

Council Chambers at City Hall
Tuesday, January 9, 2024
7 p.m.



William E. Dollar Municipal Building
200 N. Fifth St.
Garland, Texas

GARLAND

CITY OF GARLAND REGULAR MEETING OF THE CITY COUNCIL

The Garland City Council extends to all visitors a sincere welcome. We value your interest in our community and your participation in the meetings of this governing body. Visit GarlandTX.gov/Council for a full list of meeting dates.

The Council Chambers at Garland City Hall is wheelchair accessible, and ADA parking is available on the street as well as in the public parking garage. Persons with disabilities 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: 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

It is a custom and tradition of the City Council to have an invocation and recital of the Pledge of Allegiance prior to the beginning of each Regular Meeting. Members of the audience are invited but not required to participate. The decision to participate is strictly a matter of personal choice. It has no bearing on matters to be considered by the City Council and will not affect the decisions to be made during this meeting.

MAYORAL PROCLAMATIONS, RECOGNITIONS AND ANNOUNCEMENTS

The Mayor may present proclamations, recognize attendees or accomplishments, and make announcements regarding City events or other matters of interest to citizens including but not limited to listed items. There will be no Council discussion or votes on these matters.

- Special Recognition for Paula Morelan

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 or his designee to execute each item. The Mayor will announce the consent agenda and provide an opportunity for members of the audience, as well as Council, to request that any item be removed and considered separately.

1. Minutes

- a. Approve the minutes of the December 11, 2023 Regular Meeting.

2. Approve the following bids:

- a. Construction of 2022 Alley Paving and Wastewater Improvements Group B

Bid No. 0060-24

La Banda, LLC

\$3,218,348.00

This request is for the 2022 Alley Improvements Group B Project for construction of paving and wastewater improvements to 13 alley segments located in Council Districts 5 and 8 to include approximately 11,300 square yards of concrete paving and 8,700 LF of 8-in wastewater line.

- b. **GP&L and TMPA Circuit Breaker Term Contract** Bid No. 0082-24

Texas Electric Cooperatives, Inc. \$3,500,000.00

The purpose of this bid award is for the as-needed purchase of circuit breakers for use in GP&L and TMPA substations. This will be an initial term contract with two optional renewals.

- c. **Health Benefits Stop Loss Coverage RFP** Bid No. 0032-24

BCBSTX \$3,029,664.00

The purpose of this bid award is for the City's health benefits broker, HUB International, and as part of recommendations included in the City's health benefit strategic plan.

- d. **Change Order #2 to BL-9293 for NAPA Auto Parts** Bid No. 5150-15

NAPA Auto Parts \$510,000.00

This request is for a change order #2 to BL-9293 to NAPA Auto Parts for additional funds to be added to pay for November and December monthly parts invoices for this year.

- e. **GP&L Lookout Substation NTT Terminal Additions** Bid No. 0130-24

Primoris T&D Services, LLC. \$3,901,618.76

The purpose of this bid is for the construction of terminals No. 4 and 5 and the reconfiguration of terminals No. 2 and 3 at the GP&L Lookout Substation to accommodate NTT terminal additions at the substation. An owner's contingency is included for any additional materials that may be required. This is part of the approved GP&L Lookout NTT Connect CIP project.

- f. **GP&L Girvin Switch to Greasewood II Hardware Materials Change Order No. 1** Bid No. 0925-23

KBS Electrical Distributors, Inc \$107,085.90

The purpose of this bid award is to obtain Change Order No. 1 to Purchase Order 35147 issued for the purchase of materials needed for the construction of the GP&L Girvin Switch to Greasewood II 345kV Transmission Line. Additional conduit and materials are needed to construct a temporary bypass line during construction. This is part of the approved Girvin to Greasewood II 345kV Transmission Line CIP project.

- g. **Data Center Server and Storage Replacements** Bid No. 0334-24

Waypoint Business Solutions \$1,643,025.32

This request is for the data center compute and storage equipment to continue to maintain the business systems that provide the technology that supports the City of Garland departments.

- h. **GP&L Transmission and Substation Technical Consulting Services** Bid No. 0339-24

Priciple Services, Ltd.

\$1,500,000.00

This request is for Change Order No. 1 to Purchase Order 35268 issued for the emergency repair of the GP&L Olinger Unit 2 circulating water pump. The original purchase order called for an on-site repair of the pump; however, the pump was found to have extensive damage requiring an off-site rebuild.

- i. **GP&L Olinger Unit 2 Circulating Water Pump Repair
Change Order**

Bid No. 1257-23

AW Chesterton Company

\$80,231.00

This request is for Change Order No. 1 to Purchase Order 35268 issued for the emergency repair of the GP&L Olinger Unit 2 circulating water pump. The original purchase order called for an on-site repair of the pump; however, the pump was found to have extensive damage requiring an off-site rebuild.

- j. **GP&L Ben Davis Substation Cable Trench**

Bid No. 0207-24

Trenwa, Inc.

\$486,739.00

This request is for the purchase of a 1,095-foot pre-cast concrete cable trench and associated materials needed for the upgrade of the GP&L Ben Davis Substation. An owner's contingency is included for any additional materials that may be required. This is part of the approved GP&L Ben Davis Substation Flood Mitigation CIP project.

- k. **TMPA Dansby to Steep Hollow Steel Structures**

Bid No. 0618-23

KBS Electrical Distributors, Inc.

\$2,362,951.07

The purpose of this bid award is for the purchase of steel structures needed for the construction of the TMPA Dansby to Steep Hollow 138kV Transmission Line. An owner's contingency is included for any additional materials that may be required. This is part of the approved TMPA Dansby to Steep Hollow Transmission Line Rebuild CIP project and will be reimbursed at 100%.

- l. **GP&L Girvin Switch Station Cable Trench**

Bid No. 0133-24

Trenwa, Inc.

\$436,994.25

This request is for the purchase of a 1,150-foot pre-cast concrete cable trench and associated materials needed for the construction of the GP&L Girvin Switch Station. An owner's contingency is included for any additional materials that may be required. This is part of the approved GP&L Girvin Switch Station CIP project.

3. **A public hearing was previously conducted for the zoning cases below. Council approved the zoning requests and instructed staff to bring forth the following ordinances:**

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

Consider and take action to amend an ordinance amending the Garland Development Code of the City of Garland, Texas, by approving an Amendment To Planned Development (PD) District 20-17 for Mixed Use to exempt Data Centers from a Detail Plan process, where Data Centers are already allowed by right and meet technical requirements on a 276.99-acre tract of land and generally located northeast of President George Bush Turnpike, west of Holford Road, and south of the city limits line; 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 23-40 1901 W Northwest Hwy, LLC (District 5)**

Consider and take appropriate action on an ordinance amending the Garland Development Code of the City of Garland, Texas, by approving an Amendment of Conditions to Planned Development (PD) District 94-35 to add and remove certain uses on a 5.00014-acre tract of land located at 1901 West Northwest Highway; providing for conditions, restrictions, and regulations; providing a penalty under the provisions of Sec. 10.05 of the Code of Ordinances of the City of Garland, Texas; providing a Notice of Conditions of Compliance Clause; providing a Savings Clause and a Severability Clause; and providing an effective date.

4. **Consider approving by minute action an amendment to the employment agreement with Judson Rex relating to his employment as City Manager.**

Council is requested to approve an amendment to the employment agreement with Judson Rex relating to his employment in the position of City Manager.

5. **Consider approving by minute action an amendment to the employment agreement with Brian England relating to his employment as City Attorney.**

Council is requested to approve an amendment to the employment agreement with Brian England relating to his employment in the position of City Attorney.

6. **Consider approving by minute action an amendment to the employment agreement with Jedson Johnson relating to his employment as City Auditor.**

Council is requested to approve an amendment to the employment agreement with Jedson Johnson relating to his employment in the position of City Auditor.

7. **Consider approving by minute action an amendment to the employment agreement with John Sholden relating to his employment as Municipal Court Judge.**

Council is requested to approve an amendment to the employment agreement with John Sholden relating to his employment in the position of Municipal Court Judge.

8. **Consider approving by minute action an amendment to the employment agreement with Natalie Banuelos relating to her employment as Associate Municipal Court Judge.**

Council is requested to approve an amendment to the employment agreement with Natalie Banuelos relating to her employment in the position of Associate Municipal Court Judge.

9. **Regulatory Compliance**

Council is asked to consider approving a State-mandated Paid Quarantine Leave Policy for eligible Firefighters and Peace Officers.

10. **Request for an approval of the amendment to the PSL Garland MOB, LP Tenant Improvement Incentive Agreement**

Council is asked to consider approving the amendment of an Incentive Agreement with PSL Garland MOB, LP (Prevarian) for tenant improvement.

11. **Garland Chamber Economic Development Services Agreement Renewal**

Council is asked to consider approving the renewal service agreement with the Garland Chamber of Commerce.

12. **Request for Development Assistance from Kraft Heinz Foods Company**

Council is asked to consider approving the Incentive Agreement with Kraft Heinz Foods Company.

13. **Amending the Garland Development Code and Code or Ordinances to Comply with Recent Changes to State Law.**

Approve an ordinance amending Chapters 2 and 6 of the Garland Development Code and Chapters 10, 22, and 26 of the Code of Ordinances.

14. Police Staffing Realignment

Council is asked to consider approving revisions to the 23-24 Civil Service Classifications & Compensation Ordinance to reflect reallocation of two (2) Police Officer vacancies.

ITEMS FOR INDIVIDUAL CONSIDERATION

Members of the audience may provide public comment in favor, in opposition or about any of the items for individual consideration. Anyone wishing to speak must fill out a speaker card (located at the entrance to the Council Chambers) and give it to the City Secretary in advance of the respective agenda item. Speakers are grouped by agenda item and will be called in the order of the agenda. All comments and testimony are to be presented from the podium. The Mayor may impose a time limit and may provide for rebuttal.

15. Hold public hearing(s) on:

- a. **Consider a request by Jacobs Communications / Christine Johnson, proposing a freestanding AT&T cellular tower. The site is located at 4535 Bass Pro Drive in District 3.**

Consider and take appropriate action of the application of Jacobs Telecommunications / Christine Johnson, requesting approval of 1) an Amendment to Planned Development (PD) District 14-07 for Community Retail Uses to allow an Antenna, Commercial Use and 2) a Detail Plan for an Antenna, Commercial Use. This property is located at 4535 Bass Pro Drive. (District 3) (File Z 23-33)

- b. **Consider a request by Realty Investments C/o Maxwell Fisher to construct a multi-family development with live/work units. The site is located at 5305 Zion Road and 630 East Interstate 30 Freeway in District 3.**

Consider and take appropriate action of the application of Realty Investments, C/o Maxwell Fisher, requesting approval of 1) a Change in Zoning from Light Commercial (LC) District to a Planned Development (PD) District for Multi-Family-2 (MF-2) and Live/Work Uses and 2) a Detail Plan for a multi-family and live/work development. This property is located at 630 East Interstate 30 Freeway and 5305 Zion Road. (District 3) (File Z 23-36)

- c. **Consider a request by Matt Drahos proposing to add automobile sales to the existing automobile repair facility. The site is located at 421 East Walnut Street in District 2.**

Consider and take appropriate action of the application of Matt Drahos, requesting approval of 1) a Specific Use Provision for an Automobile Sales, New or Used on a property zoned Industrial (IN) District and 2) a Plan for Automobile Sales, New or Used. This property is located at 421 East Walnut Street. (District 2) (File Z 23-42)

- d. **Consider a request by 708 Studios, LLC/Clara M. Carlisle, proposing to rezone the property from Neighborhood Office (NO) District to Community Retail (CR) District. The site is located at 2930 Broadway Boulevard in District 5.**

Consider and take appropriate action of the application of 708 Studios, LLC/Clara M. Carlisle, requesting approval of a Change in Zoning from Neighborhood Office (NO) District to Community Retail (CR) District. This property is located at 2930 Broadway Boulevard. (District 5) (File Z 23-45)

- e. **Consider an amendment to the Garland Development Code to create a Small-Scale Reception Facilities land use. This item was reported and recommended by the Development Services Committee of the City Council during the December 4, 2023 City Council Work Session.**

Consideration to amend Section 6.03, "Definitions," Section 2.52, "Special Standards for Certain Uses," the Land Use Matrix of Chapter 2, and the Downtown (DT) District Land Use Matrix of Chapter 7 of the Garland Development Code to allow for Reception Facility, Small Scale use in certain zoning districts.

16. BOARD AND COMMISSION APPOINTMENTS

a. Council Member Carissa Dutton

- Larry Dunn - Senior Citizens Advisory Committee

CITIZEN COMMENTS

Members of the audience wishing to address issues not on the meeting agenda may have three minutes to speak. However, according to the Texas Open Meetings Act, Council is prohibited from discussing any item not on the posted agenda.

ADJOURN

All Regular Meetings of the Garland City Council are broadcast live on CGTV, Time Warner Cable Channel 16 and Frontier FIOS TV 44. Meetings are rebroadcast at 9 a.m. and 7 p.m. Wednesdays - Sundays. Live streaming and on-demand videos of the meetings are also available online at GarlandTX.tv. Copies of the meetings can be purchased through the City Secretary's Office (audio CD's are \$1 each and DVD's are \$3 each).

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]*



Each year, the City Council reviews and updates its goals for the Garland community and City operations. City management uses these goals to guide operational priorities, decision-making and resource allocation.



GARLAND
CITY COUNCIL STAFF REPORT

2024 City Council Regular Session

1. a.

Meeting Date: 01/09/2024

Minutes December 12

Submitted By: Courtney Vanover, Department Coordinator II

Issue/Summary

Approve the minutes of the December 11, 2023 Regular Meeting

Background

Consideration / Recommendation

Attachments

December 12 Minutes

DRAFT



GARLAND

MINUTES

The City Council of the City of Garland convened in regular session at 7:00 p.m. on Tuesday, December 12, 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
Deputy City Secretary Tracy Allmendinger

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.

The motion was made by Council Member Ott to approve the Consent Agenda as presented, seconded by Lucht. The motion carried:

Vote: 9 - 0

1. Consider approval of the following bids:

a. APPROVED 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. APPROVED 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. APPROVED 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. APPROVED 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. APPROVED 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. APPROVED Z 22-29 Marcer Construction (District 5)

Ordinance No. 7487 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.

7487

Vote: 9 - 0

b. APPROVEDZ 23-31 Marta Nambo de Flores (District 6)

Ordinance No. 7488 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.

7488

Vote: 9 - 0

c. APPROVEDZ 23-32 MC Office, LLC.

Ordinance No. 7489 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.

7489

Vote: 9 - 0

d. APPROVEDZ 23-37 Shearer, Monk, & Voight (District 6)

Ordinance No. 7490 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.

7490

Vote: 9 - 0

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

Ordinance No. 7491 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.

7491

Vote: 9 - 0

3. APPROVED Authorization of a Resolution of No Objection for Dominion Acquisition, LLC's Application for 4% Low-Income Tax Credits

Resolution No. 10602 amending 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.

10602

Vote: 9 - 0

4. APPROVED Ordinance amendment concerning ice cream trucks

Ordinance No. 7492 of the Garland City Ordinance prohibiting 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.

7492

Vote: 9 - 0

5. APPROVED 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:

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

6. Hold public hearings on:

a. APPROVED 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.

The speaker on this item was Joseph Schroeder, Chair of the Tax Increment Finance Board for the Downtown|Forest Jupiter Zone (TIF#1), applicant.

The motion was made by Council Member Ott to approve the request as present, seconded by Council Member Dutton. The motion carried:

Vote: 9 - 0

b. APPROVED 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)

The staff report was presented by William Guerin, Director of Planning.

There was discussion by the Council.

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

Vote: 9 - 0

c. APPROVED 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)

The staff report was presented by William Guerin, Director of Planning. The speaker on this item was Cody Perlmeier, applicant.

There was discussion by the Council.

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

Vote: 9 - 0

7. 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.

Theree were no speakers on this item.

8.

Adjourn.

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

There being no further business to come before the City Council, Mayor LeMay adjourned the meeting at 7:30 p.m.

Submitted By:

Scott LeMay, Mayor

Eloyce Rene Dowl, City Secretary



GARLAND
PURCHASING REPORT

2024 City Council Regular Session

2. a.

Meeting Date: 01/09/2024

Item Title: 2022 Alley Improvements Group B Construction

Submitted By: Tye Tingey, Sr. Civil Engineer

Bid Number: 0060-24

Purchase Justification:

This request is for the 2022 Alley Improvements Group B Project for construction of paving and wastewater improvements to 13 alley segments located in Council Districts 5 and 8 to include approximately 11,300 square yards of concrete paving and 8,700 LF of 8-in wastewater line.

Evaluation:

A request for bids was issued in accordance with Purchasing procedures. Four (4) bids were received and evaluated with La Banda, LLC submitting the Straight Low Bid.

Award Recommendation:

<i>Vendor</i>	<i>Item</i>	<i>Amount</i>
La Banda, LLC	All	\$3,218,348.00
	TOTAL:	\$3,218,348.00

Caption

Construction of 2022 Alley Paving and Wastewater Improvements Group B

Bid No. 0060-24

La Banda, LLC

\$3,218,348.00

This request is for the 2022 Alley Improvements Group B Project for construction of paving and wastewater improvements to 13 alley segments located in Council Districts 5 and 8 to include approximately 11,300 square yards of concrete paving and 8,700 LF of 8-in wastewater line.

Basis for Award:

Purchase Requisition #:

50399

Fiscal Impact

Total Project/Account: \$55,814,335

Expended/Encumbered to Date (Including this Item): \$32,939,169

Proposed Balance: \$22,875,166

Account #: Various

Fund/Dept/Project â€ Description and Comments:

Infrastructure Repair & Replacement Fund / Street Construction	831-4693-7111	\$1,773,142.00
Water CIP / Relocation of Mains Prior to Paving CIP	230-4149-3215700-9305	\$1,445,206.00
Total		\$3,218,348.00

Attachments

Bid Recap

Alley Location Exhibits

Budget Type:

Fiscal Year:

Document Location:

Budget Director Approval:

Approval Date:

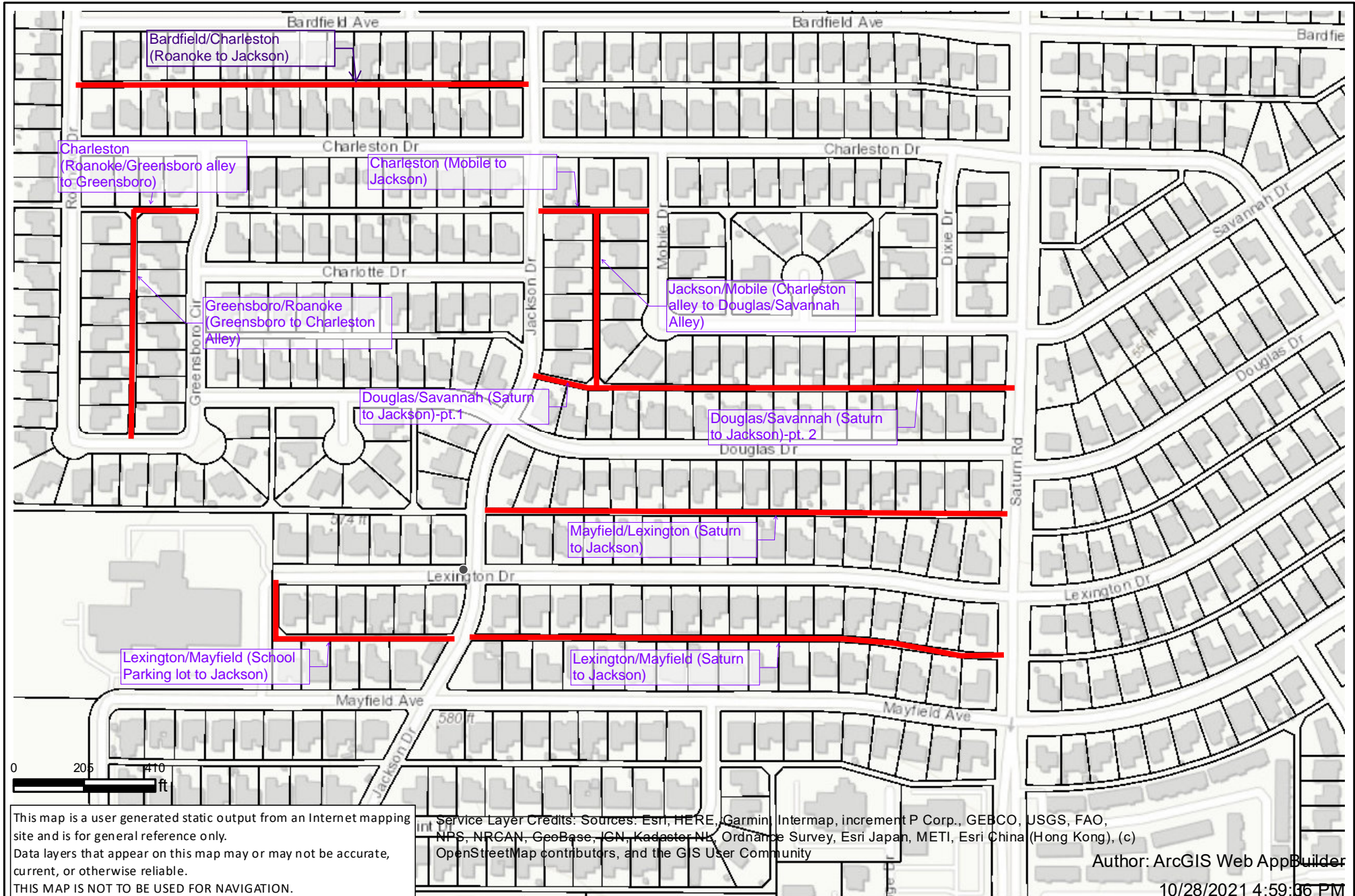
12/22/2023

Purchasing Director Approval:

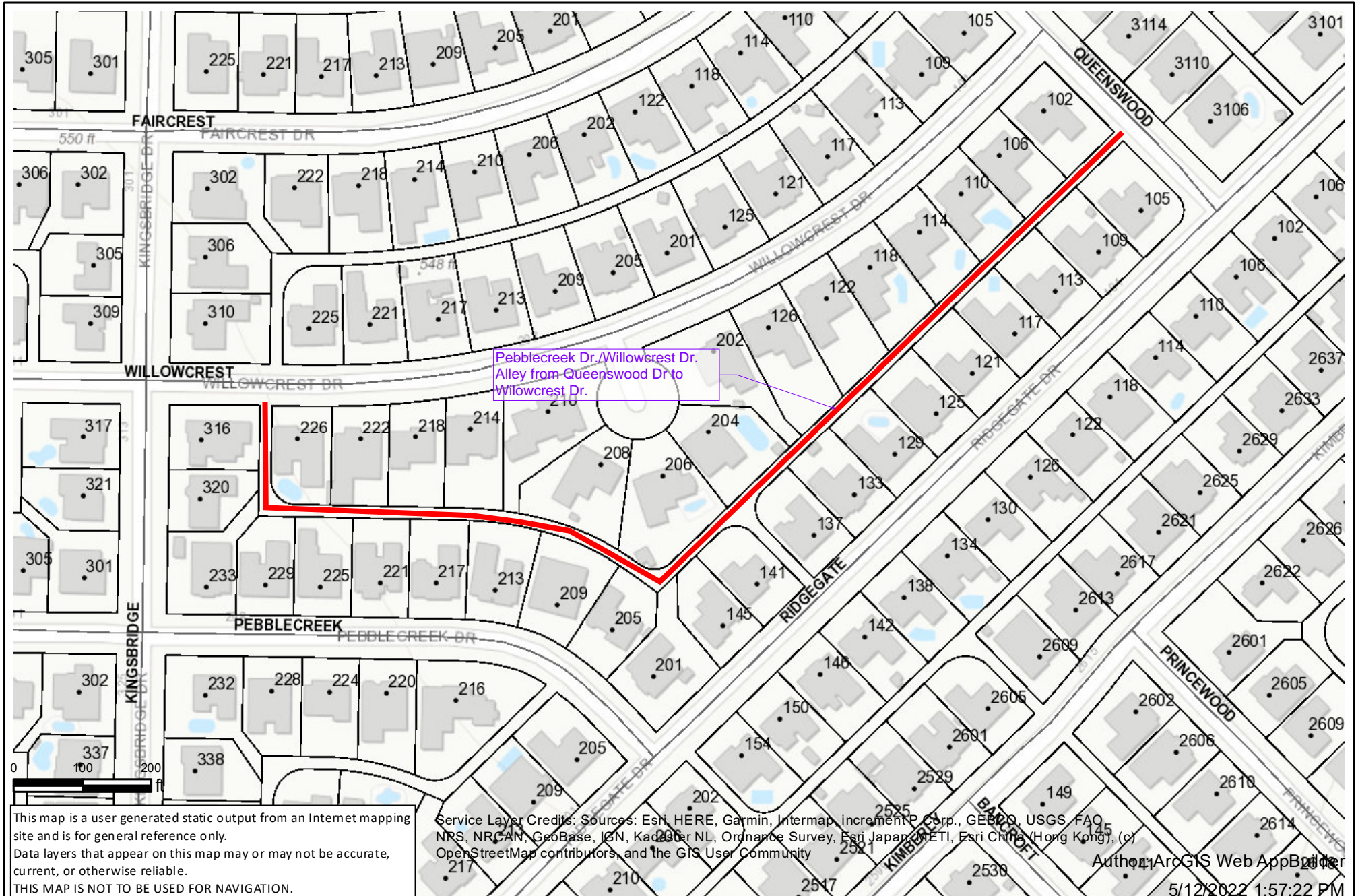
Approval Date:

12/21/2023

Group B Alleys



Pebblecreek Dr/Willowcrest Dr (Queenswood to Willowcrest)



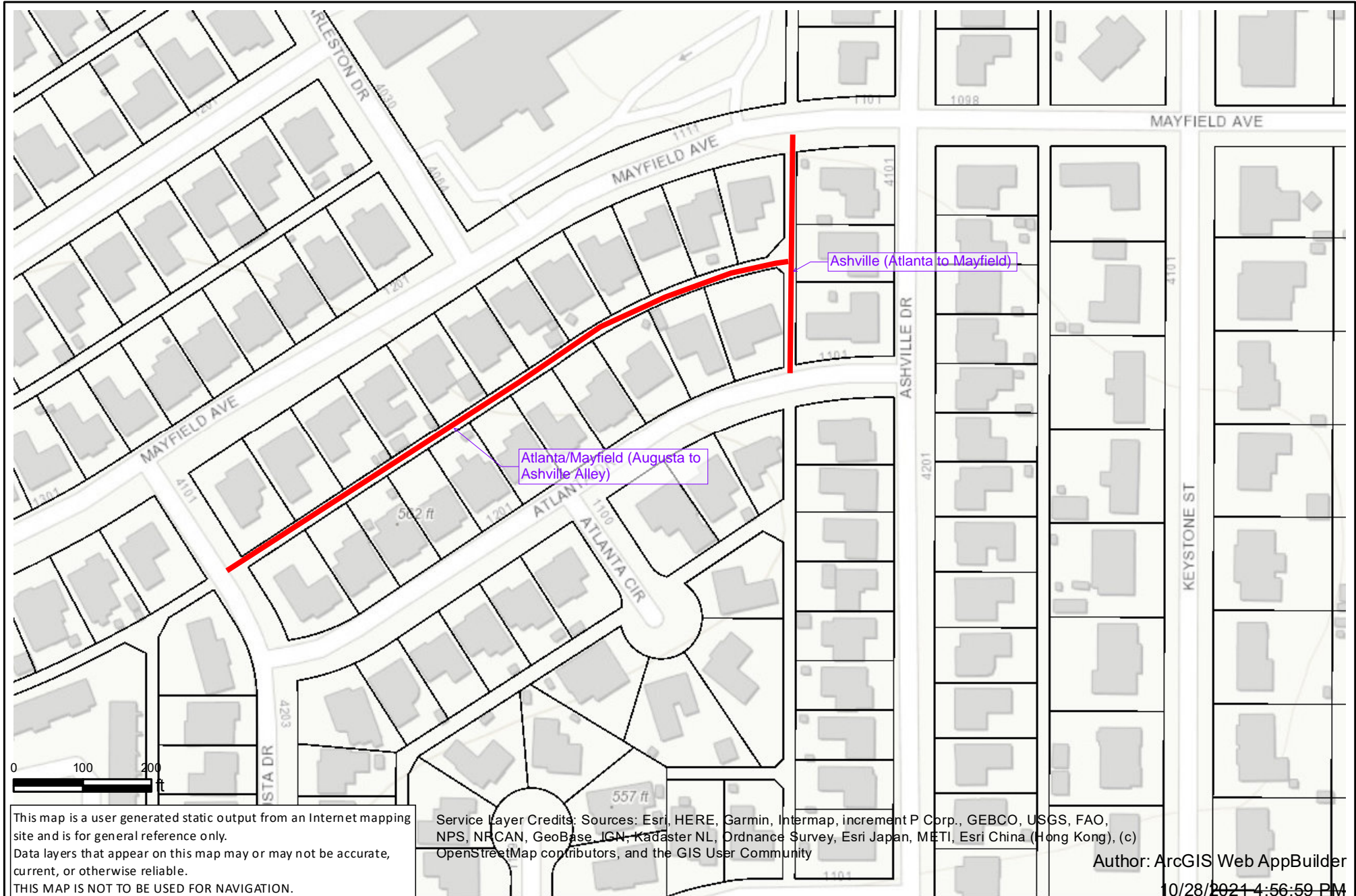
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Author: ArcGIS Web AppBuilder

5/12/2022 1:57:22 PM

Ashville & Atlanta/Mayfield





GARLAND
PURCHASING REPORT

2024 City Council Regular Session

2. b.

Meeting Date: 01/09/2024

Item Title: GP&L and TMPA Circuit Breaker Term Contract

Submitted By: Steve Martin, GP&L Transmission
Director

Bid Number: 0082-24

Purchase Justification:

The purpose of this bid award is for the as-needed purchase of circuit breakers for use in GP&L and TMPA substations. This will be an initial term contract with two optional renewals.

Evaluation:

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

Award Recommendation:

<i>Vendor</i>	<i>Item</i>	<i>Amount</i>
Texas Electric Cooperatives, Inc.	All	\$3,500,000.00
	TOTAL:	----- \$3,500,000.00

Caption

GP&L and TMPA Circuit Breaker Term Contract

Bid No. 0082-24

Texas Electric Cooperatives, Inc.

\$3,500,000.00

The purpose of this bid award is for the as-needed purchase of circuit breakers for use in GP&L and TMPA substations. This will be an initial term contract with two optional renewals.

Basis for Award:

Straight Low Bid

Purchase Requisition #:

50214

Fiscal Impact

Total Project/Account: N/A

Expended/Encumbered to Date (Including this Item): N/A

Proposed Balance: N/A

Account #: 451-6999

Fund/Dept/Project â€ Description and Comments:

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

Attachments

Bid Recap

Budget Type:

Operating Budget

CIP

Fiscal Year:

2023-24

Document Location:	Proposed Op. - Page 231 and CIP - Page 265		
Budget Director Approval:	Allyson Bell Steadman	Approval Date:	12/22/2023
Purchasing Director Approval:	Gary L. Holcomb	Approval Date:	12/22/2023

[illegible]



GARLAND
PURCHASING REPORT

2024 City Council Regular Session

2. c.

Meeting Date: 01/09/2024

Item Title: Health Benefits Stop Loss Coverage RFP

Submitted By: Kristen Smith, Managing Director

Bid Number: 0032-24

Purchase Justification:

In conjunction with the City's health benefits broker, HUB International, and as part of recommendations included in the City's health benefit strategic plan, proposal responses were submitted based on the following areas:

- Demonstrated superior member service and claims processing
- Ability to proactively meet the City's service needs
- Willingness, experience, and capability to effectively administer the programs
- Ability for bundling various coverage options for savings
- Support during the implementation process

Evaluation:

A Request for Proposals was issued in accordance with Purchasing procedures. Three (3) proposals were received and evaluated based on published criteria including:

- Thoroughness of Proposal
- Full Range of Services
- Experience
- Price

The City's current partner, Blue Cross Blue Shield of Texas (BCBSTX), received the highest evaluated score.

In addition, to best overall score, BCBSTX

- is the current administrator of the City's health plans, which allows for bundling of services;
- provided an additional \$100,000 premium credit and fee reductions to the city as an existing partner; and
- provided guaranteed rate caps for future renewals.

This award represents an estimated additional cost of \$275,352 over current spend.

Award Recommendation:

<i>Vendor</i>	<i>Item</i>	<i>Amount</i>
Blue Cross Blue Shield of Texas	Active Employees	\$2,662,494
	Retirees	\$367,170
		----- ---

TOTAL:	\$3,029,664
---------------	--------------------

Caption**Health Benefits Stop Loss Coverage RFP****Bid No. 0032-24****BCBSTX****\$3,029,664.00**

The purpose of this bid award is for the City's health benefits broker, HUB International, and as part of recommendations included in the City's health benefit strategic plan.

Basis for Award:**Best Value****Purchase Requisition #:****50645**

Fiscal Impact**Total Project/Account:** \$54,925,590**Expended/Encumbered to Date (Including this Item):** \$12,279,264**Proposed Balance:** \$42,646,326**Account #:** Various**Fund/Dept/Project â€“ Description and Comments:**

Group Health Insurance Fund - Employee Account Number: 401-1194-740208

Group Health Insurance Fund - Retiree Account Number: 401-1196-740208

Attachments**Bid Recap****Health Benefit Stop Loss RFP Jan 2024****Budget Type:****Operating Budget****Fiscal Year:****2023-24****Document Location:****Proposed Op. - Page 293****Budget Director Approval:****Allyson Bell Steadman****Approval Date:****12/22/2023****Purchasing Director Approval:****Gary L. Holcomb****Approval Date:****12/22/2023**

[illegible]



GARLAND PURCHASING REPORT

City Council Regular Session Agenda

Agenda Item

Meeting Date: January 9, 2024
Item Title: Health Benefits Stop Loss Coverage RFP
Submitted By: Kristen Smith, Managing Director
Bid Number: 0032-24 Addendum 1

Background:

Stop-loss insurance provides protection for self-insured employers by serving as a reimbursement mechanism for medical claims exceeding pre-determined levels. Currently, any claim exceeding \$275,000 is reviewed for potential stop-loss reimbursement. For several years, the City has seen a continuing increase in high-cost medical claimants and projections assume that this trend will continue for the foreseeable future. The City's risk related to these claims is hedged through stop-loss coverage.

Each year, the city reviews Stop-loss options to ensure competitive pricing via market check or competitive bid process.

Purchase Justification:

In conjunction with the City's health benefits broker, HUB International, and as part of recommendations included in the City's health benefit strategic plan, proposal responses were submitted based on the following areas:

- Demonstrated superior member service and claims processing
- Ability to proactively meet the City's service needs
- Willingness, experience, and capability to effectively administer the programs
- Ability for bundling various coverage options for savings
- Support during the implementation process

Evaluation:

A Request for Proposals was issued in accordance with Purchasing procedures. Three (3) proposals were received and evaluated based on published criteria including:

- Thoroughness of Proposal
- Full Range of Services
- Experience
- Price

The City's current partner, Blue Cross Blue Shield of Texas (BCBSTX), received the highest evaluated score.

In addition, to best overall score, BCBSTX

- is the current administrator of the City's health plans, which allows for bundling of services;
- provided an additional \$100,000 premium credit and fee reductions to the city as an existing partner; and
- provided guaranteed rate caps for future renewals.

This award represents an estimated additional cost of \$275,352 over current spend.

Award Recommendation:

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
Blue Cross Blue Shield of Texas	Actives	\$2,662,494
	Retiree	\$367,170
	TOTAL:	\$3,029,664

Basis for Award: Best Value

Purchase Requisition #: 50645

Fiscal Impact

Total Project/Account: \$3,029,664

Account #: 401-1194-740208 and 401-1196-740208

Attachments

Fiscal Reference:

Budget Type: Operating Budget

Fiscal Year: 2023-2024

Document Location:

Budget Director Approval:

Approval Date:

Purchasing Director Approval:

Approval Date:



GARLAND
PURCHASING REPORT

2024 City Council Regular Session

2. d.

Meeting Date: 01/09/2024

Item Title: Change Order #2 to BL-9293 to Napa Auto Parts

Submitted By: Garth Sanich, Director of Fleet Services

Bid Number: 5150-15

Purchase Justification:

This request is for the addition of funds to existing Blanket Purchase Order 9293 (BL-9293), to pay for monthly parts invoices from November and December of this year.

Evaluation:

NAPA Auto Parts was awarded BL 9293 in the amount of \$3,696,000 at the February 7, 2023 City Council Meeting. As competitive bids were not received for the change order, a Bid Recap is not included.

Award Recommendation:

<i>Vendor</i>	<i>Item</i>	<i>Amount</i>
NAPA Auto Parts	All	\$510,000.00
	TOTAL:	----- \$510,000.00

Caption

Change Order #2 to BL-9293 for NAPA Auto Parts

Bid No. 5150-15

NAPA Auto Parts

\$510,000.00

This request is for a change order #2 to BL-9293 to NAPA Auto Parts for additional funds to be added to pay for November and December monthly parts invoices for this year.

Basis for Award:

Change Order

Purchase Requisition #:

50579

Fiscal Impact

Total Project/Account: \$7,365,737

Expended/Encumbered to Date (Including this Item): \$697,069

Proposed Balance: \$6,668,668

Account #: 441-4851-6999

Fund/Dept/Project â€ Description and Comments:

Change order #2 will supplement existing BL-9293 to pay for invoices from November and December of this year. This increase will be figured into the next Term Contract renewal, as parts pricing has increased. Expenses will be charged to Fleet Service's Parts Cost/Inventory account as incurred.

Budget Type:

Operating Budget

Fiscal Year:

2023-24

Document Location:

Proposed Op. - Page 314

Budget Director Approval:

Allyson Bell Steadman

Approval Date:

12/22/2023

Purchasing Director Approval:

Gary L. Holcomb

Approval Date:

12/22/2023



GARLAND
PURCHASING REPORT

2024 City Council Regular Session

2. e.

Meeting Date: 01/09/2024
Item Title: GP&L Lookout Substation NTT Terminal Additions
Submitted By: Steve Martin, GP&L Transmission
Director
Bid Number: 0130-24

Purchase Justification:

The purpose of this bid is for the construction of terminals No. 4 and 5 and the reconfiguration of terminals No. 2 and 3 at the GP&L Lookout Substation to accommodate NTT terminal additions at the substation. An owner's contingency is included for any additional materials that may be required. This is part of the approved GP&L Lookout NTT Connect CIP project.

Evaluation:

A request for bids was issued in accordance with Purchasing procedure. Three (3) bids were received. Powersave Technologies, Inc. did not provide pricing for all line items, making their bid incomplete and non-responsive. The remaining two (2) bids were evaluated based on the published criteria. Primoris T&D Services, LLC received the highest evaluated score, offering the Best Value for the City.

Award Recommendation:

<i>Vendor</i>	<i>Item</i>	<i>Amount</i>
Primoris T&D Services, LLC	All	\$3,546,926.15
Owner's Contingency		354,692.52
	TOTAL:	\$3,901,617.67

Caption

GP&L Lookout Substation NTT Terminal Additions

Bid No. 0130-24

Primoris T&D Services, LLC.

\$3,901,618.76

The purpose of this bid is for the construction of terminals No. 4 and 5 and the reconfiguration of terminals No. 2 and 3 at the GP&L Lookout Substation to accommodate NTT terminal additions at the substation. An owner's contingency is included for any additional materials that may be required. This is part of the approved GP&L Lookout NTT Connect CIP project.

Basis for Award:

Best Value

Purchase Requisition #:

50307

Fiscal Impact

Total Project/Account: \$7,250,000
Expended/Encumbered to Date (Including this Item): \$6,779,858
Proposed Balance: \$470,142
Account #: 210-3799-3180201-6051

Fund/Dept/Project â€“ Description and Comments:

GP&L Substation CIP Program / Lookout NTT Connect

Attachments

Bid Recap

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

Budget Director Approval:	Allyson Bell Steadman	Approval Date:	12/22/2023
Purchasing Director Approval:	Gary L. Holcomb	Approval Date:	12/22/2023



GARLAND
PURCHASING REPORT

2024 City Council Regular Session

2. f.

Meeting Date: 01/09/2024

Item Title: GP&L Girvin Switch to Greasewood II Hardware Materials Change Order No. 1

Submitted By: Steve Martin, GP&L Transmission
Director

Bid Number: 0925-23

Purchase Justification:

The purpose of this bid award is to obtain Change Order No. 1 to Purchase Order 35147 issued for the purchase of materials needed for the construction of the GP&L Girvin Switch to Greasewood II 345kV Transmission Line.

Additional conduit and materials are needed to construct a temporary bypass line during construction. This is part of the approved Girvin to Greasewood II 345kV Transmission Line CIP project.

Evaluation:

KBS Electrical Distributors, Inc. was awarded the original PO 35147 in the amount of \$438,290.52 at the August 15, 2023 City Council Meeting. As competitive bids were not received for the change order, a Bid Recap is not included.

Award Recommendation:

<i>Vendor</i>	<i>Item</i>	<i>Amount</i>
KBS Electrical Distributors, Inc.	All	\$107,085.90
	TOTAL:	\$107,085.90

Caption

GP&L Girvin Switch to Greasewood II Hardware Materials
Change Order No. 1

Bid No. 0925-23

KBS Electrical Distributors, Inc

\$107,085.90

The purpose of this bid award is to obtain Change Order No. 1 to Purchase Order 35147 issued for the purchase of materials needed for the construction of the GP&L Girvin Switch to Greasewood II 345kV Transmission Line. Additional conduit and materials are needed to construct a temporary bypass line during construction. This is part of the approved Girvin to Greasewood II 345kV Transmission Line CIP project.

Basis for Award:

Change Order

Purchase Requisition #:

50592

Fiscal Impact

Total Project/Account: \$4,986,000

Expended/Encumbered to Date (Including this Item): \$3,730,286

Proposed Balance: \$1,255,714

Account #: 210-3599-3145601-6051

Fund/Dept/Project â€“ Description and Comments:

GP&L Transmission CIP Program / Girvin to Greasewood II 345kV Transmission Line

Budget Type:

CIP

Fiscal Year: 2023
Document Location: Page 270

Budget Director Approval:	Allyson Bell Steadman	Approval Date:	12/22/2023
Purchasing Director Approval:	Gary L. Holcomb	Approval Date:	12/22/2023



GARLAND
PURCHASING REPORT

2024 City Council Regular Session

2. g.

Meeting Date: 01/09/2024

Item Title: Data Center Server and Storage Replacements

Submitted By: Mike Betz, Interim Managing Director

Bid Number: 0334-24

Purchase Justification:

This request is for the data center compute and storage equipment to continue to maintain the business systems that provide the technology that supports the City of Garland departments.

Evaluation:

The data center server and storage replacements are available from Waypoint Business Solutions through the DIR Cooperative Purchasing Contracts DIR-TSO-3763 and DIR-TSO-4299. As competitive bids were not received, a Bid Recap is not included.

Award Recommendation:

<i>Vendor</i>	<i>Item</i>	<i>Amount</i>
Waypoint Business Solutions	1	\$1,438,848.06
Waypoint Business Solutions	2	204,177.26

	TOTAL:	\$1,643,025.32

Caption

Data Center Server and Storage Replacements

Bid No. 0334-24

Waypoint Business Solutions

\$1,643,025.32

This request is for the data center compute and storage equipment to continue to maintain the business systems that provide the technology that supports the City of Garland departments.

Basis for Award:

Cooperative Purchase

Purchase Requisition #:

50581

Fiscal Impact

Total Project/Account: \$3,630,000

Expended/Encumbered to Date (Including this Item): \$2,673,204

Proposed Balance: \$956,796

Account #: 413-4511-9029

Budget Type:

Operating Budget

Fiscal Year:

2023-24

Document Location:

Page 327

Budget Director Approval:

Allyson Bell Steadman

Approval Date:

12/20/2023

Purchasing Director Approval:

Gary L. Holcomb

Approval Date:

12/19/2023



GARLAND
PURCHASING REPORT

2024 City Council Regular Session

2. h.

Meeting Date: 01/09/2024

Item Title: GP&L Transmission and Substation Technical Consulting Services

Submitted By: Steve Martin, GP&L Transmission
Director

Bid Number: 0339-24

Purchase Justification:

The purpose of this bid is to obtain as-needed technical consulting services for GP&L Transmission and Substation operations and CIP projects. Services will include project management, cost tracking, procurement assistance, landowner relations, utility company coordination, construction management, contractor oversight, and other services as needed.

Evaluation:

The technical consulting services for GP&L Transmission and Substation operations and CIP projects are being provided by Principle Services, Ltd., through an Interlocal Agreement with the City of Lubbock Contract # 9106. As competitive bids were not received, a Bid Recap is not included.

Award Recommendation:

<i>Vendor</i>	<i>Item</i>	<i>Amount</i>
Principle Services, Ltd.	All	\$1,500,000.00
	TOTAL:	----- \$1,500,000.00

Caption

**GP&L Transmission and Substation Technical Consulting
Services**

Bid No. 0339-24

Principle Services, Ltd.

\$1,500,000.00

This request is for Change Order No. 1 to Purchase Order 35268 issued for the emergency repair of the GP&L Olinger Unit 2 circulating water pump. The original purchase order called for an on-site repair of the pump; however, the pump was found to have extensive damage requiring an off-site rebuild.

Basis for Award:

Interlocal Agreement

Purchase Requisition #:

50598

Fiscal Impact

Total Project/Account:

N/A

Expended/Encumbered to Date (Including this Item):

N/A

Proposed Balance:

N/A

Account #:

451-6999

Fund/Dept/Project â€“ Description and Comments:

The technical consulting services will be charged to the appropriate GP&L Operating and/or CIP account(s) as expenditures are incurred.

Budget Type:

Operating Budget
CIP

Fiscal Year:

2023-24

Document Location:

Proposed Op. - Page 231, CIP - Page 265

Budget Director Approval:

Allyson Bell Steadman

Approval Date:

12/20/2023

Purchasing Director Approval:

Gary L. Holcomb

Approval Date:

12/19/2023



GARLAND
PURCHASING REPORT

2024 City Council Regular Session

2. i.

