



GARLAND

NOTICE OF MEETING CITY OF GARLAND, TEXAS

PLAN COMMISSION
City Hall, Council Chambers
William E. Dollar Municipal Building
200 N. Fifth Street
Garland, Texas
October 23, 2023 at 7:00 p.m.

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

A pre-meeting will begin at 6:30 p.m. at the same location as the regular meeting. The agenda for the pre-meeting is the same as for the regular meeting, and may include additional items as set forth below.

INVOCATION AND PLEDGE OF ALLEGIANCE: It is the custom and tradition of the members of the Plan Commission to have an invocation and recital of the Pledge of Allegiance prior to the beginning of the meeting. Members of the audience are invited to participate. However, members of the audience are not required to participate. The decision to participate is strictly a matter of personal choice and has no bearing on matters to be considered by the Plan Commission and will not affect the decisions to be made during the meeting.

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

Public Comments

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

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

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

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

CONSENT AGENDA

All items under this section are recommended for approval by a single motion of the Plan Commission, without discussion. The Plan Commission has had the opportunity to review each of these items during a pre-meeting. The Chairman will announce the agenda and provide an opportunity for members of the audience and the Plan Commission to request that an item be removed and considered separately.

1. MINUTES

- a.** Consider approval of the Plan Commission Minutes for the October 9, 2023, meeting.

ITEMS FOR INDIVIDUAL CONSIDERATION

Speaker Regulations:

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

2. ZONING

- a.** Consideration of the application of ClayMoore Engineering, requesting approval of 1) an Amendment to Planned Development (PD) District 01-16 for Community Retail Uses, 2) a Specific Use Provision for a Restaurant, Drive-Through Service Use on a property zoned Planned Development (PD) District 01-16 and 3) a Detail Plan for a Restaurant, Drive-Through Use, and a Retail Store Use. This property is located at 5050 North Garland Avenue. (District 1) (File Z 23-23).

3. MISCELLANEOUS

- a.** Consider an amendment to the Land Use Matrix of Chapter 2 of the Garland Development Code to allow for Automobile Repair, Minor use by Specific Use Provision in the Community Retail (CR) District.

4. ADJOURN

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

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



GARLAND

Plan Commission

1. a.

Meeting Date: 10/23/2023

Item Title: Plan Commission Minutes for October 9, 2023

Summary:

Consider approval of the Plan Commission Minutes for the October 9, 2023, meeting.

Attachments

October 9, 2023 Plan Commission Minutes



GARLAND

MINUTES

The Plan Commission of the City of Garland convened in regular session at 7:00 p.m. on Monday, October 9, 2023, in the Council Chambers at the William E. Dollar Municipal Building, 200 N. Fifth Street, Garland, Texas, with the following members present:

Present: Chairman Scott Roberts
2nd Vice Chair Wayne Dalton
1st Vice Chair Julius Jenkins
Commissioner Stephanie Paris
Commissioner Michael Rose
Commissioner Rich Aubin
Commissioner Robert John Smith
Plan Commissioner Georgie Cornelius

Absent: Commissioner Douglas Williams

Staff Present: Will Guerin, Planning Director
Nabiha Ahmed, Lead Development Planner
Matthew Wolverton, Development Planner
Josue De La Vega, Sr. Planner
Shawn Roten, Senior Assistant City Attorney
Elba Garcia, Department Representative I
Elisa Morales, Secretary

CONSENT AGENDA

All items under this section are recommended for approval by a single motion of the Plan Commission, without discussion. The Plan Commission has had the opportunity to review each of these items during a pre-meeting. The Chairman will announce the agenda and provide an opportunity for members of the audience and the Plan Commission to request that an item be removed and considered separately.

Motion was made by Commissioner Dalton to **approve** the Consent Agenda. Seconded by Commissioner Aubin. **Motion carried: 8 Ayes, 0 Nays.**

1. MINUTES

- a. Consider approval of the Plan Commission Minutes for the September 25, 2023, meeting. **APPROVED**

2. PLATS

- a. P 23-34 Harris Hollabaugh Park – Replat **APPROVED**
- b. P 23-35 Draper Garland Addition – Final Plat **APPROVED**

ITEMS FOR INDIVIDUAL CONSIDERATION

Speaker Regulations:

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3. ZONING

- a. Consideration of the application of **Abreham Tessema**, requesting approval of 1) a Specific Use Provision Amendment for a Truck/Bus Storage use on a property zoned Industrial (IN) District with a Specific Use Provision (S 20-28) for Truck/Bus Storage and 2) a Plan for a Truck/Bus Storage use. This property is located at 2430 Lonneck Drive. (District 5) (File Z 22-58). (This case was postponed from the September 25, 2023 Plan Commission meeting.) **APPROVED**

Motion was made by Commissioner Aubin to **approve** the application as presented. Seconded by Commissioner Jenkins. **Motion carried: 8 Ayes, 0 Nays.**

- b. Consideration of the application of **CAT Scale Company**, requesting approval of 1) an Amendment to Planned Development (PD) District 16-10 to allow a truck scale and a freestanding sign and 2) a Detail Plan to allow a truck scale and a freestanding sign to the existing development. This property is located at 1910 South Jupiter Road. (District 6) (File Z 23-20) **APPROVED**

The applicants, Steve Goecke, 515 Sterling Dr., Walcott, IA 52773 and Kent Jurgersen, 515 Sterling Dr., Walcott, IA 52773, provided an overview of the request and remained available for questions.

Commissioner Jenkins asked the applicant what the actual scale of the proposed scale would be and whether this would be a significant improvement for the proposed site.

The applicant explained that concrete would be poured where there is already existing concrete and no landscape would be impacted. The overall footprint would be 21 X 102 feet. The actual scale would be 11 X 84 feet. The actual scale would be broken down into three different platforms for a total of 80,000 pounds. The applicant explained that the improvement would be concentrated to a specific area at the end of the fuel lines.

Commissioner Jenkins asked the applicant how many trucks could be on the scale at one time and in total, how many trucks would be weighed per day.

The applicant responded that only one truck could be on the scale at a time and a total of approximately 30-40 trucks per day would be weighed.

Commissioner Rose asked the applicant what the hours of operation for the scale would be and what the timing for the scale to be in operation.

The applicant responded that the scale would be operated 24 hours per day and that they hope to have the scale in operation by the end of the year.

Commissioner Dalton asked the applicant if the driver would see a display on the scale of the total weight of their truck.

The applicant explained that the driver would not see the total weight of the vehicle. The drivers would be essentially purchasing an insurance policy that guarantees that their truck weight is what the CAT scale weight reflects, otherwise the CAT scale would be responsible for any fines the driver is assessed.

Commissioner Dalton asked the applicant if they were pinging the trucks in the general vicinity of their scale.

The applicant confirmed that yes, they use the app to pin nearby trucks.

Commissioner Aubin asked the applicant about the sustainability of the location for the scale and if they foresee that truck drivers will be coming off of the highway into Garland specifically for the use of the scale.

The applicant explained that based on the nearby load originations for the surrounding area, most drivers would be looking for the nearest scale.

Chair Roberts asked the applicant if they were aware of any other brand of scales in the area besides their own and if most of their business was conducted via their app.

The applicant stated they were not aware of any other scales in the area besides possibly those of private businesses that are load originating facilities. Their application does account for approximately 50% of their business but for those drivers that are not tech-savvy, they would have the ability to pay for their load in person.

Chair Roberts followed-up his question regarding the use of the app by asking the applicant if it was then necessary to have a 22-foot sign if most of their business was conducted via the app.

The applicant explained that the sign would provide a goal post of where the driver would go to get weighed.

Commissioner Jenkins asked the applicant how many of their customers would they say would be repeat customers.

The applicant explained that quite a few of their customers are repeat due to their weight guarantee policy.

Motion was made by Commissioner Aubin to close the public hearing. Seconded by Commissioner Rose. **Motion carried: 8 Ayes, 0 Nays.**

There was feedback from the Commissioners regarding the use of the location making sense due to the need and location of the scale, the signage being a good fit for the area and the proposal supporting the zoning in the area as well.

Motion was made by Commissioner Aubin to **approve** the application as presented. Seconded by Commissioner Jenkins. **Motion carried: 8 Ayes, 0 Nays.**

- c. Consideration of the application of **Angie Lemus**, requesting approval of 1) **APPROVED** an Amendment to Planned Development (PD) District 05-60 and Planned Development (PD) District 12-19 to add attached signs and freestanding signs and 2) a Detail Plan to add attached signs and freestanding signs. This property is located at 305 River Fern Avenue. (District 1) (File Z 23-24)

The applicant, Kurt Brag, 605 Vicksbury Court, Southlake, TX, provided an overview of the request and remained available for questions.

Commissioner Dalton pointed out that this apartment complex has always troubled him due to the lack of signage to advertise what they are. Commissioner Dalton feels the proposed signage will help with these concerns.

