City Council Agenda August 15, 2023 Page 1



AGENDA

REGULAR MEETING OF THE CITY COUNCIL

City of Garland Council Chambers, City Hall William E. Dollar Municipal Building 200 North Fifth Street Garland, Texas August 15, 2023 7:00 p.m.

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

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

NOTICE: The City Council may recess from the open session and convene in a closed executive session if the discussion of any of the listed agenda items concerns one or more of the following matters:

(1) Pending/contemplated litigation, settlement offer(s), and matters concerning 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.

(2) The purchase, exchange, lease or value of real property, if the deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. Sec. 551.072, Tex. Gov't Code.

(3) A contract for a prospective gift or donation to the City, if the deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person.

City Council Agenda August 15, 2023 Page 2

Sec. 551.073, Tex. Gov't Code.

(4) Personnel matters involving the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee or to hear a complaint against an officer or employee. Sec. 551.074, Tex. Gov't Code.

(5) The deployment, or specific occasions for implementation of security personnel or devices. Sec. 551.076, Tex. Gov't Code.

(6) Discussions or deliberations regarding commercial or financial information that the City has received from a business prospect that the City seeks to have to locate, stay, or expand in or near the territory of the City and with which the City is conducting economic development negotiations; or to deliberate the offer of a financial or other incentive to a business prospect of the sort described in this provision. Sec. 551.087, Tex. Gov't Code.

(7) Discussions, deliberations, votes, or other final action on matters related to the City's competitive activity, including information that would, if disclosed, give advantage to competitors or prospective competitors and is reasonably related to one or more of the following categories of information:

- generation unit specific and portfolio fixed and variable costs, including forecasts of those costs, capital improvement plans for generation units, and generation unit operating characteristics and outage scheduling;
- bidding and pricing information for purchased power, generation, and fuel, and Electric Reliability Council of Texas bids, prices, offers, and related services and strategies;
- effective fuel and purchased power agreements and fuel transportation arrangements and contracts;
- risk management information, contracts, and strategies, including fuel hedging and storage;
- plans, studies, proposals, and analyses for system improvements, additions, or sales, other than transmission and distribution system improvements inside the service area for which the public power utility is the sole certificated retail provider; and
- customer billing, contract, and usage information, electric power pricing information, system load characteristics, and electric power marketing analyses and strategies. Sec. 551.086; Tex. Gov't Code; Sec. 552.133, Tex. Gov't Code]



LEGISLATIVE PRAYER AND PLEDGE OF ALLEGIANCE

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MAYORAL PROCLAMATIONS, RECOGNITIONS AND ANNOUNCEMENTS

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

CONSENT AGENDA

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

- 1. Consider approval of the minutes of the August 1, 2023 Regular Meeting.
- 2. Consider approval of the following bids:

а.	GP&L Lookout to NTT Connect Project Materials	Bid No. 0569-23
	MVA Power, Inc.	\$ 543,635.59
	Optional Contingency	\$ 54,363.56
		\$ 597,999.15

This request is for purchasing steel structures and associated materials needed to connect NTT transformers to the GP&L Lookout Substation as part of NTT's data center expansion. This is part of the approved Lookout to NTT Connect CIP project. An optional contingency is included for any additional materials that may be required.

b. GP&L Boiler Maintenance and Repair Services Bid No. 0804-23

Hi-Tech Industrial Services, LLC. \$1,050,000.00

This request is to provide as-needed boiler maintenance and repair services at the GP&L Olinger and Spencer Power Plants. This approval is for a term agreement with three (3) optional renewals.

c. GP&L CO2 Analyzer Rental

Air Hygiene International, Inc.

This request is to approve a change order to extend the rental period for CO2 Analyzers at the Spencer Plant. The rental period was extended due to delivery delays of replacement analyzers associated with the approved Spencer CEMS Analyzer replacement CIP project.

d. GP&L Girvin Switch to Greasewood II Hardware Materials Bid No. 0925-23

KBS Electrical Distributors, Inc.	\$ 438,290.52
Optional Contingency	\$ 43,829.05
TOTAL:	\$ 482,119.57

This request is for the purchase of hardware and associated materials to construct the GP&L Girvin Switch to Greasewood II 345kV Transmission Line. This is part of the approved Girvin to Greasewood II 345kV Transmission Line CIP project. An optional contingency is included for any additional materials that may be required.

e.	TMPA Dansby to Steep Hollow Transmission Line Hardware Materials	Bid No. 0938-23
	KBS Electrical Distributors, Inc.	\$ 367,234.03
	Optional Contingency	\$ 36,723.40

Bid No. 0790-22

\$ 36,000.00

TOTAL:

\$ 403,957.43

This request is for the purchase of hardware materials needed for the rebuild of the TMPA Dansby to Steep Hollow Transmission Line. This is part of the approved TMPA Dansby to Steep Hollow Rebuild CIP project and will be reimbursed to GP&L at 100%. An optional contingency has been included for any additional materials that may be required.

f. GP&L and TMPA Transmission Relay and Bid No. Communications Equipment

Schweitzer Engineering Laboratories, Inc. \$350,000.00

The purpose of this bid award is for the as-needed purchase of SEL relay and communication equipment to be used in GP&L and TMPA transmission facilities. This will be an initial term contract with four optional renewals.

9. Wastewater Mains Replacement

Tri-Con Services, Inc.

The request is to approve a change order for the Sam Houston to Mill Pond and Village Green to Richland wastewater mains replacement. The change order is necessary due to the length of the 4-inch sanitary sewage service lines exceeding the expected length per connection. The removal and replacement of paving and drainage channel also exceeded estimated costs due to actual field conditions.

3. Public hearings were previously conducted for the following zoning cases. Council approved the requests and instructed staff to bring forth the following ordinances for consideration.

a. Z 22-72, Val Gutierrez (District 6)

Consider an ordinance amending the Garland Development Code of the City of Garland, Texas, by approving a Specific Use Provision for a Truck/Bus Repair Use on a 0.937-acre tract of land located at 4003 Miller Park Drive and zoned Industrial (IN) District; providing for conditions, restrictions, and regulations; providing a penalty under the provisions of Sec. 10.05 of the Code of Ordinances of the City of Garland, Texas; providing a Notice of Conditions of Compliance Clause; providing a Savings Clause and a Severability Clause; and providing an effective date.

Bid No. 0732-22

\$ 112,968.71

Bid No. 0901-23

b. Z 23-21, Will Bohls (District 8)

Consider an ordinance amending the Garland Development Code of the City of Garland, Texas, by approving a Specific Use Provision for a Building/Garden Materials Sales & Storage (Wholesale) use on a 0.99-acre tract of land located at 543 North Fifth Street and zoned Downtown (DT) District, Uptown Sub-District; providing for conditions, restrictions, and regulations; providing a penalty under the provisions of Sec. 10.05 of the Code of Ordinances of the City of Garland, Texas; providing a Notice of Conditions of Compliance Clause; providing a Savings Clause and a Severability Clause; and providing an effective date.

4. Consider a resolution authorizing the City Manager to execute a Project Specific Agreement with Dallas County for Transportation Improvements on Jupiter Road

The City of Garland entered into a Master Interlocal Agreement with Dallas County that provides for a 50/50 cost share participation program for maintenance and repairs on certain qualifying roadways in the City. The Project Specific Agreement for maintenance and repairs to Jupiter Road establishes a total estimated cost of \$4,100,000, with the cost to be split equally between the City and County.

5. Consider a resolution for a Project Specific Agreement with Dallas County (County) for class B roadway improvement project

Consider and take appropriate action to authorize the City Manager or their designee to execute the attached Project Specific Agreement with the County for Project Specific Agreement.

6. Garland Development Code Ordinance 1.51 – Engineering Review and Inspection Fee

Consider and take appropriate action to assess an Engineering Review and Inspections Fee for all private development that includes public works improvements as part of the development.

7. Proposed Part-time Associate Judge Appointment

Consider and take appropriate action regarding a proposal to enter into a contract with Donna Winfield in her capacity as an Associate Judge to fulfill temporary duties of the full time judges during necessary absences.

ITEMS FOR INDIVIDUAL CONSIDERATION

Speaker Regulations:

Anyone wishing to speak for, against, or on agenda items must fill out a speaker card and give it to the City Secretary before speaking (cards are located at the entrance to the Council Chambers). The Mayor will recognize speakers; he may impose a time limit and may provide for rebuttal. All comments and testimony are to be presented from the podium.

8. Public Hearing on Proposed FY 2023/2024 Tax Rate

The Texas Property Tax Code, Section 26.05 (d), provides that a governing body may not adopt a tax rate that exceeds the lower of the voter approval rate or the no new revenue tax rate until the governing body has held a public hearing on the proposed tax rate and has otherwise complied with Section 26.06 and Section 26.065 of the Texas Property Tax Code. The 2023-2024 proposed budget is based on a tax rate of 68.9746 cents per every \$100 of valuation, which exceeds the no new revenue tax rate of 63.6388 cents per every \$100 of value.

9. Public Hearing on 2023-24 Proposed Budget

Section 5, Article VIII, of the City Charter, requires that a Public Hearing be held on the Proposed Budget for the coming fiscal year. At the Public Hearing, all interested persons shall be allowed to be heard for or against any item contained in the Proposed Budget.

10. Hold public hearings on:

a. Consider a Zoning request by Fred A. Gans to construct garage condominiums ("Garages of America"), with automobile repair, office, storage/warehouse and retail use. The site is located at 4653, 4645, 4625 and 4695 North President George Bush Turnpike in District 1.

Consideration of the application of Fred A. Gans, requesting approval of an Amendment to Planned Development (PD) District 87-1 for Community Office (CO) Uses to allow a Garage Condominium, Automobile Repair, General Office, Contractor's Office/Warehouse (indoors only) and Retail Use. This property is located at 4653, 4645, 4625 and 4695 North President George Bush Turnpike. (File Z 23-17, District 1) b. Consider a Detail Plan request by Fred A. Gans to construct garage condominiums ("Garages of America"), with automobile repair, office, storage/warehouse and retail use. The site is located at 4653, 4645, 4625 and 4695 North President George Bush Turnpike in District 1.

Consideration of the application of Fred A. Gans, requesting approval of a Detail Plan for a Garage Condominium, Automobile Repair, General Office, Contractor's Office/Warehouse (indoors only) and Retail Use. This property is located at 4653, 4645, 4625 and 4695 North President George Bush Turnpike. (File Z 23-17, District 1)

c. Consider a Zoning request by Jake Finch, Cascade Companies to rezone the property from Agricultural (AG) District to Single-Family Attached (SFA) District to allow townhouses. The site is located at 613 and 615 Rowlett Road in District 4.

Consideration of the application of Jake Finch, Cascade Companies, requesting approval of a Change in Zoning from Agricultural (AG) District to Single-Family Attached (SFA) District. This property is located at 613 and 615 Rowlett Road. (File Z 23-22, District 4)

d. Hold a public hearing and consider a Municipal Setting Designation ordinance request by 1901 W Northwest Highway, LLC. The site is located at 1901 Northwest Highway in District 5.

Discuss and consider an ordinance prohibiting the use and contact with designated groundwater from beneath certain property known as 1901 Northwest Highway with the City of Garland, Texas, to facilitate certification of a municipal setting designation.

e. Hold a public hearing and consider a Municipal Setting Designation resolution request by 1901 W Northwest Highway, LLC. The site is located at 1901 Northwest Highway in District 5.

Discuss and consider a resolution supporting the application of 1901 W Northwest Highway, LLC, for a municipal setting designation for the property located at 1901 W. Northwest Highway.

11. Consider appointments to Boards and Commissions.

Board members are selected for two-year terms by the City Council in August. Terms are usually staggered whereby at least half of the membership has board experience. Board members are appointed based on qualifications.

a. Mayor Scott Lemay

- Jennifer Nguyen Community Multicultural Commission
- Elvia Flores Community Multicultural Commission
- Mitch Carr Cultural Arts Commission
- Ken Risser Environmental and Community Advisory Board
- Don Koerner Parks and Recreation Board
- Wayne Dalton Plan Commission
- David Perry Property Standards Board
- Shirley Robnett Senior Citizens Advisory Board
- Allan Stafford Tax Increment Finance #1 Downtown Board
- Patrick Abell Tax Increment Finance #3 Board

b. Mayor Pro Tem Jeff Bass

- Beena Varnan Cultural Arts Commission
- Nancy Janssen Parks and Recreation Board

c. Council Member Dylan Hedrick

- John VanPelt Cultural Arts Commission
- Terri Chepregi Library Board
- David Parrish Parks and Recreation Board
- Mike Rose Plan Commission
- Martha Melaku Property Standards Board
- Charlotte Piercy Senior Citizens Advisory Board
- Tony Bui Tax Increment Finance #1 Downtown Board

12. Citizen comments.

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

13. Adjourn.

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



GARLAND CITY COUNCIL ITEM SUMMARY SHEET

City Council Regular Session AgendaMeeting Date:08/15/2023Item Title:Minutes August 1, 2023Submitted By:Rene Dowl, City Secretary

Summary of Request/Problem

Consider approval of the minutes of the August 1, 2023, Regular Meeting.

Recommendation/Action Requested and Justification

Minutes August 1, 2023

Attachments

1.



MINUTES

The City Council of the City of Garland convened in regular session at 7:00 p.m. on Tuesday, August 1, 2023, in the Council Chambers at the William E. Dollar Municipal Building, 200 North Fifth Street, Garland, Texas, with the following members present:

- Present:Mayor Scott LeMay
Mayor Pro Tem Jeff Bass
Deputy Mayor Pro Tem Ed Moore
Council Member Deborah Morris
Council Member Deborah Morris
Council Member B.J. Williams
Council Member Margaret Lucht
Council Member Carissa Dutton
Council Member Dylan Hedrick
Council Member Chris OttStaff Present:City Manager Judson Rex
Deputy City Manager Mitch Bates
 - Deputy City Manager Mitch Bates Assistant City Manager Crystal Owens Assistant City Manager Phillip Urrutia City Attorney Brian England City Secretary Eloyce René Dowl

LEGISLATIVE PRAYER AND PLEDGE OF ALLEGIANCE

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MAYORAL PROCLAMATIONS, RECOGNITIONS AND ANNOUNCEMENTS

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

Crystal Lazo, Animal Services, Adoption Specialist, presented the Pet of the Month.

CONSENT AGENDA

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

The motion was made by Council Member Hedrick to approve the Consent Agenda as presented, excluding Item 3d, which was pulled for individual consideration. Motion carried:

Vote: 9 ayes, 0 nays

- 1. APPROVED Consider approval of the Minutes of the July 18, 2023 meeting.
- 2. Consider approval of the following bids:
 - a. APPROVED Polydyne Inc.

Bid No. 1261-21

\$159,000.00

\$498,810.03

Polydyne Inc.

This request is to approve a change order to the Rowlett Creek Wastewater Treatment Plant polymer contract. The polymer is used for drying sludge that goes through the centrifuge to haul dry solids to the landfill. The change order is necessary due to price increases for polymer as well as tariff freight charges.

b. APPROVED GP&L Underground Duct Bank Extension Bid No. 0865-23

The Fishel Company

This request is to provide labor for the installation of a feeder duct bank extension needed to establish electric service to the LCG Firewheel Apartment Complex development. This is part of the Distribution Underground Construction CIP program. Public hearings were previously conducted for the following zoning cases. Council approved the requests and instructed staff to bring forth the following ordinances for consideration.

a. APPROVED Z 21-07, DDC, Inc. (District 1)

Ordinance No. 7449 amending the Garland Development Code of the City of Garland, Texas, by approving a Detail Plan for Single-Family Detached Homes on a 28.62-acre tract of land zoned Planned Development (PD) District 16-23 and located at 2675 East Brand Road; providing for conditions, restrictions, and regulations; providing a penalty under the provisions of Sec. 10.05 of the Code of Ordinances of the City of Garland, Texas; providing a Notice of Conditions of Compliance Clause; providing a Savings Clause and a Severability Clause; and providing an effective date.

b. APPROVED Z 21-41, Homeyer Engineering (District 3)

Ordinance No. 7450 amending the Garland Development Code of the City of Garland, Texas, by approving 1) a Change in Zoning from Single-Family-7 (SF-7) District and Agricultural (AG) District to a Planned Development (PD) District for Single-Family Attached Uses; 2) an Alley Waiver and 3) a Detail Plan for Single-Family Attached (SFA) development on a 2.262-acre tract of land located 1306 and 1314 Rowlett Road; providing for conditions, restrictions, and regulations; providing a penalty under the provisions of Sec. 10.05 of the Code of Ordinances of the City of Garland, Texas; providing a Notice of Conditions of Compliance Clause; providing a Savings Clause and a Severability Clause; and providing an effective date.

c. APPROVED Z 23-12, Manhard Consulting (District 5)

Ordinance No. 7451 amending the Garland Development Code of the City of Garland, Texas, by approving 1) a Change in Zoning from Multi-Family-1 (MF-1) District and Community Retail (CR) District to a Planned Development (PD) District for Multi-Family-2 (MF-2) uses and 2) a Detail Plan for Multi-Family development on a 2.2875-acre area of land located at 1214 & 1302 West Miller Road; providing for conditions, restrictions, and regulations; providing a penalty under the provisions of Sec. 10.05 of the Code of Ordinances of the City of Garland, Texas; providing a Notice of Conditions of Compliance Clause; providing a Savings Clause and a Severability Clause; and providing an effective date.

d. APPROVED Z 23-18, Petit-ECD (District 5)

Ordinance No. 7452 amending the Garland Development Code of the City of Garland, Texas, by approving 1) an amendment to Planned Development (PD) District 03-54 and 2) a Detail Plan for an Automobile Repair, Minor use on a 9.488-acre tract of land located at 11511 & 11611 LBJ Freeway; providing for conditions, restrictions, and regulations; providing a penalty under the provisions of Sec. 10.05 of the Code of Ordinances of the City of Garland, Texas; providing a Notice of Conditions of Compliance Clause; providing a Savings Clause and a Severability Clause; and providing an effective date.

Council Member Lucht explained her position for denial of this request at the July 17, 2023, meeting.

The motion was made by Mayor Pro Tem Bass to approve the item as presented, seconded by Council Member Williams. Motion carried:

Vote: 8 ayes, 1 nay (Council Member Lucht)

4. APPROVED Resolution No. 10586 for the Project Specific Agreement with Dallas County for Duck Creek South Extension Trail

Council authorized the City Manager to execute the PSA with Dallas County for the Duck Creek South Extension Trail project.

5. APPROVED Bond Refunding - Electric Utility System Commercial Paper Notes

Ordinance No. 7453 authorizing the refunding of Electric Utility System Commercial Paper Notes, Series 2021.

ITEMS FOR INDIVIDUAL CONSIDERATION

Speaker Regulations:

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6. Hold public hearings on:

a. APPROVED Consider a Specific Use Provision request by Val Gutierrez for a truck repair facility. The site is located at 4003 Miller Park Drive in District 6.

Consideration of the application of Val Gutierrez, requesting approval of a Specific Use Provision for a Truck/Bus Repair Use on a property zoned Industrial (IN) District. This property is located at 4003 Miller Park Drive. (File Z 22-72, District 6)

The Staff report was presented by Nabiha Ahmed, Lead Development Planner. The speaker on this item was Val Gutierrez.

There was discussion by the Council.

The motion was made by Council Member Dutton to approve the Specific Use Provision (Item 6a) and the Plan (Item 6b) as presented, seconded by Council Member Hedrick. Motion carried:

Vote: 8 ayes, 1 nay (Council Member Lucht)

b. APPROVED Consider a Plan request by Val Gutierrez for a truck repair facility. The site is located at 4003 Miller Park Drive in District 6.

Consideration of the application of Val Gutierrez, requesting approval of a Plan for a Truck/Bus Repair Use. This property is located at 4003 Miller Park Drive. (File Z 22-72, District 6)

c. APPROVED Consider a Specific Use Provision request by Will Bohls for a building materials (cabinetry materials) storage business in an existing building. The site is located at 543 North Fifth Street in District 8.

Consideration of the application of William Bohls, requesting approval of a Specific Use Provision for a Building/Garden Materials Sales & Storage (Wholesale) Use on a property zoned Downtown (DT) District, Uptown sub-district. This property is located at 543 North Fifth Street. (File Z 23-21, District 8)

The staff report was presented by Nabiha Ahmed, Lead Development Planner. The speaker on this item was Will Banks, applicant.

There was discussion by the Council.

The motion was made by Council Member Ott to approve the Specific Use Provision for five years (Item 6c) and the Plan request (Item 6d), seconded by Council Member Lucht. Motion carried:

Vote: 9 ayes, 0 ayes

d. APPROVED Consider a Plan request by Will Bohls for a building materials (cabinetry materials) storage business in an existing building. The site is located at 543 North Fifth Street in District 8.

Consideration of the application of Will Bohls, requesting approval of a Plan for a Building/Garden Materials Sales & Storage (Wholesale) Use. This property is located at 543 North Fifth Street. (File Z 23-21, District 8)

7. Items for Individual Consideration:

a. APPROVED Request for Enterprise Zone Nomination of Zobele USA

Consider and take appropriate action in regard to the City's participation in the Texas Enterprise Zone Program and nominating Zobele USA as an Enterprise Project.

Ayako Schuster, Director of Economic Development, requested Council approval for the Enterprise Zone Project.

Mayor LeMay opened the public hearing at 7:35 p.m. There were no speakers on this item and the public hearing was closed at 7:36 p.m.

The motion was made by Council Member Hedrick to approve the City's participation in the Texas Enterprise Program and nomination for Zobele USA, seconded by Deputy Mayor Pro Tem Moore. Motion carried:

Vote: 9 ayes, 0 nays, adopting Ordinance No. 7454

b. APPROVED Resolution No 10587 Authorizing Use of Eminent Domain - GP&L Transmission

Council approved a resolution authorizing the acquisition of the property rights described in the proposed resolution to reconstruct a portion of the Garland Power & Light College Avenue to Brand Road 138kV transmission line located in the City of Garland.

The motion was made by Council Member Ott that the City Council of the City of Garland, Texas, authorize the use of the power of eminent domain to acquire property interests as more fully described in Exhibit "A" to the proposed ordinance located within the City of Garland, Dallas County, Texas for the reconstruction of the College to Brand 138kV transmission line project. My motion includes approval of the proposed resolution and intends that the record vote on this matter applies to all units of property to be condemned, seconded by Council Member Hedrick. Motion carried:

Vote: 9 ayes, 0 nays

c. APPROVED Lease of Property located at 625 W. State Street

Council approved a 15-year lease agreement for the property located at 625 W. State Street in Downtown.

Jolene Smith, John Wiseman and Trayc Claybrook registered a position in support of this request. The speaker on this item was Karen Wiseman.

There was Council discussion.

Council Member Hedrick presented comments in opposition to the request.

The motion was made by Council Member Morris to approve the request as presented, seconded by Council Member Lucht. Motion carried:

Vote: 5 ayes, 4 nays (Deputy Mayor Pro Tem Moore, Council Members: Dutton, Hedrick and Williams)

d. APPROVED Submission of Appraisal Roll and Rates for FY 2023-2024

Council is requested to consider and provide a proposed tax rate and hearing dates in accordance with State Law, taking into account the attached tax rates, notice, and appraisal certifications, which are also required by law and which have been provided to Council.

The motion was made by Council Member Hedrick that the proposed 2023 tax rate of 68.9746 cents per \$100 of valuation be discussed at three public hearings. The public is encouraged to provide comment at the first public hearing to be held on August 15, 2023, at 7:00 p.m. at the Garland City Hall,

located at 200 N. Fifth Street, in Garland. A second public hearing to be held on August 22, 2023, at 7:00 p.m. at the Garland City Hall, located at 200 N. Fifth Street, in Garland.

An additional opportunity for public comment will be scheduled at a public hearing to adopt the 2023 tax rate. The third hearing and rate adoption will be held on September 5, 2023, at 7:00 p.m. at the Garland City Hall, located at 200 N. Fifth Street, in Garland, seconded by Council Member Dutton. Motion carried:

Vote: 9 ayes, 0 nays

e. Presentation of the 2023-24 Proposed Budget

In accordance with the City Charter and State Law, the City Manager shall submit to the City Council a Proposed Budget for the coming fiscal year. The City Manager will formally present his Proposed Budget for FY 2023-24. Following the presentation to Council, copies of the Proposed Budget will be placed in each City Library, in the Office of the City Secretary, and on the City's website for public review and inspection.

City Manager Judson Rex gave his formal presentation of the Proposed 2023-24 Budget.

8. Consider appointments to Boards and Commissions.

Board members are selected for two-year terms by the City Council in August. Terms are usually staggered whereby at least half of the membership has board experience. Board members are appointed based on qualifications.

a. Deputy Mayor Pro Tem Ed Moore

• Adam Greenup - Library Board

Deputy Mayor Pro Tem Moore presented his nomination and a vote was cast with the following result:

Vote: 9 ayes, 0 nays

- 9. Citizen comments: Sophia Macias
- **10. Adjourn:** There being no further business to come before the City Council, Mayor LeMay adjourned the meeting at 8:12 p.m.

Submitted By:

Scott LeMay, Mayor

Eloyce René Dowl, City Secretary



City Council Regular Session AgendaMeeting Date:08/15/2023Item Title:GP&L Lookout to NTT Connect Project MaterialsSubmitted By:Steve Martin, GP&L
Transmission DirectorBid Number:0569-23

Purchase Justification:

This request is for purchasing steel structures and associated materials needed to connect NTT transformers to the GP&L Lookout Substation as part of NTT's data center expansion. This is part of the approved Lookout to NTT Connect CIP project. An optional contingency is included for any additional materials that may be required.

Evaluation:

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

Award Recommendation:

Vendor	ltem	Amount
MVA Power, Inc.	All	\$543,635.59
Optional Contingency		54,363.56
	TOTAL:	\$597,999.15

Basis for Award:Straight Low BidPurchase Requisition #: 48940

	Fiscal Impact
Total Project/Account:	\$2,750,000
Expended/Encumbered to Date:	\$1,542,553
Balance:	\$1,207,447
This Item:	\$597,999
Proposed Balance:	\$609,448

2. a.

Account #: 210-3799-3180201-6051 Fund/Dept/Project – Description and Comments:

Electric CIP / Substations Upgrades Program

r

Attachments								
Bid Recap								
Fiscal Reference:								
Budget Type:	CIP							
Fiscal Year:	2023							
Document Location:	Page 276							
Budget Director Approval:	Allyson Bell Steadman	Approval Date: 08/03/2023						
Purchasing Director Approva	ll: Gary L. Holcomb	Approval Date: 07/24/2023						

CITY OF GARLAND - BID RECAP SHEET OPENED: April 4, 2023 REQ. NO PR 48940 BID NO. 0569-23 PAGE: 1 of 1 BUYER: Teresa Smith		MVA Pov	wer, Inc.	KBS Electrica In	ll Distributors, c.	Anxite	r, Inc.	Techlin	ne, Inc.	Texas Electric Inc	Cooperatives, c.		
I T E	QTY	U N I T	DESCRIPTION	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
IVI	Q	-	GP&L Lookout to NTT Connect		TOTAL	-	TOTAL	_	TOTAL	_	TOTAL		TOTAL
1	1	Lt.	Project - Materials	\$543,635.59	\$543,635.59	\$582,081.00	\$582,081.00	\$738,796.24	\$738,796.24	\$783,493.23	\$783,493.23	\$908,950.86	\$908,950.86
			TOTAL GROSS PRICE	l	\$543,635.59	I	\$582,081.00	I	\$738,796.24	I	\$783,493.23		\$908,950.86
			CASH DISCOUNT		÷÷ .5,666.66		\$332,001.00		¢. 30,7 00.24		÷. 30,400.20		<i><i><i>q</i>220,000.00</i></i>
			TOTAL NET PRICE		\$543,635.59		\$582,081.00		\$738,796.24		\$783,493.23		\$908,950.86
			F.O.B.	DELIV	ERED	DELIV	'ERED	DELIV	ERED	DELIV	ERED	DELIV	ERED
			DELIVERY										
	NEXT LOW: \$582,081.00 303 # lonWave Notifications All bids submitted for the designated project are reflected on this bid tab sheet. However, the listing of a bid on this sheet should not be construed as a comment on the responsiveness of such bid or as any indication that the city accepts such bid as responsive. The City will not the successful bidder upon award of the contract and, according to the law, all bids received will be available for inspection at that time.												



City Council Regular Session Agenda							
Meeting Date:	Meeting Date: 08/15/2023						
Item Title: GP&L Boiler Maintenance and Repair Services							
Submitted By:	David Bernard, GP&L						
Bid Number:	Production Services Director 0804-23						

Purchase Justification:

This request is to provide as-needed boiler maintenance and repair services at the GP&L Olinger and Spencer Power Plants. This approval is for a term agreement with three (3) optional renewals.

Evaluation:

A request for bids was issued in accordance with Purchasing procedures. Two (2) bids were received. One (1) bid was considered non-responsive due to submitting an incomplete bid. One (1) bid was evaluated based on published criteria. Hi-Tech Industrial Services, LLC. received the highest evaluated score, offering the Best Value for the City.

Award Recommendation:

Vendor	ltem	Amount
Hi-Tech Industrial Services, LLC.	All	\$1,050,000.00
	TOTAL:	\$1,050,000.00

Basis for Award:Best ValuePurchase Requisition #: 49329

	Fiscal Impact
Total Project/Account:	N/A
Expended/Encumbered to Date:	N/A
Balance:	N/A
This Item:	\$1,050,000

2. b.

Proposed Balance:N/AAccount #:451-6999

Fund/Dept/Project – Description and Comments:

Term Agreement sets price but does not commit funds. Expenses will be charged to the appropriate Electric Production account(s) as incurred.

Attachments							
Bid Recap							
Fiscal Reference:							
Budget Type:	Operating Budget						
Fiscal Year:	2022-23						
Document Location:	Page 241						
Budget Director Approval:	Allyson Bell Steadman	Approval Date: 08/03/2023					
Purchasing Director Approva	Approval Date: 07/31/2023						

OPENED: 06/ REQ. NO 483 BID NO 080 PAGE: 1 o		06/ 483 080 1 o	329)4-23	Hi-Tech Indust LL		South Te Industrie					
I T E		U N I									
М	QTY		DESCRIPTION	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
			Bid Price for Evaluation		\$84,508.65		\$133,070.08				
						Non-Res	sponsive				
	-		Evaluation Criteria:	Maria 40	10.00						
			Price Qualification of Bidder	Maximum = 40 Maximum = 30	40.00 30.00						
	-		Necessary resources to provide services	Maximum = 30 Maximum = 15	15.00						
	-		Emergency response time	Maximum = 15	15.00						
	-		Total Score:	Maximum = 10 Maximum = 100	100.00						
	_										
	_										
_					\$ 04,500,05		* 400.070.00				
			TOTAL GROSS PRICE		\$84,508.65		\$133,070.08				
			CASH DISCOUNT TOTAL NET PRICE		\$84,508.65		\$133,070.08				
			F.O.B. DELIVERY	DELIV	EKEU	DELIV	EKEU	DELIV	EKED	DELIV	EKEU
NEXT LOW: \$133,070.08 LOW: \$84,508.65 SAVINGS: \$48,561.43			\$133,070.08 \$84,508.65	31 0	# IonWave Notifica # IonWave HUBS # Direct Contact H # HUBS Responde	ations bid on this indication UBS <u>award of the</u> time.	sheet should not b that the city accept	e construed as a cost such bid as respo	omment on the responsive. The City wil	I tab sheet. Howeve oonsiveness of such I notify the success I be available for ins	bid or as any ful bidder upon



City Council Regular Session AgendaMeeting Date:08/15/2023Item Title:GP&L CO2 Analyzer RentalSubmitted By:David Bernard, GP&L
Production Services DirectorBid Number:0790-22

Purchase Justification:

This request is to approve a change order to extend the rental period for CO2 Analyzers at the Spencer Plant. The rental period was extended due to delivery delays of replacement analyzers associated with the approved Spencer CEMS Analyzer replacement CIP project.

