



GARLAND

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
Tuesday, December 12, 2023
7 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. 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]

NOTICE: Pursuant to Section 551.127 of the Texas Government Code, one or more members of the City Council may attend this meeting by internet/video remote means. A quorum of the City Council, as well as the presiding officer, will be physically present at the above identified location. Members of the public that desire to make a public comment must attend the meeting in person.



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.

- a. Consider approval of the minutes of the December 5, 2023, Regular Meeting.
1. Consider approval of the following bids:
 - a. Tuckerville Park Development - Bob Day Tennis Center Bid No. 1302-23

Dean Construction	\$12,481,719.64
Owner's Contingency	1,248,171.96
TOTAL:	\$13,729,891.60

This request is to construct the new Bob Day Tennis Center in Tuckerville Park. Improvements include the construction of 12 tennis courts and a pro shop with supporting amenities along with the required site work, drainage, paving, and utilities. An owner's contingency is included for any additional work that may be required.
 - b. GP&L Substation Disconnect Switches Contract Bid No. 1323-23

KBS Electrical Distributors, Inc.	\$750,000.00
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This request is for the as-needed purchase of disconnect switches and associated hardware for use in GP&L substations. This approval is for a one (1) year term agreement with four (4) optional renewals.
 - c. GP&L Holford Switch Station Control Enclosure Bid No. 0081-24

Electrical Power Products, Inc.	\$1,269,131.00
Owners Contingency	126,913.00
TOTAL:	\$1,396,044.00

This request is for the purchase of a control enclosure for the GP&L Holford Switch Station as part of the approved Holford Switch Station CIP project.
 - d. Award of Contract with Dillon Morgan Consulting for Process Improvement Bid No. 0258-24

Dillon Morgan Consulting (DMC)	\$ 2,000,000.00
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e. **GP&L McCree to Shiloh 138kV Transmission Line Upgrade Materials**

Bid No. 0096-24

Texas Electric Cooperatives, Inc.	\$1,140,319.00
Owner's Contingency	114,031.90
TOTAL:	\$1,254,350.90

This request is for the purchase of materials needed for the upgrade of the McCree to Shiloh 138kV Transmission Line.

2. **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 22-29 Marcer Construction (District 5)**

Consider and take appropriate action on an ordinance amending the Garland Development Code of the City of Garland, Texas, by approving 1) a Change in Zoning from Neighborhood (NO) Office District to a Planned Development (PD) District for Multi-Family Uses and 2) a Detail Plan for a multi-family (condominium) development on a 0.826-acre tract of land located at 2920 Broadway Boulevard; 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. **Z 23-31 Marta Nambo de Flores (District 6)**

*Z 23-31, Marta Nambo de Flores (District 6)
Consider and take appropriate action on an ordinance amending the Garland Development Code of the City of Garland, Texas, by approving 1) a Specific Use Provision for a Guest House on a 0.2244-acre property zoned Single-Family-7 (SF-7) District and located at 609 Lawson Drive; 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. **Z 23-32 MC Office, LLC.**

Consider and take appropriate action on an ordinance amending the Garland Development Code of the City of Garland, Texas, by approving 1) Specific Use Provision for a Contractor's Office/Warehouse (indoors only) Use on a 1.409-acre property zoned Downtown (DT) District and located at 601 North First Street; 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. **Z 23-37 Shearer, Monk, & Voight (District 6)**

Consider and take appropriate action on an ordinance amending the Garland Development Code of the City of Garland, Texas, by approving 1) a Specific Use Provision for a Truck/Bus Repair Use on a 3.421-acre property zoned Industrial (IN) District with an existing Specific Use Provision [S 21-15] for a Truck/Bus Storage Use, and located at 3877 Miller Park Drive; 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.

e. **Z 23-39 Peak Health Diagnostics (District 8)**

Consider and take appropriate action on an ordinance amending the Garland Development Code of the City of Garland, Texas, by approving 1) a Specific Use Provision for a Laboratory, Analytical or Research (indoor) Use on a 0.834-acre property zoned Planned Development (PD) District and located at 1605 North Garland Avenue; 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.

3. Authorization of a Resolution of No Objection for Garland Leased Housing Associates I Application for 4% Low-Income Tax Credits

The council is asked to consider authorizing the execution of an amended Resolution of No Objection for the Cesera Multifamily Development low-income housing 4% tax credit application. The property is located at 202 Belt Line Road and is a partnership project with the Garland Housing Finance Corporation. This item was initially approved by the Council during the September 20, 2022, Regular Council meeting. Texas Department of Housing and Community Affairs has requested an amended Resolution of No Objection containing the required language.

4. Ordinance amendment concerning ice cream trucks

Garland City Ordinance prohibited ice cream trucks from at least 2007 until June 2023. On June 6, 2023, City Council passed an amendment to repeal Section 228.231 of GCO Section 22.26, thus removing the prohibition, effective immediately. While rules to regulate ice cream trucks were being developed, state law changed. House Bill 2878 delegated Dallas County as the permitting authority for all municipalities within the county, effective September 1, 2023.

5. Neighborhood Vitality Matching Grant Fall 2023 Applications

Consider and take action to approve Pecan Grove Neighborhood Association's application as submitted. At the December 4, 2023, Work Session, Council considered the Neighborhood Vitality Matching Grant Fall 2023 Applications.

ITEMS FOR INDIVIDUAL CONSIDERATION

Speaker Regulations:

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6. Hold public hearings on:

a. Hold a Public Hearing to expand the boundaries of TIF #1, extend the term of TIF #1, and revise the TIF #1 Project and Financing Plan

At the November 13, 2023, and December 4, 2023, Work Sessions, Council requested that staff bring forward a recommendation to the Board of Directors of the Tax Increment Financing (TIF) Zone #1 to expand the boundaries of TIF #1, extend the term of TIF #1, and revise the TIF #1 Project and Financing Plan. The Board of Directors held a meeting on October 18, 2023, and November 29, 2023, and unanimously approved moving forward with this recommendation.

Sec. 311.003. of the Texas Tax Code specifies the procedure for expanding the boundaries and modifying the Project and Financing Plans of reinvestment zones. A public hearing is required to obtain comments from interested parties regarding its boundaries or the concept of tax increment financing. Following the public hearing, Council will formally consider an ordinance to expand the boundaries of the TIF zone and amend the Project and Financing Plan.

b. Z 23-46 City of Garland (District 1)

Consider a request by City of Garland, proposing an amendment to Planned Development (PD) District 20-17 to exempt Data Centers from a Detail Plan process through Plan Commission and City Council, where Data Centers are already allowed by right and meet technical requirements. This area is generally northeast of North President George Bush Turnpike, west of Holford Road, and south of the city limits line in District 1.

Consider and take appropriate action of the application of City of Garland, requesting approval of an amendment to Planned Development (PD) District 20-17 regarding removing the Detail Plan requirement for Data Center Uses when a Data Center is allowed by right and meets applicable requirements. This area is generally located northeast of North President George Bush Turnpike, west of Holford Road, and south of the city limits line. (File Z 23-46, District 1)

c. **Z 23-40 1901 W Northwest Hwy, LLC (District 5)**

Consider a request by 1901 Northwest Hwy, LLC., proposing an amendment to the Planned Development (PD) Conditions to allow the following uses: Pet Care/Play Facility (indoor), Learning Center, Specialized; Health & Fitness Gym (Indoor); Studio, Fitness or Performing Arts; and Veterinary Clinic, Small Animal (indoors only). The site is located at 1901 Northwest Highway in District 5.

Consider and take appropriate action of the application of 1901 Northwest Hwy, LLC., requesting approval of an Amendment of Conditions to Planned Development (PD) District 94-35 for Community Retail Uses to allow a Pet Care/Play Facility (indoor); Learning Center, Specialized; Health & Fitness Gym (Indoor); Studio, Fitness or Performing Arts, and Veterinary Clinic, Small Animal (indoors only) use. This property is located at 1901 Northwest Highway. (File Z 23-40, District 5)

7. Citizen comments.

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8. Adjourn.

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GARLAND
CITY COUNCIL ITEM SUMMARY SHEET

City Council Regular Session Agenda

. a.

Meeting Date: 12/12/2023

Item Title: Minutes December 5, 2023

Submitted By: Tracy Allmendinger, Deputy City Secretary

Summary of Request/Problem

Consider approval of the minutes of the December 5, 2023, Regular Meeting.

Recommendation/Action Requested and Justification

Attachments

December 5, 2023 Regular Meeting Minutes



GARLAND

MINUTES

The City Council of the City of Garland convened in regular session at 7 p.m. on Tuesday, December 5, 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 B.J. Williams
Council Member Margaret Lucht
Council Member Carissa Dutton
Council Member Dylan Hedrick
Council Member Chris Ott

Staff Present: City Manager Jud Rex
Deputy City Manager Mitch Bates
Assistant City Manager Andy Hesser
Assistant City Manager Crystal Owens
Assistant City Manager Phillip Urrutia
City Attorney Brian England
City Secretary Eloyce Rene' Dowl

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CONSENT AGENDA

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The motion was made by Council Member Hedrick to approve the Consent Agenda, seconded by Council Member Dutton.

Vote: 9 - 0

1. **APPROVED** Consider approval of the minutes of the November 14, 2023, Regular Meeting.

2. Consider approval of the following bids:

a. **APPROVED** GP&L Lookout Substation Expansion Project- Steel Structures **Bid No. 0570-23**

Techline, Inc. **\$51,133.70**

This request is to approve a change order for GP&L Lookout Substation Steel Structures. Additional bus support structures are needed to optimize planned delivery points and allow for future growth flexibility at the substation.

b. **APPROVED** GP&L Girvin Switch Station Control Enclosure **Bid No. 0923-23**

Electrical Power Products, Inc. **\$1,127,079.00**
Owner's Contingency **112,707.90**
TOTAL: \$1,239,786.90

This request is for the purchase of a control enclosure for the GP&L Girvin Switch Station as part of the approved Girvin Switch Station CIP project.

c. **APPROVED** GP&L Oakland Substation Structure **Bid No. 1097-23**

DIS-TRAN Packaged Substations, LLC. **\$878,360.00**
Owner's Contingency **\$87,836.00**
TOTAL: \$966,196.00

This request is for the purchase of a factory-built substation to be installed at the GP&L Oakland Substation site.

d. **APPROVED** Water Utilities Building - Construction Services **Bid No. 0840-21**

Hill & Wilkinson General Contractors **\$947,302.78**

This request is to approve a change order for construction services for the new Water Utilities Building.

e. **APPROVED** TMPA Sabine Creek Tap Station Control Enclosure **Bid No. 1297-23**

Thermo Bond Buildings **\$260,705.00**
Owner's Contingency **26,070.50**
TOTAL: \$286,775.50

This request is for the purchase of a Control Enclosure for the TMPA Sabine Creek Tap Station as part of the approved TMPA Rayburn Country 138kV Point of Interconnection CIP project and will be reimbursed at 100%.

f. **APPROVED** GP&L Girvin Switch Station Steel Structures **Bid No. 1298-23**

SAE Towers, Ltd. **\$1,678,846.00**
Owner's Contingency **83,942.30**
TOTAL: \$1,762,788.30

This request is for the purchase of steel structures and associated materials needed for the construction of the GP&L Girvin Substation.

g. **APPROVED** Powertrain Rebuild **Bid No. 0231-24**

Holt Cat **\$445,678.41**

This request is for a manufacturer rebuild of the powertrain on unit 160-1819R, a 2018 Caterpillar D6T Dozer utilized by the landfill.

Motorola Solutions

\$1,024,238.20

This request is to approve a ten-year contract for services related to Next Generation 9-1-1 Core Services and Emergency Services Internet Protocol Network (ESInet).

3. APPROVED 2023 Capital Improvement Program Budget Amendment No. 2

Council approved Ordinance No. 7484 amending the 2023 Capital Improvement Program to appropriate supplemental funding for various Capital Projects and Programs in 2023.

4. APPROVED 2023 Edward Byrne Memorial Justice Assistance Grant (JAG)

Council approved Resolution No. 10601 authorizing the Police Department to apply for the 2023 Edward Byrne Memorial Justice Assistance Grant (JAG) program.

5. 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 23-23 ClayMoore Engineering (District 1)

Ordinance No. 7485 amending the Garland Development Code of the City of Garland, Texas, by approving 1) a Specific Use Provision for a Restaurant, Drive-through use and 2) a Detail Plan for a commercial building including a Restaurant, Drive-through use on a 1.033-acre tract of located at 5050 North Garland Avenue zoned Planned Development (PD) District 01-16 for Community Retail uses; 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

ITEMS FOR INDIVIDUAL CONSIDERATION

Speaker Regulations:

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6. APPROVED Public Hearing on a Revised TIF #3 Project and Finance plan that includes the expansion of the boundaries, extension of the termination date, and revised project listing.

On November 13, 2023, Council was briefed on the proposed boundary expansion, termination date extension and revised Project and Financing Plan. Sec. 311.003. of the Texas Tax Code specifies the procedure for expanding the boundaries, extending the termination date and adopting a Project and Financing Plan for reinvestment zones.

There were no speakers on this item.

Motion was made by Council Member Dylan Hedrick, and seconded by Council Member Carissa Dutton

Vote: 9 - 0

7. Hold public hearings on:

a. APPROVED Consider a request by Marcer Construction to construct fifteen (15) condominium dwelling units in a townhouse-style configuration. The site is located at 2920 Broadway Boulevard in District 5.

Consider and take appropriate action of the application of Marcer Construction, requesting approval of 1) a Change in Zoning from Neighborhood (NO) Office District to a Planned Development (PD) District for Multi-Family Uses and 2) a Detail Plan for a multi-family (condominium) development. This property is located at 2920 Broadway Boulevard. (File Z 22-29, District 5)

The staff report was presented by William Guerin, Director of Planning. The speaker on this item was Raul Estrada Jr. (applicant)

There was discussion by the Council.

Motion was made by Council Member Margaret Lucht, and seconded by Deputy Mayor Pro Tem Ed Moore

Vote: 9 - 0

b. APPROVED Consider a request by Marta Nambo de Flores for a Guest House in the backyard. The site is located at 609 Lawson Drive in District 6.

Consider and take appropriate action of the application of Marta Nambo de Flores, requesting approval of 1) a Specific Use Provision for a Guest House on a property zoned Single-Family-7 (SF-7) District and 2) a Plan for a Guest House. This property is located at 609 Lawson Drive. (File Z 23-31, District 6)

The staff report was presented by William Guerin, Director of Planning. The speaker on this item was Marta Nambo de Flores (applicant).

There was discussion by the Council regarding amending the Specific Use Provision to a five (5) year time period.

Motion was made by Council Member Carissa Dutton, and seconded by Council Member Margaret Lucht

Vote: 9 - 0

c. APPROVED Consider a request by MC Office, LLC for a Contractor's Office/Warehouse Use in an existing building. The site is located at 601 North First Street in District 8.

Consider and take appropriate action of the application of MC Office, LLC., requesting approval of a 1) Specific Use Provision for a Contractor's Office/Warehouse (indoors only) Use on a property zoned Downtown (DT) District and 2) a Plan for a Contractor's Office/Warehouse (indoors only) Use. This property is located at 601 North First Street. (File Z 23-32, District 8)

The staff report was presented by William Guerin, Director of Planning. The speakers on this item were Lisa Whatley McCord and Anthony Casa (applicant)

There was discussion by the Council.

Motion was made by Council Member Chris Ott, and seconded by Council Member Deborah Morris

Vote: 9 - 0

d. APPROVED Consider a request by Shearer, Monk & Voigt for a Truck Repair facility with 3 service bay doors. The site is located at 3877 Miller Park Drive in District 6.

Consider and take appropriate action of the application of Shearer, Monk & Voigt, requesting approval of 1) a Specific Use Provision for a Truck/Bus Repair Use on a property zoned Industrial (IN) District with an existing Specific Use Provision [S 21-15] for a Truck/Bus Storage Use and 2) a Plan for a Truck/Bus Repair Use. This property is located at 3877 Miller Park Drive. (File Z 23-37, District 6)

The staff report was presented by William Guerin, Director of Planning. The speaker on this item was Charles Voigt (applicant)

There was discussion by the Council.

Vote: 9 - 0

e. APPROVED Consider a request by Peak Health Diagnostics for a laboratory use in an existing medical/dental office building. The site is located at 1605 North Garland Avenue, Suite A in District 8.

Consider and take appropriate action of the application of Peak Health Diagnostics, requesting approval of 1) a Specific Use Provision for a Laboratory, Analytical or Research (indoor) Use on a property zoned Planned Development (PD) District 82-17 and 2) a Plan for a Laboratory, Analytical or Research (indoor) Use. This property is located at 1605 North Garland Avenue. (File Z 23-39, District

8)

The staff report was presented by William Guerin, Director of Planning. The speaker on this item was Mohammed Inran (applicant)

There was discussion by the Council.

Motion was made by Council Member Chris Ott, and seconded by Deputy Mayor Pro Tem Ed Moore

Vote: 9 - 0

8. 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.

Citizen Comments: Cecilia Jan Alexander, Andres Vargas, and Linda Fernicola.

9. Adjourn.

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There being no further business to come before the City Council, Mayor LeMay adjourned the meeting at 8:18 p.m.

Submitted By:

Scott LeMay, Mayor

Eloyce Rene Dowl, City Secretary



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

1. a.

Meeting Date: 12/12/2023
Item Title: Tuckerville Park Development - Bob Day Tennis Center
Submitted By: Andy Hesser, Managing Director
Bid Number: 1302-23

Purchase Justification:

This request is to construct the new Bob Day Tennis Center in Tuckerville Park. Improvements include the construction of 12 tennis courts and a pro shop with supporting amenities along with the required site work, drainage, paving, and utilities. An owner's contingency is included for any additional work that may be required.

Evaluation:

A request for Competitive Sealed Proposals (CSP) was issued in accordance with Purchasing procedures. Six (6) proposals were received and evaluated based on the published criteria. Dean Construction received the highest evaluated score, offering the Best Value for the city.

Award Recommendation:

<i>Vendor</i>	<i>Item</i>	<i>Amount</i>
Dean Construction	All	\$12,481,719.64
Owner's Contingency		1,248,171.96
	TOTAL:	\$13,729,891.60

Basis for Award: Best Value
Purchase Requisition #: 50027

Fiscal Impact

Total Project/Account: \$6,043,000
Expended/Encumbered to Date: \$1,597,049
Balance: \$4,445,951
This Item: \$13,729,892
Proposed Balance: -\$9,283,941*
Account #: 614-2499-1832904-9002 and 692-2499-1832900-9002

Fund/Dept/Project "Description and Comments:
Parks CIP / Tuckerville Park Development

*The Tuckerville Park Project will continue into 2024; Certificates of Obligation funding will be included in the 2024 Capital Improvement Program for the continuation of the project, as projected in the 2023 CIP.

Attachments

Bid Recap 1 of 2
Bid Recap 2 of 2

Fiscal Reference:
Budget Type: CIP
Fiscal Year: 2023
Document Location: Page 63

Budget Director Approval: Allyson Bell Steadman **Approval Date:** 11/21/2023
Purchasing Director Approval: Gary L. Holcomb **Approval Date:** 11/20/2023

CITY OF GARLAND - BID RECAP SHEET OPENED: 11/09/2023 REQ. NO 50027 BID NO 1302-23 PAGE: 1 of 2 BUYER: C. Sanders			Dean Construction	Gliden Industries, LLC	Hill & Wilkinson	Millis Development and Construction
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I T E M	QTY	U N I T	DESCRIPTION	Dean Construction		Gliden Industries, LLC		Hill & Wilkinson		Millis Development and Construction	
				UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
			Bid Price for Evaluation		\$12,481,719.64		\$12,486,900.40		\$14,239,844.00		\$14,120,254.98
			Evaluation Criteria:								
			Price	Maximum = 50	50.00		49.98		43.83		44.20
			General Contractor Experience	Maximum = 20	18.67		9.67		15.00		13.00
			Subcontractor Experience	Maximum = 10	9.33		7.67		7.67		9.67
			Adherence to Specifications	Maximum = 5	5.00		5.00		5.00		5.00
			Time of Completion	Maximum = 5	5.00		5.00		5.00		3.67
			Litigation History	Maximum = 5	3.67		5.00		3.00		3.67
			Project Close-out and Warranty History	Maximum=5	4.67		4.00		5.00		3.00
			Total Score:	Maximum = 100	96.34		86.32		84.50		82.21

TOTAL GROSS PRICE	\$12,481,719.64	\$12,486,900.40	\$14,239,844.00	\$14,120,254.98
CASH DISCOUNT				
TOTAL NET PRICE	\$12,481,719.64	\$12,486,900.40	\$14,239,844.00	\$14,120,254.98
F.O.B.	DELIVERED	DELIVERED	DELIVERED	DELIVERED
DELIVERY				

NEXT LOW: \$12,486,900.40 LOW: \$12,481,719.64 SAVINGS: \$5,180.76	865 # IonWave Notifications 149 # IonWave HUBS 14 # Direct Contact HUBS 0 # HUBS Responded	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. <u>The City will notify the successful bidder upon award of the contract and, according to the law, all bids received will be available for inspection at that time.</u>
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CITY OF GARLAND - BID RECAP SHEET OPENED: 11/09/2023 REQ. NO 50027 BID NO 1302-23 PAGE: 2 of 2 BUYER: C. Sanders			Northridge Construction Group	Ratliff Hardscape, Ltd		
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I T E M	QTY	U N I T	DESCRIPTION								
				UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
			Bid Price for Evaluation		\$14,632,679.00		\$15,978,472.00				
			Evaluation Criteria:								
			Price	Maximum = 50	42.65		39.06				
			General Contractor Experience	Maximum = 20	12.67		13.33				
			Subcontractor Experience	Maximum = 10	9.33		5.33				
			Adherence to Specifications	Maximum = 5	2.00		5.00				
			Time of Completion	Maximum = 5	3.00		4.00				
			Litigation History	Maximum = 5	3.67		3.33				
			Project Close-out and Warranty History	Maximum=5	4.00		3.67				
			Total Score:	Maximum = 100	77.32		73.72				

TOTAL GROSS PRICE			\$14,632,679.00	\$15,978,472.00	\$0.00	\$0.00
CASH DISCOUNT						
TOTAL NET PRICE			\$14,632,679.00	\$15,978,472.00	\$0.00	\$0.00
F.O.B.			DELIVERED	DELIVERED	DELIVERED	DELIVERED
DELIVERY						

NEXT LOW: LOW: _____ SAVINGS: _____	# IonWave Notifications # IonWave HUBS # Direct Contact HUBS # HUBS Responded	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. <u>The City will notify the successful bidder upon award of the contract and, according to the law, all bids received will be available for inspection at that time.</u>
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**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

1. b.

Meeting Date: 12/12/2023
Item Title: GP&L Substation Disconnect Switches Contract
Submitted By: Steve Martin, GP&L Transmission Director
Bid Number: 1323-23

Purchase Justification:

This request is for the as-needed purchase of disconnect switches and associated hardware for use in GP&L substations. This approval is for a one (1) year term agreement with four (4) optional renewals.

Evaluation:

A request for bid was issued in accordance with Purchasing procedures. Four (4) bids were received and evaluated based on published criteria. KBS Electrical Distributors, Inc. received the highest evaluated score, offering the Best Value for the City.

Award Recommendation:

<i>Vendor</i>	<i>Item</i>	<i>Amount</i>
KBS Electrical Distributors, Inc.	All	\$750,000.00
	TOTAL:	----- \$750,000.00

Basis for Award: Best Value
Purchase Requisition #: 50086

Fiscal Impact

Total Project/Account: N/A
Expended/Encumbered to Date: N/A
Balance: N/A
This Item: \$750,000
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 Substations Operating and/or CIP account(s) as incurred.

Attachments

Bid Recap

Fiscal Reference:
Budget Type: Operating Budget
CIP
Fiscal Year: 2023-24
Document Location: Prop. Oper. Budget - Page 241; CIP - Page 276

Budget Director Approval: Allyson Bell Steadman **Approval Date:** 11/27/2023
Purchasing Director Approval: Gary L. Holcomb **Approval Date:** 11/27/2023

CITY OF GARLAND - BID RECAP SHEET OPENED: 10/31/23 REQ. NO 50086 BID NO 1323-23 PAGE: 1 of 1 BUYER: A. Arellano			KBS Electrical Distributors, Inc.	Texas Electric Cooperatives, INC	Anixter Inc. (Anixter Power Solutiouns LLC.)	
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ITEM	QTY	UNIT	DESCRIPTION	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
			Bid Price for Evaluation		\$2,469,824.00		\$2,667,450.00		\$3,678,859.00		
			Evaluation Criteria:								
			Price	Maximum = 50	50.00		46.00		34.00		
			Delivery time	Maximum = 50	50.00		50.00		50.00		
			Total Score	Maximum = 100	100.00		96.00		84.00		

TOTAL GROSS PRICE			\$2,469,824.00	\$2,667,450.00	\$3,678,859.00
CASH DISCOUNT					
TOTAL NET PRICE			\$2,469,824.00	\$2,667,450.00	\$3,678,859.00
F.O.B. DELIVERY			DELIVERED	DELIVERED	DELIVERED

NEXT LOW: \$2,667,450.00
LOW: \$2,469,824.00
SAVINGS: \$197,626.00

330 # IonWave Notifications
 34 # IonWave HUBS
 9 # Direct Contact HUBS
 0 # HUBS Responded

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 notify the successful bidder upon award of the contract and, according to the law, all bids received will be available for inspection at that time.



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

1. c.

Meeting Date: 12/12/2023
Item Title: GP&L Holford Switch Station Control Enclosure
Submitted By: Steve Martin, GP&L Transmission Director
Bid Number: 0081-24

Purchase Justification:

This request is for the purchase of a control enclosure for the GP&L Holford Switch Station as part of the approved Holford Switch Station CIP project. The control enclosure will contain switchboard panels, batteries, battery chargers, supervisory control, meters, and relays and will provide all-weather protection and security for the control equipment. An owner's 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. Crown Texas, Inc. was deemed non-responsive due to submitting a two-sloped roof design which does not meet specifications. One (1) bid was evaluated based on the published criteria. Electrical Power Products, Inc. received the highest evaluated score, offering the Best Value for the City.

Award Recommendation:

<i>Vendor</i>	<i>Item</i>	<i>Amount</i>
Electrical Power Products, Inc.	All	\$1,269,131.00
Owner's Contingency		126,913.00
	TOTAL:	----- \$1,396,044.00

Basis for Award:

Best Value

Purchase Requisition #:

50212

Fiscal Impact

Total Project/Account: \$4,200,000
Expended/Encumbered to Date: \$2,025,178
Balance: \$2,174,822
This Item: \$1,396,044
Proposed Balance: \$778,778
Account #: 210-3799-3177701-6051

Fund/Dept/Project "Description and Comments:

Electric CIP / Substations Upgrades Program

Attachments

Bid Recap

Fiscal Reference:

Budget Type: CIP
Fiscal Year: 2023
Document Location: Page 276

Budget Director Approval:	Allyson Bell Steadman	Approval Date:	11/27/2023
Purchasing Director Approval:	Gary L. Holcomb	Approval Date:	11/27/2023

CITY OF GARLAND - BID RECAP SHEET

OPENED: November 7, 2023
 REQ. NO. PR 50212
 BID NO. 0081-24
 PAGE: 1 of 1
 BUYER: Teresa Smith

Electrical Power Products,
 Inc.

Crown Texas, Inc.

I T E M	QTY	U N I T	DESCRIPTION								
				UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
			Price for Evaluation		\$1,269,131.00		\$1,220,286.14				
							Non-Responsive				
			Evaluation Criteria:								
			Price	Maximum=45	45.00						
			Delivery Schedule	Maximum=35	35.00						
			Previous Experience with COG	Maximum=5	5.00						
			References of Goods and Svcs.	Maximum=15	15.00						
			Total	Maximum=100	100.00						
			TOTAL GROSS PRICE		\$1,269,131.00						
			CASH DISCOUNT								
			TOTAL NET PRICE		\$1,269,131.00						
			F.O.B.	DELIVERED		DELIVERED		DELIVERED		DELIVERED	
			DELIVERY								

NEXT LOW: n/a

LOW: n/a

SAVINGS: n/a

328 # IonWave Notifications

31 # IonWave HUBS

0 # Direct Contact HUBS

0 # HUBS Responded

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 notify the successful bidder upon award of the contract and, according to the law, all bids received will be available for inspection at that time.



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

1. d.

Meeting Date: 12/12/2023

Item Title: Award of Contract with Dillon Morgan Consulting for Process Improvement

Submitted By: Phillip Urrutia, Assistant City Manager

Bid Number: 0258-24

Purchase Justification:

Dillon Morgan Consulting (DMC) is a firm comprised of six sigma black belt professionals who assist organizations in improving existing processes and workflows as well as provide training for organizations to frame their future success with transformation competence tools. DMC joined the City of Garland's development staff in July of this year to review the development process and make improvement in the transition to a new software package. The development process review has reduced over 50% of the manual internal processes and helped to create a new zoning path to help improve developer interactions. DMC joined the City's Financial and Procurement team in September to map current processes and create new processes for transactions, which resulted in a reduction of over 30% in financial steps. DMC is currently engaged in a project to improve the City Council, Board and Committee agenda process with an improved form, standardized language and reduced steps in producing a final document.

Staff has recognized the benefit of support provided by DMC and identified the need for further process improvement within City departments. With the successes realized in process improvement engagements, it is recommended that a not to exceed agreement of \$2,000,000 be executed with DMC to further improve department processes and training staff to guide future improvements.

Funding for this project will be from the Information Technology Fund.

Evaluation:

Dillon Morgan Consulting (DMC) will be performing the contract as a professional service. As competitive bids were not received, a Bid Recap is not included.

Award Recommendation:

<i>Vendor</i>	<i>Item</i>	<i>Amount</i>
Dillon Morgan Consulting (DMC)	All	\$2,000,000.00
	TOTAL:	----- \$2,000,000.00

Basis for Award:

Purchase Requisition #: 00000

Fiscal Impact

Total Project/Account: \$9,735,474
Expended/Encumbered to Date: \$5,118,400
Balance: \$4,617,074
This Item: \$2,000,000 *
Proposed Balance: \$2,617,074
Account #: 411-4514-7101

Fund/Dept/Project "Description and Comments:

Information Technology Fund / Strategic Services

* This contract was not anticipated in the FY 2023-24 Adopted Budget. A Budget Amendment to the FY 2023-24 Operating Budget will be brought to City Council for consideration at a future date to appropriate funds in the Information Technology Fund for this contract, which will be funded by one-time transfers from the various City Funds (General Fund, Electric Utility Fund, Water and Wastewater Utility Funds, Sanitation Fund, and Stormwater Management Fund) in the FY 2023-24 Revised Budget.

Fiscal Reference:
Budget Type:
Fiscal Year:
Document Location:

Budget Director Approval:		Approval Date:	11/27/2023
Purchasing Director Approval:	Gary L. Holcomb	Approval Date:	11/27/2023



**GARLAND
PURCHASING REPORT**

City Council Regular Session Agenda

1. e.

Meeting Date: 12/12/2023
Item Title: GP&L McCree to Shiloh 138kV Transmission Line Upgrade Materials
Submitted By: Steve Martin, GP&L Transmission Director
Bid Number: 0096-24

Purchase Justification:

This request is for the purchase of materials needed for the upgrade of the McCree to Shiloh 138kV Transmission Line. This is part of the approved GP&L McCree to Shiloh 138kV Transmission Line Upgrade CIP project. An owner's contingency is included for any additional materials that may be required.

Evaluation:

A request for bids was issued in accordance with Purchasing procedures. Four (4) bids were received and evaluated. KBS Electrical Distributors, Inc. was deemed non-responsive due to submitting unapproved alternate materials. Anixter, Inc. was deemed non-responsive due to submitting unapproved alternate materials and an incomplete bid. Techline, Inc. was deemed non-responsive due to submitting a delivery schedule that significantly exceeded the required time frame for completion of the project. Texas Electric Cooperatives, Inc. is recommended as the Lowest Responsible Bidder meeting all requirements of the specifications and the required time frame for completion of the project.

Award Recommendation:

<i>Vendor</i>	<i>Item</i>	<i>Amount</i>
Texas Electric Cooperatives, Inc.	1	\$1,140,319.00
Owner's Contingency		114,031.90
	TOTAL:	----- \$1,254,350.90

Basis for Award: Lowest Responsible Bid
Purchase Requisition #: 50249

Fiscal Impact

Total Project/Account: \$2,912,000
Expended/Encumbered to Date: \$883,063
Balance: \$2,028,937
This Item: \$1,254,351
Proposed Balance: \$774,586
Account #: 215-3599-3144801-6051
Fund/Dept/Project "Description and Comments:
 Electric CIP / 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:** 11/27/2023
Purchasing Director Approval: Gary L. Holcomb **Approval Date:** 11/27/2023

CITY OF GARLAND - BID RECAP SHEET
 OPENED: 11/16/23
 REQ. NO. 50249
 BID NO. 0096-24
 PAGE: 1 of 1
 BUYER: A. Arellano

Texas Electric Cooperatives,
 INC

KBS Electrical Distributors,
 Inc

Techline, Inc.

Anixter Inc. (Anixter Power
 Solutions LLC.)

I T E M	QTY	U N I T	DESCRIPTION	Texas Electric Cooperatives, INC		KBS Electrical Distributors, Inc		Techline, Inc.		Anixter Inc. (Anixter Power Solutions LLC.)	
				UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
1	1	LT	GP&L McCree to Shiloh 138kV	\$1,140,319.00	\$1,140,319.00	\$681,671.75	\$681,671.75	\$719,383.08	\$719,383.08	\$857,932.39	\$857,932.39
			Transmission Line Upgrade				Non-responseive		Non-responsive		Non-responsive
			Materials								

TOTAL GROSS PRICE			\$1,140,319.00							
CASH DISCOUNT										
TOTAL NET PRICE			\$1,140,319.00							
F.O.B.			DELIVERED		DELIVERED		DELIVERED		DELIVERED	
DELIVERY			210 Days		350 Days		410 Days		280 Days	

NEXT LOW: n/a 332 # IonWave Notifications
LOW: n/a 34 # IonWave HUBS
SAVINGS: n/a 9 # Direct Contact HUBS
 0 # HUBS Responded

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 notify the successful bidder upon award of the contract and, according to the law, all bids received will be available for inspection at that time.



GARLAND

PLANNING REPORT

City Council Regular Session Agenda

2. a.

Meeting Date: 12/12/2023

Item Title: Z 22-29 Marcer Construction (District 5)

REQUEST

Approval of 1) a Change in Zoning from Neighborhood (NO) Office District to a Planned Development (PD) District for Multi-Family Uses and 2) a Detail Plan for a multi-family (condominium) development.

LOCATION

2920 Broadway Boulevard

OWNER

Columbia Colson Corporation

PLAN COMMISSION RECOMMENDATION

On November 13, 2023 the Plan Commission, by a vote of eight (8) to one (1), recommended approval of 1) a Change in Zoning from Neighborhood (NO) Office District to a Planned Development (PD) District for Multi-Family Uses and 2) a Detail Plan for a multi-family (condominium) development.

Additionally, the Plan Commission recommended the applicant provide a masonry wall around the perimeter of the property in lieu of the original proposed wood fence.

STAFF RECOMMENDATION

Approval of 1) a Change in Zoning from Neighborhood (NO) Office District to a Planned Development (PD) District for Multi-Family Uses and 2) a Detail Plan for multi-family (condominium) development.

While the perimeter wood fence is not a requirement per the GDC, staff has recommended an enhanced screening fence. The applicant concurs and proposes a decorative horizontal board fence.

BACKGROUND

The subject property is currently unimproved. The applicant proposes fifteen (15) condominium units in a townhouse-style configuration.

SITE DATA

The subject property contains approximately 0.83 acres and has approximately 125 linear feet of frontage along Broadway Boulevard. The property can be accessed from Broadway Boulevard and an emergency access point from northwest of the property.

USE OF PROPERTY UNDER CURRENT ZONING

The subject property is currently zoned Neighborhood Office (NO) District. The Neighborhood Office (NO) district is intended to create an appropriate setting for low-intensity office and professional uses. The district may be used as a transition district between residential uses and more intense uses. With appropriate buffers and landscaping, this district may be located contiguous to residential districts. Allowed uses should be compatible with adjacent residential areas by limiting heights to one story, and may not include uses that create excessive amounts of traffic, noise, trash, or late-night business operations.

CONSIDERATIONS

1. The applicant proposes fifteen (15) multi-family (condominium) units in a townhouse-style configuration. The site plan (Exhibit C) consists of three (3) buildings on one (1) lot of record. Per the applicant's narrative, "this style was selected in order to cater to a wide range of residents, from single individuals seeking a contemporary retreat to families in pursuit of a functional and elegant home. The use of stucco and batten siding ensures durability and longevity, while the inclusion of wood adds warmth and character to the exterior. The design is both modern and timeless, which we hope appeals to both the wants and preferences of our community members."

2. The GDC requires a minimum of forty (40%) percent of the site to be landscaped. The landscape plan shows 22.3% of the site is landscaped. The subject property is small and incorporating necessary infrastructure reduces space for adequate landscaping. Additionally, screening is not required; however, the applicant is proposing a six (6)-foot horizontal wood fence along the perimeter of the property.

The landscape plan (Exhibit D) with all other landscaping requirements per the GDC.

3. Amenities

- **Clubhouse:** Section 2.39 (l) states that a minimum 2,500 square-foot clubhouse must be constructed on site and made available to all residents. The applicant is not proposing a clubhouse. This is a common deviation for small, infill multi-family developments.
- **Swimming Pool:** One (1) swimming pool having a minimum of eight hundred (800) square feet of surface water must be provided for each multi-family development. This proposal is a small-scale development with fifteen (15) dwelling units. Therefore, the applicant is not proposing a swimming pool.
- **Leisure Areas:** One leisure areas having a minimum area of one thousand square feet, containing at least two (2) pieces of play equipment, or other outdoor amenities (such as, picnic areas with tables, barbeque pits, arbors, or gazebos) must be provided for each multi-family development. The applicant will comply with this requirement by providing playground equipment, a gazebo and workout stations. The applicant has incorporated additional outdoor amenities to compensate for the swimming pool and clubhouse.

4. Parking

The site plan (Exhibit C) complies with the parking requirements per the GDC. Each dwelling unit will consist of a two-car garage.

5. Building Separation

The site plan (Exhibit C) reflects an eleven (11)-foot building separation per the Multi-Family-0 (MF-0) District standards.

6. Building Design

The building elevations comply with building design requirements per the GDC.

7. Signage

The applicant has not requested any deviations or special standards on signage. Signage will conform to GDC

standards.

8. Standards and Deviations

Development Standards	Required	Proposed	Applicant's Justification
Landscaping	40%	22.3%	The subject property is small and incorporating the necessary infrastructure reduces space for landscaping. This has been a common request for infill redevelopment projects.
Amenities	A minimum 2,500 square-foot clubhouse must be constructed on site. One (1) swimming pool having a minimum of eight hundred (800) square feet of surface water is required.	The applicant is not providing a clubhouse or a swimming pool.	The proposal is for 15 dwelling units; therefore, the size of the property limits the ability to build a clubhouse and swimming pool. However, the applicant has used the limited space available for outdoor amenities such as workout stations within the parking islands, gazebo, grilling area and outdoor seating.

9. Benefits from the proposed Planned Development

The proposed development provides the following:

- Unique architectural style
- Unique amenities for residents
- Decorative perimeter screening
- Urban infill development, adding residents to the area
- Alignment with the Comprehensive Plan and Economic Development Strategic Plan

COMPREHENSIVE PLAN

The Future Land Use Map of the Envision Garland Plan recommends Compact Neighborhoods.

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.

Although the proposed use is multi-family, it is designed in a townhouse-style configuration. Therefore, the proposal complies with the Comprehensive Plan.

ECONOMIC DEVELOPMENT STRATEGIC PLAN

New multi-family development is considered the second highest revenue per acre generator per the Economic Development Strategic Plan. The subject property is an infill lot that will provide additional housing to the area.

COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

The property to the north zoned is Neighborhood Office (NO) District and it is developed with a grocery store/food bank. The property to the east is zoned Neighborhood Office (NO) District and is developed with a multi-tenant building. The property to the south, across Broadway Boulevard, is zoned Community Retail (CR) District; it is developed with a building that is currently used for Habitat and Humanity. The property to the west is zoned Neighborhood Office (NO) District and it is currently developed with a medical facility.

Attachments

- Z 22-29 Ordinance
 - Z 22-29 Exhibit A
 - Z 22-29 Exhibit B
 - Z 22-29 Exhibits C-E
-

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE GARLAND DEVELOPMENT CODE OF THE CITY OF GARLAND, TEXAS, BY APPROVING 1) A CHANGE IN ZONING FROM NEIGHBORHOOD OFFICE (NO) DISTRICT TO A PLANNED DEVELOPMENT (PD) DISTRICT FOR MULTI-FAMILY USES AND 2) A DETAIL PLAN FOR A MULTI-FAMILY (CONDOMINIUM) DEVELOPMENT ON A 0.826-ACRE TRACT OF LAND LOCATED AT 2920 BROADWAY BOULEVARD; 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 13th day of November, 2023, the Plan Commission did consider and make recommendations on a certain request for 1) a Change in Zoning from Neighborhood (NO) Office District to a Planned Development (PD) District for Multi-Family Uses and 2) a Detail Plan for a multi-family (condominium) development by **Marcer Construction**; 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 1) a Change in Zoning from Neighborhood (NO) Office District to a Planned Development (PD) District for Multi-Family Uses and 2) a Detail Plan for a multi-family (condominium) development located at 2920 Broadway Boulevard, 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 of any certificate of occupancy for any building or 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.

FILE NO. Z 22-29

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 22-29

WHEREAS, Columbia Colson Corporation, a Texas corporation, is the owner of a tract of land in the J. Mills Survey, Abstract No. 951 and being a tract of land conveyed to Columbia Colson Corporation, by Deed recorded in Instrument No. 201500313191, Deed Records, Dallas County, Texas, and being more particularly described by metes and bounds as follows:

Beginning at a 112 inch iron rod set for corner with a yellow cap stamped "TXHS" in the Northeast right-of-way of Broadway Boulevard (100 foot public right-of-way), said point being the South corner of Lot 1, Block 1 of Broadway Place No. 1, an addition to the City of Garland, Dallas County, Texas, according to the plat thereof recorded in Volume 75087, Page 683 of the Map Records of Dallas County, Texas, same being the West corner of said Columbia Colson Corporation tract;

Thence North 44 Degrees 50 Minutes 15 Seconds East, departing the Northeast right-of-way line of said Broadway Boulevard and along the Southeast line of said Broadway Place No. 1, a distance of 287.30 feet to a 3 inch aluminum disk stamped "MARCER ADDITION-2016" set on a 1/2 inch iron rod found along the Southeast line of said Broadway Place No. 1;

Thence North 46 Degrees 10 Minutes 45 Seconds West, a distance of 104.43 feet to 1/2 inch iron rod with a yellow

cap stamped "TXHS" along the Northwest line of a tract of land conveyed to James W. Moore by deed recorded in Volume 87206, Page 2161 of the Deed Records of Dallas County, Texas;

Thence South 44 Degrees 49 Minutes 15 Seconds West, along the Northwest line of the aforementioned Moore tract, a distance of 287 .00 feet to a 1/2 inch iron rod found for corner in the Northeast right-of-way line of the aforementioned Broadway Boulevard, at the West corner of said Moore tract, same being the most westerly South corner of said Columbia Colson Corporation tract;

Thence North 46 Degrees 10 Minutes 45 Seconds West, along the Northeast right-of-way line of said Broadway Boulevard, a distance of 125.47 feet to the POINT OF BEGINNING and containing 35,994 square feet or 0.826 acres of land.

PLANNED DEVELOPMENT CONDITIONS

ZONING FILE Z 22-29

2920 Broadway Boulevard

I. Statement of Purpose: The purpose of this Planned Development is to approve a multi-family (condominium) development.

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 Multi-Family-1 (MF-1) District as set forth in Chapter 2 of the Garland Development Code are included by reference and shall apply, except as otherwise specified by this ordinance.

IV. 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. Permitted Uses: Land Uses are only permitted as in Multi-Family-1 (MF-1) District.

B. Site Plan: The site layout, building placement, parking, and other development proposed shall be in general conformance with the approved Site Plan labeled Exhibit C.

C. Dwelling Units: A total of fifteen (15) dwelling units shall be permitted.

D. Building Separation: The two (2) buildings perpendicular to Broadway Boulevard shall have a minimum ten (10)-foot building separation.

E. Landscape Plan: Screening and landscaping shall be in

general conformance with the landscape plan labeled Exhibit D. A six (6)-foot horizontal wood fence is required along the perimeter of the property.

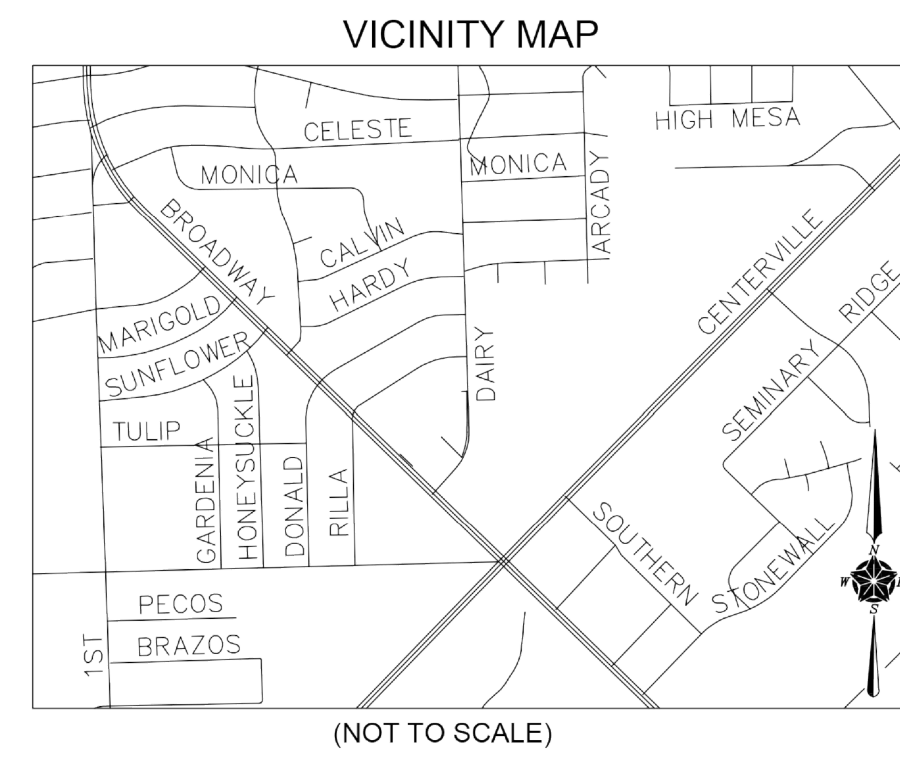
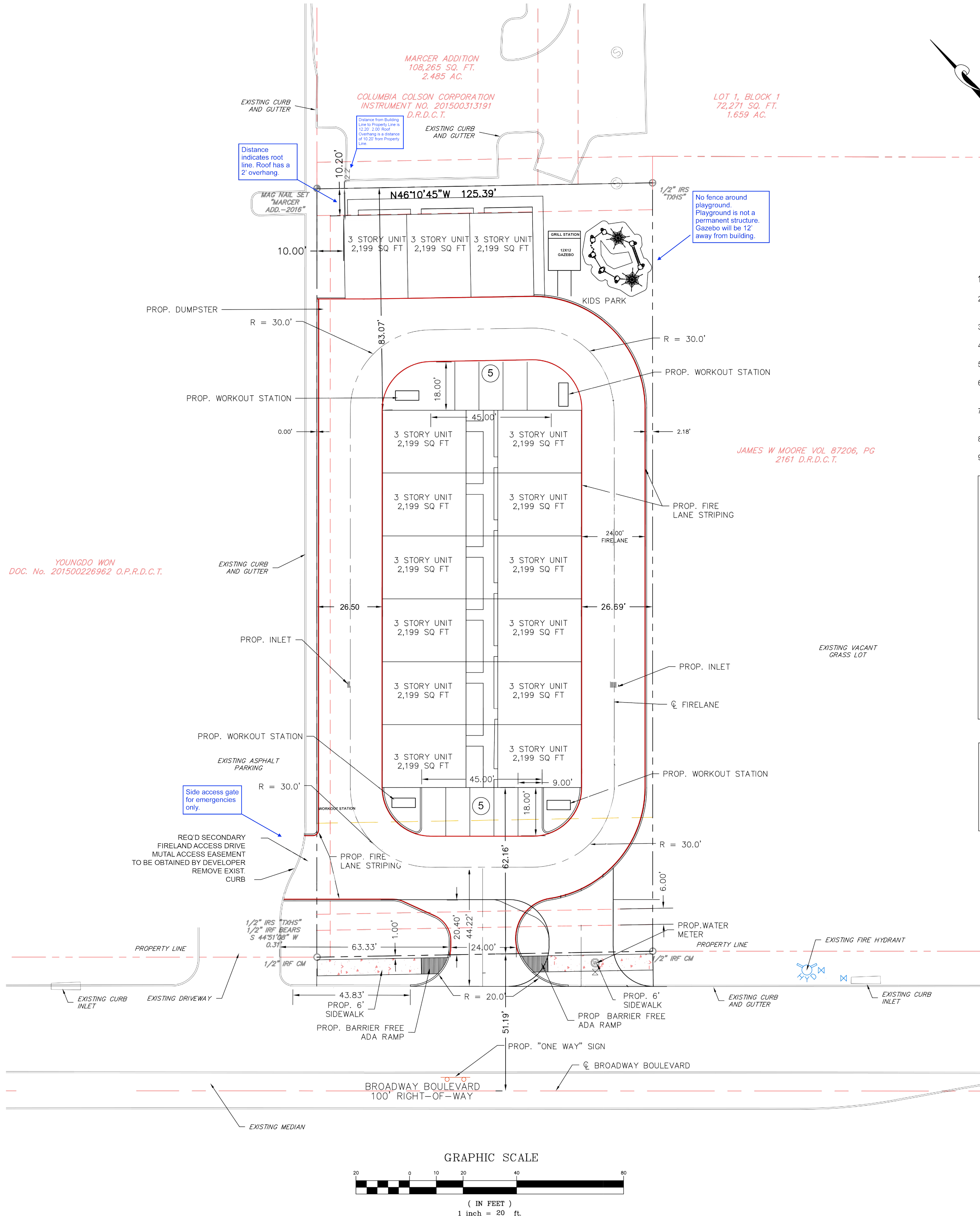
1. Landscaping must be regularly maintained in a healthy, growing condition and in compliance with this PD Ordinance, the Garland Development Code, the Code of Ordinances of the City of Garland, and the landscaping plan attached hereto at all times. The property owner is responsible for regular weeding, 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 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.

F. Elevations: Building Elevations shall be in general conformance with the elevations labeled Exhibit E.

EXHIBIT C

[DATE: 8/25/2023 9:26 AM] [AUTHOR: lmetynes] [PLOTTER: DWG_To_PDF.pc3] [PATH: C:\Users\lmetynes\La Terre Engineering, LLC\Projects - Documents\GP_Designs\Garland Site Drawings\C1.0 Site Plan Broadway.dwg] [LAYOUT: Site Plan]



GENERAL NOTES:

- CONTRACTOR TO VERIFY BUILDING LAYOUT WITH ARCHITECT PRIOR TO FORMING OF BUILDINGS AND WALKS.
- ALL NEWLY CUT AND/OR FILLED AREAS LACKING ADEQUATE VEGETATION SHALL BE SEEDED, FERTILIZED, MULCHED, AND/OR SODED AS REQUIRED TO EFFECTIVELY PREVENT SOIL EROSION. CONTRACTOR SHALL MAINTAIN THESE AREAS UNTIL A HEALTHY STAND OF GRASS IS ACHIEVED.
- THE CONTRACTOR MUST HAVE WRITTEN APPROVAL FROM THE CITY ENGINEER AND THE PROJECT ENGINEER BEFORE ANY CHANGE IN DESIGN IS MADE.
- THE CONTRACTOR SHALL NOT ENTER UPON NOR CAUSE DAMAGE TO ANY ADJACENT PROPERTIES WITHOUT WRITTEN PERMISSION FROM SAID PROPERTY OWNERS.
- ALL FILL AND COMPACTION SHALL BE EXECUTED IN ACCORDANCE WITH THE GEOTECHNICAL REPORT AND THE GRADING PLAN.
- THE CONTRACTOR SHALL REFER TO ARCHITECTURAL PLANS FOR EXACT LOCATIONS AND DIMENSIONS OF SLOPE PAVING, SIDEWALKS, EXITS, RAMPS, PRECISE BUILDING DIMENSIONS, AND EXACT BUILDING UTILITY ENTRANCE LOCATIONS.
- CONTRACTOR IS RESPONSIBLE FOR PROTECTION OF ALL AREAS INDICATED TO REMAIN UNDISTURBED OR TO REMAIN AS BUFFERS, ALL PROPERTY CORNERS, AND REPLACING ALL PINS DAMAGES DURING CONSTRUCTION.
- CONTRACTOR IS RESPONSIBLE FOR PROTECTING THE EXISTING BENCHMARK. BENCHMARK INFORMATION CAN BE FOUND ON THE GRADING PLAN.
- SITE PREPARATION SHALL BE IN ACCORDANCE WITH THE GEOTECHNICAL REPORT FOR THIS SITE.

SITE STATISTICS:

AREA OF CONCRETE PAVING (VEHICULAR USE)	16,397.75 SQ. FT.
LANDSCAPED AREA	8792.27 SQ. FT.
BUILDING AREA	10,955.38 SQ. FT.
TOTAL SITE AREA	36,185.40 SQ. FT. OR (0.83 ACRES)

GUEST PARKING STATISTICS:

2 spaces for every unit with 2+ bedrooms	
TOTAL PARKING SPACES REQUIRED	38 SPACES
TOTAL PARKING SPACES PROPOSED	38 SPACES

LOT IMPERVIOUS COMPOSITION:
 PRE-DEVELOPMENT: 0 SF
 POST-DEVELOPMENT: 27,393.13 SF

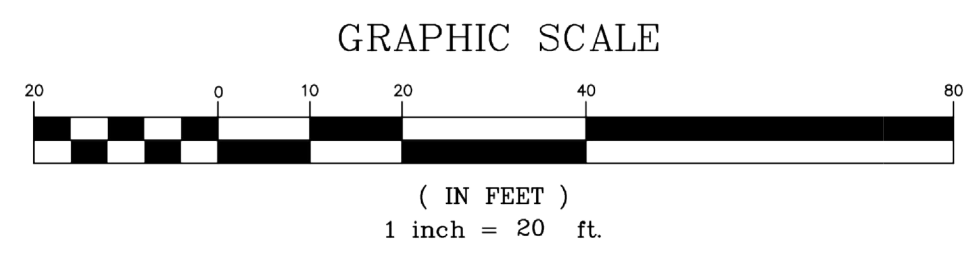
CURRENT SITE ZONING:
 NEIGHBORHOOD OFFICE (NO)

BENCHMARK
 1/2" IRON ROD SET FOR CORNER WITH A YELLOW CAP STAMPED "TXHS" IN THE NORTHEAST RIGHT-OF-WAY OF BROADWAY BOULEVARD. SAID POINT BEING THE SOUTH CORNER OF LOT 1, BLOCK 1 OF BROADWAY PLACE NO. 1, AN ADDITION TO THE CITY OF GARLAND, DALLAS COUNTY, TEXAS. ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 75087, PAGE 683 OF THE MAP RECORDS OF DALLAS COUNTY, TEXAS, SAME BRING THE WEST CORNER OF SAID COLUMBIA COLSON CORPORATION TRACT.

FLOOD INFORMATION
 THIS SITE IS CURRENTLY LOCATED IN FLOOD ZONE X AS SHOWN ON FEMA FLOOD INSURANCE RATE MAP - COMMUNITY PANEL NO. 48113C0240K.

PROPOSED LEGEND:

SYMBOL	DESCRIPTION
(13)	# OF PARKING STALLS
(Pattern)	LANDSCAPED AREA
(Pattern)	PROPOSED SIDEWALK



PRELIMINARY

REVISIONS

NO.	BY	DATE	REMARKS

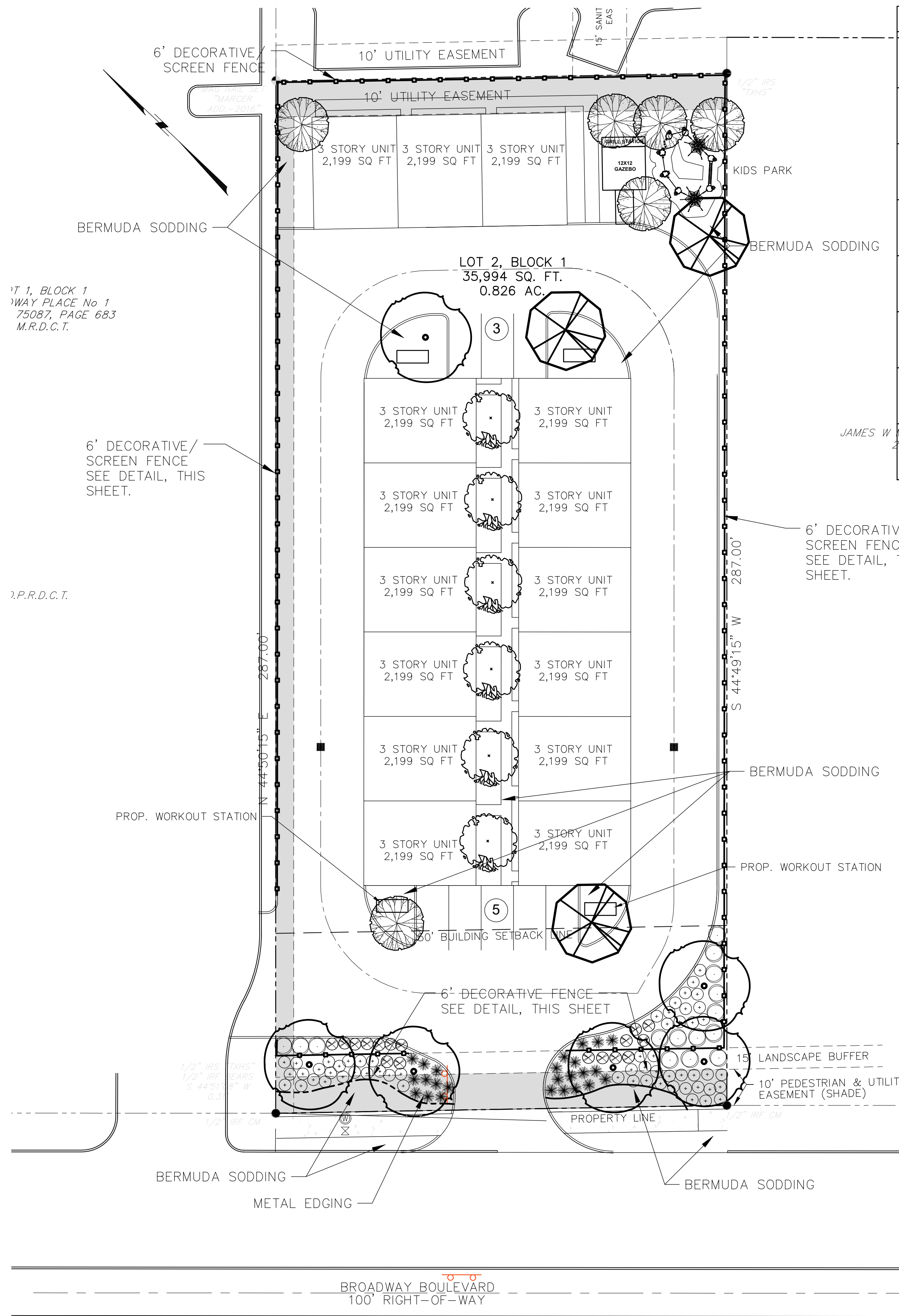
SHEET INFO

ST	DATE
DRAWN	8/14/2023
CHECKED	
APPROVED	
LAST EDIT	
PLOT DATE	8/25/2023

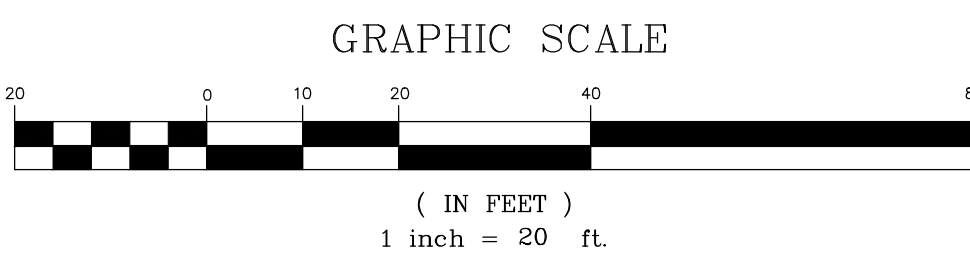
SITE PLAN
 2920 BROADWAY BLVD
 MARCER ADDITION LOT 2, BLOCK 1
 PROJECT NUMBER [DRAWING FILE NAME]
 SCALE

EXHIBIT D

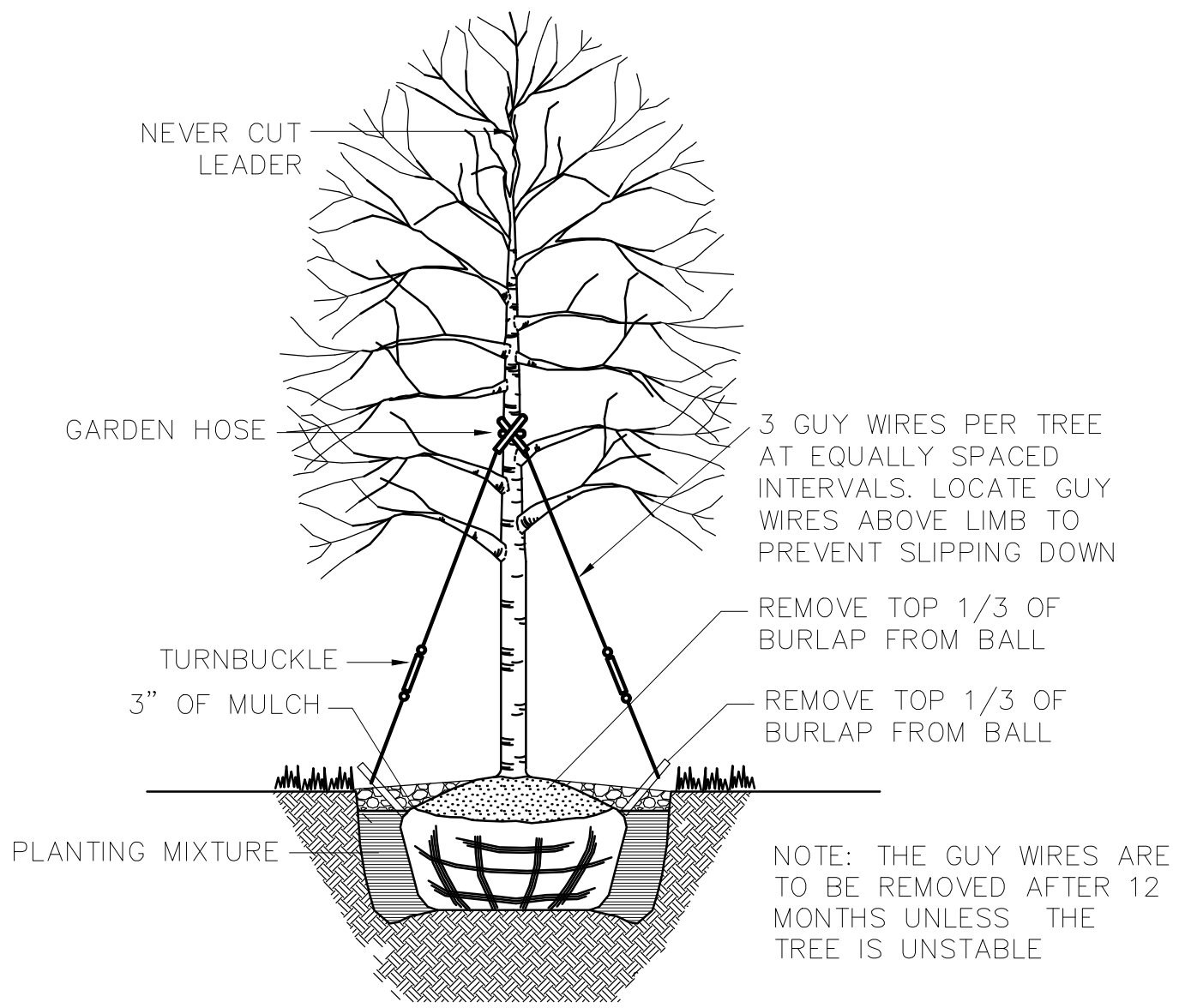
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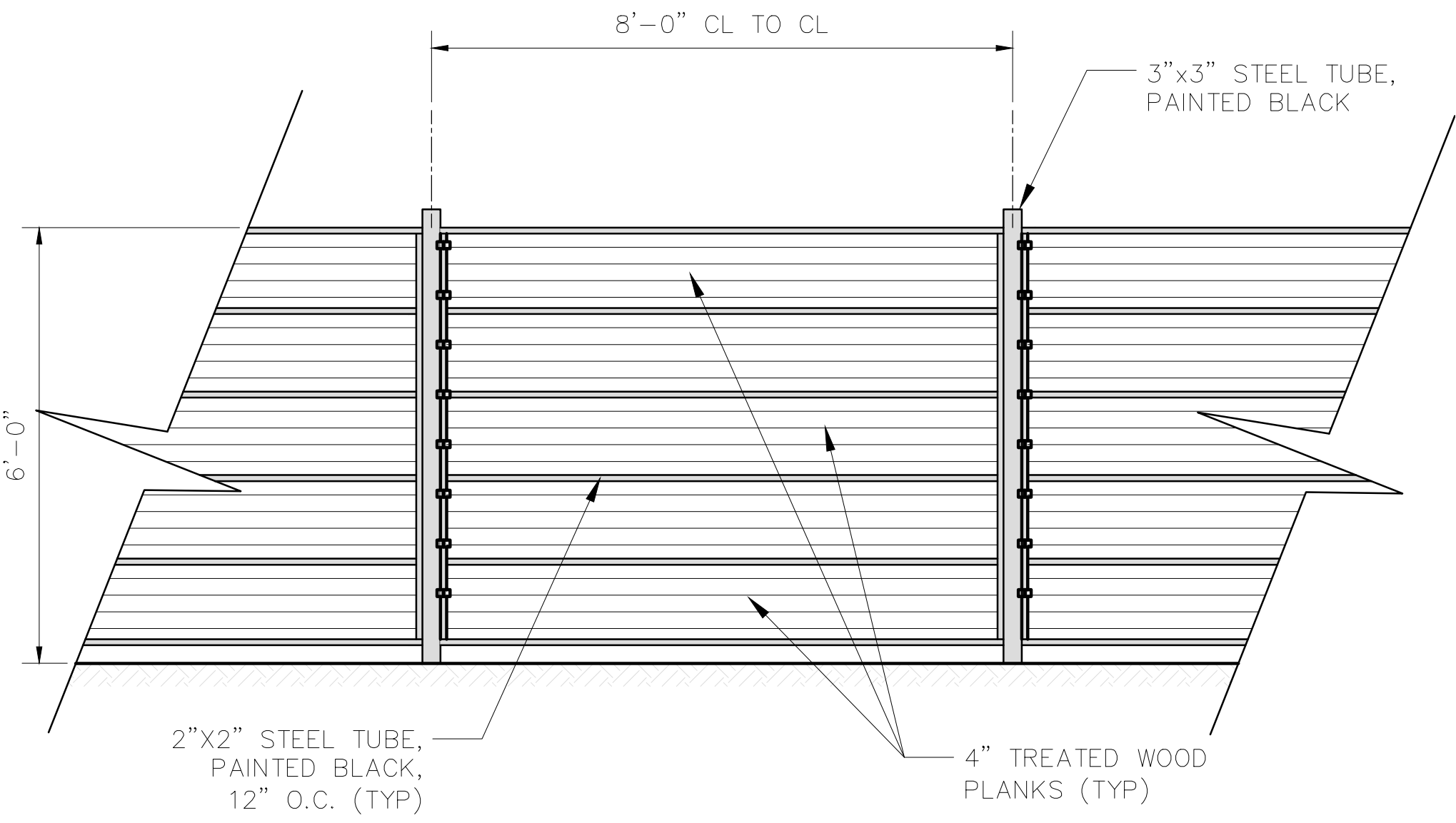
LANDSCAPE PLAN
SCALE: 1"=20'



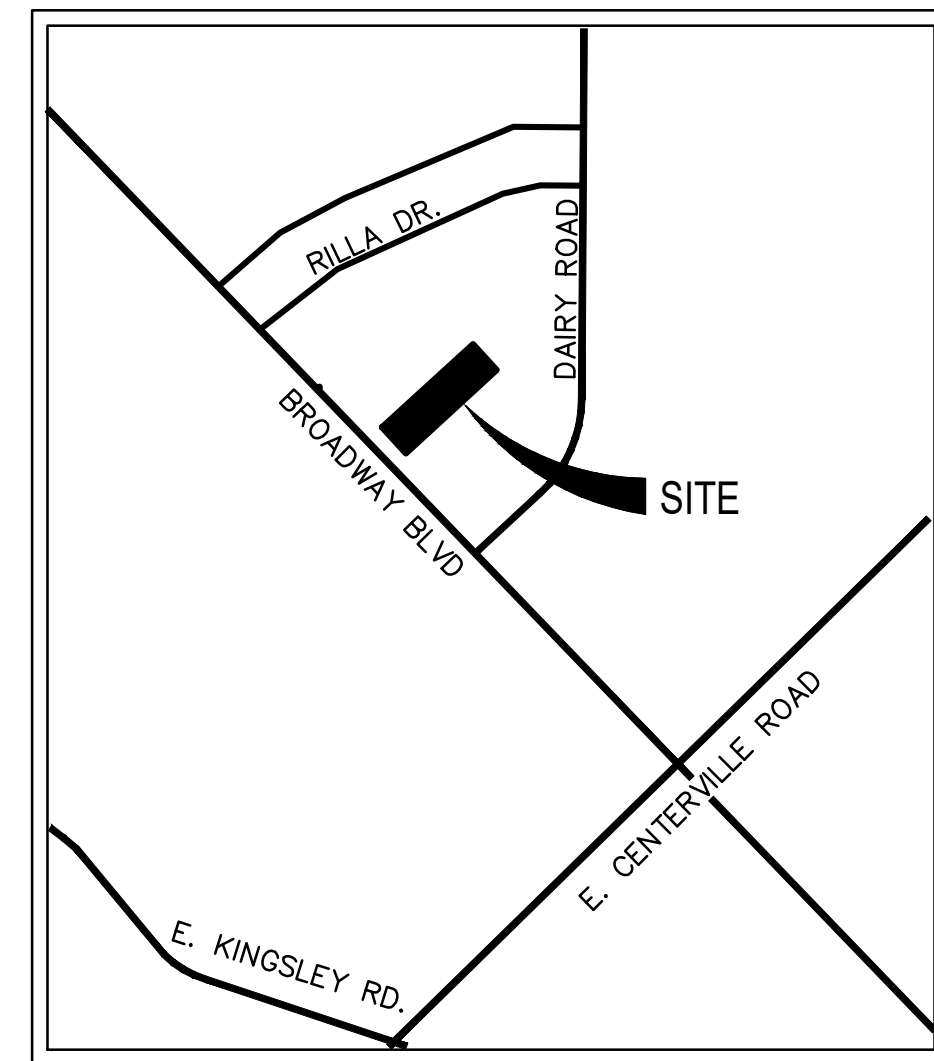
SYMBOL	COMMON NAME	BOTANICAL NAME	QUANTITY	SPECIFICATIONS
	SHUMARD OAK	Quercus shumardii	6	3" CAL., 10'-12' HT.
	AMERICAN ELM	Ulmus americana	3	3" CAL., 10'-12' HT.
	CHINESE PISTACHIO	Pistacia chinensis	6	3" CAL., 10'-12' HT.
	CRAPE MYRTLE	Lagerstroemia indica "Natchez"	6	3" CAL., 10'-12' HT.
	DWARF BURFORD HOLLY	Ilex cornuta "Burfordii nana"	50	5 Gal. @ 3' O.C.
	TEXAS SAGE	Leucophyllum frutescens	15	5 Gal. @ 3' O.C.
	NANDINA	Nandina domestica	17	5 Gal. @ 3' O.C.
	PINK MUHLY GRASS	Muhlenbergia capillaris	25	5 Gal. @ 3' O.C.