Commissioner Smith stated that while he agrees the signage is needed, he is inclined to support the staff recommendation.

Commissioner Jenkins stated that he agrees with the proposal presented by staff.

Commissioner Aubin is inclined to support the application as presented.

Commissioner Cornelius is also in support of the proposed signage.

Commissioner Jenkins pointed out that the only concern he would have would be if this sign would create competition among the surrounding businesses.

Chair Roberts pointed out that most prospective residents would probably do their search online versus coming to the actual property. Chair Roberts stated he was also in agreement with the recommendation by staff.

Motion was made by Commissioner Rose to **approve** the application as presented. Seconded by Commissioner Aubin. **Motion carried: 5 Ayes, 3 Nays** with Commissioners Smith, Jenkins and Roberts in opposition.

- d. Consideration of the application of **First Place Foods**, requesting approval of a 1) Specific Use Provision for a Food Processing & Storage Use on a property zoned Planned Development (PD) District 93-01 for Industrial Uses; and 2) a Plan for a Food Processing & Storage Use. This property is located at 751 South International Road. (District 6) (File Z 23-34) **APPROVED**

The applicant, Pat Hun, 7764 Shadetree Ln., Celina, TX, provided an overview of the request and remained available for questions.

Chair Roberts asked the applicant if they would have outside storage at this facility as they currently do.

The applicant explained that the new facility would not have the outdoor storage.

Motion was made by Commissioner Jenkins to **approve** the application as presented. Seconded by Commissioner Dalton. **Motion carried: 8 Ayes, 0 Nays**.

- e. Consideration of the application of **Bohler Engineering TX, LLC**, requesting approval of 1) an amendment to Planned Development (PD) District 23-15 for Community Retail (CR) Uses to expand the existing Walmart Garden Center and 2) a Detail Plan of an expansion of the existing Walmart Garden Center on a property zoned Planned Development (PD) District 23-15. This property is located at 5302 North Garland Avenue. (District 1) (File Z 23-35) **APPROVED**

The applicant, Mathias Haubert, 2600 Network Blvd., Ste. 310, Frisco, TX, provided an overview of the request and remained available for questions.

Motion was made by Commissioner Dalton to close the public hearing and **approve** the application as presented. Seconded by Commissioner Rose. **Motion carried: 8 Ayes, 0 Nays**.

4. **ADJOURN**

There being no further business to come before the Plan Commission, the meeting adjourned at 7:51 p.m.

CITY OF GARLAND, TEXAS

/s/ Scott Roberts, Chairman

/s/ Elisa Morales, Secretary



GARLAND

Plan Commission

2. a.

Meeting Date: 10/23/2023

Item Title: Z 23-23 ClayMoore Engineering (District 1)

Summary:

Consideration of the application of ClayMoore Engineering, requesting approval of 1) an Amendment to Planned Development (PD) District 01-16 for Community Retail Uses, 2) a Specific Use Provision for a Restaurant, Drive-Through Service Use on a property zoned Planned Development (PD) District 01-16 and 3) a Detail Plan for a Restaurant, Drive-Through Use, and a Retail Store Use. This property is located at 5050 North Garland Avenue. (District 1) (File Z 23-23).

Attachments

Z 23-23 ClayMoore Engineering (District 1)

Z 23-23 ClayMoore Engineering Responses



GARLAND

TEXAS MADE HERE

Planning Report

File No: Z 23-23/District 1

Agenda Item:

Meeting: Plan Commission

Date: October 23, 2023

REQUEST

Approval of 1) an Amendment to Planned Development (PD) District 01-16 for Community Retail Uses, 2) a Specific Use Provision for a Restaurant, Drive-Through Service Use on a property zoned Planned Development (PD) District 01-16 and 3) a Detail Plan for a Restaurant, Drive-Through Use, and a Retail Store Use.

LOCATION

5050 North Garland Ave

APPLICANT

ClayMoore Engineering

OWNER

Same Real Est

BACKGROUND

The subject property is a pad site on the larger Sam's Club property along North Garland Avenue. The site is between an existing Sonic Drive-In Restaurant and the Sam's Club fuel pumps. The site is currently parking for Sam's Club. The applicant proposes a Tim Horton's coffee shop with a drive-through, and a retail use.

SITE DATA

The 1.04-acre site will be accessed from the existing mutual access drive just to the East of the property, between the site and the fuel pumps.

USE OF PROPERTY UNDER CURRENT ZONING

The subject property is zoned Planned Development (PD) District 01-16 for Community Retail Uses. The PD 01-16 Detail Plan was approved for the original Sam's Club and Walmart development.

CONSIDERATIONS

Detail Plan:

1. The applicant proposes to carve out a 1.04-acre pad site from the Sam's Club parking area to develop a 4,140 square-foot building with a 400 square-foot patio. 1,638 square feet will be for the Tim Horton's coffee shop with a drive-through and 2,502 square feet will be for the Retail Store Use that currently has no tenant lined up (Exhibit C). The proposed site will be accessed from existing access points on the Sam's Club site as no new direct access points off North Garland Avenue are being proposed.

2. The parking for the proposed Tim Horton's site is in compliance with the Garland Development Code (GDC). In addition, the parking for the Supercenter site will remain in compliance.
3. The landscape layout (Exhibit D) is in compliance with the Garland Development Code (GDC).
4. The building elevations (Exhibit E) are in compliance with the Garland Development Code (GDC).
5. The applicant is not requesting any signage deviations with this request.

Specific Use Provision:

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

COMPREHENSIVE PLAN

The Future Land Use Map of the Envision Garland Plan recommends Community Centers for the subject site. Community centers are areas with compact development, primarily non-residential, serving a collection of neighborhoods. This type of development consists of a mix of uses, including retail, services, office use, multi-family residential, and entertainment. Community centers may be developed at the intersections of major arterial streets and along major arterials, highways, and turnpike corridors. This type of area is served by numerous roads and transit routes, providing a variety of connections between neighborhoods and Community Centers for pedestrians, bicycles, motorized vehicles, and transit. The development standards employed to create Community Centers should enhance gateways and corridors as well as to provide attractive, modern developments that create desirable destinations within the city.

The proposed development is consistent with the recommended uses for Community Centers.

ECONOMIC DEVELOPMENT STRATEGIC PLAN

The proposed use is considered "Stand Alone Commercial" per the Economic Development Strategic Plan. The Tim Horton's brand is a well-known Canadian coffee shop that is largely present in Canada and the Northern United States. There is currently only one location in Texas with none being in North Texas. The proposal will generate additional sales tax revenue to the City and redevelop a portion of an underutilized parking lot.

COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

The properties across North Garland Avenue are zoned Community Retail (CR) District, Planned Development (PD) District 04-42, Planned Development (PD) District 03-66, Planned Development (PD) District 03-65 and Planned Development (PD) District 03-24 for Community Retail Uses; these properties are developed with bank institutions, a variety of retail services, restaurants, and a fitness club. The property to the Northeast is zoned Planned Development (PD) District 23-15 and it is developed with a shopping center. The properties to the South and Southeast are zoned Planned Development (PD) District 05-63, Planned Development (PD) District 20-16, Planned Development (PD) District 12-56 for Community Retail (CR) Uses, and Agricultural (AG) District. These sites feature a Bank, a Car Wash Automated/Rollover, a Retail Store, and the Curtis Culwell Center.

The proposed development is generally compatible with the surrounding area which is characterized by retail, banking, and food service activity.

STAFF RECOMMENDATION

Approval of 1) an Amendment to Planned Development (PD) District 01-16 for Community Retail Uses, 2) a Specific Use Provision for a Restaurant, Drive-Through Service Use on a property zoned Planned Development (PD) District 01-16 and 3) a Detail Plan for a Restaurant, Drive-Through Use, and a Retail Store Use.