Evaluation:

Air Hygiene International, Inc. was awarded the original PO 33284 for \$18,000 on May 17, 2022. Change order No.1 was approved for \$18,000 on October 27, 2022. Change order No. 2 was approved for \$18,000 on March 23, 2023. As competitive bids were not received for the change order, and Bid Recap is omitted.

Award Recommendation:

Vendor	ltem	Amount
Air Hygiene International, Inc.	All	\$36,000.00
	TOTAL:	\$36,000.00

Basis for Award:Change OrderPurchase Requisition #: 49667

	Fiscal Impact
Total Project/Account:	\$4,138,570
Expended/Encumbered to [Date: \$2,720,494
Balance:	\$1,418,076
This Item:	\$36,000

2. c.

Proposed Balance:\$1,382,076Account #:211-3453-7203Fund/Dept/Project – Description and Comments:Electric Utility Fund / Production

Fiscal Reference:	
Budget Type:	Operating Budget
Fiscal Year:	2022-23
Document Location:	Page 241

Budget Director Approval:Allyson Bell SteadmanPurchasing Director Approval: Gary L. Holcomb

Approval Date: 08/03/2023 Approval Date: 07/25/2023



City Council Regular Session Agenda 2.		
Meeting Date:	08/15/2023	
Item Title:	GP&L Girvin Switch to Greasewood II Hardware Materials	
Submitted By:	Steve Martin, GP&L	
Bid Number:	Transmission Director 0925-23	

Purchase Justification:

This request is for the purchase of hardware and associated materials to construct the GP&L Girvin Switch to Greasewood II 345kV Transmission Line. This is part of the approved Girvin to Greasewood II 345kV Transmission Line CIP project. An optional contingency is included for any additional materials that may be required.

Evaluation:

A request for bids was issued in accordance with Purchasing procedures. Three (3) bids were received with KBS Electrical Distributors, Inc. submitting the Straight Low Bid.

Award Recommendation:

Vendor	ltem	Amount
KBS Electrical Distributors, Inc.	All	\$438,290.52
Optional Contingency		43,829.05
	TOTAL:	\$482,119.57

Basis for Award:Straight Low BidPurchase Requisition #: 49522

	Fiscal Impact
Total Project/Account:	\$1,986,000
Expended/Encumbered to Date	: \$666,527
Balance:	\$1,319,473
This Item:	\$482,120
Proposed Balance:	\$837,353

2. d.

Account #: 210-3599-3145601-6051 Fund/Dept/Project – Description and Comments:

Electric CIP / Transmission Lines Program

E

Attachments				
Bid Recap				
Fiscal Reference:				
Budget Type:	CIP			
Fiscal Year:	2023			
Document Location:	Page 270			
Budget Director Approval:	Allyson Bell Steadman	Approval Date: 08/03/2023		
Purchasing Director Approval: Gary L. Holcomb Approval Date: 07/31/2023				

OPE REQ BID PAG	CITY OF GARLAND - BID RECAP SHEET OPENED: 07/06/2023 REQ. NO. PR 49522 BID NO. 0925-23 PAGE: 1 of 1 BUYER: Sheldon Slover		KBS Electrical Distributors, Inc.		Techline, Inc.		Texas Electric Cooperatives, Inc.				
l T		U									
T E		N I									
M	QTY		DESCRIPTION Girvin to Greasewood II Hardware	UNIT PRICE	TOTAL \$438,290.52	UNIT PRICE	TOTAL \$607,044.93	UNIT PRICE	TOTAL \$667,915.42	UNIT PRICE	TOTAL
	1	Lt.	Materials		\$436,290.52		\$607,044.93		\$007,915.42		
			TOTAL GROSS PRICE		\$438,290.52		\$607,044.93		\$667,915.42		
			CASH DISCOUNT TOTAL NET PRICE		\$438,290.52		\$607,044.93		\$667,915.42		
				DELIV		DELIVERED		DELIVERED			ERED
F.O.B. DELIVERY		DELIV				DELIV					
						۸۱۱ ام: ما ج	hmittad for the d	ignoted project cre	rofloated on this his	top object lighter	n the listing of a
N	IEXT I	_OW:	\$607,044.93	315	# IonWave Notifica	itions bid on this	sheet should not b	ignated project are be construed as a co	omment on the resp	onsiveness of such	n bid or as any
		OW:			# IonWave HUBS	oward of t	that the city accept	ts such bid as respo cording to the law,	nsive. <u>The City will</u>	notify the success	ful bidder upon
SAVINGS: \$168,754.41			# Direct Contact H # HUBS Responde	time.	ne contract and, ac				spection at that		



City Council R	egular Session Agenda	2. e.
Meeting Date:	08/15/2023	
Item Title:	TMPA Dansby to Steep Hollow Transmission Line Hardware Materials	;
Submitted By:	Steve Martin, GP&L	
Bid Number:	Transmission Director 0938-23	

Purchase Justification:

This request is for the purchase of materials needed to rebuild the TMPA Dansby to Steep Hollow Transmission Line. This is part of the approved TMPA Dansby to Steep Hollow Rebuild CIP project and will be reimbursed to GP&L at 100%. An optional contingency is included for any additional materials that may be required.

Evaluation:

A request for bids was issued in accordance with Purchasing procedures. Two (2) bids were received and evaluated with KBS Electrical Distributors, Inc. submitting the Straight Low Bid.

Award Recommendation:

Vendor	ltem	Amount
KBS Electrical Distributors, Inc.	All	\$367,234.03
Optional Contingency		36,723.40
	TOTAL:	\$403,957.43

Basis for Award:Straight Low BidPurchase Requisition #: 49503

	Fiscal Impact
Total Project/Account:	\$13,000,000
Expended/Encumbered to Date:	\$4,694,907
Balance:	\$8,305,093
This Item:	\$403,957
Proposed Balance:	\$7,901,136

Account #: 215-3542-3147101-6051 Fund/Dept/Project – Description and Comments:

Electric CIP / TMPA Transmission Lines Program

Attachments				
Bid Recap				
Fiscal Reference:				
Budget Type:	CIP			
Fiscal Year:	2023			
Document Location:	Page 270			
Budget Director Approval:	Allyson Bell Steadman	Approval Date: 08/03/2023		
Purchasing Director Approval: Gary L. Holcomb Approval Date: 07/31/2023				

OPENED: 7/6 REQ. NO. 49 BID NO. 09 PAGE: 1 c		7/6 499 093 1 c	503 38-23	KBS Electrical Inc		Techlin	e, Inc.				
I T E M	QTY	U N I T	DESCRIPTION	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
1	LT	1	Dansby to Steep Hollow Rebuild	\$367,234.03	\$367,234.03	\$528,203.37	\$528,203.37				
			Materials								
		<u> </u>			¢007 004 00		¢500.000.07			I	
			TOTAL GROSS PRICE	\$367,234.03			\$528,203.37				
				<u> </u>			¢500.000.07				
			TOTAL NET PRICE	\$367,234.03		\$528,203.37					
			F.O.B.	DELIVE	ERED	DELIVI	ERED	DELIV	ERED	DELIV	'ERED
			DELIVERY								
NEXT LOW: \$528,203.37 LOW: \$367,234.03 SAVINGS: \$160,969.34		36 <i>‡</i> 14 <i>‡</i>	≠ IonWave Notifica ≠ IonWave HUBS ≠ Direct Contact H ≠ HUBS Responde	UBS upon award of the contract a at that time		be construed as a cepts such bid as re	comment on the responsive. The C	esponsiveness of s	uch bid or as ccessful bidder		



City Council Regular Session Agenda 2. f.				
Meeting Date:	08/15/2023			
Item Title:	GP&L and TMPA Transmission Relay and Communications Equipment	t		
Submitted By:	Steve Martin, GP&L			
Bid Number:	Transmission Director 0901-23			

Purchase Justification:

The request is for the purchase of SEL relay and communication equipment as needed for GP&L and TMPA transmission facilities. This approval is for a term agreement with four (4) optional renewals.

Evaluation:

A request for bids was issued in accordance with Purchasing procedures. One (1) bid was received and evaluated with Schweitzer Engineering Laboratories, Inc. submitting the Straight Low Bid. As competitive bids were not received, a Bid Recap is not included.

Award Recommendation:

Vendor	ltem	Amount
Schweitzer Engineering Laboratories, Inc.	All	\$350,000.00
	TOTAL:	\$350,000.00

Basis for Award:Straight Low BidPurchase Requisition #: 49492

	Fiscal Impact
Total Project/Account:	N/A
Expended/Encumbered to Date:	N/A
Balance:	N/A
This Item:	\$350,000
Proposed Balance:	N/A

Account #:

451-6999

Fund/Dept/Project – Description and Comments:

Term Agreement sets price but does not commit funds. Expenses will be charged to the appropriate Electric Operating and/or CIP Transmission account(s) as incurred.

Fiscal Reference: Budget Type:	Operating Budget	
Budget Type.	CIP	
Fiscal Year:	2022-23	
Document Location:	Op Page 241; CIP - Page 270	
Budget Director Approval:	Allyson Bell Steadman	Approval Date: 08/03/2023
Purchasing Director Approva	Approval Date: 07/31/2023	



City Council Regular Session AgendaMeeting Date:08/15/2023Item Title:Wastewater Mains ReplacementSubmitted By:Michael Brinkmann, Managing
DirectorBid Number:0732-22

Purchase Justification:

The request is to approve a change order for the Sam Houston to Mill Pond and Village Green to Richland wastewater mains replacement. The change order is necessary due to the length of the 4-inch sanitary sewage service lines exceeding the expected length per connection. The removal and replacement of paving and drainage channel also exceeded estimated costs due to actual field conditions.

Evaluation:

Tri-Con Services, Inc. was awarded the original PO 33603 for \$1,553,750 at the July 19, 2022, City Council Meeting. A Bid Recap is not included as competitive bids were not received for the change order.

Award Recommendation:

Vendor	ltem	Amount
Tri-Con Services, Inc.	All	\$112,968.71
	TOTAL:	\$112,968.71

Basis for Award:Change OrderPurchase Requisition #: 49652

	Fiscal Impact
Total Project/Account:	\$16,713,053
Expended/Encumbered to Date	e: \$10,639,882
Balance:	\$6,073,171

2. g.

This Item:	\$112,969			
Proposed Balance:	\$5,960,202			
Account #:	230-4149-3212400-9305, 235-4149-3212400-9305			
Fund/Dept/Project – Description and Comments:				
Wastewater CIP / Infiltration Correction - Various Program				

CIP
2023
Page 245

Budget Director Approval:Allyson Bell SteadmanPurchasing Director Approval: Gary L. Holcomb

Approval Date: 08/03/2023 Approval Date: 07/25/2023


GARLAND CITY COUNCIL ITEM SUMMARY SHEET

City Council Regular Session AgendaMeeting Date:08/15/2023Item Title:Z 22-72 Val Gutierrez (District 6)Submitted By:Will Guerin, Planning Director

Summary of Request/Problem

Zoning Ordinance Z 22-72 Val Gutierrez

Recommendation/Action Requested and Justification

Consider adoption of the attached ordinance.

Attachments

Z 22-72 Ordinance Z 22-72 Exhibit A Z 22-72 Exhibit B Z 22-72 Exhibits C-E 3. a.

ORDINANCE NO._____

AN ORDINANCE AMENDING THE GARLAND DEVELOPMENT CODE OF THE CITY OF GARLAND, TEXAS, BY APPROVING A SPECIFIC USE PROVISION FOR A TRUCK/BUS REPAIR USE ON A 0.937-ACRE TRACT OF LAND LOCATED AT 4003 MILLER PARK DRIVE AND ZONED INDUSTRIAL (IN) DISTRICT; PROVIDING FOR CONDITIONS, RESTRICTIONS, AND REGULATIONS; PROVIDING A PENALTY UNDER THE PROVISIONS OF SEC. 10.05 OF THE CODE OF ORDINANCES OF THE CITY OF GARLAND, TEXAS; PROVIDING A NOTICE OF CONDITIONS OF COMPLIANCE CLAUSE; PROVIDING A SAVINGS CLAUSE AND A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, at its regular meeting held on the 10th day of July, 2023, the Plan Commission did consider and make recommendations on a certain request for a Specific Use Provision for a Truck/Bus Repair Use on a property zoned Industrial (IN) District, by Val Gutierrez; and

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

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

Section 1

The Garland Development Code is hereby amended by approving a Specific Use Provision for a Truck/Bus Repair Use on a property zoned Industrial (IN) District and being more particularly described in Exhibit A, attached hereto and made a part hereof.

Section 2

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

Section 3

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

Section 4

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

Section 5

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

Section 6

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

Section 7

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

PASSED AND APPROVED this _____ day of _____, 2023.

FILE NO. Z 22-72

THE CITY OF GARLAND, TEXAS

By:

Mayor

ATTEST:

City Secretary

Published:

EXHIBIT A

LEGAL DESCRIPTION

Zoning File Z 22-72

BEING all of Lot 1, Block 3, Garland West Industrial Park, an addition to the City of Garland, Texas, according to the plat recorded in Volume 425, Page 1248 of the Map Records of Dallas County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a ¹/₂-inch iron rod found at the Northeast corner of said Lot 1, being the Southeast corner of Lot 3, said Block 3 and lying in the West right-of-way lie of Miller Park Drive (a 60-foot-wide right-of-way;

THENCE S 00° 13' 26" E, 249.80 feet along the said West right-of-way lie of Miller Park Drive to a ½-inch iron rod found with orange plastic cap stamped "R. W. COOMBS RPLS 5294" at the Southeast corner of said Lot 1, lying in the Northeast boundary line of a 36-foot-wide railroad rightof-way;

THENCE NORTHWESTERLY, 361.23 feet along said railroad right-of-way line with a Curve to the Right, having a radius of 300.31 feet, a central angle of 68° 55' 05" and a chord bearing N 42° 58' 49" W, 339.84 feet to a 3/8-inch iron rod found at the End of said Curve, being the Northwest corner of said Lot 1 and the Southwest corner of aforesaid Lot 3;

THENCE N 89° 42' 30" E, 229.40 feet along the common boundary line between said Lots 1 and 3 to the PLACE OF BEGINNING, containing 0.937 acres (40,818 square feet) of land.

SPECIFIC USE PROVISION CONDITIONS

ZONING FILE Z 22-72

4003 Miller Park Drive

- I. Statement of Purpose: The purpose of this Specific Use Provision is to allow a truck repair facility.
- 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 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. Development Plans:

Site Layout: The site shall be in general conformance with the approved Site Plan, Landscape Plan, and Elevations labeled Exhibit C, Exhibit D, and Exhibit E. In the event of conflict between the conditions and the site plan, the written conditions listed below are to apply.

V. Abandonment: In the event the land use for which this Specific Use Provision was granted ("Land Use") is abandoned, the SUP and all rights to the Land Use are automatically terminated, and the premises must be used in conformance with the PD, GDC, federal, and state law.

For the purposes of this Specific Use Provision, Abandonment is any of the following acts:

- A. A failure to apply for a site or building permit on the premises, where applicable, within 180 days of the effective date of this SUP;
- B. A failure to obtain a certificate of occupancy for the Land use within 730 days of the effective date of this SUP;

EXHIBIT B

SUP Requirements Zoning File 22-72 Page 2

- C. A failure to commence operating the Land Use on the premises within 90 days of receiving a final certificate of occupancy for the Land Use;
- D. Discontinuance of the Land Use for a period of 180 days;
- E. Applying for, and receiving, a new Certificate of Occupancy for a use other than the Land Use; or
- F. Operating a use on the premises, whether as a primary or secondary use, that is not allowed within the PD District, by the GDC, or by state or federal law.

The termination of utilities on the premises for a period of 180 calendar days is prima facie evidence of abandonment and the owner shall have the burden to prove that the Land Use has not been abandoned.

VI. Specific Regulations:

- A. <u>Time Period</u>: The Specific Use Provision shall have a twenty-five (25) year time period.
- B. Maintenance requirements:

(1) Landscaping must be continuously maintained in a healthy, growing condition and in compliance with this ordinance, the Garland Development Code, the Code of Ordinances of the City of Garland, and the landscaping plan attached hereto at all times. The property owner is responsible for regular weeding, mowing of grass, irrigation, fertilizing, pruning, or other maintenance of all landscaping as promptly as needed to comply with the requirements of this subsection. All exposed ground surfaces shall be properly improved, covered with screening or other approved solid material, or protected with a vegetative growth that prevents soil erosion and ameliorates objectionable dust conditions.

(2) Any dead or dying plant or vegetation, whether or not a component of required landscaping, must be promptly replaced with another approved plant or vegetation variety that complies with the approved landscape plan and in no event later than sixty days after notification by the City. In the event the property owner fails to remedy a violation of any landscaping maintenance regulation within sixty days of the City sending notice, the City may, in addition to any other remedy available by law, suspend, withhold, or revoke city permits, approvals, consents and the certificate of occupancy for the retail fuel

EXHIBIT B

SUP Requirements Zoning File 22-72 Page 2

pumps and convenience store. See Section 4 of the granting ordinance.

(3) Screening and paving must be installed and continuously maintained in compliance with this ordinance, the Garland Development Code, and the Code of Ordinances of the City of Garland at all times. The property owner is responsible for regular maintenance of all screening and paving as needed. In the event the property owner fails to remedy a violation of any screening or paving maintenance regulation within sixty days of the City sending notice, the City may, in addition to any other remedy available by law, suspend, withhold, or revoke city permits, approval, consents and the certificate of occupancy for the Car Truck/Bus Repair use.



EXHIBI _ \bigcirc



PROJECT SITE

SITE AREAS: ZONING: PROPOSED LANE PROPOSED SITE

20

BUILDING AREA

PROPOSED TRU FLOOR AREA RA **BUILDING HEIGH BUILDING HEIGH**

PARKING INFOR

PARKING REQU TOTAL NUMBER HANDICAP REQL TOTAL PARKING 9' X 18' STANDA **NEW HANDICAP**

TOTAL PARKING

PROPOSED PERVIOUS AREA: GRASS PROPOSED IMPERVIOUS AREA: NO GRASS

BUILDIN

FRONT(E RIGHT(S LEFT(NC REAR(W

LEGEND

- PROPERTY LINE
- BUILDING LINE
- EDGE OF PAVEMENT
- CENTER OF R.O.W.
- PROPOSED STREET LIGHTS
- EXISTING DRIVE TO BE REMOVED





SITE DATA

G PROVIDED:	11 SPACES
P PARKING :	1 SPACES
ARD PARKING:	10 SPACES
G PROVIDED:	
R OF SPACES REQUIRED (1/600 UIRED (0-25)	-SF) 11 SPACES 1 SPACE
IIRED:	
RMATION:	
UCK/BUS REPAIR BUILDING : ATIO (FAR): (6,210.0 S.F. / 40,68 HT ALLOWED HT PROPOSED	6,210.0 S.F. 8.0 S.F.) 15.2% 34' 25'
AS:	
ID USE: E AREA:	INDUSTRIAL 40,688.0 S.F. (0.93 AC)
	INDUSTRIAL DISTRICT (IN)

4,585.2 SF (11.0%) 36,102.8 SF (89.0%)

NG SETBACKS:	REQUIRED:	PROVIDED:
(EAST):	30'	67'
SOUTH):	15'	115'
IORTH):	0'	25'
WEST):	15'	50.9'

ISSUE	HISTORY	









EXHIBI _





EXHIBI Π



ISSUE HISTORY					
	100011110		_		
			_		





Π



(A) AWNINGS OR CANOPIES (B) DIVIDED LIGHT WINDOWS (C) RECESSED ENTRIES (D) DISTINCTIVE LIGHTING FEATURES (E) BENCHES FOR OUTDOOR SEATING (F) VARIED ROOF HEIGHTS

	SUE HISTORY
17	
6	S & GARCIA, LLC
GRAND 9	ERBROOK CIRCLE PRAIRIE, TX 75052 72.310.8549
	pgaengineers.net RM NO. F-11818
S	
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ER	S C C
S	
Ď	PAR 04
-RUC	ER PARI D, DAL 75042
TRUCK	LLLER PAF LAND, DA TX 75042
1	MILLER PAF SARLAND, DA TX 75042
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EXHIBI _ Π



GARLAND CITY COUNCIL ITEM SUMMARY SHEET

City Council Regular Session AgendaMeeting Date:08/15/2023Item Title:Z 23-21 Will Bohls (District 8)Submitted By:Will Guerin, Planning Director

Summary of Request/Problem

Zoning Ordinance Z 23-21 Will Bohls

Recommendation/Action Requested and Justification

Consider adoption of the attached ordinance.

Attachments

Z 23-21 Ordinance Z 23-21 Exhibit A Z 23-21 Exhibit B Z 23-21 Exhibit C 3. b.

ORDINANCE NO.____

AN ORDINANCE AMENDING THE GARLAND DEVELOPMENT CODE OF THE CITY OF GARLAND, TEXAS, BY APPROVING A SPECIFIC USE PROVISION FOR A BUILDING/GARDEN MATERIALS SALES & STORAGE (WHOLESALE) USE ON A 0.99-ACRE TRACT OF LAND LOCATED AT 543 NORTH FIFTH STREET ZONED DOWNTOWN (DT) DISTRICT, UPTOWN SUB-DISTRICT; PROVIDING FOR CONDITIONS, RESTRICTIONS, AND REGULATIONS; PROVIDING A PENALTY UNDER THE PROVISIONS OF SEC. 10.05 OF THE CODE OF ORDINANCES OF THE CITY OF GARLAND, TEXAS; PROVIDING A NOTICE OF CONDITIONS OF COMPLIANCE CLAUSE; PROVIDING A SAVINGS CLAUSE AND A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, at its regular meeting held on the 10th day of July, 2023, the Plan Commission did consider and make recommendations on a certain request for a Specific Use Provision for a Building/Garden Materials Sales & Storage (Wholesale) Use on a property zoned Downtown (DT) District, Uptown Sub-district, by Will Bohls; and

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

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

Section 1

The Garland Development Code is hereby amended by approving a Specific Use Provision for a Building/Garden Materials Sales & Storage (Wholesale) Use on a property zoned Downtown (DT) District, Uptown Sub-district, and being more particularly described in Exhibit A, attached hereto and made a part hereof.

Section 2

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

Section 3

FILE NO. Z 23-21

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

Section 4

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

Section 5

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

Section 6

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

Section 7

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

PASSED AND APPROVED this _____ day of _____, 2023.

THE CITY OF GARLAND, TEXAS

By:

Mayor

ATTEST:

_

City Secretary

Published:

EXHIBIT A

LEGAL DESCRIPTION

Zoning File Z 23-21

Being a tract of land situated in the Jesse Atterbury Survey, Abstract No. 32, City of Garland, Dallas County, Texas, and being all of Lot 11 and part of Lot 12, Block A of Cooper-Barger Industrial Addition, an Addition to the City of Garland, Dallas County, Texas, according to the map recorded in Volume 15, Page 275, Map Records, Dallas County, Texas, being that same tract of land conveyed to Thomas M. Leonard, Jr. by Special Warranty Deed with Vendor's Lien recorded in Volume 2004018, Page 993, Deed Records, Dallas County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod found at the Northeast comer of Lot 10, Block A of said Cooper-Barger Industrial Addition, said point being on the West right-of-way line of N. Fifth Street (80 foot right-of -way); THENCE West, along the North line of said Lot 10, Block A, a distance of 263.47 feet to a 5/8 inch iron rod found at the Northwest comer of said Lot 10, Block A, said point being on the East line of a 30 foot "Reserved" area of said Cooper-Barger Industrial Addition;

THENCE North 22 degrees 00 minutes 00 seconds East, along said East line of "Reserved", a distance of 54.20 feet to a point for corner;

THENCE North, continuing along said East line of "Reserved", a distance of 124.47 feet to a point for corner at the Southwest corner of a tract of land conveyed to John J. Doss and wife, Diane L. Doss by Deed recorded in Instalment No. 20150000015356, Official Public Records, Dallas County, Texas;

THENCE East, along the South line of said Doss tract, a distance of 243.17 feet to a point for corner at the Southeast comer of said Doss tract, from which a 3/8 inch iron rod found for witness has a bearing and distance of

EXHIBIT A

East, 0.30 feet, said point being on the aforementioned West right-of-way line of N. Fifth Street;

THENCE South, along said West right-of-way line of N. Fifth Street, a distance of 174.73 feet to the POINT OF BEGINNING and containing 42,998 square feet or 0.99 of an acre of land.

SPECIFIC USE PROVISION CONDITIONS

ZONING FILE Z 23-21

543 North Fifth Street

- I. Statement of Purpose: The purpose of this Specific Use Provision is to allow a Building/Garden Materials Sales & Storage (Wholesale) Use
- 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 Downtown (DT) District, Uptown Sub-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. Abandonment: In the event the land use for which this Specific Use Provision was granted ("Land Use") is abandoned, the SUP and all rights to the Land Use are automatically terminated, and the premises must be used in conformance with the PD, GDC, federal, and state law.

For the purposes of this Specific Use Provision, Abandonment is any of the following acts:

- A. A failure to apply for a site or building permit on the premises, where applicable, within 180 days of the effective date of this SUP;
- B. A failure to obtain a certificate of occupancy for the Land use within 730 days of the effective date of this SUP;
- C. A failure to commence operating the Land Use on the premises within 90 days of receiving a final certificate of occupancy for the Land Use;
- D. Discontinuance of the Land Use for a period of 180 days;
- E. Applying for, and receiving, a new Certificate of Occupancy for a use other than the Land Use; or

EXHIBIT B

SUP Requirements Zoning File 23-21 Page 2

F. Operating a use on the premises, whether as a primary or secondary use, that is not allowed within the PD District, by the GDC, or by state or federal law.

The termination of utilities on the premises for a period of 180 calendar days is prima facie evidence of abandonment and the owner shall have the burden to prove that the Land Use has not been abandoned.

V. Specific Regulations:

- A. <u>Time Period</u>: The Specific Use Provision shall have a time period of five (5) years.
- B. <u>Site Plan:</u> The site layout, building placement, parking shall be in general conformance with the approved Site Plan labeled Exhibit C.
- C. <u>Indoor Building Materials Storage</u>: The storage of building materials shall be indoors only.



RY TABLE
OWN DISTRICT (DT) DOWNTOWN UPTOWN
AL OR MANUFACTURING (LIGHT)
G/GARDEN MATERIALS SALES & STORAGE (WHOLESALE)
0.99 AC (43,065 SF)
OFFICE 1,461 SF
WAREHOUSE 16,539 SF
TOTAL 18,000 SF
0.41
4,696 SF — 10.9%
CE: 1 SPACE PER 1/400 SF (4 REQUIRED)
JSE 1 SPACE PER 1,000 SF (17 REQUIRED)
21 SPACES REQ.
20 SPACES
22.7 FT (1 STORY)
545.11
2

BACK-OF-CURB UNLESS OTHERWISE NOTED







VICINITY MAP (NOT TO SCALE)

PRELIMINARY

NOT FOR CONSTRUCTION THIS DOCUMENT IS ISSUED FOR THE PURPOSE OF SCHEMATIC REVIEW ONLY AND IS NOT INTENDED FOR PERMITTING, BIDDING, OR CONSTRUCTION PURPOSES.

PLANS PREPARED UNDER THE DIRECT SUPERVISION OF STEVEN M. HEILBRUN, P.E. TEXAS REGISTRATION NO. 105006 DATE: 06/12/2023

	NO.	DATE			RE	VISION		
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		a	Westw	ood com	pany ⁹⁷	2.235.3031		
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	ALL OF LOT 11 AND PART OF LOT 12, BLOCK A							
	CITY OF GARLAND, DALLAS COUNTY, TEXAS							
	DESIGN	DRAWN	DATE	SCALE	NOTES	FILE	NO.	
TX REG. ENGINEERING FIRM F-469 TX REG. SURVEYING FIRM LS-10008000	SMH	OR	JUNE 2023	1" = 20'			C1.1	

WESTWOOD FILE: R0044017.00

PK-R0044017.00_SP.DWG



GARLAND CITY COUNCIL ITEM SUMMARY SHEET

City Council Regular Session Agenda

Meeting Date: 08/15/2023

 Item Title:
 Resolution Authorizing City Manager to Execute a Project Specific Agreement with Dallas County for Transportation Improvements on Jupiter Road

 Submitted But
 Tany Latin
 Streate Director

Submitted By: Tony Irvin, Streets Director

Summary of Request/Problem

The City of Garland entered into a Master Interlocal Agreement with Dallas County that provides for a 50/50 cost share participation program for maintenance and repairs on certain qualifying roadways in the City. After execution of a Master Agreement, the City is then permitted to submit project proposals to the County for review and acceptance, after which a Project Specific Agreement is required to identify specific projects approved for 50/50 cost share participation. The City submitted a 2.4-mile segment of Jupiter Road (Forest Lane to the west city limit) for cost share participation. The Project Specific Agreement for maintenance and repairs to Jupiter Road establishes a total estimated cost of \$4,100,000, with the cost to be split equally between the City and County.

This item was considered by the City Council in its July 31, 2023 Work Session.

Recommendation/Action Requested and Justification

Approve a Resolution authorizing the City Manager to execute a Project Specific Agreement with Dallas County for Transportation Improvements on Jupiter Road.

Attachments

Resolution Project Specific Agreement 4.

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE CITY MANAGER OR DESIGNEE TO EXECUTE A PROJECT SPECIFIC AGREEMENT WITH DALLAS COUNTY FOR TRANSPORTATION IMPROVEMENTS ON PORTIONS OF THE FOLLOWING ROAD WITHIN THE CITY OF GARLAND, DALLAS COUNTY, TEXAS: JUPITER ROAD, FROM THE GARLAND AND DALLAS CITY LIMITS TO FOREST LANE; AND PROVIDING AN EFFECTIVE DATE.

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

Section 1

That the City Manager or his designee is hereby authorized to execute a Project Specific Agreement with Dallas County for transportation improvements on Jupiter Road from the Garland - Dallas city limit to Forest Lane. A copy of this PSA is attached hereto as Exhibit "A" and incorporated herein by reference.

Section 2

That this Resolution shall be and become effective immediately upon and after its adoption and approval.

PASSED AND APPROVED this the day of July, 2023.