TREE PLANTING DETAIL
N.T.S.



DECORATIVE FENCE DETAIL
SCALE: N.T.S.



LANDSCAPE NOTES:

- ALL LANDSCAPING SHALL BE INSTALLED IN ACCORDANCE WITH THE RULES OF GOOD ARBORICULTURAL PRACTICE AS SET FORTH BY THE ANSI A300 CURRENTLY IN EFFECT AT THE TIME OF THE WORK.
- PLANT MATERIAL SHALL BE TRUE TO NAME, VARIETY AND SIZE AND SHALL CONFORM TO ALL APPLICABLE PROVISIONS OF THE AMERICAN STANDARDS FOR NURSERY STOCK, LATEST EDITION, AS PUBLISHED BY THE AMERICAN NURSERY AND LANDSCAPE ASSOCIATION.
- LANDSCAPE CONTRACTOR SHALL PERFORM ALL WORK IN ACCORDANCE WITH ALL THE APPLICABLE FEDERAL, STATE AND LOCAL RULES AND REGULATIONS. LANDSCAPE CONTRACTOR SHALL BE LICENSED IN THE STATE OF TEXAS AT THE TIME OF INSTALLATION.
- WHEN PLANT MATERIAL IS NOT AVAILABLE, LANDSCAPE CONTRACTOR SHALL CONTACT THE LANDSCAPE ARCHITECT FOR APPROVAL OF SUBSTITUTIONS.
- LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR PROPER SURFACE DRAINAGE OF LANDSCAPED AREAS.
- ALL PLANTING BEDS AND TREE WELLS SHALL BE MULCHED. ALL OTHER AREAS SHALL BE SEEDED AND/OR SODDED, PER THE PLANS.
- ALL PLANTING AND SODDING AREAS ARE TO HAVE AN AUTOMATIC IRRIGATION SYSTEM.

TOTAL SITE : 35,994 S.F. 0.826 ACRES		
LANDSCAPE REQUIREMENTS	LANDSCAPE	
	REQUIRED	PROVIDED
TOTAL SITE - 40% LANDSCAPING	14,398 S.F.	8,034 S.F.
PARKING- 5% LANDSCAPING	811 S.F.	921 S.F.
BROADWAY BUFFER	1,875 S.F.	2,195 S.F.

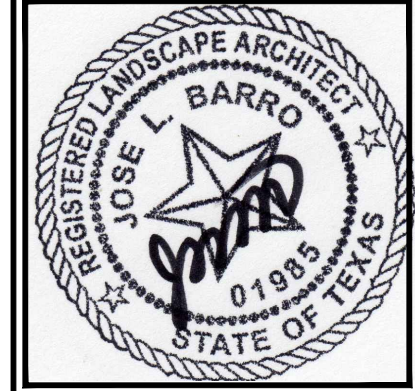
DEVIATION
A DEVIATION IS REQUIRED FOR THE TOTAL SITE LANDSCAPE REQUIREMENT OF 40%.

CERTIFICATION
This plan was prepared by Jose L. Barro, Landscape Architect or under his direct supervision according to all of the statutes and regulations of the State of Texas.

Date: 11/28/2021

Jose L Barro, Landscape Architect and Planner, LLC
1177 Magnolia Wood Avenue
Baton Rouge, LA 70808
Phone: 225-571-9534
E-mail: JBarro1972@gmail.com

Jose L. Barro
Landscape Architect and Planner, LLC
1177 Magnolia Wood Ave.
Baton Rouge, LA 70808
225.571.9534



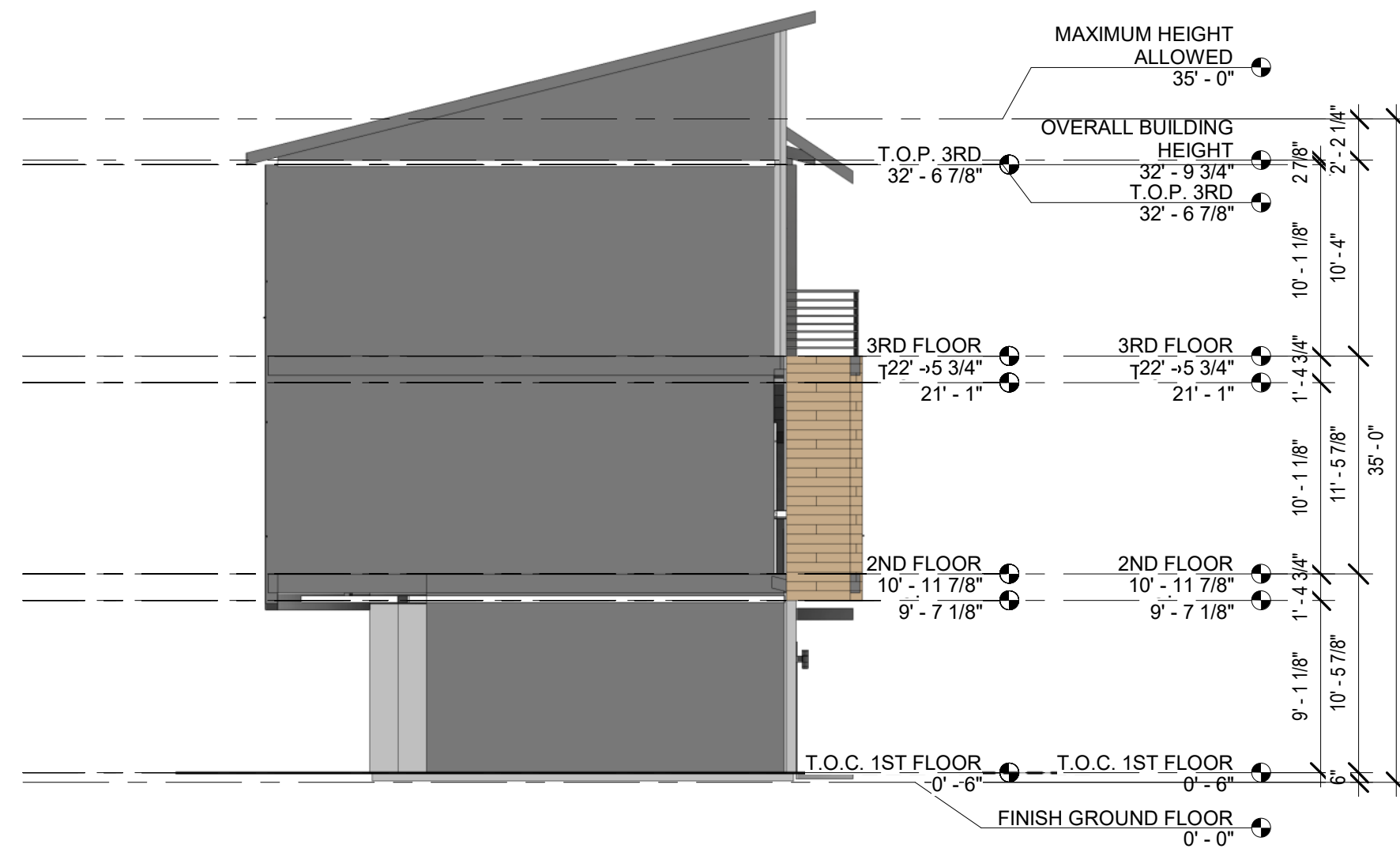
REVISIONS	NO.	DATE	REMARKS
	1	2/04/23	ADDED SIDEWALK BETWEEN PLUGS
	2	12/21/23	CORRECTED PRIMERAY

SHEET INFO	
JLB	JLB
DRAWN	JLB
CHECKED	JLB
APPROVED	JLB
LAST EDIT	3/31/2022
PLOT DATE	7/21/2021
SUBMITTAL	

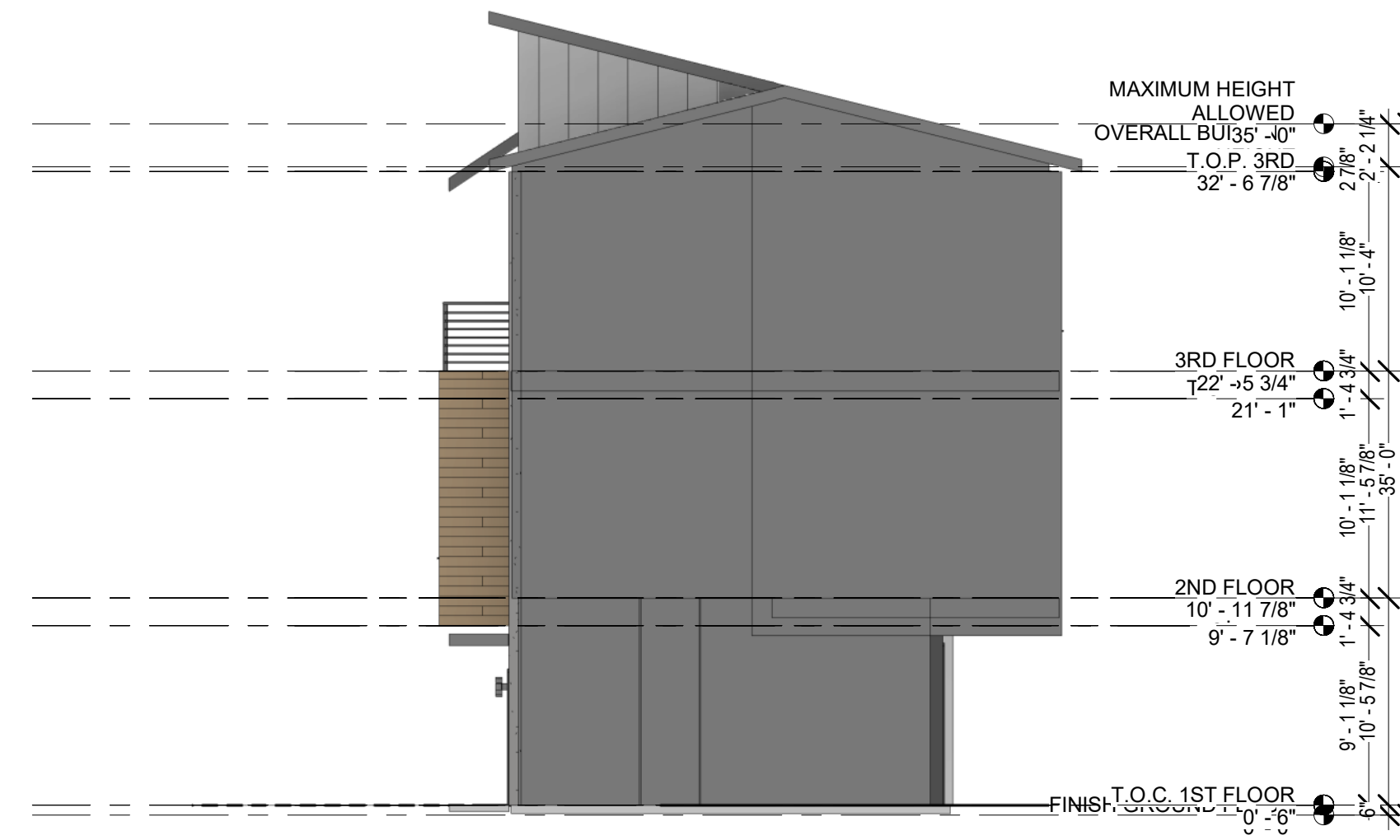
LANDSCAPE PLAN
TOWNHOMES
Broadway Blvd
Garland, TX

PROJECT NUMBER: 2022-002
DRAWING FILE NAME: C1.0 SITE PLAN BROADWAY_GARLAND
SCALE: #####

SHEET NUMBER: L 1.0
1 of 1



04 LEFT ELEVATION
SCALE: 1/8" = 1'-0"



03 RIGHT ELEVATION
SCALE: 1/8" = 1'-0"

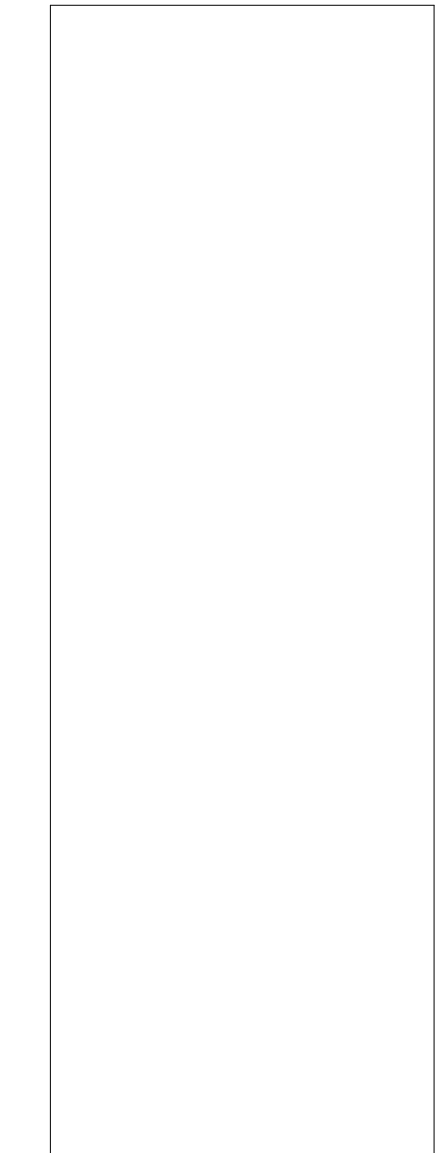


02 REAR ELEVATION
SCALE: 1/8" = 1'-0"



01 FRONT ELEVATION
SCALE: 1/8" = 1'-0"

CITY APPROVAL STAMP



VIZUAL
ARCHITECTURE

ARCHITECT
VIZUAL ARCHITECTURE, LLC.
JOHNNY LIMONES
johnny@vizualarchitecture.com
www.vizualarchitecture.com

GARLAND TOWNHOMES
GARLAND, TX

CURRENT REVISION

EXTERIOR
ELEVATIONS

A5.1

Project # 000000
Scale 1/8" = 1'-0"



02 CONCEPTUAL PERSPECTIVE 03
SCALE:



01 CONCEPTUAL PERSPECTIVE 02
SCALE:

CITY APPROVAL STAMP



VIZUAL
ARCHITECTURE

ARCHITECT
VIZUAL ARCHITECTURE, LLC.
JOHNNY LIMONES
johnny@vizualarchitecture.com
www.vizualarchitecture.com

GARLAND TOWNHOMES
GARLAND, TX

CURRENT REVISION

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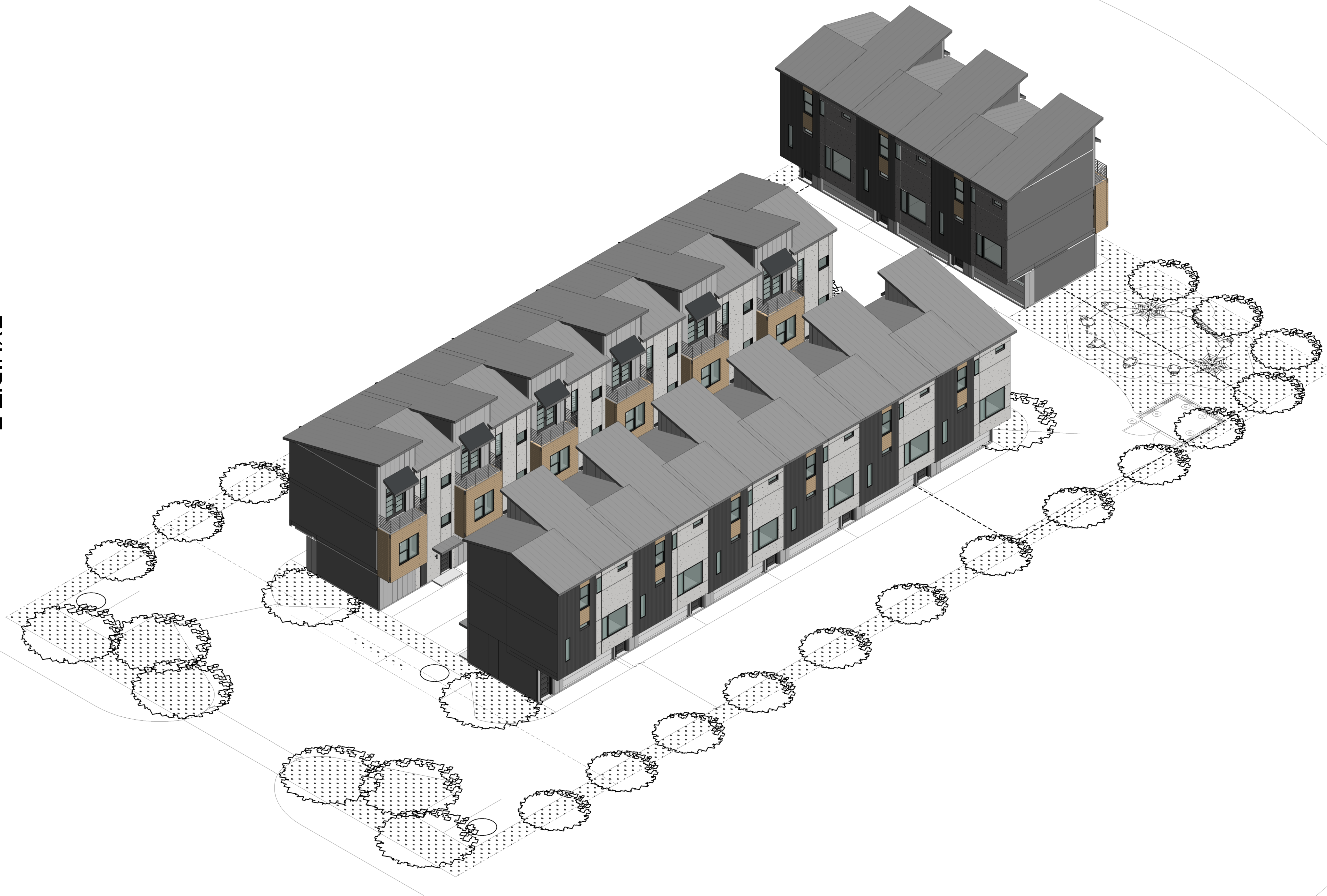
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PERSPECTIVE
VIEWS

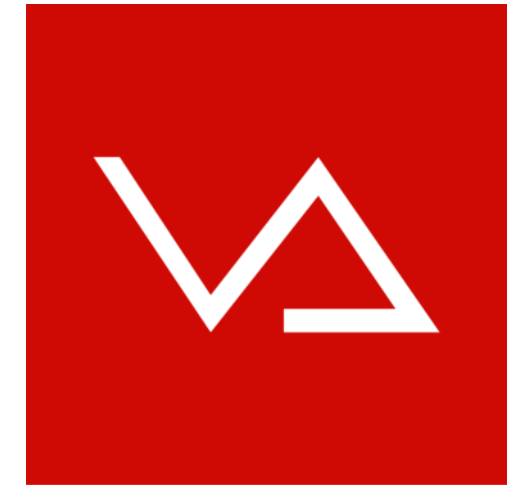
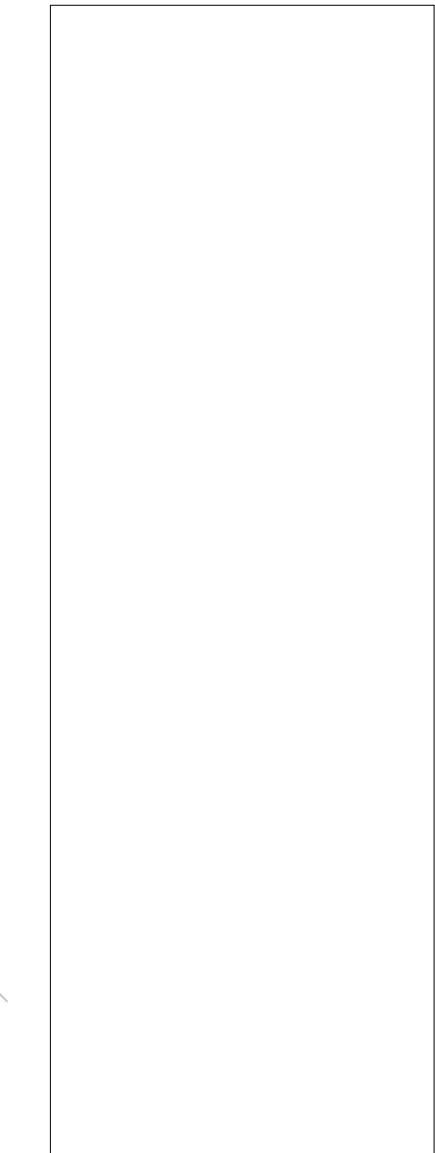
A10.1

Project #
Scale 000000

EXHIBIT E



CITY APPROVAL STAMP



VIZUAL ARCHITECTURE

ARCHITECT
 VIZUAL ARCHITECTURE, LLC.
 JOHNNY LIMONES
 johnny@vizualarchitecture.com
 www.vizualarchitecture.com

GARLAND TOWNHOMES
 GARLAND, TX

CURRENT REVISION

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AXONOMETRIC PERSPECTIVE

A10.2

Project # 000000
 Scale

01 AXONOMETRIC PERSPECTIVE
 SCALE:



GARLAND

PLANNING REPORT

City Council Regular Session Agenda

2. b.

Meeting Date: 12/12/2023

Item Title: Z 23-31 Marta Nambo de Flores (District 6)

REQUEST

Approval of 1) a Specific Use Provision for a Guest House on a property zoned Single-Family-7 (SF-7) District and 2) a Plan for a Guest House.

LOCATION

609 Lawson Drive

OWNER

Marta Nambo de Flores

PLAN COMMISSION RECOMMENDATION

On November 13, 2023 the Plan Commission, by a vote of eight (8) to one (1), recommended approval of 1) a Specific Use Provision for a Guest House on a property zoned Single-Family-7 (SF-7) District and 2) a Plan for a Guest House.

STAFF RECOMMENDATION

Approval of 1) a Specific Use Provision for a Guest House on a property zoned Single-Family-7 (SF-7) District and 2) a Plan for a Guest House.

BACKGROUND

This site is zoned Single-Family-7 (SF-7) District and is developed with a single-family dwelling. Also on the site are a shed and a guest house. The applicant wishes to obtain proper permitting of the existing guest house which requires an SUP in the SF-7 District. It would be used to house family according to the applicant.

SITE DATA

The 0.2244-acre site is accessed from Lawson Drive.

USE OF PROPERTY UNDER CURRENT ZONING

The subject property is zoned Single-Family (SF-7) District which allows single-family residential use. The Single-Family Residential districts are intended to provide for development of primarily low-density detached, single-family residences on a variety of lot sizes, churches, schools, and public parks in logical, livable, and sustainable neighborhoods. Further, the SF-7 District allows a Guest House with approval of a Specific Use Provision through a Public Hearing by Plan Commission and City Council.

CONSIDERATIONS

1. **Site Plan:** The applicant requests approval of a 325 square-foot Guest House, to be located behind the primary house. The primary house is 1,667.72 square feet.

The Garland Development Code (GDC) defines Guest House as an incidental, on-site dwelling unit that is either attached or detached from the primary residential structure, is used for temporary occupancy by guests or relatives of the owners of the property, is not for rent, is incidental to the main structure (the building area does not exceed thirty (30) percent of the floor area of the main structure), and is not involved in the conduct of a business.

The proposal complies with the maximum area allowed for a Guest House per the GDC.

2. **Parking:** The site plan (Exhibit C in the Plan item) shows a total of three (3) parking spaces and meets the parking requirement. Two spaces are located in the garage and one space is in the driveway.
3. **Building Design:** The design of the building (Exhibit E) complies with the applicable building design regulations of GDC.
4. **Specific Use Provision:** The applicant requests a Specific Use Provision to be valid for an indefinite time period. The SUP time period guide recommends between five (5) years to unlimited.

COMPREHENSIVE PLAN

The Future Land Use Plan of the Envision Garland 2030 Comprehensive Plan designates this site for Traditional Neighborhoods. 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.

The request is generally compatible with the Comprehensive Plan. While the Comprehensive Plan does not directly address accessory dwelling units, guest houses offer an opportunity for "aging in place" and multi-generational housing, as well as offering relief for a lack of affordable housing options.

COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

The properties to the north, east, south and west are zoned Single-Family-7 (SF-7) District and they are developed with single-family detached homes.

Attachments

Z 23-31 Ordinance
Z 23-31 Exhibit A
Z 23-31 Exhibit B
Z 22-31 Exhibits C-D

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE GARLAND DEVELOPMENT CODE OF THE CITY OF GARLAND, TEXAS, BY APPROVING A SPECIFIC USE PROVISION FOR A GUEST HOUSE ON A 0.2244-ACRE TRACT OF LAND LOCATED AT 609 LAWSON DRIVE AND ZONED SINGLE-FAMILY-7 (SF-7) 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 13th day of November 2023, the Plan Commission did consider and make recommendations on a certain request for a Specific Use Provision for a Guest House on a property zoned Single-Family-7 (SF-7) District, by **Marta Nambo de Flores**; 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 Guest House on a property zoned Single-Family-7 (SF-7) 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 of any certificate of occupancy for any building or 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

FILE NO. Z 23-31

By:

Mayor

ATTEST:

City Secretary

Published:

ZONING FILE NUMBER Z 23-31

EXHIBIT A

LEGAL DESCRIPTION

Zoning File Z 23-31

Being Lot 1, Block 15, of Western Heights No. 2, an addition to the City of Garland, Dallas County, Texas, according to the map or plat thereof recorded in Volume 37, Page 17, of the Map Records, Dallas County, Texas.

EXHIBIT A

SPECIFIC USE PROVISION CONDITIONS

ZONING FILE Z 23-31

609 Lawson Drive

- I. Statement of Purpose:** The purpose of this Specific Use Provision is to allow a Guest House.
- II. Statement of Effect:** This Specific Use Provision shall not affect any regulations found in the Garland Development Code, Ordinance No. 6773, as amended prior to the adoption of this ordinance, except as specifically provided herein.
- III. 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 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
- 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.

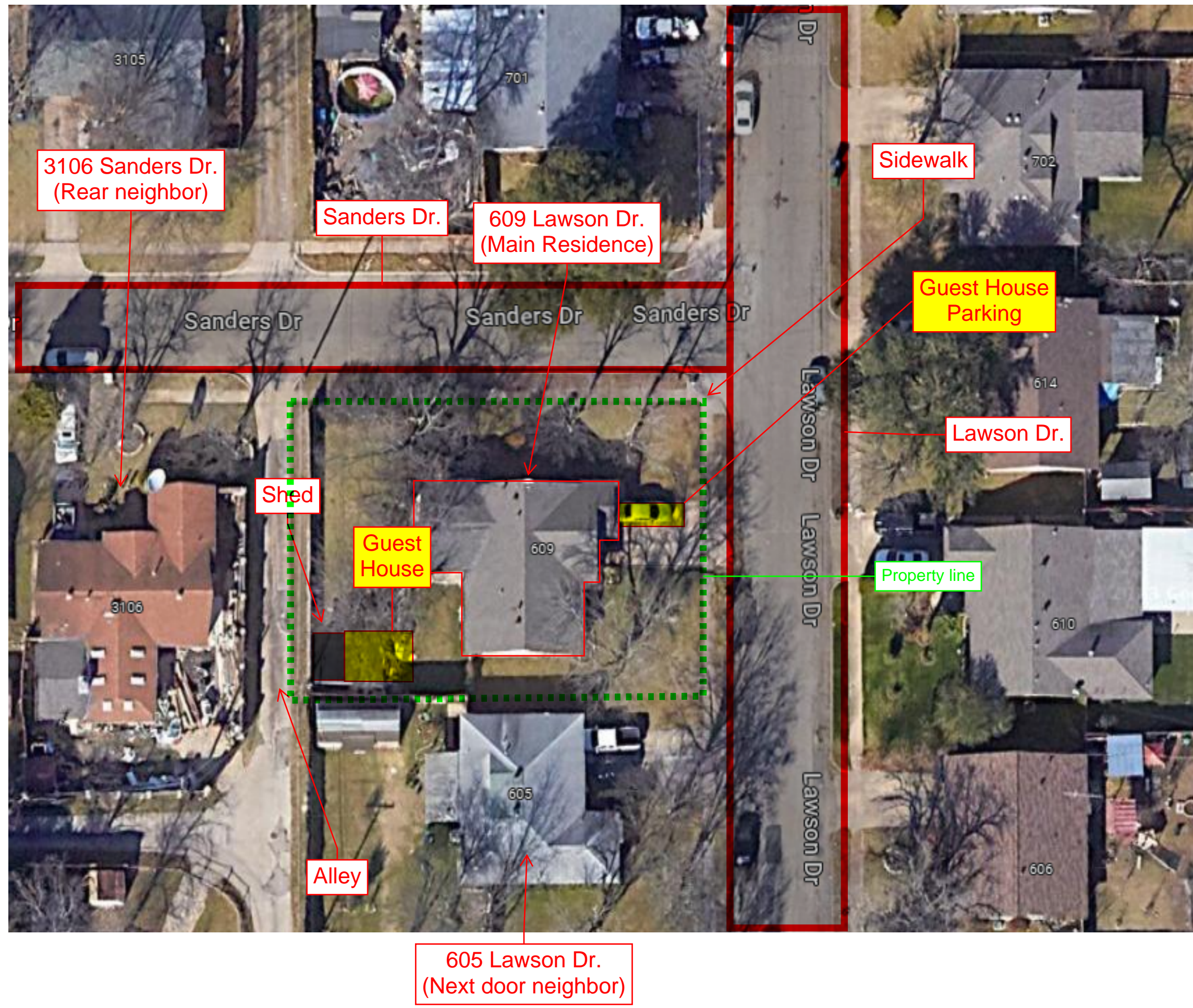
IV. General Regulations: All regulations of the Single-Family-7 (SF-7) District as set forth in Chapter 2 of the Garland Development Code, Ordinance 6773, are included by reference and shall apply, except as otherwise specified by this ordinance.

V. Development Plans:

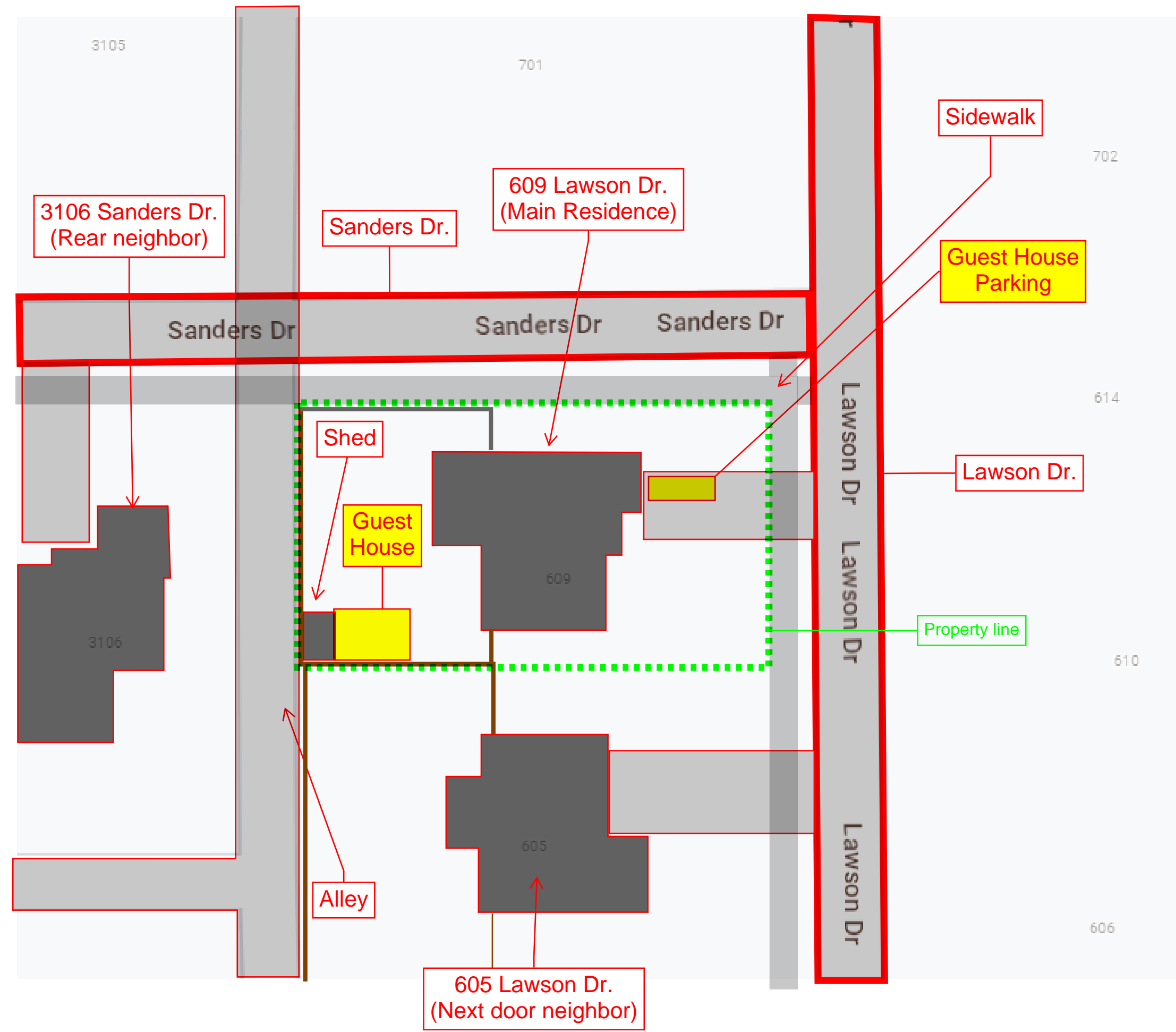
Site Layout: The site shall be in general conformance with the approved Site Plan and Building Elevations labeled Exhibit C and Exhibit D. In the event of conflict between the conditions and the site plan, the written conditions listed below are to apply.

VI. Specific Use Provision:

A. SUP Time Period: The Specific Use Provision for a Guest House shall be in effect for a time period of five (5) years.



1 Vicinity Map



1 Vicinity Map

CONSULTANTS

609 Lawson Drive
Guest House

OWNER

Marta Nambo
De Flores

MARK	DATE	DESCRIPTION

PROJECT NO: 1
 CAD DWG FILE: A-1 FLOOR PLAN.DWG
 DRAWN BY: Juan Lopez
 CHK'D BY: -
 COPYRIGHT:

SHEET TITLE

Site Data



GARLAND

PLANNING REPORT

City Council Regular Session Agenda

2. c.

Meeting Date: 12/12/2023

Item Title: Z 23-32 MC Office, LLC.

REQUEST

Approval of 1) a Specific Use Provision for a Contractor's Office/Warehouse (indoors only) Use on a property zoned Downtown (DT) District and 2) a Plan for a Contractor's Office/Warehouse (indoors only) Use.

LOCATION

601 North First Street

OWNER

MC Office, LLC

PLAN COMMISSION RECOMMENDATION

On July 10, 2023 the Plan Commission, by a vote of nine (9) to zero (0), recommended approval of 1) a Specific Use Provision for a Contractor's Office/Warehouse (indoors only) Use on a property zoned Downtown (DT) District, and 2) a Plan for a Contractor's Office/Warehouse (indoors only) Use, as presented by the applicant.

STAFF RECOMMENDATION

Approval of 1) a Specific Use Provision for a Contractor's Office/Warehouse (indoors only) Use on a property zoned Downtown (DT) District and 2) a Plan for a Contractor's Office/Warehouse (indoors only) Use.

However, staff suggests a shorter SUP time period to consider future redevelopment opportunities within the greater Downtown (DT) district.

BACKGROUND

The subject property is an existing building that is proposed to be used for a Contractor's Office/Warehouse (indoors only). The building will remain the same square footage. However, the applicant intends to improve the interior and exterior of the building.

SITE DATA

The 1.41-acre site is accessed from North First Street.

USE OF PROPERTY UNDER CURRENT ZONING

The property is zoned within the Uptown (U) Sub-district of the overall Downtown (DT) District. The Uptown sub-district consists of mixed-use office, retail and urban lifestyle housing. It may have a wide range of residential building types: townhouses, live/work, apartments, condominiums and lofts.

CONSIDERATIONS

Specific Use Provision:

1. The applicant proposes to use an existing 18,000 square-foot building for a Contractor's Office/Warehouse (indoors only) Use. The building will be used for office space, storage of roofing materials, and forming, shaping, & bending of premanufactured metals to create roofing materials. There will be no outside storage.
2. The Contractor's Office/Warehouse (indoors only) Use requires a Specific Use Provision in the Uptown Sub-District of the Downtown District.
3. The applicant proposes the SUP time period of twenty-five (25) years. The SUP time period guide does not have a recommended time period for Contractor's Office/Warehouse (indoors only) Use.
4. No deviations from the Garland Development Code (GDC) are being requested with this application.

COMPREHENSIVE PLAN

Transit-oriented centers are areas of concentrated activity and increased density with maximum access to public transportation options. This type of center should be developed as mixed-use with live/work/play/shop opportunities. Transit-oriented development should be within $\frac{1}{4}$ to $\frac{1}{2}$ mile of transit centers and/or rail stations and provide pedestrian and bicycle friendly access.

Transit-oriented development is characterized by moderate to high density residential greater than twelve dwelling units per acre. Land use opportunities for four identified transit-oriented development areas should be unique to the needs and character of the larger area.

COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

The properties surrounding the site are all zoned Downtown (DT) District and Uptown sub-district as well. These properties include various commercial and industrial uses such as storage, auto repair, and contractor warehouses and a church.

The proposed use is generally compatible with the existing and immediate surrounding area. Future Downtown growth and redevelopment should be considered, however.

Attachments

Z 23-32 Ordinance
Z 23-32 Exhibit A
Z 23-32 Exhibit B
Z 23-32 Exhibit C

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE GARLAND DEVELOPMENT CODE OF THE CITY OF GARLAND, TEXAS, BY APPROVING A SPECIFIC USE PROVISION FOR A CONTRACTOR'S OFFICE/WAREHOUSE (INDOORS ONLY) USE ON A 1.409-ACRE TRACT OF LAND LOCATED AT 601 NORTH FIRST 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.

WHEREAS, at its regular meeting held on the 13th day of November 2023, the Plan Commission did consider and make recommendations on a certain request for a Specific Use Provision for a Contractor's Office/Warehouse (indoors only) Use on a property zoned Downtown (DT) District, Uptown Sub-District by **MC Office, LLC**; 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 Contractor's Office/Warehouse (indoors only) 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

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 of any certificate of occupancy for any building or 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.

FILE NO. Z 23-32

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 23-32

All that certain lot, tract or parcel of land situated in the State of Texas, County of Dallas and being all that certain 1.61 acre tract out of the Jesse Atterberry Survey, Abstract No 52 and situated in the City of Garland as described in the deed to Lone Star Gas Company by the City of Garland dated February 19, 1948, and recorded in Volume 5008, Page 5, Deed Records of Dallas County, Texas, less that certain 9,251-square foot tract as described in the right-of-way deed from Enserch Corporation, Formerly Lone Star Gas Company, to County of Dallas, dated August 14, 1955, and recorded in Volume 85178, Page 2447, Deed Records of Dallas County, Texas, the tract herein being more particularly described as follows:

Beginning at the iron rod found at the Southwest corner of said 4,251-square foot tract and being in the South One of said 1.62-acre tract, said iron rod also being in the West one of 100-foot middle Belt Line Road (North First Street), said iron rod also being the Southeast corner of this tract, THENCE South 88' 15' 20' West along this South line of said 1.62-acre tract a distance of 275.0 feet to an iron rod found at the Southwest corner of said 1.62-acre tract and being in this Southeast right-of-way of the G C & S F Railroad Company 100-foot wide right-of-way, said iron rod being the Southwest corner of this tract,

ZONING FILE NUMBER Z 23-32

Thence North 80' 55' East along the Southeast right-of-way of said G C & S F Railroad Company and the Northwest line of said 1.62-acre tract a distance of 584.24 feet to a railroad spike set at the intersection of said Southeast railroad right-of-way line with the West line of said 100-foot side North First Street and being the Northwesterly corner of said 9.251-square foot tract, also being the North corner of this tract,

Thence South 00' 12' 24' West along the West line of said 100-foot side North First Street also the West line of said 9.251 square foot tract a distance of 450.04 feet to the place of beginning and containing 61,595 square feet of land more or less or 1.409 acres of land.

SPECIFIC USE PROVISION CONDITIONS

ZONING FILE Z 23-32

601 North First Street

- I. Statement of Purpose:** The purpose of this Specific Use Provision is to allow a Contractor's Office/Warehouse (indoors only) 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

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. Time Period: The Specific Use Provision shall have a time period of twenty-five (25) years.
- B. Site Plan: The site layout, building placement, parking shall be in general conformance with the approved Site Plan labeled Exhibit C.
- C. Indoor Materials Storage: The storage of materials shall be indoors only.

SITE PLAN

601 N 1st Street

Garland, TX 75040

Parcel ID: 65003223010110000

Lot area: 1.41 Acres

Paper Size: 24"x36"

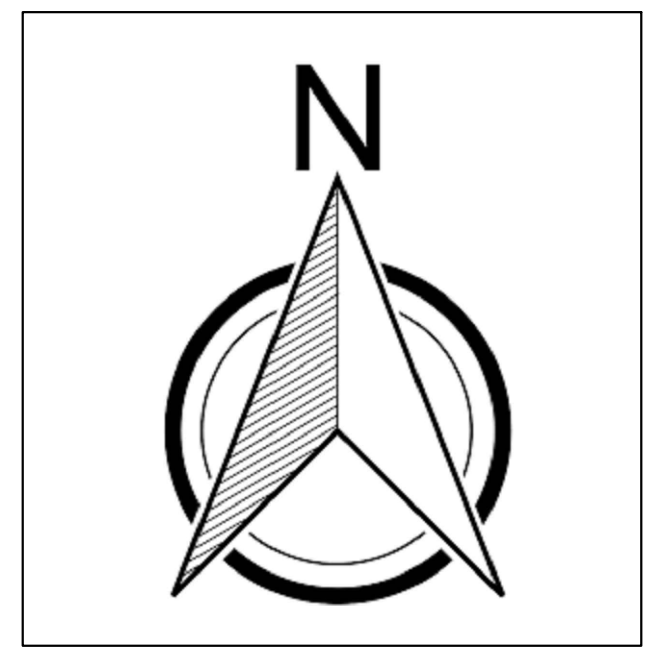
Owner: 543-5 Ghost, LLC

2300 N Field Street, Suite 800

Dallas, Texas 75201

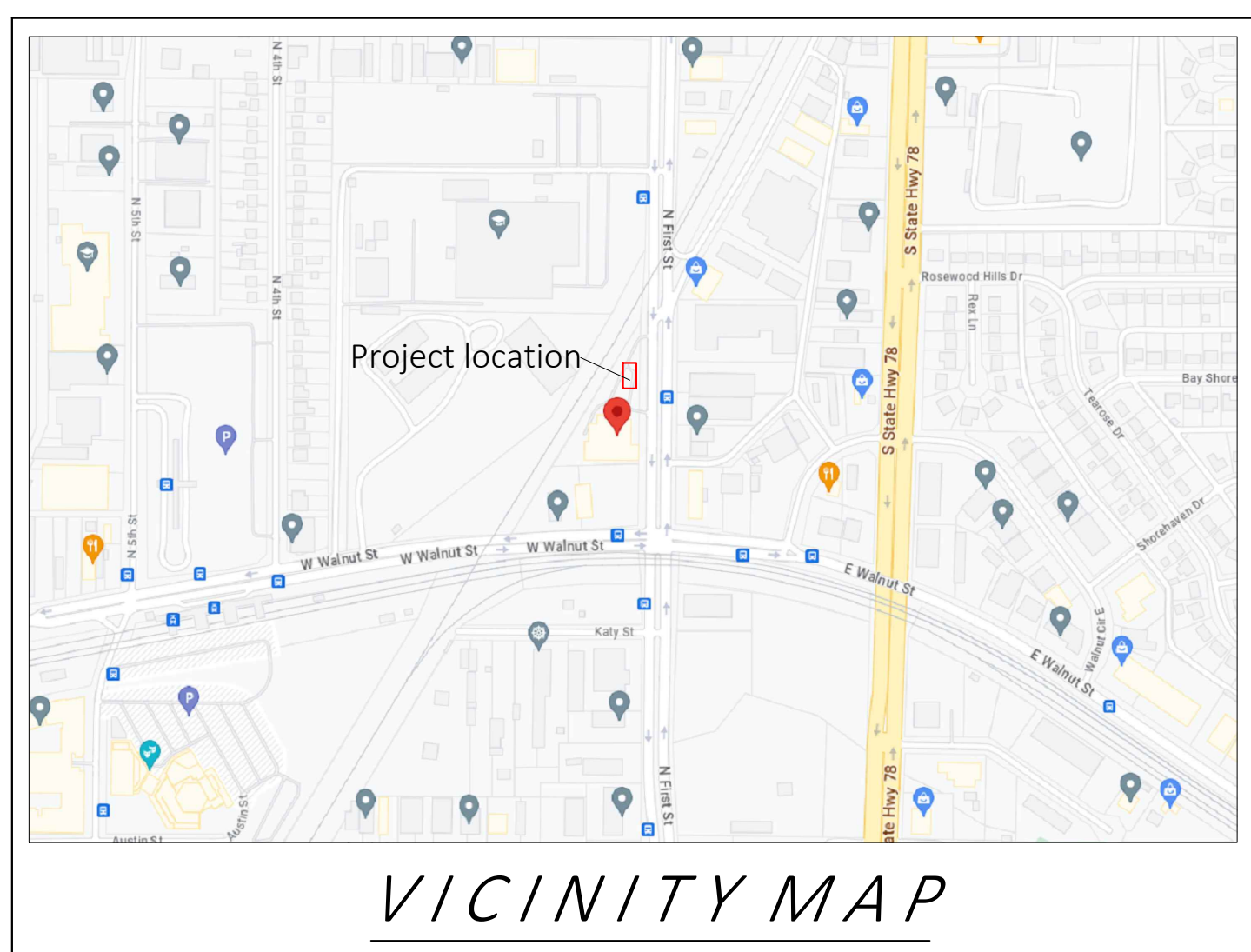
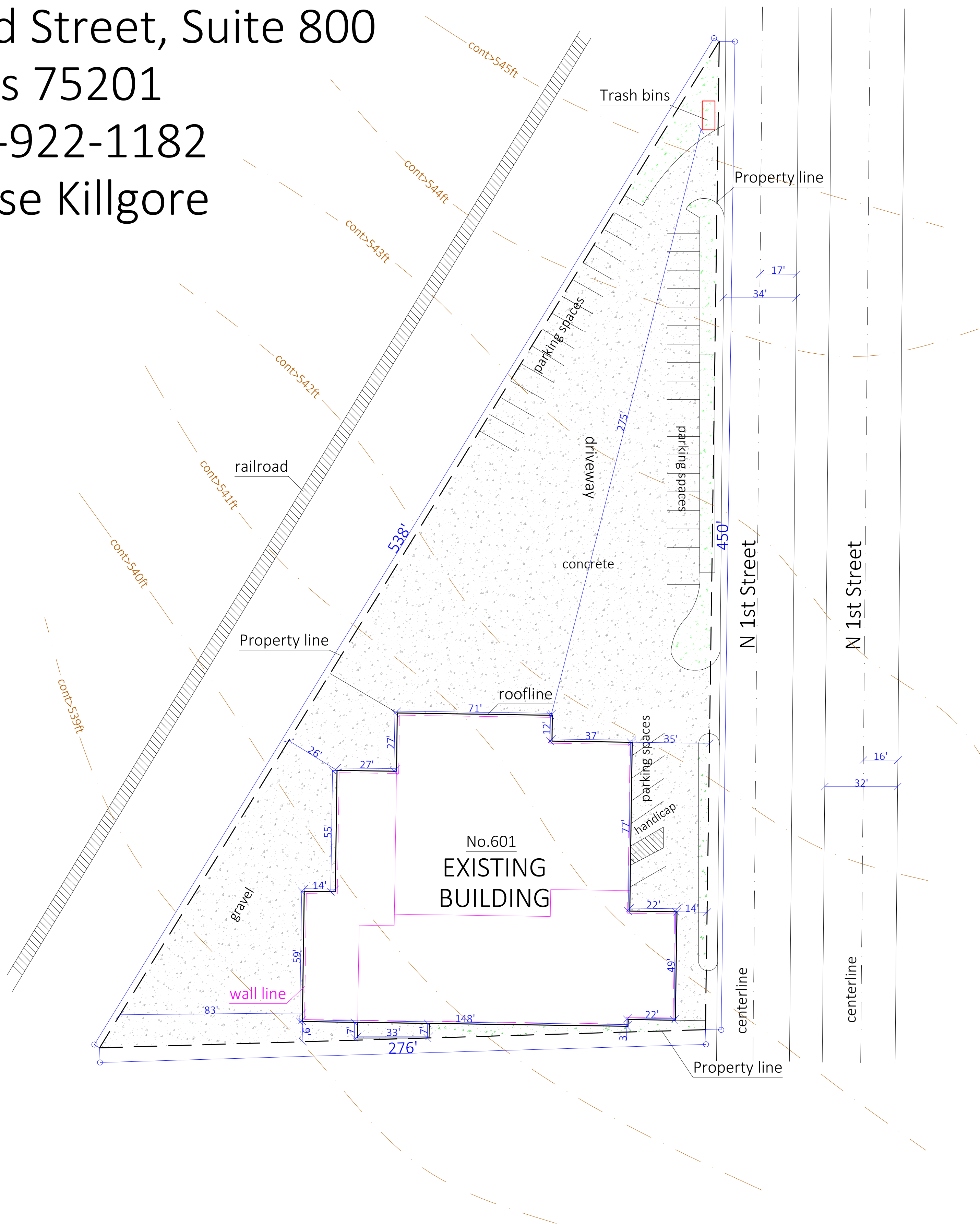
Phone: 214-922-1182

Contact: Case Killgore



scale 1"=30'

EXHIBIT C



VICINITY MAP

SITE DATA SUMMARY TABLE	
EXISTING ZONING	DOWNTOWN DISTRICT (DT) DOWNTOWN UPTOWN
EXISTING LAND USE	INDUSTRIAL OR MANUFACTURING (LIGHT)
PROPOSED USE	BUILDING/GARDEN MATERIALS SALES & STORAGE (WHOLESALE)
TOTAL AREA OF SITE	0.99 AC (43,065 SF)
BUILDING AREA	OFFICE 1,461 SF
	WAREHOUSE 16,539 SF
	TOTAL 18,000 SF
FLOOR AREA RATIO	0.41
TOTAL IMPERVIOUS SURFACE COVER	4,696 SF - 10.9%
PARKING REQUIRED	OFFICE: 1 SPACE PER 1,400 SF (4 REQUIRED)
	WAREHOUSE 1 SPACE PER 1,000 SF (17 REQUIRED)
TOTAL PARKING REQUIRED	21 SPACES REQ.
PARKING PROVIDED (EX. CONC. PAVEMENT)	20 SPACES
EXISTING BUILDING HEIGHT	22.7 FT (1 STORY)
FINISHED FLOOR ELEVATION	545.11
LOADING DOCKS	2



GARLAND

PLANNING REPORT

City Council Regular Session Agenda

2. d.

Meeting Date: 12/12/2023

Item Title: Z 23-37 Shearer, Monk, & Voight (District 6)

REQUEST

Approval of 1) a Specific Use Provision for a Truck/Bus Repair Use on a property zoned Industrial (IN) District with an existing Specific Use Provision (SUP) [21-15] for a Truck/Bus Storage Use and 2) a Plan for a Truck/Bus Repair Use.

LOCATION

3877 Miller Park Drive

OWNER

Star Miller Park

PLAN COMMISSION RECOMMENDATION

On November 13, 2023 the Plan Commission, by a vote of nine (9) to zero (0), recommended approval of 1) a Specific Use Provision for a Truck/Bus Repair Use on a property zoned Industrial (IN) District and 2) a Plan for a Truck/Bus Repair Use.

STAFF RECOMMENDATION

Approval of 1) a Specific Use Provision for a Truck/Bus Repair Use on a property zoned Industrial (IN) District with an existing Specific Use Provision (SUP) [21-15] for a Truck/Bus Storage Use and 2) a Plan for a Truck/Bus Repair Use.

BACKGROUND

The subject site is currently being developed for the existing Specific Use Provision (SUP) [21-15] for truck storage. The applicant is requesting an additional Specific Use Provision (SUP) for a truck repair building.

SITE DATA

The overall site consists of approximately 3.421 acres with approximately 270 lineal feet of frontage along Miller Park Drive. The site plan (Exhibit C) shows one (1) access point from Miller Park Drive.

USE OF PROPERTY UNDER CURRENT ZONING

The site is zoned Industrial (IN) District with an existing Specific Use Provision [21-15] for a Truck/Bus Storage Use.

CONSIDERATIONS

Specific Use Provision:

1. Development and Site Plan

The applicant proposes to construct a 3,320 square-foot truck service building. The truck repair building will contain three (3) service bays. The repair building will service the fleet of trucks that will also be stored on the property.

The GDC defines a Truck/Bus Repair Use as "An establishment that provides major and minor repairs to trucks, buses, trailers, and other heavy load vehicles for a fee. The term includes no outside storage except the parking of vehicles being repaired, which may remain on-site for no longer than ninety calendar days."

2. Parking

The proposed parking layout complies with the standards per the GDC (Exhibit E).

3. Landscaping and Screening

The proposed landscaping and screening comply with the standards per the GDC (Exhibit D).

4. Building Design

The building elevations meet the building design standards per the GDC (Exhibit E). The proposed repair bay doors do not face the public street.

5. The applicant is requesting a twenty-five (25) year Specific Use Provision. The SUP Time Period Guide recommends twenty (20) to twenty-five (25) years for a Truck/Bus Repair Use.

COMPREHENSIVE PLAN

The Envision Garland Plan designates the subject property as Industry Centers.

Industry centers provide a cluster of trade and industry that cumulatively employ large numbers of people. Operations within this development type may require substantial infrastructure and may result in more significant negative impacts (sound, air, traffic, outdoor lighting, storage, etc.). Operations may include such elements as semi-truck traffic, loading docks, and visible outdoor storage. Overall, the architecture, character, scale, and intensity should be compatible with adjacent development types. Industry centers are generally located along major arterial streets, and highways and at significant transit areas (bus/rail). Site design addresses function and visual aesthetics that provide appropriate buffering at gateway corridors, between adjacent developments, and for residential neighborhoods.

The proposed use provides a supportive business to service trucks in the Industrial area. It is small-scale and is not located along a major corridor or thoroughfare.

ECONOMIC DEVELOPMENT STRATEGIC PLAN

The Economic Development Strategic Plan recognizes the need for truck staging / parking in the Industrial District: "Evaluate and move on potential options for truck staging / parking." This truck repair operation is an additional land use, but will not inhibit the approved truck staging site.

COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

The properties to the North, East, and South are zoned Industrial (IN) District and contain warehousing, light industrial, manufacturing, and other such allowed uses. The property to the South contains an SUP [18-15] for a food processing and storage use. Finally, the property to the West is in the City of Dallas and is also in an industrial area.

Attachments

Z 23-37 Ordinance
Z 23-37 Exhibit A
Z 23-37 Exhibit B
Z 23-37 Exhibits C-E

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 ZONED INDUSTRIAL (IN) DISTRICT WITH A SPECIFIC USE PROVISION (SUP) [21-15] FOR A TRUCK/BUS STORAGE USE ON A 3.421-ACRE TRACT OF LAND LOCATED AT 3877 MILLER PARK DRIVE 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 13th day of November 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 with a Specific Use Provision (SUP) [21-15] for a Truck/Bus Storage Use by **Shearer, Monk, & Voigt**; 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 with an existing Specific Use Provision (SUP) [21-15] for a Truck/Bus Storage Use 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 of any certificate of occupancy for any building or 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.

FILE NO. Z 23-37

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 23-37

Whereas, Tewelde Abraham, an unmarried person, is the sole owner of a tract of land situated in the William D. Reed Survey, Abstract No. 1249, Dallas, Dallas County, Texas, and being part of Lot 4, Block 3, in Garland West Industrial Park, an addition to the City of Dallas, Dallas County, Texas, according to the plat thereof, recorded in Volume 551, Page 1680, Map Records, Dallas County, Texas, and being all of Tract 3 of land conveyed to Ribelin Distributors, Inc., by deed recorded in Volume 77248, Page 228, Deed Records of Dallas County, Texas, and being part of Tract 2 of land conveyed to Ribelin Distributors, Inc. by deed recorded in Volume 77086, Page 3033, Deed Records, Dallas County, Texas, same being a tract of land conveyed to Tewelde Abraham, an unmarried person, by Warranty Deed with Vendor's Lien, recorded in Instrument No. 201800309107, Official Public Records, Dallas County, Texas, Release of Lien being recorded in Volume 78157, Page 3476, Deed Records, Dallas County, Texas, more particularly described by metes and bounds as follows;

BEGINNING at a 1/2-inch iron rod with yellow cap stamped "CBG Surveying1" found for corner, said corner being the Southwest corner of Lot 1, Block 1, Ribelin-Miller Addition, an addition to the City of Dallas, Dallas County, Texas, according to the Map or Plat thereof recorded in Instrument

No. 201800030010, Official Public Records, Dallas County, Texas, and being in the North right-of-way line of Miller Park Drive (60-foot right-of-way), and being the beginning of a curve to the left, with a radius of 144.59 feet, a delta angle of 69 degrees 00 minutes 30 seconds, a chord bearing of South 33 degrees 24 minutes 12 seconds West, and a chord length of 163.81 feet:

THENCE along said curve to the left, along said northwesterly right-of-way line of

said Miller Park Drive, an arc length of 174.15 feet to a 1/2 iron rod found for corner, said corner being in the West right-of-way line of said Miller Park Drive;

THENCE South 01 degrees 00 minutes 48 seconds East, along said West

right-of-way line of said Miller Park Drive, passing at a distance of 116.74 feet, a

1/2 inch iron rod found in the northerly line of a Rail, Drainage and Utility easement, by deed recorded in Volume 551, Page 1680, Map Records, Dallas County, Texas, continuing a total distance of 136.04 feet to a 3 inch aluminum disk stamped "RMPA & RPLS 5513" found for corner, said corner being in said West right-of-way line of said Miller Park Drive, and also being in the Northeast corner of a Lot 3, Block 3, of Garland West Industrial Park, an addition to the City of Garland, Dallas County, Texas, according to the map or plat thereof recorded in Volume 551, Page 1691, Map Records, Dallas County, Texas,

THENCE along the Northerly lines of said Lot 3, Block 3, Garland West Industrial Park the following courses and distances and being the beginning of a non-tangent curve to the right, with a radius of 318.31 feet, a delta angle of 28 degrees 45 minutes 29 seconds, a chord bearing of North

ZONING FILE NUMBER Z 23-37

63 degrees 23 minutes 06 seconds West, and a chord length of 158.09 feet; and said curve to the right, an arc length of 159.77 feet to a 3-inch aluminum disk stamped "RMPA & RPLS 5513" found for corner;

South 68 degrees 54 minutes 05 seconds West, a distance of 22.45 feet to a 3

inch aluminum disk stamped "RMPA & RPLS 5513" found for corner, and being the beginning of a non-tangent curve to the right, with a radius of 338.31 feet, a delta angle of 19 degrees 19 minutes 52 seconds, a chord bearing of North 37 degrees 33 minutes 39 seconds West, and a chord length of 113.60 feet;

along said curve to the right, an arc length of 114.14 feet to a 3-inch aluminum disk stamped "RMPA & RPLS 5513" found for corner;

South 01 degrees 04 minutes 55 seconds East, a distance of 116.00 feet to a 3-inch aluminum disk stamped "RMPA & RPLS 5513" found for corner;

South 68 degrees 54 minutes 05 seconds West, a distance of 42.57 feet to a 3 inch aluminum disk stamped "RMPA & RPLS 5513" found for corner, said corner being in the East line of Lot 2, Block 1 /8060, Sixth Installment, Dallas Northeast Industrial Park, an addition to the City of Dallas, Dallas County, Texas, according to the map or plat thereof recorded in Volume 80250, Page 775, Map Records, Dallas County, Texas;

HENCE North 01 degrees 04 minutes 55 seconds West, along the East line of said Lot 2, Block 1 /8060, passing at a distance of 46.03 feet to the northeast corner of same, said corner being in the southeast corner of a called 12.5348 acre tract of land conveyed to Univar USA, Inc., a

EXHIBIT A

ZONING FILE NUMBER Z 23-37

Washington Corporation, by deed recorded in Instrument No. 200600444369, Deed Records, Dallas County, Texas, continuing a total distance of 478.10 feet to a 3 inch aluminum disk stamped "RMPA & RPLS 5513" found for corner, said corner being the northeast corner of said Univar USA, Inc. tract, and being in the southeasterly line of a tract of land conveyed to Dallas Area Rapid Transit, by deed recorded Volume 90177, Page 4219, Deed Records, Dallas County, Texas;

THENCE North 68 degrees 54 minutes 05 seconds East, along said southeasterly line of said Dallas Area Rapid Transit tract, a distance of 259.72 feet to a 1/2-inch iron rod with a yellow cap stamped "CBG Surveying" found for corner, said corner

Being the Northwest corner of said Lot 1, Block 1, Ribelin-Miller Addition;

THENCE South 21 degrees 05 minutes 55 seconds East, along the West line of said Lot 1, Block 1, Ribelin-Miller Addition, a distance of 343.24 feet to the POINT OF BEGINNING and containing 148,999 square feet or 3.421 acres of land.

EXHIBIT A

SPECIFIC USE PROVISION CONDITIONS

ZONING FILE Z 23-37

3877 Miller Park Drive

- I. Statement of Purpose:** The purpose of this Specific Use Provision is to allow a truck repair facility and truck storage 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 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;

- 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. Time Period: The Specific Use Provision shall have a twenty-five (25) year time period.