Meeting Date: 01/09/2024

Item Title: GP&L Olinger Unit 2 Circulating Water Pump Repair Change Order

Submitted By: David Bernard, GP&L Production
Services Director

Bid Number: 1257-23

Purchase Justification:

This request is for Change Order No. 1 to Purchase Order 35268 issued for the emergency repair of the GP&L Olinger Unit 2 circulating water pump. The original purchase order called for an on-site repair of the pump; however, the pump was found to have extensive damage requiring an off-site rebuild.

Evaluation:

AW Chesterton Company was awarded the original PO 35268 in the amount of \$53,413.00 on September 15, 2023. As competitive bids were not received for the change order, a Bid Recap is not included.

Award Recommendation:

<i>Vendor</i>	<i>Item</i>	<i>Amount</i>
AW Chesterton Company	All	\$80,231.00
	TOTAL:	----- \$80,231.00

Caption

GP&L Olinger Unit 2 Circulating Water Pump Repair Change Order

Bid No. 1257-23

AW Chesterton Company

\$80,231.00

This request is for Change Order No. 1 to Purchase Order 35268 issued for the emergency repair of the GP&L Olinger Unit 2 circulating water pump. The original purchase order called for an on-site repair of the pump; however, the pump was found to have extensive damage requiring an off-site rebuild.

Basis for Award:

Change Order

Purchase Requisition #:

50552

Fiscal Impact

Total Project/Account: \$4,340,064
Expended/Encumbered to Date (Including this Item): \$2,500,218
Proposed Balance: \$1,839,846
Account #: 211-3433-7111

Fund/Dept/Project â€ Description and Comments:

GP&L Operating Budget / Olinger Plant Operations

Budget Type: Operating Budget

Fiscal Year: 2023-24

Document Location: Op Budget - Page 231

Budget Director Approval:
Purchasing Director Approval:

Allyson Bell Steadman
Gary L. Holcomb

Approval Date: 12/19/2023
Approval Date: 12/18/2023



GARLAND
PURCHASING REPORT

2024 City Council Regular Session

2. j.

Meeting Date: 01/09/2024

Item Title: GP&L Ben Davis Substation Cable Trench

Submitted By: Steve Martin, GP&L Transmission
Director

Bid Number: 0207-24

Purchase Justification:

This request is for the purchase of a 1,095-foot pre-cast concrete cable trench and associated materials needed for the upgrade of the GP&L Ben Davis Substation. An owner's contingency is included for any additional materials that may be required. This is part of the approved GP&L Ben Davis Substation Flood Mitigation CIP project.

Evaluation:

A request for bids was issued in accordance with Purchasing procedures. One (1) bid was received and evaluated with Trenwa, Inc. submitting the Straight Low Bid.

Award Recommendation:

<i>Vendor</i>	<i>Item</i>	<i>Amount</i>
Trenwa, Inc.	All	\$442,490.00
Owner's Contingency		44,249.00
	TOTAL:	----- \$486,739.00

Caption

GP&L Ben Davis Substation Cable Trench

Bid No. 0207-24

Trenwa, Inc.

\$486,739.00

This request is for the purchase of a 1,095-foot pre-cast concrete cable trench and associated materials needed for the upgrade of the GP&L Ben Davis Substation. An owner's contingency is included for any additional materials that may be required. This is part of the approved GP&L Ben Davis Substation Flood Mitigation CIP project.

Basis for Award:

Straight Low Bid

Purchase Requisition #:

50070

Fiscal Impact

Total Project/Account: \$7,885,982
Expended/Encumbered to Date (Including this Item): \$6,023,533
Proposed Balance: \$1,862,449
Account #: 210-3799-3176801-6051
Fund/Dept/Project â€“ Description and Comments:
GP&L Substations CIP Program / Ben Davis Substation Flood Mitigation

Attachments

Bid Recap

Budget Type:

CIP

Fiscal Year:

2023

Document Location:	CIP - Page 276		
Budget Director Approval:	Allyson Bell Steadman	Approval Date:	12/19/2023
Purchasing Director Approval:	Gary L. Holcomb	Approval Date:	12/18/2023



GARLAND
PURCHASING REPORT

2024 City Council Regular Session

2. k.

Meeting Date: 01/09/2024

Item Title: TMPA Dansby to Steep Hollow Steel Structures

Submitted By: Steve Martin, GP&L Transmission
Director

Bid Number: 0618-23

Purchase Justification:

The purpose of this bid award is for the purchase of steel structures needed for the construction of the TMPA Dansby to Steep Hollow 138kV Transmission Line. An owner's contingency is included for any additional materials that may be required. This is part of the approved TMPA Dansby to Steep Hollow Transmission Line Rebuild CIP project and will be reimbursed at 100%.

Evaluation:

A request for bids was issued in accordance with Purchasing procedures. Six (6) bids were received and evaluated. Texas Electric Cooperatives, Inc. was awarded the bid for steel poles at the June 6, 2023 City Council Meeting. Prior to production, it was discovered that their bid response does not meet our specifications. PO 34859 to Texas Electrical Cooperatives, Inc. was terminated and we are recommending award to KBS Electrical Distributors as the Lowest Responsible Bid for the steel poles.

Award Recommendation:

<i>Vendor</i>	<i>Item</i>	<i>Amount</i>
KBS Electrical Distributors	All	\$1,954,078.97
Owner's Contingency		408,872.10
	TOTAL:	\$2,362,951.07

Caption

TMPA Dansby to Steep Hollow Steel Structures

Bid No. 0618-23

KBS Electrical Distributors, Inc.

\$2,362,951.07

The purpose of this bid award is for the purchase of steel structures needed for the construction of the TMPA Dansby to Steep Hollow 138kV Transmission Line. An owner's contingency is included for any additional materials that may be required. This is part of the approved TMPA Dansby to Steep Hollow Transmission Line Rebuild CIP project and will be reimbursed at 100%.

Basis for Award:

Lowest Responsible Bid

Purchase Requisition #:

50540

Fiscal Impact

Total Project/Account: \$13,000,000

Expended/Encumbered to Date (Including this Item): \$7,002,785

Proposed Balance: \$5,997,215

Account #: 215-3542-3147101-6051

Fund/Dept/Project â€" Description and Comments:

Electric CIP / Transmission Program

Attachments

Bid Recap

Budget Type:

CIP

Fiscal Year:

2023

Document Location:

Page 270

Budget Director Approval:

Allyson Bell Steadman

Approval Date:

12/18/2023

Purchasing Director Approval:

Gary L. Holcomb

Approval Date:

12/15/2023



GARLAND
PURCHASING REPORT

2024 City Council Regular Session

2. I.

Meeting Date: 01/09/2024

Item Title: GP&L Girvin Switch Station Cable Trench

Submitted By: Steve Martin, GP&L Transmission
Director

Bid Number: 0133-24

Purchase Justification:

This request is for the purchase of a 1,150-foot pre-cast concrete cable trench and associated materials needed for the construction of the GP&L Girvin Switch Station. An owner's contingency is included for any additional materials that may be required. This is part of the approved GP&L Girvin Switch Station CIP project.

Evaluation:

A request for bids was issued in accordance with Purchasing procedures. Two (2) bids were received and evaluated. Texas Electric Cooperatives are non-responsive due to not including the Fiberlite HS-20 lid as specified. Trenwa, Inc. is a qualified bidder, quoted all items, and met all requirements of the specifications and is recommended as the Lowest Responsible Bid.

Award Recommendation:

<i>Vendor</i>	<i>Item</i>	<i>Amount</i>
Trenwa, Inc.	All	\$416,185.00
Owner's Contingency		20,809.25
	TOTAL:	\$436,994.25

Caption

GP&L Girvin Switch Station Cable Trench

Bid No. 0133-24

Trenwa, Inc.

\$436,994.25

This request is for the purchase of a 1,150-foot pre-cast concrete cable trench and associated materials needed for the construction of the GP&L Girvin Switch Station. An owner's contingency is included for any additional materials that may be required. This is part of the approved GP&L Girvin Switch Station CIP project.

Basis for Award:

Lowest Responsible Bid

Purchase Requisition #:

50302

Fiscal Impact

Total Project/Account: \$10,379,000
Expended/Encumbered to Date (Including this Item): \$8,098,483
Proposed Balance: \$2,280,517
Account #: 210-3799-3179001-6051

Fund/Dept/Project â€" Description and Comments:

Electric CIP / Substations Upgrades Program

Attachments

Bid Recap

Budget Type:

CIP

Fiscal Year: 2023
Document Location: Page 276

Budget Director Approval:	Allyson Bell Steadman	Approval Date:	12/14/2023
Purchasing Director Approval:	Gary L. Holcomb	Approval Date:	12/12/2023



GARLAND
CITY COUNCIL STAFF REPORT

2024 City Council Regular Session

3. a.

Meeting Date: 01/09/2024

Z 23-46 City of Garland (District 1)

Submitted By: Will Guerin, Planning Director

Issue/Summary

Zoning Ordinance Z 23-46 City of Garland

Background

Case Z 23-46 was approved by City Council via public hearing on December 12, 2023.

Consideration / Recommendation

Consider adoption of the attached ordinance.

Attachments

Z 23-46 Ordinance

Z 23-46 Exhibit A

Z 23-46 Exhibit B

Z 23-46 Exhibit C

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE GARLAND DEVELOPMENT CODE OF THE CITY OF GARLAND, TEXAS, BY APPROVING AN AMENDMENT TO PLANNED DEVELOPMENT (PD) DISTRICT 20-17 FOR MIXED USE TO EXEMPT DATA CENTERS FROM A DETAIL PLAN PROCESS, WHERE DATA CENTERS ARE ALREADY ALLOWED BY RIGHT AND MEET TECHNICAL REQUIREMENTS ON A 276.99-ACRE TRACT OF LAND AND GENERALLY LOCATED NORTHEAST OF PRESIDENT GEORGE BUSH TURNPIKE, WEST OF HOLFORD ROAD, AND SOUTH OF THE CITY LIMITS LINE; 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 20th day of November, 2023, the Plan Commission did consider and make recommendations on a certain request for approval of an amendment to Planned Development (PD) District 20-17 for Mixed Use to exempt Data Centers from a Detail Plan process, where Data Centers are already allowed by right and meet technical requirements by **the City of Garland**; 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 Garland Development Code 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 an amendment to Planned Development (PD) District 20-17 for Mixed Use to exempt Data Centers from a Detail Plan process, where Data Centers are already allowed by right and meet technical requirements on a 276.99-acre tract of land generally located northeast of President George Bush Turnpike, west of Holford Road, and south of the city limits line 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 Exhibit B, attached hereto and made a part hereof.

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 Exhibit B 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 Exhibit B of 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.

ZONING FILE NO. Z 20-46

Section 7

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

PASSED AND APPROVED this _____ day of _____, 2024.

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary

Published:

EXHIBIT A

LEGAL DESCRIPTION

Zoning File 23-46

BEING various tracts of land, together embracing approximately 276.99 acres, generally bounded on the south and west by North President George Bush Turnpike, on the north by City of Garland, Texas city limit line, and on the east by Holford Road, LESS AND EXCEPT the following Additions to the City of Garland, according to the map or plat thereof recorded in the Official Public Records of Dallas County, Texas:

1. Lot 1, Block 1, Gurdwara Akaljot;
2. Lot 36, Block 1, Pot O' Gold;
3. Lot1, Block 1, Campbell Firewheel Addition;
4. Lot 1, Block 1, Montessori School Addition;
5. Lots 1 and 2, Block 1, Campbell Ferris Addition;
6. Lots 2A and 2B-R, Blackburn State Highway 190 Addition;
7. Lots 1-6, Block 1, Heights at Campfire Crossing-Commercial;
8. Lot 1R, Block 1, Striker Marquis Addition.

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**

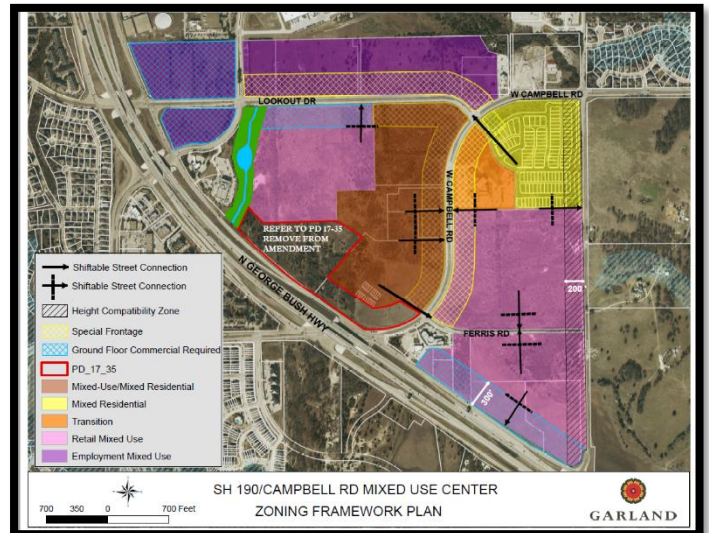
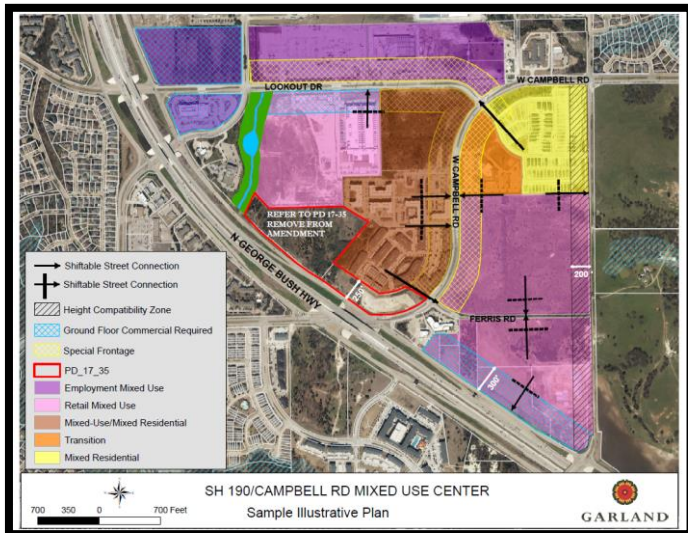
- I. Statement of Purpose:** The purpose of this Planned Development District amendment is to exempt Data Centers from a Detail Plan requirement, provided the use is permitted by right and all other applicable requirements are regulations are met.
- II. Statement of Effect:** This Planned Development 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 August 18, 2020 -- Z 20-17
AMENDED January 9, 2024 -- Z 23-46



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, 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%.	<ol 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	<ol 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%	<ol 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.



The land use is allowed by right in the zoning district indicated.



The land use is prohibited in the zoning district indicated.



The land use is allowed only upon approval of a Specific Use Provision (SUP) in the zoning district indicated.

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



The land use is allowed by right in the zoning district indicated.



The land use is prohibited in the zoning district indicated.



The land use is allowed only upon approval of a Specific Use Provision (SUP) in the zoning district indicated.

	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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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		-

P

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S

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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						

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
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		-



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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:

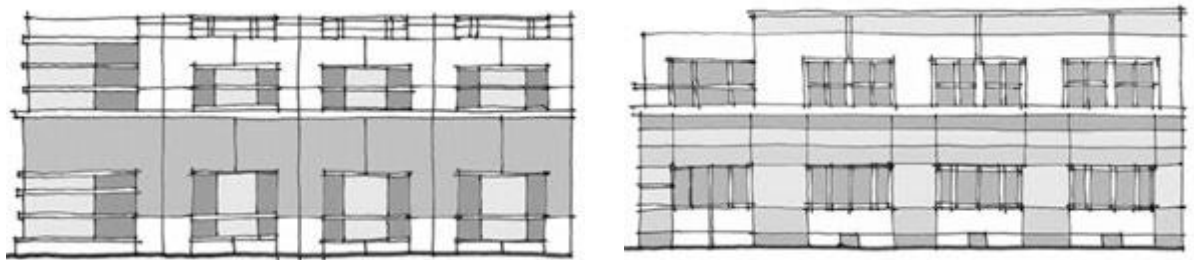
- i. The open space provided shall be appropriately distributed, designed and scaled in each of the character zones.
 - ii. The following criteria shall be used to evaluate the merits of proposed open spaces in the MUC-PD Detail Plan:
 - a. The extent to which environmental elements preserved are considered 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



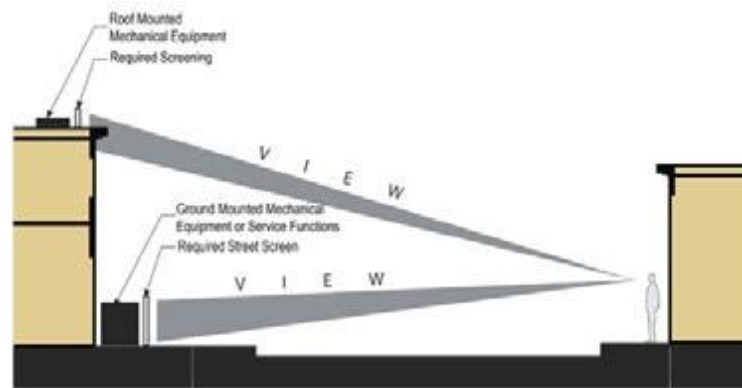
Desired street façade treatment for Data Centers

- 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.

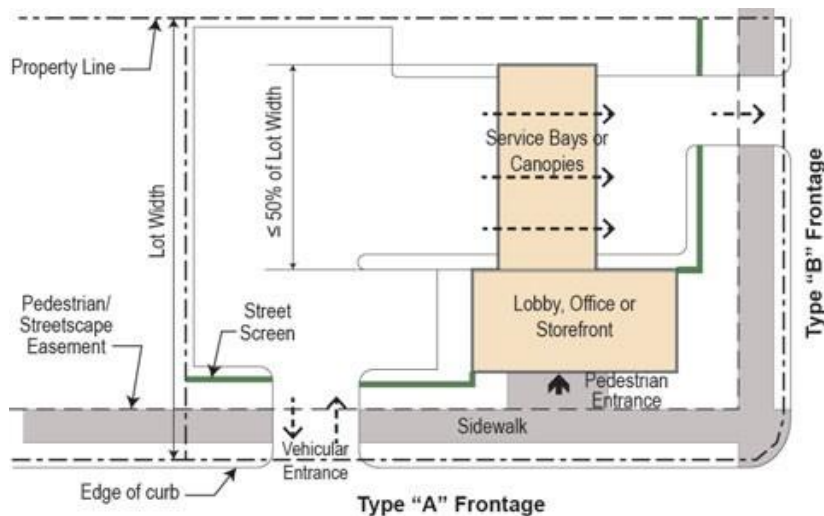


Image showing appropriate design of auto-related site elements

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 iv. 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) • 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
#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.					
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.

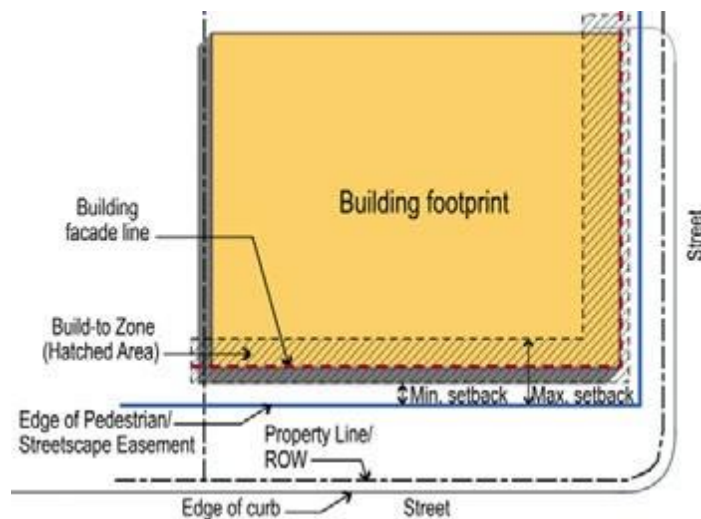
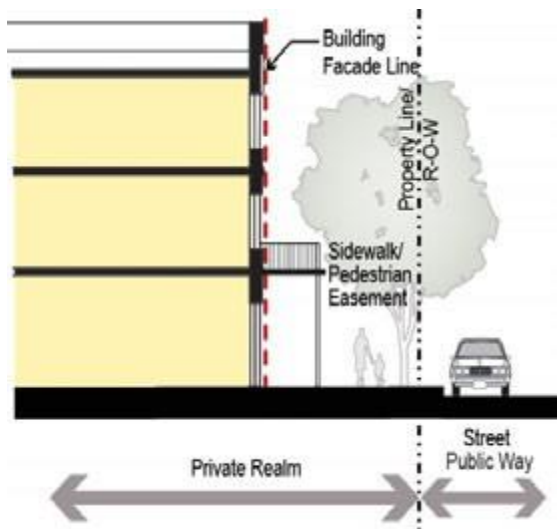


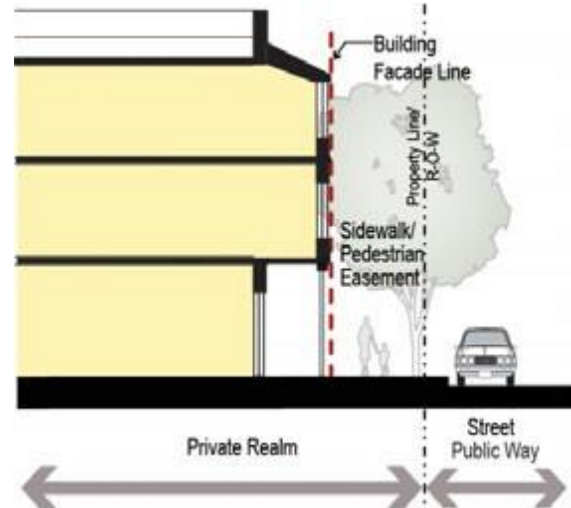
Illustration indicating the location of the build-to zone relative to the minimum and maximum setbacks and the building façade line

Building Façade Line

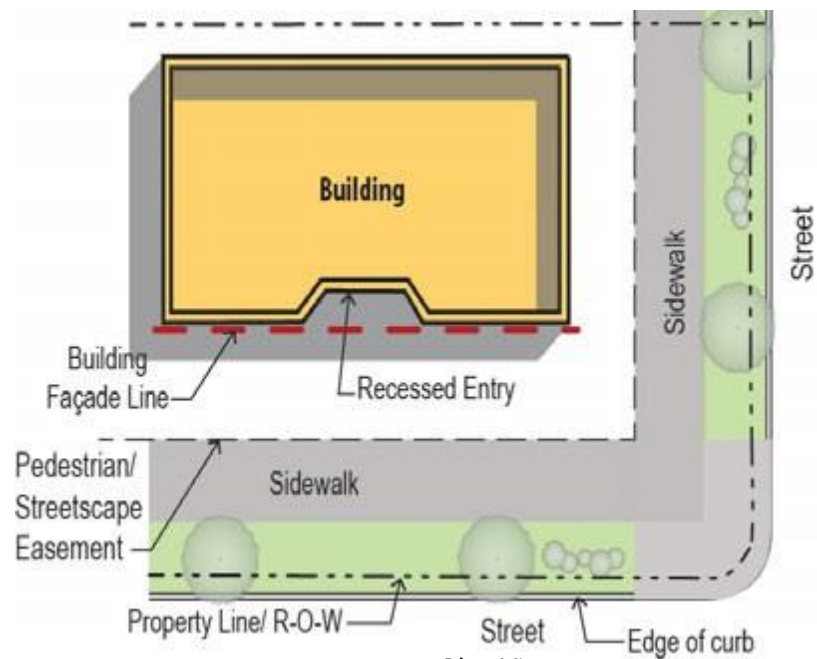
Is the location of the vertical plane of a building along a street frontage.



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.

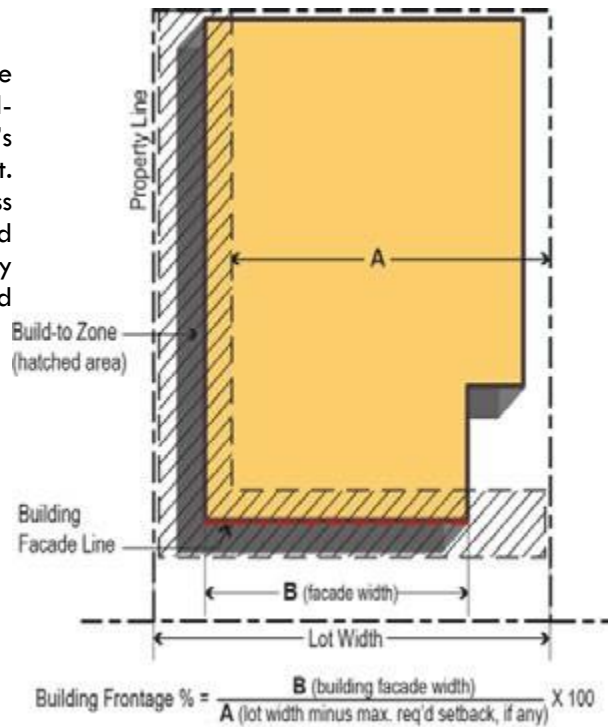


Image showing Building Frontage calculation

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.

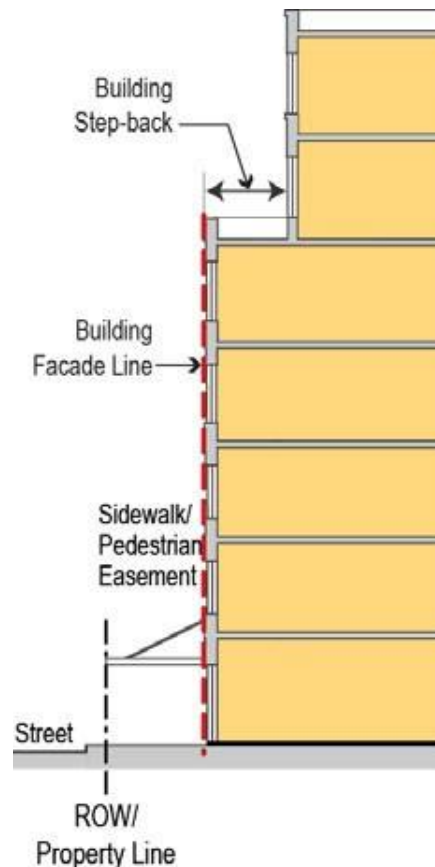


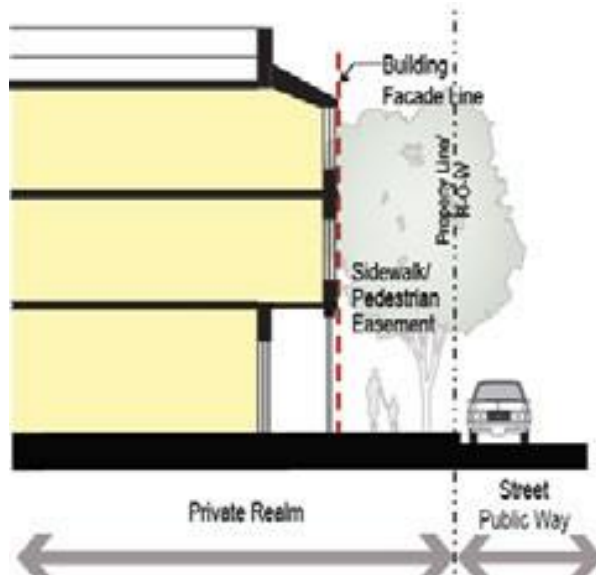
Illustration of a Building Step-back

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

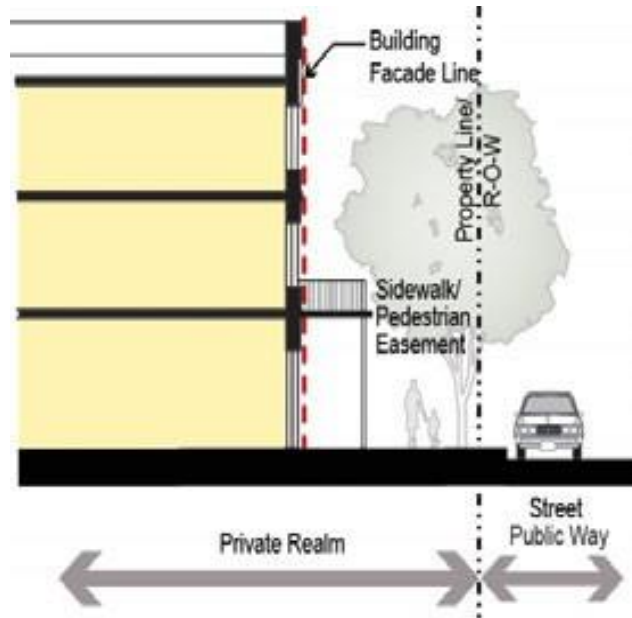
Means the surface area of a building's elevation (including all floors) not counting minor indentations fronting a particular street. Ground floor façade area is the surface area of a building's ground floor elevation not counting minor indentations fronting a particular street. Upper floor façade area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

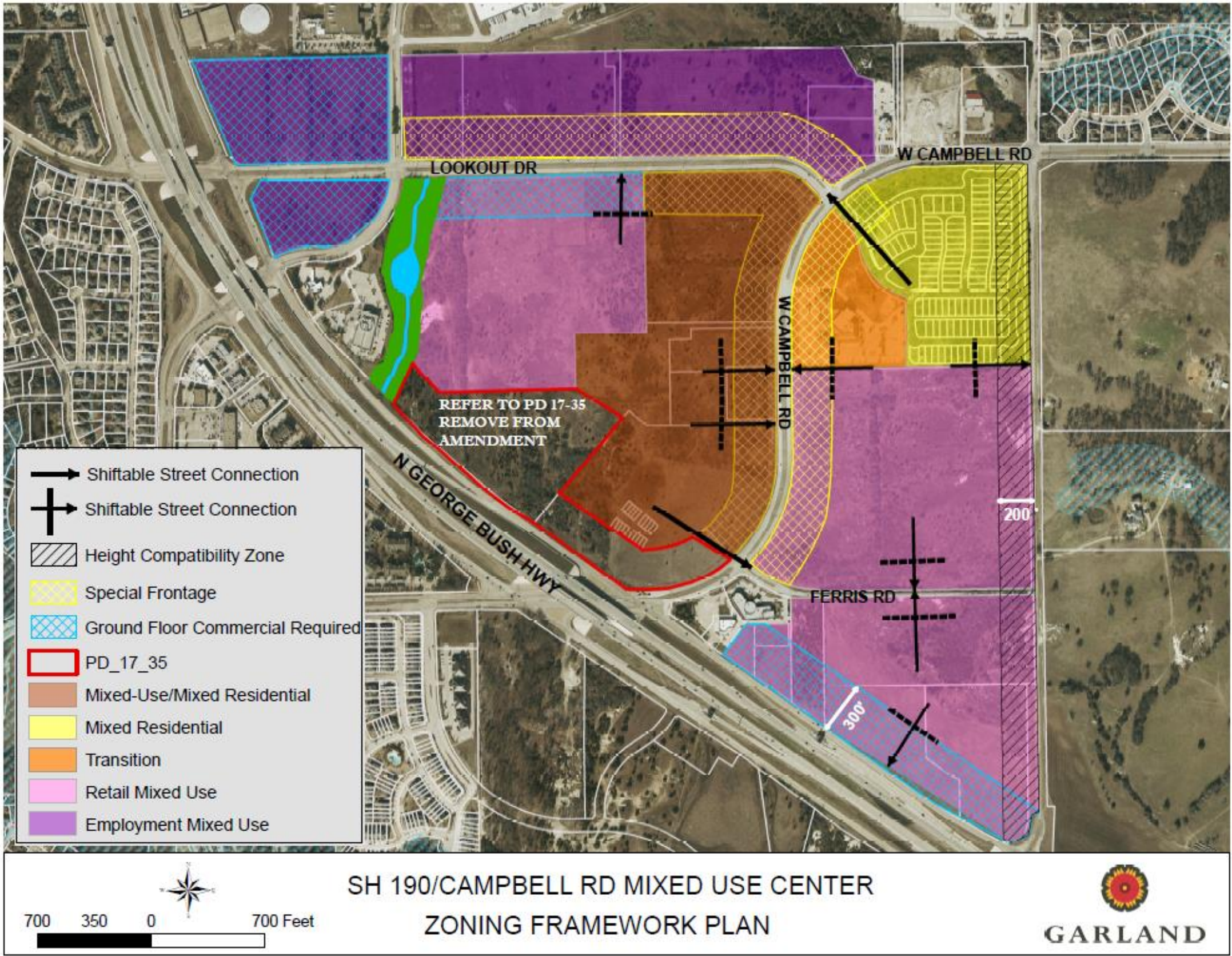
Means the block frontages identified as such on the adopted Detail Plan. Type “A” frontages are the primary pedestrian frontages and buildings along Type “A” frontages shall be held to the highest standard of pedestrian-oriented design. If Type “A” frontages are facing Type “B” frontages along the same 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.

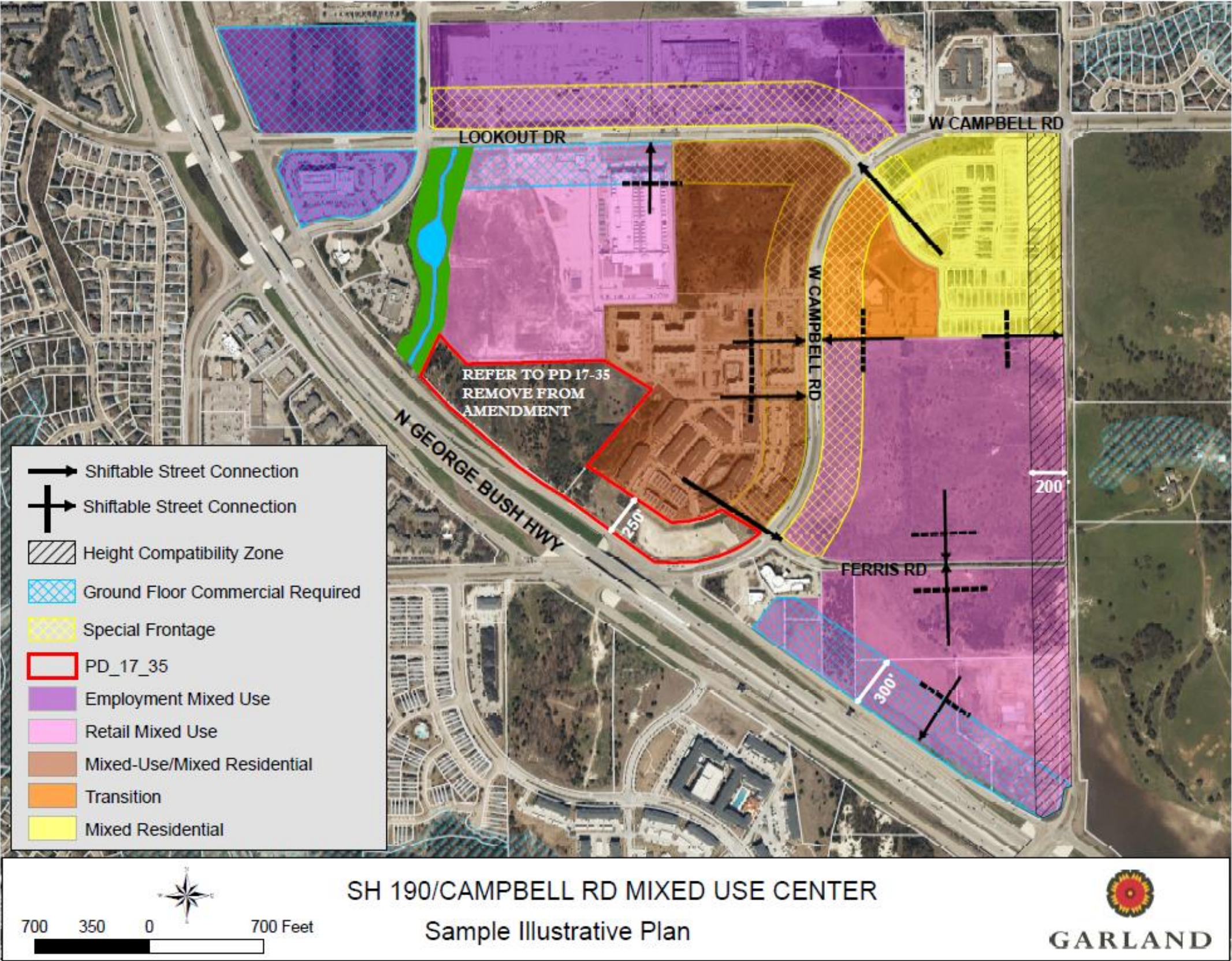
Type “B” Frontage

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

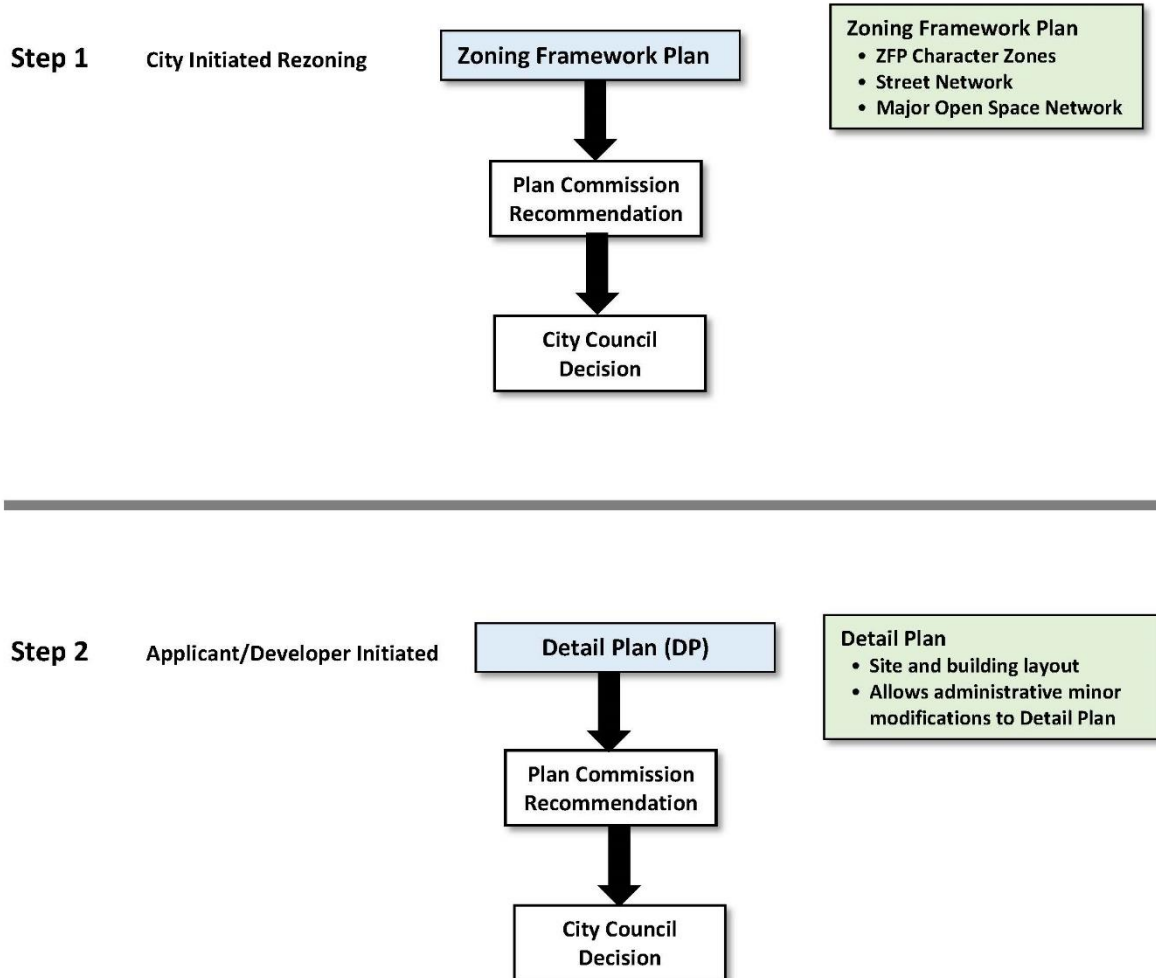
Zoning Framework Plan

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.





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)			
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.



GARLAND
CITY COUNCIL STAFF REPORT

2024 City Council Regular Session

3. b.

Meeting Date: 01/09/2024

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

Submitted By: Will Guerin, Planning Director

Issue/Summary

Zoning Ordinance Z 23-40 1901 W Northwest Hwy, LLC

Background

Case Z 23-40 was approved via public hearing during the December 12, 2023 Regular City Council Meeting.

Consideration / Recommendation

Consider adoption of the attached ordinance.

Attachments

Z 23-40 Ordinance

Z 23-40 Exhibit A

Z 23-40 Exhibit B

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE GARLAND DEVELOPMENT CODE OF THE CITY OF GARLAND, TEXAS, BY APPROVING AN AMENDMENT OF CONDITIONS TO PLANNED DEVELOPMENT (PD) DISTRICT 94-35 TO ADD AND REMOVE CERTAIN USES ON A 5.00014-ACRE TRACT OF LAND LOCATED AT 1901 WEST NORTHWEST HIGHWAY; 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 20th day of November 2023, the Plan Commission did consider and make recommendations on a certain request for an amendment of conditions on a property zoned Planned Development (PD) District 94-35, by **1901 W Northwest, Hwy, 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 an amendment of conditions to Planned Development (PD) District 94-35 to add and remove certain uses on a property zoned Planned Development (PD) District 94-35 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 _____,
2024.

FILE NO. Z 23-40

THE CITY OF GARLAND, TEXAS

By:

Mayor

ATTEST:

City Secretary

Published:

ZONING FILE NUMBER Z 23-40

EXHIBIT A

LEGAL DESCRIPTION

Zoning File Z 23-40

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

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



GARLAND
CITY COUNCIL STAFF REPORT

2024 City Council Regular Session

4.

Meeting Date: 01/09/2024

City Manager Employment Agreement

Issue/Summary

Council is requested to approve an amendment to the employment agreement with Judson Rex relating to his employment in the position of City Manager.

Background

City Manager Employment Agreement

Consideration / Recommendation

Consider approving by minute action an amendment to the employment agreement with Judson Rex relating to his employment as City Manager.



GARLAND
CITY COUNCIL STAFF REPORT

2024 City Council Regular Session

5.

Meeting Date: 01/09/2024

City Attorney Employment Agreement

Issue/Summary

Council is requested to approve an amendment to the employment agreement with Brian England relating to his employment in the position of City Attorney.

Background

Consider approving by minute action an amendment to the employment agreement with Brian England relating to his employment as City Attorney.

Consideration / Recommendation

City Attorney Employment Agreement



GARLAND
CITY COUNCIL STAFF REPORT

2024 City Council Regular Session

6.

Meeting Date: 01/09/2024

City Auditor Employment Agreement

Issue/Summary

Council is requested to approve an amendment to the employment agreement with Jedson Johnson relating to his employment in the position of City Auditor.

Background

City Auditor Employment Agreement

Consideration / Recommendation

Consider approving by minute action an amendment to the employment agreement with Jedson Johnson relating to his employment as City Auditor.



GARLAND
CITY COUNCIL STAFF REPORT

2024 City Council Regular Session

7.

Meeting Date: 01/09/2024

Municipal Court Judge Employment Agreement

Issue/Summary

Council is requested to approve an amendment to the employment agreement with John Sholden relating to his employment in the position of Municipal Court Judge.

Background

Municipal Court Judge Employment Agreement

Consideration / Recommendation

Consider approving by minute action an amendment to the employment agreement with John Sholden relating to his employment as Municipal Court Judge.



GARLAND
CITY COUNCIL STAFF REPORT

2024 City Council Regular Session

8.

Meeting Date: 01/09/2024

Associate Municipal Court Judge Employment Agreement.

Issue/Summary

Council is requested to approve an amendment to the employment agreement with Natalie Banuelos relating to her employment in the position of Associate Municipal Court Judge.

Background

Associate Municipal Court Judge Employment Agreement.

Consideration / Recommendation

Consider approving by minute action an amendment to the employment agreement with Natalie Banuelos relating to her employment as Associate Municipal Court Judge.



GARLAND
CITY COUNCIL STAFF REPORT

2024 City Council Regular Session

9.

Meeting Date: 01/09/2024

Consider approving the adoption of a Paid Quarantine Leave Policy

Submitted By: Kristen Smith, Managing Director

Issue/Summary

Regulatory Compliance

Background

Consider approving the adoption of a Paid Quarantine Leave Policy.

Consideration / Recommendation

Council is asked to consider approving a State-mandated Paid Quarantine Leave Policy for eligible Firefighters and Peace Officers.

Attachments

Paid Quarantine Leave Policy



Policy: **Paid Quarantine Leave Policy**

Issue Date: **1/9/2024**

Revision Date:

Policy Purpose

For certain highly contagious and dangerous communicable diseases, the local health authority may order quarantine to prevent further spread of the disease.

Pursuant to Texas Local Government Code Section 180.008, the City of Garland hereby adopts this paid quarantine leave policy for detention officers, emergency medical technicians, firefighters, or peace officers who are employed by, appointed by, or elected to the city and ordered to quarantine or isolate due to a possible or known exposure to a communicable disease while on duty.

Applicability

This policy applies to all detention officers, emergency medical technicians, firefighters, and peace officers as defined by this Policy.

Paid leave and benefits provided by this policy are only available to detention officers, emergency medical technicians, firefighters, and peace officers who are ordered to quarantine or isolate for the period required by the local health authority or a supervisor working in accordance with the local health authority's guidance, due to a possible or known exposure to a communicable disease while on duty.

General Administration

Quarantine Leave

A City of Garland detention officer, emergency medical technician, firefighter, or peace officer who is ordered to quarantine or isolate by the person's supervisor or the city's [or county's if no city authority] health authority due to a possible or known exposure to a communicable disease while on duty is entitled to receive paid quarantine leave for the duration of the leave. (Ref. Texas Local Gov't Code 180.008(c).)

No Reduction in Compensation and Benefits

The City of Garland will not reduce a detention officer's, emergency medical technician's, firefighter's, or peace officer's sick leave balance, vacation leave balance, holiday leave balance, or other paid leave balance in connection with paid quarantine leave taken in accordance with this policy. Employees may also be eligible for reimbursement of expenses incurred due to quarantine, such as lodging, medical, and transportation.

Definitions

(1) Detention Officer means an individual appointed or employed by the City of Garland and whose job responsibilities include the care and custody of individuals incarcerated in the municipal jail.