ADDITIONAL INFORMATION

- i. Location Map
- ii. PD Conditions
- iii. Exhibits
- iv. Photos

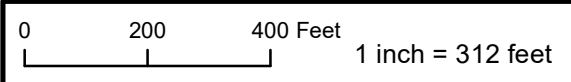
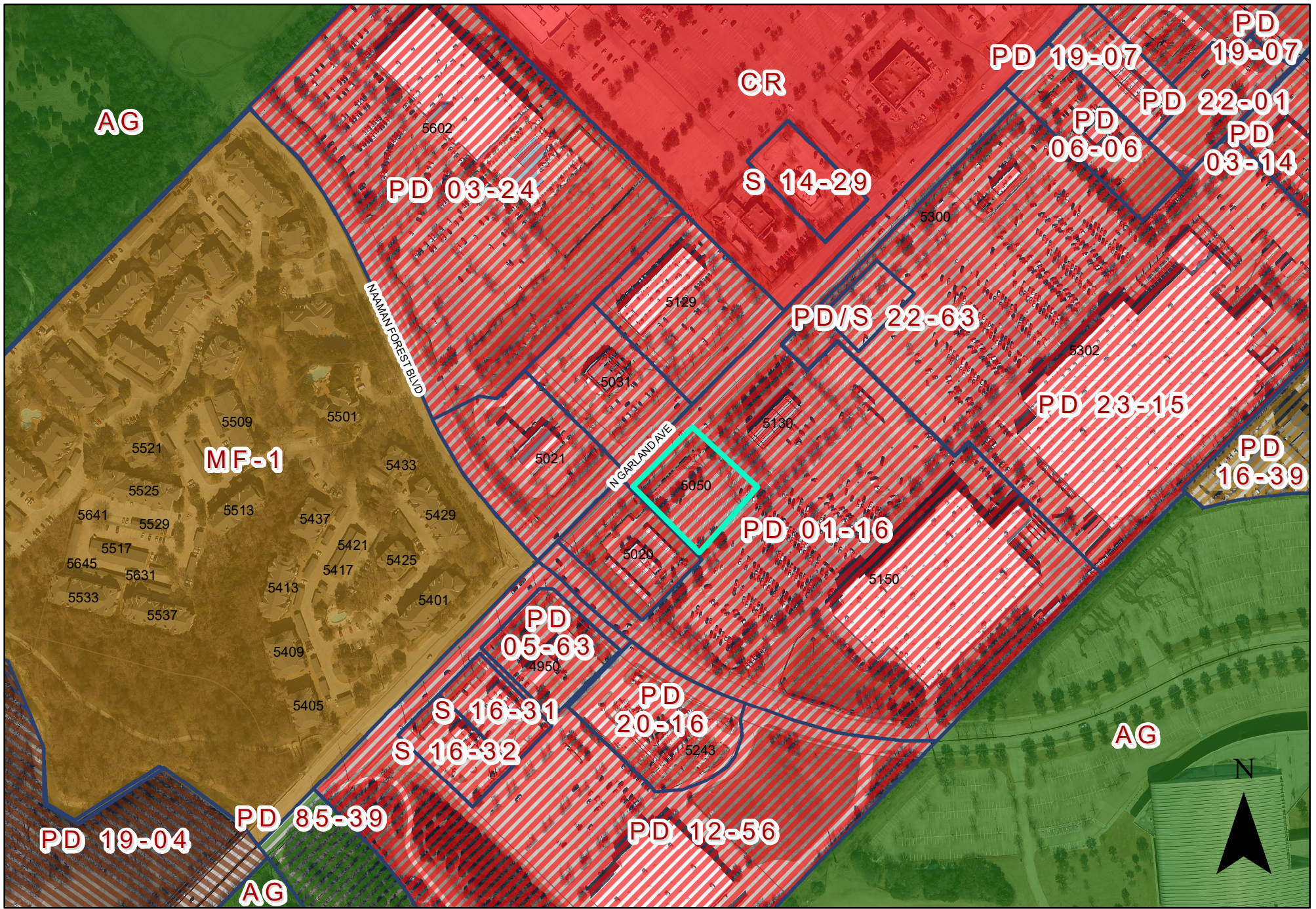
CITY COUNCIL DATE: November 14, 2023

PREPARED BY:

Matthew Wolverton
Development Planner
Planning & Development
972-205-2454
mwolverton@garlandtx.gov

REVIEWED BY:

Will Guerin, AICP
Director of Planning



ZONING MAP Z 23-23

 INDICATES AREA OF REQUEST

5050 North Garland Avenue

PLANNED DEVELOPMENT CONDITIONS

ZONING FILE Z 23-23

5050 North Garland Avenue

- I. Statement of Purpose:** The purpose of this Planned Development (PD) is to allow and regulate the development of Restaurant, Drive-Through and Retail Store land use.
- II. Statement of Effect:** This Planned Development shall not affect any regulation found in the Garland Development Code, Ordinance No. 6773, as amended prior to adoption of this ordinance, except as specifically provided herein.
- III. General Regulations:** All regulations of the Community Retail (CR) District and Site Development Standards as set forth in Chapter 2 and 4 of the Garland Development Code, Ordinance 6773, are included by reference and shall apply, except as otherwise specified by this ordinance.
- IV. Development Plans:**
- Detail Plan: Development is to be in conformance with the approved Detail Plan labeled Exhibit C. In the event of conflict between the conditions and Detail Plan, the conditions listed below are to apply.
- V. Detail Plan:**
- A. Site Layout: The site shall be in conformance to the site layout reflected on Exhibit C.
- B. Screening and Landscaping: Screening and landscaping shall be in conformance to the layout reflected on Exhibit D.
- C. Building Elevations: Building elevations shall be in conformance to the elevations as approved on Exhibit E.

SPECIFIC USE PROVISION CONDITIONS

ZONING FILE Z 23-23

5050 North Garland Avenue

- I. Statement of Purpose:** The purpose of this Specific Use Provision is to allow a Restaurant, Drive-Through.
- II. Statement of Effect:** This Specific Use Provision shall not affect any regulation found in the Garland Development Code, Ordinance No. 6773, as amended prior to adoption of this ordinance, except as specifically provided herein.
- III. General Regulations:** All regulations of the Community Retail (CR) District as set forth in Chapter 2 of the Garland Development Code Ordinance 6773, are included by reference and shall apply, except as otherwise specified by this ordinance.
- IV. 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.

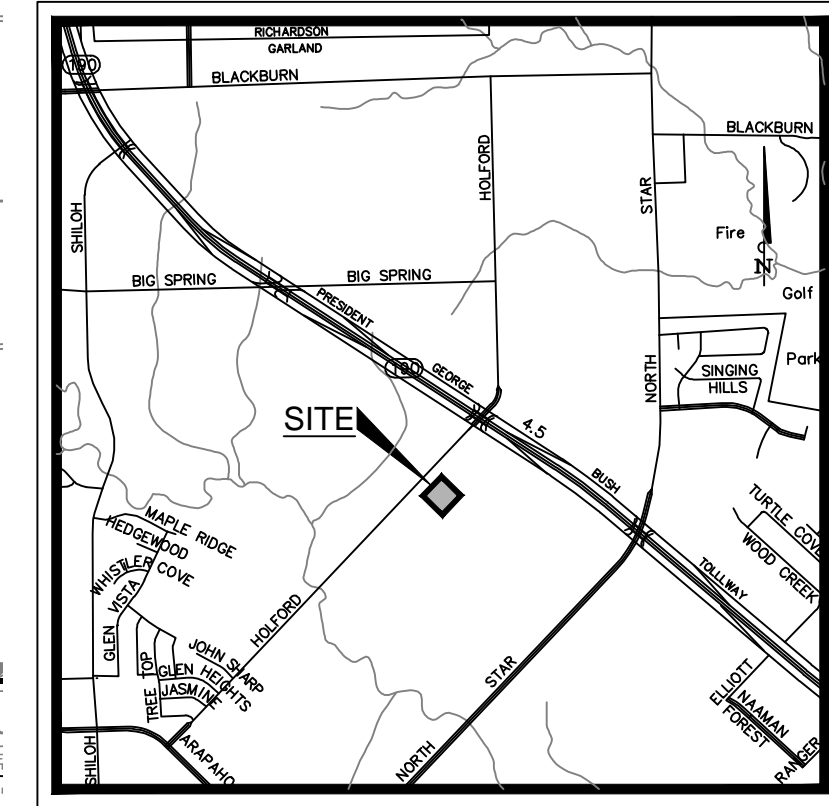
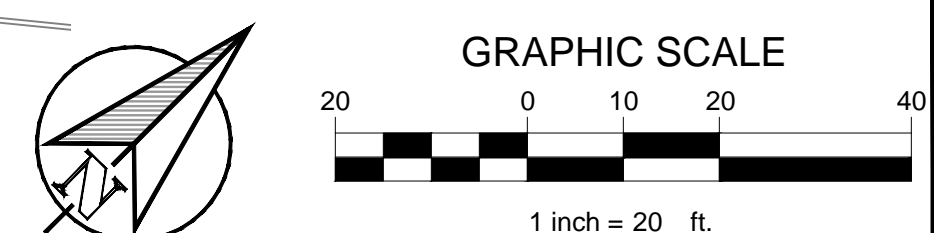
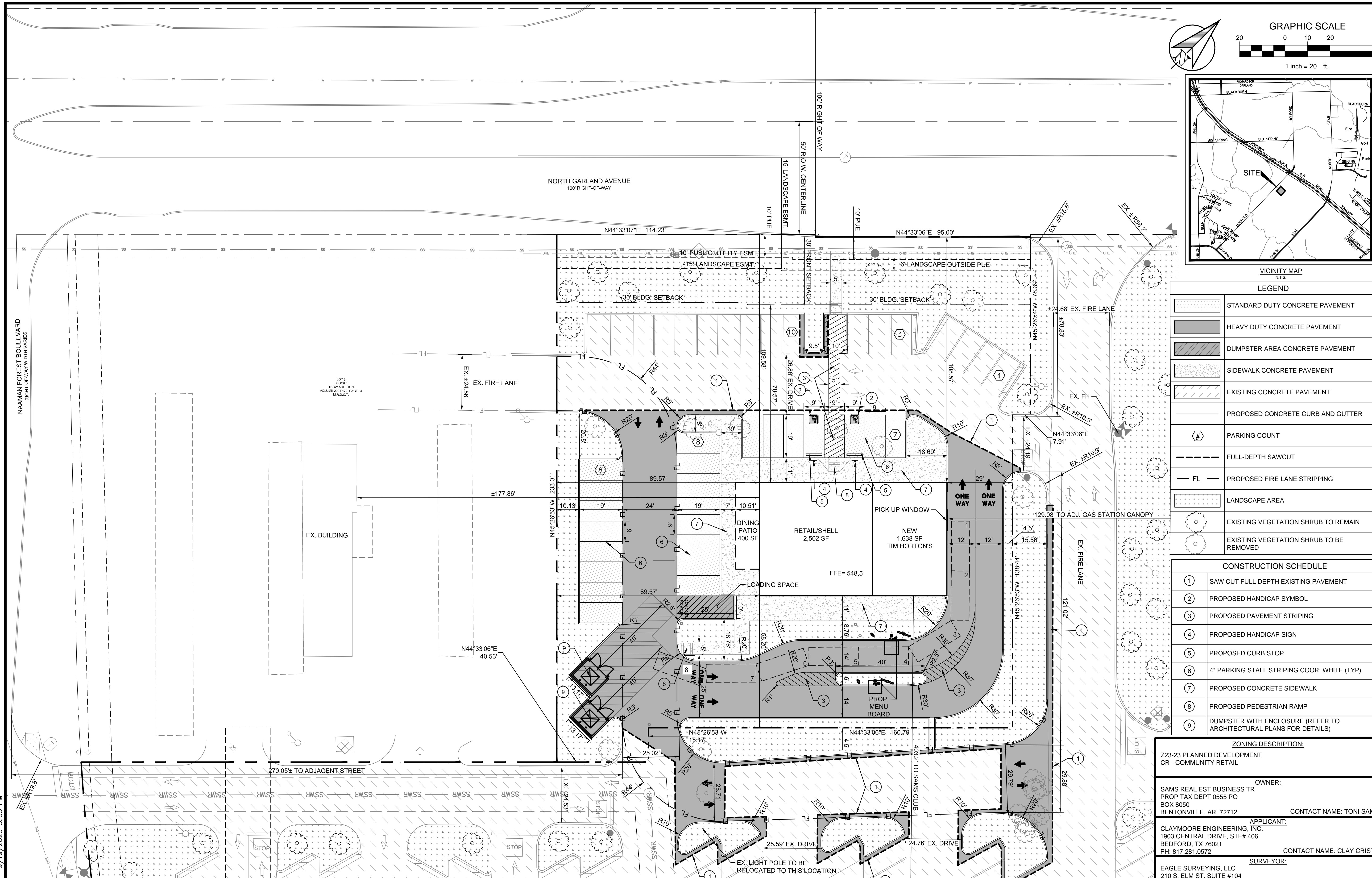
The termination of utilities on the premises for a period of 180 calendar days is prima facie evidence of abandonment and the owner shall have the burden to prove that the Land Use has not been abandoned.