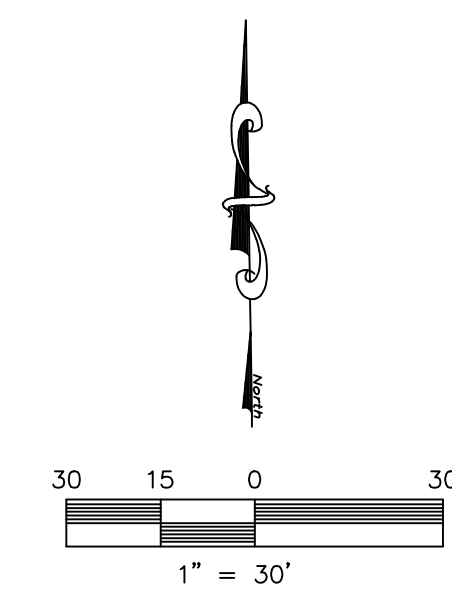
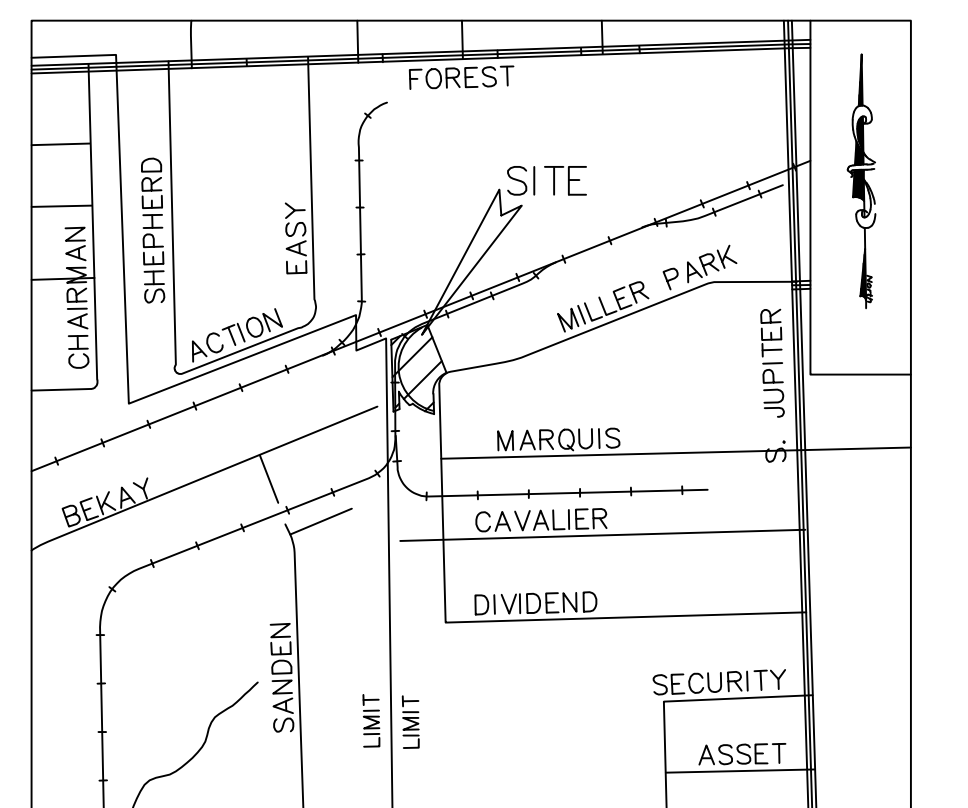
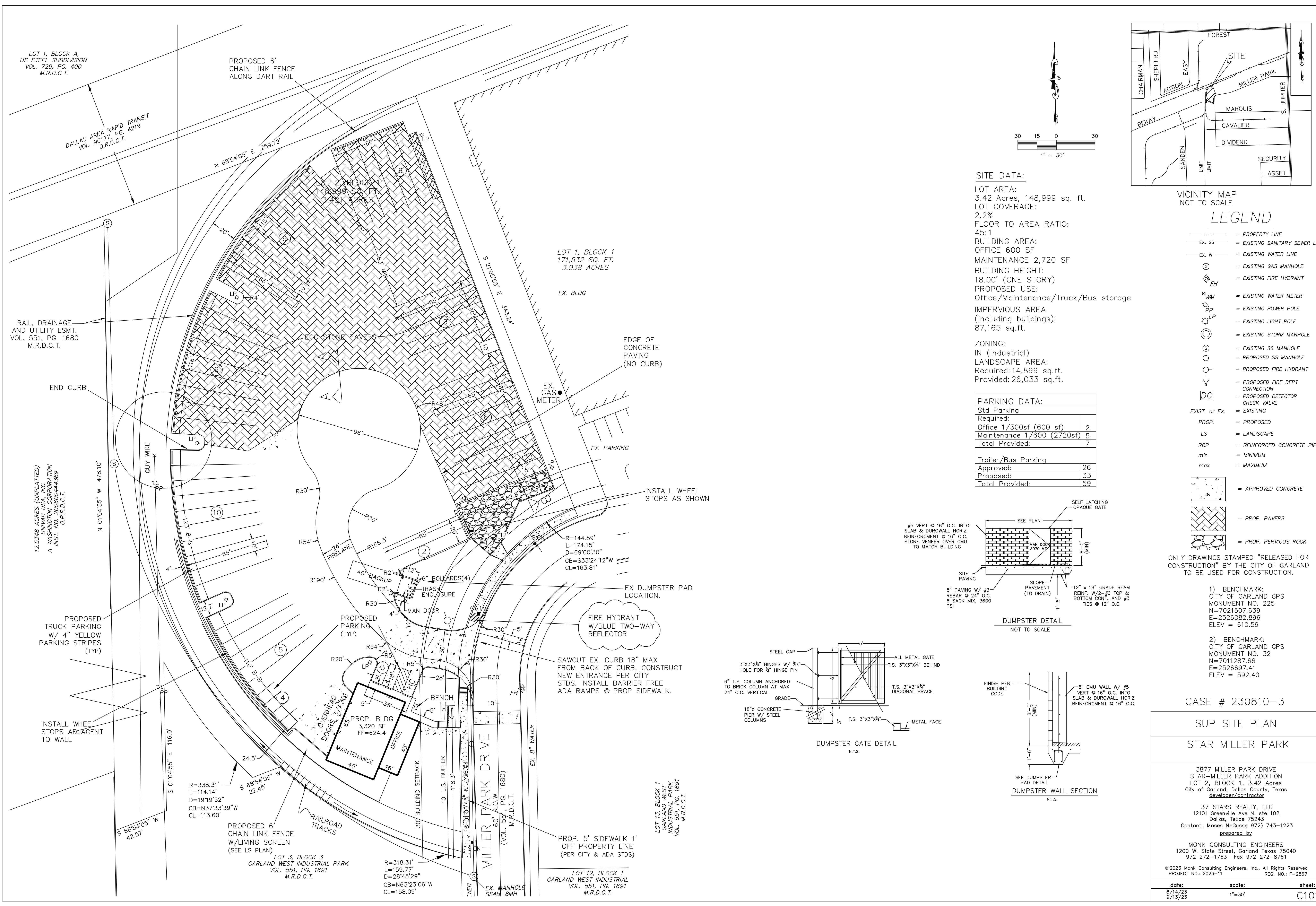
B. Maintenance requirements:

(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

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.



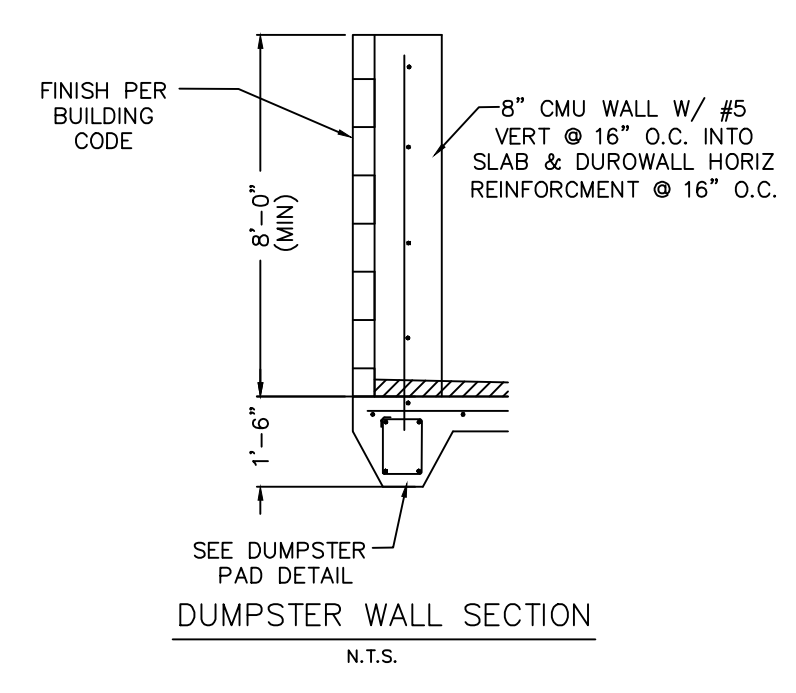
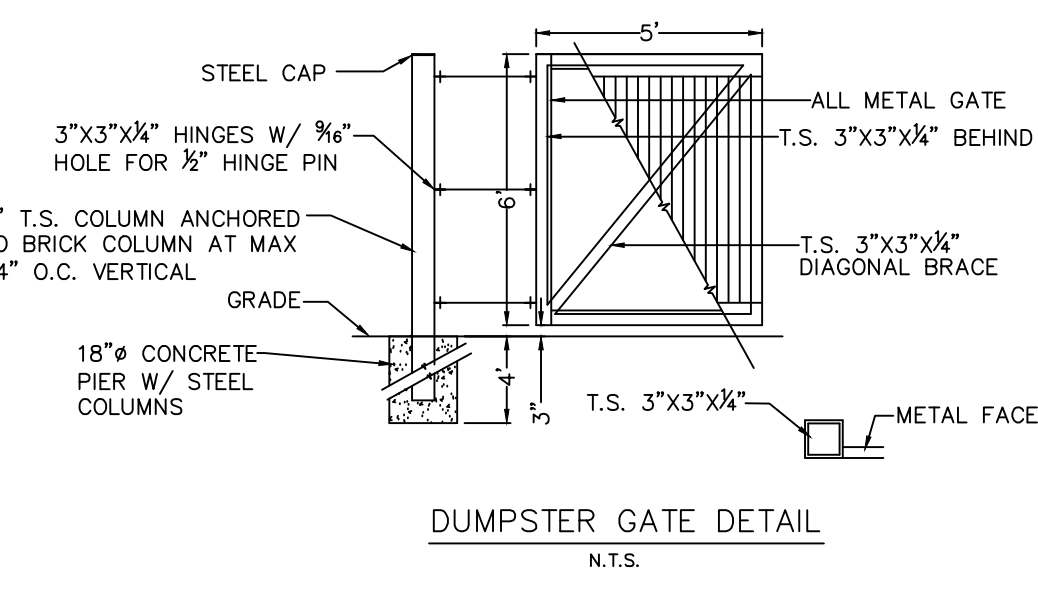
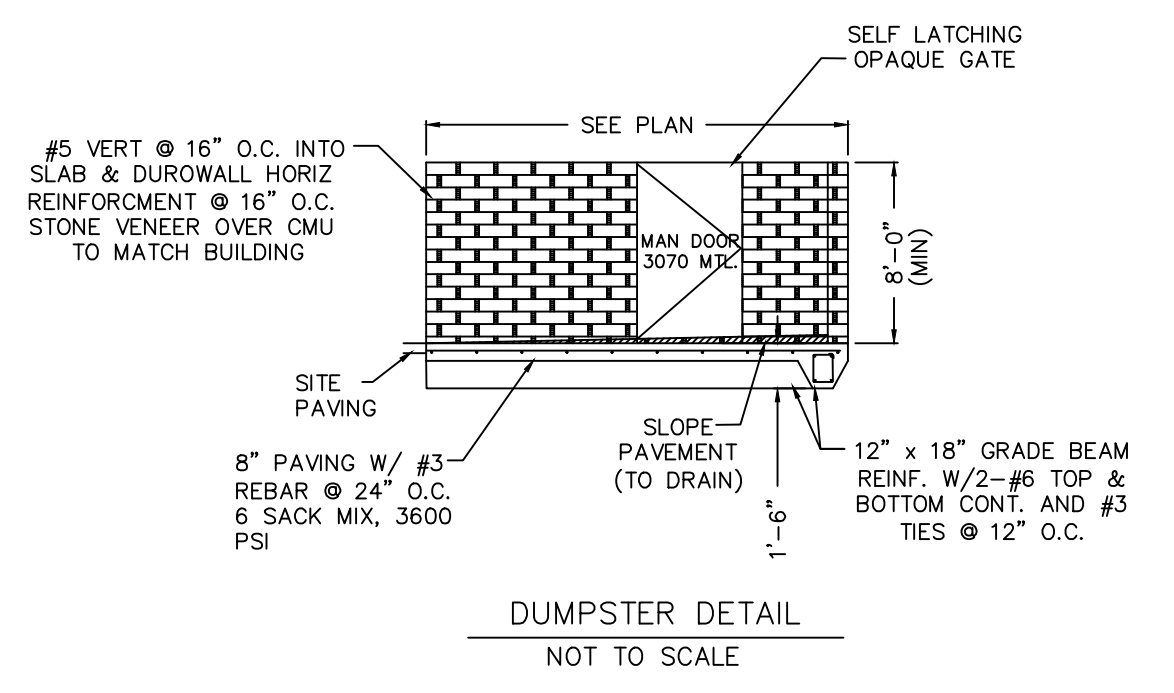
SITE DATA:
 LOT AREA:
 3.42 Acres, 148,999 sq. ft.
 LOT COVERAGE:
 2.2%
 FLOOR TO AREA RATIO:
 45:1
 BUILDING AREA:
 OFFICE 600 SF
 MAINTENANCE 2,720 SF
 BUILDING HEIGHT:
 18.00' (ONE STORY)
 PROPOSED USE:
 Office/Maintenance/Truck/Bus storage
 IMPERVIOUS AREA
 (including buildings):
 87,165 sq.ft.

ZONING:
 IN (Industrial)
 LANDSCAPE AREA:
 Required: 14,899 sq.ft.
 Provided: 26,033 sq.ft.

PARKING DATA:

Std Parking	
Required:	
Office 1/300sf (600 sf)	2
Maintenance 1/600 (2720sf)	5
Total Provided:	7
Trailer/Bus Parking	
Approved:	26
Proposed:	33
Total Provided:	59

- LEGEND**
- = PROPERTY LINE
 - - - - - EX. SS = EXISTING SANITARY SEWER LINE
 - - - - - EX. W = EXISTING WATER LINE
 - ⊕ = EXISTING GAS MANHOLE
 - ⊕ FH = EXISTING FIRE HYDRANT
 - ⊕ WM = EXISTING WATER METER
 - ⊕ PP = EXISTING POWER POLE
 - ⊕ LP = EXISTING LIGHT POLE
 - ⊕ = EXISTING STORM MANHOLE
 - ⊕ = EXISTING SS MANHOLE
 - ⊕ = PROPOSED SS MANHOLE
 - ⊕ = PROPOSED FIRE HYDRANT
 - ⊕ = PROPOSED FIRE DEPT CONNECTION
 - ⊕ DC = PROPOSED DETECTOR CHECK VALVE
 - EXIST. or EX. = EXISTING
 - PROP. = PROPOSED
 - LS = LANDSCAPE
 - RCP = REINFORCED CONCRETE PIPE
 - min = MINIMUM
 - max = MAXIMUM
 - [Pattern] = APPROVED CONCRETE
 - [Pattern] = PROP. PAVERS
 - [Pattern] = PROP. PERVIOUS ROCK



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

- BENCHMARK:
CITY OF GARLAND GPS MONUMENT NO. 225
N=7021507.639
E=2526082.896
ELEV = 610.56
- BENCHMARK:
CITY OF GARLAND GPS MONUMENT NO. 32
N=7011287.66
E=2526697.41
ELEV = 592.40

CASE # 230810-3

SUP SITE PLAN

STAR MILLER PARK

3877 MILLER PARK DRIVE
 STAR-MILLER PARK ADDITION
 LOT 2, BLOCK 1, 3.42 Acres
 City of Garland, Dallas County, Texas
 developer/contractor

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

MONK CONSULTING ENGINEERS
 1200 W. State Street, Garland Texas 75040
 972 272-1763 Fax 972 272-8761

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 PROJECT NO.: 2023-11 REG. NO.: F-2567

date:	scale:	sheet:
8/14/23	1"=30'	C101
9/13/23		

LOT 1, BLOCK A,
US STEEL SUBDIVISION
VOL. 729, PG. 400
M.R.D.C.T.

DALLAS AREA RAPID TRANSIT
VOL. 90777, PG. 4219
D.R.D.C.T.

RAIL, DRAINAGE
AND UTILITY ESMT.
DL. 551, PG. 1680
M.R.D.C.T.

12.5348 ACRES (UNPLATTED)
GARLAND WEST INDUSTRIAL PARK
A WASHINGTON CORPORATION
INST. NO. 20060044389
O.P.R.D.C.T.

PROPOSED 6"
CHAIN LINK FENCE
W/LIVING SCREEN
(SEE SECTION 4.41 OF
THE GDC FOR STDS)

N 01°04'55" W 478.10'

S 01°04'55" E 116.0'

R=338.31'
L=114.14'
D=19°19'52"
CB=N37°33'39"W
CL=113.60'

LOT 3, BLOCK 3
GARLAND WEST INDUSTRIAL PARK
VOL. 551, PG. 1691
M.R.D.C.T.

R=318.31'
L=159.77'
D=28°45'29"
CB=N63°23'06"W
CL=158.09'

LOT 12, BLOCK 1
GARLAND WEST INDUSTRIAL PARK
VOL. 551, PG. 1691
M.R.D.C.T.

LOT 1, BLOCK 1
171,532 SQ. FT.
3.938 ACRES

LOT 2, BLOCK 1
148,998 SQ. FT.
3.42 ACRES

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

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

LANDSCAPE DATA:

LOT AREA:
3.42 Acres, 148,999 sq. ft.
LANDSCAPE AREA:
Required: 14,899 sq.ft.
Provided: 26,033 sq.ft.
FRONTAGE TREES:
Required: 9 (1/30LF)
Provided: 9
PARKING TREES:
Required: 1/65' of parking
Provided: 4
LS BUFFER:
Required: 10' along frontage

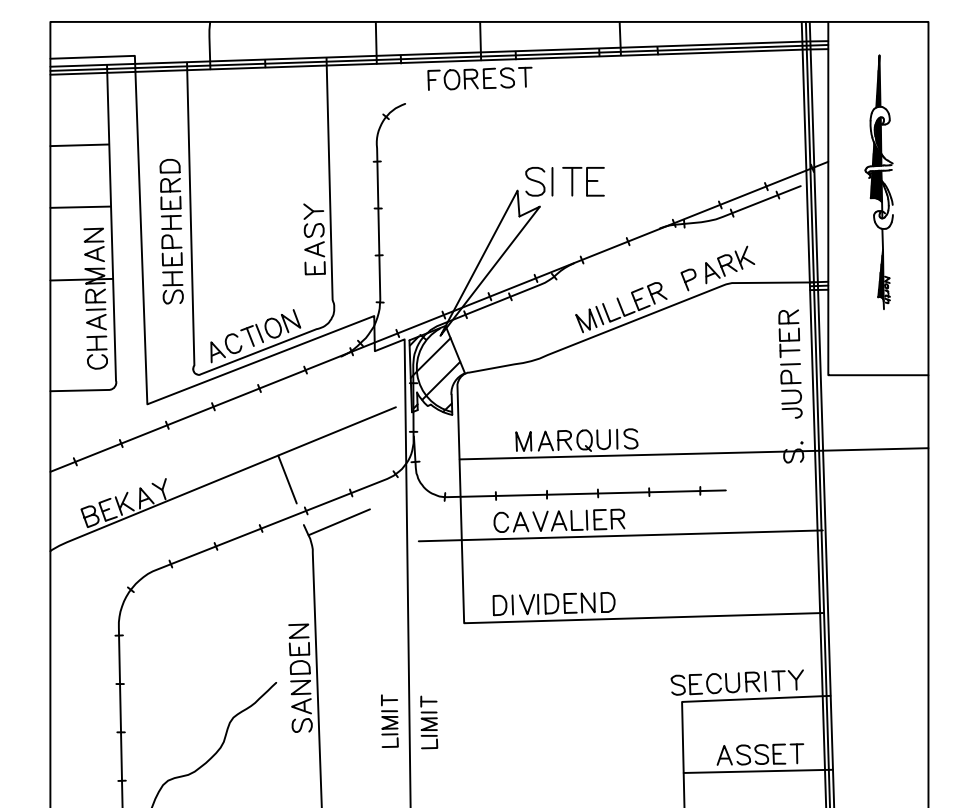
PLANT LIST

KEY	QTY.	COMMON NAME	BOTANICAL NAME	SIZE	REMARKS
RO	13	RED OAK	Quercus virginiana	Minimum 6" caliper; 10'-12' ht.	Nursery-grown B&B, full head, single trunk
BH	39	BURFORD HOLLY	Ilex cornuta "Burfordii"	Minimum 8' ht at time of planting	Full; plant 72" o.c.
LS		GRASS	Burmuda	FULL.	Irrigation.

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

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

- 1) BENCHMARK:
CITY OF GARLAND GPS
MONUMENT NO. 225
N=7021507.639
E=2526082.896
ELEV = 610.56
- 2) BENCHMARK:
CITY OF GARLAND GPS
MONUMENT NO. 32
N=7011287.66
E=2526697.41
ELEV = 592.40



VICINITY MAP
NOT TO SCALE

LEGEND

- = PROPERTY LINE
- SS --- = EXISTING SANITARY SEWER LINE
- W --- = EXISTING WATER LINE
- ⊙ = EXISTING GAS MANHOLE
- ⊙ FH = EXISTING FIRE HYDRANT
- ⊙ WM = EXISTING WATER METER
- ⊙ PP = EXISTING POWER POLE
- ⊙ LP = EXISTING LIGHT POLE
- ⊙ = EXISTING STORM MANHOLE
- ⊙ = EXISTING SS MANHOLE
- ⊙ = PROPOSED SS MANHOLE
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- RCP = REINFORCED CONCRETE PIPE
- min = MINIMUM
- max = MAXIMUM
- [Pattern] = PROP. PERVIOUS ROCK
- [Pattern] = PROP. PERVIOUS PAVERS

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

CASE #230810-3

LANDSCAPE PLAN

STAR MILLER PARK

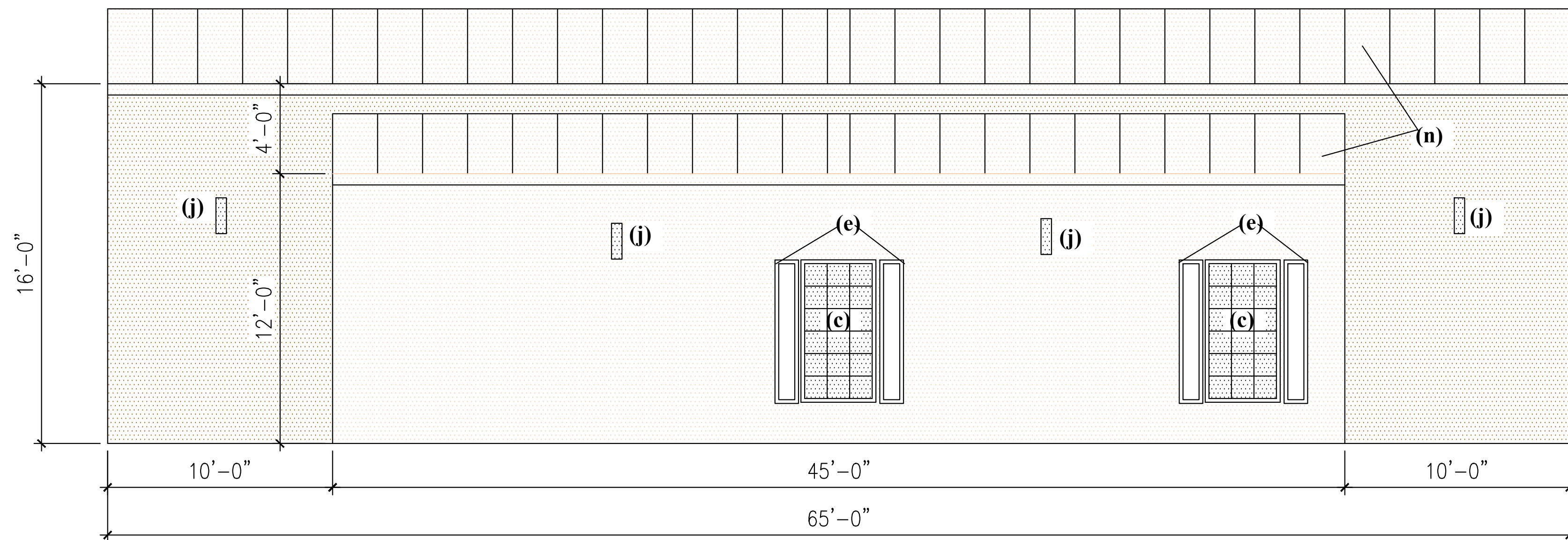
3877 MILLER PARK DRIVE
STAR-MILLER PARK ADDITION
LOT 2, BLOCK 1, 3.42 Acres
City of Garland, Dallas County, Texas
Developer/Contractor

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

MONK CONSULTING ENGINEERS
CITY OF GARLAND GPS
MONUMENT NO. 32
1200 W. State Street, Garland Texas 75040
972 272-1763 Fax 972 272-8761

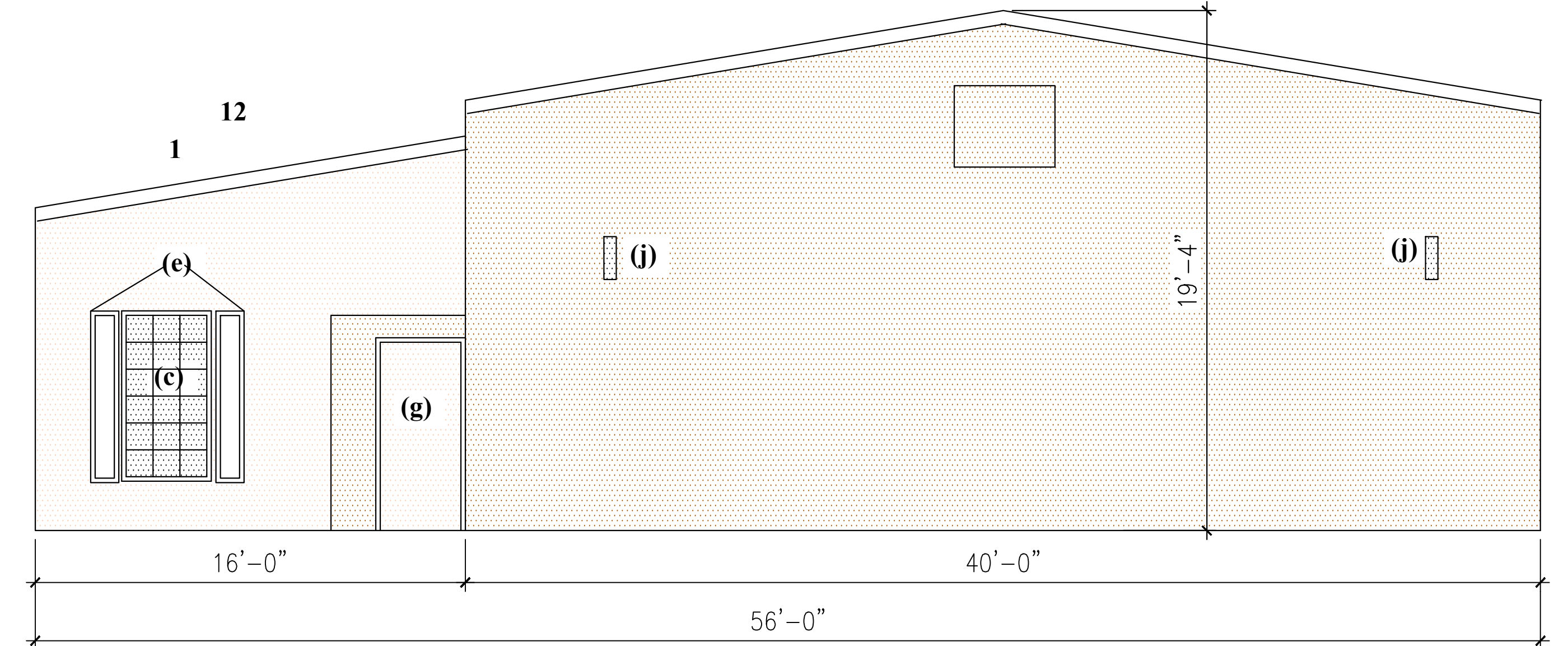
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PROJECT NO.: 2018-11 REG. NO.: F-2567

date: 8/14/23 scale: 1"=30' sheet: 101
9/13/23



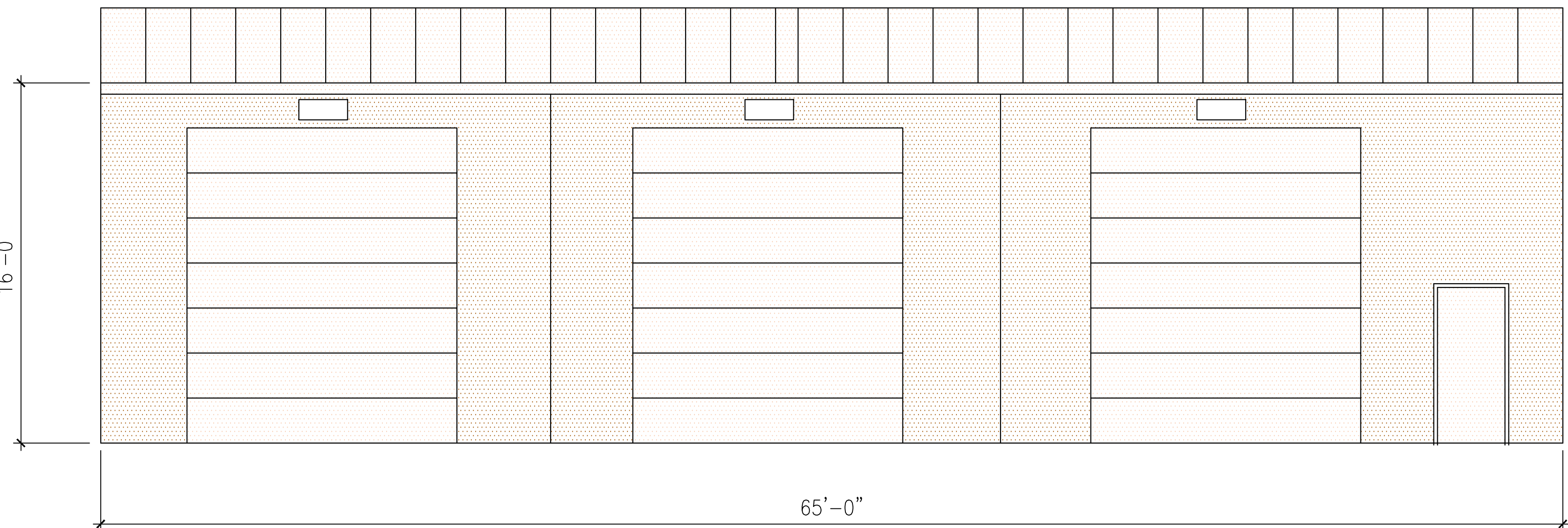
1 East Elevation (Miller Park Drive)

SCALE 1/4" = 1'-0"



2 North Elevation

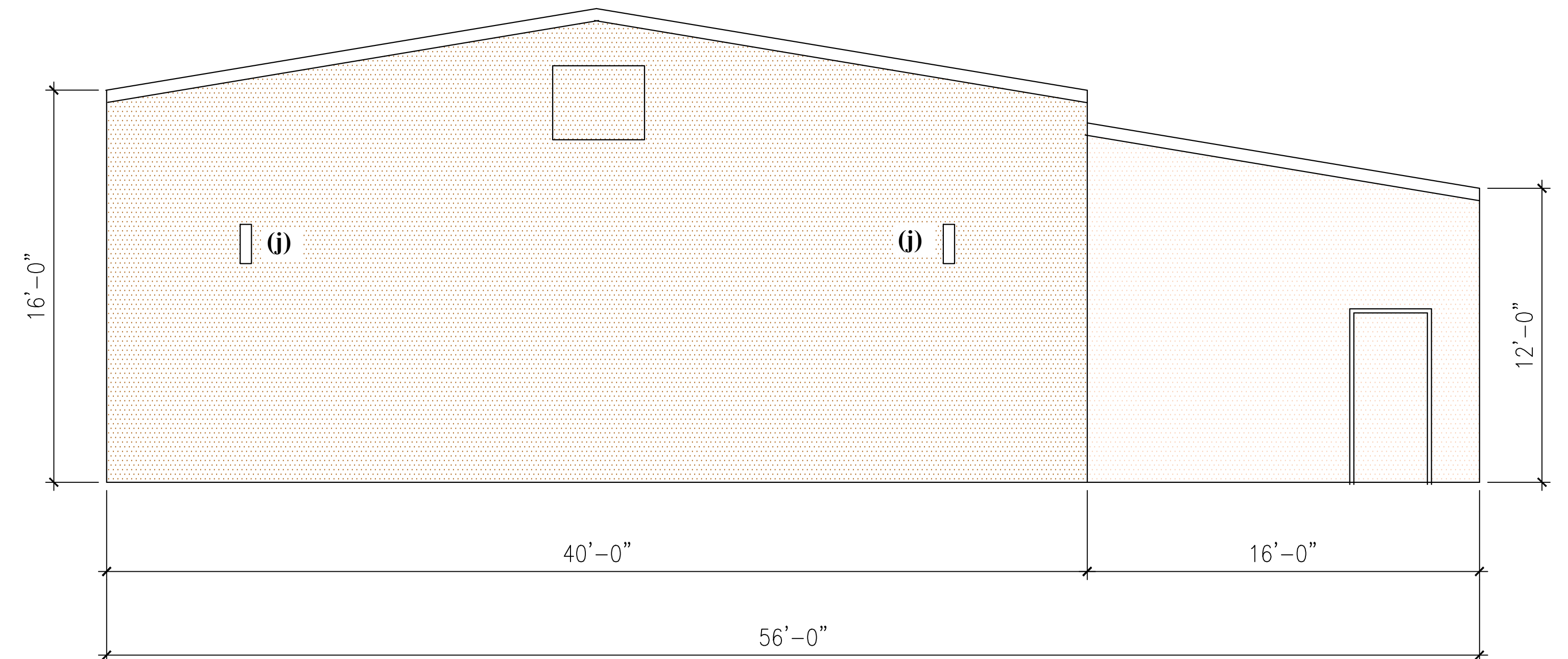
SCALE 1/4" = 1'-0"



DOORS FACE BACK OF PROPERTY

3 West Elevation

SCALE 1/4" = 1'-0"



4 South Elevation

SCALE 1/4" = 1'-0"

Park Bench
Refer to site Plan for location (i)



Articulations

- Horizontal
 - Building Street Length 65 x 20% =13' Min. Provided 45'
 - Building Depth Articulation at least 2' Provided 16'
- Vertical
 - Building Height Articulation 4'

Architectural Elementsm (6)

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

Exterior Color

Office
Bridgersteel-Stone
SRI 62-TSR 54-E.84



Maintenace
Bridgersteel-Parchment
SRI 71-TSR 60-E.88



CASE # 230810-3

ELEVATIONS

STAR MILLER PARK
3877 MILLER PARK DRIVE

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

developer/contractor

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

prepared by

MONK CONSULTING ENGINEERS
1200 W. State Street, Garland Texas 75040
972 272-1763 Fax 972 272-8761

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

date:	scale:	sheet:
8/14/23	1/4"=1'-0"	A301
9/13/23		



GARLAND

PLANNING REPORT

City Council Regular Session Agenda

2. e.

Meeting Date: 12/12/2023

Item Title: Z 23-39 Peak Health Diagnostics (District 8)

REQUEST

Approval of 1) a Specific Use Provision for a Laboratory, Analytical or Research (indoor) Use on a property zoned Planned Development (PD) District 82-17 and 2) a Plan for a Laboratory, Analytical or Research (indoor) Use.

LOCATION

1605 North Garland Avenue

OWNER

Dynamix Holdings, LLC

PLAN COMMISSION RECOMMENDATION

On November 13, 2023 the Plan Commission, by a vote of nine (9) to zero (0), recommended approval of 1) a Specific Use Provision for a Laboratory, Analytical or Research (indoor) Use on a property zoned Industrial (PD) District 82-17 and 2) a Plan for a Laboratory, Analytical or Research (indoor) Use.

STAFF RECOMMENDATION

Approval of 1) a Specific Use Provision for a Laboratory, Analytical or Research (indoor) Use on a property zoned Planned Development (PD) District 82-17 and 2) a Plan for a Laboratory, Analytical or Research (indoor) Use.

BACKGROUND

The subject property is an existing building that contains two (2) other medical/dental office use suites. The applicant intends to occupy an empty suite for the medical lab. The lab would use a PCR machine for simple medical tests including testing for UTI, Flu A, Flu B, RSV, and COVID. A Specific Use Provision (SUP) is required in the Community Office District for a laboratory.

SITE DATA

The 0.834-acre site is accessed from North Garland Avenue.

USE OF PROPERTY UNDER CURRENT ZONING

The property is zoned Planned Development (PD) 82-17 District for Community Office Uses. There are two (2) occupied suites for medical/dental office uses. The applicant wishes to move into a vacant suite that is 2,420 square feet.

CONSIDERATIONS

Specific Use Provision:

1. The applicant proposes to use an existing 2,420 square-foot suite [Suite A] for a Laboratory, Analytical or Research (indoor) Use.
2. The Laboratory, Analytical or Research (indoor) Use requires a Specific Use Provision in the Planned Development (PD) District 82-17 for Community Office Use.
3. The applicant proposes the SUP time period of twenty-five (25) years. The SUP time period guide does not have a recommended time period for a Laboratory, Analytical or Research (indoor) Use.
4. No deviations from the Garland Development Code (GDC) are being requested with this application.

COMPREHENSIVE PLAN

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. These areas provide transitions between traditional residential neighborhoods and higher density residential neighborhoods and non-residential developments. These areas accommodate uses such as convenience retail (goods and services), office space, and public services. The architectural character and scale of these areas are compatible with adjacent residential development. The proposed use aligns with other similar medical (non-residential) uses within the existing building, which supports surrounding neighborhoods.

COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

The properties surrounding the site are all zoned Single-Family-7 (SF-7) District. While there is no non-residential use in the immediate area outside of the Church bordering the property to the North, the site was purposely zoned for Community Office (originally health services) Use and the building currently contains three similar medical/dental office establishments.

The proposal is compatible with the surrounding area and existing site.

Attachments

Z 23-39 Ordinance
Z 23-39 Exhibit A
Z 23-39 Exhibit B
Z 23-39 Exhibit C

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE GARLAND DEVELOPMENT CODE OF THE CITY OF GARLAND, TEXAS, BY APPROVING A SPECIFIC USE PROVISION FOR A LABORATORY, ANALYTICAL OR RESEARCH (INDOOR) USE ON A 0.834-ACRE TRACT OF LAND LOCATED AT 1605 NORTH GARLAND AVENUE, SUITE A ZONED PLANNED DEVELOPMENT (PD) DISTRICT 82-17; 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 13th day of November 2023, the Plan Commission did consider and make recommendations on a certain request for a Specific Use Provision for a Laboratory, Analytical or Research (indoor) Use on a property zoned Planned Development (PD) District 82-17 by **Peak Health Diagnostics**; 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 Laboratory, Analytical or Research Use on a property zoned Planned Development (PD) District 82-17 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 of any certificate of occupancy for any building or 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 23-39

THE CITY OF GARLAND, TEXAS

By:

Mayor

ATTEST:

City Secretary

Published:

EXHIBIT A

LEGAL DESCRIPTION

Zoning File Z 23-39

BEING a part of Lot 45, Block 8, of GOLDEN MEADOWS NO.3, an Addition to the City of Garland, Dallas County, Texas, according to the Plat thereof recorded in Volume 69043, Page 2182 of the Map Records of Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found for corner at the intersection of the West right-of-way line of N. Garland Road (100' R.O.W.) and the North line of a 15-foot alley. at the Southeast corner of said Lot 45, Block 8;

THENCE in a Southwesterly direction along a curve to the left having a central angle of 08 deg. 11 min. 56 sec., a radius Of 1681.00 feet, a tangent of 120.48 feet, a chord of S. 86 deg. 01 min. 21 sec. W.; 240.34 feet along said alley right-of-way, an arc distance of 240.55 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set for corner.

THENCE N. 00 deg. 42 min. 55 sec. W. a distance of 162.47 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.l. RPLS 5034" Set for corner;

THENCE N. 89 deg. 57 min. 05 sec. E. a distance of 240.01 feet to a "X" cut in concrete for corner in the West right-of-way line of N. Garland Road;

THENCE S. 00 deg. 42 min. 00 sec. E. along said right-of-way line, a distance of 146.00 feet to the POINT OF

ZONING FILE NUMBER Z 23-39

BEGINNING and containing 36,636 square feet or 0.83 acres
of land.

EXHIBIT A

SPECIFIC USE PROVISION CONDITIONS

ZONING FILE Z 23-39

1605 North Garland Avenue, Suite A

- I. Statement of Purpose:** The purpose of this Specific Use Provision is to allow a Laboratory, Analytical or Research (indoor) 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 Planned Development (PD) 82-17 District & Community Office (CO) 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

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.

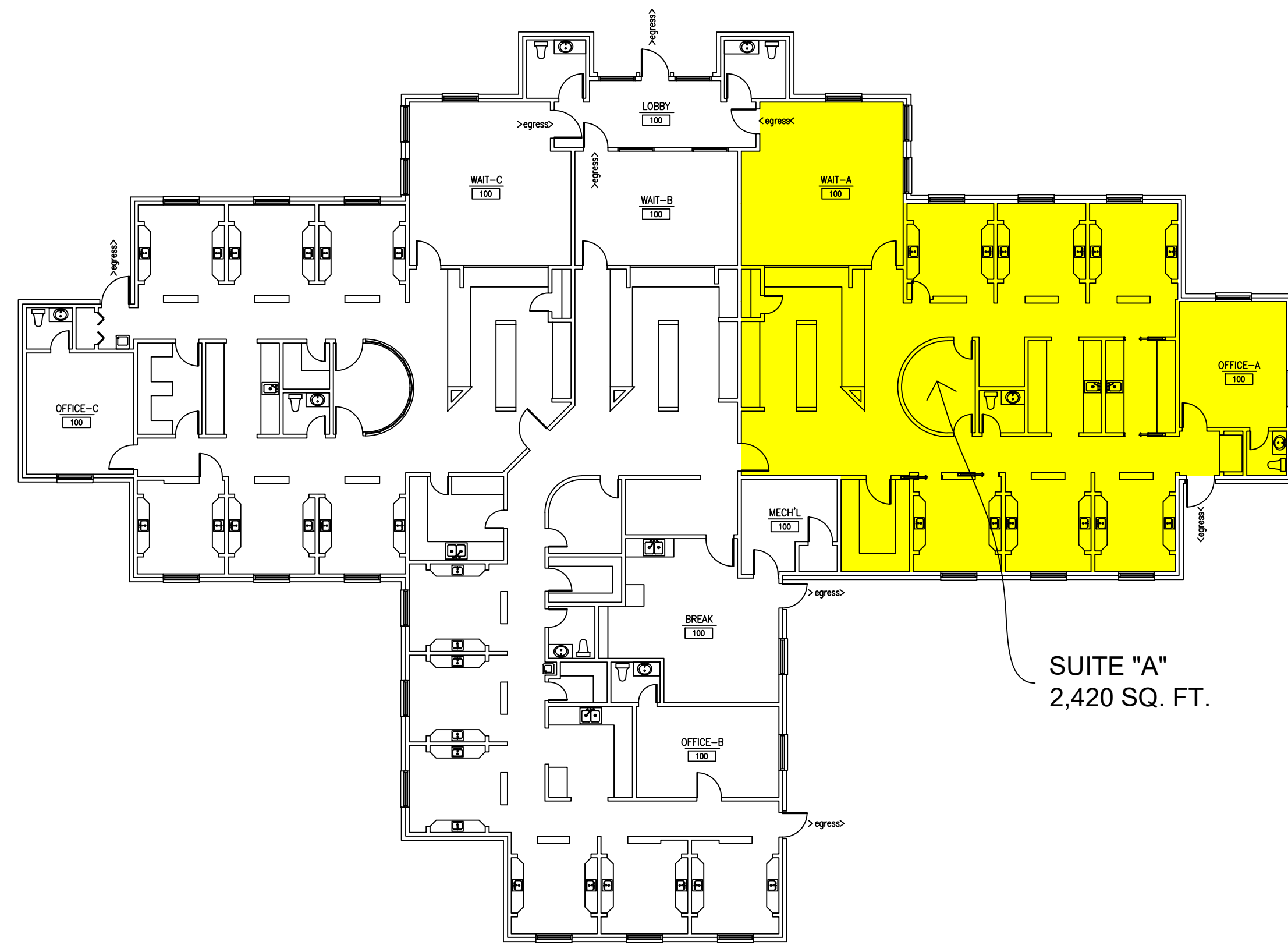
The termination of utilities on the premises for a period of 180 calendar days is prima facie evidence of abandonment and the owner shall have the burden to prove that the Land Use has not been abandoned.

V. Specific Regulations:

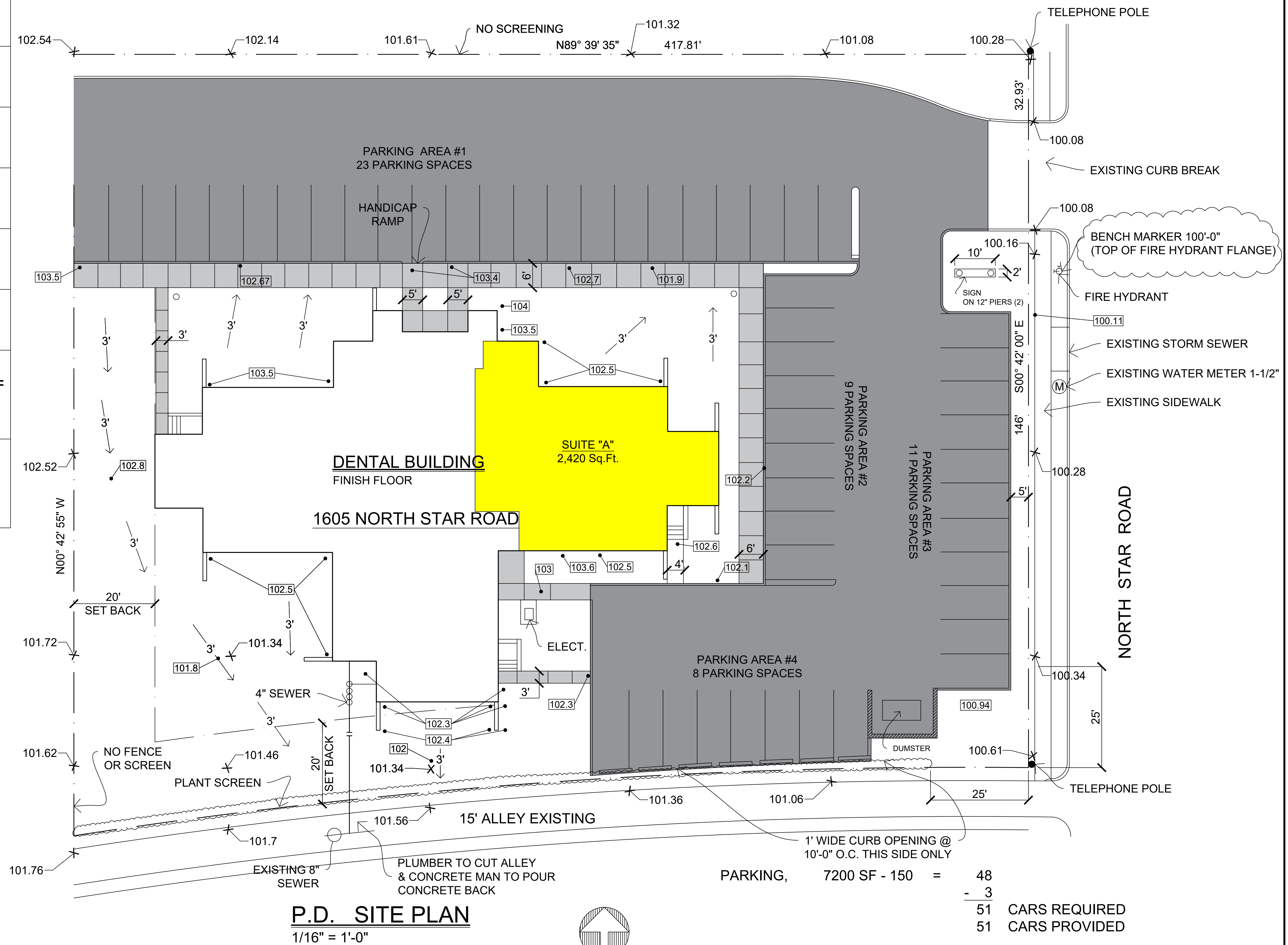
- A. Time Period: The Specific Use Provision shall have a twenty-five (25) year time period.
- B. Site Plan: The site layout, building placement, parking shall be in general conformance with the approved Site Plan labeled Exhibit C. The Laboratory, Analytical or Research (Indoor) use is limited to the approximate 2,420 square-foot tenant space as shown in Exhibit C.

SITE DATA TABLE

TOTAL SITE AREA	42,675 SQ. FT.	
TOTAL BUILDING AREA	7,535 SQ. FT.	
TOTAL SUITE "A" AREA	2,420 SQ. FT.	
PARKING AREA #1	3,620 SQ. FT.	23 PARKING SPACES
PARKING AREA #2	1,305 SQ. FT.	9 PARKING SPACES
PARKING AREA #3	1,555 SQ. FT.	11 PARKING SPACES
PARKING AREA #4	1,295 SQ. FT.	8 PARKING SPACES
PARKING RATIO IS 1/1,000 GFA OR 5 VISITORS + 1/EMPLOYEE AT MAXIMUM SHIFT, WHICHEVER IS GREATER.	AVERAGE PARKING SPACE = 17'x8.5' = 145 SQ.FT.	
PARKING REQUIRED COUNT 5 VISITORS & 5 EMPLOYEES AT MAX SHIFT	TOTAL PARKING ALLOTTED FOR SUITE "A" = 10 PARKING SPACES	

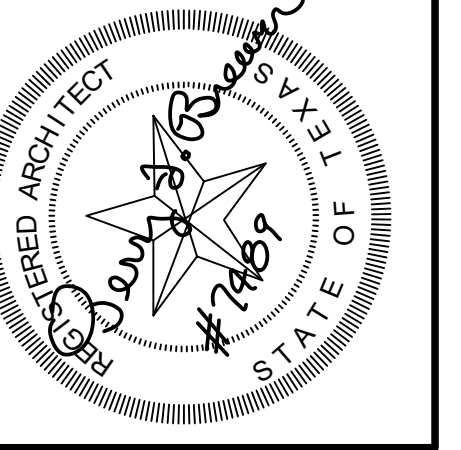


BUILDING FLOOR PLAN
1/16" = 1'-0"



SUITE "A"
 PARKING AREAS
 SIDEWALK

ME-1



TERRY F. BREWER & ASSOCIATES
3606 Marvin D. Love
Dallas Texas 75224
372-1562

NORTH GARLAND DENTAL BUILDING
NORTH STAR ROAD, GARLAND TEXAS

DATE: 4-26-82

REVISION: 3/9/83

JOB NO. 8203

SHEET NO.
A.1
OF:



GARLAND
CITY COUNCIL ITEM SUMMARY SHEET

City Council Regular Session Agenda

3.

Meeting Date: 12/12/2023

Item Title: Approval to Execute a Resolution of no Objection for Garland Leased Housing Associates I application for 4% Low-Income Tax Credits

Submitted By: Mona Woodard, Neighborhood Services Administrator

Summary of Request/Problem

Request for approval authorizing the City Manager to execute an amended Resolution of No Objection for Garland Leased Housing Associates I, application to the Texas Department of Housing and Community Affairs 4% submitted tax credit application for the property located at 202 Belt Line Road. This item was initially approved by the City Council during the September 20, 2022, Regular Council meeting. The Garland Housing Finance Corporation is a partner on the project.

As part of an administrative review by the Texas Department of Housing and Community Affairs (TDHCA), it was discovered that the initial Resolution did not contain the required language and did not meet the requirements issued by the agency. TDHCA is requesting an amended Resolution of No Objection.

Recommendation/Action Requested and Justification

Staff recommends authorizing the execution of the amended Resolution of No Objection for the Cesera Multifamily Tax Credit application.

Attachments

Resolution of No Objection for Dominion Acquisition LLC

RESOLUTION NO.

A RESOLUTION OF NO OBJECTION TO THE APPLICATION OF GARLAND LEASED HOUSING ASSOCIATES I, LIMITED PARTNERSHIP, OR ITS AFFILIATES OR ASSIGNS, TO THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS FOR HOUSING TAX CREDITS IN THE NAME OF THE CESERA TO ACQUIRE AND REHABILITATE 204 RESIDENTIAL UNITS AT 202 BELT LINE ROAD, IN GARLAND, TEXAS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Garland Leased Housing Associates, I Limited Partnership has proposed the rehabilitation of 204 affordable rental housing units located at 202 Belt Line Rd, in the City of Garland in Dallas County, and

WHEREAS, Garland Leased Housing Associates I Limited Partnership intends to submit an application to the Texas Department of Housing and Community Affairs for Non-Competitive 2023 4% Housing Tax Credits for the Cesera.

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

Section 1

Notice has been provided to the Governing Body in accordance with the Texas Government code, 2306.67-71(a); and

Section 2

The Governing Body has had sufficient opportunity to obtain a response from the Applicant regarding any questions or concerns about the proposed Development; and

Section 3

The Governing Body has held a hearing at which public comment may be made on the proposed Development in accordance with Texas Government Code 2306.67071(b); and

Section 4

After due consideration of the information provided by the Applicant and public comment, the Governing Body does not object to the proposed Application; and

FURTHER RESOLVED that for and on behalf of the City of Garland, Judson Rex, City Manager, is hereby authorized, empowered, and directed to certify these resolutions to the Texas Department of Housing and Community Affairs

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

PASSED AND APPROVED this the ____ day of December, 2023.

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary



GARLAND
CITY COUNCIL ITEM SUMMARY SHEET

City Council Regular Session Agenda

4.

Meeting Date: 12/12/2023

Item Title: Ordinance Amendments Concerning Ice Cream Trucks

Submitted By: Mandy Pippen, Director

Summary of Request/Problem

Garland City Ordinance prohibited ice cream trucks from at least 2007 until June 2023. On June 6, 2023, City Council passed an amendment to repeal Section 228.231 of GCO Section 22.26, thus removing the prohibition, effective immediately. While rules to regulate ice cream trucks were being developed, state law changed. House Bill 2878 delegated Dallas County as the permitting authority for all municipalities within the county, effective September 1, 2023. HB 2878 only regulates the health aspects of mobile food, so zoning and noise issues can be regulated locally. Garland City Ordinance must be amended to regulate the manner in which ice cream trucks and ice cream carts may operate.

Recommendation/Action Requested and Justification

Staff recommends adoption of the proposed amendments to GCO 22.26, Section 228.231. Since ice cream trucks are now allowed on the streets, the amendments are necessary to guide zoning and noise issues.

Attachments

Ordinance Amendment-Ice Cream Trucks

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE TEXAS FOOD ESTABLISHMENT RULES OF SECTION 22.26, "AMENDMENTS MADE TO THE TEXAS FOOD ESTABLISHMENT RULES," OF CHAPTER 22, "HEALTH," OF THE CODE OF ORDINANCES OF THE CITY OF GARLAND, TEXAS; AMENDING SECTION 32.57, "OVERSIZED AND OTHER VEHICLES-RESTRICTIONS IN RESIDENTIAL ZONES," OF CHAPTER 32, "PROPERTY SANITATION AND HOUSING SERVICES;" OF THE CODE OF ORDINANCES; AMENDING SECTION 22.70, "SPECIFIC NOISES PROHIBITED," OF CHAPTER 22, "HEALTH," OF THE CODE OF ORDINANCES OF THE CITY OF GARLAND, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND SETTING AN EFFECTIVE DATE.

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

Section 1

That Section 228.2 of Section 22.26, "Amendments made to the Texas Food Establishment Rules," of Chapter 22, "Health," of the Code of Ordinances of the City of Garland, Texas, is hereby amended *in part by addition* to include a definition of "Ice Cream Truck," to amend the definition of "Regulatory Authority," and to read as follows:

"**Section 228.2**, relating to definitions, is further amended by adding the following definitions:

. . .

Ice Cream Truck. A type of Catering Truck in which prepackaged ice cream, ice milk, frozen dairy products are carried for purposes of retail sale on the streets of the City.

. . .

Regulatory authority. Is either, depending on the context, the Director of Health of the City, or his or her designee, or the appropriate official of Dallas County authorized to inspect and permit Mobile food service establishments under Chapter 437A of the Texas Health & Safety Code. In the context of permitting Mobile food service establishments, the appropriate official of Dallas County authorized to inspect and permit Mobile food service establishment shall be the Regulatory authority, or its designee. In all other contexts herein, the Regulatory authority shall be the Director of Health of the City or his or her designated representative.

. . ."

Section 2

That Section 228.228, "Food Carts," of Section 22.26, "Amendments made to the Texas Food Establishment Rules," of Chapter 22, "Health," of the Code of Ordinances of the City of Garland, Texas, is hereby amended *in part* to read as follows:

Section 228.228. Food Carts.

. . .

(b) Permit. Food carts operating within the City shall have a valid food service permit, if required, of the proper classification issued by the Dallas County regulatory authority, or its designee. Permits shall be attached to the Food cart and be prominently displayed within view of the public.

. . .

(d) Food items.

. . .

(2) The sale of food prepared at the food cart is prohibited in a residential district.

. . .

(m) [*Intentionally Deleted*]

(n) Approved location. Food carts shall be operated only:

. . .

(2) with permission from the Director of Parks if vending within a City park, and from the Director of Health if vending within City parking facilities, on public property maintained by the City (other than a public sidewalk), within or immediately adjacent to the downtown square, or within a public facility maintained by the City.

. . ."

Section 3

That Section 228.229, "Catering Trucks," of Section 22.26, "Amendments made to the Texas Food Establishment Rules," of Chapter 22, "Health," of the Code of Ordinances of the City of Garland, Texas, is hereby amended *in part by addition* to include specific provisions related to the regulation of Catering trucks to read as follows:

Section 228.229 is added and titled Catering Trucks

(a) Permit. All catering trucks shall have a valid food service permit and such permit shall be prominently displayed to the public on the catering truck at all times.

(b) Initial Permitting Inspection. Catering trucks desiring to operate within the City of Garland must be inspected by, and permitted through, the Dallas County regulatory authority, or its designee, at a location designated by the Dallas County regulatory authority.

. . .

(o) Provisions Related to Ice Cream Trucks.

(1) Conflict. Generally, an Ice Cream Truck shall be regulated as a Catering Truck. However, the following provisions shall expressly apply to Ice Cream Trucks. In the event of a conflict between this subsection (o) and another ordinance of the City of Garland, to the extent the conflict is related to the operation of Ice Cream Trucks, the provisions of this subsection shall control.

(2) Initial Permitting Inspection. An Ice Cream Truck shall be permitted, if required, by the Dallas County regulatory authority, or its designee, at a location designated by the authority.

(3) Operation Locations. Ice Cream Trucks may operate and conduct business within public rights-of-way, including within residential districts, subject to the following:

a. An Ice Cream Truck shall comply with all applicable city, county, and state health laws and regulations.

b. An Ice Cream Truck vendor shall not vend within 40 feet of any intersection, stop sign, flashing beacon, yield sign, or other traffic control signal.

c. An Ice Cream Truck, when stopping for the purpose of making sales, may only park or stand in the right-of-way, as far as practicable from traffic and shall operate flashers and signals when stopped. In no event shall an Ice Cream Truck vendor stop for the purpose of making sales that prevent passage of other motor vehicles on the right-of-way or impede the flow of vehicular or pedestrian traffic.

d. Ice Cream Truck vendors shall only vend on the passenger side of the ice cream truck when stopped, parked, or standing within a public right-of-way.

e. An Ice Cream Truck may only operate a horn, sound amplification system, or other sound producing device or music system during authorized vending periods; but not when the truck is stationary.

(4) Operations Prohibited in the Vicinity of Schools. An Ice Cream Truck may not conduct vending operations or operate a horn, sound, amplification system, other sound producing device or music systems (1) within a school zone that is operational on days in which schools are in session, or (2) within two city blocks or 600 feet, whichever is greater, of the grounds of a public, private, or parochial elementary or secondary school between the hours of 11:00 am and 4:30pm on days when school is in session.

(5) Times of Operation. An Ice Cream Truck may operate within a public right-of-way between the hours of 11:00 a.m. and 30 minutes before sunset (as defined by the National Oceanic and Atmospheric Administration)."

Section 4

That Section 228.230, "Mobile Food Preparation Vehicles," of Section 22.26, "Amendments made to the Texas Food Establishment Rules," of Chapter 22, "Health," of the Code of Ordinances of the City of Garland, Texas, is hereby amended *in part* to include specific provisions related to the permitting and regulation of Mobile food preparation vehicles to read as follows:

"Section 228.230 is added and titled Mobile Food Preparation Vehicles.

(a) Permit. Mobile food preparation vehicles shall have a valid permit and such permit shall be prominently displayed to the public on the vehicle at all times.

(b) Initial Permitting Inspection. Mobile food preparation vehicles desiring to operate within the City of Garland must be inspected by, and permitted through, the Dallas County regulatory authority, or its designee, at a location designated by the Dallas County regulatory authority.

Section 5

That Section 32.57, "Oversized and other vehicles-restrictions in residential zones," of Chapter 32, "Property Sanitation and Housing Services," of the Code of Ordinances of the City of Garland, Texas, is hereby amended *in part by addition* to include an exception related to the operation of Ice Cream Trucks within a residential zone to read as follows:

"32.57 Oversized and other vehicles-Restrictions in residential zones

. . .

(C) Parking certain vehicles in residential zones

. . .

(10) A person commits an offense if the person parks a catering truck or mobile food unit, but not including lawfully operating Ice Cream Trucks, at any place within a residential zone.

. . ."

Section 6

That Section 22.70, "Specific Noises Prohibited," of Chapter 22, "Health," of the Code of Ordinances of the City of Garland, Texas, is hereby amended *in part by addition* to include an exception related to the operation of Ice Cream Trucks within a residential zone to read as follows:

"22.70 Specific Noises prohibited.

(A) The following sounds are hereby determined to be specific noises, which can constitute a noise disturbance, and violations of this article are hereby defined:

. . .

(3) Exterior loudspeakers. Operating or permitting to be operated any loudspeaker or sound-amplifying equipment in a fixed or movable position mounted upon any vehicle in or upon any street, alley, sidewalk, park, place, or public property for the purpose of commercial advertising, giving instructions, directions, talks, addresses, lectures, or transmitting music to any persons or assemblages of persons in such a manner as to violate the sound levels as listed in section **22.69**, or which unreasonably disturbs or interferes with peace, comfort, and repose of neighboring persons of ordinary sensibilities-unless a permit of variance as outlined in section **22.76** is first obtained or the loudspeaker or sound-amplifying equipment is mounted upon an otherwise lawfully operating Ice Cream Truck.

. . ."

Section 7

That Chapters 22 and 32 of the Code of Ordinances for the City of Garland, Texas, as amended, shall be and remain in full force and effect save and except as amended by this Ordinance.

Section 8

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 9

That this Ordinance shall be and become effective immediately 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

5.

Meeting Date: 12/12/2023

Item Title: Neighborhood Vitality Matching Grant Fall 2023 Applications

Submitted By: Laura De La Vega, Sr. Planner

Summary of Request/Problem

At the December 4, 2023, Work Session meeting, City Council recommended the Pecan Grove Neighborhood Association's Matching Grant application be placed on the Consent Agenda for approval.

Recommendation/Action Requested and Justification

Staff requests approval of the application submitted by Pecan Grove Neighborhood Association as directed by City Council.

Attachments

2023 Fall NVMG Projects

NEIGHBORHOOD VITALITY MATCHING GRANT

PROJECT SUMMARY FOR APPLICATION

Neighborhood Association: Pecan Grove Neighborhood Association

Project Name: Lon Wynne Park Murals

Project Location: Lon Wynne Park, 3858 S Glenbrook Dr

Total Project Cost:	\$9,350
Requesting Amount:	\$9,350
Neighborhood Match	\$0
Match Percentage:	0%

Project Summary:

- Install two (2) murals
 1. One mural on the restroom building
 2. One mural on the storage building

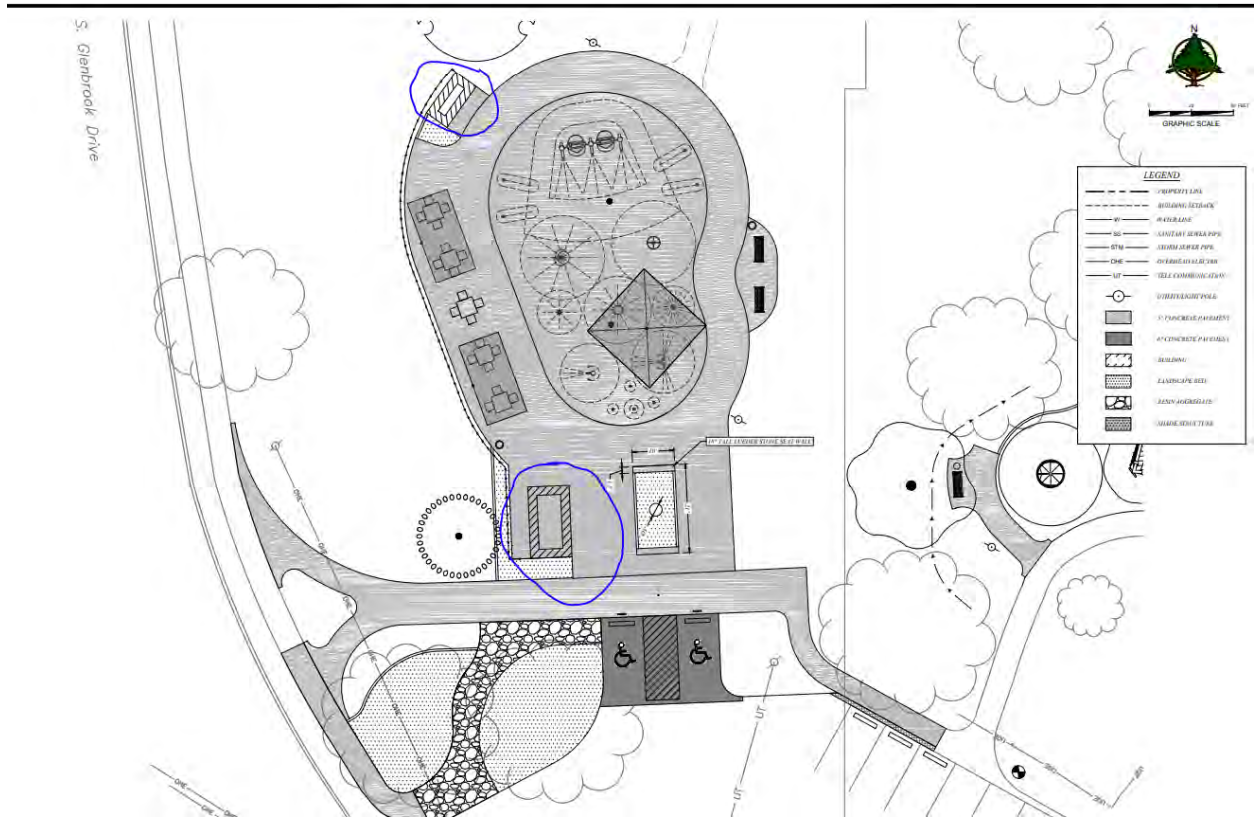
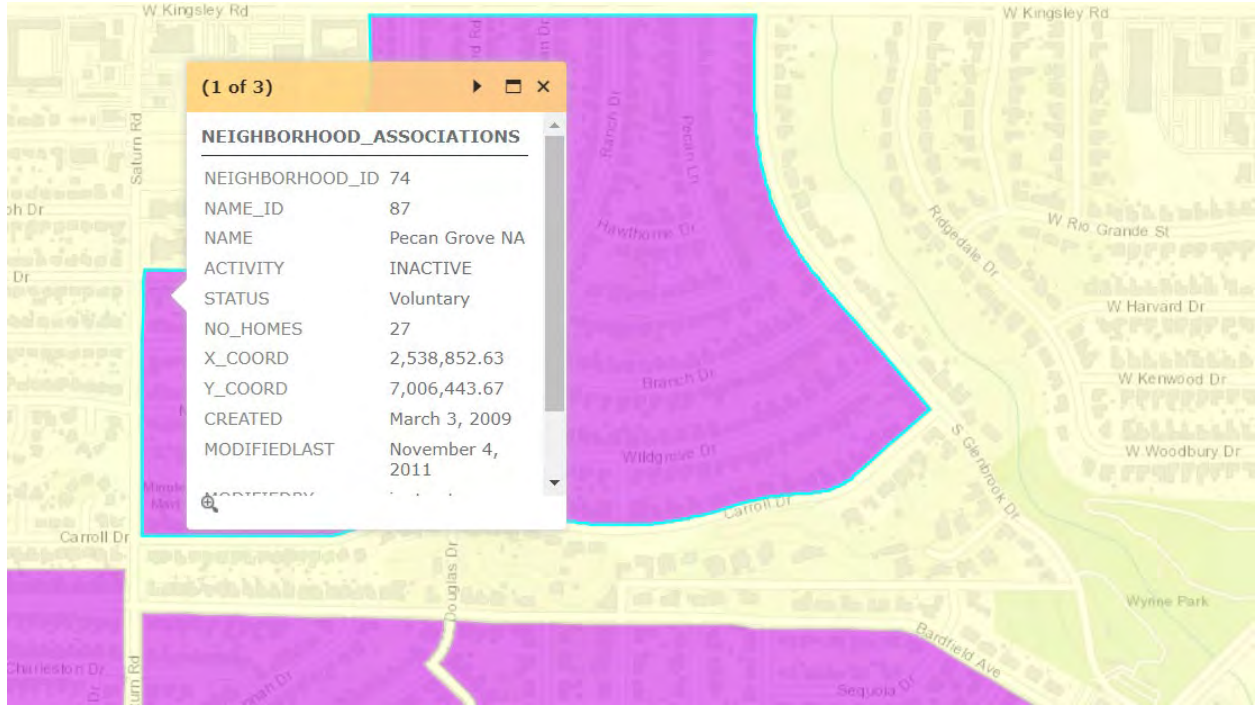
Stated Goals:

“We’d like to utilize the existing park opportunities to beautify the roadside view for walkers, runners, and drivers that are only able to see the park from the backside and passing by. Utilizing $\frac{3}{4}$ of each side of the two structures at the park, each facing the “in/out” direction, we can compliment the park design, color schemes and current plans.”