(2) Emergency Medical Technician means an individual who is employed by the city and certified as an emergency medical technician under Chapter 773, Health and Safety Code.

(3) Firefighter means a paid employee of the city's fire department who: (a) holds a position that requires substantial knowledge of firefighting; (b) has met the requirements for certification by the Texas Commission on Fire Protection under Chapter 419, Government Code; and (c) performs at least one of the following functions: (i) fire suppression; (ii) fire prevention; (iii) fire training; (iv) fire safety education; (v) fire maintenance; (vi) fire communications; (vii) fire medical emergency technology; (viii) fire photography; (ix) fire administration; or (x) fire arson investigation.

(4) Health Authority means a physician appointed by the city or county to administer state and local laws relating to public health within the city's jurisdiction.

(5) Paid Quarantine Leave means: (1) all employment benefits and compensation, including leave accrual, pension benefits, and health benefit plan benefits provided by the city; and (2) if applicable, reimbursement for reasonable costs related to the quarantine, including lodging, medical, and transportation costs.

(6) Peace Officer means police officers and marshals licensed by the Texas Commission on Law Enforcement and employed by the city. (Ref. Texas Local Gov't Code 180.008(a); 143.003(4)(A); Tex. Health & Safety Code 121.021; Tex. Code Crim. Pro. Art. 2.12.)



GARLAND
CITY COUNCIL STAFF REPORT

2024 City Council Regular Session

10.

Meeting Date: 01/09/2024

Request for an approval of the amendment to the PSL Garland MOB, LP Tenant Improvement Incentive Agreement

Submitted By: Ayako Schuster, Economic Development Director

Strategic Focus Area: Growing Economic Base

Issue/Summary

Council is requested to consider approving the amendment to an Incentive Agreement with PSL Garland MOB, LP (Prevarian) for tenant improvements.

Background

In the original agreement, the incentive for new tenants is set to expire 12/31/2023. Prevarian requested an extension to this deadline and agreed to remove the incentive for existing tenants in exchange for the extension. The proposed amendment would extend the deadline for new tenants to 12/31/2027 but would remove the potential incentive of up to \$1,000,000 for existing tenants.

Consideration / Recommendation

Approval of the amendment to the incentive agreement between the City and PSL Garland MOB, LP.

- Extend CO requirement for New tenants to December 31st, 2027
- Retain the prior capped amount of incentive for new tenants (\$1,920,000.00) (Section 4.B.i)
 - \$1,515,435 remains of the original cap
 - \$404,565 has been disbursed
- Remove sections and incentives relating to existing tenants
- The total potential incentive will be reduced from \$2.92 Million to potential \$1.92 Million.

Attachments

Proposed Economic Development Incentive Amendment

**AMENDMENT 1 TO
ECONOMIC DEVELOPMENT INCENTIVE AGREEMENT**

This Amendment 1 (“Amendment”) to Economic Development Incentive Agreement (“Agreement”) is made by and between the **City of Garland, a Texas home-rule municipality** (“City”), and **PSL Garland MOB, LP, a Texas limited partnership** (“Developer”) (“City and Developer referred to herein collectively as “Parties”), acting by and through their respective authorized officers.

RECITALS:

Developer and City each acknowledge and agree that the following recitals are true and correct and that the same are a material part of this Agreement.

WHEREAS, the City desires to further the public interest and welfare and to induce the investment of private resources in productive business enterprises located in certain areas of the City that will increase tax revenue and promote or develop new business enterprises;

WHEREAS, Developer is the owner of those certain tracts of improved real property consisting of approximately 153,300 +/- square feet and commonly known as 800 North Shiloh, 530 Clara Barton, and 601 Clara Barton, City of Garland, Dallas County, Texas (the “Property”), which is situated in TIF Zone 3 and is part of the “Medical District” within the City of Garland; and

WHEREAS, on June 27, 2022, the Parties entered into the Agreement to provide certain economic incentives to the Developer in furtherance of the Parties’ goals and objectives; and

WHEREAS, Developer has requested an amendment to the Agreement to extend the term for incentives to new tenants in exchange for lowering some of the other incentive values; and

WHEREAS, the City is amenable to the Amendment as proposed by Developer; and

WHEREAS, the City finds that the Amendment promotes economic development in the City and, as such, meets the requirements of Chapter 380 of the Texas Local Government Code , and is in the best interest of the City; and

WHEREAS, the City has determined, based on information presented to it by the Developer, that making the amended economic development grant to the Developer pursuant to the Amendment is in accordance with the City’s economic development goals and will: (i) further the objectives of the City; (ii) benefit the City and the City’s inhabitants; and (iii) promote local economic development and stimulate businesses and commercial activity in the City.

NOW, THEREFORE, the Developer and City make and enter into this Amendment in consideration of the mutual covenants and agreements contained within, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by both the Developer and the City, and agree as follows:

1. **Amendments.** The following revisions are hereby made to the Agreement:

A. Section 3(A)(iii) is amended in its entirety to read: "New medical related tenants occupying commercial space within the Property must obtain a certificate of occupancy by December 31, 2027."

B. Section 3(B) is deleted in its entirety.

C. Section 4(B)(ii) is deleted in its entirety.

2. **Ratification.** City and Developer hereby ratify and confirm the non-revised obligations under the Agreement.

3. **Binding Effect; Governing Law.** Except as modified hereby, the Agreement shall remain in full force and effect, and this Amendment shall be binding upon the Parties, their respective successors, and assigns. If any inconsistency exists or arises between the terms of this Amendment and the terms of the Agreement, the terms of this Amendment shall prevail. This Amendment is performable in Dallas County, Texas and shall be governed by the law of the State of Texas.

4. **Counterparts; Facsimile or PDF.** This Amendment may be executed in multiple counterparts, each of which shall constitute an original, but all of which shall constitute one document. In order to facilitate execution of this Amendment, facsimile or .PDF copies transmitted by electronic mail shall be effective as original counterparts.

EXECUTED and effective as of the _____, day of _____, 2023.

DEVELOPER

PSL Garland MOB, LP

By: H. D. M. Crutcher
H. Dodd Crutcher
Authorized Signatory

Date executed: 11/29/23

CITY

City of Garland, Texas

By: _____
Judson Rex
City Manager

Date executed: _____



GARLAND
CITY COUNCIL STAFF REPORT

2024 City Council Regular Session

11.

Meeting Date: 01/09/2024

Garland Chamber Economic Development Services Agreement Renewal

Submitted By: Kimberly Garduno, Business Development Manager

Strategic Focus Area: Growing Economic Base

Issue/Summary

Council is requested to consider approving the renewal of the service agreement contract for Economic Development Services and to execute the renewal agreement with the Garland Chamber of Commerce.

Background

The current agreement will expire on 1/9/2024. The partnership with the Garland Chamber of Commerce was established in 1995 to enhance collaborative economic development efforts. The Economic Development Strategic Plan, adopted in April 2023, suggests creating more organizational capacity and clarifying the roles and responsibilities.

The renewal service agreement includes the following adjustments:

- Increase the base annual payment to \$600,000 by 2026
- Formation of an Annual Action Plan with tangible goals and performance metrics
- Payment will match a percent merit salary increase of the annual City budget instead of the US Employment Cost Index (ECI) after 2026.
- Renew automatically unless either party wishes to terminate.

Consideration / Recommendation

Consider approval of the renewal of the service agreement contract with Garland Chamber of Commerce.

Attachments

Chamber Agreement

ECONOMIC DEVELOPMENT SERVICES AGREEMENT

This Economic Development Services Agreement (the “Agreement”) is made and entered into by and between the **City of Garland, Texas**, a Texas home-rule municipality (the “City”) and the **Garland Chamber of Commerce**, a Texas non-profit corporation (the “Chamber”)(collectively, “Parties,” either individually as “Party”).

RECITALS

WHEREAS, the City desires to further the public interest and welfare and to induce the investment of private resources in productive business enterprises located in the City that will increase tax revenue and promote or develop new business enterprises;

WHEREAS, the City is authorized by Article III, Section 52-a of the Texas Constitution and Chapter 380 of the Texas Local Government Code to provide an economic development program, which may include certain grants of public funds, to stimulate business and commercial activity in the City;

WHEREAS, the Chamber is a long standing entity in the City of Garland, with an address of 520 N. Glenbrook Drive, Garland, Dallas County, Texas 75040 with the purpose of connecting businesses with resources and relationships;

WHEREAS, the City has determined, based on information presented by the Chamber, that making an economic development grant to the Chamber in accordance with this Agreement is in accordance with the City’s economic development goals and will (i) further the objective of the City; (ii) benefit the City and the City’s inhabitants; and (iii) promote local economic development and stimulate business and commercial activity in the City;

WHEREAS, the City and Chamber have contracted since 1995 regarding City support of the Chamber’s programs, most recently in an Economic Development Services Agreement dated January 10, 2019 which is set to expire on its own terms on January 9, 2024;

WHEREAS, the Parties desire to enter into this Agreement to continue to provide City support for Chamber programs, pursuant to the conditions set forth herein; and

WHEREAS, the services to be provided under this Agreement by Chamber will have a direct and positive economic benefit to the City.

NOW, THEREFORE, for and in consideration of the mutual promises and undertakings contained in this Agreement, the Parties agree as follows:

AGREEMENT

Section 1. *Provision of Economic Development Services.* In accordance with the following provisions, the Chamber agrees to provide the City with all of the services, programs, and

undertakings as specified in the 2024 Chamber Annual Action Plan (“Action Plan”), attached hereto as Exhibit A. As part of its duties hereunder, the Chamber shall semi-annually present to the City Council: the first in June to provide an update on the programs operating pursuant to the Action Plan; the second in December regarding a summary of all of its provision of services, programs, and undertakings for the past year and how that provision aligns with the Action Plan. Further, the Chamber shall present as part of its December report its proposal for an updated annual action plan for the upcoming year (“Future Action Plan”), should this contract be renewed. Any Future Action Plan shall include specific and tangible goals for the following year and should align with the City’s Economic Development Strategic Plan. The Chamber shall incorporate such criteria and directions to the Future Action Plan as the City Council may direct. The approved Action Plan shall serve as the minimum baseline of services and program deliverables to be performed by the Chamber under this Agreement, and the terms and provisions of the approved Action Plan shall be deemed incorporated into and made a part of this Agreement. After the Action Plan is approved by the Council, the Chamber shall present the Action Plan to the constituent members of the Garland Economic Development Partnership (“GEDP”).

Section 2. *Payment for Services.* The City agrees to pay the Chamber, in consideration of the services, programs, and undertakings to be provided by the Chamber to the City in accordance with the Action Plan, an annual fee, to be paid in equal monthly installments by the City to the Chamber during the term of this Agreement. The amount of the annual fee shall be \$544,480.00. Should this Agreement be renewed past the Initial Term as allowed in Section 4 below, absent a signed agreement to the contrary, the annual fee for those Renewal Terms may be increased only upon Council’s approval of the successful completion of the respective Action Plan or Future Action Plan as presented by the Chamber to Council in December of each year. Specifically subject to such approval by Council, the total amount of increase per renewal is \$27,760.00, up to two times, so that should this Agreement be renewed through 2026, and Council approve the successful completion of both the 2024 and 2025 Action Plans by the Chamber, the annual fee for said 2026 Renewal Term is \$600,000.00. For any Renewal Term after 2026, and subject to Council approval of the successful completion of the respective Future Action Plan by the Chamber, the annual fee increase would be by a matching percentage to the City’s allocation to merit salary increases for the applicable City fiscal year.

Section 3. *Accounting and Auditing.* The Chamber shall maintain records of and account for all funds expended by the Chamber pursuant to this Agreement in accordance with generally accepted accounting practices. Such records shall be made available to the City for inspection at any reasonable time during normal office hours. The Chamber shall obtain and produce to the City an annual financial audit, conducted by an independent accounting firm reasonably acceptable to the City, of the activities and expenses of the Chamber under this Agreement. The Chamber shall also provide the City with monthly accounting reports, in a form reasonably acceptable to the City, of all expenditures made by the Chamber under this Agreement for the month of the report.

Section 4. *Term; Termination.* This Agreement shall be for an initial term of 1 year, commencing on January 10, 2024, and continuing through January 9, 2025 (the “Initial Term”). Either party may terminate this Agreement, at will and without cause, liability, or penalty, by giving written notice of termination to the other party not less than thirty (30) days prior to the end of the Initial

Term or any Renewal Term. In the event of termination, any funds paid by the City to the Chamber under this Agreement and not expended by the Chamber shall be promptly returned to the City. Provided further, that in the event no funds or insufficient funds are appropriated or budgeted or are otherwise unavailable for any reason for any payment due under this Agreement, then this Agreement shall terminate, without liability or penalty, as of the last day that such funds were available or appropriated. Subject to the termination provisions above, if no notice of termination is given by either Party pursuant to this Section, 4, this Agreement shall automatically renew up to five times for additional 1-year periods each (each respectively, the "Renewal Term"), with a potential final termination date of January 9, 2030, unless this Agreement is terminated prior to such date.

Section 5. Notices. Any notice required or permitted to be delivered hereunder will be deemed received three (3) days after sent by United States Mail, postage prepaid, certified mail, return receipt requested, addressed to the Party at the address set forth below or on the day actually received when sent by a nationally-recognized overnight courier (such as FedEx) or otherwise hand delivered.

If intended for the City:

Attention: Judson Rex, City Manager
City of Garland, Texas
200 N. Fifth Street
Garland, Texas 75040
Telephone: (972) 205-2465
Jrex@garlandtx.gov

with a copy to: Office of the City Attorney

Attention: Brian C. England
City of Garland, Texas
200 N. Fifth Street, Fourth Floor
P.O. Box 469002
Garland, Texas 75046-9002
Telephone: (972) 205-2380
bengland@garlandtx.gov

If intended for Chamber:

Garland Chamber of Commerce
Attention: Paul Mayer
520 N. Glenbrook Drive
Garland, Texas 75040
Telephone: (972) 272-7551
Paul.Mayer@garlandchamber.com

Section 6. *No Assignment.* Neither Party shall have the right to assign that Party's interest in this Agreement without the prior written consent of the other party.

Section 7. *Severability.* In the event any one or more of the provisions contained in this Agreement is for any reason held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability will not affect other provisions of this Agreement, and it is the intention of the parties to this Agreement that in lieu of each provision that is found to be illegal, invalid, or unenforceable, a provision will be added to this Agreement which is legal, valid, and enforceable and is as similar in terms as possible to the provision found to be illegal, invalid, or unenforceable.

Section 8. *Waiver.* Either the City or the Chamber shall have the right to waive any requirement contained in this Agreement which is intended for the waiving party's benefit, but, except as otherwise provided herein, such waiver shall be effective only if in writing executed by the Party for whose benefit such requirement is intended. No waiver of any breach or violation of any term of this Agreement shall be deemed or construed to constitute a waiver of any other breach or violation, whether concurrent or subsequent, and whether of the same or of a different type of breach or violation.

Section 9. *Governing Law; Venue.* This Agreement is governed by the laws of the State of Texas, without giving effect to any conflicts of law rule or principle that might result in the application of the laws of another jurisdiction. Venue for any action concerning this Agreement will be mandatory in Dallas County, Texas, to the exclusion of all other venues. The Parties agree to waive any objections related to appearing in a court in Dallas County, Texas, including, without limitation, objections based on personal jurisdiction.

Section 10. *Paragraph Headings; Construction.* The paragraph headings contained in this Agreement are for convenience only and shall in no way enlarge or limit the scope or meaning of the various and several paragraphs hereof. Both Parties have participated in the negotiation and preparation of this Agreement, and this Agreement shall not be construed either more or less strongly against or for either Party.

Section 11. *Binding Effect.* The terms and conditions of this Agreement are binding upon the successors and assigns of all Parties hereto.

Section 12. *Gender.* Within this Agreement, words of any gender shall be held and construed to include any other gender, and words in the singular number shall be held and construed to include the plural, unless the context otherwise requires.

Section 13. *Counterparts.* This Agreement may be executed in counterparts. Each of the counterparts will be deemed an original instrument, but all of the counterparts will constitute one and the same instrument.

Section 14. *Exhibits.* All exhibits to this Agreement are incorporated herein by reference for all

purposes wherever reference is made to the same.

Section 15. *Entire Agreement.* It is understood and agreed that this Agreement, including any attached exhibits, constitutes the entire agreement between the Parties and supersedes any and all prior oral or written agreements, understandings, or representations. This Agreement may only be amended by the mutual written agreement of the Parties.

Section 16. *Relationship of Parties.* Nothing contained in this Agreement shall be deemed or construed by the Parties hereto or by any third party to create the relationship of principal and agent or of partnership or of joint venture or of any association whatsoever between the Parties, it being expressly understood and agreed that no provision contained in this Agreement nor any act or acts of the Parties hereto shall be deemed to create any relationship between the Parties other than the relationship of independent parties contracting with each other solely for the purpose of effecting the provisions of this Agreement.

Section 17. *Representations Concerning Authority.* The Chamber represents, warrants, and covenants that it has the authority to (i) enter into, execute, and deliver this Agreement and (ii) perform and comply with all of the terms, covenants, and conditions to be performed and complied with by the Chamber hereunder. The City represents, warrants, and covenants that (i) it has the authority to enter into, execute, and deliver this Agreement and (ii) it has the authority to perform and comply with all of the terms, covenants, and conditions to be performed and complied with by the City hereunder.

Section 18. *Limitation on Liability.* It is understood and agreed between the Parties that the Chamber and the City, in satisfying the conditions of this Agreement, have acted independently, and neither party assumes responsibilities or liabilities to third parties in connection with these actions.

Section 19. *Time for Performance.* Time is of the essence in the performance of each party's obligations hereunder; provided, however, that if any date for performance by a party hereto falls on a Saturday, Sunday, or a day on which national banking associations operating in the State of Texas are not open for business, then such party's performance will not be due until the next day thereafter that is not a Saturday, a Sunday, or a day on which national banking associations operating in the State of Texas are not open for business.

EXECUTED on the dates indicated below but deemed to be effective as of the 10th day of January, 2024.

CITY:

City of Garland, Texas

By: _____

Name: Judson Rex

Title: City Manager

Date: _____

CHAMBER:

Garland Chamber of Commerce, a Texas non-profit corporation

By: Paul Mayer

Name: Paul Mayer

Title: Chief Executive Officer

Date: 12.21.2023

Exhibit A: 2024 Annual Action Plan

I. Accountability and Coordination

In adherence to a collaborative contractual agreement, the Chamber and the City Economic Development Department will engage in ongoing communication and joint planning, ensuring alignment with the Economic Development Strategic Plan:

II. Conduct Quarterly Collaboration Sessions:

- The City and the Chamber commit to holding quarterly joint staff meetings to review and assess the progress of the Chamber Annual Action Plan; ensuring alignment with the 2023 Economic Development Strategic Plan.
- Utilize identified goals and metrics within the Action Plan to evaluate the performance of the Chamber and inform decisions related to contract renewal.

III. Evaluate Combined Efforts:

- Host quarterly meetings involving the Chamber and Economic Development staff to discuss and evaluate key activities, targets, and metrics aligned with the Economic Development Strategic Plan.
- Jointly assess the impact and effectiveness of collaborative initiatives undertaken by the City and Chamber.

IV. Reporting Mechanisms:

- Present a mid-year report covering January 2024 to May 2024, detailing the achievements of goals and activities outlined in the Chamber Annual Plan, in a briefing determined by the City Manager's Office, to the City Council no later than June 30, 2024.
- Deliver a comprehensive annual report covering January 2024 through November 2024, reflecting the goals and activities of the Chamber Annual Plan, in a briefing determined by the City Manager's Office, to the City Council no later than December 31, 2024.

Business Retention

With a focus on sustaining and expanding the City's high-value property tax base, the Chamber will actively contribute to Business Retention services:

➤ Strategic Business Visits:

- Engage in business retention visits to Garland's Top 100 Industries, visiting a minimum of 30 companies annually.

- Provide a quarterly report on each business visited, including contact information for the business representative, relevant details such as the number of employees, and key business concerns impacting their operations in Garland.

➤ **Industry Engagement:**

- Convene quarterly meetings of the Dallas County Manufacturing Association Leadership Council to stay informed about industry needs, plan events, enhance the Human Resource Committee's efforts, and collaborate with education partners to meet workforce requirements.
- Host and coordinate two industrial site visits for elected officials.
- Collaborate with the Economic Development Department to coordinate future Economic Development Summit.

Small Business Development

Building on the City's entrepreneurial spirit, the Chamber will enhance its Small Business Development services through collaborative efforts:

➤ **Strengthening Small Business Team:**

- Employ a full-time Small Business staff member by Q2 2024 to set up HUB registration workshop(s) and increase registered enterprises.
- Create a Small Business 100 list by Q2 2024 and conduct visits to at least 30 businesses annually, reporting outcomes, key concerns, and follow-up plans.

➤ **New Business Welcome:**

- Support the City of Garland in welcoming new businesses by organizing grand opening events and introductions to key local resources, especially for businesses located in City-Defined Catalyst areas. Waive membership requirements for City-designated businesses.

➤ **Educational Outreach:**

- Conduct small business education resources workshops and report on the number of businesses benefiting from the program.

Workforce Development

The Chamber, in collaboration with local educational institutions and the City, will enhance Workforce Development services:

➤ **Industry-Focused Initiatives:**

- Implement the activities of the Dallas FAME Chapter (Federation of Advanced Manufacturing Education) and report and increase chapter members.
- Facilitate the DCMA Leadership Academy and report and increase the number of participants and their affiliated companies.

- Report and increase the number of students securing internship or apprenticeship opportunities.

➤ **Grants and Partnerships:**

- Provide a list of Garland businesses receiving workforce or skills-based grants by Q2 2024.
- Facilitate collaboration between Dallas College, GISD, and business partners for PTECH (Partners in Technology Early College High School) and report on GISD student participation.

➤ **Skills Advancement:**

- Introduce Garland employers to the comprehensive employment skills advancement opportunities offered by Dallas College.
- Host annually two symposiums for Garland Manufacturers, with one coinciding with National Manufacturing Day.



GARLAND
CITY COUNCIL STAFF REPORT

2024 City Council Regular Session

12.

Meeting Date: 01/09/2024

Request for Development Assistance from Kraft Heinz Foods Company

Submitted By: Ayako Schuster, Economic Development Director

Strategic Focus Area: Growing Economic Base

Issue/Summary

Council is requested to consider approving the Incentive Agreement with Kraft Heinz Foods Company.

Background

Kraft Heinz has been operating the Garland plant, located at 2340 Forest Lane since 1949. They currently operate within a 635,000 square foot facility, producing Lunchables, Kraft BBQ Sauce, Heinz Vinegar. Their existing workforce includes 1,592 with over \$94 million of payroll. This agreement is related to the proposed expansion of BPP and the addition of a new product line to their current facility.

Consideration / Recommendation

Approval of the incentive agreement with Kraft Heinz Foods Company.

1. BPP requirements over the course of the expansion
 - \$400,000 rebate for Water/Wastewater Utility Rebate for 6 years
 - Must meet requirements beginning Tax Year 2025
2. Exterior Improvement Expenditure Requirement of \$1.2 million
 - Up to \$600,000 in Facade Grant rebate for the above exterior improvements
 - Scope subject to facade committee approval

Attachments

Proposed Economic Development Incentive Agreement

ECONOMIC DEVELOPMENT INCENTIVE AGREEMENT
BETWEEN THE CITY OF GARLAND AND KRAFT HEINZ FOODS COMPANY

This **ECONOMIC DEVELOPMENT INCENTIVE AGREEMENT** (“Agreement”) is made by and between the **City of Garland**, a Texas home-rule municipality (“City”), and **Kraft Heinz Foods Company**, a Pennsylvania limited liability company (“Developer”), acting by and through their respective authorized officers.

RECITALS:

Developer and the City each acknowledge and agree that the following recitals are true and correct and that the same is a material part of this Agreement:

WHEREAS, the City desires to further the public interest and welfare and to induce the investment of private resources in productive business enterprises located within the City that will increase tax revenue and promote or develop new business enterprises through Economic Development Agreements as authorized by Chapter 380 of the Texas Local Government Code;

WHEREAS, Developer and City agree that Developer owns and intends to expand the improvements on the property located at 2340 Forest Lane, in the City of Garland, Dallas County, Texas, consisting of approximately 49.6 acres and an approximately 635,000 square foot facility (the “Development”); that shall include significant amounts of new business personal property (“BPP”) installed by Developer;

WHEREAS, the Developer agrees to make an initial Capital investment of approximately \$142 million into the Development over three phases for new BPP;

WHEREAS, the Development will have a direct and positive economic benefit to the City;

WHEREAS, the Developer has advised the City that a contributing factor to the success and viability of Developer’s investment in the Development is an agreement by the City to provide an Economic Development grant to the Developer as set forth herein;

WHEREAS, the City is authorized by Article III, Section 52-a of the Texas Constitution and Chapter 380 of the Texas Local Government Code to provide an economic development program, which may include certain grants of public funds, to stimulate business and commercial activity within the City;

WHEREAS, City hereby finds that this Agreement promotes economic development in the City and, as such, meets the requisites under Article III, Section 52-a of the Texas Constitution and Chapter 380 of the Texas Local Government Code and qualifies for an Economic Development Program, and further, is in the best interests of the City;

WHEREAS, the City wishes to provide an Economic Development grant to the Developer to assist in the economic development of the City by reimbursing the Developer up to Three Million Dollars and Zero Cents (\$3,000,000.00) based on the meeting of milestones, as set out below; and

WHEREAS, the City has determined, based on information presented to it by the Developer, that making an Economic Development grant to the Developer as set forth in this Agreement is matching the City's Economic Development goals and will: (i) help accomplish the objectives of the City; (ii) benefit the City and the City's inhabitants; and (iii) promote local economic development and stimulate business and commercial activity in the City;

NOW, THEREFORE, the Developer and the City make and enter into this Agreement in consideration of the mutual covenants and agreements contained in this Agreement, and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged by both the Developer and the City, and agree as follows:

Section 1. Definitions:

"Base BPP Value" means the current tax assessed value on Developer's existing BPP, as depreciated, of One Hundred Forty Million, Four Hundred Sixty-Five Thousand, One Hundred Fifty Dollars and Zero Cents (\$140,465,150.00) as of January 1, 2022.

"Business Personal Property" or "BPP" means fixtures, machinery, equipment, computers, artwork, and furniture purchased for the purpose of supporting Developer's business operations and those of its customers at the facility.

"DCAD" means the Dallas Central Appraisal District or its successor.

"Development" has meaning described within the Recitals of this Agreement.

"Incentive" means the City's reimbursement, upon certain conditions, of up Four Hundred Thousand Dollars (\$400,000) annually for the tax years of 2025-2030 and Six-Hundred Thousand Dollars (\$600,000.00) for façade upgrades, for a total maximum monetary incentive of Three Million Dollars (\$3,000,000.00).

"Party" means either the City or a Developer, and "Parties" means, collectively, the City and the Developer.

"Program" means the Economic Development Program for this Development as established by the City according to Texas Local Government Code Chapter 380 and this Agreement to promote local economic development and stimulate business and commercial activity within the City.

"Property" means the approximately 49.6 acres at 2340 Forest Lane, City of Garland, Dallas County, Texas, and more particularly described and referenced in this Agreement as "Exhibit A," and attached to this Agreement.

"Target Assessed Value" is the minimum tax valuation, as established by the Dallas Central Appraisal District, to receive full Incentives under this Agreement as shown in the chart immediately below:

Tax Year	Requirement Above Base Value	Base BPP Value (Depreciated)	Target Assessed Value
2022 (Base Value)	-	\$140,465,150	
2025	\$80,625,074	\$120,800,029	\$201,425,103
2026	\$112,990,279	\$109,562,817	\$222,553,096
2027	\$109,944,740	\$101,134,908	\$211,079,648
2028	\$102,622,575	\$94,111,650	\$196,734,225
2029	\$94,255,730	\$87,088,393	\$181,344,123
2030	\$87,421,186	\$77,255,832	\$164,677,018

“Tax Year” means the period used for computing property taxes based on calendar years as calculated by DCAD.

“Term” has the meaning given such term in Section 2 of this Agreement.

Section 2. Term. This Agreement shall, unless extended or terminated in writing by a mutual agreement executed by both parties, or as otherwise provided in this Agreement of the Parties, terminate either upon the complete performance by the Parties of all obligations and conditions within this Agreement or on December 31, 2032 subject to Section 3(A).

This Agreement shall be effective (“Effective Date”) as of the date of the last Party to execute this Agreement.

Section 3. Developer’s Obligations.

(A) Developer shall implement in installation of new BPP at the Development on the Property, which is anticipated to be completed in multiple phases through 2025; and upon completion of each tax year starting with the 2025 tax year, the Developer must achieve the Target Assessed Value (or such lesser value that still entitles Developer to a portion of the rebate) for the BPP , as defined in Section 1 of this Agreement, to qualify to receive the Capital Assessment Rebate as described in Section 4(A)(1) below for such tax year .

(B) Developer shall submit to the Economic Development Director of the City the following documentation, as a condition precedent to qualify for the reimbursement portions of the Incentive related to the respective completed phase:

(1) For each tax year 2025 through 2030, a final certified assessed valuation from DCAD establishing that the taxable non-exempt assessed value for the BPP meets or exceeds the Target Assessed Value.

If Developer meets or exceeds the Target Assessed Value (or such lesser value that still entitles Developer to a portion of the rebate) for BPP in each phase, Developer shall be entitled to a rebate of four hundred thousand dollars and zero cents (\$400,000.00) (or a reduced amount as provided in Section 4(A)(1)) for each tax year 2025-2030, subject to the time limitations in the event of a Developer protest to the DCAD assessed tax value as specified in Section 6 below. For the avoidance of doubt, if Developer meets the Target Assessed Value

(or such lesser value that still entitles Developer to a portion of the rebate) for one or more of the tax years from 2025-2030 but not others, Developer shall be entitled to the rebate of four hundred thousand dollars and zero cents (\$400,000.00) (or such lesser amount in accordance with the terms of this Agreement) for those tax years that Developer meets the Target Assessed Value, subject to the time limitations set forth in the preceding sentence.

(2) If Developer makes external façade improvements to the Development during the term of this Agreement through the Façade Improvement Program (“Façade Improvement Work”), it must provide a scope of work, to include the phases or segments of Façade Improvement Work to be done and quotes to the façade improvement committee for approval prior to commencement of any Façade Improvement Work. If the Façade Improvement Work is completed during the term of this Agreement, Developer can provide receipts and confirmation of completion to the City for each segment or phase of the Façade Improvement Work, consistent with the scope of work approved by the façade improvement committee. Upon receipt of confirmation of completion of the Façade Improvement Work and receipts evidencing funds spent by Developer in furtherance of the Façade Improvement Work, Developer shall qualify for an additional incentive rebate of up to a maximum rebate of Six Hundred Thousand Dollars and Zero Cents (\$600,000.00) covering all phases or segments of the Façade Improvement Work, if Developer’s receipts for the completion of all Façade Improvement Work totals at least One Million Two Hundred Thousand Dollars (\$1,200,000.00). Notwithstanding anything contained herein to the contrary, such receipts and subsequent reimbursements may include multiple submissions of receipts and subsequent reimbursements by the City in amounts not to exceed one-half of the value of the receipts submitted, up to the maximum rebate of Six Hundred Thousand Dollars (\$600,000.00).

(C) Developer agrees to continue business operations at the Development until 2032. If Developer ceases business operations at the Development prior to 2032, the City may terminate this Agreement and Developer shall reimburse the City a pro-rata portion of the Incentive based on the date of termination to January 1, 2032, on a basis of the following: [Percentage of the Remaining Term by Tax Year Completed] * [Amount of Incentive Paid to date to Developer]. Reimbursement shall be due not more than sixty (60) days following the date Developer is notified of the City’s decision to terminate the Agreement under this provision.

Section 4. City’s Obligations.

(A) As specified in Section 3 above, Developer shall implement the installation of new BPP the Development on the Property, and must achieve the Target Assessed Value for the BPP, as defined in Section 1 of this Agreement.

(1) Capital Assessment Rebate. Contingent upon the completion of the Developer’s obligations set forth in Section 3(A) and (B)(1) of this Agreement, by the deadlines listed for therein, the City shall pay as a rebate to Developer the amount of Four Hundred Thousand Dollars and Zero Cents (\$400,000.00) for each respective tax year 2025-2030 that the Developer meets the Target Assessed Value, subject to the time limitations in the event of a protest by Developer of the DCAD tax assessed value as specified in Section 6 below. Should the Developer fail to meet the Target Assessed Value for any respective tax year 2025-2030, Developer may still qualify for a

reduced incentive rebate based on the following calculation:

$$\text{Incentive Amount} = \$400,000 - ((\text{Target Assessed Value}) * (\text{Current Tax Rate}) - (\text{Achieved Assessed Value}) * (\text{Current Tax Rate})).$$

If the calculation above is equal to or less than zero, Developer shall not qualify or receive any incentive rebate for the respective tax year. In no event shall the incentive rebate for any respective tax year exceed Four Hundred Thousand Dollars and Zero Cents (\$400,000.00).

- (2) Façade Improvement Work Rebate. Upon completion of the Developer's obligations in each respective phase set forth in Section 3(B)(2) of this Agreement, by the deadlines listed for therein, and receipt of the confirmation of completion of the Façade Improvement Work and receipts evidencing the expenditure to date by Developer of at least One Million Two Hundred Thousand Dollars and Zero Cents (\$1,200,000.00) toward completion of the Façade Improvement Works at the Development, the City shall pay as a rebate to Developer the amount equal to one-half of the expenditures for the eligible improvements completed by Developer up to a maximum total rebate of Six Hundred Thousand Dollars and Zero Cents (\$600,000.00) within ninety (90) days after receipt of each aforementioned documentation, to be submitted by phases/segments, consistent with the scope of work as approved by the façade improvement committee as more specified in Section 3(B)(2) above.
- (3) All rebate payments under Sections 4(A)(1 and 4(A)(2) shall be paid to Developer at the mailing address for Developer in Section 15 below.

Section 5. Source of Funds. The monetary portion of the Incentive shall be paid only from the Water and Wastewater Utility funds. Notwithstanding any other provision contained herein to the contrary, the City shall not owe Developer any amount or other thing of value in excess of Three Million Dollars and Zero Cents (\$3,000,000.00). No other source of funds shall be provided for the payment of the Incentive.

Section 6. Valuation Assessment. Developer reserves the right to protest or challenge the DCAD assessed tax values of the BPP each year of the Term, provided that written notice of the protest or challenge for the respective tax year is provided to the City by Developer before the date that the Rebate for such tax year as contemplated in Section 4 above is paid by City to Developer.

To the extent that the DCAD voluntarily or by court order reduces the assessed tax values of the BPP for any tax year during the Term to a level below the Target Assessed Value for that year, then the rebate in Section 3(B)(1) for that year will be subject to reduction pursuant with that Section. If Developer protests or challenges the DCAD assessed tax value in any respective year, any potential incentive rebate to be paid by the City based on that valuation will not be made until after the tax valuation is finalized by DCAD. Provided, however, if Developer protests the DCAD tax assessed value pursuant to this Section 6, Developer must receive a final determination of the protested value within three (3) years from the date of the protest to be eligible to receive any rebate for the applicable tax year. For example: a protest of the 2026 tax assessed value in March

2027 must be finalized by March 2030 for Developer to receive any rebate for tax year 2026 under this Agreement. Failure of Developer to receive a final determination of the tax assessed value within this timeframe for any respective tax year shall result in the ineligibility of Developer to receive the rebate for said tax year. For the avoidance of doubt, any ineligibility of Developer to receive the rebate for a particular tax year shall not affect the Developer's ability to receive a rebate for Façade Improvement Work for the respective tax year, nor will it affect Developer's eligibility to receive any rebates in any other tax year.

Section 7. Rules of Construction. The capitalized terms listed in this Agreement shall have the meanings set forth herein whenever the terms appear in this Agreement, whether in the singular or the plural or in the present or past tense. Other terms used in this Agreement shall have meanings as commonly used in the English language. Words not otherwise defined herein that have well-known and generally accepted technical or trade meanings are used herein per such recognized meanings. In addition, the following rules of interpretation shall apply:

- (A) References to "Articles," "Sections," or "Exhibits" shall be to articles, sections, or exhibits of this Agreement.
- (B) The Exhibits attached hereto are incorporated in and are intended to be part of this Agreement; provided that in the event of a conflict between the terms of any Exhibit and the terms of this Agreement, the terms of this Agreement shall take precedence.
- (C) This Agreement was negotiated and prepared by both Parties with the advice and participation of counsel. The Parties have agreed to the wording of this Agreement and none of the provisions hereof shall be construed against one Party on the ground that such Party is the author of this Agreement or any part hereof.
- (D) Unless expressly provided otherwise in this Agreement, (a) where the Agreement requires the consent, approval, or similar action by a Party, such consent or approval shall not be unreasonably withheld, conditioned, or delayed, and (b) wherever the Agreement gives a Party a right to determine, require, specify, or take similar action concerning a matter, such determination, requirement, specification, or similar action shall be reasonable.
- (F) Use of the words "include" or "including" or similar words shall be interpreted as "including but not limited to" or "including, without limitation."
- (G) The recitals to this Agreement are incorporated herein.

Section 8. Dispute Resolution and Step Negotiations. The Parties shall attempt in good faith to resolve all disputes arising out of or relating to this Agreement or any of the transactions contemplated hereby promptly by negotiation, as follows:

- (A) Either Party may give the other Party written notice of any such dispute not resolved in the normal course of business. Representatives of each of the Parties shall meet at a mutually acceptable time and place within ten days after delivery of such notice, and thereafter as often as they reasonably deem necessary, to exchange relevant information and to attempt to resolve the dispute. If the matter has not been resolved within thirty days from the referral of the dispute to

such representatives, or if no meeting of such representatives has taken place within fifteen days after such referral, either Party may initiate mediation as provided hereinafter. If a Party intends to be accompanied at a meeting by an attorney, the other Party shall be given at least three business days' notice of such intention and may also be accompanied by an attorney. All negotiations according to this clause are confidential and shall be treated as compromise and settlement negotiations for purposes of the Federal Rules of Evidence and State Rules of Evidence. Each Party will bear its own costs for this dispute resolution phase.

(B) If any dispute arising out of or relating to this Agreement or any of the transactions contemplated hereby is not resolved by the procedures set forth in Section 8 (A), such dispute shall be submitted to non-binding mediation to a person mutually agreed by the Parties. The mediation may take place at a mutually agreed upon location. If the mediation process has not resolved the dispute within thirty days of the submission of the matter to mediation or within such a longer period as the Parties may agree to, either Party may exercise all remedies available at law or in equity under this Agreement, including the initiation of court proceedings. Each Party will bear its own costs, and share equally in the costs of mediators, for this dispute resolution phase.

(C) Nothing in this Section shall preclude, or be construed to preclude, the resort by either Party to a court of competent jurisdiction solely to secure a temporary or preliminary injunction or other relief to preserve the status quo or avoid irreparable harm.

Section 9. Jurisdiction and Venue. City and Developer, to the fullest extent permitted by applicable law, irrevocably (i) submit to the exclusive jurisdiction of the district courts located in Dallas County, Texas, and any appellate court thereof; (ii) waive any objection which either may have to the laying of the venue of any proceeding brought in any such court and (iii) waive any claim that such proceedings have been brought in an inconvenient forum. Nothing in this provision shall prohibit a Party from bringing an action to enforce a money judgment in any other jurisdiction where the courts of such jurisdiction have jurisdiction over the other Party.

Section 10. Force Majeure. Developer is not responsible for any delays or non-performance caused in whole or in part, directly or indirectly, by strikes, accidents, freight embargoes, fires, floods, inability to obtain materials, labor shortage, conditions arising from governmental orders or regulations, war or national emergency, acts of God, pandemic, and any other cause, similar or dissimilar, beyond Developer's reasonable control. In the event that a Force Majeure event(s) shall occur, Developer shall give prompt notice to the City of such Force Majeure event(s), no later than thirty (30) days from the event such Developer claims Force Majeure. If such Force Majeure event(s) occur, Developer's obligations under this Agreement shall be extended for a period of time equal to the period of the Force Majeure event(s). The timing of the City's reimbursements to Developer shall not be impacted by a Force Majeure event(s), nor shall this Force Majeure clause act so as to extend the Term of this Agreement.

Section 11. Entire Agreement. This Agreement and its Exhibits referenced above constitute the entire understanding and agreement of the parties as to the matters set forth in this Agreement. No alteration of or amendment to this Agreement shall be effective unless given in writing and signed by the Party or Parties sought to be charged or bound by the alteration or amendment.

Section 12. Binding Effect; Successors and Assigns. The terms and conditions of this Agreement are binding upon the successors and assigns of the parties hereto. This Agreement, or the right to receive payments, pursuant to this Agreement, may not be assigned, in whole or in part, without the express written consent of the City. This Agreement and the right to receive payments may be assigned by Developer to affiliates of Developer without the consent of the City. In this context, “affiliates of Developer” means any (i) entity that, directly or indirectly, owns or controls, is owned or controlled by, or is under common ownership or control, of Developer, or (ii) entity to whom Grantee has assigned all or substantially all of its assets.

Section 13. Amendments. No modifications or amendments to this Agreement shall be valid unless in writing and signed by a duly authorized signatory of each Party.

Section 14. Severability. In the event any provision of this Agreement shall be determined by any court of competent jurisdiction to be invalid or unenforceable, the Agreement shall, to the extent reasonably possible, remain in force as to the balance of its provisions as if such invalid provision were not a part hereof.

Section 15. Notices. All notices required to be given under this Agreement shall be in writing and shall be given by either Party or its counsel in person, via express mail service, courier, or receipted facsimile transmission (but only if duplicate notice is also given via express mail service, courier or certified mail) or certified mail, return receipt requested, to the respective parties at the below addresses (or at such other address as a party may hereafter designate for itself by notice to the other party as required hereby). All notices given according to this paragraph shall be deemed effective, as applicable, on the date such notice may be given in person or next business day following the date on which such communication is transferred via facsimile transmission, or as applicable, when deposited with the express mail service, courier, or in the United States mails. Any party may change its address for notices under this Agreement by giving formal written notice to the other parties, specifying that the purpose of the notice is to change the party’s address.

If to City:

City of Garland
200 N. Fifth Street
P.O. Box 469002
Garland Texas 75046-9002

Attn: City Manager
Phone: (972) 205-2000
Fax: (972) 205-2504

If to Developer:

Kraft Heinz Foods Company
801 Waukegan Road
Glenview, IL 60025
Property Tax Department
Attn: Greg Hay, Tax Lead

Phone: 847-646-5440

With a required copies to:

City Attorney
200 N. Fifth Street
P.O. Box 469002
Garland, Texas 75046-9002

With a required copy to:

Kraft Heinz Foods Company
200 E. Randolph St., Suite 7600
Chicago, IL 60601
Attn: Law Department – Procurement/ISC Counsel

Phone: (972) 205-2380
Fax: (972) 205-2389

Economic Development Director
P.O. Box 469002
Garland, Texas 75046-9002
Phone: (972) 205-3800
Fax: (972) 205-3801

Section 16. Employment of Undocumented Workers. During the Term of this Agreement, the Developer agrees not to knowingly employ any undocumented workers and if convicted of a violation under 8 U.S.C. Section 1324a (f), the Developer shall repay the amount of the Incentive paid to and received by Developer from and by the City as of the date of such violation within 120 business days after the date the Developer is notified by the City of such violation, plus interest at the rate of 6% compounded annually from the date of violation until paid. The Developer is not liable for a violation of this Section concerning any workers employed by a subsidiary, affiliate, or franchisee of the Developer or by a person with whom the Developer contracts.

Section 17. Non-Collusion. Developer represents and warrants that neither Developer nor any representative of Developer has given, made, promised, or paid, nor offered to give, make, promise, or pay any gift, bonus, commission, money, or other consideration to any employee, agent, representative, or official of the City as an inducement to or to obtain the benefits to be provided by the City under this Agreement.

Section 18. Time of the Essence. Time is of the essence in the performance of this Agreement. If any deadline contained herein ends on a Saturday, Sunday, or a legal holiday generally recognized by banks in the State of Texas, such deadline shall automatically be extended to the next day that is not a Saturday, Sunday, or legal holiday.

Section 19. Multiple Counterparts. This Agreement may be executed in multiple counterparts, each of which shall have the force and effect of any original, as of the Effective Date.

Section 20. No Recording. The Parties agree that neither this Agreement nor any memorandum of this Agreement will be recorded in the real property records of Dallas County, Texas, though the any deeds and Right of First Refusals contemplated herein shall be.

EXECUTED and EFFECTIVE as of the 22 day of December, 2023.

DEVELOPER
Kraft Heinz Foods Company,
a Pennsylvania Limited Liability Company

By: _____
Name: Julianne Groetsch
Title: Head of Global Tax

Date Executed: _____

CITY

City of Garland, a Texas home-rule municipality

By: _____

Judson Rex
City Manager

Date Executed: _____

EXHIBIT "A"
Property Legal Description

2340 Forest Lane:

0002340
FOREST LN
KRAFT FOODS/ US FOODSERVICE
BLK 1 LT 1R^ ACS 49.65
VOL CO-DC

EXHIBIT "B"
Property Site Map

EXHIBIT "C"
Certificate of Compliance

EXHIBIT "D"
Incentive Payment Request Form

EXHIBIT "E"
Façade Grant Eligibility Criteria



GARLAND
CITY COUNCIL STAFF REPORT

2024 City Council Regular Session

13.

Meeting Date: 01/09/2024

Amending the Garland Development Code and Code of Ordinances to Comply with Recent Changes to State Law

Submitted By: Brian England, City Attorney

Issue/Summary

The Council is requested to consider amending the GDC and Code of Ordinances to comply with recent legislative changes to state law.

Background

During the 2023 legislative session, the state legislature made certain amendments to state law that require the City to amend its GDC and Code of Ordinances.

Consideration / Recommendation

Approve amendments to the GDC and Code of Ordinances that are attached hereto.