V. Specific Regulations:

Time Period: The Specific Use Provision shall be valid for a time period of twenty-five (25) years.

EXHIBIT C

PLOTTED BY: SANTIAGO DURAN
 PLOT DATE: 9/19/2023 3:40 PM
 LOCATION: Z:\PROJECTS\MARKETING\POPEYES - GARLAND\SAMS\CADD\SHEETS\SP-1.DWG
 LAST SAVED: 9/19/2023 3:33 PM



TEXAS REGISTRATION #14199
CLAY MOORE ENGINEERING
 1903 CENTRAL DRIVE, SUITE 406
 BEDFORD, TX 76021
 PHONE: 817.281.0572
 WWW.CLAYMOORE.COM

PRELIMINARY
 FOR REVIEW ONLY
 Not for construction purposes.
 CLAYMOORE ENGINEERING AND PLANNING
 CONSULTANTS
 ENGINEER: CLAY CRISTY
 P.E. No. 10980 Date: 9/19/2023

TIM HORTONS
 5150 NORTH GARLAND AVENUE
 GARLAND, TX. 75040

LEGEND	
[Symbol]	STANDARD DUTY CONCRETE PAVEMENT
[Symbol]	HEAVY DUTY CONCRETE PAVEMENT
[Symbol]	DUMPSTER AREA CONCRETE PAVEMENT
[Symbol]	SIDEWALK CONCRETE PAVEMENT
[Symbol]	EXISTING CONCRETE PAVEMENT
[Symbol]	PROPOSED CONCRETE CURB AND GUTTER
[Symbol]	PARKING COUNT
[Symbol]	FULL-DEPTH SAWCUT
[Symbol]	PROPOSED FIRE LANE STRIPPING
[Symbol]	LANDSCAPE AREA
[Symbol]	EXISTING VEGETATION SHRUB TO REMAIN
[Symbol]	EXISTING VEGETATION SHRUB TO BE REMOVED
CONSTRUCTION SCHEDULE	
1	SAW CUT FULL DEPTH EXISTING PAVEMENT
2	PROPOSED HANDICAP SYMBOL
3	PROPOSED PAVEMENT STRIPING
4	PROPOSED HANDICAP SIGN
5	PROPOSED CURB STOP
6	4' PARKING STALL STRIPING COOR: WHITE (TYP)
7	PROPOSED CONCRETE SIDEWALK
8	PROPOSED PEDESTRIAN RAMP
9	DUMPSTER WITH ENCLOSURE (REFER TO ARCHITECTURAL PLANS FOR DETAILS)

ZONING DESCRIPTION:	
Z23-23 PLANNED DEVELOPMENT CR - COMMUNITY RETAIL	
OWNER: SAMS REAL EST BUSINESS TR PROP TAX DEPT 0555 PO BOX 8050 BENTONVILLE, AR. 72712 CONTACT NAME: TONI SAMS	
APPLICANT: CLAYMOORE ENGINEERING, INC. 1903 CENTRAL DRIVE, STE# 406 BEDFORD, TX 76021 PH: 817.281.0572 CONTACT NAME: CLAY CRISTY	
SURVEYOR: EAGLE SURVEYING, LLC 210 S. ELM ST. SUITE #104 DENTON, TX 76201 PH: 940.222.3009 CONTACT NAME: TYLER RANK	
LEGAL DESCRIPTION: TBCW BLK 1 LT 1 ACS 15.6326	
CITY: GARLAND	STATE: TX.
COUNTY: DALLAS	SURVEY: OROFEE ALVARADO
ABSTRACT NO. 2	

SITE DATA SUMMARY																								
LOT	ZONING	PROPOSED USE	LOT SIZE (ACRES)	LOT SIZE (SQ. FT.)	BLDG. AREA (SQ. FT.)	PATIO (SQ FT)	BLDG HGT. (FT) 35' MAX	# OF STORIES	LOT COVERAGE		FLR AREA RATIO		PARKING		HANDICAP SP.		TOTAL IMPERVIOUS/ TOTAL PERVIOUS		OPEN SPACE					
									REQ.	PROV.	REQ.	PROV.	REQ. RATIO	REQ.	TOTAL REQ.	TOTAL PROV.	REQ.	PROV.	(SQ FT)	(%)	(SQ FT)	(%)	REQ. (SQ. FT. MIN)	PROV.
PROPOSED LOT 1	PD-01-16 COMMUNITY RETAIL	RESTAURANT RETAIL	1.04	45,351	1,638	400	23'-4"	1	40% MAX	3.6%	NONE	0.04	RESTAURANT (1 PER 100 SQ FT)	21	29	40	2	2	28,735	63%	16,616	37%	10,000	16,616
					2,502		23'-4"	1		5.5%		0.06	RETAIL (1 PER 333 SQ FT)	8										

NOTES:
 1. ALL DIMENSIONS ARE TO FACE OF CURB UNLESS OTHERWISE NOTED.
 2. REFER TO ARCHITECTURAL PLANS FOR BUILDING DIMENSIONS AND EXACT DOOR LOCATIONS.