Stated Maintenance:

“This project is local to the artist, the panels are recommended in being sprayed with a basic mural protection coating and if maintenance is required the artist is available to clean and correct after the install as needed.”

Maps:



Staff Community Services Committee Comments:

Neighborhood Vitality:

Neighborhood Vitality staff presented Pecan Grove's application to the Community Services Committee on Tuesday, Nov. 7. The committee asked for clarification regarding the maintenance portion of the project in addition to this language being added to an Artist Agreement. The artist has since verified they are willing to sign an Artist Agreement. Additionally both the artist and Parks Department has agreed upon a five (5) year maintenance plan to be detailed in the agreement.

Staff Comments on Proposal:

Neighborhood Vitality:

1. Matching Grant applicants are eligible to receive up to \$100,000 within a five-year time frame.
 - a. Previously awarded grant projects include:
 - i. Spring 2017 Monument Sign
 - ii. Fall 2020 – Art Sculpture Installation
 1. This project shifted to a Staff-Led Project at the request of the Parks Department, with the permission of Pecan Grove's Neighborhood Association.
 2. The project and funding amount shall not count towards their 5 year cycle.
2. If approved, this project would mark the beginning of Pecan Grove's five-year time frame.
3. Public art projects are eligible through the Matching Grant Program.
4. All projects must comply with applicable City of Garland codes and policies, and applicable federal, state, and local laws. Projects cannot create a public safety hazard or conflict with existing or approved municipal projects. They must also adhere to the comments from the departments below.
5. Parks department will need to approve proposed designs.
6. Designs must not contain words.
7. The Artist must grant the City of Garland license to use the image for City purposes. This may be completed after funding has been awarded.
8. A license agreement may be required.

Building Inspections:

Permits will be required for the murals

Engineering

No comments.

Parks Design & Development

1. Parks is open to the idea of incorporating mural artwork at both the restroom building and equipment enclosure.
2. Further coordination is needed for the following:
 - a. Logistics/schedules, surface preparation, method of application, paint type, finish sealant method, final cleanup, etc.
 - b. Should all elements receive paint? High-touch surfaces, such as doors/thresholds, might experience quicker wear and tear.
 - c. Need to confirm the installation schedule, as to how it aligns with seasonal splash pad activities.
 - d. Clear directives are needed ensure vandalism/finish deterioration is addressed promptly by the installer.

Parks Operations:

The murals represent a valuable enhancement to the park, as previously mentioned. Historically, the vicinity has experienced recurrent incidents of graffiti. This occurrence transpires frequently, typically at a minimum rate of once a month. In cases where the graffiti is determined to be inappropriate or offensive, swift action is taken to address the issue through paint overlay. This process extends to encompass the artwork if deemed essential. Depending on the severity and content of the graffiti, immediate action may be required, and it may not be feasible to await the artist's availability.

Planning

No comments

Staff Comments on Letter of Intent Proposal:

Neighborhood Vitality:

1. Matching Grant applicants are eligible to receive up to \$100,000 within a five-year time frame.
 - a. Previously awarded grant projects include:
 - i. Spring 2017 Monument Sign
 - ii. Fall 2020 – Art Sculpture Installation
 1. This project shifted to a Staff-Led Project at the request of the Parks Department, with the permission of Pecan Grove's Neighborhood Association.
 2. The project and funding amount shall not count towards their 5 year cycle.
2. If approved, this project would mark the beginning of Pecan Grove's five-year time frame.
3. Parks department will need to approve proposed designs.

4. Designs must not contain words.
5. The Artist must grant the City of Garland license to use the image for City purposes. This may be completed after funding has been awarded.
6. A license agreement may be required.
7. Line-item cost estimates and concept designs must also be included with the application.

Building Inspections:

Murals will require a sign permit.

Parks Ops:

The proposal currently lacks clarity regarding whether the murals will be applied directly onto the building's surface or if an intermediary surface will be utilized. This inquiry is prompted by the persistent graffiti concern prevalent within this vicinity. A consideration of paramount importance arises from the potential need for swift and targeted graffiti removal. In instances where the murals are readily removable, it offers the advantage of facilitating convenient touch-up procedures as necessary. This stands in contrast to the alternative scenario wherein park staff might find themselves obligated to cover a valuable artistic creation due to urgent graffiti removal requirements, thus safeguarding both the integrity of the artwork and the expeditious resolution of such matters.

Parks Design & Development:

We're open to the idea of incorporating mural artwork. Detailed concepts will need to be reviewed by City staff for consideration.

Garland Cultural Arts

This is project could be considered tactical urbanism.

10 – Exemptions

The City of Garland's Public Art Process recognizes the importance of community engagement and beautification projects. The following public art initiatives and/or displays are exempt from this process.

- Art activations for tactical urbanism – repairs, temporary engagement projects, beautification projects
- Traffic utility boxes
- Trash dumpsters/enclosures
- Sidewalk art and temporary street murals

- Light pole banners
- Wayfinding signs for trails and public parks
- Existing artwork on/in public property



Office of Neighborhood Vitality
 800 Main Street, 2nd Floor
 P.O. Box 469002, Garland, TX 75046
 Neighborhoods@GarlandTx.gov
 972-205-2445

NEIGHBORHOOD VITALITY MATCHING GRANT Application

Thank you for your interest in the Neighborhood Vitality Matching Grant! Submission deadlines are September 23 and March 23. Should either of these dates fall on a holiday or weekend, the following business day will apply. Applications may be submitted to the Office of Neighborhood Vitality (ONV) in person, by mail or by email (must be in PDF format).

Please read each question thoroughly. Refer to the Neighborhood Vitality Matching Grant Guidelines for details. Do not bind or staple the application and supporting documents. Contact the Office of Neighborhood Vitality if you have any questions.

NEIGHBORHOOD ASSOCIATION / HOA INFORMATION

Neighborhood Association Name:

Mailing Address of Association:

What type of Neighborhood Association? Voluntary Mandatory / HOA Crime Watch

Registered with the Office of Neighborhood Vitality? Yes No I Don't Know

Length of Association Existence: More than 1 Year Less than 1 Year

Main Contact for this application:

Name:
 Email:

Title:
 Phone:

Management Company (if applicable)

Name:
 Email:

Agent:
 Phone:

Neighborhood Boundaries (Please also attach a map)

North:
 South:

East:
 West:

Briefly describe your neighborhood's current goals:

We'd like to utilize the existing park opportunities to beautify the roadside view for walkers, runners, and drivers that are only able to see the park from the backside and passing by. Utilizing 3/4 of each side of the two structures at the park, each facing the "in/out" direction. We can compliment the park design, color schemes, and current plans.

PROJECT INFORMATION

Please attach maps, plans and photographs to the application.

Project Name: Lon Wynne Park Mural

Project Address/Location: Lon Wynne Park; 101 E. Centerville Rd., Garland, TX 75041

Describe your neighborhood project in detail. Include project type, project elements, and project scope. (Include additional attachments if necessary).

The theme of the park is nature. With a large orange butterfly sculpture, it's natural surroundings, aquatic theme existing, our plan is to compliment all these elements. Create clean color complimentary schemes with a floral design that doesn't change the park, just adds to. This allows the front facade to maintain the design and architectural theme of the splash pad, while creating a new install for those entering and exiting the park from a POV that isn't really evident at the moment.

How will this project positively impact your neighborhood and community? Describe the benefits that the proposed project will create both to your neighborhood and to the City of Garland. How will the project enhance neighborhood identity and/or create a stronger sense of community?

The city has done an amazing job on the park design, digital installs, and sculpture installs, however, the roadside entrance/exit down Glennbrook only see's the back side of a bathroom and utility shed. The proposed artwork compliments the aquatic theme without taking over the splash pad's architectural integrity, the artistic nature of the butterfly sculpture, and it's natural surroundings. The park is doing wonders for those involved, what about those who walk, bike, drive, hop-skip and jump down the trail bordering the park? Turning the backside of these into the proposed artwork acts as an enter/exit aesthetic to the park without taking away the current theme and being color complimentary to everything installed.

Maintenance:

What is the average life expectancy of your proposed project after completion? 10 yr

What is your maintenance/replacement plan for the project? (Include attachment of maintenance plan if necessary)

This project is local to the artist, the panels are recommended in being sprayed with a basic mural protection coating and if maintenance is required the artist is available to clean and correct after the install as needed.

Community Involvement:

How did your neighborhood determine to complete a neighborhood project? Describe the process used to obtain community input and distribution of information to residents in your community.

The community approached the artist with the inspiration from new installs, local sculpture artwork, city Kiosk, and splash pad. With insight from all these community elements and participants, the artist determined a complimenting piece to accent the community, and cities install efforts. The artist has intended on using select local neighborhood volunteers to help fill

PROJECT BUDGET

The Neighborhood Vitality Matching Grant requires the applying association to provide a portion of the project (see guidelines for details). Please attach a detailed line-item budget for the project in addition to the specified total cost, total match, and requesting funds. Please also attach corresponding project estimates from reputable service providers. Contact the Office of Neighborhood Vitality for clarification or assistance if needed.

Total Project Cost: \$

City Portion of Cost: \$

Neighborhood Portion of Cost: \$

Required Neighborhood Percentage of Cost: (*refer to guidelines for required percentage)

If applicable to count towards Neighborhood Match, please attach details of each contribution.

Donated Professional Services: \$

Donated Equipment and Materials: \$

Sweat Equity (\$12 per hour) X Hours = \$

LETTER OF INTENT CONSIDERATION

Did your neighborhood submit a Letter of Intent Yes No

If your neighborhood submitted a Letter of Intent, please list City of Garland feedback:

The proposal currently lacks clarity regarding whether the murals will be applied directly onto the building's surface or if an intermediary surface will be utilized. This inquiry is prompted by the persistent graffiti concern prevalent within this vicinity. A consideration of paramount importance arises from the potential need for swift and targeted graffiti removal. In instances where the murals are readily removable, it offers the advantage of facilitating convenient touch up procedures as necessary. This stands in contrast to the alternative scenario wherein park staff might find themselves obligated to cover a valuable artistic creation due to urgent graffiti removal requirements, thus safeguarding both the integrity of the artwork and the expeditious

If your neighborhood submitted a Letter of Intent, please explain how City of Garland feedback was incorporated into your neighborhood's project plan:

The mural will be directly applied to the surface. Maintenance is minimal in regards to the mural, a coat of anti-graffiti paint will be applied. Upon any instance where vandalism happens, the artist will treat the obstruction if it occurs. Being a local resident this makes maintenance very accessible if necessary. From the artist experience most works around the area have minimal vandalism once a piece is installed.

If absolutely necessary we can build an additional panel for each side as an install but will increase costs and labor significantly. The artist is open to this but does not recommend.

FINAL CHECKLIST

- Reviewed Grant Guidelines
- Neighborhood is Registered with the ONV
- Detailed Project Plan included
- Itemized Bids and Project Budget Sheet are attached
- Detailed Maintenance Plan is included
- Supporting Documents are attached:
 - Map(s)
 - Project Plan(s)
 - Photographs of Project Area
 - Signed Maintenance Agreements (if applicable)
 - Detailed Description of In-Kind Donations, Labor or Materials.

CERTIFICATION

I hereby certify that I am authorized to submit it on behalf of the organization. The statements herein are true, complete and accurate to the best of my knowledge.

Name (Printed):	Stacy Jonas	Date:	9/23/2023
Signature:	<i>Stacy Jonas</i>	Title:	Treasurer

You may submit applications to the Office of Neighborhood Vitality in person, by mail, or email (PDF file):

Office of Neighborhood Vitality
800 Main Street, 2nd Floor
P.O. Box 469002, Garland, TX 75046
Neighborhoods@GarlandTx.gov
972-205-2445

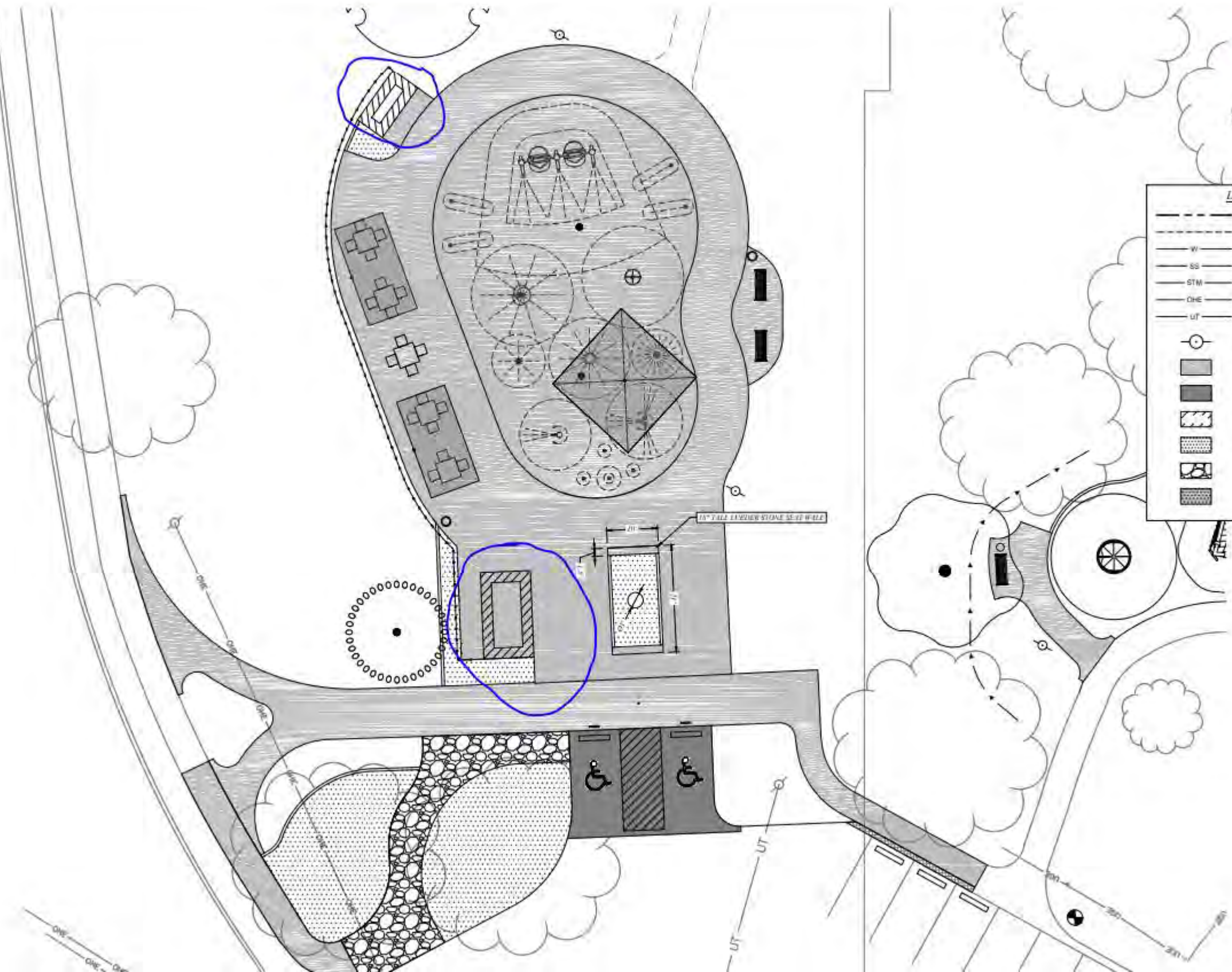
S. Glenbrook Drive



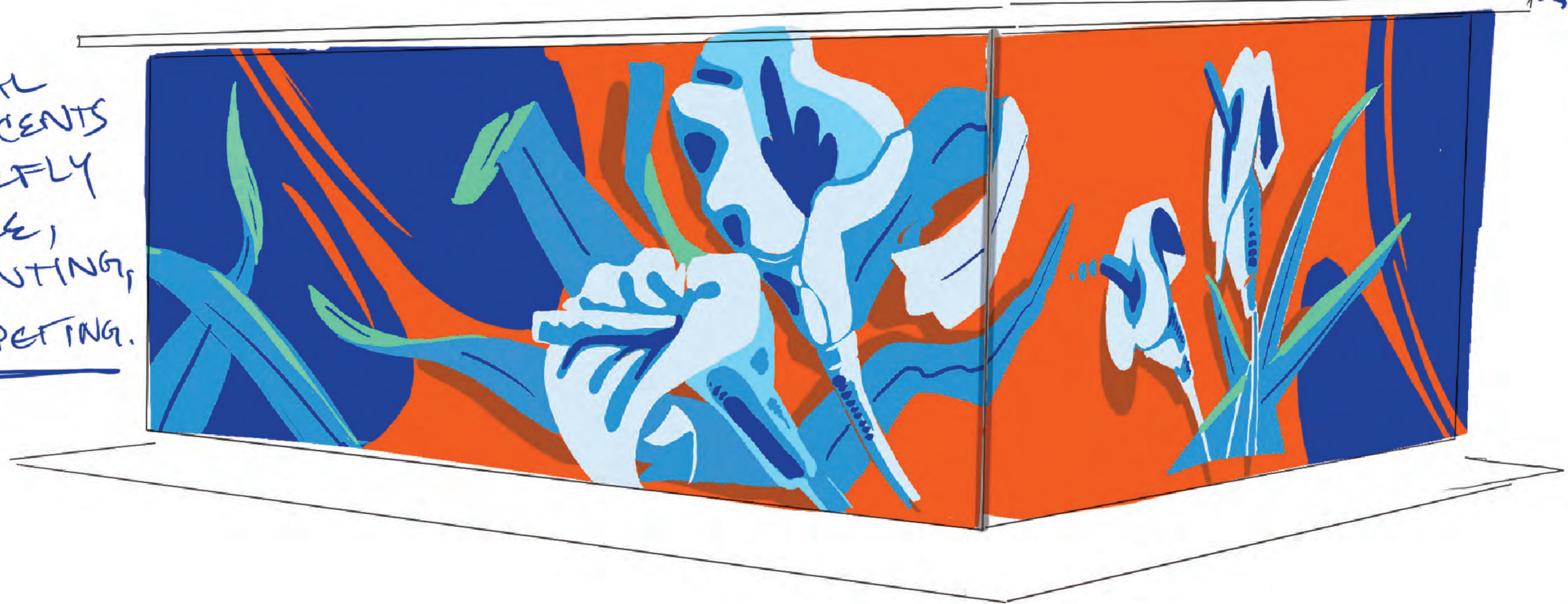
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GRAPHIC SCALE

LEGEND

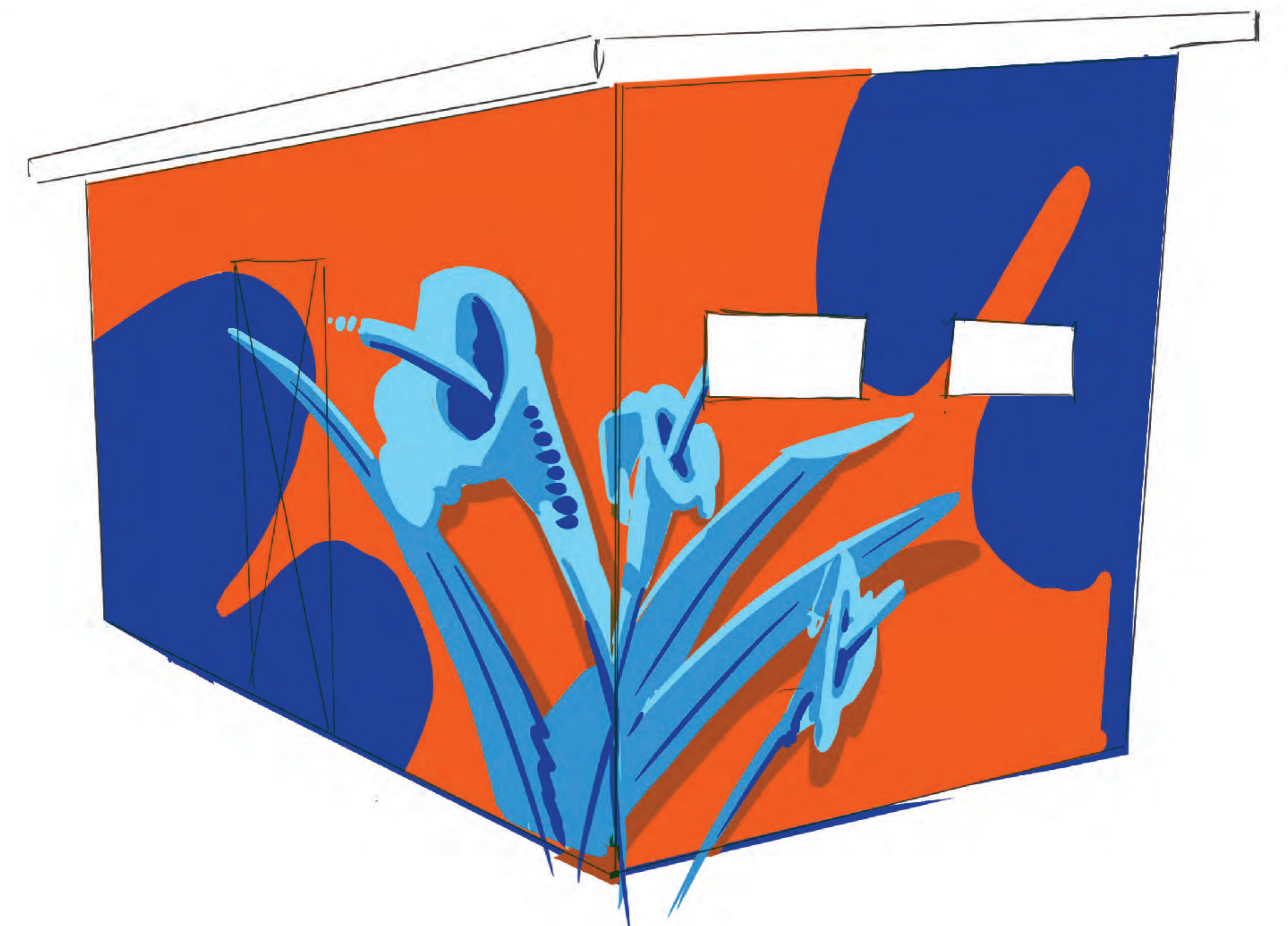
---	PROPERTY LINE
- - - -	BUILDING SETBACK
W	WATER LINE
SS	SANITARY SEWER PIPE
STM	STORM SEWER PIPE
OHE	OVERHEAD ELECTRICAL
UT	TELECOMMUNICATION
○	UTILITY/LIGHT POLE
■ (light stipple)	5" CONCRETE PAVEMENT
■ (dark stipple)	6" CONCRETE PAVEMENT
■ (diagonal lines)	BUILDING
■ (cross-hatch)	LANDSCAPE BELI
■ (stippled)	RESIN AGGREGATE
■ (dotted)	SHADE STRUCTURE



THE FLORAL
THEME ACCENTS
THE BUTTERFLY
SCULPTURE,
COMPLIMENTING,
NOT COMPETING.



UTILIZING THE VIEW
FROM THE ROAD, CREATES
A NEW FEATURE TO THE
PARK. COMPLIMENTS THE
SPASH PAD WITHOUT
OVERTAKING THE EXISTING
DESIGN.



ARTIST - CULLIN LASSITER 23'

NEGATIVE SPACE CREATED BY BUTTERFLY WING. EIB



CULLIN LASSITER
23'

COMPLIMENTING
↓ ORANGE W/
SCULPTURE.

RETAINS EXISTING
COLOR SCHEME



ARTIST - CULLIN LASSITER 23'



CULLIN LASSITER

Estimate

Estimate No: 6 Date: 09/20/2023	701 Branch dr. Garland Tx cullin.lassiter@gmail.com 4699510935
For: Pecan Grove Neighborhood Association stacyjon61@msn.com	

Description	Quantity	Rate	Amount
Materials	1	\$1,000.00	\$1,000.00
Art and Labor	1	\$6,500.00	\$6,500.00
Concept and design	1	\$1,000.00	\$1,000.00
Misc Items	1	\$350.00	\$350.00
Maintenance	1	\$500.00	\$500.00
		Subtotal	\$9,350.00
		TAX 0%	\$0.00
		Total	\$9,350.00
		TOTAL	\$9,350.00

Notes

NEIGHBORHOOD VITALITY MATCHING GRANT PROJECT SUMMARY FOR LETTERS OF INTENT

Neighborhood Association: Pecan Grove Neighborhood Association

Project Name: Lon Wynne Park Murals

Project Location: Lon Wynne Park, 3858 S Glenbrook Dr

Project Summary:

• Install two (2) murals

1. One mural on the restroom building

2. One mural on the storage building



Office of Neighborhood Vitality
800 Main Street, 2nd Floor
P.O. Box 469002, Garland, TX 75046
Neighborhoods@GarlandTx.gov
972-205-2445

NEIGHBORHOOD VITALITY MATCHING GRANT

Letter of Intent Form

The Letter of Intent assists residents with identifying obstacles or potential issues with their Neighborhood Vitality Matching Grant (NVMG) application. It is required for all voluntary associations and for mandatory associations with projects of \$25,000 or more. Letters of Intent are due two months before full NVMG applications, corresponding to July 23 and January 23 to be considered for the spring and fall cycles, respectively. Forms may be submitted to the Office of Neighborhood Vitality (ONV) in person, by mail or by email (must be in PDF format). For any questions or concerns please contact the ONV.

Neighborhood Association Name: Pecan Grove Neighborhood Association

Registered with the Office of Neighborhood Vitality? Yes No I Don't Know

Main Contact for this application:

Name: Stacy Jonas
Email: stacyjon61@msn.com

Title: Treasurer
Phone: 469-682-8830

Project Location: (Address, street intersection or general location) (*Please include a map of the area, being as specific as possible on placement of project components.)

Lon Wynne Park, 101 E. Centerville Rd., Intersection of Centerville and S. Glenbrook Dr.

Project Purpose, Objectives and Scope:

Briefly describe your NVMG project. Explain why you are planning the project (purpose), what you expect to accomplish (objectives), and the limitations of the project (scope).

The City is nearing completion of a major park redesign and splashpad at Wynne Park. The park project included construction of 2 small buildings - a restroom and an additional outbuilding. These buildings are currently painted solid blue. This grant project aims to compliment the overall park redesign by adding original murals to the two small buildings. The murals will have high visibility along S. Glenbrook and further enhance the aesthetics of the architectural design and compliment the new butterfly sculpture. The murals will be designed and painted by professional artist, Cullin Lassiter. Mr. Lassiter lives in Pecan Grove Neighborhood and has successfully completed other mural projects in partnership with the City of Garland.



GARLAND
CITY COUNCIL ITEM SUMMARY SHEET

City Council Regular Session Agenda

6. a.

Meeting Date: 12/12/2023

Item Title: Hold a public hearing and consider an ordinance to expand the boundaries of TIF #1, extend the term of TIF #1, and revise the TIF #1 Project and Financing Plan

Submitted By: Letecia McNatt, Downtown Development Manager

Summary of Request/Problem

The Tax Increment and Finance Board for the Downtown | Forest Jupiter zone (TIF#1) held meetings on November 29, 2023, and made a recommendation to City Council at the December 4, 2023 Work Session to expanding the current boundaries and extending the termination date of the zone. A draft of the TIF # 1 Project and Finance Plan has been updated to include expanded boundaries, an extended termination date of December 31, 2044, updated Revenue Projections and Estimated Captured Appraisal Values, and an updated project list with descriptions and cost.

Sec. 311.003. of the Texas Tax Code specifies the procedure for expanding the boundaries and modifying the Project and Financing Plans of reinvestment zones. A public hearing is required to obtain comments from interested parties regarding its boundaries or the concept of tax increment financing. Following the public hearing, Council will formally consider an ordinance to expand the boundaries of the TIF zone and amend the Project and Financing Plan.

Recommendation/Action Requested and Justification

(A) Hold a public hearing to obtain comments from interested parties.

(B) Adopt Ordinance

Attachments

Ordinance Expanding and Extending TIF No. 1
2023 TIF No. 1 Project and Expenditure Plan

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF GARLAND, TEXAS APPROVING A REVISED PROJECT AND FINANCE PLAN AND APPROVING THE ENLARGEMENT OF THE BOUNDARIES AND THE EXTENSION OF THE TERM OF TAX INCREMENT FINANCING REINVESTMENT ZONE NUMBER 1; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; FINDING AND DETERMINING THAT THE MEETING AT WHICH THE ORDINANCE IS PASSED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on December 2, 2003 by Ordinance No. 5785, the City Council of the City of Garland, Texas (the "City Council"), established Tax Increment Financing Reinvestment Zone Number One (the "Original Zone");

WHEREAS, by Resolution, the City Council appointed members to serve on the Board of Directors to make recommendations concerning the administration of the Original Zone, in accordance with the powers authorized by the Tax Increment Financing Act, Chapter 311 of the Texas Tax Code, Vernon's Texas Codes Annotated (the "Act");

WHEREAS, Section 311.007 of the Texas Tax Code allows a Tax Increment Financing Reinvestment Zone boundaries and term to be revised by ordinance or resolution of the City Council;

WHEREAS, Section 311.011(e) of the Texas Tax Code permits a Tax Increment Financing Zone Board of Directors to adopt an amendment to a Project and Financing Plan that is to take effect upon approval of the amendment by the governing body;

WHEREAS, the Project and Financing Plan was amended on January 20, 2015 by Ordinance No. 10175 to add funding to promote the City Center project through the encouragement of redevelopment;

WHEREAS, on December 1, 2020, by Ordinance No. 7182 the City Council expanded the boundaries of the Original zone and amended the Project and Finance Plan allocating funding to enhance and improve the Forest/Jupiter area of the TIF (the "Current Zone");

WHEREAS, the Tax Increment Financing Zone Number 1 Board of Directors met on November 29, 2023 and unanimously approved a revised Project and Financing Plan which contemplates expanded boundaries and provides that tax increment revenue derived from the Downtown Forest Jupiter District only be used for projects within the Downtown Forest Jupiter boundaries, recommends the expansion of the boundaries of the Current Zone, and extends the termination date of the Current Zone to December 31, 2044;

WHEREAS, in compliance with the Act, the City Council held a public hearing on December 12, 2023 to hear public comments on the expansion of the boundaries, inclusion of additional properties in the Current Zone, extending the termination date in the Current Zone, and the revision of a Project and Financing Plan, notice of such hearing published as required not later than seven (7) days prior to the date of the public hearing; and

WHEREAS, the City Council wishes to expand the boundaries of the Current Zone, extend the termination date of the Current Zone, and approve the revised Project and Financing Plan to promote the development and redevelopment of a certain geographic area within its jurisdiction, as authorized by the Tax Increment Financing Act, Chapter 311 of the Texas Property Tax Code, Vernon's Texas Codes Annotated ("Act") (collectively as amended, the "Extended Zone").

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

Section 1

That the facts and recitations contained in the preamble of this Ordinance are hereby found and declared to be true and correct.

Section 2

That the City Council, after conducting a public hearing and having heard evidence and testimony, has made the following findings and determinations based on the evidence presented to it:

- a. That a public hearing on the approval of the amended Project and Financing Plan, expansion of the boundaries of the Current Zone, and extension of the term for the Current Zone has been properly called, held, and conducted, and that notices of the public hearing were published as required by law;

- b. That the expansion of the Current Zone as described in Exhibit "A" and the approval of the amended Project and Financing Plan attached hereto as Exhibit "B" is feasible and will benefit the City, its residents and property owners, in general and to the property, residents, and property owners in the Expanded Zone;
- c. That the expansion of the Current Zone's Boundaries as defined in Exhibit "A" is a contiguous geographic area located wholly within the corporate limits of the City which meets the criteria for the expansion of a reinvestment zone as set forth in Section 311.005 and 311.007 of the Act in that, more specifically:
- (1) The area substantially arrests or impairs the sound growth of the municipality or county designating the zone, retards the provision of housing accommodations, or constitutes an economic or social liability and be a menace to the public health, safety, morals, or welfare in its present condition and use because of the presence of:
 - (i) a substantial number of substandard, slum, deteriorated, or deteriorating structures;
 - (ii) the predominance of defective or inadequate sidewalk or street layout;
 - (iii) faulty lot layout in relation to size, adequacy, accessibility, or usefulness;
 - (iv) unsanitary or unsafe conditions;
 - (v) the deterioration of site or other improvements;
 - (vi) tax or special assessment delinquency exceeding the fair value of the land;
 - (vii) defective or unusual conditions of title;
 - (viii) conditions that endanger life or property by fire or other cause; or
 - (ix) structures, other than single-family residential structures, less than 10 percent of the square footage of which has been used for commercial, industrial, or residential purposes during the preceding 12 years, if the municipality has a population of 100,000 or more; and

- (2) The area be predominantly open or undeveloped and, because of obsolete platting, deterioration of structures or site improvements, or other factors, substantially impair or arrest the sound growth of the municipality or county;
- d. That many of the goals and objectives in the Envision Garland Comprehensive Plan, Forest-Jupiter Transit-Oriented Redevelopment Plan, and Economic Development Strategic Plan are related to creating opportunities for new development and redevelopment within the Expanded Zone;
 - e. That additional funding is desired to further enhance, improve, redevelop, encourage, and manage the growth of Downtown Garland, Downtown Garland Surrounding Area, and Forest/Jupiter Area;
 - f. That the improvements in the Expanded Zone will significantly enhance the value of all taxable real property in the Expanded Zone;
 - g. That the development or redevelopment of the property in the Expanded Zone will not occur solely through private investment in the reasonably foreseeable future; and
 - h. That the amended Project and Finance Plan as adopted by the Tax Increment Financing Zone Number 1 Board of Directors on November 29, 2023 meets the criteria set out in Section 311.011 of the Texas Tax Code.

Section 3

That pursuant to the Act, the Current Zone's original tax increment base is the total taxable value of all real property taxable by the unit and located in the zone for tax year 2003. The expansion of the boundaries to include surrounding areas south and west of downtown and north of Forest Jupiter properties will increase the tax increment base by the taxable value of the real property added to the Expanded Zone for tax year 2023 as depicted in Exhibit "A."

Section 4

Pursuant to the Act, the City Council hereby expands the boundaries of the Current Zone as depicted in Exhibit "A," to include the boundaries of the Expanded Zone, extends the term of the Expanded Zone to December 31, 2044, and approves the amended Project and Finance Plan attached hereto as Exhibit "B," as adopted by the Tax Increment Financing Zone Number 1 Board of Directors on November 29, 2023.

Section 5

That if any portion of this Ordinance shall, for any reason, be declared invalid by any court of competent jurisdiction, such invalidity shall not affect the remaining provisions hereof.

PASSED AND APPROVED this 12th day of December, 2023.

CITY OF GARLAND, TEXAS

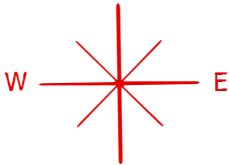
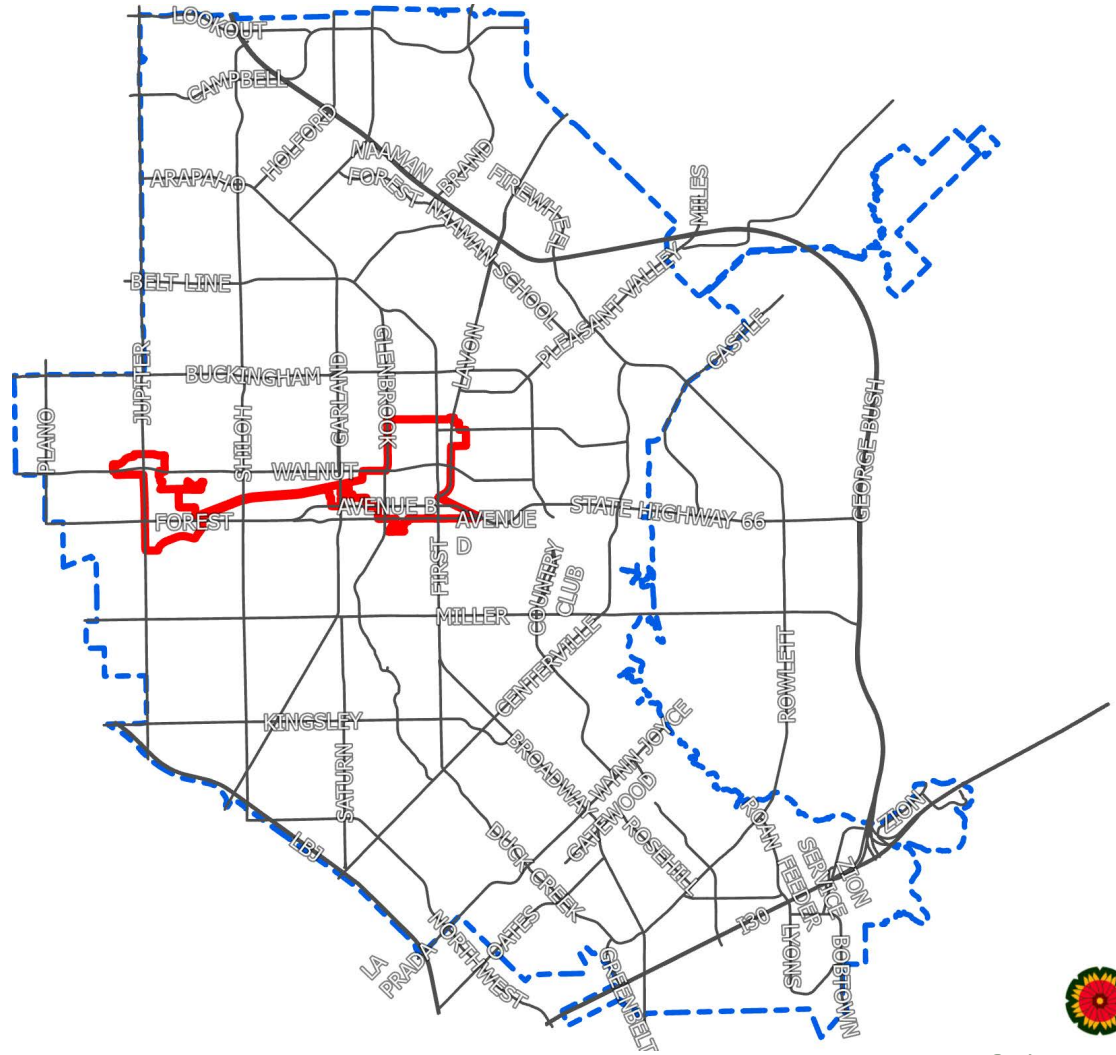
Mayor

ATTEST:

City Secretary

Exhibit A

TIF #1 Downtown|Forest Jupiter



GARLAND

Total Square Footage TIF 1 36,594,731

12/6/2023

*Downtown / Forest-Jupiter
Project and Financing Plan*



Updated December 12, 2023



GARLAND

Contents

	<u>Page</u>
Section 1: Tax Increment Financing Defined	4
Section 2: Zone Description	5
Section 3: Revenue from Tax Increment Financing	11
Section 4: TIF Fund Expenditures	13
Section 5: Additional Tax for Garland	14

Exhibits

Exhibit A: Real Property Tax Flow with Tax Increment Financing	4
Exhibit B: Current TIF Reinvestment Zone #1 Boundary Map	5
Exhibit C: Expanded TIF Reinvestment Zone #1 Boundary Map	6
Exhibit D: Existing Land Use – Downtown Part of TIF Zone	9
Exhibit E: Existing Land Use – Forest Jupiter Part of TIF Zone	10
Exhibit F: Proposed Uses of Land in the Zone	12

Schedules

Schedule 1: Historical and Forecasted Revenue to TIF Fund #1	15
Schedule 2: Expenditures from TIF Fund #1	16
Schedule 3: TIF Fund Prospective Disbursement Schedule	17

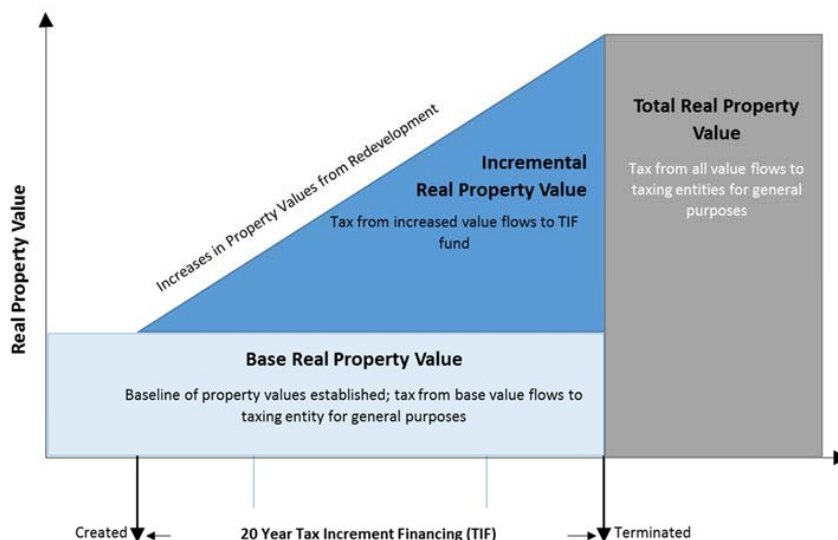
Section 1: Tax Increment Financing Defined

Tax Increment Financing (TIF) is a tool local governments of Texas have used since 1986 to finance public improvements within defined areas that have unique challenges and opportunities for economic development. The improvements strengthen existing communities and attract investment. Statutes governing Tax Increment Financing reinvestment zones are codified in Chapter 311 of the Texas Tax Code.

A municipality makes an area eligible for Tax Increment Financing by designating a reinvestment zone ("Zone"). The additional tax dollars generated by growth of real property value in the Zone are called the "tax increment." All or a designated part of these tax increment dollars flow to a Tax Increment Fund ("Fund") for a specified term of years. Money flowing to the Fund may be disbursed according to a plan approved by the City Council after a TIF Board has made a recommendation concerning the plan, as prescribed by Chapter 311. The Fund may be used for public improvements within the Zone and other purposes authorized by Chapter 311, including grants and loans for activities that benefit the Zone and stimulate business and commercial activity in the Zone. Dallas County and Dallas County Community College District participation was for the initial 20-year term of the Zone, ending December of 2024. Dallas County and Dallas County Community College District are not anticipated to participate in a TIF Fund that is extended beyond its initial term.

Exhibit A shows how tax from real properties in a Zone flows to a taxing jurisdiction and to a TIF Fund. Exhibit A assumes real property values in the Zone rise after the Zone's designation.

**Exhibit A:
Real Property Tax Flow with Tax Increment Financing**



Inclusion of property in a Zone does not change any tax rate for the property. Tax rates in the Zone are the same as tax rates outside the Zone within the same set of taxing jurisdictions.

Section 2: Zone Description

The City of Garland designated TIF Zone Number One in 2003. The Zone #1 boundary includes both Downtown Garland and area around the Forest/Jupiter DART train station. In 2020, at the recommendation of the TIF #1 Board of Directors, City Council held a public hearing and adopted an ordinance expanding the boundaries of TIF #1 to include Montgomery Park, as depicted in Exhibit B. In 2023, the TIF #1 Board of Directors is recommending an expansion to the south and southwest area of Downtown Garland and north of the Forest/Jupiter Station in the west end of the zone. A map of the expanded boundaries is included in Exhibit C.

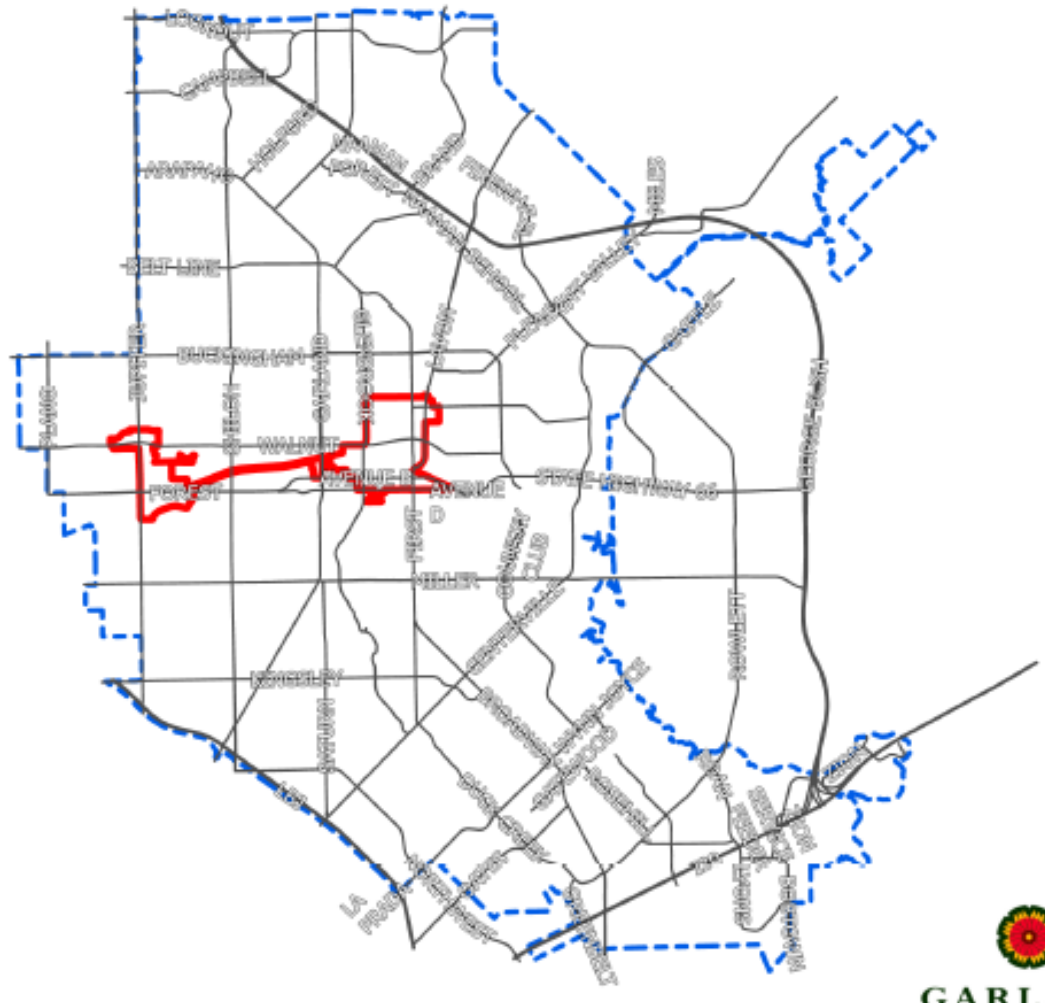
Exhibit B: TIF Reinvestment Zone #1 Boundary Map

TIF #1 Year 2020



**Exhibit C:
Expanded TIF Reinvestment Zone #1 Boundary Map**

TIF #1 Downtown | Forest Jupiter



Boundaries that follow public streets and highways extend to the far sides of such rights-of-way, measured from the center of the reinvestment zone. Boundaries that approximate property lines shall be construed as following such property lines.

The Zone contains approximately 36,594,731 square feet of land. Excluding rights-of-way and other land owned by government entities, land area was measured at 26,934,647 square feet. Taxable land was approximately 15,897,498 square feet. The corrected value of real property in Zone #1 taxable by the City of Garland in base year 2003 was \$102,575,503 according to the Dallas Central Appraisal District. After expansion in 2023, the expanded zone base value will be \$81,157,850. The combined value of real property in Zone #1 taxable by the City of Garland is \$183,733,353. This value is below the statutory maximum 25% of taxable real property a municipality may include in all its reinvestment zones.

Exhibits D and E map existing uses and conditions in the Zone, as updated in 2023 by the City of Garland. In 2003, approximately 68% of land area in the zone, excluding the land area owned by government entities, was used for commercial purposes. About 25% of privately owned land area was vacant. Only 7% of private land was used for residences with one to four dwellings per building. Residential land in the Zone was and is far below the statutory maximum 30% of the entire zone.

At the inception of TIF Zone #1, the City Council found that conditions of Downtown Garland and vicinity impaired sound growth and private investment. Impediments included the following problems, any of which were sufficient statutory cause to designate a zone for Tax Increment Financing:

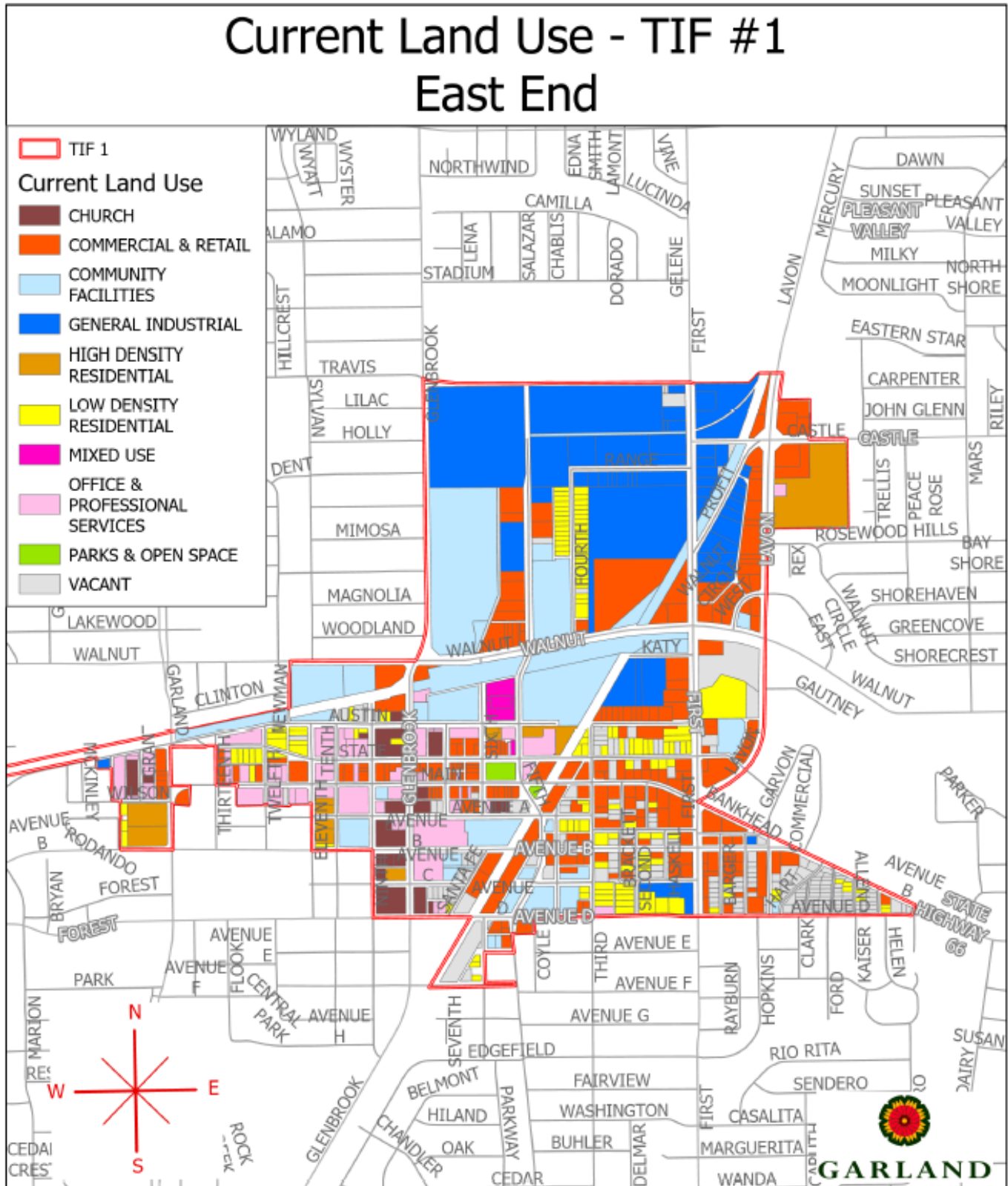
1. A substantial number of deteriorated or deteriorating structures;
2. Inadequate sidewalks or street layout;
3. Small lots with many owners, making assembly of parcels with sufficient size, access, and utility for development an economically difficult or prohibitive task.

Economic development of Downtown Garland, Forest/Jupiter and adjacent areas has been a priority for City Council. As of 2023, development and redevelopment have included:

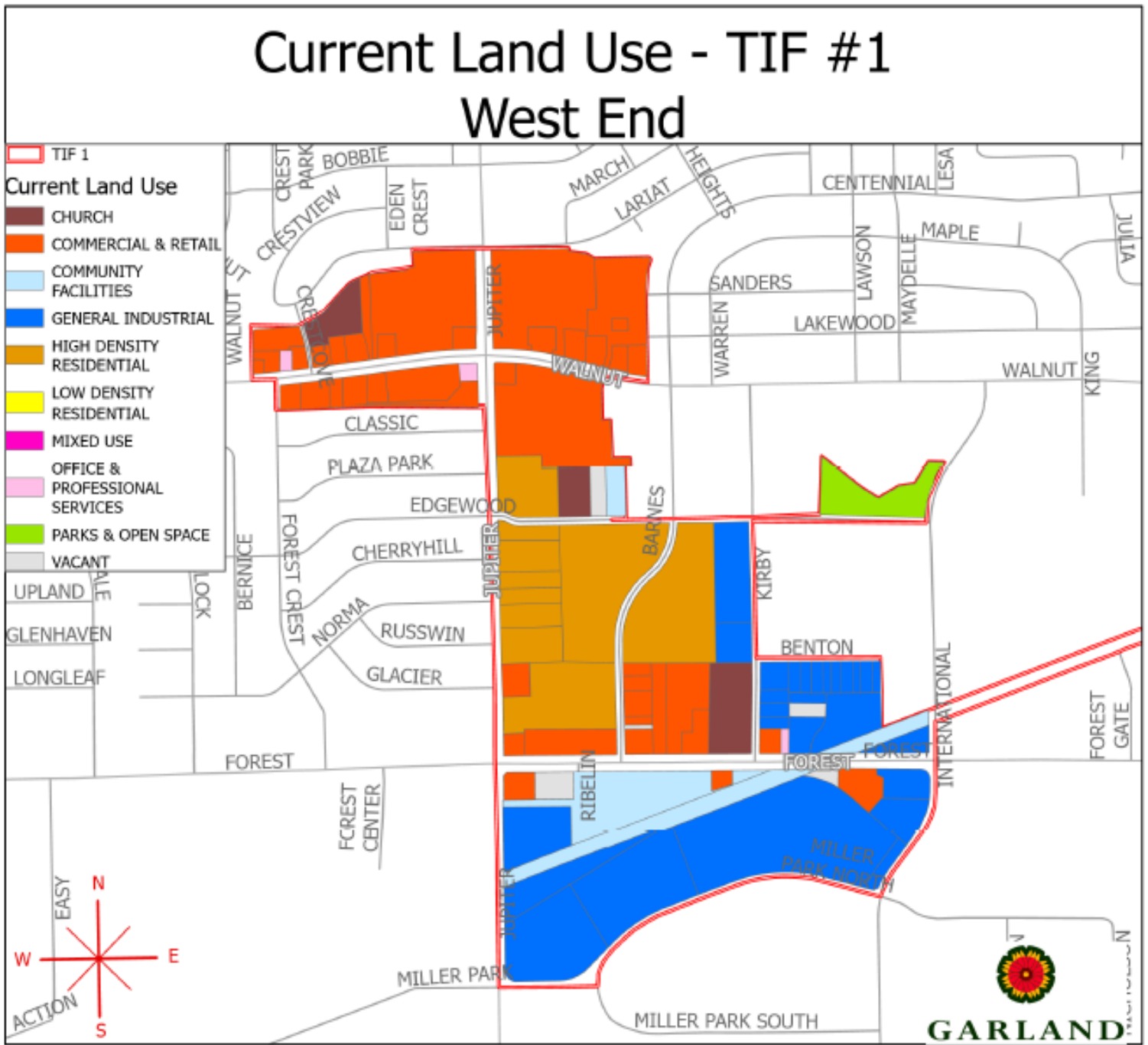
- DART train services to stations at Downtown Garland and Forest/Jupiter (began 2002).
- 188 residences and 24,000 square feet of retail floor area in the Oaks Fifth Street Crossing project (opened 2008).
- Garland Campus of Richland College (opened 2009).
- Charles E. Duckworth Building, housing Garland Power & Light, City Utility Customer Service Department and City Tax and Revenue Recovery Department (opened 2010).
- Extension of DART train service to Rowlett (began service 2012).
- Addition of 153 multi-family residential units and a 330-space parking structure to serve the public, residential tenants, and those using City Hall (opened 2015).
- Exterior and interior improvements to the Nicholson Memorial Library (Ongoing).
- Relocation of the Garland Landmark Museum, rail car, and Lyles House to Heritage Crossing (relocated 2013).
- Unused facilities demolished on square (demolished 2013).
- Creation of a public space adjacent to the Granville Arts Center (2016).
- Re-skinning of the City Hall Façade, as well as major improvements to the interior (completed 2017).

- Improvements to the streetscape along State, Fifth, and Austin (2017).
- Establishment of a Downtown Development Office (2019).
- Establishment of a Downtown Façade Improvement Program (2020).
- Establishment of a Downtown Revitalization Program (2021).
- Establishment of a Public Art Program (2020).
- Established dedicated Downtown Programming (2020-present), including live music series, shopping campaigns, and district engagement.
- Installation of a Downtown Public Restroom (2022-2023).
- Redevelopment of the Downtown Square (2020-2023).
- Installation of pedestrian-oriented streetscape in the Downtown area (2009-2024).
- Replacement and improvement of Downtown infrastructure and intersections surrounding the Downtown Square (2018-2023).
- Improvements at Montgomery Park (2021-2023).
- Installation of district gateway features (2016-2023).
- Establishment of a district-wide brand and social media platform with website (2021-2023).

**Exhibit D:
Existing Land Use - Downtown Part of TIF Zone**



**Exhibit E:
Existing Land Use – Forest/Jupiter Part of TIF Zone**



Section 3: Revenue from Tax Increment Financing

The Zone #1 Tax Increment Financing program has provided revenue of approximately \$10.7 million, including interest income on fund balances, from its inception through the end of fiscal year 2022. Through fiscal year ended September 30, 2022, \$3,203,913 had been applied to improvements to the City Hall facade (transfer to capital improvements fund, bond debt principal payment and bond debt interest payment); \$1,922,255 toward payment obligations for the Oaks Fifth Street Crossing residential and retail project; \$854,754 to fund managed district services; \$106,873 to fund a façade improvement program; \$79,144 for enhanced downtown square programming; \$19,920 to fund a public art program; \$72,315 applied towards Forest/Jupiter Public Improvements; and, \$2,587,001 applied to Downtown Public Improvements (transfer to capital improvements fund). A fund balance of \$302,629 was carried from September 30, 2022, into the 2022-23 fiscal year.

Schedule 1 forecasts annual revenue to the TIF Fund, based on several assumptions stated thereon. Cumulative tax increment revenue received by the TIF Fund from fiscal year 2021-22 through the end of the Zone's term (including tax increments from the levy of 2023, largely received in 2024) is forecast at approximately \$12.6 million. Added to receipts before fiscal year 2021-22, a total Fund revenue forecast from inception through the end of the Zone term (2044) totals approximately \$64.4 million. Cumulative tax increment revenue anticipated during the extended life (2025-2044) is forecast at approximately \$51.8 million.

The historic annual rate of change in taxable real property value within TIF Zone #1 for the ten-year period from January 2007 to January 2016 was 3%. However, the tax valuations received from the Dallas Central Appraisal District (DCAD) from 2017 through 2024 yielded an average increase of 10% due primarily to new construction generated from the City Center Oaks Fifth Street Crossing development, City Square Lofts development and revitalization of vacant properties surrounding the Downtown Square. Schedule 1 of this document assumes an average of 2.6% increase in taxable value between tax years 2025 and 2044. Following anticipated new construction in years 2025-2029, Schedule 1 of this document assumes a conservative average of 1.2% increase in taxable value between tax years 2030 and 2044. Although Schedule 1 appears to be a plausible forecast of taxable values, actual taxable values will vary from the forecast. Taxable values for the Dallas County Community College District and Dallas County will differ slightly due to slightly different tax exemption and abatement policies, applicable through December of 2024.

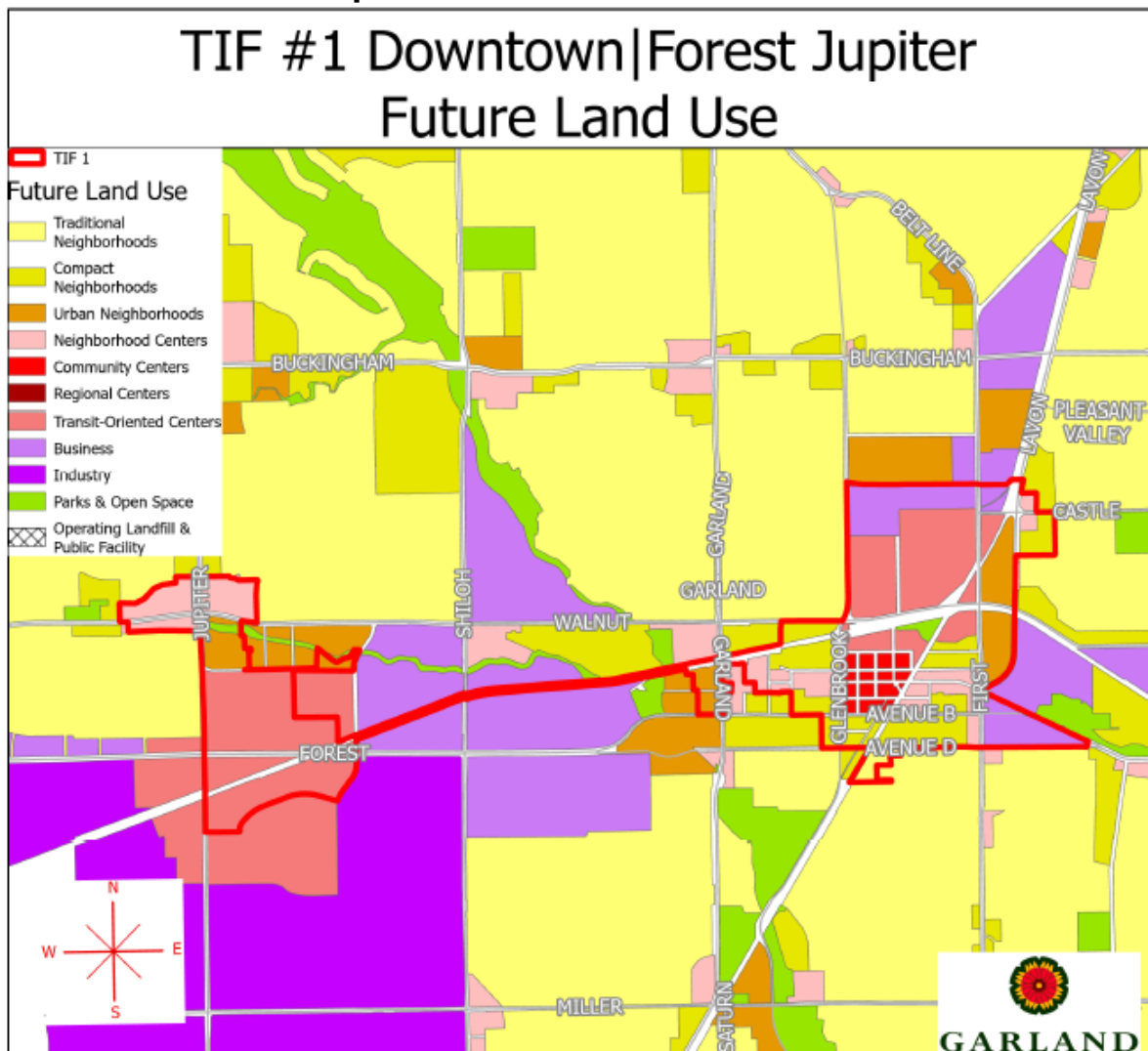
In addition to annual taxable values, Schedule 1 forecasts "captured appraised values" – the differences between taxable value and the 2003 base value. Applying assumed tax rates to the captured appraised values yields annual forecasts of real property tax increments. Garland has pledged 100% of real property tax increments from the TIF #1 to the TIF Fund for a term of twenty years from 2004 through 2024. Dallas County has pledged 55% of real property tax increments to the TIF Fund for a term of fourteen years from 2010 through the levy of 2024. The Dallas County Community College District has pledged 50% of its tax increments earned from Zone value growth from tax years 2010 through the levy of 2024.

This document reflects an extension of the TIF Fund for another term of twenty years from 2025 to 2044, for a total life of forty years from 2004 to 2044. City tax increments levied in 2044 will flow to the TIF Fund.

Note that real property tax generated in the Zone by the base value (or in the case of a tax decrement year, taxable value) flows to ordinary funds of the City every year, not to the TIF Fund. Annual taxes on values up to the base value are not calculated in Schedule 1. At 2023 tax rates, the annual tax on the base value of the original zone retained by the City would be roughly \$699,000 and the annual tax on the base value of the extended zone retained by the City would be roughly \$553,000.

The Schedule 1 fund revenue forecast may be conservative in that it does not assume specific major development projects in the Zone beyond projects currently in the development process. Normal good maintenance of existing structures, some replacement or infill of small-value properties, and market stability are conditions anticipated by the historic annual value change rate factor. Exhibit E locates types of activities, improvements, and neighborhood conditions planned for the Zone.

**Exhibit F:
Proposed Uses of Land in the Zone**



Section 4: TIF Fund Expenditures

The assets and future revenue to the TIF Fund are intended to be spent to push marginally infeasible development that would serve a public purpose to financial feasibility. Spending from the Fund must comply with a project plan and financing plan for the TIF Zone approved by the City Council.