Attachments

Amending Ord

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 2.52, "SPECIAL STANDARDS FOR CERTAIN USES," OF DIVISION 2, "LAND MATRIX," OF ARTICLE 5, "LAND USE MATRIX," OF CHAPTER 2, "ZONING REGULATIONS," AND SECTION 6.03, "DEFINITIONS," OF CHAPTER 6, "DEFINITIONS," OF THE GARLAND DEVELOPMENT CODE; AND SECTION 10.03, "RULES OF CONSTRUCTION," OF CHAPTER 10, "ADMINISTRATION," ARTICLE I, "ANIMAL SERVICES," OF CHAPTER 22, "HEALTH," AND "SECTION 26.10, "CURFEW HOURS FOR MINORS," OF CHAPTER 26, "POLICE-MISCELLANEOUS PROVISIONS AND OFFENSES," OF THE CODE OF ORDINANCES OF THE CITY OF GARLAND, TEXAS; PROVIDING A SAVINGS CLAUSE; A SEVERABILITY CLAUSE; AND AN EFFECTIVE DATE.

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

Section 1

That Section 2.52, "Special Standards for Certain Uses," of the Garland Development Code of the City of Garland, Texas, is hereby *amended in part* to delete subsection (38) in its entirety and to read as follows:

"Section 2.52 Special Standards for Certain Uses.

- (A) Specific Requirements. The City has established the following standards for certain land uses that apply to the uses regardless of the zoning district in which they are located, unless otherwise stated within other sections of this GDC. The definitions for each land use listed below are contained within Chapter 6 of this GDC.

...

(38) *Deleted in its entirety.*

"

Section 2

That Section 6.03, "Definitions," of the Garland Development Code of the City of Garland, Texas, is hereby *amended in part* to read as follows:

"Section 6.03 Definitions.

...

PET STORE: A retail establishment offering small animals for sale where all creatures are housed within the building, and the store sells pet foods and supplies. A Pet Store may include accessory use services such as a pet grooming salon, indoor Pet Care/Play Facility, pet boarding, and small animal veterinary services.

..."

Section 3

That Section 10.03, "Rules of Construction," of the Code of Ordinances of the City of Garland, Texas is hereby *amended* to read as follows:

"Section 10.03 Rules of Construction.

- (A) Construction of Code. In the construction of this Code, and the ordinances and resolutions passed by the City Council, the following rules shall be observed, unless the ordinance or context requires a different meaning:
 - (1) Generally. Words shall be construed in their common and usual sense unless the contrary is clearly indicated. Words and phrases shall be read in context and construed according to the rules of grammar and common usage, provided, however, that words and phrases that have acquired a technical or particular meaning shall be construed accordingly. A grammatical error does not vitiate a law. If a sentence or clause is meaningless because of a grammatical error, words and clauses may be transposed to give the law meaning.
 - (2) City. The words "the City" or "this City" shall mean the City of Garland, in the County of Dallas and State of Texas.
 - (3) City Manager or other City officers. "City Manager" or other specified City officer or department shall be construed to mean the City Manager or such other municipal officers or departments, respectively, of the City of Garland, Texas.
 - (4) Computation of time. Whenever a notice is required to be given or an act to be done a certain length of time before any proceeding shall be had, the day

on which such notice is given or such act is done shall not be counted in computing the time, but the day on which such proceeding is to be had shall be counted. If the last day of any period is a Saturday, Sunday, or legal holiday, the period of days is extended to include the next day that is not a Saturday, Sunday, or legal holiday.

- (5) Council. Whenever the words "Council" or "this Council" or "the Council" are used, they shall mean the City Council of the City of Garland, Texas.
- (6) County. The term "County" or "this County" shall mean the County of Dallas, Texas.
- (7) Gender. A word importing the masculine gender only shall extend and be applied to females and to firms, partnerships, associations and corporations as well as to males.
- (8) Highway. The term "highway" shall include any street, alley, highway, avenue or public place or square, bridges, viaducts, tunnels, underpasses, overpasses and causeways in the City, dedicated or devoted to public use.
- (9) Joint authority. Words purporting to give authority to three (3) or more officers or other persons shall be construed as giving such authority to a majority of such officers or other persons, unless it is otherwise declared.
- (10) Month. The word "month" shall mean a calendar month.
- (11) Number. Any word importing the singular number shall include the plural and any word importing the plural number shall include the singular.
- (12) Oath. The word "oath" shall be construed to include an affirmation in all cases in which, by law, an affirmation may be substituted for an oath, and in such cases the words "swear" and "sworn" shall be equivalent to the words "affirm" and "affirmed."
- (13) Or, and. "Or" may be read "and," and "and" may be read "or," if the sense requires it.

- (14) Owner. The word "owner," applied to a building or land, shall include any part owner, joint owner, tenant in common, tenant in partnership, joint tenant or tenant by the entirety, or the whole or of a part of such building or land.
- (15) Person. The word "person" shall extend and be applied to associations, corporations, organizations, firms, partnerships, estates, trusts, and business trusts and to a government or governmental subdivision or agency, other than the City of Garland, Texas.
- (16) Preceding, following. The words "preceding" and "following" mean next before and next after, respectively.
- (17) Sidewalk. The word "sidewalk" shall mean any portion of the street between the curb, or the lateral line of the roadway and the adjacent property line, intended for the use of pedestrians.
- (18) Signature or subscription. The words "signature" or "subscription" shall include a mark when a person cannot write.
- (19) State. The words "the state" or "this state" shall be construed to mean the State of Texas.
- (20) Street. The term "street" shall include any highway, alley, street, avenue or public place or square, bridges, viaducts, underpasses, overpasses, tunnels and causeways in the City, dedicated or devoted to public use.
- (21) Tense. Words used in the past or present tense include the future as well as the past and present.
- (22) Written or in writing. The words "written" or "in writing" shall be construed to include any representation of words, letters, or figures, whether by printing or otherwise.
- (23) Year. The word "year" shall mean a calendar year.

(B) Preemption by State Law.

- (1) The purpose of this provision is to ensure that local regulations and ordinances are consistent with the laws of the state and to prevent the enactment or enforcement of provisions that attempt to regulate subject matters preempted by state law.
- (2) It is hereby recognized that certain subject matters are preempted by state law, and any local ordinance purporting to regulate such subject matters shall be considered null and void to the extent of the preemption.
- (3) Preemption under this ordinance refers to situations where state law expressly prohibits local jurisdictions from regulating specific activities, industries, or matters, or where state law expressly precludes municipalities from adopting or enforcing an ordinance, order, rule, or policy in a field expressly occupied by a provision under state law.
- (4) No provision within the Code of Ordinances of the City of Garland or the Garland Development Code shall be construed or interpreted in a manner that attempts to regulate an activity or subject matter preempted by state law.
- (5) In the event that a provision within the Code of Ordinances of the City of Garland or the Garland Development Code is found to conflict with or attempt to regulate a subject matter preempted by state law, such provision shall be considered invalid and unenforceable to the extent of the conflict or attempted regulation.
- (6) If any provision of the Code of Ordinances of the City of Garland or the Garland Development Code, or the application thereof to any person or circumstances, is held invalid or preempted by a court of competent jurisdiction, such invalidity or preemption shall not affect other provisions or applications of this ordinance that can be given effect without the invalid or preempted provision or application.

“

Section 4

That Article I, "Animal Services," 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 22.001 Applicability of this Chapter.

- (A) This Chapter's ordinances do not apply to and shall not be enforced against (1) an Agriculture Operation, as that term is amended and defined by the Texas Agriculture Code; (2) a person operating a business involving the breeding, care, treatment, or commercial sale of animals or animal products, including a veterinary practice, if the person operating the business holds a license for the business that is issued by the federal government or a state; and (3) a person involved in the retail sale of dogs or cats.
- (B) No provision within this Chapter shall be construed or interpreted in a manner that attempts to regulate an activity or subject matter preempted by state law.
- (C) In the event that a provision within this Chapter is found to conflict with or attempt to regulate a subject matter preempted by state law, such provision shall be considered invalid and unenforceable to the extent of the conflict or attempted regulation.

..."

Section 5

That Section 26.10, "Curfew hours for minors," of the Code of Ordinances of the City of Garland, Texas is hereby *amended* to read as follows:

"26.10 Repealed."

Section 6

That Chapters 2 and 6 of the Garland Development Code of the City of Garland, Texas, as amended, and Chapters 10 and 26 of the Code of Ordinances of 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 7

That the terms and provisions of this Ordinance are severable and are governed by Section 1.07 of the Garland Development Code and Section 10.06 of the Code of Ordinances of the City of Garland, Texas.

Section 8

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

PASSED AND APPROVED this the 9th day of January 2024.

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary



GARLAND
CITY COUNCIL STAFF REPORT

2024 City Council Regular Session

14.

Meeting Date: 01/09/2024

Police Staffing Realignment

Submitted By: Kristen Smith, Managing Director

Issue/Summary

Police Staffing Realignment

Background

Council is asked to consider approving revisions to the 23-24 Civil Service Classifications & Compensation Ordinance to reflect reallocation of two (2) Police Officer vacancies.

Consideration / Recommendation

Consider approving the amended Civil Service Classifications & Compensation Ordinance

Attachments

FY 23-24 Civil Service Ordinance Jan 2024 Revision

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF GARLAND, TEXAS, ESTABLISHING CIVIL SERVICE CLASSIFICATIONS WITHIN THE POLICE AND FIRE DEPARTMENTS; PRESCRIBING THE NUMBER OF POSITIONS IN EACH CLASSIFICATION; PRESCRIBING THE BASE SALARY AND TYPES OF PAY FOR THOSE CLASSIFICATIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to Chapter 143 of the Texas Local Government Code, the City Council shall establish certain classifications and shall prescribe the number of positions in each of these classifications by ordinance;

WHEREAS, the City Council has reviewed and approved a budget for the City for the fiscal year beginning October 1, 2023, and ending September 30, 2024; and

WHEREAS, the budget contains a program of planned expenditures for the police and fire departments, including changes to the operations and human resources of those departments.

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

Section 1

That the City Council of the City of Garland, Texas, hereby establishes the classifications and number of authorized positions within each classification and the base salary and types of pay for those classifications as specified on "Exhibits A-1 through A-4" attached hereto and made a part hereof as if fully set forth herein.

Section 2

That this Ordinance shall take effect on January 9, 2024.

PASSED AND APPROVED this the ____ day of _____, 2024.

THE CITY OF GARLAND, TEXAS

By: _____
Mayor

ATTEST:

City Secretary

EXHIBIT "A-1"

CIVIL SERVICE
Budgeted Positions

POLICE

Total: 359

Classification	Number of Positions Effective 10-01-2023
Police Officer	303
Police Supervisor	40
Police Captain	9
Assistant Chief	4
Police Chief	1
Total	357

FIRE

Total: *285

Classification	Number of Positions Effective 10-01-2023
Firefighter*	149
Driver	72
Lieutenant	14
Captain	37
Battalion Chief	9
Assistant Chief	3
Fire Chief	1
Total	285

*Includes nine newly requested Firefighter positions.

EXHIBIT "A-2"

**Civil Service
Salary Schedules**

Effective 1/1/2024

Police					
Years	Step	Classification	Hourly	Annual	
Hire	1	Recruit	\$38.4999	\$80,080	
Year 1	2	Officer 2	\$40.8480	\$84,964	
Year 2	3	Officer 3	\$42.7766	\$88,975	
Year 3	4	Officer 4	\$44.8040	\$93,192	
Year 4	5	Officer 5	\$46.4039	\$96,520	
Year 5	6	Officer 6	\$48.0224	\$99,887	
Year 6	7	Officer 7	\$49.2189	\$102,375	
Year 7	8	Officer 8	\$50.5317	\$105,106	
Year 8	9	Officer 9	\$51.6865	\$107,508	
Year 1	1	Supervisor 1	\$58.7093	\$122,115	
Year 2	2	Supervisor 2	\$63.2646	\$131,590	
Year 1	1	Captain 1	\$68.8857	\$143,282	
Year 2	2	Captain 2	\$74.2132	\$154,364	
Year 1	1	Assistant Chief 1	\$82.1615	\$170,896	
Year 2	2	Assistant Chief 2	\$85.3602	\$177,549	

Fire					
Years	Step	Classification	Staff*	Shift**	Annual
Hire	1	Recruit 1	\$34.9279	\$24.9485	\$72,650
6 Months	2	Recruit 2	\$35.4087	\$25.2919	\$73,650
Year 1	3	Firefighter 3	\$36.9084	\$26.3632	\$76,770
Year 2	4	Firefighter 4	\$38.8185	\$27.7275	\$80,743
Year 3	5	Firefighter 5	\$40.7845	\$29.1318	\$84,832
Year 5	6	Firefighter 6	\$42.8508	\$30.6077	\$89,130
Year 7	7	Firefighter 7	\$43.8643	\$31.3316	\$91,238
Year 8.5	8	Firefighter 8	\$45.0144	\$32.1532	\$93,630
Year 1	1	Fire Driver 1	\$47.2651	\$33.7608	\$98,312
Year 2	2	Fire Driver 2	\$49.3461	\$35.2472	\$102,640
Year 1	1	Lieutenant 1	\$52.0867	\$37.2048	\$108,340
Year 2	2	Lieutenant 2	\$54.4234	\$38.8739	\$113,201
Year 1	1	Captain 1	\$57.6841	\$41.2029	\$119,983
Year 2	2	Captain 2	\$61.1260	\$43.6614	\$127,142
Year 1	1	Battalion Chief 1	\$65.4423	\$46.7445	\$136,120
Year 2	2	Battalion Chief 2	\$69.7119	\$49.7942	\$145,001
Year 1	1	Assistant Chief 1	\$79.9155	\$57.0825	\$166,224
Year 2	2	Assistant Chief 2	\$84.5946	\$60.4247	\$175,957

* Staff - hourly rate calculated from 2080 hours per year

** Shift - hourly rate calculated from 2912 hours per year

EXHIBIT "A-3"

**POLICE DEPARTMENT
INCENTIVE PAY PLANS**

Effective 1/1/2024

ELIGIBILITY:

Must be a full-time, paid and duly sworn peace officer within the Garland Police Department.

CERTIFICATION AND EDUCATION INCENTIVE PAY:

1. CERTIFICATION INCENTIVE

- a) Per TCOLE Rules
- b) Available to all ranks
- c) Pay is not cumulative within Police Certification Incentives; eligible for the highest level achieved only

Description	Amount Per Month
1) Advanced Certification	\$75 per month
2) Master Certification	\$95 per month

2. EDUCATION INCENTIVE

- a) Per TCOLE Rules
- b) Available to all ranks
- c) Pay is not cumulative within Police Education Incentives; eligible for the highest level achieved only

Description	Amount Per Month
1) Bachelor's Degree	\$125 per month
2) Master's or Doctoral Degree	\$150 per month

EXHIBIT "A-3" (Continued)

ASSIGNMENT PAY:

1. FIELD TRAINING OFFICER (FTO) ASSIGNMENT PAY

- a) Per TCOLE Rules
- b) Available to Police Officers assigned as a Field Training Officer
- c) Must be a graduate of the Police Academy for the Garland Police Department

Description	Amount Per Month
1) Officers designated by the Chief of Police as Field Training Officers (FTO) shall receive FTO Pay in compensation for this job assignment. This job assignment is of a temporary nature and can be removed at the discretion of the Chief of Police	\$250 per month

2. PATROL ASSIGNMENT PAY

- a) Per TCOLE Rules
- b) Available to Police Officers and Lieutenants assigned to the Patrol Division for the majority of calendar year
- c) Must be a graduate of the Police Academy for the Garland Police Department

Description	Annual Amount
1) Patrol Officers and Patrol Lieutenants who spend the majority of the calendar year in that assignment	\$1,000 per year

EXHIBIT "A-3" (Continued)

SPECIAL PAY:

1. BILINGUAL PAY

- a) Available to all ranks
- b) Pay is not cumulative within the Bilingual Pay; eligible for the highest level achieved only

Description	Amount Per Month
1) Certification by the State of Texas indicating proficiency in verbal bilingual skills.	\$100 per month
2) Certification by the State of Texas indicating proficiency in verbal and written bilingual skills.	\$150 per month

2. LATERAL ACADEMY PAY

- a) Must be assigned to the Lateral Academy of the Garland Police Department as a student
- b) Must be licensed as a Texas Peace Officer or meet the eligibility requirements for TCOLE Reciprocity for Out-of-State Peace Officers, Federal Criminal Investigators and Military Police

Description	Amount Per Month
1) Be enrolled in and attending the first day of Garland Police Academy Lateral Academy	one-time remuneration of \$5000
2) Be enrolled in and attending the last day of the Garland Police Academy Lateral Academy.	one-time remuneration of \$5000

EXHIBIT "A-4"

**FIRE DEPARTMENT
INCENTIVE PAY PLANS**

Effective 1/1/2024 unless otherwise noted

ELIGIBILITY:

Must be a Certified Texas Commission on Fire Protection (TCFP) Firefighter.

CERTIFICATION AND EDUCATIONAL INCENTIVE PAY:

1. CERTIFICATION INCENTIVE

- a) Per TCFP Rules
- b) Available to all ranks
- c) Must be in a non-probationary status
- d) Pay is not cumulative within TCFP Fire Certification Incentives; eligible for the highest level achieved only

Description	Amount Per Month
1) Intermediate	\$45 per month
2) Advanced	\$85 per month
3) Master	\$125 per month

2. PARAMEDIC CERTIFICATION INCENTIVE

- a) Per TCFP Rules
- b) Available to Operations and Staff Firefighter, Fire Driver, Fire Lieutenant and Fire Captain ranks only; Personnel assigned to the Fire Marshal's Office in the Inspector or Fire/Arson Investigator Sections are not eligible
- c) Must be in a non-probationary status

Description	Amount Per Month
1) Paramedic Must be certified by the State and be accepted by the City Medical Control Director and assigned to the position.	\$100 per month

2) Paramedics who staff an ambulance or work in the capacity of EMS SDO receive.	*\$40 per shift
*Effective 10/1/2023	

3. EDUCATION INCENTIVE

- a) Per TCFP Rules
- b) Available to all ranks
- c) Must be in a non-probationary status
- d) Pay is not cumulative within TCFP Fire Education Incentives; eligible for the highest level achieved only

Description	Amount Per Month
1. Bachelor's or Master's Degree + Intermediate Certification	\$50 per month
2. Bachelor's or Master's Degree + Advanced Certification	\$100 per month
3. Bachelor's Degree + Master Certification	\$150 per month
4. Master's Degree + Master Certification	\$200 per month

ASSIGNMENT PAY:

1. TRAINING DIVISION ASSIGNMENT PAYS

- a) Per TCFP Rules
- b) Available to Training Division Staff Firefighter, Fire Driver, Fire Lieutenant and Fire Captain ranks only
- c) Must be in a non-probationary status
- d) Pay is not cumulative within the Fire Instructor Assignment Pay; eligible for the highest level achieved only

Description	Amount Per Month
1) Instructor II Requires an annual minimum of twenty (20) hours of documented instruction for the GFD, in approved Fire or EMS subjects. Hours of instruction will be totaled from October 1st to September 30th of each fiscal year to qualify for the next fiscal year.	\$25 per month

2) Instructor III Must be assigned full time to Training Division	\$100 per month
--	-----------------

2. FIRE MARSHAL'S OFFICE ASSIGNMENT PAYS

- a) Per TCFP Rules
- b) Available to Fire Marshal's Office Staff Firefighter, Fire Driver, Fire Lieutenant and Fire Captain ranks only
- c) Must be in a non-probationary status
- d) Assigned personnel may receive both Inspector and Investigator Pay, if assigned to regular duties as an Investigator and Inspector

Description	Amount Per Month
1) Instructor II Assigned to the Public Education Section of the Fire Marshal's Office	\$25 per month
2) Fire Inspector Must be certified and assigned to Inspection and Prevention Section of Fire Marshal's Office	\$100 per month
3) Fire/Arson Investigator Must be certified and assigned to the Arson and Investigation Section of Fire Marshal's Office.	\$100 per month

3. STAFF ASSIGNMENT PAY

- a) Per TCFP Rules
- b) Available to all ranks assigned to Staff positions
- c) Must be in a non-probationary status

Description	% Pay
1) Staff Assignment Pay shall be for all non-exempt, sworn personnel assigned to a Staff position performing duties in the Support Services or Life and Safety Divisions of the Fire Department	2.7815% of Staff hourly rate

EXHIBIT "A-4" (Continued)

SPECIAL PAY:

1. BILINGUAL PAY

- a) Available to all ranks
- b) Must be in a non-probationary status
- c) Pay is not cumulative within the Bilingual Pay; eligible for the highest level achieved only

Description	Amount Per Month
1) Certification by the State of Texas indicating proficiency in verbal bilingual skills	\$100 per month
2) Certification by the State of Texas indicating proficiency in verbal and written bilingual skills	\$150 per month



GARLAND

PLANNING REPORT

2024 City Council Regular Session

15. a.

Meeting Date: 01/09/2024

Item Title: Z 23-33 Jacobs Telecommunications/Christine Johnson (District 3)

Submitted By: Nabiha Ahmed, Lead Development Planner

REQUEST

Approval of 1) an Amendment to Planned Development (PD) District 14-07 for Community Retail Uses and 2) a Detail Plan for an Antenna, Commercial Use.

LOCATION

4535 Bass Pro Drive

OWNER

Harbor Point Hotels LLC, a Texas LLC

PLAN COMMISSION RECOMMENDATION

On December 11, 2023 the Plan Commission, by a vote of eight (8) to zero (0) recommended approval of 1) an Amendment to Planned Development (PD) District 14-07 for Community Retail Uses and 2) a Detail Plan for an Antenna, Commercial Use.

STAFF RECOMMENDATION

Approval of 1) an Amendment to Planned Development (PD) District 14-07 for Community Retail Uses and 2) a Detail Plan for an Antenna, Commercial Use.

The proposal will improve cellular coverage for the area. For enhanced screening and aesthetics, staff has recommended the applicant plant large screening shrubs along the north and east of the masonry wall enclosure. The applicant concurs and has provided landscaping accordingly.

BACKGROUND

The subject property is currently developed with a limited service hotel [Holiday Inn Express and Suites]. The applicant intends to lease 0.0112 acres of the site along Bass Pro Drive and propose a seventy-five (75)-foot AT&T cellular tower with a five (5)-foot lightning rod above the tower.

The GDC allows a cellular tower by right if it is less than eighty-five (85) feet in height. However, Planned Development (PD) District 14-07 was intended for a limited hotel use. The applicant has brought forward a Detail Plan to add the Antenna, Commercial Use, with certain flexibilities requested.

SITE DATA

The subject property contains approximately 0.0112 acres (488 square feet) in area. The site can be accessed from Bass Pro Drive.

CAPTION

Consider a request by Jacobs Communications / Christine Johnson, proposing a freestanding AT&T cellular tower. The site is located at 4535 Bass Pro Drive in District 3.

Consider and take appropriate action of the application of Jacobs Telecommunications / Christine Johnson, requesting approval of 1) an Amendment to Planned Development (PD) District 14-07 for Community Retail Uses to allow an Antenna, Commercial Use and 2) a Detail Plan for an Antenna, Commercial Use. This property is located at 4535 Bass Pro Drive. (District 3) (File Z 23-33)

USE OF PROPERTY UNDER CURRENT ZONING

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.

CONSIDERATIONS

1. The applicant proposes a seventy-five (75)-foot tall monopole tower with nine (9) antennas along with ground equipment within the 0.0112-acre lease area. Per the applicant's narrative, "this proposal is being requested as the need for cell coverage in the area has grown due to dropped calls and capacity issues. The need for this coverage is for superior cell service and for the safety of all citizens in the area."
2. Planned Development (PD) Development 14-07 requires 126 parking spaces using the parking ratio 1.25 parking spaces per room and 1 parking space per every 200 square feet of the meeting room. The proposed monopole tower will eliminate two (2) parking spaces and resulting in 124 spaces. The applicant contends the parking reduction will not have a negative impact on the current property. It should also be noted that the GDC parking ratio for limited service hotel is 1 space per every room and 1 per every 200 square feet of restaurant, retail, conference and office area, which would calculate to 102 parking spaces, thus making the request allowed per the GDC.
3. The GDC does not allow a freestanding commercial antenna support structure within 5,000 feet from another wireless telecommunications antenna. The nearest tower is 1,476 feet away from the proposed tower, on the opposite side of I-30. Therefore, the applicant is requesting through the Planned Development amendment to allow the tower to be located closer than 5,000 feet from an existing tower due to cellular coverage issues.
4. The GDC requires either a dense, opaque, evergreen landscaped screen, coated chain-link fence with landscaping, or a six (6)-foot solid masonry wall. The perimeter of the lease area will be screened with a six (6)-foot masonry wall with gates facing internal to the site. The proposal does not trigger additional screening and landscaping requirements. However, at the recommendation of staff, the applicant is proposing evergreen landscape shrubs along the enclosure for enhanced aesthetics.

COMPREHENSIVE PLAN

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

Regional centers are areas with a higher concentration of activity that serve as a destination for residents and visitors. Uses within this development type provide a mix of retail, services, entertainment, and employment and may include residential uses.

The proposed monopole tower is necessary to improve cellular coverage to the existing area and future development.

ECONOMIC DEVELOPMENT STRATEGIC PLAN

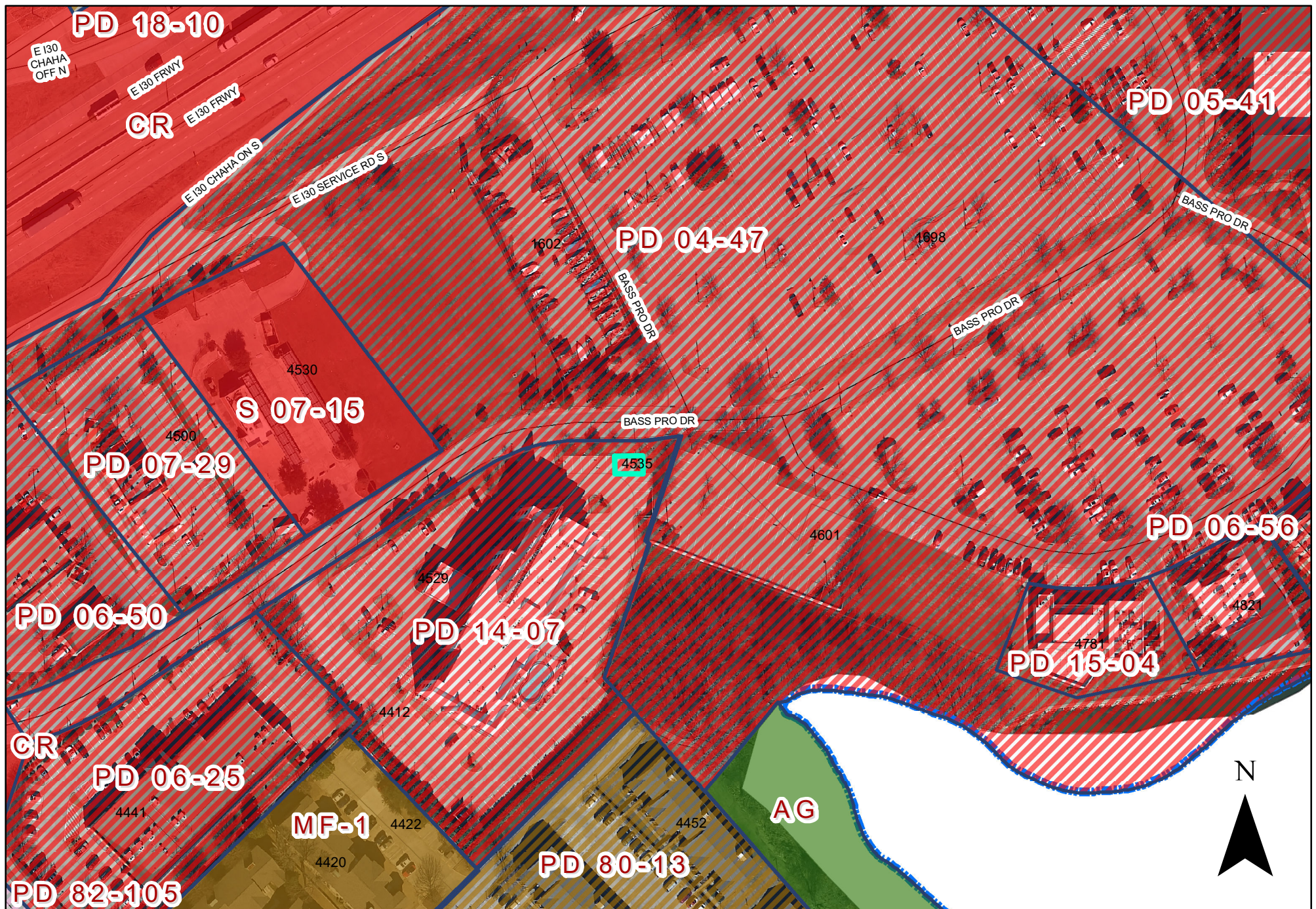
The proposal supports the existing hotel, businesses, residents, as well as future development, by providing additional cellular coverage to the area.

COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

The subject property is a lease area within Planned Development (PD) 14-07, which is developed with a limited service hotel. The surrounding properties are mainly retail, restaurant, and multi-family uses.

Attachments

Z 23-33 Location Map
Z 23-33 PD Conditions
Z 23-33 Exhibits
Z 23-33 R&M
Z 23-33 Responses
Z 23-33 Staff Presentation



0 80 160 Feet
1 inch = 133 feet

ZONING MAP Z 23-33

 INDICATES AREA OF REQUEST

4535 Bass Pro Drive

PLANNED DEVELOPMENT CONDITIONS

ZONING FILE Z 23-33

4535 BASS PRO DRIVE

- I. Statement of Purpose:** The purpose of this Planned Development is to approve a Detail Plan for an Antenna, Commercial 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 Planned Development (PD) District 14-07 and Community Retail (CR) 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:

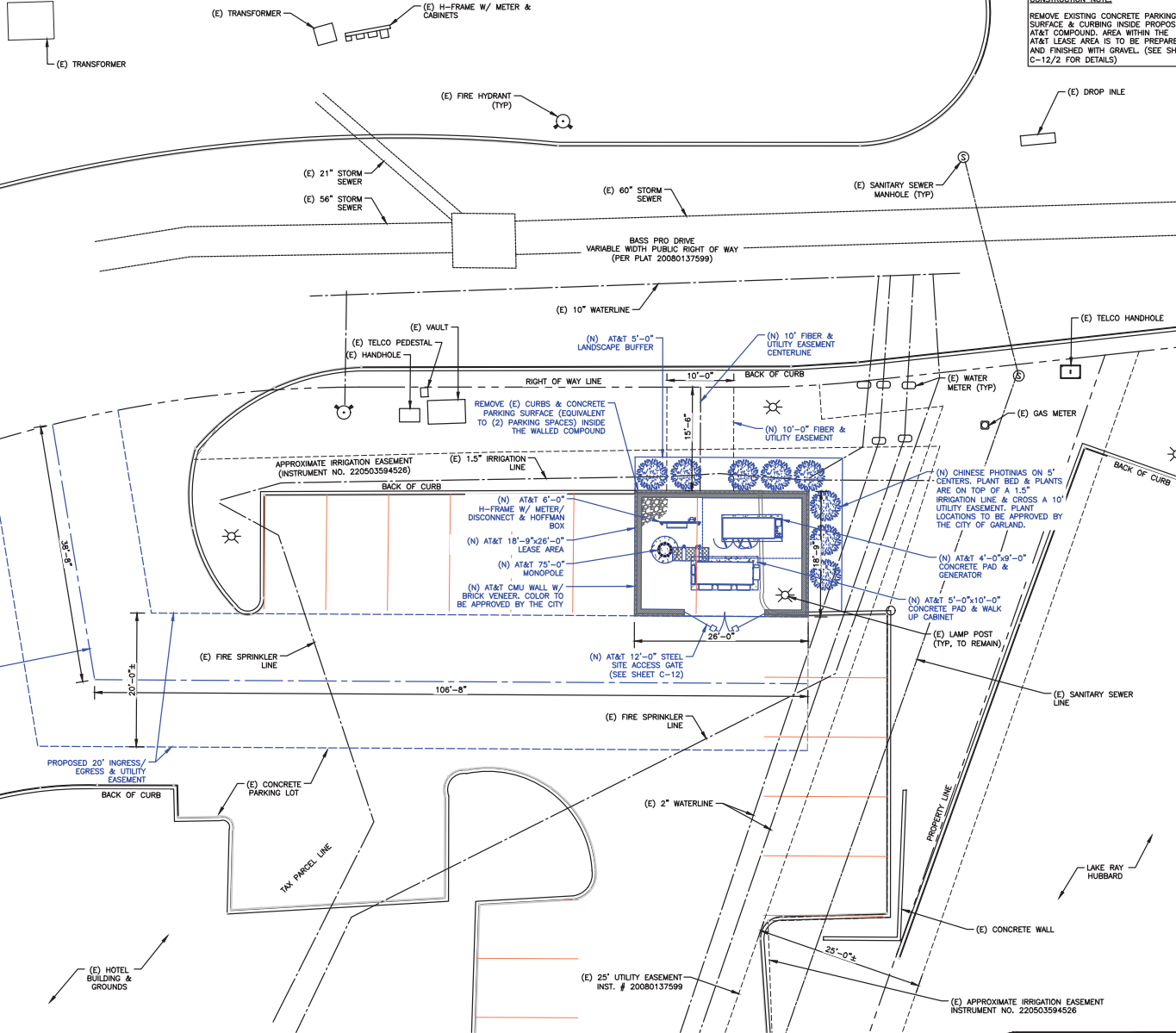
- A. Permitted Uses:**
Land Uses are permitted as in Planned Development (PD) District 14-07.
- B. Site Plan:** The site layout shall be in general conformance with the approved Site Plan labeled Exhibit C.
- C. Height:** The maximum height shall be eight (80) feet including the lightning rod.
- E. Elevations:** Building Elevations shall be in general conformance with the elevations labeled Exhibit D.
- F. Screening:** The screening shall be a six (6)-foot masonry wall as reflected in Exhibit E. Additionally,

landscaping shall be provided around the masonry screening wall as reflected in Exhibit C.

VICINITY MAP



EXHIBIT C



CONSTRUCTION NOTE:
REMOVE EXISTING CONCRETE PARKING SURFACE & CURBING INSIDE PROPOSED AT&T COMPOUND. AREA WITHIN THE AT&T LEASE AREA IS TO BE PREPARED AND FINISHED WITH GRAVEL. (SEE SHEET C-12/2 FOR DETAILS)



6000 LAS COLINAS BLVD.
IRVING, TX 75039



4 COUNTRY PLACE CIRCLE
DALWORTHINGTON GARDENS
TEXAS 76016

AT&T SITE NUMBER:
DDL00379

AT&T SITE NAME:
DDL00379

FA CODE:
15682081

PAGE ID:
MRNTX075172

4535 BASS PRO DR.
GARLAND, TX 75043

NEW MONOPOLE TOWER

ISSUED FOR:

REV	DATE	DRWN	DESCRIPTION	DES./QA
FCD1	01/13/2023	WHS	PRELIMINARY	JK
FCD8	05/08/2023	WHS	PRELIMINARY	JK
FCD9	05/11/2023	WHS	FINAL	JK
FCD5	05/26/2023	WHS	FINAL	JK
FCD2	10/19/2023	WHS	FINAL	JK
FCD3	11/16/2023	WHS	FINAL	JK



BROADUS SERVICES
FIRM REGISTRATION #F-23339
4 COUNTRY PLACE CIRCLE
DALWORTHINGTON GARDENS, TX 76016
IT IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS THEY ARE ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, TO ALTER THIS DOCUMENT.

SHEET NUMBER: REVISION:

C-1 FCD3

1 OVERALL SITE PLAN

SCALE: 1/8"=1'-0" (FULL SIZE)
1/16"=1'-0" (1:16)



CASE NUMBER:

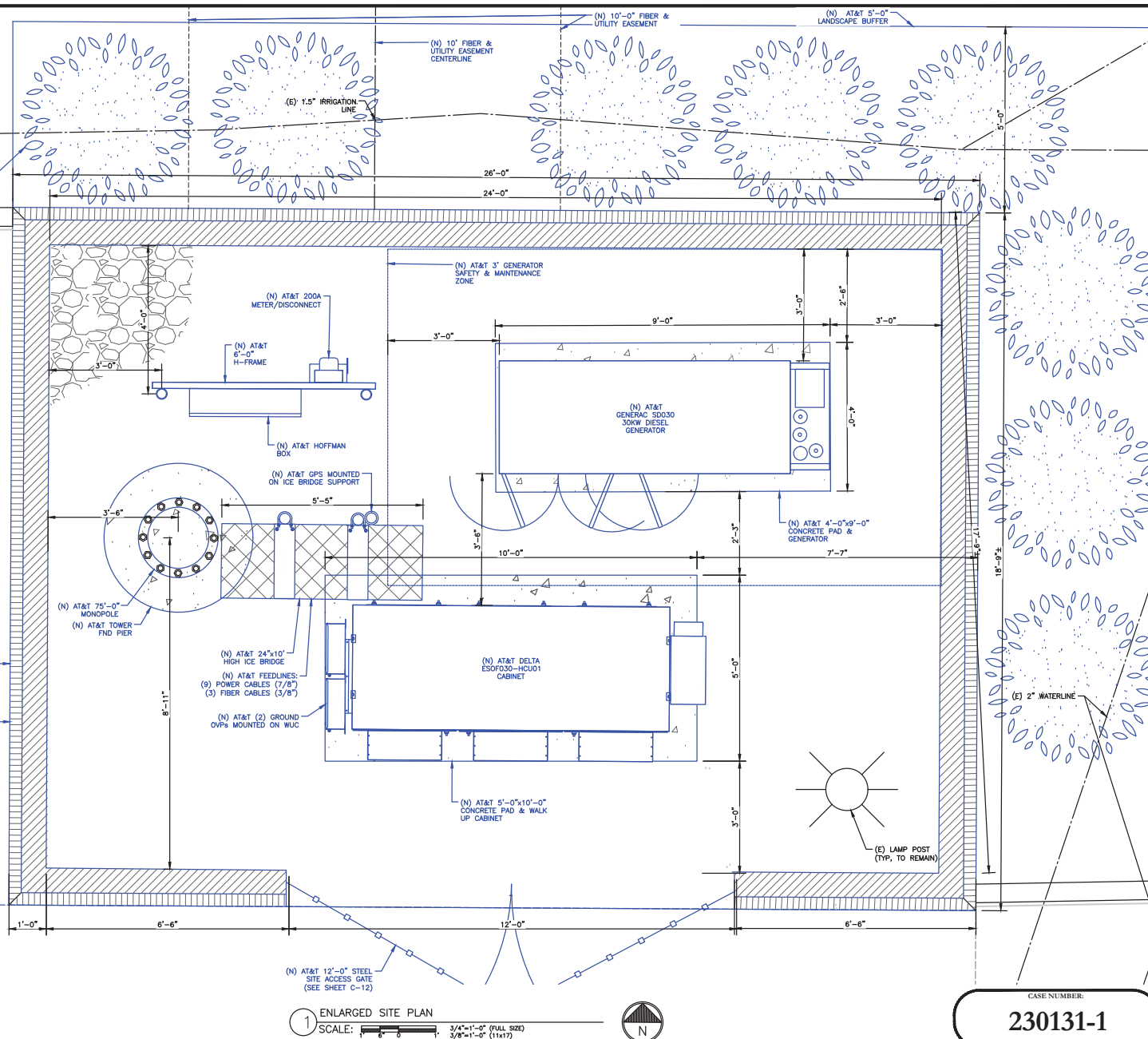
230131-1

LOT 4R, BLOCK 1
HARBOR POINT THIRD REPLAT
INST. # 20080137599
OWNER: HARBOR POINT HOTELS, LLC
1601 BRYAN ST., M-210
DALLAS, TX 75201-3401

TOWER COORDINATES:
LATITUDE: 32° 51' 53.09" / 32.864747
LONGITUDE: -96° 32' 25.09" / -96.540303

(N) CHINESE PHOTINIAS ON 5' CENTERS. PLANT BED & PLANTS ARE ON TOP OF A 1.5" IRRIGATION LINE & CROSS A 10' UTILITY EASEMENT. PLANT LOCATIONS TO BE APPROVED BY THE CITY OF GARLAND.

EXHIBIT C



6000 LAS COLINAS BLVD
IRVING, TX 75039



4 COUNTRY PLACE CIRCLE
DALWORTHINGTON GARDENS
TEXAS 76016

AT&T SITE NUMBER:
DDL00379

AT&T SITE NAME:
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FA CODE:
15682081

PACE ID:
MRNTX075172

4535 BASS PRO DR.
GARLAND, TX 75043

NEW MONOPOLE TOWER

ISSUED FOR:

REV	DATE	DRWN	DESCRIPTION	DES.
PCDA	01/13/2023	WHS	PRELIMINARY	JB
PCDE	05/08/2023	WHS	PRELIMINARY	JB
PCDO	05/11/2023	WHS	FINAL	JB
PCDI	05/26/2023	WHS	FINAL	JL
PCDI	10/19/2023	WHS	FINAL	JL
PCDI	11/16/2023	WHS	FINAL	JL



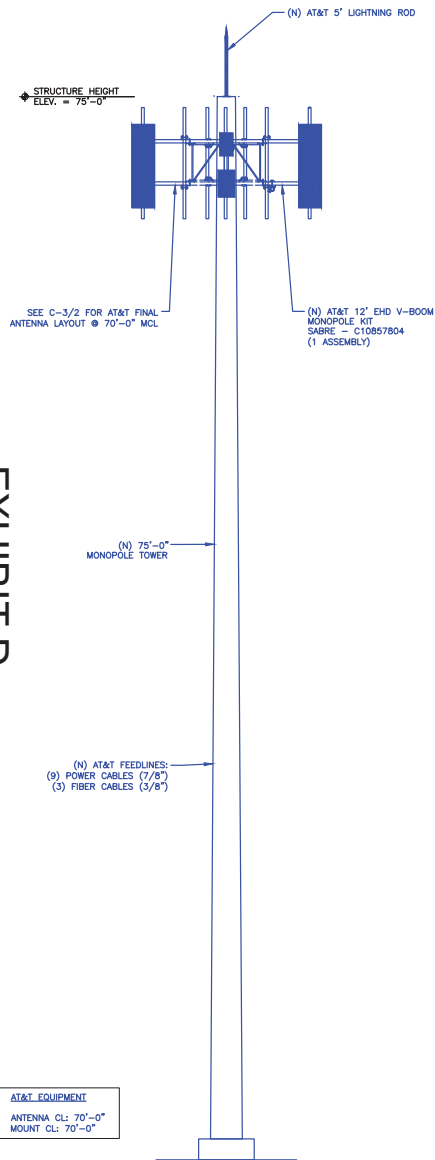
BROADUS SERVICES
FIRM REGISTRATION #F-23339
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TO ALTER THIS DOCUMENT

SHEET NUMBER
C-2

REVISION:
FCD3

CASE NUMBER:
230131-1



1 FINAL TOWER ELEVATION
SCALE: NOT TO SCALE

TOWER & ANTENNA STANDARD NOTES:

- A. TOWER STRUCTURAL ANALYSIS BY OTHERS, DATED -----, PROJECT # -----, NO (N) ANTENNAS OR EQUIPMENT INSTALLED WITHOUT APPROVAL OF STRUCTURAL ENGINEER.
- B. INSTALLED EQUIPMENT MUST HAVE A MATCHING STRUCTURAL ANALYSIS.
- C. VERIFY AZIMUTHS WITH RFDS.
- D. 2' ANTENNA SEPARATION REQUIRED. CONTRACTOR TO MOVE (E) ANTENNAS TO ENDS OF MOUNT AS REQUIRED.
- E. MOUNT COMPLIANCE IS BY OTHERS. NO (N) ANTENNAS OR EQUIPMENT INSTALLED ON MOUNTS WITHOUT THE APPROVAL OF A STRUCTURAL ENGINEER.
- F. PRIOR TO ATTACHING ANTENNAS AND MOUNTING SECTIONS, (E) TOWER AND TOWER FOUNDATION MUST BE ANALYZED BY A LICENSED STRUCTURAL ENGINEER TO VERIFY TOWER IS CAPABLE OF SUPPORTING THE PROPOSED LOADS. REFER TO STRUCTURAL ANALYSIS BY OTHERS.
- G. PROPOSED ANTENNA PLACEMENT LOCATION TO BE FIELD VERIFIED BY GENERAL CONTRACTOR PRIOR TO CONSTRUCTION TO AVOID ANY INTERFERENCE OR SHADOWING OF EXISTING ANTENNAS. IF INTERFERENCE OR SHADOWING OF EXISTING ANTENNAS IS DISCOVERED DURING FIELD VERIFICATION, PLEASE CONTACT (AKE VENDOR) FOR DESIGN REVISION PRIOR TO ANY (N) ANTENNA INSTALLATION.
- H. DO NOT OBSTRUCT BEACON IF TOWER LIT.
- I. LOW PROFILE ANTENNA PLATFORM NEEDS TO ADD A (N) TOP RAIL.
- J. TOPSIDE FIBERS TO BE SLEAVED IN FLEXIBLE INNERDUCT TYPE OR SPLIT CONDUIT TO PREVENT BIRDS FROM DAMAGING FIBER OPTIC CABLE.
- K. TOP AND BOTTOM OF ALL COAX RUNS ARE TO BE LABELED WITH A BRASS TAG ID WITH NAME OF THE LESSEE ON IT.

INSTALLER NOTE:

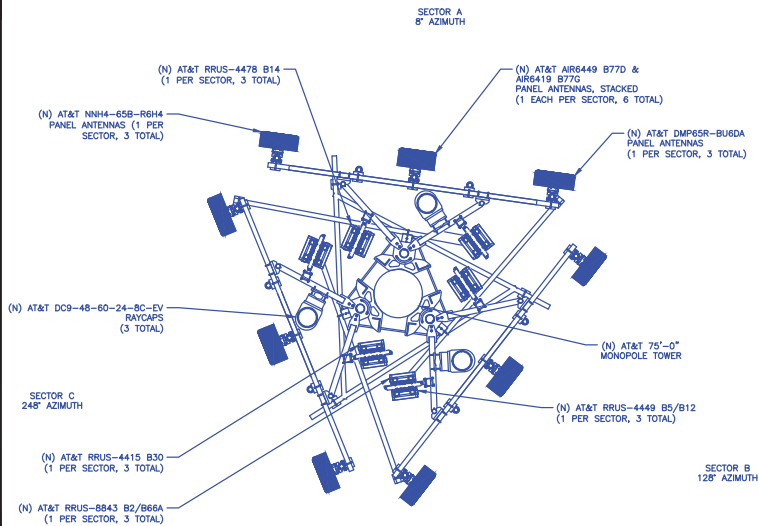
CONTRACTOR TO VERIFY ALL ANTENNA TIP HEIGHTS DO NOT EXCEED BEACON BASE HEIGHT.