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary

PROJECT SPECIFIC AGREEMENT RE: VARIOUS ROADS, "TYPE B" PUBLIC ROADWAY -- MADE PURSUANT TO ROAD & BRIDGE MASTER INTERLOCAL AGREEMENT BETWEEN DALLAS COUNTY, TEXAS AND THE CITY OF GARLAND, TEXAS

This Project Specific Agreement, (hereinafter "PSA"), supplemental to the Master Interlocal Agreement, is made by and between Dallas County, Texas (hereinafter "County") and the City of Garland, Texas (hereinafter "City"), acting by and through their duly authorized representatives and officials, for the purpose of transportation-related maintenance, repairs, and improvements to be undertaken on public roadway located on Jupiter Road from the South City Limits to Forest Lane, which is within the territorial limits and jurisdiction of the City of Garland as more fully set forth and described in Attachments "A" and "B," which are attached hereto and incorporated herein by reference (hereinafter "Project").

WHEREAS, Chapter 791 of the Texas Government Code and Chapters 251 and 472 of the Texas Transportation Code provide authorization for local governments to contract amongst themselves for the performance of governmental functions and services; and

WHEREAS, on or about January 24, 2023, County and City entered into a Master Interlocal Agreement (hereinafter "Master Agreement"), whereby County agreed to provide partial funding for such duly qualified "Type B" road and bridge maintenance, improvement, and repair projects, said projects being situated within the territorial limits and jurisdiction of the City, and

WHEREAS, City now desires County to provide partial funding for such a duly qualified project consisting of maintenance, repairs, and improvements of enumerated public roadway situated in the City of Garland, Texas, as more fully described in Attachments "A" and "B."

NOW THEREFORE THIS PSA is made by and entered into by County and City, for the mutual consideration stated herein.

<u>Witnesseth</u>

Article I <u>Project Specific Agreement</u>

This PSA is specifically intended to identify a Project authorized under the Master Agreement. This PSA sets forth the rights and responsibilities of each of the parties as set forth in the Master Agreement, and all supplements and amendments thereto are incorporated herein by reference. This PSA will be an addition to the Master Agreement and incorporates each term and condition thereof as if set forth herein. All terms of the Master Agreement remain in full force and effect, except as modified herein. In the event of any conflict between the Master Agreement and this PSA, this PSA shall control.

Article II <u>Incorporated Documents</u>

This PSA incorporates, as if fully reproduced herein word for word and number for number, the following items:

1. Master Agreement authorized by County Commissioners Court Order 2023-0089,

dated January 24, 2023, and additions thereto as incorporated herein.

- 2. The Construction Estimate, which is attached hereto as Attachment "A" and incorporated herein by reference.
- 3. The Road List Map/Diagram of proposed work sites, which is attached hereto as Attachment "B" and incorporated herein by reference.

Article III

Term of Agreement

This PSA becomes effective when signed by the last party whose signature makes the agreement fully executed and shall terminate upon the completion and acceptance of the Project by City or upon the terms and conditions in the Master Agreement.

Article IV

Project Description

This PSA is entered into by the parties for the purpose of jointly identifying and funding repairs, maintenance, and improvements on duly qualified "Type B" public roadway within the City of Garland, Texas. The Project shall consist of repairs, maintenance, and improvements of Jupiter Road from the South City Limits to Forest Lane, in the City of Garland, Texas, within Dallas County Commissioner's District 1 ("Project"), and as more fully described in Attachment "A," which is attached hereto and incorporated herein by reference. The Project is authorized by the aforementioned Master Agreement, with the parties' obligations and responsibilities governed thereby, as well as by the terms and provisions of this PSA. The Project will facilitate the safe and orderly movement of public transportation to benefit both the City and County. The City has and hereby does give its approval for the expenditure of County funds for the construction, improvement, maintenance, or repair of a street located within the municipality.

Article V

Fiscal Funding

Notwithstanding anything to the contrary herein, this PSA is expressly contingent upon the availability of County funding for each item and obligation contained herein. City shall have no right of action against the County of Dallas as regards this PSA, specifically including any funding by County of the Project in the event that the County is unable to fulfill its obligations under this PSA as a result of the lack of sufficient funding for any item or obligation from any source utilized to fund this PSA or failure of any funding party to budget or authorize funding for this PSA during the current or future fiscal years. In the event of insufficient funding, or if funds become unavailable in whole or part, the County, at its sole discretion, may provide funds from a separate source or terminate this PSA. In the event that payments or expenditures are made, they shall be made from current funds as required by Chapter 791, Texas Government Code.

Notwithstanding anything to the contrary herein, this PSA is expressly contingent upon the availability of City funding for each item and obligation contained herein. County shall have no right of action against the City as regards this PSA, specifically including any funding by City of the Project in the event that the City is unable to fulfill its obligations under this PSA as a result of the lack of sufficient funding for any item or obligation from any source utilized to fund this PSA or failure of any funding party to budget or authorize funding for this PSA during the current or future

fiscal years. In the event of insufficient funding, or if funds become unavailable in whole or part, the City, at its sole discretion, may provide funds from a separate source or terminate this PSA. In the event that payments or expenditures are made, they shall be made from current funds as required by Chapter 791, Texas Government Code.

Article VI <u>Agreements</u>

- I. <u>City's Responsibilities:</u>
 - City, at its own expense, shall be responsible for the following: (a) posting 1 appropriate and required notices to inform the public of the proposed maintenance, repairs, improvements, or reconstruction activity of the Project; (b) locating all manholes, water valves, and other utilities within the Project; (c) making or causing to be made all utility relocations or adjustments necessary for execution and completion of the Project; (d) acquiring any right-of-way necessary to complete the Project; (e) remediating any hazardous or regulated materials, or other environmental hazard on or near the Project sites; (f) funding the purchase of all materials necessary to perform the Project construction; (g) managing construction of the Project; (h) receiving and processing all payments due contractors the City hires to work on the project; (i) contracting through formal bidding procedures to acquire the services of contractors; and (j) where necessary providing appropriate traffic control support, including but not limited to flagging, cones, barricades, shadow vehicles, arrow boards, signage, police presence, etc., to enable the Project to be completed in a timely and safe manner.
 - 2. City shall be responsible for maintaining the Project sites once the Project is completed.
 - 3. City shall be in compliance with the Manual on Uniform Traffic Control Devices ("MUTCD") standards in ensuring safety during operations as outlined in the scope of work in Attachment "A."
- II. <u>County Responsibilities:</u>
 - 1. County shall reimburse the City for proportionate Project Costs, as more fully set forth in Section III below.
 - 2. County, its Auditor or its designated representative(s) shall have the unrestricted right to audit any and all accounting or other records regarding any funds paid or claimed under this PSA, including, but not limited to all books, records, reports, tickets, deposits, expenditures, budget or any item therein, supporting data, computer records and programs, and all items of hardware, software or firmware, or any other item utilized by the City regarding this PSA. City agrees that all related records shall be retained for a period of time not less than four (4) years from the date of termination of this PSA. Such records shall be provided to the County in Dallas County, Texas and available for any audit at any time upon request. The results of any audit may be furnished to the City for comment.
- III. <u>Funding:</u>

County and City mutually agree that the initial and anticipated total Project cost is approximately \$4,100,000.00 as set forth in Attachment "A." The parties hereto further agree that City shall be responsible to pay a total of \$2,050,000.00 for its portion of the "Type B" roadwork. The parties hereto further agree that City shall be totally responsible for the construction and maintenance of said Project.

The parties hereto also further agree that the County shall only be responsible to City for a contribution, in the form of reimbursements, of an amount not to exceed \$2,050,000.00, which amount shall not exceed Fifty Percent (50%) of the actual total Project cost.

City and County further agree as follows:

- 1. Should the final actual total costs of the Project exceed the initial and anticipated Project costs, City agrees to either reduce the scope of the Project, or to seek additional funding to facilitate its completion. In either event, City shall be solely responsible for all such costs in excess thereof, and County shall bear no additional responsibilities beyond those contemplated herein.
- 2. City shall submit invoices to the County, which invoices shall provide complete information and documentation to substantiate the City's charges. County's acceptances of the City's invoices are contingent upon the City's compliance with the County's invoicing procedures. County may withhold any disputed amounts until such time as the underlying dispute is resolved to the County's satisfaction, but shall pay all undisputed amounts timely.

Article VII

Miscellaneous:

- I. <u>Indemnification</u>. County and City agree that each shall be responsible for its own negligent acts or omissions or other tortious conduct in the course of performance of this Agreement, without waiving any sovereign/governmental immunity available to County or City or their respective officials, officers, employees, or agents under Texas or other law and without waiving any available defenses under Texas or other law. Nothing in this paragraph shall be construed to create or grant any rights, contractual or otherwise, in or to any third persons or entities.
- II. <u>No Third Party Beneficiaries.</u> The terms and provisions of this PSA are for the benefit of the parties hereto and not for the benefit of any third party. It is the express intention of County and City that any entity other than County or City receiving services or benefits under this PSA shall be deemed an incidental beneficiary only. This PSA is intended only to set forth the contractual right and responsibilities of the parties hereto.
- III. <u>Applicable Law</u>. This PSA is and shall be expressly subject to the County's and City's Sovereign Immunity and/or Governmental Immunity, pursuant to Title 5 of the Texas Civil Practice and Remedies Code, as amended and all applicable federal and state laws. This PSA shall be governed by and construed in accordance with the laws of the State of Texas. Exclusive venue for any legal action regarding this PSA shall lie in Dallas County, Texas.
- IV. <u>Notice</u>. All notices, requests, demands, and other communication under this PSA shall be tendered in writing and shall be deemed to have been duly given when either delivered in person, via

e-mail, or via certified mail, postage prepaid, return receipt requested to the respective parties as follows:

COUNTY:

Director of Public Works Dallas County 500 Elm Street, Suite 5300 Dallas, Texas 75202

and

Commissioner Dr. Theresa Daniel Road & Bridge District #1 500 Elm Street, Suite 7100 Dallas, Texas 75202

CITY:

Assistant City Manager Crystal Owens City of Garland 200 Fifth Street Garland, Texas 75040

Either party may change its address for notice by giving the other party written notice thereof.

- V. <u>Assignment</u>. This PSA may not be assigned or transferred by either party without the prior written consent of the other party.
- VI. <u>Binding Agreement; Parties Bound.</u> Upon execution by the parties, this PSA shall constitute a legal, valid and binding obligation of the parties, their successors and permitted assigns.
- VII. <u>Amendment.</u> This PSA may not be amended except in a written instrument specifically referring to this PSA and signed by the parties hereto.
- VIII. <u>Counterparts.</u> This PSA may be executed in multiple counterparts, each of which shall be deemed an original, but all of which shall constitute one and the same instrument.
- IX. <u>Severability.</u> If one or more of the provisions in this PSA shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality or unenforceability shall not cause this PSA to be invalid, illegal or unenforceable, but this PSA shall be construed as if such provision had never been contained herein, and shall not affect the remaining provisions of this PSA, which shall remain in full force and effect.
- X. <u>Entire Agreement</u>. This PSA embodies the complete agreement of the parties, and except where noted, it shall supersede previous and/or contemporary agreements, oral or written, between the parties and relating to matters in the PSA.
- XI. <u>Contingent</u>. This PSA is expressly subject to and contingent upon formal approval by the Dallas County Commissioners Court and by resolution of the City Council of the City of Garland.
- XII. <u>Effective Date</u>. The Contract shall commence on the Effective Date. The Effective Date of this Contract shall be the date it is executed by the last of the parties. Reference to the date of execution shall mean the Effective Date.
- XIII. <u>No Joint Enterprise/Venture</u>. The parties agree that no party is an agent, servant, or employee of the other parties. The parties, including their agents, servants, or employees, are independent contractors, and not an agent, servant, joint enterprise/venture, or employee of any other party, and

are responsible for their own acts, forbearance, negligence, and deeds, and for those of their agents, servants, or employees in conjunction with this Contract. No joint enterprise/venture exists between the parties.

The City of Garland, State of Texas, has executed this PSA pursuant to duly authorized City Council Resolution , Minutes , dated the day of , 2023.

The County of Dallas, State of Texas, has executed this PSA pursuant to Commissioners Court Order Number _____ and passed on the _____ day of _____, 2023.

Executed by the City of Garland this the day of , 2023.

Executed by the County of Dallas this the day of , 2023.

CITY OF GARLAND: City Manager

COUNTY OF DALLAS:

By:______Assistant City Manager

CLAY LEWIS JENKINS COUNTY JUDGE

APPROVED AS TO FORM: BRIAN C. ENGLAND City Attorney

APPROVED AS TO FORM:* JOHN CREUZOT DISTRICT ATTORNEY

By: Assistant City Attorney

Jana Prigmore Ferguson Assistant District Attorney

*By law, the District Attorney's Office may only advise or approve contracts or legal documents on behalf of its clients. It may not advise or approve a contract or legal document on behalf of other parties. Our review of this document was conducted solely from the legal perspective of our client. our approval of this document was offered solely for the benefit of our client. Other parties should not rely on this approval, and should seek review and approval by their own respective attorney(s).

				ATTACHN	IENT A						
	City of Garland										
			Da	allas County Type B Roads - F		nare Candida	te				
Block	Name	From Name	To Name	Pavement Type	Func Class	Lane Miles	OCI	Comissioner District	FY 23 Maint. Plan	Cost Estimate	
	Jupiter Road	S. City Limits	Forest Lane	Concrete	Arterial	2.35	82.7	1	Concrete Repair	\$4,100,000.00	\$2,050,000.00
									Subtotal:	\$4,100,000.00	
									Total Project Cost	\$4,100,000.00	
									Dallas County Share	\$2,050,000.00	
									City of Garland Share	\$2,050,000.00	
									Total Project Costs	\$4,100,000.00	

аттаснмент в S. Jupiter Rd. (S. City Limits to Forest Ln.)



N



City Council Regular Session Agenda 5.					
Meeting Date:	08/15/2023				
Item Title:	Resolution Authorizing City Manager to Execute a Project Spect Agreement with Dallas County for Jupiter Road Improvements				
-	Tye Tingey, Sr. Civil Engineer Well-Maintained City Infrastructure				

ISSUE

Consider whether to enter into a Project Specific Agreement with Dallas County (County) for class B roadway improvement project.

OPTIONS

 Adopt a resolution which authorizes the City Manager or their designee to execute the attached Project Specific Agreement with the County for Project Specific Agreement.
 Take no action.

RECOMMENDATION

Option 1: Adopt a resolution which authorizes the City Manager or their designee to execute the attached Project Specific Agreement with the County.

Attachments

Dallas County & COG PSA Agreement-Jupiter Resolution for PSA signature

PROJECT SPECIFIC AGREEMENT RE: VARIOUS ROADS, "TYPE B" PUBLIC ROADWAY -- MADE PURSUANT TO ROAD & BRIDGE MASTER INTERLOCAL AGREEMENT BETWEEN DALLAS COUNTY, TEXAS AND THE CITY OF GARLAND, TEXAS

This Project Specific Agreement, (hereinafter "PSA"), supplemental to the Master Interlocal Agreement, is made by and between Dallas County, Texas (hereinafter "County") and the City of Garland, Texas (hereinafter "City"), acting by and through their duly authorized representatives and officials, for the purpose of transportation-related maintenance, repairs, and improvements to be undertaken on public roadway located on Jupiter Road from the South City Limits to Forest Lane, which is within the territorial limits and jurisdiction of the City of Garland as more fully set forth and described in Attachments "A" and "B," which are attached hereto and incorporated herein by reference (hereinafter "Project").

WHEREAS, Chapter 791 of the Texas Government Code and Chapters 251 and 472 of the Texas Transportation Code provide authorization for local governments to contract amongst themselves for the performance of governmental functions and services; and

WHEREAS, on or about January 24, 2023, County and City entered into a Master Interlocal Agreement (hereinafter "Master Agreement"), whereby County agreed to provide partial funding for such duly qualified "Type B" road and bridge maintenance, improvement, and repair projects, said projects being situated within the territorial limits and jurisdiction of the City, and

WHEREAS, City now desires County to provide partial funding for such a duly qualified project consisting of maintenance, repairs, and improvements of enumerated public roadway situated in the City of Garland, Texas, as more fully described in Attachments "A" and "B."

NOW THEREFORE THIS PSA is made by and entered into by County and City, for the mutual consideration stated herein.

<u>Witnesseth</u>

Article I <u>Project Specific Agreement</u>

This PSA is specifically intended to identify a Project authorized under the Master Agreement. This PSA sets forth the rights and responsibilities of each of the parties as set forth in the Master Agreement, and all supplements and amendments thereto are incorporated herein by reference. This PSA will be an addition to the Master Agreement and incorporates each term and condition thereof as if set forth herein. All terms of the Master Agreement remain in full force and effect, except as modified herein. In the event of any conflict between the Master Agreement and this PSA, this PSA shall control.

Article II <u>Incorporated Documents</u>

This PSA incorporates, as if fully reproduced herein word for word and number for number, the following items:

1. Master Agreement authorized by County Commissioners Court Order 2023-0089,

dated January 24, 2023, and additions thereto as incorporated herein.

- 2. The Construction Estimate, which is attached hereto as Attachment "A" and incorporated herein by reference.
- 3. The Road List Map/Diagram of proposed work sites, which is attached hereto as Attachment "B" and incorporated herein by reference.

Article III

Term of Agreement

This PSA becomes effective when signed by the last party whose signature makes the agreement fully executed and shall terminate upon the completion and acceptance of the Project by City or upon the terms and conditions in the Master Agreement.

Article IV

Project Description

This PSA is entered into by the parties for the purpose of jointly identifying and funding repairs, maintenance, and improvements on duly qualified "Type B" public roadway within the City of Garland, Texas. The Project shall consist of repairs, maintenance, and improvements of Jupiter Road from the South City Limits to Forest Lane, in the City of Garland, Texas, within Dallas County Commissioner's District 1 ("Project"), and as more fully described in Attachment "A," which is attached hereto and incorporated herein by reference. The Project is authorized by the aforementioned Master Agreement, with the parties' obligations and responsibilities governed thereby, as well as by the terms and provisions of this PSA. The Project will facilitate the safe and orderly movement of public transportation to benefit both the City and County. The City has and hereby does give its approval for the expenditure of County funds for the construction, improvement, maintenance, or repair of a street located within the municipality.

Article V

Fiscal Funding

Notwithstanding anything to the contrary herein, this PSA is expressly contingent upon the availability of County funding for each item and obligation contained herein. City shall have no right of action against the County of Dallas as regards this PSA, specifically including any funding by County of the Project in the event that the County is unable to fulfill its obligations under this PSA as a result of the lack of sufficient funding for any item or obligation from any source utilized to fund this PSA or failure of any funding party to budget or authorize funding for this PSA during the current or future fiscal years. In the event of insufficient funding, or if funds become unavailable in whole or part, the County, at its sole discretion, may provide funds from a separate source or terminate this PSA. In the event that payments or expenditures are made, they shall be made from current funds as required by Chapter 791, Texas Government Code.

Notwithstanding anything to the contrary herein, this PSA is expressly contingent upon the availability of City funding for each item and obligation contained herein. County shall have no right of action against the City as regards this PSA, specifically including any funding by City of the Project in the event that the City is unable to fulfill its obligations under this PSA as a result of the lack of sufficient funding for any item or obligation from any source utilized to fund this PSA or failure of any funding party to budget or authorize funding for this PSA during the current or future

fiscal years. In the event of insufficient funding, or if funds become unavailable in whole or part, the City, at its sole discretion, may provide funds from a separate source or terminate this PSA. In the event that payments or expenditures are made, they shall be made from current funds as required by Chapter 791, Texas Government Code.

Article VI <u>Agreements</u>

- I. <u>City's Responsibilities:</u>
 - City, at its own expense, shall be responsible for the following: (a) posting 1 appropriate and required notices to inform the public of the proposed maintenance, repairs, improvements, or reconstruction activity of the Project; (b) locating all manholes, water valves, and other utilities within the Project; (c) making or causing to be made all utility relocations or adjustments necessary for execution and completion of the Project; (d) acquiring any right-of-way necessary to complete the Project; (e) remediating any hazardous or regulated materials, or other environmental hazard on or near the Project sites; (f) funding the purchase of all materials necessary to perform the Project construction; (g) managing construction of the Project; (h) receiving and processing all payments due contractors the City hires to work on the project; (i) contracting through formal bidding procedures to acquire the services of contractors; and (j) where necessary providing appropriate traffic control support, including but not limited to flagging, cones, barricades, shadow vehicles, arrow boards, signage, police presence, etc., to enable the Project to be completed in a timely and safe manner.
 - 2. City shall be responsible for maintaining the Project sites once the Project is completed.
 - 3. City shall be in compliance with the Manual on Uniform Traffic Control Devices ("MUTCD") standards in ensuring safety during operations as outlined in the scope of work in Attachment "A."
- II. <u>County Responsibilities:</u>
 - 1. County shall reimburse the City for proportionate Project Costs, as more fully set forth in Section III below.
 - 2. County, its Auditor or its designated representative(s) shall have the unrestricted right to audit any and all accounting or other records regarding any funds paid or claimed under this PSA, including, but not limited to all books, records, reports, tickets, deposits, expenditures, budget or any item therein, supporting data, computer records and programs, and all items of hardware, software or firmware, or any other item utilized by the City regarding this PSA. City agrees that all related records shall be retained for a period of time not less than four (4) years from the date of termination of this PSA. Such records shall be provided to the County in Dallas County, Texas and available for any audit at any time upon request. The results of any audit may be furnished to the City for comment.
- III. <u>Funding:</u>
County and City mutually agree that the initial and anticipated total Project cost is approximately \$4,100,000.00 as set forth in Attachment "A." The parties hereto further agree that City shall be responsible to pay a total of \$2,050,000.00 for its portion of the "Type B" roadwork. The parties hereto further agree that City shall be totally responsible for the construction and maintenance of said Project.

The parties hereto also further agree that the County shall only be responsible to City for a contribution, in the form of reimbursements, of an amount not to exceed \$2,050,000.00, which amount shall not exceed Fifty Percent (50%) of the actual total Project cost.

City and County further agree as follows:

- 1. Should the final actual total costs of the Project exceed the initial and anticipated Project costs, City agrees to either reduce the scope of the Project, or to seek additional funding to facilitate its completion. In either event, City shall be solely responsible for all such costs in excess thereof, and County shall bear no additional responsibilities beyond those contemplated herein.
- 2. City shall submit invoices to the County, which invoices shall provide complete information and documentation to substantiate the City's charges. County's acceptances of the City's invoices are contingent upon the City's compliance with the County's invoicing procedures. County may withhold any disputed amounts until such time as the underlying dispute is resolved to the County's satisfaction, but shall pay all undisputed amounts timely.

Article VII

Miscellaneous:

- I. <u>Indemnification</u>. County and City agree that each shall be responsible for its own negligent acts or omissions or other tortious conduct in the course of performance of this Agreement, without waiving any sovereign/governmental immunity available to County or City or their respective officials, officers, employees, or agents under Texas or other law and without waiving any available defenses under Texas or other law. Nothing in this paragraph shall be construed to create or grant any rights, contractual or otherwise, in or to any third persons or entities.
- II. <u>No Third Party Beneficiaries.</u> The terms and provisions of this PSA are for the benefit of the parties hereto and not for the benefit of any third party. It is the express intention of County and City that any entity other than County or City receiving services or benefits under this PSA shall be deemed an incidental beneficiary only. This PSA is intended only to set forth the contractual right and responsibilities of the parties hereto.
- III. <u>Applicable Law</u>. This PSA is and shall be expressly subject to the County's and City's Sovereign Immunity and/or Governmental Immunity, pursuant to Title 5 of the Texas Civil Practice and Remedies Code, as amended and all applicable federal and state laws. This PSA shall be governed by and construed in accordance with the laws of the State of Texas. Exclusive venue for any legal action regarding this PSA shall lie in Dallas County, Texas.
- IV. <u>Notice</u>. All notices, requests, demands, and other communication under this PSA shall be tendered in writing and shall be deemed to have been duly given when either delivered in person, via

e-mail, or via certified mail, postage prepaid, return receipt requested to the respective parties as follows:

COUNTY:

Director of Public Works Dallas County 500 Elm Street, Suite 5300 Dallas, Texas 75202

and

Commissioner Dr. Theresa Daniel Road & Bridge District #1 500 Elm Street, Suite 7100 Dallas, Texas 75202

CITY:

Assistant City Manager Crystal Owens City of Garland 200 Fifth Street Garland, Texas 75040

Either party may change its address for notice by giving the other party written notice thereof.

- V. <u>Assignment</u>. This PSA may not be assigned or transferred by either party without the prior written consent of the other party.
- VI. <u>Binding Agreement; Parties Bound.</u> Upon execution by the parties, this PSA shall constitute a legal, valid and binding obligation of the parties, their successors and permitted assigns.
- VII. <u>Amendment.</u> This PSA may not be amended except in a written instrument specifically referring to this PSA and signed by the parties hereto.
- VIII. <u>Counterparts.</u> This PSA may be executed in multiple counterparts, each of which shall be deemed an original, but all of which shall constitute one and the same instrument.
- IX. <u>Severability.</u> If one or more of the provisions in this PSA shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality or unenforceability shall not cause this PSA to be invalid, illegal or unenforceable, but this PSA shall be construed as if such provision had never been contained herein, and shall not affect the remaining provisions of this PSA, which shall remain in full force and effect.
- X. <u>Entire Agreement</u>. This PSA embodies the complete agreement of the parties, and except where noted, it shall supersede previous and/or contemporary agreements, oral or written, between the parties and relating to matters in the PSA.
- XI. <u>Contingent</u>. This PSA is expressly subject to and contingent upon formal approval by the Dallas County Commissioners Court and by resolution of the City Council of the City of Garland.
- XII. <u>Effective Date</u>. The Contract shall commence on the Effective Date. The Effective Date of this Contract shall be the date it is executed by the last of the parties. Reference to the date of execution shall mean the Effective Date.
- XIII. <u>No Joint Enterprise/Venture</u>. The parties agree that no party is an agent, servant, or employee of the other parties. The parties, including their agents, servants, or employees, are independent contractors, and not an agent, servant, joint enterprise/venture, or employee of any other party, and

are responsible for their own acts, forbearance, negligence, and deeds, and for those of their agents, servants, or employees in conjunction with this Contract. No joint enterprise/venture exists between the parties.

The City of Garland, State of Texas, has executed this PSA pursuant to duly authorized City Council Resolution , Minutes , dated the day of , 2023.

The County of Dallas, State of Texas, has executed this PSA pursuant to Commissioners Court Order Number _____ and passed on the _____ day of _____, 2023.

Executed by the City of Garland this the day of , 2023.

Executed by the County of Dallas this the day of , 2023.

CITY OF GARLAND: City Manager

COUNTY OF DALLAS:

By:______Assistant City Manager

CLAY LEWIS JENKINS COUNTY JUDGE

APPROVED AS TO FORM: BRIAN C. ENGLAND City Attorney

APPROVED AS TO FORM:* JOHN CREUZOT DISTRICT ATTORNEY

By: Assistant City Attorney

Jana Prigmore Ferguson Assistant District Attorney

*By law, the District Attorney's Office may only advise or approve contracts or legal documents on behalf of its clients. It may not advise or approve a contract or legal document on behalf of other parties. Our review of this document was conducted solely from the legal perspective of our client. our approval of this document was offered solely for the benefit of our client. Other parties should not rely on this approval, and should seek review and approval by their own respective attorney(s).

	ATTACHMENT A										
City of Garland											
Dallas County Type B Roads - FY 23 Cost Share Candidate											
Block	Name	From Name	To Name	Pavement Type	Func Class	Lane Miles	OCI	Comissioner District	FY 23 Maint. Plan	Cost Estimate	
	Jupiter Road	S. City Limits	Forest Lane	Concrete	Arterial	2.35	82.7	1	Concrete Repair	\$4,100,000.00	\$2,050,000.00
									Subtotal:	\$4,100,000.00	
									Total Project Cost	\$4,100,000.00	
									Dallas County Share	\$2,050,000.00	
									City of Garland Share	\$2,050,000.00	
									Total Project Costs	\$4,100,000.00	

аттаснмент в S. Jupiter Rd. (S. City Limits to Forest Ln.)



N

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE A PROJECT SPECIFIC AGREEMENT WITH DALLAS COUNTY FOR TRANSPORTATION IMPROVEMENTS ON PORTIONS OF THE FOLLOWING ROAD WITHIN THE CITY OF GARLAND, DALLAS COUNTY, TEXAS: JUPITER ROAD, FROM THE GARLAND AND DALLAS CITY LIMITS TO FOREST LANE; AND PROVIDING AN EFFECTIVE DATE.

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

Section 1

That the City Manager or his designee is hereby authorized to execute a Project Specific Agreement with Dallas County for transportation improvements on Jupiter Road from the Garland - Dallas city limit to Forest Lane. A copy of this PSA is attached hereto as Exhibit "A" and incorporated herein by reference.

Section 2

That this Resolution shall be and become effective immediately upon and after its adoption and approval.

PASSED AND APPROVED this the day of July, 2023.

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary



GARLAND CITY COUNCIL ITEM SUMMARY SHEET

City Council Regular Session Agenda

Meeting Date: 08/15/2023

Item Title: Garland Development Code Ordinance 1.51 – Engineering Review and Inspection Fee

Submitted By: Michael Polocek, Engineering Director

Summary of Request/Problem

The City of Garland currently assesses an Engineering Review and Inspections Fee for all private development that includes public works improvements as part of the development. This fee is calculated as a percentage of the total Opinion of Probable Construction Costs (OPCC) of the public works improvements to be accepted and maintained by the City. The current rate is 5% of the OPCC and is assessed and collected prior to releasing the Developer's plans for construction.

As a result of the 2023 Texas State Legislation Session, House Bill 3492 (HB 3492) was adopted which no longer allows Cities to assess an engineering review and inspections fee based on the percentage of the OPCC or quantity of public works improvements. The fee must be based on "...the city's actual cost to review and process the engineering or construction plan or to inspect the public infrastructure improvement...".

To comply with the State's HB 3492, the City revised Chapter 1: Article 3, Division 2, Section 1.51 of the GDC Ordinance Engineering Review and Inspections Fees. Additionally, the City will annually publish the fees, the hourly rates and the estimated direct time incurred by city employees for reviewing and inspecting engineering and construction projects on the City's website. These fees do not exceed the actual time required to review and inspect the different types of development projects and comply with the State's requirements for HB 3492.

Council considered this item at the August 14, 2023 Work Session.

Recommendation/Action Requested and Justification

Approve the amendments to Chapter 1: Article 3, Division 2, Section 1.51 "Engineering Review and Inspection Fees" of the Garland Development Code Ordinance.

Attachments

Proposed GDC Amendments 1.51 Engineering Fees

6.

ORDINANCE NO.

AN ORDINANCE AMENDING SECTION 1.51, "ENGINEERING REVIEW AND INSPECTION FEES," OF ARTICLE 3, "FEES," OF CHAPTER 1, "GENERAL PROVISIONS," OF THE GARLAND DEVELOPMENT CODE AND THE MASTER FEE AND RATE SCHEDULE OF CHAPTER 10 OF THE CITY OF GARLAND, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY UNDER THE PROVISIONS OF SECTION 10.05 OF THE CODE OF ORDINANCES OF THE CITY OF GARLAND, TEXAS; PROVIDING A SEVERABILITY CLAUSE; AND SETTING AN EFFECTIVE DATE.

