD) 03-53, 2) a Specific Use Provision for Limited Service Hotel, and 3) a Detail Plan. This property is located at 370 Town Center Boulevard. (District 1) (File Z 19-19)
11. Consideration of the application of **Kirkman Engineering**, requesting approval of a Specific Use Provision (SUP) for Food Processing and Storage use on a property zoned Industrial (IN) District. This property is located at 515 Mills Road. (District 2) (File Z 19-21)
12. Consideration of the application of **QuickTrip Corporation**, requesting approval of 1) a Change of Zoning for Planned Development (PD) District for a Travel Center (Truck Stop); 2) a Specific Use Provision to allow Fuel Pumps, Retail; 3) a Variance to allow a fifty (50) foot tall pylon sign with a ten (10) foot setback; and 4) a Variance

to allow two seven (7) foot, six (6) inch tall monument signs. This property is located at 524 East Interstate Highway 30. (District 3) (File Z 19-22)