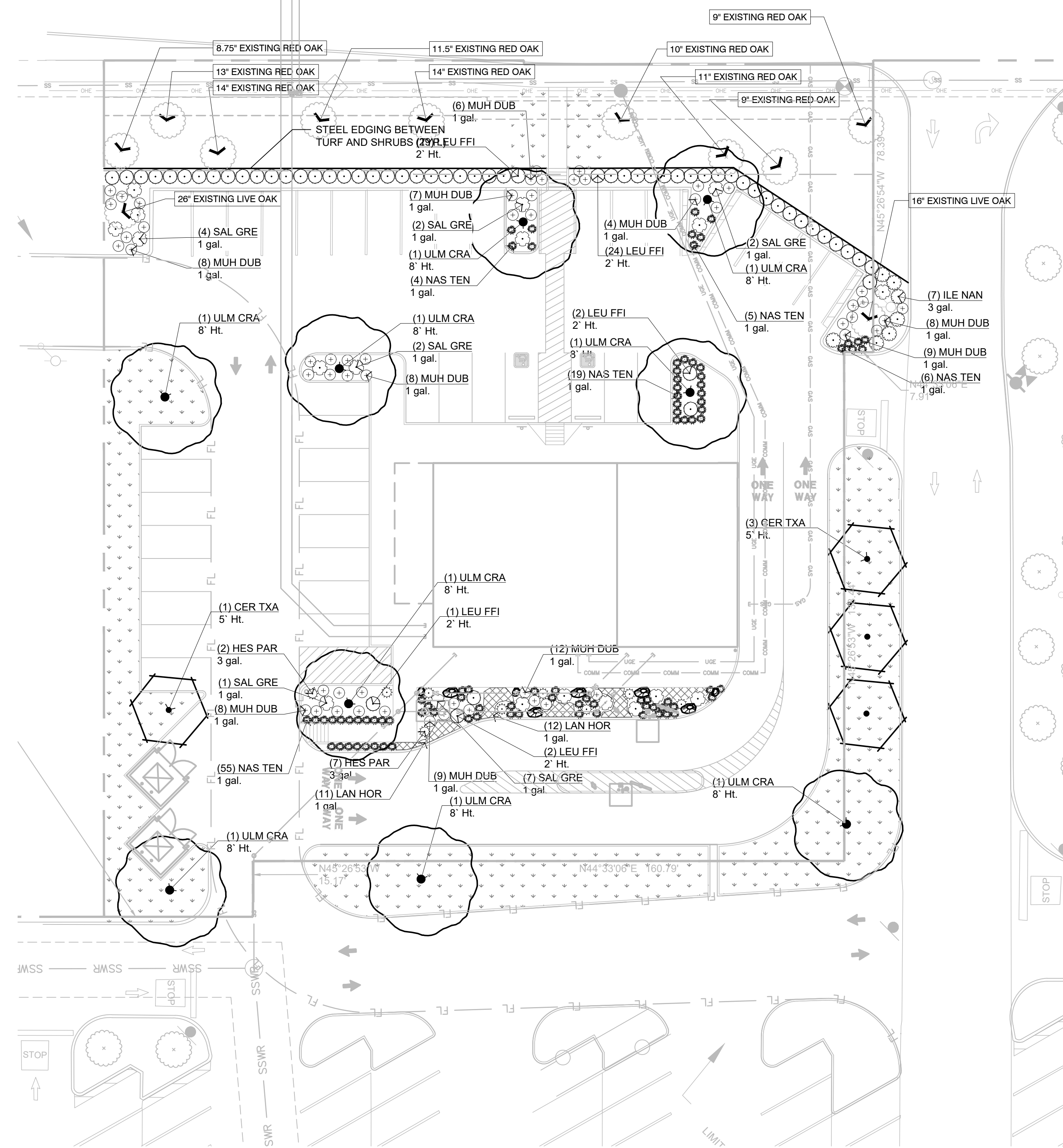
NO.	DATE	REVISION	BY

SITE PLAN
 CASE # 230309-1

DESIGN:	SDC
DRAWN:	SDC
CHECKED:	CLC
DATE:	9/19/2023
SHEET	
SP-1	
CM FILE NO.	

CHRIS DAVIS
 9/19/2023 3:15 PM
 C:\USERS\LOGIC\EDG DROPBOX\EDG - SHARED\2023\TIM HORTONS - GARLAND TX\PLANTING - TIM HORTONS 22X34 2023-06-10.DWG
 9/19/2023 3:14 PM

EXHIBIT D



PLANT LEGEND

SYMBOL	BOTANIC NAME	COMMON NAME	MIN. SIZE	SPACING	QUANTITY	REMARKS
TREES						
CER TXA	CERCIS CANADENSIS TEXENSIS	TEXAS REDBUD	2" cal., 5' high min.		4	
ULM CRA	ULMUS CRASSIFOLIA	CEDAR ELM	3" cal., 8' high min.		9	
NOTE: ALL TREES SHALL BE CONTAINER-GROWN, CONTAINER SIZE AS APPROPRIATE FOR THE CALIPER SPECIFIED. SEE SPECIFICATIONS FOR PROPER ROOT QUALITY.						
SHRUBS						
HES PAR	Hesperaloe parviflora	Red Yucca	#3 cont.	36" O.C.	9	
ILE NAN	Ilex vomitoria 'Nana'	Dwarf Yaupon Holly	#3 cont.	48" O.C.	7	
LEU FFI	Leucophyllum frutescens 'San Antonio Rose'	San Antonio Texas Sage	2' HT Min.	48" O.C.	58	
PERENNIALS AND ORNAMENTAL GRASSES						
MUH DUB	Muhlenbergia dubia	Pine Muhly	#1 cont.	36" O.C.	56	
NAS TEN	Nassella tenuissima	Mexican Feather Grass	#1 cont.	30" O.C.	88	
SAL GRE	Salvia greggii	Autumn Sage	#1 cont.	48" O.C.	19	
LAN HOR	Lantana horrida	Texas Lantana	#1 cont.	24" O.C.	50	
TURF AND SEED						
	Cynodon dactylon	Common Bermuda Grass	Sod	---	7,183 SF	

42"-48" DIA. RED GRANITE BOULDER - BURY 1/3 TO 1/2 OF HEIGHT (TYP.)
 24"-30" DIA. RED GRANITE BOULDER - BURY 1/3 TO 1/2 OF HEIGHT (TYP.)
 NOTE: A LOCAL EQUIVALENT TO RED GRANITE BOULDERS MAY BE USED WITH OWNER'S AND LANDSCAPE ARCHITECT'S WRITTEN APPROVAL.

LANDSCAPE CALCULATIONS

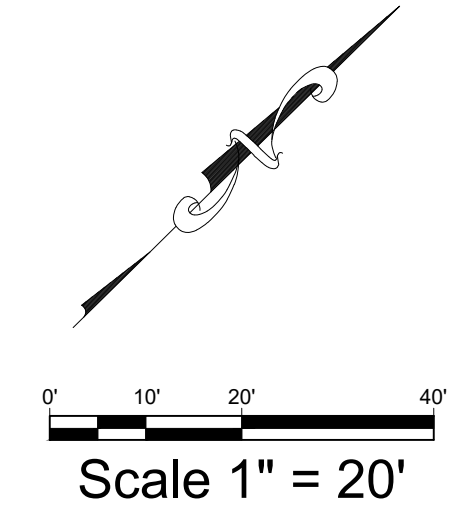
SITE TREES & PERIMETER LANDSCAPE	209 LF
FRONTAGE LENGTH:	7 TREES (1 PER 30 LF OF FRONTAGE)
STREET TREES REQUIRED:	9 TREES EXISTING
STREET TREES PROVIDED:	9 TREES
SHRUBS REQUIRED:	49 SHRUBS (7 SHRUBS PER 30 LF OF FRONTAGE)
SHRUBS PROVIDED:	49 SHRUBS
PARKING SPACES:	26 SPACES
TREES REQUIRED IN PARKING AREAS:	3 TREES (1 PER 10 SPACES)
TREES PROVIDED IN PARKING AREAS:	3 TREES