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

Section 1

That Section 1.51, "Engineering Review and Inspection Fees," of Article 3, "Fees," of Chapter 1, "General Provisions," of the Garland Development Code of the City of Garland, Texas, is hereby amended to read as follows:

"Section 1.51 Engineering Review and Inspection Fees

(A) All improvements and facilities placed or constructed in public rights-of-way, access, pedestrian, utility, drainage, and street easements requiring future maintenance by the City or land disturbance of one acre or more shall be assessed an engineering review and inspection fee to recover administration and inspection costs. Improvements and facilities include, but not limited to, street paving, alley paving, traffic signals, screening drainage facilities, walls, wastewater mains, lift stations, water mains, meters, fire hydrants, drainage structures, detention ponds, channels, and appurtenances, and grading, land disturbance and surface drainage alterations. Applicable engineering fees, in the amounts designated in the Master Fee and Rate Schedule, Article Section 10.85, of Chapter 10 of the Code of VII, Ordinances, shall be charged when issuing a Site Permit for the proposed project type and additional flat fees shall be assessed based on certain site elements that exist or are being proposed within the project limits as applicable.

(B) In the event a permit is to be issued for a project not shown in the Master Fee and Rate Schedule, a fee shall be charged based upon a project type shown which most resembles the project type intended or based upon the base zoning for the property.

(C) For any special use or project type not included in the categories specified in the Master Fee and Rate Schedule, the City may set a fee in an amount consistent with the provisions of Section 212.906 of the Texas Local Government Code, as amended.

(D) In the event the City does not have available resources to complete the review or inspections of a project, the City may charge the applicant for the actual costs assessed to the City by a third-party entity that provides those services to the City in an amount consistent with Section 212.906 of the Texas Local government Code, as amended.

(E) Following the issuance of a site permit, if the construction plans need to be amended or revised, the fee prescribed in the Master Fee and Rate Schedule, Article VII, Section 10.85, of the Code of Ordinances, for a construction plan revision shall be assessed. The Director of Engineering may waive the fee if the plan revision is necessitated because of an oversight during permit review and deemed critical to a public improvement.

(F) The review of the first submittal of construction plans and two resubmittals of corrected construction plans are included in the base project fee. If more than two resubmittals are needed, then the additional fee prescribed shall be assessed for each resubmittal.

(G) Fee payments shall be made payable to the City of Garland. The City shall not issue a site permit until the applicant pays all applicable fees in full and the City shall not approve any amendments to a permit until applicant has paid all additional fees required by such amendment.

(H) Engineering review and inspection fees collected by the City are nonrefundable.

(I) The City Manager, or his or her designee, may waive up to 50% of any engineering fee for projects in which the City determines, in its sole discretion, that the scope is not consistent with the fee prescribed by the Master Fee and Rate Schedule.

Section 2

That Chapter 10, "Administration," of the Code of Ordinances of the City of Garland, Texas, is hereby amended *in part* to amend the Master Fee and Rate Schedule of Section 10.85(c)(7) to include certain engineering fees consistent with Section 1.51 of the Garland Development Code and to read as follows:

``...

(7) Engineering

Category	Fee (1)	Reference(s)
FEMA LOMA		
SFR property	\$100.00	31.07
Non-SFR property	\$100.00 per	
NON-SFR Property	structure	
PROJECT TYPES		
Grading only, no improvements		
1-5 acres	\$1,600.00	
Greater than 5 acres	\$3,100.00	
*Mass grading only with one acre or more	in disturbance	
Utility tap only	\$500.00	
*Adding a fire, water, wastewater or drain	age service tap only	_
SF Residential tap and grading Less than 1 acre	¢2,000,00	_
1 to 5 acres	\$2,000.00	_
		-
Greater than 5 acres	\$2,500.00	_
Greater than 5 acres *A proposed residential (SF, SFA, Duplex) (infill) lot only	\$4,000.00	GDC 1.51
Greater than 5 acres *A proposed residential (SF, SFA, Duplex) (infill) lot only Residential Sub with taps - no streets	\$4,000.00 project on a singular	GDC 1.51
Greater than 5 acres *A proposed residential (SF, SFA, Duplex) (infill) lot only Residential Sub with taps - no streets Less than 1 acre	\$4,000.00 project on a singular \$5,000.00	GDC 1.51
Greater than 5 acres *A proposed residential (SF, SFA, Duplex) (infill) lot only Residential Sub with taps - no streets Less than 1 acre 1 to 5 acres	\$4,000.00 project on a singular \$5,000.00 \$7,000.00	GDC 1.51
Greater than 5 acres *A proposed residential (SF, SFA, Duplex) (infill) lot only Residential Sub with taps - no streets Less than 1 acre	\$4,000.00 project on a singular \$5,000.00	GDC 1.51
Greater than 5 acres *A proposed residential (SF, SFA, Duplex) (infill) lot only Residential Sub with taps - no streets Less than 1 acre 1 to 5 acres	\$4,000.00 project on a singular \$5,000.00 \$7,000.00 \$9,000.00 ivision that contains	
Greater than 5 acres *A proposed residential (SF, SFA, Duplex) (infill) lot only Residential Sub with taps - no streets Less than 1 acre 1 to 5 acres Greater than 5 acres *New single family or SFA residential subd proposed individual lots of record that paved streets and R.O.W. Residential Sub with proposed streets	\$4,000.00 project on a singular \$5,000.00 \$7,000.00 \$9,000.00 ivision that contains front onto existing	
Greater than 5 acres *A proposed residential (SF, SFA, Duplex) (infill) lot only Residential Sub with taps - no streets Less than 1 acre 1 to 5 acres Greater than 5 acres *New single family or SFA residential subd proposed individual lots of record that paved streets and R.O.W. Residential Sub with proposed streets Less than 1 acre	\$4,000.00 project on a singular \$5,000.00 \$7,000.00 \$9,000.00 ivision that contains front onto existing \$12,800.00	-
Greater than 5 acres *A proposed residential (SF, SFA, Duplex) (infill) lot only Residential Sub with taps - no streets Less than 1 acre 1 to 5 acres Greater than 5 acres *New single family or SFA residential subd proposed individual lots of record that paved streets and R.O.W. Residential Sub with proposed streets	\$4,000.00 project on a singular \$5,000.00 \$7,000.00 \$9,000.00 ivision that contains front onto existing	-

*New single family or SFA residential subdi	vision that contains	
individual lots of record and proposed new		
Multi-family on one lot of record - no p	proposed streets	
Less than 1 acre	\$10,400.00	
1 to 5 acres	\$17,900.00	
Greater than 5 acres	\$31,700.00	
*Residential use, excluding SF or SFA, or (e.g., MF, mixed use with residential, nursing facility)		
Multi-family on one lot - proposed stree	ets	
Less than 1 acre	\$11,600.00	
1-5 acres	\$21,400.00	
Greater than 5 acres	\$37,300.00	
*Residential use, excluding SF or SFA, or (e.g., MF, mixed use with residential, nursing facility) with a proposed public st	independent living,	
Commercial, Retail, Office		
Less than 1 acre	\$10,200.00	
1-5 acres	\$12,400.00	
Greater than 5 acres	\$29,500.00	
Commercial, Retail, Office with public s		
Less than 1 acre	\$12,300.00	
1-5 acres	\$17,400.00	
Greater than 5 acres	\$33,200.00	
* Any non-residential use associated with or office use with proposed public street(s Warehouse and Industrial - no streets Less than 1 acre		
1-5 acres	\$12,000.00	
Greater than 5 acres	\$29,100.00	
*Any non-residential use associated with war industrial use Warehouse and Industrial - streets Less than 1 acre 1-5 acres Greater than 5 acres	\$11,700.00 \$17,000.00 \$33,600.00	
*Any non-residential use associated with war industrial use with a proposed public stree		
Additional Fees		GDC 1.51

Resubmittals beyond three reviews (additional reviews) ⁽¹⁾	\$900.00
Sites with Stormwater Detention Pond(s)	\$3,400.00
Sites with floodplain(s) or erosion hazard setbacks but no floodplain encroachment(s)	\$500.00
Sites with floodplain encroachment(s) requiring a flood study review	\$2,200.00
Construction plan revisions after permitting (site revisions) ⁽²⁾	\$500.00
Off-site public improvements or off-site public easements	\$700.00
Sites with turn lane(s)	\$500.00
Proposed traffic signal	\$350.00
Utility tap(s) in divided thoroughfare lane	\$300.00
TxDOT permit(s) needed	\$500.00

⁽¹⁾ The review of the first submittal of construction plans and two resubmittals of corrected construction plans are included in the base project fee. If more than two resubmittals are needed, then the additional fee prescribed shall be assessed for each resubmittal.

⁽²⁾ Fee is for the complete review and approval of each plan revision occurrence. The Director of Engineering may waive the fee if the plan revision is necessitated because of an oversight during permit review and deemed critical to a public improvement.

Section 3

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

Section 4

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

Section 5

That this Ordinance shall be and become effective September 1, 2023 upon and after its passage and approval.

PASSED AND APPROVED this the ____day of _____, 2023.

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary

PUBLISHED:



GARLAND CITY COUNCIL ITEM SUMMARY SHEET

City Council Regular Session Agenda

Meeting Date:08/15/2023Item Title:Part-time Associate Judge Appointment- Donna WinfieldSubmitted By:Kristen Smith, HR Director

Summary of Request/Problem

At the August 14, 2023 Work Session, Council considered approving the appointment of part-time Associate Judge, Donna Winfield.

Recommendation/Action Requested and Justification

Approve by minute action the appointment of Donna Winfield as a part-time Associate Judge (independent contractor) for a two-year term of office.

Attachments

Written Briefing_PTAssocJudge

7.



City Council Work Session Agenda

Meeting Date:	Monday, August 14, 2023
Item Title:	Proposed Part-time Associate Judge Appointment
Submitted By:	Kevin Slay, Managing Director Judge John Sholden, Presiding Judge Kristen Smith, Managing Director

SUMMARY

At the request of Presiding Judge, John Sholden, a part-time Associate Judge is requested to fulfill the following duties in the absence of regular full-time judges on a temporary contract basis...

- arraign arrested persons;
- set bail for arrested persons;
- preside over municipal court trials and other court proceedings as needed and in accordance with a schedule established by the Garland Municipal Court;
- consider and execute, as appropriate under the Constitutions and laws of the United States and this State, arrest, search, and seizure warrants and protective orders; and
- otherwise perform and fully report on such duties as may be assigned by the Garland Municipal Court.

COST IMPACT

Proposed services will be utilized on an as-needed basis, per the following pay scale...

- All court docket assignments or duties will be charged at an hourly rate of \$100.00, not to exceed \$500.00 per day.
- Daily jail duties will be charged at a flat rate of \$400.00. These duties include, but are not limited to, arraigning arrested persons, setting bail, issuing emergency protective orders, reviewing post-incarceration warrants, reviewing warrant requests from legal and police departments, setting any additional bond requirements.
- After hours duties (nights, weekends, and holidays) will be charged at a flat rate as follows:

- Blood Warrants \$100.00 each
- Arrest/Search Warrants \$100.00 each
- Juvenile arraignments \$150.00 each

RECOMMENDATION

Judge Sholden has reviewed and requested City Council to consider the appointment of Donna Winfield to the part-time position.

- Ms. Winfield has been an attorney in private practice since 1994.
- In addition, she has served in various capacities for Dallas County and several district courts.
- She holds a Juris Doctorate from Texas Tech School of Law and a Bachelor of Arts from Midwestern State University.

Full details of her experience and qualifications can be found in Attachment A.

Attachment A

Resume' and Professional References



Donna M. Winfield Dallas. TX

Attorney, Private Practice 1994-Present

Private practice attorney with over 200 jury trials including first degree felonies and death penalty

Experience

Associate Judge: 304th and 305th Judicial District Courts (Part-time) 1995-2014

- Juvenile Detention Docket
- Adoptions, CPS cases, bench trials
- Truancy Court Judge

Dallas County District Attorney's Office- Assistant District Attorney

August 1989-August 1994

- Organized Crime Division
- Felony Child Abuse Prosecutor

Dallas Court of Appeals Fifth Judicial District- Briefing Attorney

- Assigned to Justice Warren Whitham
- Prepared briefs and assisted in writing opinions

Education

Texas Tech School of Law - *Juris Doctor-May 1988* **Midwestern State University** - *Bachelor of Arts–cum laude–May 1985*

Personal

Member State Bar of Texas Admitted to U.S. Federal Court for the Northern District of Texas Served as Appointed Special Prosecutor for Dallas County

Languages

- Spanish–Studied at the Spanish Language Institute in Cuernavaca, Mexico
- French-Studied at the Alliance Francaise in Paris, France

References

Honorable John Creuzot, District Attorney Dallas County, Texas Frank Crowley Courts Building, LB 19 133 N. Riverfront Boulevard Dallas, Texas 75207 214-653-3600

Honorable Tracy Holmes
Judge 363rd Judicial District Court
Frank Crowley Courts Building
133 N. Riverfront Boulevard 5th Floor
Dallas, Texas 75207
214-653-5892

• William T. Knox, Attorney 900 Jackson Street, Suite 650 Dallas, Texas 75202 214-500-0000

Honorable Jane Roden
Retired Judge County Criminal Court #8
1001 Belleview Street #501
Dallas, Texas 75215
214-674-8015

Draft Terms of Engagement



Ms. Donna Winfield 7226 Dalewood Lane Dallas, TX 75214

RE: Terms of Engagement as an Associate Judge

Dear Ms. Winfield:

This letter sets forth the terms of your engagement, as an independent contractor, for the position of associate judge of the City of Garland, Texas (the "City").

In your capacity as an associate judge, you have agreed to fulfill temporarily the duties of the full time judges during their necessary absences. In general, you will arraign arrested persons; set bail for arrested persons; preside over municipal court trials and other court proceedings as needed and in accordance with a schedule established by the Garland Municipal Court; consider and execute, as appropriate under the Constitutions and laws of the United States and this State, arrest, search, and seizure warrants and protective orders; and otherwise perform and fully report on such duties as may be assigned to you by the Garland Municipal Court.

You agree to submit a monthly accounting of your hours worked each day and an invoice to the City detailing your hours worked and a descriptive summary of services provided, which invoice shall be subject to the review and approval of the Garland Municipal Court. You will be paid for your services on a monthly basis in accordance with the following fee schedule:

- All court docket assignments or duties will be charged at an hourly rate of \$100.00 not to exceed \$500.00 per day.
- Daily jail duties will be charged at a flat rate of \$400.00. These duties include, but are not limited to, arraigning arrested persons, setting bail, issuing emergency protective orders, reviewing post-incarceration warrants, reviewing warrant requests from legal and police departments, setting any additional bond requirements.

- After hours duties (nights, weekends, and holidays) will be charged at a flat rate as follows:
 - Blood Warrants \$100.00 each
 - Arrest/Search Warrants \$100.00 each
 - o Juvenile arraignments \$150.00 each

You acknowledge that you are being retained as an independent contractor and not as an employee. You are solely responsible for the payment of all income, social security, employment withholding or other taxes incurred by you as a result of your performance of services under this agreement, and for all obligations, reports, and notifications relating to those taxes. You will not be entitled, under this agreement or otherwise, to vacation pay, sick leave, retirement benefits, social security, worker's compensation, health or disability, unemployment, or other employee benefits from the City of any nature. The City has no obligation to pay or withhold such taxes. Nothing in this agreement obligates the City to assign a minimum, or any, amount of work to you.

This agreement terminates upon the expiration of your Garland City Council appointed term of office, your removal from office, or failure to hold the qualifications required of a municipal judge of a municipal court of record under the laws of the State of Texas. This agreement is not assignable by either party.

Please indicate your acceptance of the terms of this engagement letter by signing below in the space indicated, and returning the original of this letter to me.

Sincerely,

Kevin Slay Managing Director City of Garland



GARLAND CITY COUNCIL ITEM SUMMARY SHEET

City Council Regular Session Agenda

Meeting Date:08/15/2023Item Title:Public Hearing on Proposed FY 2023/2024 Tax RateSubmitted By:Corey Worsham, Tax Administrator

Summary of Request/Problem

The Texas Property Tax Code, Section 26.05 (d), provides that a governing body may not adopt a tax rate that exceeds the lower of the voter approval rate or the no new revenue tax rate until the governing body has held a public hearing on the proposed tax rate and has otherwise complied with Section 26.06 and Section 26.065 of the Texas Property Tax Code. The 2023-2024 proposed budget is based on a tax rate of 68.9746 cents per every \$100 of valuation, which exceeds the no new revenue tax rate of 63.6388 cents per every \$100 of value.

Proposed Tax Rate

	2022-2023	2023-2024	
	Current	Proposed	Change
0&M	34.1092	31.4146	-7.91 %
Debt Service	37.5600	37.5600	0%
Total Tax Rate	71.6692	68.9746	-3.8%

Recommendation/Action Requested and Justification

An opportunity for public comment regarding the proposed 2023-2024 tax rate will be provided at the August 15, 2023 Regular Meeting, August 22, 2023 Special Meeting and the September 5, 2023, Regular Meeting. The FY 2023-2024 Budget and Tax Rate are scheduled for adoption on September 5, 2023.

8.



GARLAND CITY COUNCIL ITEM SUMMARY SHEET

City Council Regular Session Agenda

Meeting Date:08/15/2023Item Title:Public Hearing on 2023-24 Proposed BudgetSubmitted By:Allyson Bell Steadman, Budget Director

Summary of Request/Problem

Section 5, Article VIII, of the City Charter requires that a Public Hearing be held on the Proposed Budget for the coming fiscal year. At the Public Hearing, all interested persons shall be given an opportunity to be heard for or against any item contained in the Proposed Budget. The Proposed Budget for 2023-24 has been available for public inspection in the City libraries, in the City Secretary's Office, and on the City's website since August 2, 2023. Public Hearings will be held on August 22, 2023 and September 5, 2023.

This budget will raise more revenue from property taxes than last years budget by an amount of \$14,308,385, which is a 9.72 percent increase from last years budget. The property tax revenue to be raised from new property added to the tax roll this year is \$2,304,042.

Recommendation/Action Requested and Justification

Open public hearing.

Take citizens' comments.

Close public hearing.

9.



City Council Regular Session Agenda

Meeting Date: 08/15/2023 Z 23-17 Fred A. Gans - Zoning (District 1) 10. a.

REQUEST

Item Title:

Approval of an Amendment to Planned Development (PD) District 87-1 for Community Office (CO) Uses.

Approval of a Detail Plan for a Garage Condominium, Automobile Repair (Minor) Use, General Office, Contractor's Office/Warehouse (indoors only) and Retail Use.

LOCATION

4653, 4645, 4625 and 4695 North President George Bush Turnpike

Submitted By: Nabiha Ahmed, Lead Development Planner

OWNER

Robert and Mary Kelsoe Garland LTD PS DFW OIL, INC.

PLAN COMMISSION RECOMMENDATION

On July 24, 2023 the Plan Commission, by a vote of five (5) to two (2), recommended approval of 1) an Amendment to Planned Development (PD) District 87-1 for Community Office (CO) Uses and 2) a Detail Plan for a Garage Condominium, Automobile Repair (Minor) Use, General Office, Contractor's Office/Warehouse (indoors only) and Retail Use with the following conditions:

- Incorporate additional restrictions to ensure the condominium use should be primarily for storage of vehicles.
- Restrict the Automobile Repair, Minor Use for Building 1 by square footage.

Additionally, the Plan Commission recommended that the applicant should reach out to the neighbors. The applicant held a neighborhood meeting after the Plan Commission meeting.

The applicant reviewed the additional recommendations per Plan Commission and made several changes (including adding a masonry screening wall along Naaman Forest Blvd); however, the applicant has clarified that some of the proposed automobile repair work

includes automobile customization, automotive refurbishment, automotive glass and upholstery which are classified as "major" automobile repair use per the GDC. Therefore, the applicant requesting the City Council to consider the major automobile use in Lot 1 by SUP only.

It should be noted the applicant did not make the change to restrict the Automobile Repair, Minor use for Building 1.

In addition, the applicant clarified that garages owners may use the garage condominium as an office space in Lot 2. The applicant is requesting the City Council to consider the General Office use within Lot 2.

STAFF RECOMMENDATION

Approval of an Amendment to Planned Development (PD) District 87-1 for Community Office (CO) Uses.

Approval of a Detail Plan for a Garage Condominium, Automobile Repair (Minor) Use, General Office, Contractor's Office/Warehouse (indoors only) and Retail Use.

BACKGROUND

The subject property is currently unimproved. The applicant proposes to construct a total of three (3) buildings. One (1) building will consist of multiple tenants for Automobile Repair (Minor) Use, Contractor's Office/Warehouse (indoors only), General Office and Retail Use in Lot 1. Two (2) buildings will be for the Garage Condominium (Garages of America) in Lot 2. All three (3) buildings will be constructed at the same time. It should be noted that Lot 1 will be accessible to the public and Lot 2 will be enclosed and will require access.

SITE DATA

The subject property contains approximately 8.15 acres and has approximately 539 linear feet of frontage along North President George Bush Turnpike, 598.99 linear feet of frontage along Ranger Drive and 546 linear feet of frontage along Naaman Forest Boulevard. Lot 1 can be accessed from Ranger Drive. Lot 2 can be accessed from North President George Bush Turnpike and an emergency access is provided from Naaman Forest Boulevard. The access point from Naaman Forest Boulevard along Lot 1 has been removed since the Plan Commission meeting.

USE OF PROPERTY UNDER CURRENT ZONING

The property is currently zoned Planned Development (PD) District 87-1 for Community Office (CO) Uses.

The Community Office (CO) district is intended to create an appropriate setting for medium and higher intensity office and professional uses. The district may be used as a transition district between low intensity office/retail uses and more intense uses. It is also generally appropriate along major transportation corridors. However, the CO district is generally not appropriate in proximity to low-density residential districts. Examples of allowed uses in a CO district are: professional offices, campus-style corporate office, research, and assembly operations that may be large in scale but that are conducted wholly within a building(s) with very limited or no outside storage.

CONSIDERATIONS

1. Detail Plan

The applicant proposes to construct in two (2) lots. A 38,970 square-foot building is proposed in Lot 1 and intended for minor automobile repair, contractor's office/warehouse (indoors only), office and retail uses. However, the applicant proposes to include the major automobile repair by SUP only. Major automobile repair uses would include automotive refurbishment, automotive glass and upholstery and automotive customization for luxury vehicles.

This building will be accessible to anyone. It should be noted that the automobile repair and retail uses are not permitted in the Community Office (CO) District; the applicant requests to add the uses in this Planned Development.

Lot 2 will consist of a 40,688 square-foot building and a 36,188 square-foot building. Each building consists of thirty-six (36) garages. It is intended for the "garage condominium", which is a unique facility where the customer owns the oversized garage / warehouse unit as opposed to renting it. Area residents can build equity while enjoying the privacy and convenience of their own garage, according to the applicant. Lot 2 will be gated and accessible to the garage owners.

Every Garage Condo unit features a 14-foot high overhead door with commercial-grade electric opener and two remotes, 16 to 24-foot-high ceilings, a 3-foot walk-in door, mezzanine, air conditioning, an overhead heater, insulated walls and ceilings, individually-metered electrical service with 125-amp panels, a dedicated RV power outlet, R-38 roof insulation, fluorescent lighting, fire sprinklers, and pre-wiring for phone/cable/broadband access. In addition, a private clubhouse will be provided for exclusive use by garage owners.

These garage owners can store luxury vehicles or any personal belongings; however, overnight stay is not permitted within this development.

The GDC does not contemplate the "Garage Condominium" land use. The closest land use classification is "Warehouse/Office Showroom (indoor only), which is defined as an establishment with at least twenty-five percent of its total floor area devoted to office and showroom space (that is, an establishment where a maximum of seventy-five percent of its total floor area is devoted to storage and warehousing that is not generally accessible to the public). The term includes sales offices, retail or wholesale sales areas, and display areas (showrooms) for products sold and distributed from the warehousing area.

As this land use does not entirely contemplate the proposed "Garage Condominium" concept the applicant request to add this land use through the new Planned Development.

2. Parking

The site plan (Exhibit C) complies with the parking requirements in Lot 1 for the proposed uses. However, the applicant proposes a parking ratio of 1 parking space per every 2,000 square feet of gross floor area, which calculates to a total of thirty-nine (39) parking spaces. The Warehouse, Office/Showroom (indoor only) use requires a parking ratio of 1/300 gross floor area for the office + 1/1000 remainder, which would calculate to around seventy-seven (77) parking spaces. It should be noted that the GDC has a self-storage facility

(mini-warehouse) use with a parking ratio of 1/20 units (1/25 units if over 100 units in development) +1/300 office gfa, which would require four (4) parking spaces. The applicant has provided information from other municipalities with the similar use, and the proposed thirty-nine (39) parking spaces in Lot 2 appears to be adequate.

3. Screening and Landscaping

The landscape buffer for Lot 2 along North President George Bush Turnpike requires nine (9) large canopy trees and sixty-three (63) shrubs. The frontage along Lot 2 is mainly floodplain and easements; therefore, the applicant will preserve seventy-nine (79) trees. No new landscaping is proposed along North President George Bush Turnpike along Lot 2.

In addition, a six (6)-foot tall steel fence is proposed along the northern, eastern and southern perimeter of Lot 2. A six (6)-foot masonry screening wall is proposed along Naaman Forest Boulevard. It should be noted the masonry screening wall has been proposed following the Plan Commission meeting.

The remaining portion of Lot 1 and 2 complies with the applicable screening and landscaping standards per the GDC.

4. Building Design

The building elevations (Exhibit E) complies with the building design standards per the Garland Development Code (GDC).

It should be noted that the automotive service bay doors will not face any street.

5. Transportation

The Transportation Department did not require a Traffic Impact Analysis, due to the low volume of traffic generated by this development. In addition, the Texas Department of Transportation approved the access from North President George Bush Turnpike.

6. Signage

The applicant is not requesting any signage deviations with this request.

7. Deviations

GDC Standards	Required	Proposed	Applicant's Justification	
Land Use	Lot 2-The closest land use in the GDC for the proposed use is Warehouse, Office/Showroom (indoor only).	The applicant proposes a garage condo in Lot 2. Each unit will be owned and can be used to store luxury vehicles or personal belongings.	The proposed land use is not contemplated in the GDC. Therefore, the applicant requests to add the "Garage Condominium" use.	
Parking	The Warehouse, Office/Showroom (indoor only) use requires a parking ratio of 1/300 gross floor area for the office + 1/1000 remainder, which would calculate to around seventy-seven (77) parking spaces.	The applicant proposes a parking ratio of 1 parking space per every 2,000 square feet of gross floor area, which calculates to a total of thirty-nine (39) parking spaces.	The applicant has provided information from other municipalities with the similar use and proposed thirty-nine (39) parking spaces in Lot 2 appears to be adequate.	
Landscaping	The landscape buffer for Lot 2 along North President George Bush Turnpike requires nine (9) large canopy trees and sixty-three (shrubs).	New landscape buffer planting not provided. The applicant proposes preserving existing trees.	The frontage along Lot 2 is mainly floodplain and easements; therefore, the applicant will preserve seventy-nine (79) trees.	

COMPREHENSIVE PLAN

The Future Land Use Map of the Envision Garland Plan recommends Community Centers for the subject site. Community centers are areas with compact development, primarily non-residential, serving a collection of neighborhoods. This type of development consists of a mix of uses, including retail, services, office use, multi-family residential, and entertainment.

The garage condominium concept is a new and innovative use, one that has been introduced in several other cities in the region. The use includes retail, office and services as contemplated in the Community Centers designation, though it centers around an automotive component as well. The site has been designed so that the automotive service bay doors will not face any street.

COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

The property to the north, across North President George Bush Turnpike, is zoned Planned Development (PD) District 00-39 for Community Retail Uses; it is currently vacant. The property the east is zoned Planned Development (PD) District 95-2 for Community Office Uses; it is currently vacant. The properties to the south, across Naaman Forest Boulevard, are zoned Planned Development (PD) District 07-69 for Single-Family Uses; these properties are developed with single-family detached homes. The property to the west is zoned Planned

Development (PD) District 82-115; it is developed with a GISD career center.

Attachments

Z 23-17 Location Map Z 23-17 Conditions Z 23-17 R&M Zoning Z 23-17 Responses Z 23-17 Staff Presentation



4625, 4645, 4653, & 4695 North President George Bush Highway

PLANNED DEVELOPMENT CONDITIONS

ZONING FILE Z 23-17

4653, 4645, 4625 and 4695 North President George Bush Turnpike.

- I. Statement of Purpose: The purpose of this Planned Development is to approve a Garage Condominium, Automobile Repair (Minor) Use, General Office, Contractor's Office/Warehouse (indoors only) and Retail Use.
- II. Statement of Effect: This Planned Development shall not affect any regulation found in the Garland Development Code, Ordinance No. 6773, as amended prior to adoption of this ordinance, except as specifically provided herein.
- III. General Regulations: All regulations of the Community Office (CO) District and Planned Development (PD) District 87-1 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. Development Plans:

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

V. Specific Conditions:

A. <u>Permitted Uses</u>:

Lot 1:

Land Uses are only permitted as in the Community Office (CO) District, except for all Hotel/Motel Uses. In addition, the Automobile Repair (Minor) Use, Contractor's Office/Warehouse (indoors only) Use and Retail Use shall be permitted by right in Lot 1.

The Automobile Repair (Minor) Use shall adhere to the standards in Section 2.52 (3)(g) of the Garland Development Code.

The Automobile Repair (Major) Use shall be permitted by SUP only.

Lot 2: The Garage Condominium Use shall be permitted in Lot 2. In addition, a General Office use shall be permitted. All other uses shall be prohibited.

- B. <u>Site Plan</u>: The site layout, building placement, parking, and other development proposed shall be in general conformance with the approved Site Plan labeled Exhibit C.
- C. <u>Building Height</u>: The maximum height shall be thirty (30) feet.
- D. <u>Habitation:</u> No overnight stay shall be permitted within Lot 1 or Lot 2.
- E. <u>Outside Storage</u>: No outside storage shall be permitted within Lot 1 or Lot 2.
- F. <u>Garage Units:</u> Building 2 shall contain thirty-six (36) units and Building 3 shall consist of thirty-six (36) units.
- G. <u>Landscape Plan</u>: Screening and landscaping shall be in general conformance with the landscape plan labeled Exhibit D. The existing trees along the North President George Bush Turnpike frontage of Lot 2, as reflected in Exhibit C, shall be preserved and maintained.
 - 1. Landscaping must be regularly maintained in a healthy, growing condition and in compliance with this PD Ordinance, the Garland Development Code, the Code of Ordinances of the City of Garland, and the landscaping plan attached hereto at all times. The property owner is responsible for regular weeding, mowing of grass, irrigation, fertilizing, pruning, or other maintenance of all plantings as needed. All exposed ground surfaces on or within the premises shall be properly improved, covered with screening or other approved solid material, or protected with a

EXHIBIT B

PD Conditions File Z 23-17 Page - 3 - 3

vegetative growth that prevents soil erosion and ameliorates objectionable dust conditions.

- 2. Any plant or vegetation that dies must be replaced with another approved plant variety that complies with the approved landscape plan within sixty (60) days after receipt of written notification from the City. In the event the property owner fails to remedy a violation of any landscaping maintenance regulation within sixty (60) days after receipt of written notification from the City, the City may, in addition to any other remedy available by law, withhold future city permits, licenses and/or certificates requested by the property owner for the premises to which such violation applies.
- 3. Screening and paving must be regularly maintained in compliance with this PD Ordinance, the Garland Development Code, and the Code of Ordinances of the City of Garland at all times. The property owner is responsible for regular maintenance of all screening and paving as needed. In the event the property owner fails to remedy a violation of any screening or paving maintenance regulation within sixty (60) days after receipt of written notification from the City, the City may, in addition to any other remedy available by law, withhold future city permits, licenses and/or certificates requested by the property owner for the premises to which such violation applies.
- H. <u>Elevations</u>: Building Elevations shall be in general conformance with the elevations labeled Exhibit E.