Schedule 2 lists actual TIF “project cost,” as of September 30, 2022, and estimated TIF “future project costs” for the fiscal year ended September 30, 2023, and thereafter. These are items eligible for payment or reimbursement from cash in the TIF Fund. This schedule of future project costs may be amended from time to time upon recommendation by the TIF Board and approval of the City Council.

A condition of participation in the TIF program by Dallas County is that twenty percent of all housing units in projects receiving Dallas County TIF Funds in the District must meet the County's criteria for affordable housing. Affordable housing units are those which are affordable to a household earning 80% or less of the median family income for the Dallas metropolitan area. A developer may, subject to County approval, propose an alternative means of fulfilling the County's affordable housing requirement. This criteria is applicable through the end of the original term of the TIF Fund (2024).

The preferred method of financing public improvements with the Fund will be for property developers or other private sources to advance funds for public improvements. The City may contract to reimburse principal costs and reasonable interest for the public improvements, using cash flow to the Fund. The City may issue bonds secured by revenue to the TIF Fund.

For the projects listed, Schedule 2 also provides an estimate for other items included in the City's CIP or Operating Budget that directly support the projects listed in the TIF Fund. These “non-project costs” will not be reimbursed by the TIF Fund.

Schedule 3 is a forecast of annual sources and uses of TIF fund cash. It illustrates prospective tax increments received by the Fund and disbursements to repay approximately \$56.2 million of project costs after September 30, 2022 (including the final payment of the Oaks Fifth Street Crossing Economic Development incentive). Schedule 3 of this study indicates that it will be economically feasible for the Fund to pay all identified project costs.

No residents will be displaced as a result of implementing this project plan. No changes to zoning ordinances, the master plan of Garland, building codes, or other municipal ordinances will be necessary at this time to implement the project plan.

Section 5: Additional Tax for Garland

In addition to the tax on greater real property values in the Zone, the City of Garland and other taxing jurisdictions will likely receive additional business personal property tax. Increased sales tax from new development in the Zone is possible, depending on the type of new development in the Zone and the stability of sales tax from existing development.

The Tax Increment Fund may have a residual balance of cash on hand after all financial obligations have been met. A residual balance of \$0 is indicated on the bottom line of Schedule 3. Any residual balance will be prorated and returned to the general fund of the City of Garland after all obligations of the TIF Fund have been discharged.

Schedule 1 Historical and Forecasted Revenue to TIF Fund #1

Notes:

Taxable values and captured appraised values through 2023 are as reported by Dallas County Appraisal District. Other values are estimates.
 City taxable value for the base year was reset to the indicated amount after 2008. Base value fluctuated slightly with annual updates until set in 2009.
 The City contributes 100% of tax increment from the zone to the TIF fund. Dallas County contributes 55% of increments, and Dallas County Community College District contributes 50% of tax increments through 2024.
 DCCCD Taxes in arrear were collected in 2014.
 The annual change in taxable value for 2023 is based on certified numbers from DCAD and may fluctuate slightly based on actual collections.
 The average annual change in taxable value is assumed to be 2.6% between 2025 and 2044.
 Values for shaded areas are unknown.

Year	Real Property Value for Jan. 1	Tax Due Without Penalty by Jan 31	City of Garland		Dallas County and DCCCD		City of Garland Expansion			Incremental Real Property Tax			Combined Increments to TIF Fund	
			Taxable Value	Captured	Taxable Value	Captured	Taxable Value	New	Captured	City	County	DCCCD	This Year	Cumulative After 2006
			for Jan. 1 of This Year	Appraised Value for Year	for Jan. 1 of This Year	Appraised Value for Year	for Jan. 1 of This Year	Construction Projected	Appraised Value for Year	100%	55%	50%		
										Total	Total	Total		
Base	2003	2004	\$ 102,575,503	\$ -	\$ 102,504,903	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
1	2004	2005												
2	2005	2006												
3	2006	2007	\$ 118,694,978	\$ 18,469,579					\$ 125,335			\$ 125,335	125,335	
4	2007	2008	\$ 132,990,813	\$ 30,415,310					\$ 217,325			\$ 217,325	342,660	
5	2008	2009	\$ 137,715,188	\$ 35,139,685					\$ 240,544			\$ 240,544	583,204	
6	2009	2010	\$ 139,766,024	\$ 37,190,521					\$ 270,932	\$ 44,372		\$ 315,304	898,508	
7	2010	2011	\$ 143,356,034	\$ 40,780,531					\$ 289,457	\$ 56,989		\$ 346,446	1,244,954	
8	2011	2012	\$ 136,170,390	\$ 33,594,887					\$ 239,170	\$ 40,912		\$ 280,082	1,525,036	
9	2012	2013	\$ 135,301,325	\$ 32,725,822					\$ 234,586	\$ 54,318		\$ 288,904	1,813,940	
10	2013	2014	\$ 140,583,516	\$ 38,008,013	\$ 139,722,193	\$ 38,347,780			\$ 274,541	\$ 53,193		\$ 327,734	2,141,674	
11	2014	2015	\$ 146,604,979	\$ 44,029,476	\$ 145,751,068	\$ 43,246,165			\$ 310,820	\$ 58,499	\$ 102,401	\$ 471,720	2,613,394	
12	2015	2016	\$ 156,531,648	\$ 53,956,145	\$ 155,648,641	\$ 53,143,738			\$ 381,624	\$ 72,148	\$ 28,542	\$ 482,314	3,095,708	
13	2016	2017	\$ 162,767,493	\$ 60,191,990	\$ 162,426,601	\$ 59,921,698			\$ 424,692	\$ 83,763	\$ 31,197	\$ 539,652	3,635,360	
14	2017	2018	\$ 184,060,804	\$ 81,485,301	\$ 183,697,695	\$ 81,192,792			\$ 574,537	\$ 111,432	\$ 42,876	\$ 728,845	\$ 4,364,205	
15	2018	2019	\$ 200,545,121	\$ 97,969,618	\$ 200,070,770	\$ 97,565,867			\$ 690,294	\$ 130,450	\$ 51,378	\$ 872,122	\$ 5,236,327	
16	2019	2020	\$ 220,828,289	\$ 118,252,786	\$ 220,288,376	\$ 117,783,473			\$ 910,073	\$ 153,211	\$ 61,205	\$ 1,124,489	\$ 6,360,816	
17	2020	2021	\$ 244,803,194	\$ 142,227,691	\$ 236,509,291	\$ 134,004,388			\$ 1,042,818	\$ 190,210	\$ 73,684	\$ 1,306,712	\$ 7,667,528	
18	2021	2022	\$ 255,166,725	\$ 152,591,222	\$ 254,546,836	\$ 152,041,933			\$ 1,135,168	\$ 179,501	\$ 77,600	\$ 1,392,269	\$ 9,059,797	
19	2022	2023	\$ 292,217,250	\$ 189,641,747	\$ 291,299,481	\$ 188,794,578			\$ 1,343,396	\$ 234,124	\$ 92,332	\$ 1,669,852	\$ 10,729,649	
20	2023	2024	\$ 324,377,259	\$ 221,801,756	\$ 350,137,466	\$ 210,487,679	\$ 81,157,850	\$ -	\$ -	\$ 1,512,021	\$ 249,789	\$ 102,941	\$ 1,864,752	\$ 12,594,401
21	2024	2025	\$ 327,621,032	\$ 225,045,529			\$ 81,969,429	\$ 47,000,000	\$ 47,811,579	\$ 1,906,452			\$ 1,906,452	\$ 14,500,853
22	2025	2026	\$ 330,897,242	\$ 228,321,739			\$ 130,259,123	\$ 23,000,000	\$ 72,101,273	\$ 2,099,055			\$ 2,099,055	\$ 16,599,909
23	2026	2027	\$ 334,206,214	\$ 231,630,711			\$ 154,791,714	\$ 10,000,000	\$ 83,633,864	\$ 2,202,753			\$ 2,202,753	\$ 18,802,662
24	2027	2028	\$ 337,548,276	\$ 234,972,773			\$ 166,439,631	\$ 15,000,000	\$ 100,281,781	\$ 2,342,423			\$ 2,342,423	\$ 21,145,086
25	2028	2029	\$ 340,923,759	\$ 238,348,256			\$ 183,254,027	\$ 5,000,000	\$ 107,096,177	\$ 2,413,620			\$ 2,413,620	\$ 23,558,706
26	2029	2030	\$ 344,332,997	\$ 241,757,494			\$ 190,136,568		\$ 108,978,718	\$ 2,450,594			\$ 2,450,594	\$ 26,009,300
27	2030	2031	\$ 347,776,327	\$ 245,200,824			\$ 192,037,933		\$ 110,880,083	\$ 2,487,937			\$ 2,487,937	\$ 28,497,237
28	2031	2032	\$ 351,254,090	\$ 248,678,587			\$ 193,958,313		\$ 112,800,463	\$ 2,525,654			\$ 2,525,654	\$ 31,022,891
29	2032	2033	\$ 354,766,631	\$ 252,191,128			\$ 195,897,896		\$ 114,740,046	\$ 2,563,748			\$ 2,563,748	\$ 33,586,639
30	2033	2034	\$ 358,314,297	\$ 255,738,794			\$ 197,856,875		\$ 116,699,025	\$ 2,602,223			\$ 2,602,223	\$ 36,188,862
31	2034	2035	\$ 361,897,440	\$ 259,321,937			\$ 199,835,444		\$ 118,677,594	\$ 2,641,083			\$ 2,641,083	\$ 38,829,944
32	2035	2036	\$ 365,516,415	\$ 262,940,912			\$ 201,833,798		\$ 120,675,948	\$ 2,680,331			\$ 2,680,331	\$ 41,510,275
33	2036	2037	\$ 369,171,579	\$ 266,596,076			\$ 203,852,136		\$ 122,694,286	\$ 2,719,972			\$ 2,719,972	\$ 44,230,247
34	2037	2038	\$ 372,863,295	\$ 270,287,792			\$ 205,890,657		\$ 124,732,807	\$ 2,760,009			\$ 2,760,009	\$ 46,990,255
35	2038	2039	\$ 376,591,928	\$ 274,016,425			\$ 207,949,564		\$ 126,791,714	\$ 2,800,446			\$ 2,800,446	\$ 49,790,702
36	2039	2040	\$ 380,357,847	\$ 277,782,344			\$ 210,029,060		\$ 128,871,210	\$ 2,841,288			\$ 2,841,288	\$ 52,631,990
37	2040	2041	\$ 384,161,425	\$ 281,585,922			\$ 212,129,350		\$ 130,971,500	\$ 2,882,539			\$ 2,882,539	\$ 55,514,529
38	2041	2042	\$ 388,003,040	\$ 285,427,537			\$ 214,250,644		\$ 133,092,794	\$ 2,924,201			\$ 2,924,201	\$ 58,438,730
39	2042	2043	\$ 391,883,070	\$ 289,307,567			\$ 216,393,150		\$ 135,235,300	\$ 2,966,281			\$ 2,966,281	\$ 61,405,011
40	2043	2044	\$ 395,801,901	\$ 293,226,398			\$ 218,557,082		\$ 137,399,232	\$ 3,008,781			\$ 3,008,781	\$ 64,413,792
Total for years 1-40														

**Schedule 2
Expenditures from TIF Fund #1**

Notes:

Private nonproject costs for mixed-use developments are not included in this schedule.

"Non Project Cost" include funding in the CIP or operating budget that directly support the projects listed in the TIF Fund but are not reimbursed by the TIF Fund.

"Non Project Cost" include cost to construct Parking Garage at Oaks Fifth Street, additional City Center Cost, Plaza Theater sign/façade improvement, wayfinding signage for First/Main and Walnut St overpass to Lavon Dr., Austin St. Streetscape, Downtown Infrastructure and parking, Downtown Streetscape, Street/Utility Study, and Square redesign/cons

Project	TIF FUND			Non Project Cost (Not Reimbursed by TIF Fund)
	Actual	Estimate	TOTAL	
	Project Cost as of FYE 2022	Future Project Cost	TIF Fund Expenditures	
Oaks Fifth Street Crossing City Owned Parking Garage <i>Oaks Fifth Street Crossing consist of a 188 unit multi-family residential development and parking structure. The City entered into an agreement with the developer of the Oaks Fifth Street Crossing development to reimburse expenses made on the City owned parking garage. For years when the TIF fund received tax increments, the agreement called for the City to pay the owner of Oaks 5th Street Crossing the real property tax increments generated by the Oaks Fifth Street Crossing mixed-use development. Nonproject cost include the amounts spent by the City to construct the parking garage.</i>	\$1,922,254	\$424,486	\$2,346,740	\$8,643,437
City Center Development <i>This project provides funding to implement additional mixed-use development in Downtown, improvements to existing public facilities, as well as the development of additional open space in Downtown. Specific project elements include construction of a multi-level parking garage serving the public, staff, and residential tenants; re-skinning of the City Hall façade (TIF Funded); site preparation for residential development including relocating the structures residing at Heritage Park; continuation of streetscape improvements along Austin and State Streets; as well as creation of a public open space adjacent to the Granville Arts Center. The overall project will be accomplished in partnership with a private developer.</i>	\$3,203,913	\$0	\$3,203,913	\$24,325,278
Managed District Services <i>TDA Assessment finds that Downtown could benefit from operating as a managed district. To accomplish this, TDA recommends creating a unified identity and coordinated promotions and place-making efforts, to be managed by a dedicated professional. Specific long-term goals for the district include placemaking initiatives, entrepreneurial development, district branding and promotion, market assessments, and the growth of the managed district office.</i>	\$854,754	\$20,862,315	\$21,717,069	\$0
Façade Improvement Program <i>Implementation of economic development policies and programs to reduce blight and vacancies and to spur additional investment and economic growth in the district. Beginning in FY25, this program will transition to be part of the Revitalization Program, which expands the scope to exterior (façade) and interior improvements.</i>	\$106,873	\$893,126	\$999,999	\$0
Enhanced Downtown Square Programming <i>Enhanced event programming ensures district-wide activation that encourages foot traffic on the square and commerce with downtown businesses. Projects include performing arts programming, promotional campaigns, third party event enhancements, and interdepartmental collaboration.</i>	\$79,144	\$1,420,000	\$1,499,144	\$0
Public Art <i>Murals, sculptures, and various expressions of public art create a sense of place and form collective community expression. Projects are commissioned in sync with the Cultural Arts public art process and are eligible within the TIF boundary footprint. Target locations are identified in the Downtown and Forest Jupiter limits of the zone.</i>	\$19,920	\$1,191,360	\$1,211,280	\$0
Forest/Jupiter Public Improvements <i>Includes a restroom facility, security lighting, seating, improvements to soccer fields and other site amenities at Montgomery Park and the Forest/Jupiter segment of TIF#1.</i>	\$72,315	\$387,685	\$460,000	\$50,000
Downtown Public Improvements <i>Includes infrastructure improvements, enhancements, upgrades, land acquisition, and enhancements to the downtown square and surrounding downtown area. Projects may include downtown wayfinding signage, enhanced streetscape, electrical upgrades, restrooms, playground equipment, audio systems, furnishings, retractable bollards, a water feature, observation tower, parking, and other improvements to downtown.</i>	\$2,587,001	\$928,574	\$3,515,575	\$27,188,605
Revitalization Program and Small Business Development <i>This program fosters investment in private property within the Downtown Historic Sub-district and Forest/Jupiter area of TIF and ensures the longevity of these physical assets. Following a needs assessment, the program will evolve to support small business development with targeted tools for economic growth and long-term planning.</i>	\$0	\$3,495,736	\$3,495,736	\$0
TIF Improvements and Redevelopment Program <i>Includes master plan, feasibility studies, and infrastructure assessments for TIF #1 area. Projects may include wayfinding signage, infrastructure improvements, land acquisition, and property redevelopment. Identified infrastructure improvements include: the improvement of Pedestrian Routes to Forest/Jupiter DART Station; Sixth Street, Avenues F & E Road Improvements; and the acquisition of 519 State Street.</i>	\$0	\$26,547,488	\$26,547,488	\$966,000
Total Cost	\$8,846,174	\$56,150,770	\$64,996,944	\$61,173,320

Specific projects will be presented on an annual basis as part of the City's Annual Operating Budget Process, and the TIF Project and Expenditure plan will be amended as necessary.

Schedule 3
DOWNTOWN TIF PROJECTED REVENUES AND EXPENDITURES

	<u>Actuals FY 2022</u>	<u>Projected FY 2023</u>	<u>Adopted FY 2024</u>	<u>FY 2025</u>	<u>FY 2026</u>	<u>FY 2027</u>	<u>FY 2028</u>	<u>FY 2029</u>	<u>FY 2030</u>
Revenues (1)									
City of Garland	\$ 1,135,168	\$ 1,343,396	\$ 1,512,021	\$ 1,906,452	\$ 2,099,055	\$ 2,202,753	\$ 2,342,423	\$ 2,413,620	\$ 2,450,594
Dallas County (55%)	179,501	234,124	249,789	-	-	-	-	-	-
Dallas County Community College Dist (50%)	77,600	92,332	102,941	-	-	-	-	-	-
Interest Income	12,490	736,945	2,100	526	24	618	57	122	109
Total Revenues	\$ 1,404,759	\$ 2,406,797	\$ 1,866,852	\$ 1,906,978	\$ 2,099,079	\$ 2,203,371	\$ 2,342,480	\$ 2,413,742	\$ 2,450,703
Expenditures (2)									
Economic Development	\$ 206,184	\$ 206,184	\$ 218,302	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Debt Service	-	-	-	-	-	-	-	-	-
Managed District Services	244,709	457,584	668,303	647,901	694,654	850,179	863,984	800,877	878,317
Façade Improvement Program	35,720	155,886	737,240	-	50,000	50,000	50,000	50,000	50,000
Revialization & Small Business Development	-	-	-	-	-	-	-	150,000	-
Forest/Jupiter Public Improvements	37,486	387,685	-	-	-	-	-	-	-
Downtown Public Improvements	2,540,946	928,574	-	-	-	-	-	-	-
TIF Improvements & Redevelopment	-	-	300,000	1,249,509	1,125,562	1,305,449	1,305,449	1,305,449	1,305,449
Enhanced Square Programming	62,914	66,000	154,000	60,000	60,000	60,000	60,000	60,000	60,000
Public Art	1,915	82,085	109,275	50,000	50,000	50,000	50,000	50,000	50,000
Total Expenditures	\$ 3,129,874	\$ 2,283,998	\$ 2,187,120	\$ 2,007,410	\$ 1,980,216	\$ 2,315,628	\$ 2,329,433	\$ 2,416,326	\$ 2,343,765
Revenues Less Expenditures	(1,725,115)	122,799	(320,268)	(100,431)	118,863	(112,256)	13,047	(2,584)	106,937
Beginning Fund Balance	\$ 2,027,744	\$ 302,629	\$ 425,428	\$ 105,160	\$ 4,728	\$ 123,591	\$ 11,335	\$ 24,382	\$ 21,799
Change in Fund Balance	(1,725,115)	122,799	(320,268)	(100,431)	118,863	(112,256)	13,047	(2,584)	106,937
Ending Fund Balance	\$ 302,629	\$ 425,428	\$ 105,160	\$ 4,728	\$ 123,591	\$ 11,335	\$ 24,382	\$ 21,799	\$ 128,736

Schedule 3
DOWNTOWN TIF PROJECTED REVENUES AND EXPENDITURES

	<u>FY 2031</u>	<u>FY 2032</u>	<u>FY 2033</u>	<u>FY 2034</u>	<u>FY 2035</u>	<u>FY 2036</u>	<u>FY 2037</u>	<u>FY 2038</u>	<u>FY 2039</u>
Revenues (1)									
City of Garland	\$ 2,487,937	\$ 2,525,654	\$ 2,563,748	\$ 2,602,223	\$ 2,641,083	\$ 2,680,331	\$ 2,719,972	\$ 2,760,009	\$ 2,800,446
Dallas County (55%)	-	-	-	-	-	-	-	-	-
Dallas County Community College Dist (50%)	-	-	-	-	-	-	-	-	-
Interest Income	644	129	859	225	435	30	425	343	142
Total Revenues	\$ 2,488,581	\$ 2,525,783	\$ 2,564,607	\$ 2,602,448	\$ 2,641,518	\$ 2,680,361	\$ 2,720,397	\$ 2,760,352	\$ 2,800,589
Expenditures (2)									
Economic Development	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Debt Service	-	-	-	-	-	-	-	-	-
Managed District Services	901,130	914,327	1,025,920	994,921	1,009,342	1,024,196	1,039,495	1,103,254	1,071,485
Façade Improvement Program	-	-	-	-	-	-	-	-	-
Revalidation & Small Business Development	50,000	50,000	-	150,000	200,000	250,000	300,000	300,000	300,000
Forest/Jupiter Public Improvements	-	-	-	-	-	-	-	-	-
Downtown Public Improvements	-	-	-	-	-	-	-	-	-
TIF Improvements & Redevelopment	1,530,449	1,305,449	1,555,449	1,305,449	1,403,220	1,217,167	1,287,280	1,287,280	1,287,280
Enhanced Square Programming	60,000	60,000	60,000	60,000	60,000	60,000	60,000	60,000	60,000
Public Art	50,000	50,000	50,000	50,000	50,000	50,000	50,000	50,000	50,000
Total Expenditures	\$ 2,591,579	\$ 2,379,776	\$ 2,691,369	\$ 2,560,370	\$ 2,722,562	\$ 2,601,363	\$ 2,736,775	\$ 2,800,534	\$ 2,768,765
Revenues Less Expenditures	(102,998)	146,007	(126,762)	42,078	(81,044)	78,998	(16,378)	(40,182)	31,824
Beginning Fund Balance	\$ 128,736	\$ 25,738	\$ 171,745	\$ 44,982	\$ 87,060	\$ 6,016	\$ 85,014	\$ 68,636	\$ 28,454
Change in Fund Balance	(102,998)	146,007	(126,762)	42,078	(81,044)	78,998	(16,378)	(40,182)	31,824
Ending Fund Balance	\$ 25,738	\$ 171,745	\$ 44,982	\$ 87,060	\$ 6,016	\$ 85,014	\$ 68,636	\$ 28,454	\$ 60,277

Schedule 3
DOWNTOWN TIF PROJECTED REVENUES AND EXPENDITURES

	<u>FY 2040</u>	<u>FY 2041</u>	<u>FY 2042</u>	<u>FY 2043</u>	<u>FY 2044</u>	<u>FY 2045</u>	<u>Grand Total</u>
Revenues (1)							
City of Garland	\$ 2,841,288	\$ 2,882,539	\$ 2,924,201	\$ 2,966,281	\$ 3,008,781	\$ -	\$ 55,809,976
Dallas County (55%)	-	-	-	-	-	-	663,414
Dallas County Community College Dist (50%)	-	-	-	-	-	-	272,873
Interest Income	301	82	7	25	0	-	756,637
Total Revenues	\$ 2,841,590	\$ 2,882,620	\$ 2,924,208	\$ 2,966,306	\$ 3,008,781	\$ -	\$ 57,502,901
Expenditures (2)							
Economic Development	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 630,670
Debt Service	-	-	-	-	-	-	-
Managed District Services	1,138,203	1,155,422	1,173,158	1,239,426	1,210,237	-	21,107,024
Façade Improvement Program	-	-	-	-	-	-	1,178,846
Revalidation & Small Business Development	350,000	345,000	350,000	324,472	376,264	-	3,495,736
Forest/Jupiter Public Improvements	-	-	-	-	-	-	425,171
Downtown Public Improvements	-	-	-	-	-	-	3,469,520
TIF Improvements & Redevelopment	1,287,280	1,287,280	1,287,280	1,297,480	1,312,280	-	26,547,488
Enhanced Square Programming	60,000	60,000	60,000	60,000	60,000	-	1,482,914
Public Art	50,000	50,000	50,000	50,000	50,000	-	1,193,275
Total Expenditures	\$ 2,885,483	\$ 2,897,702	\$ 2,920,438	\$ 2,971,378	\$ 3,008,781	\$ -	\$ 59,530,644
Revenues Less Expenditures	(43,893)	(15,082)	3,770	(5,072)	0	-	
Beginning Fund Balance	\$ 60,277	\$ 16,384	\$ 1,302	\$ 5,072	\$ 0	\$ 0	
Change in Fund Balance	(43,893)	(15,082)	3,770	(5,072)	0	-	
Ending Fund Balance	\$ 16,384	\$ 1,302	\$ 5,072	\$ 0	\$ 0	\$ 0	

Checklist for Inclusion of Items Required in TIF Project Plans and Financing Plans by Sec. 311.011, Texas Local Government Code

- (1) A description and map showing existing uses and conditions of real property in the zone and proposed uses of that property. **Included on Exhibits D, E, and F.**
- (2) Proposed changes of zoning ordinances, the master plan of the municipality, building codes, other municipal ordinances, and subdivision rules and regulations, if any, of the county, if applicable. **Included on Exhibit F.**
- (3) A list of estimated non-project costs. **Included on Schedule 2.**
- (4) A statement of a method of relocating persons to be displaced, if any, as a result of implementing the plan. **Included on Page 12.**

The reinvestment zone financing plan must include:

- (1) A detailed list describing the estimated project costs of the zone, including administrative expenses. **Included on Schedule 2 & 3.**
- (2) A statement listing the proposed kind, number, and location of all public works or public improvements to be financed by the zone. **Included on Page 10 and Schedule 2.**
- (3) A finding that the plan is economically feasible and an economic feasibility study. **Included on page 10.**
- (4) The estimated amount of bonded indebtedness to be incurred. **Included on Schedule 3.**
- (5) The estimated time when related costs or monetary obligations are to be incurred. **Included on Schedule 3.**
- (6) A description of the methods of financing all estimated project costs and the expected sources of revenue to finance or pay project costs, including the percentage of tax increment to be derived from the property taxes of each taxing unit anticipated to contribute tax increment to the zone that levies taxes on real property in the zone. **Included on Schedule 1.**
- (7) The current total appraised value of taxable property in the zone. **Included on Schedule 1.**
- (8) The estimated captured appraised value of the zone during each year of its existence. **Included on Schedule 1.**
- (9) The duration of the zone. **Included on page 7.**

TIF

No. 1

*Downtown / Forest-Jupiter
Project and Financing Plan*



Updated December 12, 2023



GARLAND

Contents

	<u>Page</u>
Section 1: Tax Increment Financing Defined	4
Section 2: Zone Description	5
Section 3: Revenue from Tax Increment Financing	11
Section 4: TIF Fund Expenditures	13
Section 5: Additional Tax for Garland	14

Exhibits

Exhibit A: Real Property Tax Flow with Tax Increment Financing	4
Exhibit B: Current TIF Reinvestment Zone #1 Boundary Map	5
Exhibit C: Expanded TIF Reinvestment Zone #1 Boundary Map	6
Exhibit D: Existing Land Use – Downtown Part of TIF Zone	9
Exhibit E: Existing Land Use – Forest Jupiter Part of TIF Zone	10
Exhibit F: Proposed Uses of Land in the Zone	12

Schedules

Schedule 1: Historical and Forecasted Revenue to TIF Fund #1	15
Schedule 2: Expenditures from TIF Fund #1	16
Schedule 3: TIF Fund Prospective Disbursement Schedule	17

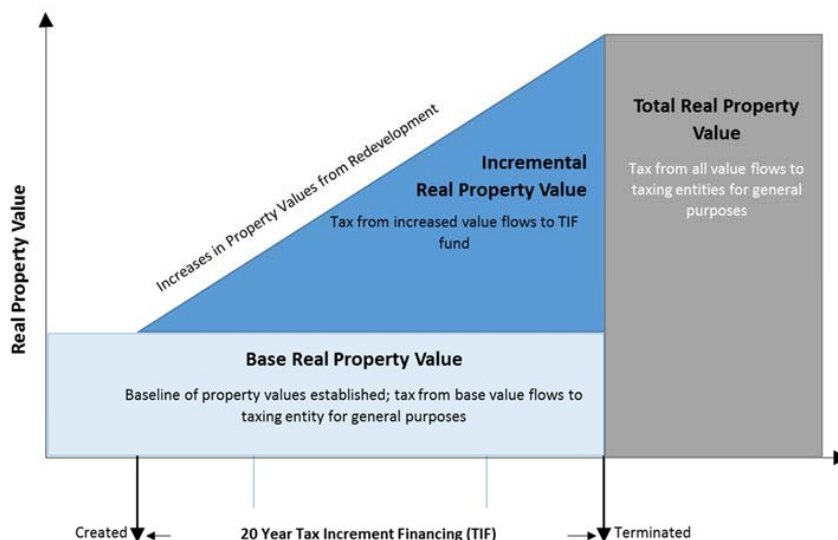
Section 1: Tax Increment Financing Defined

Tax Increment Financing (TIF) is a tool local governments of Texas have used since 1986 to finance public improvements within defined areas that have unique challenges and opportunities for economic development. The improvements strengthen existing communities and attract investment. Statutes governing Tax Increment Financing reinvestment zones are codified in Chapter 311 of the Texas Tax Code.

A municipality makes an area eligible for Tax Increment Financing by designating a reinvestment zone ("Zone"). The additional tax dollars generated by growth of real property value in the Zone are called the "tax increment." All or a designated part of these tax increment dollars flow to a Tax Increment Fund ("Fund") for a specified term of years. Money flowing to the Fund may be disbursed according to a plan approved by the City Council after a TIF Board has made a recommendation concerning the plan, as prescribed by Chapter 311. The Fund may be used for public improvements within the Zone and other purposes authorized by Chapter 311, including grants and loans for activities that benefit the Zone and stimulate business and commercial activity in the Zone. Dallas County and Dallas County Community College District participation was for the initial 20-year term of the Zone, ending December of 2024. Dallas County and Dallas County Community College District are not anticipated to participate in a TIF Fund that is extended beyond its initial term.

Exhibit A shows how tax from real properties in a Zone flows to a taxing jurisdiction and to a TIF Fund. Exhibit A assumes real property values in the Zone rise after the Zone's designation.

**Exhibit A:
Real Property Tax Flow with Tax Increment Financing**



Inclusion of property in a Zone does not change any tax rate for the property. Tax rates in the Zone are the same as tax rates outside the Zone within the same set of taxing jurisdictions.

Section 2: Zone Description

The City of Garland designated TIF Zone Number One in 2003. The Zone #1 boundary includes both Downtown Garland and area around the Forest/Jupiter DART train station. In 2020, at the recommendation of the TIF #1 Board of Directors, City Council held a public hearing and adopted an ordinance expanding the boundaries of TIF #1 to include Montgomery Park, as depicted in Exhibit B. In 2023, the TIF #1 Board of Directors is recommending an expansion to the south and southwest area of Downtown Garland and north of the Forest/Jupiter Station in the west end of the zone. A map of the expanded boundaries is included in Exhibit C.

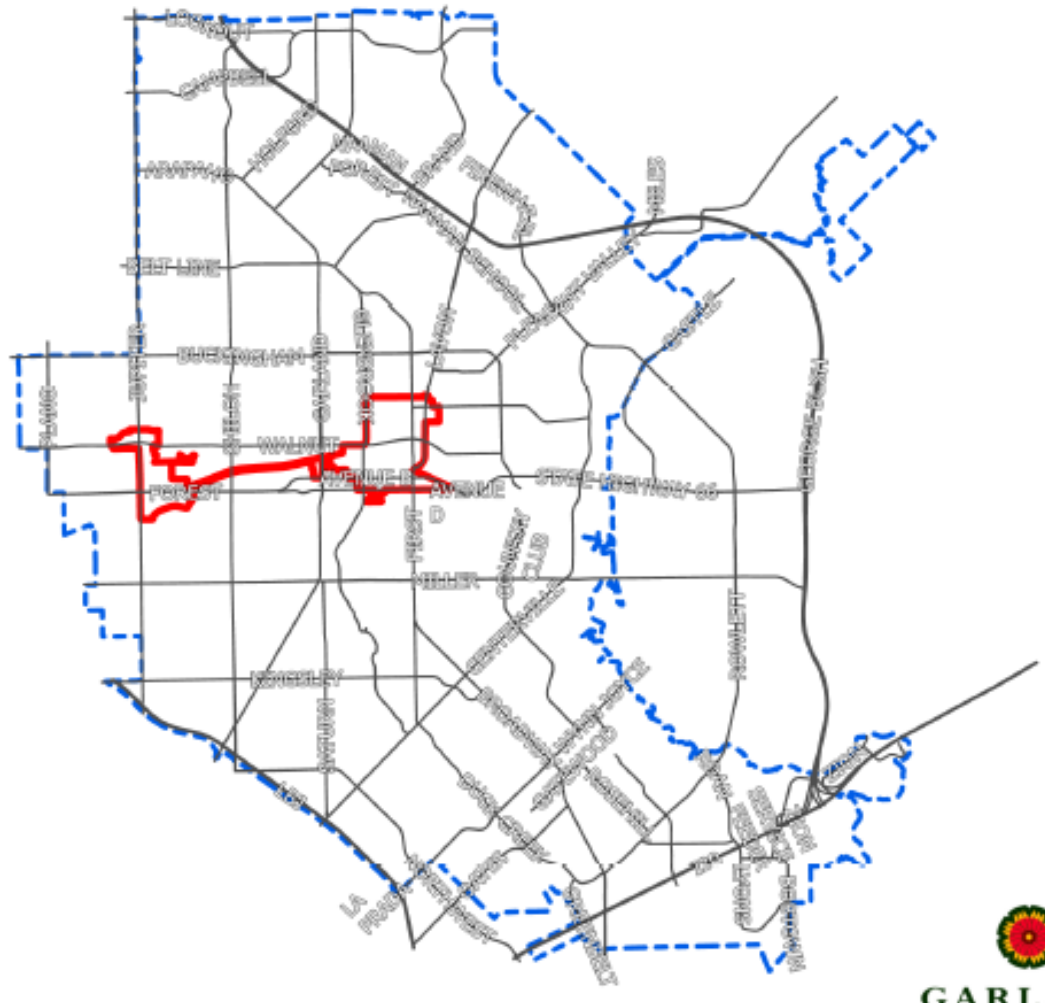
Exhibit B: TIF Reinvestment Zone #1 Boundary Map

TIF #1 Year 2020



**Exhibit C:
Expanded TIF Reinvestment Zone #1 Boundary Map**

TIF #1 Downtown | Forest Jupiter



Boundaries that follow public streets and highways extend to the far sides of such rights-of-way, measured from the center of the reinvestment zone. Boundaries that approximate property lines shall be construed as following such property lines.

The Zone contains approximately 36,594,731 square feet of land. Excluding rights-of-way and other land owned by government entities, land area was measured at 26,934,647 square feet. Taxable land was approximately 15,897,498 square feet. The corrected value of real property in Zone #1 taxable by the City of Garland in base year 2003 was \$102,575,503 according to the Dallas Central Appraisal District. After expansion in 2023, the expanded zone base value will be \$81,157,850. The combined value of real property in Zone #1 taxable by the City of Garland is \$183,733,353. This value is below the statutory maximum 25% of taxable real property a municipality may include in all its reinvestment zones.

Exhibits D and E map existing uses and conditions in the Zone, as updated in 2023 by the City of Garland. In 2003, approximately 68% of land area in the zone, excluding the land area owned by government entities, was used for commercial purposes. About 25% of privately owned land area was vacant. Only 7% of private land was used for residences with one to four dwellings per building. Residential land in the Zone was and is far below the statutory maximum 30% of the entire zone.

At the inception of TIF Zone #1, the City Council found that conditions of Downtown Garland and vicinity impaired sound growth and private investment. Impediments included the following problems, any of which were sufficient statutory cause to designate a zone for Tax Increment Financing:

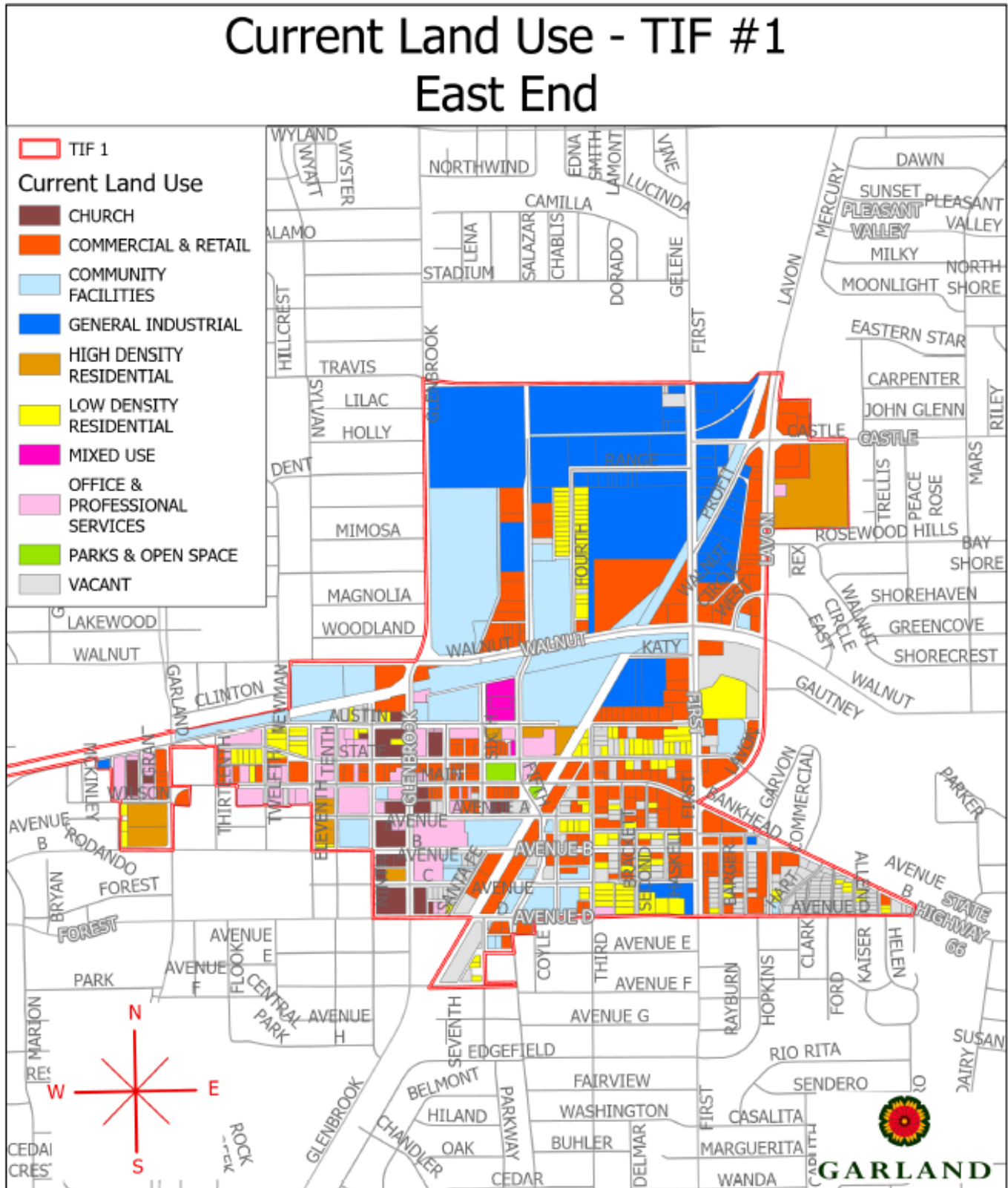
1. A substantial number of deteriorated or deteriorating structures;
2. Inadequate sidewalks or street layout;
3. Small lots with many owners, making assembly of parcels with sufficient size, access, and utility for development an economically difficult or prohibitive task.

Economic development of Downtown Garland, Forest/Jupiter and adjacent areas has been a priority for City Council. As of 2023, development and redevelopment have included:

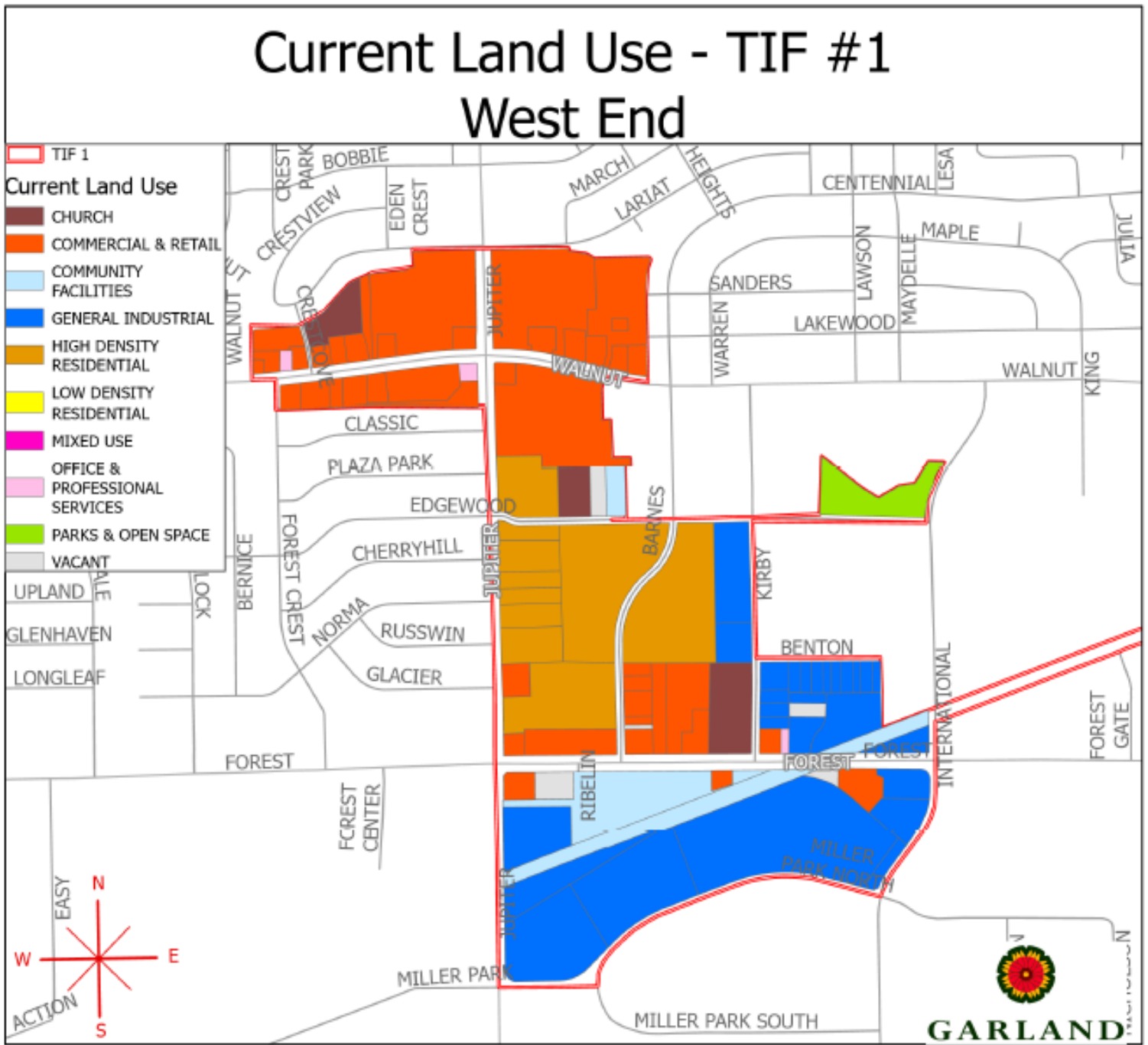
- DART train services to stations at Downtown Garland and Forest/Jupiter (began 2002).
- 188 residences and 24,000 square feet of retail floor area in the Oaks Fifth Street Crossing project (opened 2008).
- Garland Campus of Richland College (opened 2009).
- Charles E. Duckworth Building, housing Garland Power & Light, City Utility Customer Service Department and City Tax and Revenue Recovery Department (opened 2010).
- Extension of DART train service to Rowlett (began service 2012).
- Addition of 153 multi-family residential units and a 330-space parking structure to serve the public, residential tenants, and those using City Hall (opened 2015).
- Exterior and interior improvements to the Nicholson Memorial Library (Ongoing).
- Relocation of the Garland Landmark Museum, rail car, and Lyles House to Heritage Crossing (relocated 2013).
- Unused facilities demolished on square (demolished 2013).
- Creation of a public space adjacent to the Granville Arts Center (2016).
- Re-skinning of the City Hall Façade, as well as major improvements to the interior (completed 2017).

- Improvements to the streetscape along State, Fifth, and Austin (2017).
- Establishment of a Downtown Development Office (2019).
- Establishment of a Downtown Façade Improvement Program (2020).
- Establishment of a Downtown Revitalization Program (2021).
- Establishment of a Public Art Program (2020).
- Established dedicated Downtown Programming (2020-present), including live music series, shopping campaigns, and district engagement.
- Installation of a Downtown Public Restroom (2022-2023).
- Redevelopment of the Downtown Square (2020-2023).
- Installation of pedestrian-oriented streetscape in the Downtown area (2009-2024).
- Replacement and improvement of Downtown infrastructure and intersections surrounding the Downtown Square (2018-2023).
- Improvements at Montgomery Park (2021-2023).
- Installation of district gateway features (2016-2023).
- Establishment of a district-wide brand and social media platform with website (2021-2023).

**Exhibit D:
Existing Land Use - Downtown Part of TIF Zone**



**Exhibit E:
Existing Land Use – Forest/Jupiter Part of TIF Zone**



Section 3: Revenue from Tax Increment Financing

The Zone #1 Tax Increment Financing program has provided revenue of approximately \$10.7 million, including interest income on fund balances, from its inception through the end of fiscal year 2022. Through fiscal year ended September 30, 2022, \$3,203,913 had been applied to improvements to the City Hall facade (transfer to capital improvements fund, bond debt principal payment and bond debt interest payment); \$1,922,255 toward payment obligations for the Oaks Fifth Street Crossing residential and retail project; \$854,754 to fund managed district services; \$106,873 to fund a façade improvement program; \$79,144 for enhanced downtown square programming; \$19,920 to fund a public art program; \$72,315 applied towards Forest/Jupiter Public Improvements; and, \$2,587,001 applied to Downtown Public Improvements (transfer to capital improvements fund). A fund balance of \$302,629 was carried from September 30, 2022, into the 2022-23 fiscal year.

Schedule 1 forecasts annual revenue to the TIF Fund, based on several assumptions stated thereon. Cumulative tax increment revenue received by the TIF Fund from fiscal year 2021-22 through the end of the Zone's term (including tax increments from the levy of 2023, largely received in 2024) is forecast at approximately \$12.6 million. Added to receipts before fiscal year 2021-22, a total Fund revenue forecast from inception through the end of the Zone term (2044) totals approximately \$64.4 million. Cumulative tax increment revenue anticipated during the extended life (2025-2044) is forecast at approximately \$51.8 million.

The historic annual rate of change in taxable real property value within TIF Zone #1 for the ten-year period from January 2007 to January 2016 was 3%. However, the tax valuations received from the Dallas Central Appraisal District (DCAD) from 2017 through 2024 yielded an average increase of 10% due primarily to new construction generated from the City Center Oaks Fifth Street Crossing development, City Square Lofts development and revitalization of vacant properties surrounding the Downtown Square. Schedule 1 of this document assumes an average of 2.6% increase in taxable value between tax years 2025 and 2044. Following anticipated new construction in years 2025-2029, Schedule 1 of this document assumes a conservative average of 1.2% increase in taxable value between tax years 2030 and 2044. Although Schedule 1 appears to be a plausible forecast of taxable values, actual taxable values will vary from the forecast. Taxable values for the Dallas County Community College District and Dallas County will differ slightly due to slightly different tax exemption and abatement policies, applicable through December of 2024.

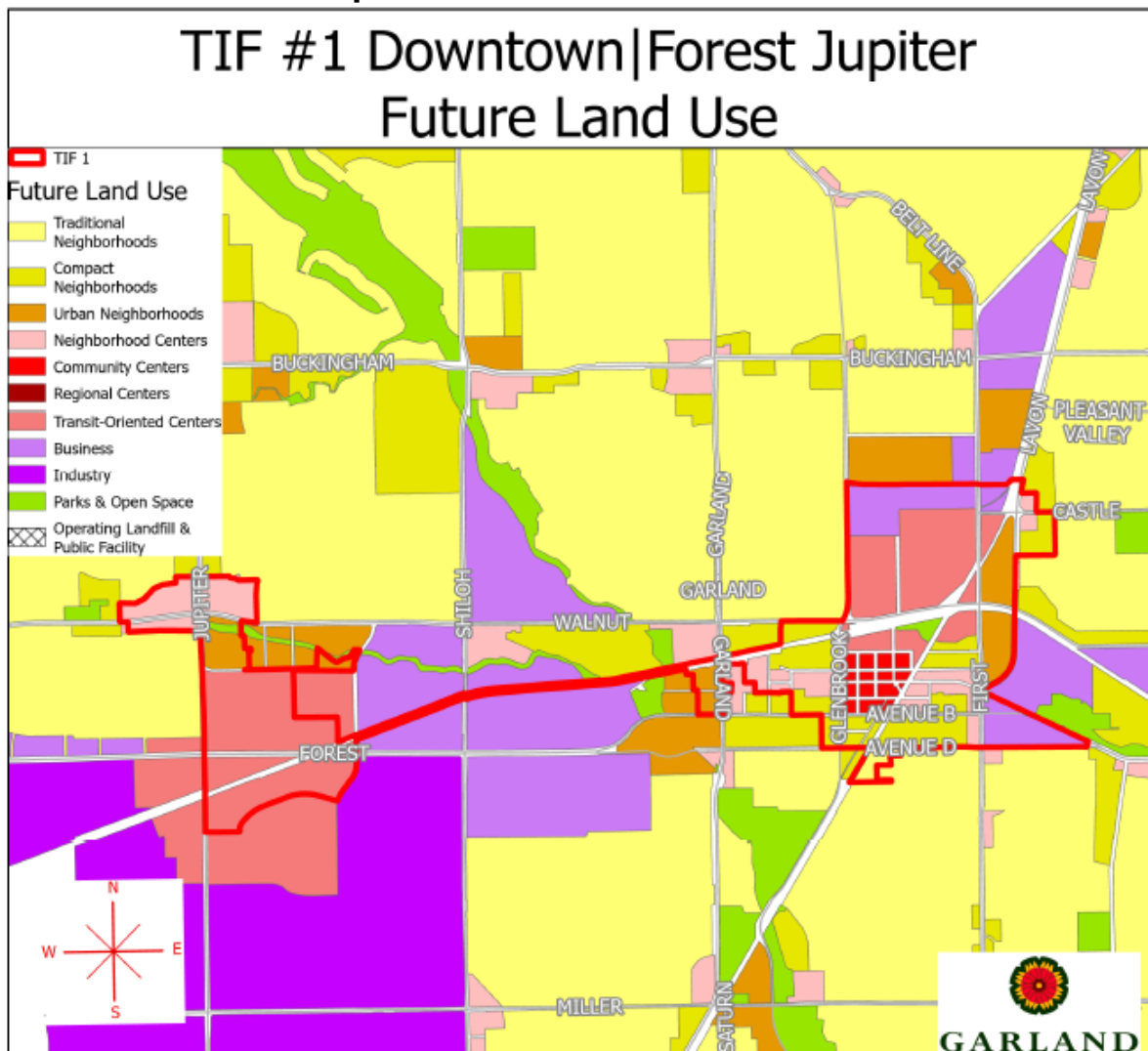
In addition to annual taxable values, Schedule 1 forecasts "captured appraised values" – the differences between taxable value and the 2003 base value. Applying assumed tax rates to the captured appraised values yields annual forecasts of real property tax increments. Garland has pledged 100% of real property tax increments from the TIF #1 to the TIF Fund for a term of twenty years from 2004 through 2024. Dallas County has pledged 55% of real property tax increments to the TIF Fund for a term of fourteen years from 2010 through the levy of 2024. The Dallas County Community College District has pledged 50% of its tax increments earned from Zone value growth from tax years 2010 through the levy of 2024.

This document reflects an extension of the TIF Fund for another term of twenty years from 2025 to 2044, for a total life of forty years from 2004 to 2044. City tax increments levied in 2044 will flow to the TIF Fund.

Note that real property tax generated in the Zone by the base value (or in the case of a tax decrement year, taxable value) flows to ordinary funds of the City every year, not to the TIF Fund. Annual taxes on values up to the base value are not calculated in Schedule 1. At 2023 tax rates, the annual tax on the base value of the original zone retained by the City would be roughly \$699,000 and the annual tax on the base value of the extended zone retained by the City would be roughly \$553,000.

The Schedule 1 fund revenue forecast may be conservative in that it does not assume specific major development projects in the Zone beyond projects currently in the development process. Normal good maintenance of existing structures, some replacement or infill of small-value properties, and market stability are conditions anticipated by the historic annual value change rate factor. Exhibit E locates types of activities, improvements, and neighborhood conditions planned for the Zone.

**Exhibit F:
Proposed Uses of Land in the Zone**



Section 4: TIF Fund Expenditures

The assets and future revenue to the TIF Fund are intended to be spent to push marginally infeasible development that would serve a public purpose to financial feasibility. Spending from the Fund must comply with a project plan and financing plan for the TIF Zone approved by the City Council.

Schedule 2 lists actual TIF “project cost,” as of September 30, 2022, and estimated TIF “future project costs” for the fiscal year ended September 30, 2023, and thereafter. These are items eligible for payment or reimbursement from cash in the TIF Fund. This schedule of future project costs may be amended from time to time upon recommendation by the TIF Board and approval of the City Council.

A condition of participation in the TIF program by Dallas County is that twenty percent of all housing units in projects receiving Dallas County TIF Funds in the District must meet the County's criteria for affordable housing. Affordable housing units are those which are affordable to a household earning 80% or less of the median family income for the Dallas metropolitan area. A developer may, subject to County approval, propose an alternative means of fulfilling the County's affordable housing requirement. This criteria is applicable through the end of the original term of the TIF Fund (2024).

The preferred method of financing public improvements with the Fund will be for property developers or other private sources to advance funds for public improvements. The City may contract to reimburse principal costs and reasonable interest for the public improvements, using cash flow to the Fund. The City may issue bonds secured by revenue to the TIF Fund.

For the projects listed, Schedule 2 also provides an estimate for other items included in the City's CIP or Operating Budget that directly support the projects listed in the TIF Fund. These “non-project costs” will not be reimbursed by the TIF Fund.

Schedule 3 is a forecast of annual sources and uses of TIF fund cash. It illustrates prospective tax increments received by the Fund and disbursements to repay approximately \$56.2 million of project costs after September 30, 2022 (including the final payment of the Oaks Fifth Street Crossing Economic Development incentive). Schedule 3 of this study indicates that it will be economically feasible for the Fund to pay all identified project costs.

No residents will be displaced as a result of implementing this project plan. No changes to zoning ordinances, the master plan of Garland, building codes, or other municipal ordinances will be necessary at this time to implement the project plan.

Section 5: Additional Tax for Garland

In addition to the tax on greater real property values in the Zone, the City of Garland and other taxing jurisdictions will likely receive additional business personal property tax. Increased sales tax from new development in the Zone is possible, depending on the type of new development in the Zone and the stability of sales tax from existing development.

The Tax Increment Fund may have a residual balance of cash on hand after all financial obligations have been met. A residual balance of \$0 is indicated on the bottom line of Schedule 3. Any residual balance will be prorated and returned to the general fund of the City of Garland after all obligations of the TIF Fund have been discharged.

Schedule 1 Historical and Forecasted Revenue to TIF Fund #1

Notes:

Taxable values and captured appraised values through 2023 are as reported by Dallas County Appraisal District. Other values are estimates.
 City taxable value for the base year was reset to the indicated amount after 2008. Base value fluctuated slightly with annual updates until set in 2009.
 The City contributes 100% of tax increment from the zone to the TIF fund. Dallas County contributes 55% of increments, and Dallas County Community College District contributes 50% of tax increments through 2024.
 DCCCD Taxes in arrear were collected in 2014.
 The annual change in taxable value for 2023 is based on certified numbers from DCAD and may fluctuate slightly based on actual collections.
 The average annual change in taxable value is assumed to be 2.6% between 2025 and 2044.
 Values for shaded areas are unknown.

Year	Real Property Value for Jan. 1	Tax Due Without Penalty by Jan 31	City of Garland		Dallas County and DCCCD		City of Garland Expansion			Incremental Real Property Tax			Combined Increments to TIF Fund	
			Taxable Value	Captured	Taxable Value	Captured	Taxable Value	New	Captured	City	County	DCCCD	This Year	Cumulative After 2006
			for Jan. 1 of This Year	Appraised Value for Year	for Jan. 1 of This Year	Appraised Value for Year	for Jan. 1 of This Year	Construction Projected	Appraised Value for Year	100%	55%	50%		
			Total	Total	Total	Total	Total	Total	Total	Total	Total	Total		
Base	2003	2004	\$ 102,575,503	\$ -	\$ 102,504,903	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
1	2004	2005												
2	2005	2006												
3	2006	2007	\$ 118,694,978	\$ 18,469,579					\$ 125,335			\$ 125,335	125,335	
4	2007	2008	\$ 132,990,813	\$ 30,415,310					\$ 217,325			\$ 217,325	342,660	
5	2008	2009	\$ 137,715,188	\$ 35,139,685					\$ 240,544			\$ 240,544	583,204	
6	2009	2010	\$ 139,766,024	\$ 37,190,521					\$ 270,932	\$ 44,372		\$ 315,304	898,508	
7	2010	2011	\$ 143,356,034	\$ 40,780,531					\$ 289,457	\$ 56,989		\$ 346,446	1,244,954	
8	2011	2012	\$ 136,170,390	\$ 33,594,887					\$ 239,170	\$ 40,912		\$ 280,082	1,525,036	
9	2012	2013	\$ 135,301,325	\$ 32,725,822					\$ 234,586	\$ 54,318		\$ 288,904	1,813,940	
10	2013	2014	\$ 140,583,516	\$ 38,008,013	\$ 139,722,193	\$ 38,347,780			\$ 274,541	\$ 53,193		\$ 327,734	2,141,674	
11	2014	2015	\$ 146,604,979	\$ 44,029,476	\$ 145,751,068	\$ 43,246,165			\$ 310,820	\$ 58,499	\$ 102,401	\$ 471,720	2,613,394	
12	2015	2016	\$ 156,531,648	\$ 53,956,145	\$ 155,648,641	\$ 53,143,738			\$ 381,624	\$ 72,148	\$ 28,542	\$ 482,314	3,095,708	
13	2016	2017	\$ 162,767,493	\$ 60,191,990	\$ 162,426,601	\$ 59,921,698			\$ 424,692	\$ 83,763	\$ 31,197	\$ 539,652	3,635,360	
14	2017	2018	\$ 184,060,804	\$ 81,485,301	\$ 183,697,695	\$ 81,192,792			\$ 574,537	\$ 111,432	\$ 42,876	\$ 728,845	\$ 4,364,205	
15	2018	2019	\$ 200,545,121	\$ 97,969,618	\$ 200,070,770	\$ 97,565,867			\$ 690,294	\$ 130,450	\$ 51,378	\$ 872,122	\$ 5,236,327	
16	2019	2020	\$ 220,828,289	\$ 118,252,786	\$ 220,288,376	\$ 117,783,473			\$ 910,073	\$ 153,211	\$ 61,205	\$ 1,124,489	\$ 6,360,816	
17	2020	2021	\$ 244,803,194	\$ 142,227,691	\$ 236,509,291	\$ 134,004,388			\$ 1,042,818	\$ 190,210	\$ 73,684	\$ 1,306,712	\$ 7,667,528	
18	2021	2022	\$ 255,166,725	\$ 152,591,222	\$ 254,546,836	\$ 152,041,933			\$ 1,135,168	\$ 179,501	\$ 77,600	\$ 1,392,269	\$ 9,059,797	
19	2022	2023	\$ 292,217,250	\$ 189,641,747	\$ 291,299,481	\$ 188,794,578			\$ 1,343,396	\$ 234,124	\$ 92,332	\$ 1,669,852	\$ 10,729,649	
20	2023	2024	\$ 324,377,259	\$ 221,801,756	\$ 350,137,466	\$ 210,487,679	\$ 81,157,850	\$ -	\$ -	\$ 1,512,021	\$ 249,789	\$ 102,941	\$ 1,864,752	\$ 12,594,401
21	2024	2025	\$ 327,621,032	\$ 225,045,529			\$ 81,969,429	\$ 47,000,000	\$ 47,811,579	\$ 1,906,452			\$ 1,906,452	\$ 14,500,853
22	2025	2026	\$ 330,897,242	\$ 228,321,739			\$ 130,259,123	\$ 23,000,000	\$ 72,101,273	\$ 2,099,055			\$ 2,099,055	\$ 16,599,909
23	2026	2027	\$ 334,206,214	\$ 231,630,711			\$ 154,791,714	\$ 10,000,000	\$ 83,633,864	\$ 2,202,753			\$ 2,202,753	\$ 18,802,662
24	2027	2028	\$ 337,548,276	\$ 234,972,773			\$ 166,439,631	\$ 15,000,000	\$ 100,281,781	\$ 2,342,423			\$ 2,342,423	\$ 21,145,086
25	2028	2029	\$ 340,923,759	\$ 238,348,256			\$ 183,254,027	\$ 5,000,000	\$ 107,096,177	\$ 2,413,620			\$ 2,413,620	\$ 23,558,706
26	2029	2030	\$ 344,332,997	\$ 241,757,494			\$ 190,136,568		\$ 108,978,718	\$ 2,450,594			\$ 2,450,594	\$ 26,009,300
27	2030	2031	\$ 347,776,327	\$ 245,200,824			\$ 192,037,933		\$ 110,880,083	\$ 2,487,937			\$ 2,487,937	\$ 28,497,237
28	2031	2032	\$ 351,254,090	\$ 248,678,587			\$ 193,958,313		\$ 112,800,463	\$ 2,525,654			\$ 2,525,654	\$ 31,022,891
29	2032	2033	\$ 354,766,631	\$ 252,191,128			\$ 195,897,896		\$ 114,740,046	\$ 2,563,748			\$ 2,563,748	\$ 33,586,639
30	2033	2034	\$ 358,314,297	\$ 255,738,794			\$ 197,856,875		\$ 116,699,025	\$ 2,602,223			\$ 2,602,223	\$ 36,188,862
31	2034	2035	\$ 361,897,440	\$ 259,321,937			\$ 199,835,444		\$ 118,677,594	\$ 2,641,083			\$ 2,641,083	\$ 38,829,944
32	2035	2036	\$ 365,516,415	\$ 262,940,912			\$ 201,833,798		\$ 120,675,948	\$ 2,680,331			\$ 2,680,331	\$ 41,510,275
33	2036	2037	\$ 369,171,579	\$ 266,596,076			\$ 203,852,136		\$ 122,694,286	\$ 2,719,972			\$ 2,719,972	\$ 44,230,247
34	2037	2038	\$ 372,863,295	\$ 270,287,792			\$ 205,890,657		\$ 124,732,807	\$ 2,760,009			\$ 2,760,009	\$ 46,990,255
35	2038	2039	\$ 376,591,928	\$ 274,016,425			\$ 207,949,564		\$ 126,791,714	\$ 2,800,446			\$ 2,800,446	\$ 49,790,702
36	2039	2040	\$ 380,357,847	\$ 277,782,344			\$ 210,029,060		\$ 128,871,210	\$ 2,841,288			\$ 2,841,288	\$ 52,631,990
37	2040	2041	\$ 384,161,425	\$ 281,585,922			\$ 212,129,350		\$ 130,971,500	\$ 2,882,539			\$ 2,882,539	\$ 55,514,529
38	2041	2042	\$ 388,003,040	\$ 285,427,537			\$ 214,250,644		\$ 133,092,794	\$ 2,924,201			\$ 2,924,201	\$ 58,438,730
39	2042	2043	\$ 391,883,070	\$ 289,307,567			\$ 216,393,150		\$ 135,235,300	\$ 2,966,281			\$ 2,966,281	\$ 61,405,011
40	2043	2044	\$ 395,801,901	\$ 293,226,398			\$ 218,557,082		\$ 137,399,232	\$ 3,008,781			\$ 3,008,781	\$ 64,413,792
Total for years 1-40														

**Schedule 2
Expenditures from TIF Fund #1**

Notes:

Private nonproject costs for mixed-use developments are not included in this schedule.

"Non Project Cost" include funding in the CIP or operating budget that directly support the projects listed in the TIF Fund but are not reimbursed by the TIF Fund.

"Non Project Cost" include cost to construct Parking Garage at Oaks Fifth Street, additional City Center Cost, Plaza Theater sign/façade improvement, wayfinding signage for First/Main and Walnut St overpass to Lavon Dr., Austin St. Streetscape, Downtown Infrastructure and parking, Downtown Streetscape, Street/Utility Study, and Square redesign/cons

Project	TIF FUND			Non Project Cost (Not Reimbursed by TIF Fund)
	Actual	Estimate	TOTAL	
	Project Cost as of FYE 2022	Future Project Cost	TIF Fund Expenditures	
Oaks Fifth Street Crossing City Owned Parking Garage <i>Oaks Fifth Street Crossing consist of a 188 unit multi-family residential development and parking structure. The City entered into an agreement with the developer of the Oaks Fifth Street Crossing development to reimburse expenses made on the City owned parking garage. For years when the TIF fund received tax increments, the agreement called for the City to pay the owner of Oaks 5th Street Crossing the real property tax increments generated by the Oaks Fifth Street Crossing mixed-use development. Nonproject cost include the amounts spent by the City to construct the parking garage.</i>	\$1,922,254	\$424,486	\$2,346,740	\$8,643,437
City Center Development <i>This project provides funding to implement additional mixed-use development in Downtown, improvements to existing public facilities, as well as the development of additional open space in Downtown. Specific project elements include construction of a multi-level parking garage serving the public, staff, and residential tenants; re-skinning of the City Hall façade (TIF Funded); site preparation for residential development including relocating the structures residing at Heritage Park; continuation of streetscape improvements along Austin and State Streets; as well as creation of a public open space adjacent to the Granville Arts Center. The overall project will be accomplished in partnership with a private developer.</i>	\$3,203,913	\$0	\$3,203,913	\$24,325,278
Managed District Services <i>TDA Assessment finds that Downtown could benefit from operating as a managed district. To accomplish this, TDA recommends creating a unified identity and coordinated promotions and place-making efforts, to be managed by a dedicated professional. Specific long-term goals for the district include placemaking initiatives, entrepreneurial development, district branding and promotion, market assessments, and the growth of the managed district office.</i>	\$854,754	\$20,862,315	\$21,717,069	\$0
Façade Improvement Program <i>Implementation of economic development policies and programs to reduce blight and vacancies and to spur additional investment and economic growth in the district. Beginning in FY25, this program will transition to be part of the Revitalization Program, which expands the scope to exterior (façade) and interior improvements.</i>	\$106,873	\$893,126	\$999,999	\$0
Enhanced Downtown Square Programming <i>Enhanced event programming ensures district-wide activation that encourages foot traffic on the square and commerce with downtown businesses. Projects include performing arts programming, promotional campaigns, third party event enhancements, and interdepartmental collaboration.</i>	\$79,144	\$1,420,000	\$1,499,144	\$0
Public Art <i>Murals, sculptures, and various expressions of public art create a sense of place and form collective community expression. Projects are commissioned in sync with the Cultural Arts public art process and are eligible within the TIF boundary footprint. Target locations are identified in the Downtown and Forest Jupiter limits of the zone.</i>	\$19,920	\$1,191,360	\$1,211,280	\$0
Forest/Jupiter Public Improvements <i>Includes a restroom facility, security lighting, seating, improvements to soccer fields and other site amenities at Montgomery Park and the Forest/Jupiter segment of TIF#1.</i>	\$72,315	\$387,685	\$460,000	\$50,000
Downtown Public Improvements <i>Includes infrastructure improvements, enhancements, upgrades, land acquisition, and enhancements to the downtown square and surrounding downtown area. Projects may include downtown wayfinding signage, enhanced streetscape, electrical upgrades, restrooms, playground equipment, audio systems, furnishings, retractable bollards, a water feature, observation tower, parking, and other improvements to downtown.</i>	\$2,587,001	\$928,574	\$3,515,575	\$27,188,605
Revitalization Program and Small Business Development <i>This program fosters investment in private property within the Downtown Historic Sub-district and Forest/Jupiter area of TIF and ensures the longevity of these physical assets. Following a needs assessment, the program will evolve to support small business development with targeted tools for economic growth and long-term planning.</i>	\$0	\$3,495,736	\$3,495,736	\$0
TIF Improvements and Redevelopment Program <i>Includes master plan, feasibility studies, and infrastructure assessments for TIF #1 area. Projects may include wayfinding signage, infrastructure improvements, land acquisition, and property redevelopment. Identified infrastructure improvements include: the improvement of Pedestrian Routes to Forest/Jupiter DART Station; Sixth Street, Avenues F & E Road Improvements; and the acquisition of 519 State Street.</i>	\$0	\$26,547,488	\$26,547,488	\$966,000
Total Cost	\$8,846,174	\$56,150,770	\$64,996,944	\$61,173,320

Specific projects will be presented on an annual basis as part of the City's Annual Operating Budget Process, and the TIF Project and Expenditure plan will be amended as necessary.