GENERAL GRADING AND PLANTING NOTES

- BY SUBMITTING A PROPOSAL FOR THE LANDSCAPE PLANTING SCOPE OF WORK, THE CONTRACTOR CONFIRMS THAT HE HAS READ, AND WILL COMPLY WITH, THE ASSOCIATED NOTES, SPECIFICATIONS, AND DETAILS WITH THIS PROJECT.
- THE GENERAL CONTRACTOR IS RESPONSIBLE FOR REMOVING ALL EXISTING VEGETATION (EXCEPT WHERE NOTED TO REMAIN).
- IN THE CONTEXT OF THESE PLANS, NOTES, AND SPECIFICATIONS, "FINISH GRADE" REFERS TO THE FINAL ELEVATION OF THE SOIL SURFACE (NOT TOP OF MULCH) AS INDICATED ON THE GRADING PLANS.
 - BEFORE STARTING WORK, THE LANDSCAPE CONTRACTOR SHALL VERIFY THAT THE ROUGH GRADES OF ALL LANDSCAPE AREAS ARE WITHIN +/- 1" OF FINISH GRADE. SEE SPECIFICATIONS FOR MORE DETAILED INSTRUCTION ON TURF AREA AND PLANTING BED PREPARATION.
 - CONSTRUCT AND MAINTAIN FINISH GRADES AS SHOWN ON GRADING PLANS, AND CONSTRUCT AND MAINTAIN SLOPES AS RECOMMENDED BY THE GEOTECHNICAL REPORT. ALL LANDSCAPE AREAS SHALL HAVE POSITIVE DRAINAGE AWAY FROM STRUCTURES AT THE MINIMUM SLOPE SPECIFIED IN THE REPORT AND ON THE GRADING PLANS, AND AREAS OF POTENTIAL PONDING SHALL BE REGRADED TO BLEND IN WITH THE SURROUNDING GRADES AND ELIMINATE PONDING POTENTIAL.
 - THE LANDSCAPE CONTRACTOR SHALL DETERMINE WHETHER OR NOT THE EXPORT OF ANY SOIL WILL BE NEEDED, TAKING INTO ACCOUNT THE ROUGH GRADE PROVIDED, THE AMOUNT OF SOIL AMENDMENTS TO BE ADDED (BASED ON A SOIL TEST, PER SPECIFICATIONS), AND THE FINISH GRADES TO BE ESTABLISHED.
 - ENSURE THAT THE FINISH GRADE IN SHRUB AREAS IMMEDIATELY ADJACENT TO WALKS AND OTHER WALKING SURFACES, AFTER INSTALLING SOIL AMENDMENTS, IS 3" BELOW THE FINISH SURFACE OF THE WALKS. TAPER THE SOIL SURFACE TO MEET FINISH GRADE, AS SPECIFIED ON THE GRADING PLANS, AT APPROXIMATELY 18" AWAY FROM THE WALKS.
 - ENSURE THAT THE FINISH GRADE IN TURF AREAS IMMEDIATELY ADJACENT TO WALKS AND OTHER WALKING SURFACES, AFTER INSTALLING SOIL AMENDMENTS, IS 3" BELOW THE FINISH SURFACE OF THE WALKS. TAPER THE SOIL SURFACE TO MEET FINISH GRADE, AS SPECIFIED ON THE GRADING PLANS, AT APPROXIMATELY 18" AWAY FROM THE WALKS.
 - SHOULD ANY CONFLICTS AND/OR DISCREPANCIES ARISE BETWEEN THE GRADING PLANS, GEOTECHNICAL REPORT, THESE NOTES AND PLANS, AND ACTUAL CONDITIONS, THE CONTRACTOR SHALL IMMEDIATELY BRING SUCH ITEMS TO THE ATTENTION OF THE LANDSCAPE ARCHITECT, GENERAL CONTRACTOR, AND OWNER.
- ALL PLANT LOCATIONS ARE DIAGRAMMATIC. ACTUAL LOCATIONS SHALL BE VERIFIED WITH THE LANDSCAPE ARCHITECT OR DESIGNER PRIOR TO PLANTING. THE LANDSCAPE CONTRACTOR SHALL ENSURE THAT ALL REQUIREMENTS OF THE PERMITTING AUTHORITY ARE MET (I.E., MINIMUM PLANT QUANTITIES, PLANTING METHODS, TREE PROTECTION METHODS, ETC.).
 - THE LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR DETERMINING PLANT QUANTITIES. PLANT QUANTITIES SHOWN ON LEGENDS AND CALLOUTS ARE GENERAL INFORMATION ONLY. IN THE EVENT OF A DISCREPANCY BETWEEN THE PLAN AND THE PLANT LEGEND, THE PLANT QUANTITY AS SHOWN ON THE PLAN (FOR INDIVIDUAL SYMBOLS) OR CALLOUT (FOR GROUNDCOVER PATTERNS) SHALL TAKE PRECEDENCE.
 - NO SUBSTITUTIONS OF PLANT MATERIALS SHALL BE ALLOWED WITHOUT THE WRITTEN PERMISSION OF THE LANDSCAPE ARCHITECT. IF SOME OF THE PLANTS ARE NOT AVAILABLE, THE LANDSCAPE CONTRACTOR SHALL NOTIFY THE LANDSCAPE ARCHITECT IN WRITING (VIA PROPER CHANNELS).
 - THE CONTRACTOR SHALL, AT A MINIMUM, PROVIDE REPRESENTATIVE PHOTOS OF ALL PLANTS PROPOSED FOR THE PROJECT. THE CONTRACTOR SHALL ALLOW THE LANDSCAPE ARCHITECT AND THE OWNER/OWNER'S REPRESENTATIVE TO INSPECT, AND APPROVE OR REJECT, ALL PLANTS DELIVERED TO THE JOBSITE. REFER TO SPECIFICATIONS FOR ADDITIONAL REQUIREMENTS FOR SUBMITTALS.
- THE CONTRACTOR SHALL MAINTAIN THE LANDSCAPE IN A HEALTHY CONDITION FOR 90 DAYS AFTER ACCEPTANCE BY THE OWNER. REFER TO SPECIFICATIONS FOR CONDITIONS OF ACCEPTANCE FOR THE START OF THE MAINTENANCE PERIOD, AND FOR FINAL ACCEPTANCE AT THE END OF THE MAINTENANCE PERIOD.
- SEE SPECIFICATIONS AND DETAILS FOR FURTHER REQUIREMENTS.

IRRIGATION CONCEPT

- AN AUTOMATIC IRRIGATION SYSTEM SHALL BE INSTALLED AND OPERATIONAL BY THE TIME OF FINAL INSPECTION. THE ENTIRE IRRIGATION SYSTEM SHALL BE INSTALLED BY A LICENSED AND QUALIFIED IRRIGATION CONTRACTOR.
- THE IRRIGATION SYSTEM WILL OPERATE ON POTABLE WATER, AND THE SYSTEM WILL HAVE APPROPRIATE BACKFLOW PREVENTION DEVICES INSTALLED TO PREVENT CONTAMINATION OF THE POTABLE SOURCE.
- ALL NON-TURF PLANTED AREAS SHALL BE DRIP IRRIGATED. SODDED AND SEEDING AREAS SHALL BE IRRIGATED WITH SPRAY OR ROTOR HEADS AT 100% HEAD-TO-HEAD COVERAGE.
- ALL PLANTS SHARING SIMILAR HYDROZONE CHARACTERISTICS SHALL BE PLACED ON A VALVE DEDICATED TO PROVIDE THE NECESSARY WATER REQUIREMENTS SPECIFIC TO THAT HYDROZONE.
- THE IRRIGATION SYSTEM SHALL BE DESIGNED AND INSTALLED, TO THE MAXIMUM EXTENT POSSIBLE, TO CONSERVE WATER BY USING THE FOLLOWING DEVICES AND SYSTEMS: MATCHED PRECIPITATION RATE TECHNOLOGY ON ROTOR AND SPRAY HEADS (WHEREVER POSSIBLE), RAIN SENSORS, AND MULTI-PROGRAM COMPUTERIZED IRRIGATION CONTROLLERS FEATURING SENSORY INPUT CAPABILITIES.



TIM HORTONS
 5150 NORTH GARLAND AVENUE
 GARLAND, TX. 75040

DESIGN:	CBD
DRAWN:	CBD
CHECKED:	CBD
DATE:	09/19/2023

SHEET
LP-1
 CM FILE NO.

MATERIALS



ACME BRICK DOVE GRAY MODULAR - VELOUR
 KNOTWOOD METAL SIDING WHITE ASH DESIGNATION: (MP.1)
 CLOUD CERAMICS MIDNIGHT MODULAR - VELOUR

EIFS PAINT COLORS (SHERWIN WILLIAMS)



GRAY SCREEN SHERWIN WILLIAMS
 SNOWBOUND SHERWIN WILLIAMS
 BLACK RED SHERWIN WILLIAMS
 CYBERSPACE SHERWIN WILLIAMS

OTHER MISC. FINISHES



PREFINISHED METAL BERRIDGE CHARCOAL GRAY
 ALUMINUM CANOPY BLACK ANODIZED
 TIMS ACCENT COLOR SHERWIN WILLIAMS READ RED

Architectural Elements

1. Canopy
2. Transoms
3. Display Windows
4. divided Window Lights
5. Ornamental Facade
6. Outdoor Seating (Re. Site plan)



Floor Plan

N



East Elevation

25'