REPORT & MINUTES

P.C. Meeting, July 24, 2023

3a. APPROVED Consideration of the application of **Fred A. Gans,** requesting approval of an Amendment to Planned Development (PD) District 87-1 for Community Office (CO) Uses to allow a Garage Condominium, Automobile Repair (Minor), General Office, Contractor's Office/Warehouse (indoors only) and Retail Use. This property is located at 4653, 4645, 4625 and 4695 North President George Bush Turnpike. (District 1) (Z 23-17 – Zoning)

The applicant, Fred Gans, 2323 Tarpley Ste. 100, Carrollton, TX 75006, provided an overview of the request, and remained available for questions.

Commissioner Rose asked the applicant to clarify whether the owners could change the rules with regard to who can own the units.

The applicant explained that as Garages of America in their condo documentation, there is a period of 20 years when according to the contract, certain stipulations cannot be changed or modified such as allowing overnight and outside storage on the property.

Commissioner Aubin asked the applicant for additional renderings of the development. He also stated that if the commission has long term concerns regarding the use of the property, that could be stipulated in the PD.

The applicant provided additional renderings in their presentation. He also clarified that they are willing to work with the commission to address any concerns regarding the use of the property.

Commissioner Dalton clarified for the applicant that unlike how other cities have handled his request, for the City's purpose, this is not a C1 zoning. His proposed development would be surrounded by schools, hotels and residential homes. Historically, the City has not put a C1 zoning in the middle of a retail space. Commissioner Dalton feels like this proposed development looks more like a Light Commercial development. He also reiterated his concerns about future owners converting their spaces into repair shops and/or renting them out to others.

The applicant explained that they do the best job they can in vetting the buyers to find out exactly what each buyer's intended uses for the space are going to be. In doing so, their goal is to only bring in owners who are going to be good neighbors for the other owners. If it came to light that an owner was not abiding by the contract, they would be shut down and a lien would be placed on them. Commissioner Paris asked for clarification on whether the individual units would be owned or rented out. Commissioner Paris also asked for clarification regarding whether a Traffic Impact Analysis was required by the Transportation Department to address any traffic concerns.

The applicant clarified that if an owner has more than one garage, the owner can lease a unit for one year with the stipulation that the lease is reviewed annually by the HOA to ensure that the individual leasing the garage is in compliance with the contract documents.

Staff clarified that with the Detail Plan, the Transportation Department has all of the details available to make that determination but a traffic study was not required in this case.

Commissioner Jenkins asked the applicant if he would be opposed to changing the current zoning designation from CO to a commercial use.

Staff clarified that the Planned Development would still be based on the Community Office District; however, it would allow this specific use with the Detail Plan.

Commissioner Jenkins asked for clarification on whether there would be a property manager to handle the day-to-day affairs of the property. He also asked for clarification on the number of board members for the HOA.

Commissioner Jenkins asked for clarification on whether auto repair would be allowed on the property.

The applicant confirmed that they have a third party that helps the owners manage the HOA and that the HOA consists of no less than three and no more than five members. Once 75% of the units are sold, the owner turns over the management rights to the HOA.

Residents speaking in opposition of the request:

Alice McKinnon, 604 Cedarview Dr., Garland, TX 75040 Patricia Kosciolek, 615 Cedarview Dr., Garland, TX 75040 Craig Baginski, 4433 Naaman School Blvd., Garland, TX 75040

Residents speaking in opposition raised concerns with overnight stay at the property, traffic concerns, safety concerns, parking on the outside of the facility look like and the overall look of the development in terms of looking like another storage facility.

Residents speaking in favor of the request:

Jim Gallegos, 608 Cedar Cove Dr., Garland, TX 75040

The resident speaking in favor stated the structures are very pleasing, welcomes the additional security at the facility, isn't concerned with additional traffic as the purpose of the facility is to store cars. The resident expressed he would rather have a development such as the one being considered versus another hotel or high density apartment complex.

Commissioner Rose asked the resident in favor if there is an HOA in his neighborhood and if he was aware of what their position was with regard to the proposed development.

The resident indicated that he was not aware and could not speak on behalf of the HOA board as to what their position is on the development.

The applicant responded to the citizen comments and indicated that until last week, they had been unsuccessful in reaching the contact person with the HOA to address any concerns the residents may have. In regards to the material of the structure, the applicant stated that the building will be 95% limestone and glass and not metal as some of the concerns raised by the residents.

Motion was made by Commissioner Rose to close the public hearing. Seconded by Commissioner Paris. **Motion carried**: **7** Ayes, **0** Nays.

Commissioner Dalton stated that while the concerns regarding traffic and lighting would be addressed by the City, in his opinion the development still resembles a storage building. He further expressed that he does believe this type of development is needed but not at this location near a residential area.

Commissioner Aubin stated that he agrees that the use of the development is needed and that the land will eventually get developed but he is still on the fence about it. He would be in favor of approving the request with the stipulation that the applicant work with staff and the residents to implement additional restrictions in the PD before bringing the development for consideration before the City Council.

Commissioner Paris thanked the residents for coming to express their concerns about the development to the Commission. She also stated that she would be in favor of the development if it came with additional restrictions to the PD.
Motion was made by Commissioner Aubin to **approve** the application with the additional restrictions to ensure that on the condominium use that it be maintained primarily for storage of vehicles, that revisions to the PD as needed be included and that the concerns of the nearby residents be addressed. Seconded by Commissioner Rose. **Motion carried**: **5** Ayes, **2** Nays with Commissioner Jenkins and Commissioner Dalton voting in opposition.



4625, 4645, 4653, & 4695 North President George Bush Highway

Comment Form Case Z 23-17

Z 23-17 Fred A. Gans. The applicant proposes to construct garage condominiums ("Garages of America"), with automobile repair, office, storage/warehouse and retail use as well. The site is located at 4653, 4645, 4625 and 4695 North President George Bush Turnpike. (District 1)

Z 23-17 Fred A. Gans. El solicitante propone construir condominios de garajes ("Garages of America"), con reparación de automóviles, oficinas, depósito/bodega y uso comercial también. El sitio está ubicado en 4653, 4645, 4625 y 4695 North President George Bush Turnpike. (Distrito 1)

Z 23-17 Fred A. Gans. Người nộp đơn đề xuất xây dựng các chung cư nhà để xe ("Garages of America"), với mục đích sửa chữa ô tô, văn phòng, lưu trữ/nhà kho và bán lẻ. Địa điểm tọa lạc tại 4653, 4645, 4625 và 4695 North President George Bush Turnpike. (Quận 1)

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



For / A Favor / Đúng

Against / En Contra / Không

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

& Maria Resendi. ANACIO

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

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

620 (edarview

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

75040 Jarland

City, State / Estado de la Ciudad / Thành bang

Zip Code / Código postal / Mã B u Ohính

Signature / Firma / Ch ũ ký

Date / Fecha / Ngày

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

Comment Form Continued – Case Z 23-17

The statements below reflect my (our) opinion regarding the proposed request(s).

Las declaraciones a continuación reflejan mi (nuestra) opinión con respecto a las solicitudes propuestas.

Các tuyên bố dưới đây phản ánh quan điểm của tôi (chúng tôi) về (các) yêu cầu được đề xuất

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We believe this type of business may decrease our property values in the area because it would attract different movements from people and currently it is very peaceful and family oriented (including the school).

Comment Form Case Z 23-17

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



For / A Favor / Đúng



Against / En Contra / Không

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

James + Patricia Kosciolek

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

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

615 cedarview Dr.

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

Garland TX

City, State / Estado de la Ciudad / Thành bang

75040 Zip Code / Código postal / Mã B u **O**hính

Signature / Firma / Ch ű ký

7-15-23

Date / Fecha / Ngày

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

Planning Commission

Case Z-23-17

We live 4 houses from the proposed zone change request. I feel the need to do a more detailed letter of comments as this change is very important to us. It's a neighborhood killer and will hurt property values. There is a solid tree line about 40 feet tall on the property that hide the view of George Bush frwy from our newer home next to Naaman Forest HS. If those tree lines get removed it will be a disaster. We already have the widening of Naaman school road going on with lots of traffic and we have all the school traffic and those kids parking on our streets, but taking all the land across from our entrance and covering it all in pavement and storage garages and working on cars and RV's is a death blow to our housing with over 60 newish homes. We know that the property owner wants to sell that property and it's their right, but it's not a good fit, not even a little bit good. There is a dental office that is next to this land and they built a beautiful office that doesn't bother anybody and is useful to residents. I read about Garages of America and they talk about the need for man toy storage and mechanics working on Man toys. Rows and rows of garages. Lots of man toys such as dirt bikes and race cars and 4 wheelers are super loud when working on them. They say its better because they will be owned instead of rented. That could be worse when there are many owners instead of one owner to complain to. I can not think of a single value to this zone request. We have lived in homes in Garland since 1978 and love it here. We are 76 yrs old and couldn't move now if we wanted to. We would have never bought this house if it had garage storage 4 houses from the house with a wide open view of HWY 190. If we were younger and healthy and if if it wasn't 100 degrees outside we would walk the neighborhoods to tell them whats happening. Many in our neighborhood don't speak English and have no clue as to what a zone request is. Also we were only given a mail notice about this 10 days before planning meeting. We will send you this letter in mail and hope you receive it in time and we will attend meeting if feeling well enough. I also have told next door neighbors and one that is only a few houses from the garage proposal didn't get the notice in the mail. May the good Lord help us with this ordeal. Thank you.

James & Patricia Kosciolek

615 Cedarview Dr Garland Tx 75040

Comment Form Case Z 23-17

Z 23-17 Fred A. Gans. The applicant proposes to construct garage condominiums ("Garages of America"), with automobile repair, office, storage/warehouse and retail use as well. The site is located at 4653, 4645, 4625 and 4695 North President George Bush Turnpike. (District 1)

Z 23-17 Fred A. Gans. El solicitante propone construir condominios de garajes ("Garages of America"), con reparación de automóviles, oficinas, depósito/bodega y uso comercial también. El sitio está ubicado en 4653, 4645, 4625 y 4695 North President George Bush Turnpike. (Distrito 1)

Z 23-17 Fred A. Gans. Người nộp đơn đề xuất xây dựng các chung cử nhà để xe ("Garages of America"), với mục đích sửa chữa ô tô, văn phòng, lưu trữ/nhà kho và bán lẻ. Địa điểm tọa lạc tại 4653, 4645, 4625 và 4695 North President George Bush Turnpike. (Quận 1)

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



For / A Favor / Đúng



Against / En Contra / Không

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

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

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

608 Cedar (pre DRIVE

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

City, State / Estado de la Ciudad / Thành bang

5041

Zip Code / Código postal / Mã B u Ohính

Sígnatúre / Firma / Ch ür ký

Date / Fecha / Ngày

(Providing email address and phone number is optional. / La dirección de correo electrónico y el número de teléfono son opcionales. / Địa chỉ email và số điện thoại là tùy chọn.) JUL 19 '23 P# 1:02

Comment Form Continued – Case Z 23-17

The statements below reflect my (our) opinion regarding the proposed request(s).

Las declaraciones a continuación reflejan mi (nuestra) opinión con respecto a las solicitudes propuestas.

Các tuyên bố dưới đây phản ánh quan điểm của tôi (chúng tôi) về (các) yêu cầu được đề xuất

Not of proposed 8 buildings 15 ructure. am nrage with the concept and miliar EVEN APr various ions GArages area, DCAN

Structures are built in a pleasing architecture manner and add conformity to the community. They bring elements of security both interior and exterior to the buildings which is a plus for our immediate area.

store their vehicles ho concent allows -10 DWhees within their garage space this can add e near bu 5-(5)م rpe h NG our neighborboor ntentia noise. barri rontade Koad -tK 917 am trat

My concern is that if not approved to go forward we might endup with another hotel or high density apartments.

71 19/2023 ny his Gallegos

se Number	PC Hearing Date	CC Hearing Date	Planner Name	
23-17	July 24, 2023	August 15, 2023	Nabiha Ahmed	
	condominiums ("Gara storage/warehouse ar	. The applicant proposes to constru ges of America"), with automobile ad retail use as well. The site is loca President George Bush Turnpike.	repair, office, ited at 4653, 4645,	
Sharon Wero	Against			
7/31/2023 11:59:31 PM	311 Basil St	Outside the burns		
	Garland	Outside the Notification Area		
	Texas			
	United States			
	75040			
D R White	Against			
7/28/2023 10:24:27 PM	426 Baltusrol Cir			
	Garland	Outside the Notification /	Area	
	Texas			
	United States			
	75044			
Janet Mokate	Against			
7/27/2023 12:06:54 AM	Sandestin Ct	Mojazzn@aol.cor	n	
	Garland	2148931997		
	Texas			
	United States			
	75044	Outside the Notification /	Area	

Page 1 of 7

ase Number	PC Hearing Date	CC Hearing Date	Planner Name
23-17	July 24, 2023	August 15, 2023	Nabiha Ahmed
7/27/2023 12:06:54 AM	Sandestin Ct	Mojazzn@aol.com	
12.00.04 ANI	Garland Texas	2148931997	
	United Stat <mark>e</mark> s 75044	Outside the Notifica	ation Area
Janet Mokate	Against		
7/27/2023 12:06:53 AM	Sandestin Ct	Mojazzn@aol.com	
	Garland	2148931997	
	Texas		
	United States	Outside the Notificat	ion Area
	75044		ion Area
Sherry	Against		
Sweeney 7/24/2023 1:55:00 PM	313 Willowcrest	Sherrysweeney816	@gmail.com
1.55.001 1	Garland	2146791640	
	Texas		
	United States	Outside the Netter	
	75040	Outside the Notification Area	
	Not the place for this	type business	
Judith	Against		
Kennickell 7/23/2023	301 Ladyfern way		
7/23/2023			
	Garland	Outside the Notificati	on Area
7/23/2023		Outside the Notificati	on Area
7/23/2023	Garland	Outside the Notificati	on Area

Page 2 of 7

se Number	PC Hearing Date	CC Hearing Date	Planner Name
23-17	July 24, 2023	August 15, 2023	Nabiha Ahmed
	condominiums ("Garages of storage/warehouse and ref	applicant proposes to constru of America"), with automobile cail use as well. The site is loca ident George Bush Turnpike.	repair, office, ated at 4653, 4645,
Sherry Sweeney	Against		
7/24/2023 1:55:00 PM	313 Willowcrest	Sherrysweeney81	6@gmail.com
	Garland	2146791640	
	Texas		
	United States	Outside the Notifica	tion Area
	75040		
	Not the place for this t	ype business	
Judith Kennickell	Against		
7/23/2023 3:42:03 AM	301 Ladyfe <mark>rn way</mark>		
	Garland		
	Texas	Outside the N	otification Area
	United States		- anochion Alea
	75040		
Thomas Peter Mehary	Against		
7/22/2023 1:46:34 AM	5022 Sandestin Ct	tmehary@outlook	.com
	Garland	2144541077	
	ТХ		
	United States	Outside the Notific	ation Area
	75044		
deane gates	againist		

Page 1 of 6

ase Number	PC Hearing Date	CC Hearing Date	Planner Name		
23-17	July 24, 2023	August 15, 2023	Nabiha Ahmed		
7/21/2023 3:53:36 PM	607 cedarview	deanegates@yal	hoo.com		
	Garland	973 533 4939			
	Texas				
	United States				
	<null></null>				
	anything there will be bad traffic the look for outr neighborhood the resale of our homes then our taxes will go down need to build a brick fence like they did on the firewheel side at the resturants, traffic schools gradustions now wide street. but I bet its already approved b				
alice mckinnon	againist				
7/21/2023 3:50:15 PM	604 cedarview	amo5226@yaho	o.com		
	Garland	2144971342			
	Texas				
	United States				
	United States 75040				
	75040 as a realtor our prope THEY NEED A BRICK	rty could go down hard to se FENCE ON THERE PROF HBORHOOD . like they did vill be worst	PERTY TO HELP THE		
Brian Scott	75040 as a realtor our proper THEY NEED A BRICK LOOK OF OUR NEIG	FENCE ON THERE PROF	PERTY TO HELP THE		
7/21/2023	75040 as a realtor our proper THEY NEED A BRICK LOOK OF OUR NEIG the restruants traffic v	FENCE ON THERE PROF	PERTY TO HELP THE on the firewheel side by		
	75040 as a realtor our proper THEY NEED A BRICK LOOK OF OUR NEIG the restruants traffic v	FENCE ON THERE PROF HBORHOOD . like they did vill be worst	PERTY TO HELP THE on the firewheel side by		
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Page 2 of 6

Case Number	PC Hearing Date	CC Hearing Date	Planner Name		
23-17	July 24, 2023	August 15, 2023	Nabiha Ahmed		
	75044				
Christie Rogers	Against				
7/21/2023 1:35:00 AM	302 Faircrest Dr	christiel@live.com			
	Garland	9728342787			
	TX United States 75040	Outside the Notification Area			
	Too close to High Sc	hool			
Julie Smith	Against				
7/21/2023 1:31:13 AM	302 Faircrest Dr.	julie.bill@verizon.n	net		
	Garland TX	9725676395			
	United States 75040	Outside the Notific	cation Area		
	Enough congestion a	at this area and too close to the	High School		
Julie Smith	Against				
7/21/2023 1:31:13 AM	302 Faircrest Dr.	julie.bill@verizon.n	et		
1.51.15 AW	Garland	9725676395			
	TX United States 75040	Outside the Notification	on Area		
	Enough congestion at this area and too close to the High School				
Erick Cervantes	Against	Outside the Notifica	ation Area		
7/20/2023 4:16:34 AM	2025 gemi <mark>n</mark> i dr	joseqbo@gmail.co	m		
	Garland	4694126327			
	Texas				

Page 3 of 6

ase Number	PC Hearing Date	CC Hearing Date	Planner Name
23-17	July 24, 2023	August 15, 2023	Nabiha Ahmed
	United States 75040		
Erick Cervantes	Against		
7/20/2023 4:16:32 AM	2025 gemin <mark>i</mark> dr	joseqbo@gmail.co	m
4.10.02 AW	Garland Texas	4694126327	
	United States 75040	Outside the Notifica	ation Area
Jaime DeLeon	Against		
7/20/2023 3:28:32 AM	3509 Creststone Drive Garland		
	Texas United States 75040	Outside the Notificatio	n Area
Jennifer	Against		
DeLeon 7/20/2023 3:27:35 AM	3509 Creststone Drive		
0.21.007.00	Garland Texas		
	United States		
	75040		
Bill	Against		
7/20/2023 2:32:28 AM	1017 Carri <mark>a</mark> gehouse Lane Garland	Outside the Notifica	tion Area

ase Number	PC Hearing Date	CC Hearing Date	Planner Name	
23-17	July 24, 2023	August 15, 2023	Nabiha Ahmed	
	Texas			
	United States			
	<null></null>			
		utomobile-related business con car-centered businesses		
Paul Renning	Against			
7/20/2023 1:21:35 AM	2306 Greenfield Circle	prenning@hotmail	.com	
	Garland	9724964354		
PonA r	Outside 15 a Mark XT do			
	United States	Outside the Noti	fication Area	
	75040		incation Alea	
	This space would be be	etter utilized by GISD than a	luxury car storage facility	
		hat don't live in Garland.	luxury car storage facility	
Paul Renning	Against			
7/20/2023 1:21:32 AM	2306 Greenfield Circle	prenning@hotmail	.com	
	Garland	9724964354		
	ТХ			
	United States			
	75040			
		etter utilized by GISD than a hat don't live in Garland.	luxury car storage facility	
Robert Kelsoe	For			
7/19/2023 1:37:43 PM	5323 Spring Valley Rd Ste 350	rkelsoe1@gmail.co	om	
	Dallas	2146499100		
	Texas			
	United States	Outside the Not	fication Area	
	75254			
	In favor of the change.			
Andrea	Against			

Page 5 of 6

Case Number	PC Hearing Date	CC Hearing Date	Planner Name
Z 23-17	July 24, 2023	August 15, 2023	Nabiha Ahmed
	Garland		
	Tx		
	United States		
	75040		
	There is no space f congestion.	or this type of use. This will cre	eate more traffic and
Andrea Rodriguez	Against		
7/16/2023 7:02:02 PM	3601 BLUESAGE L	ANE	
	Garland	Outside the Noti	fication Area
	Tx		
	United States		
	75040		
	There is no space f congestion.	or this type of use. This will cre	eate more traffic and



The applicant proposes to construct a garage condominium (Garages of America), automobile repair use, contractor's office/warehouse (indoors only) and retail use.

City Council Meeting

August 15, 2023



CASE INFORMATION

Location:	4653, 4645, 4625 and 4695 North President George Bush Turnpike.
Applicant:	Fred A. Gans
Owner:	Robert and Mary Kelsoe, Garland LTD PS, DFW OIL, INC.
Acreage:	8.15 acres
Zoning:	Planned Development (PD) District 87-1 for Community Office (CO) Uses Z 23-17





CITYWIDE LOCATION MAP





GARLAND TEXAS MADE HERE

LOCATION MAP







COMPREHENSIVE PLAN

Community Centers





GARLAND

COMPREHENSIVE PLAN

The Future Land Use Map of the Envision Garland Plan recommends Community Centers for the subject site. Community centers are areas with compact development, primarily non-residential, serving a collection of neighborhoods. This type of development consists of a mix of uses, including retail, services, office use, multi-family residential, and entertainment.

The garage condominium concept is a new and innovative use, one that has been introduced in several other cities in the region. The use includes retail, office and services as contemplated in the Community Centers designation, though it centers around an automotive component as well. The site has been designed so that the automotive service bay doors will not face any street.



TEXAS MADE HERE







View of the subject property from Range Drive

View of the subject property from Naaman Forest Boulevard



TEXAS MADE HERE

PHOTOS





North of the subject property

View of the subject property from North President George Bush Turnpike



SITE PLAN

TEXAS MADE HERE

GARLAND





LANDSCAPE PLAN

TEXAS MADE HERE

GARLAND







BUILDING ELEVATIONS





GARLAND

BUILDING ELEVATIONS







TEXAS MADE HERE

BUILDING ELEVATIONS





GARLAND

BUILDING ELEVATIONS

2381.99 103.05 1078,2



4 WEST FLEVATION - BUILDING 3 SCALE: 1/16"=110" REF: 1 A1190





ARCHITECTURAL DESIGN ELEMENTS







GARLAND TEXAS MADE HERE

DEVIATIONS

GDC standard	Required	Proposed	Applicant's Justification
Land Use	Lot 2-The closest land use in the GDC for the proposed use is Warehouse, Office/Showroom (indoor only)	The applicant proposes a garage condo in Lot 2. Each unit will be owned and can be used to store luxury vehicles or personal belongings.	The proposed land use is not contemplated in the GDC. Therefore, the applicant requests to add the "Garage Condominium" use.
Parking	The Warehouse, Office/Showroom (indoor only) use requires a parking ratio of 1/300 gross floor area for the office + 1/1000 remainder, which would calculate to around seventy-seven (77) parking spaces.	The applicant proposes a parking ratio of 1 parking space per every 2,000 square feet of gross floor area, which calculates to a total of thirty-nine (39) parking spaces.	The applicant has provided information from other municipalities with the similar use and proposed thirty-nine (39) parking spaces in Lot 2 appears to be adequate.
Landscaping	The landscape buffer for Lot 2 along North President George Bush Turnpike requires nine (9) large canopy trees and sixty-three (shrubs).	New landscape buffer planting not provided. The applicant proposes preserving existing trees.	The frontage along Lot 2 is mainly floodplain and easements; therefore, the applicant will preserve seventy-nine (79) trees.



TEXAS MADE HERE

SAMPLE PICTURE





GARLAND

STAFF RECOMMENDATION

Approval of an Amendment to Planned Development (PD) District 87-1 for Community Office (CO) Uses

Approval of a Detail Plan for a Garage Condominium, Automobile Repair (Minor) Use, Contractor's Office/Warehouse (indoors only) and Retail Use



GARLAND

TEXAS MADE HERE

PLAN COMMISSION RECOMMENDATION

On July 24, 2023 the Plan Commission, by a vote of five (5) to two (2), recommended approval of 1) an Amendment to Planned Development (PD) District 87-1 for Community Office (CO) Uses and 2) a Detail Plan for a Garage Condominium, Automobile Repair (Minor) Use, General Office, Contractor's Office/Warehouse (indoors only) and Retail Use with the following conditions:

- Incorporate additional restrictions to ensure the condominium use should be primarily for storage of vehicles.
- Restrict the Automobile Repair, Minor Use for Building 1 by square footage.

Additionally, the Plan Commission recommended that the applicant should reach out to the neighbors. The applicant held a neighborhood meeting after the Plan Commission meeting.

The applicant reviewed the additional recommendations per Plan Commission and made several changes (including adding a masonry screening wall along Naaman Forest Blvd); however, the applicant has clarified that some of the proposed automobile repair work includes automobile customization, automotive refurbishment, automotive glass and upholstery which are classified as "major" automobile repair use per the GDC. Therefore, the applicant requesting the City Council to consider the major automobile use in Lot 1 by SUP only.

It should be noted the applicant did not make the change to restrict the Automobile Repair, Minor use for Building 1.

In addition, the applicant clarified that garages owners may use the garage condominium as an office space in Lot 2. The applicant is requesting the City Council to consider the General Office use within Lot 2.



GARLAND CHANGES SINCE PLAN COMMISSION

- A six (6)-foot masonry wall along Naaman Forest Boulevard is proposed for Lot 1 and Lot 2.
- The applicant is proposing to add the major automobile use in Lot 1 by SUP request only. Any major automobile repair request will be required to go through the public hearing process in the future.
- A general office use is allowed to operate within the garage condominium (Lot 2), apart from the storage use. All other businesses and activities are prohibited.
- The access point from Naaman Forest Boulevard along Lot 1 has been removed.


Z 23-17



City Council Regular Session Agenda

Meeting Date: 08/15/2023

10. b.

Item Title: Consider a Detail Plan request by Fred A. Gans to construct garage condominiums ("Garages of America"), with automobile repair, office, storage/warehouse and retail use. The site is located at 4653, 4645, 4625 and 4695 North President George Bush Turnpike in District 1.

Submitted By: Nabiha Ahmed, Lead Development Planner

REQUEST

Approval of an Amendment to Planned Development (PD) District 87-1 for Community Office (CO) Uses.

Approval of a Detail Plan for a Garage Condominium, Automobile Repair (Minor) Use, General Office, Contractor's Office/Warehouse (indoors only) and Retail Use.

LOCATION

4653, 4645, 4625 and 4695 North President George Bush Turnpike

OWNER

Robert and Mary Kelsoe Garland LTD PS DFW OIL, INC.

PLAN COMMISSION RECOMMENDATION

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STAFF RECOMMENDATION

Approval of an Amendment to Planned Development (PD) District 87-1 for Community Office (CO) Uses.

Approval of a Detail Plan for a Garage Condominium, Automobile Repair (Minor) Use, General Office, Contractor's Office/Warehouse (indoors only) and Retail Use.

BACKGROUND

The subject property is currently unimproved. The applicant proposes to construct a total of three (3) buildings. One (1) building will consist of multiple tenants for Automobile Repair (Minor) Use, Contractor's Office/Warehouse (indoors only), General Office and Retail Use in Lot 1. Two (2) buildings will be for the Garage Condominium (Garages of America) in Lot 2. All three (3) buildings will be constructed at the same time. It should be noted that Lot 1 will be accessible to the public and Lot 2 will be enclosed and will require access.

SITE DATA

The subject property contains approximately 8.15 acres and has approximately 539 linear feet of frontage along North President George Bush Turnpike, 598.99 linear feet of frontage along Ranger Drive and 546 linear feet of frontage along Naaman Forest Boulevard. Lot 1 can be accessed from Ranger Drive. Lot 2 can be accessed from North President George Bush Turnpike and an emergency access is provided from Naaman Forest Boulevard. The access point from Naaman Forest Boulevard along Lot 1 has been removed since the Plan Commission meeting.

USE OF PROPERTY UNDER CURRENT ZONING

The property is currently zoned Planned Development (PD) District 87-1 for Community Office (CO) Uses.

The Community Office (CO) district is intended to create an appropriate setting for medium and higher intensity office and professional uses. The district may be used as a transition district between low intensity office/retail uses and more intense uses. It is also generally appropriate along major transportation corridors. However, the CO district is generally not appropriate in proximity to low-density residential districts. Examples of allowed uses in a CO district are: professional offices, campus-style corporate office, research, and assembly operations that may be large in scale but that are conducted wholly within a building(s) with very limited or no outside storage.

CONSIDERATIONS

1. Detail Plan

The applicant proposes to construct in two (2) lots. A 38,970 square-foot building is proposed in Lot 1 and intended for minor automobile repair, contractor's office/warehouse (indoors only), office and retail uses. However, the applicant proposes to include the major automobile repair by SUP only. Major automobile repair uses would include automotive refurbishment, automotive glass and upholstery and automotive customization for luxury vehicles.

This building will be accessible to anyone. It should be noted that the automobile repair and retail uses are not permitted in the Community Office (CO) District; the applicant requests to add the uses in this Planned Development.

Lot 2 will consist of a 40,688 square-foot building and a 36,188 square-foot building. Each building consists of thirty-six (36) garages. It is intended for the "garage condominium", which is a unique facility where the customer owns the oversized garage / warehouse unit as opposed to renting it. Area residents can build equity while enjoying the privacy and convenience of their own garage, according to the applicant. Lot 2 will be gated and accessible to the garage owners.

Every Garage Condo unit features a 14-foot high overhead door with commercial-grade electric opener and two remotes, 16 to 24-foot-high ceilings, a 3-foot walk-in door, mezzanine, air conditioning, an overhead heater, insulated walls and ceilings, individually-metered electrical service with 125-amp panels, a dedicated RV power outlet, R-38 roof insulation, fluorescent lighting, fire sprinklers, and pre-wiring for phone/cable/broadband access. In addition, a private clubhouse will be provided for exclusive use by garage owners.

These garage owners can store luxury vehicles or any personal belongings; however, overnight stay is not permitted within this development.

The GDC does not contemplate the "Garage Condominium" land use. The closest land use classification is "Warehouse/Office Showroom (indoor only), which is defined as an establishment with at least twenty-five percent of its total floor area devoted to office and showroom space (that is, an establishment where a maximum of seventy-five percent of its total floor area is devoted to storage and warehousing that is not generally accessible to the public). The term includes sales offices, retail or wholesale sales areas, and display areas (showrooms) for products sold and distributed from the warehousing area.

As this land use does not entirely contemplate the proposed "Garage Condominium" concept the applicant request to add this land use through the new Planned Development.