Schedule 3
DOWNTOWN TIF PROJECTED REVENUES AND EXPENDITURES

	<u>Actuals FY 2022</u>	<u>Projected FY 2023</u>	<u>Adopted FY 2024</u>	<u>FY 2025</u>	<u>FY 2026</u>	<u>FY 2027</u>	<u>FY 2028</u>	<u>FY 2029</u>	<u>FY 2030</u>
Revenues (1)									
City of Garland	\$ 1,135,168	\$ 1,343,396	\$ 1,512,021	\$ 1,906,452	\$ 2,099,055	\$ 2,202,753	\$ 2,342,423	\$ 2,413,620	\$ 2,450,594
Dallas County (55%)	179,501	234,124	249,789	-	-	-	-	-	-
Dallas County Community College Dist (50%)	77,600	92,332	102,941	-	-	-	-	-	-
Interest Income	12,490	736,945	2,100	526	24	618	57	122	109
Total Revenues	\$ 1,404,759	\$ 2,406,797	\$ 1,866,852	\$ 1,906,978	\$ 2,099,079	\$ 2,203,371	\$ 2,342,480	\$ 2,413,742	\$ 2,450,703
Expenditures (2)									
Economic Development	\$ 206,184	\$ 206,184	\$ 218,302	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Debt Service	-	-	-	-	-	-	-	-	-
Managed District Services	244,709	457,584	668,303	647,901	694,654	850,179	863,984	800,877	878,317
Façade Improvement Program	35,720	155,886	737,240	-	50,000	50,000	50,000	50,000	50,000
Revialization & Small Business Development	-	-	-	-	-	-	-	150,000	-
Forest/Jupiter Public Improvements	37,486	387,685	-	-	-	-	-	-	-
Downtown Public Improvements	2,540,946	928,574	-	-	-	-	-	-	-
TIF Improvements & Redevelopment	-	-	300,000	1,249,509	1,125,562	1,305,449	1,305,449	1,305,449	1,305,449
Enhanced Square Programming	62,914	66,000	154,000	60,000	60,000	60,000	60,000	60,000	60,000
Public Art	1,915	82,085	109,275	50,000	50,000	50,000	50,000	50,000	50,000
Total Expenditures	\$ 3,129,874	\$ 2,283,998	\$ 2,187,120	\$ 2,007,410	\$ 1,980,216	\$ 2,315,628	\$ 2,329,433	\$ 2,416,326	\$ 2,343,765
Revenues Less Expenditures	(1,725,115)	122,799	(320,268)	(100,431)	118,863	(112,256)	13,047	(2,584)	106,937
Beginning Fund Balance	\$ 2,027,744	\$ 302,629	\$ 425,428	\$ 105,160	\$ 4,728	\$ 123,591	\$ 11,335	\$ 24,382	\$ 21,799
Change in Fund Balance	(1,725,115)	122,799	(320,268)	(100,431)	118,863	(112,256)	13,047	(2,584)	106,937
Ending Fund Balance	\$ 302,629	\$ 425,428	\$ 105,160	\$ 4,728	\$ 123,591	\$ 11,335	\$ 24,382	\$ 21,799	\$ 128,736

Schedule 3
DOWNTOWN TIF PROJECTED REVENUES AND EXPENDITURES

	<u>FY 2031</u>	<u>FY 2032</u>	<u>FY 2033</u>	<u>FY 2034</u>	<u>FY 2035</u>	<u>FY 2036</u>	<u>FY 2037</u>	<u>FY 2038</u>	<u>FY 2039</u>
Revenues (1)									
City of Garland	\$ 2,487,937	\$ 2,525,654	\$ 2,563,748	\$ 2,602,223	\$ 2,641,083	\$ 2,680,331	\$ 2,719,972	\$ 2,760,009	\$ 2,800,446
Dallas County (55%)	-	-	-	-	-	-	-	-	-
Dallas County Community College Dist (50%)	-	-	-	-	-	-	-	-	-
Interest Income	644	129	859	225	435	30	425	343	142
Total Revenues	\$ 2,488,581	\$ 2,525,783	\$ 2,564,607	\$ 2,602,448	\$ 2,641,518	\$ 2,680,361	\$ 2,720,397	\$ 2,760,352	\$ 2,800,589
Expenditures (2)									
Economic Development	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Debt Service	-	-	-	-	-	-	-	-	-
Managed District Services	901,130	914,327	1,025,920	994,921	1,009,342	1,024,196	1,039,495	1,103,254	1,071,485
Façade Improvement Program	-	-	-	-	-	-	-	-	-
Revalidation & Small Business Development	50,000	50,000	-	150,000	200,000	250,000	300,000	300,000	300,000
Forest/Jupiter Public Improvements	-	-	-	-	-	-	-	-	-
Downtown Public Improvements	-	-	-	-	-	-	-	-	-
TIF Improvements & Redevelopment	1,530,449	1,305,449	1,555,449	1,305,449	1,403,220	1,217,167	1,287,280	1,287,280	1,287,280
Enhanced Square Programming	60,000	60,000	60,000	60,000	60,000	60,000	60,000	60,000	60,000
Public Art	50,000	50,000	50,000	50,000	50,000	50,000	50,000	50,000	50,000
Total Expenditures	\$ 2,591,579	\$ 2,379,776	\$ 2,691,369	\$ 2,560,370	\$ 2,722,562	\$ 2,601,363	\$ 2,736,775	\$ 2,800,534	\$ 2,768,765
Revenues Less Expenditures	(102,998)	146,007	(126,762)	42,078	(81,044)	78,998	(16,378)	(40,182)	31,824
Beginning Fund Balance	\$ 128,736	\$ 25,738	\$ 171,745	\$ 44,982	\$ 87,060	\$ 6,016	\$ 85,014	\$ 68,636	\$ 28,454
Change in Fund Balance	(102,998)	146,007	(126,762)	42,078	(81,044)	78,998	(16,378)	(40,182)	31,824
Ending Fund Balance	\$ 25,738	\$ 171,745	\$ 44,982	\$ 87,060	\$ 6,016	\$ 85,014	\$ 68,636	\$ 28,454	\$ 60,277

Schedule 3
DOWNTOWN TIF PROJECTED REVENUES AND EXPENDITURES

	<u>FY 2040</u>	<u>FY 2041</u>	<u>FY 2042</u>	<u>FY 2043</u>	<u>FY 2044</u>	<u>FY 2045</u>	<u>Grand Total</u>
Revenues (1)							
City of Garland	\$ 2,841,288	\$ 2,882,539	\$ 2,924,201	\$ 2,966,281	\$ 3,008,781	\$ -	\$ 55,809,976
Dallas County (55%)	-	-	-	-	-	-	663,414
Dallas County Community College Dist (50%)	-	-	-	-	-	-	272,873
Interest Income	301	82	7	25	0	-	756,637
Total Revenues	\$ 2,841,590	\$ 2,882,620	\$ 2,924,208	\$ 2,966,306	\$ 3,008,781	\$ -	\$ 57,502,901
Expenditures (2)							
Economic Development	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 630,670
Debt Service	-	-	-	-	-	-	-
Managed District Services	1,138,203	1,155,422	1,173,158	1,239,426	1,210,237	-	21,107,024
Façade Improvement Program	-	-	-	-	-	-	1,178,846
Revalidation & Small Business Development	350,000	345,000	350,000	324,472	376,264	-	3,495,736
Forest/Jupiter Public Improvements	-	-	-	-	-	-	425,171
Downtown Public Improvements	-	-	-	-	-	-	3,469,520
TIF Improvements & Redevelopment	1,287,280	1,287,280	1,287,280	1,297,480	1,312,280	-	26,547,488
Enhanced Square Programming	60,000	60,000	60,000	60,000	60,000	-	1,482,914
Public Art	50,000	50,000	50,000	50,000	50,000	-	1,193,275
Total Expenditures	\$ 2,885,483	\$ 2,897,702	\$ 2,920,438	\$ 2,971,378	\$ 3,008,781	\$ -	\$ 59,530,644
Revenues Less Expenditures	(43,893)	(15,082)	3,770	(5,072)	0	-	
Beginning Fund Balance	\$ 60,277	\$ 16,384	\$ 1,302	\$ 5,072	\$ 0	\$ 0	
Change in Fund Balance	(43,893)	(15,082)	3,770	(5,072)	0	-	
Ending Fund Balance	\$ 16,384	\$ 1,302	\$ 5,072	\$ 0	\$ 0	\$ 0	

Checklist for Inclusion of Items Required in TIF Project Plans and Financing Plans by Sec. 311.011, Texas Local Government Code

- (1) A description and map showing existing uses and conditions of real property in the zone and proposed uses of that property. **Included on Exhibits D, E, and F.**
- (2) Proposed changes of zoning ordinances, the master plan of the municipality, building codes, other municipal ordinances, and subdivision rules and regulations, if any, of the county, if applicable. **Included on Exhibit F.**
- (3) A list of estimated non-project costs. **Included on Schedule 2.**
- (4) A statement of a method of relocating persons to be displaced, if any, as a result of implementing the plan. **Included on Page 12.**

The reinvestment zone financing plan must include:

- (1) A detailed list describing the estimated project costs of the zone, including administrative expenses. **Included on Schedule 2 & 3.**
- (2) A statement listing the proposed kind, number, and location of all public works or public improvements to be financed by the zone. **Included on Page 10 and Schedule 2.**
- (3) A finding that the plan is economically feasible and an economic feasibility study. **Included on page 10.**
- (4) The estimated amount of bonded indebtedness to be incurred. **Included on Schedule 3.**
- (5) The estimated time when related costs or monetary obligations are to be incurred. **Included on Schedule 3.**
- (6) A description of the methods of financing all estimated project costs and the expected sources of revenue to finance or pay project costs, including the percentage of tax increment to be derived from the property taxes of each taxing unit anticipated to contribute tax increment to the zone that levies taxes on real property in the zone. **Included on Schedule 1.**
- (7) The current total appraised value of taxable property in the zone. **Included on Schedule 1.**
- (8) The estimated captured appraised value of the zone during each year of its existence. **Included on Schedule 1.**
- (9) The duration of the zone. **Included on page 7.**



GARLAND

PLANNING REPORT

City Council Regular Session Agenda

6. b.

Meeting Date: 12/12/2023

Item Title: Z 23-46 City of Garland (District 1)

Submitted By: Will Guerin, Planning Director

REQUEST

Approval of an amendment to Planned Development (PD) District 20-17 regarding a Detail Plan requirement for Data Center Uses.

LOCATION

Generally northeast of President George Bush Turnpike, west of Holford Road, and south of the city limits line.

OWNER

Multiple Owners

PLAN COMMISSION RECOMMENDATION

On November 20, 2023 the Plan Commission, by a vote of nine (9) to zero (0), recommended approval of an amendment to Planned Development (PD) District 20-17 to exempt Data Centers from a Detail Plan process, where Data Centers are already allowed by right and meet technical requirements.

STAFF RECOMMENDATION

Approval of an amendment to Planned Development (PD) District 20-17 to exempt Data Centers from a Detail Plan process, where Data Centers are already allowed by right and meet technical requirements.

BACKGROUND

Planned Development (PD) District 20-17 allows Data Centers by right in the Employment Mixed-Use, Retail Mixed-Use, and Mixed-Use Mixed-Residential sub-districts. Several Data Centers have been constructed accordingly. Due to Data Center uses already being an allowed and anticipated use within this area, and being notable uses identified in the Economic Development Strategic Plan, it is proposed to remove the Detail Plan process, which currently requires public hearings per PD 20-17, for Data Centers only, when they are already allowed by right and meet all technical requirements of the City of Garland.

SITE DATA

The subject property has an area of 276.99 acres with frontage along President George Bush Turnpike, Telecom Parkway, Lookout Drive, and Campbell Road.

USE OF PROPERTY UNDER CURRENT ZONING

The subject property is zoned Planned Development (PD) District 20-17 for Mixed Uses. The Planned Development includes its own controlling uses and development standards as well as conceptual plan. As mentioned above, Data Centers are allowed by right per PD 20-17 in the Employment Mixed-Use, Retail Mixed-Use, and Mixed-Use Mixed-Residential subdistricts.

CONSIDERATIONS

1. Proposed is to remove the Detail Plan process, which currently requires public hearings per PD 20-17, for Data Centers only, when they are already allowed by right and meet all technical requirements of the City of Garland.
2. If approved, Data Centers will still be required to submit any and all necessary permits and construction plans and meet all applicable regulations of Planned Development (PD) District 20-17 and the Garland Development Code.

COMPREHENSIVE PLAN

The Future Land Use Map for the Envision Garland 2030 Comprehensive Plan identifies this area as a Business Center.

Business centers provide a cluster of business offices and/or low impact industry, including campus-type development, that cumulatively employ large numbers of people. Operations within this development type occur internal to buildings resulting in minimal negative impacts (sound, air, traffic, outdoor lighting, storage, etc.) and are compatible with adjacent development types in architecture, character, scale, and intensity.

ECONOMIC DEVELOPMENT STRATEGIC PLAN

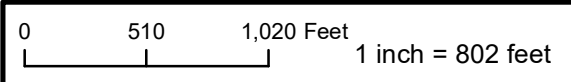
Per the adopted Economic Development Strategic Plan, data centers generate the most revenue per acre by building type.

COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES


The PD 20-17 has been implemented with multiple projects following its establishment in 2015 with its preceding PD 17-35 and PD 15-20. Newer development in the Planned Development includes a mix of employment, public and private electrical facilities, data centers, offices, retail/entertainment, and a variety of residential projects.

Attachments

Z 23-46 Location Map
Z 23-46 PD Conditions
Z 23-46 Exhibits
Z 23-46 R&M
Z 23-46 Responses
Z 23-46 Staff Presentation



ZONING MAP Z 23-46

 INDICATES AREA OF REQUEST

President George Bush Highway / Holford Road

EXHIBIT B

PLANNED DEVELOPMENT CONDITIONS

ZONING FILE 23-46

**Northeast of PGBT/SH 190, west of Holford Road, and south
of the City Limits line**

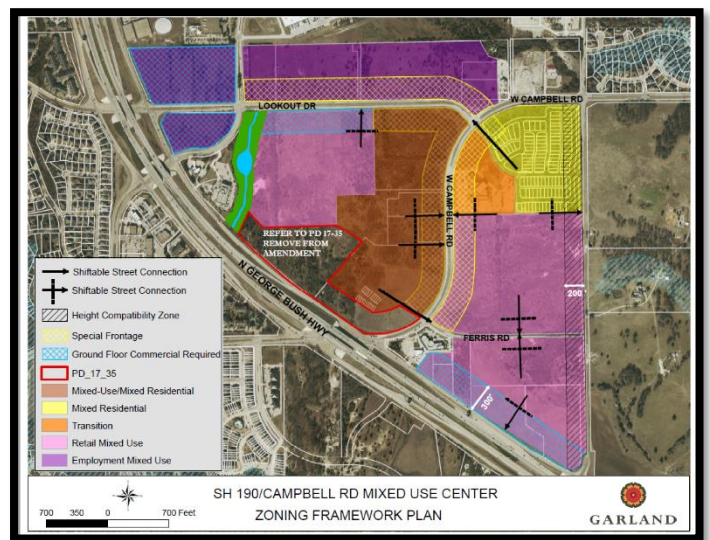
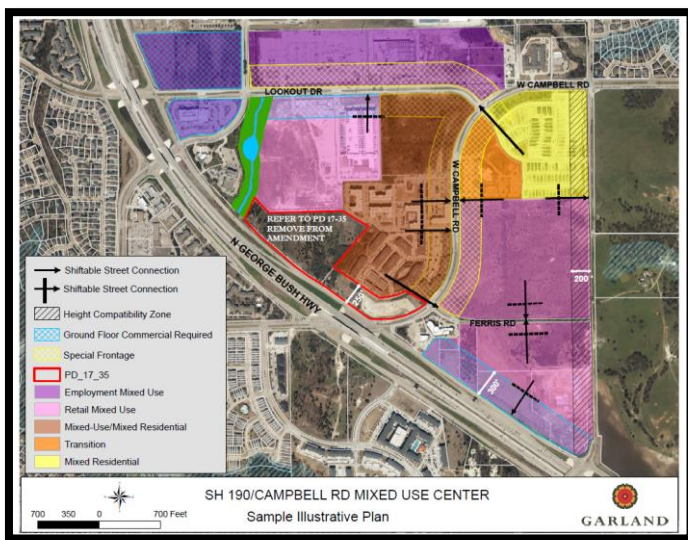
- I. Statement of Purpose:** The purpose of this Planned Development District amendment is to exempt Data Centers from a Detail Plan requirement, provided the use is permitted by right and all other applicable requirements are regulations are met.
- II. Statement of Effect:** This Planned Development District shall not affect any regulation found in the Garland Development Code (GDC), Ordinance No. 6773, as amended prior to adoption of this ordinance, except as specifically provided herein.
- III. General Regulations:** All regulations in Ordinance 6773 Garland Development Code (GDC), are included by reference and shall apply, except as otherwise specified by this ordinance.
- V. Specific Regulations:**
- A. Regulating Plan: All uses, conditions, processes and standards shall be as provided within Exhibit C.

City of Garland

SH 190/Campbell Mixed Use Center

Planned Development District

June 8, 2015 -- Z 15-20
AMENDED September 19, 2017 -- Z 17-35
AMENDED September 1, 2020 -- Z 20-17



Created for



GARLAND

TEXAS MADE HERE

By:

GATEWAYPLANNING
A VIALTA GROUP PARTNER

UPDATES BY CITY OF GARLAND, AS INDICATED ABOVE

EXHIBIT C

City of Garland SH 190/Campbell Mixed Use Center Planned Development District

Table of Contents

- I. Purpose and Intent
- II. Applicability
- III. SH 190/Campbell MUC-PD District Structure
- IV. Administration
- V. Schedule of Uses
- VI. Development Standards
 - A. General to all sites
 - B. Performance and Design Standards
 - C. Site Development Standards
- VII. Definitions

Appendices:

- A. Zoning Framework Plan
- B. Sample Illustrative Plans
- C. SH 190/Campbell MUC-PD District Structure and Review Process Flow Chart
- D. Street Design Standards and Typical Cross Sections

SH 190/Campbell Mixed Use Center Planned Development District

I. Purpose and Intent

The purpose and intent of the SH 190/Campbell Mixed Use Center Planned Development District (here after known as “MUC-PD”) is to implement the City’s vision for a vibrant and sustainable approach to the development of SH 190 Corridor and to encourage the continuation of the Telecom Corridor® through Garland by becoming a center for major employment office, technology, healthcare and support services, while encouraging, where feasible, a mix of complementary uses including housing, retail, offices, commercial services, and civic uses, supporting long term attractiveness for both employment uses and neighborhood uses. Specifically, the MUC-PD is intended to:

- A. Create short-term development momentum while allowing for long-term market opportunities for larger-scale employment uses;
- B. Establish a high level of development standards to create development of exemplary and enduring quality that fits into the City’s vision including Envision Garland 2030 as amended;
- C. Encourage the development of vertical and horizontal mixed-use areas that are safe, comfortable and attractive to pedestrians while protecting significant environmentally sensitive areas;
- D. Provide flexibility on the site and with design of new development to anticipate changes in the marketplace while establishing human-scaled buildings;
- E. Leverage the frontage and access to SH 190 and other regional corridors while preserving environmentally significant areas as “features” and not constraints, encouraging destination retail and other uses along the SH 190 Corridor with adjacent transitions to sustainable mixed use development patterns so that destination uses directly along the corridor are accessible internally by walking, cycling and driving;
- F. Create a variety of connected community gathering places and passive open spaces with trails to make walking and biking easy from one place to another and connect to off-site trails;
- G. Include a range of residential options that reflect changing lifestyles considering both market demand and City preferences;
- H. Provide appropriate transitions to protect adjacent neighborhoods and to promote sustained value;
- I. Encourage efficient uses of land; and
- J. Utilize existing and future transportation and parking assets efficiently in order to optimize both auto traffic on surrounding streets and on-site parking demand through design strategies and policy incentives that support use of multiple modes of transportation.

II. Applicability

- A. The MUC-PD District (this Code) applies to the property shown as the PD 15-20 on the Zoning Map and the boundaries are as established in the Zoning Framework Plan in Appendix A.
- B. The provisions of the MUC-PD District (this Code), when in conflict, shall take precedence over those in the Garland Development Code (GDC) as amended except as noted herein. Development standards not addressed in this Code shall be governed by the GDC to the extent they are not in conflict with the intent of the MUC-PD District standards.

III. SH 190/Campbell MUC-PD District Structure

A. MUC-PD District Structure: The following plans establish the structure within which the details of the PD District are calibrated to a specific Detail Plan (DP) at the time of development. The Sample Illustrative Plans (Appendix B) are included to provide an overall guidance on the desired pattern and character of development envisioned under this code while the Zoning Framework Plan (Appendix A) establishes the major street network and character zone allocations within the PD District.

1. Sample Illustrative Plans – are plans generated for different areas of the MUC-PD District that provide guidance on the intended character and layout of development based on the context and vision for the different character zones. These are to be used as prototypical development scenarios that would form the ultimate Detail Plan by the individual developers/property owners. The Sample Illustrative Plans illustrate important principles of planning a mixed use, walkable neighborhood.
2. Zoning Framework Plan – is the plan that is adopted at the time of creation of this PD and associated rezoning and establishes the different Character Zones and the major street network envisioned for MUC-PD District. Using the Zoning Framework Plan (ZFP) (Appendix A) and this Code, an applicant shall specify certain details of the development and may refine ZFP elements at the time of DP per the criteria established in this Code.

Five (5) Character Zones are established within the MUC-PD, each of which implements specific aspects of the vision for a regional mixed use destination with significant employment and residential uses. Prior to any new development within these areas, a Detail Plan (DP) consistent with the adopted ZFP (Appendix A) and this PD shall be developed by the applicant/property owner or developer. **However, However, Data Centers, where permitted by right, are not required to submit a Detail Plan and may proceed to Site Permit and Building Permit review, provided all applicable zoning and technical requirements are met.**

- i. Employment Mixed Use Zone (EMU): This is the Character Zone the area adjacent to the SH 190 frontage and along Lookout Drive. This zone is appropriate for the long-term development of large-scale regional employment and office uses due to its proximity to the Telecom Corridor[®]. The direct access to regional roadways including SH 190 offers adequate capacity for such an employment hub. The major roadway frontages along SH 190, Lookout Drive, and Telecom Parkway are not appropriate for ground floor residential uses. The vision for this zone is mid-to high-rise office buildings with structured parking.
- ii. Retail Mixed Use Zone (RMU): This is the area adjacent to SH 190 with access conducive to destination and regional retail uses. This area shall contain design and development standards that allow for retail and office uses; but that also encourage connections and transitional uses with the adjacent development.
- iii. Mixed Use-Mixed Residential Zone (MU-MR): This area is the core mixed use development opportunity for the area, linking the other areas together and encouraging development standards and uses that create a variety of higher

density residential types as well as office and retail uses that do not require visibility from SH 190, but in a walkable development context.

- iv. Transition Zone (T): This area is located to provide opportunities for residential and neighborhood serving smaller scale professional office and retail within a design context that respects the scale of the adjacent Mixed Residential Zone (MR).
 - v. Mixed Residential Zone (MR): This area is primarily residential in character and intended to provide a transition to the single family neighborhoods to the northeast. This area shall provide a variety of lower density attached and detached housing types within a walkable context including integrated small open spaces.
3. Detail Plan – A Detail Plan shall establish the exact location of Character Zones, land uses and open spaces, blocks, lots, building and street layout, treatment of transition areas to adjacent uses and any other appropriate information required by this PD. The Detail Plan shall illustrate the design direction of the site with dimensional standards that provide substantial certainty about the development outcomes, intensity, and phasing of the proposed development. It shall be created and submitted by the applicant/developer prior to any new development within the MUC- PD in conformance with DP applications as established in Section IV.B.2. of this Code. A Detail Plan shall meet the standards established in the Zoning Framework Plan and this PD and shall be developed for a minimum acreage even if the actual development is phased.
- i. Minimum Acreage Required: The minimum acreage required for any initial Detail Plan shall be no smaller than any one of the following: (1) all the contiguous property under one single ownership; or (2) all property under one Character Zone as established in the adopted Zoning Framework Plan; or (3) all property circumscribed by any proposed new or existing streets per the Zoning Framework Plan.
 - ii. Amendments to Approved Detail Plans: After the initial Master Detail Plan approval, subsequent amendments to approved DPs shall include the entire area of the initial Detail Plan approval regardless of the standards in III.A.3.i. above.

Detail Plans also include the lot and building(s) level plans and shall be required for individual lots and/or buildings subject to Public Hearing by Planning Commission and City Council approval for all development, **with the exception of Data Centers in accordance with Section III (2)**, prior to Site Permit and Building Permit review. The approval process for DPs shall be based on the process established for DP applications in Section IV.B.3 of this PD and as outlined within Section 2.12 of the GDC.

IV. Administration

- A. General: No building or structure may be erected or moved unless in conformity with this MUC-PD.
- B. Authority for Approval (See Appendix C for a flow chart illustrating the Application Process):
 - 1. Zoning Framework Plans [a Zone Change to this PD’s established Character Area zoning districts (a Zone Change may include a Detail Plan in conjunction with the Zoning Framework Plan)]: may only be approved by City Council after recommendation by the Plan Commission. The process for Zoning Change applications in Chapter 2, Article 2, Division 1 of the GDC shall be followed. Modifications to adopted ZFPs may also be processed in conjunction with DP applications per IV.B.2 below.

2. Detail Plan Applications.
 - i. May only be approved by City Council after recommendation by the Plan Commission.
 - a. The process shall follow the process Section 2.12 of the GDC. In considering Detail Plan Applications, the Plan Commission and the City Council may use any of the following criteria:
 - 1) The extent to which the proposed modifications to street layout and/or character zones impact adjoining properties with respect to continuity and adjacency predictability;
 - 2) The overall purpose and intent of the regional Mixed Use Center;
 - 3) The extent to which the proposal fits the adjoining design context by providing appropriate building scale and use transitions;
 - 4) The extent to which the proposal provides public benefits such as usable civic and open spaces, livable streets, affordable housing, structured and/or shared parking, and linkages to transit; and
 - 5) The extent to which the proposal does not hinder future opportunities for higher intensity development.
 - 6) The extent to which the proposed application impacts adjoining properties with respect to continuity and adjacency predictability;
 - 7) The extent to which the application meets the overall purpose and intent of the regional Mixed Use Center;
 - 8) The extent to which the proposal fits the adjoining design context by providing appropriate building scale and use transitions;
 - 9) The extent to which the application provides public benefits such as usable civic and open spaces, livable streets, affordable housing, structured and/or shared parking, and linkages to transit; and
 - 10) The extent to which the application does not hinder future opportunities for higher intensity development.

C. Detail Plan Requirements:

1. The Detail Plan is intended to illustrate the building and block level development pattern of the MUC-PD District consistent with the purpose and intent of the Section and establish the detailed standards and rules for any new development within the MUC-PD District and the corresponding Character Zones.
2. The applicant shall submit a Detail Plan for the minimum acreage as established in Section III.A.3.i.
 - i. Each Detail Plan application shall:
 - a. demonstrate compliance with this PD's purpose, intent, and development standards;
 - b. include exhibits meeting all the informational requirements for under Section 2.11 of the GDC, and meeting the standards of this PD and adopted ZFP including:
 - 1) Delineation of the Character Zones per the adopted ZFP (including any modifications to adopted ZFP elements);
 - 2) The layout of proposed blocks, major and minor streets, bikeways,

- sidewalks, and trails;
- 3) the location and acreage of open space areas and whether each will be privately owned, a common area for residents only or dedicated to public use;
- 4) Type “A” and “B” Development Frontage designations based on the standards in this PD.
- 5) A conceptual level plan for the accommodation of stormwater drainage and detention and other major water and sewer infrastructure elements for the overall area included in the Detail Plan;
- 6) The location and area of retail, office, industrial, residential, civic, and open space uses;
- 7) The approximate shape, size, and placement of buildings;
- 8) The general parking location relative to streets and buildings and approximate parking count, with indication of parking lot landscape areas; and
- 9) Any minor modifications to adopted ZFP elements per Table 4-1 below.

Table 4-1: Minor Modifications Table		
Framework Plan Element	Extent of Minor Modification Permitted	Criteria
a. Area/boundary of a Character Zone	Area/boundary of a specific Character Zone may be adjusted no more or less than 30%.	<ul style="list-style-type: none"> i. Shall not eliminate any character zone ii. Modified area shall be contiguous with the corresponding character zone that is changed iii. Boundary modifications may be due to physical constraints on the property, or shifting of internal roadways or to better align with ownership boundaries.
b. Location of any Required Street	Location may be shifted no more than 150' in any direction	<ul style="list-style-type: none"> i. Shall maintain the connectivity intended by the Framework Plan ii. Shall maintain the continuation and/or connectivity with any existing streets or driveways where possible
c. Area of any Required Civic/Open Space	May be reduced by no more than 25%	<ul style="list-style-type: none"> i. Shall maintain the frontages required by the Framework Plan ii. Area may be adjusted to accommodate shifting of any new Required Streets or any required easements only

- c. Include a Street Classification Master Plan with associated with cross-sections and street classifications for the proposed Detail Plan area (or for each phase, if it is to be developed in phases) specifying right-of-way width, minimum pavement width, on-street parking, approximate location of street trees, bikeways and sidewalks (Appendix D, Institute of Transportation Engineers’ Designing Walkable Urban Thoroughfares manual or NACTO’s Urban Street Design Guide shall be used to guide the development of the proposed cross sections in lieu of the street standards in the GDC. See Definitions for complete citation).
- d. Include a report in the form of text, statistical information, tables, guidelines, and graphics that includes:

- 1) a statement of the purpose and intent of the proposed development consistent with the vision and ZFP for the MUC-PD District and its Character Zones;

- 2) a description of the mix of land uses and the factors which ensure compatibility both within the development site, with adjacent land uses, and compliance with the recommendations of all the adopted elements of the Comprehensive Plan;
- 3) any special standards for signage in the form of a Master Sign Plan application that provides a design palette addressing the location, size, type, lighting, colors, and materials for all signage in the proposed development unless meeting the Sign Regulations in Chapter 4, Article 5 of the GDC;
- 4) statistical information including:
 - a) gross acreage of the site, and net acreage of the site excluding jurisdictional wetlands, regulatory floodplains, and slopes over 20%;
 - b) the amount of land devoted to open space, both in acres and as a percentage of the gross acreage of the site;
 - c) the amount of land devoted to retail, office, industrial, residential, and civic uses;
 - d) a plan for pedestrian, bicycle, and vehicular circulation describing the general design capacity of the system as well as access points to any regional trail system;
 - e) a daily and peak hour trip generation and directional distribution report by use unless the Director of Transportation finds that the traffic to be generated by the proposed development does not warrant the preparation and submission of a study;
 - f) the maximum allowable building coverage and height; and
 - g) the minimum and maximum building setbacks.
- e. Development standards for the proposed development that meet Section VI.B of this PD and specifying standards for all the “flexible” elements by each Character Zone within the specific Detail Plan area in the form of a table (see Table 6-3 in Section VI for criteria and format);
- f. Compliance with frontage and housing mix and type standards in Section VI.A.4 for the specific Character Zones and locations to be included with the DP;
- g. Building design and general architectural design standards that meet Sections VI.A.8 and VI.A.9 of this PD for the proposed development specifying general materials and configurations permitted for facades, roofs, and openings;
- h. A landscape plan that includes the design direction and general for streetscapes and public/open spaces types; and
- i. A non-binding schedule for the entire development (or for each phase, if it is to be developed by phases), which shall show generally how the applicant will complete the project containing the following information:
 - 1) The proposed order of construction by section delineated on the Detail Plan;
 - 2) The proposed schedule for construction of improvements to open space areas; and

- 3) The proposed schedule for the installation of required public streets, utilities improvements and the dedication of public rights-of-way and/or easements.

D. Additional Requirements for Detail Plans and Minor Amendments to Approved Detail Plans:

1. Detail Plan Requirements: A Detail Plan shall be required for all development. Detail Plans within the MUC-PD District shall meet the submittal requirements for Detail Plans established under the Section 2.12 of the GDC. Additional information that adequately illustrates the detail plan's compliance with this PD and the applicable Detail Plan shall also be required. The process for approval of Detail Plans is established in Section IV.B.3 of this PD and within Chapter 2, Article 2, Division 2 of the GDC.
2. The Director of Planning may approve minor changes to a previously approved Detail Plans with the applicant's written justification for such changes. Any significant changes to and deviations from approved Detail Plans shall be regarded as an amendment to that particular plan and may be reviewed by the Director of Planning and processed per the standards established in this PD. The Director of Planning shall make the determination as to whether a proposed change is minor or significant, based upon consideration of the following facts:
 - i. whether the proposed change substantially alters the arrangement of component zones, buildings or changes the use of building space designated on the original plan;
 - ii. whether there is an increase of greater than 10% in the number of residential dwelling units beyond the threshold established in the approved DP;
 - iii. whether the proposed change substantially alters vehicular circulation or the placement/ arrangement of parking areas; or
 - iv. whether the proposed change will reduce or lessen the effectiveness of open space, landscape buffers, and edges.

V. Schedule of Uses

- A. No permit may be issued for a use that is not allowed by this MUC-PD.
- B. Use Categories: In order to regulate use, categories of uses have been established. Use categories provide a systematic basis for assigning land uses to appropriate categories with other, similar uses. Use categories classify land uses and activities based on common functional, product, or physical characteristics. Characteristics include the type and amount of activity, the hours of operation, the type of customers or residents, how goods or services are sold or delivered, likely impact on surrounding properties, and site conditions.
- C. Principal Uses: Allowed principal uses by MUC-PD District and Character Zones are listed in Table 5.1 Permitted Use Table. Principal uses are grouped into categories of uses (see Definitions for description of land use categories). The example uses listed are not an exhaustive list. The Director of Planning has the responsibility for categorizing all uses.
- D. Accessory Uses: The following standards shall apply to Accessory Uses:
 1. Unless otherwise expressly stated, accessory uses are permitted in conjunction with allowed principal uses. Accessory uses shall be accessory and customarily incidental and subordinate to a permitted principal use.

2. No accessory use may be established on a site prior to the establishment of a permitted principal use.
 3. The Director of Planning is authorized to determine when a structure or use meets the definition of an accessory use. In order to classify a structure or use as accessory, the Director of Planning must determine that the use:
 - i. Is subordinate to the principal use in terms of area, extent and purpose;
 - ii. Contributes to the comfort, convenience or necessity of occupants of the principal use served;
 - iii. Is located on the same lot as the principal structure or use, or on a contiguous lot in the same ownership;
 - iv. Does not involve operations not in keeping with the character of the principal use served; and
 - v. Is not of a nature likely to attract visitors in larger numbers than would normally be expected for the principal structure or use.
 4. Home Occupations: Standards in Section 2.61 of the GDC shall apply.
 5. Live-Work Uses and Structures: Live-Work uses and structures are permitted per Section V of this PD. A live-work structure is a mixed use building type with a dwelling unit that is also used for work purposes, provided that the 'work' component is (1) restricted to the uses of professional office, personal service, cottage industrial, artist's workshop, studio, or other similar uses, (2) is located on the street level and ground floors constructed to Commercial Ready standards, and (3) is constructed as separate units under a condominium regime or as a single unit. The 'live' component may be located on the street level (adjacent to the work component) or any other level of the building. Live-work dwelling is distinguished from a home occupation otherwise defined by this Section in that the "work" component is not required to be incidental and secondary to the "live" component. The business owner or a full-time employee may reside in the residential unit associated with the commercial use.
- E. Accessory Structures: All accessory structures shall be clearly subordinate to the principal structure on the lot. All accessory structures shall meet the applicable principal structure standards per the Character Zone unless alternative standards are proposed by the applicant and adopted as part of the DP approval.

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Table 5-1 Schedule of Uses

	EMU – Employment Mixed Use	RMU – Retail Mixed Use	MU-MR – Mixed Use – Mixed Residential	T – Transition	MR – Mixed Residential	Cross-Reference(s) for Special Standards
AGRICULTURE USES						
Farm, Ranch, Orchard						-
Feed Store						-
Stable, Commercial						-
Stable, Private						-
Stockyards, Livestock Auction, Livestock Hauling						-
RESIDENTIAL USES						
Accessory Dwellings:	-	-	-	-	-	-
Dwelling, Accessory – Guard/Manager/Caretaker					P	Sec. 2.58
Dwelling, Accessory – Guest House					P	Sec. 2.58
Dwelling, Accessory – Rental Unit					P	Sec. 2.58
Congregate Adult Living Facilities:	-	-	-	-	-	-
Rehabilitation Facility, In Home/Residential		S	S	S	S	-
Rehabilitation Facility, Institutionalized						-
Elder Care Facilities:	-	-	-	-	-	-
Elder Care – Assisted Living	S	S	S	S		Sec. 2.52(A)12
Elder Care – Continuing Care (combination)	S	S	S	S		Sec. 2.52(A)12

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	EMU – Employment Mixed Use	RMU - Retail Mixed Use	MU-MR - Mixed Use – Mixed Residential	T - Transition	MR – Mixed Residential	Cross-Reference(s) for Special Standards
Elder Care – Independent Living			P		p*	Sec. 2.52(A)12 P* = Permitted in duplex, triplex, quadplex, and single-family (attached and detached) building types only
Elder Care – Nursing/Convalescent Care	S	S	S	S		Sec. 2.52(A)12
Household Living Units:	-	-	-	-	-	-
Dwelling, Two-Family (duplex)			P	P	P	Sec. 2.38
Dwelling, Industrialized Housing Unit						Sec. 2.36
Dwelling, Manufactured/HUD-Code Home						-
Dwelling, Mobile Home						-
Dwelling, Multi-Family			P			Sec. 2.39 (see exception below) The GDC requirement for 2 swimming pools for MF Developments over 250 units may be reduced to 1 swimming pool in addition to any reduction of required Clubhouse area with the Planning Director’s approval through the Detail Plan process.
Dwelling, Live/Work	P	P	P	P		-
Dwelling, Single-Family Detached			P*		P*	Sec. 2.36 P* implies Section VI.A.4.i and Section VI.A.4.ii applies P implies only Section VI.A.4.i applies

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	EMU – Employment Mixed Use	RMU - Retail Mixed Use	MU-MR - Mixed Use – Mixed Residential	T - Transition	MR – Mixed Residential	Cross-Reference(s) for Special Standards
Dwelling, Single-Family Attached (Townhouse)		P	P	P	P	Sec. 2.37
Manufactured/Mobile Home Park or Subdivision						-
ACCESSORY & TEMPORARY USES						
Accessory Structure			P	P	P	Sec. 2.58
Convenience Facilities:	-	-	-	-	-	-
Drive-Through Service		S				Sec. 4.20 Standards in Section 7 of this PD also apply
Walk-Up Service	P	P	P	P		-
Fuel Pumps, Retail		S				Sec. 2.52(A)3 Standards in Section 7 of this PD also apply
Kiosks, Self-Service:	-	-	-	-	-	-
Automated Teller Machine (ATM) – Drive-Up	P	P	S	S		Sec. 2.52(A)7, Sec. 4.20
Automated Teller Machine (ATM) – Walk-Up	P	P	P	P		Sec. 2.52(A)7
Retail (ice, water, etc.)		S				Sec. 2.52(A)7, Sec. 4.20
Recycled Materials Collection						
Outside Display, New Materials		S				Sec. 2.52(A)14
Outside Display, Used Materials						
Outside Storage, New Materials		S				Sec. 2.52(A)14
Outside Storage, Used Materials						
Outside Storage Unit, Portable (POD)						
Seasonal Sales	*	*	*	*		Art. VIII, Ch. 30, City Code

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	EMU – Employment Mixed Use	RMU - Retail Mixed Use	MU-MR - Mixed Use – Mixed Residential	T - Transition	MR – Mixed Residential	Cross-Reference(s) for Special Standards
Shelter Tent						-
Shipping Container						Sec. 2.52(A)15, Art. XII, Ch. 30, City Code
Temporary Building/Office (field office, construction office, subdivision sales office, etc.)	*	*	*	*	*	Sec. 2.52(A)19
INSTITUTIONAL AND EDUCATIONAL						
College or University	P	P				-
Convention Facility	P	S	S			-
Day Care Facilities:	-	-	-	-	-	-
Day Care Center, Adult	S	P	S	S	S	Sec. 2.52(A)13
Day Care, Youth – Licensed Child-Care Center	P	P	S	S	S	Sec. 2.52(A)2
Day Care, Youth – Registered Child-Care Home			S	S	S	Sec. 2.61
Church or Place of Worship	P	P	P	P	P	-
Learning Center, Specialized	P	P	S	S		-
School, Business	P	P	P			-
School, Retail/Personal Services Training	P	P	P			-
School, Trade						-
School, Private, Religious or Charter			S	S	S	-
School, Public			P	P	P	-
Charitable Boarding						-
Garden, Charitable						-
Garden, Civic			P	P	P	-

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	EMU – Employment Mixed Use	RMU - Retail Mixed Use	MU-MR – Mixed Use – Mixed Residential	T - Transition	MR – Mixed Residential	Cross-Reference(s) for Special Standards
GOVERNMENT & HUMAN SERVICES USES						
Post Office	P	P	P	P		-
Social Service Facility/Agency		P	P	P		-
MEDICAL & HEALTH SERVICES USES						
Cemetery						
Hospital	S	S			-	
Medical and Dental Office/Clinic	P	P	P	P	-	-
Mortuary/Funeral Home						
RECREATIONAL, SOCIAL AND ENTERTAINMENT USES						
Athletic Events Facility, Indoor		P	P		-	-
Athletic Events Facility, Outdoor						
Athletic Field, Stadium, Arena	S	S				
Civic Club/Fraternal Lodge		P	P	S		
Commercial Amusement, Indoor		P	S			
Commercial Amusement, Outdoor						
Commercial Amusement, Indoor		P	S		-	-
Commercial Amusement, Outdoor						-
Cultural Facility	P	P	P	P		-

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	EMU – Employment Mixed Use	RMU - Retail Mixed Use	MU-MR - Mixed Use – Mixed Residential	T - Transition	MR – Mixed Residential	Cross-Reference(s) for Special Standards
Day Camp, Private						-
Dry Boat Storage						-
Equestrian Camp, Private						-
Golf Course/Country Club						-
Health & Fitness Gym (indoor)	P	P	P	P		-
Marina						-
Public Amusement, Temporary	*	*	*	*		Art. VIII, Ch. 30, City Code.
Racing Track						-
Reception Facility		S				Sec. 2.52(A)20
Recreational Vehicle Park (short-term stays only)						-
Shooting Range, Indoor						-
Shooting Range, Outdoor						-
Theater, Large Scale		P				-
Theater, Small Scale	S	P	P			-
Zoo						-
OFFICE, RETAIL & SERVICE USES						
Alternative Financial Establishment						-
Antique Shop (indoors only)		P	P	P		-
Bait Sales, Live						-
Bakery, Retail	P	P	P	P		-

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	EMU – Employment Mixed Use	RMU - Retail Mixed Use	MU-MR - Mixed Use – Mixed Residential	T - Transition	MR – Mixed Residential	Cross-Reference(s) for Special Standards
Bed and Breakfast						Sec. 2.52(A)11
Business & Media Service	P	P	P	P		-
Call Center	P	P	P			-
Commercial Blood, Plasma, Tissue and Cell Collection Center						Sec. 2.52(A)26
Convenience Store (1,000-5,000sf)	P	P	P	S		Sec. 2.52(A)1
Financial Institution	P	P	P	P		Sec. 4.20
Flea Market, Indoor						-
Flea Market, Outdoor						-
Furniture, Household Furnishings and Appliance Sales/Rental		P	P			-
Grocery/Supermarket (>5,000sf)	S	P	P			-
Home Improvement Center (>50,000sf)		S				-
Hotel/Motel, Extended Stay	S	S	S			Sec. 2.52(A)11
Hotel/Motel, Full Service	P	P	P			Sec. 2.52(A)11
Hotel/Motel, Limited Service	S	S	S			Sec. 2.52(A)11
Indoor Shopping Mall						-
Kiosk, Trailer or Mini-Structure (attended):	-	-	-	-	-	-
Retail/Service	S	P	P			Sec. 2.52(A)7, Sec. 4.20
Recycled Materials Collection						

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	EMU – Employment Mixed Use	RMU - Retail Mixed Use	MU-MR - Mixed Use – Mixed Residential	T - Transition	MR – Mixed Residential	Cross-Reference(s) for Special Standards
Landscape Nursery (retail)		S				-
Landscape Nursery/Tree Farm (wholesale)						Sec. 2.52(A)17
Laundry, Drop-Off (with drive-through or window)	S	P	S			Sec. 4.20
Laundry, Drop-Off (without drive-through or window)	P	P	P	P		-
Laundry, Self-Serve (Laundromat)						-
Office, General	P	P	P	P		-
Pawn Shop						-
Personal Services	P	P	P	P		-
Pet Store (indoors only)	P	P	P			-
Pharmacy (with drive-through or window)	S	P	S			Sec. 4.20
Pharmacy (without drive-through or window)	P	P	P	P		-
Produce Stand/Outdoor Farmers Market		P	P	S		-
Restaurant (No Drive-Through)	P	P	P	P		-
Restaurant, Drive-Through		P	S			Sec. 4.20
Retail Store	P	P	P	P		-
Sexually Oriented Business						-
Smoke Shop						-
Studio, Arts/Crafts	P	P	P	P		-

P

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	EMU – Employment Mixed Use	RMU - Retail Mixed Use	MU-MR - Mixed Use – Mixed Residential	T - Transition	MR – Mixed Residential	Cross-Reference(s) for Special Standards
Studio, Fitness or Performing Arts	P	P	P	P		-
Tattooing/Body Piercing Establishment						Sec. 2.52(A)6
Used Goods, Retail Sales (Indoors)		S				-
COMMERCIAL USES						
Bakery, Commercial						-
Building/Garden Materials Sales & Storage (wholesale)						Sec. 2.52(A)23
Bulk Material Sales & Storage (retail or wholesale)						Sec. 2.52(A)18
Contractor’s Office/Storage Yard (outdoor storage)						Sec. 2.52(A)24
Contractor’s Office/Warehouse (indoors only)						-
Custom Products Manufacturing	P					-
Equipment Leasing/Rental, Indoor						-
Equipment Leasing/Rental, Outdoor						Sec. 2.52(A)25
Feed/Grain Mill						-
Furniture and Appliance Cleaning/Repair						-
Garden, Commercial						-
Laundry Plant, Commercial						-
Meat and Game Processing						-
Pet Care/Play Facility (indoor)	P	P	P	P		Sec. 2.52(A)9

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	EMU – Employment Mixed Use	RMU - Retail Mixed Use	MU-MR - Mixed Use – Mixed Residential	T - Transition	MR – Mixed Residential	Cross-Reference(s) for Special Standards
Pet Care/Play Facility (outdoor)						Sec. 2.52(A)9
Portable Building Sales/Leasing						-
Printing/Publishing House		S	S			-
Recording Studio/Media Production	P	P	P			-
Recycling Collection Center (no outdoor storage)						Sec. 2.52(A)8
Recycling Salvage Yard (unlimited outdoor storage)						Sec. 2.52(A)8
Self-Storage Facility (mini-warehouse)		S				Sec. 2.52(A)16
Small Engine/Lawn Equipment Rental & Repair (indoors)						-
Taxidermist						-
Vehicle Dispatch & Storage						-
Veterinary Clinic, Large Animal (outdoor pens)						-
Veterinary Clinic, Small Animal (indoors only)	P	P	P	P		-
Veterinary Clinic, Small Animal (outdoor kennels, runs)						-
MOTOR VEHICLE & RELATED USES						
Automobile Leasing/Rental						-
Automobile Repair, Major						
Automobile Repair, Minor						
Automobile Sales, New or Used						-

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	EMU – Employment Mixed Use	RMU - Retail Mixed Use	MU-MR - Mixed Use – Mixed Residential	T - Transition	MR – Mixed Residential	Cross-Reference(s) for Special Standards
Boat Sales, Leasing & Repair (outdoor storage)						
Car Wash, Automated/Rollover						
Car Wash, Full-Service/Detail		S				
Car Wash, Self-Service/Wand						
Impoundment Lot (commercial/private)						-
Motorcycle/ATV Sales, Leasing & Repair (new and used – indoors only)						-
Parking Lot or Garage, Commercial	P	P	P			-
Personal Watercraft Sales, Leasing & Repair (new and used)						-
Recreational Vehicle/Trailer Sales, Leasing & Repair						-
Salvage Yard, Automotive						-
Travel Center						-
Truck/Bus Repair						-
Truck/Bus Sales & Leasing/Rental						-
Truck/Bus Storage						-
Truck/Bus Wash						-
Wrecker/Towing Service						-
TRANSPORTATION USES						
Airport/Heliport						-

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	EMU – Employment Mixed Use	RMU - Retail Mixed Use	MU-MR - Mixed Use – Mixed Residential	T - Transition	MR – Mixed Residential	Cross-Reference(s) for Special Standards
Bus Stop	P	P	P	P		-
Helipad	S					-
Motor Freight Terminal/Railroad Switching Yard						-
Transit Station, Public	P	P	P			-
Transportation Depot, Passenger (commercial)						
Transportation Terminal, Passenger (commercial)						-
INDUSTRIAL USES						
Animal Feed Processing & Storage						-
Batching Plant						-
Batching Plant, Temporary	P	P	P	P	P	-
Data Center	P	P	P			Design standards in Section VI.A.10 shall apply
Distribution Center, Large (indoors only)						-
Distribution Center, Small (indoors only)	S					-
Food Processing & Storage						-
Gas or Petroleum Drilling or Pipeline						
Heavy Machinery Sales, Rental, Storage & Repair						-
High Risk Use						-

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	EMU – Employment Mixed Use	RMU - Retail Mixed Use	MU-MR - Mixed Use – Mixed Residential	T - Transition	MR – Mixed Residential	Cross-Reference(s) for Special Standards
Industrial or Manufacturing, Heavy						-
Industrial or Manufacturing, Light						-
Laboratory, Analytical or Research (indoor)	P					-
Leather & Allied Products Manufacturing						-
Mining/Mineral Extraction						-
Warehouse, Office/Showroom (indoors only)	S					-
UTILITY & SERVICE USES						
Antenna, Commercial	*	*	*	*	*	Div. 5, Art. 5, Ch. 2
Antenna, Private	*	*	*	*	*	Div. 5, Div. 6, Art. 5, Ch. 2
Electric Generating Plant						-
Electric Substation	S	S	S			-
Gas Regulating Station						-
Telecommunications Switching Station	S	S				-
Wind Energy Conversion System	S	S	S	S	S	Div. 7, Art. 5, Ch.2

VI. Development Standards: This section shall establish the overarching development standards for walkable, mixed-use development within the MUC-PD and all its Character Zones. Standards in this Section shall be applied during the development of a Detail Plan. Some standards apply to all the Character Zones within the MUC-PD District and other standards are specific to specific Character Zones.

A. General to the MUC-PD:

1. Intent: Standards in this PD are intended to facilitate the development of market responsive and pedestrian-friendly environments while discouraging monotonous and single use projects. To this end, design and development standards are intended to be tailored to create such an environment based on market-driven projects over a long- term development horizon. In order to provide flexibility in use and design with prescription of performance standards for specific building form outcomes, applicable development standards for each Character Zone shall be established through the Detail Plan for each proposed development.
2. Requirements for Site Development Standards by Character Zone: At the time of Detail Plan application, each applicant shall establish specific Site Development Standards for each Character Zone included in the Detail Plan area. These standards shall be based on Section VI.A and the criteria in the Site Development Standards Table 6-3 and shall be developed at the time of Detail Plan by the applicant.
3. General Layout Principles: All Detail Plans shall meet the following general principles:
 - i. Buildings and urban design shall contribute to the physical definition of Thoroughfares as Civic places.
 - ii. Development shall adequately accommodate automobiles while providing supportive design and programs/incentives to increase the use of other modes of transportation and respecting the spatial form of public areas.
 - iii. Buildings shall provide their inhabitants with a clear sense of geography and climate through energy efficient methods.
 - iv. Civic Buildings and public gathering places shall be provided as locations that reinforce community identity.
 - v. The plan should anticipate a harmonious and orderly evolution of the district based on market changes and reinvestment over time.
4. Frontage and Housing Mix Standards: In order to ensure that the PD implements the community's vision for a regional mixed use center with supporting mix of retail and mixed residential uses while providing for short term development opportunities that can be appropriately transitioned into higher intensity non-residential uses, Special Frontage and Housing Mix Standards are established in this MUC-PD District.
 - i. Frontage Standards: This section establishes the Frontage Standards for development within the primarily commercial zones of Employment Mixed Use, Retail Mixed Use, and Transition Zones and along certain street frontages as established in the ZFP.
 - a. Retail Mixed Use Zone (see Appendix A – Zoning Framework Plan for location of this requirement):
 - 1) Required Ground Floor Commercial Uses (see definition) along PGBT frontage road:
 - i. West of Campbell Road shall be within 250' deep as measured from the PGBT frontage road.
 - ii. East of Campbell Road shall be 300' deep as measured from the PGBT frontage road
 - 2) No ground floor residential permitted within the area designated for Ground Floor Commercial uses.

- 3) Upper floor residential allowed anywhere within this zone.
 - 4) No limitation on surface parking along the PGBT frontage. Along Campbell Road frontage, surface parking shall be limited to no more than one double loaded aisle of parking (parallel, angled, or head-in).
- b. Employment Mixed Use Zone (applies to the blocks on both sides of Lookout Drive west of Telecom Drive and EMU area south of Lookout Drive and east of Telecom Drive; see Appendix A – Zoning Framework Plan for location of this requirement):
- 1) Required Ground Floor Commercial Uses for the entire zone.
 - 2) No ground floor residential uses permitted.
 - 3) Upper floor residential allowed anywhere within this zone with structured parking only.
 - 4) No limitation on surface parking along the PGBT frontage. Along Lookout Road and Telecom Road frontage, surface parking shall be limited to no more than one double loaded aisle of parking (parallel, angled, or head-in).
- c. The following standards shall apply to frontages designated as “Special Frontage” along Lookout Road and Campbell Road (regardless of the specific character zone):
- 1) For ground floor commercial and commercial ready uses (w/ upper floor residential uses) the following frontage standards shall apply–
 - No more than one double loaded aisle of parking (parallel, angled, or head-in) shall be permitted between the building and the street.
 - Any such parking shall be screened along the sidewalk/street frontage to maintain a well-defined pedestrian edge with street trees and connections to building entrances.
 - Street intersections shall be anchored by building front façade design that turns the corner
 - No large parking lots at street intersections (beyond the one double-loaded aisle) and
 - Special façade design, articulation standards, 12’ min. ground floor height, shall apply (see Section VI.A.8).
 - 2) For ground floor residential uses, including SF and townhomes (attached or detached-- by no more than 5 feet) the following frontage standards shall apply (note: SF detached residential uses more than 5’ shall not be permitted with direct frontage along Campbell and Lookout Road)–
 - No off-street parking permitted between the building fronts and street along Campbell Road/Lookout Road.
 - All off-street parking in the rear (tuck-under, parking structure, or surface parking);
 - Parking shall be set behind buildings along Campbell and Lookout Roads;
 - Ground floor building height min of 12’ finished floor to finished floor;
 - No blank walls or opaque residential fences (open fences allowed - wrought iron, picket, and similar fences not taller than 3’).
 - Fronts of residential buildings to address the street (stoops, patios, porches, bay windows, doors, etc.).

- No large parking lots at street intersections (beyond the one double-loaded aisle) or anchor street intersections with building facades that turn the corner.
- Street trees and sidewalks required.
- Minimum façade design, articulation shall apply for residential building types (see Section VI.A.8).
- Landscaped and divided entry roadways into the neighborhood are permitted along Campbell and Lookout Roads

ii. Housing Mix and Type Standards: Table 6-1 establishes the different categories of Housing Types and Table 6-2 establishes the minimum mix of housing types for each Detail Plan within the predominantly residential Character Zones of Mixed Use- Mixed Residential and Mixed Residential Zones.

Table 6-1 Housing Type Standards

Category/ Common Name		Lot Widths (min. – max.)	Garage or Primary Parking Location
Category 1	Type 1A	70' +	Any
	Type 1B	60' – 69'	Any
	Type 1C	50' – 59'	Any
Category 2	Type 2A	40' – 49'	Side or Rear
	Type 2B	25' – 39'	Side or Rear
Category 3	Type 3A on pedestrian mews, court, green, eyebrow, square, or other similar public space	40' – 49'	Rear
	Type 3B on pedestrian mews, court, green, eyebrow, square, or other similar public space	25' – 39'	Rear
	Multi-unit home	no min or max	Rear
	Townhome or Single Family Detached (if separated by 3' or less)	20' – 35'	Rear/tuck under
Category 4	Multi-family Residential	60' – no max	Rear/tuck under

Table 6-2 Housing Mix Requirements

Character Zone	Housing Mix Required	Notes
Mixed Use – Mixed Residential Zone	Minimum of 1 from Category 3 and minimum of 1 from either Category 2 or Category 4	Minimum number of units in each category included in each Detail Plan shall be either one block face or 10 units (whichever is less)
Mixed Residential	Minimum of 1 from Category 1 and minimum of 1 from either Category 2 or Category 3	Minimum number of units in each category included in each Detail Plan shall be either one block face or 10 lots (whichever is less)

5. Street Design Standards: Street cross sections in Appendix D, ITE's Designing Walkable Urban Thoroughfares manual or NACTO's Urban Street Design Guide shall be used to develop the streets within the MUC-PD. Generally, they shall:
 - i. Create a localized grid of pedestrian and vehicular travel ways.
 - ii. Be designed to create a pleasant walking environment with on-street parking and streetscape treatments.
 - iii. Discourage the use of cul-de-sacs unless natural features such as topography, floodplains or stream corridors, or practical site layout constraints make a street connection impractical or inefficient. In such cases, a trail or pedestrian pathway shall be utilized where a street cannot be constructed due to natural constraints or drainage elements. When such pedestrian pathways or trails are used as block edges, they shall be limited to no more than two edges of a block and the pathway or pedestrian facility shall be a minimum of 8' in width. They shall provide connectivity to adjoining neighborhoods or shopping and shall be within public access easements. Such block faces may be considered as Type A frontages only if they meet the building frontage requirement in that character zone along that block face.
 - iv. Blocks may be square, elongated or irregular. Block shape and size should respond to topography, existing vegetation, hydrology, and design intentions.
 - v. Average blocks widths shall be between 400 feet and 600 feet. Blocks should vary in size based on the Sample Illustrative Plans and character zone standards.
 - vi. Blocks that are longer than 1,000 feet should be bisected by a walking path, paseo or other similar pedestrian cut-through.
 - vii. Blocks may be bounded by streets or drainage features.
 - viii. Appendix D shall establish the cross section standards for the different street types in the MUC-PD.
 - ix. The Detail Plan shall establish the Type "A" and Type "B" development frontage designations per the character zone standards within the Development Standards Table 6-3 of this PD.
 - x. Porte-cochers may be used along Type "A" frontages but shall maintain the pedestrian streetscape along the edge of the street within minimal encroachments of driveways and with the utilization of street walls along the sidewalk/street frontage to help define the pedestrian and public realms.

6. Open Space Standards: The provision of adequate and appropriate open space areas shall be integral to all development in MUC-PD. The minimum requirement for open space in the district is 10% of the gross area of the site which shall be based on the locations identified in the Zoning Framework Plan (if any) and dedicated as open space in the Detail Plan. The design of open spaces within the development shall be integrated with the design of stormwater improvements. However, no more than 50% of any required open space shall be used solely for stormwater improvements such as retention ponds and creeks. The remaining 50% of the open space may be utilized for stormwater improvements only if amenitized and designed to also be usable open space per the criteria below. In addition to the following standards for the design, location, and orientation of open space, site specific standards shall also apply based on the Character Zone context:

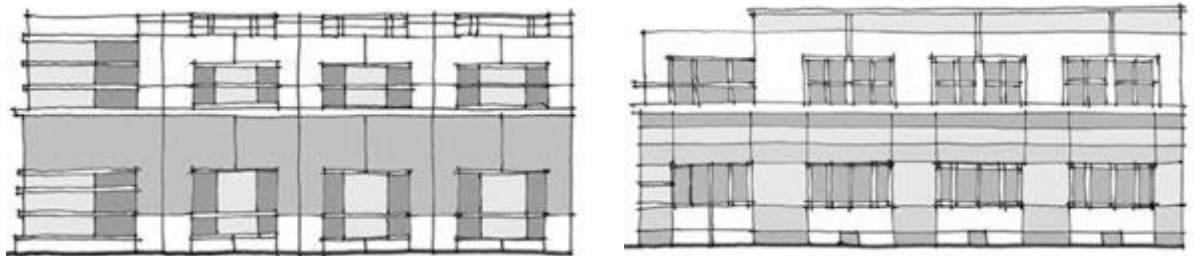
- i. The open space provided shall be appropriately distributed, designed and scaled in each of the character zones.
 - ii. The following criteria shall be used to evaluate the merits of proposed open spaces in the MUC-PD Detail Plan:
 - a. The extent to which environmental elements preserved are considered as “features” or “focal points” and integrated into and prominently featured as “front yards” in the development; adding value to the development;
 - b. The extent to which emphasis has been placed on preservation of existing wooded areas, view sheds, water bodies, topography, and stream corridors in a natural and contiguous state;
 - c. The extent to which pedestrian connectivity in the form of sidewalks, natural walking paths along stream and creek corridors has been accommodated; and
 - d. The extent to which a range of open spaces have been provided to be contiguous with existing open spaces and to invite passive recreational uses from plazas and squares to playgrounds, parks and environmental preserves, appropriately organized within the respective component zone.
 - iii. Open spaces may be in the form of plazas, pocket parks, children’s play areas, squares, linear greens, parks, and environmental preserves as outlined within Section 7.21 (Table 2.9.1) of the GDC. Active sports fields and structured recreational activities shall be limited to less than 10% of any required open space located in any character zone.
 - iv. Plazas and squares shall be permitted only in the Employment Mixed Use, Retail Mixed Use, and Mixed Use-Mixed Residential character zones. A plaza which is intended to serve as open space may be located at a street intersection or a focal point and shall generally be small in scale (under ¼ acre in size). A square which is intended to serve as open space may also be located at a street intersection or as a focal point of a development.
7. Special Designations: The following Special Designations are optional (unless required per Section VI.A.4 and Section VI.A.5), but if used, shall be designated on the Detail Plan:
- i. Mandatory and/or Recommended Commercial Ready/Active Edge Requirement: Shall be designated frontages requiring active ground floor uses for a minimum depth of 30’ (no residential units, lodging rooms, parking (except as permitted in Section VI.A.4), or service uses permitted) and with the ground floor façade being no less than 60% glazed (VT higher than 0.6). Such frontage designations are permitted in the following character zones: Employment Mixed Use, Retail Mixed Use, Mixed Use-Mixed Residential, and Transition.
 - ii. Designations for Mandatory and/or Recommended Gallery or Colonnade Frontage: requiring or advising that a building provide a permanent cover over the sidewalk, either cantilevered or supported by columns. The Gallery or Colonnade Frontage designation may be combined with a Commercial Ready or Commercial Required Frontage designation.

8. **Building Design Standards:** Building design standards shall be established at the time of the Detail Plan and shall be based on the following standards and criteria.
- i. **Building Orientation:**
 - a. **Primary Façade Orientation:** For EMU and MU-MR Character Zones, primary building facades for all non-residential and mixed use buildings shall be oriented towards a Type “A” frontage designation or toward a focal point such as a landscaped street, plaza, similar formal open space or an environmental feature (which shall be considered as a Type “A” frontage as long as a sidewalk or trail is located along that frontage and links the buildings to the open space/environmental feature). For Mixed Residential at least 50% of the lots shall be oriented to a Type “A” frontage designation or toward a focal point such as a landscaped street, plaza, similar formal open space or an environmental feature (which shall be considered as a Type “A” frontage as long as a sidewalk or trail is located along that frontage and links the buildings to the open space/environmental feature). For MU-MR Category 3 lots, at least 50% of the lots shall be oriented to a Type “A” frontage designation or toward a focal point such as a landscaped street, plaza, similar formal open space or an environmental feature (which shall be considered as a Type “A” frontage as long as a sidewalk or trail is located along that frontage and links the buildings to the open space/environmental feature).
 - b. **Building Frontage:** Lots and blocks along Type “A” frontages shall establish a minimum standard for building frontage per the Development Standards Table for each character zone. Lots and blocks along Type “B” frontages need not specify a minimum building frontage requirement. (see illustration in the Definitions section on how building frontage is to be calculated).
 - c. **Building Setbacks and Build-to Zones:** Buildings shall be built at or close to the sidewalk along Type “A” frontages to better define the pedestrian realm. Any off-street surface parking along Type “A” frontages shall be minimized, be located in the middle of the block, and screened by a minimum 3’ high vegetative screen. The specific minimum and maximum building setbacks shall be established by the applicant at the time of Detail Plan application per the criteria Development Standards Table for each character zone.
 - ii. **Building Façade Standards:**
 - a. Primary facades along Type “A” frontages shall contain the main entrance of any principal building located along that street.
 - b. All principal buildings located on a Type “A” frontage shall also have doors, windows, and other architectural features facing that street/frontage. Non-residential or mixed use corner buildings shall have at least one customer entrance facing each street or a corner entrance instead of two entrances.
 - c. The minimum ground floor height as measured from the finished sidewalk to the bottom of the second floor structural member for all Required and/or Recommended Commercial Ready frontages shall be 12 feet.
 - d. The ground floor elevation of all residential buildings along a designated Type “A” frontage (attached, detached, and stacked) located less than 10’ from the front property line or sidewalk shall be raised a minimum of 18” above the

finished level of the public sidewalk/trail in front of the residential structures. This standard does not apply to frontages where Commercial Ready ground floors are required.