INSTALLER NOTE:

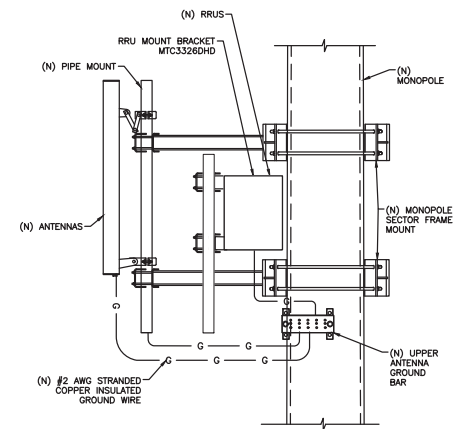
- (N) EQUIPMENT CANNOT BE MOUNTED TO TOWER.
- RELOCATE EXISTING TOWER MOUNTED EQUIPMENT TO CUSTOMER MOUNT.

INSTALLER NOTE:

DIRECT TOWER MOUNTED EQUIPMENT MUST NOT TRAP OR INTERFERE W/ CLIMBING PEGS/STEPS AND SAFETY CLIMB.



2 FINAL ANTENNA LAYOUT
SCALE: NOT TO SCALE



3 ANTENNA/RRU MOUNT DIAGRAM
SCALE: NOT TO SCALE

CASE NUMBER:
230131-1



6000 LAS COLINAS BLVD.
IRVING, TX 75039



4 COUNTRY PLACE CIRCLE
DALWORTHINGTON GARDENS
TEXAS 76016

AT&T SITE NUMBER:
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AT&T SITE NAME:
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4535 BASS PRO DR.
GARLAND, TX 75043

NEW MONOPOLE TOWER

ISSUED FOR:

REV	DATE	DRWN	DESCRIPTION	DES./QA
FCD1	01/13/2023	WHS	PRELIMINARY	JK
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FCD1	05/11/2023	WHS	FINAL	JK
FCD1	05/26/2023	WHS	FINAL	JK



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FIRM REGISTRATION #F-23339
4 COUNTRY PLACE CIRCLE
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SHEET NUMBER: REVISION:

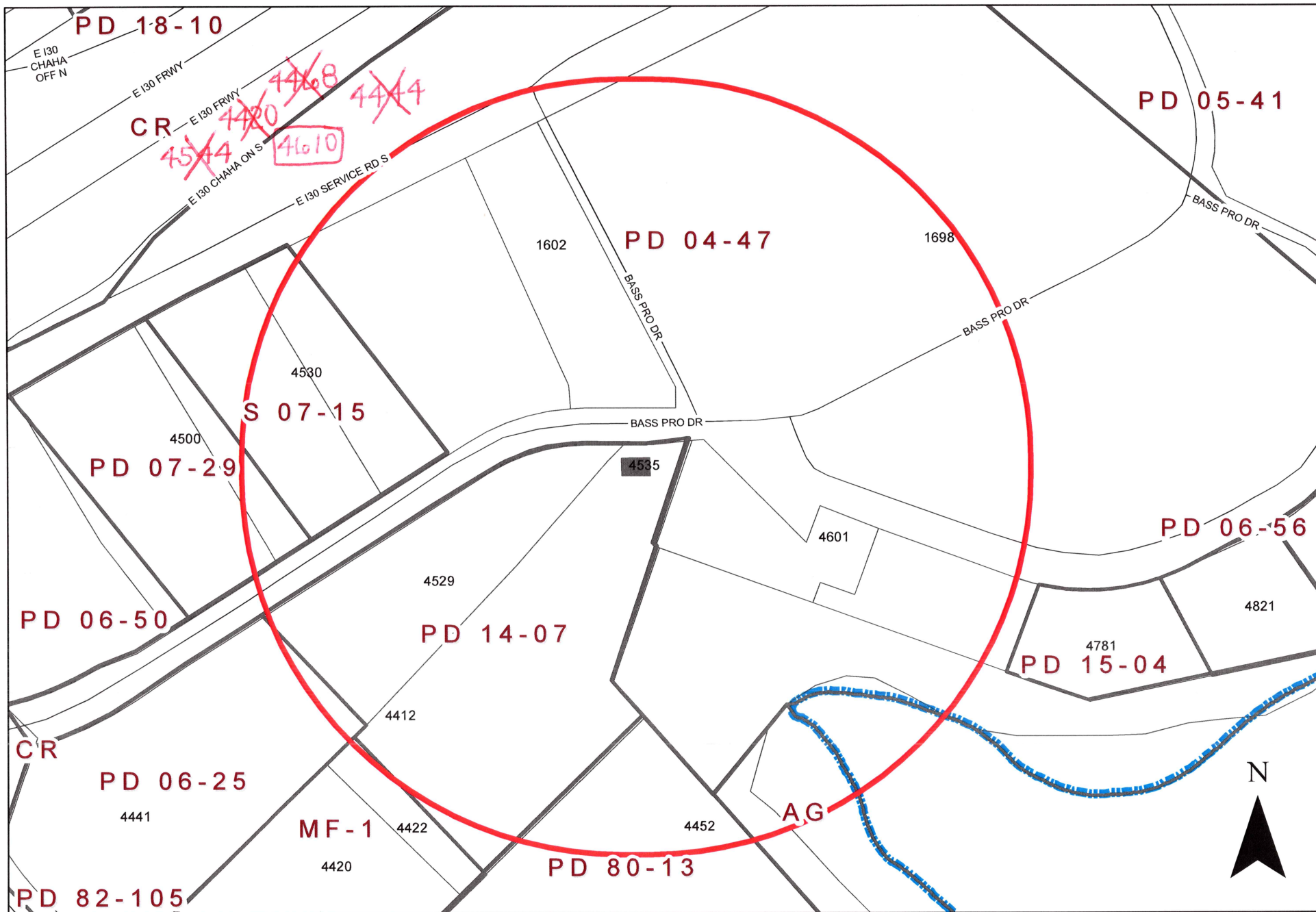
C-3 FCD1

REPORT & MINUTES

P.C. Meeting, December 11, 2023

3a. APPROVED Consideration of the application of **Jacobs Telecommunications/Christine Johnson**, requesting approval of 1) an Amendment to Planned Development (PD) District 14-07 for Community Retail Uses to allow an Antenna, Commercial Use and 2) a Detail Plan for an Antenna, Commercial Use. This property is located at 4535 Bass Pro Drive. (District 3) (File Z 23-33).

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



<p>0 80 160 Feet 1 inch = 133 feet</p>	<h2>ZONING MAP Z 23-33</h2>	<p> INDICATES AREA OF REQUEST</p> <p> INDICATES NOTIFICATION AREA</p>
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4535 Bass Pro Drive

Comment Form

Case Z 23-33

Z 23-33 Jacobs Communications / Christine Johnson. The applicant proposes a freestanding AT&T cellular tower. The site is located at 4535 Bass Pro Drive. (District 3)

Z 23-33 Jacobs Communications / Christine Johnson. El solicitante propone una torre celular independiente de AT&T. El sitio está ubicado en 4535 Bass Pro Drive. (Distrito 3)

Z 23-33 Jacobs Communications / Christine Johnson. Người nộp đơn đề xuất một tháp di động AT&T độc lập. Địa điểm này nằm ở 4535 Bass Pro Drive. (Quận 3)

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



For / A Favor / Đồng ý



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.

MATLOMIE ZALEWSKI, 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.)

4610 CHAHARD, 201

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

GARLAND, TX 75043

City, State / Estado de la Ciudad / Thành bang

75043

Zip Code / Código postal / Mã B u 0hính

Matthew F. Zalewski

Signature / Firma / Chữ ký

12/3/2023

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 23-33**

Z 23-33 Jacobs Communications / Christine Johnson. The applicant proposes a freestanding AT&T cellular tower. The site is located at 4535 Bass Pro Drive. (District 3)

Z 23-33 Jacobs Communications / Christine Johnson. El solicitante propone una torre celular independiente de AT&T. El sitio está ubicado en 4535 Bass Pro Drive. (Distrito 3)

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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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Annie Cortes, resident

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.)

4444 Chalm Rd #104

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

Garland TX

City, State / Estado de la Ciudad / Thành bang

75043

Zip Code / Código postal / Mã B u Chính

Annie Cortes

Signature / Firma / Chữ 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.)

**Comment Form Continued –
Case Z 23-33**

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

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

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

We don't need more signal problems
messing with our phones and connectivity.
And elsewhere. We are already dealing
with more traffic, spectrum outage,
and signal for T-Mobile + connection
issues, don't care for more.

Morales, Elisa

From: Ahmed, Nabiha
Sent: Wednesday, December 6, 2023 4:19 PM
To: Morales, Elisa
Subject: FW: Register property for case Z 23-33

FYI

-----Original Message-----

From: david mcgaffin <dgmcgaffin@sbcglobal.net>
Sent: Wednesday, December 6, 2023 4:18 PM
To: Ahmed, Nabiha <NAhmed@garlandtx.gov>
Subject: Register property for case Z 23-33

This is David McGaffin-owner of condo at 4468 chaha rd #206 Garland Tx 75043 I would like to register my position on Case Z 23-33 as Against.

Please consider this my vote before the hearing on December 11, 2023.

Please respond the receipt of this email.

Thank you, David McGaffin

Sent from my iPad

CAUTION: This email is from an external source. DO NOT click links or open attachments without verifying the sender. Never enter USERNAME, PASSWORD or SENSITIVE INFORMATION on linked pages from this email. If you are unsure about the message, please contact the Help Desk at x7240 for assistance.

Comment Form

Case Z 23-33

Z 23-33 Jacobs Communications / Christine Johnson. The applicant proposes a freestanding AT&T cellular tower. The site is located at 4535 Bass Pro Drive. (District 3)

Z 23-33 Jacobs Communications / Christine Johnson. El solicitante propone una torre celular independiente de AT&T. El sitio está ubicado en 4535 Bass Pro Drive. (Distrito 3)

Z 23-33 Jacobs Communications / Christine Johnson. Người nộp đơn đề xuất một tháp di động AT&T độc lập. Địa điểm này nằm ở 4535 Bass Pro Drive. (Quận 3)

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.

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.)

Vivian Brown

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

4420 Chaha Rd. #202

City, State / Estado de la Ciudad / Thành bang

Garland, TX

Zip Code / Código postal / Mã B u Chính

75043

Signature / Firma / Ch ữ ký

 12/4/23

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 Continued – Case Z 23-33

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

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

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

*Do not want a cell tower
so close to my residence.*

Comment Form

Case Z 23-33

Z 23-33 Jacobs Communications / Christine Johnson. The applicant proposes a freestanding AT&T cellular tower. The site is located at 4535 Bass Pro Drive. (District 3)

Z 23-33 Jacobs Communications / Christine Johnson. El solicitante propone una torre celular independiente de AT&T. El sitio está ubicado en 4535 Bass Pro Drive. (Distrito 3)

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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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Daniel B. Cason 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.)

4468 Chaha Rd. Apt. 104

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

Garland, TX 75043

City, State / Estado de la Ciudad / Thành bang

75043-4435

Zip Code / Código postal / Mã B u Chính

Daniel B. Cason

Signature / Firma / Chữ ký

12/10/2023

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.)

Zoning Response Case Comments

Case Number	PC Hearing Date	CC Hearing Date	Planner Name
Z 23-33	November 13, 2023	December 5, 2023	Nabiha Ahmed

Z 23-33 Jacobs Communications / Christine Johnson. The applicant proposes a freestanding AT&T cellular tower. The site is located at 4535 Bass Pro Drive. (District 3)

**Te'Jenier
Lindley**
12/8/2023
4:20:15 AM

Against

4544 Chaha Rd #102

Tejenier.lindley08@yahoo.com

Garland
Texas
United States
75043

I myself and the occupants of this household are against adding any additional EMF radiation or frequencies in such close proximity to our home. It is scientifically proven the effects such radiation and EMF can have on the human body and brain. We have two young children here, with the oldest being two years old, and we do believe in the safety of this proposed zoning change. I strongly discourage this proposal, as there are many other places not near here where they can put their tower. One of the main factors I considered when making this my home in this location is that there are not any 5g or cellular towers in the vicinity. This would be an injustice to the families of this community, as corporate profits are put over the safety of the communities who make this city such a nice place to live.

Z 23-33 Jacobs Communications / Christine Johnson. The applicant proposes a freestanding AT&T cellular tower. The site is located at 4535 Bass Pro Drive. (District 3)

**Te'Jenier
Lindley**
12/8/2023
4:20:15 AM

Against

4544 Chaha Rd #102

Tejenier.lindley08@yahoo.com

Garland
Texas
United States
75043

Case Number	PC Hearing Date	CC Hearing Date	Planner Name
Z 23-33	December 11, 2023	January 9, 2024	Nabiha Ahmed

I myself and the occupants of this household are against adding any additional EMF radiation or frequencies in such close proximity to our home. It is scientifically proven the effects such radiation and EMF can have on the human body and brain. We have two young children here, with the oldest being two years old, and we do believe in the safety of this proposed zoning change. I strongly discourage this proposal, as there are many other places not near here where they can put their tower. One of the main factors I considered when making this my home in this location is that there are not any 5g or cellular towers in the vicinity. This would be an injustice to the families of this community, as corporate profits are put over the safety of the communities who make this city such a nice place to live.



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The applicant proposes a freestanding AT&T cellular tower.

City Council Meeting

January 9, 2024

Z 23-33

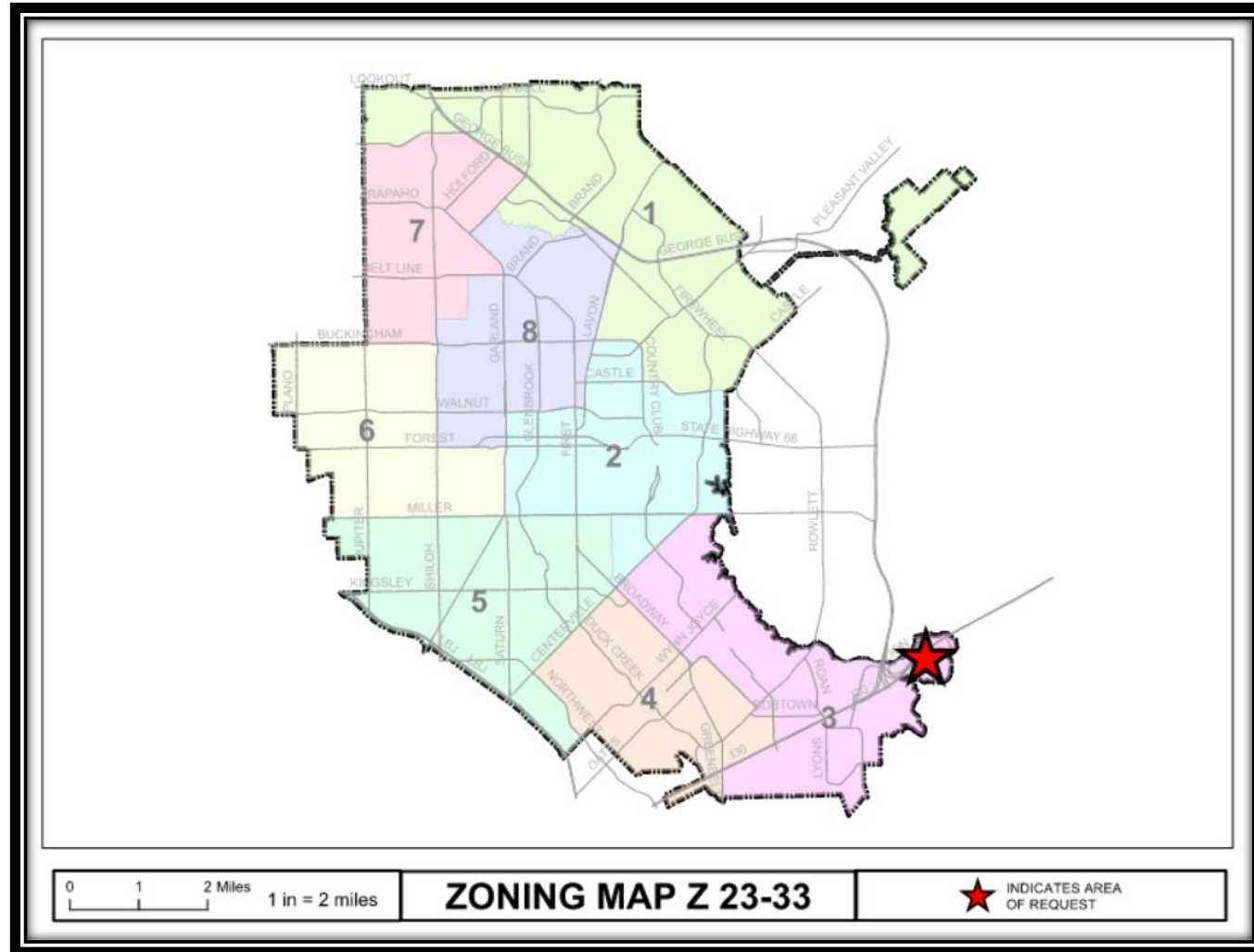
CASE INFORMATION

Location:	4535 Bass Pro Drive
Applicant:	Jacobs Telecommunications/Christine Johnson
Owner:	Harbor Point Hotels LLC, a Texas LLC
Acreage:	0.0112 acres (488 square feet)
Zoning:	Planned Development (PD) District 14-07



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CITYWIDE LOCATION MAP

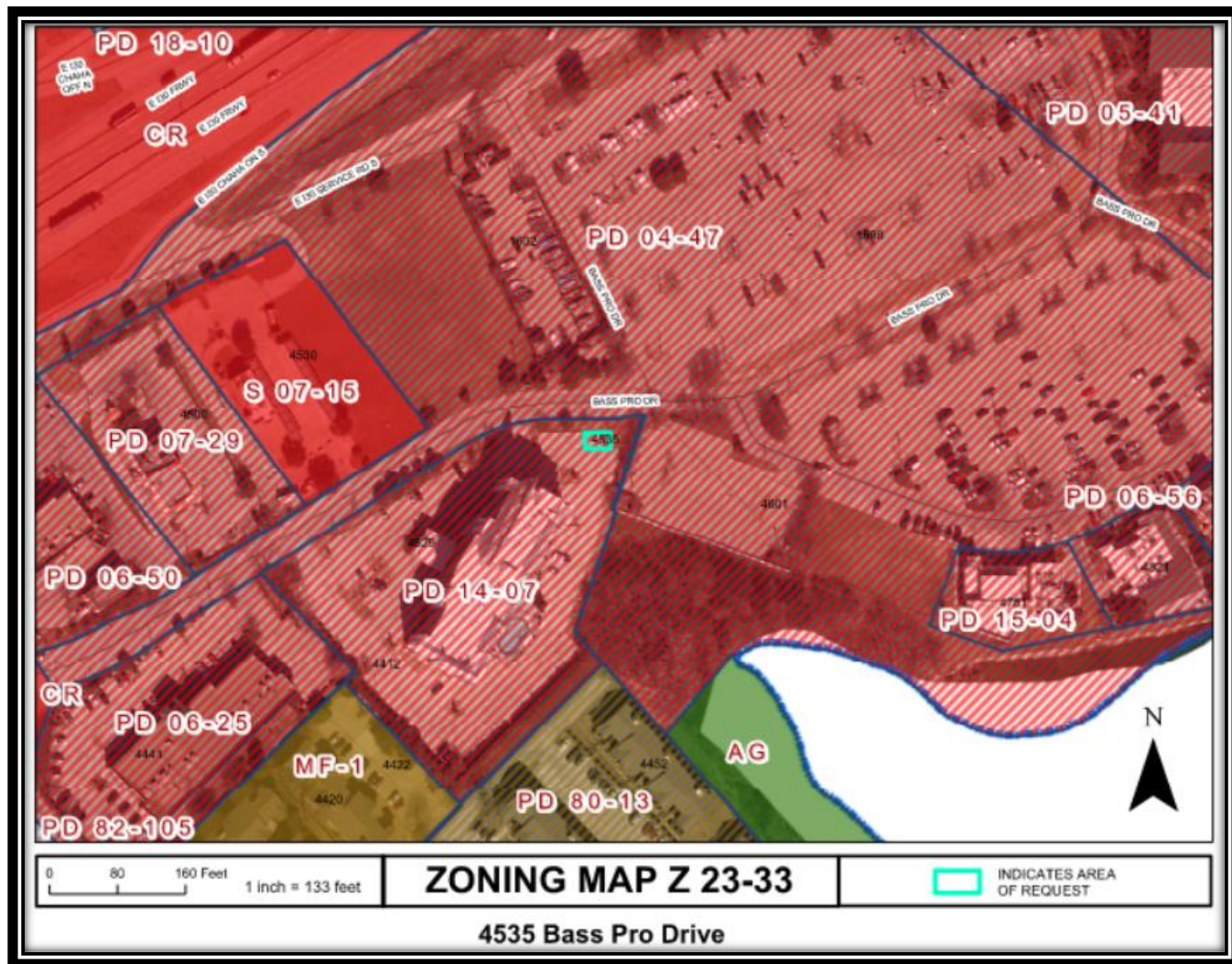


Z 23-33



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LOCATION MAP



Z 23-33



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COMPREHENSIVE PLAN



Regional Centers



COMPREHENSIVE PLAN

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

Regional centers are areas with a higher concentration of activity that serve as a destination for residents and visitors. Uses within this development type provide a mix of retail, services, entertainment, and employment and may include residential uses.

The proposed monopole tower is necessary for existing infrastructure.

ECONOMIC DEVELOPMENT STRATEGIC PLAN

The proposal supports the existing hotel, businesses, residents, as well as future development, by providing additional cellular coverage to the area.



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PHOTOS



View of the proposed lease area



Looking north of the subject property from Bass Pro Drive



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PHOTOS



View of the overall site from Bass Bro Drive

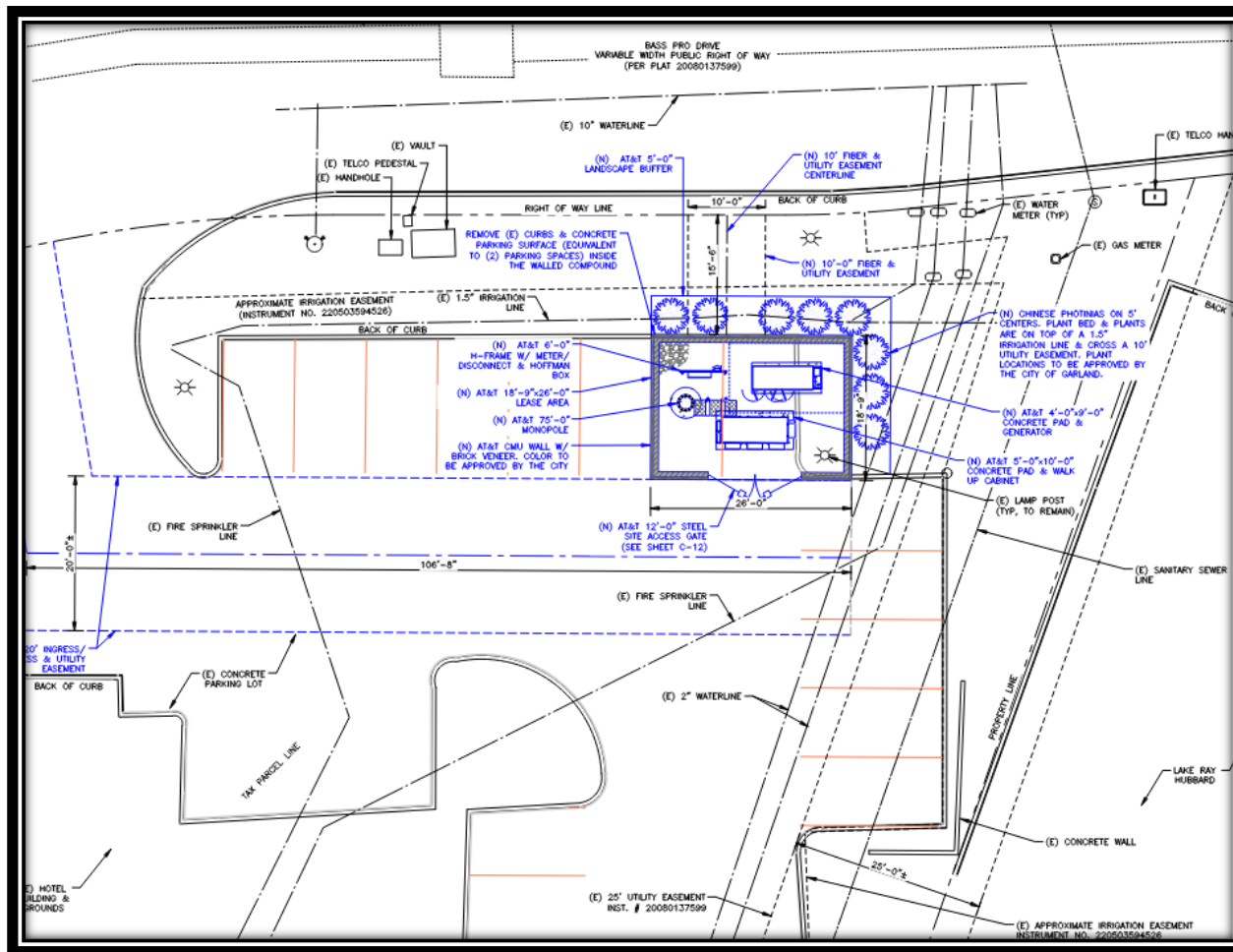


Looking east of the subject property

Z 23-33

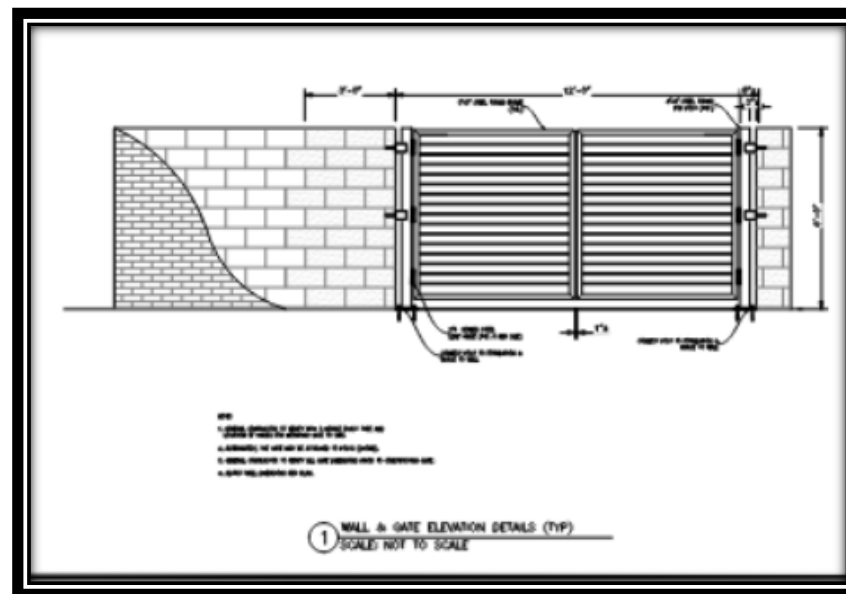


SITE PLAN





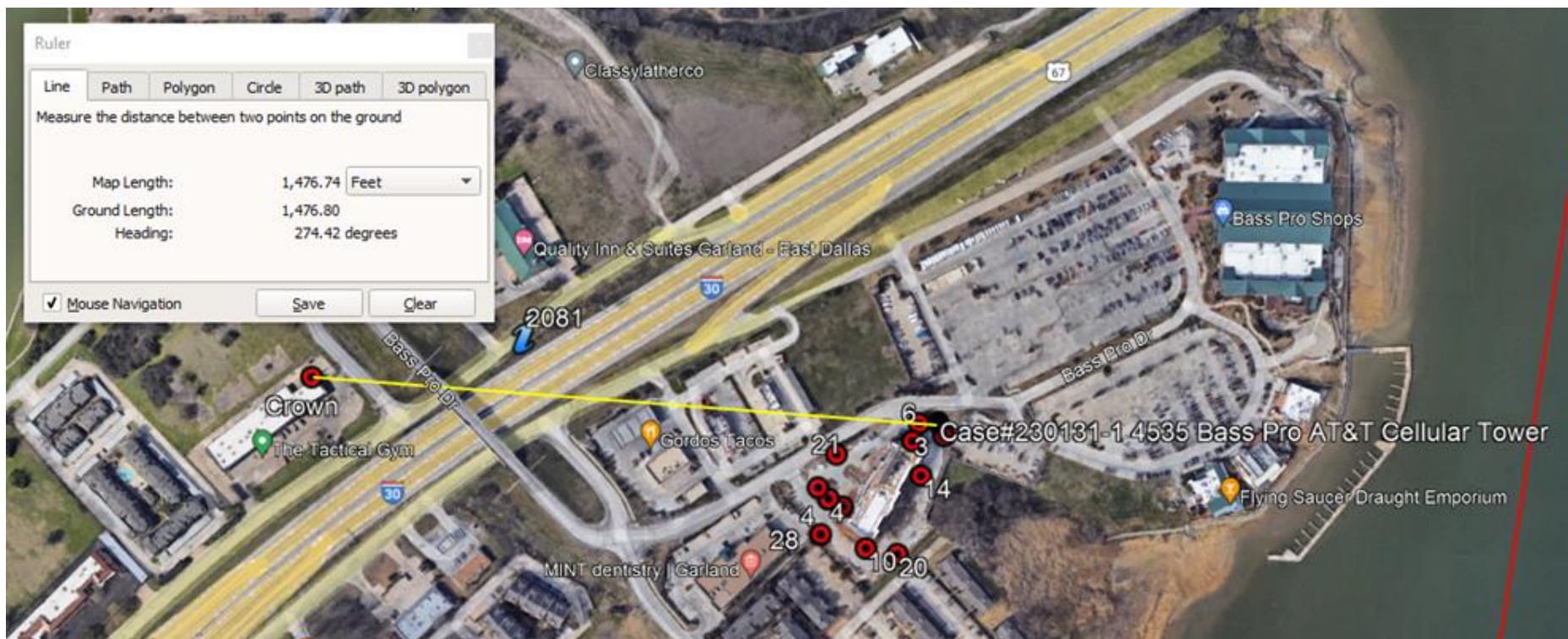
Z 23-33





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NEAREST EXISTING TOWER



Z 23-33



STAFF RECOMMENDATION

Approval of 1) an Amendment to Planned Development (PD) District 14-07 for Community Retail Uses and 2) a Detail Plan for an Antenna, Commercial Use.

The proposal will improve cellular coverage for the area. For enhanced screening and aesthetics, staff has recommended the applicant plant large screening shrubs along the north and east of the masonry wall enclosure. The applicant concurs and has provided landscaping accordingly.

PLAN COMMISSION RECOMMENDATION

On December 11, 2023 the Plan Commission, by a vote of eight (8) to zero (0) recommended approval of 1) an Amendment to Planned Development (PD) District 14-07 for Community Retail Uses and 2) a Detail Plan for an Antenna, Commercial Use.



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GARLAND

PLANNING REPORT

2024 City Council Regular Session

15. b.

Meeting Date: 01/09/2024

Item Title: Z 23-36 Realty investments C/o Maxwell Fisher (District 3)

Submitted By: Nabiha Ahmed, Lead Development Planner

REQUEST

Approval of 1) a Change in Zoning from Light Commercial (LC) District to a Planned Development (PD) District for Multi-Family-2 (MF-2) and Live/Work Uses and 2) a Detail Plan for a multi-family and live/work development.

LOCATION

630 East Interstate 30 Freeway and 5305 Zion Road

OWNER

646 Holdings, LLC/Garland Storage Limited Partnership

PLAN COMMISSION RECOMMENDATION

On December 11, 2023 the Plan Commission, by a vote of eight (8) to zero (0) recommended approval of 1) a Change in Zoning from Light Commercial (LC) District to a Planned Development (PD) District for Multi-Family-2 (MF-2) and Live/Work Uses and 2) a Detail Plan for a multi-family and live/work development, with the condition to require a minimum of one (1) live/work unit and a maximum of five (5) live/work units in Building 2.

STAFF RECOMMENDATION

Approval of 1) a Change in Zoning from Light Commercial (LC) District to a Planned Development (PD) District for Multi-Family-2 (MF-2) and Live/Work Uses and 2) a Detail Plan for a multi-family and live/work development.

The proposal offers a unique development that includes a live-work component, and gives special attention to the view from I-30, providing the northern Building 2 frontage a more enhanced "retail" type design.

BACKGROUND

The subject property is currently unimproved. The applicant proposes 250 multi-family dwelling units, including five (5) live/work units.

SITE DATA

The subject property contains approximately 9.87 acres and has approximately 296 linear feet of frontage along East Interstate 30 Freeway and 385 linear feet frontage along Zion Road. The property can be accessed from Zion Road. However, there are two (2) emergency access points through the northwestern adjacent property.

CAPTION

Consider a request by Realty Investments C/o Maxwell Fisher to construct a multi-family development with live/work units. The site is located at 5305 Zion Road and 630 East Interstate 30 Freeway in District 3.

Consider and take appropriate action of the application of Realty Investments, C/o Maxwell Fisher, requesting approval of 1) a Change in Zoning from Light Commercial (LC) District to a Planned Development (PD) District for Multi-Family-2 (MF-2) and Live/Work Uses and 2) a Detail Plan for a multi-family and live/work development. This property is located at 630 East Interstate 30 Freeway and 5305 Zion Road. (District 3) (File Z 23-36)

USE OF PROPERTY UNDER CURRENT ZONING

The subject property is currently zoned Light Commercial (LC) District. The Light Commercial (LC) District is intended to provide locations for commercial and service-related establishments, such as building material and

wholesale product sales, contractors' shops, automotive repair services, upholstery shops, and other similar commercial uses.

CONSIDERATIONS

1. Detail Plan

The applicant proposes 250 multi-family dwelling units and five (5) of those are ground floor live/work units in Building 2. The site plan reflects a total of three (3) buildings; Building 1 will have frontage along Zion Road and will feature a centralized leisure courtyard with pool while Building 3 will also have a courtyard. The applicant proposes the base zoning to be Multi-Family-2 (MF-2) District.

The live/work units will offer the opportunity for residents operate small businesses as an accessory use such as general office, small-scale retail or personal services. These businesses will operate by appointment only. Additionally, the residential and commercial space must be occupied by the same tenant. These units may not be rented or sold separately.

2. Screening and Landscaping

The GDC requires a minimum of forty (40%) percent of the site to be landscaped. The landscape plan shows 37% of the site is landscaped. The proposal maximizes the landscape areas provided based on the residential infill property's shape and constraints. The degree of deviation is very minimal, achieving the spirit and intent of the requirement. The proposal also aligns with some recently approved residential communities with landscape allocation around 37% of the site area.

Although not required, the applicant proposes a minimum of six (6)-foot ornamental metal fence around the perimeter of the property.

3. Amenities

- **Clubhouse:** Section 2.39 (I) states that a minimum 2,500 square-foot clubhouse must be constructed on site and made available to all residents. The applicant is proposing a 6,000 square-foot clubhouse that will include a business center, fitness center and leisure room.
- **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. The applicant is proposing one swimming pool in the central courtyard.
- **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 outdoor seating, shading, and grill area.

4. Parking

The site plan (Exhibit C) complies with the multi-family parking requirements per the GDC. The site plan (Exhibit C) reflects tuck-under garages and surface parking.

The five (5) live/work units will need a few parking spaces during the daytime hours when parking demand is lower as many residents will be at work. When peak parking demand is at night for residences, businesses would be closed. From a parking standpoint, these are complementary uses that combined will not increase peak parking demand.

5. Building Design

The building elevations comply with building design requirements per the GDC. It should be noted that the north-facing elevation of Building 2 will provide a more first-floor "retail" look facing I-30, with the live-work units.

6. Signage

The applicant has not requested any deviations or special standards on signage. Signage will conform to GDC standards. Additionally, no signage will be provided to advertise the live/work units.

7. Planned Development Standards

The applicant requests a Planned Development (PD) District to accommodate a multi-family development including a small mixed-use component consisting of five (5) live work units. The only other flexible standard the applicant requests is the abovementioned landscape/open space to be 37%.

COMPREHENSIVE PLAN

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

In addition, the I-30 Corridor Catalyst Area Plan recommends that new housing options will benefit the area and there is an opportunity for infill residential development including higher densities.

Per the applicant's narrative, "the location, odd-shape of site, and its limited access/frontage on IH-30 Service Road make commercial uses infeasible for the property. A residential, infill development will further support business and commercial enterprises on better suited sites in the sub-market. Moreover, the properties to the south and southwest are developed, or will be developing with multi-family residential communities, aligning with the development fabric."

ECONOMIC DEVELOPMENT STRATEGIC PLAN

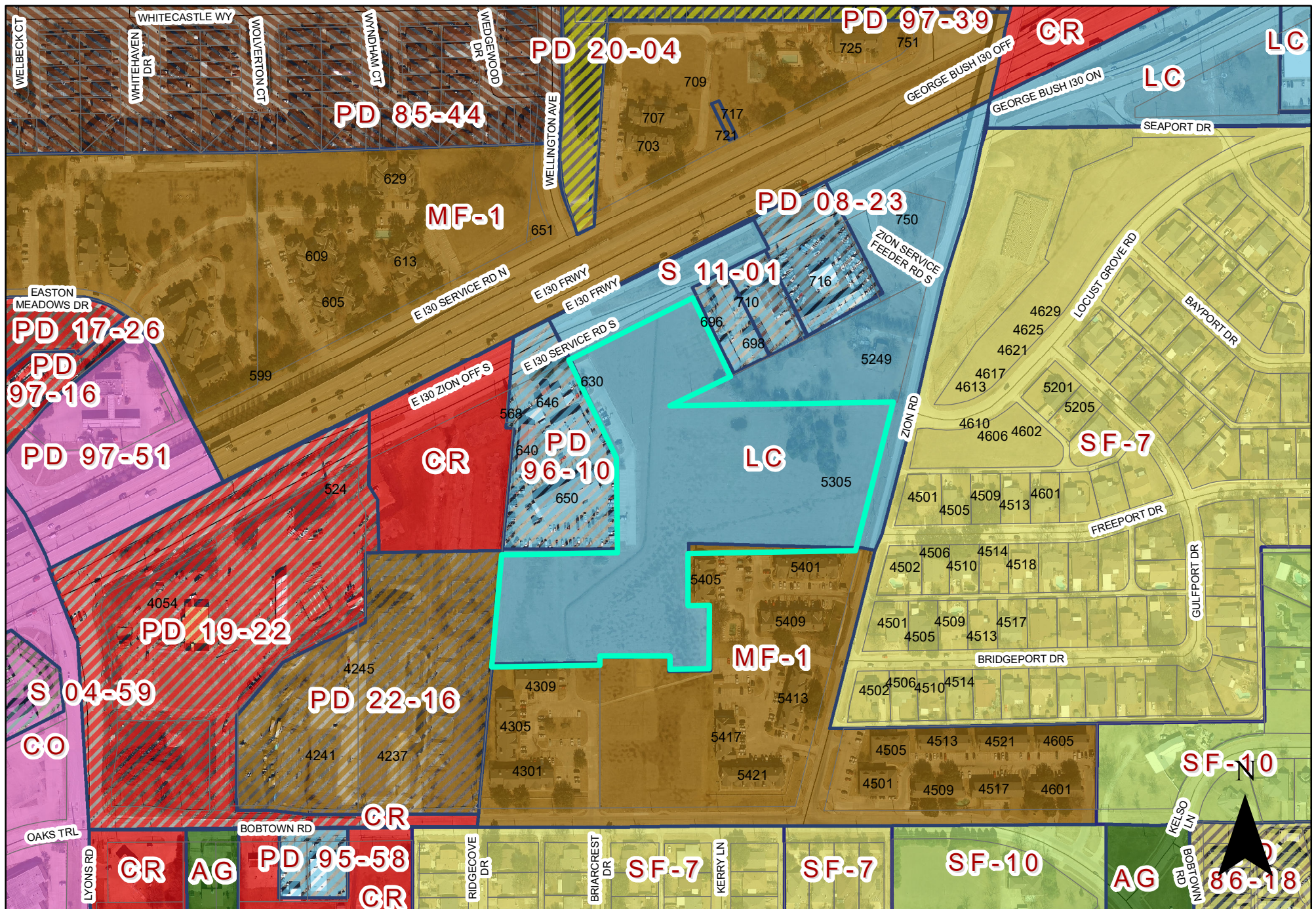
New multi-family development is considered the second highest revenue per acre generator per the Economic Development Strategic Plan. The subject property will provide additional housing to the area, including live-work opportunities.

COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

The properties to the north, across East Interstate 30 Freeway, are zoned Multi-Family-1 (MF-1) District. The properties to the east are zoned Planned Development (PD) District 08-23, Planned Development (PD) District 06-75 and Planned Development (PD) District 11-01 for light commercial uses; these properties are developed with a bait shop, a boat storage, automobile repair and a single-family home. The properties to the east, across Zion Road, are zoned Single-Family-7 (SF-7); these properties are developed with single-family homes. The properties to the south are zoned Multi-Family-1 (MF-1) District and it is developed with two (2) apartment complexes. The properties to the west are zoned Community Retail (CR) District and Planned Development (PD) District 22-16 and it was approved for a multi-family development.

Attachments

Z 23-36 Location Map
Z 23-36 PD Conditions
Z 23-36 CC Exhibits
Z 23-36 R&M
Z 23-36 Responses
Z 23-36 Staff Presentation



0 210 420 Feet
1 inch = 315 feet

ZONING MAP Z 23-36

630 East I-30

PLANNED DEVELOPMENT CONDITIONS

ZONING FILE Z 23-36

630 East Interstate 30 Freeway and 5305 Zion Road

I. Statement of Purpose: The purpose of this Planned Development is to approve a multi-family 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-2 (MF-2) 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-2 (MF-2) 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 250 dwelling units shall be permitted. The live/work units are included in this total count.

D. Live/Work Units: A minimum of one (1) and a maximum of five (5) live/work units shall be permitted in Building 2 as reflected in Exhibit C.

- Office, General Use; Retail Store Use; and Personal Services Use shall be allowed within the

live/work units.

- The live/work units shall not be sold or rented separately.
- The commercial component shall be permitted to be to the side or back, or as an integral part of the residential space provided there is internal access between the residential and commercial space.
- The commercial component shall be restricted to the unit and shall not be conducted in the yard, garage or any accessory structure.
- The commercial component shall not detract from, or otherwise be a nuisance to, the residential character or appearance of the dwelling units.
- The businesses within the live/work units shall operate by appointment only.
- The commercial use shall not generate vehicular traffic, in excess of normal residential traffic, which will interfere with residential traffic circulation or shall not cause more than three vehicles including vehicles used by customers, vendors, or delivery services to visit the premises per day.
- No more than one employee (excluding residents of the dwelling unit) shall work or report to work on the premises, and the employment of any persons who do not reside in the live/work unit shall comply with all applicable building code requirements.
- The commercial use shall not generate external noise, odor, glare, vibration or electrical interference detectable to the normal sensory perception by adjacent neighbors.
- No explosive, toxic, combustible or flammable materials in excess of what would be allowed incidental to normal residential use shall be

stored or used on the premises.

- No signage shall be provided to advertise the businesses.

E. Landscape Plan: Screening and landscaping shall be in general conformance with the landscape plan labeled Exhibit D.

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.