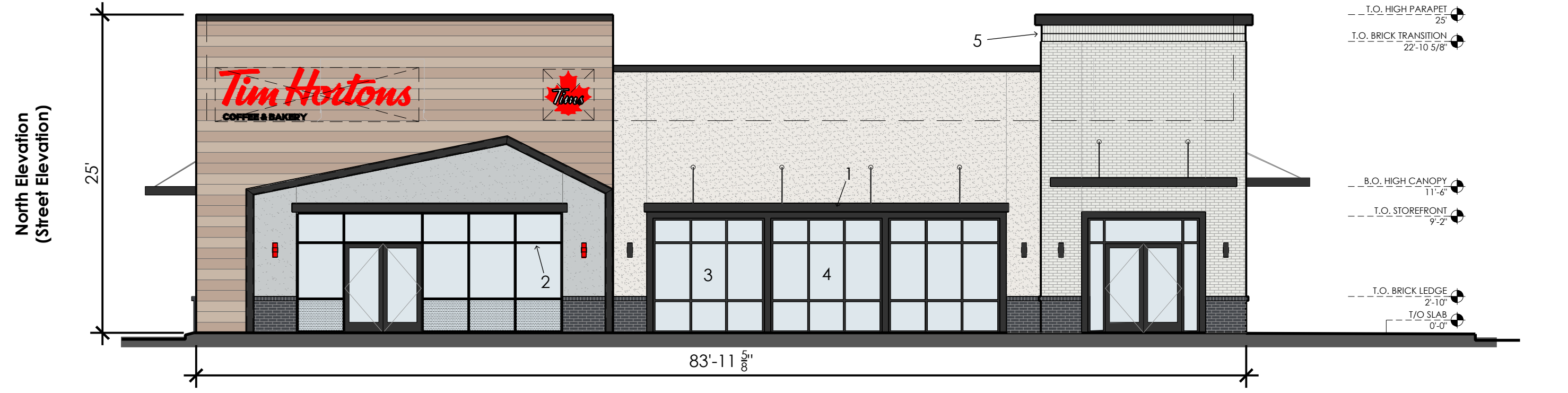
54'

T.O. HIGH PARAPET 25'
 T.O. BRICK TRANSITION 22'-10 5/8"

B.O. HIGH CANOPY 11'-6"
 T.O. STOREFRONT 9'-2"

T.O. BRICK LEDGE 2'-10"
 T/O SLAB 0'-0"

EXHIBIT E



North Elevation (Street Elevation)

25'

83'-11 5/8"

T.O. HIGH PARAPET 25'
 T.O. BRICK TRANSITION 22'-10 5/8"

B.O. HIGH CANOPY 11'-6"
 T.O. STOREFRONT 9'-2"

T.O. BRICK LEDGE 2'-10"
 T/O SLAB 0'-0"

Project Name:
 Garland Retail Center

Drawing Title:
 Preliminary Elevations

NOT FOR REGULATORY APPROVAL,
 PERMITTING, or CONSTRUCTION
 GREG RYDEN, ARCHITECT
 DATE: 07/20/2023

Date:
 07.20.2023

Scale:
 1/8" = 1'-0"

Reference:
 -

Sheet Number:
 P.ELEV

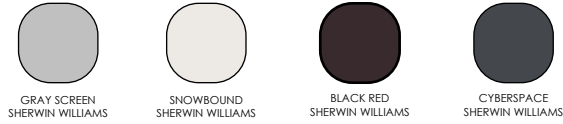
Project No:
 -

RYDEN ARCHITECTURE
 architecture | planning
 909 Wakefield Drive
 Houston, Texas 77018
 713.993.6690 (o)
 contact: Greg Ryden, AIA

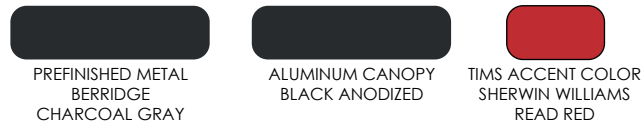
MATERIALS



EIFS PAINT COLORS (SHERWIN WILLIAMS)

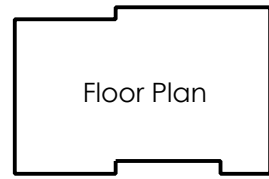


OTHER MISC. FINISHES

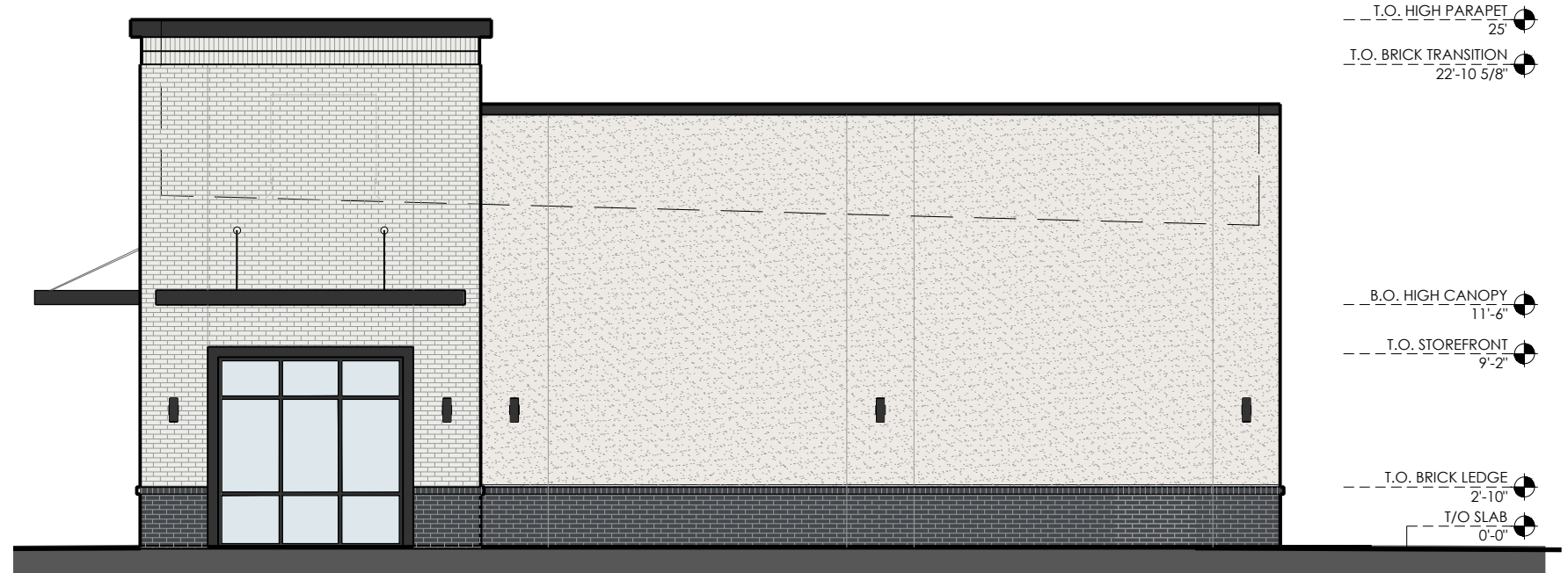


Architectural Elements

1. Canopy
2. Transoms
3. Display Windows
4. divided Window Lights
5. Ornamental Facade
6. Outdoor Seating (Re. Site plan)



West Elevation



South Elevation

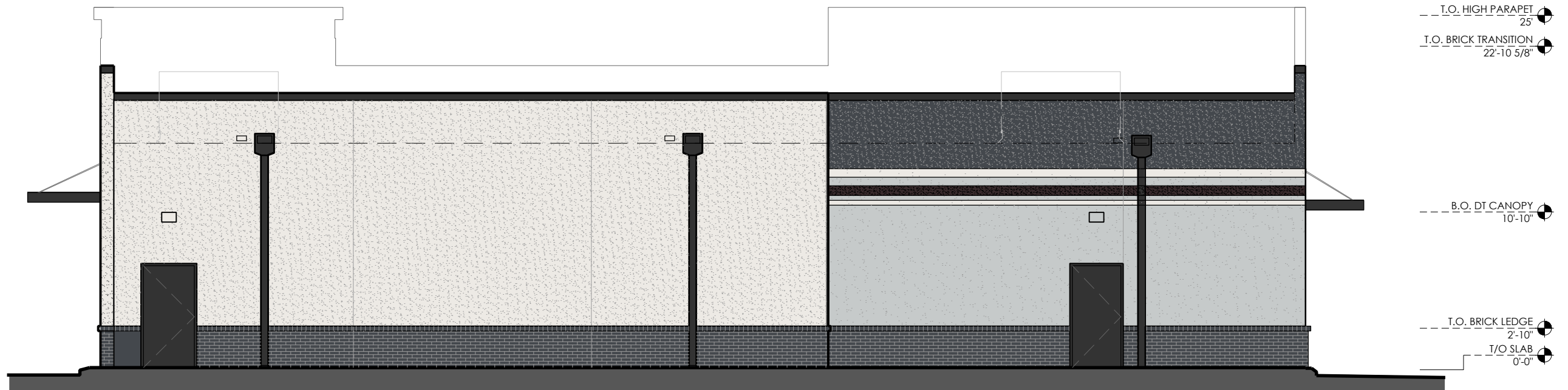


EXHIBIT E

Project Name:
Garland Retail Center

Drawing Title:
Preliminary Elevations

NOT FOR REGULATORY APPROVAL,
PERMITTING, or CONSTRUCTION
GREG RYDEN, ARCHITECT
DATE: 07/20/2023

Date:
07.20.2023

Scale:
1/8" = 1'-0"