- e. All development shall provide ground floor windows on the building façade facing and adjacent to a street (with the exception of alleys) or facing onto a park, plaza, or other civic space. The required area of windows and doors on each street façade along a Type “A” frontage, park, square, green, plaza, or other civic space as a percentage of that façade shall be established by the applicant at the time of Detail Plan based on the character zone criteria. The required minimum area of windows and doors on all other street facades (Type “B” frontages with the exception of alleys) may be reduced by 20% of the corresponding requirement along a Type “A” frontage façade. Darkly tinted windows and mirrored windows that block two-way visibility shall not be permitted along ground floor facades along Type “A” frontages.
9. Architectural Design Standards: To ensure compatibility of building types and to relate new buildings to the building traditions of the region, architectural design shall be regulated, governed, and enforced through architectural design standards proposed by the applicant at the time of Detail Plan. The applicant shall submit the proposed standards as a part of the Detail Plan application for all development in the proposed Detail Plan. The architectural design standards shall comply with Chapter 4, Article 6 of the GDC as the basis and may be varied as necessary. The Director of Planning shall review the proposed standards for compliance with this section and the GDC and shall be a part of the approval of the Detail Plan. Architectural design standards for any proposed development in the MUC-PD shall:
- i. specify the materials and configurations permitted for walls, roofs, openings, street furniture, and other elements;
 - ii. be based on traditional/historical building precedents from the region;
 - iii. include the following:
 - a. architectural compatibility among structures within the different building types included in the different character zones;
 - b. human scale design;
 - c. pedestrian use of the entire PD;
 - d. relationship to the street, to surrounding buildings, and appropriate transitions to adjoining land uses (including existing neighborhoods); and
 - e. special architectural treatment of gateways/civic buildings.
 - iv. All building frontages along public and private streets (with the exception of alleys) shall break any flat, monolithic facades by including architectural elements such as bay windows, recessed entrances, or other articulations so as to provide pedestrian interest along the street level façade including discernible and architecturally appropriate features such as, but not limited to, porches, cornices, bases, fenestration, fluted masonry, bays, recesses, arcades, display windows, unique entry areas, plazas, courts, or other treatments to create visual interest, community character, and promote a sense of pedestrian scale.
 - v. All buildings in the MUC-PD character zones shall be constructed with exterior building materials and finishes of a quality to convey an impression of permanence and durability. Materials such as masonry (stone, brick, 3-step stucco) and similar durable architectural materials are allowed as primary building materials and shall be approved with a Detail Plan.

- vi. Non-residential buildings and sites shall be organized to group the utilitarian functions away from the public view of any street (with the exception of alleys). Delivery and loading operations, HVAC equipment, trash compacting and collection, and other utility and service functions shall be incorporated into the overall design of the buildings and landscaping. The visual and acoustic impacts of all mechanical, electrical, and communications equipment (ground and roof-mounted) shall not be visible from adjacent properties and public streets, and screening materials and landscape screens shall be architecturally compatible with and similar to the building materials of the principal structures on the lot.
10. Design Standards for Data Centers: The following standards shall apply to any street facing facades of data centers in the MUC-PD. If data centers are located along Campbell Road or Lookout Drive, then the Special Frontage standards in Section VI.A.4.i.c shall supersede the standards below.
- i. Flat, blank walls shall not be allowed. If no windows and doors are provided along street facing façades, a minimum of one of the following treatments shall be required:
 - a. Color and textured panels to imitate the look of windows;
 - b. Horizontal or vertical articulations of the building façade; or
 - c. Changes in color, texture, or materials to provide horizontal and/or vertical rhythms



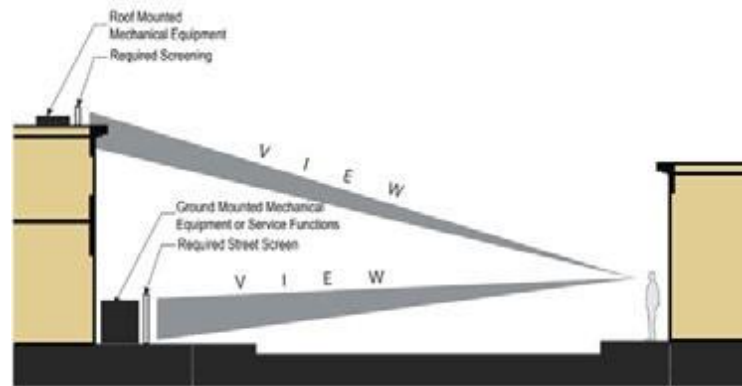
Desired street façade treatment for Data Centers

- ii. Any screening wall or security fence along a street shall meet the following standards:
 - a. Screening walls shall not be completely opaque.
 - b. They may be transparent or semi-opaque with architectural metal, wrought iron, galvanized steel or similar material or a combination of masonry columns and wrought iron with landscaping.
 - c. Screening walls along sidewalks shall be set back a minimum of 3' to allow for landscaping.
 - d. Screening wall height shall not exceed 10'
 - e. To the extent possible, any frontage of such screening walls shall be minimized along Type "A" streets.
 - f. To the extent possible, any frontage of such screening walls shall be minimized along Type "A" streets.



Images of desired screening/security fence design for data centers

- iii. In cases where a building may have to be setback more than the maximum setback allowed along a particular street for security or functional purposes, a screening wall or fence may be established within the build-to zone to provide for street wall definition. In such cases, the building shall be exempt from any maximum setback requirement in that character zone.
- iv. Any roof or ground mounted mechanical equipment shall be screened from view as shown in the illustration below. Design of such screening shall be architecturally integrated with the design of the building and use the same material as the primary façade material of the building.



Required screening of roof and ground mounted mechanical equipment

- v. In lieu of the above standards, the applicant may provide and request approval of alternative design standards for building facades and screening fences along street frontages. Such requests shall be reviewed by the Director of Planning and approved if the alternative standards submitted provide the same or greater level of design treatment as it relates to the street and adjoining neighborhood context and meets the intent of the standards in this section.

11. Location and Design of Parking and Service Areas: The number of off-street parking spaces provided shall be as set forth within Section 2.51 of the GDC unless the applicant provides alternative standards for the quantity of off-street parking proposed (both automobile and bicycle parking) for the MUC-PD character zones based on an analysis of the parking demand and a transportation management study for the mix of uses proposed and availability of on-street parking in the PD at the time of Detail Plan application. The Detail Plan shall establish the parking standards based on documented parking demand and transportation management study provided by the applicant. The standards set forth in the GDC shall be used if the applicant does not specifically provide alternative standards. Every effort should be made to incorporate shared parking as outlined within Chapter 4, Article 2 of the GDC. In addition, the location of surface parking on individual lots shall be regulated as follows:
- i. Except as described in Section VI.A.4, surface parking lots for non-residential uses shall be located at the side or rear of a building. Specifically, the frontage of off-street surface parking lots shall be minimized along Type “A” frontage designations. If located adjacent to a Type “B” frontage or a residential use, screening shall be provided in the form of a landscaped/vegetative or combination fence which is at least 3 feet in height.
 - ii. A surface parking lot may not be adjacent to a street intersection with a Type “A” frontage or civic space such as a plaza or square, or occupy a lot that terminates a street vista.
 - iii. Shared parking facilities are encouraged for uses in the Employment Mixed Use, Retail Mixed Use, Mixed Use-Mixed Residential, and Transition character zones.
 - iv. Bicycle parking shall be provided for non-residential uses, multi-family uses, and especially for schools, parks, trails, and other recreational facilities. Bicycle parking shall be provided at a rate of 2.5% of all off-street automobile parking spaces provided for all non-single-family residential uses (attached and detached) unless an alternative standard is established in conjunction with a parking study for specific Detail Plan. Bicycle parking may be shared between uses and should be centrally located, easily accessible, covered/protected from the elements, lit at night, and visible from streets or parking lots. They may be located between the roadway and the building facades as long as their location does not impede pedestrian walkways.
 - v. Any off-street parking provided for residential uses shall be located in such a manner as to minimize the impact of garages and driveways along the residential street. All residential lots that are 49 feet or less in width shall have off-street parking and/or garages accessed from alleys. All lots 50’ or wider may have front loaded garages, but in no case shall the width of the garage exceed 50% of the front façade width of the entire building. In addition, the garage shall be set back at least five (5) feet from the front façade of the home and at least twenty (20) feet from the front property line. J-swing garages may be permitted if they meet the standards above on lots 50’ or wider. Shared driveways on adjoining lots are permitted on lots 50’ or wider.

- vi. Front facing garage doors must employ at least four (4) architectural elements which may include balconies or other decorative overhangs above doors, columns flanking doors, decorative banding or moldings, multiple panel door designs or other architectural detailing with larger decorative brackets, windows/openings on garage doors, arches, decorative vent covers on gable just above garage, or sconce lighting flanking the garage doors.
12. Design of Automobile Related Site Elements (Drive-Throughs, service bays, etc.)
- i. Drive-through lanes, drive up windows, service bays, and other auto-related site elements shall not be located along or be visible from any Type “A” Frontages.
 - ii. Along Type “B” Frontages, no more than 60% of the lot’s frontage along a Type “B” Frontage shall be dedicated to auto-related site elements such as driveways, surface parking lots, or drive through/service bays).
 - iii. Drive-through lanes shall be hidden behind a screening device (min. 3’ in height) along the Type “B” frontage. There shall be no limit to the number or frontage of drive-through lanes located along alleys or internal driveways.
 - iv. All off-street loading, unloading, and trash pick-up areas shall be located along alleys only. Such uses may be located along Type “B” Frontages only if the lot has no access to an alley. Any off-street loading, unloading, or trash pick-up areas shall be screened in accordance with Section VI.A.10.
 - v. Driveways shall be located along Type “B” Frontages unless the site has no access to a Type “B” Frontage or alley. Two lane driveway widths shall be a maximum of 24’ unless providing service access in which case they shall be no wider than 30’. Three lane driveways shall have maximum width of 36 feet and may only be located off Type “B” frontages or alleys. Driveways shall maintain a continuous and level sidewalk across the curb cut. Driveway spacing shall be per the GDC or as approved by the Director of Transportation. Driveways along PGBT access road are under the purview of Texas Department of Transportation (TxDOT) and shall meet TxDOT standards.
 - vi. Driveways and streets shall meet the city’s sight distance standards in the GDC.

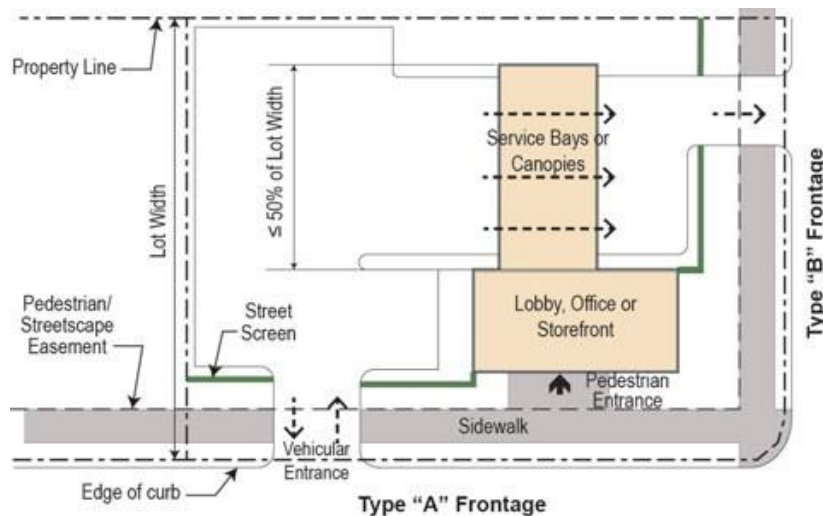


Image showing appropriate design of auto-related site elements

13. Design of Parking Structures

- i. All frontages of parking structures located on Type “A” frontages shall be lined by active edges or commercial ready frontages on the ground floor to a minimum depth of 30 feet.
- ii. Parking structure facades on all public streets (except alleys) shall be designed with both vertical (façade rhythm of 20’ – 30’) and horizontal (aligning with horizontal elements in the block) articulation.
- iii. All above-grade parking structures shall be designed with a distinguishable first floor, upper façades and roofs. Parking garage first floors shall be designed at human scale with pedestrian-scale elements such as awnings, canopies, window breaks and door openings. Above-grade parking garages may be designed using decorative metal elements such as ornate meshes, screens and the like, but shall not be allowed to have non-decorative steel guard cables that are visible to the public or to adjacent properties.
- iv. Where above ground structured parking is located at the perimeter of a building, it shall be screened in such a way that the majority of cars on all parking levels are not visible from adjacent buildings or a Type “A” street. Parking garage ramps shall, generally, be oriented so they are not visible from any Type “A” street. Ramps shall not be located along the perimeter of the parking structure with frontage along a Type “A” designation. Architectural screens shall be used to articulate the façade, screen parked vehicles, and shield car bumpers and headlights.



Images showing appropriate design of parking structures



14. Landscaping Standards

- i. The purpose of landscaping in the MUC-PD is to enhance pedestrian and open space areas, to help delineate active areas from passive areas, to provide a screening buffer between pedestrians and vehicular circulation, utility functions, and incompatible adjacent developments.
- ii. The applicant shall submit a landscape plan in conjunction with the Detail Plan application. The landscape plan establishes the design direction and general schematics for all proposed landscaping including all major aspects of the public realm such as street trees, plant/tree palette, streetscape treatments, pavement treatments, front yards, and medians; proposals for required parking lot landscaping, screening, design for all open spaces, and lighting.
- iii. Proposed landscaping shall meet the following standards:
 - a. Be pedestrian oriented.
 - b. Designed in such a way to not create a security or physical hazard to pedestrians, bicyclists or motorists.
 - c. Enhance or complement the architectural design of the mixed-use development.
 - d. Provide visual interest year-round. Utilize water conservation methods and drought tolerant planting where possible.
 - e. Shall be provided between parking lots and all adjacent sidewalks.
 - f. Meet the standards for Installation and Maintenance in the GDC Section 4.32.
 - g. Propose a plant/tree palette that mostly includes indigenous species. (Plant list in Section 4.48 of the GDC shall be used for the vegetation palette)

B. Site Development Standards by Character Zone

Standards in the MUC-PD are intended to facilitate the development of unique and pedestrian-friendly environments within the different character zones. To this end, design and development standards are intended to be tailored to create such an environment. In order to provide flexibility in use with prescription of the building form, some development standards for each Detail Plan in the PD shall be established via the Detail Plan consistent with the requirements in this PD.

The following standards shall apply to development in the MUC-PD. Most standards have a numerical range and few have a specific numerical value. Due to the inapplicability of one development standard across all character zones and to encourage a diversity of development proposals, the developer shall propose the standards indicated as “Flexible” or “Permitted/Flexible” on the following table (Table 6-3) for the proposed development at the time of Detail Plan application submittal. But the proposed standards shall be based on the Zoning Framework Plan and standards in this PD.

SH 190 FBC Zoning District					
TABLE 6-3: DEVELOPMENT STANDARDS TABLE					
Character Zone Development Standard	Employment Mixed Use	Retail Mixed use	Mixed Use – Mixed Residential	Transition	Mixed Residential
1.0 Building and Site Standards					
a. Principal Building Height*	No maximum	No maximum	10 stories or 65' by right	5 stories or 40' (maximum)	3 stories or 40' (maximum)
* Building height shall be measured in number of stories. Habitable attics and mezzanines shall be excluded from the height calculation as long as they do not exceed 50% of the floor area of a typical floor in the same building. Height Compatibility Zone Along Holford Road (applies to all character zones): All development within 200 feet of Holford Road (as measured from the western edge of Holford Road ROW) shall be limited to no more than 3 stories. (see Zoning Framework Plan for location)					
b. Setbacks and build-to zones**	Note about measuring setbacks: In cases where the ROW is established at or behind the curb line of streets, setbacks shall be measured from the edge of the pedestrian easement or parkway /streetscape zone or utility easement closest to the building face along that street.				
Front – Type “A” frontages [^]	Min. setback = Flexible; Max. setback = 25'	Min. setback = 5' - 15'; Max. setback = 25'	Min. setback = 5' - 20'; Max. setback = 30'	Min. setback = 5' - 20'; Max. setback = 30'	Min. setback = 5' - 20'; Max. setback = 40'
Front – SH 190	Min. setback = 20'; Max. setback = Flexible	Min. setback = 20'; Max. setback = Flexible			
Type “B” Frontage	Min. setback = 5'; Max. setback = Flexible	Min. setback = 5'; Max. setback = Flexible	Min. setback = 10'; Max. setback = Flexible	Min. setback = 10'; Max. setback = Flexible	Min. setback = 10'; Max. setback = Flexible
Side	Flexible	Flexible	Flexible	Flexible	Flexible
Rear	Flexible	Flexible	Flexible	Flexible	Flexible
**Minimum and/or maximum setback standards shall be proposed by the applicant for each character zone based on the above criteria and Development Standards established in this PD. **Specific standards for curvilinear streets may be proposed. [^] Maximum setbacks along Type “A” frontages that are along improved public space (park, plaza or other civic feature) between the street/sidewalk and building face may exceed the standards established in this table.					
c. Minimum Building Frontage [€]					
Type “A” Frontages	60%	60%	60%	60%	60%
All other Frontages	None required	None required	None required	None required	None required
[€] Corner building facades at street intersections shall be built to the build-to-zone for a minimum of 30' from the corner along both streets or the width of the corner lot, whichever is less. This standard shall apply to any street intersection with a Type “A” Development Frontage designation (even if the cross street has a Type “B” Frontage designation).					
d. Accessory buildings	Permitted/Flexible	Permitted/Flexible	Permitted/Flexible	Permitted/Flexible	Permitted/Flexible
Standards for accessory uses and structures shall be provided by the applicant. The standards shall result in accessory buildings being subordinate in size and scale to the principal building. Standards in Division 4, Article 5, Chapter 2 of the GDC shall apply if the applicant does not specifically provide regulations for accessory uses and structures.					
e. Principal building orientation	Buildings shall be oriented to a Type “A” frontage or toward another focal point such as a park, plaza, square, other open space or environmental feature.				
f. Building façade & architectural design standards	The applicant shall propose appropriate building façade and architectural design standards for all the character zones in the development with the application for Detail Plan. They shall be based on the criteria established in this PD.				
2. Block and Lot Standards					

SH 190 FBC Zoning District					
TABLE 6-3: DEVELOPMENT STANDARDS TABLE					
Character Zone Development Standard	Employment Mixed Use	Retail Mixed use	Mixed Use – Mixed Residential	Transition	Mixed Residential
a. Block Type	Regular (square or rectangular) Irregular blocks may be permitted only if natural topography, existing roadways, and/or vegetation prevents a rectilinear grid			Regular or irregular (square, rectangular, or curvilinear based on topography, existing roadways and vegetation)	
b. Block Perimeter	Max. block perimeter = 2,500	Max. block perimeter = 3,000'	Max. block perimeter = 3,000' (unless limited by unique site conditions such as topography and vegetation)	Max. block perimeter = 2,000' (unless limited by unique site conditions such as topography and vegetation)	Max. block perimeter = 2,000' (unless limited by unique site conditions such as topography and vegetation)
c. Type "A" Development Frontage (Frontages along civic/open spaces shall be considered Type "A" development frontage)#	Minimum of 25% of all new block frontages to be designated as Type "A" Development Frontage	Minimum of 25% of all new block frontages to be designated as Type "A" Development Frontage	Minimum of 50% of all new block frontages to be designated as Type "A" Development Frontage	Minimum of 25% of all new block frontages to be designated as Type "A" Development Frontage	Minimum of 50% of all new block frontages to be designated as Type "A" Development Frontage
d. Lot Area	Flexible	Flexible	Flexible	Flexible	Flexible
e. Lot Width and Depth	Flexible	Flexible	Flexible	Flexible	Flexible
f. Minimum Lot Mix. Required	No	No	Yes (To be established to get a mix of residential building types)	No	Yes (To be established to get a mix of residential building types)
g. Maximum Lot Coverage	Flexible	Flexible	Flexible	Flexible	Flexible
# Blocks w/ more than 40% frontage along PGBT and Campbell need not meet minimum Type "A" block designation standards so long as they provide the following (i) continuous pedestrian path/trails on the major non-PGBT block faces at least 8 feet in width and shaded by trees; (ii) improved pedestrian crossings at all intersections from adjoining blocks even if private service drives; and (iii) utilize at least 5% of the 10% open space requirement for improved pedestrian gathering spaces connected through a continuous walkable environment to any adjoining development within the MUC-PD.					
3. Street Design Standards (This standard applies to all new streets, public and private, located in the SH 190 FBC Zoning District)					
Street design standards in the SH190 EC-PD shall be based upon creating a safe and inviting walking environment through an interconnected network of roads with sidewalks, street trees, street furniture, and amenities. Cul-de-sacs are prohibited unless natural features such as topography or stream corridors prevent a street connection. The right-of-way widths for streets in the SH 190 FBC shall be based on the palette of street types established in Appendix D. They are based on the ITE's Designing Walkable Urban Thoroughfares manual and NACTO's Urban Street Guide. They may be adjusted based on the specific Detail Plan with the approval of the City Engineer. Bicycle facility widths may be modified based on the City's adopted Master Thoroughfare Plan standards.					
a. Design speed	≤30 mph	< 25 mph	< 25 mph	< 25 mph	< 25 mph
b. Street types allowed	i. Boulevards: 4-lane divided) ii. Avenues: 3-lane divided iii. Main streets iv. Residential streets: 2-lane undivided v. Commercial Alleys	i. Boulevards: 4-lane divided) ii. Avenues: 3-lane divided iii. Main streets iv. Residential streets: 2-lane undivided v. Commercial Alleys	i. Boulevards: 4-lane divided) ii. Avenues: 3-lane divided iii. Residential streets: 2-lane undivided iv. Commercial and Residential Alleys	i. Boulevards: 4-lane divided) ii. Avenues: 3-lane divided iii. Residential streets: 2-lane undivided iv. Residential Alleys	i. Boulevards: 4-lane divided) ii. Avenues: 3-lane divided iii. Residential streets: 2-lane undivided Residential Alleys
c. Travel lane widths	Appendix D, ITE's Designing Walkable Urban Thoroughfares manual or NACTO's Urban Street Design Guide shall guide the development of street design standards and shall be established as part of the DP with the approval of the City Engineer.				
d. Turning radii					
e. On-street Parking (along all internal streets except alleys) <ul style="list-style-type: none"> • Parallel 	Permitted	Permitted	Permitted	Permitted	Permitted

SH 190 FBC Zoning District					
TABLE 6-3: DEVELOPMENT STANDARDS TABLE					
Character Zone Development Standard	Employment Mixed Use	Retail Mixed use	Mixed Use – Mixed Residential	Transition	Mixed Residential
• Angled (head-in or reverse angled).	Permitted	Permitted	Permitted	Permitted	Permitted
• Head in perpendicular	Not permitted	Not permitted	Not permitted	Not permitted	Not permitted
f. Parking lane width					
• Parallel	8 feet	8 feet	8 feet	8 feet	8 feet
• Angled	18-20 feet	18-20 feet	18-20 feet	18-20 feet	18-20 feet
g. Alleys*	Permitted/Flexible	Permitted/Flexible	Permitted/Flexible	Permitted/Flexible	Permitted/Flexible
4. Streetscape Standards					
a. Sidewalks/Trails/ Walkways	10 feet (min. along Type “A” Frontages) 6 feet (minimum along all other streets except alleys)	6 feet (minimum)	6 feet (minimum)	6 feet (minimum)	5 feet (minimum)
b. Planter/Planting Strip Type	Required - Tree wells or Planters	Required - Tree wells or Planters	Required - Tree wells or Planters	Required - Tree wells or Planters	Required - Planters
c. Planter/Planting Strip width	6 feet (min.) wide tree well or planting strip	6 feet (min.) wide tree well or planting strip	6 feet (min.) wide tree well or planting strip	6 feet (min.) wide tree well or planting strip	6 feet (min.) wide planting strip
d. Street trees	Required/Flexible	Required/Flexible	Required/Flexible	Required/Flexible	Required/Flexible
The applicant shall submit a proposed street tree planting plan, including a tree palette and spacing as a part of the Landscape Plan, which shall be reviewed as part of the Detail Plan and must be approved at time of Detail Plan. The requirements for the landscape plan are outlined in Section VI.A.14 of this PD.					
5. Open/Civic Space Standards					
a. Open/Civic Space	Required/Flexible Squares and plazas are appropriate	Required/Flexible Squares and plazas are appropriate	Required/Flexible, Squares and greens are appropriate	Required/Flexible, Squares and greens are appropriate	Required/Flexible, Squares and greens are appropriate
*Overall open/civic space allocations in the MUC-PD shall be a minimum of 10% of the gross area of the entire site included in the Detail Plan and shall be distributed appropriately between the character zones. The location and design of appropriate open spaces shall be based on Section VI.A.6 of this PD.					
6. Parking & Screening Standards					
a. Off-street parking	The number of off-street parking spaces provided shall be as set forth within Section 2.51 of the GDC. The applicant may provide alternative standards for the quantity of off-street parking proposed (both automobile and bicycle parking) for the MUC-PD character zones based on an analysis of the parking demand and a transportation management study for the mix of uses proposed and availability of on-street parking in the PD at the time of DP application. The PD shall regulate the location and design of all proposed off-street parking including any structured parking proposed per Section VI.A.12 and VI.A.13.				
Parking standards in the FBC Zoning District are intended to be flexible due to the mixed use nature, shared parking opportunities, and availability of on-street parking.					
b. Off-street loading	Section 4.22 of the GDC applies unless alternative standards are provided				N/A

* Alleys shall be required for all residential development with lots 50 feet or less in width.

SH 190 FBC Zoning District					
TABLE 6-3: DEVELOPMENT STANDARDS TABLE					
Character Zone Development Standard	Employment Mixed Use	Retail Mixed use	Mixed Use – Mixed Residential	Transition	Mixed Residential
c. Screening 1. Trash/recycling receptacles	Required/Flexible	Required for non-residential uses Flexible for residential uses (along alleys if alleys are provided)	Required for non-residential uses Flexible for residential uses (along alleys if alleys are provided)	Required for non-residential uses Flexible for residential uses (along alleys if alleys are provided)	Flexible for residential uses (along alleys if alleys are provided)
2. Other utility equipment	See Sec. VI.A.11				
3. Loading spaces	Screening required for non-residential uses. Section 4.41 and Section 4.42 of the GDC applies for non-residential uses only unless alternative standards are provided				
4. Surface parking areas	Required/Flexible (Standards in Section 4.35 and Section 4.44 of the GDC shall apply to any surface parking located along any public street with the exception of alleys unless the applicant proposes alternative screening standards at the time of Detail Plan.)				
7. Landscape and Streetscape					
a. Landscaping# 1. Landscape buffer between surface parking and sidewalks/trails and streets (except alleys)	Required/Flexible	Required only for non-residential uses	Required only for non-residential uses	Required only for non-residential uses	N/A
2. Parking lot minimum interior landscaping	Flexible	Flexible	Flexible	Flexible	N/A
<i>#The applicant shall provide a landscape plan with the Detail Plan application that identifies landscape themes and general design approach addressing street tree planting, streetscape treatments, any required screening, parking lot landscaping, and landscaping proposed in all the identified open space areas. Information provided at the Detail Plan phase may be schematic meeting the design intent of the proposed development. Detailed landscaping plans shall be required at the site plan stage for all non-residential development. The requirements for the landscape plan are outlined in Section VI.A.14 of this Code.</i>					
b. Lighting 1. Street Lighting 2. Building entrances 3. Parking areas, trails, and streets	Required/Flexible (As a part of the Detail Plan application, the applicant shall propose lighting standards that includes street light standards and other amenities as a part of the streetscape treatment plan. The landscape plan may be combined with a plan for lighting.)				
8. Signs					
Flexible (Flexible signage in the SH 190 MUC-PD may be proposed by the applicant and approved by the Plan Commission as part of the Detail Plan application or as a separate Master Sign Plan. Signage in the SH 190 MUC-PD shall integrate the streetscape and architectural design of the district through a palette of signs that enhance the pedestrian environment and create a unique identity. If no standards are proposed by the applicant, standards in Chapter 4, Article 5 of the GDC shall apply.)					
9. Stormwater Drainage: Detention of storm water runoff is only required for drainage areas abutting the Spring Creek Forest Preserve Ecological Boundary an approximately 450 to 550-foot wide strip of property north of the SH 190 service road between Campbell and Holford Roads and / or when the development generates a runoff greater than the downstream storm sewer system is designed for.					

VII. Definitions

Many terms used in this Section are defined in GDC. Definitions are only included here if not defined in Chapter 6 of the GDC, or if the definition for this PD differs from Chapter 6 of the GDC. In case of a conflict between the definitions under this Section and the GDC, the definitions in this section shall supersede.

Block Perimeter

Is the sum total of all block face dimensions circumscribed by public or private streets and pedestrian facilities with public access easements per the requirements in this PD.

Build-to Zone (BTZ)

Is the area between the minimum and maximum front setbacks from the edge of the pedestrian easement closest to the building facade. The principal building façade line shall be located within this area.

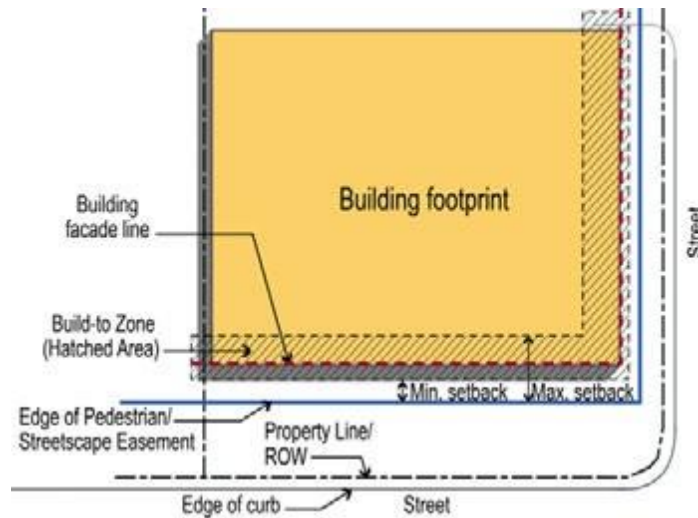
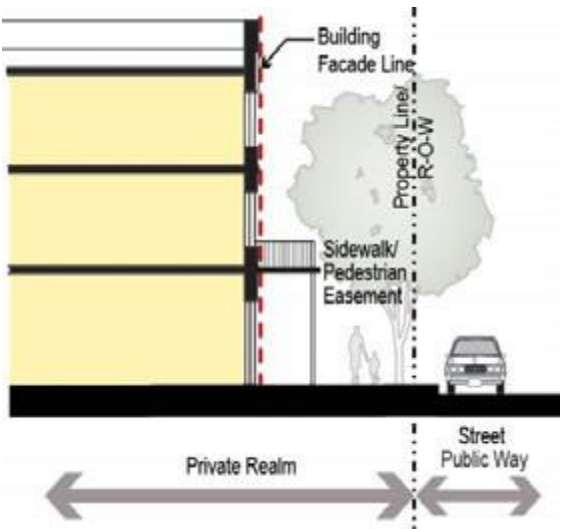


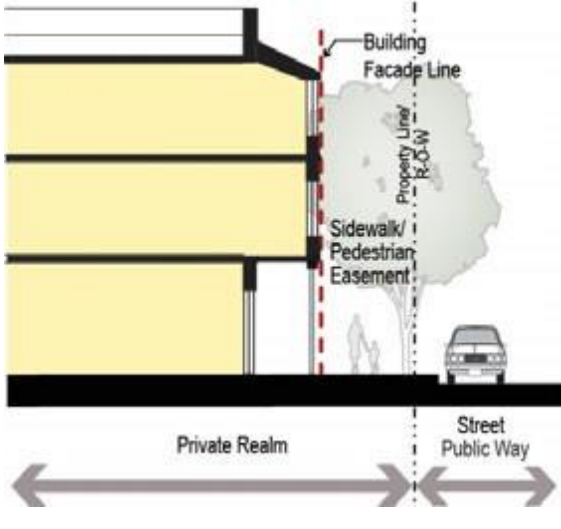
Illustration indicating the location of the build-to zone relative to the minimum and maximum setbacks and the building façade line

Building Façade Line

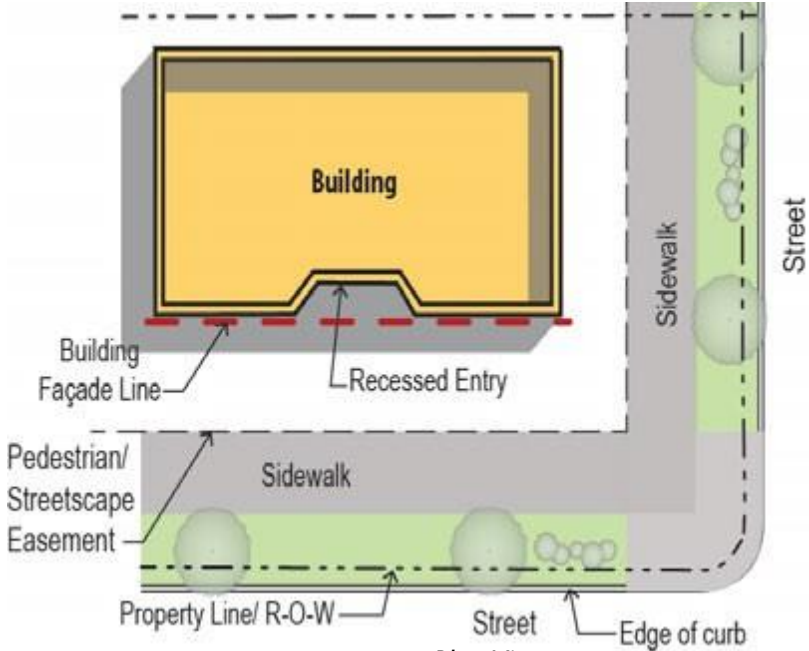
Is the location of the vertical plane of a building along a street frontage.



Section View – Gallery Building



Section View – Arcade Building



Plan View
Building Façade Line Illustrations

Building Frontage

Is the percentage of a building's façade line that is required to be located within the Build-to Zone (BTZ) as a proportion of the lot's width along the fronting public street. Required driveways, stairs to access entrances, parks, plazas, squares, improved forecourts, and pedestrian breezeway frontages shall count towards the required building frontage.

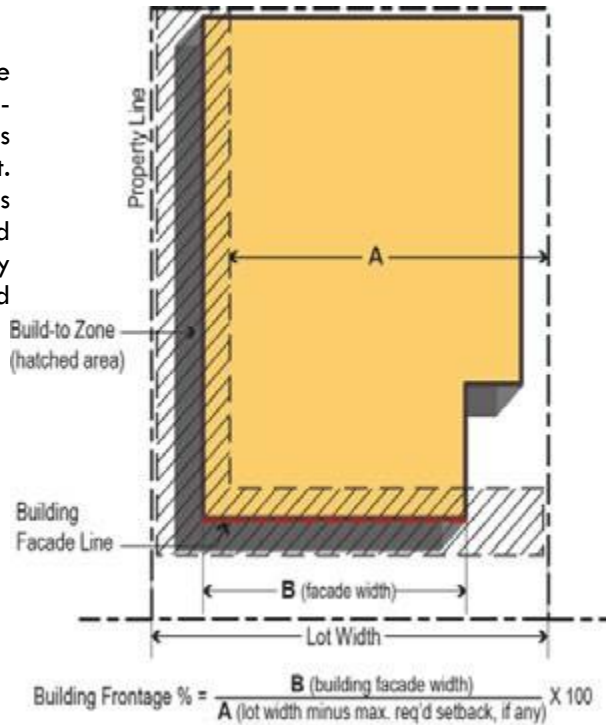


Image showing Building Frontage calculation

Building Step-back

Building step-back is the setting back of the building façade line away from the street at a specific floor or height.

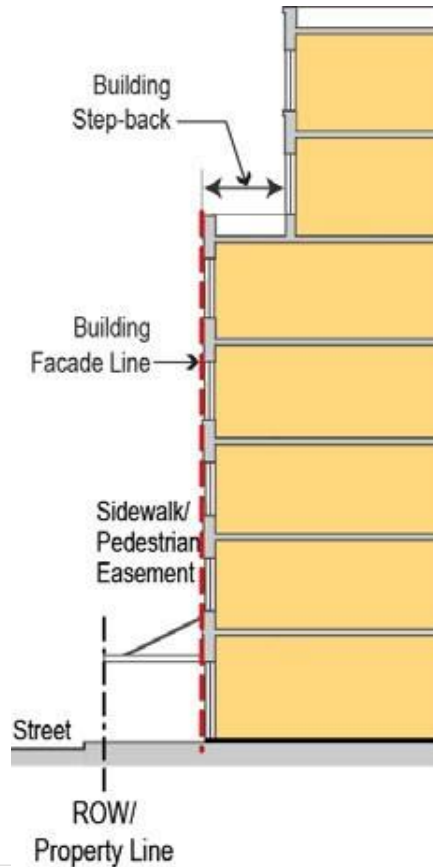


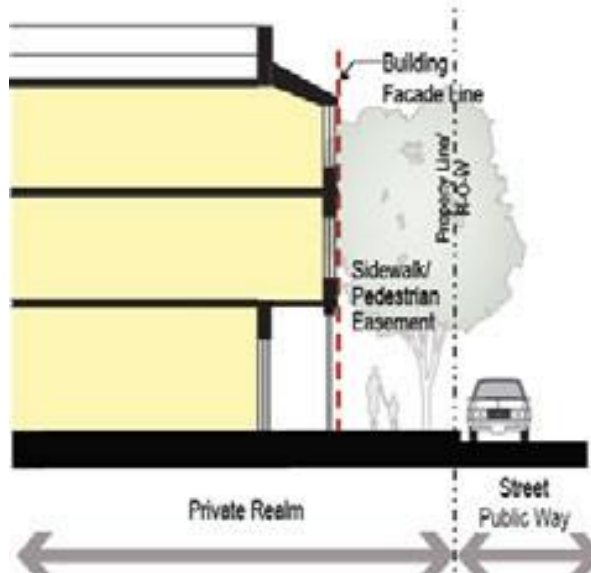
Illustration of a Building Step-back

Colonnade

Is a portion of the main façade of the building that is at or near the property line and a colonnade supports the upper floors of the building. Colonnades are intended for buildings with ground floor commercial or retail uses. The ground floor area within the colonnade may be conditioned or non-conditioned space.



Images of colonnade buildings



Images of colonnade buildings

Character Zone

Means an area within any SH 190 MUC-PD District that is intended to preserve and/or create an urban form that is distinct from other areas. Arrangement and allocation of the Character Zones are in the Zoning Framework Plan.

Commercial Use or Mixed Use Building

Means a building in which at least the ground floor of the building is built to Commercial Ready standards and any of the floors are occupied by non-residential or residential uses.

Commercial Ready or Commercial Required

Means a ground floor space constructed with appropriate building orientation, entrance and window treatment and floor-to-floor height in order to accommodate ground floor retail/commercial uses (including but not limited to commercial, retail, restaurant, entertainment, and lobbies for civic, OR hotel, or multi-family uses). Standards for Commercial Ready or Active Edge frontages are to be established based on the requirements of this PD. Prior to the issuance of a certificate of occupancy for a retail/commercial use in a Commercial Ready space, the space must comply with all building and construction Sections for commercial uses. The intent of Commercial Ready or Commercial Required space is to provide the flexibility of occupying a space in accordance with market demand and allowing the use in such space to change to retail/commercial uses accordingly.

Comprehensive Plan:

Is Envision Garland, the City of Garland’s comprehensive framework for informed decision making and establishes the blueprint for the long-term growth and development of the City.

Data Center:

Is a facility used to house computer systems and associated components, such as telecommunications and storage systems. It generally includes redundant or backup power supplies, redundant data communications connections, environmental controls (e.g., air conditioning, fire suppression) and various security devices.

Director of Planning

Shall be the City of Garland Director of Planning or his/her designee.

Dwelling, Single-Family Attached (Townhouse)

One of a group of no less than three nor more than six attached dwelling units, separated from each other by fire-rated walls in compliance with the City’s building codes or separated from each other by no more than 5 feet. Each dwelling unit occupies its own separately platted lot and may be two or more stories in height. Does not include Dwelling, Multi-Family or Dwelling, Single-Family Detached.

Encroachment

Means any structural or non-structural element such as a sign, awning, canopy, terrace, or balcony that breaks the plane of a vertical or horizontal regulatory limit, extending into a setback, into the public right-of-way, or above a height limit.

Façade Area

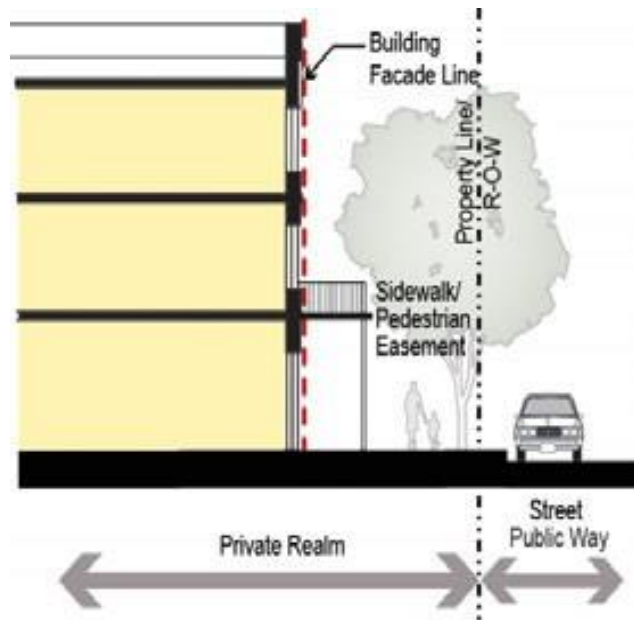
Means the surface area of a building’s elevation (including all floors) not counting minor indentations fronting a particular street. Ground floor façade area is the surface area of a building’s ground floor elevation not counting minor indentations fronting a particular street. Upper floor façade area is the surface area of a building’s upper floor elevations not counting minor indentations fronting a particular street.

Frontage Designation

As identified on the approved Detail Plan, future streets in the SH 190 MUC-PD Districts are designated as Type “A” or Type “B”. Each frontage designation establishes a certain development context in order to improve walkability and pedestrian orientation within the district.

Gallery

Is a roofed promenade or canopy, especially one extending along the wall of a building and supported by arches or columns on the outer side. The gallery space is unenclosed (non-conditioned) space and may be 2 or more stories tall.



Images of Galleries

ITE's Designing Walkable Urban Thoroughfares Manual

Daisa, James M., *Designing walkable urban thoroughfares: a context sensitive approach.*
Washington, DC: Institute of Transportation Engineers. (most recent edition)

Live-Work Unit

Means a dwelling unit that is also used for work purposes, provided that the 'work' component is restricted to the uses of professional office, artist's workshop, studio, or other similar uses and is located on the street level and constructed as separate units under a condominium regime or as a single unit. The 'live' component may be located on the street level (behind the work component) or any other level of the building. Live-work unit is distinguished from a home occupation otherwise defined by the TDS in that the work use is not required to be incidental to the dwelling unit, non-resident employees may be present on the premises and customers may be served on site.

Minor Amendments

Means a requested amendment to an approved plan (DP) per Table 4-1. The Director of Planning shall have the authority to approve or approve with conditions or deny a minor amendment to an approved plan.

Multi-Unit home

Means a Residential building containing between 2 and 6 units either as leasable units or individually owned. Architecturally, multi-unit homes are designed to appear similar to single-family homes with only one or two primary entrances per street frontage. Additional entrances are permitted along other non-street facing facades.

NACTO's Urban Street Design Guide

Urban Street Design Guide. New York City: National Association of City Transportation Officials. (most recent edition)

Open Space

Is publicly accessible open space in the form of parks, courtyards, forecourts, plazas, greens, playgrounds, squares, etc. provided to meet the standards in of this PD. Open space may be privately or publicly owned and/or maintained.

Primary Entrance

Means the public entrance located along the front of a building facing a street or sidewalk and provides access from the public sidewalk to the building. It is different from a secondary entrance which may be located at the side or rear of a building providing private controlled access into the building from a sidewalk, parking or service area.

Residential Use Building

Means a building that is built to accommodate only residential uses on all floors of the building such as a detached single family home, attached single family home (i.e. townhome), two family home (i.e. duplex), multiple family (3 or more), apartment building (under single ownership or under multiple owners within a condominium regime).

Sample Illustrative Plan

Is to provide guidance on how to translate the Zoning Framework Plan into a Detail Plan that establishes the details required to develop under this PD including, but not limited to, the allocation of component zones, layout of streets and open spaces, and mix and intensity of uses. These Sample Illustrative Plans will then be the basis to create final Detail Plan by property owners/developers at the time of new development.

Service-related site functions

Means all uses that support the principal use on the site including parking access, garbage/trash collection, utility meters and equipment, loading/unloading areas, and similar uses.

Street Screen

Is a freestanding wall or living fence or combination fence built along the frontage line or in line with the building façade along the street. It may mask a parking lot or a loading/service area from view or provide privacy to a side yard and/or strengthen the spatial definition of the public realm.



Image of a combination masonry and living street screen

Street Wall

Indicates the creation of a “wall” or a sense of enclosure along the street with buildings placed immediately adjacent to the street/sidewalk. A street wall has a “void” if there is a surface parking lot or service area adjacent to the sidewalk/street.

Type “A” Frontage

Means the block frontages identified as such on the adopted Detail Plan. Type “A” frontages are the primary pedestrian frontages and buildings along Type “A” frontages shall be held to the highest standard of pedestrian-oriented design. If Type “A” frontages are facing Type “B” frontages along the same street, the Type “B” frontages shall utilize enhanced streetscaping and/or landscaping to complement the streetscaping or landscaping utilized by the facing Type “A” Frontage including the screening of surface parking lots along the Type “B” Frontage in order to minimize the interruption to the quality of pedestrian experience along such frontage.

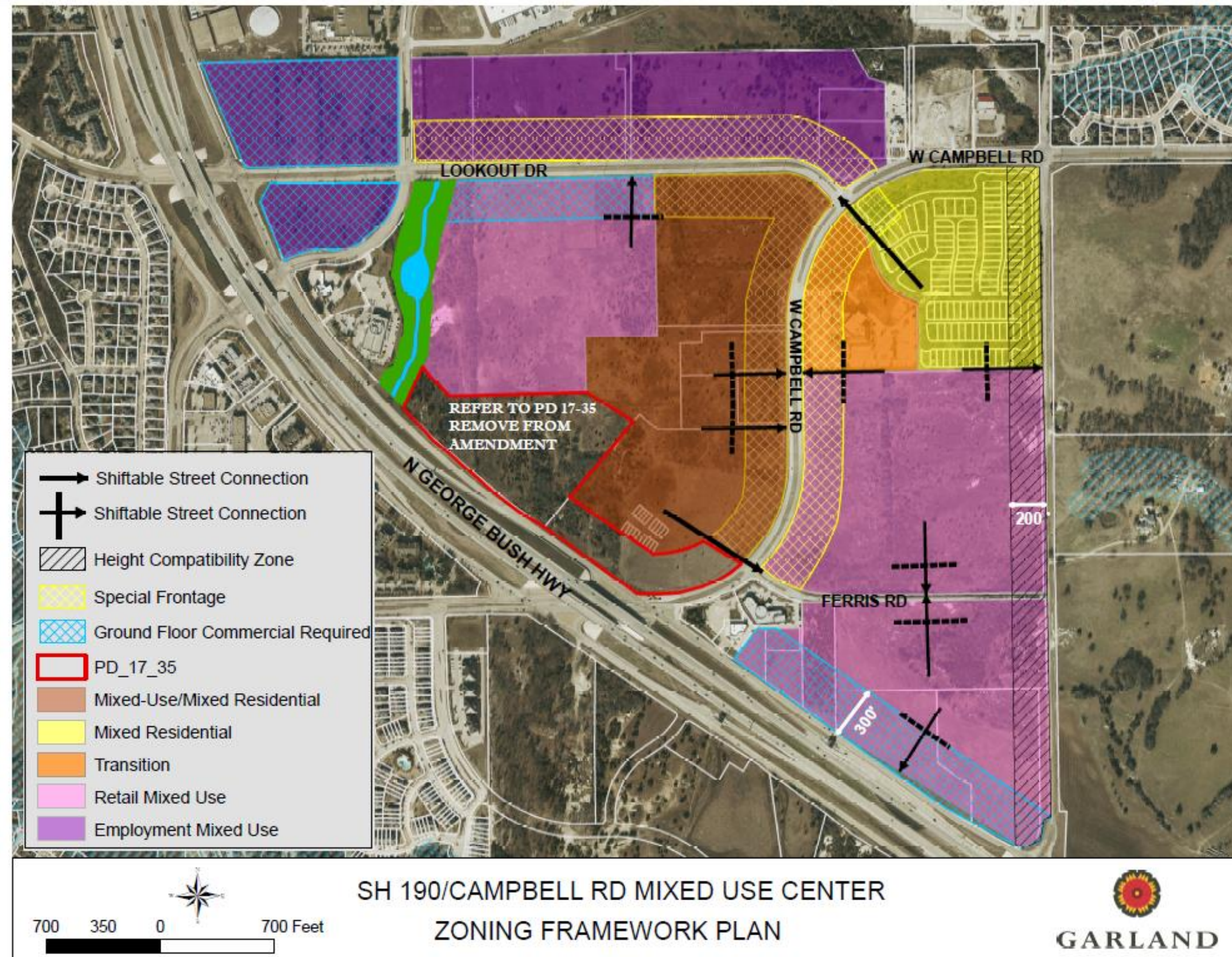
Type “B” Frontage

Means the block frontages identified as such on the adopted Detail Plan. Type “B” frontages are intended to primarily accommodate access to parking, service, utility, and other auto-related functions. See above requirement when Type “B” Frontages are located facing Type “A” Frontages along the same street

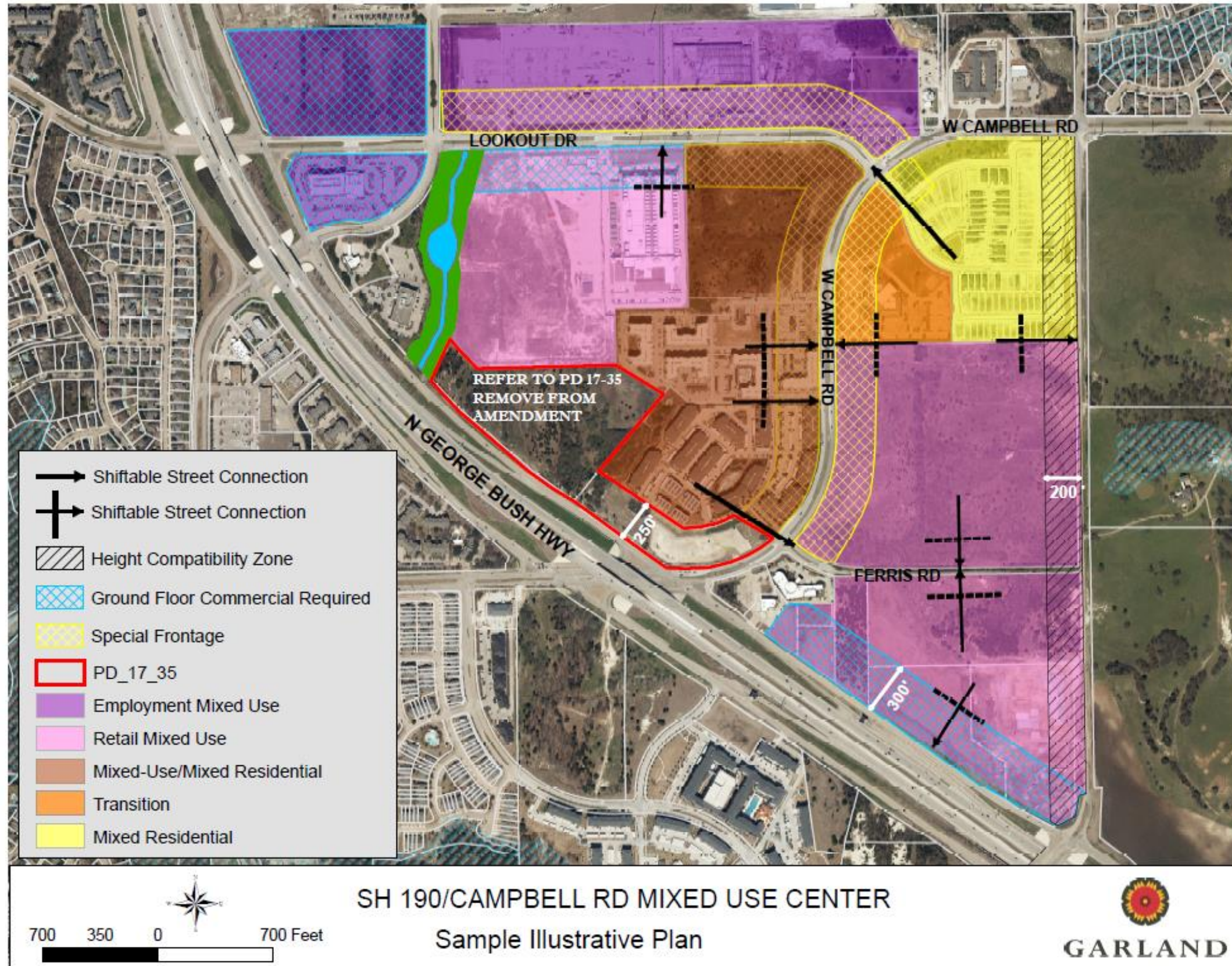
Zoning Framework Plan

Shall be the Zoning Map for the SH 190 MUC-PD which shall establish the boundaries of the different character zones, major roadway network, and open space locations.

Appendix A
Zoning Framework Plan

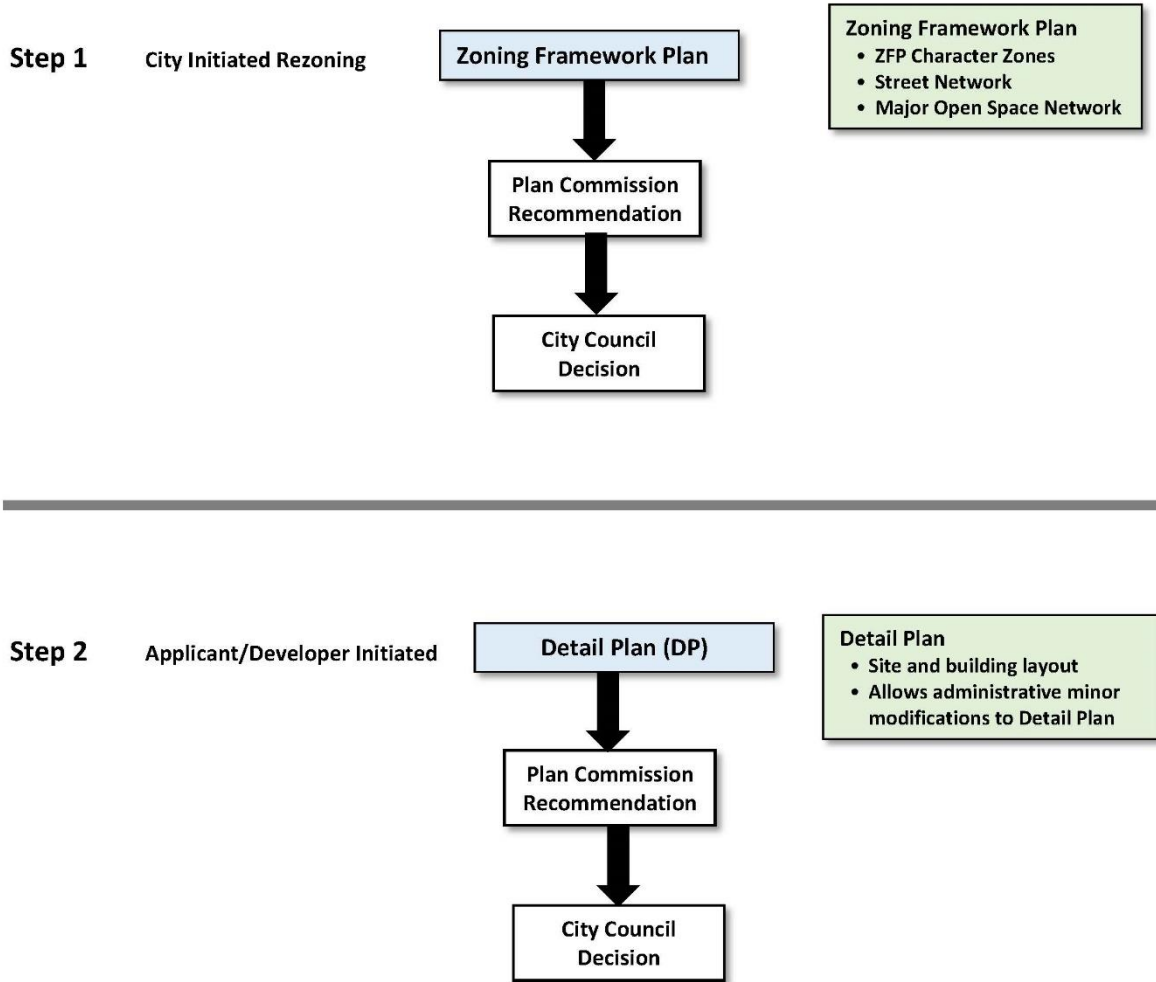


Appendix B
Sample Illustrative Plans



Appendix C
Flow Chart

SH 190 FBC Structure and Review Process



Appendix D

Street Design Standards and Typical Cross Sections

190 Campbell Road - Mixed Use Center

Street Type	Residential Alley (20' ROW)	Commercial Alley (20'-35' ROW)		Residential Street (50'-60' ROW)		Commercial Street (35'-70' ROW)					Avenue (50'-80' ROW)					Boulevard (70'-110' ROW)					Parkway (100'- 110' ROW)															
	1	1	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2		
Number of Lanes	1	1	2	2	2	2	2	2	2	2	2-3	2-3	2-3	2-3	2-3	4	4	4	4	4	4-6	4-6	4-6	4-6												
Lane Width (ft.)	10	12	12	13	18	13	13	13	13	13	12	12	12	12	12	12	12	12	12	12	11	11	11	11												
Two Way (ft.)	-	-	24	26	36	26	26	26	26	26	36	36	36	36	36	48	48	48	48	48	66	66	66	66												
Median (Y/N)	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	Y	Y	Y	Y	Y	Y	Y	Y	Y												
Width (Ft.)																14	14	14	14	14	14	14	14	14												
On Street Parking?	N	N	N	N	N	N	N	Y	Y	Y	N	N	Y	Y	Y	N	N	Y	Y	N	N	N	N	N												
Parallel (8'x22') (ft.)								16							16					16																
Angled (19') (ft.)									36						36					36																
Head-In (18') (ft.)										36						36																				
Parkway (from face of curb to ROW) each side	5	4	5.5	12	12	4.5	4	4	4	4	7	4	4	4	4	4	6	6	6	9	10	10	10	10												
On Street Bike Lanes #	N	N	N	N	N	N	Y	N	N	N	N	Y	N	N	N	N	Y	N	N	N	N	N	N	N												
Width (Ft.) (Total ROW Req'd)							16					16					16																			
ROW (ft.) (minimum)	20	20	35	50	60	35	50	50	70	70	50	60	60	80	80	70	90	90	110	80	100	100	100	100												
Design Speed	<20mph (10mph)	<20mph (10mph)	<20mph (10mph)	20 mph	20 mph	25 mph	25 mph	25 mph	25 mph	25 mph	30-35 mph	30-35 mph	30-35 mph	30-35 mph	30-35 mph	35-40 mph	35-40 mph	35-40 mph	35-40 mph	35-40 mph	40-45 mph	40-45 mph	40-45 mph	40-45 mph												
Right Turn Lane? *	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	Y	Y	Y	Y	Y	Y	Y	Y	Y												
Width (Ft.)																10	10	10	10	10	10	10	10	10												
ROW (ft.) with right turn lane *																80	100	100	120	90	110	110	110	110												
Landscape/Furnishing Zone (ft.)	3-5	5	5																																	
Sidewalk (ft.) (minimum)	-	-	-	4	4	8-12	8-12	8-12	8-12	8-12	6	6	6	6	6	6	6	6	6	6	6	6	6	6												

*Fire Lane Exception

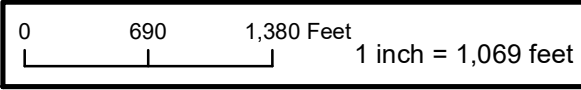
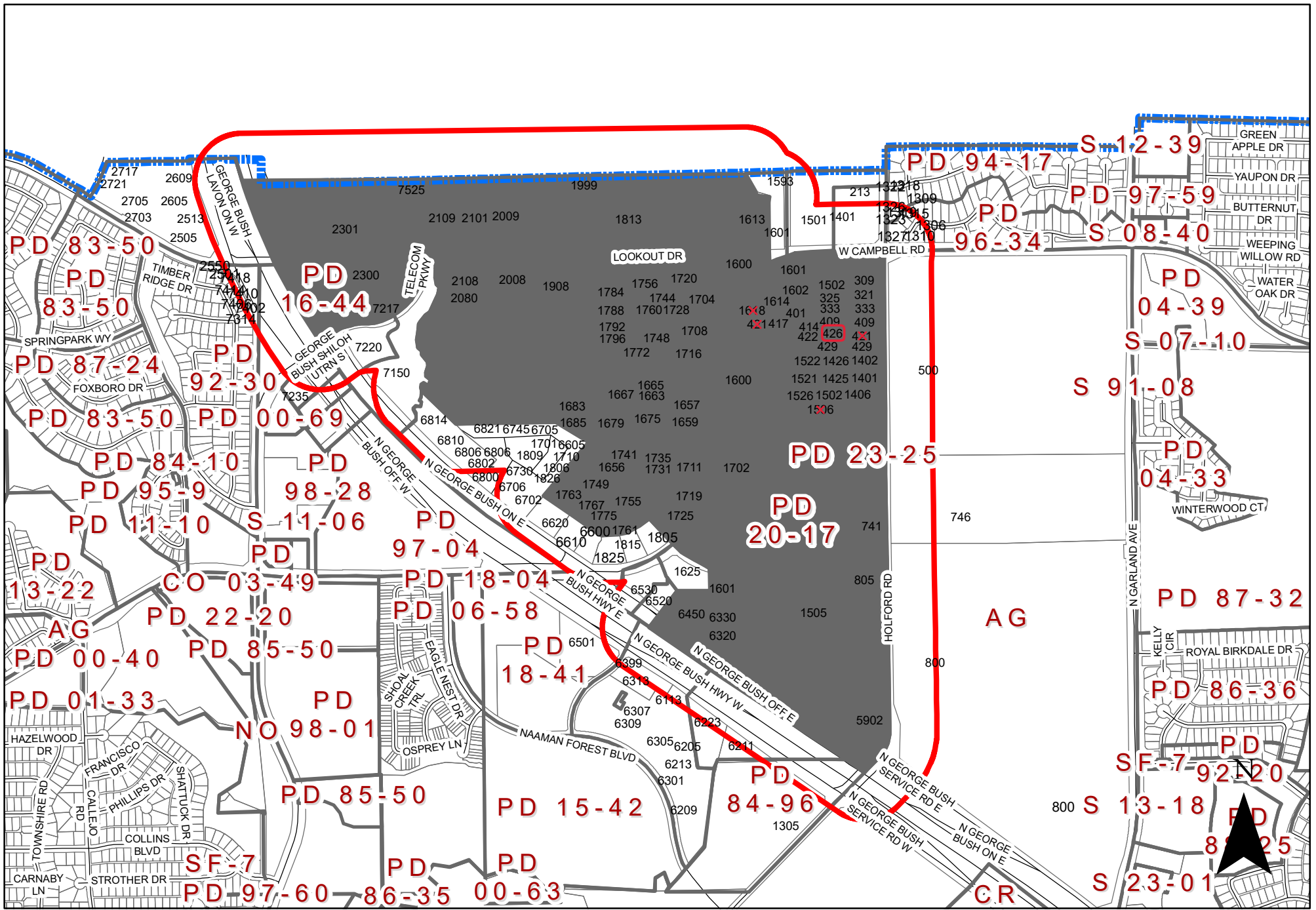
Bicycle facility widths may be modified based on the City's adopted Master Thoroughfare Plan standards and adopted design standards.

REPORT & MINUTES

P.C. Meeting, November 20, 2023

3b. APPROVED Consideration of the application of **City of Garland**, requesting approval of an amendment to Planned Development (PD) District 20-17 regarding removing the Detail Plan requirement for Data Center Uses, when a Data Center is allowed by right and meets applicable requirements. This area is generally located northeast of President George Bush Turnpike, west of Holford Road, and south of the city limits line. (District 1) (File Z 23-46).

Motion was made by Commissioner Dalton to close the public hearing and **approve** the application as presented. Seconded by Commissioner Rose. **Motion carried: 9 Ayes, 0 Nays.**



ZONING MAP Z 23-46

INDICATES AREA OF REQUEST INDICATES NOTIFICATION AREA

President George Bush Highway / Holford Road

Comment Form

Case Z 23-46

Z 23-46 City of Garland. Proposed is an amendment to Planned Development (PD) District 20-17 to exempt Data Centers from a Detail Plan process through Plan Commission and City Council, where Data Centers are already allowed by right and meet technical requirements. This area is generally located northeast of President George Bush Turnpike, west of Holford Road, and south of the city limits line. (District 1)

Z 23-46 City of Garland. Se propone una enmienda al Distrito 20-17 de Desarrollo Planificado (PD) para eximir a los Centros de Datos de un proceso de Plan Detallado a través de la Comisión del Plan y el Concejo Municipal, donde los Centros de Datos ya están permitidos por derecho y cumplen con los requisitos técnicos. Esta área generalmente está ubicada al noreste de President George Bush Turnpike, al oeste de Holford Road y al sur de la línea de los límites de la ciudad. (Distrito 1)

Z 23-46 City of Garland. Đề xuất là sửa đổi đối với Khu Phát triển theo Kế hoạch (PD) Quận 20-17 để miễn cho Trung tâm Dữ liệu khỏi quy trình Kế hoạch Chi tiết thông qua Ủy ban Kế hoạch và Hội đồng Thành phố, nơi các trung tâm dữ liệu đã được cấp phép theo quyền và đáp ứng các yêu cầu kỹ thuật. Khu vực này thường nằm ở phía đông bắc của President George Bush Turnpike, phía tây Holford Road và phía nam đường giới hạn thành phố. (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 Planning@garlandtx.gov; 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.

Toan Van / Property owner

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.)

426 Pasco Rd

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

Garland, TX

City, State / Estado de la Ciudad / Thành bang

75044

Zip Code / Código postal / Mã B u Tỉnh

Toan Van

11/14/2023

Date / Fecha / Ngày

Signature / Firma / Chữ ký

(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.)

Comment Form

Case Z 23-46

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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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Clayton Hill

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.)

421 Kennewick Dr

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

Garland, TX 75044

City, State / Estado de la Ciudad / Thành bang

75044

Zip Code / Código postal / Mã B u Chính



Signature / Firma / Chữ ký

11-14-23

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.)

Comment Form

Case Z 23-46

Z 23-46 City of Garland. Proposed is an amendment to Planned Development (PD) District 20-17 to exempt Data Centers from a Detail Plan process through Plan Commission and City Council, where Data Centers are already allowed by right and meet technical requirements. This area is generally located northeast of President George Bush Turnpike, west of Holford Road, and south of the city limits line. (District 1)

Z 23-46 City of Garland. Se propone una enmienda al Distrito 20-17 de Desarrollo Planificado (PD) para eximir a los Centros de Datos de un proceso de Plan Detallado a través de la Comisión del Plan y el Concejo Municipal, donde los Centros de Datos ya están permitidos por derecho y cumplen con los requisitos técnicos. Esta área generalmente está ubicada al noreste de President George Bush Turnpike, al oeste de Holford Road y al sur de la línea de los límites de la ciudad. (Distrito 1)

Z 23-46 City of Garland. Đề xuất là sửa đổi đối với Khu Phát triển theo Kế hoạch (PD) Quận 20-17 để miễn cho Trung tâm Dữ liệu khỏi quy trình Kế hoạch Chi tiết thông qua Ủy ban Kế hoạch và Hội đồng Thành phố, nơi các trung tâm dữ liệu đã được cấp phép theo quyền và đáp ứng các yêu cầu kỹ thuật. Khu vực này thường nằm ở phía đông bắc của President George Bush Turnpike, phía tây Holford Road và phía nam đường giới hạn thành phố. (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 Planning@garlandtx.gov; 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.