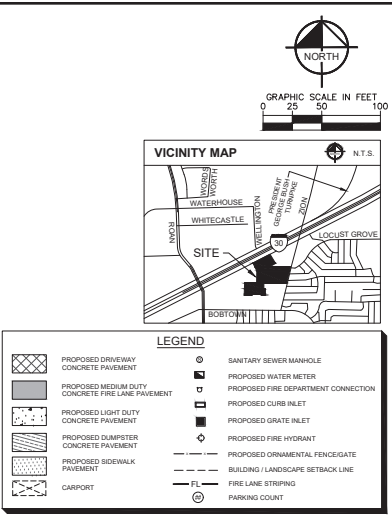
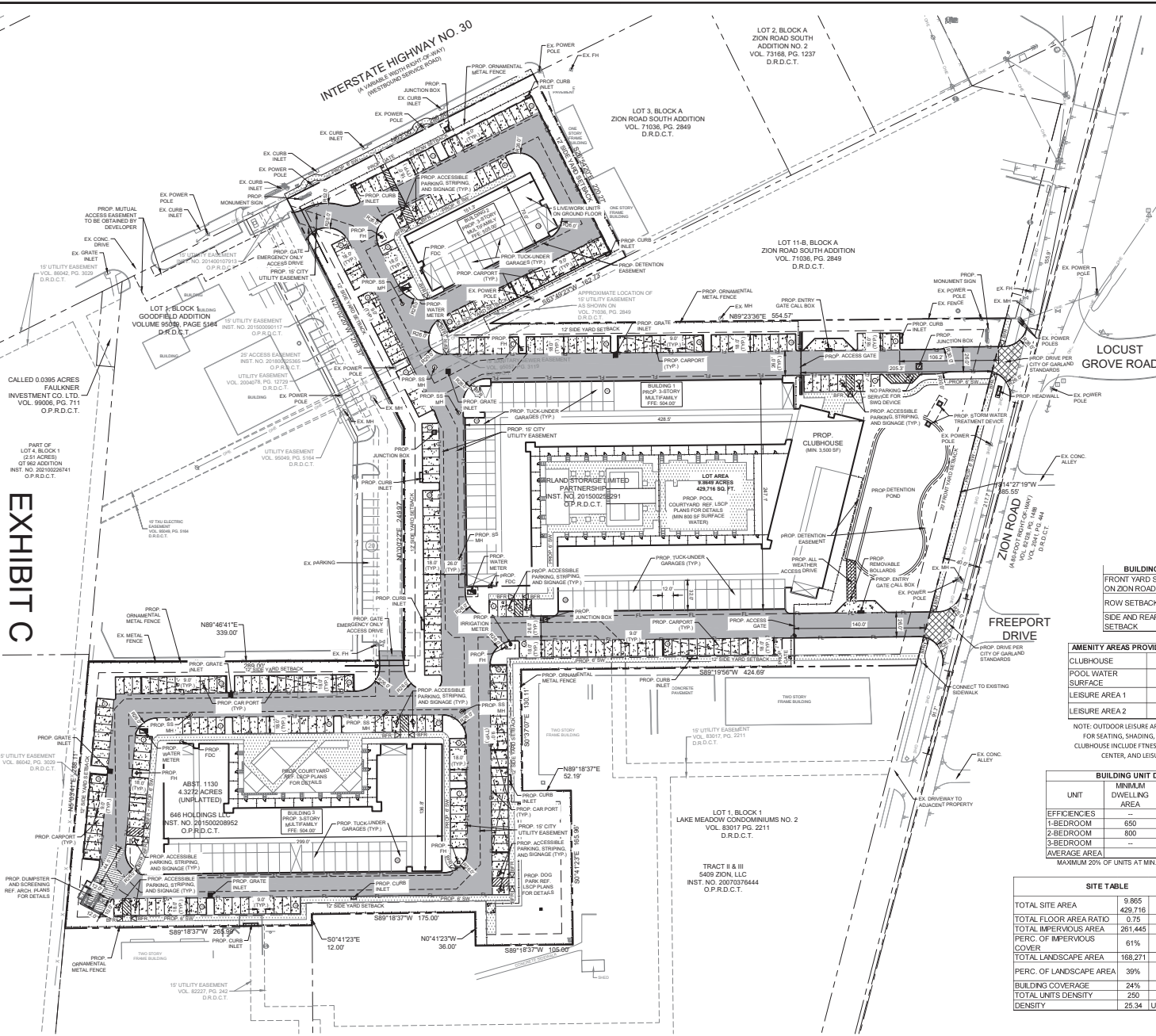
DATE: 08/27/2023
BY: JGS

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EXHIBIT C



- LEGEND**
- PROPOSED DRIVEWAY CONCRETE PAVEMENT
 - PROPOSED MEDIUM DUTY CONCRETE FIRE LANE PAVEMENT
 - PROPOSED LIGHT DUTY CONCRETE PAVEMENT
 - PROPOSED DUMPSTER CONCRETE PAVEMENT
 - PROPOSED SIDEWALK PAVEMENT
 - CARPENTRY
 - SANITARY SEWER MANHOLE
 - PROPOSED WATER METER
 - PROPOSED FIRE DEPARTMENT CONNECTION
 - PROPOSED CURB INLET
 - PROPOSED GRADE INLET
 - PROPOSED FIRE HYDRANT
 - PROPOSED ORNAMENTAL FENCE/GATE
 - BUILDING / LANDSCAPE SETBACK LINE
 - FIRE LANE STRIPING
 - PARKING COUNTER
- NOTES**
- EXISTING ZONING IS LC. PROPOSED ZONING IS NEW MF-3 BASE.
 - ALL DIMENSIONS ARE TO FACE OF CURB UNLESS OTHERWISE NOTED.
 - ALL CURB RADI ARE 2' UNLESS OTHERWISE NOTED.
 - AMENITIES INCLUDE A SWIMMING POOL, FITNESS CENTER, MEETING/CONFERENCE ROOMS, AND GAME AND LEISURE ROOM.
 - DIMENSIONS SHOWN FOR BUILDING CORNERS ARE APPROXIMATE. OUTER BUILDING ENVELOPES FOR THE PURPOSES OF GRADING CONTRACTOR SHALL USE ARCHITECT'S STRUCTURAL SLAB PLANS FOR FORM BOARD STAKING AND CONTRACTOR SHALL PROVIDE A FORM BOARD SURVEY, FOR APPROVAL BY THE OWNER, PRIOR TO POURING BUILDING SLABS.
 - ALL SIGNS WILL COMPLY WITH THE SIGN REQUIREMENTS OF THE GDC.
 - ALL SIDEWALKS, BFRS, AND DRIVE APPROACHES SHALL BE CONSTRUCTED IN CONFORMANCE WITH THE CITY OF GARLAND STANDARD DETAILS.
 - THE CONTRACTOR FOR THE PROJECT SHALL NOT PLACE ANY PERMANENT PAVEMENT UNTIL ALL SLEEVING FOR ELECTRIC, GAS, TELEPHONE, CABLE TV, SITE IRRIGATION, OR ANY OTHER UNDERGROUND UTILITY HAS BEEN INSTALLED. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO CONFIRM THAT ALL SLEEVING IS IN PLACE PRIOR TO PLACEMENT OF PERMANENT PAVEMENT.
 - MINIMUM FIRE LANE RADIUS IS TO BE 20'.
 - ARCHITECTURAL ATTACHMENTS TO NOT EXCEED MORE THAN 6" INTO THE MINIMUM RETRACTION AREA.
 - PER THE THOROUGHFARE PLAN, ZION ROAD IS PROGRAMMED TO BE EXPANDED IN THE FUTURE. PER THE SEC. SECTION 3.4.7, THE DEVELOPER SHALL PAY ADDITIONAL ROADWAY IMPACT FEES TO PAY FOR THE CONSTRUCTION COST OF ONE-WAY OF THE ROAD IMPROVEMENTS ADJACENT TO THEIR PROPERTY, NOT TO EXCEED THE DEVELOPER'S PROPORTIONAL SHARE.
 - ALL AUTOMATIC GATES ARE TO BE EQUIPPED WITH KNICK-NOTE SWITCH & MANUAL OVERRIDE PROVIDED, PROTECTED BY KNICK-LOCK LOCK. MAN ENTRY GATE WILL BE EQUIPPED WITH OPTICAL.

PARKING REQUIREMENT TABLE			
UNITS	NUMBER OF BEDROOMS	250	
NUMBER OF BEDROOMS	325		
PARKING REQUIRED			
REQUIRED RATIOS	NUMBER OF UNITS	REQUIRED PARKING	
1 PER EFFICIENCY	0	0 SPACES	
1.5 PER 1-BEDROOM	175	263 SPACES	
2 PER 2+ BEDROOM	75	150 SPACES	
TOTAL	413		
PARKING PROVIDED			
UNCOVERED STANDARD	251		
UNCOVERED COMPACT	75		
COVERED GARAGE	89		
TOTAL COVERED (39%)	164		
TOTAL	415		

BUILDING TABLE				
BUILDING	GROSS SQUARE FOOTAGE	HEIGHT OF BUILDING	NUMBER OF STORIES	FINISHED FLOOR ELEVATION
1	200,085	48'	3	504.00'
2	31,295	48'	3	502.00'
3	90,370	48'	3	503.00'

BENCHMARK				
BUILDING	GROSS SQUARE FOOTAGE	HEIGHT OF BUILDING	NUMBER OF STORIES	FINISHED FLOOR ELEVATION
1	200,085	48'	3	504.00'
2	31,295	48'	3	502.00'
3	90,370	48'	3	503.00'

8.00' 10.00' 12.00' 14.00' 16.00' 18.00' 20.00' 22.00' 24.00' 26.00' 28.00' 30.00' 32.00' 34.00' 36.00' 38.00' 40.00' 42.00' 44.00' 46.00' 48.00' 50.00' 52.00' 54.00' 56.00' 58.00' 60.00' 62.00' 64.00' 66.00' 68.00' 70.00' 72.00' 74.00' 76.00' 78.00' 80.00' 82.00' 84.00' 86.00' 88.00' 90.00' 92.00' 94.00' 96.00' 98.00' 100.00'

Kimley»Horn

901 CHERRY ST. UNIT 11, SUITE 1000
GARLAND, TEXAS 75042
PHONE: 972.701.1433 FAX: 972.228.3820
TEXAS REGISTERED PROFESSIONAL ENGINEER 0000000000

THE PRESLEY
ZION ROAD
GARLAND, TEXAS
CANE NO. 230323-1

SITE PLAN

SHEET NUMBER
C-02

DATE: 09-06-09



ZONING SUBMITTAL

PROJECT: THE PRESLEY

REALTY INVESTMENTS
—
GARLAND, TEXAS

PROJECT NO: 8523047

REVISION / ISSUANCE		
NO.	DESCRIPTION	DATE
1	ZONING SUBMITTAL	06.25.2023
2	CITY RESUBMITTAL	06.27.2023
3	CITY RESUBMITTAL	11.1.2023
4	CITY RESUBMITTAL	11.8.2023

DESIGNED BY: XX
DRAWN BY: XX
CHECKED BY: XX

SCALE

VERT: N/A
HORIZ: 1"=50'

0 25 50 100

LANDSCAPE PLAN - CASE NO. Z30323-1

SHEET NUMBER

L0-01

PLANT SCHEDULE						
SYMBOL	CODE	QTY	ISOTANICAL / COMMON NAME	MIN. CONT.	MIN. CL.	MIN. HT.
TREES						
	ACOR	22	Acacia gummifera Savanna Maple	CONT.	7' CL.	7' HT.
	HR	12	Grass 18-20' Native Grass Native Grass	CONT.	7' CL.	10' HT.
	QTH	24	Quercus virginiana Southern Live Oak	CONT.	7' CL.	10' HT.
	LEIR	18	Leucaena leucocephala Savanna Tree	CONT.	7' CL.	10' HT.
SHRUBS						
	ABER	127	Abies balsamea Savanna Shrub	7' CL.		14'-30'
	QTH	174	Quercus virginiana Southern Live Oak	7' CL.		14'-30'
	QTH	100	Quercus virginiana Southern Live Oak	7' CL.		14'-30'
	QTH	23	Quercus virginiana Southern Live Oak	7' CL.		14'-30'
GROUND COVERS						
	QTH	100	Quercus virginiana Southern Live Oak		10' CL.	
	QTH	100	Quercus virginiana Southern Live Oak		10' CL.	

*PLANT SCHEDULE TO INCLUDE BUT NOT LIMITED TO THE MATERIAL LISTED ABOVE. ALL PLANT MATERIAL TO BE FROM CITY APPROVED PLANT LIST.

SITE AREA - OVERALL SITE:			
TOTAL SITE AREA - OVERALL SITE	428,718 SQ. FT.	40% (171,495 SQ. FT.)	4% PROVIDED
LANDSCAPE AND OPEN SPACE	428,718 SQ. FT.	40% (171,495 SQ. FT.)	1% PROVIDED

LANDSCAPE BUFFER - OVERALL SITE:			
EAST INTERSTATE 40 - TWENTY FOOT BUFFER	300 LF	REQUIRED	PROVIDED TO CANOPY TREES AND 1% SHRUBS
BEAN ROAD - FIFTEEN FOOT BUFFER	300 LF	REQUIRED	PROVIDED TO CANOPY TREES

LEISURE AREA REQUIREMENT		
TOTAL LEISURE AREA	1000 SQ. FT.	PROVIDED

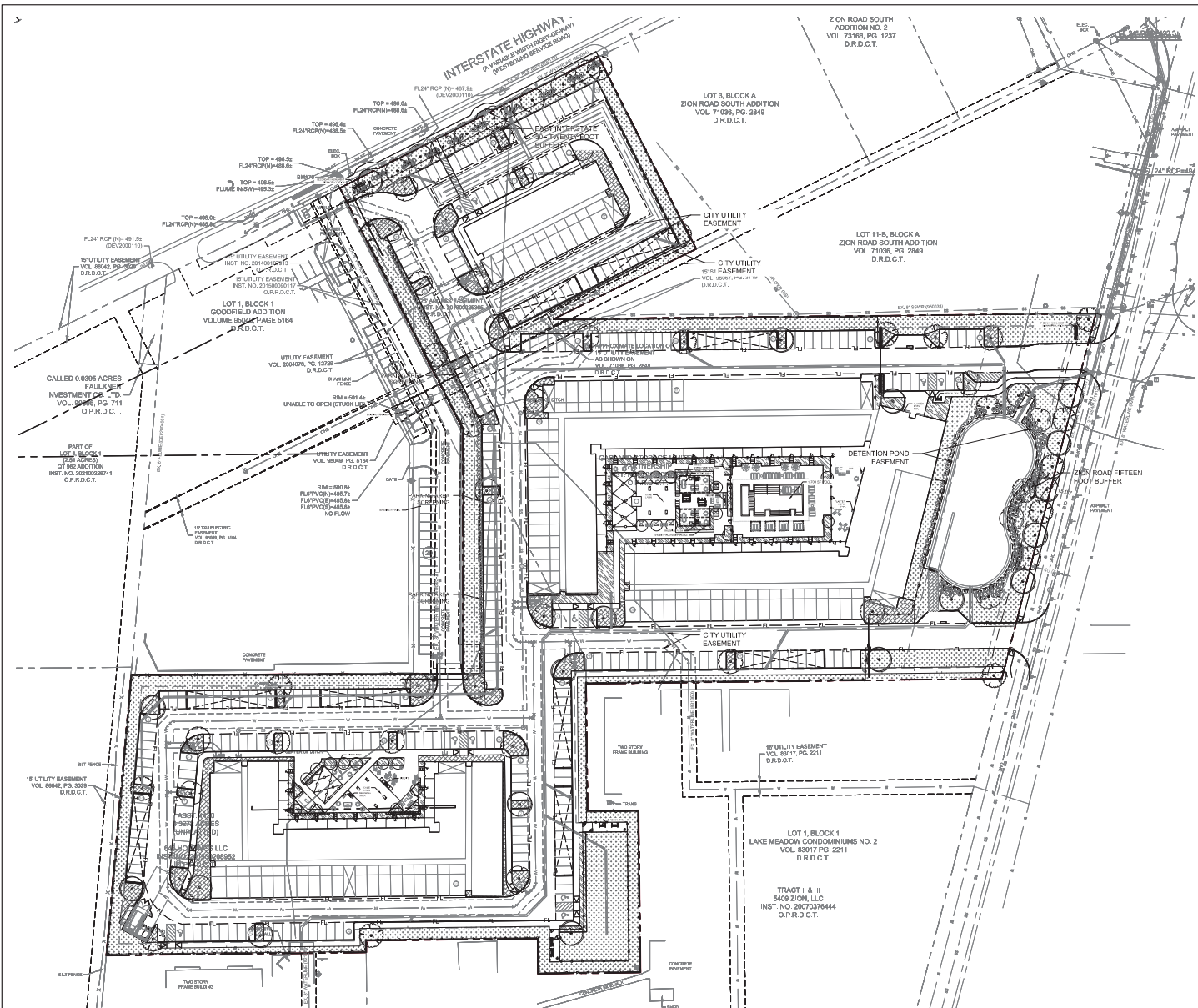
PARKING LOT LANDSCAPE REQUIREMENTS - OVERALL SITE:		
REQUIREMENT	REQUIRED	PROVIDED
LANDSCAPE ISLANDS	LANDSCAPE ISLANDS X 10' MUST BE LOCATED AT THE END OF EACH PARKING ROW. THE LANDSCAPE ISLAND MUST INCLUDE A CANOPY TREE.	YES
PARKING LOT TREES	THERE MUST BE MINIMUM OF ONE LARGE CANOPY TREE WITHIN EACH PARKING ROW. THE CANOPY TREE MUST BE PROVIDED EVERY TEN PARKING SPACES (10 PARKING SPACES = 10 TREES).	YES (TOTAL TREES PROVIDED = 70)
PARKING AREA SCREENING	PARKING LOTS ADJACENT TO PUBLIC STREETS SHOULD BE SCREENED WITH SHRUBS.	YES
REQUIREMENT	1% REQUIRED	4% PROVIDED
PARKING LANDSCAPE	1% (100' x 600' = 60,000 SQ. FT.)	10% (100' x 60' = 6,000 SQ. FT.)

NOTES

1. All Right of Way, easements and common areas must be indicated on general site plan. All easements with 100% coverage or other approved easement method.

2. All easements such as easements, bridges, above and below ground structures and/or easements must be approved by the City of Dallas and the City of Dallas.

3. All easements and Right of Way must be approved by the City of Dallas and the City of Dallas.



10' UTILITY EASEMENT VOL. 8842, PG. 3020 D.R.D.C.T.

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ARCHITECTURAL FEATURES

1	CANOPIES/ AWNINGS
2	DISPLAY WINDOWS
3	RECESSED ENTRY
4	VARIED ROOF HEIGHT
5	ORNAMENTAL FACADE TRIMS
6	BENCHES AND PLANTERS. REFER TO LANDSCAPE

MATERIAL LEGEND

A	BRICK - COLOR 1
B	BRICK - COLOR 2
C	BRICK - COLOR 3
D	STUCCO - COLOR 1
E	STUCCO - COLOR 2
F	STUCCO - COLOR 3



DESIGN BALANCE, INC.
2701 SUNSET RIDGE DR.
SUITE 607H
ROCKWALL, TX 75082
214.668.2306

OWNER:



REALTY INVESTMENTS
1920 MCKINNEY AVE.
7TH FLOOR
DALLAS, TX 75201

RIV ZION
GARLAND, TX

CASE: 230323-1

SEAL:

PROJECT NUMBER:

23008

DATE ISSUED:

08/28/2023

REVISIONS:

Z1 CITY COMMENTS 9/27/23

SHEET TITLE:

BUILDING 1
ELEVATIONS

SHEET NAME:

A-001

3 BUILDING 1 - EAST ELEVATION
3/32" = 1'-0"

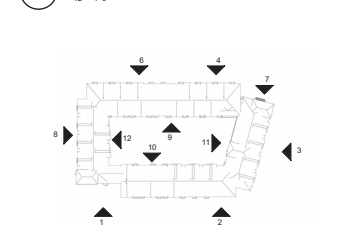


2 BUILDING 1 - SOUTH ELEVATION
3/32" = 1'-0"

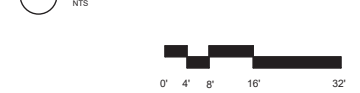


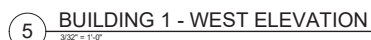
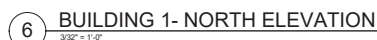
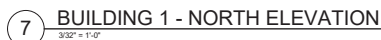
1 BUILDING 1 - SOUTH ELEVATION
3/32" = 1'-0"

LOCATION MAP
12" = 1'-0"









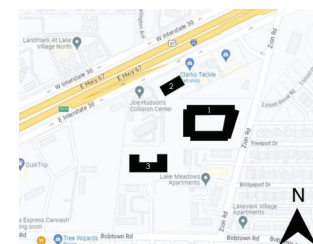
KEY MAP C
NTS



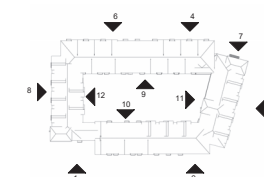


ARCHITECTURAL FEATURES	
1	CANOPIES/ AWNINGS
2	DISPLAY WINDOWS
3	RECESSED ENTRY
4	VARIED ROOF HEIGHT
5	ORNAMENTAL FACADE TRIMS
6	BENCHES AND PLANTERS. REFER TO LANDSCAPE

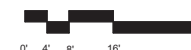
MATERIAL LEGEND	
A	 BRICK - COLOR 1
B	 BRICK - COLOR 2
C	 BRICK - COLOR 3
D	 STUCCO - COLOR 1
E	 STUCCO - COLOR 2
F	 STUCCO - COLOR 3



 LOCATION MAP
12" = 1'-0"



 KEY MAP C



DESIGN BALANCE, INC.
2701 SUNSET RIDGE DR.
SUITE 607H
ROCKWALL, TX 75032
214.668.2306

OWNER:



REALTY INVESTMENTS
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7TH FLOOR
DALLAS, TX 75201

RIV ZION
GARLAND, TX

CASE: 230323-1

SEAL:

PROJECT NUMBER:
23008

DATE ISSUED:
08/28/2023

REVISIONS:		
Z1	CITY COMMENTS	9/27/23

SHEET TITLE:

BUILDING 1 ELEVATIONS

SHEET NAME:

A-002



8 BUILDING 1 - WEST ELEVATION
3/32" = 1'-0"

ARCHITECTURAL FEATURES

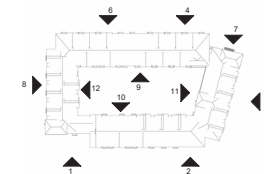
1	CANOPIES/ AWNINGS
2	DISPLAY WINDOWS
3	RECESSED ENTRY
4	VARIED ROOF HEIGHT
5	ORNAMENTAL FACADE TRIMS
6	BENCHES AND PLANTERS. REFER TO LANDSCAPE

MATERIAL LEGEND

A	BRICK - COLOR 1
B	BRICK - COLOR 2
C	BRICK - COLOR 3
D	STUCCO - COLOR 1
E	STUCCO - COLOR 2
F	STUCCO - COLOR 3



LOCATION MAP
1/2" = 1'-0"



KEY MAP C
NTS



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SUITE 607H
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OWNER:



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RIV ZION
GARLAND, TX

CASE: 230323-1

SEAL:

PROJECT NUMBER:
23008

DATE ISSUED:
08/28/2023

REVISIONS:
Z1 CITY COMMENTS 9/27/23

SHEET TITLE:

BUILDING 1
ELEVATIONS

SHEET NAME:

A-003



11 BUILDING 1 - COURTYARD ELEVATION
3/32" = 1'-0"



12 BUILDING 1 - COURTYARD ELEVATION
3/32" = 1'-0"



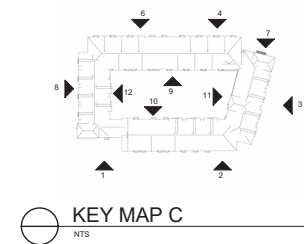
10 BUILDING 1 - COURTYARD ELEVATION
3/32" = 1'-0"



9 BUILDING 1 - COURTYARD ELEVATION
3/32" = 1'-0"

ARCHITECTURAL FEATURES	
1	CANOPIES/ AWNINGS
2	DISPLAY WINDOWS
3	RECESSED ENTRY
4	VARIED ROOF HEIGHT
5	ORNAMENTAL FACADE TRIMS
6	BENCHES AND PLANTERS. REFER TO LANDSCAPE

MATERIAL LEGEND	
A	BRICK - COLOR 1
B	BRICK - COLOR 2
C	BRICK - COLOR 3
D	STUCCO - COLOR 1
E	STUCCO - COLOR 2
F	STUCCO - COLOR 3



DESIGN BALANCE, INC.
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RIV ZION
GARLAND, TX
CASE: 230323-1

SEAL:

PROJECT NUMBER:
23008

DATE ISSUED:
08/28/2023

REVISIONS:

SHEET TITLE:
BUILDING 1
ELEVATIONS

SHEET NAME:
A-004



OVERALL LENGTH - 159'-0"
MIN. VERTICAL ARTICULATION (20%) - 38'-8"
ARTICULATION PROVIDED - 136'-9"



16 BUILDING 2 - WEST ELEVATION
3/32" = 1'-0"

OVERALL LENGTH - 159'-0"
MIN. ARTICULATION (30%) - 47'-8"
ARTICULATION PROVIDED - 54'-7"

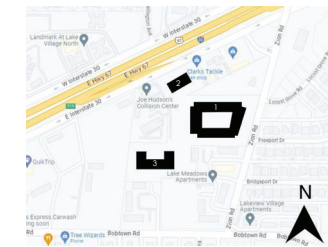
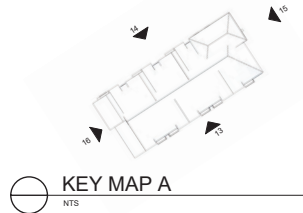
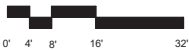


15 BUILDING 2 - EAST ELEVATION
3/32" = 1'-0"

14 BUILDING 2 - NORTH ELEVATION
3/32" = 1'-0"



13 BUILDING 2 - SOUTH ELEVATION
3/32" = 1'-0"



ARCHITECTURAL FEATURES	
1	CANOPIES/ AWNINGS
2	DISPLAY WINDOWS
3	RECESSED ENTRY
4	VARIED ROOF HEIGHT
5	ORNAMENTAL FACADE TRIMS
6	BENCHES AND PLANTERS, REFER TO LANDSCAPE

MATERIAL LEGEND	
A	BRICK - COLOR 1
B	BRICK - COLOR 2
C	BRICK - COLOR 3
D	STUCCO - COLOR 1
E	STUCCO - COLOR 2
F	STUCCO - COLOR 3



DESIGN BALANCE, INC.
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OWNER:



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DALLAS, TX 75201

RIV ZION
GARLAND, TX

CASE: 230323-1

SEAL:

PROJECT NUMBER:
23008

DATE ISSUED:
08/28/2023

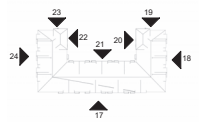
REVISIONS:

SHEET TITLE:
**BUILDING 2
ELEVATIONS**

SHEET NAME:
A-005



20 BUILDING 3 - WEST ELEVATION
3/32" = 1'-0"



KEY MAP B
NTS



LOCATION MAP
1/2" = 1'-0"

ARCHITECTURAL FEATURES

1	CANOPIES/ AWNINGS
2	DISPLAY WINDOWS
3	RECESSED ENTRY
4	VARIED ROOF HEIGHT
5	ORNAMENTAL FACADE TRIMS
6	BENCHES AND PLANTERS. REFER TO LANDSCAPE

MATERIAL LEGEND

A	BRICK - COLOR 1
B	BRICK - COLOR 2
C	BRICK - COLOR 3
D	STUCCO - COLOR 1
E	STUCCO - COLOR 2
F	STUCCO - COLOR 3



18 BUILDING 3 - EAST ELEVATION
3/32" = 1'-0"



19 BUILDING 3 - NORTH ELEVATION
3/32" = 1'-0"

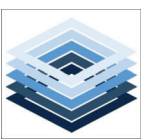


17 BUILDING 3 - SOUTH ELEVATION
3/32" = 1'-0"



DESIGN BALANCE, INC.
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RIV ZION
GARLAND, TX

CASE: 230323-1

SEAL:

PROJECT NUMBER:
23008

DATE ISSUED:
08/28/2023

REVISIONS:	
1	CITY COMMENTS 9/27/23

SHEET TITLE:
**BUILDING 3
ELEVATIONS**

SHEET NAME:
A-006



24 BUILDING 3 - WEST ELEVATION
3/32" = 1'-0"



22 BUILDING 3 - EAST ELEVATION
3/32" = 1'-0"



23 BUILDING 3 - NORTH ELEVATION
3/32" = 1'-0"



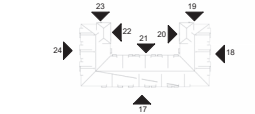
21 BUILDING 3 - NORTH ELEVATION
3/32" = 1'-0"

ARCHITECTURAL FEATURES	
1	CANOPIES/ AWNINGS
2	DISPLAY WINDOWS
3	RECESSED ENTRY
4	VARIED ROOF HEIGHT
5	ORNAMENTAL FACADE TRIMS
6	BENCHES AND PLANTERS. REFER TO LANDSCAPE

MATERIAL LEGEND	
A	BRICK - COLOR 1
B	BRICK - COLOR 2
C	BRICK - COLOR 3
D	STUCCO - COLOR 1
E	STUCCO - COLOR 2
F	STUCCO - COLOR 3



LOCATION MAP
1/2" = 1'-0"

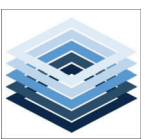


KEY MAP B
3/32" = 1'-0"



DESIGN BALANCE, INC.
2701 SUNSET RIDGE DR.
SUITE 607H
ROCKWALL, TX 75032
214.668.2306

OWNER:



REALTY INVESTMENTS
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7TH FLOOR
DALLAS, TX 75201

RIV ZION
GARLAND, TX

CASE: 230323-1

SEAL:

PROJECT NUMBER:
23008

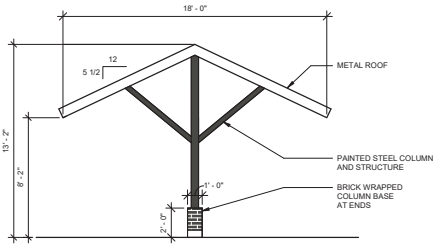
DATE ISSUED:
08/28/2023

REVISIONS:		
Z1	CITY COMMENTS	9/27/23

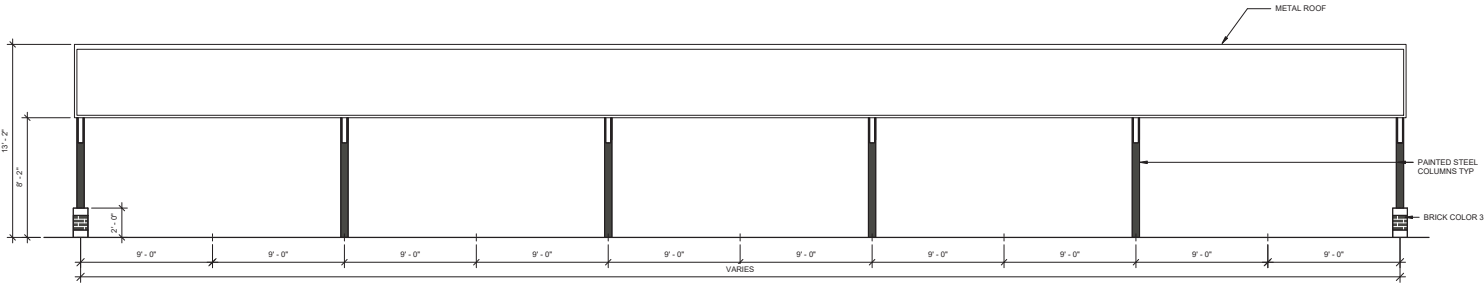
SHEET TITLE:
BUILDING 3
ELEVATIONS

SHEET NAME:
A-007

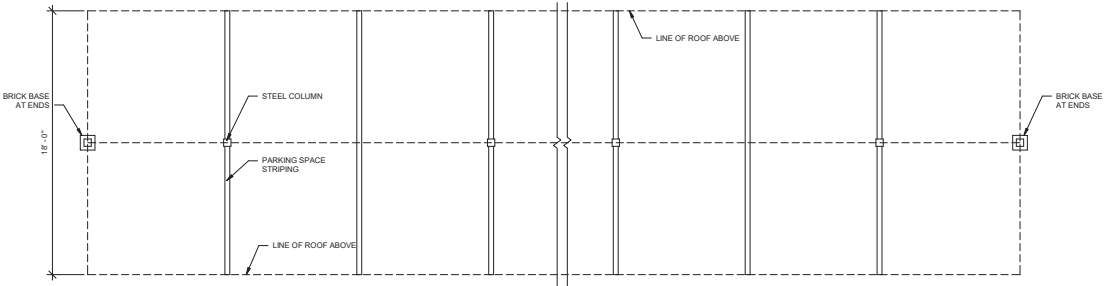
MATERIAL LEGEND	
A	BRICK - COLOR 1
B	BRICK - COLOR 2
C	BRICK - COLOR 3
D	STUCCO - COLOR 1
E	STUCCO - COLOR 2
F	STUCCO - COLOR 3



SECTION SINGLE BAY



FRONT ELEVATION



PLAN



DESIGN BALANCE, INC.
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DALLAS, TX 75201

RIV ZION
GARLAND, TX

CASE: 230323-1

SEAL:

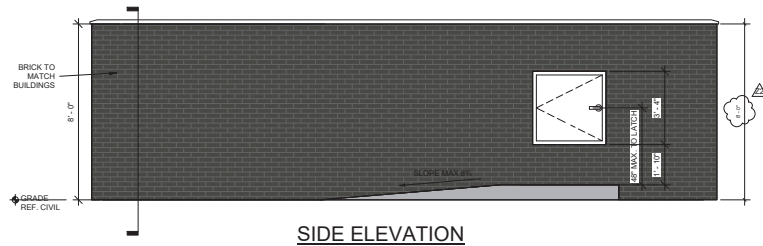
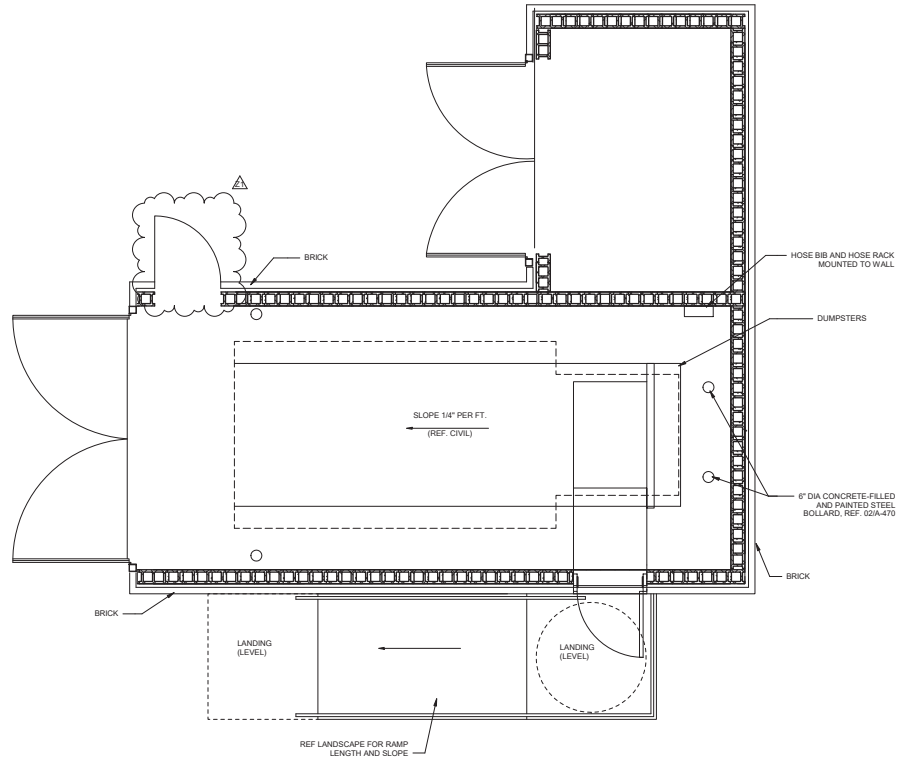
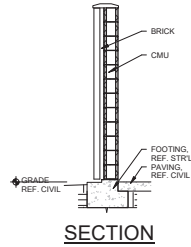
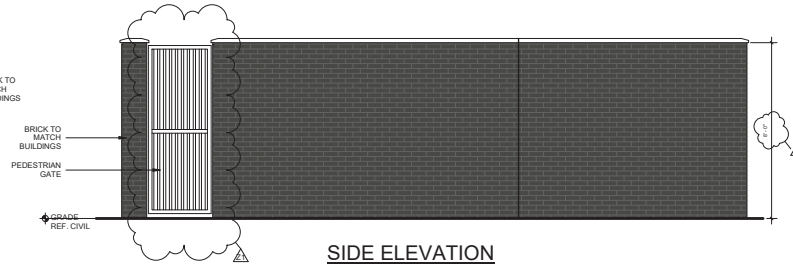
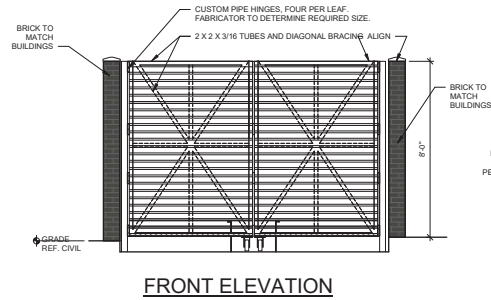
PROJECT NUMBER:
23008

DATE ISSUED:
08/28/2023

REVISIONS:

SHEET TITLE:
CARPORTS

SHEET NAME:
A-008



DESIGN BALANCE, INC.
2701 SUNSET RIDGE DR.
SUITE 607H
ROCKWALL, TX 75032
214.668.2306

OWNER:



REALTY INVESTMENTS
1920 MCKINNEY AVE.
7TH FLOOR
DALLAS, TX 75201

RIV ZION
GARLAND, TX

CASE: 230323-1

SEAL:

PROJECT NUMBER:
23008

DATE ISSUED:
08/28/2023

REVISIONS:		
Z1	CITY COMMENTS	9/27/23
Z2	CITY COMMENTS	10/01/23

SHEET TITLE:

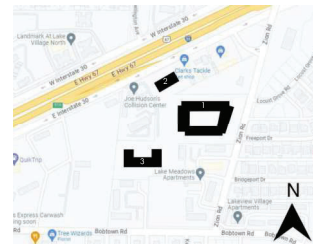
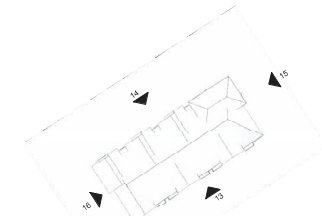
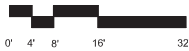
TRASH
ENCLOSURES

SHEET NAME:

A-009



OVERALL LENGTH - 159'-0"
MIN. ARTICULATION (30%) - 47'-8"
ARTICULATION PROVIDED - 54'-7"



ARCHITECTURAL FEATURES	
1	CANOPIES/ AWNINGS
2	DISPLAY WINDOWS
3	RECESSED ENTRY
4	VARIED ROOF HEIGHT
5	ORNAMENTAL FACADE TRIMS
6	BENCHES AND PLANTERS, REFER TO LANDSCAPE

MATERIAL LEGEND	
A	BRICK - COLOR 1
B	BRICK - COLOR 2
C	BRICK - COLOR 3
D	STUCCO - COLOR 1
E	STUCCO - COLOR 2
F	STUCCO - COLOR 3



DESIGN BALANCE, INC.
2701 SUNSET RIDGE DR.
SUITE 607H
ROCKWALL, TX 75032
214.668.2306

OWNER:



REALTY INVESTMENTS
1920 MCKINNEY AVE.
7TH FLOOR
DALLAS, TX 75201

RIV ZION
GARLAND, TX

CASE: 230323-1

SEAL:

PROJECT NUMBER:
23008

DATE ISSUED:
08/28/2023

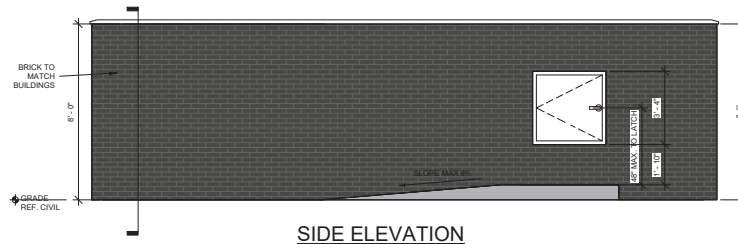
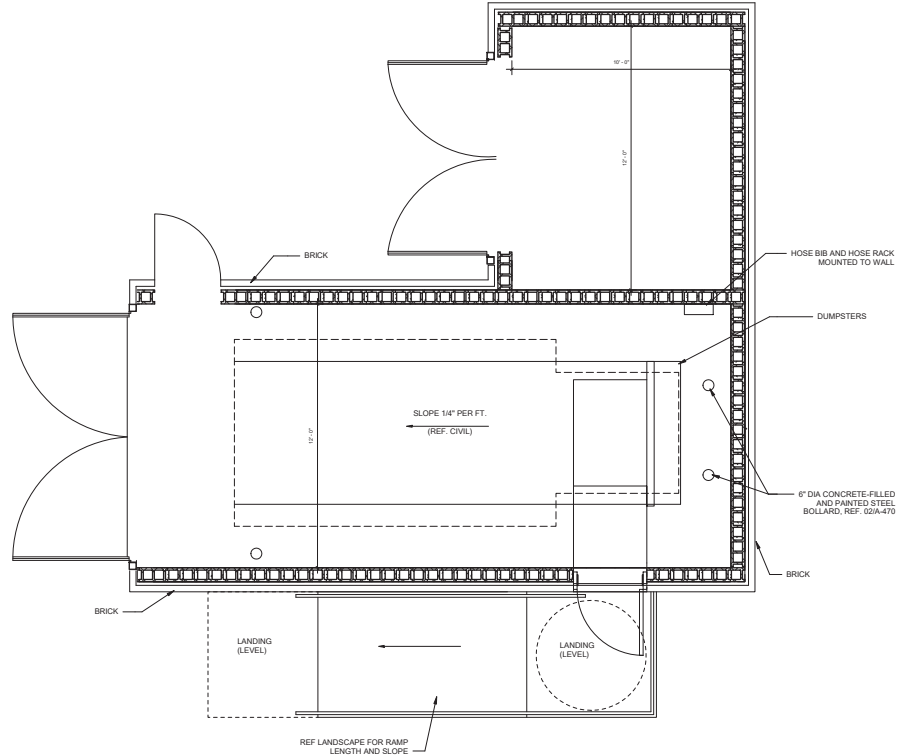
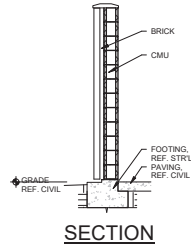
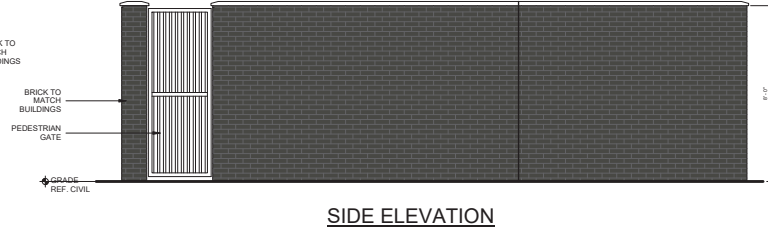
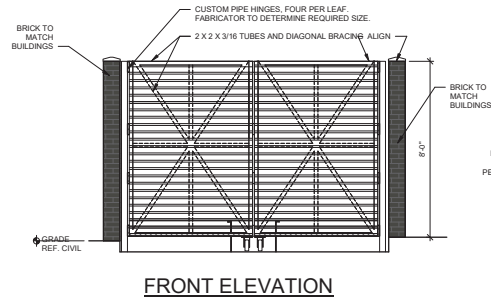
REVISIONS:

SHEET TITLE:

BUILDING 2
ELEVATIONS

SHEET NAME:

A-005



DESIGN BALANCE, INC.
2701 SUNSET RIDGE DR.
SUITE 607H
ROCKWALL, TX 75032
214.668.2306

OWNER:



REALTY INVESTMENTS
1920 MCKINNEY AVE.
7TH FLOOR
DALLAS, TX 75201

RIV ZION
GARLAND, TX

CASE: 230323-1

SEAL:

PROJECT NUMBER:
23008

DATE ISSUED:
08/28/2023

REVISIONS:

SHEET TITLE:

TRASH
ENCLOSURES

SHEET NAME:

A-009

REPORT & MINUTES

P.C. Meeting, December 11, 2023

3b. APPROVED Consideration of the application of **Realty investments C/o Maxwell Fisher**, requesting approval of 1) a Change in Zoning from Light Commercial (LC) District to a Planned Development (PD) District for Multi-Family-2 and Live/Work Uses and 2) a Detail Plan for a multi-family and live/work development. This property is located at 630 East Interstate 30 Freeway and 5305 Zion Road. (District 3) (File Z 23-36).

The applicant, Maxwell Fisher, 2502 Grandview Drive, Richardson, TX 75080, provided an overview of the request and remained available for questions.

Commissioner Dalton asked the applicant if he was aware of the entrance ramp from I-30 that might become available in the future to be used as an entrance point to the development.

The applicant stated that he was not aware of the ramp becoming available. Commissioner Paris asked the applicant what type of retail space might they consider for the space on the first floor.

The applicant clarified that the space as they envision it would be used not so much for retail but as general office space.

Chairman Roberts asked staff if the decision would be made administratively to go from the 5 proposed live/work areas to 4 or vic versa.

Staff clarified that the draft PD Conditions actually state that a maximum of 5 live/work units are allowed.

Commissioner Jenkins asked staff if the draft ordinance could reflect non-uses such as convenience stores, sexual-oriented businesses, as well as hotel/motel limited services. Staff clarified that convenience stores and sexual oriented businesses are completely different land use classifications and could not be classified under general office land use per the GDC.

Commissioner Jenkins asked the applicant if the developer has any intent to encourage prospective tenants that the work/live spaces get filled or is the process more of a "first-come" "first-serve" approach. He also asked about there being any concerns regarding after-hours operations.

The applicant clarified that they will be intentional in identifying tenants that already have a business in place. In regard to the business hours, the applicant will be mindful of not leasing the spaces to anyone that will be conducting their business late at night.

Chair Roberts asked the applicant about any signage for the live/work spaces.

The applicant explained that their desire is not to have the live/work spaces look like retail and take away from the residential design, so there will be no building signage. The applicant further explained that they are limited to a monument sign at the entrance.

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

Commissioner Paris expressed her desire to make a motion but wanted to clarify whether the applicant would be permitted four or five live/work spaces as well as clarify the language for the retail use.

Staff clarified that the PD Conditions language limits the use to retail use, personal service and office use.

Motion was made by Commissioner Paris to **approve** the application as presented with the provision that up to five live/work units could be put in. Seconded by Commissioner Jenkins.

There was discussion between the Commissioners as to whether because the language reads "up to five," if the applicant could essentially not put any live/work units in the development. The Commissioners also inquired about a functional difference between a residential unit and a live/work unit from the perspective of the code.