2. Parking

The site plan (Exhibit C) complies with the parking requirements in Lot 1 for the proposed uses. However, the applicant proposes a parking ratio of 1 parking space per every 2,000 square feet of gross floor area, which calculates to a total of thirty-nine (39) parking spaces. The Warehouse, Office/Showroom (indoor only) use requires a parking ratio of 1/300 gross floor area for the office + 1/1000 remainder, which would calculate to around seventy-seven (77) parking spaces. It should be noted that the GDC has a self-storage facility

(mini-warehouse) use with a parking ratio of 1/20 units (1/25 units if over 100 units in development) +1/300 office gfa, which would require four (4) parking spaces. The applicant has provided information from other municipalities with the similar use, and the proposed thirty-nine (39) parking spaces in Lot 2 appears to be adequate.

3. Screening and Landscaping

The landscape buffer for Lot 2 along North President George Bush Turnpike requires nine (9) large canopy trees and sixty-three (63) shrubs. The frontage along Lot 2 is mainly floodplain and easements; therefore, the applicant will preserve seventy-nine (79) trees. No new landscaping is proposed along North President George Bush Turnpike along Lot 2.

In addition, a six (6)-foot tall steel fence is proposed along the northern, eastern and southern perimeter of Lot 2. A six (6)-foot masonry screening wall is proposed along Naaman Forest Boulevard. It should be noted the masonry screening wall has been proposed following the Plan Commission meeting.

The remaining portion of Lot 1 and 2 complies with the applicable screening and landscaping standards per the GDC.

4. Building Design

The building elevations (Exhibit E) complies with the building design standards per the Garland Development Code (GDC).

It should be noted that the automotive service bay doors will not face any street.

5. Transportation

The Transportation Department did not require a Traffic Impact Analysis, due to the low volume of traffic generated by this development. In addition, the Texas Department of Transportation approved the access from North President George Bush Turnpike.

6. Signage

The applicant is not requesting any signage deviations with this request.

7. Deviations

GDC Standards	Required	Proposed	Applicant's Justification	
Land Use	Lot 2-The closest land use in the GDC for the proposed use is Warehouse, Office/Showroom (indoor only).	The applicant proposes a garage condo in Lot 2. Each unit will be owned and can be used to store luxury vehicles or personal belongings.	The proposed land use is not contemplated in the GDC. Therefore, the applicant requests to add the "Garage Condominium" use.	
Parking	The Warehouse, Office/Showroom (indoor only) use requires a parking ratio of 1/300 gross floor area for the office + 1/1000 remainder, which would calculate to around seventy-seven (77) parking spaces.	The applicant proposes a parking ratio of 1 parking space per every 2,000 square feet of gross floor area, which calculates to a total of thirty-nine (39) parking spaces.	The applicant has provided information from other municipalities with the similar use and proposed thirty-nine (39) parking spaces in Lot 2 appears to be adequate.	
Landscaping	The landscape buffer for Lot 2 along North President George Bush Turnpike requires nine (9) large canopy trees and sixty-three (shrubs).	New landscape buffer planting not provided. The applicant proposes preserving existing trees.	The frontage along Lot 2 is mainly floodplain and easements; therefore, the applicant will preserve seventy-nine (79) trees.	

COMPREHENSIVE PLAN

The Future Land Use Map of the Envision Garland Plan recommends Community Centers for the subject site. Community centers are areas with compact development, primarily non-residential, serving a collection of neighborhoods. This type of development consists of a mix of uses, including retail, services, office use, multi-family residential, and entertainment.

The garage condominium concept is a new and innovative use, one that has been introduced in several other cities in the region. The use includes retail, office and services as contemplated in the Community Centers designation, though it centers around an automotive component as well. The site has been designed so that the automotive service bay doors will not face any street.

COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

The property to the north, across North President George Bush Turnpike, is zoned Planned Development (PD) District 00-39 for Community Retail Uses; it is currently vacant. The property the east is zoned Planned Development (PD) District 95-2 for Community Office Uses; it is currently vacant. The properties to the south, across Naaman Forest Boulevard, are zoned Planned Development (PD) District 07-69 for Single-Family Uses; these properties are developed with single-family detached homes. The property to the west is zoned Planned

Development (PD) District 82-115; it is developed with a GISD career center.

Attachments

Z 23-17 Location Map Z 23-17 Exhibits Z 23-17 R&M Detail Plan Z 23-17 Responses Z 23-17 Staff Presentation



4625, 4645, 4653, & 4695 North President George Bush Highway



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LOCATION MAP

SITE DATA - LOT 1

TOTAL SITE AREA	_135,113 SF
BUILDING AREA	.38,970 SF (28.8% OF SITE)
FAR	_0.288
BUILDING HEIGHT	_28 FT
TOTAL IMPERVIOUS AREA	110,353 SF (81.7% OF SITE)
OPEN SPACE AREA	_24,760 SF (18.3% OF SITE)
PARKING REQUIRED	
RETAIL (12,000 SF) OFFICE (8,000 SF) AUTO REPAIRMINOR (12,000 SF 22 BAYS) STORAGE/WAREHOUSE (6,970 SF)	1/300 = 27 SPACES 1/400 + 2/BAY = 30 + 44 = 74 SPACES
PARKING PROVIDED	

SITE DATA – LOT 2

TOTAL SITE AREA	_219,791 SF
BUILDING AREA	_77,040 SF (34.6% OF SITE)
FAR	_ 0.346
BUILDING HEIGHT	_28 FT
TOTAL IMPERVIOUS AREA	173,159 SF (78.8% OF SITE)
OPEN SPACE AREA	_46,632 SF (21.2% OF SITE)
PARKING REQUIRED	1/2000 = 39 SPACES
PARKING PROVIDED	42 SPACES
NO. OF UNITS	72 UNITS

CASE NUMBER 230321-1 EXISTING ZONING PD 87-1 FOR CO USES PROPOSED ZONING PD AMENDMENT

	REVISIONS:	SHEET TITLE:
5/24/23		
6/15/23		SITE PLAN
6/26/23	PER TXDOT REVIEW	
7/03/23	PER CITY REVIEW	
7/31/23	PER HOA REVIEW	GARAGES OF AMERICA
		N. GEORGE BUSH HWY.
		AT RANGER DR. AT NAAMAN FOREST BLVD.
		CITY OF GARLAND, DALLAS COUNTY, TEXAS
		JDJR PREPARED BY: ENGINEERS & CONSULTANTS, INC. TSBPE REGISTRATION NUMBER F-8527 ENGINEERS • SURVEYORS • LAND PLANNERS 2500 Texas Drive Suite 100 Irving, Texas 75062 Tel 972-252-5357
		DATE: APRIL 24, 2023 DRAWN BY: SAS SHEET NO.
		SCALE: 1" = 40' CHECKED BY: JDJR OF



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LEGEND	
$\left(\begin{array}{c}\bullet\\\bullet\end{array}\right)$	EXISTING TREE TO BE PRESERVED
	31 LIVE OAK TREES (3" MIN,. CAL.) (OR APPROVED EQUAL)
	25 SHUMARD RED OAK TREES (3" MIN,. CAL.) (OR APPROVED EQUAL)
\bigcirc	22 CEDAR ELM TREES (3" MIN,. CAL.) (OR APPROVED EQUAL)
*	CARISSA HOLLY (MIN 2' HGT, 3' C-C) (OR APPROVED EQUAL)
SW P	ELAEAGNUS (MIN 2' HGT, 3' C-C) (OR APPROVED EQUAL)
\odot	DWARF YAUPON HOLLY (MIN 1' HGT, 3' C-C) (OR APPROVED EQUAL)
	ASIAN JASMINE (1 GAL AT 18" C-C)
	LANDSCAPED AREAS - BERMUDA TURF - (SOLID SOD) WHERE NO SHRUBS OR GROUNDCOVER
\sum	EXISTING TREES ¢ UNDERGROWTH TO REMAIN

LOT 1 LANDSCADE TARULATIONS

LOT AREA	
LANDSCAPING REQUIRED	
LANDSCAPING PROVIDED	24,760 SF (18.3%)
LS BUFFERS	
NAAMAN FOREST (TYPE D1) BUFFER REQUIRED	15 FT (210 LE $-$ EXCLUDING DRIVE)
TREES REQUIRED	· ·
SHRUBS PROVIDED	, , , ,
GROUND COVER REQUIRED	3,285 SF BUFFER X 25% = 821 SF (AS PROVIDED)
RANGER DRIVE (TYPE G)	
BUFFER REQUIRED TREES REQUIRED	· ·
	$_{}$ 1/30 = 19 TREES (AS PROVIDED) $_{}$ 5,550 SF BUFFER X 25% = 1,388 SF (AS PROVIDED)
PGBT HIGHWAY (TYPE A-A)	
BUFFER REQUIRED	20 FT (195 LF)
TREES REQUIRED	
SHRUBS PROVIDED	
GROUND COVER REQUIRED	3,900 SF BUFFER X 25% = 975 SF (AS PROVIDED)
PARKING LOT LANDSCAPING	
PARKING PROVIDED	
PARKING LOT AREA LANDSCAPING REQUIRED	
LANDSCAPING PROVIDED	= 5,395 SF (7.1%)
NOTE: ALL PARKING SPACES WITHIN 65 FT OF	F LARGE TREE.
LOT 2 LANDSCAPE TABULATIONS	
_OT AREA	219,791 SF
_ANDSCAPING REQUIRED	10% (21,979 SF)
ANDSCAPING PROVIDED	46,632 SF (21.2%)
<u>_S_BUFFERS_</u>	
<u>NAAMAN FOREST (TYPE D1)</u>	
BUFFER REQUIRED	· ·
TREES REQUIRED	
	4,485 SF BUFFER X 25% = 1,121 SF (AS PROVIDED)
PGBT HIGHWAY (TYPE A-A)	
	FT IN NATURAL STATE (80 TREES & UNDERSTORY RUB REQUIREMENT NOT PROVIDED. REMAINDER 67.83 MENTS.
BUFFER REQUIRED (67.83')	20 FT (67.83' NOT ADJACENT TO FLOOD PLAIN)
TREES REQUIRED (67.83')	1/30 = 3 TREES (AS PROVIDED)
SHRUBS PROVIDED (67.83')	-7/30 = 16 SHRUBS (29 PROVIDED)
• •	1,357 SF BUFFER X $25% = 339$ SF (AS PROVIDED) 1/30 = 9 TREES REQUIRED (80 EXISTING PROVIDED)
· · · · ·	$_{}$ 7/30 = 66 SHRUBS REQUIRED (80 EXISTING PROVIDED)
PARKING LOT LANDSCAPING	
PARKING PROVIDED	42 SPACES
PARKING LOT AREA	
LANDSCAPING REQUIRED	5% (2,0647 SF)
LANDSCAPING PROVIDED NOTE: ALL PARKING SPACES WITHIN 65 FT OF	
OWNERS:	
BOBERT & MARY KE	CDC EQUITIES, LLC

ROBERT & MARY KELSOE 5323 SPRING VALLEY ROAD, SUITE 350 DALLAS, TX 75254

GARLAND LTD PS 33780 HEARTLAND COURT UNION CITY, CA 94587

DFW OIL INC. 111 BELT LINE ROAD, SUITE 100 GARLAND, TX 75040

UDU EQUITIES, LLU 2323 TARPLEY ROAD, SUITE 100 CARROLLTON, TEXAS 75006 CONTACT: FRED GANS EMAIL: fgans@cornerstonedev.com TEL: 214-341-9620

CASE NUMBER 230321-1 EXISTING ZONING PD 87-1 FOR CO USES PROPOSED ZONING PD AMENDMENT

	REVISIONS:	SHEET TITLE:
5/24/23		
6/15/23	PER CITY REVIEW	LANDSCAPE PLAN
6/26/23	PER TXDOT REVIEW	
7/03/23	PER CITY REVIEW	
7/31/23	PER HOA REVIEW	GARAGES OF AMERICA
		N. GEORGE BUSH HWY.
		AT RANGER DR. AT NAAMAN FOREST BLVD.
		CITY OF GARLAND, DALLAS COUNTY, TEXAS
		JDJR PREPARED BY: ENGINEERS & CONSULTANTS, INC. TSBPE REGISTRATION NUMBER F-8527 ENGINEERS • SURVEYORS • LAND PLANNERS 2500 Texas Drive Suite 100 Irving, Texas 75062 Tel 972-252-5357 Fax 972-252-8958
		DATE: APRIL 24, 2023 DRAWN BY: SAS SHEET NO.
		SCALE: $1'' = 40'$ CHECKED BY: JDJR L1 OF 2





BLDG 1 - MATERIAL CAL	CULATIONS	ELEV. 4	BLDG
MATERIAL TYPE	AREA (SF)	% RATIO	
BLDG A ELEVATION 4			BLDG A EI
CARVED LIMESTONE	517.08	24.77%	CARVED L
STONECOAT	1570.13	75.23%	STONECO
TOTALS:	2087.21	100.00%	TOTALS:









T.O. SLAB 100' - 0"

MT-1 CL-2 CL-1 MR-1 MT-1 5 1

3 EAST ELEVATION - BUILDING 1 SCALE: 1/16" = 1'-0" REF: 1 / A111

NORTH ELEVATION - BUILDING 1 SCALE: 1/16" = 1'-0" REF: 1 / A111





BLDG 2 - MATERIAL CALCULATIONS ELEV. 4						
MATERIAL TYPE	AREA (SF)	% RATIO				
BLDG B ELEVATION 4			BLDG B ELI			
CARVED LIMESTONE	888.89	34.84%	CARVED LI			
METAL PANEL	693.06	27.17%	METAL PAN			
STONECOAT	969.33	37.99%	STONECOA			
τοτλί ε.	2551.28	100 00%				



DESCRIPTION			
CARVED LIMESTONE (STONE FINISH)			
CARVED LIMESTONE (SMOOTH WHITE)			
CARVED LIMESTONE (LIGHT GRAY)			
DOWNSPOUT, PREFINISHED METAL (BLACK)			
GAURDRAIL, PRE-FINISH METAL (BLACK)			
METAL GARAGE DOOR (GRAY)			
METAL ROOFING (DARK GRAY)			
METAL TRIM (DARK GRAY)			
METAL TRIM (RED)			
D CANOPIES			
F HEIGHTS			
IT WINDOWS			



BLDG 3 - MATERIAL CA	LCULATIONS	ELEV. 4	BLDG 3 - MATERIAL CA	ALCULATIONS	ELEV. 3	BLDG 3 - MATERIAL CALC	ULATIONS	ELEV. 2	BLDG 3 - MATERIAL CA	ALCULATIONS	; <u>ELE</u> \
MATERIAL TYPE	AREA (SF)	% RATIO	MATERIAL TYPE	AREA (SF)	% RATIO	MATERIAL TYPE	AREA (SF)	% RATIO	MATERIAL TYPE	AREA (SF)	% RA
BLDG C ELEVATION 4			BLDG C ELEVATION 3			BLDG C ELEVATION 2	L		BLDG C ELEVATION 1		
CARVED LIMESTONE	788.89	34.89%	CARVED LIMESTONE	788.89	34.82%	CARVED LIMESTONE	191.91	3.35%	CARVED LIMESTONE	239.69	4.15
METAL PANEL	592.10	26.19%	METAL PANEL	596.77	26.34%	STONECOAT	5535.83	96.65%	STONE COAT	5535.83	95.85
STONECOAT	880.00	38.92%	STONECOAT	880.00	38.84%	TOTALS:	5727.74	100.00%	TOTALS:	5775.52	100.0
TOTALS:	2260.99	100.00%	TOTALS:	2265.66	100.00%						





	EXTERIOR MATERIAL KEY
MATERIAL	DESCRIPTION
CL-1	CARVED LIMESTONE (STONE FINISH)
CL-2	CARVED LIMESTONE (SMOOTH WHITE)
CL-3	CARVED LIMESTONE (LIGHT GRAY)
DS-4	DOWNSPOUT, PREFINISHED METAL (BLACK)
GR-4	GAURDRAIL, PRE-FINISH METAL (BLACK)
M-1	METAL GARAGE DOOR (GRAY)
MR-1	METAL ROOFING (DARK GRAY)
MT-1	METAL TRIM (DARK GRAY)
MT-2	METAL TRIM (RED)

1.	AWNINGS AND CANOPIES VARIED ROOF HEIGHTS
2.	VARIED ROOF HEIGHTS
3.	DIVIDED LIGHT WINDOWS
4.	ORNAMENTAL FACADE TRIMS
5.	DISPLAY WINDOWS
6.	DISTINCTIVE LIGHTING FEATURES

ARCHITECTURAL DESIGN ELEMENTS



REPORT & MINUTES

P.C. Meeting, July 24, 2023

3b. APPROVED Consideration of the application of **Fred A. Gans,** requesting approval of a Detail Plan for a Garage Condominium, Automobile Repair (Minor), General Office, Contractor's Office/Warehouse (indoors only) and Retail Use. This property is located at 4653, 4645, 4625 and 4695 North President George Bush Turnpike. (District 1) (Z 23-17 – Detail Plan)

Motion was made by Commissioner Aubin to **approve** the application with the additional restrictions to ensure that on the condominium use that it be maintained primarily for storage of vehicles, that revisions to the PD as needed be included and that the concerns of the nearby residents be addressed. Seconded by Commissioner Rose. **Motion carried: 5** Ayes, **2** Nays with Commissioner Jenkins and Commissioner Dalton voting in opposition.



4625, 4645, 4653, & 4695 North President George Bush Highway

Comment Form Case Z 23-17

Z 23-17 Fred A. Gans. The applicant proposes to construct garage condominiums ("Garages of America"), with automobile repair, office, storage/warehouse and retail use as well. The site is located at 4653, 4645, 4625 and 4695 North President George Bush Turnpike. (District 1)

Z 23-17 Fred A. Gans. El solicitante propone construir condominios de garajes ("Garages of America"), con reparación de automóviles, oficinas, depósito/bodega y uso comercial también. El sitio está ubicado en 4653, 4645, 4625 y 4695 North President George Bush Turnpike. (Distrito 1)

Z 23-17 Fred A. Gans. Người nộp đơn đề xuất xây dựng các chung cư nhà để xe ("Garages of America"), với mục đích sửa chữa ô tô, văn phòng, lưu trữ/nhà kho và bán lẻ. Địa điểm tọa lạc tại 4653, 4645, 4625 và 4695 North President George Bush Turnpike. (Quận 1)

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



For / A Favor / Đúng

Against / En Contra / Không

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

& Maria Resendi. ANACIO

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

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

620 (edarview

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

75040 Jarland

City, State / Estado de la Ciudad / Thành bang

Zip Code / Código postal / Mã B u Ohính

Signature / Firma / Ch ũ ký

Date / Fecha / Ngày

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

Comment Form Continued – Case Z 23-17

The statements below reflect my (our) opinion regarding the proposed request(s).

Las declaraciones a continuación reflejan mi (nuestra) opinión con respecto a las solicitudes propuestas.

Các tuyên bố dưới đây phản ánh quan điểm của tôi (chúng tôi) về (các) yêu cầu được đề xuất

onsid DUDDE ramos earcio P 900 e s sideuc 0 reda X al a Dro rente A vaerio 1 Ş Or a valuen MON limie 0 a es INC am 1a

We believe this type of business may decrease our property values in the area because it would attract different movements from people and currently it is very peaceful and family oriented (including the school).

Comment Form Case Z 23-17

Z 23-17 Fred A. Gans. The applicant proposes to construct garage condominiums ("Garages of America"), with automobile repair, office, storage/warehouse and retail use as well. The site is located at 4653, 4645, 4625 and 4695 North President George Bush Turnpike. (District 1)

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



For / A Favor / Đúng



Against / En Contra / Không

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

James + Patricia Kosciolek

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

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

615 cedarview Dr.

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

Garland TX

City, State / Estado de la Ciudad / Thành bang

75040 Zip Code / Código postal / Mã B u **O**hính

Signature / Firma / Ch ű ký

7-15-23

Date / Fecha / Ngày

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

Planning Commission

Case Z-23-17

We live 4 houses from the proposed zone change request. I feel the need to do a more detailed letter of comments as this change is very important to us. It's a neighborhood killer and will hurt property values. There is a solid tree line about 40 feet tall on the property that hide the view of George Bush frwy from our newer home next to Naaman Forest HS. If those tree lines get removed it will be a disaster. We already have the widening of Naaman school road going on with lots of traffic and we have all the school traffic and those kids parking on our streets, but taking all the land across from our entrance and covering it all in pavement and storage garages and working on cars and RV's is a death blow to our housing with over 60 newish homes. We know that the property owner wants to sell that property and it's their right, but it's not a good fit, not even a little bit good. There is a dental office that is next to this land and they built a beautiful office that doesn't bother anybody and is useful to residents. I read about Garages of America and they talk about the need for man toy storage and mechanics working on Man toys. Rows and rows of garages. Lots of man toys such as dirt bikes and race cars and 4 wheelers are super loud when working on them. They say its better because they will be owned instead of rented. That could be worse when there are many owners instead of one owner to complain to. I can not think of a single value to this zone request. We have lived in homes in Garland since 1978 and love it here. We are 76 yrs old and couldn't move now if we wanted to. We would have never bought this house if it had garage storage 4 houses from the house with a wide open view of HWY 190. If we were younger and healthy and if if it wasn't 100 degrees outside we would walk the neighborhoods to tell them whats happening. Many in our neighborhood don't speak English and have no clue as to what a zone request is. Also we were only given a mail notice about this 10 days before planning meeting. We will send you this letter in mail and hope you receive it in time and we will attend meeting if feeling well enough. I also have told next door neighbors and one that is only a few houses from the garage proposal didn't get the notice in the mail. May the good Lord help us with this ordeal. Thank you.

James & Patricia Kosciolek

615 Cedarview Dr Garland Tx 75040

Comment Form Case Z 23-17

Z 23-17 Fred A. Gans. The applicant proposes to construct garage condominiums ("Garages of America"), with automobile repair, office, storage/warehouse and retail use as well. The site is located at 4653, 4645, 4625 and 4695 North President George Bush Turnpike. (District 1)

Z 23-17 Fred A. Gans. El solicitante propone construir condominios de garajes ("Garages of America"), con reparación de automóviles, oficinas, depósito/bodega y uso comercial también. El sitio está ubicado en 4653, 4645, 4625 y 4695 North President George Bush Turnpike. (Distrito 1)

Z 23-17 Fred A. Gans. Người nộp đơn đề xuất xây dựng các chung cử nhà để xe ("Garages of America"), với mục đích sửa chữa ô tô, văn phòng, lưu trữ/nhà kho và bán lẻ. Địa điểm tọa lạc tại 4653, 4645, 4625 và 4695 North President George Bush Turnpike. (Quận 1)

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



For / A Favor / Đúng



Against / En Contra / Không

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

egas - Home Dwner @

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

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

608 Cedar (pre DRIVE

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

City, State / Estado de la Ciudad / Thành bang

5041

Zip Code / Código postal / Mã B u Ohính

Sígnatúre / Firma / Ch ür ký

Date / Fecha / Ngày

(Providing email address and phone number is optional. / La dirección de correo electrónico y el número de teléfono son opcionales. / Địa chỉ email và số điện thoại là tùy chọn.) JUL 19 '23 P# 1:02

Comment Form Continued – Case Z 23-17

The statements below reflect my (our) opinion regarding the proposed request(s).

Las declaraciones a continuación reflejan mi (nuestra) opinión con respecto a las solicitudes propuestas.

Các tuyên bố dưới đây phản ánh quan điểm của tôi (chúng tôi) về (các) yêu cầu được đề xuất

Not of proposed 8 buildings 15 ructure. am nrage with the concept and miliar EVEN APr various ions GArages area, DCAN

Structures are built in a pleasing architecture manner and add conformity to the community. They bring elements of security both interior and exterior to the buildings which is a plus for our immediate area.

store their vehicles ho concent allows -10 DWhees within their garage space this can add e nearbu 5-(5)م rpe h NG our neighborboor ntentia noise. barri rontade Koad -tK 917 Um trat

My concern is that if not approved to go forward we might endup with another hotel or high density apartments.

71 19/2023 ny his Gallegos

se Number	PC Hearing Date	CC Hearing Date	Planner Name
23-17	July 24, 2023	August 15, 2023	Nabiha Ahmed
	condominiums ("Gara storage/warehouse ar	. The applicant proposes to constru ges of America"), with automobile ad retail use as well. The site is loca President George Bush Turnpike.	repair, office, ited at 4653, 4645,
Sharon Wero	Against		
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	United States		
	75040		
D R White	Against		
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	United States		
	75044		
Janet Mokate	Against		
7/27/2023 12:06:54 AM	Sandestin Ct	Mojazzn@aol.cor	n
	Garland	2148931997	
	Texas		
	United States		
	75044	Outside the Notification /	Area

Page 1 of 7

ase Number	PC Hearing Date	CC Hearing Date	Planner Name
23-17	July 24, 2023	August 15, 2023	Nabiha Ahmed
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12.00.04 ANI	Garland Texas	2148931997	
	United Stat <mark>e</mark> s 75044	Outside the Notifica	ation Area
Janet Mokate	Against		
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	Garland	2148931997	
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	75044		ion Area
Sherry	Against		
Sweeney 7/24/2023 1:55:00 PM	313 Willowcrest	Sherrysweeney816	@gmail.com
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	Texas		
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Judith	Against		
Kennickell 7/23/2023	301 Ladyfern way		
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Page 2 of 7

se Number	PC Hearing Date	CC Hearing Date	Planner Name
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Judith Kennickell	Against		
7/23/2023 3:42:03 AM	301 Ladyfe <mark>rn way</mark>		
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	75040		
Thomas Peter Mehary	Against		
7/22/2023 1:46:34 AM	5022 Sandestin Ct	tmehary@outlook	.com
	Garland	2144541077	
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Page 1 of 6

ase Number	PC Hearing Date	CC Hearing Date	Planner Name
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	Garland	973 533 4939	
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alice mckinnon	againist		
7/21/2023 3:50:15 PM	604 cedarview	amo5226@yaho	o.com
	Garland	2144971342	
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Page 2 of 6

ase Number	PC Hearing Date	CC Hearing Date	Planner Name	
23-17	July 24, 2023	August 15, 2023	Nabiha Ahmed	
	75044			
Christie Rogers	Against			
7/21/2023 1:35:00 AM	302 Faircrest Dr	christiel@live.com		
	Garland	9728342787		
	ТХ			
	United Stat <mark>e</mark> s 75040	Outside the N	Iotification Area	
	Too close to High Sc	hool		
Julie Smith	Against			
7/21/2023 1:31:13 AM	302 Faircrest Dr.	julie.bill@verizon.r	net	
	Garland	9725676395		
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	75040			
	Enough congestion a	t this area and too close to the	High School	
Julie Smith	Against			
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	Garland	9725676395		
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	Enough congestion at this area and too close to the High School			
Erick Cervantes	Against	Outside the Notifica	ation Area	
7/20/2023 4:16:34 AM	2025 gemini dr	joseqbo@gmail.cc	om	
	Garland	4694126327		

Page 3 of 6

ase Number	PC Hearing Date	CC Hearing Date	Planner Name
23-17	July 24, 2023	August 15, 2023	Nabiha Ahmed
	United States 75040		
Erick Cervantes	Against		
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4.10.02 AW	Garland Texas	4694126327	
	United States 75040	Outside the Notifica	ation Area
Jaime DeLeon	Against		
7/20/2023 3:28:32 AM	3509 Creststone Drive Garland		
	Texas United States 75040	Outside the Notificatio	n Area
Jennifer	Against		
DeLeon 7/20/2023 3:27:35 AM	3509 Creststone Drive		
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Bill	Against		
7/20/2023 2:32:28 AM	1017 Carri <mark>a</mark> gehouse Lane Garland	Outside the Notifica	tion Area

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23-17	July 24, 2023	August 15, 2023	Nabiha Ahmed	
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Paul Renning	Against			
7/20/2023 1:21:35 AM	2306 Greenfield Circle	prenning@hotmail	.com	
	Garland	9724964354		
Post A	Outside 15 a Mark XT do			
	United States	Outside the Noti	fication Area	
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	This space would be better utilized by GISD than a luxury car storage facility			
		hat don't live in Garland.	luxury car storage facility	
Paul Renning	Against			
7/20/2023 1:21:32 AM	2306 Greenfield Circle	prenning@hotmail	.com	
	Garland	9724964354		
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	75040			
		etter utilized by GISD than a hat don't live in Garland.	luxury car storage facility	
Robert Kelsoe	For			
7/19/2023 1:37:43 PM	5323 Spring Valley Rd Ste 350	rkelsoe1@gmail.co	om	
	Dallas	2146499100		
	Texas			
	United States	Outside the Not	fication Area	
	75254			
	In favor of the change.			
Andrea	Against			

Page 5 of 6

Case Number	PC Hearing Date	CC Hearing Date	Planner Name
Z 23-17	July 24, 2023	August 15, 2023	Nabiha Ahmed
	Garland		
	Tx		
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	75040		
	There is no space f congestion.	or this type of use. This will cre	eate more traffic and
Andrea Rodriguez	Against		
7/16/2023 7:02:02 PM	3601 BLUESAGE L	ANE	
	Garland	Outside the Noti	fication Area
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	75040		
	There is no space f congestion.	or this type of use. This will cre	eate more traffic and



The applicant proposes to construct a garage condominium (Garages of America), automobile repair use, contractor's office/warehouse (indoors only) and retail use.

City Council Meeting

August 15, 2023

Z 23-17



CASE INFORMATION

Location:	4653, 4645, 4625 and 4695 North President George Bush Turnpike.
Applicant:	Fred A. Gans
Owner:	Robert and Mary Kelsoe, Garland LTD PS, DFW OIL, INC.
Acreage:	8.15 acres
Zoning:	Planned Development (PD) District 87-1 for Community Office (CO) Uses Z 23-17





CITYWIDE LOCATION MAP



Z 23-17



GARLAND TEXAS MADE HERE

LOCATION MAP



Z 23-17





COMPREHENSIVE PLAN

Community Centers




GARLAND

COMPREHENSIVE PLAN

The Future Land Use Map of the Envision Garland Plan recommends Community Centers for the subject site. Community centers are areas with compact development, primarily non-residential, serving a collection of neighborhoods. This type of development consists of a mix of uses, including retail, services, office use, multi-family residential, and entertainment.

The garage condominium concept is a new and innovative use, one that has been introduced in several other cities in the region. The use includes retail, office and services as contemplated in the Community Centers designation, though it centers around an automotive component as well. The site has been designed so that the automotive service bay doors will not face any street.



TEXAS MADE HERE







View of the subject property from Range Drive

View of the subject property from Naaman Forest Boulevard



TEXAS MADE HERE

PHOTOS





North of the subject property

View of the subject property from North President George Bush Turnpike



SITE PLAN

TEXAS MADE HERE

GARLAND





LANDSCAPE PLAN

TEXAS MADE HERE

GARLAND







BUILDING ELEVATIONS





GARLAND

BUILDING ELEVATIONS







TEXAS MADE HERE

BUILDING ELEVATIONS





GARLAND

BUILDING ELEVATIONS

2381.99 103.05 1078,2



4 WEST FLEVATION - BUILDING 3 SCALE: 1/16"=110" REF: 1 A1190





ARCHITECTURAL DESIGN ELEMENTS







GARLAND TEXAS MADE HERE

DEVIATIONS

GDC standard	Required	Proposed	Applicant's Justification
Land Use	Lot 2-The closest land use in the GDC for the proposed use is Warehouse, Office/Showroom (indoor only)	The applicant proposes a garage condo in Lot 2. Each unit will be owned and can be used to store luxury vehicles or personal belongings.	The proposed land use is not contemplated in the GDC. Therefore, the applicant requests to add the "Garage Condominium" use.
Parking	The Warehouse, Office/Showroom (indoor only) use requires a parking ratio of 1/300 gross floor area for the office + 1/1000 remainder, which would calculate to around seventy-seven (77) parking spaces.	The applicant proposes a parking ratio of 1 parking space per every 2,000 square feet of gross floor area, which calculates to a total of thirty-nine (39) parking spaces.	The applicant has provided information from other municipalities with the similar use and proposed thirty-nine (39) parking spaces in Lot 2 appears to be adequate.
Landscaping	The landscape buffer for Lot 2 along North President George Bush Turnpike requires nine (9) large canopy trees and sixty-three (shrubs).	New landscape buffer planting not provided. The applicant proposes preserving existing trees.	The frontage along Lot 2 is mainly floodplain and easements; therefore, the applicant will preserve seventy-nine (79) trees.