AMER DOKO

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.)

421 Kirkland Rd.

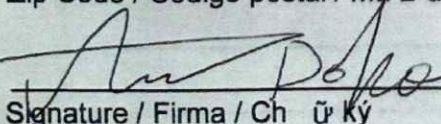
Your Property Address / La dirección de su propiedad / địa chỉ tài sản

Garland, TX

City, State / Estado de la Ciudad / Thành bang

75044

Zip Code / Código postal / Mã B u Chính



Signature / Firma / Chữ Ký

11/16/2023

Date / Fecha / Ngày

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

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Gary Arwood

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.)

1618 Everett Dr

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

Garland TX

City, State / Estado de la Ciudad / Thành bang

75044

Zip Code / Código postal / Mã B u Chính

G. Arwood

Signature / Firma / Ch ữ ký

11/19/2024

Date / Fecha / Ngày

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Zoning Response Case Comments

Case Number	PC Hearing Date	CC Hearing Date	Planner Name
Z 23-46	November 20, 2023		Will Guerin

Z 23-46 City of Garland. Proposed is an amendment to Planned Development (PD) District 20-17 to exempt Data Centers from a Detail Plan process through Plan Commission and City Council, where Data Centers are already allowed by right and meet technical requirements. This area is generally located northeast of President George Bush Turnpike, west of Holford Road, and south of the city limits line. (District 1)

Daniel Martinez	Against
11/20/2023 2:00:00 PM	1506 Bellingham Ln Garland Texas United States 75044

Daniel Martinez	Against
11/20/2023 1:59:59 PM	1506 Bellingham Ln Garland Texas United States 75044

Daniel Martinez	Against
11/20/2023 1:59:43 PM	1506 Bellingham Ln Garland Texas United States 75044

Daniel Martinez	Against
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Case Number	PC Hearing Date	CC Hearing Date	Planner Name
Z 23-46	November 20, 2023		Will Guerin

11/20/2023
1:59:41 PM

1506 Bellingham Ln
Garland
Texas
United States
75044

Daniel Martinez **Against**

11/20/2023
1:59:41 PM

1506 Bellingham Ln
Garland
Texas
United States
75044

Todd Park

Against

Outside the Notification Area

11/17/2023
6:47:51 PM

1315 Winding Brook
Drive
Garland
Texas
United States
75044

tpark1127@gmail.com



GARLAND
TEXAS MADE HERE

Proposed is an amendment to Planned Development (PD) District 20-17 to exempt Data Centers from a Detail Plan process, where Data Centers are already allowed by right and meet technical requirements.

City Council Meeting

December 12, 2023

Z 23-46

CASE INFORMATION

Location: Generally south of the City limits, west of Holford Road and north of President George Bush Turnpike

Applicant: City of Garland

Owner: Multiple owners

Acreage: Approximately 277 acres

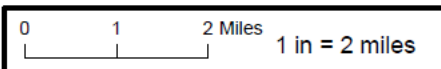
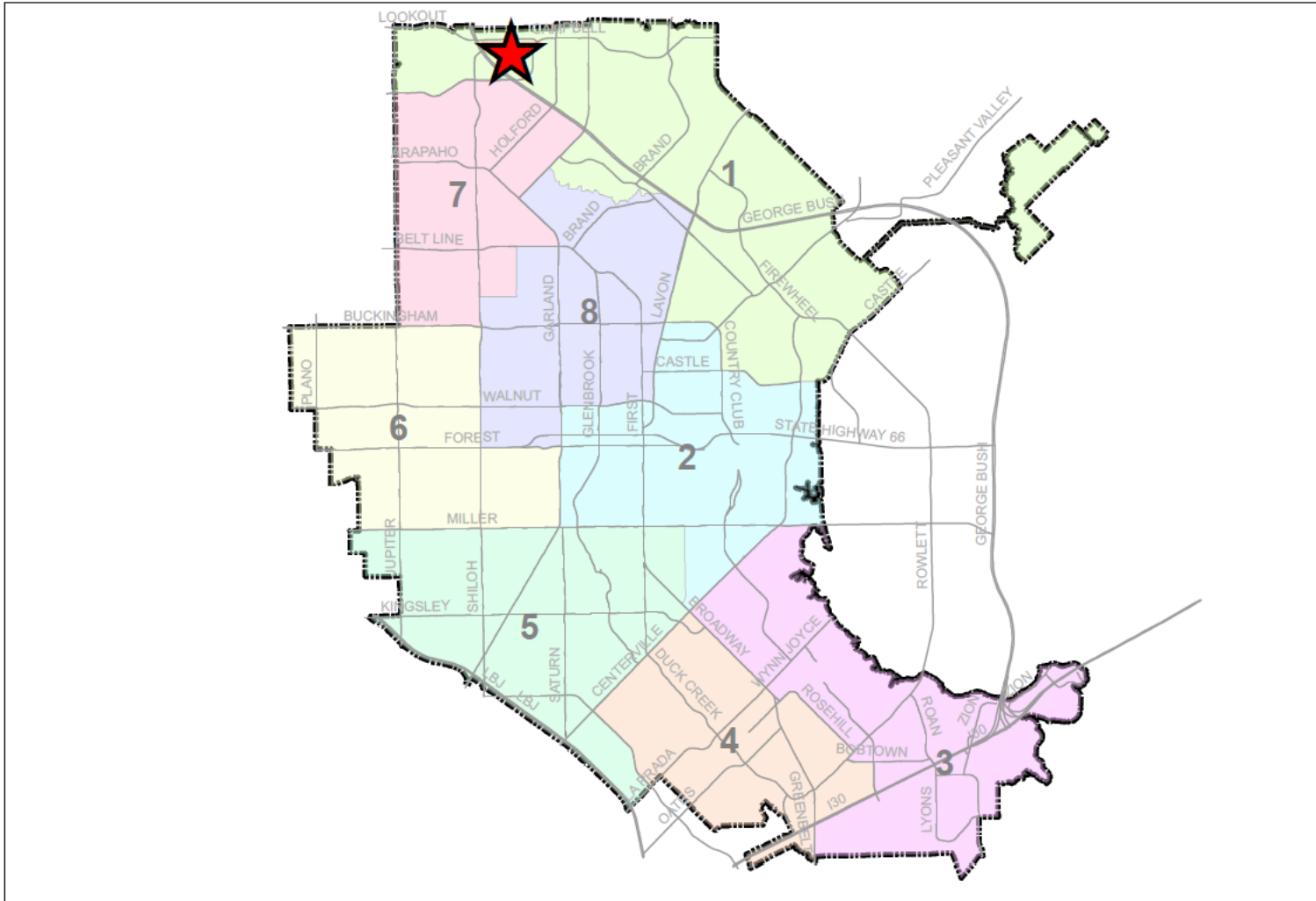
Zoning: Planned Development (PD) District 20-17 for Mixed Uses

Z 23-46




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CITYWIDE LOCATION MAP



ZONING MAP Z 23-46

 INDICATES AREA OF REQUEST

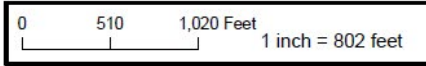
Z 23-46



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LOCATION MAP



ZONING MAP Z 23-46


 INDICATES AREA OF REQUEST

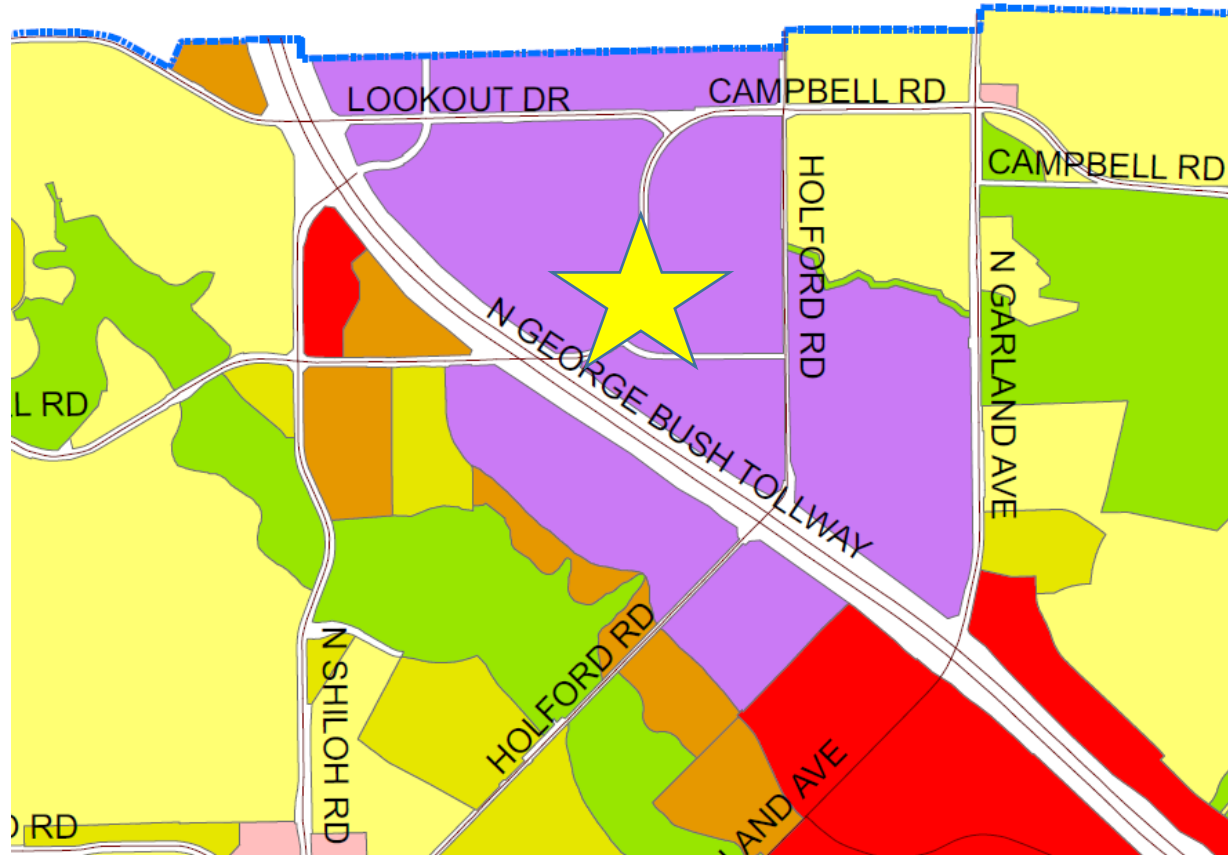
President George Bush Highway / Holford Road

Z 23-46



COMPREHENSIVE PLAN

 Business





GARLAND
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ECONOMIC DEVELOPMENT STRATEGIC PLAN

Per the adopted Economic Development Strategic Plan, data centers generate the most revenue per acre by building type.



GARLAND

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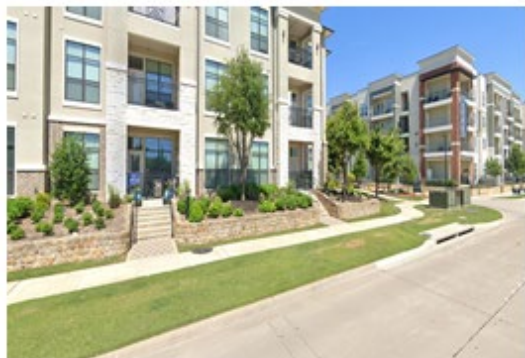
View from Telecom, looking towards Medical Office building.



View of properties located to the east of Campbell Road at Lookout, Single-Family Residential



Data Center along Lookout, west of Campbell Road



View of west side of Campbell Road, north of Ferris - Multi-Family Residential



Substation (public/private utility) view at Telecom Parkway, north of Lookout Road



GARLAND
TEXAS MADE HERE

CONSIDERATIONS

If approved, Data Centers will still be required to submit any and all necessary permits and construction plans and meet all applicable regulations of Planned Development (PD) District 20-17 and the Garland Development Code.



STAFF RECOMMENDATION

Approval of an amendment to Planned Development (PD) District 20-17 to exempt Data Centers from a Detail Plan process, where Data Centers are already allowed by right and meet technical requirements.



GARLAND
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PLAN COMMISSION RECOMMENDATION

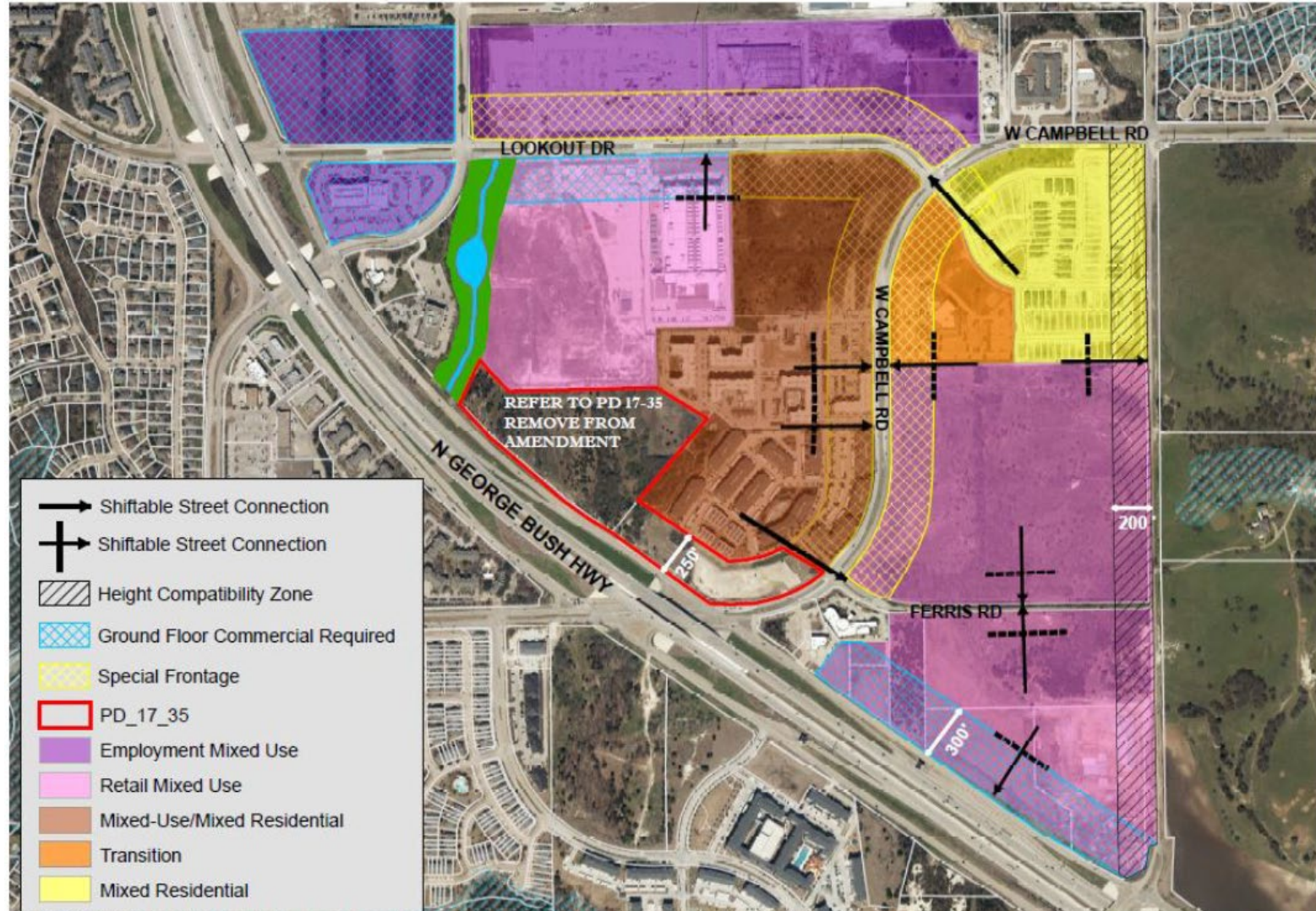
During their November 20, 2023 meeting, the Plan Commission, with a vote of nine (9) to zero (0), recommended approval of an amendment to Planned Development (PD) District 20-17 to exempt Data Centers from a Detail Plan process, where Data Centers are already allowed by right and meet technical requirements.



GARLAND

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COMPREHENSIVE PLAN

The Future Land Use Map for the Envision Garland 2030 Comprehensive Plan identifies this area as Business Center.

Business centers provide a cluster of business offices and/or low impact industry, including campus-type development, that cumulatively employ large numbers of people.

Operations within this development type occur internal to buildings resulting in minimal negative impacts (sound, air, traffic, outdoor lighting, storage, etc.) and are compatible with adjacent development types in architecture, character, scale, and intensity



- **DATA CENTER:** A facility used to house computer systems and associated components, telecommunications systems, and storage systems. Generally includes redundant or back-up power supplies, redundant data communications connections, environmental controls (such as, air conditioning and fire suppression), and security devices.





GARLAND

PLANNING REPORT

City Council Regular Session Agenda

6. c.

Meeting Date: 12/12/2023

Item Title: Z 23-40 1901 W Northwest Hwy, LLC (District 5)

Submitted By: Matthew Wolverton, Development Planner

REQUEST

Approval of an Amendment of Conditions to Planned Development (PD) District 94-35 for Community Retail Uses to allow Pet Care/Play Facility (indoor); Learning Center, Specialized; Health & Fitness Gym (Indoor); Studio, Fitness or Performing Arts; and Veterinary Clinic, Small Animal (indoors only) uses.

LOCATION

1901 Northwest Highway

OWNER

1901 W Northwest, Hwy, LLC

PLAN COMMISSION RECOMMENDATION

On November 20, 2023 the Plan Commission, by a vote of nine (9) to zero (0), recommended approval of an Amendment of Conditions to Planned Development (PD) District 94-35 for Community Retail Uses to allow Pet Care/Play Facility (indoor); Learning Center, Specialized; Health & Fitness Gym (Indoor); and Veterinary Clinic, Small Animal (indoors only) uses, per staff recommendation.

In addition, the Plan Commission recommended Studio, Fitness or Performing Arts to be added. This use has been added to the request.

STAFF RECOMMENDATION

Approval of an Amendment of Conditions to Planned Development (PD) District 94-35 for Community Retail Uses to allow a Pet Care/Play Facility (indoor), Learning Center, Specialized; Health & Fitness Gym (Indoor), Studio, Fitness or Performing Arts; and Veterinary Clinic, Small Animal (indoors only) uses.

In addition, staff recommends the removal of the automobile-related uses currently in Planned Development (PD) District 94-35, specifically Tire Dealer (no outdoor storage) and Automobile Leasing (New). Automobile repair and sales are already prohibited on the subject property. The applicant concurs with the recommendation.

BACKGROUND

The site was developed with the approved shopping center per Planned Development 94-35. The site has stayed largely the same, with a Scooter's Coffee being added in PD/S 22-07 on a pad site in the southern section of the property.

The applicant requests to allow the proposed land uses, which align with the retail shopping center site and surrounding area: Pet Care/Play Facility (indoor); Learning Center, Specialized; Health & Fitness Gym (Indoor); and Veterinary Clinic, Small Animal (indoors only) uses. The Community Retail (CR) District is the base zoning for Planned Development (PD) District 94-35. The Planned Development (PD) District 94-35 currently does not allow the proposed uses.

SITE DATA

The subject property contains 5.00014 acres and is accessed from three points along Northwest Highway and three points along Towngate Boulevard. The North side of the property fronts Town Court, but no access points are available.

USE OF PROPERTY UNDER CURRENT ZONING

The subject property is zoned Planned Development (PD) District 94-35. The intent of this Planned Development (PD) is to allow a shopping center with more specific uses than the base zoning could provide. The site currently has four vacant suites and limited additional pad site space available.

CONSIDERATIONS

Planned Development:

1. The applicant proposes to add Pet Care/Play Facility (indoor), Learning Center, Specialized; Health & Fitness Gym (Indoor), and Veterinary Clinic, Small Animal (indoors only) uses, and has added Studio, Fitness or Performing Arts per Plan Commission recommendation.
2. There are no site changes proposed with this request. The applicant has made recent façade improvements to the building. Further, the applicant recently obtained approval of a Municipal Setting Designation (MSD) by the City of Garland which will allow further reinvestment into the site.

COMPREHENSIVE PLAN

The Future Land Use Map of the Envision Garland Plan recommends Urban Neighborhoods for the subject property. Urban neighborhoods are higher density residential developments. This residential option may utilize vertical mixed-use integrated into the surrounding area, reflecting the area's dominant character or, when desired, promoting a new character. This type of development should encourage access to a range of mobility options and is generally located in the vicinity of major intersections and/or secondary arterial streets, with proximity to significant bus or rail amenities.

ECONOMIC DEVELOPMENT

According to the Economic Development Strategic Plan, a shopping center has the highest revenue per acre for retail development. Allowing more compatible uses would increase the likelihood of additional businesses moving into this shopping center. Additionally, the applicant has taken steps to improve the façade and other exterior features of the shopping center over the last year. This proposal will help contribute to the revitalization of the site.

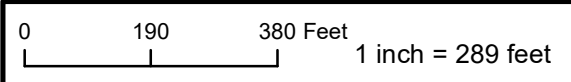
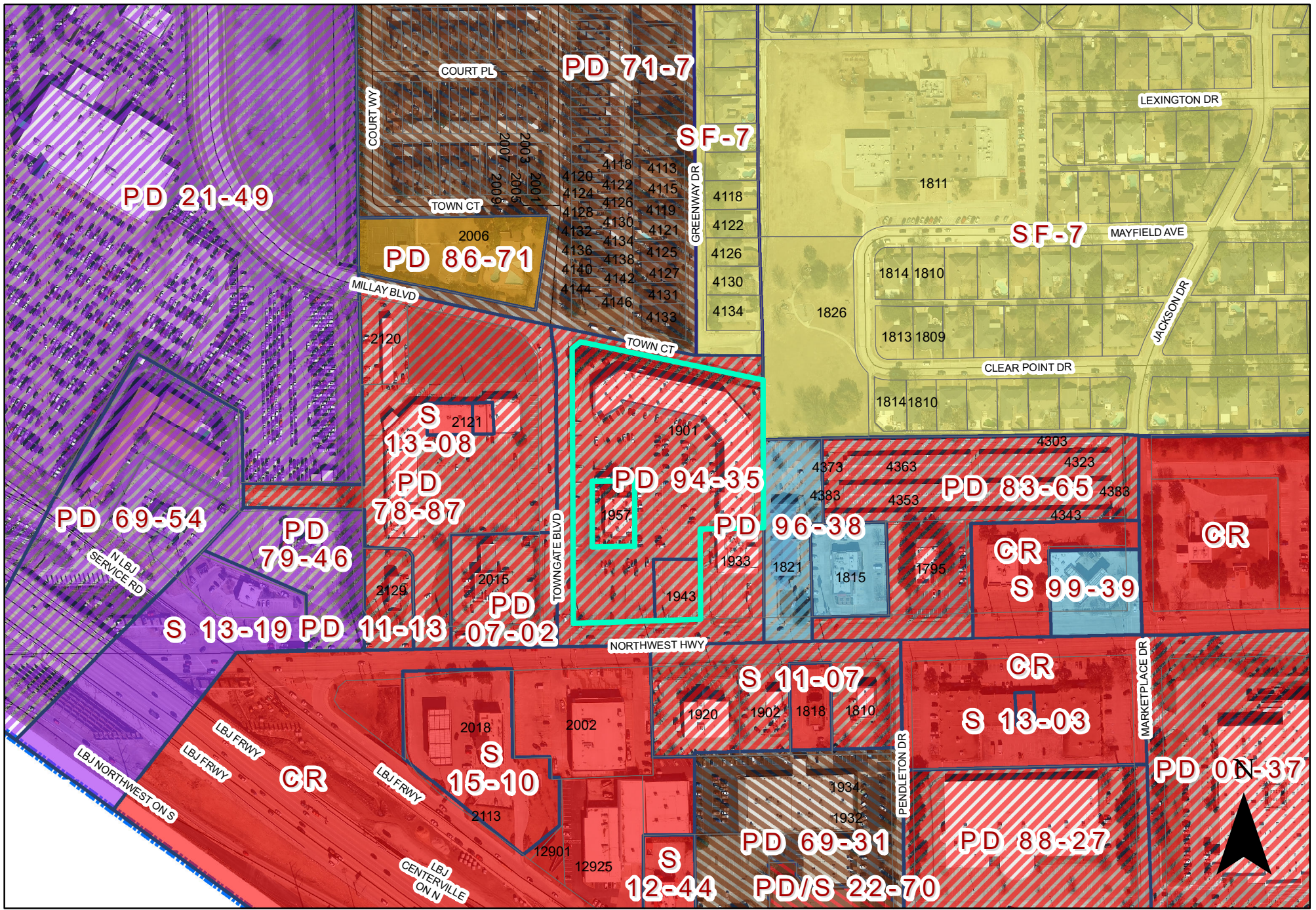
COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

The subject property is located within a larger commercial area along Northwest Highway. The existing shopping center to the West of Towngate Boulevard is in the "Transit-Oriented Centers" while the existing retail across Northwest Highway is slated for "Community Centers". Many of the existing and proposed uses are present in these nearby areas.


The proposal is generally compatible with the surrounding area.

Attachments

Z 23-40 Location Map
Z 23-40 Exhibit B
Z 23-40 Exhibits
Z 23-40 R&M
Z 23-40 Responses
Z 23-40 Staff Presentation



ZONING MAP Z 23-40

 INDICATES AREA OF REQUEST

1901 Northwest Highway

PLANNED DEVELOPMENT CONDITIONS

ZONING FILE Z 23-40

1901 Northwest Highway

I. Statement of Purpose: The purpose of this Planned Development is to amend certain requirements regarding permitted uses in Planned Development (PD) District 94-35.

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 Planned Development (PD) District 94-35 as set forth in Chapter 2 of the Garland Development Code are included by reference and shall apply, except as otherwise specified by this ordinance.

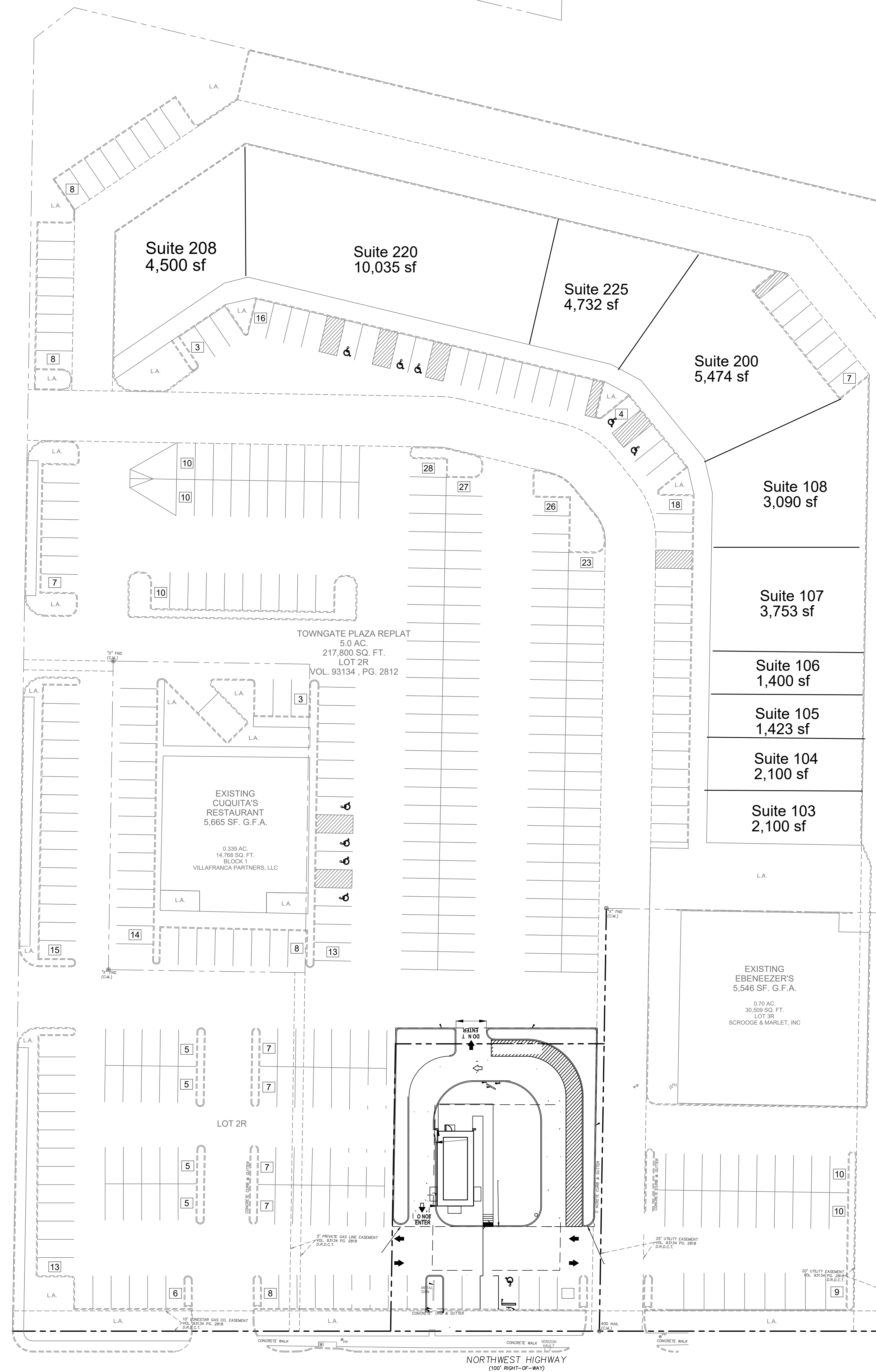
IV. Specific Conditions:

A. Uses: The following uses, in addition to those listed in Planned Development District (PD) District 94-35, shall be permitted by right:

Pet Care/Play Facility (indoor)
Learning Center, Specialized
Health & Fitness Gym (indoor)
Studio, Fitness or Performing Arts
Veterinary Clinic, Small Animal (indoors only)

However, the following uses included in Planned Development (PD) District 94-35 shall be prohibited:

Automobile Leasing (New)
Tire Dealer, No Outdoor Storage



SITE DATA SUMMARY TABLE

GROSS LOT AREA:	4.665 ACRE (203,207 S.F.)
LEASE LOT AREA:	39,426 SF
ZONING:	PD 94-35 UNDERLYING ZONING - CR
PROPOSED USE:	MIXED USED INCLUDING VETERINARY, PET GROOMING, EDUCATIONAL/TUTORING AND HEALTH AND WELLNESS
BUILDING AREA:	
SUITE 103	2,100 SF
SUITE 104	2,100 SF
SUITE 105	1,423 SF
SUITE 106	1,400 SF
SUITE 107	3,753 SF
SUITE 108	3,909 SF
SUITE 200	5,474 SF
SUITE 208	4,500 SF
SUITE 220	10,035 SF
SUITE 225	4,732 SF
NUMBER OF STORIES:	1
BUILDING COVERAGE:	2.07%
FLOOR AREA RATIO:	0.0207
REGULAR PARKING REQUIRED:	1 SPACE PER 100 G.F.A
REGULAR PARKING PROVIDED:	299 SPACES
HANDICAP PARKING REQUIRED:	9 SPACES (VAN ACCESSIBLE)
HANDICAP PARKING PROVIDED:	9 SPACES (VAN ACCESSIBLE)
TOTAL PARKING PROVIDED:	308 (SHOPPING CENTER); 362 (TOTAL SITE)
ON-SITE PARKING PROVIDED:	308 (SHOPPING CENTER); 362 (TOTAL SITE)
OFF-SITE SHARED PARKING PROVIDED:	59 SPACES (CUQUITA'S AND EBENEZER'S)

PARKING INFORMATION
 REQUIRED PARKING RATIO: COMMUNITY RETAIL: 1-85,000 SF: 1 SPACE PER 250 GFA
 RESTAURANT: 1 SPACE PER 100 GFA
 HEALTH & FITNESS GYM (INDOOR) (proposed): 1 SPACE PER 150 GFA
 PET CARE/PLAY FACILITY (proposed): 1 SPACE PER 300 GFA

REQUIRED PARKING NUMBER:
 EX. BUILDING TOWNGATE PLAZA (39,426 SF) - 169
 EX. CUQUITA'S RESTAURANT (SHARED PARKING) (5,665 SF) - 57
 EX. EBENEZER'S RESTAURANT (SHARED PARKING) (5,546 SF) - 56

ESTIMATED TOTAL REQUIRED PARKING: 298
TOTAL PARKING PROVIDED (SHOPPING CENTER TRACT ONLY): 308
 REGULAR: 299; ADA: 9
TOTAL PARKING PROVIDED (ENTIRE SITE): 362

Suites	Sq. Ft.	Tenant	Req'd Parking Community Retail
103	2,100	Care N Cure Dental (Dental Office)	9
104	2,100	Asian Market (General Retail since under 5,000 sf)	7
105	1,423	Vacant (Proposed Pet Care/Play Facility)	5
106	1,400	Bermuda Insurance (Office, General)	5
107	3,753	Veterinary Office (Proposed)	13
108	3,909	Armstrong McCall Beauty Supply (General Retail)	12
200	5,474	FM Electronics (Equipment Rental/General Retail)	17
208	4,500	Vacant (Restaurant)	45
220	10,035	Fresenius Kidney Care (Medical)	40
225	4,732	Vacant (Health/Fitness Gym (Indoor))	32
Adj prop	5,665	Cuquitas (Restaurant w shared parking)	57
Adj prop	5,546	Ebenezer's (Restaurant w shared parking)	56
	50,637		298

EASEMENT/SETBACK LEGEND

BUILDING SET BACK	B.S.
LANDSCAPE SETBACK	L.S.
FIRE LANE, ACCESS & UTILITY EASEMENT	F.A.U.E.
FIRE LANE, ACCESS & DRAINAGE EASEMENT	F.A.D.E.
ACCESS EASEMENT	A.E.
SIDEWALK EASEMENT	S.E.
SANITARY SEWER EASEMENT	S.S.E.
WATER EASEMENT	W.E.
ELECTRICAL EASEMENT	E.E.
UTILITY EASEMENT	U.E.
DRAINAGE & DETENTION EASEMENT	D.D.E.

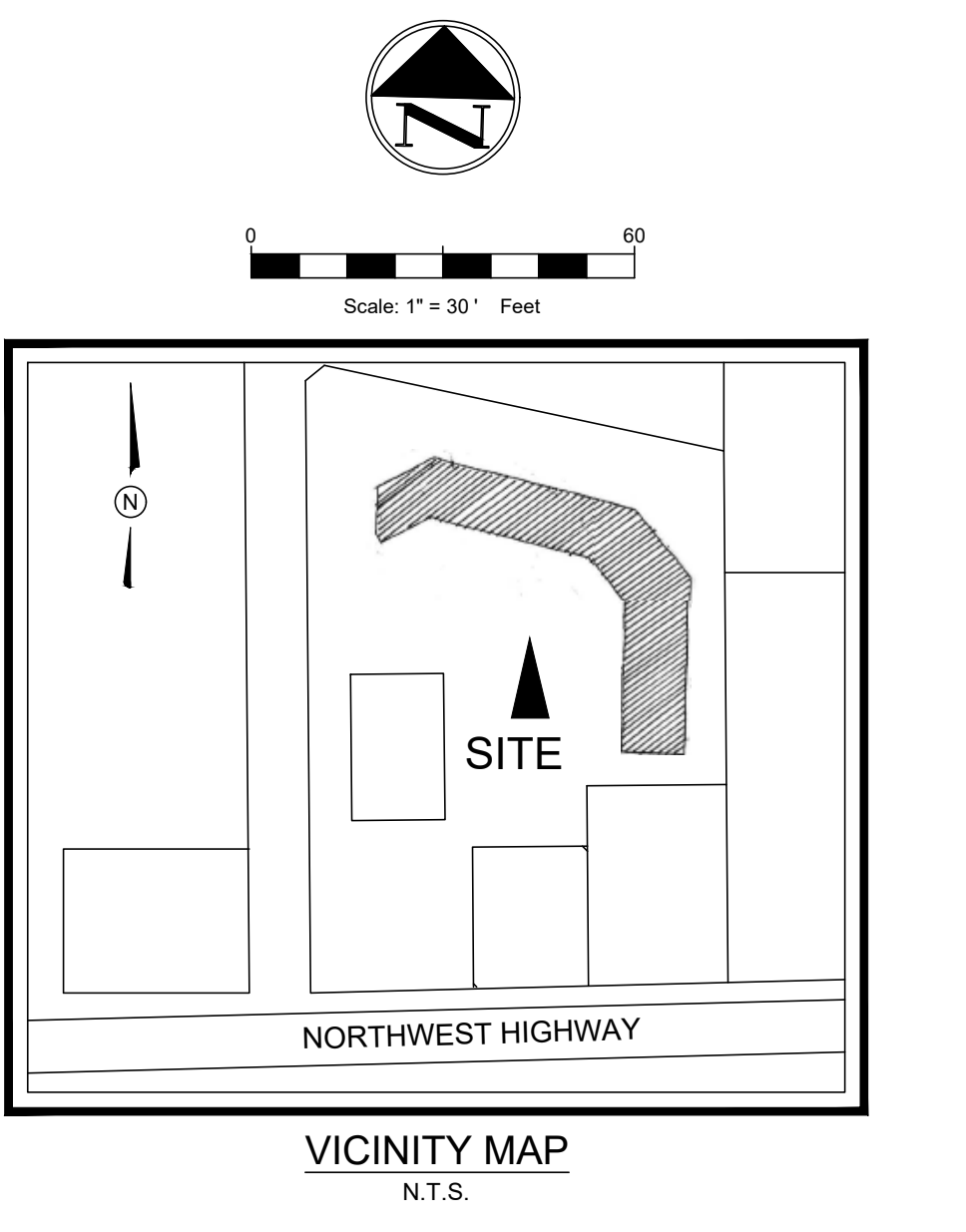
LEGEND

* SOME OF THESE ELEMENTS MAY NOT BE USED ON THIS SURVEY

BOLLARD	TRAFFIC LIGHT POLE	FIRELINE MARKER	FOUND
HANDICAP	GROUND/SPOT LIGHT	UNDERGROUND CABLE SIGN	IRON PIPE
ELECTRIC METER	POWER POLE	CATHODIC TEST LEAD	IRON ROD
GAS METER	POWER POLE W/TRANSFORMER	MONITORING WELL	NUMBER
GAS VALVE	POWER POLE W/LIGHT	PIN FLAG/PAINT MARK	PAGE
FIRE HYDRANT	POWER POLE W/CONDUIT	TOP OF CURB	RIGHT-OF-WAY
FIRE DEPARTMENT CONNECTION	METER POLE	GUTTER	SQUARE FEET
WATER METER	SERVICE POLE	TOP OF GRATE	VOLUME
WATER VALVE	GUY ANCHOR	FLOW LINE	FLM CODE
IRRIGATION CONTROL VALVE	OVERHEAD POWER LINE	HIGH-BANK	BUILDING LINE
GRATE INLET	BARBED WIRE FENCE	SANITARY SEWER	UTILITY EASEMENT
MANHOLE	WROUGHT IRON FENCE	STORM SEWER	TREE/SHRUB
CLEANOUT	CHAINLINK FENCE	CORRUGATED METAL PIPE	CONTROLLING MONUMENT
TELEPHONE PEDESTAL	GATE POST	CORRUGATED PLASTIC PIPE	1/2-INCH CAPPED REBAR
CABLE PEDESTAL	FOR PLANS	REINFORCED CONCRETE PIPE	STAMPED "MONROSE" SET
ELECTRIC BOX	APPROX.	TELEPHONE	RECORD RECORDS, COLLIN COUNTY, TEXAS
TRAFFIC SIGNAL BOX	HIGH-BANK	SOUTHWESTERN BELL TELEPHONE CO.	PLAN RECORDS, COLLIN COUNTY, TEXAS
LIGHT POLE	SIGN	WATER	OFFICIAL PUBLIC RECORDS, COLLIN COUNTY, TEXAS
		UNDERGROUND	

PROJECT CONTACT LIST

OWNER/DEVELOPER ARC HOLDINGS, LLC 3615 SUMMIT PLAZA DR. BELLEVUE, NE 68123 CONTACT: ADAM L. COCKERILL TEL: (402)-319-7848	ARCHITECT K WARMAN ARCHITECTURE+DESIGN 1785 SWIFT STREET NORTH KANSAS CITY, MO 64116 CONTACT: KATHLEEN A. WARMAN TEL: (816)-474-2233 EMAIL: KATHY@KWARMAN.COM
CIVIL ENGINEER TRIANGLE ENGINEERING LLC 1784 W. MCDELMOTT DRIVE, SUITE 110 ALLEN, TX 75013 CONTACT: ANDREW YEOH TEL: (469)-213-2804 EMAIL: AYE0H@TRIANGLE-ENGR.COM	SURVEYOR WINDROSE LAND SURVEYING/PLATING 1955 LAKEWAY DRIVE, SUITE 220 LEWISVILLE, TX 75057 CONTACT: GRAYSON CEBALLOS TEL: (214)-217-2544 EMAIL: GRAYSON.CEBALLOS@WINDROSESERVICES.COM



SITE GENERAL NOTES

- ALL CONSTRUCTION SHALL BE IN STRICT ACCORDANCE WITH THE CITY OR LOCAL JURISDICTION STANDARDS.
- THE LOCATION OF UNDERGROUND UTILITIES INDICATED ON THE PLANS IS TAKEN FROM AS-BUILTS, UTILITY PLANS OR SURVEY. IT IS THE CONTRACTOR'S RESPONSIBILITY TO MAKE ARRANGEMENTS WITH THE OWNERS OF SUCH UNDERGROUND UTILITIES PRIOR TO WORKING IN THE AREA TO CONFIRM THEIR EXACT LOCATION AND TO DETERMINE WHETHER ANY ADDITIONAL UTILITIES OTHER THAN THOSE SHOWN ON THE PLANS MAY BE PRESENT. THE CONTRACTOR SHALL PRESERVE AND PROTECT ALL UNDERGROUND UTILITIES. IF EXISTING UNDERGROUND UTILITIES ARE DAMAGED, THE CONTRACTOR WILL BE RESPONSIBLE FOR THE COST OF REPAIRING THE UTILITY.
- WHERE EXISTING UTILITIES OR SERVICE LINES ARE CUT, BROKEN OR DAMAGED, THE CONTRACTOR SHALL REPLACE OR REPAIR THE UTILITIES OR SERVICE LINES WITH THE SAME TYPE OF ORIGINAL MATERIAL AND CONSTRUCTION, OR BETTER, UNLESS OTHERWISE SHOWN OR NOTED ON THE PLANS, AT HIS OWN COST AND EXPENSE. THE CONTRACTOR SHALL IMMEDIATELY NOTIFY THE ENGINEER AT ONCE OF ANY CONFLICTS WITH UTILITIES.
- ALL EXCAVATIONS, TRENCHING AND SHORING OPERATIONS SHALL COMPLY WITH THE REQUIREMENTS OF THE U.S. DEPARTMENT OF LABOR, OSHA, CONSTRUCTION SAFETY AND HEALTH REGULATIONS AND ANY AMENDMENTS THERETO.
- THE CONTRACTOR SHALL RESTORE ALL AREAS DISTURBED BY CONSTRUCTION TO ORIGINAL CONDITION OR BETTER. RESTORED AREAS INCLUDE, BUT ARE NOT LIMITED TO TRENCH BACKFILL, SIDE SLOPES, FENCES, DRAINAGE DITCHES, DRIVEWAYS, PRIVATE YARDS AND ROADWAYS.
- ANY CHANGES NEEDED AFTER CONSTRUCTION PLANS HAVE BEEN RELEASED, SHALL BE APPROVED BY THE CITY ENGINEER. THESE CHANGES MUST BE RECEIVED IN WRITING.
- THE CONTRACTOR SHALL PROVIDE "RED LINED" MARKED PRINTS TO THE ENGINEER PRIOR TO FINAL INSPECTION INDICATING ALL CONSTRUCTION WHICH DEVIATED FROM THE PLANS OR WAS CONSTRUCTED IN ADDITION TO THAT INDICATED ON THE PLANS.
- ALL CURB RADIUS TO BE 10' OR 2' UNLESS OTHERWISE NOTED ON THE SITE PLAN.

SITE LEGEND

CONCRETE CURB	CONCRETE WALK
SAW-CUT LINE	MONUMENT SIGN
STRIPING	HANDICAP LOGO
PARKING SPACES	RAMP
MONUMENT SIGN	BOLLARD
HANDICAP LOGO	TRAFFIC ARROW
RAMP	MENU BOARD
BOLLARD	SANITARY SEWER MANHOLE
TRAFFIC ARROW	SANITARY SEWER CLEANOUT
MENU BOARD	SANITARY SEWER DOUBLE CLEANOUT
SANITARY SEWER MANHOLE	GREASE TRAP
SANITARY SEWER CLEANOUT	DOMESTIC WATER METER
SANITARY SEWER DOUBLE CLEANOUT	IRRIGATION METER
GREASE TRAP	WHEEL STOPS
DOMESTIC WATER METER	HANDICAP SIGN
IRRIGATION METER	
WHEEL STOPS	
HANDICAP SIGN	

CASE # 230907-1

SITE PLAN
 TOWNGATE PLAZA
 1901 NORTHWEST HIGHWAY
 CITY OF GARLAND
 DALLAS COUNTY, TEXAS 75041
 TRIANGLE SUBDIVISION LOT 1, BLOCK A

TRIANGLE ENGINEERING LLC
 T: 469.331.8566 | F: 469.213.7145 | E: info@triangle-engr.com
 W: triangle-engr.com | O: 1784 McDermott Drive, Suite 110, Allen, TX 75013

Planning | Civil Engineering | Construction Management

P.E.	DES.	DATE	SCALE	PROJECT NO.	SHEET NO.
AY	MHY	12-09-21	SCALE BAR	135-21	C-3.0

TX. P.E. FIRM #11525



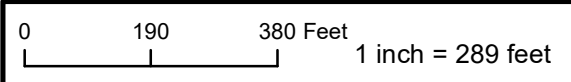
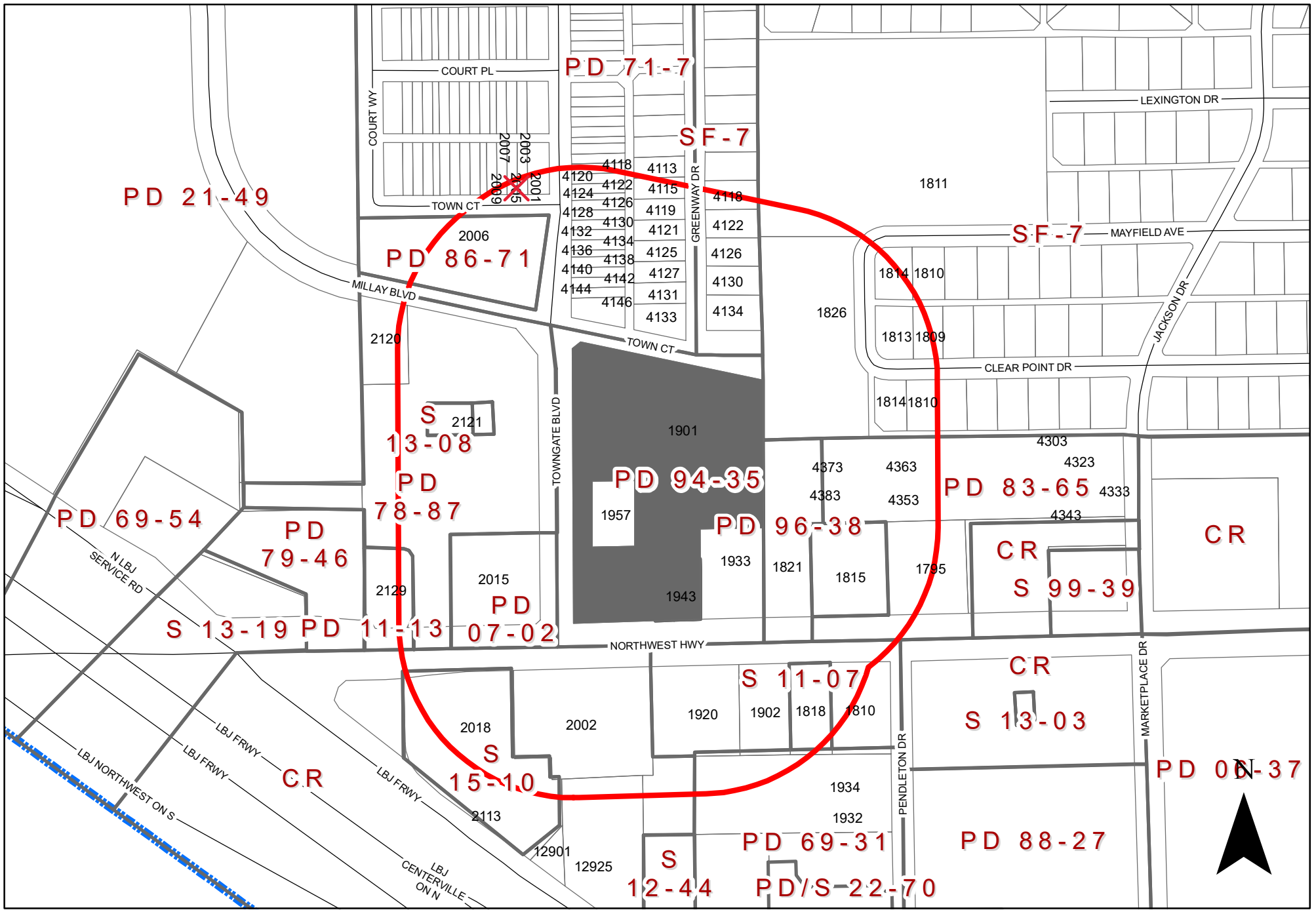
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REPORT & MINUTES

P.C. Meeting, November 20, 2023

3a. APPROVED Consideration of the application of **Cody Perlmeter**, requesting approval of an Amendment of Conditions to Planned Development (PD) District 94-35 for Community Retail Uses to allow a Pet Care/Play Facility (indoor); Learning Center, Specialized; Health & Fitness Gym (Indoor); and Veterinary Clinic, Small Animal (indoors only) use. This property is located at 1901 Northwest Highway. (District 5) (File Z 23-40).

Motion was made by Commissioner Aubin to close the public hearing and **approve** the application as presented with staff recommendation with the additional use for Studio, Fitness or Performing Arts under 5,000 square feet. Seconded by Commissioner Jenkins. **Motion carried: 9 Ayes, 0 Nays.**



ZONING MAP Z 23-40

INDICATES AREA OF REQUEST
 INDICATES NOTIFICATION AREA

1901 Northwest Highway

Comment Form

Case Z 23-40

Z 23-40 1901 Northwest Hwy, LLC. The applicant proposes an amendment to the Planned Development (PD) Conditions to allow a Pet Care/Play Facility (indoor), Learning Center, Specialized; Health & Fitness Gym (Indoor); and Veterinary Clinic, Small Animal (indoors only) uses. The site is located at 1901 Northwest Highway. (District 5)

Z 23-40 1901 Northwest Hwy, LLC. El solicitante propone una enmienda a las Condiciones de desarrollo planificado (PD) para permitir el uso de una instalación de juegos/cuidado de mascotas (interior), un centro de aprendizaje, un gimnasio especializado, de salud y fitness (interior), una clínica veterinaria y animales pequeños (solo en interiores). El sitio está ubicado en 1901 Northwest Highway. (Distrito 5)

Z 23-40 1901 Northwest Hwy, LLC Người nộp đơn đề xuất sửa đổi các Điều kiện Phát triển theo Kế hoạch (PD) để cho phép Cơ sở Vui chơi/Chăm sóc Thú cưng (trong nhà), Trung tâm Học tập, Chuyên ngành; Phòng tập thể hình & sức khỏe (Trong nhà); và Phòng khám thú y, sử dụng cho động vật nhỏ (chỉ trong nhà). Địa điểm này được đặt tại 1901 Northwest Highway. (Quận 5)

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

~~For / A Favor / Đúng~~

m

Against / En Contra / Không

Please complete the following information and email the form to Planning@garlandtx.gov; 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.

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.)

2005 Town Court

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

Garland, TX 75041

City, State / Estado de la Ciudad / Thành bang

75041

Zip Code / Código postal / Mã B u Chính

Mort

Signature / Firma / Ch ữ 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.)



GARLAND
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The applicant proposes an amendment to the Planned Development Conditions to allow additional retail/shopping center uses.

City Council Meeting

December 12, 2023

Z 23-40

CASE INFORMATION

Location: 1901 Northwest Highway

Applicant: 1901 W Northwest, Hwy, LLC

Owner: 1901 W Northwest, Hwy, LLC

Acreage: 5.0 acres

Zoning: Planned Development (PD) District 94-35



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CITYWIDE LOCATION MAP



0 1 2 Miles
1 in = 2 miles

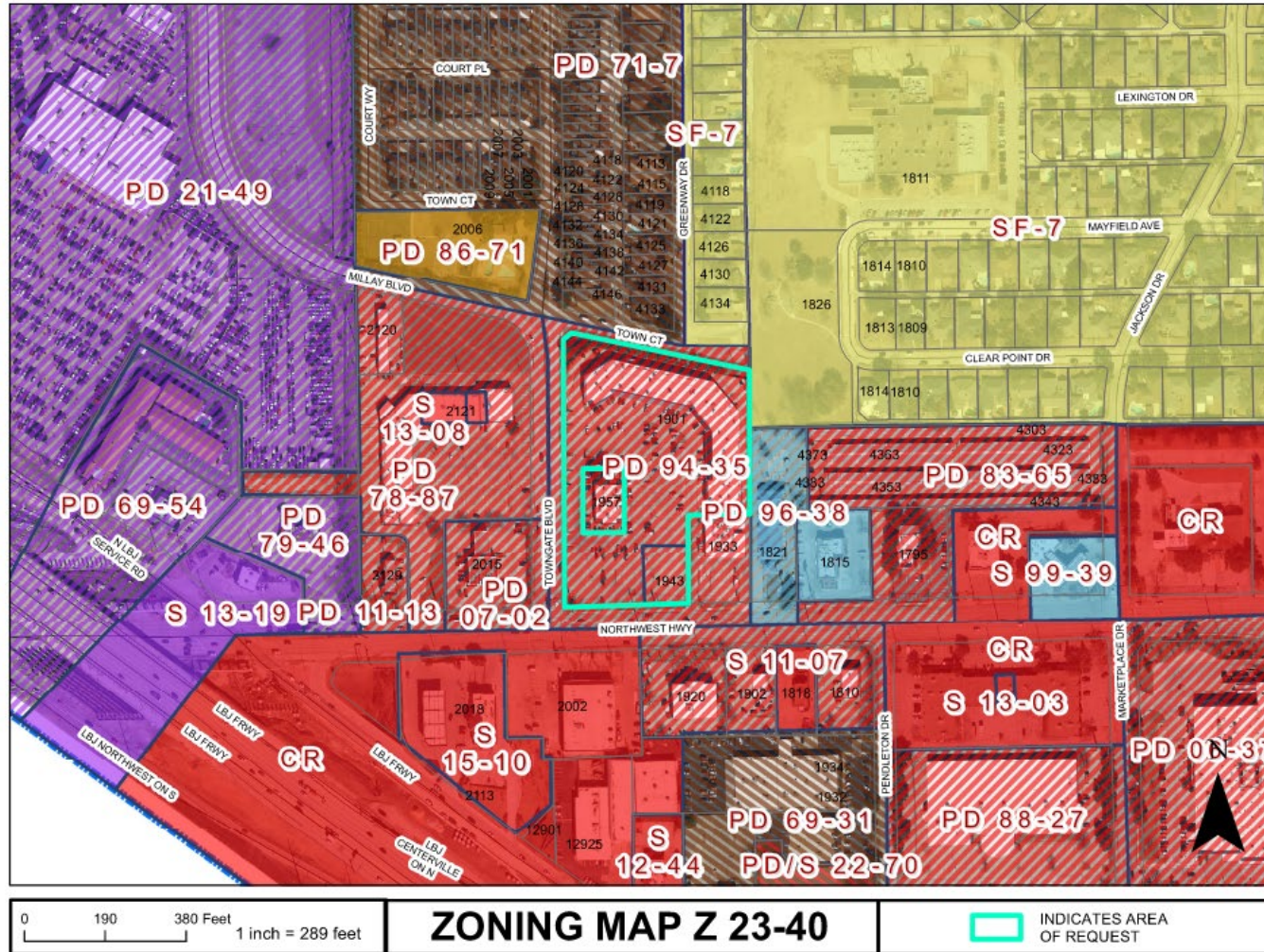
ZONING MAP Z 23-40

INDICATES AREA OF REQUEST

Z 23-40



LOCATION MAP



ZONING MAP Z 23-40

INDICATES AREA OF REQUEST

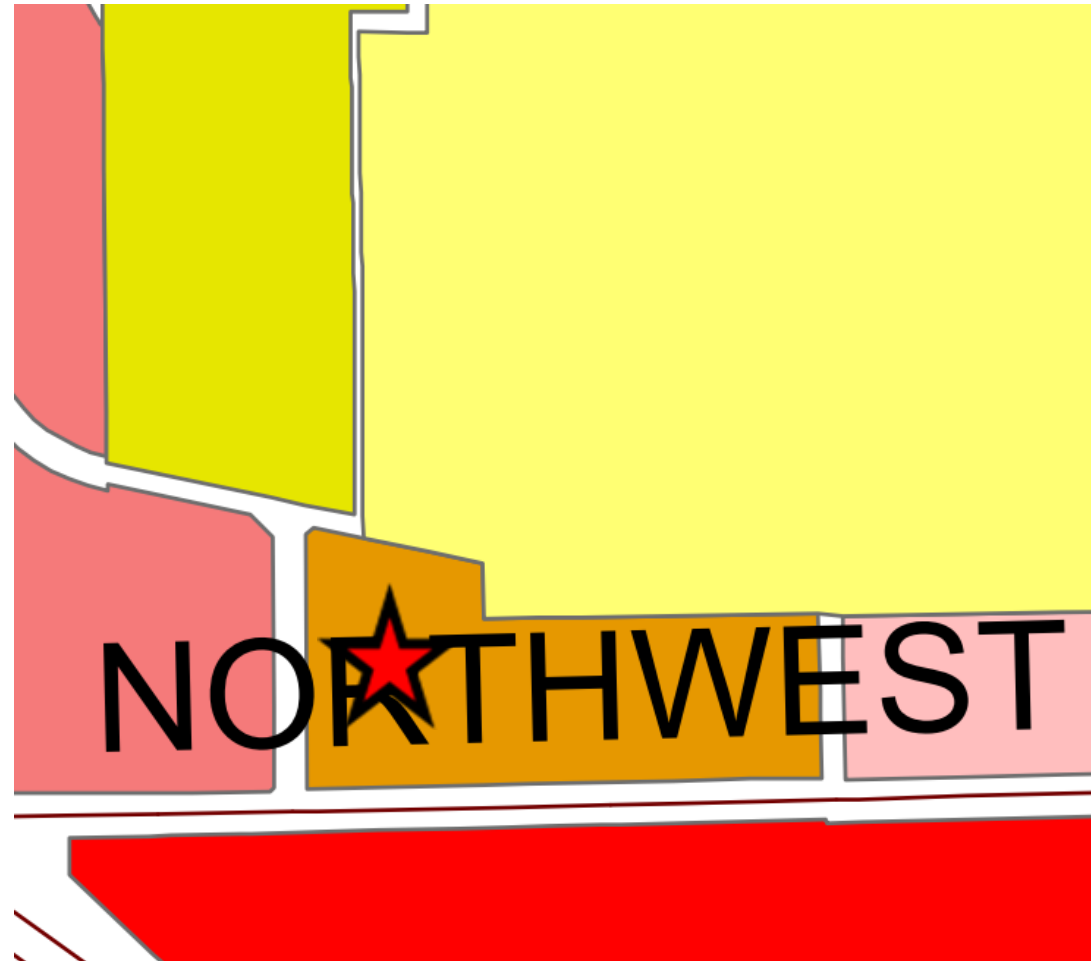
1901 Northwest Highway

Z 23-40



COMPREHENSIVE PLAN

 *Urban Neighborhoods*





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PHOTOS





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TEXAS MADE HERE

PHOTOS



Z 23-40



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PHOTOS



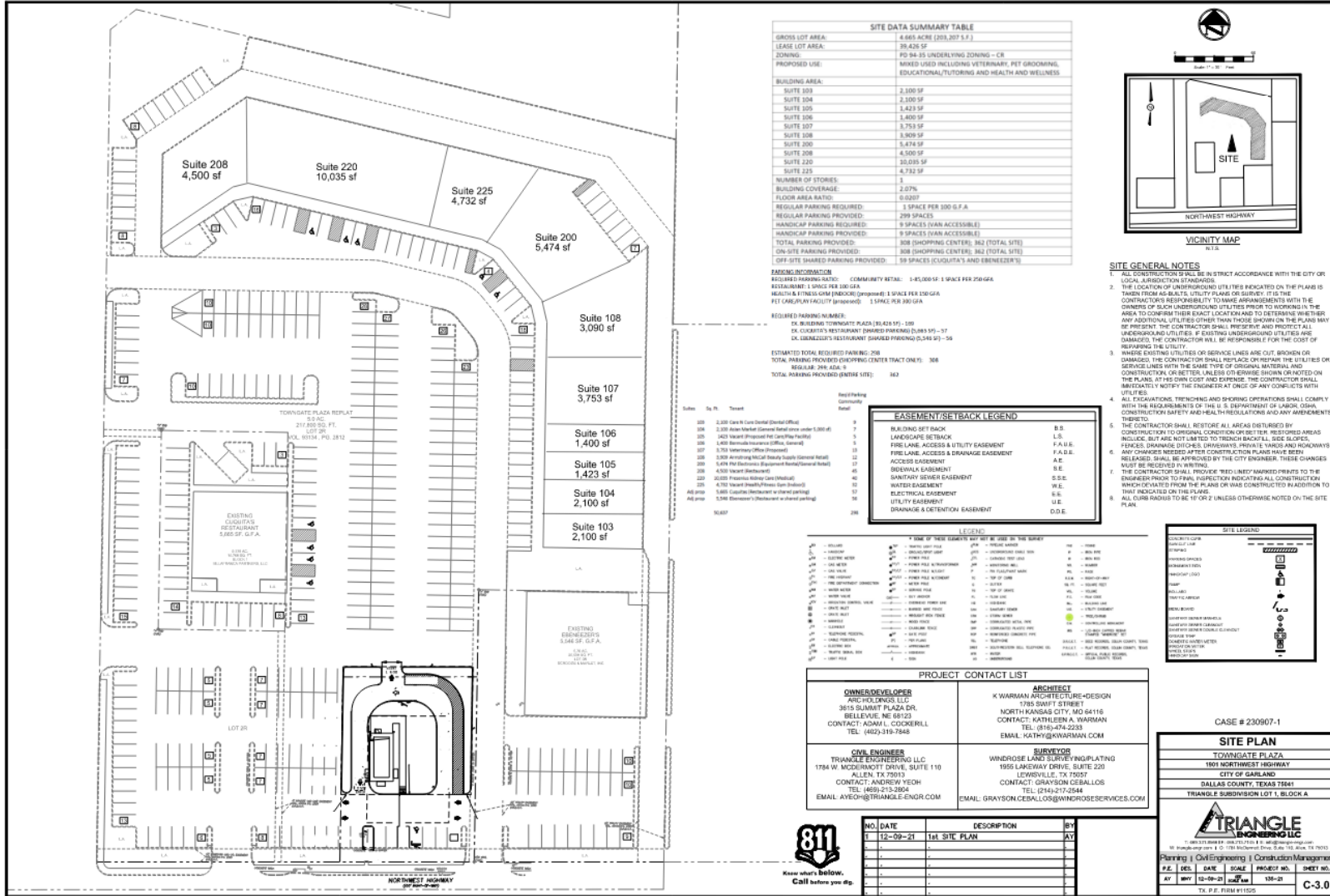
Z 23-40



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SITE PLAN



Z 23-40



USES PROPOSED TO BE PERMITTED

- Pet Care/Play Facility (indoor)
- Learning Center, Specialized
- Health & Fitness Gym (Indoor)
- Studio, Fitness or Performing Arts
- Veterinary Clinic, Small Animal (indoors only)

ECONOMIC DEVELOPMENT

According to the economic development strategic plan, a shopping center has the highest revenue per acre for retail development. Allowing more compatible uses would increase the likelihood of additional businesses moving into this shopping center.

Additionally, the applicant has taken steps to improve the façade and other exterior features of the shopping center over the last year. This proposal will help contribute to the revitalization of the site.



STAFF RECOMMENDATION

Approval of an Amendment to Planned Development (PD) District 94-35 to Allow Pet Care/Play Facility (indoor), Learning Center, Specialized; Health & Fitness Gym (Indoor); Studio, Fitness or Performing Arts; and Veterinary Clinic, Small Animal (indoors only) uses.

In addition, staff recommends the removal of the automobile-related uses currently in Planned Development (PD) District 94-35, specifically Tire Dealer (no outdoor storage) and Automobile Leasing (New). Automobile repair and sales are already prohibited on the subject property. The applicant concurs with the recommendation.



PLAN COMMISSION RECOMMENDATION

During their November 20, 2023 meeting, the Plan Commission, with a vote of nine (9) to zero (0), recommended approval of an Amendment to Planned Development (PD) District 94-35 to Allow Pet Care/Play Facility (indoor), Learning Center, Specialized; Health & Fitness Gym (Indoor), and Veterinary Clinic, Small Animal (indoors only) uses, per staff recommendation.

In addition, the Plan Commission recommended Studio, Fitness or Performing Arts to be added. This has been added to the request accordingly.



GARLAND

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DEFINITIONS

- An indoor commercial establishment in which domestic animals (such as dogs and cats) are housed, groomed, bred, boarded, entertained, or trained for a fee or compensation. The term includes overnight boarding, pet day cares, indoor dog parks, and grooming-only salons (that is, a pet salon that is not part of a retail Pet Store establishment). In order to fall under this definition, all of the establishment's activities must occur indoors, except for periodic outdoor breaks or exercise under close supervision for limited periods of time (periods of up to one hour).
- A private educational establishment that offers specialized or advanced courses similar to those offered in the public school system (such as mathematics, languages, or sciences) for a fee. Also includes an educational establishment that offers specialized training in improving educational skills such as those related to course study and test-taking, as well as an establishment that specializes in speech, hearing, sight or reading therapy, and teaching basic life skills to mentally retarded, handicapped, or blind persons.



DEFINITIONS

- A private indoor facility operated to promote physical health and fitness activities such as exercise, physical therapy, personal training, and education pertaining to health and fitness. The uses and facilities may include, but are not limited to, weight lifting and exercise equipment, aerobics, swimming pools and spas, running tracks, indoor games, personal recreation courts (such as for racquetball, handball, and indoor tennis), or a dance or exercise studio that is larger than five thousand square feet in floor area. (See Studio, Fitness or Performing Arts for facilities that are five thousand square feet or less in size.)
- An indoor-only establishment where a veterinarian maintains treatment facilities for the medical or surgical treatment of diseased or injured animals, including boarding facilities. The term does not include outdoor activities, except for short breaks, a maximum of sixty minutes, for animals currently being treated. For the purpose of this definition, small animal shall be defined as any animal that is no larger than the largest breed of dogs, including fish, birds, reptiles and mammals (no livestock).



COMPREHENSIVE PLAN

The Future Land Use Map of the Envision Garland Plan recommends Urban Neighborhoods for the subject property. Urban neighborhoods are higher density residential developments. This residential option may utilize vertical mixed-use integrated into the surrounding area, reflecting the area's dominant character or, when desired, promoting a new character. This type of development should encourage access to a range of mobility options and is generally located in the vicinity of major intersections and/or secondary arterial streets, with proximity to significant bus or rail amenities.