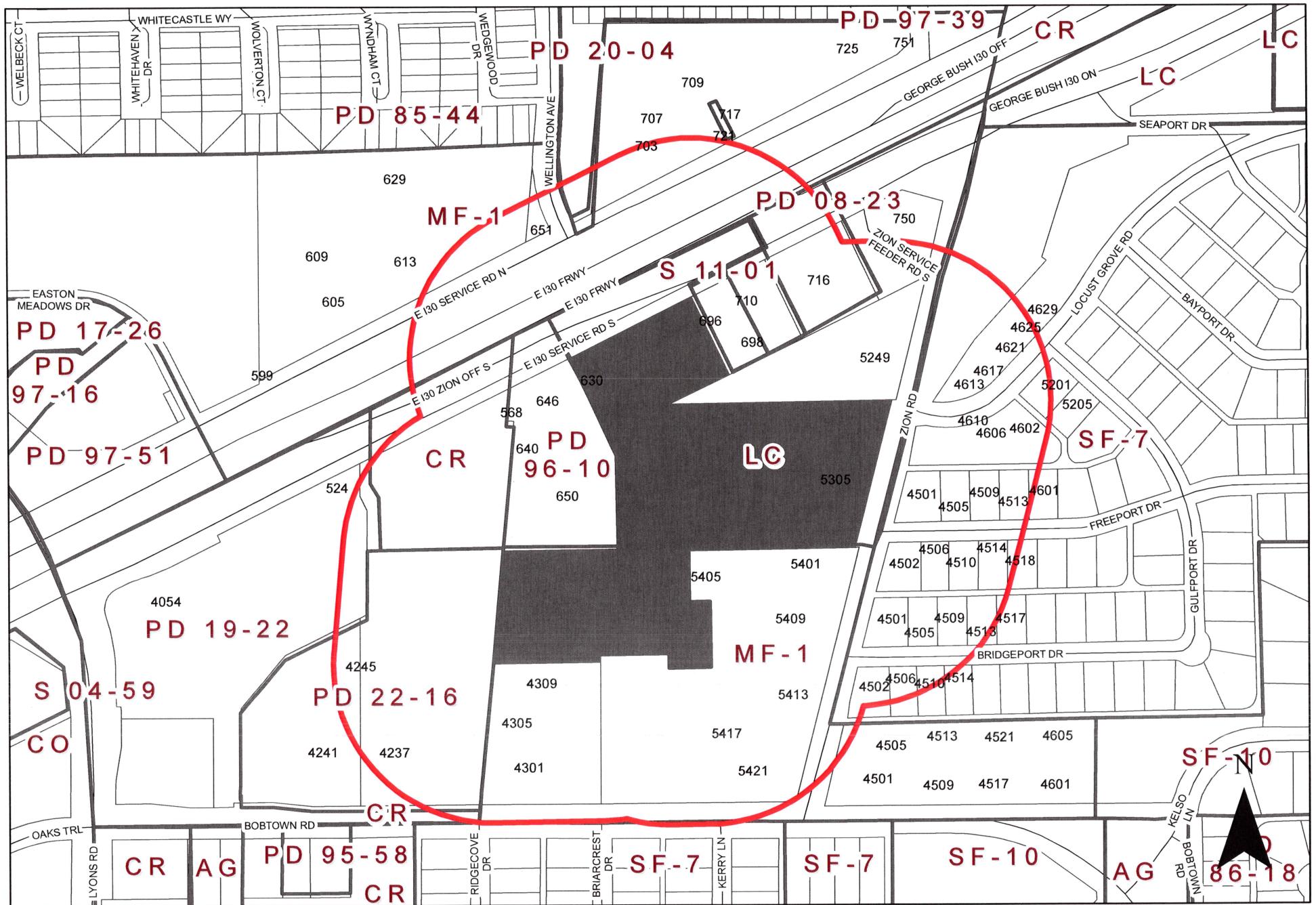
Chair Roberts explained that in regards to a difference in the building code he did have to provide a special rating between the commercial and residential portion of the unit.

Commissioner Aubin clarified that his concern involves having the make the applicant come back before the Commission if the live/work concept does not work and have to request permission to make the units solely residential.

The applicant clarified that they would like to have flexibility in regards to the live/work spaces so that they would not have to come back before the Commission.

Commissioner Paris clarified that for the mixed use component to remain, if the applicant could be asked to have a minimum of one and maximum of five live/work units.

Motion was made by Commissioner Paris to **approve** the application as presented with the provision that the live/work component be one to five units. Seconded by Commissioner Jenkins. **Motion carried: 8 Ayes, 0 Nays.**



0 210 420 Feet
1 inch = 315 feet

ZONING MAP Z 23-36

INDICATES AREA OF REQUEST INDICATES NOTIFICATION AREA

630 East Interstate 30 Freeway and 5305 Zion Road

Zoning Response Case Comments

Case Number	PC Hearing Date	CC Hearing Date	Planner Name
Z 23-36	December 11, 2023	January 9, 2024	Nabiha Ahmed

Z 23-36 Realty Investments C/o Maxwell Fisher. The applicant proposes to construct 250 multi-family dwelling units, including 5 live/work units. The site is located at 5305 Zion Road and 630 East Interstate 30 Freeway. (District 3)

Maritza Hernandez
12/13/2023
5:10:23 AM

Against

4602 Bridgeport Dr

Vergamaritza04@gmail.com

Garland

2549814944

Texas

United States

75043

Outside the Notification Area

To many apartments, not enough roads.



GARLAND

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The applicant proposes to construct 250 multi-family dwelling and live/work units.

City Council Meeting

January 9, 2024

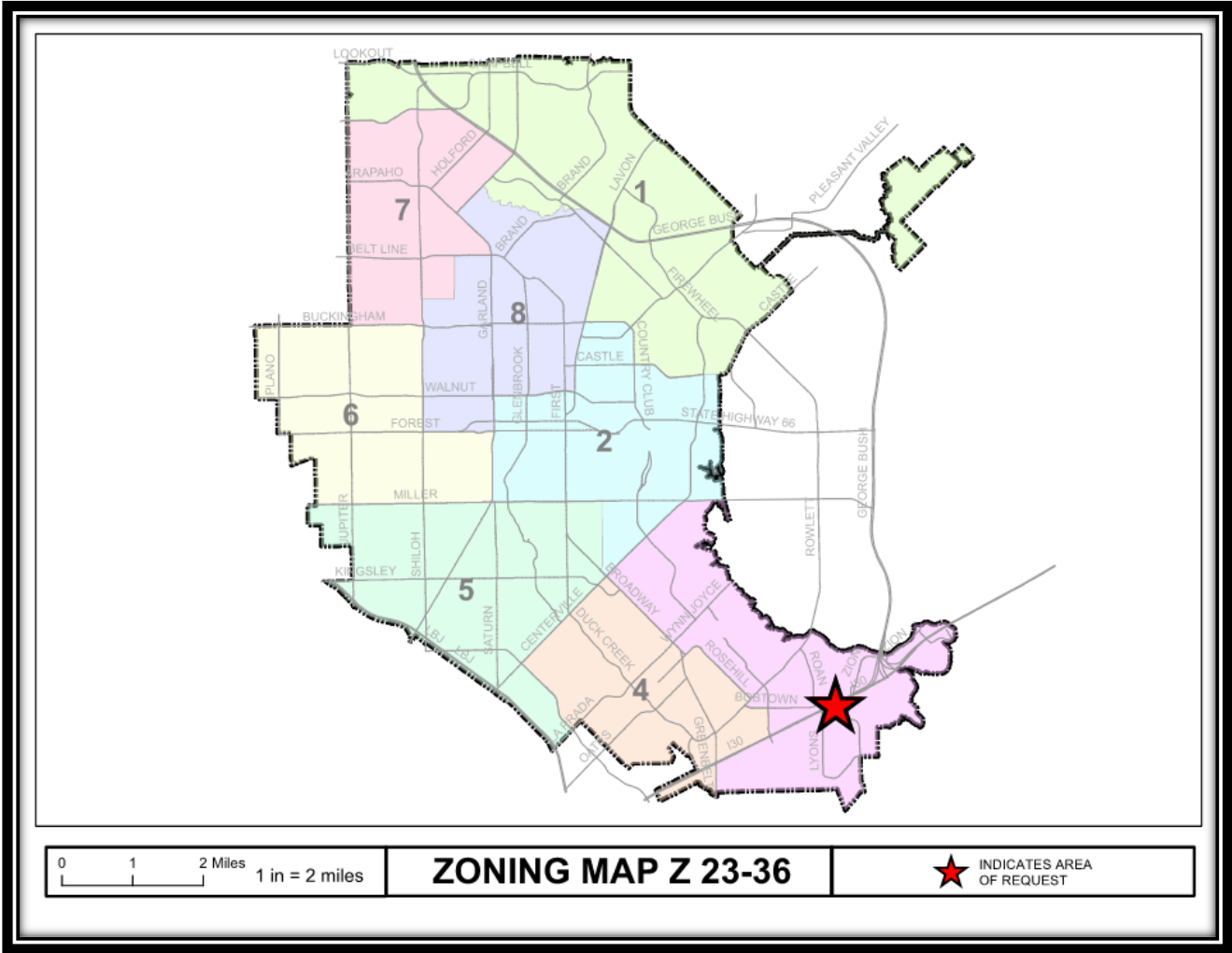
Z 23-36

CASE INFORMATION

Location:	5305 Zion Road and 630 East Interstate 30 Freeway
Applicant:	Realty Investments C/o Maxwell Fisher
Owner:	646 Holdings LLC/Garland Storage Limited Partners
Acreage:	9.865 acres
Zoning:	Light Commercial (LC) District

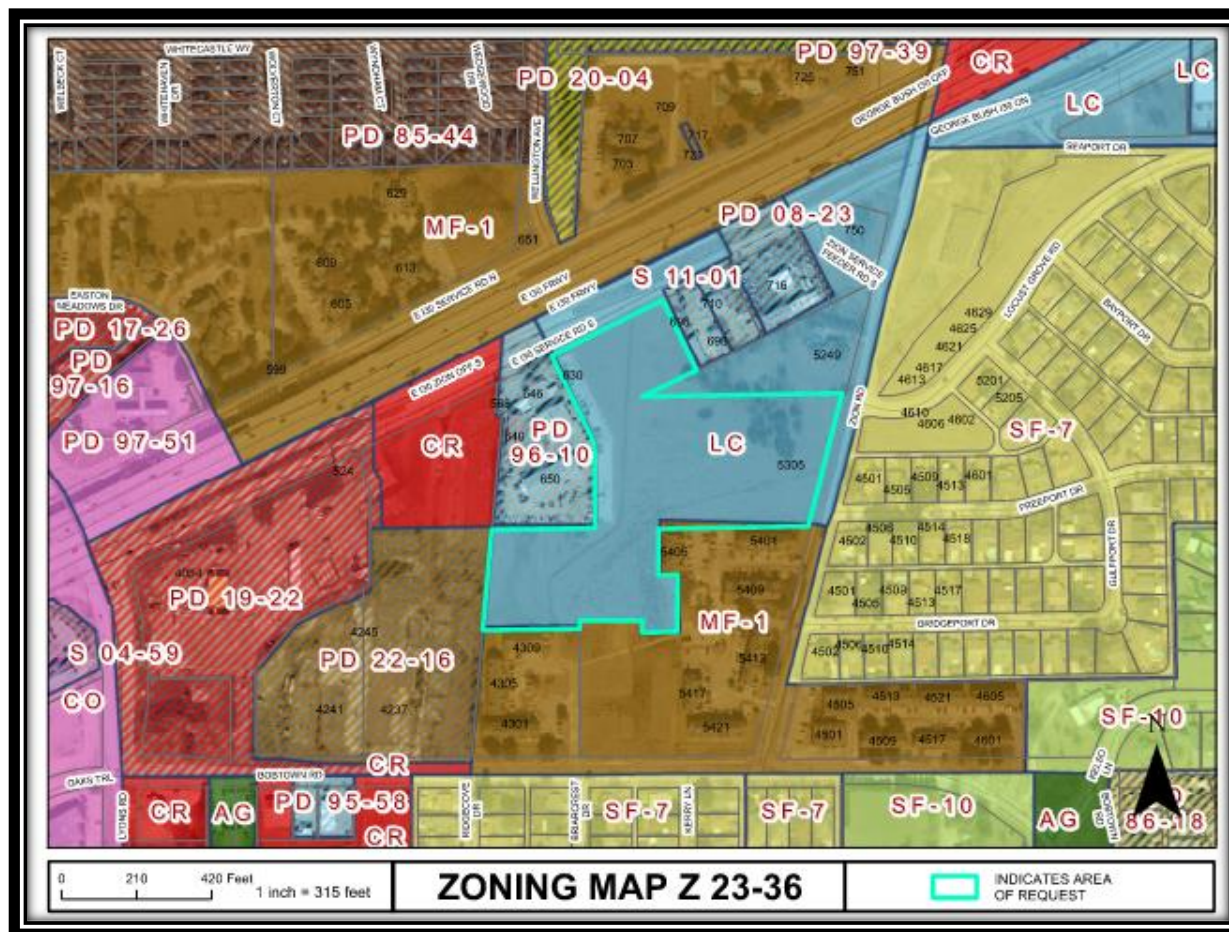


CITYWIDE LOCATION MAP





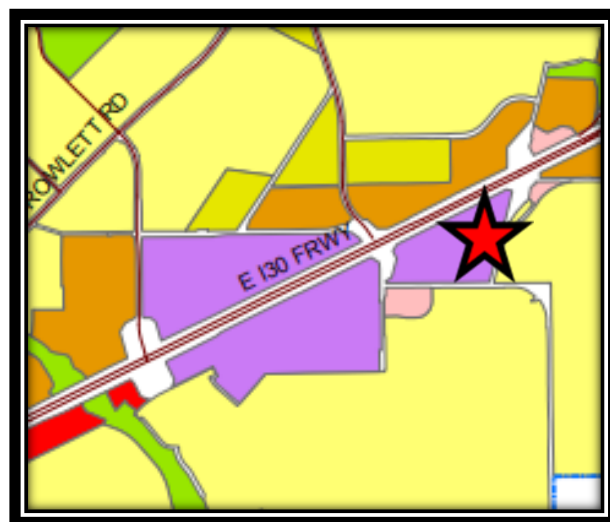
Z 23-36





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COMPREHENSIVE PLAN



Z 23-36

COMPREHENSIVE PLAN

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

In addition, the I-30 Corridor Catalyst Area Plan recommends that new housing options will benefit the area and there is an opportunity for infill residential development including higher densities.

Per the applicant's narrative, "the location, odd-shape of site, and its limited access/frontage on IH-30 Service Road make commercial uses infeasible for the property. A residential, infill development will further support business and commercial enterprises on better suited sites in the sub-market.

Moreover, the properties to the south and southwest are developed, or will be developing with multi-family residential communities, aligning with the development fabric."

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 will provide additional housing to the area, including live/work opportunities.



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PHOTOS



View of the subject property



View of the property looking north of Zion Road

Z 23-36



GARLAND
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PHOTOS



North of the subject property from East Interstate 30 Freeway



East of the subject property

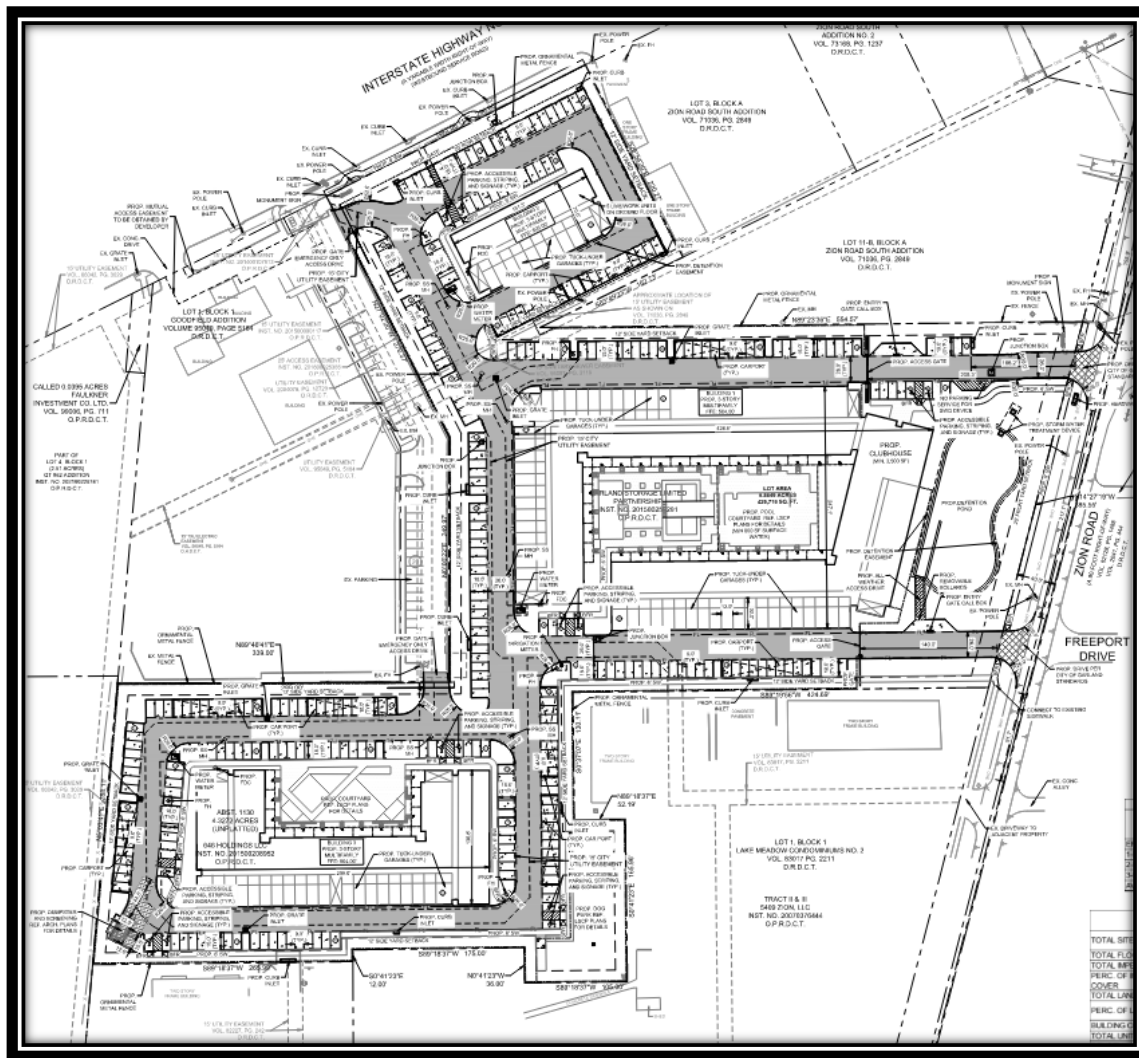
Z 23-36



GARLAND

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SITE PLAN



Z 23-36



LANDSCAPE PLAN





GARLAND
TEXAS MADE HERE

BUILDING ELEVATIONS



Z 23-36



GARLAND
TEXAS MADE HERE

BUILDING ELEVATIONS



Z 23-36



GARLAND
TEXAS MADE HERE

BUILDING ELEVATIONS



Z 23-36



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TEXAS MADE HERE

BUILDING ELEVATIONS



Z 23-36



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TEXAS MADE HERE

BUILDING ELEVATIONS



Z 23-36



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BUILDING ELEVATIONS



Z 23-36



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BUILDING ELEVATIONS



Z 23-36



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BUILDING ELEVATIONS



Z 23-36



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BUILDING ELEVATIONS



Z 23-36



GARLAND
TEXAS MADE HERE

BUILDING ELEVATIONS



Z 23-36



PLANNED DEVELOPMENT

The applicant requests a Planned Development (PD) District to accommodate a multi-family development including a small mixed-use component consisting of five (5) live work units. The only other flexible standard the applicant requests is the landscape/open space percentage (37%).

Benefits through the PD ordinance include:

- Unique development including a mixed-use component
- Special frontage facing I-30
- Urban infill development, adding residents to area
- Alignment with Economic Development Strategic Plan and I-30 Corridor Catalyst Area Plan



STAFF RECOMMENDATION

Approval of 1) a Change in Zoning from Light Commercial (LC) District to a Planned Development (PD) District for Multi-Family-2 (MF-2) Uses and 2) a Detail Plan for multi-family development.

The proposal offers a unique development that includes a live-work component, and gives special attention to the view from I-30, providing the northern Building 2 frontage a more enhanced “retail” type design.

PLAN COMMISSION RECOMMENDATION

On December 11, 2023 the Plan Commission, by a vote of eight (8) to zero (0) recommended approval of 1) a Change in Zoning from Light Commercial (LC) District to a Planned Development (PD) District for Multi-Family-2 (MF-2) and Live/Work Uses and 2) a Detail Plan for a multi-family and live/work development, with the condition to require a minimum of one (1) live/work unit and a maximum of five (5) live/work units in Building 2.



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GARLAND

PLANNING REPORT

2024 City Council Regular Session

15. c.

Meeting Date: 01/09/2024

Item Title: Z 23-42 Matt Drahos (District 2)

Submitted By: Matthew Wolverton, Development Planner

REQUEST

Approval of 1) a Specific Use Provision for Automobile Sales, New or Used on a property zoned Industrial (IN) District and 2) a Plan for Automobile Sales, New or Used.

LOCATION

421 East Walnut Street

OWNER

Coma Properties LLC

PLAN COMMISSION RECOMMENDATION

On December 11, 2023 the Plan Commission, by a vote of eight (8) to zero (0), recommended approval of 1) a Specific Use Provision for Automobile Sales, New or Used on a property zoned Industrial (IN) District and 2) a Plan for Automobile Sales, New or Used, with the condition that automobiles for sale shall be displayed and stored indoors only.

STAFF RECOMMENDATION

Denial of 1) a Specific Use Provision for Automobile Sales, New or Used on a property zoned Industrial (IN) District and 2) a Plan for Automobile Sales, New or Used.

Staff finds the request does not align with the Comprehensive Plan and Economic Development Strategic Plan.

BACKGROUND

The site contains an existing 21,902 square-foot building from which the applicant operates the auto repair center. The building contains 17 bay doors and a large space to store automobiles.

The applicant requests to allow Automobile Sales, New or Used as an addition to the existing permitted repair use. The current business is auto repair for custom cars, sports cars, and other car enthusiasts according to the applicant. The applicant contends that the business does not repair "every day" cars that break down or need an oil change. Occasionally, clients abandon or sell their cars to the shop when the cost to repair becomes too great. The applicant would like to sell these cars to other "car enthusiasts" as an ancillary business. There would also be no proposed signage indicating that automobiles are sold on site. No further modifications will be made to the structure.

SITE DATA

The subject property contains 1.58 acres and is accessed from two points along East Walnut Street, as well as one point along Walnut Circle East.

CAPTION

Consider a request by Matt Drahos proposing to add automobile sales to the existing automobile repair facility. The site is located at 421 East Walnut Street in District 2.

Consider and take appropriate action of the application of Matt Drahos, requesting approval of 1) a Specific Use Provision for an Automobile Sales, New or Used on a property zoned Industrial (IN) District and 2) a Plan for Automobile Sales, New or Used. This property is located at 421 East Walnut Street. (District 2) (File Z 23-42)

USE OF PROPERTY UNDER CURRENT ZONING

The subject property is zoned Industrial (IN) District. A Specific Use Provision (SUP) is required for Automobile Sales, New or Used in this zoning district. The current site is developed as an auto repair business, which is allowed by right in the Industrial (IN) District, with 17 bay doors and space to store cars inside and outside, behind the building.

CONSIDERATIONS

Specific Use Provision:

1. The applicant requests to allow the Automobile Sales, New or Used Use, which requires a Specific Use Provision in the Industrial (IN) District.
2. There are no site changes proposed with this request. Therefore, this request does not trigger any screening and landscaping standards or building design standards.
3. The applicant proposes that five (5) automobiles will be available for sale at one time on the property. The applicant concurs with the Plan Commission's recommendation to keep vehicles for sale stored and displayed indoors only.
4. The applicant requests the SUP to be valid of a time period of three (3) years. The draft SUP Conditions limit the site to a maximum of five (5) automobiles for sale on site, indoors only, and with a 3-year SUP time period.

COMPREHENSIVE PLAN

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

ECONOMIC DEVELOPMENT

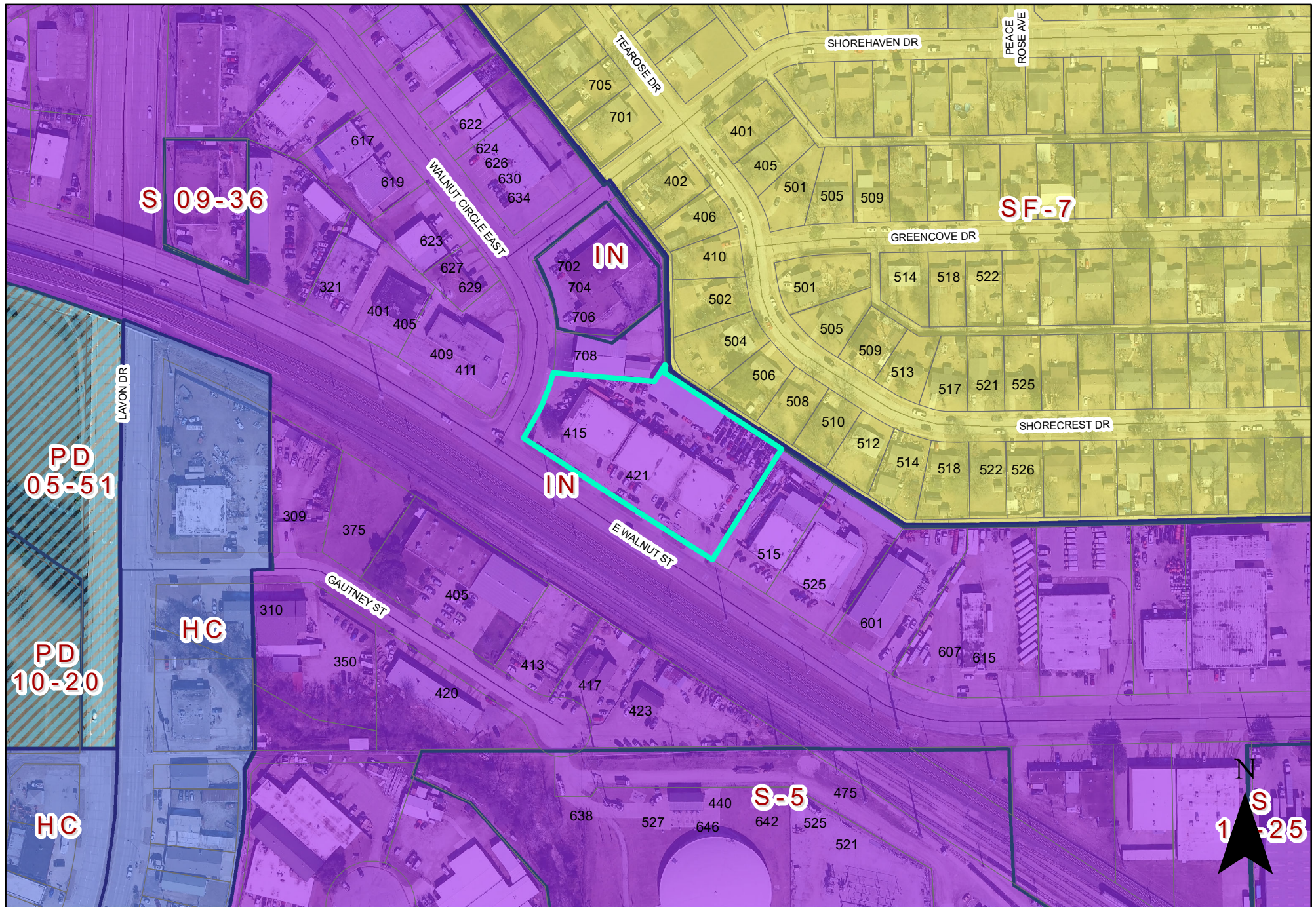
Per the Economic Development Strategic Plan, consideration should be given to whether adding automotive-related uses such as Automobile Sales that require zoning changes are the best use of land. The Plan recommends being selective on land use requests requiring re-zonings such as SUP's. The proposal would not be anticipated to add sales tax.

COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

The subject property is located within a larger industrial area containing auto repair and other light industrial uses. However, behind the subject property to the northeast are single-family homes zoned Single-Family-7 (SF-7) District.

Attachments

Z 23-42 Location Map
Z 23-42 SUP Conditions
Z 23-42 CC Exhibit
Z 23-42 R&M
Z 23-42 Responses
Z 23-42 Staff Presentation



0 130 260 Feet
1 inch = 205 feet

ZONING MAP Z 23-42

 INDICATES AREA OF REQUEST

421 East Walnut Street

SPECIFIC USE PROVISION CONDITIONS

ZONING FILE Z 23-42

421 East Walnut Street

- I. Statement of Purpose:** The purpose of this Specific Use Provision is to allow an Automobile Sales, New or Used 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. 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.

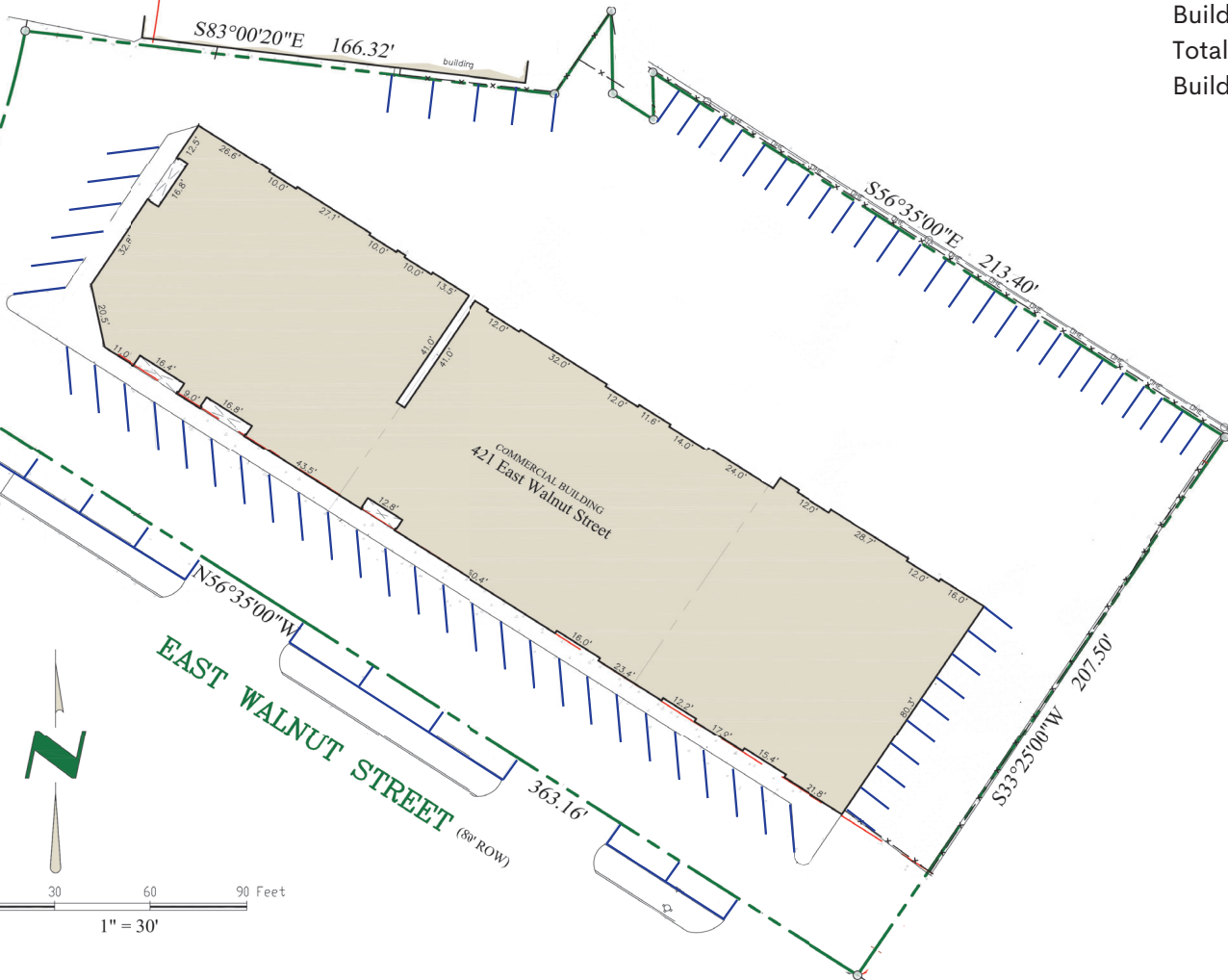
The termination of utilities on the premises for a period of 180 calendar days is prima facie evidence of abandonment and the owner shall have the burden to prove that the Land Use has not been abandoned.

V. Specific Regulations:

- A. Site Plan: The site shall be in general conformance with the approved Site Plan labeled Exhibit C.
- B. Time Period: The Specific Use Provision shall have a time period of three (3) years.
- C. Automobiles For Sale: Automobiles for sale shall be stored and displayed indoors at all times. A maximum number of five (5) automobiles will be available for sale at a time.

R=260.00'
L=104.68'
D=23°04'03"
CHD=N21°52'59"E
103.97'

WALNUT CIRCLE
EAST
(60' ROW)



BUILDING DETAILS

Building total square footage: 21,902

Total acreage: 1.585

Building height: 15'



30 0 30 60 90 Feet
SCALE 1" = 30'

REPORT & MINUTES

P.C. Meeting, December 11, 2023

3c. APPROVED Consideration of the application of **Matt Drahos**, requesting approval of 1) a Specific Use Provision for an Automobile Sales, New or Used Use on a property zoned Industrial (IN) District and 2) a Plan for Automobile Sales, New or Used. This property is located at 421 East Walnut Street. (District 2) (File Z 23-42).

The applicant, Matt Drahos, 2416 Quail Creek Dr., Little Elm, TX 75068, provided an overview of the request and remained available for questions.

Commissioner Rose asked the applicant how long their business has been at the location, whether they were renting or were owners and how long they foresee remaining in business at the current location.

The applicant stated they have been in business at the current location for four years, they are the owners of the property and they foresee staying at the location indefinitely. The applicant further explained that the reason behind requesting the three year SUP is to prove that they will do as they say and not turn the business into a used car dealership.

Commissioner Dalton asked the applicant if he was aware of the comments expressed by the neighbors to the business.

The applicant indicated that he was aware of the comments by the surrounding neighbors.

Commissioner Aubin asked the applicant if the vehicles he has now are vehicles that other enthusiasts bring for repair and then end up needing to sell.

The applicant explained that yes, in most cases, the vehicle is brought in for repair and sometimes because the cost to do the repairs is too high, the owner decides they want to sell. With this scenario, the applicant would like to be able to sell the vehicle and make a profit instead of having to pass it on to another dealer because they do not have the proper license.

Chair Roberts explained to the applicant that while he is not inclined to bring automobile sales because this request is such a niche version, he would be in favor of approving the request and set the SUP for every three years with the condition that all vehicles be stored indoors.

The applicant stated that they too are in favor of having an indoor showroom for the sake of protecting the vehicles.

Commissioner Abell stated that he can vouch for the vehicles not being stored outdoors once the business has closed for the day and that overall the applicant does a good job of keeping the area clean and presentable during the hours that they are not in operation.

Commissioner Jenkins asked the applicant if he could clarify on the signage requirement that the DMV would require of the business.

The applicant explained that the DMV would require the business to have a sign on the exterior of the building with the name of the auto sale company that is associated with the auto dealership license. The sign would more than likely be above the entry door.

Commissioner Jenkins stated that his only concern regarding the request is if the use is appropriate for the land.

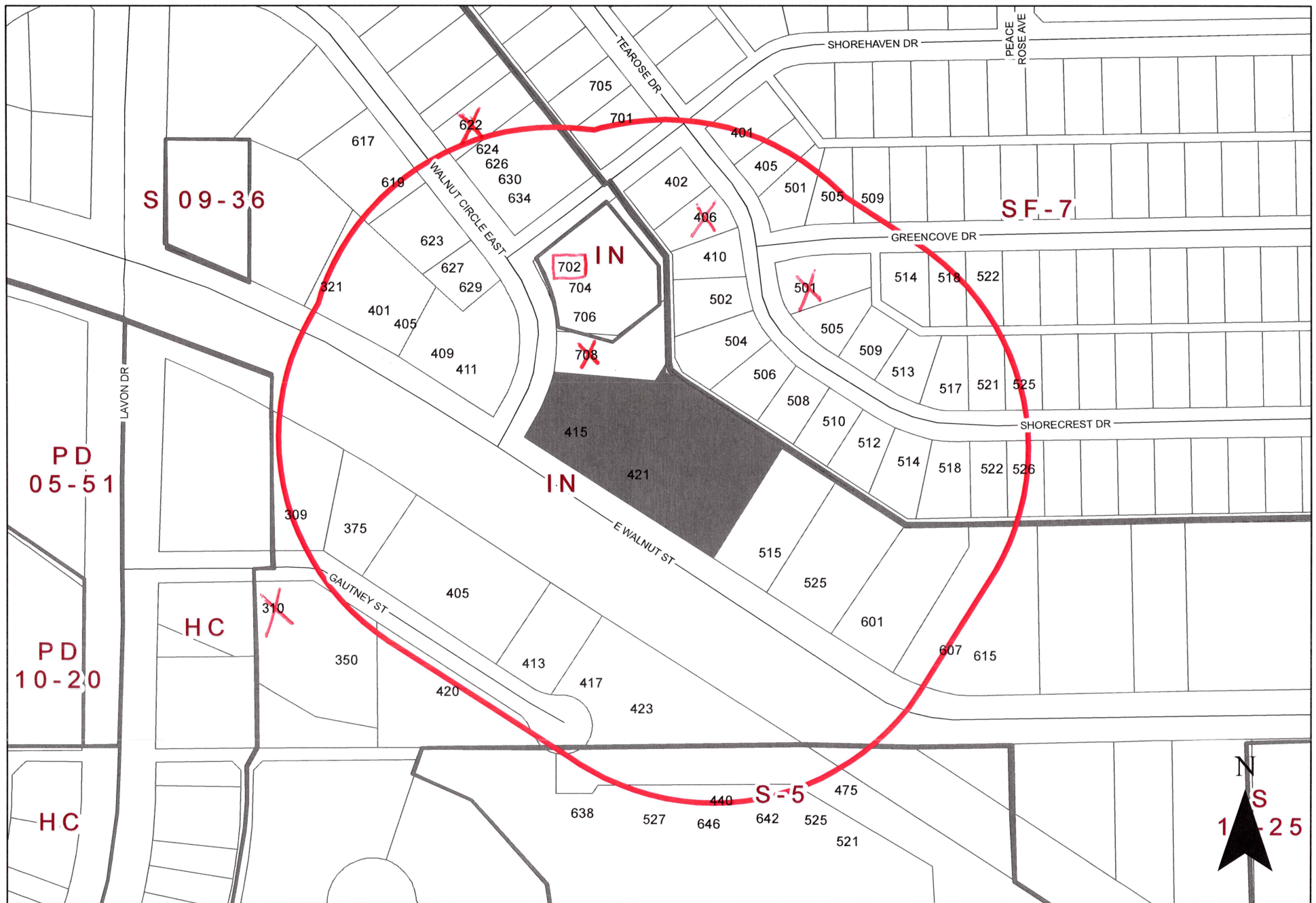
Commissioner Dalton explained to the applicant that prior to hearing his presentation he was leaning towards denying the request. In regards to the applicant's request for a three-year SUP, in his opinion, if after three years the applicant has not complied with the SUP requirements, then it does not have to be renewed. Commissioner Dalton explained that he is now inclined to approve this request as the applicant is only requesting a three-year SUP and in regards to the type of car sales, it is far different than the normal used car sales.

Commissioner Paris also expressed being in favor of the request because of the niche vehicles and the type of unique sale these niche vehicles would generate in an indoor showroom.

The applicant explained that the only service they provide is for this specific type of vehicle and because it is such a unique vehicle that they work with, there is no nearby competition to their business.

Commissioner Jenkins expressed his gratitude to the applicant's submission of the three-year SUP but his only hesitation is that a lot can change in three years including market conditions and while currently there is a need for this type of service now, the applicant in the future might need to change their business model to sell used cars.

Motion was made by Commissioner Jenkins to **approve** the application as presented with the provision that the vehicles be stored both during the day and in the evening inside of the facility. Seconded by Commissioner Abell. **Motion carried: 8 Ayes, 0 Nays.**



0 130 260 Feet 1 inch = 205 feet	ZONING MAP Z 23-42	INDICATES AREA OF REQUEST	INDICATES NOTIFICATION AREA
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421 East Walnut Street

Comment Form

Case Z 23-42

Z 23-42 Matt Drahos. The applicant proposes to add automobile sales to the existing automobile repair facility. The site is located at 421 East Walnut Street. (District 2)

Z 23-42 Matt Drahos. El solicitante propone añadir las ventas de automóviles a las instalaciones de reparación de automóviles existentes. El sitio está ubicado en 421 East Walnut Street. (Distrito 2)

Z 23-42 Matt Drahos. Người nộp đơn đề xuất bổ sung doanh số bán ô tô cho cơ sở sửa chữa ô tô hiện có. Địa điểm tọa lạc tại số 421 East Walnut Street. (Quận 2)

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.

SAMUEL MWANIA OWNER / HAKUNA MATATA AUTO REPAIR LLC

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.)

702 E WALNUT CIR SUITE B

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

GARLAND TEXAS

City, State / Estado de la Ciudad / Thành bang

75040

Zip Code / Código postal / Mã B u Chính



Signature / Firma / Chữ ký

12/01/2023

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.)

DEC 1 '23 PM 4:29

Comment Form

Case Z 23-42

Z 23-42 Matt Drahos. The applicant proposes to add automobile sales to the existing automobile repair facility. The site is located at 421 East Walnut Street. (District 2)

Z 23-42 Matt Drahos. El solicitante propone añadir las ventas de automóviles a las instalaciones de reparación de automóviles existentes. El sitio está ubicado en 421 East Walnut Street. (Distrito 2)

Z 23-42 Matt Drahos. Người nộp đơn đề xuất bổ sung doanh số bán ô tô cho cơ sở sửa chữa ô tô hiện có. Địa điểm tọa lạc tại số 421 East Walnut Street. (Quận 2)

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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DOUGLAS STOUTENBURG / Manager

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.)

708 E. Walnut Circle

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

Garland, TX

City, State / Estado de la Ciudad / Thành bang

75040

Zip Code / Código postal / Mã B u Chính

12-1-2023

Signature / Firma / Chữ ký

Date / Fecha / Ngày

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Comment Form Continued – Case Z 23-42

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

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

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

This business had repeatedly in the past used my property to park, load and unload vehicles onto carriers, etc.

I requested that they stop using our property and was told "sure" only to have them continue. When asking again, was met with disdain.

Damage to our parking area in the amount of about \$8,000 was caused which we paid and didn't ask for reimbursement.

Adding to their operation will cause more trouble and expense to their neighbors and I strongly disapprove of any expansion of their operation. It will degrade the area.

Comment Form Case Z 23-42

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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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Ray Alaniz 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.)

421 E. WALNUT CIR

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

Garland TX 75040

City / Estado de la Ciudad / Thành bang

75040

Zip / Código postal / Mã Bưu Chính

Ray Alaniz

Signature / Firma / Chữ ký

12.5.23

Date / Fecha / Ngày

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**Comment Form Continued –
Case Z 23-42**

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

adding a car lot then will increase
the theft rate. the value will go down.
there are enough car lots in Garland.

Comment Form

Case Z 23-42

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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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Belen Alvarado

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.)

406 Shorecrest Dr.

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

Garland

City, State / Estado de la Ciudad / Thành bang

75040

Zip Code / Código postal / Mã B u Chính

Belen Alvarado

Signature / Firma / Chữ ký

12/5/23

Date / Fecha / Ngày

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Comment Form Continued – Case Z 23-42

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

The cars will be blocking the road, and block drivers' view when turning into and out of the neighborhood. That could lead to possible car wrecks and injuries.

Comment Form

Case Z 23-42

Z 23-42 Matt Drahos. The applicant proposes to add automobile sales to the existing automobile repair facility. The site is located at 421 East Walnut Street. (District 2)

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

☐

For / A Favor / Đúng

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Against / En Contra / Không

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Garland Glass & Mirror Co., Inc.

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.)

310 Cantrey St.

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

Garland, Texas

City, State / Estado de la Ciudad / Thành bang

75040

Zip Code / Código postal / Mã B u Chính

[Signature]

Signature / Firma / Chữ ký

12-5-2023

Date / Fecha / Ngày

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Zoning Response Case Comments

Case Number	PC Hearing Date	CC Hearing Date	Planner Name
Z 23-42	December 11, 2023	January 9, 2024	Matthew Wolverton

Z 23-42 Matt Drahos. The applicant proposes to add automobile sales to the existing automobile repair facility. The site is located at 421 East Walnut Street. (District 2)

Lisa

against

12/12/2023
7:20:37 PM

Collier

Garland

Texas

United States

75043

traffic concerns

Outside the Notification Area

Marta Lopez

Against

12/2/2023
1:32:12 AM

501 Shorecrest Dr

Martadelgado36@yahoo.com

Garland

2143827653

Texas

United States

75040



GARLAND

TEXAS MADE HERE

The applicant proposes a Specific Use Provision (SUP) for Automobile Sales, New or Used in an existing building for Automobile Repair.