TEXAS MADE HERE

SAMPLE PICTURE





GARLAND TEXAS MADE HERE

STAFF RECOMMENDATION

Approval of an Amendment to Planned Development (PD) District 87-1 for Community Office (CO) Uses

Approval of a Detail Plan for a Garage Condominium, Automobile Repair (Minor) Use, Contractor's Office/Warehouse (indoors only) and Retail Use



GARLAND

TEXAS MADE HERE

PLAN COMMISSION RECOMMENDATION

On July 24, 2023 the Plan Commission, by a vote of five (5) to two (2), recommended approval of 1) an Amendment to Planned Development (PD) District 87-1 for Community Office (CO) Uses and 2) a Detail Plan for a Garage Condominium, Automobile Repair (Minor) Use, General Office, Contractor's Office/Warehouse (indoors only) and Retail Use with the following conditions:

- Incorporate additional restrictions to ensure the condominium use should be primarily for storage of vehicles.
- Restrict the Automobile Repair, Minor Use for Building 1 by square footage.

Additionally, the Plan Commission recommended that the applicant should reach out to the neighbors. The applicant held a neighborhood meeting after the Plan Commission meeting.

The applicant reviewed the additional recommendations per Plan Commission and made several changes (including adding a masonry screening wall along Naaman Forest Blvd); however, the applicant has clarified that some of the proposed automobile repair work includes automobile customization, automotive refurbishment, automotive glass and upholstery which are classified as "major" automobile repair use per the GDC. Therefore, the applicant requesting the City Council to consider the major automobile use in Lot 1 by SUP only.

It should be noted the applicant did not make the change to restrict the Automobile Repair, Minor use for Building 1.

In addition, the applicant clarified that garages owners may use the garage condominium as an office space in Lot 2. The applicant is requesting the City Council to consider the General Office use within Lot 2.



GARLAND CHANGES SINCE PLAN COMMISSION

- A six (6)-foot masonry wall along Naaman Forest Boulevard is proposed for Lot 1 and Lot 2.
- The applicant is proposing to add the major automobile use in Lot 1 by SUP request only. Any major automobile repair request will be required to go through the public hearing process in the future.
- A general office use is allowed to operate within the garage condominium (Lot 2), apart from the storage use. All other businesses and activities are prohibited.
- The access point from Naaman Forest Boulevard along Lot 1 has been removed.





City Council Regular Session Agenda

Meeting Date:08/15/2023Item Title:Z 23-22 Jake Finch, Cascade Companies (District 4)Submitted By:Nabiha Ahmed, Lead Development Planner

REQUEST

Approval of a Change in Zoning from Agricultural (AG) District to Single-Family Attached (SFA) District.

LOCATION

613 and 615 Rowlett Road

OWNER

Travis Langley

PLAN COMMISSION RECOMMENDATION

On July 24, 2023 the Plan Commission, by a vote of seven (7) to zero (0), recommended approval of a Change in Zoning from Agricultural (AG) District to Single-Family Attached (SFA) District.

STAFF RECOMMENDATION

Approval of a Change in Zoning from Agricultural (AG) District to Single-Family Attached (SFA) District.

BACKGROUND

A portion of the subject property is developed with a single-family house and it is currently occupied, but it will be demolished. The remaining portion of the property is undeveloped.

The applicant intends to rezone the property to construct townhomes.

SITE DATA

The site is approximately 22.3 acres and is accessed from Rowlett Road.

10. c.

USE OF PROPERTY UNDER CURRENT ZONING

The subject property is zoned Agricultural (AG) District. The Agricultural (AG) District is intended for vacant land which is not yet ready for development, land which is used for agricultural or open space purposes, land which due to its topography or location within a floodplain or other undevelopable area is not anticipated to be developed for more intense use, and land which has been newly annexed into the City of Garland. Land that has been newly annexed into the City is initially zoned Agricultural until it is zoned another more permanent zoning classification in the future. Single-family uses on large lots are appropriate in this district.

CONSIDERATIONS

- 1. The request is a traditional rezoning without the formation of a Planned Development (PD) District. These requests do not require Detail Plan approval to commence or direct development. Development is dependent on the standards set forth by the Garland Development Code (GDC) and the goals and policies established within the Envision Garland 2030 Comprehensive Plan. This Change in Zoning is not intended to restrict uses or secure development performances beyond what is permitted within the proposed zoning district and the GDC. Accordingly, the GDC requires careful consideration as to how closely the proposed district follows the policies of the Envision Garland 2030 Comprehensive Plan, and to what degree the rezoning will affect surrounding and future development.
- 2. The Single-Family Attached district is intended to promote stable, quality, attached-occupancy residential development on individual lots in logical, livable, and sustainable neighborhoods. This district may be included within certain areas of neighborhoods or, when in accordance with the intent of the Comprehensive Plan, may provide a transition district between lower density residential areas, multifamily or nonresidential areas, or major thoroughfares.
- 3. In the event the Zoning Change request is approved, the applicant will need to proceed with the platting of the subject property and securing a site permit and a building permit prior to commencing construction. It will be during the permitting process that staff will review the proposed development and verify compliance with all the applicable regulations.

COMPREHENSIVE PLAN

The Future Land Use Map of the Envision Garland Plan designates this property as Traditional Neighborhoods, Compact Neighborhoods and Parks and Open Space (Public and Private).

Traditional neighborhoods are currently found throughout Garland and provide areas for low to moderate density single-family detached residential housing. Traditional neighborhoods also accommodate convenience retail (goods and services), office space, and public services. Non-residential structures are compatible in architectural style and scale with adjacent residential development. Non-residential uses are typically located at the intersection of local streets or at local and secondary arterial streets. Non-residential uses are within walking distance of the neighborhoods they serve and include minimal on-site parking.

Compact neighborhoods provide areas for moderate increases in residential density, including single-family attached and single-family detached housing. It expands housing options through infill and redevelopment, while continuing walkable development patterns.

Public Parks and Open Space areas include the vast array of park, recreation, and open space lands. This can range from small neighborhood playgrounds to community parks with outdoor picnic areas, hike and bike trails, and play fields and tennis courts to community recreation centers with swimming pools or indoor gymnasiums; as well as natural areas and floodplains.

Private Parks and Open Space areas also include a variety of parks and related amenities in residential subdivisions as well as retail and commercial areas. Facilities and amenities range from landscaped entryways and medians to small playgrounds; to play fields, swimming pools, and golf courses, and other amenities including cemeteries, lakes, creeks, and other natural areas. These private lands play an essential role by contributing to the overall community park and open space system.

The proposed zoning is generally compatible with the Comprehensive Plan and provides an opportunity for mid-density transitional housing for the surrounding area.

COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

The properties to the north are zoned Single-Family-7 (SF-7) District; these properties are developed with single-family detached homes. The property to the east is zoned Agricultural (AG) District and it is developed with a Dallas County building. The properties to the south, across Rowlett Road, are zoned Agricultural (AG) District and Planned Development (PD) District 06-55; these properties are developed with single-family-7 (SF-7) District; Planned Development (PD) District 85-43, Planned Development (PD) District 83-61 and Planned Development (PD) District 85-43; these properties are developed with duplexes, single-family homes and a church.

Attachments

Z 23-22 Location Map Z 23-22 Responses Z 23-22 R&M Zoning Z 23-22 Staff Presentation



613 & 615 Rowlett Road



613 & 615 Rowlett Road

Comment Form Case Z 23-22

Z 23-22 Jake Finch, Cascade Companies. The applicant proposes to rezone the property from Agricultural (AG) District to Single-Family Attached (SFA) District to allow townhouses. The site is located at 613 and 615 Rowlett Road. (District 4)

Z 23-22 Jake Finch, Cascade Companies. El solicitante propone rezonificar la propiedad de Distrito agrícola (AG) a Distrito adjunto unifamiliar (SFA) para permitir casas adosadas. El sitio está ubicado en 613 y 615 Rowlett Road. (Distrito 4)

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



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



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

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

Darland

City, State / Estado de la Ciudad / Thành bang

Zip Code / Código postal / Mã B u Ohính

Signature / Firma / Ch ữ ký

Date / Fecha / Ngày

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Comment Form Continued – Case Z 23-22

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Las declaraciones a continuación reflejan mi (nuestra) opinión con respecto a las solicitudes propuestas.

Các tuyên bố dưới đây phản ánh quan điểm của tôi (chúng tôi) về (các) yêu cầu được đề xuất

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Comment Form Case Z 23-22

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



For / A Favor / Đúng



Against / En Contra / Không

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Benjamin Rincon

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

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

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

Garland Tx 75043

City, State / Estado de la Ciudad / Thành bang

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Zip Code / Código postal / Mã B u Ohinh

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7-15-2023

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Comment Form Continued – Case Z 23-22

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Please Check One Below / Margue uno a continuación / Vui lòng kiểm tra môt bên dưới



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130 Maple Glen Dr

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

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

GARLAND, TX.

City, State / Estado de la Ciudad / Thành bang

Zip Code / Código/postal / Mã B u Ohính

Signature / Firma / Ch ữ ký

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Comment Form Continued – Case Z 23-22

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Case Number	PC Hearing Date	CC Hearing Date	Planner Name			
23-22	July 24, 2023	August 15, 2023	Nabiha Ahmed			
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Cheryl Reynolds	Against					
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Zoning Response Case Comments

REPORT & MINUTES

P.C. Meeting, July 24, 2023

3c. APPROVED Consideration of the application of **Jake Finch**, **Cascade Companies**, requesting approval of a Change in Zoning from Agricultural (AG) District to Single-Family Attached (SFA) District. This property is located at 613 and 615 Rowlett Road. (District 4) (File Z 23-22 – Zoning)

The applicant, Jake Finch, 1630 Addison Road, Addison, TX 75001, provided an overview of the request and remained available for questions.

Commissioner Rose asked the applicant if he was familiar with the Garland area and referenced the Riverset development at Shiloh and Buckingham and asked if their development would look similar to that.

The applicant explained that he was not familiar with that particular development.

Commissioner Dalton asked the applicant if he had any type of Detail Plan since the request only includes a Zoning change without an attached Detail Plan.

The applicant explained that they do have a Detail Plan but at the moment are only requesting a straight zoning change.

Attorney Roten advised the commission to only focus on the request at hand.

Commissioner Paris asked for clarification on an adjacent home near the subject property and whether it too would be removed.

The applicant clarified that the adjacent home was not part of the subject property.

Motion was made by Commissioner Cornelius to **approve** the application as presented. Seconded by Commissioner Paris. **Motion carried**: **7** Ayes, **0** Nays.



The applicant requests a Change in Zoning from Agricultural (AG) District to Single-Family Attached (SFA) District.

City Council Meeting

August 15, 2023



CASE INFORMATION

Location: 613 and 615 Rowlett Road

Applicant: Jake Finch, Cascade Companies

Owner: Travis Langley

Acreage: 22.3 acres

Zoning: Agricultural (AG) District





CITYWIDE LOCATION MAP





GARLAND

LOCATION MAP







COMPREHENSIVE PLAN



Traditional Neighborhoods



Compact Neighborhoods

Parks & Open Space (Public & Private)





TEXAS MADE HERE

COMPREHENSIVE PLAN

The Future Land Use Map of the Envision Garland Plan designates this property as Traditional Neighborhoods, Compact Neighborhoods and Parks and Open Space.

Traditional neighborhoods are currently found throughout Garland and provide areas for low to moderate density single-family detached residential housing. Traditional neighborhoods also accommodate convenience retail (goods and services), office space, and public services. Non-residential structures are compatible in architectural style and scale with adjacent residential development. Non-residential uses are typically located at the intersection of local streets or at local and secondary arterial streets. Non-residential uses are within walking distance of the neighborhoods they serve and include minimal on-site parking.

Compact neighborhoods provide areas for moderate increases in residential density, including single-family attached and single-family detached housing. It expands housing options through infill and redevelopment, while continuing walkable development patterns.

Public Parks and Open Space areas include the vast array of park, recreation, and open space lands. This can range from small neighborhood playgrounds to community parks with outdoor picnic areas, hike and bike trails, and play fields and tennis courts to community recreation centers with swimming pools or indoor gymnasiums; as well as natural areas and floodplains. Private Parks and Open Space areas also include a variety of parks and related amenities in residential subdivisions as well as retail and commercial areas. Facilities and amenities range from landscaped entryways and medians to small playgrounds; to play fields, swimming pools, and golf courses, and other amenities including cemeteries, lakes, creeks, and other natural areas. These private lands play an essential role by contributing to the overall community park and open space system.

The proposed zoning is generally compatible with the Comprehensive Plan and provides an opportunity for mid-density transitional housing for the surrounding area.



TEXAS MADE HERE





View of the subject property from Rowlett Road



South of the subject property


TEXAS MADE HERE







East of the subject property

West of the subject property



GARLAND

CONSIDERATIONS

- The request is a traditional rezoning without the formation of a Planned Development (PD) District. These requests do not require Detail Plan approval to commence or direct development. Development is dependent on the standards set forth by the Garland Development Code (GDC) and the goals and policies established within the Envision Garland 2030 Comprehensive Plan.
- The Single-Family Attached district is intended to promote stable, quality, attached-occupancy residential development on individual lots in logical, livable, and sustainable neighborhoods. This district may be included within certain areas of neighborhoods or, when in accordance with the intent of the Comprehensive Plan, may provide a transition district between lower density residential areas, multifamily or nonresidential areas, or major thoroughfares.



GARLAND

STAFF RECOMMENDATION

Approval of a Change in Zoning from Agricultural (AG) District to Single-Family Attached (SFA) District.



GARLAND

TEXAS MADE HERE

PLAN COMMISSION RECOMMENDATION

 On July 24, 2023 the Plan Commission, by a vote of seven (7) to zero (0), recommended approval of a Change in Zoning from Agricultural (AG) District to Single-Family Attached (SFA) District.







GARLAND CITY COUNCIL ITEM SUMMARY SHEET

City Council Regular Session Agenda

10. d.

Meeting Date:08/15/2023Item Title:MSD 23-01 - 1901 W Northwest Highway, LLC (District 5)Submitted By:Will Guerin, Planning Director

Summary of Request/Problem

A Municipal Setting Designation (MSD) application has been submitted for 1901 Northwest Highway. Per the Texas Commission on Environmental Quality (TCEQ), a Municipal Setting Designation (MSD) is an official state designation given to property within a municipality or its extraterritorial jurisdiction that certifies that designated groundwater at the property is not used as potable water, and is prohibited from future use as potable water because that groundwater is contaminated in excess of the applicable potable-water protective concentration level. The prohibition must be in the form of a city ordinance, or a restrictive covenant that is enforceable by the city and filed in the property records.

A former dry cleaning business on the subject property used tetrachloroethene (PCE) based solvents. Approval of the MSD by the City of Garland will prohibit the use of the groundwater on the shopping center property, while allowing the applicant to reinvest in the existing shopping center and possibly redevelop in the future. The groundwater is safely contained and will not adversely impact drinking water in the area.

A public meeting was scheduled for Thursday, August 10 for interested individuals who were notified about the request.

Recommendation/Action Requested and Justification

The ordinance is attached for the Council's consideration. Staff's recommendation is approval of the ordinance.

Attachments

MSD 23-01 Location Map MSD 23-01 Ordinance MSD 23-01 Legal Description MSD 23-01 Responses



1901 Northwest Highway

ORDINANCE NO.

AN ORDINANCE PROHIBITING THE USE OF AND CONTACT WITH DESIGNATED GROUNDWATER FROM BENEATH CERTAIN PROPERTY KNOWN AS 1901 NORTHWEST HIGHWAY WITHIN THE CITY OF GARLAND, TEXAS, TO FACILITATE CERTIFICATION OF A MUNICIPAL SETTING DESIGNATION OF THE PROPERTY BY THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY PURSUANT TO THE TEXAS HEALTH AND SAFETY CODE; PROVIDING A PENALTY UNDER THE PROVISIONS OF SEC. 10.05 OF THE CODE OF ORDINANCES OF THE CITY OF GARLAND, TEXAS; PROVIDING A SAVINGS CLAUSE AND A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

- WHEREAS, Texas Health and Safety Code Chapter 361 Subchapter W (the "MSD Legislation") authorizes the Texas Commission on Environmental Quality (TCEQ) to certify Municipal Setting Designations for properties upon receipt and approval of a properly submitted application to TCEQ; and
- WHEREAS, the Texas Legislature, in enacting the MSD Legislation, found that an action by a municipality to restrict access to or the use of groundwater in support of or to facilitate a Municipal Setting Designation (MSD) advances a substantial and legitimate state interest where the quality of the groundwater subject to the designation is an actual or potential threat to human health; and
- WHEREAS, as a part of the application process for an MSD, the applicant has submitted a statement regarding the type of known contamination in the groundwater beneath the MSD property and has identified that groundwater to be restricted is any groundwater from the top of the water table at approximately seven (7) feet to a depth of fifty (50) feet.

- WHEREAS, an MSD to restrict the access and use of groundwater beneath the property at 1901 Northwest Highway in the upper 50 feet below ground surface is necessary due to measurable concentrations of trichloroethylene and tetrachlorethylene above the respective protective concentration limits for potable water in the upper groundwater seepage zone;
- WHEREAS, as a part of the application process for an MSD, the applicant is required to provide documentation that the property for which designation is sought is supported by an ordinance adopted by this City Council; and
- WHEREAS, 1901 W Northwest Highway, LLC submitted an application for the City Council to adopt an Ordinance supporting the certification of an MSD for property at 1901 Northwest Highway and the City staff have reviewed and evaluated the subject MSD application; and
- WHEREAS, Applicant will submit an application to TCEQ for certification of an MSD for property within the city limits of the City, commonly known as 1901 Northwest Highway, the legal description of which is set forth in Exhibit "A", attached hereto and made a part hereof, the "MSD Property", provided that the ordinance being considered herein is passed; and

WHEREAS, the Applicant has certified that:

- the purpose of its application is to conduct environmental investigation, cleanup and restoration activities in a more efficient and cost-effective manner;
- 2) it will seek to obtain a determination from TCEQ that regulatory closure is attained at the MSD Property;
- 3) as part of such application, the Applicant has submitted a statement to TCEQ regarding the type of known contamination in the groundwater beneath the MSD Property; and

- 4) notice of the application for the certification of MSD Property has been provided to each owner of a registered private water well that is located not more than five miles from the boundary of the MSD Property; and
- WHEREAS, a public drinking water supply system exists that satisfies the requirements of Texas Health and Safety Code Chapter 341 for the MSD Property and property within one-half mile of the MSD Property; and
- WHEREAS, after public hearing, the City Council believes that it is in the best interest of the public and the City to facilitate the efforts to secure an MSD and TCEQ closure documentation from the TCEQ by passage of this Ordinance; NOW THEREFORE

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

Section 1

That all of the declarations and findings contained in the preambles of this Ordinance are made a part hereof and shall be fully effective as a part of the ordained subject matter of this Ordinance.

Section 2

That the City Council finds that it is in the best interest and welfare of the public to facilitate TCEQ 's certification of an MSD for the MSD Property, as well as TCEQ closure documentation.

Section 3

That, upon and after the effective date of this Ordinance, the drilling of wells and the use of designated groundwater for any purpose, including but not limited to any potable purpose, excepting only: (i) wells used as monitoring wells for the collection of groundwater samples for chemical or biological laboratory analysis; and (ii) wells used for the purpose of remediation of soil or groundwater contamination, is hereby prohibited on or from any portion of the MSD Property.

Section 4

That within sixty (60) days after receipt of the municipal setting designation certificate from the TCEQ, the City Manager, or his designee, shall file a certified copy of this Municipal Setting Designation Ordinance in the deed records of Dallas County.

Section 5

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

Section 6

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

Section 7

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

PASSED AND APPROVED this _____ day of _____, 2023.

THE CITY OF GARLAND, TEXAS

By:

Mayor

ATTEST:

City Secretary

Published:

EXHIBIT A

LEGAL DESCRIPTION

Municipal Setting Designation File MSD 23-01

Lot 2R, Block 1 of TOWNGATE PLAZA, an Addition to the City of Garland, Texas, according to the plat thereof recorded in Volume 93134, Page 2812, Map Records, Dallas County, Texas



1901 Northwest Highway

We have not received any responses for this case.



GARLAND CITY COUNCIL ITEM SUMMARY SHEET

City Council Regular Session Agenda

10. e.

Meeting Date:08/15/2023Item Title:MSD 23-01 - 1901 W Northwest Highway, LLC (District 5)Submitted By:Will Guerin, Planning Director

Summary of Request/Problem

A Municipal Setting Designation (MSD) application has been submitted for 1901 Northwest Highway. Per the Texas Commission on Environmental Quality (TCEQ), a Municipal Setting Designation (MSD) is an official state designation given to property within a municipality or its extraterritorial jurisdiction that certifies that designated groundwater at the property is not used as potable water, and is prohibited from future use as potable water because that groundwater is contaminated in excess of the applicable potable-water protective concentration level. The prohibition must be in the form of a city ordinance, or a restrictive covenant that is enforceable by the city and filed in the property records.

A former dry cleaning business on the subject property used tetrachloroethene (PCE) based solvents. Approval of the MSD by the City of Garland will prohibit the use of the groundwater on the shopping center property, while allowing the applicant to reinvest in the existing shopping center and possibly redevelop in the future. The groundwater is safely contained and will not adversely impact drinking water in the area.

A public meeting was scheduled for Thursday, August 10 for interested individuals who were notified about the request.

Recommendation/Action Requested and Justification

The resolution is attached for the Council's consideration. Staff's recommendation is approval of the resolution.

Attachments

Resolution Attachment

RESOLUTION NO.

A RESOLUTION SUPPORTING THE APPLICATION OF 1901 W NORTHWEST HIGHWAY, LLC FOR A MUNICIPAL SETTING DESIGNATION FOR THE PROPERTY LOCATED AT 1901 W NORTHWEST HIGHWAY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Chapter 361, Subchapter W of the Texas Health and Safety Code authorizes the Texas Commission on Environmental Quality (TCEQ) to certify Municipal Setting Designations (MSDs) for properties upon receipt and approval of a properly submitted application to TCEQ;

WHEREAS, the Texas Legislature, in enacting the MSD Legislation, found that an action by a municipality in support of or to facilitate an MSD advances a substantial and legitimate state interest;

WHEREAS, as part of the application process for an MSD, the applicant is required to provide documentation of support from each municipality owning and operating a groundwater supply well within a five mile radius of the proposed MSD location;

WHEREAS, the City of Garland has passed an ordinance contemporaneously with this resolution in support of the MSD application and restricting the use of groundwater at the proposed MSD location; and

WHEREAS, neither the City of Garland nor the City of Dallas owns or operates a groundwater supply well situated within a five mile radius of the proposed MSD location;

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

Section 1

The City of Garland, Texas, supports and does not oppose the establishment of a Municipal Setting Designation for the property located at 1901 W. Northwest Highway, Garland, Texas.

Section 2

That this Resolution shall be and become effective immediately upon and after its adoption and approval.

PASSED AND APPROVED this the _____ day of August, 2023.

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary



GARLAND CITY COUNCIL ITEM SUMMARY SHEET

City Council Regular Session Agenda

Meeting Date: 08/15/2023

Item Title: Board and Commission Appointment

Submitted By: Tracy Allmendinger, Deputy City Secretary

Summary of Request/Problem Mayor Scott Lemay

- Jennifer Nguyen Community Multicultural Commission
- Elvia Flores Community Multicultural Commission
- Mitch Carr Cultural Arts Commission
- Ken Risser Environmental and Community Advisory Board
- Don Koerner Parks and Recreation Board
- Wayne Dalton Plan Commission
- David Perry Property Standards Board
- Shirley Robnett Senior Citizens Advisory Board
- Allan Stafford Tax Increment Finance #1 Downtown Board
- Patrick Abell Tax Increment Finance #3 Board

Recommendation/Action Requested and Justification

Attachments

Jennifer Nguyen Elvia Flores Mitch Carr Ken Risser Don Koerner Wayne Dalton David Perry Shirley Robnett Allan Stafford Patrick Abell 11. a.

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	GARLAND	A CHEINN'
	Application for City of Garland Boards/Commissions/Committees	
	Return completed application to City Secretary's Office, 200 N, Fifth St., Garland, Texas 75040} Email: RDouble/GlarlandTX.g Please Type or Print Clearly: Date: <u>AUGUST 6</u> , 202	
	Name: JENNIFER NGUYEN Phone Address: 2210 Country OAKS DR Phone:	
	City, State, Zip: (FAILam), TX 75040 Email:	a service as a sector secto
	Resident of Garland for <u>38</u> years Resident of Texas for <u>38</u> years	
	✓ Dallas County Voter Registration Number Have you ever been convicted of a felony? Yes No	\$1
	Have you ever been convicted of a Class A misdemeanor?YesNo	
	Please list any experience that qualifies you to serve in the areas you have indicated. - CARLAND ASIAM PMOLICAN TASK KOKCE - DFW Asian procession Citizon Council CHAIL EMC - Viet Names Anonican Community Contra Houndi If you have previously served on a City Board or Commission, plaase specify and tist dates of servi COMMUNITY MUST Culturel COMMISSION Si	IF memor.
	List civic or community endeavors with which you have been involved.	
	What is your educational background? MBA	
	What is your occupational experience?	
89°	I hereby affirm that all statements herein are true and correct.	
	Board or Commission of first, second and third choice:	on literation
	Ad Valorem Tax Status Current]
North States and States and and	B.7.23 Disclosure Form Filed	Revised 05/2021

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Application for City of Garland Boards/Commissions/Committees

Return completed application to City Secretary's Office, 200 N. Fifth St., Garland, Texas 75040 | Email: RDowl@GarlandTX.gov

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<u>Please Type or Print Clearly:</u>	Date:
Name: ELVIA P. FLORES	Phone:
Address: 1906 Melrose St	Phone:
City, State, Zip: <u>75042</u>	Email:
Resident of Garland for <u>5D</u> years Resident of Dallas County Voter Registration Number	M 12
Have you ever been convicted of a felony?	Yes <u>V</u> No
Have you ever been convicted of a Class A misdeme	anor? Yes <u>k</u> No
Please list any experience that qualifies you to serve \ Was first Hispanic to be Served on GISD Multi Ethnic Con If you have previously served on a City Board or Con Multicultary Committee -	elected to GISD Boord, mmittee, attend Unidos meetings mmission, please specify and list dates of service.
List civic or community endeavors with which you h	
GISD SCHool BOARD CFCG	
Region 10 ESC GCPAF Kiwanis Club What is your educational background? Hope	
lyn. College	
What is your occupational experience?	
Mostly Volunteering in Se d'Serving on Their Bo I hereby affirm that all statements herein are true and	
Board or Commission of first second and third choice:	

Board of Adjustment	Garland Cultural Arts Commission	Parks and Recreation Board			
Citizens Environmental and Neighborhood Advisory Committee	Garland Youth Council **	Plan Commission *			
Civil Service Commission	Library Board	Senior Citizens Advisory Committee			
Community Multicultural Commission	Property Standards Board	Unified Building Standards Commission			
**.Garland	I Youth Council has a separate application				
FOR OFFICE USE ONLY					
Ad Valorem Tax Status Current	Past Due Date Appointed				
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CSO Suit/Claim Filed Yes No	Date Notified				
Clerk Signature & Date	WARP Disclosure Form Filed_	Revised 05/2021			
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Application for City of Garland Boards/Commissions/Committees

Return completed application to: City Secretary's Office, 200 North Fifth Street, Garland, Texas 75040

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	Please Type or Print Clearly:	Date: 7/25/23
	Name: Mitch Carr	Phone
	Address: 2116 Windy Drive	Phone
	City, State, Zip: Garland TX 75044	Email:
√	Resident of Garland for 30+ years Resident Dallas County Voter Registration Number Have you ever been convicted of a felony?	neanor? <u>Yes</u> No
	Theater work with Garland Civic Theater, Garland S	ummer Musicals, etc. Work in broadcasting since 196
	If you have previously served on a City Board or C	ommission, please specify and list dates of service.
	Current member of Garland Cultural Arts Commission	
	List civic or community endeavors with which you	have been involved.
	Garland Civic Theater board/and served as Exec Dir	ector for one year.
	What is your educational background?	
	Some college	
	What is your occupational experience?	
	BroadcastingRadio/TV/Voicework since 1967	
	I hereby affirm that all statements herein are true a	and correct. Mufaking and correct.
	Board or Commission of first, second, and third choice: Board of AdjustmentGarland You Citizens Environmental and Neighborhood Advisory CommitteeProperty Star Community Multicultural CommissionLibrary Boar Garland Cultural Arts Commission **Garland Youth Council has a sej	dards Board Plan Commission d Senior Citizens Advisory Committee Unified Building Standards Commission
•	FOR OFFICE US	
	Ad Valorem Tax Status Current Past Due Past Due Past Due	Date Appointed
	CSO Suit/Claim Filed Yes No	Date Notified
	Clerk Signature & Date	1.9.9.92





Return completed application to City Secretary's Office, 200 N. Fifth St., Garland, Texas 75040 | Email: RDowl@GarlandTX.gov

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<u>Please Type or Print Clearly:</u>	Date: 8/8/2023	<u></u>
Name: Ken Risser	Phone	(Home)
Address: 4130 Carrington Dr	_ Phone	(Other
City, State, Zip: Garland TX 75043	_ Email	(Olner
	of Texas for <u>37</u> years arland City Council Distri	ict Number 3
Have you ever been convicted of a felony?	Yes <u> </u>	
Have you ever been convicted of a Class A misdeme Please list any experience that qualifies you to serve		
	00, HOA board (Shores of Wellington) :	since 2012:

Served as Mayor's Appointee to CENAC/ECAB since 2009; HOA board (Shores of Wellington) since 20 Board member - Keep Garland Beautiful since 2009; Events Committee- SPCA of TX since 2010;

If you have previously served on a City Board or Commission, please specify and list dates of service.

Mayor's Appointee to CENAC/ECAB since 2009;

List civic or community endeavors with which you have been involved.

Heavily involved in my community- HOA, orchestrate regular neighborhood and city cleanups with KGB, have been the Route manager for SPCA Strut You Mutt Race since 2014 as a member of the Event Committee

What is your educational background?