Reference:
-

Sheet Number:
P.ELEV

Project No:
-

RYDEN ARCHITECTURE
architecture | planning

909 Wakefield Drive
Houston, Texas 77018
713.993.6690 (o)
contact: Greg Ryden, AIA

Z 23-23



View of the subject property looking East from North Garland Ave



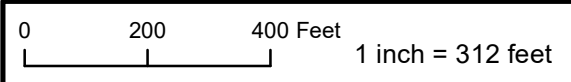
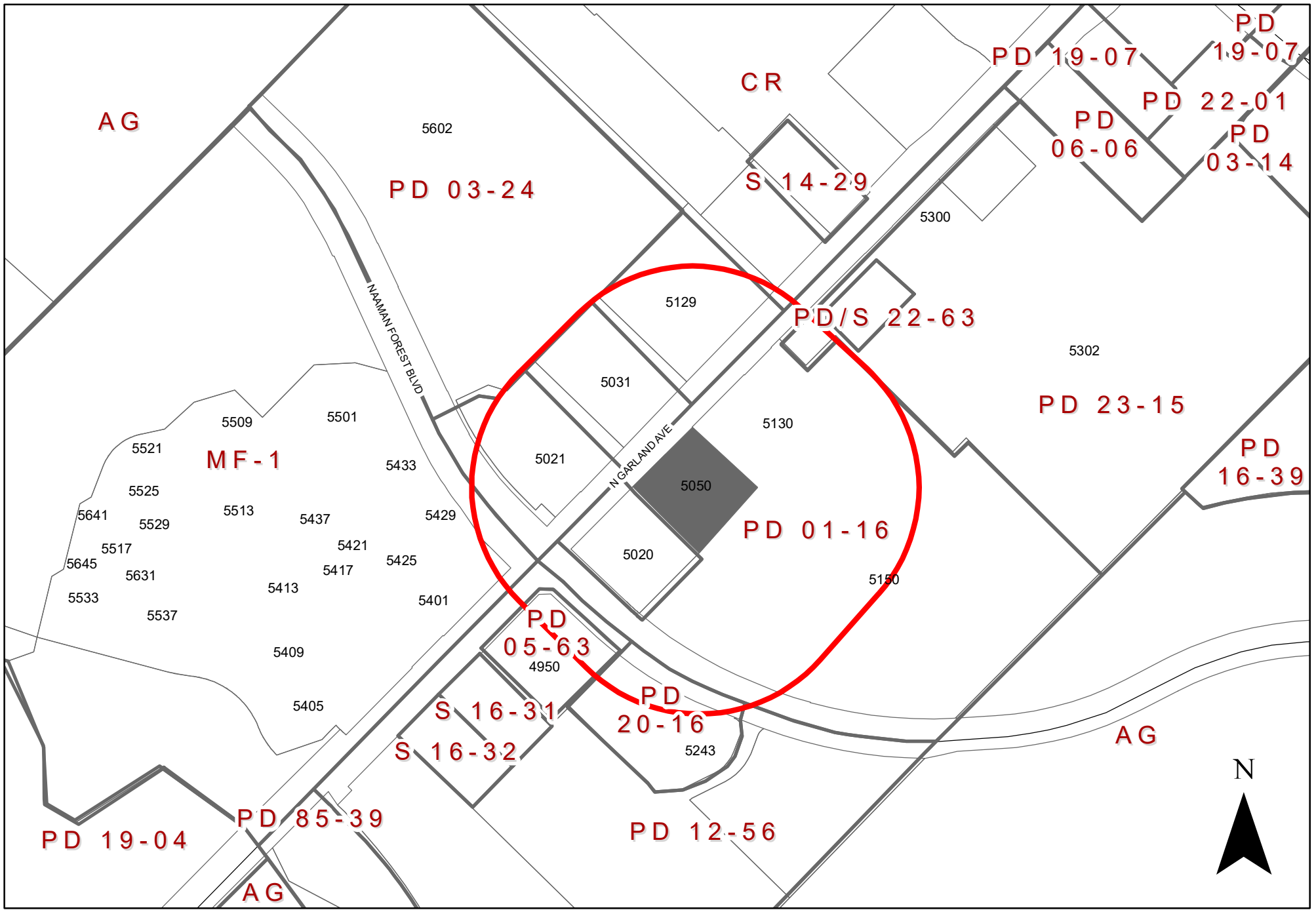
Looking West from the subject property across North Garland Ave



Looking North from the subject property down North Garland Ave



Looking South of the subject property down North Garland Ave



ZONING MAP Z 23-23

INDICATES AREA OF REQUEST
 INDICATES NOTIFICATION AREA

5050 North Garland Avenue

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



GARLAND

Plan Commission

3. a.

Meeting Date: 10/23/2023

Item Title: Garland Development Code (GDC) Amendment

Summary:

Consider an amendment to the Land Use Matrix of Chapter 2 of the Garland Development Code to allow for Automobile Repair, Minor use by Specific Use Provision in the Community Retail (CR) District.

Attachments

GDC Amendment



Planning Report

Agenda Item: GDC amendments

Meeting: Plan Commission

Date: October 23, 2023

ISSUE

Consider amending the Land Use Matrix of Chapter 2 of the Garland Development Code to allow for Automobile Repair, Minor use by Specific Use Provision in the Community Retail District.

BACKGROUND

The Development Services Committee of the City Council has made recommendations to amend the Garland Development Code (GDC) regarding the allowance of Minor Automobile Repair uses in the Community Retail (CR) District. It is proposed to allow such uses in the CR zoning district by SUP only, rather than by right.

CONSIDERATIONS

1. Currently Automobile Repair, Minor use is allowed by right in the Community Retail (CR) District. The Community Retail District is a prevalent commercial zoning district in Garland and is commonly found along thoroughfares and oftentimes in close proximity to residential neighborhoods. Minor Automobile Repair businesses are a common use permitted in this zoning district.

The Development Services Committee of the City Council recommends allowing Automobile Repair, Minor use only by Specific Use Provision (SUP) in the Community Retail (CR) District, which would require a public hearing process. The use would remain allowed by right in the more intensive commercial and industrial zoning districts.

2. Automobile Repair, Minor is defined in the Garland Development Code as the minor repair of automobiles such as the following: replacement of parts, tires (includes tire store), tubes and batteries, diagnostic services, minor maintenance services such as grease, oil (includes oil or lube facility), spark plug and filter changing, tune-ups, emergency road service, replacement of starters, alternators, hoses and brake parts, automobile washing and polishing, performing state inspections and making minor repairs necessary to pass state inspections, normal servicing of air-conditioning systems, the repair and replacement of automotive glass and upholstery, and other similar maintenance services, but not including any operation named under Automobile Repair (Major) or any other similar use.
3. The draft ordinance and exhibit are attached for the Plan Commission's review and recommendation.

STAFF RECOMMENDATION

Approval to amend the Land Use Matrix of Chapter 2 of the Garland Development Code to allow for Automobile Repair, Minor use by Specific Use Provision in the Community Retail District.

PREPARED BY:

Will Guerin, AICP
Director of Planning
972-205-2449

wguerin@garlandtx.gov

ORDINANCE NO.

AN ORDINANCE AMENDING THE LAND USE MATRIX OF CHAPTER 2 OF THE GARLAND DEVELOPMENT CODE OF THE CITY OF GARLAND, TEXAS, TO ALLOW FOR MINOR AUTOMOBILE REPAIR USE BY SUP IN COMMUNITY RETAIL DISTRICTS; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY UNDER THE PROVISIONS OF SECTION 10.05 OF THE CODE OF ORDINANCES OF THE CITY OF GARLAND, TEXAS; PROVIDING A SEVERABILITY CLAUSE; AND SETTING AN EFFECTIVE DATE.

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

Section 1

That the "Land Use Matrix," of Chapter 2, of the Garland Development Code of the City of Garland, Texas, is hereby amended *in part* to amend "Automobile Repair, Minor" under "Motor Vehicle & Related Uses," which shall be allowed only by SUP ("S") in the CR district, and by right in the LC, HC, and IC Districts, and being more particularly depicted and described in Exhibit "A", which is attached hereto and incorporated herein by reference.

Section 2

That Chapter 22 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 3

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

Section 4

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

Section 5

That this Ordinance shall be and become effective 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:

Exhibit A

“LAND USE MATRIX

...

	AG	SF-E	SF-10	SF-7	SF-5	SFA	2F	MF (MF-1 and MF-2)	NO	CO	NS	CR	LC	HC	IN	Parking Requirements	Cross-Reference(s) for Special Standards
...																	
Automobile Repair, Minor												S	P	P	P	1/400 gfa + 2/repair bay Sec. 2.52(A) (3), Sec. 4.20	1/400 gfa + 2/repair bay Sec. 2.52(A) (3), Sec. 4.20
...																	

...”