City Council Meeting

January 9, 2023

Z 23-42

CASE INFORMATION

Location: 421 East Walnut Street

Applicant: Matt Drahos

Owner: Coma Properties LLC

Acreage: 1.58 acres

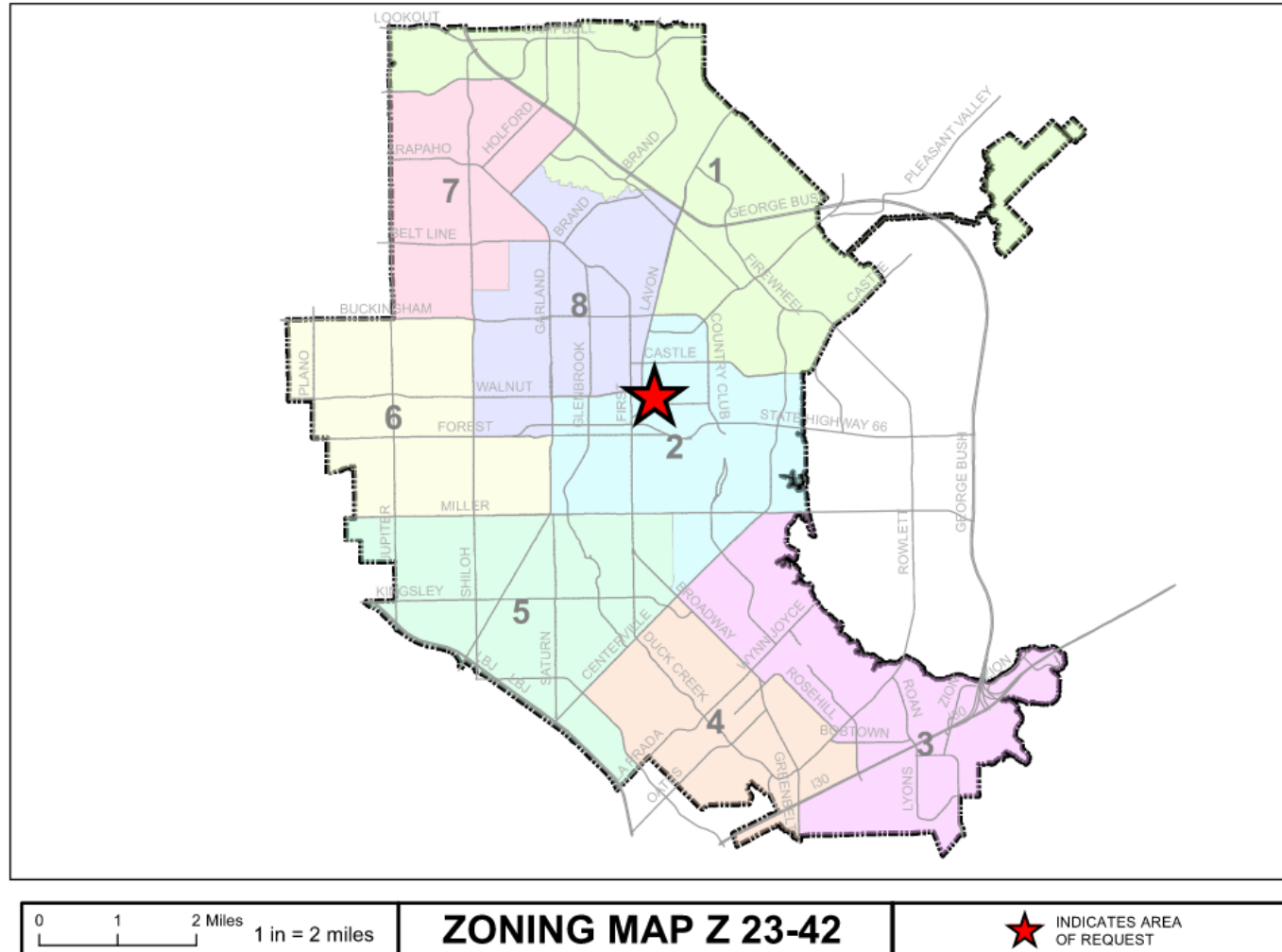
Zoning: Industrial (IN) District

Z 23-42



GARLAND
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CITYWIDE LOCATION MAP

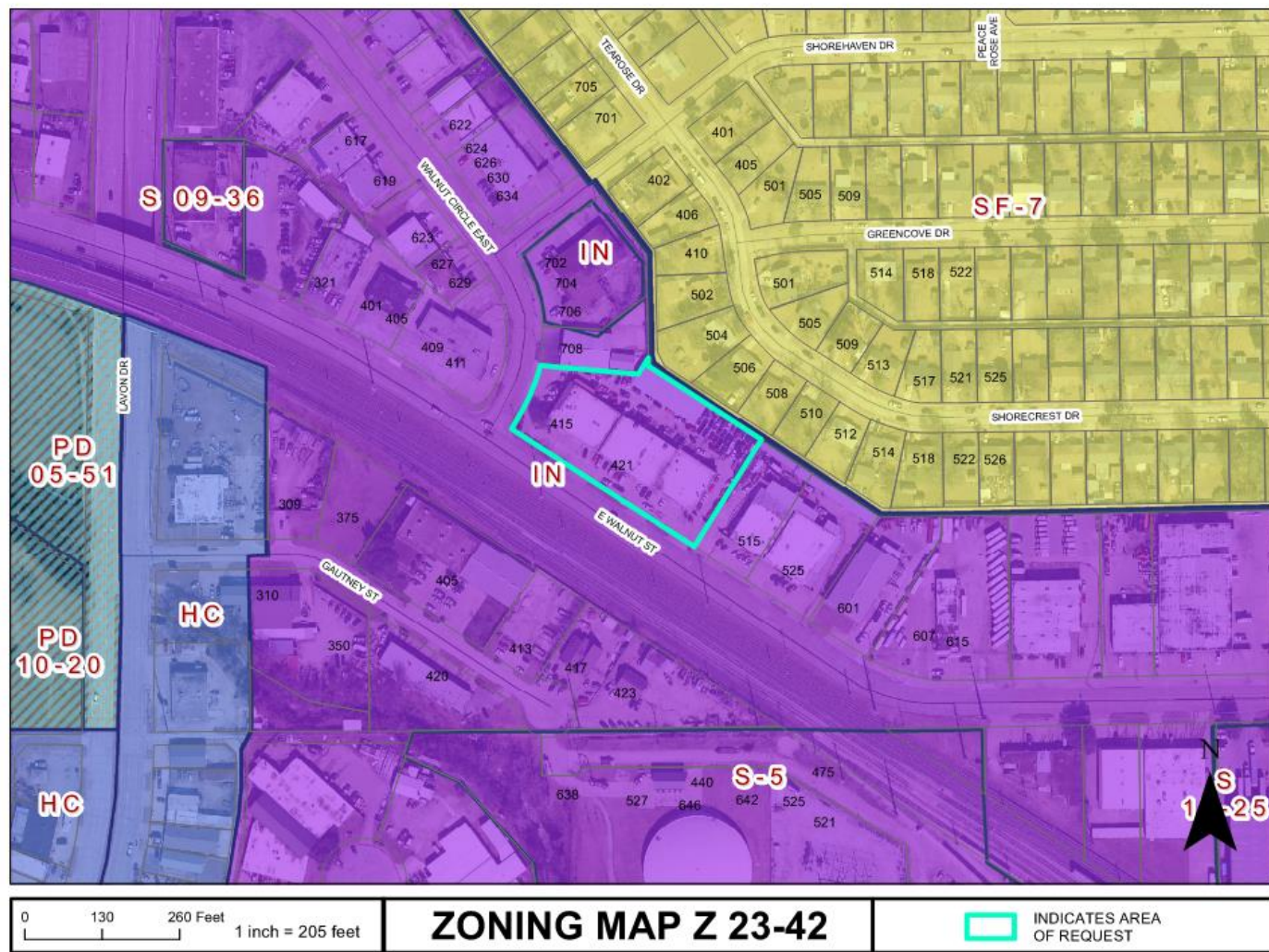


Z 23-42



GARLAND
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LOCATION MAP



421 East Walnut Street

Z 23-42

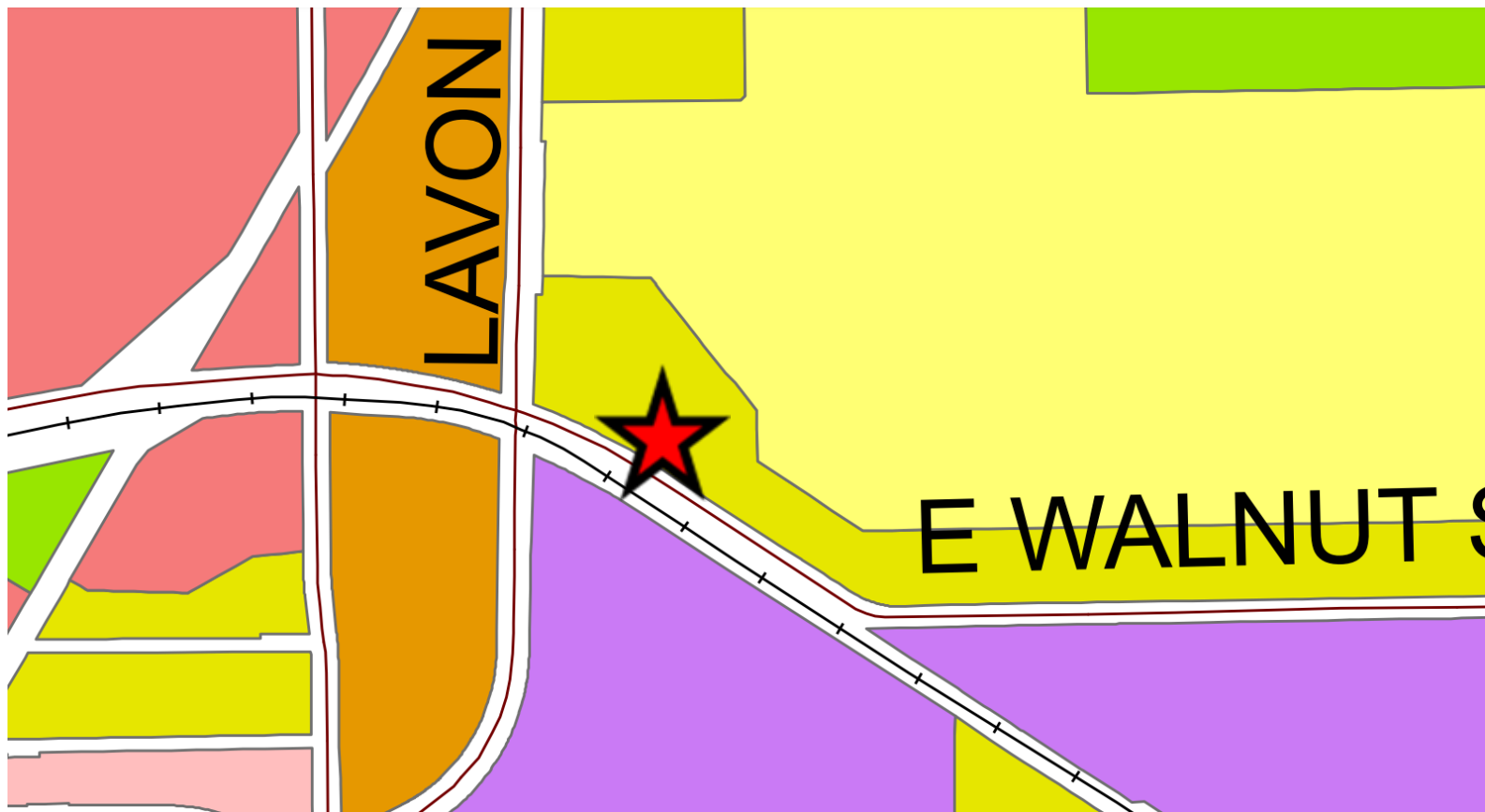


GARLAND
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COMPREHENSIVE PLAN



Compact Neighborhoods



Z 23-42



GARLAND
TEXAS MADE HERE

PHOTOS



Z 23-42

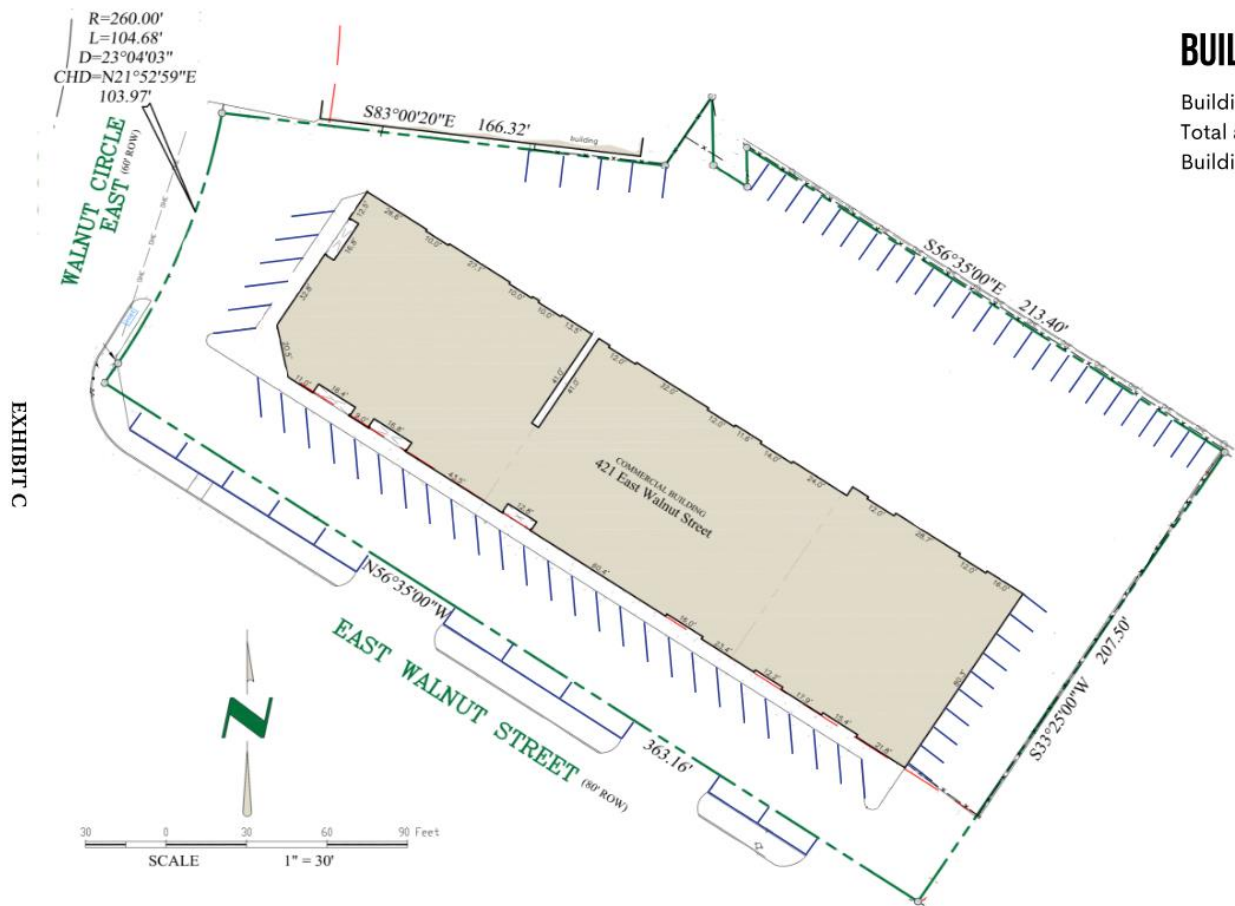
PHOTOS





GARLAND
TEXAS MADE HERE

SITE PLAN



BUILDING DETAILS & PARKING

Building total square footage: 21,902

Total acreage: 1.585

Building height: 15'

ECONOMIC DEVELOPMENT

- Per the Economic Development Strategic Plan, consideration should be given to whether adding automotive-related uses such as Automobile Sales that require zoning changes are the best use of land. The Plan recommends being selective on land use requests requiring re-zonings such as SUP's. The proposal would not be anticipated to add sales tax.



SPECIFIC USE PROVISION

- The applicant requests to allow the Automobile Sales, New or Used Use, which requires a Specific Use Provision in the Industrial (IN) District.
- The applicant proposes that five (5) automobiles will be available for sale at one time on the property. The applicant concurs with the Plan Commission's recommendation to keep vehicles for sale stored and displayed indoors only.
- The applicant requests the SUP to be valid of a time period of three (3) years. The draft SUP Conditions limit the site to a maximum of five (5) automobiles for sale on site, indoors only, with a 3-year SUP time period.



STAFF RECOMMENDATION

Denial of 1) a Specific Use Provision for an Automobile Sales, New or Used Use on a property zoned Industrial (IN) District and 2) a Plan for an Automobile Sales, New or Used Use.

Staff finds the request does not align with the Comprehensive Plan and Economic Development Strategic Plan.

PLAN COMMISSION RECOMMENDATION

December 11, 2023 the Plan Commission, by a vote of eight (8) to zero (0), recommended approval of 1) a Specific Use Provision for an Automobile Sales, New or Used Use on a property zoned Industrial (IN) District and 2) a Plan for an Automobile Sales, New or Used, with the condition that automobiles for sale shall be displayed and stored indoors only.



GARLAND
TEXAS MADE HERE



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



GARLAND
PLANNING REPORT

2024 City Council Regular Session

15. d.

Meeting Date: 01/09/2024

Item Title: Z 23-45 708 Studios, LLC /Clara M. Carlisle (District 5)

Submitted By: Nabiha Ahmed, Lead Development Planner

REQUEST

Approval of a Change in Zoning from Neighborhood Office (NO) District to Community Retail (CR) District.

LOCATION

2930 Broadway Boulevard

OWNER

Upsilon Investments, LLC

PLAN COMMISSION RECOMMENDATION

On December 11, 2023 the Plan Commission, by a vote of eight (8) to zero (0) recommended approval of a Change in Zoning from Neighborhood Office (NO) District to Community Retail (CR) District.

STAFF RECOMMENDATION

Approval of a Change in Zoning from Neighborhood Office (NO) District to Community Retail (CR) District.

BACKGROUND

The subject property is currently unimproved. The applicant intends to rezone the property to Community Retail (CR) District to allow future retail, restaurant and office uses by right.

SITE DATA

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.

CAPTION

Consider a request by 708 Studios, LLC/Clara M. Carlisle, proposing to rezone the property from Neighborhood Office (NO) District to Community Retail (CR) District. The site is located at 2930 Broadway Boulevard in District 5.

Consider and take appropriate action of the application of 708 Studios, LLC/Clara M. Carlisle, requesting approval of a Change in Zoning from Neighborhood Office (NO) District to Community Retail (CR) District. This property is located at 2930 Broadway Boulevard. (District 5) (File Z 23-45)

USE OF PROPERTY UNDER CURRENT ZONING

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.

CONSIDERATIONS

1. The request is a traditional rezoning without the formation of a Planned Development (PD) District. These requests do not require Concept Plan or Detail Plan approval to commence or direct development. Development is dependent on the standards set forth by the Garland Development Code (GDC) and the goals and policies established within the Envision Garland 2030 Comprehensive Plan. This Change in Zoning is not intended to

restrict uses or secure development performances beyond what is permitted within the proposed zoning district and the GDC. Accordingly, the GDC requires careful consideration as to how closely the proposed district follows the policies of the Envision Garland 2030 Comprehensive Plan, and to what degree the rezoning will affect surrounding and future development.

2. The Community Retail (CR) District is intended to accommodate a variety of retail, service, and business establishments that may or may not be designed in a shopping center configuration. The district may be used as a transition district between lower intensity retail or office uses and more intense uses. A CR district is generally appropriate along major transportation corridors but is generally not appropriate in proximity to low-density residential districts without significant buffering and screening features. Examples of uses allowed by right in Community Retail include retail store, general office, restaurant and retail bakery.

COMPREHENSIVE PLAN

The Future Land Use Map of the Envision Garland Plan designates this property as 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.

The Community Retail (CR) District offers supportive retail uses to the nearby residential area.

ECONOMIC DEVELOPMENT STRATEGIC PLAN

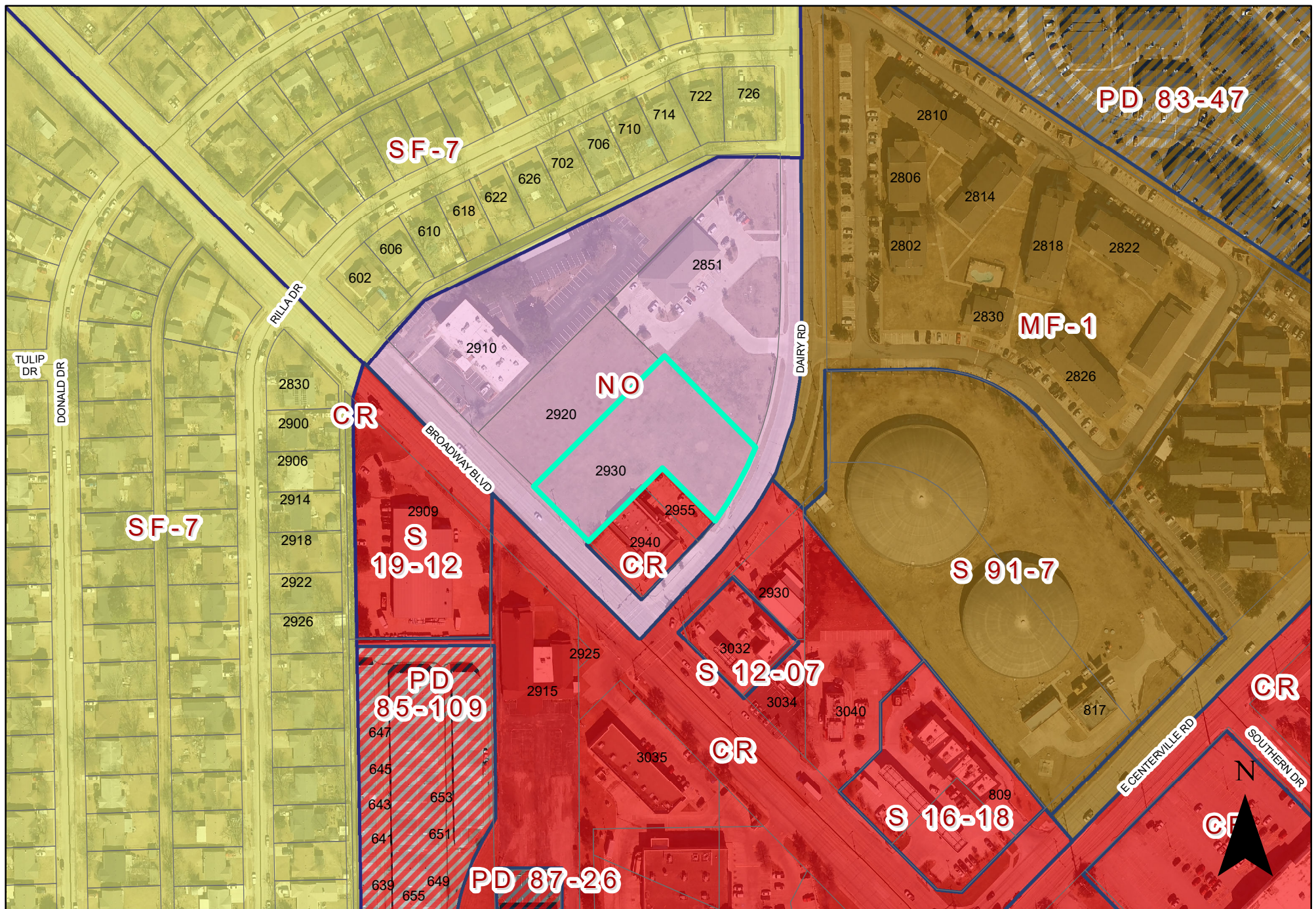
A re-zoning to Community Retail (CR) District opens the site to additional commercial uses such as retail and restaurants which may generate additional sales tax for the City.

COMPATIBILITY OF REQUEST WITH SURROUNDING ZONING AND LAND USES

Though the property lies within the "Compact Neighborhoods" future land use, there are currently commercial properties nearby. The properties directly to the east of the subject property are zoned Community Retail (CR) District and Neighborhood Office (NO) District. The properties to the east, across Dairy Road, are zoned Community Retail (CR) District and Multi-Family-1 (MF-1) District. The properties to the south, across Broadway Boulevard, are zoned Community Retail (CR) District. The property to the west was recently approved for a multi-family (condominium) development [Z 22-29].

Attachments

Z 23-45 Location Map
Z 23-45 R&M
Z 23-45 Responses
Z 23-45 Staff Presentation



0 130 260 Feet
1 inch = 202 feet

ZONING MAP Z 23-45

 INDICATES AREA OF REQUEST

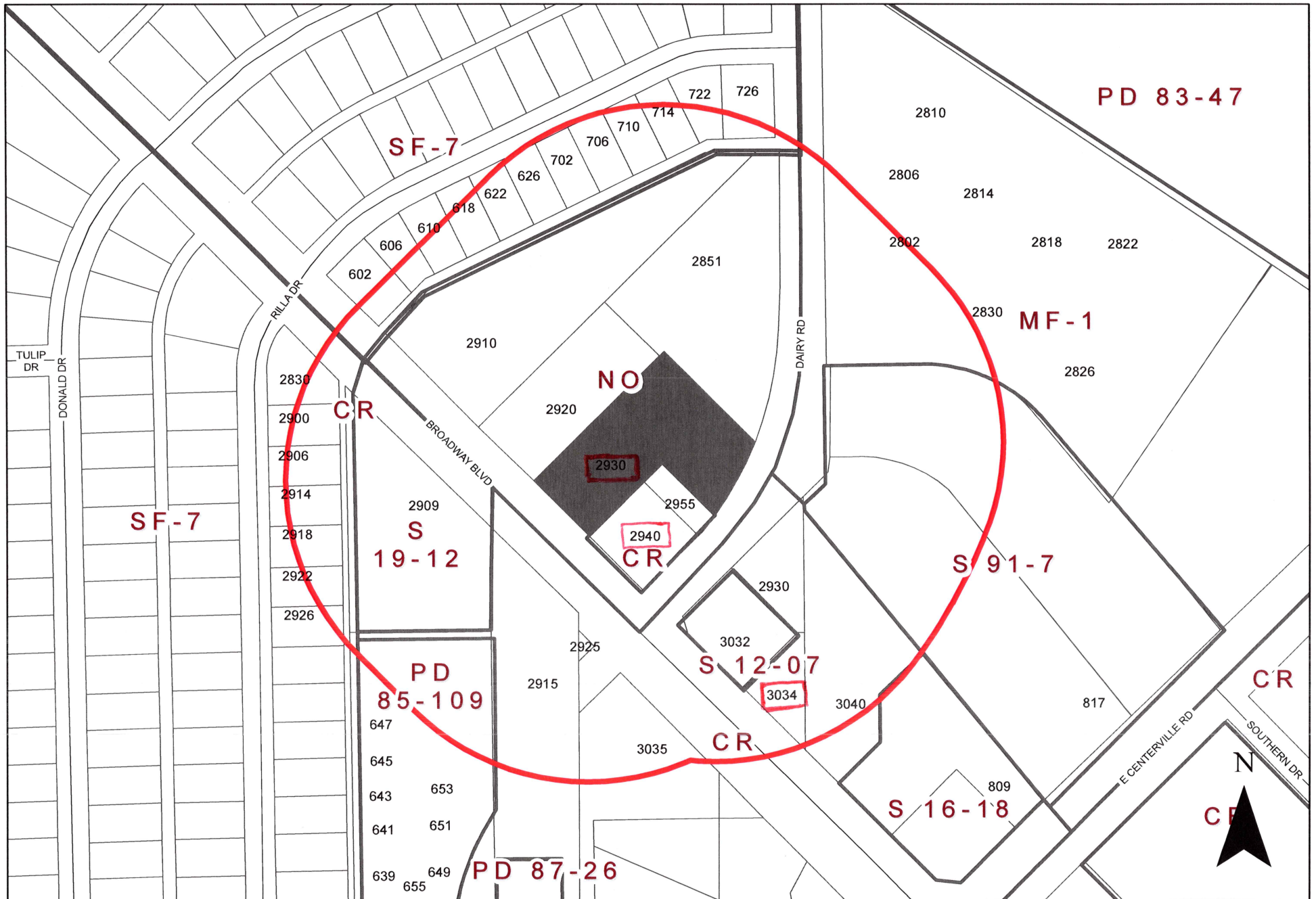
2930 Broadway Boulevard

REPORT & MINUTES

P.C. Meeting, December 11, 2023

3d. APPROVED Consideration of the application of **708 Studios, LLC/Clara M. Carlisle**, requesting approval of a Change in Zoning from Neighborhood Office (NO) District to Community Retail (CR) District. This property is located at 2930 Broadway Boulevard. (District 5) (File Z 23-45).

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



0

130

260 Feet

1 inch = 202 feet

ZONING MAP Z 23-45

INDICATES AREA OF REQUEST

INDICATES NOTIFICATION AREA

2930 Broadway Boulevard

Comment Form

Case Z 23-45

Z 23-45 708 Studios, LLC/Clara M. Carlisle. The applicant proposes to rezone the property from Neighborhood Office (NO) District to Community Retail (CR) District to allow retail, office and restaurant uses. The site is located at 2930 Broadway Boulevard. (District 5)

Z 23-45 708 Studios, LLC/Clara M. Carlisle. El solicitante propone rezonificar la propiedad del Distrito de Oficinas Vecinales (NO) al Distrito Comercial Comunitario (CR) para permitir usos minoristas, de oficinas y de restaurantes. El sitio está ubicado en 2930 Broadway Boulevard. (Distrito 5)

Z 23-45 708 Studios, LLC/Clara M. Carlisle. Người nộp đơn đề xuất phân vùng lại tài sản từ Quận Văn phòng Khu dân cư (NO) sang Quận Bán lẻ Cộng đồng (CR) để cho phép sử dụng làm cửa hàng bán lẻ, văn phòng và nhà hàng. Địa điểm tọa lạc tại 2930 Broadway Boulevard. (Quận 5)

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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Shem Teyar, Business 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.)

2940 Broadway Blvd Ste 15

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

[Signature]

Signature / Firma / Chữ ký

12/05/2023

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.)

Case Z 23-45

Z 23-45 708 Studios, LLC/Clara M. Carlisle. The applicant proposes to rezone the property from Neighborhood Office (NO) District to Community Retail (CR) District to allow retail, office and restaurant uses. The site is located at 2930 Broadway Boulevard. (District 5)

Z 23-45 708 Studios, LLC/Clara M. Carlisle. El solicitante propone rezonificar la propiedad del Distrito de Oficinas Vecinales (NO) al Distrito Comercial Comunitario (CR) para permitir usos minoristas, de oficinas y de restaurantes. El sitio está ubicado en 2930 Broadway Boulevard. (Distrito 5)

Z 23-45 708 Studios, LLC/Clara M. Carlisle. Người nộp đơn đề xuất phân vùng lại tài sản từ Quận Văn phòng Khu dân cư (NO) sang Quận Bán lẻ Cộng đồng (CR) để cho phép sử dụng làm cửa hàng bán lẻ, văn phòng và nhà hàng. Địa điểm tọa lạc tại 2930 Broadway Boulevard. (Quận 5)

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.

Prashanth Momula / 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.)

2930 Broadway Boulevard

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

M. Prashanth

Signature / Firma / Chữ ký

12/08/2023

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 23-45

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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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BOB DAW

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.)

3034 BROADWAY BLVD

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

GARLAND, TX

City, State / Estado de la Ciudad / Thành bang

75041

Zip Code / Código postal / Mã B u Chính

Signature / Firma / Chữ ký

Date / Fecha / Ngày

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The applicant requests a Change in Zoning from Neighborhood Office (NO) District to Community Retail (CR) District.

City Council Meeting

January 9, 2024

Z 23-45

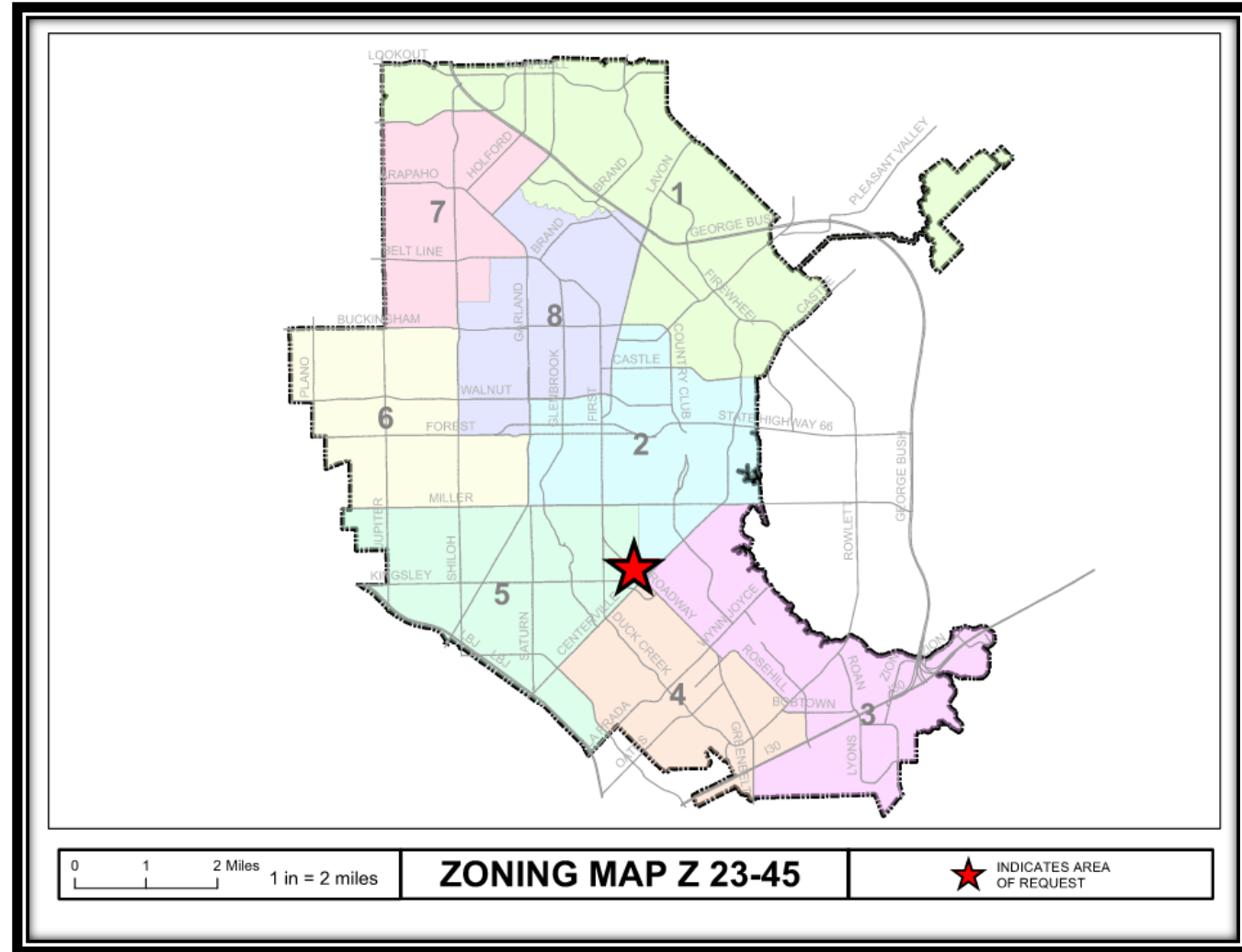
CASE INFORMATION

Location:	2930 Broadway Boulevard
Applicant:	708 Studios, LLC/Clara M. Carlisle
Owner:	Upsilon Investments, LLC
Acreage:	1.16 acres
Zoning:	Neighborhood Office (NO) District



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CITYWIDE LOCATION MAP

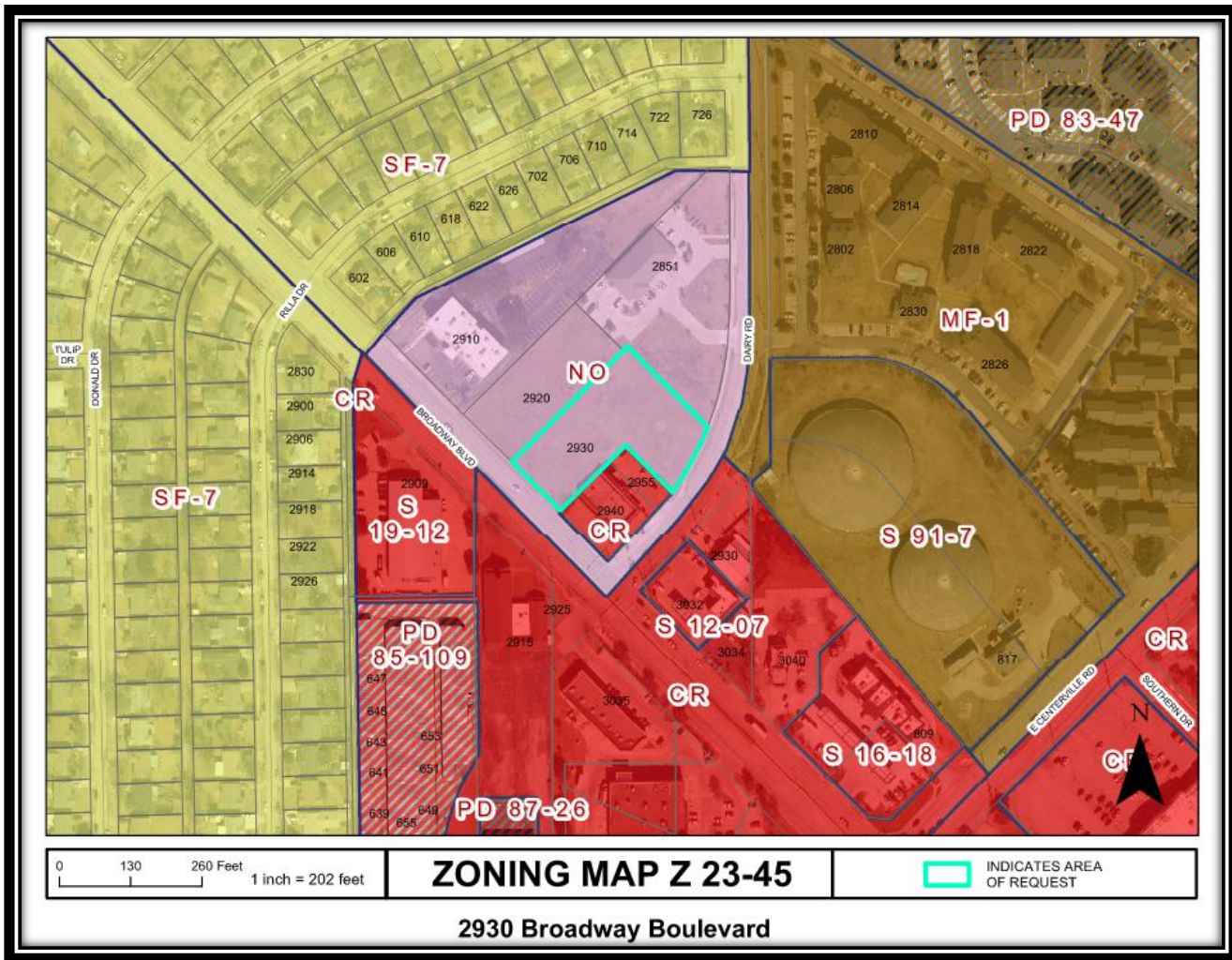


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LOCATION MAP



Z 23-45

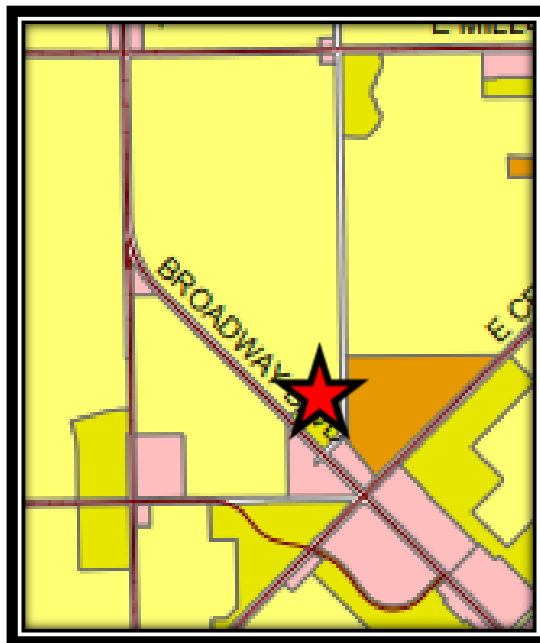


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COMPREHENSIVE PLAN



Compact Neighborhoods



COMPREHENSIVE PLAN

The Future Land Use Map of the Envision Garland Plan designates this property as 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.

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 Community Retail (CR) District offers supportive retail uses to the nearby residential area.



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CONSIDERATIONS

The request is a traditional rezoning without the formation of a Planned Development (PD) District. These requests do not require Detail Plan approval to commence or direct development. Development is dependent on the standards set forth by the Garland Development Code (GDC).

The applicant will comply with all the design standards per the Garland Development Code.



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PHOTOS



View of the subject site



East of the subject site



GARLAND
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PHOTOS



West of the subject site



North of the subject site



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STAFF RECOMMENDATION

Approval of a Change in Zoning from Neighborhood Office (NO) District to Community Retail (CR) District

Z 23-45



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PLAN COMMISSION RECOMMENDATION

On December 11, 2023 the Plan Commission, by a vote of eight (8) to zero (0) recommended approval of a Change in Zoning from Neighborhood Office (NO) District to Community Retail (CR) District.

Z 23-45



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GARLAND

PLANNING REPORT

2024 City Council Regular Session

15. e.

Meeting Date: 01/09/2024

Item Title: GDC Amendment Related to Reception Facilities

Submitted By: Will Guerin, Planning Director

REQUEST

Consider amending Section 6.03, "Definitions," Section 2.52, "Special Standards for Certain Uses," the Land Use Matrix of Chapter 2, and the Downtown (DT) District Land use Matrix of Chapter 7 of the Garland Development Code of the City of Garland, Texas, to allow for Reception Facility, Small Scale use in certain zoning districts.

PLAN COMMISSION RECOMMENDATION

During their December 11, 2023 meeting, the Plan Commission, with a vote of eight (8) to zero (0), recommended approval to amend Section 6.03, "Definitions," Section 2.52, "Special Standards for Certain Uses," the Land Use Matrix of Chapter 2, and the Downtown (DT) District Land use Matrix of Chapter 7 of the Garland Development Code of the City of Garland, Texas, to allow for Reception Facility, Small Scale use in certain zoning districts.

STAFF RECOMMENDATION

Approval to amend Section 6.03, "Definitions," Section 2.52, "Special Standards for Certain Uses," the Land Use Matrix of Chapter 2, and the Downtown (DT) District Land use Matrix of Chapter 7 of the Garland Development Code of the City of Garland, Texas, to allow for Reception Facility, Small Scale use in certain zoning districts.

BACKGROUND

The Development Services Committee of the City Council has made recommendations to amend the Garland Development Code (GDC) to create a "small scale" Reception Facility use that would not require a Specific Use Provision (SUP). This use would accommodate facilities with smaller gatherings (occupancy of 49 persons or less).

CAPTION

Consider an amendment to the Garland Development Code to create a Small-Scale Reception Facilities land use. This item was reported and recommended by the Development Services Committee of the City Council during the December 4, 2023 City Council Work Session.

Consideration to amend Section 6.03, "Definitions," Section 2.52, "Special Standards for Certain Uses," the Land Use Matrix of Chapter 2, and the Downtown (DT) District Land Use Matrix of Chapter 7 of the Garland Development Code to allow for Reception Facility, Small Scale use in certain zoning districts.

CONSIDERATIONS

1. Currently Reception Facilities require a Specific Use Provision (SUP) in any zoning district where they may be considered. Reception Facilities, Small Scale would be allowed by right in the zoning districts where Reception Facilities, Large Scale (currently "Reception Facility") are only allowed by SUP. The proposed Reception Facilities, Small Scale are defined as having an occupancy of 49 or less. Reception Facilities, Large Scale will have an occupancy of more than 49 and will continue to require an SUP.
2. Because the small-scale reception facilities would have a more limited occupancy, the Development Services Committee also recommends that the GDC Special Standards related to Reception Facilities shall not apply to these uses. For example, the GDC requires on-site security personnel and minimum distances from residential uses and other reception facilities. These GDC Special Standards are intended for larger parties and gatherings with a high occupancy. The parking ratio requirement would remain the same between both types of Reception

Facilities as proposed.

3. The draft ordinance and exhibits are attached for the City Council's consideration.

Attachments

Draft Ordinance
Exhibit A
Exhibit B

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 6.03, "DEFINITIONS," SECTION 2.52, "SPECIAL STANDARDS FOR CERTAIN USES," THE LAND USE MATRIX OF CHAPTER 2, AND THE DOWNTOWN (DT) DISTRICT LAND USE MATRIX OF CHAPTER 7 OF THE GARLAND DEVELOPMENT CODE OF THE CITY OF GARLAND, TEXAS, TO ALLOW FOR RECEPTION FACILITY, SMALL SCALE USE IN CERTAIN ZONING 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 Section 6.03, "Definitions," of Chapter 6, of the Garland Development Code of the City of Garland, Texas, is hereby amended *in part* to read as follows.

"Following are the definitions of land uses, general terms, and special terms used in this GDC.

...

RECEPTION FACILITY, LARGE SCALE: An establishment that is open to the general public or made available for private use, primarily for the provision of facilities for parties, dances, receptions, banquets, or similar social events and has an occupancy of greater than 49. The term does not include restaurants, hotels, country clubs, theaters, or commercial amusements that provide for such activities as a secondary use.

RECEPTION FACILITY, SMALL SCALE: An establishment that is open to the general public or made available for private use, primarily for the provision of facilities for parties, dances, receptions, banquets, or similar social events and has an occupancy of 49 or less. The term does not include restaurants, hotels, country clubs, theaters, or commercial amusements that provide for such activities as a secondary use.

..."

Section 2

That Section 2.52, "Special Standards for Certain Uses," of Chapter 6, of the Garland Development Code of the City of Garland, Texas, is hereby amended *in part* to read as follows.

"(A) Specific Requirements. The City has established the following standards for certain land uses that apply to the uses regardless of the zoning district in which they are located, unless otherwise stated within other sections of this GDC. The definitions for each land use listed below are contained within Chapter 6 of this GDC.

...

(20) Reception Facility, Large Scale. A reception facility, large scale must comply with the following provisions of this Subsection (20):

...

(i) The specific requirements listed in this subsection do not apply to a Reception Facility, Small Scale.

..."

Section 3

That the "Land Use Matrix," of Chapter 2, of the Garland Development Code of the City of Garland, Texas, is hereby amended *in part* under "Recreational, Social and Entertainment Uses," as more particularly depicted and described in Exhibit "A," which is attached hereto and incorporated herein by reference.

Section 4

That the "Downtown (DT) District Land Use Matrix," of Chapter 7, of the Garland Development Code of the City of Garland, Texas, is hereby amended *in part* under "Recreational, Social, & Entertainment Uses," as more particularly depicted and

described in Exhibit "B," which is attached hereto and incorporated herein by reference.

Section 5

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 6

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 7

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 8

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

Mayor

ATTEST:

City Secretary

Published:

EXHIBIT "A"
Ch.2 Land Use Matrix

"...

RECREATIONAL, SOCIAL AND ENTERTAINMENT USES
--

...

	AG	SF-E	SF-10	SF-7	SF-5	SFA	2F	MF (MF-0, MF-1 and MF-2)	NO	CO	NS	CR	LC	HC	IN	U R	UB	DT (see Ch. 7)	Parking Requirements	Cross-Reference(s) for Special Standards
Reception Facility, Large Scale												S	S	S	S			-	1/100 gfa or 1 space for each 3 occupant s (whichev er is greater)	Sec. 2.52 (A) (20)
Reception Facility, Small Scale												P	P	P	P				1/100 gfa or 1 space for each 3 occupant s (whichev er is greater)	Sec. 2.52 (A) (20)

..."

EXHIBIT "B"

7 Attachment 2

Table 7-1: Downtown District Land Use Matrix

" ...

	Downtown Historic	Downtown Square	Uptown	InTown Residential	Suburban Corridor	Parking Requirement (Does not apply to Downtown Historic (DH) and Downtown Square (DS) sub- districts)	Cross-Reference Special Standards
--	----------------------	--------------------	--------	-----------------------	----------------------	--	--------------------------------------

...

Recreational, Social, & Entertainment Uses							
---	--	--	--	--	--	--	--

...

Reception Facility, Large Scale	S	***	S		S	1/100 gfa or 1 space for each 3 occupants (whichever is greater)	§ 2.52 (A) 20
Reception Facility, Small Scale	P	***	P		P	1/100 gfa or 1 space for each 3 occupants (whichever is greater)	§ 2.52 (A) 20

..."