BAAS- (Political Science) Univ of North TX

What is your occupational experience?

have worked for the FDIC (Information Specialist) since 2008; 25 previous years in travel/hospitality industry

Board or Commission of first, second and third cho	ice:			
Board of Adjustment	Gariand Cul	itural Arts Commission	Parks and Recreation Board	
Citizens Environmental and Neighborhood Advisory Committ	ceGerland You	rfn Council **	Plan Commission *	
Civil Service Commission	Library Boa	rđ	Senior Citizens Advisory Committee	
Community Multicultural Commission	Property Sta	inderds Board	Unified Building Standards Commission	מ
** Ga	Hand Youth Council has	a separate application		
FOR OFFICE USE ONLY				
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Utility Account Status Current V	Past Due	Appointed By		
CSO Suit/Claim Filed	_	Date Notified		
Clerk Signature & Date	MAAD	Disclosure Form Filed		Revised 05/2021



Return completed application to City Secretary's Office, 200 N. Fifth St., Garland, Texas 75040 | Email: RDowl@GarlandTX.gov

Please Type or Print Clearly:

Date: 08/03/2023

Name: Donald M Koerner	Phone:
Address: 7121 Wills drive	(Home) Phone:
City, State, Zip: Garland TX 75043	(Other
Resident of Garland for 41 years Resident of	of Texas for 41 years
Dallas County Voter Registration Number	Garland City Council District Number 3
Have you ever been convicted of a felony?	Ves No
Have you ever been convicted of a Class A misdeme	anor? Yes V No

Please list any experience that qualifies you to serve in the areas you have indicated.

I am currently a Board member of South Garland Little League, been on that Board for 29 years. I have been on the Boards of Pee Wee Football and Basketball. I started the SRO and NPO program for Garland PD back in 1989. I started the Garland Police youth program. I servered as a Garland policeman for 37 years. Ive always If you have previously served on a City Board or Commission, please specify and list dates of service. I have been on the PARKS Board since Jan.2019 to present.

List civic or community endeavors with which you have been involved.

along with what is listed above I was a member of the Garland Kiwanis Club. I started to 4th and 5th grade clubs through the Kiwanis called K Kids.

What is your educational background? High school graduate and some college.

What is your occupational experience? Was a Garland policeman for 37 years.

I hereby affirm that all statements herein are true and correct. Don Koeme

Board of Commission of	first, second and third choice				
Board of Adjustment		Garland Cu	ultural Arts Commission	Parks and Recreation Board	
Citizens Environmental and	d Neighborhood Advisory Committee	Garland Yo	outh Council **	Plan Commission *	
Civil Service CommissionLibrary BoardSenior Citizens Advisory Committee					
Community Multicaltural C	Commission	Property Si	tandards Board	Unified Building Standards Commissio	on
	** Garlan	d Youth Council ha	ts a separate application		
		FOR OFFI	CE USE ONLY		
Ad Valorem Tax Status		Past Due	Date Appointed		
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Clerk Signature & Date	Courtney Vanover	8/3/23	Date Notified		
	Service and the first		T. 1 T. T.1 1		Daviand 05/2021

CSO Received 8/3/23



Return completed application to City Secretary's Office, 200 N. Fifth St., Garland, Texas 75040 | Email: RDowl@GarlandTX.gov

Please Type or Print Clearly:

Date: 5-18-2023

Name: Wayne Dalton	Phone:		,
			Home)
Address: 1309 Peaceway	Phone:		Other
City, State, Zip: Garland, Tx 75043	Email:		
Resident of Garland for 20 years Re Dallas County Voter Registration Number		years y Council District Nurr	iber3
Have you ever been convicted of a felony?	Yes No		
Have you ever been convicted of a Class A m	nisdemeanor?Yes	No	
Please list any experience that qualifies you t	o serve in the areas you ha	ve indicated.	
Extensive experience in building and construction	•		
List civic or community endeavors with whic Garland RACES. Citizens Police Academy, Citize	-	CITY	OF GARLA
Canana Toroco, Onzons Fonce Academy, Onze	and the Academy	Ĩ	ECEIVED
What is your educational background?		M	AY 1 8 2023
Some College, Technical School		•	
What is your occupational experience?		CAT Y	SECHETARY
Communications experence. Fire Protection Expe	rience		
I hereby affirm that all statements herein are t	rue and correct.	Signature of Applicant	
Board or Commission of first, second and third choice:			
Board of Adjustment Citizens Environmental and Neighborhood Advisory Committee	Garland Cultural Arts Commission Garland Youth Council **	Parks and Recreation Board Plan Commission,*	
Civit Service Commission	Library.Board	Senior Citizens Advisory Com	mittee
Community Multicultural Commission	Property Standards Board	Unified Building Standards Co	
	a Council has a separate application	·····]
Ad Valorem Tax Status Utility Account Status CSO Suit/Claim Filed	Appointed By		
Clerk Signature & Date	Date Notified Disclosure Form Filed		Revised 05/2
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Return completed application to City Secretary's Office, 200 N. Fifth St., Garland, Texas 75040 | Email: RDowl@GarlandTX.gov

Please Type or Print Clearly:	Date:May 24, 2023
Name: David Perry	
Address: 4010 Wallingford Drive	(Home)
City, State, Zip: Garland, Texas 75043	(Other - Cell)
Resident of Garland for 26 years Dallas County Voter Registration Number	Resident of Texas for 59 years Garland City Council District Number 3
Have you ever been convicted of a felony?	?YesXNo
Have you ever been convicted of a Class A	A misdemeanor? Yes X No

Please list any experience that qualifies you to serve in the areas you have indicated. Leadership Garland Graduate (Class XVIII); Board Member-Garland's Property Standards Board (Chairman); City of Garland 2018 Bond Study Committee Member; City of Garland TIF Board #3 (Medical District); Board Member -Union Gospel Mission; Internal Auditor (20 plus years); DART Bus Operations Department – Program Manager (Currently).

If you have previously served on a City Board or Commission, please specify and list dates of service. 7/98 – 12/08 (South Area Implementation Committee). Board Member-Garland's Property Standards Board (Chairman) 1999-Present; City of Garland 2018 Bond Study Committee Member; City of Garland TIF Board #3 (Medical District) 2019-Current.

List civic or community endeavors with which you have been involved. Leadership Garland Graduate (Class XVIII); Board Member - Union Gospel Mission-Dallas; Deacon- North Dallas Community Bible Fellowship

What is your educational background? (BS) Accounting

What is your occupational experience? Internal Auditor (20 plus years); Business/Program Manager (13 years);

Senior Manager - Operations & Budget (1yr)

I hereby affirm that all statements herein are true and correct. *Applicant*



The American democratic experience is built upon the foundation of concerned and caring residents becoming actively involved in local government. Consistent with this principle, Garland's Charter provides for the City Council to utilize resident volunteers to assist in carrying out the many functions of municipal government by serving on the City's Advisory Boards and Commissions. Please give serious consideration to becoming more involved in helping make Garland the best city possible by applying to serve on a board or commission of your choice. For further information, call 972-205-2404.

Process For Selection

Board members are selected for twoyear terms by the City Council in August. Terms are usually staggered whereby at least half of the membership has board experience.

All applicants and incumbents must submit a Board and Commission Application form by July 1. Members of some boards must possess certain technical skills as specified by ordinance. All board and commission members must file a Code of Ethics Disclosure Form with the City Secretary.

Applicants will be notified of acceptance by mail after their appointment. Because vacancies may arise during the year, all applications are kept on file for one year.

Qualifications

The Garland Charter and Code of Ordinances establish certain qualifications that must be met by members of boards and commissions. In addition to special qualifications for service, a board member must:

- have been a resident of the state of Texas for one year and of Garland for six months prior to the date of appointment.
- be a qualified voter at time of appointment.
- not be in arrears on City taxes, utility service charges or other obligations owed the city.
- have not been convicted of a felony.
- have not been convicted of a Class A misdemeanor.
- not be an adversary party to pending litigation against the City.

Boards and Commissions

Board of Adjustment

- · Consists of nine members
- Meets third Wednesday of every month Considers applications for variances to zoning ordinance regulation, hears appeals regarding determinations of the Zoning Administrator, and considers action concerning non-conforming uses

Citizens Environmental and Neighborhood Advisory Committee

- Consists of nine members
- · Meets second Wednesday of each month
- Reviews, develops, and recommends new and expanded projects to the City Council

Civil Service Commission

David Perr

 Reviews policy and procedures of the Police and Fire departments with primary focus on disciplinary, testing, hiring and promotional procedures

Signature of

Community Multicultural Commission

- Consists of 13 members
- · Meets third Thursday of each month
- Researches issues and makes recommendations to Council concerning the City's changing demographic composition and diverse needs

Garland Cultural Arts Commission

- Consists of nine members
- · Meets quarterly
- Advises on policies of the Arts Center, negotiates contracts for usage of Heritage Park, awards grants to arts groups, and promotes the arts in general

Garland Youth Council

- Consists of 20 members; all high school age
- One-year terms
- · Meets second Tuesday of every month
- Advises Council of wants and needs of Garland youth and acts as ambassadors for the City of Garland

Library Board

- Consists of nine members
- · Meets second Monday of every month
- Advises Council on library services and programs







Return completed application to City Secretary's Office, 200 N. Fifth St., Garland, Texas 75040 | Email: RDowl@GarlandTX.gov

Please Type or Print Clearly:	Date: $(-1 - 2)^{3}$
Name: <u>ROBNETT, SHIRLEY</u>	Phone:
Address: 1723 RUSSELL	Phone:
City, State, Zip: C-APLAND, TX 7.50.40	Email:
Resident of Garland for <u>5</u> years Resident	of Texas for <u>89</u> years
Dallas County Voter Registration Numbe	Garland City Council District Number
Have you ever been convicted of a felony?	Yes <u>P</u> No
Have you ever been convicted of a Class A misdeme	eanor? Yes No
Please list any experience that qualifies you to serve	in the areas you have indicated.

If you have previously served on a City Board or Commission, please specify and list dates of service. SENIOR ADVISORY COMM.

List civic or community endeavors with which you have been involved.

POLICE, FIRE & DPS CITIZENS CLASSES & PLUBS VOLUNTER ANIMAL SERVICES, POLICE & FIRE

What is your educational background?

MASTER IN BUS.

What is your occupational experience?

ACCTG

151 I hereby affirm that all statements herein are true and correct

Board or Commission of first, second and third choice:				
Board of Adjustment	Garland Cultural Arts Commission	Parks and Recreation Board		
Citizens Environmental and Neighborhood Advisory Committee	e Garland Youth Council **	Plan Commission *		
Civil Service Commission	Library Board	Senior Citizens Advisory Committee		
Community Multicultural Commission Property Standards Board		Unified Building Standards Commission		
** Garland Youth Council has a separate application				
FOR OFFICE USE ONLY				
Ad Valorem Tax Status Utility Account Status CSO Suit/Claim Filed Clerk Signature & Date	Past Due Date Appointed Past Due Appointed By NOVOT Date Notified 5:23 Date Notified Disclosure Form Filed	, . , . ,		

Revised 05/2021





GRY SECRET

Return completed application to City Secretary's Office, 200 N. Fifth St., Garland, Texas 75040 [Email: RDowl@GarlandTX.gov

Please Type or Print Clearly:	Date: July 27, 2023
Name:Allan Stafford	_ Phone:
Address:505 W State St	_ Phone: (Other
City, State, Zip: Garland, TX 75040	_ Email:
Resident of Garland for 74 years Resident Dallas County Voter Registration Number	
Have you ever been convicted of a felony?	
Please list any experience that qualifies you to serve	
Previous service on TIFF and Community Boa	ırd
If you have previously served on a City Board or Co	ommission, please specify and list dates of service.
TIFF Community Board List civic or community endeavors with which you	have been involved.
TIFF Member What is your educational background? Garland High School Diploma Dallas Baptist University BA SMU Law School JD What is your occupational experience?	
Attorney 1973 to present I hereby affirm that all statements herein are true and	d correct/
Citizens Environmental and Neighborhood Advisory Committee Garland Y	Standards Board
Ad Valorem Tax Status Utility Account Status CSO Suit/Claim Filed Clerk Signature & Date	ICE USE ONLY Date Appointed Appointed By Date Notified Disclosure Form Filed Revised 05/2021



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GARLAND CITY COUNCIL ITEM SUMMARY SHEET

City Council R	egular Session Agenda	11. b.
Meeting Date:	08/15/2023	
Item Title:	Board and Commission Appointment	
Submitted By:	Tracy Allmendinger, Deputy City Secretary	

Summary of Request/Problem

Mayor Pro Tem Jeff Bass

- Beena Varnan Cultural Arts Commission
- Nancy Janssen Parks and Recreation Board

Recommendation/Action Requested and Justification

Attachments

Beena Varnan Nancy Janssen







Return Completed application to City Secretary & Office, 200 N. Enth Sci. Gartand. Texas 75040 [Frank BDowl StGarland EX ma

	Please Type or Print Clearly:	Date: 7-8-22		
	Name: Beena Varnan	Phone	at south at the south	(11 s
	Address: 601 Sotogrande Dr.	Dia		(Home)
	Address: 001 Sologrande Dr.	Phone	abatel	(Other
	City, State, Zip: Garland, TX, 75044	Email		anna da attala agreemen dalatti yin ayadaradi
1	Resident of Garland for <u>21</u> years Resident			4
V	Dallas County Voter Registration Number		ity Council District Number	
	Have you ever been convicted of a felony?	Yes V No	_	
	Have you ever been convicted of a Class A misde	emeanor? <u>V</u> es	V No	
	Please fist any experience that qualifies you to se	rve in the areas you h	ave indicated.	
	I have finance background and would like to serve who committees at my current job to make differences.	ere ever I am needed.	In addition, I have been in	
	If you have previously served on a City Board or N/A	Commission, please	specify and list dates of serv	iec.
	List civic or community endeavors with which ye HOA	ou have been involved	1	
	What is your educational background? MBA from UTD and undergrad in Social Science with I	Econcomic as minor		
	What is your occupational experience? I am currently a finance manager at State institution. P I hereby affirm that all statements herein are true a		LS 87	trics
	Board or Commission of first, second and third choice			
		nd Cultural Arts Commission	Parks and Recreation Board I Plan Committeen *	
		ry Dourd	Searce Galleria Advisors Committee	-
	92	nty Standards Board	Unified Duilding Standards Commiss	OR .
	** Garland Youth Counc	I has a separate application		
	FOR O	FFICE USE ONLY		
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	SO Suit/Cleim Filed 🔥 Yes No 🗸	Appointed By		
¢	erk Signature & Date Courtney Vanover	Date Notified Disclosure Form Filed	anna an	Revised 05-2021
	7-13-23			en isrund bler object

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Please Type or Print Clearly:

Date: May 30, 2023

Name: Nancy Janssen	Phone:
Address: 1517 Turning Leaf Ln	(Home) Phone:
City, State, Zip: Garland	_ Email:
Resident of Garland for 25 years Resident Dallas County Voter Registration Number	of Texas for 39 years
V Dallas County Voter Registration Number	Farland City Council District Number 1
Have you ever been convicted of a felony?	Yes <u>V</u> No
Have you ever been convicted of a Class A misdem	eanor? Yes No

Please list any experience that qualifies you to serve in the areas you have indicated.

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I own a salon and have 43 years of working with the public. I am a great listener, can read between the lines of what people really mean. I also have had my real estate license for 7 years and very involved with the neighborhoods in Garland.

If you have previously served on a City Board or Commission, please specify and list dates of service. NA

List civic or community endeavors with which you have been involved.

What is your educational background? Cosmetology License for 43 years Real Estate License for 7 years and active

What is your occupational experience?

I own 2 businesses. A hair salon and my real estate business. I do bookwork for both companies, plus my husband's subcontracting job. I have extreme patience and great communication skills. Would like to be active within my site and below with the growth

I hereby affirm that all statements he	· · · · · · · · · · · · · · · · · · ·	up garman
Board or Commission of first, second and third c	Garland Cultural Arts Commission	Parks and Recreation Bourd
Citizens Environmental and Neighborhood Advisory Comm	nittee Garland Youth Council ** Library Board	Plan Commission * Senior Citizens Advisory Committee
Community Multicultural Commission	Property Standards Board	Unified Building Standards Commission
***	Garland Youth Council has a separate application	
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Clerk Signature & Date WWATTELY	Date Notified 5 ·4·23 Disclosure Form Filed	

Revised (05/2024

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GARLAND CITY COUNCIL ITEM SUMMARY SHEET

City Council Regular Session AgendaMeeting Date:08/15/2023Item Title:Board and Commission AppointmentSubmitted By:Tracy Allmendinger, Deputy City Secretary

Summary of Request/Problem Council Member Dylan Hedrick

- John VanPelt Cultural Arts Commission
- Terri Chepregi Library Board
- David Parrish Parks and Recreation Board
- Mike Rose Plan Commission
- Martha Melaku Property Standards Board
- Charlotte Piercy Senior Citizens Advisory Board
- Tony Bui Tax Increment Finance #1 Downtown Board

Recommendation/Action Requested and Justification

Attachments

John VanPelt Terri Chepregi David Parrish Mike Rose Martha Melaku Charlotte Piercy Tony Bui 11. c.







Return completed application to: City Secretary's Office, 200 North Fifth Street, Garland, Texas 75040

Please Type or Print Clearly:	Date: _
Name: JOHN "CHIP" VAN PELT	Phone
Address: 3425 RIDGE OAK DR.	Phone
City, State, Zip: GARLAND TX 75044	Email:
Dallas County Voter Registration Number	t of Texas for <u>66</u> years Farland City Council District Number <u>7</u> Yes <u>V</u> No neanor? Yes <u>No</u>
Please list any experience that qualifies you to ser	

BACHELOR OF FINE ARTS; AWARD-WINNING ADVERTISING CREATIVE ORGETOR/GRAPHIC DESIGNER; FINE ARTIST; MUSICIAN (FRONT MAN/LEADER OF BAND); ACTED IN GARLAND CIVIC THEATRE PRODUCTIONS; PHOTOGRAPHER (SHOWN IN RICHARDSON GALLERI); PUBLISH EDED If you have previously served on a City Board or Commission, please specify and list dates of service. POET

List civic or community endeavors with which you have been involved.

JERVED ON THE BOARD OF THE GARLAND CIVIC THEATRE IN 19905; MEMBER OF GARLAND CHAMBER OF COMMERCE (2002-2016); HELPED FOUND "FRESH CONNECTIONS" COMMUNITY GARDEN IN 2013; ART INSTITUTE OF DALLAS ADVERTISING DEPT. ADVISORY What is your educational background?

BACHELOR OF FINE ARTS, WEST TEXAS ARM UNIVERSITY

What is your occupational experience?

CRENTIVE DIRECTOR / GRAPHIC DESIGNER / ADVENTISING ART DIRECTOR FR THE PAST 45 YEARS

	t all statements here		orrect. Digled
Board or Commission of f	irst, second, and third choice		1
		Garland Youth Counci	Parks and Recreation Board
Citizens Environmental and	Neighborhood Advisory Committee	Property Standards Bo	ard Plan Commission
Community Multicultural Co	mmission	Library Board	Senior Citizena Advisory Committee
Garland Caltural Arts Commi	lation	1.0.0	Unified Building Standards Commission
	**Garland You	h Council has a separate ap	plication
	FOR O	FFICE USE O	ONLY
Ad Valorem Tax Status	Current	Past Due	Date Appointed
Utility Account Status		Past Due	Appointed By
-		1	
CSO Suit/Claim Filed	Yea No	- 111	Date Notified
Clerk Signature & Date	Palinanavin	morer 6.1.2	
	www.neg	110100	





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Application for City of Garland Boards/Commissions/Committees

Return completed application to City Secretary's Office, 200 N. Fifth St., Garland, Texas 75040 | Email: RDowl@GarlandTX.gov.

Please Type or Print Clearly:	Date: July 25, 2024	·
Name: Terri Chepregi	Phon	
Address: 1906 Timbercreek Dr	Phon	(Home)
City, State, Zip: Garland, TX 75042	Ema	(Other
Resident of Garland for <u>40</u> years <u>Res</u>	sident of Texas for <u>41</u> years	
Dallas County Voter Registration Number	Farland City Council District	Number 6
	Yes V No	
Have you ever been convicted of a Class A mis	sdemeanor? 🗌 Yes 🔽 No	
Please list any experience that qualifies you to	serve in the areas you have indicated.	
Currently serving as Library Board chair.		
If you have previously served on a City Board	or Commission, please specify and list date	s of service.
Library board, approximately 2013 to present.		
List civic or community endeavors with which	ı you have been involved.	
Leadership Richardson - Class XII (1999) Literacy Instruction for Texas - past board service		
What is your educational background?		
Education: BS International Business, MLS Professional Credentials: CPA, CMA (Certified Mar	nagement Accountant)	Ð
What is your occupational experience?		
Accounting. I am the Chief Financial Officer at Jona	athan's Place, a nonprofit in Garland.	
I hereby affirm that all statements herein are tru	ue and correct. Jerri Chequee	
Board or Commission of first, second and third choice: Board of Adjustment		v 50
	_Garland Cultural Arts CommissionParks and Recreation 1 Garland Youth Council **Plan Commission *	Soard
	Library BoardSenior Citizens Advise	ry Committee
	Property Standards Board Unified Building Stand	lards Commission
Community Multicultural Commission		ł
** Garland Youth C	Council has a separate application	
** Garland Youth C	R OFFICE USE ONLY	
** Garland Touth C Ad Valorem Tax Status Utility Account Status	R OFFICE USE ONLY e Date Appointed	
** Garland Youth C FOF Ad Valorem Tax Status Current Past Due	e Date Appointed	

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Please Type or Print Clearly:	Date: July 27	, 2023	
Name: David A. Parrish	Phone		
Address: 2526 Pepperidge Dr			(Home)
Address: 20201 sppcinge pi	Phone		(Other
City, State, Zip: Garland, TX 75044	Email		· · ·
Resident of Garland for <u>43</u> years Re	esident of Texas for 45	years	
✓ Dallas County Voter Registration Number	Garland	City Council District Num	ber 7
Have you ever been convicted of a felony?	Yes 🗸 No	-	
		es 🔽 No	
Have you ever been convicted of a Class A m			
Please list any experience that qualifies you t	o serve in the areas you	have indicated.	
TX Master Naturalist, Volunteer for U	.S. Fish & Wildlife S	Service.	
If you have previously served on a City Boar	d or Commission, pleas	e specify and list dates of s	service.
Parks & Recreation Board, 2016 - pro	esent.		
List civic or community endeavors with whic	h you have been involv	ed.	
Achievement Center of TX, Boy Scou	-	-	ring
Creek Forest Society. GISD School C	Gardens. BSA volun	teer.	÷
What is your educational background?			
BS- Zoology (Ecology option) Oklaho	ma State University	1975	
What is your occupational experience?			
Environmental Scientist 36 1/2 years	for the U.S. Enviror	mental Protection Age	ency.
•		7 10	*
I hereby affirm that all statements herein are t	true and correct.	In A pro-	
Board or Commission of first, second and third choice:	\mathcal{V}	/	
· · · · · · · · · · · · · · · · ·	Electrical Board	Parks and Recreation Board	
Building and Fire Codes Board	Garland Cultural Arts Commission	Plan Commission *	
Citizens Environmental and Neighborhood Advisory Committee	Garland Youth Council **	Plumbing and Mechanical Codes	
	Property Standards Board	Senior Citizens Advisory Commit	lee
Community Multicultural Commission * Plan Commission members must live in dis	Library Board	has a separate application	
Return completed application to: City Secretary's			
200 N. Fifth St.	- Shirt	Courtney Va	nnin
Garland, TX 75		VUWW Ley W	M.21
Fax: 972-205-25 Email: RDowl@		U Ren	iised 05/2021

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GARLAND	D SECRETARY
Application for City of Garland Boards/Commissions/Committe	
Return completed application to City Secretary's Office, 200 N. Fifth St., Garland, Texas 75040 Email: RDowl@Garland	TX.gov
Please Type or Print Clearly: Date: 5-18-23	
Name: MICTIPEL J. ROSE Phone: C	
Address: 2406 LONE OAKTEAL Phone: _	
City, State, Zip: GAELAND, TX 75044 Email:	
Resident of Garland for 30+ years Resident of Texas for 50+ years	
V Dallas County Voter Registration Number Garland City Council District Number	ber 7
Have you ever been convicted of a felony? Yes No	*********
Have you ever been convicted of a Class A misdemeanor?YesNo	
Please list any experience that qualifies you to serve in the areas you have indicated. 40+425 AS A COMMERCIAL REALESTAT BROKEN	
If you have previously served on a City Board or Commission, please specify and list dates of so MANY YEARS of Plan Cours. MENVER	ervice.
Cllorter Review Board	
List civic or community endeavors with which you have been involved. former PRES. of Cak Ridge Nerghboor hous	
What is your educational background? BS in Education MS in Auto / Pisual Commensations	
What is your occupational experience? been a conneccial development since the Ear	Ly 72.5
I hereby affirm that all statements herein are true and correct	•
Board or Commission of first, second and third choice:	
FOR OFFICE USE ONLY	
Ad Valorem Tax Status Current Past Due Date Appointed Utility Account Status Current Past Due Appointed Past Due	
CSO Suit/Claim Filed Yes No Appointed By Date Notified Date Notified	
5-23-23 Disclosure Form Filed	Revised 05/2021



CSO Received 8/3/23

GARLAND

TEXAS MADE HERE

Application for City of Garland Boards/Commissions/Committees

Return completed application to: City Secretary's Office, 200 North Fifth Street, Garland, Texas 75040

Date: 8.2.23 Please Type or Print Clearly: Name: Martha MelgKJPhone: Address: 4905 Walton Helphone: City, State, Zip: Gurland H Email: Resident of Garland for 20+ years Resident of Texas for 30+ years

Garland City Council District Number Dallas County Voter Registration Number Have you ever been convicted of a felony? Yes No Have you ever been convicted of a Class A misdemeanor? U Yes X No Please list any experience that qualifies you to serve in the areas you have indicated. The worked hall areas of read as tate, including Construction lifisation. Property Standards Bourging fit. If you have previously served on a City Board or Commission, please specify and list dates of service. Garland Comunity Multiculture Commiss, on 2009-6 Garland Property Standards Board - 2018-Present List civic or community endeavors with which you have been involved. DDFW Intentantione 2) Allas Bar Association 4) Altross I Anglion J 3) Garland (Nic Theater 5) ALAAEC of Dullas What is your educational background? BA from UTA for UTA 50 from the University of OKKhong What is your occupational experience? Real estate, morts ge Servicing and Insurance defense lifisation

Courtney Vanover 8/3/23



Daniand arman





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	Application for City of Garland Boards/Commissions/Committees							
	Please Type or Print Clean			JULY				
	Name: $\underline{CHIRLOTTE}$ Address: $\underline{3C3}$ \underline{HRMS}	TRONG DR	_ Phone:_			(Home) (Other		
	City, State, Zip: // ARLINO, TX 756210 Email:							
Resident of Garland for <u>66</u> years Resident of Toxas for <u>86</u> years DOB <u>11.69.34</u> Dallas County Voter Registration Number Garland City Council District Number <u>2</u> Have you ever been convicted of a felony? <u>Yes</u> <u>No</u> Have you ever been convicted of a Class A misdemeanor? <u>Yes</u> <u>No</u> Please list any experience that qualifies you to serve in the areas you have indicated.								
If you have previously served on a City Board or Commission, please specify and list dates of service. REP CONCIL RICE WILLIAMS ALL TERMS REPRESENCE OF THE REPRESENCE OF THE WILL TERMS DEPRESENCE OF THE WILL TERMS DEPRESENCE. THE TERMS DEPRESENCE OF THE WILL TERMS DEPRESENCE OF THE WILL TERMS DEPRESENCE. THE TERMS DEPRESENCE OF THE TERMS DEPRESENCE OF THE TERMS DEPRESENCE. THE TERMS DEPRESENCE OF THE TERMS DEPRESENCE OF THE TERMS DEPRESENCE. THE TERMS DEPRESENCE OF THE TERMS DEPRESENCE OF THE TERMS DEPRESENCE. THE TERMS DEPRESENCE OF THE TERMS DEPRESENCE OF THE TERMS DEPRESENCE. THE TERMS DEPRESENCE OF THE TERMS DEPRESENCE OF THE TERMS DEPRESENCE. THE TERMS DEPRESENCE OF THE TERMS DEPRESENCE OF THE TERMS DEPRESENCE. THE TERMS DEPRESENCE OF THE TERMS DEPRESENCE OF THE TERMS DEPRESENCE OF THE TERMS DEPRESENCE OF THE TERMS DEPRESENCE. THE TERMS DEPRESENCE OF THE TERMS DEPRESENCE OF THE TERMS DEPRESENCE OF THE TERMS DEPRESENCE. THE TERMS DEPRESENCE OF THE TERMS DEPRESENCE OF THE TERMS DEPRESENCE OF THE TERMS DEPRESENCE								
QALSD. FEADVERS DIL QARLINNO REALTOR								
I hereby affirm that all statements herein are true and correct. Charliette Plise								
10 Miles 10	Board or Commission of first (1st), second Inrd (3rd) choice: Board of Adjustment Community Multicultural Commission Environmental and Community Advisory Board Garland Cultural Arts Commission Return completed application to:	(2nd), and Gadan Library Parkea Pian Co	d Youth Council ** Board Ind Recreation Board ortanission * y Standard Board */	Senior Cit Senior Cit TIF Down TIF Medic TIF South Unified By the Commission met Garland Youth Court	izens Advisory Cor town al Dotrict iilding Standards C inbers must live	nunative ieramission in distract		





Return completed application to City Secretary's Office, 200 N. Fifth St., Garland, Texas 75040 | Email: RDowl@GarlandTX.gov

Please T	vne or	Print	Clearl	v:
I ICASC I	10001	1 1 1111	Cicuii	

Name: TONY N. BUI Phone:					
Address: 2302 LUNE OAK TRL Phone:					
City, State, Zip: GARLAND TX 75044 Email:					
Resident of Garland for 9 years Resident of Texas to years					
Dallas County Voter Registration Number					
Have you ever been convicted of a felony?Yes _XNo					
Have you ever been convicted of a Class A misdemeanor?YesYo					
Please list any experience that qualifies you to serve in the areas you have indicated.					

Date: 07/26/2023

LIVE IN DISTUCT 7 OF GARLAND.

If you have previously served on a City Board or Commission, please specify and list dates of service.

GARLAND	DOWNTOW	V TIF1	BOARD	FOR	BISTERCI	7.
MAR 202	3 to Pres	ENT.				
	iter and according with whi		retried			

List civic or community endeavors with which you have been involved.

What is your educational background?

COMPUTER SCIENCE

What is your occupational experience?

TT ENGINEER

I hereby affirm that all statements herein are true and correct.

Board or Commission of first, second and third choice:

_Board of Adjustment Citizens Environmental and Neighborhood Advisory Committee

Civil Service Commission

Community Multicultural Commission

Garland Youth Council ** _____Library Board

** Garland Youth Council has a separate application

Past Due

Past Due

Vanavor

Garland Cultural Arts Commission

FOR OFFICE USE ONLY

_____ Property Standards Board

Ad Valorem Tax Status Current Current V Utility Account Status

CSO Suit/Claim Filed

Clerk Signature & Date

Disclosure Form Filed

Date Appointed

Appointed By

Date Notified

Zomh.E

Parks and Recreation Board

Senior Citizens Advisory Committee Unified Building Standards Commission

Plan Commission *

Revised 05/2021